C I T Y O F F O R T P I E R C E

CITY COMMISSION AGENDA

Regular Meeting - Monday, November 15, 2021 - 4:30 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **OPENING PRAYER**

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **APPROVAL OF MINUTES**

   a. Approval of Minutes from the November 1, 2021, Regular Meeting

6. **PROCLAMATIONS**

7. **LETTERS TO COMMISSION**

   a. Email from Paul Scavello thanking Jennifer Hofmeister-Drew for her positive outlook and especially for her willingness to go above and beyond.

   b. Email from James Clasby in recognition of Audria Moore-Wells, Peggy Arraiz and City staff's contribution to the 10/21/21 community input meeting that was scheduled after business hours.

   c. Email from Gina Vardis with Fort Pierce KOA thanking Mayor Hudson for services performed by the Public Works Department.

8. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

9. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

   Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. Please limit your comments to three (3) minutes or less, as directed by

the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

10. **MISCELLANEOUS REPORTS**

a. Students4H20 presentation on Veteran's Memorial Park Adoption

11. **CONSENT AGENDA**

a. Approve request to reduce Code Enforcement lien in the amount of $98,780.00, against 521 Douglas Court, Fort Pierce, FL 34950 - Parcel ID Number 2409-501-0091-000/3, owned by 2nd Generation Building Corp, to $1,000.00, to be paid within 60 days.

b. Approve request to reduce Code Enforcement lien in the amount of $109,780.00, against 521 Douglas Court, Fort Pierce, FL 34950 - Parcel ID Number 2409-501-0091-000/3, owned by 2nd Generation Building Corp, to $2,000.00 to be paid within 60 days.

c. Approve staff recommendation in response to request to reduce lot clearing fees in the amount of $1,904.50 against 714 N 17th Street, Fort Pierce, FL, Parcel ID# 2404-816-0015-000/9 owned by 2nd Generation Building Corp, by waiving the interest, penalties and a portion of the administrative costs in the amount of $854.50, leaving a **balance due of $1,050.00 payable in 60 days**. The applicant is asking to waive all costs and fees in the amount of $1,904.50 leaving a balance due of $0.00, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.

d. Approval of S.R. A1A Maintenance Memorandum of Agreement (MMOA) Amendment No. 1 between the City of Fort Pierce and the Florida Department of Transportation.

e. Approve staff recommendation in response to request to reduce demolition lien in the amount of $9,255.24 against 714 N 17th Street, Fort Pierce, FL, Parcel ID# 2404-816-0015-000/9 owned by 2nd Generation Building Corp, by waiving the interest, penalties and a portion of the administrative costs in the amount of 2,844.74, leaving a **balance due of $6,410.50 payable in 60 days**. The applicant is asking to waive all costs and fees in the amount of $9,255.24 leaving a balance due of $0.00, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.

f. Approval of Engineering Design & Construction, Inc. (EDC) Specific Authorization No. 7 in the amount not to exceed $92,575 for Avenue D roadway improvements.

g. Approval of Request to Allocate Funds for the Oaks at Moore Creek Phase II Infrastructure Construction.

12. **PUBLIC HEARINGS**

a. Legislative Hearing - Ordinance No. 21-031 amending the Comprehensive Plan to incorporate a Property Rights Element pursuant to Florida Statutes. SECOND READING

b. Legislative Hearing - Ordinance 21-036 - The subject application is a voluntary annexation of a parcel of land located at 3420 Sunrise Boulevard in Fort Pierce, Florida.FIRST READING

Legislative Hearing - Ordinance 21-037 - The subject application is a voluntary annexation of a parcel of land located at 3450 Sunrise Boulevard in Fort Pierce, Florida.FIRST READING

c. Legislative Hearing - Ordinance 21-038 -This is a voluntary annexation of a parcel of land located at 2704 Avenue Q in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance 21-039 - This is a voluntary annexation of a parcel of land located at 2908 Avenue Q in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance 21-040 - This is a voluntary annexation of a parcel of land located at 3120 Avenue Q in Fort Pierce, Florida. FIRST READING

d. Legislative Hearing - Ordinance No. 21-041 - This is a voluntary annexation of one parcel of land located at 2905 Forest Place in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-042 - This is a voluntary annexation of one parcel of land located at 2906 Forest Place in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-043 - This is a voluntary annexation of one parcel of land located at 2910 Forest Place in Fort Pierce, Florida. FIRST READING

e. Legislative Hearing - Ordinance No. 21-044 - This is a voluntary annexation of a parcel of land located at 1909 Edgevale Road. FIRST READING.

Legislative Hearing - Ordinance No. 21-045 - This is a voluntary annexation of a parcel of land located at 2002 Edgevale Road. FIRST READING

f. Legislative Hearing - Ordinance 21-046 - This is a voluntary annexation of a parcel of land located at 2803 Admiral Street in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance 21-047 - This is a voluntary annexation of a parcel of land located at 2830 Admiral Street in Fort Pierce, Florida. FIRST READING

g. Legislative Hearing - Ordinance No. 21-048 - This is a voluntary annexation of a parcel of land located at 505 Midway Road. FIRST READING

h. Legislative Hearing - Ordinance No. 21-049 - This is a voluntary annexation of a parcel of land located at 3921 South US Highway 1 in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-050 - This is a voluntary annexation of a parcel of land located at 3957 South US Highway 1 in Fort Pierce, Florida.FIRST READING

Legislative Hearing - Ordinance No. 21-051 - This is a voluntary annexation of a parcel of land located at 5560 South US Highway 1 in Fort Pierce, Florida. FIRST READING

i. Legislative Hearing - Ordinance No. 21-052 - This is a voluntary annexation of a parcel of land located at 4653 Kirby Loop Road in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-053 - This is a voluntary annexation of a parcel of land located at 4681 Kirby Loop Road in Fort Pierce, Florida. FIRST READING

j. Legislative Hearing - Ordinance No. 21-054 - This is a voluntary annexation of a parcel of land located at 427 South Market Avenue in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-055 - This is a voluntary annexation of a parcel of land located at 601 South Market Avenue in Fort Pierce, Florida. FIRST READING

k. Legislative Hearing - Ordinance No. 21-056 - This is a voluntary annexation of a parcel of land located at 1720 Copenhaver Road in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-057 - This is a voluntary annexation of a parcel of land located at 1760 Copenhaver Road in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-058 - This is a voluntary annexation of a parcel of land located at 1840 Copenhaver Road in Fort Pierce, Florida. FIRST

READING

Legislative Hearing - Ordinance No. 21-059 - This is a voluntary annexation of a parcel of land located at 1998 Copenhaver Road in Fort Pierce, Florida. FIRST READING

l. Legislative Hearing - Ordinance No. 21-060 - This is a voluntary annexation of a parcel located at 2835 McNeil Road in Fort Pierce, Florida. FIRST READING

m. Legislative Hearing - Ordinance No. 21-061 - This is a voluntary annexation of a parcel located at 3005 Summit Street in Fort Pierce, Florida. FIRST READING

n. Legislative Hearing - Ordinance No. 21-062 - This is a voluntary annexation of a parcel located at 4119 Oleander Avenue in Fort Pierce, Florida. FIRST READING

o. Legislative Hearing - Ordinance No. 21-063 annexing property located at 2120 North Old Dixie Highway. FIRST READING

13. **CITY COMMISSION**

a. Resolution No. 21-R66 requiring electronic filing of campaign finance reports for all local candidates and political committees utilizing the Supervisor of Elections' electronic filing system.

14. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

15. **COMMENTS FROM THE CITY MANAGER**

16. **COMMENTS FROM THE COMMISSION**

17. **ADJOURNMENT**

Immediately following adjournment, please move toward the doors and exit the chambers. This allows for the safe and courteous exit of all persons, and those on the dais. Conversations after the meeting should be held outside of chambers, in the foyer or elsewhere, but not in the commission chambers where lights will be out as soon as the chambers are empty.

Pursuant to Sec. 2-49, Fort Pierce Code of Ordinances, persons desiring to place an item on the agenda may make written request to the city manager no later than 5:00 p.m. fifteen (15) days preceding the regular city commission meeting. Such request must state the subject matter of the individual's appearance and should include any background materials pertinent to the issue. The city manager shall review the request to determine if the item might be handled administratively or whether the subject matter is an item of city business. If appropriate, the city manager shall submit the item for placement on the agenda to the city clerk no later than 5:00 p.m. ten (10) days preceding the regular city commission meeting. The mayor may impose a time limitation of five (5) minutes, or allow such additional time he or she determines necessary and appropriate for such person to make presentation. All reports, communications, ordinances, resolutions, contracts, documents or other materials to be submitted to the commission shall, no later than 12:00 noon on Wednesday prior to each meeting, be delivered to the city clerk and furnish each member thereof with a copy of the same prior to the regular meeting.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises you that if you or another person decide to appeal any decision made by the City Commission with respect to any matter considered at its meeting or hearing, that you or said person will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk’s Office at (772) 467-3065 at least 48 hours prior to the meeting.

City Commission Regular Meeting - 4:30 pm **5. a.**

Meeting Date: 11/15/2021

Re:

SUBJECT:

Approval of Minutes from the November 1, 2021, Regular Meeting

Attachments

11.01.2021

Form Review

Form Started By: Latoya Ransom Started On: 11/10/2021 03:37 PM

Final Approval Date: 11/10/2021

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:00 P.M. ON MONDAY, November 1, 2021.

1. CALL TO ORDER

Mayor Hudson called the meeting to order at 6:00 PM.

2. OPENING PRAYER - Pastor Pinkie Hendley with New Life Christian Fellowship Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Commissioner Curtis Johnson, Jr.; Commissioner Jeremiah Johnson; Commissioner Thomas Perona; Mayor Linda Hudson

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Tanya Earley

5. APPROVAL OF MINUTES

a. Approval of minutes from the October 18, 2021 regular meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes of the October 18, 2021 regular meeting.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

6. **PROCLAMATIONS**

7. **LETTERS TO COMMISSION**

a. Letter from Cathy Telese expressing her gratitude and appreciation to Paul Thomas, Building Director, for the guidance and coordination efforts received for recent building applications.

8. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve the agenda as set.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

9. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

No comments

10. MISCELLANEOUS REPORTS

11. CONSENT AGENDA

a. Approval to execute the letter from the Florida Department of Law Enforcement to accept $70,000 in grant funding (no match required) made available through the Department of Justice Project Safe Neighborhood Grant Program.

b. Approve piggybacking Fort Pierce Utilities Authority Bid No. 2018-41 - Security Guard Services in an amount not to exceed $88,135.77 year one, $90,499.50 year two, and $93,495.67 year 3.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve the Consent Agenda.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

12. PUBLIC HEARINGS

a. Legislative Hearing - Ordinance 21-035 Establishing the Preserve at Savannah Lakes Community Development District. SECOND READING

City Clerk Linda Cox introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 21-035

AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING THE PRESERVE AT SAVANNAH LAKES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING NOTICE OF REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the public hearing.
Seeing no one, she closed the public hearing.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Ordinance No. 21-035.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

b. Resolution No. 21-R63 and Quasi-Judicial Hearing – A hearing to allow the owners and/or parties of interest in the property identified as 1822 S 32nd Street to show cause why the structure located on the premises should not have been condemned and demolished.

City Clerk Linda Cox introduced the resolution, read by title only, into the record.

RESOLUTION NO. 21-R63 - A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 1822 S 32ND STREET (CARPORT ONLY) IN FORT PIERCE, FLORIDA 34950 WAS DECLARED AN IMMINENT DANGER BY THE OF THE BUILDING OFFICIAL AND IS THEREFORE UNSAFE AND A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT SAID BUILDING OR STRUCTURE **HAS BEEN DEMOLISHED**; DECLARING THE PARTIES OF INTEREST WERE PROVIDED THE OPPORTUNITY TO BE HEARD; AND ORDERING THE CITY OF FORT PIERCE TO PLACE A LIEN UPON THE PROPERTY IDENTIFIED IF NOT REIMBURSED FOR THE COST OF REMOVAL BY THE OWNER OF RECORD; PROVIDING FOR APPEAL; PROVIDING FOR NOTICE TO ALL PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Linda Hudson asked all present to listen carefully to what City Attorney Tanya Earley would read regarding Quasi-Judicial Hearings as they apply to subsequent Quasi-Judicial Hearings tonight. Tanya Earley, City Attorney, reviewed the quasi-judicial hearing rules and procedures.

Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:
Commissioner Curtis Johnson Jr.- no
Commissioner Jeremiah Johnson- no
Commissioner Thomas Perona- no
Mayor Hudson- no

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing.

Staff Presentation - Code Enforcement Manager, Peggy Arraiz, sworn, presented a history of the property at 1822 S 32nd Street, and cause for condemnation and demolition of the carport only. Staff recommends the City Commission approve Resolution No. 21-R63 declaring that the carport structure located at 1822 S 32 nd Street was properly condemned and demolished in accordance with the International Property Maintenance Code as adopted by the City Commission.

Questions of Staff - Commissioner Curtis Johnson, Jr. inquired if notices been completed on clearance of the lot. Mrs. Arraiz responded that they had. Commissioner Perona inquired if the owners of the property were investors. Mrs. Arraiz responded that the burden falls on the registered owner.

Mayor Hudson opened the public hearing.
Seeing no one, she closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution No 21-R63.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

c. Resolution No. 21-R64 and Quasi-Judicial Hearing – A hearing to allow the owners and/or parties of interest in the property identified as 2202 Avenue I to show cause why the structure located on the premises should not be condemned and demolished.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record

RESOLUTION NO. 21-R64 - A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT **2202 AVENUE I** IN FORT PIERCE, FLORIDA 34950 IS UNSAFE AND A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT SAID BUILDING OR STRUCTURE **SHALL BE DEMOLISHED**; DECLARING THE PARTIES OF INTEREST WERE PROVIDED THE OPPORTUNITY TO BE HEARD AND ARE RESPONSIBLE FOR THE REMOVAL OF THE BUILDING OR STRUCTURE; AND ORDERING THE CITY OF FORT PIERCE TO PROCEED WITH SUCH REMOVAL AND PLACE A LIEN UPON THE PROPERTY IDENTIFIED IF COMPLETED BY THE CITY OF FORT PIERCE; PROVIDING FOR APPEAL; PROVIDING FOR NOTICE TO ALL PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:
Commissioner Curtis Johnson Jr.- no
Commissioner Jeremiah Johnson- no
Commissioner Thomas Perona- no
Mayor Hudson- no

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing.

Staff Presentation - Code Enforcement Manager, Peggy Arraiz, sworn, presented a history of the property at 2202 Avenue I, and cause for condemnation and demolition. Staff recommends the City Commission approve Resolution No. 21-R64 declaring the structure located at 2022 Avenue I be condemned and demolished in accordance with the Rules of Procedure for Condemnation and Demolition as adopted by the City Commission.

Questions of Staff - Commissioner Curtis Johnson, Jr. inquired had the owner responded to any of the notices sent by the City, if approved would demolition occur and a lien be placed on the property, and if there is active clearing of the lot. Mrs. Arraiz responded that the documents sent certified mail were returned unclaimed, while those sent regular mail were not returned, the property would be demolished and a lien placed, and that there is active lot clearing moving forward. Commissioner Perona inquired of City Attorney Tanya Earley how challenges would be addressed in the future with the property owner. Mrs. Earley responded that proper attempts had been made to notify the owner by the City, and that there is a thirty-day appeals process if that occurred. Commissioner Curtis Johnson commented that he would like data on demolished properties as he is seeing requests for the waving of lien fees.

Mayor Hudson opened the public hearing.
Seeing no one, she closed the public hearing.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution No. 21-R64.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

13. CITY COMMISSION

a. Resolution 21-R62 providing notice of polling places for the December 7, 2021 special election.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.

RESOLUTION NO. 21-R62 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, PROVIDING FOR PUBLICATION OF THE DESIGNATED **PRECINCT POLLING PLACES** IN THE CITY OF FORT PIERCE FOR THE **SPECIAL ELECTION TO BE HELD ON DECEMBER 7, 2021**; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 21-R62.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

b. Resolution 21-R65 appointing Ionis Jefferson to the Fort Pierce Housing Authority.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.

RESOLUTION NO. 21-R65 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE MAYOR'S APPOINTMENT AS **COMMISSIONER OF THE HOUSING AUTHORITY** OF THE CITY OF FORT PIERCE; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve Resolution No. 21-R65.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

14. COMMENTS FROM THE PUBLIC

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

There were no comments.

15. COMMENTS FROM THE CITY MANAGER

a. Reports

Mr. Mimms presented the Purchase Order Report, 2021 Strategic Plan Update, and the City Manager's Report with focused on community outreach.
The City of Fort Pierce, in partnership with the Treasure Coast Food Bank, will be hosting a Thanksgiving Drive-Thru Giveaway Saturday, November 13th at Percy Peek Gymnasium located on 2902 Avenue D beginning at 9:00 AM.

16. COMMENTS FROM THE COMMISSION

Commissioner Thomas Perona congratulated Mainstreet on the Ghost Walk.

Commissioner Curtis Johnson, Jr. announced Lincoln Park Mainstreet's move to Means Court and addressed the upcoming concerns and misinformation with redistricting.

Commissioner Jeremiah Johnson addressed the city's progress and Midway Road and Interstate connectivity.

Mayor Linda Hudson participated in Mainstreet's Ghost Walk and Pack the House with the Treasure Coast Food Bank.

17. ADJOURNMENT

Immediately following adjournment, please move toward the doors and exit the chambers. This allows for the safe and courteous exit of all persons, and those on the dais. Conversations after the meeting should be held outside of chambers, in the foyer or elsewhere, but not in the commission chambers where lights will be out as soon as the chambers are empty.

Mayor Linda Hudson adjourned the meeting at **6:45 pm**

ATTEST:

_____ _____

CITY CLERK MAYOR COMMISSIONER

City Commission Regular Meeting - 4:30 pm **7. a.**

Meeting Date: 11/15/2021

Re: Email from Paul Scavello

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Email from Paul Scavello thanking Jennifer Hofmeister-Drew for her positive outlook and especially for her willingness to go above and beyond.

Attachments

Email from Paul Scavello

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 08:50 AM
City Manager	Nick Mimms	11/04/2021 08:51 AM

Form Started By: Jennifer Robinson Started On: 10/28/2021 10:40 AM

Final Approval Date: 11/04/2021

From: PAUL SCAVELLO <scavellop@aol.com>
Sent: Friday, October 22, 2021 2:33 PM
To: Jennifer Hofmeister; Nick Mimms; Rebecca Grohall
Subject: Scavello Management (Taylor Creek Project)

[You don't often get email from scavellop@aol.com. Learn why this is important at http://aka.ms/LearnAboutSenderIdentification.]

SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Hi Jennifer,
I just wanted to Thank you for taking the time out to give me a call back. I know this has been a very challenging year to say the least and it's been very difficult to find staff.I know you are working endlessly. As i mentioned earlier, Im going through it myself with my restaurant in NY. I appreciate your positive attitude and enthusiasm relayed to me on the phone when you mentioned you like the project and that we will get through this. I look forward to that day and looking forward to helping you in anyway possible. You have my number so please don't hesitate to call me with anything,
Again…Thank you for your positive outlook and willingness to go above and beyond.
Sincerely,
Paul Scavello
Scavello Management
347 680-3865

City Commission Regular Meeting - 4:30 pm **7. b.**

Meeting Date: 11/15/2021

Re: Email from James Clasby

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Email from James Clasby in recognition of Audria Moore-Wells, Peggy Arraiz and City staff's contribution to the 10/21/21 community input meeting that was scheduled after business hours.

Attachments

Email from James Clasby

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 08:51 AM
City Manager	Nick Mimms	11/04/2021 08:51 AM

Form Started By: Jennifer Robinson Started On: 10/28/2021 01:06 PM

Final Approval Date: 11/04/2021

From: J C <jamesclasby@gmail.com>
Sent: Friday, October 22, 2021 10:03 AM
To: Nick Mimms <nmimms@cityoffortpierce.com>
Cc: Linda Hudson <LHudson@cityoffortpierce.com>; Curtis Johnson <cjohnson@cityoffortpierce.com>; Jeremiah Johnson <jjohnson@cityoffortpierce.com>; Tom Perona <tperona@cityoffortpierce.com>; Linda Cox <lcox@cityoffortpierce.com>
Subject: Thank You to Staff for an After Hours Public Input Meeting

SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Good morning,

I wanted to make it known that Audria Moore-Wells, Peggy Arraiz, and the rest of the city staff in attendance (including the IT guy who had to come in and fix the computer before the meeting) did a wonderful job hosting an after hours community input meeting on 10/21.

This meeting was well attended. I feel the city has been doing a great job making information available online. However, it was clear from the public comments that many people in our community are not accessing this information online. For that reason, I hope we continue to have these public meetings for other items in the future to maintain transparency and keep our city residents informed about city business.

Please make sure this email makes its way to the city commission agenda under letters to the commission.

--
Respectfully,
James Clasby, MPA

PS: This message was drafted after the meeting on 10/21, and scheduled to be sent on 10/22 at 10AM through Gmail.

City Commission Regular Meeting - 4:30 pm **7. c.**

Meeting Date: 11/15/2021

Re: Email from Gina Vardis

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Email from Gina Vardis with Fort Pierce KOA thanking Mayor Hudson for services performed by the Public Works Department.

Attachments

Email from Gina Vardis

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/05/2021 05:19 PM
City Manager	Nick Mimms	11/05/2021 05:19 PM

Form Started By: Jennifer Robinson Started On: 11/05/2021 02:11 PM

Final Approval Date: 11/05/2021

From: Gina Vardis <rchbch007@yahoo.com>
Sent: Thursday, October 28, 2021 12:22:50 PM
To: Linda Hudson <LHudson@cityoffortpierce.com>
Subject: Downtown Fort Pierce Koa

SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Good afternoon Mayor Hudson. I just wanted to say thank you for your kindness in helping me with trying to run a safe and respectable business in Fort Pierce! You have went above and beyond in helping. I appreciate you and everything you do for my community!! Received the new dumpster and believe me it was like Christmas morning!!! I am greatful for you and I am proud to have you as my Mayor. I know I can count on you and believe me when I say I TELL EVERYONE ABOUT YOU!!! Your a wonderful human and eventually our paths will cross and we will finally meet each other!! Thank you again, Gina Vardis (KOA)

Sent from Yahoo Mail for iPhone

City Commission Regular Meeting - 4:30 pm **10. a.**

Meeting Date: 11/15/2021

Re: Veteran's Memorial Park Adoption

Submitted For: Mike Reals, Public Works Manager, Public Works

SUBJECT:

Students4H20 presentation on Veteran's Memorial Park Adoption

Attachments

Presentation

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/10/2021 02:34 PM

Form Started By: Jennifer Robinson Started On: 11/09/2021 09:30 AM

Final Approval Date: 11/10/2021



A sustainable community and planet is our goal

About our Founder

- Became passionate about our environment and water conservation in elementary school.
- The first high school recipient of Seton Hall University's United Nations Sustainable Development Challenge (2016).
- Graduated from Clark Advanced Learning Center in 2017.
    - Received my Associate of Arts as part of Clark Advanced Learning Center/Indian River State College's dual-enrollment program.
- Graduated Summa Cum Laude from the University of Florida with my Bachelor of Science in Public Relations in 2020.
- Currently, I am a student of the University of Florida's online Master of Arts in Mass Communications program specializing in Public Interest Communication.

Awards & accomplishments

- 30 Under 30 Changemaker Award, May 2021
- Water For South Sudan's Global Citizen Award, February 2021
- Keep Martin Beautiful Youth Group Champion Award, August 2020 **(Students4H2O)**
- Nominee- Spirit of Philanthropy Award, November 2019
- Keep Florida Beautiful Youth Education & Engagement Award, February 2018 **(Students4H2O)**
- Kantner Foundation Scholarship, May 2017
- Acacia Masonic Lodge F&AM #163 Scholarship, May 2017
- Greater Stuart Area Panhellenic Scholarship, May 2017
- Florida P.E.O Chapter P Education Award Scholarship, May 2017
- Soroptimist International of Stuart Youth Service Award Scholarship, April 2017
- City of Stuart's Proclamation for April Water Conservation Month, April 2017
- Soroptimist International of Stuart Rising Star Award, March 2017
- USGBC South Florida Generation Green Apple Award's Green Student Award, February 2017
- Joe Kordick Youth Character Award, February 2017
- Commissioner's Leadership Award, January 2017
- Keep Florida Beautiful Outstanding Youth Award, June 2016
- USGBC South Florida Generation Green Apple Award's Green Student Award, April 2016
- City of Stuart's Proclamation for April Water Conservation Month, April 2016
- Seton Hall University UN Sustainable Development Goals Challenge 1st place award and scholarship, April 2016
- Keep Martin Beautiful Staff Award, February 2016
- Keep Martin Beautiful President's Award, February 2014
- Adriana Mancini Environmental Award 2013-2014 **(annually given to a student from BCE's Team Green recycling club)**
- St. Joseph Catholic School's Maria Goretti Award 2012-2013
- Bessey Creek Elementary School's Outstanding Youth Volunteer Award 2009-2010
- Daughters of the American Revolution Citizenship Award 2009-2010

About our Student President

- Became passionate about environmental advocacy in third grade.
- Joined Students4H2O in seventh grade and is now the Student President.
- Currently enrolled in the International Baccalaureate program at Lincoln Park Academy.
  - Dual-enrolled at Indian River State College
- Focused on achieving Global Goal 3, Good Health and Well-being, as an aspiring medical student.

About Students4H2O

Students4H2O was established in Martin County with the mission to enhance education, stewardship, and citizenship for all students in our community. We believe every individual matters and a sustainable community will lead to a sustainable planet by following the mission of the United Nations Sustainable Development Goals. By doing so, we strive to empower our children by saving the Earth, one student at a time.



Board of Directors

- **Officers:**
  - *Vice-President:* Susan Whittington- Espinal, Stern & Whittington at Morgan Stanley
  - *Treasurer:* Jonathan Estevez- Carr, Riggs, & Ingram
  - *Secretary:* Kimberly Brown- Martin County School District

- **Directors:**
  - Alanna Apap, M.Ed., BCBA- Peer P.A.L.S.
  - Christopher Carnes- South Fork High School
  - Pippa Dodge- Sign Jungle
  - Anne Ellig- City of Stuart
  - Lisa Estevez, Ed.S., BCBA- Martin County School District
  - David Mancini- Reich & Mancini, P.A.
  - Patty O’Connell- Gumbo Limbo Stuart Florida
  - Joanne Sweazey, M.Ed.- Hope Center for Autism
  - Jessica Urbay- Felix A. Williams Elementary School

About Students4H2O's Lincoln Park Academy Chapter

- Students4H2O's Lincoln Park Academy chapter currently has 20 members ranging from sixth to twelfth grade students who are eager to create the world we want.

- Our objective of adopting Veteran's Memorial Park is to expand our passion and involvement in social and environmental change.

- **Methods to accomplish our goal:**
    1. Follow the mission of the United Nations Sustainable Development Goals.
    2. Participate in community events.
    3. Engage in local and state-wide activities.
    4. Partake in international initiatives.

Community involvement

Through our partnerships with the City of Stuart and students, teachers, principals, and leaders of the Martin County School District, we act as Global Citizens and share a unified mission of thinking globally and acting locally.



United Nations Sustainable Development Goals

- In September 2015, 193 world leaders among the United Nations agreed to establish 17 Sustainable Development Goals, also known as the Global Goals.

- The Global Goals work together to end poverty, reduce inequalities, and protect our planet by 2030.

- Our members represent one or two Global Goals they feel most passionate about.



SDG 6: Clean Water & Sanitation

- 785 million people lack access to clean drinking water.
- Girls in developing nations sacrifice their education to collect contaminated water for their families.
- They walk three to five miles daily carrying jerry cans that weigh 40 pounds when full.



“A Long Walk to Water” Fundraising Contest

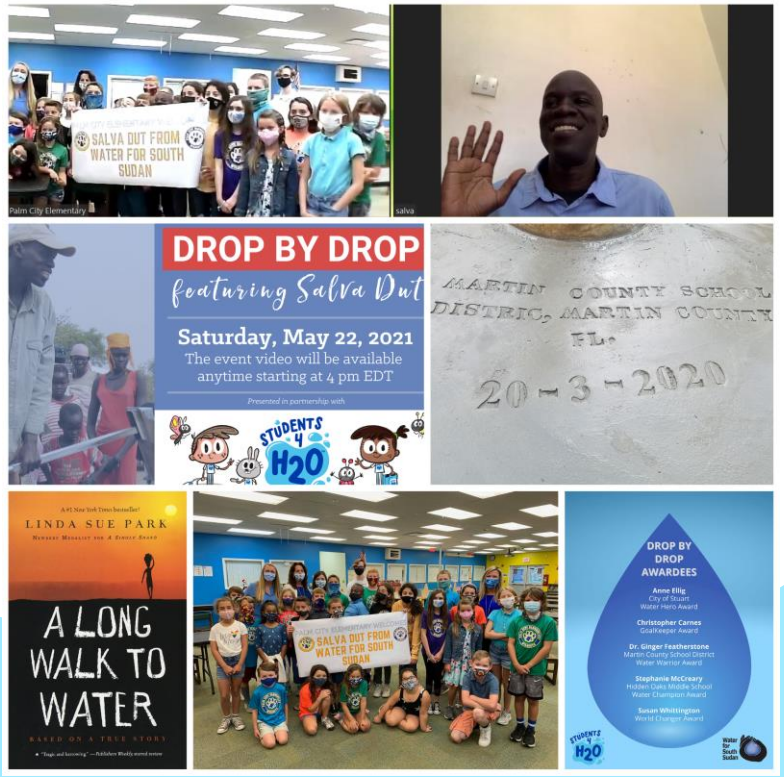
- 20 Martin County schools united last school year with the objective to fundraise $15,000 for Water For South Sudan.

- As a result of their collaborative efforts, they raised over $21,000 and a well was drilled at Majok Donguar Primary School in South Sudan.



Drop by Drop

- Co-hosted by Water For South Sudan and Students4H2O; held on May 22, 2021.
- Salva Dut, Founder & Chief Strategy Director of WFSS, shared his story of fleeing the civil war in Sudan and explained how that experience led to his current mission – bringing clean drinking water to his home country.
    - Salva's story is also told in the New York Times bestseller "A Long Walk to Water," written by Linda Sue Park.
- Palm City Elementary won a Q&A with Salva via Zoom, which was included in Drop by Drop.



Cigarette recycling program

- Collaboration with the City of Stuart and TerraCycle.
  - Students4H2O received the Keep Martin Beautiful Youth Group Champion Award for our involvement in this initiative.
- Eliminate cigarette waste in Downtown Stuart by recycling cigarette butts.
- For every one pound of cigarette butts recycled, TerraCycle will donate $1 to Keep America Beautiful.
- Through TerraCycle, cigarette butts are recycled into products including ashtrays, shipping pallets, and plastic lumber.





Water Fest


EACH PARTICIPATING SCHOOL OR ORGANIZATION HAS AN
ENVIRONMENTAL OR WATER CONSERVATION-THEMED ACTIVITY

Plastic Bag Initiative





Buddy Bench Contest

- Participating schools to date:
  - Bessey Creek Elementary School
  - Citrus Grove Elementary School
  - Crystal Lake Elementary School
  - Felix A. Williams Elementary School
  - J.D. Parker Elementary School
  - Palm City Elementary School
  - Port Salerno Elementary School
  - Warfield Elementary School



Adopt-a-Road Cleanups

- **2021-2022 meetings + AAR calendar**
  - August 28, 2021 at 10 a.m.
  - October 30, 2021 at 10 a.m.
  - December 4, 2021 at 10 a.m.
  - February 5, 2022 at 10 a.m.
  - March 5, 2022 at 10 a.m.
  - May 7, 2022 at 10 a.m.
- Our road is located on Georgia Avenue (SE Ocean Blvd to MLK Blvd), which is between Stuart Memorial Park and Stuart Middle School).
  - Part of Keep Martin Beautiful's Adopt-a-Road program.
- Our members participate in six Adopt-a-Road cleanups every year, taking ownership in our community while empowering each other to save our Earth.



Thank you!

**“Alone we can do so little.
Together we can do so much.”
-Helen Keller**

City Commission Regular Meeting - 4:30 pm **11. a.**

Meeting Date: 11/15/2021

Re: 521 Douglas Avenue - Code Reduction Request - Case #10-0035

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Approve request to reduce Code Enforcement lien in the amount of $98,780.00, against 521 Douglas Court, Fort Pierce, FL 34950 - Parcel ID Number 2409-501-0091-000/3, owned by 2nd Generation Building Corp, to $1,000.00, to be paid within 60 days.

SUMMARY:

Request by applicant, 2nd Generation Building Corp, to reduce the lien in the amount of $98,780.00 to $0.00.

RECOMMENDATION:

The Special Magistrate, having heard the request of the owner, and testimony of Staff, recommends reducing the lien in the amount of $98,780.00 to $1,000.00 payable in 60 days.

Hard Costs (postage / filing fees / photos)	$61.18
Case Processing Fees (months open / inspections)	$388.90
Special Magistrate Hearing Costs	$300.00
City Commission Hearing (3/2/20)	$250.00

ALTERNATIVES:

Approve the applicant's request.
Determine an alternate amount.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Director of Community Response

COORDINATED WITH:

City Attorney's Office
Special Magistrate Pelletier

Fiscal Impact

OTHER INFORMATION:

Income of $1,000.00 to the General Fund.

Attachments

Property ID Card
Reduction Request

Order Assessing Fine and Imposing Lien
Administration Fees

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 08:49 AM

Form Started By: Peggy Arraiz
Started On: 10/20/2021 05:01 PM
Final Approval Date: 11/04/2021

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Property Identification

Site Address: 521 DOUGLAS CT
Sec/Town/Range: 09/35S/40E
Parcel ID: 2409-501-0091-000-3
Jurisdiction: Fort Pierce

Use Type: 0000
Account #: 21109
Map ID: 24/09N
Zoning: Medium Den

Ownership

2ND GENERATION BUILDING CORPERATION
966 NW Leornard Cir
Port St Lucie, FL 34986

Legal Description

LINCOLN PARK NO 2 BLK 3 LOTS 23 TO 25 INCL

Current Values

Just/Market Value:	$15,600
Assessed Value:	$8,690
Exemptions:	$0
Taxable Value:	$8,690

Property taxes are subject to change upon change of ownership.

- **Past taxes are not a reliable projection of future taxes.**
- **The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.**

Taxes for this parcel: SLC Tax Collector's Office
Download TRIM for this parcel: Download PDF



Total Areas

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	0.33
Land Size (SF):	14,274

Building Design Wind Speed

Occupancy Category	I	II	III & IV
Speed	140	160	160

Sources/links:

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.
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THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	9-22-21				
Property address:	521 Douglas Court				
Owner(s) of record:	2nd Generation Building Corp.				
Mailing address:	966 NW Leonardo Cir. PSL 34986				
Property tax ID #:	2409-501-0091-000-3				
Original purchase date:	8-5-21	Original purchase price:	10,000.		
Property is used for:	☐ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☑ Vacant Lot
Name of person requesting reduction:	Joseph Basso	Relationship to owner(s)	Self		
Telephone #:		Mobile phone #:	772-201-0280		
E-mail:	ginger@2ndgbc.com	Preferred contact method:	Email		
What are owner(s) intentions for property:	build duplex or s/f home				
Amount of Lien:	98,780.-	Date Fine Initiated:	5/1/2012		
Are there current code violations?	☐ No	☑ Yes	Explain: (please attached notice)		
Is property listed for sale?	☑ No	☐ Yes	If yes, what is listing price?		
Is property under contract for sale?	☑ No	☐ Yes	If yes, what is the sale price?		

AMOUNT OF FINE / LIEN $ 98,780.-

DOLLAR AMOUNT REQUESTING TO BE WAIVED $ 98,780.-

DOLLAR AMOUNT I AGREE TO PAY $ Ø

Signature of Owner or Representative — Date: 9-22-21 — Printed Name: Joseph Basso

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address:	521 Douglas Court

JB I acknowledge that I have been provided a copy of Rule 17 of the Rules of Procedure for the City of Fort Pierce Code Enforcement Board and Special Magistrates and that I have read the rules and being advised as such make the following request:

JB I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(b), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or Code Enforcement Board.

JB I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(d), I understand the requirements to be met and understand that the Special Magistrate will make the final determination.

JB I am requesting that my application for lien reduction be considered and a determination made by the City Commission of the City of Fort Pierce.

Signature of Owner or Representative	Date	Printed Name
	9-22-21	Joseph Basso

COFP – APPLICATION PROCESS DETERMINATION

☑ Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

☐ Staff has reviewed the request for lien reduction and do not agree to process the application as requested by the signing party. The matter will be placed before the City Commission for final determination.

City Representative	Date	Printed Name
Margaret Fabrizio	9/22/21	Margaret M. Abrahamson

I, Joseph Basso, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

To whom it may concern: 2nd Generation Building Corp. is currently in Process of Building, Selling, Owning, Single Family homes, multi Family, Duplexes & Commercial Projects in the Lincoln Park Community. Acquiring Land is Imperative to make this Vision a Reality. without land the Vision Becomes Impossible. After the Purchase of the Properties if there were Penaltys then it would become to costly to make the Process work. 2nd Generation is Requesting the Penalty to be dropped So we can Proceed with the Building & Improving Process to the Lincoln Park Area. Lets work together to make the Lincoln Park Area one of the Future Beautiful Areas in Florida which it Definitely Deserves Considering our History.

Date: 9-22-21

Signed: [signature]

Print Name: Joseph Basso

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Joseph Basso who acknowledged before me that the information contained herein is true and correct. He or She is / is not personally known to me and has produced _____ as identification.

SWORN TO AND SUBSCRIBED before me this 22nd day of September 20 21

Notary Public State of Florida
Ginger Williams
My Commission GG 218930
Expires 05/16/2022

Ginger Williams

Notary Public, State of Florida

SPECIAL MAGISTRATE
CITY OF FORT PIERCE, FLORIDA

Case #: 10-0035

RE: Violation of Section(s): 5-1.104.5 Unsafe Building, 5-368 (1) Property Maintenance

Violator: REY PROPERTY INVESTORS LLC
2301 JUANITA AVE
FT PIERCE, FL 34946

Property Address: 521 DOUGLAS CT

Tax ID #: 2409-501-0091-000/3

Legal Description: LINCOLN PARK NO 2 BLK 3 LOTS 23 TO 25 INCL (OR 2355-1359)

ORDER ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE having come before the Special Magistrate pursuant to Florida Statute 162.09 on March 03, 2010 upon notification by the Code Enforcement Officer that the Special Magistrate's Order herein dated March 03, 2010 was not complied with by the date set forth therein, and being otherwise advised in the premises, it is

ORDERED AND ADJUDGED that the violator shall pay a daily fine as provided in such order in the sum of $250.00 from March 12, 2010 and a like sum thereafter for each day the violation continues. A certified copy of this Order may be recorded in the Public Records of St. Lucie County and shall thereafter pursuant to Florida Statute 162.09(3) constitute a lien against the above described property and upon any other real or personal property owned by the violator.

Upon petition to the Circuit Court this Order may be enforced in the same manner as a Court Judgment by the Sheriffs of the State, including levy against personal property. The fine imposed herein shall continue to accrue until the violator comes into compliance or until judgment is rendered upon a suit to foreclose on this lien, whichever occurs first. The lien arising from this fine runs in favor of the City of Fort Pierce, a municipal corporation, and the City of Fort Pierce may execute a satisfaction of release of lien. This Order shall not be deemed to be a Court judgment except for enforcement purposes and may be foreclosed as further provided by law.

DONE AND ORDERED this 10th day of May, 2010.

Frank Blandino, Esq., Special Magistrate

ATTEST:

CITY CLERK

DATED: May 10 2010

Mail to:
City of Fort Pierce
Code Enforcement Department
P.O. Box 1480
Ft. Pierce, FL 34954

STATE OF FLORIDA
ST. LUCIE COUNTY
CITY OF FORT PIERCE

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE RECORDS ON FILE IN THIS OFFICE.

CITY CLERK

DATE May 10 2010

(CITY SEAL)

File Name: C0034966

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3471968 05/10/2010 at 01:03 PM
OR BOOK 3195 PAGE 61 - 61 Doc Type: ORD
RECORDING: $10.00

Administrative Cost Estimator

10/19/2021

Property Address: 521 Douglas Ave (10-0035)

Date case originated: 1/26/2010

Date case complied: 4/11/2011

Total time: 14 months

Number of Hearings

Violation Hearings:	1
Massey Hearings:	0
Lien Reduction Hearings:	1

Mailing Expense

Regular 1st Class:	$0.44	7	$3.08
Certified Mail:	$5.10	1	$5.10
Photographs (per page)	$0.50	6	$3.00
Filing Fees (add 1 fee for Release of Lien)	$10.00	5	$50.00
Months Open	$50.00		$0.00

Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Code Enforcement Secretary

Up to three Hearings	$150.00	1	$150.00
Each additional Hearing	$75.00	0	$0.00

Covers hearing prep: NOV, postings, notorizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Director of Community Response	$75.00	1	$75.00

Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour)	$125.00	1	$125.00

Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings	$150.00	2	$300.00

Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	$250.00	1	$250.00

Fee set by the City Commission

Total Estimated Cost: $961.18

City Commission Regular Meeting - 4:30 pm **11. b.**

Meeting Date: 11/15/2021

Re: 521 Douglas Court - Code Enforcement Lien Reduction - Case #09-2199

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Approve request to reduce Code Enforcement lien in the amount of $109,780.00, against 521 Douglas Court, Fort Pierce, FL 34950 - Parcel ID Number 2409-501-0091-000/3, owned by 2nd Generation Building Corp, to $2,000.00 to be paid within 60 days.

SUMMARY:

Request by applicant, 2nd Generation Building Corp, to reduce the lien in the amount of $109,780.00 to $0.00.

RECOMMENDATION:

The Special Magistrate, having heard the request of the owner, and testimony of Staff, recommends reducing the lien in the amount of $109,780.00 to $2,000.00 payable in 60 days.

Hard Costs (postage / filing fees / photos)	$67.12
Case Processing Fees (months open / inspections)	$1,382.88
Special Magistrate Hearing Costs	$300.00
City Commission Hearing (3/2/20)	$250.00

ALTERNATIVES:

Approve the applicant's request.
Determine an alternate amount.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Director of Community Response

COORDINATED WITH:

City Attorney's Office
Special Magistrate Pelletier

Fiscal Impact

OTHER INFORMATION:

Income of $2,000.00 to the General Fund

Attachments

Property ID Card
Reduction Request

Order Assessing Fine and Imposing Lien
Administration Fees

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 08:49 AM

Form Started By: Peggy Arraiz
Started On: 10/20/2021 05:29 PM
Final Approval Date: 11/04/2021

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Property Identification

Site Address: 521 DOUGLAS CT
Sec/Town/Range: 09/35S/40E
Parcel ID: 2409-501-0091-000-3
Jurisdiction: Fort Pierce

Use Type: 0000
Account #: 21109
Map ID: 24/09N
Zoning: Medium Den

Ownership

2ND GENERATION BUILDING CORPERATION
966 NW Leornard Cir
Port St Lucie, FL 34986

Legal Description

LINCOLN PARK NO 2 BLK 3 LOTS 23 TO 25 INCL

Current Values

Just/Market Value:	$15,600
Assessed Value:	$8,690
Exemptions:	$0
Taxable Value:	$8,690

Property taxes are subject to change upon change of ownership.

- **Past taxes are not a reliable projection of future taxes.**
- **The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.**

Taxes for this parcel: SLC Tax Collector's Office
Download TRIM for this parcel: Download PDF



Total Areas

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	0.33
Land Size (SF):	14,274

Building Design Wind Speed

Occupancy Category	I	II	III & IV
Speed	140	160	160

Sources/links:

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.
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THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	9-22-21				
Property address:	521 Douglas Court				
Owner(s) of record:	2nd Generation Building Corp.				
Mailing address:	966 NW Leonardo Cir. PSL 34986				
Property tax ID #:	2409-501-0091-000-3				
Original purchase date:	8-5-21	Original purchase price:	10,000.		
Property is used for:	☐ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☑ Vacant Lot
Name of person requesting reduction:	Joseph Basso	Relationship to owner(s)	Self		
Telephone #:		Mobile phone #:	772 201 0280		
E-mail:	ginger@2ndgbc.com	Preferred contact method:	Email		
What are owner(s) intentions for property:	build duplex or s/f home.				
Amount of Lien:	109,780.-	Date Fine Initiated:	5/1/2012		
Are there current code violations?	☐ No	☑ Yes	Explain: (please attached notice)		
Is property listed for sale?	☑ No	☐ Yes	If yes, what is listing price?		
Is property under contract for sale?	☑ No	☐ Yes	If yes, what is the sale price?		

AMOUNT OF FINE / LIEN $ 109,780.-

DOLLAR AMOUNT REQUESTING TO BE WAIVED $ 109,780-

DOLLAR AMOUNT I AGREE TO PAY $ Ø

Signature of Owner or Representative

9-22-21
Date

Joseph Basso
Printed Name

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address:	521 Douglas Court

JB I acknowledge that I have been provided a copy of Rule 17 of the Rules of Procedure for the City of Fort Pierce Code Enforcement Board and Special Magistrates and that I have read the rules and being advised as such make the following request:

JB I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(b), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or Code Enforcement Board.

JB I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(d), I understand the requirements to be met and understand that the Special Magistrate will make the final determination.

JB I am requesting that my application for lien reduction be considered and a determination made by the City Commission of the City of Fort Pierce.

Signature of Owner or Representative	Date	Printed Name
	9-22-21	Joseph Basso

COFP – APPLICATION PROCESS DETERMINATION

☑ Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

☐ Staff has reviewed the request for lien reduction and do not agree to process the application as requested by the signing party. The matter will be placed before the City Commission for final determination.

City Representative	Date	Printed Name
Margaret M. Amos	9/22/21	Margaret M. Amos

I, Joseph Basso, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

To whom it may concern: 2nd Generation Building Corp. is currently in Process of Building, Selling, Owning & Single Family homes, multi Family, Duplexes & Commercial Projects. in the Lincoln Park Community. Acquiring Land is Imperative to make this Vision a Reality. without Land the Vision Becomes Impossible. After the Purchase of the Properties if there were Penaltys then it would become to costly to make the Process work. 2nd Generation is Requesting the Penalty to be dropped So we can Proceed with the Building & Improving Process to the Lincoln Park Area. Lets work together to make the Lincoln Park Area one of the Future Beautiful Areas in Florida which it Definitely Deserves Considering our History.

Date: 9-22-21

Signed: [signature]

Print Name: Joseph Basso

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Joseph Basso who acknowledged before me that the information contained herein is true and correct. He or She is / is not personally known to me and has produced _____ as identification.

SWORN TO AND SUBSCRIBED before me this 22nd day of September 20 21

Notary Public State of Florida
Ginger Williams
My Commission GG 218930
Expires 06/16/2022

Ginger Williams

Notary Public, State of Florida

SPECIAL MAGISTRATE
CITY OF FORT PIERCE, FLORIDA

Case #: 9-2199

RE: Violation of Section(s): 5-1.104.5 Unsafe Building, 5-368 Property Maintenance (1) (2) (3) (4) (5), 5-369 Vacant Buildings, 23-49 (4) Affirmative Maintenance, 16-46, 16-47, 16-48 (1) (5) Outside Storage, 22-27 (A) (C) R-4 Zoning District, 22-139 (B) Certificate of Zoning Compliance, 22-187 (13) Landscape Maintenance

Violator: REY PROPERTY INVESTORS LLC
2301 JUANITA AVE
FT PIERCE, FL 34946

Property Address: 521 DOUGLAS CT

Tax ID #: 2409-501-0091-000/3

Legal Description: LINCOLN PARK NO 2 BLK 3 LOTS 23 TO 25 INCL (OR 2355-1359)

ORDER ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE having come before the Special Magistrate pursuant to Florida Statute 162.09 on November 4, 2009 upon notification by the Code Enforcement Officer that the Special Magistrate's Order herein dated November 4, 2009 was not complied with by the date set forth therein, and being otherwise advised in the premises, it is

ORDERED AND ADJUDGED that the violator shall pay a daily fine as provided in such order in the sum of $250.00 from January 27, 2010 and a like sum thereafter for each day the violation continues. A certified copy of this Order may be recorded in the Public Records of St. Lucie County and shall thereafter pursuant to Florida Statute 162.09(3) constitute a lien against the above described property and upon any other real or personal property owned by the violator.

Upon petition to the Circuit Court this Order may be enforced in the same manner as a Court Judgment by the Sheriffs of the State, including levy against personal property. The fine imposed herein shall continue to accrue until the violator comes into compliance or until judgment is rendered upon a suit to foreclose on this lien, whichever occurs first. The lien arising from this fine runs in favor of the City of Fort Pierce, a municipal corporation, and the City of Fort Pierce may execute a satisfaction of release of lien. This Order shall not be deemed to be a Court judgment except for enforcement purposes and may be foreclosed as further provided by law.

DONE AND ORDERED this 26th day of February, 2010.

Frank Blandino, Esq., Special Magistrate

ATTEST:

CITY CLERK

DATED: 2-26-10

Mail to:
City of Fort Pierce
Code Enforcement Department
P.O. Box 1480
Ft. Pierce, FL 34954

File Name: C0034084

STATE OF FLORIDA
ST. LUCIE COUNTY
CITY OF FORT PIERCE

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE RECORDS ON FILE IN THIS OFFICE.

CITY CLERK

DATE Feb 26 2010

(CITY SEAL)

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3449123 03/10/2010 at 01:14 PM
OR BOOK 3177 PAGE 855 - 855 Doc Type: ORD
RECORDING: $10.00

Administrative Cost Estimator

10/19/2021

Property Address: 521 Douglas Court (09-2199)

Date case originated: 7/31/2009

Date case complied: 4/11/2011

Total time: 20 months

Number of Hearings

Violation Hearings:	1
Massey Hearings:	0
Lien Reduction Hearings:	1

Mailing Expense

Regular 1st Class:	$0.44	8	$3.52
Certified Mail:	$5.10	1	$5.10
Photographs (per page)	$0.50	17	$8.50
Filing Fees (add 1 fee for Release of Lien)	$10.00	5	$50.00
Months Open	$50.00	20	$1,000.00

Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Code Enforcement Secretary

Up to three Hearings	$150.00	1	$150.00
Each additional Hearing	$75.00	0	$0.00

Covers hearing prep: NOV, postings, notorizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Director of Community Response	$75.00	1	$75.00

Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour)	$125.00	1	$125.00

Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings	$150.00	2	$300.00

Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	$250.00	1	$250.00

Fee set by the City Commission

Total Estimated Cost: $1,967.12

City Commission Regular Meeting - 4:30 pm **11. c.**

Meeting Date: 11/15/2021

Re: 714 N 17th Street - Request to reduce lot clearing liens

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

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SUBJECT:

Approve staff recommendation in response to request to reduce lot clearing fees in the amount of $1,904.50 against 714 N 17th Street, Fort Pierce, FL, Parcel ID# 2404-816-0015-000/9 owned by 2nd Generation Building Corp, by waiving the interest, penalties and a portion of the administrative costs in the amount of $854.50, leaving a **balance due of $1,050.00 payable in 60 days**. The applicant is asking to waive all costs and fees in the amount of $1,904.50 leaving a balance due of $0.00, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.

SUMMARY:

Request by applicant, 2nd Generation Building Corp, to waive all costs including City incurred charges, administrative fees, interest and penalties in the amount of $1,904.50.

RECOMMENDATION:

Staff recommends waiving the interest, penalties and a portion of the administrative costs in the amount of $854.50, leaving a balance due of $1,050.00 payable in 60 days.

Lot clearing lien - hard costs	$950.00
Recording fees (5 liens x $20.00)	$100.00

ALTERNATIVES:

Approve the applicant's request.
Determine an alternate amount.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Code Compliance Manager

COORDINATED WITH:

Finance Department
City Attorney's Office

Fiscal Impact

OTHER INFORMATION:

Revenue of $1,050.00 to the General Fund.

Attachments

Reduction Request - Lot Clearing
Deed
Code Enforcement History Report
Financial Report - Lot Clearing

Form Review

Inbox	Reviewed By	Date
City Manager	Peggy Arraiz	11/02/2021 10:40 AM
City Manager	Nick Mimms	11/04/2021 08:53 AM

Form Started By: Peggy Arraiz Started On: 11/01/2021 02:24 PM
Final Approval Date: 11/04/2021

THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF LOT CLEARING OR DEMOLTION LIEN

Date:	10-22-21				
Property address:	714 N. 17th Street				
Owner(s) of record:	2nd Generation Building Corp.				
Mailing address:	966 NW Leonardo Circle				
Property tax ID #:	2404-816-0015-000-9				
Original purchase date:	10/8/21	Original purchase price:			
Property is used for:	☐ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☑ Vacant Lot
Name of person requesting reduction:	Joseph Basso	Relationship to owner(s)	Self		
Telephone #:	772 201 0280	Mobile phone #:	772 201 0280		
E-mail:	ginger@2ndgbc.com	Preferred contact method:	email		
What are owner(s) intentions for property:	Build s/f homes, duplexes				
Are there current code violations?	☑ No	☐ Yes	Explain: (please attached notice)		
Is property listed for sale?	☑ No	☐ Yes	If yes, what is listing price?		
Is property under contract for sale?	☑ No	☐ Yes	If yes, what is the sale price?		

City incurred charges (lot clearing, demolition, etc)	$ 950.00
Administrative fees	$ 500.00
Interest	$ 378.75
Penalties	$ 75.75
TOTAL AMOUNT DUE TO CITY	$ 1904.50
DOLLAR AMOUNT REQUESTING TO BE WAIVED	$ 1904.50
DOLLAR AMOUNT I AGREE TO PAY	$ 0

Signature of Owner or Representative

10-22-21
Date

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address:	714 N. 17th Street

I acknowledge that I have been provided a copy of Rule 17 of the Rules of Procedure for the City of Fort Pierce Code Enforcement Board and Special Magistrates and that I have read the rules and being advised as such make the following request:

☒ JB I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(h), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or Code Enforcement Board.

☒ JB I am requesting that my application for lien reduction be considered and a determination made by the City Commission of the City of Fort Pierce.

Signature of Owner or Representative — Date: 10-22-21

COFP – APPLICATION PROCESS DETERMINATION

☑ Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

☐ Staff has reviewed the request for lien reduction and does not agree to process the application as requested by the signing party. The matter will be placed before the City Commission for final determination.

Comments:

City Representative — Date: 11/1/2021

MICHELLE R. MILLER, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4944099 OR BOOK 4710 PAGE 2384, Recorded 10/27/2021 02:42:53 PM

QUIT CLAIM DEED

Prepared by and return to:
Mildner & Associates P.A.
423 Delaware Avenue
Fort Pierce, FL 34950

Property Appraiser's Parcel Identification Number: 2404-816-0015-000-9

THIS QUIT CLAIM DEED made this 21st day of October, 2021, by TRUFORT, INC., a Florida Corporation, first party "Grantor" to 2nd GENERATION BUILDING CORPORATION, a Florida Corporation, second party "Grantee."

(Whenever used herein the terms "first parties" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the first parties, for and in consideration of the sum of Ten Dollars ($10.00) in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situated, lying and being in the County of St. Lucie, State of Florida, to wit:

Lot 15, Less the North 5 Feet and Lots 16 and 17, Block 1, Highland Park Re-Subdivision, according to the Plat thereof, recorded in Plat Book 9, Page 11 of the Public Records of St. Lucie County, Florida.

Also known as: 714 N 17th Street, Fort Pierce, FL 34950

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the said first parties, either in law or equity to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF the said first parties has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature

James Steiler III

Printed Name

Witness Signature

Richard Benarry

Printed Name

TRUFORT, INC., a Florida Corporation
By its President, Sukru Tunca

STATE OF FLORIDA
COUNTY OF Brevard

I HEREBY CERTIFY that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared SUKRU TUNCA as President of TRUFORT, INC., a Florida Corporation by means of [✓] physical appearance or [ ] online notarization known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same. [ ] Said person is personally known to me, OR [✓] Said person provided the following type of identification: Florida driver license

WITNESS my hand and official seal in the County and State last aforesaid this 21 day of October, 2021.

Notary Public, State of Florida
My Commission Expires: Jan 16 2022

Anthony Mojica
Comm.:GG 175438
Expires: Jan. 16, 2022
Notary Public - State of Florida

2404-816-0015-000/9
714 N 17TH ST FT PIERCE FL 34950

CASE NUMBER	CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
96-00004164	SCRAPS AND WASTES	8/26/96	IN COMPLIANCE	9/11/96
97-00000914	SCRAPS AND WASTES	2/26/97	IN COMPLIANCE	7/31/97
97-00000915	NON-OPERATIVE/UNLICENSES VEHCL	2/26/97	IN COMPLIANCE	3/15/97
97-00008767	CODE ENFORCEMENT VIOLATION	12/22/97	IN COMPLIANCE	1/06/98
98-00002006	NON-OPERATIVE/UNLICENSES VEHCL	3/12/98	IN COMPLIANCE	5/13/98
98-00002007	SCRAPS AND WASTES	3/12/98	IN COMPLIANCE	3/30/98
00-00006359	NUISANCE ABATEMENT	10/24/00	IN COMPLIANCE	3/21/01
02-00010725	PROPERTY MAINTENANCE	7/18/02	IN COMPLIANCE	2/07/03
02-00010726	NUISANCE ABATEMENT	7/18/02	IN COMPLIANCE	2/07/03
02-00010727	NUISANCE ABATEMENT	7/18/02	IN COMPLIANCE	2/07/03
04-00001644	CODE ENFORCEMENT VIOLATION	7/08/04	IN COMPLIANCE	7/08/04
05-00001478	BUILDING VIOLATION	5/26/05	CLOSED	9/15/21
06-00000228	LOT CLEARING	2/01/06	IN COMPLIANCE	9/17/08
06-00001316	LOT CLEARING	5/01/06	IN COMPLIANCE	8/28/08
12-00001943	CODE ENFORCEMENT VIOLATION	11/29/12	CLOSED	1/30/14
13-00000675	CONDEMNATION (BLDG)	2/01/13	INVOLUNTARY COMPLIANCE	10/12/15
13-00001840	LOT CLEARING	8/27/13	INVOLUNTARY COMPLIANCE	1/06/14
14-00001446	CODE ENFORCEMENT VIOLATION	7/10/14	FINES/LIENS RUNNING	10/14/14
14-00001447	LOT CLEARING	7/10/14	INVOLUNTARY COMPLIANCE	11/13/14
15-00001381	LOT CLEARING	8/20/15	INVOLUNTARY COMPLIANCE	11/01/21
19-00000318	LOT CLEARING	2/01/19	INVOLUNTARY COMPLIANCE	3/30/19
19-00002319	LOT CLEARING	8/20/19	INVOLUNTARY COMPLIANCE	1/03/20
20-00002574	LOT CLEARING	11/06/20	Destruction Date	2/24/21

MR430I01 CITY OF FORT PIERCE FINANCE DEPARTMENT 9/14/21
Miscellaneous Receivables Inquiry 12:09:45

Customer ID . . . : 4749 Name: 714 N 17TH ST TRUFORT INC
Last statement . : 9/06/21 Addr: 240481600150009 TRUFORT INC
Last invoice . . : 1/08/20 FT PIERCE, FL 34950
Current balance . : 1,904.50
Pending . . . . . : .00 Status: A ACTIVE
Previous balance : 1,904.50 Type: 001 0000 115 02 00 LC
Deposit balance . : .00
Type options, press Enter. Open Activity
1=Select

Opt	Code	Description	Total due
	INT01	LC INTEREST CHARGE 6%/YR	378.75
	LOTAD	LOT CLEARING ADMIN FEE	500.00
	LOTC2	LC	950.00
	PEN01	LC PENALTY CHARGES OF .1%	75.75

1904.50
- 950.00 + 100.-
954.50 1050.00
-100.00 recording fees
854.50

- HC

recording fees - 5 x 20 = 100.-

MR430I01 CITY OF FORT PIERCE FINANCE DEPARTMENT 9/14/21
Miscellaneous Receivables Inquiry 12:11:36

Customer ID . . . : 4749 Name: 714 N 17TH ST TRUFORT INC
Last statement . : 9/06/21 Addr: 240481600150009 TRUFORT INC
Last invoice . . : 9/30/15 FT PIERCE, FL 34950
Current balance . : 9,255.24
Pending . . . . . : .00 Status: A ACTIVE
Previous balance : 9,255.24 Type: 001 0000 115 03 00 DEMO
Deposit balance . : .00
Type options, press Enter. Open Activity
1=Select

Opt	Code	Description	Total due
	DEMOA	ADMINISTATION/DEMO	100.00
	DEMO5	DEMOLITION	6390.50
	INT DM	INTEREST CHARGE 6%/YR	2303.95
	PEN DM	PENALTY CHARGES OF .1%	460.79

City Commission Regular Meeting - 4:30 pm **11. d.**

Meeting Date: 11/15/2021

Re: Approval of S.R. A1A Maintenance Memorandum of Agreement Amendment No. 1

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Approval of S.R. A1A Maintenance Memorandum of Agreement (MMOA) Amendment No. 1 between the City of Fort Pierce and the Florida Department of Transportation.

SUMMARY:

As part of the A1A roadway project (U.S. Highway 1 to Blue Heron Boulevard) the City entered into a maintenance agreement with FDOT. This agreement stipulates that the maintenance responsibilities of all hardscape and landscape installed within FDOT's right-of-way is the maintenance responsibility of the City. The purpose of this amendment is to modify the original agreement to include the stamped concrete crosswalk and the truncated brick domed pavers that are to be situated within the proposed Porpoise Avenue Beach Access Parking Lot exit driveway.

RECOMMENDATION:

Staff recommends approval.

ALTERNATIVES:

Deny and provide a painted crosswalk and ADA mats which will not provide continuity along SR A1A.

RESPONSIBLE STAFF:

Engineering

COORDINATED WITH:

Public Works and FDOT

Fiscal Impact

Budgeted Y/N: N/A
Fiscal Year: N/A
Account: N/A
Amount: N/A

OTHER INFORMATION:

Any costs associated with maintenance will be the responsibility of the City.

Attachments

Original A1A MMOA

A1A MMOA Amendment No. 1 - CA Signed

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 08:50 AM

Form Started By: Tracy Telle Started On: 10/27/2021 09:00 AM

Final Approval Date: 11/04/2021

SECTION No.:	**94050**
FM No. (s):	**230297-1-52-01**
COUNTY:	**St. Lucie**
S.R. No.:	**A1A**

DISTRICT FOUR
MAINTENANCE MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this 29th day of September, 2009, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, a component agency of the State of Florida, hereinafter called the DEPARTMENT and the City of Fort Pierce, a political subdivision, existing under the Laws of Florida, hereinafter called the AGENCY.

W I T N E S S E T H:

WHEREAS, the DEPARTMENT has jurisdiction over State Road A1A as part of the State Highway System as described in Exhibit A; and

WHEREAS, the DEPARTMENT seeks to install and have maintained by the AGENCY certain landscape improvements within the right of way of State Road A1A as described within Exhibit B; and

WHEREAS, as part of the continual updating of the State of Florida Highway System, the DEPARTMENT, for the purpose of safety, protection of the investment and other reasons, has constructed and does maintain the highway facility as described in Exhibit A attached hereto and incorporated by reference herein, within the corporate limits of the agency

WHEREAS, the AGENCY is of the opinion that highway facilities within the AGENCY'S limits that contain landscape improvements to medians and areas outside the travelway to the right of way line and areas within the travelway that may contain specialty surfacing (concrete pavers, stamped asphalt or stamped concrete), including any hardscape (if applicable), but excluding standard concrete sidewalk, shall be maintained by periodic pruning, mowing, fertilizing, weeding, litter pick-up, necessary replanting, irrigation repair and/or repair of any median concrete replacements associated with the specialty surfacing (if applicable) as needed; and

WHEREAS, it is the intent of the AGENCY and the DEPARTMENT that the AGENCY shall maintain all right of way within the medians, outside the travelway and improvements made to the travelway that was made at the request of the AGENCY; and

WHEREAS, the parties hereto mutually recognize the need for entering into an Agreement designating and setting forth the responsibilities of each party; and

WHEREAS, the AGENCY by Resolution No. 09-45 dated September 8, 2009, attached hereto and by this reference made a part hereof, desires to enter into this Agreement and authorizes its officers to do so;

NOW THEREFORE, for and in consideration of the mutual benefits to flow each to the other, the parties covenant and agree as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.

2. INSTALLATION OF FACILITIES

   The DEPARTMENT hereby agrees to install or cause to be installed *landscape improvements* described as: plant materials, irrigation and/or hardscape on the highway facilities substantially as specified in the initial plans and specifications hereinafter referred to as the Project (s) and incorporated herein as Exhibit B. If there are any major changes to the plans, the DEPARTMENT shall provide the modified plans to the AGENCY and the AGENCY shall provide their approval or disapproval to the DEPARTMENT within 10 business days. The DEPARTMENT may elect to withdraw the landscape improvements if changes are not approved within the given time frame. *Hardscape* shall mean, but not be limited to, any landscape accent lighting, any non-standard roadway, sidewalk, median or crosswalk surfacing, such as, but not be limited to concrete pavers, stamped asphalt or color stained and/or stamped concrete, fountain, tree grates, and/or decorative free standing wall.

3. MAINTENANCE OF FACILITIES

   A. The AGENCY agrees to maintain the landscape improvements, as existing and those to be installed, within the physical limits described in Exhibit A and as defined as: plant materials, irrigation, and / or hardscape within the medians and areas outside the travelway to the right of way line and areas within the travelway containing specialty surfacing as existing and as described in Exhibit B. The non-standard improvements outside the travelway shall be maintained by the AGENCY regardless if the said improvement was made by the DEPARTMENT, the AGENCY, or others by periodic pruning, mowing, fertilizing, weeding, curb and sidewalk edging, litter pickup, necessary replanting, and / or repair following the DEPARTMENT'S landscape safety and maintenance guidelines and Exhibit C, the Maintenance Plan. The AGENCY'S responsibility for maintenance shall include all landscaped / turfed and hardscape areas within the median and areas outside the travelway to the right-of-way and areas within the travelway containing specialty surfacing. It shall be the responsibility of the AGENCY to restore an unacceptable ride condition of the roadway caused by the differential characteristics of non-standard surfacing and the associated header curb and concrete areas on DEPARTMENT right-of-way within the limits of this Agreement.

   B. Such maintenance to be provided by the AGENCY is specifically set out as follows: to maintain, which means to properly water and fertilize all plants; to keep them as free as practicable from disease and harmful insects; to properly mulch the planting beds; to keep the premises free of weeds; to mow the grass to the proper height; to properly prune all plants which at a minimum includes: (1) removing dead or diseased parts of plants, (2) pruning such parts thereof to provide clear visibility to signage or for those using the roadway and or sidewalk; (3) preventing any other potential roadway hazards. Plants shall be those items which would be scientifically classified as plants and include but are not limited to trees, shrubs, groundcover and sod. To maintain also means to remove or replace dead or diseased plants in their entirety, or to remove or replace those that fall

below original project standards. Palms shall be kept fruit free year round. To maintain also means to keep the header curbs that contain the specialty surfacing treatment in optimum condition. To maintain also means to keep the hardscape areas free from weeds and to repair said hardscape as is necessary to prevent a safety hazard. To maintain also means to keep litter removed from the median and areas outside the travel way to the right of way line. All plants removed for whatever reason shall be replaced by plants of the same species type, size, and grade as specified in the original plans and specifications. Any changes to the original plans shall be submitted by permit application to the DEPARTMENT for review and approval.

C. If it becomes necessary to provide utilities (water/electricity) to the medians or areas outside the travelway for these improvements, all costs associated with the utilities associated with landscape accent lighting and/or irrigation including, but not limited to the impact and connection fees, and the on-going cost of utility usage for water and electrical, are the maintaining AGENCY'S responsibility.

(1) The AGENCY shall be directly responsible for impact and connection fees

AND

(2) The AGENCY shall become responsible for the above named ongoing utility costs upon final acceptance of the construction Project by the DEPARTMENT and thereafter. The construction Project is accepted prior to the start of the Plant Establishment and Contractor's Warranty Period.

AND

(3) The AGENCY shall be responsible for all the improvements immediately after final acceptance of the construction Project by the DEPARTMENT except for plants. The AGENCY shall be responsible for the maintenance of all improvements after the completion of the Plant Establishment and Contractor's Warranty Period.

D. The above named functions to be performed by the AGENCY may be subject to periodic inspections by the DEPARTMENT at the discretion of the DEPARTMENT. Such inspection findings will be shared with the AGENCY and shall be the basis of all decisions regarding, repayment, reworking or Agreement termination. The AGENCY shall not change or deviate from said plans without written approval of the DEPARTMENT.

4. NOTICE OF MAINTENANCE DEFICIENCIES

A. If at any time after the AGENCY has undertaken the landscape improvement's maintenance responsibilities mentioned above, it shall come to the attention of the DEPARTMENT'S District Secretary that the limits, or a part thereof, are not properly maintained pursuant to the terms of this Agreement, said District Secretary may at his/her option, issue a written notice that a deficiency or deficiencies exist(s), by sending a certified letter to the AGENCY, placing said AGENCY on notice thereof. Thereafter the

AGENCY shall have a period of thirty (30) calendar days within which to correct the cited deficiencies. If said deficiencies are not corrected within this time period, the DEPARTMENT may at its option, proceed as follows:

(1) Maintain the landscape improvements or any part thereof, with DEPARTMENT or Contractor's personnel and invoice the AGENCY for expenses incurred, or

(2) Terminate the Agreement in accordance with Paragraph 9 of this Agreement and remove, by the DEPARTMENT or Contractor's personnel, all of the landscape improvements installed under this Agreement or any preceding Agreements, except as to trees and palms, and charge the AGENCY the reasonable cost of such removal.

B. The AGENCY agrees to reimburse the DEPARTMENT all monies expended by the DEPARTMENT for the Project listed in Exhibit B in the amounts listed in those plans should the landscape improvement fail to be maintained in accordance with the terms and conditions of this Agreement.

5. FUTURE DEPARTMENT IMPROVEMENTS

It is understood between the parties hereto that the landscape improvements covered by this Agreement may be removed, relocated or adjusted at any time in the future as determined to be necessary by the DEPARTMENT in order that the adjacent state road be widened, altered or otherwise changed to meet with future criteria or planning of the DEPARTMENT. The AGENCY shall be given sixty (60) calendar days notice to remove said landscape improvements at AGENCY'S expense after which time the DEPARTMENT may remove same. All permits (including tree permits), fees, and any mitigation associated with the removal, relocation or adjustments of these improvements are the maintaining AGENCY'S responsibility.

6. FUTURE AGENCY IMPROVEMENTS

The AGENCY may construct additional landscape improvements within the limits of the rights of ways identified as a result of this document, subject to the following conditions:

(a) Plans for any new landscape improvements shall be subject to approval by the DEPARTMENT. The AGENCY shall not change or deviate from said plans without written approval by the DEPARTMENT.

(b) The AGENCY shall procure a permit from the DEPARTMENT.

(c) All landscape improvements shall be developed and implemented in accordance with appropriate state safety and roadway design standards.

(d) The AGENCY agrees to comply with the requirements of this Agreement with regard to any additional landscape improvements installed at no cost to the DEPARTMENT.

7. ADJACENT PROPERTY OWNER IMPROVEMENTS

The DEPARTMENT may allow an adjacent property owner to construct additional landscape improvements within the limits of the rights of way identified in Exhibit A of this Agreement that the AGENCY shall be responsible for maintaining under this Agreement subject to the following conditions:

(a) Plans for any new landscape improvements shall be subject to approval by the DEPARTMENT and shall require a valid permit attached with a letter of consent to said plans by the AGENCY. The plans shall not be changed or deviated from without written approval by the DEPARTMENT and the AGENCY.

(b) All landscape improvements shall be developed and implemented in accordance with appropriate state safety and roadway design standards.

(c) The AGENCY agrees to comply with the requirements of this Agreement with regard to any additional landscape improvements installed by an adjacent owner.

8. PROJECT COST

The DEPARTMENT agrees to enter into a contract for the installation of the Project for an amount not to exceed **$852,401.00** as defined in Exhibit D. This amount may be reduced or eliminated at the sole discretion of the DEPARTMENT or due to budgetary constraints of the DEPARTMENT.

The DEPARTMENT'S participation in the Project cost, as described in Exhibit D is limited to only those items which are directly related to this Project.

The AGENCY shall be invited to assist the DEPARTMENT in final inspection upon completion of the Plant Establishment and Contractor's Warranty Period.

9. AGREEMENT TERMINATION

This Agreement may be terminated under any one (1) of the following conditions:

(a) By the DEPARTMENT, if the AGENCY fails to perform its duties under this Agreement, following ten (10) days written notice.

(b) By the DEPARTMENT, for refusal by the AGENCY to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the AGENCY in conjunction with this Agreement.

10. AGREEMENT TERM

A. The term of this Agreement commences upon execution by all parties. The term of this Agreement shall last as long as the landscape improvements exist.

B. If the DEPARTMENT cancels the Project described in Exhibit B, this Agreement becomes void and the original Agreement is reinstated if any.

11. LIABILITY AND INSURANCE REQUIREMENTS

A. With respect to any of the AGENCY'S agents, consultants, sub-consultants, contractors, and/or sub-contractors, such party in any contract for this project shall agree to indemnify, defend, save and hold harmless the DEPARTMENT from all claims, demands, liabilities, and suits of any nature arising out of, because of or due to any intentional and/or negligent act or occurrence, omission or commission of such agents, consultants, subconsultants, contractors and/or subcontractors. The AGENCY shall provide to the DEPARTMENT written evidence of the foregoing upon the request of the DEPARTMENT. It is specifically understood and agreed that this indemnification clause does not cover or indemnify the DEPARTMENT for its own negligence.

B. In the event that AGENCY contracts with a third party to provide the services set forth herein, any contract with such third party shall include the following provisions:

(a) AGENCY'S contractor shall at all times during the term of this Agreement keep and maintain in full force and effect, at contractor's sole cost and expense, Comprehensive General Liability with minimum limits of $1,000,000.00 per occurrence combined single limit for Bodily Injury Liability and Property Damage Liability and Worker's Compensation insurance with minimum limits of $500,000.00 per Liability. Coverage must be afforded on a form no more restrictive that the latest edition of the Comprehensive General Liability and Worker's Compensation policy without restrictive endorsements, as filed by the Insurance Services Office and shall name the DEPARTMENT as an additional insured.

(b) AGENCY'S contractor shall furnish AGENCY with Certificates of Insurance of Endorsements evidencing the insurance coverages specified herein prior to the beginning performance of work under this Agreement.

(c) Coverage is not to cease and is to remain in full force and effect (subject to cancellation notice) until all performance required of AGENCY'S contractor is completed. All policies must be endorsed to provide the DEPARTMENT with at least thirty (30) days notice of cancellation and or/or restriction. If any of the insurance coverages will expire prior to the completion of work, copies of renewal policies shall be furnished at least (30) days prior to the date of expiration.

12. This writing embodies the entire Agreement and understanding between the parties hereto and there are no other Agreements and understanding, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby.

13. The DEPARTMENT, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year.

Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The DEPARTMENT shall require a statement from the Comptroller of the DEPARTMENT that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one (1) year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the DEPARTMENT which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS ($25,000.00) and which have a term for a period of more than one year.

14. The DEPARTMENT'S District Secretary shall decide all questions, difficulties and disputes of any nature whatsoever that may arise under or by reason of this Agreement, the prosecution or fulfillment of the service hereunder and the character, quality, amount and value thereof; and his decision upon all claims, questions and disputes shall be final and conclusive upon the parties hereto.

15. This Agreement may not be assigned or transferred by the AGENCY in whole or part without the consent of the DEPARTMENT.

16. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. In the event of a conflict between any portion of the contract and Florida law, the laws of Florida shall prevail. The Agency agrees to waive forum and venue and that the Department shall determine the forum and venue in which any dispute under this agreement is decided.

17. NOTICES

Any and all notices given or required under this Agreement shall be in writing and either personally delivered with receipt acknowledgement or sent by certified mail, return receipt requested. All notices shall be sent to the following addresses:

If to the Department:
State of Florida Department of Transportation
3400 West Commercial Blvd.
Ft. Lauderdale, FL 33309-3421
Attention: Elisabeth A. Hassett, R.L.A.
FDOT District IV Landscape Architect

If to the Agency:
City of Fort Pierce
100 North US 1
Fort Pierce, Florida 34950
Attention: Jack Andrews, P.E.
Title: City Engineer

18. LIST OF EXHIBITS

Exhibit A: Project Location & Maintenance Boundaries
Exhibit B: Project Plans
Exhibit C: Maintenance Plan
Exhibit D: Approximate Project Cost

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective the day and year first above written.

CITY OF FORT PIERCE

By: _____
Chairperson/Mayor

Attest: _____ (SEAL)
Clerk

Approval as to Form

_____
Attorney

Date

8/5/09

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Transportation Development Director

Attest: _____ (SEAL)
Executive Secretary

Approval as to Form

_____
District General Counsel

Date

9/28/2009

SECTION No.:	**94050**
FM No. (s)	**230297-1-58-01**
COUNTY:	**ST. LUCIE**
S.R. No.:	**A1A**

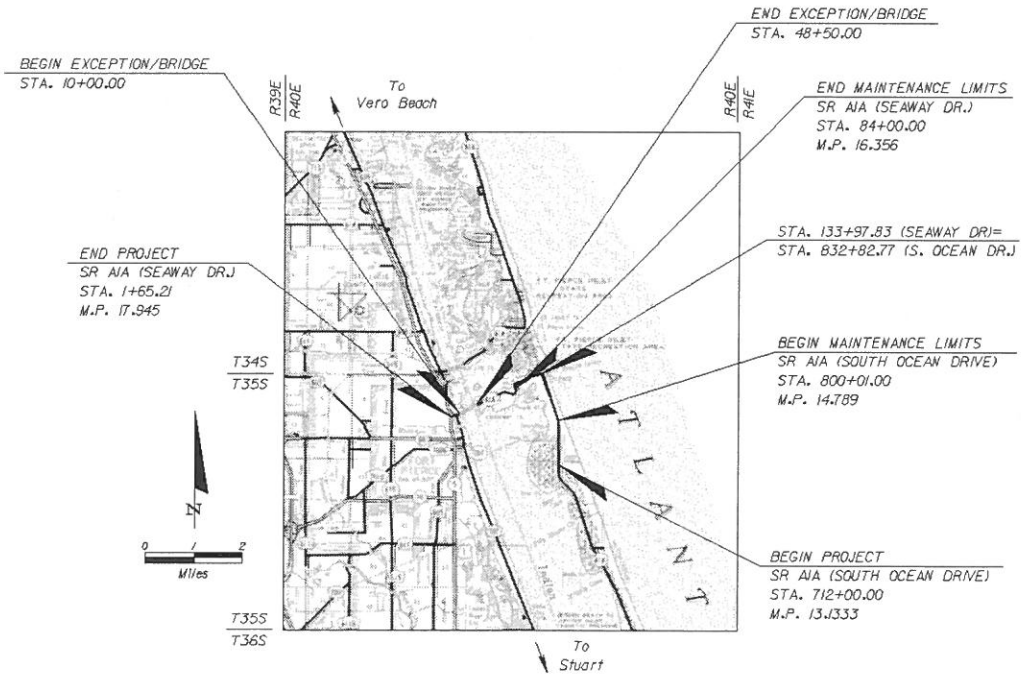
EXHIBIT A

PROJECT LOCATION AND MAINTENANCE BOUNDARIES

I. PROJECT LOCATION:
State Road A1A from Blue Heron Blvd (Sta 712+00) to US 1 (1+65.21) (M.P. 13.133 to M.P. 17.945)

II. PROJECT LIMITS OF MAINTENANCE:
Phase 1- State Road A1A from Sta 84+00.00 (Seaway Drive) to Sta 800+01.00 (South Ocean Drive) (M.P. 16.356 to M.P. 14.789)

III. PROJECT MAINTENANCE MAP:



PROJECT LOCATION MAP

SECTION No.:	**94050**
FM No. (s)	**230297-1-58-01**
COUNTY:	**ST. LUCIE**
S.R. No.:	**A1A**

EXHIBIT B

PROJECT PLANS

The DEPARTMENT agrees to install the Project in accordance with the plans and specifications attached hereto and incorporated herein.

Please see attached plans prepared by: LUCIDO & ASSOCIATES, GREG BOGGS, RLA.
Date: 06/15/2009

SECTION No.:	**94050**
FM No. (s)	**230297-1-58-01**
COUNTY:	**ST. LUCIE**
S.R. No.:	**A1A**

EXHIBIT C

MAINTENANCE PLAN

This Exhibit forms an integral part of the DISTRICT FOUR (4) MAINTENANCE MEMORANDUM OF AGREEMENT between the State of Florida, Department of Transportation and the AGENCY.

Please see attached

MAINTENANCE PLAN
Landscape Improvements

Project State Road No(s):	**A1A**
Project Limits:	**State Road A1A from Blue Heron Blvd to US 1 (M.P. 13.133 to M.P. 17.945) Phase 1 from Sta 84+09.00 (Seaway Drive to Sta 800+01.00 (South Ocean Drive)**
FM No(s):	**230297-1-58-01**
Maintaining Agency:	**CITY OF FORT PIERCE**
RLA of Record:	**GREG BOGGS**
Date:	**JUNE 4, 2009**

I. General Maintenance Requirements and Recommendations:
The purpose of a plan for the landscape improvements maintenance practices is to allow the plant material on this project to thrive in a safe and vigorous manner while fulfilling their intended purpose and conserving our natural resources. Plantings and all other landscape improvements shall be maintained to avoid potential roadway hazards and to provide required clear visibility, accessibility, clearance, and setbacks as set forth by Florida Department of Transportation (FDOT) governing standards and specifications: *FDOT Design Standards, FDOT Plans Preparation Manual Vol. I, Chapter 2.11* and *FDOT Standard Specifications for Road and Bridge Construction* as amended by contract documents; and all other requirements set forth by the District 4 Operations Maintenance Engineer. The initial portion of the Maintenance Plan describes general maintenance requirements and recommendations. The concluding section is recommendations prepared by the Landscape Architect of Record specific to the attached approved plans.

Watering Requirements:
Watering is a critical concern for not only the maintenance of healthy plant material but also for observing water conservation practices. The amount of water to apply at any one time varies with the weather, drainage conditions and water holding capacity of the soil. For plant materials that have been established, it is imperative that any mandated water restrictions be fully conformed to on FDOT roadways.

Proper watering techniques should provide even and thorough water dispersal to wet the entire root zone, but not saturate the soil or over-spray onto travel lanes.

Irrigation System:
The City of Fort Pierce shall ensure there are no roadway overspray or irrigation activities during daytime hours (most notably "rush hour" traffic periods). It is imperative the irrigation controller is properly set to run early enough that the watering process will be entirely completed before high traffic periods, while adhering to mandated water restrictions. To ensure water conservation, the Agency shall monitor the system for water leaks and the rain sensors to ensure they are functioning properly so that the system shuts down when there is sufficient rainfall.

Integrated Plant Management:
An assessment of each planting area's soil is recommended to periodically determine the nutrient levels needed to sustain healthy, vigorous plant growth.

Palms, shrubs, trees and turf areas shall be fertilized in such a manner and frequency to ensure that the plant material remains healthy and vigorously growing. Establishment of an integrated plant management program is encouraged to ensure healthy plants, which are free of disease and pests.

Mulching:
Mulch planting beds in such a manner as to: prevent weed growth; retain moisture to the plants; protect against soil erosion and nutrient loss; maintain a more uniform soil temperature; and improve the appearance of the planting beds. Avoid mulch mounded up on the trunks of trees, palms, and the base of shrubs to encourage air movement in this area that aids in lowering disease susceptibility. Cypress mulch is prohibited on state right of way.

Pruning:
All pruning, and the associated safety criteria, shall be performed according to American National Standard Institute ANSI A300 standards and shall be supervised by an International Society of Arboriculture (ISA) Certified Arborist. Pruning shall be carried out with the health and natural growth of plant materials in mind, and to specific pruning heights maintaining clear visibility for motorists, and vertical clearance for pedestrian, bicyclist, and truck traffic where applicable. Visibility windows must be maintained free of view obstructions and all trees and palms (with particular attention to fronds and fruit) maintained to prevent potential roadway and pedestrian hazards. The specific pruning heights are determined by understanding the designer's intent when selecting and placing the plants. The intended mature maintained height and spread of plants should be noted on the planting plans. (See Specific Requirements and Recommendations per Approved Landscape & Irrigation Design for these guidelines). The understory plant materials selected for use within the restricted planting areas (Limits of Clear Sight) of the medians are to be maintained at a height in compliance with FDOT Design Standards Index 546, Page 6 of 6, Window Detail. Vertical tree heights must meet *FDOT Maintenance Rating Program* (MRP) standards.

Staking and Guying:
All staking materials, except for replacements, are removed by the completion of FDOT warranty period or at one year (whichever comes first). Any subsequent staking and guying activities by the Agency must adhere to *FDOT Design Standards* guidelines (See Index 544). The Agency shall closely monitor staking and guying attachment materials so that they are securely fastened to avoid potential roadway hazards.

Turf Mowing:
All grassed areas are to be mowed and trimmed with sufficient frequency to maintain a deep, healthy root system while providing a neat and clean appearance to the urban landscape. All turf efforts: mowing, curb/sidewalk edging, and turf condition must meet *FDOT Maintenance Rating Program* (MRP).

Litter Control:
The project site shall remain as litter free as practicable. It is recommended to recycle this litter to avoid unnecessary waste by its reuse. Litter removal efforts must meet *FDOT Maintenance Rating Program* (MRP) standards.

Weeding/Herbicide:
All planting areas shall be maintained as weed free as practicable enlisting integrated pest management practices in areas specified on the plans and by maintaining proper mulch levels. Extreme care is recommended if using a chemical herbicide to avoid overspray onto plant materials. Any damage resulting from overspray is the applicator's responsibility to restore the plantings to the approved plans.

Plant Replacement:
Plant replacement shall be the same species and specification as the approved plan. Move and replace all plant materials that may conflict with utility relocations and service. Only plants graded Florida #1 or better, per the *Florida Department of Agriculture and Consumers Services, Grades and Standards for Nursery Plants* are permitted on FDOT roadways. Should it become necessary to change the species, a general use permit is required from FDOT for approval by the FDOT District Landscape Architect.

Hardscape (Specialty Surfacing):
All tree grates shall be maintained in such a manner as to prevent any potential tripping hazards and protect damage

to the pavers and tree grates. Final surface tolerance from grade elevations shall, at a minimum, meet the most current *Interlocking Concrete Pavement Institute (ICPI), Section 23 14 13 Interlocking Concrete Pavers*, Part 3.05. If the tree grates become damaged, they shall be replaced with the same type and specification as the approved plan.

Hardscape (Non-Standard Travelway Surfacing):
It shall be the responsibility of the City of Fort Pierce to restore an unacceptable ride condition of the roadway, including asphalt pavement, caused or contributed by the installation or failure of non-standard surfacing, and/or the header curb, on the Department of Transportation right-of-way within the limits of this Agreement. Pavement restoration areas or "patches" will have a minimum length of 10-ft, measured from the edge of the header curb, and a width to cover full lanes for each lane affected by the restoration.

Pavement restoration will be performed in accordance with the most current edition of the *FDOT Standard Specifications for Road and Bridge Construction*, and the *FDOT Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System*.

It shall be the responsibility of the AGENCY to maintain all signs located within a non-standard surfacing area. Such maintenance to be provided by the AGENCY shall include repair, replace of the sign panel, post, and base.

Hardscape (Landscape Accent Lighting)
Landscape accent lighting shall be maintained in such a manner as to prolong the life of the lighting fixture and prevent potential safety hazards. If the lighting fixtures and their system become damaged, they shall be replaced with the same type and specification as the approved plan.

Maintenance of Traffic Control
Reference the FDOT website regarding the selection of the proper traffic control requirements to be provided during routine maintenance and / or new installations of this DOT roadway.

Website: Series 600 Traffic Control through Work Zones
http://www.dot.state.fl.us/rddesign/DesignStandards/Standards.htm

Vegetation Management at Outdoor Advertising (ODA)
To avoid conflicts with permitted outdoor advertising, please reference the State of Florida website regarding the vegetation management of outdoor advertising. This website provides a portal to search the FDOT Outdoor Advertising Inventory Management System Database. The database contains an inventory of outdoor advertising structures, permits and other related information maintained by the Department.

Website: FDOT Outdoor Advertising Database
http://www2.dot.state.fl.us/rightofway/Default.aspx

Also, reference the Florida Highway Beautification Program website link for Vegetation Management at ODA signs for the Florida Statutes and Administrative Codes related to Vegetation Management at Outdoor Advertising Signs and Permit Applications for Vegetation Management and Outdoor Advertising Signs determining Mitigation Value of Roadside Vegetation.

Website: FDOT Environmental Management office for Landscape Architects
http://www.dot.state.fl.us/emo/beauty/FLA.shtm

II. Specific Project Site Maintenance Requirements and Recommendations:

Common Name	Comment
Green Island Ficus	Maintain at 15" to 18" maximum, allow full to ground growth; allow horizontal growth for full bed coverage
Dune Sunflower	Maintain to allow natural habit of 12" to 15" ht.; limited irrigation
Spider Lily	Maintain to allow natural habit of 30 to 36" ht.; limited irrigation
Dwarf Oleander	Maintain at 24" to 30" maximum; prune after flowering occurs during summer months; allow full to ground growth
Indian Hawthorn	Maintain at 18" to 24" maximum, allow full to ground growth; clip shoots as needed to maintain consistent round shape, allow horizontal growth for full bed coverage
Sea Oats	Maintain to allow natural habit of 36" to 48" ht.; limited irrigation
Cabbage Palm	Remove dead fronds as needed; no hurricane cutting of fronds permitted to allow natural and healthy growth
Date Palm	Remove dead fronds as needed

REFERENCES

This reference list is provided as a courtesy. The list may not contain the most current websites. The most current references must be accessed for up to date information.

American National Standard Institute, *ANSI A300, (Part 1) for Tree Care Operations – Trees, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning)*, available for purchase
http://www.treespecialists.com/pdfs/pruningstandards.pdf

Florida Department of Agriculture and Consumer Services, Division of Plant Industry, *Florida Grades and Standards for Nursery Stock*, available for purchase
http://www.doacs.state.fl.us/pi/plantinsp/publications.html

Florida Department of Transportation, *FDOT Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System, Index 544 Landscape Installation*
http://www.dot.state.fl.us/rddesign/rd/RTDS/08/544.pdf

Florida Department of Transportation, *FDOT Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System, Index 546 Sight Distance at Intersections*
http://www.dot.state.fl.us/rddesign/rd/RTDS/08/546.pdf

Florida Department of Transportation, *FDOT Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System, Index 700 Roadside Offsets*
http://www.dot.state.fl.us/rddesign/rd/RTDS/08/700.pdf

Florida Department of Transportation, *FDOT Plans Preparation Manual (PPM) Vol. I Chapters 2.11.5, Horizontal Clearance to Trees; Table 2.11.9 Horizontal Clearance and Clear Zone; Figure 4.1.2 Clear Zone; and Table 25.4.11.1 Clear Zone Width (feet) and Table 25.4.14.6 (for existing) trees*
http://www.dot.state.fl.us/rddesign/PPMManual/2008/Volume1/zChap02.pdf

Florida Department of Transportation, *FDOT Standard Specifications for Road and Bridge Construction, Section 580 Landscape Installation*
http://www.dot.state.fl.us/specificationsoffice/Implemented/CurrentBK/CurrentSpecs/580.pdf

Florida Department of Transportation, *Maintenance Rating Program Handbook*
http://ombnet.dot.state.fl.us/procedures/bin/850065002.pdf

Florida Department of Transportation, Landscape Architecture Website
http://www.dot.state.fl.us/emo/beauty/beauty.shtm

Interlocking Concrete Pavement Institute (ICPI)
http://www.icpi.org/ http://www.fisstate.org

International Society of Arboriculture (ISA)
www.isa-arbor.com

Manual on Uniform Traffic Control Devices
http://www.mutcd.fhwa.dot.gov

Florida Irrigation Society

http://www.fisstate.org

Florida Department of Community Affairs (FCA), *Florida Board of Building Codes & Standards, Florida Accessibility Code for Building Construction*
http://www.dca.state.fl.us/fbc/publications/1_publications.htm

Guide to Roadside Mowing and Guide to Turf Management, available for purchase http://infonet.dot.state.fl.us/SupportServicesOffice/plist.htm

Accessible Sidewalk Videos (ADA)
http://www.access-board.gov/news/sidewalk-videos.htm

SECTION No.:	**94050**
FM No. (s)	**230297-1-58-01**
COUNTY:	**ST. LUCIE**
S.R. No.:	**A1A**

EXHIBIT D

APROXIMATE PROJECT COST

This Exhibit forms an integral part of the DISTRICT FOUR (4) MAINTENANCE MEMORANDUM OF AGREEMENT between the State of Florida, Department of Transportation and the CITY OF FORT PIERCE.

Date: 06/04/2009

APPROXIMATE PROJECT COST: $ 852,401.00

Construction Item	Units	Quantity	Unit Cost	Total Cost
Trees:				
Cabbage Palm, curved	EA	8	$300.00	$2,400.00
Canary Island Date Palm	EA	26	$6,000.00	$156,000.00
Cabbage Palm	EA	299	$200.00	$59,800.00
Green Island Ficus	EA	349	$10.00	$3,490.00
Dune Sunflower	EA	136	$3.50	$476.00
Spider Lily	EA	118	$10.00	$1,180.00
Dwarf Oleander	EA	39	$10.00	$390.00
Indian Hawthorn	EA	108	$10.00	$1,080.00
Sea Oats	EA	21	$5.00	$105.00
Pre-cast Concrete Tree Grates	EA	145	$2,250.00	$326,250.00
Irrigation	LS	1	$301,230.00	$301,230.00
SUBTOTAL				$852,401.00

Mobilization	0.0%	$0.00
Maintenance of Traffic	0.0%	$0.00
TOTAL ESTIMATED CONSTRUCTION COST		$852,401.00
CALL ESTIMATED CONSTRUCTION COST		**$852,500.00**

Opinion of Probable Construction Costs
A-1-A Fort Pierce, Phase 1

DATE
May 21, 2009

PROJECT NUMBER:
05-006

RESOLUTION NO. 09-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING EXECUTION OF A **MAINTENANCE MEMORANDUM OF AGREEMENT** BETWEEN THE CITY OF FORT PIERCE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LANDSCAPE AND HARDSCAPE IMPROVEMENTS FOR THE STATE ROAD A1A PHASE I IMPROVEMENTS AND AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ATTORNEY TO EXECUTE SAID AGREEMENT ON THE PART OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation has jurisdiction over State Road A1A as part of the State Highway System; and

WHEREAS, the State of Florida Department of Transportation agrees to allow the CITY to install landscape, irrigation, and/or hardscape to State Road A1A Phase I in Fort Pierce, Florida; and

WHEREAS, the State of Florida Department of transportation having requested the City of Fort Pierce, Florida, to execute and deliver to the State of Florida Department of Transportation a Maintenance Memorandum of Agreement for such improvements.

NOW, THEREFORE, BE IT RESOLVED, BY THE City Commission of the City of Fort Pierce, Florida, as follows:

1. That the City of Fort Pierce shall enter into said agreement with the Department of Transportation of the State of Florida.

2. That a copy of said agreement shall be attached to this resolution.

3. That the Mayor, City Clerk, and City Attorney are hereby authorized to enter into said agreement and to execute said agreement on behalf of the City of Fort Pierce.

4. This Resolution shall become effective immediately upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 8th day of September 2009.

MAYOR COMMISSIONER

Attest:

CITY CLERK

Approved as to Form and Correctness:

By: _____
CITY ATTORNEY

(CITY SEAL)

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

CONTRACT PLANS

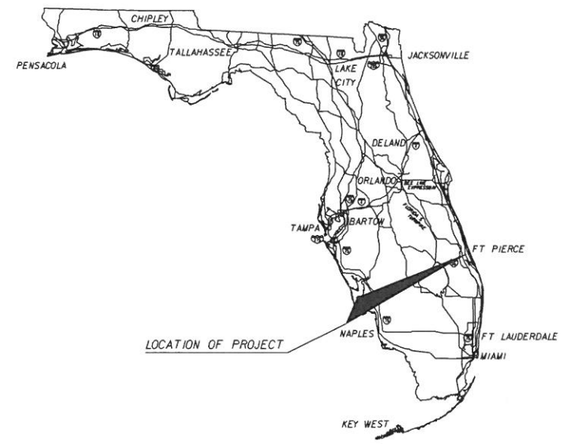
FINANCIAL PROJECT ID 230297-1-58-01

ST. LUCIE COUNTY (94050)

STATE ROAD NO. AIA

PHASE I

LANDSCAPE PLANS



INDEX OF LANDSCAPE PLANS

SHEET NO.	SHEET DESCRIPTION
LD-1	KEY SHEET
LD-2	GENERAL NOTES
LD-3 - LD-5	TABULATION OF QUANTITIES
LD-6- LD-21	LANDSCAPE PLAN
LD-22	PLANTING SCHEDULE & DETAILS
LD-23 - LD-38	IRRIGATION PLAN
LD-39 - LD-40	IRRIGATION SCHEDULE & DETAILS

LANDSCAPE PLANS
LANDSCAPE ARCHITECT OF RECORD:
GREGORY L. BOGGS, R.L.A.
100 AVE 'A', SUITE 2A
FORT PIERCE, FL 34950
VENDOR NO. 65-0066650
CERTIFICATE OF AUTHORIZATION:
7399-00900008
CONTRACT NO.:C-7694

PLANS PREPARED BY:
THOMAS LUCIDO & ASSOCIATES
100 AVE 'A', SUITE 2A
FORT PIERCE, FL 34950

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.

KEY SHEET REVISIONS		
DATE	BY	DESCRIPTION

LANDSCAPE PLANS
LANDSCAPE
ARCHITECT OF RECORD: GREGORY L. BOGGS, R.L.A.

R.L.A. NO.: 901

6.15.09

FISCAL YEAR	SHEET NO.
	LD-1

FDOT PROJECT MANAGER: DONOVAN PESSOA, P.E.

GENERAL NOTES:

1. THE CONTRACTOR SHALL BE GOVERNED BY THE APPLICABLE PORTIONS OF THE DESIGN STANDARDS, DATE 2006, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION DATED 2007, AND SUPPLEMENTS THERETO IF NOTED IN THE SPECIAL PROVISIONS FOR THIS PROJECT.

2. THE LOCATION OF THE UTILITIES SHOWN IN THE PLANS ARE BASED ON LIMITED INVESTIGATION TECHNIQUES AND SHOULD BE CONSIDERED APPROXIMATE ONLY.

3. UTILITY OWNERS:

COMPANY	CONTACT	TELEPHONE NUMBERS
AT&T	BILL HAM	(407) 578-8000
EPIK	RICHARD GIBSON	(407) 405-5333
FT. PIERCE UTIL. AUT. W/WW	DAVE MELLERT	(772) 466-1600 EXT. 3423
FT. PIERCE UTIL. AUT. ELECTRIC	ELIZABETH SCHNEBLI	(772) 466-1600 EXT. 6247
MCI COMMUNICATIONS	TIM MANLEY	(972) 656-6016
QUEST COMMUNICATIONS	MIKE RICHARDSON	(772) 979-2560
BELLSOUTH COMMUNICATIONS	GENE SCOTT	(772) 460-4426
COMCAST CABLE	STEVE ABALDO	(772) 567-3473
SPRINT	STEVE THOMPSON	(407) 932-1560
WILTEL COMMUNICATIONS, LLC	JUDITH LAKE	(918) 547-9919
CITY OF FT. PIERCE	JACK ANDREWS	(772) 460-2200
PROGRESS TELECOM	RICHARD SHIELDS	(772) 820-5300

4. ANY PUBLIC LAND CORNER WITHIN THE LIMITS OF CONSTRUCTION IS TO BE PROTECTED. IF A CORNER MONUMENT IS IN DANGER OF BEING DESTROYED AND HAS NOT BEEN PROPERLY REFERENCED, THE ENGINEER SHOULD NOTIFY THE DISTRICT LOCATION SURVEYOR WITHOUT DELAY BY TELEPHONE. (BOB HUGHAN, (954) 777-4556).

5. CONTRACTOR SHALL HAND-DIG PLANTING HOLES WHEREVER UTILITY LINES ARE PRESENT.

6. THE DESIGN SPEED FOR THE PROJECT IS 35 MPH.

7. CONTRACTOR TO CONTACT CITY OF FORT PIERCE ENGINEERING DEPARTMENT REGARDING SPECIFICATIONS AND PROCUREMENT OF THE TREE GRATES.

PAY-ITEM NOTES:

580-1-1, 580-1-2 PAY ITEM TO INCLUDE COST OF ALL LABOR AND MATERIAL FOR SOIL AMENDMENTS, FINISH SOIL LAYER, FERTILIZER (INSTALLED PER SPECIFICATIONS AND TSP), HERBICIDE & MULCH APPLICATION, WATER FOR PLANT ESTABLISHMENT, BED PREPARATION AND PLANTING, AS WELL AS ALL LABOR TO REMOVE EXCESS BACKFILL TO ESTABLISH THE REQUIRED PROFILE FOR LANDSCAPE AREAS AND GRADE. ANY OTHER REQUIREMENTS NECESSARY FOR COMPLETE ACCEPTANCE OF THE LANDSCAPE WORK SHALL BE CONSIDERED INCIDENTAL TO THE WORK BEING PERFORMED. MULCH TO BE RECYCLED MELALEUCA MULCH. PAY ITEM ALSO TO INCLUDE COST OF ALL LABOR AND MATERIAL TO INSTALL CONCRETE TREE GRATES WHERE INDICATED IN THE PLANS.

523-1-2 PAY ITEM TO INCLUDE COST FOR ALL LABOR AND MATERIAL TO INSTALL 1178.7 SY OF STAMPED, COLORED CONCRETE WHERE INDICATED IN THE LANDSCAPE PLANS. CONTRACTOR TO CONTACT PAUL WILLIAMS AT THE CITY OF FORT PIERCE ENGINEERING DEPARTMENT FOR COLOR AND PATTERN INFORMATION.

590-70 PAY ITEM TO INCLUDE COST OF ALL LABOR AND MATERIAL FOR INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TI PROVIDE 4 "AS-BUILT" SETS AT TIME OF FINAL ACCEPTANCE.

SUMMARY OF STAMPED COLORED CONCRETE

LOCATION		P			F			FIELD BOOK
STA TO STA	SIDE	L	W	SY	L	W	SY	REFERENCE
87+40	R			43.1				
91+90	R			37.9				
93+50	R/L			31.1				
93+90	L			44.6				
94+00	R			39.2				
94+35	R/L			22.1				
102+00	R			27.1				
109+00	R			29.2				
111+90	R			26.5				
115+00	R			27.6				
122+65	R			27.6				
130+90	R			25.0				
133+35	L			14.7				
133+35	R			13.3				
134+80	L			10.0				
134+80	R			10.0				
136+80	R/L			296.0				
803+10	R			34.8				
803+30	L			30.8				
808+60	L			47.0				
812+20	R			58.6				
812+40	L			46.6				
817+40	R			63.1				
817+50	L			43.2				
826+90	R			47.3				
827+00	L			28.3				
829+80	L			29.9				
831+80	L			13.3				
831+90	R			13.8				
PROJECT TOTAL:				1178.7				

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, PORT PIERCE, FL 34950, (561) 467-1201
LANDSCAPE ARCHICECT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)
PHASE I
GENERAL NOTES

SHEET NO.
LD-2

LANDSCAPE TABULATION OF QUANTITIES

PAY ITEM NO.	SYM	DESCRIPTION	SIZE	UNIT	SHEET NUMBERS												TOTAL THIS SHEET		REF. SHEET
					LD-6		LD-7		LD-8		LD-9		LD-10		LD-11				
					PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	
		LARGE PLANTS																	
	SPI	CABBAGE PALM (SABAL PALMETTO)	18' - 24' O.A., CURVED	PL	-		-		-		-		-		-		-		
580-1-1	PC	CANARY ISLAND DATE PALM (PHOENIX CANARIENSIS)	10' C.T.	PL	2		1		3		4		4		-		14		
	SP	CABBAGE PALM (SABAL PALMETTO)	10' C.T., MATCHED	PL	10		25		23		21		20		12		111		
		SMALL PLANTS																	
	FIC	GREEN ISLAND FICUS (FICUS MACROCARPA 'GREEN ISLAND')	1 GAL	PL	-		-		-		-		-		-		-		
580-1-2	HEL	DUNE SUNFLOWER (HELIANTHUS DEBILIS)	1 GAL	PL	-		-		-		-		-		-		-		
	HYM	SPIDER LILY (HYMENOCALLIS LATIFOLIA)	3 GAL	PL	-		-		-		-		-		-		-		
	NER	DWARF OLEANDER (NERIUM OLEANDER 'ICE PINK')	3 GAL	PL	-		-		-		-		39		-		39		
	RHA	INDIAN HAWTHORN (RHAPHIOLEPIS INDICA)	3 GAL	PL	-		-		-		-		-		-		-		
	UNI	SEA OATS (UNIOLA PANICULATA)	3 GAL	PL	-		-		-		-		-		-		-		
XXX		PRE-CAST CONCRETE TREE GRATES		EA	-		-		-		-		-		-		-		
590-70		IRRIGATION SYSTEM		LS	-		-		-		-		-		-		1		
523-1-2		COLORED, STAMPED CONCRETE		SY															

REVISIONS

DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, PORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)
PHASE I
TABULATION OF QUANTITIES

SHEET NO. LD-3

$DATE$ $TIME$ $FILE$

LANDSCAPE TABULATION OF QUANTITIES

PAY ITEM NO.	SYM	DESCRIPTION	SIZE	UNIT	SHEET NUMBERS												TOTAL THIS SHEET		REF. SHEET
					LD-12		LD-13		LD-14		LD-15		LD-16		LD-17				
					PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	
		LARGE PLANTS																	
	SPI	CABBAGE PALM (SABAL PALMETTO)	18'-24' O.A., CURVED	PL	-		-		-		-		-		-		-		
580-1-1	PC	CANARY ISLAND DATE PALM (PHOENIX CANARIENSIS)	10' C.T.	PL	-		-		-		-		-		-		-		
	SP	CABBAGE PALM (SABAL PALMETTO)	10' C.T., MATCHED	PL	22		15		14		21		26		24		122		
		SMALL PLANTS																	
	FIC	GREEN ISLAND FICUS (FICUS MACROCARPA 'GREEN ISLAND')	1 GAL	PL	-		-		-		-		-		-		-		
	HEL	DUNE SUNFLOWER (HELIANTHUS DEBILIS)	1 GAL	PL	-		-		-		-		-		-		-		
580-1-2	HYM	SPIDER LILY (HYMENOCALLIS LATIFOLIA)	3 GAL	PL	-		-		-		-		-		-		-		
	NER	DWARF OLEANDER (NERIUM OLEANDER 'ICE PINK')	3 GAL	PL	-		-		-		-		-		-		-		
	RHA	INDIAN HAWTHORN (RHAPHIOLEPIS INDICA)	3 GAL	PL	-		-		-		-		-		-		-		
	UNI	SEA OATS (UNIOLA PANICULATA)	3 GAL	PL	-		-		-		-		-		-		-		
XXX		PRE-CAST CONCRETE TREE GRATES		EA	-		3		14		21		26		24		88		
590-70		IRRIGATION SYSTEM		LS	-		-		-		-		-		-		-		
523-1-2		COLORED, STAMPED CONCRETE		SY															

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, PORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)
PHASE I
TABULATION OF QUANTITIES

6.15.04

SHEET NO. LD-4

$DATE$ $TIME$ $FILE$

LANDSCAPE TABULATION OF QUANTITIES

PAY ITEM NO.	SYM	DESCRIPTION	SIZE	UNIT	SHEET NUMBERS								TOTAL THIS SHEET		TOTAL ALL SHEETS		GRAND TOTAL		REF. SHEET
					LD-18		LD-19		LD-20		LD-21								
					PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	
		LARGE PLANTS																	
	SPI	CABBAGE PALM (SABAL PALMETTO)	18'- 24' O.A., CURVED	PL	-		-		8		-		8		8				
580-1-1	PC	CANARY ISLAND DATE PALM (PHOENIX CANARIENSIS)	10' C.T.	PL	-		-		12		-		12		26		333		
	SP	CABBAGE PALM (SABAL PALMETTO)	10' C.T., MATCHED	PL	21		24		16		5		66		299				
		SMALL PLANTS																	
	FIC	GREEN ISLAND FICUS (FICUS MACROCARPA 'GREEN ISLAND')	1 GAL	PL	-		-		85		-		85		85				
	HEL	DUNE SUNFLOWER (HELIANTHUS DEBILIS)	1 GAL	PL	-		-		136		-		136		136				
580-1-2	HYM	SPIDER LILY (HYMENOCALLIS LATIFOLIA)	3 GAL	PL	-		-		118		-		118		118		507		
	NER	DWARF OLEANDER (NERIUM OLEANDER 'ICE PINK')	3 GAL	PL	-		-		-		-		-		39				
	RHA	INDIAN HAWTHORN (RHAPHIOLEPIS INDICA)	3 GAL	PL	-		-		108		-		108		108				
	UNI	SEA OATS (UNIOLA PANICULATA)	3 GAL	PL	-		-		21		-		21		21				
XXX		PRE-CAST CONCRETE TREE GRATES		EA	21		24		7		5		57		146		146		
590-70		IRRIGATION SYSTEM		LS	-		-		-		-		1		1		1		
523-1-2		COLORED, STAMPED CONCRETE		SY											1178.7		1178.7		

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-3201
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)
PHASE I
TABULATION OF QUANTITIES

SHEET NO. LD-5

$DATE$ $TIME$ $FILE$

SEAPOINTE TOWERS

BEGIN PROJECT
BEGIN PHASE I
LANDSCAPING
STA 800+01.00

5
SP

SOUTH BEACH BOARDWALK APARTMENTS

LIMITS OF CLEAR SIGHT (390' @ 35 MPH), TYP.

6' HORIZONTAL CLEAR ZONE, TYP.

COLORED, STAMPED CONCRETE, TYP.

WATERVIEW HOUSE

POI STA. 803+14.12

PI STA. 803+14.12
Δ= 0° 2' 45"

GULFSTREAM AVENUE

N 88° 53' 37" E

ISLAND PARADISE APARTMENTS

0 10 40
Feet

BT-1200
BT-50
12" VCP SAN
WOOD
16" DIP WM
BELL SOUTH CABINET
CONDUIT
ASPHALT
GRAVEL
FIBER OPTIC
CONST. 6' SIDEWALK
798
799
800
801
802
803
℄ SURVEY & ℄ CONST.
N 18° 52' 38" W
N 18° 49' 53" W
72°16'31"
SOUTH OCEAN DRIVE
CR-20
MH 12-31
RIM= 6.01
N.INV.= -0.69
SW.INV.= -0.59
CONC.
WATER
3'X5' LANDSCAPE CUT-OUT, TYP.
2
PC
5
SP
SOUTH BEACH BOARDWALK
BEACH ACCESS

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, PORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

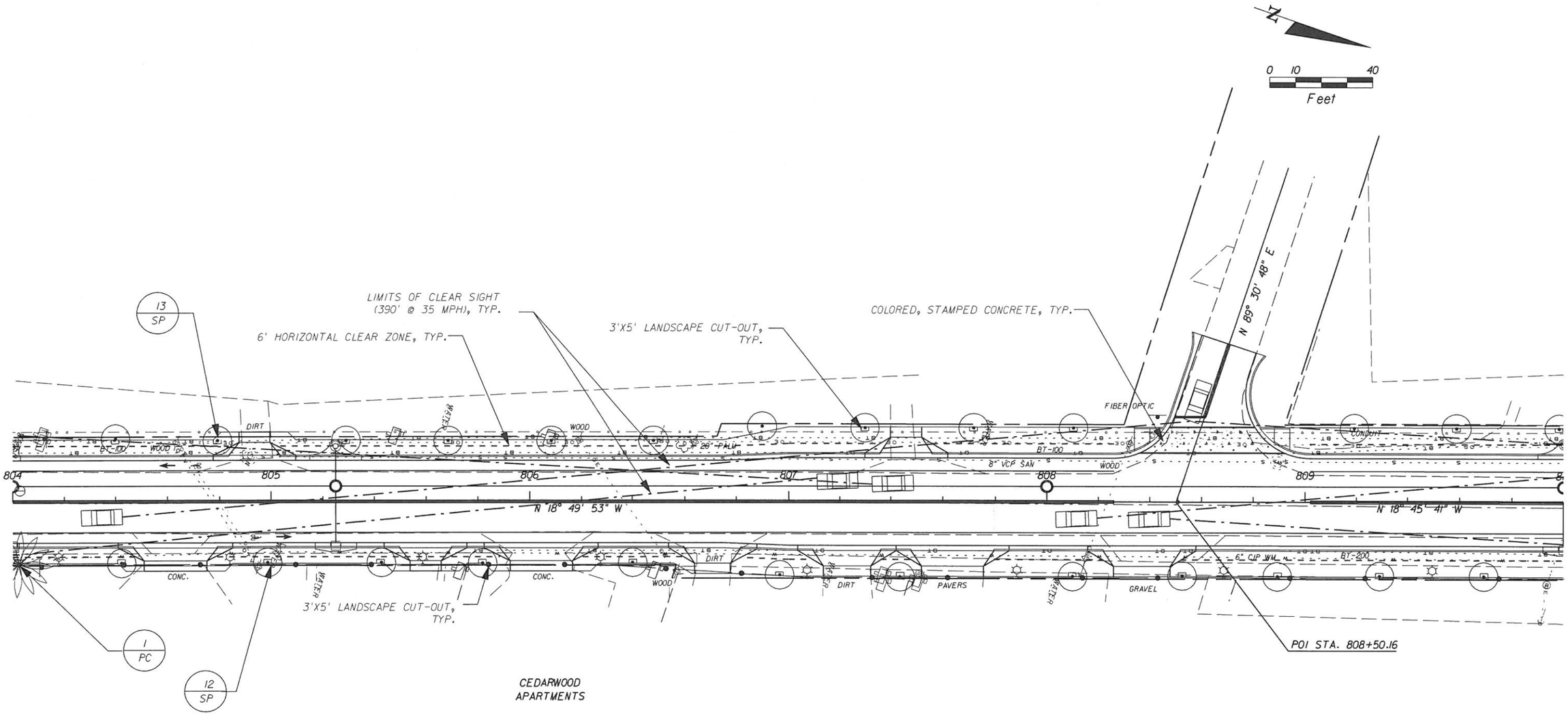
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)
PHASE I
LANDSCAPE PLAN (SOUTH OCEAN DRIVE)

6-15-09

SHEET NO.
LD-6

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

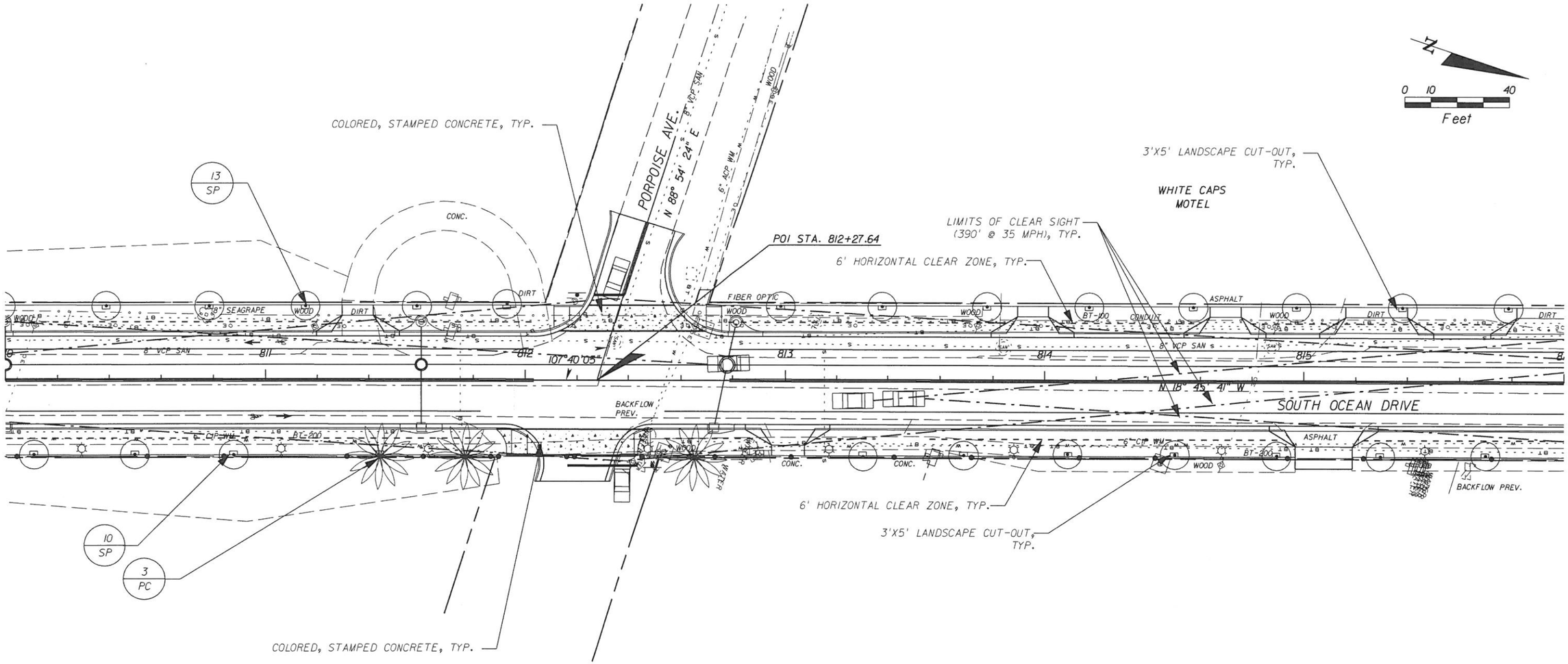
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SOUTH OCEAN DRIVE)

SHEET NO.
LD-7

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 8A, PORT PIERCE, FL. 34950, (561) 467-1381
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

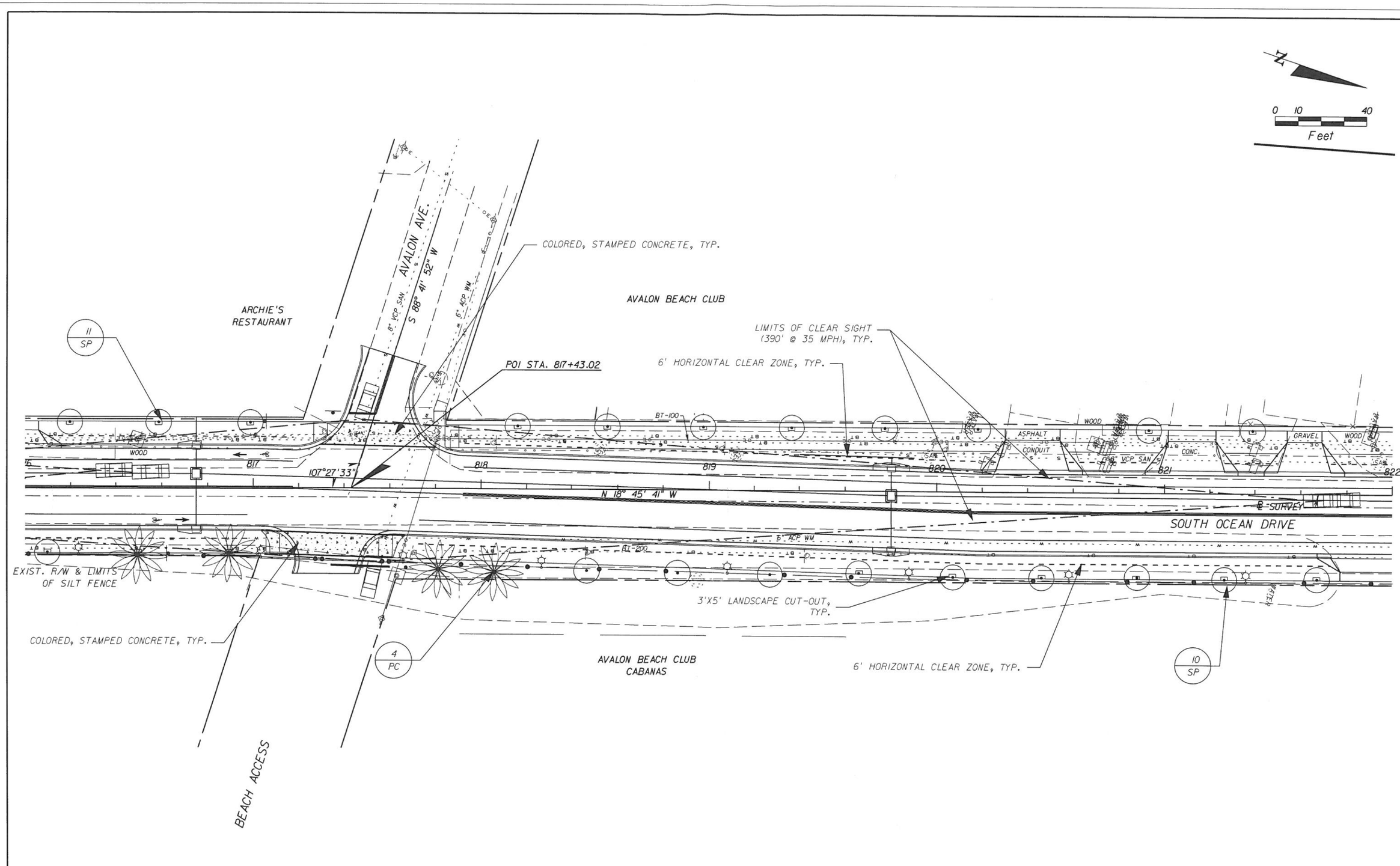
S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SOUTH OCEAN DRIVE)

6.15.09

SHEET NO.
LD-8

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, PORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHIECT OF RECORD: GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SOUTH OCEAN DRIVE)

06.15.09

SHEET NO. D-9

$DATE$ $TIME$ $FILE$

N

0 10 40
Feet

SOUTH BEACH APARTMENTS

ATLANTIC CORNER FOOD MART

HOYT C MURPHY, INC.

ST. LUCIE COURT

N 80° 01' 01" E

2" PVC WM

8" VCP SAN.

11 SP

3'X5' LANDSCAPE CUT-OUT, TYP.

COLORED, STAMPED CONCRETE, TYP.

LIMITS OF CLEAR SIGHT (390' @ 35 MPH), TYP.

6' HORIZONTAL CLEAR ZONE, TYP.

WOOD

CONC.

8" VCP SAN.

GRAVEL

WOOD

CONC.

GRAVEL

DIRT

BT-100

CONDUIT

ASPHALT

WOOD

BELL SOUTH

823

824

825

826

827

98°46'42"

N 18° 45' 41" W

SOUTH OCEAN DRIVE

6" CIP WM

CONC.

PAVERS

PAVERS

WOOD

GRAVEL

WOOD

EXIST. R/W & LIMITS OF SILT FENCE

9 SP

3'X5' LANDSCAPE CUT-OUT, TYP.

6' HORIZONTAL CLEAR ZONE, TYP.

18 NER

4 PC

21 NER

COLORED, STAMPED CONCRETE, TYP.

BEACH ACCESS

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHIECT OF RECORD: GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

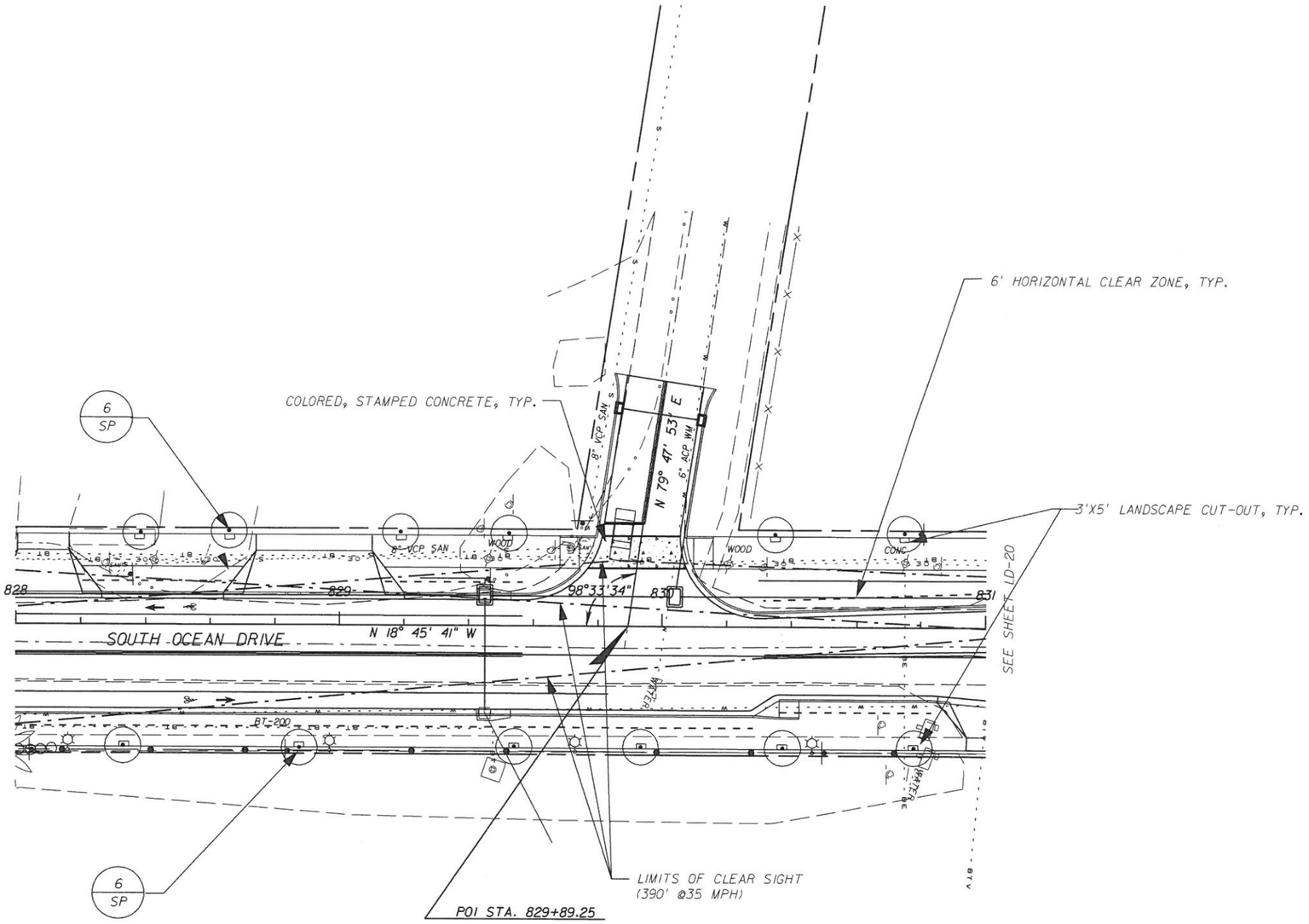
S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SOUTH OCEAN DRIVE)

6.5.09

SHEET NO. LD-10

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1201
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7599-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)
PHASE I
LANDSCAPE PLAN (SOUTH OCEAN DRIVE)

SHEET NO. LD-11

6.5.09

$DATE$ $TIME$ $FILE$

BEGIN PROJECT
BEGIN PHASE I
CONSTRUCTION
STA. 84+00

PI STA. = 89+04.36, 537.86' RT.
Delta = 117° 49' 14" (LT)
D = 9° 58' 36"
T = 952.40
L = 1,180.95
R = 574.29
e = 0.02
PC STA. = 79+51.97
PT STA. = 91+32.91

PELICAN CLUB

PLACE ROCK BAGS PER INDEX NO. 102 (TYP.)

6' HORIZONTAL CLEAR ZONE

LIMITS OF CLEAR SIGHT (390' @35 MPH)

ENDWALL

24IN RCP (TO REMAIN)

0 10 40
Feet

16" DIP WM

8" CIP WM

8" VCP SAN

12IN RCP (TO REMAIN)

5" VCR SAN.

18IN RCP

18" PVC F.M.

SEAWAY DRIVE

BT-200

BT-300

WATER

CONDUIT

WOOD

II SP

IV SP

COLORED, STAMPED CONCRETE, TYP.

6' HORIZONTAL CLEAR ZONE

S 49° 31' E

6" ACP WM

BAYSHORE DRIVE

COLONADES DRIVE

ASPHALT

MATCH LINE A-A

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHICT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

SHEET NO.
LD-12

$DATE$ $TIME$ $FILE$

N

0 10 40
Feet

PELICAN CLUB

LIMITS OF CONSTRUCTION

LIMITS OF CLEAR SIGHT (390' @35 MPH)

6' HORIZONTAL CLEAR ZONE

COLORED, STAMPED CONCRETE, TYP.

9 SP

6 SP

16" DIP WM
ASPHALT
20" PALM
15" VCP SAN
18IN RCP
24" SEAGRAPE
8" OAK
10" UNKNOWN
WOOD
BT-200
BT-50
6" ACP WM
91
92
93
94
95
96
97
SEAWAY DRIVE
N 8° 29' 17" W
S 8° 30' 43" W
8" CIP WM
15IN RCP
20" PALM
70" TAB
10" SEAGRAPE
BT-400
18" PVC FM
NEWSPAPER STANDS
BELL SOUTH
CONDUIT
ELECTRIC
97°43'55"
94+10.64
15" RCP
CR-12
18IN RCP
PRE-CAST CONCRETE TREE GRATE, TYP.
PROPOSED RIGHT OF WAY
108' MIN TO NEXT TREE
108' MIN.
S 73° 14' 10" W
TRAFFIC SIG BOX
BINNEY DRIVE
8" VCP SAN
INLET HARDWARE
CARLTON COURT
LIMITS OF CONSTRUCTION

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHICT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7599-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

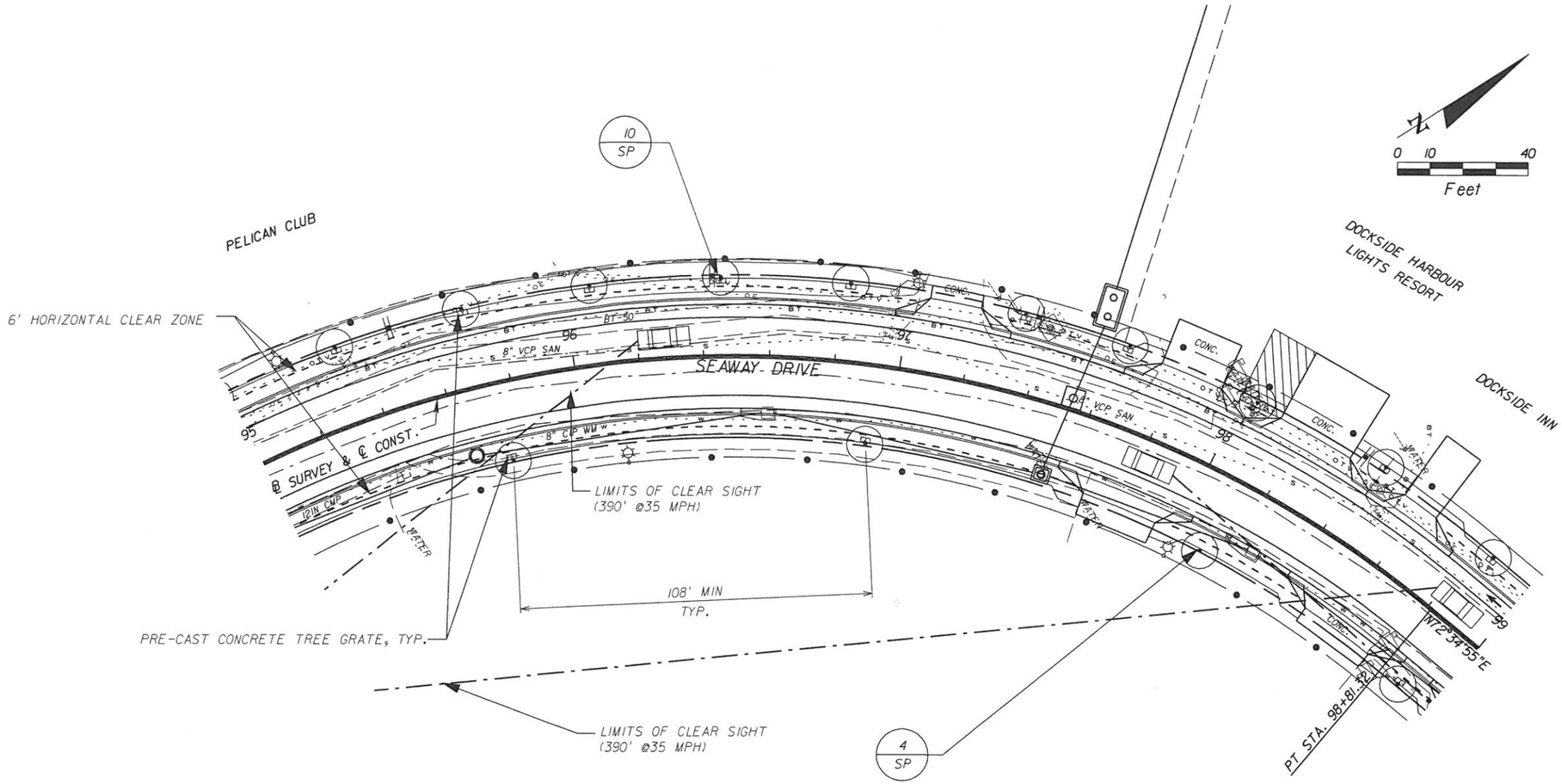
S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

6.5.09

SHEET NO.
LD-13

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

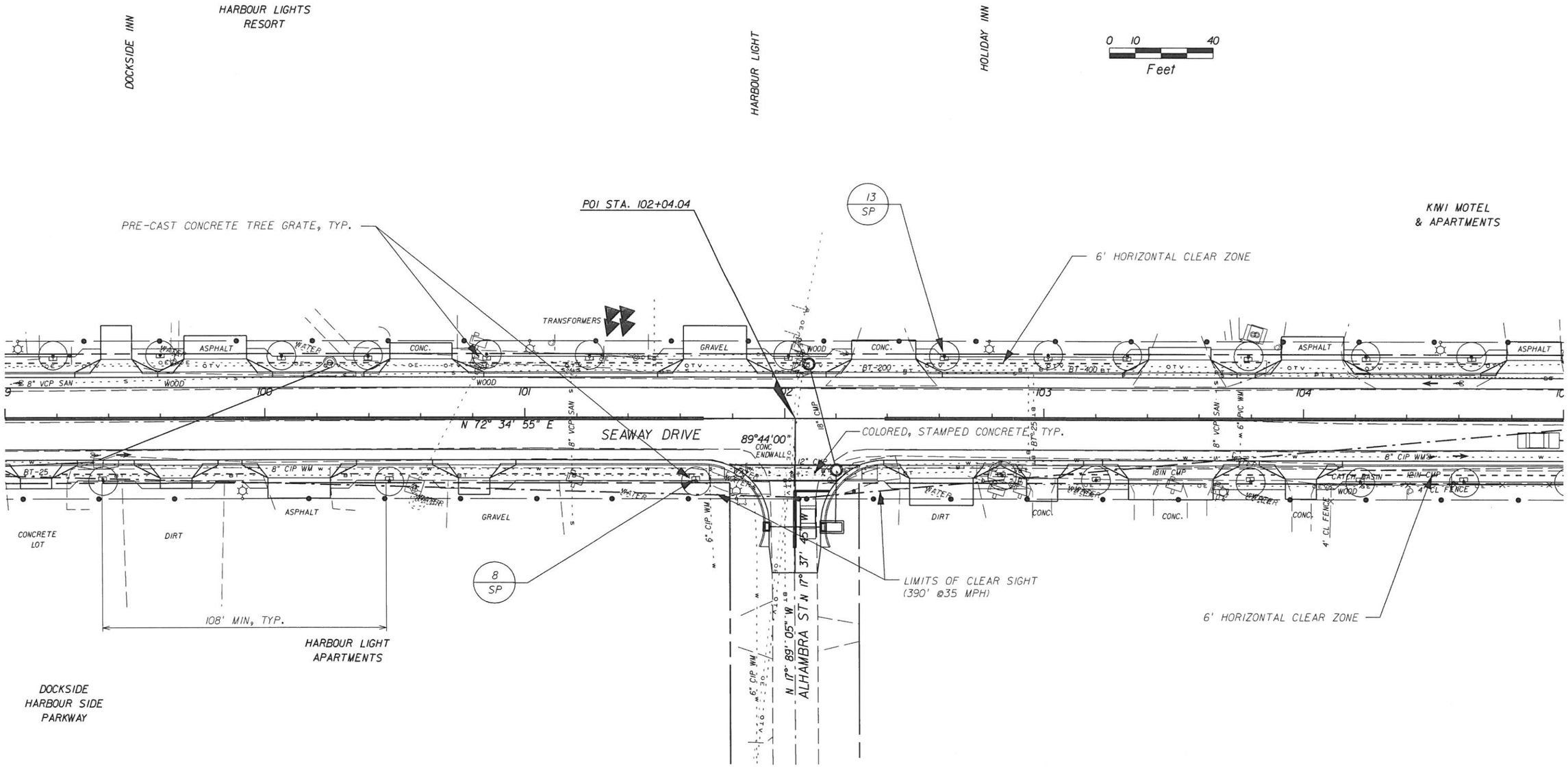
S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

SHEET NO.
LD-14

6.15.09

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, PORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHICT OF RECORD:
GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

SHEET NO.
LD-15

$DATE$ $TIME$ $FILE$

LA ENTRADA
DE MAR

N

0 10 40
Feet

COAST
GUARD

6' HORIZONTAL CLEAR ZONE

13
SP

CORAL
APARTMENTS

COAST
GUARD

POI STA. 109+03.33

PRE-CAST CONCRETE TREE GRATE, TYP.

