

## CITY COMMISSION PUBLIC MEETING

FROM: Department of Sustainable Development

DATE: November 18, 2021

**SUBJECT:** Petition CC-21-44 SUB: DRMP, Inc. (David Sowell), agent for Henderson, R L Jr Trustee, II. Request to vacate the plats, Green Ridge Unit 1 and Green Ridge Unit 2, OR 98/590 and PR 98/596, respectively, Tax Parcel 06496-000-000. Converting the plat into a single metes and bounds parcel. Zoned: RMF-7 (14 units/acre multi-family residential district). Located between NW 8<sup>th</sup> Avenue and Newberry Road/West University Avenue, east of NW 39<sup>th</sup> Road and west of NW 36<sup>th</sup>. Drive. (B)

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**Recommendation:**

Staff recommends that the City Commission approve Petition CC-21-44 SUB and adopt the proposed Resolution # 210547

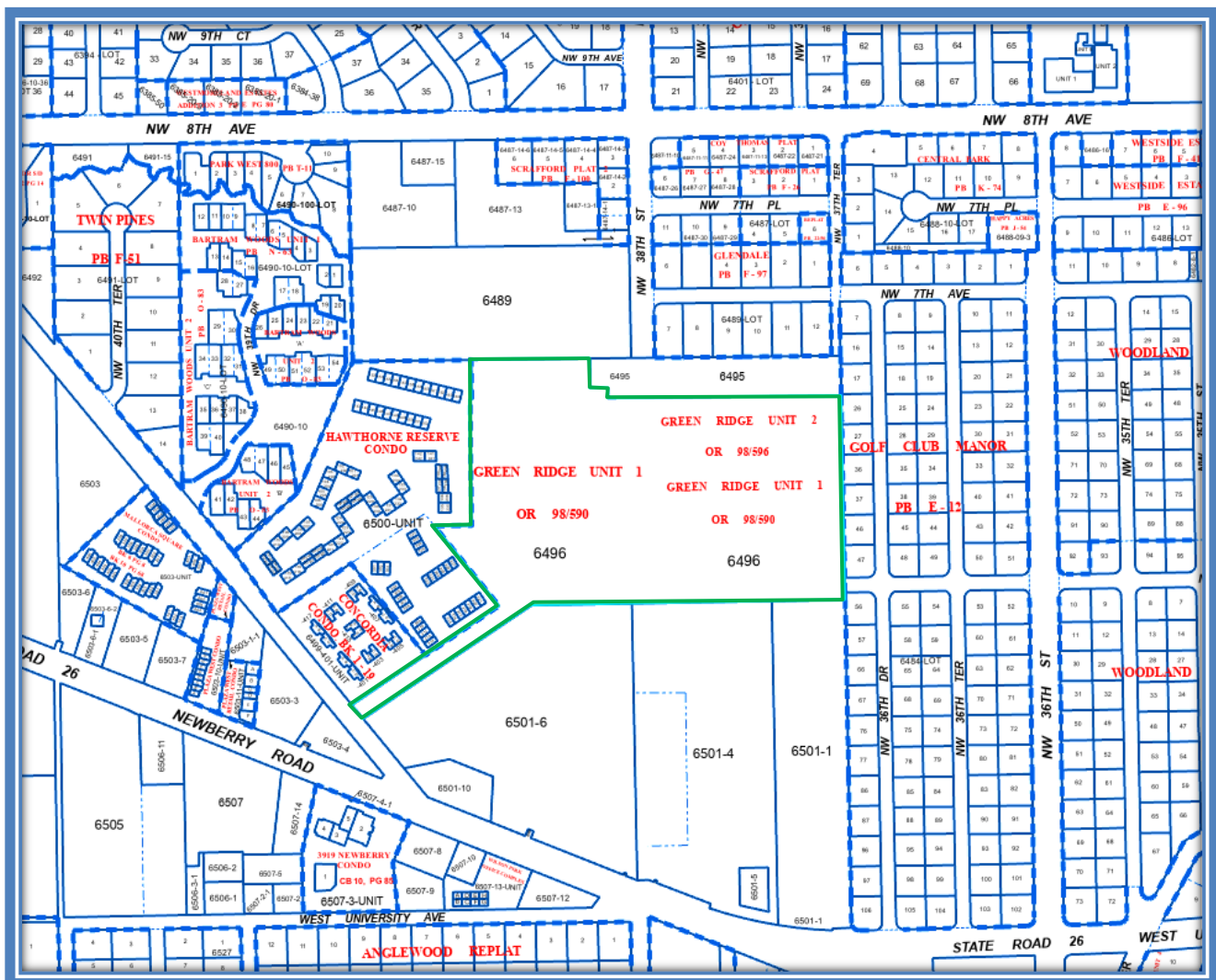
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**PROPERTY DESCRIPTION:**

<b>Address/Parcel:</b>	Located between NW 8 <sup>th</sup> Avenue and Newberry Road/West University Avenue, east of NW 39 <sup>th</sup> Road and west of NW 36 <sup>th</sup> . Drive.
<b>Acreage:</b>	22.28 Acres
<b>Land Use:</b>	Residential Medium-Density (RM): 8-30 units per acre
<b>Zoning:</b>	RMF-7 (Multi-family Residential)
<b>Special Features:</b>	Significant sized parcel, with very little frontage along improved roadway. Contains some wetland features.
<b>Agent/Applicant:</b>	DRMP, Inc. (David Sowell).
<b>Property Owner:</b>	Henderson, R L Jr Trustee, II
<b>Related Petitions:</b>	DB-21-52 SPL Development Plan Review - Affordable Residential Development

The subdivision contains frontage on two City roads, NW 39<sup>th</sup> Road on the west side and NW 5<sup>th</sup>. Drive, on the east side. The property is undeveloped and includes some wetlands. Upon approved the property will be converted to acreage. Staff is currently reviewing a proposed development on the property with frontage on the two adjacent roadways, NW 39<sup>th</sup>. Road and NW 5<sup>th</sup>. Drive.

**Map 1. Location of Green Ridge Plat Unit 1 and Unit 2**



**The key issues related to implementing the plat vacation are:**

1. Authorization of the applicant to vacate the referenced Green Ridge Subdivisions.
2. Providing adequate access to the resulting acreage parcel to facilitate minimum allowable development.
3. Maintaining current property rights and right of convenient access of persons owning property within or surrounding the subdivisions.

**Comprehensive Plan Consistency:**

The Green Ridge subdivision is located in an area with a land use designation of RM (Residential Medium) under the City's Future Land Use Element. The RM land use designation allows up to 30 units per acre by right. The land shown as Residential Medium-Density on the Future Land Use Map identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family, and medium-intensity multi-family development. The area is intended to be supportive of multi-modal transportation, which requires higher densities.

The plat vacation is supported by several comprehensive plan principles, goals, objectives and policies.

Objective 2.1, specifically addresses redevelopment.

Objective 2.3 requires coordination with other agencies to promote Redevelopment; and

Policy 2.1.1.c. states that, "The City should identify potential infill and redevelopment sites; provide an inventory of these sites; identify characteristics of each parcel, including land development regulations, infrastructure availability, major site limitations, and available public assistance; and develop a strategy for reuse of these sites;

1. The plat vacation supports the long-term vision of redevelopment and infill within the urban areas of the City, as stated in Transportation Element Policy 3.1.4 Development and redevelopment projects shall be encouraged to provide bicycle and pedestrian access to adjacent properties. Connectivity or stub-outs for future connections shall be included in development and redevelopment plans.
2. The plat vacation will allow the combination of small lots to create a larger parcels that will support higher density multi-family housing in a suitable area of the City. The Comprehensive Plan's preferred highest density of 30 units per acre cannot be achieved under the old subdivision. The higher densities are considered transit-supportive, and the combination of lots will allow for a future mix of uses and a more efficient use of land within the City. This vision is consistent within a City which has a strong focus on infill development.
3. Chapter 163.3177(6) (a) 2.j. require that local government's future land use plans and amendments be based upon surveys, studies, and data regarding its jurisdictions. The Statute emphasizes the "... The need to modify land uses and development patterns within antiquated subdivisions." Antiquated subdivisions are defined in state law (Chapter 163.3154 (5)) as "a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued build out of the subdivision in accordance with the subdivision's zoning and land use purposes would cause

an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located.” The Green Ridge plat vacation meets the state statute definition for an antiquated subdivision. Vacating this plat will lead to a more efficient and fiscally responsible development pattern in this part of the City which is easily accessible to non-residential developments.

### **Florida Statutes Chapter 177.102 and Land Development Code Compliance:**

Florida Statutes require that reversion of subdivided land to acreage shall be in accordance with the provisions of F.S. § 177.101, (see attached Attachment B). Staff has reviewed the request based on the requirements of FS 177.101 with the following findings:

1. In accordance with the above referenced statutes, the City intends to adopt a resolution requesting that Alachua County adopt a similar resolution, vacating the Green Ridge plat.
2. The application includes documentation indicating that the owners of Green Ridge Subdivisions, **Henderson, R L Jr Trustee, II**, owns fee simple title to the Green Ridge Subdivisions, to be vacated, (See Attachment E).
3. The plat vacation by the governing body of the county will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.  
The requested plat vacation is for all of Green Ridge subdivisions, Unit 1 and 2. There are no other properties that will be denied rights or right of convenient access to the general roadway network. The existing plat shows a connection to the general road network via frontage along NW 39<sup>th</sup>. Road and NW 5<sup>th</sup>. Drive. Access to lots shown on the old plats is shown as “Paper-Streets” with one potential connection to NW 5th. Drive.
4. The applicant seeking to vacate the plat either in whole or in part shall provide legal notice of their intention in a newspaper of general circulation in the county.
5. Proper notice for the public hearing has been provided by the applicant in the form of a public notices in a local newspaper, (See Attachment E).
6. The applicant must provide certificates showing that all state and county taxes have been paid to vacate said plat.  
The applicant has provided documents attesting to the payment of all state and county taxes satisfactory to the regulating agencies. Prior to adoption of the resolution, certificates of payment will be required, (See Attachment E).
7. The county, Alachua County, shall be furnished with a certified copy of a resolution of the City Commission verifying vacation of the subject plat.



