



MEMORANDUM

Office of the City Attorney

LEGISLATIVE ITEM NO. 070906

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: April 14, 2008

FROM: City Attorney

CITY ATTORNEY
FIRST READING

SUBJECT: Ordinance No. 0-08-10, Petition No. 132PDA-07PB
An ordinance of the City of Gainesville, Florida; amending Ordinance Nos. 3248, 3378 and 000618 that rezoned certain property to planned development district, commonly known as "Oakbrook Walk PD"; generally located in the vicinity of the 1000-1200 block of SW 14th Avenue, north side and 1331 S.W. 13th Street; by allowing the contraction of the development plan and adopting a revised development plan, as more specifically described in this ordinance; adopting revised development plan maps and a revised development plan report; preserving certain conditions and restrictions; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

COMMUNITY DEVELOPMENT STAFF REPORT

This request is to amend the Oakbrook Walk planned development to remove the subject property which is located at 1331 SW 13th Street from the planned development for the purpose of changing its zoning to UMU-1 (see related Petition 88ZON-07PB). The current zoning on the subject property is Planned Development (PD). The current land use category is Urban Mixed-Use 1 (UMU-1: up to 75 units per acre).

The petitioner has provided a revised Oakbrook Walk PD layout map, PD Report and survey. The PD layout map and PD Report have been amended to delete the subject parcel and remove references to it in the PD Report. The subject property is approximately 1.1 acre in size and it is located in the SW 13th Street Special Area Plan. A large portion of the parcel falls within the 10-year flood channel, and some lies within the 100-year floodplain. This will severely limit future development potential for the parcel.

The subject property is currently improved with a structure containing three units. One unit serves as an office for Oakbrook Walk and the other two units are apartments.

The original Oakbrook Walk PD was established in September 1986 (Ordinance 3248). The PD was amended in October 1987 to add additional acreage to the planned development (Ordinance 3378).

The Oakbrook Walk PD was further amended in May 2001 (Ordinance 000618) to add the subject property and to allow one of the units to serve as an on-site management office for Oakbrook Walk. This is consistent with the existing use at the site.

In 2005 (Ordinance 041061), the City amended the Future Land Use Map and zoning of 550 acres of land located in the College Park/University Heights area and an area bounded by Archer Road and Depot Avenue to the north, SW 6th Street to the east and SW 16th Avenue to the south to the new Urban Mixed Use categories. The area was designated for high intensity use or high residential densities to spur redevelopment efforts. The subject property did receive the UMU-1 land use category designation at that time (November 2005) but the zoning on the property remained PD because it was part of the Oakbrook Walk PD.

Planning staff finds that removing the subject parcel from the PD will not create any problems for the already developed Oakbrook Walk and the PD will remain fully viable without the subject parcel because it is already fully developed.


The Plan Board discussed the petition and recommended that the requested Planned development amendment be approved.

Public notice was published in the Gainesville Sun on December 31, 2007. The Plan Board held a public hearing on January 17, 2008.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of February 25, 2008 authorized the city attorney's office to prepare and the clerk to advertise the necessary ordinance amending the planned development known as "Oakbrook Walk".

Prepared and Submitted by:



Marion J. Radson, City Attorney

MJR/afm

Attachment

H:/Marion Radson/Planning/132PDA-07PB CVR.doc

D R A F T

3/27/2008

ORDINANCE NO. _____
0-08-10

1
2
3
4 **An ordinance of the City of Gainesville, Florida; amending**
5 **Ordinance Nos. 3248, 3378 and 000618 that rezoned certain**
6 **property to planned development district, commonly known as**
7 **"Oakbrook Walk PD"; generally located in the vicinity of the**
8 **1000-1200 block of SW 14th Avenue, north side and 1331 S.W.**
9 **13th Street; by allowing the contraction of the development**
10 **plan and adopting a revised development plan, as more**
11 **specifically described in this ordinance; adopting revised**
12 **development plan maps and a revised development plan**
13 **report; preserving certain conditions and restrictions;**
14 **providing for penalties; providing a severability clause;**
15 **providing a repealing clause; and providing an immediate**
16 **effective date.**

17
18
19 **WHEREAS**, the City Commission, in 1986, adopted Ordinance No. 3248, that rezoned
20 certain real property which is the subject of this Ordinance, to Planned Development, and adopted a
21 certain Development Plan; which was subsequently amended by Ordinance Nos. 3378 and 000618,
22 and

23 **WHEREAS**, the owner/petitioner has petitioned the City to amend the planned
24 development and allow for the contraction of the existing development, and to make certain
25 amendments to the planned development as more specifically provided herein; and

26 **WHEREAS**, notice was given and publication made of a public hearing to adopt a revised
27 Development Plan on certain real property that is zoned "Planned Development", commonly
28 known as "Oakbrook Walk PD"; and

D R A F T

3/27/2008

1 **WHEREAS**, notice was given and publication made as required by law of a public hearing
2 which was then held by the City Plan Board on January 17, 2008; and

3 **WHEREAS**, notice was given and publication made of a public hearing which was then
4 held by the City Commission on February 25, 2008; and

5 **WHEREAS**, the City Commission finds that the amendment of the Planned Development
6 District ordinance is consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

7 **WHEREAS**, at least ten (10) days notice has been given once by publication in a
8 newspaper of general circulation prior to the adoption public hearing notifying the public of this
9 proposed ordinance and of a public hearing to be held in the City Commission Meeting Room, First
10 Floor, City Hall, in the City of Gainesville; and

11 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
12 described above at which hearings the parties in interest and all others had an opportunity to be and
13 were, in fact, heard.

