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City Attorney's Office  
City of Stuart  
121 SW Flagler Street  
Stuart, FL 34994

**ORDINANCE No. 2327-16**

**AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING TWO ADJOINING PARCELS OF LAND – ONE FRONTING STATE ROAD 76 (KANNER HIGHWAY) AND THE OTHER FRONTING SE WILLOUGHBY BOULEVARD -- CONSISTING OF 19.62 AND 4.55 ACRES RESPECTIVELY, SAID PARCELS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

\*\*\*\*\*

**WHEREAS**, Petitioners, Nehme Holdings, LLC, a Florida limited liability company, and Amy L. Rice, constituting the fee simple title holders to those lands fronting State Road 76 (Kanner Highway) and SE Willoughby boulevard, consisting of 19.62 and 4.55 acres respectively, more particularly described in **Exhibit "A"**, attached hereto and made a part thereof, has voluntarily requested the City of Stuart annex said lands into the corporate limits of the City; and

**WHEREAS**, the City Commission, has considered the Petitioner's voluntary request for annexation, and has also considered the recommendation of the Stuart Local Planning Agency and City staff.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF STUART:**

**Section 1. Findings.** The City Commission finds the above statements are true and correct, and serve as a basis for consideration of this ordinance; that said lands are contiguous with the corporate limits of the City of Stuart, creates no enclaves, is reasonably compact, and that the City can effectively provide police, fire, and sanitary services to said land, all in compliance with the terms and requirements of Sec. 171.44, Florida Statutes, and the City of Stuart Code.

**Section 2. Annexation.** The City Commission has determined that development of said lands upon annexation shall be in accordance with the regulatory requirements of Martin County until such time as amendments to the City's Comprehensive Land Use Plan and Official Zoning Map become effective; and that the parcels of land more particularly described in **Exhibit "A"**, are hereby annexed into and shall be within the corporate limits of the City of Stuart, Florida, and that same shall henceforth be a part of said City as if said lands were originally a part of the City of Stuart.

**Section 3. Directions to the City Clerk.** The City Clerk shall cause the boundaries as set forth in the City's Charter to be amended and codified. The City Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, Board of County Commissioners Florida Statute 171.044(6) within 10 days prior to second reading adoption, the Chief Administrative Officer of Martin County, and the Florida Department of State within seven (7) days following adoption, in accordance with Section 171.044, Florida Statutes. Upon complete execution of this Ordinance, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

**Section 4. Repeal of Conflicting Ordinances.** All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

**Section 5. Severability.** If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance. The corporate boundary of the City shall be re-codified to include lands annexed.

**Section 6. Effective Date:** This ordinance shall be effective upon its adoption.

Passed on first reading the 8<sup>th</sup> day of August, 2016.

Commissioner CAMPENNI offered the foregoing ordinance and moved its adoption. The motion was seconded by Commissioner CLARKE and upon being put to a roll call vote, the vote was as follows:

JEFFERY KRAUSKOPF, MAYOR  
EULA CLARKE, VICE MAYOR  
THOMAS CAMPENNI, COMMISSIONER  
KELLI GLASS-LEIGHTON, COMMISSIONER  
TROY MCDONALD, COMMISSIONER

YES	NO	ABSENT
X		
X		
X		
		X
X		

ADOPTED on second and final reading this 22<sup>nd</sup> day of August, 2016.

ATTEST:

\_\_\_\_\_  
CHERYL WHITE  
CITY CLERK

\_\_\_\_\_  
JEFFREY KRAUSKOPF  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
MIKE MORTELL, CITY ATTORNEY

**Exhibit "A"**  
**Legal Descriptions**

**Nehme Parcel**

A parcel of land lying within the Hanson Grant, Martin County, Florida, being described as follows:

The Westerly 330.00 feet of Lot 2, and all of Lots 3 and 4 of Stuart Farms Subdivision, as recorded in Plat Book 1, Page 63, less and except that portion conveyed to the State of Florida Department of Transportation as recorded in Official Records Book 951, Page 282, Public Records of Martin County, Florida.

Together with;

An abandoned 40 foot dedicated right-of-way lying between said lots 2 and 3.

Containing 19.62 acres, more or less.

**Rice Parcel**

East-one half, Lot No. 2, Stuart Farms, According to the Plat thereof recorded in Plat Book 1, Page 63, Public Records of Martin County, Florida

Containing 4.55 acres, more or less

Location Map

