

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601

## Text File

File Number: 180737.

Agenda Date: 3/21/2019

Version: 1

Status: Passed

In Control: City Manager

File Type: Staff  
Recommendation

Title

Usage Certificate (B)

**This item is a request for approval and authorization to execute and file a Usage Certificate.**

Explanation

The area commonly referred to as the "Duck Pond" was recorded in three separate plats over the years of 1922 to 1925. The plats are Highland Heights, Plat Book B, page 9, Highlands Park (a replat of part of Sunkist) Plat Book A, page 135, and Highland Terrace, Plat Book A, page 161 of the Public Records of Alachua County, Florida. All the plats contained an area referenced as a "Park" which is the actual pond area. That area is utilized as stormwater retention for the areas right of ways and has been maintained by the City since the plats were recorded. The "pond" areas of the plats were reserved onto the developers of the plats. Since they were reserved, they were never assigned parcel numbers.

A few years ago, the State required the County to assign parcel numbers to all lands contain in the county that were not identified by a parcel number. The County assigned 12249-000-000 to Highlands Terrace, Plat Book A, page 161, 12249-001-000 to Highlands Park, Plat Book A, page 135, and 12249-002-000 to Highlands Heights, Plat book B, page 9. After assigning parcel numbers to each parcel, the County assessed property taxes. The property taxes were billed to the developers of the plats and send general delivery. Since delivery was not successful, a certificate was issued to each of the three parcel and back taxes began accruing.

The areas of the Plats, identified as "Park" are typically used and maintained by the City. In accordance with the provisions of Section 95.361 (1), Florida Statutes, the usage certificate depicts and describes the right of way in which the City has maintained and kept in repair uninterruptedly for a period of four years or more. Staff suggest filing Usage Certificates, claiming title to the platted "Parks" and stormwater facilities of the Duck Pond.

Fiscal Note

Funding in the amount of \$100 for administrative costs is available in the Public Works FY19 operating budget for the document recording fees.

Recommendation

The City Commission: 1) approve and authorize the Mayor to execute, and the Clerk to attest the Usage Certificates, subject to approval by the City Attorney as to form and legality; and 2) authorize



