

**TOWN OF CALLAHAN, FLORIDA
ORDINANCE NO.: 2016-005**

AN ORDINANCE OF THE TOWN OF CALLAHAN ANNEXING INTO THE CORPORATE LIMITS OF THE TOWN OF CALLAHAN, FLORIDA, CERTAIN REAL PROPERTY PERTAINING TO REAL ESTATE PARCELS DESCRIBED WITH PARTICULARITY HEREIN; FINDING SAID ANNEXATION TO BE CONSISTENT WITH THE TOWN OF CALLAHAN'S COMPREHENSIVE PLAN AND THE TOWN'S CODE; AMENDING § C-1 OF THE CHARTER OF THE TOWN OF CALLAHAN TO INCLUDE SAID LAND; PROVIDING FOR AND AUTHORIZING THE UPDATING OF OFFICIAL CITY MAPS; AMENDING AND UPDATING THE COMPREHENSIVE PLAN TO INCLUDE SAID LANDS; ADOPTING A MIXED USE FUTURE LAND USE FOR CERTAIN PARCELS OF SAID LANDS; ADOPTING A COMMERCIAL HIGHWAY FUTURE LAND USE FOR CERTAIN PARCELS OF SAID LAND; REPEALING CONFLICTING ORDINANCES; PROVIDING DIRECTION TO THE CITY CLERK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS pursuant to Chapter 171.044, Florida Statutes, the owners, or their duly appointed representatives, of certain real property located in unincorporated Nassau County, Florida, as hereinafter described, have petitioned the Town Council of the Town of Callahan, Florida to annex real property pertaining to the real estate parcels described with particularity herein into the corporate limits of the Town of Callahan, Florida; and

WHEREAS, no registered electors of the Town of Callahan reside on any of the parcels to be annexed;

WHEREAS, the Town Council of the Town of Callahan has determined that said annexation petition bears the signatures of the owners of more than 50% of the parcels of real property proposed to be annexed into the corporate limits of the Town of Callahan, Florida and more than 70% of the land area of real property proposed to be annexed into the corporate limits of the Town of Callahan, Florida; and

WHEREAS, the Town of Callahan Planning Commission held a duly noticed public hearing on August 29, 2016 regarding this annexation; and,

WHEREAS, notice of the proposed annexation has been published pursuant to the requirements of Chapter 171.0413(1), Florida Statutes; and

WHEREAS, the Planning Commission of the Town of Callahan, Florida, has reviewed the proposed annexation and found it to be consistent with the Town's Comprehensive Plan, to comply with all applicable requirements of the Town's Code, and has recommended to the Town Council that it approve said annexation; and

WHEREAS, the Town of Callahan Town Council has the authority, pursuant to Chapter 171, Florida Statutes, to annex said real property into its corporate limits upon petition of the owners

of more than 50% of the parcels of real property proposed to be annexed into the corporate limits of the Town of Callahan, Florida and more than 70% of the land area of real property proposed to be annexed into the corporate limits of the Town of Callahan, Florida without holding any referenda; and

WHEREAS, such petitions have been received by the Town,

WHEREAS, the property is contiguous to the municipal limits of the Town of Callahan and said property is reasonably compact; and,

WHEREAS, the Town Council of the Town of Callahan, provided an opportunity for individuals to participate in the public hearing process and held a duly noticed public hearings on October 3, 2016, October 17, 2016, and November 7, 2016, to consider this ordinance; and,

WHEREAS, the Town Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and Town staff; and,

WHEREAS, the Town of Callahan Town Council is desirous of annexing and redefining the boundary lines of the Town of Callahan, Florida, to include said real property.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CALLAHAN, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein.

Section 2. The following described real property located in unincorporated Nassau County, Florida is hereby annexed and incorporated into the Town of Callahan, Florida:

