

**ORDINANCE NO. 041149**  
**0-05-38**

**An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of right-of-way located East of North Main Street and adjacent to 3345 North Main Street; reserving utilities easements; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**WHEREAS**, pursuant to Section 30-192 of the Code of Ordinances of the City of Gainesville, an application was initiated to vacate, abandon and close that portion of right-of-way located East of North Main Street and adjacent to 3345 North Main Street, as more specifically described herein; and

**WHEREAS**, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on January 20, 2005; and

**WHEREAS**, at least ten (10) days notice has been given of the public hearing once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearings in the City Commission meeting room, First Floor, City Hall, in the City of Gainesville; and

**WHEREAS**, notice has also been given by mail to all owners of property abutting the portion to be vacated prior to the adoption of this ordinance; and

**WHEREAS**, prior to the public hearings the application was presented to and approved by the appropriate Departments of the City; and

**WHEREAS**, the City Commission finds that it is in the public interest to vacate; abandon and close the area, subject to utilities easements.

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

**Section 1.** The following described right-of-way in the City of Gainesville no longer serves a public purpose and is hereby vacated, abandoned and closed for use by the public generally:

See Legal Description attached hereto as Exhibit "A", and made a part hereof as if set forth in full.

**Section 2.** The City reserves unto itself, its successors and assigns public and private utilities easements over, under, across and through the right-of-way described in Exhibit “A”, attached hereto and made a part hereof, for the purpose of maintaining and operating public and private utilities.

**Section 3.** The Clerk of the Commission or designee is authorized to record a true copy of this Ordinance in the Public Records of Alachua County, Florida.

**Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

**Section 5.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

**PASSED AND ADOPTED** this 25th day of April, 2005.

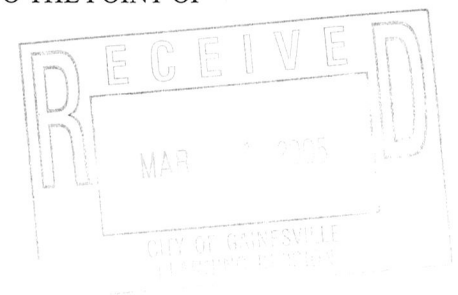
**PREPARED FOR:** GATORLAND TOYOTA  
**LEGAL DESCRIPTION FOR:** 35' STRIP OF LAND  
**DRAWING FILE NUMBER:** 05-0190 – PARCEL 'B'.DWG  
**Date:** FEBRUARY 28, 2005

**LEGAL DESCRIPTION:** (BY SURVEYOR)

A 35.00 FOOT WIDE STRIP OF LAND BEING A PORTION OF LOT 1 OF NORTH MAIN STREET COMMERCIAL PARK, AS RECORDED IN PLAT BOOK "H", PAGE 96 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 9 SOUTH, RANGE 20 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWESTERLY CORNER OF SAID LOT 1 FOR A POINT OF REFERENCE, SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF NORTH MAIN STREET (A 100 FOOT RIGHT OF WAY); THENCE RUN SOUTH 01°03'22" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE, AND ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 275.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF N.E. 34<sup>th</sup> PLACE (A 50 FOOT RIGHT OF WAY) SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN NORTH 89°09'36" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 35.00 FEET TO THE EASTERLY LINE OF A CITY OF GAINESVILLE RIGHT OF WAY (A 35 FOOT RIGHT OF WAY) AS CALLED FOR IN OFFICIAL RECORDS BOOK 1951, PAGE 1662 OF SAID PUBLIC RECORDS, ALSO BEING THE NORTHWESTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1951, PAGE 1662; THENCE RUN SOUTH 01°03'22" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE, AND ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 224.58 FEET TO THE SOUTHWESTERLY CORNER OF SAID LANDS; THENCE RUN SOUTH 89°09'36" WEST, ALONG THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LANDS, A DISTANCE OF 35.00 FEET TO SAID EASTERLY RIGHT OF WAY LINE OF NORTH MAIN STREET AND WESTERLY LINE OF SAID LOT 1; THENCE RUN NORTH 01°03'22" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG SAID WESTERLY LINE OF LOT 1, A DISTANCE OF 224.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,860 SQUARE FEET, MORE OR LESS.



