

ORDINANCE NO. 210278

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3 **An ordinance of the City of Gainesville, Florida, annexing approximately four (4)**
4 **acres of privately-owned property generally located west of SW 13th Street and**
5 **south of SW 36th Place, as more specifically described in this ordinance, as**
6 **petitioned for by the property owner(s) pursuant to Chapter 171, Florida**
7 **Statutes; making certain findings; providing for inclusion of the property in**
8 **Appendix I of the City Charter; providing for land use plan, zoning, and**
9 **subdivision regulations, and enforcement of same; providing for persons**
10 **engaged in any occupation, business, trade, or profession; providing directions**
11 **to the City Clerk; providing a severability clause; providing a repealing clause; and**
12 **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 August 19, 2021, the City Commission of the City of Gainesville received a petition
18 for 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, 2022.

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 3rd day of February, 2022.

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LAUREN POE
MAYOR

88 Attest:

Approved as to form and legality:

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95



OMICHELE D. GAINNEY
CITY CLERK



DANIEL M. NEE
INTERIM CITY ATTORNEY

96 This ordinance passed on first reading this 20th day of January, 2022.

97
98 This ordinance passed on second reading this 3rd day of February, 2022.

Exhibit A to Ordinance 210278

SKETCH OF DESCRIPTION - NOT A BOUNDARY SURVEY

GENERAL NOTES

THIS DRAWING REPRESENTS A SKETCH OF DESCRIPTION AND DOES NOT REPRESENT A BOUNDARY SURVEY. AS SUCH, PROPERTY CORNER MONUMENTATION WAS NOT SET IN ASSOCIATION WITH THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

ALL BEARINGS SHOWN WITHIN THIS SKETCH OF DESCRIPTION ARE REFERENCED TO AN ASSUMED DATUM. REFERENCE BEARING FOR THIS SKETCH OF DESCRIPTION IS THE WEST RIGHT OF WAY LINE OF SOUTHWEST 13TH STREET (STATE ROAD 25) WHICH HAS AN ASSUMED BEARING OF SOUTH 07°56'31" WEST.

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.

THE ADJOINING PARCEL INFORMATION SHOWN IN THIS SKETCH OF DESCRIPTION REPRESENT CURRENT PROPERTY OWNERSHIPS AS INDICATED BY THE ALACHUA COUNTY PROPERTY APPRAISER'S OFFICE AT THE TIME OF THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

ALL DISTANCE MEASUREMENTS SHOWN HEREIN ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMAL U.S. SURVEY FEET. ALL ANGULAR MEASUREMENTS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS.

THIS SKETCH OF DESCRIPTION MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED INFORMATION.

THE LEGAL DESCRIPTION INCLUDED WITH THIS SKETCH OF DESCRIPTION WAS PREPARED BY THE UNDERSIGNED SURVEYOR AND MAPPER.

PRINTED COPIES OF THIS SKETCH OF DESCRIPTION MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED IF OBTAINING SCALED DATA FROM A PRINTED COPY OF THIS SKETCH OF DESCRIPTION.

THIS SKETCH OF DESCRIPTION CONSISTS OF THREE (3) SHEETS AND EACH SHEET IS INCOMPLETE WITHOUT THE OTHERS AND IS ALSO NOT COMPLETE WITHOUT THE LEGAL DESCRIPTION FOUND ON PAGE 2 OF 3 INCLUDED.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION SHOWN HEREIN WAS COMPLETED UNDER MY DIRECT SUPERVISION AND CONTROL AND THAT SAID SKETCH OF DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I ALSO DO HEREBY FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS AND IS IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR SURVEYS AS CONTAINED IN THE DEFINITIONS, SURVEY, MAP AND REPORT CONTENT REQUIREMENTS AS ESTABLISHED BY CHAPTERS 5J-17.050, 5J-17.051 AND 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE AS SAID CHAPTERS EXISTED AT THE TIME OF THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

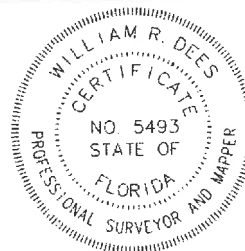
SKETCH OF DESCRIPTION PREPARED BY:

WILLIAM R. DEES
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER LS5493

THE USE OF THE IMAGE OF THE SURVEYOR'S SEAL APPEARING ABOVE WAS AUTHORIZED BY WILLIAM R. DEES, FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA LICENSE NUMBER LS5493. UNLESS THIS SKETCH OF DESCRIPTION BEARS THE ORIGINAL BLUE INK SIGNATURE OF WILLIAM R. DEES OR A DIGITAL SIGNATURE WITH A VERIFIED SHA-1 AUTHENTICATION CODE THIS SKETCH OF DESCRIPTION IS TO BE USED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE CONSIDERED VALID.

