



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

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

6           **Section 1.** Condition 24 of Section 2 of Ordinance No. 100520 is repealed in its entirety  
7 as follows:

8           ~~Condition 24. Development plan review for Phase II shall be filed no later than three~~  
9 ~~years from the date of adoption of this Ordinance No. 100520. Construction must commence no~~  
10 ~~later than eighteen (18) months after the approval of the Final Development Order for Phase II.~~  
11 ~~Once construction commences, the development must maintain an active building permit in~~  
12 ~~accordance with the requirements of the Building Code. If an active building permit is~~  
13 ~~maintained, the development may diligently proceed towards completion of the planned~~  
14 ~~development. Failure to comply with those requirements shall render this development order~~  
15 ~~null and void.~~

16           **Section 2.** Except as expressly modified, amended or changed by this Ordinance,  
17 Ordinance No. 070706 and Ordinance No. 100520 shall remain in full force and effect.

18           **Section 3.** 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 provisions or application, and to this end the  
22 provisions of this Ordinance are declared severable.

1           **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
2 such conflict hereby repealed.

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

4           **PASSED AND ADOPTED** this 7th day of June, 2012.

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CRAIG LOWE  
MAYOR

11 ATTEST:

Approved as to form and legality

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KURT M. LANNON  
16 CLERK OF THE COMMISSION

  
MARION J. RADSON  
CITY ATTORNEY  
JUN -7 2012

17

18 This Ordinance passed on first reading this 17th day of May, 2012.

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20 This Ordinance passed on second reading this 7th day of June, 2012.