

ORDINANCE 2022-05

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CLOSING, VACATING, AND ABANDONING ONLY THE RIGHT OF WAY ELEMENT OF THAT PORTION OF SOUTH LOOP ROAD, LOCATED BETWEEN WES LARSON BOULEVARD AND THE EASTERN PROPERTY LINE OF PARCEL 04-10-26-0000-0010-0010, WITHIN THE CITY OF PALATKA AS DESCRIBED HEREIN AND SHOWN PICTORIALY ON EXHIBIT A; RETAINING THE UTILITY ELEMENTS OF THE EASEMENT; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SCRIVENER'S ERRORS

WHEREAS, Chapter 166.021 Florida Statutes, and Section 2 (b), Article VIII of the Constitution of the State of Florida, vest municipalities with the Authority to discontinue or vacate any street or portion thereof when done in the interest of the general welfare; and,

WHEREAS, the utility elements of the easement would remain in place; and,

WHEREAS, public hearings were held by the City of Palatka Planning Board on the 7th day of June 2022 and by the City of Palatka City Commission on the 23rd day of June, 2022 and the 28th day of July, 2022 concerning the advisability of vacating and abandoning the right-of-way element of that portion of an ingress/egress easement located between Wes Larson Boulevard and the eastern property line of Parcel 04-10-26-0000-0010-0010 and continuing 1,261.84 feet south, as described herein and shown pictorially on Exhibit A; and,

WHEREAS, the Public Hearing referred to in the preceding paragraph was duly noticed and published in the Palatka Daily News on the 24th day of May 2022 and July 14, 2022, notifying the public that said public hearings would be held; and,

WHEREAS, after receiving comment and input from the general public and concerning the general welfare of the citizens of the City of Palatka, it has been determined that it would be in the best interest of the City and its citizens to vacate and abandon the right-of-way element of that portion of the ingress/egress easement more particularly described herein.

NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, that

Section 1. The following right of way only easement or portions thereof be and is hereby vacated, abandoned the right-of-way element of that portion of the ingress/egress easement is renounced, and disclaimed (the utility element of the easement remains):

DESCRIPTION OF PROPERTY:

A portion of Sections 4 and 9, Township 10 South, Range 26 East, Putnam County, Florida; being more particularly described as follows:

Begin at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 9, Township 10 South, Range 26 East, Putnam County, Florida and run thence South 62°00'58" West, along the southeasterly Right of Way line of South Loop Road (60' Right of Way), as described in Official Records Book 921, page 1508 of the Public Records of Putnam County, Florida, a distance of 447.14 feet to a point on the easterly Right of Way Line of Wes Larson Boulevard, said point lying on the arc of a curve, concave Easterly, having a radius of 447.00 feet; thence Northerly, along said easterly Right of Way line and along the arc of said curve, through a central angle of 00°09'10", an arc distance of 1.19 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of North 10°06'41" West, 1.19 feet, said end of curve being the beginning of a curve, concave Easterly, having a radius of 1435.00 feet; thence Northerly, along said easterly Right of Way line and along the arc of said curve, through a central angle of 02°29'20", an arc distance of 62.33 feet to a point on the

northwesterly Right of Way line of said South Loop Road, said arc being subtended by a chord having a bearing and distance of North 08°47'28" West, 62.33 feet; thence North 62°00'58" East, along said northwesterly Right of Way line, 1119.79 feet to the beginning of a curve, concave Northwesterly, having a radius of 450.00 feet; thence Northeasterly, along said northwesterly Right of Way line and along the arc of said curve, through a central angle of 16°58'37", an arc distance of 133.34 feet to a point on the easterly line of a 30 foot wide Drainage Easement as recorded in Official Records Book 133, page 127 of said Public Records, said arc being subtended by a chord having a bearing and distance of North 53°31'40" East, 132.85 feet; thence South 24°47'01" East, along said easterly line, 63.42 feet to a point lying on the southeasterly Right of Way line of said South Loop Road, said point lying on the arc of a curve, concave Northwesterly, having a radius of 510.00 feet; thence Southwesterly, along said southeasterly Right of Way line and along the arc of said curve, through a central angle of 14°31'07", an arc distance of 129.23 feet to the end of said curve, said arc being subtended by a chord having a bearing and distance of South 54°45'25" West, 128.89 feet; thence South 62°00'58" West, along said southeasterly Right of Way line, 693.51 feet to the Point of Beginning.

