

RESOLUTION NO. \_\_\_\_\_

990164

PASSED \_\_\_\_\_

**A Resolution approving the conditional final plat of "Capri Cluster Subdivision Phase V", located in the vicinity of NW 34<sup>th</sup> Drive and NW 44<sup>th</sup> Avenue, south side; and providing an immediate effective date.**

**WHEREAS**, the Development Review Board approved the design plat of "Capri Cluster Subdivision Phase V" on May 14, 1998, and

**WHEREAS**, the owner of the plat has submitted a conditional final plat which substantially conforms to the design plat as approved by the City Commission on June 8, 1998 and which incorporates all modifications and revisions specified in such approval; and

**WHEREAS**, the owner of the proposed subdivision has requested the City Commission to accept and approve the plat with certain conditions as provided in Chapter 177 of the Florida Statutes and Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida; and

**WHEREAS**, the City Commission finds that the conditional final plat described herein is consistent with the City of Gainesville 1991-2001 Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA;**

**Section 1.** The plat of "Capri Cluster Subdivision Phase V" is accepted and approved by the City Commission on the following

described property lying in the City of Gainesville, Alachua County, Florida:

(See Exhibit "A" attached hereto and made a part hereof as if set forth in full)

**Section 2.** The owner and/or subdivider of the plat shall fully complete all subdivision improvements within two (2) years of the effective date of this Resolution in full accordance with approved plans and specifications and the ordinance of the City of Gainesville.

**Section 3.** The "Capri Cluster Subdivision Phase V" plat shall not be recorded, but shall be retained by the Clerk of the Commission until the City Manager shall have certified that all required improvements have been completed in accordance with approved plans and specifications and ordinances of the City and the same has been approved by the City Commission. Upon such certification by the City Manager and upon proof by title insurance or other similar assurance to the satisfaction of the City that there are no liens or possibilities of liens on such subdivision improvements or on the property dedicated to the public, and that the dedicator or dedicators have clear fee title thereto, the City shall approve such plat and other dedicated portions as shown on the approved plat and the subdivider shall record the plat and provide copies as specified in Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida.

**Section 4.** No building permits shall be issued on the property within the boundaries of the "Capri Cluster Subdivision

Phase V" plat until such plat has been approved and accepted by the City Commission and filed in the public records of Alachua County, Florida.

**Section 5.** No construction activities, including clearing and grubbing, shall begin without a permit being issued or a letter of permit exemption by the St. Johns River Water Management District. A copy of the permit must be on file with the City Public Works Department prior to commencement of any site work.

**Section 6.** During construction, the subdivider may, upon the posting of a bond or other such security for the cost of the uncompleted improvements, have this conditional approval converted to final approval and acceptance provided that all other requirements and conditions of Chapter 30 of the Code of Ordinances applicable to final plat acceptance have been met.

**Section 7.** The Clerk of the Commission is authorized and directed to affix his signature to the record plat on behalf of the City Commission and accept dedicated portions as shown on the plat when all of the conditions as provided in Sections 2-6 of this Resolution have been met.

**Section 8.** This resolution shall be effective immediately

upon adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_,  
1999.

\_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
KURT LANNON,  
CLERK OF THE COMMISSION

\_\_\_\_\_  
MARION J. RADSON, CITY ATTORNEY

## Exhibit A

A part of the East 1/2 of Section 23, Township 9 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the southeast corner of said Section 23 and run thence North 00°19'35" West along the east line of said section, 1328.56 feet; Thence South 89°40'25" West, 50.00 feet a concrete monument (no identification) on the west right-of-way line of NW 34th Street (100 foot right-of-way) marking the Northeast corner of Sable Chase Phase II, a subdivision recorded in Plat Book "Q", Page 52 of the Public Records of Alachua County, Florida, and the Point of Beginning;

Thence South 89°19'20" West along the North line of said Sable Chase Phase II and along the North line of Sable Chase Phase I, a subdivision recorded in Plat Book "P", Page 29, of said Public Records, a distance of 479.52 feet to a concrete monument (LB 5075 PRM C&E Inc.) marking the southeast corner of Capri Cluster Subdivision Phase IV, a subdivision recorded in Plat Book "?", Page ?? of said Public Records;

