

RESOLUTION NO. 24 - R _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; INCORPORATING RECITALS; PROVIDING A FINDING THAT CHAPTER 336, FLORIDA STATUTES, AUTHORIZES AND EMPOWERS THE BOARD TO ACT ON THE PETITION TO VACATE, ABANDON, DISCONTINUE AND CLOSE A CERTAIN ROAD(S) AND TO RENOUNCE AND DISCLAIM ANY RIGHTS AND OBLIGATIONS OF MARION COUNTY AND THE PUBLIC IN AND TO ANY LAND IN CONNECTION WITH SAID CERTAIN ROAD(S); PROVIDING A FINDING THAT SAID CERTAIN ROAD(S) IS NOT A PORTION OF FEDERAL OR STATE HIGHWAY SYSTEM; PROVIDING A FINDING THAT THE ROAD(S) IS NOT BEING USED BY THE GENERAL PUBLIC AS A ROAD(S); PROVIDING A FINDING THAT IT IS NOT THE INTENT OF THE BOARD TO VACATE ANY EASEMENTS FOR PUBLIC UTILITIES THAT MAY EXIST WITHIN SAID CERTAIN ROAD(S); PROVIDING A FINDING THAT VACATING, ABANDONING, DISCONTINUING, AND CLOSING SAID CERTAIN ROAD(S) AND DISCLAIMING ANY RIGHTS AND OBLIGATIONS OF MARION COUNTY AND THE PUBLIC IN AND TO ANY LAND IN CONNECTION WITH SAID CERTAIN ROAD(S) WOULD BENEFIT THE GENERAL PUBLIC WELFARE AND WOULD BE IN THE BEST INTEREST OF THE PUBLIC; VACATING, ABANDONING, DISCONTINUING, AND CLOSING SAID CERTAIN ROAD(S); RENOUNCING AND DISCLAIMING ANY RIGHTS AND OBLIGATIONS OF MARION COUNTY AND THE PUBLIC IN AND TO ANY LAND IN CONNECTION WITH SAID CERTAIN ROAD(S); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Joseph & Sherry True and Joshua & Jessica Dunkerly have petitioned to vacate, abandon, discontinue and close that certain road(s) described on Exhibit A hereto (the "Road(s)") and to renounce and disclaim any rights and obligations of the County and the Public in any land in connection therewith pursuant to the provisions of Chapter 336, Florida Statutes, (the "Petition"); and

WHEREAS, a Notice of Public Hearing was published in a newspaper of general circulation, as required by Chapter 336, Florida Statutes, all persons through such notice were invited to appear and comment; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, THAT:

SECTION 1. RECITALS. The above recitals are hereby incorporated as a basis for the passage of this Resolution.

SECTION 2. FINDINGS. The Board of County Commissioners of Marion County, Florida, after due consideration, makes the following findings:

- A. Pursuant to Chapter 336, Florida Statutes, the Board is authorized and empowered to act on the Petition and to vacate, abandon, discontinue and close the Road(s) described on **Exhibit A** and to renounce and disclaim any rights and obligations of Marion County and the public in and to any land in connection therewith;
- B. The Road(s) described on **Exhibit A** does not constitute a portion of Federal or State highway system;
- C. The Road(s) described on **Exhibit A** is not being used by the general public as a road(s);
- D. It is not the intent of the Board to vacate any easements for public utilities that may exist within the Road(s) described on **Exhibit A**; and
- E. Vacating, abandoning, discontinuing, and closing the Road(s) described on **Exhibit A** and renouncing and disclaiming any rights and obligations of Marion County and the public in and to any land in connection therewith would benefit the general public welfare and would be in the best interest of the public;

SECTION 3. APPROVAL. The Board of County Commissioners of Marion County, Florida, does hereby:

- A. Vacate, abandon, discontinue and close the Road(s) described in **Exhibit A** hereto, in accordance with Chapter 336, Florida Statutes;
- B. To the extent of the termination of any easement or the surrender of title vested, renounce and disclaim any rights and obligations of the County and the public in and to any land in connection with the Road(s) described in **Exhibit A** hereto, in accordance with Chapter 336, Florida Statutes; and
- C. Expressly reserve any easements for public utilities currently located within the legal description of the Road(s) described in **Exhibit A** hereto, and such easements are not included in this vacation and abandonment.

