

LEGISLATIVE #

211147A

ORDINANCE NO. 211147

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 13.943 acres generally located northeast of the intersection of SW Williston Road and SW 13th Street and west of SW 13th Street and south of SW 36th Place, as more specifically described in this ordinance, from Alachua County Business Retail Sales and Services (BR), Highway Oriented Business (BH), and Hospital/Medical (HM) to City of Gainesville Urban 7 (U7); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of Gainesville to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the city; and

WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of the uses of land for residential, commercial, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land, with the goals of protecting natural and historic resources, providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban sprawl; and

28 **WHEREAS**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or
29 amend and enforce land development regulations that are consistent with and implement the
30 Comprehensive Plan and that are combined and compiled into a single land development code
31 for the city; and

32 **WHEREAS**, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville
33 Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and
34 land development regulations on specific classifications of land within the city; and

35 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Zoning Map
36 Atlas by rezoning the subject properties of this ordinance; and

37 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
38 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
39 pursuant to Section 163.3174, Florida Statutes, held public hearings for the combined subject
40 properties on February 24, 2022, and April 28, 2022, and voted to recommend that the City
41 Commission approve this rezoning; and

42 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general
43 circulation notifying the public of this proposed ordinance and public hearings held by the City
44 Commission; and

45 **WHEREAS**, the public hearings were held pursuant to the notice described above at which
46 hearings the parties in interest and all others had an opportunity to be and were, in fact,
47 heard; and

48 **WHEREAS**, the City Commission finds that the rezoning of the subject properties will be
49 consistent with the City of Gainesville Comprehensive Plan when the amendment to the

Comprehensive Plan adopted by Ordinance No. 211146 becomes effective as provided therein.

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

SECTION 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following properties from Alachua County Business Retail Sales and Services (BR), Highway Oriented Business (BH), and Hospital/Medical (HM) to City of Gainesville Urban 7 (U7):

See the legal descriptions attached as **Exhibit A** and made a part hereof as if set forth in full. The location of the properties are shown on **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

SECTION 2. The City Manager or designee is authorized and directed to make the necessary changes to the Zoning Map Atlas to comply with this ordinance.

SECTION 3. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the 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 effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

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

SECTION 5. This ordinance will become effective immediately upon adoption; however, the rezoning will not become effective until the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 211146 becomes effective as provided therein.

PASSED AND ADOPTED this _____ day of _____, 2022.

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LAUREN POE
MAYOR

Attest: Approved as to form and legality:

OMICHELE D. GAINEY
CITY CLERK

DANIEL M. NEE
INTERIM CITY ATTORNEY

This ordinance passed on first reading the _____ day of _____, 2022.

This ordinance passed on adoption reading the _____ day of _____, 2022.

Exhibit A to Ordinance 211147

SKETCH OF DESCRIPTION - NOT A BOUNDARY SURVEY

GENERAL NOTES

THIS DRAWING REPRESENTS A SKETCH OF DESCRIPTION AND DOES NOT REPRESENT A BOUNDARY SURVEY. AS SUCH, PROPERTY CORNER MONUMENTATION WAS NOT SET IN ASSOCIATION WITH THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

ALL BEARINGS SHOWN WITHIN THIS SKETCH OF DESCRIPTION ARE REFERENCED TO AN ASSUMED DATUM. REFERENCE BEARING FOR THIS SKETCH OF DESCRIPTION IS THE WEST RIGHT OF WAY LINE OF SOUTHWEST 13TH STREET (STATE ROAD 25) WHICH HAS AN ASSUMED BEARING OF SOUTH 07°56'31" WEST.

THE PERIMETER BOUNDARY FOR THIS ANNEXATION IS BASED ON THE SAME DEED, DEEDS FOR THE ADJACENT PARCELS ADJUSTED TO FIT AND THE ANNEXATIONS SHOWN HEREON AND INFORMATION FROM THE STRATEGIC PLANNING OFFICE.

THE ADJOINING PARCEL INFORMATION SHOWN IN THIS SKETCH OF DESCRIPTION REPRESENT CURRENT PROPERTY OWNERSHIPS AS INDICATED BY THE ALACHUA COUNTY PROPERTY APPRAISER'S OFFICE AT THE TIME OF THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

ALL DISTANCE MEASUREMENTS SHOWN HEREIN ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMAL U.S. SURVEY FEET. ALL ANGULAR MEASUREMENTS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS.

THIS SKETCH OF DESCRIPTION MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED INFORMATION.

THE LEGAL DESCRIPTION INCLUDED WITH THIS SKETCH OF DESCRIPTION WAS PREPARED BY THE UNDERSIGNED SURVEYOR AND MAPPER.

PRINTED COPIES OF THIS SKETCH OF DESCRIPTION MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED IF OBTAINING SCALED DATA FROM A PRINTED COPY OF THIS SKETCH OF DESCRIPTION.