Thence (the following 6 calls are along the easterly boundary of said Capri Cluster Subdivision Phase IV) North 11°47'07" West a distance of 235.45 feet;

Thence North 11°31'03" West, 84.21 feet;

Thence North 15°17'02" West, 77.58 feet;

Thence North 10°47'11" West, 76.23 feet;

Thence North 05°48'38" West, 75.33 feet;

Thence North 00°28'43" West, 375.80 feet to the south right-of-way line of Northwest 44th Place (right-of-way varies) and to the boundary of Capri Cluster Subdivision Phase I, recorded in Plat Book "S", Pages 45-47 of said Public Records;

Thence (the following 15 calls are along the boundary of said Capri Cluster Subdivision Phase I) North 89°31'17" East, 62.89 feet to the beginning of a curve, concave northerly and having a radius of 380.00 feet;

Thence easterly along and with the arc of said curve through a central angle of 01°42'47" an arc distance of 11.36 feet and a chord bearing and distance of North 88°39'53" East, 11.36 feet to the end of said curve and the beginning of a curve, concave southwesterly and having a radius of 25.00 feet;

Thence southeasterly along and with the arc of said curve through a central angle of 91°42'47" an arc distance of 40.02 feet and a chord bearing and distance of South 46°20'07" East, 35.88 feet to the end of said curve;

Thence North 75°59'46" East, 51.43 feet to the beginning of a curve, concave southeasterly and having a radius of 25.00 feet;

Thence northeasterly along and with the arc of said curve through a central angle of 71°17'15" an arc distance of 31.10 feet and a chord bearing and distance of North 35°09'54" East, 29.14 feet to the end of said curve and the beginning of a curve, concave northwesterly and having a radius of 380.00 feet;

Thence northeasterly along and with the arc of said curve through a central angle of 09°24'30" an arc distance of 62.40 feet and a chord bearing and distance of North 66°06'17" East, 62.33 feet to the end of said curve and the beginning of a curve, concave southeasterly and having a radius of 320.00 feet;

Thence northeasterly along and with the arc of said curve through a central angle of 18°21'45" an arc distance of 102.50 feet and a chord bearing and distance of North 70°34'55" East, 102.12 feet to the end of said curve and the beginning of a curve, concave southwesterly and having a radius of 25.00 feet;

Thence southeasterly along and with the arc of said curve through a central angle of 99°45'30" an arc distance of 43.53 feet and a chord bearing and distance of South 50°21'28" East, 38.23 feet to the end of said curve;

Thence South 83°56'20" East, 50.33 feet;

Thence South 00°28'43" East, 29.93 feet;

Thence North 89°31'17" East, 100.00 feet;

Thence South 00°28'43" East, 155.00 feet;

Thence South 25°29'02" East, 82.76 feet;

Thence South 18°54'49" East, 73.69 feet;

Thence South 00°28'43" East, 237.93 feet;

Thence leaving the boundary of said Capri Cluster Subdivision Phase I, South 89°21'22" West, 248.62 feet;

Thence South 00°19'35" East, 210.00 feet;