PC STA. 106+24.94

4- 4" PALMS

4- 4" PALMS

8" VCP SAN

WOOD

ASPHALT
BT-400

ASPHALT

DIRT

DIRT

DIRT

CONST. 8' SIDEWALK

106

107

108

109

110

N 72° 34' 55" E

℄ SURVEY & ℄ CONST.

SEAWAY DRIVE

CONST. 6' SIDEWALK

8" CIP WM

CATCH BASIN
WOOD

10 MBXS
SHOT IN MIDDLE

S-150

12IN RCP

WOOD

ASPHALT

CONC.

ASPHALT

88°11'35"

ASPHALT

ASPHALT

8" CIP WM

LIMITS OF CLEAR SIGHT
(390' @35 MPH)

13
SP

6' HORIZONTAL CLEAR ZONE

COLORED, STAMPED
CONCRETE, TYP.

BERSHIRE

6" ACP WM

N 27° 43' 25" W

COQUINA AVE

7 MBXS
SHOT IN MIDDLE

SANDY SHORES
APARTMENTS

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHITECT OF RECORD:
GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

SHEET NO.
LD-16

$DATE$ $TIME$ $FILE$

CARIBBEAN

6' HORIZONTAL CLEAR ZONE

PRE-CAST CONCRETE TREE GRATE, TYP.

LIMITS OF CLEAR SIGHT (390' @35 MPH)

14 SP

POI STA. 111+93.81

POI STA. 114+98.09

DIRT

CONC.

GRASS

GRAVEL

WOOD

ELEC

BT-25

12" TCAB

8" VCP SAN

8" CIP WM

15" RCP

6" CIP WM

6" ACP WM

2" PVC WM

3" ACP WM

112

113

114

115

116

℄ SURVEY & ℄ CONST.

PC STA. 113+53.46

N44°27'02"E 135.39'

89°45'00"

88°33'36"

SEAWAY DRIVE

DESOTA AVE. N 39° 37' 31" W

ELDORODO ST. N 39° 37' 31" W

COLORED, STAMPED CONCRETE, TYP.

CONC. DR.

10 SP

108' MIN

ROCK

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHICT OF RECORD: GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

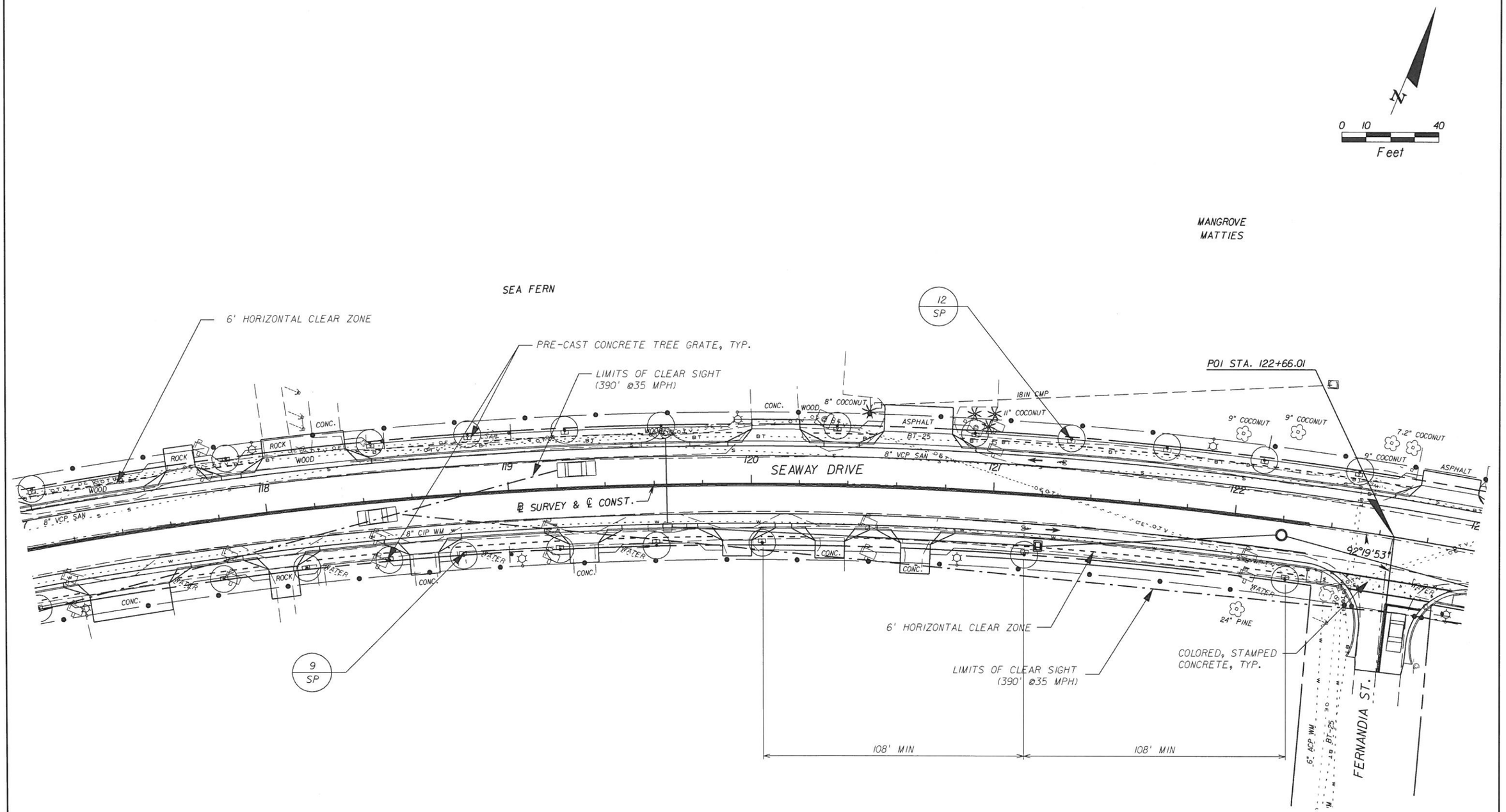
S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

SHEET NO. 15 OF 17

LD-17

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

6.5.09

SHEET NO.
LD-18

$DATE$ $TIME$ $FILE$

PI STA. = 119+16.70, 98.36' LT.
Delta = 38° 24' 54" (RT)
D = 3° 26' 02"
T = 581.31
L = 1,118.74
R = 1,668.59
PC STA. = 113+35.39
PT STA. = 124+54.12

HOLIDAY BEACH MOTEL

OCEANAIRE LODGE

LEEWARD

N

0 10 40
Feet

13
SP

PRE-CAST CONCRETE TREE GRATE, TYP.

LIMITS OF CLEAR SIGHT
(390' @35 MPH)

6' HORIZONTAL CLEAR ZONE

8" VCP SAN

SEAWAY DRIVE

℄ SURVEY & ℄ CONST.

N 82° 51' 56" E

PT STA. 124+54.12

8" CIP WM

6" ACP WM

PRE-CAST CONCRETE TREE GRATE, TYP.

11
SP

LIMITS OF CLEAR SIGHT
(390' @35 MPH)

6' HORIZONTAL CLEAR ZONE

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHIECT OF RECORD:
GREGORY L. BOGGS, RLA NO. 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

SHEET NO.
LD-19

$DATE$ $TIME$ $FILE$

JETTY PARK

N

0 10 40

Feet

9 SP

6' HORIZONTAL CLEAR ZONE

POI STA. 130+85.94

41 RHA

41 FIC

66 HEL

21 UNI

59 HYM

17 RHA

10 FIC

SEAWAY DRIVE

N 82° 51' 56" E

104°31'04"

PRE-CAST CONCRETE TREE GRATE, TYP.

7 SP

COLORED, STAMPED CONCRETE, TYP.

12 PC

8 SPI

59 HYM

70 HEL

50 RHA

34 FIC

LIMITS OF CLEAR SIGHT (390' @35 MPH)

SEAWAY APARTMENTS

HERNANDO ST.

SOUTH OCEAN DRIVE

18" MIN MULCH STRIP

3'X5' LANDSCAPE CUT-OUT, TYP

1 SP

SEE SHEET LD-11

SEE SHEET LD-21

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHICT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

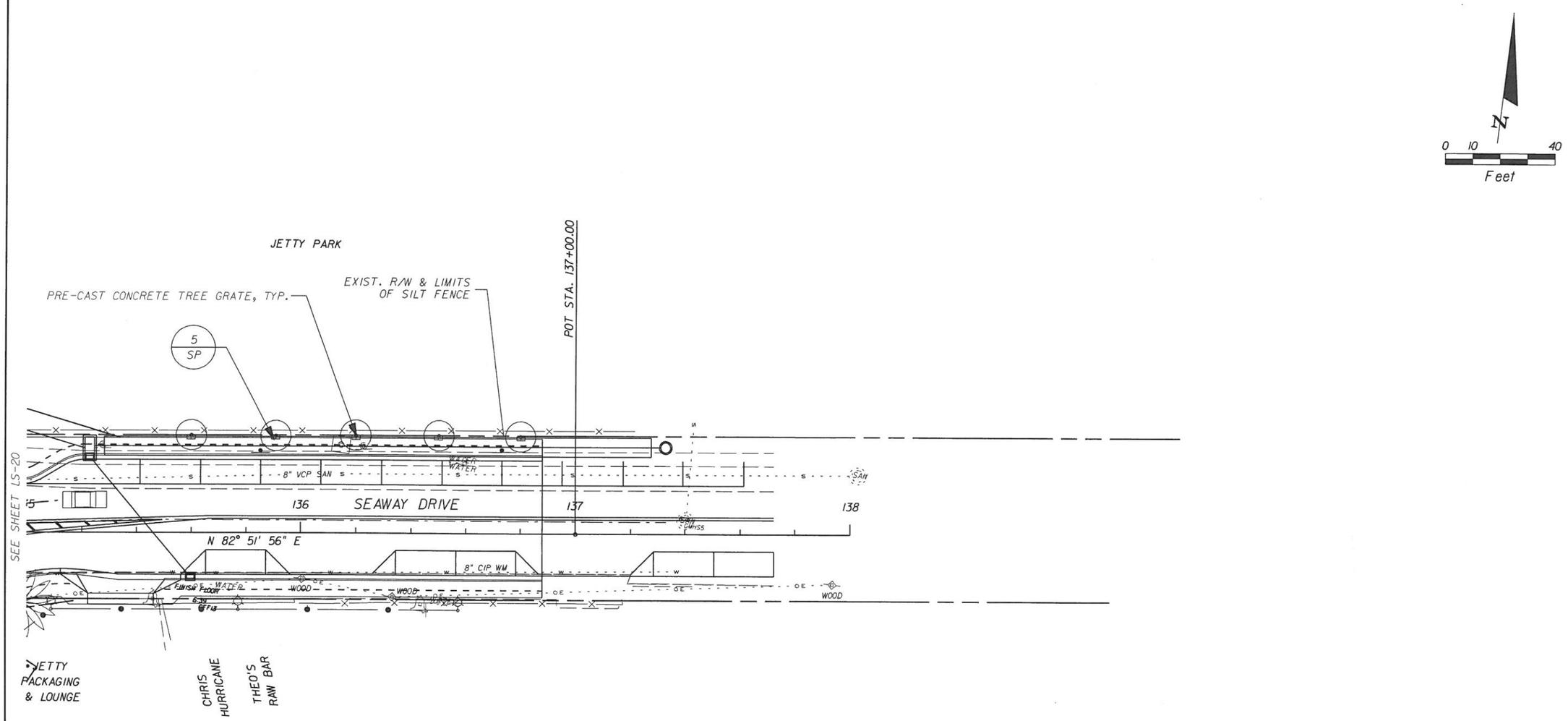
S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

6.5.09

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

SHEET NO.
LD-20

$DATE$ $TIME$ $FILE$



REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-1301
LANDSCAPE ARCHICT OF RECORD:
GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SEAWAY DRIVE)

6.15.09

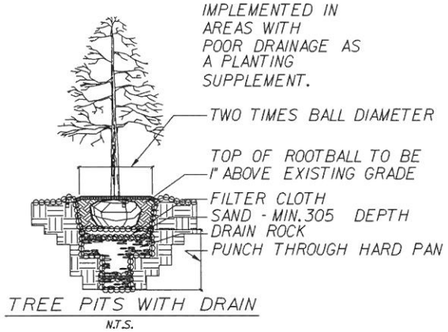
SHEET NO.
LD-21

$DATE$ $TIME$ $FILE$

LANDSCAPE LEGEND

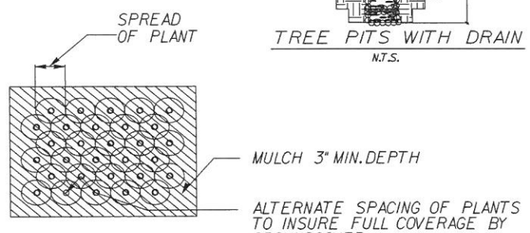
QTY	SYM	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PAY SIZE	SPACING	MAX. MAINTAINED SIZE
8	SPI	SABAL PALMETTO	CABBAGE PALM	FG, 18'-24' O.A., CURVED	LARGE	A.S.	30' HT, 15' SPR
27	PC	PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	FG, 10' C.T.	LARGE	A.S.	25' HT, 15' SPR
299	SP	SABAL PALMETTO	CABBAGE PALM	FG, 10' CT, MATCHED	LARGE	A.S.	30' HT, 15' SPR
85	FIC	FICUS MACROCARPA 'GREEN ISLAND'	GREEN ISLAND FICUS	1 GAL, 6"X6"	SMALL	24".	18" HT
136	HEL	HELIANTHUS DEBILIS	DUNE SUNFLOWER	1 GAL, 6"X6"	SMALL	24".	12" HT
118	HYM	HYMENOCALLIS LATIFOLIA	SPIDER LILY	3 GAL, 12"X12"	SMALL	24".	36" HT
65	NER	NERIUM OLEANDER 'ICE PINK'	DWARF OLEANDER	3 GAL, 18"X18"	SMALL	36".	24" HT
108	RHA	RHAPHIOLEPIS INDICA	INDIAN HAWTHORN	3 GAL, 12"X12"	SMALL	24".	24" HT
21	UNI	UNIOLA PANICULATA	SEA OATS	3 GAL, 24" HT	SMALL	36"	48" HT

NOTE: WHERE TREES ARE TO BE PLACED ADJACENT TO SIDEWALK OR WITHIN TREE GRATES, STAKING SHALL BE PLACED IN A MANNER THAT THEY DO NOT INTERFERE WITH THE FULL ACCESS OF THE SIDEWALK.



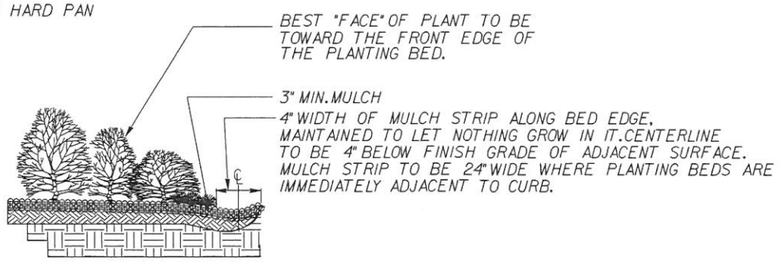
TREE PITS WITH DRAIN

N.T.S.



GROUND COVERS AND ROOTED CUTTINGS

N.T.S.

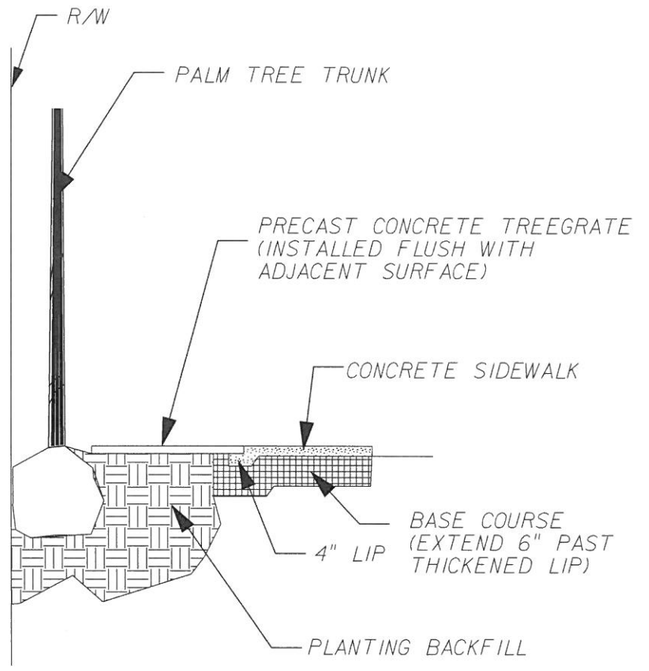


PLANTING BED EDGE

N.T.S.

NOTE: MULCH NOT TO BE PLACED ON THE BASE OF THE SHRUB STERN AND ON THE TREE TRUNK.

NOTE: REFER TO INDEX 544 FOR PLANTING DETAILS



TREE GRATE DETAIL

NOTE: TREE GRATES TO BE INSTALLED WHERE SHOWN ON PLANS AND PER DETAIL.
TREE GRATE TO BE INSTALLED FLUSH WITH ADJACENT HARD SURFACES.

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

THOMAS LUCIDO & ASSOCIATES, P.A.
LAND PLANNING / LANDSCAPE ARCHITECTURE
100 AVE A, STE 2A, FORT PIERCE, FL 34950, (561) 467-3301
LANDSCAPE ARCHIECT OF RECORD: GREGORY L. BOGGS, RLA NO: 901
CERTIFICATE OF AUTHORIZATION: 7399-00900008

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
AIA	ST. LUCIE	230297-1-58-01

S.R. AIA
(SOUTH OCEAN DRIVE/SEAWAY DRIVE)

PHASE I
LANDSCAPE PLAN (SOUTH OCEAN DRIVE)

SHEET NO. LD-22

$DATE$ $TIME$ $FILE$

SECTION No.: **94050000**
Permit No.: **2021-A-490-00017**
COUNTY: **St. Lucie County**
S.R. No.: **A1A**

DISTRICT FOUR (4) AMENDMENT NUMBER ONE (1) TO
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LANDSCAPE MEMORANDUM OF AGREEMENT

THIS AMENDMENT Number One (1) to the Agreement dated September 29, 2009, made and entered into this _____ day of _____ 20_____ by and between the State of Florida Department of Transportation, hereinafter called the **DEPARTMENT,** and the **CITY OF FORT PIERCE**, a municipal subdivision of the State of Florida, hereinafter called the **AGENCY**.

W I T N E S S E T H:

WHEREAS, the parties entered into the Landscape Maintenance of Agreement dated, September 29, 2009 for the purpose of maintaining the landscape improvements by the **AGENCY** on State Road A1A; and,

WHEREAS, the **DEPARTMENT** and the **AGENCY** have agreed to add additional landscape to be installed on State Road **A1A (South Ocean Drive)** in accordance with the above referenced Agreement; and,

WHEREAS, the parties hereto mutually recognize the need for entering into an Amendment designating and setting forth the responsibilities of each party, and

NOW THEREFORE, for and in consideration of mutual benefits that flow each to the other, the parties covenant and agree as follows:

1. Pursuant to page 4, paragraph 6 of the Landscape Maintenance Memorandum of Agreement for State Road A1A dated September 29, 2009, the DEPARTMENT will allow the AGENCY to have constructed additional landscape improvements or to modify an improvement located as indicated in **Exhibit "A"**, State Road A1A (South Ocean Drive) from M.P. 14.999 to M.P. 15.032, in accordance with the plans attached as **Exhibit "B".**

2. The AGENCY shall agree to maintain the additional landscape improvements in the Agreement described above according to the **Exhibit "C"** Maintenance Plan of the original agreement and as follows:

Part II.

Construction of a stamped, colored, concrete pedestrian crosswalk traversing the new exit driveway along State Road A1A (South Ocean Drive) is proposed.

Truncated domed concrete brick pavers will be utilized as a means of detectable warning at the driveway crossing.

a. Concrete pavers shall be inspected monthly for aesthetic appearance and safety conditions. Address any issues identified by repairing or replacing those specific locations.

b. Concrete pavers shall be cleaned yearly to prevent mold, dirt, oil, and gum build up.

Joints and cracks in concrete, patterned concrete, concrete pavers, concrete curbs, expansion joints, gutter areas, etc. shall be inspected monthly to keep those areas free of weeds.

Except as modified by this Amendment, all terms and conditions of the original Agreement and all Amendments thereto shall remain in full force and effect.

LIST OF EXHIBITS

Exhibit A - Landscape Improvements Maintenance Boundaries
Exhibit B - Landscape Improvement Plans

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective the day and year first above written.

AGENCY

By: _____
Chairperson / Mayor / Manager

Attest: _____ (SEAL)
Clerk

Legal Review Date

_____ 10/25/2021

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Transportation Development Director

Attest: _____ (SEAL)
Executive Secretary

Legal Review Date

_____ _____
Office of the General Counsel

SECTION No.: **94050000**
Permit No.: **2021-A-490-00017**
COUNTY: **St. Lucie County**
S.R. No.: **A1A**

EXHIBIT A

LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARIES

I. LIMITS OF MAINTENANCE FOR ORIGINAL LANDSCAPE AGREEMENT:

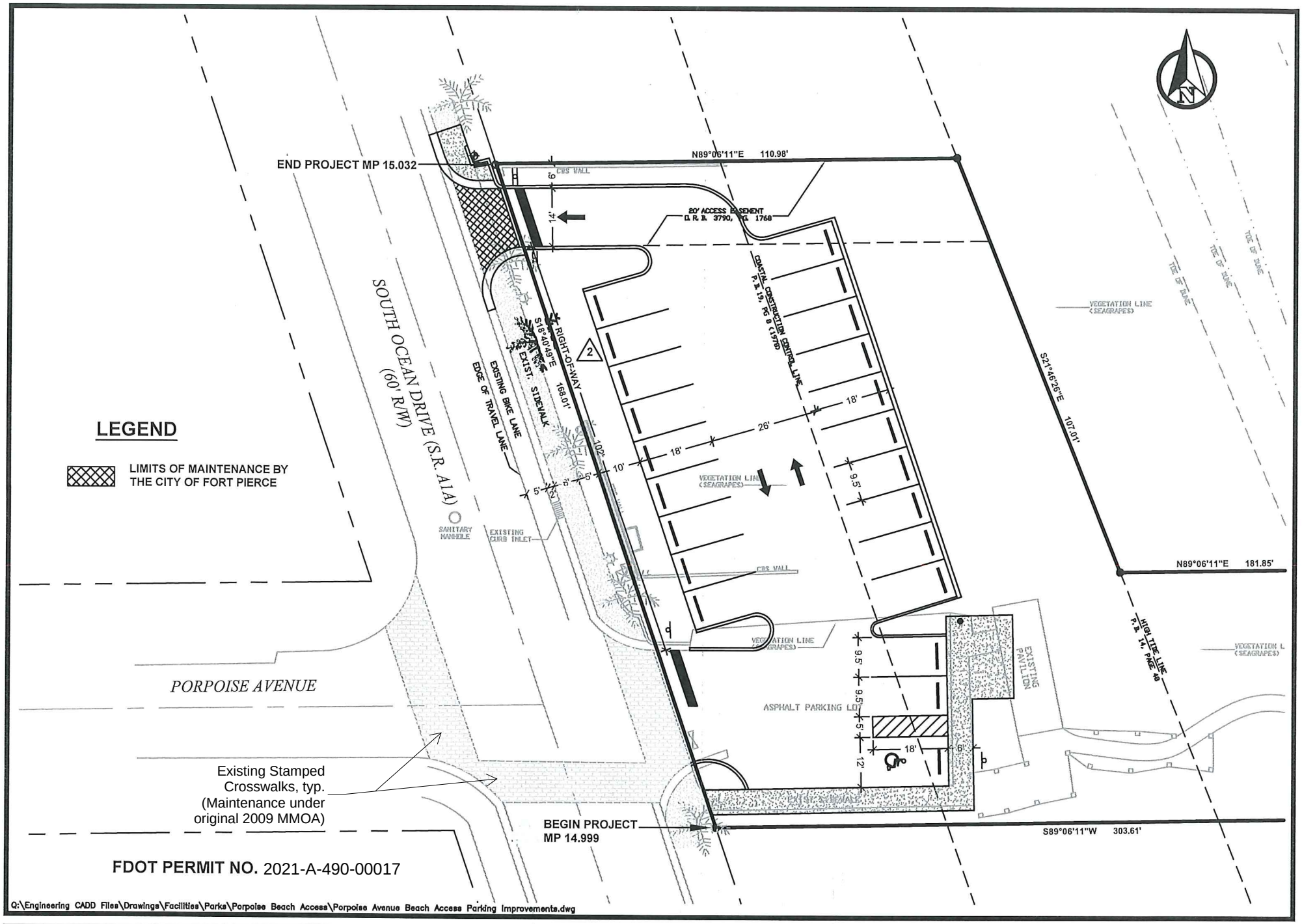
State Road A1A (South Ocean Drive / Seaway Drive) from M.P. 14.789 to M.P. 16.356

II. LIMITS OF MAINTENANCE FOR LANDSCAPE PERMIT IMPROVEMENTS:

State Road A1A (South Ocean Drive) from M.P. 14.999 to M.P. 15.032

III. LANDSCAPE PERMIT IMPROVEMENTS MAINTENANCE BOUNDARIES:

Please see attached map



THE SUNRISE CITY FORT PIERCE Florida ENGINEERING DEPARTMENT

CITY OF FORT PIERCE
HARDSCAPE IMPROVEMENT MAINTENANCE BOUNDARY MAP

DATE:	AUGUST 4, 2021
SCALE:	1" = 30'
DRAWN:	T.TELLE/D.SUMNER

SHEET 1

SECTION No.: **94050000**
Permit No.: **2021-A-490-00017**
COUNTY: **St. Lucie County**
S.R. No.: **A1A**

EXHIBIT B

LANDSCAPE IMPROVEMENT PLANS

The AGENCY agrees to install the landscape improvements in accordance with the plans and specifications attached hereto and incorporated herein.

Please see attached plans prepared by: John Andrews, PE
City of Fort Pierce

Date: July 14, 2021

CITY OF FORT PIERCE

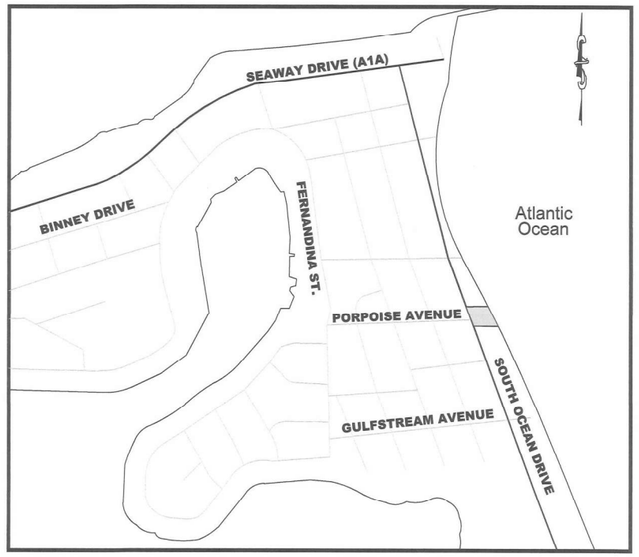
PORPOISE AVENUE BEACH ACCESS PARKING IMPROVEMENTS

DEPARTMENT OF ENGINEERING



1 **ALL WORK CONDUCTED WITHIN THE LIMITS OF STATE ROAD A1A RIGHT-OF-WAY SHALL COMPLY WITH THE FOLLOWING FDOT SPECIFICATIONS:**

1. GOVERNING STANDARD PLANS:
   Florida Department of Transportation, FY 2020-21 Standard Plans for Road and Bridge Construction and applicable Interim Revisions (IRs).
   website: https://www.fdot.gov/design/standardplans
2. GOVERNING STANDARD SPECTIFICATIONS:
   Florida Department of Transportation, July 2020 Standard Specifications for Road and Bridge Construction. website:
   https://www.fdot.gov/programmanagement/implemented/specbooks
3. Contractor shall repair all damage done to FDOT property during demolition, relocation &/or installation activities at his sole expense. Patterned Pavement installation shall comply with current FDOT Standard Specification 523. Online Reference:
   https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/programmanagement/implemented/specbooks/january-2020/1-20-ebook.pdf?sfvrsn=e3eca19a_2
4. Patterned pavement installation shall comply with current FDOT Standard Specification 523. Online Reference:
   https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/programmanagement/implemented/specbooks/january-2021/1-21ebook.pdf?sfvrsn=1c62cb58_2
5. Ownership of all suitable excavated materials, as determined by the Department, shall remain in the Department until a final acceptance of the permitted project is fulfilled. Excavated materials shall be hauled by the Permittee, at their cost & expense from the site to the Treasure Coast Operations Center or stockpiled in those areas as directed by the Department, including asphalt millings.



VICINITY MAP

1 ROADWAY DESIGN SPEED - 35 MPH

INDEX OF SHEETS

1 OF 8 COVER
2 OF 8 DEMOLITION PLAN
3 OF 8 CLEAR SIGHT PLAN
4 OF 8 CONSTRUCTION PLAN
~~5 OF 8 STORMWATER POLLUTION PREVENTION PLAN AND DETAILS~~
6 OF 8 SITE DETAILS
~~7 OF 8 MAINTENANCE OF TRAFFIC~~
~~8 OF 8 GENERAL NOTES~~

7/14/21

FDOT PERMIT NUMBER 2021-A-490-00017

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PORPOISE AVENUE BEACH ACCESS PARKING IMPROVEMENTS

No.	DATE	BY	REVISIONS
1	6/16/21		REV. PER FDOT

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING
100 NORTH U.S. 1 P.O. BOX 1480
FORT PIERCE FLORIDA, 34954

DATE:	JANUARY 12, 2021
SURVEY BY:	
DESIGNED BY:	T.TELLE
SCALE:	N.T.S.
DRAWN BY:	D.SUMNER
APPROVED BY:	

SHEET No. 1 OF 8

PORPOISE AVENUE BEACH ACCESS PARKING IMPROVEMENTS
DEMOLITION PLAN

2 EXISTING ROYAL PALM TO REMAIN. CONTRACTOR TO INSTALL TREE PROTECTION BARRICADE PER FDOT STANDARD PLANS INDEX 110-100

2 END PROJECT MP 15.032

CBS WALL TO REMAIN

REMOVE SEAGRAPES WITHIN LIMITS OF CONSTRUCTION

N89°06'11"E 110.98'

CBS WALL

REMOVE EXISTING SIDEWALK AND CURB/GUTTER WITHIN LIMITS OF NEW DRIVEWAY

20' ACCESS EASEMENT O. R. B. 3790, PG. 1768

2 RELOCATE EXISTING ROYAL PALM TREE SOUTH 20LF AND INSTALL TREE PROTECTION BARRICADE PER FDOT STANDARD PLANS INDEX 110 - 100

COASTAL CONSTRUCTION CONTROL LINE P. B. 19, PG 8 (1979)

REMOVE SEAGRAPES WITHIN LIMITS OF CONSTRUCTION

VEGETATION LINE (SEAGRAPES)

TOE OF DUNE

S21°46'28"E 107.01'

SOUTH OCEAN DRIVE (A1A) (60' R/W)

S16°40'48"E 168.01'

2 RIGHT-OF-WAY

EXIST. SIDEWALK

EXISTING BIKE LANE

EDGE OF TRAVEL LANE

VEGETATION LINE (SEAGRAPES)

REMOVE EXISTING CBS WALL

SANITARY MANHOLE

EXISTING CURB INLET

CBS WALL

EXISTING SHOWER POST TO BE RETAINED

N89°06'11"E 181.85'

REMOVE EXISTING COVERED PAVILION

HIGH TIDE LINE P. B. 14, PAGE 46

EXISTING PAVILION

VEGETATION LINE (SEAGRAPES)

VEGETATION LINE (SEAGRAPES)

PORPOISE AVENUE

ASPHALT PARKING LOT

REMOVE EXISTING ASPHALT PARKING AREA AND CONCRETE CURB AS INDICATED

EXIST. SIDEWALK

2 BEGIN PROJECT MP 14.999

S89°06'11"W 303.61'

REMOVE EXISTING CONCRETE SIDEWALK

7/14/21

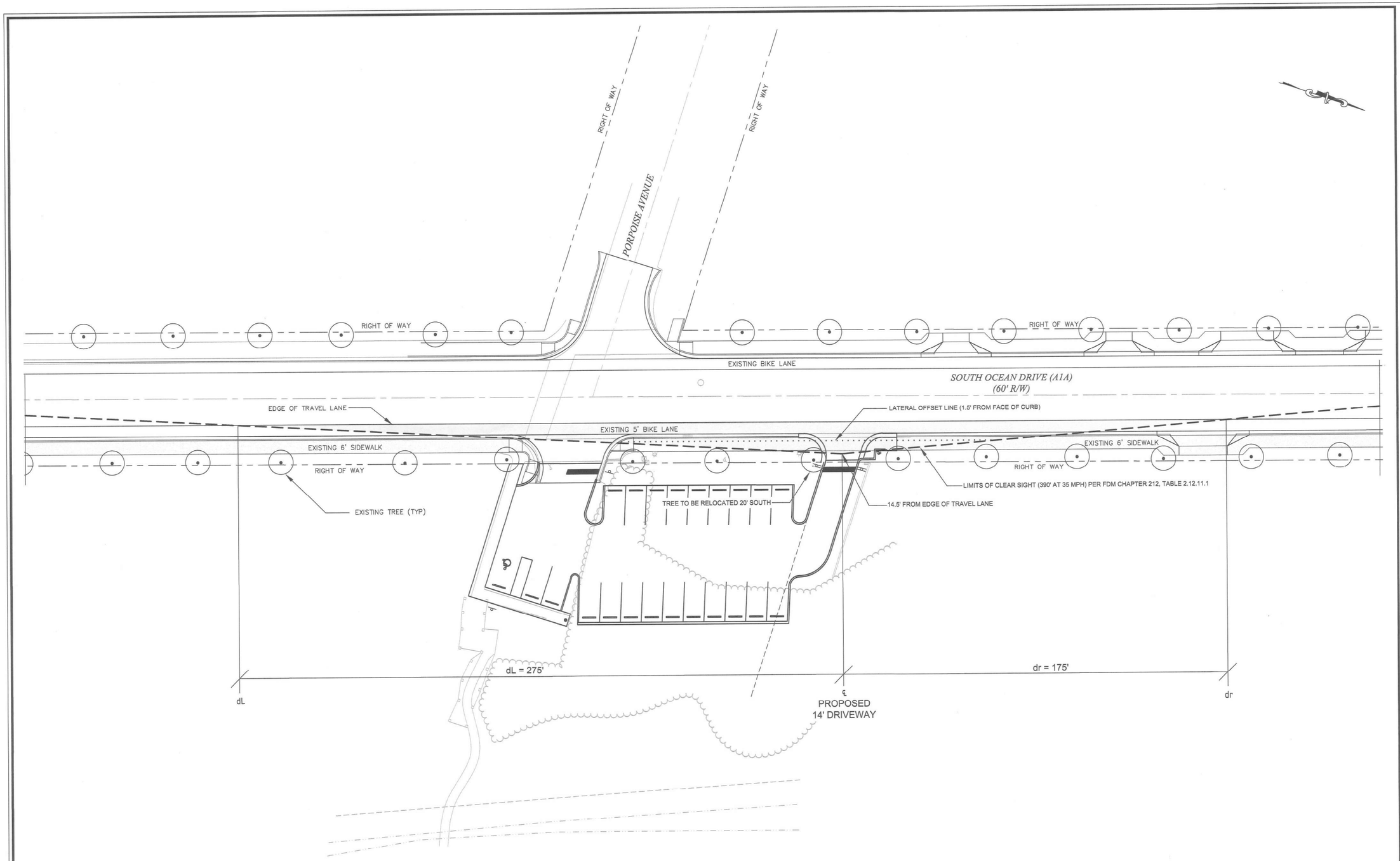
No.	DATE	BY	REVISIONS
1	5/26/21		REV. PER FDOT

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING
100 NORTH U.S. 1 P.O. BOX 1480
FORT PIERCE FLORIDA, 34954

DATE:	JANUARY 12, 2021
SURVEY BY:	
DESIGNED BY:	T.TELLE
SCALE:	1" = 10'
DRAWN BY:	D.SUMNER
APPROVED BY:	

SHEET No. 2 OF 8

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PORPOISE AVENUE BEACH ACCESS PARKING IMPROVEMENTS
CLEAR SIGHT PLAN

No.	DATE	BY	REVISIONS

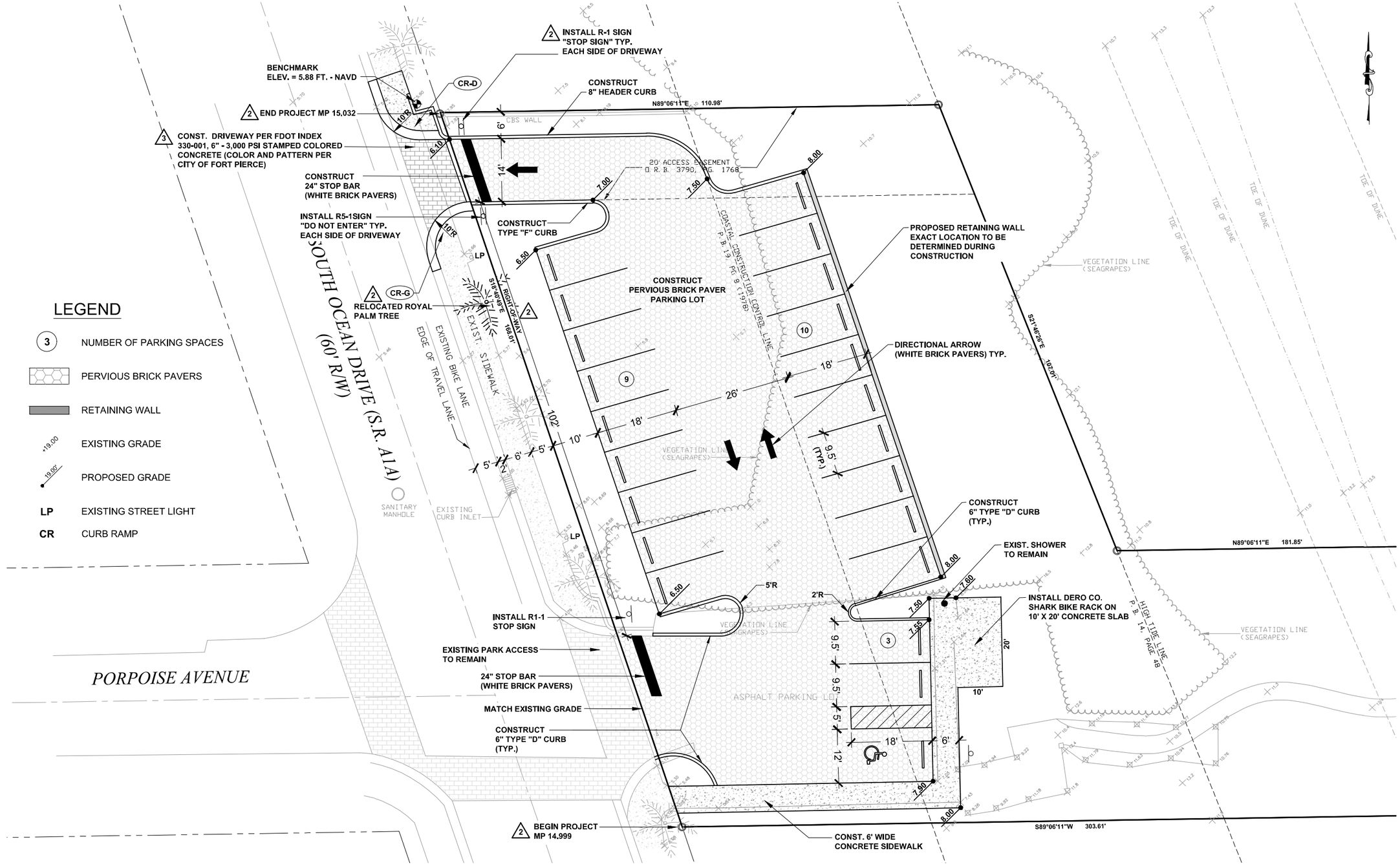
CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING
100 NORTH U.S. 1 P.O. BOX 1480
FORT PIERCE FLORIDA, 34954

DATE: JANUARY 12, 2021
SURVEY BY:
DESIGNED BY:
SCALE: 1" = 20'
DRAWN BY:
APPROVED BY:

SHEET No.
3 OF **8**

JOHN ROY ANDREW — LICENSE NO. 66544 — STATE OF FLORIDA — PROFESSIONAL ENGINEER
7/14/21

Q:\Engineering CADD Files\Drawings\Facilities\Parks\Porpoise Beach Access\Porpoise Avenue Beach Access Parking Improvements.dwg



GENERAL NOTES:

1. ALL EXISTING PARK SIGNS TO BE RELOCATED AS NEEDED. CONTRACTOR TO CONSULT WITH PROJECT MANAGER ON NEW SIGN LOCATIONS.
2. CURB RAMPS TO BE CONSTRUCTED WITH DETECTABLE WARNINGS PER DETAIL ON PLAN SHEET 6 OF 8.
3. DISTURBED AREAS TO RECEIVE FULL SOD.

Q:\Engineering CADD Files\Drawings\Facilities\Parks\Porpoise Beach Access\Porpoise Avenue Beach Access Parking Improvements.dwg

PORPOISE AVENUE BEACH ACCESS PARKING IMPROVEMENTS
PARKING LOT CONSTRUCTION PLAN

No.	DATE	BY	REVISIONS
1	2/10/21	T.T.	PARKING LOT
2	5/26/21		REV. PER FDOT
3	10/06/21		REV. PER FDOT

FORT PIERCE, FL · THE SUNRISE CITY

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING
100 NORTH U.S. 1 P.O. BOX 1480
FORT PIERCE FLORIDA, 34954

DATE: JANUARY 12, 2021

SURVEY BY:

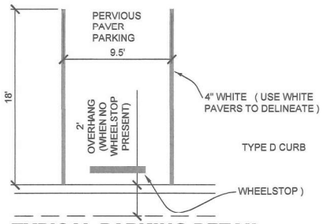
DESIGNED BY:

SCALE: 1" = 10'

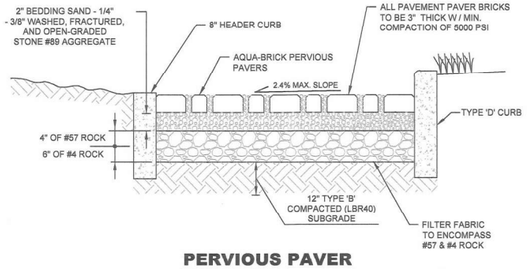
DRAWN BY:

APPROVED BY:

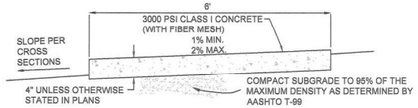
SHEET No. **4** OF **8**



TYPICAL PARKING DETAIL
N.T.S.



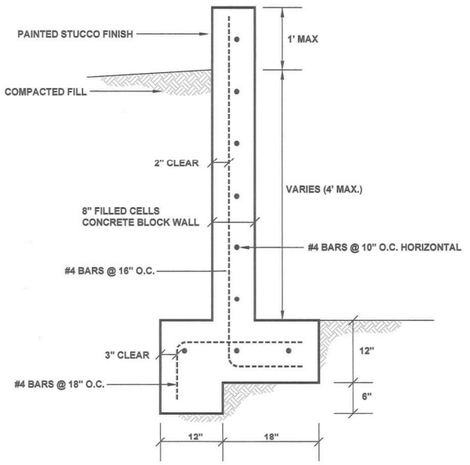
PERVIOUS PAVER PARKING DETAIL



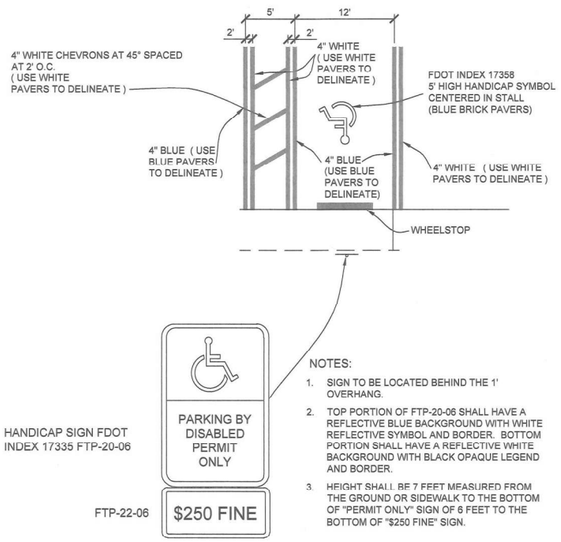
NOTES:

1. PROVIDE EXPANSION JOINTS 20' CENTER TO CENTER, AT PC & PT OF CURVES, JUNCTIONS OF EXISTING & NEW SIDEWALKS, AND WHERE SIDEWALK ABUTS CURBS, DRIVEWAYS & SIMILAR STRUCTURES.
2. PROVIDE CONTRACTION JOINTS 5' CENTER TO CENTER.
3. SOD SHALL BE PLACED BELOW EDGE OF SIDEWALK TO ALLOW DRAINAGE.
4. ADA MATS TO BE BRICK WITH TRUNCATED DOMES.

TYPICAL CONCRETE SIDEWALK
N.T.S.



TYPICAL RETAINING WALL
N.T.S.



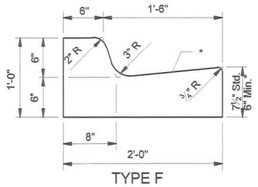
HANDICAP SIGN FDOT INDEX 17335 FTP-20-06

FTP-22-06

NOTES:

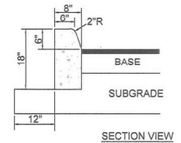
1. SIGN TO BE LOCATED BEHIND THE 1' OVERHANG.
2. TOP PORTION OF FTP-20-06 SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
3. HEIGHT SHALL BE 7 FEET MEASURED FROM THE GROUND OR SIDEWALK TO THE BOTTOM OF "PERMIT ONLY" SIGN OF 6 FEET TO THE BOTTOM OF "$250 FINE" SIGN.

HANDICAP PARKING DETAIL
N.T.S.



TYPE F

FDOT INDEX 520-001 TYPE F CURB
N.T.S.

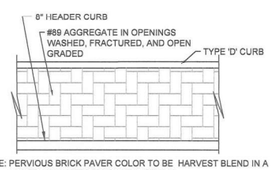


SECTION VIEW

NOTES:

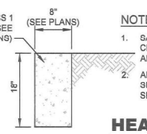
1. SAW CUT CONTRACTION JOINTS ON 10' CENTERS MAX. WITHIN 48 HOURS AFTER POURING CURB.
2. ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH FDOT SPECIFICATIONS SECTION 520 AND FDOT ROADWAY & TRAFFIC DESIGN STANDARDS INDEX NUMBER 300.

FDOT INDEX 520-001 TYPE D CURB
N.T.S.



NOTE: PERVIOUS BRICK PAVER COLOR TO BE HARVEST BLEND IN A HORIZONTAL HERRING BONE PATTERN

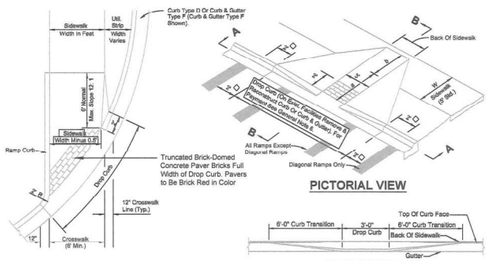
PERVIOUS PARKING BRICK PAVER LAYOUT DETAIL
N.T.S.



NOTES:

1. SAW CUT CONTRACTION JOINTS ON 10' CENTERS MAX. WITHIN 48 HOURS AFTER POURING CURB.
2. ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH FDOT SPECIFICATIONS SECTION 520.

HEADER CURB DETAIL
N.T.S.



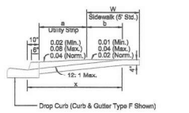
PLAN VIEW

PICTORIAL VIEW

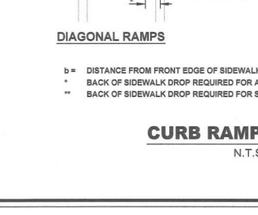
SECTION AA

W	a	W + a + 10"	X	b
5'	0"	5.8'	5.8'	5.07'
6'	0"	6.8'	6.8'	6.07**
7'	0"	7.8'	7.3'	6.57**
8'	0"	8.8'	7.3'	6.57**
5'	2.0'	7.8'	7.8'	6.0'
5'	2.5'	8.3'	8.1'	4.8'
5'	3.0'	8.8'	8.3'	4.4'
5'	3.5'	9.3'	8.4'	4.1'
5'	4.0'	9.8'	8.6'	3.8'
5'	4.5'	10.3'	8.7'	3.4'
5'	5.0'	10.8'	8.9'	3.1'

* b=x-(a +10")



SECTION BB



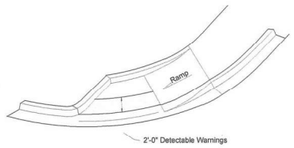
DIAGONAL RAMPS

◇ NOT LESS THAN 2' FULL HEIGHT CURB ADJACENT TO DIAGONAL RAMP AND WITHIN CROSSWALK LIMITS

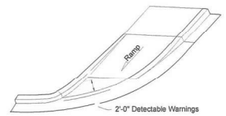
⊡ CROSSWALK WIDTHS AND CONFIGURATION VARY.

b = DISTANCE FROM FRONT EDGE OF SIDEWALK TO BACK POINT OF 12: 1 SLOPE.
* BACK OF SIDEWALK DROP REQUIRED FOR ALL SIDEWALK SLOPES.
** BACK OF SIDEWALK DROP REQUIRED FOR SIDEWALK SLOPES 0.04 AND PART 0.02.

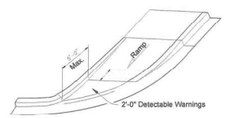
CURB RAMPS DETAIL
N.T.S.



ISOMETRIC VIEW

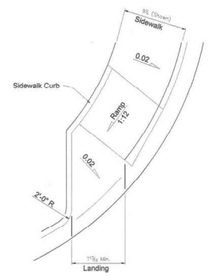


OPTION A



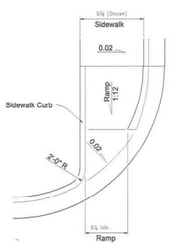
OPTION B

ISOMETRIC VIEW



PLAN VIEW

CR-D



PLAN VIEW

CR-G

FDOT INDEX 522-002 DETECTABLE WARNINGS AND SIDEWALK CURB RAMPS
N.T.S.

7/2/21

PORPOISE AVENUE BEACH ACCESS PARKING IMPROVEMENTS
SITE DETAILS

No.	DATE	BY	REVISIONS

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING
100 NORTH U.S. 1 P.O. BOX 1480
FORT PIERCE FLORIDA, 34954

DATE: JANUARY 12, 2021

SURVEY BY:

DESIGNED BY:

SCALE: N.T.S.

DRAWN BY:

APPROVED BY:

SHEET No. 6 OF 8

Q:\Engineering CADD Files\Drawings\Facilities\Parks\Porpoise Beach Access\Porpoise Avenue Beach Access Parking Improvements.dwg

City Commission Regular Meeting - 4:30 pm **11. e.**

Meeting Date: 11/15/2021

Re: 714 N 17th Street - Request to reduce demolition lien

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

---

SUBJECT:

Approve staff recommendation in response to request to reduce demolition lien in the amount of $9,255.24 against 714 N 17th Street, Fort Pierce, FL, Parcel ID# 2404-816-0015-000/9 owned by 2nd Generation Building Corp, by waiving the interest, penalties and a portion of the administrative costs in the amount of 2,844.74, leaving a **balance due of $6,410.50 payable in 60 days**. The applicant is asking to waive all costs and fees in the amount of $9,255.24 leaving a balance due of $0.00, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.

SUMMARY:

Request by applicant, 2nd Generation Building Corp, to waive all costs including City incurred charges, administrative fees, interest and penalties in the amount of $9,255.24.

RECOMMENDATION:

Staff recommends waiving a portion of the administrative fees, interest and penalties only in the amount of $2,844.74, leaving a balance due of $6,410.50 payable in 60 days.

- $6,390.50 demolition fee
- $20.00 recording fees

ALTERNATIVES:

Approve the applicant's request.
Determine an alternate amount.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Code Compliance Manager

COORDINATED WITH:

Finance Department
City Attorney's Office

Fiscal Impact

OTHER INFORMATION:

Revenue of $6,410.50 to the General Fund.

Attachments

Reduction Request - Demolition

Deed
Code Enforcement History Report
Financial Report - Demolition

Form Review

Inbox	Reviewed By	Date
City Manager	Peggy Arraiz	11/02/2021 10:41 AM
City Manager	Nick Mimms	11/04/2021 08:52 AM

Form Started By: Peggy Arraiz Started On: 11/01/2021 12:03 PM
Final Approval Date: 11/04/2021

THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF LOT CLEARING OR DEMOLTION LIEN

Date:	10-21-21				
Property address:	714 N. 17th Street				
Owner(s) of record:	2nd Generation Building Corp.				
Mailing address:	966 NW Leonardo Circle				
Property tax ID #:	2404-816-0015-000-9				
Original purchase date:	10/8/21	Original purchase price:			
Property is used for:	☐ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☑ Vacant Lot
Name of person requesting reduction:	Joseph Basso	Relationship to owner(s)	Self		
Telephone #:	772-201-0280	Mobile phone #:	772-201-0280		
E-mail:	ginger@2ndgbc.com	Preferred contact method:	email		
What are owner(s) intentions for property:	build s/f homes, duplexes				
Are there current code violations?	☑ No	☐ Yes	Explain: (please attached notice)		
Is property listed for sale?	☑ No	☐ Yes	If yes, what is listing price?		
Is property under contract for sale?	☑ No	☐ Yes	If yes, what is the sale price?		

City incurred charges (lot clearing, demolition, etc)	$ 6390.50
Administrative fees	$ 100.00
Interest	$ 2303.95
Penalties	$ 460.79
TOTAL AMOUNT DUE TO CITY	$ 9255.24
DOLLAR AMOUNT REQUESTING TO BE WAIVED	$ 9255.24
DOLLAR AMOUNT I AGREE TO PAY	$ 0

Signature of Owner or Representative

10-22-21
Date

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address:	714 N. 17th Street

I acknowledge that I have been provided a copy of Rule 17 of the Rules of Procedure for the City of Fort Pierce Code Enforcement Board and Special Magistrates and that I have read the rules and being advised as such make the following request:

☐ I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(h), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or Code Enforcement Board.

☒ I am requesting that my application for lien reduction be considered and a determination made by the City Commission of the City of Fort Pierce.

Signature of Owner or Representative

10-22-21
Date

COFP – APPLICATION PROCESS DETERMINATION

☑ Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

☐ Staff has reviewed the request for lien reduction and does not agree to process the application as requested by the signing party. The matter will be placed before the City Commission for final determination.

Comments:

City Representative

11/1/2021
Date

MICHELLE R. MILLER, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4944099 OR BOOK 4710 PAGE 2384, Recorded 10/27/2021 02:42:53 PM

QUIT CLAIM DEED

Prepared by and return to:
Mildner & Associates P.A.
423 Delaware Avenue
Fort Pierce, FL 34950

Property Appraiser's Parcel Identification Number: 2404-816-0015-000-9

THIS QUIT CLAIM DEED made this 21st day of October, 2021, by TRUFORT, INC., a Florida Corporation, first party "Grantor" to 2nd GENERATION BUILDING CORPORATION, a Florida Corporation, second party "Grantee."

(Whenever used herein the terms "first parties" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the first parties, for and in consideration of the sum of Ten Dollars ($10.00) in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situated, lying and being in the County of St. Lucie, State of Florida, to wit:

Lot 15, Less the North 5 Feet and Lots 16 and 17, Block 1, Highland Park Re-Subdivision, according to the Plat thereof, recorded in Plat Book 9, Page 11 of the Public Records of St. Lucie County, Florida.

Also known as: 714 N 17th Street, Fort Pierce, FL 34950

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the said first parties, either in law or equity to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF the said first parties has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature

James Steiler III

Printed Name

Witness Signature

Richard Benarry

Printed Name

TRUFORT, INC., a Florida Corporation
By its President, Sukru Tunca

STATE OF FLORIDA
COUNTY OF Brevard

I HEREBY CERTIFY that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared SUKRU TUNCA as President of TRUFORT, INC., a Florida Corporation by means of [✓] physical appearance or [ ] online notarization known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same. [ ] Said person is personally known to me, OR [✓] Said person provided the following type of identification: Florida driver license

WITNESS my hand and official seal in the County and State last aforesaid this 21 day of October, 2021.

Notary Public, State of Florida
My Commission Expires: Jan 16 2022

Anthony Mojica
Comm.:GG 175438
Expires: Jan. 16, 2022
Notary Public - State of Florida

2404-816-0015-000/9
714 N 17TH ST FT PIERCE FL 34950

CASE NUMBER	CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
96-00004164	SCRAPS AND WASTES	8/26/96	IN COMPLIANCE	9/11/96
97-00000914	SCRAPS AND WASTES	2/26/97	IN COMPLIANCE	7/31/97
97-00000915	NON-OPERATIVE/UNLICENSES VEHCL	2/26/97	IN COMPLIANCE	3/15/97
97-00008767	CODE ENFORCEMENT VIOLATION	12/22/97	IN COMPLIANCE	1/06/98
98-00002006	NON-OPERATIVE/UNLICENSES VEHCL	3/12/98	IN COMPLIANCE	5/13/98
98-00002007	SCRAPS AND WASTES	3/12/98	IN COMPLIANCE	3/30/98
00-00006359	NUISANCE ABATEMENT	10/24/00	IN COMPLIANCE	3/21/01
02-00010725	PROPERTY MAINTENANCE	7/18/02	IN COMPLIANCE	2/07/03
02-00010726	NUISANCE ABATEMENT	7/18/02	IN COMPLIANCE	2/07/03
02-00010727	NUISANCE ABATEMENT	7/18/02	IN COMPLIANCE	2/07/03
04-00001644	CODE ENFORCEMENT VIOLATION	7/08/04	IN COMPLIANCE	7/08/04
05-00001478	BUILDING VIOLATION	5/26/05	CLOSED	9/15/21
06-00000228	LOT CLEARING	2/01/06	IN COMPLIANCE	9/17/08
06-00001316	LOT CLEARING	5/01/06	IN COMPLIANCE	8/28/08
12-00001943	CODE ENFORCEMENT VIOLATION	11/29/12	CLOSED	1/30/14
13-00000675	CONDEMNATION (BLDG)	2/01/13	INVOLUNTARY COMPLIANCE	10/12/15
13-00001840	LOT CLEARING	8/27/13	INVOLUNTARY COMPLIANCE	1/06/14
14-00001446	CODE ENFORCEMENT VIOLATION	7/10/14	FINES/LIENS RUNNING	10/14/14
14-00001447	LOT CLEARING	7/10/14	INVOLUNTARY COMPLIANCE	11/13/14
15-00001381	LOT CLEARING	8/20/15	INVOLUNTARY COMPLIANCE	11/01/21
19-00000318	LOT CLEARING	2/01/19	INVOLUNTARY COMPLIANCE	3/30/19
19-00002319	LOT CLEARING	8/20/19	INVOLUNTARY COMPLIANCE	1/03/20
20-00002574	LOT CLEARING	11/06/20	Destruction Date	2/24/21

MR430I01 CITY OF FORT PIERCE FINANCE DEPARTMENT 9/14/21
Miscellaneous Receivables Inquiry 12:09:45

Customer ID . . . : 4749 Name: 714 N 17TH ST TRUFORT INC
Last statement . : 9/06/21 Addr: 240481600150009 TRUFORT INC
Last invoice . . : 1/08/20 FT PIERCE, FL 34950
Current balance . : 1,904.50
Pending . . . . . : .00 Status: A ACTIVE
Previous balance : 1,904.50 Type: 001 0000 115 02 00 LC
Deposit balance . : .00
Type options, press Enter. Open Activity
1=Select

Opt	Code	Description	Total due
	INT01	LC INTEREST CHARGE 6%/YR	378.75
	LOTAD	LOT CLEARING ADMIN FEE	500.00
	LOT02	LC	950.00
	PEN01	LC PENALTY CHARGES OF .1%	75.75

MR430I01 CITY OF FORT PIERCE FINANCE DEPARTMENT 9/14/21
Miscellaneous Receivables Inquiry 12:11:36

Customer ID . . . : 4749 Name: 714 N 17TH ST TRUFORT INC
Last statement . : 9/06/21 Addr: 240481600150009 TRUFORT INC
Last invoice . . : 9/30/15 FT PIERCE, FL 34950
Current balance . : 9,255.24
Pending . . . . . : .00 Status: A ACTIVE
Previous balance : 9,255.24 Type: 001 0000 115 03 00 DEMO
Deposit balance . : .00
Type options, press Enter. Open Activity
1=Select

Opt	Code	Description	Total due
	DEMOA	ADMINISTATION/DEMO	100.00
	DEMO5	DEMOLITION	6390.50
	INT	DM INTEREST CHARGE 6%/YR	2303.95
	PEN	DM PENALTY CHARGES OF .1%	460.79

- HE

9255.24
- 6390.50 + 20.- 6410.50
2864.74
- 20.00 (recording fees)
2844.74

City Commission Regular Meeting - 4:30 pm **11. f.**

Meeting Date: 11/15/2021

Re: Approval of SA No. 7 (RFQ No. 2019-027) - EDC, Inc. - Avenue D Improvements (Indian River Drive to 29th Street)

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Approval of Engineering Design & Construction, Inc. (EDC) Specific Authorization No. 7 in the amount not to exceed $92,575 for Avenue D roadway improvements.

SUMMARY:

This specific authorization will provide professional design services for the proposed Avenue D roadway improvements. The portion of Avenue D located between Indian River Drive and U.S. Highway 1 is slated for reconstruction complete with new drainage facilities, curb & gutter, sidewalks, lighting, and landscaping. Avenue D between U.S. Highway 1 and 29th Street, will be milled and repaved. New stamped asphalt crosswalks along with associated ADA upgrades will be constructed where the current brick paver crosswalks exist. Funding of the $92,575 was approved by the FPRA board during the November 9, 2021 meeting.

RECOMMENDATION:

Staff recommends approval.

ALTERNATIVES:

Deny and contract with another continuing service provider chosen under RFQ 2019-027 process.

RESPONSIBLE STAFF:

Engineering

COORDINATED WITH:

Planning

Fiscal Impact

Budgeted Y/N:	N/A
Fiscal Year:	N/A
Account:	N/A
Amount:	N/A

OTHER INFORMATION:

FPRA funding in the amount of $92,575.00. FPRA Account No. 104-9400-554-3490, will be utilized for these services.

Attachments

SA No. 7 - CA Signed - 102621

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 08:50 AM

Form Started By: Tracy Telle
Started On: 10/28/2021 09:01 AM
Final Approval Date: 11/04/2021

SPECIFIC AUTHORIZATION NO. 7

AVENUE D ROADWAY RECONSTRUCTION (INDIAN RIVER DRIVE TO 29TH STREET)

PROFESSIONAL SERVICES

SCOPE OF SERVICES

Pursuant to the continuing agreement related to "RFQ No. 2019-027 – Engineering Services" (hereinafter referred to as "AGREEMENT" between the **City of Fort Pierce** (hereinafter referred to as "CITY") and **Engineering Design and Construction, Inc.** (hereinafter referred to as "ENGINEER") dated the 1st day of August 2020, CITY authorizes the ENGINEER to provide professional services as detailed herein.

The CITY desires professional services related to the Avenue D Roadway Reconstruction project, hereinafter referred to as the "Project".

Section 1 - Scope of Work and Schedule of Services

ENGINEER will provide the following services in accordance with this AUTHORIZATION:

Professional consultant services are required for the preparation of engineering plans and specification package to support the design and bidding of improvements to Avenue D between Indian River Drive and 29th Street. The proposed services and scope of work are more particularly described in Exhibit "A", which is attached hereto and incorporated by reference herein.

Section 2 - Deliverables

ENGINEER shall provide the following deliverables to the CITY as list below and described in Exhibit "A", which is attached hereto and incorporated by reference herein:

60% Design Drawings	16 Weeks from NTP
100% Design Drawings	20 Weeks from NTP

Section 3 - Method and Amount of Compensation

CITY will compensate ENGINEER for services under this AUTHORIZATION in accordance with the payment method as set forth in Exhibit "A", which is attached hereto and incorporated by reference herein.

The budget (or fee) for the services is not to exceed $92,575.00

SPECIFIC AUTHORIZATION NO. 7

AVENUE D ROADWAY RECONSTRUCTION (INDIAN RIVER DRIVE TO 29TH STREET)

PROFESSIONAL SERVICES

Section 4 - CITY's Responsibilities

CITY hereby designates the City Engineer or his designee as CITY's representative for matters related to this AUTHORIZATION.

Section 5 - Other Provisions

All applicable portions of the AGREEMENT not specifically modified herein shall remain in full force and effect and are incorporated by reference herein.

IN WITNESS WHEREOF, this AUTHORIZATION has been fully executed on behalf of the ENGINEER by its duly authorized officer, and the CITY has caused the same to be duly executed in its name and in its behalf, effective as of the date herein above written.

CITY OF FORT PIERCE, FLORIDA:

By: _____ Date: _____
Linda Hudson, Mayor

ENGINEERING DESIGN & CONSTRUCTION, INC.

By: _____ Date: 10-14-21
Roderick Kennedy, P.E., President

APPROVED AS TO FORM & CORRECTNESS:

By: _____ Date: 10/25/2021
Tanya Earley, City Attorney

EXHIBIT "A"

ENGINEERS & SURVEYORS
ENVIRONMENTAL

October 12, 2021

City of Fort Pierce
Attn: Tracy Telle, Assistant City Manager
100 North US 1
Fort Pierce, FL 34950

via e-mail: ttelle@cityoffortpierce.com

Subject: Proposal for Professional Services associated with Civil Design Associated with a portion of Avenue D – Fort Pierce, FL

To Whom it May Concern:

We appreciate the opportunity to submit the following proposal for professional services regarding design services associated with approximately 1.85 mile +/- of Avenue D from 29 Street to Indian River Drive in Fort Pierce, FL.



This proposal includes design services associated with roadway improvements that includes paving, mill & overlay, grading, curbing, drainage, striping, signage and pedestrian connectivity for the entire alignment. The proposal also includes design services for landscaping, lighting, and irrigation for a limited portion between US-1 and Indian River Drive. Pursuant to your email dated September 22, 2021, the scope of service will include deliverables at the 60% and 100% design stage. Permitting of proposed improvements is not include as part of this proposal. Per coordination with the City, we understand this project scope WILL NOT include services for water, wastewater, and communication utility design (to be provided by FPUA). However, we will provide coordination with FPUA on relocating existing overhead electrical (poles) to underground between US-1 and Indian River Drive. It is assumed the as-built drawings provide by the City of Fort Pierce may be used for design of improvements between 25th Street and US-1. If you agree with the proposed tasks please sign and return to me as authorization to proceed. Thank you for the opportunity to serve as your civil engineering consultants.

Respectfully,
ENGINEERING DESIGN & CONSTRUCTION, INC.

Roderick Kennedy, P.E.
President

EXHIBIT "A"

SCOPE OF PROFESSIONAL SERVICES

For

AVENUE D (29TH STREET TO INDIAN RIVER DRIVE)

1. **TEAM / AGENCY MEETINGS AND SITE VISIT:** CONSULTANT will attend periodic development meetings with the CLIENT and team to discuss the schedule and progress of the work. As required, the CONSULTANT will coordinate with the CLIENT and other professionals to collect and submit required documents to the various agencies. The includes coordination with the Florida East Coast Railway (FEC) for work around the existing railroad tracks. The task includes coordination with FPUA for relocation of existing overhead electrical (poles) being converted to underground between US-1 and Indian River Dr. This task includes a field walkthrough by the CONSULTANT during the design phase to note existing features and design constrains for the proposed improvement.

   Time & Expense: $ 5,200.00

2. **CONSTRUCTION PLANS:** Based on the CLIENT-approved final roadway layout, the CONSULTANT will design and prepare construction plans and "short-form" specifications (included with the construction plans) for the paving, grading, drainage and erosion control for the proposed improvements to a 1.85 mile portion of Avenue D. The design will include the following:

   Avenue D – U.S. Highway 1 to 29th Street (Original plans available for the existing R/W improvements between US 1 and 25th Street):
   a) Mill and resurface existing roadway 1-1/4"
   b) Thermoplastic striping (double yellow centerline, on-street parking re-striping, etc.)
   c) Removal of all brick paver crosswalks and the installation of new stamped asphalt crosswalks.

   Avenue D – U.S. Highway 1 to Indian River Drive:
   a) Complete roadway reconstruction (design to include roadway reconstruction, curb & gutter, sidewalks, drainage, landscaping, irrigation, and street lighting). The street lighting shall be the City approved Sternberg light fixture and pole.
   b) Coordination with FPUA as the electric will be converted from overhead to underground and they will be designing a new layout for water and sewer upgrades.

   The plans will meet the requirements of the CLIENT and relevant agencies, and will include the following: cover sheet, horizontal control, paving, grading, drainage, signage pavement markings, and associated details and short-form specifications. Construction plans will be submitted to the CLIENT upon 60% completion and 100% completion. All comments will be incorporated into the final set of documents.

   Roadway Construction Plans Lump Sum: $52,500.00
   Landscape Plans US-1 to Indian River Dr Lump Sum: $3,925.00
   Irrigation Plans US-1 to Indian River Dr Lump Sum: $2,150.00

3. **DRAINAGE APPROVAL AND PIPE SIZING CALCULATIONS:** CONSULTANT will prepare drainage calculations and submit to the City of Fort Pierce Engineering Department for approval. The calculations will be prepared to meet the requirements of the State and Local guidelines. This task includes pipe sizing for the on-site drainage network between US-1 and Indian River Drive.

Lump Sum: $ 3,250.00

4. **COST ESTIMATE:** CONSULTANT will prepare an Engineer's Estimate of Probable Cost for the construction of the civil aspects of the project. The estimate will be prepared as one complete document for the CLIENT's budgeting purposes and provided in a spreadsheet format. This estimate is also used for submittal to the City of Fort Pierce.

Lump Sum: $ 2,850.00

5. **SPECIAL PURPOSE SURVEY (AVENUE D ROUTE TOPO):** CONSULTANT will prepare a Route Topographic Survey of the Avenue D ROW in Fort Pierce between 25th Street and 29th Street and between US-1 and Indian River Drive. The survey will be prepared under the supervision of a Professional Surveyor and Mapper licensed in the State of Florida, in accordance with the Standards of Practice for Surveying and Mapping in the State of Florida, as defined in Chapter 5J17-050 of the Florida Administrative Code. The survey will include:
    1. The survey consists of a +/-1,450 Lf Route Survey;
    2. Determinations of the right of way;
    3. The survey will consist of ground shots at 100' cross sections;
    4. Elevations are relative to the North American Vertical Datum of 1988 (NAVD 88);
    5. Location size, top and invert elevations of existing on-site drainage structures that are apparent and can be readily measured;
    6. Location and elevations of the existing ditches;
    7. Location of existing above ground utilities and/or flagged by others;
    8. Placement of four (4) benchmarks within the Project.
    9. CONSULTANT will locate and mark underground utilities utilizing Electromagnetic and Ground Penetrating Radar. (4 hour minimum). Scope: Locate within the ROW of Avenue D in Fort Pierce between 25th Street and 29th Street and between US-1 and Indian River Drive. The locates also include 50' north and south and 20' east and west of the ROW line on Avenue D.

Lump Sum: $ 15,450.00

6. **PREPARATION OF PHOTOMETRIC PLANS:** CONSULTANT will prepare photometric plans as required requested by the City of Fort Pierce of approximately 980 ft of Avenue D between US-1 and Indian River Drive in Fort Pierce. This scope includes power and photometric design for new Roadway Lighting, Pole boxes, and Fort Pierce Utilities Authority coordination (utilizing City of Fort Pierce Approved Fixtures). CONSULTANT will provide the following services as part of this task:

    (a) Coordinate with CLIENT to establish design criteria for site lighting photometrics.
    (b) Site Lighting Layout showing photometric light values, pole locations, and fixture types.
    (c) Coordinate and conform to applicable Building Codes and building departments.
    (d) Pole Boxes and electrical wiring / Circuitry design.
    (e) Responses to city review comments, if required.
    (f) Shipping / delivery of signed and sealed permit drawings.

(g) Railroad intersection lighting coordination.
(h) FDOT review not included.

SITE LIGHTING CERTIFICATION, if required at end of project, is not included in the scope or fees quoted herein, and will be an additional fee of: $850.00 (if required)

Lump Sum: $ 2,600.00

7. **GEOTECHNICAL EXPLORATION:** Based on our experience with subsurface conditions in the general site vicinity and our understanding of the proposed improvements, we propose to perform the following exploration program:

- The proposed scope will be performed between US-1 and Indian River Drive (980 LF) only.
- Coordinate the location of underground utilities
- Coordinate MOT as needed to complete the field work.
- Perform six (6) asphalt cores at locations within the roadway travel lanes so as to determine the thicknesses of the various elements in the existing pavement sections (i.e. asphaltic concrete wearing surface, base course, and subgrade) to depths of about 2-3 feet below the asphalt surface. The cores will be performed using a 4-inch (I.D.) diamond-tipped core barrel.
- Complete a 5-7-ft deep hand auger boring within each pavement core.
- Backfill the boreholes and cored areas with accumulated soils cuttings and fill the core holes with asphaltic "cold-patch" material.
- Prepare a subsurface exploration report incorporating the data obtained during the field and laboratory programs, and provide recommendations relative to the proposed improvements.

Please note that no laboratory testing (proctor, Limerock Bearing Ratio, gradation, etc.) is proposed herein. As such, AACE will use visual observations and our experience to estimate the quality of the surficial base course/subgrade materials relative to their compliance with typical requirements for such materials. Further, no asphalt testing (e.g. extraction/gradation, binder content, etc.) is proposed herein. If such testing is desired, we would be pleased to prepare a supplemental proposal (or revise this proposal) to include this work.

Lump Sum: $ 4,650.00

Total Contract: $ 92,575.00

EXHIBIT "A"

SCOPE OF PROFESSIONAL SERVICES

For

AVENUE D (29TH STREET TO INDIAN RIVER DRIVE)

1. Not Included: The following bulleted items are not included in this proposal and must be provided by the CLIENT or agreed to under separate contract with the CONSULTANT.

- Application Fees or Permitting Services.
- Utility Design.
- Landscape and Irrigation Design.
- Street Lighting Design.
- Services During Construction or Project Certification.
- Construction bidding services.
- Utility Sketch & Descriptions.
- Construction staking and surveying services (Typically contracted through contractor).
- Only task shown is being provided.

2. Invoices: Billing shall be invoiced on the percentage complete of the lump sum elements or for services actually accomplished for hourly rate elements. Fees for professional services rendered are due and payable upon receipt of invoice. In the event the CLIENT has an objection to any portion of said invoice, the CLIENT must notify the CONSULTANT in writing within ten (10) business days of the date of the invoice. Such notice of objection shall be accompanied by payment of any undisputed portion of said invoice. If written objection is not received within ten (10) business days it shall constitute approval of invoice by the CLIENT. All money owed to CONSULTANT for services rendered is due and payable within thirty (30) days of CLIENT being submitted an invoice, regardless of whether Contractor has been paid by property owner. Payments not received within thirty (30) days of invoice issue will be subject to a 1+½ % interest charge per month eighteen percent (18%) per annum compounding interest. Retainers are forfeited if project activity ceases for a period of 180 days.

3. Attorney's Fees and Costs / Dispute Resolution: CLIENT agrees to pay all reasonable attorney's fees and costs associated with CONSULTANT enforcing any provision of this Contract, including, but not limited to, payment for services rendered. Notwithstanding principles of conflicts of law of any jurisdiction to the contrary, all terms and provisions of this Agreement are to be construed and governed by the laws of the State of Florida without regard to the laws of any other jurisdiction wherein any party resides or performs any duties hereunder or where any violation of this Agreement occurred. Any claim arising out of collection activities for monies due under this Agreement shall be brought exclusively in the circuit or county courts of St. Lucie County and the parties hereby submit to personal jurisdiction in the State of Florida and to venue in St. Lucie County.

4. Contract Limits: This proposal is valid for a period of 60 days from the date of the CONSULTANT's signature. A CLIENT signed response received after the 60-day time period will be considered void. The CONSULTANT will re-submit the proposal with any necessary revisions for consideration by the CLIENT before any work begins. Work begins when the CONSULTANT receives a complete, original, signed agreement and any required retainer. The captions contained in this Agreement are for informational purposes only and are of no legal effect. They shall not be used to interpret or construe the provisions of this Agreement.

5. Documents: All original work shall be the property of the CONSULTANT. All documents furnished by the CONSULTANT are instruments of this service. Reproducible copies will be given to the CLIENT, at his request, if the CLIENT has satisfied all of its obligations under this Agreement. Any use or reuse of the original, or altered computer files by the CLIENT or others without written verification by CONSULTANT or other adaptation for the specific purpose intended will be at the CLIENT'S risk and full legal responsibility. Any verification of such adaptation by the CLIENT will entitle CONSULTANT to additional compensation at the current time and expense rate.

6. Limits of Liability: The CLIENT shall, to the fullest extent permitted by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, indemnify and hold CONSULTANT harmless from any and all claims, losses, damages, suits, liability, demands or costs arising out of or resulting there from. The CONSULTANT or his consultants, agents, representatives or employees shall not be liable to the CLIENT for indirect, special, reliance, incidental, consequential or exemplary, lost profits, other costs due to changing conditions, or for costs related to the failure of contractors to perform work in accordance with the plans and specifications, arising out of or concerning the performance of the services for this Agreement beyond the amount of fees paid for such services.

7. Cost Estimates: The CLIENT hereby acknowledges that the CONSULTANT cannot warrant that estimates of probable construction or operating costs provided by the CONSULTANT will not vary from actual costs incurred by the CLIENT.

8. Construction Services: Should Construction Administration Services be provided to the CLIENT by the CONSULTANT, it is understood that this service includes periodic observation of the contractor's work. The CONSULTANT does not, and shall not, act as a construction manager to direct and supervise the work being performed. Furthermore, the CONSULTANT shall not be held liable for specific construction errors or deficiencies not observed during any periodic observation of the contractor's work. In addition, the CONSULTANT will not be responsible for the Contractor's failure to perform the work in accordance with the contract documents. The CLIENT also agrees to indemnify and hold the CONSULTANT harmless for unsafe construction practices performed by the Contractor.

9. Severability: If any provisions of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid or enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

10. Remedies Not Exclusive: All rights, duties and obligations of the parties are in addition to, and not substitution of, all rights, duties and obligations provided by applicable law. No remedy provided in this Agreement, or otherwise confirmed upon or available to the parties, will be considered exclusive of any other remedy, but will be cumulative and in addition to every other remedy provided in this Agreement, or presently or hereafter existing. No delay or omission to exercise any right or remedy will impair the same or be construed as a waiver.

11. Non-Waiver of Contractual Rights: The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of Agreement.

12. Termination: The obligation to provide further services under this agreement may be terminated by either party upon thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. However, CONSULTANT may, after giving seven (7) days written notice to the CLIENT, suspend services under this agreement for non-payment of invoices. CONSULTANT shall be compensated for all services performed to the termination date together with expenses then due and all termination expenses.

13. Advice of Counsel: Each party acknowledges that it has reviewed carefully all provisions contained in this Agreement prior to its execution. Each party acknowledges further that they have had the opportunity to seek advice of an attorney of their choice. Each party agrees that they have executed this Agreement freely and voluntarily and believes this Agreement to be fair, just and reasonable.

~~**14. Advertising:** The CONSULTANT retains the right to post a Company sign on the subject property once planning and civil design commence. The sign will be no larger than 3' by 4' and include the CONSULTANT's name, Company description, and phone number. All costs to create and install the design will be solely incurred by the CONSULTANT. The sign will be located in a convenient unobtrusive location and will be removed once the project is complete.~~

15. Schedule of Hourly Charges:

PRINCIPAL ENGINEER / PLANNER / ENVIRONMENTAL SCIENTIST / SURVEYOR	$ 175.00
SENIOR PROJECT MANAGER	$ 160.00
DRONE TECHNOLOGY	$ 140.00
SURVEY CREW	$ 135.00
PROJECT MANAGER (ENGINEERING, ENVIRONMENTAL, PLANNING, SURVEYOR)	$ 135.00
PROJECT ENGINEER / PLANNER / ENVIRONMENTAL SCIENTIST	$ 110.00
INSPECTOR / ENVIRONMENTAL FIELD/INTERIOR DESIGNER	$ 90.00
CADD TECH	$ 85.00
EXPERT WITNESS	$ 300.00
ADMINISTRATIVE STAFF / CLERICAL	$ 45.00

~~**16. Reimbursable Expenses:** Please note, submitted invoices will also include five (5%) service charge to cover items including mileage, postage, copies, and other administrative costs. Other direct expenses including out of region travel expenses, out-of-office reproduction or photographic services, special mailing or delivery services, contract services authorized by the CLIENT, sub-consultant fees, permit fees authorized by the CLIENT, legal advertisements and notices, and special materials will be the responsibility of the CLIENT. A fifteen percent (15%) handling and administrative charge will be added to the above mentioned "other direct expenses".~~

IN WITNESS WHEREOF, the CLIENT and CONSULTANT have executed this Agreement the day and year indicated below. By execution of this Agreement, both the CLIENT and the CONSULTANT agree to the conditions reflected in the attached proposal including the Special Provisions.

As to **CONSULTANT**
Engineering Design & Construction, Inc.

_____
Roderick Kennedy, P.E., President

Dated: October 12, 2021

As to **CLIENT**
City of Fort Pierce

_____
Name/Title:

Dated: _____

Client Billing Name: _____

Client Billing Address: _____

Billing Email Address: _____

City Commission Regular Meeting - 4:30 pm **11. g.**

Meeting Date: 11/15/2021

Re: Approval of Request to Allocate Funds for the Oaks at Moore Creek Phase II Infrastructure Construction

Submitted For: Audria Moore-Wells, Special Projects Coordinator, City Manager

---

SUBJECT:

Approval of Request to Allocate Funds for the Oaks at Moore Creek Phase II Infrastructure Construction.

SUMMARY:

The City of Fort Pierce is currently observing a substantial deficit of affordable housing and this subdivision will help to bolster inventory. This project, The Oaks at Moore's Creek Phase II, will extend Means Court to provide a paved public roadway complete with storm drainage facilities, sidewalks, curb and gutter, street lighting, water distribution system, and a sanitary sewer collection system to support the creation of a 15-lot single-family subdivision. The homes will be sold to property owners in accordance with the specifications defined under the State of Florida affordable housing requirements.

RECOMMENDATION:

Staff recommends approval.

ALTERNATIVES:

Staff will proceed as directed by the City Commission.

RESPONSIBLE STAFF:

Audria Moore-Wells, Special Projects Coordinator
Tracy Telle, Assistant City Engineer

COORDINATED WITH:

Nicholas C. Mimms, P.E., ICMA-CM, City Manager
John Andrews, City Engineer,
Tracy Telle, Assistant City Engineer
OMCII, LLC Development Team

Fiscal Impact

Budgeted Y/N: N
Fiscal Year: N/A
Amount: $722,332.69
OTHER INFORMATION:

Funding of the $722,332.69 will be encumbered from the following funding sources:

- $331,882.08 from Road Impact Fees (Account No. 110-1111-519-6310),
- $161,283.34 from SMU Fund (Account No. 403-4300-538-3490),
- and the remaining $212,542.59 shall be funded from a source to be determined.

Attachments

Infrastructure Construction Estimate
Development Conceptual Design

Form Review

Inbox	Reviewed By	Date
City Manager	Audria Moore-Wells	11/10/2021 02:13 PM
City Manager	Nick Mimms	11/10/2021 02:49 PM
City Manager	Nick Mimms	11/10/2021 02:50 PM

Form Started By: Audria Moore-Wells Started On: 11/03/2021 02:36 PM
Final Approval Date: 11/10/2021

MEANS COURT EXTENSION (AVENUE B TO MOORE'S CREEK)
NOVEMBER 10, 2021

Item No.	Description	Units	Quantity	Unit Price	Amount	City Road Impact Fees	SMU Funding	Water/Sewer
ROADWAY, DRAINAGE, WATER, SEWER, AND STREET LIGHTING								
101-1	MOBILIZATION/GENERAL CONDITIONS (NON-UTILITIES)	LS	1	$ 60,000.00	$ 60,000.00	$ 30,000.00	$ 30,000.00	$ -
101-2A	MATERIAL TESTING (NON-UTILITIES)	LS	1	$ 5,000.00	$ 5,000.00	$ 2,500.00	$ 2,500.00	$ -
102-1	MAINTENANCE OF TRAFFIC	LS	1	$ 15,000.00	$ 15,000.00			$ -
104-2	PREVENTION, CONTROL & ABATEMENT OF EROSION AND WATER POLLUTION	LS	1	$ 5,000.00	$ 5,000.00	$ 1,666.66	$ 1,666.67	$ 1,666.67
108-1	CONSTRUCTION SURVEY (NON-UTILITIES)	LS	1	$ 8,000.00	$ 8,000.00	$ 5,000.00	$ 3,000.00	$ -
110-1-1	CLEARING & GRUBBING	AC	0.8	$ 8,500.00	$ 6,800.00	$ 6,500.00	$ 2,000.00	$ -
120-1	REGULAR EXCAVATION	CY	914	$ 11.00	$ 10,054.00	$ 10,054.00	$ -	$ -
120-6	EMBANKMENT	CY	75	$ 25.00	$ 1,875.00	$ 1,875.00	$ -	$ -
160-4	STABILIZATION, TYPE "B"	SY	2,085	$ 8.00	$ 16,680.00	$ 16,680.00	$ -	$ -
285-706	CEMENTED COQUINA LBR 100 (8")	SY	2,085	$ 13.25	$ 27,626.25	$ 27,626.00	$ -	$ -
334-1-13A	SUPERPAVE ASPHALTIC CONCRETE (SP-9.5) 1"	TN	109	$ 180.00	$ 19,620.00	$ 19,620.00	$ -	$ -
334-1-13B	SUPERPAVE ASPHALTIC CONCRETE (SP-12.5) 1.5"	TN	144	$ 140.00	$ 20,160.00	$ 20,160.00	$ -	$ -
425-1-201	INLETS (CURB TYPE 9) (<10')	EA	2	$ 6,000.00	$ 12,000.00	$ -	$ 12,000.00	$ -
425-5-1	INLETS (J BOTTOM) (<10')	EA	1	$ 7,500.00	$ 7,500.00	$ -	$ 7,500.00	$ -
425-2-041	MANHOLES (P-7)(<10')	EA	2	$ 4,500.00	$ 9,000.00	$ -	$ 9,000.00	$ -
430-175-118	CONCRETE PIPE CULVERT (18" RCP)	LF	180	$ 160.00	$ 28,800.00	$ -	$ 28,800.00	$ -
520-1-10	CONCRETE CURB & GUTTER (TYPE F)	LF	1,221	$ 20.00	$ 24,420.00	$ -	$ 24,420.00	$ -
522-1	CONCRETE SIDEWALK, 4" THICK	SY	860	$ 50.00	$ 43,000.00	$ 43,000.00	$ -	$ -
570-1-2	PERFORMANCE TURF (SOD) (BAHIA)	SY	3,256	$ 2.50	$ 8,140.00	$ -	$ 8,140.00	$ -
700-20-11	SINGLE POST SIGN (FURNISH & INSTALL) (LESS THAN 12 SF)	AS	1	$ 3,300.00	$ 3,300.00	$ 3,300.00	$ -	$ -
711-11-121	THERMOPLASTIC (STANDARD) (WHITE) 6"	LF	4,427	$ 1.00	$ 4,427.00	$ 4,427.00	$ -	$ -
711-11-123	THERMOPLASTIC (STANDARD) (WHITE) 12"	LF	44	$ 2.00	$ 88.00	$ 88.00	$ -	$ -
711-11-125	THERMOPLASTIC (STANDARD) (WHITE) 24"	LF	11	$ 3.50	$ 38.50	$ 39.00	$ -	$ -
711-11-221	THERMOPLASTIC (STANDARD) (YELLOW) 6"	LF	970	$ 1.00	$ 970.00	$ 970.00	$ -	$ -
UTL	POTABLE WATER AND SANITARY SEWER	LS	1	$168,367.40	$ 168,367.40	$ -	$ -	$ 168,367.40
SL	STREET LIGHTING	EA	12	$ 6,000.00	$ 72,000.00	$ 72,000.00	$ -	$ -
				TOTAL CONSTRUCTION COST:	$ 577,866.15	$ 265,505.66	$ 129,026.67	$ 170,034.07
				CONSTRUCTION CONTINGENCY 15%:	$ 86,679.92	$ 39,825.85	$ 19,354.00	$ 25,505.11
				ENGINEERING DESIGN 10%:	$ 57,786.62	$ 26,550.57	$ 12,902.67	$ 17,003.41
				ESTIMATED CONSTRUCTION/DESIGN COST:	**$ 722,332.69**	**$ 331,882.08**	**$ 161,283.34**	**$ 212,542.59**

50'-0" 70'-0" 70'-0" 60'-0" 60'-0" 60'-0" 60'-0" 60'-0" 60'-0"

LOT 8 THE SEABREEZE MODEL

LOT 9 THE HERON MODEL

LOT 10 THE MAJESTY MODEL

LOT 11 THE REGENCY MODEL

LOT 12 THE IBIS MODEL

LOT 13 THE MAJESTY MODEL

LOT 14 THE REGENCY MODEL

LOT 15 THE IBIS MODEL

96'-5 1/2"

DRY RETENTION AREA

SIDEWALK TO THE PARK

60'-0"

96'-5 1/2"

DRY RETENTION AREA

AVENUE B

LOT 7 THE HERON MODEL

LOT 6 THE SEABREEZE MODEL

LOT 5 THE REGENCY MODEL

LOT 4 THE IBIS MODEL

LOT 3 THE MAJESTY MODEL

LOT 2 THE REGENCY MODEL

LOT 1 THE IBIS MODEL

50'-0" 70'-0" 70'-0" 60'-0" 60'-0" 60'-0" 60'-0" 60'-0"

City Commission Regular Meeting - 4:30 pm **12. a.**

Meeting Date: 11/15/2021

Re: Legislative Hearing - Ordinance No. 21-031

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-031 amending the Comprehensive Plan to incorporate a Property Rights Element pursuant to Florida Statutes. SECOND READING

SUMMARY:

This Comprehensive Plan Amendment (Text Amendment) is being proposed consistent with Section 163.3177(6)(i)2, Florida Statutes (Chapter 2021-195, Laws of Florida), which requires a local government to adopt and include a property rights element in its Comprehensive Plan for any proposed plan amendment initiated after July 1, 2021. To this end, Staff has drafted the "Property Rights Element" with Goal 12.1, Objective 12.1.1.1, and (4) Policies mirroring language proposed by the Florida Department of Economic Opportunity. On October 15, 2021, the Florida DEO completed an expedited review of the proposed Text Amendment and no comments on the proposed amendment.

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

Technical Review Committee
City Attorney's Office

Fiscal Impact

OTHER INFORMATION:

n/a

Attachments

Ordinance No. 21-031
staff report and supporting documentation
Text Amendment
Staff Presentation

Proof of Publication

Form Review

Inbox	Reviewed By	Date
City Manager	Jennifer Hofmeister	11/03/2021 01:40 PM
City Manager	Nick Mimms	11/04/2021 08:55 AM

Form Started By: Jennifer Hofmeister Started On: 11/03/2021 01:05 PM

Final Approval Date: 11/04/2021

ORDINANCE NO. 21-031

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING THE CITY OF FORT PIERCE COMPREHENSIVE PLAN BY **CREATING A PROPERTY RIGHTS ELEMENT** IN ORDER TO MEET UPDATED STATUTORY REQUIREMENTS; MAINTAINING INTERNAL CONSISTENCY OF AND WITHIN THE COMPREHENSIVE PLAN; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce has adopted a Comprehensive Plan known as the City of Fort Pierce Comprehensive Plan by Ordinance No. K-493, and subsequently amended; and

WHEREAS, in order to comply with the action of the State Legislature, the City of Fort Pierce must adopt a property rights element as an amendment to the Comprehensive Plan, pursuant to the Community Planning Act, Chapter 163, Florida Statutes; and

WHEREAS, the Property Right Element of the City of Fort Pierce Comprehensive Plan is intended to ensure that private property rights are considered in local decision-making to the extent that they are protected through the legal system and the law and order of the government; and

WHEREAS, the City of Fort Pierce Planning Board, acting as the Local Planning Agency, held a public meeting on August 23, 2021, to consider the Comprehensive Plan amendment and recommended approval of the amendment by a vote of 6 to 1; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The Comprehensive Plan of the City of Fort Pierce is hereby amended as follows:

PROPERTY RIGHTS ELEMENT – GOALS, OBJECTIVES, AND POLICIES

Goal 12.1

The City shall respect judicially acknowledged and constitutionally protected private property rights in its local decision-making processes.

12.1.1 Objective:

The City shall ensure that private property rights are considered in local decision-making to the extent that they are protected through the legal system and the law and order of the government.

12.1.1.1 Policy:

The City shall consider the right of a property owner to physically possess and control their interests in the property, including easements, leases, or mineral rights.

12.1.1.2 Policy:

The City shall consider the right of a property owner to use, maintain, develop, and improve their property for personal use or for the use of any other person, subject to state law and local ordinances.

12.1.1.3 Policy:

The City shall consider the right of a property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

12.1.1.4 Policy:

The City shall consider the right of a property owner to dispose of their property through sale or gift.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya M. Earley
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-031 was duly advertised by title only in the St. Lucie News Tribune on Saturday, August 22, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced and transmitted on first reading by the City Commission of the City of Fort Pierce, Florida, on September 7, 2021; and was duly introduced and adopted on second and final reading November 15, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this ___ day of _____, 2021.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO:	Nick C. Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM
RE:	Comprehensive Plan Amendment (Text Amendment) – Property Rights Element
MEETING DATE:	November 15, 2021

STAFF REPORT

Comprehensive Plan Amendment (Text Amendment)
Property Rights Element

At the September 7, 2021, City Commission meeting, the Commission voted to approve the transmittal to the Florida Department of Economic Opportunity (DEO) for review of the Comprehensive Plan Text Amendment to create a new Property Rights Element within the City of Fort Pierce Comprehensive Plan. The proposed Comprehensive Plan Amendment was drafted in accordance with the provisions of SB 59 (Fla. Stat. § 163.3177(6)(i)), which passed during the 2021 Florida Legislative Session, signed into law by Governor DeSantis, and incorporated into Florida's Community Planning Act. The new legislation mandated each local government to adopt a Property Rights Element into their comprehensive plan. The list of these provisions that must be addressed and have been included in the City's new Property Rights Element include the following four (4) rights:

1. The right of a property owner to physically possess and control their interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve their property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of their property through sale or gift.

The Technical Review Committee had no objections to the proposed Comprehensive Plan Amendment. At a special meeting held on August 23, 2021, the Planning Board, acting as the Local Planning Agency, recommended approval of the proposed Amendment. Lastly, on October 15, 2021, the Florida DEO completed an expedited review of the proposed Text Amendment and no comments on the proposed amendment (see Attachment 1). Therefore, staff is recommending APPROVAL of the proposed Comprehensive Amendment.

Attachment 1

Ron DeSantis
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Dane Eagle
SECRETARY

October 15, 2021

The Honorable Linda Hudson
Mayor, City of Fort Pierce
100 N U.S. Highway 1
Fort Pierce, Florida 34950

Dear Mayor Hudson:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Fort Pierce (Amendment No. 21-03ESR) received on September 16, 2021. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**

- **The second public hearing,** which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Paul Lim, Planning Analyst, by telephone at (850) 717-8511 or by email at Paul.Lim@deo.myflorida.com.

Sincerely,

Kelly D. Corvin, Regional Planning Administrator
Bureau of Community Planning and Growth

KDC/pl

Enclosure(s): Procedures for Adoption

cc: Rebecca Guerra, Assistant Planning Director, City of Fort Pierce
Thomas Lanahan, Executive Director, Treasure Coast Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (***https://floridajobs.secure.force.com/cp/***) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format,** clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

> "The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

PROPERTY RIGHTS ELEMENT - GOALS, OBJECTIVES, AND POLICIES

_____

Goal 12.1

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The City shall consider the right of a property owner to dispose of their property through sale or gift.

Comprehensive Plan Amendment (Text Amendment):

Property Rights Element

City Commission Regular Meeting

(Adoption Hearing)

November 15, 2021

Comprehensive Plan Amendment

- SB 59 (Fla. Stat. § 163.3177(6)(i)) passed during the 2021 Florida Legislative Session.
- Requires that a local government adopt and include a property rights element in its Comprehensive Plan.
- Affects any proposed Comprehensive Plan amendment initiated after July 1, 2021.
- Proposed text is copied verbatim from State Statute & meets minimum language requirements.
- The Technical Review Committee had no objections.

Comprehensive Plan Amendment

The City shall ensure that the following private property rights are considered in their local decision-making process:

1. **The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.**
2. **The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.**
3. **The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.**
4. **The right of a property owner to dispose of his or her property through sale or gift.**

Staff Recommendation & LPA Action

- Staff recommends **APPROVAL** of the proposed Comprehensive Plan Amendment (Text Amendment).

- On August 23, 2021, the Planning Board (as the Local Planning Agency) voted to recommended **APPROVAL & TRANSMITTAL** of the proposed Comprehensive Plan Amendment (Text Amendment).

Florida Department of Economic Opportunity

- **Letter of No Objection Dated October 15, 2021**

City Commission Possible Actions

- **APPROVE the proposed Comprehensive Plan Amendment, with no changes.**
- **APPROVE the proposed Comprehensive Plan Amendment, with changes.**
- **DISAPPROVE the proposed Comprehensive Plan Amendment.**

Comprehensive Plan Amendment (Text Amendment):

Property Rights Element

City Commission Regular Meeting

(Adoption Hearing)

November 15, 2021

Timestamp
10/28/2021 11:58:18

Final Publication Date
10/31/2021

Ad Number
GCI0760568

Publication
St Lucie News

Market
Treasure Coast

Delivery Method
Both

Number of Affidavits Needed
1

Customer Email
lcox@cityoffortpierce.com

Customer Name
City Of Fort Pierce Legals

Customer Phone Number
(772) 460-2200

Customer Address
Po Box 1480
Fort Pierce, FL 34954-1480

Account Number (If Known)
463454

Name
Linda Cox

Street
Po Box 1480

City
Fort Pierce

State
FL

ZIP Code
34954-1480

Your Name
Nicolle Lackey

Email Address
nlackey@localiq.com

Treasure Coast Newspapers

PART OF THE USA TODAY NETWORK

St. Lucie News-Tribune
1939 SE Federal Highway, Stuart, FL 34994
AFFIDAVIT OF PUBLICATION

CITY OF FORT PIERCE LEGALS
PO BOX 1480
FORT PIERCE, FL 34954
ATTN LINDA COX

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned authority personally appeared, said legal clerk, who on oath says that he is a legal clerk Manager of the St. Lucie News-Tribune, a daily newspaper published at Fort Pierce in St. Lucie County, Florida: that the attached copy of advertisement was published in the St. Lucie News-Tribune in the following issues below. Affiant further says that the said St Lucie News-Tribune is a newspaper published in Fort Pierce, in said St. Lucie County, Florida, and that said newspaper has heretofore been continuously published in said St. Lucie County, Florida, daily and distributed in St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement ; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The St. Lucie News-Tribune has been entered as Periodical Matter at the Post Offices in Fort Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

10/31/2021

Subscribed and sworn to before on the 31st day of October, 2021

Notary, State of WI, County of Brown
My commission expires: 5-15-23

Publication Cost: $315.00
Ad No: GCI0760568
Customer No: 463454
PO#: PUBLIC NOTICE

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF FORT PIERCE COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Sections 163.3184 and 163.3191 F.S., the City Commission, of the City of Fort Pierce will on Monday, November 15, 2021, hold the Adoption hearing (Second Reading) of a proposed ordinance at 4:30 P.M., in the City Hall Commission Chambers, 100 North U.S. Highway 1, Fort Pierce, Florida.

ORDINANCE NO. 21-031 - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING THE CITY OF FORT PIERCE COMPREHENSIVE PLAN BY CREATING A PROPERTY RIGHTS ELEMENT IN ORDER TO MEET UPDATED STATUTORY REQUIREMENTS; MAINTAINING INTERNAL CONSISTENCY OF AND WITHIN THE COMPREHENSIVE PLAN; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

All interested parties may appear at the meeting and be heard with respect to the ordinance. Said applications will be available for inspection in the City Clerk's Office, City Hall, 100 North U.S. Highway 1, Fort Pierce, Florida.

ANY PERSON SEEKING TO APPEAL THE DECISION OF THE CITY COMMISSION AS TO THE FOREGOING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

/s/ Linda W. Cox, City Clerk
Publish: 10/31/2021

TR-GCI0762962-01

City Commission Regular Meeting - 4:30 pm **12. b.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation- 3420 and 3450 Sunrise Blvd - Ordinance No. 21-036 and 21-037

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance 21-036 - The subject application is a voluntary annexation of a parcel of land located at 3420 Sunrise Boulevard in Fort Pierce, Florida.FIRST READING

Legislative Hearing - Ordinance 21-037 - The subject application is a voluntary annexation of a parcel of land located at 3450 Sunrise Boulevard in Fort Pierce, Florida.FIRST READING

SUMMARY:

The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Low Density Residential (RL), with a compatible zoning classification of Low Density Residential (R-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

Technical Review Committee
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a
Fiscal Year: n/a
Account: n/a

Amount: n/a

OTHER INFORMATION:

Should the Application for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort depending on the millage rate per year, which presently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:47 PM

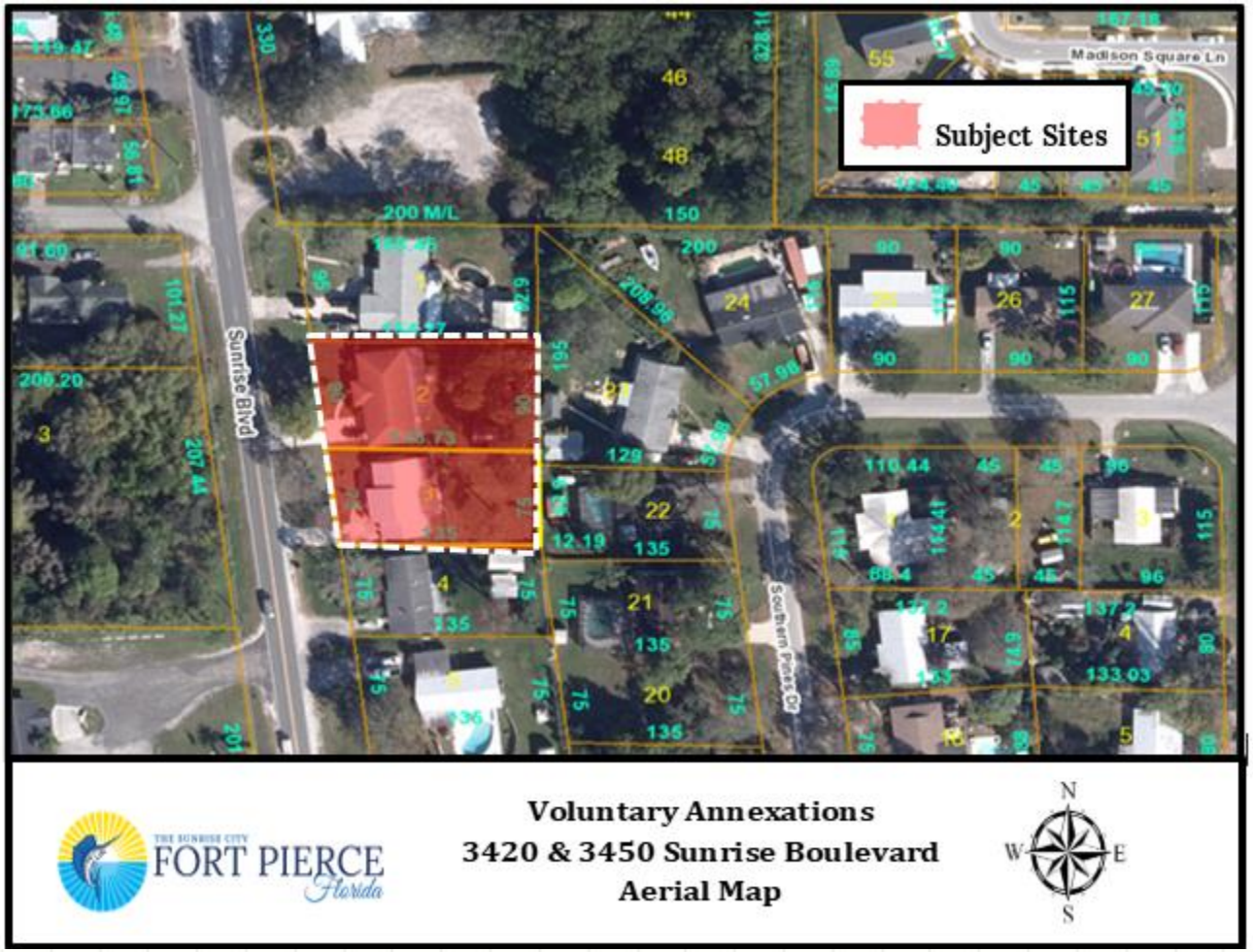
Form Started By: Jennifer Hofmeister Started On: 11/04/2021 07:25 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

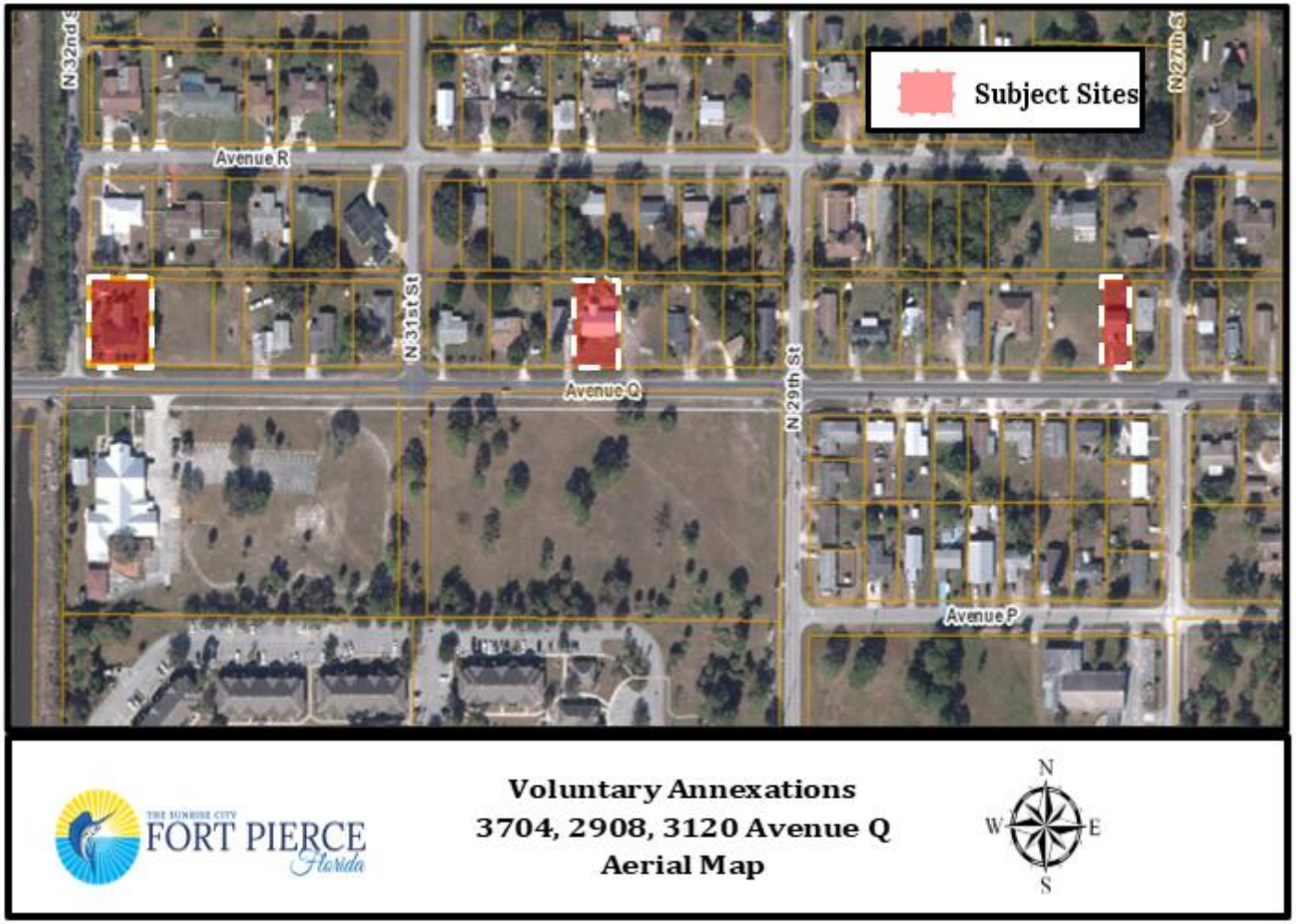
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



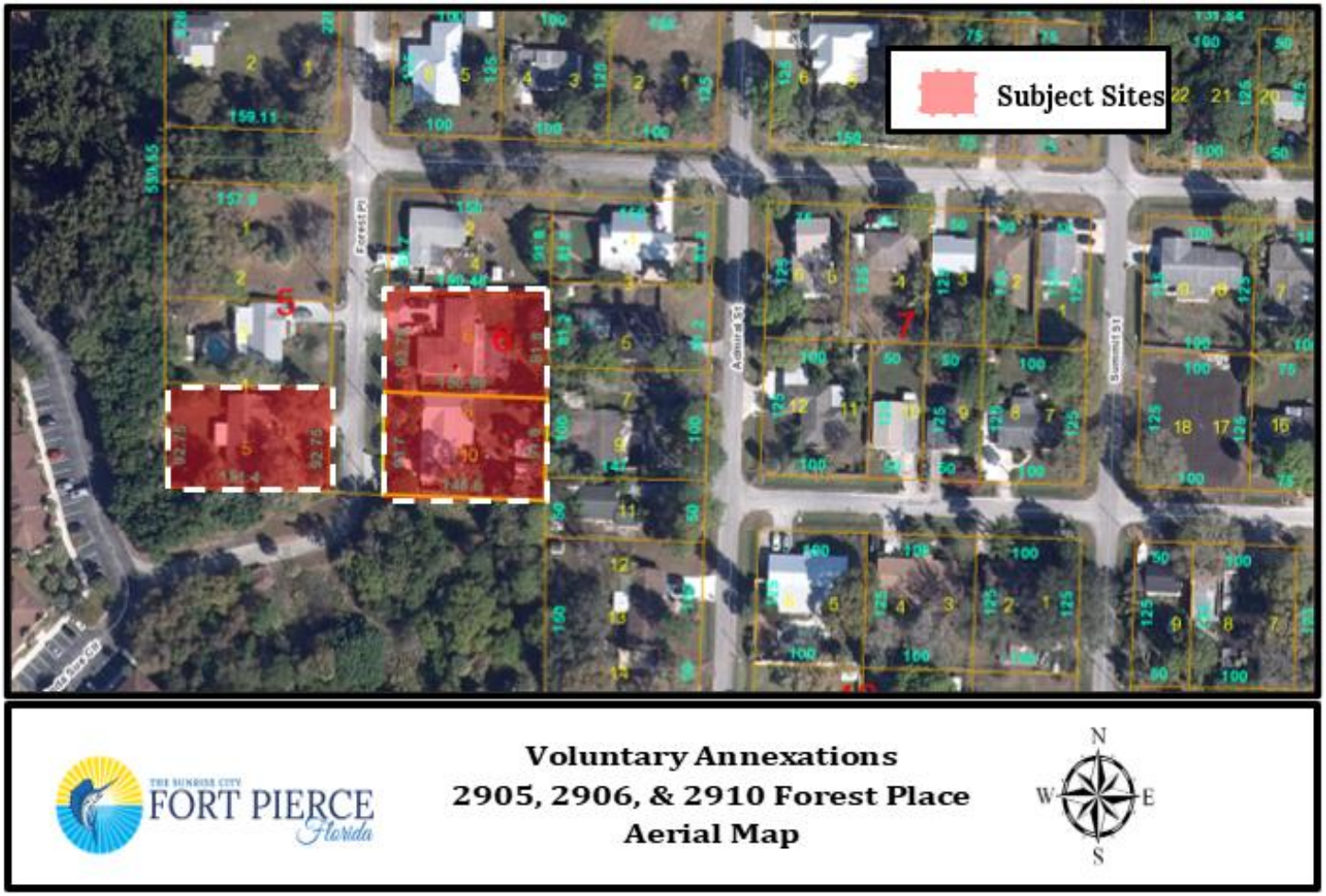
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



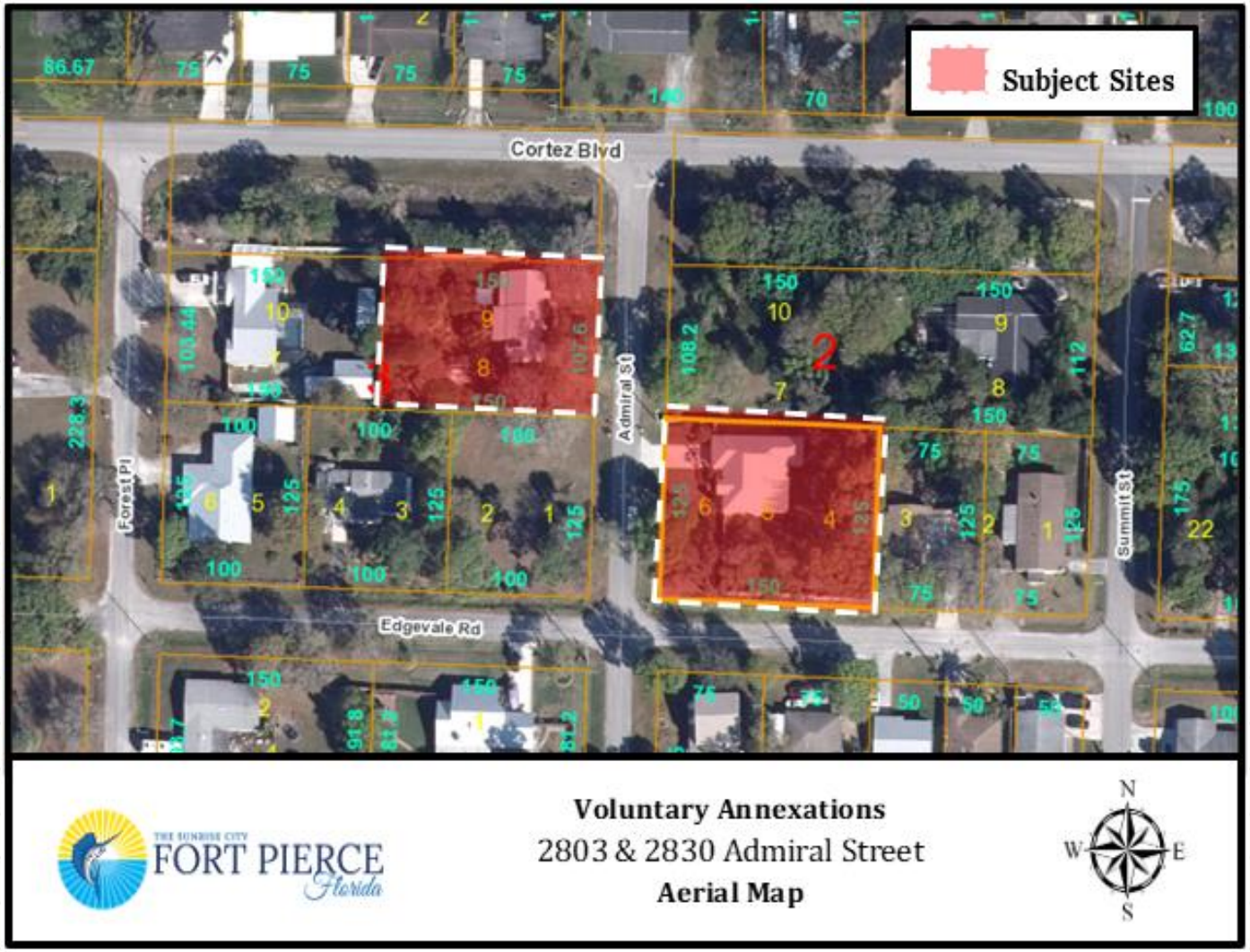
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



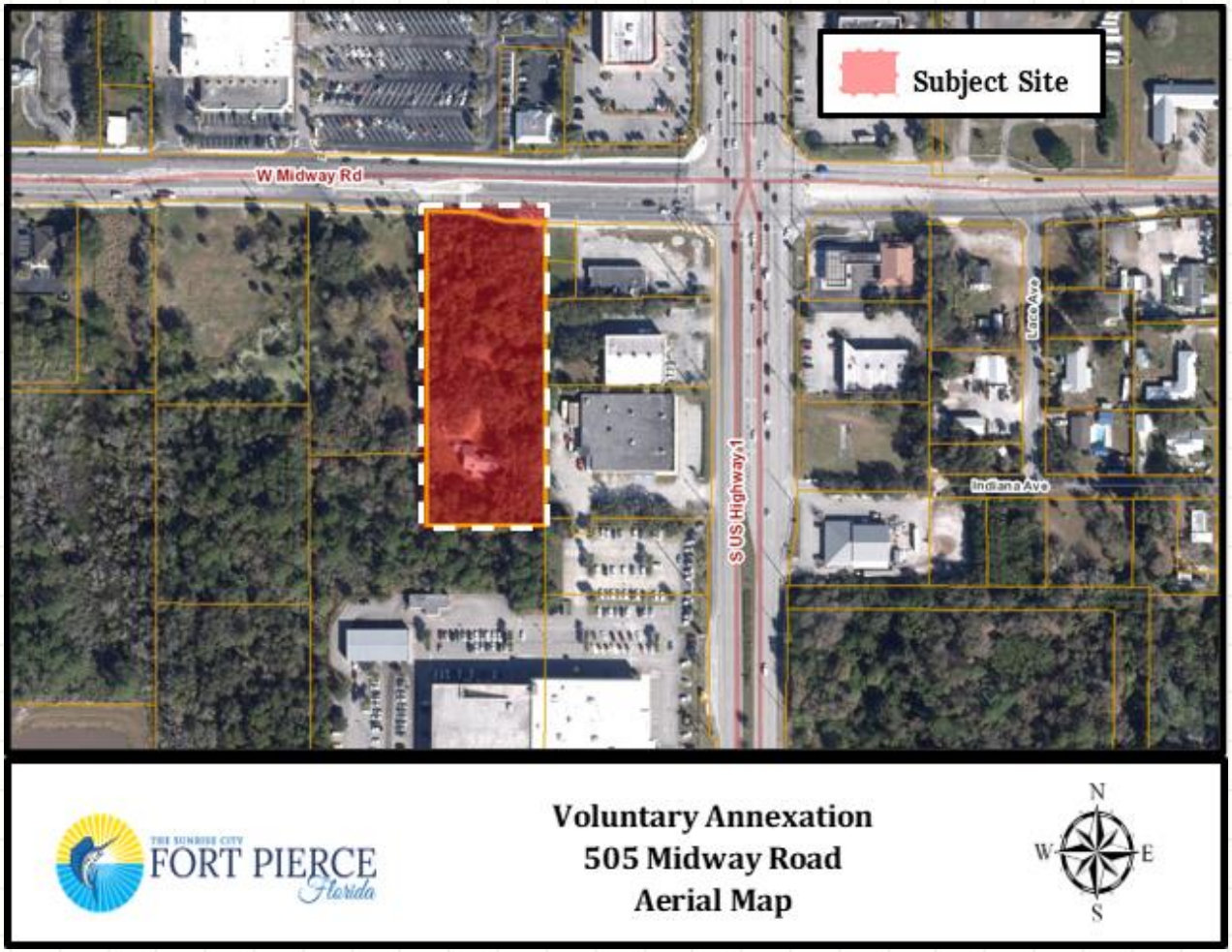
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



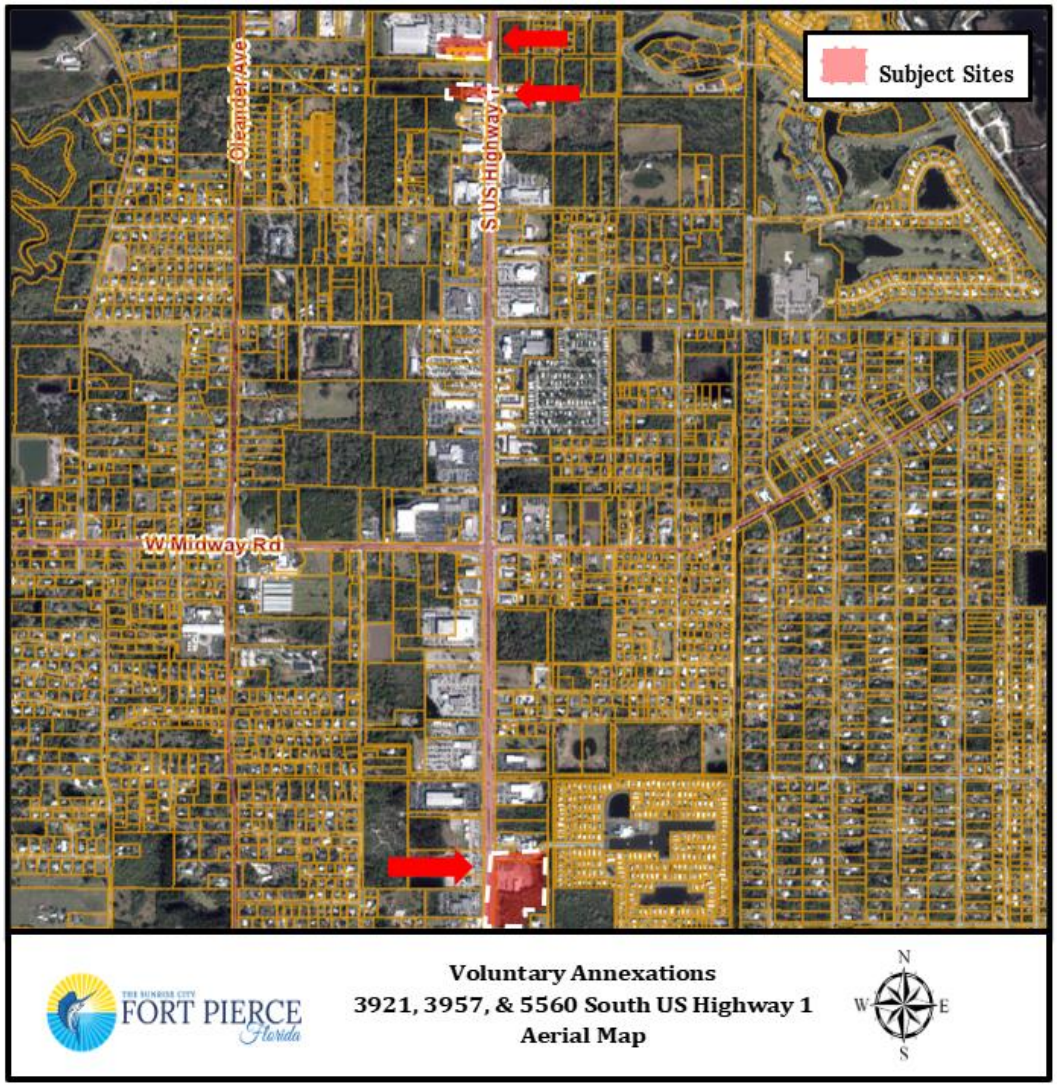
Annexation 13:

Ordinance No. 21-048



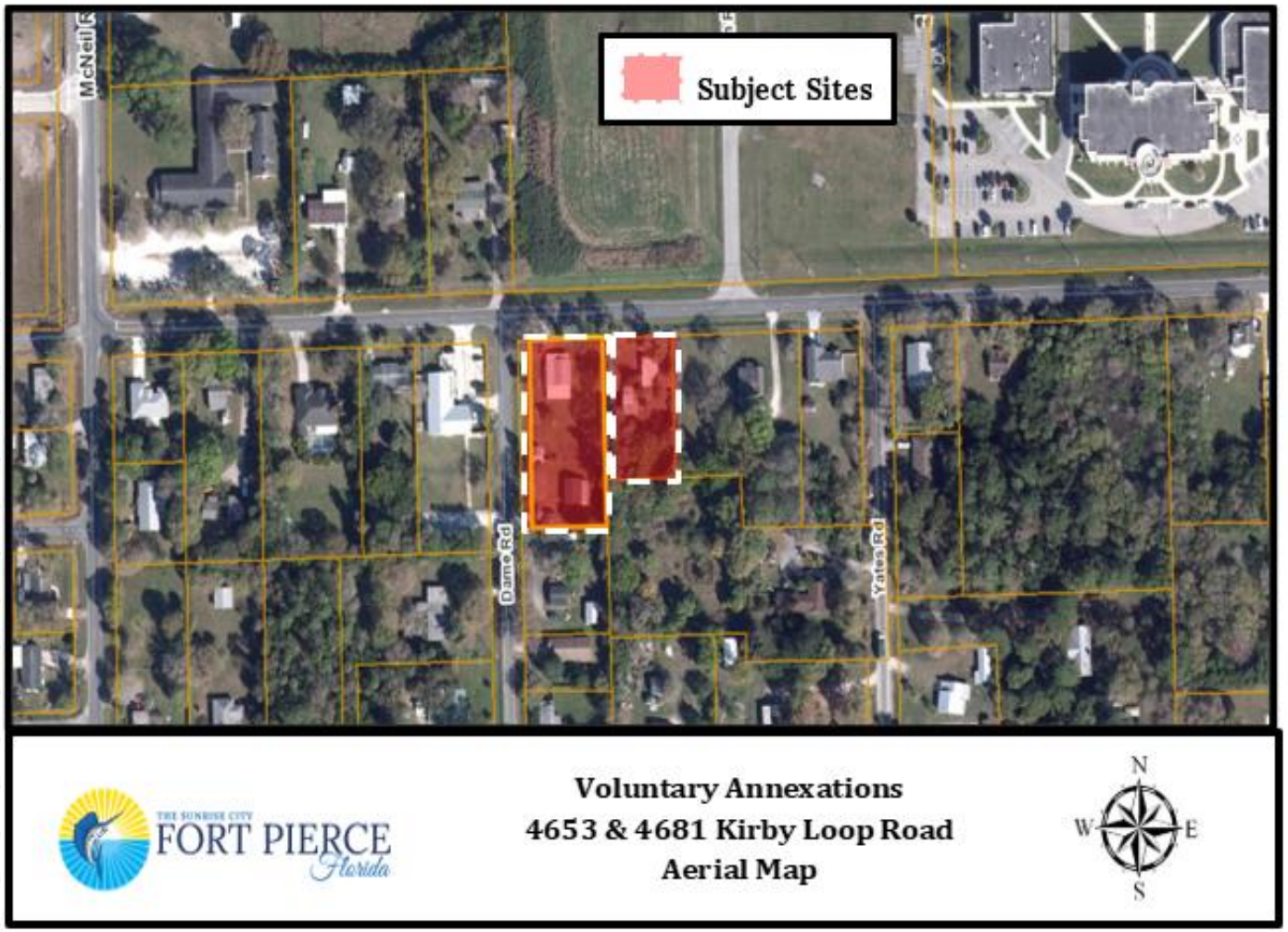
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



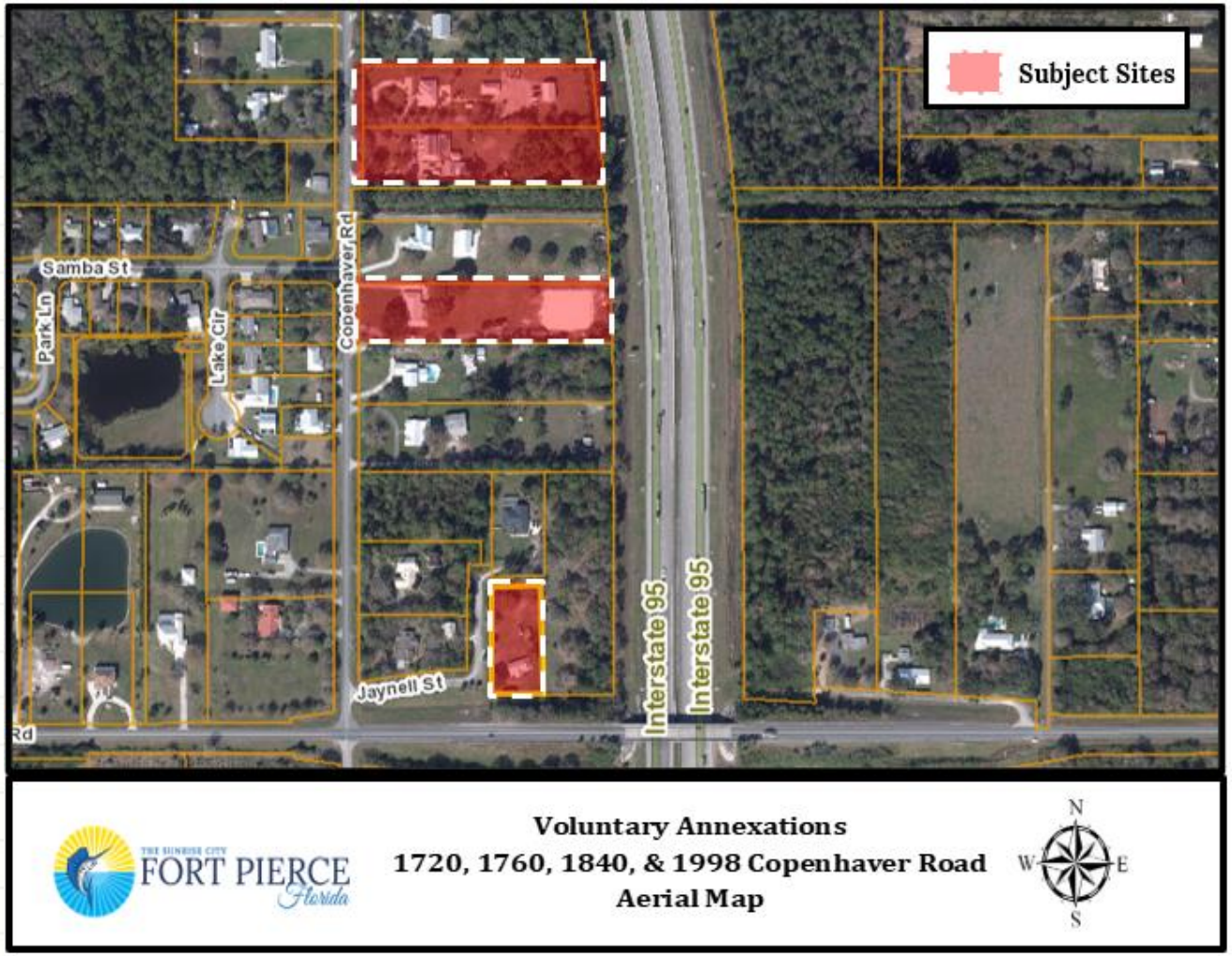
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



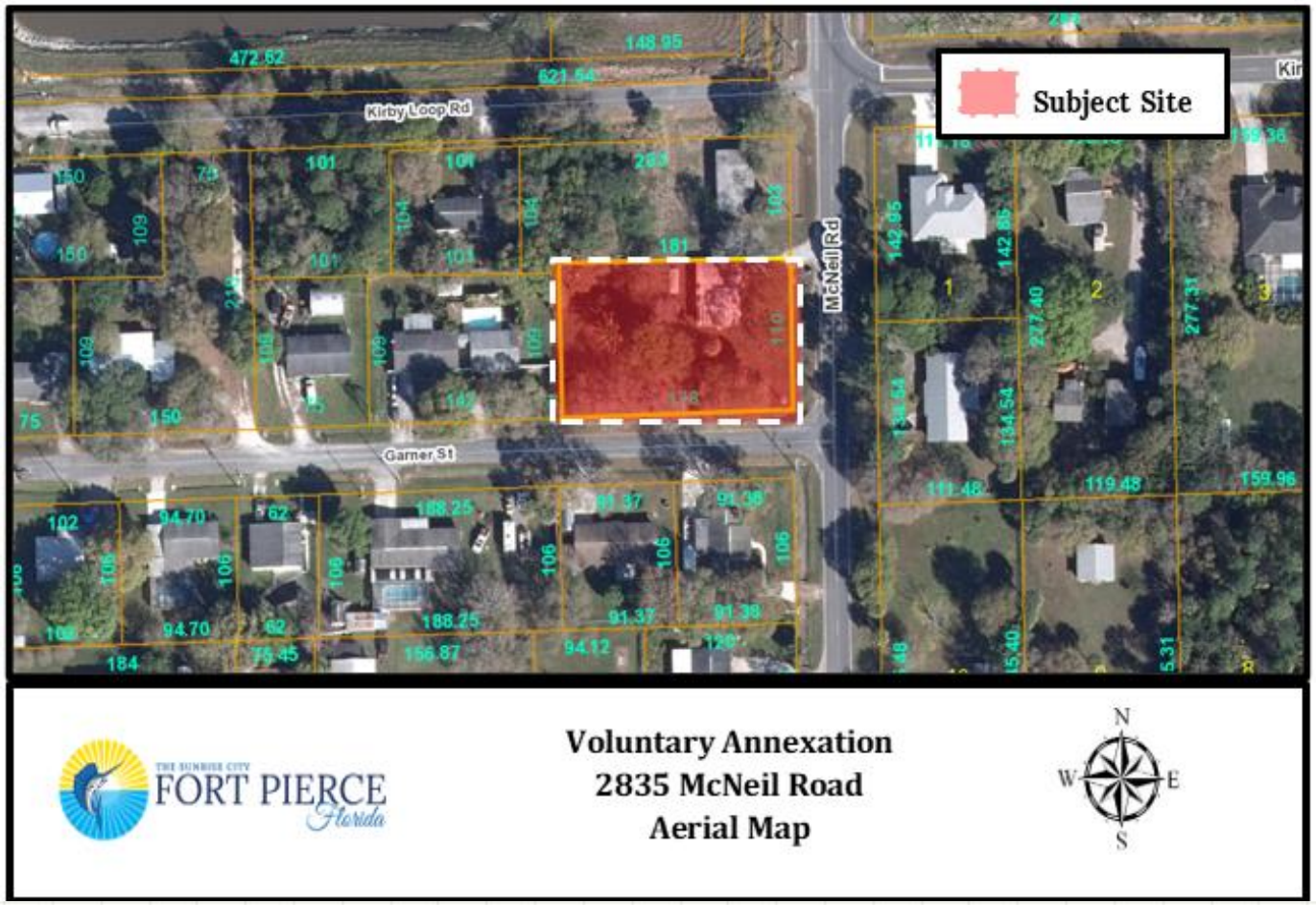
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



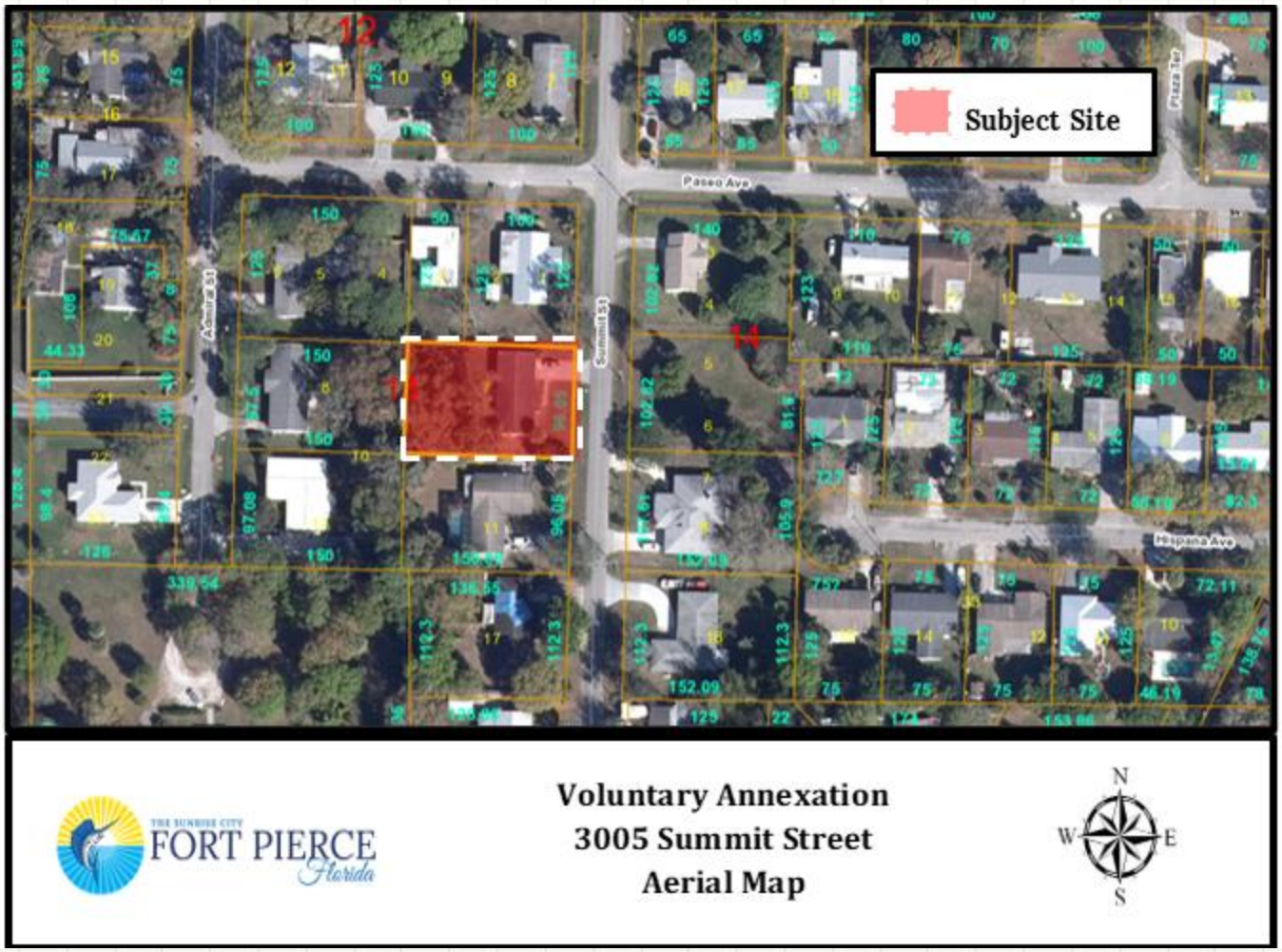
Annexation 25:

Ordinance No. 21-060



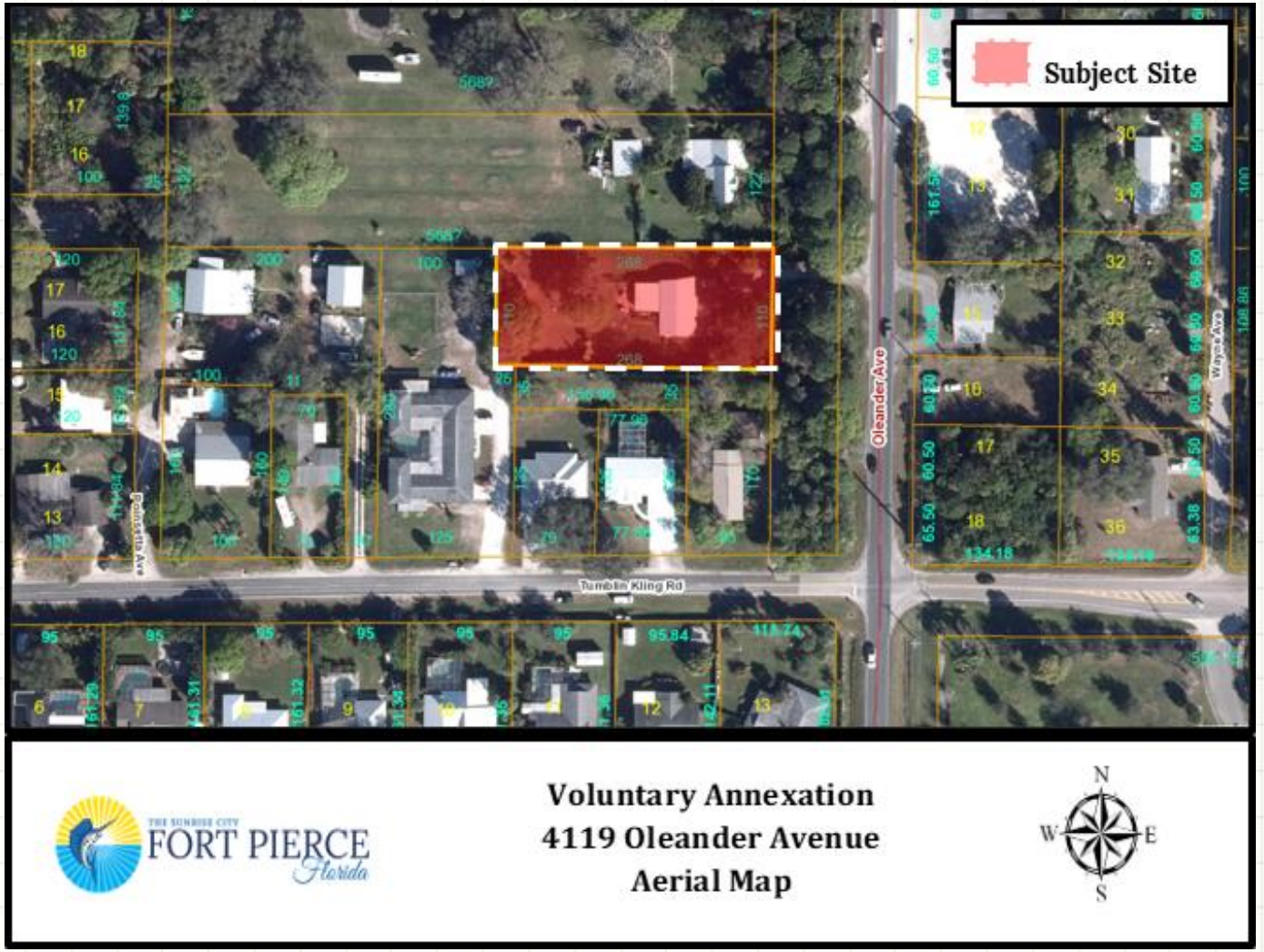
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **3420 and 3450 Sunrise Boulevard**
MEETING DATE:	November 15, 2021

STAFF REPORT

Property Owners/ Applicants	Victor L. Bell Jerline Bell Terri Holly 3420 Sunrise Boulevard Fort Pierce, FL 34982-6521 Vanessa E. Tillman 3450 Sunrise Boulevard Fort Pierce, FL 34982
Requested Action:	Approval of two (2) Voluntary Applications for Annexation
Site Locations:	3420 and 3450 Sunrise Boulevard in Fort Pierce, Florida
Parcel IDs:	2428-702-0043-000-8 and 2428-702-0044-000-5
Parcel Sizes:	0.31 and 0.24 acres
Current Future Land Use:	Residential Urban 5 du/ac (RU) (SLC)
Current Zoning:	Residential Single Family, 4 Dwelling Units/Acre (RS-4) (SLC)
Proposed Future Land Use:	Single Family Low Density (R-1) (FP)
Proposed Zoning:	Low Density Residential (RL) (FP)

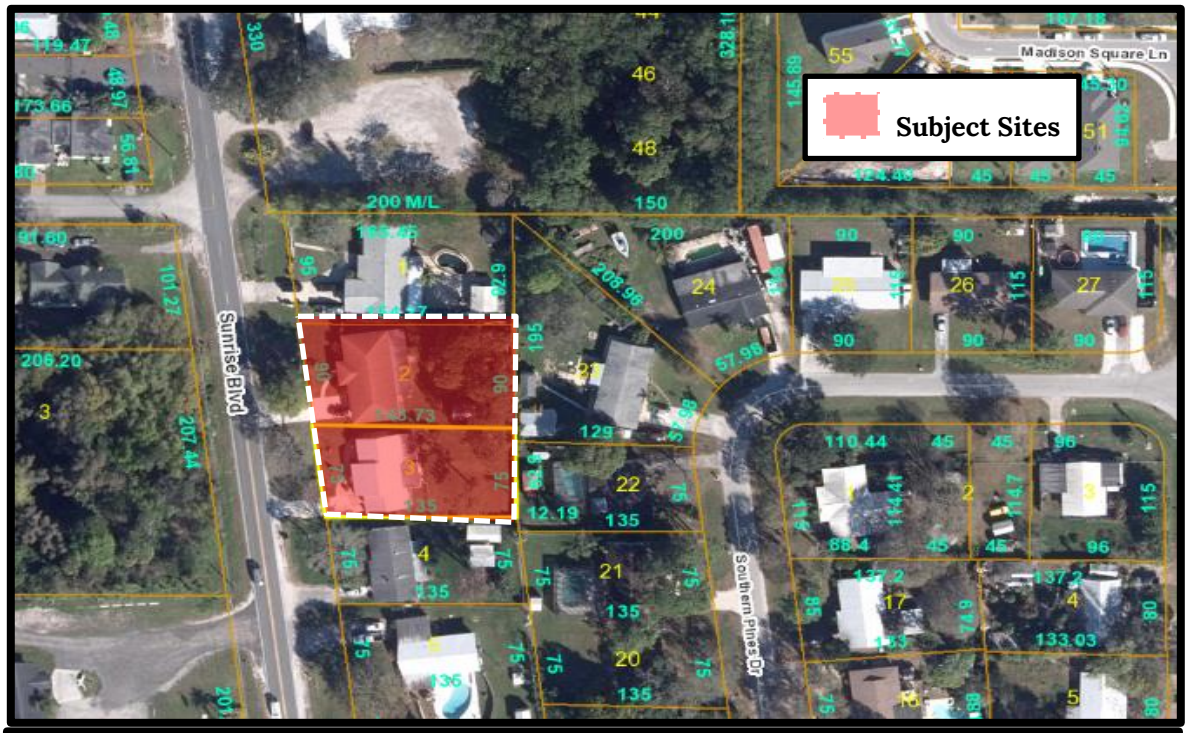
Utilities: FPUA

	North	East	South	West
Surrounding FLU:	RL (FP) / RU (SLC)	RU (SLC)	RU (SLC)	RU (SLC)
Surrounding Zoning:	R-1 (FP) / RS-4 (SLC)	RS-4 (SLC)	RS-4 (SLC)	AR-1 (SLC)

Staff Analysis:

Request

The subject application is a voluntary annexation of two (2) parcels located at 3420 and 3450 Sunrise Boulevard in Fort Pierce, Florida. The parcel IDs are 2428-702-0043-000-8 and 2428-702-0044-000-5, respectively.



