

**ORDINANCE NO. 150596**

**An ordinance of the City of Gainesville, Florida, amending Ordinance No. 001162 to delete and replace, nunc pro tunc, the incorrect legal description mistakenly attached to Ordinance No. 001162 as Exhibit "A" with the correct legal description attached to this ordinance; providing directions to the City Manager; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, on May 14, 2001, the City Commission adopted Ordinance No. 001162, which annexed into the corporate limits of the City of Gainesville an approximately 128-acre area of land generally located north of NW 69<sup>th</sup> Lane and Blues Creek Unit-2, west of NW 52<sup>nd</sup> Terrace, NW 50<sup>th</sup> Street and the Blues Creek Subdivisions, and east of Section 9, Township 9S, Range 19E; and

**WHEREAS**, it has recently been discovered that an incorrect legal description of the annexed area was mistakenly attached to Ordinance No. 001162 as Exhibit "A"; and

**WHEREAS**, the City Commission now desires and intends to amend Ordinance No. 001162, *nunc pro tunc*; that is, to correct said inadvertent error in the legal description that, upon adoption of this Ordinance, will have the same legal force and effect as if made at the time of the adoption of Ordinance No. 001162 on May 14, 2001; and

**WHEREAS**, the City Commission is vested with home rule authority to amend its prior ordinance under these circumstances to have retroactive legal effect upon adoption of this Ordinance; and

**WHEREAS**, at least ten (10) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City Hall Auditorium located on the first floor of City Hall in the City of

1 Gainesville; and

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

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

6           **Section 1.** City of Gainesville Ordinance No. 001162 (adopted May 14, 2001) is  
7 amended to delete and replace the incorrect legal description mistakenly attached to Ordinance  
8 No. 001162 as Exhibit "A" with the correct legal description attached to this ordinance as  
9 Exhibit "A".

10           **Section 2.** Except as amended herein, the remainder of Ordinance No. 001162  
11 remains in full force and effect.

12           **Section 3.** The City Manager is authorized and directed to make any necessary changes  
13 to the legal description of the Municipal Corporate Limits as codified in Appendix 1 of the City  
14 Charter of the City of Gainesville, Florida, to comply with this ordinance.

15           **Section 4.** The Clerk of the Commission is directed to submit a certified copy of this  
16 ordinance to: 1) the Executive Office of the Governor; 2) the Florida Department of State; and 3)  
17 the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida.


18           **Section 5.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
19 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
20 finding shall not affect the other provisions or applications of this ordinance that can be given  
21 effect without the invalid or unconstitutional provision or application, and to this end the  
22 provisions of this ordinance are declared severable.

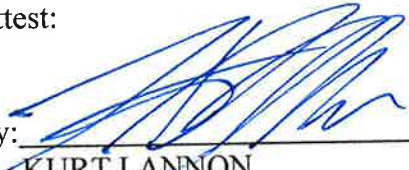
1           **Section 6.** All other ordinances or parts of ordinances in conflict herewith are to the  
2 extent of such conflict hereby repealed.


3           **Section 7.** This ordinance shall become effective immediately upon adoption. However,  
4 the corrective legal description contained herein shall be deemed effective May 14, 2001, nunc  
5 pro tunc.

6           **PASSED AND ADOPTED** this 18th day of February, 2016.

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EDWARD B. BRADDY  
MAYOR

Attest:  
  
By:   
KURT LANNON  
CLERK OF THE COMMISSION

Approved as to form and legality:  
  
By:   
NICOLLE M. SHALLEY  
CITY ATTORNEY

21           This ordinance passed on first reading this 4th day of February, 2016.

22           This ordinance passed on second reading this 18th day of February, 2016.

LEGAL DESCRIPTION FOR BLUES CREEK (AREA 3)

