LEGISLATIVE # 181065A

ORDINANCE NO. 181065

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An ordinance of the City of Gainesville, Florida, annexing approximately 0.44 acres of privately-owned property generally located south of Oak Park Village and parcel number 06916-000-000, west of SW 47th Street, north of SW Archer Road, and east of SW 50th Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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WHEREAS, the Municipal Annexation or Contraction Act, Chapter 171, Florida Statutes, (the "Act"), sets forth criteria and procedures for adjusting the boundaries of municipalities through annexations or contractions of corporate limits; and

WHEREAS, on June 6, 2019, the City Commission of the City of Gainesville received a petition for voluntary annexation of real property located in the unincorporated area of Alachua County, as more specifically described in this ordinance, and determined that the petition included the signatures of all owners of property in the area proposed to be annexed; and

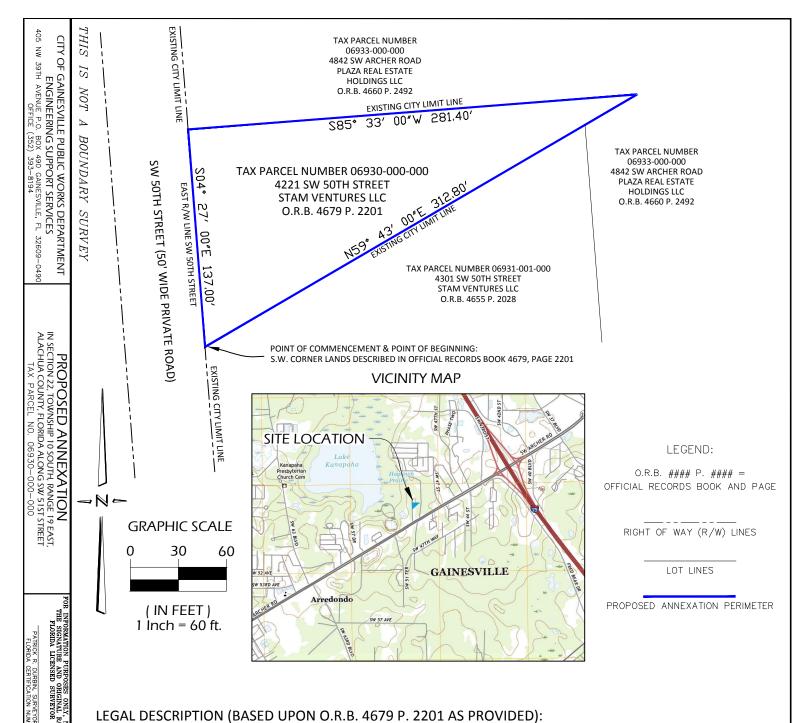
WHEREAS, the subject property meets the criteria for annexation under the Act; and

WHEREAS, the City has provided all notices required pursuant to the Act, including: 1) notice that has been published in a newspaper of general circulation at least once a week for two consecutive weeks prior to first reading, and which notice gives: a) the ordinance number, b) a brief, general description of the area proposed to be annexed together with a map clearly showing the area, and c) a statement that the ordinance and a complete legal description by metes and bounds of the annexation area can be obtained from the office of the Clerk of the Commission; and 2) not fewer than ten calendar days prior to publishing the newspaper notice, the City Commission has

- 30 provided a copy of the notice, via certified mail, to the Alachua County Board of County
- 31 Commissioners; and
- 32 **WHEREAS,** public hearings were held pursuant to the notice described above during which the
- parties in interest and all others had an opportunity to be and were, in fact, heard.
- NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,
- 35 **FLORIDA**:
- 36 **SECTION 1.** The City Commission finds that the property described in Section 2 of this ordinance is
- 37 reasonably compact and contiguous to the present corporate limits of the City of Gainesville and
- that no part of the subject property is within the boundary of another municipality or outside of
- 39 the county in which the City of Gainesville lies. The City Commission finds that annexing the
- 40 subject property into the corporate limits of the City of Gainesville does not create an enclave of
- 41 unincorporated property.
- 42 **SECTION 2.** The property described in **Exhibit A**, which is attached hereto and made a part hereof
- 43 as if set forth in full, is annexed and incorporated within the corporate limits of the City of
- 44 Gainesville, Florida.
- 45 **SECTION 3.** The corporate limits of the City of Gainesville, Florida, as set forth in Appendix I,
- 46 Charter Laws of the City of Gainesville, are amended and revised to include the property described
- in Section 2 of this ordinance.
- 48 **SECTION 4.** In accordance with Section 171.062, Florida Statutes, the Alachua County land use
- 49 plan and zoning or subdivision regulations shall remain in full force and effect in the property
- described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment
- 51 that includes the annexed area. The City of Gainesville shall have jurisdiction to enforce the

