

RESOLUTION: _____

PASSED: _____

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 _____ day of _____, 2001.

Thomas D. Bussing, Mayor

Attest:

By: _____
Kurt Lannon, Clerk of the Commission

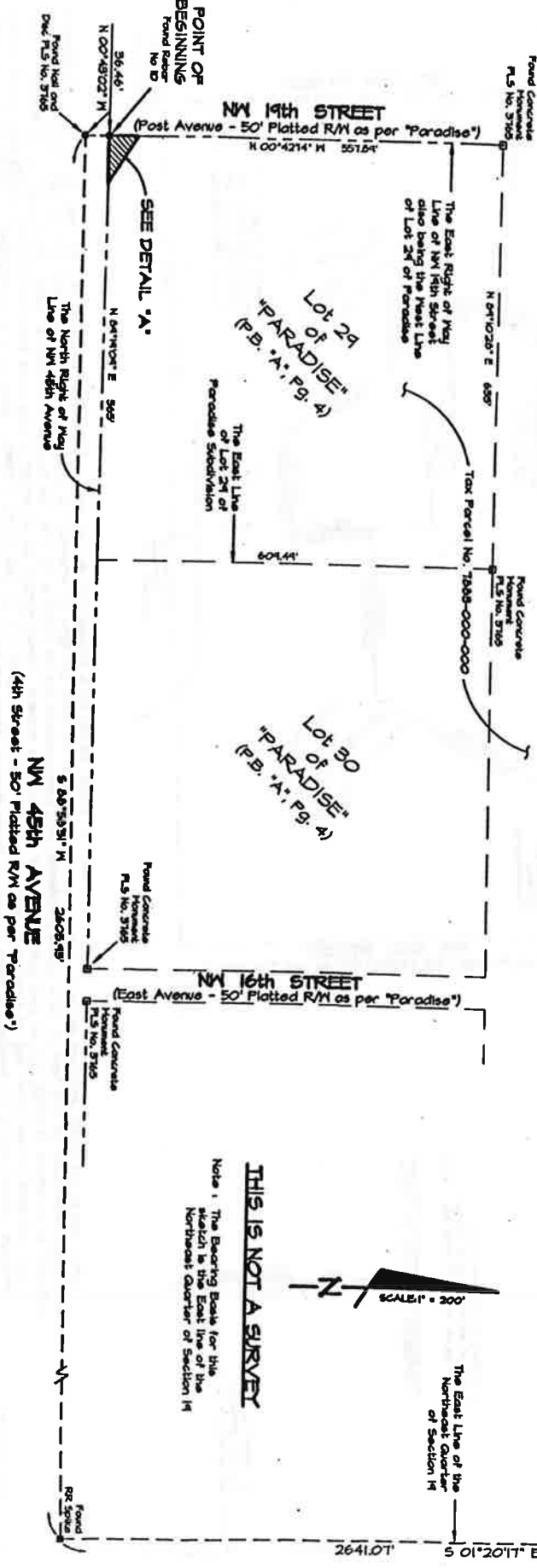
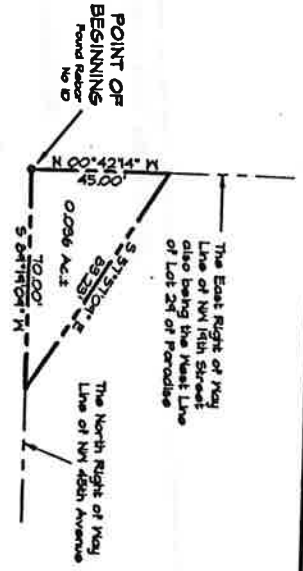
DESCRIPTION :

