

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

PASSED \_\_\_\_\_

**A Resolution approving the final plat of "Portofino Cluster Development Phase II", located in the vicinity of S.W. 66<sup>th</sup> Drive, S.W. 17<sup>th</sup> Road and S.W. 20<sup>th</sup> Lane; and providing an immediate effective date.**

**WHEREAS**, the Development Review Committee of Alachua County approved the development plan of "Portofino Cluster Development Phase II" on July 8, 2004; and

**WHEREAS**, the owner of the plat has submitted a final plat which substantially conforms to the plat as approved by the Board of County Commissioners on August 24, 2004, and which incorporates all modifications and revisions specified in such approval; and

**WHEREAS**, the Portofino Cluster Development was annexed into the City of Gainesville by Ordinance No. 040280 on December 13, 2004; and

**WHEREAS**, the owner of the proposed subdivision has requested the City Commission to accept and approve the final plat 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 final plat described herein is consistent with the City of Gainesville 2000-2010 Comprehensive Plan.

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

**Section 1.** The final plat of " Portofino Cluster Development Phase II" 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 Clerk of the Commission is authorized and directed to affix his signature to the record plat on behalf of the City Commission and accept the dedication of public rights-of-way, easements, and other dedicated portions as shown on the plat.

**Section 3.** This resolution shall be effective immediately upon adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Charles S. Chestnut, IV  
Mayor-Commissioner Pro-Tempore

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Kurt Lannon,  
Clerk of the Commission

\_\_\_\_\_  
Marion J. Radson, City Attorney

H:\Marion Radson\Planning\Portofino Phase II final plat.doc



050466

**APPLICATION FOR SUBDIVISION  
DEPARTMENT OF COMMUNITY DEVELOPMENT**

OFFICE USE ONLY	
Petition No. <u>138SUB-05CC</u>	Fee: \$ _____
Map No(s). _____	Receipt No. _____
1 <sup>st</sup> Step Mtg. Date _____	EZ Area No. _____ EZ PD. _____

**CHECK ONE:**

Design       Final       Minor       Single lot replat

(See Sec. 30-180 to 30-193 for a definition of the above.)

Owner(s) of Record (please print)
Name: Emmer Development Corp.
Address: 2801 SW Archer Road Gainesville, FL 32608
Phone: 352-376-2444 Fax: 352-376-2260
(If additional owners, please include on back)

Applicant(s)/Agent(s), if different
Name: Causseaux & Ellington, Inc.
Address: 6011 NW 1st Place Gainesville, FL 32607
Phone: 352-331-1976 Fax: 352-331-24760

INFORMATION CONCERNING SUBDIVISION
Tax parcel no(s): 06677-002-000
Subdivision name: Portofino, Phase 2
Parcel location: 6600 block of SW 24th Avenue
Comprehensive Plan designation: Low Density Residential (County) Zoning: R-1a (County)
Gross area of subdivision (in acres): 16.36 ac.
Total number of lots: 53
Gross density (lots per gross acre): 3.24

I certify that the above statements are correct and true to the best of my knowledge.

Row M. Huff  
Applicant's signature

8/4/05  
Date

**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**  
**120 EAST FORSYTH STREET**  
**JACKSONVILLE, FL 32202-3382**  
**Phone: (904)354-7112**  
**Fax: (904)354-7117**

September 15, 2005

City of Gainesville  
Attn: Marion Radson  
200 East University Avenue  
Gainesville, FL 32602

RE: ORT # ALA 03064931 Revision

Plat Letter for "PORTOFINO CLUSTER DEVELOPMENT PHASE II"

Dear Mr. Radson:

This is to certify that we have searched the public records of ALACHUA County, Florida, through September 13, 2005 to the extent the same are maintained in the Office of the Clerk of the Circuit Court, on the property described in the caption of the proposed plat of PORTOFINO CLUSTER DEVELOPMENT PHASE II and more particularly described in attached legal description and this search reveals record title to said lands to be in the name of Emmer Development Corp. We further certify that our search reveals the following instruments to be not satisfied nor released of record:

1. NONE
2. Taxes Paid through 2004 under:
  - RE# 06676-000-000
  - RE# 06677-000-000
  - RE# 06679-000-000
3. Mortgages:
  - i. Mortgage from Emmer Development Corp. to Compass Bank, recorded in O.R. Book 2785, page 659, as modified in O.R. Book 2969, page 527.
  - ii. Financing Statement from Emmer Development Corp. to Compass Bank recorded in O.R. Book 2785, page 662, as modified in O.R. Book 2969, page 527.

