

**ORDINANCE NO. 2023-02**

**AN ORDINANCE ANNEXING TO THE CITY OF BELLEVIEW, 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**, a Petition for immediate annexation of the following parcel of land, lying and being in the unincorporated area of Marion County and lying contiguous to the City of Belleview, Florida, has been filed with the City of Belleview; and

**WHEREAS**, said land is comprised of **two (2) parcels, totaling 4.63** acres more or less; and

**WHEREAS**, said property is more particularly described herein-below and is comprised of land 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:

<b><u>Marion County Tax Parcel</u></b>	<b><u>FLU</u></b>	<b><u>Zoning</u></b>
36875-000-00	COM	B-4
36872-002-00	COM	B-4

**WHEREAS**, the property 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 parcels of land owned by Florida Oaks Mulch LLC:**

A part of Lot A-6 J.L. McGahagan Estates in Section 23, Township 16 South, Range 22 East as recorded in Plat Book E, Page 44, of the Public Record of Marion County, Florida, described as follows:

Commencing at a point 953.22 feet North of the 1/4 Section corner on the South boundary of said Section 23, said 1/4 Section corner being the SW corner of Lot A-6, thence North 365 feet, thence N.89°42'13"E., 334.10 feet to the Westerly right of way line of U.S. Highway 441, thence S.26°54'47"E., along said right of way line 211.00 feet, thence S.67°25'40"W., 465.25 feet to the Point of Beginning.

AND

Commencing at the SW corner of Lot A-6 of J.L. McGahagan Estates as recorded in Plat Book E, Page 44, of the Public Records of Marion County, Florida, said SW corner being the SW corner of the SE 1/4 of Section 23, Township 16 South, Range 22 East; thence North along the West boundary of said lot a distance of 953.22 feet to the Point of Beginning; thence N.67°25'40"E., 465.25 feet to the Westerly right of way line of U.S. Highway #441 (200 feet wide); thence S.26°54'47"E., along said right of way 200 feet to a point; thence run a Southwesterly direction to a point on the West boundary of Lot A-6 174.53 feet to the Point of Beginning.

Also known as Marion County Tax Parcel No. 36872-002-00 and 36875-000-00.

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 7<sup>th</sup> day of March, 2023. 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 4<sup>th</sup> day of April, 2023.

City of Belleview:

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CHRISTINE K. DOBKOWSKI  
Mayor/Commissioner

Attest:

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Mariah Moody  
City Clerk

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

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FREDERICK E. LANDT, III  
City Attorney

**CERTIFICATE OF ADVERTISING**

**I HEREBY CERTIFY** that foregoing Ordinance was advertised for a Public Hearing in the \_\_\_\_\_ and \_\_\_\_\_, 2023 edition of the Voice of South Marion newspaper in accordance with Florida Statutes.

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Mariah Moody  
City Clerk

Exhibit A

City of Belleview  
Spartan Investment Group Annexation – AN23-0001