Containing 1.74 Acres (75,703 Square Feet), more or less.

Also as shown pictorially in Exhibit A.

Section 2. EFFECTIVE DATE: This ordinance shall become effective immediately upon its final passage by the City Commission.

Section 3. LEGAL DESCRIPTIONS: The City hereby quit claims its interest in the described RIGHT OF WAY ELEMENT ONLY; the Utility element(s) of the easement shall remain. It is the intent of the City, in accord with Fla. Stat. that the right of way shall be split down the middle, with half of the property going to the property owner on one side of the vacated right of way and half going to the property owner on the other side of the right of way. It shall be incumbent upon the property owners to include the legal description of the vacated portion of the street in future legal descriptions for their properties.

Section 4. NOTICE: Notice of the passage of this ordinance and of the vacating of only the right of way element of the easement, or portions thereof, described herein, shall be published one (1) time within thirty (30) days from the adoption of this ordinance in a newspaper published in Putnam, County, Florida, announcing to the public the action of the City Commission in vacating the easement or portions thereof described herein. Copy of this ordinance as adopted and proof of publication of the notice of adoption of this ordinance shall be recorded within the official records of Putnam County, Florida.

Section 5. A copy of this ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section 6. CONFLICTING ORDINANCES: To the extent of any conflict between the provisions of this Ordinance and the provisions of any existing Ordinances, this Ordinance shall prevail. Otherwise, all existing ordinances shall remain in full force.

Section 7. SEVERABILITY: If any portion of this Ordinance becomes invalid for any reason, the rest of the Ordinance shall remain in effect.

Section 8. SCRIVENER'S ERROR: The City Manager or designee, without public hearing, is authorized to correct any typographical scrivener's errors, which do not affect the intent of this Ordinance. A corrected copy shall be posted in the public record by the City Clerk.

PASSED on first reading by the City Commission of the City of Palatka, Florida, on the 23rd day of June, 2022.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of July, 2022.



CITY OF PALATKA

By: 
Its MAYOR

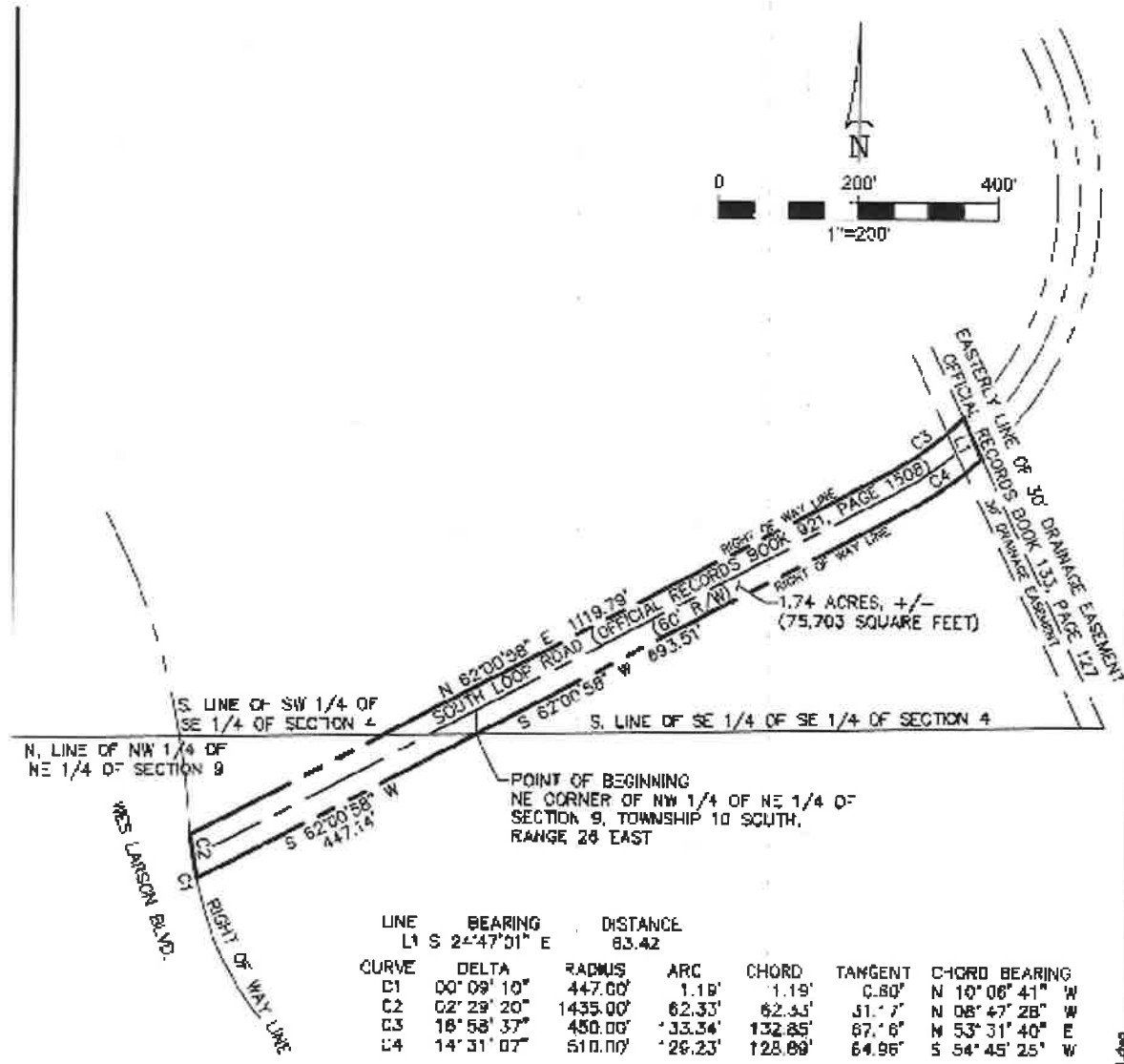
ATTEST:


