



Return to:

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

ORDINANCE No. 2345-2017

AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING NW FEDERAL HIGHWAY (U.S. HIGHWAY 1) SOUTH OF AND ABUTTING NORTH STUART BAPTIST CHURCH, CONSISTING OF 9.45 ACRES, SAID PARCEL 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; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, Petitioners, Anchor Commercial Bank, constituting the fee simple title holder to the land fronting NW Federal Highway (U.S. Highway-1), consisting of 9.45 acres, more particularly described in **Exhibit "A"**, attached hereto and made a part thereof, has voluntarily requested the City of Stuart annex said land 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,

1



STATE OF FLORIDA-MARTIN COUNTY
I hereby certify that the foregoing is a true
Copy as recorded in my office, and the
same is in full force and effect.

THIS 3 DAY OF April 2017
By [Signature]
CHERYL WHITE, CITY CLERK

Ordinance No. 2345-2017 - Anchor Commercial Bank Annexation

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 parcel 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

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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 27th day of February, 2017.

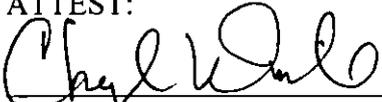
Commissioner CLARKE offered the foregoing ordinance and moved its adoption. The motion was seconded by Commissioner GLASS LEIGHTON and upon being put to a roll call vote, the vote was as follows:

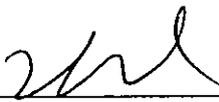
THOMAS CAMPENNI, MAYOR
TROY MCDONALD, VICE MAYOR
JEFFERY KRAUSKOPF, COMMISSIONER
KELLI GLASS-LEIGHTON, COMMISSIONER
EULA CLARKE, COMMISSIONER

YES	NO	ABSENT
X		
X		
		X
X		
X		

ADOPTED on second and final reading this 13th day of March, 2017.

ATTEST:


CHERYL WHITE
CITY CLERK


THOMAS CAMPENNI
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

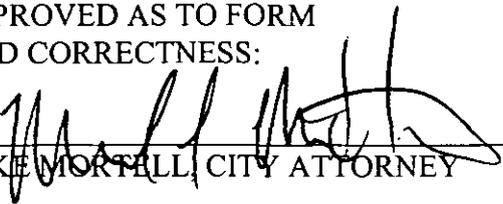

MIKE MORTELL, CITY ATTORNEY



Exhibit "A"
Legal Description & Boundary Survey

Anchor Commercial Bank Parcel

LEGAL DESCRIPTION:

A PORTION OF LOTS 10, 11, AND 12, BLOCK 2, PLAT No. 1 SAINT LUCIE GARDENS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 35 OF THE PUBLIC RECORDS OF ST. LUCIE (NOW MARTIN) COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

