



MEMORANDUM
Office of the City Attorney

Legistar No. 031252 *a*

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: June 27, 2005
FIRST READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-05-16; Petition 78LUC-04 PB
An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; amending the City of Gainesville Future Land Use, Transportation Mobility and Concurrency Management Elements' Map Series and Legal Descriptions to add a Zone C to the Transportation Concurrency Exception Area (TCEA) containing areas annexed in the Archer Road/Southwest area annexation; amending the Future Land Use Map Series to expand the Designated Urban Redevelopment area to include the Archer Road/Southwest area annexation; amending the existing and potential transit hubs, terminals, transfer stations map, Transportation Mobility Map Series; amending the Concurrency Management Element Map Series to add a NW 13th Street Special Concurrency Redevelopment Area Map; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Recommendation: The City Commission adopt the proposed ordinance at the transmittal stage.

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

In December 1999, the City adopted a Transportation Concurrency Exception Area (TCEA) to relieve the problems caused by a strict interpretation of transportation concurrency regulations and to encourage redevelopment.

This petition is related to Petition 79CPA-04PB, which provides the Comprehensive Plan text amendments to add a Zone C; provides amendments that clarify existing policies; and adds new policies to update the element.

The recent annexation of the Archer Road/Southwest area has brought parcels into City limits that are on roadways nearing capacity based on adopted levels of service (LOS) when taking into account previously reserved trips. Under this petition proposal, most of the Archer Road/Southwest annexation area would be added to a new Zone C. (A portion of the area near Southwest Archer Road (within 1/4 mile south of Southwest Archer Road and east of Southwest 34th Street, plus parcels on the north side of Archer Road, east of Southwest 34th Street) were already added to Zone A.) The intention of this petition is to take a proactive approach to transportation concurrency in this area because of impending LOS limitations. Southwest Archer Road from I-75 to Southwest 34th Street has now exceeded 85% of capacity when reserved trips are taken into account. Williston Road from I-75 to Southwest 13th Street also exceeds the 85% of capacity threshold based on the trips associated with the recently approved Shoppes of Williston Road (Publix shopping center) development and redevelopment of the I-75/Williston Road gas station (with added fueling positions).

The City Commission, at its October 27, 2003 meeting, voted to recommend addition of a portion of the Archer Road/SW annexation area into the existing TCEA, and further asked staff to analyze transportation concurrency solutions for the remainder of the SW Archer Road annexation area. Petitions 78LUC-04PB and 79CPA-04PB deal with that larger area. Staff has analyzed the various options available and determined that the best solution is to expand the existing Transportation Concurrency Exception Area and create a new Zone C with specially tailored regulations for the new zone that take into account the specific needs within the area.

The Plan Board heard the petition and recommended that it be approved, with the modification to the petition that Map 14 from the Data and Analysis Report supplement be added to the Concurrency Management Map Series.

Public notice was published in the Gainesville Sun on November 16, 2004, January 7, 2005 and May 6, 2005. Letters were mailed to owners of property located within the proposed TCEA Zone C on November 17, 2004, January 7, 2005 and May 6, 2005. The Plan Board held a public hearing December 2, 2004. The City Commission approved the Petition January 24, 2005, and referred the matter to the Community Development Committee for review prior to first reading of the ordinance. The Petition was heard again by the City Commission on May 23, 2005 for review prior to first reading of the ordinance.

