

LEGISLATIVE #

110339A

RESOLUTION NO. 110339

PASSED October 06, 2011

A Resolution approving the conditional final plat of "Walnut Creek Phase II A Planned Development", located in the vicinity of NW 26th Street and NW 31st Avenue, Gainesville, Florida; providing directions to the Clerk of the Commission; providing conditions and restrictions; and providing an immediate effective date.

WHEREAS, the City Plan Board approved the design plat of "Walnut Creek Phase II A Planned Development" on April 18, 2008; and

WHEREAS, on March 19, 2009, the City Commission approved the design plat in accordance with Section 30-183 of the Code of Ordinances; and

WHEREAS, the owner of the proposed subdivision has requested the City Commission to accept and approve the conditional final 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.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA;

Section 1. The conditional final plat of "Walnut Creek Phase II A Planned Development" 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 “Walnut Creek Phase II A Planned Development” 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 “Walnut Creek Phase II A Planned Development” 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 conference with the City Public Works Department. A copy of the Water Management District 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.

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

PASSED AND ADOPTED this 06th day of October, 2011.

CRAIG LOWE, MAYOR

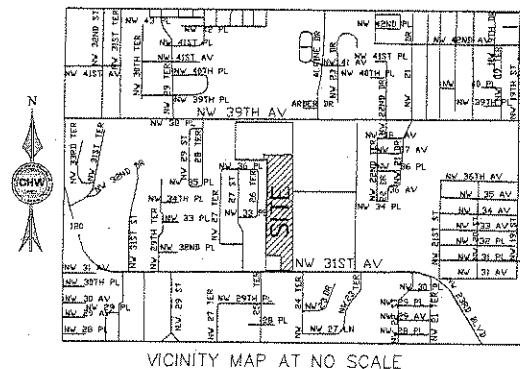
ATTEST:

APPROVED AS TO FORM AND LEGALITY:

KURT LANNON,
CLERK OF THE COMMISSION

MARION J. RADSON, CITY ATTORNEY

**WALNUT CREEK, PHASE II
A PLANNED DEVELOPMENT**
SITUATED IN SECTION 25, TOWNSHIP 9 SOUTH,
RANGE 19 EAST, CITY OF GAINESVILLE,
ALACHUA COUNTY, FLORIDA

**NOTICE:**

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREON AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN SECTION 25, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 25, TOWNSHIP 9 SOUTH, RANGE 19 EAST FOR THE POINT OF REFERENCE AND RUN S.00°57'04"E., ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 50.15 FEET TO THE SOUTH RIGHT OF WAY LINE OF N.W. 39th AVENUE (100 FOOT RIGHT OF WAY); THENCE RUN N.89°34'14"E., ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1320.48 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3784) AT THE NORTHWEST CORNER OF PALM GROVE SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "T", PAGE 52 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN S.00°56'22"E., ALONG THE WEST LINE OF SAID PALM GROVE SUBDIVISION, A DISTANCE OF 672.97 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS 3784) AND THE TRUE POINT OF BEGINNING; THENCE CONTINUE S.00°56'22"E., ALONG SAID WEST LINE OF PALM GROVE, A DISTANCE OF 330.34 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #4788) AT THE SOUTHWEST CORNER OF SAID PALM GROVE SUBDIVISION ALSO BEING THE NORTHWEST CORNER OF PALM GROVE PHASE 2 A SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "U", PAGE 47 OF SAID PUBLIC RECORDS; THENCE RUN S.00°59'33"E., ALONG THE WEST LINE OF SAID PALM GROVE PHASE 2, ALONG A SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 1524.14 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #4788) ON THE NORTH RIGHT OF WAY LINE OF N.W. 31st AVENUE (100 FOOT RIGHT OF WAY); THENCE RUN S.89°35'16"W., ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 150.01 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784); THENCE RUN N.00°59'33"W., A DISTANCE OF 225.01 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784); THENCE RUN S.89°35'16"W., A DISTANCE OF 246.26 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784); THENCE RUN N.01°00'31"W., ALONG THE SOUTHERLY PROJECTION OF THE EAST LINE OF HIDDEN PINES SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "H", PAGE 63 AND ALONG SAID EAST LINE, A DISTANCE OF 1561.80 FEET TO A CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF LOT 74 OF SAID HIDDEN PINES SUBDIVISION; THENCE RUN S.89°30'39"W., ALONG THE NORTH LINE OF SAID LOT 74 OF HIDDEN PINES SUBDIVISION, A DISTANCE OF 55.54 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS 3784); THENCE RUN N.00°29'21"W., A DISTANCE OF 88.39 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784) WHICH MARKS THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, SAID CURVE HAVING A RADIUS OF 100.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°57'54", AN ARC DISTANCE OF 57.53 FEET (CHORD BEARING AND DISTANCE BEING S.73°56'49"E., 56.74 FEET RESPECTIVELY) TO A CONCRETE MONUMENT (STAMPED PRM LS 3784); THENCE RUN N.89°34'14"E., A DISTANCE OF 262.54 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS 3784); THENCE RUN N.00°56'22"W., A DISTANCE OF 14.97 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS 3784); THENCE RUN N.89°34'14"E., A DISTANCE OF 95.19 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784) WHICH MARKS THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, SAID CURVE HAVING A RADIUS OF 20.00 FEET; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°29'24", AN ARC DISTANCE OF 31.24 FEET (CHORD BEARING AND DISTANCE BEING S.45°41'04"E., 28.16 FEET RESPECTIVELY) TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784) WHICH MARKS THE END OF SAID CURVE; THENCE RUN N.89°03'38"E., PERPENDICULAR TO THE AFOREMENTIONED WEST LINE OF PALM GROVE RECORDED IN PLAT BOOK "T", PAGE 52, A DISTANCE OF 20.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 15.784 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

- THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF N.89°34'14"E. ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. 39TH AVENUE AS MONUMENTED.
- BASED UPON REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 12001C0311D, WITH AN EFFECTIVE DATE OF JUNE 16, 2006, THE PROPERTY SHOWN HEREON LIES WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
- THE HORIZONTAL ERROR FOR THE FIELD TRAVERSE THAT IS THE BASIS FOR THIS SURVEY IS 1:26,382.
- ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.
- THE MAINTENANCE OF THE COMMON AREAS IS THE RESPONSIBILITY OF THE WALNUT CREEK HOMEOWNERS ASSOCIATION. DRAINAGE EASEMENTS ARE CONVEYED TO THE PUBLIC FOR THE RIGHT TO DISCHARGE STORMWATER AND RESPONSIBILITY FOR MAINTENANCE SHALL BE LIMITED TO THE INTEGRITY OF THE STRUCTURAL PORTION OF THE SYSTEM.
- LOTS 85, 86, 88, 89, 91 THROUGH 114, 116, 117, 120, 121, AND 123 THROUGH 125 ARE SUBJECT TO CONDITIONS, REGULATIONS AND RESTRICTIONS REGARDING THE PROTECTION OF HERITAGE TREES ON THESE LOTS PURSUANT TO CITY PD ORDINANCE NO. 991267 AND 020948 AS AMENDED BY PD ORDINANCE NO. 0710680 AND 100762, AND AS SHOWN ON SHEET PD1.00 OF THE DEVELOPMENT PLAN MAPS, IN ACCORDANCE WITH SECTION 30-264(1) OF THE LAND DEVELOPMENT CODE.

PLAT BOOK — , PAGE —
SHEET ONE OF TWO

CERTIFICATION AND DEDICATION

LEGACY PROPERTY DEVELOPMENT, INC. DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE HEREIN DESCRIBED LANDS TO BE KNOWN AS "WALNUT CREEK, PHASE II", A PLANNED DEVELOPMENT AND DOES DEDICATE TO THE CITY OF GAINESVILLE ITS SUCCESSORS AND ASSIGNS FOREVER THE ROADWAYS SHOWN HEREON AS "RIGHT OF WAY", THE PUBLIC UTILITIES EASEMENTS, THE DRAINAGE EASEMENTS, AND AN EASEMENT FOR INGRESS/EGRESS OVER NW 26TH COURT AND NW 26TH DRIVE. ALL COMMON AREAS SHOWN HEREON WILL BE DEEDED TO THE WALNUT CREEK HOMEOWNERS ASSOCIATION.

LEGACY PROPERTY DEVELOPMENT, INC.

