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**ORDINANCE NO. 050770**  
**0-06-47**

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**An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a public right-of-way generally located at Northwest 7th Place, west of Northwest 5th Street and east of an abandoned railroad right-of-way, as more specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**WHEREAS,** pursuant to Section 30-192 of the Code of Ordinances of the City of Gainesville, an application was initiated to vacate, abandon and close a public right-of-way generally located at Northwest 7th Place, west of Northwest 5th Street and east of an abandoned railroad right-of-way, as more specifically described herein; and

**WHEREAS,** notice was given and publication made as required by law and a public hearing was held by the City Plan Board on February 16, 2006; and

**WHEREAS,** at least ten (10) days notice has been given of the public hearing once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearings in the City Commission meeting room, First Floor, City Hall, in the City of Gainesville; and

**WHEREAS,** notice has also been given by mail to all owners of property abutting the portion to be vacated prior to the adoption of this ordinance; and

**WHEREAS,** prior to the public hearings the application was presented to and approved by the appropriate Departments of the City; and

**WHEREAS,** the City Commission finds that it is in the public interest to vacate, abandon

1 and close the right-of-way as set forth herein.

2 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
3 **CITY OF GAINESVILLE, FLORIDA:**

4 **Section 1.** The following described right-of-way in the City of Gainesville no longer  
5 serves a public purpose and is hereby vacated, abandoned and closed for use by the public  
6 generally:

7 See legal description attached hereto as Exhibit "A", and made a part hereof  
8 as if set forth in full.

9 **Section 2.** The Clerk of the Commission or designee is authorized to record a true copy  
10 of this Ordinance in the Public Records of Alachua County, Florida.

11 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid  
12 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
13 affect the validity of the remaining portions of this ordinance.

14 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
15 such conflict hereby repealed.



That portion of right of way known as Northwest 7<sup>th</sup> Place running West from the Westerly right of way line of Northwest 5<sup>th</sup> Street to the Easterly line of the abandoned CSX right of way line, according to Brush's Addition to Gainesville, Deed Book "O", page 218, Plat of Block 25 per Book "A", page 88, of the Public Records of Alachua County, Florida.

**EXHIBIT "A"**