1 2	ORDINANCE NO. 130586
3 4 5 6 7 8	An ordinance of the City of Gainesville, Florida, adding specified real properties owned in fee simple by the City of Gainesville to the City of Gainesville Registry of Protected Public Places; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
9	WHEREAS, the City Commission on December 18, 2009, passed an ordinance
10	submitting to the electorate of the City of Gainesville a Charter Amendment to the
11	Charter Laws of the City of Gainesville creating a new Article V titled "Sale or
12	conversion of City-owned lands used or acquired for conservation, recreation, or cultural
13	purposes"; and
14	WHEREAS, at a municipal election held on March 24, 2009, the electorate of the
15	City of Gainesville approved an amendment to the Charter Laws of the City of
16	Gainesville, Florida, that created Section 5.09 titled "Sale or conversion of City-owned
17	lands used or acquired for conservation, recreation, or cultural purposes"; and
18	WHEREAS, Section 5.09 creates a registry known as the "City of Gainesville
19	Registry of Protected Public Places" ("Registry"); and
20	WHEREAS, the Registry was created for the purpose of identifying real
21	properties owned in fee simple by the City that are acquired or used for conservation,
22	recreation or cultural purposes, and that are deemed worthy of the highest level of
23	protection; and
24	WHEREAS, on November 7, 2013, the City Commission approved the
25	recommendation of the Recreation, Cultural Affairs and Public Works Committee to add
26	specified City-owned properties to the Registry; and
27	WHEREAS, at least ten (10) days' notice has been given once by
28	publication in a newspaper of general circulation notifying the public of this proposed

1	ordinance and of public hearings in the City Half Auditorium located on the first floor of
2	City Hall in the City of Gainesville; and
3	WHEREAS, the public hearings were held pursuant to the notice described above
4	at which hearings the parties in interest and all others had an opportunity to be and were,
5	in fact, heard.
6	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
7	OF THE CITY OF GAINESVILLE, FLORIDA:
8	Section 1. The following real properties or portions of real properties that are
9	owned in fee simple by the City of Gainesville; that were acquired or are used for
10	conservation, recreation, or cultural purposes; and that are deemed worthy of the highest
11	level of protection are added to the City of Gainesville Registry of Protected Public
12	Places:
13 14 15 16 17	See legal description and a description of the values that support inclusion in the registry in Exhibit "A" attached and made a part hereof as if set forth in full. The properties are located as shown on Exhibit "B" for visual reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail over Exhibit "B".
19	Section 2. The record presented to the City Commission on November 7, 2013,
20	(Legistar No. 100523) detailed the values of the properties that support inclusion on the
21	Registry and that record is incorporated herein by reference.
22	Section 3. The properties described in Section 1 of this ordinance may be used for
23	any conservation, recreation, or cultural public purposes without resulting in a loss of any
24	stated value(s).
25	Section 4. Each property described in Section 1 of this ordinance may not be sold
26	or converted to a use that will result in a loss of a value or values, as determined by the
27	City Commission, for which the property was placed on the Registry, except by a

1	majority vote of the electors voting in a city-wide referendum election. This restriction
2	does not apply where the property is taken for a public purpose by the state or federal
3	government by way of eminent domain.
4	Section 5. The Clerk of the Commission is directed to record this ordinance in
5	the Public Records of Alachua County, Florida.
6	Section 6. If any word, phrase, clause, paragraph, section or provision of this
7	ordinance or the application hereof to any person or circumstance is held invalid or
8	unconstitutional, such finding shall not affect the other provisions or applications of this
9	ordinance that can be given effect without the invalid or unconstitutional provision or
10	application, and to this end the provisions of this ordinance are declared severable.
11	Section 7. All ordinances or parts of ordinances in conflict herewith are to the
12	extent of such conflict hereby repealed.
13	<b>Section 8</b> . This ordinance shall become effective immediately upon adoption.
14	PASSED AND ADOPTED this 19th day of June, 2014.
15 16 17 18	EDWARD B. BRADDY MAYOR
19 20 21 22 23 24	Attest:  Approved as to form and legality:  Approved as to form and legality:  Alicolle M. Alicolley  NICOLLE SHALLEY  CITY ATTORNEY
25	-th
26 27	This ordinance passed on first reading this day of Une, 2014.
28	This ordinance passed on second reading this day of day of day., 2014.