



City of Gainesville
Department of Sustainable Development
Planning Division

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CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: January 27th, 2022
PROJECT NAME AND NUMBER: PB-21-00154 SVA
APPLICATION TYPE: Right-of-Way Vacation (Quasi-Judicial)
RECOMMENDATION: Approve
CITY PROJECT CONTACT: Forrest Eddleton, Planner

APPLICATION INFORMATION:

Agent/Applicant: Linda and Kenneth McGurn (McGurn & McGurn Trustees)
Adjacent Property Owner(s): McGurn & McGurn Trustees and Hinson & Ratliff & Ratliff
Related Petition(s): N/A
Legislative History: N/A
Neighborhood Workshop: Yes, held on January 26th, 2022.

SITE INFORMATION:

Address: A 20-foot-wide alley overlaying portions of 3 tax parcels located in the 200 block of NW 1st Avenue
Parcel Number(s): 14260-000-000, 14261-000-000, and 14262-000-000
Acreage: 0.09 +/- acres of ROW
Existing Use(s): Unidentified Public Right-of-Way
Land Use Designation(s): UC (Urban Core)
Zoning Designation(s): Downtown (DT)
Overlay District(s): N/A
Transportation Mobility Program Area (TMPA): Zone A



Figure 1: Location Map

ADJACENT PROPERTY CHARACTERISTICS:

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
North	Mixed-Use – Pleasant Street Historic District	Urban Core (UC)	Downtown (DT)
South	Vacant	Urban Core (UC)	Downtown (DT)
East	Vacant	Urban Core (UC)	Downtown (DT)
West	Multi-Family/Single-Family Dwellings – Pleasant Street Historic District	Urban Core (UC)	Downtown (DT)

PURPOSE AND DESCRIPTION:

This petition is privately initiated by Linda and Kenneth McGurn, trustees of parcel 14260-000-000 and requests to vacate the 20ft wide right-of-way (ROW) that overlays 3 tax parcels (14260-000-000, 14261-000-000, and 14262-000-000) located in the 200 block of NW 1st Avenue. The ROW is paved with asphalt and aligns with what has historically been used as a drive-aisle for off-street parking. Currently the property is vacant. Staff have confirmed that the ROW has not been a part of any City controlled maintenance program and was essentially unknown until identified by the applicant. All property owners for the abutting properties have signed the application requesting the ROW vacation. The ROW to be vacated is approximately 3920 sq.ft. (0.09 acres) in total, with the total length of the proposed ROW vacation being approximately 170ft.

STAFF ANALYSIS AND RECOMMENDATION:

The staff recommendation is based on the review criteria stated in Section 30-3.41. Right-of-way vacation in the Land Development Code and in Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan. The following review criteria are stated below:

1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;

- c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;
 - d. Whether the proposed action would deny access to private property;
 - e. The effect of the proposed action upon public safety;
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
 - g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;
 - h. The necessity to relocate utilities both public and private; and
 - i. The effect of the proposed action on the design and character of the area.
2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
- a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
 - c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

ANALYSIS

1. **The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:**
- a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
The requested area for ROW vacation is currently vacant. The ROW was previously unknown to City staff and has not served a public purpose. Owners for the three affected parcels, 14260-000-000, 14261-000-000, and 14262-000-000 have signed the application requesting the ROW vacation. The ROW vacation will allow for a larger, more cohesive, developable area.
 - b. Whether the proposed action is consistent with the Comprehensive Plan;

The subject ROW vacation is consistent with the goals, objectives, and policies of the Comprehensive Plan. Specifically, the proposed action is consistent with Policy 10.2.1 of the Transportation Mobility Element, which outlines conditions that are appropriate for right-of-way vacation, as further outlined in criteria 2.a-2.d below.

Additionally, the subject right-of-way vacation is consistent with Policy 1.2.1 of the Future Land Use Element which states that the City may vacate street right-of-way only if it does not prevent reasonable connection for existing and future public transit, pedestrian, and non-motorized and motorized vehicle trips. Connection and access opportunities, as they exist currently, will remain unaffected by the requested ROW vacation. Redevelopment of the subject area will continue to allow for connections to existing and future public transit, pedestrian, and non-motorized and motorized vehicle trips.

- c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;

The existing block perimeter is roughly 1200ft and will remain below the 1600ft maximum for Downtown zoned properties following the proposed ROW vacation.

- d. Whether the proposed action would deny access to private property;

The abutting property owners signed the application to request the ROW vacation. If approved, the vacated ROW would not deny access to private property. No other nearby properties are served by the ROW.

- e. The effect of the proposed action upon public safety;

The proposed ROW vacation will not impact public safety. Redevelopment of the subject properties will still be able to be serviced by fire, police, garbage collection, and other essential services.

- f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;

The proposed ROW vacation will not negatively impact pedestrian safety or vehicular traffic. There are no existing sidewalks or other pedestrian facilities being removed as part of the proposed ROW vacation. Fire, police, and other emergency vehicle access will not be affected.

- g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;

The proposed ROW vacation will not impact the ability for the existing properties to be served by emergency and waste collection services. The surrounding street grid and vacant surrounding property will continue to provide opportunities for municipal service provision.

- h. The necessity to relocate utilities both public and private; and

There are no existing utilities to be relocated as part of this ROW vacation. Any necessary rights for public utility easements will be established or reserved.

- i. The effect of the proposed action on the design and character of the area.

The proposed street vacation will not impact the design or character of the area. The proposed area for ROW vacation is aligned with an existing portion of off-street parking associated with a currently vacant building. The proposed area for street vacation did not contribute to the character of the neighborhood. Vacating the ROW will allow for greater flexibility in design options that can address neighborhood character in future redevelopment.

2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:

- a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;

The proposed ROW is not a street as defined and recognized by city staff.

- b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;

The proposed ROW vacation will not foreclose any non-motorized access to adjacent land uses or transit stops.

- c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and

The subject street vacation will allow for the cohesive development of the block within the City's most dense and urban zoning district, Downtown.

- d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

The proposed ROW vacation will not affect the need or establishment of a transportation corridor for the area.

RECOMMENDATION

Staff recommends approval of Petition PB-21-00154 SVA.

DRAFT MOTION FOR CONSIDERATION

Move to approve Petition PB-21-00154 SVA.

POST-APPROVAL REQUIREMENTS:

The subject petition is required to be heard by the City Commission at a public hearing where it will be considered for further action.

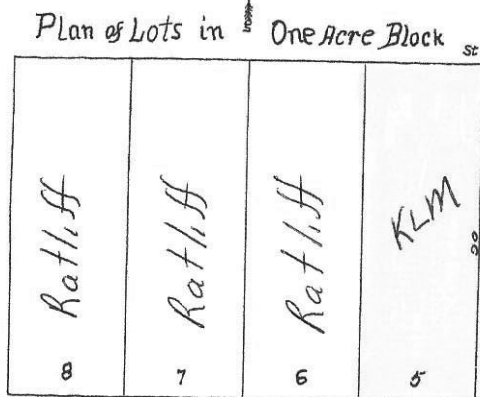
LIST OF APPENDICES:

- Appendix A** Application Documents
- Appendix B** Comprehensive Plan Goals, Objectives and Policies
- Appendix C** Land Development Code Regulations
- Appendix D** Maps

Appendix A

Application Documents

A-16



Ratiff			
	Lots 50 x 90		
KLM	KLM	KLM	KLM
4	3	2	1

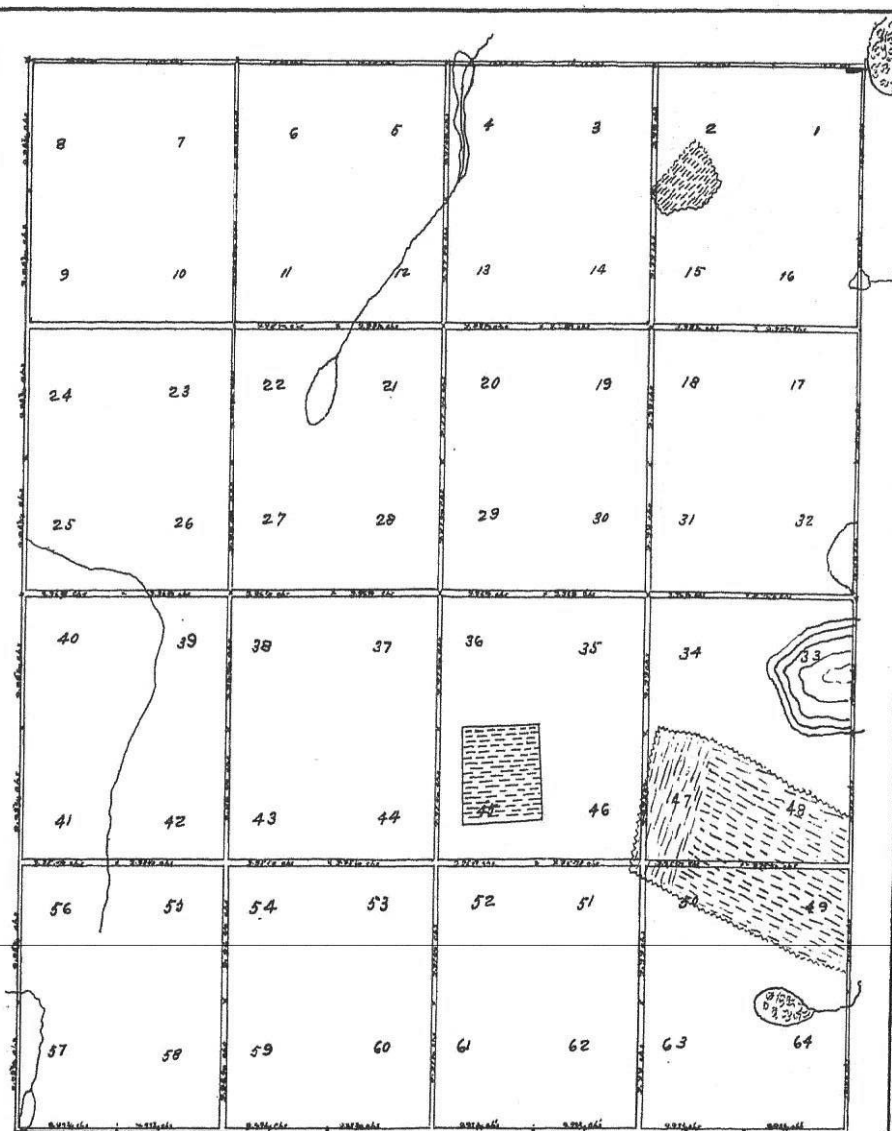
West Hay Lot No 19 of Brushy Addition to the Town of Gainesville St
as subdivided by Eliza A Clapp Property of Eliza A Clapp
Filed for record April 28th 1885
Recorded May 20th 1885 J. A. Carlisle Clerk

