

**LEGISLATIVE #**

**190973A**

ORDINANCE NO. 190973

An ordinance of the City of Gainesville, Florida, annexing approximately 0.057 acres of City-owned property (tax parcel no. 06678-010-137) generally located south of the current City limit, west of SW 17<sup>th</sup> Place, north of SW 19<sup>th</sup> Place, and east of SW 75<sup>th</sup> Street (Tower Road), 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 Clerk of the Commission; 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 February 20, 2020, 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 Clerk of the Commission; and 2) not fewer than ten calendar days prior to publishing the newspaper notice, the City Commission has

30 provided a copy of the notice, via certified mail, to the Alachua County Board of County  
31 Commissioners; and

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

34 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
35 **FLORIDA:**

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

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

44 See legal description attached hereto as **Exhibit A** and made a part hereof as if set  
45 forth in full. The location of the property is shown on **Exhibit B** for visual reference.  
46 In the event of conflict or inconsistency, Exhibit A shall prevail over Exhibit B.  
47

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

51 **SECTION 4.** In accordance with Section 171.062, Florida Statutes, the Alachua County land use  
52 plan and zoning or subdivision regulations will remain in full force and effect in the property  
53 described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment

54 that includes the annexed area. The City of Gainesville shall have jurisdiction to enforce the  
55 Alachua County land use plan and zoning or subdivision regulations through the City of  
56 Gainesville's code enforcement and civil citation processes.

57 **SECTION 5.** (a) As of the effective date of this ordinance, all persons who are lawfully engaged in  
58 any occupation, business, trade, or profession within the property area described in Section 2 of  
59 this ordinance may continue such occupation, business, trade, or profession, but shall obtain a  
60 business tax receipt from the City of Gainesville for the term commencing on October 1, 2020.

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

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

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

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

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

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

82

83 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

84

85

86

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\_\_\_\_\_  
LAUREN POE

88

MAYOR

89

90

91 Attest:

Approved as to form and legality:

