

RESOLUTION 19-52

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH,
FLORIDA, VACATING THE PLAT OF HIDE A WAY AT LAKE
POWELL UPON THE PETITION OF THE OWNERS.

WHEREAS, Robert W. May and wife Andrea Claudia May filed a petition requesting that the City Council vacate the plat of Hide A Way at Lake Powell recorded at Plat Book 23, Pages 42-43, Public Records of Bay County, Florida; and

WHEREAS, the petition to vacate the above referenced plat was duly presented to the City Council at its regular meeting held on January 10, 2019; and

WHEREAS, it appears that Robert W. May and wife Andrea Claudia May are the fee simple owner of all of the above described property and the vacation of said plat will not affect the ownership or right of convenient access of persons owning property abutting lands; and

WHEREAS, it appears that all ad valorem taxes due and owing on said property have been paid, that due and proper notice of petitioner's intention to apply to vacate said portion of the plat has been given as required by law, and proof of publication of said notice has been received by the City; and

WHEREAS, the vacation of a portion of said plat is proper and conforms to the requirements of Section 177.101, Florida Statutes; and

WHEREAS, the vacation of a portion of said plat is not inconsistent with the City's Comprehensive Plan or Land Development Code; and

WHEREAS, the City of Panama City Beach is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, as well as the provisions of the City Charter and other law, and therefore has the authority to vacate plats.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF PANAMA CITY BEACH:

SECTION 1. Recitals. The above recitals are true and accurate and are incorporated herein.

EXHIBIT A

HIDE A WAY AT LAKE POWELL

PARCEL 1:

A PARCEL OF LAND LYING AND BEING IN SECTION 4, TOWNSHIP 3 SOUTH, RANGE 17 WEST, BAY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING : COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 4; THENCE SOUTH $00^{\circ}17'40''$ WEST ALONG THE WEST LINE OF SAID SECTION 4, 100.00 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH $82^{\circ}19'44''$ EAST, 170.92 FEET; THENCE NORTH $69^{\circ}46'17''$ EAST, 275 FEET, MORE OR LESS, TO THE WATER'S EDGE OF LAKE POWELL; THENCE NORTHWESTERLY ALONG THE WATER'S EDGE OF SAID LAKE POWELL, 56 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SECTION N4; THENCE SOUTH $89^{\circ}57'13''$ WEST, ALONG THE NORTH LINE OF SAID SECTION 4, 379 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND LYING AND BEING IN THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 17 WEST, BAY COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 4; THENCE $S00^{\circ}17'40''W$ ALONG THE EAST LINE OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 4, 20.00 FEET; THENCE DEPARTING SAID EAST LINE, RUN $S89^{\circ}57'13''W$, 4.33 FEET TO THE CURVING SOUTHEASTERLY RIGHT OF WAY LINE OF LAKEVIEW DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 847, PAGE 586 IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF SAID BAY COUNTY, FLORIDA; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY OF SAID LAKE VIEW DRIVE, ON THE ARC OF A CURVE CONCAVE TO THE WEST, 20.63 FEET TO NORTHEAST CORNER OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 4, AND THE POINT OF BEGINNING, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 23°

38'42" AND A CHORD LENGTH OF 20.49 FEET, BEARING N12°29'26"E TO THE POINT OF BEGINNING.

Less and except the 20 foot wide existing access and utility easement existing on the westernmost end of this plat.

SECTION 2. Plat Vacation. Except as described below, the plat of Hide A Way at Lake Powell (recorded at Plat Book 23, Pages 42-43, Public Records of Bay County, Florida), legally described in Exhibit "A" attached hereto, is hereby vacated and annulled and the same is hereby returned to non-platted acreage. The City hereby expressly reserves, retains and does not vacate by this action the 20' access and utility easement on the westernmost portion of this plat, finding that such easement is useful and needed for those purposes.

SECTION 3. Effective Date. This Resolution shall take effect immediately upon its passage.

SECTION 4. Recording. A certified copy of this Resolution shall be recorded in the public records of Bay County, Florida.

ADOPTED in regular session this 24th day of January, 2019.


CITY OF PANAMA CITY BEACH

By: 
Mike Thomas, Mayor

ATTEST:


City Clerk

CERTIFIED, TRUE COPY
of original on file in the Office
of the City Clerk, City of
Panama City Beach, Florida.

By: 
CITY CLERK

