

RESOLUTION NO. 20-09-02

A RESOLUTION TO VACATE AND ABANDON AN UNDEVELOPED PORTION OF THE PROPERTY/RIGHT-OF-WAY OF HICKORY AVENUE BETWEEN 316 FIR AVENUE AND 647 CRESTVIEW AVENUE, LOCATED IN NICEVILLE, FLORIDA; AUTHORIZING VACATING AND ABANDONMENT OF SAID PROPERTY/RIGHT-OF-WAY; AUTHORIZING DISCLAIMER OF SAID PROPERTY/RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application and request has been made to the City Council of the City of Niceville, Florida, by Keith Holt, owner of Holt Land Development LLC for vacating and abandonment of an undeveloped 25' portion of the property/right-of-way of Hickory Avenue adjoining 647 Crestview Avenue, Parcel No. 05-1S-22-256B-0052-0000, zoning of C-2 based on its adjoining parcel, and

WHEREAS, the City Council has been advised that notice of public hearing concerning same has been duly publicized and hearing being held this date, and

WHEREAS, objections, if any, have been voiced and considered to the granting of vacating and abandonment of an undeveloped 25' portion of the property/right-of-way of Hickory Avenue adjoining 647 Crestview Avenue, Parcel No. 05-1S-22-256B-0052-0000, and

WHEREAS, there are no other concerned parties or property owners involved that raised any objection to the request to abandon and vacate the said undeveloped portion of the property/right-of-way and Holt Land Development LLC owns the parcel at 647 Crestview Avenue, and

WHEREAS, there are no public utility providers affected by the vacating and abandonment of said property/right-of-way and the City will have access to any and all City utility

needs and/or services, if any, in the future under this abandonment, and the City has otherwise no current or future needs of said property/right-of-way, and

WHEREAS, no public interest will be adversely affected by the vacating and abandonment of the property/right-of-way, and

WHEREAS, Holt Land Development LLC shall hereinafter accept title, interest and ownership and all other responsibilities to the 25' portion of the property/right-of-way adjacent to its property at 647 Crestview Avenue pursuant to the City's vacating and abandoning said property/right-of-way, and

WHEREAS, the City Council has determined that said property is not needed for present or future right-of-way purposes and that such request for vacating and abandonment of right-of-way should be granted.

NOW, THEREFORE, BE IT RESOLVED by the City of Niceville, Florida:

Section 1. The City of Niceville, Florida, hereby vacates and abandons the right-of-way as set forth in Exhibit "A" (Survey) and more particularly described as follows:

LEGAL DESCRIPTION (AS WRITTEN):
ADJACENT PARCEL "B"

A PORTION OF UNIMPROVED HICKORY AVENUE (50 FOOT RIGHT OF WAY), LYING NORTHWEST AND ADJACENT TO LOTS 4-6, BLOCK 52, OF PLAT OF VALPARAISO REALTY COMPANY'S PINE CREST ADDITION TO VALPARAISO, FLORIDA (PLAT BOOK 1, PAGE 48), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERN MOST CORNER OF BLOCK 48, PLAT OF VALPARAISO REALTY COMPANY'S PINE CREST ADDITION TO VALPARAISO (PLAT BOOK 1, PAGE 48), SAID POINT LYING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF JEFFERSON STREET (50 FOOT RIGHT OF WAY) AND THE EAST RIGHT OF WAY LINE OF FIR AVENUE (50 FOOT RIGHT OF WAY) AND BEING MARKED BY A 1/2" CAPPED IRON ROD L.B. #7527; THENCE ALONG SAID WEST RIGHT OF WAY LINE RUN S 39°15'02" E, A DISTANCE OF 196.77 FEET TO A 1/2" CAPPED IRON ROD L.B. #7527; THENCE DEPARTING SAID RIGHT OF

