

ORDINANCE NO. 59 - 89

AN ORDINANCE OF THE TOWN OF JUPITER, FLORIDA, PURSUANT TO CHAPTER 171.44, FLORIDA STATUTES, PROVIDING FOR THE VOLUNTARY ANNEXATION OF LAND; ACCEPTING THE ANNEXATION PETITION OF NORTHFORK DEVELOPMENT LIMITED OWNER OF 101.79 ACRES IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, LOCATED IN SECTION 27, TOWNSHIP 40 SOUTH RANGE 42 EAST, AND CONTIGUOUS TO THE BOUNDARIES OF THE TOWN OF JUPITER: REVISING THE TOWN CHARTER'S BOUNDARY ARTICLE TO INCLUDE THE LANDS ANNEXED; ACKNOWLEDGING THAT THE LANDS ANNEXED ARE SUBJECT TO THE PALM BEACH COUNTRY LAND USE, ZONING AND SUBDIVISION REGULATIONS UNTIL REZONED BY THE TOWN.

WHEREAS, Northfork Development Limited, as owner, has petitioned the Town of Jupiter for the voluntary annexation of 101.79 acres of land which it owns in the unincorporated area of Palm Beach County, which is contiguous to the boundaries of the Town of Jupiter; and,

WHEREAS, the Jupiter Planning and Zoning Commission has considered and reviewed the proposed annexation petition and has made its recommendations thereon to the Town Council and,

WHEREAS, the Town Council of the Town of Jupiter, after due notice and public hearing, considers it to be in the best interest of its citizens and residents, both present and prospective, to grant said petition and to annex said lands into the Town; NOW THEREFORE,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, THAT:

Section 1. The property owned by Northfork Development Limited, as petitioner for annexation, consist of 101.79 acres of land in the unincorporated area of Palm Beach County, located in Section 27, Township 40 South Range 42 East, and contiguous to the boundaries of the Town of Jupiter. The legal description of said land is set forth on Exhibit "A" attached hereto and made part hereof.

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I HEREBY CERTIFY THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY APPEARING FROM THE RECORDS IN THE TOWN CLERK'S OFFICE TOWN OF JUPITER, FLORIDA

*Sharon Wright*  
SHARON WRIGHT, CLERK

Section 2. The said property is reasonably compact and is located solely within the boundaries of Palm Beach County, Florida, and its annexation will accommodate the future growth of the Town of Jupiter.

Section 3. The aforesaid lands are about to undergo intensive development for residential, commercial, industrial, institutional, or governmental purposes, and are hereby declared to be urban in character. A long range legislative prospective by the Town of Jupiter is necessary to plan the orderly development of this urban area.

Section 4. The voluntary annexation pursuant to this Ordinance will not result in the creation of ,enclaves,pockets or finger areas in the boundaries of the Town of Jupiter.

Section 5. The petition of Northfork Development Limited for voluntary annexation of said lands, bears the signature of all owners of property in the area proposed to be ,annexed and the Town hereby accept the aforesaid annexation petition.

Section 6. Prior to the date of adoption hereof, this Ordinance has been duly published once a week for four (4) consecutive weeks in a newspaper qualified for publication of legal notices in the Town of Jupiter.

Section 7. This Annexation Ordinance is adopted for the purpose of,extension of the territorial iimits of the Town of Jupiter.

Section 8. Pursuant to the provisions of Chapter 171.044, Florida Statutes, the Town of Jupiter hereby annexes the lands legally described in Exhibit "A", which is attached hereto and made a part hereof, into the Town of Jupiter and the Town boundaries shall be redefined in include the lands so annexed.

Section 9. Article II of the Charter of the Town of Jupiter, being the legal description of the municipal boundaries of the Town of Jupiter, is hereby revised to include the territory and lands hereby annexed. A certified copy of this Ordinance shall be filed as a revision of the Town Charter with the Department of State of the State of Florida within thirty (30) days from the date of enactment as required by Chapter 166.044 (3) and 171.091, Florida statutes, at which time the revised Charter shall take effect.

Section 10. The lands hereby annexed to the Town of Jupiter are declared subject to all laws, ordinances and regulations in force in the Town of Jupiter and are entitled to the same privileges and benefits as the other parts of said municipality.

Section 11. At the time of annexation, the area annexed was subject to Palm Beach County Land Use Zoning and Subdivision Regulations, which shall remain in full force and effect until rezoned by the Town of Jupiter to comply with its Comprehensive Plan.

Section 12. The Town Clerk is hereby directed to file a certified copy of this Annexation Ordinance with the Clerk of the Circuit Court of Palm Beach County, the Department of State of the State of Florida, and the Director of Zoning of Palm Beach County.

Section 13. This Ordinance shall take effect immediately upon its adoption.

Upon first reading this 5<sup>th</sup> day of December, 1989, the foregoing Ordinance was offered by Council Member Robert Chapman, who moved its adoption. The motion was seconded by Council Member Donald Osha, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR, MARY D. HINTON	<u>X</u>	___
VICE-MAYOR, ROBERT CHAPMAN	<u>X</u>	___
COUNCILMAN, DONALD L. OSHA	<u>X</u>	___
COUNCILMAN, THOMAS McCARTHY	<u>X</u>	___
COUNCILWOMAN, KAREN J. GOLONKA	___	___

Upon second reading this 16<sup>th</sup> day of January, 1990, the foregoing Ordinance was offered by Council Member Robert Chapman, who moved its adoption. The motion was seconded by Council Member Donald Osha, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR, MARY D. HINTON	<u>X</u>	___
VICE-MAYOR, ROBERT CHAPMAN	<u>X</u>	___
COUNCILMAN, DONALD L. OSHA	<u>X</u>	___
COUNCILMAN, THOMAS McCARTHY	<u>X</u>	___
COUNCILWOMAN, KAREN J. GOLONKA	<u>X</u>	___

The Mayor thereupon declared the foregoing Ordinance duly passed and adopted this 16<sup>th</sup> day of January, 1990.

TOWN OF JUPITER, FLORIDA

(TOWN SEAL)

BY: Mary D. Hinton  
 MARY D. HINTON, MAYOR

ATTEST:

Jean H. Beck  
 JEAN H. BECK, TOWN CLERK

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EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING:

(1) THE ~~NORTHWEST ONE-QUARTER (NW 1/4)~~ OF THE SOUTHWEST ONE-QUARTER (SW 1/4), AND

(2) THE WEST ONE-HALF (W 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4), ALL IN SECTION 27, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA;

LESS THAT PART OF SUBJECT PROPERTY LYING WITHIN THE PLAT OF IMPERIAL WOODS, AS RECORDED IN PLAT BOOK 39, PAGE 141, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 101,793 ACRES, MORE OR LESS.