- 52 Alachua County land use plan and zoning or subdivision regulations through the City of
- 53 Gainesville's code enforcement and civil citation processes.
- **SECTION 5.** (a) As of the effective date of this ordinance, all persons who are lawfully engaged in
- any occupation, business, trade, or profession within the property area described in Section 2 of
- this ordinance may continue such occupation, business, trade, or profession, but shall obtain a
- 57 business tax receipt from the City of Gainesville for the term commencing on October 1, 2019.
- 58 (b) As of the effective date of this ordinance, all persons who possess a valid certificate of
- 59 competency issued by Alachua County that are lawfully engaged in any construction trade,
- occupation, or business within the property area described in Section 2 of this ordinance may
- continue the construction trade, occupation, or business within the subject area and the entire
- 62 corporate limits of the City of Gainesville, subject to the terms, conditions, and limitations imposed
- on the certificate by Alachua County, and provided that such persons register the certificate with
- 64 the Building Inspections Division of the City of Gainesville and the Department of Business and
- 65 Professional Regulation of the State of Florida, if applicable, on or before 4:00 p.m. of the effective
- date of this ordinance.
- 67 **SECTION 6.** The Clerk of the Commission is directed to submit a certified copy of this ordinance to
- the following parties within seven calendar days after the adoption of this ordinance: 1) the Florida
- 69 Department of State; 2) the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for
- Alachua County, Florida; and 3) the Chief Administrative Officer of Alachua County.
- 71 **SECTION 7.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
- 72 application hereof to any person or circumstance is held invalid or unconstitutional, such
- finding will not affect the other provisions or applications of this ordinance that can be given

74	effect without the invalid or unconstitutional provision or application, and to this end the		
75	provisions of this ordinance are declared severable.		
76	SECTION 8. All other ordinances or parts of ordinances in conflict herewith are to the extent of		
77	such conflict hereby repealed.		
78	SECTION 9. This ordinance will become effective immediately upon adoption.		
79	PASSED AND ADOPTED this day of	, 2019.	
80 81 82 83 84 85 86		LAUREN POE MAYOR	
87 88 89 90	Attest:	Approved as to form and legality:	
91 92 93 94	OMICHELE D. GAINEY CLERK OF THE COMMISSION	NICOLLE M. SHALLEY CITY ATTORNEY	
95 96	This ordinance passed on first reading this	day of	_, 2019.
97	This ordinance passed on second reading this	s day of	, 2019.



LEGAL DESCRIPTION (BASED UPON O.R.B. 4679 P. 2201 AS PROVIDED):

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ACAD FILENAME: TP 6930-ANNEX

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CHECKED DRAWN

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A TRACT OF LAND LYING IN SECTION 22, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4679, PAGE 2201 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF SOUTHWEST 50TH STREET (A PRIVATE ROAD) AND ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO. 080605 AND THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE RUN ALONG SAID CITY LIMIT LINE NORTH 59 DEGREES 43 MINUTES EAST A DISTANCE OF 312.80 FEET; THENCE RUN ALONG SAID CITY LIMIT LINE SOUTH 85 DEGREES 33 MINUTES WEST A DISTANCE OF 281.40 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID SOUTHWEST 50TH STREET; THENCE LEAVING SAID CITY LIMIT LINE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE SOUTH 04 DEGREES 27 MINUTES EAST A DISTANCE OF 137.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 0.44 ACRES, MORE OR LESS.

Gainesville. Citizen centered **Proposed Annexation - Archer Health Extension** Parcel 06930-000-000 | Voluntary Annexation People empowered Kanapaha Lake SW 50th St SW 51st St SW Archer Rd SM 47th Way Parcel 06930-000-000 City Limits Exhibit A to Ordinance No. 181065

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400 ■ Yards

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