A parcel of land lying in Section 14, Township 9 South, Range 20 East in Alachua County, Florida and being a part of Lot 24 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 PLS 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 one quarter of said Section 14 a distance of 2641.07 feet to a found railroad spike; thence South 83°58'51" West a distance of 2605.45 feet to a found nail and disc stamped PLS 5765; thence North 00°43'02" West a distance 36.46 feet to a 5/8 inch rebar found and accepted as marking the intersection of the north right of way of NW 45th Avenue and the east right of way of NW 14th Street; also being the west line of Lot 24 of said "Paradise"; and the point of beginning; thence North 00°42'14" West along the said east right of way line of NW 14th Street a distance of 45.00 feet; thence South 57°57'04" East a distance of 83.23 feet to a point on the monument and accepted north right of way line of NW 45th Avenue; thence South 84°19'04" West along said north right of way line a distance of 10.00 feet to the point of beginning; said parcel containing 1575 square feet or 0.036 acres, more or less.

DETAIL "A"

Scale: 1" = 50'



THIS IS NOT A SURVEY

Note: The Bearing Book for this station is the East line of the Northwest Quarter of Section 14

Prepared by:

FRANK HOST, PSM NO. 3407



CITY OF GAINESVILLE
PUBLIC WORKS DEPARTMENT
 P.O. Box 400, West Station St., Gainesville, Florida 32602
 Telephone: (352) 334-2851 FAX: (352) 334-3350

DATE	BY	REVISION
11-1-2007	FRANK HOST	1

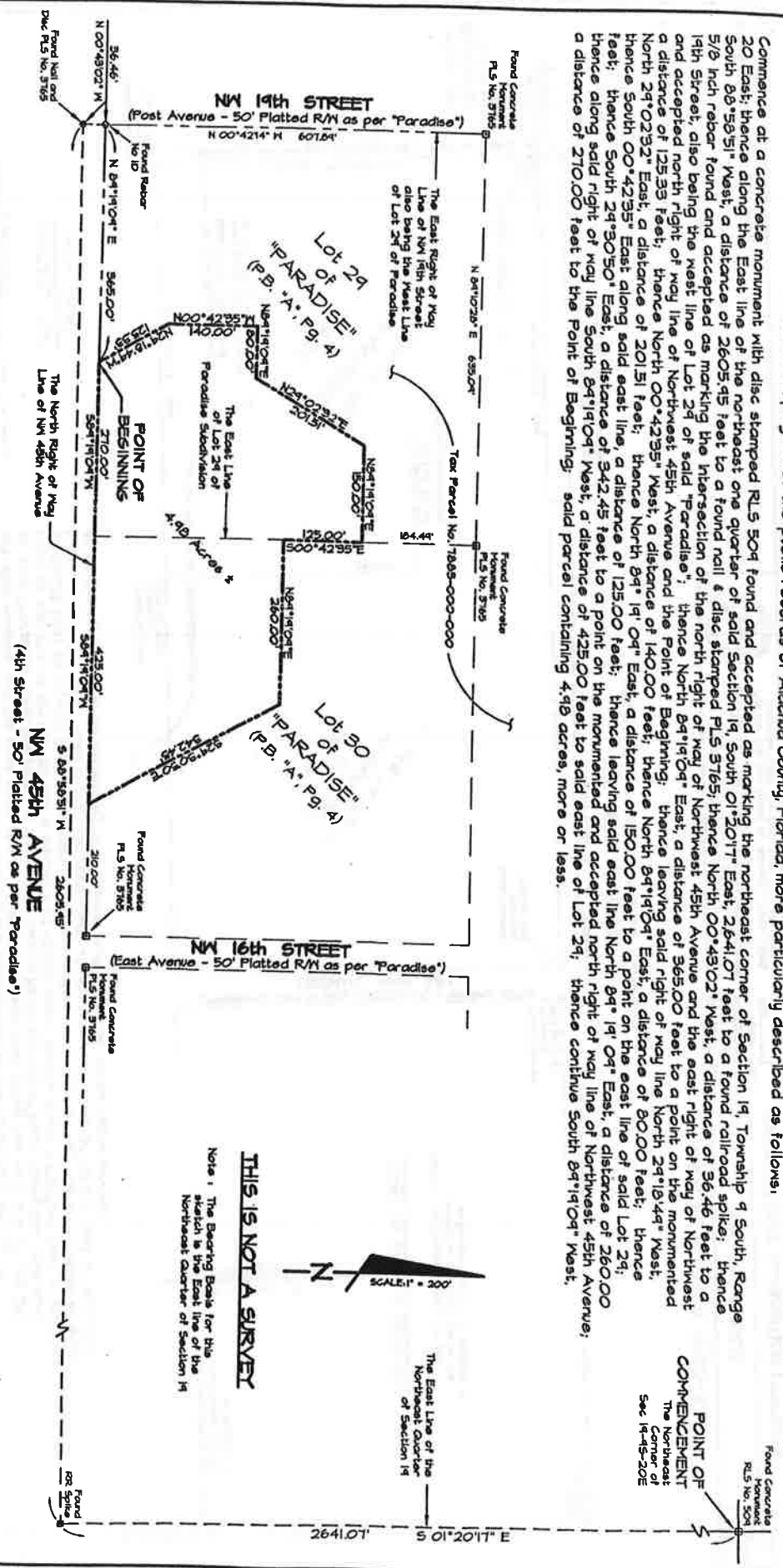
PARCEL NUMBER 1003-A
NW 45th AVENUE
RIGHT OF WAY ACQUISITION (TWP1003)

