

RESOLUTION 2025-XX

A RESOLUTION APPROVING THE ABROGATION AND VACATION OF A PORTION OF NE 47TH COURT BETWEEN BLOCK I, LOT 2 AND BLOCK F, LOT 17 OF GLYNNWOOD UNIT 1 AS RECORDED IN PLAT BOOK G, PAGE 91, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.

WHEREAS, an application has heretofore been made by NSC Silver Springs LLC for the abrogation and vacation of the right-of-way, lying between a portion of NE 47th Court between Block I, Lot 2 and Block F, Lot 17 of Glynnwood Unit 1 as recorded in Plat Book G, Page 91 of the Public Records of Marion County, in Ocala, Marion County, Florida as hereinafter more particularly described; and

WHEREAS, the City of Ocala is the owner of the right-of-way described above; and

WHEREAS, subsequent to said application a public hearing was held after due notice as provided by law, and

WHEREAS, comments regarding the effects of such a vacation on the public facilities of the City have been requested from appropriate city departments and private utilities; and

WHEREAS, all utilities were contacted and responded with no objection to the requested abrogation and vacation, with the exception of Stormwater Engineering; and

WHEREAS, the City is requesting reservation of a utility easement for access to a stormwater pipe within the right-of-way of NE 49th Avenue; and

WHEREAS, on May 12, 2025, the Ocala Planning and Zoning Commission in regular session recommended _____ of the abrogation and vacation of the portion of NE 47th Court between Block I, Lot 2 and Block F, Lot 17 of Glynnwood Unit 1 as recorded in Plat Book G, Page 91.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session as follows:

1. That the portion of NE 47th Court between Block I, Lot 2 and Block F, Lot 17 of Glynnwood Unit 1 as recorded in Plat Book G, Page 91, of the public records of Marion County, Florida; being more particularly described as follows:

~~[PENDING FINAL LEGAL DESCRIPTION APPROVAL FROM SURVEY DEPT]~~

A PARCEL OF LAND LYING IN THE N.W. 1/4 OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 22 EAST, MARION COUNTY, FLORIDA, ALSO BEING A PORTION OF N.E. 47TH COURT, BEING A FIFTY FOOT RIGHT OF WAY, AS SHOWN ON THE PLAT OF GLYNNWOOD UNIT 1, AS RECORDED IN PLAT BOOK G, PAGE 91, OF THE

PUBLIC RECORDS OF MARION COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 17, BLOCK F OF SAID GLYNNWOOD UNIT 1; THENCE ALONG THE WESTERLY BOUNDARY OF SAID GLYNNWOOD UNIT 1, N.35°58'58"W., A DISTANCE OF 50.07 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID N.E. 47TH COURT; THENCE DEPARTING SAID WESTERLY BOUNDARY, ALONG SAID NORTHERLY RIGHT OF WAY LINE, N.54°00'20"E., A DISTANCE OF 130.02 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 31.36 FEET, A CENTRAL ANGLE OF 105°47'06" AND A CHORD BEARING AND DISTANCE OF N.00°58'19"E., 50.02 FEET; THENCE NORTHEASTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 57.90 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF N.E. 49TH AVENUE, BEING A FIFTY FOOT RIGHT OF WAY, SAID POINT ALSO BEING A POINT OF CUSP ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 124.24 FEET, A CENTRAL ANGLE OF 34°54'57" AND A CHORD BEARING AND DISTANCE OF S.50°25'07"E., 74.55 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, SOUTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 75.71 FEET TO THE END OF SAID CURVE; THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE, S.36°02'23"E., A DISTANCE OF 42.60 FEET TO A POINT OF CUSP OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°49'41" AND A CHORD BEARING AND DISTANCE OF N.81°14'44"W., 35.30 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY, NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTHERLY RIGHT OF WAY LINE OF THE AFOREMENTIONED N.E. 47TH COURT, A DISTANCE OF 39.19 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S.53°58'18"W., A DISTANCE OF 153.64 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 0.22 ACRES MORE OR LESS.

2. Reserving unto the City of Ocala a perpetual stormwater easement for the construction, operation and maintenance of utilities an existing stormwater pipe, and related facilities including, without limitation, above-ground and underground water, sanitary sewer, storm water, cables, gas phone, internet and electric transmission or distribution lines and systems (all of which items to be located in the easement area being referred to as the “facilitiesFacilities”) over, under, across and on the portion of the vacated or abrogated land, as described herein above, contiguous to or within the right of way of NE 49th Avenue (the “easement area”).
 - a. The easement rights specifically include: (a) the right of perpetual ingress and egress to patrol, inspect, alter, improve, construct, repair, maintain, rebuild, relocate, remove and provide access and service to the facilitiesFacilities; (b) the right to decrease or increase, or to change the quantity and type of, the facilitiesFacilities; (c) the right to clear the easement area of trees, limbs, undergrowth, and other physical objects (regardless of the location of such trees, limbs, undergrowth, and other objects) which, in the opinion of the City ~~(or of the~~

~~Provider that owns the affected facilities~~), endanger or interfere with the safe and efficient installation, operation, or maintenance of the ~~facilities~~Facilities; (d) the right to permit any other person or entity to attach lines to such ~~facilities~~Facilities within the easement area; and (e) all other rights and privileges reasonably necessary or convenient for the safe and efficient installation, operation and maintenance of the ~~facilities~~Facilities and for the enjoyment and use of such easement for the purposes described above. No buildings, structures, or obstacles (except fences and pavement) within the easement area shall be located, constructed, excavated or created within the easement area. Any proposed fence installation with appropriate gates must be approved by the City of Ocala Engineering Department and must allow ready access to the City's ~~facilities~~Facilities.

- b. Such easement may be modified or released by City without compliance with the provisions of the City Code concerning abrogation and vacation of roads.
3. Nothing set forth in paragraph 1 of this Resolution shall abrogate the street to the extent of the easement reserved in this paragraph 2.
4. A certified copy of the Resolution shall be recorded by the Clerk of the City of Ocala in the public records of Marion County, Florida.

This resolution adopted this _____ day of _____, 2025.

ATTEST:

CITY OF OCALA

By: _____
Angel B. Jacobs
City Clerk

By: _____
Kristen M. Dreyer
President, Ocala City Council

Approved as to form and legality:

By: _____
William E. Sexton
City Attorney