ORDINANCE NUMBER 2023-13

AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PROVIDING FOR THE VACATING AND ABANDONING OF A CERTAIN PLATTED UNDEVELOPED PUBLIC RIGHT-OF-WAY, THE SOUTH ½ OF WHITLOCK STREET, AND ALLEYS LYING WITHIN BLOCK “M”, IN COLUMBIA HEIGHTS SUBDIVISION WITHIN THE CITY LIMITS OF HIGH SPRINGS, FLORIDA; REPEALING ALL ORDINANCES IN CONFLICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Judy Swoyer has requested the City of High Springs (August 16, 2023 Petition to Close and Vacate Street/Alleyway attached hereto as Exhibit A) close the undeveloped public 25-foot right-of-way known as the southern half of a certain right-of-way designated as Whitlock Street of Columbia Heights Subdivision and alleys lying within Block “M” of Columbia Heights Subdivision recorded in Plat Book A Page 162 of the Public Records of Alachua County, Florida, a survey of same is attached hereto as Exhibit B; and,

WHEREAS, Judy Swoyer owns real property identified as parcels 00104-000-000 and 00090-001-000, these properties are adjacent to the right-of-way and alleys described herein; and

WHEREAS, there are no street improvements within that portion of said right-of-way; and

WHEREAS, the City finds that the vacated unimproved road and alleys are not vital to the City and no private property rights will be injured or endangered by vacating the unimproved road and alleys; and

WHEREAS, the City finds that it is proper and, in the interest, and welfare of the City and its citizens to close the Vacated Property; and

WHEREAS, there appears to be no present or future public need to use the subject portion of this undeveloped right-of-way and alleys as roadways;

WHEREAS, the closing of this public right-of-way and alleys is requested to enhance the use of the adjoining properties; and

WHEREAS, Section 66-2 of the High Springs Code of Ordinances allows for the closing of streets;

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF HIGH SPRINGS, FLORIDA, as follows:

1. The above recitals are true and accurate and are hereby incorporated herein and made a part of this ordinance.
2. Description. A PARCEL OF LAND LYING WITHIN COLUMBIA HEIGHTS, A SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK “A”, PAGE 162 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERN ONE-HALF OF THE FIFTY (50’) FOOT RIGHT-OF-WAY OF WHITLOCK STREET ADJACENT TO AND LYING NORTHERLY OF BLOCK “M” OF SAID COLUMBIA HEIGHTS AND ALL ALLEYS LYING WITHIN BLOCK “M” OF SAID COLUMBIA HEIGHTS.

1. Deeds. That the Mayor, Clerk, and City Manager are hereby authorized and hereby directed to execute the necessary deeds of transfer to the abutting owner to all property lying in said right-of-way and alleys as described in the application with the City of High Springs.
2. Severability. If any section, sentence, clause or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not in any way affect the validity of the remaining portions of this ordinance.
3. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.
4. Effective Date: This ordinance shall become effective upon adoption.

DONE THE FIRST READING, by the City Commission of the City of High Springs, Florida, at a regular meeting, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of High Springs, Florida, by the City Clerk of the City of High Springs, Florida on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.

BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA

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Gloria James, Mayor

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| ATTEST, BY THE CLERK OF THE  CITY COMMISSION OF THE CITY OF  HIGH SPRINGS, FLORIDA:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Angela Stone, City Clerk | APPROVED AS TO FORM AND  LEGALITY:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  S. Scott Walker, City Attorney |