CITY ATTORNEY MEMORANDUM

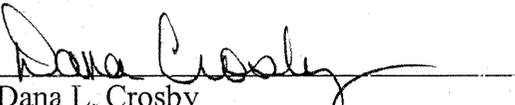
Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

Fiscal Note: None

Prepared by:


Dana L. Crosby
Assistant City Attorney II

Approved and
Submitted by:


Marion J. Radson,
City Attorney

MJR:DLC:sw

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6-1-05

ORDINANCE NO. _____
0-05-16

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4 **An Ordinance amending the City of Gainesville 2000-2010 Comprehensive**
5 **Plan; amending the City of Gainesville Future Land Use, Transportation**
6 **Mobility and Concurrency Management Elements' Map Series and Legal**
7 **Descriptions to add a Zone C to the Transportation Concurrency Exception**
8 **Area (TCEA) containing areas annexed in the Archer Road/Southwest area**
9 **annexation; amending the Future Land Use Map Series to expand the**
10 **Designated Urban Redevelopment area to include the Archer Road/Southwest**
11 **area annexation; amending the existing and potential transit hubs, terminals,**
12 **transfer stations map, Transportation Mobility Map Series; amending the**
13 **Concurrency Management Element Map Series to add a NW 13th Street**
14 **Special Concurrency Redevelopment Area Map; providing directions to the**
15 **city manager; providing a severability clause; providing a repealing clause;**
16 **and providing an effective date.**

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20 **WHEREAS**, the City Plan Board authorized the publication of notice of a Public Hearing
21 that the land use category of certain lands within the City be changed; and

22 **WHEREAS**, notice by the Plan Board was given and publication made as required by law
23 and a Public Hearing was held by the City Plan Board on December 2, 2004; and

24 **WHEREAS**, notice was given and publication was made as required by law of the City
25 Commission's public hearing on this petition on January 24, 2005 and May 23, 2005; and

26 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10
27 inches long was placed in a newspaper of general circulation notifying the public of this proposed
28 ordinance and of the Public Hearing to be held in the City Commission Meeting Room, First Floor,
29 City Hall, in the City of Gainesville at least seven days after the day the first advertisement was
30 published; and

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1 **WHEREAS**, pursuant to law, after this public hearing at the transmittal stage, the City of
2 Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

3 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
4 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at
5 the adoption stage at least five days after the day the second advertisement was published; and

6 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
7 described above at which hearings the parties in interest and all others had an opportunity to be and
8 were, in fact, heard.

9 **WHEREAS**, prior to adoption of this ordinance the City Commission has considered the
10 comments, recommendations and objections, if any, of the State Land Planning Agency.

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

13 **Section 1.** The area described in the legal description in Exhibit D, attached hereto and
14 incorporated herein as if set forth in full, is added to the existing Transportation Concurrency
15 Exception Area in the Concurrency Management Element of the City of Gainesville 2000-2010
16 Comprehensive Plan as the newly established Zone C. Existing Exhibit A to said Area in said
17 Element is hereby amended to include this area and is replaced with the attached Exhibit A.

18 The existing Transportation Concurrency Exception Area (TCEA) (see Map 1) is hereby
19 amended to include the property described as Zone C (see Map 2). Map 5, which shows the
20 Transportation Concurrency Exception Area, is hereby adopted in the Future Land Use Element
21 Map Series and the existing map with this title in the Future Land Use Element Map Series is

1 deleted. Map 3, which shows the Transportation Concurrency Exception Area sub-zones, is
2 hereby adopted in the Transportation Mobility and Concurrency Management Elements' Map
3 Series and the existing map with this title in the Transportation Mobility and Concurrency
4 Management Elements' Map Series is deleted. The Future Land Use Element Map Series is
5 amended to adopt a new Designated Urban Redevelopment Area map (see Map 4 attached
6 hereto) to include the area described as TCEA Zone C and the existing map with this title in the
7 Future Land Use Element Map Series is deleted. The Existing & Potential Transit Hubs,
8 Terminals, Transfer Stations map in the Transportation Mobility Element Map Series is hereby
9 deleted and is replaced with the attached map entitled Existing & Potential Transit Hubs (see
10 Map 6 attached hereto). The Concurrency Management Element map series is amended to add a
11 new map entitled NW 13th Street Special Concurrency Redevelopment Credit Area (see Map 14
12 attached hereto).

13 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
14 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
15 portion thereof in order to comply with this ordinance.

16 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
17 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
18 the validity of the remaining portions of this ordinance.