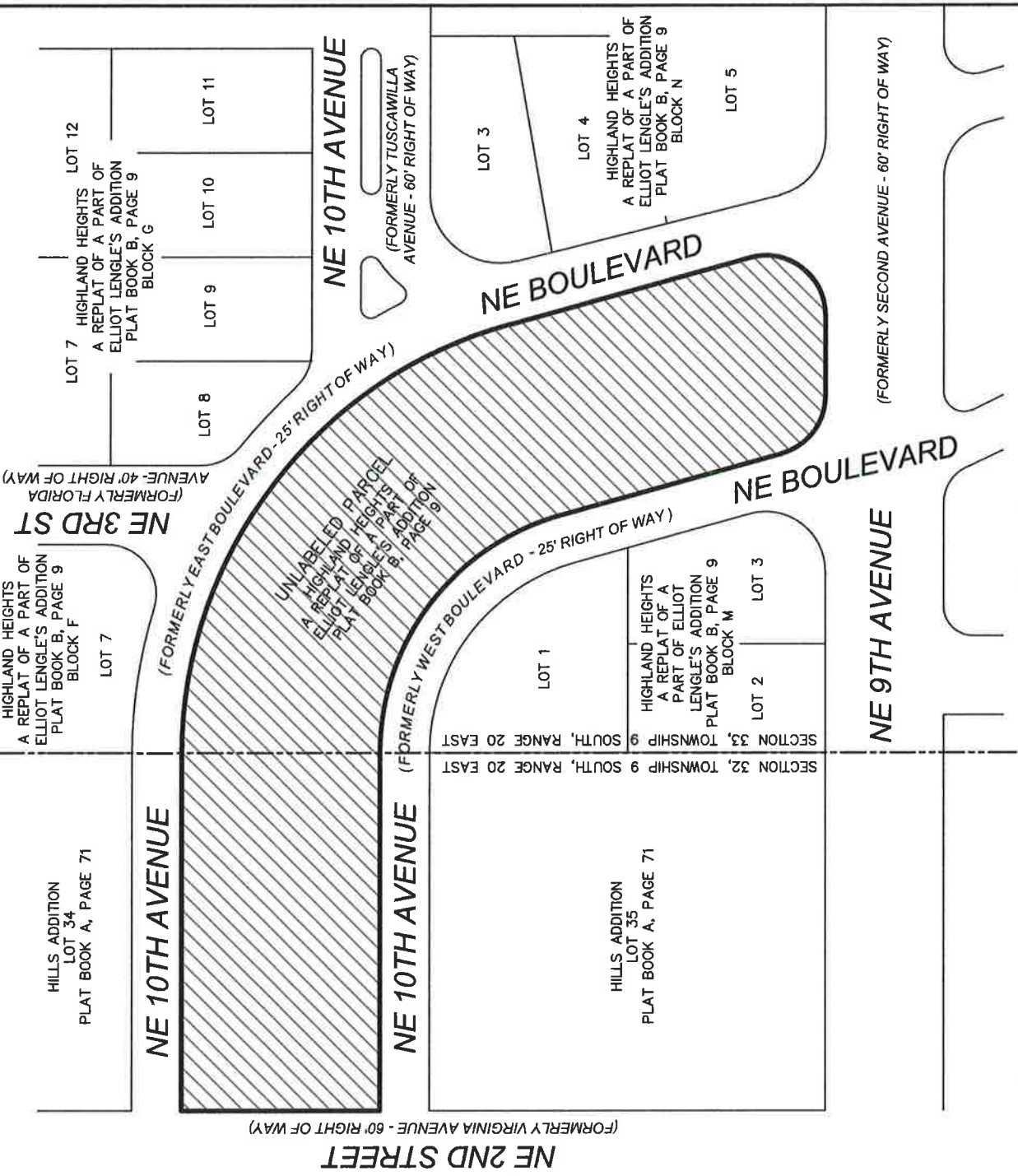
# USAGE CERTIFICATE MAP OF

**A PART OF HIGHLAND HEIGHTS, A REPLAT OF A PART OF ELLIOT LENGLE'S ADDITION, AS RECORDED IN PLAT BOOK B PAGE 9, ALACHUA COUNTY, FLORIDA AND BEING IN SECTIONS 32 & 33, TOWNSHIP 9 SOUTH, RANGE 20 EAST**

**LEGAL DESCRIPTION**

AN UNLABELED PARCEL OF LAND DEPICTED ON THE PLAT OF A PART OF HIGHLAND HEIGHTS, A REPLAT OF ELLIOT LENGLE'S ADDITION TO GAINESVILLE, AS RECORDED IN PLAT BOOK B, PAGE 9, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING A PART OF SECTIONS 32 & 33, TOWNSHIP 9 SOUTH, RANGE 20 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

A PARCEL OF LAND BEING BOUNDED ON THE NORTH BY NE 10TH AVENUE (FORMERLY EAST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED TO THE EAST BY NE BOULEVARD (FORMERLY EAST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE SOUTH BY NE 9TH AVENUE (FORMERLY SECOND AVENUE - A 60' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE WEST BY NE BOULEVARD (FORMERLY WEST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED); ADDITIONALLY BOUNDED ON THE SOUTH BY NE 10TH AVENUE (FORMERLY WEST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED); AND ADDITIONALLY BOUNDED AND CLOSED ON THE WEST BY NE 2ND STREET (FORMERLY VIRGINIA AVENUE - A 60' RIGHT OF WAY AS NOW ESTABLISHED).



**CERTIFICATE**

THIS IS TO CERTIFY THAT THE AREA HATCHED IN ON THIS MAP HAS BEEN CONSTRUCTED, MAINTAINED AND KEPT IN REPAIR WITHOUT INTERRUPTION AS AN APPURTENANCE TO NE BOULEVARD (A CITY STREET) FOR A PERIOD OF FOUR YEARS OR MORE BY THE CITY OF GAINESVILLE IMMEDIATELY PRIOR TO THIS CERTIFICATION.

DATE: 3/28/2019  
 DIRECTOR OF PUBLIC WORKS: [Signature]

**SURVEYORS NOTES**

- 1) THIS IS A MAP ONLY AND DOES NOT PURPORT TO BE A BOUNDARY SURVEY.
- 2) THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THIS OFFICE.
- 3) THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE INSTRUMENTS OF RECORD AND NOT OF RECORD AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.

