

RESOLUTION: 001326

PASSED: May 29, 2001

A RESOLUTION DETERMINING THE NECESSITY AND PUBLIC PURPOSE FOR THE NORTHWEST 45TH AVENUE ROADWAY RECONSTRUCTION PROJECT, PROJECT NUMBER 95-28, DETERMINING THE NECESSITY AND PUBLIC PURPOSE FOR ACQUIRING, BY EMINENT DOMAIN, FEE SIMPLE OWNERSHIP OF DESIGNATED PARCELS OF REAL PROPERTY, AND AUTHORIZING THE CITY ATTORNEY TO INSTITUTE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE CITY DESIGNATED PARCEL NUMBERS 7883-A, 7883-B, 7883-C, AND 7883-D, WHICH ARE THE REQUIRED PORTIONS OF PARCEL 7883-000-000.

WHEREAS, the Florida Constitution permits the acquisition of private property for a public purpose upon payment of full compensation; and

WHEREAS, pursuant to Sections 166.401, 166.411, and 337.27, Florida Statutes, the City of Gainesville has the right and power to exercise eminent domain to acquire property for purposes of streets, lanes, alleys, and ways, and for existing, proposed, or anticipated transportation facilities; and

WHEREAS, the City Commission has previously approved the Northwest 45th Avenue Reconstruction Project, which includes the Northwest 19th Street Phase, with the 94/95 Budget Approval, in September of 1994; and

WHEREAS, the City has caused its line of construction to be located and has caused descriptions of the properties needed for its construction to be prepared; and

WHEREAS, acquisition of private parcels of property is necessary to complete the reconstruction project; and

WHEREAS, sixteen parcels of property have been acquired of the eighteen parcels needed to complete the project; and

WHEREAS, fee simple acquisition of parcel numbers 7883-A, 7883-B, 7883-C, and 7883-D, portions of the parent parcel number 7883, whose legal descriptions are attached hereto and incorporated by reference, are necessary for the completion of the above-referenced project, specifically, in order to complete the widening and improving of the roadway and stormwater drainage facilities adjacent to the parcel;

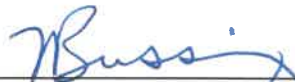
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

1. That the Northwest 45th Avenue Reconstruction Project is necessary and for a public purpose;
2. That fee simple acquisition of parcels 7883-A, 7883-B, 7883-C, and 7883-D, portions of the parent parcel number 7883-000-000, more fully described in the

attached legal descriptions, are necessary for the widening and improving of the adjacent roadway and stormwater drainage facilities as part of the Northwest 45th Avenue Reconstruction Project;

3. That the City Attorney is authorized to initiate and pursue to final judgement eminent domain proceedings to acquire fee simple title to parcels 7883-A, 7883-B, 7883-C, and 7883-D, portions of the parent parcel number 7883-000-000, and to take any other necessary legal action associated with or arising out of such condemnation proceedings. The City Attorney is further authorized to accomplish the acquisition of said parcels by settlement and compromise if same can be effected in accordance with the terms, conditions, and limitations established from time to time by the City Commission.

Passed and adopted this 29th day of May, 2001.




Thomas D. Bussing, Mayor

Attest:



By: Kurt Lannon, Clerk of the Commission

APPROVED AS TO FORM AND LEGALITY
BY: 

