

ORDINANCE NO. 060080
0-06-61

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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, Special Acts, Laws of Florida, as amended by**
7 **Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida,**
8 **known as the Alachua County Boundary Adjustment Act; making**
9 **certain findings; including within the corporate limits of the City of**
10 **Gainesville, Florida, that certain compact and contiguous area**
11 **comprised of Tax Parcels 06680-001-000, 06745-002-000, and**
12 **06745-002-001, and generally located south of the City limits and**
13 **Tax Parcel 06745-000-000, west of the vicinity of SW 42nd Street,**
14 **north of SW 20th Avenue, and east of the City limits; providing for**
15 **inclusion of the area in Appendix I of the City Charter; providing**
16 **for land use and zoning regulations; providing for persons engaged**
17 **in any occupation, business, trade or profession within the area;**
18 **providing directions to the City Manager and Clerk of the**
19 **Commission; providing a severability clause; and providing an**
20 **immediate effective date.**

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24 **WHEREAS,** Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter 91-
25 382 and Chapter 93-347, Special Acts, Laws of Florida, created the "Alachua County Boundary
26 Adjustment Act" (hereinafter collectively referred to as "the Act") which sets forth procedures for
27 the annexation of contiguous, compact, unincorporated territory within a municipality's reserve
28 area; and

29 **WHEREAS,** on January 13, 1998, and more recently on January 10, 2006, the Board of
30 County Commissioners of Alachua County designated the Reserve Area for the City of Gainesville
31 pursuant to the Act; and

1 **WHEREAS**, on March 13, 2006, the City Commission voted to accept the Petition for
2 Voluntary Annexation submitted by the owner of the real property described herein and determined
3 that the Petition bore the signature of the owner of the property; and

4 **WHEREAS**, on April 24, 2006, the City Commission of the City of Gainesville adopted
5 Ordinance No. 050882, which adopted the Urban Services Report setting forth the plans to provide
6 urban services to that portion of the Reserve Area proposed to be annexed in accordance with the
7 procedures provided in the Act; and

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

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

12 **WHEREAS**, pursuant to law, notice of adoption of this ordinance was published for two
13 consecutive weeks prior to first reading in a newspaper of general circulation notifying the public of
14 the Public Hearing of this proposed Ordinance to be held in the City Commission meeting room,
15 First Floor, City Hall, in the City of Gainesville; and

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

18 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
19 **CITY OF GAINESVILLE, FLORIDA:**

20 **Section 1.** The City Commission finds that the Area described in Section 2 of this
21 Ordinance (hereinafter referred to as the "Area") is reasonably compact and contiguous to the
22 present corporate limits of the City of Gainesville, and that no part of the Area is within the

1 boundary of another municipality or county. The City Commission finds the Area to be within its
2 Reserve Area and the annexation does not create an enclave.

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

5 See Legal Description attached hereto as Exhibit "A1" and "Exhibit
6 A2," and made a part hereof as if set forth in full.

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8 **Section 3.** The corporate limits of the City of Gainesville, Florida, as set forth in Article 1,
9 Charter Laws of the City of Gainesville, are amended and revised to include the Area described in
10 Section 2 within the corporate limits of the City of Gainesville, Florida.

11 **Section 4.** The City Manager is authorized and directed to make the necessary change in
12 the Code of Ordinances of the City of Gainesville, Florida, to comply with this ordinance.

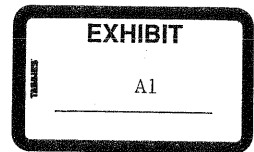
13 **Section 5.** In accordance with Section 171.062, Florida Statutes, the Alachua County land
14 use plan and zoning or subdivision regulations shall remain in full force and effect in the Area
15 described in Section 2 of this Ordinance until the City adopts a comprehensive plan amendment
16 that includes the annexed area. The Gainesville Code Enforcement Board and code enforcement
17 officers shall have jurisdiction to enforce these regulations during the interim period through the
18 Gainesville Code Enforcement Board process as described in Division 8 of Article V of Chapter 2
19 of the Code of Ordinances of the City of Gainesville and the Civil Citation Process, as described in
20 Division 6 of Article V of Chapter 2 of said Code. During the interim period, the City may rezone
21 properties in the annexed area to an Alachua County Zoning classification/category that conforms
22 with the Alachua County Comprehensive Plan.