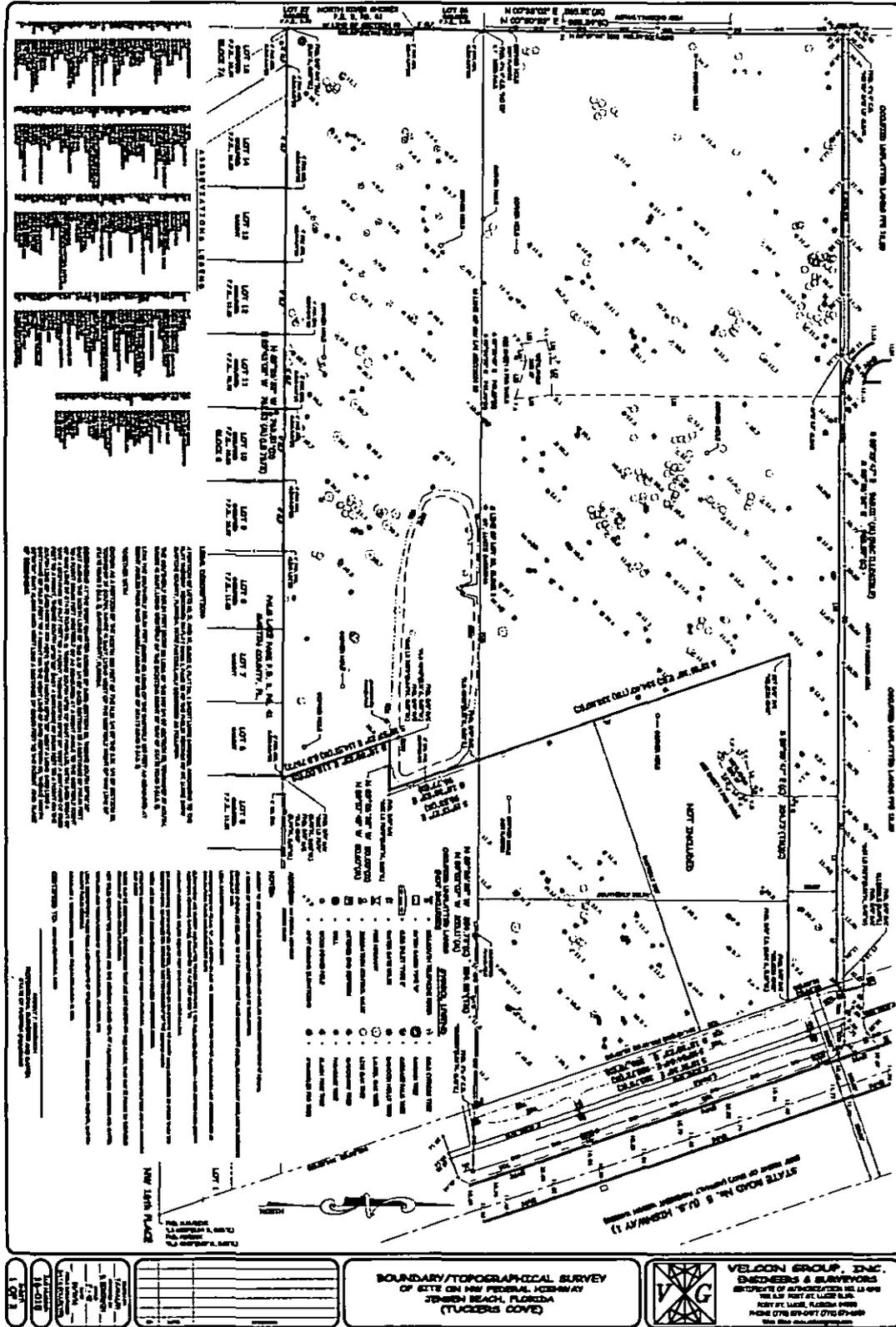
THE SOUTHERLY 365.24 FEET (MORE OR LESS OF THE NW 1/4 OF SECTION 29, TOWNSHIP 37 SOUTH, RANGE 41 EAST, LYING WESTERLY OF THE EXISTING RIGHT OF WAY OF STATE ROAD 5 (U.S. 1).

LESS THE SOUTHERLY 315.24 FEET (MORE OR LESS) OF THE EASTERLY 335 FEET AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY OF STATE ROAD 5 (U.S. 1).