This review process will result in a resolution which will be executed by the City Commission and presented to Alachua County as evidence that the City Commission has vacated the subject portion of the subdivision.

8. Staff has determined that the associated roadways, streets, and alleys to be vacated are not roadways or streets necessary for use by the travelling public and can be vacated without creating limitations to the overall transportation network.

#### **Land Development Code Compliance:**

The property has development rights by virtue of the County approved subdivision establishing individual lots within the subdivision. The property was annexed into the city in 1961 and has a zoning designation of RMF-7 which affords development rights, subject to development standards. Vacation of the plat would modify those rights by transferring them to the resulting acreage parcel per the Gainesville Land Development Code. Accordingly, the code also establishes minimum development standards as a pre-requisite for implementing development on a parcel. One important criterion which is relevant to the plat vacation is availability of adequate access commensurate with the type of development. After the plat is vacated and the property converted to acreage, it must meet minimum access and development standards in order to be considered for future development. Since the property has limited frontage to an improved public right-of-way or an approved private street, the property would be allowable development of rights based on its ability to provide adequate access. During development plan review, adequate rights-of-way to the public road network shall be established in the form of a dedicated right-of-way, or an approved private street or access route.

#### **Condition 1.**

After approval of the plat vacation, the resulting individual parcels shall be subject to development rights based on the ability to meet development standards of the Land Development Code.

#### **List of Attachments**

- 1. Attachment A. - Existing Green Ridge Plats, Unit 1 and Unit 2**
- 2. Attachment B – Vacated Plat Showing Single Parcel to be Recorded**
- 3. Attachment C - *Florida Statutes Chapter 177.102 and Land Development Code Reference***
- 4. Attachment D - Application and Other Supporting Documents**
- 5. Attachment E – Resolution, Title Opinion and Legal Description**

**ATTACHMENT A**

**Petition CC-21-44 SUB**

**November 18, 2021**

- 1. Attachment A. - Existing Green Ridge Plats, Unit 1 and Unit 2**
- 2. Attachment B – Vacated Plat Showing Single Parcel to be Recorded**
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BOUNDARY & TOPOGRAPHIC SURVEY

TAX PARCEL #06496-000-000

SECTION 02, TOWNSHIP 10 SOUTH, RANGE 19 EAST  
ALACHUA COUNTY, FLORIDA

FLOOD ZONE:

IT IS THE OPINION OF THIS LAND SURVEYOR BASED ON AN INTERPRETATION OF F.I.R.M. PANEL No. 292 & 294 OF 640, COMMUNITY PANEL No. "125107 0292 D" & "125107 0294 D" THAT THIS PROPERTY IS LOCATED IN FLOOD ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN), AND IN FLOOD ZONE "A", (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. NO BASE FLOOD ELEVATION DETERMINED), MAP EFFECTIVE DATE JUNE 16, 2006.

LAND DESCRIPTION: (FIDELITY NATIONAL TITLE INSURANCE COMPANY; FILE NUMBER: 923909; COMMITMENT DATE: 06/13/2017 5:00 PM)

A PARCEL OF LAND SITUATED IN GREEN RIDGE SUBDIVISION UNIT NO. 1, A SUBDIVISION AS RECORDED IN OFFICIAL RECORD BOOK 98, PAGE 590 OF PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN NORTH 89°54' EAST ALONG THE NORTH LINE OF SAID SECTION 2, 1660 FEET; THENCE RUN SOUTH 00°33'45" EAST 792 FEET; THENCE RUN NORTH 89°54' EAST 400 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°54' EAST 401.3 FEET; THENCE RUN SOUTH 00°33'45" EAST 100 FEET; THENCE RUN NORTH 89°54' EAST 60 FEET; THENCE RUN SOUTH 00°33'45" EAST 35 FEET; THENCE RUN NORTH 89°54' EAST 788.3 FEET TO THE WEST LINE OF GOLF CLUB MANOR, A SUBDIVISION AS RECORDED IN PLAT BOOK E, PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 00°29'54" EAST ALONG SAID WEST LINE, 686 FEET; THENCE RUN SOUTH 89°54' WEST 1164.6 FEET; THENCE RUN NORTH 38°51' WEST 335.3 FEET TO THE SOUTHWEST CORNER OF LOT 32 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1; THENCE RUN NORTH 89°54' EAST ALONG THE SOUTH LINE OF SAID LOT 32, 117.56 FEET TO THE SOUTHEAST CORNER OF SAID LOT 32; THENCE RUN NORTH 00°29'45" WEST ALONG THE EAST LINE OF SAID LOT 32 AND ALSO ALONG THE EAST LINE OF LOTS 30, AND 12 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1, 424.5 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 4 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1, SAID POINT ALSO LYING ON THE NORTHERLY RIGHT OF WAY LINE OF NORTHWEST 6TH AVENUE; THENCE RUN NORTH 89°54' EAST ALONG NORTHERLY RIGHT OF WAY LINE AND SAID SOUTHERLY BOUNDARY LINE, 5.40 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE RUN NORTH 00°29'45" WEST ALONG THE WESTERLY LINE OF SAID LOT 4, 135 FEET TO THE POINT OF BEGINNING.

AND  
A PORTION OF THE LAND IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, CONVEYED TO EASTERN FEDERAL CORPORATION BY INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 603, PAGE 36, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF SAID SECTION 2 FOR A POINT OF REFERENCE; SOUTH 89°40'49" EAST, ALONG THE NORTH LINE OF SAID SECTION 2, A DISTANCE OF 3310.83 FEET; THENCE SOUTH 00°05'54" EAST, A DISTANCE OF 449.38 FEET TO A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF GOLF CLUB MANOR SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 3, AT PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID MONUMENT MARKED WITH SURVEY DISK NO. 509; THENCE SOUTH 00°03'17" EAST, ALONG THE WEST LINE OF SAID GOLF CLUB MANOR SUBDIVISION, AND ALONG THE EAST LINE OF GREEN RIDGE SUBDIVISION, UNIT NO. 1 (NOW VACATED), AS PER DESCRIPTION RECORDED IN OFFICIAL RECORDS BOOK NO. 98, AT PAGE 590 OF THE SAID PUBLIC RECORDS OF ALACHUA COUNTY, A DISTANCE OF 1173.32 FEET TO AN OLD EXISTING CONCRETE MONUMENT; THENCE NORTH 89°43'08" WEST, ALONG THE SOUTH LINE OF SAID VACATED GREEN RIDGE SUBDIVISION, UNIT NO. 1, A DISTANCE OF 719.13 FEET TO A 4" X 4" CONCRETE MONUMENT WITH A P.L.S. 2115 P.R.M. CAP; THENCE CONTINUE NORTH 89°43'08" WEST, ALONG THE SAID SOUTH LINE OF GREEN RIDGE SUBDIVISION, A DISTANCE OF 343.66 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56°00'10" WEST, PARALLEL TO THE SOUTHEAST LINE OF CONCORDIA CONDOMINIUMS, AS PER FOUND AND EXISTING MONUMENTATION, A DISTANCE OF 294.31 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 14 (ALSO BEING N.W. 39TH ROAD, AND OLD STATE ROAD NO. 26) AS PER FOUND AND EXISTING MONUMENTATION; THENCE NORTH 38°23'57" WEST, ALONG THE SAID NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 14, A DISTANCE OF 60.37 FEET TO A CONCRETE MONUMENT AT THE MOST SOUTHERLY CORNER OF SAID CONCORDIA CONDOMINIUMS; THENCE NORTH 57°56'30" EAST, ALONG THE SOUTHEASTERLY LINE OF SAID CONCORDIA CONDOMINIUMS A DISTANCE OF 299.96 FEET TO A CONCRETE MONUMENT AT THE MOST EASTERLY CORNER OF SAID CONCORDIA CONDOMINIUMS, AS PER FOUND AND EXISTING MONUMENTATION; THENCE NORTH 56°00'10" EAST ALONG THE SAID SOUTHEAST LINE OF GREEN AND OUTLAW SURVEY, A DISTANCE OF 299.50 FEET TO A CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF THE SAID VACATED GREEN RIDGE SUBDIVISION, UNIT NO. 1, SAID MONUMENT MARKED WITH SURVEY DISK NO. 944; THENCE SOUTH 89°43'08" EAST, ALONG THE SAID SOUTH LINE OF GREEN RIDGE SUBDIVISION, A DISTANCE OF 106.53 FEET TO THE SAID POINT OF BEGINNING.

TOGETHER WITH: (OFFICIAL RECORDS BOOK 4857, PAGE 2469)

A PORTION OF LAND SITUATED IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA; SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 2 AND RUN NORTH 89°21'14" EAST, ALONG THE NORTH LINE OF SAID SECTION 2, A DISTANCE OF 3310.83 FEET; THENCE RUN SOUTH 01°20'44" EAST, A DISTANCE OF 449.38 FEET TO A CONCRETE MONUMENT (LB #509) MARKING THE NORTHWEST CORNER OF GOLF CLUB MANOR SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 00°55'10" EAST, A DISTANCE OF 1161.96 FEET TO A 4"x4" CONCRETE MONUMENT (NO IDENTIFICATION) MARKING THE SOUTHEAST CORNER OF GREEN RIDGE SUBDIVISION UNIT NO. 1 AS RECORDED IN PLAT BOOK 98, PAGE 590 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE RUN SOUTH 89°18'13" WEST, ALONG THE SOUTH LINE OF SAID SUBDIVISION A DISTANCE OF 1164.60 FEET TO A 1/2" REBAR & CAP (LB #7996) AT THE THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE RUN SOUTH 25°03'13" WEST, A DISTANCE OF 11.13 FEET A 4"x4" CONCRETE MONUMENT (PLS #940) MARKING THE MOST EASTERLY CORNER OF HAWTHORNE RESERVE CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS BOOK 3417, PAGE 417 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 89°16'02" EAST, ALONG THE SOUTH LINE OF VACATED GREEN RIDGE SUBDIVISION UNIT NO. 1 AS DESCRIBED IN OFFICIAL RECORDS BOOK 3545, PAGE 117 AND AS DESCRIBED IN PARCEL D-3 OF OFFICIAL RECORDS BOOK 1706, PAGE 2254 OF SAID PUBLIC RECORDS; A DISTANCE OF 1169.64 FEET TO A 4"x4" SANDSTONE MONUMENT (NO IDENTIFICATION); THENCE RUN NORTH 01°57'37" WEST, A DISTANCE OF 9.29 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING ±2.59 ACRES.

