

**RESOLUTION 24-**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA, TO VACATE A PORTION OF THE PLAT OF ORANGE SUMMIT OF HAWTHORNE HEIGHTS; AUTHORIZING THE CHAIR TO EXECUTE ALL DOCUMENTS RELATED TO THE VACATION OF THE PLAT AND 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**, David W. Owen as the owner of a portion of Orange Summit of Hawthorne Heights as recorded in Plat Book B, Page 15 of the public records of Alachua County Florida has applied to the Alachua County Public Works Department to vacate a portion of the plat and streets described as follows:

Parcels of land being more particularly described and shown 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, David W. Owen owns the fee simple title to portion of the plat 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 David W. Owen meets the minimum statutory requirements for a plat vacation; and

**WHEREAS**, David W. Owen has 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**, David W. Owen has certified that all state and county taxes (and municipal taxes if applicable) have been paid; 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 plat owned by David W. Owen will not affect the ownership or right of convenient access of persons owning 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 the plat.** A portion of the plat of Orange Summit of Hawthorne Heights as described is vacated, and the property covered by the plat, in whole, 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.

**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 24-\_\_\_\_\_, 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 24-\_\_\_\_\_ 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 \_\_\_\_\_, 2024.

BOARD OF COUNTY COMMISSIONERS  
ALACHUA COUNTY, FLORIDA

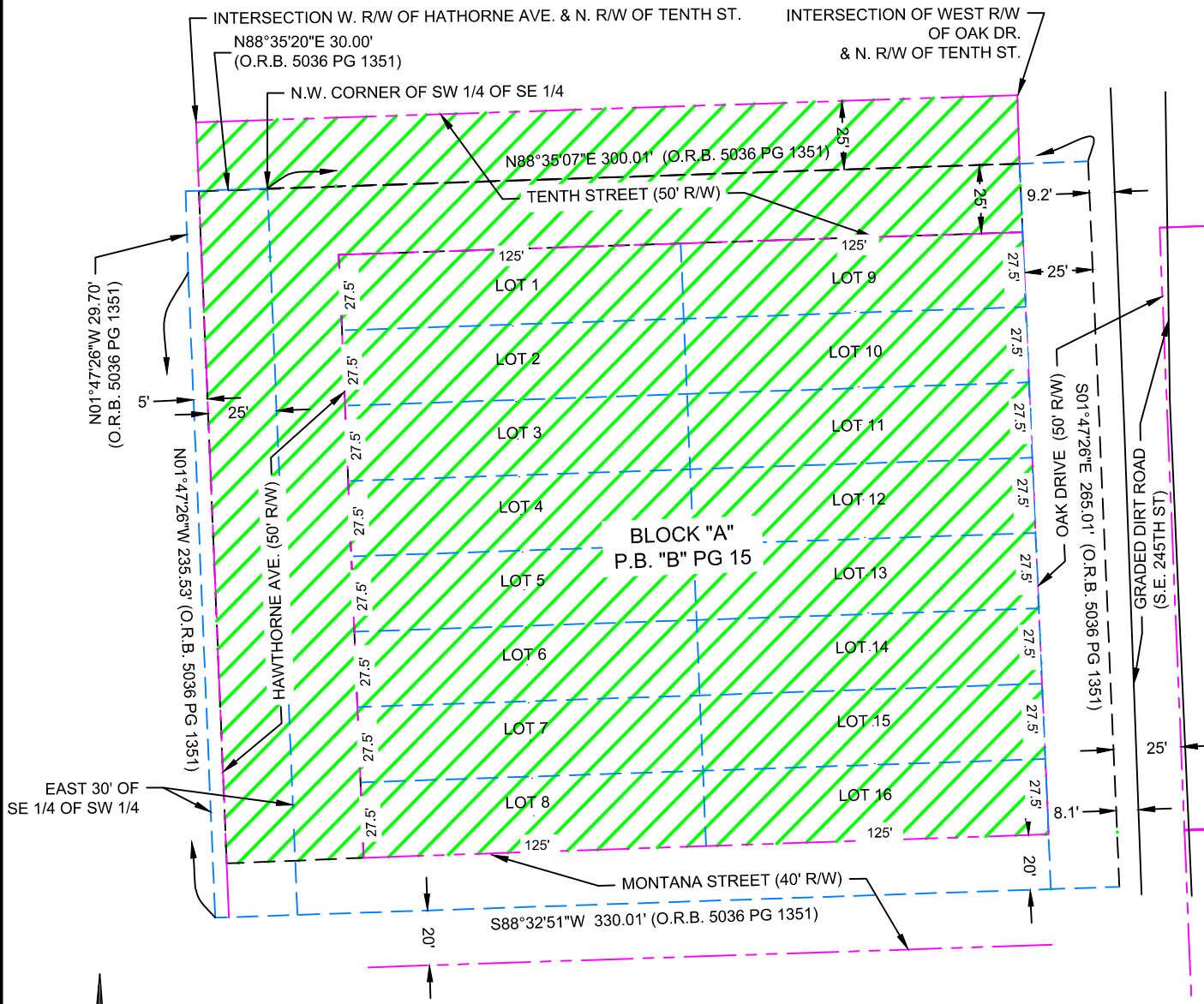
By: \_\_\_\_\_  