SECTION 4. SEVERABILITY. The provisions of this Resolution are severable. If any word, sentence, clause, phrase or provision of this Resolution for any reason is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

SECTION 5. CONFLICT. All Resolutions in conflict with this Resolution are repealed to the extent necessary to give this Resolution full force and effect.

SECTION 6. EFFECTIVE DATE. That this Resolution shall take effect immediately upon passage.

DULY ADOPTED by the Board of County Commissioners of Marion County, Florida, on the 19th day of November, 2024.

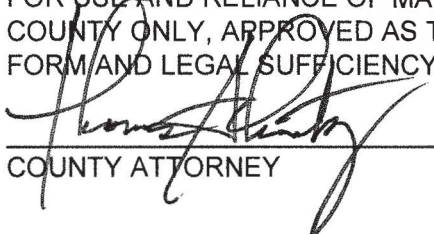
ATTEST:

MARION COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA

GREGORY C. HARRELL,
CLERK OF THE COURT

BY: _____
KATHY BRYANT
CHAIRMAN

FOR USE AND RELIANCE OF MARION
COUNTY ONLY, APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

For: 

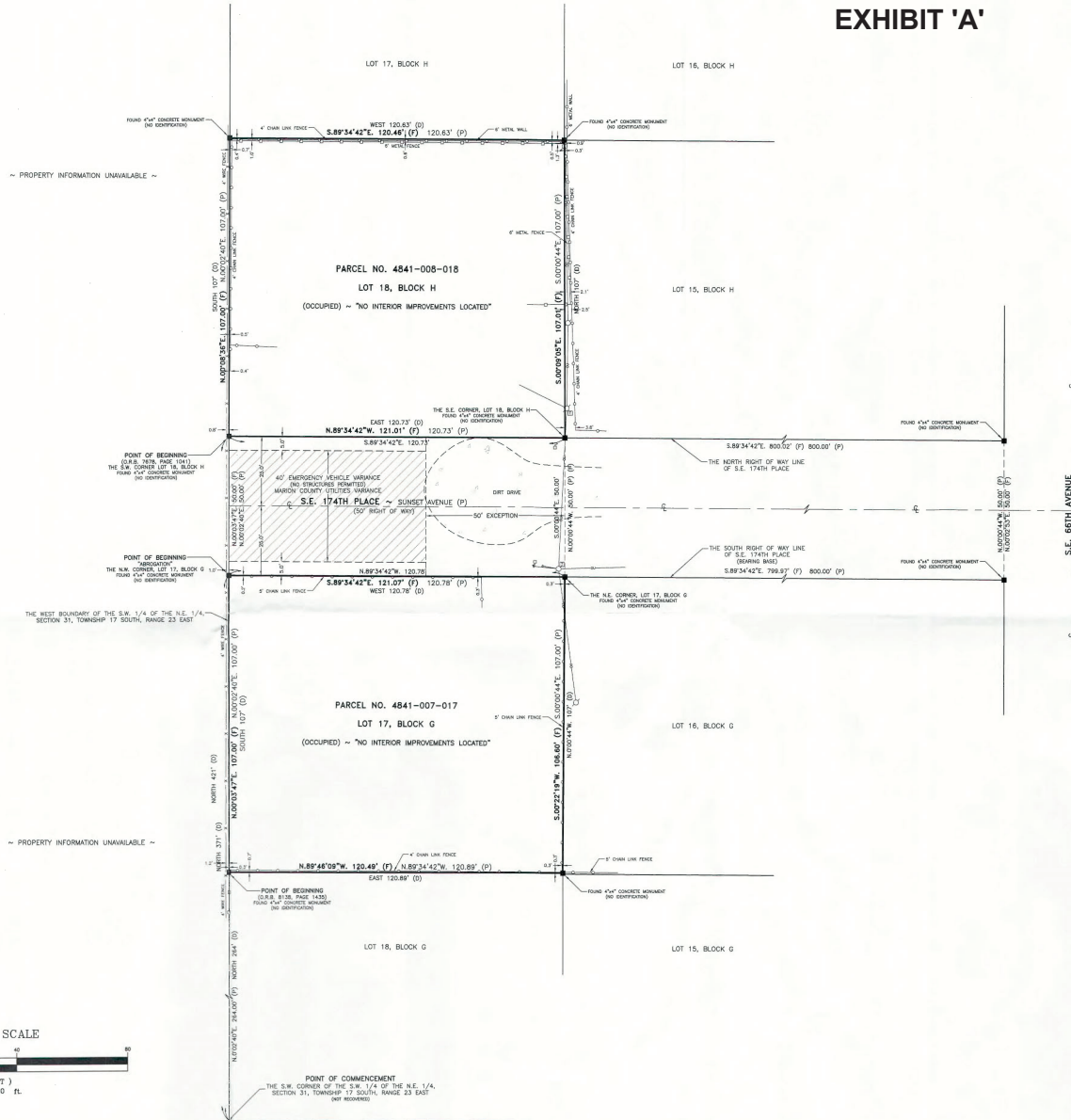
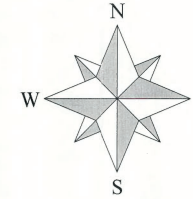
COUNTY ATTORNEY