PART OF THE F.P. SANCHEZ GRANT, SECTION 51 AND SECTION 20, TOWNSHIP 2 NORTH, RANGE 25 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SECTION 29 WITH THE WESTERLY LINE OF STATE ROAD 200 A-1-1 (A VARIABLE WIDTH RIGHT-OF-WAY); THENCE NORTH 35 ° 38' 00" EAST, A DISTANCE OF 198.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 35 ° 38' 00" EAST, A DISTANCE OF 138.00 FEET, ALONG THE WESTERLY RIGHT-OF-WAY OF SAID STATE ROAD 200; THENCE NORTH 61 ° 37' 00" WEST, A DISTANCE OF 1020.13 FEET, ALONG THE SOUTHERLY BOUNDARY LINE OF THE J.P. PAGE CALLAHAN SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 20 OF PUBLIC RECORDS OF SAID COUNTY, TO THE EASTERLY LINE OF THE SEABOARD AIRLINE RAILROAD (A 120.00 FOOT RIGHT-OF-WAY); THENCE SOUTH 34 ° 59' 00" WEST, A DISTANCE OF 650.54 FEET, ALONG SAID EASTERLY RIGHT OF WAY, TO THE NORTHERLY LINE OF A 20 FOOT LANE; THENCE SOUTH 58 ° 27' 00" EAST, A DISTANCE OF 210.00 FEET, ALONG THE NORTHERLY LINE OF SAID LANE; THENCE NORTH 34 ° 59' 00" EAST, A DISTANCE

OF 136.60 FEET; THENCE SOUTH 59 ° 51' 00" EAST, A DISTANCE 294.70 FEET; THENCE SOUTH 31 ° 50' 00" WEST, A DISTANCE OF 133.50 FEET; THENCE NORTH 73 ° 30' 00" EAST, A DISTANCE OF 208.64 FEET; THENCE SOUTH 12 ° 15' 00" EAST, A DISTANCE OF 32.28 FEET; THENCE NORTH 83 ° 36' 00" EAST, A DISTANCE OF 210.00 FEET; THENCE NORTH 12 ° 15' 00" WEST, A DISTANCE OF 55.00 FEET; THENCE SOUTH 79 ° 34' 19" EAST, A DISTANCE OF 24.56 FEET; THENCE NORTH 73 ° 30' 00" EAST, A DISTANCE OF 334.05 FEET TO THE POINT OF BEGINNING. LESS ANY PORTION THEREOF LYING WITHIN ROAD RIGHT-OF-WAY FOR STATE ROAD 200.

Said lands consisting of the following parcels:

PARCEL 1

ALL THAT CERTAIN PIECE OR PARCEL OF LAND IDENTIFIED BY PARCEL IDENTIFICATION NO. 51-2N-25-0000-0062-0000

With the future land use of said parcel being Mixed Use upon its annexation into the Town of Callahan.

PARCEL 2

ALL THAT CERTAIN PIECE OR PARCEL OF LAND IDENTIFIED BY PARCEL IDENTIFICATION NO. 20-2N-25-0000-0011-0000

With the future land use of said parcel being Commercial Highway upon its annexation into the Town of Callahan.

PARCEL 3

ALL THAT CERTAIN PIECE OR PARCEL OF LAND IDENTIFIED BY PARCEL IDENTIFICATION NO. 51-2N-25-0000-0070-0000

With the future land use of said parcel being Commercial Highway upon its annexation into the Town of Callahan..

Section 3. The corporate territorial limits of the Town of Callahan, Florida, are hereby redefined to include said land herein described and annexed, and § C-1 of the Charter of the Town of Callahan is hereby amended to include said land.

Section 4. The Town Clerk is hereby authorized and directed to update and revise the Town Jurisdictional Maps, file this ordinance with the Clerk of the Circuit Court and the chief administrative officer of Nassau County, Florida and with the Department of State within 7 days after adoption, and to proceed with any related Comprehensive Plan Map Amendments.

Section 5. The land herein described and future inhabitants of said land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances, and

regulations of the Town of Callahan, Florida, and be entitled to the same privileges and benefits as other areas of the Town of Callahan, Florida.

Section 6. The Comprehensive Plan of the Town of Callahan shall be amended and updated to include said lands within the Town, and the future land use of said lands shall be either Mixed use or Commercial Highway as designated in § 2 of this Ordinance.

Section 7. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

Section 8. Any and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 9. This Ordinance shall become effective upon its adoption.

ADOPTED THIS 7th DAY OF November, 2016.

TOWN OF CALLAHAN, FLORIDA


KEN BASS
TOWN COUNCIL PRESIDENT

ATTEST:


TOWN CLERK
STEPHANIE KNAGGE

APPROVED:


ROBERT RAU
MAYOR

Date of First Reading: 10/3/2016
Dates of Publication: 10/6 & 10/13/2016
Dates of Public Hearings: 10/3, 10/17, & 11/1/2016
Date of Second Reading: 10/17/2016
Date of Final Passage: 11/7/2016