

LEGISLATIVE #

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ORDINANCE NO. 190975

An ordinance of the City of Gainesville, Florida, annexing approximately 7.16 acres of city-owned property (tax parcel no. 16246-003-002) generally located south of SE Williston Road and SE 16th Avenue, west of Paynes Prairie, north of Sweetwater Wetlands Park, and east of the Gainesville city limits, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the City Clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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 February 20, 2020, 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

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

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

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

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

13 See legal description attached hereto as **Exhibit A** and made a part hereof as if set
14 forth in full. The location of the property is shown on **Exhibit B** for visual reference.
15 In the event of conflict or inconsistency, Exhibit A shall prevail over Exhibit B.
16

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

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

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

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

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

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

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

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

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

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

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7 **PASSED AND ADOPTED** this _____ day of _____, 2021.

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LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINEY
CITY CLERK

NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2021.

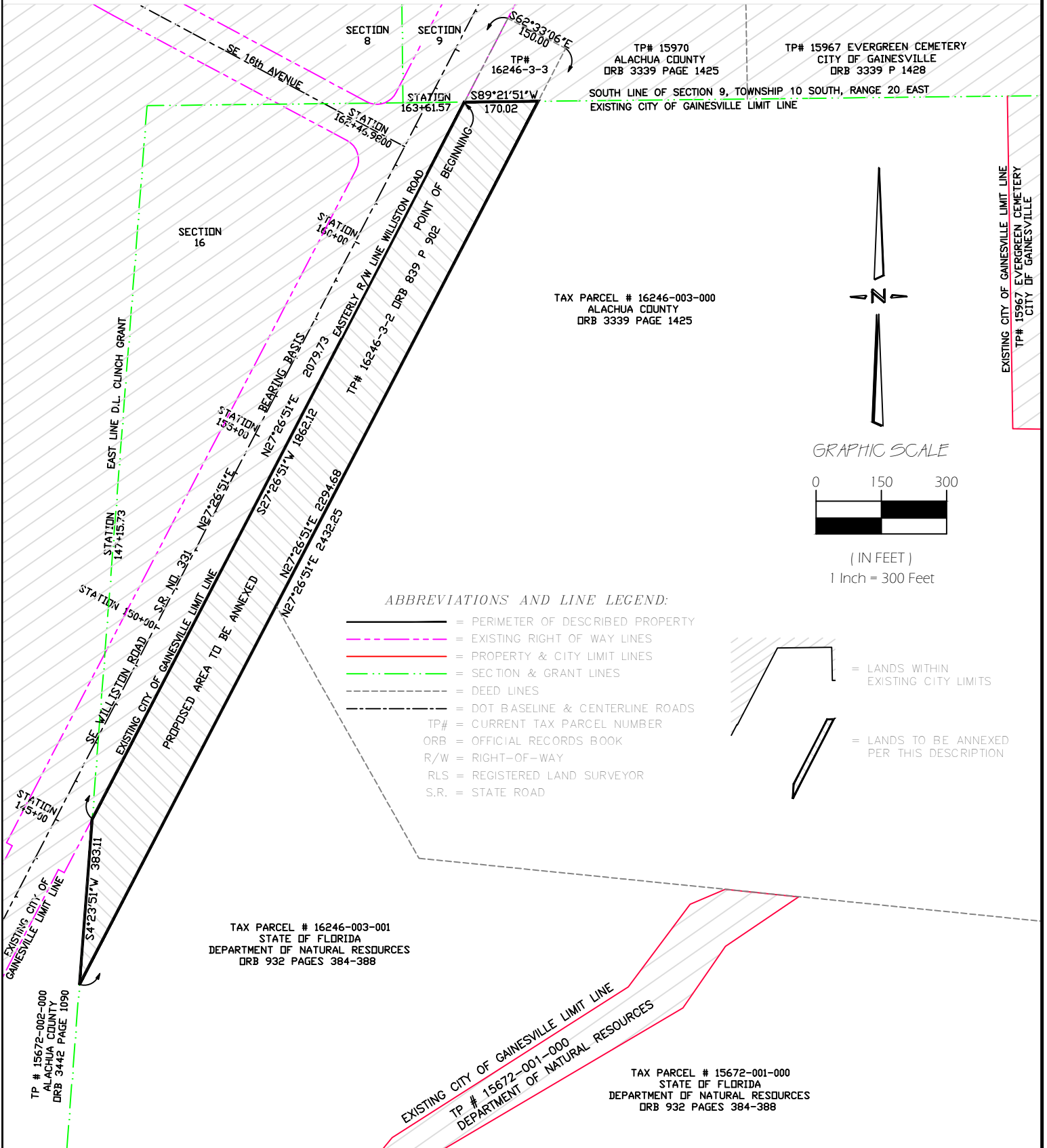
This ordinance passed on second reading this _____ day of _____, 2021.