19 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
20 such conflict hereby repealed.

21 **Section 5.** This ordinance shall become effective immediately upon final adoption;

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1 however, the amendment to the 2000-2010 Comprehensive Plan shall not become effective
2 until the state land planning agency issues a final order determining the adopted amendment to
3 be in compliance in accordance with section 163.3184(9), F.S., or until the Administration
4 Commission issues a final order determining the adopted amendment to be in compliance in
5 accordance with section 163.3184(10), F.S.

6 **PASSED AND ADOPTED** this ___ day of _____, 2005.

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PEGEEN HANRAHAN,
Mayor

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ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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Kurt Lannon,
Clerk of the Commission

Marion J. Radson, City Attorney

This ordinance passed on first reading this ___ day of _____, 2005.

This ordinance passed on second reading this ___ day of _____, 2005.

EXHIBIT "A"

May 7, 2004

LEGAL DESCRIPTION FOR THE ENTIRE TRANSPORTATION CONCURRENCY
EXCEPTION AREA

That area comprising Zone A, Zone B and Zone C of the Transportation Concurrence
Exception Area being described as:

All that area lying within the municipal boundaries of the City of Gainesville, Florida;
(heretofore known as "city limits"), as of December 3, 1999 with the addition of that
property annexed into the City of Gainesville on January 10, 2000 as per Ordinance No.
990947, being described as:

A part of the East half (E ½) of the Southeast quarter (SE ¼) of Section 22, Township 9
South, Range 19 East, Alachua County, Florida; being more particularly described as
follows:

Commence at the Southeast corner of said East half (E ½) of the Southeast quarter (SE
¼) and run thence North 89 degrees, 49 minutes, 38 seconds West, along the South
boundary thereof, 1322.34 feet to the Southwest corner of said East half (E ½) of
Southeast quarter (SE ¼), thence North 0 degrees, 06 minutes, 22 seconds East, along the
West boundary of said East half (E ½) of Southeast quarter (SE ¼), 50.00 feet to the
North right-of-way line of Northwest 39th Avenue and the Point-of-Beginning; thence
continue North 0 degrees, 06 minutes, 22 seconds East, along said West boundary,
645.86 feet; thence South 89 degrees, 49 minutes, 38 seconds East, 250.00 feet, thence
South 0 degrees, 06 minutes, 22 seconds West, parallel to said West boundary, 645.86
feet to said North right-of-way line, thence 89 degrees, 49 minutes, 38 seconds West
along said right-of-way line 250 feet to the Point-of-Beginning.

AND:

That property annexed into the City of Gainesville on September 1, 2002 as per
Ordinance 002394, being described as:

A parcel of land lying in the Southeast one quarter (SE ¼) of Section 27, Township 9
South, Range 19 East, Alachua County, Florida, and being more particularly described as
follows:

Commence at the Southeast corner of said Section 27 and run North 0 degrees, 06
minutes, 52 seconds East along the East line of said Section a distance of 495.00 feet;
thence run North 89 degrees, 55 minutes, 11 seconds West, a distance of 50.00 feet to the
existing City of Gainesville limit on the West right-of-way line of County Road 232 (NW
43rd Street) and the Point of Beginning; thence continue North 89 degrees, 55 minutes, 11
seconds West, a distance of approximately 613.12 feet to a point on the East line of Lot
63 of the "Subdivision of Section 27, Township 9 South, Range 19 East, Arredondo
Grant" as per the plat thereof as described in Plat Book "A" at page 55 of the Public
Records of Alachua County, Florida; thence run North, a distance of approximately
165.07 feet to the Northeast Corner of said Lot 63; thence run West, along the North line

