

RESOLUTION NO. 23-25

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, VACATING, CLOSING AND ABANDONING PORTIONS OF UTILITY EASEMENTS WITHIN BAY POINT TO ALLOW FOR CONSTRUCTION OF A NEW U.S. POST OFFICE; VESTING THE FEE SIMPLE TITLE TO SAID ABANDONED PROPERTY IN PERSONS, FIRMS OR CORPORATIONS AS PROVIDED BY LAW.

WHEREAS, the City obtained nonexclusive easements under, over and across certain property lying adjacent to Grand Panama Boulevard, recorded in Official Records Book 1244, Page 435 (waterline easement), and Official Records Book 1244, Page 451 (sewerline easement) for the general purposes of operating, accessing and maintaining its water, sewer and reuse utilities and related utility lines and equipment as part of the City's utility system within Bay Point, and

WHEREAS, the property upon which the aforementioned easements are located is being redeveloped to site a new U.S. Post Office, for which the plans propose to be sited over existing City utilities, and the developer has petitioned City staff for the abandonment of the existing easements where the Post Office will be constructed; and

WHEREAS, the City no longer has need or use for those portions of the easements described in the **attached** Exhibit A.

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

SECTION 1. It is hereby determined that the portions of the easement hereinafter described are no longer useful or needed for utility purposes, and it is in the public interest that said property be abandoned, vacated and released from any and every public right, use, title and interest, except as hereinafter provided. The following described property be, and the same is hereby abandoned and vacated, and said property be, and the same is hereby released and discharged of any and every public right, use, title and interest of the City of Panama City Beach, for utility and access purposes and that said property shall revert to the adjoining and abutting owners who have a reversionary interest, except and

subject to any other easements of record, over, under and across the following described property, said property lying and being in Bay, County, Florida, and more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT A

SECTION 2. The fee simple title to the aforementioned land shall vest in the person, firm or corporation entitled thereto, in accordance with the law.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 27th day of October, 2022.

CITY OF PANAMA CITY BEACH



By: Mark Sheldon, Mayor

ATTEST:



Lynne Fasone, City Clerk

Exhibit A

Prepared by
Amy E. Myers, Esquire
Hand Arendall Harrison Sale
16901 Panama City Beach Parkway, Suite 300
Panama City Beach, FL 32413
(850) 769-3434

VACATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS that in consideration of reliance upon these presents, the City of Panama City Beach, Florida, a municipal corporation, does hereby abandon, release and vacate the following described portions of utility easements lying within the boundaries of a 3.9 acre-parcel of land located at 3900 Marriott Drive in Bay Point, Panama City Beach, Florida, and identified by the Bay County Property Appraiser by Parcel No. 31373-000-000-000, which easements were granted in a Utility Easement recorded in Official Records Book 1244, Page 451, and Book 1244, Page 435, to wit:

See attached Exhibit A

It is hereby determined that the easement described above is no longer useful or needed for access purposes, and it is in the public interest that said property be abandoned, vacated and released from any and every public right, use, title and interest, except as hereinafter provided. The above described property be, and the same is hereby released and discharged of any and every public right, use, title and interest of the City of Panama City Beach for access purposes and that said property shall revert to the adjoining and abutting owners who have a reversionary interest, except and subject to any other easements of record, over, under and across the above described property.

This abandonment having been authorized by Resolution 23- 25 of the City of Panama City Beach adopted on 27th day of October, 2022.

IN WITNESS WHEREOF the City of Panama City Beach has caused this instrument to be executed on this 28th day of October, 2022.

CITY OF PANAMA CITY BEACH

Signed in the presence of:

Lynne Fasone
Lynne Fasone, City Clerk

Drew Whitman
Drew Whitman City Manager

STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 28th day of October, 2022 by Drew Whitman, City Manager, and Lynne Fasone, City Clerk, of the City of Panama City Beach, Florida, a municipal corporation, who are personally known to me.