**CERTIFICATE**

THIS IS TO CERTIFY THAT THE AREA HATCHED IN ON THIS MAP IS VESTED IN THE CITY OF GAINESVILLE PURSUANT TO THE PROVISIONS OF SECTION 95.361 (1): FLORIDA STATUTES, 2008.

DATE: 4/2/19  
 MAYOR: [Signature]  
 ATTEST: [Signature]

**DEGROVE**

*Surveyors, Inc.*  
 605 NW 53rd AVENUE, SUITE #A11A  
 GAINESVILLE, FLORIDA 32609  
 352-338-9667

FAX 352-338-9677  
 DEGROVE@DEGROVE.COM  
 LICENSED BUSINESS NUMBER L.B.4603

THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 5J-17.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE

[Signature]

THOMAS P. TRACZ, P.S.M., FLORIDA CERTIFICATION NO.6039

NOTICE: NO VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SCALE:  
 1" = 80'

JOB # 2018344



# USAGE CERTIFICATE MAP OF

A PART OF A REPLAT OF A PART OF SUNKIST,  
AS RECORDED IN PLAT BOOK A PAGE 135 , ALACHUA COUNTY, FLORIDA  
AND BEING IN SECTION 33, TOWNSHIP 9 SOUTH, RANGE 20 EAST

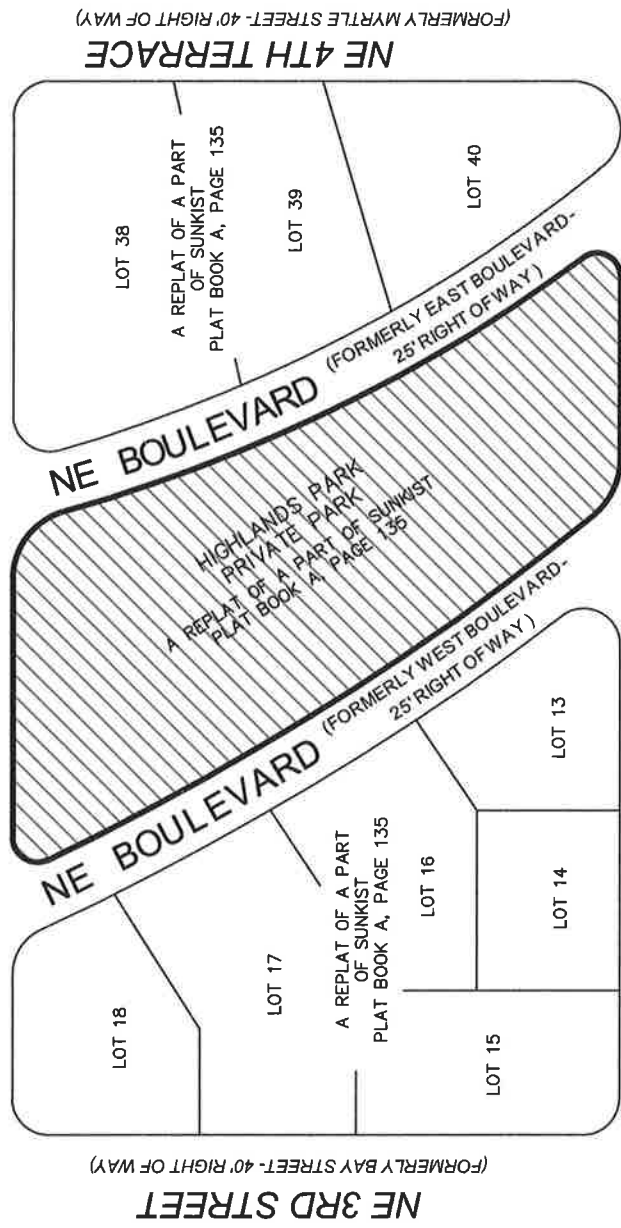
## LEGAL DESCRIPTION

A PART OF HIGHLANDS PARK, AS DEPICTED ON THE REPLAT OF A PART OF SUNKIST, AS RECORDED IN PLAT BOOK A, PAGE 135, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING A PART OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 20 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

THAT PORTION OF SAID HIGHLANDS PARK (LABELED PRIVATE PARK PER PLAT) BEING BOUNDED ON THE NORTH BY NE 9TH AVENUE (FORMERLY SECOND AVENUE - A 60' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE EAST BY NE BOULEVARD (FORMERLY EAST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE SOUTH BY NE 8TH AVENUE (FORMERLY BOUNDARY STREET - A 60' RIGHT OF WAY AS NOW ESTABLISHED); AND BEING BOUNDED AND CLOSED ON THE WEST BY NE BOULEVARD (FORMERLY WEST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED).



