

LEGISLATIVE #
210956A

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

WHEREAS, on March 17, 2022, the City Commission of the City of Gainesville received a petition for voluntary annexation of real property located in the unincorporated area of Alachua County, as more specifically described in this ordinance, and determined that the petition included the signatures of all owners of property in the area proposed to be annexed; and

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

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

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

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

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

SECTION 2. The following described property is annexed and incorporated within the corporate limits of the City of Gainesville, Florida:

See legal description attached hereto as **Exhibit A** and made a part hereof as if set forth in full. The location of the property is shown on **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

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

SECTION 4. In accordance with Section 171.062, Florida Statutes, the Alachua County land use plan and zoning or subdivision regulations will remain in full force and effect in the property described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment that includes the annexed area. Notwithstanding the foregoing, if the property described in Section 2 of this ordinance is subject to the Alachua County Growth Management Area described in Section 1.5(B) of the Alachua County Home Rule Charter, the Comprehensive Plan and land

development regulations of Alachua County shall exclusively govern the development of the subject annexation area. The City of Gainesville shall have jurisdiction to enforce the Alachua County land use plan and zoning or subdivision regulations through the City of Gainesville's code enforcement and civil citation processes.

SECTION 5. (a) As of the effective date of this ordinance, all persons who are lawfully engaged in any occupation, business, trade, or profession within the property area described in Section 2 of this ordinance may continue such occupation, business, trade, or profession, but shall obtain a business tax receipt from the City of Gainesville for the term commencing on October 1, 2022.

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

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

SECTION 7. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such

finding will not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

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

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

PASSED AND ADOPTED this _____ day of _____, 2022.

LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINES
CITY CLERK

DANIEL M. NEE
INTERIM CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2022.

This ordinance passed on second reading this _____ day of _____, 2022.

Exhibit A to Ordinance 210956

LEGAL DESCRIPTION

A PARCEL OF LAND LYING AND BEING WITHIN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, WITH SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND RUN THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 89°51'27" W, A DISTANCE OF 1993.04 FEET; THENCE DEPARTING SAID SOUTH LINE, NORTH 00°01'40" E, ALONG THE EAST LINE OF THE WEST 1/4 OF THE EAST 1/2 OF SAID SECTION 4, A DISTANCE OF 235.43 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE ALONG SAID EAST LINE, NORTH 00°01'40" EAST, A DISTANCE OF 1736.08 FEET TO A POINT OF INTERSECTION WITH A LINE LYING AND BEING 40.00 FEET SOUTHWEST AND PARALLEL WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE 75 (STATE ROAD 93); THENCE DEPARTING SAID EAST LINE, NORTH 36°35'52" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 1111.99 FEET; THENCE DEPARTING SAID PARALLEL LINE, NORTH 00°00'30" EAST A DISTANCE OF 67.08 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE 75; THENCE SOUTH 36°35'52" EAST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 3007.57 FEET TO THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4040, PAGE 708 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY LINE, SOUTH 63°11'04" WEST, ALONG THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 4040, PAGE 708, A DISTANCE OF 220.00 FEET; THENCE CONTINUE ALONG SAID WESTERLY LINE, SOUTH 36°35'52" EAST, A DISTANCE OF 203.48 FEET; THENCE CONTINUE ALONG SAID WESTERLY LINE, SOUTH 63°11'04" WEST A DISTANCE OF 494.46 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY OF SOUTHWEST 8TH AVENUE AND A NON-TANGENT CURVE, SAID NON-TANGENT CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS 450.00 FEET AND A CENTRAL ANGLE OF 12°22'33"; THENCE WESTERLY, ALONG SAID RIGHT OF WAY LINE AND THE ARC OF SAID NON-TANGENT CURVE, A DISTANCE OF 97.20 FEET TO A POINT OF TANGENCY, SAID NON-TANGENT CURVE HAVING A CHORD BEARING AND LENGTH OF NORTH 83°57'27" WEST AND 97.01 FEET; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, SOUTH 89°51'27" WEST A DISTANCE OF 285.79 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4386, PAGE 297 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND A NON-TANGENT CURVE, SAID NON-TANGENT CURVE BEING CONCAVE TO THE