DATE	BY	REVISION
6-3-20	FRANK HOST	1 OF 1

DESCRIPTION :

A parcel of land lying in Section 14, Township 9 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 504 found and accepted as marking the northeast corner of Section 14, Township 9 South, Range 20 East; thence along the East line of the northeast one quarter of said Section 14, South 01°20'17" East, 2,641.07 feet to a found nail & disc stamped PLS No. 5765; thence South 88°58'51" West, a distance of 2605.95 feet to a found nail & disc stamped PLS No. 5765; thence North 00°43'02" West, a distance of 36.46 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 line of way of Northwest 14th Street, also being the west line of Lot 29 of said "Paradise"; thence North 89°19'04" East, a distance of 365.00 feet to a point on the monument and accepted north right of way line of Northwest 45th Avenue and the Point of Beginning; thence leaving said right of way line Northwest North 29°02'32" East, a distance of 125.33 feet; thence North 00°42'35" West, a distance of 140.00 feet; thence North 89°19'04" East, a distance of 80.00 feet; thence South 00°42'35" East, a distance of 201.51 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 29°30'50" East, a distance of 342.45 feet to a point on the monument and accepted north right of way line of Northwest 45th Avenue; thence 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 270.00 feet to the Point of Beginning; said parcel containing 4.98 acres, more or less.



THIS IS NOT A SURVEY

Note: The Bearing Data for this sketch is the East line of the Northeast Quarter of Section 14



Prepared by:

FRANK HOST, PSM NO. 3407

CITY OF GAINESVILLE
PUBLIC WORKS DEPARTMENT

P.O. Box 400, Mail Station 54, Gainesville, Florida 32602
Telephone: (352) 334-2851 FAX: (352) 334-2350

Parcel No. 1883-B	Map No. 14-45-20E
Lot No. 29	Section 14
None	Range 20 East
None	Township 9 South
None	County Alachua

