

**RESOLUTION
NUMBER 2023-36**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, TO ADVERTISE A PUBLIC HEARING FOR THE CLOSURE AND ABANDONMENT OF PORTIONS OF RIGHT OF WAY LYING WITHIN THE PLAT OF THE TOWN OF AMBLER (NOW KNOWN AS THE TOWN OF MONTBROOK), LOCATED IN LEVY COUNTY, FLORIDA.

WHEREAS, when researching a property owner request, County staff discovered that at a regular meeting dated June 2, 1987, the Board of County Commissioners of Levy County, Florida approved a Resolution vacating, abandoning and closing portions of right of way lying within the Plat of the Town of Ambler (now Town of Montbrook) described as:

All of Marion Avenue lying South of the north line of Lot 8, Block 24;
All of Brooks Street lying South of Lemon Street;
All of Main Street lying South of the north line of Lot 18, Block 26;
All of Florida Avenue lying East of U. S. Highway No. 41 and South of the north line of Lot 7, Block 24;
All of Lemon Street lying East of the east right-of-way line of Marion Avenue; and
All of Citrus Street lying East of Florida Avenue.

However, County staff has been unable to locate, in County files or in the public records of Levy County, a copy of a signed resolution evidencing this vacation of right of way;

WHEREAS, in addition, at a meeting on July 3, 1984, the Board adopted a Resolution recorded in Official Record Book 231, Page 223 that vacated that portion of Main Street between Lemon Street and the southwest corner of Lot 10, Block 27 within the Town of Ambler. However, that vacation left a section of Main Street without connection to any other existing right of way;

WHEREAS, to ratify and correct these prior vacates, the County proposes to vacate, abandon and close public road right-of-way described as follows (the "Proposed Area of Vacation"):

That portion of Marion Avenue lying South of the south line of Lot 5, Block 24;
That portion of Brooks Street lying South of the south right-of-way line of Lemon Street;
That portion of Main Street lying South of the south line of Lot 10, Block 27;

That portion of Florida Avenue lying south of the north line of Lot 7, Block 24 and north of Citrus Street;

That portion of Lemon Street lying East of the east right-of-way line of Marion Avenue; and

That portion of Citrus Street lying East of U.S. Highway No. 41,

all lying and being within the PLAT OF THE TOWN OF AMBLER (also known as the TOWN OF MONTBROOK) as per plat recorded in Plat Book 1, Page 2 of the public records of Levy County Florida.

The Proposed Area of Vacation is depicted (with cross-hatching) on **Exhibit A** for visual reference. In the event of conflict or inconsistency, the legal descriptions above shall prevail over Exhibit A;

WHEREAS, in accordance with Section 336.09, Florida Statutes, the Board of County Commissioners of Levy County, Florida (the "Board") adopts this Resolution for the purpose of setting a public hearing to consider the advisability of vacating the right of way within the Proposed Area of Vacation; and

WHEREAS, the Board finds that the closing and abandonment of right of way within the Proposed Area of Vacation will not adversely affect the ownership or right of convenient access of any property owner in the immediate area.

NOW, THEREFORE, BE IT RESOLVED by the Board that a public hearing on the proposed vacation, closing and abandonment of right of way within the Proposed Area of Vacation be scheduled for Tuesday, September 19, 2023, at 9:00 am, or as soon thereafter as it may be heard, and that legal notice of said hearing be published in accordance with State law.

PASSED AND DULY ADOPTED this 22nd day of August, 2023.

BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA

Matt Brooks, Chairman

ATTEST:
Clerk of the Circuit Court
And Ex Officio Clerk of the Board
of County Commissioners

Approved as to form and legal sufficiency:

