

ORDINANCE NO. 2020- 17

AN ORDINANCE OF THE CITY OF VERO BEACH, FLORIDA; REQUESTED BY SCHWERIN ASSET ADVISORS, LLC TO ANNEX PROPERTY LOCATED AT THE SOUTHEAST CORNER OF INDIAN RIVER BOULEVARD AND 41ST STREET, CONTAINING 23.65 ACRES MORE OR LESS, PURSUANT TO THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044 FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, section 171.044 Florida Statutes, provides for voluntary annexation of property into a municipality, provided, among other things, that the property is contiguous to the municipality and is reasonably compact and does not create enclaves of unincorporated areas, and provided that all the owners of the property petition for such an annexation; and

WHEREAS, the owner(s) of the property, as graphically depicted in the Exhibit attached and incorporated herein, Schwerin Asset Advisors, LLC, have determined that annexing the property into the City limits would be in their interest; and

WHEREAS, the City finds that the annexation of the property satisfies the requirements of section 171.044 Florida Statutes and would be in the public interest; and

WHEREAS, the City Clerk has advertised at least once each week for two (2) consecutive weeks in a newspaper, as required by section 171.044 (2) Florida Statutes; and

WHEREAS, the City Clerk has provided notice to Indian River County of this annexation proceeding by certified mail at least ten (10) days before this ordinance was advertised per the requirements cited above , as required by section 171.044(6) Florida Statutes,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:

Section 1. Adoption of “Whereas” clauses.

The foregoing “WHEREAS” clauses are hereby adopted herein.

Section 2. Adoption of Land Annexed.

The property consisting of 23.65 acres more or less which is located at the southeast corner of Indian River Boulevard and 41st Street, and which is more particularly described in the Exhibit attached and incorporated herein.

Section 3. Redefine and Record Boundaries.

The City Engineer is authorized to prepare a redefinition of the boundary lines of the municipality for inclusion in the City Charter. A copy of such revision is to be filed with the Department of State within thirty (30) days of the adoption, with a copy to the Office of Economic and Demographic Research, as required by section 171.091 Florida Statutes.

Section 4. Copies to State and County.

The City Clerk is directed to file a copy of this annexing ordinance with the Clerk of the Circuit Court of Indian River County, the County Administrator of Indian River County, and the Department of the State of Florida within seven (7) days after its adoption, as required by section 171.044 (3) Florida Statutes.

Section 5. Ordinance Effective Date.

This ordinance shall become effective upon final adoption by the City Council.

This Ordinance was read for the first time on the 18th day of August, 2020, and was advertised on the 18 day of September 2020, and one week later on the 26th day of September 2020 as being scheduled for a public hearing to be held on the 6th day of October 2020, at the conclusion of which hearing it was moved for adoption by Councilmember Neville, seconded by Councilmember Brackett and adopted by the following vote:

Mayor Anthony W. Young	<u>yes</u>
Vice-Mayor Laura Moss	<u>yes</u>
Councilmember Robert Brackett	<u>yes</u>
Councilmember Joseph Graves	<u>yes</u>
Councilmember Rey Neville	<u>yes</u>

ATTEST:

CITY OF VERO BEACH, FLORIDA

Tammy K. Bursick
Tammy K. Bursick
City Clerk

Anthony W. Young
Anthony W. Young
Mayor

(SEAL)

ADMINISTRATIVE REVIEW
(For Internal Use Only-Sec.2-77 COVB Code)

Approved as to form and legal sufficiency:



John S. Turner
City Attorney

Approved as conforming to municipal
policy:




Monte K. Falls
City Manager

Approved as to technical requirements:



Jason H. Jeffries
Director, Planning and Development

Approved as to technical requirements:



Mathew Mitts
Director, Public Works

EXHIBIT "B"
PROPERTY DESCRIPTION
VOLUNTARY ANNEXATION #2020-AX-01
SECTION 25, TOWNSHIP 32 SOUTH, RANGE 39 EAST
Parcel # 32-39-25-00000-5000-00001.3

Situated in the State of Florida, County of Indian River, City of Vero Beach, and being a part of Section 25, Township 32 South, Range 39 East, and being more particularly described as follows:

All of that portion of the northeast quarter of the southwest quarter of Section 25, Township 32 South, Range 39 East, lying easterly of the easterly right-of-way line of Indian River Boulevard;

Less, however, the following described parcel of land:

Beginning at the northwest corner of the northeast quarter of the southwest quarter of Section 25, Township 32 South, Range 39 East;

Thence South 89°51'33" East, along the quarter section line, a distance of 145 feet;

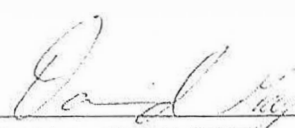
Thence South 00°08'27" West a distance of 50 feet;

Thence North 89°51'33" West a distance of 125 feet;

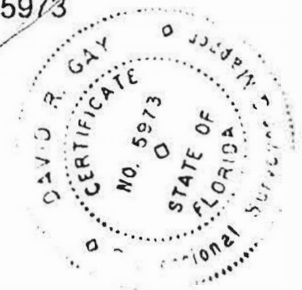
Thence South 45°08'27" West a distance of 27.8 feet to the west line of said northeast quarter of the southwest quarter;

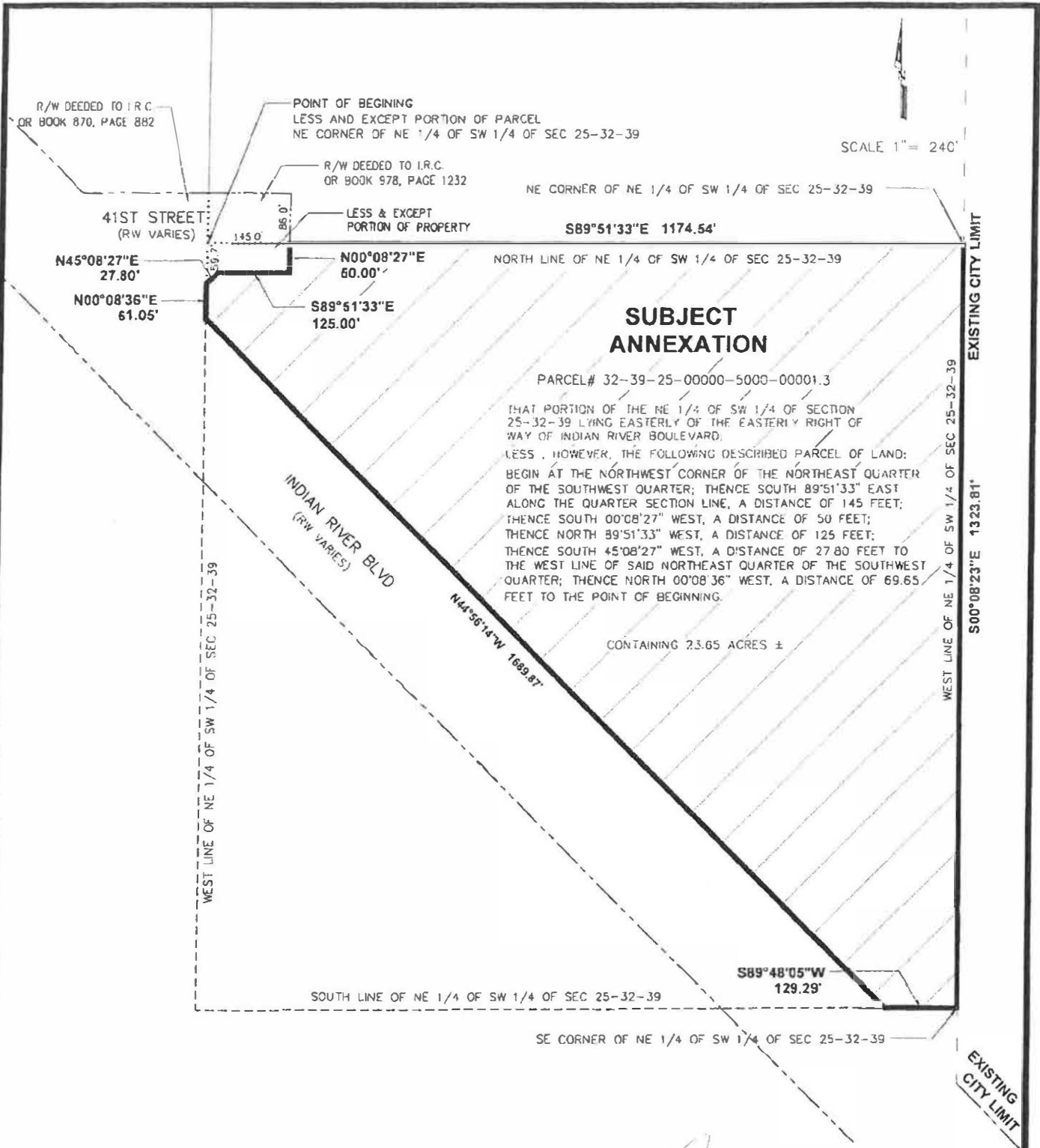
Thence North 00°08'36" West a distance of 69.65 feet to the Point of Beginning;

Said annexation parcel containing 23.65 acres more or less.



David Gay, PSM #5973





NOTE: PROPERTY DESCRIPTION IS BASED UPON THE DEED AND A SURVEY SUPPLIED BY DAVID M. JONES, JOB # 96-036, DATED 3-5-2020.

David M. Jones
 DAVID GAY, PSM #5973
 DATE

THIS SKETCH IS NOT A SURVEY

SHEET 1 OF 2

CITY OF VERO BEACH
 DEPARTMENT OF PUBLIC WORKS
 SURVEY & ENGINEERING DIVISION

SKETCH OF PROPERTY DESCRIPTION
 VOLUNTARY ANNEXATION
 PORTION OF NE 1/4 OF SE 1/4 OF
 SECTION 25-32-39

EXHIBIT "B"
 CITY PROJECT NO. 2020-AX-01
 DATE 03/20/2020
 DRWN BY DG
 CHKD BY MTM