WITNESS _____ GEORGE E. FLETCHER, PRESIDENT

WITNESS _____

NOTARY:

COUNTY OF ALACHUA, STATE OF FLORIDA

I HEREBY CERTIFY THAT ON THIS DAY, PERSONALLY APPEARED BEFORE ME GEORGE E. FLETCHER WELL KNOWN TO ME TO BE THE PERSON DESCRIBED HEREIN AND WHO EXECUTED THIS INSTRUMENT AS HIS FREE ACT AND DEED

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2011 A.D.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____ SEAL

MORTGAGEE'S APPROVAL:

GEORGE E. & GLORIA W. FLETCHER AS MORTGAGEE, HOLDER OF THAT CERTAIN MORTGAGE AS RECORDED IN OFFICIAL RECORDS BOOK 2832, PAGE 1303, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, DO HEREBY CONSENT AND AGREE TO THE PLATTING OF THE LANDS ENCOMPASSED IN THIS PLAT AND TO THE DEDICATION SHOWN HEREON.

WITNESS _____ GEORGE E. FLETCHER, MORTGAGEE

WITNESS _____

WITNESS _____ GLORIA W. FLETCHER, MORTGAGEE

WITNESS _____

CLERK OF THE COURT:

HEREBY RECEIVED AND FILED THIS PLAT FOR RECORD THIS _____ DAY OF _____, 2011, A.D.

CLERK OF THE CIRCUIT COURT _____ DEPUTY CLERK

APPROVAL OF CITY:

WE THE UNDERSIGNED DO HEREBY CERTIFY THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF THE CITY OF GAINESVILLE, COUNTY OF ALACHUA, STATE OF FLORIDA ORDINANCES AND REGULATIONS AS FOLLOWS:

SURVEYING REQUIREMENTS: _____
TO CHAPTER 177, PART 1 _____
FLORIDA STATUTES _____ CITY SURVEYOR _____ DATE

ENGINEERING REQUIREMENTS: _____
PUBLIC WORKS DIRECTOR _____ DATE

ACCEPTED BY THE DEVELOPMENT REVIEW BOARD:

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE

LEGALITY OF DEDICATION: _____
CITY ATTORNEY _____ DATE

UTILITY REQUIREMENTS: _____
UTILITY MANAGER _____ DATE

AS CONFORMS TO THE LAWS OF THE STATE OF FLORIDA AND ADAPTABILITY TO CITY PLANS:

CITY MANAGER _____ DATE

ACCEPTED BY CITY COMMISSION: _____
CLERK OF CITY COMMISSION _____ DATE

SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT THIS PLAT ENTITLED "WALNUT CREEK, PHASE II", A PLANNED DEVELOPMENT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE OF THE HEREIN DESCRIBED LANDS, UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT THIS PLAT AND SURVEY COMPLIES WITH ALL REQUIREMENTS AS SET FORTH IN CHAPTER 177 OF THE FLORIDA STATUTES.

SIGNED: _____ DATE: _____
PRINTED: AARON H. HICKMAN
REGISTERED FLORIDA SURVEYOR AND MAPPER CERTIFICATE NO. 6791

REVISED: 02/10/2011 AHH DWG NO.: 05-0206.01.dwg



Causeaux, Hewett, & Walpole, Inc.

Engineering • Surveying • Planning

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LB-5076

LEGEND:

- FOUND 4"x4" CONCRETE MONUMENT
 (NO IDENTIFICATION EXCEPT AS SHOWN)
 ■ FOUND 4"x4" CONCRETE MONUMENT
 STAMPED PRM LS3784
 ▲ SET NAIL & CAP STAMPED C&E LB 5075
 (SEE SURVEYOR'S NOTE #2)
 P.U.E. PUBLIC UTILITIES EASEMENT
 I/E INGRESS/EGRESS
 S.F. SQUARE FEET
 R/W RIGHT-OF-WAY
 L LENGTH
 R RADIUS
 D DELTA (ARC ANGLE)
 T TANGENT
 CHB CHORD BEARING
 CHD CHORD DISTANCE

BUILDING SETBACK REQUIREMENTS:

LOT WIDTH	35 FEET TO 40 FEET	ABOVE 40 FEET
FRONT	10 FEET	10 FEET
REAR	3.5 FEET	4 FEET
SIDE	10 FEET	10 FEET
MINIMUM LOT DEPTH	100 FEET	150 FEET

WALNUT CREEK, PHASE II A PLANNED DEVELOPMENT SITUATED IN SECTION 25, TOWNSHIP 9 SOUTH, RANGE 19 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA



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 LB-5075

PLAT BOOK _____, PAGE _____
 SHEET TWO OF TWO