SKETCH & DESCRIPTION
VOLUNTARY ANNEXATIONS ~ SW 13TH ST
TAX PARCELS 07253-000-000, 07254-000-000, 07251-009-000
AND A PART OF SOUTHWEST 13TH STREET
NOT A BOUNDARY SURVEY

FOR REFERENCE ONLY - NOT VALID WITHOUT ORIGINAL BLUE INK SIGNATURE AND SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.



Digitally signed by William R Dees
Reason: This item has been electronically signed and sealed by William R. Dees, PSM using a SHA-1 authentication code.
Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies.
Date: 2021.10.13 17:27:36 -04'00'

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT
ENGINEERING SUPPORT SERVICES
405 NW 39TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627
(352) 334-5070 SURVEY OFFICE (352) 393-8194

SKETCH & DESCRIPTION
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AND A PART OF SOUTHWEST 13TH STREET

DATE:
OCT. 13, 2021
PAGE 1 OF 3

Exhibit A to Ordinance 210278

SKETCH OF DESCRIPTION - NOT A BOUNDARY SURVEY

DESCRIPTION

A PARCEL OF LAND LYING AND BEING WITHIN THE LANDS OF THE THOMAS NAPIER GRANT, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, WITH SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 5 OF THE BURRITT ESTATES SUBDIVISION, ACCORDING TO A MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 'E', PAGE 2 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND RUN THENCE ALONG THE COMMON LINE SHARED BY LOT 5 AND A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4536, PAGE 2297, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID COMMON LINE ALSO BEING THE WEST LINE OF LOT 1 OF THE THOMAS NAPIER GRANT, NORTH 04°30'18" EAST, A DISTANCE OF 33.62 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4536, PAGE 2297; THENCE DEPARTING SAID COMMON LINE, SOUTH 85°31'28" EAST, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 273.61 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SOUTHWEST 13TH STREET ALSO BEING KNOWN AS STATE ROAD 25; THENCE DEPARTING SAID NORTH LINE, SOUTH 07°56'31" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 705.17 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2482, PAGE 1022; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, NORTH 89°09'27" WEST, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 215.93 FEET TO THE SOUTHEAST CORNER OF LOT 4 OF THE LEANING OAKS SUBDIVISION, ACCORDING TO A MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 'I', PAGE 52 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH LINE, NORTH 03°27'37" WEST, ALONG THE EAST LINE OF SAID LEANING OAKS SUBDIVISION, A DISTANCE OF 307.30 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 1 OF SAID LEANING OAKS SUBDIVISION; THENCE CONTINUE ALONG THE EAST LINE OF SAID LEANING OAKS SUBDIVISION AND THE SOUTH LINE OF SAID LOT 1, NORTH 86°28'56" EAST, A DISTANCE OF 10.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE CONTINUE ALONG THE EAST LINE OF SAID LEANING OAKS SUBDIVISION AND THE EAST LINE OF SAID LOT 1, NORTH 03°19'36" WEST, A DISTANCE OF 82.27 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 6 OF THE AFORESAID BURRITT ESTATES SUBDIVISION; THENCE DEPARTING SAID EAST LINE OF THE LEANING OAKS SUBDIVISION, SOUTH 83°24'53" EAST, ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 80.90 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6 AND A POINT OF INTERSECTION WITH THE AFORESAID WEST LINE OF LOT 1 OF THE THOMAS NAPIER GRANT; THENCE DEPARTING SAID SOUTH LINE, NORTH 04°30'18" WEST, ALONG SAID EAST LINE OF THE BURRITT SUBDIVISION AND THE WEST LINE OF LOT 1 OF THE THOMAS NAPIER GRANT, A DISTANCE OF 303.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.998 ACRES OF LAND, MORE OR LESS.

