

Legislative #  
170651A

PART I - CHARTER LAWS<sup>(1)</sup>

## ARTICLE I. - ESTABLISHMENT, CORPORATE LIMITS, AND POWERS

## 1.01. - Establishment and general powers.

The City of Gainesville, created by chapter 12760, Laws of Florida, 1927, as amended, shall continue and is vested with all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, render municipal services, and exercise any power for municipal purposes, except as otherwise provided by law.

## 1.02. - Territorial limits.

The territorial limits and boundaries of the municipality existing in Alachua County under the name of the City of Gainesville shall embrace all of the territory described as follows:

**Editor's note**— At the discretion of the city, the legal description of the municipal corporate limits of the city, formerly set out in § 1.02, has been placed in Appendix I to the Charter.

## 1.03. - Construction.

- (1) The powers of the city shall be construed liberally in favor of the city, limited only by the State Constitution, general law, and specific limitations contained in this act.
- (2) If any provision of this act or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.
- (3) All powers and authority granted by this act are supplemental and additional to all other statutory and constitutional authority.
- (4) For purposes of this act, the term:
  - (a) "City" means the City of Gainesville.
  - (b) "Commission" means the city commission as established in Article II.
  - (c) "State" means the State of Florida.

## 1.04. - Special powers.

In addition to its general powers, the city may:

- (1) Acquire by purchase, gift, devise, lease, lease-purchase, condemnation, or otherwise, real or personal property, or any estate or interest in property, within or without the city limits, and for any of the purposes of the city, and to improve, sell, lease, mortgage, pledge, or otherwise dispose of its property or any part of its property.
- (2) Acquire, purchase, hire, construct, extend, maintain, own, operate, or lease local public utilities, including: cable television, transportation, electric, telephone, and telegraph systems; wastewater and stormwater facilities; works for supplying the city and its inhabitants with water, gas, and electric energy for illuminating, heating, or power purposes; water, electric, and gas production, transmission, and distribution systems; sanitary sewage facilities; wastewater transmission and disposal facilities; and any and all other utilities as the welfare of its residents reasonably demands.
- (3) Finance local public utilities through the sale of bonds, pledging revenue, general taxation, or otherwise; sell water, electricity, gas, wastewater, or any other service, product, or commodity gathered, provided, produced, or manufactured by the city from the public utilities systems and facilities owned or operated by the city to any consumer within or without the limits of the city; and locate utility plants, distribution facilities, or any appurtenances either within or without Alachua County.
- (4) Enter into agreements with other municipalities either within or without Alachua County, or with governmental units or private utility companies, for selling or buying utility services or other municipal services of any kind, wherever located; sell any surplus of water or electric energy it may have over and above the amount required to supply its own inhabitants and any other services to persons, firms, and corporations, public or private, on such terms and conditions as the commission considers appropriate; exercise all powers and authority of the city to acquire by purchase, gift, lease, lease-purchase, or otherwise, real or personal property; and exercise the power of eminent domain within Alachua County, and exercise the power of eminent domain anywhere outside the county where permitted by general law.

- (5) Make reasonable rules and regulations for promoting the purity of its water supply and for protecting it from pollution, and for this purpose may exercise full police powers and sanitary control over all lands comprised within the limits of the watershed tributary to any such supply wherever such lands may be located in this state; impose and enforce any such rules and regulations; and prevent, by injunction, any pollution or threatened pollution of such water supply and any act likely to impair the purity of the water.
- (6) Acquire, build, construct, erect, extend, enlarge, improve, furnish, equip, and operate as a separate bulk power supply utility or system, electric generating plants, transmission lines, interconnections, and substations for generating, transmitting, distributing, and exchanging electric power and energy both within and without the limits of the city, including specifically all powers and immunities granted by chapter 75-375, Laws of Florida.
- (7) Fix the maximum rate and establish, impose, and enforce, by ordinance, the rates to be charged for gas, electric, wastewater, and all other public utilities or other services or conveniences whether operated, rendered, furnished, or owned by the city or by any person, firm, or corporation.
- (8) Require that all electric wires and all telephone and telegraph wires be placed in underground conduits; prescribe rules and regulations for constructing and using the conduits; enforce compliance with such rules and regulations; and, if the public utilities company fails or refuses to comply with such rules and regulations, construct such conduits and place the wires underground and maintain a lien against the franchises and property of such company.
- (9) Compel the abatement and removal of all nuisances within the city limits, or upon property owned by the city beyond its limits, at the expense of the person causing the nuisance or of the owner or occupant of the ground or premises where the nuisance is found; require all lands, lots, and other premises to be kept clean, sanitary, and free from weeds or make them so at the expense of the owner or occupant; regulate or prevent noisome or offensive businesses; regulate or prohibit the keeping of animals, poultry,



or other fowl, or the exercise of any dangerous or unwholesome business, trade, or employment within the city limits; and regulate the transportation of all articles through the streets of the city.

- (10) Provide and maintain, either within or without the city limits, charitable, recreative, curative, corrective, detention, or penal institutions.
- (11) Provide and regulate hospitals within and without the city limits; enforce the removal of persons afflicted with contagious or infectious diseases to hospitals provided for them; establish and maintain a quarantine ground within or without the city limits and such quarantine regulations against infectious and contagious diseases as the city sees fit to impose; and protect the health of the public.
- (12) Acquire by purchase, gift, devise, condemnation, or otherwise, lands, either within or without the city limits, to be used, kept, and improved as a place of interment of the dead; make and enforce all necessary rules and regulations for the protection and use of all cemeteries within the city limits; and generally regulate the burial of the dead.
- (13) Provide fire protection and other governmental services within and without the city limits and enter into contracts for such purposes.
- (14) License, tax, cause to be registered, control the drivers of, and fix the rate to be charged for the transportation of persons and property within the city limits and to the public works beyond the city limits; provide for parking spaces on the streets and regulate, vacate, or discontinue the right to use the parking spaces; and require bonds and sureties to be furnished for all vehicles operated for hire upon the streets of the city whether such operation is wholly within the city limits or between the city and places outside the city.
- (15) Exercise full police powers over the entire width of right-of-ways of all streets and public ways which lie within, adjacent to, or partially within the city limits.
- (16) Issue any bonds which municipalities are authorized to issue under the State Constitution or laws of the state, subject to the provisions of this act. For purposes of this subsection, the term "bonds" means ad valorem bonds, revenue bonds and certificates, certificates of indebtedness, special assessment bonds and certificates, tax anticipation notes, bond

anticipation notes, revenue anticipation notes, and other evidences of indebtedness. The term "revenue bonds" means bonds payable solely from the revenues derived from sources of revenue other than ad valorem taxes. The term "ad valorem bonds" means bonds and the interest thereon which are payable from the proceeds of ad valorem taxes levied on real and personal property situated within the city limits. Ad valorem bonds may be used in combination with other revenue sources.

- (17) Exercise the power of eminent domain to acquire property located within Alachua County, and exercise the power of eminent domain outside the county where permitted by general law, for the purpose of locating electrical generating, transmission, or distribution facilities; sanitary sewerage or other waste collection, treatment, or disposal facilities; water production, treatment, transmission, and distribution facilities; and for use by the city in the performance of any of its duties, rights, and authority.
- (18) Levy ad valorem taxes in accordance with the State Constitution and laws of the state and to levy other taxes authorized by general law.
- (19) Enact ordinances relating to the repair, closing, demolition and removal of dwelling unfit for human habitation, including specifically all powers and immunities granted by chapter 63-1359, Laws of Florida.
- (20) Adopt urban renewal and community development ordinances.
- (21) Provide, own, and operate a public transportation system within and without the city limits and on the campuses of the University of Florida and Santa Fe Community College, unless otherwise provided by those institutions, and provide for an adequate public transportation system by contract with other agencies, either public or private, on such terms and conditions as the city commission determines, and including specifically all powers and immunities granted by chapter 67-1413, Laws of Florida.

## ARTICLE II. - CITY COMMISSION

### 2.01. - Composition.

- (1) Population under 110,000.
  - (a)

As long as the population of persons within the city remains under 110,000, the legislative power of the city is vested in a city commission of five members. Three members shall be elected by the qualified voters of each of three districts and two members shall be elected by the qualified voters of the city at large.

(b) For the regular election in 1998, the at large seat then available shall become and remain the mayor's seat. Candidates shall designate at time of qualifying that they are running for mayor. The mayor shall be elected by the qualified voters of the city at large, and shall be considered a member of the commission, except as expressly provided herein.

(2) Population of 110,000 and over. At any time the population within the City reaches or exceeds 110,000 persons, as ascertained as of the effective date of any annexation under either: 1) the most recent decennial census of the population produced by the U.S. Bureau of the Census, or 2) the most recent estimates of populations of municipalities produced by the State of Florida, Office of the Governor, or the designated agency thereof, whichever number is greater, then the commission shall adopt a resolution which ratifies the number of persons in the City and authorizing the increase in the number of commissioners as provided in subsection (3). Until such time as the additional commissioners are elected and placed in office, however, the legislative power of the city shall remain vested in a commission of five members.

(3) The legislative power of the city shall be vested in a city commission of seven members including the mayor (when the population within the City reaches or exceeds 110,000 persons as provided in Subsection (2) above) elected in accordance with Sec. 2.04 of this Charter. Four members shall be elected by the qualified voters of each of four districts and two members and the mayor shall be elected by the qualified voters of the city at large as provided in Sec. 2.04.

(Ord. No. 3752, § 1, 12-16-91, referendum of 3-10-92; Ord. No. 4053, § 1, 1-23-95)

## 2.02. - Districts.

(1) For the purpose of electing three members of the commission (as long as the population within the City remains under 110,000 as provided in Sec. 2.01(1)), the commission shall, by ordinance, apportion the city into three consecutively numbered districts and shall adjust the boundary lines of the districts by subsequently enacted ordinances whenever, in its judgment, the districts are not ratably or equally

proportioned in accordance with the State Constitution and the Constitution of the United States, but not less frequently than within the second year following each decennial census.

- (2) For the purpose of electing four members of the commission (when the population within the City reaches or exceeds 110,000 as provided in Sec. 2.01(2)), the commission shall, by ordinance, apportion the city into four consecutively numbered districts and shall adjust the boundary lines of the districts by subsequently enacted ordinances whenever, in its judgment, the districts are not ratably or equally proportioned in accordance with the State Constitution and the Constitution of the United States, but not less frequently than within the second year following each decennial census.

(Ord. No. 3752, § 1, 12-16-91; referendum of 3-10-92; Ord. No. 4053, § 1, 1-23-95)

#### 2.03. - Eligibility.

Each candidate for a district seat must be a qualified voter who is a resident of the district from which the person seeks to be elected for a period of not less than 6 months prior to the date the person qualifies to run for office. Each commissioner elected from a district shall continuously reside in the district during the commissioner's term of office, except that any commissioner who is removed from a district by redistricting may continue to serve during the remainder of the commissioner's term of office. Each candidate for an at-large seat, including the mayor's seat, must be a qualified voter of the city for at least six (6) months prior to the date the person qualifies to run for office. Each at-large commissioner and the mayor shall continuously reside within the city during their terms of office. Candidates for the commission shall, at the time of qualifying, designate the district seats, the mayor's seat, or at-large seats for which they intend to run. A commissioner may not serve on the commission for more than two (2) consecutive three-year terms. The mayor may not serve as mayor for more than two (2) consecutive three-year terms. For purposes of this section, service as the elected mayor shall not be considered to be service as a commissioner.

(Ord. No. 4053, § 1, 1-23-95)

#### 2.04. - Election and terms.

- (1) (a) Candidates for election to the commission shall qualify in the manner prescribed by ordinance.

- (b) Except as provided in Subsection (1)(c) herein, each commissioner shall be elected for a term of 3 years.
  - (c) For the purpose of providing more evenly staggered terms of office, in the regular municipal election held in 2003, the district seat added pursuant to Sec. 2.01(3) of this Charter shall be elected for an initial term of office of one year, and the at-large seat added pursuant to Sec. 2.01(3) of this Charter shall be elected for an initial term of two years. Thereafter, the terms of office for said seats shall be 3 years.
  - (d) The regular municipal election shall be held on the date as prescribed by ordinance.
  - (e) Upon the occurrence of a vacancy on the commission, a special election may be held to fill the vacancy for the remainder of the unexpired term as may be prescribed by ordinance.
- (2) The district candidate receiving a majority of the votes cast in a particular district shall be elected. The at-large candidate and the candidate for mayor receiving a majority of the votes cast within the city at large for such seat shall be elected. If a candidate does not receive a majority of the votes cast for a particular seat, as applicable, a runoff election shall be held between the two (2) candidates for that seat receiving the highest number of votes cast. In the case of a tie, the candidates shall be selected for the runoff election in the same manner as provided for other offices by general law. The candidate receiving more votes in the runoff election shall be elected.
- (3) The terms of office of commissioners shall be staggered so that the terms of office of all commissioners do not expire the same year. Commissioners hold office from 12 o'clock noon of the Thursday following the first Tuesday in May of the year in which they are elected until their successors in office are elected and qualified or until recalled as provided by law. If a runoff election is necessary, commissioners hold office from 12 o'clock noon of the Thursday following the third Tuesday in May of the year in which they are elected.
- (4) Vacancies in office shall be filled in one of the following ways:
- (a) If less than 6 months remain in the unexpired term or until the next regular election, the commission by a majority vote of the remaining members shall choose and appoint a successor, who is otherwise eligible under section 2.03 of this act, to serve until a newly elected commissioner is qualified.

- (b) If more than 6 months remain in the unexpired term and a general election is not scheduled within 6 months, the commission shall fill the vacancy by a special election to be held not more than 60 days after the occurrence of the vacancy.

(Ord. No. 4053, § 1, 1-23-95; Ord. No. 020289, § 1, 8-27-02)

2.05. - Recall of commissioners.

Commissioners including the mayor are subject to recall as provided by law.

