

ORDINANCE NO. 210065

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3       **An ordinance of the City of Gainesville, Florida, annexing approximately 59.80**  
4       **acres of privately-owned property generally located south of SW Archer Road,**  
5       **west of I-75, north of the City of Gainesville city limits, and east of SW 44<sup>th</sup> Street,**  
6       **as more specifically described in this ordinance, as petitioned for by the property**  
7       **owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings;**  
8       **providing for inclusion of the property in Appendix I of the City Charter; providing**  
9       **for land use plan, zoning, and subdivision regulations, and enforcement of**  
10       **same; providing for persons engaged in any occupation, business, trade, or**  
11       **profession; providing directions to the City Clerk; providing a severability clause;**  
12       **providing a repealing clause; and providing an immediate effective date.**  
13

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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LAUREN POE  
MAYOR

88 Attest:

Approved as to form and legality:

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93  
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95



~~MICHELE D. GAINNEY~~  
~~CITY CLERK~~

*Marie P. Kessler*  
Deputy clerk



DANIEL M. NEE  
INTERIM CITY ATTORNEY

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

97  
98 This ordinance passed on second reading this 4<sup>th</sup> day of November, 2021.

**BEAR HEALTH PARK ANNEXATION**

TAX PARCELS 06974-040-000, 06813-000-000, 06813-001-000, 06800-007-001,  
07240-001-008 & 07240-050-000 AND PORTIONS OF SW ARCHER ROAD,  
SW 41<sup>ST</sup> BOULEVARD AND THE 150 FOOT WIDE CITY OF GAINESVILLE  
POWER LINE EASEMENT

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN IS SITUATED IN THE GARY GRANT AND SECTIONS 14, 15, 22 AND 23, TOWNSHIP 10 SOUTH, RANGE 19 EAST IN ALACHUA COUNTY, FLORIDA, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