Exhibit A to Ordinance 210956

SOUTHEAST AND HAVING A RADIUS 25.00 FEET AND A CENTRAL ANGLE OF 90°00'54"; THENCE NORTHEASTERLY, ALONG SAID EASTERLY LINE AND THE ARC OF SAID NON-TANGENT CURVE, A DISTANCE OF 39.28 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE, SAID NON-TANGENT CURVE HAVING A CHORD BEARING AND LENGTH OF NORTH 44°51'27" EAST AND 35.36 FEET; THENCE CONTINUE ALONG SAID EAST LINE AND SAID NON-TANGENT LINE, NORTH 00°08'33" WEST, A DISTANCE OF 134.15 FEET TO THE BEGINNING OF A CURVE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS 205.00 FEET AND A CENTRAL ANGLE OF 09°58'56"; THENCE NORTHERLY, ALONG SAID EASTERLY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 35.72 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE, SAID CURVE HAVING A CHORD BEARING AND LENGTH OF NORTH 05°07'59" WEST AND 35.67 FEET; THENCE ALONG SAID NON-TANGENT LINE AND THE NORTHERLY LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4386, PAGE 297, NORTH 89°58'28" WEST, A DISTANCE OF 253.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 29.869 ACRES, MORE OR LESS.

SKETCH OF DESCRIPTION ~ NOT A BOUNDARY SURVEY

GENERAL NOTES

THIS DRAWING REPRESENTS A SKETCH OF DESCRIPTION AND DOES NOT REPRESENT A BOUNDARY SURVEY. AS SUCH, PROPERTY CORNER MONUMENTATION WAS NOT SET IN ASSOCIATION WITH THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

ALL BEARINGS SHOWN WITHIN THIS SKETCH OF DESCRIPTION ARE REFERENCED TO AN ASSUMED DATUM. REFERENCE BEARING FOR THIS SKETCH OF DESCRIPTION IS THE WEST RIGHT OF WAY LINE OF SOUTHWEST 13TH STREET (STATE ROAD 25) WHICH HAS AN ASSUMED BEARING OF SOUTH 07°56'31" WEST.

THE PERIMETER BOUNDARY FOR THIS ANNEXATION IS BASED ON THE SAME DEED, DEEDS FOR THE ADJACENT PARCELS ADJUSTED TO FIT AND THE ANNEXATIONS SHOWN HEREON AND INFORMATION FROM THE STRATEGIC PLANNING OFFICE.

THE ADJOINING PARCEL INFORMATION SHOWN IN THIS SKETCH OF DESCRIPTION REPRESENTS THE CURRENT PROPERTY OWNERSHIPS AND LAST RECORDED DEED OF RECORD AS INDICATED BY THE ALACHUA COUNTY PROPERTY APPRAISER'S OFFICE AT THE TIME OF THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

ALL DISTANCE MEASUREMENTS SHOWN HEREIN ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMAL U.S. SURVEY FEET. ALL ANGULAR MEASUREMENTS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS.

THIS SKETCH OF DESCRIPTION MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED INFORMATION.

THE LEGAL DESCRIPTION INCLUDED WITH THIS SKETCH OF DESCRIPTION WAS PREPARED BY THE UNDERSIGNED SURVEYOR AND MAPPER.

PRINTED COPIES OF THIS SKETCH OF DESCRIPTION MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED IF OBTAINING SCALED DATA FROM A PRINTED COPY OF THIS SKETCH OF DESCRIPTION.

THIS SKETCH OF DESCRIPTION CONSISTS OF FIVE (5) SHEETS AND EACH SHEET IS INCOMPLETE WITHOUT THE OTHERS AND IS ALSO NOT COMPLETE WITHOUT THE LEGAL DESCRIPTION FOUND ON PAGE 2 OF 5 INCLUDED.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION SHOWN HEREIN WAS COMPLETED UNDER MY DIRECT SUPERVISION AND CONTROL AND THAT SAID SKETCH OF DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I ALSO DO HEREBY FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS AND IS IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR SURVEYS AS CONTAINED IN THE DEFINITIONS, SURVEY, MAP AND REPORT CONTENT REQUIREMENTS AS ESTABLISHED BY CHAPTERS 5J-17.050, 5J-17.051 AND 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE AS SAID CHAPTERS EXISTED AT THE TIME OF THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

SKETCH OF DESCRIPTION PREPARED BY:

WILLIAM R. DEES
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER LS5493

THE USE OF THE IMAGE OF THE SURVEYOR'S SEAL APPEARING ABOVE WAS AUTHORIZED BY WILLIAM R. DEES, FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA LICENSE NUMBER LS5493. UNLESS THIS SKETCH OF DESCRIPTION BEARS THE ORIGINAL BLUE INK SIGNATURE OF WILLIAM R. DEES OR A DIGITAL SIGNATURE WITH A VERIFIED SHA-1 AUTHENTICATION CODE THIS SKETCH OF DESCRIPTION IS TO BE USED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE CONSIDERED VALID.