2.06. - Commission as judge of qualifications of members; election of mayor-commissioner pro tempore; rules of procedure; punishment of members for misconduct; and quorum.

The commission shall be the judge of the qualifications of its own members, subject to review by the courts, and shall elect one member as the mayor-commissioner pro tempore. The commission may determine its own rules of procedure and may punish its own members for misconduct. A majority of all the members of the commission constitutes a quorum to do business but a smaller number may adjourn.

(Ord. No. 4053, § 1, 1-23-95)

2.07. - Commission actions; majority vote necessary for adoption of ordinances and resolutions.

The commission shall act by motion, proclamation, resolution, or ordinance. Unless otherwise provided in this act or by law, a motion or a proclamation is adopted when approved by the votes of a majority of the members present, and an ordinance or resolution is adopted when approved by the votes of four or more members of the commission.

(Ord. No. 4053, § 1, 1-23-95; Ord. No. 020749, § 1, 2-10-03)

2.08. - Mayor.

The mayor shall be the presiding officer of the commission and shall exercise such powers conferred and implied by, and perform all duties imposed by, this act, the ordinances of the city, and the laws of the state. The mayor shall have a voice and a vote in the proceedings of the commission, but no veto power. The mayor shall be the official head of the city for receipt of

service of legal processes, the purposes of military law, and all ceremonial purposes, but shall have no administrative duties. The mayor-commissioner pro tempore shall perform the functions and duties of the office of mayor in the absence of the mayor.

(Ord. No. 4053, § 1, 1-23-95)

2.09. - Commissioner forfeiture of office and interest in contracts.

Any commissioner including the mayor who ceases to possess any of the qualifications required by this act shall forfeit the office of commissioner. Any contract of the city in which any commissioner has or may have a conflict of interest is voidable by the commission.

(Ord. No. 4053, § 1, 1-23-95)

2.10. - Interference with charter officers.

Neither the commission nor any commissioner, including the mayor, may dictate the appointment of any person to office or employment by the charter officers nor in any manner interfere with the independence of charter officers in the performance of their duties. Except for the purpose of an inquiry, the commission and its members, including the mayor, must deal with employees of the city solely through their respective charter officers, and neither the commission nor any commissioner, including the mayor, may give orders to any subordinates of the charter officers either publicly or privately. Any commissioner, including the mayor, who violates this section is guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or section 775.083, Florida Statutes.

(Ord. No. 4053, § 1, 1-23-95)

2.11. - Oaths of office.

Before taking office for any term each commissioner shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, honor, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State and under the charter of the City of Gainesville; and that I will well and faithfully perform the duties of (title of office) on which I am now about to enter."



(Ord. No. 4053, § 1, 1-23-95)

### ARTICLE III. - ADMINISTRATION

#### 3.01. - Charter officers.

The charter officers provided for in this article are vested with authority to administer the assigned duties of their offices including the employment and removal of all subordinate employees of their offices. They must make all appointments based on merit and fitness alone and, except as otherwise provided in this act, may remove nonprobationary personnel only for cause, obsolescence of position, budgetary restriction, or for other legitimate reasons. The charter officers may purchase and contract for supplies, materials, equipment, and services required to perform their assigned duties under procedures and limitations prescribed by the commission.

#### 3.02. - City manager.

- (1) *Appointment; administrative head of municipal government; qualifications; terms; bond.* The commission shall appoint a city manager who shall be the administrative head of the municipal government. The city manager is responsible for the efficient administration of all the departments except for those under the control of other charter officers. The city manager shall be appointed without regard to political beliefs, hold office at the will of the commission, and receive no salary for any portion of a salary period extending beyond termination of office. The city manager shall give bond for the faithful performances of this duty in such sum as the commission requires to protect the finances of the city.
- (2) *Powers and duties generally.* The city manager:
  - (a) Shall see that the laws and ordinances are enforced.
  - (b) Shall propose ordinances to designate the job title of subordinates who are directors of departments.
  - (c) Shall appoint and, except as otherwise provided in this act, may remove any director of a department at will.
  - (d) May remove any nonprobationary subordinate officer or employee in a department for cause, obsolescence of position, or to satisfy budgetary restrictions.



- (e) Shall administer all departments and divisions created by the commission, except as otherwise provided in this act.
- (f) Shall attend all meetings of the commission, except as excused, with the right to take part in the discussion, but having no vote.
- (g) Shall recommend to the commission all measures necessary and expedient for the proper governance and management of the city.
- (h) Shall keep the commission fully advised as to the management, governance, and needs of the city.
- (i) Is the purchasing agent for the city subject to rules adopted by the commission. However, the power of purchase and sale granted to the city manager does not include the power to dispose of any public utility owned by the city.
- (j) Shall recommend an annual budget to the commission.
- (k) Shall perform all other duties prescribed by law, this act, ordinance, or direction of the commission.

### 3.03. - City attorney.

The city attorney must be admitted to the practice of law in the state, and shall be the legal advisor to and attorney for the city. The city attorney shall serve at the will of the commission. The city attorney shall prosecute and defend all suits, complaints, and controversies for and on behalf of the city, unless otherwise directed by the commission, and shall review all contracts, bonds and other instruments in writing in which the city is to be a party, and shall endorse on each approval as to form and legality.

### 3.04. - Clerk of the commission.

The commission may employ a clerk of the commission who shall keep records and perform such other duties as are prescribed by this act or the commission. The clerk of the commission shall serve at the will of the commission.

### 3.05. - City internal auditor.

- (1) The commission may appoint a city internal auditor who shall serve at the will of the commission. The city internal auditor:
  - (a) Shall perform financial and compliance audits.

- (b) Shall assist the commission in all its accountability functions.
  - (c) Shall perform compliance audits on the implementation of the city's human relations and equal opportunity ordinances, policies, and programs pertaining to the activities of the city within all departments of the city in accordance with schedules prescribed by the commission.
  - (d) Shall perform all other duties assigned by the commission.
- (2) All financial and compliance audits and other reports of the city internal auditor shall be filed in the office of the clerk of the commission.

(Ord. No. 020024, § 1, 7-8-02)

3.06. - General manager for utilities.

- (1) *Appointment; administrative head of municipal utilities; qualifications; terms.* The commission shall appoint a general manager for utilities ("general manager") who shall be responsible to the commission. The general manager shall be responsible for the efficient administration of the Utility System. The general manager for utilities shall serve at the will of the commission.
- (2) *Powers and duties generally.* The general manager:
- (a) Shall be responsible for and have exclusive management jurisdiction and control over operating and financial affairs of the Utility System including, but not limited to, the planning, development, production, purchase, sale, exchange, interchange, transmission and distribution of all electricity; the planning, development, purchase, sale, exchange, interchange, transmission and distribution of all natural gas; the planning, development, supply, treatment, transmission, distribution and sale of all potable water; and the planning, development, collection, treatment, disposal and billing of all wastewater now or hereafter provided by the city;
  - (b) Shall submit to the commission for its consideration a yearly budget for the operation of the Utility System;
  - (c) Shall be the purchasing agent for all equipment, materials, supplies and services necessary for operating and maintaining the Utility System subject to policies promulgated by the commission;
  - (d) Shall propose ordinances to designate the job titles of subordinates that

are to be considered directors of department;

- (e) Shall appoint and, except as otherwise provided in this charter, remove all directors of departments at will;
- (f) Shall recommend to the commission all measures necessary and expedient for the proper governance and management of the Utility System;
- (g) Shall keep the commission fully advised as to the management, governance and needs of the Utility System;
- (h) Shall perform all other duties prescribed by law, this charter, ordinance, or direction of the commission.

### 3.07. - Audits and examinations of administrative departments.

In the absence of state law requiring the city to conduct an annual financial audit, the commission shall adopt an ordinance requiring an annual financial audit of the accounts and records of the city to be completed by an independent certified public accountant within 12 months after the end of each fiscal year.

### 3.08. - Equal opportunity director.

The commission shall appoint an equal opportunity director who shall serve at the will of the city commission. The equal opportunity director:

- (1) Shall investigate complaints of discrimination, harassment, retaliation, and other related matters, and propose remedial action, as prescribed by the city's human relations and equal opportunity ordinances. No city employee shall suffer retaliation for filing a complaint or testifying, assisting, or participating in any investigation under these ordinances, and such complaints shall be held confidential to the extent allowed by federal and state law.
- (2) Shall make reports, including an annual report, to the charter officers and the commission, as appropriate, as to the activities of the year and the need, if any, to revise the city's human relations and equal opportunity ordinances, policies, and programs pertaining to, but not limited to, equal opportunity, affirmative action, local minority business and local small

business enterprise procurement program, fair housing, unlawful harassment, and accessibility to the city's programs, services, and activities.

- (3) Shall propose policies for the implementation of comprehensive equal opportunity and diversity programs and adherence to equal opportunity laws, policies, procedures, and related matters.
- (4) Shall develop, prepare, and monitor the city's affirmative action plan.
- (5) Shall develop training, conduct workshops, and propose strategies and initiatives related to diversity and equal opportunity and related matters in employment, purchasing, services, programs, and activities.
- (6) Shall review all proposed changes to current or proposed new city employment policies, procedures, and guidelines, job descriptions, and purchasing policies, procedures, and guidelines for compliance with equal opportunity laws, policies, procedures, and guidelines, and related matters.
- (7) Shall monitor all hires, transfers, demotions, promotions, and terminations for compliance with equal opportunity laws, policies, procedures, guidelines, and related matters.
- (8) Shall develop instruments to monitor adherence to diversity and equal opportunity laws, policies, procedures, guidelines, and related matters for city services, programs, activities, employment, and purchasing.
- (9) Shall participate in the assessment and review of the city's employment practices, including recruitment, appointment, and promotion, as they pertain to all employees and applicants at all levels of city employment.
- (10) Shall compile various equal opportunity reports and related reports required of the city by state and federal agencies or that are necessary for compliance purposes.
- (11) Shall perform all other functions as prescribed by ordinances or as otherwise directed by the commission.

(Ord. No. 020024, § 2, 7-8-02)

#### ARTICLE IV. - BOARDS AND COMMITTEES

#### 4.01. - Boards and committees.

The commission may create advisory boards and committees as it deems necessary. The members of all boards and committees shall serve without compensation, shall consult with and advise the commission and the various departments, and shall perform all duties and powers prescribed by ordinance or resolution.

#### 4.02. - City plan board.

- (1) The commission shall create one or more city plan boards which shall:
  - (a) Plan for the proper development and growth of the city.
  - (b) Prepare comprehensive plans or elements or portions of plans to guide future development and growth.
  - (c) Make recommendations pertaining to comprehensive plans or elements or portions of plans.
  - (d) Monitor and oversee the effectiveness and status of the comprehensive plan, and recommend changes in the comprehensive plan as are from time to time required.
  - (e) Review proposed land development regulations and land development codes, or amendments thereto, and make recommendations as to the consistency of each proposal with the adopted comprehensive plan or element or portion of the plan.
  - (f) Perform all other functions, duties, and responsibilities assigned to it by the commission.
- (2) Each board shall issue reports and hold public hearings as required by law. The commission may not take final action on any matter pending before a board until the board has completed its report in accordance with law.
- (3) The commission may not declare itself as the city plan board with responsibility under this section.

#### 4.03. - Building and land development regulatory boards.

- (1)

*Creation and composition.* The commission may, by ordinance, create one or more building and land development regulatory boards. Each member of a building and land development regulatory board shall be appointed by the commission and may not be an official or an employee of the city. The commission may designate a city plan board to serve as a building and land development regulatory board.

- (2) *Powers and duties.* A building and land development regulatory board may:
- (a) Hear and decide appeals alleging an error in any order, requirement, decision, or determination made by an administrative official of a department in the enforcement of any building or land development regulation.
  - (b) Hear and decide any special exception under the jurisdiction of the board as prescribed by a building or land development regulation.
    - 1. The board may not grant a special exception unless it finds that the grant is in harmony with the purpose and intent of any building or land development regulation and will not adversely affect the public interest.
    - 2. The board may qualify any special exception with appropriate conditions and safeguards.
    - 3. The board may prescribe a reasonable time limit within which the action for which the special exception is required must be begun or completed, or both, after which the special exception automatically expires if the time limit has not been strictly satisfied.
  - (c) Grant variances to a regulation that are not contrary to the public interest when, owing to special conditions, a literal enforcement of the regulation would result in unnecessary and undue hardship. The board may prescribe appropriate conditions and safeguards in conformity with any building or land development regulation. The board may prescribe a reasonable time limit within which the action for which the variance is required must be begun or completed, or both, after which the variance automatically expires if the time limit has not been strictly satisfied. A variance to a building or land development regulation may not be granted unless the board first finds:
    - 1.

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings similarly situated;

2. That the special conditions and circumstances do not result from the actions of the applicant;
3. That the requested variance will not confer on the applicant any special privilege that is denied by the regulation to other lands, buildings, or structures in the same land use category;
4. That literal interpretation of the regulation would deprive the applicant of rights commonly enjoyed by other properties in the same land use or zoning category under the terms of the regulation and would work unnecessary and undue hardship on the applicant;
5. That the variance granted is the minimum variance required to make possible the reasonable use of the land, building, or structure; and
6. That the variance is in harmony with the general intent and purpose of the regulation and that such variance will not be injurious to the abutting lands or to the area involved or otherwise detrimental to the public welfare.

- (3) The commission may grant, by ordinance, any additional powers and duties to a building and land development regulatory board in accordance with applicable law.
- (4) The board may not grant any variance, special exception, or appeal which is not consistent with either the comprehensive plan or element or portion of the plan, or with the building or land development regulations, except as permitted under paragraph (2)(c).
- (5) A violation of conditions and safeguards prescribed under the terms of a granted variance or special exception constitutes a violation of the building or land development regulations.

#### ARTICLE V. - SPECIAL PROVISIONS

##### 5.01. - Charter amendments.

This act may be amended pursuant to this section or as otherwise provided by general law.

