

ORDINANCE NO. 190419

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3       **An ordinance of the City of Gainesville, Florida, annexing approximately 86.64**  
4       **acres of privately-owned property generally located south of SW Williston Road,**  
5       **west of SW 29<sup>th</sup> Drive, north of SW 56<sup>th</sup> Avenue, and east of SW 34<sup>th</sup> Street, as**  
6       **more specifically described in this ordinance, as petitioned for by the property**  
7       **owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings;**  
8       **providing for inclusion of the property in Appendix I of the City Charter; providing**  
9       **for land use plan, zoning, and subdivision regulations, and enforcement of**  
10       **same; providing for persons engaged in any occupation, business, trade, or**  
11       **profession; providing directions to the Clerk of the Commission; providing a**  
12       **severability clause; providing a repealing clause; and providing an immediate**  
13       **effective date.**

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15       **WHEREAS,** the Municipal Annexation or Contraction Act, Chapter 171, Florida Statutes, (the  
16       “Act”), sets forth criteria and procedures for adjusting the boundaries of municipalities through  
17       annexations or contractions of corporate limits; and

18       **WHEREAS,** on October 3, 2019, the City Commission of the City of Gainesville received a petition  
19       for voluntary annexation of real property located in the unincorporated area of Alachua County, as  
20       more specifically described in this ordinance, and determined that the petition included the  
21       signatures of all owners of property in the area proposed to be annexed; and

22       **WHEREAS,** the subject property meets the criteria for annexation under the Act; and

23       **WHEREAS,** the City has provided all notices required pursuant to the Act, including: 1) notice that  
24       has been published in a newspaper of general circulation at least once a week for two consecutive  
25       weeks prior to first reading, and which notice gives: a) the ordinance number, b) a brief, general  
26       description of the area proposed to be annexed together with a map clearly showing the area, and  
27       c) a statement that the ordinance and a complete legal description by metes and bounds of the  
28       annexation area can be obtained from the office of the Clerk of the Commission; and 2) not fewer  
29       than ten calendar days prior to publishing the newspaper notice, the City Commission has

30 provided a copy of the notice, via certified mail, to the Alachua County Board of County  
31 Commissioners; and

32 **WHEREAS**, public hearings were held pursuant to the notice described above during which the  
33 parties in interest and all others had an opportunity to be and were, in fact, heard.

34 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
35 **FLORIDA:**

36 **SECTION 1.** The City Commission finds that the property described in Section 2 of this ordinance is  
37 reasonably compact and contiguous to the present corporate limits of the City of Gainesville and  
38 that no part of the subject property is within the boundary of another municipality or outside of  
39 the county in which the City of Gainesville lies. The City Commission finds that annexing the  
40 subject property into the corporate limits of the City of Gainesville does not create an enclave of  
41 unincorporated property.

42 **SECTION 2.** The property described in **Exhibit A**, which is attached hereto and made a part hereof  
43 as if set forth in full, is annexed and incorporated within the corporate limits of the City of  
44 Gainesville, Florida.

45 **SECTION 3.** The corporate limits of the City of Gainesville, Florida, as set forth in Appendix I,  
46 Charter Laws of the City of Gainesville, are amended and revised to include the property described  
47 in Section 2 of this ordinance.

48 **SECTION 4.** In accordance with Section 171.062, Florida Statutes, the Alachua County land use  
49 plan and zoning or subdivision regulations shall remain in full force and effect in the property  
50 described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment  
51 that includes the annexed area. The City of Gainesville shall have jurisdiction to enforce the

52 Alachua County land use plan and zoning or subdivision regulations through the City of  
53 Gainesville's code enforcement and civil citation processes.

54 **SECTION 5.** (a) As of the effective date of this ordinance, all persons who are lawfully engaged in  
55 any occupation, business, trade, or profession within the property area described in Section 2 of  
56 this ordinance may continue such occupation, business, trade, or profession, but shall obtain a  
57 business tax receipt from the City of Gainesville for the term commencing on October 1, 2020.

58 (b) As of the effective date of this ordinance, all persons who possess a valid certificate of  
59 competency issued by Alachua County that are lawfully engaged in any construction trade,  
60 occupation, or business within the property area described in Section 2 of this ordinance may  
61 continue the construction trade, occupation, or business within the subject area and the entire  
62 corporate limits of the City of Gainesville, subject to the terms, conditions, and limitations imposed  
63 on the certificate by Alachua County, and provided that such persons register the certificate with  
64 the Building Inspections Division of the City of Gainesville and the Department of Business and  
65 Professional Regulation of the State of Florida, if applicable, on or before 4:00 p.m. of the effective  
66 date of this ordinance.

