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Rec'd 11/1/2021
4:40 PM
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October 28, 2021

Honorable Stephen Witt
Mayor City of Lake City, Florida
205 N. Marion Ave.
Lake City, Florida 32055

Re: Lake City-Columbia County Humane Society, Inc.

Dear Mayor Witt:

The Lake City-Columbia County Humane Society, Inc. ("Humane Society") has asked me to contact the City of Lake City ("City") regarding the Quit Claim Deed with Reverter Rights dated June 6, 2011 from the City to the Humane Society. Enclosed is a copy of the Quit Claim Deed. The Humane Society is requesting that the City remove the provisions on page 2 of the Deed requiring the land shall be used for the sole purpose of providing animal shelter facilities and services for the citizens of Lake City and Columbia County, Florida by a not for profit entity. In the event the land fails to be used for such purposes by the Humane Society, or its successors and assigns, title to the land conveyed shall revert to Lake City, and its successors and assigns. The Humane Society is not asking the City to release its perpetual easement over, under and across the land for various public utility facilities.

The corporation which owns the land and improvements thereon subject to the rights retained by the City is managed by its governing Board of Directors ("Board"). The Board consists of ten (10) very responsible local citizens who volunteer their time for this very worthwhile organization. A copy of the names of the Board members and their office is enclosed for your information.

Historically, the Humane Society was originally incorporated in 1964. In 2008 it was recognized by the Internal Revenue Service as a tax exempt organization under section 501(c) (3) of the Internal Revenue code. The current bylaws of the Humane Society provide it is a non-profit corporation and is organized exclusively for charitable, religious, educational, and scientific purposes which includes to promote and advance humane treatment and

wellbeing of animals and to educate the community about the Humane Society efforts. It is a non-profit corporation. The bylaws further provide "dissolution of the corporation shall be in accordance with the laws of the State of Florida and the articles of Incorporation which provide that all remaining assets, after payment of debt, will be distributed to a like charitable organization engaged in the benefit of animals as selected by the Board of Directors".

The Humane Society has been a good steward of the property. The property has been developed and upgraded from its original condition, and currently includes building structures of approximately 12,000 square feet including animal housing and retention areas for dogs and cats. The Humane Society also makes substantial contributions to the local economy. It provides employment for up to 35 employees at any given time. It now leases and operates a profitable thrift shop in order to supplement its budget for providing the services. In 2010 the Humane Society purchased an additional 8.2 acres lying westerly of the land which was conveyed by the City. This property is currently planned to be developed for a dog park area which will support the other services being provided by the Humane Society.

Although the Humane Society currently owns and operates approximately 12,000 square feet of building improvements, there is great need for additional expansion of the facilities. The Humane Society has already begun construction of a new clinic adoption center. It has been required to do so on a very limited basis by using funds which are not immediately needed for providing animal control and other services. The Humane Society would like to have ability to apply for third party financing through a commercial bank in order to complete the new clinic adoption center, dog park area, and other needed improvements to the property which will facilitate continuing the services currently provided to the City, County, and its residents. However, it will be necessary to pledge the property which was conveyed by the city and the improvements located thereon in order to secure the loan. The property will not be acceptable collateral to a commercial lender where the property is in encumbered by the Reverter Clause and restrictions for use of the property as contained in the Quit Claim Deed of June 6, 2011. Therefore, the Humane Society is requesting your favorable

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consideration in releasing the property from these restrictions.

Please provide a time and date when Humane Society members may appear at one of your regular meetings to provide additional information, answer your further questions, and proceed with this request for your consideration. Again, the City would continue to reserve unto itself, successors, and assigns the perpetual easement for public utilities and similar use stated in the Quit Claim Deed. Please advise of the appropriate time and date when this matter may be scheduled at a regular meeting on the City's agenda. Thanks you for your many courtesies.