SURVEYOR'S NOTES:

1. SURVEY BASED ON MONUMENTATION FOUND AND ACCEPTED AS PER (FIDELITY NATIONAL TITLE INSURANCE COMPANY; FILE NUMBER: 923909; COMMITMENT DATE: 06/13/2017 5:00 PM)
2. HORIZONTAL DATUM IS BASED ON NAD83 FLORIDA STATE PLANE, NORTH ZONE, US FOOT AS ESTABLISHED BY TRIMBLE VRS NOW GPS SURVEY NETWORK.
3. VERTICAL DATUM IS BASED ON NAVD88 AS ESTABLISHED BY NATIONAL GEODETIC SURVEY VERTICAL CONTROL POINT "75 73 B39" SET BY FLORIDA DEPARTMENT OF TRANSPORTATION AT ELEVATION 74.17' USING CONVENTIONAL LEVELING PROCEDURES.
4. THE DIGITAL SIGNATURE AND SEAL AS SHOWN ON THIS SURVEY ARE ONLY VALID FOR THIS ELECTRONIC PDF SURVEY FILE.
5. THE PRINTED SURVEY AND REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. UNLESS NOTED, NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED FOR THIS SURVEY.
7. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
8. ONLY ABOVE GROUND UTILITIES WERE LOCATED FOR THIS SURVEY.
9. NORTH ARROW IS BASED ON BEARING STRUCTURE.
10. CERTIFICATION IS NOT TRANSFERABLE.
11. THE PURPOSE OF THIS SURVEY IS TO SHOW BOUNDARY INFORMATION AND IMPROVEMENTS. IT IS NOT TO BE USED FOR ARCHITECTURAL, ENGINEERING, DESIGN OR CONSTRUCTION PURPOSES.
12. FENCES, SYMBOLS, MONUMENTATION AND UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
13. COPIES AND ELECTRONIC FILES OF THIS SURVEY ARE ONLY AVAILABLE TO THE CLIENT FOR 90 DAYS FROM THE DATE OF SIGNATURE. AFTER 90 DAYS, A MINIMUM FEE OF 50% OF THE ORIGINAL SURVEY COST WILL BE ASSESSED.
14. THIS SURVEY COMPLIES WITH THE FLORIDA STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.
15. WETLANDS FLAGS FOUND AS MARKED BY CHAD A. RISCHAR, PWS, SENIOR ENVIRONMENTAL SCIENTIST FOR DRMP, INC.

SCHEDULE B-II: (FIDELITY NATIONAL TITLE INSURANCE COMPANY; FILE NUMBER: 923909; COMMITMENT DATE: 06/13/2017 5:00 PM)

ITEM(S) 1-4 - NOT SURVEY RELATED.

ITEM 5 - EASEMENTS AND RIGHT-OF-WAYS PER "GREEN RIDGE SUBDIVISION UNIT NO. 1" (O.R.B. 98, PG. 590)

ITEM 6 - RIGHT-OF-WAYS PER "GREEN RIDGE SUBDIVISION UNIT NO. 2" (O.R.B. 98, PG. 596)

ITEM 7 - DRAINAGE EASEMENT(S) IN FAVOR OF THE CITY OF GAINESVILLE (O.R.B. 772, PG. 347)  
DRAINAGE EASEMENT 1 - AFFECTS THIS PROPERTY.  
DRAINAGE EASEMENT 2 - DOES NOT AFFECT THIS PROPERTY.  
DRAINAGE EASEMENT 3 - AFFECTS THIS PROPERTY.

ITEM 8 - NOT SURVEY RELATED.

ITEM 9 - RECIPROCAL EASEMENT AGREEMENT (O.R.B. 1270, PG. 882)  
ASSIGNMENT AND ASSUMPTION OF RECIPROCAL EASEMENT AGREEMENT (O.R.B. 2329, PG. 2317)  
RECIPROCAL EASEMENT AGREEMENT MODIFICATION (O.R.B. 2341, PG. 2878)  
SECOND RECIPROCAL EASEMENT AGREEMENT MODIFICATION (O.R.B. 3505, PG. 870)

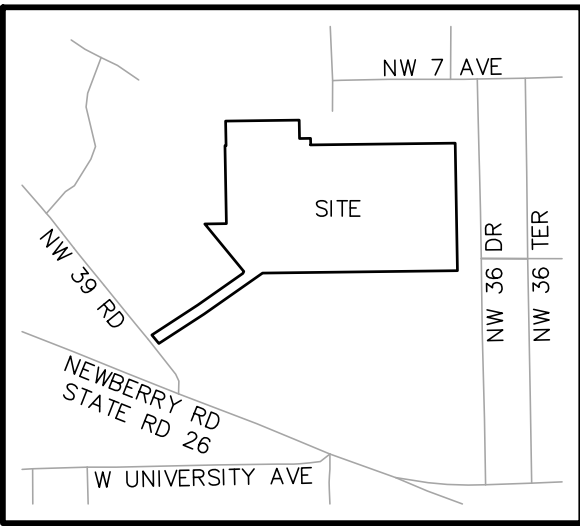
NO PLOTTABLE INFORMATION - AFFECTS AND PARCEL.

ITEM 10 - AGREEMENT FOR RELEASE OF EASEMENT AND RESTRICTION OF LEASEHOLD (O.R.B. 1305, PG. 259)

NO PLOTTABLE INFORMATION - AFFECTS AND PARCEL.

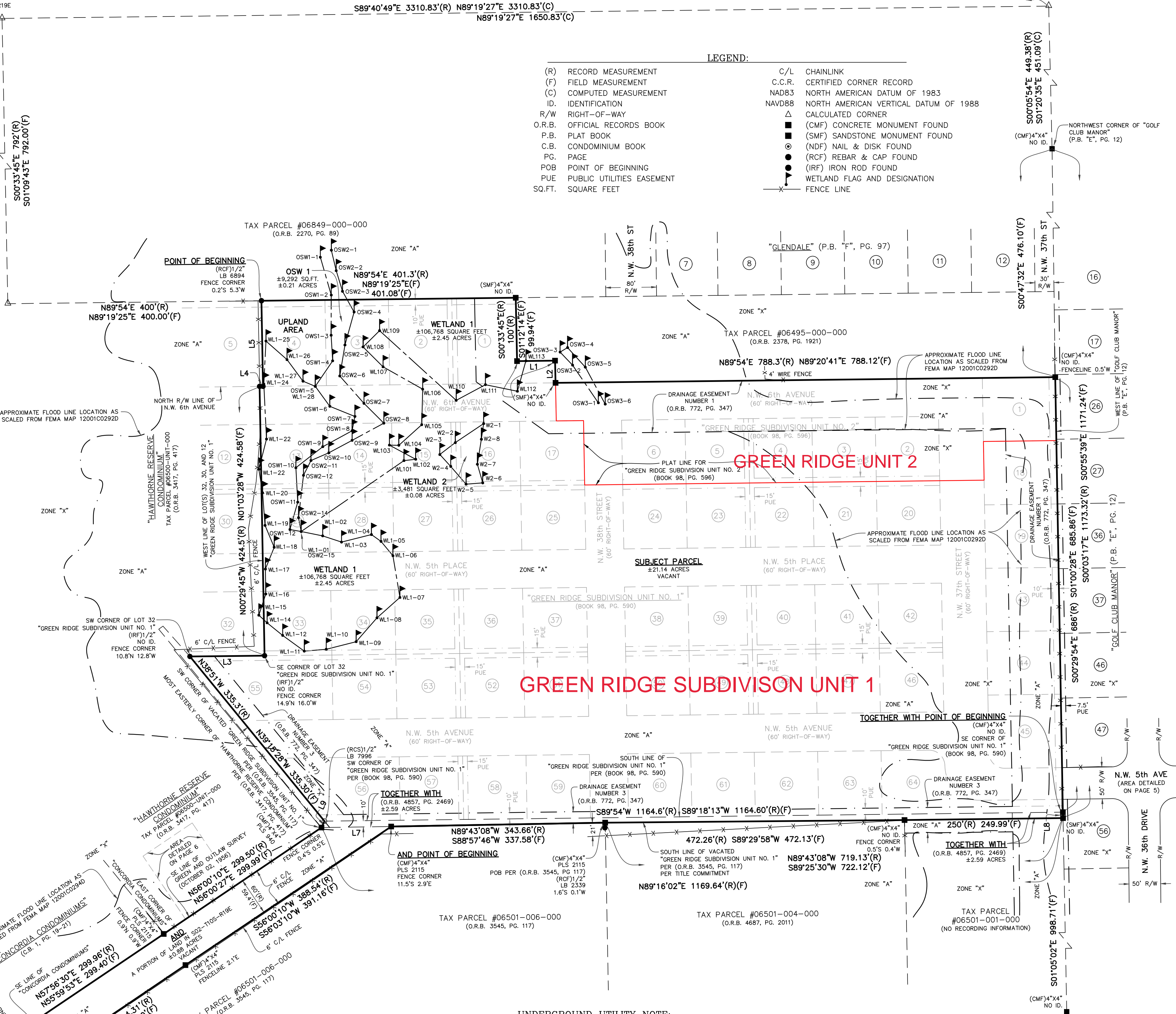
ITEM(S) 11-12 - NOT SURVEY RELATED

LOCATION MAP: NOT TO SCALE



POINT OF COMMENCEMENT  
AND POINT OF REFERENCE  
NW CORNER OF 502-T105-R19E  
NORTH LINE OF 502-T105-R19E  
N89°54'E 1660'(R)  
N89°19'27"E 1660.00'(C)