RECEIVED

04 15 2024

Marion County
Office of County Engineer

EXHIBIT 'A'



DESCRIPTION: (PER OFFICIAL RECORDS BOOK 7678, PAGE 1041, PUBLIC RECORDS, MARION COUNTY, FLORIDA)
 BEGIN 421 FEET NORTH OF THE S.W. CORNER OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 31, TOWNSHIP 17 SOUTH, RANGE 23 EAST; THENCE RUN EAST 120.73 FEET; THENCE NORTH 107 FEET; THENCE WEST 120.63 FEET; THENCE SOUTH 107 FEET TO THE POINT OF BEGINNING, ALSO KNOWN AS LOT 18, BLOCK H, OF BELLEVUE HILLS MANOR, AN UNRECORDED SUBDIVISION.

DESCRIPTION: (PER OFFICIAL RECORDS BOOK 8138, PAGE 1435, PUBLIC RECORDS, MARION COUNTY, FLORIDA)
 LOT 17, BLOCK G, BELLEVUE HILLS MANOR, AN UNRECORDED SUBDIVISION, LYING IN SECTION 31, TOWNSHIP 17 SOUTH, RANGE 23 EAST, MARION COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING ON THE WEST BOUNDARY OF S.W. 1/4 OF N.E. 1/4 AT A POINT 264 FEET NORTH FROM THE S.W. CORNER OF THE S.W. 1/4 OF N.E. 1/4 OF SECTION 31, TOWNSHIP 17 SOUTH, RANGE 23 EAST; THENCE RUN EAST 120.89 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 44 SECONDS WEST 107 FEET; THENCE WEST 120.78 FEET TO THE WEST LINE OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 31 TOWNSHIP 17 SOUTH, RANGE 23 EAST; THENCE SOUTH ALONG SAID WESTERLY LINE 107 FEET TO THE POINT OF BEGINNING.