of said Lot 63 also being the South line of Lot 50, of said "Arredondo Grant" a distance of 663 feet to the Southwest corner of Lot 50; thence continue West along the south line of Lot 51 of said "Arredondo Grant" a distance of approximately 663 feet to the Southwest corner of said Lot 51, thence run North along the West line of said Lot 51, a distance of approximately 663 feet to the Northwest corner of said Lot 51, said corner also being the Southwest corner of "Buck Ridge Unit-2" a subdivision as recorded in Plat Book "R", at page 31 of the Public Records of Alachua County, Florida; thence run along the West line of said "Buck Ridge Unit-2", North 0 degrees, 15 minutes, 19 seconds East a distance of 663.36 feet to the Northwest corner of said "Buck Ridge Unit-2"; thence run along the North line of said "Buck Ridge Unit-2", South 89 degrees, 42 minutes, 46 seconds East, a distance of 662.41 feet to the Northeast corner of said "Buck Ridge Unit-2", said corner also being the Northwest corner of Lot 47 of said "Arredondo Grant"; thence run East along the North line of said Lot 47 and along the North line of Lot 48 of said "Arredondo Grant" a distance of approximately 1276 feet to a point on the existing City of Gainesville limit on the West right-of-way line of County Road 232 (NW 43rd Street); thence run South along said existing City of Gainesville limit and Westerly right-of-way line a distance of approximately 1,485.00 feet to the Point of Beginning.

AND:

A portion of that property annexed into the City of Gainesville on September 1, 2002 as per Ordinance No. 001912, being described as:

A parcel of land located in Sections 12 and 13 of Township 10 South, Range 19 East, and Section 7, Township 10 South, Range 20 East, all located in Alachua County, Florida; being more particularly described as follows:

Commence at a point marking the intersection of the East right-of-way line of SW 23rd Terrace with the South right-of-way line of SW Archer Road, said point also being the Northwesterly corner of Parcel "F" of the city limits of Gainesville as recorded in Annexation Ordinance 4048, and the Point-of-Beginning; thence continue along said city limits South 01 degree 06 minutes 29 seconds East along the East line of SW 23rd Terrace a distance of 497.94 feet to a point; thence leaving said East right-of-way line proceed West 100.00 feet to the West right-of-way line of SW 23rd Terrace; said point also being the Northwest corner of Parcel "G", of the city limits of Gainesville as recorded in Annexation Ordinance 4048; thence South 01 degree 10 minutes 09 seconds East along the West line of said Parcel "G" to a point crossed by a line parallel to the south right-of-way line of SW Archer Road at a distance of 1,320 feet (1/4-Mile) from said South right-of-way line of SW Archer Road; thence Westerly along said parallel line to its intersection with the East right-of-way of SW 34th Street (State Road 121), thence North along said East right-of-way of SW 34th Street to the Southwest corner of that property as described in the Official Records Book 2037, Page 823 of Alachua County, Florida and being that property as voluntarily annexed into the City of Gainesville by Ordinance Number 000130; thence continue along the following courses; North 88 degrees 08 minutes 44 seconds East along the South line of said parcel a distance of 359.51 feet; thence South 35 degrees 33 minutes 27 seconds East a distance of 156.09 feet to a point marking the intersection with the North right-of-way line of SW Archer Road and a point on a curve concave to the Southeast having a radius of 5,807.58 feet and a delta of

