

LEGISLATIVE #
190976A

ORDINANCE NO. 190976

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

An ordinance of the City of Gainesville, Florida, annexing approximately 0.071 acres of city-owned property (tax parcel no. 07240-034-000) generally located southwest of Interstate 75, north of Gainesville city limits, and east of SW 41st Boulevard, 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 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 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

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

3 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
4 **FLORIDA:**

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

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

13 See legal description attached hereto as **Exhibit A** and made a part hereof as if set
14 forth in full. The location of the property is shown on **Exhibit B** for visual reference.
15 In the event of conflict or inconsistency, Exhibit A shall prevail over Exhibit B.
16

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

20 **SECTION 4.** In accordance with Section 171.062, Florida Statutes, the Alachua County land use
21 plan and zoning or subdivision regulations will remain in full force and effect in the property
22 described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment
23 that includes the annexed area. The City of Gainesville shall have jurisdiction to enforce the

1 Alachua County land use plan and zoning or subdivision regulations through the City of
2 Gainesville's code enforcement and civil citation processes.

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

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

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

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

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

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

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

6

7 **PASSED AND ADOPTED** this _____ day of _____, 2021.

8

9

10

11

12

13

14

15 Attest:

16

17

18

19 _____
OMICHELE D. GAINEY

20 CITY CLERK

21

22

23 This ordinance passed on first reading this _____ day of _____, 2021.

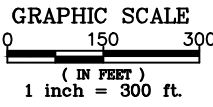
24

25 This ordinance passed on second reading this _____ day of _____, 2021.

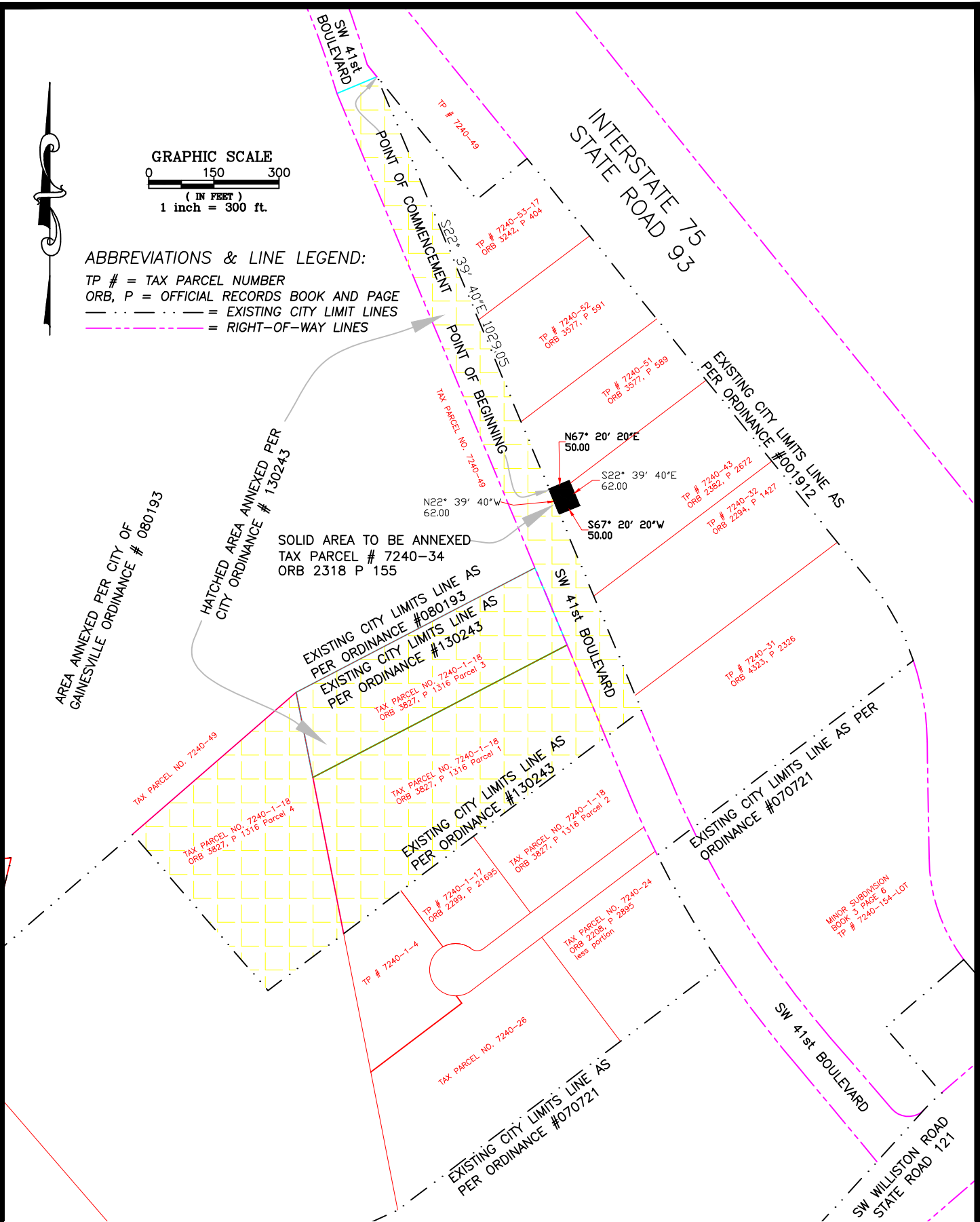
LAUREN POE
MAYOR

Approved as to form and legality:

NICOLLE M. SHALLEY
CITY ATTORNEY



ABBREVIATIONS & LINE LEGEND:
 TP # = TAX PARCEL NUMBER
 ORB, P = OFFICIAL RECORDS BOOK AND PAGE
 - - - - - = EXISTING CITY LIMIT LINES
 - - - - - = RIGHT-OF-WAY LINES



**ANNEXATION DESCRIPTION FOR TAX PARCEL NUMBER 07240-034-000
 LOCATED IN THE GARY GRANT, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA**

A TRACT OF LAND SITUATED IN THE GARY GRANT, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER ORDINANCE NUMBER 130243, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 41ST BOULEVARD AND THE NORTH MOST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3242, PAGE 404 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE S 22° 39' 40" E ALONG SAID CITY LIMIT AND EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 1029.05 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE LEAVING AND PERPENDICULAR TO SAID EASTERLY RIGHT-OF-WAY AND CITY LIMIT LINE N 67° 20' 20" E A DISTANCE OF 50.00 FEET; THENCE S 22° 39' 40" E PARALLEL TO SAID CITY LIMIT AND EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 62.00 FEET; THENCE S 67° 20' 20" W A DISTANCE OF 50.00 FEET TO A POINT ON SAID EXISTING CITY OF GAINESVILLE LIMIT AND EASTERLY RIGHT-OF-WAY LINE OF SW 41ST BOULEVARD; THENCE N 22° 39' 40" W ALONG SAID LIMIT AND RIGHT-OF-WAY LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT. SAID TRACT CONTAINING 3100 SQUARE FEET OF 0.071 ACRES MORE OR LESS.

**CITY OF GAINESVILLE
 PUBLIC WORKS DEPARTMENT**
 P.O. Box 490, Mail Station 58, Gainesville, Florida 32602
 Telephone: (352) 334-2051 Survey office 393-8194