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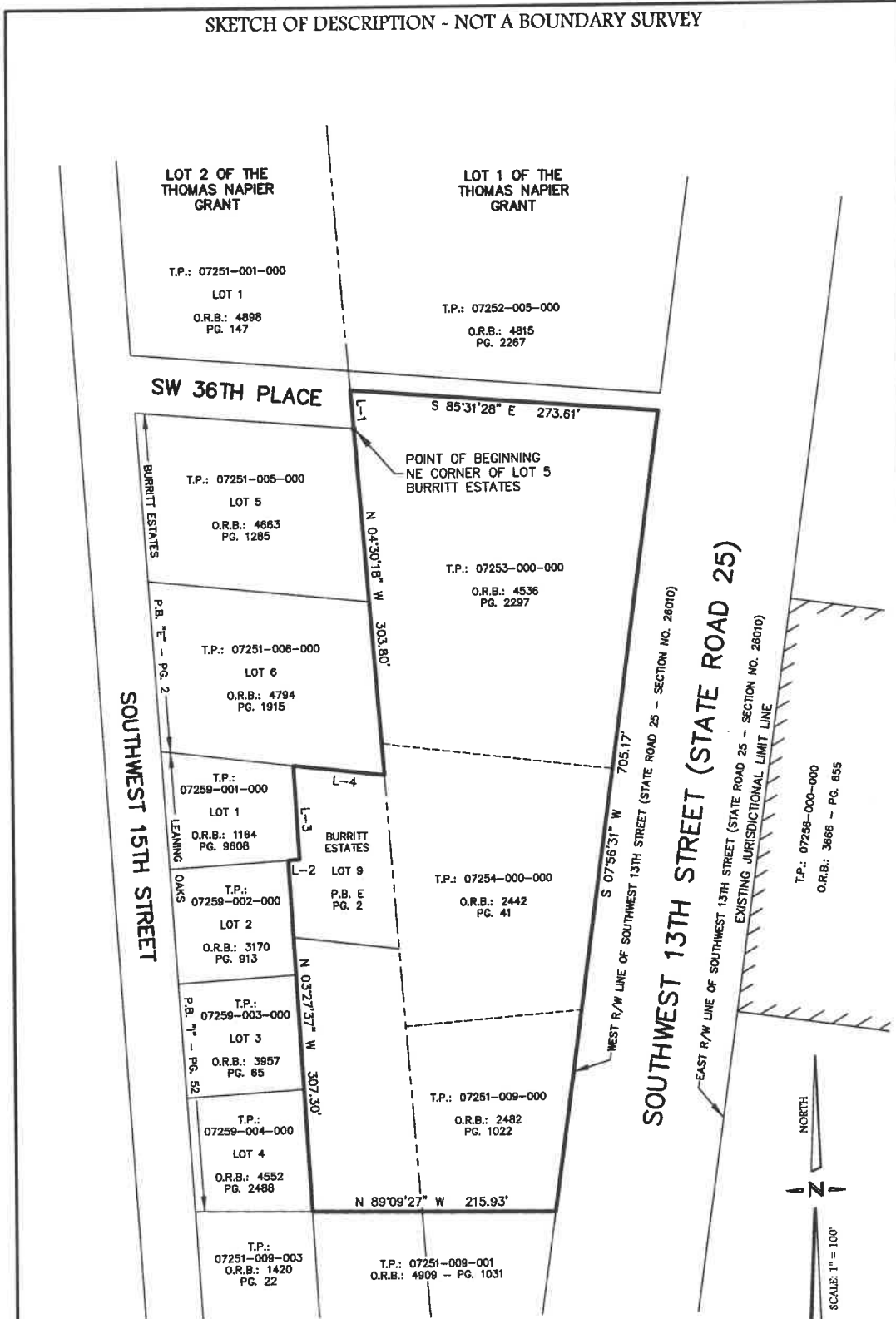
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PAGE 2 OF 3

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ALL LYING AND BEING IN THE THOMAS NAPIER GRANT
TOWNSHIP 10 SOUTH - RANGE 20 - EAST

ABBREVIATIONS:

T.P. = TAX PARCEL
O.R.B. = OFFICIAL RECORDS BOOK PG. = PAGE
R/W = RIGHT-OF-WAY P.B. = PLAT BOOK

LINE DATA

L-1	N 04°30'18" E	33.62'
L-2	N 86°28'56" E	10.04'
L-3	N 03°19'36" W	82.27'
L-4	S 83°24'53" E	80.90'

