

ORDINANCE NO. 210064

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3       **An ordinance of the City of Gainesville, Florida, annexing approximately 282.86**  
4       **acres of privately-owned property generally located on the west side of SW**  
5       **Williston Road, south of SW 62<sup>nd</sup> Avenue and the City of Gainesville city limits,**  
6       **north of SW 78<sup>th</sup> Lane, and east of SW 63<sup>rd</sup> Boulevard, as more specifically**  
7       **described in this ordinance, as petitioned for by the property owner(s) pursuant**  
8       **to Chapter 171, Florida Statutes; making certain findings; providing for inclusion**  
9       **of the property in Appendix I of the City Charter; providing for land use plan,**  
10       **zoning, and subdivision regulations, and enforcement of same; providing for**  
11       **persons engaged in any occupation, business, trade, or profession; providing**  
12       **directions to the City Clerk; providing a severability clause; providing a repealing**  
13       **clause; and providing an immediate effective date.**

14  
15       **WHEREAS**, the Municipal Annexation or Contraction Act, Chapter 171, Florida Statutes, (the  
16       “Act”), sets forth criteria and procedures for adjusting the boundaries of municipalities through  
17       annexations or contractions of corporate limits; and

18       **WHEREAS**, on May 19, 2021, the City Commission of the City of Gainesville received a petition for  
19       voluntary annexation of real property located in the unincorporated area of Alachua County, as  
20       more specifically described in this ordinance, and determined that the petition included the  
21       signatures of all owners of property in the area proposed to be annexed; and

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

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

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

33 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

34 **FLORIDA:**

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

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

43           See legal description attached hereto as **Exhibit A** and made a part hereof as if set  
44           forth in full. The location of the property is shown on **Exhibit B** for visual reference.  
45           In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.  
46

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

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

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

56 **SECTION 5.** (a) As of the effective date of this ordinance, all persons who are lawfully engaged in  
57 any occupation, business, trade, or profession within the property area described in Section 2 of  
58 this ordinance may continue such occupation, business, trade, or profession, but shall obtain a  
59 business tax receipt from the City of Gainesville for the term commencing on October 1, 2021.

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

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

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

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

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

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

81 **PASSED AND ADOPTED** this 4<sup>th</sup> day of November, 2021.



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85 LAUREN POE  
86 MAYOR

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88  
89 Attest:

Approved as to form and legality:



90  
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92  
93 MICHELE D. GAINEY  
94 CITY CLERK

*Marie Kessler*  
Deputy Clerk



DANIEL M. NEE  
INTERIM CITY ATTORNEY

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97 This ordinance passed on first reading this 21<sup>st</sup> day of October, 2021.

98  
99 This ordinance passed on second reading this 4<sup>th</sup> day of November, 2021.

Exhibit A to Ordinance 210064

SKETCH AND DESCRIPTION OF SW AREA ANNEXATION OF HENDERSON PROPERTY  
ALSO KNOWN AS PRAIRIE VIEW TRUST PROPERTY  
BEING A PORTION OF TAX PARCEL 06982 AND ENTIRE TAX PARCEL 06980

A TRACT OF LAND SITUATED IN THE D.L. CLINCH GRANT AND SECTIONS 26 AND 27, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 170762 ALSO BEING THE SOUTHWEST CORNER OF FINLEY WOODS, PHASE 1B, A PLAT RECORDED IN PLAT BOOK 29, PAGES 58 AND 59 OF SAID PUBLIC RECORDS; THENCE ALONG SAID PLAT AND JURISDICTIONAL LINE THE FOLLOWING THREE COURSES: (1) NORTH 89°14'18" EAST, 323.09 FEET; (2) SOUTH 0°22'09" EAST, 16.24 FEET; (3) NORTH 89°31'21" EAST, 215.18 FEET TO THE SOUTHWEST CORNER OF FINLEY WOODS, PHASE 1A, A PLAT RECORDED IN PLAT BOOK 29, PAGES 56-57 OF SAID PUBLIC RECORDS; THENCE CONTINUE ALONG SAID JURISDICTION LINE AND THE SOUTH LINE OF SAID PLAT THE FOLLOWING THREE COURSES: (1) NORTH 89°31'21" EAST, 670.91 FEET; (2) SOUTH 6°57'12" EAST, 33.85 FEET; (3) NORTH 89°15'33" EAST, 304.72 FEET TO THE SOUTHEAST CORNER OF SAID PLAT ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 160216; THENCE CONTINUE ALONG SAID JURISDICTIONAL LIMIT LINE AND THE SOUTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3495, PAGE 62 OF SAID PUBLIC RECORDS, THE FOLLOWING TWO COURSES: (1) NORTH 89°15'33" EAST, A DISTANCE OF 295.06 FEET; (2) SOUTH 40°03'59" EAST A DISTANCE OF 472.89 FEET; THENCE LEAVING SAID EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE CONTINUE SOUTH 40°03'59" EAST ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 257.89 FEET TO THE SOUTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3917, PAGE 1635 OF SAID PUBLIC RECORDS; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LANDS, THE FOLLOWING THREE (3) COURSES: (1) SOUTH 42°36'04" EAST, A DISTANCE OF 490.26 FEET; (2) THENCE SOUTH 43°01'03" EAST, A DISTANCE OF 319.86 FEET; (3) THENCE SOUTH 68°10'06" EAST, A DISTANCE OF 377.94 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF SOUTHWEST WILLISTON ROAD (100-FOOT RIGHT OF WAY); THENCE SOUTH 40°31'36" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 944.89 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2914.78 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 33°19'26" WEST, 730.30 FEET; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°23'36", AN ARC LENGTH OF 732.23 FEET; THENCE DEPARTING SAID NORTHWESTERLY RIGHT OF WAY LINE,