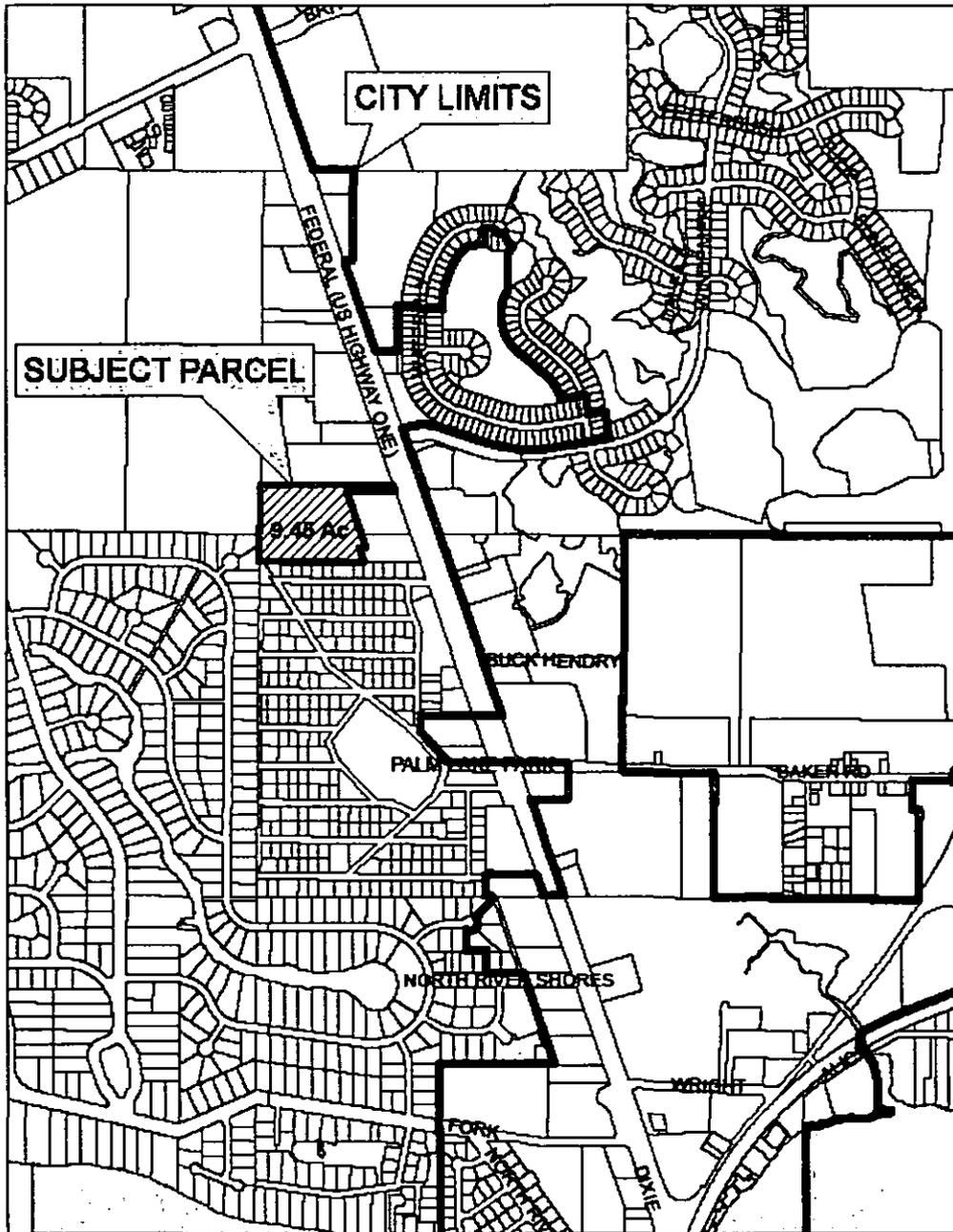
TOGETHER WITH

KNOWN AS A PORTION OF THE NORTH 200 FEET OF THE N.W. 1/4 OF THE S.W. 1/4 OF SECTION 29, TOWNSHIP 37 SOUTH, RANGE 41 EAST, LYING WEST OF THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 5 (U.S. 1), MARTIN COUNTY, FLORIDA.

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 29, THENCE SOUTH 89°26'32" EAST ALONG THE NORTH LINE OF THE S.W. 1/4 OF SAID SECTION 29 A DISTANCE OF 742.86 FEET TO A POINT 335.00 FEET WESTERLY OF AS MEASURED AT A RIGHT ANGLE TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 5; THENCE SOUTH 18°38'23" EAST PARALLEL WITH SAID RIGHT OF WAY A DISTANCE OF 96.77 FEET TO A POINT, THENCE NORTH 89°26'32" WEST A DISTANCE OF 50.00 FEET TO A POINT, THENCE SOUTH 18°38'23" EAST A DISTANCE OF 115.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTH 200 FEET; THENCE NORTH 89°26'32" WEST A LONG SAID LINE A DISTANCE OF 763.51 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 29, THENCE NORTH 00°50'53" EAST ALONG SAID WEST LINE A DISTANCE OF 200.00 FEET TO THE POINT AND PLACE OF BEGINNING.



Location Map



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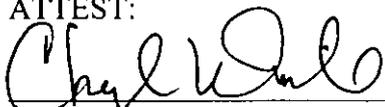
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TROY MCDONALD, VICE MAYOR
JEFFERY KRAUSKOPF, COMMISSIONER
KELLI GLASS-LEIGHTON, COMMISSIONER
EULA CLARKE, COMMISSIONER

YES	NO	ABSENT
X		
X		
		X
X		
X		

ADOPTED on second and final reading this 13th day of March, 2017.

ATTEST:

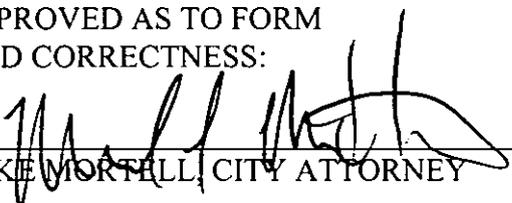


CHERYL WHITE
CITY CLERK



THOMAS CAMPENNI
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:



MIKE MORTELL, CITY ATTORNEY



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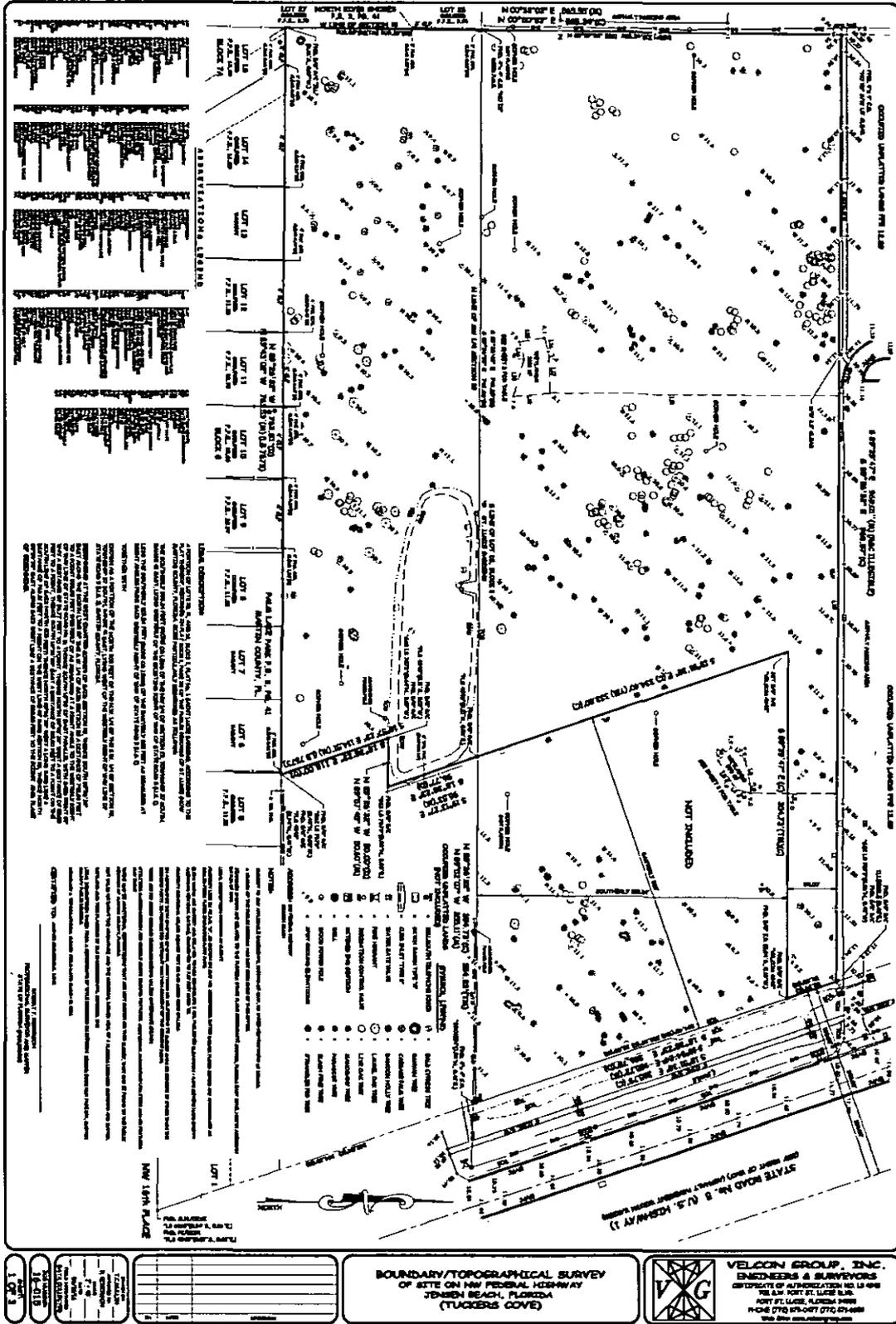
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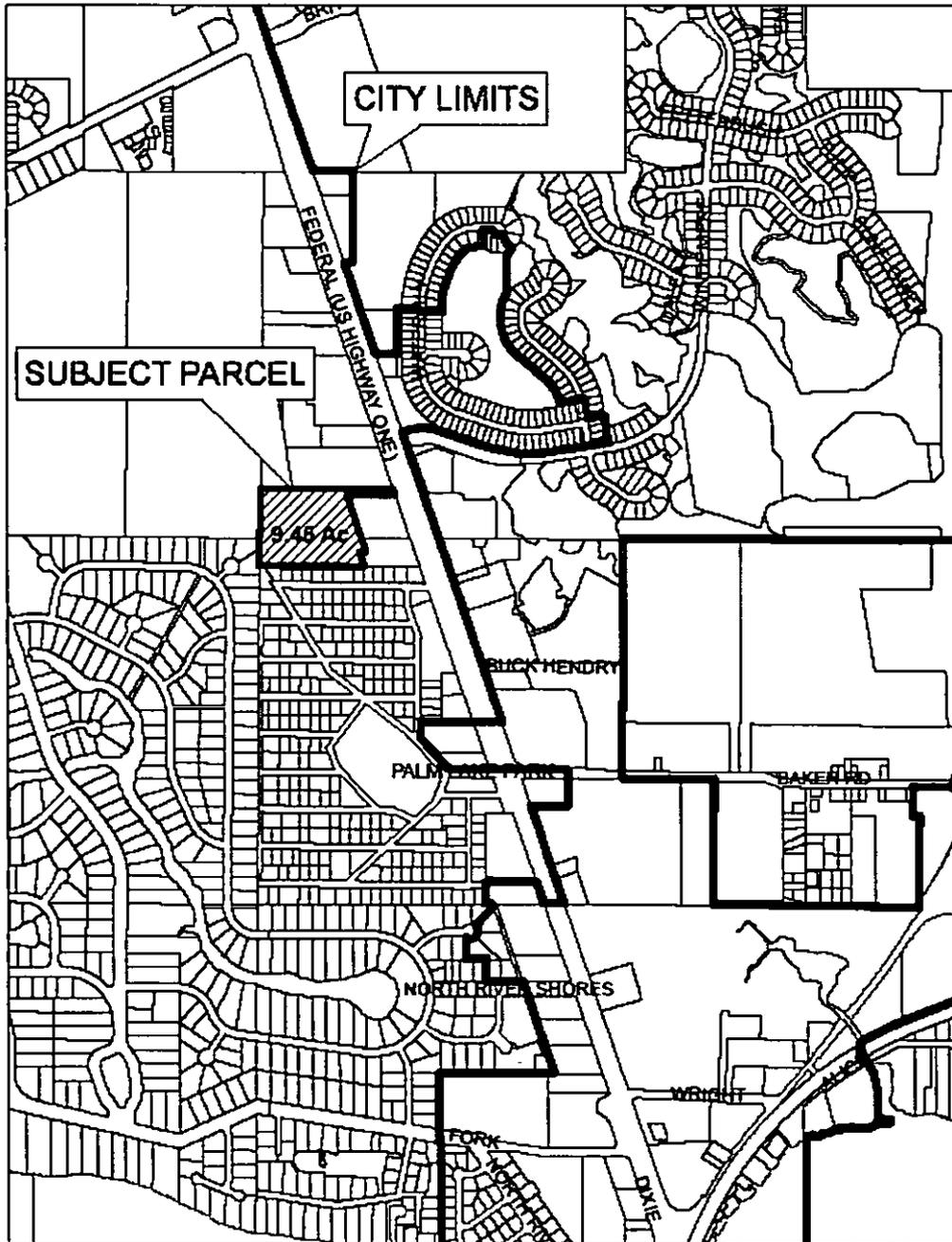
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Location Map



