

## RESOLUTION 20-

### 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 402 of the Alachua County Code; and

WHEREAS, John W. Clark and St. Elmo Cherry-Clark (Clark & Cherry-Clark), husband and wife, as property owners of a portion of the plat of High Springs Manor have 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 402.63(a) of the Alachua County Code, Clark & Cherry-Clark 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 staff, after conducting the investigation required under section 402.63(b) of the Alachua County Code, has determined that the application by Clark & Cherry-Clark meets the minimum statutory requirements for partial plat vacation; and

WHEREAS, Clark & Cherry-Clark have satisfied the publication of legal notice requirements of Section 177.101(4), Fla. Stat., and Section 402.65(c)(2) of the Alachua County Code, see **EXHIBIT "B"** attached hereto and by reference made a part hereof; and

WHEREAS, Clark & Cherry-Clark 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 402.63(a)(2) of the Alachua County Code; and

WHEREAS, the Board, in accordance with Section 177.101(3), Fla. Stat., and Section 402.64(a) of the Alachua County Code, has determined that vacating the portion of the plat owned by Clark & Cherry-Clark will not affect the ownership or right of convenient access of persons owning other parts of the subdivision or adjacent properties.

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 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 plat described in Exhibit "A" are platted public rights-of-way for use by the traveling public and also vacated, less the exceptions.

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

**Section 5. Effective Date.** This resolution shall take effect when a certified copy of the adopted resolution 20-\_\_\_\_, 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 20-\_\_\_\_ 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 \_\_\_\_, 2020.

BOARD OF COUNTY COMMISSIONERS  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_  
Robert Hutchinson, Chair

ATTEST:

\_\_\_\_\_  
J. K. "Jess" Irby, Esq., Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Alachua County Attorney's Office

### **EXHIBIT "A"**

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

#### **LESS AND EXCEPT:**

- 1) Santa Fe Street (a 50.0 foot right of way, a.k.a. NW 188 Street) and also,
- 2) Bay Street (a 40.0 foot right of way); and also an
- 3) Un-named Street (a 25.0 foot right of way) north of Blocks 1, 2, 3, 4 & 5; and also,
- 4) That part of Oak Street that lies south of the south right of way line of the said Un-named Street and north of the south lot line of Lot 13 of Block 7; and also
- 5) Lot 13 of Block 7, Tax Parcel Identification Number 02926-000-000

# 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:

*12/17 1x, s12/24 1x*

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 26 day of December, A.D., 2019



Notary Public - State of Florida  
Commission # FR 3448  
My Comm. Expires 2, 2020

Harmony Stalter  
Notary Public  
HARMONY STALTER  
(Print, Type or Stamp Name of Notary Public)

My commission expires 2 day of February 2020

## 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 209 of the Alachua County Administration Building, 12 Southeast 1st Street, Gainesville, Florida, on the 14TH day of January, 2020 at 5:00 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, Avenues and Streets lying north of the north line of Second Avenue within the High Springs Manor subdivision, as per plat recorded in Plat Book "B", page 71 of the Public Records of Alachua County, Florida that lie within Tax Parcel Number 02922-000-000

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- 4) That part of Oak Street that lies south of the south right of way line of the said Un-named Street and north of the south lot line of Lot 13 of Block 7; and also
- 5) Lot 13 of Block 7, Tax Parcel Identification Number 02926-000-000

A map 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 TTD 711

Robert Hutchinson, Chair  
Board of County Commissioners

December 17, 24, 2019  
#A000962452

Ad #: A000962452