

ORDINANCE NO.: 100903

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3  
4 An Ordinance of the City of Gainesville, Florida; adopting an Urban  
5 Services Report which sets forth the plans to provide urban services  
6 to an area comprised of Tax Parcel Numbers 10890-000-000, 10889-  
7 000-000, 10889-002-000, 10889-003-000, 16127-003-000, 16127-  
8 003-001, 16125-005-000, 16125-000-000, 16126-000-000 and  
9 16125-007-000. Tax parcel 10890-000-000 is generally located  
10 south of East University Avenue, west of the vicinity of S.E. 43<sup>rd</sup>  
11 Street, north of tax parcel 10890-002-000, and east of the  
12 Gainesville City Limits. Tax parcel 10889-000-000 is generally  
13 located south of East University Avenue, west of the vicinity of  
14 S.E. 43<sup>rd</sup> Street, north of tax parcels 16127-002-002 and 16127-  
15 002-001, and east of tax parcels 10890-000-000 and 10890-002-  
16 000. Tax parcels 10889-002-000 and 10889-003-000 are generally  
17 located south of East University Avenue, west of the vicinity of  
18 S.E. 43<sup>rd</sup> Street, north of tax parcels 16127-003-000 and 16125-  
19 001-001, and east of tax parcel 10889-000-000. Tax parcel 16127-  
20 003-000 is generally located south of East University Avenue, west  
21 of South East 43<sup>rd</sup> Street, north of South East Hawthorne Road,  
22 and east of the Gainesville City Limits. Tax parcel 16127-003-001  
23 is generally located south of East University Avenue, west of South  
24 East 43<sup>rd</sup> Street, north of South East Hawthorne Road, and east of  
25 the Gainesville City Limits. Tax parcel 16125-005-000 is  
26 generally located south of East University Avenue, west of South  
27 East 43<sup>rd</sup> Street, north of South East Hawthorne Road, and east of  
28 tax parcel 16127-003-000. Tax parcel 16125-000-000 is generally  
29 located south of East University Avenue, west of South East 43<sup>rd</sup>  
30 Street, north of South East Hawthorne Road, and east of tax parcel  
31 16125-007-000. Tax parcel 16126-000-000 is generally located  
32 south of South East Hawthorne Road, west of South East 43<sup>rd</sup>  
33 Terrace, north of Paynes Prairie Preserve State Park, and east of  
34 South East 39<sup>th</sup> Terrace. Tax parcel 16125-007-000 is generally  
35 located south of tax parcel 16127-003-001, west of S.E. 43<sup>rd</sup> Street,  
36 north of Hawthorne Road, and east of tax parcel 16127-003-001;  
37 the area is proposed for annexation by the City of Gainesville  
38 pursuant to Chapter 90-496, Special Acts, Laws of Florida, as  
39 amended, known as the Alachua County Boundary Adjustment Act;  
40 providing directions to the City Manager, the City Attorney and the  
41 Clerk of the Commission; providing a repealing clause; providing a  
42 severability clause; and providing an immediate effective date.  
43

1           **WHEREAS**, Chapter 90-496, Special Acts, Laws of Florida, created the "Alachua County  
2 Boundary Adjustment Act" which sets forth procedures for establishing municipal reserve areas and  
3 for adjusting the boundaries of municipalities through annexations; and

4           **WHEREAS**, Chapter 90-496 was amended by Chapter 91-382 and Chapter 93-347,  
5 Special Acts, Laws of Florida, (hereinafter collectively referred to as "the Act") which requires a  
6 municipality to prepare and adopt by nonemergency ordinance, a report setting forth the plans to  
7 provide urban services to any reserve area prior to commencing the annexation procedures under  
8 the Act; and

9           **WHEREAS**, the City of Gainesville is planning to commence the annexation of certain  
10 unincorporated areas, as more specifically described in this Ordinance, and that are located within  
11 its Reserve Area as defined in the Act and as redesignated by the Board of County Commissioners  
12 of Alachua County; and

13           **WHEREAS**, pursuant to law, at least ten days notice has been given prior to adoption by  
14 publication in a newspaper of general circulation notifying the public of this proposed Ordinance  
15 and of a Public Hearing to be held in the City Commission meeting room, First Floor, City Hall, in  
16 the City of Gainesville; and

17           **WHEREAS**, Public Hearings were held pursuant to law, at which hearings the parties in  
18 interest and all others had an opportunity to be and were, in fact heard.

