

ORDINANCE NO. 050547
0-05-89

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4 **An Ordinance of the City of Gainesville, Florida, annexing a**
5 **portion of the City of Gainesville Reserve Area Pursuant to**
6 **Chapter 90-496, as amended by Chapter 91-382 and Chapter**
7 **93-347, Special Acts, Laws of Florida, known as the Alachua**
8 **County Boundary Adjustment Act; making certain findings;**
9 **including within the corporate limits of the City of Gainesville,**
10 **Florida, that certain compact and contiguous area generally**
11 **described as follows: south of the city limits, west of SW 34th**
12 **Street and tax parcel 06688-000-000, and east of tax parcel**
13 **number 06715-000-000; providing for inclusion of the area in**
14 **Appendix I of the City Charter; providing for land use and**
15 **zoning regulations; providing directions to the Clerk of the**
16 **Commission; providing a severability clause; and providing an**
17 **immediate effective date.**
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21 **WHEREAS,** Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter
22 91-382 and Chapter 93-347, Special Acts, Laws of Florida, created the "Alachua County
23 Boundary Adjustment Act" (hereinafter collectively referred to as "the Act") which sets forth
24 procedures for the annexation of contiguous, compact, unincorporated territory within a
25 municipality's reserve area; and

26 **WHEREAS,** on January 13, 1998, the Board of County Commissioners of Alachua
27 County designated the Reserve Area for the City of Gainesville pursuant to the Act; and

28 **WHEREAS,** on July 11, 2005, the owner of the real property described herein submitted
29 a Petition for Voluntary Annexation requesting the City to incorporate said property into the City
30 of Gainesville; and

31 **WHEREAS,** on July 11, 2005, the City Commission voted to accept said Petition and
32 determined that the Petition bore the signature of the owner of the property; and

1 **WHEREAS**, on August 22, 2005, the City Commission of the City of Gainesville
2 adopted Ordinance No. 050151, which adopted the Urban Services Report setting forth the plans
3 to provide urban services to that portion of the Reserve Area proposed to be annexed in
4 accordance with the procedures provided in the Act; and

5 **WHEREAS**, a copy of the Urban Services Report was filed with the Alachua County
6 Board of County Commissioners; and

7 **WHEREAS**, the City of Gainesville desires to annex a certain portion of its Reserve
8 Area which is compact and contiguous to the present corporate limits of the City; and

9 **WHEREAS**, pursuant to law, notice has been given by publication in a newspaper of
10 general circulation once a week for two consecutive weeks, notifying the public of the Public
11 Hearing of this proposed Ordinance to be held in the City Commission meeting room, First
12 Floor, City Hall, in the City of Gainesville; and

13 **WHEREAS**, Public Hearings were held pursuant to the published notice described
14 above at which hearings the parties in interest and all others had an opportunity to be and were,
15 in fact, heard.

16 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**
17 **THE CITY OF GAINESVILLE, FLORIDA:**

18 **Section 1.** The City Commission finds that the Area described in Section 2 of this
19 Ordinance (hereinafter referred to as the "Area") is reasonably compact and contiguous to the
20 corporate limits of the City of Gainesville, and that no part of the Area is within the boundary of
21 another municipality or county. The City Commission finds the Area to be within its Reserve
22 Area and the annexation does not create an enclave.

1 **Section 2.** The following described Area is annexed and incorporated within the
2 corporate limits of the City of Gainesville, Florida:

3 See Legal Description attached hereto as Exhibit "A", and made a
4 part hereof as if set forth in full.
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6 **Section 3.** Subject to the provisions of Section 4 of this Ordinance, the corporate limits
7 of the City of Gainesville, Florida, as set forth in Article 1, Charter Laws of the City of
8 Gainesville, are amended and revised to include the Area described in Section 2 within the
9 corporate limits of the City of Gainesville, Florida.

10 **Section 4.** In accordance with Section 171.062, Florida Statutes, the Alachua County
11 land use plan and zoning or subdivision regulations shall remain in full force and effect in the
12 Area described in Section 2 of this Ordinance until the City adopts a comprehensive plan
13 amendment that includes the annexed area. The Gainesville Code Enforcement Board and code
14 enforcement officers shall have jurisdiction to enforce these regulations during the interim
15 period through the Gainesville Code Enforcement Board process as described in Division 8 of
16 Article V of Chapter 2 of the Code of Ordinances of the City of Gainesville and the Civil
17 Citation Process, as described in Division 6 of Article V of Chapter 2 of said Code. During the
18 interim period, the City may rezone properties in the annexed area to an Alachua County Zoning
19 classification/category that conforms with the Alachua County Comprehensive Plan.

20 **Section 5.** If any portion of this Ordinance is declared by a court of competent
21 jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the
22 remaining portions of this Ordinance.

23 **Section 6.** The Clerk of the Commission is directed to submit a certified copy of this
24 Ordinance to: 1) the Executive Office of the Governor; 2) the Florida Department of State; and

1 3) the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for Alachua County,
2 Florida and make the necessary changes to Appendix I, City Charter, City of Gainesville,
3 Florida, in accordance with this ordinance.


4 **Section 7.** This Ordinance shall become effective immediately upon adoption.

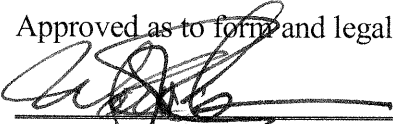
6 **PASSED AND ADOPTED** this 14th day of November, 2005.

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PEGEEN HANRAHAN,
MAYOR

ATTEST:


KURT LANNON,
CLERK OF THE COMMISSION

Approved as to form and legality

MARION J. RADSON,
CITY ATTORNEY

NOV 15 2005

This Ordinance passed on first reading this 24th day of October, 2005.
This Ordinance passed on second reading this 14th day of November, 2005.

Exhibit A

Legal Description for Parcel Numbers 06693-000-000 and 06694-000-000

Section 11, Township 10 South, Range 19 East

Lots 1 and 2 in Section 11, Township 10 South, Range 19 East, according to a survey plat of said Lot 2 made by J.W. Patton, in May 1923, recorded in Deed Book 250, page 397, of the Public Records of Alachua County, Florida, containing 376,200 square feet or 8.64 acres, more of less.

Legal Description for Parcel Numbers 06695-000-000

Section 11, Township 10 South, Range 19 East

Lot 3, of Thomas Sweat Subdivision of Lot 2, of Section 11, Township 10 South, Range 19 East, Alachua County, Florida. Said parcel contains 188,100 square feet or 4.32 acres, more of less.



CITY OF GAINESVILLE

Clerk of the Commission

I hereby certify that a true record of this ordinance was made by me in

Ordinance Book No. 72 on this 17 day of

November, 2005.

A handwritten signature in black ink, appearing to read "Kurt M. Lannon, Jr.", is written over a horizontal line.

Kurt M. Lannon, Jr.
Clerk of the Commission