NE 9TH AVENUE (FORMERLY SECOND AVENUE - 60' RIGHT OF WAY)



NE 8TH AVENUE (FORMERLY BOUNDARY STREET - 60' RIGHT OF WAY)



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DATE: 3/28/2019

DIRECTOR OF PUBLIC WORKS: \_\_\_\_\_

## SURVEYORS NOTES

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DATE: 4/2/19

MAYOR: \_\_\_\_\_

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Thomas P. Tracz, P.S.M., Florida Certification No. 6039



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LICENSED BUSINESS NUMBER L.B.4603

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THOMAS P. TRACZ, P.S.M., FLORIDA CERTIFICATION NO. 6039

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SCALE:  
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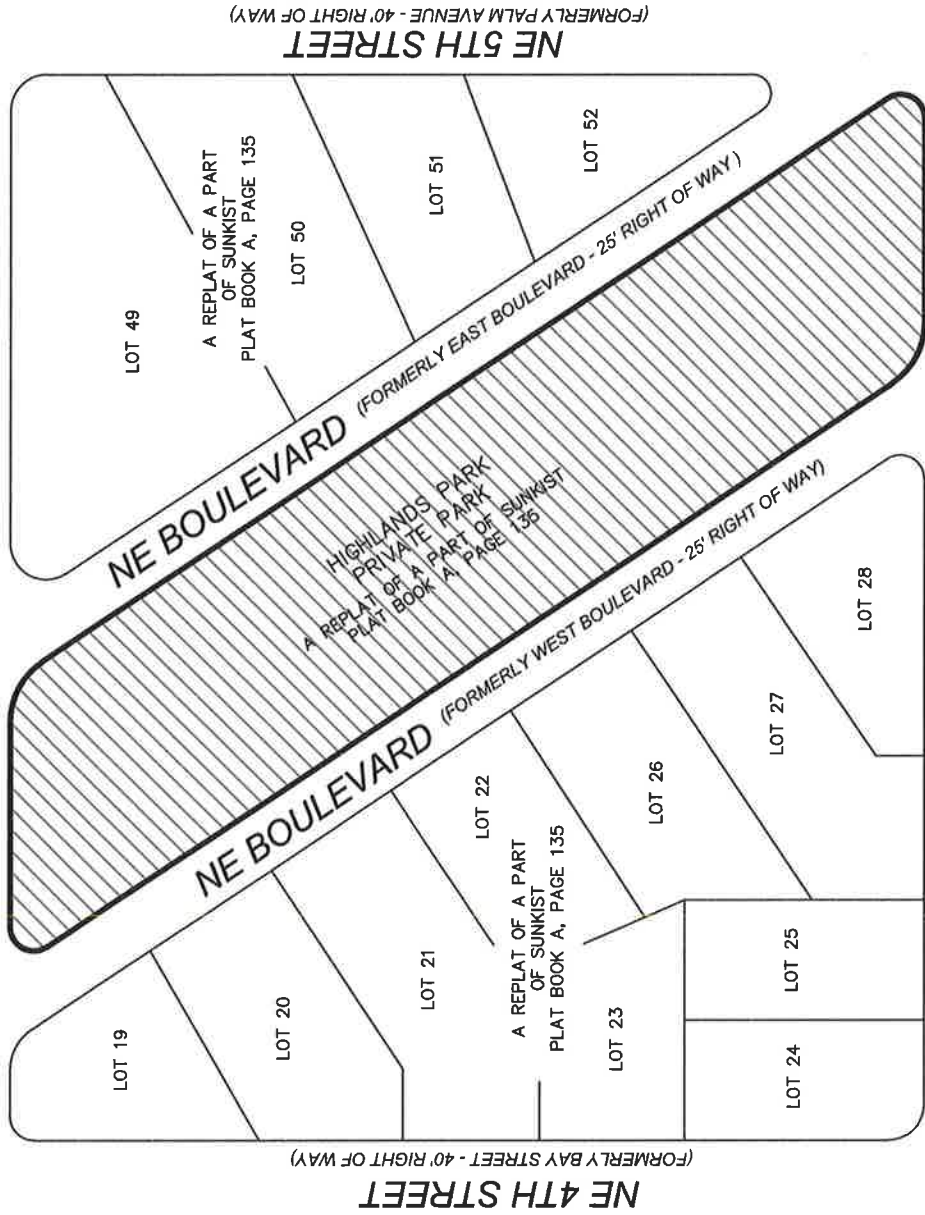
**A PART OF A REPLAT OF A PART OF SUNKIST,  
AS RECORDED IN PLAT BOOK A PAGE 135 , ALACHUA COUNTY, FLORIDA  
AND BEING IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST**

