

## MEMORANDUM

**DATE:** December 12, 2019

**TO:** Alachua County Board of County Commissioners

**FROM:** Alachua County Public Works Department

**RE:** High Springs Manor Plat Vacation - Response to 12/11/19 Memo from Clark to Commissioner Cornell

The Clark's memo raised two issues, the status of the vacation of plat application and prior County actions in connection with the Clark's dispute with their neighbor.

1. Status of plat vacation - The application to vacate the North 1/3 of the High Springs Manor Plat is loaded into Granicus/Legistar and is on the BoCC Agenda for January 14, 2020. The resolution authorizing advertising of this item was adopted November 12, 2019 and public notice is scheduled for publication in the Gainesville Sun for December 17 and December 24, 2019. Staff has reviewed the application and attachments (as modified) and is recommending approval of the partial plat vacation.

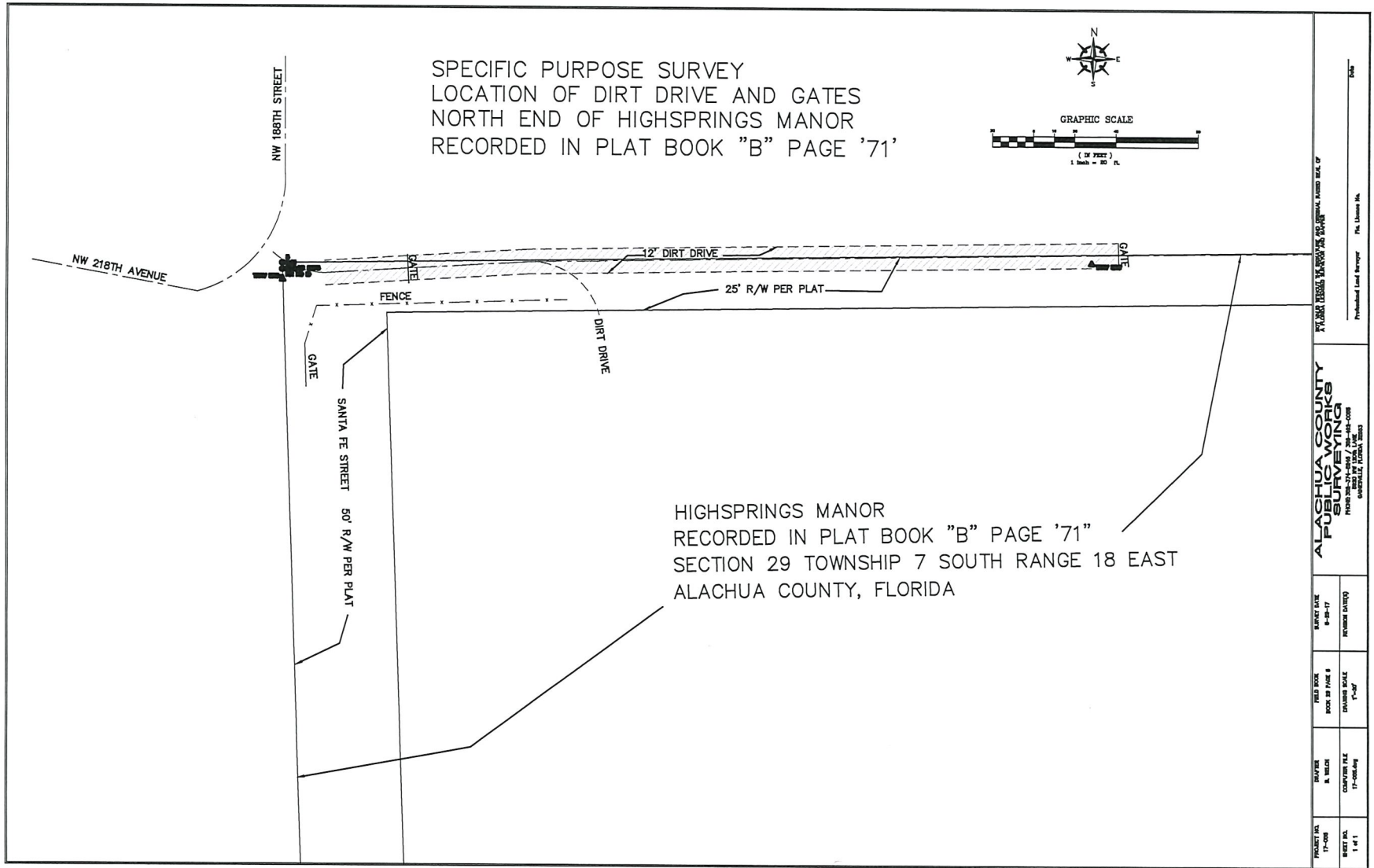
The Clarks have raised the issue of obtaining a Title Search 3 separate times. The first Title Search provided by applicant, dated May 22, 2018, was for the wrong property. This Title Report covered the "Middle 1/3" of the High Springs Manor Plat, while the application was for the vacation of the North 1/3 of the plat. When advised of their error, applicant provided a new Title Search dated August 24, 2018 for the correct property.