(1)

*Petition.* An amendment may be proposed by a petition signed by 10 percent of the registered voters of the city, or by an ordinance adopted by a four-fifths vote of the membership of the commission. The commission shall place the proposed amendment to a vote of the electors at the next general election or at a special election called for that purpose.

- (2) *Notice.* The full proposed amendment must be published once each week for 4 consecutive weeks prior to the election in a newspaper of general circulation published in the city.
- (3) *Effect of election.* A proposed amendment receiving an affirmative vote of a majority of the votes cast shall be effective as an amendment to this act not later than the 90th calendar day after the day on which the vote was taken unless otherwise provided in the proposed amendment.

#### 5.02. - Issuance of ad valorem bonds generally.

The city, in its corporate capacity, may issue ad valorem bonds of the city becoming due at such times and upon such conditions as are prescribed by ordinance. The proceeds from the sales of ad valorem bonds shall be used for such municipal purposes as may be provided by ordinance, and for the payment of ad valorem bonds and the interest thereon. The full faith and credit of the city, the ad valorem taxing power of the city, and the revenues obtained from the public utilities owned by the city may be pledged by ordinance, if, before the ad valorem bonds are issued, the amount and purposes of the proposed issue has been approved by a majority vote of the electors of the city voting on the question. The rate of interest shall be determined at the time of sale of the bonds. The commission may, by ordinance, prescribe provisions not inconsistent with this act for the control and direction of the expenditures of ad valorem bond moneys, and for the control and management of public utilities acquired by the city. The commission may levy ad valorem taxes upon real and tangible personal property within the city limits to raise funds to pay the principal and interest of the general obligation and ad valorem bonded indebtedness of the city and to provide a sinking fund for the payment of these ad valorem bonds.

#### 5.03. - Retirement and pension plan for city employees.



The commission shall, by ordinance approved by at least four-fifths of the members of the commission, adopt and implement a retirement and pension plan for the benefits of the employees of the city and shall make appropriations necessary for the plan.

5.04. - Disposal of utilities.

The commission may not, in any manner, dispose of or agree to dispose of the city's electrical or water production or distribution facilities or any part thereof so as to materially reduce the capacity of the city to produce or distribute electrical energy or water, unless the commission does so by ordinance with the prior approval of a majority vote of the qualified electors of the city voting at an election for the purpose of approving the ordinance.

5.05. - Fresh pursuit and arrest by municipal officers.

Any police officer of the city may make fresh pursuit of any person from within the city to any point in Alachua County and there arrest the person, if the pursued person has violated a municipal ordinance of the city or committed a misdemeanor within the city in the presence of a police officer, or if the police officer has reasonable grounds to believe that the pursued person has committed or is committing a felony.

5.06. - Funds for construction of paved surfaces in designated areas.

The City of Gainesville, Florida shall not expend, use, seek, permit or allow the use of any city, county, state, private or federal funds for the construction of any paved surfaces for trails or transportation corridors on City-owned land designated as Conservation, as shown on the map dated May 1998 and on file in the Office of the Clerk of the Commission, within the Hogtown Creek Watershed. This provision is not intended to restrict paving for parking or recreational facilities constructed on land designated as Recreation on the aforementioned map.

(Ord. No. 041138, § 1, 1-9-06)

**Editor's note—** The above provision was a citizen initiative approved by the voters at the city regular election on March 17, 1998. It was included herein as § 5.06 with the city's approval.

5.07. - Equal opportunity; duties of charter officers.

The charter officers shall apply the city's human relations and equal opportunity ordinances and implement its human relations and equal opportunity programs within their respective departments and shall coordinate the efforts of the various departments to optimize the effectiveness of their efforts. The charter officers shall, from time to time, make individual and collective recommendations to the commission pertaining to the effectiveness of the city's human relations and equal opportunity ordinances and programs pertaining to the activities of the city.

(Ord. No. 020024, § 3, 7-8-02)

5.08. - Reserved.

5.09. - Sale or conversion of City-owned lands used or acquired for conservation, recreation, or cultural purposes.

- (1) A registry is hereby created, for the purpose of identifying real properties owned in fee simple by the City of Gainesville that are acquired or used for conservation, recreation, or cultural purposes, and that are deemed by the City Commission of the City of Gainesville to be worthy of the highest level of protection. The registry shall be known as the "City of Gainesville Registry of Protected Public Places." At a public hearing the City Commission may add properties to the Registry by adopting an ordinance by a five-sevenths vote of the membership of the City Commission. The ordinance shall contain the legal description(s) of the site(s) and a description of the value(s) that support their inclusion on the Registry, and shall be recorded in the official public records.
- (2) Real properties, or portions of real properties, on the City of Gainesville Registry of Protected Public Places may not be sold, or converted to a use that will result in a loss of a value or values, as determined by the City Commission, for which a property was placed on the Registry, except by a majority vote of the electors voting in a city-wide referendum election.
- (3) The above restrictions on divestiture or change of use of property shall not apply where the property is being taken for a public purpose by the state or federal government by way of eminent domain.

(Ord. No. 080576, § 1, 12-18-08)

ARTICLE VI. - TRANSITION SCHEDULE

**6.01. - Former charter provisions.**

All provisions of the charter of the City of Gainesville in effect immediately prior to the effective date of this act which are not contained in and are not inconsistent with this act are ordinances of the city subject to modification or repeal in the same manner as other ordinances of the city.

**6.02. - Ordinances and resolutions preserved.**

All ordinances and resolutions in effect immediately prior to the effective date of this act shall remain in full force and effect to the extent not inconsistent or in conflict with this act until repealed or changed in the manner provided by law.

**6.03. - Rights of officers and employees.**

Nothing in this act except as otherwise specifically provided in this act shall affect or impair the rights or privileges of persons who were city officers or employees immediately prior to the effective date of this act.

**6.04. - Pending matters.**

All rights, claims, actions, orders, and legal or administrative proceedings involving the city immediately prior to the effective date of this act shall continue, except as modified pursuant to the provisions of this act.

**APPENDIX I. - LEGAL DESCRIPTION OF MUNICIPAL CORPORATE LIMITS\***

**\* Editor's Note—** At the direction of the city, the legal description of the municipal corporate limits, formerly set out under Charter § 102, has been included herein as Charter Appendix I. These corporate limits were replaced in their entirety by Ord. No. 080085, § 1(Exh. A), adopted Oct. 2, 2008.

The corporate boundaries have been revised by the following ordinances annexing additional areas:

Ord. No.	Date
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3744	10-21-91
3745	11- 4-91
3768	4-24-92
3769	4-24-92
3864	6- 7-93
3865	6- 7-93
3920	12-20-93
3959	2-28-94
3979	6-27-94
3980	6-27-94
4035	10-10-94
4047	12-12-94
4048	12-12-94
4060	1-30-95
4061	1-30-95
4062	1-30-95
960938	10-13-97
960939	10-13-97

960940	10-13-97
960941	10-13-97
970051	10-13-97
970136	10-27-97
980987	6-14-99
990947	1-10-00
990866	1-24-00
990898	1-24-00
990898	1-24-00
991230	4-10-00
991231	4-10-00
000130	7-24-00
000738	12-18-00
000665	1-22-01
000666	1-22-01
000797	1-22-01
000798	1-22-01
001162	4-23-01

001160	5-14-01
001161	5-14-01
001163	5-14-01
001912	11-26-01
002124	12-10-01
002393	3-11-02
002394	3-11-02
0202104	9- 9-02
020654	12- 9-02
020815	2-10-03
030250	8-25-03
030457	12- 8-03
030458	12- 8-03
040280b	12-13-04
040290	9-13-04
040705	12-13-04
040706	12-13-04
041230	5- 9-05

050547	11-14-05
050662	12-12-05
050699	12-12-05
050716	12-19-05
050881	2-27-06
051124	5- 8-06
060097	7-24-06
060148	8-14-06
060730	2-12-07
060731	2-12-07
060972	5-14-07
061079	6-11-07
061147	5-14-07
070075	8-13-07
070083	8-13-07
070215	11-26-07
070457	11-26-07
070458	11-26-07

070514	1-14-08
070722	4-28-08
070721	2-11-08
080137	7-28-08
080193	9- 4-08
080605	2- 5-09
090809	4-15-10
110505	1-19-12
110680	3- 1-12
130243	11- 4-13
130339	12-19-13
130340	12-19-13
130341	12-19-13
130342	12-19-13
<u>140124</u>	10- 2-14
<u>140618</u>	4-16-15
<u>150818</u>	5- 5-16
<u>150912</u>	6-16-16



<u>160156</u>	9-15-16
<u>160216</u>	2-16-17

[The territorial limits and boundaries of the municipality existing in Alachua County under the name of the City of Gainesville shall embrace all of the territory described as follows:]

Commence at the approximate Northwest corner of the City of Gainesville Deerhaven Power Generating Station and being the Northeast corner of the lands as described in Official Records Book 883, Page 502 of the Public Records of Alachua County, Florida (hereafter abbreviated as ORB, \_\_ Page \_\_ ACR), lying in Section 27, Township 8 South, Range 19 East and the existing City of Gainesville city limit line as per Ordinance #060731, said point being the point of beginning; thence West along the North line of said parcel to the East line of the lands as described in ORB 3283, Page 0470 ACR; thence North along said East line to the South right-of-way line of Alachua County Road N.W. 26 (Northwest 128th lane); thence West along said right-of-way line to the southerly extension of the East line of the lands as described in ORB 807, Page 403 ACR; thence North along said southerly extension and the East line thereof to the Northeast corner of said parcel; thence West along the North line of said parcel to the East right-of-way line of Alachua County Road N.W. 31 (Northwest 59th Drive); thence North along said right-of-way line to the North line of the lands as described in ORB 2579, Page 0005 ACR; thence East along said North line to the Northeast corner thereof; thence South along the East line of said parcel to the North right-of-way line of Alachua County Road N.W. 26 (Northwest 128th Lane); thence South along the southerly extension of said East line to the South right-of-way line of said county road, said point also being the Northeast corner of the lands as described in ORB 2400, Page 1034 ACR; thence South along the East line of said parcel to the North line of the lands as described in 2599, Page 0585 ACR; thence East along said North line to the Northeast corner of said parcel and the Northwest corner of the lands as described in ORB 2400, Page 1034 ACR; thence continue East to the West right-of-way line of State Road 121; thence East along the easterly extension of said North line to the East right-of-way line of said state road; thence southeasterly along said right-of-way line and the southwesterly lines of Seminole Woods Units Number One and Two, subdivisions as recorded in Plat Book "L", Page 7 and Plat Book "L" Page 46, respectively, ACR to

the North line of the lands as described in ORB 2916, Page 1126 ACR; thence West along said North line to the Northwest corner of said parcel, said point also being on the East right-of-way line of said state road; thence Southeasterly along said right-of-way line and the West line of said parcel to the South line of said parcel; thence East along said South line to the West right-of-way line of Alachua County Road N.W. 231; thence northeasterly along said right-of-way line and the East line of said parcel to the Northeast corner of said parcel; thence West along the North line of said parcel to the West right-of-way line of said county road, said point also being the Southeast corner of said Seminole Woods Unit Number Two; thence northeasterly along said right-of-way line and the East line of said subdivision to the Northeast corner of said subdivision; thence East along the easterly extension of the North line of said subdivision to the East right-of-way line of said county road; thence along said right-of-way line to the North line of the South ½ of Government Lot 6 Section 30, Township 8 South, Range 20 East; thence East along said North line and the North line of the South ½ of Government Lot 5 Section 30, Township 8 South, Range 20 East to the East line of said Government Lot 5; thence South along said East line and the East line of Government Lot 8 Section 30, Township 8 South, Range 20 East and the East line of Government Lot 5 Section 31, Township 8 South, Range 20 East to the North line of the lands as described in ORB 2356, Page 0156 ACR; thence West along said North line to the East right-of-way line of State Road Number 121; thence North along said right-of-way line to the easterly extension of the North line of the lands as described in ORB 1938, Page 2821 ACR; thence West along said easterly extension and the North line thereof to the Northwest corner of said parcel; thence westerly to the Northeast corner of the lands as described in ORB 2131, Page 0189 ACR; thence westerly, southerly, and easterly along the northerly, westerly, and southerly boundaries of said parcel to its Southeast corner; thence southerly to the Northwest corner of the lands as described in ORB 3578, Page 1012 ACR; thence southerly and easterly along the westerly and southerly boundaries of said parcel to its Southeast corner, said point also being on the West right-of-way line of said state road; thence South along said right-of-way line to the westerly extension of the North line of the South ½ of Government Lot 7 Section 31, Township 8 South, Range 20 East; thence East along said westerly extension and the North line thereof and the North line of the South ½ of Government Lot 8 Section 31, Township 8 South, Range 20 East to the Northeast corner of said South ½ of Government Lot 8, said point also being on the West line of a conservation easement as described in Book 2267, Page 2479 and amended in Book 2388, Page 2379 ACR; thence South along said West line to the South line of the lands as described in ORB 2393, Page 1657 ACR and the North line of Section 7, Township 9 South, Range 20 East and being the existing city limits line as per Ordinance #3768; thence East along said North line of Section 7 to the East line of Section 7; thence South along said East line of Section 7 to the North line of

