

RESOLUTION 15-

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA, TO VACATE A PORTION OF THE PLAT OF SMITHERS SURVEY; AUTHORIZING THE CHAIR TO EXECUTE ALL DOCUMENTS RELATED TO THE VACATED PORTION OF THE PLAT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (Board) is authorized to adopt a resolution vacating plats, either in whole or in part, in subdivisions located in Alachua County pursuant to Section 177.101(3), Fla. Stat., and Chapter 372 of the Alachua County Code; and

WHEREAS, Shands Teaching Hospital and Clinics, Inc., a Florida corporation (Shands), owner of a portion of the plat of Smithers Survey, applied to the Alachua County Public Works Department to vacate a portion of the plat described as follows:

That portion of Lots seven (7) and eight (8) of the Smithers Survey, as recorded in Plat Book A, Page 113, of the Public Records of Alachua County, Florida lying within Tax Parcel ID Number: 07048-000-000 and being more particularly described in **Exhibit "A"** attached hereto and by reference made a part hereof.

WHEREAS, as required by Section 177.101(3), Fla. Stat., and Section 372.02(2) of the Alachua County Code, Shands owns the fee simple title to the tract covered by the portion of the plat sought to be vacated; and

WHEREAS, the Public Works Department, after conducting the investigation required under section 372.02(3) of the Alachua County Code, reached a favorable recommendation on Shands application for partial plat vacation; and

WHEREAS, Shands satisfied the publication of legal notice requirements of Section 177.101(4), Fla. Stat, and Section 372.02(5) of the Alachua County Code, see EXHIBIT "B" attached hereto and by reference made a part hereof; and

WHEREAS, Shands has certified that all state and county taxes (and municipal taxes if applicable) have been paid as required by Section 177.101(4), Fla. Stat., and Section 372.02(2) of the Alachua County Code; and

WHEREAS, the Board, in accordance with Section 177.101(3), Fla. Stat., and Section 372.02(7) of the Alachua County Code, has determined that

vacating the portion of the plat owned by Shands will not affect the ownership or right of convenient access of persons owning other parts of the subdivision or adjacent properties, and is in the best interest of the public welfare.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA, COUNTY FLORIDA:

Section 1. Findings. The Board finds, determines and declares that the recitals in the preamble are true and correct, and hereby incorporates them by reference.

Section 2. Approval of the application to vacate a portion of the plat. The portion of the Smithers Survey plat described herein is vacated, and the property covered by such portion of the plat, either in whole or in part, is returned to acreage.

Section 3. Streets and alleys. All streets and alleys within the portion of the vacated plat that are not highways necessary for use by the traveling public are also vacated.

Section 4. Authority of the Chair. The Chair is hereby authorized to execute any documents approved by the County Attorney related to that portion of the vacated plat.

Section 5. Effective Date. This resolution shall take effect when a certified copy of the adopted resolution 15-____, *together with a copy of the proof of publication of the Notice of Public Hearing, and a copy of the proof of publication for the adopted Resolution 15-____* has been filed with the Clerk of the Circuit Court and duly recorded in the public records of Alachua County, Florida.

DULY ADOPTED in regular session, this ____ day of _____, 2015.

BOARD OF COUNTY COMMISSIONERS
ALACHUA COUNTY, FLORIDA

By: _____
Charles S. Chestnut, IV, Chair

ATTEST:

J. K. Irby,
Clerk of Court

APPROVED AS TO FORM:



Alachua County Attorney

EXHIBIT "A"



TEL: (352) 331-1976 132 NW 76th Drive, Gainesville, Florida 32607
TEL: (352) 414-4621 101 NE 1st Avenue, Ocala, Florida 34470
WWW.CHW-INC.COM

planning.surveying.engineering.construction.

LEGAL DESCRIPTION

DATE: June 19, 2015
PROJECT NAME: Shands ED
PROJECT NO: 14-0411
DESCRIPTION FOR: Smithers Survey – Plat Vacation

THAT CERTAIN PORTION OF LOTS 7 & 8, SMITHERS SURVEY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 113 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LYING WITH THE FOLLOWING DESCRIBED PARCEL OF LAND;

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF ABANDONED RAILROAD RIGHT OF WAY AND THE WEST LINE OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, FROM THENCE RUN SOUTH 420 FEET, THENCE RUN NORTHEASTERLY PARALLEL WITH THE SOUTH LINE OF SAID ABANDONED RAILROAD RIGHT-OF-WAY FOR 525 FEET, THENCE RUN NORTH 420 FEET MORE OR LESS TO THE SOUTH LINE OF SAID ABANDONED RAILROAD RIGHT OF WAY, THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID ABANDONED RAILROAD RIGHT OF WAY, TO POINT OF BEGINNING, LESS A SMALL TRIANGULAR LOT IN THE SOUTHWEST CORNER OF SAID LANDS CONVEYED TO KANAPAHA PRESBYTERIAN CHURCH, INC., IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1329, PAGE 420 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

EXHIBIT "B"

PROOF OF PUBLICATION

WILL BE INSERTED

HERE PRIOR

TO THE

PUBLIC HEARING.