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA:  
ALSO BEING THE SOUTHWEST CORNER OF "BLUES CREEK UNIT 2" AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 'O', AT PAGE 34 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN NORTH 00° 23' 44" WEST ALONG THE WEST LINE OF SAID SECTION 10 AND THE WEST LINE AND SAID "BLUES CREEK UNIT 2", A DISTANCE OF 194.98 FEET TO THE NORTHWEST CORNER OF SAID "BLUES CREEK UNIT 2" AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00° 23' 44" WEST ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 3550.34 FEET; THENCE RUN NORTH 89° 39' 06" EAST, A DISTANCE OF 908.92 FEET TO THE NORTH WEST CORNER OF "BLUES CREEK UNIT 4-B", AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 'S', AT PAGE 86 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN ALONG THE WESTERLY AND SOUTHERLY BOUNDARY OF SAID "BLUES CREEK UNIT 4-B" WITH THE FOLLOWING COURSES: SOUTH 00° 20' 54" EAST, 162.40 FEET SOUTH 06° 01' 45" WEST, 60.00 FEET; NORTH 83° 58' 15" WEST, 72.69 FEET; SOUTH 06° 01' 45" WEST, 168.00 FEET; SOUTH 74° 41' 57" WEST, 29.01 FEET; SOUTH 27° 20' 17" EAST, 407.19 FEET; SOUTH 25° 52' 04" EAST, 120.00 FEET NORTH 24° 20' 46" EAST, 136.20 FEET; NORTH 89° 39' 06" EAST, 367.35 FEET; SOUTH 04° 09' 39" EAST, 370.35 FEET; NORTH 89° 39' 06" EAST, 145.08 FEET; SOUTH 65° 40' 54" EAST, 99.50 FEET TO THE SOUTHEAST CORNER OF SAID "BLUES CREEK UNIT 4-B" AND THE SOUTHWEST CORNER OF "BLUES CREEK UNIT 4", AS RECORDED IN PLAT BOOK 'S' AT PAGE 3 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE CONTINUE SOUTH 65° 40' 54" EAST ALONG THE SOUTH BOUNDARY AND SAID "BLUES CREEK UNIT 4", A DISTANCE OF 55.87 FEET; THENCE RUN ALONG SAID SOUTH BOUNDARY SOUTH 51° 15' 00" EAST, A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER SAID "BLUES CREEK UNIT 4" AND THE SOUTHWEST CORNER OF "BLUES CREEK UNIT 3-C" AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 'R' AT PAGE 23 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN ALONG THE SOUTHERLY BOUNDARY OF SAID "BLUES CREEK UNIT 3-C" AND THE WESTERLY BOUNDARIES OF "BLUES CREEK UNIT 3-B" AND "BLUES CREEK UNIT 3-A", AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK 'Q', AT PAGE 92 AND PLAT BOOK 'Q', AT PAGE 49 RESPECTIVELY, WITH THE FOLLOWING COURSES: SOUTH 51° 15' 00" EAST, 195.00 FEET; NORTH 55° 10' 00" EAST, 120.00 FEET; SOUTH 25° 20' 00" EAST, 179.88 FEET; SOUTH 12° 25' 00" EAST, 700.00 FEET; SOUTH 61° 10' 00" EAST, 300.00 FEET; SOUTH 37° 50' 00" EAST, 76.45 FEET TO A POINT ON THE WESTERLEY RIGHT-OF-WAY LINE OF NORTHWEST 52ND TERRACE, SAID POINT ALSO BEING ON THE CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 330.07 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16° 17' 35", AN ARC LENGTH OF 93.86 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 07° 41' 04" WEST, 93.55 FEET TO A POINT ON THE NORTH BOUNDARY OF "BLUES CREEK UNIT 1", AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK 'M', AT PAGE 95 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89° 32' 17" WEST ALONG THE NORTH BOUNDARY OF SAID "BLUES CREEK UNIT 1", A DISTANCE OF 369.99 FEET; THENCE RUN SOUTH 00° 27' 43" EAST, A DISTANCE OF 159.06 FEET; THENCE CONTINUE ALONG THE NORTH BOUNDARY OF SAID "BLUES CREEK UNIT 1" AND "BLUES CREEK