14 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
15 **CITY OF GAINESVILLE, FLORIDA:**

16 **Section 1.** The legal descriptions provided in Section 1 of Ordinance Nos. 3248, 3378,
17 000618 are repealed, and a new legal description attached hereto as Exhibit "A" and made a part
18 hereof as if set forth in full. This new legal description describes the entire parcel that is zoned
19 "Planned Development" district and that comprises the "Oakbrook Walk Planned Development".

D R A F T

3/27/2008

1 **Section 2.** The development plan reports attached to Ordinance Nos. 3248, 3378, and
2 000618, are repealed, and a new “Planned Development Report, Oakbrook Walk” dated October 8,
3 2007, is adopted and approved, which Report is attached hereto as Exhibit “B” and made a part
4 hereof as if set forth in full. Exhibit “B” shall regulate the development and use of the property.

5 **Section 3.** The “development plan maps” attached to Ordinance Nos. 3248, 3378, and
6 000618 are repealed, and revised development plan maps, identified as Sheet C1.00 “Existing
7 Conditions Map” and Sheet C2.00 “PD Layout Plan Map”, last revised, January 10, 2008, are
8 adopted and approved, which Maps are attached hereto as Exhibit “C” and made a part of this
9 ordinance as if set forth in full. The terms, conditions, and limitations of the Development Plan (all
10 reports and maps) shall regulate the use and development of the land described in Exhibit “A” of
11 Section 1 of this Ordinance, zoned to the category of Planned Development district as provided in
12 Chapter 30, Land Development Code of the City of Gainesville (hereinafter referred to as “Land
13 Development Code”). In the event of conflict between the provisions of the development plan
14 report (Exhibit "B") and the development plan maps (Exhibit "C"), the provisions, regulations,
15 and restrictions of the development plan maps (Exhibit "C") shall govern and prevail.

16 **Section 4.** All of the conditions of the previously approved Planned Development and
17 amendments thereto adopted by Ordinance Nos. 3248 and 3378 shall be preserved and shall
18 remain in full force and effect. Conditions 2 and 5 of Section 3. of Ordinance No. 000618 shall
19 be preserved and shall remain in full force and effect.

D R A F T

3/27/2008

1 **Section 5.** If it is determined by the City Manager that a violation of this Ordinance exists,
2 the City Manager may issue and deliver an order to cease and desist from such violation and to
3 correct the violation, to preclude occupancy of the affected building or area, or to vacate the
4 premises. The City Manager, through the City Attorney, may seek an injunction in a court of
5 competent jurisdiction and seek any other remedy available at law.

6 **Section 6.** Any person who violates any of the provisions of this ordinance shall be deemed
7 guilty of a municipal ordinance violation, and shall be subject to fine or imprisonment as provided
8 by section 1-9 of the Gainesville Code of Ordinances. Each day a violation occurs or continues,
9 regardless of whether such violation is ultimately abated or corrected, shall constitute a separate
10 offense.

11 **Section 7.** If any word, phrase, clause, paragraph, section or provision of this ordinance
12 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
13 finding shall not affect the other provisions or applications of the ordinance which can be given
14 effect without the invalid or unconstitutional provisions or application, and to this end the
15 provisions of this ordinance are declared severable.

16 **Section 8.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
17 such conflict hereby repealed.

070908A

APPENDIX 'C'

**LEGAL DESCRIPTION
TOTAL PD PARCEL AS AMENDED**

EXHIBIT "A"

070906A

'WEST PARCEL' LEGAL DESCRIPTION:

COMMENCE AT THE NORTHWEST CORNER OF FRACTIONAL SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST; THENCE RUN SOUTH ALONG THE WEST LINE OF SAID FRACTIONAL SECTION 1668.5 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SW 11TH AVENUE; THENCE RUN EAST ALONG SAID RIGHT-OF-WAY LINE 666.35 FEET; THENCE RUN SOUTH 32°55'30" EAST, 176.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SW 11TH STREET, SAID POINT BEING THE NORTHWEST CORNER OF LOT 35 OF AUDUBON PARK REPLAT, AS PER PLAT AS RECORDED IN PLAT BOOK "D", PAGE 78 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 01°24' WEST, ALONG THE WEST LINE OF SAID LOT 35, 203.15 FEET; THENCE RUN SOUTH 06°58' WEST, 11.5 FEET TO THE CENTERLINE OF A CREEK AND THE POINT OF BEGINNING; THENCE RUN SOUTH 06°58' WEST, 318.14 FEET; THENCE RUN SOUTH 08°44' WEST, 201.95 FEET; THENCE RUN NORTH 88°24' WEST, 407.73 FEET THE CENTERLINE OF A CREEK; THENCE RUN NORTH 20°40' EAST, ALONG THE SAID CENTERLINE 116.36 FEET; THENCE RUN NORTH 9°06'30" EAST, ALONG SAID CENTERLINE 172.7 FEET; THENCE RUN NORTH 12°40'30" EAST, ALONG SAID CENTERLINE 93.96 FEET; THENCE RUN NORTH 55°15' EAST, ALONG SAID CENTERLINE 106.93 FEET; THENCE RUN NORTH 66°24'30" EAST, ALONG SAID CENTERLINE 105.71 FEET; THENCE RUN SOUTH 74°51'30" EAST, ALONG SAID CENTERLINE 86.91 FEET; THENCE RUN NORTH 77°16' EAST, ALONG SAID CENTERLINE 78.67 FEET; THENCE RUN NORTH 50°09' EAST, ALONG SAID CENTERLINE 55.29 FEET TO THE POINT OF BEGINNING, ALL LYING IN FRACTIONAL SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST, AND THE D.L. CLINCH GRANT GAINESVILLE, ALACHUA COUNTY, FLORIDA. CONTAINING 4.00 ACRES, MORE OR LESS.