**LEGAL DESCRIPTION**

A PART OF HIGHLANDS PARK, AS DEPICTED ON THE REPLAT OF A PART OF SUNKIST, AS RECORDED IN PLAT BOOK A, PAGE 135, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA , BEING A PART OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

THAT PORTION OF SAID HIGHLANDS PARK (LABELED PRIVATE PARK PER PLAT) BEING BOUNDED ON THE NORTH BY NE 8TH AVENUE (FORMERLY BOUNDARY STREET - A 60' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE EAST BY NE BOULEVARD (FORMERLY EAST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE SOUTH BY NE 7TH AVENUE (FORMERLY COLUMBIA STREET - A 50' RIGHT OF WAY AS NOW ESTABLISHED); AND BEING BOUNDED AND CLOSED ON THE WEST BY NE BOULEVARD (FORMERLY WEST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED).

**NE 8TH AVENUE (FORMERLY BOUNDARY STREET - 60' RIGHT OF WAY)**



**NE 7TH AVENUE (FORMERLY COLUMBIA STREET - 50' RIGHT OF WAY)**

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DIRECTOR OF PUBLIC WORKS: [Signature]

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DATE: 4/21/19

MAYOR: [Signature]

ATTEST: [Signature]



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JOB# 2018344

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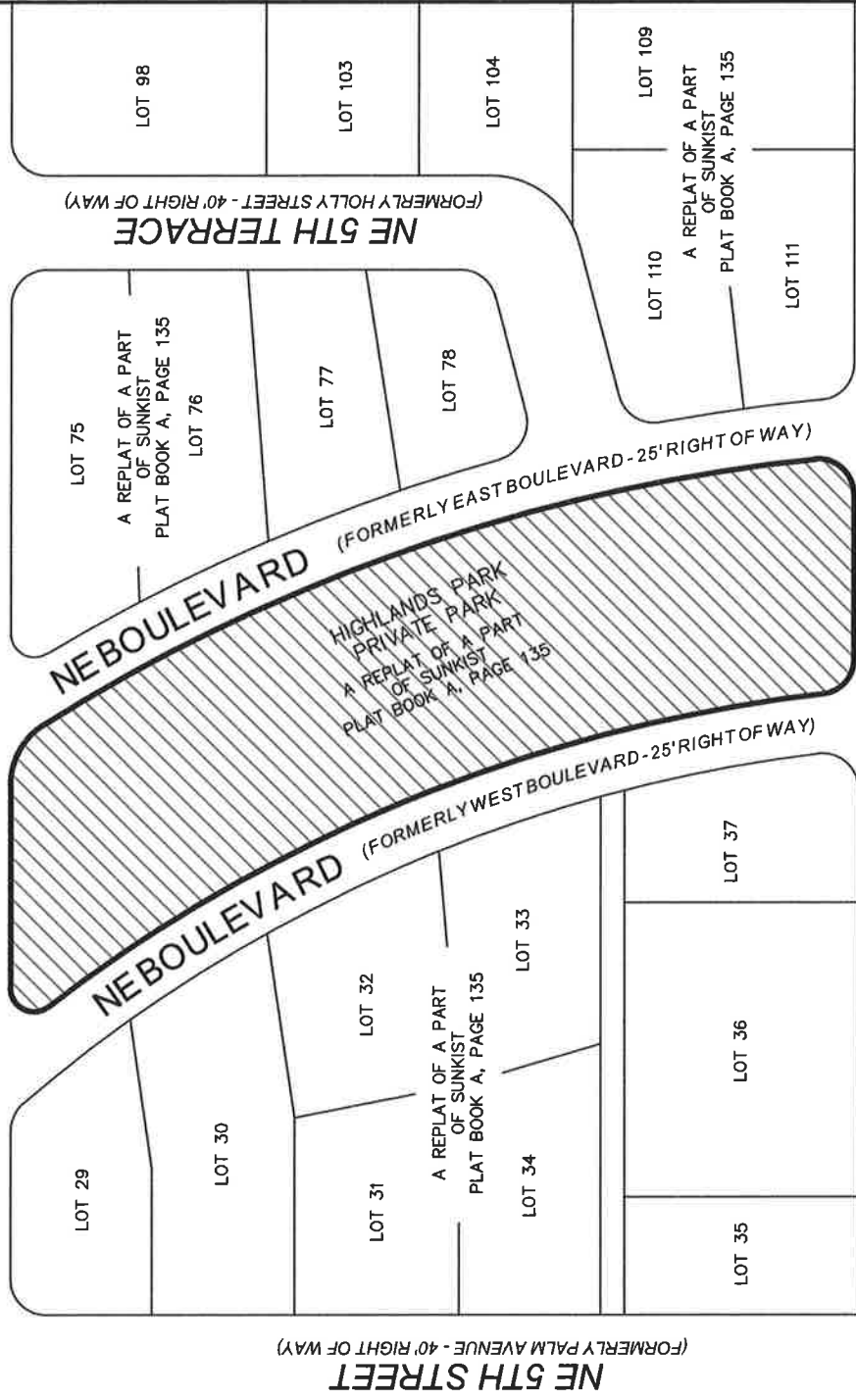