**SKETCH OF DESCRIPTION
STARR VOLUNTARY ANNEXATION
TAX PARCELS 06655-002-003 AND 06655-200-001
NOT A BOUNDARY SURVEY**

FOR REFERENCE ONLY - NOT VALID WITHOUT ORIGINAL BLUE INK SIGNATURE
AND SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.



WILLIAM R. DEES, FLORIDA CERTIFICATION NUMBER LS5493

William R. Dees

Digitally signed
by William Dees,
PSM
Date: 2022.05.16
15:19:45 -04'00'

**CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT
ENGINEERING SUPPORT SERVICES**

405 NW 38TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627
(352) 334-5070 SURVEY OFFICE (352) 393-8194

**SKETCH OF DESCRIPTION
STARR VOLUNTARY ANNEXATION
TAX PARCELS 06655-002-003 AND 06655-200-001**

DATE:
MAY 14, 2022

PAGE 1 OF 5

Exhibit A to Ordinance 210956

SKETCH OF DESCRIPTION - NOT A BOUNDARY SURVEY

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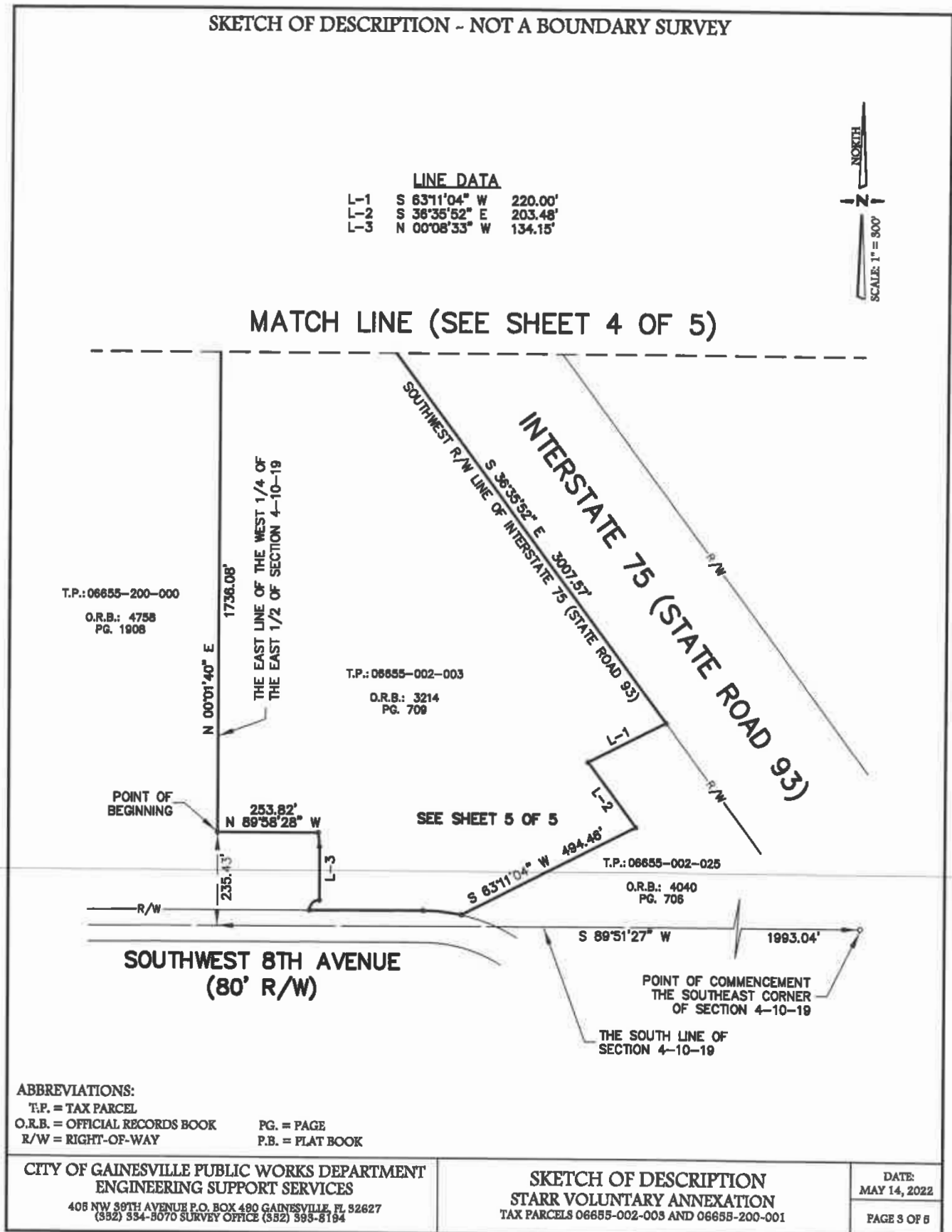
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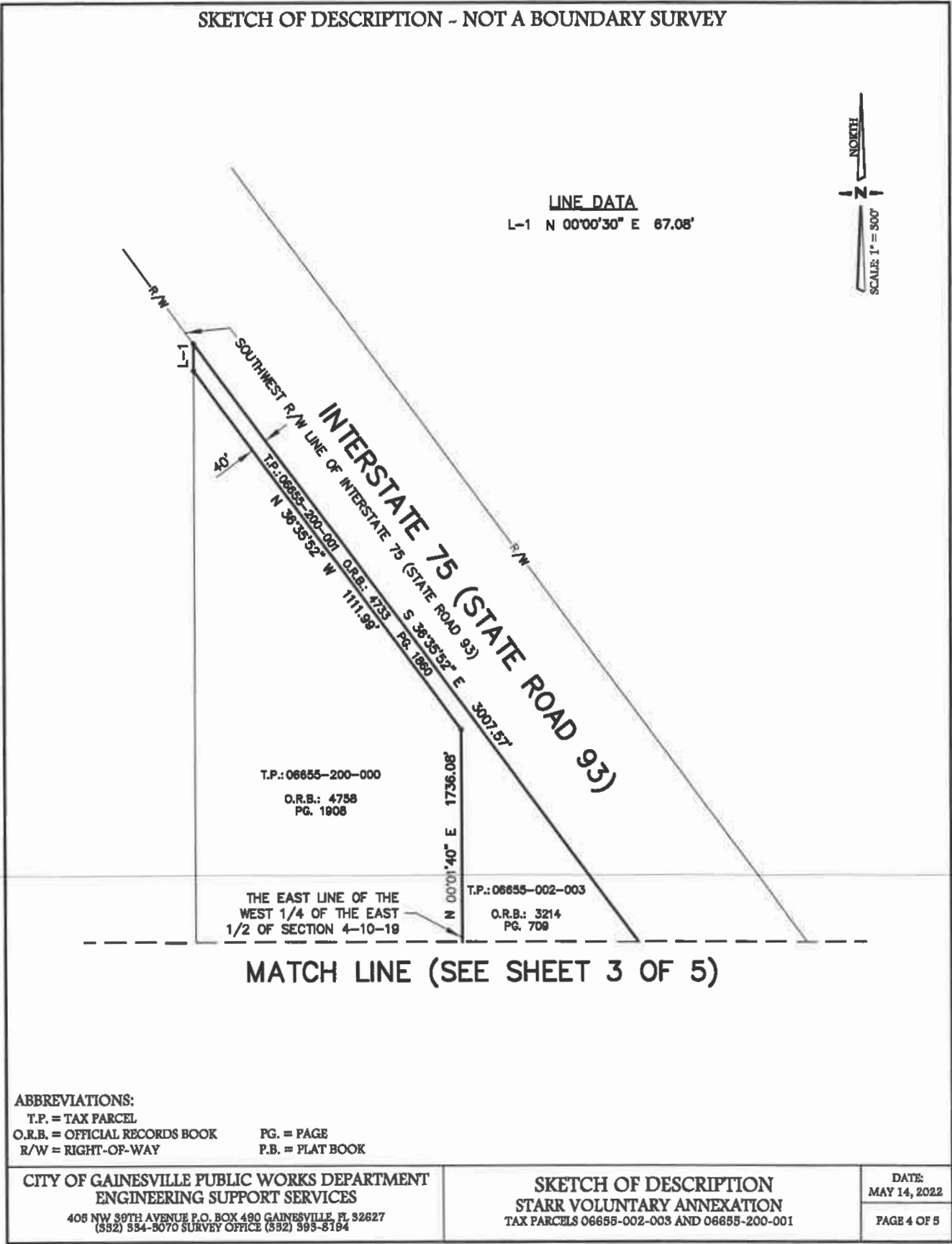