V. Rebecca Cox
Signature of Notary Public



Exhibit A

DESCRIPTION OF SEWER LINE EASEMENT TO BE ABANDONED:

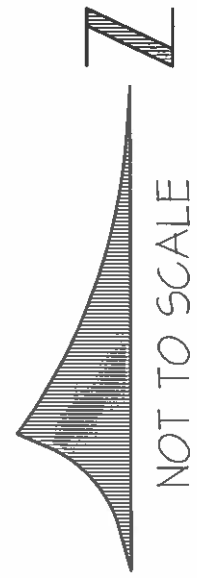
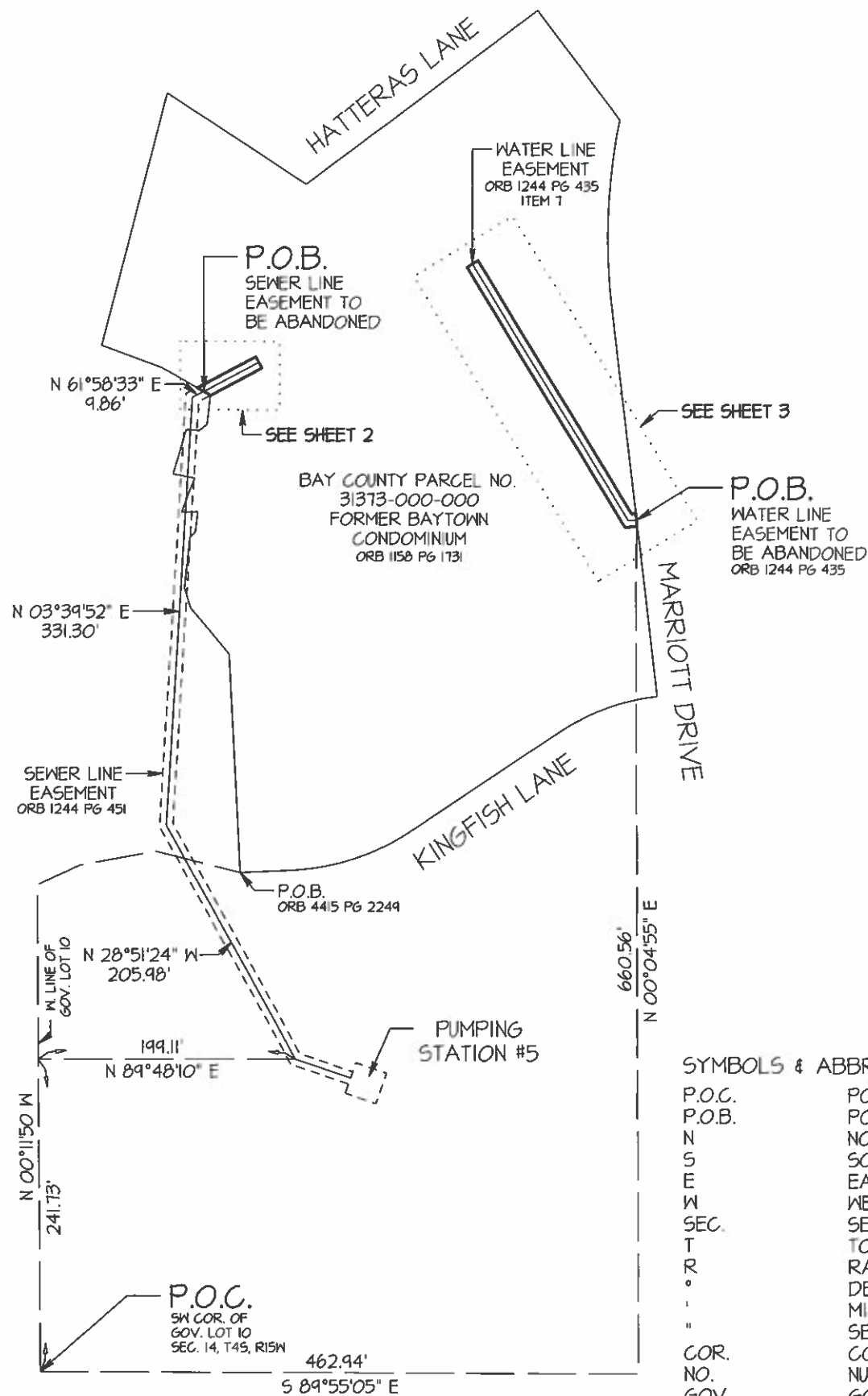
OFFICIAL RECORDS BOOK 1244, PAGE 451, ITEM 7, DESCRIBES A 10' WIDE SEWER LINE EASEMENT FROM PUMPING STATION NO. 3 TO FORMER BAYTOWN CONDOMINIUM, DESCRIBED IN BAY COUNTY OFFICIAL RECORDS BOOK 1158, PAGE 1731. THE FOLLOWING DESCRIPTION DESCRIBES THAT PORTION OF SAID SEWER EASEMENT LYING WITHIN THE BAYTOWN CONDOMINIUM PARCEL.

