RESOLUTION NO. <u>051111</u>

PASSED <u>May 8, 2006</u>

A Resolution approving the final plat of "Weschester Cluster Subdivision Phase I", located generally West of N.W. 43rd Street and North of N.W. 82nd Boulevard, as more specifically described in this Resolution; authorizing the Mayor and Clerk of the Commission to execute a Surety Agreement to secure the construction of improvements; providing directions to the Clerk of the Commission; and providing an immediate effective date.

WHEREAS, the owner of the plat has submitted a final plat which substantially conforms to the design plat as approved by the City Commission on February 10, 2003 that permitted the owner/developer 12 months to obtain conditional plat approval of Phase I and an additional 54 months to obtain conditional or final plat approval on the remaining property; and

WHEREAS, the City Commission, on January 26, 2004, granted an additional six months to the onwer/developer to obtain conditional or final plat approval; and

WHEREAS, the City Commission, on April 26, 2004, approved the conditional plat approval for Phase 1 of Krystal Pines Cluster Subdivision that is now known as Weschester Cluster Subdivision Phase I; and

WHEREAS, the owner of the plat has requested the City Commission to accept and approve the final plat which incorporates all modifications and revisions specified in the design plat approval as provided in Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida, for a portion of said design plat; and

WHEREAS, the City Commission finds that the 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 final plat of "Weschester Cluster Subdivision Phase I" 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 Mayor and Clerk of the Commission are authorized to execute a Surety Agreement with a lending institution that secures the construction and completion of the improvements required under the ordinances of the City of City of Gainesville, a copy of which agreement is attached hereto as Exhibit "B".

Section 3. The Clerk of the Commission is authorized and directed to affix his signature to the record plat on behalf of the City Commission and accept the dedication of the rights-of-way, easements, and other dedicated portions as shown on the plat.

Section 4. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 8th day of May, 2006.

Pegeen Hanrahan, Mayor

ATTEST:

Kurt Lannon,
Clerk of the Commission

APPROVED AS TO FORM AND LEGALITY:

Marion J. Radson, City Attorney

MAY - 9 2006

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LEGAL DESCRIPTION

DESCRIPTION: (BY SURVEYOR)

A PARCEL OF LAND LYING IN THE NORTH ONE-HALF (N ½) OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 19 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FL