19           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
20 **CITY OF GAINESVILLE, FLORIDA:**

21           **Section 1.** The Urban Services Report, a copy of which is attached as Exhibit "A" and  
22 incorporated herein as if set forth in full, sets forth the plans to provide urban services to an area  
23 comprised of Tax Parcel Numbers 10890-000-000, 10889-000-000, 10889-002-000, 10889-003-  
24 000, 16127-003-000, 16127-003-001, 16125-005-000, 16125-000-000, 16126-000-000 and 16125-

1 007-000. Tax parcel 10890-000-000 is generally located south of East University Avenue, west of  
2 the vicinity of S.E. 43<sup>rd</sup> Street, north of tax parcel 10890-002-000, and east of the Gainesville  
3 City Limits. Tax parcel 10889-000-000 is generally located south of East University Avenue,  
4 west of the vicinity of S.E. 43<sup>rd</sup> Street, north of tax parcels 16127-002-002 and 16127-002-001,  
5 and east of tax parcels 10890-000-000 and 10890-002-000. Tax parcels 10889-002-000 and  
6 10889-003-000 are generally located south of East University Avenue, west of the vicinity of  
7 S.E. 43<sup>rd</sup> Street, north of tax parcels 16127-003-000 and 16125-001-001, and east of tax parcel  
8 10889-000-000. Tax parcel 16127-003-000 is generally located south of East University  
9 Avenue, west of South East 43<sup>rd</sup> Street, north of South East Hawthorne Road, and east of the  
10 Gainesville City Limits. Tax parcel 16127-003-001 is generally located south of East University  
11 Avenue, west of South East 43<sup>rd</sup> Street, north of South East Hawthorne Road, and east of the  
12 Gainesville City Limits. Tax parcel 16125-005-000 is generally located south of East University  
13 Avenue, west of South East 43<sup>rd</sup> Street, north of South East Hawthorne Road, and east of tax  
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16 parcel 16125-007-000. Tax parcel 16126-000-000 is generally located south of South East  
17 Hawthorne Road, west of South East 43<sup>rd</sup> Terrace, north of Paynes Prairie Preserve State Park,  
18 and east of South East 39<sup>th</sup> Terrace. Tax parcel 16125-007-000 is generally located south of tax  
19 parcel 16127-003-001, west of S.E. 43<sup>rd</sup> Street, north of Hawthorne Road, and east of tax parcel  
20 16127-003-001; and is hereby approved and adopted for that certain area as more specifically  
21 described in the Urban Services Report.

22 **Section 2.** The City Manager is directed to file a copy of this Ordinance and the  
23 accompanying Urban Services Report with the Board of County Commissioners of Alachua County  
24 and to commence the annexation of the area defined in the Urban Services Report. The City

1 Attorney and Clerk of the Commission are authorized to prepare and advertise the appropriate  
2 ordinance(s).

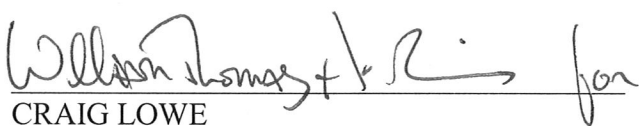
3 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance or  
4 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
5 finding shall not affect the other provisions or applications of the ordinance which can be given  
6 effect without the valid or unconstitutional provisions or application, and to this end the provisions  
7 of this ordinance are declared severable.

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

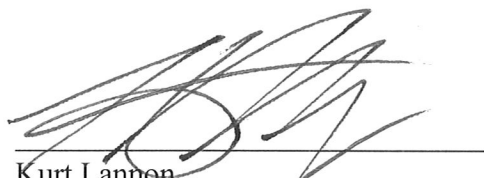
10 **Section 5.** This Ordinance shall become effective immediately upon adoption.

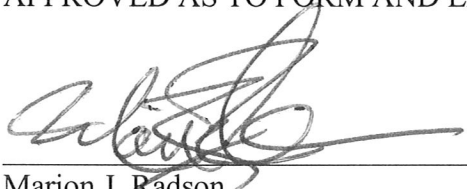
11 **PASSED AND ADOPTED** this 21st day of July, 2011.

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CRAIG LOWE  
MAYOR

ATTEST:

  
Kurt Lannon  
Clerk of the Commission

APPROVED AS TO FORM AND LEGALITY:  
  
Marion J. Radson  
City Attorney

JUL 21 2011

This ordinance passed on first reading this 7th day of July, 2011.

This ordinance passed on second reading this 21st day of July, 2011.