67 **SECTION 6.** The Clerk of the Commission is directed to submit a certified copy of this ordinance to  
68 the following parties within seven calendar days after the adoption of this ordinance: 1) the Florida  
69 Department of State; 2) the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for  
70 Alachua County, Florida; and 3) the Chief Administrative Officer of Alachua County.

71 **SECTION 7.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the  
72 application hereof to any person or circumstance is held invalid or unconstitutional, such  
73 finding will not affect the other provisions or applications of this ordinance that can be given

74 effect without the invalid or unconstitutional provision or application, and to this end the  
75 provisions of this ordinance are declared severable.

76 **SECTION 8.** All other ordinances or parts of ordinances in conflict herewith are to the extent of  
77 such conflict hereby repealed.

78 **SECTION 9.** This ordinance will become effective immediately upon adoption.

79 **PASSED AND ADOPTED** this 6th day of February, 2020.

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LAUREN POE  
MAYOR

Approved as to form and legality:



OMICHELE D. GAINNEY  
CLERK OF THE COMMISSION



NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this 16th day of January, 2020.

This ordinance passed on second reading this 6th day of February, 2020.

LEGAL DESCRIPTION

DESCRIPTION FOR ANNEXATION AT THE SOUTHEAST CORNER OF SW WILLISTON ROAD AND ROCKY POINT ROAD INCLUDING A PORTION OF TAX PARCEL # 07240-000-000 AND TAX PARCELS # 07240-037-000, 07176-012-000, 07176-016-000, 07176-011-000, 07176-010-000, 07176-007-000 & 07176-000-000.

A PORTION OF THE MAP OF PROPERTY BELONGING TO MACKEY & HUDSON AS RECORDED IN DEED BOOK "J", PAGE 906 AND A PORTION OF LOTS 2, 3, AND 4 OF SERENOLA PLANTATION, AS RECORDED IN DEED BOOK "L", PAGES 480 AND 481 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND A PORTION OF THE GARY GRANT, ALL LYING AND BEING IN TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 001912 MARKING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SW WILLISTON ROAD ALSO KNOWN AS STATE ROAD 331 AND THE NORTHWEST CORNER OF THE "TOGETHER WITH" PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4475, PAGE 1006 ALSO BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF SAID WILLISTON ROAD AND SW 29<sup>TH</sup> DRIVE AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE ALONG SAID EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 001912 THE FOLLOWING 5 COURSES: 1.) S 09°05'14" W, 1,608.85 FEET 2.) S 40°54'46" E, 20.00 FEET; 3.) S 49°05'14" W, 649.34 FEET; 4.) S 21°41'17" W, 65.19 FEET TO THE EAST LINE OF ROCKY POINT ROAD; 5.) S 49°05'14" W, 100.00 FEET TO THE WEST LINE OF ROCKY POINT ROAD; THENCE LEAVING SAID EXISTING CITY OF GAINESVILLE LIMIT LINE S 40°52'37"E ALONG THE WEST RIGHT-OF-WAY LINE OF SAID ROCKY POINT ROAD ALSO BEING KNOWN AS COUNTY ROAD NUMBER 23, A DISTANCE OF 1,718.50 FEET TO A POINT ON A SOUTHWESTERLY PROJECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SW 56<sup>TH</sup> AVENUE; THENCE N 73°09'53 E ALONG SAID PROJECTION AND RIGHT-OF-WAY LINE A DISTANCE OF 175.36 FEET TO A POINT OF INTERSECTION ON SAID RIGHT-OF-WAY; THENCE N 84°06'56" E ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 149.37 FEET TO A POINT LYING S 05°56'18" E, 33.00 FEET ON A SOUTHERLY EXTENSION OF THE WEST LINE OF SAID SERENOLA PLANTATION FROM A CONCRETE MONUMENT AT THE SOUTHWEST CORNER OF SAID SERENOLA PLANTATION ALSO BEING THE SOUTHWEST CORNER OF LOT 4 OF SAID SERENOLA PLANTATION; THENCE CONTINUE N 84°06'56" E ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 1318.36 FEET TO A POINT ON A SOUTHERLY PROJECTION OF THE WEST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4161, PAGE

