

This Instrument Prepared by:
Sam Bridges, Land Rights Coordinator
City of Gainesville – Public Works #58
Post Office Box 490
Gainesville, Florida 32627

A portion of Tax Parcel 8198-000-000
Section 7, Township 9 South, Range 20 East

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made the ____ day of _____, 2018, by the **City of Gainesville, Florida**, a municipal corporation existing under the laws of the State of Florida, with its permanent post office address at Post Office Box 490, Gainesville, Florida 32627, **GRANTOR**, to **Samuel Stangle**, 10327 Northwest 4th Place, Gainesville, Florida 32607, **GRANTEE**:

(Wherever used herein the terms “Grantor” and “Grantee” include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires)

WITNESSETH: That Grantor, for and in consideration of the sum of \$1.00 in hand paid by the Grantee, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate and lying in the County of Alachua, State of Florida, to wit:

Legal Description

See Exhibit “A” attached hereto and made part thereof.

The subject property is not the homestead of the Grantor nor is it contiguous thereto.

Containing 17,980 square feet or 0.41 acres, more or less.

RETAINING onto the Grantor, its successors and assigns, a utility/drainage easement over the southerly and easterly Fifteen (15.0) feet for existing or future use.

SUBJECT to valid and enforceable zoning restrictions imposed by governmental authority, valid and enforceable easements and restrictions of record and taxes for 2018 and subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee, except as set forth herein, that at the time of delivery of this deed the land was free from all encumbrances made by it, and that it will warrant and defend the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

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IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed & delivered
In the Presence of:

CITY OF GAINESVILLE, FLORIDA
A Florida Municipal Corporation

Sharon D. Williams

JWP

Witness

Lauren Poe, Mayor

Print Name Sharon D. Williams

Crystal Stone

Witness

Print Name Crystal Stone

APPROVED AS TO FORM AND LEGALITY
By: Sean M. McDermott
Assistant City Attorney II
City of Gainesville, Florida
3/29/18

ATTEST:

Omichele D. Gainey
Omichele Gainey, Clerk of the Commission

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 3rd day of April, 2018, by Lauren Poe and Omichele Gainey, Mayor and Clerk of the Commission, respectively, of the City of Gainesville, Florida, a municipal corporation, who are personally known to me and duly sworn, who acknowledged that as such officers, and pursuant to authority from said corporation, they executed the foregoing instrument and affixed the corporate seal for and on behalf of said corporation, as its act and deed, and for the uses and purposes set forth and contained in said instrument.