THIS SKETCH OF DESCRIPTION CONSISTS OF THREE (3) SHEETS AND EACH SHEET IS INCOMPLETE WITHOUT THE OTHERS AND IS ALSO NOT COMPLETE WITHOUT THE LEGAL DESCRIPTION FOUND ON PAGE 2 OF 3 INCLUDED.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION SHOWN HEREIN WAS COMPLETED UNDER MY DIRECT SUPERVISION AND CONTROL AND THAT SAID SKETCH OF DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I ALSO DO HEREBY FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS AND IS IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR SURVEYS AS CONTAINED IN THE DEFINITIONS, SURVEY, MAP AND REPORT CONTENT REQUIREMENTS AS ESTABLISHED BY CHAPTERS 5J-17.050, 5J-17.051 AND 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE AS SAID CHAPTERS EXISTED AT THE TIME OF THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

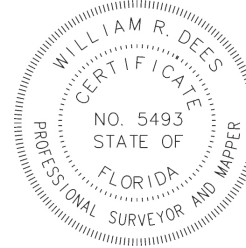
SKETCH OF DESCRIPTION PREPARED BY:

WILLIAM R. DEES
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER LS5493

THE USE OF THE IMAGE OF THE SURVEYOR'S SEAL APPEARING ABOVE WAS AUTHORIZED BY WILLIAM R. DEES, FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA LICENSE NUMBER LS5493. UNLESS THIS SKETCH OF DESCRIPTION BEARS THE ORIGINAL BLUE INK SIGNATURE OF WILLIAM R. DEES OR A DIGITAL SIGNATURE WITH A VERIFIED SHA-1 AUTHENTICATION CODE THIS SKETCH OF DESCRIPTION IS TO BE USED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE CONSIDERED VALID.

SKETCH & DESCRIPTION VOLUNTARY ANNEXATIONS - SW 13TH ST TAX PARCELS 07253-000-000, 07254-000-000, 07251-009-000 AND A PART OF SOUTHWEST 13TH STREET NOT A BOUNDARY SURVEY

FOR REFERENCE ONLY - NOT VALID WITHOUT ORIGINAL BLUE INK SIGNATURE
AND SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.



Digitally signed by William R Dees
Reason: This item has been
electronically signed and sealed
by William R. Dees, PSM using a
SHA-1 authentication code.
Printed copies of this document
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Date: 2021.10.13 17:27:36 -04'00'

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT
ENGINEERING SUPPORT SERVICES

405 NW 39TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627
(352) 334-5070 SURVEY OFFICE (352) 393-8194

SKETCH & DESCRIPTION
VOLUNTARY ANNEXATIONS - SW 13TH ST
TAX PARCELS 07253-000-000, 07254-000-000, 07251-009-000
AND A PART OF SOUTHWEST 13TH STREET