Interim City Clerk

APPROVED AS TO FORM AND CORRECTNESS:


City Attorney

Exhibit "A"



STATE OF FLORIDA

County of Putnam

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Ord 2022-05 South Loop
Ad# 89086

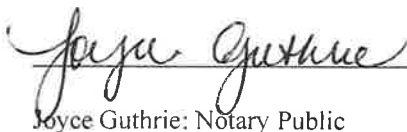
Was published in said newspaper 1 time(s) with said being made on the following date(s):

May 24, 2022

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.

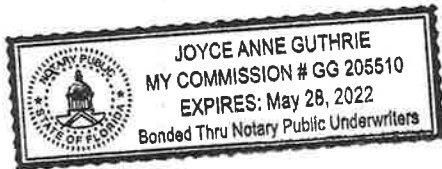


Sworn to and subscribed to before me this 24th day of May 2022 by
Teresa Davis, Credit Manager, of the Palatka Daily News, a Florida corporation.


Joyce Guthrie: Notary Public

Notary Seal
Seal of Office:

- ☒ Personally known to me, or
☒ Produced identification:

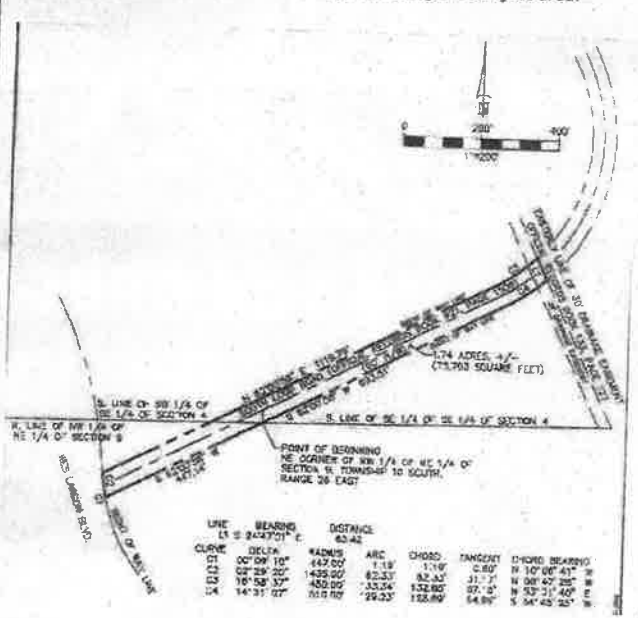


PUBLIC NOTICE

NOTICE is hereby given the Planning Board of the City of Palatka, Florida, will meet at 4:00 PM on June 7, 2022 to make a recommendation to the City Commission concerning the following entitled Ordinance and the City Commission of the City of Palatka, Florida will consider the enactment of the following entitled Ordinance 2022-05 at its regular meetings to be held at 6:00 p.m. on the 23rd day of June, 2022 and 28th day of July, 2022 at City Hall 201 N. 2nd St. Palatka, FL 32177:

