1	ORDINANCE NO
2	0-06-111
3	
4	An ordinance of the City of Gainesville, Florida, to vacate, abandon
5 6	and close that portion of Southwest 14th Terrace located in the vicinity
7	between the south right-of-way line of Railroad Street, north of the south property line of Lot 3 of Block 7 of Little Gandy Subdivision, as more
8	specifically described in this Ordinance; reserving public and private
9	utilities easements; providing conditions and a reversionary interest;
10	providing a severability clause; providing a repealing clause; and
11	providing an immediate effective date.
12	
13	TENTED TO CO. C.
14	WHEREAS, pursuant to Section 30-192 of the Code of Ordinances of the City of
15	Gainesville, an application was initiated to vacate, abandon and close that portion of Southwest
16	14th Terrace located in the vicinity between the south right-of-way line of Railroad Street, north of the
17	south property line of Lot 3 of Block 7 of Little Gandy Subdivision, as more specifically described
18	herein to make possible the "Shands Cancer Hospital" development; and
19	WHEREAS, notice was given and publication made as required by law and a public
20	hearing was held by the City Plan Board on August 17, 2006; and
21	WHEREAS, at least ten (10) days notice has been given of the public hearing once by
22	publication in a newspaper of general circulation notifying the public of this proposed ordinance
23	and of the public hearings in the City Commission meeting room, First Floor, City Hall, in the City
24	of Gainesville; and
25	WHEREAS, notice has also been given by mail to all owners of property abutting the
26	portion to be vacated prior to the adoption of this ordinance; and
27	WHEREAS, prior to the public hearings the application was presented to and approved

- by the appropriate Departments of the City; and
- WHEREAS, the City Commission finds that it is in the public interest to vacate, abandon
- 3 and close the right-of-way as set forth herein to make possible the Shands Cancer Hospital
- development, but that the right-of-way is otherwise required for public use and benefit if the
- 5 project is not constructed and completed; and
- WHEREAS, the City Commission is willing to vacate, abandon and close the right-of-
- 7 way subject to specific terms and conditions in an enforceable agreement between the City and the
- 8 owner/developer, its successors and assigns.
- 9 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
 - CITY OF GAINESVILLE, FLORIDA:
- Section 1. Except as provided in Sections 2 and 3 below, the following described right-
- of-way in the City of Gainesville no longer serves a public purpose and is hereby vacated,
- abandoned and closed for use by the public generally in order to make possible the project,
- commonly known as "Shands Cancer Hospital":
- See legal description attached hereto as Exhibit "A", and made a part hereof
- as if set forth in full.

10

- Section 2. The City reserves unto itself, its successors and assigns a public and private
- utilities easement over, under, across and through the right-of-way described in Exhibit "A",
- attached hereto and made a part hereof, for the purpose of operating, maintaining, removing and
- 20 relocating the public and private utilities located therein.
- Section 3. The vacation, abandonment and closure of the right-of-way described in § 1
- of this Ordiannee is subject to the terms and conditions of a certain Vacation of Right-of-Way
- 23 Agreement between the City and the applicant of the petition to vacate the right-of-way,

1	Southeastern Health Care Foundation, Inc., which Agreement provides, among other things, that
2	this ordinance may be repealed and the vacation, abandonment and closure of the right-of-way
3	shall be of no further force and effect.
4	Section 4. The Clerk of the Commission or designee is authorized to record a true copy
5	of this Ordinance in the Public Records of Alachua County, Florida.
6	Section 5. If any section, sentence, clause or phrase of this ordinance is held to be invalid
7	or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
8	the validity of the remaining portions of this ordinance.
9	Section 6. All ordinances, or parts of ordinances, in conflict herewith are to the extent of
10	such conflict hereby repealed.
11	Section 7. This ordinance shall become effective immediately upon final adoption.
12	PASSED AND ADOPTED this day of, 2007.
13	
14 15	Pegeen Hanrahan, Mayor
16 17 18 19	ATTEST: Approved as to form and legality:
20	By:
21 22 23	KURT LANNON, MARION J. RADSON, CITY ATTORNEY CLERK OF THE COMMISSION
24 25	This ordinance passed on first reading this day of, 2006.
26 27	This ordinance passed on second reading this day of, 2007.
28	MJR/afm
29	H:\Marion Radson\Planning\111SVA 06PB pet.doc



JULY 17, 2006

PREPARED FOR:

SOUTHEASTERN HEALTHCARE FOUNDATION, INC.

PROJECT NO.:

05-0811

DRAWING FILE:

05-0811 Gandy sketch.dwg

DESCRIPTION FOR:

Portion of S.W. 14th Terrace in Little Gandy Sub-Division

LEGAL DESCRIPTION:

A PORTION OF SOUTHWEST 14th TERRACE (LAKE AVENUE PER PLAT) AS SHOWN ON LITTLE GANDY SUB-DIVISION RECORDED IN PLAT BOOK "B" PAGE 28 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LOCATED IN SECTION 7, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1 OF BLOCK 7 OF SAID LITTLE GANDY SUBDIVISION AND A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RAILROAD STREET AS SHOWN ON SAID LITTLE GANDY SUBDIVISION; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE WESTERLY LINE OF LOT 10 OF BLOCK 5 OF SAID LITTLE GANDY SUBDIVISION; THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF LOT 10 AND ALONG THE WESTERLY LINES OF LOTS 9, 8, AND 7 OF BLOCK 5 OF SAID LITTLE GANDY SUBDIVISION TO THE EASTERLY PROJECTION OF A LINE 10.00 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF LOT 3 OF BLOCK 7 OF SAID LITTLE GANDY SUBDIVISION; THENCE WESTERLY ALONG A LINE 10.00 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF LOT 3 OF BLOCK 7 OF SAID LITTLE GANDY SUBDIVISION AND THE EASTERLY PROJECTION THEREOF TO THE EASTERLY LINE OF SAID LOT 3 OF BLOCK 7; THENCE NORTHERLY ALONG SAID EASTERLY LINE AND ALONG THE EASTERLY LINES OF LOTS 2 AND 1 OF BLOCK 7 OF SAID LITTLE GANDY SUBDIVISION TO THE POINT OF BEGINNING.

All as shown on the Map attached herewith and made a part hereof



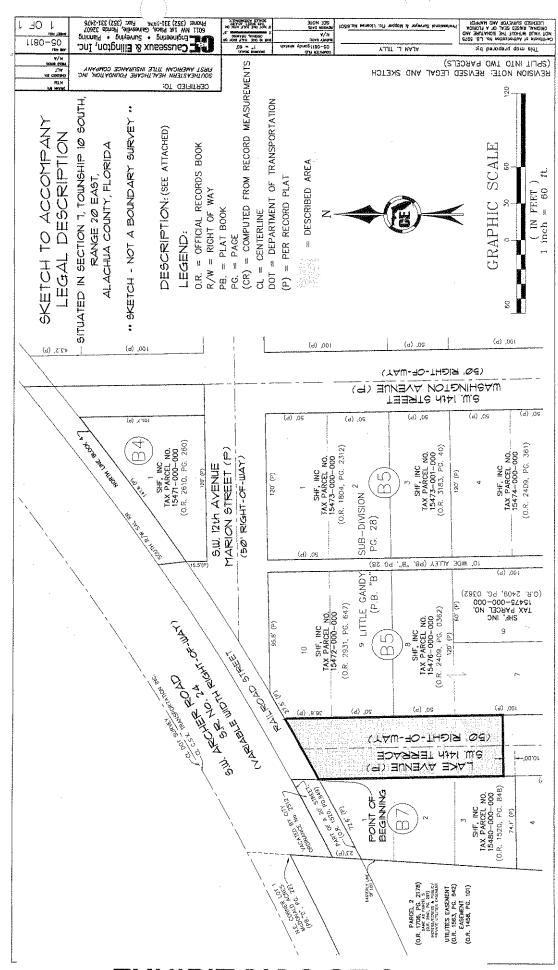


EXHIBIT "A" 2 OF 2