

ORDINANCE NO. 19-053

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2206 NORTH 23RD STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce through a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit "C;" and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to

the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0178-000-3

LOTS 8, 9, 10, 11 AND 12, BLOCK 10, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.93 acres, more or less, and being generally located at 2206 North 23rd Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

Pete Sweeney
City Attorney
STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-053 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

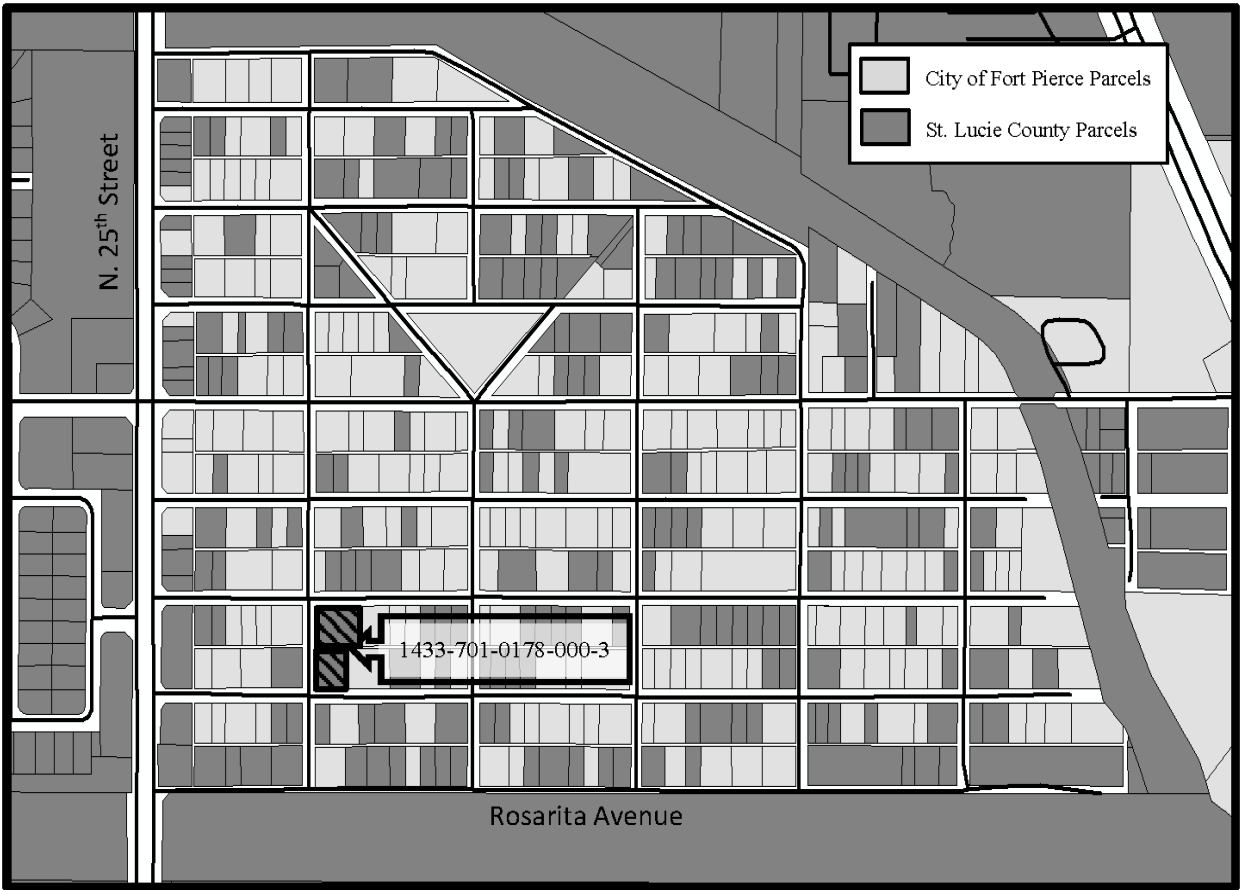
Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