A PORTION OF TAX PARCEL #16246-003-002
 SKETCH & DESCRIPTION FOR PROPOSED ANNEXATION
 THIS IS NOT A BOUNDARY SURVEY

SURVEYOR'S NOTES:

1. THE BEARING BASIS FOR THIS SKETCH & DESCRIPTION IS THE CENTERLINE OF SURVEY FOR WILLISTON ROAD (SR NO. 331) WITH A VALUE OF N27°26'51"E AS SHOWN HEREON AND IS IDENTICAL TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 26050-2510 RECORDED IN MAP BOOK 2, PAGE 19 ET SEQ. OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.
2. INFORMATION FROM THE ALACHUA COUNTY PROPERTY APPRAISER'S WEB SITE, DEEDS OF RECORD, AND THE EXISTING CITY OF GAINESVILLE MUNICIPAL LIMITS DESCRIPTION WERE USED TO BEST REPRESENT THE INTENT OF THE LANDS TO BE INCLUDED IN THIS SKETCH AND DESCRIPTION.
3. THAT PORTION OF ORB 839, PAGE 902 LYING NORTH OF THE SOUTH LINE OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 20 EAST IS CURRENT TP # 16246-3-3 AND IS INSIDE THE CITY LIMITS PER PREVIOUS ORDINANCE.