NORTH

W. Orange St

30	30	30	30
8	7	6	5
4	3	2	1

7-Mechanic St



Map of Section 28 Range 19 E Township 3 S Alachua County Florida
March 1888 Miller & Jenkins. O.E.

March 1888 Miller & Jenkins. C.E.

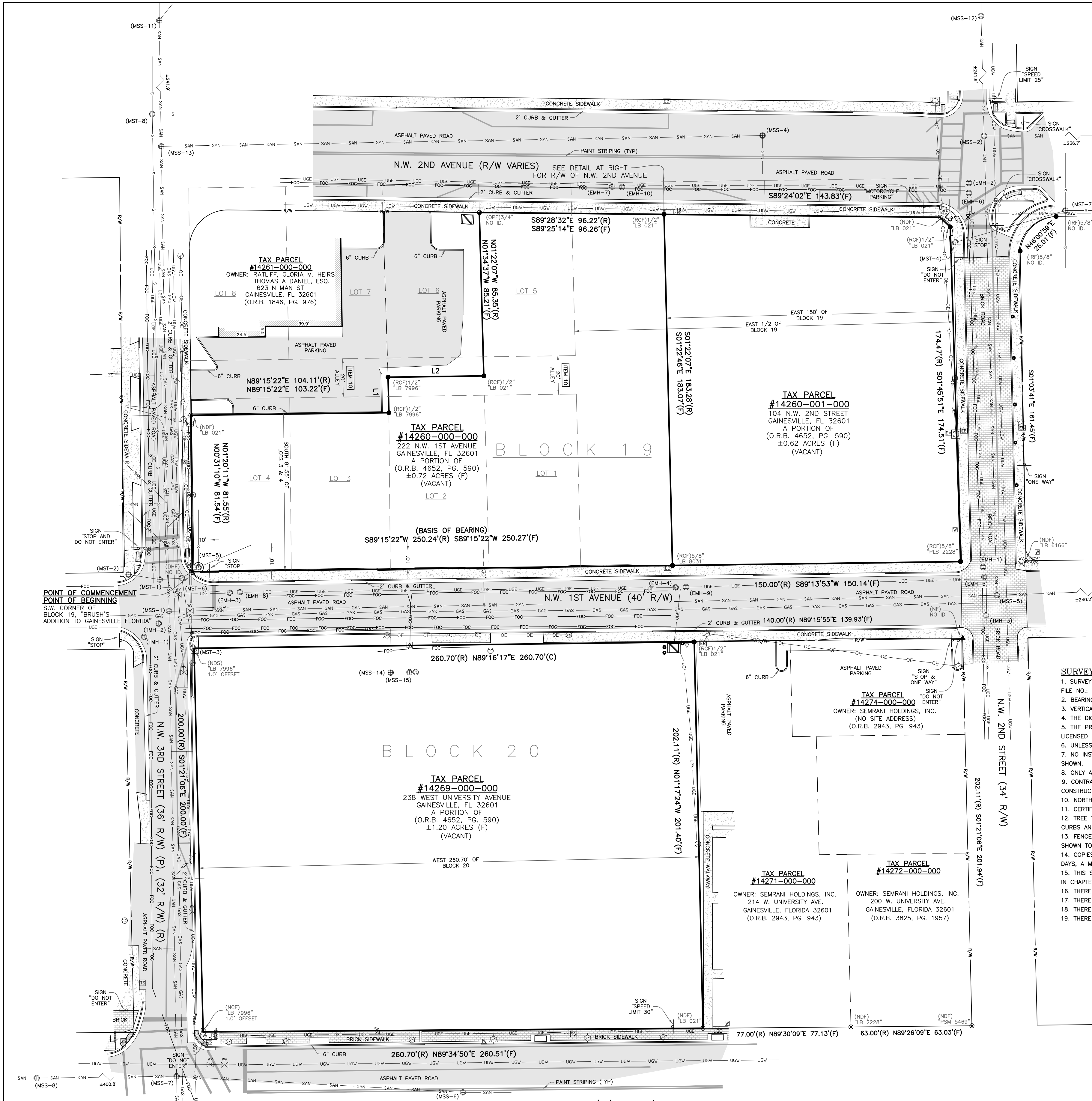
Scale relevant time:

NOTE

NOTE
All roads are 30 links wide and are taken from lots between which

They run strinks from each lot. Distances given are between corner stakes
Recorded June 21st 1886
T. A. Corliss Clerk

T. G. Carlisle Clark



LEGEND:

- (P) PLAT INFORMATION
- (R) RECORD MEASUREMENT
- (F) FIELD MEASUREMENT
- ID. IDENTIFICATION
- R/W RIGHT-OF-WAY
- O.R.B. OFFICIAL RECORDS BOOK
- (TYP) TYPICAL
- INV. INVERT
- RCP REINFORCED CONCRETE PIPE
- CMV CORRUGATED METAL PIPE
- VCP VITRIFIED CLAY PIPE
- (NDS) NAIL & DISK SET
- (RCF) REBAR & CAP FOUND
- (OPF) OPEN PIPE FOUND
- (NHF) NAIL & DISK FOUND
- (NPF) NAIL FOUND
- (IRF) IRON ROD FOUND
- (DHF) DRILL HOLE FOUND

- BOLLARD
- CABLE TELEVISION BOX
- CURB INLET
- CLEAN-OUT
- CROSSWALK SIGNAL POLE
- ELECTRIC BOX
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- EMH ELECTRIC MANHOLE
- FIRE DEPARTMENT CONNECTION
- GUY WIRE
- FIRE HYDRANT
- LIGHT POLE
- (WH) MANHOLE
- (MSS) SANITARY SEWER MANHOLE
- (MST) STORM WATER MANHOLE

- SIGN
- SEWER VALVE
- (TMH) TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- TRAFFIC SIGNAL BOX
- TRAFFIC SIGNAL POLE
- WATER METER
- WOOD POWER POLE
- WATER VALVE
- UNDERGROUND ELECTRIC LINES
- UNDERGROUND SANITARY SEWER LINES
- UNDERGROUND WATER LINES
- UNDERGROUND FIBER-OPTIC LINES
- UNDERGROUND STORM WATER LINES
- OVERHEAD ELECTRIC LINES

ALTA/NSPS CERTIFICATION:

TO: PDX ENTERPRISES, LLC; FIRST AMERICAN TITLE INSURANCE COMPANY; GRAYROBINSON, P.A.:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 8, 11 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 22, 2021.

