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3 **ORDINANCE NO. 171039**

4 **An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close**
5 **an unimproved public right-of-way between lots 3 and 4 of the G.B. Crawford**
6 **Addition Subdivision and located between SE 1st Avenue and East University**
7 **Avenue, as more specifically described in this ordinance; providing directions**
8 **to the Clerk of the Commission; providing a severability clause; providing a**
9 **repealing clause; and providing an effective date.**

10 **WHEREAS**, pursuant to Section 30-3.41 of the City of Gainesville’s Land Development Code
11 (Chapter 30 of the City of Gainesville Code of Ordinances), an application was initiated by the
12 owner(s) of land abutting the subject public right-of-way requesting the City to vacate,
13 abandon, and close the right-of-way; and

14 **WHEREAS**, the request to vacate the subject public right-of-way was presented to and
15 approved by the appropriate departments of the City of Gainesville; and

16 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
17 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
18 pursuant to Section 163.3174, Florida Statutes, held a public hearing on April 26, 2018, and
19 voted to recommend that the City Commission approve this vacation of public right-of-way;
20 and

21 **WHEREAS**, at least 10 days’ notice has been given once by publication in a newspaper of
22 general circulation notifying the public of this proposed ordinance and of public hearings in the
23 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

24 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
25 the parties in interest and all others had an opportunity to be and were, in fact, heard; and

26 **WHEREAS**, the City Commission finds that the vacation of the subject right-of-way meets the

1 required criteria in Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive
2 Plan and Section 30-3.41 of the Land Development Code.

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

5 **SECTION 1.** The following described public right-of-way is hereby vacated, abandoned, and
6 closed for use by the public generally:

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

10
11 **SECTION 2.** The City reserves unto itself, its successors and assigns a public and private utilities
12 easement over, under, across, and through the property described in Section 1 of this
13 ordinance for the purpose of installing, maintaining, and operating public and private utilities.

14 **SECTION 3.** The Clerk of the Commission or designee is authorized to record a true copy of this
15 ordinance in the public records of Alachua County, Florida.

16 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
17 the application hereof to any person or circumstance is held invalid or unconstitutional, such
18 finding shall not affect the other provisions or applications of this ordinance that can be given
19 effect without the invalid or unconstitutional provision or application, and to this end the
20 provisions of this ordinance are declared severable.

21 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
22 conflict hereby repealed.

23 **SECTION 6.** This ordinance shall become effective immediately upon adoption.

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1 PASSED AND ADOPTED this 21st day of June, 2018.

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LAUREN POE
MAYOR

9 Attest:

Approved as to form and legality:

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OMICHELE D. GAINNEY
CLERK OF THE COMMISSION


NICOLLE M. SHALLEY
CITY ATTORNEY

15

16 This ordinance passed on first reading this 7th day of June, 2018.

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18 This ordinance passed on second reading this 21st day of June, 2018.

DESCRIPTION

Date: December 13, 2017

Re: 8' Alley, G.B. Crawford Addition

Description:

THAT CERTAIN 8 FOOT WIDE ALLEY, LOCATED BETWEEN LOTS 3 AND 4, G.B. CRAWFORD ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 11, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