County staff obtained approval at the August 28, 2018 BoCC meeting to authorize advertising of the proposed vacation. Staff then placed the vacation of the plat on the agenda for the September 25, 2018 BoCC meeting. Prior to that meeting, applicant pulled the item and explained that they were attempting to acquire the last lot in the area to be vacated. Applicant was unsuccessful in their attempt to obtain the final lot.

In May 2019 applicant instructed County staff to restart the vacation process, without vacating the final lot or means of convenient access to that lot. Staff informed applicant that the Title Search would need to be updated, due to the delay caused by applicant pulling the previously scheduled vacation petition. On August 6, 2019 applicant provided Search Update No. 1 and staff restarted the plat vacation process.

2. Prior County actions – Alachua County Public Works Department action on this matter began with the vacation of the South 2/3 of the High Springs Manor plat on October 23, 2007 by Resolution 07-97. This vacation did not include perimeter rights-of-way around the platted subdivision, which provide access to adjoining property owners. On September 7, 2017, County

Engineer Ramon Gavarrete, P.E. sent a letter to the Clarks informing them that the disputed right-of-way along the north border of the High Springs Manor plat was a public right-of-way and requiring the Clarks to remove a gate placed across the right-of-way. The Clarks did not remove the gate and on September 22, 2017 the Alachua County Public Works Department removed the gate. On October 1, 2018 County Surveyor Charles Brecken, PSM surveyed the location of the dirt roadway within the right-of-way. The survey disclosed that no part of the dirt road extended beyond the south boundary of the right of-of-way onto the Clarks' property. The Clark's then submitted the application for vacation of plat discussed in Item one, above.



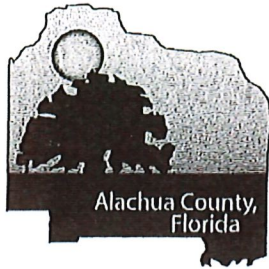
PLAT BOOK "B" PAGE '71'

ALACHUA COUNTY  
 PUBLIC  
 SURVEYING  
 P.O. BOX 218 / 200-44-008  
 SUDBURY, ALACHUA, FLORIDA 32301

PROJECT NO. 17-008	DATE 8-24-17	FIELD BOOK BOOK 17-008	SCALE 1"=80'	DATE 8-24-17
SHEET NO. 1 of 1		COMPUTER FILE 17-008.dwg		

Professional Land Surveyor  
 PLS. License No. \_\_\_\_\_  
 Date \_\_\_\_\_





## Alachua County Public Works Department

**Ramon D. Gavarrete, P. E.**  
**County Engineer**

September 7, 2017

John Clark  
PO Box 401  
Alachua, FL 32616

Re: Tax Parcel 16232-010-000

Mr. Clark:

County staff has verified that the north 25-foot un-named platted street as shown in the plat of High Springs Manor, recorded in Plat Book B, page 71 of the public records of Alachua County is a public platted right of way. The High Springs Manor plat dedicated the streets to the public forever as shown. The plat was approved and accepted by the Board of County Commissioners in 1926. On August 9, 2016 the County adopted Resolution 16-71, recorded in Official Records Book 4455, page 2047 accepting ownership of the platted right of ways shown on recorded plats that contained dedications.

