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RESOLUTION NO. 180517

A resolution of the City of Gainesville, Florida, designating certain property located at 1007 and 1021 E University Avenue and 15 SE 10th Street, parcel numbers 12005-000-000, 12007-000-000, 12007-001-000, and 12007-002-000, as more specifically described in this resolution, as a Brownfield Area in accordance with the Florida Brownfields Redevelopment Act, Sections 376.77-376.85, Florida Statutes; providing directions to the City Manager; and providing an immediate effective date.

WHEREAS, the Florida Brownfields Redevelopment Act (Sections 376.77-376.85, Florida Statutes) provides for the designation by resolution of certain contiguous commercial or industrial areas consisting of one or more brownfield sites as a “brownfield area” for the purpose of encouraging, through the provision of economic incentives, its rehabilitation and economic development, or environmental remediation; and

WHEREAS, the Florida Brownfields Redevelopment Act defines “brownfield sites” as real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination; and

WHEREAS, BW University and 10th, LLC (“BW University”), owns the subject properties located at 1007 and 1021 E University Avenue and 15 SE 10th Street, Gainesville, Alachua County, Florida 32601, Parcel ID Numbers 12005-000-000, 12007-000-000, 12007-001-000, and 12007-002-000, as more specifically described in this resolution, and is developing it as a mixed-use project consisting of retail, commercial, office, and residential components; and

WHEREAS, BW University has requested that the City Commission of the City of Gainesville, Florida, designate the subject property as a Brownfield Area pursuant to section 376.80(2)(c), Florida Statutes, and formally have it referred to as the “BW University Green Reuse Area”; and

WHEREAS, the applicable procedures set forth in Section 376.80 and Section 166.041, Florida Statutes, have been followed and proper notice has been provided in accordance with Section 376.80(1) and Section 166.041(3)(c)2, Florida Statutes; and

WHEREAS, the City Commission has considered the applicable criteria set forth in Section 376.80(2)(c), Florida Statutes, and has determined and finds that the Subject Property meets the requisite criteria and qualifies for designation as a Brownfield Area; and

WHEREAS, such designation shall not render the City liable for costs or site remediation, rehabilitation and economic development, or source removal, as those terms are defined in section 376.79 (17) and (18), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this resolution; and

45 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
46 **FLORIDA:**

47
48 **Section 1.** The recitals and findings set forth in the preamble to this resolution are hereby
49 adopted by reference thereto and incorporated herein as if fully set forth in this section.

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51 **Section 2.** The City Commission of the City of Gainesville, Florida, finds that BW University has
52 satisfied the criteria set forth in section 376.80(2)(c), Florida Statutes.

53
54 **Section 3.** The City Commission of the City of Gainesville, Florida, designates the following
55 described property as a Brownfield Area, which hereinafter shall be referred to as the "BW
56 University Green Reuse Area," for the purposes set forth in the Brownfields Redevelopment Act.

57
58 See legal description attached as **Exhibit A** and made a part hereof as if set forth in
59 full. The location of the property is shown on **Exhibit B** for visual reference. In the
60 event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

61
62 **Section 4.** The City Manager or designee is authorized and directed to notify the Florida
63 Department of Environmental Protection of the City Commission's resolution designating the
64 subject property as a Brownfield Area under the Brownfields Redevelopment Act.

65
66 **Section 5.** All resolutions or parts of resolutions in conflict herewith are to the extent of such
67 conflict hereby repealed.

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69 **Section 6.** This resolution shall become effective immediately upon adoption.

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72 **PASSED AND ADOPTED** this 6th day of December, 2018.

73
74
75
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77 _____
78 LAUREN POE
79 MAYOR

80 Attest:

Approved as to form and legality:

81
82 

83 _____
84 OMICHELE D. GAINEY
85 CLERK OF THE COMMISSION

86 

87 _____
88 NICOLLE SHALLEY
89 CITY ATTORNEY

Legal Description

**BW University and 10th Green Reuse Area
1007 and 1021 E. University Avenue & 15 SE 10th Street
Gainesville, Alachua County, FL 32601**

Parcel ID Nos. 12005-000-000, 12007-000-000, 12007-001-000, and 12007-002-000

LOTS 2, 3, 4, 5, & THAT CERTAIN 8 FOOT WIDE ALLEY LYING BETWEEN SAID LOTS 3 & 4 OF G.B. CRAWFORD ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 11 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; LESS & EXCEPT RIGHT OF WAY AS DESCRIBED BY ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 809, PAGE 671 OF SAID PUBLIC RECORDS, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 2, G.B. CRAWFORD ADDITION, SAID CORNER SITUATED ON THE NORTH RIGHT OF WAY LINE OF SOUTHEAST 1ST AVENUE (34 FOOT WIDE RIGHT OF WAY); THENCE SOUTH 89° 50' 17" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 177.93 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED LOT 4; THENCE SOUTH 89° 53' 07" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 171.97 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED LOT 5, LYING ON THE EAST RIGHT OF WAY LINE OF SOUTHEAST 10TH STREET (27 FOOT WIDE RIGHT OF WAY); THENCE NORTH 00° 34' 37" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 212.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5, LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 26 (RIGHT OF WAY WIDTH VARIES; THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID SOUTHERLY RIGHT OF WAY LINE; (1) THENCE NORTH 89° 30' 27" EAST, 87.59 FEET; (2) THENCE SOUTH 85° 35' 11" EAST, A DISTANCE OF 200.02 FEET; (3) THENCE NORTH 89° 40' 44" EAST, A DISTANCE OF 62.63 FEET TO AN INTERSECTION WITH THE EAST LINE OF AFOREMENTIONED LOT 2, G.B. CRAWFORD ADDITION; THENCE SOUTH 0° 32' 52" WEST, ALONG SAID EAST LINE, A DISTANCE OF 196.86 FEET TO THE POINT OF BEGINNING.



LEGEND
SITE BOUNDARY
PROPOSED BROWNFIELD
REDEVELOPMENT AREA



Project Mgr:	DMC	Project No:	H4187285
Drawn By:	VMC	Scale:	AS SHOWN
Checked By:	DMC	File No:	H4187285-2A
Approved By:	SDG	Date:	SEP-2018

Terracon
Consulting Engineers and Scientists
5403 W. Waters Ave. Ste 800
Tampa, Florida
Ph: (813) 271-0350 Fax: (813) 271-0651

BW University Green Reuse Area
1007 and 1021 E. University Avenue and 15 SE 10th Street
Gainesville, Alachua County, FL 32601

APPENDIX
A

SE 11ST STREET