DRAWN BY: PR DURBIN	DATE: MARCH 10, 2020
CHECKED BY: TG HOWARD	DRAWING NO.: TP 7240-34
JOB NO.: ANNEX 2020	SHEET 1 OF 1

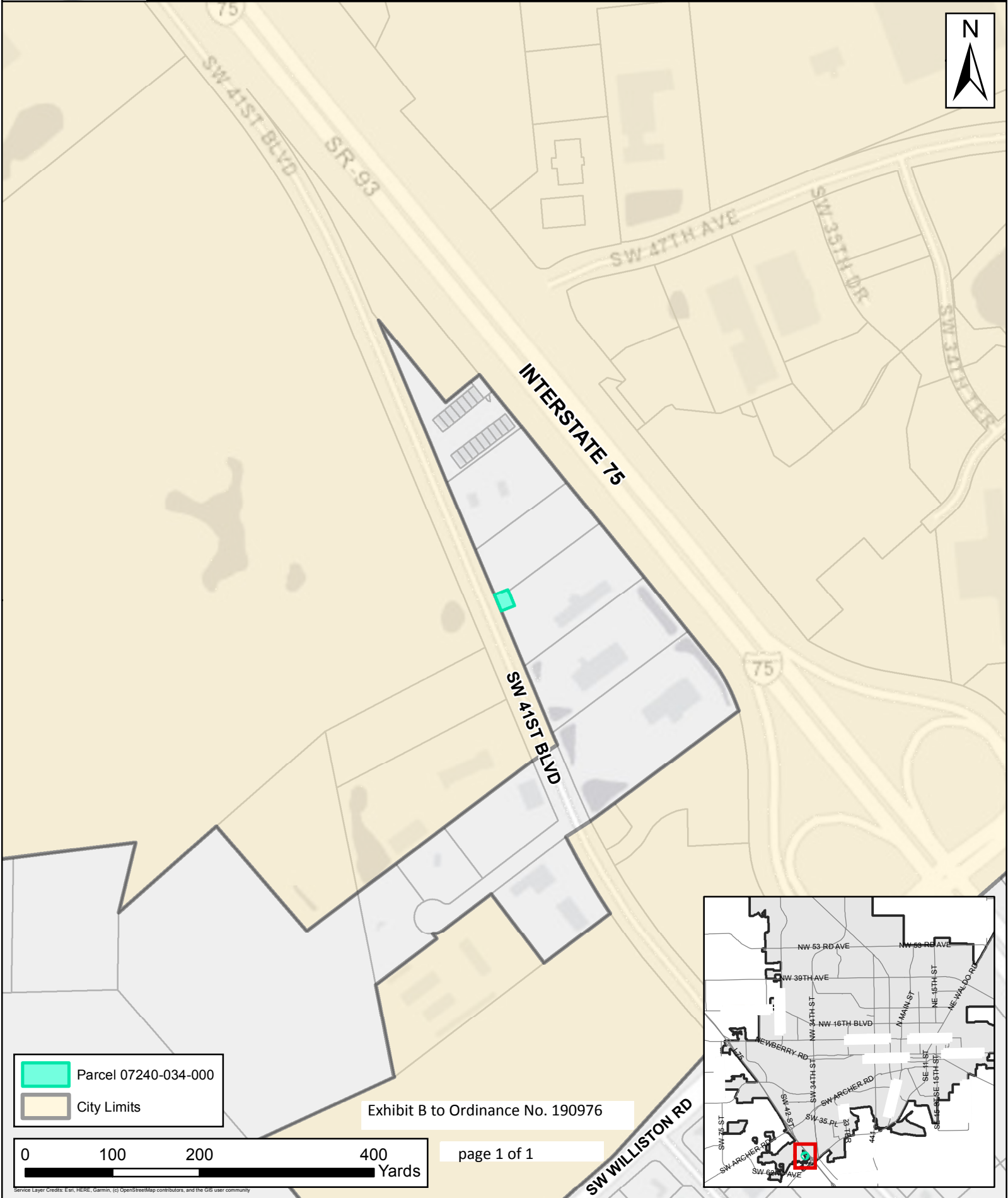
THIS SKETCH AND DESCRIPTION MEETS OR EXCEEDS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.052 (6) OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK R. DURBIN RLS, FL. CERT. NO. 5368



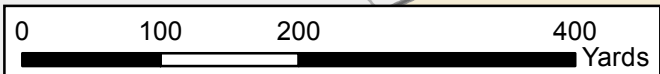
Proposed Annexation - Fred Bear Utility Infrastructure

Parcel 07240-034-000 | Voluntary Annexation

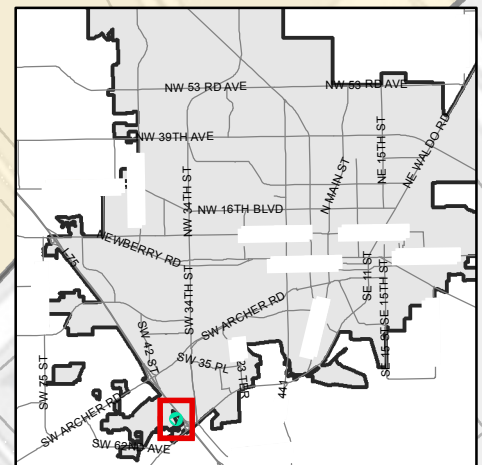


	Parcel 07240-034-000
	City Limits

Exhibit B to Ordinance No. 190976



page 1 of 1



Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community