Mary C. Alford, Chair

ATTEST:

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

APPROVED AS TO FORM:

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



**RIGHT OF WAY VACATE LEGAL DESCRIPTION**  
(WRITTEN BY SURVEYOR)

A PORTION OF RIGHT-OF-WAY LYING WITHIN THE SUBDIVISION OF ORANGE SUMMIT OF HAWTHORNE HEIGHTS, AS RECORDED IN PLAT BOOK "B" PAGE 15 OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, MORE PARTICULARLY DESCRIBED AS:

ALL OF THE PLATTED RIGHT-OF-WAY FOR TENTH STREET AND HAWTHORNE AVE, LYING SOUTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF TENTH STREET, WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF OAK DRIVE, NORTH OF THE NORTHERLY RIGHT-OF-WAY OF MONTANA STREET AND EAST OF THE WEST RIGHT-OF-WAY LINE OF HAWTHORNE AVE.

SAID PROPERTY BEING 0.597 ACRES, MORE OR LESS.

**PLAT VACATE LEGAL DESCRIPTION**  
(WRITTEN BY SURVEYOR)

BLOCK "A" OF ORANGE SUMMIT OF HAWTHORNE HEIGHTS, AS RECORDED IN PLAT BOOK "B" PAGE 15 OF THE OFFICIAL RECORDS OF ALACHUA COUNTY.

SAID PROPERTY BEING 1.26 ACRES, MORE OR LESS.

**SURVEYOR NOTES**

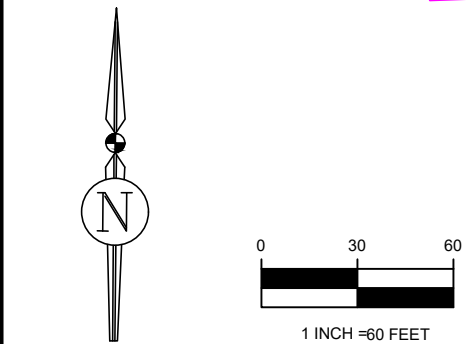
IT IS OF THE PROFESSIONAL OPINION OF THIS SURVEYOR THAT MR. DAVID OWEN IS THE ONLY ADJOINING OWNER OF THE PORTIONS OF PROPERTY THAT ARE PROPOSED TO BE VACATED BY ALACHUA COUNTY, FLORIDA.

**ABBREVIATIONS**

- C/L = CENTERLINE
- P.B. = PLAT BOOK
- O.R.B. = OFFICIAL RECORDS BOOK
- PG = PAGE
- R/W = RIGHT-OF-WAY

**SYMBOL LEGEND**

-  R/W VACATE AREA
-  LOT LINE
-  RIGHT-OF-WAY




12207 NW 39th AVENUE  
GAINESVILLE, FL 32606  
352-535-0307  
www.3002inc.com

**SKETCH & DESCRIPTION**  
(NOT A SURVEY)

Florida Business License No. LB8313

IF PRINTED, THIS DOCUMENT IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. IF IN DIGITAL FORMAT, PLEASE BE SURE TO VALIDATE THE ELECTRONIC SIGNATURE.