COMMENCE AT A NAIL AND DISK MARKED "LS 3524" AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 89°15'00" WEST, ALONG THE NORTH L1 ONE-QUARTER (NE ¼) OF SAID SECTION 10, A DIS-ANCE OF 59.98 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF NW 43RD STREET, A WEST RIGHT-OF-WAY LINE OF NW 43RD STREET, A DISTANCE OF 971.39 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 01°04'01" EAST, CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NW 43RD STREET, A DISTANCE OF 1882.83 FEET TO THE INTERSE OF SAID SECTION 10; THENCE SOUTH 89°04'07" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 10, A DISTANCE SOUTH LINE, A DISTANCE OF 258.94 FEET; THENCE NORTH 12°31'09" WEST, A DISTANCE OF 170.45 FEET; THENCE NORTH 48°04'50" WEST, A DISTANCE OF 1 FEET; THENCE SOUTH 89°36'58" WEST, A DISTANCE OF 46.99 FEET; THENCE NORTH 01°21'02" WEST, A DISTANCE OF 330.79 FEET; THENCE SOUTH 88°38'58 A CURVE TO THE RIGHT, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2175.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NOR ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°03'37", AN ARC DISTANCE OF 457.82 FEET TO THE END OF SAID CURVE; THENCE SOUTH 00°47'21" MARKED "LS 5546" AT THE INTERSECTION WITH THE SOUTH BOUNDARY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1647, PAGE 1491 OF THE PUBL COURSES AND DISTANCE ALONG SAID SOUTH BOUNDARY LINE (1) SOUTH 89°04'24" WEST, A DISTANCE OF 582.42 FEET; (2) SOUTH 89°06'43" WEST, A DISTAN FEET; (4) SOUTH 89°06'41" WEST, A DISTANCE OF 409.99 FEET; (5) SOUTH 89°06'59" WEST, A DISTANCE OF 829.65 FEET; THENCE DEPARTING SAID SOUTH B THE NORTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 10; THENCE NORTH 89°06'37" EAST, ALONG THE NORTH LINE OF THE NORTHW 919.72 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 00°51'23" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 00°53'35" EAST, A DISTANCE OF 137.9 HAVING A RADIUS OF 75.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 13°58'31" WEST, 38.41 FEET; THENCE CONTINUE SO OF 29°40'13", AN ARC DISTANCE OF 38.84 FEET TO THE END OF SAID CURVE; THENCE SOUTH 00°53'35" EAST, A DISTANCE OF 628.14 FEET; THENCE NORTH I CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUT SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CURVE; POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCI CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN 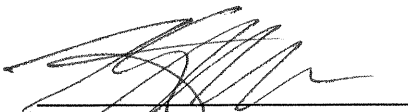ARC DISTANCE OF 39.27 FEET TO THE END OF SA TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND I THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEET TO THE EN 170.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AND BEING SUBTENDED BY A CHORD B FEET; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEET TO 1 OF 60.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, AND BEING SUBTENDED BY A CHORD 35.36 FEET; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEE DISTANCE OF 170.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AND BEING SUBTENDED B DISTANCE OF 35.36 FEET; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, AND BEING SUBTE A DISTANCE OF 35.36 FEET; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANC 89°06'25" EAST, A DISTANCE OF 170.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AND B 44°06'25" EAST, A DISTANCE OF 35.36 FEET; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", NORTH 89°06'25" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, 45°53'35" EAST, A DISTANCE OF 35.36 FEET; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", NORTH 89°06'25" EAST, A DISTANCE OF 170.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, NORTH 44°06'25" EAST, A DISTANCE OF 35.36 FEET; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 THENCE NORTH 89°06'25" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.0 OF SOUTH 45°53'35" EAST, A DISTANCE OF 35.36 FEET; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF CURVE; THENCE NORTH 89°06'25" EAST, A DISTANCE OF 170.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS DISTANCE OF NORTH 44°06'25" EAST, A DISTANCE OF 35.36 FEET; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL A SAID CURVE; THENCE NORTH 89°06'25" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A R/ AND DISTANCE OF SOUTH 45°53'35" EAST, A DISTANCE OF 35.36 FEET; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTI END OF SAID CURVE; THENCE NORTH 89°06'25" EAST, A DISTANCE OF 71.72 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A AND DISTANCE OF SOUTH 88°01'54" EAST, 62.90 FEET; THENCE CONTINUE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°43'2; THENCE NORTH 07°04'10" WEST, A DISTANCE OF 70.76 FEET; THENCE NORTH 41°46'01" WEST, A DISTANCE OF 79.35 FEET; THENCE NORTH 00°53'35" WEST, A OF 184.50 FEET; THENCE NORTH 34°55'11" WEST, A DISTANCE OF 72.40 FEET; THENCE NORTH 00°53'35" WEST, A DISTANCE OF 309.90 FEET; THENCE SOUTH 8 WEST, A DISTANCE OF 116.00 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 19 EAST; THENCE NOR1 SECTION 10, A DISTANCE OF 1312.45 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 10; THENCE NORTH OF THE NORTHEAST 1/4 OF SECTION 10, A DISTANCE OF 353.42 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 15°50'29" EAST, A DISTANCE OF 793.83 F THENCE NORTH 65°77'00" EAST, A DISTANCE OF 288.73 FEET; THENCE SOUTH 61°06'35" EAST, A DISTANCE OF 266.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 138.10 ACRES, MORE OR LESS.

END OF LEGAL DESCRIPTION

EXHIBIT "A"