

LEGISLATIVE #

180017A

ORDINANCE NO. 180017

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a public right-of-way alley lying between 204 NE Waldo Road and 114 NE Waldo Road, as more specifically described in this ordinance; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, pursuant to Section 30-3.41 of the City of Gainesville’s Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances), an application was initiated by the owner(s) of land abutting the subject public right-of-way requesting the City to vacate, abandon, and close the right-of-way; and

WHEREAS, the request to vacate the subject public right-of-way was presented to and approved by the appropriate departments of the City of Gainesville; and

WHEREAS, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant to Section 163.3174, Florida Statutes, held a public hearing on May 24, 2018, and voted to recommend that the City Commission approve this vacation of public right-of-way; and

WHEREAS, at least 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, public hearings were held pursuant to the notice described above at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

WHEREAS, the City Commission finds that the vacation of the subject right-of-way meets the required criteria in Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive

1 Plan and Section 30-3.41 of the Land Development Code.

2 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

3 **FLORIDA:**

4 **SECTION 1.** The following described public right-of-way is hereby vacated, abandoned, and
5 closed for use by the public generally:

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

9
10 **SECTION 2.** The City reserves unto itself, its successors and assigns a public and private utilities
11 easement over, under, across, and through the property described in Section 1 of this
12 ordinance for the purpose of installing, maintaining, and operating public and private utilities.

13 **SECTION 3.** The Clerk of the Commission or designee is authorized to record a true copy of this
14 ordinance in the public records of Alachua County, Florida.

15 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
16 the application hereof to any person or circumstance is held invalid or unconstitutional, such
17 finding shall not affect the other provisions or applications of this ordinance that can be given
18 effect without the invalid or unconstitutional provision or application, and to this end the
19 provisions of this ordinance are declared severable.

20 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
21 conflict hereby repealed.

22 **SECTION 6.** This ordinance shall become effective immediately upon adoption.

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24 **PASSED AND ADOPTED** this _____ day of _____, 2018.

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LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINEY
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2018.

This ordinance passed on second reading this _____ day of _____, 2018.



May 2, 2018

Legal Description

To vacate a portion of a 10' alley

That portion of that 10' Alley lying South of Lots 2, 3 and 4 of Gobert & Oliver's Resurvey of Fract Block 5, Range 2 of Doig & Robertsons Addition to Gainesville, Florida as per plat thereof, recorded in Plat Book "A", page 107 of the Public Records of Alachua County, Florida, lying North of Lot 9 of said Gobert & Oliver's Resurvey of Fract Block 5, Range 2 of Doig & Robertsons Addition to Gainesville, Florida, lying 1.00 foot East of the southerly extension of the west line of said Lot 4 and lying West of the northwesterly Right of Way line of State Road No. 331 (NE Waldo Road, Right of Way varies); being more particularly described as follows:

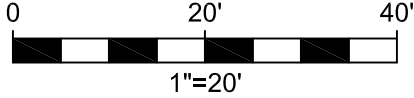
Commence at the southwest corner of Lot 4 of Gobert & Oliver's Resurvey of Fract Block 5, Range 2 of Doig & Robertsons Addition to Gainesville, Florida as per plat thereof, recorded in Plat Book "A", page 107 of the Public Records of Alachua County, Florida and run thence North 89°19'09" East, along the south line of said Lot 4 and along the north line of a 10 foot alley, a distance of 1.00 feet to the Point of Beginning; thence continue North 89°19'09" East, along said south line and along the south line of Lots 3 and 2 of said Gobert & Oliver's Resurvey and along the north line of said 10 foot alley a distance of 127.85 feet to a point on the northwesterly Right of Way line of State Road No. 331 (NE Waldo Road, Right of Way varies); thence South 30°06'21" West, along said Right of Way line, 11.66 feet; thence North 89°56'54" West, along said Right of Way line, 1.02 feet to a point on the south line of said 10 foot alley and to a point on the north line of Lot 9 of said Gobert & Oliver's Resurvey; thence South 89°19'09" West, along the south line of said 10 foot alley and along the north line of said Lot 9, a distance of 120.95 feet; thence North 00°13'10" West, 10.00 feet to the Point of Beginning.

Containing 1,249 Square Feet, more or less.

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Exhibit "A" to Ordinance No. 180017

NORTH



GOBERT & OLIVER'S RESURVEY
OF FRACT BLOCK 5, RANGE 2
OF DOIG & ROBERTSONS ADDITION
TO GAINESVILLE, FLORIDA
PLAT BOOK "A", PAGE 107

TAX PARCEL NO. 11992-000-000

TAX PARCEL NO.
11994-001-000

LOT 5

LOT 4

LOT 3

LOT 2

POINT OF COMMENCEMENT
S.W. CORNER OF LOT 4

N 89°19'09" E 127.85'

L1 POINT OF BEGINNING

10' ALLEY
1,249 SQUARE FEET, +/-

S 89°19'09" W 120.95'

LINE	BEARING	DISTANCE
L1	N 89°19'09" E	1.00
L2	S 30°06'21" W	11.66
L3	N 89°56'54" W	1.02
L4	N 00°13'10" W	10.00

LOT 9

GOBERT & OLIVER'S RESURVEY
OF FRACT BLOCK 5, RANGE 2
OF DOIG & ROBERTSONS ADDITION
TO GAINESVILLE, FLORIDA
PLAT BOOK "A", PAGE 107

TAX PARCEL NO. 11996-000-000

N 32°07'59" E

STATE ROAD NO. 331 (NE WALDO ROAD)
STATE OF FLORIDA STATE ROAD DEPARTMENT
RIGHT OF WAY MAP SECTION 26050-2510; LAST REVISED: 8/2/82

THIS IS NOT A BOUNDARY SURVEY

DRN.	CHKD.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
B.G.	B.G.		5/2/18	2018-14		

LEGAL DESCRIPTION SKETCH OF

A PORTION OF THE 10' ALLEY LYING SOUTH OF LOTS 2, 3 AND 4
AND NORTH OF LOT 9 OF GOBERT & OLIVER'S RESURVEY
OF FRACT BLOCK 5, RANGE 2 OF DOIG & ROBERTSONS
ADDITION TO GAINESVILLE, FLORIDA, PLAT BOOK "A", PAGE 107

FOR: KWAK

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE
AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND
MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO
SECTION 472.027 (2017), FLORIDA STATUTES.

BY: ROBERT W. GRAVER P.S.M. 4239

Exhibit "B" to Ordinance No. 180017

eda engineers-surveyors-planners, inc.

LB 2389
2404 N.W. 43rd ST, GAINESVILLE, FLORIDA 32606-6602
TEL. (352) 373-3541 FAX. (352) 373-7249
E-MAIL: mail@edapl.com

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Corporate Authorization
No. LB 2389