THE SUNRISE CITY FORT PIERCE Florida

Voluntary Annexations
3420 & 3450 Sunrise Boulevard
Aerial Map

N W E S

The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Low Density Residential (RL), with a compatible zoning classification of Low Density Residential (R-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $24,500 & $0. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort depending on the millage rate per year, which presently is 6.9000. Currently, single-family homes are existing on the properties.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties to the north that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services. Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain

consistent with the current County designations of RU and RS-4, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of RL and R-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the subject two (2) annexations at 3420 and 3450 Sunrise Boulevard, along with the associated Future Land Use designation of RL and the Zoning designation of R-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-036

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3420 SUNRISE BLVD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-702-0043-000-8

SUNRISE HOMESITES S/D BLK 3 LOT 2 (0.31 AC) (OR 249-2826; 3866-10)

Said property containing 0.31 acres, more or less, and being generally located at 3420 Sunrise Blvd in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-036 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

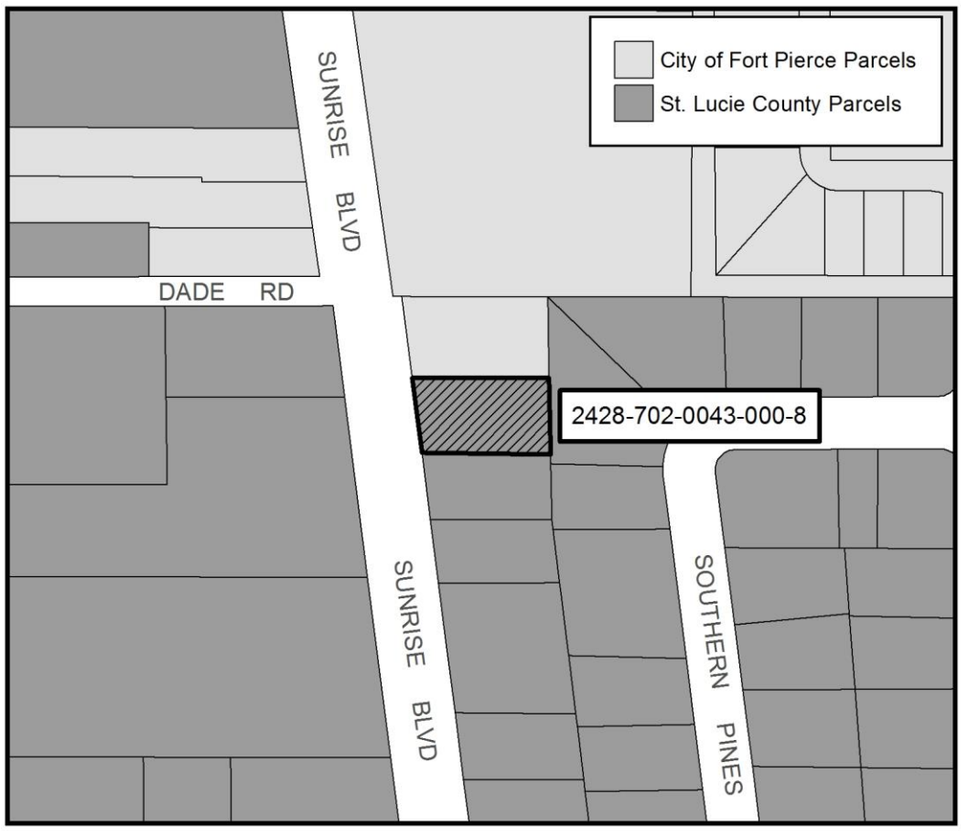
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

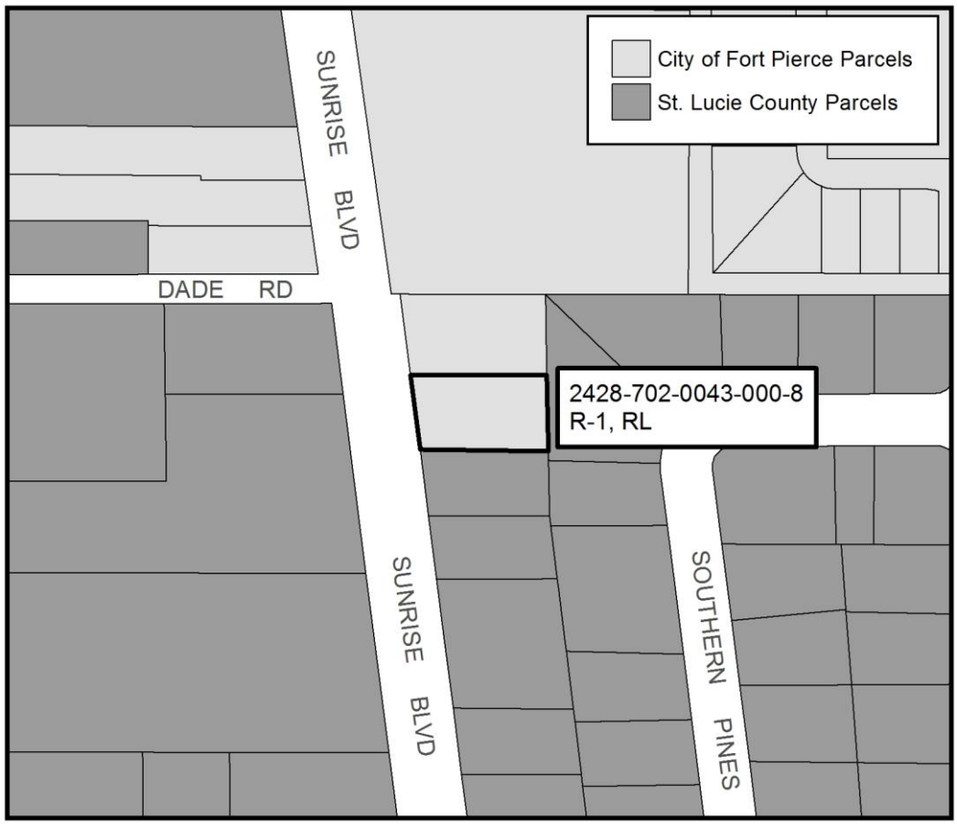
EXHIBIT A
Annexed Area & Legal Description



SUNRISE HOMESITES S/D BLK 3 LOT 2 (0.31 AC) (OR 249-2826; 3866-10)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4587886 OR BOOK 4290 PAGE 1, Recorded 07/01/2019 03:22:38 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2428-702-0043-000-8	**ANNEXATION AGREEMENT** **INDIVIDUAL** VICTOR AND JERLINE BELL, HUSBAND AND WIFE 3420 SUNRISE BOUELVARD FT. PIERCE, FLORIDA 34982 TERRI HOLLY, A SINGLE WOMAN 1723A MARINERS COVE FT. PIERCE, FLORIDA 34950
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3420 SUNRISE BLVD., FT. PIERCE, FLORIDA 34982 Location Address 1723A MARINERS COVER, FT. PIERCE, FLORIDA 34950 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

SUNRISE HOMESITES S/D BLOCK 3 LOT 2, (0.31 AC) (OR 249-2826; 3866-10)

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

EXHIBIT C (Cont.)
Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 4290 PAGE 2

In Witness Whereof, I hereunto set my hand and seal this 7th day of February, ~~2018.~~ 2019.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
Rachel Ragan
Printed Witness Signature

Witness Signature
Tanya Rios
Printed Witness Signature

Witness Signature
Rachel Ragan
Printed Witness Signature

Witness Signature
Tanya Rios
Printed Witness Signature

Witness Signature
Rachel Ragan
Printed Witness Signature

Witness Signature
Tanya Rios
Printed Witness Signature

Victor L. Bell
Signature- Victor Bell, a married man

VICTOR L. BELL
Printed Signature

3420 Sunrise Blvd., Ft. Pierce, Florida 34982
Address

Jerline Bell
Signature: Jerline Bell, His Wife

Jerline Bell
Printed Signature

3420 Sunrise Blvd., Ft. Pierce, Florida 34982
Address

Terri L Holly
Signature: Terri Holly, a single woman

Terri L Holly
Printed Signature

1723A Mariners Cove Blvd., Ft. Pierce, Florida 34950
Address

STATE OF Florida
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Victor and Jerline Bell, husband and wife and Terry Holly, a single woman, in whose names the foregoing instrument was executed, and that they severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

Notary Public State of Florida
Tanya Rios
My Commission GG 158853
Expires 11/08/2021

Witness my hand and official Seal in the County and State last aforesaid this 7th day of February A.D. 2019.

Tanya
Notary Signature

DRAFT ORDINANCE NO. 21-037

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3450 SUNRISE BLVD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-702-0043-000-8

SUNRISE HOMESITES S/D BLK 3 LOT 2 (0.31 AC) (OR 249-2826; 3866-10)

Said property containing 0.31 acres, more or less, and being generally located at 3420 Sunrise Blvd in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

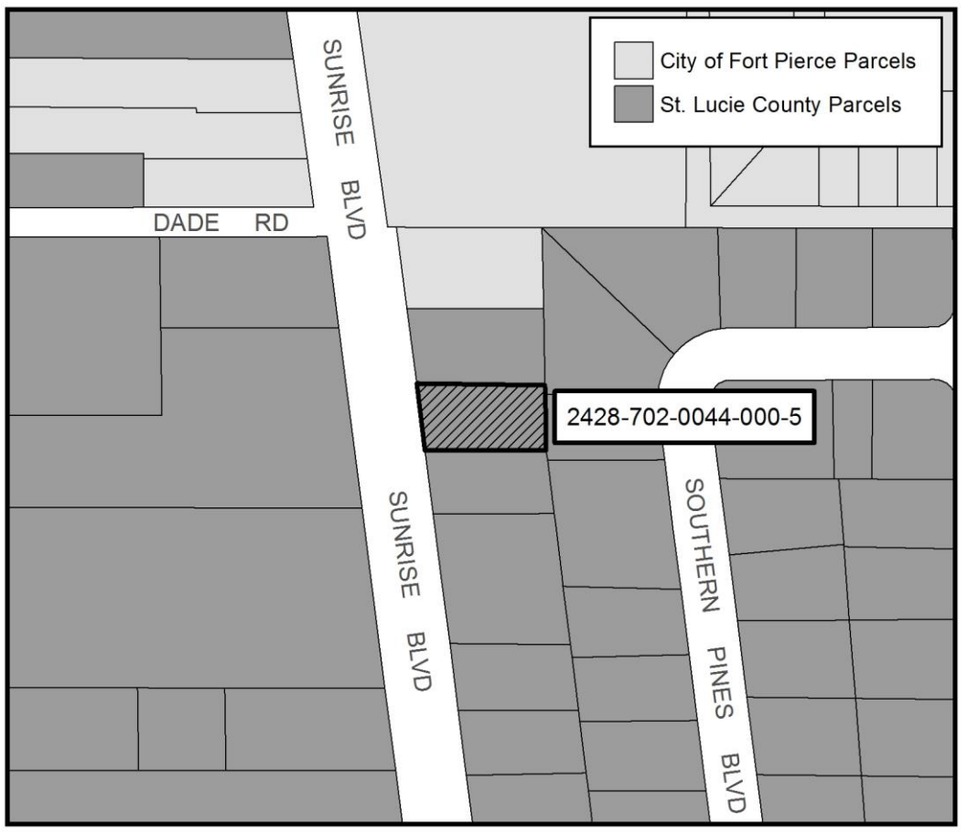
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

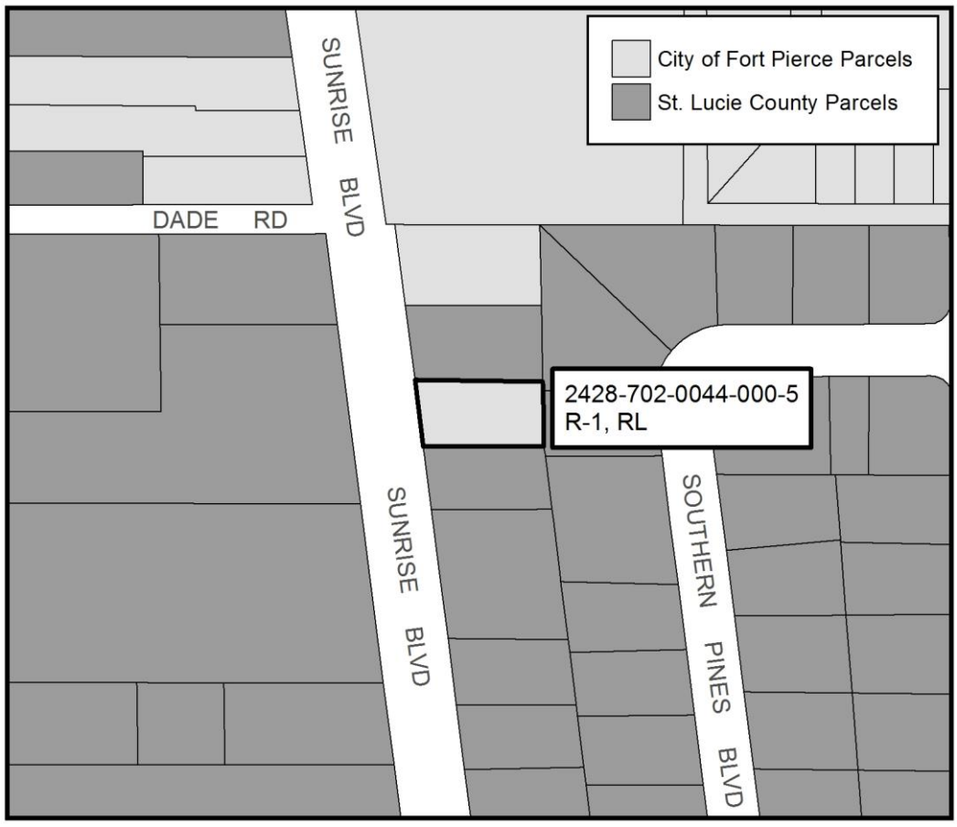
EXHIBIT A
Annexed Area & Legal Description



SUNRISE HOMESITES S/D BLK 3 LOT 2 (0.31 AC) (OR 249-2826; 3866-10)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3927461 OR BOOK 3606 PAGE 555, Recorded 02/24/2014 at 08:58 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2428-702-0044-000-5	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3450 SUNRISE BOULEVARD, FORT PEIRCE, FLORIDA 34982 Location Address 3450 SUNRISE BOULEVARD, FORT PIERCE, FLORIDA 34982 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Lot 3, Block 3, SUNRISE HOMESITES SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 13, Page 14, Public records of St. Lucie County, Florida.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 10TH day of FEB., 2014.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Rosalie Lavertu
Printed Witness Signature

Witness Signature

Amy Shevlin
Printed Witness Signature

Vanessa E. Tillman
Signature
Vanessa E. Tillman, a single adult
Printed Signature
3450 Sunrise Boulevard
Address
Fort Pierce, Florida 34982
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Vanessa E. Tillman, a single adult**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 10TH day of FEB., A.D. 2014. Notary Signature Rosalie Lavertu Notary Printed Signature

C:\Users\Welcome\Desktop\Forms\Annexation Agreement - Individual.docx Revised 7/9/04 per atty.

EXHIBIT C (Cont.)

Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 4290 PAGE 2

In Witness Whereof, I hereunto set my hand and seal this 7th day of February, ~~2018.~~ 2019.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
Rachel Ragan
Printed Witness Signature

Witness Signature
Tanya Rios
Printed Witness Signature

Witness Signature
Rachel Ragan
Printed Witness Signature

Witness Signature
Tanya Rios
Printed Witness Signature

Witness Signature
Rachel Ragan
Printed Witness Signature

Witness Signature
Tanya Rios
Printed Witness Signature

Victor L. Bell
Signature- Victor Bell, a married man

VICTOR L. BELL
Printed Signature

3420 Sunrise Blvd., Ft. Pierce, Florida 34982
Address

Jerline Bell
Signature: Jerline Bell, His Wife

Jerline Bell
Printed Signature

3420 Sunrise Blvd., Ft. Pierce, Florida 34982
Address

Terri L Holly
Signature: Terri Holly, a single woman

Terri L Holly
Printed Signature

1723A Mariners Cove Blvd., Ft. Pierce, Florida 34950
Address

STATE OF Florida
COUNTY OF St Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Victor and Jerline Bell, husband and wife and Terry Holly, a single woman, in whose names the foregoing instrument was executed, and that they severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

Notary Public State of Florida
Tanya Rios
My Commission GG 158853
Expires 11/08/2021

Witness my hand and official Seal in the County and State last aforesaid this 7th day of February A.D. 2019.

Tanya
Notary Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 3450 Sunrise Boulevard

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 3450 Sunrise Boulevard

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. c.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 2704, 2908, and 3120 Avenue Q - Ordinance 21-038, 21-39, and 21-40

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

---

SUBJECT:

Legislative Hearing - Ordinance 21-038 -This is a voluntary annexation of a parcel of land located at 2704 Avenue Q in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance 21-039 - This is a voluntary annexation of a parcel of land located at 2908 Avenue Q in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance 21-040 - This is a voluntary annexation of a parcel of land located at 3120 Avenue Q in Fort Pierce, Florida. FIRST READING

SUMMARY:

This is a voluntary annexation of three (3) parcels located at 2704, 2908, & 3120 Avenue Q in Fort Pierce, Florida. The parcel IDs are 2405-501-0158-000-9, 2405-501-0130-000-7, & 2405-501-0104-000-6.
The subject property has a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disaaproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
CIty Clerk

Fiscal Impact

Budgeted Y/N: n/a
Fiscal Year: n/a
Account: n/a
Amount: n/a
OTHER INFORMATION:

Should the Application for Annexation be approved, in the future it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:47 PM

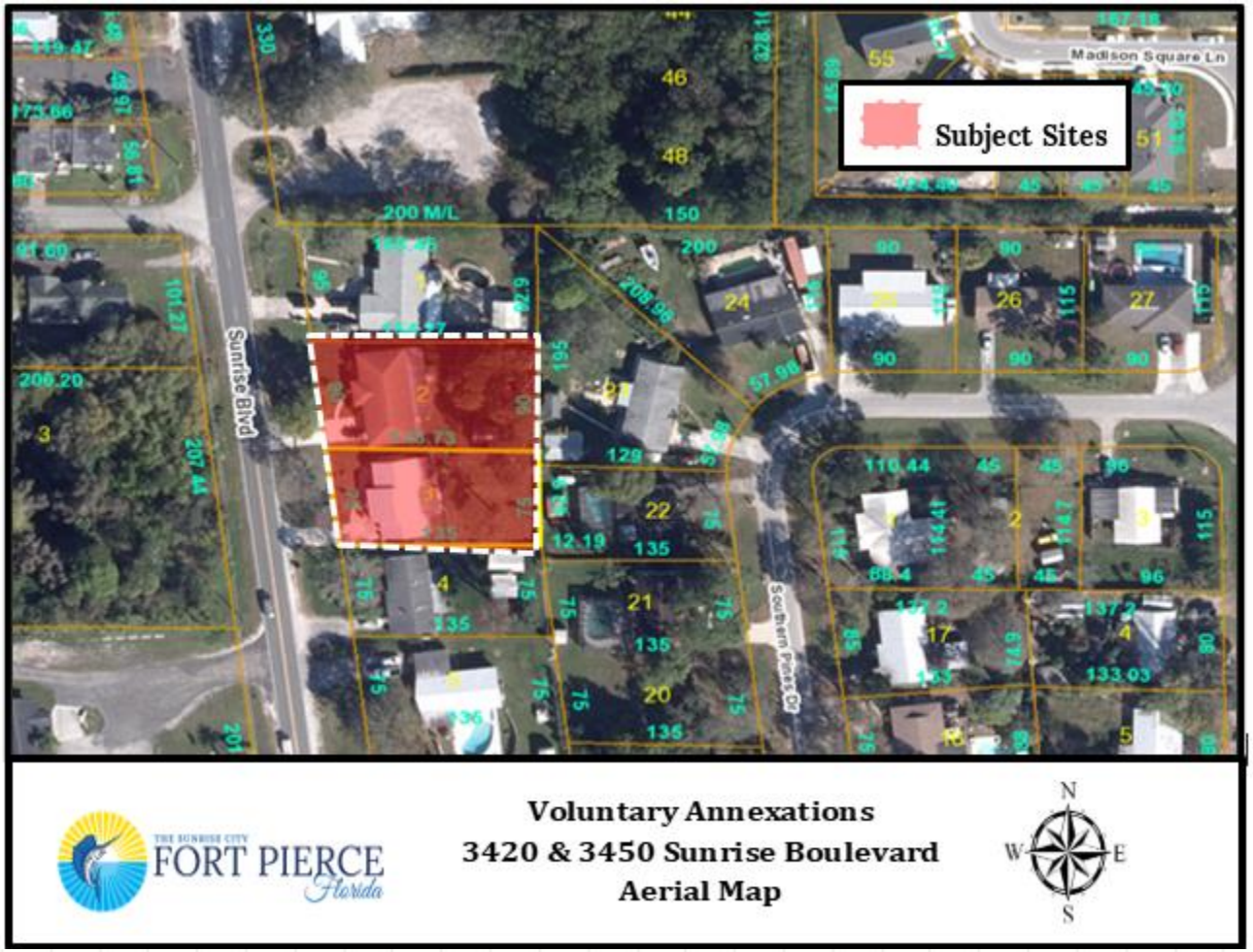
Form Started By: Jennifer Hofmeister
Started On: 11/04/2021 07:46 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

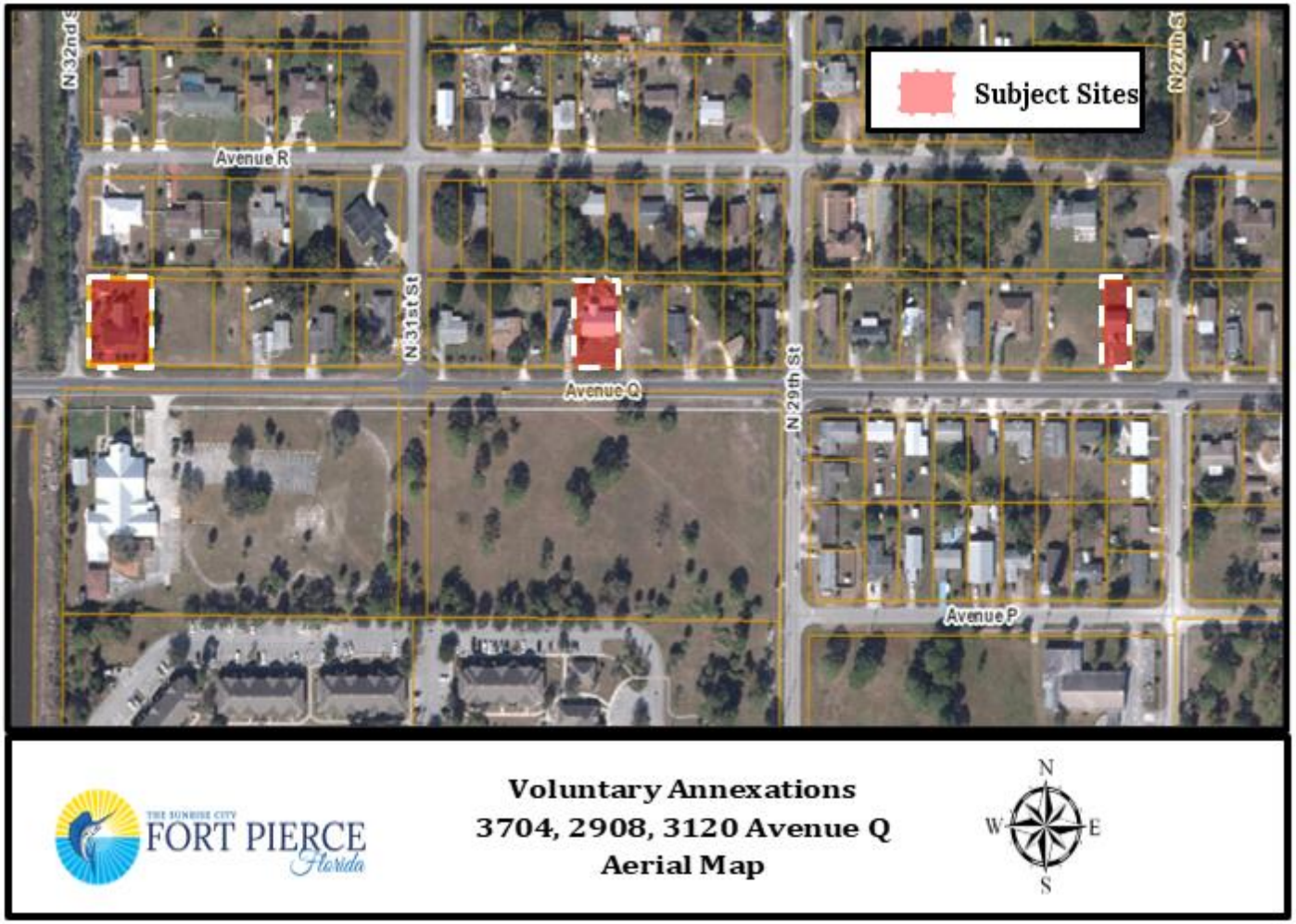
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



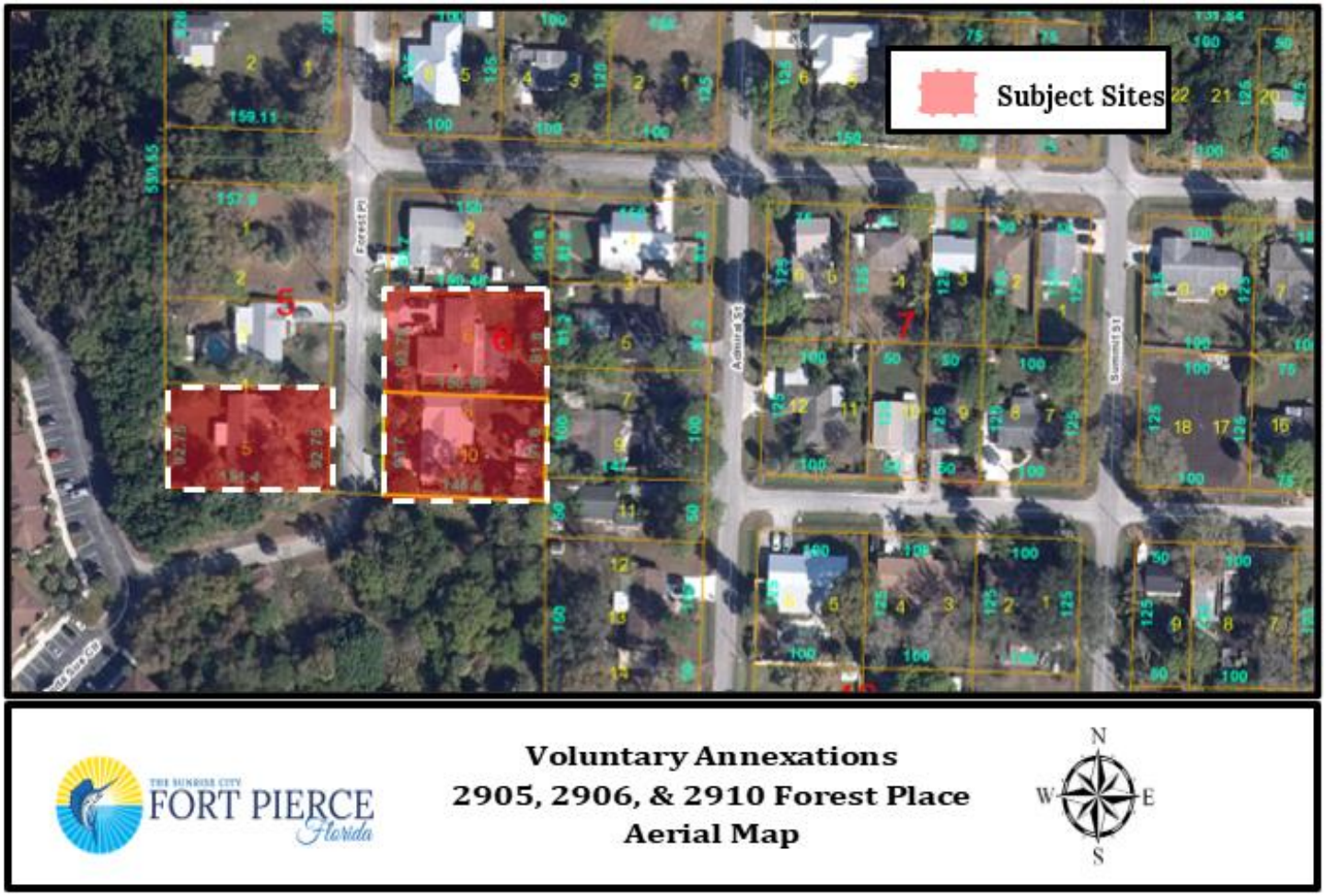
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



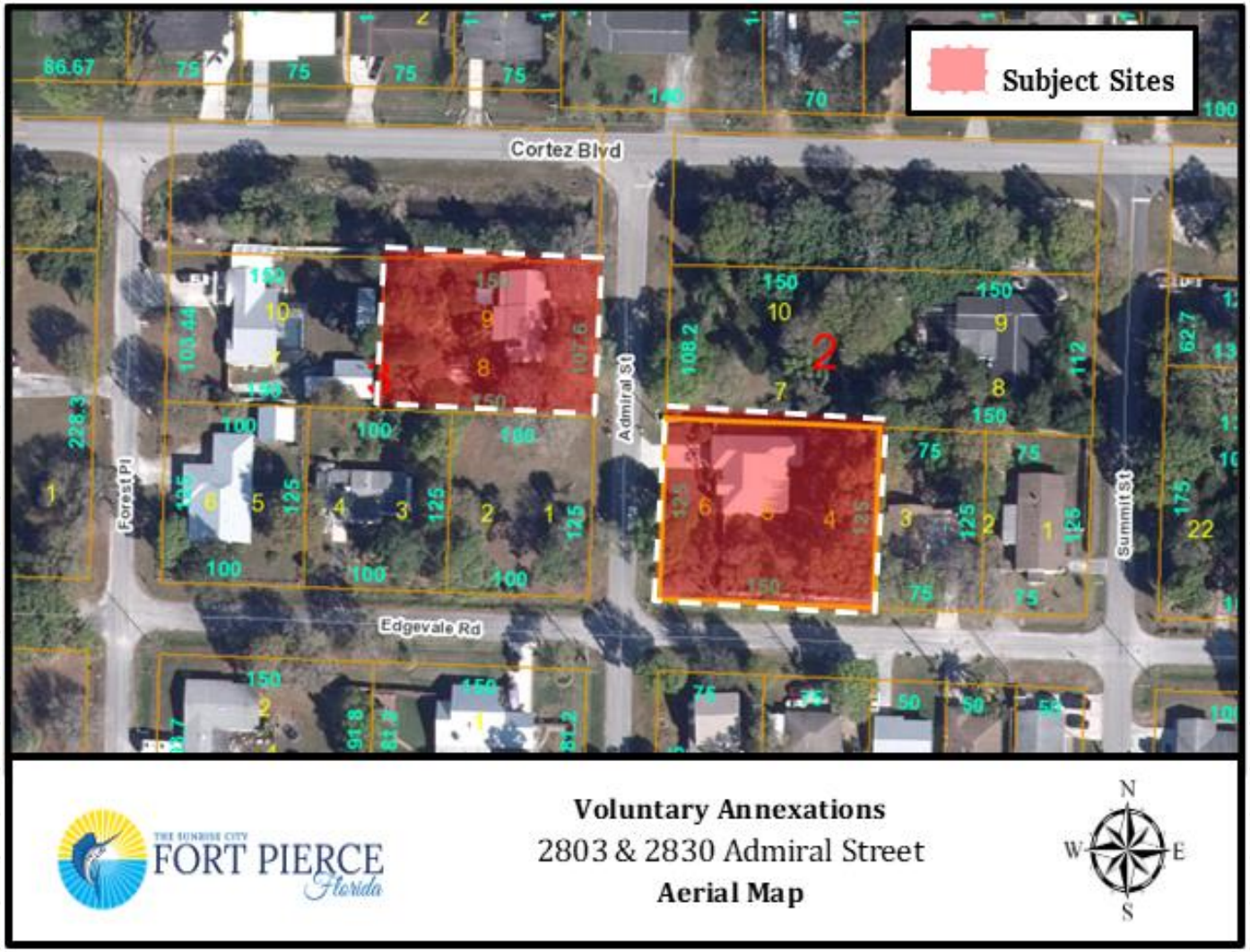
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



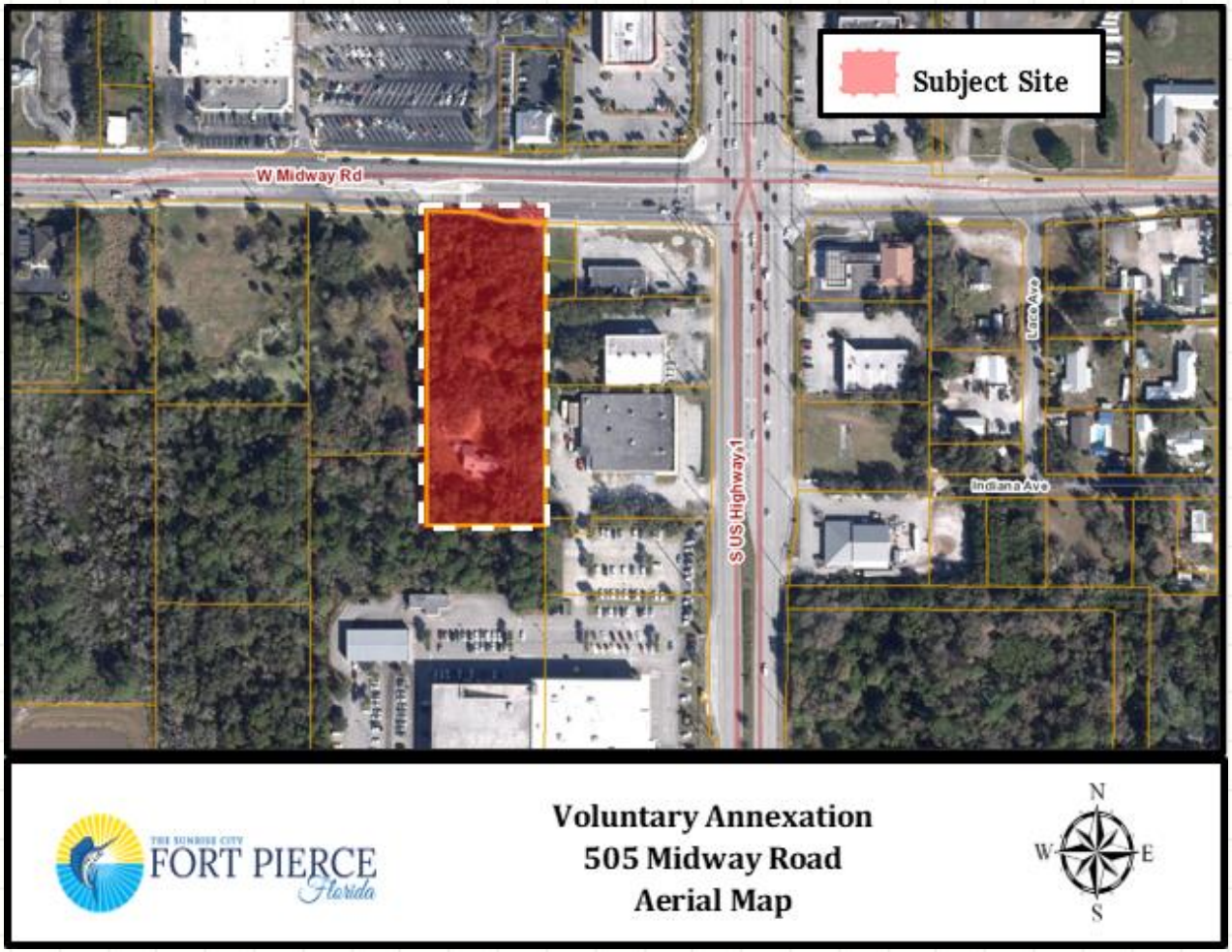
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



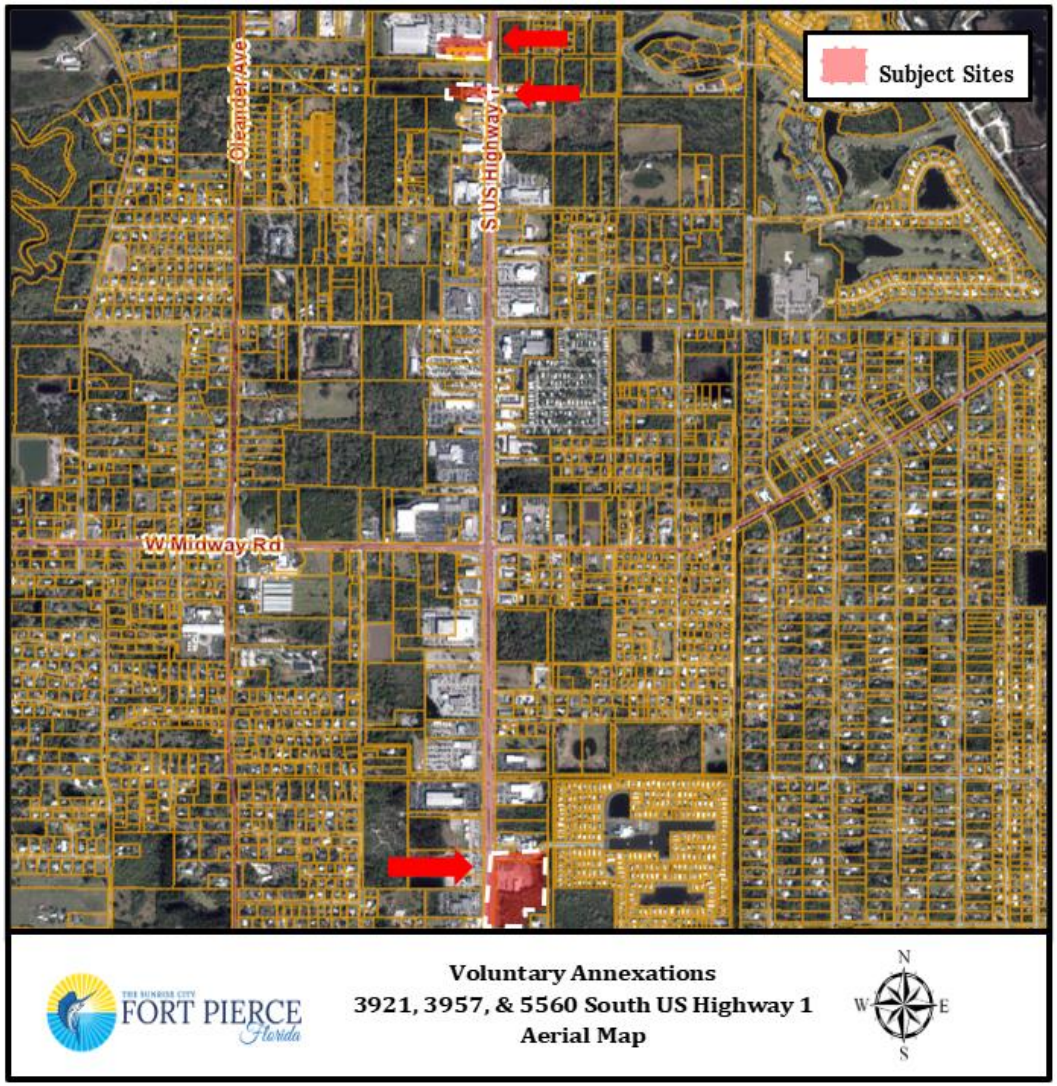
Annexation 13:

Ordinance No. 21-048



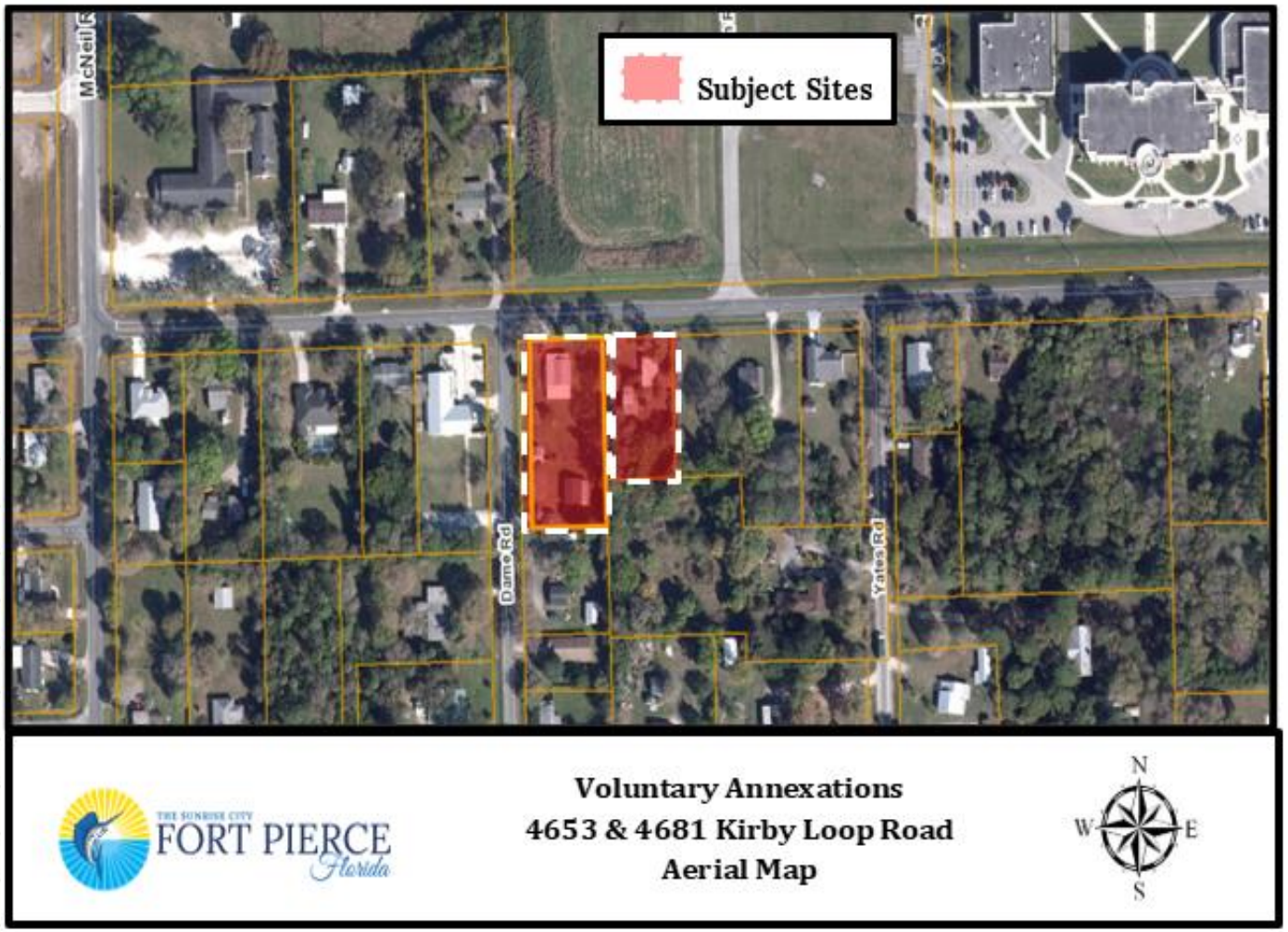
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



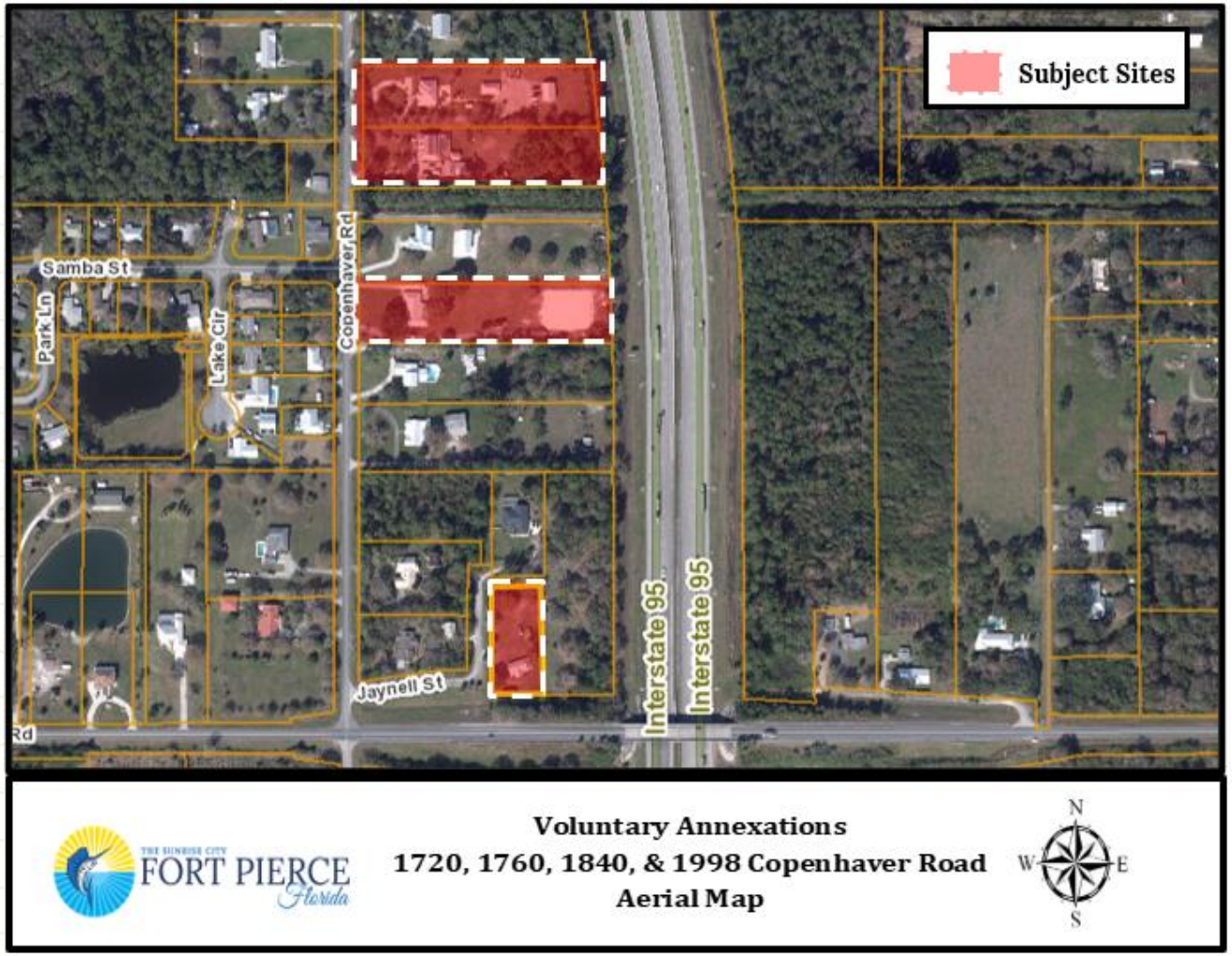
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



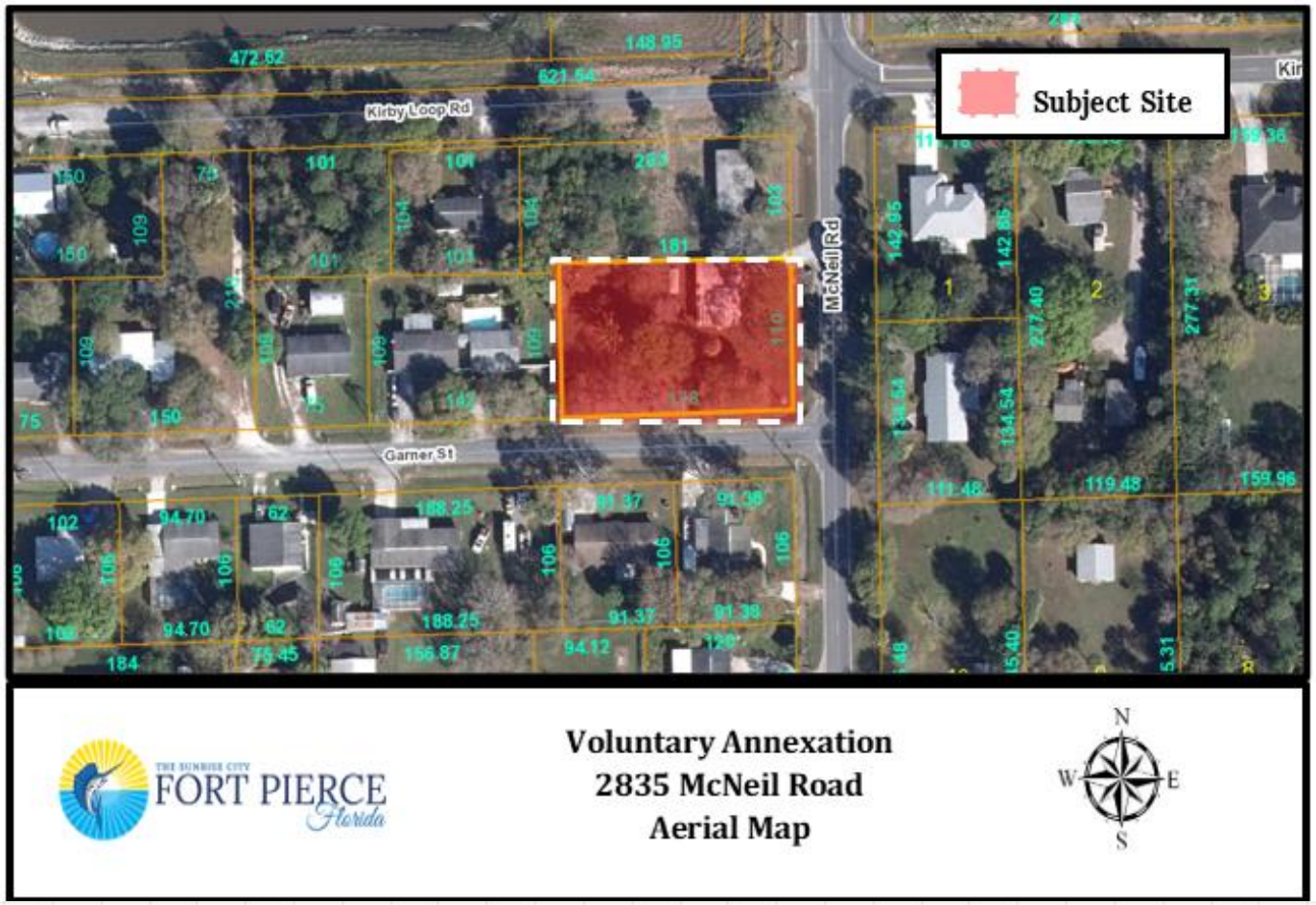
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



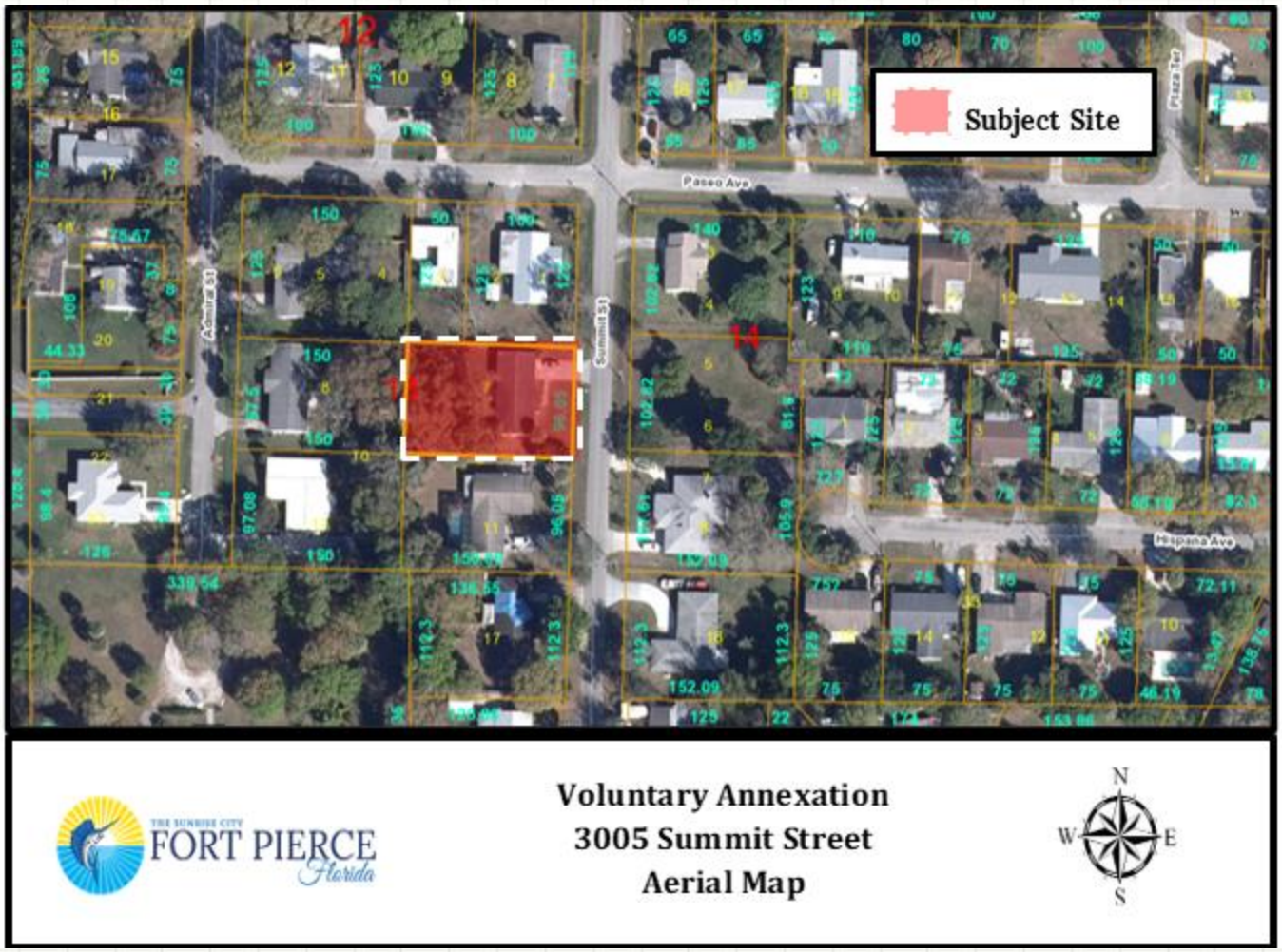
Annexation 25:

Ordinance No. 21-060



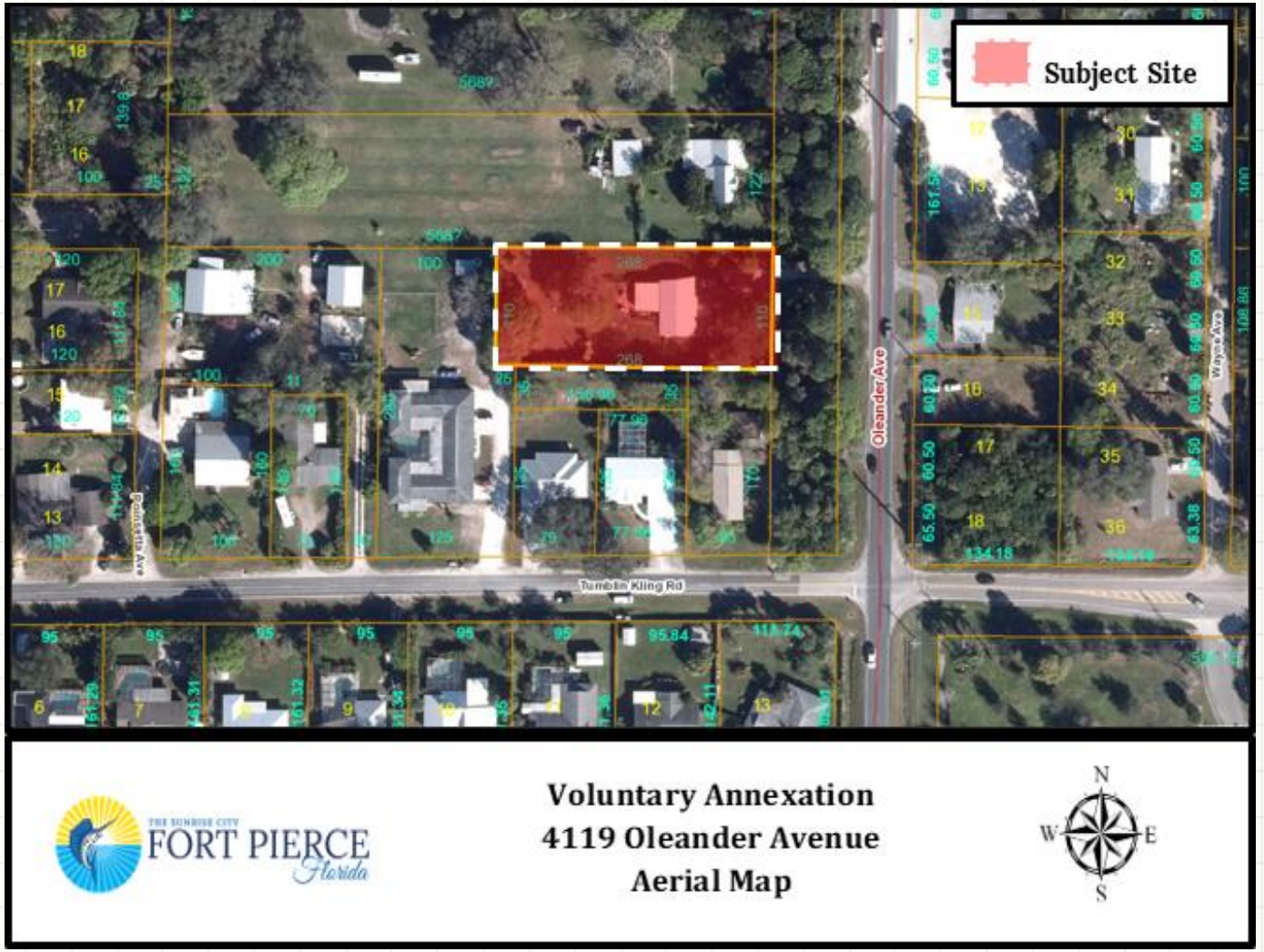
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **2704, 2908, and 3120 Avenue Q**
MEETING DATE:	November 15, 2021

STAFF REPORT

Property Owners/ Applicants	2704 Ave Q Land Trust 7700 Congress Avenue, Suite 3105 Boca Raton, FL 33487 Kennedy Gabriel 1908 N 16th Court Fort Pierce, FL 34950-2141 Home Sweet Home of the Treasure Coast 3120 Avenue Q Fort Pierce, FL 34947
Requested Action:	Approval of three (3) Voluntary Applications for Annexation
Site Locations:	2704, 2908, and 3120 Avenue Q in Fort Pierce, Florida
Parcel IDs:	2428-702-0043-000-8, 2405-501-0130-000-7, and 2405-501-0104-000-6
Parcel Sizes:	0.15, 0.22, and 0.31 acres
Current Future Land Use:	Residential Urban 5 du/ac (RU) (SLC)
Current Zoning:	Residential Single Family, 4 Dwelling Units/Acre (RS-4) (SLC)

Proposed Future Land Use: Single Family Low Density (R-1) (FP)

Proposed Zoning: Low Density Residential (RL) (FP)

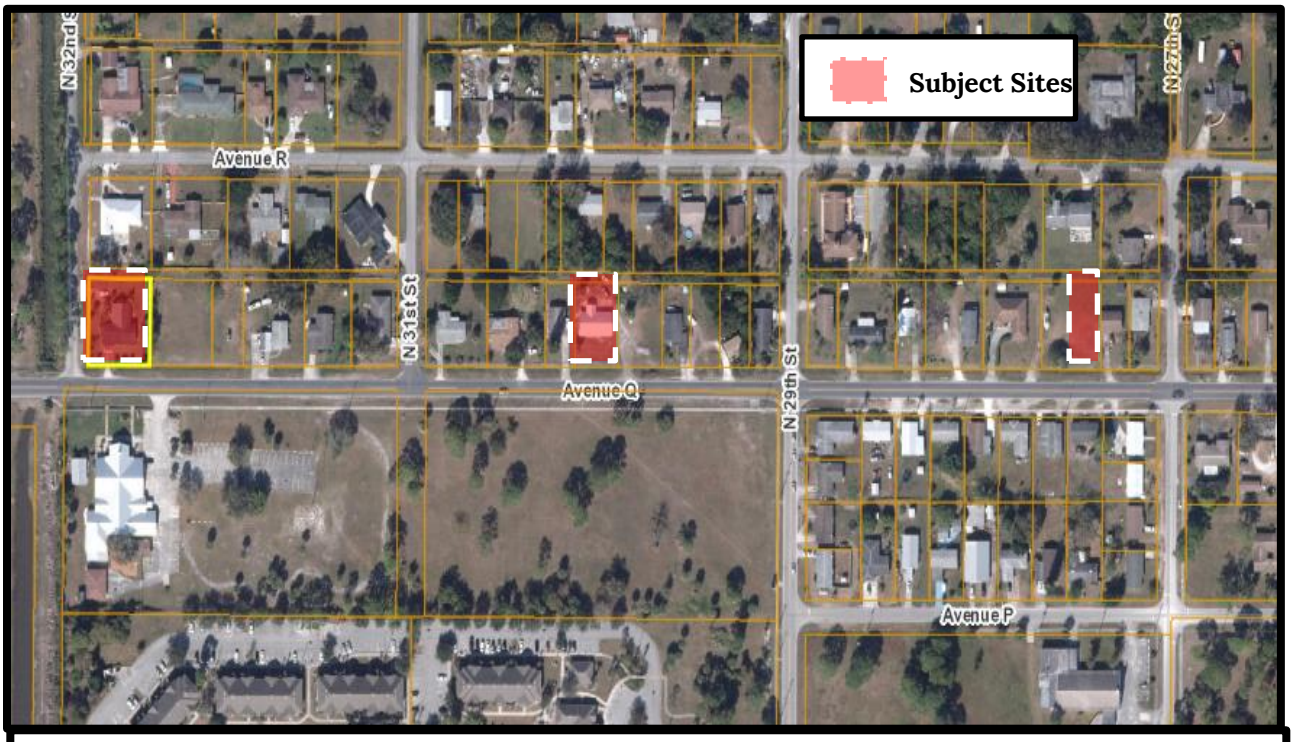
Utilities: FPUA

	North	East	South	West
Surrounding FLU:	RU (SLC)	RL (FP) / RU (SLC)	RL (FP)	RL (FP) / RU (SLC)
Surrounding Zoning:	RS-4 (SLC)	R-4 (FP) / RS-4 (SLC)	R-4 (FP)	R-4 (FP) / RS-4 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of three (3) parcels located at 2704, 2908, & 3120 Avenue Q in Fort Pierce, Florida. The parcel IDs are 2405-501-0158-000-9, 2405-501-0130-000-7, & 2405-501-0104-000-6.



The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $37,700, $5,170, & $133,509. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties has a single-family home.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services.

Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RU and RS-4, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of RL and R-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed three (3) annexations at 2704, 2908, and 3120 Avenue Q, along with the associated Future Land Use designation of RL and the Zoning designation of R-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-038

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2704 AVENUE Q IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2405-501-0158-000-9

SUNRISE PARK NO 1 BLK 7 LOT 23-LESS S 10 FT- (0.15 AC)

Said property containing 0.15 acres, more or less, and being generally located at 2704 Avenue Q in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-038 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

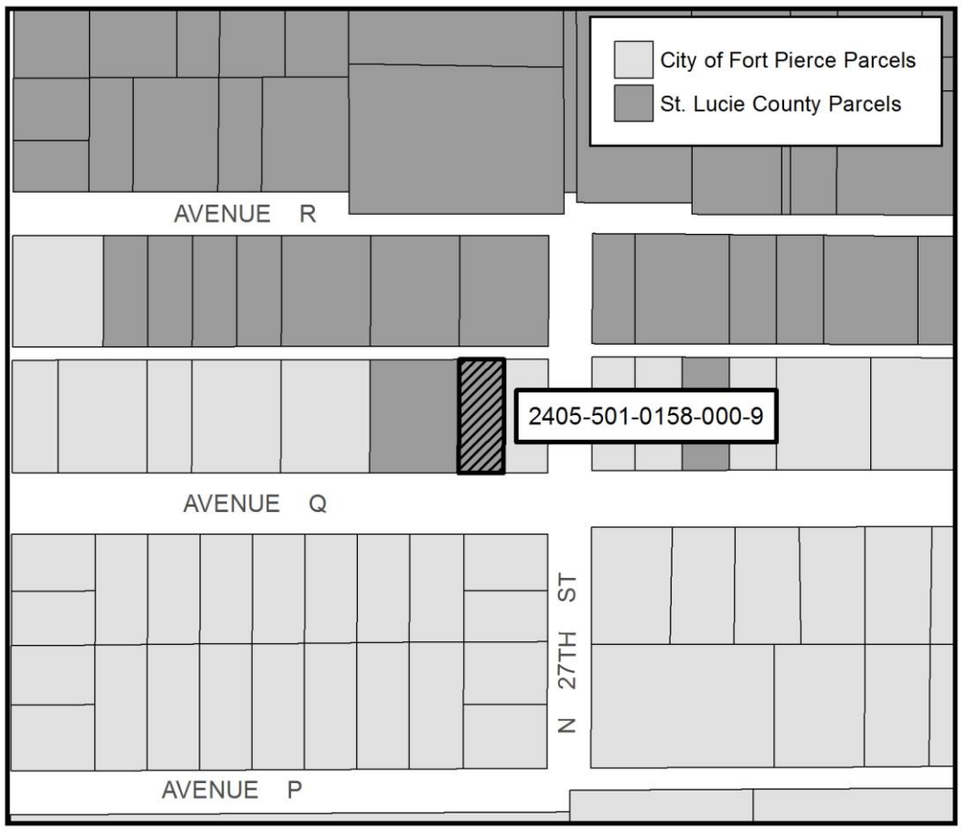
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

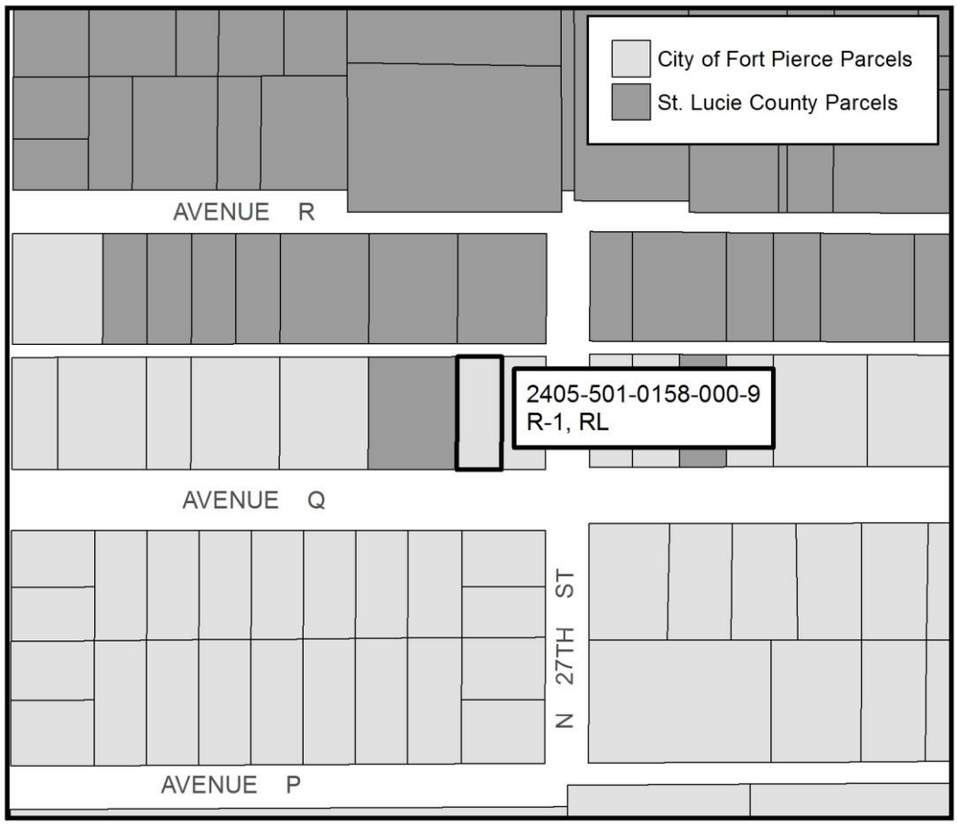
EXHIBIT A
Annexed Area & Legal Description



SUNRISE PARK NO 1 BLK 7 LOT 23-LESS S 10 FT- (0.15 AC)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3526773 OR BOOK 3239 PAGE 2880, Recorded 10/22/2010 at 04:34 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX	**ANNEXATION AGREEMENT** **INDIVIDUAL**
This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2405-501-0158-000-9	
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2704 AVENUE Q, FORT PIERCE, FL 34947 Location Address 2710 AVENUE Q, FORT PIERCE, FL 34947 Mailing Address (if different from location address)

June 15

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOT 23, BLOCK 7, SUNRISE PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 8 AT PAGE 42 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 2710 AVENUE Q, FORT PIERCE, FL 34947.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 27TH day of SEPT, 2010.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Witness Signature

Rosalie Lavertu
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Juanita Hamm
Signature
Juanita Hamm, a single adult
Printed Signature
2710 Avenue Q
Address
Fort Pierce, FL 34947
City, State, Zip

Signature

Printed Signature

Address

City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Juanita Hamm known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

ROSALIE LAVERTU
MY COMMISSION # DD643930
EXPIRES May 21 2011
(407) 398-0153 FloridaNotaryService.com

Witness my hand and official Seal in the County and State last aforesaid this 27TH day of SEPT, A.D. 2010.

Notary Signature

Rosalie Lavertu
Notary Printed Signature

ORDINANCE NO. 21-039

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2908 AVENUE Q IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2405-501-0130-000-7

SUNRISE PARK NO 1 BLK 6 LOT 18 AND W 1/2 OF LOT 19-LESS S 10 FT- (0.22 AC) (OR 4053-189)

Said property containing 0.22 acres, more or less, and being generally located at 2908 Avenue Q in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

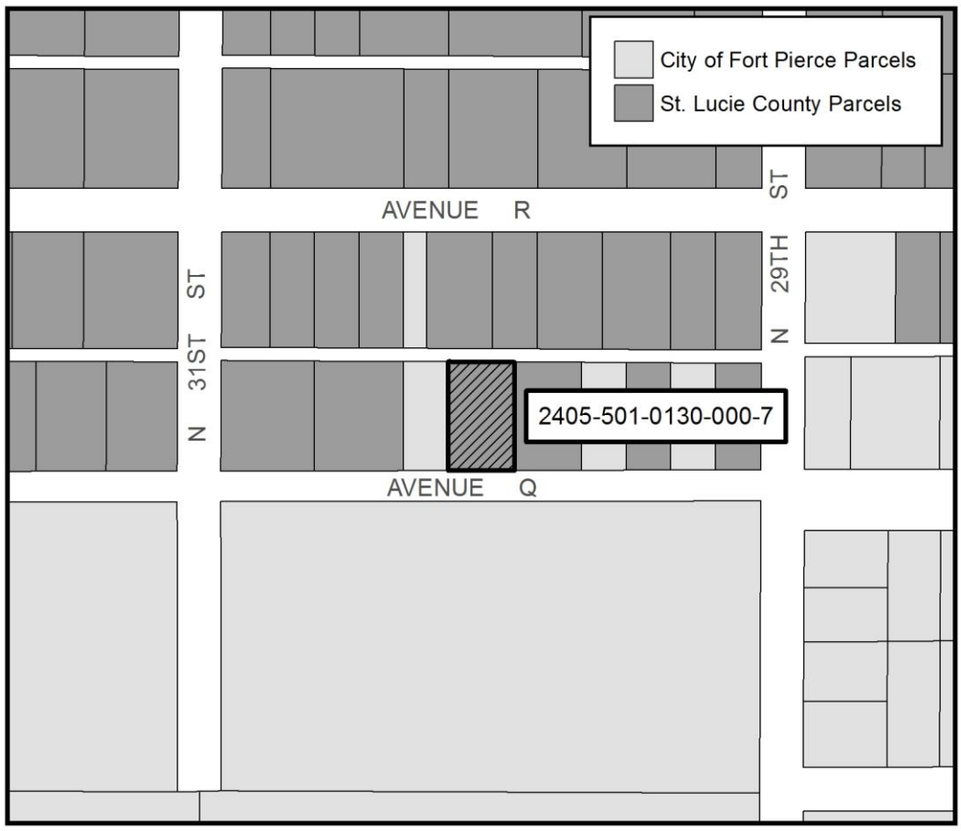
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

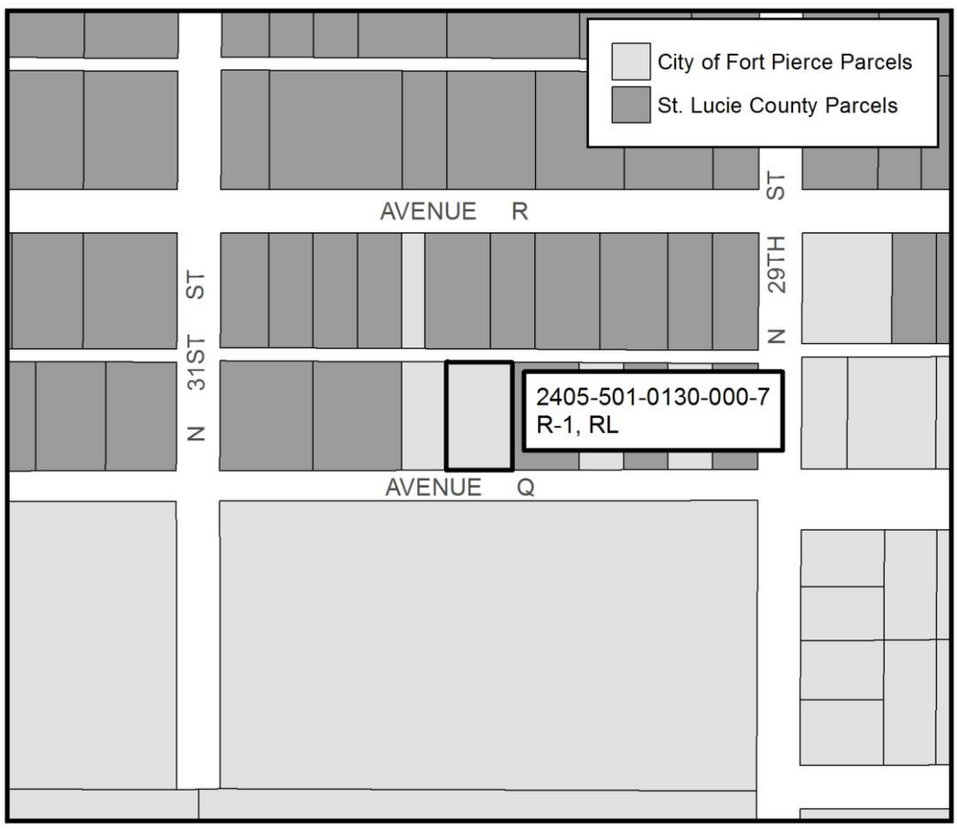
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



SUNRISE PARK NO 1 BLK 6 LOT 18 AND W 1/2 OF LOT 19-LESS S 10 FT- (0.22 AC) (OR 4053-189)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4617510 OR BOOK 4321 PAGE 1429, Recorded 09/19/2019 03:15:16 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2405-501-0130-000-7	**ANNEXATION AGREEMENT** **INDIVIDUAL** KENNEDY GABRIEL, A SINGLE MAN 2908 AVENUE Q FT. PIERCE FLORIDA 34947
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2908 AVENUE Q, FT. PIERCE, FLORIDA 34947 Location Address 1908 N.. 16TH CT., FT. PIERCE, FLORIDA 34950 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

SUNRISE PARK, NO. 1, BLK 6, LOT 18 AND W ½ OF LOT 19 LESS S 10 FT – (0.22 AC)
AS RECORDED IN THE OFFICEIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 18th day of April, 2019.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Rachel Ragan
Printed Witness Signature

Tanya Rios
Witness Signature

Tanya Rios
Printed Witness Signature

Kennedy Gabriel
Signature-Kennedy Gabriel, a single man

Kennedy Gabriel
Printed Signature

1908 N. 16th Ct., Pierce, Florida 34950
Address

STATE OF Florida
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Kennedy Gabriel, in whose name the foregoing instrument was executed, and that he severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL NOTARY PUBLIC STATE OF FLORIDA Tanya Rios My Commission # GG 56853 Expires:	Witness my hand and official Seal in the County and State last aforesaid this 18th day of April A.D. 2019.. Tanya Rios Notary Signature Tanya Rios Notary Printed Signature

EXHIBIT C (Cont.)
Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 4321 PAGE 1430

PARCEL 1:

A PORTION OF TRACTS 105 AND 120 LYING EAST OF ANGLE ROAD, GARDEN CITY FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT 60.00 FEET SOUTH AND 30.00 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT 105; THENCE S. 00 DEGREES 08'51" W. ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH 39TH STREET, 140.86 FEET; THENCE S. 89 DEGREES 56'51" W. AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF SLOAN ROAD (AVENUE H), 140.90 FEET; THENCE N. 00 DEGREES 08'51" E. AND PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF SAID NORTH 39TH STREET, 140.86 FEET TO THE SAID SOUTH RIGHT-OF-WAY LINE OF SLOAN ROAD (AVENUE H); THENCE N. 89 DEGREES 56'51" E. ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SLOAN ROAD (AVENUE H), 140.90 FEET TO THE POINT OF BEGINNING. SUBJECT TO CONDITIONS, RESTRICTIONS, LIMITATIONS, RESERVATIONS, AND EASEMENTS OF RECORD, IF ANY.

TOGETHER WITH:

PARCEL 2:
A PORTION OF TRACTS 105 AND 120 LYING EAST OF ANGLE ROAD, GARDEN CITY FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A POINT 60.00 FEET SOUTH AND 30.00 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT 105; THENCE S.00 DEGREES 08'51" W. ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH 39TH STREET, 140.86 FEET; THENCE S. 89 DEGREES 56'51" W. AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF SLOAN ROAD (AVENUE H), 140.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S. 89 DEGREES 56'51" W. A DISTANCE OF 166.71 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY ON ANGLE ROAD; THENCE N. 42

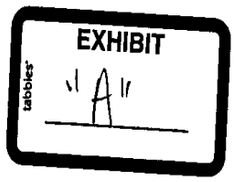
DEGREES 58'18" W. ALONG THE AFOREMENTIONED NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 191.76 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SLOAN ROAD; THENCE N. 89 DEGREES 56'51" E. ALONG THE AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 297.78 FEET; THENCE S. 00 DEGREES 08'51" W. A DISTANCE OF 140.86 FEET TO THE POINT OF BEGINNING.

Parcel Identification Number: 2404-608-0166-010-6

Subject to taxes for 2018 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 1710 SE 2nd Court, Ft. Lauderdale, FL 33301.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.



ORDINANCE NO. 21-040

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3120 AVENUE Q IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2405-501-0104-000-6

SUNRISE PARK NO 1 BLK 5 LOTS 13 AND 14-LESS S 10 FT- (0.31 AC) (OR 3771-216)

Said property containing 0.31 acres, more or less, and being generally located at 3120 Avenue Q in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-040 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on October 18, 2021; and was duly introduced, read by title only, and passed on second and final reading November 1, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

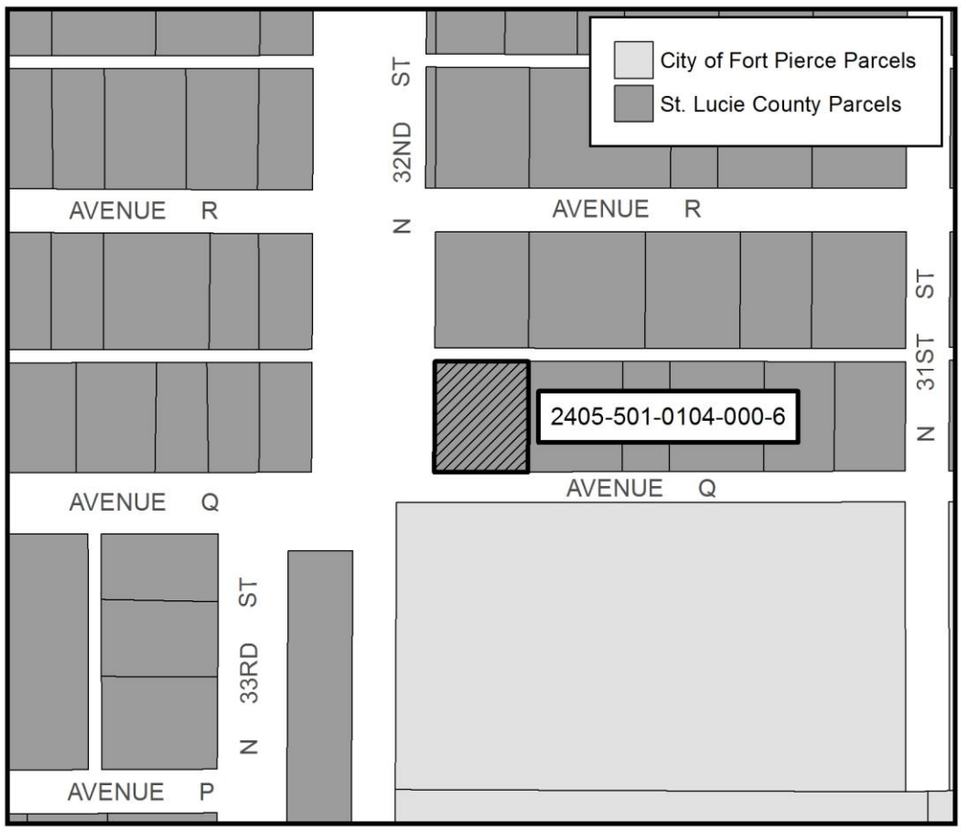
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

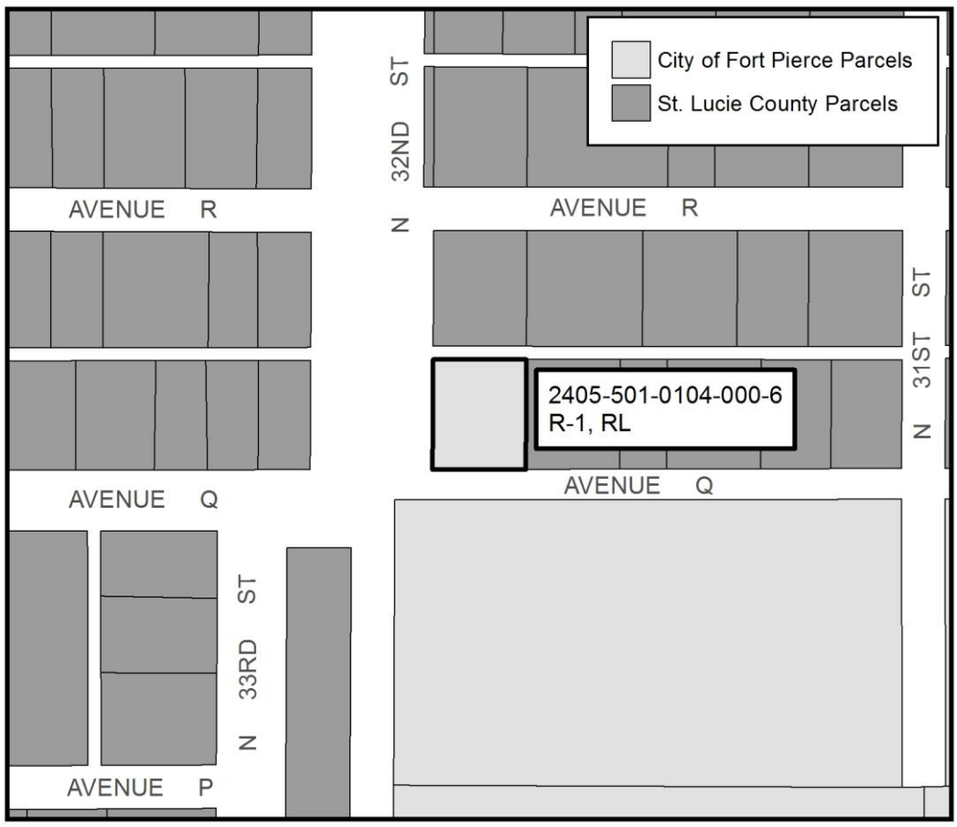
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



SUNRISE PARK NO 1 BLK 5 LOTS 13 AND 14-LESS S 10 FT- (0.31 AC) (OR 3771-216)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3984280 OR BOOK 3661 PAGE 1883, Recorded 08/12/2014 at 02:05 PM

RETURN TO: R.N. KOBLEGARD, III COURTHOUSE BOX
This instrument prepared by:
R. N. Koblegard, III, Esq.
200 S. Indian River Drive, Suite 201
Fort Pierce, FL 34950

Property Appraisers Parcel Identification (Folio) Number(s):
2405-501-0104-000-6

ANNEXATION AGREEMENT
CORPORATION

To: WATER/WASTEWATER ENGINEERING
FORT PIERCE UTILITIES AUTHORITY
POST OFFICE BOX 3191
FORT PIERCE, FLORIDA 34948-3191

3120 AVENUE Q, FORT PIERCE, FLORIDA 34947
Location Address

1316 23RD PLACE, S.W., VERO BEACH, FLORIDA 32962
Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Lot 13 and Lot 14, less the South 10 feet, Block 5, SUNRISE PARK #1, according to the map or plat thereof, as recorded in Plat Book 8, Page 42, Public Records of St. Lucie County, Florida.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

(Corporate Seal)

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized this

7TH *day of* JULY, *2014.*

Attest:
Diane Reynolds
Diane Reynolds, Treasurer

Avant Enterprises, Inc., a Florida Corporation
GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
Rosalie Lavertu
Printed Witness Signature

Witness Signature
AMY SHEVLIN
Printed Witness Signature

Marlene Hadden
PRESIDENT (Signature)
Marlene Hadden, President
Printed Signature
1316 23rd Place, S.W.
Address
Vero Beach, Florida 32962
City, State, Zip

STATE OF FLORIDA

COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Marlene Hadden and Diane Reynolds,** known to me to be the President and Treasurer, respectively of **Avant Enterprises, Inc., a Florida corporation**, the corporation in whose name the foregoing instrument was executed, and that they severally acknowledged executing the same for such corporation, freely and voluntarily, under authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath (was not) taken.

RUBBER STAMP NOTARY SEAL

ROSALIE LAVERTU
Commission # EE 218440
Expires July 22, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

Witness my hand and official Seal in the County and State last aforesaid this 7TH day of JULY A.D. 2014.

Notary Signature
Rosalie Lavertu
Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 3120 Avenue Q

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

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THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

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NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. d.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 2905, 2906, and 2910 Forest Place - Ordinance No. 21-041, 21-042, 21-043

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-041 - This is a voluntary annexation of one parcel of land located at 2905 Forest Place in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-042 - This is a voluntary annexation of one parcel of land located at 2906 Forest Place in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-043 - This is a voluntary annexation of one parcel of land located at 2910 Forest Place in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
CIty Clerk

Fiscal Impact

Budgeted Y/N:	n/a
Fiscal Year:	n/a
Account:	n/a

Amount: n/a

OTHER INFORMATION:

Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties has a single-family home.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:49 PM

Form Started By: Jennifer Hofmeister Started On: 11/04/2021 09:10 AM

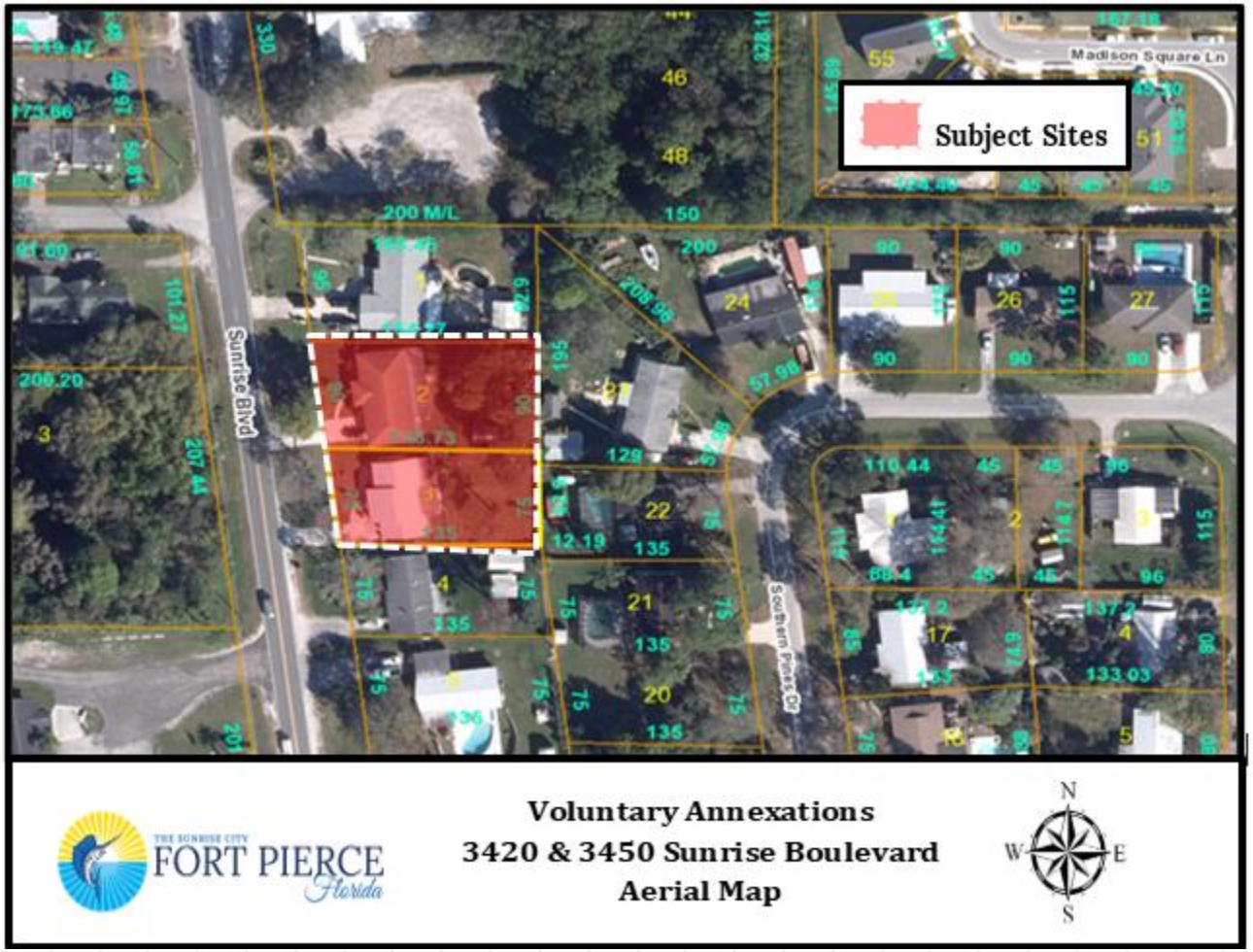
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

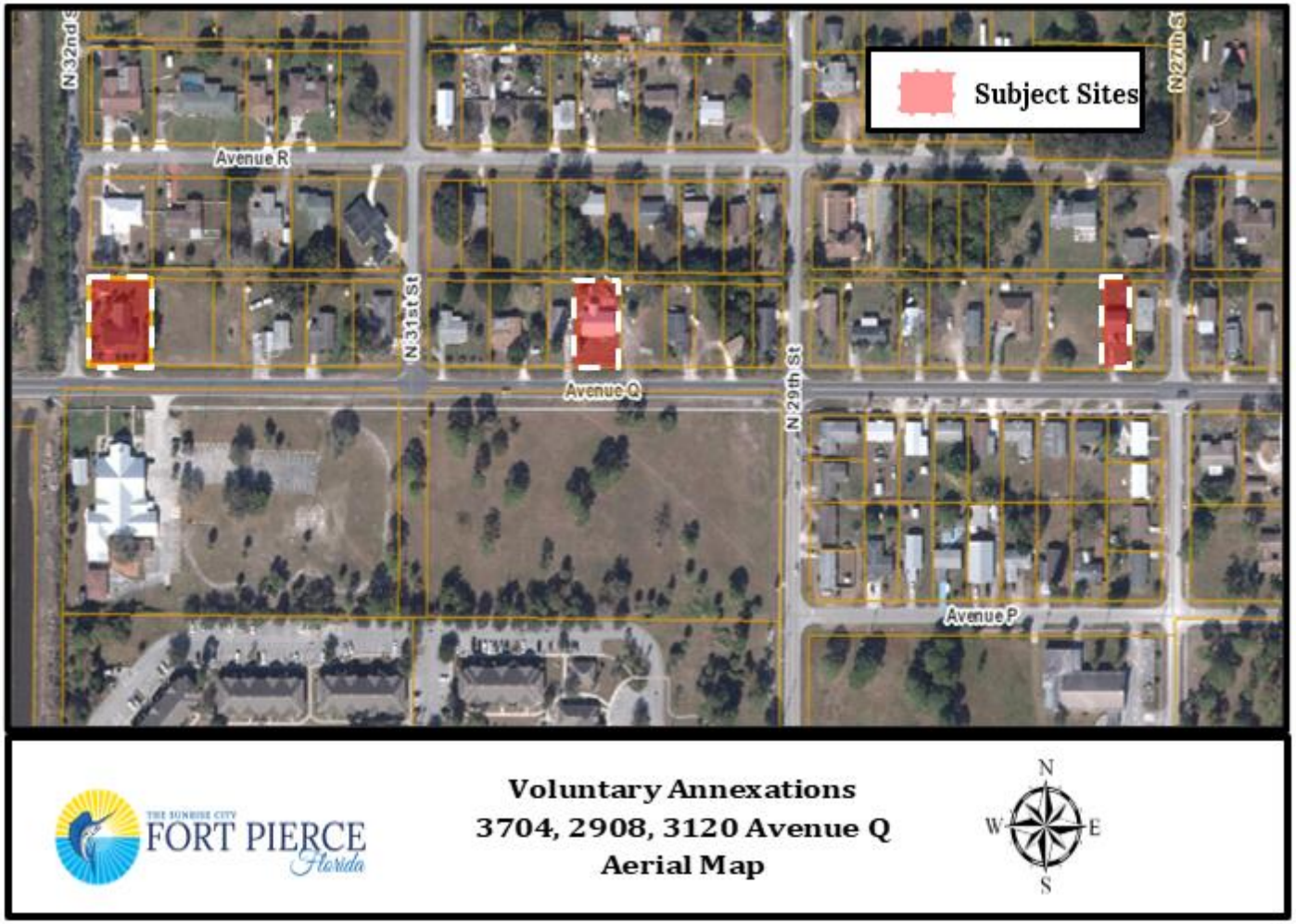
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



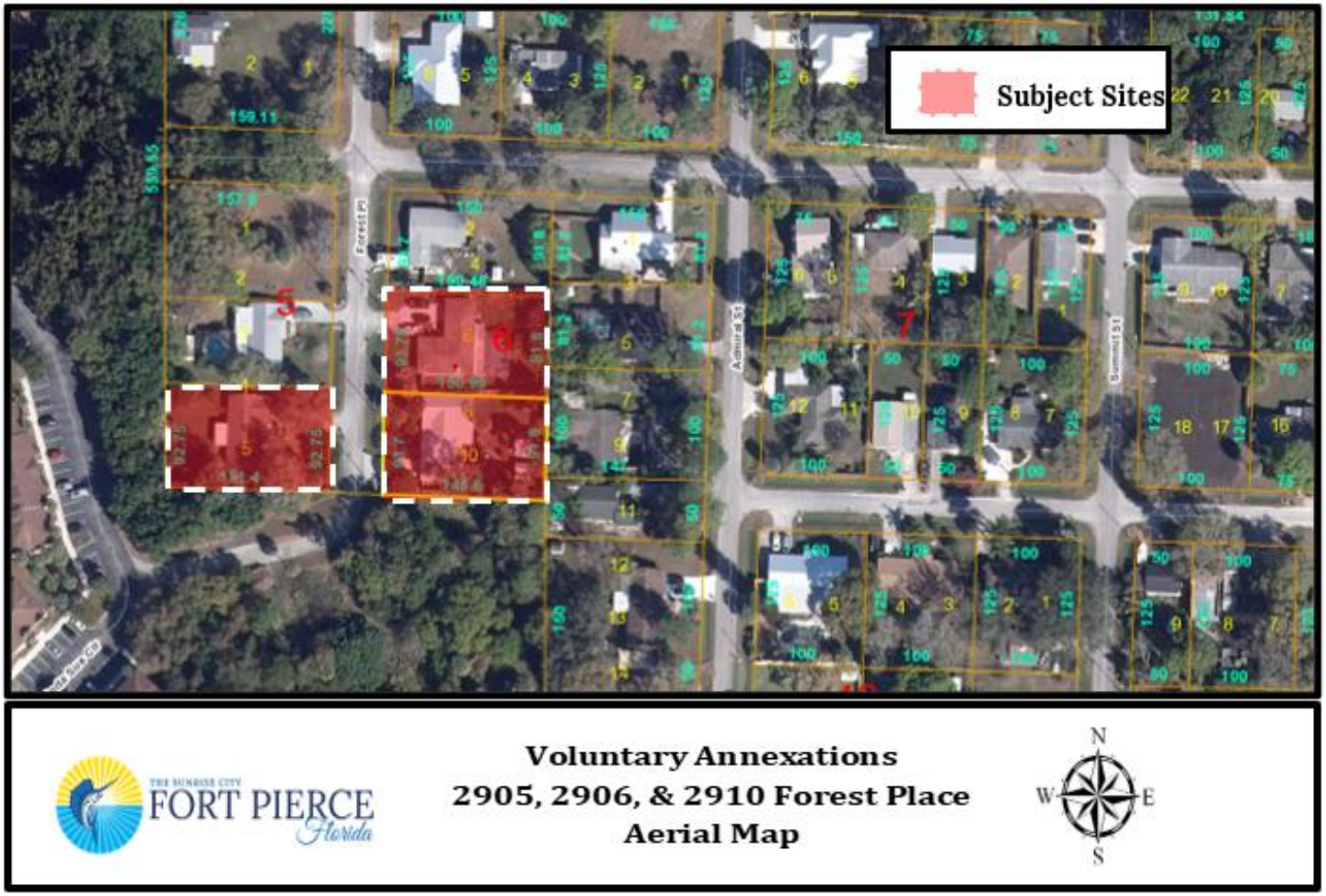
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



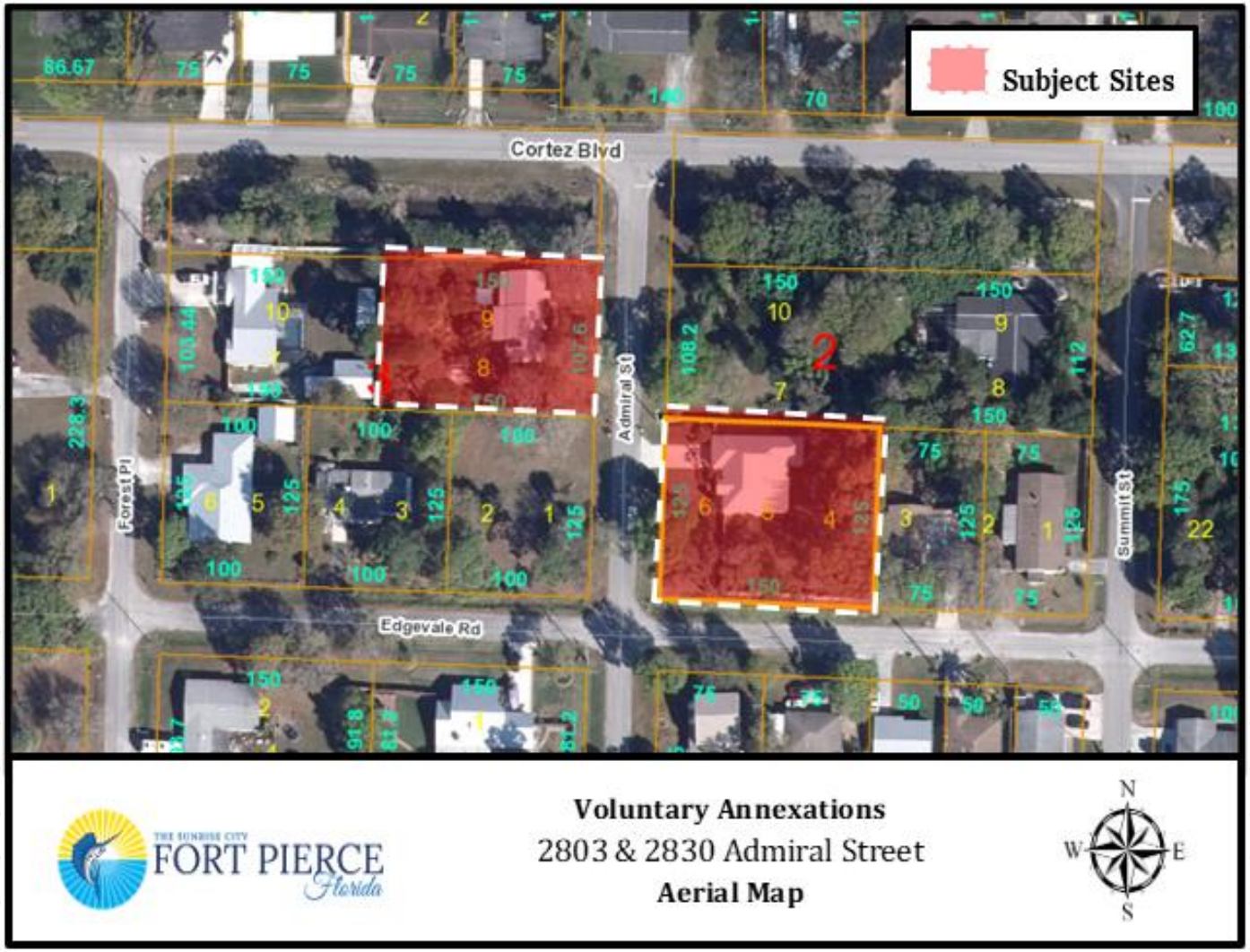
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



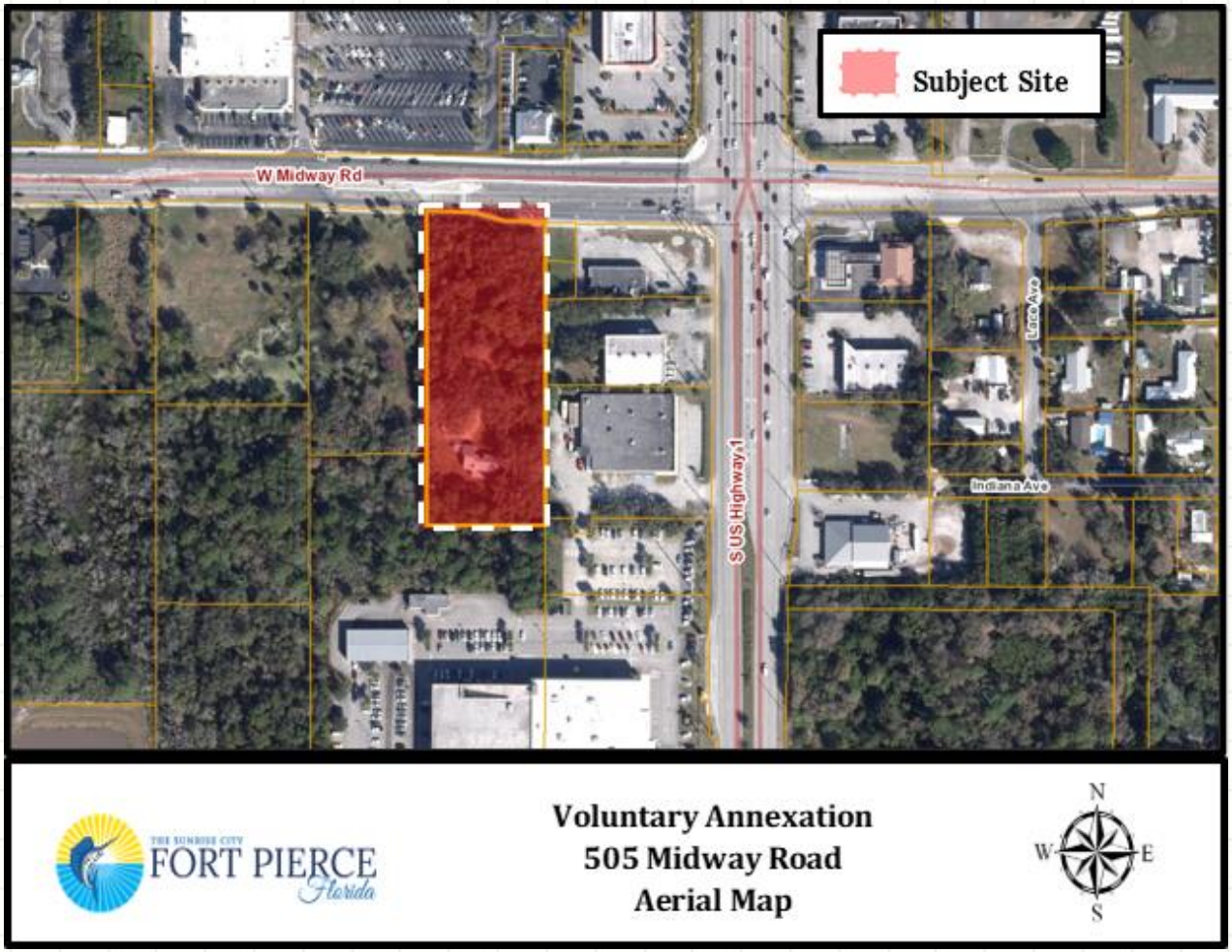
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



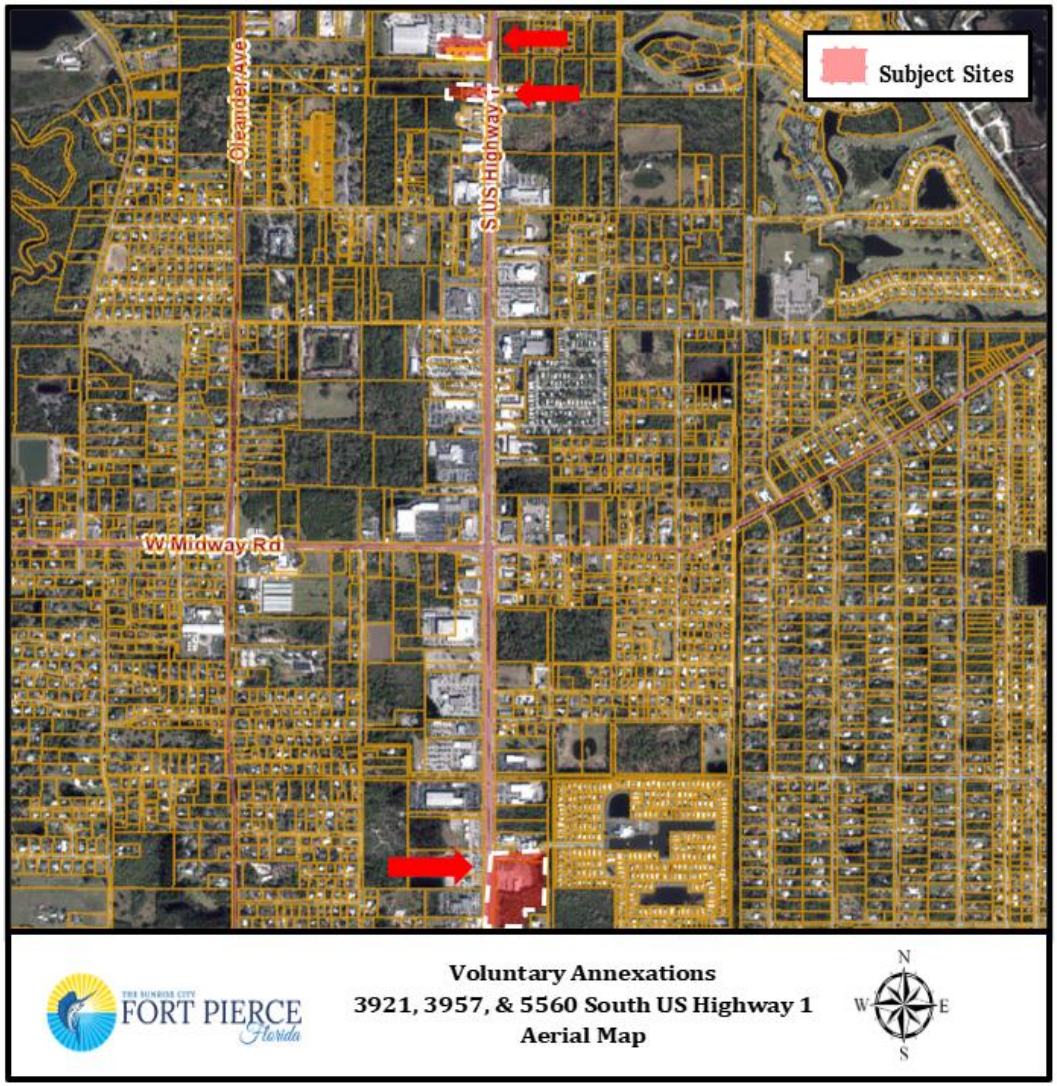
Annexation 13:

Ordinance No. 21-048



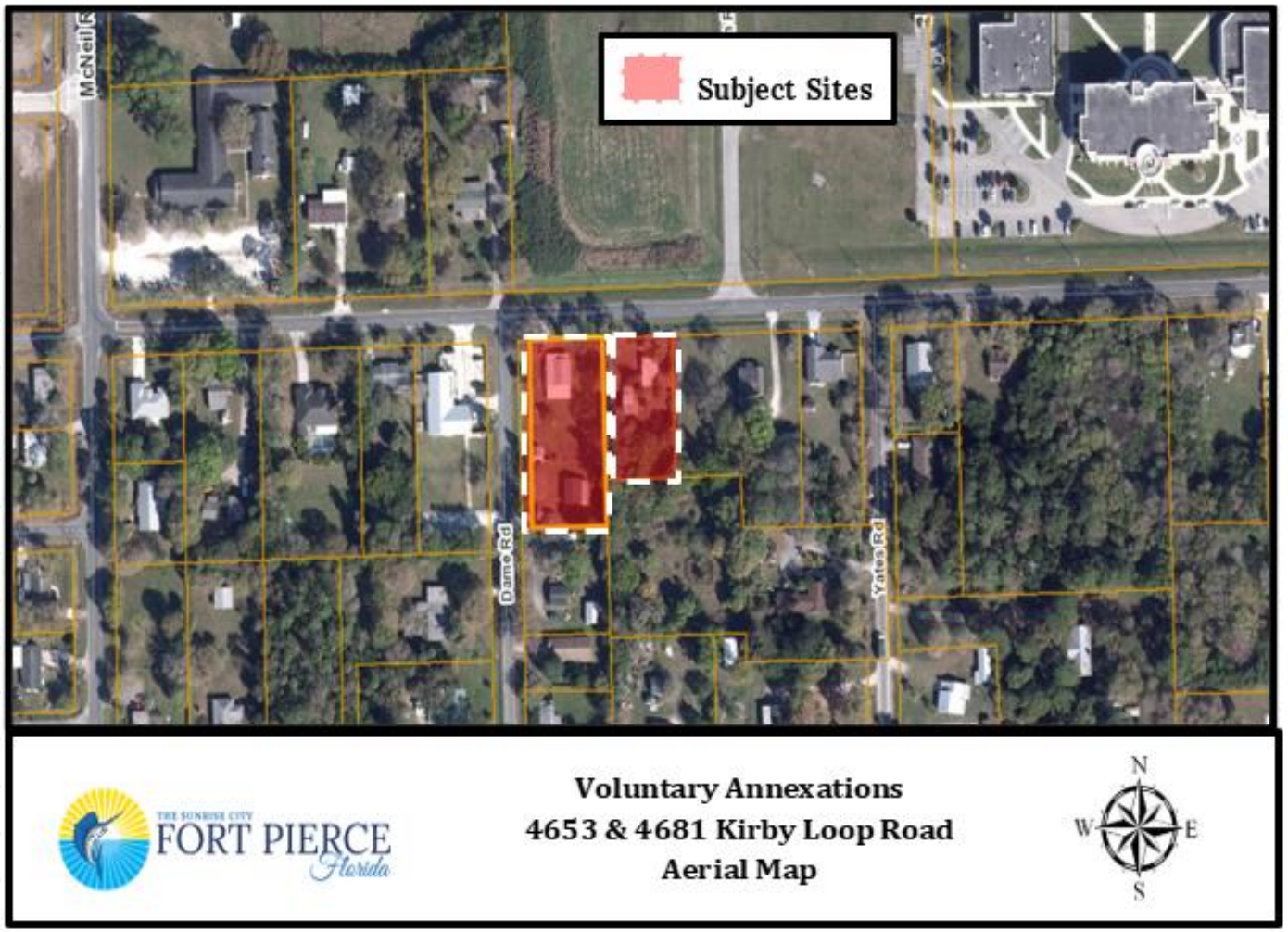
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



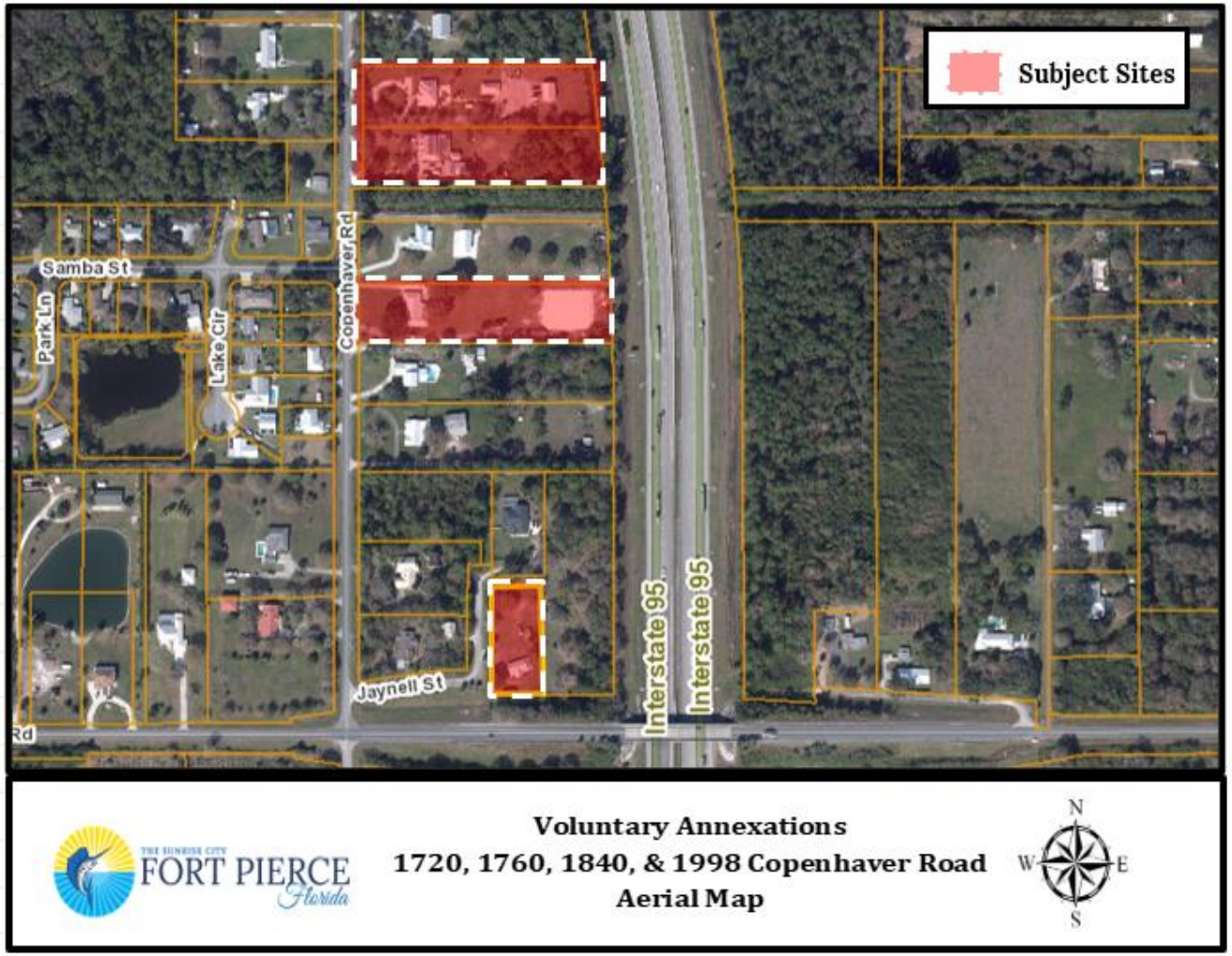
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



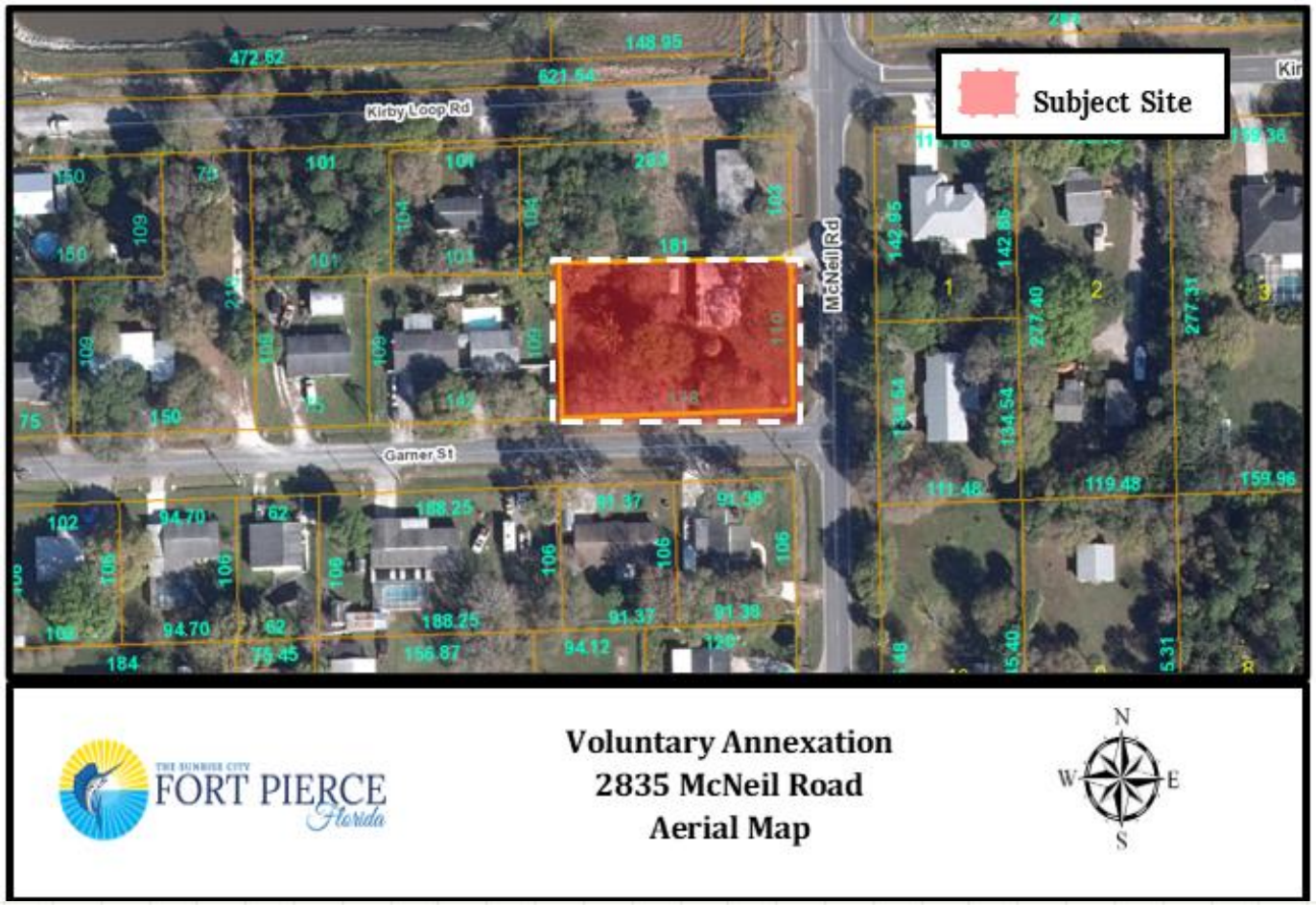
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



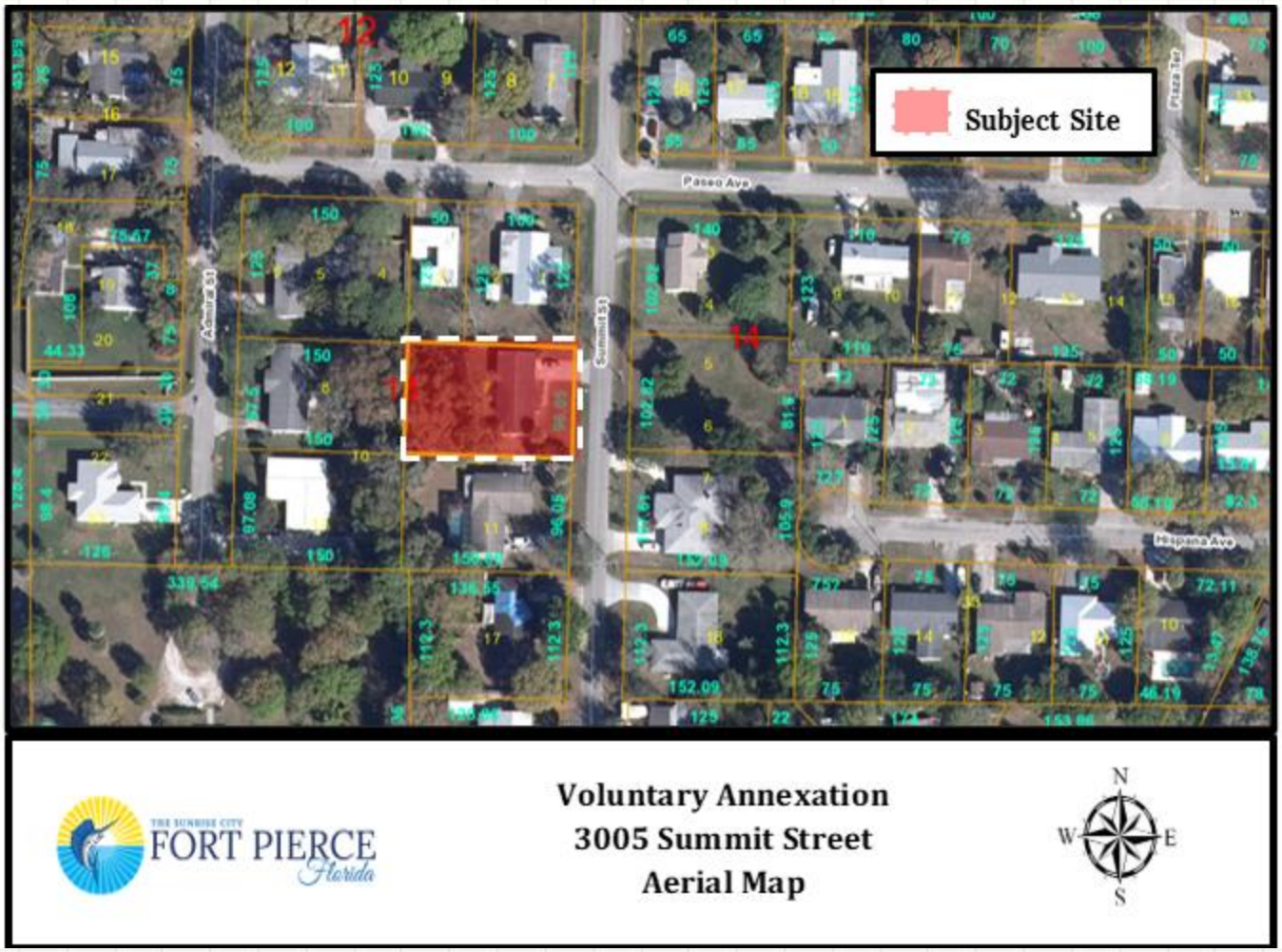
Annexation 25:

Ordinance No. 21-060



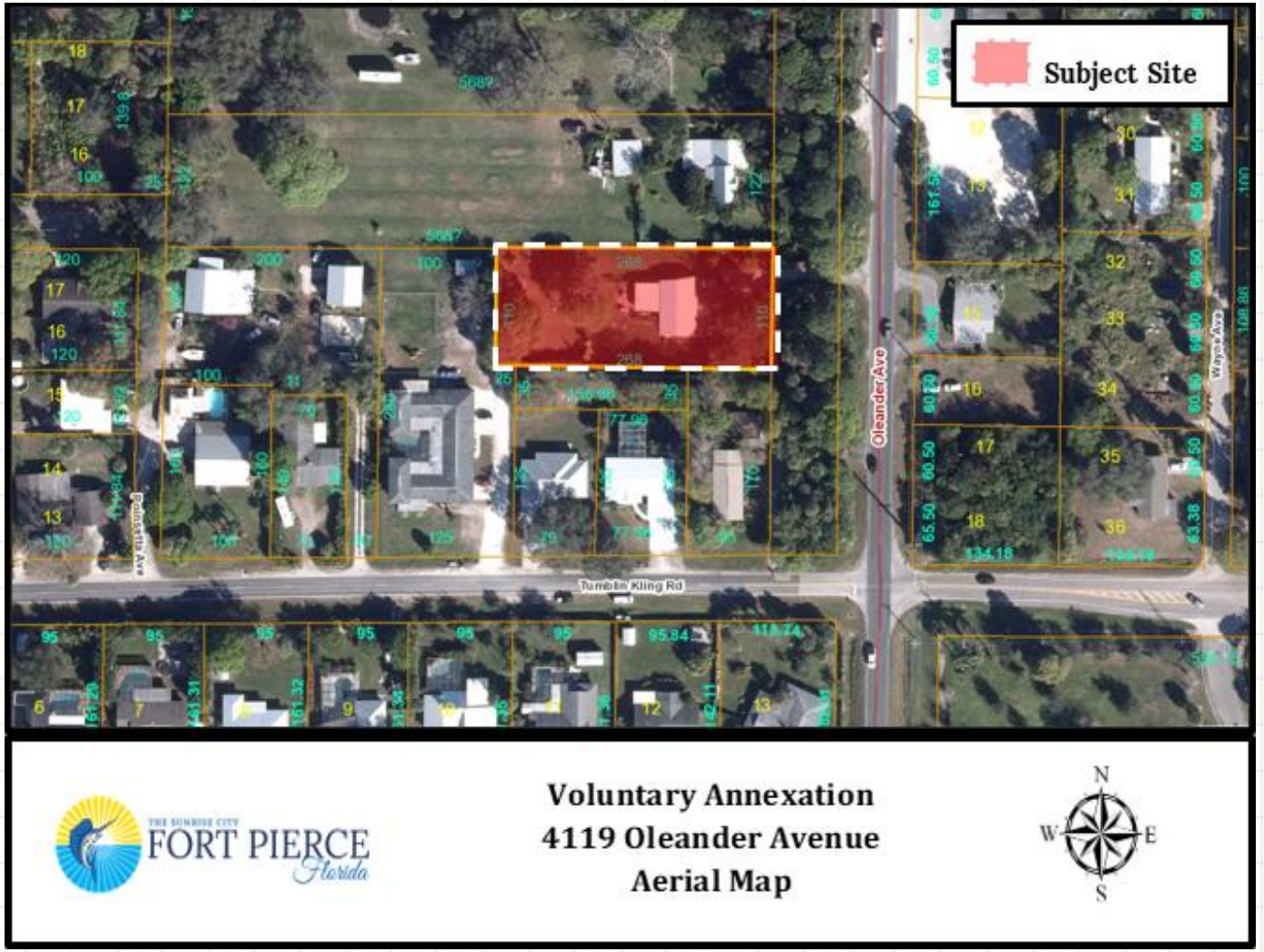
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas Mimms, P.E., ICMA-CM, City Manager

FROM: Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director

RE: **Applications for Voluntary Annexation**
2905, 2906, & 2910 Forest Place

MEETING DATE: November 15, 2021

STAFF REPORT

Property Owners/
Applicants

Jose L Zamora
Maria E Zamora
2905 Forest Place
Fort Pierce, FL 34982

Donahue St Peter Boreland
Shanda T Boreland
2906 Forest Place
Fort Pierce, FL 34982-6176

Donald Allan
Joyce L Allan
2910 Forest Place
Fort Pierce, FL 34982

Requested Action: Approval of three (3) Voluntary Applications for Annexation

Site Locations: 2905, 2906, and 2910 Forest Place in Fort Pierce, Florida

Parcel IDs: 2421-802-0052-000-0, 2421-802-0056-000-8, and 2421-802-0060-000-9

Parcel Sizes: 0.32, 0.32, and 0.32 acres

Current Future Land Use: Residential Urban 5 du/ac (RU) (SLC)

Current Zoning: Residential Single Family, 4 Dwelling Units/Acre (RS-4) (SLC)

Proposed Future Land Use: Single Family Low Density (R-1) (FP)

Proposed Zoning: Low Density Residential (RL) (FP)

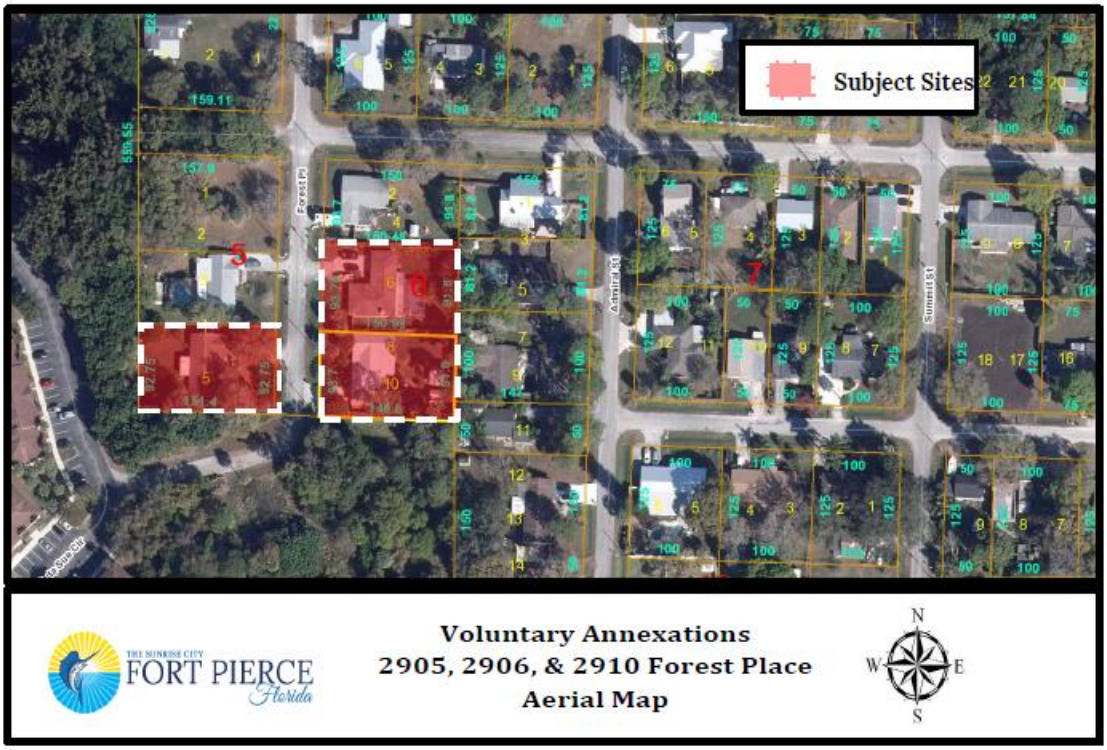
Utilities: FPUA

	North	East	South	West
Surrounding FLU:	RU (SLC)	RL (FP) / RU (SLC)	RL (FP) / RU (SLC)	RL (FP) / RU (SLC)
Surrounding Zoning:	RS-4 (SLC)	R-1 (FP) / RS-4 (SLC)	R-2 (FP) / RS-4 (SLC)	R-2 (FP) / RS-4 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of three (3) parcels located at 2905, 2906, and 2910 Forest Place in Fort Pierce, Florida. The parcel IDs are 2421-802-0052-000-0, 2421-802-0056-000-8, and 2421-802-0060-000-9.