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CLOSING, VACATING, AND ABANDONING ONLY THE RIGHT OF WAY ELEMENT OF THAT PORTION OF SOUTH LOOP ROAD, LOCATED BETWEEN WES LARSON BOULEVARD AND THE EASTERN PROPERTY LINE OF PARCEL 04-10-26-0000-0010-0010, WITHIN THE CITY OF PALATKA AS DESCRIBED HEREIN AND SHOWN PICTORIALY ON EXHIBIT A; RETAINING THE UTILITY ELEMENT OF THE EASEMENT; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SCRIVENER'S ERRORS

Said proposed Ordinance may be inspected by the public at City Hall during regular hours of business. All interested persons are hereby advised of such consideration by the Planning Board and the City Commission and all interested parties may appear at said meetings at said time and place and be heard with respect to the proposed Ordinance. This notice is given in accordance with F.S. 166.041 and 336.10. Below is a map reflecting the subject area.



CURVE	BEARING	ANGLE	CHORD	TANGENT	CHORD BEARING
01	00°00'10"	442.50'	1.18'	5.80'	N 10°00'41" W
02	02°29'20"	1438.00'	82.33'	31.77'	N 00°00'00" W
03	10°58'57"	482.00'	33.34'	152.80'	N 53°31'40" E
04	14°31'22"	2012.00'	29.33'	153.89'	S 54°45'25" W

PLEASE GOVERN YOURSELVES ACCORDINGLY.

STATE OF FLORIDA

County of Putnam

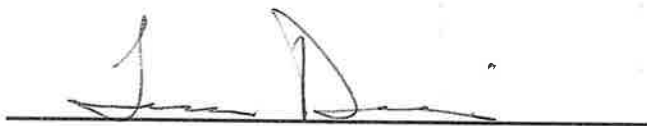
The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Ord 2022-05 South Loop
Ad# 89086

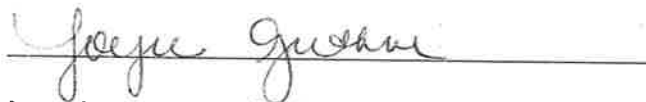
Was published in said newspaper 1 time(s) with said being made on the following date(s):

July 14, 2022

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.



Sworn to and subscribed to before me this 2th day of July 2022 by
Teresa Davis, Credit Manager, of the Palatka Daily News, a Florida corporation.