DATE OF PLAT OR MAP:

DAVE DEREN
PROFESSIONAL SURVEYOR & MAPPER CERTIFICATE NUMBER 6946

SCALE: 1" = 30'
BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

DATE OF FIELD WORK: 02-22-2021

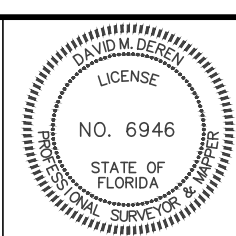
PAGE 1 OF 1

DATE: 03-03-2021

DRAWN BY: GUY/JAT

FIELD BOOK: 420/10

COPYRIGHT © DEREN LAND SURVEYING, LLC. LB. NO. 7996



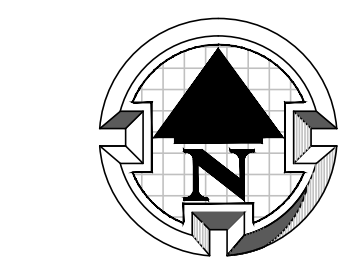
PROFESSIONAL SURVEYOR & MAPPER FLA.CERT. 6946

JOB NO. 21093

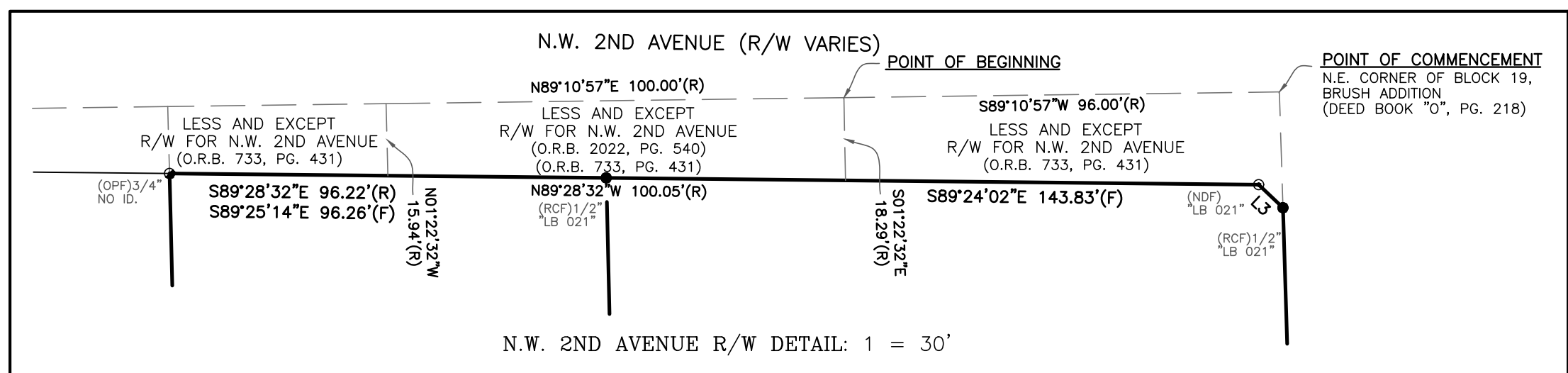
ACAD FILE: 21093

ALTA/NSPS LAND TITLE SURVEY

TAX PARCEL #14260-000-000,
14260-001-000 & 14269-000-000
SECTION 05, TOWNSHIP 10 SOUTH, RANGE 20 EAST
ALACHUA COUNTY, FLORIDA



SCALE: 1" = 30'
DEREN LAND SURVEYING
ACCURACY COUNTS - KNOW YOUR BOUNDARIES



SCHEDULE B-II. (FIRST AMERICAN TITLE INSURANCE COMPANY;
FILE NO.: 2080-5210633; COMMITMENT DATE: FEBRUARY 17, 2021 @ 8:00 PM)

ITEMS 1-9: NOT SURVEY RELATED.

ITEM 10: 20' ALLEY PER "WEST 1/2 OF LOT NO. 19 OF BRUSH'S ADDITION TO THE TOWN OF GAINESVILLE" AS PER PLAT BOOK "A", PAGE 16 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND/OR ANY RIGHT, TITLE OR INTEREST IN AND TO SAID ALLEY.

ITEM 11: NOT SURVEY RELATED.

FLOOD ZONE:

IT IS THE OPINION OF THIS LAND SURVEYOR BASED ON AN INTERPRETATION OF F.I.R.M. PANEL NO. 314 OF 640, COMMUNITY PANEL NO. "125107 0314 0" THAT THIS PROPERTY IS LOCATED IN FLOOD ZONE "X". (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN), MAP EFFECTIVE DATE JUNE 16, 2006.

SURVEYOR'S NOTES:

1. SURVEY BASED ON MONUMENTATION FOUND AND ACCEPTED AS PER (FIRST AMERICAN TITLE INSURANCE COMPANY; FILE NO.: 2080-5210633; COMMITMENT DATE: FEBRUARY 17, 2021 @ 8:00 PM).
2. BEARINGS ARE BASED ON A RECORDED CALL OF SOUTH 89°15'22" WEST FOR THE SOUTH LINE OF TAX PARCEL 14260-000-000.
3. VERTICAL DATUM IS BASED ON NAVD 1988.
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. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF LOCATIONS AND ELEVATIONS OF UTILITIES PRIOR TO EXCAVATION OR "TIE-IN" CONSTRUCTION.
10. NORTH ARROW IS BASED ON BEARING STRUCTURE.
11. CERTIFICATION IS NOT TRANSFERABLE.
12. TREE TRUNK DIAMETERS WERE SIZED AT CHEST HEIGHT, AND DIAMETER MAY VARY AT THE BASE OF THE TRUNKS. DO NOT DESIGN STRUCTURES, CURBS AND GUTTERS WITHIN 5 FEET OF LOCATED TREES WITHOUT FIRST CONTACTING THIS SURVEYOR.
13. FENCES, SYMBOLS, MONUMENTATION AND UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
14. 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.
15. 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.
16. THERE WERE NO PARKING SPACES AND/OR PARKING STRIPES ON THIS PROPERTY AT THE TIME OF THIS SURVEY.
17. THERE IS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS AT THE TIME OF THIS SURVEY.
18. THERE IS EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF THIS SURVEY.
19. THERE ARE NO WETLANDS ON THIS PROPERTY.

LAND DESCRIPTION: (FIRST AMERICAN TITLE INSURANCE COMPANY;
FILE NO.: 2080-5210633; COMMITMENT DATE: FEBRUARY 17, 2021 @ 8:00 PM)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ALACHUA, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

ALL OF LOTS 1, 2, AND 5 TOGETHER WITH THE SOUTH 81.55 FEET OF LOTS 3 AND 4 OF THE REPLAT OF THE WEST HALF OF BLOCK-19 OF "BRUSH'S ADDITION TO GAINESVILLE, FLORIDA", FILED JANUARY 24, 1925, IN PLAT BOOK "A", AT PAGE 16 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, ALSO THE EAST HALF OF BLOCK 19 OF BRUSH'S ADDITION AS PER PLAT THEREOF, AS RECORDED IN DEED BOOK "O", PAGE 218 LESS THE EAST 150 FEET THERE OF, LESS ALL THE RIGHT-OF-WAY FOR N.W. 2ND AVENUE, PER OFFICIAL RECORDS BOOK 733, PAGE 431.

ALSO THE WEST 260.70 FEET OF BLOCK 20 OF BRUSH'S ADDITION AS PER PLAT THEREOF, AS RECORDED IN DEED BOOK "O", PAGE 218, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

THAT PART OF SAID BLOCK 19 ABOVE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT A DRILL HOLE MARKING THE SOUTHWEST CORNER OF SAID BLOCK 19, OF "BRUSH'S ADDITION TO GAINESVILLE, FLORIDA", SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF N.W. 3RD STREET (A 32 FOOT RIGHT-OF-WAY), THENCE RUN NORTH 01°20'11" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 81.55 FEET, THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°15'22" EAST, A DISTANCE OF 104.11 FEET TO A SET REBAR AND CAP STAMPED P.L.S. 2228, THENCE RUN NORTH 01°20'55" WEST, A DISTANCE OF 18.58 FEET TO A CONCRETE MONUMENT, THENCE RUN NORTH 89°13'38" EAST, A DISTANCE OF 49.90 FEET TO A CONCRETE MONUMENT, THENCE RUN NORTH 01°22'07" WEST, A DISTANCE OF 85.35 FEET TO AN IRON PIPE ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 2ND AVENUE (RIGHT-OF-WAY VARIES), THENCE SOUTH 89°28'32" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 96.22 FEET TO A SET NAIL AND DISK STAMPED P.L.S. 2228, THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY, RUN SOUTH 01°22'07" EAST, A DISTANCE OF 183.28 FEET TO AN IRON PIPE ON THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF N.W. 1ST AVENUE (A 40 FOOT RIGHT-OF-WAY), THENCE RUN SOUTH 89°15'22" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.24 FEET TO THE POINT OF BEGINNING.

ALSO, THE EAST 150 FEET OF BLOCK 19 OF BRUSH'S ADDITION TO GAINESVILLE AS PER MAP OR PLAT THEREOF AS RECORDED IN DEED BOOK "O", PAGE 218 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS:

COMMENCE AT THE NE CORNER OF BLOCK 19, BRUSH ADDITION, DEED BOOK "O", PAGE 218, RUN SOUTH 89 DEGREES, 10 MINUTES AND 57 SECONDS WEST 96.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 01 DEGREES, 22 MINUTES AND 32 SECONDS EAST 18.29 FEET; THENCE RUN NORTH 89 DEGREES, 28 SECONDS AND 32 MINUTES WEST 100.05 FEET; THENCE RUN NORTH 01 DEGREES, 22 MINUTES AND 32 SECONDS WEST 15.94 FEET; THENCE RUN NORTH 89 DEGREES, 10 MINUTES AND 57 SECONDS EAST 100.00 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 10 SOUTH, RANGE 20 EAST.