**Brian E. Murphy**  
Professional Surveyor & Mapper No.7033

**CERTIFIED TO:**  
DAVID OWEN  
ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS

Scale: 1" = 60'  
Drawn By: B. MURPHY  
Document Name: 22.074.dwg  
Doc.Date/ Time: 4/20/2023 2:31:29 PM  
Sheet: 1 of 1

# Proof of Publication

ALACHUA COUNTY  
STATE OF FLORIDA  
COUNTY OF ALACHUA

**PREPARED BY LEGAL NOTICE COORDINATOR:**

Before the undersigned authority personally appeared Ethan Long, who on oath says that he is the OMB Data Analyst Coordinator of Alachua County, Florida; that the attached copy of advertisement: **Public Hearing – the Proposed Vacation of a portion of the plat of Orange Summit of Hawthorne Heights**, for July 9th, 2024 was published on the publicly accessible website, <https://alachuacounty.us/Pages/AlachuaCounty.aspx>, of Alachua County, Florida on **06/25/24**.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Signature Ethan Long Data Analyst Coordinator

Date 25 June, 2024

**THIS SECTION AND BELOW PREPARED BY NOTARY**

Sworn and Subscribed before me this 25<sup>th</sup> day of June 2024, by Ethan Long who is personally known to me  or who has produced \_\_\_ as identification.

Maureen Rischitelli  
Signature of Notary Public

Notary Public Seal



ATTACH COPY FROM WEBSITE POSTING

## 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 to vacate, abandon, discontinue and close a portion of the plat and streets in Orange Summit of Hawthorne Heights as recorded in Plat Book B, Page 15 of the Public Records of Alachua County, Florida at a public hearing to be held in Room 209 of the Alachua County Administration Building, 12 Southeast 1st Street, Gainesville, Florida, on the 9th day of July, 2024 at 11:30 A.M., or as soon thereafter as the matter may be heard; said portion of the plat being described as follows.

### RIGHT OF WAY VACATION LEGAL DESCRIPTION

A PORTION OF RIGHT-OF-WAY LYING WITHIN THE SUBDIVISION OF ORANGE SUMMIT OF HAWTHORNE HEIGHTS, AS RECORDED IN PLAT BOOK "B" PAGE 15 OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, MORE PARTICULARLY DESCRIBED AS:

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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 TDD users please call 711.

Mary C. Alford, Chair  
Board of County Commissioners

Please publish on Tuesday, June 18, 2024, and June 25, 2024



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# Public Hearing - Proposed Vacation of a Portion of the Plat of Orange Summit of Hawthorne Heights

Tue Jul 9th 11:30am

[Public-Hearings](#)

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Jack Durrance, Room 209, 12 SE 1st St, Gainesville, FL 32601, USA [map](#) [directions](#)

Published June 25th, 2024

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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 users please call 711.

Mary C. Alford, Chair  
Board of County Commissioners



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# Proof of Publication

ALACHUA COUNTY  
STATE OF FLORIDA  
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## PREPARED BY LEGAL NOTICE COORDINATOR:

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Signature Ethan Long Data Analyst Coordinator

Date 18 June, 2024

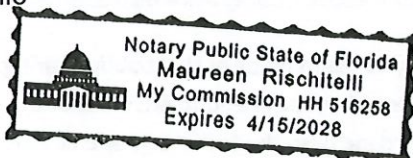
## THIS SECTION AND BELOW PREPARED BY NOTARY

Sworn and Subscribed before me this 18<sup>th</sup> day of June, 2024, by Ethan Long who is personally known to me  or who has produced \_\_\_ as identification.

Maureen Rischitelli

Signature of Notary Public

Notary Public Seal



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[Public Hearings](#) [Public Works](#)

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