

Legislative #

130846A

Mod

ORDINANCE NO. 130846

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close unimproved right-of-way located in the vicinity of Block 6 of the University Place subdivision, between SW 1st Avenue and SW 2nd Avenue and running east for approximately 210 feet from SW 10th Street, 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 by the abutting land owner to vacate, abandon and close unimproved right-of-way located in the vicinity of Block 6 of the University Place subdivision, between SW 1st Avenue and SW 2nd Avenue and running east for approximately 210 feet from SW 10th Street, 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 April 24, 2014; and

WHEREAS, at least ten (10) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

WHEREAS, the City Commission finds that it is in the public interest to vacate, abandon and close the right-of-way as set forth herein.

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

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

4 See legal description attached as Exhibit "A" and made a part hereof as
 5 if set forth in full. The location of the property is shown on Exhibit
 6 "B" for visual reference. In the event of conflict or inconsistency,
 7 Exhibit "A" shall prevail over Exhibit "B."

8 **Section 2.** The Clerk of the Commission or designee is authorized to record a true copy
 9 of this ordinance in the public records of Alachua County, Florida.

10 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
 11 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
 12 finding shall not affect the other provisions or applications of the ordinance that can be given
 13 effect without the invalid or unconstitutional provision or application, and to this end the
 14 provisions of this ordinance are declared severable.

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

17 **Section 5.** This ordinance shall become effective immediately upon adoption.

18

19 **PASSED AND ADOPTED** this _____ day of _____, 2014.

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 Edward B. Braddy, Mayor

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ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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24

 Kurt Lannon
 Clerk of the Commission

By: _____
 Nicolle M. Shalley, City Attorney

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This ordinance passed on first reading this _____ day of _____, 2014.

This ordinance passed on second reading this _____ day of _____, 2014.

Legal Description

A portion of Section 5, Township 10 South, Range 20 East, City of Gainesville, Alachua County, Florida; being more particularly described as follows:

That certain 15' wide alley lying south of Lots 6-9 and north of Lots 10-13 in Block 6 of a subdivision known as "University Place", according to the plat thereof recorded in Plat Book "A", Page 77 of the public records of Alachua County, Florida.

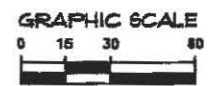
LEGEND:

- FOUND 4"X4" CONCRETE MONUMENT (NO ID) UNLESS OTHERWISE NOTED
 - FOUND DRILL HOLE
 - FOUND 1" IRON PIPE (NO ID)
 - FOUND 1/2" STEEL REBAR & CAP MARKED AS NOTED
 - FOUND NAIL AND DISK STAMPED "ONE LB 3075"
 - △ BENCHMARK
 - FIRE HYDRANT
 - CLEANKUT
 - TREE (SIZE AND TYPE AS NOTED)
 - GAS VALVE
 - STORM INLET
 - CONCRETE LIGHT POLE
 - CHAIN TELEVISION BOX
 - ELECTRIC BOX
 - ELECTRIC HANDHOLE
 - ELECTRIC METER
 - ELECTRIC MANHOLE
 - FIBER OPTIC BOX
 - GROUND LIGHT FIXTURE
 - GAS METER
 - GUY ANCHOR
 - WOODEN POWER POLE
 - IRRIGATION CONTROL VALVE
 - LIGHT POLE
 - SIGN WITH ONE POLE
 - SIGN WITH TWO POLES
 - PRESSURE INDICATOR VALVE
 - SPOUT
 - SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - TELEPHONE JUNCTION BOX
 - TELEPHONE MANHOLE
 - TELEPHONE pedestal
 - TRANSFORMER
 - WELL
 - WATER VALVE
 - SANITARY SEWER CLEANKUT
 - WATER METER
 - BOLLARD
 - MONITORING WELL
 - IRRIGATION CONTROL VALVE BACKFLOW PREVENTER
-
- OVERHEAD WIRE
 - SANITARY SEWER LINE
 - UNDERGROUND WATER LINE
 - CHAIN LINK FENCE (SIZE AS NOTED)
 - STORM SEWER LINE
 - UNDERGROUND GAS LINE
 - HAND RAIL
 - UNDERGROUND ELECTRIC LINE (PER GMA MAP)
 - UNDERGROUND GAS LINE (PER GMA MAP)
-
- ASPHALT SURFACE
 - CONCRETE SURFACE
 - ROCK SURFACE
 - BRICK SURFACE
 - PATIO STONE SURFACE

