

## **Appendix C Application**

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**EXHIBIT**  
 C-1

NOV 10 2015  
 PLANNING



**APPLICATION TO VACATE PUBLIC RIGHT-OF-WAY  
 PLANNING & DEVELOPMENT SERVICES**

**OFFICE USE ONLY**

Petition No. PB-15-00122 Fee: \$ \_\_\_\_\_  
 Date: \_\_\_\_\_ SVA EZ Fee: \$ \_\_\_\_\_  
 1<sup>st</sup> Step Mtg Date: \_\_\_\_\_ Tax Map No. \_\_\_\_\_  
 Abutting Property Owners Petition \_\_\_\_\_ City Commission Petition \_\_\_\_\_  
 Account No. 001-670-6710-3401 [ ]  
 Account No. 001-670-6710-1124 (Enterprise Zone) [ ]  
 Account No. 001-670-6710-1125 (Enterprise Zone Credit [ ]

**Applicant Information (Please PRINT)**

Name: City of Gainesville, Public Works (Estelle Lens, Land Rights Coordinator)  
 Address: PO Box 490, MS 58  
 City: Gainesville  
 State: Florida Zip: 32627  
 Phone: 393-8404 Fax: 393-7887

- CRITERIA FOR VACATION OR CLOSURE**
- At the public hearing, the City Commission shall consider the following criteria in determining whether the general public welfare would be best served by the proposed action:
1. Whether the public benefits from the use of the subject right-of-way as part of the city street system.
  2. Whether the proposed action is consistent with the city's comprehensive plan.
  3. Whether the proposed action would violate individual private property rights.
  4. The availability of alternative action to alleviate the identified problems.
  5. The effect of the proposed action upon traffic circulation.
  6. The effect of the proposed action upon crime.
  7. The effect of the proposed action upon the safety of pedestrians and vehicular traffic.
  8. The effect of the proposed action upon the provision of municipal services including but not limited to emergency services and waste removal services.
  9. The necessity to relocate utilities both public and private.
  10. The effect the proposed action will have upon property values in the immediate and surrounding areas.
  11. The effect of the proposed action on geographic areas which may be impacted.
  12. The effect of the proposed action on the design and character of the area.

**Certified Cashier's Receipt:**

PB-15-122 SVA  
 Vacation of a right-of-way  
 Downtown Square

Under the provisions of Section 30-192(b) of the Land Development Code, City of Gainesville, **THE ABUTTING PROPERTY OWNERS/THE CITY COMMISSION** hereby petition(s) to have the following public right-of-way vacated (a legal description and a map is required):

SEE ATTACHED LEGAL DESCRIPTION AND SKETCH

Provide reasons for vacating this right-of-way (please add additional sheet(s) to provide more information, if needed):

TO INCORPORATE THE VACATED AREA INTO THE PARK BOUNDARY KNOWN AS THE DOWNTOWN PLAZA  
THIS WILL HAVE NO EFFECT ON PUBLIC SAFETY, NOR THE SAFETY OF PEDESTRIANS OR VEHICULAR TRAFFIC

The recording of the approved ordinance abandoning public property effects an automatic reverter of the property back to the fee owners of the property out of which the street was carved. The City of Gainesville does not issue any formal deed instruments. The local title companies will be able to track the accretion of the property to the appropriate abutting property owners.

*The signature of all abutting property owners is required for petitions initiated by property owners.*

ABUTTING PROPERTY OWNERS' INFORMATION			
PARCEL NO.	PROPERTY OWNER	ADDRESS	SIGNATURE
14622	CITY OF GAINESVILLE	P.O. BOX 480, MS 58	<i>[Signature]</i>

Petition must be filed with the Department of Community Development in accordance with the application cut-off dates as adopted by the City Plan Board (Development Review Board application cut-off dates). A copy of the schedule may be obtained from the Planning Division, Room 158, Planning Counter, Thomas Center B, 306 NE 6th Avenue. Phone: 334-5022.