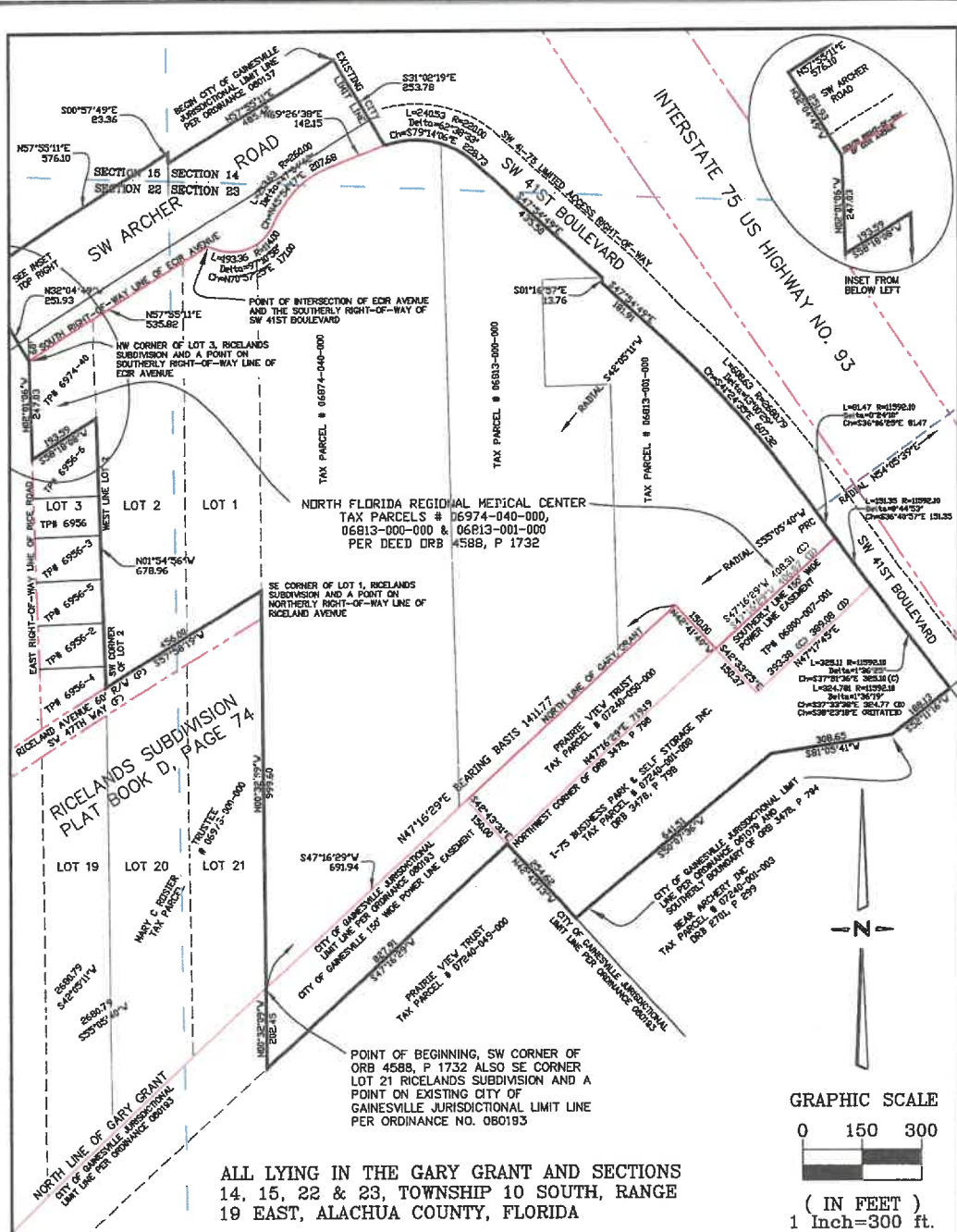
BEGIN AT A POINT ON THE NORTH LINE OF THE GARY GRANT, ALSO BEING THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4588, PAGE 1732 (HEREAFTER ABBREVIATED ORB & P) OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED PRACF) AND THE SOUTHEAST CORNER OF LOT 21 AS DISPLAYED ON THE PLAT OF RICELAND SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK D, PAGE 74, PRACF AND BEING A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 080193; THENCE LEAVING SAID JURISDICTIONAL LIMIT LINE RUN NORTH 00°32'09" WEST ALONG THE EAST LINE OF SAID LOT 21 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 999.60 FEET TO THE SOUTHEAST CORNER OF LOT 1 AND THE NORTHERLY RIGHT-OF-WAY LINE OF RICELAND AVENUE (60' RIGHT-OF-WAY) OF SAID PLAT; THENCE RUN SOUTH 57°58'19" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND THE SOUTHERLY LINES OF LOT 1 AND LOT 2 A DISTANCE OF 456.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE RUN NORTH 01°54'56" WEST ALONG THE WEST LINE OF SAID LOT 2 ALSO BEING THE EAST LINE OF LOT 3 OF SAID PLAT, A DISTANCE OF 678.96 FEET; THENCE LEAVING SAID WEST LINE OF LOT 2 AND SAID EAST LINE OF LOT 3, RUN SOUTH 58°18'08" WEST A DISTANCE OF 193.59 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF RICE ROAD PER SAID PLAT; THENCE NORTH 02°01'06" WEST ALONG SAID EASTERLY LINE OF RICE ROAD, AND THE WESTERLY LINE OF SAID LOT 3 A DISTANCE OF 247.03 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ECIR AVENUE PER SAID PLAT; THENCE LEAVING AND PERPENDICULAR TO SAID SOUTHERLY LINE OF ECIR AVENUE NORTH 32°04'49" WEST A DISTANCE OF 251.93 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SW ARCHER ROAD ALSO KNOWN AS STATE ROAD NO. 24; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; 1) NORTH 57°55'11" EAST A DISTANCE OF 576.10 FEET TO A POINT ON THE WEST LINE OF SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST; 2) THENCE SOUTH 00°57'49" EAST A DISTANCE OF 23.36 FEET; 3) NORTH 57°55'11" EAST A DISTANCE OF 485.42 FEET TO A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 080137; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID LIMIT LINE SOUTH 31°02'19" EAST A DISTANCE OF 253.78 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY OF S.W. 41ST BOULEVARD, SAID POINT LYING ON A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 220.00 FEET; THENCE ALONG SAID SOUTHERLY AND WESTERLY RIGHT-OF-WAY AND JURISDICTIONAL LIMIT LINE THE FOLLOWING 8 COURSES; (1) NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY 240.53 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 62°38'33" WITH A CHORD