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94

\_\_\_\_\_  
OMICHELE D. GAINNEY  
CLERK OF THE COMMISSION

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

97

98

99 This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

100

101 This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

# PROPOSED ANNEXATION; TAX PARCEL # 06678-010-137

SKETCH & DESCRIPTION FOR PROPOSED ANNEXATION IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA

## SURVEYOR'S NOTES:

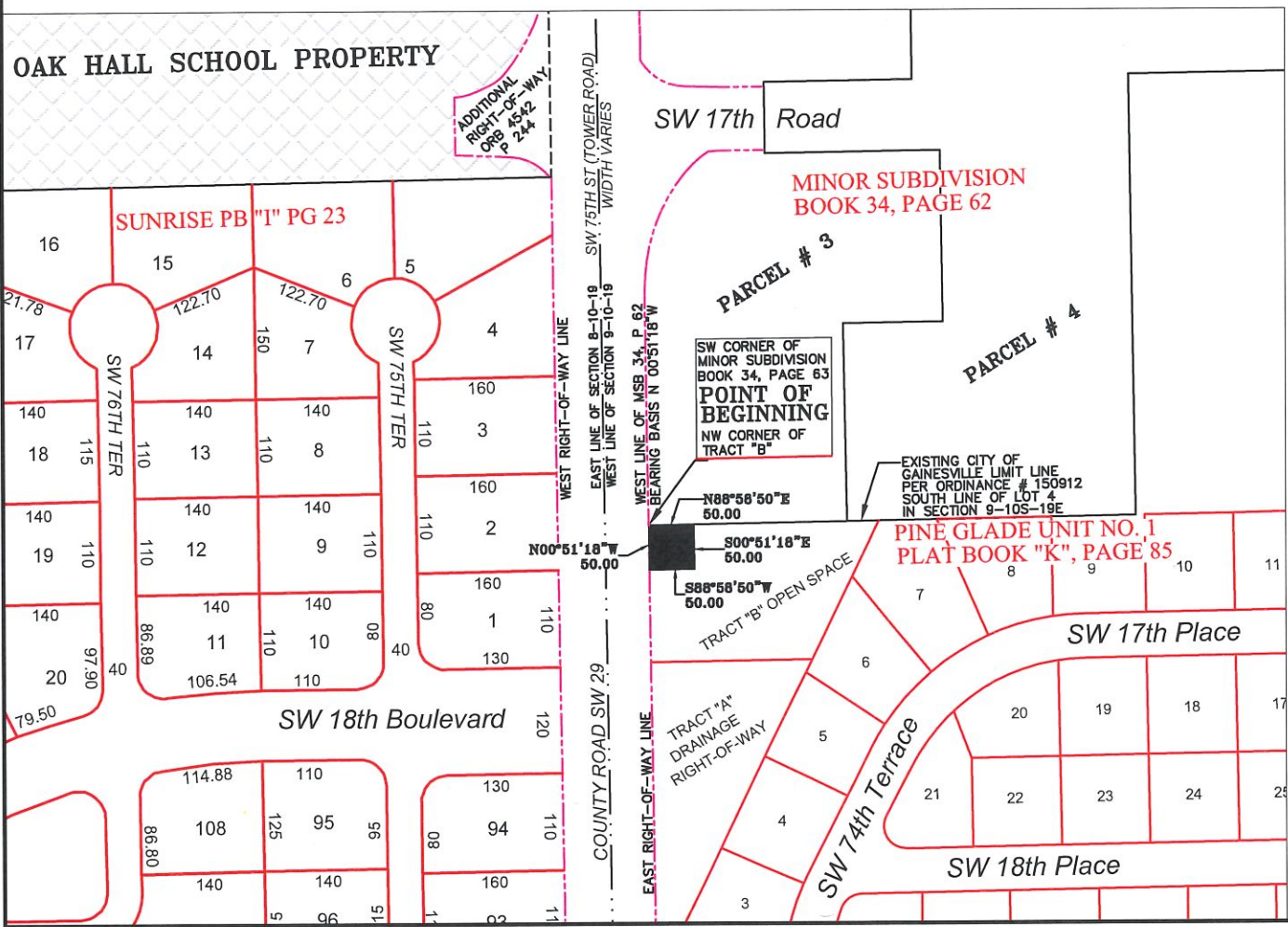
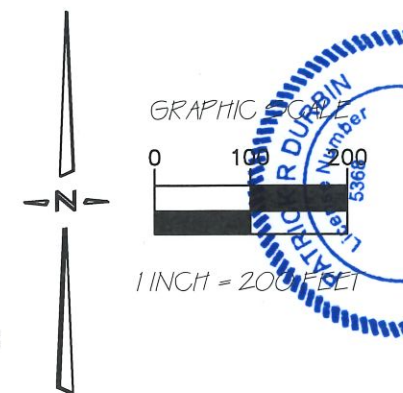
1. THE BEARING BASIS FOR THIS SKETCH & DESCRIPTION IS THE WEST LINE OF MINOR SUB BOOK 34, PAGE 62 WITH A VALUE OF N 00°51'18"W. IT IS IDENTICAL TO THE EAST R/W LINE FOUND IN ORB 4542, P 244 FOR ADDITIONAL R/W GRANTED BY OAK HALL FOR SW 75TH STREET.
2. INFORMATION FROM THE PROPERTY APPRAISER'S WEB SITE, DEEDS AND PLATS OF RECORD, THE ALACHUA COUNTY CONTROL DENSIFICATION & IDENTIFICATION OF LAND CORNERS PROJECT, AND A JOHN MEYERS SURVEY OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST PROVIDED TO THIS SURVEYOR WERE ALSO USED TO BEST REPRESENT THE LANDS INTENDED TO BE INCLUDED IN THIS SKETCH AND DESCRIPTION.
3. THE ADJACENT SUBDIVISION PLATS DEPICTION IS ADJUSTED TO FIT THE SUBJECT PROPERTY PERIMETER BOUNDARY DEEDS AND MAY NOT BE TO EXACT SCALE.