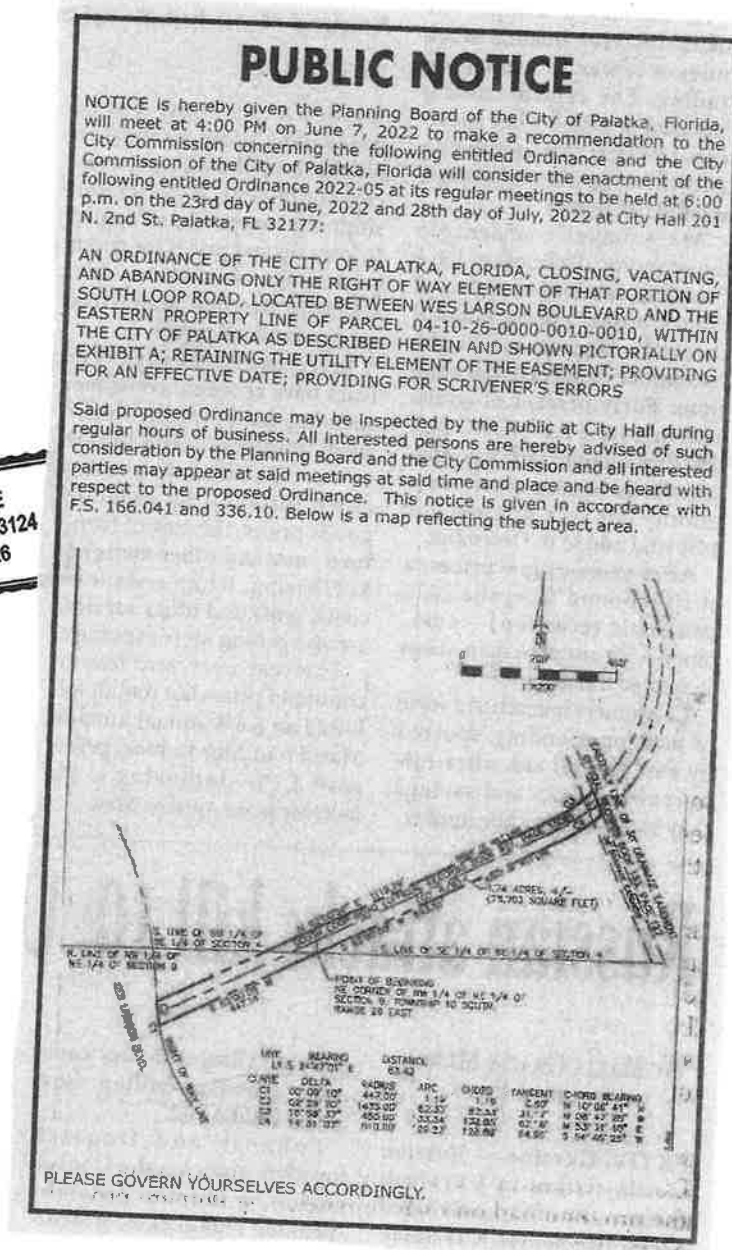


Joyce Guthrie: Notary Public

Notary Seal
Seal of Office:

☒ Personally known to me, or

☒ Produced identification:



STATE OF FLORIDA

County of Putnam

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Ord. 2022-05 South Loop Road
Ad# 90683

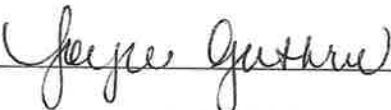
Was published in said newspaper 1 time(s) with said being made on the following date(s):

August 3, 2022

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.



Sworn to and subscribed to before me this 3rd day of August 2022 by
Teresa Davis, Credit Manager, of the Palatka Daily News, a Florida corporation.



Joyce Guthrie: Notary Public

Notary Seal
Seal of Office:

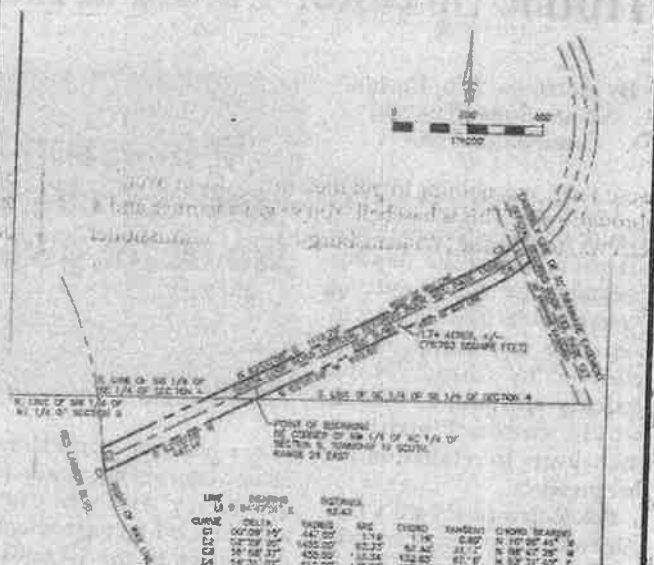
- ☒ Personally known to me, or
- ☒ Produced identification:



PUBLIC NOTICE

NOTICE is hereby given that the City Commission of the City of Palatka, Florida adopted the following entitled Ordinance 2022-05 on July 28, 2022:

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CLOSING, VACATING, AND ABANDONING ONLY THE RIGHT OF WAY ELEMENT OF THAT PORTION OF SOUTH LOOP ROAD, LOCATED BETWEEN WES LARSON BOULEVARD AND THE EASTERN PROPERTY LINE OF PARCEL 04-10-26-0000-0010-0010, WITHIN THE CITY OF PALATKA AS DESCRIBED HEREIN AND SHOWN PICTORIALY ON EXHIBIT A; RETAINING THE UTILITY ELEMENTS OF THE EASEMENT; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SCRIVENER'S ERRORS This notice is given in accordance with F.S. 336.10 Below is a map reflecting the subject area.



LINE	BEARING	DISTANCE	AREA	CHORD	CHORD BEARING
1	N 89° 47' 51" E	144.00	1.18	1.18	N 89° 47' 51" E
2	S 89° 47' 51" W	144.00	1.18	1.18	S 89° 47' 51" W
3	N 89° 47' 51" E	144.00	1.18	1.18	N 89° 47' 51" E
4	S 89° 47' 51" W	144.00	1.18	1.18	S 89° 47' 51" W

Sünni Krantz
Interim City Clerk