'EAST PARCEL' LEGAL DESCRIPTION:

COMMENCE AT THE NORTHWEST CORNER OF SECTION EIGHT (8), TOWNSHIP TEN (10) SOUTH, RANGE TWENTY (20) EAST, AND RUN SOUTH ALONG THE WEST LINE OF SAID FRACTIONAL SECTION EIGHT (8) TWENTY-TWO HUNDRED FORTY-SIX (2246) FEET TO THE NORTH LINE OF THE D.L. CLINCH GRANT, THENCE RUN EAST ELEVEN HUNDRED NINETY-EIGHT (1198) FEET ALONG THE NORTH LINE OF THE SAID D.L. CLINCH GRANT TO A STAKE AND THE POINT OF BEGINNING, THENCE RUN NORTH SIX HUNDRED (600) FEET, MORE OR LESS, TO THE MIDDLE OF THE RUN OF THE BRANCH, THENCE RUN SOUTHWESTERLY DOWN THE MIDDLE OF THE RUN OF THE BRANCH FIVE HUNDRED (500) FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE M.D. BOYD LAND, THENCE RUN SOUTH ALONG THE EAST BOUNDARY OF THE SAID M.D. BOYD LAND TO THE NORTH LINE OF THE D.L. CLINCH GRANT, THENCE RUN EAST ALONG THE NORTH LINE OF THE SAID D.L. CLINCH GRANT TO THE POINT OF BEGINNING.

AND:

COMMENCE AT THE CONCRETE MONUMENT ON THE NORTH LINE OF THE D.L. CLINCH GRANT AT THE EAST EDGE OF THE RIGHT-OF-WAY OF STATE ROAD NO. 2, THENCE RUN IN AN EASTERLY DIRECTION ALONG THE NORTH LINE OF THE CLINCH GRANT 717.7 FEET TO THE POINT OF BEGINNING, THENCE RUN SOUTH 6 DEGREES 45MINUTES WEST 231.5 FEET; THENCE RUN EAST 158 FEET; THENCE RUN NORTH 5 DEGREES 15 MINUTES EAST 221 FEET; THENCE RUN NORTH 86 DEGREES 30 MINUTES WEST 157 FEET TO THE POINT OF BEGINNING; LYING WITHIN SAID D.L. CLINCH GRANT AND CONTAINING 0.82 ACRES, MORE OR LESS. ALL FOUR CORNERS OF THIS PROPERTY ARE MARKED WITH IRON PIPES.

BEING MORE PARTICULARLY AND ACCURATELY DESCRIBED AS FOLLOWS:

A PORTION OF FRACTIONAL SECTION B AND A PORTION OF THE D.L. CLINCH GRANT, ALL LYING IN TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF LOT 8 OF "BROOKWOOD" AS PER PLAT RECORDED IN PLAT BOOK "E", PAGE 94 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND RUN THENCE SOUTH 88°24'00" EAST, ALONG THE EASTERLY PROJECTION OF THE SOUTH BOUNDARY OF SAID "BROOKWOOD", A DISTANCE OF 120.14 FEET TO A FOUND IRON PIPE AND THE POINT OF BEGINNING; THENCE NORTH 08°44'00" EAST 129.92 FEET TO AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF LOT 5 OF SAID "BROOKWOOD"; THENCE CONTINUE NORTH 08°44'00" EAST, ALONG THE EAST BOUNDARY OF SAID "BROOKWOOD", 72.03 FEET TO AN IRON PIPE FOUND ON THE NORTH LINE OF SAID D.L. CLINCH GRANT; THENCE NORTH 06°57'40" EAST, ALONG SAID EAST BOUNDARY, 298.19 FEET; THENCE NORTH 06°52'52" EAST, ALONG SAID EAST BOUNDARY 20.38 FEET TO THE CENTERLINE OF A CREEK; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF SAID CREEK THROUGH THE FOLLOWING 22 COURSES: 1) NORTH 66°43'21" EAST 11.98 FEET; 2) NORTH 60°20'31" EAST 26.70 FEET; 3) NORTH 57°30'58" EAST 34.88 FEET; 4) NORTH 53°38'20" EAST 28.09 FEET; 5) NORTH 57°25'37" EAST 28.51 FEET; 6) NORTH 48°30'11" EAST 24.05 FEET; 7) NORTH 74°38'51" EAST 48.44 FEET; 8) NORTH 89°27'17" EAST 5.84 FEET; 9) SOUTH 81°17'00" EAST 13.57 FEET; 10) NORTH 86°44'44" EAST 21.93; 11) NORTH 78°01'52" EAST 33.45 FEET; 12) NORTH 85°13'20" EAST 27.68 FEET; 13) SOUTH 85°58'03" EAST 16.36 FEET; 14) NORTH 59°56'59" EAST 25.76 FEET; 15) NORTH 58°49'56" EAST 24.95 FEET; 16) NORTH 73°59'22" EAST 23.47 FEET; 17) NORTH 46°54'04" EAST 37.15 FEET; 18) NORTH 46°26'27" EAST 36.93 FEET; 19) NORTH 32°55'41" EAST 24.72 FEET; 20) NORTH 14°39'44" EAST 17.97 FEET; 21) NORTH 38°21'37" EAST 12.87 FEET; 22) NORTH 57°04'39" EAST 16.65 FEET; THENCE SOUTH 01°55'29" WEST 607.51 FEET TO A CONCRETE MONUMENT FOUND ON SAID NORTH LINE OF THE D.L. CLINCH GRANT; THENCE NORTH 84°44'22" WEST, ALONG SAID NORTH LINE 315.80 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 08°52'39" WEST 218.87 FEET; THENCE NORTH 88°34'24" WEST 158.00 FEET TO A FOUND IRON PIPE, THENCE NORTH 08°44'00" EAST 29.87 FEET TO THE POINT OF BEGINNING, CONTAINING 5.45 ACRES, MORE OR LESS