PARCEL NUMBER 1883-B

NW 45th AVENUE

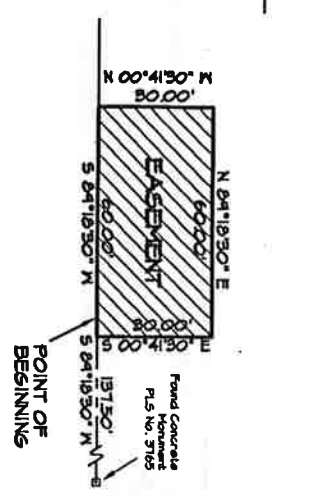
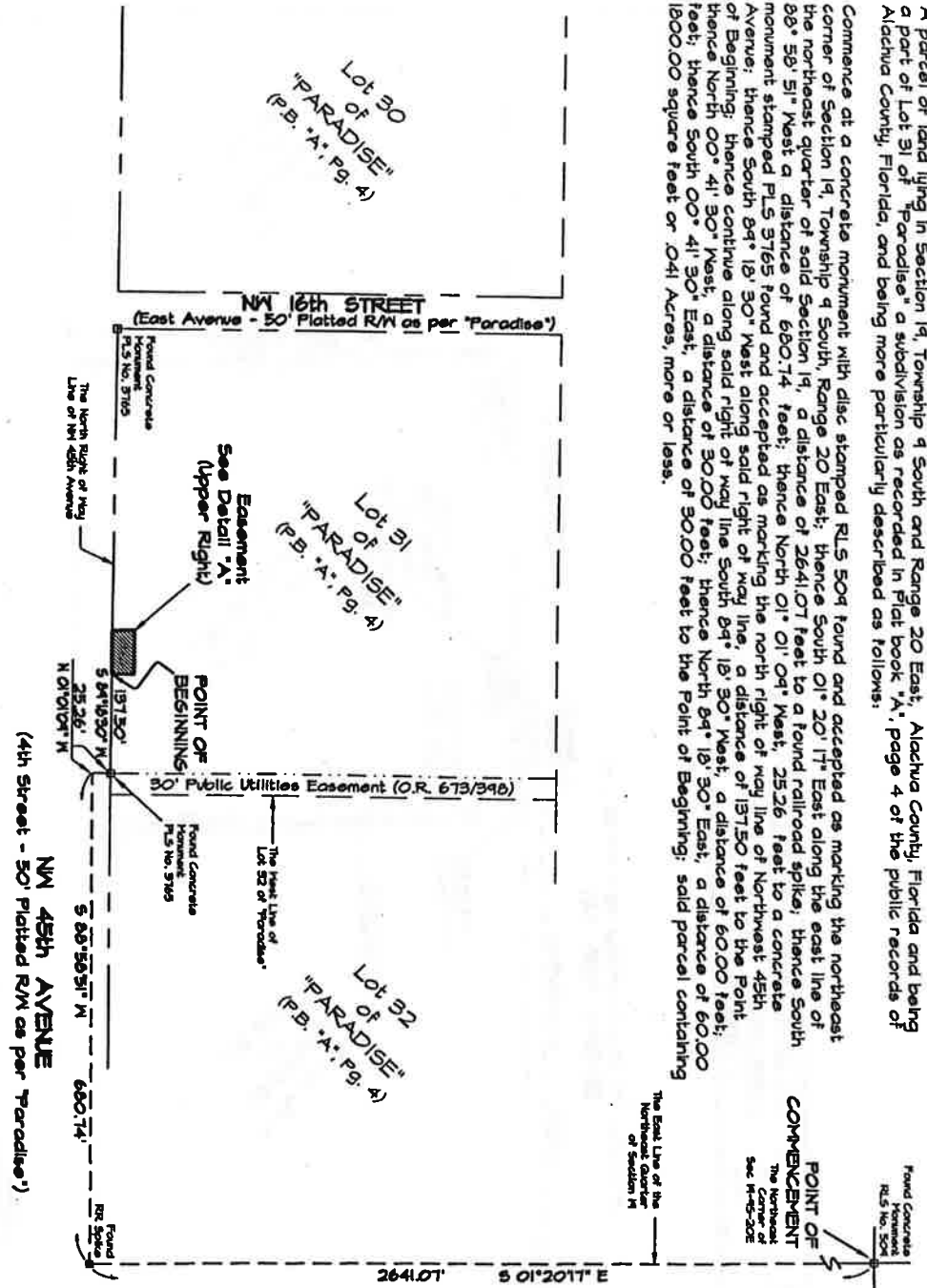
DRAINAGE RIGHT OF WAY (TW#1883)