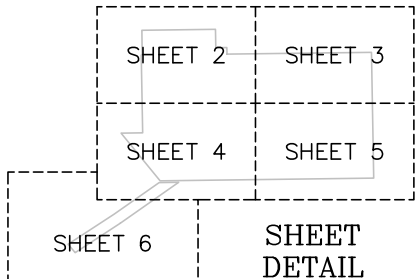
P.K. NAIL & DISK  
"SUR. 130"  
PER C.C.R. DOCUMENT #108313  
N: 246080.073(R)  
E: 2638950.296(R)  
ZONE: NORTH 0903  
DATUM: NAD83



- LEGEND:
- |        |                           |        |                                       |
|--------|---------------------------|--------|---------------------------------------|
| (R)    | RECORD MEASUREMENT        | C/L    | CHAINLINK                             |
| (F)    | FIELD MEASUREMENT         | C.C.R. | CERTIFIED CORNER RECORD               |
| (C)    | COMPUTED MEASUREMENT      | NAD83  | NORTH AMERICAN DATUM OF 1983          |
| ID.    | IDENTIFICATION            | NAVD88 | NORTH AMERICAN VERTICAL DATUM OF 1988 |
| R/W    | RIGHT-OF-WAY              | Δ      | CALCULATED CORNER                     |
| O.R.B. | OFFICIAL RECORDS BOOK     | (CMF)  | CONCRETE MONUMENT FOUND               |
| P.B.   | PLAT BOOK                 | (SMF)  | SANDSTONE MONUMENT FOUND              |
| C.B.   | CONDOMINIUM BOOK          | (NDF)  | NAIL & DISK FOUND                     |
| PG.    | PAGE                      | (RCF)  | REBAR & CAP FOUND                     |
| POB    | POINT OF BEGINNING        | (IRF)  | IRON ROD FOUND                        |
| PUE    | PUBLIC UTILITIES EASEMENT |        | WETLAND FLAG AND DESIGNATION          |
| SQ.FT. | SQUARE FEET               | —X—    | FENCE LINE                            |

CERTIFY SURVEY TO:

BANYAN DEVELOPMENT GROUP, LLC  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
KILLGORE, PEARLMAN, STAMP, DENIUS & SQUIRES, P.A.



SCALE: 1" = 100'

BAR IS ONE INCH ON ORIGINAL DRAWING

0 1"

IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

PAGE 1 OF 6

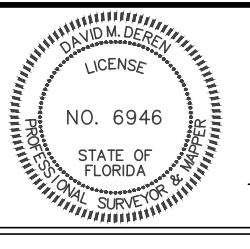
DATE: 05-27-2020

DRAWN BY: JAT

FIELD BOOK: 368/65-69; 401/57;

403/44; 405/47-48; 410/18

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PROFESSIONAL SURVEYOR & MAPPER FLA.CERT. 6946

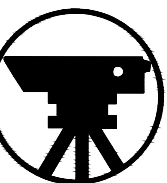
JOB NO. 20109

ACAD FILE: 20109-1

DAVID M. DEREN P.S.M.  
4605 N.W. 6TH STREET, SUITE H  
GAINESVILLE, FLORIDA 32609

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DEREN  
LAND SURVEYING



UNDERGROUND UTILITY NOTE:

THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN WERE BASED ON ABOVE GROUND FIXTURES, EASILY RECOGNIZABLE FEATURES, AND UTILITY COMPANY MAPS AVAILABLE TO THE SURVEYOR. UNLESS NOTED OTHERWISE ON THE GRAPHIC PORTION OF THIS SURVEY, NO UTILITIES WERE UNCOVERED TO VERIFY THEIR LOCATION.

NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED BY THE SURVEYOR THAT THE LOCATIONS SHOWN REPRESENT THE ACTUAL LOCATIONS OF THOSE UTILITIES, THE UTILITY TYPE, OR THAT NO OTHER UTILITIES EXIST ON THE SITE.

PRIOR TO THE DESIGN OF UTILITY CONNECTIONS, THE PROPOSED CONNECTION POINTS SHOULD BE EXCAVATED AS NECESSARY TO CONFIRM THEIR EXACT LOCATION, DEPTH AND CHARACTERISTICS.

IN ACCORDANCE WITH FLORIDA STATUTE CHAPTER 556, PRIOR TO ANY EXCAVATION, THE EXCAVATOR SHOULD CONTACT SUNSHINE STATE ONE CALL OF FLORIDA AT 1-800-432-4770.

\*INDIVIDUAL LOTS SANITARY LATERALS AND WATER SERVICE LINES AND IRRIGATION SYSTEMS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY.



SCALE: 1" = 100'  
DEREN LAND SURVEYING  
"ACCURACY COUNTS - KNOW YOUR BOUNDARIES"



210681B

## GREEN RIDGE SUBDIVISION

UNIT NO. 1

IN NORTH 1/2 OF SEC 2-TIOS-RI9E  
ALACHUA COUNTY, FLORIDA

FOR MR. T. M. WAKEFIELD

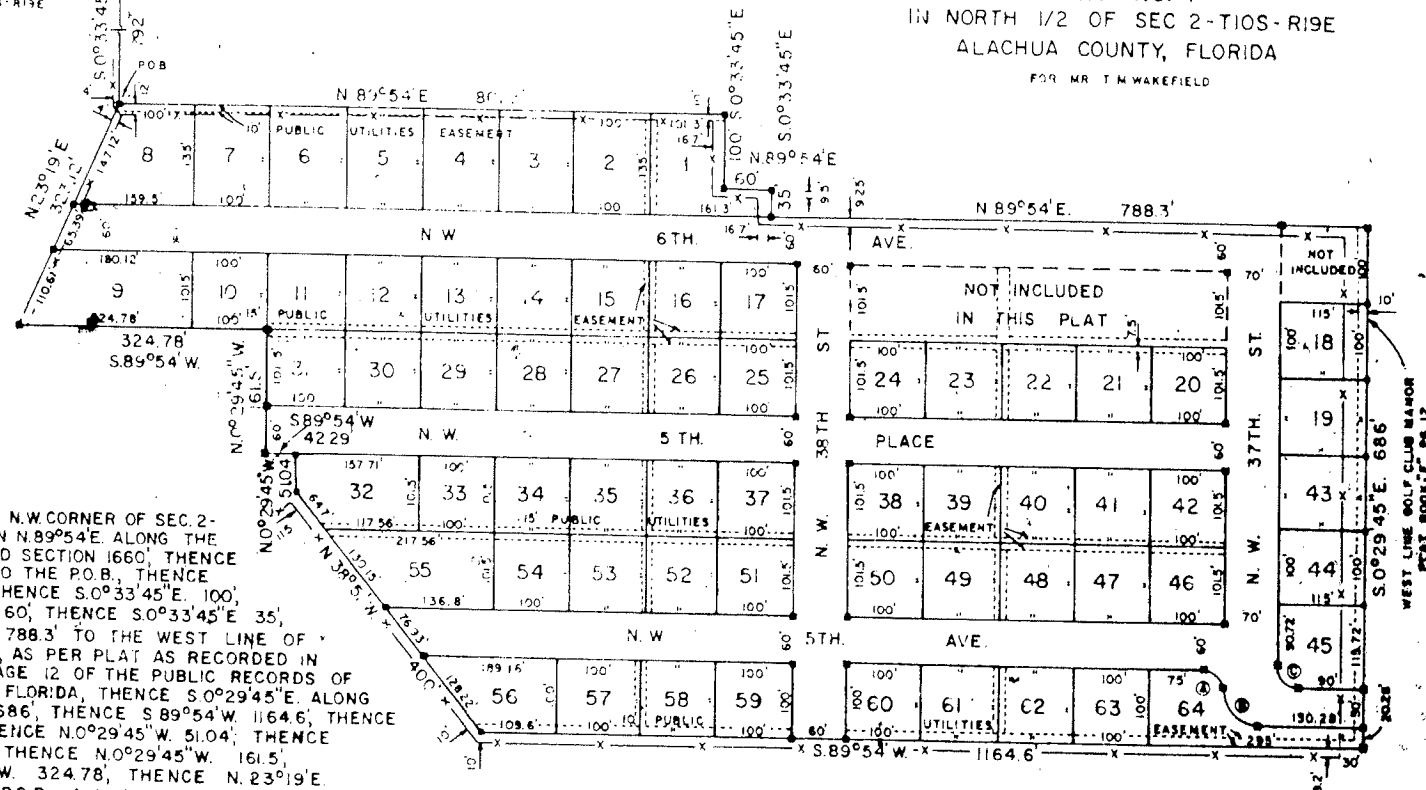
SCALE: 1" = 200'  
 X R.R. BRINE  
 X IRON PIPE  
 X CONC. MON.  
 X FENCE

## CURVE DATA:

- ① R = 24.83  
 T = 28  
 L.C. = 30.25' E  
 L.C. = 36.34'  
 ARC = 36.17'
- ② R = 55.10  
 T = 54.72  
 L.C. = 39.19' E  
 L.C. = 77.65'  
 ARC = 64.17'
- ③ R = 30.15  
 T = 20  
 L.C. = 30.25' E  
 L.C. = 36.34'  
 ARC = 36.17'

DESCRIPTION:  
 COMMENCE AT THE N.W. CORNER OF SEC. 2-TIOS-RI9E AND RUN N.89°54'E. ALONG THE NORTH LINE OF SAID SECTION 1660', THENCE S.0°33'45"E. 792' TO THE P.O.B., THENCE N.89°54'E. 801.3', THENCE S.0°33'45"E. 100', THENCE N.89°54'E. 60', THENCE S.0°33'45"E. 35', THENCE N.89°54'E. 788.3' TO THE WEST LINE OF GOLF CLUB MANOR, AS PER PLAT AS RECORDED IN PLAT BOOK "E", PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, THENCE S.0°29'45"E. ALONG SAID WEST LINE 686', THENCE S.89°54'W. 1164.6', THENCE N.38°51'W. 400', THENCE N.0°29'45'W. 51.04', THENCE S.89°54'W. 42.29', THENCE N.0°29'45'W. 161.5', THENCE S.89°54'W. 324.78', THENCE N.23°19'E. 323.12' TO THE P.O.B. ALL BEING AND LYING IN THE NORTH 1/2 OF SEC. 2-TIOS-RI9E, ALACHUA COUNTY, FLORIDA.