070906A



PLANNED DEVELOPMENT REPORT

Oakbrook Walk
SW 14th Avenue
Gainesville, Florida

Property Owner: Harry E. Saxton
1331-A S.W. 13th Street
Gainesville, Florida 32608

Prepared by: Causseaux, Hewett, & Walpole, Inc.
6011 NW 1st Place
Gainesville, Florida 32607
(352) 331-1976

Date: October 8, 2007

132PDA-07PB

Table of Contents

<u>Description</u>	<u>Page</u>
Purpose and Intent of Development	1
Statistical Information	2
Stormwater Management Plan	3
Infrastructure Standards	3
Schedule of Development	3
Appendices	
Appendix 'A' Legal Description for Tax Parcel #15617-000-000	A - 1
Appendix 'B' Legal Description for Bike Path Area	B - 1
Appendix 'C' Legal Description for Total PD Parcel as amended	C - 1

Purpose and Intent of Development

The purpose of the PD rezoning amendment includes:

1. Removal of tax parcel 15617-000-000 from the PD Report and PD Layout Plan;
2. Amend the Oakbrook Walk PD as approved by Ordinance No. 3248 and amended by Ordinances No. 3378 and 000618 to remove tax parcel 15617-000-000 and to continue to permit a bike path on a portion of the PD located in the extreme northeastern limits of the site for the subsequent transfer of this area to the P.K. Yonge parcel; and
3. Permit a management office located within the original limits of the PD zoned project boundary as an accessory use, subject to future development plan approval.

The removal of tax parcel 15617-000-000 will consist of the removal of three (3) multi-family residential units (one of which is currently used as the management office) located within an existing building. This will remove the area shown as Phase VI on the most recently approved PD Layout Plan. The project will be under a single association. A separate application will establish a new City of Gainesville zoning designation for parcel 15617-000-000.

Appendix 'A' provides a legal description of tax parcel 15617-000-000 which will be removed from the Oakbrook Walk PD.

The existing PD (Oakbrook Walk Phases IV and V), allows a bike path, to permit P.K. Yonge to construct a continuous bike path from the P.K. Yonge Campus south to SW 16th Avenue and north to other public access and the P.K. Yonge Campus. The on-site area of the bike path is defined in Appendix 'B'. The area defined may be transferred to the P.K. Yonge parcel and deleted from the Oakbrook Walk project site.

The amended boundary of the Oakbrook Walk PD is defined in Appendix 'C' (phases I – V) and excludes tax parcel 15617-000-000 and less the bike path parcel. This amendment also allows for a potential future management office, which was not permitted by the original ordinances approving the PD, within the above defined boundary as an accessory use, subject to future development plan approval.

Statistical Information

Description	Revised PD Total Area
Total acreage of Site	9.4
Maximum building coverage expressed as a percentage of the site area	14.5%
Maximum impervious ground coverage expressed as a percentage of the total site area	50%
The maximum and minimum number of dwelling units and residential density	85 minimum or 8 UPA 168 maximum or 16 UPA
A listing of non-residential land uses by type and size to be allowed	Management office - (688 s.f. minimum size) Recreation space - 0.83 ac/8% Maintenance/Gate House Building - 400 s.f./< 1%
The maximum acreage of each use area	residential, 100% with accessory uses
The area of land devoted to:	
▪ Publicly owned usable open space	0%
▪ Publicly owned recreational areas	0%
▪ Publicly owned plazas	0%
▪ Common Area Usable Open Space	50%
▪ Common Area recreational areas	5%
▪ Common Area plazas	0%

(▪ All expressed as percentages of the total site area.)

