

RESOLUTION NO. _____

PASSED _____

A Resolution of the City Commission of the City of Gainesville, Florida finding and declaring as surplus certain real property being a portion of Southeast 3rd Street, between Southeast 2nd Avenue and Southeast 2nd Place as more fully described herein and authorizing the disposition of the surplus property in accordance with the City’s Real Estate Policies; and providing an effective date.

WHEREAS, the City of Gainesville, Florida, adopted Real Estate Policies on April 18, 2013 by Resolution No. 100630 (the “Policies”) that govern the disposition of City-owned real property: and

WHEREAS, pursuant to the Policies, prior to disposition of real property, the City Commission must first find and declare that the property is surplus; and

WHEREAS, the Policies define surplus as “property which no longer serves a public purpose, or is in excess of the City’s needs, or the sale of which would serve a greater public purpose than the retention of the property;” and

WHEREAS, the Policies allow the City to impose conditions on the disposition of surplus property in order to achieve certain objectives.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, AS FOLLOWS:

Section 1. The City Commission does hereby find and declare as surplus that portion of Southeast 3rd Street, lying between Southeast 2nd Avenue and Southeast 2nd Place, Gainesville, Florida, as more fully described in Exhibit “A” attached hereto and incorporated herein by reference. The property is depicted in Exhibit “B” for visual reference. In the event of conflict or inconsistency, Exhibit “A” shall prevail over Exhibit “B.”

Section 2. The City Commission waives the competitive disposal requirement contained in the Policies, and authorizes the sale of the property to the adjacent property owner, subject to retention of an overall utility easement for existing utilities.

Section 3. In accordance with the Policies, the Mayor (or in his absence the Mayor Pro-tem) is authorized to execute and the Clerk of the Commission is authorized to attest the Special Warranty Deed to convey the property and the City Manager (or in his absence an Assistant City Manager) is authorized to execute all other closing documents.

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

PASSED AND ADOPTED this _____ day of _____, 2015.

Edward B. Braddy, Mayor

ATTEST:

Approved as to form and legality:

Kurt Lannon, Clerk of the Commission

Nicolle M. Shalley, City Attorney