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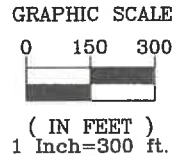
Exhibit A to Ordinance 210065

BEARING AND DISTANCE OF SOUTH 79°14'06" EAST, 228.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE; (2) SOUTH 47°54'49" EAST A DISTANCE OF 435.50 FEET; (3) SOUTH 01°16'57" EAST A DISTANCE OF 13.76 FEET; (4) SOUTH 47°54 '49" EAST A DISTANCE OF 181.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2680.79 FEET; (5) SOUTHEASTERLY 608.63 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°00'29" WITH A CHORD BEARING AND DISTANCE OF SOUTH 41°24'35" EAST, 607.32 FEET TO A POINT OF REVERSE CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 11,592.10 FEET WITH A RADIAL BEARING OF NORTH 54°05' 39" EAST; (6) SOUTHEASTERLY 81.47 FEET ALONG THE ARC OF SAID CURVE AND EAST LINE OF LANDS DESCRIBED IN ORB 4588, P 1732 OF THE PRACF THROUGH A CENTRAL ANGLE OF 0°24'10" WITH A CHORD BEARING AND DISTANCE OF SOUTH 36°06'25" EAST, 81.47 FEET TO A POINT ON THE SOUTHERLY LINE OF A 150 FOOT WIDE POWER LINE EASEMENT; (7) CONTINUE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 11,592.10 FEET AN ARCDISTANCE OF 151.35 FEET THROUGH A CENTRAL ANGLE OF 0°44'53" WITH A CHORD BEARING AND DISTANCE OF SOUTH 36°40'57" EAST, 151.35 TO THE INTERSECTION OF THE NORTH LINE OF LANDS DESCRIBED IN ORB 3478, P 798 OF THE PRACF AND THE WEST RIGHT-OF-WAY LINE OF SAID SW 41<sup>ST</sup> BOULEVARD; (8) CONTINUE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 11,592.10 FEET AN ARC DISTANCE OF 325.11 FEET THROUGH A CENTRAL ANGLE OF 01°36'25" WITH A CHORD BEARING AND DISTANCE OF SOUTH 37°51'36" EAST, 325.10 FEET TO THE EAST MOST CORNER OF SAID LANDS ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 061079; THENCE LEAVING SAID CURVE AND WESTERLY RIGHT-OF WAY LINE, RUN ALONG SAID LIMIT LINE AND THE SOUTHERLY BOUNDARY OF SAID LANDS THE FOLLOWING 3 COURSES: (1) SOUTH 52°11'16" WEST A DISTANCE OF 188.13 FEET; (2) SOUTH 81°05'41" WEST A DISTANCE OF 308.65 FEET; (3) SOUTH 50°07'36" WEST A DISTANCE OF 641.51 TO THE SOUTHWEST CORNER OF SAID LANDS AND A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 080193; THENCE ALONG SAID LIMIT LINE ALSO BEING THE WESTERLY LINE SAID LANDS NORTH 42°43'13" WEST A DISTANCE OF 254.62 FEET TO THE NORTHWESTCORNER OF SAID LANDS; THENCE LEAVING SAID CITY LIMIT LINE ALONG THE SOUTHERLY LINE OF A 150 FOOT WIDE CITY OF GAINESVILLE POWER LINE EASEMENT ALSO BEING THE NORTH LINE OF WHAT IS CURRENTLY KNOWN AS PRAIRIE VIEW TRUST TAX PARCEL NO. 07240-049-000, SOUTH 47°16'29" WEST A DISTANCE OF 827.91 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF LOT 21 OF THE AFOREMENTIONED RICELANDS SUBDIVISION; THENCE LEAVING SAID CITY OF GAINESVILLE EASEMENT LINE NORTH 00°32'09" WEST ALONG SAID EXTENSION A DISTANCE OF 202.45 FEET TO THE SOUTHEAST CORNER OF SAID LOT 21 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. SAID PARCEL CONTAINING 68.458 ACRES MORE OR LESS.