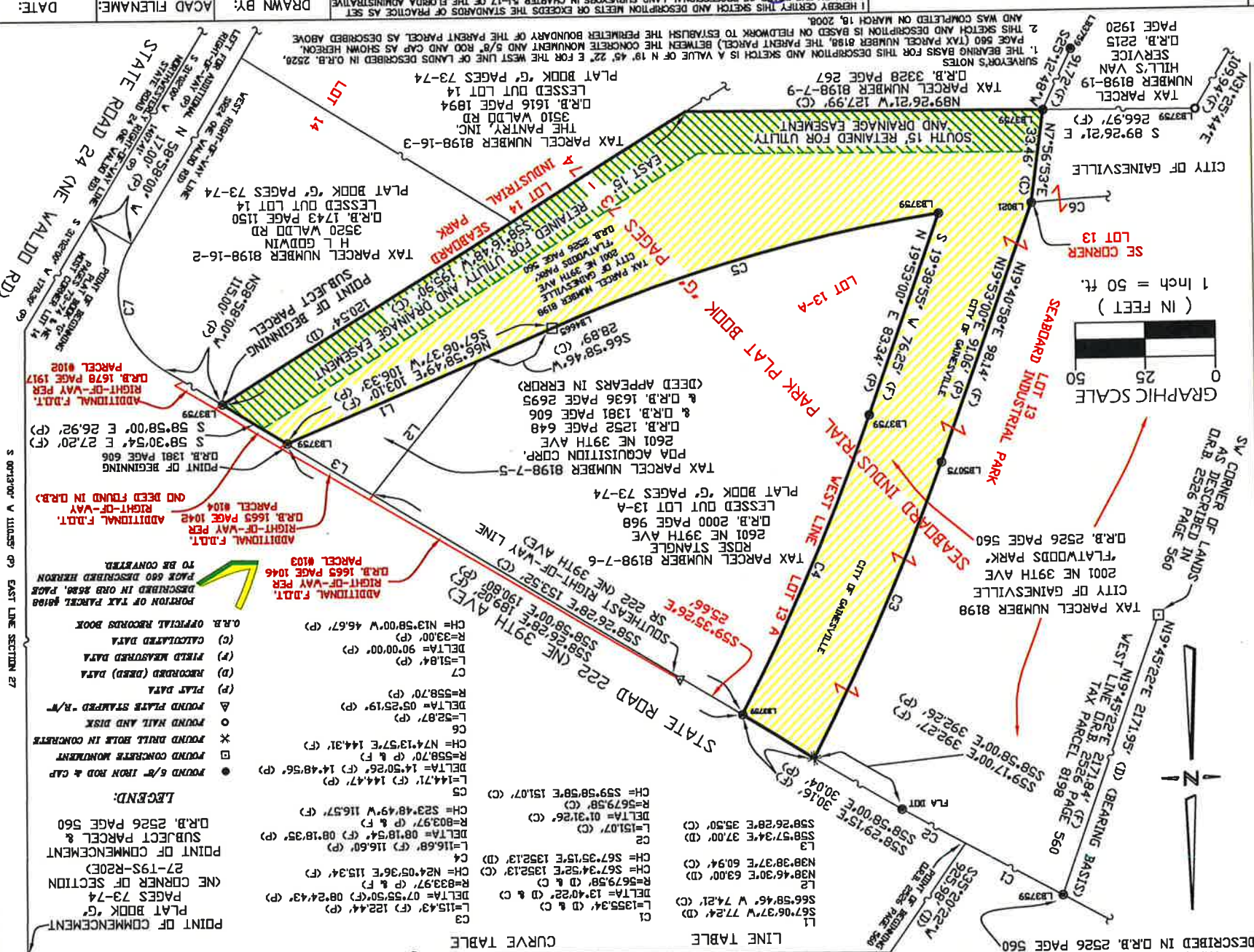
Sharon D. Williams
Print Name: Sharon D. Williams
State of Florida
My Commission Expires: 10/25/19



SKETCH & DESCRIPTION
FOR SURPLUS PROPERTY
PORTION OF CITY TAX PARCEL 8198

THIS IS NOT A BOUNDARY SURVEY

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 110.55 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 LINE 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 PLAT; 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' 55" 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 FOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 222 (NE 39TH AVE.); THENCE S 58° 30' 54" E 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.



NW CORNER OF LANDS AS DESCRIBED IN D.R.B. 2526 PAGE 560
N 89° 25' 38" W 360.57' (CD)
NORTH LINE OF SECTION 27
CURVE TABLE
LINE TABLE

EXHIBIT "A"

LEGAL DESCRIPTION:

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City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601

Text File

File Number: 170536.

Agenda Date: 12/7/2017

Version: 1

Status: Adopted

In Control: City Manager

File Type: Resolution

Title

Request to Declare as Surplus and Dispose of City Owned Property (B)

This item is a request to the City Commission for a Resolution declaring 0.5 acres of city-owned property as surplus, waiving the City's requirement to competitively dispose of the subject property, and authorizing disposition.

Explanation

In August 2002, the City acquired from CSX Transportation, Inc., by Special Warranty Deed (OR Book 2526, Page 560) the vacant property known as Tax Parcel 08198-000-000, which includes Tax Parcel 08198-007-000, located at 2001 NE 39th Avenue. CSX granted the parcel to the City at a cost of \$201,000 for a multi-parcel acquisition of 77.05 acres. No grant money was used for the acquisition. The City maintains the property as a nature park. The City has received a request from an abutting property owner to declare as surplus and to purchase an approximately 0.5-acre portion of Tax Parcel 08198-000-000. Negotiations have settled on a total sum of \$10,000 for the portion of the property requested.

The property alone is not conducive to development due to its size, shape, and location. Disposition would resolve a long-standing encroachment. Staff believes that it would be in the City's best interest to declare the approximately 0.5 acre portion of this property as surplus and return this property to the tax roll by selling the property to the abutting property owner. A utility and drainage easement will be retained over the southern and eastern portion of the surplus parcel.