00 degrees 59 minutes 06 seconds; thence along the arc of said curve a distance of 99.85 feet to the point of compound curvature of a curve concave to the Southeast having a radius of 7,185.68 feet and a delta of 00 degrees 06 minutes 13 seconds; thence along the arc of said curve a distance of 13.00 feet to the Southeast corner of said parcel; thence leaving the North line of SW Archer Road North 51 degrees 29 minutes 30 seconds West a distance of 14.96 feet to a point; thence North 00 degrees 52 minutes 06 seconds West a distance of 740.66 feet to a point marking the intersection with the South line of the City of Gainesville Annexation Parcel "B" as recorded in Ordinance 4047; thence North 88 degrees 56 minutes 53 seconds East a distance of 1,391.01 feet to the intersection with the North line of SW Archer Road; thence North 60 degrees 30 minutes 34 seconds East a distance of 564.58 feet; thence North 01 degrees 30 minutes 22 seconds West a distance of 850.08 feet; thence North 88 degrees 35 minutes 33 seconds East a distance of 857.81 feet; thence South 00 degrees 38 minutes 17 seconds East a distance of 396.00 feet to the intersection with the North right-of-way line of SW Archer Road; thence along said line North 60 degrees 30 minutes 28 seconds East a distance of 649.30 feet; thence continue North 01 degrees 07 minutes 55 seconds West a distance of 1,335.12 feet; thence North 88 degrees 59 minutes 35 seconds East a distance of 400.00 feet; thence South 01 degrees 07 minutes 55 seconds East a distance of 1,120.41 feet to the intersection with the North right-of-way line of SW Archer Road and a point on a curve, said curve being concave to the Southeast, having a radius of 6,661.05 feet and a delta of 01 degree 40 minutes 36 seconds, thence along the arc of said curve a distance of 194.91 feet; thence South 88 degrees 21 minutes 32 seconds West a distance of 81.25 feet; thence North 01 degree 26 minutes 53 seconds West a distance of 642.42 feet; thence North 05 degrees 39 minutes 45 seconds West a distance of 17.64 feet; thence North 00 degree 56 minutes 20 seconds West a distance of 660.00 feet to a point marking the intersection with the Northeast corner of Parcel "B"; thence North 88 degrees 55 minutes 35 seconds East a distance of 462.00 feet to the intersection with the Northwest corner of City of Gainesville Annexation Parcel "C" as recorded in Ordinance 4048; thence continue along the West line of Parcel "C" South 00 degree 56 minutes 20 seconds a distance of 660.00 feet; thence North 88 degrees 55 minutes 35 seconds East a distance of 462.00 feet to a point marking the intersection with the West line of Section 07, Township 10 South, Range 20 East; thence along said line South 00 degree 56 minutes 20 seconds East a distance of 212.76 feet; thence continue along the line of Parcel "C" North 67 degrees 01 minute 16 seconds East a distance of 210.00 feet; thence South 00 degree 31 minutes 00 seconds West a distance of 96.90 feet to a point marking the intersection with the North right-of-way of SW Archer Road; thence along said line North 68 degrees 29 minutes 51 seconds East a distance of 300.00 feet; thence leaving the North right-of-way line and crossing SW Archer Road South 12 degrees 57 minutes 59 seconds East a distance of 162.76 feet to a point marking the intersection with the South right-of-way line of SW Archer Road and the Northerly most corner of City of Gainesville Annexation Parcel "F" as recorded in Ordinance 4048; thence continue along the line of Parcel "F" South 00 degree 55 minutes 42 seconds East a distance of 234.18 feet; thence South 00 degree 55 minutes 29 seconds a distance of 85.50 feet; thence South 88 degree 54 minutes 34 seconds West a distance of 223.66 feet; thence South 00 degree 56 minutes 48 seconds East a distance of 14.93 feet; thence South 88 degrees 55 minutes 48 seconds West a distance of 315.25 feet to the intersection with the East line of Section 12, Township 10 South, Range 19 East; thence continue South 00 degree 56 minutes 20 seconds East a distance of 1,379.70 feet to a point marking the Southeast corner of Section 12, Township 10 South, Range 19 East; thence continue along the South line of said Section 12, South 88 degrees 56

minutes 53 seconds West a distance of 330.03 feet; thence North 01 degree 15 minutes 28 seconds West a distance of 658.92 feet; thence South 88 degrees 48 minutes 38 seconds West a distance of 329.85 feet; thence South 88 degrees 49 minutes 43 seconds West a distance of 199.98 feet; thence South 88 degrees 52 minutes 50 seconds West a distance of 100.00 feet; thence North a distance of 160.34 feet; thence North 28 degrees 29 minutes 00 seconds West a distance of 182.85 feet to a point marking the intersection with the Southeasterly right-of-way line of SW Archer Road; thence along said line South 61 degrees 31 minutes 00 seconds West a distance of 655.70 feet; thence continue along said line South 60 degrees 30 minutes 28 seconds West a distance of 133.51 feet to the Point of Beginning.