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ALL LYING IN THE GARY GRANT AND SECTIONS 14, 15, 22 & 23, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA



**SURVEYOR'S NOTES**

1. THE BEARING BASIS FOR THIS DESCRIPTION IS NORTH 47°16'29" EAST FOR THE NORTH LINE OF THE GARY GRANT AS FOUND IN OFFICIAL RECORDS BOOK 4588, PAGE 1732.
2. THE BEARING STRUCTURE FOR CITY OF GAINESVILLE JURISDICTIONAL LINE LIMIT ORDINANCE NO. 080137 IS CONSISTENT WITH THIS SKETCH & DESCRIPTION.
3. THE PERIMETER BOUNDARY FOR THIS ANNEXATION IS BASED ON THE SAME DEED, DEEDS FOR THE ADJACENT PARCELS ADJUSTED TO FIT AND THE ANNEXATIONS SHOWN HEREON AND INFORMATION FROM THE STRATEGIC PLANNING OFFICE.
4. TAX PARCEL DATA AS SHOWN HEREON WAS TAKEN FROM THE ALACHUA COUNTY PROPERTY APPRAISER'S WEBSITE AND WAS CURRENT AT THE TIME OF THIS SKETCH.
5. ROTATE THE DEED FOUND IN ORB 3478, PAGE 798 AND THE CITY OF GAINESVILLE JURISDICTIONAL LINE LIMIT ORDINANCE NO. 081079 COUNTERCLOCKWISE 01°03'16" TO MATCH THE DEED USED AS THE BASIS FOR THIS SKETCH AND DESCRIPTION.
6. NOT COMPLETE WITHOUT DESCRIPTION FOUND ON PAGES ONE & TWO

**ABBREVIATIONS:**

- TP = TAX PARCEL
- ORB & P = OFFICIAL RECORDS BOOK AND PAGE
- R/W = RIGHT-OF-WAY
- (C) = CALCULATED DATA
- (D) = DEDUCTED DATA
- (CC) = CURVED CENTERLINE CURVE



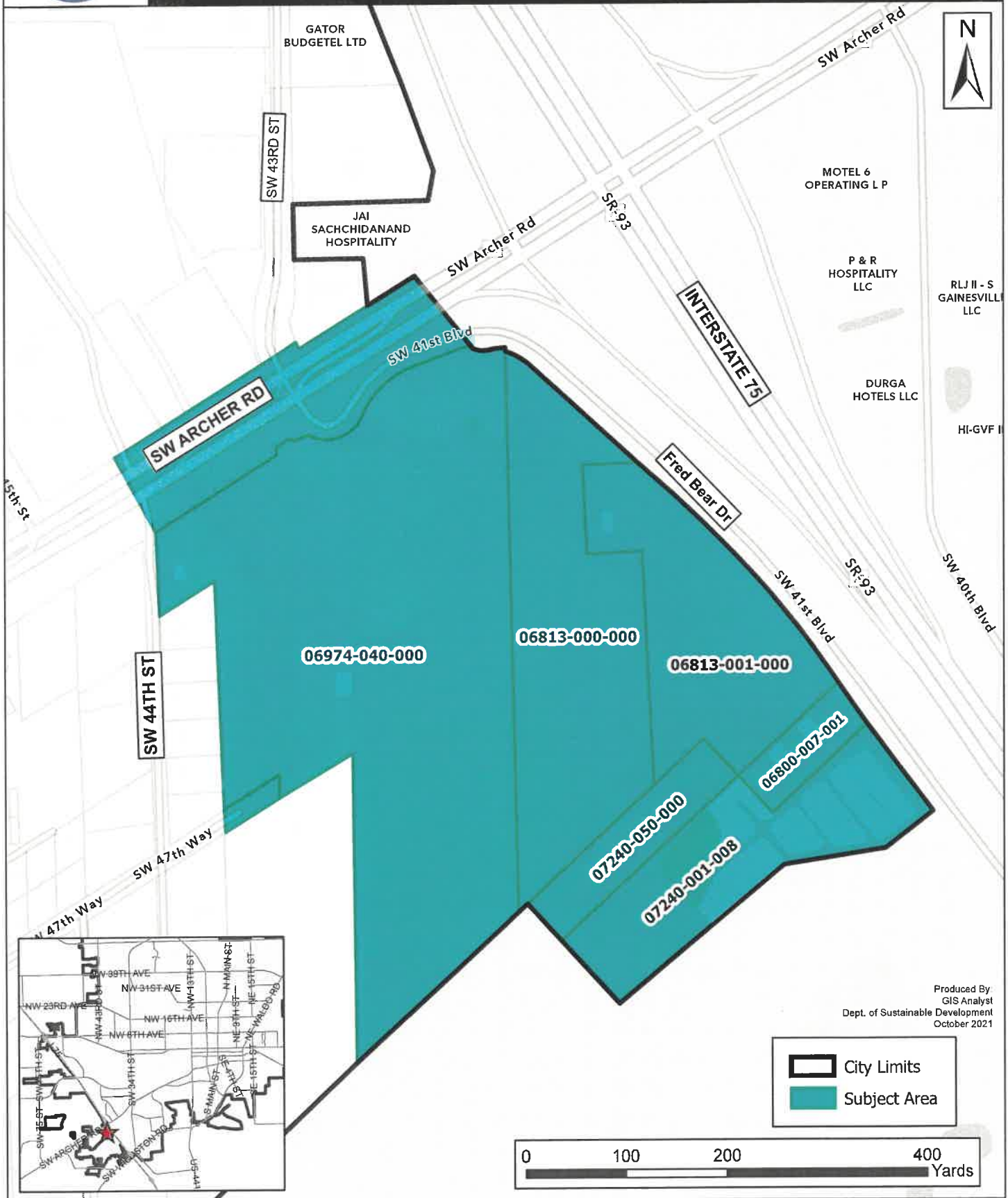
ACAD FILENAME: BEAR HEALTH PARK ANNEX	FOR REFERENCE ONLY - NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.	THE SKETCH AND DESCRIPTION HEREON IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE FOUND IN CHAPTER 53-176.052 (6) OF THE FLORIDA STATUTES AND THE CODE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS. THE SURVEYOR HAS REVIEWED THE SURVEY AND MAP FOR COMPLIANCE WITH THE FLORIDA STATUTES.	DATE: 9/7/21	
- THIS IS NOT A BOUNDARY SURVEY -		<b>SKETCH &amp; DESCRIPTION</b> FRED BEAR HEALTH PARK ANNEXATION TAX PARCELS 06974-040-000, 06813-000-000, 06813-001-000, 06800-007-001, 07240-001-008 & 07240-050-000	CHECKED BY: TGH	DATE: SEPT. 7, 2021
CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT ENGINEERING SUPPORT SERVICES 405 NW 39TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627 (352) 334-3070 SURVEY OFFICE (352) 393-8194			DRAWN BY: PRD	PAGE 3 OF 3

Exhibit B to Ordinance 210065



# Proposed Annexation - Fred Bear Health Park

Parcels 06800-007-001, 06813-000-000, 06813-001-000, 06974-040-000, 07240-001-008, & 07240-050-000 | Voluntary Annexation



Produced By  
GIS Analyst  
Dept. of Sustainable Development  
October 2021