DESCRIPTION: A 10' WIDE STRIP LYING 5' ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCE AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 10, SECTION 14, TOWNSHIP 4 SOUTH, RANGE 15 WEST, BAY COUNTY, FLORIDA, THENCE NORTH 00 DEGREES 11 MINUTES 50 SECONDS WEST ALONG THE WEST LINE OF SAID GOVERNMENT LOT 10 FOR 241.73 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 10 SECONDS EAST FOR 199.11 FEET, THENCE NORTH 28 DEGREES 51 MINUTES 24 SECONDS WEST FOR 205.98 FEET; THENCE NORTH 03 DEGREES 39 MINUTES 52 SECONDS EAST FOR 331.30 FEET; THENCE NORTH 61 DEGREES 58 MINUTES 33 SECONDS EAST FOR 9.86 FEET TO THE WESTERLY LINE OF A PARCEL DESCRIBED IN BAY COUNTY OFFICIAL RECORDS BOOK 1158, PAGE 1731 AND THE POINT OF BEGINNING OF SAID CENTERLINE. THENCE CONTINUE NORTH 61 DEGREES 58 MINUTES 33 SECONDS EAST FOR 48.31 TO THE TERMINUS OF SAID CENTERLINE. SAID 10' WIDE STRIP IS BOUNDED SOUTHWESTERLY BY A LINE BEARING NORTH 60 DEGREES 17 MINUTES 54 SECONDS WEST, BEING THE WESTERLY BOUNDARY OF SAID FORMER BAYTOWN CONDOMINIUM PARCEL.

DESCRIPTION OF WATER LINE EASEMENT TO BE ABANDONED, RECORDED IN OFFICIAL RECORDS BOOK 1244, PAGE 435, ITEM 7:

AN EASEMENT FOR A WATER LINE IN FORMER BAYTOWN, A CONDOMINIUM, MORE PARTICULARLY DESCRIBED AS A STRIP OF LAND 10 FEET IN WIDTH LYING 5 FEET ON EITHER SIDE OF THE FOLLOWING CENTER LINE:

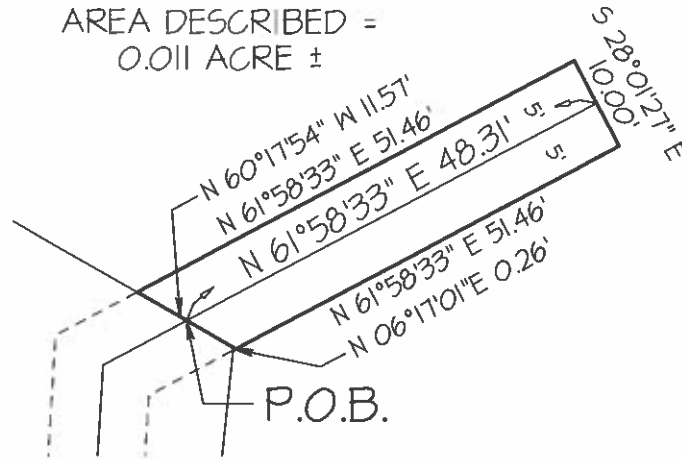
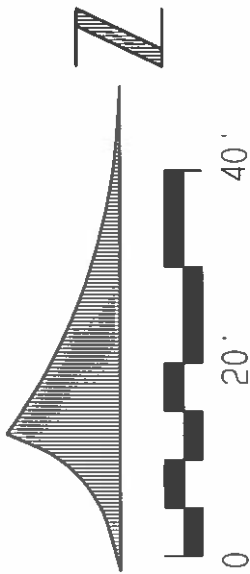
COMMENCE AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 10 IN SECTION 14, TOWNSHIP 4 SOUTH, RANGE 15 WEST; THENCE S89°55'05"E 462.94; THENCE N00°04'55"E 660.56 FEET TO THE POINT OF BEGINNING; THENCE S84°52'56"W 6.45 FEET; THENCE N31°15'06"W 231.56 FEET TO THE TERMINUS.