Very truly yours,


Marlin M. Feagle

MMF/tbb
Enclosures
cc: Attorney Fred Koberlein
Mr. Keith Williams, President Humane Society

HFD/lss
C-11
2/4/2011
5/25/2011 (Revised)
5/26/2011 (Revised)

This instrument prepared by
Herbert F. Darby
Darby & Peele
Attorneys at Law
Post Office Drawer 1707
Lake City, Florida 32056-1707

Inst:201112010429 Date:7/11/2011 Time:2.19 PM
Doc Stamp-Deed 0.70
DC,P,DeWitt Cason,Columbia County Page 1 of 4 B:1217 P:1887

QUIT-CLAIM DEED WITH REVERTER RIGHTS

THIS QUIT-CLAIM DEED WITH REVERTER RIGHTS made this 6 day of June, 2011, by the CITY OF LAKE CITY, FLORIDA, a municipal corporation organized under the laws of the State Florida, whose post office address is 205 North Marion Avenue, Lake City, Florida 32055, hereinafter called the Grantor, to the LAKE CITY-COLUMBIA COUNTY HUMANE SOCIETY, INC., a Florida not-for-profit corporation, whose mailing address is 1392 NW Shelter Glen, Lake City, Florida 32055, hereinafter called the Grantee:

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Columbia County, Florida, viz:

TOWNSHIP 3 SOUTH, RANGE 17 EAST

Section 30: Commence at the SW corner of the NW 1/4 of the SW 1/4 of Section 30, Township 3 South, Range 17 East, Columbia County, Florida, as the POINT OF BEGINNING; thence run N 0°05'00" W, along the West range line of 17 East, also being the West section line of Section 30, a distance of 527.32 feet to the South right-of-way line of the Seaboard Air Line Railroad; thence run S 87°00'54" E, along said South right-of-way line, a distance of 633.75 feet; thence run S 02°58'42" W, a distance of 486.67 feet; thence run S 89°12'55" W, a distance of 606.90 feet to the POINT OF BEGINNING.

This parcel is identified by the Property Appraiser's records as Parcel No. 30-3S-17-05855-000.

Subject to easements, restrictions, reservations, or rights-of-way of record, if any.

This deed is given to and accepted by Grantee upon the express condition that the land herein conveyed shall be used for the sole purpose of providing animal shelter facilities and services for the citizens of Lake City and Columbia County, Florida, by a not for profit entity. Grantee shall restrict its use to such purposes, and shall not use or permit the use of the land herein conveyed for any other purposes. In the event the land herein conveyed fails to be used for such purposes by the Grantee, or its successors and assigns, title to the land herein conveyed shall revert to the Grantor, and its successors and assigns. Grantee agrees and covenants with Grantor to maintain and operate the animal shelter on the land in compliance with and subject to all laws, ordinances, rules and regulations of the State of Florida, City of Lake City, Columbia County, and all other regulatory agencies.

The sole consideration for this deed is Grantee's covenant to operate and maintain a qualified, licensed animal shelter facilities and services upon the land which will provide for the regulation and control of animals to protect the public health and safety of the citizens of Lake City and Columbia County, Florida.

Grantor hereby reserves unto itself, its successors and assigns, a perpetual easement over, under and across the above-described land for the purpose of constructing, installing, replacing, repairing, enlarging, expanding, maintaining, and operating water, sewer, gas and communication lines, and drainage facilities, and other public utility facilities, and related appurtenances, together

with all rights reasonably necessary or incident thereto, including the right of ingress and egress to and from the above-described land for the purpose of exercising its rights provided for herein.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

This deed is given to Grantee as authorized by City Council Resolution No. 2011-041.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

CITY OF LAKE CITY, FLORIDA

Audrey Sikes

Witness

Audrey Sikes
(Print/type name)

By:

Stephen M. Witt

STEPHEN M. WITT

Mayor

Michelle Greene

Witness

Michelle L. Greene
(Print/type name)

Witnesses as to City of Lake City, Florida

STATE OF FLORIDA

COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 10th day of June, 2011, by STEPHEN M. WITT, as Mayor of the CITY OF LAKE CITY, FLORIDA, a municipal corporation organized under the laws of Florida, for and on behalf of said City, who is personally known to me.



Michele Greene
Notary Public, State of Florida
Michele Greene
(Print/type name)

My Commission Expires: Aug 29, 2014

APPROVED AS TO FORM AND LEGALITY

By: Herb F Darby
HERBERT F. DARBY
City Attorney

Lake City-Columbia County Executive Board of Directors as of August 25, 2021

- President – Keith Williams
- Vice President – Laura Hunter
- Secretary – Linda Johns
- Treasurer – Rose Pavey
- Parliamentarian – Linda Johns
- Jennifer Goff
- Anne Skinner
- Barbara Mcduffie
- Bobbi Brannan
- Roland Lester