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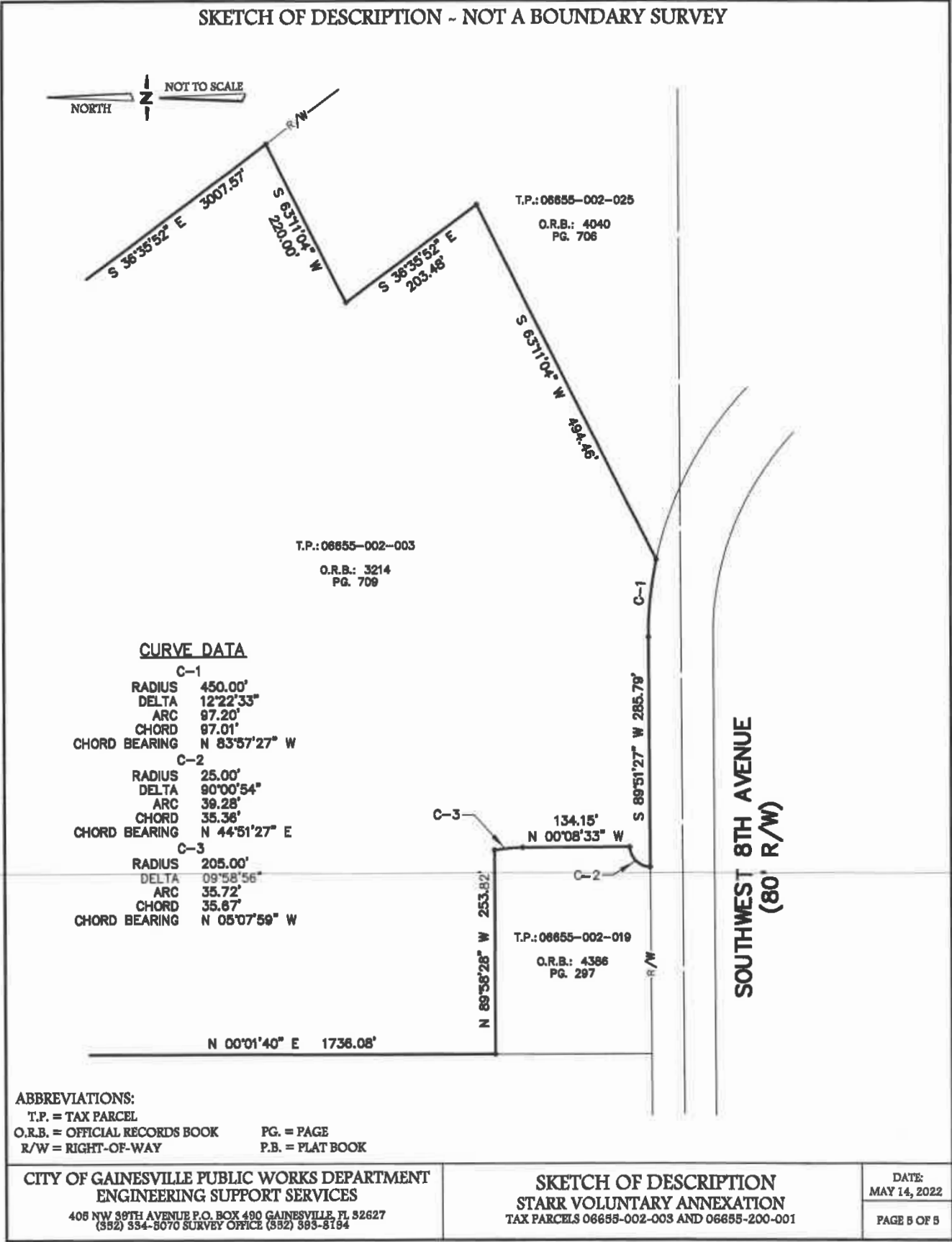
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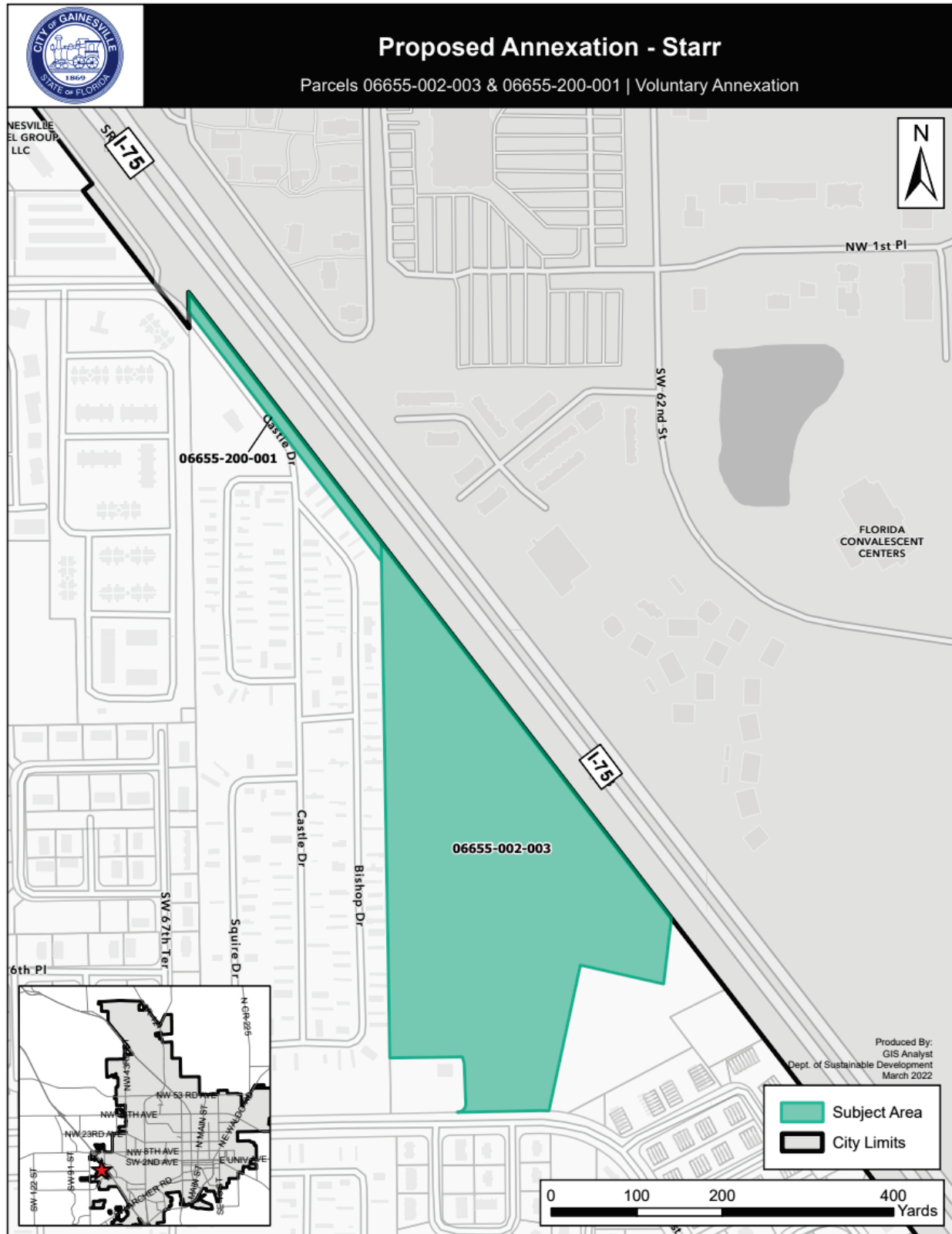
DATE:
MAY 14, 2022

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Proposed parcels for annexation: 06655-200-001, 06655-002-003