1 **Section 6.** (a) Except as provided in subsections (b) and (c) below, all persons who are
2 lawfully engaged in any occupation, business, trade or profession within the area described in
3 Section 2 of this Ordinance as of July 11, 2006, shall have the right to continue such occupation,
4 business, trade or profession.

5 (b) Except as provided in subsection (c) below, all persons who are lawfully
6 engaged in any construction trade, occupation or business within the Area described in Section 2 of
7 this Ordinance as of July 11, 2006, and who possess a valid certificate of competency issued by
8 Alachua County shall have the right to continue the construction trade, occupation, or business
9 within the entire corporate limits of the City of Gainesville, including the Area described in Section
10 2 of this Ordinance, subject to the terms, conditions and limitations imposed on the certificate by
11 Alachua County, and provided such persons register the certificate with the Building Inspections
12 Department of the City of Gainesville and the Department of Professional Regulation of the State of
13 Florida on or before 4:00 p.m. on July 11, 2006.

14 (c) All persons lawfully engaged in any occupation, business, trade or profession
15 within the Area described in Section 2 of this Ordinance as of July 11, 2006, shall obtain an
16 occupational license from the City of Gainesville for the term commencing on October 1, 2006,
17 which license shall be issued upon payment of the appropriate fee in accordance with the
18 Gainesville Code of Ordinances in effect on October 1, 2006.

19 **Section 7.** If any portion of this Ordinance is declared by a court of competent jurisdiction
20 to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining
21 portions of this Ordinance.



LEGAL DESCRIPTION:

TAX PARCEL #6680-1 (OR BOOK 591-261)

A TRACT OF LAND SITUATED IN THE EAST HALF (E1/2) OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN NORTH 00°06'12" WEST, ALONG THE EAST LINE OF SAID SECTION 10 2170.49 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD SW-30 AND THE POINT OF BEGINNING; THENCE RUN NORTH 54°23'42" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD SW-30, 1227.38 FEET TO THE CENTER LINE OF HOGTOWN CREEK; THENCE RUN ALONG THE CENTER LINE OF SAID HOGTOWN CREEK WITH THE FOLLOWING COURSES AND DISTANCES: NORTH 52°39'12" EAST, 58.18 FEET; NORTH 25°24'04" EAST, 46.94 FEET; NORTH 38°01'04" WEST, 36.93 FEET; NORTH 03°21'12" WEST, 48.56 FEET; NORTH 62°14'20" WEST, 35.41 FEET; NORTH 01°24'28" WEST, 88.42 FEET; NORTH 70°23'24" EAST, 70.19 FEET; NORTH 07°44'36" EAST, 122.40 FEET; NORTH 09°24'28" EAST, 145.48 FEET; NORTH 31°41'30" EAST, 99.00 FEET; NORTH 75°38'42" EAST, 85.10 FEET; NORTH 43°49'34" EAST, 108.80 FEET; NORTH 61°22'26" EAST, 110.45 FEET; NORTH 88°46'18" EAST, 47.43 FEET; NORTH 72°52'50" EAST, 46.61 FEET; NORTH 71°47'22" EAST, 78.25 FEET; SOUTH 86°03'06" EAST, 26.90 FEET; NORTH 63°31'46" EAST, 100.63 FEET; THENCE NORTH 44°59'38" EAST, 78.52 FEET; NORTH 25°13'30" EAST, 92.00 FEET; NORTH 66°27'02" EAST, 65.90 FEET; NORTH 75°36'34" EAST, 86.05 FEET; SOUTH 85°28'04" EAST, 52.77 FEET TO THE EAST LINE OF SAID SECTION 10; THENCE LEAVE THE CENTERLINE OF SAID HOGTOWN CREEK AND RUN SOUTH 00°06'12" EAST, ALONG THE EAST LINE OF SECTION 10, 1764.37 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

