

LEGISLATIVE #

210065A

ORDINANCE NO. 210065

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

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

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

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

WHEREAS, the City has provided all notices required pursuant to the Act, including: 1) notice that has been published in a newspaper of general circulation at least once a week for two consecutive weeks prior to first reading, and which notice gives: a) the ordinance number, b) a brief, general description of the area proposed to be annexed together with a map clearly showing the area, and c) a statement that the ordinance and a complete legal description by metes and bounds of the annexation area can be obtained from the office of the City Clerk; and 2) not fewer than ten calendar days prior to publishing the newspaper notice, the City Commission has provided a copy 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 _____ day of _____, 2021.

81
82
83 _____
84 LAUREN POE
85 MAYOR

86
87
88 Attest: Approved as to form and legality:

89
90
91 _____
92 OMICHELE D. GAINEY NICOLLE M. SHALLEY
93 CITY CLERK CITY ATTORNEY

94
95
96 This ordinance passed on first reading this _____ day of _____, 2021.

97
98 This ordinance passed on second reading this _____ day of _____, 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

LEGAL DESCRIPTION:

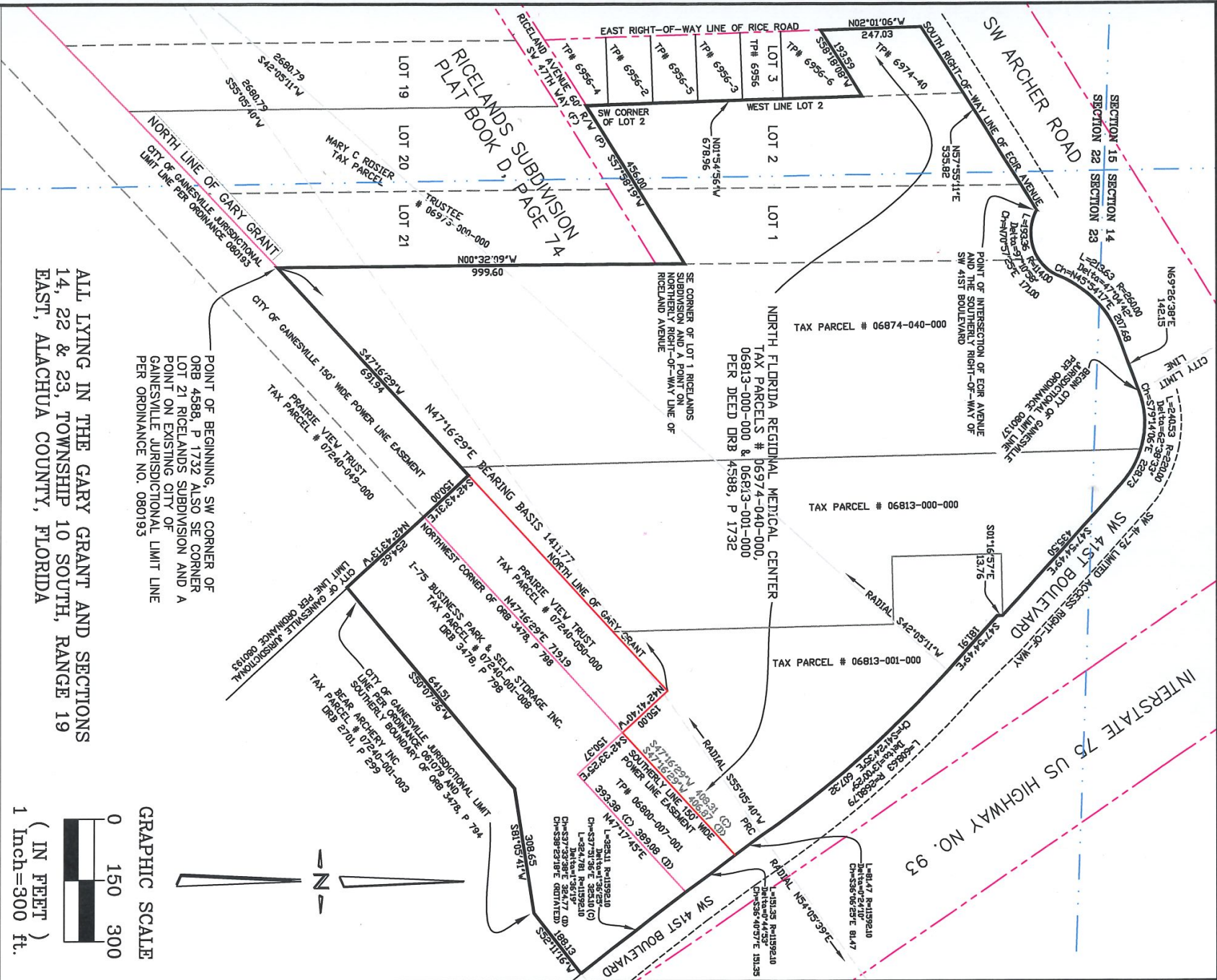
THE LAND REFERRED TO HEREIN IS SITUATED IN THE GARY GRANT AND SECTIONS 14, 22 AND 23, TOWNSHIP 10 SOUTH RANGE 19 EAST IN ALACHUA COUNTY, FLORIDA, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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 RICELANDS 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 ALONG SAID SOUTHERLY LINE OF ECIR AVENUE, ALSO BEING THE NORTHERLY LINES OF SAID LOTS 3, 2, AND 1, NORTH 57°55'11" EAST A DISTANCE OF 535.82 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY OF S.W. 41ST BOULEVARD, SAID POINT LYING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 114.00 FEET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING 3 COURSES; (1) SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY 193.36 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 97°10'58" WITH A CHORD BEARING AND DISTANCE OF NORTH 70°57'25" EAST, 171.00 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 260.00 FEET; (2) NORTHEASTERLY 213.63 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°04'42" WITH A CHORD BEARING AND DISTANCE OF NORTH 45°54'17" EAST, 207.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE; (3) NORTH 69°26'38" EAST A DISTANCE OF

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142.15 FEET TO A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 080137, ALSO BEING THE POINT OF CURVATURE OF 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 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 ARC DISTANCE 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 41ST 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 OF SAID LANDS NORTH 42°43'13" WEST A DISTANCE OF 254.62 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE CONTINUE ALONG SAID LIMIT LINE THE FOLLOWING TWO COURSES; (1) NORTH 42°43'31" WEST A DISTANCE OF 150.00 FEET TO A POINT ON THE NORTH LINE OF SAID GARY GRANT; (2) SOUTH 47°16'29" WEST ALONG SAID NORTH LINE A DISTANCE OF 691.94 TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 59.802 ACRES MORE OR LESS.

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ALL LYING IN THE GARY GRANT AND SECTIONS 14, 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 APPRAISERS 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. 061079 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) = DEED DATA
 PRC = POINT OF REVERSE CURVE

ACAD FILENAME: FOR REFERENCE ONLY - NOT VALID WITHOUT THE SIGNATURE
 BEAR HEALTH PARK ANNEX SURVEYOR AND MAPPER

THE SKETCH AND DESCRIPTION SHOWN HEREON IS A COMPLIANCE WITH THE STATUTES OF PRACTICE FOUND IN CHAPTER 54, 176, 462 (6) OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 42.16, FLORIDA STATUTES.

- THIS IS NOT A BOUNDARY SURVEY -

PATRICK R. DURBIN, PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA CERTIFICATION NUMBER 5888

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT
 ENGINEERING SUPPORT SERVICES

SKETCH & DESCRIPTION
 FRED BEAR HEALTH PARK ANNEXATION

405 NW 39TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627
 (352) 334-5070 SURVEY OFFICE (352) 393-8194

TAX PARCELS 06974-040-000, 06813-000-000, 06874-040-000, 06880-007-001, 07240-001-008 & 07240-050-000

CHEK CEN BY: [Signature]

DATE: JULY 27, 2021
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