City of Stuart

121 S. W. Flagler Avenue • Stuart • Florida 34994

Cherie White
City Clerk

PHONE 772-288-5306
FAX (772) 288-5305
Email cwhite@ci.stuart.fl.us

April 4, 2017

Clerk of the Circuit Court
Att: Recording
P.O. Box 9016
Stuart, Fl. 34995

RE: PLEASE RECORD:

Certified Copy Ordinance 2345-2017/Annexation/9.45 Acres Anchor Commercial Bank

Please record the above named documents into the public records of Martin County, and Upon recordation, please return the original documents back to my attention inter-office mail.

Should you have any questions regarding this appointment please feel free to contact me at 772-288-5306.

Thank you,



Cherie White, MMC
City Clerk
Enc.

White, Cherie

From: Kindel, Mary
Sent: Tuesday, April 4, 2017 3:31 PM
To: tkryzda@martin.fl.us; SecretaryofState@DOS.MyFlorida.com
Cc: White, Cherie
Subject: Ordinance No. 2345-2017
Attachments: SKonica Biz17040415071.pdf

Good afternoon,

Please find enclosed one (1) certified copy of City of Stuart Ordinance No. 2345-2017 annexing a parcel of land into the City of Stuart. The Ordinance contains the legal description of the property. A Certified copy of this Ordinance and attachments is being recorded into the public records of Martin County, by the Stuart City Clerk. Please retain this certified copy for your records in accordance with Section 171.044 Florida Statutes.

Should you have any questions or need further information, please do not hesitate to call the City Clerk's Office at 772-288-5306.

Thank you,

Mary Kindel
Deputy City Clerk

City of Stuart
121 S.W. Flagler Avenue
Stuart, FL 34994
Tel: 772-288-3599
mkindel@ci.stuart.fl.us