NOT COMPLETE WITHOUT ALL THREE PAGES: SEE SKETCH ON PAGE THREE

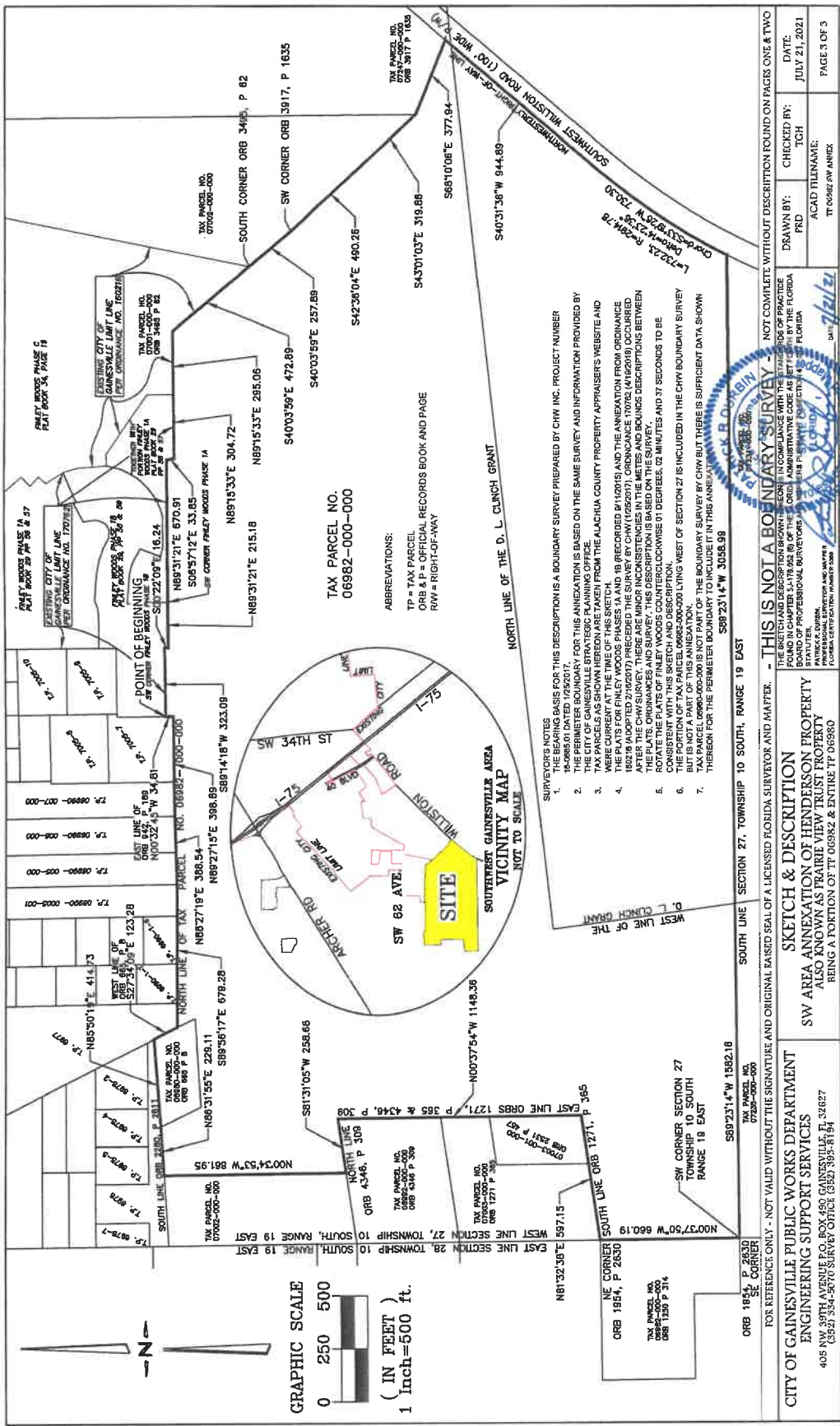
Exhibit A to Ordinance 210064

SOUTH 89°23'14" WEST ALONG THE SOUTH LINE OF SECTION 27, TOWNSHIP 10 SOUTH, RANGE 19 EAST, A DISTANCE OF 3058.99 FEET TO AN INTERSECTION WITH THE WEST LINE OF D.L. CLINCH GRANT; THENCE SOUTH 89°23'14" WEST ALONG SOUTH LINE OF SAID SECTION 27, A DISTANCE OF 1582.16 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 27 AND THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1954, PAGE 2630 OF SAID PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 00°37'50" WEST ALONG THE EAST LINE OF SAID LANDS ALSO BEING THE WEST LINE OF SAID SECTION 27 A DISTANCE OF 660.19 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE LEAVING SAID WEST LINE OF SECTION 27 NORTH 81°32'38" EAST ALONG THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1271, PAGE 365 AND THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2531, PAGE 457 OF SAID PUBLIC RECORDS, A DISTANCE OF 597.15 FEET TO THE EAST LINE OF SAID LANDS; THENCE NORTH 0°37'54" WEST ALONG SAID EAST LINE, THE EAST LINE OF AFOREMENTIONED LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1271, PAGE 365 AND THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4346, PAGE 309, A DISTANCE OF 1148.36 FEET TO THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4346, PAGE 309 OF SAID PUBLIC RECORDS; THENCE SOUTH 81°31'05" WEST ALONG SAID NORTH LINE, A DISTANCE OF 258.68 FEET; THENCE DEPARTING SAID NORTH LINE, NORTH 00°34'53" WEST, PARALLEL TO THE WEST LINE OF SAID SECTION 27, A DISTANCE OF 861.95 FEET TO THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2280, PAGE 2811 OF SAID PUBLIC RECORDS; THENCE NORTH 86°31'55" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 229.11 FEET TO THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 665, PAGE 8 OF SAID PUBLIC RECORDS; THENCE NORTH 85°50'19" EAST ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 414.73 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE SOUTH 27°34'09" EAST ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 123.28 FEET TO THE NORTH LINE OF TAX PARCEL 06982-000-000; THENCE ALONG THE NORTH LINE OF SAID TAX PARCEL, THE FOLLOWING THREE (3) COURSES: (1) SOUTH 89°56'17" EAST, A DISTANCE OF 679.28 FEET; (2) THENCE NORTH 88°27'19" EAST, A DISTANCE OF 388.54 FEET; (3) THENCE NORTH 89°27'15" EAST, A DISTANCE OF 398.89 FEET TO THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 942, PAGE 189 OF SAID PUBLIC RECORDS; THENCE NORTH 0°32'45" WEST ALONG SAID EAST LINE, A DISTANCE OF 34.81 FEET TO A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 282.861 ACRES, MORE OR LESS.

NOT COMPLETE WITHOUT ALL THREE PAGES: SEE SKETCH ON PAGE THREE

Exhibit A to Ordinance 210064



<p>FOR REFERENCE ONLY - NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. - THIS IS NOT A BOUNDARY SURVEY - NOT COMPLETE WITHOUT DESCRIPTION FOUND ON PAGES ONE &amp; TWO</p>	
<p>CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT ENGINEERING SUPPORT SERVICES 405 NW 39TH AVENUE P.O. BOX 480 GAINESVILLE, FL 32627 (352) 354-5676 SURVEY OFFICE (352) 395-8184</p>	<p>DATE: JULY 21, 2021 CHECKED BY: TCH DRAWN BY: FRD ACAD FILE NAME: TT 06982-000-000 PAGE 3 OF 3</p>