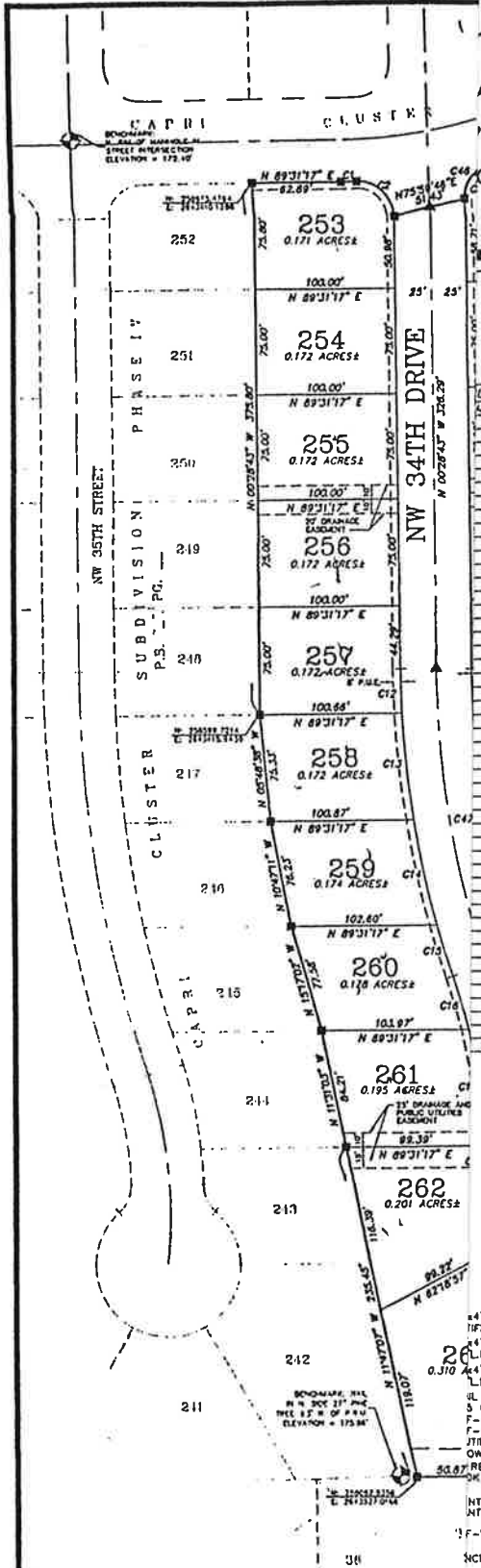
Thence North 89°21'22" East, 273.62 feet to the west right-of-way line of NW 34th Street (100 foot right-of-way);

Thence along said west right-of-way line South 00°19'35" East, 173.41 feet to the Point of Beginning.



# ERASE V

PLAT BOOK — , PAGE —  
SHEET ONE OF ONE



ANG	CHORD	CO. BNG.
3.58	11.36	N45°12'34"E
23.76	35.86	N44°20'07"W
9.39	17.37	S12°21'18"W
4.81	13.70	S52°22'24"W
31.17	67.33	N45°09'12"E
51.17	102.12	S70°14'55"E
23.37	34.23	N50°21'28"W
77.59	153.14	N02°21'17"W
74.88	103.97	S43°21'54"E
54.04	107.97	S14°08'18"E
34.06	107.97	N18°08'18"W
13.34	30.71	S01°42'32"E
37.73	73.35	S83°24'00"E
34.51	76.56	S13°14'56"E
19.26	34.51	S14°40'42"E
18.71	38.43	N15°50'47"W
41.89	81.43	N58°25'41"W
11.82	23.24	N01°08'11"W
24.10	46.86	S14°08'01"E
32.90	62.50	S44°54'34"E
23.43	45.63	S77°22'22"E
49.91	70.63	S43°11'54"E
17.37	35.12	N02°10'04"W
37.21	73.75	N43°11'47"W
25.37	50.68	N15°21'11"W
11.59	27.17	S17°03'11"E
36.42	76.70	S12°14'15"E
37.71	73.35	S08°00'31"E
13.71	28.41	S01°37'04"E
29.50	56.51	S12°26'28"E
32.36	64.10	S12°26'28"E
9.13	18.24	N74°45'14"W
10.35	20.67	N72°28'13"W
11.80	24.30	N10°21'13"E
18.04	33.94	S19°47'43"W
25.50	50.17	S30°41'41"E
28.68	49.75	N82°21'28"E
29.81	50.00	N74°11'08"E
26.46	46.77	N27°13'27"W
9.43	17.68	S13°32'42"E
6.99	19.96	N17°21'37"W
21.19	46.34	N22°21'39"W
18.31	36.46	S24°42'02"E
28.63	58.85	S10°02'22"E
25.07	35.40	N43°24'09"W
12.31	29.14	S32°02'34"W
107.59	212.81	S02°11'07"E

**DEDICATION:**  
WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE HEREIN DESCRIBED LANDS TO BE KNOWN AS CAPRI CLUSTER SUBDIVISION PHASE V, AND DO DEDICATE TO THE CITY OF GAINESVILLE, ITS SUCCESSORS AND ASSIGNS FOREVER, THE STREETS, PUBLIC UTILITY EASEMENTS, AND DRAINAGE EASEMENTS AS SHOWN HEREON.