Section 17, Township 9 South, Range 20 East; thence East along said North line of said Section 17 to the East line of said Section 17; thence South along said East line of Section 17 to the North line of Section 21, Township 9 South, Range 20 East; thence East along said North line of Section 21 to a point 670 feet West of the Northeast corner of said Section 21, said point also being the Northwest corner of a City of Gainesville transmission station and being a point on the existing city limits line as per Ordinance #2773; thence North along the northerly extension of the West line of said transmission station to the North right-of-way line of Northeast 53rd Avenue; thence East along said North right-of-way line to the West right-of-way line of NE 15th Street; thence North along said West right-of-way line (being a line 50 feet West of and parallel to the East line of the Southeast one-quarter of Section 16, Township 9 South, Range 20 East) to the North line of the South one-half (S  $\frac{1}{2}$ ) of said one-quarter Section; thence East along said North line and along the North line of the South one-half (S  $\frac{1}{2}$ ) of the Southwest one-quarter (SW  $\frac{1}{4}$ ) Section 15, Township 9 South, Range 20 East to a point on the East line of said one-quarter Section; thence South along said East line to the North right-of-way line of NE 53rd Avenue and the existing city limits line as per Ordinance #000738, said point also being the Southeast corner of said Murphy Water Plant; thence East along the North right-of-way line of North East 53rd Avenue to a point on the northerly projection of the East line of the West half of the Northwest quarter of Section 23, Township 9 South, Range 20 East; thence South leaving said North right-of-way line of Northeast 53rd Avenue and along said East line to the Southeast corner of the West half of said Northwest quarter; thence continue South along the East line of the Southwest quarter of said Section 23 a distance of approximately 450 feet to the Southeast corner of the lands as described in ORB 3532, Page 1158 ACR and being the existing city limits line as per Ordinance #3102; thence South 60° East a distance of 431.41 feet to the West right-of-way line of State Highway 24 (NE Waldo Road); thence northeasterly along said West right-of-way line to the westerly extension of the North line of the lands as described in ORB 2446, Page 0565 ACR and being a point on the existing city limits line as per Ordinance #070458; thence leaving said westerly right-of-way line East along said westerly extension and the North line thereof to the Northeast corner of said parcel; thence South along the East line of said parcel to the Southeast corner of said parcel; thence West along the South line of said parcel to the intersection with the West line of Section 13, Township 9 South, Range 20 East; thence South along the West line of said Section to the Northwest corner of the lands as described in ORB 1158, Page 824 ACR; thence North 89°19'15" East to the East line of said Section 13; thence South along said East line to the Southeast corner of Section 24, Township 9 South, Range 20 East and being a point on the existing city limits line as per Ordinance #3102; thence East to the Northeast corner of the Northwest one-quarter (NW  $\frac{1}{4}$ ) of Section 30, Township 9 South, Range 21 East and being a point on the existing city limits line as per Ordinance #3959;

thence continue East along the North line of parcels as described in said Ordinance #3959 to the Northeast corner of Section 29, Township 9 South, Range 21 East; thence South along the East line of said Section 29 to the Southeast corner of said Section; thence West along the South line of said Section 29 to the Southwest corner of the lands as described in ORB 1906, Page 0596 ACR; thence Northwest along the Southwesterly line of said parcel to the southerly right-of-way line of State Road 26 (NE 55th Blvd.); thence northeasterly along said southerly right-of-way line to a point on the southerly extension of the North right-of-way line of County Road NE 38C (NE 27th Avenue); thence northwesterly along said southerly extension and the North right-of-way line of said County Road NE 38C to the Southwest corner of the lands as described in ORB 1906, Page 0592 ACR and being the existing city limits line as per Ordinance #3980; thence North along the West line of said parcel to the intersection with the South line of the Northeast one-quarter of Section 30, Township 9 South, Range 21 East; thence West along said South line of the Northeast one-quarter of Section 30 to the Southwest corner of the lands as described in ORB 2046, Page 2419 ACR, said point also being the Southwest corner of the Northeast one-quarter of said Section 30 and being the existing city limits line as per Ordinance #070075; thence North along the West line of said parcel and the West line of the Northeast one-quarter to the intersection with the southerly right-of-way line of State Road S-232 (NE 39th Blvd.); thence continue North along the West line of the Northeast one-quarter to the intersection with the northerly right-of-way line of State Road S-232 and being a point on the existing city limits line as per Ordinance #3102; thence South 42°23'34" West along said northerly right-of-way line a distance of 360 feet to the Northeast corner of the lands as described in ORB 2319, Page 1544 ACR; thence, leaving said northerly right-of-way line, North 78°18'55" West, a distance of 1094.69 feet to the intersection with the East line of the lands as described in ORB 3376, Page 0904 ACR; thence North 00°20'36" East, along the East line of said parcel, a distance of 177.28 feet to the Northeast corner of said parcel; thence North 89°48'40" West, along the North line of said parcel, a distance 840 feet to the Southeast corner of the lands as described in ORB 1142, Page 214 ACR and being the existing city limits line as per Ordinance #070083; thence continue West along the South line of said parcel to the Southwest corner of said parcel and the intersection with the East line of Section 25, Township 9 South, Range 20 East; thence North along the East line of said Section 25 to the Southeast corner of the lands as described in ORB 1088, Page 957 ACR; thence South 89°32'20" West along the South line of said parcel a distance of 500 feet to the intersection of the East line of the lands as described in ORB 1448, Page 0581 ACR; thence North 00°17'40" West along the said East line a distance of 240 feet to the Northeast corner of said parcel; thence North 80°03'58" West a distance of 945.98 feet to the Southwest corner of the lands as described in ORB 1088, Page 957 ACR and the intersection of the East line of the lands as described in ORB 607,

Page 347 ACR; thence in a South, Southeast, and Southwest direction along the East line of said parcel to the intersection with the East line of the lands as described in ORB 1331, Page 885; ACR thence South 12°32'44" West along the East line of said parcel a distance of 942.41 feet to the intersection with the North line of the lands as described in ORB 2220, Page 1560 ACR; thence South 82°45'04" East along the North line of said parcel a distance of 1006.60 feet to the Northeast corner of said parcel; thence South 00°12'17" East along the East line of said parcel to the intersection with the South right-of-way line of NE 39th Avenue (SR 222); thence westerly along said South right-of-way line of NE 39th Avenue to the intersection with the South line of Section 25, Township 9 South, Range 20 East; thence South 89°47'43" West along the South line of said Section 25 a distance of 1840.65 feet to the Southwest corner of said Section 25 and the Southeast corner of Section 26, Township 9 South, Range 20 East; thence continue West along the South line of said Section 26 to the Southwest corner of Section 26 and the Northwest corner of Section 35, Township 9 South, Range 20 East; thence South along the West line of said Section 35 to a point lying 1323.40 feet North of the South line of said Section and being the North line of the South one-half of the South one-half; thence North 89°05'15" East along said North line a distance of 5295.49 feet to the intersection with the East line of Section 35, Township 9 South, Range 20 East; thence South 00°59'06" East along said East line of Section 35 a distance of 1324.04 feet to the Southeast corner of said Section 35 and the Northeast corner of Section 2, Township 10 South, Range 20 East; thence South 01°22'14" East along the East line of said Section 2 a distance of 2591.57 feet to the North right-of-way line of State Road 26 (East University Avenue); thence South 89°00'15" West along said North right-of-way line of State Road 26 to a point lying 1481.74 East from the West line of Section 2 and being the existing city limits line as per Ordinance #3865; thence southerly along the centerline of a drainage easement according to said Ordinance to the South line of said Section 2; thence westerly along said South line of Section 2 to the Southwest corner of Section 2; thence southerly to the North right-of-way line of State Road 20 (Hawthorne Road); thence southerly along the East line of Section 10 and the East line of Section 11, Township 10 South, Range 20 East to a point on the northwesterly extension of the South right-of-way line of State Road 20 and being the existing city limits line as per Ordinance #951158; thence Southeasterly along said right-of-way line to the Northeast corner of the lands as described in ORB 2187, Page 603 ACR; thence South along the East line of said parcel to the Southeast corner of said parcel; thence West along the South line of said parcel to the East right-of-way line of State Road 329-A (SE 27th Street); thence South along the East right-of-way line of SE 27th Street to the Southeast corner of the Northeast one-quarter (NE ¼) of Section 10, Township 10 South, Range 20 East; thence West along the South line of said Northeast one-quarter to the Southwest corner of said Northeast one-quarter (being also the Northeast corner of the Southwest one-quarter (SW ¼))



of Section 10, Township 10 South, Range 20 East) and being the Northeast corner of the lands as described in ORB 1994, Page 0279 ACR; thence South 00°25'51" West along the East line of the Southwest one-quarter (SW ¼) and the East line of said parcel a distance of 1360.85 feet; thence continue along said parcel boundary North 87°54'20" West a distance of 636.24 feet; thence South 01°29'09" West a distance of 1305.48 feet to the Southeast corner of said parcel and the intersection with the South line of Section 10, Township 10 South, Range 20 East; thence North 89°33'05" West along said South line of Section 10 a distance of 1755.04; thence leaving said South line of Section 10, North 00°00'40" East a distance of 420.00 feet; thence North 89°33'05" West a distance of 160 feet, more or less, to the East right-of-way line of SE 15th Street (Kincaid Road); thence South along said East right-of-way line to the intersection with the easterly extension of the South line of the lands as described in ORB 2198, Page 562 ACR; thence West along said easterly extension and South line to the Southwest corner of said parcel; thence South 00°13' East along the West line of said parcel to the Northeast corner of the lands as described in ORB 1701, Page 916 ACR and being the existing city limits line as per Ordinance #3692; thence South 00°13' West a distance of 355.00 feet; thence East a distance of 168.18 feet to the West right-of-way line of County Road 2043 (SE 15<sup>th</sup> Street); thence South 00°13' West along said West right-of-way line of County Road 2043 to the Northeast corner of Robinson Heights Unit 2 as recorded in ORB "98", Page 684 ACR; thence West along the North line of said Robinson Heights Unit 2 to the Northeast corner of Robinson Heights Unit 3 as recorded in ORB "98", Page 685 ACR; thence continue West along the North line of said Robinson Heights Unit 3 to the Northwest corner of Unit 3 and the intersection with the East right-of-way line of Atlantic Coastline Railroad; thence northwesterly along said East right-of-way line to the intersection with the easterly extension of the South line of Pine Grove Cemetery as recorded in ORB 80, Page 663 ACR; thence North 89°37'30" West along said easterly extension of Pine Grove Cemetery to the Southeast corner of pine grove cemetery as per ORB 80, Page 663 ACR; thence North 89°37'30" West along the South line of said Pine Grove Cemetery a distance of 1106 feet to the intersection with the East line of Evergreen Cemetery; thence South 04°06'15" West along the East line of said Evergreen Cemetery a distance of 44.85 feet to the Southeast corner of said cemetery; thence North 89°56'00" West along the South line of said Evergreen Cemetery a distance of 722.50 feet; thence North 01°12'22" West a distance of 57.05 feet; thence North 88°43'07" West a distance of 304.50 feet to the Southwest corner of Evergreen Cemetery; thence North 00°17'14" West along the West line of said cemetery a distance of 767.05 feet to the South line of Section 9, Township 10 South, Range 20 East; thence West along said South line of Section 9 a distance of 1252.11 feet to the easterly right-of-way line of State Road 331 (Williston Road); thence Southwesterly along the easterly right-of-way line of State Road 331 to a point lying approximately 60 feet

northeasterly of the South line of the D.L. Clinch Grant; thence North 06°31'55" East to the northwesterly right-of-way line of State Road 331; thence South 45°10'07" West along the curve of said northwesterly right-of-way line a distance of 190.00 feet, more or less, to the Northeast corner of the lands as described in ORB 815, Page 910 ACR; thence North 82°24'25" West along the North line of said parcel a distance of 97.05 feet to the Northwest corner of said parcel; thence South 30°35'15" West a distance of 100.00 feet to the intersection with the South line of the D.L. Clinch Grant; thence North 82°24'45" West along said South line of the D.L. Clinch Grant to a point lying 572 feet more or less from the Southwest corner of the D.L. Clinch Grant; thence South a distance of 538 feet to the North right-of-way line of State Road 329; thence South 65°17'00" West along said North right-of-way line of State Road 329 (Williston Road) a distance of 185 feet to the Southwest corner of the lands as described in ORB 2040, Page 2981 ACR; thence North 09°10'00" West along the West line of said parcel a distance of 637 feet to the intersection with the South line of the D.L. Clinch Grant; thence North 85°15'00" West along said South line of the D.L. Clinch Grant to the Southwest corner of the D.L. Clinch Grant and being the intersection with the East line of the Thomas Napier Grant; thence South 04°16'11" East along said East line of the Thomas Napier Grant to a point lying 750 North of the Southeast corner of the Thomas Napier Grant in Township 10 South, Range 20 East and being the intersection with the South line of the lands as described in ORB 2040, Page 2981 ACR; thence South 84°54'45" West a distance of 362.24 feet; thence North 08°02'15" East a distance of 144.33 feet; thence North 81°57'45" West a distance of 150 feet to the East right-of-way line of State Road 25 (SW 13th Street and US 441); thence North 07°44'15" East along said East right-of-way line of State Road 25 a distance of 649.20 feet to the Northwest corner of the lands as described in ORB 2933, Page 0386 ACR; thence North 84°48'15" East along the North line of said parcel a distance of 334.06 feet to the intersection with the East line of the Thomas Napier Grant; thence northwesterly along said East line to a point approximately 173 feet South of the Southwest corner of Lot 3 of Millers Survey as per Deed Book "I", Page 591; thence northwesterly to a point lying 141.46 feet South of a westerly extension of the South line of said Lot 3 of Millers Survey, also lying on the East right-of-way line of State Road 25; thence South 07°56'32" West along said easterly right-of-way line a distance of 550.13 feet more or less; thence North 82°03'28" West a distance of 136.00 feet to the westerly right-of-way line of said State Road 25; thence North 82°03'28" West a distance of 229.97 feet; thence North 08°50'42" East a distance of 278.91 feet; thence North 85°29'42" East a distance of 231.29 feet to the westerly right-of-way line of said State Road 25; thence North 07°56'32" East along said right-of-way line of State Road 25 a distance of 221.05 feet; thence North 82°04'13" West a distance of 36 feet more or less to the waters edge of Bivens Arm; thence northerly along the waters edge of Bivens Arm to the intersection of the North line of the Thomas Napier Grant and the existing city

