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

**ORDINANCE No. 2378-2018**

**AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND HOME TO FELIX A. WILLIAMS ELEMENTARY SCHOOL, LOCATED ON THE NORTH SIDE OF BAKER ROAD SOUTH OF AND ABBUTTING PINEAPPLE PLANTATION RESIDENTIAL PLANNED UNIT DEVELOPMENT, AND EAST OF MILLENNIUM SQUARE, CONSISTING OF 26.6 ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; 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, The School Board of Martin County, constituting the fee simple title holder to the land on the north side of NW Baker Road, consisting of 26.6 acres, home to Felix A. Williams Elementary School, 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, 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"**. A map depicting the property is attached hereto as **Exhibit "B"**, and a Boundary and Topographical Survey is attached hereto as **Exhibit "C"**, 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. 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 23<sup>th</sup> day of July, 2018.

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

KELLI GLASS LEIGHTON, MAYOR  
BECKY BRUNER, VICE MAYOR  
NICK BLOUNT, COMMISSIONER  
EULA R. CLARKE, COMMISSIONER  
TROY A. MCDONALD, COMMISSIONER

YES	NO	ABSENT	ABSTAIN
Y			
Y			
Y			
Y			
Y			

ADOPTED on second and final reading this 13<sup>th</sup> day of August, 2018.

ATTEST:

  
MARY R. KINDEL  
CITY CLERK

  
KELLI GLASS LEIGHTON  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

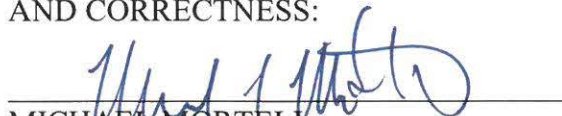
  
MICHAEL MORTELL  
CITY ATTORNEY



Exhibit A  
Legal Description

*LEGAL DESCRIPTION*

PARCEL 1

THE WEST 28 ACRES OF THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE CONCRETE MARKER AT THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 29 AND RUN SOUTH 89°17'42" EAST ALONG THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 29 FOR 850.85 FEET; THENCE RUN SOUTH 0°40'03" WEST FOR 1334.82 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 29; THEN RUN NORTH 88°48'47" WEST ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 29 FOR 850.85 FEET TO A CONCRETE MARKER AT THE SOUTHWEST CORNER OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 29; THENCE RUN NORTH 0°40'03" EAST ALONG THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 29 FOR 1327.27 FEET TO THE POINT OF BEGINNING.  
SAID PARCEL CONSISTING OF 28,000 ACRES MORE OR LESS.

TOGETHER WITH

PARCEL 4

THAT PART OF THE SOUTHWEST ONE-QUARTER (S.W.  $\frac{1}{4}$ ) OF THE SOUTHEAST ONE-QUARTER (S.E.  $\frac{1}{4}$ ) OF SECTION 29, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, WHICH LIES NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF N.W. BAKER ROAD (FORMERLY CUTHBERT ROAD) ACCORDING TO "SURVEY MAP FOR RUNNER S. TILTON" PREPARED BY STAFFORD & BROOK DATED MARCH 1952, AND RECORDED IN DEED BOOK 62, PAGES 254 AND 255, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 29 AND RUN SOUTH 88°48'47" EAST ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 29 FOR 775.89 FEET TO THE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PARCEL:

THENCE CONTINUE SOUTH 88°48'47" EAST ALONG SAID NORTH LINE FOR 75.00 FEET; THENCE RUN SOUTH 0°40'03" WEST FOR 350.21 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID N.W. BAKER ROAD; THENCE RUN NORTH 88°07'00" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 75.00 FEET; THENCE RUN NORTH 0°40'03" EAST FOR 350.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR DRAINAGE PURPOSES OVER THE FOLLOWING DESCRIBED PARCEL:

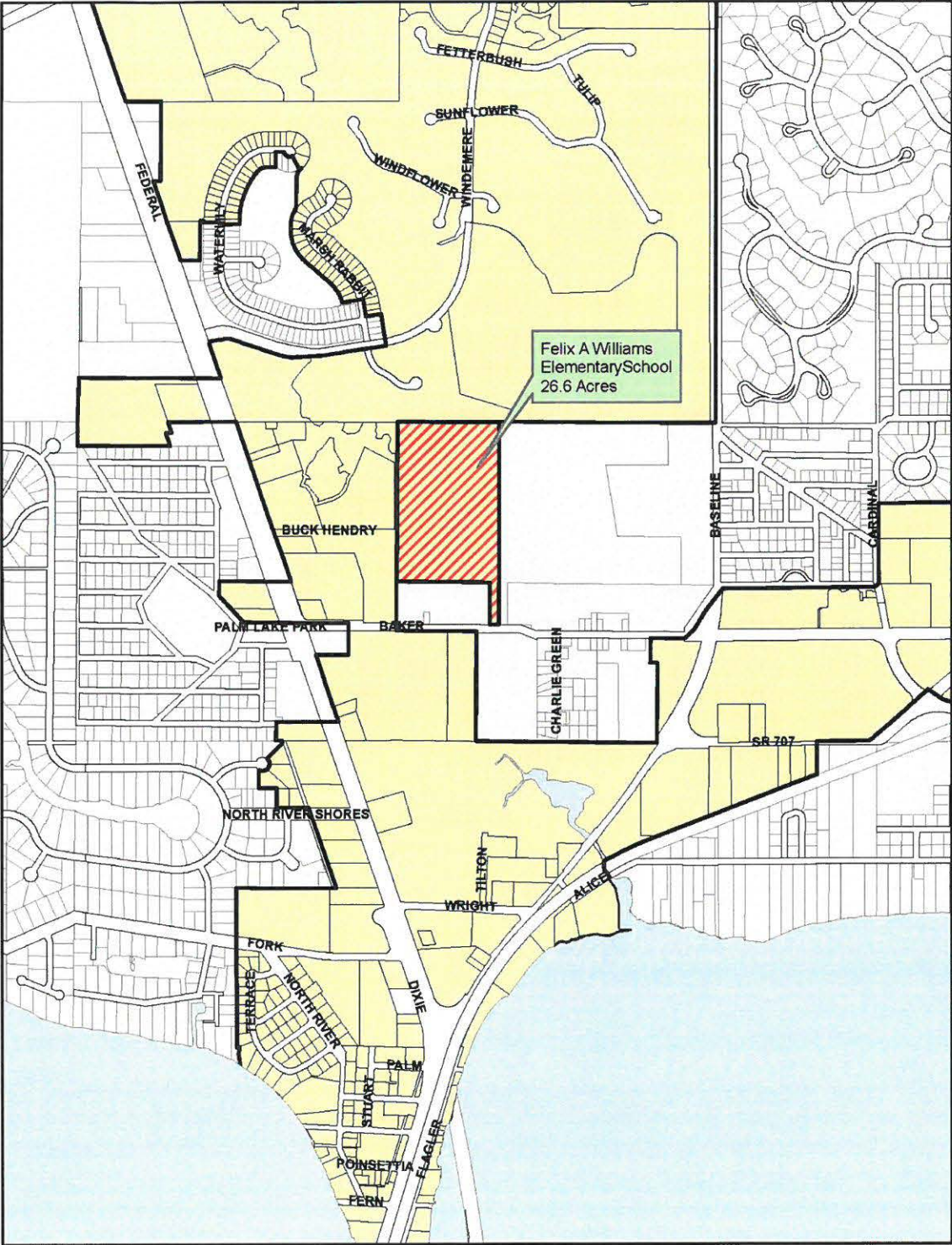
COMMENCE AT THE POINT OF BEGINNING FOR THE ABOVE DESCRIBED PROPERTY AND RUN SOUTH 0°40'03" WEST FOR 275.00 FEET TO THE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED EASEMENT PARCEL: THENCE CONTINUE SOUTH 0°40'03" WEST FOR 35.00 FEET; THENCE RUN SOUTH 88°07'00" EAST FOR 75.00 FEET; THENCE RUN NORTH 0°40'03" EAST FOR 35.00 FEET; THENCE RUN NORTH 88°07'00" WEST FOR 75.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.60 ACRES, MORE OR LESS.