The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $25,000, $88,248, & $0. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties has a single-family home.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services. Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RU and RS-4, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of RL and R-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed three (3) annexations at 2905, 2906, and 2910 Forest Place, along with the associated Future Land Use designation of RL and the Zoning designation of R-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-041

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2905 FOREST PLACE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0052-000-0

MARAVILLA PLAZA BLK 5 S 24 FT OFLOT 4 AND ALL LOT 5 (0.32 AC) (OR 1749-236)

Said property containing 0.32 acres, more or less, and being generally located at 2905 Forest Place in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-2, Single Family Intermediate Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

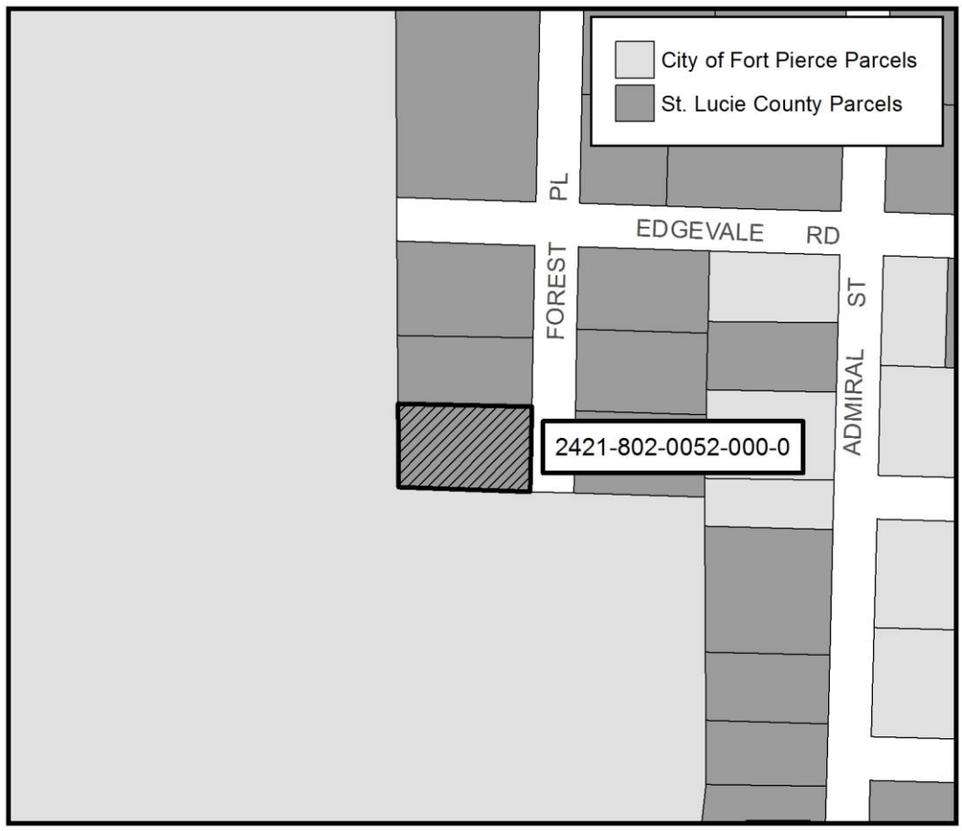
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

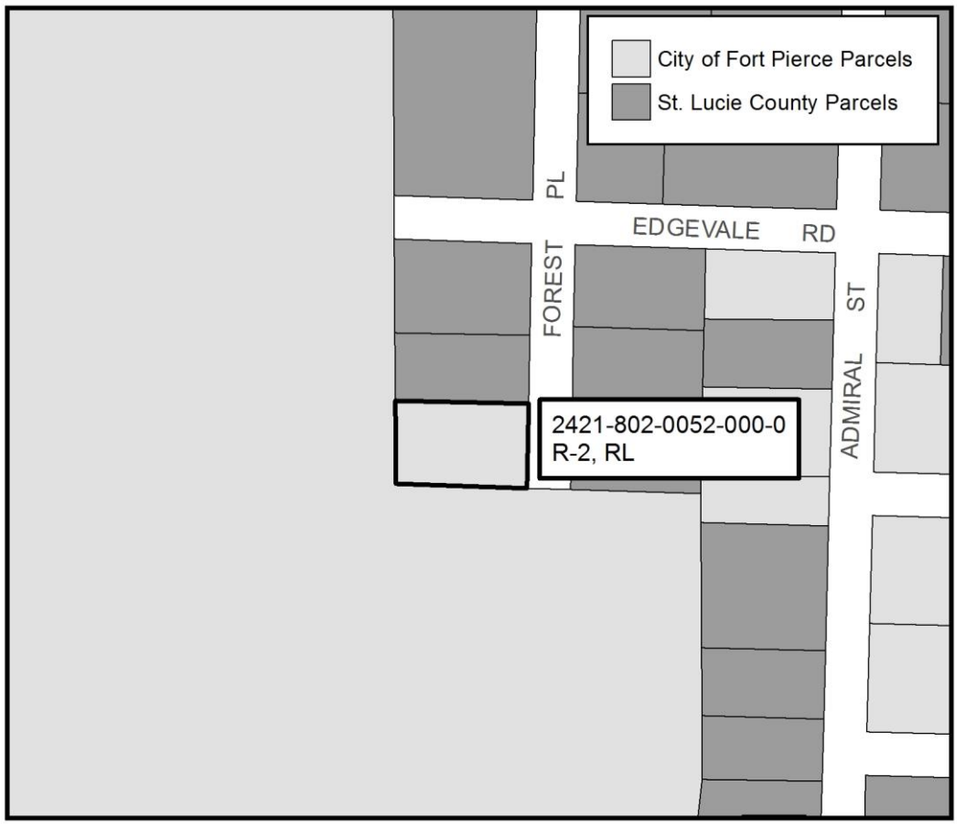
EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA BLK 5 S 24 FT OFLOT 4 AND ALL LOT 5 (0.32 AC) (OR 1749-236)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-2, Single Family Intermediate Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4294862 OR BOOK 3981 PAGE 1893, Recorded 04/06/2017 11:06:07 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): **2421-802-0052-000-0**	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2905 FOREST PLACE, FORT PIERCE, FL 34982 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE SOUTH 24 FEET OF LOT 4 AND ALL OF LOT 5, BLOCK 5 OF MARAVILLA PLAZA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGES 44, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 21e day of February, 2017.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Printed Witness Signature

Witness Signature
Printed Witness Signature

Witness Signature
Printed Witness Signature

Witness Signature
Printed Witness Signature

Signature
Jose Luis Zamora, a married man
Printed Signature
2905 Forest Place
Address
Fort Pierce, Florida 34982
City, State, Zip

Signature
Maria Elidia Zamora, his wife
Printed Signature
2905 Forest Place
Address
Fort Pierce, Florida 34982
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Jose Luis Zamora and Maria Elidia Zamora, husband and wife**, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL NOTARY PUBLIC STATE OF FLORIDA JESSICA LUNA MY COMMISSION # FF 974105 EXPIRES: April 14, 2020 Bonded Thru Budget Notary Services	Witness my hand and official Seal in the County and State last aforesaid this 20th day of February, A.D. 2017. Notary Signature Notary Printed Signature

Revised 7/9/04 per atty

ORDINANCE NO. 21-042

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2906 FOREST PLACE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0056-000-8

MARAVILLA PLAZA S/D BLK 6 FROM NW COR LOT 2 RUN S ON E R/W FORREST PL 93.7 FT FOR POB, TH CONT S ON SAME LI 93.7 FT, TH E 150.98 FT TO E LI LOT 8, TH N ON E LI LOTS 8, 6 AND 4 91.8 FT, TH W 150.48 FT TO POB BEING PART OF LOTS 4 AND 8 ALL LOT 6 (0.32 AC) (OR 3889-816)

Said property containing 0.32 acres, more or less, and being generally located at 2906 Forest Place in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

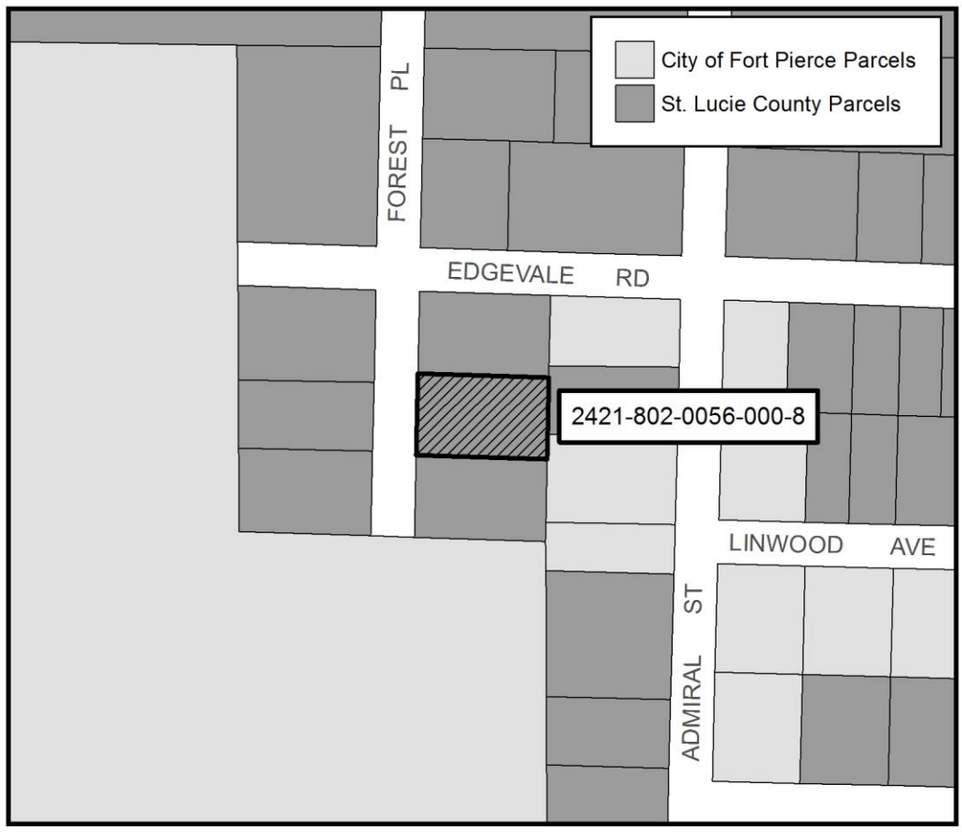
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

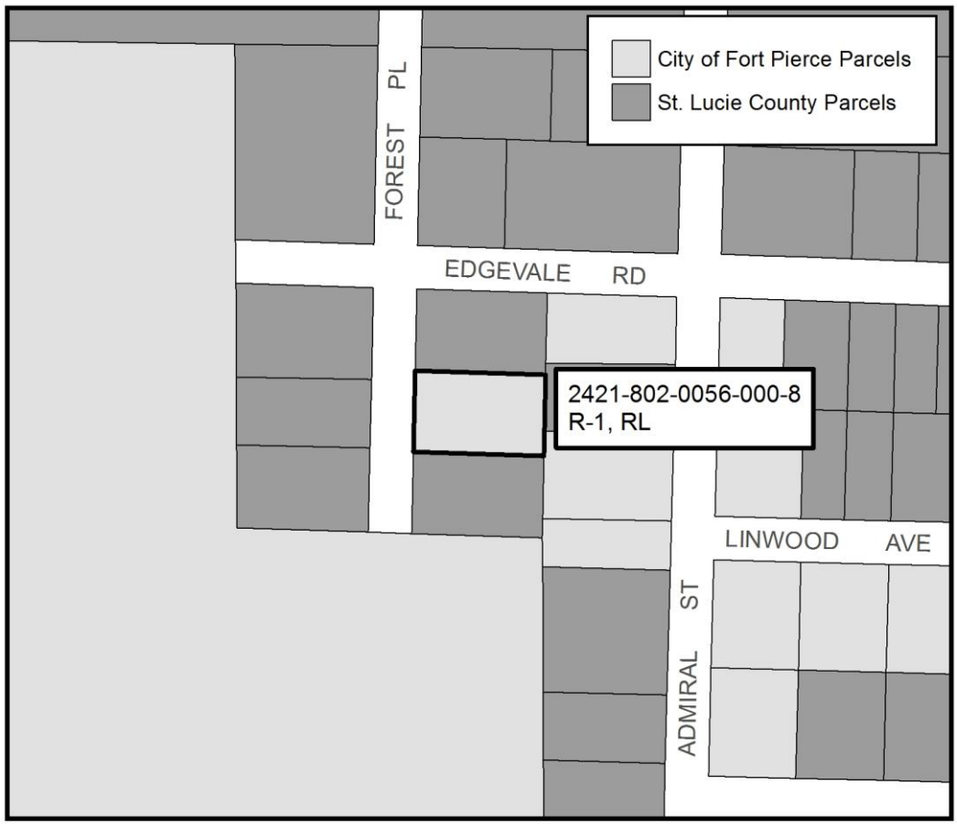
EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA S/D BLK 6 FROM NW COR LOT 2 RUN S ON E R/W FORREST PL 93.7 FT FOR POB, TH CONT S ON SAME LI 93.7 FT, TH E 150.98 FT TO E LI LOT 8, TH N ON E LI LOTS 8, 6 AND 4 91.8 FT, TH W 150.48 FT TO POB BEING PART OF LOTS 4 AND 8 ALL LOT 6 (0.32 AC) (OR 3889-816)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4216544 OR BOOK 3897 PAGE 2055, Recorded 08/03/2016 04:10:13 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2421-802-0056-000-8	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2906 FOREST PLACE, FORT PIERCE, FL 34949 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

BEING A PART OF LOTS 4, 6 AND 8, BLOCK 6 OF MARAVILLA PLAZA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE(S) 44, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, THE BOUNDARY OF PARCEL HEREIN DESCRIBED AS FOLLOWS: FROM NORTHWEST CORNER OF LOT 2, BLOCK 6, MARAVILLA PLAZA, RUN SOUTH ALONG THE EAST RIGHT OF WAY LINE OF FOREST PLACE, 93.7 FEET TO THE POINT OF BEGINNING OF PARCEL HEREIN DESCRIBED. FROM THE POINT OF BEGINNING CONTINUE ALONG SAME LINE 93.7 FEET; THENCE EAST 150.98 FEET TO A POINT ON THE EAST LINE OF LOT 8; THENCE NORTH ALONG THE EAST LINE OF LOTS 8, 6 AND 4, A DISTANCE OF 91.8 FEET; THENCE WEST 150.48 FEET TO THE POINT OF BEGINNING. SUBJECT TO EASEMENT, RESTRICTIONS, AND RESERVATIONS OF RECORD AND TO TAXES FOR THE YEAR 2016 AND *THEREAFTER.*

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hands and seals this 15th day of July, 2016.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Nikol Martin
Printed Witness Signature

Witness Signature
Amy Sherli
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Signature
Donahue St. Peter Boreland
Printed Signature
2906 Forest Place
Address
Fort Pierce, FL 34982
City, State, Zip

Signature
Shanda Tamara Boreland, his wife
Printed Signature
2906 Forest Place
Address
Fort Pierce, FL 34982
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Donahue St. Peter Boreland and Shanda Tamara Boreland, husband and wife,** known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL Nikol Martin NOTARY PUBLIC STATE OF FLORIDA Comm# FF210427 Expires 3/16/2019	Witness my hand and official Seal in the County and State last aforesaid this 15th day of July, A.D. 2016. Notary Signature Nikol Martin Notary Printed Signature

N:\My Documents\FPUA\Completed Annexation Agreements\Adams, June Evelyn & Wendell Rodney - 1919 Southwest Drive.docx Revised 7/9/04 per atty.

ORDINANCE NO. 21-043

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2910 FOREST PLACE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0060-000-9

MARAVILLA PLAZA S/D BLK 6 PART OF LOTS 8 AND 10 MPDAF: FROM NW CORLOT 2 RUN S ALG E LI FOREST PL 187.4 FT FOR POB, TH CONT ON SAMELI 93.7 FT TO SW COR LOT 10, TH E151.45 FT TO SE COR LOT 10, TH N 91.8 FT, TH W 150.98 FT TO POB (0.32 AC) (OR 736-2382)

Said property containing 0.32 acres, more or less, and being generally located at 2910 Forest Place in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

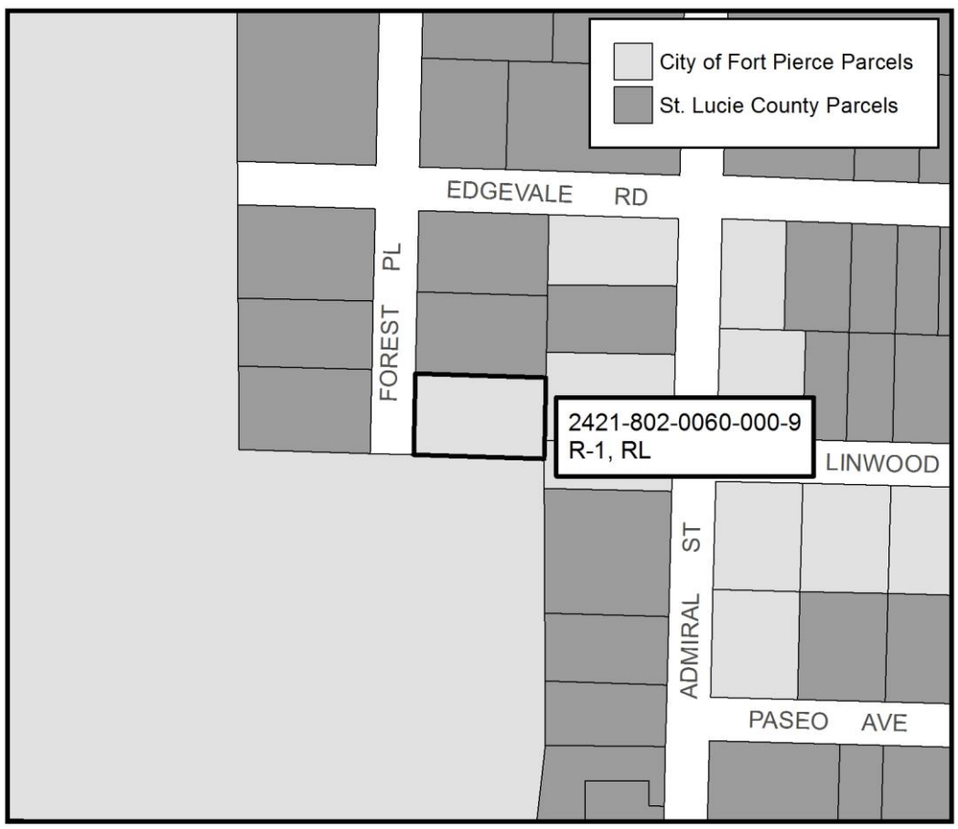
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA S/D BLK 6 PART OF LOTS 8 AND 10 MPDAF: FROM NW CORLOT 2 RUN S ALG E LI FOREST PL 187.4 FT FOR POB, TH CONT ON SAMELI 93.7 FT TO SW COR LOT 10, TH E151.45 FT TO SE COR LOT 10, TH N 91.8 FT, TH W 150.98 FT TO POB (0.32 AC) (OR 736-2382)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3488864 OR BOOK 3208 PAGE 1874, Recorded 06/29/2010 at 09:19 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2421-802-0060-000-9	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2910 FOREST PLACE, FORT PIERCE, FL 34982 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

BEING A PART OF LOTS 8 AND 10, BLOCK 6, MARAVILLA PLAZA SUBDIVISION, ACCORDING TO PLAT THEREOF FILED IN PLAT BOOK 5, PAGE 44, OF PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THE BOUNDARY OF PARCEL HEREIN DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF LOT 2, BLOCK 6, RUN SOUTH ALONG THE EAST LINE OF FOREST PLATE 187.4 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ON SAME LINE 93.7 FEET TO THE SOUTHWEST CORNER OF LOT 10; THENCE EAST 151.45 FEET TO THE SOUTHEAST CORNER OF LOT 10; THENCE NORTH ALONG THE EAST LINE OF LOTS 10 AND 8, 91.80 FEET; THENCE WEST 150.98 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, hereunto set hand and seal this 9th day of June, 2010.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Diane B. Sikkema
Witness Signature

Diane B. Sikkema
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Donald Allan
Signature
Donald Allan
Printed Signature
2910 Forest Place
Address
Fort Pierce, FL 34982
City, State, Zip

Joyce L. Allan
Signature
Joyce L. Allan
Printed Signature
2910 Forest Place
Address
Fort Pierce, FL 34982
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared DONALD ALLAN and JOYCE L. ALLAN, his wife , known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL DIANE B. SIKKEMA Commission DD 761938 Expires March 21, 2012 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 9th day of June, A.D. 2010. Diane B. Sikkema Notary Signature Diane B. Sikkema Notary Printed Signature

N:\Forms\FPUA\Completed Annexation Agreements\Allan, Donald & Joyce L. - 2910 Forest Place.docx Revised 7/9/04 per atty.

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2906 Forest Place

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2906 Forest Place

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2910 Forest Place

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. e.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 1909 and 2002 Edgevale Rd - Ordinance No. 21-044 and 21-045

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

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SUBJECT:

Legislative Hearing - Ordinance No. 21-044 - This is a voluntary annexation of a parcel of land located at 1909 Edgevale Road. FIRST READING.

Legislative Hearing - Ordinance No. 21-045 - This is a voluntary annexation of a parcel of land located at 2002 Edgevale Road. FIRST READING

SUMMARY:

The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a
Fiscal Year: n/a
Account: n/a
Amount: n/a
OTHER INFORMATION:

Should the Application for Annexation be approved, in the future it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:49 PM

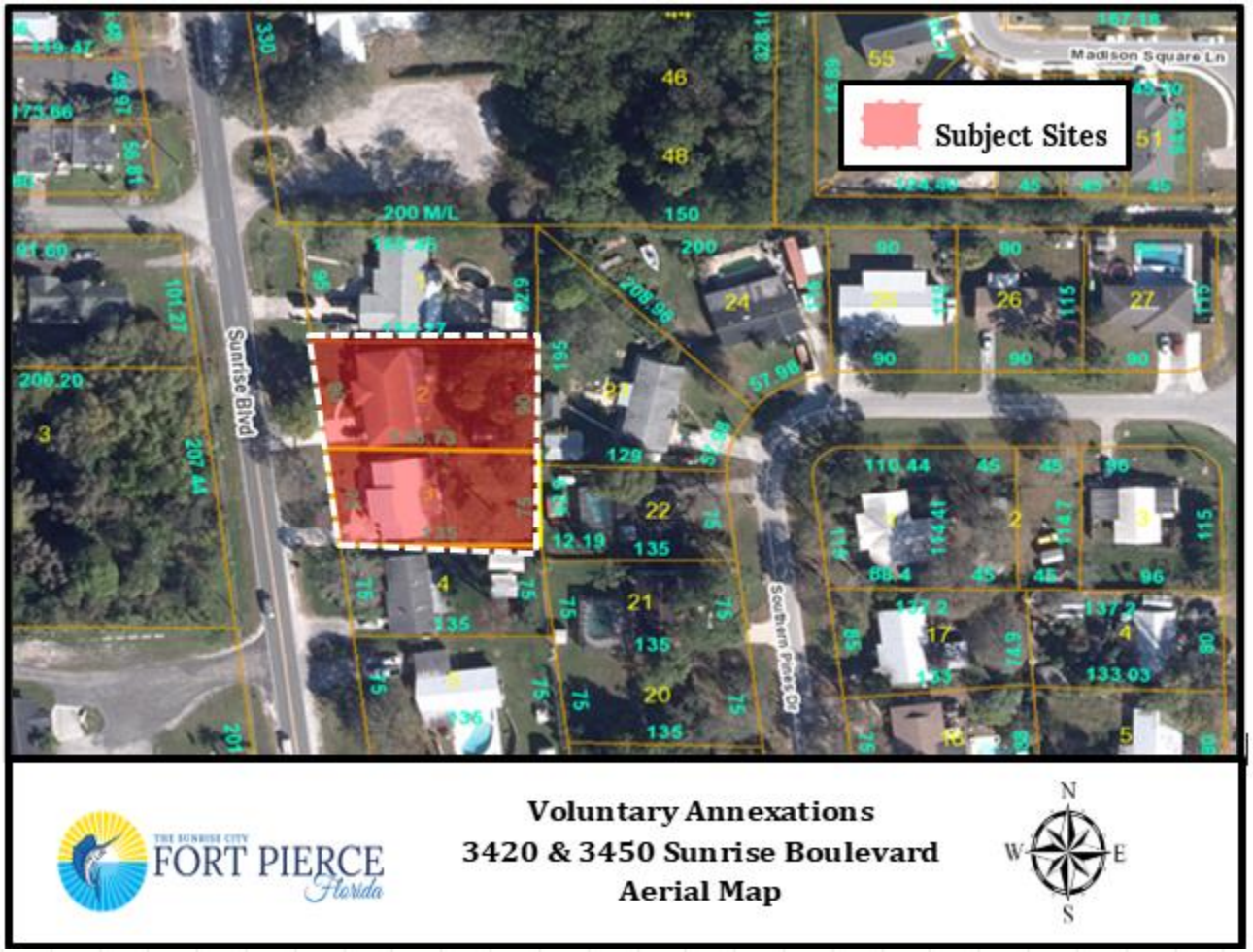
Form Started By: Jennifer Hofmeister
Started On: 11/04/2021 08:45 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

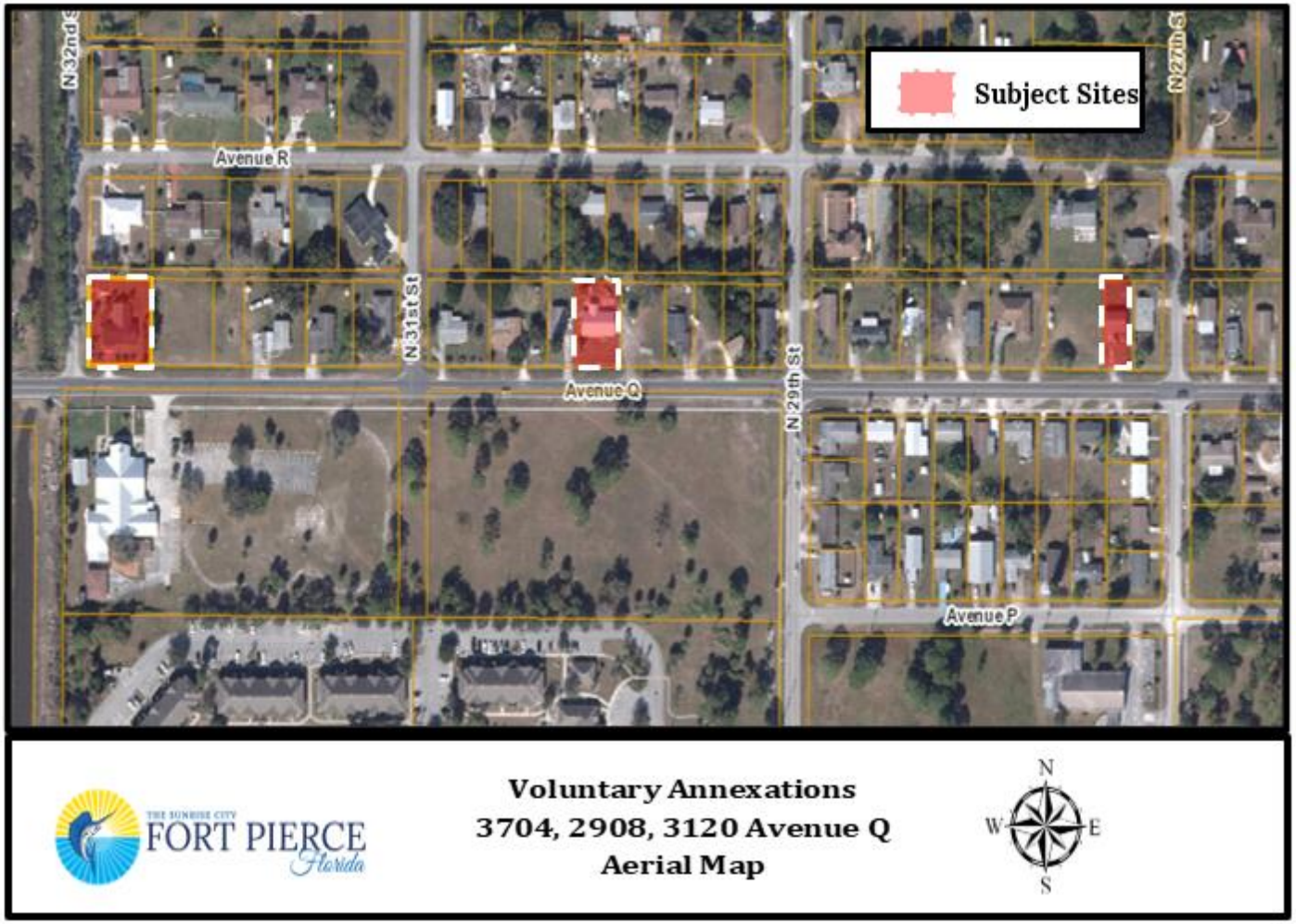
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



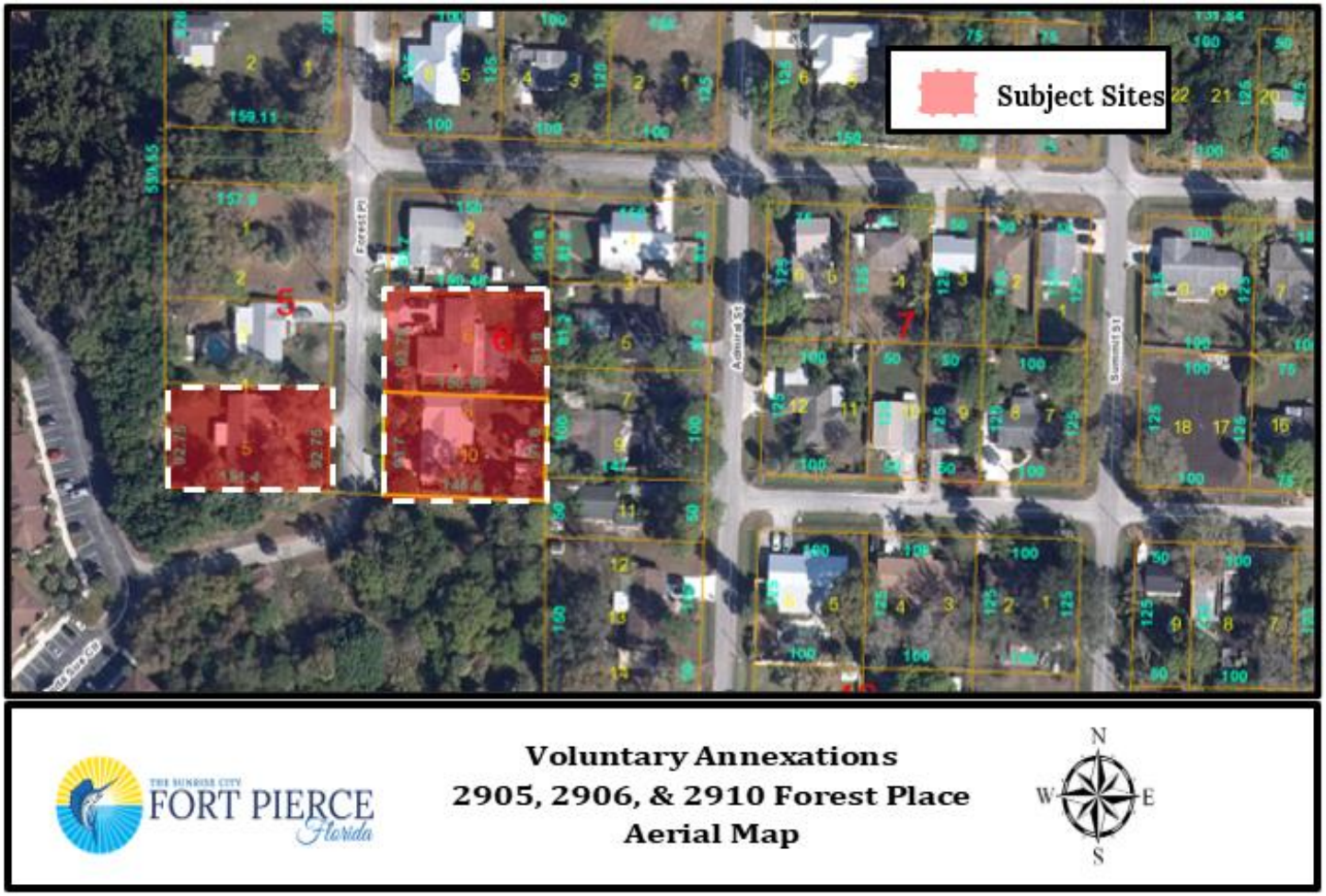
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



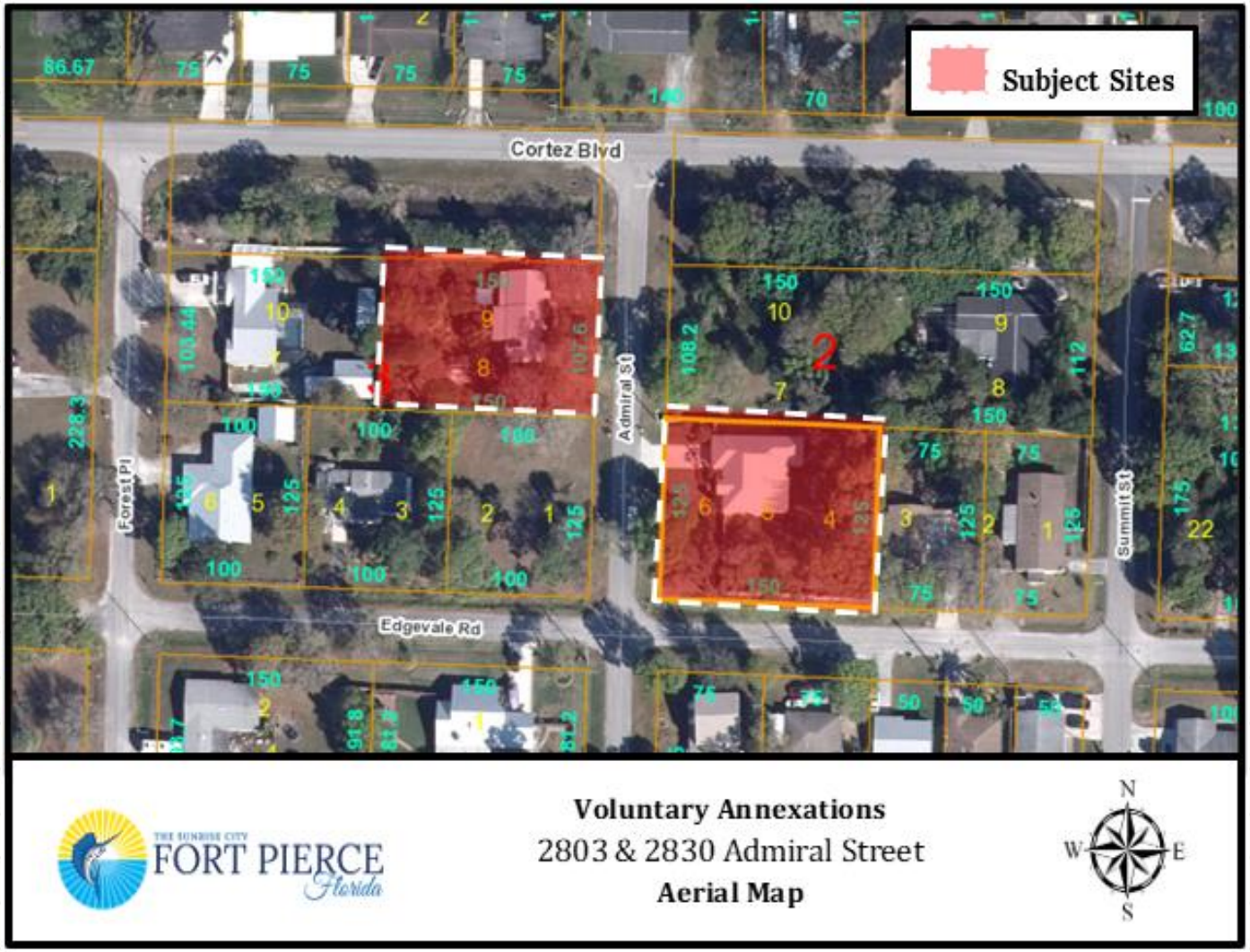
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



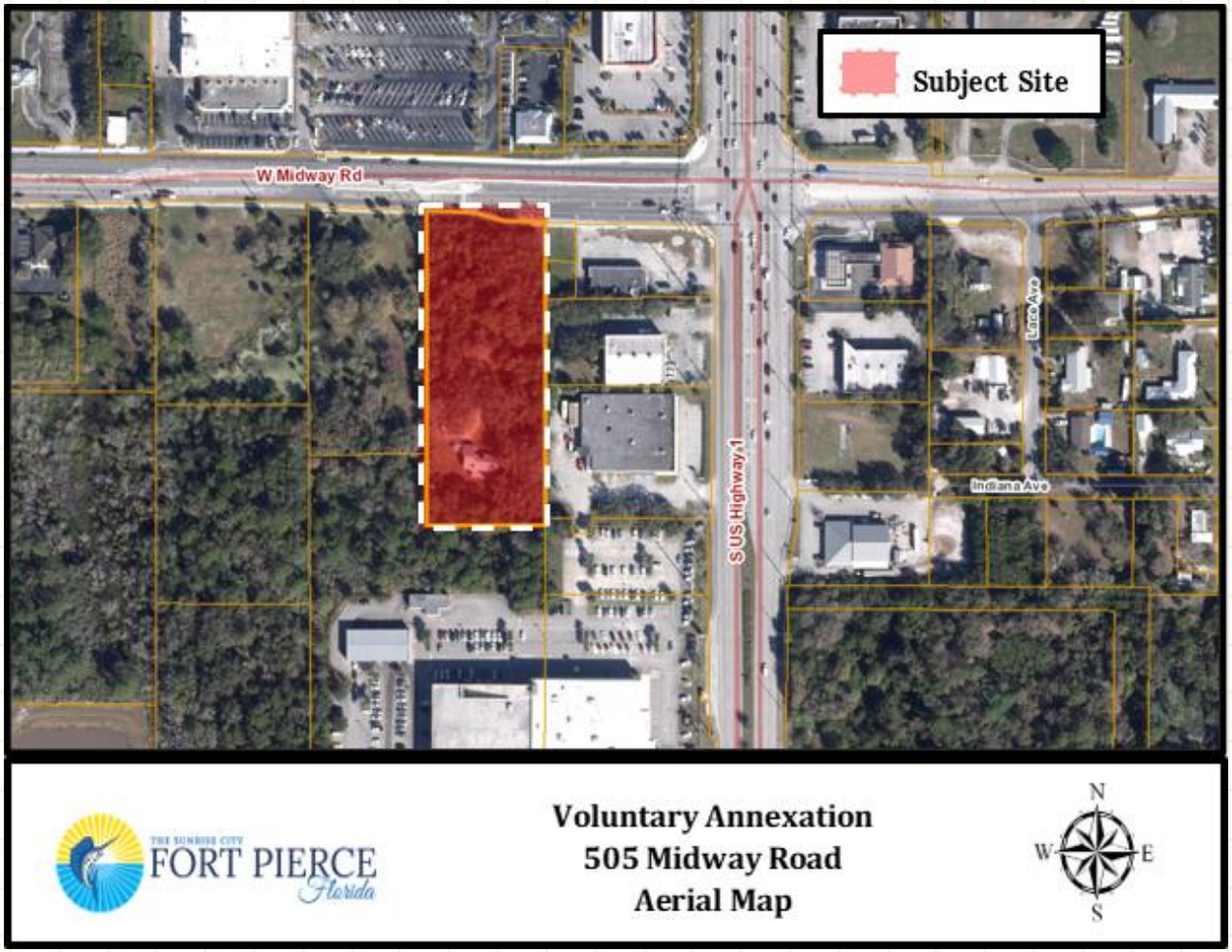
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



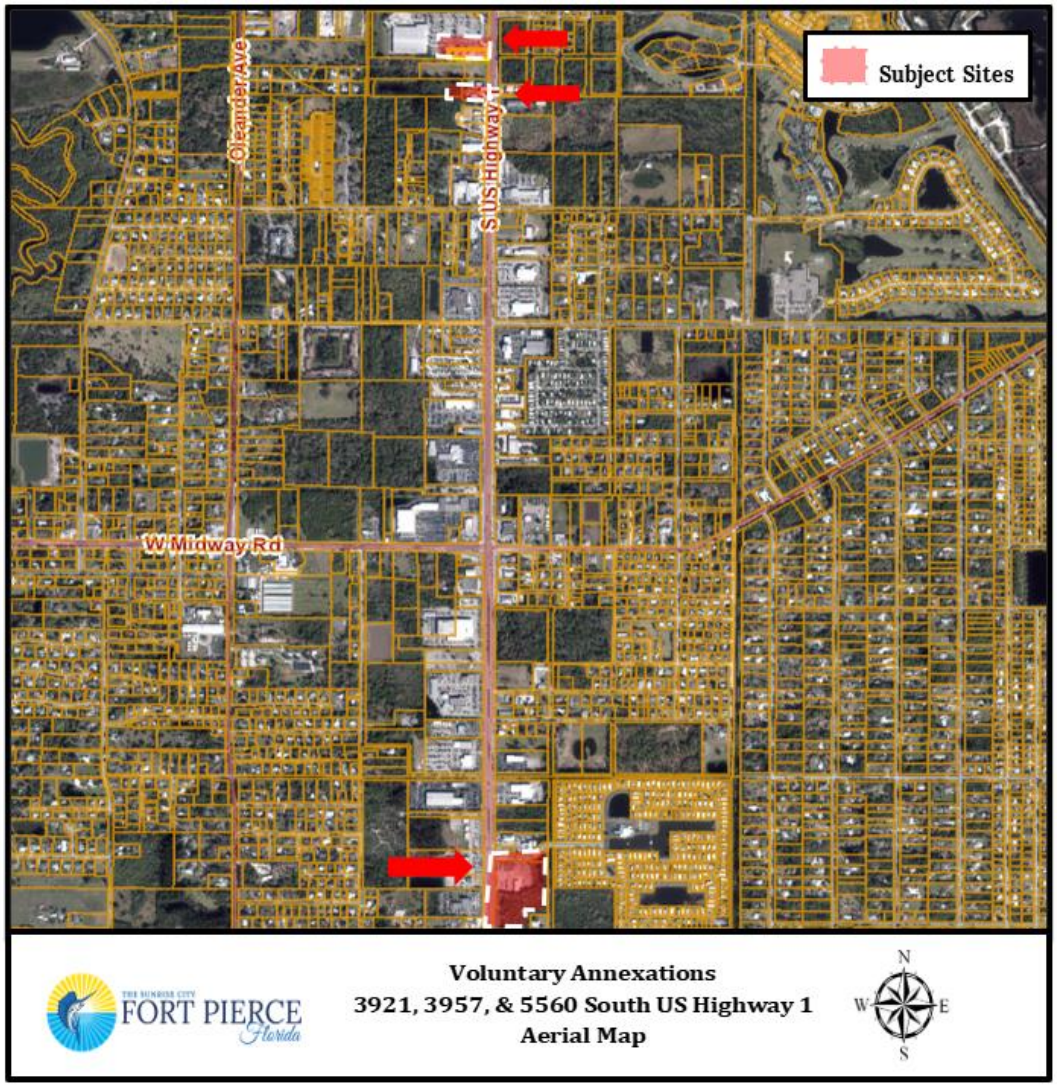
Annexation 13:

Ordinance No. 21-048



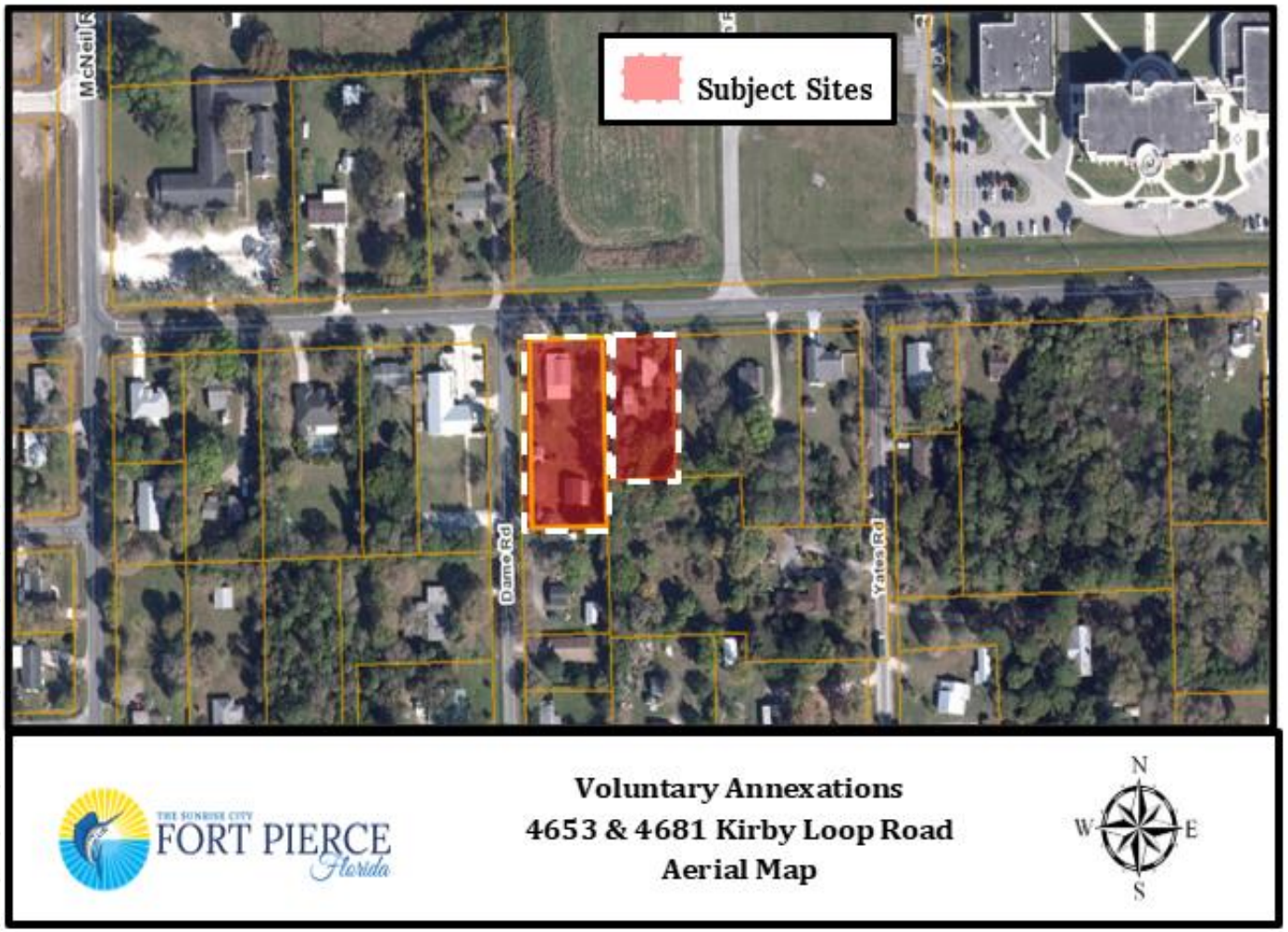
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



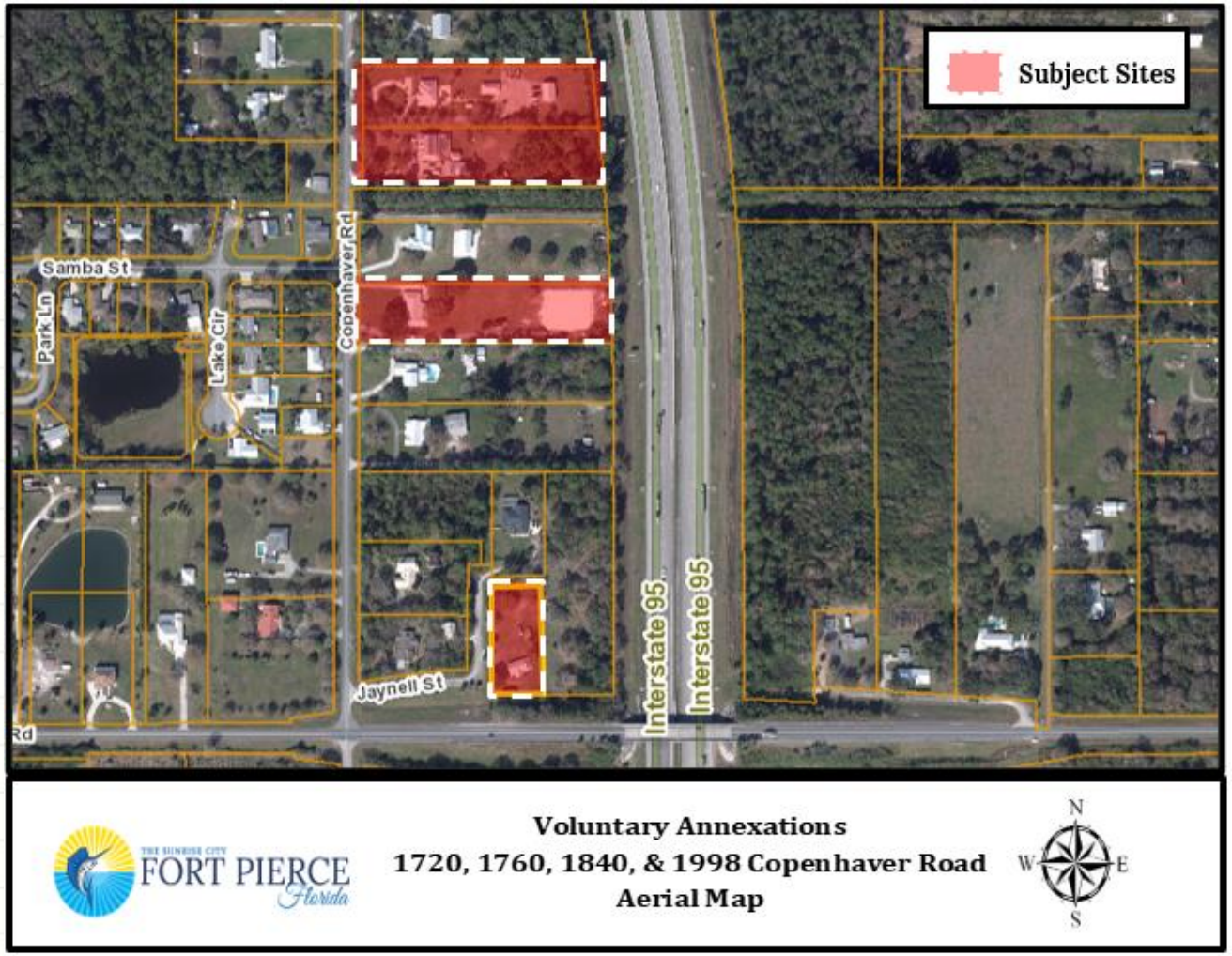
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



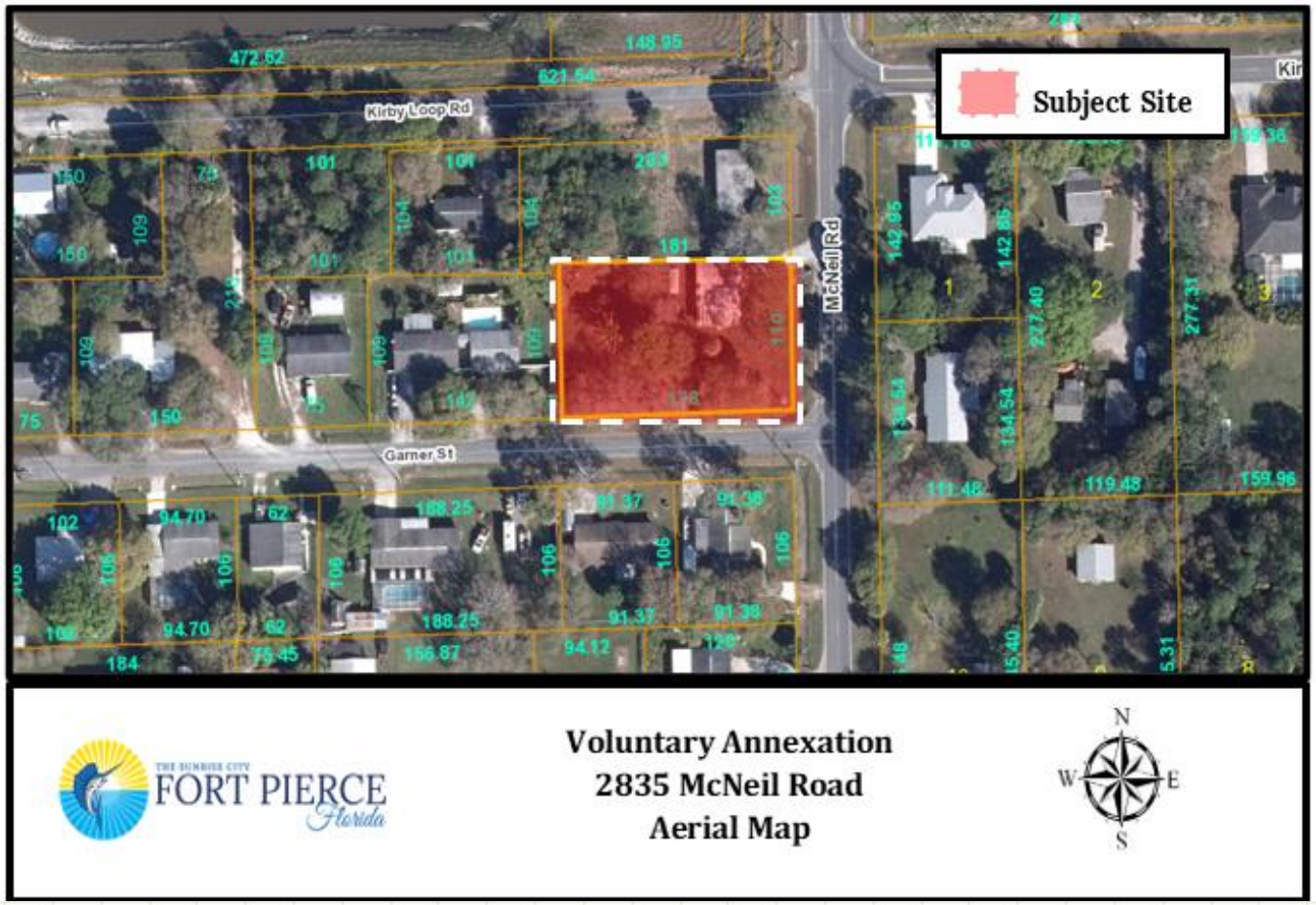
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



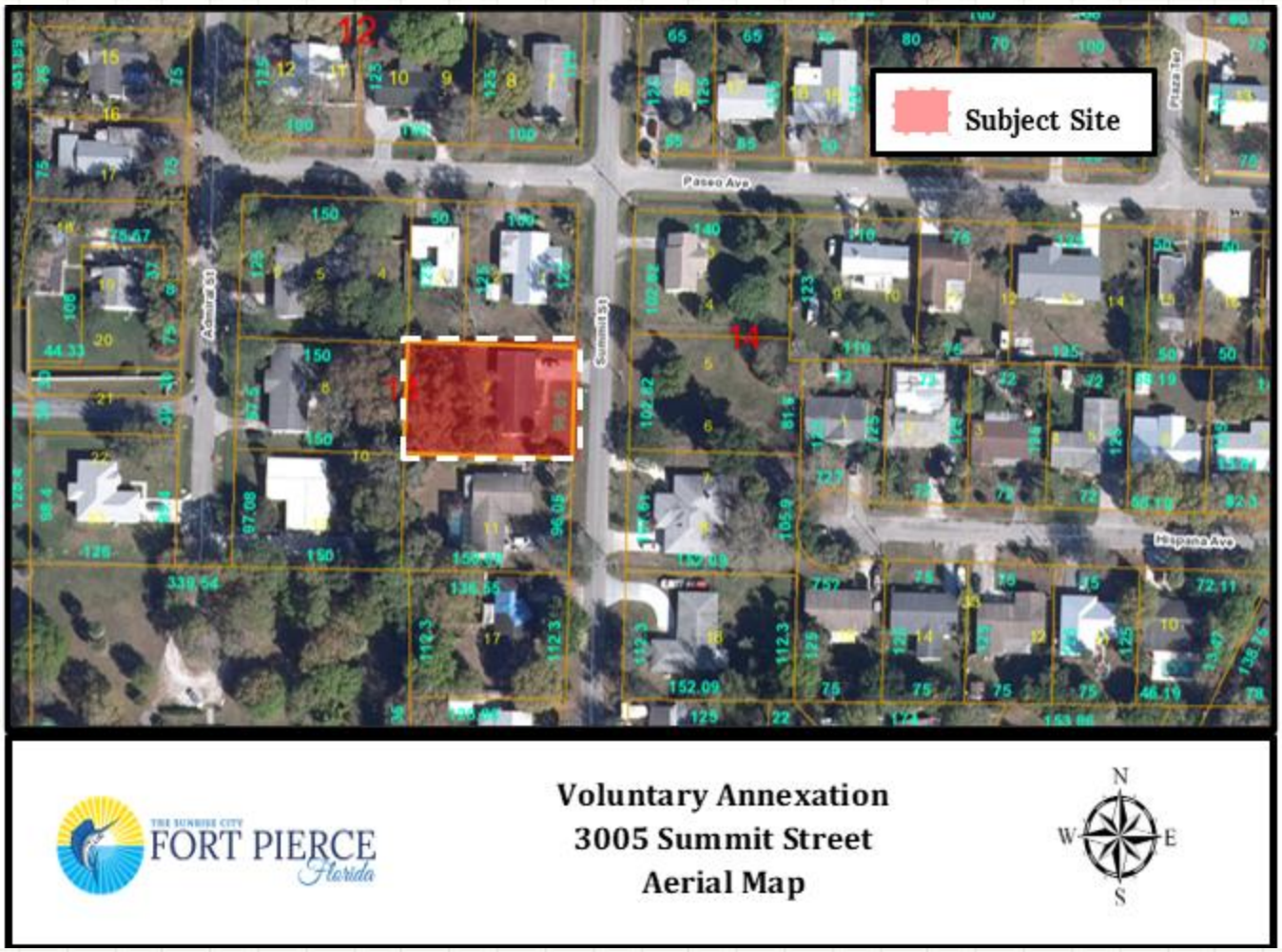
Annexation 25:

Ordinance No. 21-060



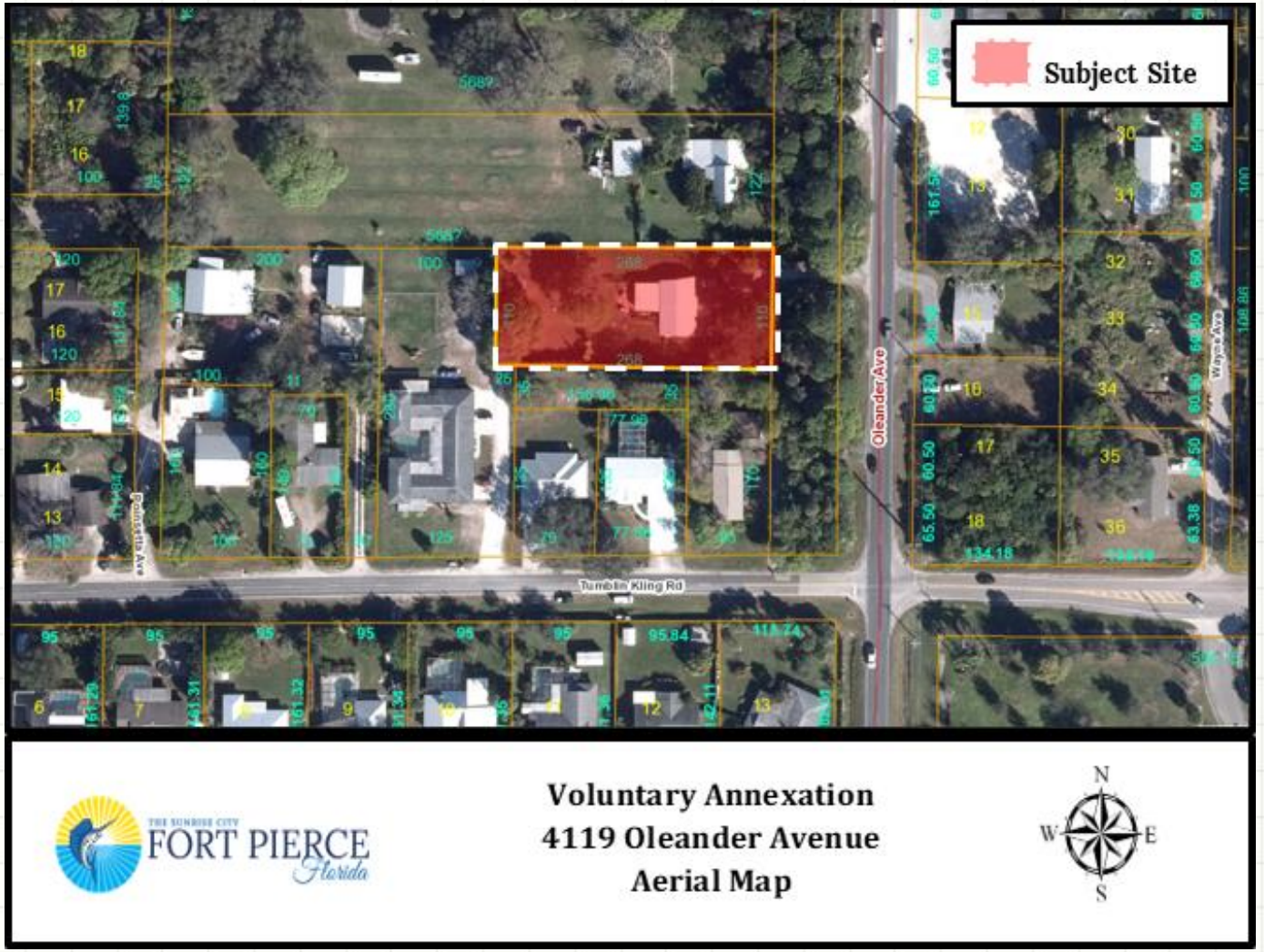
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nick C. Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **1909 and 2002 Edgevale Road**
BOARD DATE:	November 15, 2021

STAFF REPORT

Property Owners/ Applicants	Allison Ludwig James Elizer III 1909 Edgevale Road Fort Pierce, FL 34982 Christine M Maki Jeffrey Maki 2002 Edgevale Road Fort Pierce, FL 34982
Requested Action:	Approval of two (2) Voluntary Applications for Annexation
Site Locations:	1909 & 2002 Edgevale Road
Parcel IDs:	2421-802-0054-000-4 and 2421-802-0044-000-1
Parcel Sizes:	0.29, 0.32, 0.85, & 0.29 acres
Current Future Land Use:	Residential Urban 5 du/ac (RU) (SLC)
Current Zoning:	Residential Single Family, 4 Dwelling Units/Acre (RS-4) (FP)
Proposed Future Land Use:	Single Family Low Density (R-1)
Proposed Zoning:	Low Density Residential (RL)

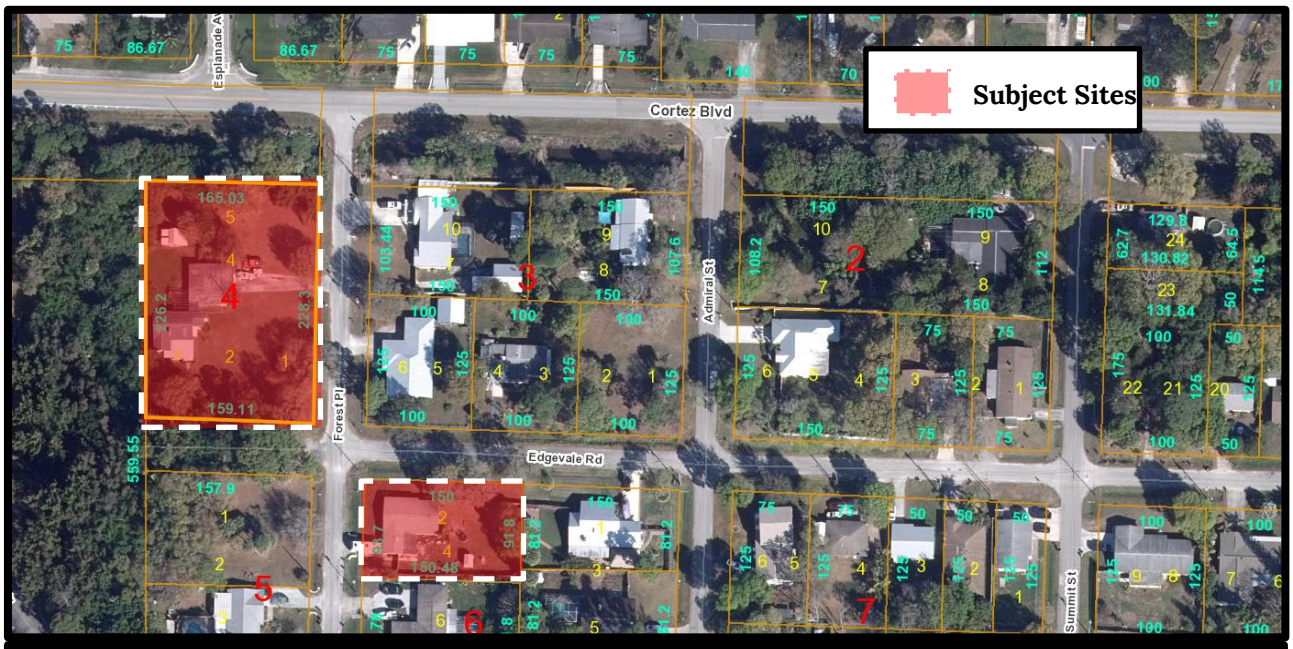
Utilities: FPUA

	North	East	South	West
Surrounding FLU:	RU (SLC)	RL (FP) / RU (SLC)	RL (FP) / RU (SLC)	RL (FP) / RU (SLC)
Surrounding Zoning:	RS-4 (SLC)	R-1 (FP) / RS-4 (SLC)	RS-4 (SLC)	R-2 (FP) / RS-4 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of two (2) parcels located at 1909 and 2002 Edgevale Road. The parcel IDs are 2421-802-0054-000-4 and 2421-802-0044-000-1.



The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $25,000 and $69,552. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently both of the properties have a single-family home.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services. Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RU and RS-4, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of RL and R-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of these annexations by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed two (2) annexations at 1909 and 2002 Edgevale Road, along with the associated Future Land Use designation of RL and the Zoning designation of R-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-044

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1909 EDGEVALE ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0054-000-4

MARAVILLA PLAZA S/D BLK 6 LOT 2 AND PART OF LOT 4 ALL MPDAF: BEG NWCOR LOT 2 RUN S ALG E R/W LI OF FOREST PL 93.7 FT, TH E 150.48 FTM/L TO PT ON E LI LOT 4, TH N ALGE LI OF LOTS 4 AND 2 91.8 FT TO NECOR LOT 2, TH W ALG N LI LOT 2 TOPOB (0.32 AC) (OR 3564-2433)

Said property containing 0.32 acres, more or less, and being generally located at 1909 Edgevale Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya M. Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-044 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6 day of December, 2021.

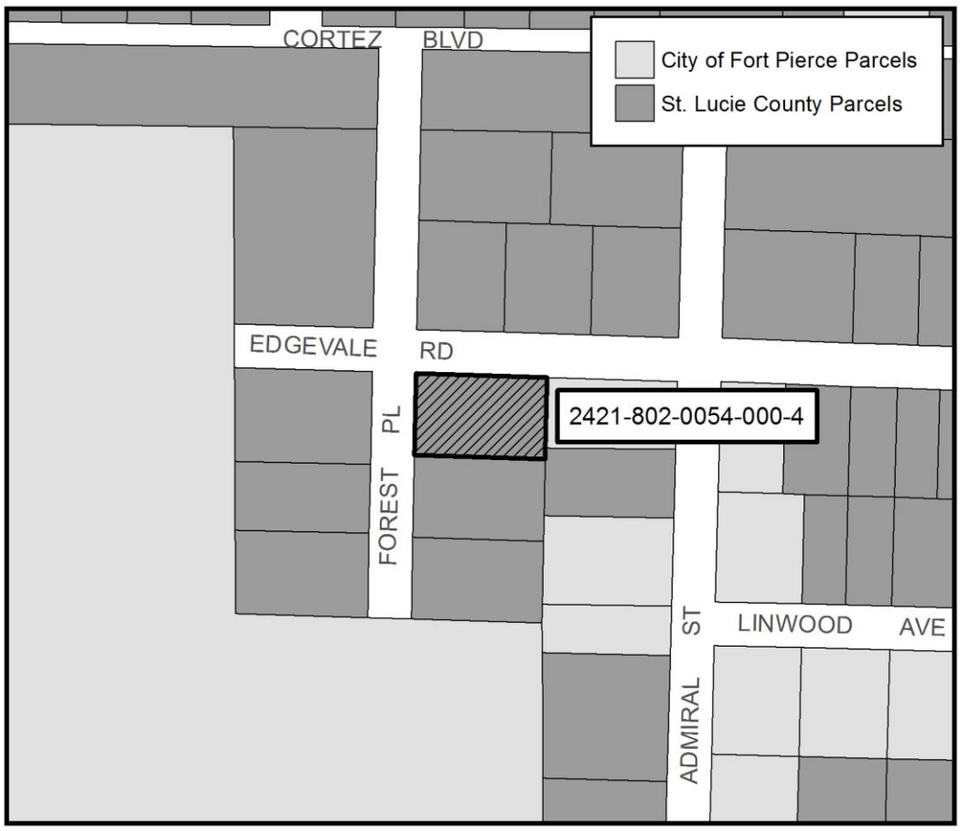
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

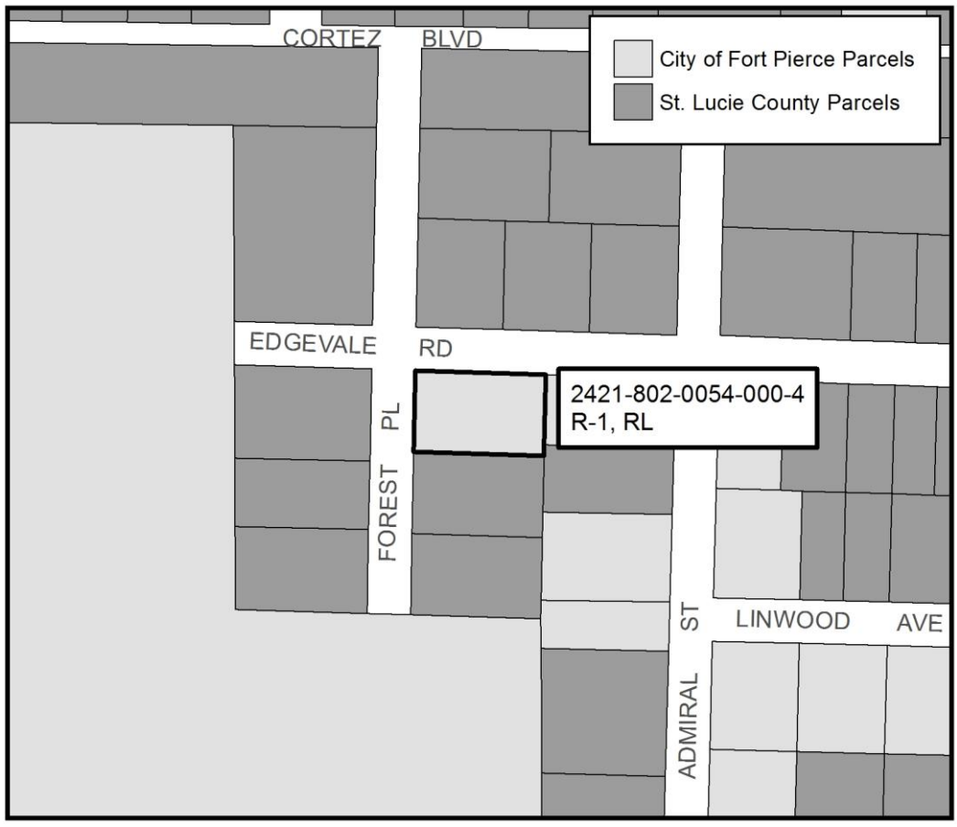
EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA S/D BLK 6 LOT 2 AND PART OF LOT 4 ALL MPDAF: BEG NWCOR LOT 2 RUN S ALG E R/W LI OF FOREST PL 93.7 FT, TH E 150.48 FTM/L TO PT ON E LI LOT 4, TH N ALGE LI OF LOTS 4 AND 2 91.8 FT TO NECOR LOT 2, TH W ALG N LI LOT 2 TOPOB (0.32 AC) (OR 3564-2433)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3448420 OR BOOK 3176 PAGE 2358, Recorded 03/09/2010 at 08:59 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2421-802-0054-000-4	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1909 EDGEVALE ROAD, FORT PIERCE, FL Location Address 673 SE PICASSO AVENUE, PORT ST. LUCIE, FL 34983-4685 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

BEING A PART OF LOTS 2 AND 4, BLOCK 6, MARAVILLA PLAZA SUBDIVISION, ACCORDING TO THE PLAT THEREOF FILED IN PLAT BOOK 5, PAGE 44, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THE BOUNDARY OF PARCEL HEREIN DESCRIBED AS FOLLOWS: FROM THE NW CORNER OF THE AFORESAID LOT 2, BLOCK 6, RUN SOUTH ALONG THE EAST RIGHT OF WAY LINE OF FOREST PLACE, A DISTANCE OF 93.7 FEET; THENCE EAST 150.48 FEET TO A POINT IN EAST LINE OF SAID LOT 4; THENCE NORTH ALONG EAST LINE OF LOTS 4 AND 2, 91.80 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE WEST ALONG NORTH LINE OF LOT 2 TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 673 SE PICASSO AVENUE, PORT ST. LUCIE, FL 34983-4685.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 21st day of January, 2010.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Diane B. Sikkema
Witness Signature

Diane B. Sikkema
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Jonneau Rout
Signature
Jonneau Rout
Printed Signature
673 Se Picasso Avenue
Address
Port St. Lucie, FL 34983-4685
City, State, Zip

Signature
Printed Signature
Address
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared JONNEAU ROUT, a single adult, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

DIANE B. SIKKEMA
Commission DD 761938
Expires March 21, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

Witness my hand and official Seal in the County and State last aforesaid this 21st day of January, A.D. 2010.

Diane B. Sikkema
Notary Signature

Diane B. Sikkema
Notary Printed Signature

N:\Forms\FPUA\Annexation Agreements\Annexaton Agreement - Individual.docx

Revised 7/9/04 per atty.

ORDINANCE NO. 21-045

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2002 EDGEVALE ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the

St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0044-000-1

MARAVILLA PLAZA BLK 4 LOTS 1, 2, 3, 4 AND 5 (0.85 AC) (OR 3788-1370)

Said property containing 0.85 acres, more or less, and being generally located at 2002 Edgevale Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-2, Single Family Intermediate Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-045 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA BLK 4 LOTS 1, 2, 3, 4 AND 5 (0.85 AC) (OR 3788-1370)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-2, Single Family Intermediate Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3752379 OR BOOK 3437 PAGE 26, Recorded 09/28/2012 at 04:16 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2421-802-0044-000-1	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2002 EDGEVALE ROAD, FORT PIERCE, FLORIDA 34982 Location Address 2002 EDGEVALE ROAD, FORT PIERCE, FLORIDA 34982 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOTS 1, 2, 3, 4 AND 5, BLOCK 4, MARAVILLA PLAZA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE(S) 44 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 19TH day of SEPT., 2012.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Rosalie Lavertu
Printed Witness Signature

Witness Signature
SUSAN M. BURBAN
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Alice B. Cowgill
Signature
Alice B. Cowgill
Printed Signature
2002 Edgevale Road
Address
Fort Pierce, Florida 34982
City, State, Zip

Michael Cowgill
Signature
Michael Cowgill, her husband
Printed Signature
2002 Edgevale Road
Address
Fort Pierce, Florida 34982
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared ALICE B. COWGILL and MICHAEL COWGILL, her husband, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 19TH day of SEPT., A.D. 2012. Notary Signature Rosalie Lavertu Notary Printed Signature

C:\Users\Welcome\Desktop\Forms\Annexaton Agreement - Individuals (plural).docx

Revised 7/9/04 per atty.

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2002 Edgevale Road

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2002 Edgevale Road

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. f.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 2803 and 2830 Admiral Street - Ordinance No. 21-046 and 21-047

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

---

SUBJECT:

Legislative Hearing - Ordinance 21-046 - This is a voluntary annexation of a parcel of land located at 2803 Admiral Street in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance 21-047 - This is a voluntary annexation of a parcel of land located at 2830 Admiral Street in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

Technical Review Committee
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N:	n/a
Fiscal Year:	n/a
Account:	n/a

Amount: n/a

OTHER INFORMATION:

Should the Application for Annexation be approved, it may create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:47 PM

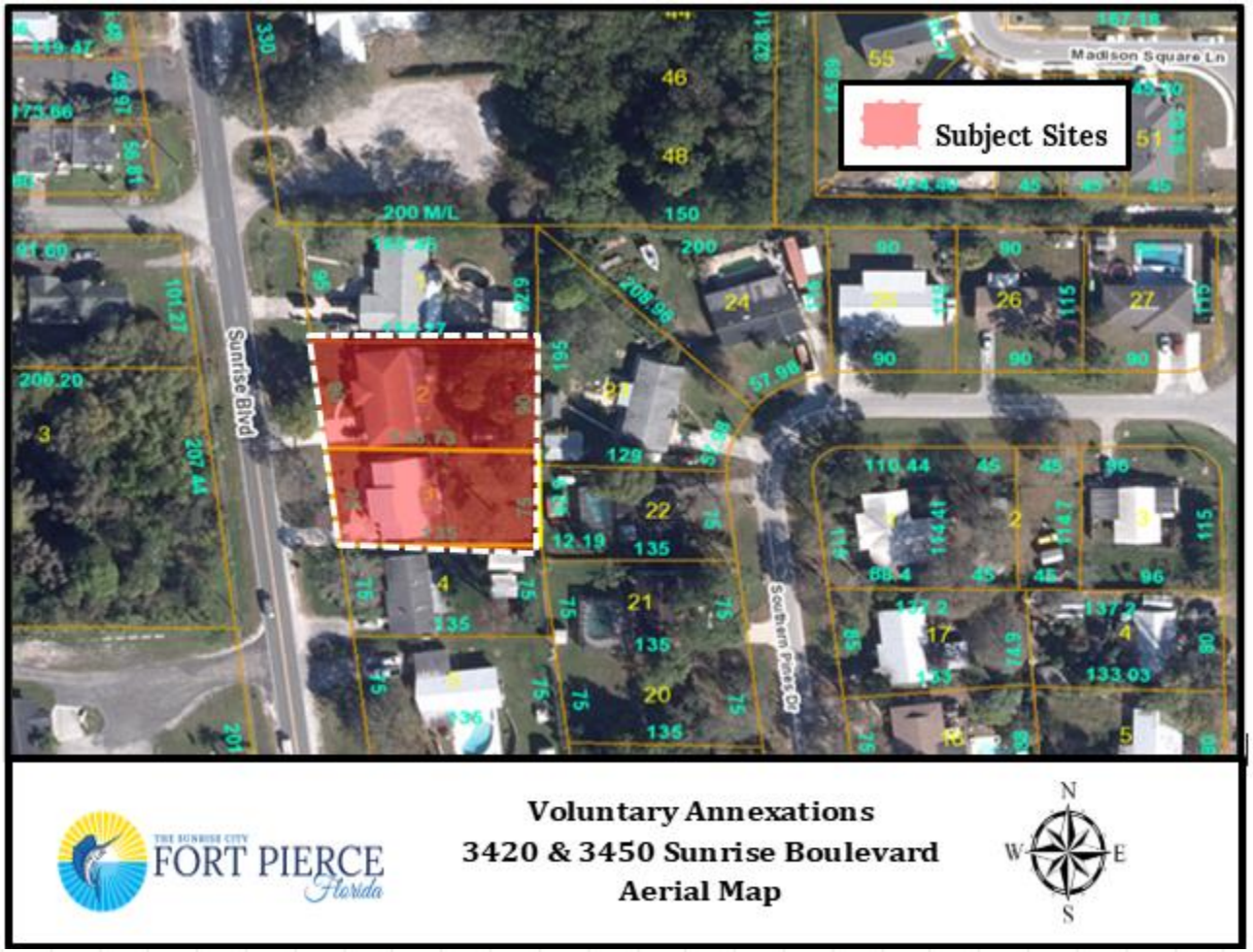
Form Started By: Jennifer Hofmeister Started On: 11/04/2021 07:37 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

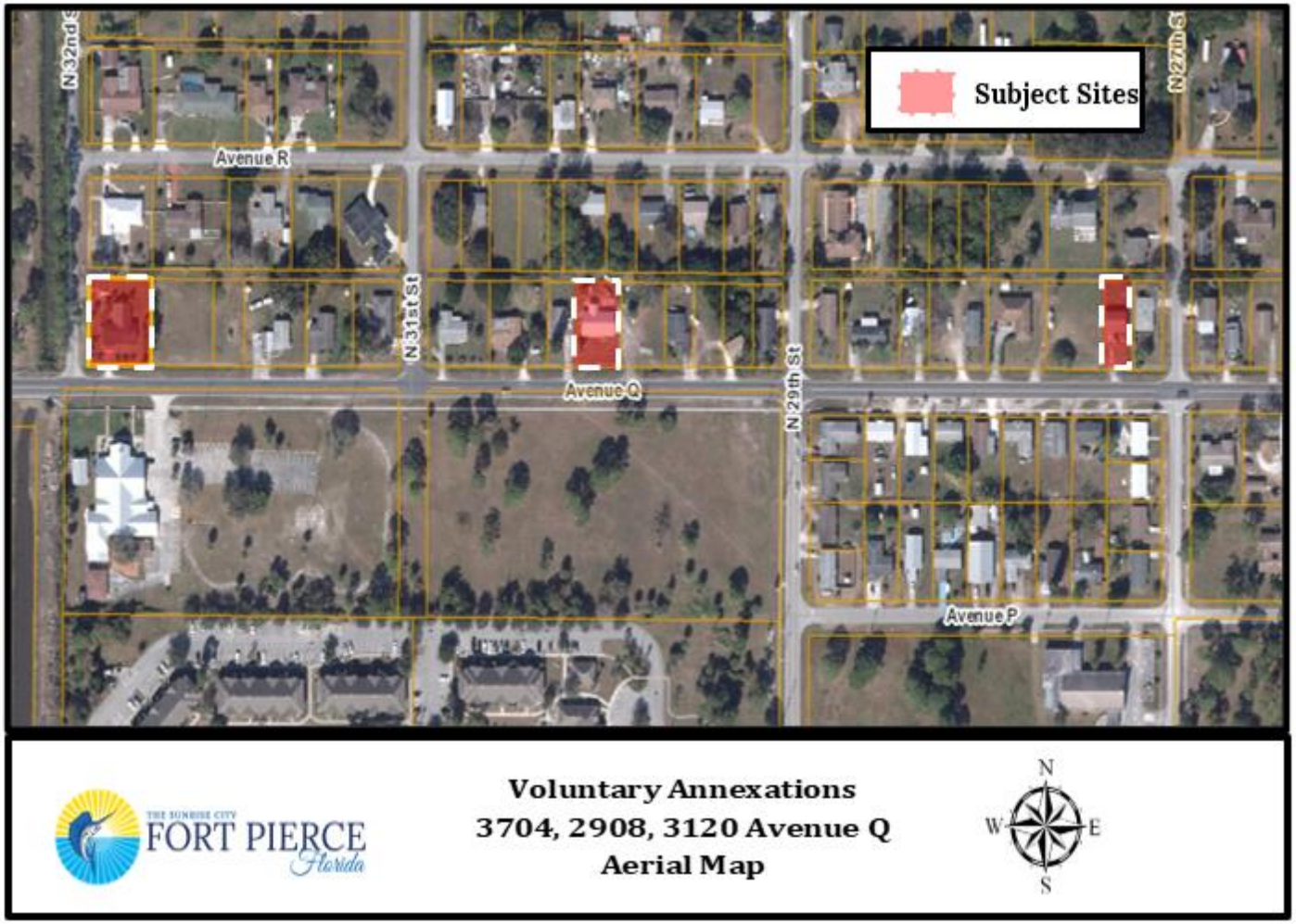
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



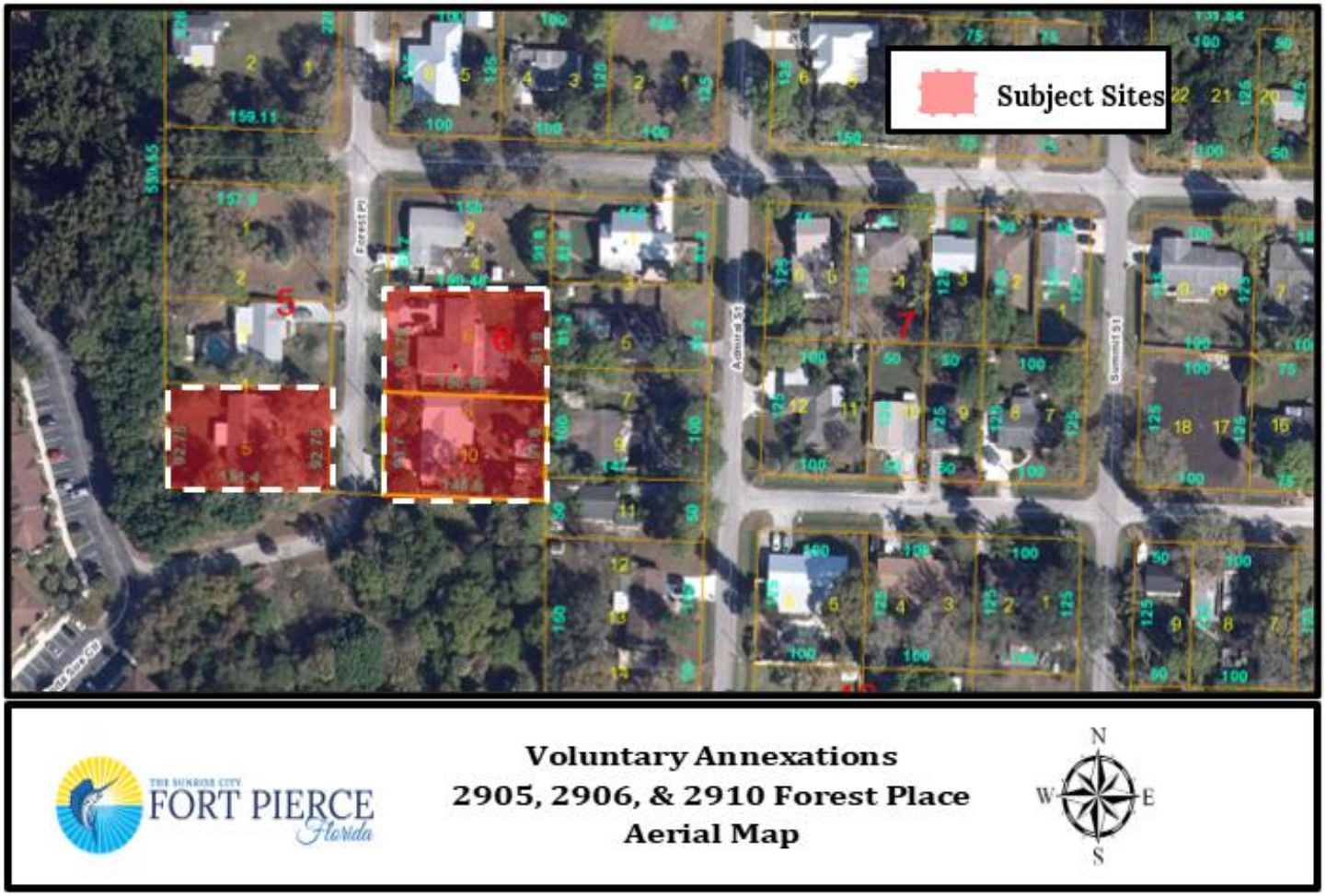
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



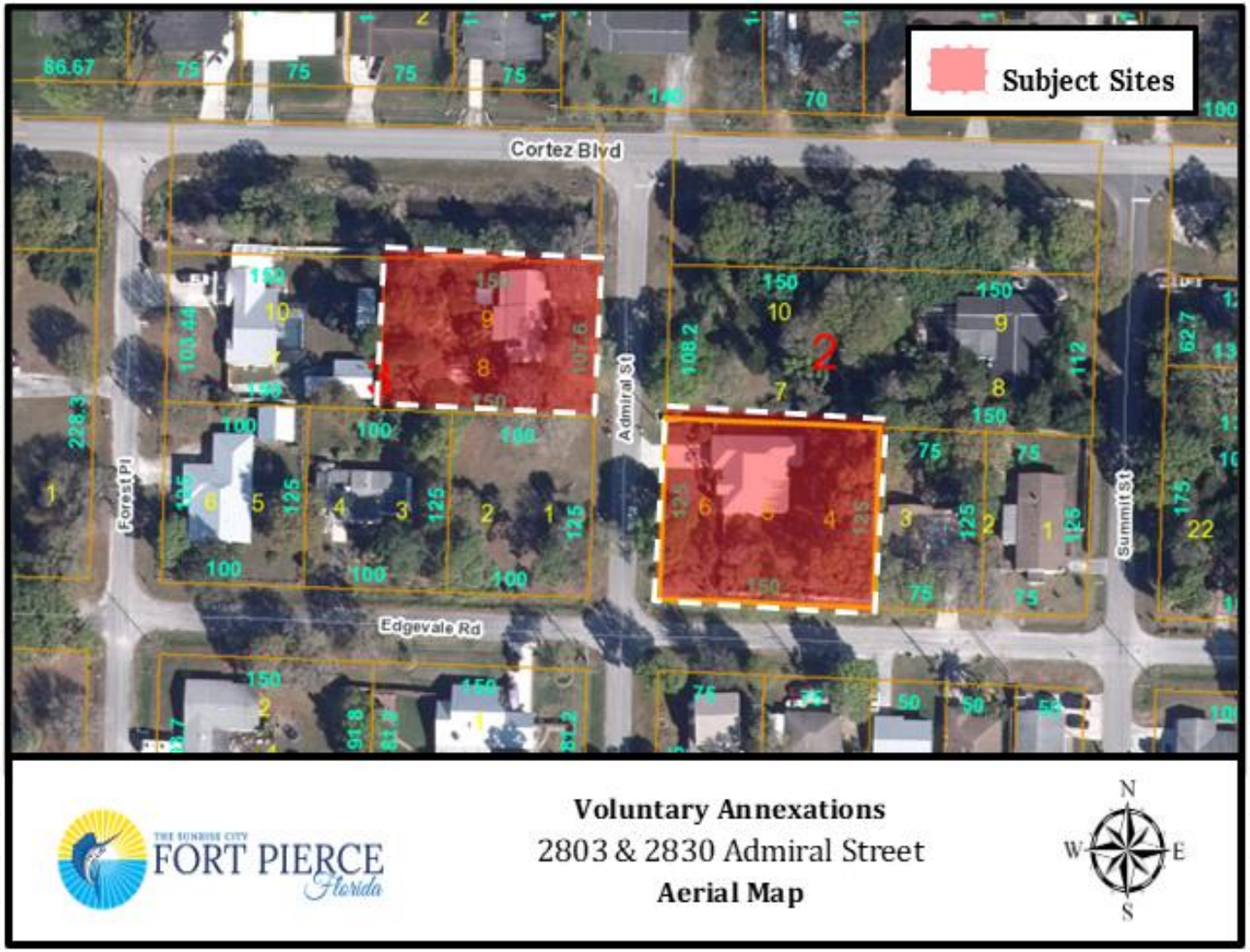
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



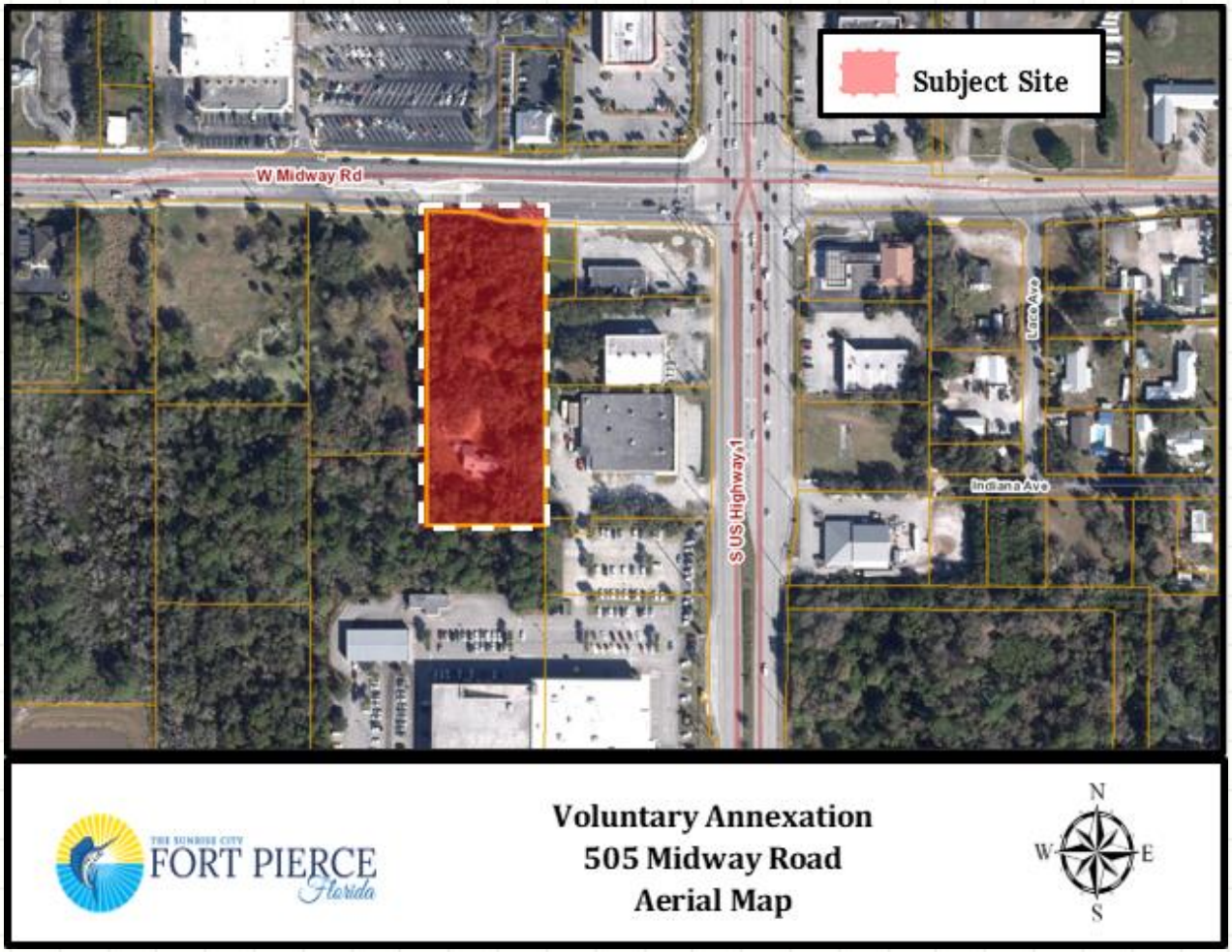
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



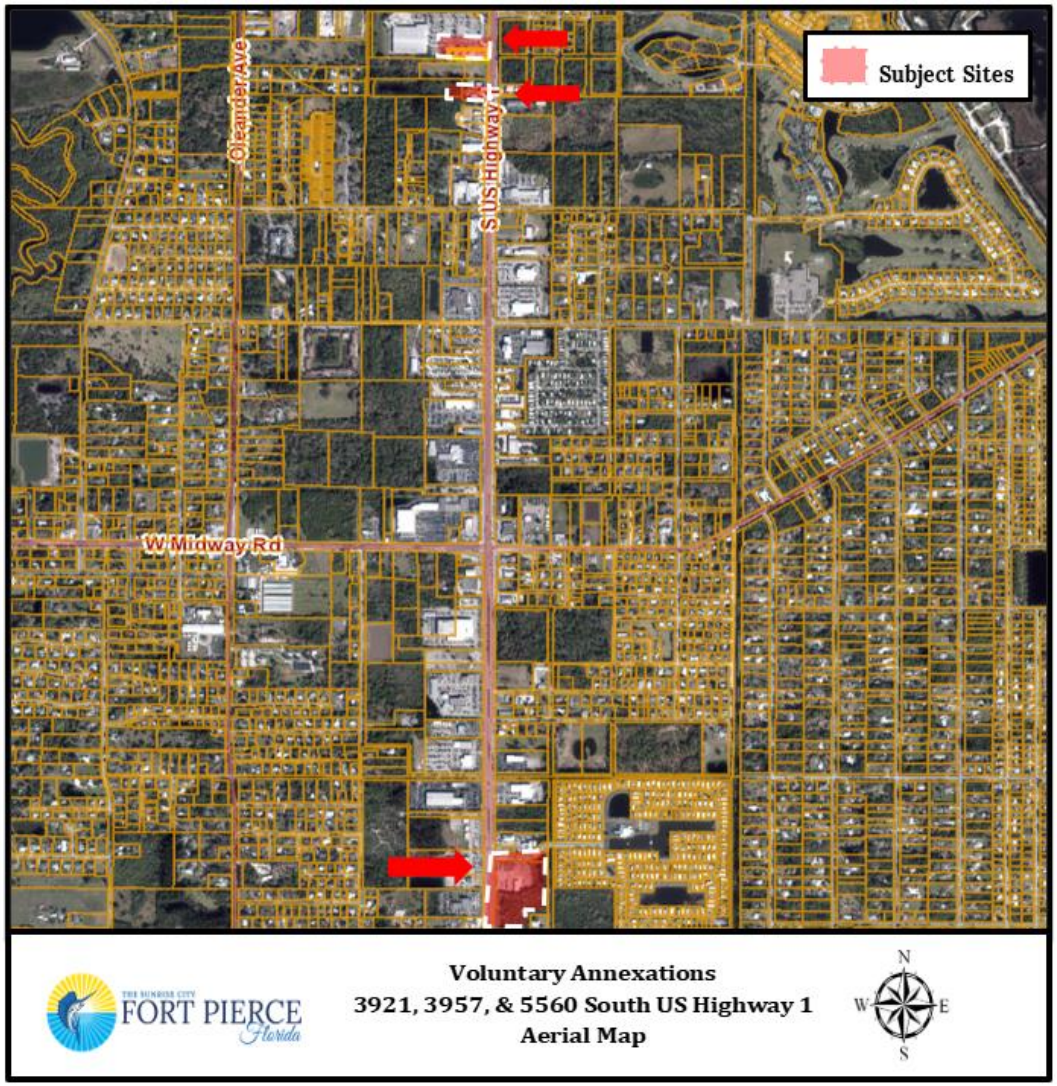
Annexation 13:

Ordinance No. 21-048



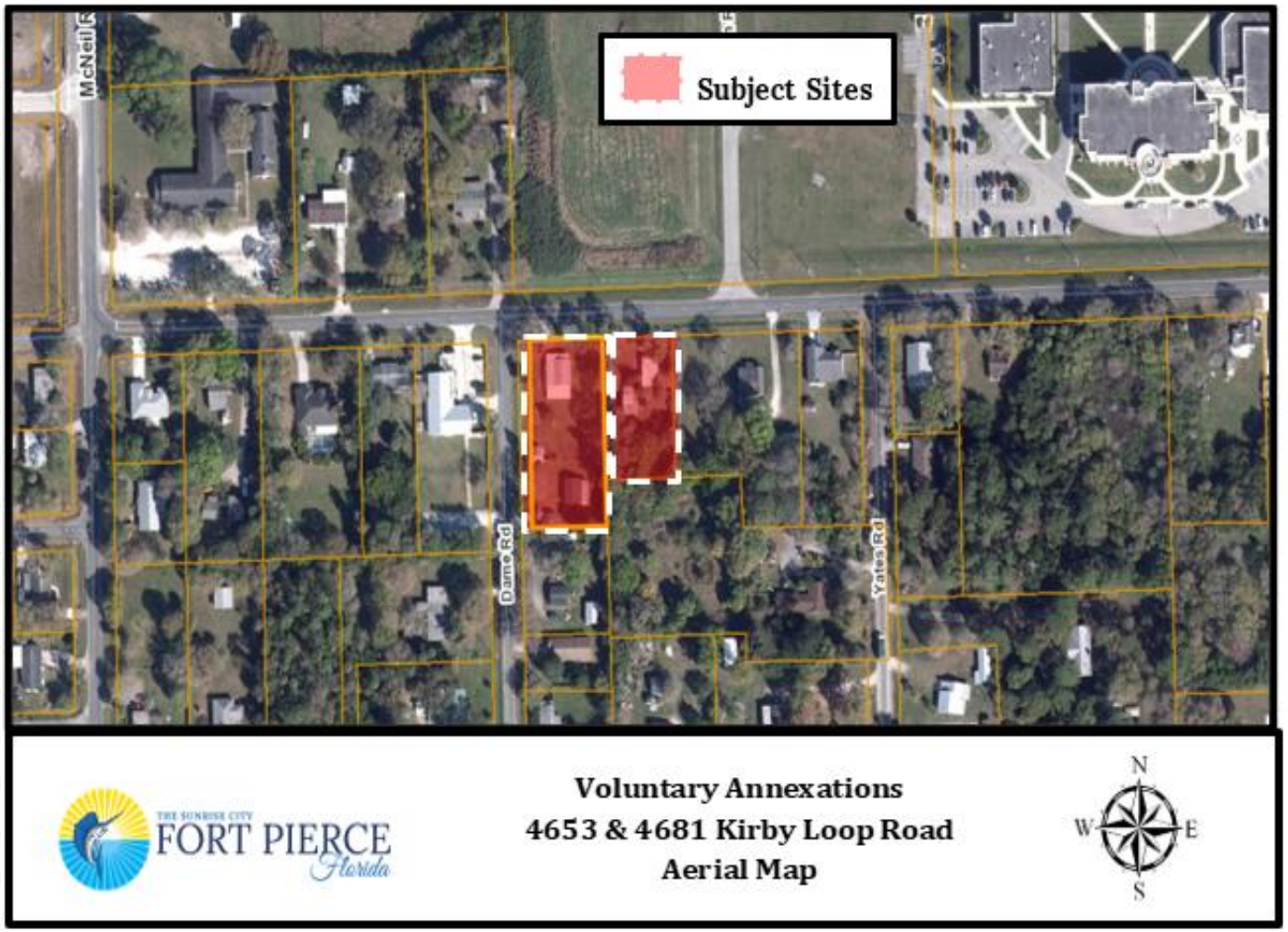
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



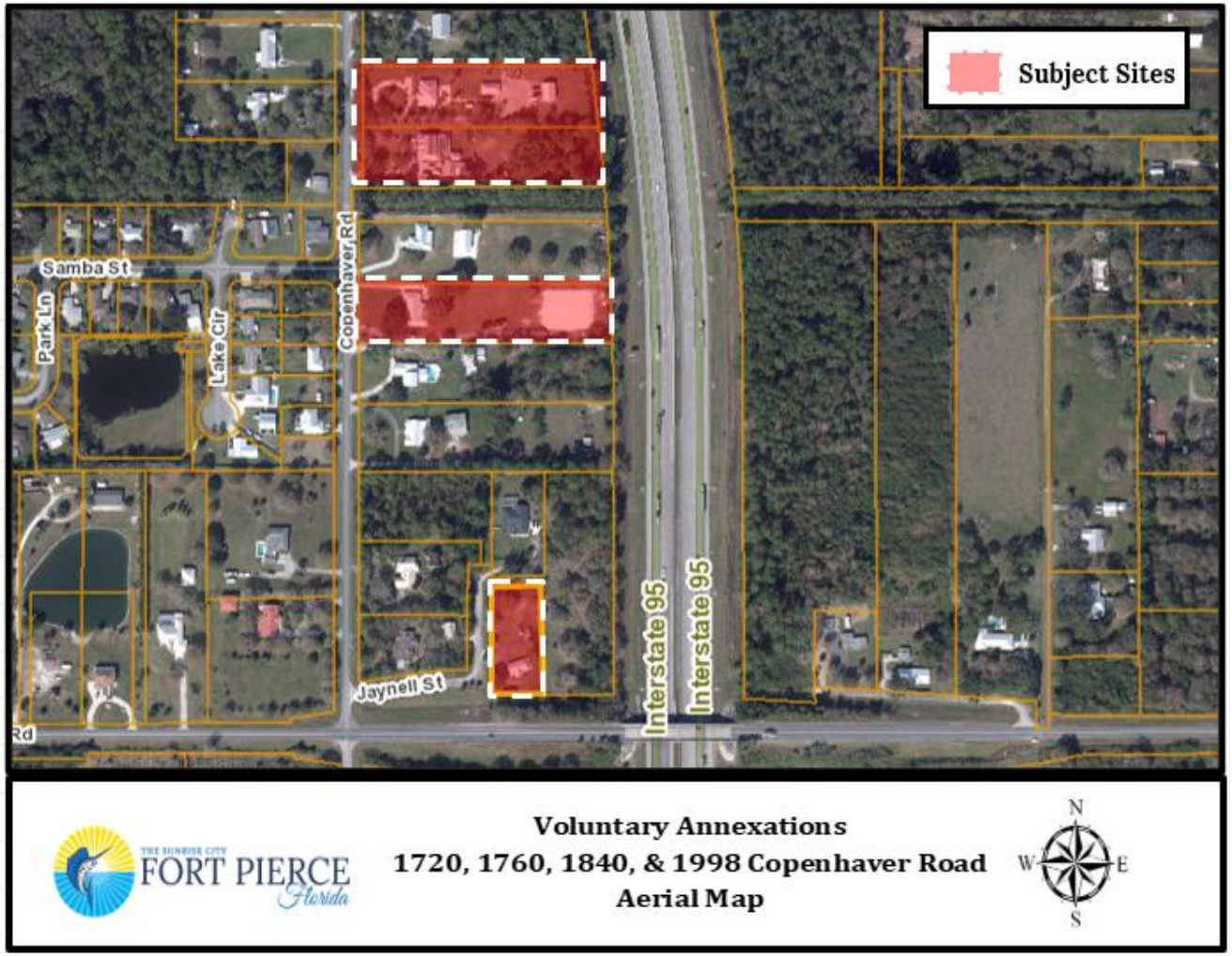
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



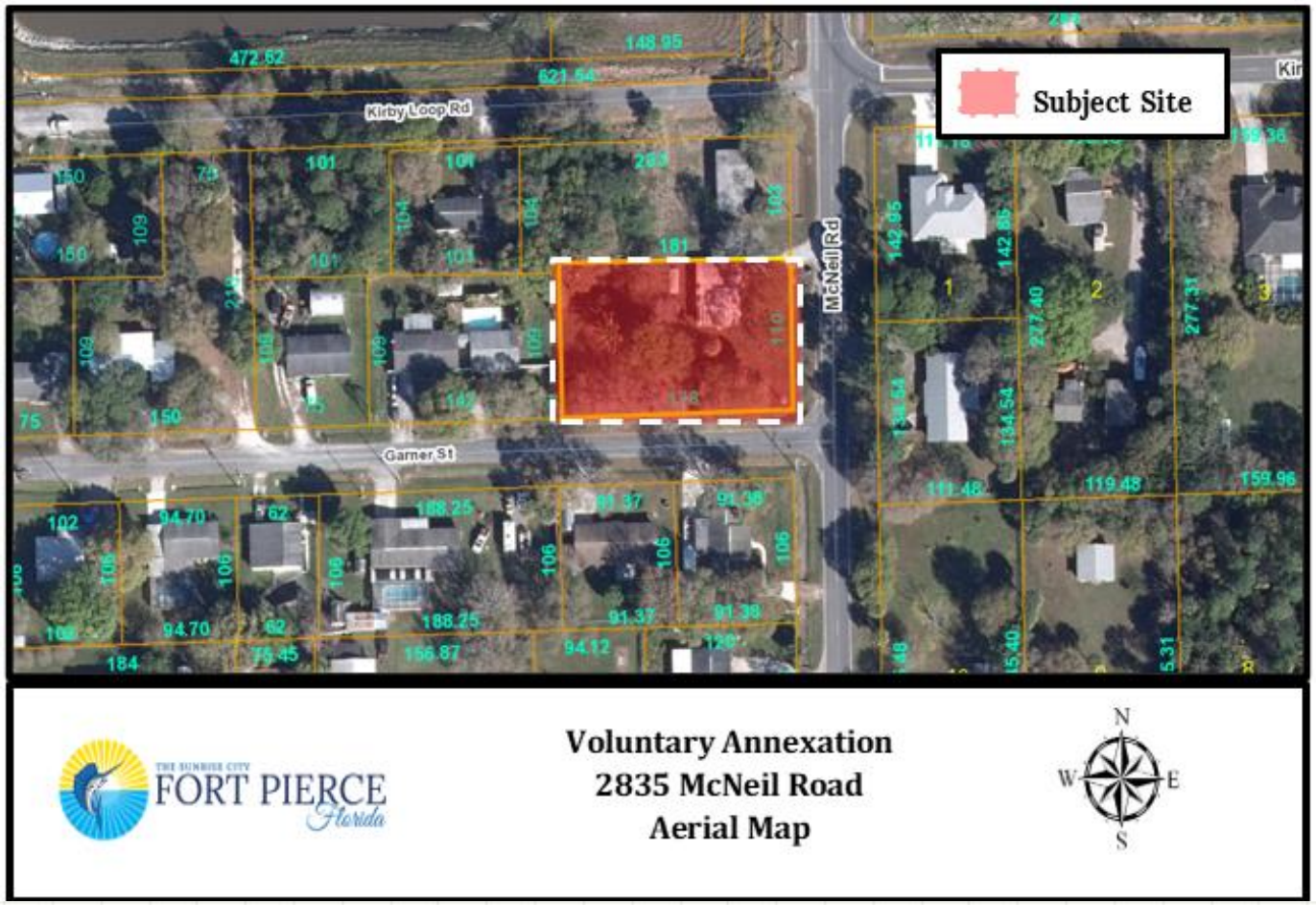
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



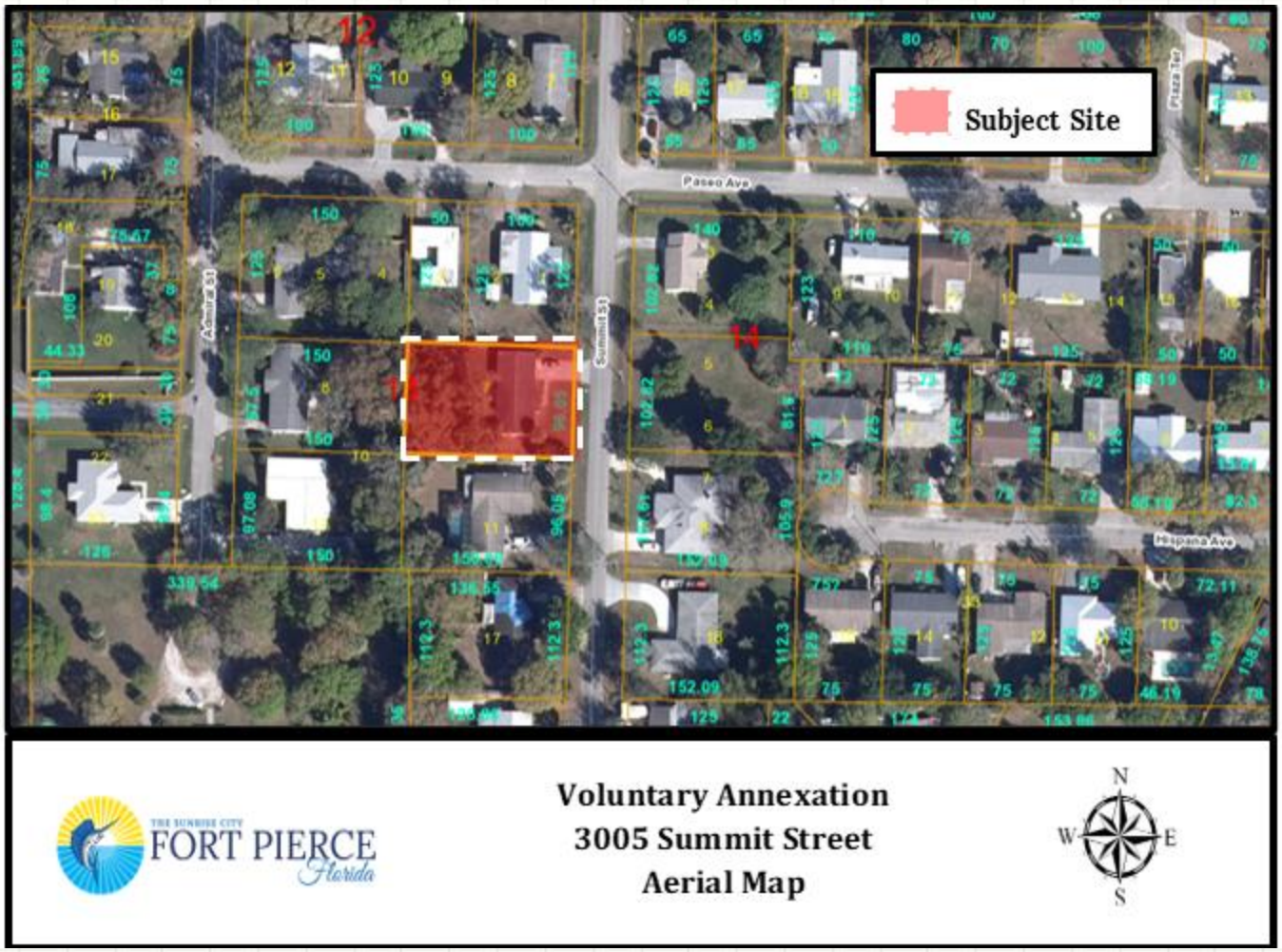
Annexation 25:

Ordinance No. 21-060



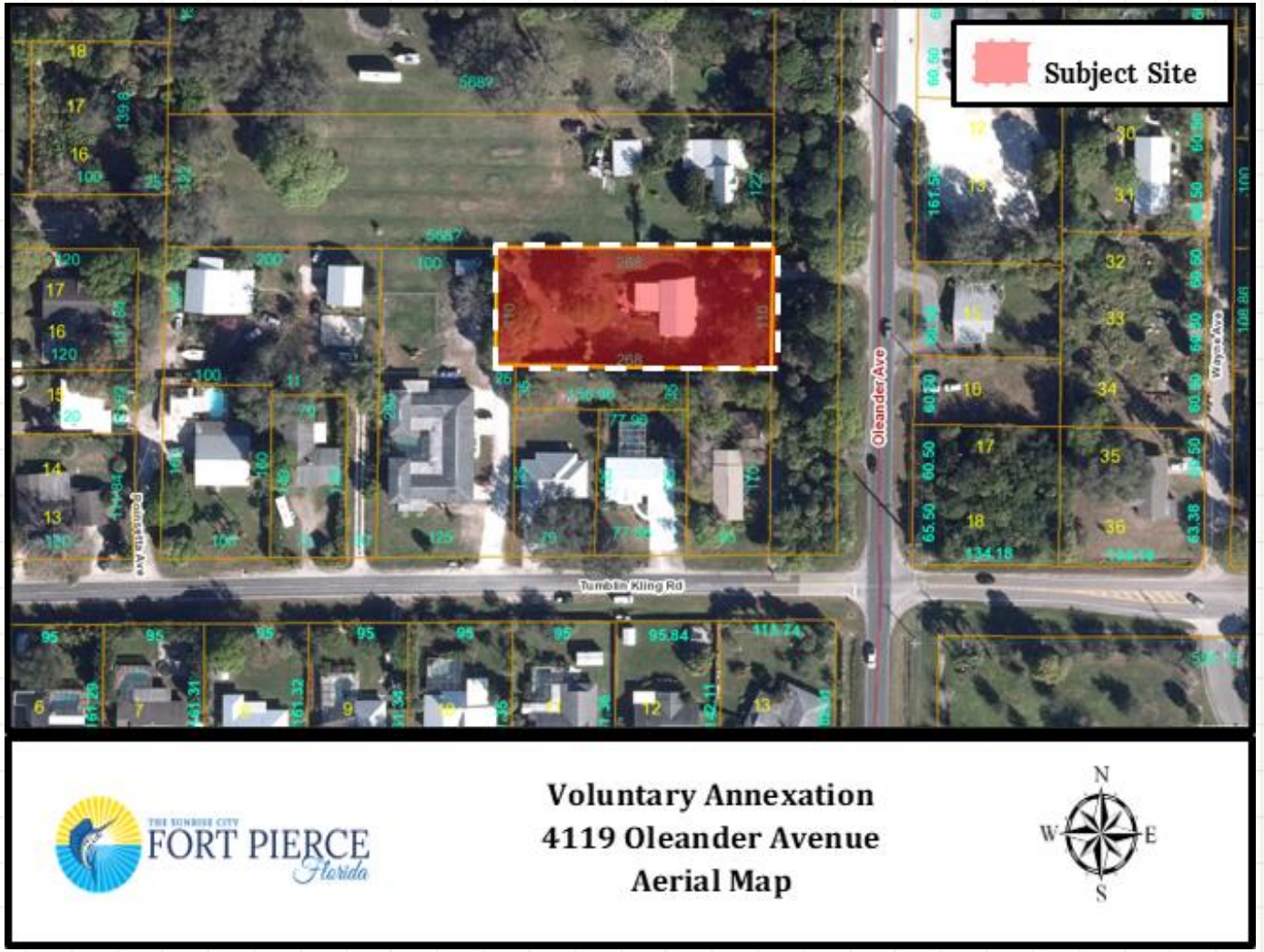
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **2803 & 2830 Admiral Street**
MEETING DATE:	November 15, 2021

STAFF REPORT

Property Owners/ Applicants	Connie S Moore Jeffrey R Moore 2803 Admiral Street Fort Pierce, FL 34982 Jolene Carmona Enrique Carmona 2830 Admiral Street Fort Pierce, FL 34982
Requested Action:	Approval of two (2) Voluntary Applications for Annexation
Site Locations:	2803 and 2830 Admiral Street in Fort Pierce, Florida
Parcel IDs:	2421-802-0041-000-0 and 2421-802-0027-000-6
Parcel Sizes:	0.37 and 0.43 acres
Current Future Land Use:	Residential Urban 5 du/ac (RU) (SLC)
Current Zoning:	Residential Single Family, 4 Dwelling Units/Acre (RS-4) (SLC)
Proposed Future Land Use:	Single Family Low Density (R-1) (FP)
Proposed Zoning:	Low Density Residential (RL) (FP)

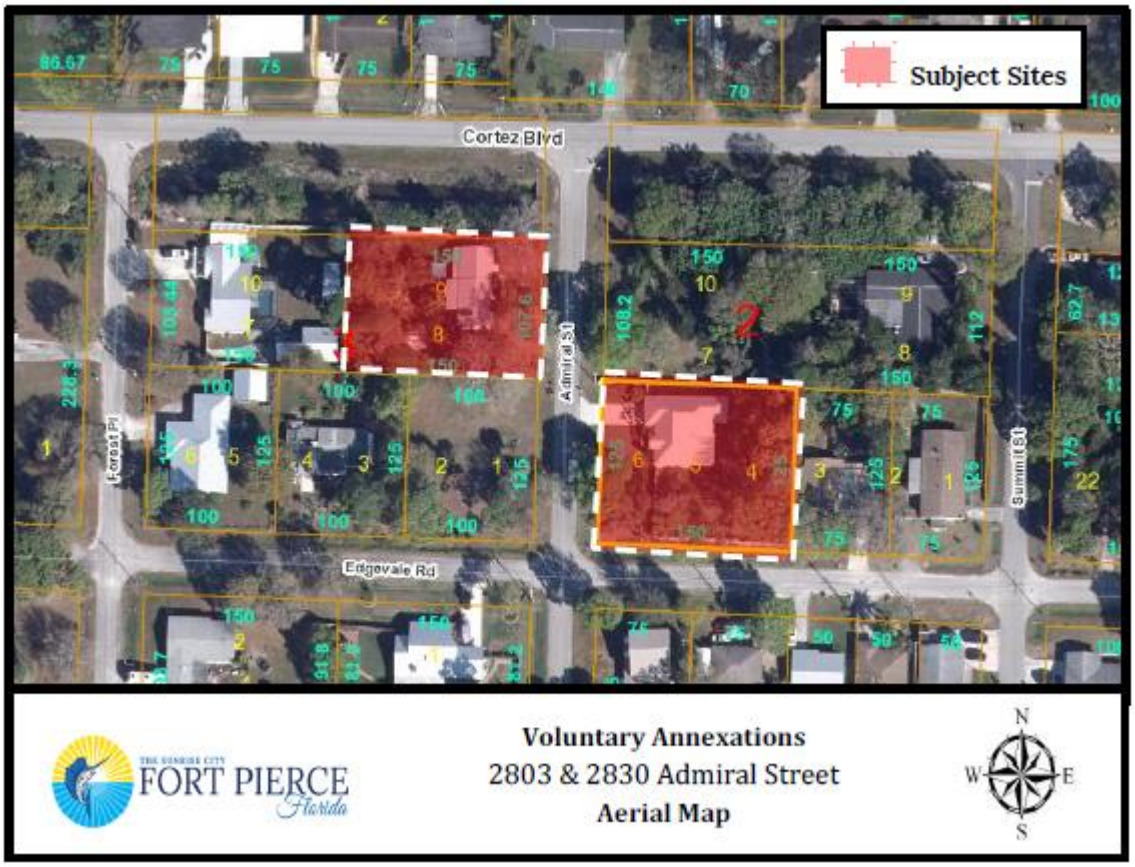
Utilities: FPUA

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RL (FP) / RU (SLC)	RU (SLC)
Surrounding Zoning:	RS-4 (SLC)	RS-4 (SLC)	R-1 (FP) / RS-4 (SLC)	RS-4 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of two (2) parcels located at 2803 and 2830 Admiral Street in Fort Pierce, Florida. The parcel IDs are 2421-802-0041-000-0 and 2421-802-0027-000-6.



