

RESOLUTION NO. 031201

PASSED April 26, 2004

A Resolution approving the conditional final plat of "Madera Cluster Development, Phase III", located in the general vicinity of Williston Road (north side), a/k/a S.R. 331, between SW 21st Street and SW 23rd Terrace; and providing an immediate effective date.

WHEREAS, the Development Review Board approved the design plat of "Madera Cluster Development, Phase III" on September 13, 2001, and

WHEREAS, on October 22, 2001, the City Commission approved the design plat; and

WHEREAS, on September 23, 2002, the City Commission granted a six-month extension of time of the design plat approval to April 22, 2003 in accordance with Section 30-183(J)(2) of the Code of Ordinances; and

WHEREAS, on April 22, 2003, the owner of the plat submitted a conditional final plat which substantially conforms to the design plat as approved by the City Commission on October 22, 2001, 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 "Madera Cluster Development, Phase III" 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 "Madera Cluster Development, Phase III" 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 “Madera Cluster Subdivision, Phase III” 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. A copy of the permit must be on file with the City Public Works Department prior to commencement of any site work.

Section 6. 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 26th day of April, 2004.



Thomas D. Bussing, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Kurt Lannon,
Clerk of the Commission



Marion J. Radson, City Attorney

APR 27 2004

CLIENT: GREENTRUST, LLC
PROJECT: MADERA CLUSTER SUBDIVISIONS
JOB NO.: 03-065S
LEGAL DESCRIPTION FOR: MADERA CLUSTER SUBDIVISION PHASE 3

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN LOT 6 OF THE NAPIER GRANT, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6 AND THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 331 (A.K.A. WILLISTON ROAD - A 100' RIGHT-OF-WAY); THENCE NORTH 04°30'00" WEST ALONG THE WEST LINE OF SAID LOT 6 AND ALONG THE WEST BOUNDARY OF MADERA CLUSTER SUBDIVISION PHASE I, AS RECORDED IN PLAT BOOK 23, PAGES 72 AND 73 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 1253.34 FEET TO NORTHWEST CORNER OF SAID MADERA CLUSTER SUBDIVISION PHASE I, AND THE POINT OF BEGINNING;
THENCE THE FOLLOWING (4) FOUR COURSES ALONG THE BOUNDARY OF SAID MADERA CLUSTER SUBDIVISION PHASE I; SOUTH 88°10'49" EAST, A DISTANCE OF 143.66 FEET;
THENCE SOUTH 01°49'11" WEST, A DISTANCE OF 40.00 FEET;
THENCE NORTH 82°42'18" EAST, A DISTANCE OF 60.77 FEET;
THENCE SOUTH 88°10'49" EAST, A DISTANCE OF 110.00 FEET;
THENCE NORTH 09°57'00" EAST, DEPARTING THE BOUNDARY OF SAID MADERA CLUSTER SUBDIVISION PHASE I, A DISTANCE OF 141.42 FEET;
THENCE NORTH 01°49'11" EAST, 427.07 FEET;
THENCE NORTH 67°18'52" WEST, 131.32 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 120.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 69°48'14" EAST, 178.08 FEET;
THENCE NORTHEASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 95°48'16", AN ARC DISTANCE OF 200.65 FEET TO THE END OF SAID CURVE;
THENCE NORTH 22°31'23" WEST, A DISTANCE OF 60.16 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 180.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 60°19'02" EAST, 23.27 FEET;
THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'49", AN ARC DISTANCE OF 23.29 FEET TO THE END OF SAID CURVE;
THENCE NORTH 45°58'20" EAST, A DISTANCE OF 140.11 FEET;
THENCE NORTH 04°30'00" WEST, A DISTANCE OF 310.82 FEET TO THE NORTH LINE OF LOT 6 OF NAPIER GRANT AS RECORDED IN DEED BOOK I, PAGE 591 OF THE PUBLIC RECORDS OF SAID COUNTY;
THENCE SOUTH 86°22'07" WEST, ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 600.07 FEET TO THE NORTHWEST CORNER OF SAID LOT 6;
THENCE SOUTH 04°30'00" EAST, ALONG THE WEST LINE OF SAID LOT 6, A DISTANCE OF 1054.48 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 11.015 ACRES, MORE OR LESS.

EXHIBIT "A"