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**LEGAL DESCRIPTION**

A PART OF HIGHLANDS PARK, AS DEPICTED ON THE REPLAT OF A PART OF SUNKIST, AS RECORDED IN PLAT BOOK A, PAGE 135, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA , BEING A PART OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

THAT PORTION OF SAID HIGHLANDS PARK (LABELED PRIVATE PARK PER PLAT) BOUNDED ON THE NORTH BY NE 7TH AVENUE (FORMERLY COLUMBIA STREET - A 50' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE EAST BY NE BOULEVARD (FORMERLY EAST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED); BEING BOUNDED ON THE SOUTH BY NE 6TH AVENUE (FORMERLY LASSITER STREET - A 40' RIGHT OF WAY AS NOW ESTABLISHED); AND BEING BOUNDED AND CLOSED ON THE WEST BY NE BOULEVARD (FORMERLY WEST BOULEVARD - A 25' RIGHT OF WAY AS NOW ESTABLISHED).

NE 7TH AVENUE (FORMERLY COLUMBIA STREET - 50' RIGHT OF WAY)



NE 6TH AVENUE (FORMERLY LASSITER STREET - 40' RIGHT OF WAY)

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DATE: 3/28/2019  
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LICENSED BUSINESS NUMBER L.B.4603

THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 51-17.051 AND 51-17.052 FLORIDA ADMINISTRATIVE CODE

*[Signature]*

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SCALE:  
1" = 80'  
JOB# 2018344