The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $22,757 and $46,155. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties has a single-family home.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties to the north that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services.

Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RU and RS-4, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of RL and R-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by November 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed two (2) annexations at 2803 and 2830 Admiral Street, along with the associated Future Land Use designation of RL and the Zoning designation of R-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-046

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2803 ADMIRAL STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0041-000-0

MARAVILLA PLAZA BLK 3 LOTS 8 AND 9 (0.37 AC) (OR 566-433)

Said property containing 0.37 acres, more or less, and being generally located at 2803 Admiral Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA BLK 3 LOTS 8 AND 9 (0.37 AC) (OR 566-433)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3680684 OR BOOK 3368 PAGE 417, Recorded 03/06/2012 at 08:33

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX	ANNEXATION AGREEMENT INDIVIDUAL
This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2421-802-0041-000-0	
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2803 ADMIRAL STREET, FORT PIERCE, FLORIDA 34982 Location Address 2803 ADMIRAL STREET, FORT PIERCE, FLORIDA 34982 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOTS 8 AND 9, BLOCK 3, MARAVILLA PLAZA, AS PER PLAT THEREOF ON FILE IN PLAT BOOK 5, PAGE 44, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 27th day of February, 2012.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Witness Signature

Rosalie Lavertu
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Connie S. Moore
Signature
Connie S. Moore
Printed Signature
2803 Admiral Street
Address
Fort Pierce, Florida 34982
City, State, Zip

Jeffrey R. Moore
Signature
Jeffrey R. Moore, her husband
Printed Signature
2803 Admiral Street
Address
Fort Pierce, Florida 34982
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Connie S. Moore and Jeffrey R. Moore, her husband, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 27th day of February, A.D. 2012.
SUSAN M. BURBAN Commission # EE 141093 Expires December 12, 2015 Bonded Thru Troy Fain Insurance 800-385-7019	Susan M. Burban Notary Signature Susan M. Burban Notary Printed Signature

C:\Users\Welcome\Desktop\Forms\Moore, Connie Annex. Agmt..docx Moore, Connie Annex. Agmt. 2803 Admiral St

Revised 7/9/04 per atty.

ORDINANCE NO. 21-047

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2830 ADMIRAL STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0027-000-6

MARAVILLA PLAZA BLK 2 LOTS 4, 5 AND 6 (0.43 AC) (OR 1044-1097)

Said property containing 0.43 acres, more or less, and being generally located at 2830 Admiral Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

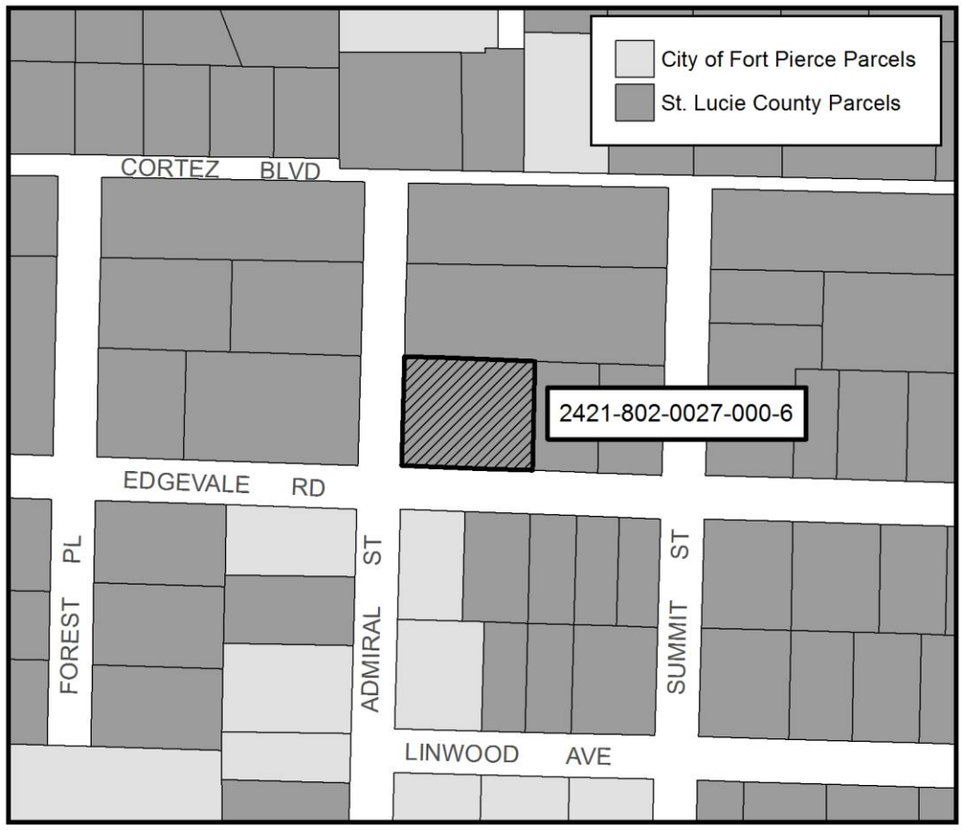
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

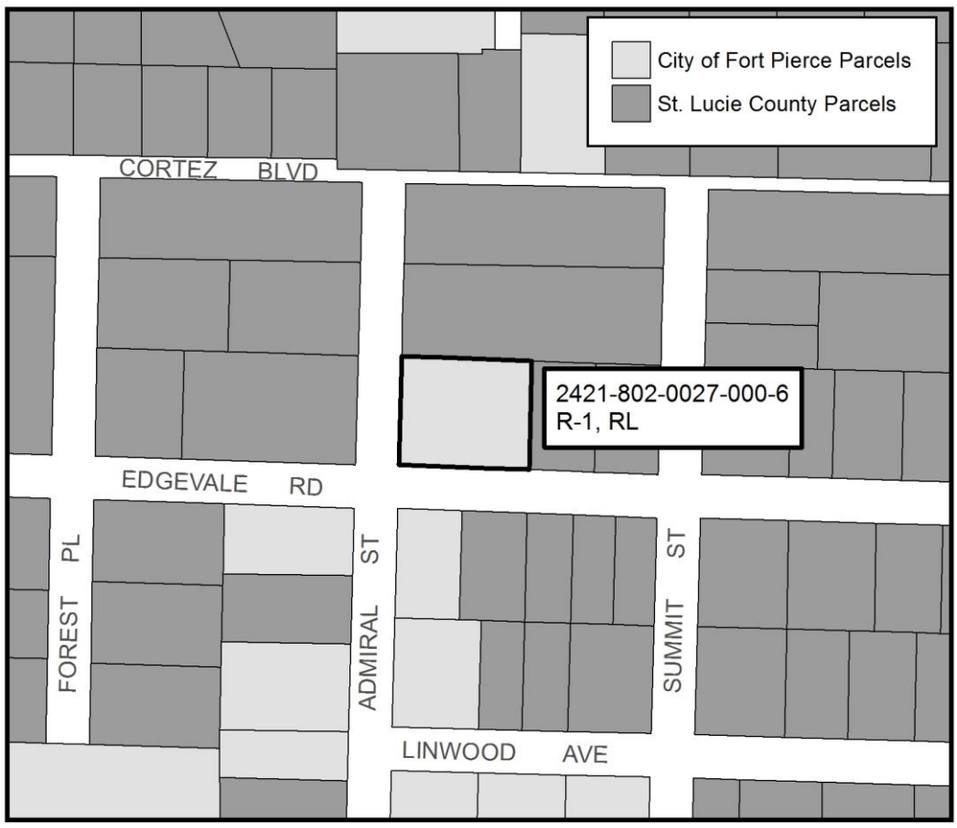
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA BLK 2 LOTS 4, 5 AND 6 (0.43 AC) (OR 1044-1097)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3869324 OR BOOK 3552 PAGE 1583, Recorded 08/23/2013 at 04:08 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX	**ANNEXATION AGREEMENT** **INDIVIDUAL**
This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2421-802-0027-000-6	

TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2830 ADMIRAL STREET, FORT PIERCE, FLORIDA 34982 Location Address 2830 ADMIRAL STREET, FORT PIERCE, FLORIDA 34982 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOTS 4, 5 AND 6, BLOCK 2, MARAVILLA PLAZA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 44, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 30TH day of JULY, 2013.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Rosalie Lavertu
Printed Witness Signature

Witness Signature
AMY SHEVLIN
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Signature
Jolene Carmona
Printed Signature
2830 Admiral Street
Address
Fort Pierce, Florida 34982
City, State, Zip

Signature
Enrique Carmona, her husband
Printed Signature
2830 Admiral Street
Address
Fort Pierce, Florida 34982
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Jolene Carmona** and **Enrique Carmona, her husband**, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 30TH day of JULY, A.D. 2013.
ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Rosalie Lavertu Notary Signature Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2830 Admiral Street

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2830 Admiral Street

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. g.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 505 Midway Road- Ordinance No. 21-048

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-048 - This is a voluntary annexation of a parcel of land located at 505 Midway Road. FIRST READING

SUMMARY:

The subject property has a St. Lucie County Future Land Use designation of Commercial (COM) and a zoning designation of Commercial General (CG). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is General Commercial (GC), with a zoning classification of General Commercial (C-3).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a

Fiscal Year: n/a

Account: n/a

Amount: n/a

OTHER INFORMATION:

. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:48 PM

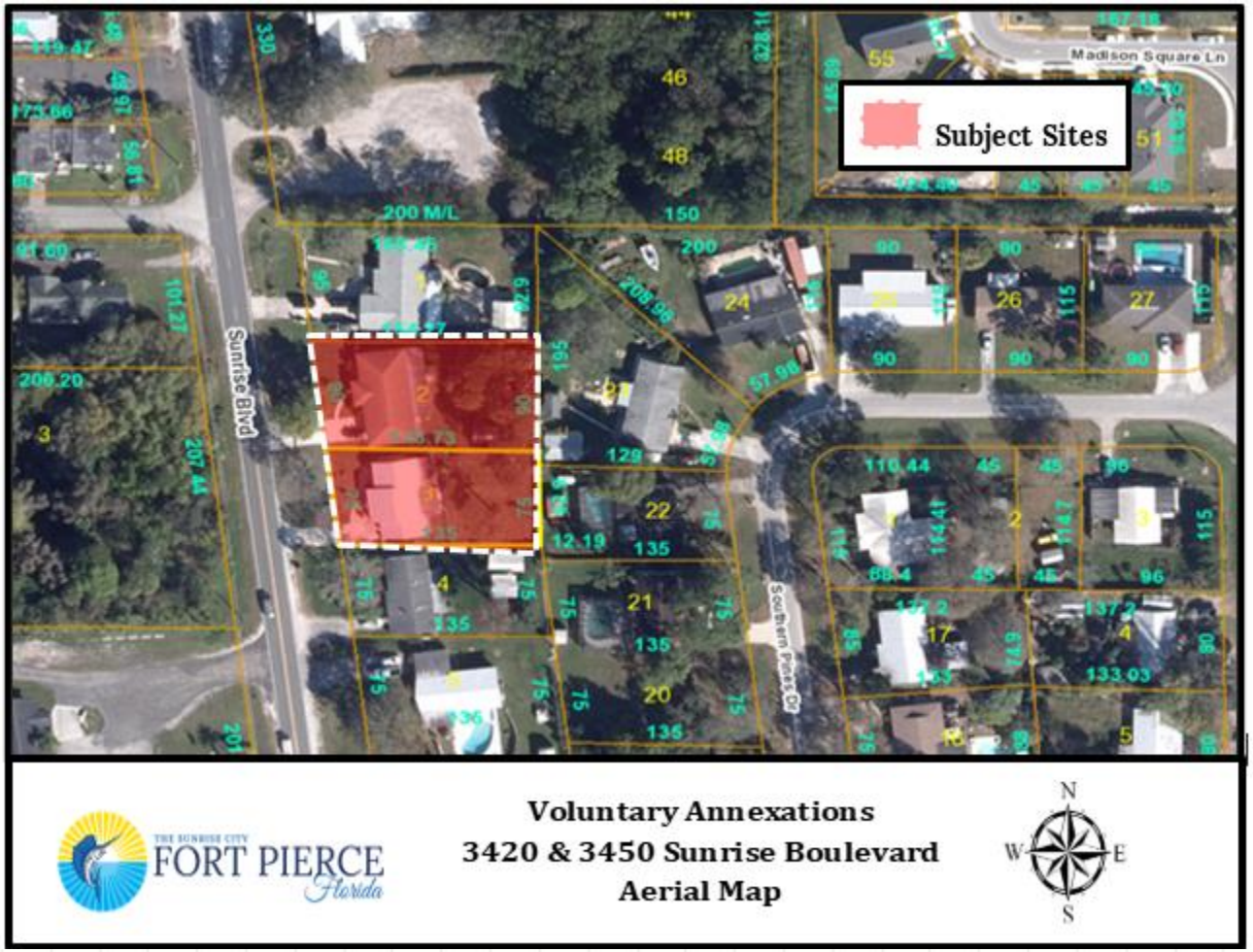
Form Started By: Jennifer Hofmeister
Started On: 11/04/2021 08:36 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

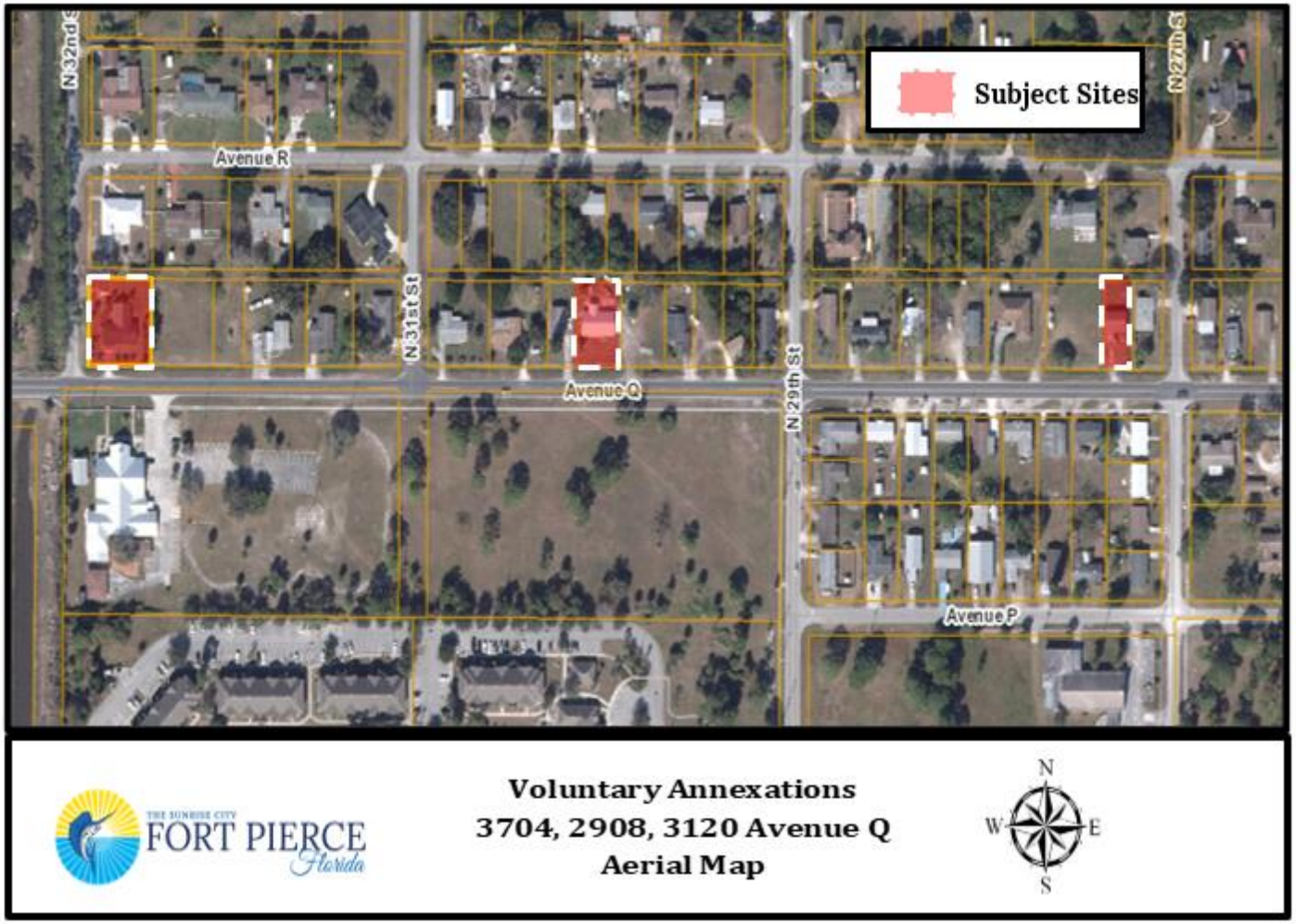
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



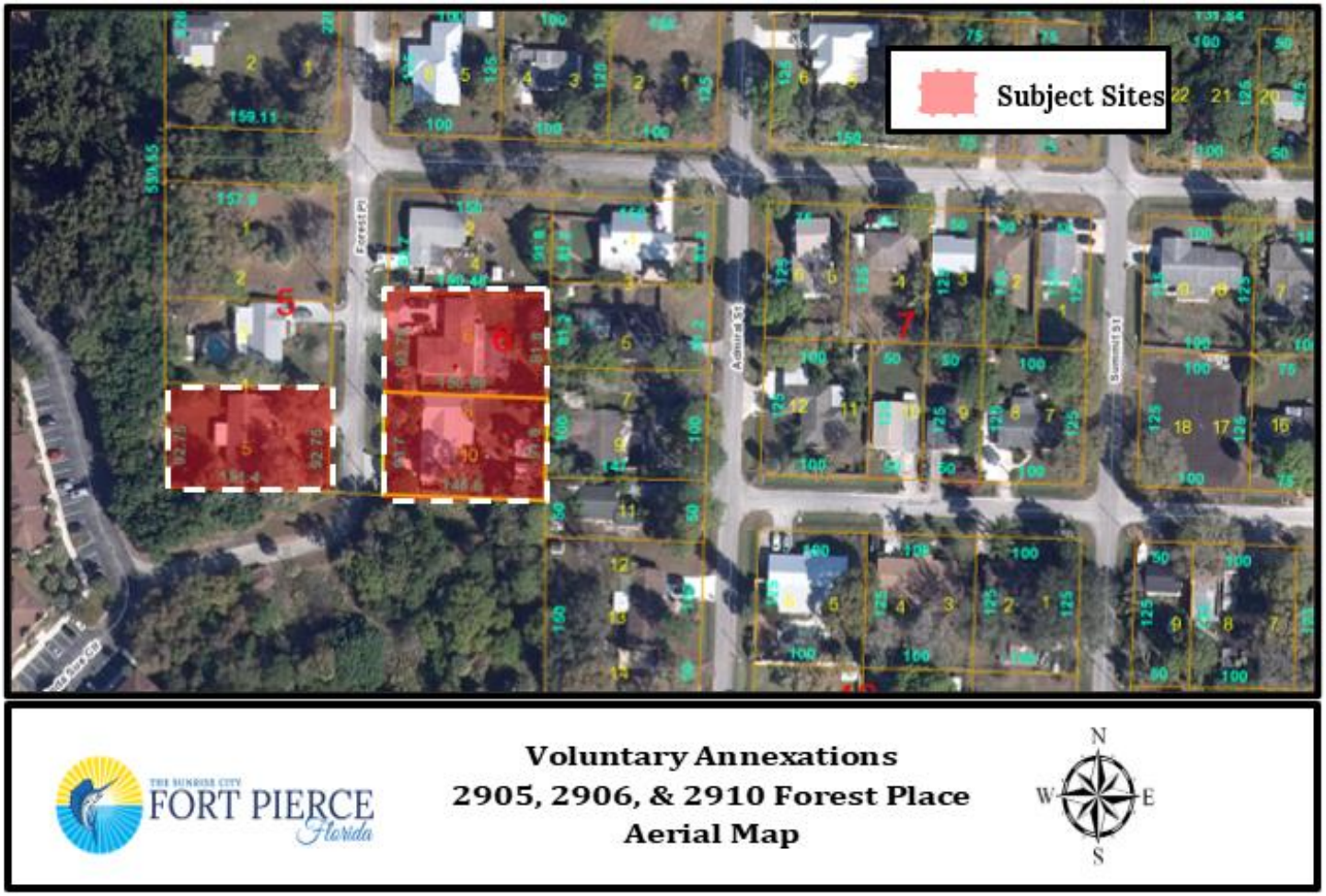
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



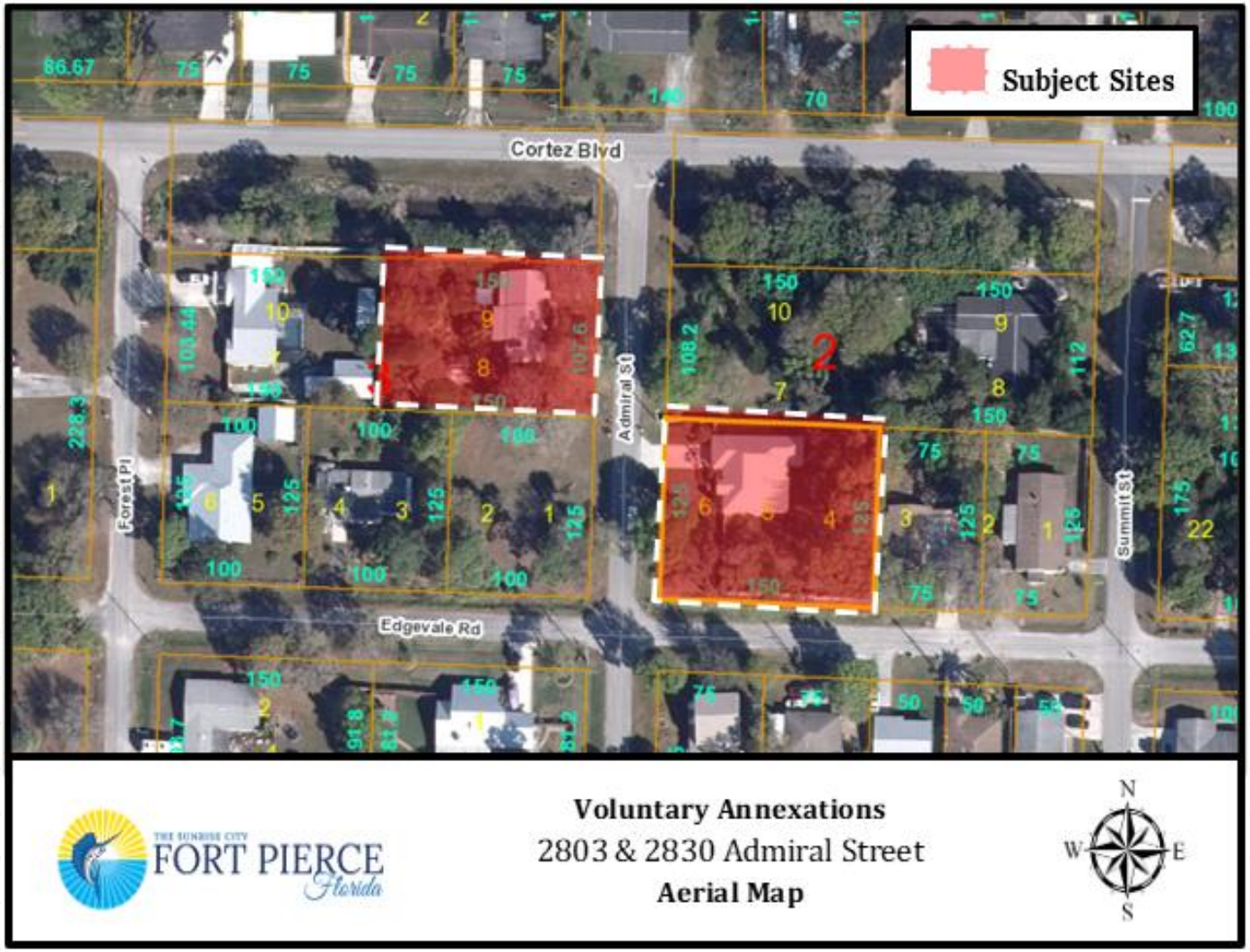
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



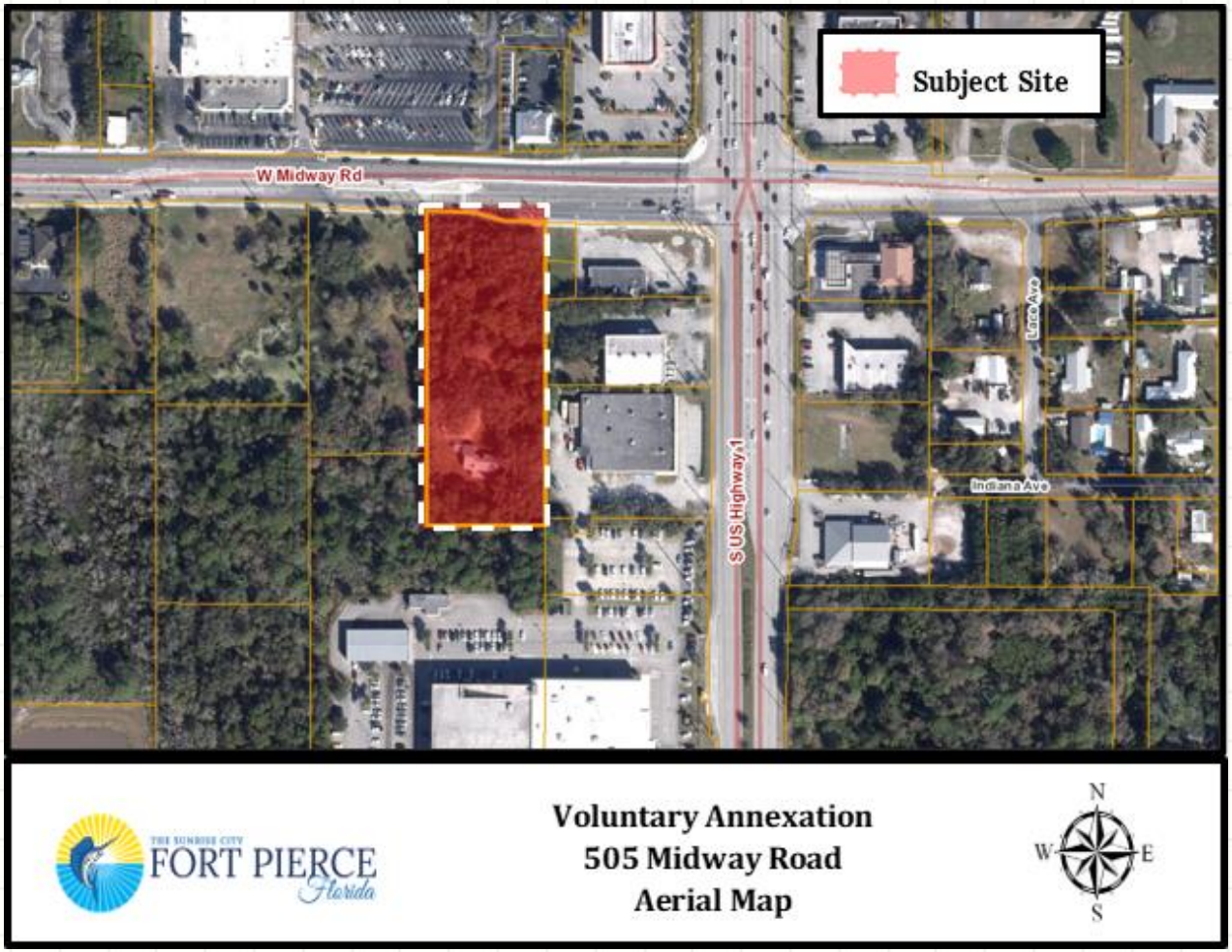
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



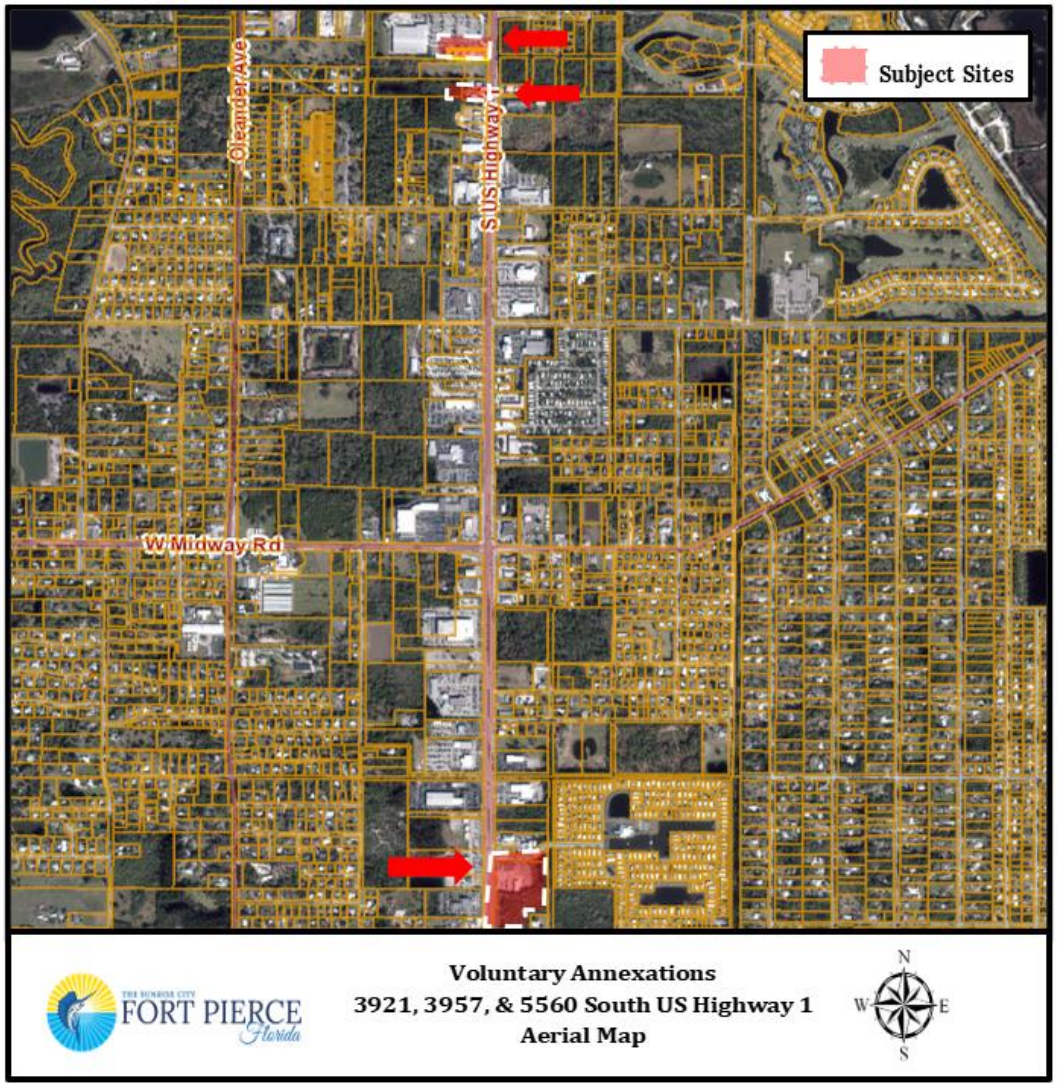
Annexation 13:

Ordinance No. 21-048



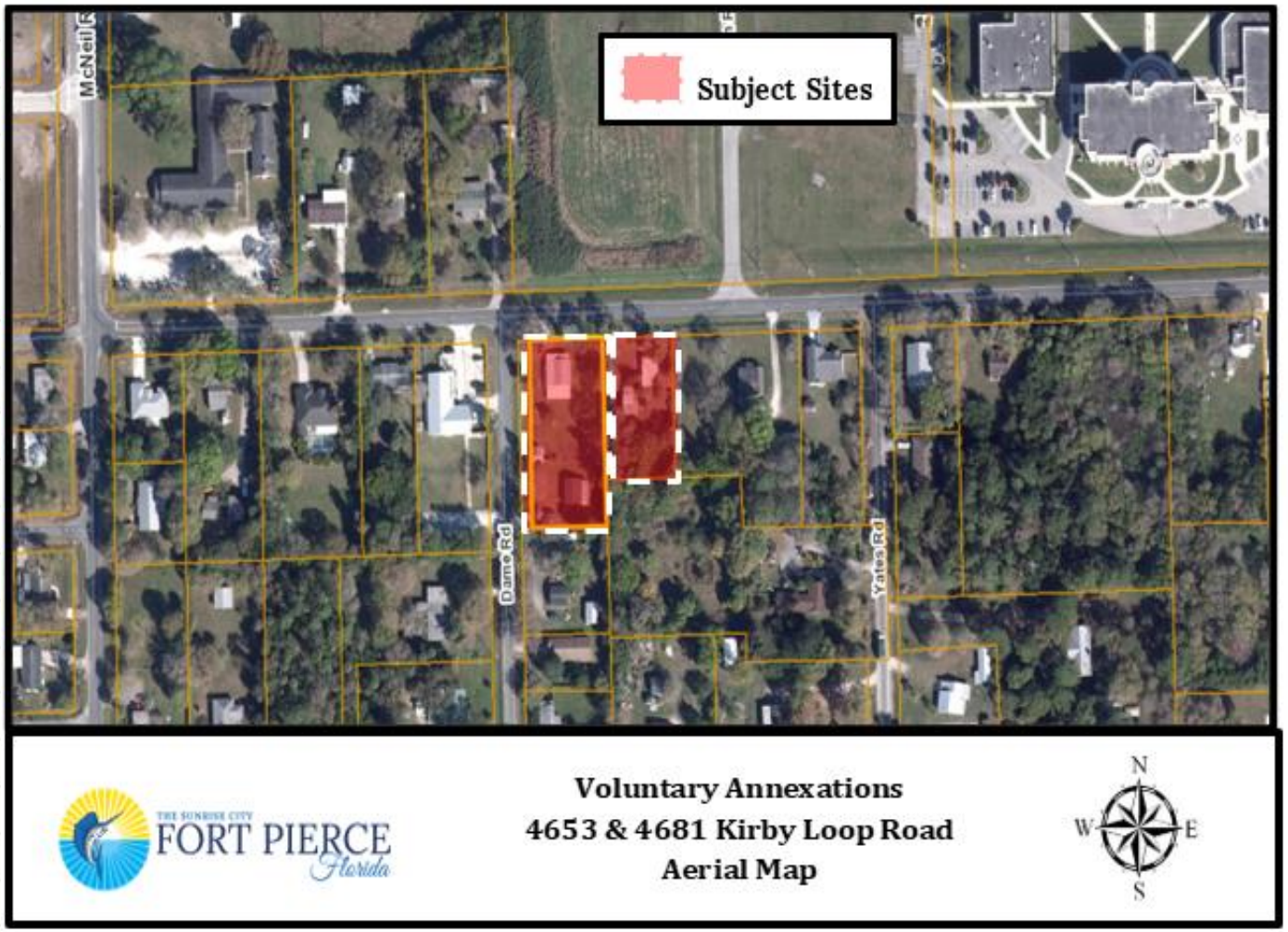
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



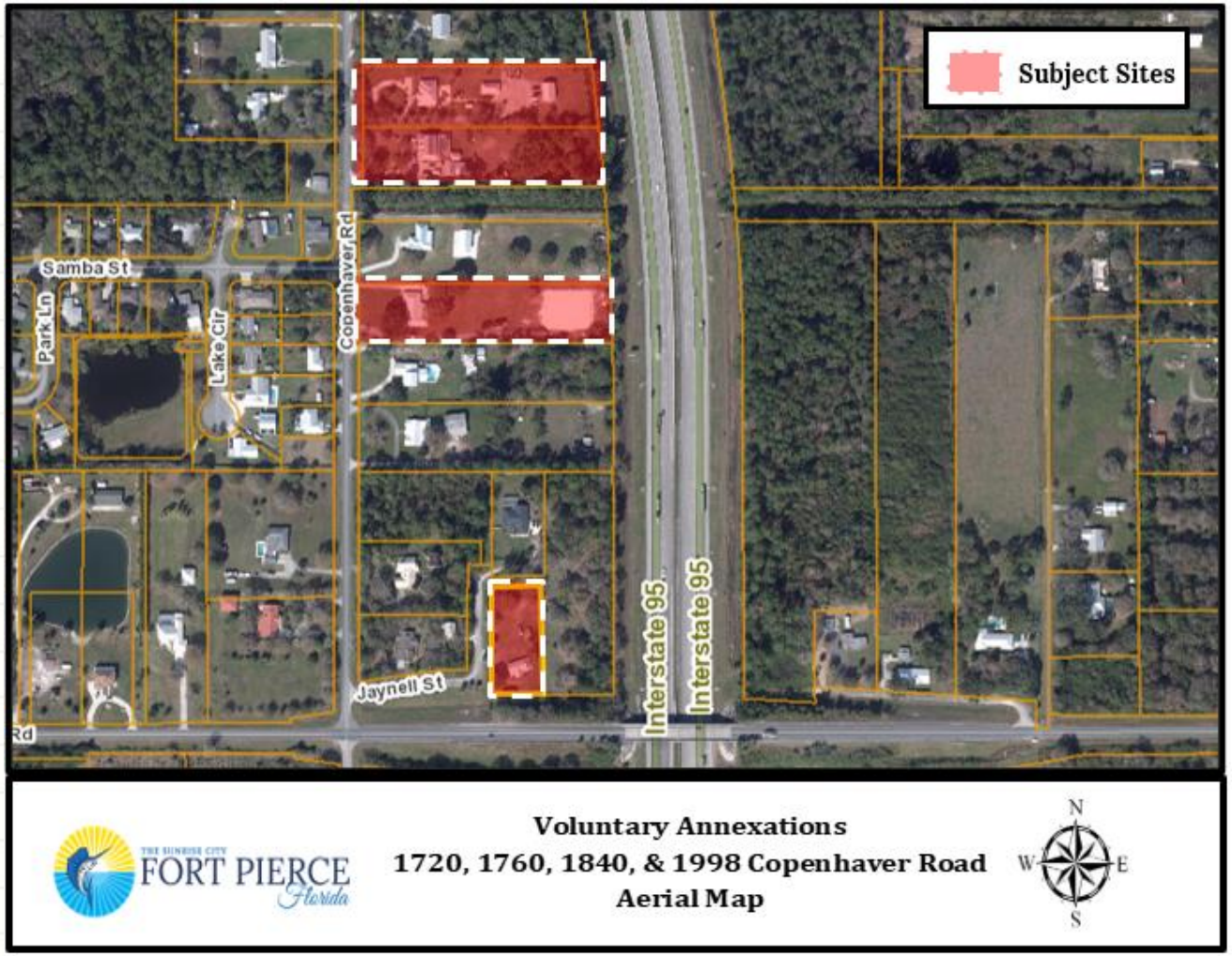
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



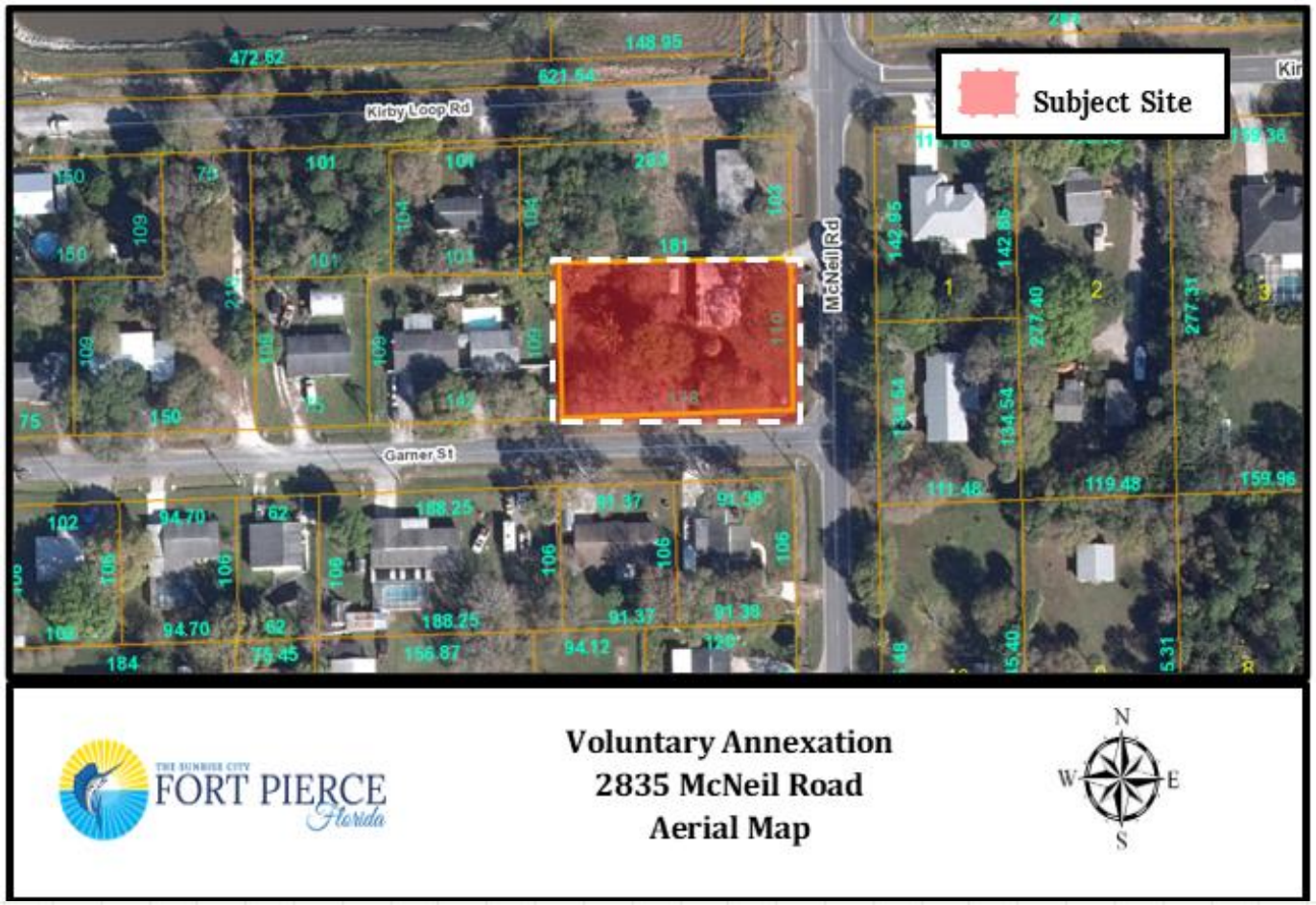
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



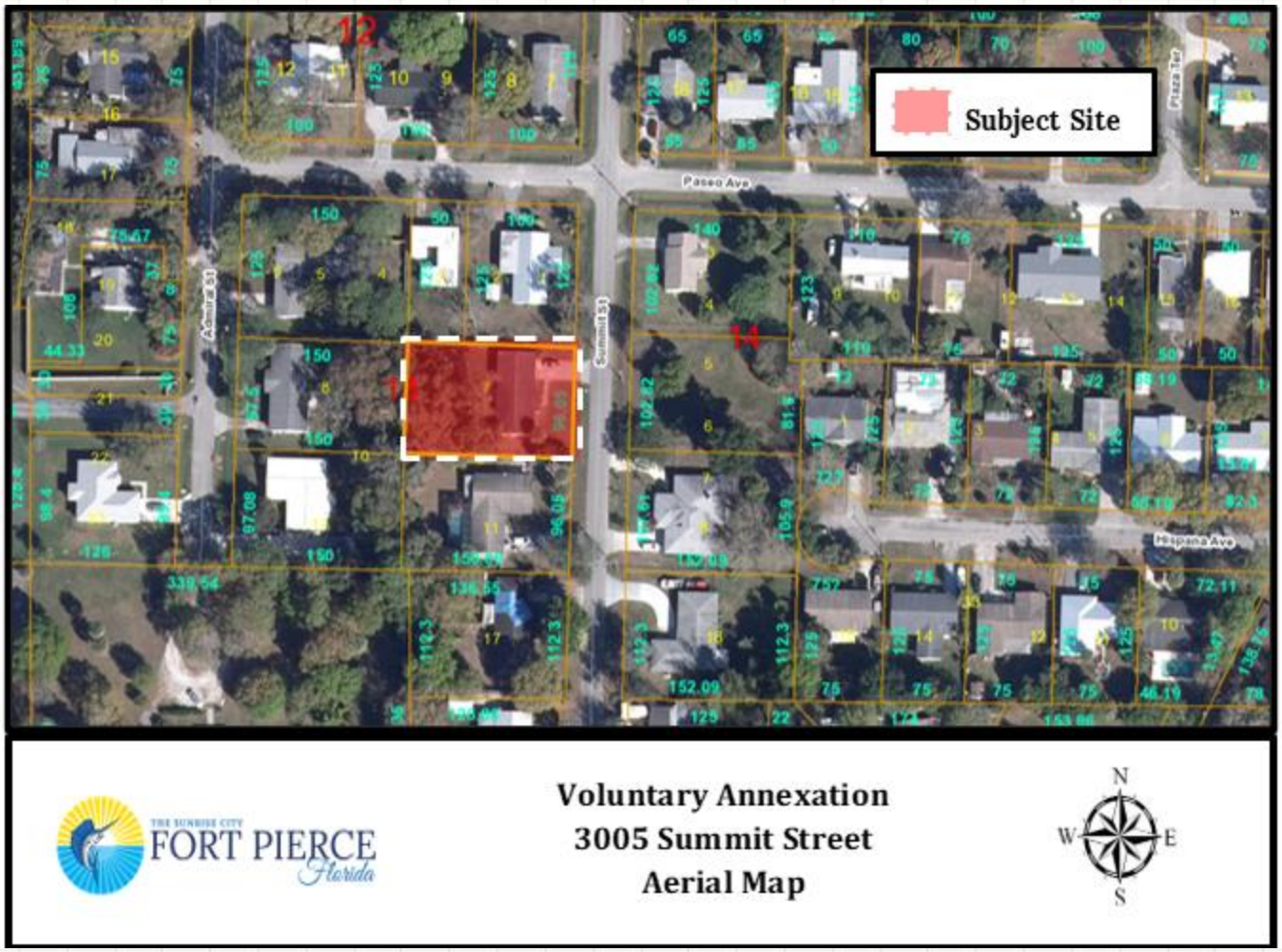
Annexation 25:

Ordinance No. 21-060



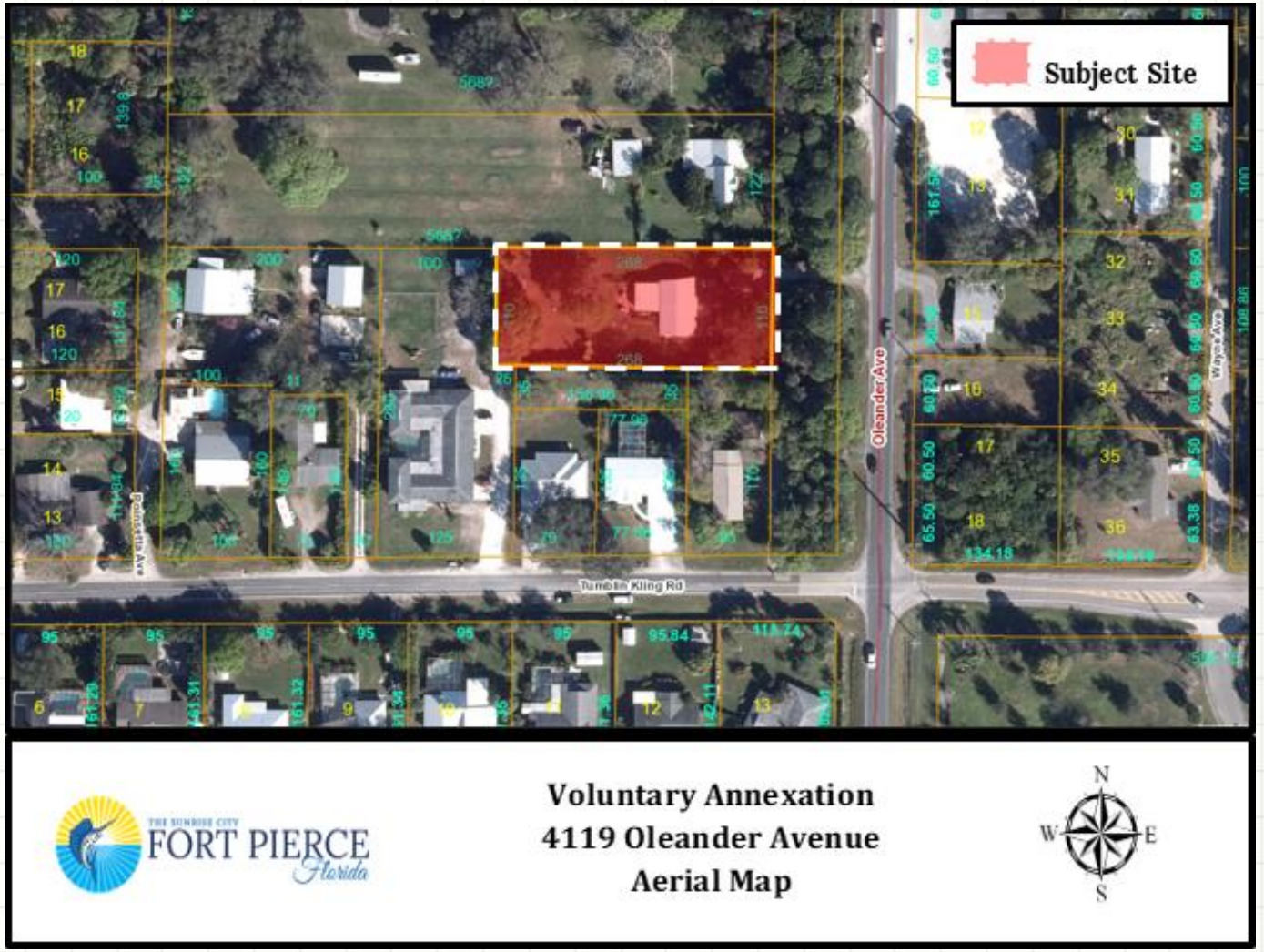
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Application for Voluntary Annexation** **505 Midway Road**
MEETING DATE:	November 15, 2021

STAFF REPORT

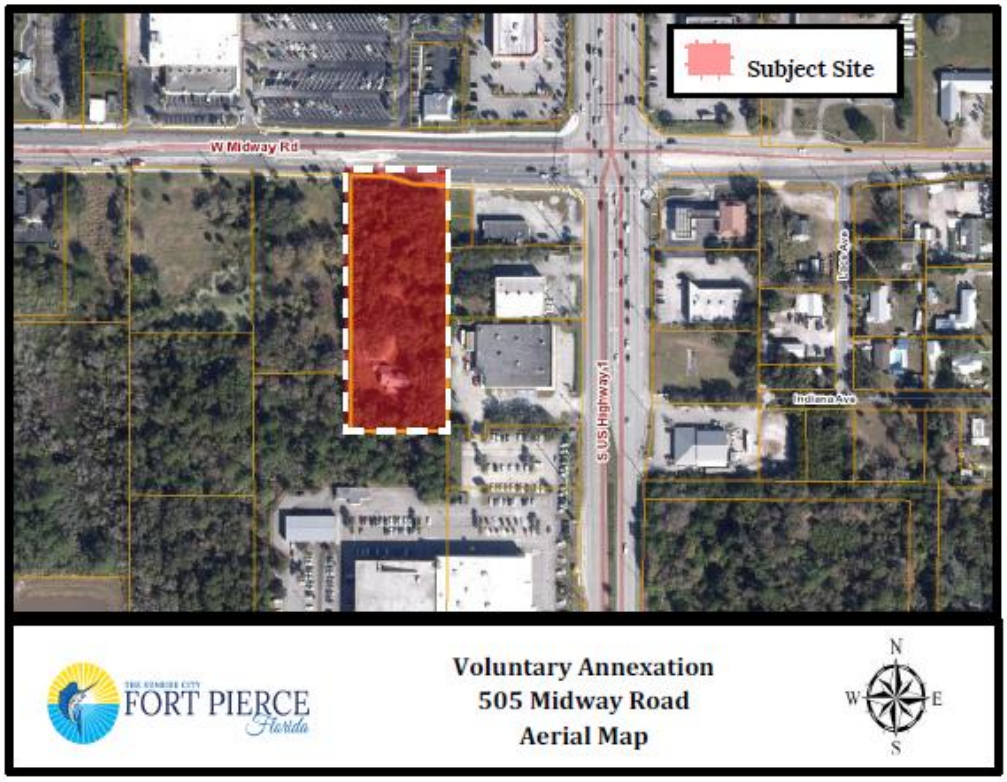
Property Owner/ Applicant	Joann Smith (TR) 505 W Midway Road Fort Pierce, FL 34982-7008
Requested Action:	Approval of a Voluntary Application for Annexation
Site Location:	505 Midway Road in Fort Pierce, Florida
Parcel ID:	3403-311-0005-040-8
Parcel Size:	2.35 acres
Current Future Land Use:	Commercial (COM) (SLC)
Current Zoning:	Commercial General (CG) (SLC)
Proposed Future Land Use:	General Commercial (GC) (FP)
Proposed Zoning:	General Commercial (C-3) (FP)
Utilities:	FPUA

	North	East	South	West
Surrounding FLU:	GC (FP)	GC (FP) / COMM (SLC)	GC (FP)	GC (FP) / COMM (SLC)
Surrounding Zoning:	C-3 (FP)	C-3 (FP) / CG (SLC)	C-3 (FP)	C-3 (FP) / CG (SLC)

Staff Analysis:

Request

This is a voluntary annexation of a parcel located at 505 Midway Road in Fort Pierce, Florida. The parcel ID is 3403-311-0005-040-8.



The subject property has a St. Lucie County Future Land Use designation of Commercial (COM) and a zoning designation of Commercial General (CG). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is General Commercial (GC), with a zoning classification of General Commercial (C-3).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the property is located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexation is also consistent with Chapter 171.044, F.S., whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

The current taxable value of the property is $200,900. Should the Application for Annexation be approved, it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently the property is developed with a residence.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The property is within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject property is in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. This parcel abuts properties that are within the City limits. The annexation of this property would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services.

Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of COMM and CG, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designation of GC and C-3, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittal and have no objections regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed annexation at 505 Midway Road, along with the associated Future Land Use designation of GC and a Zoning designation of C-3.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-048

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **505 MIDWAY ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; an

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 3403-311-0005-040-8

3 36 40 BEG AT PT 331 FT W OF CENTER OF SEC RUN S 544.5 FT,TH W 200 FT,TH N 554.5 FT,TH E 200 FT,TH S 10 FT TO POB-LESS ANY PART THEREOF LYG WITHIN 40 FT OF C/L MIDWAY RD AND LESS THAT PART MPDAF: FROM NW COR OF SW 1/4 OF SEC RUN N 89 52 47 E ALG N LI OF SW 1/4 1621.29 FT,TH N 00 17 22 E 36.60 FT,TH S 89 42 38 E 585.09 FT,TH S 00 17 22 W 40 FT SLY RD R/W LI OF MIDWAY RD AND POB,TH S 89 42 38 E ALG WLY R/W LI 106.33 FT,TH S 00 20 17 E 9 FT,TH N 89 42 38 W 106.43 FT,TH N 00 17 22 E 9 FT TO SLY RD R/W LI OF MIDWAY RD AND POB- AND LESS ADDL RD R/W MPDAF: FROM W 1/4 OF SEC, TH N 00 11 02 W 48.16 FT, TH S 89 42 45 E 2206.54 FT, TH S 00 17 15 W 40 FT TO POB; TH S 00 17 15 W 9 FT, TH S 89 42 45 E 106.43 FT, TH S 00 20 17 E 26.97 FT, TH N 88 12 45 W 69.74 FT, TH N 74 47 37 W 51.71 FT, TH N 88 12 45 W 80.54 FT, TH N 00 20 17 W 18.73 FT, TH S 89 42 45 E 93.68 FT TO POB- (2.35 AC - 102,366 SF) (OR 311-2867: 379-297; 2176-2837; 2474-1160: 4067-958)

Said property containing 2.35 acres, more or less, and being generally located at 505 Midway Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned C-3, General Commercial, and assigned a Future Land Use Designation of GC, General Commercial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

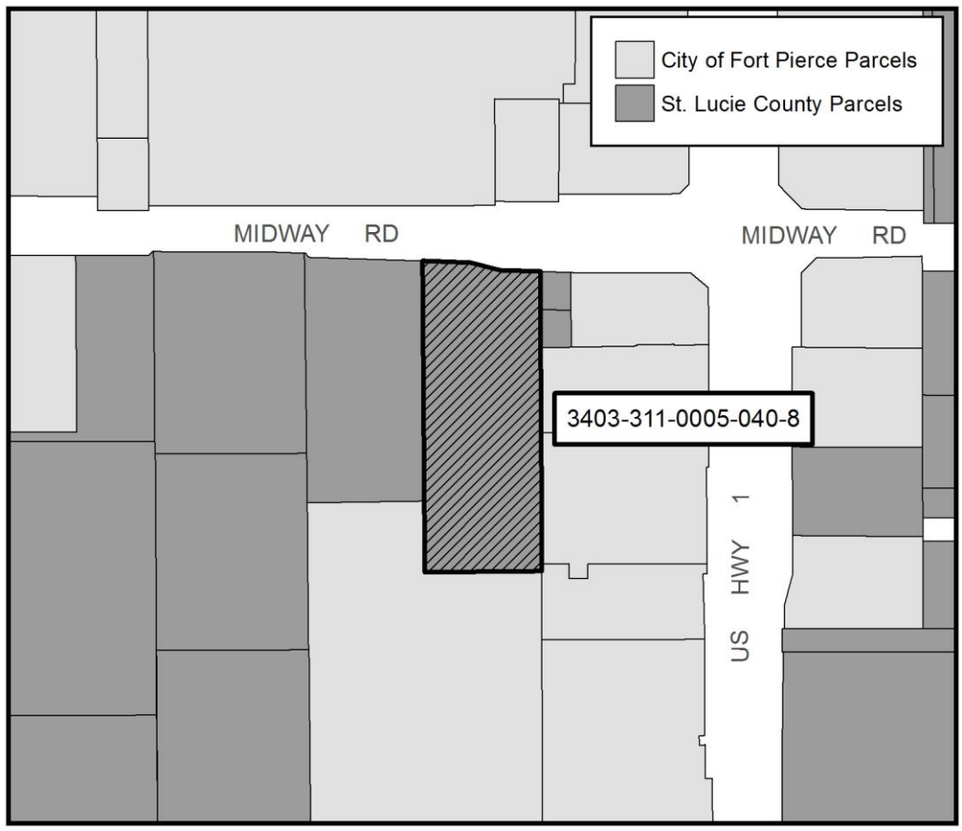
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

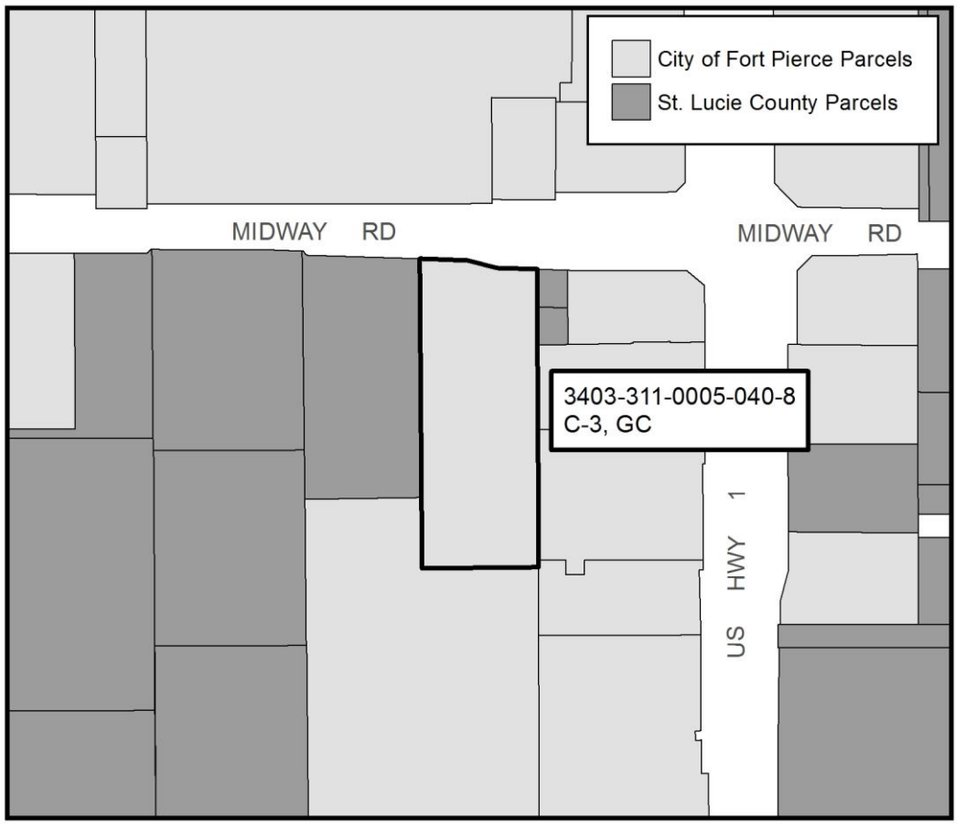
EXHIBIT A
Annexed Area & Legal Description



3 36 40 BEG AT PT 331 FT W OF CENTER OF SEC RUN S 544.5 FT,TH W 200 FT,TH N 554.5 FT,TH E 200 FT,TH S 10 FT TO POB-LESS ANY PART THEREOF LYG WITHIN 40 FT OF C/L MIDWAY RD AND LESS THAT PART MPDAF: FROM NW COR OF SW 1/4 OF SEC RUN N 89 52 47 E ALG N LI OF SW 1/4 1621.29 FT,TH N 00 17 22 E 36.60 FT,TH S 89 42 38 E 585.09 FT,TH S 00 17 22 W 40 FT SLY RD R/W LI OF MIDWAY RD AND POB,TH S 89 42 38 E ALG WLY R/W LI 106.33 FT,TH S 00 20 17 E 9 FT,TH N 89 42 38 W 106.43 FT,TH N 00 17 22 E 9 FT TO SLY RD R/W LI OF MIDWAY RD AND POB- AND LESS ADDL RD R/W MPDAF: FROM W 1/4 OF SEC, TH N 00 11 02 W 48.16 FT, TH S 89 42 45 E 2206.54 FT, TH S 00 17 15 W 40 FT TO POB; TH S 00 17 15 W 9 FT, TH S 89 42 45 E 106.43 FT, TH S 00 20 17 E 26.97 FT, TH N 88 12 45 W 69.74 FT, TH N 74 47 37 W 51.71 FT, TH N 88 12 45 W 80.54 FT, TH N 00 20 17 W 18.73 FT, TH S 89 42 45 E 93.68 FT TO POB- (2.35 AC - 102,366 SF) (OR 311-2867: 379-297; 2176-2837; 2474-1160: 4067-958)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned CG, Commercial General with a Future Land Use of COM, Commercial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of C-3, General Commercial and have a Future Land Use Designation of GC, General Commercial.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4308760 OR BOOK 3996 PAGE 1482, Recorded 05/15/2017 02:30:56 PM

RETURN TO: BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): **3403-311-0005-040-8**	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	505 MIDWAY ROAD, FORT PIERCE, FL 34982 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to the Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

SEE ATTACHED LEGAL DESCRIPTION MARKED AS EXHIBIT "A"

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand(s) and seal this 5th day of May, 2017.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Richard D Sees, Jr.
Printed Witness Signature

Witness Signature

Kellie S. Forrest
Printed Witness Signature

Joann D. Smith
Signature
Joann D. Smith, an unmarried widowed woman
Printed Signature
505 Midway Road
Address
Fort Pierce, FL 34982
City, State, Zip

STATE OF FLORIDA

COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Joann D. Smith, an unmarried widowed woman,** known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form(s) identification of the above-named person(s): Florida Driver's Licenses, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL KELLIE S. FORREST Commission # FF 050766 Expires September 21, 2017 Bonded Thru Troy Fain Insurance 800-385-7019	*Witness my hand and official Seal in the County and State last aforesaid this* 5th day of May A.D. 2017. Notary Signature Kellie S. Forrest Notary Printed Signature

Revised 7/9/04 per atty.

EXHIBIT C (Cont.)
Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 3996 PAGE 1483

OR BOOK 2176 PAGE 2839

EXHIBIT "A"

Full Legal Description
3 36 40 BEG AT PT 331 FT W OF CENTER OF SEC RUN S 544.5 FT,TH W 200 FT,TH N 554.5 FT,TH E 200 FT,TH S 10 FT TO POB-LESS ANY PART THEREOF LYG WITHIN 40 FT OF C/L MIDWAY RD AND LESS THAT PARF MPDAF-FROM NW COR OF SW 1/4 OF SEC RUN N 89 52 47 E ALG N LI OF SW 1/4 1621.29 FT,TH N 00 17 22 E 36.60 FT,TH S 89 42 38 E 585.09 FT,TH S 00 17 22 W 40 FT SLY RD R/W LI OF MIDWAY RD AND POB,TH S 89 42 38 E ALG WLY R/W LI 108.33 FT,TH S 00 20 17 E 9 FT,TH N 89 42 38 W 105.43 FT,TH N 00 17 22 E 9 FT TO SLY RD R/W LI OF MIDWAY RD AND POB- (2.45 AC) (OR 311-2667; 379-297)

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 505 Midway Road

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. h.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 3921, 3957, and 5560 South US Hwy 1 - Ordinance No. 21-049, 21-050 and 21-051

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-049 - This is a voluntary annexation of a parcel of land located at 3921 South US Highway 1 in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-050 - This is a voluntary annexation of a parcel of land located at 3957 South US Highway 1 in Fort Pierce, Florida.FIRST READING

Legislative Hearing - Ordinance No. 21-051 - This is a voluntary annexation of a parcel of land located at 5560 South US Highway 1 in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject properties have St. Lucie County Future Land Use designations of Industrial (IND) and Commercial (COM) and zoning designations of Industrial Light (IL) and Commercial General (CG). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designations for the parcels are Industrial (I) and General Commercial (GC), with zoning classifications of Light Industrial (I-1) and General Commercial (C-3).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a

Fiscal Year: n/a

Account: n/a

Amount: n/a

OTHER INFORMATION:

Should the Application for Annexation be approved, in the future it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:48 PM

Form Started By: Jennifer Hofmeister Started On: 11/04/2021 08:36 AM

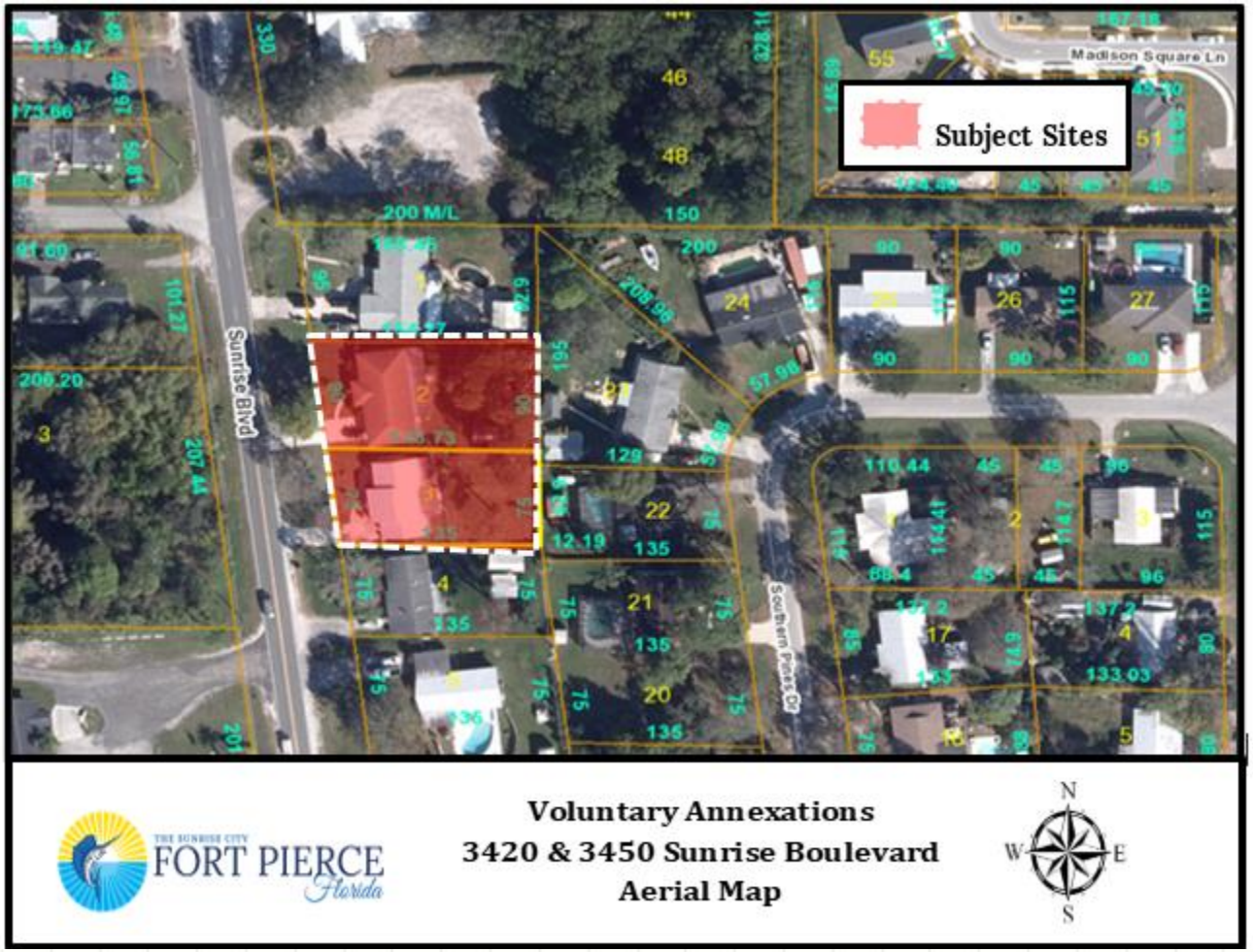
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

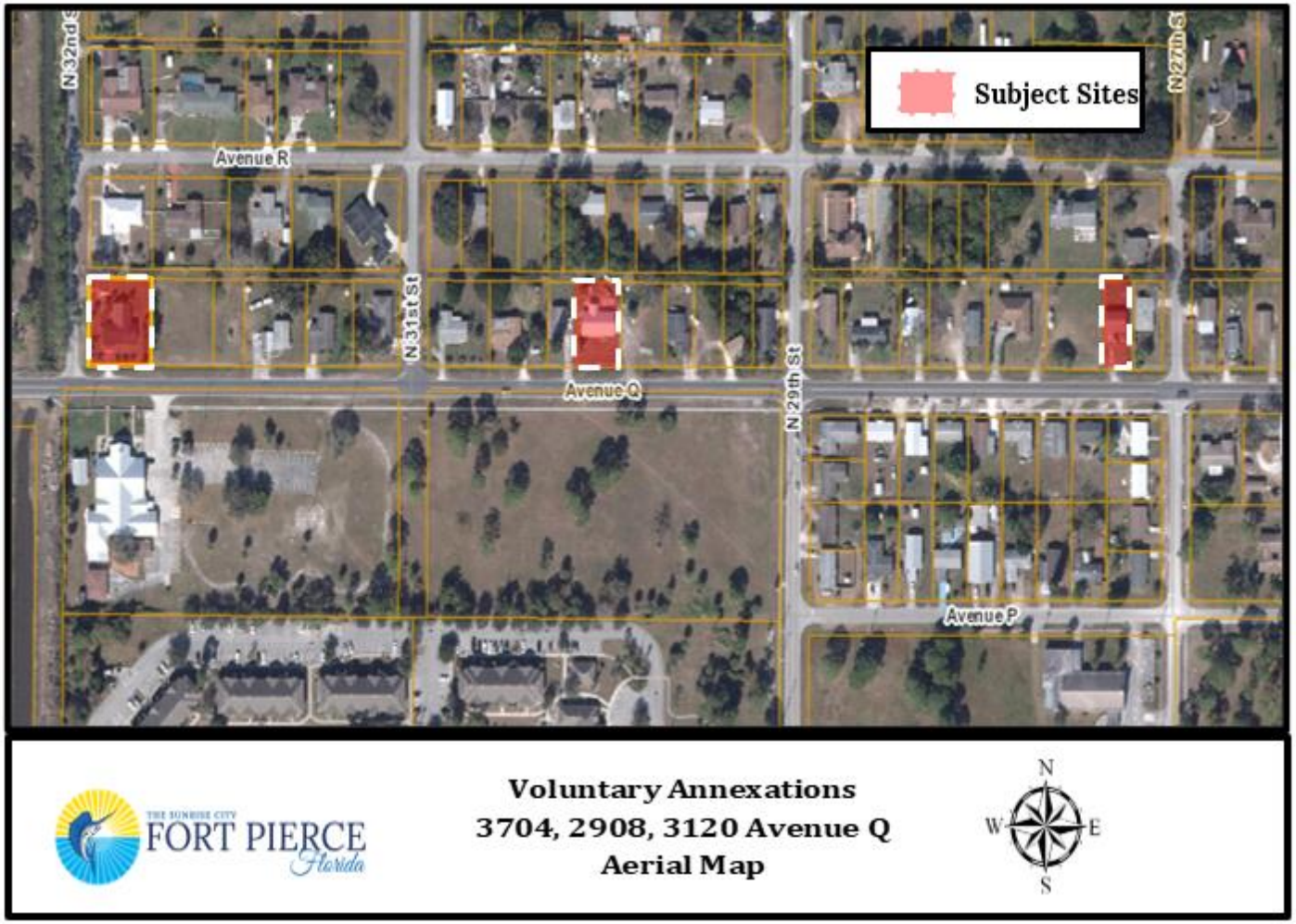
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



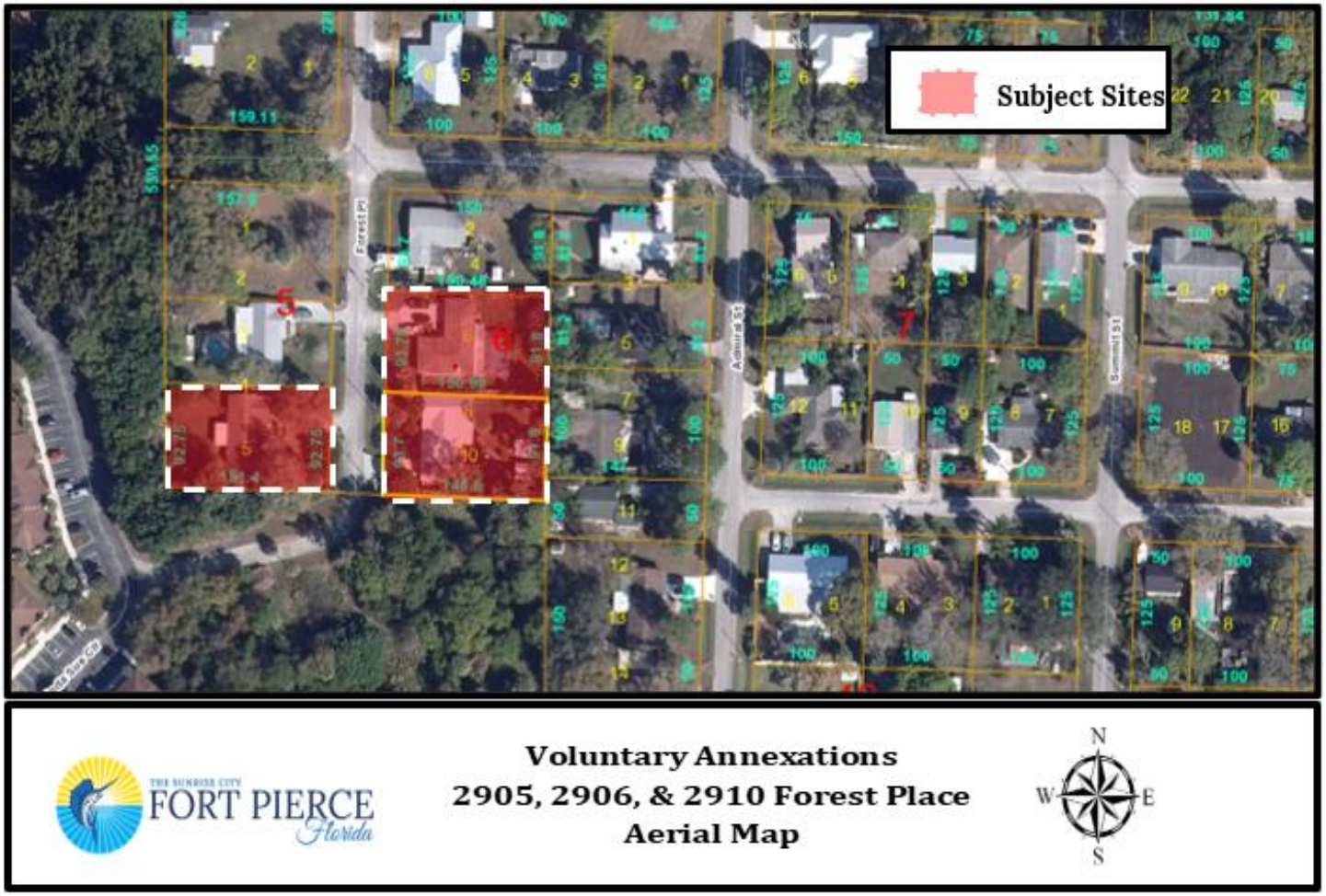
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



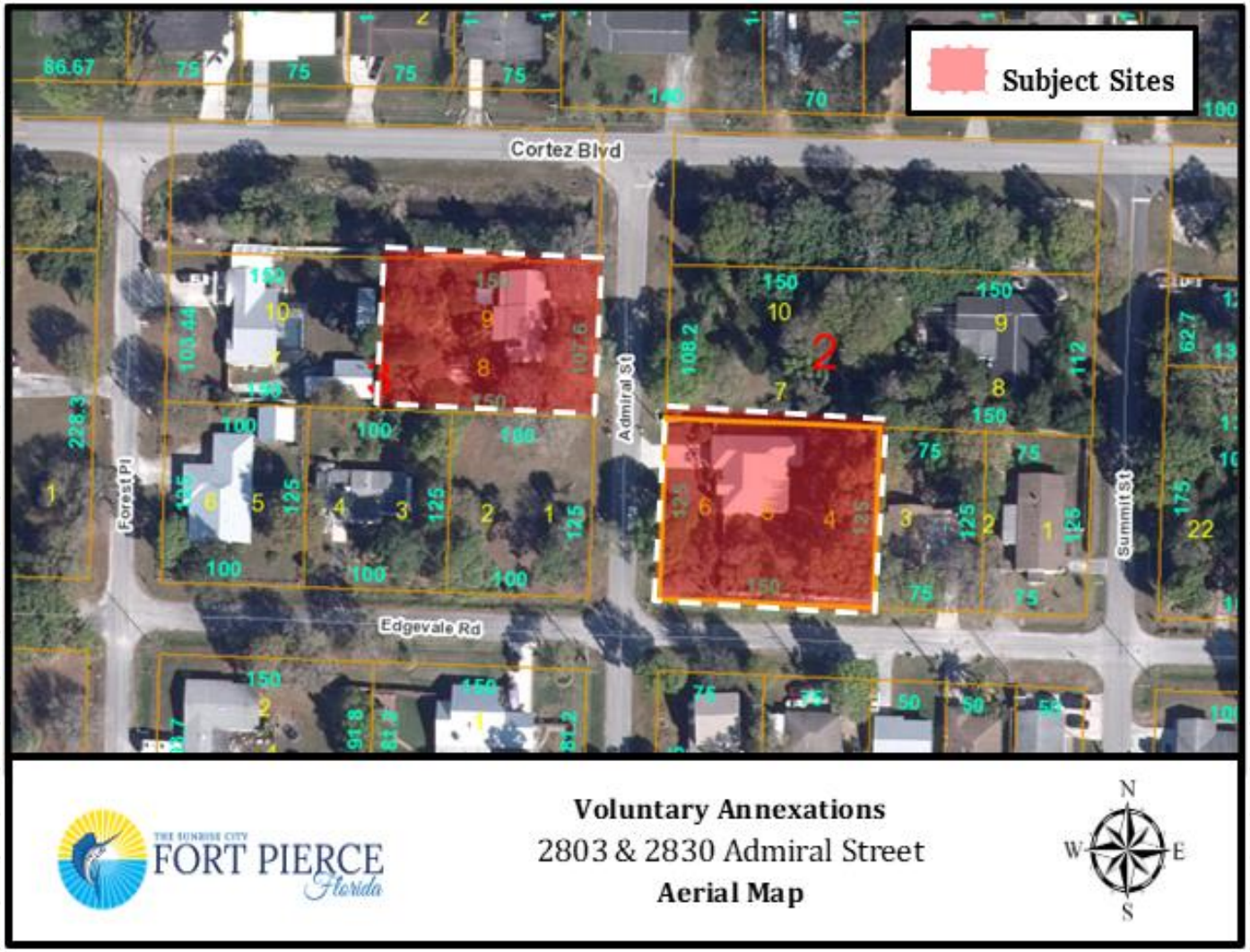
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



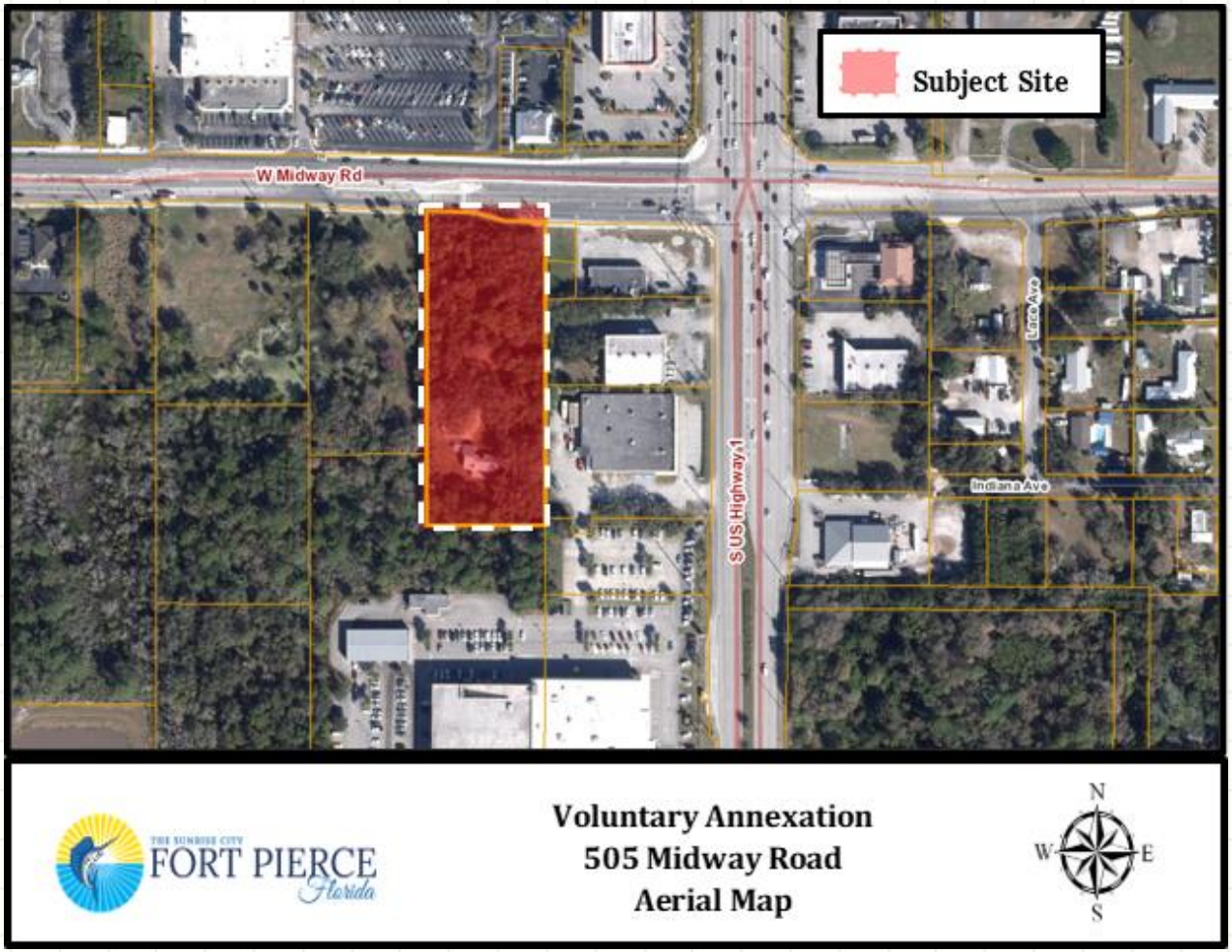
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



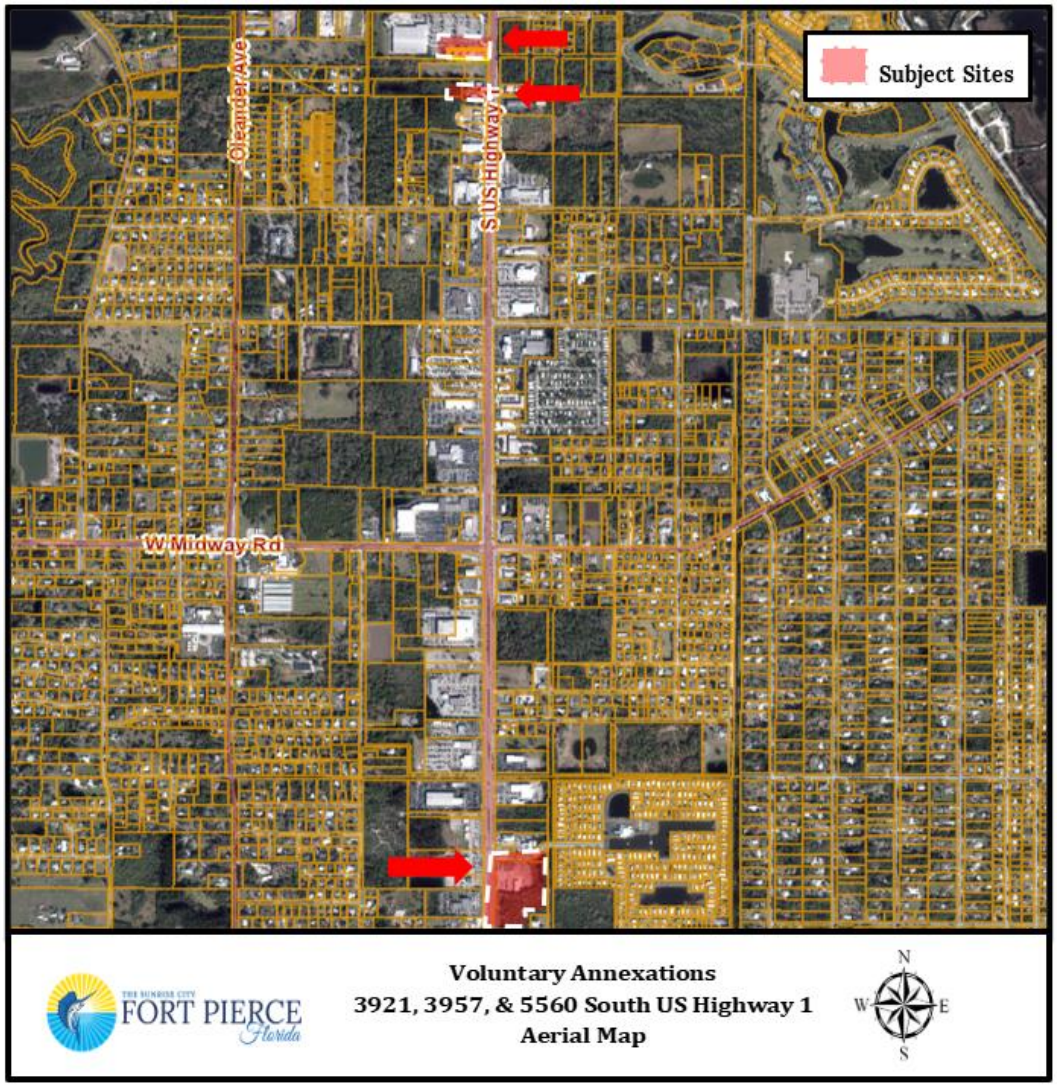
Annexation 13:

Ordinance No. 21-048



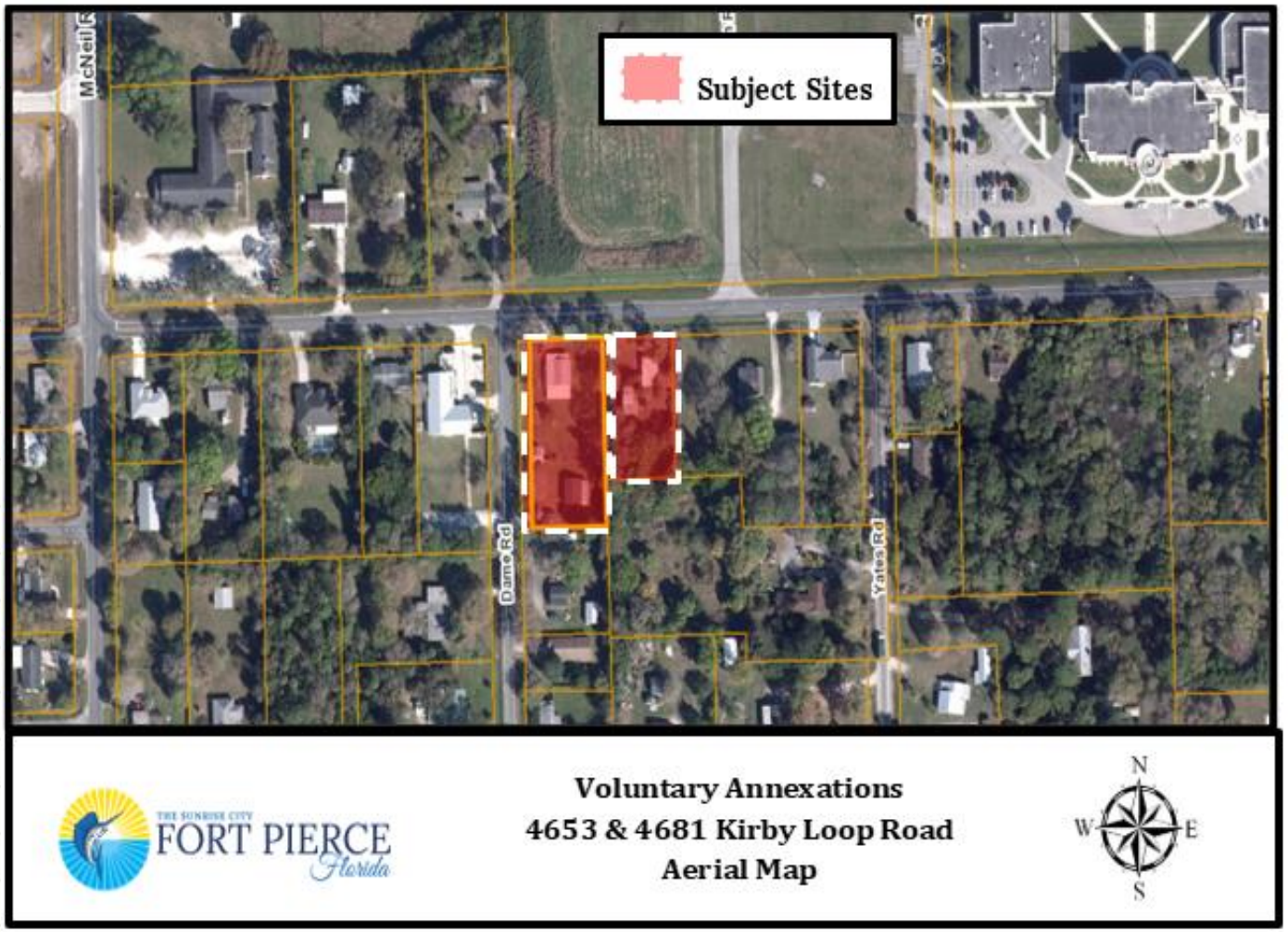
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



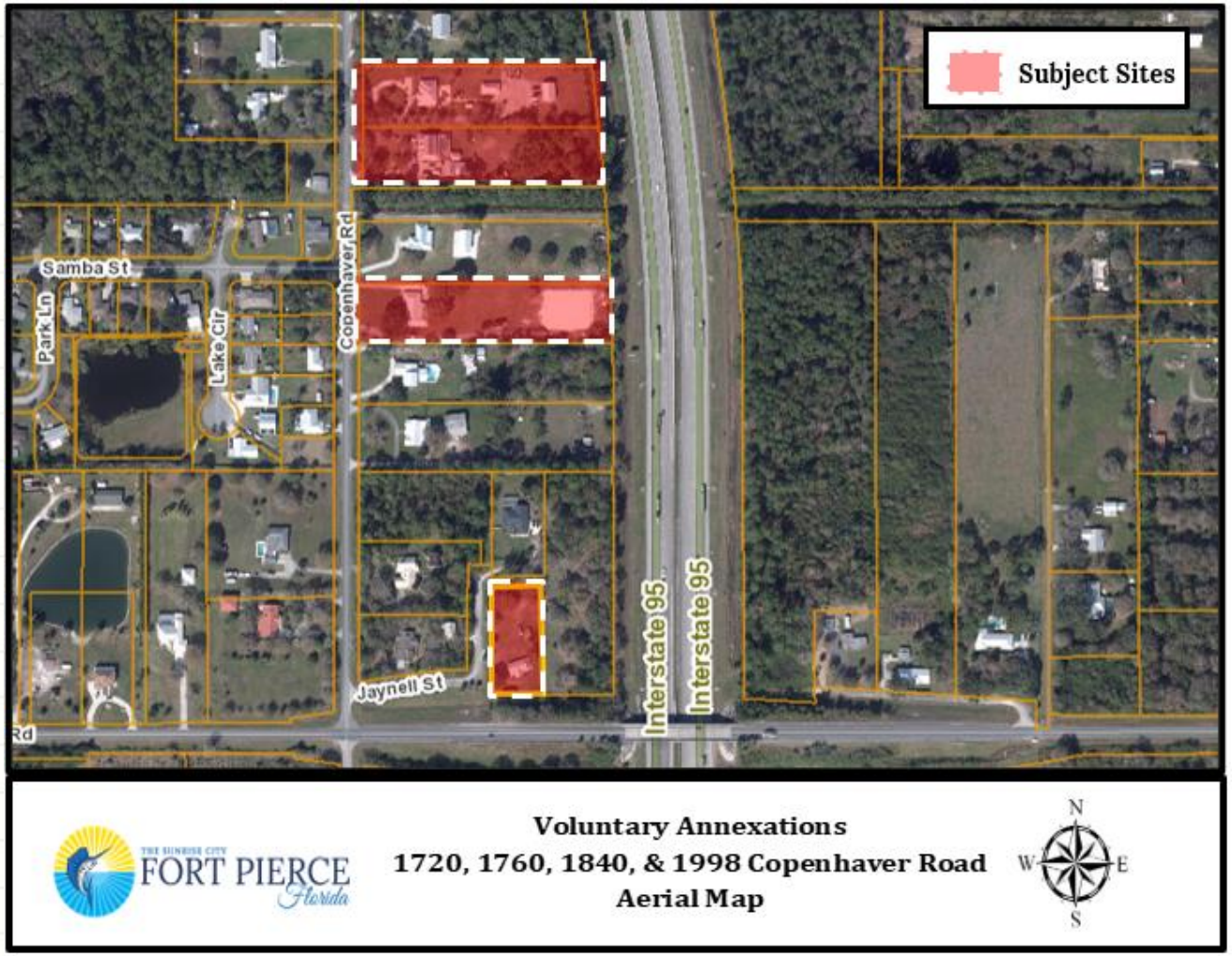
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



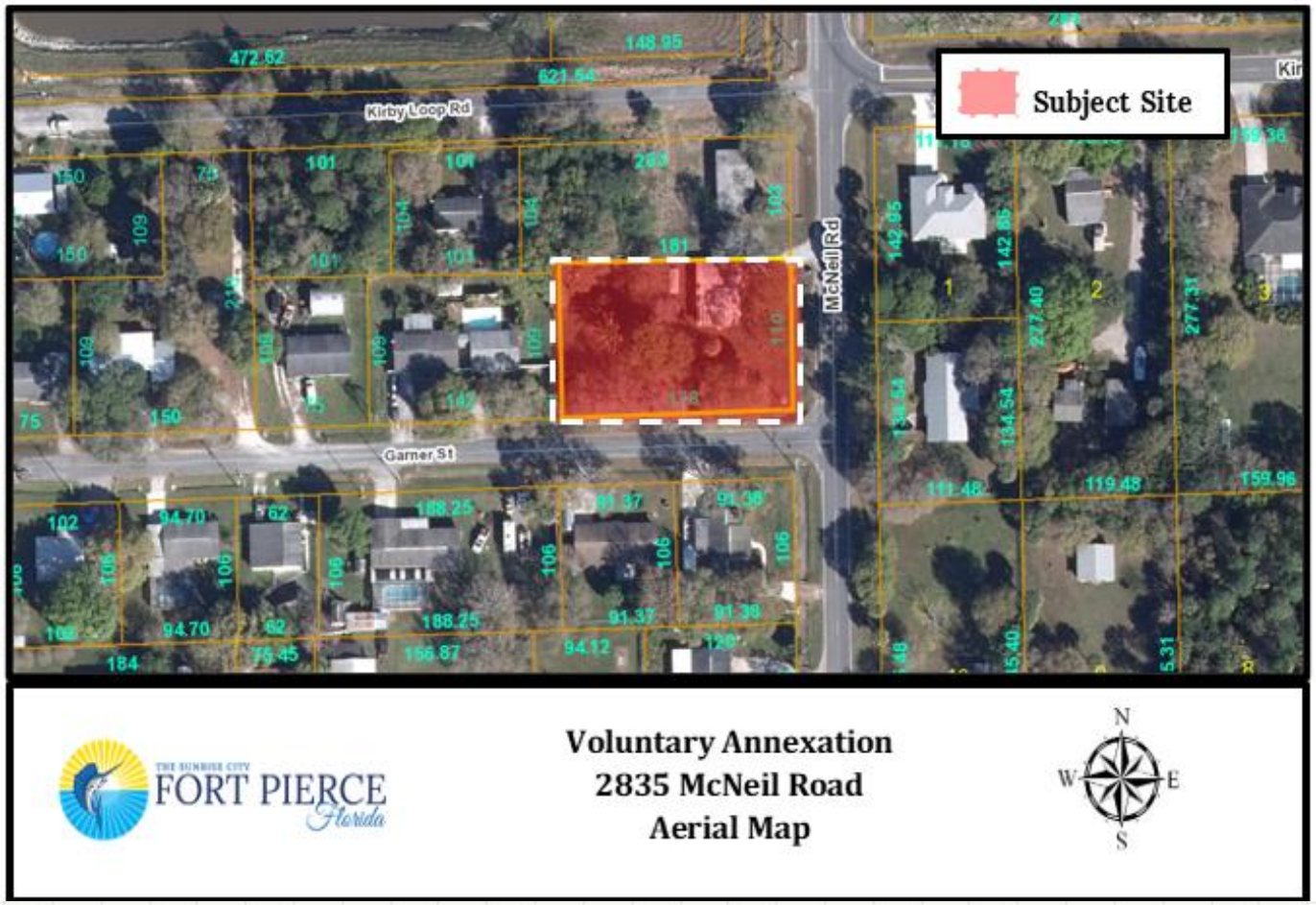
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



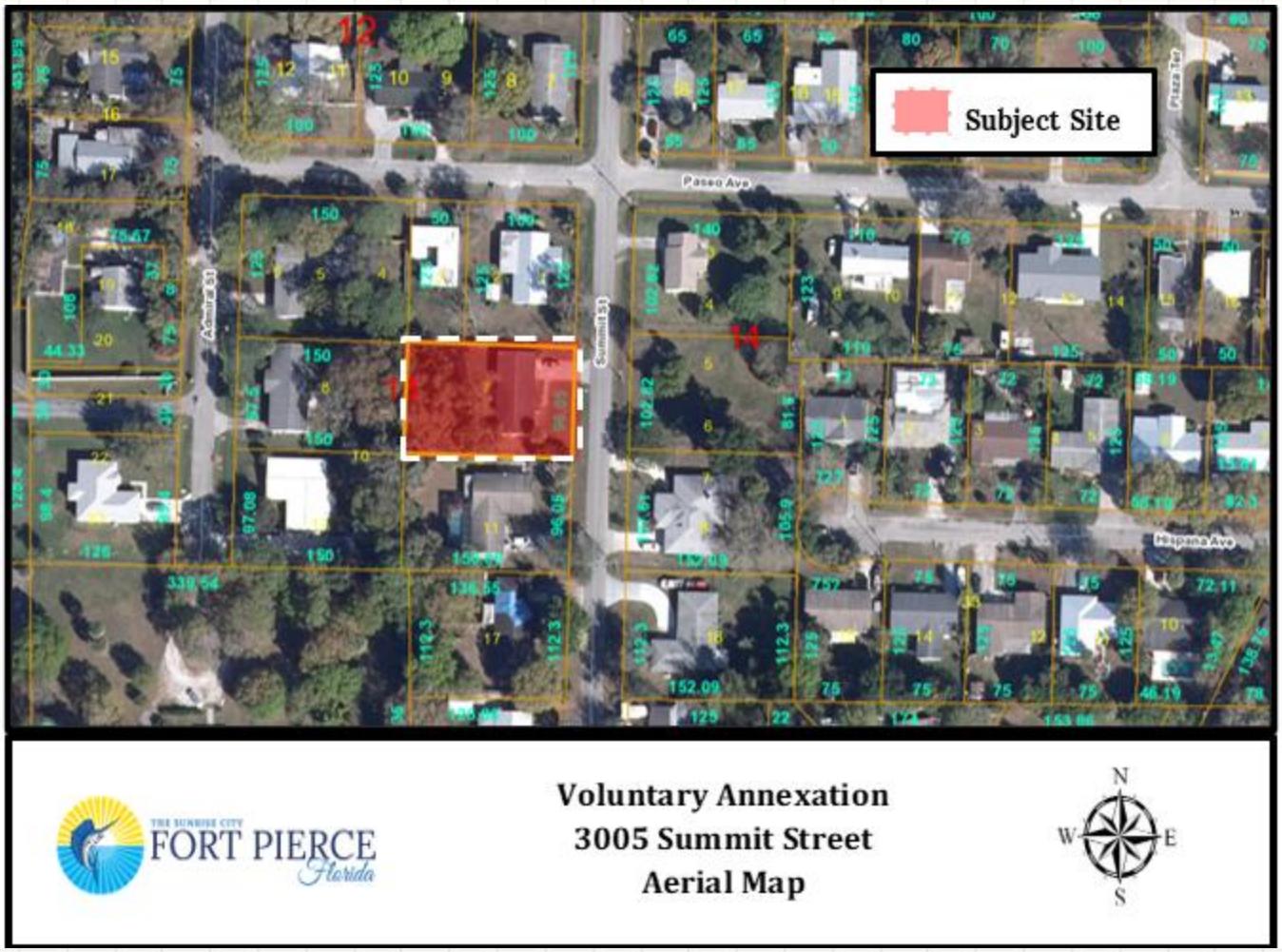
Annexation 25:

Ordinance No. 21-060



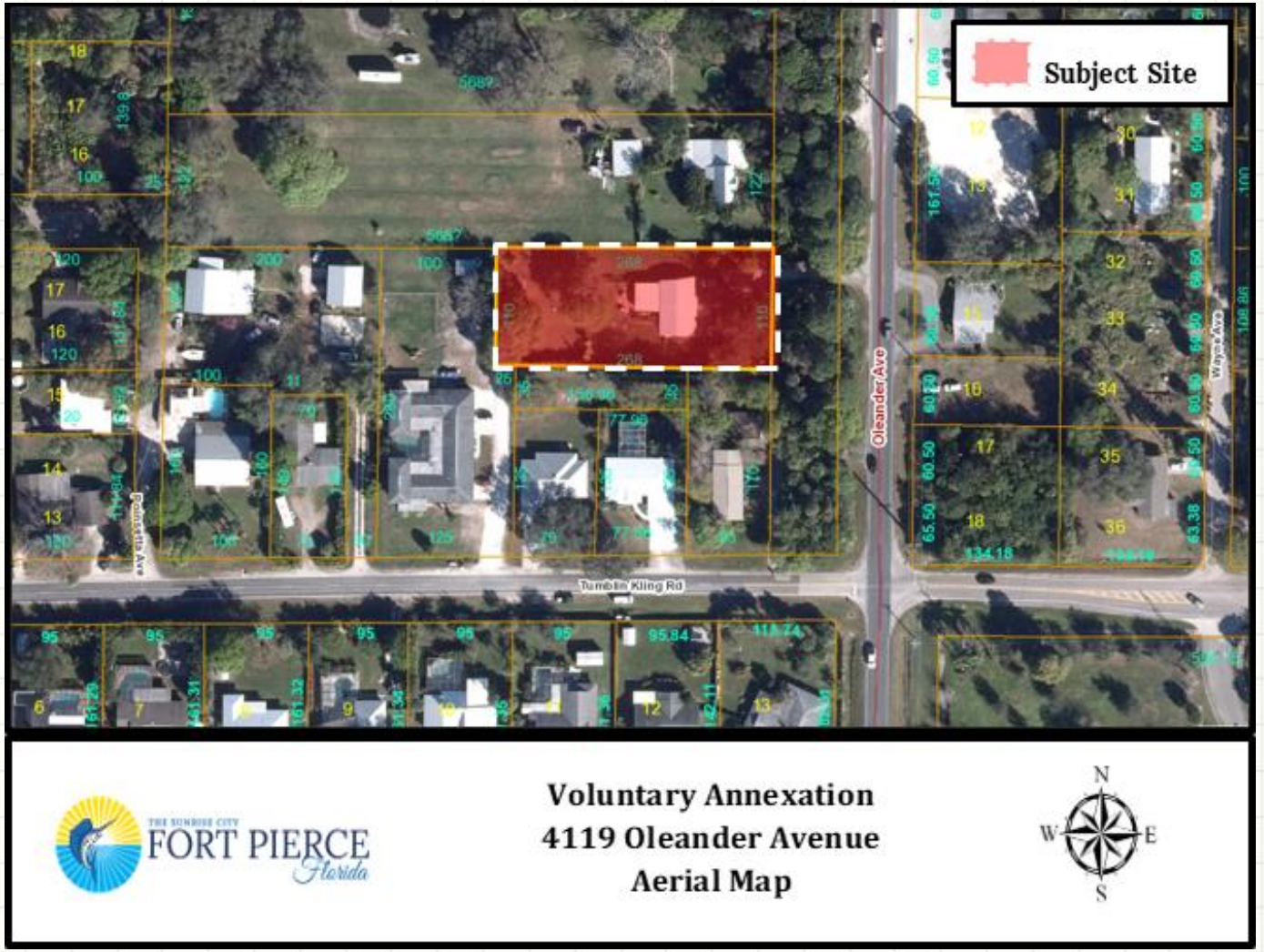
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **3921, 3957, and 5560 South US Highway 1**
MEETING DATE:	November 15, 2021

STAFF REPORT

Property Owners/ Applicants	Douglas L Richards Elsa B Richards 3415 W Busch Boulevard Tampa, FL 33618 Florida Falls Enterprises Inc 3107 SE Glasgow Drive Stuart, FL 34997-5467 Nicholas S Smith 7845 SW Ellipse Way Stuart, FL 34997
Requested Action:	Approval of three (3) Voluntary Applications for Annexation
Site Locations:	3921, 3957, and 5560 South US Highway 1 in Fort Pierce, Florida
Parcel IDs:	2434-601-0050-000-9, 2434-311-0003-000-5, and 3403-502-0302-000-4
Parcel Sizes:	0.92, 0.56, and 9.63 acres
Current Future Land Use:	Industrial (IND) and Commercial (COM) (SLC)
Current Zoning:	Industrial Light (IL) and Commercial General (CG) (SLC)

Proposed Future Land Use: Industrial (I) and General Commercial (GC) (FP)

Proposed Zoning: Light Industrial (I-1) and General Commercial (C-3) (FP)

Utilities: FPUA

	North	East	South	West
Surrounding Zoning:	C-3 (FP)	C-3 (FP) / PUD & RM-5 (SLC)	C-3 (FP) / CG (SLC)	C-3 (FP)
Surrounding FLU:	COMM (SLC) / GC (FP)	COMM (SLC) / GC (FP)	GC (FP) / COMM (SLC)	GC (FP)

Staff Analysis:

Request

This is a voluntary annexation of three (3) parcels located at 3921, 3957, and 5560 South US Highway 1 in Fort Pierce, Florida. The parcel IDs are 2434-601-0050-000-9, 2434-311-0003-000-5, and 3403-502-0302-000-4.



The subject properties have St. Lucie County Future Land Use designations of Industrial (IND) and Commercial (COM) and zoning designations of Industrial Light (IL) and Commercial General (CG). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designations for the parcels are Industrial (I) and General Commercial (GC), with zoning classifications of Light Industrial (I-1) and General Commercial (C-3).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $200,900, $220,639, and $1,548,400. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties are developed for both industrial and commercial uses.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties to the north that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services.

Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of IND/COM and IL/CG, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of I/GC and I-1/C-3, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed three (3) annexations at 3921, 3957, and 5560 South US Highway 1, along with the associated Future Land Use designations of I/GC and the Zoning designations of I-1/C-3.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-049

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3921 S. US HIGHWAY 1 IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2434-601-0050-000-9

KELLEM`S S/D FROM NE COR LOT 11 RUN S 130 FT FOR POB, TH W 400 FT, TH S 100 FT, TH E 400 FT, TH N 100 FT TO POB (0.92 AC) (OR 2086-851)

Said property containing 0.92 acres, more or less, and being generally located at 3921 S. US Highway 1 in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned I-1, Light Industrial, and assigned a Future Land Use Designation of I, Industrial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

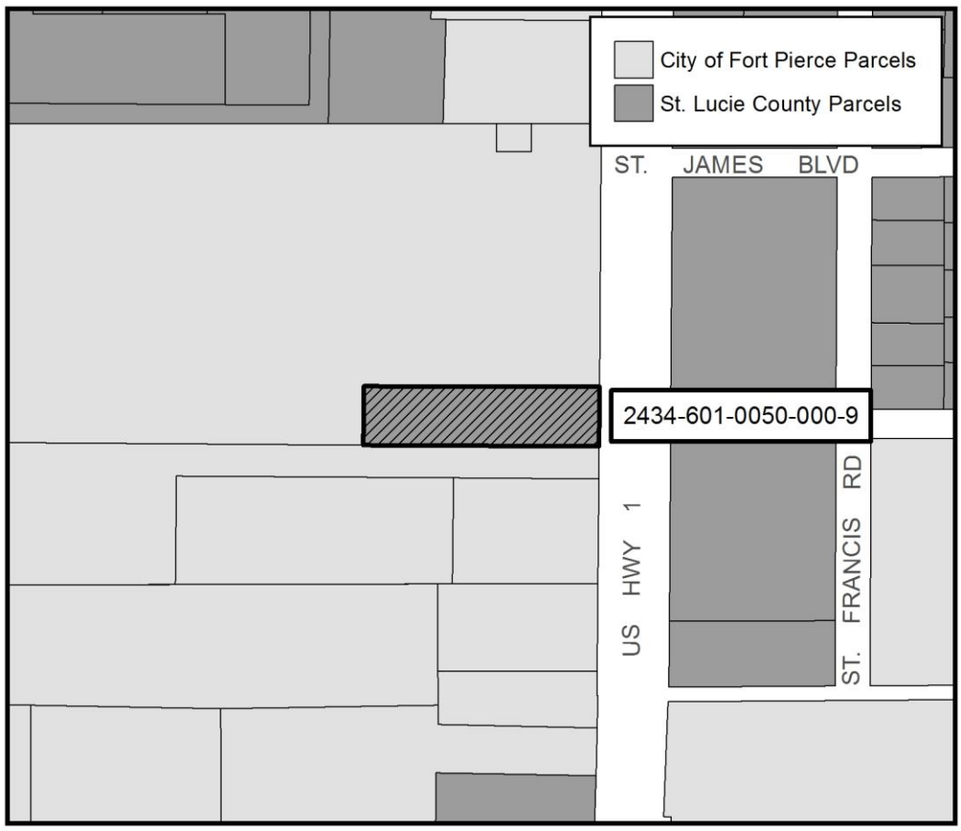
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

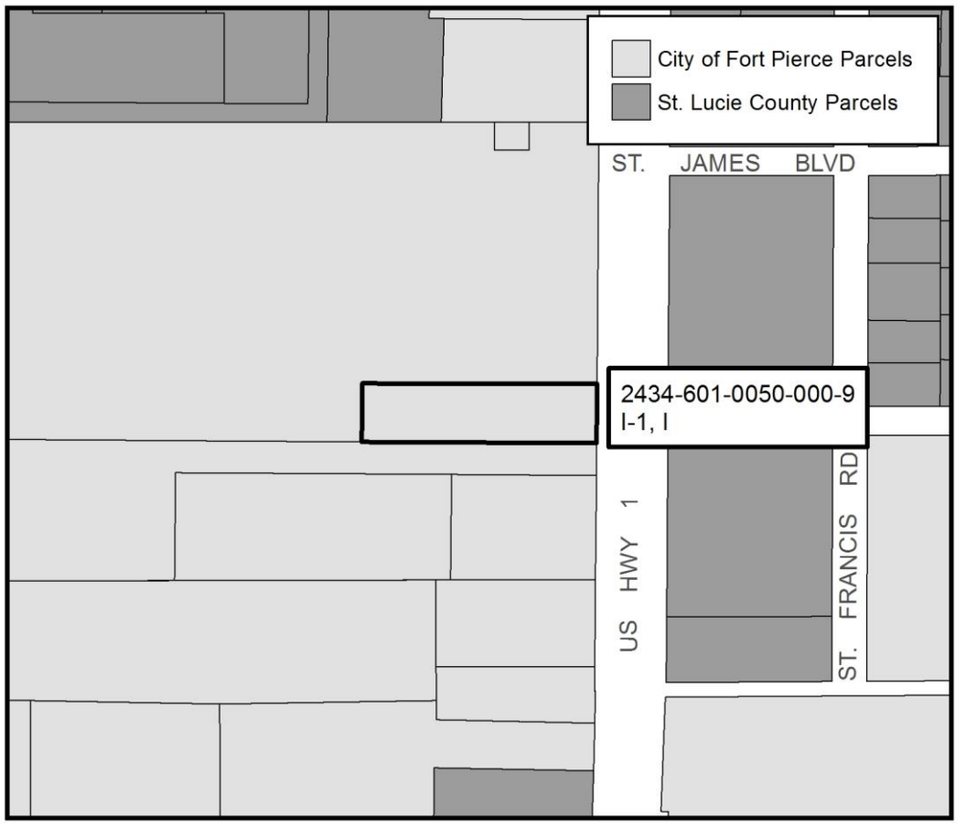
EXHIBIT A
Annexed Area & Legal Description



KELLEM`S S/D FROM NE COR LOT 11 RUN S 130 FT FOR POB, TH W 400 FT, TH S 100 FT, TH E 400 FT, TH N 100 FT TO POB (0.92 AC) (OR 2086-851)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned IL, Industrial Light with a Future Land Use of IND, Industrial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of I-1, Light Industrial and have a Future Land Use Designation of I, Industrial.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4334754 OR BOOK 4024 PAGE 1217, Recorded 07/27/2017 10:41:57 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX	ANNEXATION AGREEMENT INDIVIDUAL
This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2434-601-0050-000-9	
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3921 S. U.S. HIGHWAY 1, FORT PIERCE, FL 34982 Location Address 3415 W. BUSCH BLVD, TAMPA, FL 34618 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

BEGIN AT THE NORTHEAST CORNER OF LOT 11, KELLEM'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, AT PAGE 85, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; RUN THENCE SOUTH 130 FEET FOR A POINT OF BEGINNING; THENCE WEST 400 FEET; THENCE SOUTH 100 FEET; THENCE EAST 400 FEET; THENCE NORTH 100 FEET TO THE POINT OF BEGINNING.

SUBJECT TO COVENANTS AND RESTRICTIONS, CONDITIONS AND EASEMENTS OF RECORD, IF ANY.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 11 day of July, 2017.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
Charisse Repass
Printed Witness Signature
Witness Signature
Lisa Poslusny
Printed Witness Signature

Witness Signature
Charisse Repass
Printed Witness Signature
Witness Signature
Lisa Poslusny
Printed Witness Signature

Douglas L. Richards
Signature, Douglas L. Richards
DOUGLAS L RICHARDS
Printed Signature
345 W Busch BLVD
Address
Tampa FLA 33618
City, State, Zip

Elsa B. Richards
Signature, Elsa B. Richards
ELSA RICHARDS
Printed Signature
345 W Busch BLVD
Address
Tampa FLA 33618
City, State, Zip

STATE OF Florida
COUNTY OF Hillsborough

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Douglas L. Richards and Elsa B. Richards , in whose names the foregoing instrument was executed, and that they severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named persons: Driver's Licenses, and that an oath was not taken.

SUSAN GRIFFIS
Notary Public - State of Florida
My Comm. Expires Jun 22, 2018
Commission # FF 134488

Witness my hand and official Seal in the County and State last aforesaid this 11 day of July A.D. 2017.

Susan Griffis
Notary Signature
Susan Griffis
Notary Printed Signature

ORDINANCE NO. 21-050

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3957 S. US HIGHWAY 1 IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2434-311-0003-000-5

34 35 40 S 97 FT OF N 226 FT OF E 294 FT OF NE 1/4 OF NE 1/4 OF SW 1/4-LESS E 42 FT FOR US 1- (OR 3773-689)

Said property containing 0.56 acres, more or less, and being generally located at 3957 S. US Highway 1 in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned C-3, General Commercial, and assigned a Future Land Use Designation of GC, General Commercial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
Interim City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

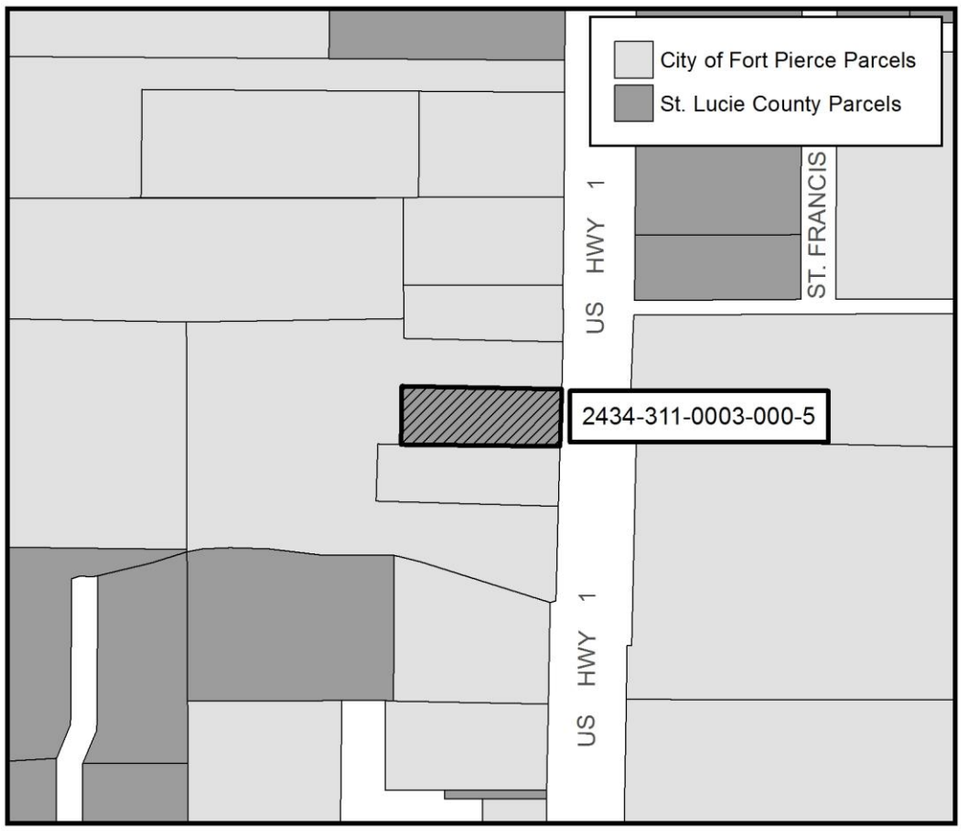
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

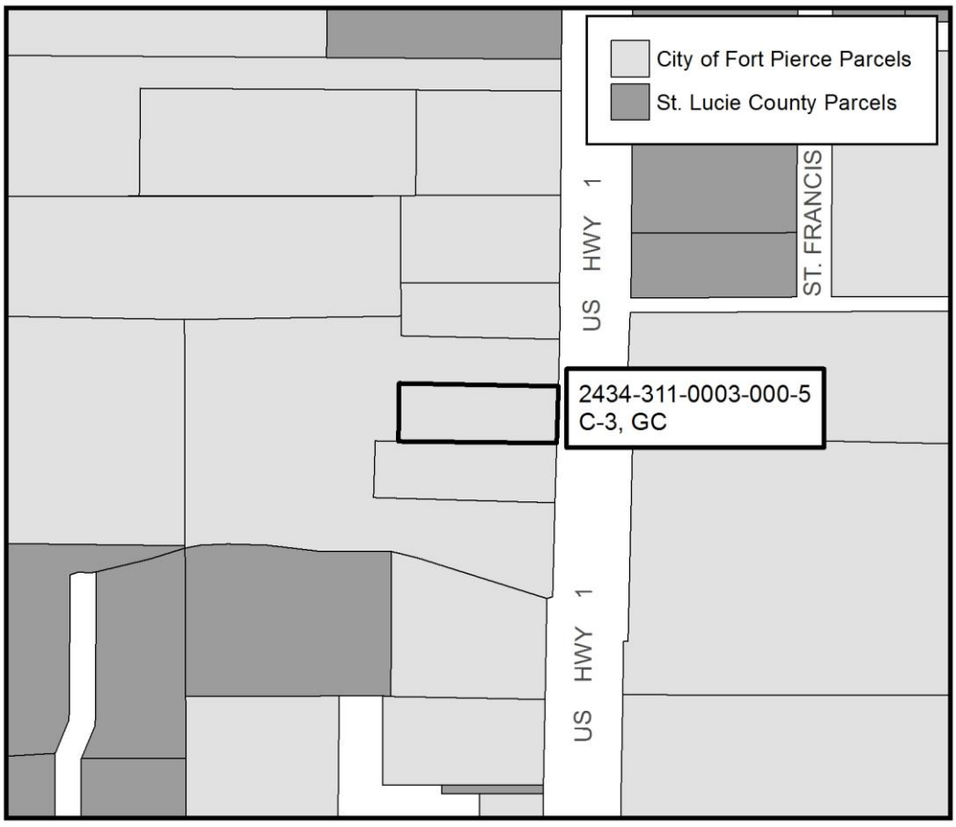
EXHIBIT A
Annexed Area & Legal Description



34 35 40 S 97 FT OF N 226 FT OF E 294 FT OF NE 1/4 OF NE 1/4 OF SW 1/4-LESS E 42 FT FOR US 1- (OR 3773-689)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned CG, Commercial General with a Future Land Use of COM, Commercial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of C-3, General Commercial and have a Future Land Use Designation of GC, General Commercial.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4166034 OR BOOK 3842 PAGE 2984, Recorded 03/04/2016 at 08:52 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2434-311-0003-000-5	**ANNEXATION AGREEMENT** **CORPORATE**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3957 SOUTH US 1, FORT PIERCE, FLORIDA 34952 Location Address 3107 S.E. GLASGOW DRIVE, STUART, FLORIDA 34997 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A", APPENDED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

(Corporate Seal)

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized this 4th *day of* February, *2016.*

Attest:

Secretary

Florida Falls Enterprises, Inc., a Florida corporation
GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

AMY SHEVLIN
Printed Witness Signature

Witness Signature

Leah Hubbard
Printed Witness Signature

PRESIDENT (Signature)

Timothy J. Bowman, President
Printed Signature
3107 S.E. Glasgow Drive
Address
STUART, FLORIDA 34997
City, State, Zip

STATE OF FLORIDA
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Timothy J. Bowman,** known to me to be the President of **Florida Falls Enterprises, Inc.,** a Florida corporation, the corporation in whose name the foregoing instrument was executed, and that he acknowledged executing the same for such corporation, freely and voluntarily, under authority duly vested in him by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath (was not) taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 4th day of February A.D. 2016. Notary Signature Leah M. Hubbard Notary Printed Signature

LEAH M. HUBBARD
MY COMMISSION #FF042426
EXPIRES May 10, 2016
(407) 398-0153 FloridaNotaryService.com

EXHIBIT C (Cont.)
Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 3842 PAGE 2985

EXHIBIT "A" - LEGAL DESCRIPTION

BEGINNING on the quarter section line at a point 129 feet South of the center of Section 34, Township 35 South, Range 40 East; thence run Westerly on a line forming an angle of 85 degrees 30' with said quarter section line as measured from North to West a distance of 294.88 feet to a point; thence run South on a line parallel with the said quarter section line a distance of 97 feet; thence run Easterly on a line forming an angel of 94 degrees 30' measured from North to East from the last described line a distance of 294.88 feet to said quarter section line; thence run North along said quarter section line 97 feet to the Point of Beginning. LESS AND EXCEPTING THEREFROM the right-of-way for State Road No. 5 (also knowns as U.S. Highway No. 1).