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED VALUE OF NORTH 89°33'40" EAST FOR THE NORTH LINE OF BLOCK 6 OF UNIVERSITY PLACE, ACCORDING TO THE PLAT, THEREOF RECORDED IN PLAT BOOK "A", PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A PREVIOUS SURVEY PERFORMED FOR SHARON AT A&H CAMPUS BY VEDDER & ASSOCIATES UNDER FILE NUMBER 1042622, DATED JANUARY 22, 1987.
3. UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND BASED ON VISIBLE SURFACE EVIDENCE, IN CONJUNCTION WITH PAINT MARKINGS DELINEATED BY OTHERS AND UTILITY MAPS PROVIDED BY GANESVILLE REGIONAL UTILITIES (GRU). NO EXCAVATION OF UNDERGROUND UTILITIES WAS PERFORMED BY THIS SURVEYOR.
4. THE SURVEYOR HAS NO KNOWLEDGE OF UNDERGROUND FOUNDATIONS WHICH MAY ENCROACH.
5. INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE NOT FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. SEARCH OF THE PUBLIC RECORDS HAS NOT BEEN DONE BY THIS SURVEYOR.
6. ONLY TREES MEASURED AT CHEST HEIGHT TO BE 8" IN DIAMETER OR GREATER WERE LOCATED AND SHOWN HEREON.
7. FENCES, SYMBOLS, MONUMENTATION AND UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
8. THIS MAP CONSISTS OF 3 SHEETS IN TOTAL. ONE SHEET IS NOT COMPLETE WITHOUT THE OTHERS. SEE SHEETS 2 AND 3 FOR DETAILED TOPOGRAPHIC INFORMATION.
9. THE VERTICAL INFORMATION SHOWN HEREON IS BASED ON U.S. COAST & GEODETIC SURVEY BENCHMARK #42 (4"X4" CONCRETE MONUMENT WITH BRASS DISK) WITH A PUBLISHED ELEVATION OF 187.247 (G.L.V.D. 1929 DATUM) LOCATED AT THE NORTHWEST CORNER OF S.W. 2ND AVENUE AND S.W. 8TH STREET AS SHOWN HEREON.
10. ADDITIONAL POINTS MAY BE FOUND BY TURNING ON THE SV-MODE LAYERS IN THE SUPPLIED DIGITAL FILE.

TOPOGRAPHIC SURVEY
 LOCATED IN SECTION 5, TOWNSHIP 10 SOUTH, RANGE 20 EAST,
 ALACHUA COUNTY, FLORIDA



- Portion of Alley to be vacated
- Portion of Alley vacated by ordinance 3660 0-90-50

