

**RESOLUTION NUMBER 2023-77**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, APPROVING A PETITION TO VACATE, ABANDON, AND CLOSE MAGNOLIA AVENUE LYING WITHIN THE PLAT OF SUWANATEE PARK, LOCATED IN LEVY COUNTY, FLORIDA; PROVIDING FOR PUBLICATION AND PROVIDING DIRECTIONS TO THE CLERK.**

**WHEREAS**, the County has received a petition (Petition Number 2023-006) filed by an adjacent property owner (the "Petitioner") requesting the County close and abandon the following described public road right-of-way located in Levy County, Florida: **Magnolia Avenue as shown on the plat of Suwanatee Park, recorded in Plat Book 3, Page 46 of the Public Records of Levy County, Florida, and as described and depicted on Exhibit "A" attached to this Resolution (the "Roadway")**;

**WHEREAS**, on November 21, 2023, the Board of County Commissioners (the "Board") adopted Resolution Number 2023-75 setting a public hearing to consider the advisability of vacating the Roadway and notice thereof was published as required by law; and

**WHEREAS**, Sections 336.09, 336.10, and 336.12, Florida Statutes, authorize the Board to vacate, abandon, discontinue, and close any public or private streets, and renounce and disclaim any right of the county and the public in and to any land or interest therein; and

**WHEREAS**, the petitioner has indicated they are the fee simple owners of a portion of property abutting the Roadway and have stated that the vacation, abandonment, discontinuance, and closing of the Roadway will not affect the ownership, or the right of convenient access, of persons owning other properties in the area; and

**WHEREAS**, the Board finds that the Roadway no longer serves a public purpose and is a proper subject for vacation, abandonment, discontinuance, and closing pursuant to Chapter 336, Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board that:

1. The Petition is approved and the Roadway described and depicted on Exhibit "A" is hereby vacated, abandoned, discontinued and closed.
2. Notice of adoption of this resolution shall be published, within thirty days following its adoption date, in one issue of a newspaper of general circulation published in Levy County, Florida.

3. In accordance with Section 336.10, Florida Statutes, the Clerk to the Board of County Commissioners is directed to record this Resolution, along with proof of publication of notice of the public hearing and proof of publication of the notice of the adoption of this resolution in the official records of Levy County, Florida.

**PASSED AND DULY ADOPTED** this 19<sup>th</sup> day of December, 2023.

**BOARD OF COUNTY COMMISSIONERS  
OF LEVY COUNTY, FLORIDA**

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Matt Brooks, Chairman

ATTEST:  
Clerk of the Circuit Court  
and Ex-Officio Clerk to the  
Board of County Commissioners

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Danny J. Shipp, Clerk

Approved as to form and legal sufficiency

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Nicolle M. Shalley, County Attorney