TAX PARCEL #6745-2 (OR BOOK 360-317-A)

A TRACT OF LAND SITUATED IN LOT 8, SECTION 11, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN NORTH 00°06'12" WEST, ALONG THE WEST LINE OF SAID SECTION 11 2170.49 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF A COUNTY ROAD AND THE WEST LINE OF SAID SECTION 11, SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°06'12" WEST ALONG THE WEST LINE OF SAID SECTION 11, 1232.34 FEET TO THE NORTHERLY LINE OF A POWER LINE EASEMENT; THENCE RUN SOUTH 89°24'22" EAST, ALONG THE NORTHERLY LINE OF SAID POWER LINE EASEMENT, 662.00 FEET TO THE EAST LINE OF SAID LOT 8, THENCE RUN SOUTH 00°05'58" EAST, ALONG THE EAST LINE OF SAID LOT 8, 1636.41 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, THENCE RUN NORTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD WITH A CURVE CONCAVE NORTHEASTERLY, SAID CURVE HAVING A CENTRAL ANGLE OF 09°29'22", A RADIUS OF 3769.72 FEET, A LENGTH OF 624.35 FEET AND A CHORD OF NORTH 59°08'23" WEST, 623.64 FEET; THENCE RUN NORTH 54°23'42" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD, 156.52 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 22.000 ACRES, MORE OR LESS, LESS A ROAD RIGHT OF WAY LYING WITHIN EIGHTY FEET OF AND WEST OF THE EAST SURVEY LINE, OF SAID PARCEL 1.

LESS AND EXCEPT THE FIVE FOLLOWING PARCELS:

TAX PARCEL #6745-2-1 (OR BOOK 720-167)

COMMENCE AT THE S.W. CORNER OF SECTION 11-T10S-R19E AND RUN N 0°06'12" W ALONG THE WEST LINE OF SAID SECTION 2170.49' TO THE NORTH R/W OF COUNTY ROAD NO. SW-30, THENCE RUN S 54°23'42" E ALONG SAID R/W LINE 156.83' TO THE P.C. OF A CURVE HAVING A RADIUS OF 3769.72' THENCE RUN SOUTHEASTERLY ALONG SAID R/W CURVE ARC DISTANCE 316.59' TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTHEASTERLY ALONG SAID R/W CURVE ARC DISTANCE OF 81.04' THENCE RUN N 0°05'58" W 129.95', THENCE RUN N 89°24'22" W 70', THENCE RUN S 0°05'58" E 90' TO THE POINT OF BEGINNING.

ALL BEING AND LYING IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA.

TAX PARCEL #6745-2-2 (OR BOOK 1235-951)

THAT PART OF LOT 8 OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 11, FOR A POINT OF REFERENCE; PROCEED FROM SAID POINT OF REFERENCE NORTH 00°06'12" WEST, ALONG THE WEST LINE OF SAID SECTION 11, A DISTANCE OF 2170.49 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD SW-30; THENCE SOUTH 54°23'42" EAST, ALONG THE SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 156.52 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 3769.72 FEET; THENCE SOUTHEASTERLY, ALONG ARC OF SAID CURVE, AN ARC DISTANCE OF 74.54 FEET, AND THROUGH AN ARC ANGLE OF 01°07'59", TO A POINT OF BEGINNING; THENCE CONTINUE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 201.44 FEET, AND THROUGH AN ARC ANGLE OF 03°03'42"; THENCE NORTH 00°05'58" WEST, A DISTANCE OF 183.22 FEET; THENCE NORTH 56°05'06" WEST, A DISTANCE OF 98.89 FEET; THENCE SOUTH 33°54'54" WEST, A DISTANCE OF 155.29 FEET TO AN INTERSECTION WITH THE SAID CURVE, AND THE SAID POINT OF BEGINNING.