limits line as per Ordinance #4048; thence South 83°55'05" West along said North line of the Thomas Napier Grant a distance of 2478.96 feet to the Southeast corner of the lands as described in ORB 1647, Page 139 ACR; thence South 84°40'25" West a distance of 796.84 feet to the Southwest corner of said parcel; thence South 83°55'05" West along said North line of Napier Grant a distance of 453.37 feet; thence South 27°54'03" East a distance of 213.05 feet to a point on the line between lots 18 and 19 of a subdivision of the Thomas Napier Grant as per said deed Book "I", Page 591; thence South 50°26'03" East a distance of 1070.70 feet to a point on the line between lots 19 and 20 of said subdivision of the Thomas Napier Grant; thence South 61°55'04" East a distance of 893.12 feet to a point on the East line of Lot 20 of said subdivision; thence South 05°47'32" East a distance of 825.00 feet to the Southeast corner of said Lot 20 and the intersection with the North line of Dales Court as recorded in Plat Book "E", Page 55; thence West along the North line of said Dales Court to the West right-of-way line of SW 20<sup>th</sup> Street; thence South along said West right-of-way line to the Northeast corner of the lands as described in ORB 1279, Page 977 ACR; thence West along the North line of said parcel to the Northeast corner of Madera Cluster Development Phase 2 as recorded in plat Book "26", Page 20 also being Northwest corner of the lands described in ORB 1279, Page 977 ACR and being the existing city limits line as per Ordinance #991231; thence South 04°35'42" East a distance of 206.91 feet to the Southwest corner of the lands as described in ORB 1279, Page 977 ACR; thence North 86°18'33" East a distance of 140.07 feet to intersection of the West right-of-way line of SW 20<sup>th</sup> street; thence South 04°25'59" East along said West right-of-way line and along the East line of said Madera Cluster Development Phase 2 a distance of 689.05 feet to the Northeast corner of the lift station parcel as described in ORB 2428, Page 240 ACR; thence continue South 04°25'59" East to the Southeast corner of said lift station parcel; thence continue South 04°25'59" East a distance of 405.35 feet to the Northeast corner of the lands described in ORB 2014, Page 1438 ACR; thence South 84°50'03" West along the North line of said parcel a distance of 200.02 feet to the Northwest corner of said parcel; thence South 04°25'59" East along the West line of said parcel a distance of 95.46 feet to the Southeast corner of said Madera Cluster Development Phase 2; thence South 86°08'10" West along the South line of said Madera Cluster Development Phase 2 a distance of 208.80 feet; thence South 04°33'17" East a distance of 9.40 feet to the Northeast corner of Napier Estates as recorded in Plat Book "E", Page 16; thence South 86°51'26" West along the North line of said Napier Estates a distance of 123.86 feet to the East line of Madera Cluster Development Phase 1 as recorded in Plat Book "23", Page 72; thence South 86°51'26" West a distance of 176.32 feet to Northwest corner of said Napier Estates; thence South 04°53'02" East along the West line of said Napier Estates and the East line of said Madera Cluster Development Phase 1 a distance of 834.90 feet to the intersection with the North right-of-way line of State Road



331 (Williston Road) and the Southeast corner of said Madera Cluster Development Phase 1; thence westerly along said North right-of-way line and said South line of Madera Cluster Development Phase 1 to the Southwest corner of said Madera Cluster Development Phase 1 and being the existing city limits line as per Ordinance #4048 said point being the point of curvature of a curve concave to the Southeast, having a radius of 5741.63 feet, a delta of 06°24'53" and a chord bearing and distance of South 77°17'42" West, 642.49 feet; thence continue along the North right-of-way line of State Road 331 and the arc of said curve a distance of 642.82 feet to the existing city limits line as per Ordinance #001912; thence along the existing city limits line crossing S.W. Williston Road along a radial line of South 15°52'56" East a distance of 100.00 feet to a point on the South right-of-way line of S.W. Williston Road as shown on Florida Department of Transportation Right-of-Way Highway Plans, Section 26220-2501, said point also being a point on a curve concave to the Southwest having a radius of 5,641.63 feet; thence Southwesterly along the arc of said South right-of-way line a distance of 587.76 feet, more or less, marking the Northeast corner of the lands as described in ORB 2541, Page 38 ACR and being the existing city limits line as per Ordinance #030250; thence South 00°03'11" West a distance of 2217.56 feet; thence South 04°53'13" East a distance of 1088.53 feet to a point lying South 83°46'31" West 374.15 feet from a concrete monument found at the Northeast corner of the lands described in ORB 1908, Page 1714 ACR; thence South 83°46'31" West a distance of 2045.42 feet to a ½" iron pipe found at the Northwest corner of the lands as described in ORB 1086, Page 395 ACR; thence South 05°12'23" East a distance of 508.90 feet to a ¾" iron pipe found at the Northwest corner of the lands as described in ORB 1926, Page 2992 ACR also being the Southwest corner of the lands as described in ORB 1086, Page 395 ACR; thence South 84°06'56" West parallel with the South line of Serenola Plantation, as recorded in Deed Book "L", Pages 480 and 481, a distance of 1023.15; thence North 05°56'18" West parallel with the West line of said Serenola Plantation, a distance of 879.95 feet to a point lying 300 feet perpendicular to a point on the West line of said Serenola Plantation, which lies North 05°56'18" West 1543.40 feet from the concrete monument found at the Southwest corner of said Serenola Plantation, and South 05°56'18" East, 3059.13 feet from a rebar & cap (JW Myers, PLS 3447) found at the Northwest corner of said Serenola Plantation; thence North 49°05'14" East parallel with and 80 feet Southeasterly of the Southeast boundary of the parcel of lands as described in ORB 1997, Page 232 ACR, a distance of 330.77 feet to the beginning of a curve concave northwesterly and having a radius of 540.00 feet; thence northeasterly, along the arc of said curve, said arc being subtended by a chord having a bearing and distance of North 39°57'45" East, 171.27 feet; thence North 30°50'15" East, a distance of 94.84 feet to the beginning of a curve concave Southeasterly and having a radius of 460.00 feet; thence northeasterly along the arc of said curve, through a central angle of 18°14'59", an arc distance of

146.52 feet to the end of said curve, being subtended by a chord having a bearing and distance of North 39°57'45" East, 145.90 feet; thence North 49°05'14" East, parallel with the southerly right-of-way line of State Road No. 331 (Williston Road, 100' r/w), a distance of 751.08 feet to a point lying South 40°54'00" East, 725.14 feet from a rebar and cap (LS 4948) found at the Northwest corner of the parcel of lands as described in ORB 2028, Page 254 ACR; thence South 40°54'00" East along the West boundary of said parcel a distance of 144.98 feet to a concrete monument found at the Southwest corner of said parcel; thence North 49°05'43" East a distance of 250.26 feet to a concrete monument at the Southeasterly corner of said parcel, also known as the Southwest corner of Parcel "I", described in ORB 803, Page 289 ACR; thence North 40°54'00" West a distance of 871.06 feet to the Northeast corner of the parcel of lands as described in ORB 2028, Page 254 ACR and being the intersection with the southerly right-of-way line of State Road No. 331 and being the existing city limits line as per Ordinance #001912; thence South 49°03'23" West along said right-of-way line of State Road No. 331 a distance of 2359.05 feet; thence South 40°56'37" East a distance of 20.00 feet; thence South 49°03'23" West a distance of 649.34 feet; thence South 21°39'26" West a distance of 65.19 feet to the East line of Rocky Point Road; thence crossing Rocky Point Road South 49°03'23" West a distance of 100.00 feet to the West line of Rocky Point Road; thence South 49°03'23" West a distance of 996.28 feet to the intersection of the westerly projection of said South right-of-way with the West limited access right-of-way line for Interstate 75 as shown on Florida Department of Transportation Right-of-Way Highway Plans, Section 26260-2420 being the existing city limits line as per Ordinance No. 070721; thence continue Southwesterly along said southerly right-of-way line of State Road No. 331 (Williston Road) to a point opposite from the point marking the intersection of the East line of that certain tract of land as described in ORB 3367 Page 145 ACR and the North right-of-way line of said S.W. Williston Road, said point also being on a line perpendicular to said North right-of-way line; thence run northwesterly along said perpendicular line to said intersection of the South line of said tract and the North right-of-way line of said S.W. Williston Road; thence run North and northwesterly along the East line of said tract to the northmost corner of said tract; thence run Southwesterly along the northerly line of said tract to the West corner of said tract; thence run Southeasterly along the westerly line of said tract to the South corner of said tract, said corner being on the North right-of-way line of State Road 331 (Williston Road); thence run Southwesterly along said North right-of-way line to the eastmost corner of that certain tract of land as described in ORB 2821 Page 70 ACR; thence leaving said North right-of-way line run northwesterly along the easterly line of said tract to the southmost corner of certain tract of land as described in ORB 1736 Page 2672 ACR; thence run northeasterly along the southerly line of said tract to the Southeast corner of said tract; thence run to the Southwest corner of lands as described in ORB 2208 Page 2895 ACR;

thence run northeasterly along the southerly line of said tract and the southerly line of that certain tract of land as described in ORB 2827 Page 1388 ACR to the westerly right-of-way line of Southwest 41<sup>st</sup> Boulevard; thence run northwesterly along said westerly right-of-way line to the Southwesterly projection of the southerly line of that certain tract of land as described in ORB 2264 Page 43 ACR; thence run northeasterly along said projection and the southerly line thereof to the Southeast corner of said tract; thence run northwesterly along the northeasterly line of said tract to a point at the intersection of the easterly line of said tract and the West limited access right-of-way line of Interstate 75 (US 93) as shown on Florida Department of Transportation Right-of-Way Highway Plans, Section 26260-2420, said point being the existing City of Gainesville limit line as per Ordinance No. 001912; thence along said West right-of-way line, northwesterly to the Northeast corner of that certain tract of land as described in ORB 3242 Page 404 ACR; thence leaving said city limit line run Southwesterly and northwesterly along the northerly line of said tract to the North corner of said tract, said corner being on the northeasterly right-of-way line of Southwest 41<sup>st</sup> Boulevard; thence run westerly, perpendicular to said right-of-way line, to a point on the Southwesterly right-of-way line of said Southwest 41<sup>st</sup> Boulevard; thence run Southeasterly along said right-of-way line to the Northeast corner of that certain tract of land as described in ORB 2267 Page 1441 ACR; thence run Southwesterly along the North line of said tract and the North lines of that certain tract of land as described in ORB 2246 Page 1343 ACR and that certain tract of land as described in ORB 1736 Page 2672 ACR to a point on the East line of that certain tract of land as described in ORB 3051 Page 1418 ACR; thence run North along the East line of said tract to the Northeast corner of said tract; thence run Southwesterly along the North lines of the 6 tracts of land as described in the following official records: 1) ORB 3051 Page 1418 ACR; 2) ORB 3051 Page 1419 ACR; 3) ORB 2537 Page 389 ACR; 4) ORB 3051 Page 1420 ACR; 5) ORB 3051 Page 1422 ACR; 6) ORB 3051 Page 1421 ACR to the Northwest corner of that certain tract of land as described in ORB 3051 Page 1421 ACR, said corner being on the West line of the Gary Grant; thence run Northwest along the West line of said Gary Grant to the Southeast corner of that certain tract of land as described in ORB 1821 Page 2875 ACR; thence run Northeast along the North line of said Gary Grant to the West corner of that certain tract of land as described in ORB 2507 Page 1285 ACR; thence leaving said North line of the Gary Grant run East along the South line of said tract to the Southeast corner of said tract; thence run North along the East line of said tract to the North corner of said tract, said corner being on the North line of the Gary Grant; thence run Northeast along said North line of the Gary Grant to a point lying on a northwesterly extension of the westerly line of that certain tract of land as described in ORB 3478 Page 798 ACR, said point also being on the North line of a 150' wide City of Gainesville power line easement; thence leaving the North line of the Gary Grant and said power line easement run Southeasterly

along said extension to the West most corner of said tract described in ORB 3478 Page 798 ACR; thence run Southeasterly along the westerly line of said tract to the South corner of said tract also being the existing city limit line as per Ordinance #061079; thence along said city limit line and the Southeasterly boundary of said parcel the following 3 courses: North 51°10'52" East, a distance of approximately 641.51 feet; North 82°08'57" East, a distance of approximately 308.65 feet; North 53°14'32" East, a distance of 188.13 feet; thence leaving said southerly boundary continue North 53°14'32" East, a distance of approximately 90 feet to a point on the West right-of-way line of Interstate 75 and being the existing city limits line as per Ordinance #001912; thence northwesterly along said West right-of-way line of Interstate 75 to the point of intersection with the westerly projection of the North right-of-way line for S.W. Archer Road; thence along the North line of S.W. Archer Road, North 57°58'54" East along the northerly right-of-way line of said S.W. Archer Road to the Southwest corner of the lands known as Exhibit "A", parcel 25 as described in official records Book 3048, Page 502 ACR, said corner also being the intersection of the northerly right-of-way line of Southwest Archer Road and the easterly right-of-way line of Southwest 40<sup>th</sup> Boulevard and the existing city limit line as per Ordinance #070722; thence run northerly along said city limit line and said easterly right-of-way line to the Southwest corner of the lands as described in ORB 1805, Page 1000 ACR; thence run northeasterly along the South line of said tract to the Southeast corner of said tract; thence run in a general northwesterly direction along the easterly perimeter of said tract to the Northmost corner of said tract; thence run Southwesterly along the North line of said tract and the South line of the lands known as Exhibit "A", Parcel 4 as described in 3048, Page 502 ACR to the Southwest corner of said tract, said corner also being a point on the easterly right-of-way line of aforementioned Southwest 40<sup>th</sup> Boulevard; thence run northwesterly along the West line of said tract and said easterly right-of-way line to the Northwest corner of said tract; thence run northeasterly along the North line of said tract to the Southeasterly corner of the lands as described in ORB 3546, Page 464 ACR; thence run North along the East lines of said tract and the lands as described in ORB 3366, Page 1040 ACR to the Northeast corner of the lands as described in ORB 3366, Page 1040 ACR, said corner being on the southerly right-of-way line of Southwest 33<sup>rd</sup> Place; thence run West along said southerly right-of-way line to a point on the southerly projection of the West line of the lands known as Parcel IV as described in ORB 3601, Page 1361 ACR; thence run North along said projection and the West line thereof and the West line of the lands known as parcel i as described in ORB 3601, Page 1361 ACR to the Northeast corner of the lands as described in ORB 2437, Page 35 ACR; thence run West along the North line of said tract to the Southwest corner of the lands known as Parcel II as described in ORB 3601, Page 1361 ACR, said corner also being the Northwest corner of the lands as described in ORB 2437, Page 35 ACR; thence run North along the West line of the lands known



