

ORDINANCE 2013-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ANNEXING FOUR (4) PARCELS TOTALING 8.52 ACRES OF LAND LOCATED AT 1463 NECTARINE STREET, 1601 NECTARINE STREET, 1603 NECTARINE STREET, AND 1620 NECTARINE STREET, AND; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Fernandina Beach, on behalf of the owners for property located at 1463 Nectarine Street, 1601 Nectarine Street, 1603 Nectarine Street, and 1620 Nectarine Street and identified as parcel identification numbers 00-00-31-1600-0206-0010, 00-00-31-163P-0000-0000, 00-00-31-1600-0167-0010, and 00-00-31-1800-0266-0061 has applied for a voluntary annexation into the City of Fernandina Beach; and

WHEREAS, the Planning Advisory Board reviewed application AX 2013-02 at its March 13, 2013 meeting and recommended approval by a vote of 4 to 3; and

WHEREAS, the City Staff has reviewed the voluntary annexation agreements and has found that the agreements bear the signatures of all the owners of the subject property at such time that the agreement was made, the parcel is contiguous to the City boundary, is reasonably compact, does not create an enclave, will be used for urban services, and the City will be able to deliver urban services such as water, sewer, garbage, police and fire without decreasing the level of service currently provided to City residents; and

WHEREAS, the City Attorney has rendered a legal opinion that upon review, the annexation petition meets the requirements of Chapter 171 Florida Statutes; and

WHEREAS, after consideration of the application and evidence presented on such application thereon, the City Commission made the following findings:

- a. That the Commission is empowered under Chapter 171, Florida Statutes to approve a request for voluntary annexation.
- b. That the proposed annexation meets the requirements for voluntary annexation as required by Chapter 171.044 F.S., is contiguous to the municipal boundary, is reasonably compact, and does not create an enclave.
- c. That the petitioner agrees to file for a Future Land Use Map (FLUM) amendment and a change in zoning district designation within six (6) months from the date of the annexation being approved by the City Commission.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The following four (4) parcels of real property located at 1463 Nectarine Street, 1601 Nectarine Street, 1603 Nectarine Street, and 1620 Nectarine Street and identified as parcel identification numbers 00-00-31-1600-0206-0010, 00-00-31-163P-0000-0000, 00-00-31-1600-0167-0010, and 00-00-31-1800-0266-0061, as shown on the map attached hereto as Exhibit "A," are hereby annexed into the corporate limits of the City of Fernandina Beach, to wit:

SECTION 2. It is hereby deemed to be in the best interest of the City of Fernandina Beach that the land, above described, be annexed into and become a part of the City of Fernandina Beach. That upon adoption of this Ordinance, the boundary lines for the corporate limits of the City of Fernandina Beach shall be redefined so as to include the real property described above.

SECTION 3. This Ordinance shall be published in the Fernandina Beach News Leader once each week for two (2) consecutive weeks, and that proof of publication of this Ordinance shall be filed herein prior to the final reading of this Ordinance.

SECTION 4. Upon publication of this Ordinance, the Deputy City Clerk is hereby instructed to provide a copy of the notice via certified mail to the Nassau County Board of County Commissioners.

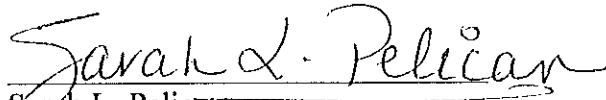
SECTION 5. Upon the filing of the Proof of Publication and final adoption of this Ordinance, a copy of the same shall be filed with the Clerk of the Circuit Court of Nassau County, Florida, and a copy shall be forwarded to the Department of State, Tallahassee, Florida.

SECTION 6. SEVERABILITY: If any provision or portion of the Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of the Ordinance shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption.

ADOPTED this 4th day of June, 2013.

CITY OF FERNANDINA BEACH



Sarah L. Pelican

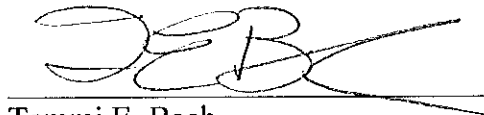
Mayor - Commissioner

ATTEST:



Kimberly Elliot Briley
Deputy City Clerk

APPROVED AS TO FORM AND LEGALITY:



Tammi E. Bach
City Attorney

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EXHIBIT A

PARCELS IDENTIFIED AS 00-00-31-1600-0206-0010, 00-00-31-163P-0000-0000, 00-00-31-1600-0167-0010, AND 00-00-31-1800-0266-0061, AND LOCATED AT 1463 NECTARINE STREET, 1601 NECTARINE STREET, 1603 NECTARINE STREET, AND 1620 NECTARINE STREET ANNEXING A TOTAL OF 8.52 ACRES FROM NASSAU COUNTY INTO THE CITY LIMITS OF FERNANDINA BEACH.



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MEMORANDUM

June 7, 2013

ANNEXATION ORDINANCE

Attached please find for your information and records, a copy of Ordinance No. 2013-04 annexing a certain portion of property into the City limits of the City of Fernandina Beach, Florida. Should you have any questions, or if additional information is needed please feel free to contact this office.

Thank you for your attention to this matter.


Kimberly Elliott Briley, MMO
City Clerk Pro-Tem

Attachments:

Map
Legal Description

Distribution:

John Mandrick, Utilities Director
Melissa Howard, Utility Billing
Jason Higginbotham, Fire Chief
James Hurley, Police Chief
Adrienne Burke, CDD Director
Rex Lester, Maintenance Manager
Chief Administrative Officer, Nassau County
Cable Television
County Engineer, Nassau County
Department of Public Safety, Nassau County
Federal Emergency Management Agency
Florida Department of State
Florida Department of Transportation
Florida Public Utilities
Gas Companies
Office of the Governor
Property Appraiser, Nassau County
School Board Superintendent, Nassau County
Sheriff's Department, Nassau County
Supervisor of Elections, Nassau County
Tax Collection, Nassau County
Telephone Companies
U.S. Census Bureau