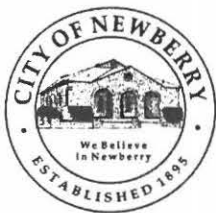


CITY OF NEWBERRY



ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, ANNEXING CERTAIN PORTIONS OF UNINCORPORATED ALACHUA COUNTY THAT INCLUDES TAX PARCELS NO. 02515-003-008, 02515-004-000, 02515-004-001, AND 02515-004-002, MORE SPECIFICALLY DESCRIBED IN THIS ORDINANCE, AS PETITIONED FOR BY THE PROPERTY OWNERS PURSUANT TO SECTION 171.044, FLORIDA STATUTES; MAKING CERTAIN FINDINGS; PROVIDING FOR LAND USE, ZONING, AND LAND DEVELOPMENT REGULATIONS, AND ENFORCEMENT OF THE SAME; PROVIDING DIRECTIONS TO THE CLERK OF THE COMMISSION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation; and

WHEREAS, the City of Newberry has determined the areas to be annexed have met all the requirements of Chapter 171, Florida Statutes, including being contiguous to the City of Newberry and are reasonably compact; and

WHEREAS, the City of Newberry has determined it is able to provide certain essential services for the subject properties; and

WHEREAS, the City of Newberry has determined that all owners of the subject properties have executed petitions for voluntary annexation; and

WHEREAS, pursuant to the provisions of Section 171.044, Florida Statutes, Notice of this annexation has been provided to the Alachua County Board of County Commissioners, and published once a week for two (2) consecutive weeks in the Alachua County Today, a newspaper of general circulation in Alachua County, notifying the public of the proposed Ordinance and of the public hearings to be held; and

WHEREAS, the property owners listed in Section 1 below, having an ownership interest in all of the property hereinafter described and the same having voluntarily requested the City Limits of the City of Newberry be extended so as to include the land described in Section 1 and within the map hereinafter known as **Exhibit A** and attached hereto; and

WHEREAS, it is in the best interest of the public health, safety, and welfare of the citizens of the City of Newberry for the City Commission to annex the real property described in this Ordinance into the municipal boundaries of the City of Newberry.

First Reading 2/25/19

Second Reading/Enactment 5/13/19

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF NEWBERRY, FLORIDA, as follows:

Section 1. Pursuant to Florida Statutes, the Corporate Limits of the City of Newberry are hereby extended to include lands lying contiguous to the present corporate limits of the City of Newberry, in Alachua County, Florida, described below and shown on Exhibit A, as attached hereto and made a part hereof:

Properties Included

The following is a list of the properties which have been submitted to the city for annexation and have been found acceptable with regards to Section 171.044, Florida Statutes.

Parcel / Prop ID: 02515-003-008

Taxpayer: POST, PAT M Mailing: 28826 W NEWBERRY RD NEWBERRY, FL 32669-2674 Location: 29608 W NEWBERRY RD UNINCORPORATED Sec-Twn- Rng: 06-10-17	Legal: UNRECORDED S/D SURVEY #373 BY PARRISH LYING S OF ACL RR & N OR SR 26 LOT 8 OR 3190/1422
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Parcel / Prop ID: 02515-004-000

Taxpayer: TURLINGTON, TOBIE BARTON TRUST Mailing: PO BOX 342 LACROSSE, FL 32658 Location: Sec-Twn- Rng: 06-10-17	Legal: COM SE COR SEC POB S 80 DEG W 678.56 FT N 2876.31 FT E ALG R/W 676.55 FT S 2862.91 FT POB (LESS THES 2462.42 FT M/L) OR 3897/0437 & OR 4335/0635
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Parcel / Prop ID: 02515-004-001

<p>Taxpayer: TURLINGTON, TOBIE BARTON TRUST</p> <p>Mailing: PO BOX 342 LACROSSE, FL 32658</p> <p>Location: 28957 W NEWBERRY RD UNINCORPORATED 29701 W NEWBERRY RD UNINCORPORATED 29715 W NEWBERRY RD UNINCORPORATED</p> <p>Sec-Twn-Rng: 06-10-17</p>	<p>Legal: THAT PART OF SEC LYING S OF SR-26 LESS S 210 FT OF W 420 FT AND LYING W OF PARCEL TO TURLINGTON & TURLINGTON OR 3897/0437 & OR 4335/0635</p>
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Parcel / Prop ID: 02515-004-002

<p>Taxpayer: TURLINGTON, TOBIE BARTON TRUST</p> <p>Mailing: PO BOX 342 LACROSSE, FL 32658</p> <p>Location:</p> <p>Sec-Twn-Rng: 06-10-17</p>	<p>Legal: COM SE COR POB W 3434.06 FT N 783.54 FT E 1339.72 FT N 12 DEG E 321.68 FT N 60 DEG W 797.88 FT N 16 DEG E 525.08 FT N 2 DEG W 278.02 FT N 4 DEG E 671.84 FT N 73 DEG E ALG R/W 709.46 FT ELY ALG R/W TO SEC LINE S 2862.91 FT POB (LESS COM SE COR SEC POB S 80 DEG W 678.56 FT N 2876.31 FT E ALG R/W 676.55 FT S 2862.91 FT POB PER OR 2268/2790) OR 1887/1460 & OR 2269/1798 (LESS THAT PT OF THE FOLLOWING DESC: COM SE COR SEC POB N 2462.42 FT SWLY ALG CURVE 1664.94 FT S 73 DEG W 281.57 FT S 2459.37 FT N 80 DEG E 1936.25 FT POB PER OR 3333/ 1471) OR 3897/0437 & OR 4335/0635</p>
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Section 2. All laws, ordinances, rules, and regulations of the City of Newberry of general application throughout the existing boundaries and Corporate Limits shall also apply throughout the boundaries and Corporate Limits of said City as extended by this Ordinance.

Section 3. Until the City of Newberry shall exercise its zoning powers over territories annexed by this Ordinance, all of the valid and current effective zoning regulations, restrictions, and maps heretofore adopted by the Board of County Commissioners of Alachua County, Florida, shall continue in full force and effect throughout the said territory being annexed and shall be enforced by the City of Newberry.

Section 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 5. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This ordinance shall become effective upon adoption.

Section 7. Authority. This Ordinance is adopted pursuant to the authority granted by Section 166.021 and Section 171.044, Florida Statutes.

DONE THE FIRST READING, by the City Commission of the City of Newberry, Florida, at a regular meeting, this 25th day of February, 2019.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Newberry, Florida, by the City Clerk of the City of Newberry, Florida on the 14th day of February, 2019, and the 2nd and 9th days of May, 2019.


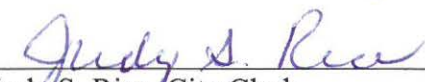
DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Newberry, Florida, at a regular meeting, this 13 day of May, 2019.

BY THE MAYOR OF THE CITY OF
NEWBERRY, FLORIDA




Honorable Jordan Marlowe, Mayor

ATTEST, BY THE CLERK OF THE
CITY COMMISSION OF THE CITY OF
NEWBERRY, FLORIDA:

Judy S. Rice, City Clerk

APPROVED AS TO FORM AND
LEGALITY:



S. Scott Walker, City Attorney
Andrea True for

EXHIBIT A to Ordinance No. 2019-05