**ALL AS SHOWN ON THE MAP
ATTACHED HEREWITH AND
MADE A PART HEREOF**

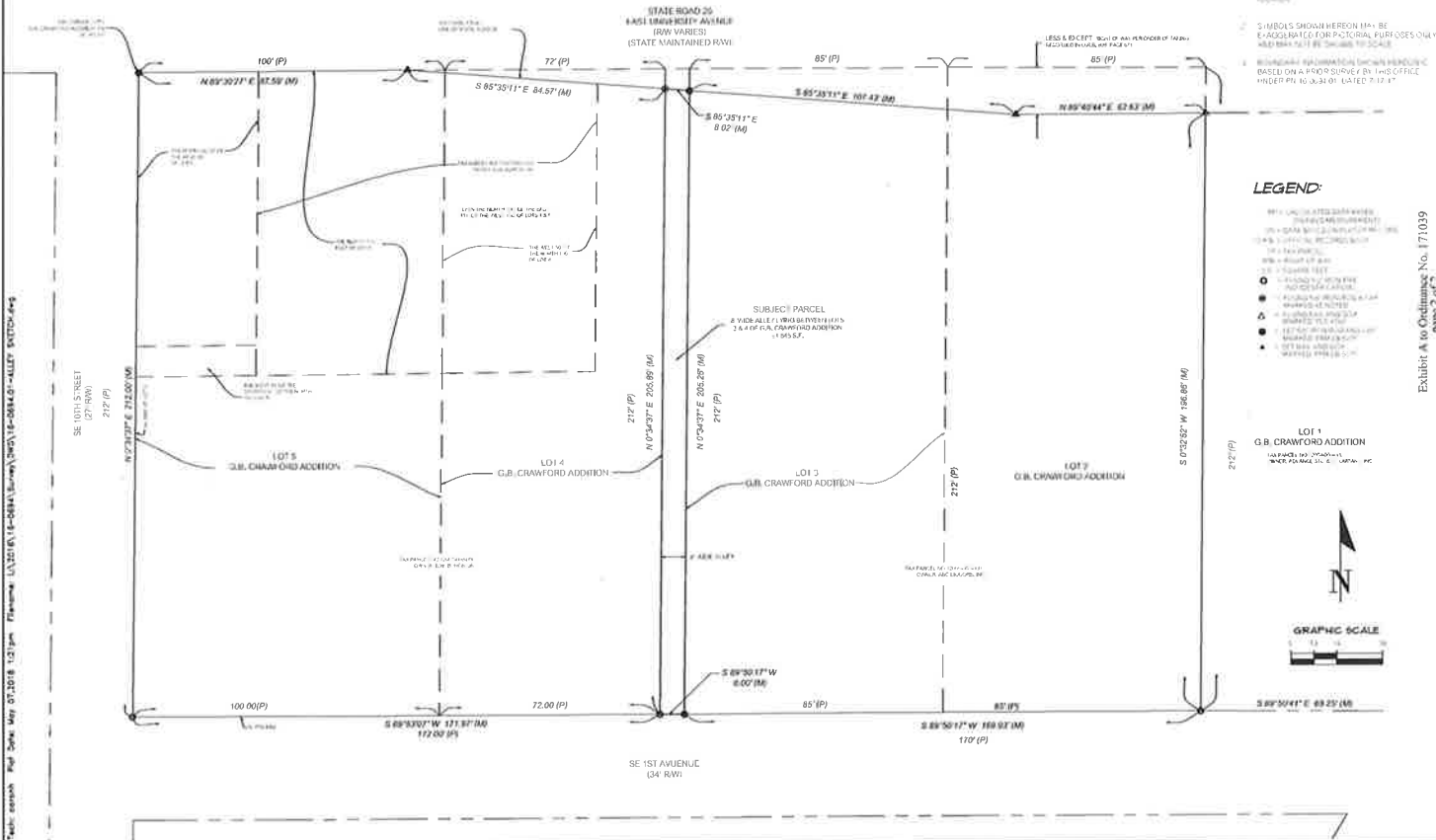
DESCRIPTION:

THAT CERTAIN 8' FOOT WIDE ALLEY, LOCATED BETWEEN LOTS 3 AND 4, G.B. CRAWFORD ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK "W" PAGE 11, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
OF AN 8' WIDE ALLEY SITUATED BETWEEN LOTS 3 & 4, G.B. CRAWFORD ADDITION, IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA.
SKETCH - NOT A BOUNDARY SURVEY

SURVEYOR'S NOTES:

1. BEARING SHOWS ANGLE FROM THE VALUE OF SOUTH OR 80° WEST FOR THE SOUTH BOUNDARY LINE OF LOTS 4 & 5 OF G.B. CRAWFORD ADDITION AS PER PLAT THEREOF RECORDED IN PLAT BOOK "W" PAGE 11 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.
2. DIMENSIONS SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE DIMENSIONAL.
3. BEING A PRELIMINARY SKETCH, THIS SKETCH IS BASED ON A PREVIOUS SURVEY BY THIS OFFICE UNDER FILE NO. 0-31-01 DATED 7-17-17.



LEGEND:

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Exhibit A to Ordinance No. 171039
 Page 2 of 2

CHW	
Professional Corporation	
State of Florida Alachua County Surveyor License No. 15-00551	State of Florida Alachua County Surveyor License No. 15-00551
This map prepared by: AARON H. HODMAN Surveyor of Alachua County, FL License No. 15-00551 State of Florida Alachua County Surveyor License No. 15-00551	2 OF 2



Exhibit B to Ordinance No. 171039

AERIAL PHOTOGRAPH

Name	Petition Request	Petition Number
<p>CHW, Inc. agent for E. W. Burch, Jr., AC Liquors, Inc., and BW University and 10th LLC, owners</p>	<p>Request to vacate an 8 foot wide alley lying between lots 3 and 4, G.B. Crawford Addition, between East University Avenue and SE 1st Avenue. Located south of East University Avenue, north of SE 1st Avenue and west of SE Williston Rd</p>	<p>PB-18-17 SUB</p>



No Scale