SYMBOLS & ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
N	NORTH
S	SOUTH
E	EAST
W	WEST
SEC.	SECTION
T	TOWNSHIP OR TANGENT
R	RANGE
°	DEGREES
'	MINUTES OR FEET
"	SECONDS OR INCHES
COR.	CORNER
NO.	NUMBER
GOV.	GOVERNMENT
ORB	OFFICIAL RECORDS BOOK
PG.	PAGE

THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT THE RESULTS OF A FIELD SURVEY.



DESCRIPTION OF SEWER LINE EASEMENT TO BE ABANDONED:

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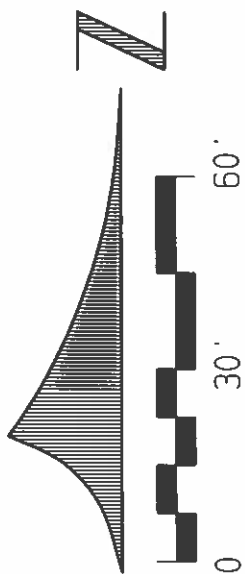
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N 58°44'54" E
10.00'

AREA DESCRIBED =
0.055 ACRE ±



S 31°15'06" E 228.44'
N 31°15'06" W 234.68'
N 31°15'06" W 231.56'

N 84°52'56" E 3.33'
P.O.B.
S 05°07'04" E 10.00'
S 84°52'56" W 6.45'
S 84°52'56" W 9.57'

CURVE TABLE

E

SKETCH

ARC	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
1.	Δ=35°25'05"	R=50.00'	A=30.91'	CB=S 26°47'23"	C=30.42'
2.	Δ=58°00'00"	R=132.36'	A=133.99'	CB=S 37°37'53"	C=128.34'
3.	Δ=54°59'59"	R=142.89'	A=137.16'	CB=N 85°52'07"	C=131.96'
4.	Δ=64°20'00"	R=228.75'	A=256.85'	CB=S 89°27'52"	C=243.57'
5.	Δ=30°48'20"	R=210.00'	A=112.91'	CB=N 71°50'50"	C=111.55'
6.	Δ=27°00'00"	R=135.00'	A=63.62'	CB=N 69°56'40"	C=63.03'
7.	Δ=03°11'58"	R=508.00'	A=28.37'	CB=N 21°07'04"	C=28.36'
8.	Δ=03°30'19"	R=322.00'	A=19.70'	CB=N 12°12'07"	C=19.70'
9.	Δ=05°30'09"	R=322.00'	A=30.92'	CB=N 16°42'22"	C=30.91'
10.	Δ=06°55'52"	R=382.00'	A=46.21'	CB=N 13°54'54"	C=46.18'
11.	Δ=18°17'34"	R=395.00'	A=126.11'	CB=S 02°35'27"	C=125.58'
12.	Δ=19°09'09"	R=399.31'	A=133.48'	CB=S 84°46'43"	C=132.86'
13.	Δ=28°20'51"	R=399.31'	A=197.55'	CB=N 71°28'17"	C=195.55'
14.	Δ=19°12'36"	R=369.31'	A=123.62'	CB=S 84°48'26"	C=123.24'
15.	Δ=28°17'24"	R=369.31'	A=182.35'	CB=N 71°26'36"	C=180.50'
16.	Δ=28°20'51"	R=339.31'	A=167.68'	CB=S 71°28'18"	C=166.17'
17.	Δ=39°31'21"	R=834.42'	A=575.58'	CB=N 19°47'27"	C=564.24'
18.	Δ=39°31'21"	R=867.42'	A=598.34'	CB=N 19°47'27"	C=586.55'
19.	Δ=64°20'00"	R=198.75'	A=223.17'	CB=N 89°27'52"	C=211.63'
20.	Δ=54°59'59"	R=172.89'	A=165.96'	CB=S 85°52'08"	C=159.66'
21.	Δ=58°00'00"	R=162.36'	A=154.36'	CB=N 37°37'53"	C=157.43'