DESCRIPTION: (ABROGATION)
 THAT PORTION OF THE 50 FOOT ROAD RIGHT OF WAY LYING NORTH OF LOT 17, BLOCK G AND SOUTH OF LOT 18, BLOCK H, BELLEVUE HILLS MANOR, AN UNRECORDED SUBDIVISION, LYING IN SECTION 31, TOWNSHIP 17 SOUTH, RANGE 23 EAST, MARION COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE S.W. CORNER OF THE S.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 31; THENCE N.02°02'40"E., ALONG THE SOUTH BOUNDARY OF SAID S.W. 1/4 OF THE N.E. 1/4, A DISTANCE OF 371.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF S.E. 174TH PLACE (50 FEET WIDE) ALSO BEING THE N.W. CORNER OF LOT 17, BLOCK G OF SAID PLAT AND THE POINT OF BEGINNING; THENCE CONTINUE N.02°02'40"E. ALONG SAID WEST BOUNDARY, A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF S.E. 174TH PLACE, ALSO BEING THE S.W. CORNER OF LOT 18, BLOCK H OF SAID PLAT; THENCE DEPARTING SAID WEST BOUNDARY, S.89°34'42"E., ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 120.73 FEET TO THE S.E. CORNER OF SAID LOT 18; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, S.02°02'40"E., A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF S.E. 174TH PLACE, ALSO BEING THE N.E. CORNER OF LOT 17, BLOCK G OF SAID PLAT; THENCE N.89°34'42"E., ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 120.78 FEET TO THE POINT OF BEGINNING, LESS THE SAID 50.00 FEET THEREOF.

- SURVEYOR'S NOTES:**
1. THE FIELD MEASURED BEARINGS DEPICTED HEREON ARE ASSUMED, BASED ON THE SOUTH RIGHT OF WAY LINE OF S.E. 174TH PLACE, TO BEAR S.89°34'42"E.
 2. UNLESS OTHERWISE SHOWN, UNDERGROUND IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY.
 3. THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA WERE NOT SEARCHED BY PRECEE LAND SURVEYING, INC.
 4. THIS SURVEY WAS PREPARED WITHOUT ANY COMMITMENT.
 5. THE LANDS DEPICTED HEREON ARE SUBJECT TO RECORDED AND UNRECORDED RIGHTS OF WAY, RESTRICTIONS, EASEMENTS AND RESERVATIONS THAT MAY OR MAY NOT APPEAR WITHIN THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.
 6. ADDITIONS OR DELETIONS TO THIS MAP OF SURVEY AND/OR REPORT BY OTHER THAN THE SIGNING PARTY(IES) IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY(IES).
 7. THIS SURVEY HAS BEEN PREPARED FOR SOLE AND EXCLUSIVE BENEFIT OF THE PARTY(IES) NAMED HEREON, AND SHALL NOT BE RELED UPON BY ANY OTHER INDIVIDUAL OR ENTITY WITHOUT THE CONSENT OF SAID PARTY(IES) AND THE SIGNING SURVEYOR.
 8. PAPER COPIES OF THIS SURVEY ARE NOT VALID AND IS TO ONLY BE USED FOR REFERENCE PURPOSES ONLY, UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER INDICATED HEREON. DIGITAL COPIES OF THIS SURVEY ARE NOT VALID AND ARE TO ONLY BE USED FOR REFERENCE PURPOSES ONLY, UNLESS IT BEARS THE DIGITAL SIGNATURE OF THE FLORIDA LICENSED SURVEYOR AND MAPPER INDICATED HEREON.
 9. THE SYMBOLS USED TO REPRESENT PHYSICAL FEATURES ARE FOR GRAPHIC ILLUSTRATION ONLY AND MAY OR MAY NOT REFLECT THE ACTUAL SIZE AND SHAPE OF THE FEATURE BEING REPRESENTED.
 10. THE SIGNING PARTY(IES) SIGNATURE DATE DOES NOT REPRESENT THE ACTUAL DATE OF SURVEY.
 11. THE SURVEYED LANDS DEPICTED HEREON LIE WITHIN FLOOD ZONE "X" - AN AREA OF MINIMAL FLOODING, BASED ON GRAPHIC INTERPRETATION OF THE FLOOD INSURANCE RATE MAP, FOUND IN COMMUNITY PANEL NUMBER 120003.0003.D, EFFECTIVE AUGUST 29, 2008.
 12. THE MOST CURRENT ABUTTING RECORDED INSTRUMENTS FOR ADJACENTS TO THE LANDS SURVEYED WERE NOT FURNISHED.
 13. INTERIOR IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY PER CLIENT'S REQUEST.