as Parcels II and III as described in ORB 3601, Page 1361 ACR and the West line of the lands as described in ORB 3578, Page 501 ACR to the Northwest corner of the lands as described in ORB 3578, Page 501 ACR, said corner also being the Northeast corner of the lands as described in ORB 2340, Page 849 ACR; thence run West along the North line of said tract to the Northwest corner of said tract, said corner being on the East right-of-way line of Southwest 43<sup>rd</sup> Street; thence run South along said East right-of-way line to the easterly projection of the South line of the lands as described in ORB 2051, Page 1590 ACR; thence run West along said easterly projection to the West right-of-way line of Southwest 43<sup>rd</sup> Street; thence run West along the South line of said tract to the Southwest corner of said tract, said corner being on the East right-of-way line of Southwest 42<sup>nd</sup> Way; thence run West along the westerly projection of said South line to the West right-of-way line of said Southwest 42<sup>nd</sup> Way; thence run North along said West right-of-way line to the Southeast corner of the lands as described in ORB 3072, Page 1443 ACR; thence run West along the South line of said tract to the Southwest corner of said tract; thence run North along the West line of said tract to the Northwest corner of said tract; thence run East along the North line of said tract to the Northeast corner of said tract, said corner being on the West right-of-way line of Southwest 42<sup>nd</sup> Way; thence run North along said West right-of-way line to the beginning of a curve concave Southwest; thence run northwesterly along the arc of said curve to the point of reverse curvature of a curve concave Southeast; thence run along the arc of said curve and said West right-of-way line of Southwest 42<sup>nd</sup> Way to the Northeast corner of the lands as described in ORB 2987, Page 1245 ACR, said corner being on the South line of the lands as described in ORB 2195, Page 1994 and ORB 2181, Page 1006 ACR; thence run West along the South line of said tract to the Southwest corner of said tract; thence run North along the West line of said tract to the Northeast corner of the lands as described in ORB 1123, Page 352 ACR; thence run West along the North line of said tract to the Northwest corner of said tract, said corner also being on the northeasterly right-of-way line of Southwest 40<sup>th</sup> Boulevard; thence run northwesterly along said northeasterly right-of-way line to the Northwest corner of the lands as described in ORB 2685, Page 1319 ACR also known as Exhibit "A", Parcel 8 of the lands as described in ORB 3048, Page 502 ACR, said corner also being the Southwest corner of Lot 11 of I-75 service park, a subdivision as recorded in plat Book "L", Page 53 of the official records of Alachua County, Florida; thence run East along the South line of said I-75 service park to the Southeast corner of Lot 16 of said I-75 service park, said corner being on the East line of Section 15, Township 10 South, Range 19 East; thence run North along the East line of said I-75 service park and said Section to the Northeast corner of said Section, also being the Southwest corner of Section 11, Township 10 South, Range 19 East and being on the westerly right-of-way line of Southwest 43<sup>rd</sup> Street; thence run East along the South line of said Section 11 and the westerly projection of the North right-of-way line

of Southwest 24<sup>th</sup> Ave and the North right-of-way line thereof to the Southwest corner of the lands as described in ORB 1814, Page 1200 ACR, said corner also being the Southeast corner of Hailey Gardens Condominium, a condominium as described in ORB 3026, Page 652 ACR; thence run North along the West line of said tract to the Northwest corner of said tract; thence run East along the North line of said tract and the North line of the lands as described in ORB 818, Page 15 and ORB 1814, Page 1211 ACR to the Northeast corner of said tract; thence run South along the East line of said tract and the East line of the lands as described in ORB 1814, Page 1200 ACR to the Southeast corner of said tract also being on the North right-of-way line of Southwest 24<sup>th</sup> Avenue; thence run East along said North right-of-way line to the Southeast corner of Mill Run, a planned unit development as recorded in plat Book "L", Page 3 of the official records of Alachua County, Florida; thence run North along the East line of Mill Run to the Southwest corner of Old Mill Condos, a condominium as described in ORB 1423, Page 261 ACR; thence run East along the South line of said Old Mill Condos to the Southeast corner of said condominium, said corner being on the West line of the lands as described in deed Book 33, Page 328 ACR; thence run South along said West line to the Southwest corner of said tract, said corner being on the North right-of-way line of Southwest 24<sup>th</sup> Avenue; thence run East along said North right-of-way line to the Southwest corner of the lands as described in ORB 3331, Page 503 ACR; thence run North along the West line of said tract to the Northwest corner of said tract; thence run East along the North line of said tract to the Northeast corner of said tract; thence run South along the East line of said tract to the Southwest corner of the lands as described in ORB 3321, Page 812 ACR; thence run East, North, East, South and Southwesterly along the southerly boundary of said tract to a point on the North right-of-way line of Southwest 24<sup>th</sup> Avenue; thence run East along said North right-of-way line to the northerly projection of the West line of the lands as described in ORB 1902, Page 1978 ACR; thence run South along said northerly projection and the West line thereof to the Southwest corner of said tract, said corner being on the northeasterly line of that part of the lands as described in ORB 2189, Page 2457 ACR also known as Windmeadows Road and as Exhibit "A", parcel 28 as described in ORB 3048, Page 502 ACR; thence run easterly along the North line of said tract and northerly line of said Windmeadows Road to the West right-of-way line of Southwest 34<sup>th</sup> Street (State Road 121); thence run North along said West right-of-way line to its intersection with the northerly right-of-way line of Southwest 19<sup>th</sup> place also being the Southeast corner of the lands as described in ORB 3678, Page 287 ACR; thence West along the North right-of-way line of Southwest 19<sup>th</sup> place and the South line of said parcel to the Southwest corner of said parcel; thence North along the West line of said parcel to the Southeast corner of the lands as described in ORB 299, Page 492 ACR; thence West along the South line of said parcel to the Southwest corner of said parcel and being the existing city limits line as per Ordinance #041230;

thence South along the East line of said Ordinance line to the Northeast corner of the lands as described in ORB 2950, Page 0288 ACR and being the existing city limits line as per Ordinance #060148; thence South along said East line to the Southeast corner of said parcel; thence West along the South line of said parcel to the Southwest corner of said parcel; thence North along the West line of said parcel to the Northwest corner of lands described in ORB 2950, Page 288 ACR; thence run West along the centerline of Southwest 17<sup>th</sup> place to a point on the southerly extension of the East line of Lot 35 of Shady Forest A Subdivision as recorded in ORB 95, Page 255 ACR and the existing city limit line as per Ordinance #050881; thence South along said southerly extension to the South right-of-way line of Southwest 17th place; thence West along said South right-of-way line of Southwest 17th place to the Northeast corner of Lot 45 of said Shady Forest and the existing city limits line as per Ordinance #060730; thence South along the East line of said Lot 45 to the Southeast corner of said Lot 45; thence West along the South line of said Lot 45 and the South line of Lot 44 to the Southwest corner of Lot 44 of said Shady Forest; thence North along the West line of said Lot 44 to the Northwest corner of said Lot 44 and the South right-of-way line of Southwest 17th Place and the existing city limits line as per Ordinance #050881; thence West along said right-of-way line to the intersection with the East right-of-way line of Southwest 38th Terrace; thence West along the westerly projection of said South right-of-way line of Southwest 17th place to the West right-of-way line of said Southwest 38th Terrace; thence North along said West right-of-way line of Southwest 38th terrace to the intersection with the westerly projection of the North right-of-way line of Southwest 17th avenue; thence East along said westerly projection line to the East right-of-way line of Southwest 38th Terrace; thence continue East along the North right-of-way line of Southwest 17th Avenue to the Southwest corner of Lot 18 of said Shady Forest and the existing city limits line as per Ordinance #050699; thence North along the West line of said Lot 18 to the Northwest corner of said Lot 18, also being the Southeast corner of Lot 14 of said Shady Forest; thence West along the South line of said Lot 14 and its westerly extension of Lots 9 through 14 of said shady forest a distance of approximately 630 feet to a point on the West line of said shady forest and the West line of Lot 4 of Section 11, Township 10 South, Range 19 East; thence North along the West line of said Shady Forest and the West line of said Lot 4 a distance of approximately 2145 feet to the Southwest corner of the North 660 feet of the West 250 feet of said Lot 4, also being the Southwest corner of that parcel described in ORB 2363, Page 1149 ACR; thence East along the South line of said parcel a distance of approximately 250 feet to the Southeast corner of said parcel and the existing city limits line as per Ordinance #051124; thence North along the East line of said parcel to the Northeast corner of said parcel and the intersection with the North line of Section 11, Township 10 South, Range 19 East; thence West along said North line of Section 11 to the Northeast corner

of the lands as described in ORB 1660, Page 782 ACR and the existing city limits line as per Ordinance #3616; thence South along the East line of said parcel to the Southeast corner of said parcel; thence West along the South line of said parcel to the Southwest corner of said parcel; thence North along the West line and the northerly projection of the West line of said parcel to the intersection with the North line of said Section 11; thence West along the North line of said Section 11 to the Northwest corner of said Section 11, Township 10 South, Range 19 East also being the Northeast corner of Section 10, Township 10 South, Range 19 East, and a point on the existing city limits line as per Ordinance #3769; thence South along the East line of said Section 10 to the centerline of Hogtown Creek, and the existing city limits line as per Ordinance #060080; thence South 00°06'12" East along said East line of Section 10 a distance of 532.03 feet to the northerly line of a power line easement; thence South 89°24'22" East, along the northerly line of said power line easement, a distance of 662.00 feet to the East line of Lot 8 of the subdivision of Section 11, Township 10 South, Range 19 East and the East right-of-way line of Southwest 42<sup>nd</sup> Street; thence South 00°05'58" East, along the East line of said Lot 8, a distance of 1636.41 feet to the northerly right-of-way line of County Road SW-30 (Southwest 20th Avenue); thence northwesterly along the northerly right-of-way line of said county road with a curve concave northeasterly to the Southeast corner of the lands as described in ORB 720, Page 167; thence North, West and South along the boundary of said parcel to the Southwest corner of said parcel being on the northerly right-of-way line of said County Road SW-30; thence northwesterly along the northerly right-of-way line of said county road with a curve concave northeasterly to the Southeast corner of the lands as described in ORB 1743, Page 1153 ACR; thence North and northwesterly along the East and North boundary lines of said lands to the Northwest corner of said lands; thence continue northwesterly along the North boundary lines of the lands as described in ORB 1997, Page 1843 ACR and of the lands as described in ORB 2187, Page 1514 ACR to the Northwest corner of said lands; thence Southwesterly along the West boundary line of said lands to the northerly right-of-way line of said county road; thence Northwest along the northerly right-of-way line of said county road to the centerline of Hogtown Creek, and the existing city limits line as per Ordinance #3769; thence southerly along said centerline of Hogtown Creek to the North line of the lands as described in ORB 3610, Page 0219 ACR and being a point on the existing city limits line as per Ordinance #070215; thence East along the North line of said lands to the Northwest corner of Marchwood, a subdivision as recorded in Plat Book "M", Page 47 of the official records of Alachua County, Florida; thence South along the West line of said subdivision to the Southwest corner of said subdivision, said point also being the Northwest corner of Southfork Oaks Condominium Phase I, according to the declaration of condominium thereof recorded in ORB 1568, Page 1065 ACR; thence South along the West line of said condominium to the