Fiscal Note

Sal proceeds of \$10,000 and funding in the amount of \$100 for administrative costs are available in the Greenspace Acquisition and Community Improvement Fund.

Recommendation

The City Commission: 1) adopt the Resolution declaring the subject property as surplus and waiving the City's requirement to competitively dispose of the subject property; 2) authorize the City Manager to execute a Purchase and Sale Agreement to sell the subject property to the abutting property owner; subject to approval by the City Attorney as to form and legality; 3) authorize the City Manager to prepare a Special Warranty Deed, retaining a utility and drainage easement over the southern and eastern portion of the subject property, subject to approval by the City Attorney as to form and legality; and 4) authorize the Mayor to execute, and the Clerk to attest, the Special Warranty Deed conveying the subject property, subject to approval by the City Attorney as to form and legality.

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 17 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:

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SECTION 2, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA; THERE ALONG THE NORTH WESTERN RIGHT-OF-WAY LINE 120.55 FEET TO THE NORTH WESTERN RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 94 ALSO KNOWN AS T. VALDADO RD. THE BOUNDARY S 17.07° W ALONG SAID RIGHT-OF-WAY LINE 27.30 FEET TO THE NORTH EAST MOST CORNER OF LOT 14 OF SEABOARD INDUSTRIAL PARK AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGES 73 & 74 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THERE ALONG THE NORTHWEST LINE OF SAID LOT 14 THE FOLLOWING THENCE COURSES: (1) N 87° 58' W 17.00 FEET TO A POINT ON A CURVE CONVEY TO THE WEST HAVING A RADIUS OF 33.00 FEET; (2) ALONG THE ARC SUBTENDED BY SAID CHORD BEARING A CENTRAL ANGLE OF 90° 07' BEING 57.50 FEET; (3) S 85° 00' W, 115.00 FEET TO THE NORTH MOST CORNER OF SAID LOT 14 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THERE ALONG THE WEST LINE OF SAID LOT 14 193.90 FEET TO THE NORTH EAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3326, PAGE 267 (HEREINAFTER ABREVIATED ORB "J") OF THE PLACE; THERE ALONG THE NORTH EAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3326, PAGE 267 (HEREINAFTER ABREVIATED ORB "J") OF THE PLACE; THERE ALONG SAID SOUTHERN RIGHT-OF-WAY LINE AS N. E. 39° 11' 30" AVENUE; THERE S 29° 07' N 47.50 FEET TO A POINT ON A CHORD BEARING AND DISTANCE OF 116.38 FEET THROUGH A CENTRAL ANGLE OF 07° 13' 40" BEING SUBTENDED BY SAID CHORD BEARING AND DISTANCE OF 57.48° 49' W 126.37 FEET; THERE CONTINUE ALONG SAID WEST LINE S 19° 34' 55" W 76.25 FEET TO A POINT ON A CURVE CONVEY TO THE NORTHWEST HAVING A RADIUS OF 58.70 FEET; THERE CONTINUE ALONG SAID CURVE AN ARC LENGTH OF 14.71 FEET THROUGH A CENTRAL ANGLE OF 04° 50' 26" BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF 74° 13' 57" N 144.11 FEET; THERE N 66° 49' E 109.10 FEET TO A POINT ON THE AGREEMENTED SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 222 THE 39° 11' 30" AVE.; THERE S 58° 30' 54" E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 27.30 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; CONTAINING 17,980 SQUARE FEET OR 0.41 ACRES MORE OR LESS.

PORTION OF CITY TAX PARCEL 8198

NOT VALID WITHOUT THE SIGNATURE AND OFFICIAL EMBROID SEAL OF A FLORIDA JUDICIAL OFFICER. A JUDGE

ATTORNEY AT LAW, REGISTERED LAND SURVEYOR, FLORIDA CERTIFICATION NUMBER 3386

COOK, PURSUANT TO SECTION 42.07, FLORIDA STATUTES.

FOR THE BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTERS 42-17 OF THE FLORIDA ADMINISTRATION

FOURTH DAY OF DECEMBER 1987

DRAWN BY:	PD	ACAD FILENAME:	8198-SURPLUS	DATE:	NOV 7, 2017
CHECKED BY:		PROJECT #:	N/A	SHEET 1 OF 1	