LEGEND

DT = PLAT DIMENSION	TBN = TEMPORARY BENCHMARK	W = WELL
FL = FIELD MEASUREMENT	RCP = REINFORCED CONCRETE PIPE	TC = TRAFFIC CONTROL BOX
HD = HEAD DIMENSION	CWP = CORRUGATED METAL PIPE	WM = WATER METER
LC = CALCULATED DIMENSION	VCP = VITRIFIED CLAY PIPE	TR = TELEPHONE RISER BOX
LD = LENGTH DIMENSION	PCD = POLYETHYLENE GLASS FIBER	DS = DRAINAGE BOX
R/W = RIGHT OF WAY LINE	HDP = HIGH DENSITY POLYETHYLENE OVERBANK (UTILITY)	IR = IRRIGATION CONTROL BOX
CB = CURB BEARING	QU = OVERBANK (UTILITY)	WP = WOOD POWER POLE
OR = OFFICIAL RECORDS BOOK	FLA = FLORIDA DEPARTMENT OF TRANSPORTATION	AC = AIR CONDOR
PC = POINT OF COMMENCEMENT	APR = AIR CONDITIONER	FR = FIRE RESISTANT
POC = POINT OF REVERSE CURVATURE	FCA = FIBER OPTIC CABLE MARKER	FE = FIRE DEPARTMENT CONNECTION
PT = POINT OF TANGENCY	APR = AIR CONDITIONER	WV = WATER VALVE
LS = LICENSED SURVEYOR	PRM = PERMANENT REFERENCE MONUMENT	SM = STORM INLET
TE = TRINDED ELEVATION	PCP = PERMANENT CONTROL POINT	CV = CENTERLINE
WP = WOOD POWER POLE	PLS = PROFESSIONAL LAND SURVEYOR	SP = SIGN POST
CP = CONCRETE POWER POLE	LD = IDENTIFICATION NUMBER	MB = MAILBOX
MP = METAL POWER POLE		SC = SANITARY CLEAN-OUT
		BL = BROKEN LINE, NOT DRAWN TO SCALE
		DC = DEPICTS CONCRETE

WELL	HOSE BIBB
TRAFFIC CONTROL BOX	BURIED CABLE MARKER
WATER METER	GREASE TRAP
TELEPHONE RISER BOX	SANITARY MANHOLE
DRAINAGE BOX	STORM DRAINAGE MANHOLE
TELEPHONE MARKER	WATER VALVE
STORM INLET	MONITORING WELL
WATER VALVE	LIGHT POLE
SIGN POST	MAILBOX
SANITARY CLEAN-OUT	BROKEN LINE, NOT DRAWN TO SCALE
DEPICTS CONCRETE	



BOUNDARY SURVEY

FOR:
JOSEPH F. & SHERRY A. TRUE
 AND
JESSICA & JOSHUA DUNKERLY

STATE CERTIFIED SDVBE

PRECEE
 LAND SURVEYING, INC.

BELLWETHER PROFESSIONAL PARK
 2201 S.E. 30TH AVENUE, SUITE 102
 Ocala, FL 34477
 PHONE: (352) 351-0091
 FAX: (352) 351-0093 FAX
 EMAIL: gjen@precee.com

(LICENSED BUSINESS NO. 7389)

SURVEYOR'S CERTIFICATION

THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ESTABLISHED IN CHAPTER 51-14, FLORIDA ADMINISTRATIVE CODE, FOR A BOUNDARY SURVEY.

7/15/24
 OLEN H. PRECEE, JR., P.S.M. - LS 5427

DATE OF FIELD SURVEY: MAY 28, 2024	
DRAWN: J.R.C.	REVISIONS: BY DATE
CHECKED: D.H.P.	REVISE VARIANCE: GRP 7/15/24
FILE INFO: PAGES 120 34	
FILE INFO: BELLEVUE HILLS MANOR	
SCALE: 1" = 20'	COPYRIGHT © 2024 JOB ORDER # 24-063 (R)