BOOK 98 PAGE 590



THE PERRY C. McGRUFF CO.  
 313 E. UNIVERSITY AVE.  
 GAINESVILLE, FLORIDA

SURVEYED

25 1950  
 PERRY C. McGRUFF CO.  
 100 LA. CENT. NO. 500

CHECKED BY

1673 SU

TOS. PL. 19 - PAGE 590

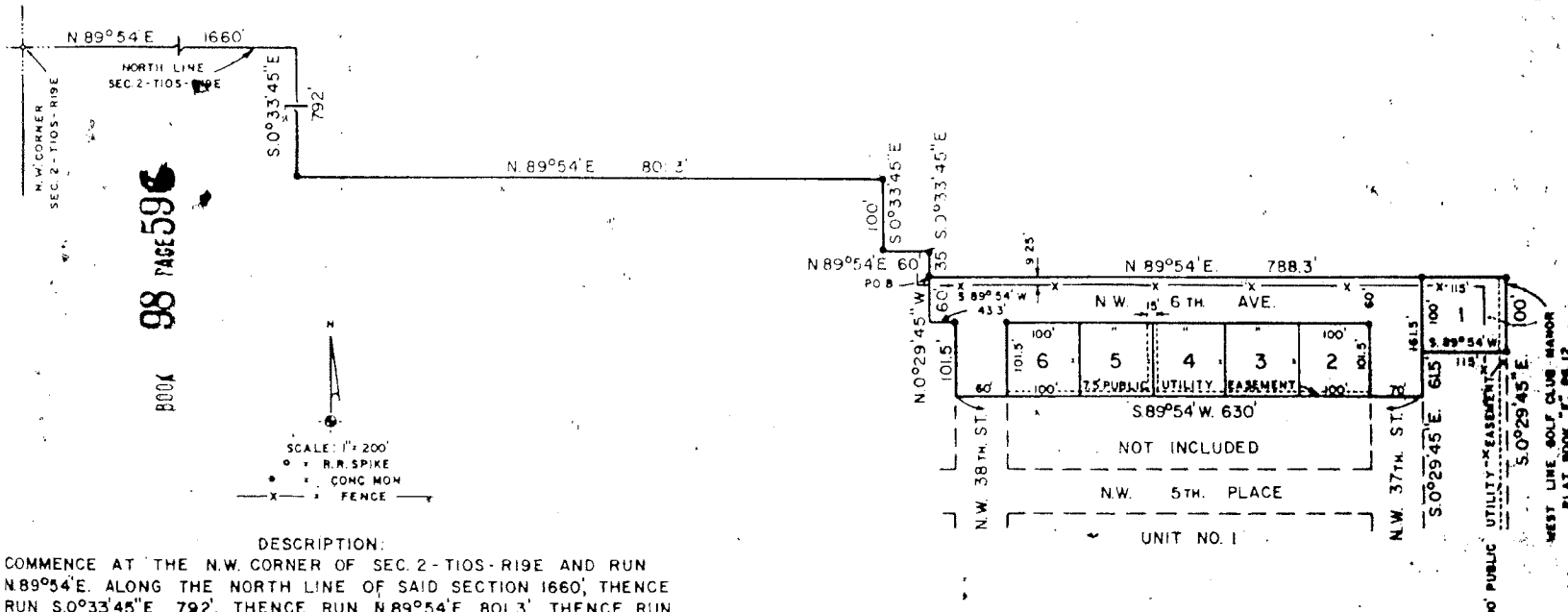
# GREEN RIDGE SUBDIVISION

UNIT NO. 2

IN NORTH 1/2 OF SEC 2-TIOS-RI9E  
ALACHUA COUNTY, FLORIDA

FOR MR. T.M. WAKEFIELD

210681B



THE PERRY C. McGRUFF CO.  
313 E. UNIVERSITY AVENUE  
GAINESVILLE, FLORIDA

SURVEYED APRIL 26, 1960  
BY *Perry C. McGruff* SURVEYOR  
REG. FLA. CRT. NO. 80

CHECKED BY \_\_\_\_\_

**ATTACHMENT B**

**Petition CC-21-44 SUB**

**November 18, 2021**

1. Attachment A. - Existing Green Ridge Plats, Unit 1 and Unit 2
2. **Attachment B – Vacated Plat Showing Single Parcel to be Recorded**
3. Attachment C - *Florida Statutes Chapter 177.102 and Land Development Code Reference*
4. Attachment D - Application and Other Supporting Documents
5. Attachment E – Resolution, Title Opinion and Legal Description







**ATTACHMENT C**

**Petition CC-21-44 SUB**

**November 18, 2021**

1. Attachment A. - Existing Green Ridge Plats, Unit 1 and Unit 2
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# The Florida Senate

## 2018 Florida Statutes

210681B

<u>Title XII</u> MUNICIPALITIES	<u>Chapter 177</u> LAND BOUNDARIES  <a href="#">Entire Chapter</a>	<b>SECTION 101</b> <b>Vacation and annulment of plats</b> <b>subdividing land.</b>
------------------------------------	---	--

### **177.101 Vacation and annulment of plats subdividing land.—**

(1) Whenever it is discovered, after the plat has been recorded in the public records, that the developer has previously caused the lands embraced in the second plat to be differently subdivided under and by virtue of another plat of the same identical lands, and the first plat was also filed of public record at an earlier date, and no conveyances of lots by reference to the first plat so filed appears of record in such county, the governing body of the county is authorized and directed to and shall, by resolution, vacate and annul the first plat of such lands appearing of record upon the application of the developer of such lands under the first plat or upon application of the owners of all the lots shown and designated upon the second and subsequent plat of such lands, and the circuit court clerk of the county shall thereupon make proper notation of the annulment of such plat upon the face of such annulled plat.

(2) Whenever it is discovered that after the filing of a plat subdividing a parcel of land located in the county, the developer of the lands therein and thereby subdivided did cause such lands embraced in said plat, or a part thereof, to be again and subsequently differently subdivided under another plat of the same and identical lands or a part thereof, which said second plat was also filed at a later date; and it is further made to appear to the governing body of the county that the filing and recording of the second plat would not materially affect the right of convenient access to lots previously conveyed under the first plat, the governing body of the county is authorized by resolution to vacate and annul so much of the first plat of such lands appearing of record as are included in the second plat, upon application of the owners and developer of such lands under the first plat or their successors, grantees, or assignees, and the circuit court clerk of the county shall thereupon make proper notation of the action of the governing body upon the face of the first plat. The approval of a replat by the governing body of a local government, which encompasses lands embraced in all or part of a prior plat filed of public record shall, upon recordation of the replat, automatically and simultaneously vacate and annul all of the prior plat encompassed by the replat.

(3) The governing bodies of the counties of the state may adopt resolutions vacating plats in whole or in part of subdivisions in said counties, returning the property covered by such plats either in whole or in part into acreage. Before such resolution of vacating any plat either in whole or in part shall be entered by the governing body of a county, it must be shown that the persons making application for said vacation own the fee simple title to the whole or that part of the tract covered by the plat sought to be vacated, and it must be further shown that the vacation by the governing body of the county will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

(4) Persons making application for vacations of plats either in whole or in part shall give notice of their intention to apply to the governing body of the county to vacate said plat by publishing legal notice in a newspaper of general circulation in the county in which the tract or parcel of land is located, in not less than two weekly issues of said paper, and must attach to the petition for vacation the proof of such publication, together with certificates showing that all state and county taxes have been paid. For the purpose of the tax collector's certification that state, county, and municipal taxes have been paid, the taxes shall be deemed to have been paid if, in addition to any partial payment under s. [194.171](#), the owner of the platted lands sought to be vacated shall post a cash bond, approved by the tax collector of the county where the land is located and by the Department of Revenue, conditioned to pay the full amount of any judgment entered pursuant to s. [194.192](#) adverse to the person making partial payment, including all costs, interest, and penalties. The circuit court shall fix the amount of said bond by order, after considering the reasonable timeframe for such litigation and all other relevant factors; and a certified copy of such approval, order, and cash bond shall be attached to the application. If such tract or parcel of land is within the corporate limits of any incorporated city or town, the governing body of the county shall be furnished with a certified copy of a resolution of the town council or city commission, as the case may be, showing that it has already by suitable resolution vacated such plat or subdivision or such part thereof sought to be vacated.

(5) Every such resolution by the governing body shall have the effect of vacating all streets and alleys which have not become highways necessary for use by the traveling public. Such vacation shall not become effective until a certified copy of such resolution has been filed in the offices of the circuit court clerk and duly recorded in the public records of said county.

(6) All resolutions vacating plats by the governing body of a county prior to September 1, 1971, are hereby validated, ratified, and confirmed. Such resolutions shall have the same effect as if the plat had been vacated after September 1, 1971.