The said 25-foot platted right of way reference above is a public right of way and is available for the use by the public; including any adjacent property owners. Alachua County staff was notified that you recently installed two posts and a gate across the platted right of way. Please remove the chain and open the gate immediately. You have 15 days from the receipt of this letter to remove the two posts and gate. Alachua County will make a site visit on September 22, 2017, or shortly thereafter, to verify that the posts and gate have been removed. If not removed, the County will remove and store for 15 days at the Public Works Compound where you will have to pick it up at your expense. After 15 days, the items will be disposed.

Resolution 07-97 vacated only the south 2/3 of the plat LESS Santa Fe Street, Bay Street and the 15-foot un-named Street across the south end of said plat. Copies of both Resolutions are included for informational purposes.

If you have any questions, please contact me at (352) 548-1214 or by email at [rgavarrete@alachuacounty.us](mailto:rgavarrete@alachuacounty.us)

Sincerely,

  
Ramon D. Gavarrete, P.E.  
County Engineer

RDG:cle  
Enclosures: 2

Public Works  
Ramon D. Gavarrete, P.E.  
County Engineer  
[rgavarrete@alachuacounty.us](mailto:rgavarrete@alachuacounty.us)  
Tel: (352) 374-5245  
Fax: (352) 337-6243

Fleet Management  
Gerald D. Bailey  
Fleet Manager  
[gbailey@alachuacounty.us](mailto:gbailey@alachuacounty.us)  
Tel: (386) 462-1975  
Fax: (386) 418-0331

Solid Waste and  
Resource Recovery  
Department  
Sally C. Palmi  
Solid Waste and Resource  
Recovery Director  
[scp@alachuacounty.us](mailto:scp@alachuacounty.us)  
Tel: (352) 374-5213  
Fax: (352) 337-6244

Administration  
Kenneth Fair, CPA, CGFO  
Sr. Administrative Support Manager  
[kfair@alachuacounty.us](mailto:kfair@alachuacounty.us)  
Tel: (352) 374-5245  
Fax: (352) 337-6244

5620 NW 120<sup>th</sup> Lane ■ Gainesville, Florida 32653

Tel: (352) 374-5245

<http://www.alachuacounty.us>

If you have a disability and need an accommodation in order to participate in a County program, service or public meeting, please contact the Equal Opportunity Office at 352-374-5275 at least 2 business days prior to the event. TDD users, please call 711 (Florida Relay Service).

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2389727 7 PGS  
2007 DEC 03 02:53 PM BK 3712 PG 585  
J. K. "BUDDY" IRBY  
CLERK OF CIRCUIT COURT  
ALACHUA COUNTY, FLORIDA  
CLERK25 Receipt#354815

**RESOLUTION 07-97**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA, TO VACATE A PORTION OF THE PLAT OF HIGH SPRINGS MANOR; 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, John W. Clark, Bennie Morris and Nevada Morris, (Clark & Morris) the property owners of a portion of the plat of High Springs Manor has applied to the Alachua County Public Works Department to vacate a portion of the plat described as follows:

A parcel of land being more particularly described in EXHIBIT "A" as attached hereto and by reference made a part hereof; and

WHEREAS, as required by Section 177.101(3), Fla. Stat., and Section 372.02(2) of the Alachua County Code, Clark & Morris own the fee simple title to the tracts 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 the Clark & Morris application for partial plat vacation; and

WHEREAS, the partial plat vacation is needed in order to return the property to acreage and create two separate homesites, and

WHEREAS, Clark & Morris have 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, Clark & Morris have 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 a



2389727



1 the improvements or infrastructure were previously accepted by the County for  
2 maintenance.

3 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
4 COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

5  
6 1. That the offers of dedication of public rights-of-way, as contained in all plats  
7 heretofore approved by the Alachua County Board of County Commissioners and recorded  
8 in the public records of Alachua County, Florida, are hereby accepted by, and on behalf of,  
9 the County and this acceptance is binding upon all persons hereafter.