ORDINANCE NO. 21-051

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **5560 S. US HIGHWAY 1 IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 3403-502-0302-000-4

WHITE CITY S/D 10 36 40 S 1/2 OFLOT 234 AND N 300 FT OF LOT 241 LYG E OF US #1 AND S 175 FT OF N 475 FT OF W 425 FT OF LOT 241 LYG E OF US #1-LESS RD AND CANAL RS/W- (9.63 AC) (MAP 34/10N) (REFERENCE DB 223-268) (OR 2471-2370)

Said property containing 9.63 acres, more or less, and being generally located at 5560 S. US Highway 1 in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned C-3, General Commercial, and assigned a Future Land Use Designation of GC, General Commercial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



WHITE CITY S/D 10 36 40 S 1/2 OFLOT 234 AND N 300 FT OF LOT 241 LYG E OF US #1 AND S 175 FT OF N 475 FT OF W 425 FT OF LOT 241 LYG E OF US #1-LESS RD AND CANAL RS/W- (9.63 AC) (MAP 34/10N) (REFERENCE DB 223-268) (OR 2471-2370)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned CG, Commercial General with a Future Land Use of COM, Commercial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of C-3, General Commercial and have a Future Land Use Designation of GC, General Commercial.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4420181 OR BOOK 4116 PAGE 1135, Recorded 04/05/2018 02:47:06 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: R. N. Koblegard, III, Esquire 200 S. Indian River Drive, Suite 201 Fort Pierce, FL 34950 Property Appraisers Parcel Identification (Folio) Number(s): 3403-502-0302-000/4	ANNEXATION AGREEMENT INDIVIDUAL NICHOLAS S. SMITH, A SINGLE MAN 7845 SW ELLIPSE WAY STUART, FLORIDA 34997
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	5560 U.S. HIGHWAY 1, FT. PIERCE, FLORIDA Location Address 78454 SW ELLIPSE WAY, STUART, FLORIDA 34997 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 11 day of December 2017.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
DONNA CARLSON
Printed Witness Signature

Witness Signature
WILLIAM L. GRAMER, JR
Printed Witness Signature

Signature-Nicholas S. Smith, a single man
NICHOLAS S. SMITH
Printed Signature

7845 SW Ellipse Way
Address

Stuart, Florida 34997
City, State, Zip

STATE OF Florida
COUNTY OF Martin

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Nicholas S. Smith, in whose name the foregoing instrument was executed, and that who severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL Notary Public State of Florida Carol Coopersmith My Commission FF 152562 Expires 06/20/2018	Witness my hand and official Seal in the County and State last aforesaid this 11 day of December A.D. 2017. Notary Signature CAROL COOPERSMITH Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 5560 South US Highway 1

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 5560 South US Highway 1

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 5560 South US Highway 1

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. i.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 4653 and 4681 Kirby Loop Road - Ordinance No. 21-052 and 21-053

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-052 - This is a voluntary annexation of a parcel of land located at 4653 Kirby Loop Road in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-053 - This is a voluntary annexation of a parcel of land located at 4681 Kirby Loop Road in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 3 Dwelling Units/Acre (RS-3). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
CIty Clerk

Fiscal Impact

Budgeted Y/N: n/a
Fiscal Year: n/a
Account: n/a
Amount: n/a
OTHER INFORMATION:

Should the Application for Annexation be approved, in the future it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:46 PM

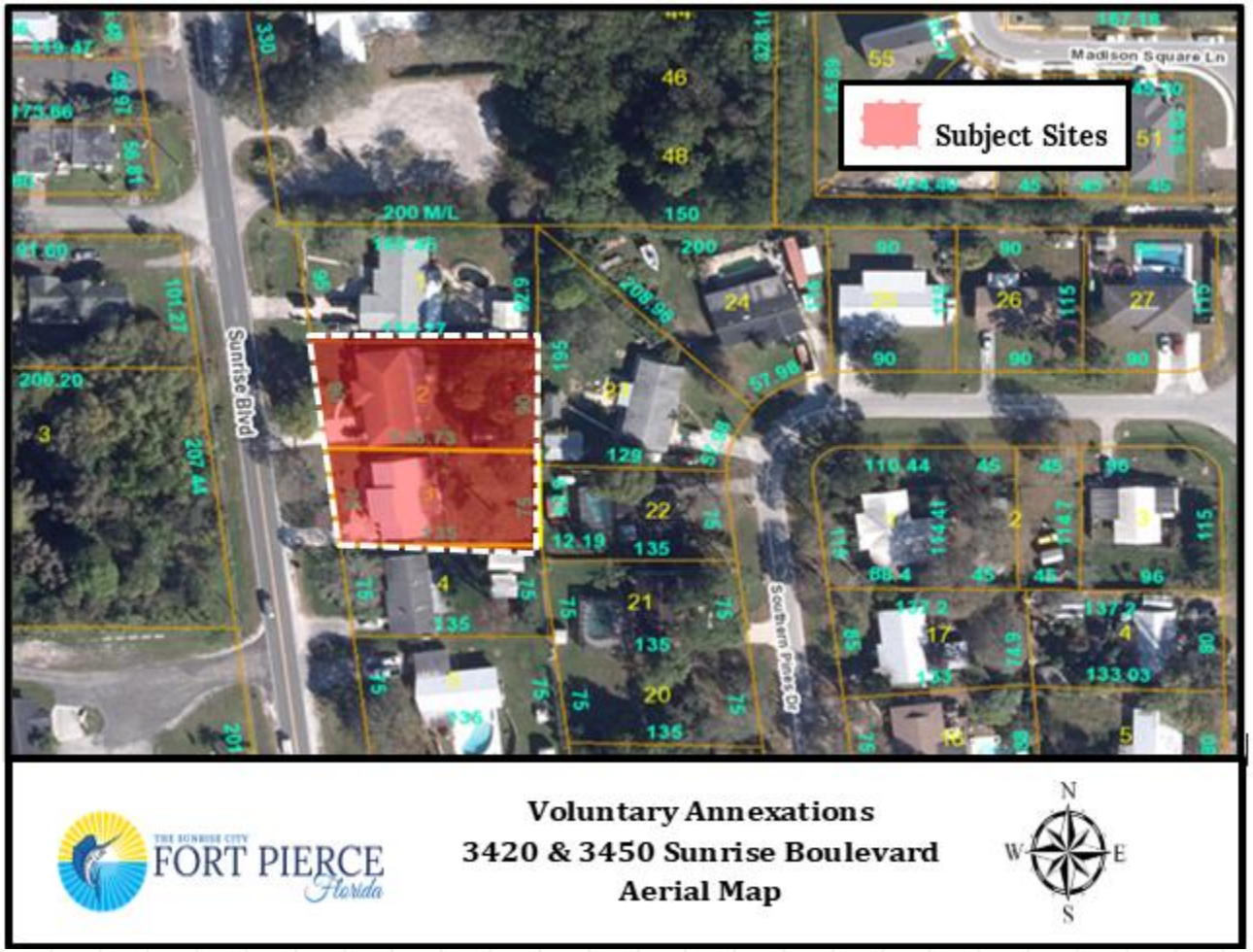
Form Started By: Jennifer Hofmeister Started On: 11/03/2021 02:55 PM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

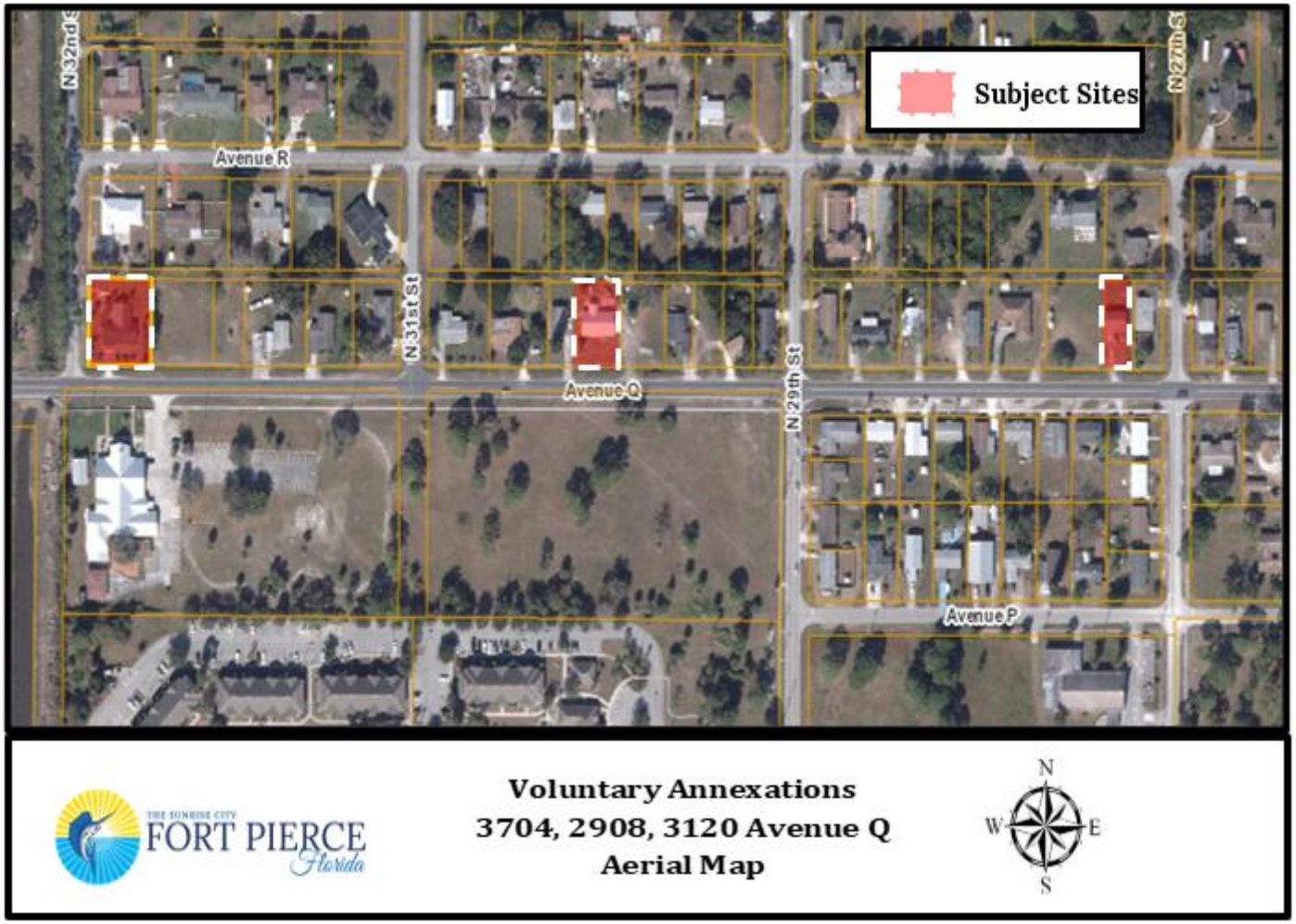
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



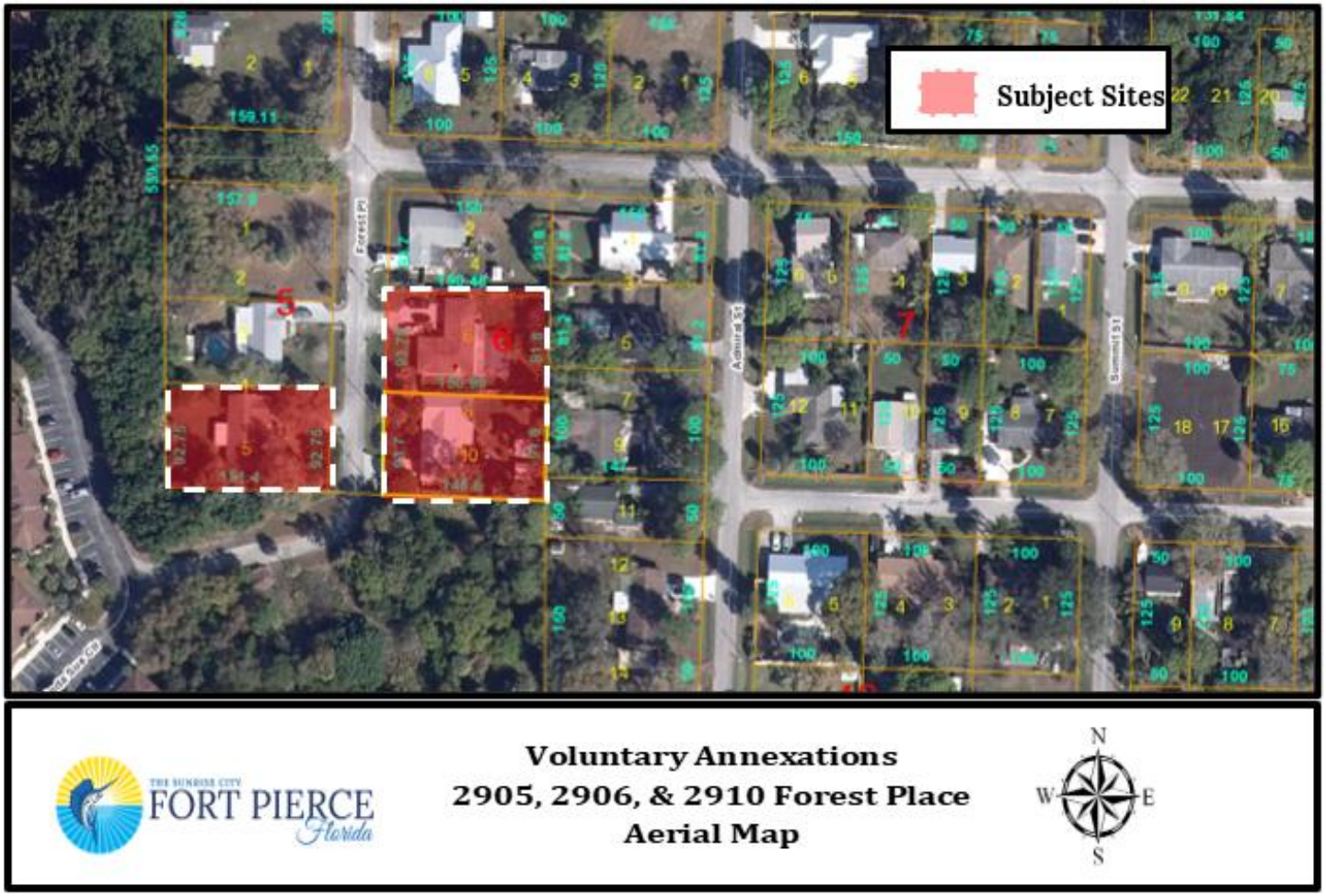
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



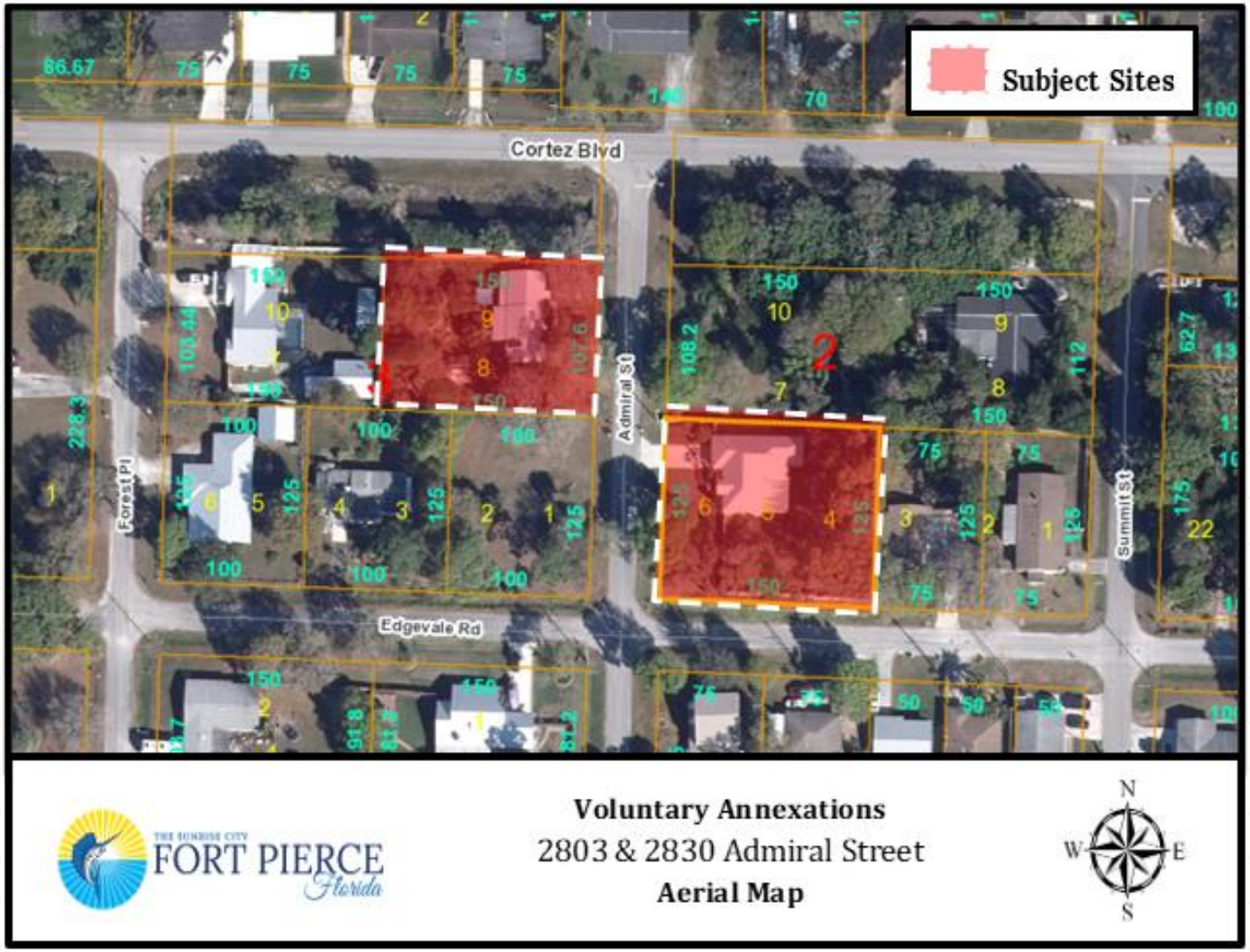
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



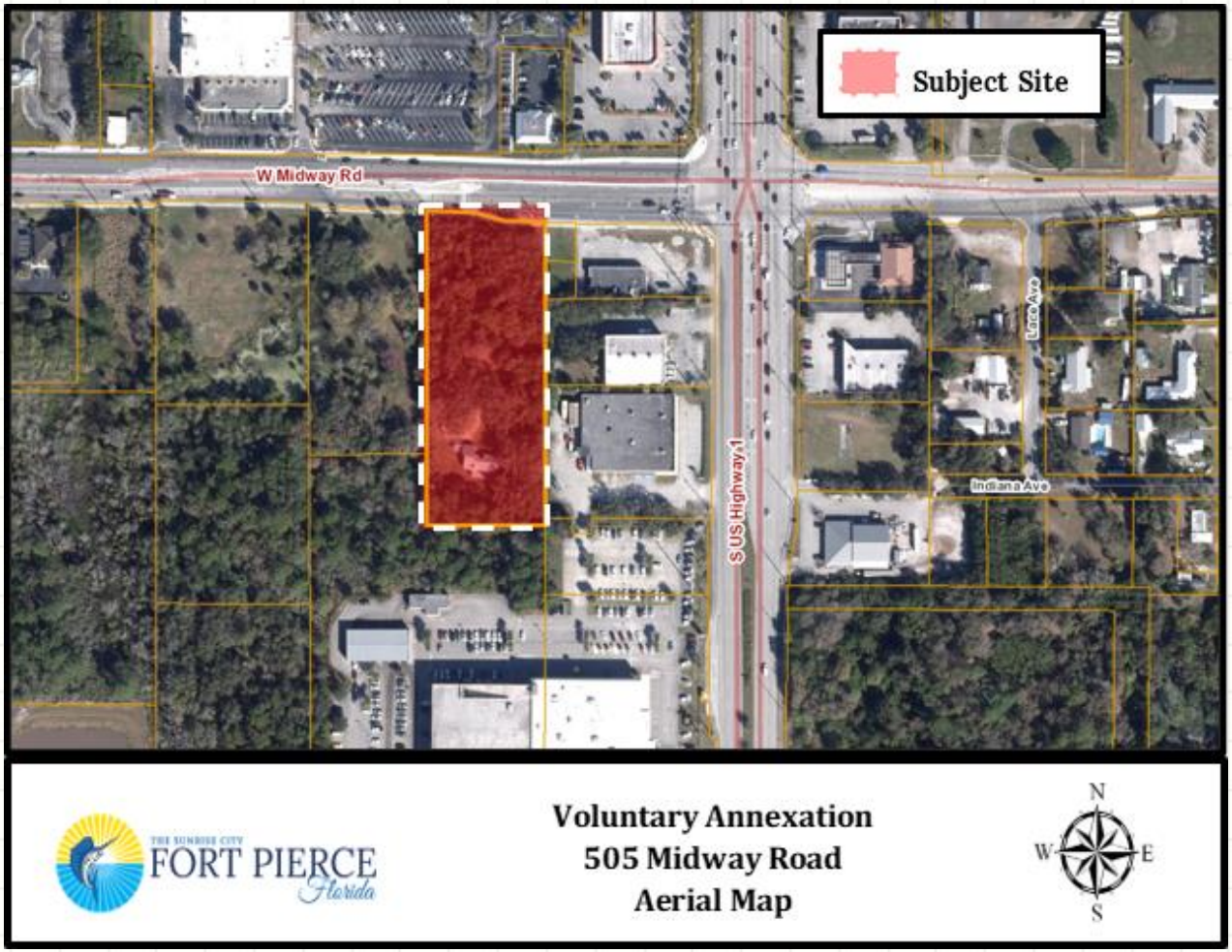
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



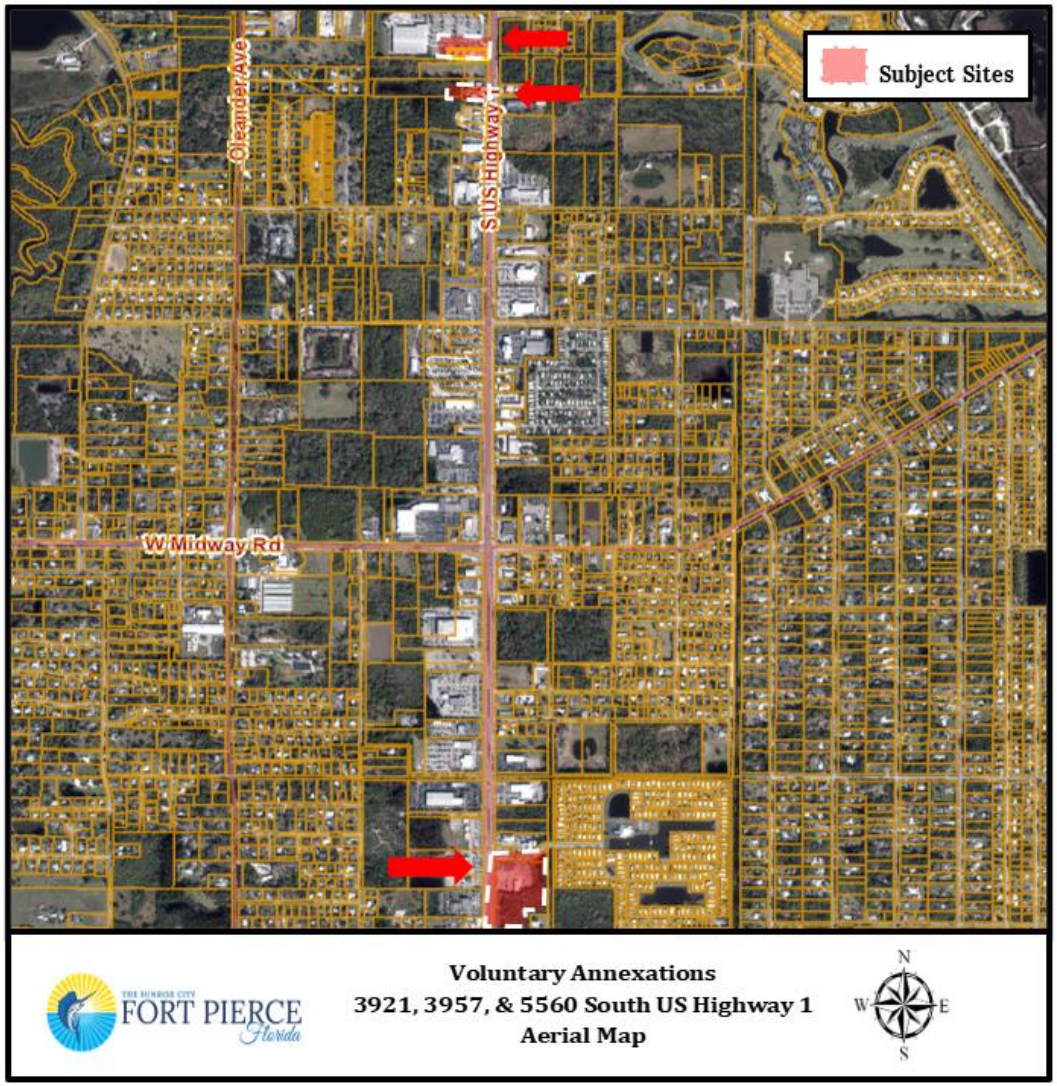
Annexation 13:

Ordinance No. 21-048



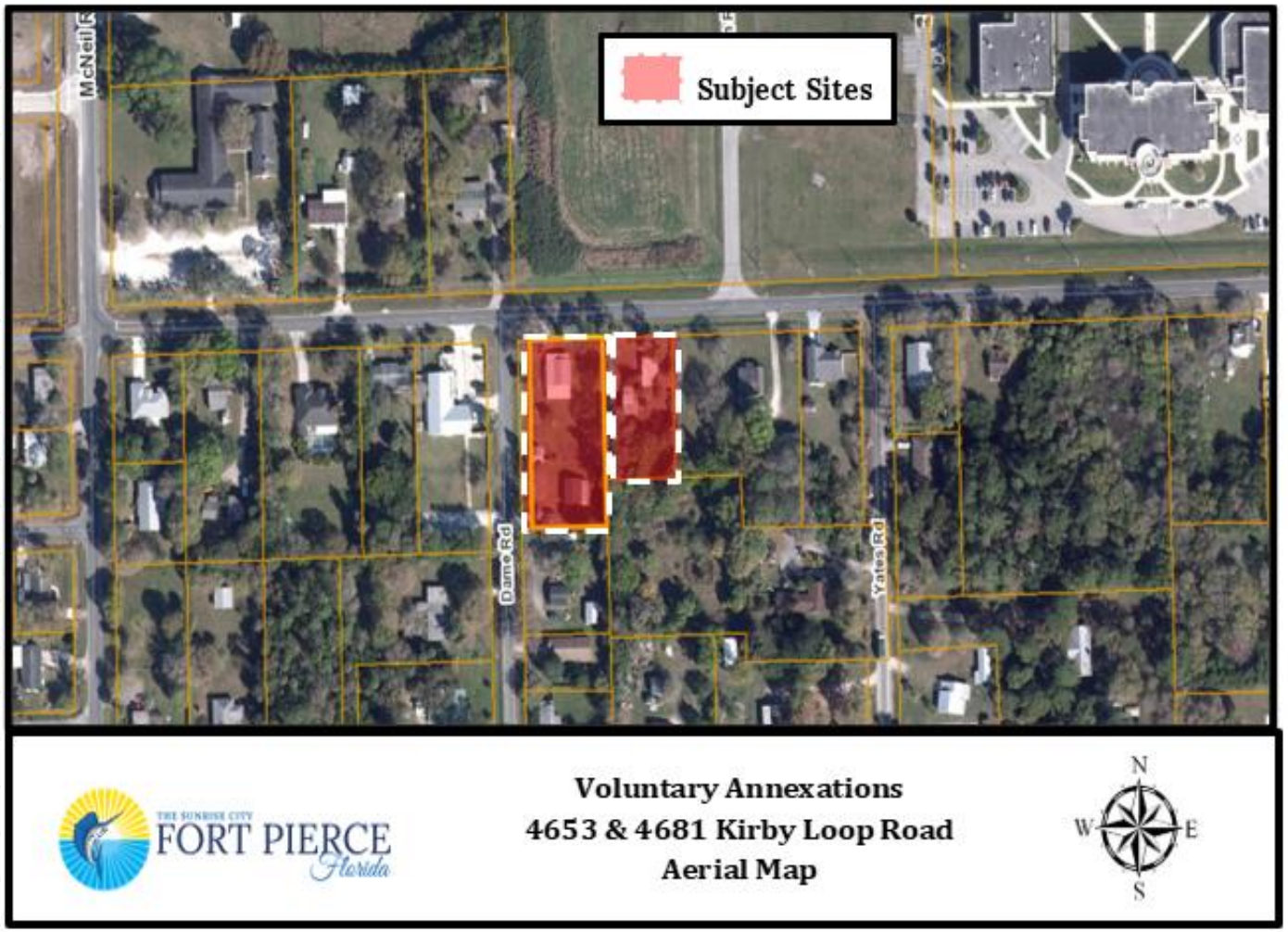
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



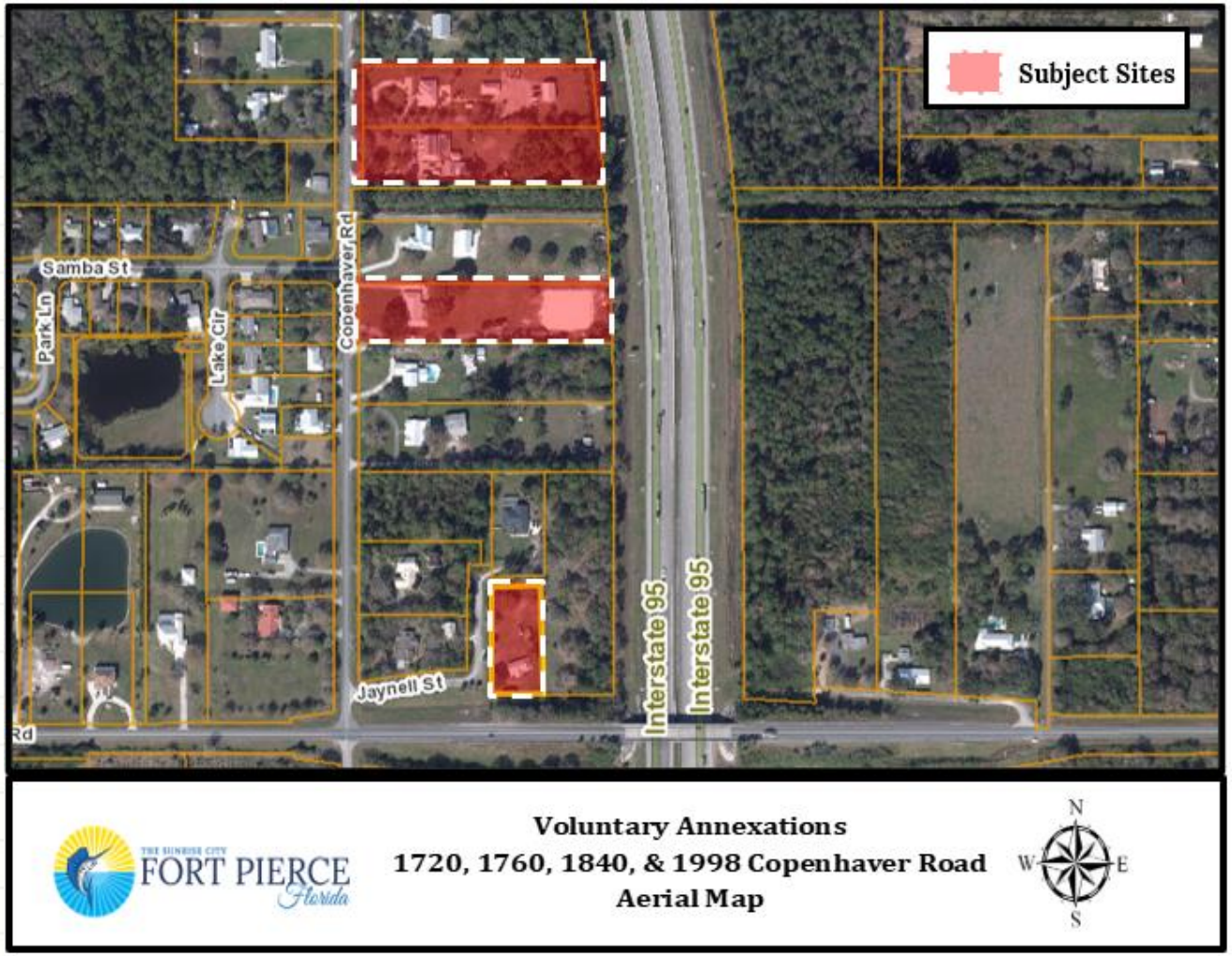
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



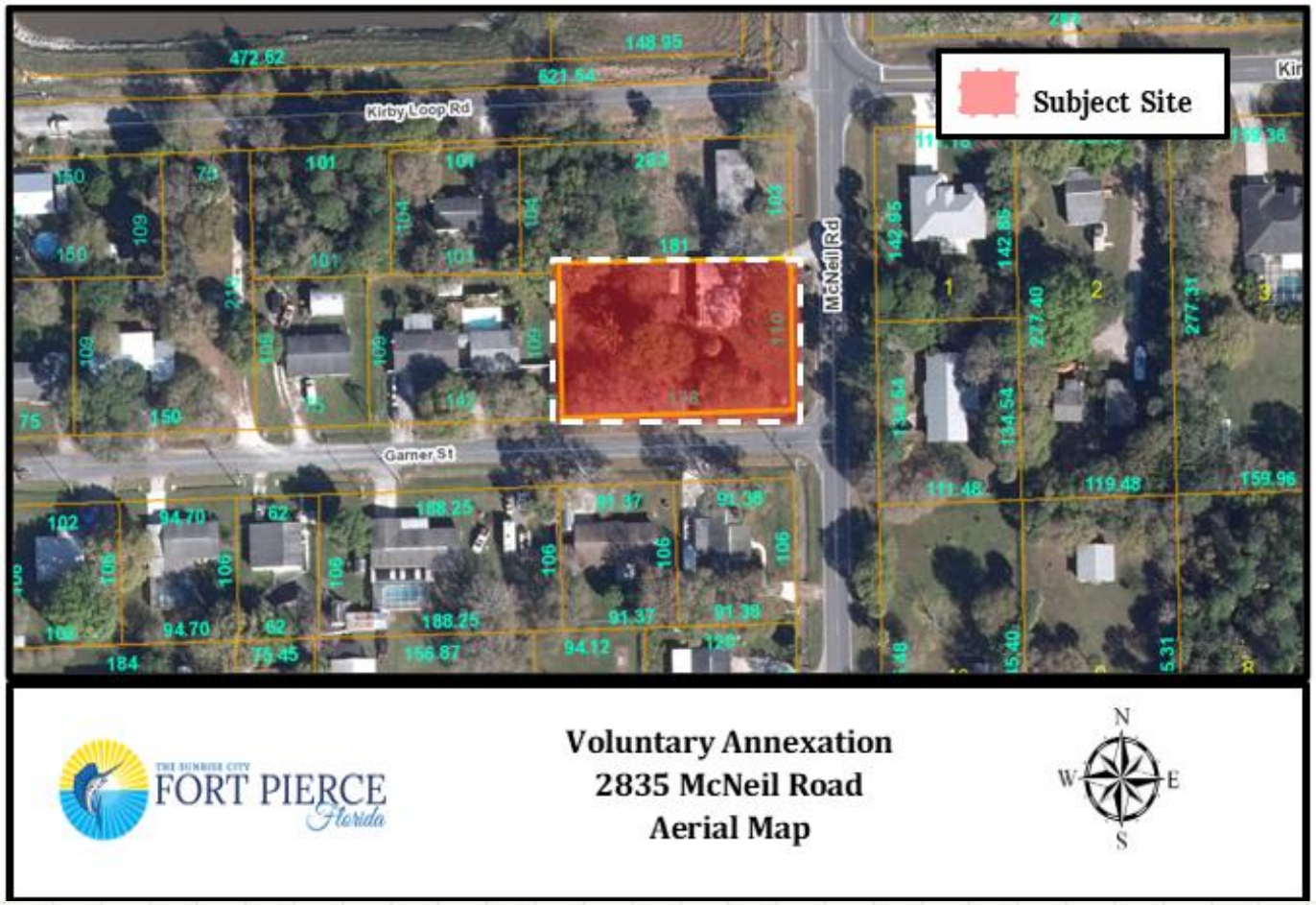
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



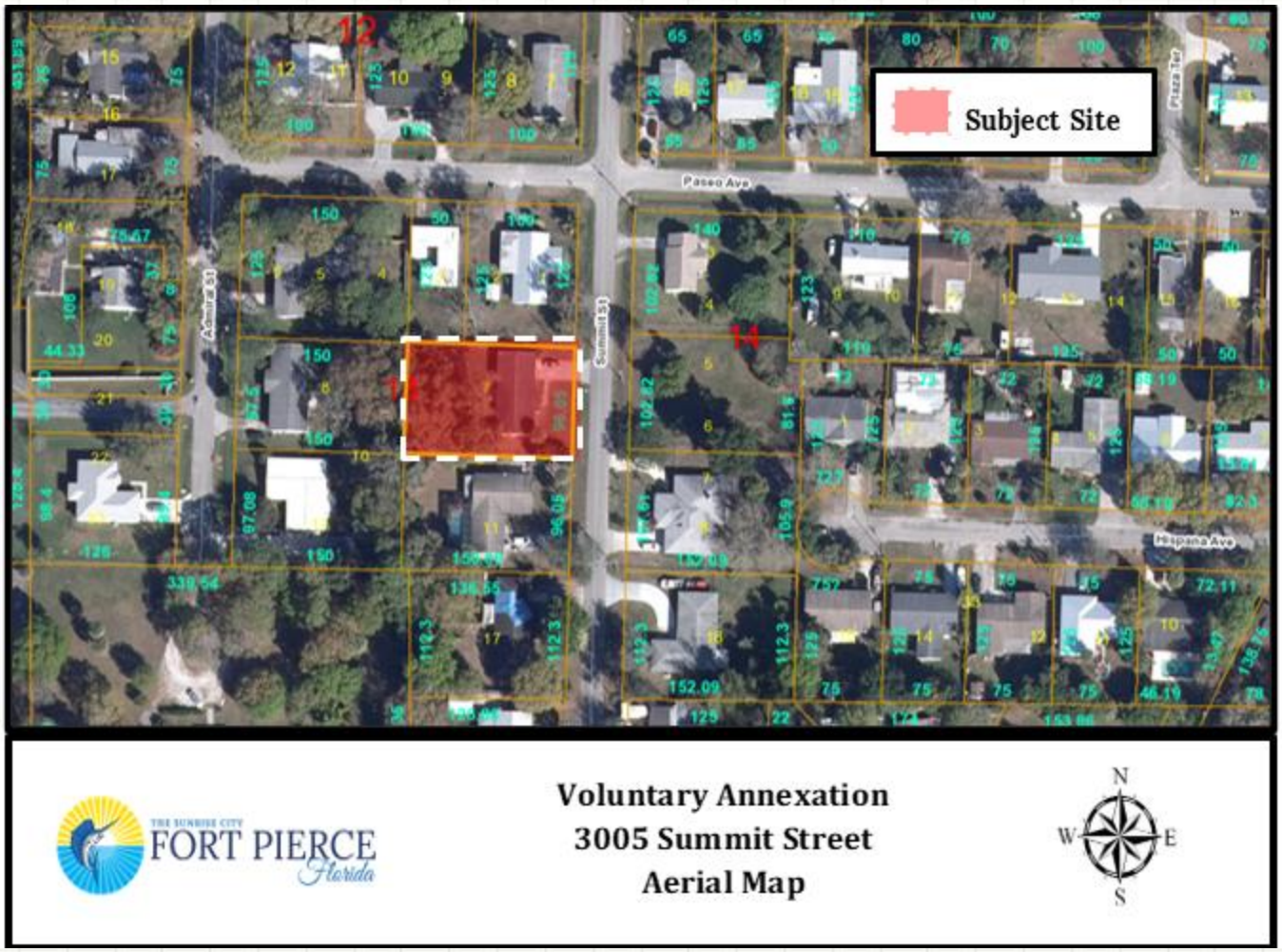
Annexation 25:

Ordinance No. 21-060



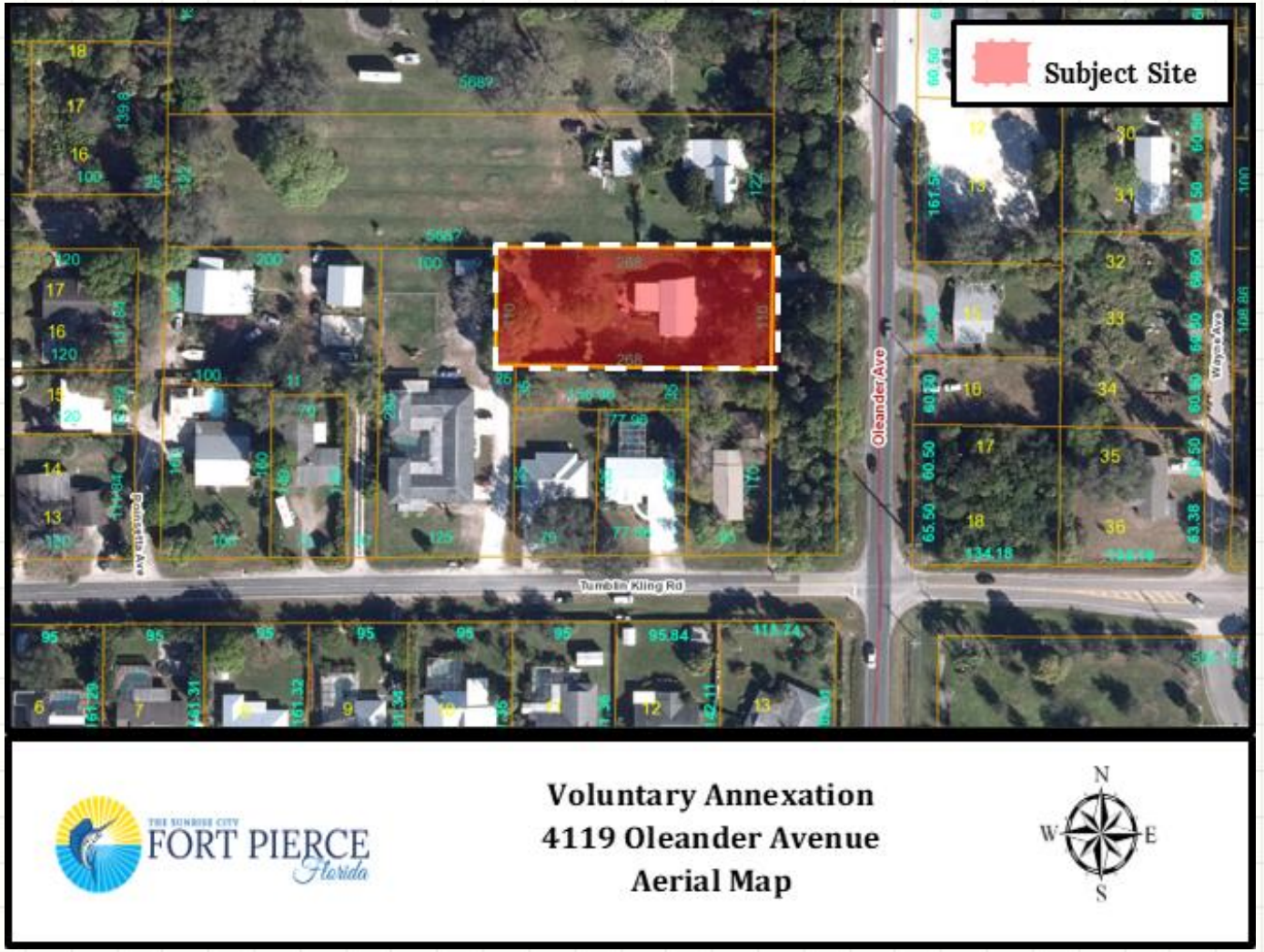
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **4653 and 4681 Kirby Loop Road**
MEETING DATE:	November 15, 2021

STAFF REPORT

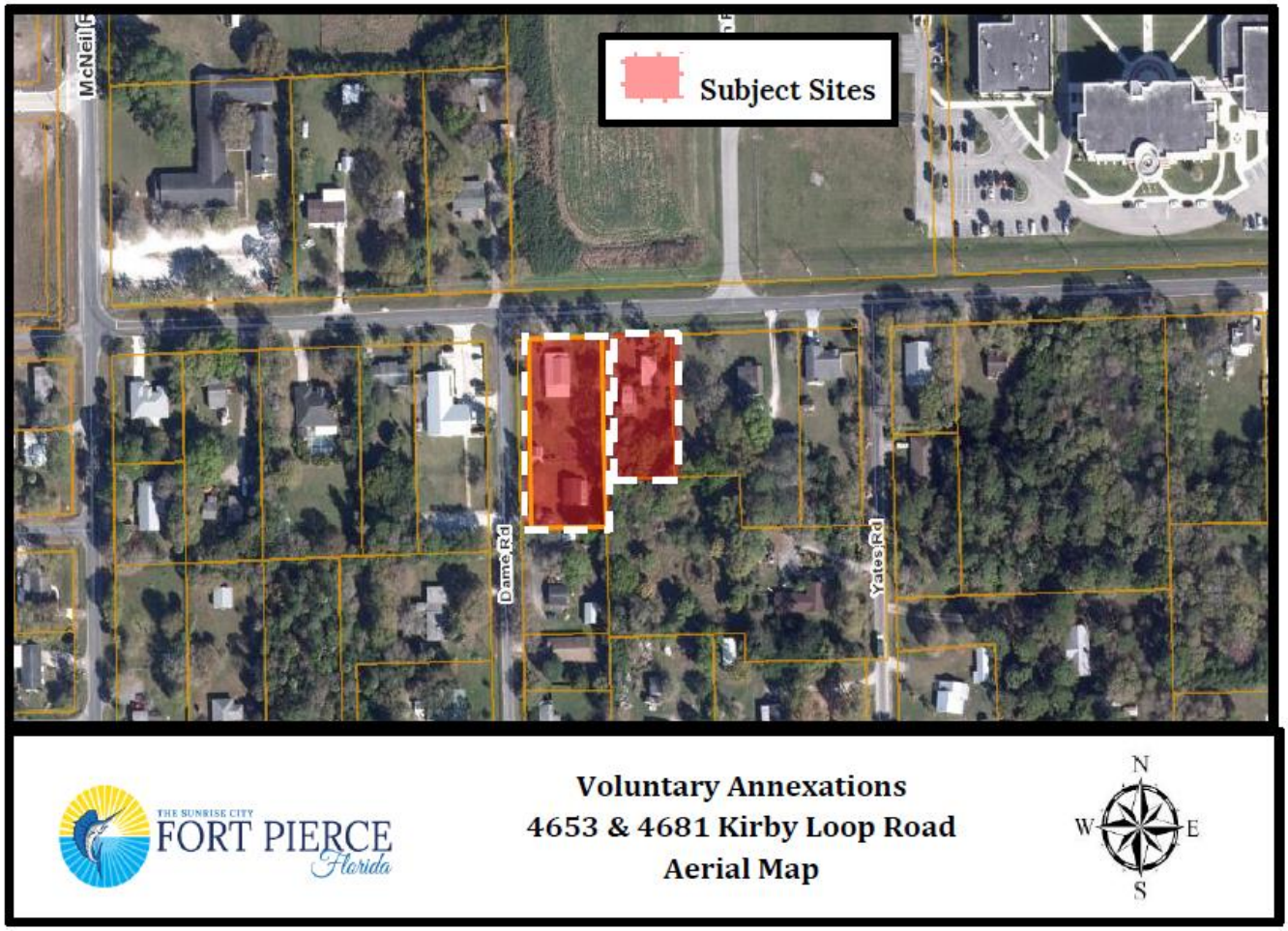
Property Owners/ Applicants	Claire M Castaneda 4653 Kirby Loop Road Fort Pierce, FL 34981 Wendy Balkom 4681 Kirby Loop Road Fort Pierce, FL 34981
Requested Action:	Approval of two (2) Voluntary Applications for Annexation
Site Locations:	4653 and 4681 Kirby Loop Road in Fort Pierce, Florida
Parcel IDs:	2419-431-0006-000-8 and 2419-431-0007-000-5
Parcel Sizes:	0.46 and 0.74 acres
Current Future Land Use:	Residential Urban 5 du/ac (RU) (SLC)
Current Zoning:	Residential Single Family, 3 Dwelling Units/Acre (RS-3) (SLC)
Proposed Future Land Use:	Single Family Low Density (R-1) (FP)
Proposed Zoning:	Low Density Residential (RL) (FP)
Utilities:	FPUA

	North	East	South	West
Surrounding FLU:	RL (FP)	RL & RM (FP) / RU (SLC)	RU (SLC)	RU (SLC)
Surrounding Zoning:	R-1 & R-4 (FP)	RS-3 (SLC)	RS-3 (SLC)	R-1 (FP) / RS-3 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of two (2) parcels located at 4653 and 4681 Kirby Loop Road in Fort Pierce, Florida. The parcel IDs are 2419-431-0006-000-8 and 2419-431-0007-000-5.



The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 3 Dwelling Units/Acre (RS-3). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Low Density Residential (RL), with a zoning classification of Low Density Residential (R-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $21,938 and $58,623. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties has a single-family home.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties to the north that are within the City limits. The annexation of these properties would assist in the City's effort to

eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services. Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RU and RS-3, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of RL and R-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed two (2) annexations at 4653 and 4681 Kirby Loop Road, along with the associated Future Land Use designation of RL and the Zoning designation of R-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-052

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **4653 KIRBY LOOP ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2419-431-0006-000-8

19 35 40 FROM NE COR OF W 1/2 OFNE 1/4 OF SW 1/4 OF SE 1/4 RUN W105 FT FOR POB, TH S 225 FT, TH W 105 FT, TH N 225 FT, TH E 105 FT TO POB-LESS N 33 FT FOR RD R/W- (0.46 AC) (OR 741-293: 1420-1482: 2430-1043: 2470-379; 4055-2937; 4055-2939; 4055-2971: 4061-726)

Said property containing 0.46 acres, more or less, and being generally located at 4653 Kirby Loop Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 1st day of November, 2021.

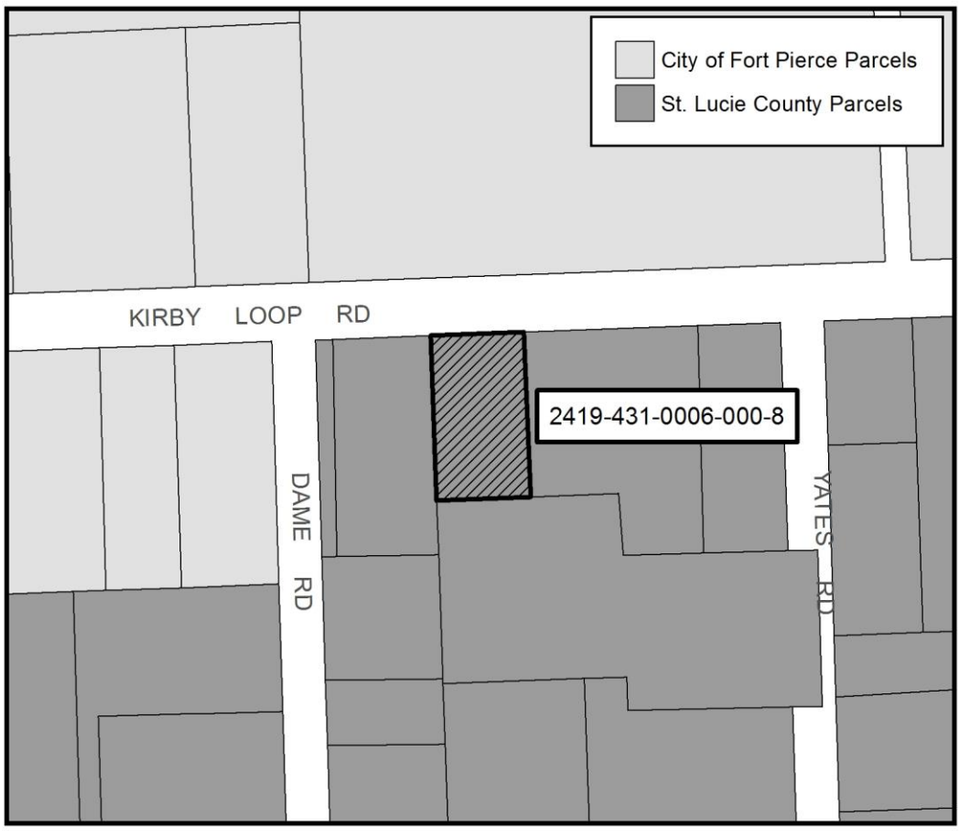
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

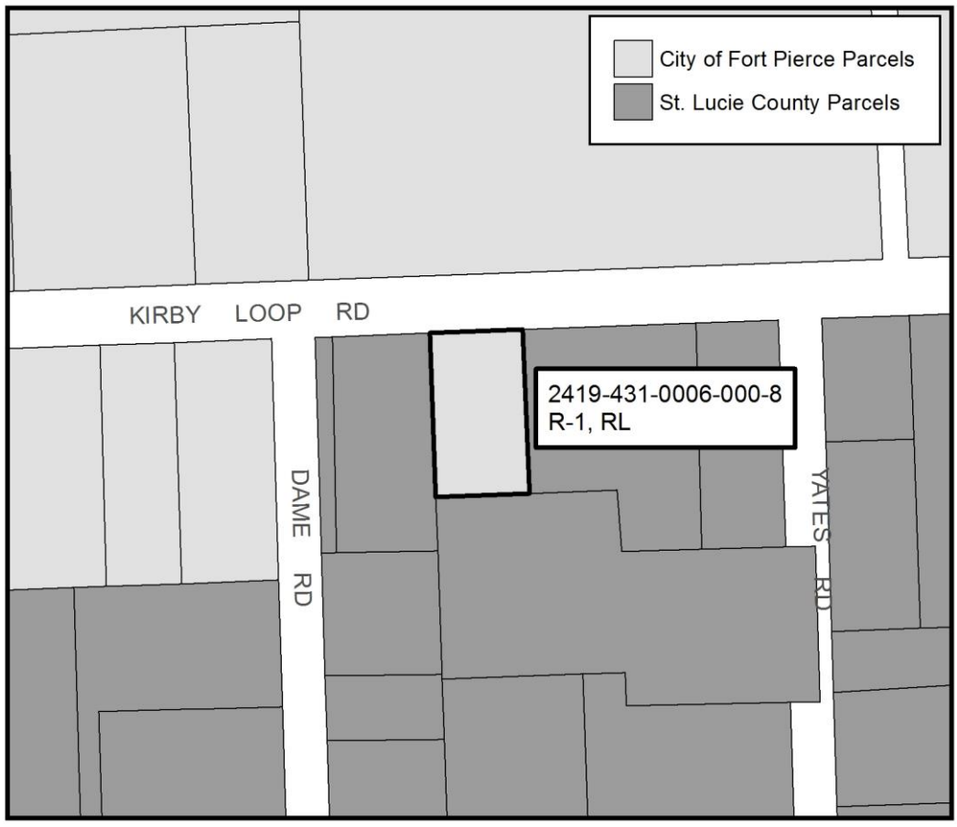
EXHIBIT A
Annexed Area & Legal Description



19 35 40 FROM NE COR OF W 1/2 OFNE 1/4 OF SW 1/4 OF SE 1/4 RUN W105 FT FOR POB, TH S 225 FT, TH W 105 FT, TH N 225 FT, TH E 105 FT TO POB-LESS N 33 FT FOR RD R/W- (0.46 AC) (OR 741-293: 1420-1482: 2430-1043: 2470-379; 4055-2937; 4055-2939; 4055-2971: 4061-726)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-3, Residential Single Family (3 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4056003 OR BOOK 3732 PAGE 1080, Recorded 04/07/2015 at 08:49 AM

105URN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2419-431-0006-000-8	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	4653 KIRBY LOOP ROAD, FORT PIERCE, FLORIDA 34981 Location Address 4653 KIRBY LOOP ROAD, FORT PIERCE, FLORIDA 34981 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

19 35 40 FROM NE COR OF W ½ OF NE ¼ OF SW ¼ OF SE ¼ RUN W 105 FT FOR POB; TH S 225 FT, TH W 105 FT, TH N 225 FT, TH E 105 FT TO POB – LESS N 33 FT FOR RD R/W

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR, CLAIRE MOSER CASTANEDA, A SINGLE ADULT; THE GRANTOR ROSEMARY M. VANWAMEL RESIDES IN THE STATE OF KANSAS; THE GRANTOR HELEN GOLDEN RESIDES AT 120 ROSELYN AVENUE, FORT PIERCE, FL 34982.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 10TH day of MARCH, 2015.

Signed, sealed and delivered in our presence as witnesses:

Erica Horan
Witness Signature
Erica Horan
Printed Witness Signature

Elizabeth M LeValley
Witness Signature
Elizabeth M LeValley
Printed Witness Signature

Claire Moser Castañeda
Signature
Clair Moser Castaneda, a single adult
Printed Signature
4653 Kirby Loop Road
Address
Fort Pierce, Florida 34981
City, State, Zip

STATE OF FLORIDA
COUNTY OF _____

I hereby **certify** that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Clair Moser Castaneda, a single adult,** known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL **Elizabeth M. LeValley** **Notary Public, State of New York** **St. Lawrence County #01LE6300623** **Commission Expires 04/07/2018**	Witness my hand and official Seal in the County and State last aforesaid this 2 day of March, A.D. 2015. Elizabeth M LeValley Notary Signature Elizabeth M LeValley Notary Printed Signature

\\Server\c\My Documents\Forms\FPUA\Completed Annexation Agreements\Castaneda, Claire - 4653 Kirby Loop Road.docx Revised 7/9/04 per atty.

EXHIBIT C (Cont.)
Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 3732 PAGE 1081

Seamus Rielly
Witness Signature
Seamus Rielly
Printed Witness Signature

Lisa M. Barder
Witness Signature
Lisa M. Barder
Printed Witness Signature

Rosemary M. VanWamel
Signature
Rosemary M. VanWamel
Printed Signature
10750 Blackbird Road
Address
Emmett, Kansas 66422
City, State, Zip

STATE OF KANSAS
COUNTY OF Pottawatomie

I hereby **certify** that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Rosemary M. WanWamel,** known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

NOTARY PUBLIC - State of Kansas
LISA M. BARDER
My Appt. Expires 7/14/18

Witness my hand and official Seal in the County and State last aforesaid this 10th day of March, A.D. 2015.

Lisa M. Barder
Notary Signature
Lisa M. Barder
Notary Printed Signature

Witness Signature
AMY SHEVLIN
Printed Witness Signature

Witness Signature
ROSALIE LAVERTU
Printed Witness Signature

Helen Golden
Signature
Helen Golden
Printed Signature
102 Roselyn Avenue
Address
Fort Pierce, FL 34950
City, State, Zip

STATE OF FLORIDA
COUNTY OF _____

I hereby **certify** that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Helen Golden,** known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

ROSALIE LAVERTU
Commission # EE 218440
Expires July 22, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

Witness my hand and official Seal in the County and State last aforesaid this 18TH day of FEBRUARY A.D. 2015.

Notary Signature
ROSALIE LAVERTU
Notary Printed Signature

ORDINANCE NO. 21-053

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **4681 KIRBY LOOP ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2419-431-0007-000-5

19 35 40 FROM NE COR OF SW 1/4 OF SE 1/4 RUN W 540 FT, TH S 33 FT FOR POB, TH CONT S 267 FT, TH W120 FT, TH N 267 FT, TH E 120 FT TO POB (69) (0.74 AC) (OR 429-999; 3809-959)

Said property containing 0.74 acres, more or less, and being generally located at 4681 Kirby Loop Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Residential Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

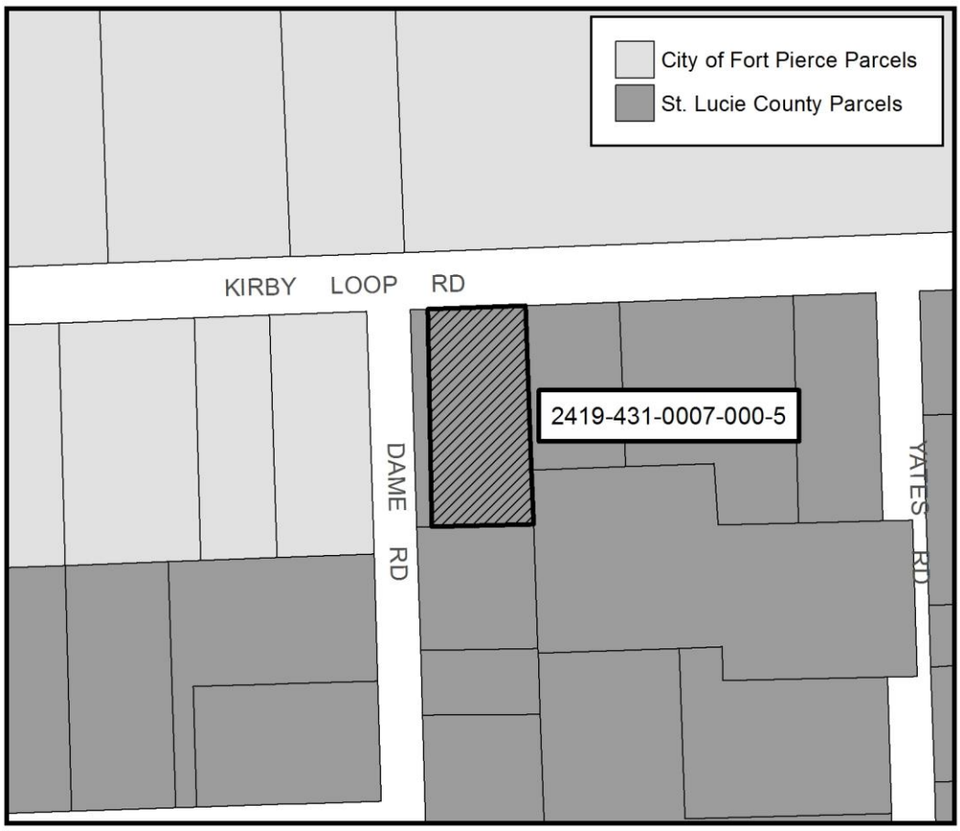
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

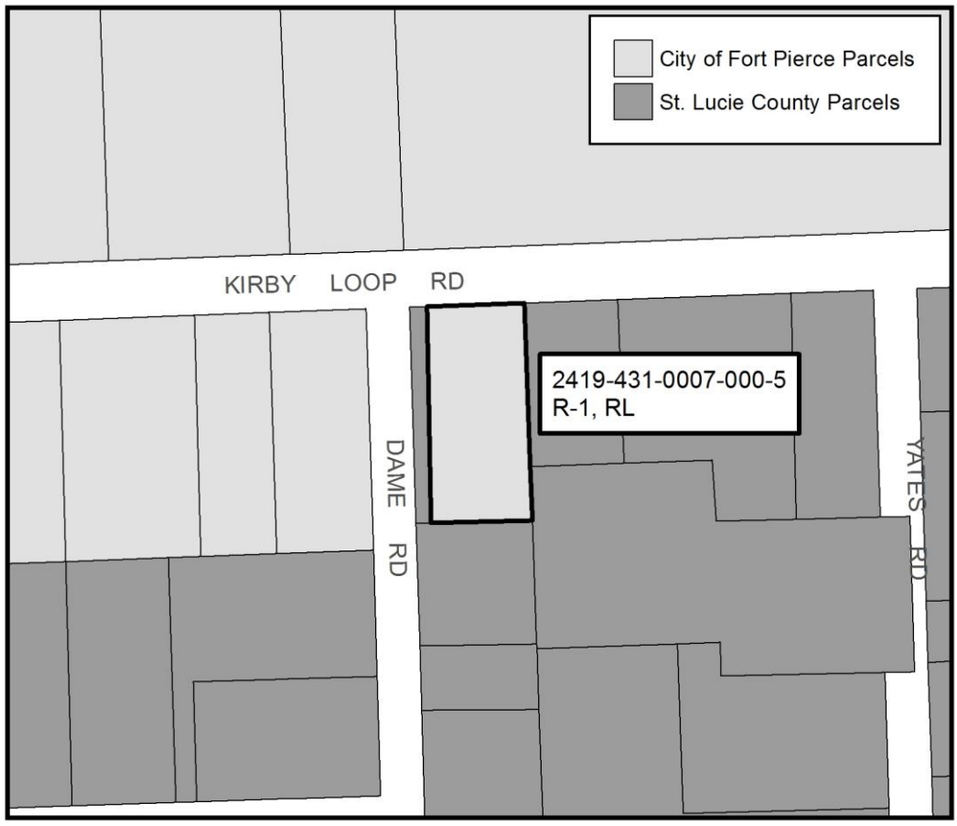
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



19 35 40 FROM NE COR OF SW 1/4 OF SE 1/4 RUN W 540 FT, TH S 33 FT FOR POB, TH CONT S 267 FT, TH W120 FT, TH N 267 FT, TH E 120 FT TO POB (69) (0.74 AC) (OR 429-999; 3809-959)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-3, Residential Single Family (3 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4394744 OR BOOK 4090 PAGE 2438, Recorded 01/26/2018 09:11:45 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2419-431-0007-000-5	**ANNEXATION AGREEMENT** **INDIVIDUAL** WENDY BALKOM, AN UNREMARRIED WIDOW 4681 KIRBY LOOP ROAD FT. PIERCE, FLORIDA 34981
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	4861 KIRBY LOOP ROAD Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

19 35 40 FROM THE NE COR OF SW ¼ OF SE ¼ RUN W 540 FT, TH S 33 FT FOR POB, TH CONT S 267 FT. TH W120 FT, TH N 267 FT. TH E 120 FT TO POB (69) (0.74 AC) OR 429-999; 3809-959)

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 23rd day of October, 2017.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Miriam Sanchez
Printed Witness Signature

Witness Signature
REUE ARTEAGA
Printed Witness Signature

Signature-Wendy Balkom, an unremarried widow
Wendy Balkom
Printed Signature

4861 Kirby Loop Road
Address

Fort Pierce, Florida 34981
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Wendy Balkom, in whose name the foregoing instrument was executed, and that who severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL REBEKAH HOY Notary Public - State of Florida Commission # FF 185818 My Comm. Expires Feb 17, 2019	Witness my hand and official Seal in the County and State last aforesaid this 23rd day of October A.D. 2017. Notary Signature Rebekah Hoy Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 4681 Kirby Loop

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 4681 Kirby Loop

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. j.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 427 and 601 South Market Avenue - Ordinance No. 21-054 and 21-055

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

---

SUBJECT:

Legislative Hearing - Ordinance No. 21-054 - This is a voluntary annexation of a parcel of land located at 427 South Market Avenue in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-055 - This is a voluntary annexation of a parcel of land located at 601 South Market Avenue in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject properties have a St. Lucie County Future Land Use designation of Industrial (IND) and a zoning designation of Industrial Light (IL). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Industrial (I), with a zoning classification of Light Industrial (I-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a
Fiscal Year: n/a
Account: n/a
Amount: n/a
OTHER INFORMATION:

Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:50 PM

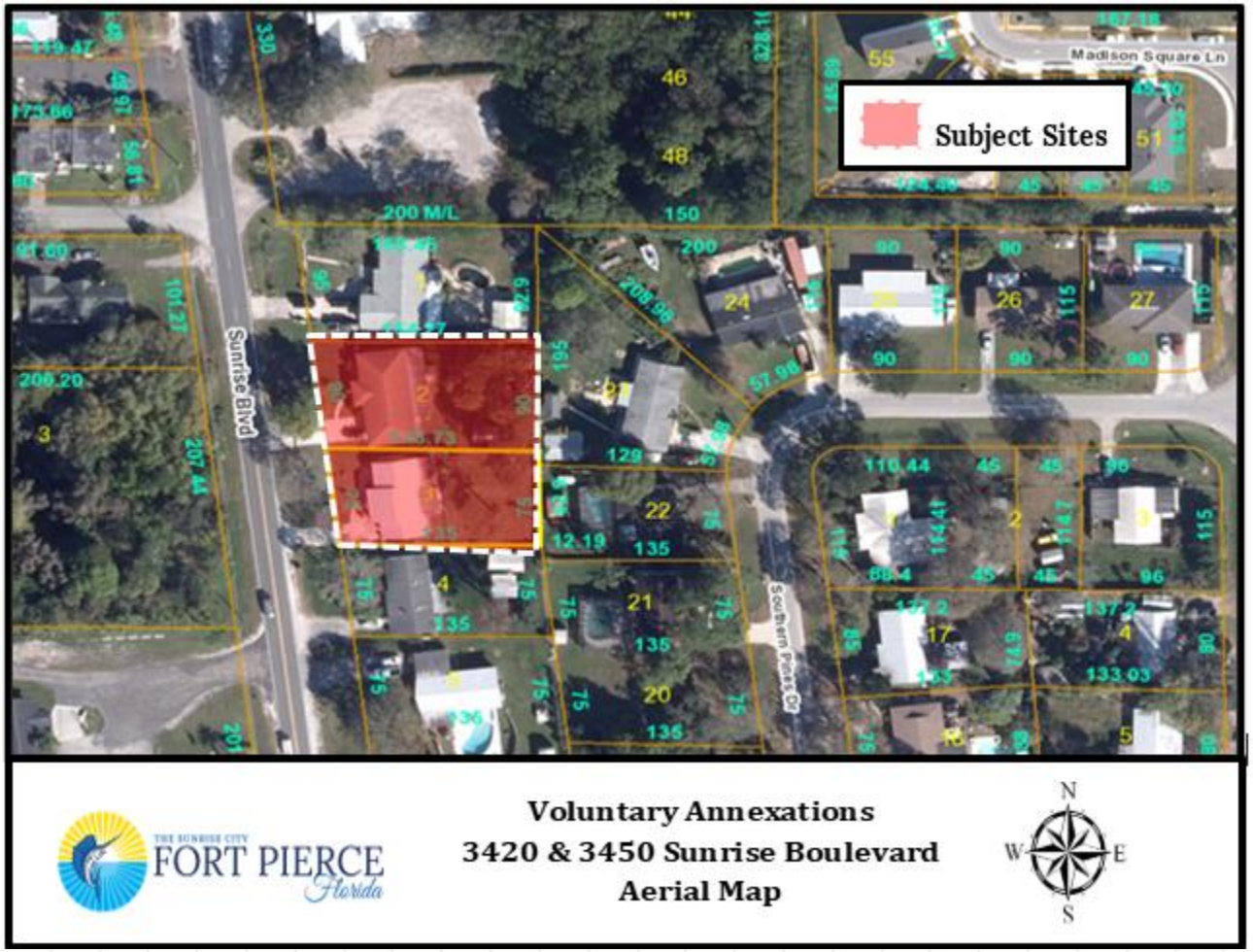
Form Started By: Jennifer Hofmeister
Started On: 11/04/2021 10:05 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

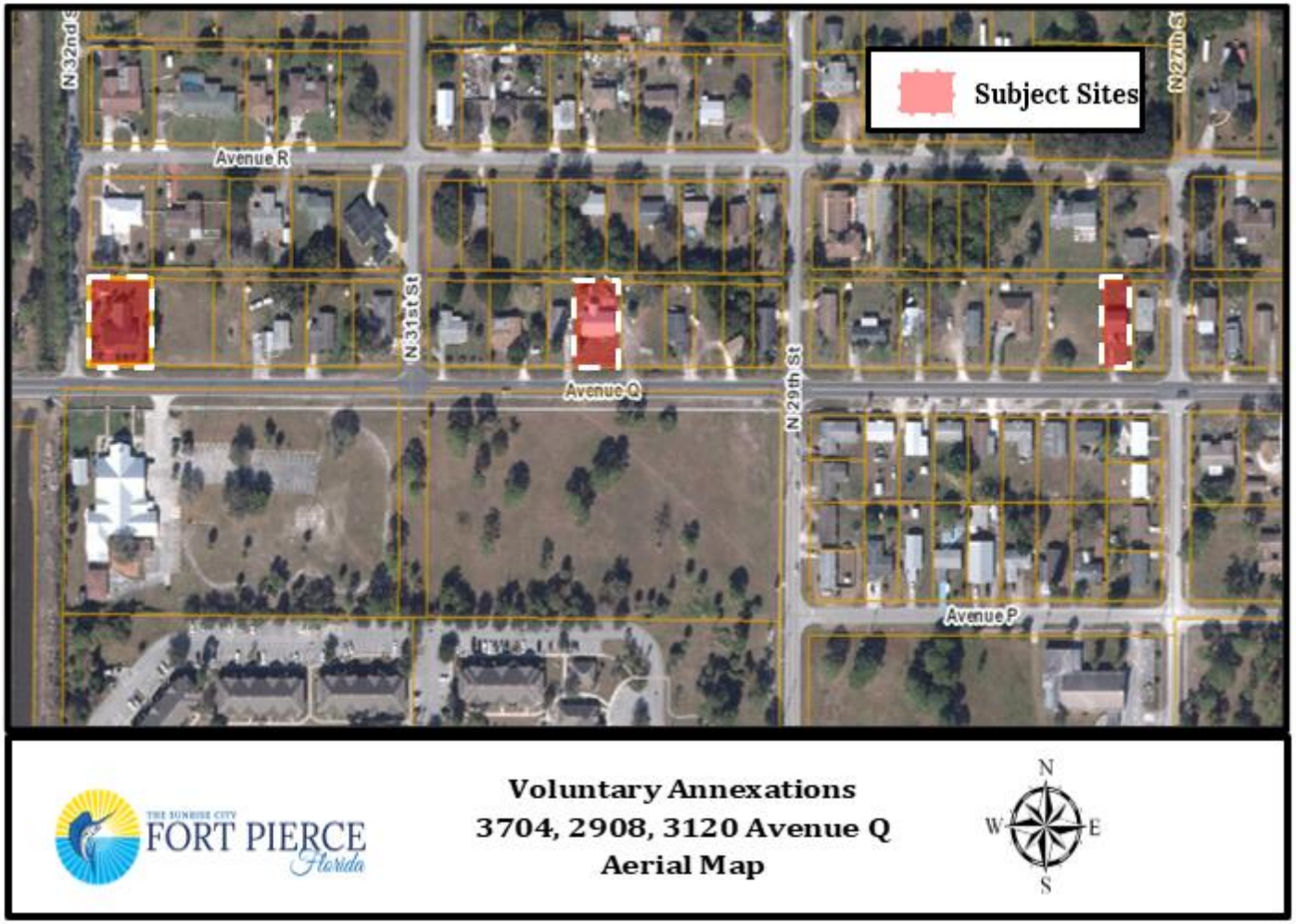
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



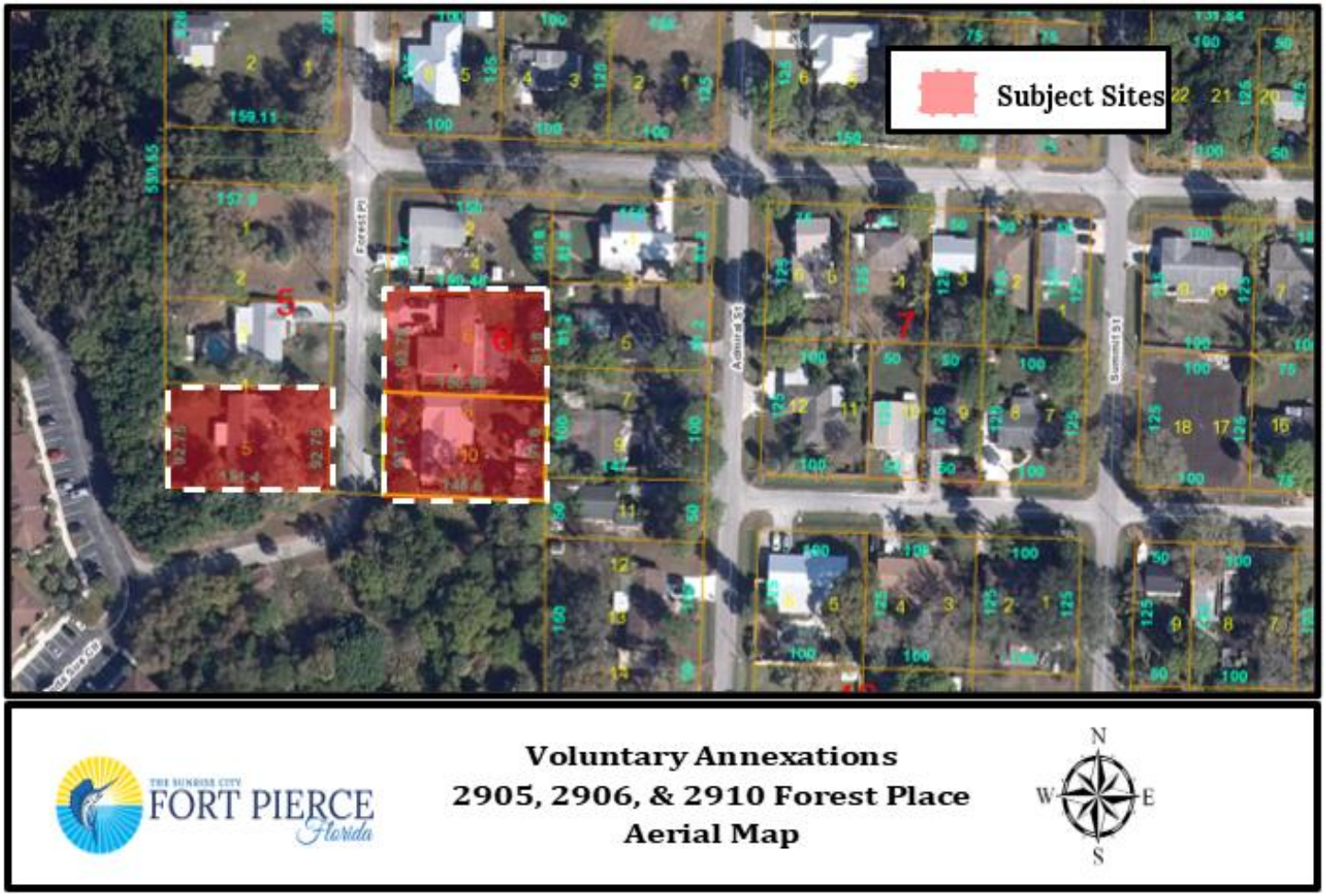
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



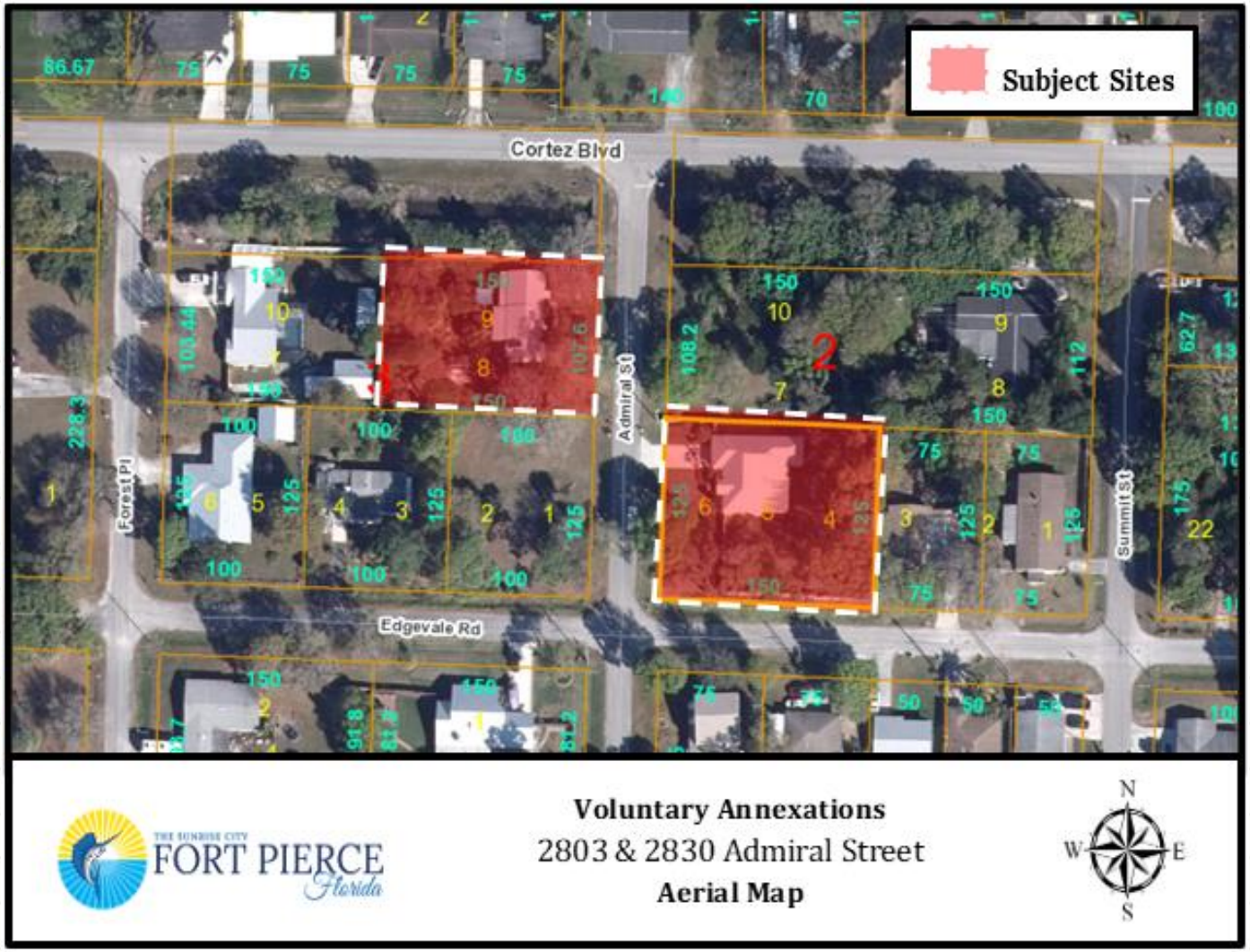
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



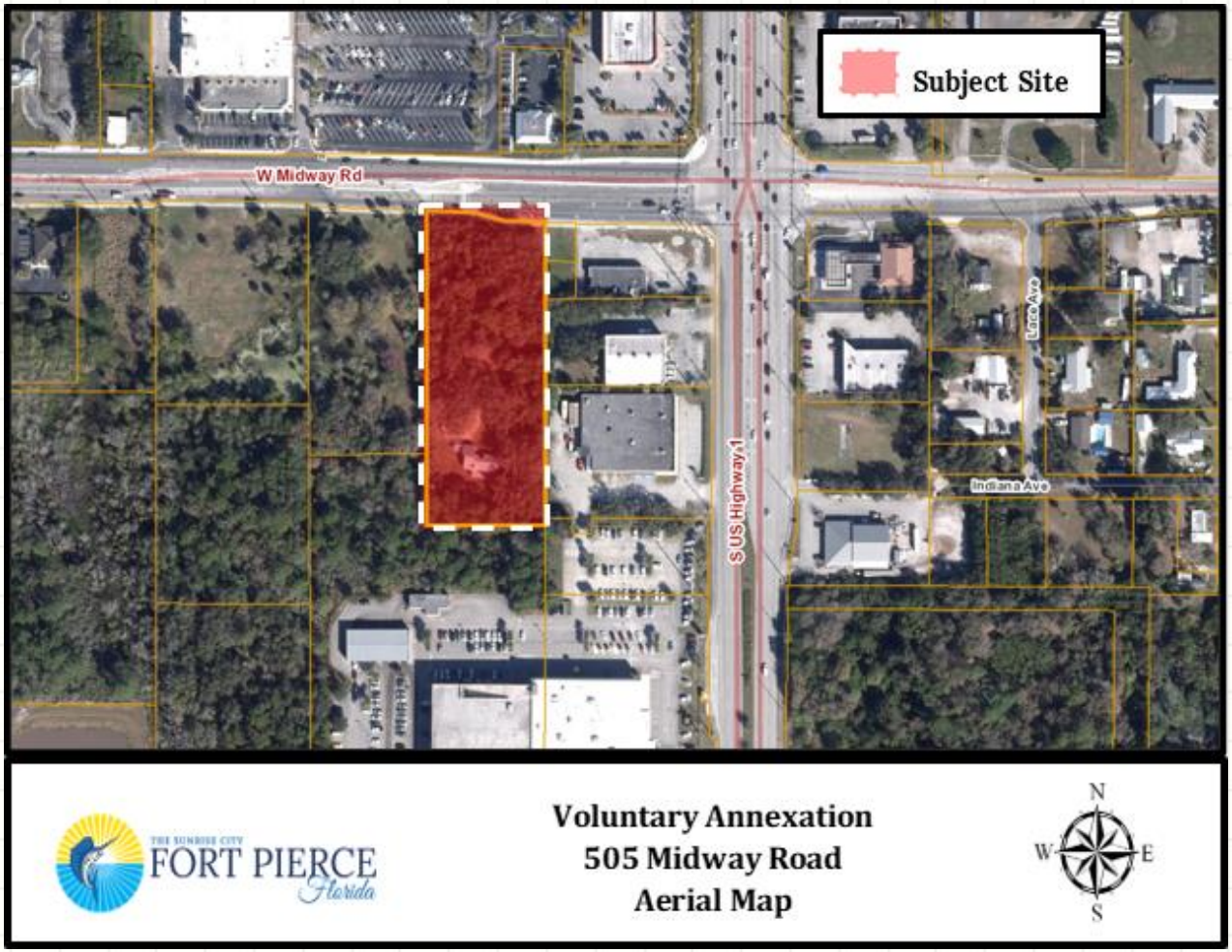
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



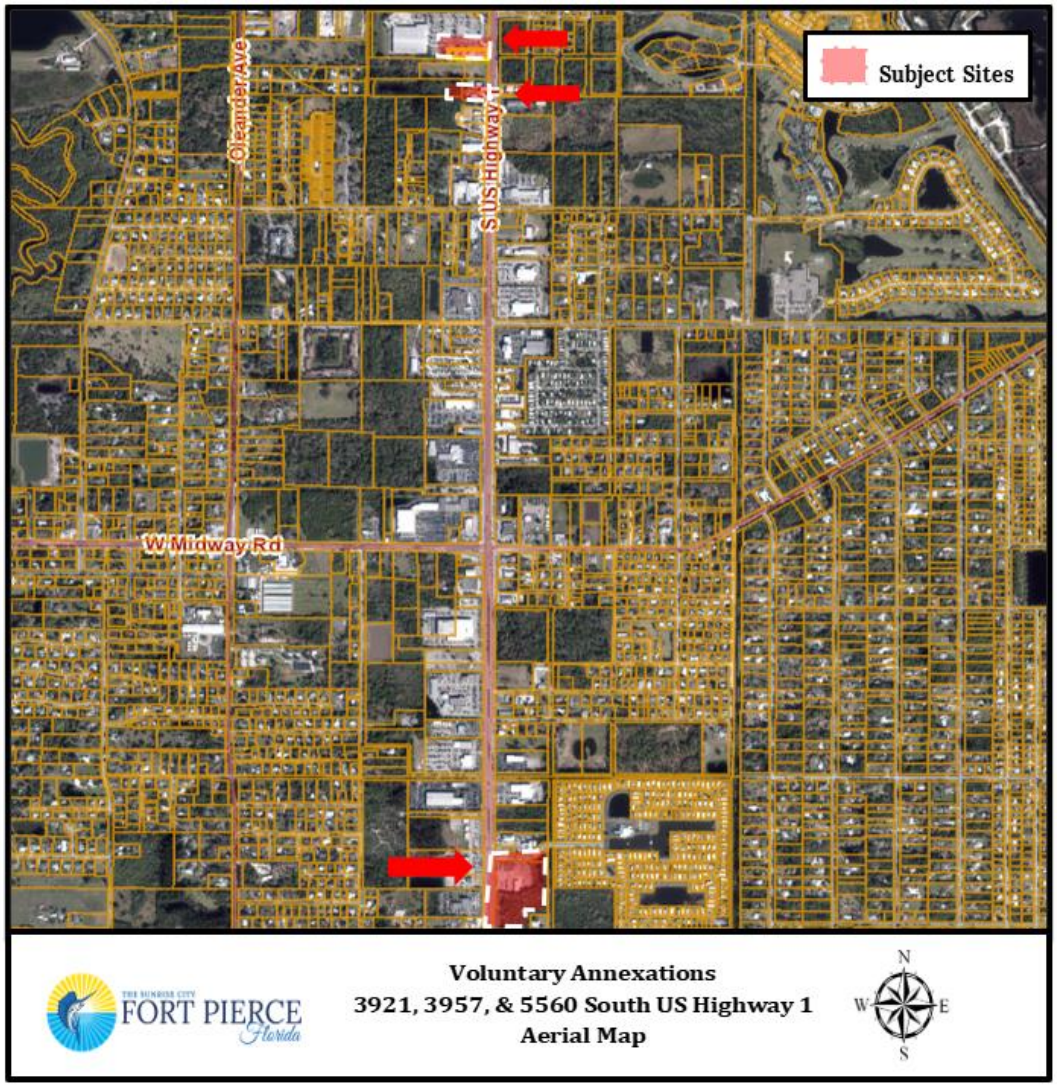
Annexation 13:

Ordinance No. 21-048



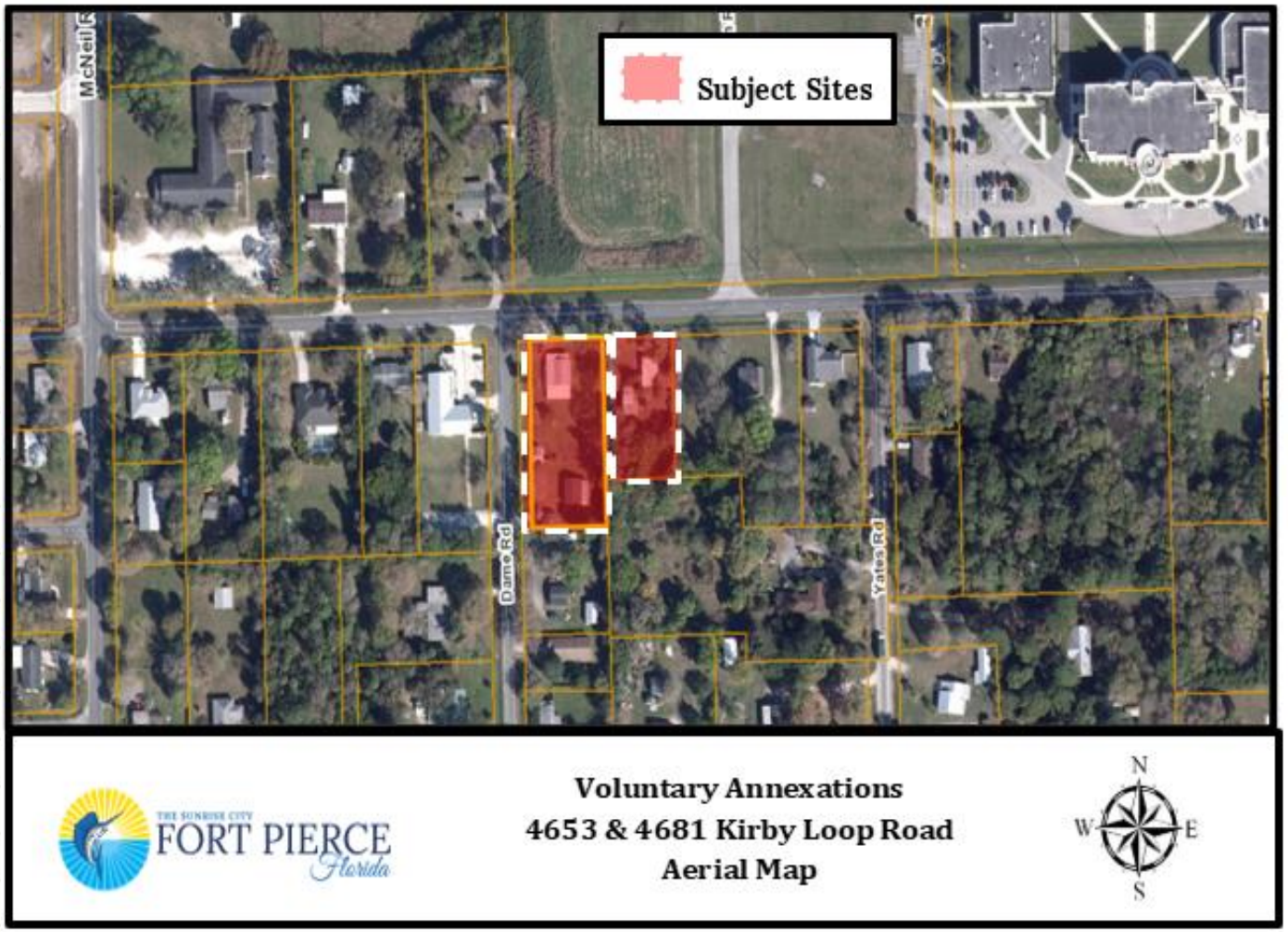
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



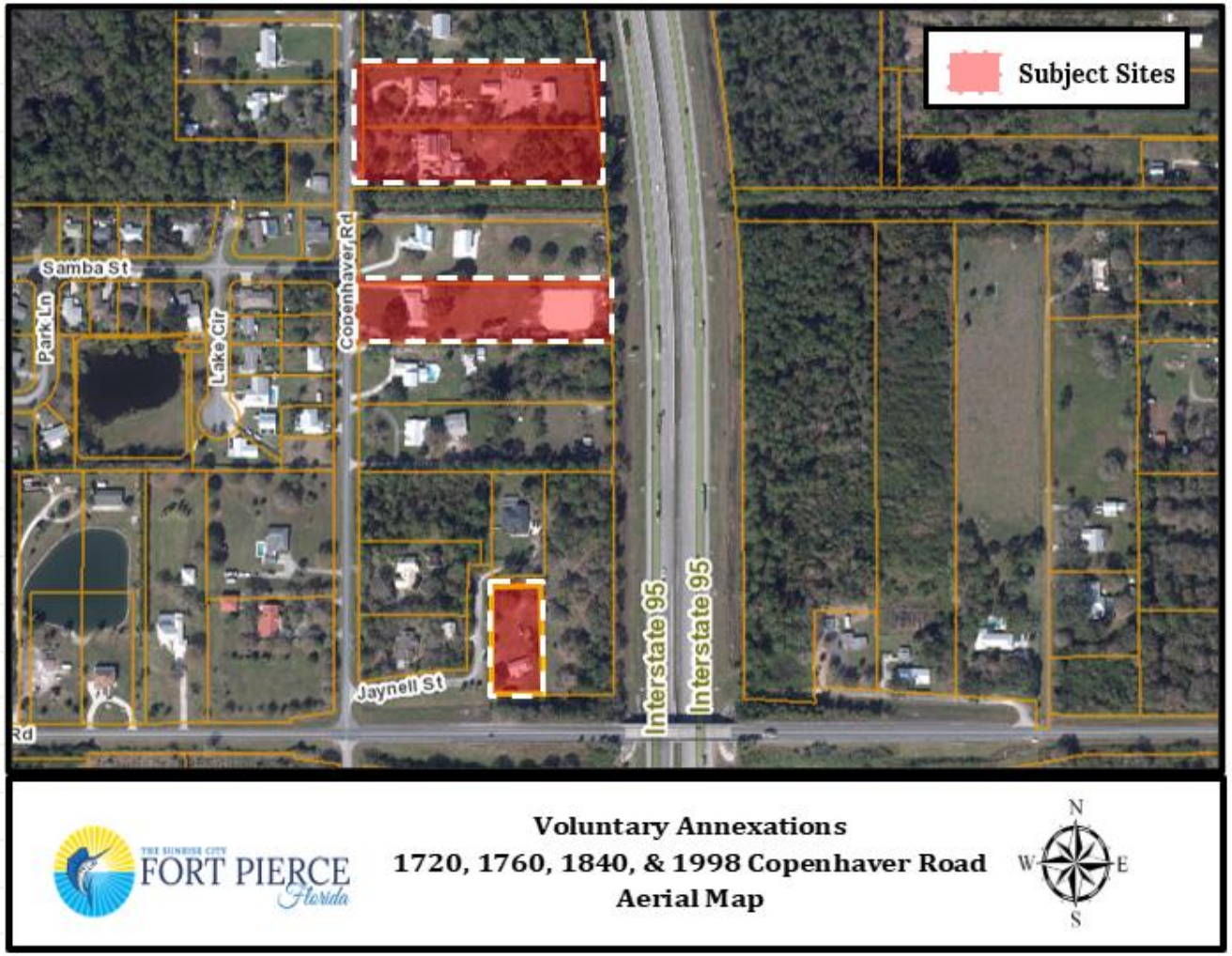
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



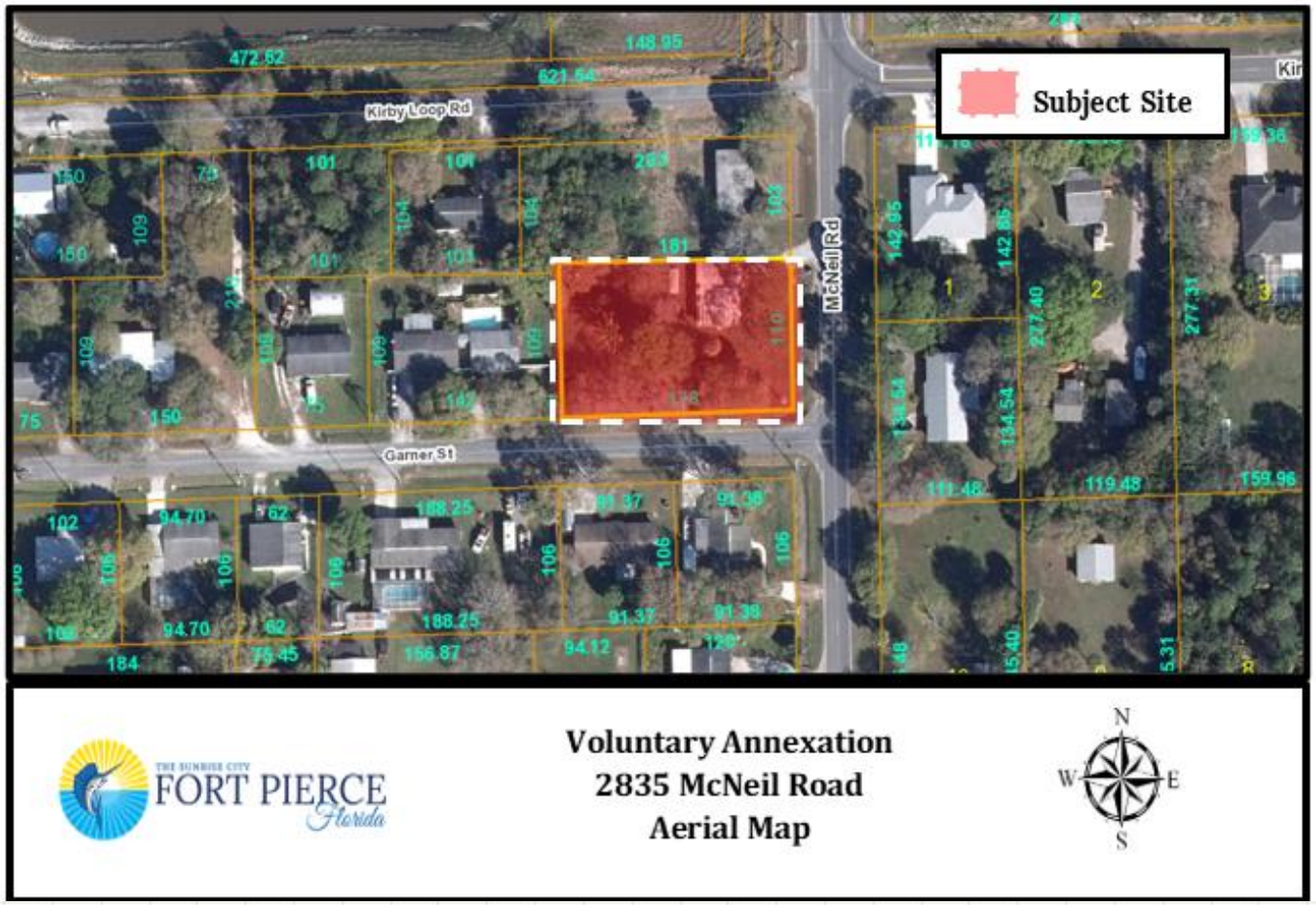
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



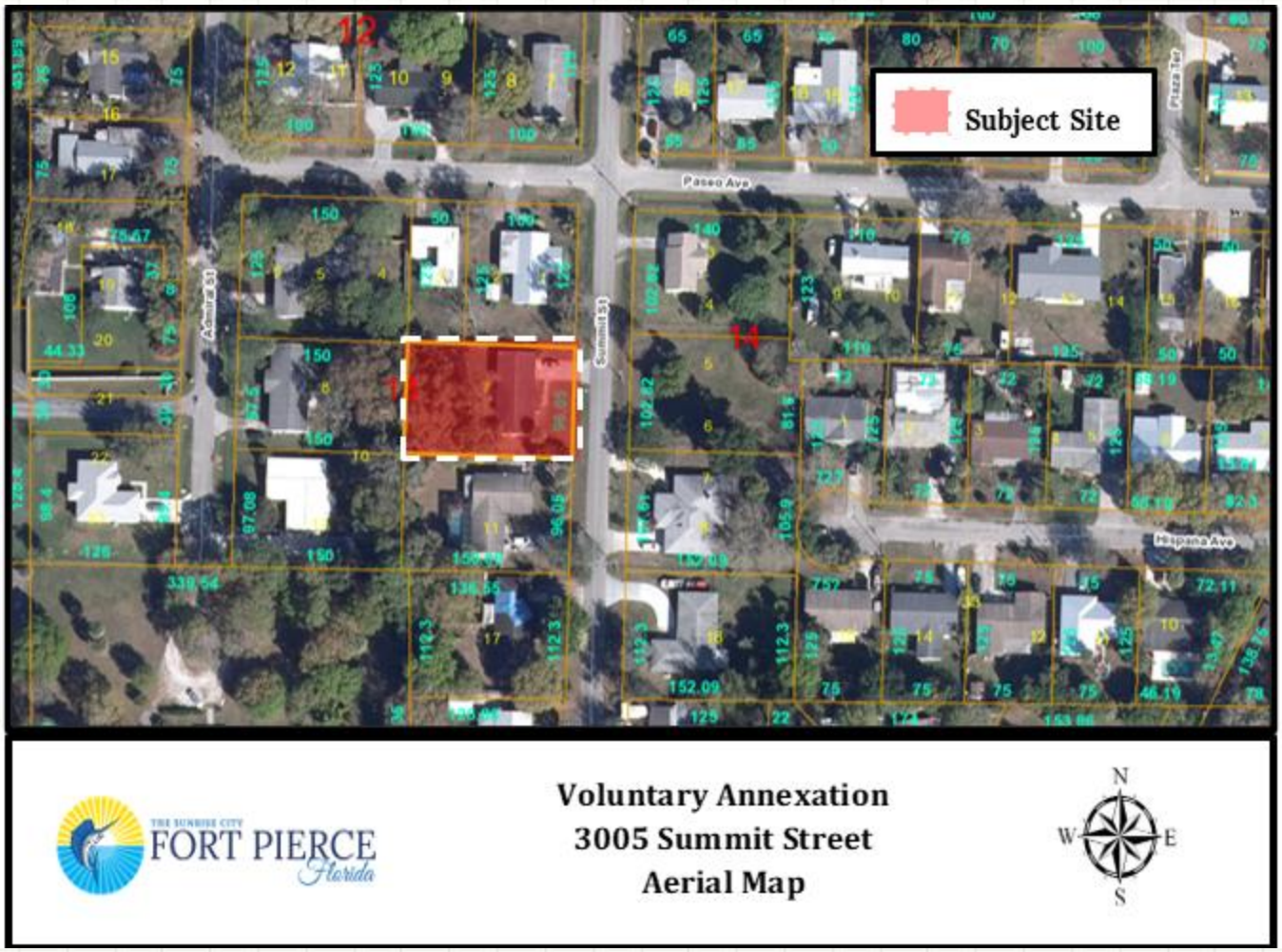
Annexation 25:

Ordinance No. 21-060



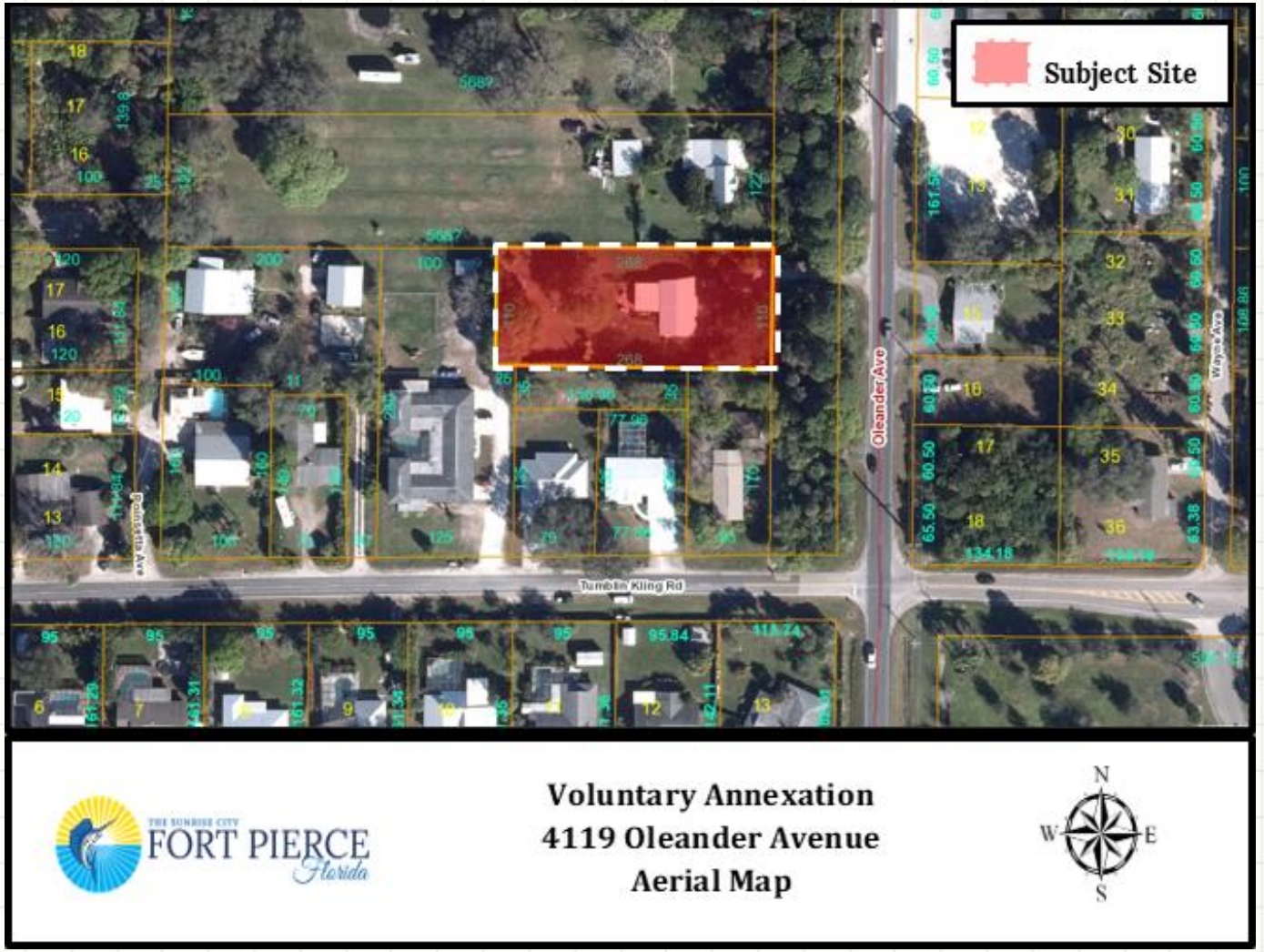
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **427 & 601 South Market Avenue**
MEETING DATE:	November 15, 2021

STAFF REPORT

Property Owners/ Applicants	Market Avenue Warehouse Complex LLC 626 Old Dixie Hwy SW Vero Beach, FL 32962 Ubilla-Duque R E Holdings LLC 427 S Market Avenue Fort Pierce, FL 34982
Requested Action:	Approval of two (2) Voluntary Applications for Annexation
Site Locations:	427 and 601 South Market Avenue in Fort Pierce, Florida
Parcel IDs:	2434-601-0036-000-5 and 2434-601-0058-000-5
Parcel Sizes:	1.38 and 3.72 acres
Current Future Land Use:	Industrial (IND) (SLC)
Current Zoning:	Industrial Light (IL) (SLC)
Proposed Future Land Use:	Industrial (I) (FP)
Proposed Zoning:	Light Industrial (I-1) (FP)
Utilities:	FPUA

	North	East	South	West
Surrounding FLU:	GC & CI (FP) / I (SLC)	I & GC (FP) / RU (SLC)	GC & I (FP)	CI (FP) / I (SLC)
Surrounding Zoning:	I-1 & C-3 (FP) / IL (SLC)	I-1 & C-3 (FP) / IL (SLC)	I-1 & C-3 (FP)	I-1 (FP) / IL (SLC)

Staff Analysis:

Request

This is a voluntary annexation of two (2) parcels located at 427 and 601 South Market Avenue in Fort Pierce, Florida. The parcel IDs are 2434-601-0036-000-5 and 2434-601-0058-000-5.



The subject properties have a St. Lucie County Future Land Use designation of Industrial (IND) and a zoning designation of Industrial Light (IL). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for both parcels is Industrial (I), with a zoning classification of Light Industrial (I-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $852,106 and $656,000. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties are developed.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties to the north that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services. Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain

consistent with the current County designations of IND and IL, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of I and I-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed two (2) annexations at 427 and 601 South Market Avenue, along with the associated Future Land Use designation of I and the Zoning designation of I-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-054

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **427 S. MARKET AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2434-601-0036-000-5

KELLEM`S S/D FROM SE COR LOT 9 RUN W 265 FT TO POB, TH CONT W 199.9 FT, TH N 330 FT, TH E 174.9 FT, TH S 150 FT, TH E 25 FT, TH S 180 FT TO POB-LESS N 12 FT AS INOR 384-196- (1.38 AC) (OR 1236-1132: 2024-1533; 2001-2401)

Said property containing 1.38 acres, more or less, and being generally located at 427 S. Market Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned I-1, Light Industrial, and assigned a Future Land Use Designation of I, Industrial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

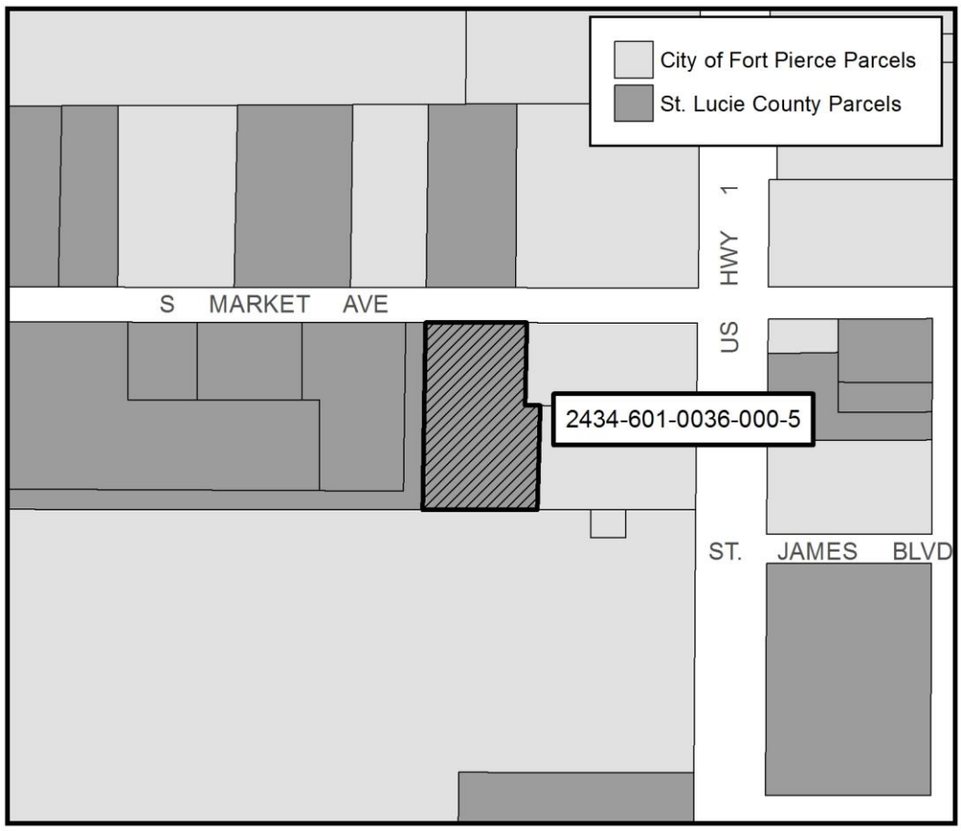
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

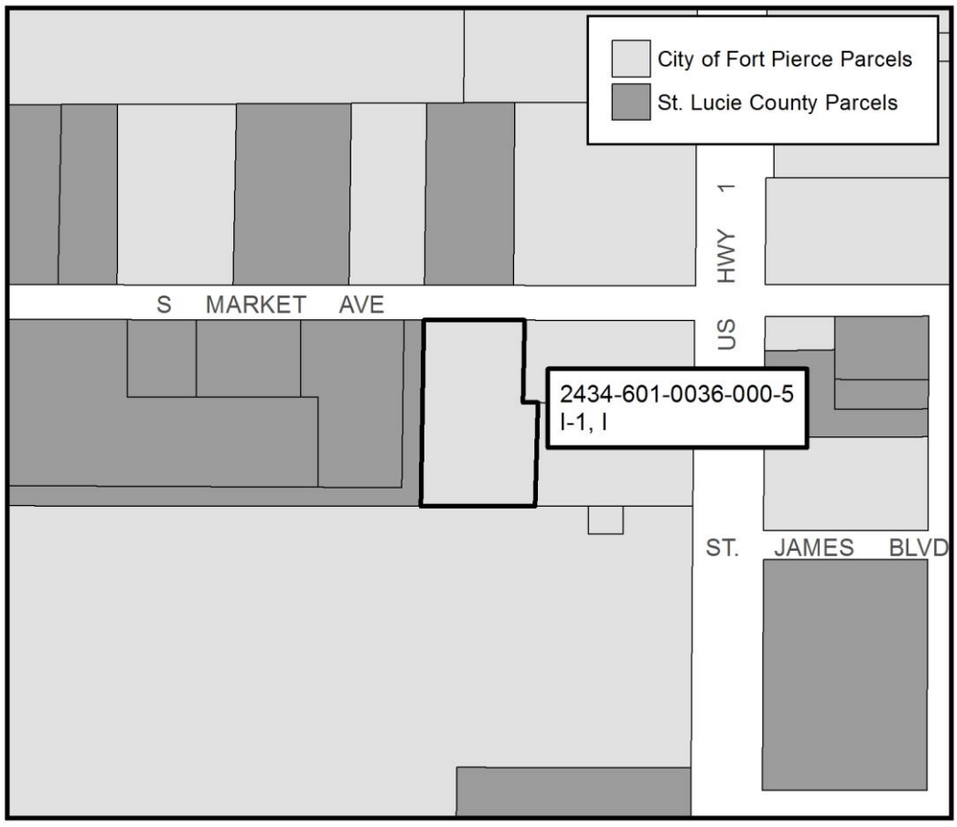
EXHIBIT A
Annexed Area & Legal Description



KELLEM`S S/D FROM SE COR LOT 9 RUN W 265 FT TO POB, TH CONT W 199.9 FT, TH N 330 FT, TH E 174.9 FT, TH S 150 FT, TH E 25 FT, TH S 180 FT TO POB-LESS N 12 FT AS INOR 384-196- (1.38 AC) (OR 1236-1132: 2024-1533; 2001-2401)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned IL, Industrial Light with a Future Land Use of IND, Industrial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of I-1, Light Industrial and have a Future Land Use Designation of I, Industrial.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4324685 OR BOOK 4013 PAGE 2092, Recorded 06/28/2017 03:22:07 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2434-601-0036-000-5	**ANNEXATION AGREEMENT** **LIMITED LIABILITY COMPANY**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	427 S. MARKET AVENUE, FORT PIERCE, FL 34982 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

SEE ATTACHED LEGAL DESCRIPTION LABELED EXHIBIT "A"

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, , by its proper officers thereunto duly authorized this 16th *day of* June, *2017.*

JOSE D. UBILLA, MANAGING MEMBER OF UBILLA-DUQUE REAL ESTATE HOLDINGS, LLC, a dissolved LLC, AND AS MANAGING MEMBER OF UBILLA-DUQUE HOLDINGS,LLC

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Diana Tremonti
Printed Witness Signature

Witness Signature

Heather Jurgensen
Printed Witness Signature

JOSE D. UBILLA, MANAGING MEMBER OF UBILLA-DUQUE REAL ESTATE HOLDINGS, LLC, a dissolved LLC, AND AS MANAGING MEMBER OF UBILLA-DUQUE HOLDINGS, LLC (Signature)

Jose D. Ubilla
Printed Signature

427 S. MARKET AV.
Address

FORT PIERCE, FL 34982
City, State, Zip

STATE OF Florida
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared * known to me to be * the entity in whose name the foregoing instrument was executed, and that (he)(she) acknowledged executing the same for such entity, freely and voluntarily, under authority duly vested in (him)(her) by said entity, that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL DINA LANZA Commission # GG 18674 My Commission Expires August 04, 2020	Witness my hand and official Seal in the County and State last aforesaid this 16th day of June A.D. 2017. Dina Lanza Notary Signature Dina Lanza Notary Printed Signature

EXHIBIT C (Cont.)
Fort Pierce Utilities Authority Annexation Agreement

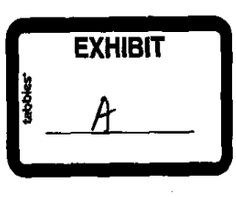
OR BOOK 4013 PAGE 2093

Parcel I:

Begin at the Southeast corner of Lot 9 of the J.I. Kellum's Subdivision, according to the plat thereof, as recorded in Plat Book 3, Page 85 of the Public Records of St. Lucie County, Florida; thence run North along the West boundary of U.S. Highway #1, 330 feet to a point; thence run West 290 feet to the Point of Beginning; from said Point of Beginning run South 150 feet; thence run West 174.9 feet; thence run North 150 feet; thence run East to the Point of Beginning, less road right-of-way of way for South Market Avenue.

Parcel II:

Begin at the intersection of the South line of Lot 9 of J.I. Kellum's Subdivision, according to the plat thereof, as recorded in Plat Book 3, Page 85 of the Public Records of St. Lucie County, Florida; and the West right-of-way of U.S. Highway #1; thence run North along the West right-of-way of U.S. Highway #1, 180 feet to a point; thence run West 464.9 feet to a point; thence run South parallel to the West right-of-way of U.S. Highway #1, 180 feet to a point; thence run East 464.9 feet to the Point of Beginning, less the East 265 feet.



DRAFT ORDINANCE NO. 21-055

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **601 S. MARKET AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2434-601-0058-000-5

KELLEM`S S/D W 250 FT OF E 265 FT OF N 1/2 OF LOT 13-LESS N 12 FT AS IN OR 384-199- (3.72 AC)

Said property containing 3.72 acres, more or less, and being generally located at 601 S. Market Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned I-1, Light Industrial, and assigned a Future Land Use Designation of I, Industrial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

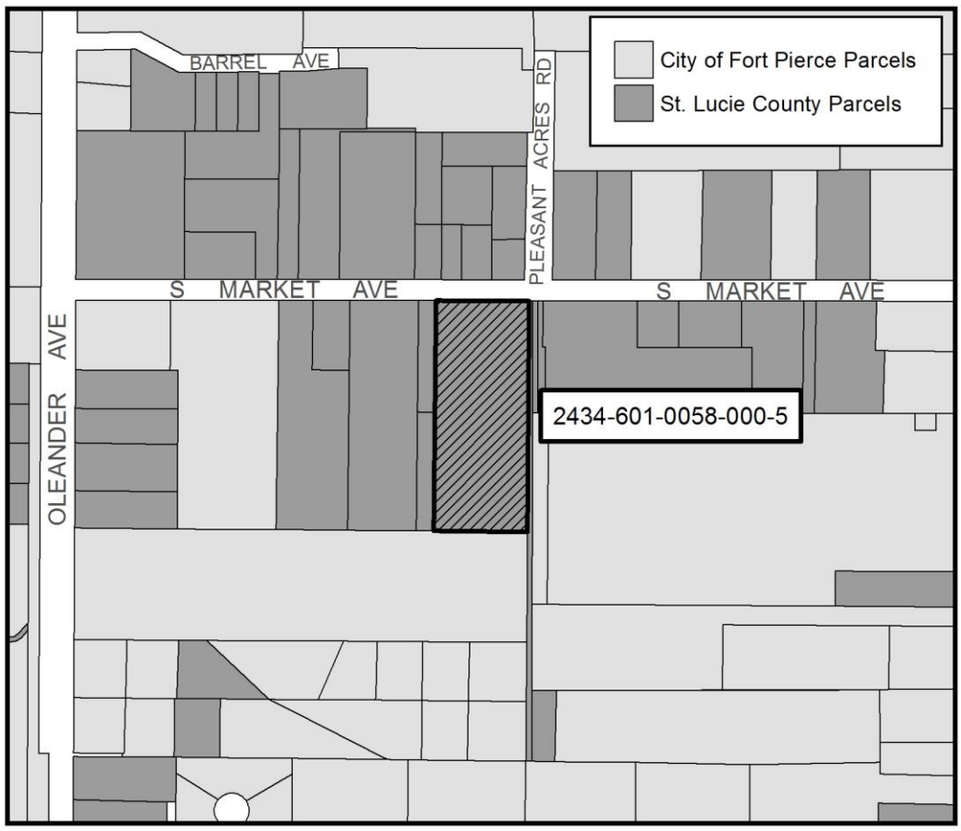
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

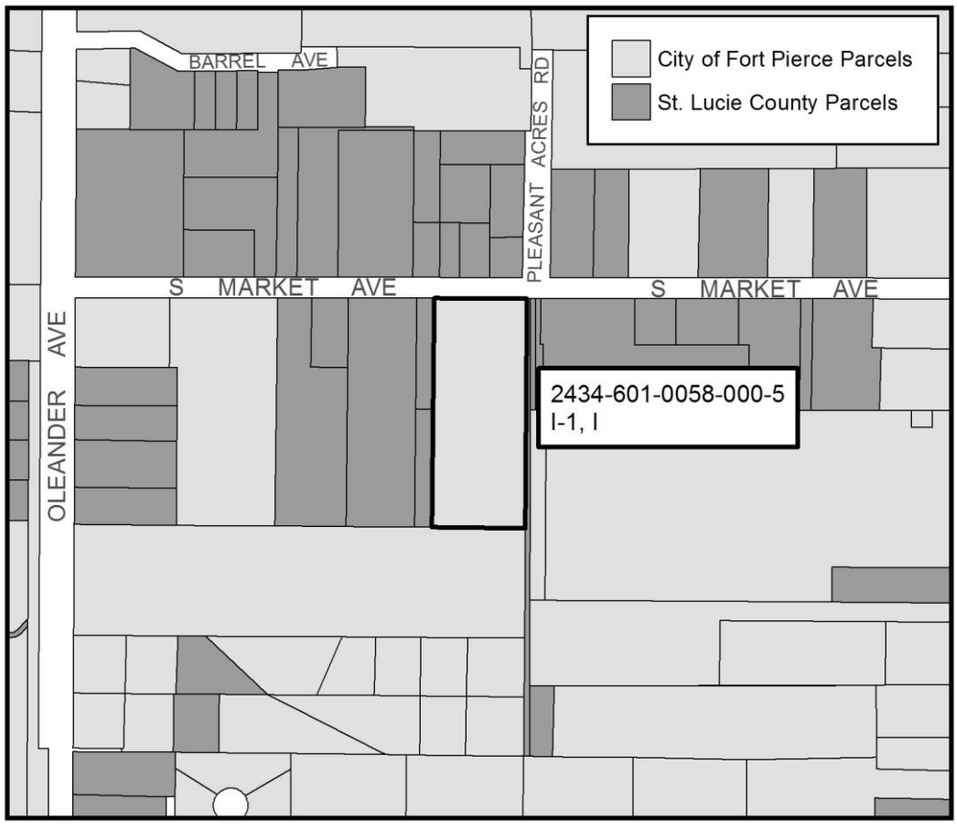
EXHIBIT A
Annexed Area & Legal Description



KELLEM`S S/D W 250 FT OF E 265 FT OF N 1/2 OF LOT 13-LESS N 12 FT AS IN OR 384-199- (3.72 AC)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned IL, Industrial Light with a Future Land Use of IND, Industrial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of I-1, Light Industrial and have a Future Land Use Designation of I, Industrial.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4482208 OR BOOK 4182 PAGE 1077, Recorded 09/20/2018 03:09:52 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX

This instrument prepared by:
R. N. Koblegard, III, Esquire
200 S. Indian River Drive, Suite 201
Fort Pierce, FL 34950

Property Appraisers Parcel Identification (Folio) Number(s):

2434-601-0058-000-5

To: WATER/WASTEWATER ENGINEERING
FORT PIERCE UTILITIES AUTHORITY
POST OFFICE BOX 3191
FORT PIERCE, FLORIDA 34948-3191

ANNEXATION AGREEMENT
CORPORATION

MARYANNE PALINO, PRESIDENT
BRANDY'S PRODUCTS, INC.
603 S. MARKET AVENUE
FT. PIERCE, FLORIDA 34982

603 S. MARKET AVENUE, FT. PIERCE FLORIDA
Location Address

Mailing Address (if different from location address)

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE WEST 250 FT OF THE EAST 265 FEET OF THE N ½ OF LOT 13 OF J.I. KELLEM'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECRODED IN PLAT BOOK 3, PAGE 85, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

LESS AND EXCEPTING THE NORTH 12 FEET THEREOF

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

(Corporate Seal)

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized this 8 day of MAY, 2018.

Attest:

Secretary

Brandy's Products, Inc.

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
Dawn Horvath
Printed Witness Signature

Witness Signature
Jennifer E Cagas
Printed Witness Signature

Maryanne Palino, President (Signature)

Printed Signature

603 S. Market Avenue, Ft. Pierce, Florida 34982
Address

STATE OF Florida
COUNTY OF St Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Maryanne Palino, know to me to be the President of Brandy's Products, Inc., the corporation in whose name the foregoing instrument was executed, and that she severally acknowledged executing the same for such corporation, freely and voluntarily, under authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath (was not) taken.

RUBBER STAMP NOTARY SEAL

DONNA M. HILL
MY COMMISSION # GG 099038
EXPIRES: April 30, 2021
Bonded Thru Notary Public Underwriters

Witness my hand and official Seal in the County and State last aforesaid this 5 day of May A.D. 2018.

