

RESOLUTION NO. 110339

PASSED October 6, 2011

A Resolution approving the conditional final plat of "Walnut Creek Phase II A Planned Development", located in the vicinity of NW 26th Street and NW 31st Avenue, Gainesville, Florida; providing directions to the Clerk of the Commission; providing conditions and restrictions; and providing an immediate effective date.

WHEREAS, the City Plan Board approved the design plat of "Walnut Creek Phase II A Planned Development" on April 18, 2008; and

WHEREAS, on March 19, 2009, the City Commission approved the design plat in accordance with Section 30-183 of the Code of Ordinances; and

WHEREAS, the owner of the proposed subdivision has requested the City Commission to accept and approve the conditional final 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.

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

Section 1. The conditional final plat of "Walnut Creek Phase II A Planned Development" 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 “Walnut Creek Phase II A Planned Development” 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.

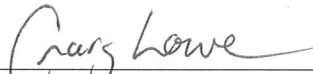
Section 4. No building permits shall be issued on the property within the boundaries of the “Walnut Creek Phase II A Planned Development” plat until such plat has been approved and accepted by the City Commission and filed in the public records of Alachua County, Florida.

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 conference with the City Public Works Department. A copy of the Water Management District 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 06th day of October, 2011.


CRAIG LOWE, MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:


KURT LANNON,
CLERK OF THE COMMISSION


MARION J. RADSON, CITY ATTORNEY

OCT - 6 2011

TITLE SEARCH

Showing Ownership and Encumbrances

Fund File Number: 11-2011-128

EXHIBIT A

A TRACT OF LAND SITUATED IN SECTION 25, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 25, TOWNSHIP 9 SOUTH, RANGE 19 EAST FOR THE POINT OF REFERENCE AND RUN S.00°57'04"E., ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 50.15 FEET TO THE SOUTH RIGHT OF WAY LINE OF N.W. 39TH AVENUE (100 FOOT RIGHT OF WAY); THENCE RUN N.89°34'14" E., ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1320.48 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784) AT THE NORTHWEST CORNER OF PALM GROVE SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "T", PAGE 52 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN S.00°56'22"E., ALONG THE WEST LINE OF SAID PALM GROVE SUBDIVISION, A DISTANCE OF 672.97 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS 3784) AND THE TRUE POINT OF BEGINNING; THENCE CONTINUE S.00°56'22"E., ALONG SAID WEST LINE OF PALM GROVE, A DISTANCE OF 330.34 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #4788) AT THE SOUTHWEST CORNER OF SAID PALM GROVE SUBDIVISION ALSO BEING THE NORTHEAST CORNER OF PALM GROVE PHASE 2 A SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "U", PAGE 47 OF SAID PUBLIC RECORDS; THENCE RUN S.00°59'33"E., ALONG THE WEST LINE OF SAID PALM GROVE PHASE 2 AND ALONG A SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 1524.14 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #4788) ON THE NORTH RIGHT OF WAY LINE OF N.W. 31ST AVENUE (100 FOOT RIGHT OF WAY); THENCE RUN S.89°35'16"W., ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 150.01 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784); THENCE RUN N. 00°59'33"W., A DISTANCE OF 225.01 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784); THENCE RUN S.89°35'16"W., A DISTANCE OF 246.28 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784); THENCE RUN N.01°00'31"W., ALONG THE SOUTHERLY PROJECTION OF THE EAST LINE OF HIDDEN PINES SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "H", PAGE 63, AND ALONG SAID EAST LINE, A DISTANCE OF 1561.80 FEET TO A CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF LOT 74 OF SAID HIDDEN PINES SUBDIVISION; THENCE RUN S.89°30'39"W., ALONG THE NORTH LINE OF SAID LOT 74 OF HIDDEN PINES SUBDIVISION, A DISTANCE OF 55.54 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS 3784); THENCE RUN N.00°29'21"W., A DISTANCE OF 88.39 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784) WHICH MARKS THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, SAID CURVE HAVING A RADIUS OF 100.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°57'54", AN ARC DISTANCE OF 57.53 FEET (CHORD BEARING AND DISTANCE BEING S.73°56'49"E., 56.74 FEET RESPECTIVELY) TO A CONCRETE MONUMENT (STAMPED PRM LS #3784); THENCE RUN N.89°34'14"E., A DISTANCE OF 262.54 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784); THENCE RUN N.00°56'22"W., A DISTANCE OF 14.97 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784); THENCE RUN N.89°34'14"E., A DISTANCE OF 95.19 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784) WHICH MARKS THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, SAID CURVE HAVING A RADIUS OF 20.00 FEET; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF

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SAID CURVE, THROUGH A CENTRAL ANGLE OF $89^{\circ}29'24''$, AN ARC DISTANCE OF 31.24 FEET (CHORD BEARING AND DISTANCE BEING $S.45^{\circ}41'04''E.$, 28.16 FEET RESPECTIVELY) TO A CONCRETE MONUMENT (STAMPED PRM LS #3784) WHICH MARKS THE END OF SAID CURVE; THENCE RUN $N.89^{\circ}03'38''E.$, PERPENDICULAR TO THE AFOREMENTIONED WEST LINE OF PALM GROVE RECORDED IN PLAT BOOK "T", PAGE 52, A DISTANCE OF 20.00 FEET TO THE TRUE POINT OF BEGINNING.