070906A

Stormwater Management Plan

The stormwater management plan for the existing PD will not change from existing conditions or as defined in Ordinance Numbers 3248 and 3378.

Parking facilities (existing semi-impervious surface and/or partially paved surface up to 323 SF) will be permitted within the 10-year and 100-year flood plain limits.

No development, other than stormwater management facilities, will be permitted within 50' of the top of bank of Tumblin' Creek (eastern parcel limits area).

Infrastructure Design Standards

Parking areas may be unpaved utilizing grassed, gravel, or equivalent surfaces or may be asphaltic or concrete pavement surfaces.

Pedestrian use facilities may be asphaltic or concrete paved surfaces. There are no required loading/unloading facilities for the proposed/permitted use, and there are no public facilities located on-site.

Schedule of Development

Since the building and parking facilities exist on the additional site, no schedule of development is required. The buildings and infrastructure maybe modified or renovated without duration or restrictions to schedule. Modifications or renovations must comply with the PD Ordinance and applicable governing rules and regulations.

070906A

APPENDIX 'A'

**LEGAL DESCRIPTION
TAX PARCEL 15617-000-000**

070906A

That part of the D.L. Clinch Grant in Township 10 South, Range 20 East, Gainesville, Alachua County, Florida being more particularly described as follows:

Commence at the Northwest corner of Section 8, Township 10 South, Range 20 East, for a point of reference; thence run South, a distance of 2363.50 feet to a point on the East right of way line of U.S. Highway No. 441, Section 2601-107 (SW 13th Street), for a point of beginning; from the said point of beginning, thence run East, perpendicular to the East right of way line, a distance of 325 feet, more or less, to an intersection with a creek centerline; thence run Southwesterly along said creek centerline, a distance of 152 feet, more or less, to an intersection with a line that runs South, a distance of 144.80 feet and East perpendicular to the said East right of way line, from the said point of beginning; thence run West perpendicular to the said East right of way line, a distance of 280 feet, more or less, to an intersection with the said East right of way line; thence run North, along the said East right of way line, a distance of 144.80 feet to the point of beginning.

Parcel Identification Number: 15617-000-000

APPENDIX 'B'
LEGAL DESCRIPTION
BIKE PATH AREA

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN FRACTIONAL SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1686, PAGE 0724 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF FRACTIONAL SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST; THENCE RUN SOUTH ALONG THE WEST LINE OF SAID FRACTIONAL SECTION 1668.5 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SW 11TH AVENUE; THENCE RUN EAST ALONG SAID RIGHT-OF-WAY LINE 666.35 FEET; THENCE RUN SOUTH 32°55'30" EAST, 176.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SW 11TH STREET, SAID POINT BEING THE NORTHWEST CORNER OF LOT 35 OF AUDUBON PARK REPLAT, AS PER PLAT AS RECORDED IN PLAT BOOK "D", PAGE 78 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 01°24' WEST, ALONG THE WEST LINE OF SAID LOT 35, 203.15 FEET; THENCE RUN SOUTH 06° 58' WEST, 11.50 FEET TO THE CENTERLINE OF A CREEK AND THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1686, PAGE 0724 OF THE PUBLIC RECORDS OF ALACHUA COUNTY FLORIDA; THENCE (THE FOLLOWING 18 COURSES ALONG THE CENTERLINE OF SAID CREEK AND ALONG THE NORTHERLY BOUNDARY OF SAID LANDS) 1) NORTH 66°43'21" EAST 11.98 FEET; 2) NORTH 60°20'31" EAST 26.70 FEET; 3) NORTH 57°30'58" EAST 34.88 FEET; 4) NORTH 53°38'20" EAST 28.09 FEET; 5) NORTH 57°25'37" EAST 28.51 FEET; 6) NORTH 48°30'11" EAST 24.05 FEET; 7) NORTH 74°38'51" EAST 48.44 FEET; 8) NORTH 89°27'17" EAST 5.84 FEET; 9) SOUTH 81°17'00" EAST 13.57 FEET; 10) NORTH 86°44'44" EAST 21.93; 11) NORTH 78°01'52" EAST 33.45 FEET; 12) NORTH 85°13'20" EAST 27.68 FEET; 13) SOUTH 85°58'03" EAST 16.36 FEET; 14) NORTH 59°56'59" EAST 25.76 FEET; 15) NORTH 58°49'56" EAST 24.95 FEET; 16) NORTH 73°59'22" EAST 23.47 FEET; 17) NORTH 46°54'04" EAST 37.15 FEET; 18) NORTH 46°26'27" EAST 7.32 FEET TO **THE POINT OF BEGINNING**; THENCE (THE FOLLOWING 5 COURSES CONTINUING ALONG THE CENTERLINE OF SAID CREEK AND ALONG THE NORTHERLY BOUNDARY OF SAID LANDS) 1) NORTH 46°26'27" EAST 29.61 FEET 2) NORTH 32°55'41" EAST 24.72 FEET; 3) NORTH 14°39'44" EAST 17.97 FEET; 4) NORTH 38°21'37" EAST 12.87 FEET; 5) NORTH 57°04'39" EAST 16.65 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE SOUTH 01°55'26" WEST, ALONG THE EAST LINE OF SAID LANDS, 141.00 FEET; THENCE DEPARTING SAID EAST LINE NORTH 23°10'39" WEST, 33.00 FEET; THENCE NORTH 53°00'45" WEST, 54.69 FEET TO **THE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 0.085 ACRES, MORE OR LESS.