Date: 4-25-08
Scale: 1" = 200'

EASEMENT DESCRIPTION

A parcel of land lying in Section 19, 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 PLS 504 found and accepted as marking the northeast corner of Section 19, Township 9 South, Range 20 East; thence South 01° 20' 11" East along the east line of the northeast quarter of said Section 19, a distance of 2641.01 feet to a found railroad spike; thence South 88° 59' 51" West a distance of 680.74 feet; thence North 01° 01' 04" West; 25.26 feet to a concrete monument stamped PLS 3765 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 137.50 feet to the Point of Beginning; thence continue along said right of way line South 84° 18' 30" West, a distance of 60.00 feet; thence North 00° 41' 30" West, a distance of 30.00 feet; thence North 84° 18' 30" East, a distance of 60.00 feet; thence South 00° 41' 30" East, a distance of 30.00 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 Bearing Base for this sketch is the East line of the Northeast Quarter of Section 19

PARCEL NUMBER 1889-C

NW 45th AVENUE
DRAINAGE EASEMENT (TPWT889)



CITY OF GAINESVILLE
PUBLIC WORKS DEPARTMENT
P.O. Box 490, 104 Station 58, Gainesville, Florida 32602
Telephone: (352) 334-2051 FAX: (352) 334-2250

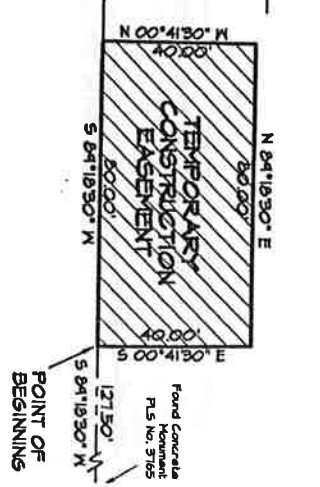
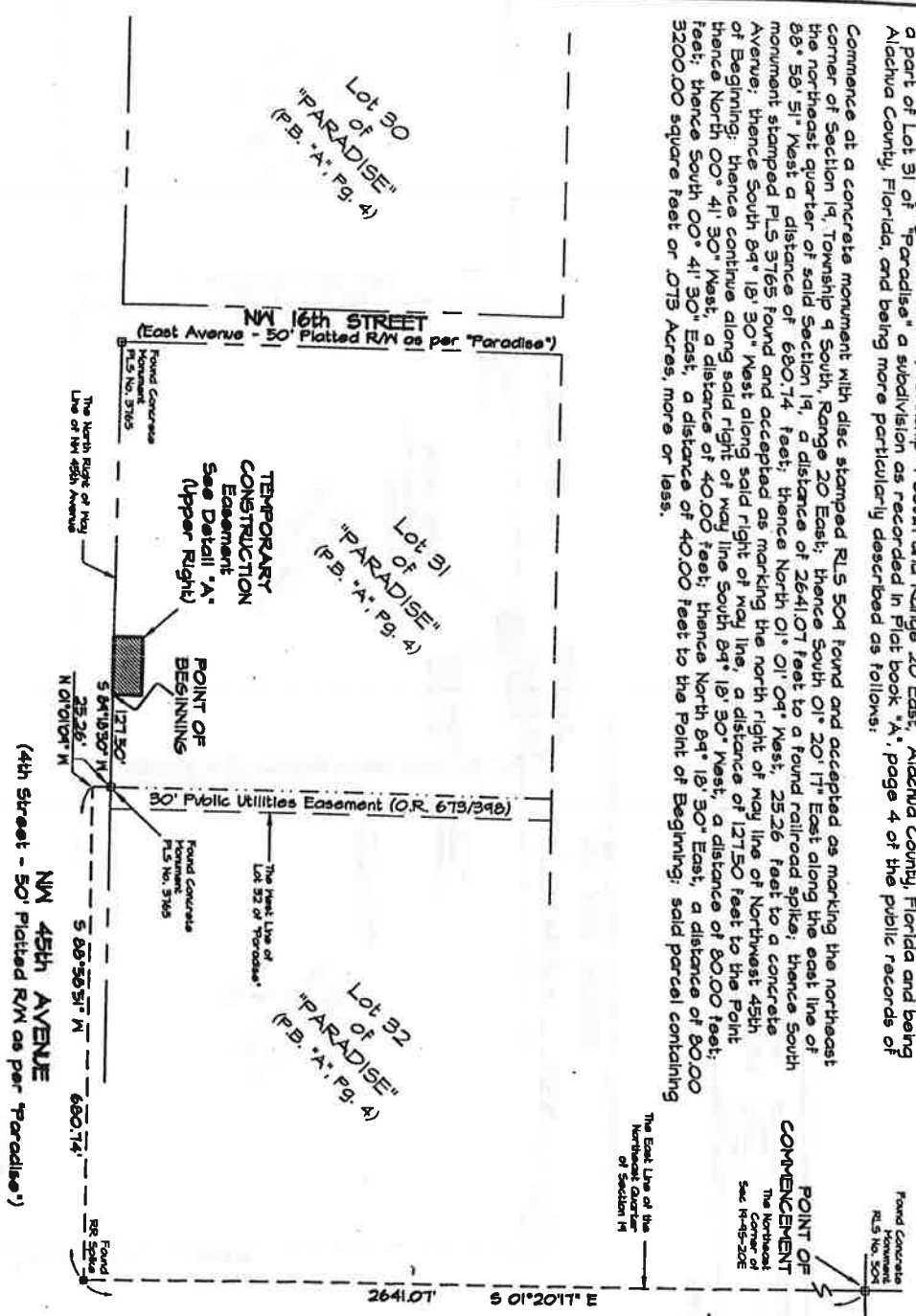
Project Name	1889-C
Project No.	788884
Scale	1" = 40'
Sheet No.	1 OF 1