- iii. Collateral Assignment of Leases, Rents and Profits from Emmer Development Corp. to Compass Bank recorded in O.R. Book 2785, page 659, as modified in O.R. Book 2969, page 527.

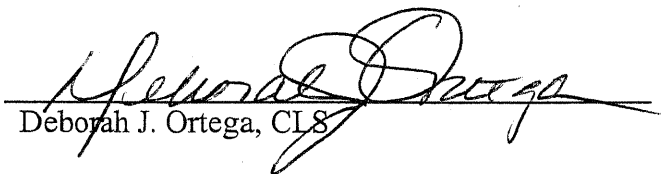
INFORMATION:

Easement to the City of Gainesville recorded in Official Records Book 1959, page 665, of the public records of Alachua County, Florida.

This certificate is issued solely for the purpose of complying with Section 177.041, Florida Statutes.

**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

BY:

  
Deborah J. Ortega, CLS

## PORTOFINO CLUSTER DEVELOPMENT PHASE II

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A PARCEL OF LAND SITUATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 88°57'51" WEST, ALONG THE SOUTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 2630.04 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY OF A 15' X 15' EASEMENT DESCRIBED IN OFFICIAL RECORD BOOK 1093, PAGE 740 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE FOLLOWING THE BOUNDARY OF SAID EASEMENT NORTH 01°04'12" WEST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 88°57'51" WEST, A DISTANCE OF 15.00 FEET TO THE INTERSECTION WITH THE BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2246, PAGE 1923 OF SAID PUBLIC RECORDS; THENCE NORTH 01°04'12" WEST, ALONG THE BOUNDARY OF SAID LANDS, A DISTANCE OF 632.54 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG THE BOUNDARY OF SAID LANDS NORTH 01°04'12" WEST, A DISTANCE OF 87.46 FEET;

THENCE CONTINUE ALONG THE BOUNDARY OF SAID LANDS NORTH 64°38'23" WEST, A DISTANCE OF 360.73 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD SW 30 (A.K.A. SW 24<sup>TH</sup> AVENUE) (100 FOOT RIGHT-OF-WAY), SAID POINT BEING ON A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1959.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 27°48'24" EAST, 166.86 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 4°52'46", AN ARC DISTANCE OF 166.91 FEET TO THE POINT OF TANGENCY;

THENCE NORTH 25°23'02" EAST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1444.11 FEET;

THENCE SOUTH 64°36'59" EAST, DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 98.29 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 20°45'40" EAST, 27.71 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°42'38", AN ARC DISTANCE OF 30.62 FEET TO THE POINT OF TANGENCY;

THENCE SOUTH 23°05'38" WEST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 66°54'22" EAST, A DISTANCE OF 50.00 FEET;

THENCE NORTH 23°05'38" EAST, A DISTANCE OF 21.41 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 20.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 69°14'20" EAST, 28.84 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 92°17'22", AN ARC DISTANCE OF 32.22 FEET TO THE POINT OF TANGENCY;

THENCE SOUTH 64°36'59" EAST, A DISTANCE OF 91.87 FEET;

THENCE SOUTH 25°23'01" WEST, A DISTANCE OF 622.00 FEET;

THENCE SOUTH 64°36'59" EAST, A DISTANCE OF 65.00 FEET;

THENCE SOUTH 25°23'01" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 64°36'59" EAST, A DISTANCE OF 5.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 35.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 19°36'59" EAST, 49.50 FEET;  
THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 54.98 FEET TO THE POINT OF TANGENCY;  
THENCE SOUTH 25°23'01" WEST, A DISTANCE OF 13.62 FEET;  
THENCE SOUTH 64°36'59" EAST, A DISTANCE OF 50.00 FEET;  
THENCE NORTH 25°23'01" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 20.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 50°22'51" EAST, 16.90 FEET;  
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'41", AN ARC DISTANCE OF 17.45 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 50.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 65°24'33" EAST, 17.31 FEET;  
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°56'18", AN ARC DISTANCE OF 17.40 FEET TO THE END OF SAID CURVE;  
THENCE SOUTH 64°36'59" EAST, A DISTANCE OF 96.72 FEET;  
THENCE SOUTH 25°23'01" WEST, A DISTANCE OF 943.70 FEET;  
THENCE SOUTH 88°57'24" WEST, A DISTANCE OF 175.78 FEET TO THE **POINT OF BEGINNING.**