070906A

APPENDIX 'C'

**LEGAL DESCRIPTION
TOTAL PD PARCEL AS AMENDED**

070906A

'WEST PARCEL' LEGAL DESCRIPTION:

COMMENCE AT THE NORTHWEST CORNER OF FRACTIONAL SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST; THENCE RUN SOUTH ALONG THE WEST LINE OF SAID FRACTIONAL SECTION 1668.5 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SW 11TH AVENUE; THENCE RUN EAST ALONG SAID RIGHT-OF-WAY LINE 666.35 FEET; THENCE RUN SOUTH 32°55'30" EAST, 176.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SW 11TH STREET, SAID POINT BEING THE NORTHWEST CORNER OF LOT 35 OF AUDUBON PARK REPLAT, AS PER PLAT AS RECORDED IN PLAT BOOK "D", PAGE 78 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 01°24' WEST, ALONG THE WEST LINE OF SAID LOT 35, 203.15 FEET; THENCE RUN SOUTH 06°58' WEST, 11.5 FEET TO THE CENTERLINE OF A CREEK AND THE POINT OF BEGINNING; THENCE RUN SOUTH 06°58' WEST, 318.14 FEET; THENCE RUN SOUTH 08°44' WEST, 201.95 FEET; THENCE RUN NORTH 88°24' WEST, 407.73 FEET THE CENTERLINE OF A CREEK; THENCE RUN NORTH 20°40' EAST, ALONG THE SAID CENTERLINE 116.36 FEET; THENCE RUN NORTH 9°06'30" EAST, ALONG SAID CENTERLINE 172.7 FEET; THENCE RUN NORTH 12°40'30" EAST, ALONG SAID CENTERLINE 93.96 FEET; THENCE RUN NORTH 55°15' EAST, ALONG SAID CENTERLINE 106.93 FEET; THENCE RUN NORTH 66°24'30" EAST, ALONG SAID CENTERLINE 105.71 FEET; THENCE RUN SOUTH 74°51'30" EAST, ALONG SAID CENTERLINE 86.91 FEET; THENCE RUN NORTH 77°16' EAST, ALONG SAID CENTERLINE 78.67 FEET; THENCE RUN NORTH 50°09' EAST, ALONG SAID CENTERLINE 55.29 FEET TO THE POINT OF BEGINNING, ALL LYING IN FRACTIONAL SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST, AND THE D.L. CLINCH GRANT GAINESVILLE, ALACHUA COUNTY, FLORIDA. CONTAINING 4.00 ACRES, MORE OR LESS.

'EAST PARCEL' LEGAL DESCRIPTION:

COMMENCE AT THE NORTHWEST CORNER OF SECTION EIGHT (8), TOWNSHIP TEN (10) SOUTH, RANGE TWENTY (20) EAST, AND RUN SOUTH ALONG THE WEST LINE OF SAID FRACTIONAL SECTION EIGHT (8) TWENTY-TWO HUNDRED FORTY-SIX (2246) FEET TO THE NORTH LINE OF THE D.L. CLINCH GRANT, THENCE RUN EAST ELEVEN HUNDRED NINETY-EIGHT (1198) FEET ALONG THE NORTH LINE OF THE SAID D.L. CLINCH GRANT TO A STAKE AND THE POINT OF BEGINNING, THENCE RUN NORTH SIX HUNDRED (600) FEET, MORE OR LESS, TO THE MIDDLE OF THE RUN OF THE BRANCH, THENCE RUN SOUTHWESTERLY DOWN THE MIDDLE OF THE RUN OF THE BRANCH FIVE HUNDRED (500) FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE M.D. BOYD LAND, THENCE RUN SOUTH ALONG THE EAST BOUNDARY OF THE SAID M.D. BOYD LAND TO THE NORTH LINE OF THE D.L. CLINCH GRANT, THENCE RUN EAST ALONG THE NORTH LINE OF THE SAID D.L. CLINCH GRANT TO THE POINT OF BEGINNING.

AND:

COMMENCE AT THE CONCRETE MONUMENT ON THE NORTH LINE OF THE D.L. CLINCH GRANT AT THE EAST EDGE OF THE RIGHT-OF-WAY OF STATE ROAD NO. 2, THENCE RUN IN AN EASTERLY DIRECTION ALONG THE NORTH LINE OF THE CLINCH GRANT 717.7 FEET TO THE POINT OF BEGINNING, THENCE RUN SOUTH 6 DEGREES 45 MINUTES WEST 231.5 FEET; THENCE RUN EAST 158 FEET; THENCE RUN NORTH 5 DEGREES 15 MINUTES EAST 221 FEET; THENCE RUN NORTH 86 DEGREES 30 MINUTES WEST 157 FEET TO THE POINT OF BEGINNING; LYING WITHIN SAID D.L. CLINCH GRANT AND CONTAINING 0.82 ACRES, MORE OR LESS. ALL FOUR CORNERS OF THIS PROPERTY ARE MARKED WITH IRON PIPES.

