

ORDINANCE NO. 2019-28

AN ORDINANCE ANNEXING TO THE CITY OF BELLEVUE, FLORIDA, CERTAIN LANDS IN MARION COUNTY, FLORIDA, PURSUANT TO CHAPTER 171, FLORIDA STATUTES, PROVIDING FOR TERMS AND CONDITIONS OF SAID ANNEXATION AND DESCRIBING THE AREA TO BE ANNEXED, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Petitions for immediate annexation of the following parcels of land, all lying and being in the unincorporated area of Marion County and lying contiguous to the City of Belleview, Florida, have been filed with the City of Belleview; and

WHEREAS, said lands are comprised of **one (1) parcel, totaling 1.06** acres more or less; and

WHEREAS, said properties are more particularly described herein-below and are lands lying and being in Marion County, Florida; and

WHEREAS, Marion County has submitted no objection to annexation by the City of Belleview of the herein described lands; and

WHEREAS, Marion County has existing Comprehensive Plan Future Land Use (FLU) and Zoning designations on said lands as follows:

<u>Marion County Tax Parcel</u>	<u>FLU</u>	<u>Zoning</u>
39143-000-00	COM	B-2
A portion of S US Hwy 301 Right-of-Way	NA	NA

WHEREAS, properties to be annexed will be subject to the City Comprehensive Plan Future Land Use designation and the City of Belleview zoning classification most consistent with the existing classifications (unless otherwise requested by the property owner) as designated on the official maps of Marion County Florida; and

WHEREAS, the City of Belleview believes it is in the public interest for said land to be annexed into the City in accordance with Section 171.044, Florida Statutes; and

WHEREAS, said unincorporated area to be annexed meets the standards of Section 171.042, Florida Statutes, and such required reports setting forth plans to provide urban services are on file with the City Engineer; and

WHEREAS, said unincorporated areas to be annexed meet the general standards of Subsection (1) and Subsection (2)(c) of Section 171.043, Florida Statutes.

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

Section 1. The City Commission of the City of Belleview, Florida, in accordance with the powers given and granted to said City of Belleview in and by Chapter 171, Florida Statutes, does hereby extend the City limits of the City of Belleview so as to include therein the following described territory, which is adjacent thereto and more particularly described as follows:

The following described parcel of land owned by Bishop of the Diocese of Orlando:

The land referred to herein below is situated in the County of Marion, State of Florida, and is described as follows:

Beginning at a point on the West boundary of the NE 1/4 of the SW 1/4 of Section 31, Township 16 South, Range 23 East, South 337.31 feet from the Northwest corner of said NE 1/4 of SW 1/4, thence run South 89°47'45" East 673.71 feet to the Westerly right-of-way line of State Highway No. 35, thence run Southeasterly along said highway line on a curve concave Southwesterly a chord bearing and length of South 15°50'37" East 194.14 feet, thence North 89°47'45" West 726.71 feet to the West boundary of said NE 1/4 of SW 1/4, thence North along said boundary 188.58 feet to the Point of Beginning, LESS the following three parcels of said property.

(PARCEL A) Commence at a point on the West boundary of the NE 1/4 of the SW 1/4 of Section 31, Township 16 South, Range 23 East, South 362.31 feet from the Northwest corner of said NE 1/4 of SW 1/4, for the Point of Beginning; thence South 89°47'45" East 95 feet to a concrete monument; thence South 161.58 feet to a concrete monument; thence North 88°47'45" West 95 feet to a concrete monument; thence North 161.58 feet to the Point of Beginning. (Also known as Lot 8 of an unrecorded plat dated September 25, 1958, prepared by Marion Engineering Associates, Inc.)

(PARCEL B) Commence at a point on the West boundary of the NE 1/4 of the SW 1/4 of Section 31, Township 18 South, Range 23 East, South 362.31 feet from the Northwest corner of said NE 1/4 of SW 1/4 to a point, thence South 89° 47'43" East 335 feet for a Point of Beginning; thence South 89° 47'45" East 80 feet to point, thence South 161.58 feet to a point, thence North 89°47'45" West 80 feet to a point, thence North 161.58 feet to the Point of Beginning. (Also known as Lot 4 of an unrecorded plat dated September 25, 1958, prepared by Marion Engineering Associates, Inc.)

(PARCEL C) Commence at the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 16 South, Range 23 East, lying in Marion County, Florida; thence along the West boundary line of the Northeast 1/4 of the Southwest 1/4 of said Section 31, a bearing of South 00°00'00" East, a distance of 337.33 to the Point of Beginning; thence South 89°49'25" East, a distance of 415.00 feet; thence South 00°02'00" East, a distance of 24.89 feet; thence North 89°55'3r West, a distance of 79.87 feet; thence South 00°00'35" East, a distance of 161.76 feet; thence North 89°46'39" West, a distance of 240.04 feet; thence North 00°04'00" West, a

distance of 161.53 feet; thence North 89°48'09" West, a distance of 94.94 feet; thence North 00°00'00 East, 25.04 feet to the Point of Beginning.

Said parcel of land also being depicted on the map attached hereto as Exhibit A.

Section 2. The properties to be annexed shall be subject to City taxes and debts in accordance with Section 171.061 Florida Statutes.

Section 3. No homestead located in said area shall be reduced in area because of its inclusion in the City Limits of the City of Belleview.

Section 4. The additional territory annexed shall retain the comprehensive plan future land use and zoning classifications existing at the time this ordinance is approved, as those classifications appear in the comprehensive plan and zoning ordinances of Marion County, Florida, until such time as the City of Belleview adopts a comprehensive plan future land use and zoning designation for the annexed property as described above.

Section 5. The comprehensive plan future land use and zoning designation adopted by the City for the additional territory annexed herein shall be based upon the City future land use and zoning district which is in compliance with its Comprehensive Plan and which is closest to the Marion County future land use and zoning classification in effect at the time of annexation or as otherwise requested by the property owner.

Section 6. All ordinances or parts of ordinances in conflict with this ordinance are to the extent of such conflict repealed.

Section 7. It is the intention of the City Commissioners and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Belleview, Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

Section 8. This Ordinance shall become effective immediately upon adoption.

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon **First Reading** by a _____ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on the 19th day of November, 2019. Said ordinance was duly read, passed, and adopted upon **Final Reading** by a _____ vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on the 3rd day of December, 2019.

City of Belleview:

CHRISTINE K. DOBKOWSKI

Mayor/Commissioner

Attest:

Margaret DeGennaro, MMC, CPS
City Clerk

Approved as to Form and Legality for the
Use and Benefit of the City of Belleview only:

FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF ADVERTISING

I HEREBY CERTIFY that foregoing Ordinance was advertised for a Public Hearing in the November ____, 2019 edition of the Voice of South Marion newspaper in accordance with Florida Statutes.

Margaret DeGennaro, MMC, CPS
City Clerk

Exhibit A

City of Bellevue
St. Theresa's Church Annexation – AN19-0007

