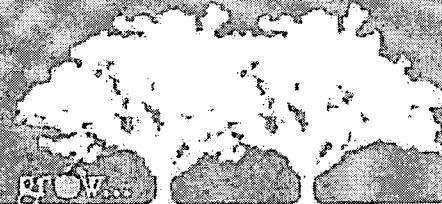


Joel Tyson, Mayor
Jason Nunemaker, City Manager

cultivate. nurture. grow...



Fellsmere

CERTIFIED MAIL 7014 3490 0000 3075 7426

RECEIVED

MAR 18 2019

BOARD OF COUNTY
COMMISSION

March 14, 2019

The Honorable Bob Solari
Board of County Commission
Indian River County
1801 - 27th Street
Vero Beach, FL 32960

RE: Notice of Public Hearing

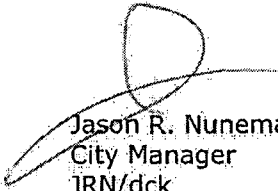
Dear Commissioner Solari: *BS*

Pursuant to E.S. 171.044 we are notifying you of our intent to annex 12.655 acres, more or less, known as Ro-Ed Corp., by merger with American Mutual Corp, Property, into the City of Fellsmere. The first reading of Ordinance 2019-03, will be held during our City Council Meeting on March 21st, 2019 with anticipated adoption approval on April 18, 2019.

Enclosed please find a copy of Ordinance No. 2019-03, the display advertisement along with a location map.

Should you have any questions or require any additional information please do not hesitate to call me.

Sincerely,


Jason R. Nunemaker
City Manager
JRN/dck

DISTRIBUTION LIST

Commissioners all
Administrator JB
Attorney DK
Community Dev. SB
Emerg. Services _____
General Services _____
Human Resources _____
OMB _____
Public Works RS
Recreation _____
Utilities Services _____
Other Lead

BCC office

NOTICE OF PUBLIC HEARING
FOR ANNEXATION

The City Council of the City of Fellsmere, Indian River County, Florida, will hold a Public Hearings on April 4th and April 18th, 2019 beginning at 7:00 p.m. in the City Council Chambers, 22 S. Orange Street, Fellsmere, FL to consider the adoption of an Ordinance entitled:

ORDINANCE
No. 2019-03

AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR VOLUNTARY ANNEXATION OF 12.655 ACRES MORE OR LESS, LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 512 EAST OF INTERSTATE HIGHWAY NO. 95, EAST OF THE RACETRAC SERVICE STATION AND WEST OF 106TH AVENUE INTO THE CITY OF FELLSMERE; PROVIDING FOR RATIFICATION; PROVIDING FOR LEGAL DESCRIPTION OF THE PROPERTY ANNEXED; PROVIDING FOR REDEFINING THE BOUNDARY OF THE CITY LIMITS; PROVIDING FOR INTERIM LAND USE AND ZONING CLASSIFICATION; PROVIDING OF FILING WITH THE CLERK OF THE CIRCUIT COURT, DEPARTMENT OF STATE AND THE CHIEF ADMINISTRATIVE OFFICER OF INDIAN RIVER COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

"A portion of Vero Lakes Estates Subdivision, Blocks A through D and abutting abandoned road rights-of-way along 106th Court and 107th Court and the complete legal description by metes and bounds and Ordinance can be obtained from the Office of the City Clerk".

INSERT MAP Exhibit "A" here

Copies of the proposed Ordinance and legal description by metes and bounds are available for review in the Office of the City Clerk 22 S. Orange Street, Fellsmere, FL between the hours of 8:30 a.m. and 12 noon and 1:00 p.m. to 5:00 p.m., Monday through Friday. The meeting is open to the public and the public is invited to attend and be heard with respect to the proposed Ordinance. Public Hearings may be continued from time to time. Any person who may wish to appeal any decision which may be made at this hearing will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person who may need special accommodations for this meeting must contact the City Clerk's Office at (772) 646-6301 at least 48 hours in advance of the meeting.

Cualquiera que desea apelar cualquier decisión que se puede hacer en esta reunión, necesitará tomar en cuenta que un registro al pie de la letra de los actos se hace, que el registro incluye el testimonio y la evidencia sobre que la apelación se basará. Cualquier persona que puede necesitar los alojamientos especiales para esta reunión debe contactar al Empleado de la Ciudad (772) 646-6301 por lo menos 48 horas en avance de la reunión.