AND LESS AND EXCEPT ADDITIONAL RIGHT OF WAY AS REFERRED TO IN DEED RECORDED IN OR BOOK 611, PAGE 359 AND ANY OTHER PORTION THEREOF WHICH LIES WITHIN THE ROAD RIGHT OF WAY.

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.

MST-1:
RM = 176.54'
N. INV. = 172.87' (18"RCP)
E. INV. = 173.79' (18"RCP)
W. INV. = 174.29' (18"RCP)

MST-2:
RM = 176.61'
E. INV. = 173.88' (18"RCP)

MST-3:
RM = 176.26'
N. INV. = 174.47' (18"RCP)
SE. INV. = 175.36' (8"RCP)

MST-4:
RM = 176.37'
E. INV. = 174.73' (18"RCP)

MST-5:
RM = 176.80'
N. INV. = 174.95' (6"RCP)
NE. INV. = 174.65' (18"RCP)
SW. INV. = 174.60' (18"RCP)

MST-6:
RM = 176.42'
NE. INV. = 174.11' (18"RCP)
S. INV. = 174.05' (18"RCP)
W. INV. = 174.10' (18"RCP)

MST-7:
RM = 178.49'
N. INV. = 174.12' (18"RCP)
E. INV. = 174.10' (18"RCP)
S. INV. = 174.54' (12"CMV)
SW. INV. = 174.48' (18"RCP)

MST-8:
RM = 176.91'
N. INV. = 172.47' (18"RCP)
E. INV. = 172.59' (24"RCP)
S. INV. = 172.35' (18"RCP)

MSS-1:
RM = 176.52'
N. INV. = 167.00' (8"VCP)
E. INV. = 166.96' (8"VCP)
S. INV. = 166.82' (8"VCP)

MSS-2:
RM = 178.27'
N. INV. = 169.19' (8"VCP)
E. INV. = 169.33' (8"VCP)
W. INV. = 169.15' (8"VCP)

MSS-3:
RM = 176.42'
N. INV. = 169.56' (8"VCP)
W. INV. = 169.53' (8"VCP)

MSS-4:
RM = 177.77'
S. INV. = 171.40' (8"CMV)
W. INV. = 171.11' (12"CMV)

MSS-5:
RM = 178.49'
UNABLE TO OPEN

MSS-6:
RM = 177.07'
E. INV. = 170.98' (8"VCP)
W. INV. = 170.96' (8"VCP)

MSS-7:
RM = 175.89'
N. INV. = 164.32' (8"VCP)
E. INV. = 164.80' (8"VCP)
S. INV. = 164.24' (8"VCP)
W. INV. = 164.82' (8"VCP)

MSS-8:
RM = 171.90'
E. INV. = 165.70' (8"VCP)
W. INV. = 165.77' (8"VCP)

MSS-9:
RM = 172.20'
N. INV. = 163.24' (8"VCP)
S. INV. = 163.21' (8"VCP)

MSS-10:
RM = 178.18'
N. INV. = 175.24' (12"CMV)
E. INV. = 175.83' (12"CMV)
S. INV. = 175.20' (12"CMV)
W. INV. = 175.51' (12"CMV)

MSS-11:
RM = 175.95'
N. INV. = 168.19' (8"VCP)
NE. INV. = 168.42' (8"VCP)
S. INV. = 168.15' (8"VCP)

MSS-12:
RM = 177.55'
N. INV. = 169.58' (8"VCP)
S. INV. = 169.54' (8"VCP)

MSS-13:
RM = 177.09'
N. INV. = 167.45' (8"VCP)
E. INV. = 167.87' (8"VCP)
S. INV. = 167.41' (8"VCP)

MSS-14:
RM = 177.71'
LARGE STRUCTURE
(NOT ACTIVE)
BOTTOM = 169.71'

MSS-15:
RM = 177.67'
N. INV. = 175.24' (12"CMV)
E. INV. = 175.83' (12"CMV)
S. INV. = 175.20' (12"CMV)
W. INV. = 175.51' (12"CMV)

EMH-1:
RM = 178.41'
BOTTOM = 168.11'

EMH-2:
RM = 178.22'
BOTTOM = 167.37'

EMH-3:
RM = 177.53'
BOTTOM = 168.22'

EMH-4:
RM = 177.62'
UNABLE TO OPEN

EMH-5:
RM = 177.71'
LARGE STRUCTURE
(NOT ACTIVE)
BOTTOM = 169.71'

EMH-6:
RM = 178.20'
UNABLE TO OPEN

EMH-7:
RM = 177.47'
UNABLE TO OPEN

EMH-8:
RM = 176.50'
BOTTOM = 166.71'

EMH-9:
RM = 177.69'
BOTTOM = 168.40

EMH-10:
RM = 177.53'
BOTTOM = 168.22'

TMH-1:
RM = 176.26'
UNABLE TO OPEN

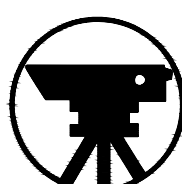
TMH-2:
RM = 176.39'
UNABLE TO OPEN

TMH-3:
RM = 178.51'
UNABLE TO OPEN

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

PHONE: (352) 331-0010
PHONE: (352) 336-3363
FAX: (352) 336-1084
DERENLANDSURVEYING.COM

DEREN
LAND SURVEYING



Prepared by: Linda C. McGurn
101 SE 2nd Place, #202
Gainesville, Florida 32601



Tax Parcels
14269-000-000
14260-000-000
14260-001-000

WARRANTY DEED

This Warranty Deed, made December 20th 2018, between **KLM PROPERTIES, INC.**, a Florida corporation, hereinafter Grantor, and **Kenneth R. McGurn and Linda C. McGurn, as Trustees of the KLM 2018 CHARITABLE REMAINDER UNITRUST**, a Florida trust, hereinafter Grantee, whose address is 101 S.E. 2nd Avenue, #202, Gainesville, Florida 32601.

WITNESSETH:

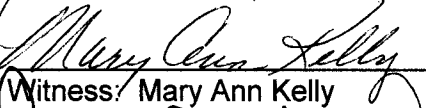
That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, hereby grants and conveys to the Grantee, its successors and assigns forever, the following described land situate in **Alachua** County, Florida, to wit:

That certain parcel of real property as described on the attached Exhibit "A".

Full power and authority are conferred upon the Grantee, as Trustee, to protect, conserve, sell, lease and encumber all interests conveyed by this instrument, and otherwise to manage and dispose of those interests, it being the intent of the Grantor to vest in Trustees full rights of ownership as authorized and contemplated by Section 689.073, Florida Statutes.


And the Grantor warrants that the property is free of all encumbrances, except the lien for real property taxes not yet due and payable and restrictions, reservations and easements of record, and that lawful seisin of and good right to convey the property are vested in the Grantor. The Grantor hereby fully warrants the title to the property and will defend the same against the lawful claims of all persons whomsoever. Grantor hereby recites that the above-described property is not homestead property.

In witness whereof, the Grantor has executed this deed the date set forth above.


Witness: Mary Ann Kelly

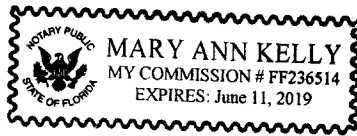

Witness: Juan Delgado

KLM PROPERTIES, INC.

By 
Kenneth R. McGurn, President
101 SE 2ND Place, Ste 202
Gainesville, FL 32601

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 20th day of December, 2018 by Kenneth R. McGurn, President of KLM Properties, Inc. a Florida corporation, on behalf of said corporation, who is personally known to me.



Mary Ann Kelly
Notary Public

Exhibit "A"

All of Lots 1, 2, and 5 Together with the South 81.55 feet of Lots 3 and 4 of the Replat of the West Half of Block 19 of "BRUSH'S ADDITION TO GAINESVILLE FLORIDA", filed January 24, 1925, in Plat Book "A", at Page 16 of the Public Records of Alachua County, Florida, also the East Half of Block 19 of BRUSH'S ADDITION as per plat thereof, as recorded in Deed Book "O", page 218 LESS the East 150 feet thereof, Less all the right-of-way for N.W. 2nd Avenue, per Official Records Book 733, page 431.

Also the West 260.70 feet of Block 20 of BRUSH'S ADDITION as per plat thereof, as recorded in Deed Book "O", page 218, of the Public Records of Alachua County, Florida. That part of said Block 19 above, being more particularly described as follows: For a Point of Beginning, commence at drill hole marking the Southwest corner of said Block 19, of "BRUSH'S ADDITION TO GAINESVILLE FLORIDA", said point also being on the Easterly right-of-way line of N.W. 3rd Street (A 32 foot right-of-way), thence run North 01°20'11" West, along said Easterly right-of-way, a distance of 81.55 feet, thence leaving said Easterly right-of-way line, run North 89°15'22" East, a distance of 104.11 feet to a set rebar and cap stamped P.L.S. 2228, thence run North 01°20'55" West, a distance of 18.58 feet to a concrete monument, thence run North 89°13'38" East, a distance of 49.90 feet to a concrete monument, thence run North 01°22'07" West, a distance of 85.35 feet to an iron pipe on the existing Southerly right-of-way line of N.W. 2nd Avenue (right-of-way varies), thence South 89°28'32" East, along said Southerly right-of-way line, a distance of 96.22 feet to a set nail and disk stamped P.L.S. 2228, thence leaving said Southerly right-of-way line, run South 01°22'07" East, a distance of 183.28 feet to an iron pipe on the existing Northerly right-of-way line of N.W. 1st Avenue (A 40 foot right-of-way), thence run South 89°15'22" West, along said Northerly right-of-way line, a distance of 250.24 feet to the Point of Beginning.