Southwest corner of said condominium, thence South along the East line of parcel 2 of the lands as described in ORB 3370, Page 1419 ACR to the Southeast corner of said parcel; thence West along the South line of said parcel 2 to the Southwest corner of said parcel; thence North to the Northwest corner of said parcel 2 and being the Southeast corner of parcel 1 of the lands as described in ORB 3370, Page 1419 ACR; thence West along the South line of said parcel 1 to the Southwest corner of said parcel; thence North along the West line of said parcel 1 also being the East line of the lands as described in ORB 1628, Page 1107 ACR to the Northeast corner of the lands as described in ORB 1628, Page 1107 ACR; thence West along the North line of said lands to the Northwest corner of said lands and a point on the East boundary line of the lands as described in ORB 2301, Page 0194 ACR; thence North along said East line to the Northeast corner of said lands, and being the South line of Lot 6 of "Map of Sections 9 and 10, Township 10 South, Range 19 East" as recorded in Plat Book A, Page 10 of the public records of Alachua County, Florida; thence westerly along the South line of said Lot 6 to the West right-of-way of Interstate 75 and a point on the existing city limits line as per Ordinance #001160; thence continue West along said South line of Lot 6 to the intersection with the West line of said Section 10; thence South to the Southwest corner of said Section 10 and the Southeast corner of Section 9; thence South 88° 57'51" West along the South line of said Section 9 a distance of 2630.04 feet to an intersection with the East line of a 15 foot by 15 foot easement to J.C. Dickenson III and Sarah L. Bingham Dickenson as recorded in ORB 1093, Page 0740 ACR; thence following the boundary of said easement, North 01°04'12" West, a distance of 15 feet; thence South 88°57'51" West, a distance of 15 feet to an intersection with the East line of that property described in ORB 1589, Pages 201-202 ACR; thence departing said easement, along said East line North 01°04'12" West, a distance of 632.54 feet to the existing city limits line as per Ordinance #040280b; thence continue along the boundary of said lands North 01°04'12" West, a distance of 87.46 feet; thence continue along the boundary of said lands North 64°37'41" West, a distance of 360.69 feet to a point of intersection with the easterly right-of-way line of County Road SW 30 (a.k.a. SW 24<sup>th</sup> Avenue, right-of-way width varies), said point being on a non-tangent curve to the left, concave northwesterly, having a radius of 1959.86 feet, and being subtended by a chord bearing and distance North 27°49'20" East, 166.86 feet; thence northeasterly along the arc of said curve and along said easterly right-of-way line through a central angle of 04°52'46", an arc distance of 166.91 feet to the point of tangency; thence continue along said easterly right-of-way line North 25°23'02" East, a distance of 1465.38 feet to the point of curvature of a curve to the right, concave Southeasterly, having a radius of 1859.86 feet, and being subtended by a chord bearing and distance of North 42°26'55" East, 1091.56 feet; thence northeasterly along the arc of said curve and along said easterly right-of-way line through a central angle of 34°07'37", an arc distance of 1107.86 feet to the end of said

curve; thence departing said easterly right-of-way line South 30°29'37" East, a distance of 130.00 feet to an intersection with a curve being concave to the Southeast, and having a radius of 1729.86 feet, a tangent of 311.84 feet, a central angle of 20°26'16", and a chord bearing and distance of North 69°43'36" East, 613.78 feet and the existing city limits line as per Ordinance #001160; thence along said curve an arc distance of 617.05 feet; thence leaving said curve, South 00°37'49" East, a distance of 230.00 feet; thence South 60°37'49" East, a distance of 431.27 feet; thence North 89°21'36" East, a distance of 809.87 feet; thence North 59°21'36" East, a distance of 480.00 feet; thence North 00°38'24" West, a distance of 220.00 feet; thence North 89°21'36" East, a distance of 349.69 feet to a point of intersection with the westerly right-of-way of Interstate 75 (State Road 93) and the existing city limits line as per Ordinance #3769; thence Northwest along said westerly right-of-way to the North right-of-way line of State Road 26; thence East along said North right-of-way line to the West line of the lands as described in ORB 0798, Page 0534 ACR and the existing city limits line as per Ordinance #3979; thence northerly along said West line to the North line of the lands as described in ORB 1123, Page 0353 ACR; thence westerly along said North line to the Northwest corner of said lands and the Southwest corner of the lands as described in ORB 1636, Page 0787 ACR; thence North along the West line of said lands to the Northwest corner of said lands and a point on the South line of Lot 21 of North Florida Regional Doctors Office Park, a subdivision as recorded in plat Book "H", Page 81 ACR, also identified as the point of beginning of said plat; thence westerly along the South line of said plat to the West line of Lot 20 of said plat; thence northerly along the said West line to the South right-of-way line of N.W. 9<sup>th</sup> Boulevard; thence easterly along said South right-of-way line to the East line of Lot 21 and the existing city limits line as per Ordinance #030457; thence northeasterly and southerly along said South right-of-way line of N.W. 9<sup>th</sup> Boulevard and the North and East boundaries of lots 22, 23, 24, 25 and 26 to the South line of said plat; thence crossing N.W. 64th terrace, easterly to the East right-of-way line of N.W. 64th terrace and the Southwest corner of Lot 1 of said plat; thence northerly along said East right-of-way line to the Northwest corner of said Lot 1 and the Southwest corner of Lot 2 and the existing city limits line as per Ordinance #020104; thence northwesterly along said East right-of-way line to the Northwest corner of Lot 2 and the Southern most corner of Lot 3 and the existing city limits line as per Ordinance #002124; thence northwesterly along said East right-of-way line to the Southwest corner of Lot 3 and the South East corner of Lot 4; thence northeasterly along the West line of Lot 3 to the North line of said North Florida Regional Doctors Office Park plat and the existing city limits line as per Ordinance #3979; thence westerly along said North line of plat to the Northeast corner of Lot 10 of said plat and the existing city limits line as per Ordinance #030458; thence Southwesterly along the East line of Lot 10 and a southerly extension thereof to the South right-of-way line of N.W. 11<sup>th</sup> Place;

thence westerly along said South right-of-way line to the Northeast corner of Lot 16 of said plat; thence Southwesterly along the East line of Lot 16 to the Southeast corner of Lot 16; thence westerly along the South line of said Lot 16 to the Southwest corner of said lot; thence northeasterly along the West line of Lot 16 to the Northwest corner of said Lot 16 and the intersection with the South right-of-way line of NW 11th Place; thence northwesterly along said South right-of-way line to the southerly projection of the West line of Lot 11 of said plat; thence northeasterly along said projection to the Southwest corner of Lot 11; thence continue northeasterly along the West line of Lot 11 to the North line of North Florida regional doctors office park plat and the existing city limits line as per Ordinance #3979; thence westerly to the Northwest corner of said plat; thence southerly to the intersection of the West line of said plat with the East right-of-way line of N.W. 69<sup>th</sup> Terrace; thence northwesterly along said East right-of-way line to the Southwest corner of the lands as described in ORB 2434, Page 0241 ACR; thence easterly along the South line of said lands to the Southwest corner of University ACRes Unit No. 2, a subdivision as recorded in Plat Book "H", Page 10 ACR; thence easterly along the South line of said University ACRes Unit No. 2 and the South line of University ACRes Unit No. 1, a subdivision as recorded in Plat Book "F", Page 88 ACR, to the Southeast corner of said subdivision and a point on the Southwest line of the lands as described in ORB 1315, Page 0726 ACR; thence Southeasterly along the Southwest line of said lands to the Southeast corner of said lands and the Northwest corner of Lot 24 of West Hills, a subdivision as recorded in Plat Book "E", Page 11 ACR; thence southerly along the West line of said West Hills to intersection with the North right-of-way line of State Road 26 and the existing city limits line as per Ordinance #3769; thence easterly along said North right-of-way line to the West right-of-way line of N.W. 55<sup>th</sup> Street; thence northerly along said West right-of-way line through Section 34, Township 9 South, Range 19 East to its intersection with the North right-of-way line of NW 23<sup>rd</sup> Avenue; thence East along said North right-of-way line to its intersection with the West right-of-way line of N.W. 43<sup>rd</sup> Street; thence, northerly along said West right-of-way line to the Southeast corner of the lands as described in ORB 3700, Page 0529 ACR; thence North 89°55'11" West, a distance of approximately 613.12 feet to a point on the East line of Lot 63 of the "subdivision of Section 27, Township 9 South, Range 19 East, Arredondo Grant" as per the plat thereof as recorded in Plat Book "A" at Page 55 ACR; thence North, a distance of approximately 165.07 feet to the Northeast corner of said Lot 63; thence West, along the North line of said Lot 63 also being the South line of Lot 50 of said "Arredondo Grant" a distance of approximately 663 feet to the Southwest corner of said Lot 50; thence West along the South line of Lot 51 of said "Arredondo Grant" a distance of approximately 663 feet to the Southwest corner of said Lot 51; thence North along the West line of said Lot 51, a distance of approximately 663 feet to the Northwest corner of said Lot 51 said

corner also being the Southwest corner of "Buck Ridge Unit-2" a subdivision as recorded in Plat Book "R", at Page 31 ACR; thence along the West line of said "Buck Ridge Unit-2", North 00°15'19" East a distance of 663.36 feet to the Northwest corner of said "Buck Ridge Unit-2"; thence along the North line of said "Buck Ridge Unit-2", South 89°42'46" East, a distance of 662.41 feet to the Northeast corner of said "Buck Ridge Unit-2", said corner also being the Northwest corner of Lot 47 of said "Arredondo Grant"; thence East along the North line of said Lot 47 and along the North line of Lot 48 of said "Arredondo Grant" a distance of approximately 1276 feet to the West right-of-way line of State Road S-329 (N.W. 43<sup>rd</sup> Street); thence northerly along said West right-of-way line to the Southeast corner of the lands as described in ORB 1453, Page 0076 ACR and the existing city limits line as per Ordinance #040706; thence westerly along the South line of said lands to the Southwest corner of said lands; thence northerly to along the West line of said lands to the Southeast corner of the lands as described in ORB 1747, Page 1636 ACR; thence South 89°04'10" West a distance of 262.01 feet to a set iron pin (#3524), marking the intersection with the East line of Chula Vista Park as recorded in Plat Book "G", Page 67, and Plat Book "G", Page 75 ACR; thence North 00°49'08" West along said East line a distance of 213.37 feet to a set iron pin (#3524), marking the intersection with the South right-of-way line of State Road No. 222 (NW 39<sup>th</sup> Avenue); thence South 87°02'50" East along said line a distance of 53.02 feet to a set iron pin (#3524); thence North 89°04'10" East along said line a distance of 208.54 feet to the Northwest corner of the lands as described in ORB 1453, Page 0076 ACR; thence easterly along the North line of said lands to the intersection with the West right-of-way line of N.W. 43<sup>rd</sup> Street; thence northerly along said West right-of-way line to the South line of Bellamy Forge Condominium, as recorded in declaration of condominium in ORB 876, Page 219 ACR, and the existing city limits line as per Ordinance #3578; thence North 89°37'37" West along the South line of said Bellamy Forge Condominium to the Northeast corner of the lands as described in ORB 2212, Page 1500 ACR, and the existing city limits line as per Ordinance #990947; thence South 00°06'22" West, parallel to the West line of the East half (E ½) of the Southeast quarter (se ¼) of Section 22, Township 9 South, Range 19 East, a distance of 645.86 feet along the East line of said lands to the North right-of-way line of N.W. 39<sup>th</sup> Avenue; thence North 89°49'38" West, along said North right-of-way line 250.00 feet to the Southwest corner of said lands and the existing city limits line as per Ordinance #3645; thence westerly along said North right-of-way line to the intersection with the East line of the West ½ of the Southwest ¼ of the Southwest ¼ of the Southeast ¼ of said Section 22, and the existing city limits line as per Ordinance #3646; thence continue westerly along said North right-of-way line to the West line of the Southeast ¼ of said Section 22; thence northerly along said West line to the North line of the Southwest ¼ of the Southwest ¼ of the Southeast ¼ of said Section 22, and the existing city limits line as per Ordinance #3645; thence continue



northerly along said West line to the South line of the North 1029.87 feet of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 22; thence easterly along said South line to the East line of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 22; thence southerly along said East line to the Northwest corner of said Bellamy Forge Condominiums and the existing city limits line as per Ordinance #3578; thence North  $89^{\circ}59'03''$  East along the North line of said Bellamy Forge Condominiums a distance of 1091.89 feet to the West right-of-way line of N.W. 43<sup>rd</sup> Street; thence northerly along said West right-of-way line to the North line of a drainage right-of-way as described in ORB 1741, Page 2148 ACR, and the existing city limits line as per Ordinance #3614; thence South  $89^{\circ}35'40''$  West along the North line of said lands and parallel to the South line of the Northeast  $\frac{1}{4}$  of said Section 22, 499.89 feet; thence South  $00^{\circ}24'20''$  East a distance of 103.77 feet; thence South  $89^{\circ}31'35''$  West to the Northwest corner of said drainage right-of-way; thence South  $00^{\circ}27'55''$  East a distance of 40 feet to the Southwest corner of said drainage right-of-way; thence South  $89^{\circ}18'14''$  West to an iron pipe found at the Southwest corner of the Northeast one-quarter of said Section 22; thence North  $00^{\circ}25'51''$  West along the West boundary of said Northeast  $\frac{1}{4}$  to the Southeast corner of the lands as described in ORB 1658, Page 2502 ACR and the existing city limits as per Ordinance #020815; thence South  $89^{\circ}35'16''$  West and parallel with the North line of the Northwest  $\frac{1}{4}$  of said Section 22, a distance of 565.00 feet to the Southwest corner of said lands; thence North  $00^{\circ}24'40''$  West and parallel with the East line of said Northwest  $\frac{1}{4}$ , a distance of 590.00 feet to the Northwest corner of said lands; thence North  $89^{\circ}35'16''$  East and parallel with said North line of the Northwest  $\frac{1}{4}$ , a distance of 565.00 feet to the Northeast corner of said lands and the existing city limits line as per Ordinance #980467; thence North to the North right-of-way line of County Road 232 (NW 53rd Avenue and Millhopper Road); thence West along said right-of-way line to the Southeast corner of Lot 34 of Deer Run Unit I, as recorded in Plat Book "J", Page 33 ACR; thence North along the East line of said Deer Run Unit I and the East line of Deer Run Unit II as recorded in Plat Book "J", Page 86 ACR, to a point on the southerly line of Lot 14, of said Deer Run Unit II; thence East along the southerly lines of lots 14 through 17 of said Deer Run Unit II to the Southeast corner of said Lot 17; thence North along the East line of said Deer Run Unit II to the Southwest corner of Lot 129 of Deer Run Unit III as recorded in Plat Book "L", Page 34 ACR; thence East to the Southeast corner of said Lot 129; thence North along the East line of said Deer Run Unit III and a northerly projection of said East line to a point on the South line of Section 10, Township 9 South, Range 19 East, said point also being on the South line of Sterling Place Unit - 2 as recorded in Plat Book "R", Page 81 ACR; thence East along said South line of Section 10 and said Sterling Place Unit - 2 to the Southeast corner of said Sterling Place Unit - 2, said point also being the Southwest corner of the East half of the Southeast quarter of said Section 10; thence North along the East line of said Sterling Place Unit -