### LINE AND ABBREVIATIONS LEGEND:

- = TOWER ROAD RIGHT OF WAY LINES
- = SECTION LINE
- = LOT, STREET AND SUBDIVISION LINES
- = EAST LINE ORB 4542 P 244 (OLD R/W LINE)
- = HATCHED AREA REPRESENTS OAK HALL SCHOOL PROPERTY ANNEXED BY ORDINANCE 190420

- PB & PG = PLAT BOOK & PAGE
- ORB & P = OFFICIAL RECORDS BOOK & PAGE
- TP # = CURRENT TAX PARCEL NUMBER
- R/W = RIGHT-OF-WAY
- = TAX PARCEL # 6678-10-137 ORB 1365, P 373, DESCRIBED PROPERTY TO BE ANNEXED

LEGAL DESCRIPTION PER ORB 1365, P 373  
BEING A PORTION OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTH 50' OF THE WEST 50' OF TRACT B OF PINE GLADE UNIT NO. 1 AS RECORDED IN PLAT BOOK "K", PAGE 85 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA BEING AND LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST.



## TAX PARCEL 06678-010-137 DESCRIPTION FOR PROPOSED ANNEXATION IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA

A PARCEL OF LAND LYING AND BEING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, ALSO LYING WITHIN TRACT "B" OF PINE GLADE UNIT NO. 1, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "K", PAGE 85 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGIN AT THE NORTHWEST CORNER OF SAID TRACT "B" ALSO BEING THE SOUTHWEST CORNER OF PARCEL # 3 OF MINOR SUBDIVISION BOOK 34, PAGE 62 FILED AS AN UNRECORDED MAP IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER CITY ORDINANCE NUMBER 150912 AND AT THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF S.W. 75TH STREET (ALSO KNOWN AS TOWER ROAD) AND THE SOUTH LINE OF LOT NUMBER 4 IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST AS RECORDED IN PLAT BOOK "A", PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE N 88°58'50" E ALONG SAID CITY LIMIT LINE, SOUTH LINE OF SAID PARCEL # 3, AND NORTH LINE OF SAID TRACT "B" A DISTANCE OF 50.00 FEET; THENCE LEAVING SAID CITY LIMIT LINE, SOUTH LINE OF SAID PARCEL # 3, AND NORTH LINE OF SAID TRACT "B" S 00°51'18" E A DISTANCE OF 50.00 FEET; THENCE S 88°58'50" W A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF SAID TRACT "B" ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SAID S.W. 75TH STREET; THENCE N 00°51'18" W ALONG SAID WEST LINE OF TRACT "B" AND EAST RIGHT-OF-WAY LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, CONTAINING 2,500 SQUARE FEET OR 0.057 ACRES, MORE OR LESS.

