

DESOTO COUNTY, FLORIDA

RESOLUTION NO. 2024 - ____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, APPROVING A PETITION FILED BY THE WILLIE K. CAMPBELL TRUST FOR THE CLOSURE AND ABANDONMENT OF THE UNIMPROVED RIGHT OF WAY FOR 3RD STREET AND A PLATTED ALLEYWAY IN THE TOWN OF FORT OGDEN RR SURVEY, THE LEGAL DESCRIPTIONS AND SKETCHES OF SAID RIGHTS OF WAY BEING INCLUDED IN “EXHIBIT A”; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at a public hearing on November 19, 2024, the DeSoto County Board of County Commissioners (Board) adopted Resolution 2024 -097 setting a public hearing for December 17, 2024 pursuant to Section 336.09 Florida Statutes, in consideration of closing and abandoning a portion of a platted alleyway and the 3rd Street rights of ways, as shown in Exhibit A of this Resolution; and

WHEREAS, the notice of public hearing was set in compliance with DeSoto County Land Development Regulations (LDR) Sections 20-1772(1) through 20-1772(6); and

WHEREAS, the Development Department reviewed the request made by the Willie K. Campbell Trust and finds the petition for closure and abandonment of the portion of a platted alleyway and the 3rd Street rights of ways is consistent with the four (4) criteria in Land Development Regulations Section 20-1772 as more particularly set forth in the Development Department Report; and

WHEREAS, the Board concludes adoption of this Resolution is in the best interest of the residents of DeSoto County, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Resolution.

Section 2. The Development Department Report is ratified and confirmed as being true and correct and is hereby incorporated by reference as the findings and conclusions to support adoption of the Resolution subject to the following conditions:

1. If CenturyLink facilities are found and/or damaged within the vacated area as described, the applicant will bear the cost of relocation and repair of said facilities.

Section 3. At the duly noticed December 17, 2024 Board of County Commissioners public hearing, the Board considered the petition requesting the closure and abandonment of a portion of a platted alleyway and the 3rd Street rights of ways

described and sketched in Exhibit "A", and found and concluded the petition was in conformance with the four (4) criteria in Land Development Regulation Section 20-1772.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 17th day of December, 2024

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
DESOTO COUNTY, FLORIDA

Mandy Hines,
County Administrator

J. C. Deriso, Chairman
Board of County Commissioners

Valerie Vicente,
County Attorney

Exhibit A

LEGAL DESCRIPTION:

ALL THAT PORTION OF AN UNNAMED 60.00 FOOT WIDE ROAD RIGHT OF WAY LYING BETWEEN BLOCK 8 AND BLOCK 9 AND BEING IN RAILROAD SURVEY OF FLORIDA, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 24 COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 1, PAGE 15, OF THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA.

And,

THE SOUTHEASTERLY 15.00 FEET OF THE NORTHWESTERLY 150.00 FEET OF THE NORTHEASTERLY 315.00 FEET OF BLOCK 8, BEING IN RAILROAD SURVEY OF FLORIDA, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 24 COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 1, PAGE 15, OF THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA.

ALSO KNOWN AS THAT PORTION OF A 15.00 FOOT WIDE ALLEY LYING NORTHWESTERLY OF LOTS 1 THROUGH 7, BLOCK 8, AND SOUTHEASTERLY OF LOTS 11 THROUGH 17, BLOCK 8