

RESOLUTION NO. 040340

PASSED August 23, 2004

A Resolution approving the conditional final plat of "Krystle Pines Cluster Subdivision Phase II", located generally in the vicinity of NW 82nd Avenue and N.W. 44th Drive; providing directions to the Clerk of the Commission; and providing an immediate effective date.

WHEREAS, the Development Review Board approved the design plat of "Krystle Pines Cluster Subdivision Phase II" on January 9, 2003; and

WHEREAS, on February 10, 2003, the City Commission approved the design plat and on January 26, 2004, the City Commission granted a six-month extension of time of the design plat approval to July 26, 2004 in accordance with Section 30-183(J)(2) of the Code of Ordinances; and

WHEREAS, the City Commission approved the development schedule that allows subsequent phases to be filed at approximately six month intervals; 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 February 10, 2003, 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 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 2000-2010 Comprehensive Plan.

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

Section 1. The conditional final plat of "Krystle Pines Cluster Subdivision 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 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 ordinances of the City of Gainesville.

Section 3. The "Krystle Pines Cluster Subdivision Phase II" 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 “Krystle Pines Cluster Subdivision Phase II” 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 Suwannee River Water Management District and a pre-construction conference with the City Public Works Department. A copy of the Water Management District permit must be on file with the City Public Works Department prior to commencement of any site work.

Section 6. Except as further provided herein 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. However, the final plat (subdivision) approval of the Krystle Pines Cluster Subdivision Phase I is required prior to final approval of any subsequent phases.

Section 7. This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 23rd day of August, 2004.



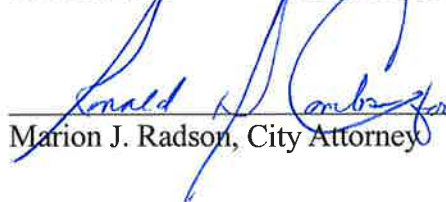
Pegen Hanrahan, Mayor

ATTEST:



Kurt Lannon,
Clerk of the Commission

APPROVED AS TO FORM AND LEGALITY:



Marion J. Radson, City Attorney

LEGAL DESCRIPTION: (BY SURVEYOR)

A PARCEL OF LAND LYING IN THE NORTH ONE-HALF (N ½) OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 89°13'00" WEST, ALONG THE NORTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 10, A DISTANCE OF 59.98 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF NW 43RD STREET (A 110 FOOT RIGHT-OF-WAY) AND THE POINT OF BEGINNING;
THENCE SOUTH 01°04'01" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 971.39 FEET;
THENCE NORTH 61°06'35" WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 266.50 FEET;
THENCE SOUTH 65°17'00" WEST, A DISTANCE OF 286.73 FEET;
THENCE NORTH 48°18'40" WEST, A DISTANCE OF 276.42 FEET;
THENCE NORTH 15°50'29" WEST, A DISTANCE OF 793.53 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 10;
THENCE NORTH 89°02'11" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 898.86 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 15.994 ACRES, MORE OR LESS.

EXHIBIT "A"