BEING MORE PARTICULARLY AND ACCURATELY DESCRIBED AS FOLLOWS:

A PORTION OF FRACTIONAL SECTION 8 AND A PORTION OF THE D.L. CLINCH GRANT, ALL LYING IN TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

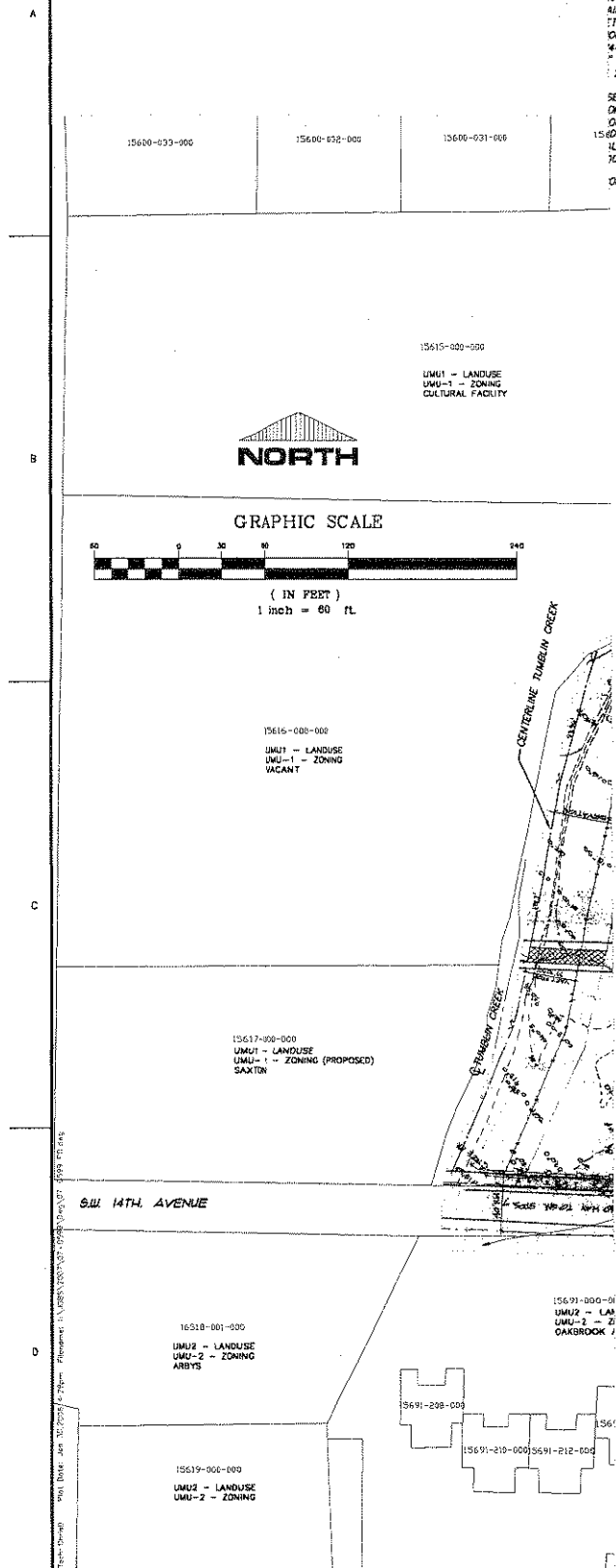
COMMENCE AT AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF LOT 8 OF "BROOKWOOD" AS PER PLAT RECORDED IN PLAT BOOK "E", PAGE 94 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND RUN THENCE SOUTH 88°24'00" EAST, ALONG THE EASTERLY PROJECTION OF THE SOUTH BOUNDARY OF SAID "BROOKWOOD", A DISTANCE OF 120.14 FEET TO A FOUND IRON PIPE AND THE POINT OF BEGINNING; THENCE NORTH 08°44'00" EAST 129.92 FEET TO AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF LOT 5 OF SAID "BROOKWOOD"; THENCE CONTINUE NORTH 08°44'00" EAST, ALONG THE EAST BOUNDARY OF SAID "BROOKWOOD", 72.03 FEET TO AN IRON PIPE FOUND ON THE NORTH LINE OF SAID D.L. CLINCH GRANT; THENCE NORTH 06°57'40" EAST, ALONG SAID EAST BOUNDARY, 298.19 FEET; THENCE NORTH 06°52'52" EAST, ALONG SAID EAST BOUNDARY 20.38 FEET TO THE CENTERLINE OF A CREEK; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF SAID CREEK THROUGH THE FOLLOWING 22 COURSES: 1) NORTH 66°43'21" EAST 11.98 FEET; 2) NORTH 60°20'31" EAST 26.70 FEET; 3) NORTH 57°30'58" EAST 34.88 FEET; 4) NORTH 53°38'20" EAST 28.09 FEET; 5) NORTH 57°25'37" EAST 28.51 FEET; 6) NORTH 48°30'11" EAST 24.05 FEET; 7) NORTH 74°38'51" EAST 48.44 FEET; 8) NORTH 89°27'17" EAST 5.84 FEET; 9) SOUTH 81°17'00" EAST 13.57 FEET; 10) NORTH 86°44'44" EAST 21.93; 11) NORTH 78°01'52" EAST 33.45 FEET; 12) NORTH 85°13'20" EAST 27.68 FEET; 13) SOUTH 85°58'03" EAST 16.36 FEET; 14) NORTH 59°56'59" EAST 25.76 FEET; 15) NORTH 58°49'56" EAST 24.95 FEET; 16) NORTH 73°59'22" EAST 23.47 FEET; 17) NORTH 46°54'04" EAST 37.15 FEET; 18) NORTH 46°26'27" EAST 36.93 FEET; 19) NORTH 32°55'41" EAST 24.72 FEET; 20) NORTH 14°39'44" EAST 17.97 FEET; 21) NORTH 38°21'37" EAST 12.87 FEET; 22) NORTH 57°04'39" EAST 16.65 FEET; THENCE SOUTH 01°55'29" WEST 607.51 FEET TO A CONCRETE MONUMENT FOUND ON SAID NORTH LINE OF THE D.L. CLINCH GRANT; THENCE NORTH 84°44'22" WEST, ALONG SAID NORTH LINE 315.80 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 08°52'39" WEST 218.87 FEET; THENCE NORTH 88°34'24" WEST 158.00 FEET TO A FOUND IRON PIPE, THENCE NORTH 08°44'00" EAST 29.87 FEET TO THE POINT OF BEGINNING, CONTAINING 5.45 ACRES, MORE OR LESS

