

MEMORANDUM

January 8, 2014

ANNEXATION ORDINANCE

Attached please find for your information and records, a copy of Ordinance No. 2013-38 annexing one (1) parcel totaling 4.47 acres of land located on Hirth Road at the Amelia Island Parkway into the corporate 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, MMC 
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
- Ray Eslinger, Nassau County 911 Coordinator

ORDINANCE 2013-38

SCANNED
KB ED

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ANNEXING ONE (1) PARCEL TOTALING 4.47 ACRES OF LAND LOCATED ON HIRTH ROAD AT THE AMELIA ISLAND PARKWAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the property located on Hirth Road and identified as parcel identification number 00-00-30-044B-0059-0000 have applied for a voluntary annexation into the City of Fernandina Beach; and

WHEREAS, the Planning Advisory Board reviewed application PAB 2013-10 at its November 13, 2013 meeting and unanimously recommended approval; and

WHEREAS, the City Staff has reviewed the voluntary annexation agreement and has found that the agreement bears 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 one (1) parcel of real property located on Hirth Road and identified as parcel identification numbers 00-00-30-044B-0059-0000, 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 City Clerk Pro Tem 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 7th day of January, 2014.

CITY OF FERNANDINA BEACH



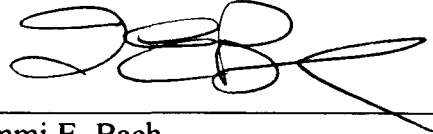
Edward E. Boner
Mayor - Commissioner

ATTEST:



Kimberly Elliott Briley
City Clerk Pro Tem

APPROVED AS TO FORM & LEGALITY:



Tammi E. Bach
City Attorney

**ORDINANCE 2013-38
EXHIBIT A**

PARCEL IDENTIFIED AS 00-00-30-044B-0059-0000, AND LOCATED ON HIRTH ROAD ANNEXING A TOTAL OF 4.47 ACRES FROM NASSAU COUNTY INTO THE CITY LIMITS OF FERNANDINA BEACH.