Petitioner's Signature: *[Signature]* Date: 11-5-15

ORIGINALLY SUBMITTED 10-7-15

## LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 5, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A NAIL AND DISK STAMPED LS #3524 FOUND AND ACCEPTED AS MARKING THE NORTHWEST CORNER OF BLOCK 4, RANGE 3 IN THE ORIGINAL SURVEY OF GAINESVILLE FLORIDA, AS PER THE PLAT THEREOF RECORDED IN DEED BOOK "H", PAGE 383 OF THE PUBLIC RECORDS OF ALACHUA COUNTY FLORIDA; THENCE RUN ALONG THE WEST LINE OF SAID BLOCK 4, RANGE 3, SOUTH 01° 01' 31" EAST A DISTANCE OF 239.41 FEET TO A REBAR & CAP STAMPED LS #3524, FOUND AND ACCEPTED AS MARKING THE SOUTHWEST CORNER OF BLOCK 4, RANGE 3 OF SAID ORIGINAL SURVEY OF GAINESVILLE; THENCE NORTH 88° 53' 31" EAST ALONG THE SOUTH LINE OF SAID BLOCK 4 A DISTANCE OF 200 FEET TO A NAIL AND DISK STAMPED LS #3524, FOUND AN ACCEPTED IS MARKING THE SOUTHEAST CORNER OF SAID BLOCK 4; THENCE CONTINUE NORTH 88° 53' 31" EAST A DISTANCE OF 20 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE 40 RIGHT-OF-WAY CLOSED BY ORDINANCE # 2135; THENCE SOUTH 1° 01' 31" EAST ALONG A SOUTHERLY EXTENTION OF THE EAST LINE OF THE WEST HALF OF SAID CLOSED RIGHT-OF-WAY A DISTANCE OF 14.20 FEET TO A POINT ON THE EXISTING TOP BACK OF CURB ON THE NORTH SIDE OF S.E. 1<sup>ST</sup> AVENUE; THENCE RUN ALONG SAID EXISTING CURB THE FOLLOWING 9 COURSES; (L1) NORTH 80° 08' 20" WEST A DISTANCE OF 4.37 FEET; (L2) SOUTH 87° 19' 20" WEST A DISTANCE OF 10.29 FEET; (L3) SOUTH 88° 11' 36" WEST A DISTANCE OF 14.00 FEET; (L4) SOUTH 88° 44' 45" WEST A DISTANCE OF 19.95 FEET; (L5) SOUTH 88° 49' 09" WEST A DISTANCE OF 152.02 FEET; (L6) SOUTH 43° 33' 27" WEST A DISTANCE OF 21.67 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 3.50 FEET; (C1) THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 2.86 FEET THROUGH A CENTRAL ANGLE OF 46° 49' 57" AND A CHORD OF SOUTH 66° 58' 25" WEST, 2.78 FEET; (L7) NORTH 89° 36' 37" WEST A DISTANCE OF 6.01 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 26.00 FEET; (C2) THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 40.66 FEET THROUGH A CENTRAL ANGLE OF 89° 36' 37" AND A CHORD OF NORTH 44° 48' 19" WEST, 36.64 FEET TO A POINT ON THE EXISTING TOP BACK OF CURB ON THE EAST SIDE OF S.E. 1<sup>ST</sup> STREET; THENCE RUN ALONG SAID EXISTING CURB THE FOLLOWING 13 COURSES; (L8) NORTH 00° 00' 00" EAST A DISTANCE OF 3.25 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 3.50 FEET; (C3) THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 2.65 FEET THROUGH A CENTRAL ANGLE OF 43° 25' 47" AND A CHORD OF NORTH 21° 42' 54" WEST, 2.59 FEET; (L9) NORTH 43° 25' 47" EAST A DISTANCE OF 21.55 FEET; (L10) NORTH 01° 19' 49" WEST A DISTANCE OF 65.06 FEET; (L11) NORTH 46° 16' 36" WEST A DISTANCE OF 11.84 FEET; (L12) SOUTH 43° 34' 40" WEST A DISTANCE OF 3.76 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 3.00 FEET; (C4) THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 7.09 FEET THROUGH A CENTRAL ANGLE OF 135° 21' 13" AND A CHORD OF NORTH 68° 44' 44" WEST, 5.50 FEET; (L13) NORTH 01° 04' 07" EAST A DISTANCE OF 38.81 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 3.00 FEET; (C5) THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 2.37 FEET THROUGH A CENTRAL ANGLE OF 45° 13' 57" AND A CHORD OF NORTH 21° 32' 52" EAST, 2.31 FEET; (L14) NORTH 44° 09' 50" EAST A DISTANCE OF 21.23 FEET; (L15) NORTH 01° 18' 14" EAST A DISTANCE OF 65.61 FEET; (L16) NORTH 46° 31' 45" WEST A DISTANCE OF 11.70 FEET; (L17) SOUTH 45° 50' 10" WEST A DISTANCE OF 2.50 FEET TO THE BEGINNING OF THE PROPOSED TOP BACK OF CURB AS PER THE SITE GEOMETRIC PLAN PREPARED BY JMJ CONSULTANT ENGINEET, LLC FILE NO. 3013-3, SHEET C-4 ALSO BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 4.50 FEET; (C6) THENCE ALONG SAID CURVE AND SAID PROPOSED TOP BACK OF CURB AN ARC DISTANCE OF 10.69 FEET THROUGH A CENTRAL ANGLE OF 136° 10' 22" AND A CHORD OF NORTH 66° 04' 39" WEST, 8.35 FEET TO THE POINT OF COMPOUND CURVATURE TO A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 40.00 FEET; (C7) THENCE CONTINUE ALONG SAID CURVE AND PROPOSED TOP BACK OF CURB AN ARC DISTANCE OF 19.64 FEET THROUGH A CENTRAL ANGLE OF 28° 07' 52" AND A CHORD OF NORTH 16° 04' 28" EAST, 19.44 FEET TO A POINT ON A WESTERLY EXTENTION OF THE NORTH LINE OF SAID BLOCK 4; (L18) THENCE NORTH 89° 03' 45" EAST ALONG SAID NORTH LINE A DISTANCE OF 26.50 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. SAID PARCEL CONTAINING 8,713 SQUARE FEET OR 0.200 ACRES MORE OR LESS.