10 2. That for those rights-of-way containing improvements and infrastructure not  
11 already accepted by the County for maintenance, the County accepts conveyance of property  
12 interest for the limited purpose of ownership of the underlying fee, not for purposes of  
13 maintenance of the improvements or infrastructure in existence on the rights-of-way.

14 3. That any resolution in conflict with this Resolution is hereby repealed.

15 4. That this Resolution shall take effect immediately upon its adoption.

16 DULY ADOPTED in regular session, this 9<sup>th</sup> day of August, 2016.

17 BOARD OF COUNTY COMMISSIONERS  
18 OF ALACHUA COUNTY, FLORIDA

19  
20  
21 ATTEST:

22 By: Robert Hutchinson  
23 Robert Hutchinson, Chair

24  
25 J. K. Irby, Clerk

26 APPROVED AS TO FORM

27  
28 W. J. Smith  
29 Alachua County Attorney

Resolution accepting plat dedications

INSTRUMENT # 2389727  
7 PGS

**EXHIBIT "A"**

All of the Lots, Blocks, Avenues and Streets lying south of the north line of Second Avenue of the plat of High Springs Manor as recorded in Plat Book "B", page 71 of the Public Records of Alachua County, Florida that lie within Tax Parcel Number's 02922-001-000; 02924-000-000 and 02924-002-000.

LESS AND EXCEPT: Santa Fe Street (40-foot R/W a.k.a. NW 188<sup>TH</sup> Street), Bay Street (40-foot R/W) and the un-named 15-foot wide street, running in an east west direction located at the south end of said High Springs Manor plat.

INSTRUMENT # 2389727  
7 PGS

## AFFIDAVIT OF PUBLICATION

**The Gainesville Sun**  
Published - Daily  
Gainesville, Alachua County, Florida

**STATE OF FLORIDA  
COUNTY OF ALACHUA**

Before the undersigned, a Notary Public of Said County and State, Ernest Blake, III, who on oath says that he is Legal Advertising Coordinator of THE GAINESVILLE SUN, a daily newspaper published at Gainesville, in Alachua County, Florida; that the attached copy of advertisement, being a notice in the matter of

**NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Alachua County, Florida, will consider the adoption of a Resolution for vacating and abandoning a portion of the plat of High Springs Manor, at a public hearing to**

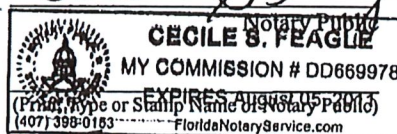
was published in said newspaper in the issues of:

10/4 1x, s10/9 1x

TUESDAY, OCTOBER 9, 2007

Affiant further says that the said THE GAINESVILLE SUN is a daily newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, daily, and has been entered as second class mail matter at the post office in Gainesville in said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the person of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Nov, A.D., 2007



My commission expires 5 day of Aug, 2011

Ad #: A000371426

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Alachua County, Florida, will consider the adoption of a Resolution for vacating and abandoning a portion of the plat of High Springs Manor, at a public hearing to be held in Room 202 of the Alachua County Administration Building, 12 Southeast 1st Street, Gainesville, Florida, on the 23rd day of October, A.D., 2007, at 5:00 o'clock p.m., or as soon thereafter, as the matter may be heard; said portion of the plat being described as follows:

All of the Lots, Blocks, Avenue and Streets lying south of the north line of Second Avenue of the plat of High Springs Manor as recorded in Plat Book "B", page 71 of the Public Records of Alachua County, Florida that lie within Tax Parcel Number's 02922-001-000; 02924-000-000 and 02924-002-000.  
LESS AND EXCEPT:  
Santa Fe Street

A sketch showing the description boundary and proposed plat vacation can be reviewed in the County Manager's office located on the second floor of the above County Administration Building.

All persons are advised that, if they decide to appeal any decision made at this public hearing, they will need a record of the proceeding and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. All interested persons are invited to attend and be heard. Anyone with a disability who needs an accommodation, please call 904-462-0055 or TDD 904-374-5284.