Also, the East 150 feet of Block 19 of BRUSH'S ADDITION TO GAINESVILLE as per map or plat thereof as recorded in Deed Book "O", Page 218 of the Public Records of Alachua County, Florida, LESS AND EXCEPT the following described parcel: Commence at the NE corner of Block 19, Brush Addition, Deed Book "O", Page 218, run South 89 degrees, 10 minutes and 57 seconds West 96.00 feet to the point of beginning; thence run South 01 degrees, 22 minutes and 32 seconds East 18.29 feet; thence run North 89 degrees, 28 seconds and 32 minutes West 100.05 feet; thence run North 01 degrees, 22 minutes and 32 seconds West 15.94 feet; then run North 89 degrees, 10 minutes and 57 seconds East 100.00 feet to the point of beginning. All lying and being in the Northeast ¼ of Section 5, Township 10 South, Range 20 East.

And LESS AND EXCEPT additional right of way as referred to in deed recorded in OR Book 611, Page 359 and any other portion thereof which lies within the road right of way.

K

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 3186098 2 PG(S)
4/19/2019 3:56 PM
BOOK 4678 PAGE 922
J.K. JESS IRBY, ESQ.
Clerk of the Court, Alachua County, Florida
ERECORDED Receipt # 885748
Doc Stamp-Mort: \$0.00
Doc Stamp-Deed: \$0.00
Intang. Tax: \$0.00

IN THE CIRCUIT COURT
OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

CASE NUMBER: 01-2010-CP-000035
Circuit Civil Division K

IN RE: The Estate of

GLORIA MARIE RATLIFF,
Deceased.

AMENDED LETTERS OF ADMINISTRATION

TO ALL WHOM IT MAY CONCERN

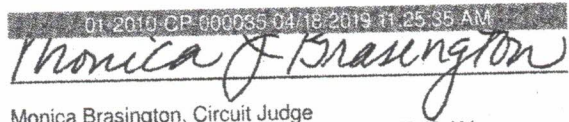
WHEREAS, **GLORIA MARIE RATLIFF**, a resident of 3450 SW 13th Street, Gainesville, Florida 32608 died on July 25, 2009, owning assets in the State of Florida, and

WHEREAS, **TINA HINSON** has been appointed sole personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare **TINA HINSON** duly qualified under the laws of the State of Florida to act as personal representative of the estate of **GLORIA MARIE RATLIFF**, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

The previous Letters of Administration appointing James Ratliff and Colen Ratliff, Jr. Co-Personal Representatives with Tina Hinson have been revoked by separate order.

DONE AND ORDERED on Thursday, April 18, 2019.

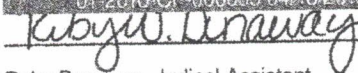
01-2010-CP-000035 04/18/2019 11:25:35 AM

Monica Brasington, Circuit Judge
01-2010-CP-000035 04/18/2019 11:25:35 AM

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies have been furnished by U.S. Mail or via filing with the Florida Courts E-Filing Portal on Thursday, April 18, 2019, to the following:

Tom Daniel, Esq.
tdaniellaw@gmail.com

VIRGINIA E GRIFFIS, ESQ.
e-griffis@scruggs-carmichael.com
seelbach@scruggs-carmichael.com

01-2010-CP-000035 04/18/2019 01:49:25 PM

Ruby Dunaway, Judicial Assistant
01-2010-CP-000035 04/18/2019 01:49:25 PM

Under the Americans with Disabilities Act, if you are a person with a disability who needs any accommodation in order to participate in a proceeding, you are entitled to be provided with certain assistance at no cost to you. Please contact the ADA Coordinator at (352) 337-6237 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 1-800-955-8770 via Florida Relay Service.

14553-103-000
RYAN FRANKEL LLC
15 SE 1ST AVE #B
GAINESVILLE, FL 32601

14645-000-000
ALACHUA COUNTY
12 SE 1ST ST
GAINESVILLE, FL 32601

14610-000-000
ALACHUA COUNTY
12 SE 1ST ST
GAINESVILLE, FL 32601

14721-000-000
ARLINGTON SQUARE FOUR LLC
220 N MAIN ST
GAINESVILLE, FL 32601

14722-000-000
ARLINGTON SQUARE FOUR LLC
220 N MAIN ST
GAINESVILLE, FL 32601

14552-701-000
ARSENAULT JR & COLLAZO & COLLAZO
408 W UNIVERSITY AVE #7A
GAINESVILLE, FL 32601

13459-000-000
AT&T COMM OF THE SOUTHERN STA
1010 PINE 9E-L-01
ST LOUIS, MO 63101

13460-000-000
BELLSOUTH TELECOMMUNICATIONS
PO BOX 7207
BEDMINSTER, NJ 07921

13459-001-000
BELLSOUTH TELECOMMUNICATIONS
PO BOX 7207
BEDMINSTER, NJ 07921

14723-003-000
BLAKESLEE TURNER BUILDING LLC
1636 NW 57TH ST
GAINESVILLE, FL 32605-4496

14553-104-000
BOSWELL-EBERSOLE ALEXANDER
408 W UNIVERSITY AVE #10-D
GAINESVILLE, FL 32601

12950-000-000
CINQUE CRAIG
3008-G NW 13TH ST
GAINESVILLE, FL 32609

12945-000-000
CINQUE HOLDINGS INC
3008-G NW 13TH ST
GAINESVILLE, FL 32609

12949-000-000
CINQUE VIVIAN
3008-G NW 13TH ST
GAINESVILLE, FL 32609

14543-000-000
CITY OF GAINESVILLE
PO BOX 490 MS 58
GAINESVILLE, FL 32627

14252-000-000
CITY OF GAINESVILLE
PO BOX 490 MS 58
GAINESVILLE, FL 32627

14300-000-000
COSBY & COSBY & EDWARDS TRUSTEES
955 REGENCY CREST DR SW
ATLANTA, GA 30331

14552-903-000
DRENNER & DRENNER & O'DELL
408 W UNIVERSITY AVE #9C
GAINESVILLE, FL 32601

14552-902-000
EASTER ROBERT J
408 WEST UNIVERSITY AVE #9-B
GAINESVILLE, FL 32601

14723-001-000
EMERSON & EMERSON & EMERSON JR
110 NW 2ND AVE
GAINESVILLE, FL 32601-3315

14281-000-000
FAY THOMAS H HEIRS
116 NW 3RD ST
GAINESVILLE, FL 32601

12948-000-000
FLORIDA THEATER GAINESVILLE LLC
PO BOX 13891
GAINESVILLE, FL 32604

14258-000-000
FOUR SCORE PROPERTIES INC
4118 NW 69TH ST
GAINESVILLE, FL 32606-4212

14282-000-000
GE4 APARTMENTS LLC
5403 W GRAY ST
TAMPA, FL 33609

14249-000-000
HAMILTON L J
212 NW 3RD AVE
GAINESVILLE, FL 32601-5256

14249-001-000
HAMILTON L J
212 NW 3RD AVE
GAINESVILLE, FL 32601-5256

14755-000-000
HAMILTON L J
212 NW 3RD AVE
GAINESVILLE, FL 32601-5256

14242-000-000
HAMILTON L J
212 NW 3RD AVE
GAINESVILLE, FL 32601-5256

14250-000-000
HAMILTON LAWRENCE J
212 NW 3RD AVE
GAINESVILLE, FL 32601-5256

14241-000-000
HAMILTON LAWRENCE J
212 NW 3RD AVE
GAINESVILLE, FL 32601-5256

14251-000-000
HAMILTON LAWRENCE J
212 NW 3RD AVE
GAINESVILLE, FL 32601-5256

14257-000-000
HAZEN BRUCE CHARLES & MICHELL
300 NE 9TH AVE
GAINESVILLE, FL 32601

14552-101-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-307-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-305-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-401-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14723-002-000
KINSELL & ASSOCIATES PA
106 NW 2ND AVE
GAINESVILLE, FL 32601

14552-904-000
MCDONALD PERRY G & YADIRA S
9303 SW 21ST AVE
GAINESVILLE, FL 32607

14269-000-000 *N/A*
MCGURN & MCGURN TRUSTEES
101 SE 2ND AVE #202
GAINESVILLE, FL 32601

14754-000-000
NELSON CARL G HEIRS
301 NW 2ND ST
GAINESVILLE, FL 32601-3303

14257-001-000
HAZEN BRUCE C
300 NE 9TH AVE
GAINESVILLE, FL 32601-4377

14255-000-000
HAZEN BRUCE CHARLES & MICHELLE
300 NE 9TH AVE
GAINESVILLE, FL 32601

14552-601-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-501-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-407-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-702-000
HOLBROOK JUAN A
6418 NW 97TH CT
GAINESVILLE, FL 32653

