RESOLUTION NO. 2024-397

A RESOLUTION FOR THE CITY OF PARKER, FLORIDA. AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPETY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENOR'S ERRORS AND CONSTRUCTION; REPEALING RESOLUTIONS IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 30 (US 98), Financial Project No. 4426671, in Bay County, Florida;

WHEREAS, it is necessary that certain lands now owned by City of Parker, Florida ("City"), more particularly described on Exhibit "A" attached hereto ("Property"), be acquired by the State of Florida Department of Transportation ("FDOT");

WHEREAS, said Property is not needed for City purposes and is deemed surplus:

WHEREAS, the FDOT has requested City execute and deliver to the FDOT deed in favor of the FDOT, conveying all rights, title and interest that City has in and to the Property required by FDOT for transportation purposes and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the City Council of City of Parker, Florida as follows:

Section 1. The request by FDOT for a deed, or deeds, for transportation purposes which are in the public or community interest and for public welfare and because the land needed for transportation purposes is not needed for City purposes is approved and the City shall deed the Property to FDOT conveying all right, title and interest of City of Parker, Florida, in and to said Property.

Section 2. A certified copy of this Resolution shall be forwarded forthwith to the FDOT at 1074 Highway 90, Chipley, Florida 32428.

Section 3. If any section, subsection, sentence, clause, phrase, word or provision of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other

reason, such portion shall be deemed separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution. If any penalty of this section is deemed inconsistent with any Florida statute, the provisions of the Florida Statute shall prevail.

Section 4. The correction of typographical errors which do not affect the intent of the Resolution may be authorized by the City Clerk or the Clerk's designee, without public hearing.

Section 5. This Resolution shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 6. All resolutions or parts of resolutions of the City of Parker, in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 7. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED on this 19th day of March, 2024.

City of Parker, Florida

Andrew Kelly, Mayor

ATTEST:

Kimberly Rega, City Clerk

Examined and approved by me, this 19th day of March, 2024.

Andrew Kelly, Mayor

EXHIBIT "A"

A parcel of land being in Fractional Section 25, Township 4 South, Range 14 West, Bay County, Florida, described as follows: Commence at a 1 inch pipe (no ID) marking the southwest corner of Lot 8, Long Point Park, First Addition, as recorded in Plat Book 8, Page 7 of the Public Records of Bay County, Florida; thence South 61°13'51" East 565.43 feet along the southerly line of said Long Point Park to the centerline of survey of State Road 30 (US 98), as shown on Florida Department of Transportation (F.D.O.T.) Right of Way Map F.P. No. 4426671 (said map being on file at F.D.O.T. District 3 Office, Chipley, Florida); thence South 39°45'56" West 25.57 feet along said centerline of survey; thence departing said centerline, run South 50°14'04" East 50.00 feet to a point on the existing northeasterly right of way line of said State Road 30 (US 98), as shown on said Right of Way Map, said point also being the existing southwesterly right of way line of Oak Shore Drive (city maintained), as shown on said Right of Way Map and POINT OF BEGINNING; thence North 39°45'56" East 66.26 feet along said northeasterly right of way line of State Road 30 (said southwesterly right of way line of Oak Shore Drive); thence departing said northeasterly right of way line (said southwesterly right of way line), run South 50°14'41" East 5.00 feet; thence South 39°45'56" West 70.76 feet to said northeasterly right of way line of SR 30 (US 98) (said southwesterly right of way line of Oak Shore Drive), being a point on a nontangent curve to the right (concave easterly); thence, from a tangent bearing of North 25°25'31" East, northerly along said right of way line and said curve, having a radius of 3,324.17 feet, for an arc distance of 5.38 feet, through a central angle of 00°05'34" to end of curve; thence North 61°10'04" West 3.74 feet along said right of way line to POINT OF BEGINNNG;

Containing 333 square feet, more or less.