DATE:
OCT. 13, 2021

PAGE 1 OF 3

Exhibit A to Ordinance 211147

SKETCH OF DESCRIPTION - NOT A BOUNDARY SURVEY

DESCRIPTION

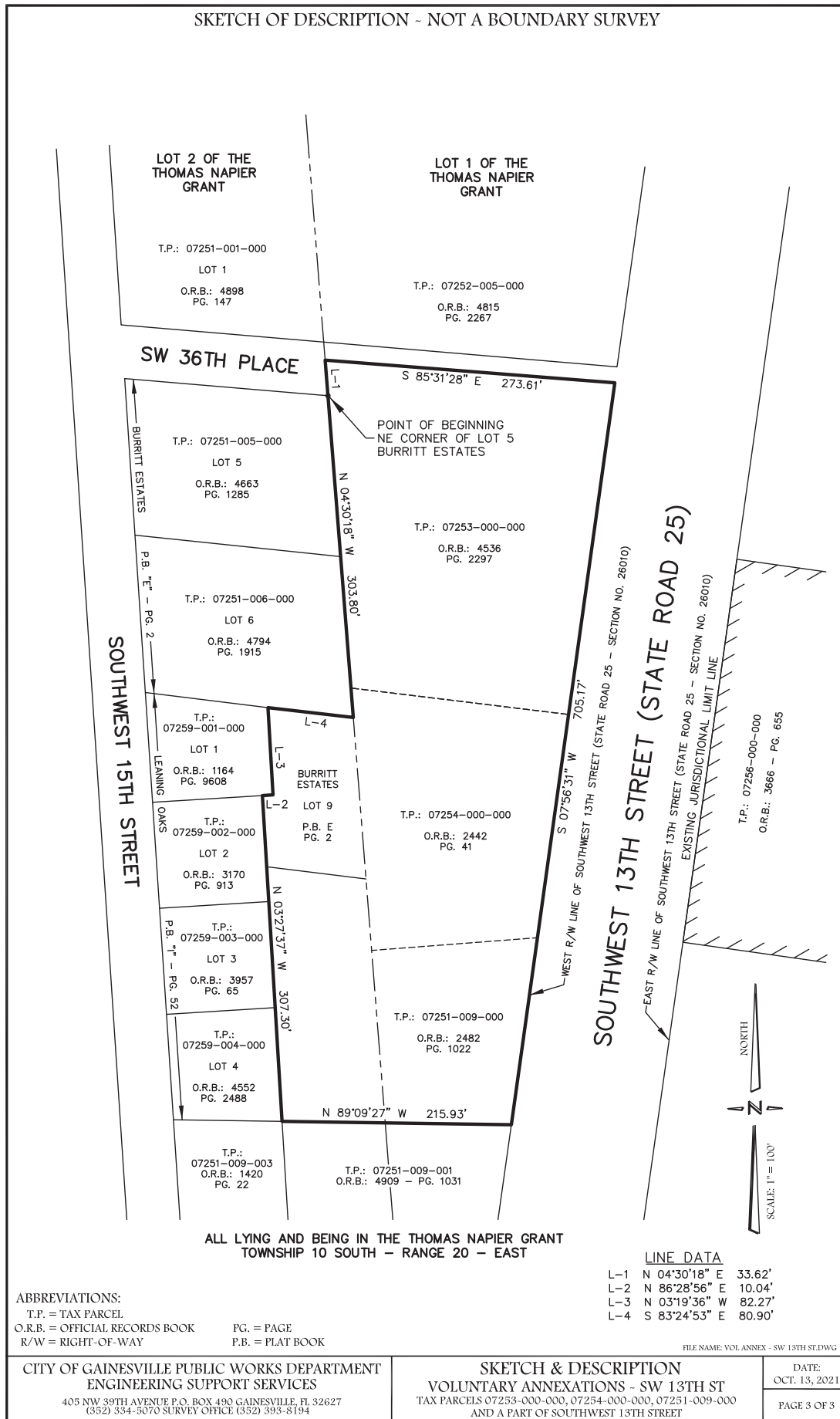
A PARCEL OF LAND LYING AND BEING WITHIN THE LANDS OF THE THOMAS NAPIER GRANT, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, WITH SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 5 OF THE BURRITT ESTATES SUBDIVISION, ACCORDING TO A MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK "E", PAGE 2 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND RUN THENCE ALONG THE COMMON LINE SHARED BY LOT 5 AND A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4536, PAGE 2297, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID COMMON LINE ALSO BEING THE WEST LINE OF LOT 1 OF THE THOMAS NAPIER GRANT, NORTH 04°30'18" EAST, A DISTANCE OF 33.62 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4536, PAGE 2297; THENCE DEPARTING SAID COMMON LINE, SOUTH 85°31'28" EAST, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 273.61 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SOUTHWEST 13TH STREET ALSO BEING KNOWN AS STATE ROAD 25; THENCE DEPARTING SAID NORTH LINE, SOUTH 07°56'31" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 705.17 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2482, PAGE 1022; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, NORTH 89°09'27" WEST, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 215.93 FEET TO THE SOUTHEAST CORNER OF LOT 4 OF THE LEANING OAKS SUBDIVISION, ACCORDING TO A MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK "I", PAGE 52 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH LINE, NORTH 03°27'37" WEST, ALONG THE EAST LINE OF SAID LEANING OAKS SUBDIVISION, A DISTANCE OF 307.30 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 1 OF SAID LEANING OAKS SUBDIVISION; THENCE CONTINUE ALONG THE EAST LINE OF SAID LEANING OAKS SUBDIVISION AND THE SOUTH LINE OF SAID LOT 1, NORTH 86°28'56" EAST, A DISTANCE OF 10.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE CONTINUE ALONG THE EAST LINE OF SAID LEANING OAKS SUBDIVISION AND THE EAST LINE OF SAID LOT 1, NORTH 03°19'36" WEST, A DISTANCE OF 82.27 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 6 OF THE AFORESAID BURRITT ESTATES SUBDIVISION; THENCE DEPARTING SAID EAST LINE OF THE LEANING OAKS SUBDIVISION, SOUTH 83°24'53" EAST, ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 80.90 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6 AND A POINT OF INTERSECTION WITH THE AFORESAID WEST LINE OF LOT 1 OF THE THOMAS NAPIER GRANT; THENCE DEPARTING SAID SOUTH LINE, NORTH 04°30'18" WEST, ALONG SAID EAST LINE OF THE BURRITT SUBDIVISION AND THE WEST LINE OF LOT 1 OF THE THOMAS NAPIER GRANT, A DISTANCE OF 303.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.998 ACRES OF LAND, MORE OR LESS.

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT ENGINEERING SUPPORT SERVICES 405 NW 39TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627 (352) 334-5070 SURVEY OFFICE (352) 393-8194	SKETCH & DESCRIPTION VOLUNTARY ANNEXATIONS - SW 13TH ST TAX PARCELS 07253-000-000, 07254-000-000, 07251-009-000 AND A PART OF SOUTHWEST 13TH STREET	DATE: OCT. 13, 2021 PAGE 2 OF 3
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SKETCH OF DESCRIPTION PREPARED BY:

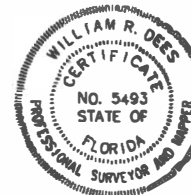
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SKETCH & DESCRIPTION VOLUNTARY ANNEXATIONS - SW 13TH ST TAX PARCELS 07256-004-000, 07256-001-001, 07256-001-000 AND 07256-001-002

NOT A BOUNDARY SURVEY

FOR REFERENCE ONLY - NOT VALID WITHOUT ORIGINAL BLUE INK
SIGNATURE AND SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.



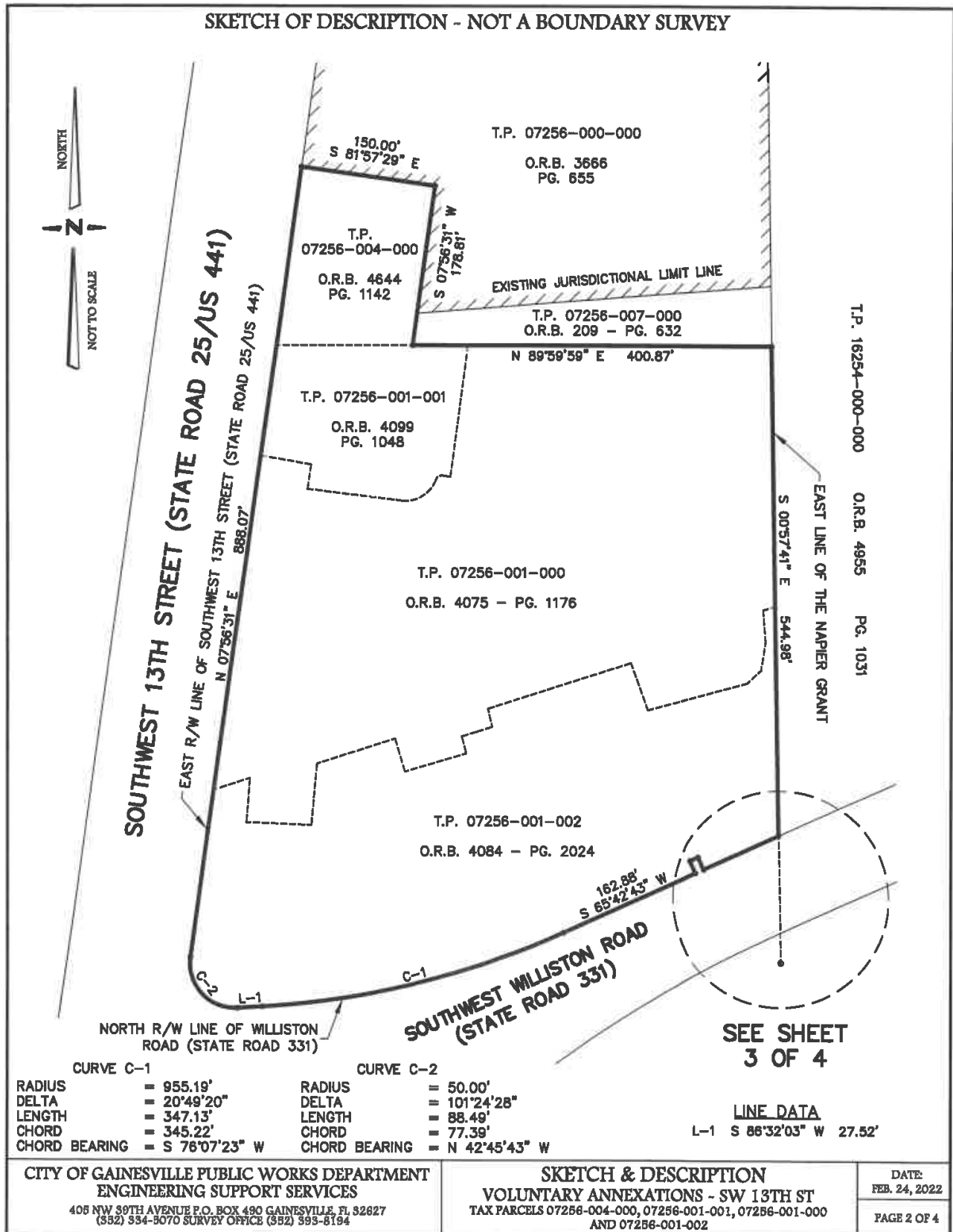
Digitally signed by William R Dees
Reason: This item has been
electronically signed and sealed by
William R. Dees, PSM using a SHA-1
authentication code. Printed copies
of this document are not
considered signed and sealed and
the SHA-1 authentication code
must be verified on any electronic
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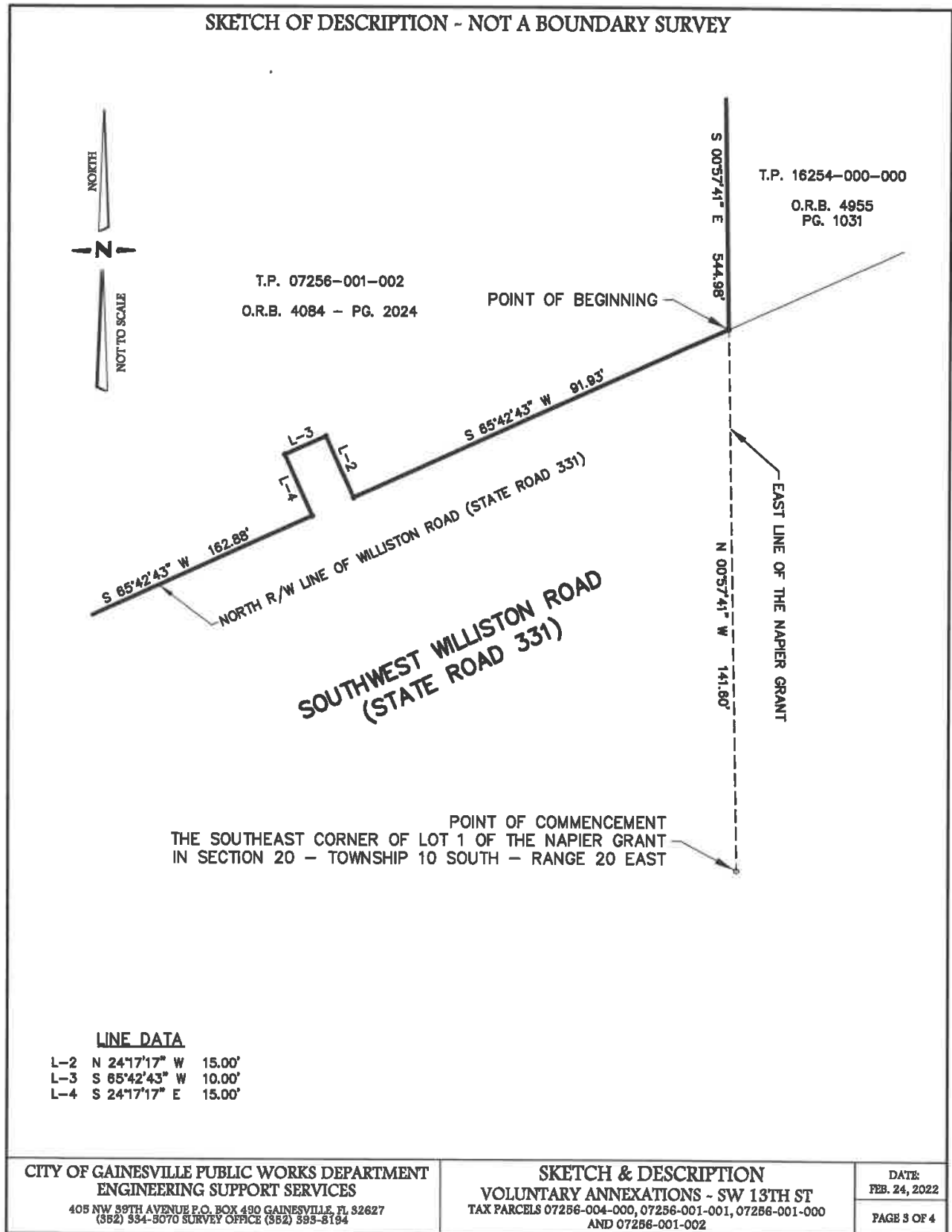
CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT
ENGINEERING SUPPORT SERVICES

405 NW 39TH AVENUE P.O. BOX 480 GAINESVILLE, FL 32627
(352) 554-5070 SURVEY OFFICE (352) 385-8184

SKETCH & DESCRIPTION
VOLUNTARY ANNEXATIONS - SW 13TH ST
TAX PARCELS 07256-004-000, 07256-001-001, 07256-001-000
AND 07256-001-002

DATE:
FEB. 24, 2022
PAGE 1 OF 4





SKETCH OF DESCRIPTION - NOT A BOUNDARY SURVEY

DESCRIPTION

A PARCEL OF LAND LYING AND BEING WITHIN THE LANDS OF THE THOMAS NAPIER GRANT, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, WITH SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 1 OF THE THOMAS NAPIER GRANT AND RUN THENCE ALONG THE EAST LINE THEREOF, NORTH 00°57'41" WEST, A DISTANCE OF 141.60 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF WILLISTON ROAD (STATE ROAD 331) WITH SAID POINT OF INTERSECTION ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID EAST LINE, SOUTH 65°42'43" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 91.93 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE THE FOLLOWING SEVEN (7) DESCRIBED COURSES: (1) NORTH 24°17'17" WEST, A DISTANCE OF 15.00 FEET; (2) THENCE SOUTH 65°42'43" WEST, A DISTANCE OF 10.00 FEET; (3) THENCE SOUTH 24°17'17" EAST A DISTANCE OF 15.00 FEET; (4) THENCE SOUTH 65°42'43" WEST A DISTANCE OF 162.88 FEET TO THE BEGINNING OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS 955.19' AND A CENTRAL ANGLE OF 20°49'20"; (5) THENCE 347.13 FEET ALONG THE ARC OF SAID CURVE, SAID CURVE HAVING A CHORD BEARING OF SOUTH 76°07'23" WEST AND CHORD DISTANCE 345.22 FEET TO A POINT OF TANGENCY; (6) THENCE SOUTH 86°32'03" WEST, A DISTANCE OF 27.52 FEET TO THE BEGINNING OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS 50.00' AND A CENTRAL ANGLE OF 101°24'28"; (7) THENCE 88.49 FEET ALONG THE ARC OF SAID CURVE, SAID CURVE HAVING A CHORD BEARING OF NORTH 42°45'43" WEST AND CHORD DISTANCE 77.39 FEET TO A POINT OF TANGENCY AND A POINT OF INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF NORTHWEST 13TH STREET (STATE ROAD 25); THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE OF WILLISTON ROAD (STATE ROAD 331), NORTH 07°56'31" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 888.07 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, SOUTH 81°57'29" EAST, ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 3666, PAGE 655, A DISTANCE OF 150.00 FEET; THENCE DEPARTING SAID SOUTH LINE, SOUTH 07°56'31" WEST, ALONG THE WEST BOUNDARY OF SAID PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 3666, PAGE 655 AND THE WEST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 209, PAGE 632, A DISTANCE OF 178.81 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 89°59'59" EAST, ALONG THE SOUTH LINE OF SAID PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 209, PAGE 632, A DISTANCE OF 400.87 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 4955, PAGE 1031 AND THE AFORESAID EAST LINE OF THE NAPIER GRANT; THENCE DEPARTING SAID SOUTH LINE, SOUTH 00°57'41" EAST, ALONG SAID WEST LINE AND SAID EAST LINE OF THE NAPIER GRANT, A DISTANCE OF 544.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.945 ACRES OF LAND, MORE OR LESS.

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT
ENGINEERING SUPPORT SERVICES

405 NW 39TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627
(352) 334-8070 SURVEY OFFICE (352) 383-8194

SKETCH & DESCRIPTION
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AND 07256-001-002

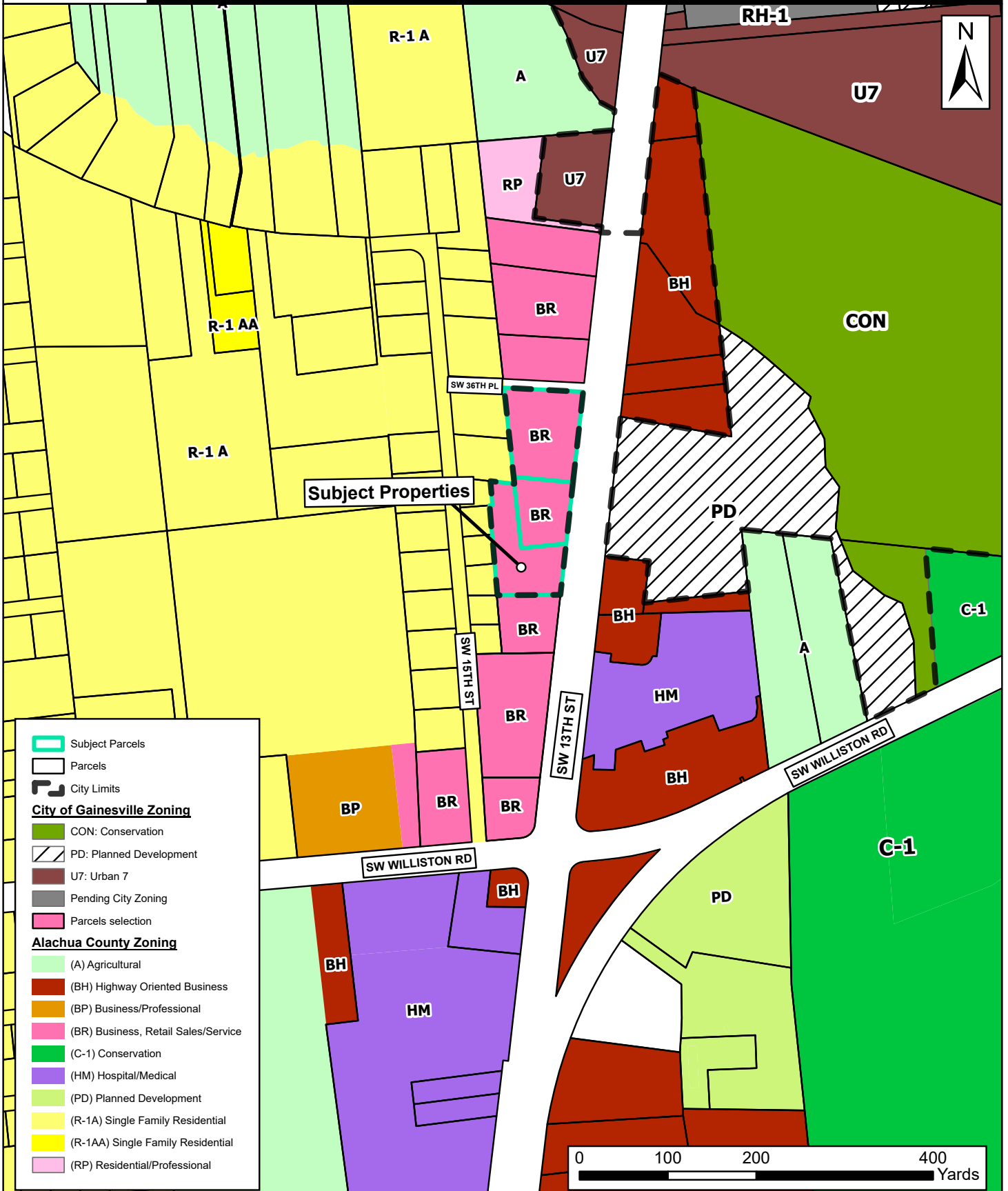
DATE:
FEB. 24, 2022

PAGE 4 OF 4



Existing Zoning - Patel Annexation

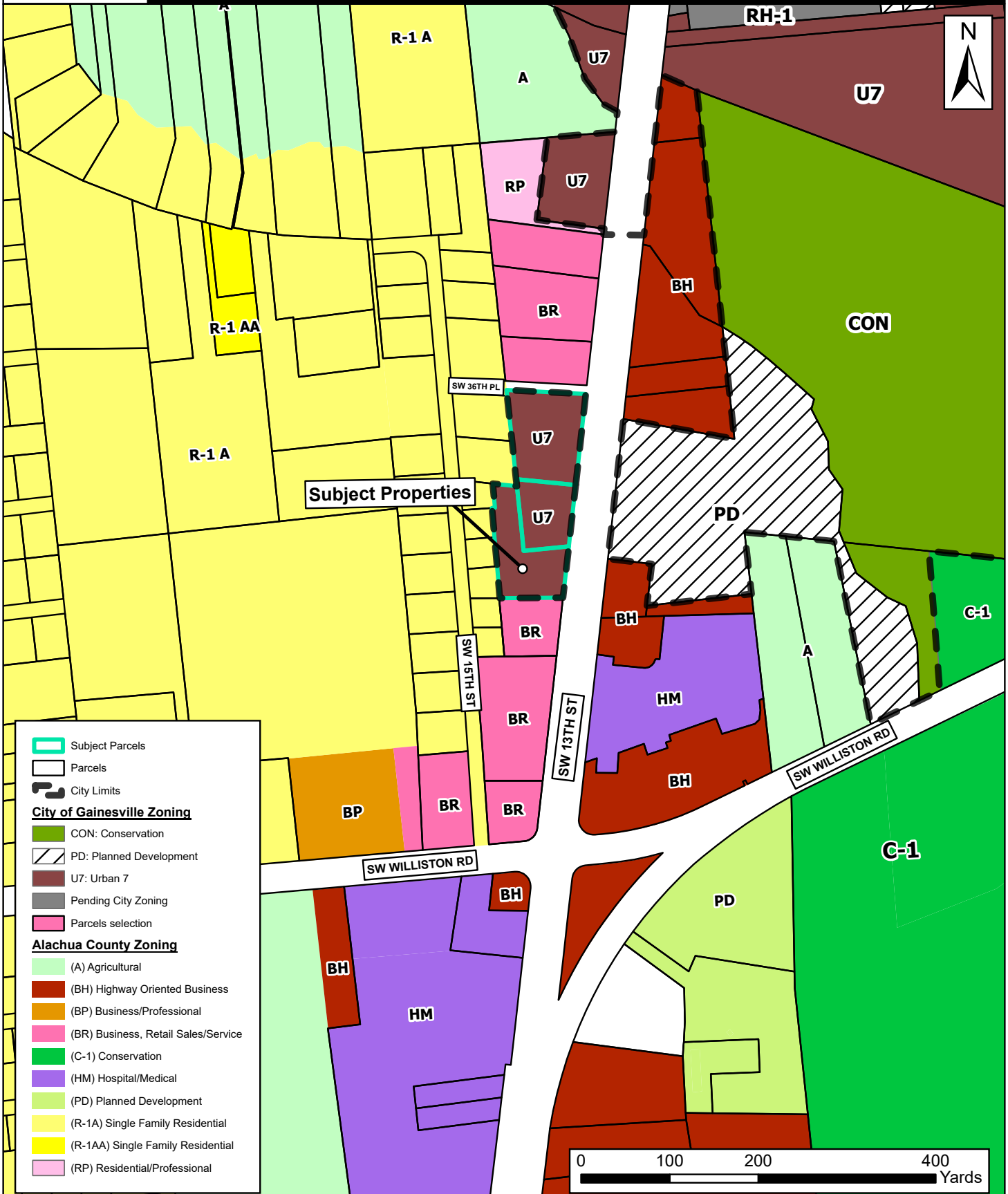
Parcels 07253-000-000, 07254-000-000, & 07251-009-000 | LD22-000018 ZON



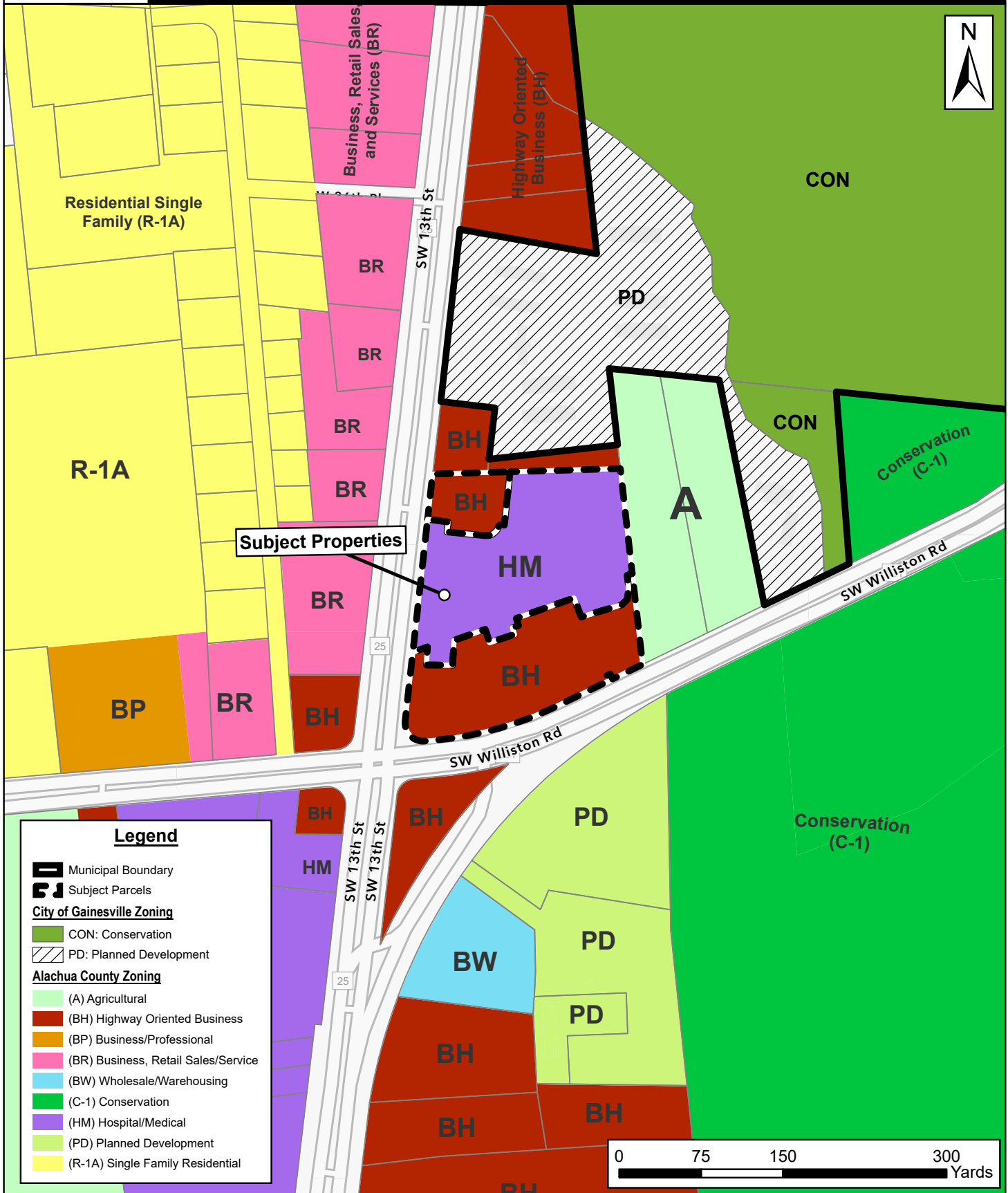


Proposed Zoning - Patel Annexation

Parcels 07253-000-000, 07254-000-000, & 07251-009-000 | LD22-000018 ZON



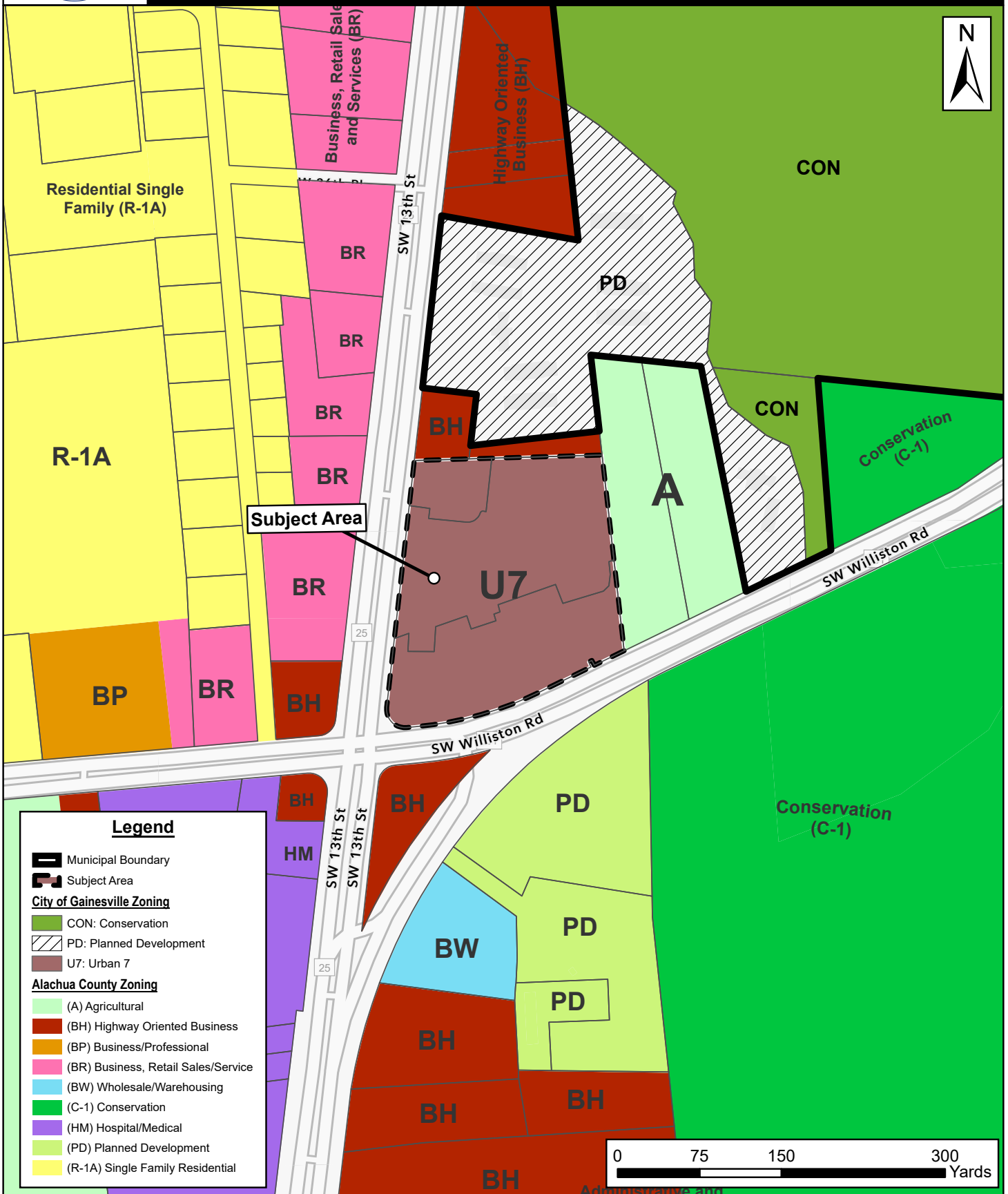
Parcels: 07256-001-000, 07256-001-001, & 07256-001-002





Proposed Zoning

Parcels: 07256-001-000, 07256-001-001, & 07256-001-002



Parcel: 07256-004-000

