## **ORDINANCE NO. 140001**

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An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of City-owned Tax Parcel No. 10862-001-000, which is generally located south of NE 39<sup>th</sup> Avenue, north of E University Avenue and in the vicinity of Morningside Nature Center, and east of NE Waldo Road, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, Chapter 90-496, Special Act, Laws of Florida, created the "Alachua County Boundary Adjustment Act," which sets forth procedures for establishing municipal reserve areas and for adjusting the boundaries of municipalities in Alachua County through annexations or contractions of corporate limits; and

WHEREAS, Chapter 90-496, as amended by Chapters 91-382 and 93-347, Special Acts, Laws of Florida, (hereinafter collectively referred to as "the Act") requires a municipality to prepare and adopt by nonemergency ordinance a report setting forth the plans to provide urban services to any reserve area prior to annexation; and

WHEREAS, the City of Gainesville as owner of the real property located in the unincorporated area of Alachua County and part of the City of Gainesville's reserve area, as more specifically described in this ordinance, has submitted a petition for voluntary annexation; and

**WHEREAS**, the City Commission on May 1, 2014, received the petition for voluntary annexation and directed the City Attorney to prepare and the Clerk of the Commission to advertise this ordinance and an annexation ordinance; and

WHEREAS, at least ten (10) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public

1	hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
2	Gainesville; and
3	WHEREAS, public hearings were held pursuant to the notice described above at which
4	hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.
5	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
6	CITY OF GAINESVILLE, FLORIDA:
7	Section 1. The Urban Services Report, attached as Exhibit "A" and incorporated herein as if
8	set forth in full, is approved and adopted for the area more specifically described in the Urban
9	Services Report, but which is generally described as follows:
10 11 12 13 14	Tax Parcel No. 10862-001-000 is generally located south of Northeast 39 <sup>th</sup> Avenue and Tax Parcel 10862-000-000, west of Tax Parcel 10863-000-000, north of East University Avenue and the vicinity of Morningside Nature Center, and east of Northeast Waldo Road and Tax Parcel 10860-000-000.
15	Section 2. The City Manager is directed to commence the annexation of any portion or all
16	of the area defined in the Urban Services Report, and the City Attorney and Clerk of the
17	Commission are authorized to prepare and advertise the appropriate ordinances.
18	Section 3. The Clerk of the Commission is directed to file a copy of this ordinance and the
19	accompanying Urban Services Report with the Board of County Commissioners of Alachua County.
20	Section 4. If any word, phrase, clause, paragraph, section or provision of this ordinance
21	or the application hereof to any person or circumstance is held invalid or unconstitutional, such
22	finding shall not affect the other provisions or applications of this ordinance that can be given
23	effect without the invalid or unconstitutional provision or application, and to this end the
24	provisions of this ordinance are declared severable.

1	Section 5. All other ordinances or	parts of ordinances in conflict herewith are to the			
2	extent of such conflict hereby repealed.				
3	Section 6. This ordinance shall become effective immediately upon adoption.				
4					
5	PASSED AND ADOPTED this 19th day of June, 2014.				
6 7 8 9 10 11 12		EDWARD B. BRADDY MAYOR			
13 14	Attest:	Approved as to form and legality:			
15 16 17 18 19 20 21 22	KURT LANNON CLERK OF THE COMMISSION	NICOLLE SHALLEY CITY ATTORNEY			
23 24	This ordinance passed on first reading this 5th day of June, 2014.				
25	This ordinance passed on second reading this 19th day of June, 2014.				