14552-802-000
LOVELADY & LOVELADY III
408 UNIVERSITY AVE #8-B
GAINESVILLE, FL 32601-5281

14299-001-000
MCGILL LORRAINE V & SHAWN P
1608 SW 56TH PL
GAINESVILLE, FL 32608

14260-001-000 *N/A*
MCGURN & MCGURN TRUSTEES
101 SE 2ND AVE #202
GAINESVILLE, FL 32601

12950-001-000
NICHTBERGER STEVE
550 NE 6TH AVE
GAINESVILLE, FL 32601

14256-000-000
HAZEN BRUCE CHARLES & MICHELL
300 NE 9TH AVE
GAINESVILLE, FL 32601

14553-111-000
HOLBROOK DAVID G
9113 MELLON CT
ST AUGUSTINE, FL 32080-8564

14552-405-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-301-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-201-000
HOLBROOK GROUP INC (THE)
408 W UNIVERSITY AVE #206
GAINESVILLE, FL 32601-5280

14552-901-000
HOLBROOK JUAN A
6418 NW 97TH CT
GAINESVILLE, FL 32653

14753-000-000
MCDANIEL & HAUSAUER
307 NW 2ND ST
GAINESVILLE, FL 32601

14260-000-000 *N/A*
MCGURN & MCGURN TRUSTEES
101 SE 2ND AVE #202
GAINESVILLE, FL 32601

14552-704-000
MISCH & MISCH
16007 FOREMAST PL
LAKEWOOD RANCH, FL 34202

14248-000-000
PEREZ & VALENTIN
236 NW 3RD AVE
GAINESVILLE, FL 32601

14278-000-000
PRENDERGAST DOLORES F
10527 WEYBRIDGE DR
TAMPA, FL 32626

14285-000-000
RICHARD & PHOEBE MILES LLC
3909 HARRISON ST NW
WASHINGTON, DC 20015

14552-804-000
SAULS ELISABETH
270 SE RIVERSIDE WEST DR
BRANDFORD, FL 32008

14274-000-000
SEMRANI HOLDINGS INC
408 W UNVIERSTY AVE #10-B
GAINESVILLE, FL 32601

14259-000-000
SIMPSON MARTIN & KAREN
324 NW 24TH ST
GAINESVILLE, FL 32607-2684

14552-803-000
WEBSTER GREGORY D
408 WEST UNIVERSITY AVE #8C
GAINESVILLE, FL 32601

14279-000-000
WHITENER JOHN LEE
5628 SAINT CLAIR AVE
VALLEY VILLAGE, CA 91607-1725

14276-001-000
WHITENER JOHN LEE
5628 SAINT CLAIR AVE
VALLEY VILLAGE, CA 91607-1725

14262-000-000 *N/A*
RATLIFF COLEN M
PO BOX 13475
GAINESVILLE, FL 32604

14284-000-000
RICHARD & PHOEBE MILES LLC
3909 HARRISON ST NW
WASHINGTON, DC 20015

14272-000-000
SEMRANI HOLDINGS INC
408 W UNIVERSITY AVE #108
GAINESVILLE, FL 32601-5281

14553-101-000
SEMRANI JOSEPH S
408 W UNIVERSITY AVE #10-B
GAINESVILLE, FL 32601

14552-703-000
TLB ASSETS LLC
3220 N ROME AVE
TAMPA, FL 33607

14691-000-000
WFG OFFICE BUILDING LLC
845 NE 79TH ST
MIAMI, FL 33138

14277-000-000
WHITENER JOHN LEE
5628 SAINT CLAIR AVE
VALLEY VILLAGE, CA 91607-1725

14276-000-000
WHITENER JOHN LEE
5628 SAINT CLAIR AVE
VALLEY VILLAGE, CA 91607-1725

14261-000-000 *N/A*
RATLIFF GLORIA M HEIRS
623 N MAN ST
GAINESVILLE, FL 32601

14552-801-000
SANCHEZ MIGUEL
3707 SW 100TH ST
GAINESVILLE, FL 32608

14271-000-000
SEMRANI HOLDINGS INC
408 W UNVIERSTY AVE #10-B
GAINESVILLE, FL 32601

14553-102-000
SEMRANI JOSEPH S TRUSTEE
408 W UNIVERSITY AVE #10B
GAINESVILLE, FL 32601-5281

14254-000-000
TUCKER CAROLYN M
5516 NW 33RD AVE
GAINESVILLE, FL 32606-6965

14280-000-000
WHITENER JOHN LEE
5628 SAINT CLAIR AVE
VALLEY VILLAGE, CA 91607-1725

14276-002-000
WHITENER JOHN LEE
5628 SAINT CLAIR AVE
VALLEY VILLAGE, CA 91607-1725

NEIGHBORHOOD WORKSHOP NOTIFICATION

A Neighborhood Workshop will be held to discuss an application to the City of Gainesville Plan Board #PB-21-00154 to Vacate a Public Right of Way.

The Public Right of Way is a 20-foot alley shown on the Plat of Replat of the West Half of Lot 19 of BRUSH'S ADDITION TO GAINESVILLE, recorded in Plat Book "A", Page 16 of the Public Records of Alachua County, Fl.

The alley is located between NW 1st Ave and 2nd Ave and NW 3rd Street, Gainesville, Fl. The property is currently vacant. The alley does not physically exist on the property and has never been used as an alley and serves no purpose. Previously a building had been built over a portion of the alley which has been demolished. The purpose of the application is to clear the title to the property.

The Workshop will be held at 6 pm on Wednesday, January 26, 2022 at the site entrance on NW 3rd Street between NW 1st Avenue and NW 2nd Avenue, Gainesville, Fl.

This is not a public hearing. The purpose of the neighborhood workshop is to inform the public about the nature of the application and seek their comments. If you are unable to attend the meeting, please contact Linda McGurn to ask questions or submit comments at the address or email below or by phone at the phone number below.

Linda McGurn
101 SE 2nd Place Ste 117
Gainesville, FL 32601
352-372-6172 x5
linda@mcgurn.com

**APPLICATION TO VACATE PUBLIC RIGHT-OF-WAY
PLANNING & DEVELOPMENT SERVICES**

OFFICE USE ONLY

Petition No. _____ Fee: \$ _____
Date: _____ EZ Fee: \$ _____
1st Step Mtg Date: _____ Tax Map No. _____
Abutting Property Owners Petition _____ City Commission Petition _____
Account No. 001-660-6680-3401 []
Account No. 001-660-6680-1124 (Enterprise Zone) []
Account No. 001-660-6680-1125 (Enterprise Zone Credit []

Applicant Information (Please PRINT)

Name: Kenneth R. McGurn and Linda C. McGurn, as Trustees of the KLM 2018 Charitable Remainder Unitrust
Address: 101 SE 2nd Place Ste 117
City: Gainesville
State: Florida Zip: 32601
Phone: 352-372-6172 x5 Fax: 352-371-9229
linda@mcgurn.com

CRITERIA FOR VACATION OR CLOSURE

At the public hearing, the City Commission shall consider the following criteria in determining whether the general public welfare would be best served by the proposed action:

1. Whether the public benefits from the use of the subject right-of-way as part of the city street system.
2. Whether the proposed action is consistent with the city's comprehensive plan.
3. Whether the proposed action would violate individual private property rights.
4. The availability of alternative action to alleviate the identified problems.
5. The effect of the proposed action upon traffic circulation.
6. The effect of the proposed action upon crime.
7. The effect of the proposed action upon the safety of pedestrians and vehicular traffic.
8. The effect of the proposed action upon the provision of municipal services including but not limited to emergency services and waste removal services.
9. The necessity to relocate utilities both public and private.
10. The effect the proposed action will have upon property values in the immediate and surrounding areas.
11. The effect of the proposed action on geographic areas which may be impacted.
12. The effect of the proposed action on the design and character of the area.

Certified Cashier's Receipt:

Under the provisions of Section 30-192(b) of the Land Development Code, City of Gainesville, **THE ABUTTING PROPERTY OWNERS/THE CITY COMMISSION** hereby petition(s) to have the following public right-of-way vacated (**a legal description and a map** is required):

The 20-foot alley shown on the Plat of Replat of the West Half of Lot 19 of BRUSH'S ADDITION TO GAINESVILLE, recorded in Plat Book "A", Page 16 of the Public Records of Alachua County, FL.
 Located between NW 1st Ave and 2nd Ave and NW 3rd Street.


Provide reasons for vacating this right-of-way (please add additional sheet(s) to provide more information, if needed):

The alley does not exist on the property and has never been used as an alley and serves no purpose. Previously a building had been built over a portion of the alley which has subsequently been demolished.

Petitioner is property owner of Parcel No. 14260-000-000 being 222 NW 1st Avenue and adjacent Parcel No. 14260-001-000 being 104 NW 2nd Street, Gainesville, FL.

The recording of the approved ordinance abandoning public property effects an automatic reverter of the property back to the fee owners of the property out of which the street was carved. The City of Gainesville does not issue any formal deed instruments. The local title companies will be able to track the accretion of the property to the appropriate abutting property owners.

