

**LEGISLATIVE #**

**171039A**

**ORDINANCE NO. 171039**

**An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way between lots 3 and 4 of the G.B. Crawford Addition Subdivision and located between SE 1<sup>st</sup> Avenue and East University Avenue, 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 April 26, 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

1 required criteria in Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive  
2 Plan and Section 30-3.41 of the Land Development Code.

3 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
4 **FLORIDA:**

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

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

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

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

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

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22 conflict hereby repealed.

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

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1 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

9 Attest:

Approved as to form and legality:

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11

12

\_\_\_\_\_  
OMICHELE D. GAINEY  
CLERK OF THE COMMISSION

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

15

16 This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

17

18 This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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## DESCRIPTION

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Date: December 13, 2017

Re: 8' Alley, G.B. Crawford Addition

Description:

THAT CERTAIN 8 FOOT WIDE ALLEY, LOCATED BETWEEN LOTS 3 AND 4, G.B. CRAWFORD ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 11, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

**ALL AS SHOWN ON THE MAP  
ATTACHED HERewith AND  
MADE A PART HEREOF**

**DESCRIPTION:**

THAT CERTAIN 8 FOOT WIDE ALLEY, LOCATED BETWEEN LOTS 3 AND 4, G.B. CRAWFORD ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 11, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**

**OF AN 8' WIDE ALLEY SITUATED BETWEEN LOTS 3 & 4, G.B. CRAWFORD ADDITION, IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA.**