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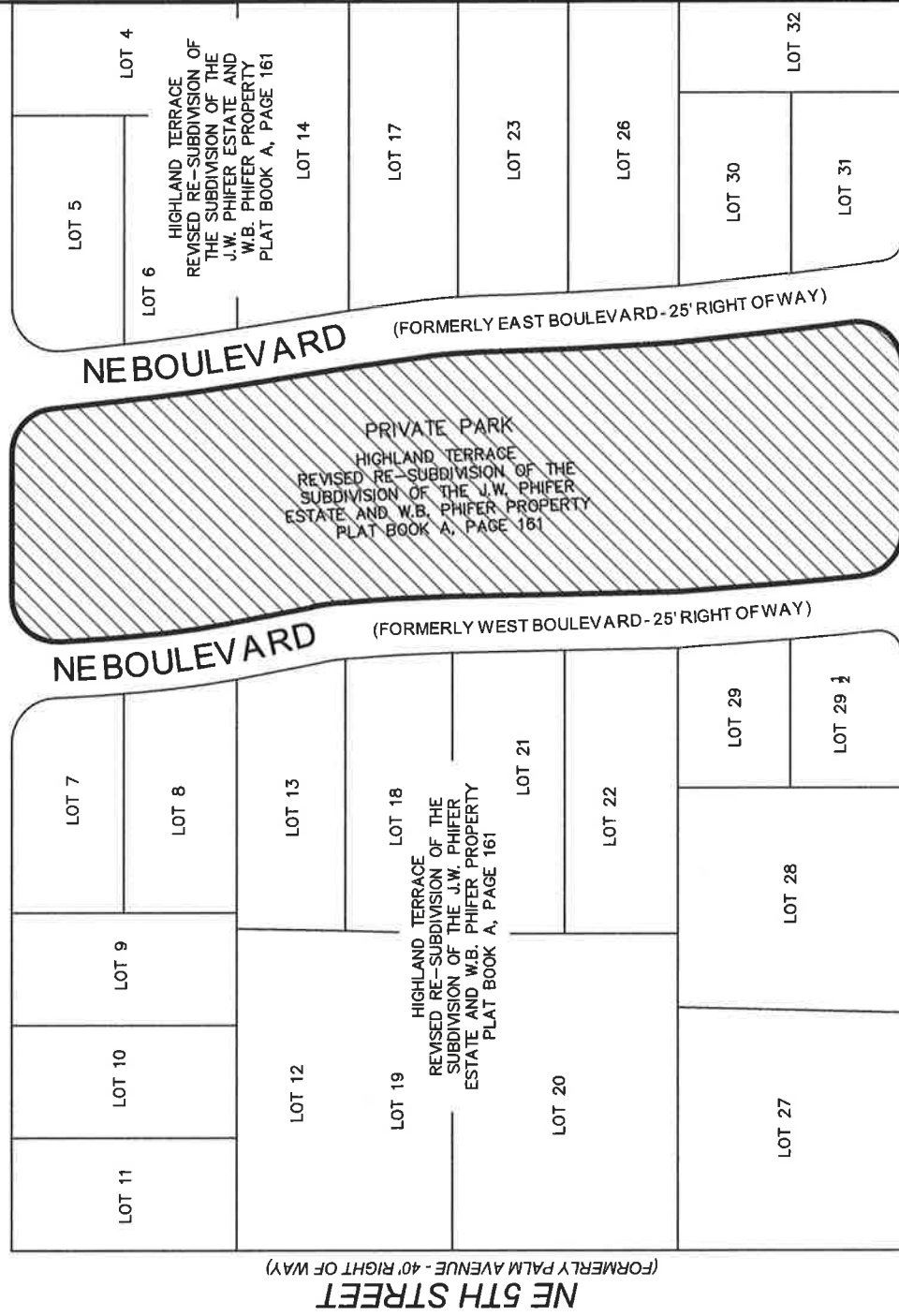
A PART OF HIGHLAND TERRACE, A REVISED RE-SUBDIVISION OF THE SUBDIVISION OF THE J.W. PHIFER ESTATE AND W.B. PHIFER PROPERTY AS RECORDED IN PLAT BOOK A, PAGE 161, ALACHUA COUNTY, FLORIDA AND BEING IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST

## LEGAL DESCRIPTION

A PARCEL OF LAND LABELED "PRIVATE PARK" AS PER THE PLAT OF HIGHLAND TERRACE, A REVISED RE-SUBDIVISION OF THE SUBDIVISION OF J.W. PHIFER ESTATE AND W.B. PHIFER PROPERTY AS RECORDED IN PLAT BOOK A, PAGE 161, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING A PART OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

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NE 6TH AVENUE (FORMERLY LASSITER STREET - 40' RIGHT OF WAY)



NE 5TH AVENUE (FORMERLY SEMINARY STREET - 40' RIGHT OF WAY)

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ATTEST: [Signature]

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