FILE NAME: VOL ANNEX - SW 13TH ST.DWG

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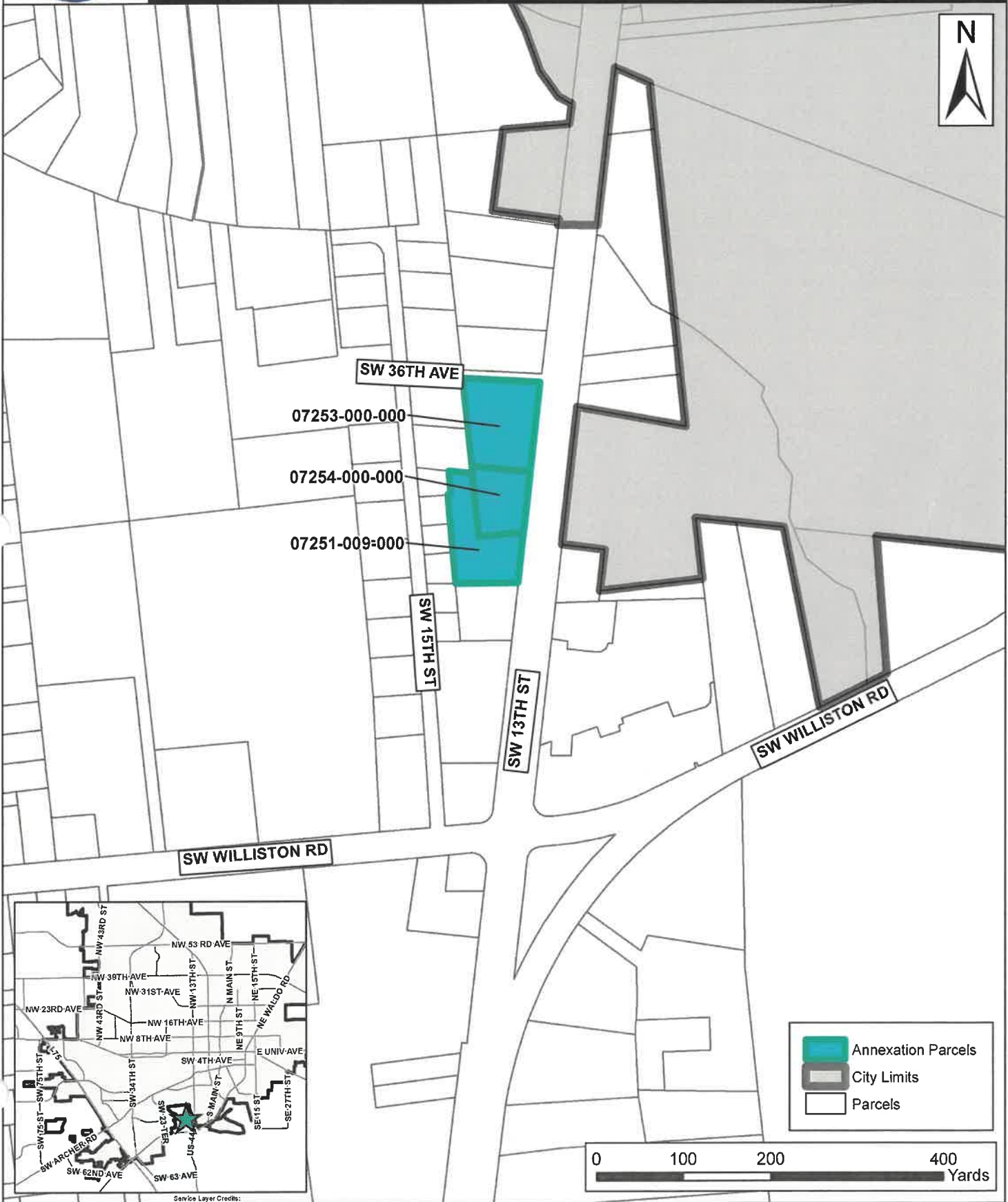
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Proposed Annexation - Patel Annexation

Parcels 07251-009-000, 07253-000-000, & 07254-000-000 | Voluntary Annexation



Service Layer Credits: