



## Legislation Text

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**File #: 180737., Version: 1**

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### Usage Certificate (B)

**This item is a request for approval and authorization to execute and file a Usage Certificate.**

The area commonly referred to as the “Duck Pond” was recorded in three separate plats over the years of 1922 to 1925. The plats are Highland Heights, Plat Book B, page 9, Highlands Park (a replat of part of Sunkist) Plat Book A, page 135, and Highland Terrace, Plat Book A, page 161 of the Public Records of Alachua County, Florida. All the plats contained an area referenced as a “Park” which is the actual pond area. That area is utilized as stormwater retention for the areas right of ways and has been maintained by the City since the plats were recorded. The “pond” areas of the plats were reserved onto the developers of the plats. Since they were reserved, they were never assigned parcel numbers.

A few years ago, the State required the County to assign parcels numbers to all lands contain in the county that were not identified by a parcel number. The County assigned 12249-000-000 to Highlands Terrace, Plat Book A, page 161, 12249-001-000 to Highlands Park, Plat Book A, page 135, and 12249-002-000 to Highlands Heights, Plat book B, page 9. After assigning parcel numbers to each parcel, the County assessed property taxes. The property taxes were billed to the developers of the plats and send general delivery. Since delivery was not successful, a certificate was issued to each of the three parcel and back taxes began accruing.

The areas of the Plats, identified as “Park” are typically used and maintained by the City. In accordance with the provisions of Section 95.361 (1), Florida Statutes, the usage certificate depicts and describes the right of way in which the City has maintained and kept in repair uninterruptedly for a period of four years or more. Staff suggest filing Usage Certificates, claiming title to the platted “Parks” and stormwater facilities of the Duck Pond.

Funding in the amount of \$100 for administrative costs is available in the Public Works FY19 operating budget for the document recording fees.

The City Commission: 1) approve and authorize the Mayor to execute, and the Clerk to attest the Usage Certificates, subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager or his designee to record the Usage Certificates in the Public Records of Alachua County, Florida