CITY OF FELLSMERE
by: Deborah C. Krages, CMC
City Clerk

PUBLISH: DISPLAY AD Local Section-Press Journal-(March 27th & April 3rd, 2019)
WIN:\\Ph annexation_Tractor Supply_Final.DOC

ORDINANCE
No. 2019-03

AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR VOLUNTARY ANNEXATION OF 12.655 ACRES MORE OR LESS, LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 512 EAST OF INTERSTATE HIGHWAY NO. 95, EAST OF THE RACETRAC SERVICE STATION AND WEST OF 106TH AVENUE INTO THE CITY OF FELLSMERE; PROVIDING FOR RATIFICATION; PROVIDING FOR LEGAL DESCRIPTION OF THE PROPERTY ANNEXED; PROVIDING FOR REDEFINING THE BOUNDARY OF THE CITY LIMITS; PROVIDING FOR INTERIM LAND USE AND ZONING CLASSIFICATION; PROVIDING FOR FILING WITH THE CLERK OF THE CIRCUIT COURT, DEPARTMENT OF STATE AND THE CHIEF ADMINISTRATIVE OFFICER OF INDIAN RIVER COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ro-Ed Corp., a Florida corporation as Successor by merger with American Mutual Corp., a Florida corporation recorded in Official Records Book 467, Page 462 of the Public Records of Indian River County, Florida (the "Owner"), the Owner of the land described herein, has petitioned the City for voluntary annexation of said land and due public notice of this action has been given and

WHEREAS, the City Council has determined that the land described herein is substantially contiguous to the present boundary of the City, will not result in the creation of any enclaves and constitutes a reasonably compact addition to the incorporated territory of the City; and

WHEREAS, the City Council of the City of Fellsmere, Florida, finds and determines that the annexation of said land is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. RATIFICATION. The above recitals are hereby ratified, confirmed, adopted and incorporated herein as legislative findings of the City Council.

SECTION 2. PROPERTY ANNEXED. The following described land being situated in the unincorporated area of Indian River County, State of Florida, is hereby annexed into the City of Fellsmere, Florida:

See Exhibit A" attached hereto and by this reference made a part hereof.

The annexed land is also shown on the map attached hereto, as Exhibit "B", and by this reference made a part hereof.

SECTION 3. BOUNDARY OF CITY LIMITS REDEFINED. On the effective date of this Ordinance, the corporate limits and boundary lines of the City of Fellsmere, Indian River County, Florida, shall be redefined to include therein the above described land.

SECTION 4. INTERIM LAND USE AND ZONING CLASSIFICATION. To the extent necessary, the interim land use and zoning classification for this property shall be consistent with the provisions of State law.

SECTION 5. FILING. Following adoption of this Ordinance, the City Clerk is hereby directed to

file a copy with the Clerk of Circuit Court, Indian River County, Florida, the Chief Administrative Officer of Indian River County, Florida and with the Department of State within seven (7) days after adoption. Following adoption of this Ordinance, the City Clerk is hereby directed to file a revision of Article I Boundaries of the City Charter with the Department of State within thirty (30) days after adoption. The City Clerk is also hereby directed to submit within said thirty (30) days a copy of such revision to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. SEVERABILITY. If any section, part of a sentence, phrase or word of this Ordinance is for any reason held to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portions hereof and it shall be construed to have been the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative part.

SECTION 7. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of conflict.

SECTION 8. EFFECTIVE DATE. Following its adoption and recordation, including the Annexation Agreement attached hereto as Exhibit "C", signed by the Owner/Developer and any Mortgagee(s), this Ordinance shall become effective.

The foregoing Ordinance was moved for adoption by Council Member _____
The motion was seconded by Council Member _____ and, upon being put to a vote, the vote was as follows:

Mayor, Joel Tyson _____
Council Member Fernando Herrera _____
Council Member Inocensia Hernandez _____
Council Member Sara J. Savage _____
Council Member Jessica Salgado _____

The Mayor thereupon declared this Ordinance fully passed and adopted this _____ day of _____, 2019.

CITY OF FELLSMERE, FLORIDA

Joel Tyson, Mayor

ATTEST:

Deborah C. Krages, CMC, City Clerk

I HEREBY CERTIFY that Notice of the public hearings on this Ordinance was published in the Press Journal, as required by State Statute, that the foregoing Ordinance was duly passed and adopted on the _____ day of _____, 2019, and the first reading was held on the _____ day of _____, 2019, and that the first public hearing was held on the _____ day of _____, 2019, and that the second public hearing and final reading was held on the _____ day of _____, 2019.

Deborah C. Krages, CMC, City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

METES AND BOUNDS PER SURVEYOR

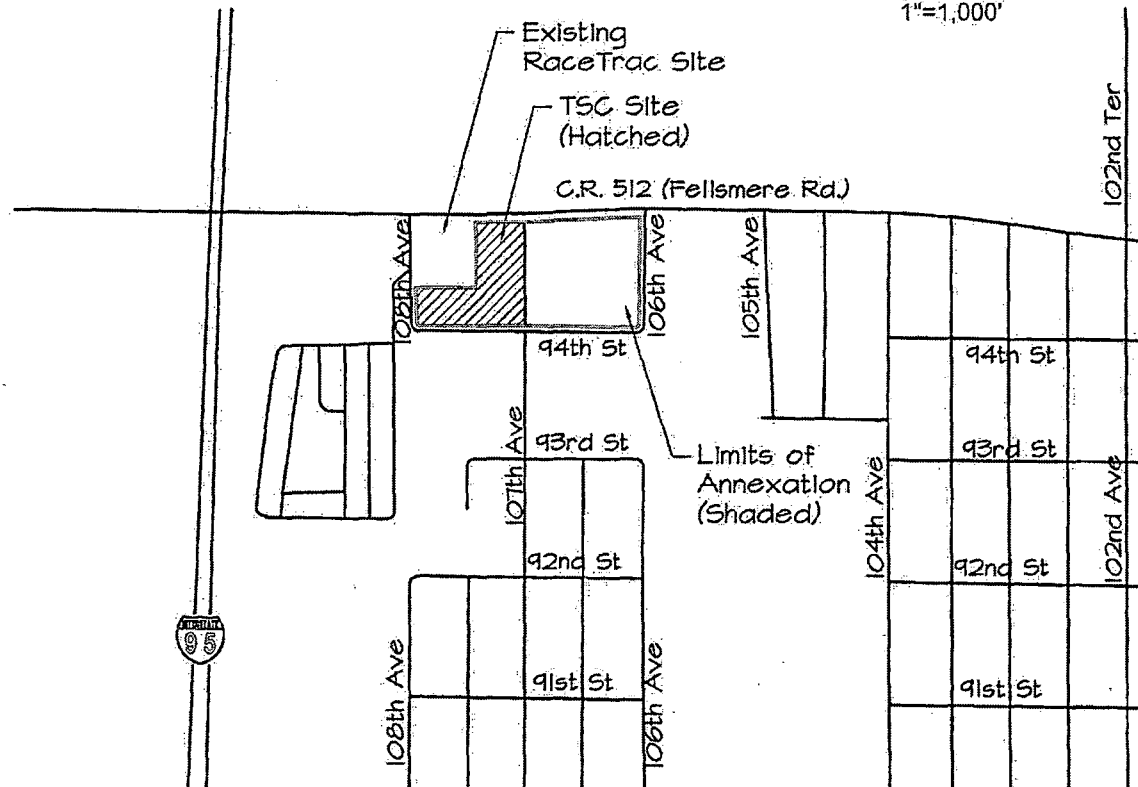
COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 31 SOUTH, RANGE 38 EAST, INDIAN RIVER COUNTY, FLORIDA; THENCE SOUTH 00°15'40" WEST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 108.65 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD #512 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP SECTION 88081-2403; THENCE NORTH 88°16'13" EAST ALONG THE SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD #512, A DISTANCE OF 390.23 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; FROM SAID POINT OF BEGINNING, CONTINUE NORTH 88°16'13" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 300.20 FEET TO AN INTERSECTION WITH THE WEST LINE OF BLOCK B, VERO LAKE ESTATES UNIT H-4, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 31, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA. THENCE NORTH 00°21'47" EAST ALONG THE SAID WEST LINE OF BLOCK B A DISTANCE OF 3.94 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°15'55", FOR AN ARC LENGTH OF 39.39 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK B AND A POINT OF TANGENCY; THENCE SOUTH 89°22'18" EAST ALONG THE SAID NORTH LINE OF BLOCK B AND BLOCK A OF SAID VERO LAKE ESTATES UNIT H-4 A DISTANCE OF 548.80 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 106TH AVENUE AS SHOWN ON THE SAID PLAT OF VERO LAKE ESTATES UNIT H-4 AND A POINT OF CURVATURE OF A CIRCULAR CURVE; THENCE ALONG SAID WEST RIGHT OF WAY LINE SOUTHEASTERLY AND ALONG SAID CURVE; HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 89°45'07", FOR AN ARC LENGTH OF 39.16 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY SOUTH 00°22'49" WEST A DISTANCE OF 501.90 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY AND SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 89°50'14", FOR AN ARC LENGTH OF 39.20 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 94TH STREET AS SHOWN ON THE SAID PLAT OF VERO LAKE ESTATES UNIT H-4 AND A POINT OF TANGENCY; THENCE NORTH 89°46'57" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 1187.76 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE; THENCE NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°02'37", FOR AN ARC LENGTH OF 39.29 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 108TH AVENUE AS SHOWN ON THE SAID PLAT OF VERO LAKE ESTATES UNIT H-4 AND A POINT OF TANGENCY; THENCE NORTH 00°15'40" EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 162.63 FEET; THENCE SOUTH 89°51'26" EAST A DISTANCE OF 339.99 FEET; THENCE NORTH 00°15'40" EAST A DISTANCE OF 328.66 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 551,268.1 SQUARE FEET OR 12.655 ACRES MORE OR LESS.

EXHIBIT "B-1"



1"=1,000'



M:\Projects\2020\2024 - Tractor Supply Company\ESG\CADD\Subarea\TSC_Survey_Envelope.dwg


MASTELLER & MOLER, INC.
 CONSULTING ENGINEERS
 CERTIFICATE OF AUTHORIZATION #1204
 1535 27th STREET - SUITE 2, VERO BEACH, FLORIDA 32960
 (772) 567-5300 / FAX (772) 794-1106

Location Map
Tractor Supply Company
City of Fellsmere

Sheet No.
 1
 3
 02/28/2019