NOTES:

1. AN ON-SITE MANAGEMENT OFFICE WILL BE PERMITTED WITHIN THE BOUNDARIES OF THE 'PD'. THE MANAGEMENT OFFICE MUST BE PLACED WITHIN AN EXISTING BUILDING AND WILL COMPLY WITH APPLICABLE CODES, INCLUDING THE APPROVAL OF A PERMIT AND AN AMENDED DEVELOPMENT PLAN.
2. A PUBLIC BIKE PATH WILL BE PERMITTED WITHIN THE DESIGNATED AREA EASTERN LIMITS OF THE 'PD'.
3. SIGNAGE FOR THE 'PD' WILL COMPLY WITH APPLICABLE SECTIONS OF THE DEVELOPMENT CODE.

LEGAL DESCRIPTION:

CORNER OF FRACTIONAL SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST, THENCE 1/4 OF SAID FRACTIONAL SECTION 1688.5 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID ALONG SAID RIGHT-OF-WAY LINE 866.35 FEET; THENCE RUN SOUTH 32°55'30" IN THE SOUTH RIGHT-OF-WAY OF SW 11TH STREET, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 1, AS PER PLAT AS RECORDED IN PLAT BOOK 'D', PAGE 78 OF THE COUNTY RECORDS, FLORIDA; THENCE RUN SOUTH 01°24' WEST, ALONG THE WEST LINE OF SAID LOT 1, 11.50 FEET TO THE CENTERLINE OF A CREEK AND THE CENTERLINE OF SAID CREEK AS DESCRIBED IN OFFICIAL RECORD BOOK 1686, PAGE 0724 OF THE PUBLIC RECORDS OF FLORIDA (THE FOLLOWING 18 COURSES ALONG THE CENTERLINE OF SAID CREEK AND ALONG SAID LANDS): 1) NORTH 85°43'21" EAST 11.98 FEET; 2) NORTH 60°20'31" EAST 26.70 FEET; 3) NORTH 33°58'20" EAST 28.09 FEET; 4) NORTH 57°25'37" EAST 28.51 FEET; 5) NORTH 74°38'51" EAST 48.44 FEET; 6) NORTH 89°27'17" EAST 5.84 FEET; 7) SOUTH 81°17'00" EAST 16.36 FEET; 8) NORTH 59°56'59" EAST 25.76 FEET; 9) NORTH 58°49'56" EAST 24.95 FEET; 10) NORTH 46°54'04" EAST 37.15 FEET; 11) NORTH 46°26'27" EAST 7.32 FEET; 12) NORTH 53°00'45" WEST 54.69 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINS 0.085 ACRES, MORE OR LESS.



Causseaux, Hewett, & Walpole, Inc.
 Engineering • Surveying • Planning
 6011 NW 1st Place, Gainesville, Florida 32607
 Phone: (352) 331-1976 • Fax: (352) 331-2478 • www.chw-inc.com
 EBLB-1075



SCALE: 1" = 60' FT.
 VERIFY SCALE BY MEASURING DISTANCES ON THE ORIGINAL DRAWING.
 IF NOT ONE INCH ON ORIGINAL DRAWING, SCALES ACCORDING TO THE ORIGINAL DRAWING.

REVISIONS	DATE	BY	DESCRIPTION
10/20/00	REVISION	REVISION	REVISION
07/31/01	REVISION	REVISION	REVISION
10/12/07	REVISION	REVISION	REVISION
07/10/08	REVISION	REVISION	REVISION
PROJECT	OAKBROOK WALK PD AMENDMENT		
CLIENT	KENNETH R. GODDARD, GAINESVILLE, FLORIDA		
DESIGNER	R. P. CAUSSEAU		
CHECKER	C. STAPLER		
DATE	07-05-99		
SHEET NO.	C2.00		

EXHIBIT "C"

(Due to bulk and size, Exhibit "C" is not attached, but is on file in the Office of the Clerk of the Commission.)