ONE OF THREE: NOT COMPLETE WITHOUT ALL THREE SHEETS

Exhibit A to Ordinance No. 190419

270; THENCE N 05°32'43" W ALONG SAID SOUTHERLY PROJECTION 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID SW 56<sup>TH</sup> AVENUE ALSO BEING THE SOUTHWEST CORNER OF SAID PARCEL; THENCE CONTINUE N 05°32'43" W ALONG SAID WEST LINE A DISTANCE OF 663.75 FEET TO THE NORTHWEST CORNER OF SAID PARCEL ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 030250; THENCE CONTINUE ALONG SAID EXISTING CITY LIMIT LINE THE FOLLOWING 7 COURSES; 1.) SOUTH 84°06'56" WEST, PARALLEL WITH THE SOUTH LINE OF SAID SERENOLA PLANTATION, 1023.15 FEET TO A POINT LYING 300 FEET PERPENDICULAR TO THE WEST LINE OF SAID SERENOLA PLANTATION, AT A POINT WHICH LIES NORTH 05°56'18" WEST, 663.44 FEET FROM THE CONCRETE MONUMENT FOUND AT THE SOUTHWEST CORNER OF SAID SERENOLA PLANTATION, AND SOUTH 05°56'18" EAST, 3939.09 FEET FROM A REBAR AND CAP (JW MYERS, PLS 3447) FOUND AT THE NORTHWEST CORNER OF SAID SERENOLA PLANTATION; 2.) NORTH 05°56'18" WEST, PARALLEL TO THE WEST LINE OF SAID SERENOLA PLANTATION, 879.95 FEET; 3.) NORTH 49°05'14" EAST, 330.77 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 540.00 FEET; 4.) NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 172.00 FEET THROUGH A CENTRAL ANGLE OF 18°14'59" TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDE BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 39° 57' 45" EAST, 171.27 FEET; 5.) NORTH 30°50'15" EAST 94.84 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 460.00 FEET; 6.) NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°14'59" AN ARC DISTANCE OF 146.52 FEET TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDE BY A CHORD HAVING A BEARING AND DISTANCE OF N 39°57'45" E, 145.90 FEET; 7.) NORTH 49°05'14" EAST, 251.14 FEET TO A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO.150818 ALSO BEING THE SOUTHWEST CORNER OF THE "TOGETHER WITH" PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4475, PAGE 1006; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL AND EXISTING CITY LIMIT LINE NORTH 40°54'00" WEST, 726.04 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 86.64 ACRES, MORE OR LESS.

