

**LEGISLATIVE #**

**180517A**

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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 10<sup>th</sup> 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 10<sup>th</sup> 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:**

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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.

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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**.

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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.

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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 \_\_\_ day of \_\_\_\_\_, 2018.

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\_\_\_\_\_  
LAUREN POE

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MAYOR

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Attest:

Approved as to form and legality:

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\_\_\_\_\_  
OMICHELLE D. GAINEY

\_\_\_\_\_  
NICOLE SHALLEY

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CLERK OF THE COMMISSION

CITY ATTORNEY

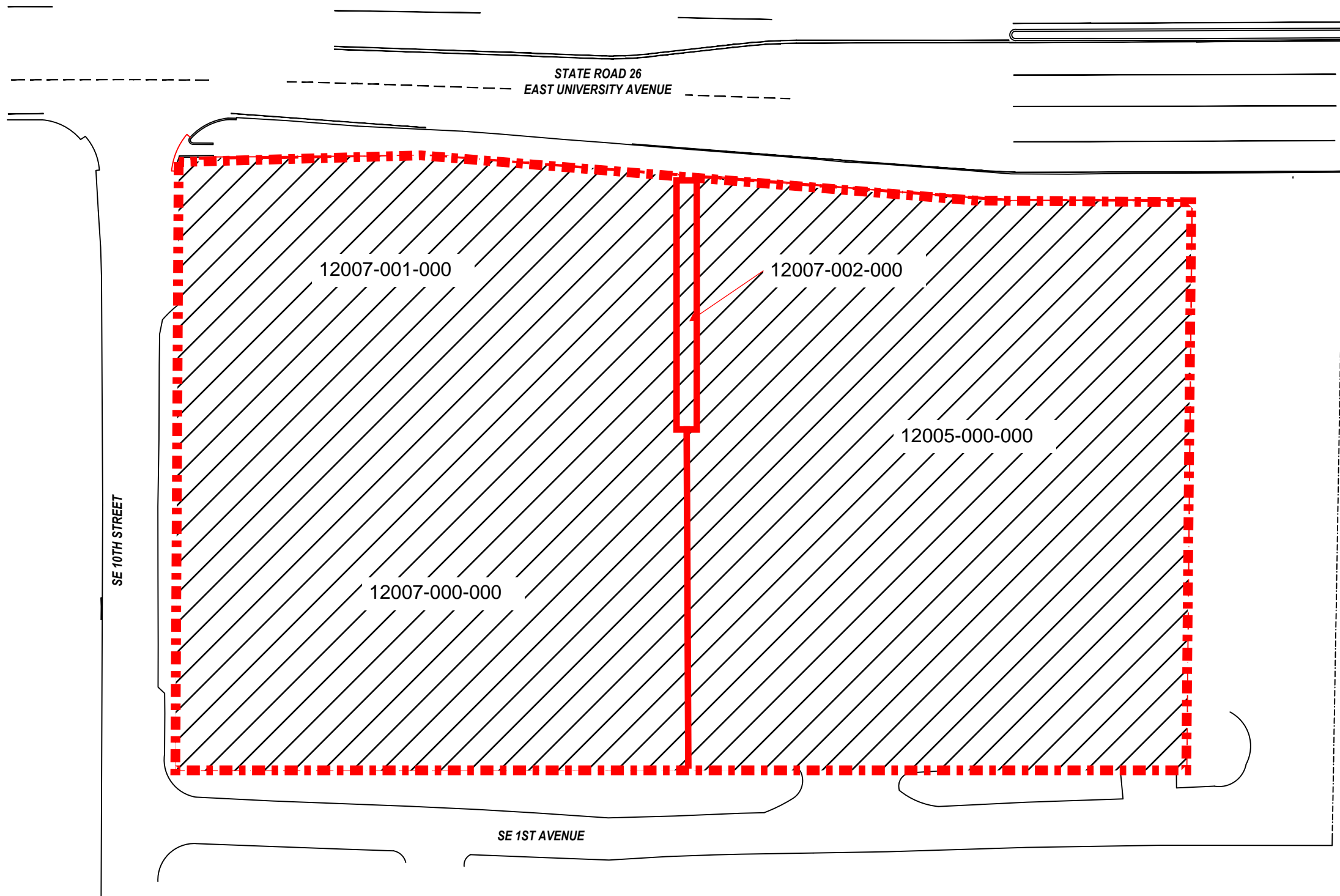
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# Legal Description


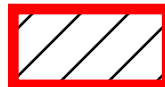
**BW University and 10th Green Reuse Area  
1007 and 1021 E. University Avenue & 15 SE 10<sup>th</sup> Street  
Gainesville, Alachua County, FL 32601  
Parcel ID Nos. 12005-000-000, 12007-000-000, 12007-001-000, and 12007-002-000**

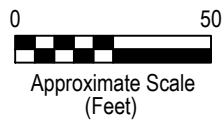
LOTS 2, 3, 4, 5, & THAT CERTAIN 8 FOOT WIDE ALLEY LYING BETWEEN SAID LOTS 3 & 4 OF G.B. CRAWFORD ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 11 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; LESS & EXCEPT RIGHT OF WAY AS DESCRIBED BY ORDER OF TAKING RECORDED IN OFFICIAL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



SE 11TH STREET  
Exhibit B to Ordinance No. 180517

Project Mngr:	DMC
Drawn By:	VMC
Checked By:	DMC
Approved By:	SDG

Project No.	H4187285
Scale:	AS SHOWN
File No.	H4187285-2A
Date:	SEP-2018

**Terracon**  
Consulting Engineers and Scientists  
5463 W. Waters Ave., Ste 830 Tampa, Florida  
PH. (813) 221-0050 FAX. (813) 221-0051

BW University Green Reuse Area

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

APPENDIX

**A**