**History.**—s. 1, ch. 71-339; s. 1, ch. 79-86; s. 32, ch. 87-224; s. 9, ch. 98-20.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

**ATTACHMENT D**

**Petition CC-21-44 SUB**

**November 18, 2021**

1. Attachment A. - Existing Green Ridge Plats, Unit 1 and Unit 2
2. Attachment B – Vacated Plat Showing Single Parcel to be Recorded
3. Attachment C - *Florida Statutes Chapter 177.102 and Land Development Code Reference*
4. **Attachment D - Application and Other Supporting Documents**
5. Attachment E – Resolution, Title Opinion and Legal Description

**APPLICATION FOR SUBDIVISION**  
**Planning & Development Services**

**OFFICE USE ONLY**

Petition No. \_\_\_\_\_ Fee: \$ \_\_\_\_\_  
1<sup>st</sup> Step Mtg Date: \_\_\_\_\_ EZ Fee: \$ \_\_\_\_\_  
Tax Map No. \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Account No. 001-660-6680-3401 [ ]  
Account No. 001-660-6680-1124 (Enterprise Zone) [ ]  
Account No. 001-660-6680-1125 (Enterprise Zone Credit) [ ]

**CHECK ONE:**

[ ] Design      [x] Final      [ ] Minor      [ ] Single lot replat

(See Sec. 30-180 to 30-193 for a definition of the above.)

Owner(s) of Record (please print)	Applicant(s)/Agent(s), if different
Name: Henderson, R L Jr Trustee	Name: David Sowell, PE
Address: 3501 S Main St, Ste 1	Address: 706 SW 4th Ave
Gainesville, FL 32601-9031	
Phone: 352-339-3343 Fax:	Phone: 352-371-2741 Fax:
(If additional owners, please include on back)	
INFORMATION CONCERNING SUBDIVISION	
Tax parcel no(s): 06496-000-000	
Subdivision name: Green Ridge Subdivision Unit 1 and Unit 2	
Parcel location: address unassigned	
Comprehensive Plan designation: Residential medium density (8-30 du/ac)	Zoning: RMF-7
Gross area of subdivision (in acres): 22.28	
Total number of lots: 1	
Gross density (lots per gross acre): 0.045	

I certify that the above statements are correct and true to the best of my knowledge.

Applicant's signature

Date

Certified Cashier's Receipt:

James D. Henderson, IT  
Successor Trustee







**John Power**  
**Alachua County Tax Collector**  
**PO BOX 142340, GAINESVILLE, FL 32614-2340**

**210681B**

Transaction # 3263473	
Cashier:	MT
Paid By:	HENDERSON LAND TRUST
Posted Date:	11/30/2020 03:43PM
Received Via:	Drive Through
Num. Items:	6
Total Tendered:	\$7,521.58
Receipt #:	20-0044298
Batch:	167488
Drawer:	melt
Status:	Complete

Receipt				
Item	Details	Effective Date	Due	Paid
Real Estate	Acc# 06501 001 000 Bill Yr: 2020 Regular Due: 03/31/2021	11/30/2020	\$50.60	\$50.60
Real Estate	Acc# 08198 009 001 Bill Yr: 2020 Regular Due: 03/31/2021	11/30/2020	\$3,065.25	\$3,065.25
Real Estate	Acc# 06680 004 000 Bill Yr: 2020 Regular Due: 03/31/2021	11/30/2020	\$71.69	\$71.69
Real Estate	Acc# 06680 016 002 Bill Yr: 2020 Regular Due: 03/31/2021	11/30/2020	\$4,127.40	\$4,127.40
Real Estate	Acc# 06676 000 000 Bill Yr: 2020 Regular Due: 03/31/2021	11/30/2020	\$69.58	\$69.58
Real Estate	Acc# 06496 000 000 Bill Yr: 2020 Regular Due: 03/31/2021	11/30/2020	\$137.06	\$137.06
	Total:		\$7,521.58	\$7,521.58
Payment	Details	Paid		
Check	Chk#5823	\$7,521.58		
	Balance:	\$0.00		



## Account Summary

## Real Estate Account #06496 000 000



## Owner:

HENDERSON, R L JR TRUSTEE

## Situs:

UNASSIGNED LOCATION RE

[Parcel details](#)[Property Appraiser](#)[Get bills by email](#)

## Amount Due

Your account is **paid in full**. There is nothing due at this time.Your last payment was made on 11/30/2020 for \$137.06. [Print paid bill \(PDF\)](#)

## Account History

BILL	AMOUNT DUE
<a href="#">2020 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2019 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2018 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2017 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2016 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2015 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2014 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2013 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<a href="#">2012 Annual Bill</a> ⓘ	\$0.00 <a href="#">Print (PDF)</a>
<b>Total Amount Due</b>	<b>\$0.00</b>



<a href="#">2011 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2010 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2009 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2008 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2007 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2006 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2005 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2004 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2003 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<a href="#">2002 Annual Bill</a> ⓘ	\$0.00
	 <a href="#">Print (PDF)</a>
<b>Total Amount Due</b>	<b>\$0.00</b>

**ATTACHMENT E**

**Petition CC-21-44 SUB**

**November 18, 2021**

1. Attachment A. - Existing Green Ridge Plats, Unit 1 and Unit 2
2. Attachment B – Vacated Plat Showing Single Parcel to be Recorded
3. Attachment C - *Florida Statutes Chapter 177.102 and Land Development Code Reference*
4. Attachment D - Application and Other Supporting Documents
5. **Attachment E – Resolution, Title Opinion and Legal Description**

## RESOLUTION NO. \_\_\_\_\_

**A resolution of the City of Gainesville, Florida, vacating portions of the Green Ridge Subdivision Unit No. 1, recorded at Official Records Book 98, Page 590, Public Records of Alachua County, Florida, generally located between NW 8<sup>th</sup> Avenue and W University Avenue, east of NW 39<sup>th</sup> Road, and west of NW 36<sup>th</sup> Drive, as further described herein, upon the petition of the property owner(s); providing directions to the City Clerk; providing for the recording of this resolution; and providing an effective date.**

**WHEREAS**, Section 177.101, Florida Statutes, vests the governing bodies of counties with the authority to adopt resolutions vacating plats, in whole or in part, and returning the vacated property to acreage; and

**WHEREAS**, Section 177.101(4), Florida Statutes, states that if the subject property is within the corporate limits of the City, the governing body of the County shall be furnished with a certified copy of a resolution of the City Commission showing that it has already by suitable resolution vacated such plat or subdivision or such part thereof sought to be vacated; and

**WHEREAS**, James D. Henderson, II, as Successor Trustee under the provisions of that certain Trust Agreement dated July 27, 1988, submitted a petition requesting that the City of Gainesville vacate certain portions of the Green Ridge Subdivision Unit No. 1 plat, as further described herein, and which is recorded at Official Records Book 98, Page 590, Public Records of Alachua County, Florida; and

**WHEREAS**, it appears that James D. Henderson, II, as Successor Trustee under the provisions of that certain Trust Agreement dated July 27, 1988, is the fee simple owner(s) of the property that is the subject of this resolution and the vacation of said plat will not affect the ownership or right of convenient access of persons owning property abutting the property that is the subject of this resolution; and

**WHEREAS**, it appears that all ad valorem taxes due and owing on said property have been paid, that due and proper notice of petitioner's intention to apply to vacate said portion of the plat has been given as required by law, and proof of publication of said notice has been received by the City; and

**WHEREAS**, the vacation of the subject portion of said plat is proper and conforms to the requirements of Section 177.101, Florida Statutes; and

**WHEREAS**, the vacation of the subject portion of said plat is not inconsistent with the City's Comprehensive Plan or Land Development Code; and

**WHEREAS**, the City of Gainesville is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, as well as the provisions of the City Charter and other law, and together with the provisions of Section 177.101(4), Florida Statutes, has authority to vacate plats.

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

**Section 1. Recitals.** The above recitals are true and accurate and are incorporated herein.

**Section 2. Plat Vacation.** The plat of Green Ridge Subdivision Unit No. 1, recorded at Official Records Book 98, Page 590, Public Records of Alachua County, Florida, and legally described in Exhibit "A" attached hereto, is hereby vacated and annulled and the same is hereby returned to non-platted acreage.

**Section 3. Existing Easements.** This resolution does not release nor is it intended to release any easements or conveyances that exist and are duly recorded in the Public Records of Alachua County. The City Commission expressly retains and reserves all rights to recorded easements and conveyances that were granted to the City.

**Section 4. Notice to County.** The City Clerk shall provide a certified copy of this resolution to the Board of County Commissioners of Alachua County, Florida.

**Section 5. Recording.** A certified copy of this resolution shall be recorded in the Public Records of Alachua County, Florida.

**Section 6. Effective Date.** This resolution shall take effect immediately upon adoption.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

Attest:

Approved as to form and legality:

\_\_\_\_\_  
OMICHELE D. GAINEY  
CITY CLERK

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

**EXHIBIT "A"**

**LEGAL DESCRIPTION FOR THE PORTION OF GREEN RIDGE SUBDIVISION UNIT NO. 1 RECORDED IN OFFICIAL RECORDS BOOK 98, PAGE 590, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AS LOCATED WITHIN THE PROPOSED ROYAL PARK PROJECT:**

A PARCEL OF LAND SITUATED IN GREEN RIDGE SUBDIVISION UNIT NO. 1, A SUBDIVISION AS RECORDED IN OFFICIAL RECORD BOOK 98, PAGE 590 OF PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN NORTH 89°54' EAST ALONG THE NORTH LINE OF SAID SECTION 2, 1660 FEET; THENCE RUN SOUTH 00°33'45" EAST 792 FEET; THENCE RUN NORTH 89°54' EAST 400 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°54' EAST 401.3 FEET; THENCE RUN SOUTH 00°33'45" EAST 100 FEET; THENCE RUN NORTH 89°54' EAST 60 FEET; THENCE RUN SOUTH 00°33'45" EAST 35 FEET; THENCE RUN NORTH 89°54' EAST 788.3 FEET TO THE WEST LINE OF GOLF CLUB MANOR, A SUBDIVISION AS RECORDED IN PLAT BOOK E, PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 00°29'54" EAST ALONG SAID WEST LINE, 686 FEET; THENCE RUN SOUTH 89°54' WEST 1164.6 FEET; THENCE RUN NORTH 38°51' WEST 335.3 FEET TO THE SOUTHWEST CORNER OF LOT 32 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1; THENCE RUN NORTH 89°54' EAST ALONG THE SOUTH LINE OF SAID LOT 32, 117.56 FEET TO THE SOUTHEAST CORNER OF SAID LOT 32; THENCE RUN NORTH 00°29'45" WEST ALONG THE EAST LINE OF SAID LOT 32 AND ALSO ALONG THE EAST LINE OF LOTS 30, AND 12 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1, 424.5 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 4 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1, SAID POINT ALSO LYING ON THE NORTHERLY RIGHT OF WAY LINE OF NORTHWEST 6TH AVENUE; THENCE RUN NORTH 89°54" EAST ALONG NORTHERLY RIGHT OF WAY LINE AND SAID SOUTHERLY BOUNDARY LINE, 5.40 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE RUN NORTH 00°29'45" WEST ALONG THE WESTERLY LINE OF SAID LOT 4, 135 FEET TO THE POINT OF BEGINNING.

