1 2	RESOLUTION NO. <u>040668</u> PASSED <u>November 8, 2004</u>
3 4 5 6 7 8 9	A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, DECLARING THAT CERTAIN REAL PROPERTY LOCATED IN THE VICINITY OF UNIVERSITY AVENUE AND N.W. SIXTH STREET, SOUTHWEST SIDE, IS EXCLUDED FOR USE AS RIGHT-OF-WAY; PROVIDING DIRECTIONS TO THE CLERK OF THE COMMISSION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.
12 13	WHEREAS, the City of Gainesville conveyed certain real property to the Gainesville
14	Community Redevelopment Agency by Warranty Deed dated April 10, 2001, recorded in the
15	Official Records Book 2358, Page 640 of Alachua County, Florida, for the purpose of seeking
16	the redevelopment of the property (hereinafter "redevelopment") in accordance with the adopted
17	Community Redevelopment Plan; and
18	WHEREAS, the aforesaid Warranty Deed excluded the east fifteen of the real property
19	for the express purpose of retaining same for "street-right-of way consisting of approximately
20	0.1 acres plus or minus (hereinafter referred to as the "excluded area";
21	WHEREAS, the City Commission finds that at no time has the excluded area ever been
22	used as right-of-way or included in any official city map as right-of-way, and the City further has
23	no future plans for use of the excluded area as right-of-way; and
24	WHEREAS, the City of Gainesville has conveyed by warranty deed entitled "Amended
25	Warranty Deed" dated January 28, 2004, recorded in Official Records Book 2857, Page1457 of
26	Alachua County, Florida, certain additional real property related to the redevelopment, which
27	real property is within the excluded area; and
28	WHEREAS, the City Commission of the City of Gainesville desires to declare that the
29	City has no plans for use of the excluded area as right-of-way, and that the excluded area is
30	available for redevelopment;

1	NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
2	CITY OF GAINESVILLE, FLORIDA:
3	Section 1. The City Commission adopts the findings made in the Whereas clauses set
4	forth above.
5	Section 2. The City Commission declares as follows: 1) the City has no plans for use of
6	the excluded area as right-of-way; and 2) the additional area was conveyed to the Gainesville
7	Community Redevelopment Agency for redevelopment purposes.
8	Section 3. The Clerk of the Commission shall record a true copy of this Resolution in the
9	Public Records of Alachua County, Florida.
10	PASSED AND ADOPTED this 8th day of November, 2004.
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13	Pegeen Hanrahan, Mayor
14	A TWO DOTS
15 16	ATTEST: APPROVED AS TO FORM AND LEGALITY:
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19	The same
20	Kurt Lannon, Clerk of the Commission Marion J. Radson, City Attorney
21 22 23	NOV - 9 2004
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INSTRUMENT # 2087563 3 PGS

3 PGS RESOLUTION NO. 040668 1 PASSED November 8, 2004 2 3 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 4 GAINESVILLE, FLORIDA, DECLARING THAT CERTAIN REAL 5 PROPERTY LOCATED IN THE VICINITY OF UNIVERSITY 6 AVENUE AND N.W. SIXTH STREET, SOUTHWEST SIDE, IS 7 AS RIGHT-OF-WAY; **EXCLUDED** FOR USE **PROVIDING** 8 DIRECTIONS TO THE CLERK OF THE COMMISSION; AND 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE. 10 11 12 WHEREAS, the City of Gainesville conveyed certain real property to the Gainesville 13 Community Redevelopment Agency by Warranty Deed dated April 10, 2001, recorded in the 14 Official Records Book 2358, Page 640 of Alachua County, Florida, for the purpose of seeking 15 the redevelopment of the property (hereinafter "redevelopment") in accordance with the adopted 16 Community Redevelopment Plan; and 17 WHEREAS, the aforesaid Warranty Deed excluded the east fifteen of the real property 18 for the express purpose of retaining same for "street-right-of way consisting of approximately 19 0.1 acres plus or minus (hereinafter referred to as the "excluded area"; 20 WHEREAS, the City Commission finds that at no time has the excluded area ever been 21 used as right-of-way or included in any official city map as right-of-way, and the City further has 22 no future plans for use of the excluded area as right-of-way; and 23 WHEREAS, the City of Gainesville has conveyed by warranty deed entitled "Amended 24 Warranty Deed" dated January 28, 2004, recorded in Official Records Book 2857, Page 1457 of 25 Alachua County, Florida, certain additional real property related to the redevelopment, which 26 real property is within the excluded area; and 27 WHEREAS, the City Commission of the City of Gainesville desires to declare that the 28 City has no plans for use of the excluded area as right-of-way, and that the excluded area is 29

available for redevelopment;

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE 2 CITY OF GAINESVILLE, FLORIDA: Section 1. The City Commission adopts the findings made in the Whereas clauses set 3 forth above. 4 5 Section 2. The City Commission declares as follows: 1) the City has no plans for use of the excluded area as right-of-way; and 2) the additional area was conveyed to the Gainesville 6 7 Community Redevelopment Agency for redevelopment purposes. 8 Section 3. The Clerk of the Commission shall record a true copy of this Resolution in the Public Records of Alachua County, Florida. 9 PASSED AND ADOPTED this 8th day of November, 2004. 10 11 12 Pegeen Hanrahan, Mayor 13 14 ATTEST: APPROVED AS TO FORM AND LEGALITY: 15 16 17 18 19 City Attorney Marion J. 20 Kurt Lannon, Work of the Commission 21 22 23 H:\Marion Radson\City Commission\RESOLUTION on street ROW (Lofts).doc