1	ORDINANCE NO. <u>130382</u>
2 3 4 5 6	An ordinance of the City of Gainesville, Florida, to vacate, abandon and close unimproved right-of-way located in the vicinity of 4820 NW 13 <sup>th</sup> Street, as more specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
7	WHEREAS, pursuant to Section 30-192 of the Code of Ordinances of the City of
8	Gainesville, an application was initiated by the abutting land owner to vacate, abandon and close
9	unimproved right-of-way located in the vicinity of 4820 NW 13 <sup>th</sup> Street, as more specifically
10	described herein; and
11	WHEREAS, notice was given and publication made as required by law and a public
12	hearing was held by the City Plan Board on August 22, 2013; and
13	WHEREAS, notice was given and publication made and a public hearing was held by
14	the City Commission on November 7, 2013; and
15	WHEREAS, at least ten (10) days notice has been given of the public hearing once by
16	publication in a newspaper of general circulation notifying the public of this proposed ordinance
17	and of the public hearings in the City Commission meeting room, First Floor, City Hall, in the
18	City of Gainesville; and
19	WHEREAS, prior to the public hearings the application was presented to and approved
20	by the appropriate Departments of the City; and
21	WHEREAS, the City Commission finds that it is in the public interest to vacate, abandon
22	and close the right-of-way as set forth herein.
23	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
24	CITY OF GAINESVILLE, FLORIDA:

Т	Section 1. The following described right-of-way in the City of Gamesville no longer
2	serves a public purpose and is hereby vacated, abandoned and closed for use by the public
3	generally:
4 5	See Legal Description attached hereto as Exhibit "A", and made a part hereof as if set forth in full.
6	Section 2. The Clerk of the Commission or designee is authorized to record a true copy
7	of this Ordinance in the Public Records of Alachua County, Florida.
8	Section 3. If any word, phrase, clause, paragraph, section or provision of this ordinance
9	or the application hereof to any person or circumstance is held invalid or unconstitutional, such
10	finding shall not affect the other provisions or applications of the ordinance which can be given
11	effect without the invalid or unconstitutional provisions or application, and to this end the
12	provisions of this ordinance are declared severable.
13	Section 4. All ordinances, or parts of ordinances, in conflict herewith are to the extent of
14	such conflict hereby repealed.
15	Section 5. This ordinance shall become effective immediately upon final adoption.
16	PASSED AND ADOPTED this 6th day of March, 2014.
17	Elil B. Bandle
17 18	Edward B. Braddy, Mayor
19	ATTEST: APPROVED AS TO FORM AND LEGALITY:
20 21	By: Nicolle M Shalley
22	Kurt Lannon Nicolle M. Shalley, City Attorney
23 24	Clerk of the Commission
25	
26	
27	This ordinance passed on first reading this 20th day of February, 2014.
28 29	This ordinance passed on second reading this 6th day of March, 2014.
	1

## EXHIBIT "A" SKETCH TO ACCOMPANY LEGAL DESCRIPTION IN SECTION 19, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA LEGAL DESCRIPTION A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA BEING MORE U.S. HIGHWAY NO. 441 STREET) U.S. HIGHWAY NO. 13th STREET) U.S. ALEROAD NO. HICHT. OF WAY VARIES! PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF 3RD STREET (NW 49TH AVENUE), A 50 FOOT RIGHT-OF-WAY, LYING NORTH OF BLOCK 17 OF "PARADISE", A SUBDIVISION AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGE 4 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND SOUTH OF PARCEL 4 OF A FLORIDA AND SOUTH OF FARCEL 4 OF A MINOR SUBDIVISION AS RECORDED IN MINOR SUBDIVISION BOOK 2, PAGE 85 OF SAID PUBLIC RECORDS AND LYING EAST OF PARCEL 5 OF SAID MINOR SUBDIVISION AND LYING WEST OF U.S. HIGHWAY NO. 441 (STATE ROAD NO. 26 & NW 13TH STREET) AS PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 2602-(113)209, DATED: 9-17-56 (RIGHT-OF-WAY WIDTH VARIES) LI $\stackrel{\smile}{\mathsf{A}}$ 0 $\alpha$ $\times$ $\bigcirc$ BOOK 0 \_\_\_ 9 AT $\alpha$ ~ 교

ū ā 0 SUBDIVISION PER  $\alpha$ "VACATED" BOOK 1772, PARCEL 4 PARCEL PER MINOR SUBDIVISION MINOR BOOK 2, PAGE 85 PER œ  $\overline{C}$ LOT 4 BLOCK 18

## CERTIFICATE OF SURVEYOR:

(NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER) (NOT VALID WITHOUT HE SCRAFURE AND UNDERLY MALE VALUE WHICH A FLUTHING DELETED SUMPLIFY AND MACTERY OF THE SURVEY DATA SHOWN HEREON, IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PERFORMED UNDER MY SUPERVISION OF THE HEREON DESCRIBED PROPERTY, AND IT MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND CHAPTER 61G17.

ALAN J. HAAKER, P.S.M. — REGISTERED LAND SURVEYOR FLORIDA CERTIFICATE #5548

BLOCK 15

1-15-08

## **ABBREVIATIONS**

O.R. = OFFICIAL RECORDS

22031-07.DWG

PH.(352) 371-7641 4(B) FAX. 371-7644 BROWN, HAAKER & OWEN bhosurveyor belisouth.net LAND SURVEYORS, INC. 4421 NW 39th AVE. Suite 2-2, GAINESVILLE, FL. 32606 DRAWN BY: S.L.L SCALE: 1" - 50' DATE: 1-15-2008 CHECKED BY-THIS IS NOT A BOUNDARY SURVEY WORK ORDER # 22567-07 PREPARED FOR: STREIT'S MOTORSPORTS

85

BOOK



07883-11-0

PB-13-66 SVA Streit's Street Vacation