**LESS AND ACCEPT THE FOLLOWING:**

**LEGAL DESCRIPTION OF GREEN RIDGE SUBDIVISION UNIT NO. 2 RECORDED IN OFFICIAL RECORDS BOOK 98, PAGE 596, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA:**

COMMENCE AT THE N.W. CORNER OF SEC. 2 – T10S – R19E AND RUN N.89°54'E. ALONG THE NORTH LINE OF SAID SECTION 1640', THENCE RUN S.0°33'45"E. 792', THENCE RUN N.89°54'E. 801.3', THENCE RUN S.0°33'45"E. 100', THENCE RUN N.89°54'E. 60', THENCE RUN S.0°33'45"E. 35' TO THE P.O.B., THENCE RUN N.89°54'E. 788.3' TO THE WEST LINE OF GOLF CLUB MANOR AS PER PLAT AS RECORDED IN PLAT BOOK "E", PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, THENCE RUN S.0°29'45"E. ALONG SAID WEST LINE 100', THENCE RUN S.89°54'W. 115', THENCE RUN S.0°29'45"E. 61.5', THENCE RUN S.89°54'W. 630', THENCE RUN N.0°29'45"W. 101.5', THENCE RUN S.89°54'W. 43.3', THENCE RUN N.0°29'45"W. 60' TO THE P.O.B. ALL BEING AND LYING IN THE NORTH 1/2 OF SEC. 2 – T10S – R19E, ALACHUA COUNTY, FLORIDA.



W. Terry Costolo, Esq.  
Direct Line: 407.8394273.  
terry.costolo@nelsonmullins.com

ATTORNEYS AND COUNSELORS AT LAW

City National Bank of Florida Building  
390 North Orange Avenue | Suite 1400  
Orlando, FL 32801  
T: 407.839.4200 F: 407.425.8377

nelsonmullins.com

*\* In Florida, known as Nelson Mullins Broad and Cassel*

October 27, 2021

## CITY OF GAINESVILLE

### OPINION OF TITLE

**To: City of Gainesville, Florida, a political subdivision of the State of Florida**

With the understanding that this Opinion of Title is furnished to the City of Gainesville, Florida, as an inducement for acceptance and in compliance with Florida Statutes Chapter 177 and as an inducement for acceptance of a proposed vacation of a portion of the subdivision plat known as “Green Ridge Subdivision Unit No. 1”, as hereinafter described (the “Property”), it is hereby certified that I have examined title to the Property, covering the period from the beginning of time to the 15th day of October, 2021 (the “Effective Date”) of the following described Property:

**See Exhibit “A” attached hereto and incorporated herein by reference.**

I am of the opinion that on the last mentioned date the fee simple title to the above-described real property was vested in:

**JAMES D. HENDERSON, II, as Successor Trustee under the provisions of that certain Trust Agreement dated July 27, 1988.**

Subject to the following liens, encumbrances, and other exceptions:

**1. RECORDED MORTGAGES:**

**NONE**

**2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

**NONE**

**3. DELINQUENT TAXES: NONE**

Year	Account Number	Gross Amount	Status
2020	06496-000-000	\$142.77	Paid

2021	06496-000-000	\$143.16 (TRIM Notice)	Unpaid/not yet due
------	---------------	---------------------------	--------------------

#### 4. GENERAL EXCEPTIONS:

- a) All taxes and assessments for 2021 and subsequent years, which are not yet due and payable, and taxes or special assessments which are not shown as existing liens by the public records.
- b) Rights or claims of parties in possession not shown by the public records.
- c) Easement or claims of easements not shown by the public records.
- d) Encroachments, overlaps, boundary line disputes, and any other matter which would be disclosed by an accurate survey and inspection of the premises.
- e) Any lien for services, labor or material heretofore or hereafter furnished imposed by law and not shown by the public records.
- f) Any adverse claim to any portion of said land which has been created by artificial means or has accreted to any such portion so created and riparian rights, if any.
- g) Zoning and other restrictions imposed by governmental authority.

#### 5. SPECIAL EXCEPTIONS:

- 1. Easement in favor of the City of Gainesville recorded in Official Records Book 772, Page 347, Public Records of Alachua County, Florida.

**I HEREBY CERTIFY** that I have reviewed all the aforementioned encumbrances and exceptions.

**I HEREBY CERTIFY** that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and am a member in good standing of the Florida Bar.

Respectfully submitted this 27<sup>th</sup> day of October 2021.

NELSON MULLINS RILEY & SCARBOROUGH, LLP

  
 W. Terry Costolo, Florida Bar # 712523

STATE OF FLORIDA  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27<sup>th</sup> day of October, 2021, by W. Terry Costolo, Esq., as authorized agent on behalf of Nelson Mullins Riley & Scarborough, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

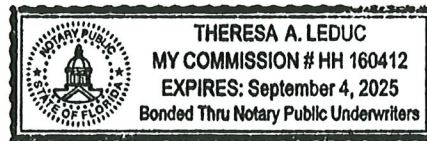
Theresa A. Leduc

Notary Public, State of Florida

Print Name: Theresa A. Leduc

Commission No.: HH 160412

My Commission Expires: 9-4-2025





**EXHIBIT "A"****Legal Description**

LEGAL DESCRIPTION FOR THE PORTION OF GREEN RIDGE SUBDIVISION UNIT NO. 1 RECORDED IN OFFICIAL RECORDS BOOK 98, PAGE 590, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AS LOCATED WITHIN THE PROPOSED ROYAL PARK PROJECT:

A PARCEL OF LAND SITUATED IN GREEN RIDGE SUBDIVISION UNIT NO. 1, A SUBDIVISION AS RECORDED IN OFFICIAL RECORD BOOK 98, PAGE 590 OF PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN NORTH 89°54' EAST ALONG THE NORTH LINE OF SAID SECTION 2, 1660 FEET; THENCE RUN SOUTH 00°33'45" EAST 792 FEET; THENCE RUN NORTH 89°54' EAST 400 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°54' EAST 401.3 FEET; THENCE RUN SOUTH 00°33'45" EAST 100 FEET; THENCE RUN NORTH 89°54' EAST 60 FEET; THENCE RUN SOUTH 00°33'45" EAST 35 FEET; THENCE RUN NORTH 89°54' EAST 788.3 FEET TO THE WEST LINE OF GOLF CLUB MANOR, A SUBDIVISION AS RECORDED IN PLAT BOOK E, PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 00°29'54" EAST ALONG SAID WEST LINE, 686 FEET; THENCE RUN SOUTH 89°54' WEST 1164.6 FEET; THENCE RUN NORTH 38°51' WEST 335.3 FEET TO THE SOUTHWEST CORNER OF LOT 32 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1; THENCE RUN NORTH 89°54' EAST ALONG THE SOUTH LINE OF SAID LOT 32, 117.56 FEET TO THE SOUTHEAST CORNER OF SAID LOT 32; THENCE RUN NORTH 00°29'45" WEST ALONG THE EAST LINE OF SAID LOT 32 AND ALSO ALONG THE EAST LINE OF LOTS 30, AND 12 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1, 424.5 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 4 OF SAID GREEN RIDGE SUBDIVISION UNIT NO. 1, SAID POINT ALSO LYING ON THE NORTHERLY RIGHT OF WAY LINE OF NORTHWEST 6TH AVENUE; THENCE RUN NORTH 89°54" EAST ALONG NORTHERLY RIGHT OF WAY LINE AND SAID SOUTHERLY BOUNDARY LINE, 5.40 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE RUN NORTH 00°29'45" WEST ALONG THE WESTERLY LINE OF SAID LOT 4, 135 FEET TO THE POINT OF BEGINNING.

**LESS AND ACCEPT THE FOLLOWING:**

LEGAL DESCRIPTION OF GREEN RIDGE SUBDIVISION UNIT NO. 2 RECORDED IN OFFICIAL RECORDS BOOK 98, PAGE 596, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA:

COMMENCE AT THE N.W. CORNER OF SEC. 2 – T10S – R19E AND RUN N.89°54'E. ALONG THE NORTH LINE OF SAID SECTION 1660', THENCE RUN S.0°33'45"E. 792', THENCE RUN N.89°54'E. 801.3', THENCE RUN S.0°33'45"E. 100', THENCE RUN N.89°54'E. 60', THENCE RUN S.0°33'45"E. 35' TO THE P.O.B., THENCE RUN N.89°54'E. 788.3' TO THE WEST LINE OF GOLF CLUB MANOR AS PER PLAT AS RECORDED IN PLAT BOOK "E", PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, THENCE RUN S.0°29'45"E. ALONG SAID WEST LINE 100', THENCE RUN S.89°54'W. 115', THENCE RUN S.0°29'45"E. 61.5', THENCE RUN S.89°54'W. 630', THENCE RUN N.0°29'45"W. 101.5', THENCE RUN S.89°54'W. 43.3', THENCE RUN N.0°29'45"W. 60' TO THE P.O.B. ALL BEING AND LYING IN THE NORTH 1/2 OF SEC. 2 – T10S – R19E, ALACHUA COUNTY, FLORIDA.

