

ORDINANCE NO. 23-007

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE THREE (3) PARCELS CONTAINING APPROXIMATELY 18.92 ACRES AND BEING GENERALLY LOCATED AT OR NEAR APPROXIMATELY 2250 FEET WEST OF THE NORTHWEST CORNER OF ORANGE AVENUE AND N 39TH 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, 2024; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; 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 Section 171.044 of the Florida Statutes, the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that 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 petition bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, 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; and

WHEREAS, the application has been reviewed pursuant to the Future Land Use Element of the Comprehensive Plan, 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; and

WHEREAS, the City of Fort Pierce Planning Board, at their August 8th, 2022, meeting, voted 7-0 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 on October 25, 2022, no fewer than thirty (30) days prior to the first reading of this annexation Ordinance by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Section 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 on October 25, 2022, 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. Said property having Parcel ID(s): 2407-134-0001-000-4, 2407-144-0001-000-5 and 2408-233-0001-000-1, containing approximately 18.92 acres and being generally located at or near approximately 2250 feet west of the northwest corner of Orange Avenue and N 39th Street in Fort Pierce, Florida, having legal description as described in **Exhibit "A"** and depicted on **Exhibit "B"**, attached hereto, and incorporated herein; and annexed into the City.

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 having legal description as described in **Exhibit "A"** and depicted on **Exhibit "B"** hereof as of January 1, 2024, 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. The property tax classifications and exemptions currently in effect upon and applied to the land described in **Exhibit "A"** shall not be affected by this Ordinance, so long as the classifications and exemptions are consistent with the standards set forth by the Saint Lucie County Property Appraiser. Nothing in this Ordinance is intended to, or shall be construed as, a revocation or abrogation of the land's current Saint Lucie County Property Appraiser's tax classifications and exemptions.

SECTION 3. That in accordance with Section 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 4. That in accordance with Section 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 5. 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 which shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 7. 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. 23-007 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, January 1, 2023 and Sunday, January 8, 2023; 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 _____, 2023; and was duly introduced, read by title only, and passed on second and final reading _____, 2023, 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 _____, 2023.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Legal Description

Parcel 1:

A parcel of land lying in Sections 7 and 8, Township 35 South, Range 40 East, St. Lucie County, Florida, being more particularly described as follows:

The South 600.00 feet of the following described property:

The South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4; and the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4; and Southeast 1/4 of the Northwest 1/4 of Northeast 1/4; less the North 50 feet thereof; and Southeast 1/4 of the Northeast 1/4, less the North 254.5 feet of the South 294.5 feet of the East 300 feet of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4; and the East 791.25 feet of the Southwest 1/4 of the Northeast 1/4; less rights of way for public roads and drainage canals as to all of said parcels, all in Section 7, Township 35 South, Range 40 East, St. Lucie County, Florida.

Parcel 2:

The North 254.5 feet of the South 294.5 feet of the East 300 feet of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 7, Township 35 South, Range 40 East, St. Lucie County, Florida.

Parcel 3:

That part of the West 25 feet of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 8, Township 35 South, Range 40 East, which lies North of Orange Avenue extension and South of the drainage canal (said 25 foot strip being approximately 355 feet North and South); less and except that portion taken for road right of way as described as Parcel No. 211 in Official Records Book 1415, Page 421, St. Lucie County, Florida.

Less and except the West 725.27 feet of said South 600.00 feet thereof.

CONTAINING 18.92 ACRES, MORE OR LESS.

EXHIBIT B
Territorial Limits Extension