All as shown on the Map  
**EXHIBIT "A"**  
 a part hereof

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LYING IN SECTION 28, TOWNSHIP 9 SOUTH, RANGE 20 EAST,  
CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA  
SKETCH - NOT A BOUNDARY SURVEY

POINT OF REFERENCE

NW CORNER LOT 1  
NORTH MAIN STREET COMMERCIAL PARK  
PLAT BOOK "H", PAGE 96

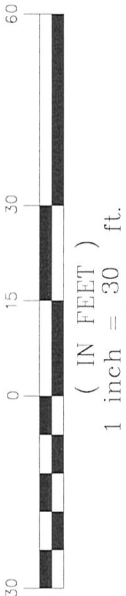


N.E. 34th PLACE  
(50' R/W)

POINT OF BEGINNING

PARCEL 'B'

GRAPHIC SCALE



NORTH MAIN STREET (100' R/W)

COUNTY ROAD No. 329

WESTERLY LINE OF LOT 1  
EASTERLY R/W LINE OF NORTH MAIN STREET

N89°09'36"E  
35.00'

35.00'

N01°03'22"W 224.58'  
SUBJECT PARCEL  
PARCEL 'B'  
CONTAINING ±7,860 SQUARE FEET

EXISTING 35' WIDE CITY OF GAINESVILLE R/W (PER O.R. 1951, PAGE 1662)  
S01°03'22"E 224.58'

EASTERLY LINE OF CITY OF GAINESVILLE R/W  
WESTERLY LINE OF THE LANDS DESCRIBED IN O.R. 1951, PAGE 1662

TAX PARCEL No. 08231-055-002  
O.R. 1951, PAGE 1662

S89°09'36"W  
35.00'

WESTERLY EXTENSION OF THE  
SOUTHERLY LINE OF THE LANDS  
DESCRIBED IN O.R. 1951, PAGE 1662

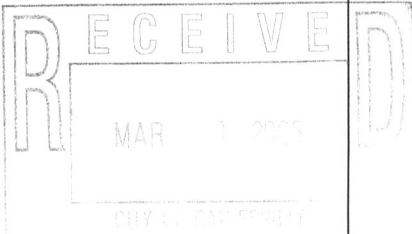
DESCRIPTION: (SEE ATTACHED)

SURVEYORS NOTES:

1. THE BEARINGS AND BOUNDARY LINES  
SHOWN HEREON ARE BASED ON THE PLAT  
OF NORTH MAIN STREET COMMERCIAL PARK,  
AS RECORDED IN PLAT BOOK "H", PAGE 96,  
PUBLIC RECORDS OF ALACHUA COUNTY,  
FLORIDA.

LEGEND:

O.R. = OFFICIAL RECORDS BOOK  
R/W = RIGHT OF WAY



This map prepared by: <b>ALAN L. TILY</b> <i>Alan L. Tily</i> 02/28/05 Professional Surveyor & Mapper Fla. License No. 6501		COMPUTER FILE: 05-0190 SURVEY DATE: REVISION DATE:	DRAWING SCALE: 1" = 30' BAR IS ONE HALF INCH ON ORIGINAL DRAWING IF NOT ONE HALF INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.	CERTIFIED TO:  GATORLANDS TOYOTA	DRAWN BY: LAF CHECKED BY: ALT FIELD BOOK: N/A JOB NO.: 05-0190 SHEET NO.: 1 OF 1
Certificate of Authorization No. L.B. 5075 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER		<b>CE Causseaux &amp; Ellington, Inc.</b> Engineering • Surveying • Planning 6011 NW 1st Place, Gainesville, Florida 32607 Phone: (352) 331-1976 Fax: (352) 331-2476			