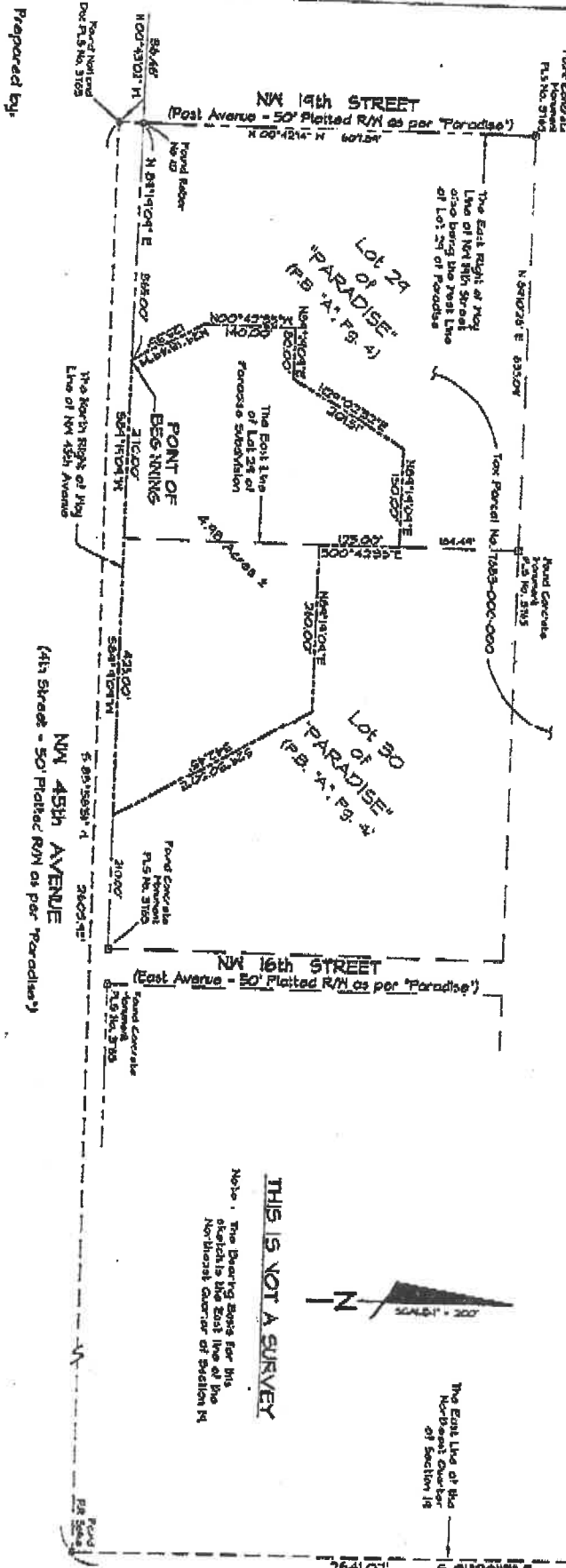
MARION J. RADSON, CITY ATTORNEY
CITY OF GAINESVILLE, FLORIDA

MAY 31 2001

DESCRIPTION :

A parcel of land lying in Section 19, Township 4 South and Range 20 East in Alachua County, Florida and being a part of Lots 29 and 30 of Paradise, a subdivision as recorded in Plat Book "A", page 4 of the public records of Alachua County, Florida, more particularly described as follows:

Commence at a concrete monument with disc stamped RL5 50c toward and accepted as marking the northeast corner of Section 19, Township 4 South, Range 20 East; thence along the East line of the northeast quarter of said Section 19, South 01°20'17" East, 2641.07 feet to a found railroad spike; thence South 88°38'51" West, a distance of 2603.95 feet to a found nail & disc stamped 9.5 5105; thence North 00°43'02" West, a distance of 86.45 feet to a 1 1/2 inch rebar found and accepted as marking the intersection of the north right of way of Northwest 45th Avenue and the east right of way of Northwest 19th Street, also being the west line of Lot 29 of said "Paradise"; thence North 89°19'04" East, a distance of 565.00 feet to a point on the monumented and accepted north right of way line of Northwest 45th Avenue and the Point of Beginning; thence leaving said right of way line North 29°3'49" West, a distance of 125.33 feet; thence North 00°42'35" West, a distance of 1400.00 feet; thence North 89°19'04" East, a distance of 800.00 feet; thence North 29°3'49" West, a distance of 201.51 feet; thence North 00°42'35" West, a distance of 125.00 feet; thence North 89°19'04" East, a distance of 150.00 feet to a point on the east line of said Lot 29; thence South 00°42'35" East along said east line, a distance of 842.45 feet to a point on the monumented and accepted north right of way line of Northwest 45th Avenue; thence South 29°30'20" East, a distance of 342.45 feet to a point on the east line of said Lot 29; thence North 89°19'04" East, a distance of 260.00 feet along said right of way line South 89°19'04" West, a distance of 425.00 feet to said east line of Lot 29; thence continue South 89°19'04" West, a distance of 2100.00 feet to the Point of Beginning; said parcel containing 4.49 acres, more or less.



Prepared by: FRANK HOST, FSM NO. 3407



CITY OF GAINESVILLE
PUBLIC WORKS DEPARTMENT
 P.O. Box 146, 148 S.W. 15th Street, Gainesville, Florida 32602
 Telephone (352) 336-2301 Fax (352) 336-2329

DATE	BY	REVISION
11-1-2007	FRANK HOST	AS SHOWN
10-1-2007	FRANK HOST	AS SHOWN

NW 45th AVENUE
DRAINAGE RIGHT OF WAY (177-1283)

THIS IS NOT A SURVEY

Note: The Bearing Angle for this Alignment is the East line of the Northeast Quarter of Section 19