CORPORATION: EMMER DEVELOPMENT CORP.  
ADDRESS: 2801 S.W. ARCHER ROAD  
CITY: GAINESVILLE STATE: FLORIDA ZIP: 32601  
(SEAL)  
NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
ATTEST: \_\_\_\_\_ (SIGNATURE)  
SECRETARY: \_\_\_\_\_

**NOTARY:**  
STATE OF FLORIDA  
COUNTY OF ALACHUA  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ BY \_\_\_\_\_ (title) \_\_\_\_\_ OF \_\_\_\_\_ A CORPORATION, ON BEHALF OF THE CORPORATION. HE/SHE IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.  
(official notary signature and notary seal)  
(name of notary, printed or stamped)

**MORTGAGEE'S APPROVAL:**  
KNOW ALL MEN BY THESE PRESENTS THAT SOUTHWEST BANK OF FLORIDA, HOLDER OF THOSE CERTAIN MORTGAGES FILED FOR RECORD IN OFFICIAL RECORDS BOOK 2033, PAGE 1435, AND OFFICIAL RECORDS BOOK 2091, PAGE 1397 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, DOES HEREBY JOIN IN AND RATIFIES THE PLAT AND ALL DEDICATIONS AND RESERVATIONS HEREON.  
(SIGNATURE)  
RUSTY BRANSON, VICE-PRESIDENT  
(SEAL)  
ATTEST: \_\_\_\_\_  
ADDITIONAL RECORDATIONS OF ABOVE MORTGAGE: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**  
I DO HEREBY CERTIFY THAT THIS PLAT ENTITLED "CAPRI CLUSTER SUBDIVISION PHASE V" IS A TRUE & CORRECT REPRESENTATION OF A SURVEY MADE OF THE DESCRIBED LANDS UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT THIS PLAT AND SURVEY COMPLY WITH ALL REQUIREMENTS AS SET FORTH IN CHAPTER 177 OF THE FLORIDA STATUTES.  
SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINTED: KEVIN J. FLANAGAN  
REG. FLA. SURVEYOR CERT. NO. 3942

**APPROVAL OF CITY:**  
WE THE UNDERSIGNED DO HEREBY CERTIFY THIS PLAT CONFORMS TO THE REQUIREMENTS OF THE CITY OF GAINESVILLE, COUNTY OF ALACHUA, STATE OF FLORIDA ORDINANCES AND REGULATIONS AS FOLLOWS:  
SURVEYING REQUIREMENTS: \_\_\_\_\_ CITY SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_  
ENGINEERING REQUIREMENTS: \_\_\_\_\_ CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_  
CITY TRAFFIC ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_  
ACCEPTED BY THE DEVELOPMENT REVIEW BOARD:  
COMMUNITY DEVELOPMENT \_\_\_\_\_ DATE \_\_\_\_\_

LEGALITY OF DEDICATION: \_\_\_\_\_ CITY ATTORNEY \_\_\_\_\_ DATE \_\_\_\_\_  
UTILITY REQUIREMENTS: \_\_\_\_\_ UTILITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_  
AS CONFORMS TO THE LAWS OF THE STATE OF FLORIDA AND ADAPTABILITY TO CITY PLANS: \_\_\_\_\_ CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_  
ACCEPTED BY CITY COMMISSION: \_\_\_\_\_ CLERK OF CITY COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_  
**CLERK OF THE COURT:**  
HEREBY RECEIVED AND FILED THIS PLAT FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ YEAR OF \_\_\_\_\_  
CLERK OF THE CIRCUIT COURT \_\_\_\_\_ DEPUTY CLERK \_\_\_\_\_

ALL UTILITY EASEMENTS AS SHOWN ON THE PLAT SHALL AL EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOI CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATIO SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERV TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVE COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, I RESPONSIBLE FOR THE DAMAGES.

**CE Causseaux & Ellington,**  
Engineering • Surveying • Pl  
6011 NW 1st Place, Gainesville, Florida 32  
Phone: (352) 331-1978 Fax: (352) 331-2476 mailbox@

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