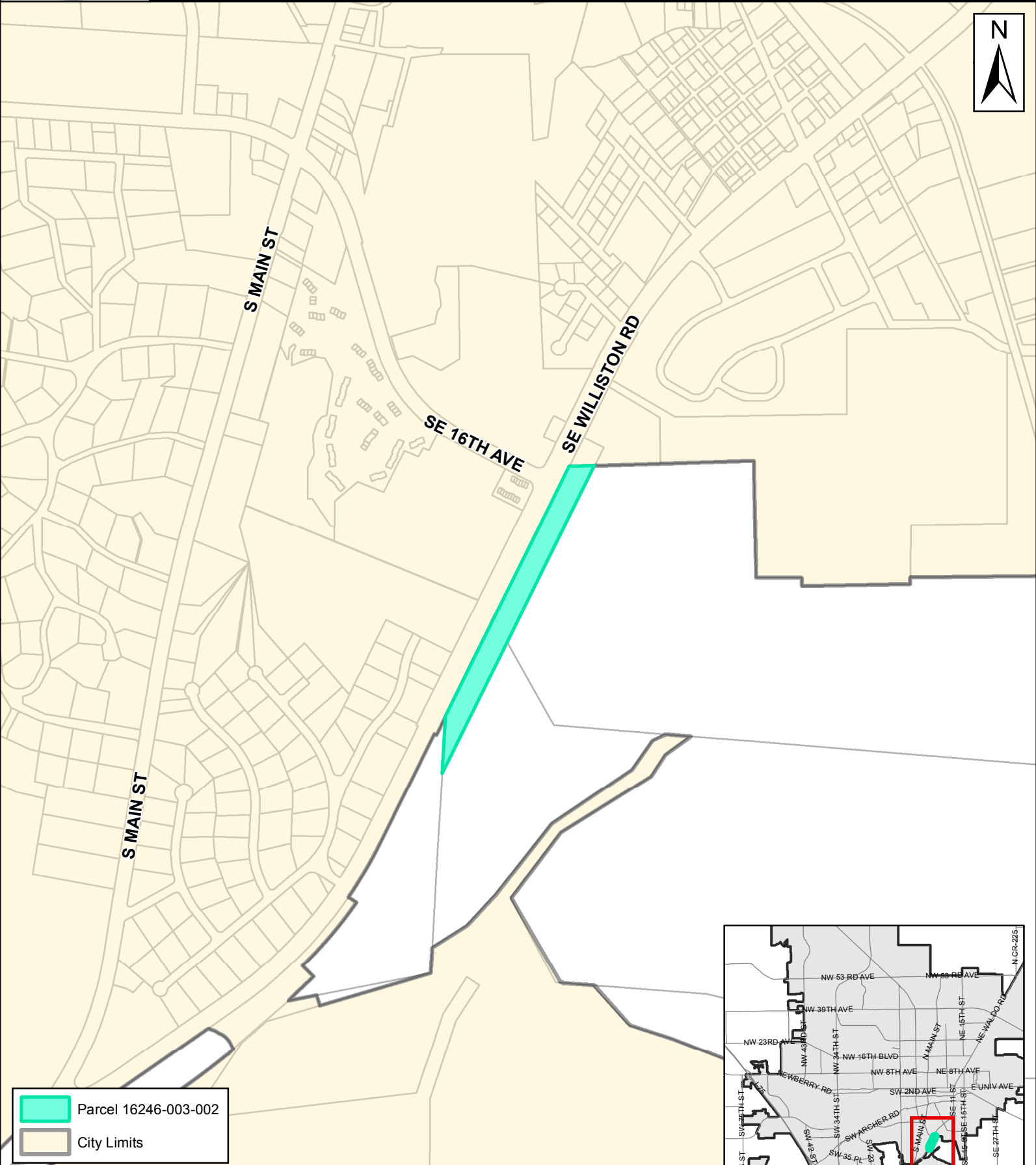
BEGIN AT A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE MARKING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SE WILLISTON ROAD (STATE ROAD NO. 331) AND THE SOUTH LINE OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 20 EAST ALSO BEING A POINT ON THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 839, PAGE 902 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE S27°26'51"W ALONG SAID CITY OF GAINESVILLE LIMIT LINE, EASTERLY RIGHT-OF-WAY LINE AND WESTERLY PARCEL LINE A DISTANCE OF 1862.12 FEET TO A POINT OF INTERSECTION ON THE WESTERLY LINE OF SAID PARCEL ALSO BEING A POINT ON THE EAST LINE OF THE D.L. CLINCH GRANT; THENCE LEAVING SAID CITY OF GAINESVILLE LIMIT LINE AND EAST RIGHT-OF-WAY LINE, S04°23'51"W ALONG SAID EAST LINE OF THE D.L. CLINCH GRANT AND WESTERLY LINE OF SAID PARCEL A DISTANCE OF 383.11 FEET; THENCE LEAVING SAID EAST LINE OF THE D.L. CLINCH GRANT N27°26'51"E ALONG THE EASTERLY LINE OF SAID PARCEL A DISTANCE OF 2294.68 FEET TO A POINT ON SAID EASTERLY LINE MARKING ITS INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 9 ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE; THENCE S89°21'51"W ALONG SAID SECTION AND CITY LIMIT LINE A DISTANCE OF 170.02 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND. SAID PARCEL CONTAINING 7.16 ACRES, MORE OR LESS.







Proposed Annexation - Sweetwater Creek Right-of-Way

Parcel 16246-003-002 | Voluntary Annexation



-  Parcel 16246-003-002
-  City Limits

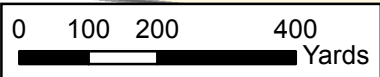
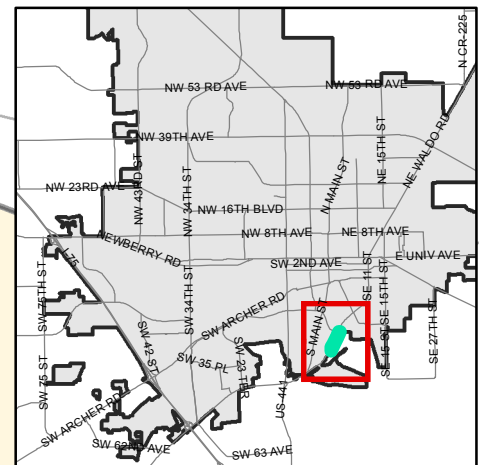


Exhibit B to Ordinance No. 190975
page 1 of 1



Service Layer Credits