The East Line of the Northeast Quarter of Section 19

POINT OF COMMENCEMENT
The Northeast Corner of Section 19

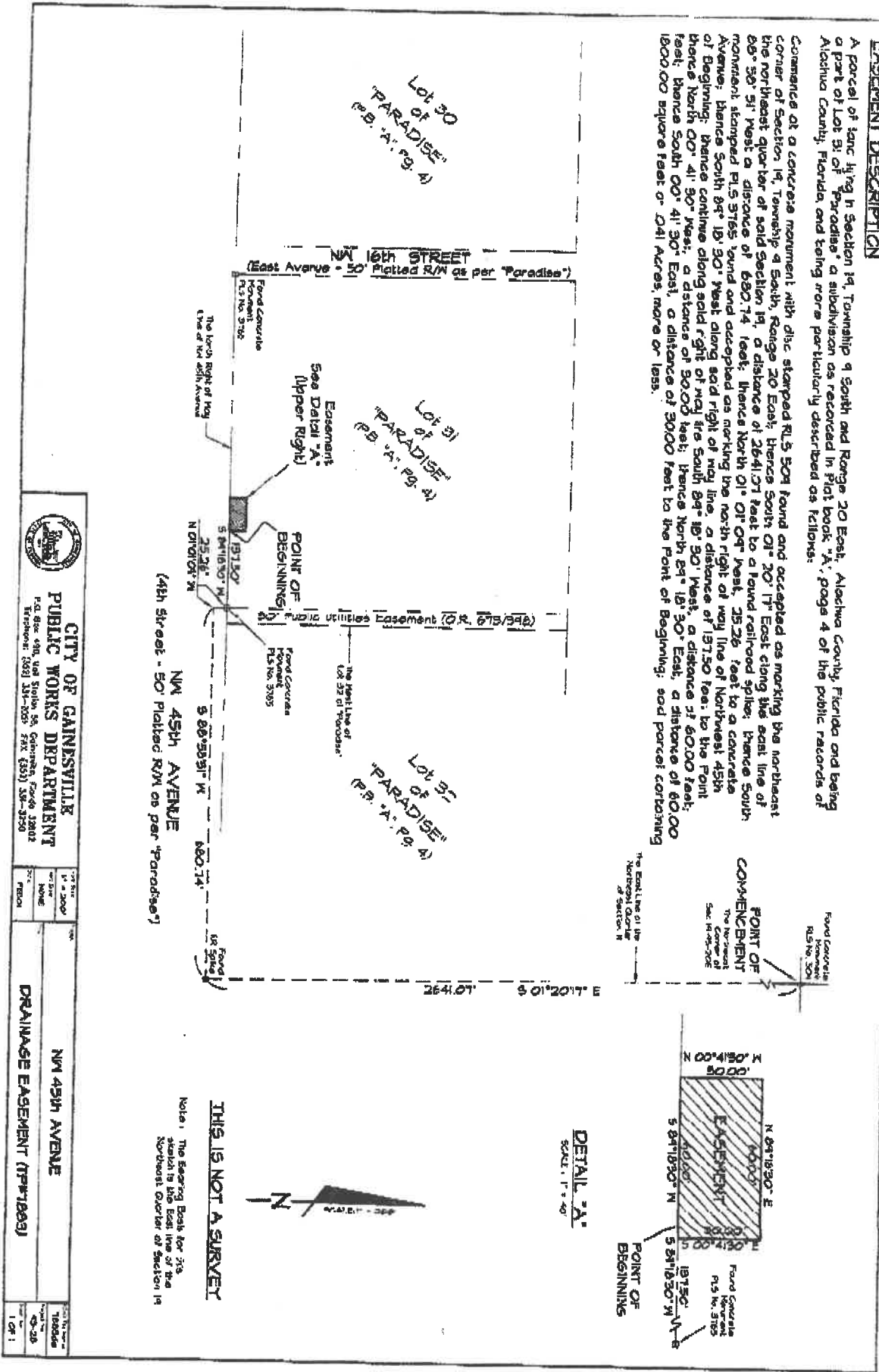
Found Concrete Monument RL5 No. 504

DATE TO BE RECORDED: 4-1-08
FILE NO: 1071

EASEMENT DESCRIPTION

A parcel of land lying in Section 14, Township 9 South and Range 20 East, Alachua County, Florida and being a part of Lot 31 of "Paradise", a subdivision as recorded in Plat book "A", page 4 of the public records of Alachua County, Florida and being more particularly described as follows:

Commence at a concrete monument with disc stamped RL 5 504 found and accepted as marking the northeast corner of Section 14, Township 9 South, Range 20 East; thence South 01° 20' 17" East along the east line of the northeast quarter of said Section 14, a distance of 2641.07 feet to a found railroad spike; thence South 88° 30' 51" West a distance of 680.74 feet; thence North 01° 01' 04" West, 35.26 feet to a concrete monument stamped RL 5 5165 found and accepted as marking the north right of way line of Northwest 45th Avenue; thence South 84° 18' 30" West along said right of way line, a distance of 1875.00 feet to the Point of Beginning; thence continue along said right of way line South 84° 18' 30" West, a distance of 600.00 feet; thence North 00° 41' 30" West, a distance of 300.00 feet; thence North 84° 18' 30" East, a distance of 600.00 feet; thence South 00° 41' 30" East, a distance of 300.00 feet to the Point of Beginning; said parcel containing 1800.00 square feet or .041 Acres, more or less.



THIS IS NOT A SURVEY

Note: The Easement Book for this sketch is the East line of the Northwest Quarter of Section 14



CITY OF GAINESVILLE
PUBLIC WORKS DEPARTMENT
 P.O. Box 498, Van Sickle St, Gainesville, Florida 32602
 Telephone: (352) 331-2000 FAX: (352) 331-2550

DATE	11-1-2000
BY	NAME
SCALE	1" = 40'
PROJECT	DRAINAGE EASEMENT (P#12003)
DATE	10/06/00
BY	NAME
SCALE	1" = 40'