**THIS IS NOT A BOUNDARY SURVEY**

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

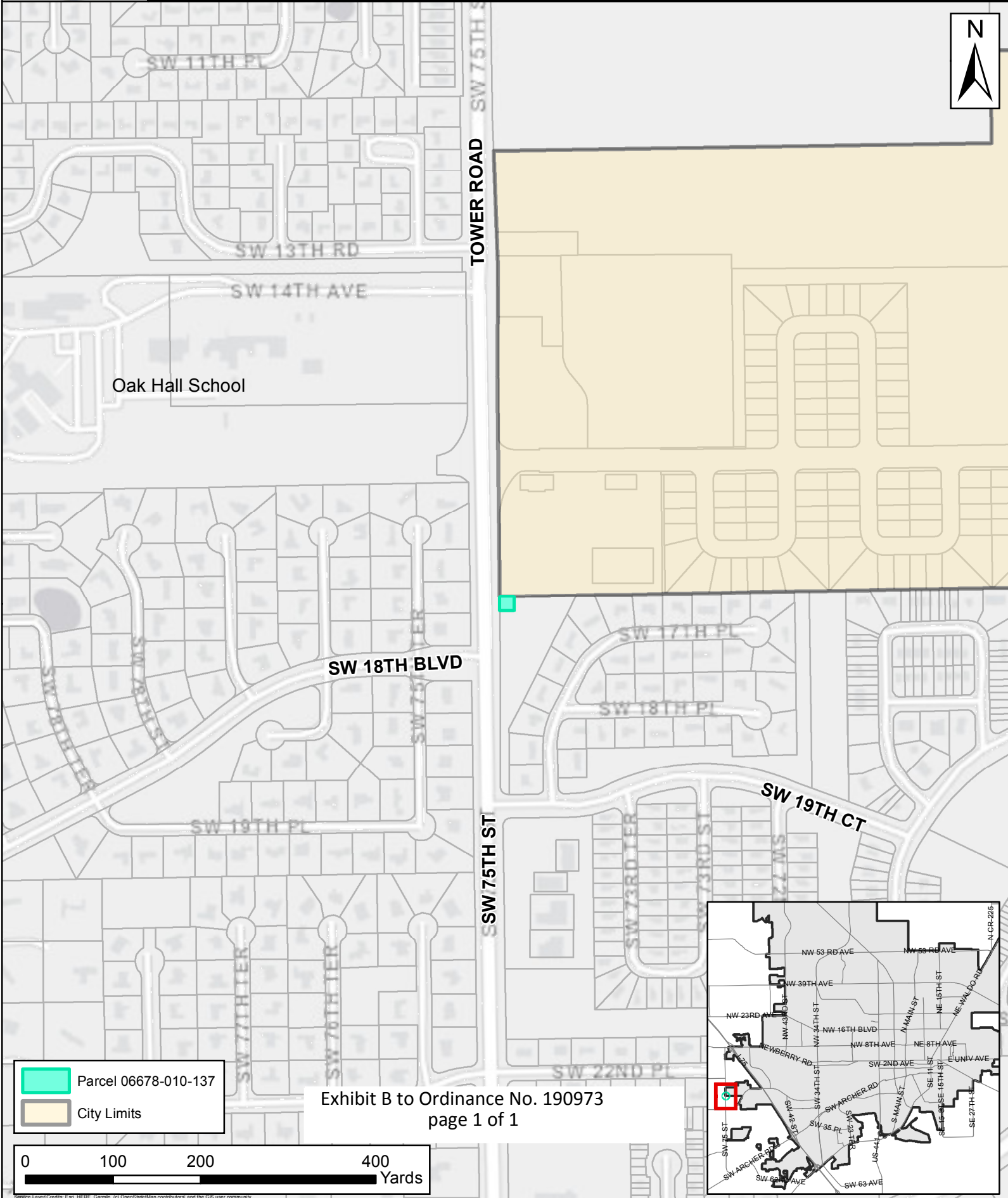
I HEREBY CERTIFY THAT THIS SKETCH & DESCRIPTION MEETS OR EXCEEDS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK R. DUBOIN, L.S. 5366  
CAD FILE NAME: TP#6678-10-137



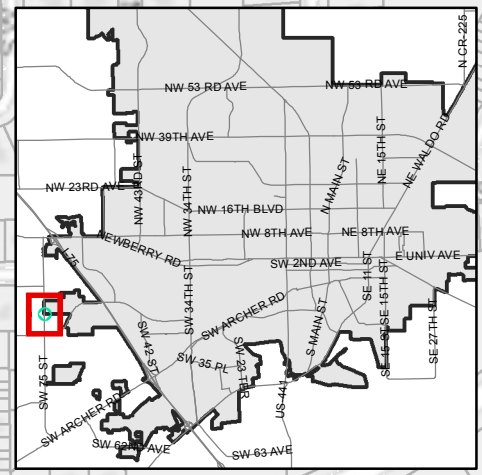
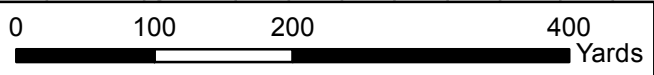
# Proposed Annexation - Tower Road Lift Station

Parcels 06678-010-137 | Voluntary Annexation



	Parcel 06678-010-137
	City Limits

Exhibit B to Ordinance No. 190973  
page 1 of 1



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