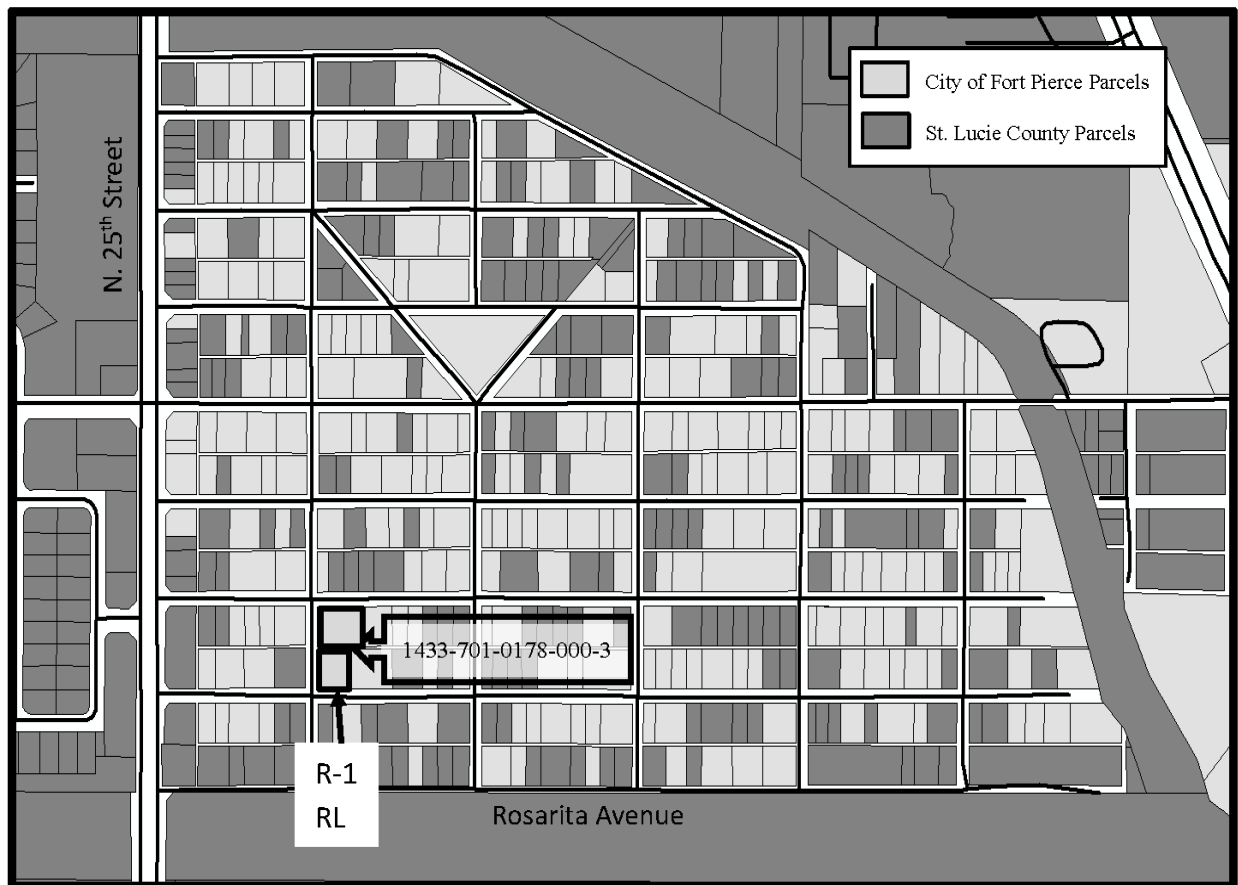
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



LOTS 8, 9, 10, 11 AND 12, BLOCK 10, OF PARADISE PARK, ACCORDING TO THE
PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC
RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

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JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3627989 OR BOOK 3323 PAGE 2914, Recorded 09/13/2011 at 03:33 PM

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| <p>RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX</p> <p>This instrument prepared by: R. N. Koblegard, III, Esquire 200 S. Indian River Drive, Suite 201 Fort Pierce, FL 34950</p> <p>Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0178-000-3</p> | <p>ANNEXATION AGREEMENT INDIVIDUAL</p> |
| <p>TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191</p> | <p>2206 N. 23RD STREET, FORT PIERCE, FL 34946 Location Address</p> <p>109 FIELDING LEWIS DRIVE, YORKTOWN, VA 23692 Mailing Address (if different from location address)</p> |

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOTS 8, 9, 10, 11 AND 12, BLOCK 10, PARADISE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 109 FIELDING LEWIS DRIVE, YORKTOWN, VA 23692.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 1ST day of SEPT., 2011.

Signed, sealed and delivered in our presence as witnesses:

Alice M. Bent
Witness Signature


Susan M. Burban
Printed Witness Signature

Witness Signature

Rosalie Lavertu
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sandra Sessoms-Perry, a married adult, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

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| <p>RUBBER STAMP NOTARY SEAL</p>  <p>SUSAN M. BURBAN Commission DD 736083 Expires December 12, 2011 Bonded thru Troy Fain Insurance 800-385-7018</p> | <p>Witness my hand and official Seal in the County and State last aforesaid this <u>1ST</u> day of <u>September</u>, A.D. 2011.</p> <p><u>Susan M. Burban</u> Notary Signature</p> <p>Susan M. Burban Notary Printed Signature</p> |
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