

RESOLUTION NO. 170536

PASSED: _____

A Resolution of the City Commission of the City of Gainesville, Florida, finding and declaring as surplus approximately 0.5 acres of certain real property generally located near the southwest corner of the intersection of NE 39th Avenue and Waldo Road, as more fully described herein, and authorizing the disposition of the surplus property in accordance with the City's Real Property Policies; and providing an effective date.

WHEREAS, the City of Gainesville, Florida, adopted Real Property Policies on September 15, 2016 by Resolution No. 100630 (the "Policies") that govern the disposition of City-owned real property; and

WHEREAS, pursuant to the Policies, prior to disposition of real property, the City Commission must first find and declare that the property is surplus; and

WHEREAS, the Policies define surplus as "property which no longer serves a public purpose, or is in excess of the City's needs, or the sale of which would serve a greater public purpose than the retention of the property"; and

WHEREAS, the Policies allow the City to impose conditions on the disposition of surplus property in order to achieve certain objectives.

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

SECTION 1. The City Commission finds and declares as surplus approximately 0.5 acres of certain real property generally located near the southwest corner of the intersection of NE 39th Avenue and Waldo Road, Gainesville, Florida, as more fully described in **Exhibit A** attached hereto and incorporated herein by reference. The property is depicted in **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**. Fee simple title to this property was conveyed to the City by Special Warranty Deed recorded in

Official Record Book 2526, Page 560. The property is not platted or dedicated public right-of-way that is required to be vacated in accordance with Florida Statutes or the City's Land Development Code.

SECTION 2. Because the subject property is not conducive to use or development due to its size, shape, and location, and because it surrounds an abutting property where only that abutting property owner could make productive use of this subject property, the City Commission waives the competitive disposal requirement contained in the Policies and authorizes the sale of the subject property to the abutting property owner for \$10,000, subject to retention of any applicable or necessary utility easements.

SECTION 3. In accordance with the Policies, the Mayor (or the Mayor Pro- tem in the absence of the Mayor) is authorized to execute and the Clerk of the Commission is authorized to attest the Special Warranty Deed to convey the subject property, and the City Manager or designee is authorized to execute all other closing documents.

SECTION 4. This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

LAUREN POE
Mayor

Attest:

Approved as to form and legality:

KURT LANNON
Clerk of the Commission

NICOLLE M. SHALLEY
City Attorney