

# DRAFT

4-2-09

ORDINANCE NO.: \_\_\_\_\_  
0-09-05

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4       **An Ordinance of the City of Gainesville, Florida; adopting an**  
5       **Urban Services Report which sets forth the plans to provide**  
6       **urban services to an area comprised of Tax Parcel Numbers**  
7       **07176-020-000 and 07176-020-001, generally located south of**  
8       **Williston Road and the City Limits, west of SW 20<sup>th</sup> Terrace,**  
9       **north of SW 56<sup>th</sup> Avenue, and east of the City Limits; the area is**  
10       **proposed for annexation by the City of Gainesville pursuant to**  
11       **Chapter 90-496, Special Acts, Laws of Florida, as amended,**  
12       **known as the Alachua County Boundary Adjustment Act;**  
13       **providing directions to the City Manager, the City Attorney and**  
14       **the Clerk of the Commission; providing a repealing clause;**  
15       **providing a severability clause; and providing an immediate**  
16       **effective date.**

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19       **WHEREAS**, Chapter 90-496, Special Acts, Laws of Florida, created the "Alachua County  
20       Boundary Adjustment Act" which sets forth procedures for establishing municipal reserve areas and for  
21       adjusting the boundaries of municipalities through annexations; and

22       **WHEREAS**, Chapter 90-496 was amended by Chapter 91-382 and Chapter 93-347, Special  
23       Acts, Laws of Florida, (hereinafter collectively referred to as "the Act") which requires a municipality  
24       to prepare and adopt by nonemergency ordinance, a report setting forth the plans to provide urban  
25       services to any reserve area prior to commencing the annexation procedures under the Act; and

26       **WHEREAS**, the City of Gainesville is planning to commence the annexation of certain  
27       unincorporated areas, as more specifically described in this Ordinance, and that are located within its  
28       Reserve Area as defined in the Act and as redesignated by the Board of County Commissioners of  
29       Alachua County; and

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1           **WHEREAS**, pursuant to law, at least ten days notice has been given prior to adoption by  
2 publication in a newspaper of general circulation notifying the public of this proposed Ordinance and of  
3 a Public Hearing to be held in the City Commission meeting room, First Floor, City Hall, in the City of  
4 Gainesville; and

5           **WHEREAS**, Public Hearings were held pursuant to law, at which hearings the parties in  
6 interest and all others had an opportunity to be and were, in fact heard.

7           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
8 **CITY OF GAINESVILLE, FLORIDA:**

9           **Section 1.** The Urban Services Report, a copy of which is attached as Exhibit "A" and  
10 incorporated herein as if set forth in full, sets forth the plans to provide urban services to an area  
11 comprised of Tax Parcel Numbers 07176-020-000 and 07176-020-001, generally located south of  
12 Williston Road and the City Limits, west of SW 20<sup>th</sup> Terrace, north of SW 56<sup>th</sup> Avenue, and east of the  
13 City Limits; and is hereby approved and adopted for that certain area as more specifically described in  
14 the Urban Services Report.

15           **Section 2.** The City Manager is directed to file a copy of this Ordinance and the accompanying  
16 Urban Services Report with the Board of County Commissioners of Alachua County and to provide a  
17 copy to the owners of the subject property, and to commence the annexation of the area defined in the  
18 Urban Services Report. The City Attorney and Clerk of the Commission are authorized to prepare and  
19 advertise the appropriate ordinance(s).

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1           **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance or the  
2 application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall  
3 not affect the other provisions or applications of the ordinance which can be given effect without the  
4 valid or unconstitutional provisions or application, and to this end the provisions of this ordinance are  
5 declared severable.

6           **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
7 such conflict hereby repealed.

8           **Section 5.** This Ordinance shall become effective immediately upon adoption.

9           **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2009.

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\_\_\_\_\_  
PEGEEN HANRAHAN  
MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Kurt Lannon  
Clerk of the Commission

\_\_\_\_\_  
Marion J. Radson  
City Attorney

This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2009.

This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2009.