

RESOLUTION NO. 020704

PASSED June 14, 2004

A Resolution approving the conditional final plat of "Abbington Oaks Phase I, A Cluster Subdivision", located in the vicinity of N.W. 39th Avenue and N.W. 26th Terrace; providing conditions; and providing an immediate effective date.

WHEREAS, the Development Review Board approved the design plat of "Abbington Oaks Phase I, A Cluster Subdivision" on November 14, 2002; and

WHEREAS, on July 16, 2003, the owner of the plat has filed a conditional final plat which substantially conforms to the design plat as approved by the City Commission on December 9, 2002, and which incorporates all modifications and revisions specified in such approval; and

WHEREAS, the owner of the proposed subdivision has requested the City Commission to accept and approve the plat as provided in Chapter 177 of the Florida Statutes and Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida; and

WHEREAS, the City Commission finds that the conditional final plat described herein is consistent with the City of Gainesville 2000-2010 Comprehensive Plan, and applicable ordinances and regulations of the City.

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

Section 1. The conditional final plat of "Abbington Oaks Phase I, A Cluster Subdivision" is accepted and approved by the City Commission on the following described property lying in the City of Gainesville, Alachua County, Florida:

(See Exhibit "A" attached hereto and made a part hereof as if set forth in full)

Section 2. The owner and/or subdivider of the plat shall fully complete all subdivision improvements within two (2) years of the effective date of this Resolution in full accordance with approved plans and specifications and the ordinances of the City of Gainesville.

Section 3. The "Abbingtion Oaks Phase I, A Cluster Subdivision" plat shall not be recorded, but shall be retained by the Clerk of the Commission until the City Manager shall have certified that all required improvements have been completed in accordance with approved plans and specifications and ordinances of the City and the same has been approved by the City Commission. Upon such certification by the City Manager and upon proof by title insurance or other similar assurance to the satisfaction of the City that there are no liens or possibilities of liens on such subdivision improvements or on the property dedicated to the public, and that the dedicator or dedicators have clear fee title thereto, the City shall approve such plat and other dedicated portions as shown on the approved plat and the subdivider shall record the plat and provide copies as specified in Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida.

Section 4. No building permits shall be issued on the property within the boundaries of the "Abbingtion Oaks Phase I, A Cluster Subdivision" plat until such plat has been approved and accepted by the City Commission and filed in the public records of Alachua County, Florida.


Section 5. No construction activities, including clearing and grubbing, shall begin without a permit being issued or a letter of permit exemption by the St. Johns River Water Management District and a pre-construction meeting has been held with the City Public Works Department. A

copy of the permit must be on file with the City Public Works Department prior to commencement of any site work.

Section 6. Except as further provided herein, during construction, the subdivider may, upon the posting of a bond or other such security for the cost of the uncompleted improvements, have this conditional approval converted to final approval and acceptance provided that all other requirements and conditions of Chapter 30 of the Code of Ordinances applicable to final plat acceptance have been met.

Section 7. This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 14th day of June, 2004.



Pegeen Hanrahan, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Kurt Lannon,
Clerk of the Commission



Marion J. Radson, City Attorney

JUN 16 2004

Exhibit A

Fund File Number: 11-2003-693

ABBINGTON OAKS PHASE I A CLUSTER SUBDIVISION LYING IN SECTION 24, TOWNSHIP 9 SOUTH, RANGE 19 EAST, IN THE CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 24, TOWNSHIP 9 SOUTH, RANGE 19 EAST, IN THE CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 24, THENCE N. 89°44'19" W., ALONG THE SOUTH LINE OF SAID SECTION 24, A DISTANCE OF 1319.25 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 24; THENCE N. 00°21'45" E., ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 24, A DISTANCE OF 37.63 FEET TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF NW 39TH AVENUE (A 100 FOOT RIGHT-OF-WAY); THENCE N. 89°12'29" W., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 150.16 FEET TO THE POINT OF BEGINNING; THENCE N. 89°03'16" W., CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 333.64 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2436, PAGE 1471 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE N. 00°19'06" E., ALONG THE WEST BOUNDARY LINE OF SAID LANDS, A DISTANCE OF 199.96 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE S. 89°04'29" E., ALONG THE NORTH BOUNDARY LINE OF SAID LANDS, A DISTANCE OF 202.97 FEET TO THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 740, PAGE 135 OF SAID PUBLIC RECORDS; THENCE N. 00°22'04" E., ALONG THE EAST BOUNDARY LINE OF SAID LANDS, AND ALONG THE EAST BOUNDARY LINES OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2221, PAGE 2038, AND OFFICIAL RECORD BOOK 2278, PAGE 2228 OF SAID PUBLIC RECORDS, A DISTANCE OF 645.07 FEET TO THE NORTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2278, PAGE 2228; THENCE S. 89°27'22" E., A DISTANCE OF 65.20 FEET; THENCE N. 00°32'38" E., A DISTANCE OF 87.27 FEET; THENCE S. 89°27'22" E., A DISTANCE OF 5.65 FEET; THENCE N. 00°32'38" E., A DISTANCE OF 222.00 FEET; THENCE N. 89°27'22" W., A DISTANCE OF 21.07 FEET; THENCE N. 00°32'38" E., A DISTANCE OF 136.02 FEET TO THE INTERSECTION WITH THE SOUTH BOUNDARY LINE OF "SPRINGTREE III" AS PBR PLAT THEREOF, RECORDED IN PLAT BOOK "J", PAGE 75, OF SAID PUBLIC RECORDS; THENCE S. 89°27'22" E., ALONG THE SOUTH BOUNDARY LINE OF SAID "SPRINGTREE III", A DISTANCE OF 229.73 FEET TO THE SOUTHWEST CORNER OF SAID "SPRINGTREE III", AND THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 24; THENCE S. 00°21'45" W., ALONG THE EAST BOUNDARY LINE OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SOUTHEAST ONE-QUARTER (SE ¼), A DISTANCE OF 799.64 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1902, PAGE 884 OF SAID PUBLIC RECORDS; THENCE (THE FOLLOWING SIX (6) COURSES ALONG THE BOUNDARY OF SAID LANDS) N. 82°06'14" W., A DISTANCE OF 57.98 FEET; THENCE S. 00°19'06" W., A DISTANCE OF 319.44 FEET; THENCE N. 89°15'54" W., A DISTANCE OF 42.41 FEET; THENCE S. 00°37'06" W., A DISTANCE OF 29.91 FEET; THENCE N. 89°05'29" W., A DISTANCE OF 49.97 FEET; THENCE S. 00°31'18" W., A DISTANCE OF 150.20 FEET TO THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF NW 39TH AVENUE AND THE POINT OF BEGINNING.