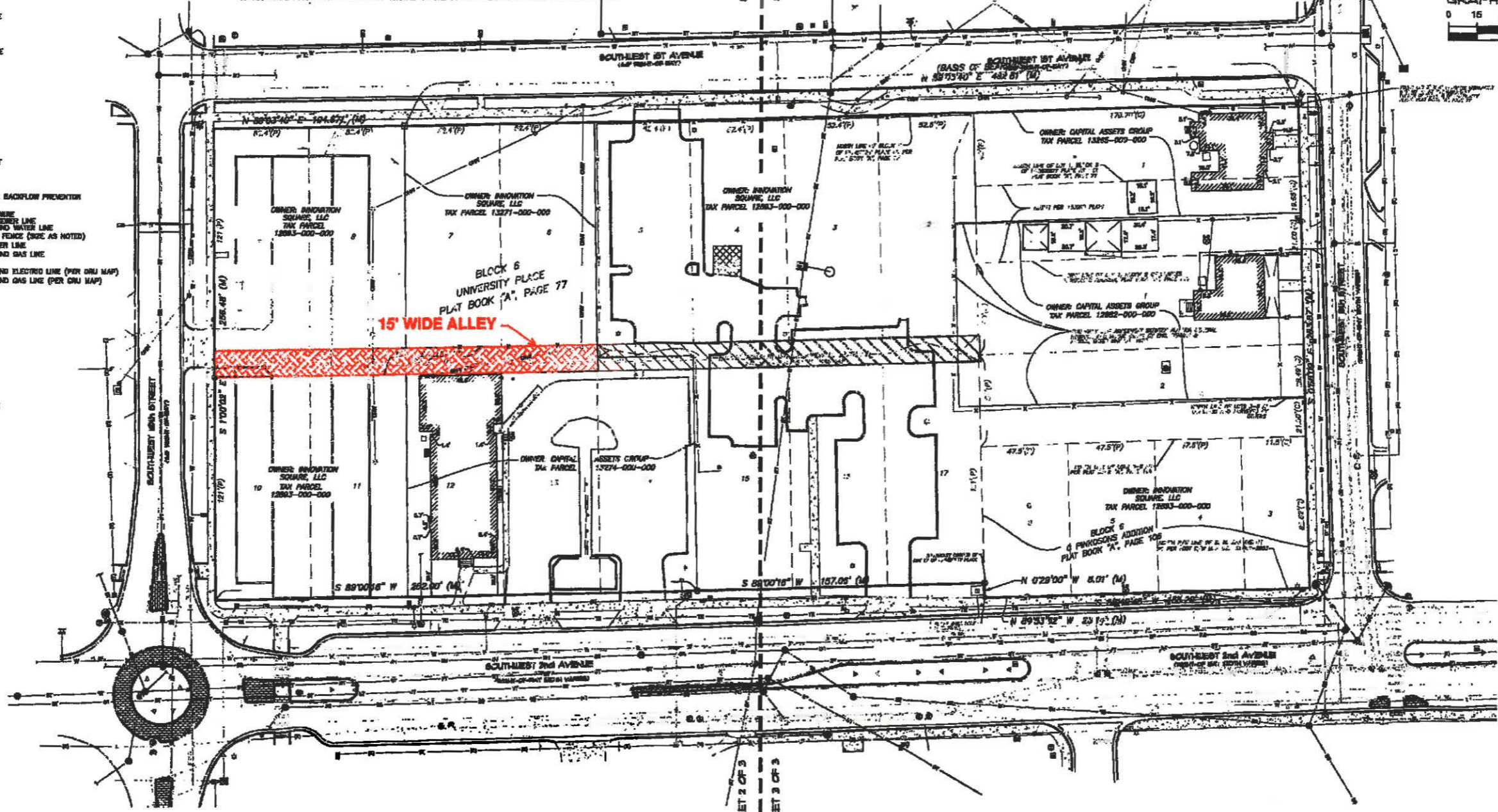


Exhibit "B" to Ordinance No. 130846

Causeaux, Hewlett, & Weipold, Inc.
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 License No. 13-0370

CHW
 Causeaux, Hewlett, & Weipold, Inc.
 Engineering • Surveying • Planning

TRIMARK PROPERTIES
 11-0340
 AARON H. HIGGAMAN
 This map prepared by:
 Causeaux, Hewlett, & Weipold, Inc. L.S. 0078
 NOT VALID WITHOUT THE SURVEYOR'S AND
 ORIGINAL SEALED SEAL OF A FLORIDA
 LICENSED SURVEYOR AND MAPPER