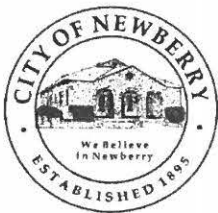


# CITY OF NEWBERRY

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## ORDINANCE NO. 2019-12

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, ANNEXING CERTAIN PORTIONS OF UNINCORPORATED ALACHUA COUNTY IDENTIFIED AS TAX PARCEL NO. 04265-008-000, 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.

**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 property has been submitted to the city for annexation and has been found acceptable with regards to Section 171.044, Florida Statutes.

**Parcel / Prop ID: 04265-008-000**

<b>Taxpayer:</b>	STORE MASTER FUNDING XI LLC	<b>Legal:</b> UNREC'D S/D LYING IN S1/2 OF SW1/4 BY ALACHUA COUNTY LAND SURVEYORS PART OF PARCEL 8 DESC AS: COM SW COR SEC N ALG W/L 1187.20 FT E 2017.03 FT S 386.86 FT POB E 516.05 FT S 772.24 FT TO N R/W SR 26 W 316.11 FT N 769.24 FT POB (LESS PARCEL TO DOT PER OR 2163/2309) OR 4451/1577
<b>Mailing:</b>	AMERICAN PET RESORT LLC 5130 UNIVERSITY BLVD WEST JACKSONVILLE, FL 32216	
<b>9-1-1 Address:</b>	19518 W NEWBERRY RD UNINCORPORATED	
<b>Sec-Twn-Rng:</b>	31-09-18	
<b>Property Use:</b>	01700 - OFFICE 1 STORY	
<b>Tax Jurisdiction:</b>	SUWANNEE 0300	
<b>Neighborhood/Area:</b>	JONESVILLE-NEWBERRY COMME	
<b>Subdivision:</b>	N/A	

**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 22<sup>nd</sup> day of July, 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 1<sup>st</sup> day of August, 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 12<sup>th</sup> day of August, 2019.

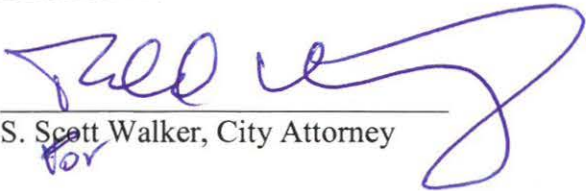
BY THE MAYOR OF THE CITY OF  
NEWBERRY, FLORIDA

  
\_\_\_\_\_  
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

**EXHIBIT A** to Ordinance No. 2019-12