Donna M Hill
Notary Signature

Donna M Hill
Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 601 South Market Avenue

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 601 South Market Avenue

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. k.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation -1720, 1760, 1840, 1998 Copenhaver Road - Ordinance No. 21-056, 21-057, 21-058, 21-059

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

---

SUBJECT:

Legislative Hearing - Ordinance No. 21-056 - This is a voluntary annexation of a parcel of land located at 1720 Copenhaver Road in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-057 - This is a voluntary annexation of a parcel of land located at 1760 Copenhaver Road in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-058 - This is a voluntary annexation of a parcel of land located at 1840 Copenhaver Road in Fort Pierce, Florida. FIRST READING

Legislative Hearing - Ordinance No. 21-059 - This is a voluntary annexation of a parcel of land located at 1998 Copenhaver Road in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 2 Dwelling Units/Acre (RS-2). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcels is Low Density Residential (RL), with a zoning classification of Residential Single-Family — Two Units Per Acre (E-2).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Dre, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a
Fiscal Year: n/a
Account: n/a
Amount: n/a
OTHER INFORMATION:
Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Ordinance
Ordinance
Ordinance
Public Notification Certification
Public Notification Certification
Public Notification Certification
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:50 PM

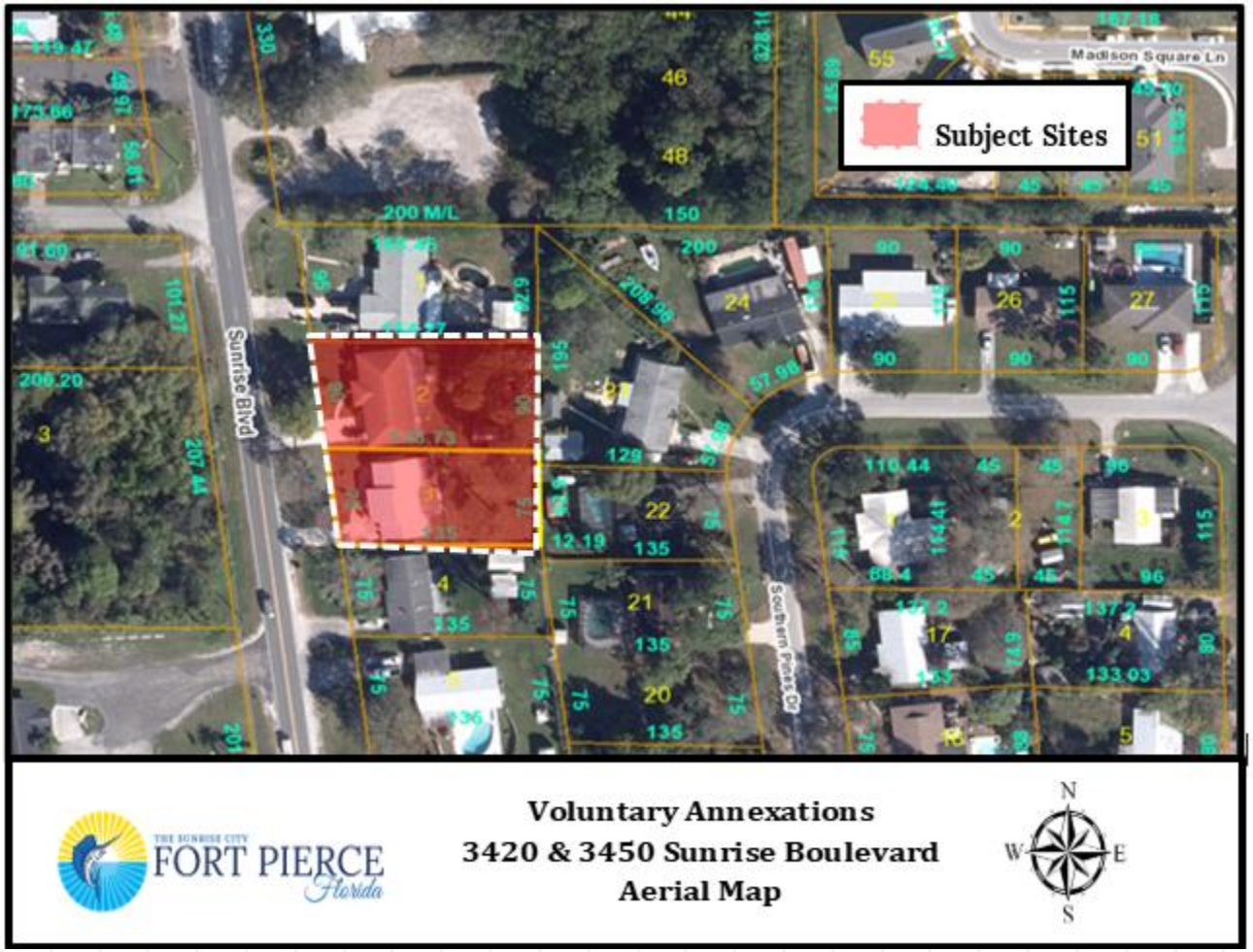
Form Started By: Jennifer Hofmeister
Started On: 11/04/2021 10:24 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

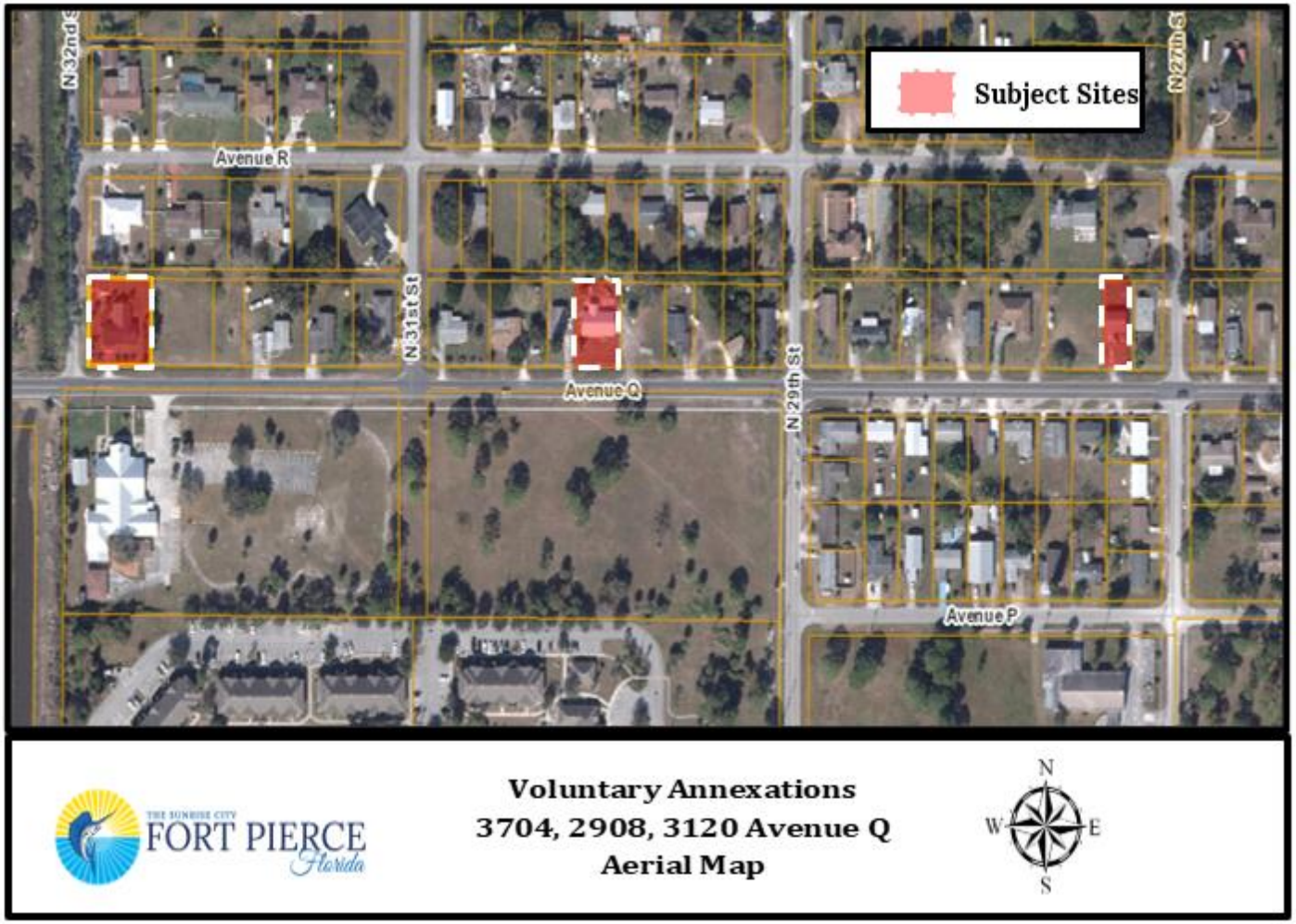
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



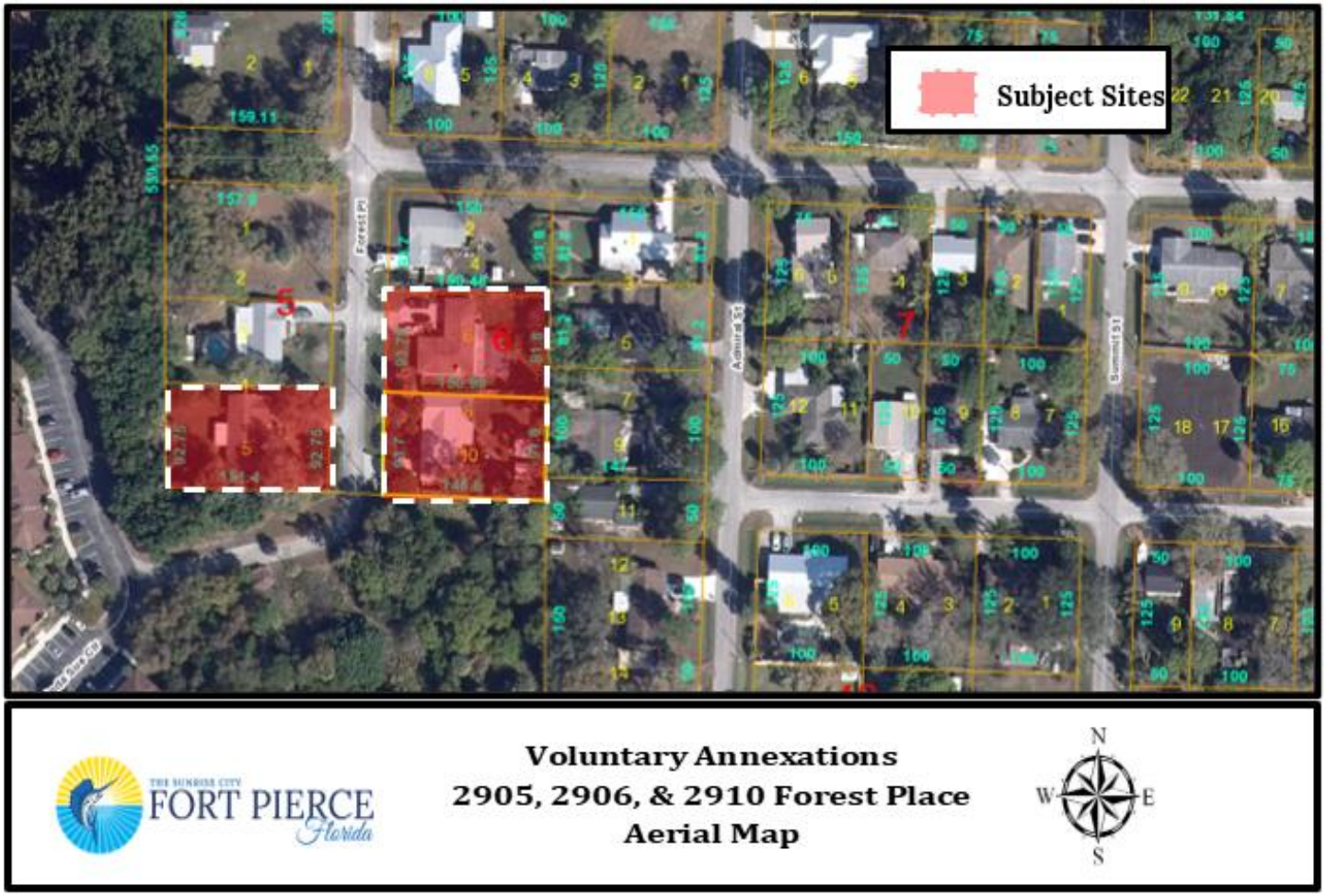
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



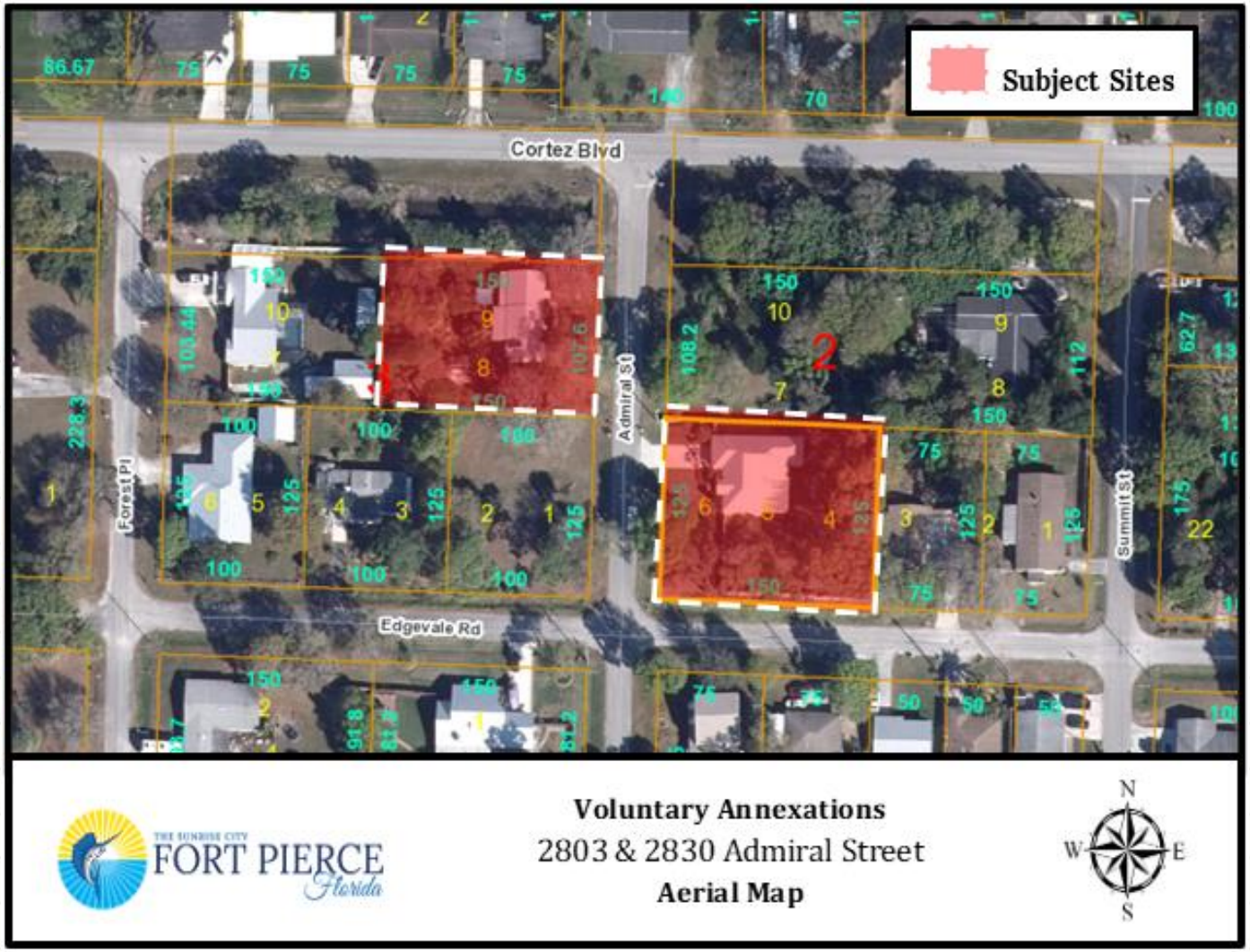
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



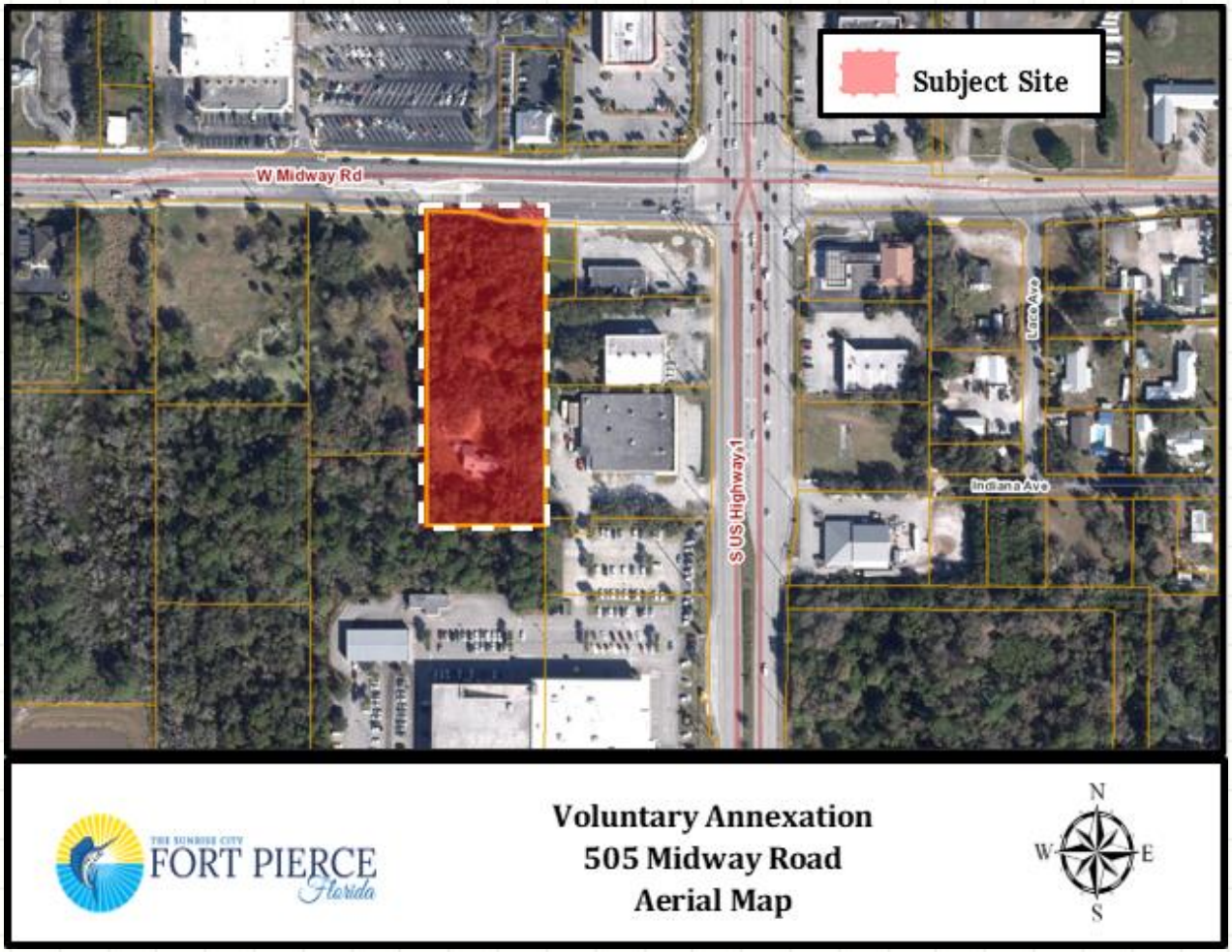
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



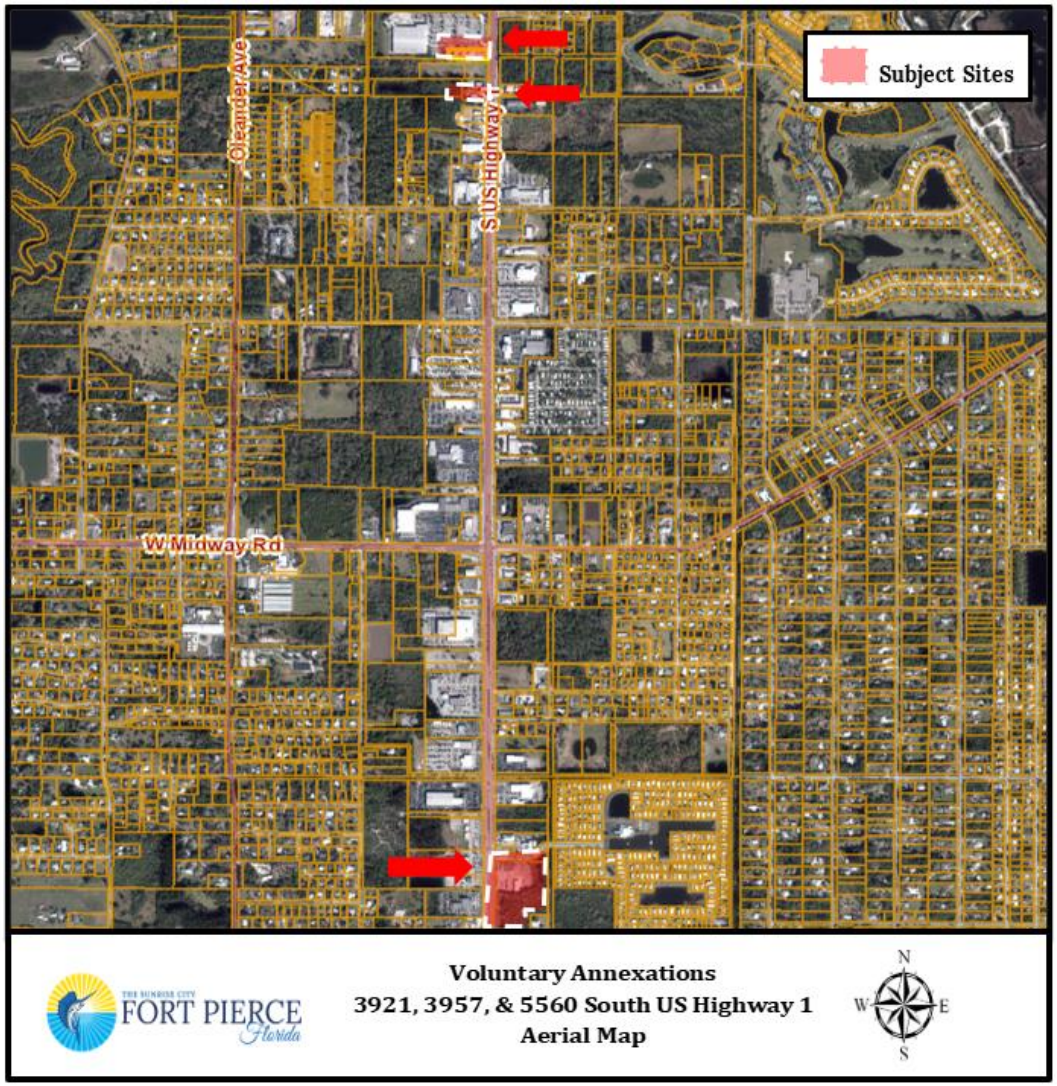
Annexation 13:

Ordinance No. 21-048



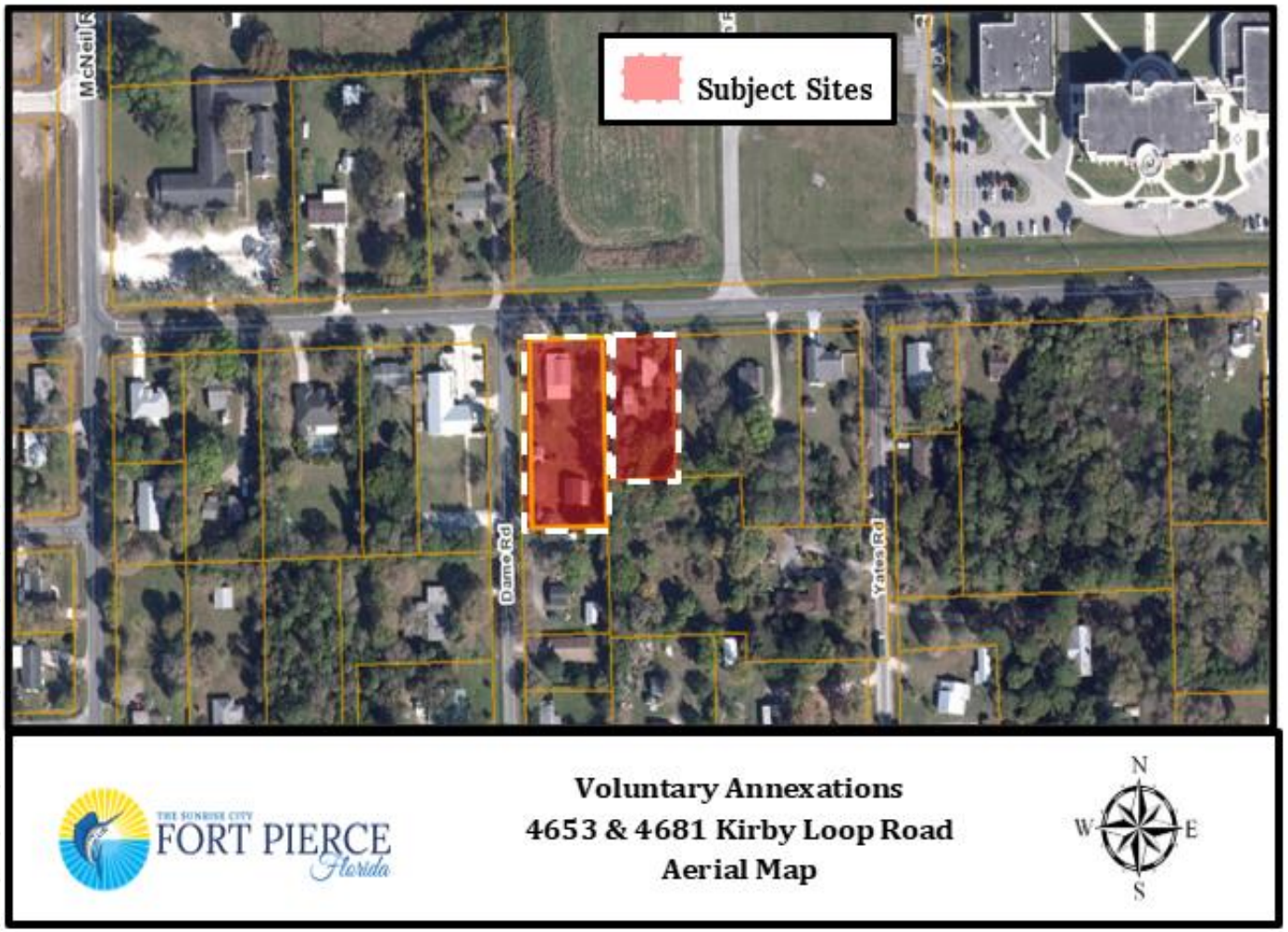
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



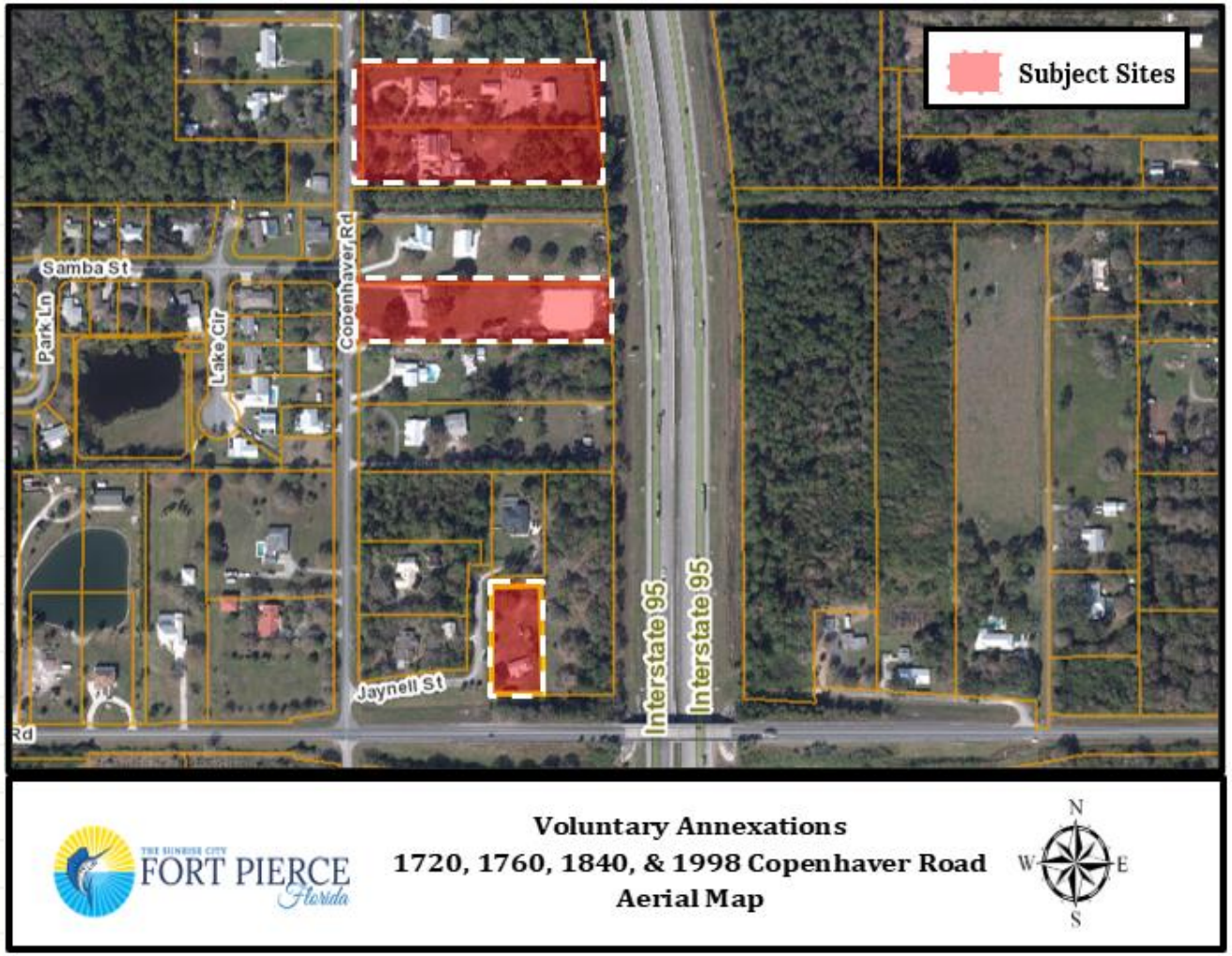
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



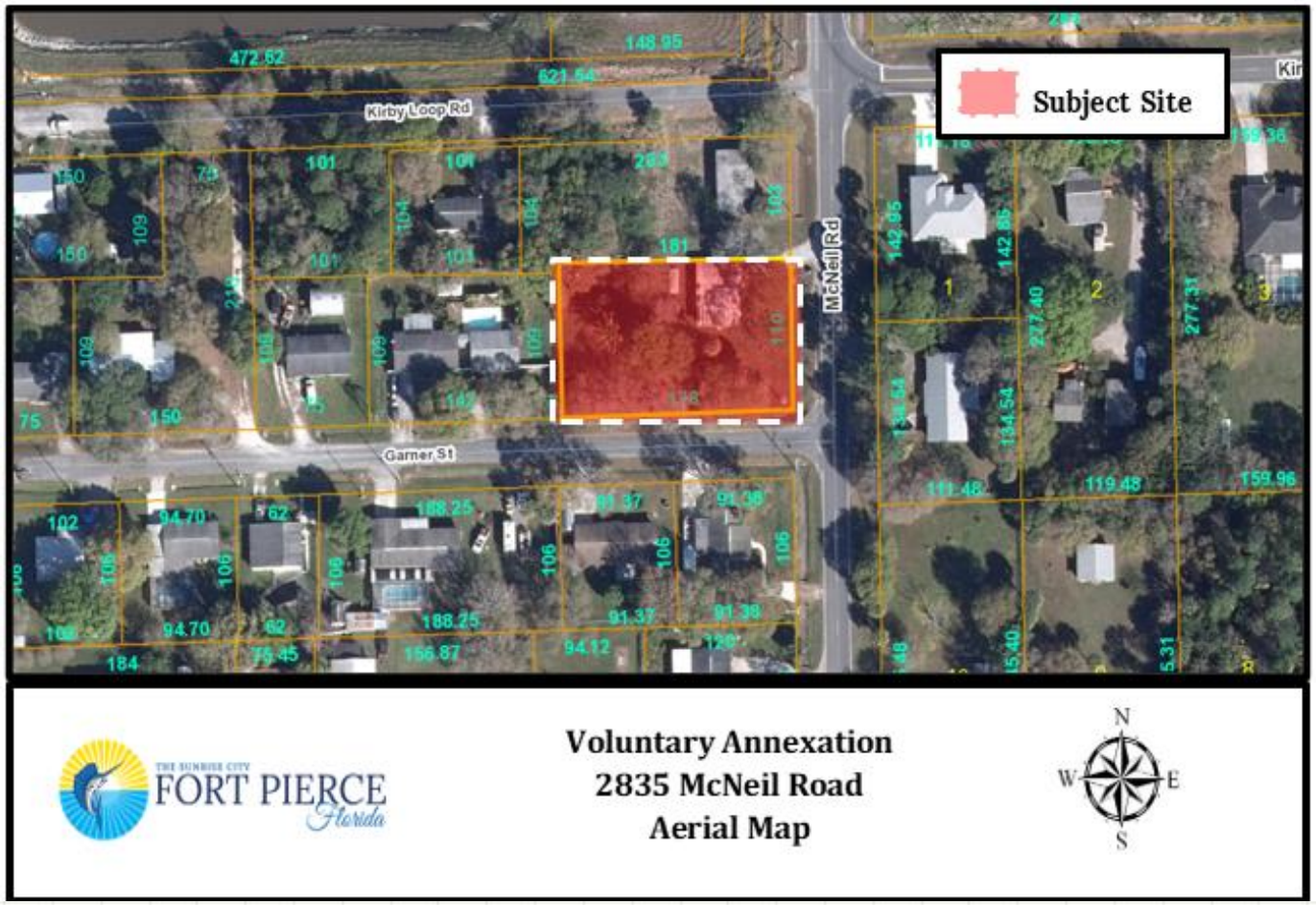
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



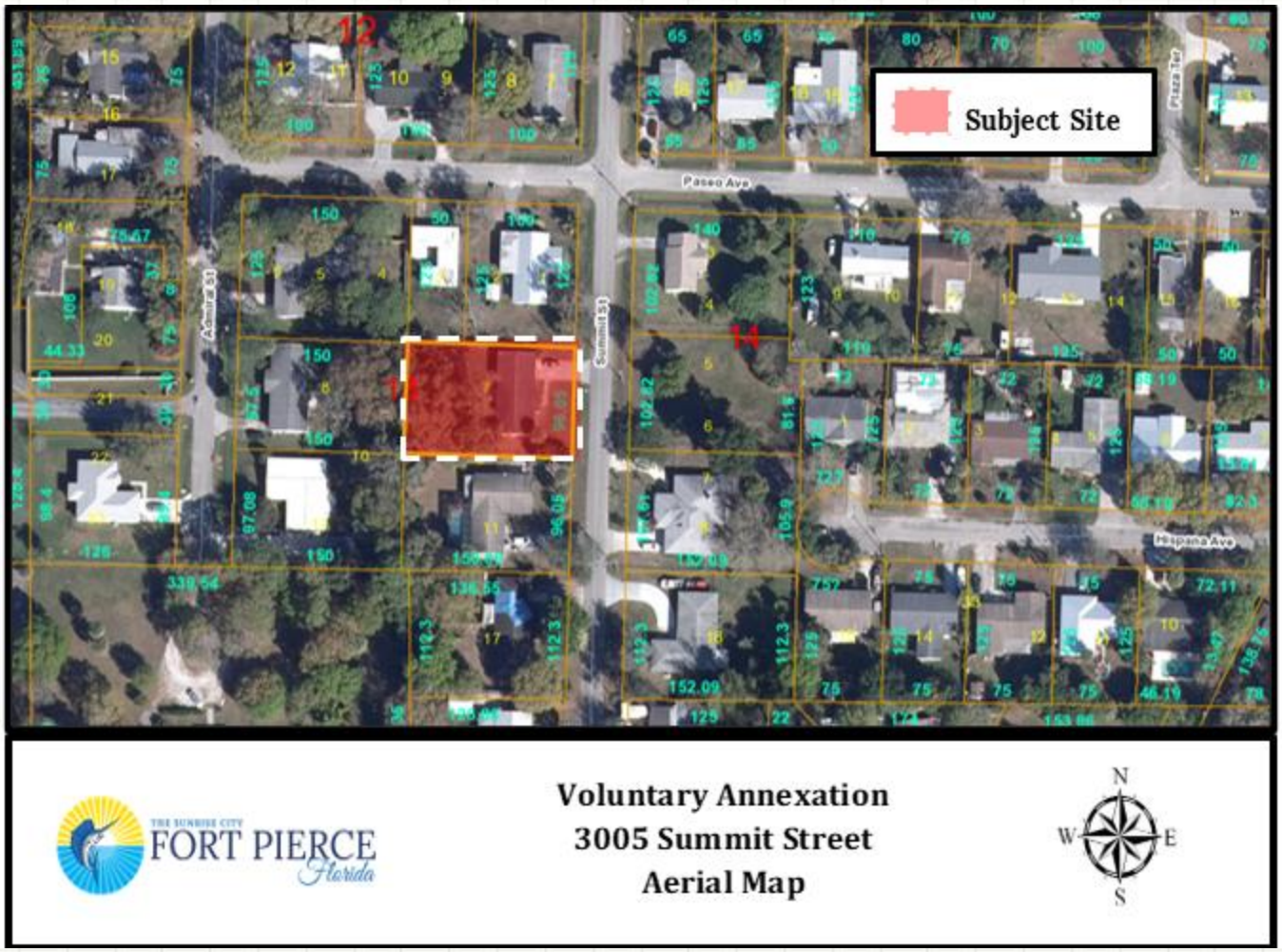
Annexation 25:

Ordinance No. 21-060



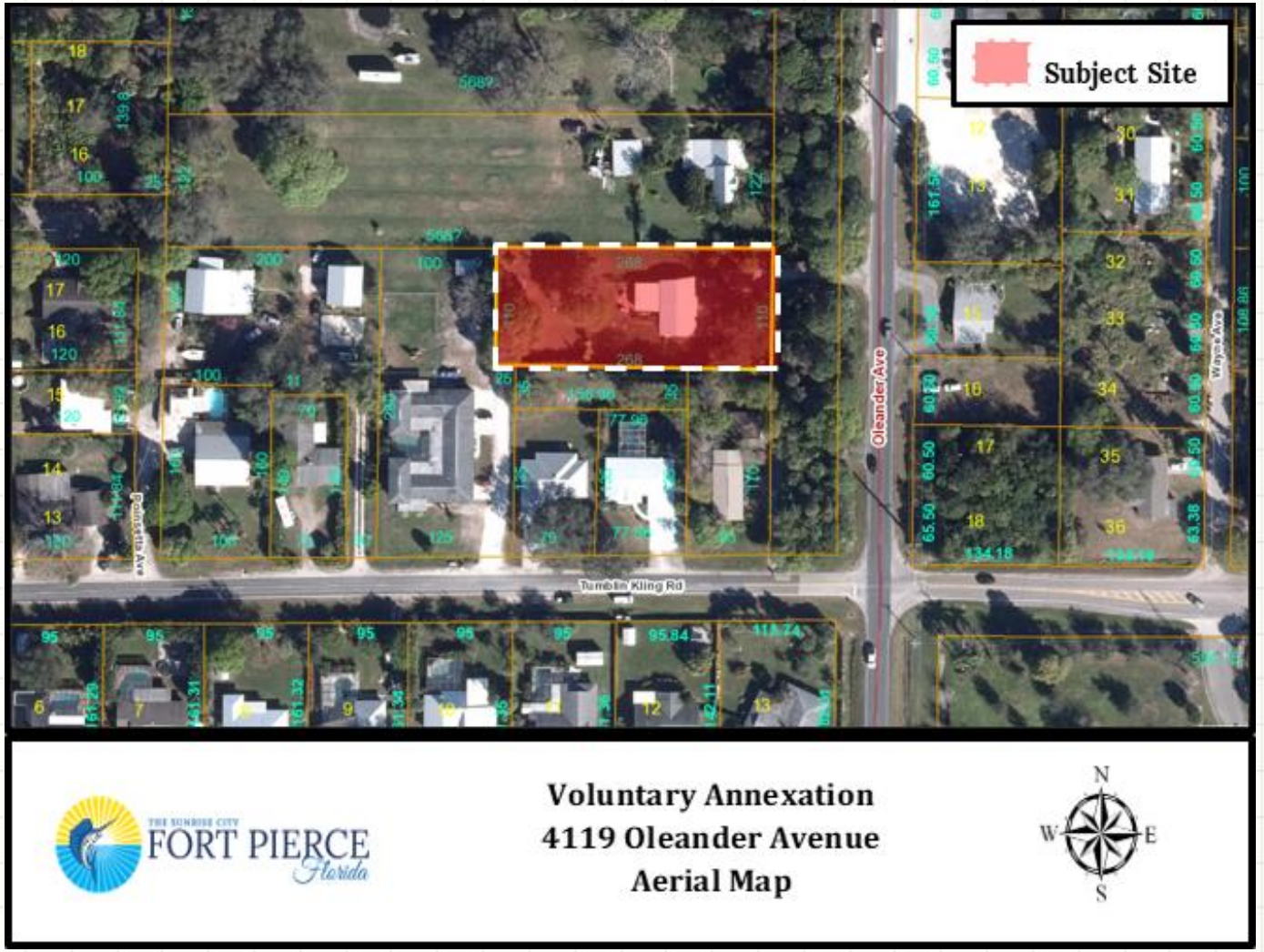
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Applications for Voluntary Annexation** **1720, 1760, 1840, and 1998 Copenhaver Road**
MEETING DATE:	November 15, 2021

STAFF REPORT

Property Owners/ Applicants	Jaclyn K Souza (TR) Devin T Wheaton (TR) 1720 Copenhaver Road Fort Pierce, FL 34945 James Trefelner Rachel Trefelner 1760 Copenhaver Road Fort Pierce, FL 34945 Nicolas Macias 1840 Copenhaver Road Fort Pierce, FL 34945 Richard Revels 1998 Copenhaver Road Fort Pierce, FL 34945
Requested Action:	Approval of four (4) Voluntary Applications for Annexation
Site Locations:	1720, 1760, 1840, and 1998 Copenhaver Road in Fort Pierce, Florida
Parcel IDs:	2313-133-0001-000-3, 2313-133-0002-000-0, 2313-422-0002-000-7, and 2313-423-0005-000-1
Parcel Sizes:	2.07, 2.07, 2.23, and 0.77 acres

Current Future Land Use: Residential Urban 5 du/ac (RU) (SLC)

Current Zoning: Residential Single Family, 2 Dwelling Units/Acre (RS-2) (SLC)

Proposed Future Land Use: Low Density Residential (RL) (FP)

Proposed Zoning: Residential Single-Family — Two Units Per Acre (E-2) (FP)

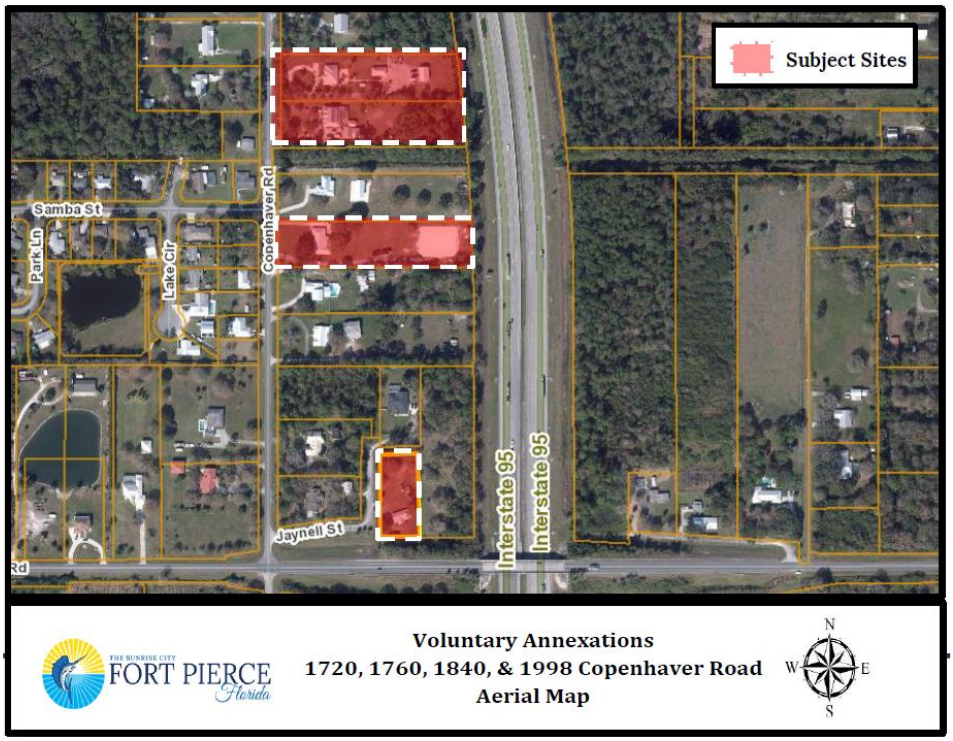
Utilities: FPUA

	North	East	South	West
Surrounding FLU:	RL (FP) / RU (SLC)	Interstate 95	RL (FP) / RU (SLC)	RL (FP) / RU (SLC)
Surrounding Zoning:	E-2 (FP) / RS-2 (SLC)	Interstate 95	R-1 & E-2 (FP) / RS-2 (SLC)	R-1 & E-2 (FP) / RS-2 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of four (4) parcels located at 1720, 1760, 1840, and 1998 Copenhaver Road in Fort Pierce, Florida. The parcel IDs are 2313-133-0001-000-3, 2313-133-0002-000-0, 2313-422-0002-000-7, and 2313-423-0005-000-1.



The subject properties have a St. Lucie County Future Land Use designation of Residential Urban 5 du/ac (RU) and a zoning designation of Residential Single Family, 2 Dwelling Units/Acre (RS-2). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcels is Low Density Residential (RL), with a zoning classification of Residential Single-Family — Two Units Per Acre (E-2).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the properties are located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexations are also consistent with Chapter 171.044, F.S., whereas the properties are contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of an enclave.

The current taxable values of the properties are $205,157, $221,453, $187,884, and $9,316. Should the Applications for Annexation be approved, they could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently each of the properties has a single-family home.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The properties are within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject properties are in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. These parcels abut properties that are within the City limits. The annexation of these properties would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services. Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with

the current County designations of RU and RS-2, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of RL and E-2, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 7, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and have no objections regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed four (4) annexations at 1720, 1760, 1840, and 1998 Copenhaver Road, along with the associated Future Land Use designation of RL and the Zoning designation of E-2.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-056

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1720 COPENHAVER ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2313-133-0001-000-3

3 35 39 N 152.98 FT OF S 343.93FT OF THAT PART OF S 1/2 OF SW 1/4 OF NE 1/4 LYG WLY OF W R/W I-95-LESS W 25 FT- (2.07 AC)

Said property containing 2.07 acres, more or less, and being generally located at 1720 Copenhaver Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned E-2, Residential Single Family two units per acre, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

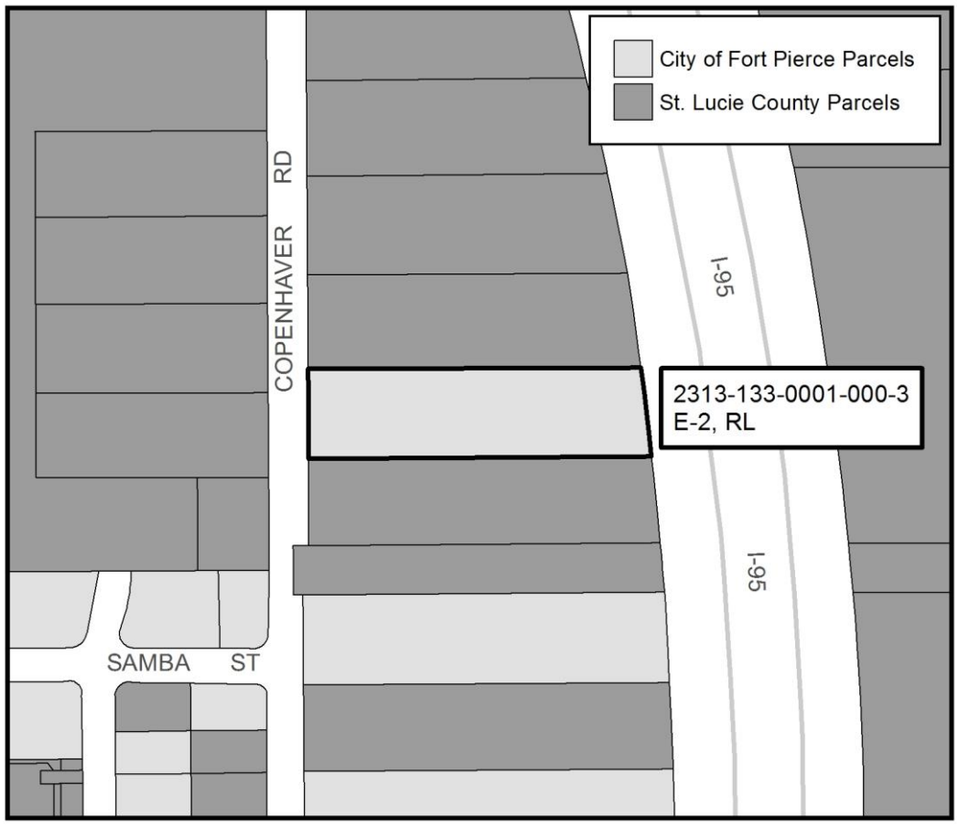
EXHIBIT A
Annexed Area & Legal Description



3 35 39 N 152.98 FT OF S 343.93FT OF THAT PART OF S 1/2 OF SW 1/4 OF NE 1/4 LYG WLY OF W R/W I-95-LESS W 25 FT- (2.07 AC)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-2, Residential Single Family (2 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of E-2, Residential Single Family two units per acre and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3637687 OR BOOK 3331 PAGE 2487, Recorded 10/14/2011 at 09:52 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2313-133-0001-000-3	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1720 COPENHAVER ROAD, FORT PIERCE, FL 34945 Location Address 1720 COPENHAVER ROAD, FORT PIERCE, FL 34945 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE NORTH 152.98 FEET OF THE SOUTH 301.43 FEET OF THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, LYING WEST OF INTERSTATE HIGHWAY NO. 95.

LESS AND EXCEPTING RIGHT-OF-WAY FOR PUBLIC ROADS AND DRAINAGE CANALS. BEING GEOMETRICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ¼ OF SAID SECTION 13, THENCE NORTH 89 DEGREES 56 MINUTES 21 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 13, A DISTANCE OF 2649.30 FEET TO THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD; THENCE NORTH 00 DEGREES 02 MINUTES 11 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD PARALLEL WITH AND 25.00 FEET EAST OF THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 13, A DISTANCE OF 42.50 FEET TO THE NORTH RIGHT-OF-WAY ON N S L R W M D CANAL NO. 36 AND THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 02 MINUTES 11 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD PARALLEL WITH AND 25 FEET EAST OF THE WEST LINE OF THE NORTHEAST1/4 OF SAID SECTION 13, A DISTANCE OF 628.26 FEET TO THE NORTH LINE OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 13; THENCE SOUTH 89 DEGREES 58 MINUTES 35 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 13, A DISTANCE OF 520.44 FEET TO A POINT OR CURVE HAVING A RADIUS OF 5567.58 FEET, A CHORD BEARING OF SOUTH 08 DEGREES 32 MINUTES 45 SECONDS EAST AND BEING THE WESTERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY NO. 95; THENCE SOUTHEASTERLY ALONG SAID CURVE, BEING THE WESTERLY RIGHT-OF-WAY OF INTERSTATE NO. 95, CONCAVE TO THE SOUTHWEST THROUGH A CENTRAL ANGLE OF 06 DEGREES 32 MINUTES 46 SECONDS AN ARC DISTANCE OF 636.11 FEET TO THE NORTH RIGHT-OF-WAY OF N S L R W M D CANAL NO. 36; THENCE NORTH 89 DEGREES 58 MINUTES 21SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY OF N S L R W M D CANAL NO. 36 A DISTANCE OF 814.52 FEET TO THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD AND THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR, JACLYN K. SOUZA. THE GRANTOR, RANDY BOWERS, RESIDES AT 2860 S. BROCKSMITH ROAD, FORT PIERCE, FL 34945.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 12th day of September, 2011.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Anne-Marie Ludlum
Printed Witness Signature

Witness Signature
Gregory E. Buderus
Printed Witness Signature

Signature
Jacklyn K. Souza, a single adult
Printed Signature
1720 Copenhaver Road
Address
Fort Pierce, FL 34945
City, State, Zip

Signature
Randy Bowers
Printed Signature
2860 S. Brocksmith Road
Address
Fort Pierce, FL 34945
City, State, Zip

N:\Forms\FPUA\Annexation Agreements\Annexation Agreement - Individual 8.DOCX Revised 7/9/04 per atty.

EXHIBIT C (Cont.)

Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 3331 PAGE 2488

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Jaclyn K. Souza and Randy Bowers, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 12th day of September, A.D. 2011.
ANNE-MARIE LUDLUM MY COMMISSION # DD945558 EXPIRES: January 27, 2014 Fl. Notary Discount Assoc. Co. 1-800-3-NOTARY	Notary Signature Anne-Marie Ludlum Notary Printed Signature

N:\Forms\FPUA\Annexation Agreements\Annexation Agreement - Individual S.docx

Revised 7/8/04 per atty.

ORDINANCE NO. 21-057

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1760 COPENHAVER ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2313-133-0002-000-0

13 35 39 N 148.45 FT OF S 190.95 FT OF THAT PART OF S 1/2 OF SW 1/4 OF NE 1/4 LYG WLY OF W R/W I-95- LESS W 25 FT- (2.07 AC) (OR 1724-772 : 2075-2648 : 2150-2670)

Said property containing 2.07 acres, more or less, and being generally located at 1760 Copenhaver Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned E-2, Residential Single Family two units per acre, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS

_____

Tanya Earley
Interim City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

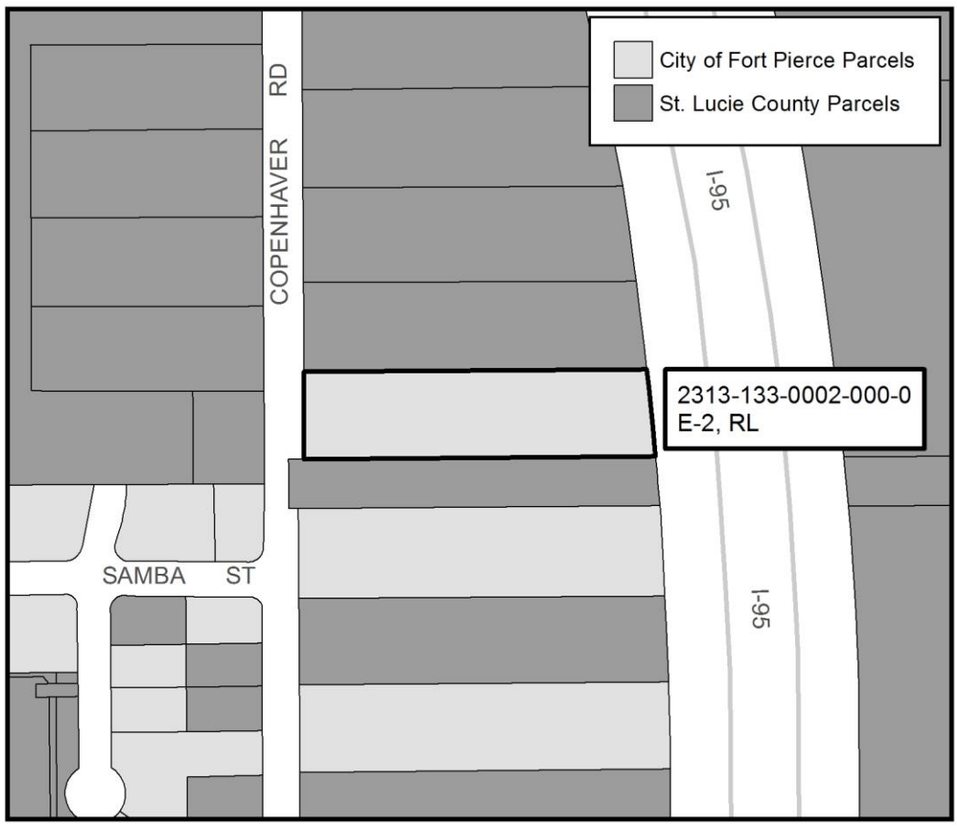
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



13 35 39 N 148.45 FT OF S 190.95 FT OF THAT PART OF S 1/2 OF SW 1/4 OF NE 1/4 LYG WLY OF W R/W I-95- LESS W 25 FT- (2.07 AC) (OR 1724-772 : 2075-2648 : 2150-2670)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-2, Residential Single Family (2 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of E-2, Residential Single Family two units per acre and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3529071 OR BOOK 3241 PAGE 2972, Recorded 11/02/2010 at 03:53 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX

This instrument prepared by:
R. N. Koblegard, III, Esquire
200 S. Indian River Drive, Suite 201
Fort Pierce, FL 34950

Property Appraisers Parcel Identification (Folio) Number(s):
2313-133-0002-000-0

ANNEXATION AGREEMENT
INDIVIDUAL

TO: WATER/WASTEWATER ENGINEERING
FORT PIERCE UTILITIES AUTHORITY
POST OFFICE BOX 3191
FORT PIERCE, FLORIDA 34948-3191

1760 COPENHAVER ROAD, FORT PIERCE, FL 34945
Location Address

1760 COPENHAVER ROAD, FORT PIERCE, FL 34945
Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE SOUTH 148.85 FEET OF THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, LYING WEST OF INTERSTATE HIGHWAY NO. 95, LESS AND EXCEPTING RIGHTS-OF-WAY FOR PUBLIC ROADS AND DRAINAGE CANALS. BEING GEOMETRICALLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ¼ OF SAID SECTION 13, THENCE NORTH 89 DEGREES 56 MINUTES 21 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 13, A DISTANCE OF 2649.30 FEET OF THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD; THENCE NORTH 00 DEGREES 02 MINUTES 11 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD PARALLEL WITH AND 25.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 13, A DISTANCE OF 42.50 FEET TO THE NORTH RIGHT-OF-WAY OF N.S.L.R.W.M.D. CANAL NO. 36 AND THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 02 MINUTES 11 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD PARALLEL WITH AND 25.00 FEET EAST OF THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 13; A DISTANCE OF 628.26 FEET TO THE NORTH LINE OF THE SOUTH ½ OF THE SOUTHWEST OF THE NORTHEAST ¼ OF SAID SECTION 13; THENCE SOUTH 89 DEGREES 58 MINUTES 35 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 13, A DISTANCE OF 520.44 FEET TO A POINT ON A CURVE HAVING A RADIUS OF 5567.58 FEET, A CHORD BEARING OF SOUTH 08 DEGREES 32 MINUTES 45 SECOND EAST AND BEING THE WESTERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY NO. 95, THENCE SOUTHEASTERLY ALONG SAID CURVE, BEING THE WESTERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY NO. 95, CONCAVE TO THE SOUTHWEST THROUGH A CENTRAL ANGLE OF 06 DEGREES 32 MINUTES 46 SECONDS, AN ARC DISTANCE OF 636.11 FEET TO THE NORTH RIGHT-OF-WAY OF N.S.L.R.W.M.D. CANAL NO. 36; THENCE NORTH 89 DEGREES 56 MINUTES 21 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY OF N.S.L.R.W.M.D. CANAL NO. 36 A DISTANCE OF 614.52 FEET TO THE EAST RIGHT-OF-WAY OF COPENHAVER ROAD AND THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY IS/ THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 1ST day of NOVEMBER 2010.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Susan M. Burban
Printed Witness Signature

Witness Signature
Rosalie Lavertu
Printed Witness Signature

Signature
James Trefelner
Printed Signature
1760 Copenhaver Road
Address
Fort Pierce, FL 34945
City, State, Zip

Signature
Rachel Trefelner, his wife
Printed Signature
1760 Copenhaver Road
Address
Fort Pierce, FL 34945
City, State, Zip

N:\Forms\FPUA\Annexation Agreements\Annexaton Agreement - Individual.docx

Revised 7/9/04 per atty.

EXHIBIT C (Cont.)
Fort Pierce Utilities Authority Annexation Agreement

OR BOOK 3241 PAGE 2973

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared James Trefelner and Rachel Trefelner known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 1ST day of NOVEMBER, A.D. 2010.
ROSALIE LAVERTU MY COMMISSION # DD643930 EXPIRES May 21 2011 FloridaNotaryService.com	Notary Signature Rosalie Lavertu Notary Printed Signature

ORDINANCE NO. 21-058

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1840 COPENHAVER ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2313-422-0002-000-7

13 35 39 N 152.51 FT OF S 473.51FT OF NW 1/4 OF NW 1/4 OF SE 1/4-LESS RD R/W AND LESS I-95 R/W AS IN OR 247-2204- (2.23 AC) (OR 4073-1616)

Said property containing 2.23 acres, more or less, and being generally located at 1840 Copenhaver Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned E-2, Residential Single Family two units per acre, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-058 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

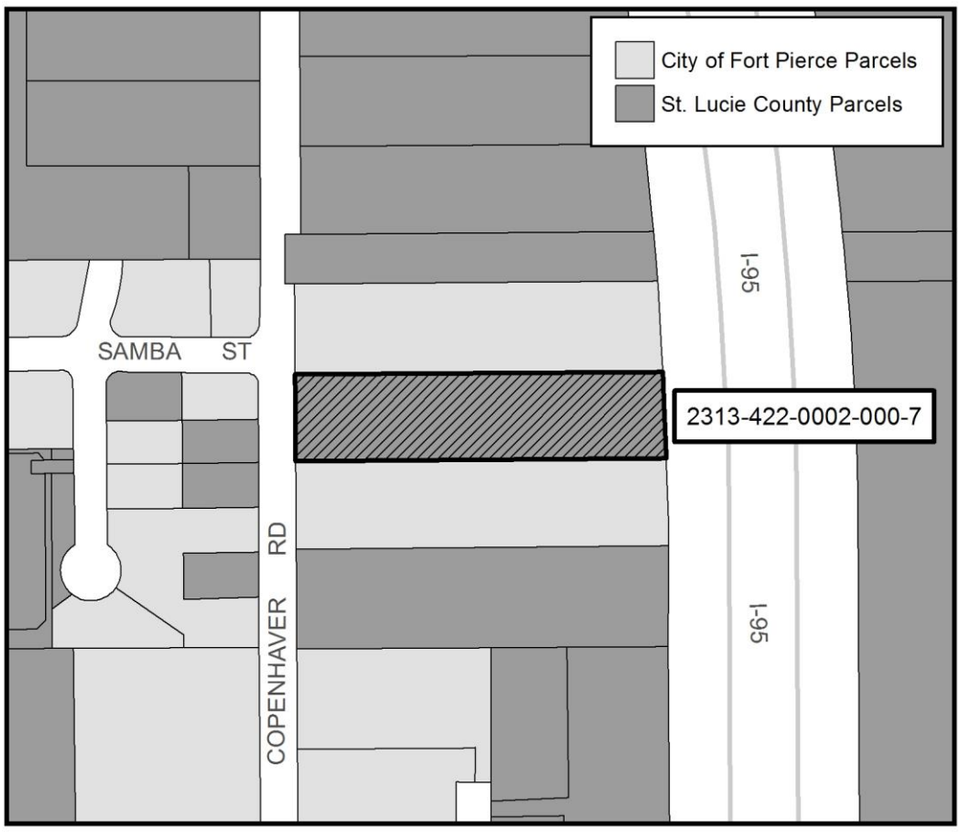
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

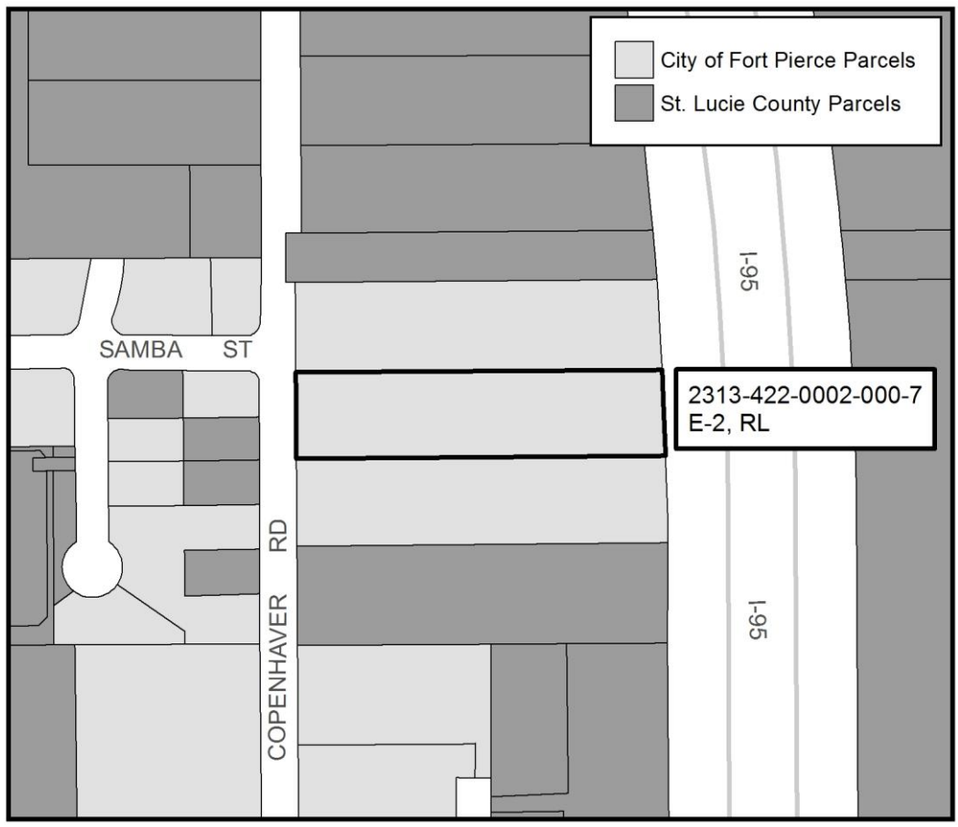
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



13 35 39 N 152.51 FT OF S 473.51FT OF NW 1/4 OF NW 1/4 OF SE 1/4-LESS RD R/W AND LESS I-95 R/W AS IN OR 247-2204- (2.23 AC) (OR 4073-1616)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-2, Residential Single Family (2 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of E-2, Residential Single Family two units per acre and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4154785 OR BOOK 3831 PAGE 2113, Recorded 01/29/2016 at 08:54 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2313-422-0002-000-7	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1840 COPENHAVER ROAD, FORT PIERCE, FLORIDA 34945 Location Address P. O. Box 15099, FORT PIERCE, FLORIDA 34979 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

The South 473.51 feet of the Northwest ¼ of the Northwest ¼ of the Southeast ¼ of Section 13, Township 35 South, Range 39 East, in St. Lucie County, Florida, less and excepting therefrom the South 321 feet, and less road right of way filed in Deed Book 156, Page 99 and less I-95 right of way filed in Official Records Book 247, Page 220, St. Lucie County, Florida, public records.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 22nd day of December, 2015.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Amy Sheehan
Printed Witness Signature

Witness Signature

Leah M Hubbard
Printed Witness Signature

Signature
Laine Drawdy, a single adult
Printed Signature
P.O. Box 15099
Address
Fort Pierce, Florida 34979
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Laine Drawdy, a single adult,** in whose name the foregoing instrument was executed, and that who severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 22nd day of December A.D. 2015.
LEAH M. HUBBARD MY COMMISSION #FF042426 EXPIRES May 10. 2016 (407) 398-0153 FloridaNotaryService.com	Notary Signature Leah M. Hubbard Notary Printed Signature

ORDINANCE NO. 21-059

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1998 COPENHAVER ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022 DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2313-423-0005-000-1

13 35 39 E 125 FT OF W 150 FT OFN 269 FT OF S 369 FT OF E 1/2 OFSW 1/4 OF NW 1/4 OF SE 1/4 (0.77AC) (OR 564-2837: 2873-1580)

Said property containing 0.77 acres, more or less, and being generally located at 1998 Copenhaver Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned E-2, Residential Single Family two units per acre, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-___ was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

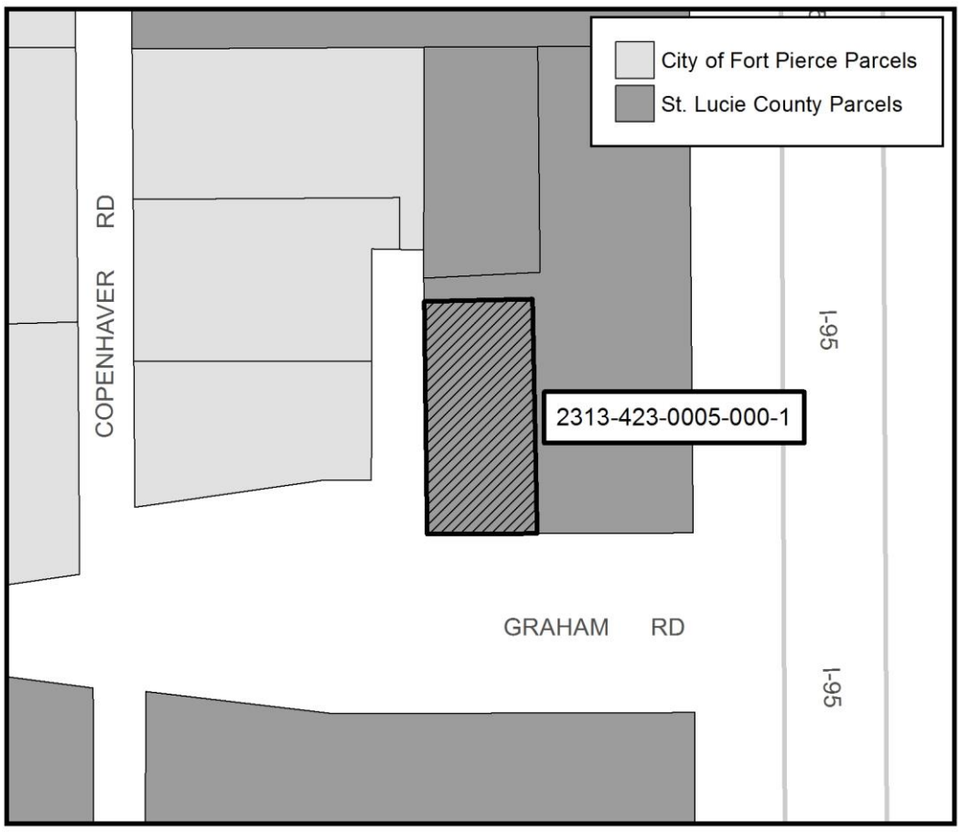
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

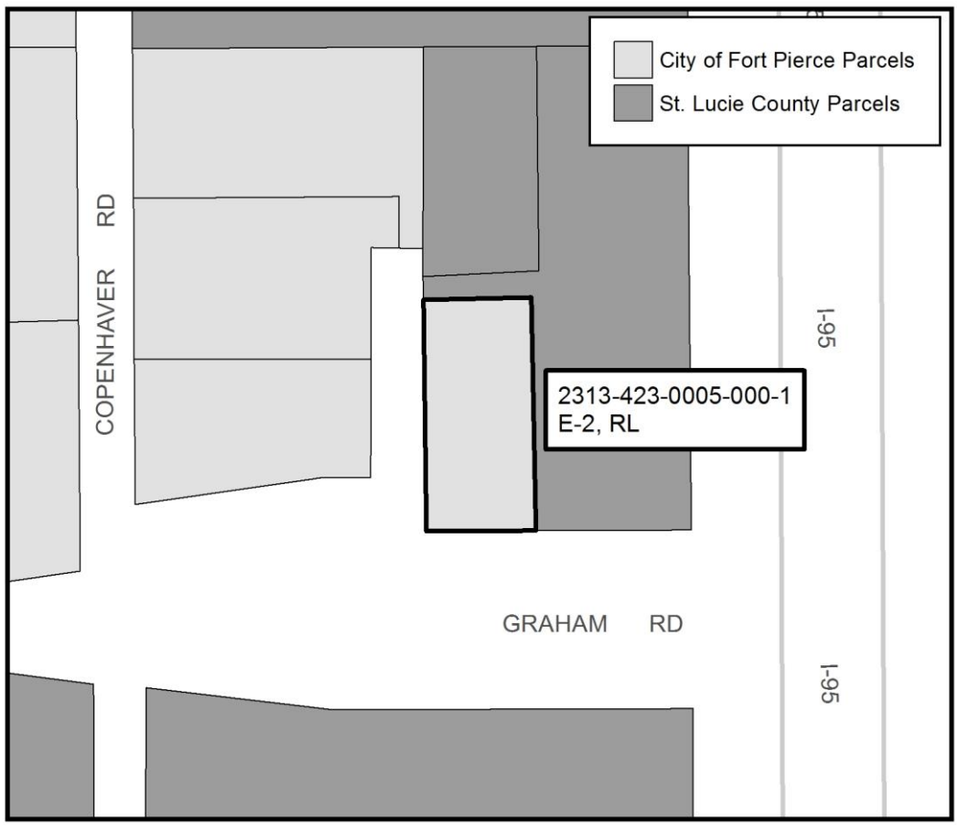
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



13 35 39 E 125 FT OF W 150 FT OFN 269 FT OF S 369 FT OF E 1/2 OFSW 1/4 OF NW 1/4 OF SE 1/4 (0.77AC) (OR 564-2837: 2873-1580)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-2, Residential Single Family (2 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of E-2, Residential Single Family two units per acre and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3213503 OR BOOK 2978 PAGE 2179, Recorded 05/30/2008 at 12:03 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2313-423-0005-000-1	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1998 COPENHAVER ROAD, FORT PIERCE, FL Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to the Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE EAST 125 FEET OF THE WEST 150 FEET OF THE NORTH 269 FEET OF THE SOUTH 369 FEET OF THE EAST ½ OF THE SW ¼ OF THE NW ¼ OF THE SE ¼ OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS ROAD RIGHTS-OF-WAY, ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 22nd day of May, 2008.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Diane B. Sikkema
Witness Signature

Diane B. Sikkema
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Richard Revels
Signature
Richard Revels
Printed Signature
1998 Copenhaver Road
Address
Fort Pierce, FL 34945-3063
City, State, Zip

Signature

Printed Signature

Address

City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared RICHARD REVELS, a single adult, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: Driver's License(s); and that an oath was not taken.

RUBBER STAMP NOTARY SEAL DIANE B. SIKKEMA Commission DD 761938 Expires March 21, 2012 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 22nd day of May A.D. 2008. Diane B Sikkema Notary Signature Diane B. Sikkema Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 1998 Copenhaver Road

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

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THE SUNRISE CITY
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THE SUNRISE CITY
FORT PIERCE
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NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. I.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 2835 McNeil Road - Ordinance No. 21-060

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

---

SUBJECT:

Legislative Hearing - Ordinance No. 21-060 - This is a voluntary annexation of a parcel located at 2835 McNeil Road in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject property has a St. Lucie County Future Land Use designation of Residential Urban (5 dwelling units per acre) (RU) and a zoning designation of Residential Single Family (3 dwelling units per acre) (RS-3). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is Low Density Residential (RL), with a zoning classification of Residential Single Family - Three Units Per Acre (E-3).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N:	n/a
Fiscal Year:	n/a
Account:	n/a
Amount:	n/a

OTHER INFORMATION:

Should the Application for Annexation be approved, it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000

Attachments

staff presentation
staff report
Ordinance
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:51 PM

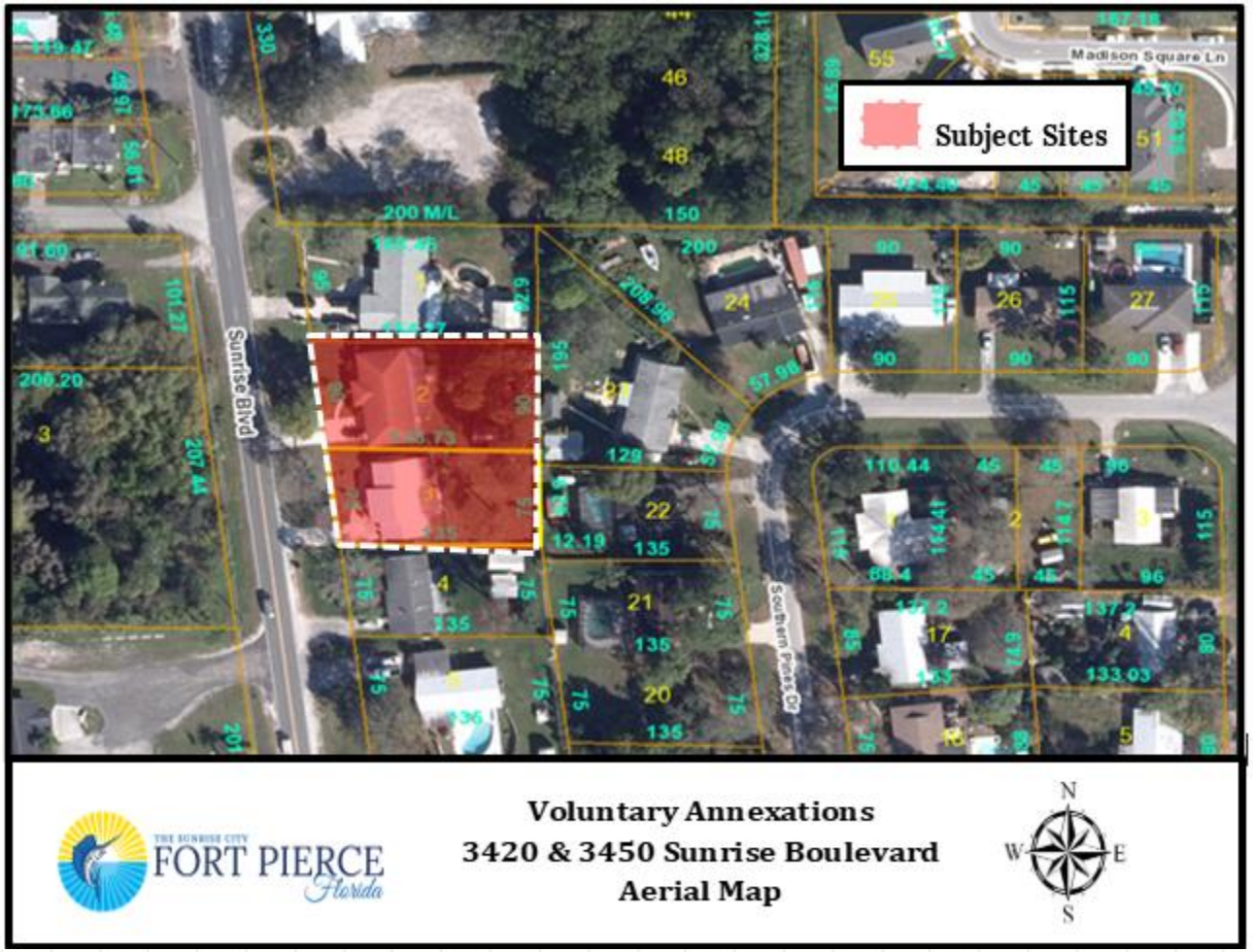
Form Started By: Jennifer Hofmeister
Started On: 11/04/2021 10:39 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

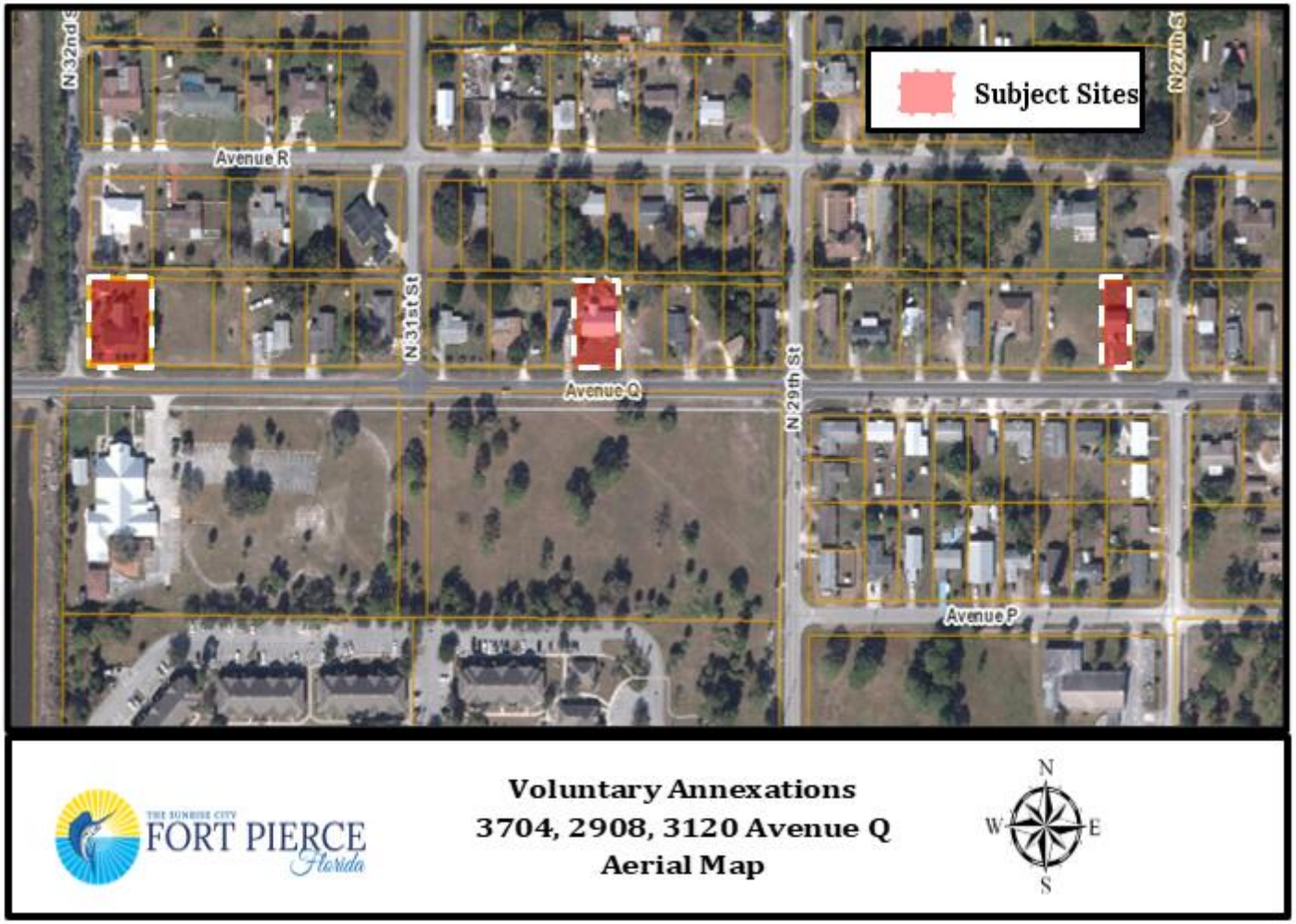
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



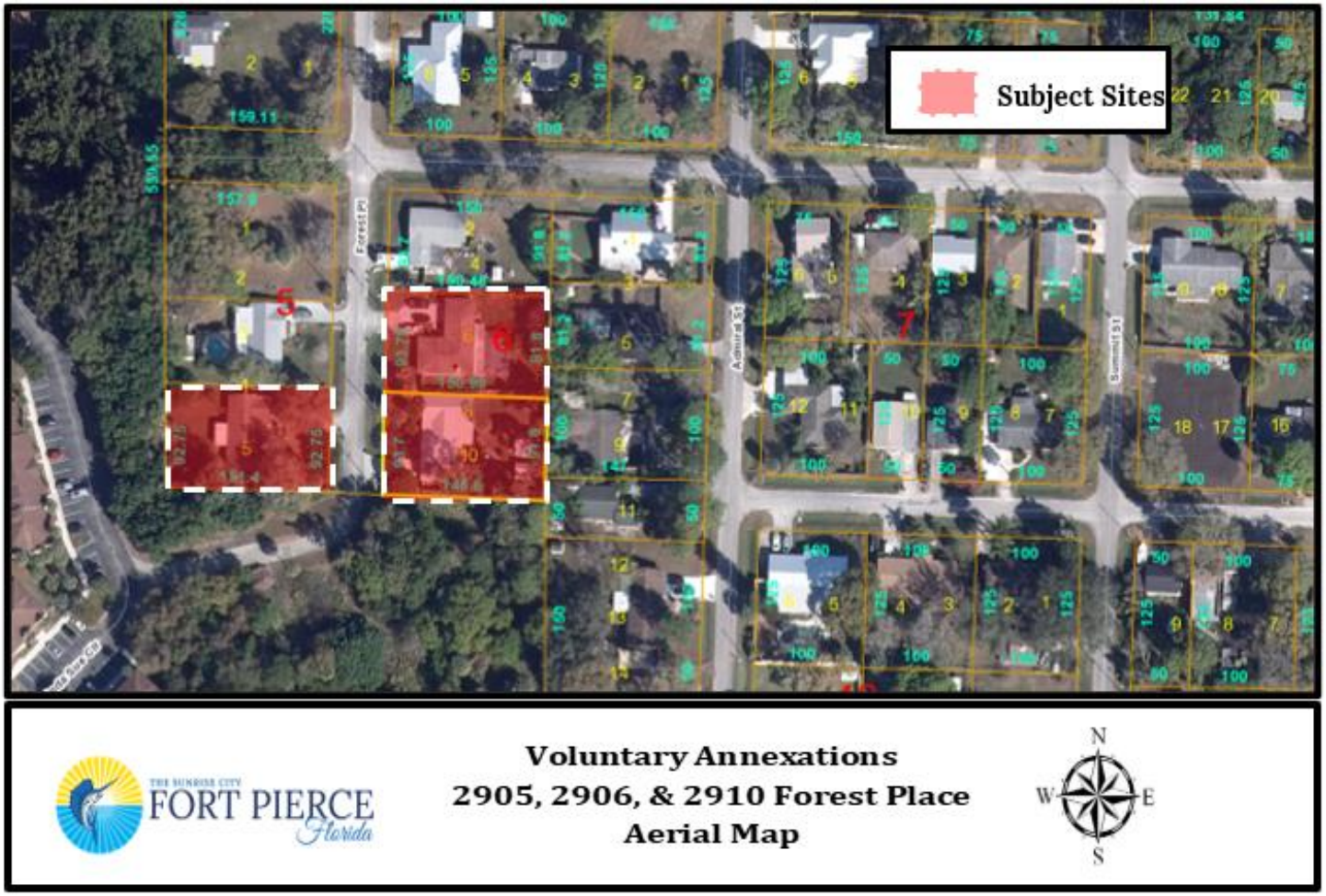
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



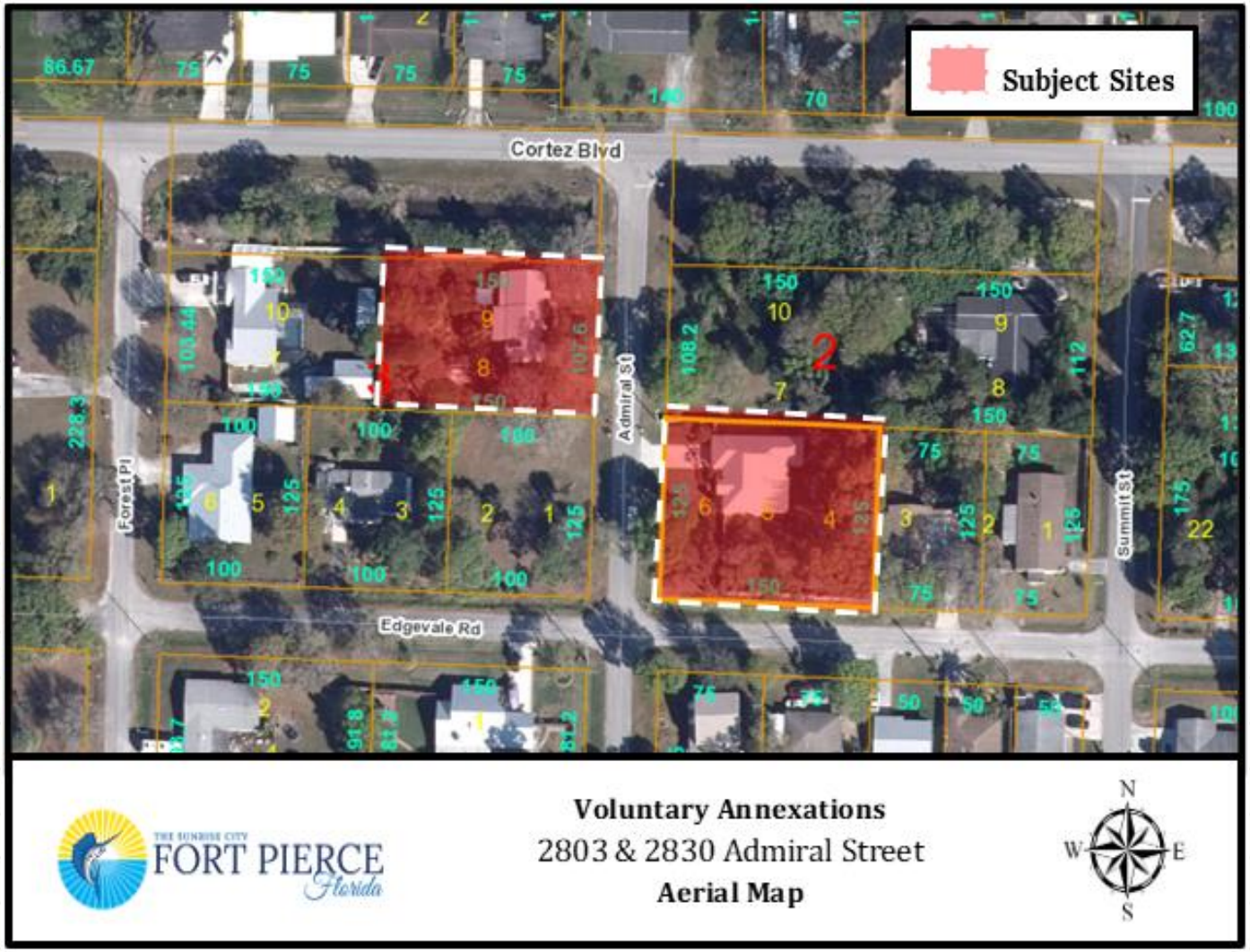
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



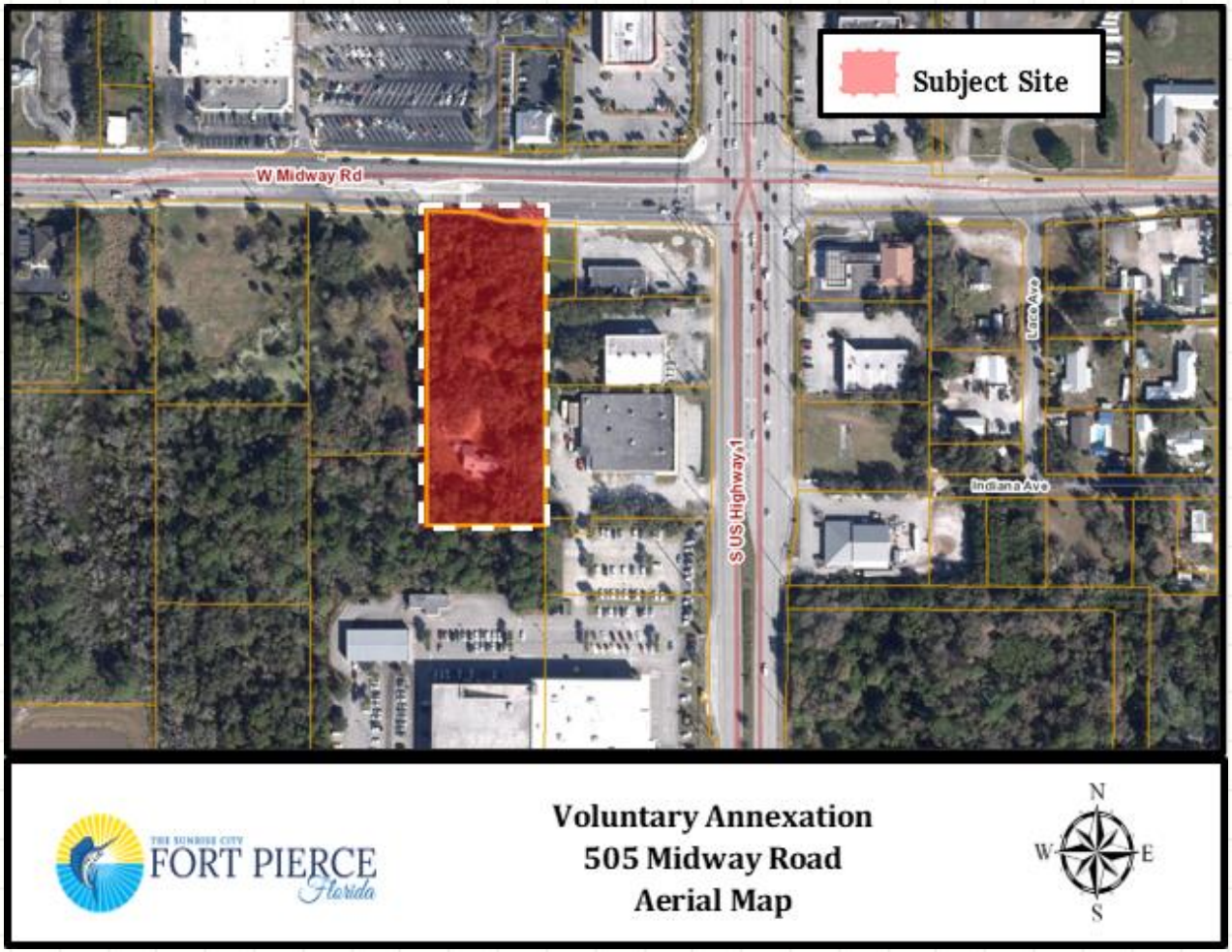
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



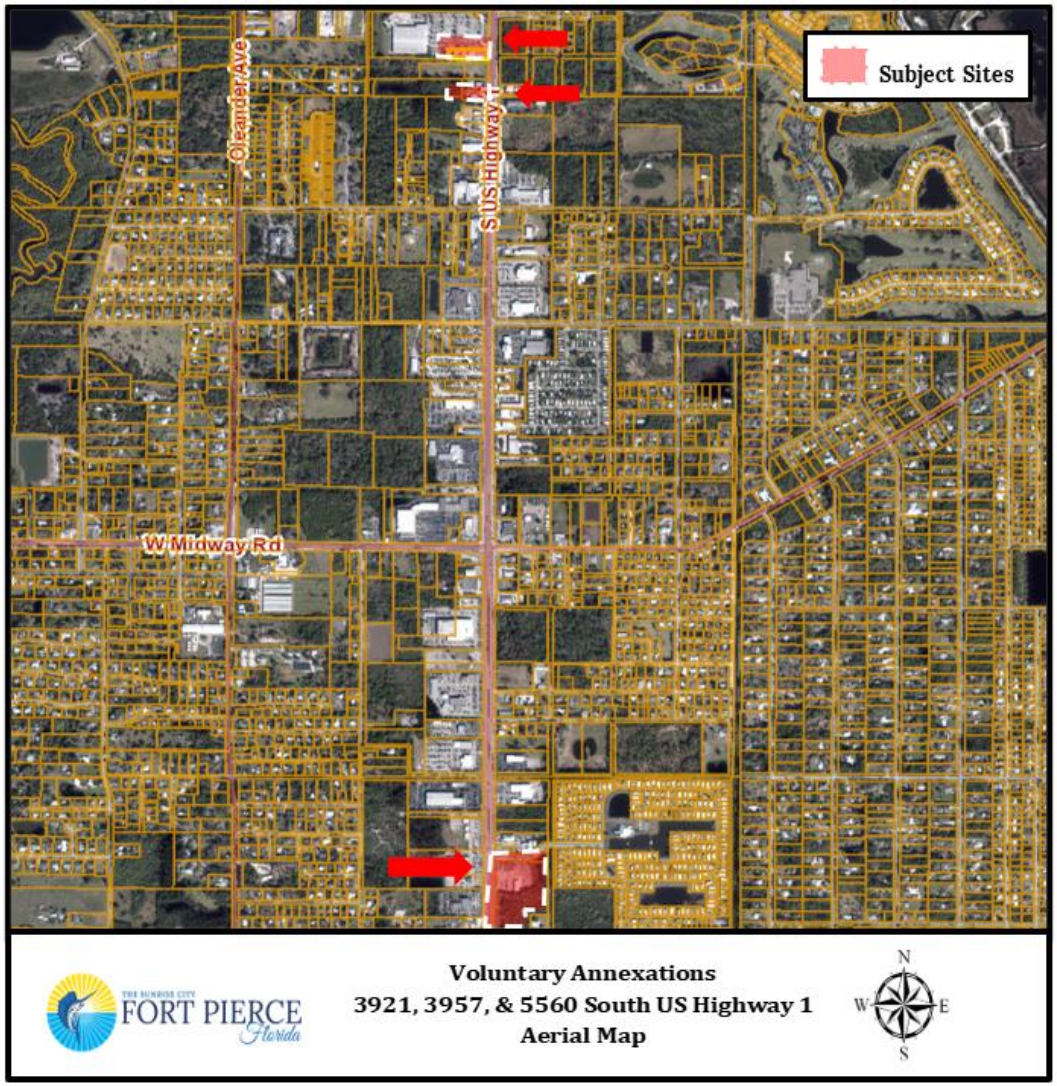
Annexation 13:

Ordinance No. 21-048



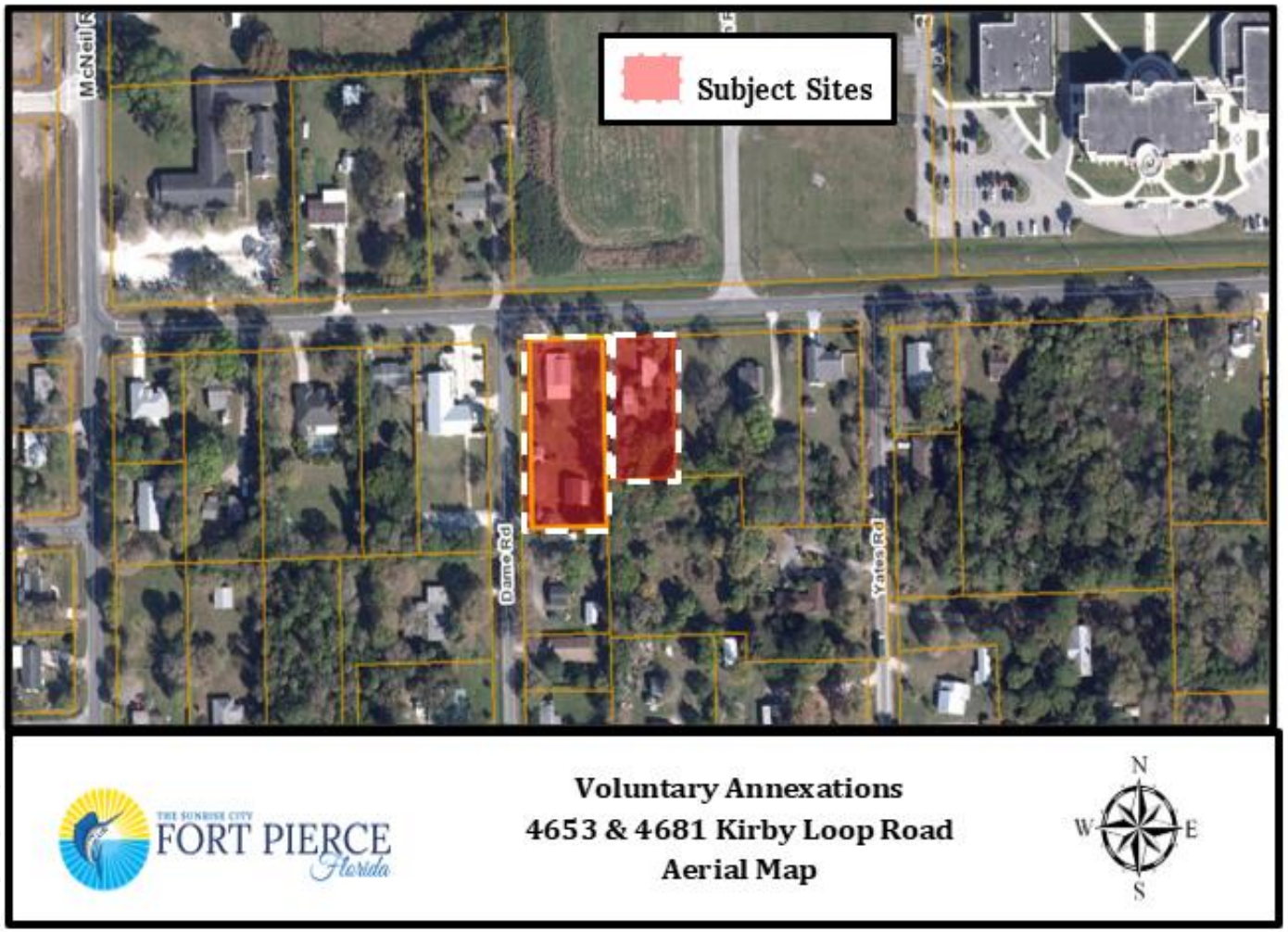
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



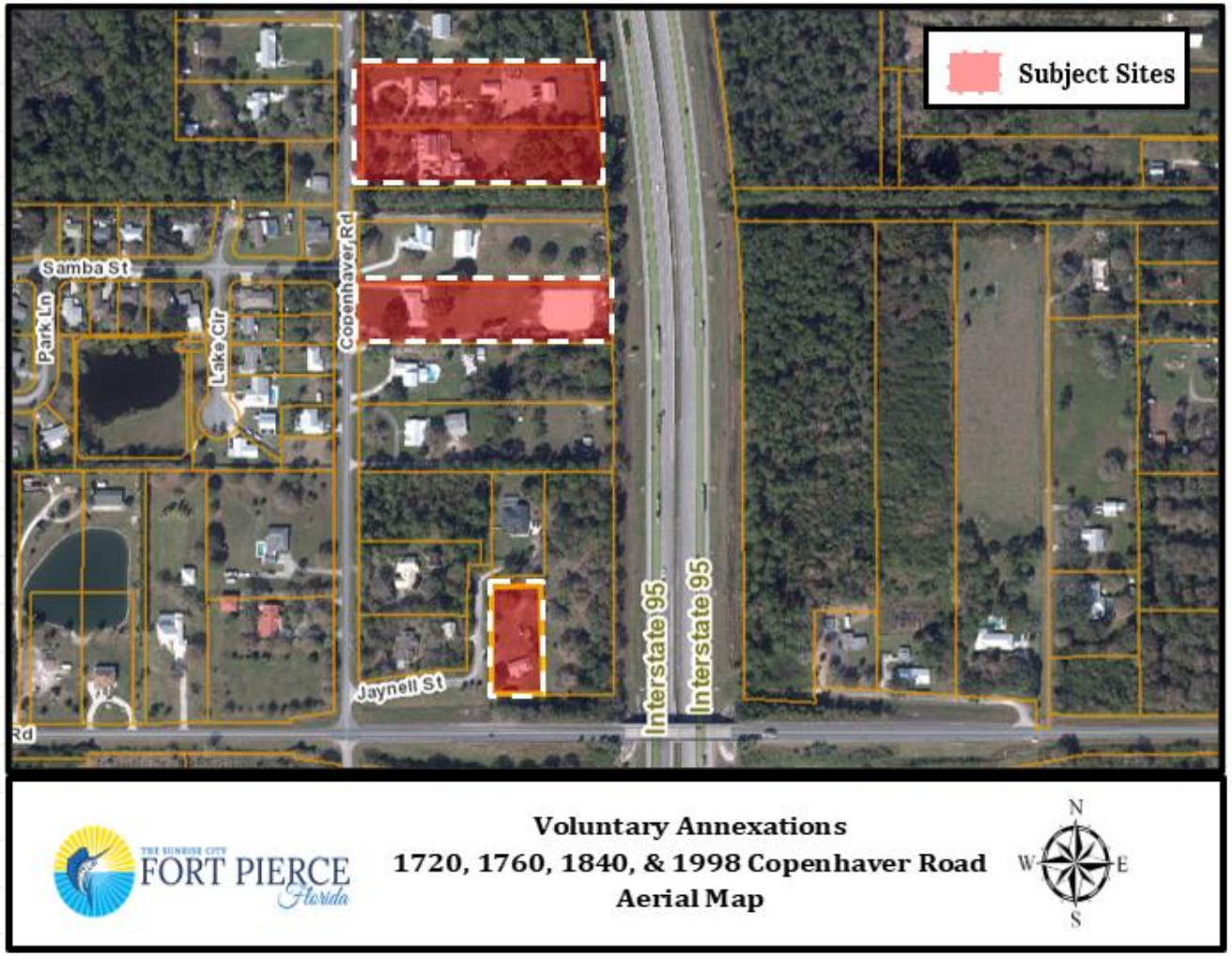
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



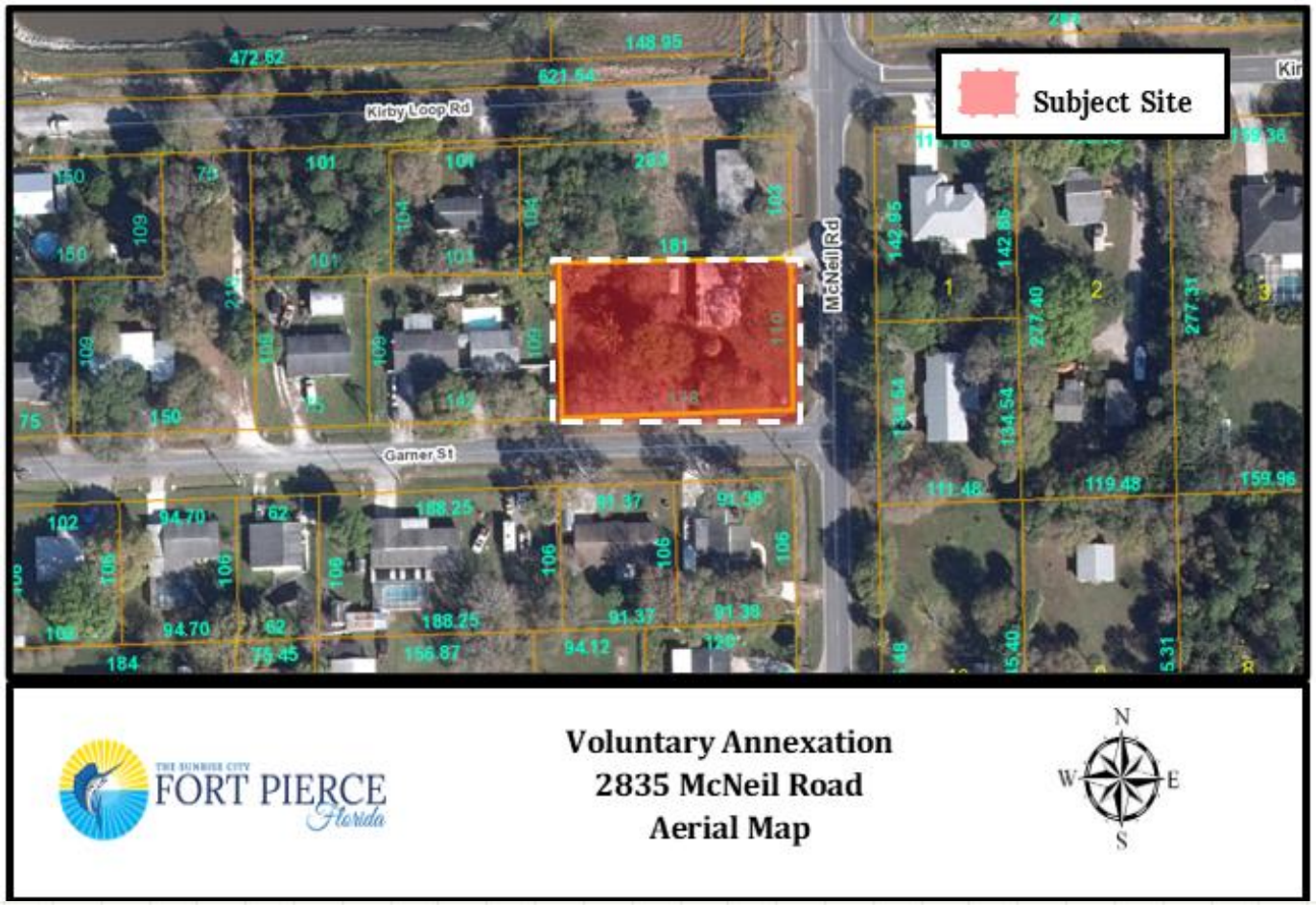
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



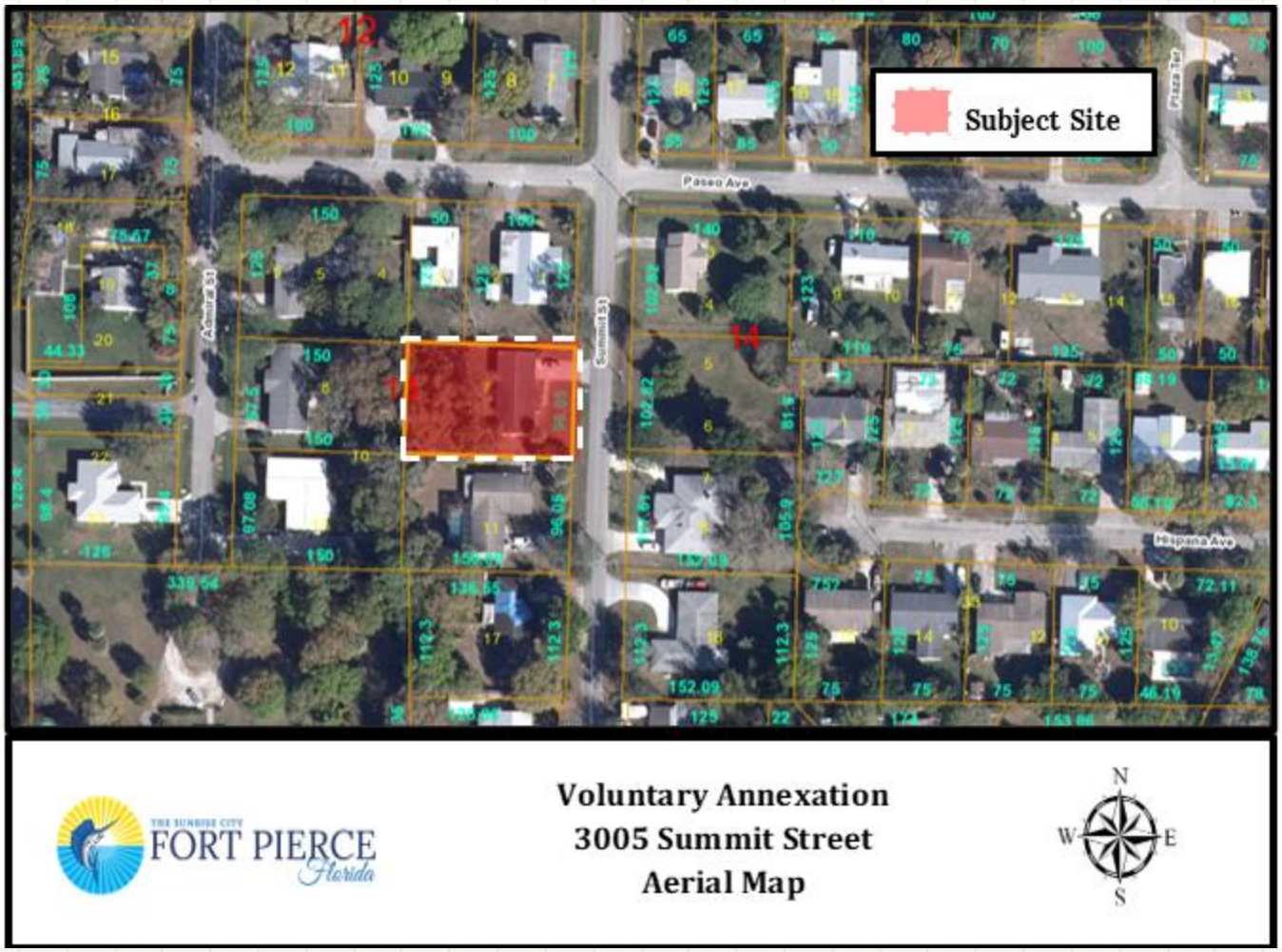
Annexation 25:

Ordinance No. 21-060



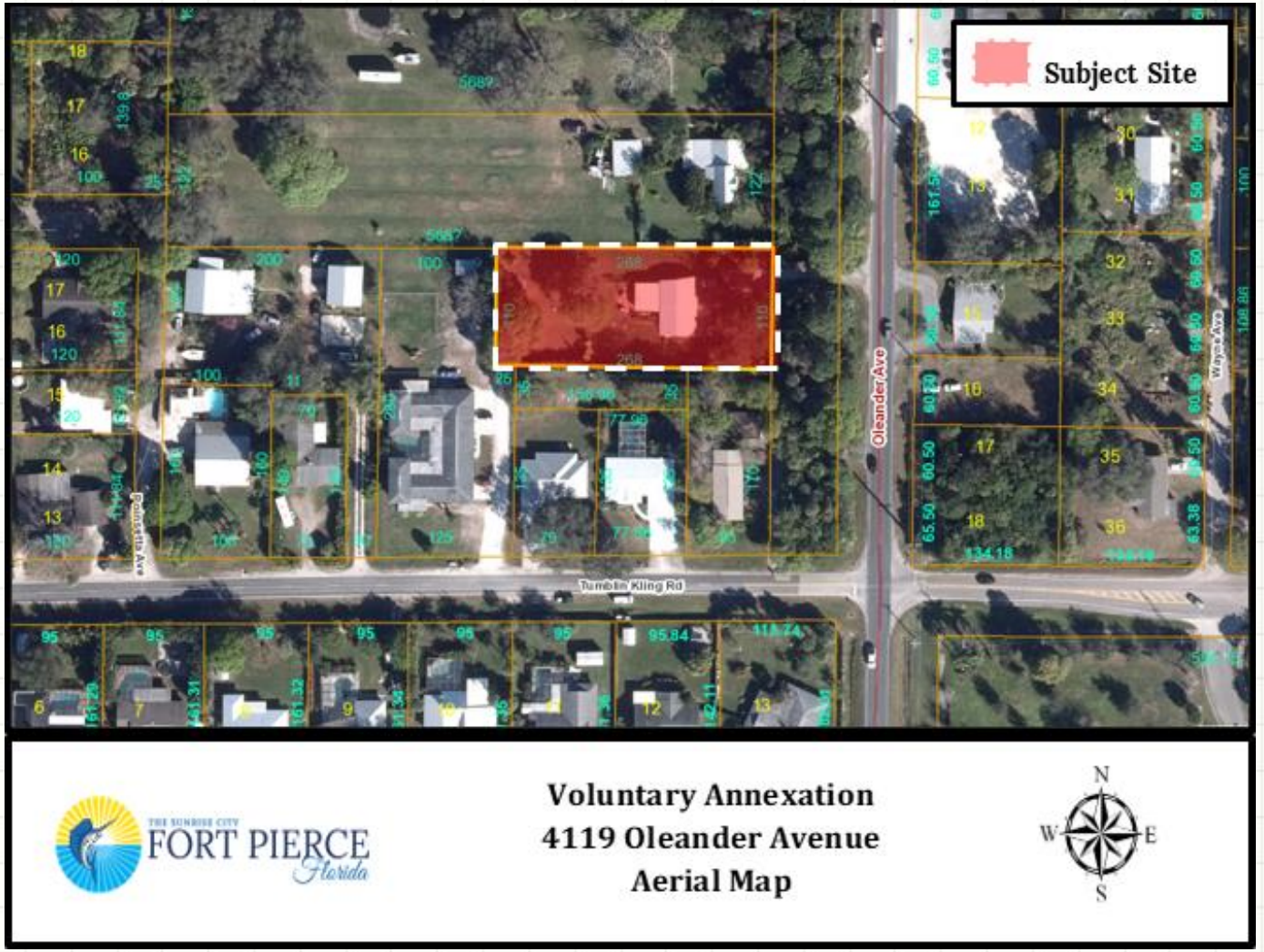
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Application for Voluntary Annexation** **2835 McNeil Road**
MEETING DATE:	November 15, 2021

STAFF REPORT

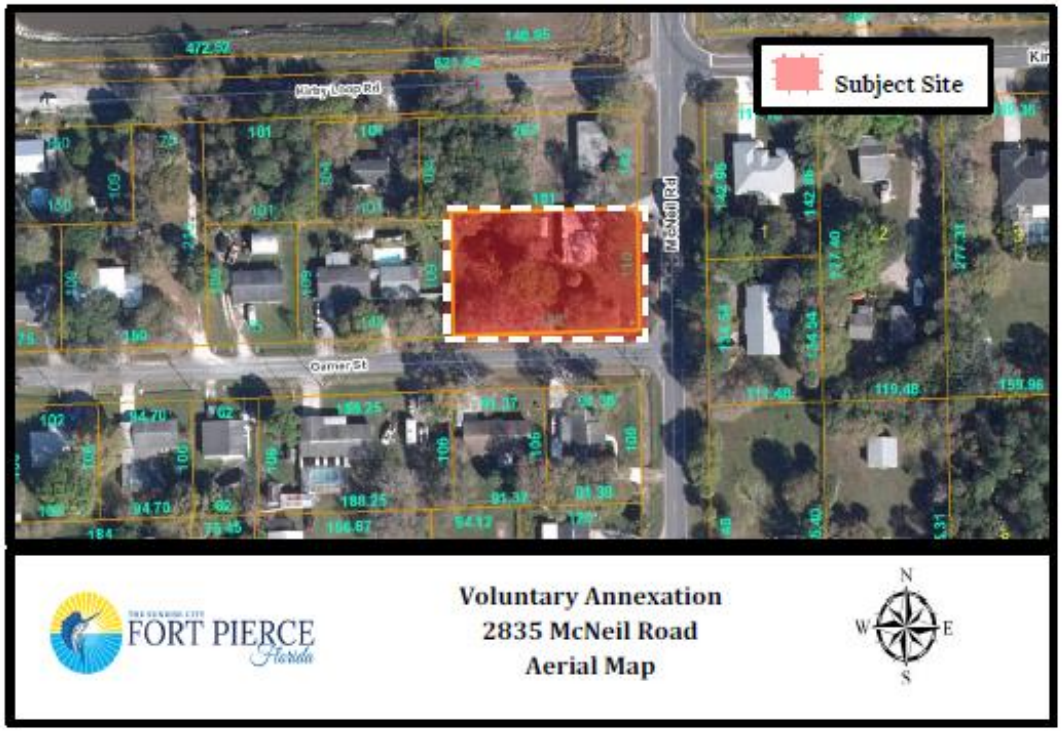
Property Owner/ Applicant	Antonio Chavez Maria I Chavez 2719 Placid Avenue Fort Pierce, FL 34982
Requested Action:	Approval of a Voluntary Application for Annexation
Site Location:	2835 McNeil Road in Fort Pierce, Florida
Parcel ID:	2419-341-0012-000-7
Parcel Size:	0.45 acres
Current Future Land Use:	Residential Urban (5 dwelling units per acre) (RU) (SLC)
Current Zoning:	Residential Single Family (3 dwelling units per acre) (RS-3) (SLC)
Proposed Future Land Use:	Low Density Residential (RL) (FP)
Proposed Zoning:	Residential Single Family - Three Units Per Acre (E-3) (FP)
Utilities:	FPUA

	North	East	South	West
Surrounding FLU:	RU (SLC)	RL (FP)	RL (FP) / RU (SLC)	RL (FP) / RU (SLC)
Surrounding Zoning:	RS-3 (SLC)	R-1 (FP)	R-1 (FP) / RS-3 (SLC)	E-3 (FP) / RS-3 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of a parcel located at 2835 McNeil Road in Fort Pierce, Florida. The parcel ID is 2419-341-0012-000-7.



The subject property has a St. Lucie County Future Land Use designation of Residential Urban (5 dwelling units per acre) (RU) and a zoning designation of Residential Single Family (3 dwelling units per acre) (RS-3). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is Low Density Residential (RL), with a zoning classification of Residential Single Family - Three Units Per Acre (E-3).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the property is located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexation is also consistent with Chapter 171.044, F.S., whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

The current taxable value of the property is $51,212. Should the Application for Annexation be approved, it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently the property is developed with a residence.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The property is within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject property is in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. This parcel abuts properties that are within the City limits. The annexation of this property would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services.

Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RU and RS-3, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designation of RL and E-3, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon

adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittal and have no objections regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed annexation at 2835 McNeil Road, along with the associated Future Land Use designation of RL and a Zoning designation of E-3.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-060

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2835 MCNEIL ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2419-341-0012-000-7

19 35 40 FROM NE COR OF NE 1/4 OF SE 1/4 OF SW 1/4 RUN W 33 FT, TH S 133 FT TO POB, TH CONT S 110 FT, TH W 178 FT, TH N 110 FT, TH E 178 FT TO POB (55) (0.45AC) (OR 998-663)

Said property containing 0.45 acres, more or less, and being generally located at 2835 McNeil Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned E-3, Residential Single Family three units per acre, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

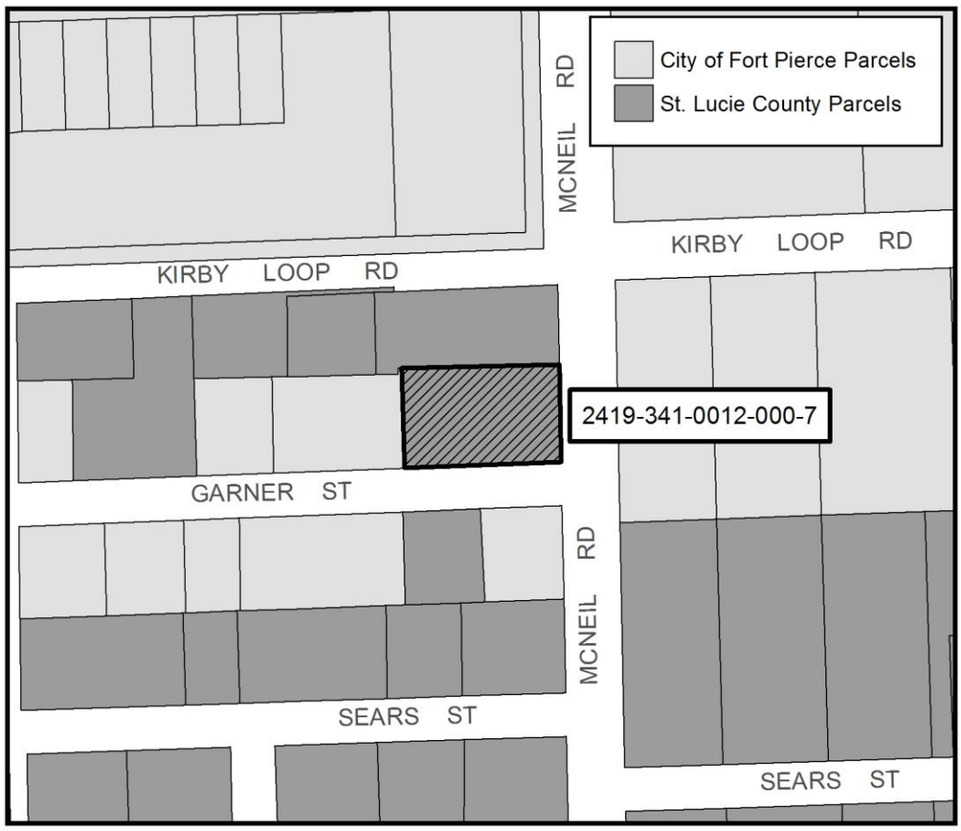
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



19 35 40 FROM NE COR OF NE 1/4 OF SE 1/4 OF SW 1/4 RUN W 33 FT, TH S 133 FT TO POB, TH CONT S 110 FT, TH W 178 FT, TH N 110 FT, TH E 178 FT TO POB (55) (0.45AC) (OR 998-663)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-3, Residential Single Family (3 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of E-3, Residential Single Family three units per acre and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3480174 OR BOOK 3201 PAGE 1737, Recorded 06/02/2010 at 08:50 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2419-341-0012-000-7	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2835 MCNEIL ROAD, FORT PIERCE, FL Location Address 2719 PLACID AVENUE, FORT PIERCE, FL 34982 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA , RUN WEST 33 FEET TO A POINT, THENCE RUN SOUTH 133 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 110 FEET, THENCE TURN AT RIGHT ANGLE AND RUN WEST 178 FEET, THENCE TURN AT RIGHT ANGLE AND RUN WEST 178 FEET, THENCE TURN AT RIGHT ANGLE AND RUN NORTH 110 FEET AND THENCE TURN AT RIGHT ANGLE AND RUN EAST 178 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 2719 PLACID AVENUE, FORT PIERCE, FL 34982-5621.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hands and seals this 20th day of May, 2010.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Diane B. Sikkema
Witness Signature

Diane B. Sikkema
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Antonio Chavez
Signature
Antonio Chavez
Printed Signature
2719 Placid Avenue
Address
Fort Pierce, FL 34982
City, State, Zip

Maria Irma Chavez
Signature
Maria Irma Chavez
Printed Signature
2719 Placid Avenue
Address
Fort Pierce, FL 34982
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared ANTONIO CHAVEZ and MARIA IRMA CHAVEZ, his wife, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL DIANE B. SIKKEMA Commission DD 761938 Expires March 21, 2012 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 20th day of May, A.D. 2010. Diane B. Sikkema Notary Signature Diane B. Sikkema Notary Printed Signature

N:\Forms\FPUA\Completed Annexation Agreements\Chavez, Antonio & Maria - 2835 McNeil Road.docx

Revised 7/9/04 per atty.

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2835 McNeil Road

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. m.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 3005 Summit - Ordinance No. 21-061

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-061 - This is a voluntary annexation of a parcel located at 3005 Summit Street in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject property has a St. Lucie County Future Land Use designation of Residential Urban (5 dwelling units per acre) (RU) and a zoning designation of Residential Single Family (4 dwelling units per acre) (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is Low Density Residential (RL), with a zoning classification of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a

Fiscal Year: n/a

Account: n/a

Amount: n/a

OTHER INFORMATION:

. Should the Application for Annexation be approved, it could create a new source of ad-valorem tax revenue annually to the City of Fort, depending on the millage rate per year, which currently is 6.9000

Attachments

staff presentation
staff report
Ordinance
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/04/2021 01:51 PM

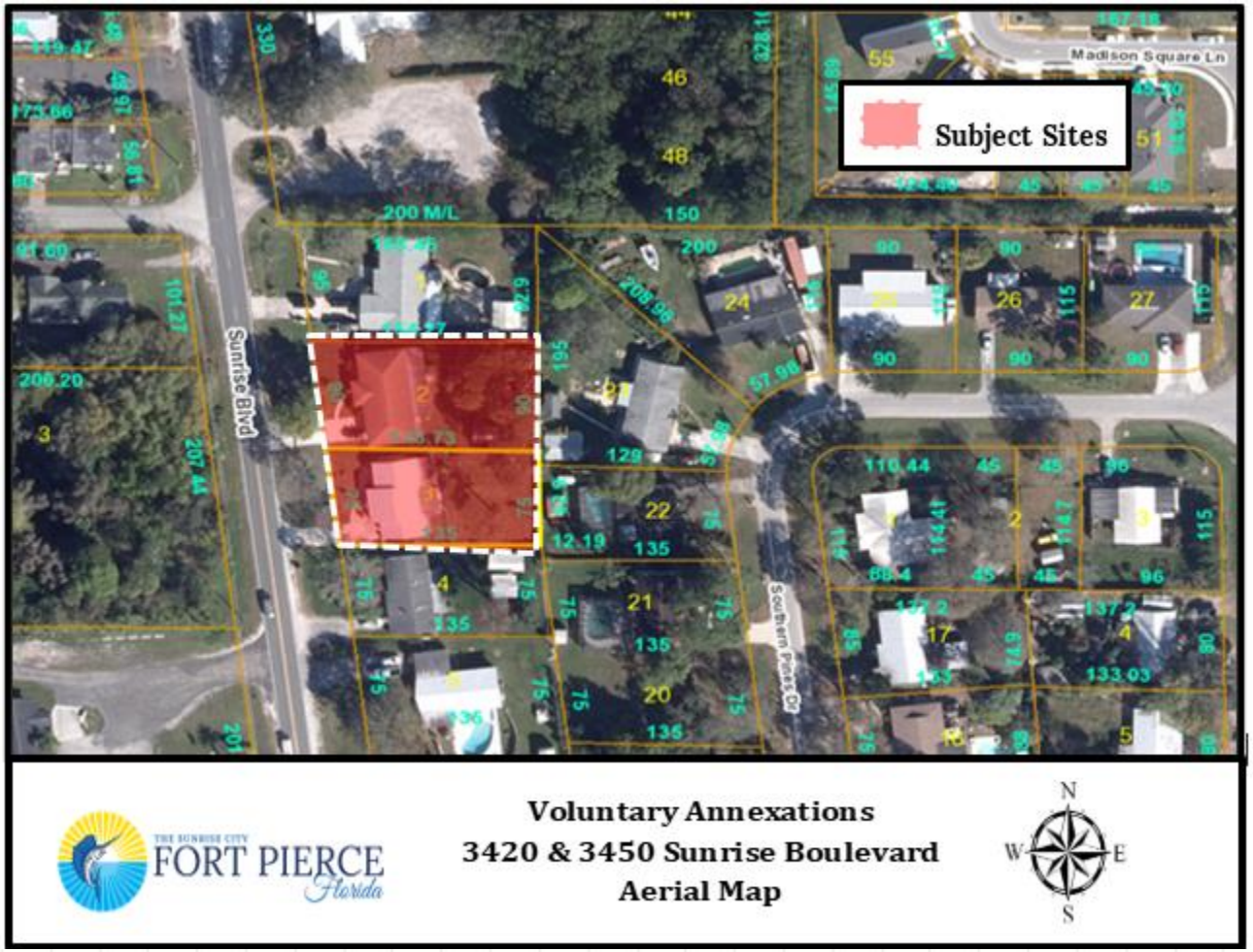
Form Started By: Jennifer Hofmeister
Started On: 11/04/2021 10:44 AM
Final Approval Date: 11/04/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

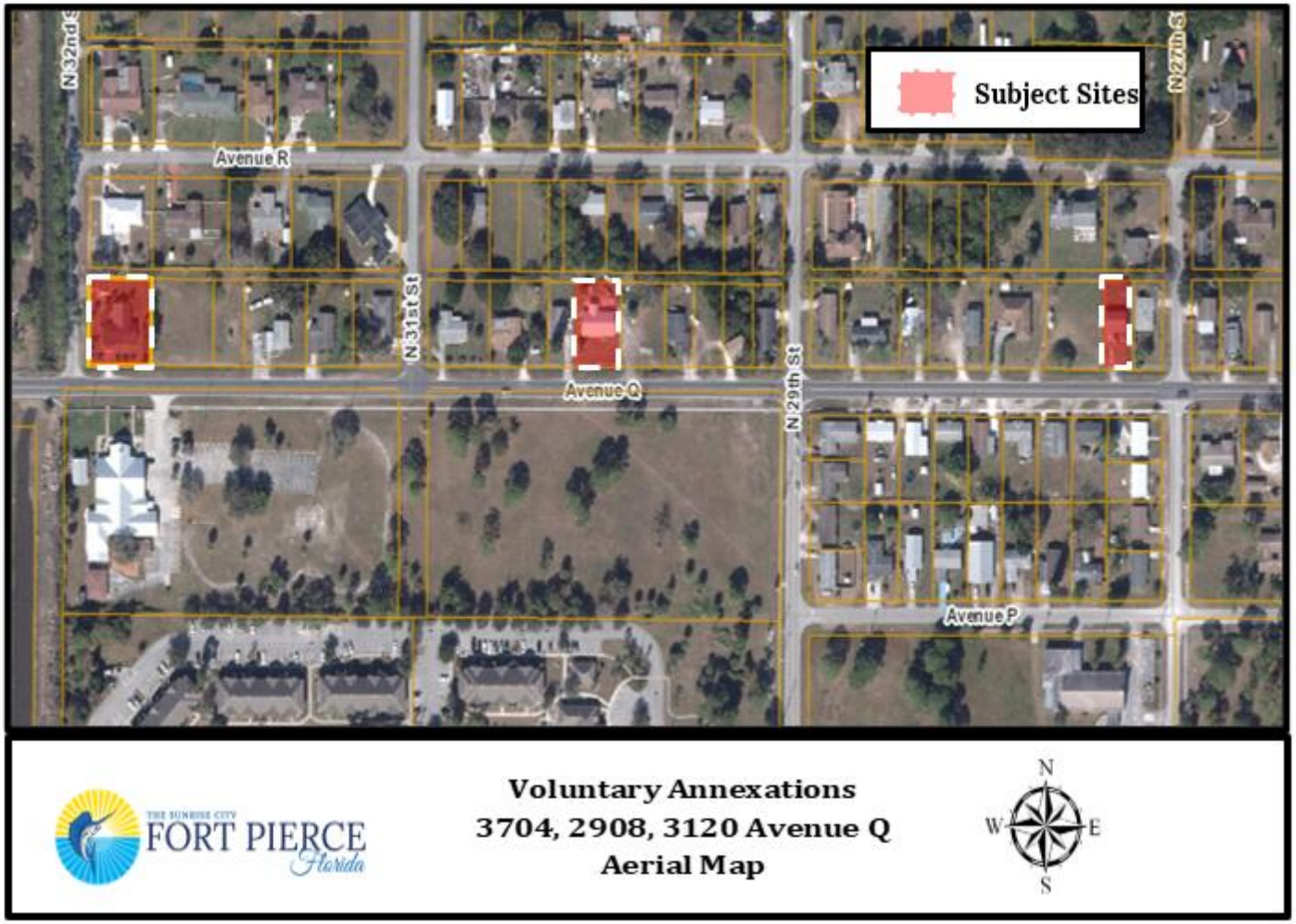
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



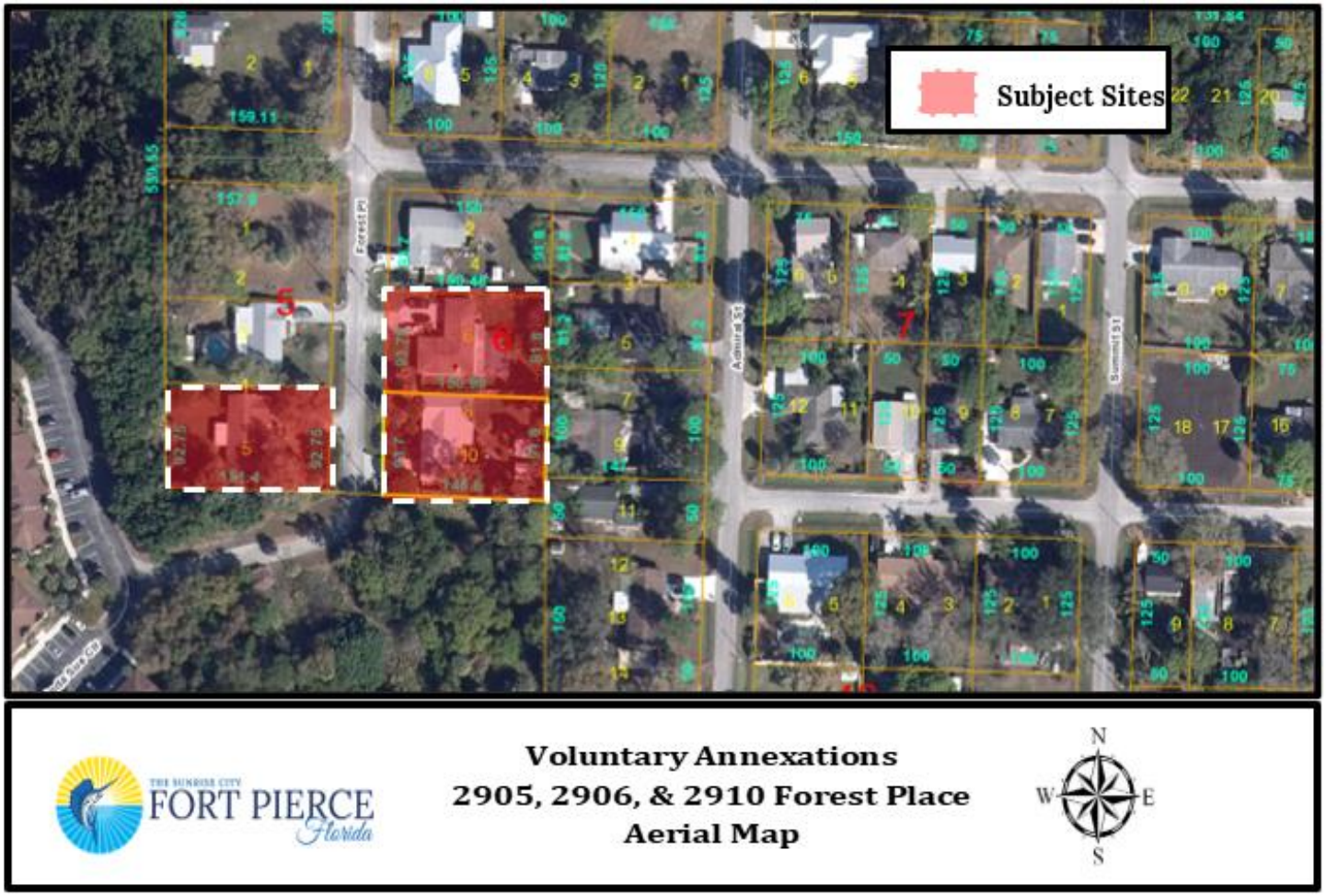
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



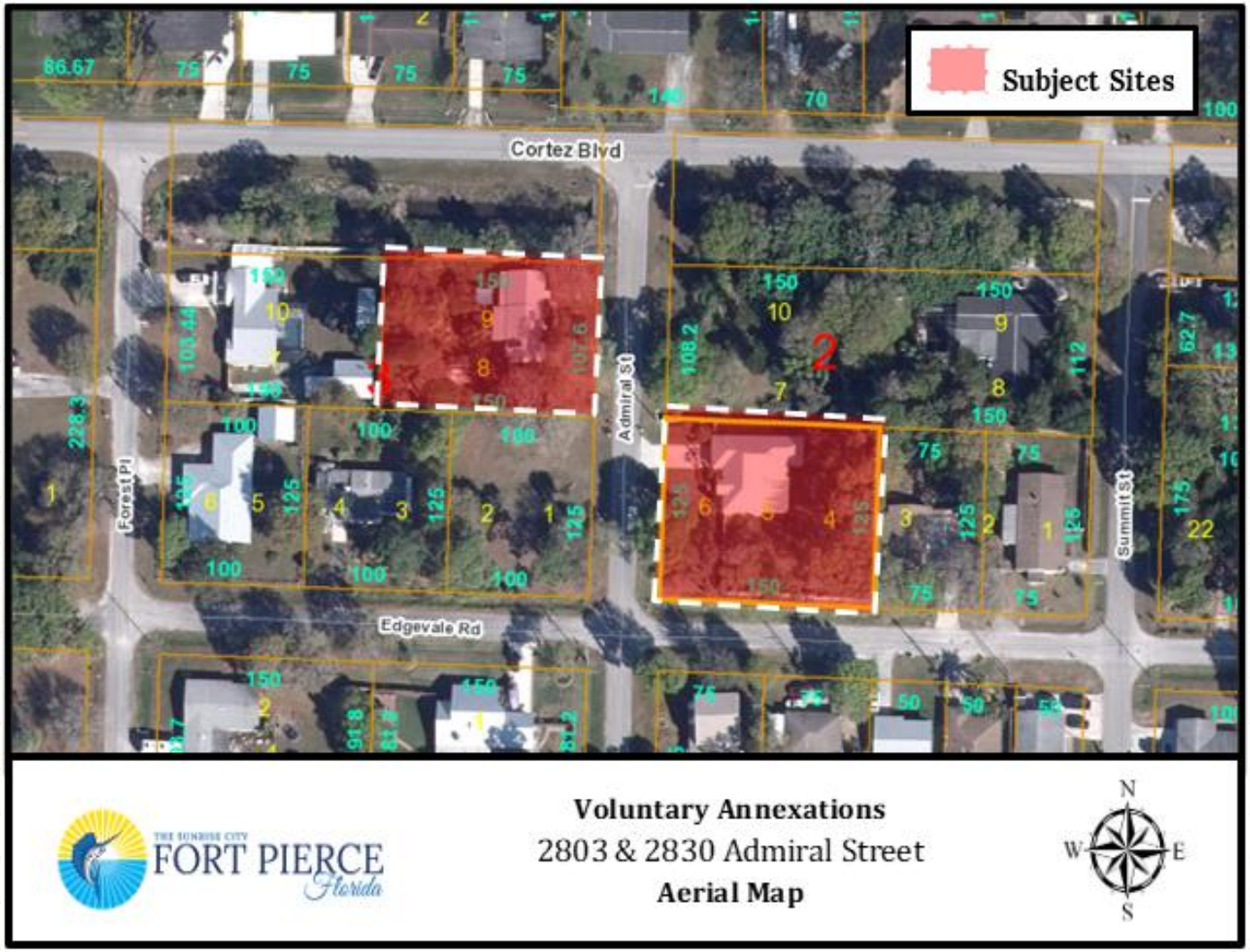
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



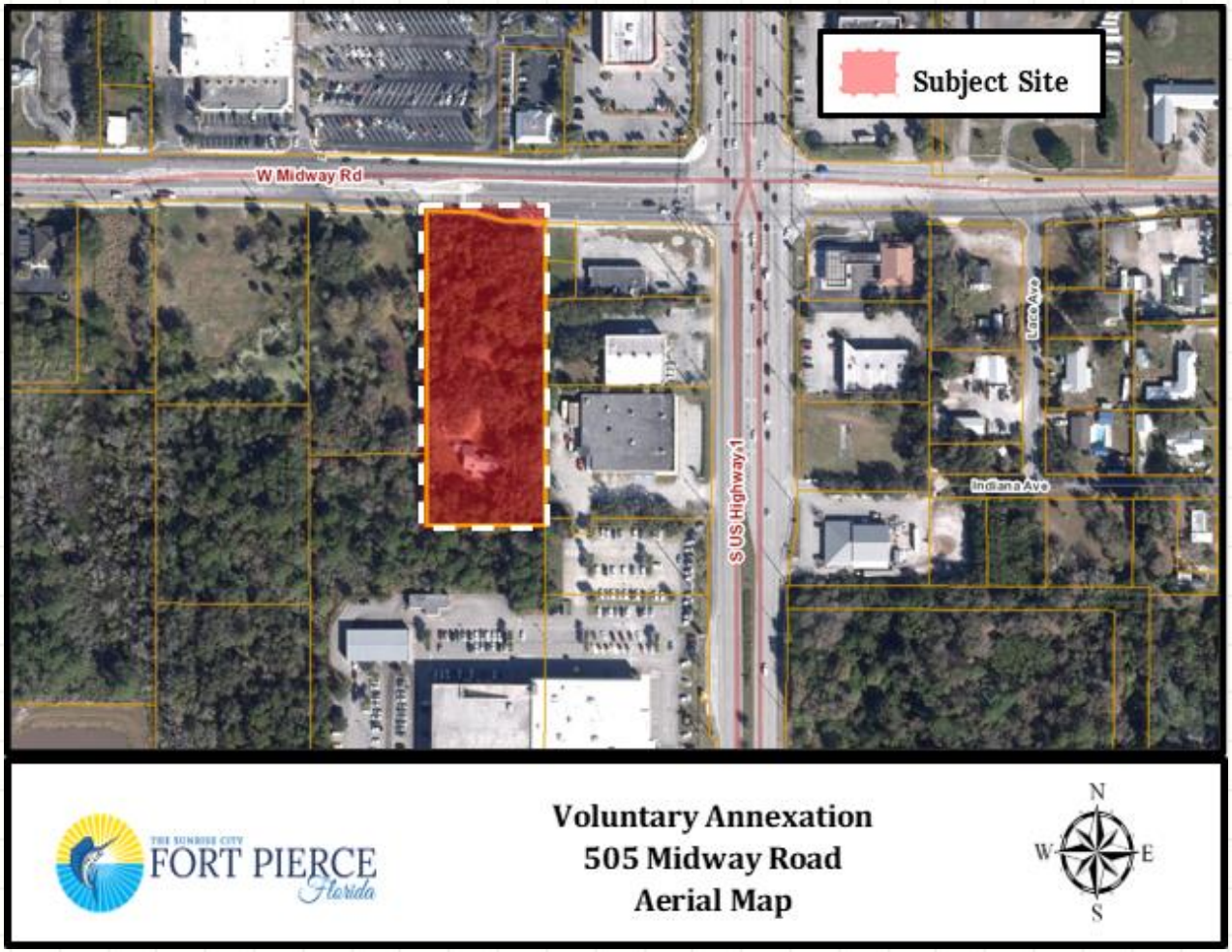
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



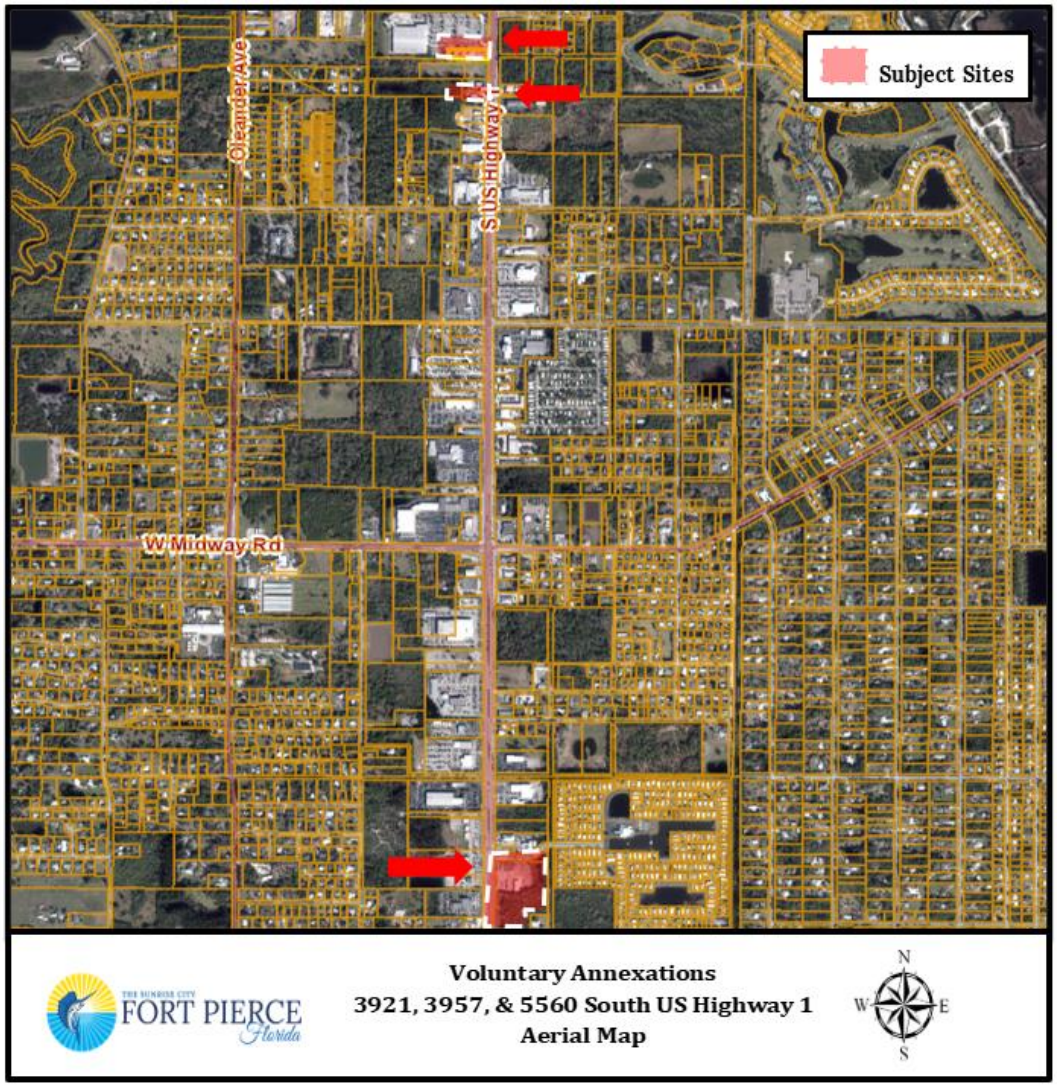
Annexation 13:

Ordinance No. 21-048



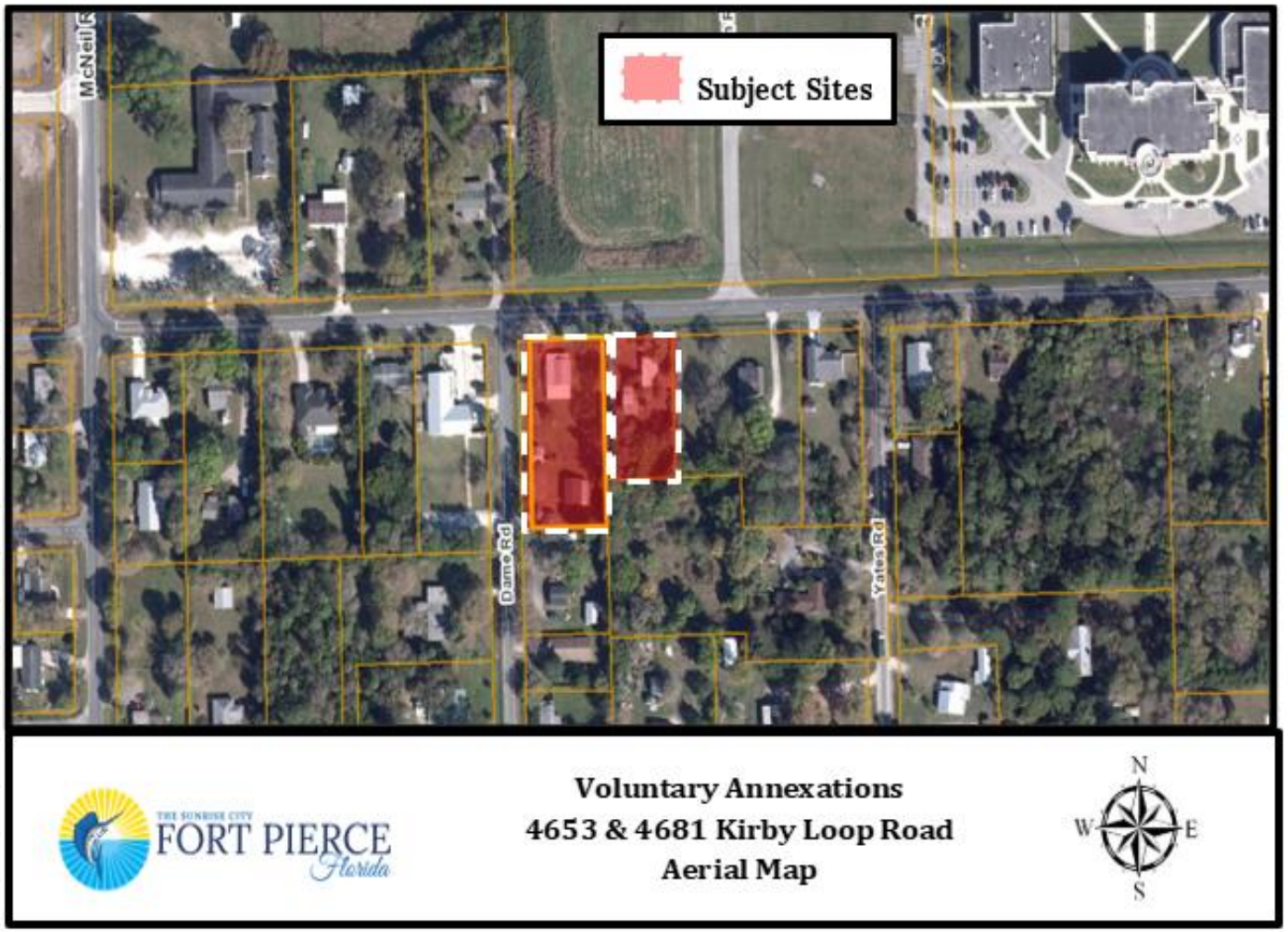
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



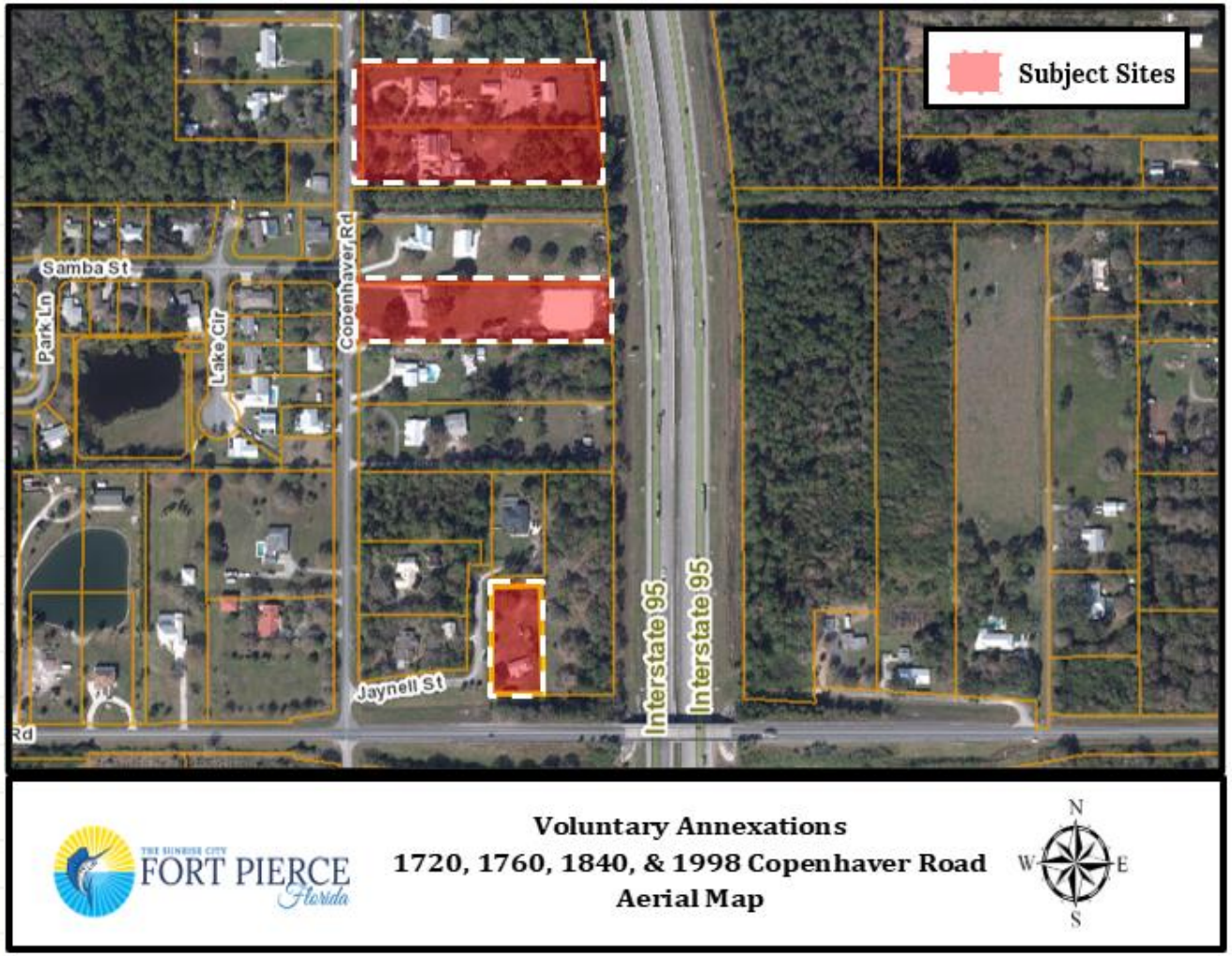
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



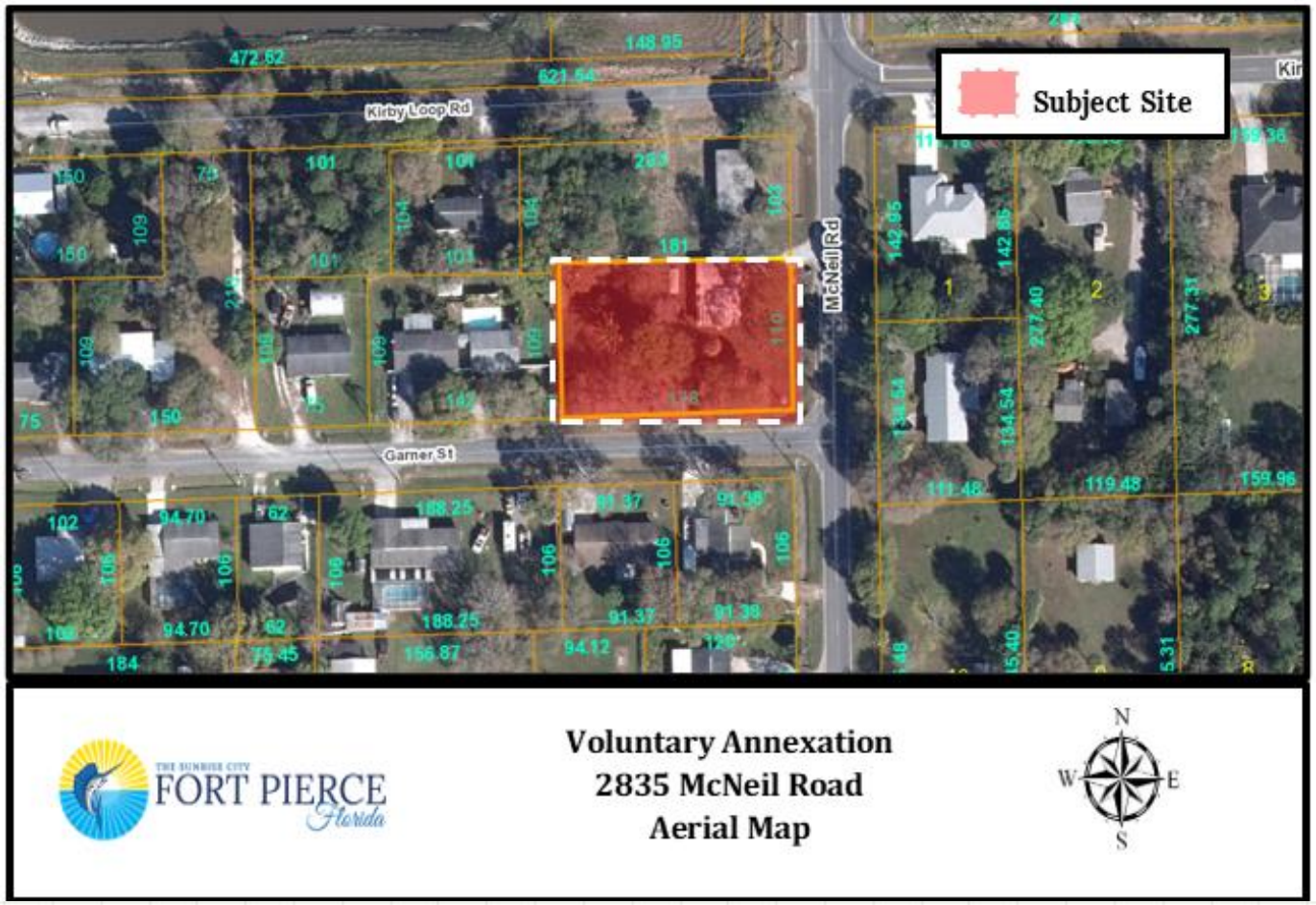
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



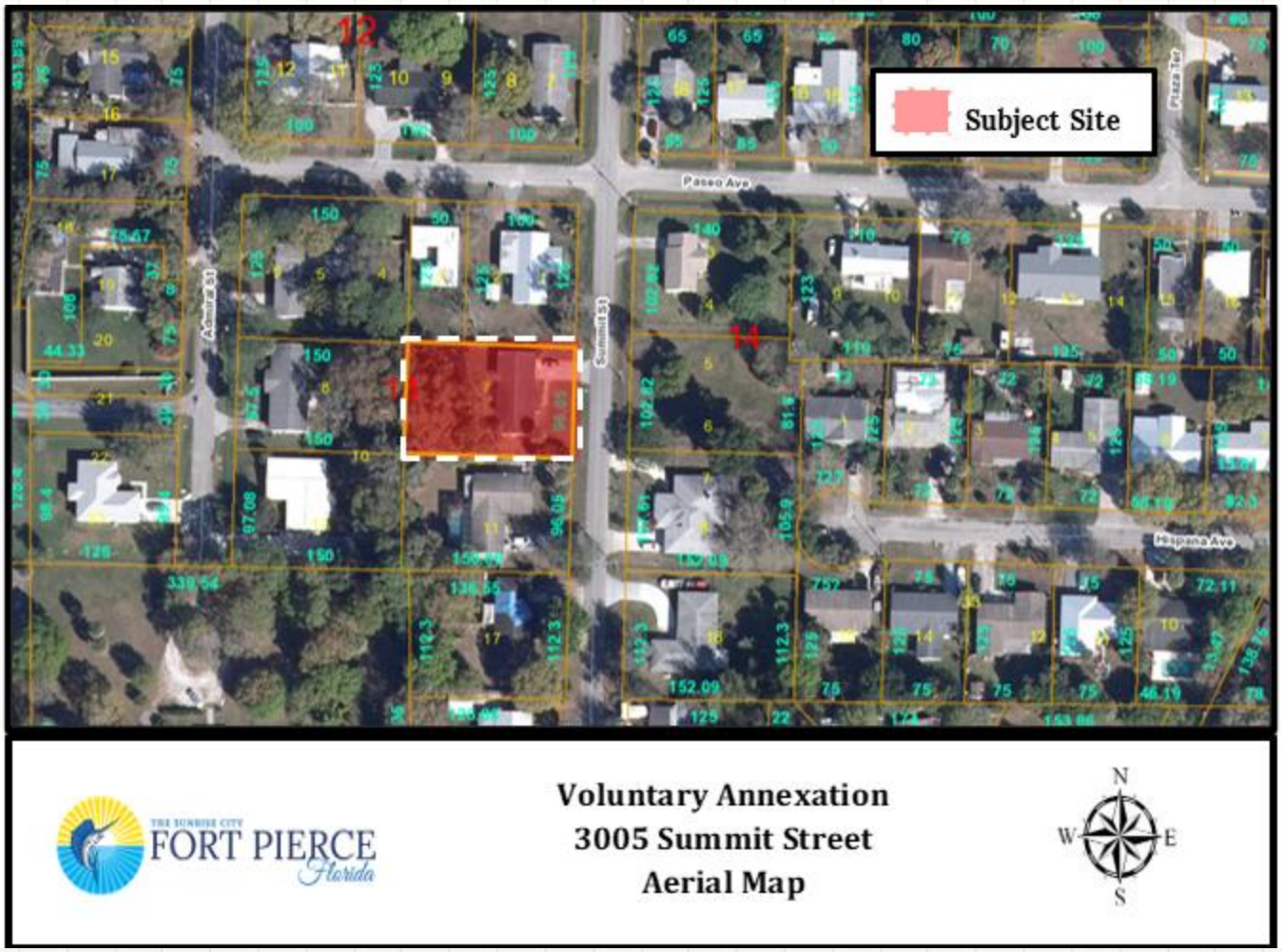
Annexation 25:

Ordinance No. 21-060



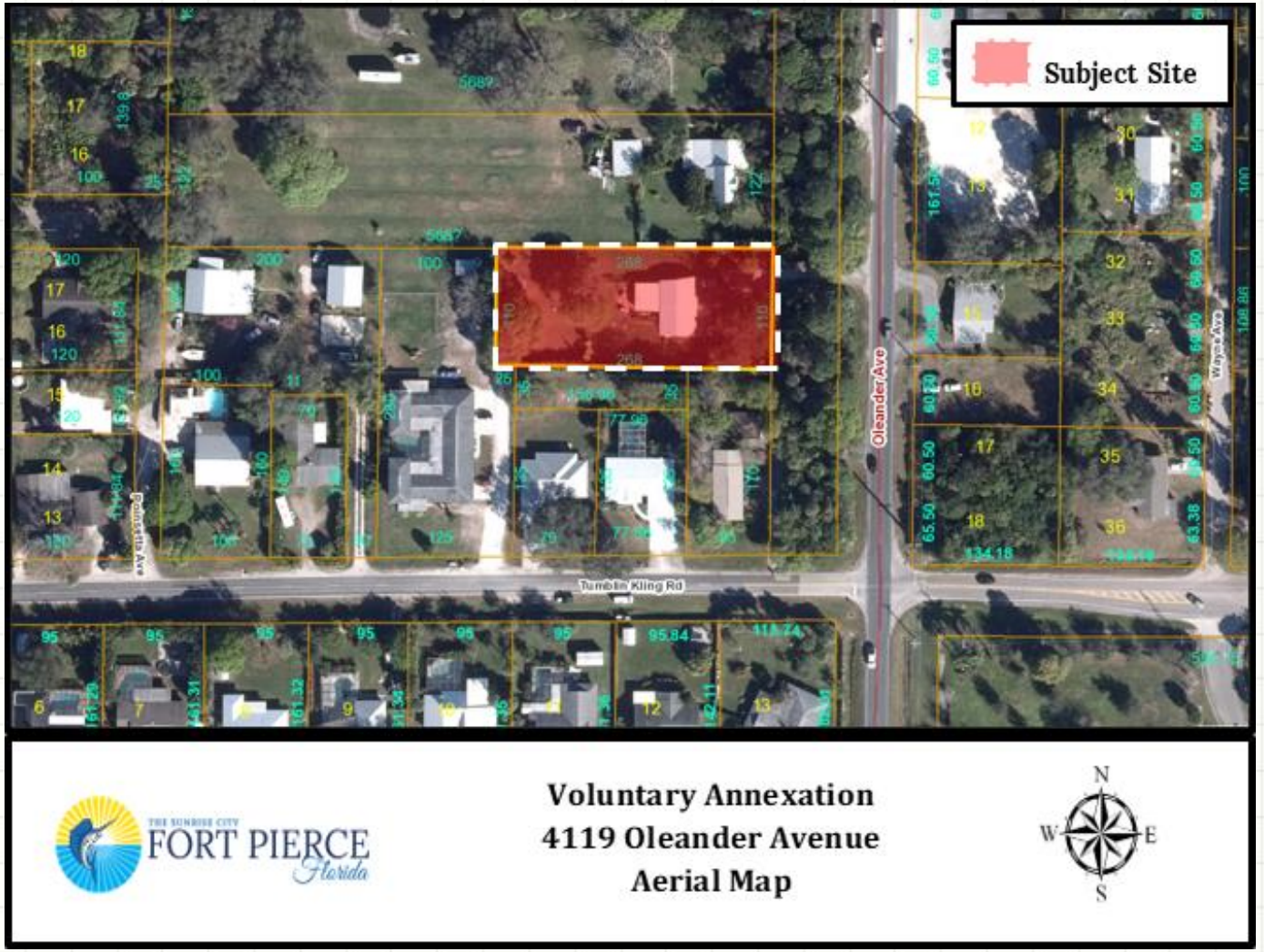
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Application for Voluntary Annexation** **3005 Summit Street**
MEETING DATE:	November 15, 2021

STAFF REPORT

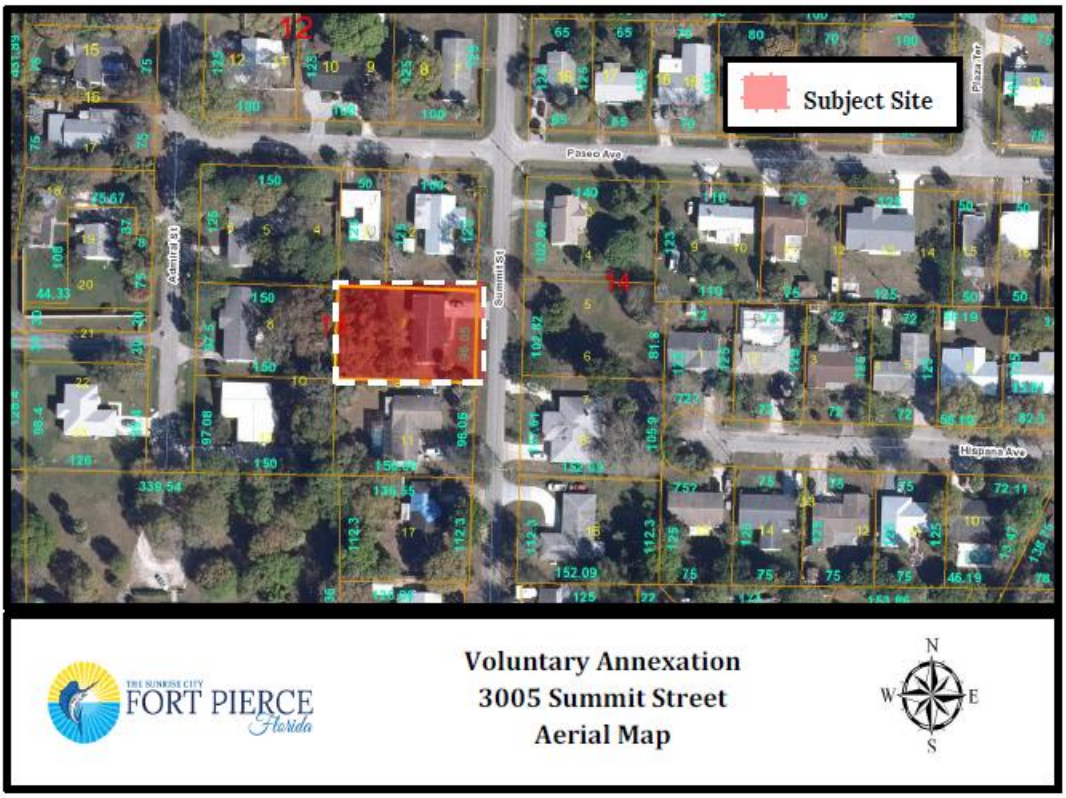
Property Owner/ Applicant	John W Dobson 3005 Summit Street Fort Pierce, FL 34982
Requested Action:	Approval of a Voluntary Application for Annexation
Site Location:	3005 Summit Street in Fort Pierce, Florida
Parcel ID:	2421-802-0168-000-6
Parcel Size:	0.33 acres
Current Future Land Use:	Residential Urban (5 dwelling units per acre) (RU) (SLC)
Current Zoning:	Residential Single Family (4 dwelling units per acre) (RS-4) (SLC)
Proposed Future Land Use:	Low Density Residential (RL) (FP)
Proposed Zoning:	Single Family Low Density (R-1) (FP)
Utilities:	FPUA

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RL (FP)	RU (SLC)
Surrounding Zoning:	RS-4 (SLC)	RS-4 (SLC)	R-2 (FP)	RS-4 (SLC)

Staff Analysis:

Request

This is a voluntary annexation of a parcel located at 3005 Summit Street in Fort Pierce, Florida. The parcel ID is 2421-802-0168-000-6.



The subject property has a St. Lucie County Future Land Use designation of Residential Urban (5 dwelling units per acre) (RU) and a zoning designation of Residential Single Family (4 dwelling units per acre) (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is Low Density Residential (RL), with a zoning classification of Single-Family Low Density (R-1).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the property is located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexation is also consistent with Chapter 171.044, F.S., whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

The current taxable value of the property is $25,000. Should the Application for Annexation be approved, it could create a new source of ad-valorem tax revenue annually to the City of Fort, depending on the millage rate per year, which currently is 6.9000. Currently the property is developed with a residence.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The property is within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject property is in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. This parcel abuts properties that are within the City limits. The annexation of this property would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services.

Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RU and RS-4, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designation of RL and R-1, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittal and have no objections regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed annexation at 3005 Summit Street, along with the associated Future Land Use designation of RL and a Zoning designation of R-1.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-061

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3005 SUMMIT STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2421-802-0168-000-6

MARAVILLA PLAZA BLK 13 LOT 7 AND LOT 9-LESS S 26.35 FT- (0.33 AC) (OR 959-879 AND 880)

Said property containing 0.33 acres, more or less, and being generally located at 3005 Summit Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-2, Single Family Intermediate Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

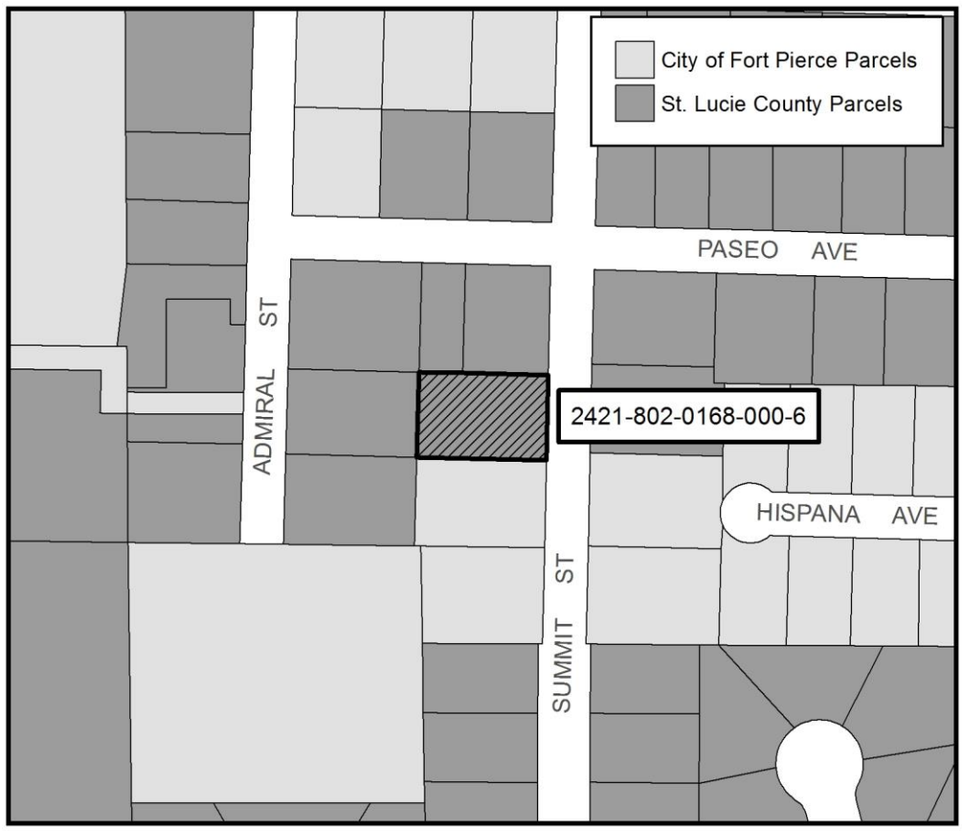
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

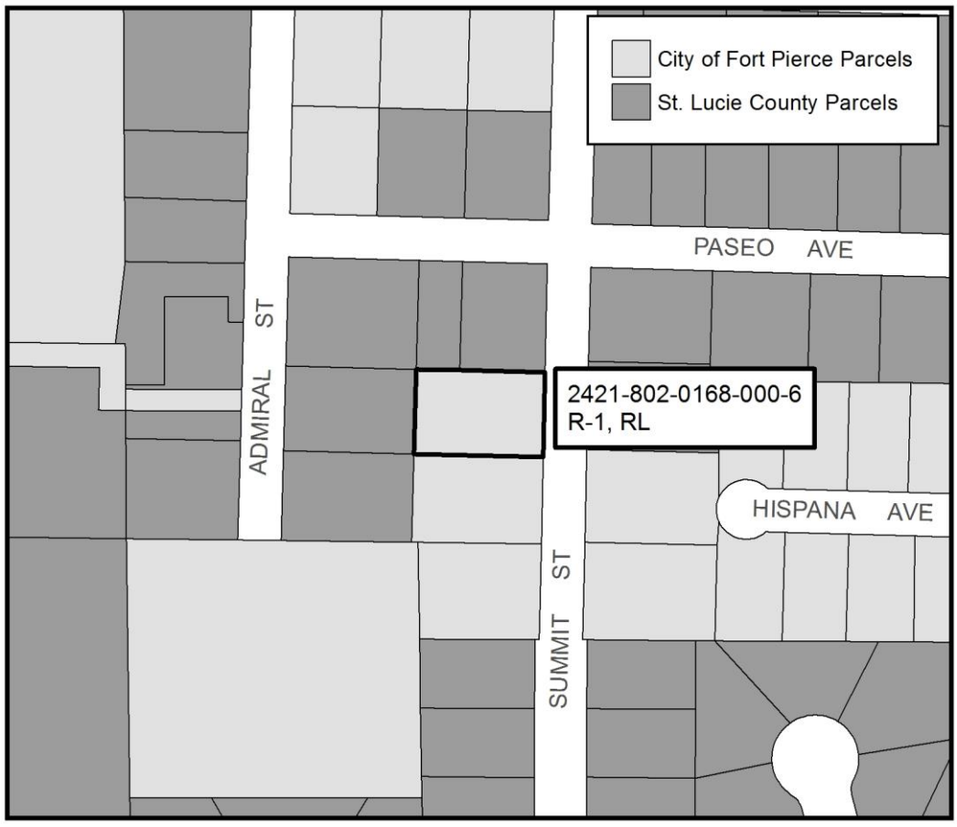
EXHIBIT A
Annexed Area & Legal Description



MARAVILLA PLAZA BLK 13 LOT 7 AND LOT 9-LESS S 26.35 FT- (0.33 AC) (OR 959-879 AND 880)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Single Family (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3761652 OR BOOK 3446 PAGE 515, Recorded 10/24/2012 at 04:35 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraiser's Identification (Folio) Number(s): 2421-802-0168-000-6	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3005 SUMMIT STREET, FORT PIERCE, FLORIDA 34982 Location Address 3005 SUMMIT STREET, FORT PIERCE, FLORIDA 34982 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Lots 7 and 9, less the South 26.35 feet of Lot 9, Block 13, MARAVILLA PLAZA, according to the Plat thereof, recorded in Plat Book 5, Page 44 of the Public Records of St. Lucie County, Florida.

THE ABOVE DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 16 day of October, 2012.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Chris Ringenberg
Printed Witness Signature

Monica Brown
Witness Signature
Monica Brown
Printed Witness Signature

John W. Dobson
Signature
John W. Dobson, a single adult
Printed Signature
3005 Summit Street John W. Dobson
Address
Fort Pierce, Florida 34982
City, State, Zip

STATE OF FLORIDA
COUNTY OF Alachua

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **John W. Dobson, a single adult,** known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

MONICA BROWN
MY COMMISSION EXPIRES
July 29, 2013
#DD 912080
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

Witness my hand and official Seal in the County and State last aforesaid this 16 day of October, A.D. 2012.

Monica Brown
Notary Signature
Monica Brown
Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 3005 Summit Street

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE: Jennifer Hofmeister-Drew **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. n.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 4119 Oleander Road- Ordinance No. 21-062

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-062 - This is a voluntary annexation of a parcel located at 4119 Oleander Avenue in Fort Pierce, Florida. FIRST READING

SUMMARY:

The subject property has a St. Lucie County Future Land Use designation of Residential Medium (9 dwelling units per acre) (RM) and a zoning designation of Residential Multi-Family (9 dwelling units per acre) (RM-9). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is Medium Density Residential (RM), with a zoning classification of Medium Density Residential (R-4).

RECOMMENDATION:

Approval

ALTERNATIVES:

Disapproval

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

TRC
City Attorney
City Clerk

Fiscal Impact

Budgeted Y/N: n/a

Fiscal Year: n/a

Account: n/a

Amount: n/a

OTHER INFORMATION:

Should the Application for Annexation be approved, in the future it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

staff presentation
staff report
Ordinance
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Jennifer Hofmeister	11/04/2021 01:44 PM
City Manager	Nick Mimms	11/05/2021 05:19 PM

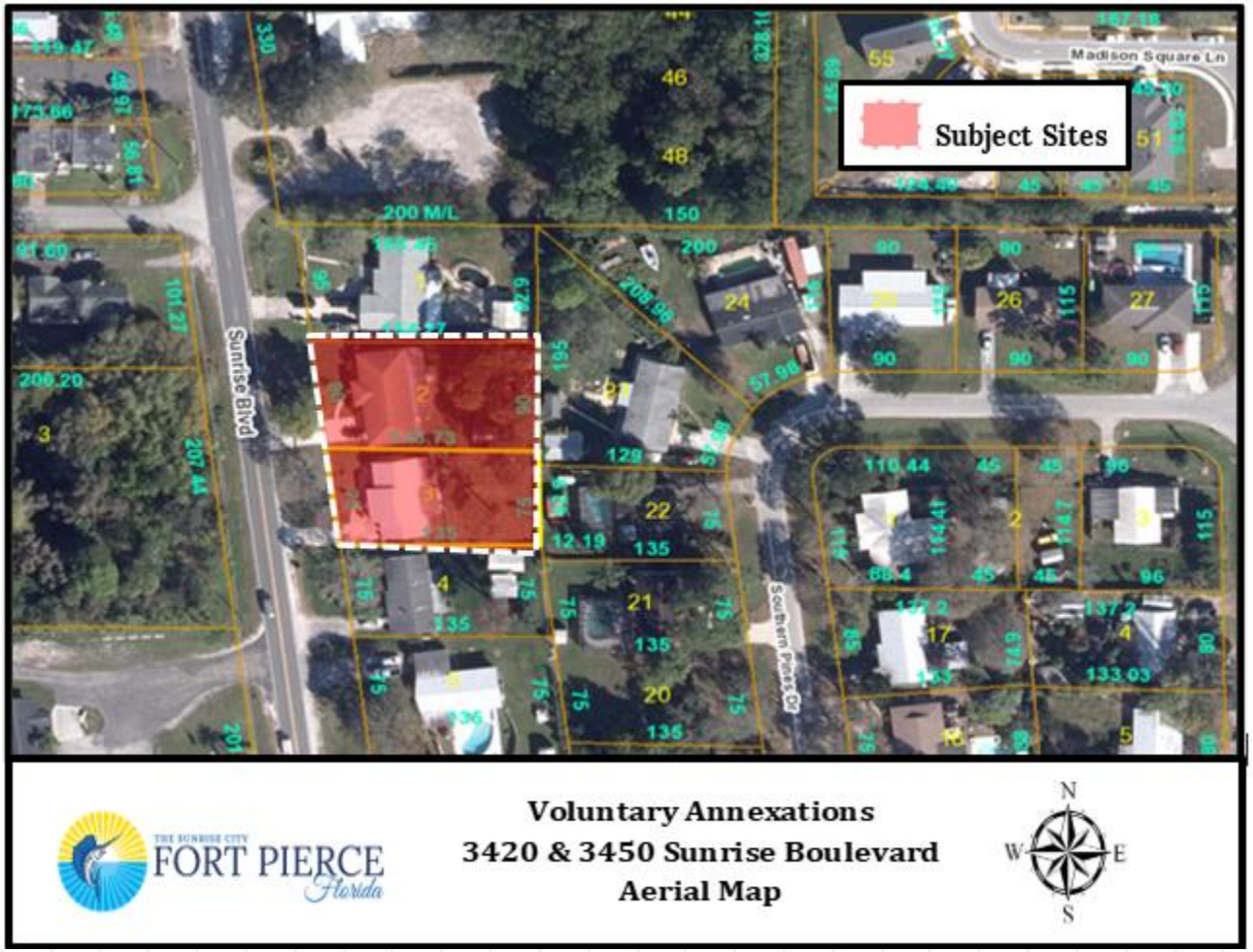
Form Started By: Jennifer Hofmeister Started On: 11/04/2021 11:04 AM
Final Approval Date: 11/05/2021

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

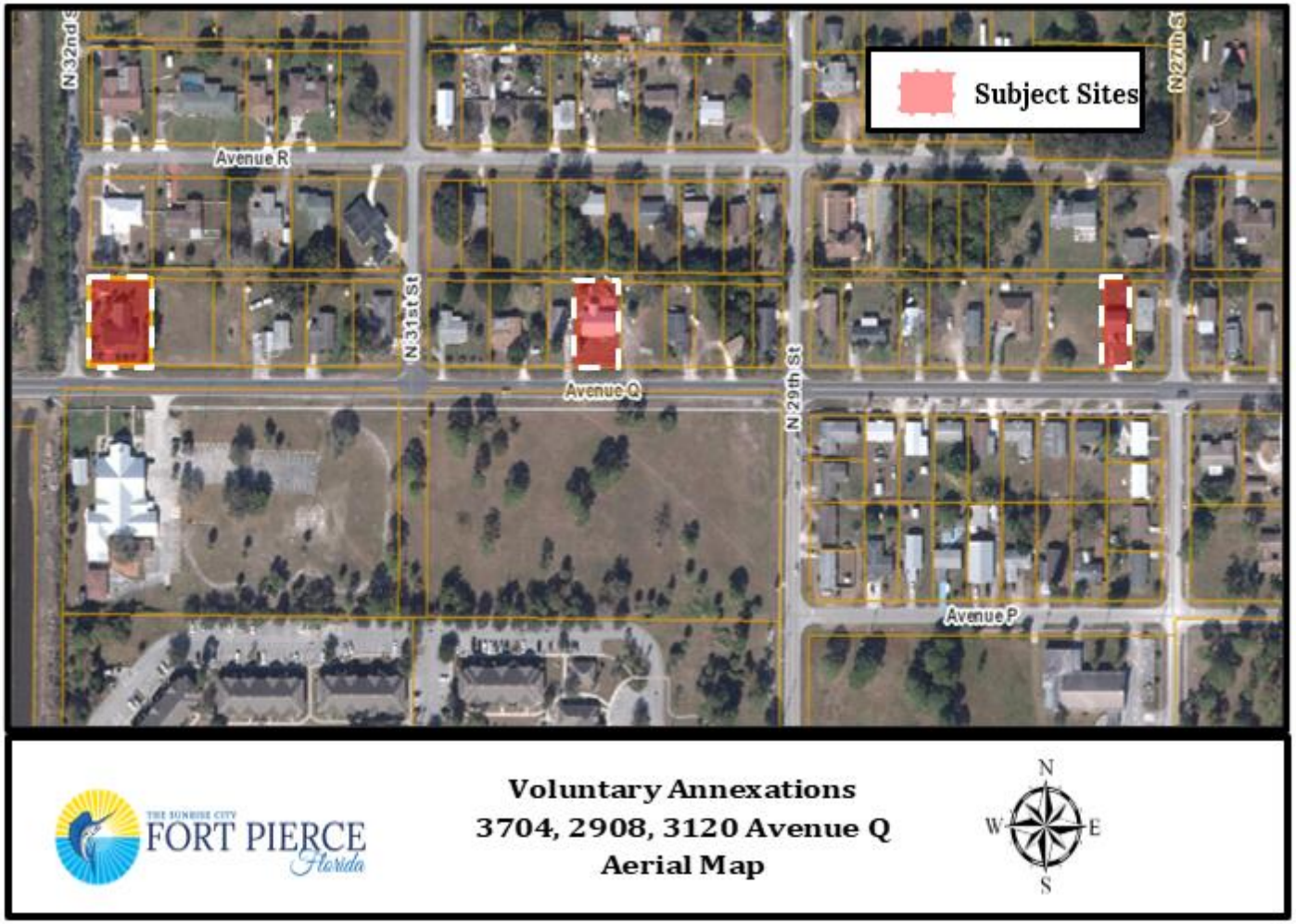
Annexations 1 and 2:

Ordinance No. 21-036 and 21-037



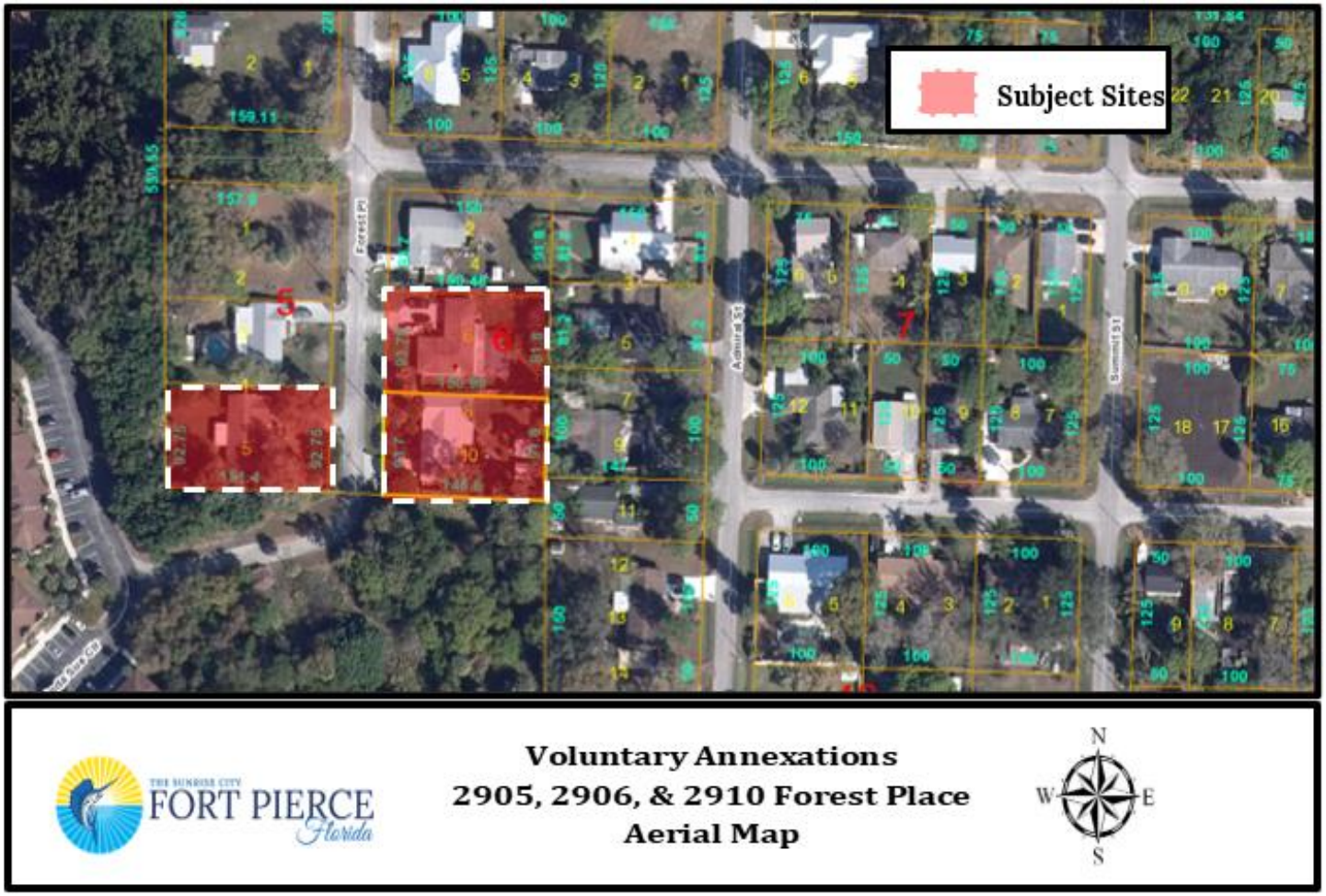
Annexations 3, 4 and 5:

Ordinance No. 21-038, 21-039 and 21-040



Annexations 6, 7, and 8:

Ordinance No. 21-041, 21-042 and 21-043



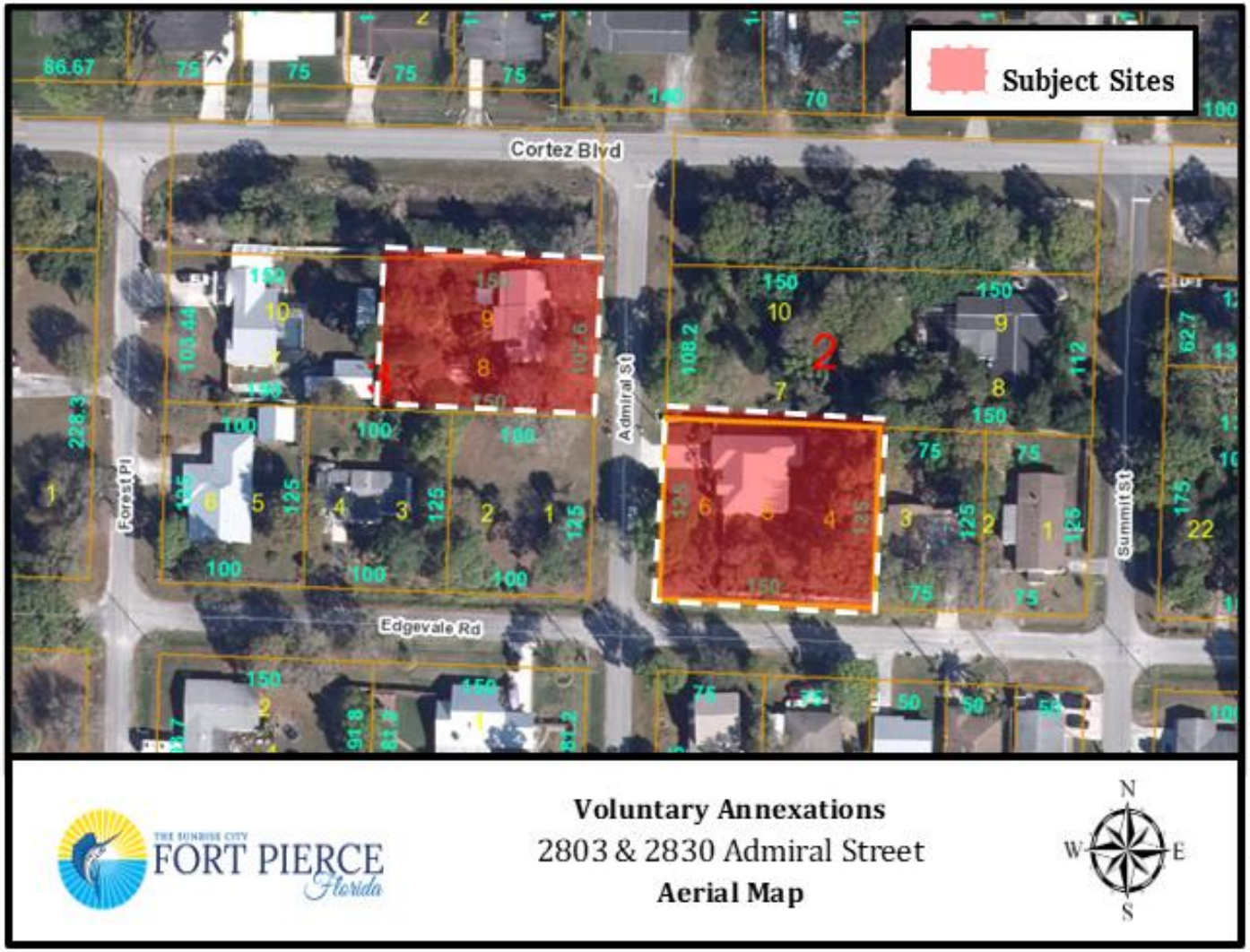
Annexations 9 and 10:

Ordinance No. 21-044 and 21-045



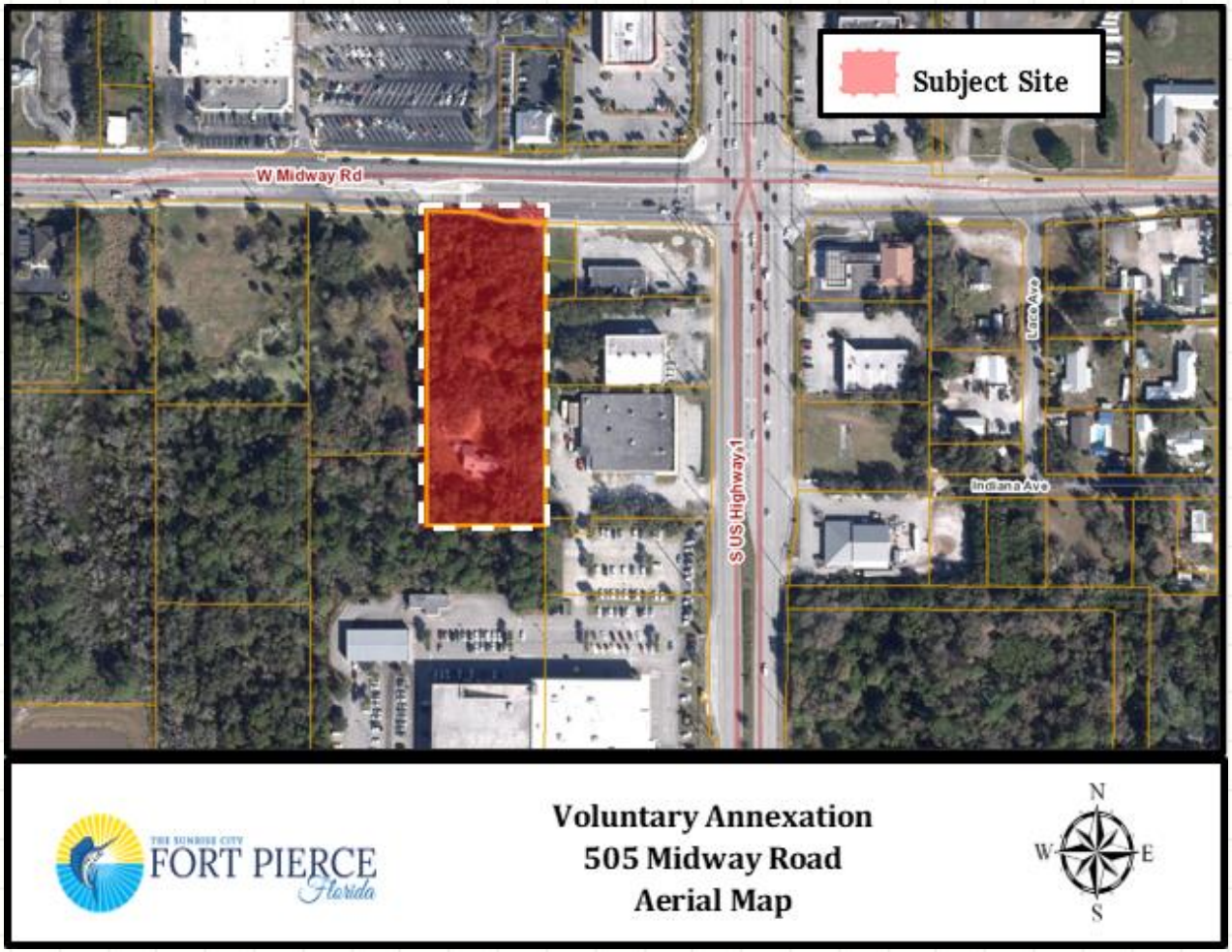
Annexations 11 and 12:

Ordinance No. 21-046 and 21-047



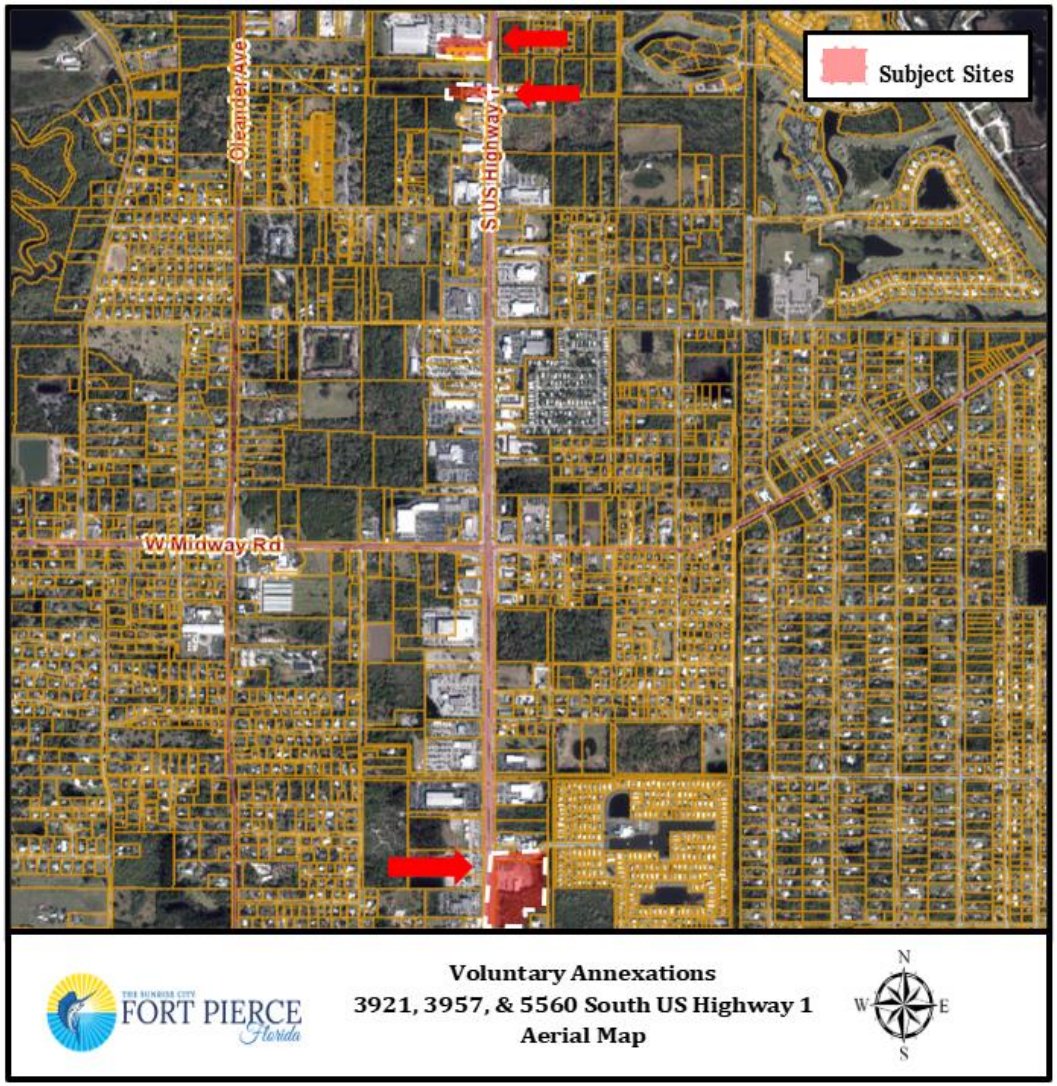
Annexation 13:

Ordinance No. 21-048



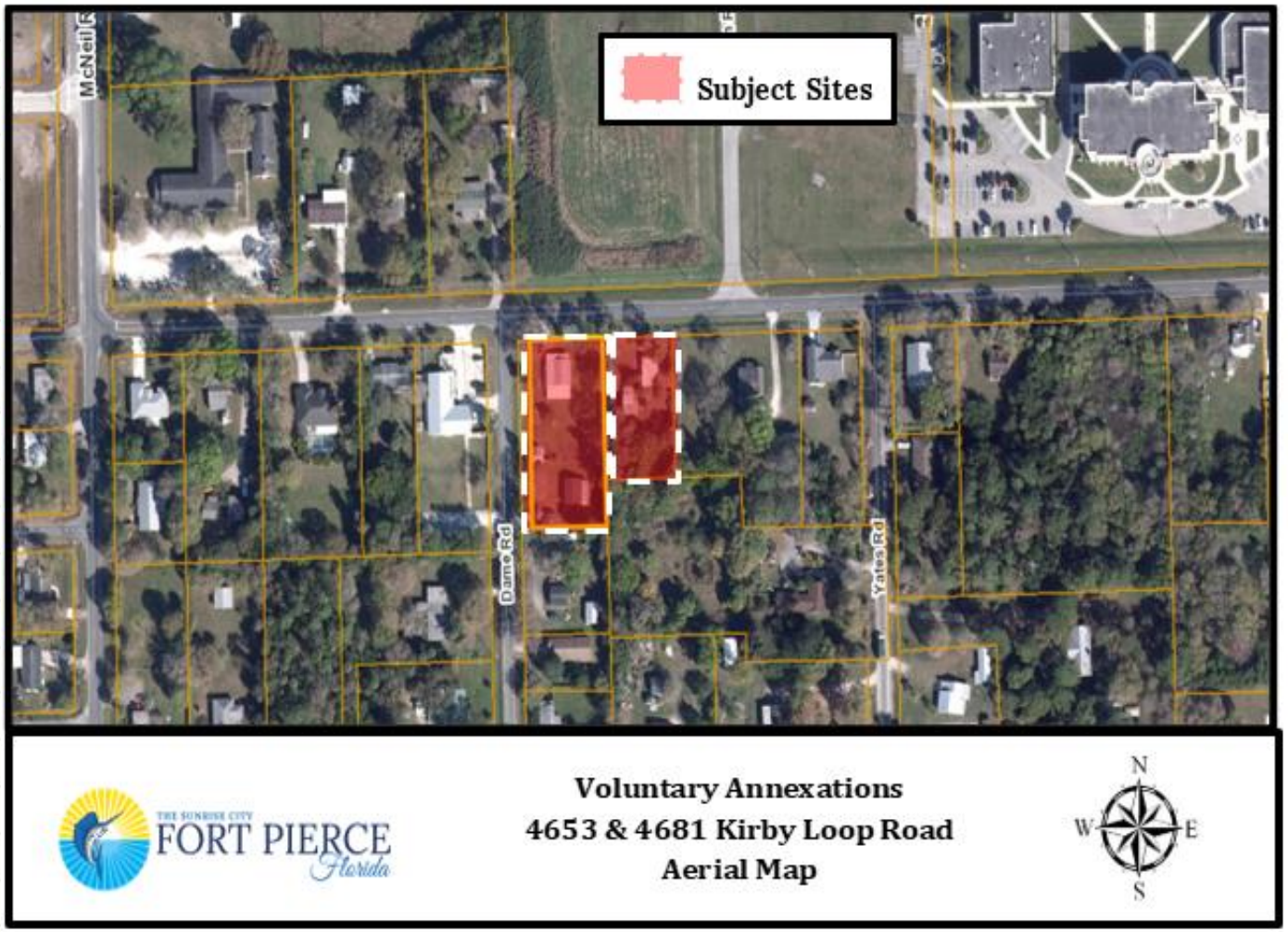
Annexation 14, 15 and 16:

Ordinance No. 21-049, 21-050 and 21-051



Annexation 17 and 18:

Ordinance No. 21-052 and 21-053



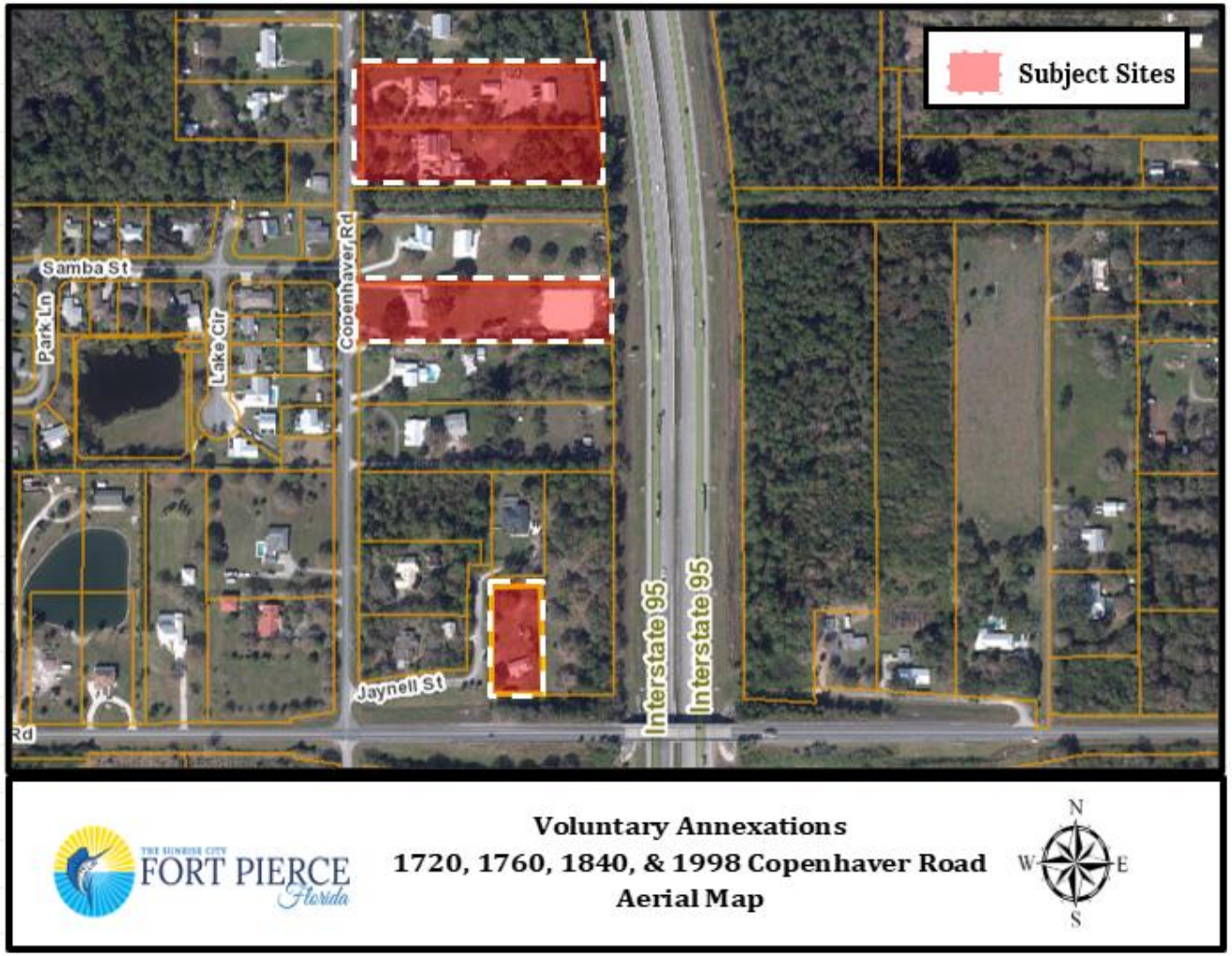
Annexation 19 and 20:

Ordinance No. 21-054 and 21-055



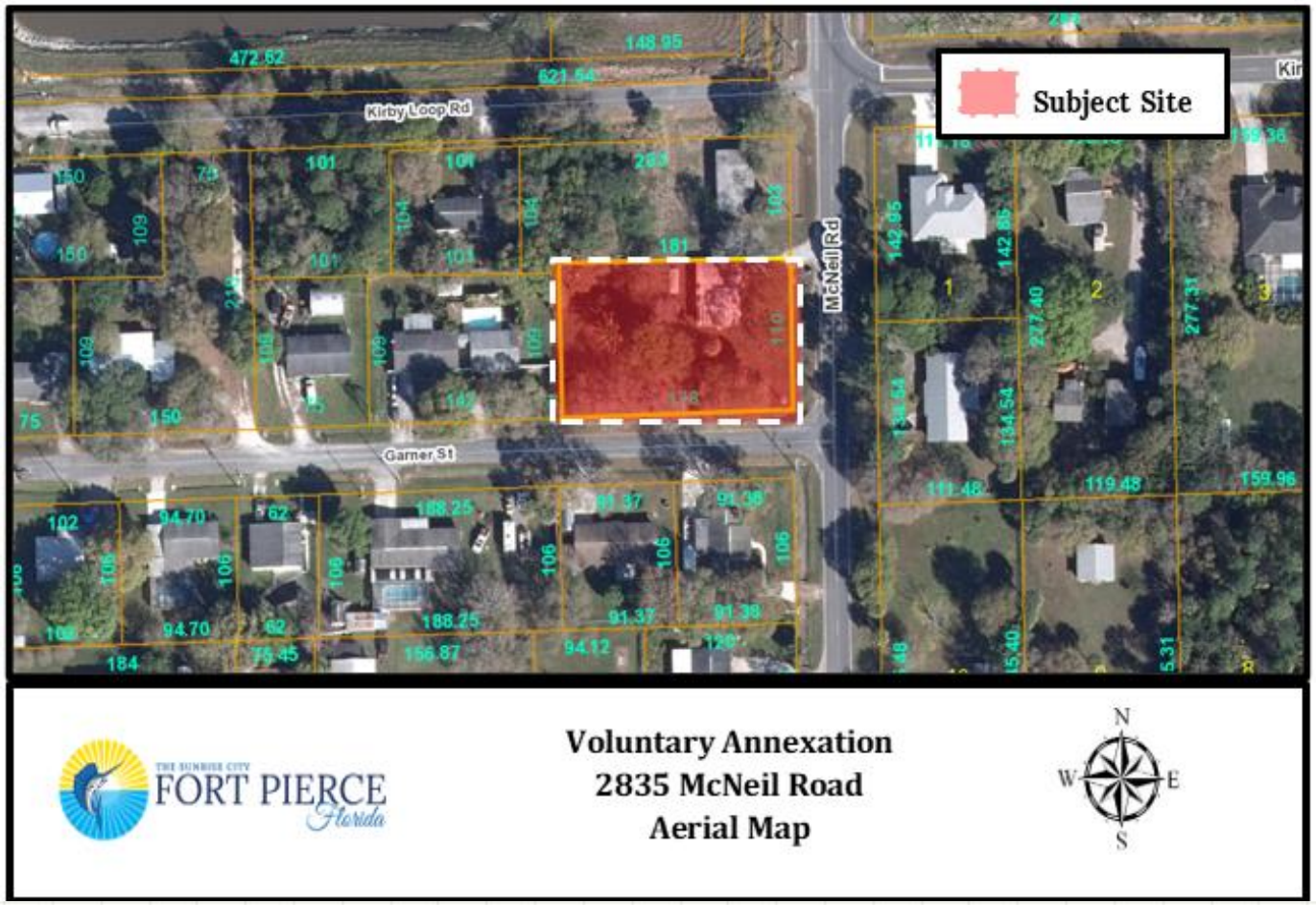
Annexation 21, 22, 23 and 24:

Ordinance No. 21-056, 21-057, 21-058 and 21-059



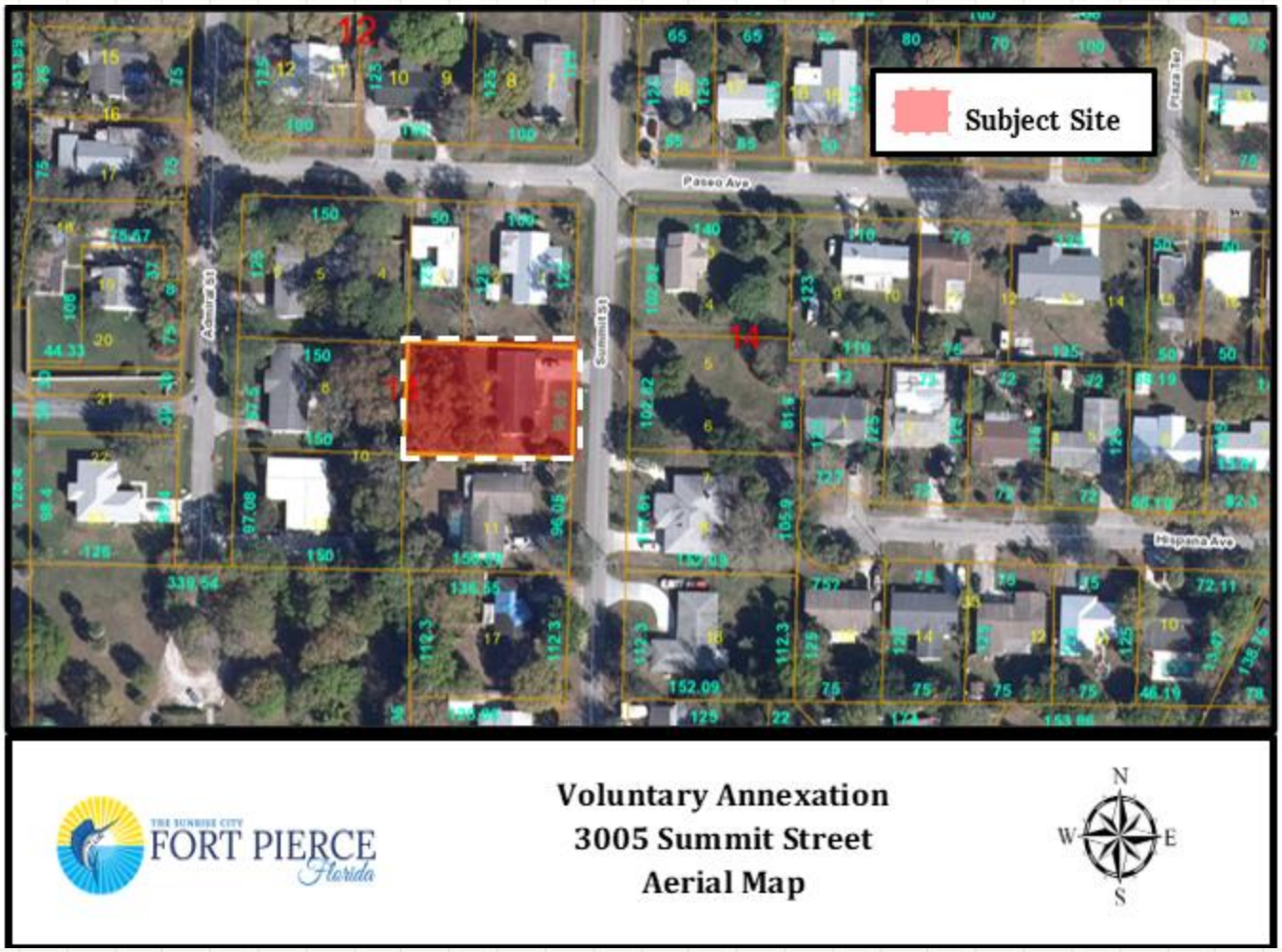
Annexation 25:

Ordinance No. 21-060



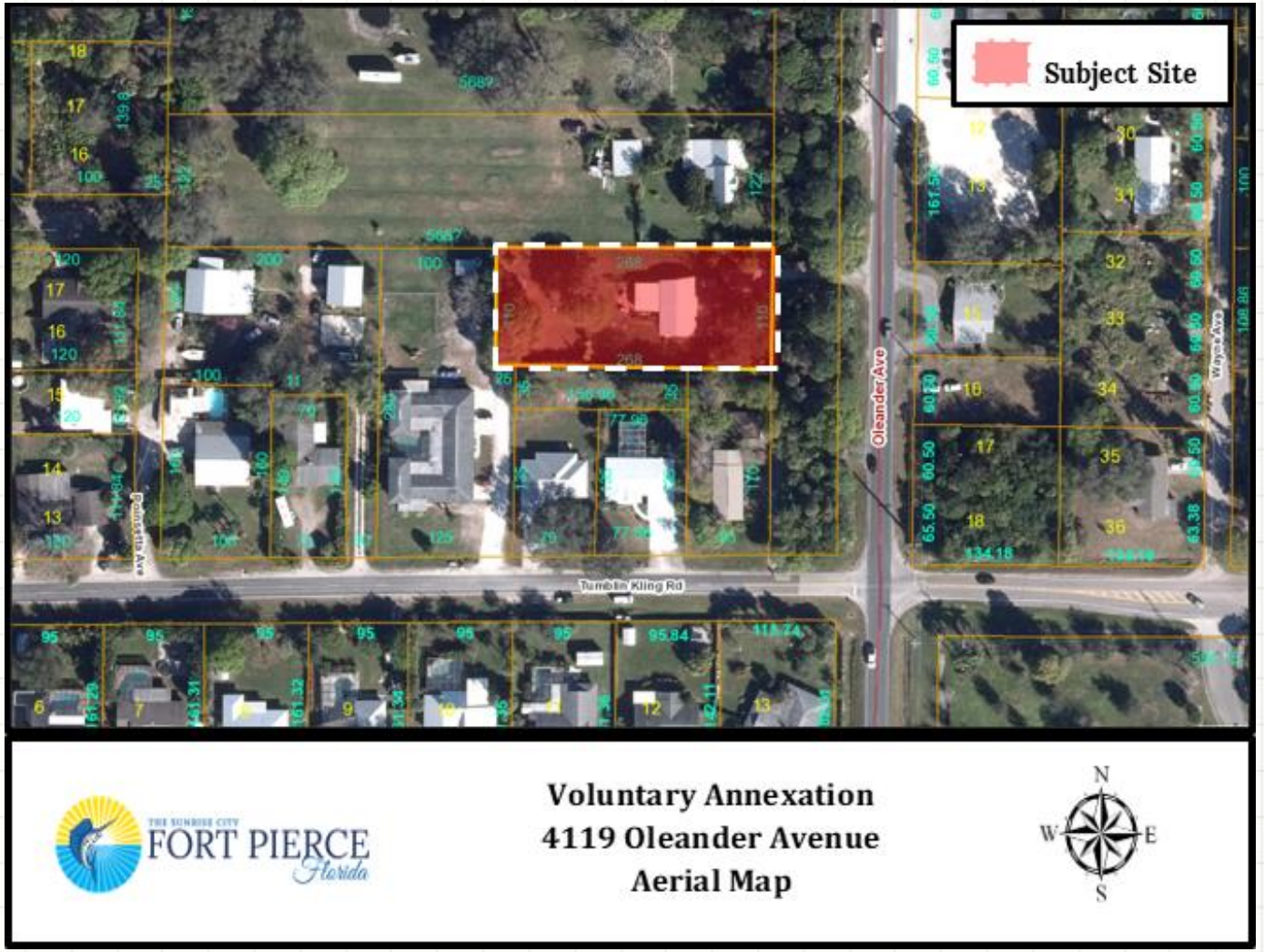
Annexation 26:

Ordinance No. 21-061



Annexation 27:

Ordinance No. 21-062



Twenty-Seven (27) Voluntary Annexations

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns

Petition bears the signatures of all owners of property in the area proposed to be annexed

- Fort Piece Utility Authority (FPUA) signed agreement states that owner, heirs, successors, and assigns approve annexation and waive any objection to the annexation once property becomes contiguous to City limits

Ordinance adopted under this section follows due process and notice

Twenty-Seven (27) Voluntary Annexations

Certified notices to St. Lucie County (10/7/21)

- Interlocal Agreement requires notification to St. Lucie County at least 30 days prior to 1st Reading of Annexation Ordinance
- No required notification to property owner prior to Annexation Ordinance reading

Planning Board review

- Recommended Approval

Two (2) publications of Annexation Ordinance with map (11/5/2021 and 11/26/2021)

Two (2) readings of Annexation Ordinance with 72-hour notice (11/15/2021 and 12/6/2021)

Annexation Ordinance filed with the Clerk of the Circuit Court & chief administrative officer of the County & with Department of State within 7 days

Certified Courtesy notices to all current property owners (12/6/2021)

- No required notification per State Statute or Code of Ordinances

City Commission Requested Action

Approval of 27 Voluntary Annexations

27 Voluntary Annexations to the City of Fort Pierce

City Commission Regular Meeting
11-15-2021

FPUA Agreement

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this 29th day of August, 2007.

ORANGE AVENUE STORAGE, LLC, a Florida Limited Liability Company

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Kelly Boyd

Printed Witness Signature

Witness Signature

Jan Emerson

Printed Witness Signature

MANAGING MEMBER (Signature)

Robert K. Wood

Printed Signature

116 Gulfstream Road

Address

Palm Beach, FL 33480-4708

City, State, Zip

STATE OF ~~FLORIDA~~ KENTUCKY

COUNTY OF FAYETTE

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM, Planning Director
RE:	**Application for Voluntary Annexation** **4119 Oleander Avenue**
MEETING DATE:	November 15, 2021

STAFF REPORT

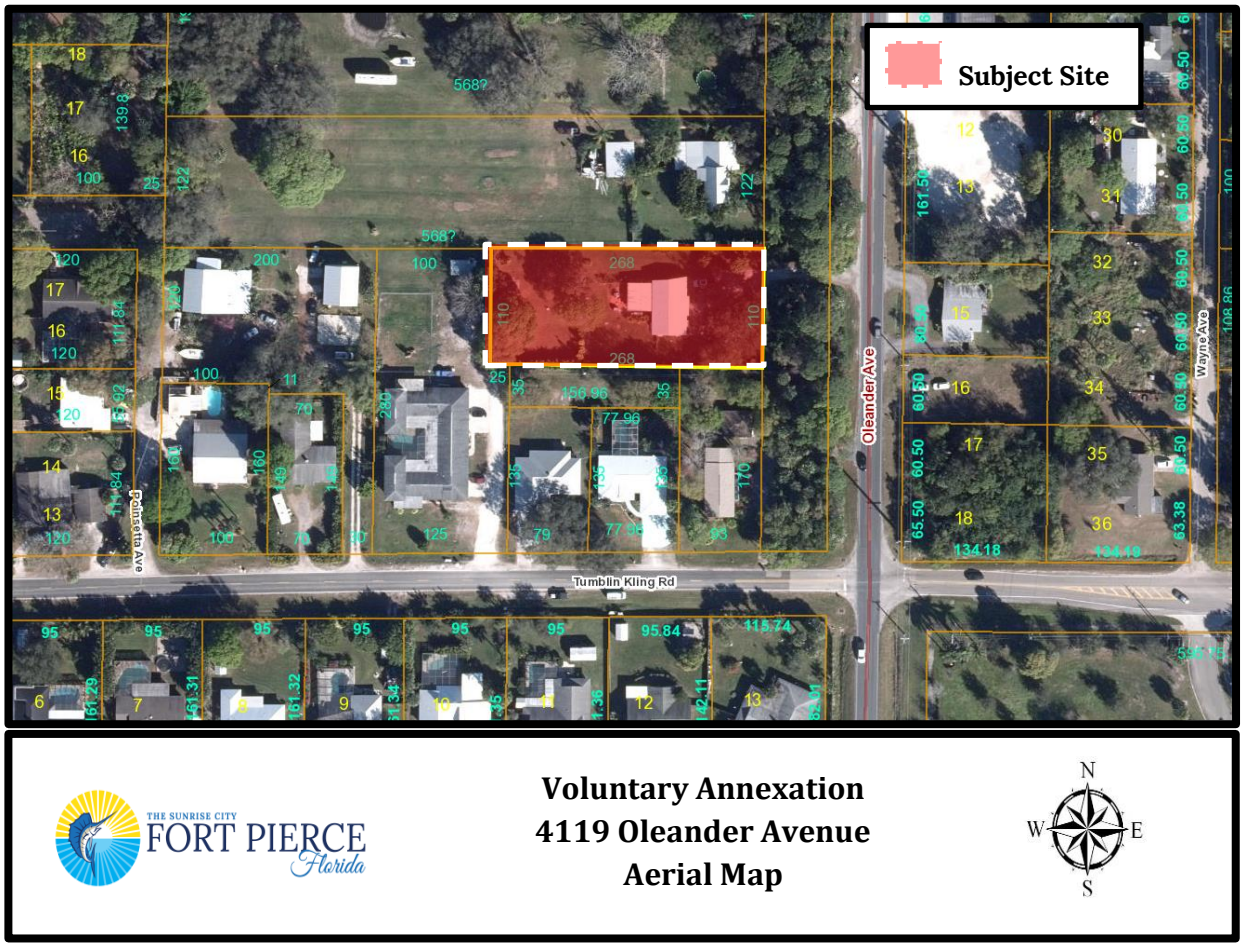
Property Owner/ Applicant	Margaret Broadhead 4119 Oleander Avenue Fort Pierce, FL 34982
Requested Action:	Approval of a Voluntary Application for Annexation
Site Location:	4119 Oleander Avenue in Fort Pierce, Florida
Parcel ID:	2433-414-0007-000-6
Parcel Size:	0.68 acres
Current Future Land Use:	Residential Medium (9 dwelling units per acre) (RM) (SLC)
Current Zoning:	Residential Multi-Family (9 dwelling units per acre) (RM-9) (SLC)
Proposed Future Land Use:	Medium Density Residential (RM) (FP)
Proposed Zoning:	Medium Density Residential (R-4) (FP)
Utilities:	FPUA

	North	East	South	West
Surrounding FLU:	RM (FP)	RM (FP) / RH (SLC)	RM (FP) / RM (SLC)	RM (FP)
Surrounding Zoning:	R-4 (FP)	C-2 (FP) / CN (SLC)	R-4 & C-2 (FP) / RM-5 (SLC)	R-4 (FP)

Staff Analysis:

Request

This is a voluntary annexation of a parcel located at 4119 Oleander Avenue in Fort Pierce, Florida. The parcel ID is 2433-414-0007-000-6.



The subject property has a St. Lucie County Future Land Use designation of Residential Medium (9 dwelling units per acre) (RM) and a zoning designation of Residential Multi-Family (9 dwelling units per acre) (RM-9). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for the parcel is Medium Density Residential (RM), with a zoning classification of Medium Density Residential (R-4).

Pursuant to Comprehensive Plan policy 1.11.5 "properties annexed shall receive a land use designation compatible with the County land use designation, unless otherwise approved by the City Commission." Staff has confirmed that the property is located within unincorporated St. Lucie County and are contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The proposed voluntary annexation is also consistent with Chapter 171.044, F.S., whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

The current taxable value of the property is $0. Should the Application for Annexation be approved, in the future it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Currently the property is developed with a residence.

Comprehensive Plan
Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The property is within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The subject property is in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. This parcel abuts properties that are within the City limits. The annexation of this property would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services.

Staff is requesting that the City of Fort Pierce Future Land Use and Zoning remain consistent with the current County designations of RM and RM-9, respectively, and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designation of RM and R-4, respectively, would be consistent with Policy 1.11.5 and the City's Comprehensive Plan. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of these annexations by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittal and have no objections regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan.

Staff Recommendation

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends approval of the proposed annexation at 4119 Oleander Avenue, along with the associated Future Land Use designation of RM and a Zoning designation of R-4.

Planning Board

The City of Fort Pierce Planning Board, at their September 13, 2021 meeting, voted 6 to 0 to recommend Approval of the annexation.

ORDINANCE NO. 21-062

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **4119 OLEANDER AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their September 13, 2021, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2433-414-0007-000-6

33 35 40 N 110 FT OF S 310 FT OF E 360 FT OF E 1/2 OF NE 1/4 OF SE 1/4-LESS RD AND CANAL- (0.68 AC - 29,621 SF) (OR 3600-385; 3601-189; 3626-941)

Said property containing 0.68 acres, more or less, and being generally located at 4119 Oleander Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-4, Medium Density Residential, and assigned a Future Land Use Designation of RM, Medium Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-49 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

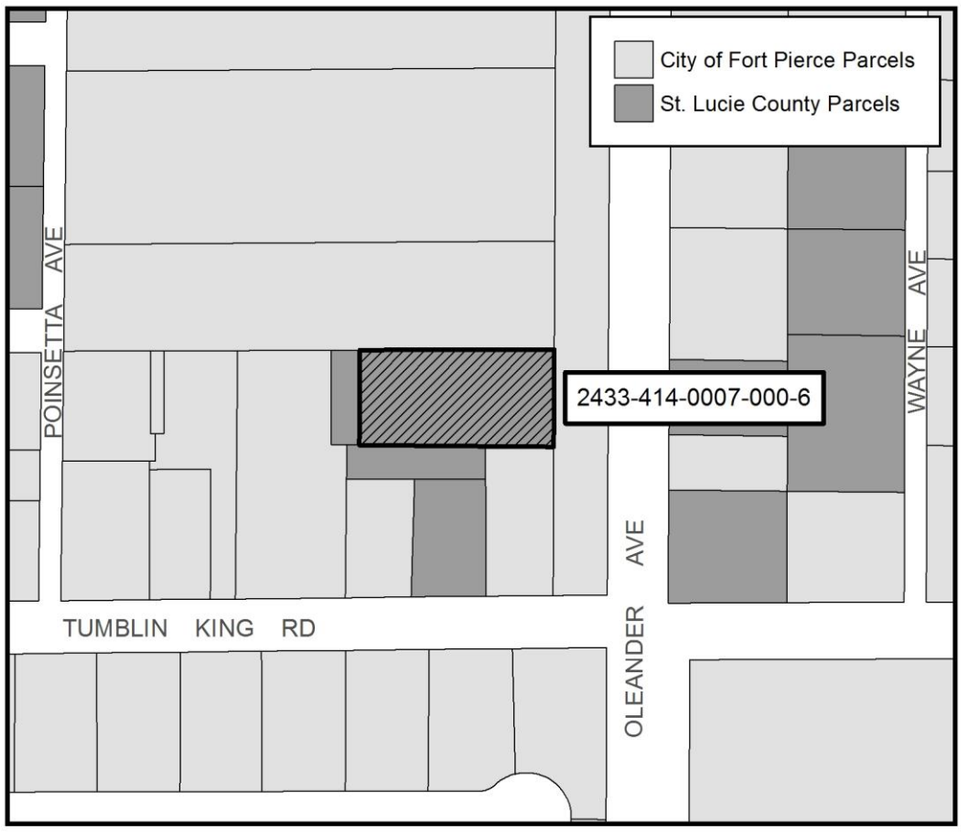
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

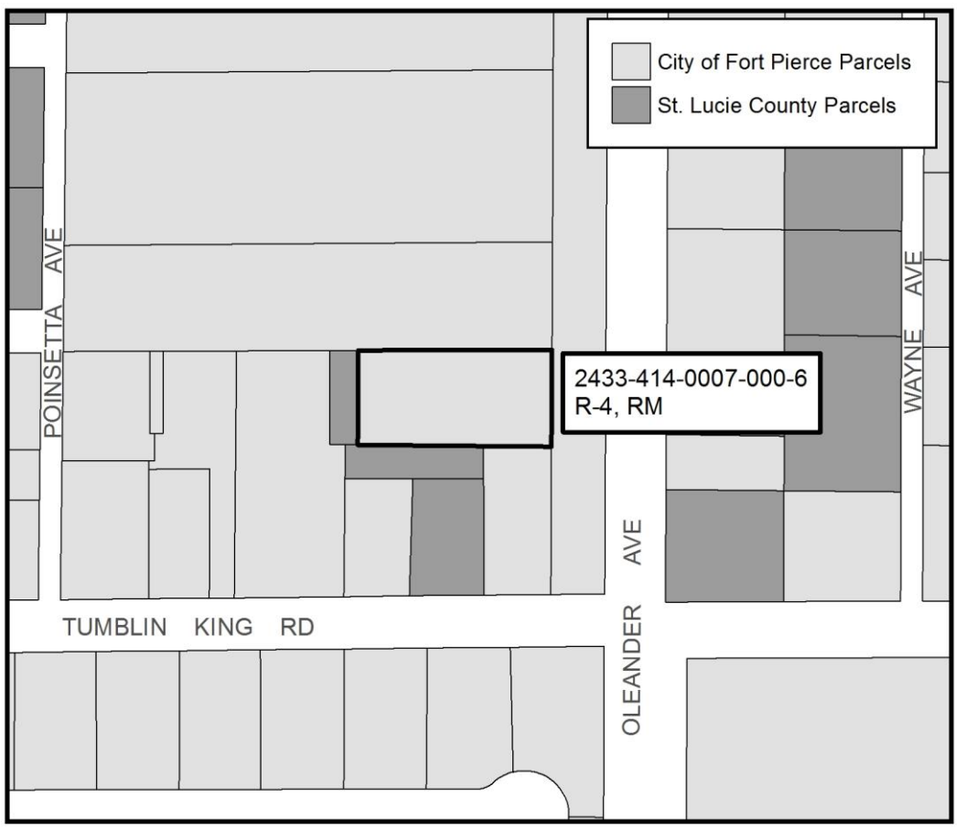
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



33 35 40 N 110 FT OF S 310 FT OF E 360 FT OF E 1/2 OF NE 1/4 OF SE 1/4-LESS RD AND CANAL- (0.68 AC - 29,621 SF) (OR 3600-385; 3601-189; 3626-941)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RM-9, Residential Multi-Family (9 dwelling units per acre) with a Future Land Use of RM, Residential Medium (9 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-4, Medium Density Residential and have a Future Land Use Designation of RM, Medium Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4194678 OR BOOK 3873 PAGE 1644, Recorded 05/27/2016 at 04:22 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2433-414-0007-000-6	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	4119 OLEANDER AVENUE, FORT PIERCE, FL 34982 Location Address 4119 OLEANDER AVENUE, FORT PIERCE, FL 34982 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Parcel 1: That part of the North 110 feet, lying between the West 300 feet and the East 330 feet of the South 310 feet of the East one-half of the Northeast one-quarter of the Southeast one-quarter of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida. LESS AND EXCEPT Canal and Road rights of way.

Parcel 2: The North 110 feet of the South 310 feet of the East 330 feet of the East one-half of the Northeast one-quarter of the Southeast one-quarter of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida. LESS AND EXCEPT Canal and Road rights of way.

THE ABOVE-DESCRIBED PROPERTY IS/IS NOT THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 25th day of May, 2016.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Amy Sheets
Printed Witness Signature

Witness Signature

Nikol Martin
Printed Witness Signature

Margaret Broadhead
Signature
Margaret Broadhead , a single adult
Printed Signature
4119 OLEANDER AVENUE
Address
FORT PIERCE, FL 34982
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Margaret Braodhead, a single adult, in whose name the foregoing instrument was executed, and that who severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL Nikol Martin NOTARY PUBLIC STATE OF FLORIDA Comm# FF210427 Expires 3/16/2019	Witness my hand and official Seal in the County and State last aforesaid this 25th day of May A.D. 2016. Notary Signature Nikol Martin Notary Printed Signature

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 4119 Oleander Road

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

City Commission Regular Meeting - 4:30 pm **12. o.**

Meeting Date: 11/15/2021

Re: Voluntary Annexation - 2120 North Old Dixie Highway - Ordinance No. 21-063

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance No. 21-063 annexing property located at 2120 North Old Dixie Highway. FIRST READING

SUMMARY:

The property owner, East Coast Packers, LLC, is requesting a voluntary annexation of property located 2120 North old Dixie Highway with a corresponding Future Land Use and Zoning amendments from St. Lucie County Industrial (IND) and Industrial Light (IL), respectively to City of Fort Pierce Future Land Use designation of Industrial (I) with a compatible zoning classification of Light Industrial (I-1).

- The current St. Lucie County Future Land Use for 2120 North Old Dixie Highway is Industrial (IND) with a compatible St. Lucie County Zoning as Industrial Light (IL).
- Staff has confirmed that the property is located within unincorporated St. Lucie County and is contiguous to the Fort Pierce City municipal boundary.
- To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation will be Industrial (I) and Zoning classification of Light Industrial (I-1).

RECOMMENDATION:

Staff recommends approval of the annexation request and associated changes to the Future Land Use and Zoning maps as the application meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations.

ALTERNATIVES:

Dissapprove.

RESPONSIBLE STAFF:

Jennifer Hofmeister-Drew, AICP, LCAM
Planning Director

COORDINATED WITH:

Technical Review Committee (TRC)

Fiscal Impact

Budgeted Y/N: N

Fiscal Year: N/A

Account: N/A

Amount: N/A

OTHER INFORMATION:

The current taxable value of each of the property is approximately $165,600. If the Application for Annexation is approved, it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Attachments

Presentation
staff report and supporting documentation
application and supporting documentation
Public Notification Certification
Ordinance No. 21-063

Form Review

Inbox	Reviewed By	Date
City Manager	Jennifer Hofmeister	11/03/2021 03:18 PM
City Manager	Jennifer Hofmeister	11/03/2021 04:16 PM
City Manager	Nick Mimms	11/04/2021 08:53 AM

Form Started By: Jennifer Hofmeister Started On: 11/01/2021 06:28 PM

Final Approval Date: 11/04/2021

Application for voluntary annexation 2120 North Old Dixie Highway

City Commission Regular Meeting
October 11, 2021

Location Map

2120 North Old Dixie Highway



Zoning:

Current – Industrial Light (IL) – St. Lucie County
Proposed – Light Industrial (I-1)

Future Land Use:

Current – Industrial (IND) – St. Lucie County
Proposed – Industrial

Staff Analysis and Recommendation

Voluntary annexations require, per Section 171.044, F.S.

Contiguous to a municipality

- Continuous means coterminous with a part of the boundary of the municipality.
- Can be separated by publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory to be annexed.

Reasonably compact

- Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns.

Petition bears the signatures of all owners of property in the area proposed to be annexed

- This is a voluntary annexation made by the property owner.

Ordinance adopted under this section follows due process and notice

Staff Analysis and Recommendation

Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with Policy 1.11.1 of the City Comprehensive Plan: The City evaluates proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;

2. The ability of the City to provide public services at the City's adopted levels of service;

3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and

4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery.

Planning Staff recommends that the Planning Board recommend **Approval** of the proposed annexation along with the Future Land Use and Zoning designations of I and I-1, respectively, for the parcel.

Planning Board Recommendation

October 11, 2021

Unanimously Recommended Approval

Possible Actions of the City Commission

Approve the Annexation of the parcel located at 2120 North Old Dixie Highway, or

Disapprove the Annexation of the parcel located at 2120 North Old Dixie Highway

Application for voluntary annexation 2120 North Old Dixie Highway

City Commission Regular Meeting
October 11, 2021

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO:	Nick C. Mimms, P.E., ICMA-CM, City Manager
FROM:	Jennifer Hofmeister-Drew, AICP, LCAM
RE:	Comprehensive Plan Amendment (Text Amendment) – Property Rights Element
MEETING DATE:	November 15, 2021

STAFF REPORT

Comprehensive Plan Amendment (Text Amendment)
Property Rights Element

At the September 7, 2021, City Commission meeting, the Commission voted to approve the transmittal to the Florida Department of Economic Opportunity (DEO) for review of the Comprehensive Plan Text Amendment to create a new Property Rights Element within the City of Fort Pierce Comprehensive Plan. The proposed Comprehensive Plan Amendment was drafted in accordance with the provisions of SB 59 (Fla. Stat. § 163.3177(6)(i)), which passed during the 2021 Florida Legislative Session, signed into law by Governor DeSantis, and incorporated into Florida's Community Planning Act. The new legislation mandated each local government to adopt a Property Rights Element into their comprehensive plan. The list of these provisions that must be addressed and have been included in the City's new Property Rights Element include the following four (4) rights:

1. The right of a property owner to physically possess and control their interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve their property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of their property through sale or gift.

The Technical Review Committee had no objections to the proposed Comprehensive Plan Amendment. At a special meeting held on August 23, 2021, the Planning Board, acting as the Local Planning Agency, recommended approval of the proposed Amendment. Lastly, on October 15, 2021, the Florida DEO completed an expedited review of the proposed Text Amendment and no comments on the proposed amendment (see Attachment 1). Therefore, staff is recommending APPROVAL of the proposed Comprehensive Amendment.

Attachment 1

Ron DeSantis
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Dane Eagle
SECRETARY

October 15, 2021

The Honorable Linda Hudson
Mayor, City of Fort Pierce
100 N U.S. Highway 1
Fort Pierce, Florida 34950

Dear Mayor Hudson:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Fort Pierce (Amendment No. 21-03ESR) received on September 16, 2021. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**

- **The second public hearing,** which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Paul Lim, Planning Analyst, by telephone at (850) 717-8511 or by email at Paul.Lim@deo.myflorida.com.

Sincerely,

Kelly D. Corvin, Regional Planning Administrator
Bureau of Community Planning and Growth

KDC/pl

Enclosure(s): Procedures for Adoption

cc: Rebecca Guerra, Assistant Planning Director, City of Fort Pierce
Thomas Lanahan, Executive Director, Treasure Coast Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (***https://floridajobs.secure.force.com/cp/***) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format,** clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

> "The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

Application submission shall include the following:

- **TRC** (*Initial Submission): One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board**: One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission**: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed
- Current Survey (completed within the last 12 months)

1. Address: **Mailing:** 1900 Old Dixie Hwy Ft. Pierce, Fl 34946 **Site:** 2120 N. Old Dixie Hwy Ft Pierce, Fl 34946

2. Legal description of real property for which annexation is being requested:

34 34 40 FROM SW COR OF SEC RUN N 668.5 FT, TH S 89 DEG 42 MIN E 347 FT TO E R/W OLD DIXIE HWY FOR POB, TH N 22 DEG 51 MIN W ON R/W 321 FT, TH AT RT ANG TO OLD DIXIE HWY 71.58 FT TO W R/W FEC RR, TH SELY ON R/W 344.29 FT, TH NWLY 57.7 FT TO E R/W OLD DIXIE AND POB- LESS AS IN UNRECORDED R/W MAP AND COUNTY DEED NO. 217 DATED 3/3/1941- (0.40 AC - 17,424 SF)

Property Tax ID: 1434-330-0001-000-7

3. **Size of described property: .4 acres**
4. **Project description: Existing Warehouse**
5. **Current St. Lucie County Future Land Use Designation: Industrial**
6. **Current St. Lucie County Zoning: Light Industrial**
7. **Is this a Historic property? No**
8. **Appraised value: $165,600**
9. **Name of Owner(s): East Coast Packers LLC**

Signature of Owner(s): Angela M. Sinnott, for East Coast Packers, LLC
Mailing Address: 1900 Old Dixie Hwy
City Fort Pierce State FL Zip 34946
Phone 772-465-7555 Fax772-460-5012

10. Name of Representative: Angela Sinnott

Signature of representative: Angela Sinnott

Mailing Address: 1900 Old Dixie Hwy

City: Fort Pierce State FL Zip 34946

Phone 772-465-7555 Fax 772-460-5012

E-mail: psinnott0@gmail.com CC: JFolds@eganfarms.com

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

OFFICE USE:

DATE RECEIVED: _____ Signed: _____

File Number: _____ Check No: _____ Receipt No: __

TRC Review: _____ Planning Board Review: _____ City Commission:

Ordinance No: _____ Date Approved: _____

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4467984 OR BOOK 4167 PAGE 288, Recorded 08/08/2018 11:33:12 AM Doc Ta
$0.70

PREPARED BY AND RETURN TO:
Richard M. Carnell, Jr., Esq.
1900 Old Dixie Highway
Fort Pierce, Florida 34946

Parcel ID #'s
1434-330-0001-000-7
1433-440-0001-020-8
1433-410-0002-000-6

Space Above this Line for Recording Data

This conveyance is a transfer of unencumbered real property and is a transfer for no reasonable determinable pecuniary value and is exempt from payment of documentary stamps tax in accordance with Crescent Miami Center, LLC v. Florida Department of Revenue, 903 So. 2d 913 (Fla. 2005), F.S. §201.0201, and Fla. Admin. Code Rule 12B-4.014.

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made this 31th day of July, 2018, between **EAST COAST PACKERS, INC.,** a Florida corporation, whose address is 1900 Old Dixie Highway, Fort Pierce, Florida 34946 of the County of Indian River, State of Florida (hereinafter "Grantor"), to **EAST COAST PACKERS, LLC,** a Florida limited liability company whose address 1900 Old Dixie Highway, Fort Pierce, Florida 34946 of the County of St. Lucie, State of Florida (hereinafter "Grantee")

WITNESSETH:

That Grantor, for and in consideration of the sum of $10.00 and other good and valuable consideration, has remised, released and quitclaimed and by these presents does remise, release and quitclaim unto Grantee, her/his/their successors and assigns:

ALL THAT CERTAIN real property located in St. Lucie County, Florida and more particularly described as follows:

See Exhibit "A" attached hereto

SUBJECT to restrictions, reservations and easements of record, if any, which are not reimposed hereby:

TOGETHER with all and singular tenements, hereditaments and appurtenances whatsoever thereunto belonging or in any wise appertaining, and the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever in and to the same and every part thereof.

TO HAVE AND TO HOLD the same in fee simple forever.

THIS Quit Claim Deed was prepared without the benefit of a title search.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed the day and year first above written.

Signed, sealed and delivered
In the presence of:

Angela M. Sindt
Print Name: Angela M. Sindt

Jessica Folds
Print Name: Jessica Folds

GRANTOR:
EAST COAST PACKERS, INC.
a Florida corporation

Bernadette M. Emerick
Bernadette M. Emerick, President

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing Quit Claim Deed was acknowledged before me this 31st day of July, 2018, by Bernadette M. Emerick, who is the President, of East Coast Packers, Inc., a Florida corporation [X] who is personally known to me or [ ] who produced driver's licenses as identification.

TERI M. WEYANDT
MY COMMISSION # GG 227765
EXPIRES: July 17, 2022
Bonded Thru Notary Public Underwriters

Teri M. Weyandt
Print Name: Teri M. Weyandt
My Commission Expires: 7-17-2022

EXHIBIT "A"

Parcel 1

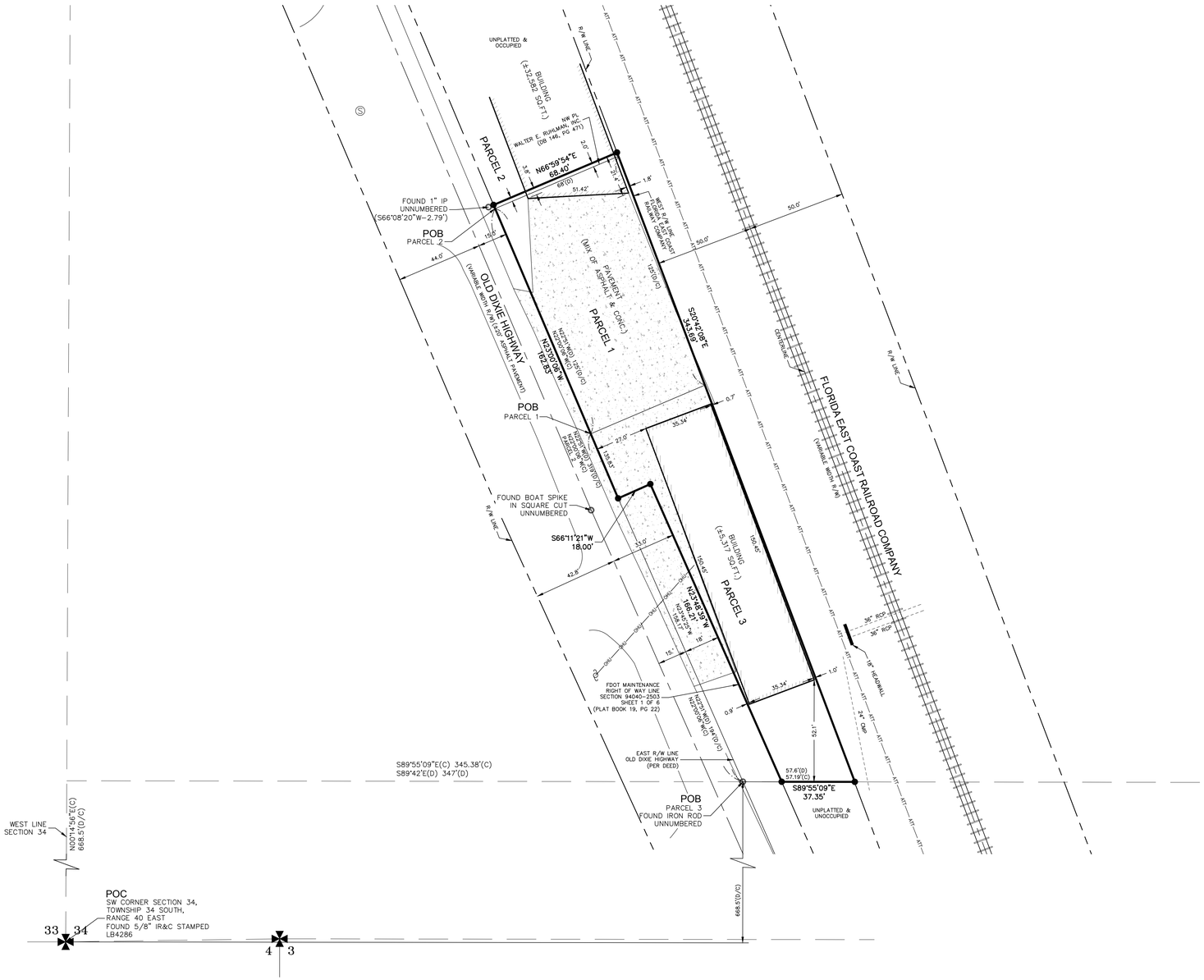
From the Southwest corner of Section 34, Township 34, South Range, 40 East, run northerly along the section line 668.5 feet; thence South 89° 42' East, a distance of 347 feet to the East right-of-way line of Old Dixie Highway; thence North 22° 51' West, along said East right-of-way line of Old Dixie Highway, a distance of 194 feet to the point beginning; thence continue North 22° 51' West along said East right-of-way line of Old Dixie Highway, a distance of 125 feet; thence at right angles to said East right-of-way of Old Dixie Highway, run a distance of 68 feet to the West right-of-way line of the Florida East Coast Railway Company; thence run southeasterly along the West right-of-way line of said Railway Company, a distance of 125 feet; thence run in a southwesterly direction at right angles to the said West right-of-way line of the Florida East Coast Railway Company to the East right-of-way line of Old Dixie Highway and the point of beginning.

Parcel 2

From the Southwest corner of Section 34, Township 34 South, Range 40 East, run northerly along the section line, 668.5 feet; thence run South 89° 42' East, a distance of 347 feet to the East right-of-way line of Old Dixie Highway; thence run North 22° 51' West along said East right-of way line of Old Dixie Highway a distance of 319 feet to the point of beginning; thence at right angles to said East right-of-way line of Old Dixie Highway a distance of 68 feet along the northwesterly boundary of that certain tract of land conveyed to Walter E. Ruhlman, Inc., as appears in Deed Book 146, page 471, of the public records of St. Lucie County, Florida, to the West right-of-way line of the Florida East Coast Railway Company; thence run northwesterly along the West right-of-way line of the Railway Company aforesaid, a distance of 2 feet; thence run southwesterly at right angles to the West right-of-way line of the Railway Company aforesaid, to the East right-of-way line of Old Dixie Highway; thence southeasterly along the East right-of-way line of Old Dixie Highway a distance of 2 feet to the point of beginning.

Parcel 3

From the Southwest corner of Section 34, Township 34 South, Range 40 East, run northerly along the section line 668.5 feet; thence run South 89° 42' East to the East right-of-way line of Old Dixie Highway for point of beginning; said point being 668.5 feet North of the section line; thence run North 22° 51' West along the East right-of-way line of Old Dixie Highway a distance of 194 feet; thence at right angles to said East right-of-way line of Old Dixie Highway run to the West right-of-way line of the Florida East Coast Railway Company; thence run southeasterly along the West right-of-way line of said Railway Company to a point which is 668.5 feet north of the section line; thence run West 57.6 feet to the point of beginning.



30 22.5 15 7.5 0 15 30 60

SCALE IN FEET: 1"= 30'

LEGEND

(P)	PLAT DATA	℄	CENTERLINE
(C)	CALCULATED FROM FIELD MEASUREMENTS	PL	PROPERTY LINE
(D)	DEED	No.	NUMBER
P.O.C.	POINT OF COMMENCEMENT	TYP	TYPICAL
P.O.B.	POINT OF BEGINNING	EL	ELEVATION
P.L.S.	PROFESSIONAL LAND SURVEYOR	INV	INVERT
L.B.	LICENSED BUSINESS	CONC	CONCRETE
PRM	PERMANENT REFERENCE MONUMENT	CATV	CABLE TELEVISION
IR&C	5/8" IRON ROD & CAP	SQ.	SQUARE
C.M.	CONCRETE MONUMENT	FT.	FEET
IR	IRON ROD	INFO.	INFORMATION
FND	FOUND	TOB	TOP OF BANK
O.R.B.	OFFICIAL RECORDS BOOK	OHU	OVERHEAD UTILITIES
DB	DEED BOOK	ATT	AMERICAN TELEPHONE & TELEGRAPH
PB	PLAT BOOK		FIRE HYDRANT
PG	PAGE		VALVE
Δ	CENTRAL ANGLE		DRAINAGE MANHOLE
R	RADIUS		SANITARY MANHOLE
L	ARC LENGTH		HAND HOLE
CB	CHORD BEARING		WOOD POWER POLE
CD	CHORD DISTANCE		CONCRETE POWER POLE
UGE	UNDERGROUND ELECTRIC		WELL
UG AT&T	UNDERGROUND AT&T		CABLE TV JUNCTION BOX
R/W	RIGHT OF WAY		SIGN
A/C	AIR CONDITIONING		SANITARY CLEAN OUT
CBS	CONCRETE BLOCK STRUCTURE		WATER METER
WM	WATER MAIN		LIGHT POLE
U.E.	UTILITY EASEMENT		
D.E.	DRAINAGE EASEMENT		
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION		
●	SET 5/8" IR&C STAMPED LB6844		

DESCRIPTION

PARCEL 1

FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 34, SOUTH RANGE, 40 EAST, RUN NORTHERLY ALONG THE SECTION LINE 668.5 FEET; THENCE SOUTH 89° 42' EAST, A DISTANCE OF 347 FEET TO THE EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY; THENCE NORTH 22° 51' WEST, ALONG SAID EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY, A DISTANCE OF 194 FEET TO THE POINT BEGINNING; THENCE CONTINUE NORTH 22° 51' WEST ALONG SAID EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY, A DISTANCE OF 125 FEET; THENCE AT RIGHT ANGLES TO SAID EAST RIGHT–OF–WAY OF OLD DIXIE HIGHWAY, RUN A DISTANCE OF 68 FEET TO THE WEST RIGHT–OF–WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY; THENCE RUN SOUTHEASTERLY ALONG THE WEST RIGHT–OF–WAY LINE OF SAID RAILWAY COMPANY, A DISTANCE OF 125 FEET; THENCE RUN IN A SOUTHWESTERLY DIRECTION AT RIGHT ANGLES TO THE SAID WEST RIGHT–OF–WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY TO THE EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY AND THE POINT OF BEGINNING.

PARCEL 2

FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 34 SOUTH, RANGE 40 EAST, RUN NORTHERLY ALONG THE SECTION LINE, 668.5 FEET; THENCE RUN SOUTH 89° 42' EAST, A DISTANCE OF 347 FEET TO THE EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY; THENCE RUN NORTH 22° 51' WEST ALONG SAID EAST RIGHT–OF WAY LINE OF OLD DIXIE HIGHWAY A DISTANCE OF 319 FEET TO THE POINT OF BEGINNING; THENCE AT RIGHT ANGLES TO SAID EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY A DISTANCE OF 68 FEET ALONG THE NORTHWESTERLY BOUNDARY OF THAT CERTAIN TRACT OF LAND CONVEYED TO WALTER E. RUHLMAN, INC., AS APPEARS IN DEED BOOK 146, PAGE 471, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TO THE WEST RIGHT–OF–WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY; THENCE RUN NORTHWESTERLY ALONG THE WEST RIGHT–OF–WAY LINE OF THE RAILWAY COMPANY AFORESAID, A DISTANCE OF 2 FEET; THENCE RUN SOUTHWESTERLY AT RIGHT ANGLES TO THE WEST RIGHT–OF–WAY LINE OF THE RAILWAY COMPANY AFORESAID, TO THE EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY; THENCE SOUTHEASTERLY ALONG THE EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY A DISTANCE OF 2 FEET TO THE POINT OF BEGINNING.

PARCEL 3

FROM THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 34 SOUTH, RANGE 40 EAST, RUN NORTHERLY ALONG THE SECTION LINE 668.5 FEET; THENCE RUN SOUTH 89° 42' EAST TO THE EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY FOR POINT OF BEGINNING; SAID POINT BEING 668.5 FEET NORTH OF THE SECTION LINE; THENCE RUN NORTH 22° 51' WEST ALONG THE EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY A DISTANCE OF 194 FEET; THENCE AT RIGHT ANGLES TO SAID EAST RIGHT–OF–WAY LINE OF OLD DIXIE HIGHWAY RUN TO THE WEST RIGHT–OF–WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY; THENCE RUN SOUTHEASTERLY ALONG THE WEST RIGHT–OF–WAY LINE OF SAID RAILWAY COMPANY TO A POINT WHICH IS 668.5 FEET NORTH OF THE SECTION LINE; THENCE RUN WEST 57.6 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ALL RIGHTS–OF–WAYS.

PARCELS 1, 2 AND 3 CONTAIN 0.4 ACRES, MORE OR LESS.

NOTES

1) REPRODUCTIONS OF THIS MAP ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS SURVEY CANNOT BE TRANSFERRED OR ASSIGNED WITHOUT THE SPECIFIC WRITTEN PERMISSION OF BRYAN C SMITH & ASSOCIATES, LLC. IT IS A VIOLATION OF CHAPTER 5J–17, FLORIDA ADMINISTRATIVE CODE, TO ALTER THIS SURVEY WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND/OR DELETIONS MADE TO THE FACE OF THIS SURVEY WILL MAKE THIS SURVEY INVALID.
2) DESCRIPTION SHOWN HEREON PROVIDED BY THE CLIENT AND/OR THEIR AGENT. THE DESCRIPTION SHOWN HEREON IS BASED ON OFFICIAL RECORDS BOOK 4167, PAGE 288, AND IS FROM ST. LUCIE COUNTY CLERK OF THE COURTS WEB SITE, BASED ON THE ST. LUCIE COUNTY PROPERTY APPRAISER'S WEB SITE, ACCORDING TO THE ADDRESS OF THE PROPERTY AS SUPPLIED BY THE CLIENT.
3) UNDERGROUND UTILITIES, UTILITY SERVICES, FOUNDATIONS AND IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY.
4) OVERALL PARCEL CONTAINS 0.4 ACRES, MORE OR LESS.
5) THE LAST DATE OF FIELD WORK WAS 8/3/2021.
6) REVISIONS SHOWN HEREON DO NOT REPRESENT A "FIELD SURVEY UPDATE" UNLESS OTHERWISE NOTED.
7) THE WEST LINE OF SECTION 34, TOWNSHIP 34 SOUTH, RANGE 40 EAST IS ASSUMED TO BEAR NORTH 00°14'56" EAST AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.
8) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS AND SYMBOLS SHOWN HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE THE RELATIONSHIP BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. THE DIMENSIONS SHOWN SHALL CONTROL THE LOCATION, OF THE IMPROVEMENTS, OVER THE SCALED POSITIONS.
9) LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR RIGHTS–OF–WAY, EASEMENTS OF RECORD, OWNERSHIP, ABANDONMENT'S, DEED RESTRICTIONS, OR MURPHY ACT DEEDS. THIS INFORMATION SHOULD BE OBTAINED THROUGH APPROPRIATE TITLE VERIFICATION.
10) SECTION LINES AND MONUMENTATION SHOWN HEREON AND USED TO DETERMINE PROPERTY BOUNDARIES ARE BASED ON PREVIOUS SURVEYS AND HISTORICAL SECTIONAL INFORMATION. SOME MONUMENTATION MAY HAVE BEEN DESTROYED, SINCE THE ORIGINAL DELINEATION OR RESOLUTION, OF THE SECTIONAL SURVEY.
11) THE SURVEY MAP SHOWN HEREON DOES NOT NECESSARILY CONTAIN ALL OF THE INFORMATION OBTAINED OR DEVELOPED BY THE UNDERSIGNED SURVEYOR IN HIS FIELD WORK, OFFICE WORK OR RESEARCH.

BRYAN C. SMITH SIGNATURE DATE:
PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NUMBER LS 6844

BRYAN C. SMITH & ASSOCIATES, LLC
6000 BAMBOO DRIVE
FT PIERCE, FL 34982
772–349–6394
CERTIFICATE OF AUTHORIZATION LB# 8315

EAST COAST PACKERS, LLC
FORT PIERCE, FLORIDA

BOUNDARY SURVEY

REVISIONS	NO.	DESCRIPTION	DATE

ISSUE DATE: 7/27/2021
DRAWN BY: BCS
CHECKED BY: CP
SCALE: 1" = 30'

JOB NO. 1287
SHEET NO. 1

D:\Drawings\Drawings\1287 Egret East Coast Packers\CAD\East Coast Packers 4 Ac Boundary Survey.dwg, P1, 8/4/2021 1:31:36 PM, DWG To PDF.pc3

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: 2120 North Old Dixie Highway

NOTICES PROVIDED PURSUANT TO: 125-7

NOTICE BY NEWSPAPER: 11-5-2021 and 11-26-2021-

NOTICE BY MAIL: 10-7-2021 (to St. Lucie County Administrator and Attorney per Joint Planning Agreement)

NOTICE BY SIGNS: n/a

VERIFIED BY: Jennifer Hofmeister-Drew, AICP, LCAM **TITLE**: Planning Director

SIGNATURE:  **DATE**: 11-3-2021

ORDINANCE NO. 21-063

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2120 NORTH OLD DIXIE HIGHWAY IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2022; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce, and

WHEREAS, the City of Fort Pierce Planning Board, at their November 8, 2021, meeting, voted X to X to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 15, 2021, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by November 5, 2021, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1434-330-0001-000-7

34 34 40 FROM SW COR OF SEC RUN N 668.5 FT, TH S 89 DEG 42 MIN E 347 FT TO E R/W OLD DIXIE HWY FOR POB, TH N 22 DEG 51 MIN W ON R/W 321 FT, TH AT RT ANG TO OLD DIXIE HWY 71.58 FT TO W R/W FEC RR, TH SELY ON R/W 344.29 FT, TH NWLY 57.7 FT TO E R/W OLD DIXIE AND POB- LESS AS IN UNRECORDED R/W MAP AND COUNTY DEED NO. 217 DATED 3/3/1941- (0.40 AC - 17,424 SF)

Said property containing 0.40 acres, more or less, and being generally located at 2120 North Old Dixie Highway in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2022, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned I-1, Light Industrial, and assigned a Future Land Use Designation of I, Industrial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Tanya M. Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 21-063 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Friday, November 5, 2021, and Friday, November 26, 2021; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 15, 2021; and was duly introduced, read by title only, and passed on second and final reading December 6, 2021, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 6th day of December, 2021.

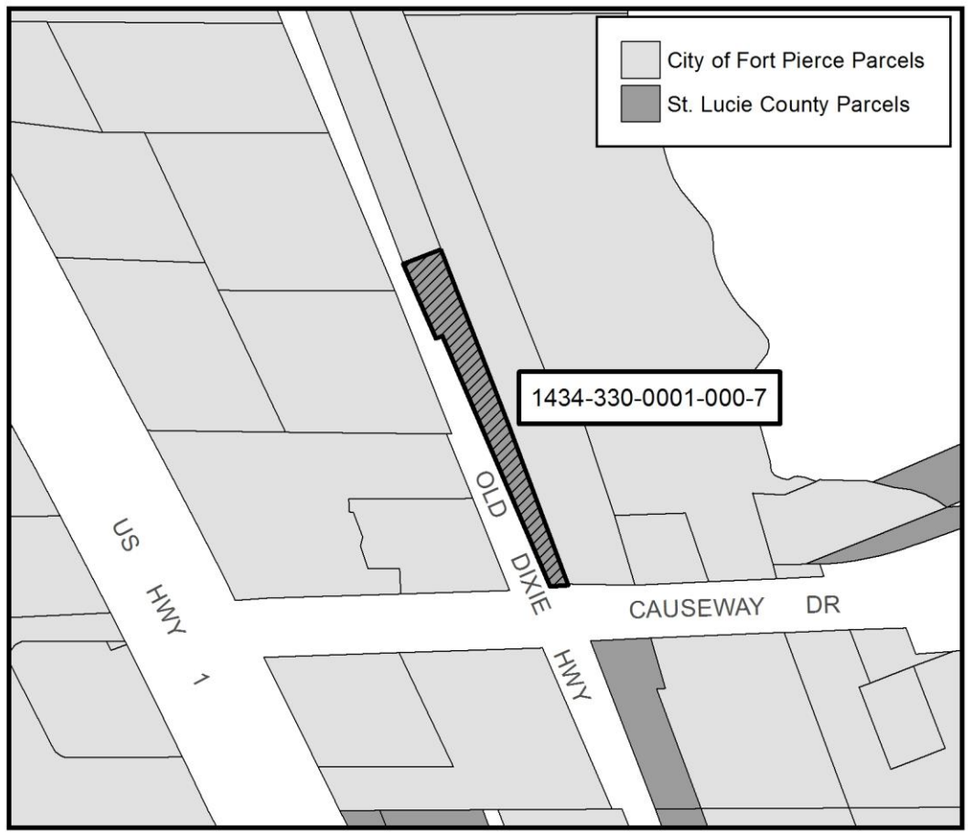
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

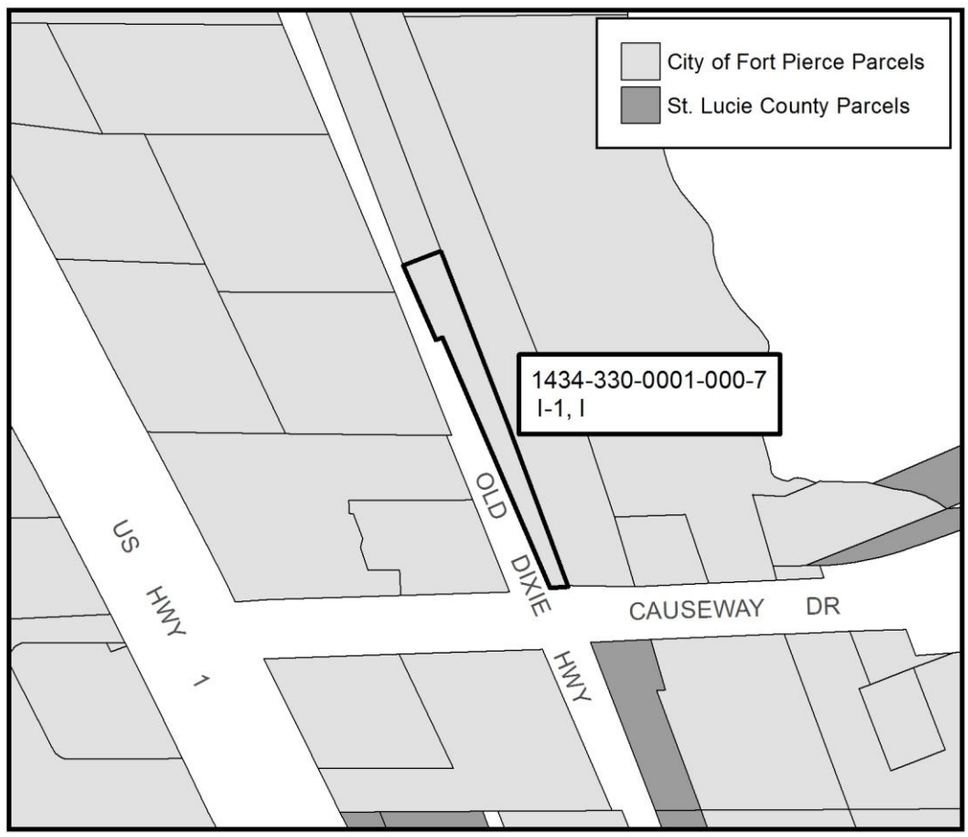
(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



34 34 40 FROM SW COR OF SEC RUN N 668.5 FT, TH S 89 DEG 42 MIN E 347 FT TO E R/W OLD DIXIE HWY FOR POB, TH N 22 DEG 51 MIN W ON R/W 321 FT, TH AT RT ANG TO OLD DIXIE HWY 71.58 FT TO W R/W FEC RR, TH SELY ON R/W 344.29 FT, TH NWLY 57.7 FT TO E R/W OLD DIXIE AND POB- LESS AS IN UNRECORDED R/W MAP AND COUNTY DEED NO. 217 DATED 3/3/1941- (0.40 AC - 17,424 SF)

EXHIBIT B
Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned IL, Industrial Light with a Future Land Use of IND, Industrial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of I-1, Light Industrial and have a Future Land Use Designation of I, Industrial.

City Commission Regular Meeting - 4:30 pm **13. a.**

Meeting Date: 11/15/2021

Re: Electronic Filing

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Resolution No. 21-R66 requiring electronic filing of campaign finance reports for all local candidates and political committees utilizing the Supervisor of Elections' electronic filing system.

SUMMARY:

Under the provisions of Section 106.07(2)(a)2., Florida Statutes, the City Commission of the City of Fort Pierce is authorized to require electronic filing, as provided for in Chapter 106, Florida Statutes, of candidates for elective office required to qualify for office with the City Clerk of the City of Fort Pierce. The City Clerk has been requiring candidates to utilize the Supervisor of Elections' electronic filing system since 2016. This resolution seeks to formalize that process and remove any question as to the City Clerk's ability to **require** candidates and committees to utilize the Supervisor of Elections' electronic filing system as the City's means of requiring and accepting electronic filing. The use of this electronic system provides greater transparency and easy public access to all campaign finance information in one centralized location for our community.

RECOMMENDATION:

Adopt Resolution 21-R66

ALTERNATIVES:

Do not adopt.

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

Supervisor of Elections

Fiscal Impact

OTHER INFORMATION:

There is no fiscal impact.

Attachments

21-R66

Form Review

Form Started By: Linda Cox Started On: 11/09/2021 01:17 PM
Final Approval Date: 11/09/2021

RESOLUTION NO. 21-R66

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, IMPLEMENTING THE PROVISIONS OF SECTION 106.07(2)(a)2., FLORIDA STATUTES, REQUIRING ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES AND POLITICAL COMMITTEES; ESTABLISHING AN ELECTRONIC FILING SYSTEM AND REQUIRING A WRITTEN ACKNOWLEDGEMENT REGARDING CERTAIN MATTERS PERTAINING TO THE ELECTRONIC FILING SYSTEM AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, in accordance with the provisions of Section 106.07(2)(a)2., Florida Statutes, the City Commission of the City of Fort Pierce is authorized to require electronic filing, as provided for in Chapter 106, Florida Statutes, of candidates for elective office required to qualify for office with the City Clerk of the City of Fort Pierce; and

WHEREAS, Section 106.07(3), Florida Statutes, requires the campaign finance reports specified in Chapter 106, Florida Statutes, of political committees that have registered with the City Clerk to be subject to the same filing conditions as established for the campaign finance reports of candidates for elective office within such city; and

WHEREAS, the St. Lucie County Supervisor of Elections has agreed to allow electronic filing of said campaign finance reports for City of Fort Pierce elections with her office consistent with the requirements of Chapter 106, Florida Statutes; and

WHEREAS, by the adoption of this resolution, the City Commission of the City of Fort Pierce, Florida, intends to require the campaign finance reports of certain candidates for elective office within the City and of political committees registered within the City to be filed electronically with the City Clerk by means of the St. Lucie County's Supervisor of Elections electronic filing system in accordance with the provisions of Sections 106.07(2)(a)2 and 106.07(3), Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. Pursuant to the provisions of Section 106.07(2)(a)2, Florida Statutes, the following persons and committees are required to electronically file finance reports:

(a) Candidates for elective office within the City who are required by law to qualify before the City Clerk;

(b) Political committees that are required by law to qualify before the City Clerk.

SECTION 2. Pursuant to Sections 106.07(2)(a)2 and 106.07(3), Florida Statutes, the City Commission of the City of Fort Pierce hereby establishes the requirement that each campaign finance report of candidates, political committees and officers must be filed with the City Clerk by means of the Supervisor of Elections' electronic filing system.

SECTION 3. The St. Lucie County Supervisor of Elections is authorized and directed to develop and establish an electronic filing system, inclusive of such uniform procedures and forms as may be necessary and appropriate for the implementation thereof. At a minimum, the electronic filing system shall satisfy the following requirements:

(a) Be based on access by means of the Internet;

(b) Be accessible by anyone with Internet access using standard web-browsing software;

(c) Provide for direct entry of campaign finance information as well as upload of such information from campaign finance software certified by the Division;

(d) Provide a method that prevents unauthorized access to electronic filing system functions;

(e) Provide for the issuance of an electronic receipt to the person submitting a campaign finance report indicating and verifying that the same has been filed;

(t) Include a conspicuous statement at or immediately following the log-in page that campaign finance reports must be completed and filed through the electronic filing system not later than midnight of the day required by law thereof, and that late-filed campaign finance reports are subject to the penalties prescribed under Section 106.07(8), Florida Statutes; and

(g) Include a conspicuous statement at the prompt for submitting a campaign finance report that the same is considered to be certified as to correctness within the meaning of Section 106.07(5), Florida Statutes, by the candidate and the candidate's treasurer, in the case of a candidate, and by the political committee's chair and political committee's treasurer, in the case of a political committee, and that such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

SECTION 4. the City Clerk shall require each person given a secure sign-on to the electronic filing system to sign a written statement on a form prepared by the St. Lucie County Supervisor of Elections acknowledging the following:

(a) Campaign finance reports must be completed and filed through the electronic filing system no later than midnight of the day required by law therefore.

(b) Campaign finance reports not filed by midnight of the required day are deemed late-filed and are subject to the penalties prescribed under Section 106.07(8), Florida Statutes.

(c) Campaign finance reports filed through. the electronic filing system are considered to be certified as to the correctness within the meaning of Section 106.07(5), Florida Statutes, by the candidate and the candidate's treasurer, in the case of a candidate, or by the political committee's chair and the political committee's treasurer, in the case of a political committee, and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

(d) The person signing the statement is responsible for protecting the sign-on credentials from disclosure, and for all filing using such credentials, unless the person has notified the City Clerk that such credentials have been compromised.

SECTION 5. The St. Lucie County Supervisor of Elections is authorized and required to develop and establish an alternate filing procedure for campaign finance reports in the event the electronic filing system is not operable.

SECTION 6. This resolution shall take effect immediately upon its adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 15TH day of November, 2021.

_____
Linda Hudson
Mayor Commissioner

ATTEST:

_____
Linda W. Cox, City Clerk

Approved as to Form
And Correctness:

_____
Tanya M. Earley, Esq.
City Attorney