## RESOLUTION NO. \_\_\_\_\_

**A resolution of the City of Gainesville, Florida, vacating Green Ridge Subdivision Unit No. 2, recorded at Official Records Book 98, Page 596, Public Records of Alachua County, Florida, generally located between NW 8<sup>th</sup> Avenue and W University Avenue, east of NW 39<sup>th</sup> Road, and west of NW 36<sup>th</sup> Drive, as further described herein, upon the petition of the property owner(s); providing directions to the City Clerk; providing for the recording of this resolution; and providing an effective date.**

**WHEREAS**, Section 177.101, Florida Statutes, vests the governing bodies of counties with the authority to adopt resolutions vacating plats, in whole or in part, and returning the vacated property to acreage; and

**WHEREAS**, Section 177.101(4), Florida Statutes, states that if the subject property is within the corporate limits of the City, the governing body of the County shall be furnished with a certified copy of a resolution of the City Commission showing that it has already by suitable resolution vacated such plat or subdivision or such part thereof sought to be vacated; and

**WHEREAS**, James D. Henderson, II, as Successor Trustee under the provisions of that certain Trust Agreement dated July 27, 1988, submitted a petition requesting that the City of Gainesville vacate the Green Ridge Subdivision Unit No. 2 plat, as further described herein, and which is recorded at Official Records Book 98, Page 596, Public Records of Alachua County, Florida; and

**WHEREAS**, it appears that James D. Henderson, II, as Successor Trustee under the provisions of that certain Trust Agreement dated July 27, 1988, is the fee simple owner(s) of the property that is the subject of this resolution and the vacation of said plat will not affect the ownership or right of convenient access of persons owning property abutting the property that is the subject of this resolution; and

**WHEREAS**, it appears that all ad valorem taxes due and owing on said property have been paid, that due and proper notice of petitioner's intention to apply to vacate said plat has been given as required by law, and proof of publication of said notice has been received by the City; and

**WHEREAS**, the vacation of said plat is proper and conforms to the requirements of Section 177.101, Florida Statutes; and

**WHEREAS**, the vacation of said plat is not inconsistent with the City's Comprehensive Plan or Land Development Code; and

**WHEREAS**, the City of Gainesville is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, as well as the provisions of the City Charter and other law, and together with the provisions of Section 177.101(4), Florida Statutes, has authority to vacate plats.

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

**Section 1. Recitals.** The above recitals are true and accurate and are incorporated herein.

**Section 2. Plat Vacation.** The plat of Green Ridge Subdivision Unit No. 2, recorded at Official Records Book 98, Page 596, Public Records of Alachua County, Florida, and legally described in Exhibit "A" attached hereto, is hereby vacated and annulled and the same is hereby returned to non-platted acreage.

**Section 3. Existing Easements.** This resolution does not release nor is it intended to release any easements or conveyances that exist and are duly recorded in the Public Records of Alachua County. The City Commission expressly retains and reserves all rights to recorded easements and conveyances that were granted to the City.

**Section 4. Notice to County.** The City Clerk shall provide a certified copy of this resolution to the Board of County Commissioners of Alachua County, Florida.

**Section 5. Recording.** A certified copy of this resolution shall be recorded in the Public Records of Alachua County, Florida.

**Section 6. Effective Date.** This resolution shall take effect immediately upon adoption.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

Attest:

Approved as to form and legality:

\_\_\_\_\_  
OMICHELE D. GAINEY  
CITY CLERK

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

**EXHIBIT "A"**

LEGAL DESCRIPTION OF GREEN RIDGE SUBDIVISION UNIT NO. 2 RECORDED IN OFFICIAL RECORDS BOOK 98, PAGE 596, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA:

COMMENCE AT THE N.W. CORNER OF SEC. 2 – T10S – R19E AND RUN N.89°54'E. ALONG THE NORTH LINE OF SAID SECTION 1640', THENCE RUN S.0°33'45"E. 792', THENCE RUN N.89°54'E. 801.3', THENCE RUN S.0°33'45"E. 100', THENCE RUN N.89°54'E. 60', THENCE RUN S.0°33'45"E. 35' TO THE P.O.B., THENCE RUN N.89°54'E. 788.3' TO THE WEST LINE OF GOLF CLUB MANOR AS PER PLAT AS RECORDED IN PLAT BOOK "E", PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, THENCE RUN S.0°29'45"E. ALONG SAID WEST LINE 100', THENCE RUN S.89°54'W. 115', THENCE RUN S.0°29'45"E. 61.5', THENCE RUN S.89°54'W. 630', THENCE RUN N.0°29'45"W. 101.5', THENCE RUN S.89°54'W. 43.3', THENCE RUN N.0°29'45"W. 60' TO THE P.O.B. ALL BEING AND LYING IN THE NORTH 1/2 OF SEC. 2 – T10S – R19E, ALACHUA COUNTY, FLORIDA.



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nelsonmullins.com

*\* In Florida, known as Nelson Mullins Broad and Cassel*

October 27, 2021

## CITY OF GAINESVILLE

### OPINION OF TITLE

**To: City of Gainesville, Florida, a political subdivision of the State of Florida**

With the understanding that this Opinion of Title is furnished to the City of Gainesville, Florida, as an inducement for acceptance and in compliance with Florida Statutes Chapter 177 and as an inducement for acceptance of a proposed vacation of the subdivision plat known as “Green Ridge Subdivision Unit No. 2”, as hereinafter described (the “Property”), it is hereby certified that I have examined title to the Property, covering the period from the beginning of time to the 15th day of October, 2021 (the “Effective Date”) of the following described Property:

**See Exhibit “A” attached hereto and incorporated herein by reference.**

I am of the opinion that on the last mentioned date the fee simple title to the above-described real property was vested in:

**JAMES D. HENDERSON, II, as Successor Trustee under the provisions of that certain Trust Agreement dated July 27, 1988.**

Subject to the following liens, encumbrances, and other exceptions:

**1. RECORDED MORTGAGES:**

**NONE**

**2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

**NONE**

**3. DELINQUENT TAXES: NONE**

Year	Account Number	Gross Amount	Status
2020	06496-000-000	\$142.77	Paid

2021	06496-000-000	\$143.16 (TRIM Notice)	Unpaid/not yet due
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#### 4. GENERAL EXCEPTIONS:

- a) All taxes and assessments for 2021 and subsequent years, which are not yet due and payable, and taxes or special assessments which are not shown as existing liens by the public records.
- b) Rights or claims of parties in possession not shown by the public records.
- c) Easement or claims of easements not shown by the public records.
- d) Encroachments, overlaps, boundary line disputes, and any other matter which would be disclosed by an accurate survey and inspection of the premises.
- e) Any lien for services, labor or material heretofore or hereafter furnished imposed by law and not shown by the public records.
- f) Any adverse claim to any portion of said land which has been created by artificial means or has accreted to any such portion so created and riparian rights, if any.
- g) Zoning and other restrictions imposed by governmental authority.

#### 5. SPECIAL EXCEPTIONS:

1. Easement in favor of the City of Gainesville recorded in Official Records Book 772, Page 347, Public Records of Alachua County, Florida.

**I HEREBY CERTIFY** that I have reviewed all the aforementioned encumbrances and exceptions.

**I HEREBY CERTIFY** that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and am a member in good standing of the Florida Bar.

Respectfully submitted this 27<sup>th</sup> day of October 2021.

NELSON MULLINS RILEY & SCARBOROUGH, LLP

  
 W. Terry Costolo, Florida Bar # 712523

STATE OF FLORIDA  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27<sup>th</sup> day of October, 2021, by W. Terry Costolo, Esq., as authorized agent on behalf of Nelson Mullins Riley & Scarborough, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

Theresa A. Leduc  
Notary Public, State of Florida  
Print Name: Theresa A. Leduc  
Commission No.: HH 160412  
My Commission Expires: 9-4-2025



**EXHIBIT "A"****Legal Description**

LEGAL DESCRIPTION OF GREEN RIDGE SUBDIVISION UNIT NO. 2 RECORDED IN OFFICIAL RECORDS BOOK 98, PAGE 596, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA:

COMMENCE AT THE N.W. CORNER OF SEC. 2 – T10S – R19E AND RUN N.89°54'E. ALONG THE NORTH LINE OF SAID SECTION 1660', THENCE RUN S.0°33'45"E. 792', THENCE RUN N.89°54'E. 801.3', THENCE RUN S.0°33'45"E. 100', THENCE RUN N.89°54'E. 60', THENCE RUN S.0°33'45"E. 35' TO THE P.O.B., THENCE RUN N.89°54'E. 788.3' TO THE WEST LINE OF GOLF CLUB MANOR AS PER PLAT AS RECORDED IN PLAT BOOK "E", PAGE 12 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, THENCE RUN S.0°29'45"E. ALONG SAID WEST LINE 100', THENCE RUN S.89°54'W. 115', THENCE RUN S.0°29'45"E. 61.5', THENCE RUN S.89°54'W. 630', THENCE RUN N.0°29'45"W. 101.5', THENCE RUN S.89°54'W. 43.3', THENCE RUN N.0°29'45"W. 60' TO THE P.O.B. ALL BEING AND LYING IN THE NORTH 1/2 OF SEC. 2 – T10S – R19E, ALACHUA COUNTY, FLORIDA.



LEGAL DESCRIPTION OF GREEN RIDGE SUBDIVISION UNIT NO. 2 RECORDED IN OFFICIAL RECORDS BOOK 98, PAGE 596, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA:

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