TWO OF THREE: NOT COMPLETE WITHOUT ALL THREE SHEETS

Exhibit A to Ordinance No. 190419

# SW WILLISTON & ROCKY POINT ROADS VICINITY SKETCH & DESCRIPTION FOR PROPOSED ANNEXATION

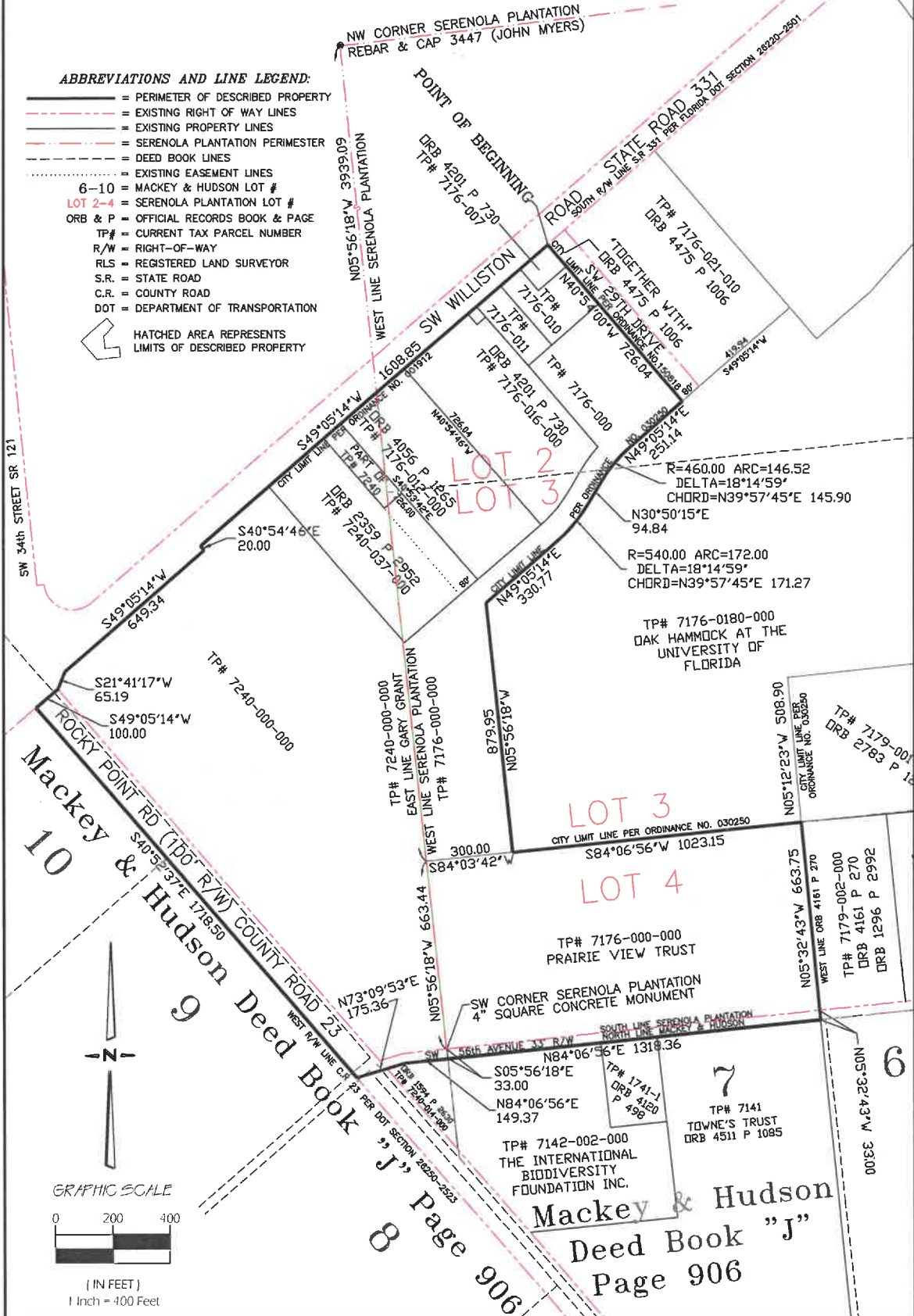
SEE DESCRIPTION ON SHEETS ONE AND TWO

**SURVEYOR'S NOTES:**

1. THE BEARING BASIS FOR THIS SKETCH & DESCRIPTION IS THE SOUTH LINE OF WILLISTON ROAD ACCORDING TO A SURVEY BY ENG, DENMAN, AND ASSOCIATES, PROJECT NUMBER 99-138 SOB, DATED 08/09/2002 OF THE OAK HAMMOCK AT THE UNIVERSITY OF FLORIDA.
2. INFORMATION FROM THE PROPERTY APPRAISER'S WEB SITE, DEEDS OF RECORD, AN HH GREEN SURVEY FROM 1984 PROVIDED TO THIS SURVEYOR, DEED BOOK "J", PAGE 906 (THE MAP OF MACKEY AND HUDSON LANDS) AND DEED BOOK "L", PAGES 480 & 481 WERE ALSO USED TO BEST REPRESENT THE INTENT OF THE LANDS TO BE INCLUDED IN THIS SKETCH AND DESCRIPTION.

**ABBREVIATIONS AND LINE LEGEND:**

- = PERIMETER OF DESCRIBED PROPERTY
  - = EXISTING RIGHT OF WAY LINES
  - = EXISTING PROPERTY LINES
  - = SERENOLA PLANTATION PERIMETER
  - = DEED BOOK LINES
  - = EXISTING EASEMENT LINES
  - 6-10 = MACKEY & HUDSON LOT #
  - LOT 2-4 = SERENOLA PLANTATION LOT #
  - ORB & P = OFFICIAL RECORDS BOOK & PAGE
  - TP# = CURRENT TAX PARCEL NUMBER
  - R/W = RIGHT-OF-WAY
  - RLS = REGISTERED LAND SURVEYOR
  - S.R. = STATE ROAD
  - C.R. = COUNTY ROAD
  - DOT = DEPARTMENT OF TRANSPORTATION
- HATCHED AREA REPRESENTS LIMITS OF DESCRIBED PROPERTY



**THIS IS NOT A BOUNDARY SURVEY**

**SHEET THREE OF THREE: NOT COMPLETE WITHOUT ALL SHEETS**

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT  
ENGINEERING SUPPORT SERVICES  
405 NW 39th AVENUE P.O. BOX 490 GAINESVILLE, FL 32627  
OFFICE (352) 393-8194

I HEREBY CERTIFY THAT THIS SKETCH & DESCRIPTION MEETS OR EXCEEDS THE  
STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND  
SURVEYORS IN CHAPTER 54.7 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT  
TO SECTION 479.021, FLORIDA STATUTES.

DRAWN BY: PRD  
CHECKED BY: TGI  
DATE: 11/6/2019  
CAD FILE NAME:  
Nov 2019 Annex

PATRICK R. DURBIN, RLS FL CERT. # 5368