

RESOLUTION NO: 170536

PASSED: 12-7-2017

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 7 day of December, 2017.



LAUREN POE
Mayor

Attest:

Approved as to form and legality:



KURT LANNON
Clerk of the Commission, Interim



NICOLLE M. SHALLEY
City Attorney

LEGAL DESCRIPTION:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SECTION 7, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA; THENCE RUN S 00° 13' 00" W ALONG THE EAST LINE OF SAID SECTION 1110.55 FEET TO THE NORTH WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 24 ALSO KNOWN AS N.E. WALDO RD.; THENCE RUN S 31° 02' 00" W ALONG SAID RIGHT-OF-WAY 178.30 FEET TO THE NORTH EAST MOST CORNER OF LOT 14 OF SEABOARD INDUSTRIAL PARK AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK G, PAGES 73 & 74 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 14 THE FOLLOWING THREE COURSES; 1.) N 58° 58' 00" W 17.00 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 33.00 FEET; 2.) ALONG THE ARC OF SAID CURVE 51.84 FEET THROUGH A CENTRAL ANGLE OF 90° 00' 00" BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 13° 58' 00" W 46.67 FEET; 3.) N 58° 58' 00" W, 115.00 FEET TO THE NORTH MOST CORNER OF SAID LOT 14 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S 58° 16' 48" W ALONG THE WEST LINE OF SAID LOT 14 195.90 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3328, PAGE 267 (HEREAFTER ABBREVIATED ORB, P_) OF THE PRACF; THENCE N 89° 26' 21" W 127.99 FEET TO THE NORTHWEST CORNER OF SAID LANDS ALSO BEING THE NORTHEAST CORNER OF LANDS DESCRIBED IN ORB 2215, P 1920; THENCE N 07° 56' 53" E 33.46 FEET TO THE SOUTHEAST CORNER OF LOT 13 OF SAID SEABOARD INDUSTRIAL PARK; THENCE ALONG THE EAST LINE OF SAID LOT 13 N 19° 40' 58" E 98.14 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 833.97 FEET; THENCE CONTINUE ALONG SAID EAST LINE AND CURVE AN ARC LENGTH OF 115.43 FEET THROUGH A CENTRAL ANGLE OF 07° 55' 50" BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 24° 05' 36" E 115.34 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 222 ALSO KNOWN AS N. E. 39TH AVENUE; THENCE S 58° 29' 15" E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 30.16 FEET TO A POINT ON THE WEST LINE OF LOT 13-A OF SAID SEABOARD INDUSTRIAL PARK ALSO BEING A POINT ON A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 803.97 FEET; THENCE CONTINUE ALONG SAID WEST LINE AND CURVE AN ARC LENGTH OF 116.68 FEET THROUGH A CENTRAL ANGLE OF 08° 18' 54" BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 23° 48' 49" W 116.57 FEET; THENCE CONTINUE ALONG SAID WEST LINE S 19° 38' 55" W 76.25 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 558.70 FEET; THENCE CONTINUE ALONG SAID CURVE AN ARC LENGTH OF 144.71 FEET THROUGH A CENTRAL ANGLE OF 14° 50' 26" BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 74° 13' 57" E 144.31 FEET; THENCE N 66° 58' 49" E 103.10 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 222 (NE 39TH AVE.); THENCE S 58° 30' 54" E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 27.20 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, CONTAINING 17,980 SQUARE FEET OR 0.41 ACRES MORE OR LESS.