2 also being the West line of said East half of the Southeast quarter of said Section 10, and the East line of Sterling Place Unit - 1, a subdivision as recorded in Plat Book "R", Page 39 ACR, to the Northeast corner of said Sterling Place Unit - 1 and the existing city limits line as per Ordinance #002393; thence South 89°37'45" West along the North line of said Sterling Place Unit - 1, a distance of 1318.93 feet to the Northwest corner of said Sterling Place Unit - 1 also the Northeast corner of blues creek unit 1 as per the plat thereof recorded in plat Book "M", Page 95 ACR said point also being on the East right of way line of Northwest 52<sup>nd</sup> Terrace and the existing city limits line as per Ordinance #040290; thence along the East line of said 52<sup>nd</sup> Terrace the following 10 courses; S 00°27'43" E, a distance of 100.00 feet; thence S 89°32'17" W, a distance of 12.53 feet to a point on a curve concave to the Northwest having a radius of 405 feet; thence along the arc of said curve a distance of 300.42 feet through a central angle of 42°30'02" and being subtended by a chord bearing and distance of S 35°04'59" W, 293.58 feet; thence S 56°20'00" W, a distance of 166.60 feet to the beginning of a curve concave to the Southeast having a radius of 345 feet; thence along the arc of said curve a distance of 341.91 feet through a central angle of 56°46'54" and being subtended by a chord bearing and distance of S 27°56'33" W, 328.08 feet; thence S 00°26'54" E, a distance of 54.17 feet to the beginning of a curve concave to the East having a radius of 344.97 feet; thence along the arc of said curve a distance of 102.36 feet through a central angle of 17°00'03" and being subtended by a chord bearing and distance of S 08°56'56" E, 101.98 feet; thence S 17°26'57" E a distance of 91.83 feet to the beginning of a curve concave to the West having a radius of 405 feet; thence along the arc of said curve a distance of 282.74 feet through a central angle of 40°00'00" and being subtended by a chord bearing and distance of S 02°33'03" W, 277.04 feet to the beginning of a curve concave to the Southeast having a radius of 345 feet; thence along the arc of said curve a distance of 88.43 feet through a central angle of 14°41'09" and being subtended by a chord bearing and distance of S 15°12'28" W, 88.19 feet to a point on the South line of said Blues Creek Unit 1; thence leaving the East right of way line of Northwest 52<sup>nd</sup> Terrace, S 89°39'06" W along the South line of said Blues Creek Unit 1, a distance of 60.53 feet to the Southeast corner of Blues Creek Unit-2 as per the plat thereof recorded in Plat Book "O", Page 34 ACR also being a point on the West right of way line of said Northwest 52<sup>nd</sup> Terrace and being on a curve concave to the Southeast having a radius of 405 feet; thence along the arc of said curve also being the easterly boundary of said Blues Creek Unit-2 and the West right of way line of said NW 52<sup>nd</sup> Terrace, a distance of 61.99 feet through a central angle of 08°46'10" and being subtended by a chord bearing and distance of N 11°01'51" E, 61.93 feet to a point on a curve concave to the Northwest having a radius of 25 feet; thence leaving said West right of way line of NW 52<sup>nd</sup> Terrace, continuing along the northeasterly boundary of said Blues Creek Unit-2 and along the arc of said curve a distance of 33.88 feet through a central angle of 77°38'29" and being

subtended by a chord bearing and distance of S 54°14'10" W, 31.34 feet; thence continuing along said northeasterly boundary of Blues Creek Unit-2, N 72°41'04" W, a distance of 168.00 feet; thence N 34°15'00" W, a distance of 840.00 feet to the North most corner of Lot 6 of said Blues Creek Unit-2 and the existing city limits line as per Ordinance #001162; thence along the North line of said Blues Creek Unit-2 the following courses: South 32°25'00" West, 240.00 feet; South 70°45'00" West, 530.00 feet; South 42°10'00" West, 140.00 feet; South 61°40'00" West, 140.37 feet; South 85°37'35" West, 415.29 feet to the point of curvature of a curve concave to the Southeast having a radius of 50.00 feet; thence Southwesterly along the arc of said curve, through a central angle of 36°52'11", an arc length of 32.17 feet and a chord bearing and distance of South 67°11'29" West, 31.62 feet; thence South 85°37'35" West, a distance of 170.00 feet to the Northwest corner of said Blues Creek Unit-2 also being a point on the West line of Section 10, Township 9 South, Range 19 East, Alachua County, Florida; thence North 00°23'44" West along the West line of said Section a distance of 3550.34 feet to the Northwest corner of Blues Creek Unit 5 Phase 1 as recorded in Plat Book 24, Page 73 and the existing city limits line as per Ordinance #3864; thence North 00°23'44" West along the West line of said Section 10 a distance of 1558.81 feet to the Northwest corner of said Section 10; thence North 89°37'43" East along the North line of said Section 10, a distance of 3947.81 feet to the West line of the East ¼ (E ¼) of said Section 10; thence easterly along said North line of Section 10 to the West line of a 150-foot City of Gainesville transmission line right-of-way; thence North along said West transmission line right-of-way to the northwesterly right-of-way line of the Seaboard Coastline Railroad and being a point on the southerly line of the City of Gainesville Deerhaven Power Generating Station; thence northwesterly along said southerly line and said Seaboard Coastline Railroad right-of-way to a point lying 1800 feet more or less from the West line of Section 27, Township 8 South, Range 19 East (being also on a southerly extension of the East property line of the Alachua County Road Department And Engineering Compound); thence North to the Northeast corner of the lands as described in ORB 883, Page 502 ACR lying in Section 27, Township 8 South, Range 19 East and the existing City of Gainesville city limit line as per Ordinance #060731, said point being approximate Northwest most corner of the City of Gainesville Power Generating Station and the point of beginning.

Also: parcel 1

A tract of land situated in the Northwest ¼ of Section 4, Township 10 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Northwest corner of Section 4, Township 10 South, Range 19 East, and thence South 00°50'48" East, along the West line of said Section 4, a distance of 801.31 feet; thence North 89°26'12" East, 39.53 feet to the East right-of-way line of County Road No. S.W. 29 (N.W. 75<sup>th</sup> Street); thence South 00°50'48" East, along the East right-of-way line of said County Road No. S.W. 29 (N.W. 75<sup>th</sup> Street), 868.40 feet; thence South 89°57'23" East, 204.22 feet; thence South 00°02'37" West, 300.00 feet; thence South 89°57'23" East, a distance of 660.35 feet to the true point of beginning and the existing city limits line as per Ordinance #991230; thence continue South 89°57'23" East, a distance of 129.67 feet to the Southwest corner of the "Home Depot Parcel" as recorded in ORB 1726, Page 2386 ACR; thence along said "Home Depot Parcel" the following four courses: South 89°57'23" East, 456.00 feet; North 00°02'37" East, 809.51 feet; North 89°57'23" West, 426.00 feet; South 00°02'37" West, 103.82 feet; thence leaving said "Home Depot Parcel", thence South 89°54'28" West, a distance of 90.51 feet; thence North 83°05'52" West, a distance of 61.62 feet; thence South 00°05'46" West, a distance of 377.82 feet; thence North 89°41'31" West, a distance of 8.21 feet; thence South 00°03'18" East, a distance of 335.06 feet to the true point of beginning.

Also: parcel 2

A tract of land situated in Section 16, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the intersection of the East line of S.W. 63<sup>rd</sup> Boulevard and the South line of Section 16, Township 10 South, Range 19 East for a point of beginning and the existing city limits line as per Ordinance #061147; thence West along the southerly line of said Section 16 to the Northeast corner of Green Leaf Unit No. 1, a subdivision as recorded in Plat Book "K", Page 81 ACR; thence West along the North line of said subdivision and the North line of Section 21, Township 10 South, Range 19 East to the Northwest corner of Green Leaf Unit No. 1 and the Northeast corner of Tower Village, a subdivision as recorded in Plat Book "J", Page 96 ACR; thence West along the North line of said Tower Village Subdivision to the Northwest corner of said subdivision, said point also being on the East right-of-way line of S.W. 75<sup>th</sup> Street (Tower Road), also known as Alachua County Road SW 29; thence North along said right-of-way line to the Southwest corner of the lands as described in ORB 1816, Page 2063 ACR; thence East along the South line of said lands to the Southeast corner of said lands; thence



North along the East line of said lands to the Northeast corner of said lands; thence North along the northerly extension of said East line and the West line of the lands as described in ORB 0379, Page 0304 ACR to the Northwest corner of said lands, said point also being on the South line of Garrison Way Phase 1, a subdivision as recorded in Plat Book 25, Page 75 ACR; thence East along the South line of said subdivision and the North line of said lands and the North line of the lands as described in ORB 0335, Page 0398 ACR and the South line of lands described in ORB 1268, Page 495 to the Southeast corner of said lands described in ORB 1268, Page 495; thence northwesterly along the East line of said lands to the Northeast corner of said lands, said corner also being on the South line of the lands as described in ORB 2330, Page 1860, parcel 5, ACR; thence East along said South line to the Northwest corner of the lands as described in ORB 935, Page 279 ACR; thence in a southerly and Southwesterly direction along the westerly line of said lands to the Northeast corner of the lands as described in ORB 1750, Page 1897 ACR; thence West and South along the northerly and westerly lines of said lands to the Southwest corner of said lands; thence southerly along the easterly right-of-way line of Old Stagecoach Road to a point on the southerly line of Section 16, Township 10 South, Range 19 East and its intersection with the East right-of-way line of S.W. 63<sup>rd</sup> Boulevard and the point of beginning.

Also: parcel 3

A portion of Section 22, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 22, Township 10 South, Range 19 East, Alachua County, Florida, and thence North 00°05'11" East along the West boundary of said Section 2951.24 feet to a 5/8 " iron rod (no ID.) Found on the northerly boundary of that certain parcel of land as described in ORB 0363, Page 0309 ACR, said iron rod being a corner on the westerly line of that certain tract of land as described in ORB 1702, Page 1085 et seq. ACR; thence continue North 00°05'11" East along said West boundary and said westerly line 1113.37 feet to the point of beginning and the existing city limits line as per Ordinance #060980; thence continue North 00°05'11" East along said West boundary and said westerly line 495.53 feet to a concrete monument (stamped 'PLS 509') found at the Northwest corner of said certain tract of land; thence North 89°56'16" East, 651.35 feet to a rebar and cap (stamped 'Eng, Denman & Assoc.') set at the Northeast corner of said certain tract of land; thence

South 00°05'11" West along the East line of said certain tract of land 717.50 feet to a rebar and cap (stamped 'Eng, Denman & Assoc.') set on the North boundary of 'Broken Arrow Bluff', a subdivision as per the plat thereof, recorded in Plat Book "H", Page 16 ACR; thence North 89°46'11" West along said North boundary of 'Broken Arrow Bluff', 9.19 feet to a concrete monument (not identifiable) found at the Northwest corner of Lot 1 of 'Oaks of Kanapaha Unit 1', a planned unit development, as per the plat thereof recorded in Plat Book "M", Page 34 of said public records and the existing city limits line as per Ordinance #070457; thence South and West along the easterly and southerly lines of said Lot 1 to the Southeast corner of Lot 2 of 'Oaks of Kanapaha Unit 1'; thence West and Northwest along the southerly lines of said Lot 2 and lots 3, 4, 5 and 6 of 'Oaks of Kanapaha Unit 1' to the Southwest corner of said Lot 6; thence North along the West line of said Lot 6 to the Northwest corner of said Lot 6 and the existing city limits line as per Ordinance #060980; thence North 66°54' 49" West, 350.32 feet to the point of beginning.

Less and except: parcel 1

A tract of land located in fractional Section 2, Township 9 South, Range 19 East and Section 35, Township 8 South, Range 19 East, Alachua County, Florida, according to City of Alachua Ordinances 0-91-19, 0-82-1, 0-91-18, 0-91-4, 0-91-15, 0-08-20, 0-93-8, being more particularly described as follows:

Commence at the Northwest corner of Turkey Creek Forest Unit No. 3D, as recorded in Plat Book "M", Page 98 ACR for a point of beginning and the existing city limits line as per Ordinance #3768; thence East along the North line of said subdivision, along the North line of Turkey Creek Forest Unit No. 1 as recorded in Plat Book "J", Page 7, along the North line of Turkey Creek Forest Unit No. 2 as recorded in Plat Book "K", Page 11, and along the North line of Turkey Creek Forest Unit No. 4, as recorded in Plat Book "M", Page 99, to the West right-of-way line of U.S. Highway No. 441; thence Northwest along said West right-of-way line of U.S. Highway No. 441 to the South line of that parcel located in Section 2, Township 9 South, Range 19 East outside the Arredondo Grant and described in ORB 1228, Page 417 ACR; thence Southwest along said South line of parcel to the West line of said parcel; thence Northwest along said West line to the North line of said parcel; thence Northeast along said North line to the West right-of-way line of U.S. Highway No. 441; thence Northwest along said right-of-way line to the North line of fractional Section 2, Township 9 South, Range 19 East

outside the Arredondo Grant; thence East along the North line of said Section 2 to the East right-of-way line of U.S. Highway No. 441 at its intersection with the South line of the City of Gainesville Deerhaven Power Generating Station; thence Northwest along said East right-of-way line of U.S. Highway No. 441 to the intersection with the East line of the 150-foot wide power transmission line right-of-way; thence South along said East line to the Northwest corner of Turkey Creek Forest Unit No. 3D and the point of beginning.

(Ord. No. 080085, § 1(Exh. A), 10-2-08)

#### CHARTER COMPARATIVE TABLE - LAWS OF FLORIDA

Chapter	Section	Section this Charter
90-394	1	Art. I, §§ <u>1.01</u> —1.04 Art. II, §§ <u>2.01</u> —2.11 Art. III, §§ <u>3.01</u> —3.07 Art. IV, §§ <u>4.01</u> —4.03 Art. V, §§ <u>5.01</u> —5.05 Art. VI, §§ <u>6.01</u> —6.04

#### CHARTER COMPARATIVE TABLE - ORDINANCES

Ordinance Number	Adoption Date	Referendum Date	Section	Section this Charter
3744	10-21-91	—	1	App. I (note)