AND:

That property annexed into the City of Gainesville on December 10, 2001 as per Ordinance No. 002124, being described as:

A parcel of land lying in the Southeast one quarter (SE ¼) of Section 33, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Lot Three (3), of North Florida Regional Doctors Office Park, as per plat thereof recorded in Plat Book "H", Page 81 of the Public Records of Alachua County, Florida.

AND:

That property annexed into the City of Gainesville on September 9, 2002 as per Ordinance No. 020104, being described as:

A parcel of land lying in the Southeast one quarter (SE ¼) of Section 33, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Lots Two (2), of North Florida Regional Doctors Office Park, according to the plat thereof recorded in Plat Book "H", Page 81 of the Public Records of Alachua County, Florida.

AND:

That property annexed into the City of Gainesville on December 8, 2003 as per Ordinance No. 030457, being described as:

A parcel of land lying in the Southeast one quarter (SE ¼) of Section 33, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Lots One (1), and Twenty-Two through Twenty-Six (22-26), of North Florida Regional Doctors Office Park, as per plat thereof recorded in Plat Book "H", Page 81 of the Public Records of Alachua County, Florida.

AND:

That property annexed into the City of Gainesville on December 8, 2003 as per Ordinance No. 030458, being described as:

A parcel of land lying in the Southwest one quarter (SW ¼) of Section 33, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Lots Ten (10), Eleven (11), Sixteen (16) of North Florida Regional Doctors Office Park, as per plat thereof recorded in Plat Book "H", Page 81 of the Public Records of Alachua County, Florida.

AND:

Commence at a point marking the intersection of the East right-of-way line of SW 23rd Terrace with the South right-of-way line of SW Archer Road, said point also being the Northwestern corner of Parcel "F" of the city limits as recorded in Annexation Ordinance 4048; thence continue along said city limits South 01 degree 06 minutes 29 seconds East along the East line of SW 23rd Terrace a distance of 497.94 feet to a point; thence leaving said East right-of-way line proceed West 100.00 feet to the West right-of-way line of SW 23rd Terrace; said point also being the Northwest corner of Parcel "G", of the city limits as recorded in Annexation Ordinance 4048; thence South 01 degree 10 minutes 09 seconds East along the West line of said Parcel "G" to a point crossed by a line parallel to the south right-of-way line of SW Archer Road at a distance of 1,320 feet (1/4-Mile) from said South right-of-way line of SW Archer Road, and the Point-of-Beginning; thence Westerly along said parallel line to its intersection with the East right-of-way of SW 34th Street (State Road 121), thence North along said East right-of-way of SW 34th Street to the north line of the existing city limits, being also the north line of the property annexed into the city as recorded in Annexation Ordinance 020654; thence run West along said north line to the west line of said area, also being the west right-of-way line of SW 34th Street; thence run South along said west right-of-way line to the north line of SW Archer Road being also the north line of that area annexed into the city as recorded in Annexation Ordinance 001912; thence run Westerly to the west line of that area annexed into the city as recorded in the above mentioned Annexation Ordinance 001912; thence run Southerly and Southeasterly along the west line of said Annexation Ordinance to the south line of that area annexed into the city as recorded in Annexation Ordinance 001912, being also the south right-of-way line of SW Williston Road; thence run along the south right-of-way line of SW Williston Road to its intersection with the east right-of-way line of SW 23rd Street; thence follow the east right-of-way line of SW 23rd Street and along the east right-of-way line of SW 23rd Terrace to the Point-of-Beginning, and close.