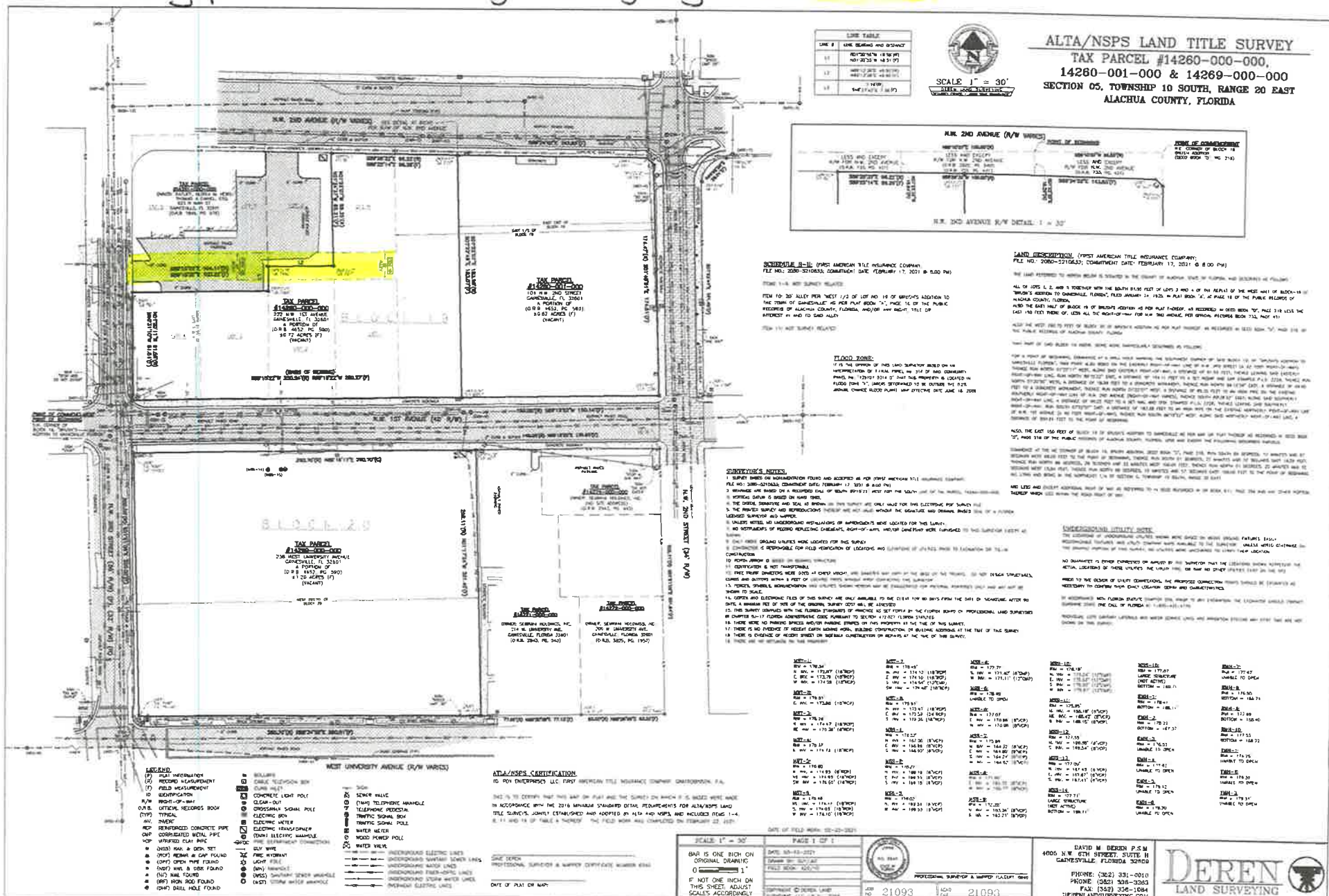
The signature of all abutting property owners is required for petitions initiated by property owners.

ABUTTING PROPERTY OWNERS' INFORMATION			
PARCEL NO.	PROPERTY OWNER	ADDRESS	SIGNATURE
14262-000-000 and 14261-000-000	Tina M. Hinson as Personal Representative of the Estate of Gloria M. Ratliff.	% Thomas Daniel, Esquire 623 N. Main Street Gainesville, FL 32601	

Petition must be filed with the Department of Community Development in accordance with the application cut-off dates as adopted by the City Plan Board (Development Review Board application cut-off dates). A copy of the schedule may be obtained from the Planning Division, Room 158, Planning Counter, Thomas Center B, 306 NE 6th Avenue. Phone: 334-5022.

Petitioner's Signature:  Date: 9-9-2021

Alley per Plat Book A Page 16 highlighted below

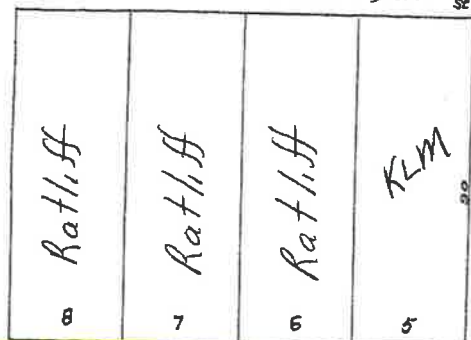


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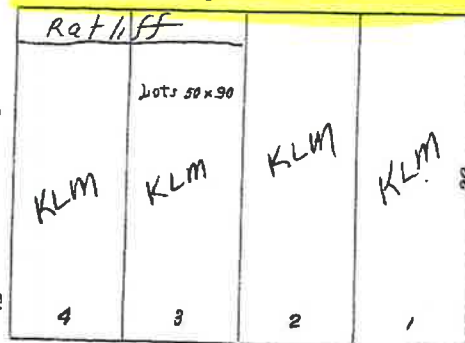
Plat Book A Page 16

South 81.55'
of 4+5

Plan of Lots in One Acre Block



Alley 20 Feet Wide



Met by Lot 119 as Brasher Addition to the Town of Gainesville
as subdivided by Eliza A. Clapp Property of Eliza A. Clapp
Filed for record April 25th 1905
Recorded May 20th 1905 J.A. Carlisle Clerk

Replat at North of Lot 10
at Brasher Add'n to Gainesville Fla
Scale 1 inch = 50 Ft

NORTH

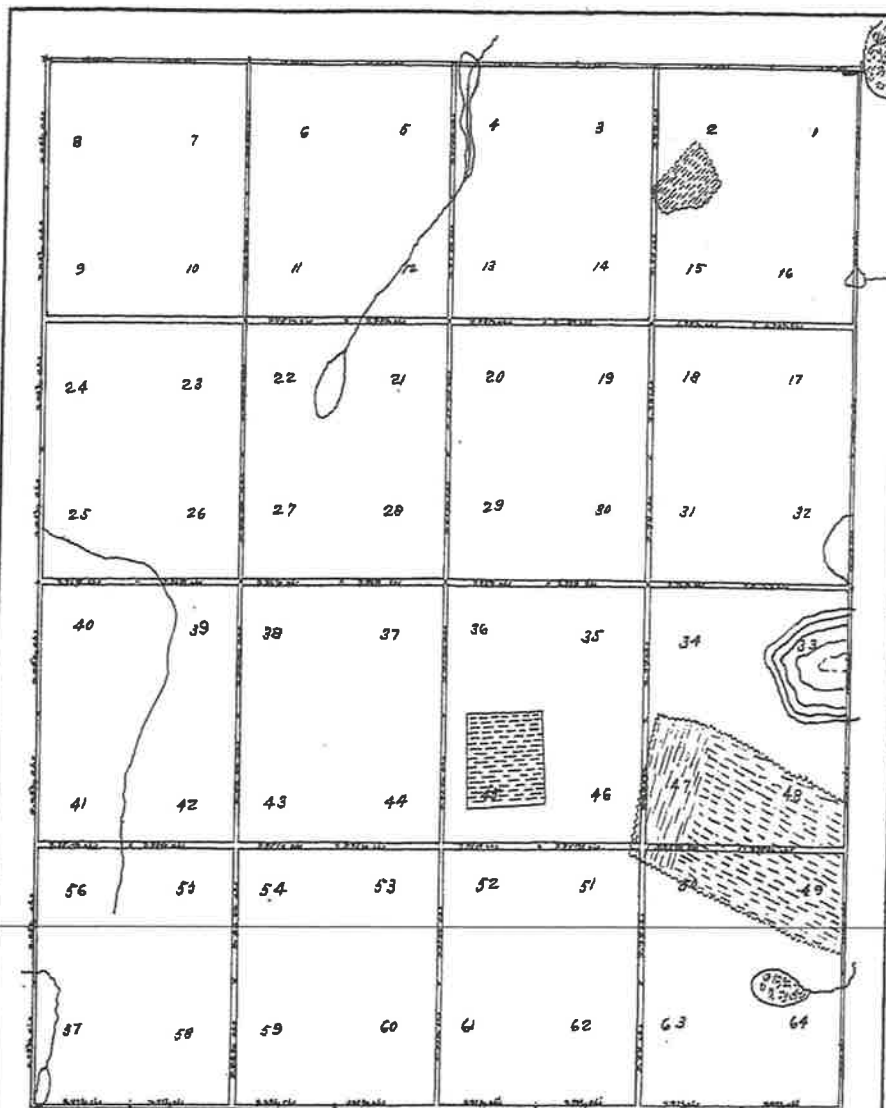
N. Orange St



N. Orange St

FILED

A-16



Map of Section 28 Range 19 E Township 3 S Alachua County Florida

March 1906 Miller & Jenkins, O.E.