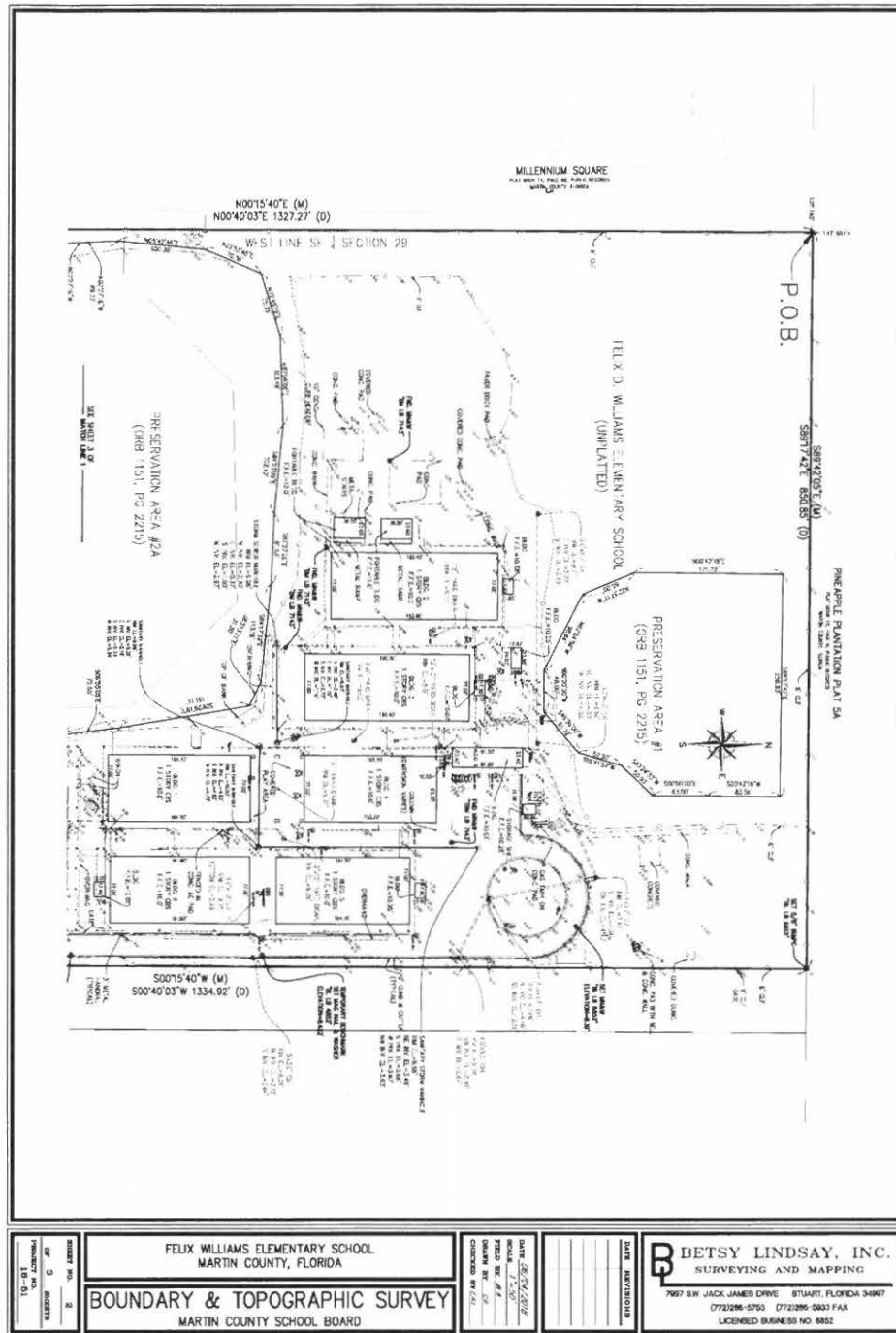
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS OR RIGHTS-OF-WAY OF RECORD.



Exhibit B Location Map



**Exhibit C Boundary and Topographical Survey**



Ordinance No. 2378-2018: Felix A. Williams Elementary School Annexation

Map Information: This map was prepared using AutoCAD 2010 and was printed on 11x17 inch paper.