Prepared by:
PATRICK R. DURBIN, PSM No. 5366

EASEMENT DESCRIPTION

A parcel of land lying in Section 19, 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 RLS 504 found and accepted as marking the northeast corner of Section 19, Township 9 South, Range 20 East; thence South 01° 20' 17" East along the east line of the northeast quarter of said Section 19, a distance of 2641.07 feet to a found railroad spike; thence South 88° 58' 51" West a distance of 680.74 feet; thence North 01° 01' 04" West; 25.26 feet to a concrete monument stamped PLS 3765 found and accepted as marking the north right of way line of a concrete Avenue; thence South 84° 18' 30" West along said right of way line, a distance of 1271.50 feet to the Point of Beginning; thence continue along said right of way line South 84° 18' 30" West, a distance of 80.00 feet; thence North 00° 41' 30" West, a distance of 40.00 feet; thence North 84° 18' 30" East, a distance of 80.00 feet; thence South 00° 41' 30" East, a distance of 40.00 feet to the Point of Beginning; said parcel containing 3200.00 square feet or .073 Acres, more or less.



THIS IS NOT A SURVEY

Note: The Bearing Basis for this sketch is the East line of the Northeast Quarter of Section 19

Prepared by:

PATRICK R. DURBIN, PSM No. 5968

	
CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT	
P.O. Box 480, 104 Stulen St, Gainesville, Florida 32602 Telephone (352) 334-2051 FAX (352) 334-3250	
Parcel No. _____ Tract _____ Section _____	Parcel No. _____ Tract _____ Section _____
PARCEL NUMBER 1889-D NW 45th AVENUE CONSTRUCTION EASEMENT (T#W1889)	
Date of this Survey _____ Project No. 1889-02 Sheet No. 1 of 1	Date of this Survey _____ Project No. 1889-02 Sheet No. 1 of 1