Scale 1 inch = 50 Ft

NOTE

All roads are 20 feet wide and are taken from lots between which

they run. Arrows from each lot. Distances given are between corner 100 ft

Recorded June 28th 1906

J.A. Carlisle Clerk

Alachua County has seen an increase in positive COVID-19 cases among jail inmates

The total has increased by 11 cases since Thursday

By Troy Myers
Alligator Staff Writer

As of Friday, more than 100 inmates at the Alachua County Jail are positive for COVID-19, according to Alachua County Sheriff's Office spokesperson Captain Kaley Behl.

Of the current positive inmates, 88 are male and 20 are female. Additionally, 27 employees tested

positive for the virus, Behl added.

In-person visitations and inmate programs will remain on pause.

"The ones that are within the jail that require them to move around and gather as a group, like the GED programs," Behl said. "All that's on hold."

The jail offers inmates Johnson & Johnson vaccines, requires masks and social distancing and



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decontaminates the jail with foggers on a regular basis.

No inmates have been hospitalized for COVID-19, and most are experiencing symptoms of a mild cold, Behl said.

The jail will mandate regular temperature checks, N-95 masks, social distancing and no staff dining to reduce the spread of the virus among employees. Although there are no exact numbers on how frequent testing is administered, he said it is more than they have in the past.

"Testing is being highly encouraged," Behl said. "It's definitely increasing."

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Makiya Seminera // Alligator Staff

Alachua County Public Schools' COVID-19 cases increase following winter break

NEW CASES AMONG STAFF ARE AT AN ALL-TIME HIGH SINCE SCHOOLS FIRST REOPENED IN AUGUST OF 2020

By Emma Behrmann
Alligator Staff Writer

New COVID-19 cases among staff and students more than tripled after the first four days back in classrooms from winter break — and this data could be an understatement, ACPs spokesperson Jackie Johnson said.

"We've had the highest number of active cases we've ever had," Johnson said. "And we've got the highest total weekly number we've had since schools reopened."

After the first week back, there were 334 new student cases and 55 new staff cases — contributing to a total of 476 reported cases among both groups.

During the week prior, in which staff and students were on break, there were still 78 new student cases and 16 new staff cases reported. Compared with this first week back in classrooms, staff cases increased by 243% and student cases increased by 328%. Even with a reported increase in cases, Johnson said these numbers are most likely an undercount.

"The problem is the lag time with the tests," Johnson said. "Employees notify us that they've got symptoms, and it takes them two or three days to get a test appointment and it takes them another couple of days to get the results back."

The mask mandate for employees, visitors and volunteers aimed to combat the spread of the virus. Despite this effort, ACPs has had the highest weekly total of active cases among staff since August 2020.

ACPs warns families that the increase in staff cases could impact daily operations such as bus transportation. The county also expects more teacher absences during this surge.

Throughout this month, the Alachua County Health Department is offering vaccines at all ACPs elementary and middle schools. Anyone above the age of 5 can get a vaccine.

In elementary schools there were 112 new student cases and 29 new staff cases as of Sunday.

In middle schools there were 79 new student cases and five new staff cases. High schools saw 141 new student cases and 12 new staff cases. In staff departments, there were seven new staff cases.

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ebhermann@alligator.org

PUBLIC NOTICE

A Neighborhood Workshop will be held to discuss application #PB-21-00154 to Vacate a Public Right of Way being a 20-foot alley shown on the Plat of Replat of the West Half of Lot 19 of BRUSH'S ADDITION TO GAINESVILLE, recorded in Plat Book "A", Page 16 of the Public Records of Alachua County, FL.

The alley is located between NW 1st Ave and 2nd Ave and NW 3rd Street, Gainesville, FL.

The Workshop will be held at 6 pm on Wednesday, January 26, 2022 at the site entrance on NW 3rd Street between NW 1st Avenue and NW 2nd Avenue, Gainesville, FL.

This is not a public hearing. The purpose of the neighborhood workshop is to inform the public about the nature of the application and seek comments. Contact Linda McGurn (352) 372-6172 x5.

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Appendix B

Comprehensive Plan Goals, Objectives, and Policies

Comprehensive Plan Transportation Mobility Element

Objective 10.2:

The City shall promote multi-modal transportation choice by adopting the following policies that encourage an interconnected street network, encourage redevelopment, and specially regulate developments with 30 or more acres, and by adopting the Existing Transit Hubs & Transit Supportive Areas Map as part of the Transportation Mobility Map Series.

Policy 10.2.1

The City shall not close or vacate streets except under the following conditions:

- a) the loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
- b) the loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
- c) the loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
- d) there is no reasonably foreseeable need for any type of transportation corridor for the area.

Comprehensive Plan Future Land Use Element

Objective 1.2:

Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic).

Policy 1.2.1:

The City may vacate street right-of-way only if it does not prevent reasonable connection for existing and future public transit, pedestrian, and non-motorized and motorized vehicle trips.

Appendix C

Land Development Regulations

Sec. 30-3.41. Right-of-way vacations.

- A. *Review procedures.*
1. *Application.* An application to vacate a public right-of-way may be submitted by either the city commission or by all the owners of land abutting the subject right-of-way.
 2. *Board review.* Applications to vacate a public right-of-way shall be reviewed by the city plan board and the city commission according to the criteria provided in this section, with notice of the board hearings provided in accordance with law and this article. The city plan board's review shall be a recommendation to the city commission. Prior to the public hearing before the city plan board, the application shall be reviewed by city staff in accordance with the development plan review process as stated in this article.
- B. *Review criteria.* Rights-of-way may only be vacated by the city commission upon its finding that the criteria in both 1. and 2. as provided below have been met:
1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;
 - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;
 - d. Whether the proposed action would deny access to private property;
 - e. The effect of the proposed action upon public safety;
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
 - g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;
 - h. The necessity to relocate utilities both public and private; and
 - i. The effect of the proposed action on the design and character of the area.
 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
 - c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

Appendix D

Maps



Figure 1: Zoning

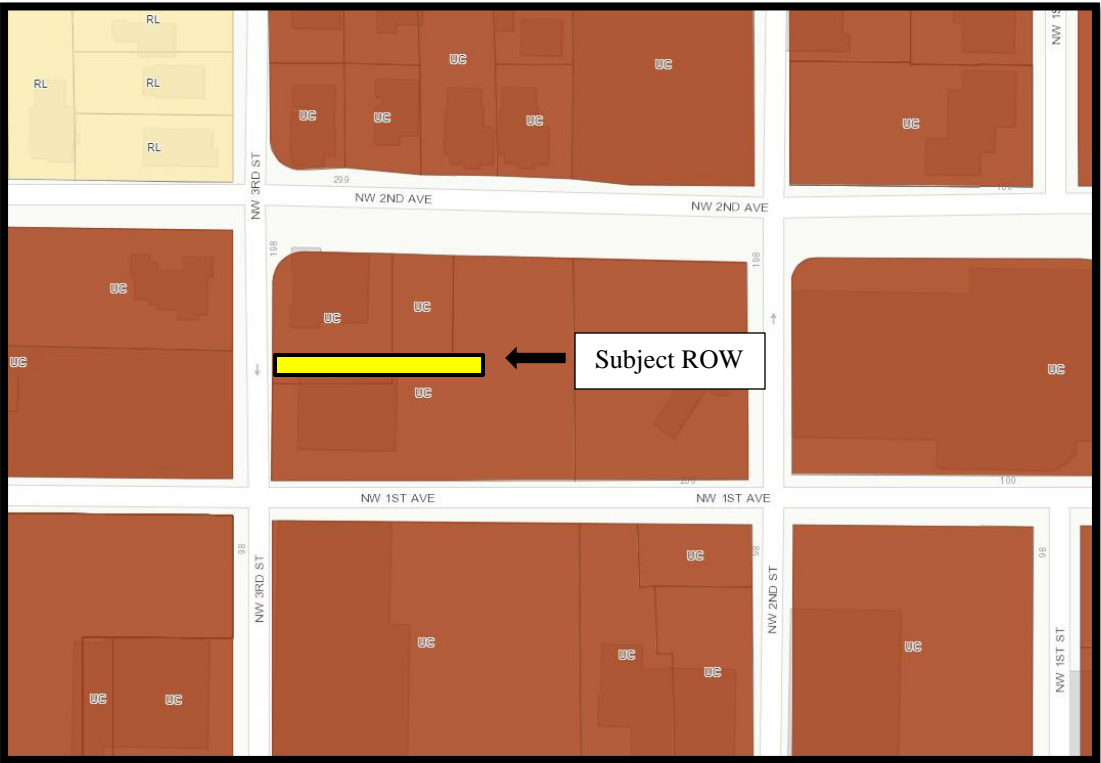


Figure 2: Land Use