LESS the following described area:

That northern portion of the City of Gainesville lying north of the following described line:

Commence at a point lying on the West city limits line, and being one-quarter mile (1/4 mile) north of the north right-of-way line of NW 53rd Avenue; thence run East parallel to and one-quarter mile (1/4 mile) north of said NW 53rd Avenue to the east line of the Southwest one-quarter (SW 1/4) of Section 17, Township 9 South, Range 20 East; thence run South along said east line to a point 933 feet (more-or-less) north of the south line of said Section; thence run West 682 feet (more-or-less); thence run South to the North right-of-way line of NW 53rd Avenue; thence run East to the east city limits line.

AND LESS:

All that area lying and being in the City of Gainesville, Alachua County, Florida, lying East of the following described line:

Commence at the Northwest corner of the Northeast one-quarter (NE 1/4) of Section 30, Township 9 South, Range 21 East; thence run South along the West line of said Northeast one-quarter (NE 1/4) to a point 50 feet South of the South line of said Northeast one-quarter (NE 1/4); thence run East a distance of 176.35 feet; thence run South 48 degrees East to a point on the Southerly right-of-way line of State Road No. 222; thence run Northeasterly along said southerly right-of-way line to a point on the West line of the East one-half (E 1/2) of the Southwest one-quarter (SW 1/4) of the Northeast one-quarter (NE 1/4) of the aforementioned Section 30, Township 9 South, Range 21 East; thence run South along said West line to point of ending on the City of Gainesville city limits line.

AND LESS:

Any and all of that area and right-of-way known as Interstate 75.

EXHIBIT "D"

May 7, 2004

LEGAL DESCRIPTION FOR ZONE "C" OF THE TRANSPORTATION
CONCURRENCY EXCEPTION AREA

That area comprising Zone "C" of the Transportation Concurrency Area lying within the municipal boundaries of the City of Gainesville, Florida; (heretofore known as "city limits") as of April 26, 2004 being more particularly described as follows:

Commence at a point marking the intersection of the East right-of-way line of SW 23rd Terrace with the South right-of-way line of SW Archer Road, said point also being the Northwestern corner of Parcel "F" of the city limits of Gainesville as recorded in Annexation Ordinance 4048; thence continue along said city limits South 01 degree 06 minutes 29 seconds East along the East line of SW 23rd Terrace a distance of 497.94 feet to a point; thence leaving said East right-of-way line proceed West 100.00 feet to the West right-of-way line of SW 23rd Terrace; said point also being the Northwest corner of Parcel "G", of the city limits of Gainesville as recorded in Annexation Ordinance 4048; thence South 01 degree 10 minutes 09 seconds East along the West line of said Parcel "G" to a point crossed by a line parallel to the south right-of-way line of SW Archer Road at a distance of 1,320 feet (1/4-Mile) from said South right-of-way line of SW Archer Road, and the Point-of-Beginning; thence Westerly along said parallel line to its intersection with the East right-of-way of SW 34th Street (State Road 121), thence North along said East right-of-way of SW 34th Street to the north line of the existing city limits, being also the north line of the property annexed into the city as recorded in Annexation Ordinance 020654; thence run West along said north line to the west line of said area, also being the west right-of-way line of SW 34th Street; thence run South along said west right-of-way line to the north line of SW Archer Road being also the north line of that area annexed into the city as recorded in Annexation Ordinance 001912; thence run Westerly to the west line of that area annexed into the city as recorded in the above mentioned Annexation Ordinance 001912; thence run Southerly and Southeasterly along the west line of said Annexation Ordinance to the south line of that area annexed into the city as recorded in Annexation Ordinance 001912, being also the south right-of-way line of SW Williston Road; thence run along the south right-of-way line of SW Williston Road to its intersection with the east right-of-way line of SW 23rd Street; thence follow the east right-of-way line of SW 23rd Street and along the east right-of-way line of SW 23rd Terrace to the Point-of-Beginning, and close.

LESS:

Any and all of that area and right-of-way known as Interstate 75.