TAX PARCEL #6745-2-4 (OR BOOK 1588-528)

A PARCEL OF LAND LYING IN SECTION 10 AND 11, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SECTION 11, THENCE NORTH 00°06'12" WEST, ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 2170.49 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD SW-30 AND THE POINT OF BEGINNING; THENCE NORTH 54°23'42" WEST, ALONG THE SAID RIGHT OF WAY LINE, A DISTANCE OF 104.43 FEET TO A PLACED 5/8 INCH RE-BAR WITH A PLASTIC CAP STAMPED P.L.S. 2115; THENCE NORTH 35°55'54" EAST, A DISTANCE OF 146.16 FEET TO A PLACED 5/8 INCH RE-BAR WITH A PLASTIC CAP STAMPED P.L.S. 2115; THENCE SOUTH 56°05'06" EAST, A DISTANCE OF 128.59 FEET TO AN EXISTING 5/8 INCH RE-BAR WITH A PLASTIC CAP STAMPED P.L.S. 2115; THENCE SOUTH 35°33'44" WEST, A DISTANCE OF 149.95 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD S.W.-30 AND AN EXISTING 5/8 INCH RE-BAR WITH A PLASTIC CAP STAMPED P.L.S. 2115; THENCE NORTH 54°23'42" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 25.05 FEET TO THE SAID POINT OF BEGINNING.

TAX PARCEL #6745-2-3 (OR BOOK 1588-545)

THAT PART OF LOT 8 OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 11, FOR A POINT OF REFERENCE; PROCEED FROM SAID POINT OF REFERENCE NORTH 00°06'12" WEST, ALONG THE WEST LINE OF SAID SECTION 11, A DISTANCE OF 2170.49 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD SW-30; THENCE SOUTH 54°23'42" EAST, ALONG THE SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 25.05 FEET TO A PLACED 5/8" REBAR WITH PLASTIC CAP STAMPED PLS 2115 FOR THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING CONTINUE SOUTH 54°23'42" EAST ALONG THE SAID NORTHERLY RIGHT OF WAY LINE, 131.47 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 3769.72 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 74.54 FEET, AND THROUGH AN ARC ANGLE OF 01°17'59"; THENCE NORTH 33°54'54" EAST, A DISTANCE OF 155.29 FEET; THENCE NORTH 56°05'06" WEST, A DISTANCE OF 201.63 FEET TO A PLACED 5/8" REBAR WITH A PLASTIC CAP STAMPED P.L.S. 2115; THENCE SOUTH 35°33'44" WEST, A DISTANCE OF 149.95 FEET TO AN INTERSECTION WITH THE SAID NORTHERLY RIGHT OF WAY LINE AT THE 5/8" REBAR AND THE SAID POINT OF BEGINNING.

THE UNDERLINED PORTION OF THIS DESCRIPTION APPEARS TO BE IN ERROR AND SHOULD READ 01°07'59".

AND LESS "ALAMAR GARDENS SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK H AT PAGE 56 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

EXHIBIT

A2

CITY OF GAINESVILLE-GRU LIFT STATION
Parcel 06745-002-001

Commence at the S. W. corner of Section 11-T10S-R19E and
run N $0^{\circ}06'12''$ W along the West line of said Section 2170.49'
to the North R/W of County Road No. SW-30, thence
run S $54^{\circ}23'42''$ E along said R/W line 156.83' to the P.C.
of a curve having a radius of 3769.72' thence run Southeasterly
along said R/W curve arc distance 316.59' to the Point of
Beginning, thence continue southeasterly along said R/W curve
arc distance 81.04' thence run N $0^{\circ}05'58''$ W 129.95', thence
run N $89^{\circ}24'22''$ W 70', thence run S $0^{\circ}05'58''$ E 90' to the
Point of Beginning. All being and lying in Section 11-T10S-
R19E, Alachua County, Florida.

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