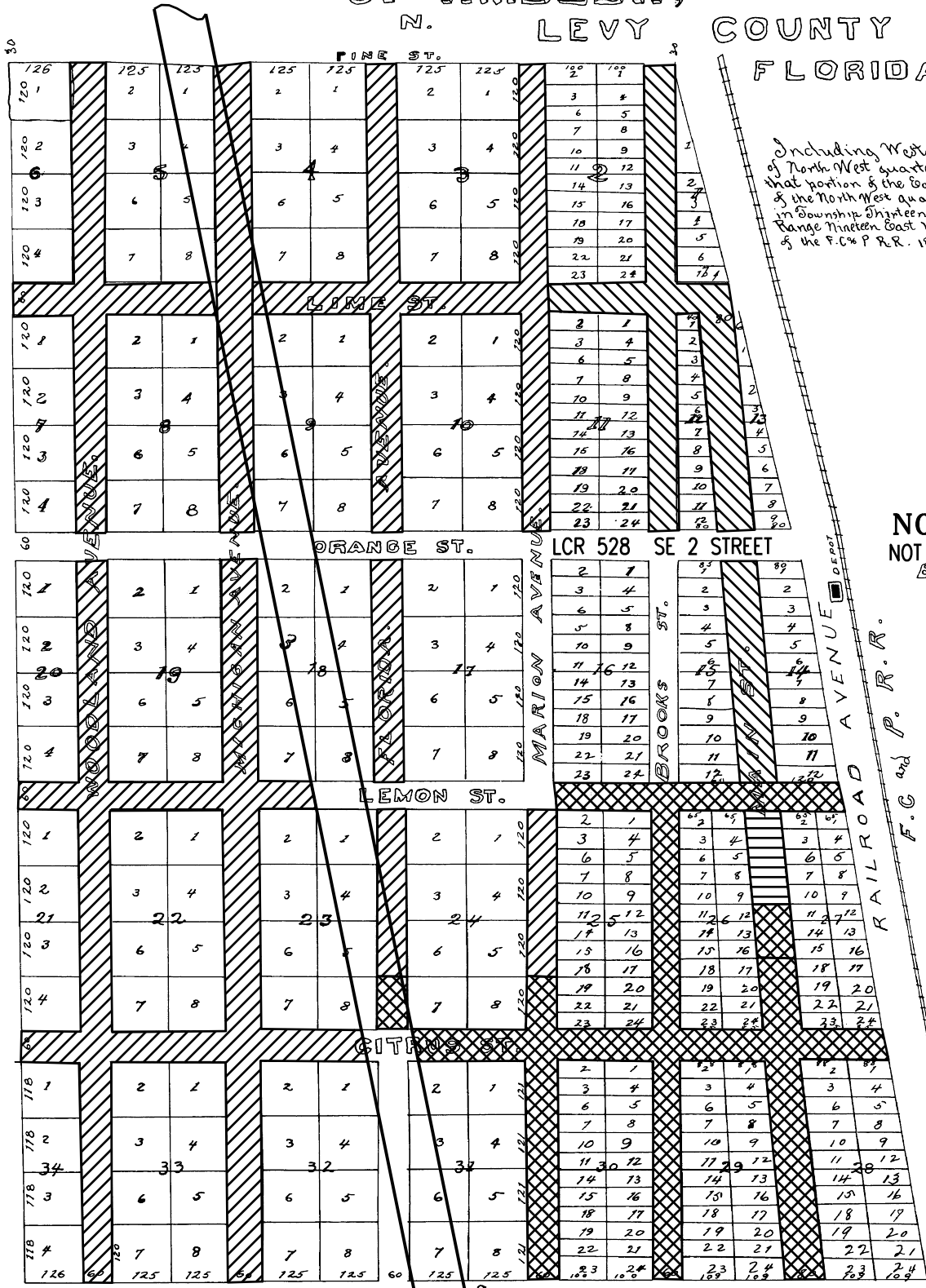
Danny J. Shipp, Clerk

Nicolle M. Shalley, County Attorney

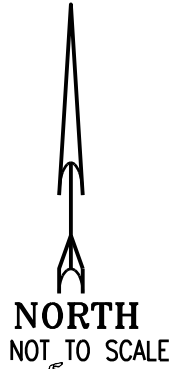
EXHIBIT A

PLAT OF THE TOWN OF AMBLER, N. LEVY COUNTY FLORIDA.

The name of this town changed to *Montbrook* July 6, 1892.



Including West Half of North West quarter and that portion of the East half of the North West quarter of Sec 30 in Township Thirteen South of Range Nineteen East being West of the F.C. & P.R.R. 1891.



- INDICATES VACATED AREA UNDER OR BOOK 228 PAGE 89
- INDICATES VACATED AREA UNDER OR BOOK 415 PAGE 206
- INDICATES VACATED AREA UNDER OR BOOK 231 PAGE 223
- INDICATES PROPOSED AREA OF VACATION

APPROXIMATE US HIGHWAY NO. 41

BASE MAP = PLAT OF TOWN OF AMBLER RECORDED IN PLAT BOOK 1, PAGE 2, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA

MAP OF VACATED AREAS