UNIT 1-A" AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 'N', AT PAGE 20 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SOUTH 89° 32' 17" WEST, A DISTANCE OF 725.01 FEET; THENCE RUN ALONG THE WESTERLY BOUNDARY OF SAID "BLUES CREEK UNIT 1-A" SOUTH 00° 27' 43" EAST, 300.00 FEET; THENCE SOUTH 34° 56' 11" EAST, 318.98 FEET; THENCE SOUTH 57° 11' 15" EAST, 188.92 FEET TO THE MOST SOUTHERLY CORNER OF SAID "BLUES CREEK UNIT 1-A"; THENCE RUN SOUTH 18° 30' 32" EAST, A DISTANCE OF 219.78 FEET; THENCE RUN SOUTH 27° 41' 31" EAST, A DISTANCE OF 151.20 FEET; THENCE RUN SOUTH 61° 35' 32" EAST, A DISTANCE OF 180.07 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTHWEST 52ND TERRACE, SAID POINT ALSO BEING ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 405.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00° 55' 36", AN ARC LENGTH OF 6.55 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 15° 52' 45" WEST, 6.55 FEET TO THE POINT OF A REVERSE CURVE BEING CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 77° 38' 29" AN ARC LENGTH OF 33.88 FEET AND CHORD BEARING AND DISTANCE OF SOUTH 54° 14' 10" WEST, 31.34 FEET TO THE POINT OF TANGENCY AND THE SOUTHEAST CORNER OF LOT 1 OF "BLUES CREEK UNIT 2", AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 'O', AT PAGE 34 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN ALONG THE NORTHEASTERLY AND NORTHERLY BOUNDARIES OF SAID "BLUES CREEK UNIT 2" WITH THE FOLLOWING COURSES: NORTH 72° 41' 04" WEST, 168.00 FEET; NORTH 34° 15' 00" WEST, 840.00 FEET; SOUTH 32° 25' 00" WEST, 240.00 FEET; SOUTH 70° 45' 00" WEST, 457.57 FEET TO THE NORTHEAST CORNER OF LOT 13 OF SAID "BLUES CREEK UNIT 2" AND THE EASTMOST CORNER OF THE "ADDITIONAL PARCEL" AS SHOWN ON THE REPLAT OF THE REPLAT OF LOT-13, OF "BLUES CREEK UNIT-2" AS PER PLAT THEREOF RECORDED IN PLAT BOOK 'S' AT PAGE 77 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA ALSO BEING THE EASTMOST CORNER OF THE "ALSO" PORTION OF THE DEED FOUND IN OFFICIAL RECORDS BOOK 2027, PAGE 1597; THENCE LEAVING SAID NORTHEASTERLY AND NORTHERLY BOUNDARIES SOUTH 89° 39' 06" WEST A DISTANCE OF 147.44 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT-13; THENCE SOUTH 00° 20' 54" EAST, A DISTANCE OF 109.53 FEET TO THE NORTHWEST CORNER OF SAID LOT 13 AND A POINT ON THE NORTHERLY BOUNDARY OF SAID "BLUES CREEK UNIT 2"; THENCE RUN ALONG SAID NORTHERLY BOUNDARY OF SAID "BLUES CREEK UNIT 2" WITH THE FOLLOWING COURSES: SOUTH 42° 10' 00" WEST, 23.23 FEET; SOUTH 61° 40' 00" WEST, 140.37 FEET; SOUTH 85° 37' 35" WEST, 415.29 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 50.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36° 52' 11", AN ARC LENGTH OF 32.17 FEET AND CHORD BEARING AND DISTANCE OF SOUTH 67° 11' 29" WEST, 31.62 FEET; THENCE RUN SOUTH 85° 37' 35" WEST, A DISTANCE OF 170.00 FEET TO THE POINT OF BEGINNING. CONTAINING 129.82 ACRES, MORE OR LESS.