WAY LINE RUN S 03°38'17" W, A DISTANCE OF 8.94 FEET TO A 1/2" CAPPED IRON ROD L.B. #7527; THENCE RUN S 01°47'45" W, A DISTANCE OF 54.65 FEET TO A 1/2" CAPPED IRON ROD L.B. #7527; THENCE RUN S 02°13'26" W, A DISTANCE OF 55.00 FEET TO A 1/2" CAPPED IRON ROD L.B. #7527; THENCE RUN S 01°59'47" W, A DISTANCE OF 55.05 FEET TO A 1/2" CAPPED IRON ROD L.B. #7527; THENCE RUN S 02°19'32" W, A DISTANCE OF 38.17 FEET TO THE SOUTHERLY LINE OF THE AFOREMENTIONED BLOCK 48 AND THE NORTHERLY RIGHT OF WAY LINE OF UNIMPROVED HICKORY AVENUE (50 FOOT RIGHT OF WAY) AND A 1/2" CAPPED IRON ROD L.B. #7527; THENCE DEPARTING SAID SOUTHERLY BLOCK LINE AND NORTHERLY RIGHT OF WAY LINE RUN S 39°03'31" E, A DISTANCE OF 25.00 FEET TO A 1/2" CAPPED IRON ROD L.B. #3501 AND THE POINT OF BEGINNING; THENCE RUN S 50°53'29" W, A DISTANCE OF 172.68 FEET TO A NAIL AND DISK L.B. #3501; THENCE RUN S 66°04'32" E, A DISTANCE OF 28.05 FEET TO THE WESTERNMOST CORNER OF BLOCK 52 OF THE AFOREMENTIONED PLAT OF VALPARAISO REALTY COMPANY'S PINE CREST ADDITION TO VALPARAISO, FLORIDA (PLAT BOOK 1, PAGE 48); THENCE RUN N 50°53'29" E, ALONG THE NORTHWESTERN LINE OF THE AFOREMENTIONED BLOCK 52 AND THE SOUTHERLY RIGHT OF WAY LINE OF UNIMPROVED HICKORY AVENUE (50 FOOT RIGHT OF WAY), A DISTANCE OF 150.00 FEET; THENCE DEPARTING SAID NORTHWESTERN BLOCK LINE AND SOUTHERLY RIGHT OF WAY LINE RUN N 17°23'16" W, A DISTANCE OF 26.91 FEET TO A 1/2" CAPPED IRON ROD L.B. #3501 AND THE POINT OF BEGINNING; SAID PARCEL CONTAINS ±0.09 ACRES (±4,043 SQUARE FEET), MORE OR LESS.

Section 2. The Mayor, is hereby authorized and directed to execute a Disclaimer of Interest in, and a Quitclaim Deed to said right-of-way to vacate and abandon the City's interest in the above-described right-of-way.

Section 3. The original Disclaimer and Quitclaim Deed, after execution by the Mayor, along with this Resolution, shall be recorded in the public records of Okaloosa County, Florida by the City Clerk, and the vacation and abandonment approved by this Resolution shall not take effect until the Disclaimer and Quitclaim Deed have been properly recorded in the public records of Okaloosa County, Florida.

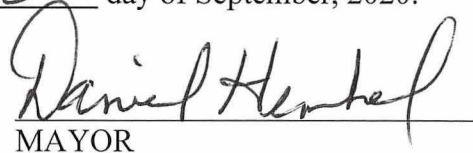
Section 4. There are no public utility providers affected by the vacating and abandonment of said right-of-way and the City will have access to any and all City utility needs and/or services, if any, in the future under this abandonment, and the City has otherwise no current or future needs of said right-of-way other than utility access.

Section 5. There are no other concerned parties or property owners involved that raised any objection to the request to abandon and vacate the said entire portion of the right-of-way and Holt Land Development LLC owns the parcel at 647 Crestview Avenue, Parcel No. 05-1S-22-256B-0052-0000.

Section 6. Holt Land Development LLC shall hereinafter accept title, interest and ownership and all other responsibilities to the said 25' portion of the right-of-way adjacent to its property pursuant to the City's vacating and abandoning said right-of-way.

Section 7. This Resolution shall become effective upon adoption, and final approval in accordance with the City Charter.

ADOPTED in regular session this 8th day of September, 2020.


MAYOR

ATTEST:


CITY CLERK