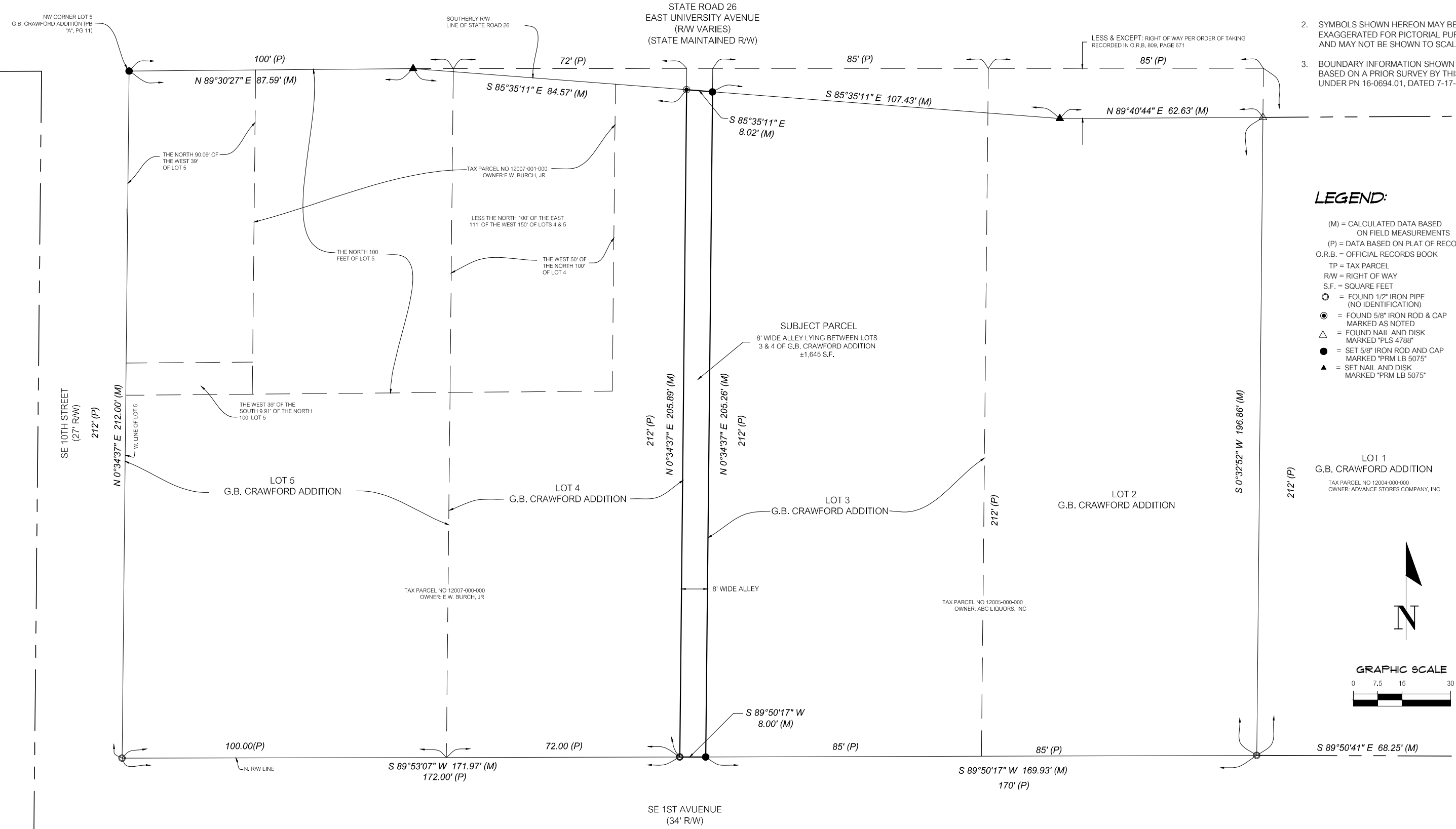
**\*SKETCH - NOT A BOUNDARY SURVEY\***

**SURVEYOR'S NOTES:**

- BEARINGS SHOWN HEREON ARE BASED ON A VALUE OF SOUTH 89°53'07" WEST FOR THE SOUTH BOUNDARY LINE OF LOTS 4 & 5 OF G.B. CRAWFORD ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 11, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.
- SYMBOLS SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
- BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A PRIOR SURVEY BY THIS OFFICE UNDER PN 16-0694.01, DATED 7-17-17.

11801 Research Drive  
Alachua, Florida 32016  
www.chw.com  
CHW  
Professional Corporation  
FLORIDA  
CA-6075

Tech: aaronh Plot Date: May 07, 2018 1:21pm Filename: L:\2016\16-0694\Survey\DWG\16-0694.01-ALLEY SKETCH.dwg



**LEGEND:**

- (M) = CALCULATED DATA BASED ON FIELD MEASUREMENTS
- (P) = DATA BASED ON PLAT OF RECORD
- O.R.B. = OFFICIAL RECORDS BOOK
- TP = TAX PARCEL
- R/W = RIGHT OF WAY
- S.F. = SQUARE FEET
- = FOUND 1/2" IRON PIPE (NO IDENTIFICATION)
- ⊙ = FOUND 5/8" IRON ROD & CAP MARKED AS NOTED
- △ = FOUND NAIL AND DISK MARKED "PLS 4788"
- = SET 5/8" IRON ROD AND CAP MARKED "PRM LB 5075"
- ▲ = SET NAIL AND DISK MARKED "PRM LB 5075"

LOT 1  
G.B. CRAWFORD ADDITION  
TAX PARCEL NO 12004-000-000  
OWNER: ADVANCE STORES COMPANY, INC.

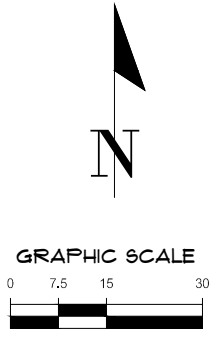


Exhibit A to Ordinance No. 171039  
page 2 of 2

TECHNICIAN:	AIH	CREW CHIEF:	N/A	CHECKED BY:	AIH
SURVEY DATE:	12/13/2017	REVISION DATE:		FIELD BOOK & PAGE:	16-0694
PROJECT NUMBER:	16-0694				

AARON H. HICKMAN  
Professional Surveyor & Mapper Fla. License No. 6791

This map prepared by:  
AARON H. HICKMAN  
Certificate of Authorization No. LB. 5075  
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER