| 1 2 | ORDINANCE NO. <u>060588</u> 0-07-01 |
|----------|--|
| 3 | 0-0/-01 |
| 4 | An ordinance of the City of Gainesville, Florida, amending the Zoning |
| 5 | Map Atlas and rezoning certain property within the City, as more |
| 6 7 | specifically described in this Ordinance, from "MU-2: 12-30 units/acre mixed use medium intensity" to "BUS: General business |
| 8 | district"; located in the vicinity of the 2500 block of North Main |
| 9 | Street; providing a severability clause; providing a repealing clause; |
| 10 | and providing an immediate effective date. |
| 11 12 | |
| 13 | WHEREAS, publication of notice of a public hearing was given that the Zoning Map |
| 14 | Atlas be amended by rezoning certain property within the City from the zoning category of "MU- |
| 15 | 2: 12-30 units/acre mixed use medium intensity" to "BUS: General business district"; and |
| 16 | WHEREAS, notice was given and publication made as required by law and a public |
| 17 | hearing was held by the City Plan Board on December 14, 2006; and |
| 18 | WHEREAS, the City Commission finds that the rezoning of the property described herein |
| 19 | is consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and |
| 20 | WHEREAS, at least ten (10) days notice has been given of the public hearing once by |
| 21 | publication in a newspaper of general circulation notifying the public of this proposed ordinance |
| 22 | and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City of |
| 23 | Gainesville; and |
| 24 | WHEREAS, pursuant to law, notice has also been given by mail to the owner whose |
| 25 | property will be regulated by the adoption of this Ordinance, at least thirty days prior to the date |
| 26 | set for a public hearing on this ordinance; and |
| 27 | WHEREAS, the public hearing was held pursuant to the published and mailed notice |

- described above at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.
- NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
- 4 CITY OF GAINESVILLE, FLORIDA:
- 5 Section 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
- 6 following described property from the zoning category of "MU-2: 12-30 units/acre mixed use
- 7 medium intensity" to "BUS: General business district":
- 8 See Legal Description attached hereto as Exhibit "A", and made a part hereof
- 9 as if set forth in full.
- Section 2. The City Manager is authorized and directed to make the necessary changes in
- the Zoning Map to comply with this Ordinance.
- Section 3. If any section, sentence, clause or phrase of this ordinance is held to be invalid
- or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
- the validity of the remaining portions of this ordinance.
- Section 4. All ordinances, or parts of ordinances, in conflict herewith are to the extent of
- such conflict hereby repealed.

Section 5. This ordinance shall become effective immediately upon final adoption. 1 PASSED AND ADOPTED this 26th day of February, 2007. 2 3 4 5 6 Approved as to form and legality: ATTEST: 7 8 9 10 11 KURT LAMMON SON, CÍTY ATTORNEY MARION J. 12 CLERK OF THE COMMISSION FEB 2 7 2007 13 14 15 This ordinance passed this 26th day of February, 2007. 16 17 H:\Marion Radson\Planning\161ZON-06PB pet.DOC

18

INSTRUMENT # 2006001 4 PGS

EXHIBIT A Fo Warranty Deed

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 28, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 29; THENCE BEAR NORTH 00 DEG. 13 MIN. 30 SEC. WEST ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF NORTHEAST 23RD AVENUE; THENCE BEAR SOUTH 89 DEG. 46 MIN. 00 SEC. WEST, ALONG SAID-NORTH RIGHT-OF WAY LINE, A DISTANCE OF 339.25 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89 DEG. 43 MIN. 00 SEC., A DISTANCE OF 39 15 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 00 DEG. 31 MIN. 00 SEC. WEST, A DISTANCE OF 589.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45 DEG. 48 MIN. 36 SEC., A DISTANCE OF 95.94 FEET TO THE POINT OF TANGENCY; THENCE BEAR NORTH 45 DEG. 17 MIN. 38 SEC. EAST, A DISTANCE OF 219.92 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44 DEG: 49 MIN. 54 SEC., A DISTANCE OF 93.69 FEET TO THE POINT OF TANGENCY; THENCE BEAR SOUTH 89 DEG. 52 MIN. 30 SEC. EAST, A DISTANCE OF 254.69 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25 DEG. 06 MIN. 30 SEC., A DISTANCE OF 52.59 FEET; THENCE BEAR SOUTH 64 DEG. 46 MIN. 30 SEC. EAST, A DISTANCE OF 135.79 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 25 DEG. 14 MIN: 00 SEC. WEST ALONG A LINE WHICH IS 240.00 FEET WEST OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 329, A DISTANCE OF 170.00 FEET; THENCE BEAR SOUTH 64 DEG. 46 MIN. 00 SEC. EAST, A DISTANCE OF 240.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 329; THENCE BEAR NORTH 25 DEG. 14 MIN. 00 SEC. EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 145.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT. HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEG. 00 MIN. 00 SEC., A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCH BEAR NORTH 84 DEG. 45 MIN, 00 SEC. WEST, A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING.

