

RESOLUTION NO. 040029

PASSED June 14, 2004

A Resolution approving the conditional final plat of "Abbington Oaks Phase II, A Cluster Subdivision", located in the vicinity of N.W. 26th Drive between N.W. 41st Place and N.W. 41st Avenue; providing conditions; and providing an immediate effective date.

WHEREAS, the Development Review Board approved the design plat of "Abbington Oaks Phase II, A Cluster Subdivision" on November 14, 2002; and

WHEREAS, on July 16, 2003, the owner of the plat has filed a conditional final plat which substantially conforms to the design plat as approved by the City Commission on December 9, 2002, 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 "Abbington Oaks Phase II, A Cluster Subdivision" 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 "Abbingtion Oaks Phase II, A Cluster Subdivision" 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 "Abbingtion Oaks Phase II, A Cluster Subdivision" 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 and a pre-construction meeting has been held with the City Public Works Department. A

copy of the permit must be on file with the City Public Works Department prior to commencement of any site work.

Section 6. Except as further provided herein 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. However, the final plat of the Abbington Oaks Phase II shall not be accepted and approved by the City Commission for recording in the public records of Alachua County prior to the final plat approval of Abbington Oaks Phase I and its recording in the public records of Alachua County.


Section 7. This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 14th day of June, 2004.



Pegeen Hanrahan, Mayor

ATTEST:



Kurt Lannon,
Clerk of the Commission

APPROVED AS TO FORM AND LEGALITY:



Marion J. Radson, City Attorney

JUN 16 2004

Exhibit A

Fund File Number: 11-2003-693

**ABBINGTON OAKS PHASE II
A CLUSTER SUBDIVISION
LYING IN SECTION 24, TOWNSHIP 9 SOUTH, RANGE 19 EAST, IN THE
CITY OF GAINESVILLE, ALACHUA
COUNTY, FLORIDA**

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 24, TOWNSHIP 9 SOUTH, RANGE 19 EAST, IN THE CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N. 89°44'19" W., ALONG THE SOUTH LINE OF SAID SECTION 24, A DISTANCE OF 1319.25 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 24; THENCE N. 00°21'45" E., ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SOUTHEAST ONE-QUARTER (SE ¼), A DISTANCE OF 1329.79 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SOUTHEAST ONE-QUARTER (SE ¼), AND THE SOUTHEAST CORNER OF "SPRINGTREE III", AS PER PLAT THEREOF RECORDED IN PLAT BOOK "J", PAGE 75, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE N. 89°27'22" W., ALONG THE SOUTH BOUNDARY LINE OF SAID "SPRINGTREE III", A DISTANCE OF 229.73 FEET TO THE POINT OF BEGINNING; THENCE S. 00°32'38" W., A DISTANCE OF 136.02 FEET; THENCE S. 89°27'22" E., A DISTANCE OF 21.07 FEET; THENCE S. 00°32'38" W., A DISTANCE OF 222.00 FEET; THENCE N. 89°27'22" W., A DISTANCE OF 5.65 FEET; THENCE S. 00°32'38" W., A DISTANCE OF 87.27 FEET; THENCE N. 89°27'22" W., A DISTANCE OF 65.20 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2278, PAGE 2228 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE N. 89°06'12" W., ALONG THE NORTH BOUNDARY OF SAID LANDS, A DISTANCE OF 202.81 FEET TO THE NORTHWEST CORNER OF SAID LANDS, AND THE WEST LINE OF THE EAST 484 FEET OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 24; THENCE N. 00°20'40" E., ALONG SAID WEST LINE, A DISTANCE OF 444.05 FEET TO THE INTERSECTION WITH THE SOUTH BOUNDARY LINE OF AFOREMENTIONED "SPRINGTREE III"; THENCE S. 89°27'21" E., ALONG THE SOUTH BOUNDARY LINE OF SAID "SPRINGTREE III", A DISTANCE OF 254.13 FEET TO THE POINT OF BEGINNING.

NO DELINQUENT TAXES