Paula M. DeLaney, Chair  
Board of County  
Commissioners

October 4th, 2007 and  
October 9th, 2007.  
#A000371426



# AFFIDAVIT OF PUBLICATION

INSTRUMENT # 2389727  
7 PGS

**The Gainesville Sun**  
Published – Daily  
Gainesville, Alachua County, Florida

**STATE OF FLORIDA**  
**COUNTY OF ALACHUA**

Before the undersigned, a Notary Public of Said County and State, Ernest Blake, III, who on oath says that he is Legal Advertising Coordinator of THE GAINESVILLE SUN, a daily newspaper published at Gainesville, in Alachua County, Florida; that the attached copy of advertisement, being a notice in the matter of

**RESOLUTION 07-97 A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA, TO VACATE A PORTION OF THE PLAT OF HIGH SPRINGS MANOR; AUTHORIZING THE CHAIR TO EXECUTE ALL DOCUMENTS RELATED TO THE VACATED PORTION OF THE PLAT; PROVIDING AN E**

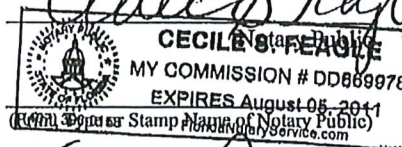
was published in said newspaper in the issues of:

11/14 1x

WEDNESDAY, NOVEMBER 14, 2007

Affiant further says that the said THE GAINESVILLE SUN is a daily newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, daily, and has been entered as second class mail matter at the post office in Gainesville in said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the person of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Nov, A.D., 2007



My commission expires 5 day of Aug, 2011

Ad #: A000386959

RESOLUTION 07-07

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA, TO VACATE A PORTION OF THE PLAT OF HIGH SPRINGS MANOR; 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 a plat, 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, John W. Clark, Bonnie Morris and Nevada Morris, (Clark & Morris) the property owners of a portion of the plat of High Springs Manor has applied to the Alachua County Public Works Department to vacate a portion of the plat described as follows:

A parcel of land being more particularly described in EXHIBIT "A" as attached hereto and by reference made a part hereof; and

WHEREAS, as required by Section 177.101(3), Fla. Stat., and Section 372.02(2) of the Alachua County Code, Clark & Morris own the fee simple title to the tracts 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 the Clark & Morris application for partial plat vacation; and

WHEREAS, the partial plat vacation is needed in order to return the property to acreage and create two separate homesteads; and

WHEREAS, Clark & Morris have 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, Clark & Morris have 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 a Nov. 8, 2007 portion of the plat owned by Clark & Morris 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 High Springs Manor plat described in Exhibit "A" 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 07-07, 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 07-07, has been filed with the Clerk of the Circuit Court and duly recorded in the public records of Alachua County, Florida.

EXHIBIT "A"

All of the Lots, Blocks, Avenues and Streets lying south of the north line of Second Avenue of the plat of High Springs Manor as recorded in Plat Book "B", page 71 of the Public Records of Alachua County, Florida that lie within Tax Parcel Numbers 02922-001-000; 02924-000-000 and 02924-002-000.

LESS AND EXCEPT: Santa Fe Street (40-foot RW a.k.a. NW 188th Street), Bay Street (40-foot RW) and the unnamed 15-foot wide street, running in an east west direction located at the south end of said High Springs Manor plat.

DULY ADOPTED in regular session, this 23rd day of October, 2007.

BOARD OF COUNTY COMMISSIONERS  
ALACHUA COUNTY, FLORIDA

By:  
Paula M. DeLaney, Chair  
ATTEST  
J.K. "Buddy" Irby  
Clerk of Court

APPROVED AS TO FORM:  
Alachua County Attorney  
November 14, 2007  
#A000385770  
#A000386959



## EXHIBIT "B"

### AFFIDAVIT OF PUBLICATION

**The Gainesville Sun**  
Published – Daily  
Gainesville, Alachua County, Florida

STATE OF FLORIDA  
COUNTY OF ALACHUA

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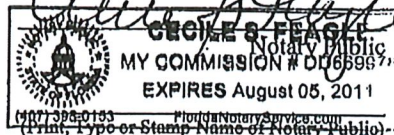
was published in said newspaper in the issues of:

10/4 1x, s10/9 1x

THURSDAY, OCTOBER 4, 2007

Affiant further says that the said THE GAINESVILLE SUN is a daily newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, daily, and has been entered as second class mail matter at the post office in Gainesville in said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the person of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Nov, A.D., 2007



My commission expires 5 day of Aug, 2011

Ad #: A000371426

0001

Legals

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Alachua County, Florida, will consider the adoption of a Resolution for vacating and abandoning a portion of the plat of High Springs Manor, at a public hearing to be held in Room 200 of the Alachua County Administration Building, 12 Southeast 1st Street, Gainesville, Florida, on the 23rd day of October, A.D., 2007, at 5:00 o'clock p.m., or as soon thereafter, as the matter may be heard; said portion of the plat being described as follows:

All of the Lots, Blocks, Avenue and Streets lying south of the north line of Second Avenue of the plat of High Springs Manor as recorded in Plat Book "B", page 71 of the Public Records of Alachua County, Florida that lie within Tax Parcel Numbers .02922-001-000; 02924-000-000 and 02924-002-000.

LESS AND EXCEPT:  
Santa Fe Street

A sketch showing the description boundary and proposed plat vacation can be reviewed in the County Manager's office located on the second floor of the above County Administration Building.

All persons are advised that, if they decide to appeal any decision made at this public hearing, they will need a record of the proceeding and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. All interested persons are invited to attend and be heard. Anyone with a disability who needs an accommodation, please call 904-462-0055 or TDD 904-374-5204.

Paula M. DeLaney, Chair,  
Board of County  
Commissioners

October 4th, 2007 and  
October 9th, 2007.  
#A000371426

INSTRUMENT # 2389727

7 PGS





ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**RESOLUTION 16 - 71**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA, ACCEPTING THE DEDICATION OF  
RIGHTS-OF-WAY CONTAINED IN PLATS APPROVED BY ALACHUA  
COUNTY AND RECORDED IN THE PUBLIC RECORDS OF ALACHUA  
COUNTY; PROVIDING FOR THE REPEAL OF PREVIOUS  
RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the Alachua County Board of County Commissioners (Board) desires  
to accept ownership of rights-of-way previously dedicated to the public in plats approved by the  
Alachua County Board of County Commissioners and recorded in the public records of Alachua  
County prior to the date of this Resolution; and

**WHEREAS,** the Board's interest in accepting prior dedications is limited to  
clarifying the ownership of the underlying fee of each right-of-way previously dedicated to  
the public by a plat dedication that was approved by the Alachua County Board of County  
Commissioners and recorded in the public records of Alachua County; and

**WHEREAS,** the Board does not desire, nor does it intend, to accept maintenance  
responsibilities for all improvements and infrastructure located within the rights-of-way  
accepted by this Resolution; and

**WHEREAS,** Alachua County shall not be deemed responsible for the maintenance  
of any improvements or infrastructure located within the rights-of-way accepted by this  
Resolution by virtue of this Resolution alone; and

**WHEREAS,** Alachua County will only be responsible for maintenance of  
improvements or infrastructure lying within the rights-of-way accepted by this Resolution if

portion of the plat owned by Clark & Morris 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 High Springs Manor plat described in Exhibit "A" 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 07-97, 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 07-97 has been filed with the Clerk of the Circuit Court and duly recorded in the public records of Alachua County, Florida.

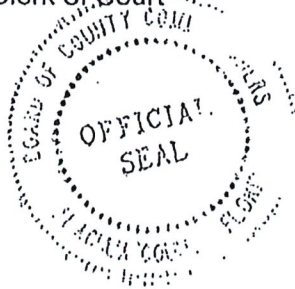
DULY ADOPTED in regular session, this 23<sup>rd</sup> day of October, 2007.

BOARD OF COUNTY COMMISSIONERS  
ALACHUA COUNTY, FLORIDA

By: Paula M. DeLaney  
Paula M. DeLaney, Chair

ATTEST:

J. K. "Buddy" Irby  
J. K. "Buddy" Irby,  
Clerk of Court



APPROVED AS TO FORM:

D. Wayne  
Alachua County Attorney