

1 **WHEREAS**, on June 26, 2007, the City Commission voted to accept the Petition for
2 Voluntary Annexation submitted by the owners of the real property described herein and
3 determined that the Petition bore the signature of the owners of the property; and

4 **WHEREAS**, on September 10, 2007, the City Commission of the City of Gainesville
5 adopted Ordinance No. 070128, which adopted the Urban Services Report setting forth the plans to
6 provide urban services to that portion of the Reserve Area proposed to be annexed in accordance
7 with the procedures provided in the Act; and

8 **WHEREAS**, a copy of the Urban Services Report was filed with the Alachua County
9 Board of County Commissioners and was provided to the owners of the real property affected by
10 this ordinance; and

11 **WHEREAS**, the City of Gainesville desires to annex a certain portion of its Reserve Area
12 which is compact and contiguous to the present corporate limits of the City; and

13 **WHEREAS**, pursuant to law, notice of adoption of this ordinance was published for two
14 consecutive weeks prior to first reading in a newspaper of general circulation notifying the public of
15 the Public Hearing of this proposed Ordinance to be held in the City Commission meeting room,
16 First Floor, City Hall, in the City of Gainesville; and

17 **WHEREAS**, Public Hearings were held pursuant to the published notice described above at
18 which the parties in interest and all others had an opportunity to be and were, in fact, heard.
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1 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
2 **CITY OF GAINESVILLE, FLORIDA:**

3 **Section 1.** The City Commission finds that the Area described in Section 2 of this
4 Ordinance (hereinafter referred to as the "Area") is reasonably compact and contiguous to the
5 present corporate limits of the City of Gainesville, and that no part of the Area is within the
6 boundary of another municipality or county. The City Commission finds the Area to be within its
7 Reserve Area and the annexation does not create an enclave.

8 **Section 2.** The following described Area is annexed and incorporated within the corporate
9 limits of the City of Gainesville, Florida:

10 See Legal Description attached hereto as Exhibit "A" (4 parcel), and
11 made a part hereof as if set forth in full.

12 **Section 3.** The corporate limits of the City of Gainesville, Florida, as set forth in Appendix
13 I, Charter Laws of the City of Gainesville, are amended and revised to include the Area described in
14 Section 2 within the corporate limits of the City of Gainesville, Florida.

15 **Section 4.** The City Manager is authorized and directed to make the necessary change in
16 the Code of Ordinances of the City of Gainesville, Florida, to comply with this ordinance.

17 **Section 5.** In accordance with Section 171.062, Florida Statutes, the Alachua County land
18 use plan and zoning or subdivision regulations shall remain in full force and effect in the Area
19 described in Section 2 of this Ordinance until the City adopts a comprehensive plan amendment
20 that includes the annexed area. The Gainesville Code Enforcement Board and code enforcement
21 officers shall have jurisdiction to enforce these regulations during the interim period through the
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1 Gainesville Code Enforcement Board process as described in Division 8 of Article V of Chapter 2
2 of the Code of Ordinances of the City of Gainesville and the Civil Citation Process, as described in
3 Division 6 of Article V of Chapter 2 of said Code. During the interim period, the City may rezone
4 properties in the annexed area to an Alachua County Zoning classification/category that conforms
5 with the Alachua County Comprehensive Plan.

6 **Section 6.** (a) Except as provided in subsections (b) and (c) below, all persons who are
7 lawfully engaged in any occupation, business, trade or profession within the area described in
8 Section 2 of this Ordinance as of November 26, 2007, shall have the right to continue such
9 occupation, business, trade or profession.

10 (b) Except as provided in subsection (c) below, all persons who are lawfully
11 engaged in any construction trade, occupation or business within the Area described in Section 2 of
12 this Ordinance as of November 26, 2007, and who possess a valid certificate of competency issued
13 by Alachua County shall have the right to continue the construction trade, occupation, or business
14 within the entire corporate limits of the City of Gainesville, including the Area described in Section
15 2 of this Ordinance, subject to the terms, conditions and limitations imposed on the certificate by
16 Alachua County, and provided such persons register the certificate with the Building Inspections
17 Department of the City of Gainesville and the Department of Business and Professional Regulation
18 of the State of Florida on or before 4:00 p.m. on October 1, 2008.

19 (c) All persons lawfully engaged in any occupation, business, trade or profession
20 within the Area described in Section 2 of this Ordinance as of November 26, 2007, shall obtain a
21 business tax receipt (occupational license) from the City of Gainesville for the term commencing on

1 October 1, 2008, which license shall be issued upon payment of the appropriate fee in accordance
2 with the Gainesville Code of Ordinances in effect on October 1, 2008.

3 **Section 7.** If any portion of this Ordinance is declared by a court of competent jurisdiction
4 to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining
5 portions of this Ordinance.

6 **Section 8.** The Clerk of the Commission is directed to submit a certified copy of this
7 Ordinance to: 1) the Executive Office of the Governor; 2) the Florida Department of State; and 3)
8 the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida.

9 **Section 9.** This Ordinance shall become effective immediately upon adoption.

10 **PASSED AND ADOPTED** this _____ day of _____, 2007.

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ATTEST:

PEGEEN HANRAHAN,
MAYOR

Approved as to form and legality

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KURT LANNON,
CLERK OF THE COMMISSION

MARION J. RADSON,
CITY ATTORNEY

23 This Ordinance passed on first reading this _____ day of _____, 2007.

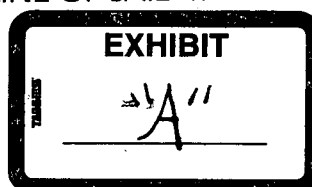
24 This Ordinance passed on second reading this _____ day of _____, 2007.

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LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN SECTIONS 13 AND 14, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 9 SOUTH, RANGE 20 EAST AND RUN NORTH ALONG THE WEST LINE OF SAID SECTION 13 1,713.87 FEET TO THE SOUTHEAST CORNER OF TAX PARCEL NUMBER 7872-14-2 AND THE POINT OF BEGINNING, SAID CORNER BEING ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL AND SAID CITY LIMIT LINE TO THE SOUTHWEST CORNER OF SAID TAX PARCEL, SAID CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COAST LINE RAILROAD; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE RUN WEST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF TAX PARCEL NUMBER 7872-14-2 AND SAID CITY LIMIT LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 24 (NORTHEAST WALDO ROAD); THENCE LEAVING SAID CITY LIMIT LINE RUN NORTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE WESTERLY EXTENSION OF THE NORTH LINE OF TAX PARCEL NUMBER 7872-3-1; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN EAST ALONG SAID WESTERLY EXTENSION AND THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL TO THE SOUTHEAST



CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL TO THE SOUTHWEST CORNER OF SAID TAX PARCEL, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NUMBER 7872-14-3; THENCE RETURNING TO THE EXISTING CITY OF GAINESVILLE LIMIT LINE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NUMBER 7872-14-2 AND THE POINT OF BEGINNING.