

ORDINANCE NO. 27-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ANNEXING INTO THE CITY OF DELRAY BEACH, A PARCEL OF LAND LOCATED IMMEDIATELY EAST OF INTERSTATE-95, IMMEDIATELY SOUTH OF THE LAKE DRIVE EXTENSION AND NORTH OF THE LAKE WORTH DRAINAGE DISTRICT L-30 CANAL, WITH THE SAME BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREIN, COMPRISING APPROXIMATELY 4.06± ACRES IN SIZE AND SITUATED CONTIGUOUS TO THE EXISTING MUNICIPAL LIMITS OF THE CITY OF DELRAY BEACH; PROVIDING FOR INCLUSION OF THIS PARCEL INTO THE CITY BOUNDARIES AND A REDEFINITION OF THE CITY BOUNDARIES PURSUANT TO SUB-SECTION 171.044(2), FLORIDA STATUTES; PROVIDING FOR CONFORMANCE WITH ALL VOLUNTARY ANNEXATION PROCEDURES AS SET FORTH IN SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR FILING WITH PALM BEACH COUNTY AND THE DEPARTMENT OF STATE; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach is the fee simple owner of one parcel of land which measures approximately 4.06 acres ± and is located immediately east of Interstate-95, immediately west of Lake Ida, south of the Lake Drive extension, and north of the Lake Worth Drainage District L-30 Canal; and,

WHEREAS, the City of Delray Beach has petitioned Palm Beach County to have the subject property annexed into the municipal limits of the City of Delray Beach; and,

WHEREAS, the subject property hereinafter described is contiguous to the corporate limits of the City of Delray Beach, Florida; and,

WHEREAS, the subject property hereinafter described is presently under the jurisdiction of Palm Beach County, Florida; and,

WHEREAS, the City of Delray Beach may act upon such Voluntary Annexation request pursuant to general law set forth at Section 171.044, Florida Statutes; and,

WHEREAS, pursuant to LDR Section 2.2.2(6)(c), the Planning and Zoning Board, sitting as the Local Planning Agency, held a public hearing and considered the subject matter at its meeting of August 19, 2019, and voted ___ to ___ to recommend that the annexation request be approved; and,

WHEREAS, the City Commission of the City of Delray Beach finds the ordinance is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the recitations set forth above are incorporated herein.

Section 2. That the City Commission of the City of Delray Beach, Palm Beach County, Florida, hereby annexes into the City of Delray Beach, one parcel of land located in Palm Beach County, Florida, which lies contiguous to said City boundaries, the following described property:

A PARCEL OF LAND LYING IN SECTION 05, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

5-46-43, PT OF SE 1/4 OF SW 1/4 LYG BET LAKE IDA & I-95 R/W IN OR27779P1553 K/A PARK

SAID LAND SITUATE WITHIN PALM BEACH COUNTY, FLORIDA, CONTAINING 4.06± ACRES MORE OR LESS.

See Exhibit “A”, Area of Annexation, Incorporated Herein

Section 3. That the boundaries of the City of Delray Beach, Florida, are hereby redefined to include therein the above-described parcel of land and said land is hereby declared to be within the corporate limits of the City of Delray Beach, Florida.

Section 4. That the land hereinabove described shall immediately become subject to all of the franchises, privileges, immunities, debts, obligations, liabilities, ordinances and laws to which lands in the City of Delray Beach are now or may be subjected.

Section 5. The City Clerk is hereby directed to provide for the filing of this ordinance with the Clerk of the Circuit Court and the Chief Administrative officer for Palm Beach County, Florida, along with the Department of State, within seven days after its adoption.

Section 6. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 7. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

Section 8. The provisions of this Ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on second and final reading on this day of _____, 2019.

Shelly Petrolia, Mayor
ATTEST:

Katerri Johnson, City Clerk

First Reading _____
Second Reading _____

Approved as to form and legal sufficiency:

City Attorney

Exhibit “B”
Area of Annexation

