

ORDINANCE NO. 2024-09

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA PROVIDING FOR THE ANNEXATION OF ADDITIONAL TERRITORY OWNED BY KELLY TRACTOR CO. TO BE INCLUDED WITHIN THE CITY BOUNDARIES IN ACCORDANCE WITH ARTICLE VIII SECTION 2(c) OF THE CONSTITUTION OF THE STATE OF FLORIDA AND SECTION 171.044, FLORIDA STATUTES AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Kelly Tractor Co. has submitted petitions for voluntary annexation of approximately 12.1 acres of contiguous land, more or less, and more thoroughly described in **EXHIBIT “A”** attached hereto; and

WHEREAS, the City is authorized by Chapter 171, Florida Statutes, to annex contiguous and infill areas, and to extend the City limits upon receipt of written consent of the landowners together with the approval of the City Commission after notice and public hearing; and

WHEREAS, The City Commission of the City of Clewiston, Florida has reviewed and evaluated the petitions submitted, and has determined that the annexation of said lands into the City is in the public interest and is consistent with the City’s Comprehensive Plan and Land Development Regulations.

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

SECTION 1. The lands described in **EXHIBIT “A”** attached hereto, lying, and being situated in Hendry County, FL are hereby annexed to and included within the boundaries of the City of Clewiston, Florida, a municipal corporation.

SECTION 2. Said lands are contiguous to the present City limits of the City of Clewiston. That said lands presently lie in the same County as the City, and when annexed would form a compact addition to the incorporated territory of said City. That owners of said lands contained in said area to be annexed have given written consent to have such annexation attached hereto as **EXHIBIT “A”**.

SECTION 3. The City of Clewiston, Florida is authorized by the legislature of the State of Florida, pursuant to Section 177.044, Florida Statutes, and pursuant to the Charter of the City of Clewiston, to annex contiguous areas and to extend the City limits or territorial boundaries upon written consent of all owners of land contained in the area to be annexed, together with the approval of the City Commission of the City of Clewiston, of said annexation duly expressed by ordinance.

SECTION 4. It is the intention of the City Commission of the City of Clewiston, Florida to annex the above-described lands to said City within its territorial limits, and the boundary lines of said City are hereby redefined and extended to as to include said area of land within its territorial limits upon the final passage of this ordinance.

SECTION 5. The additional territory annexed shall retain the comprehensive plan future land use and zoning classifications existing at the time this ordinance is approved, as those classifications appear in the comprehensive plan and zoning ordinances of Hendry County, Florida, until such time as the City of Clewiston adopts a comprehensive plan future land use and zoning designation for the annexed property as described above.

SECTION 6. The City Clerk is instructed to file this ordinance with the Clerk of the Circuit Court, with the Chief Administrative officer of Hendry County, Florida and with the Florida Department of State.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its passage and consistent with all requirements of general law.

PASSED on first reading by the City Commission on July 15, 2024.

PASSED AND ADOPTED on second and final reading by the City Commission on September 16, 2024.

ATTEST:

CITY OF CLEWISTON, FLORIDA

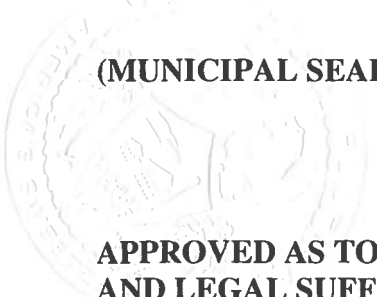


Mary K. Combass, City Clerk



James Pittman, Mayor

(MUNICIPAL SEAL)



**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By:  _____
Dylan J. Brandenburg, City Attorney

CLEWISTON 440 ANNEXATION KELLY TRACTOR CO. PARCEL DESCRIPTION:

A parcel land lying in Section 8, Township 43 South, Range 34 East, Hendry County, Florida more particularly described as follows:

COMMENCING at the southwest corner of said Section 8, having a coordinate value of 879,731.47 feet North, 669,829.56 East, Florida State Plane Coordinate System, East Zone, North American Datum of 1983, 2011 adjustment, run N00°19'09"E along the west line of said Section 8 a distance of 155.73 feet to the northerly right of way of State Road 25 (US 27) for the **POINT OF BEGINNING**.

From said **POINT OF BEGINNING** continue N00°19'09"E along the west line of said Section 8 a distance of 1,049.64 feet;

THENCE N89°25'24"E a distance of 500.04 feet;

THENCE S00°19'09"W parallel with the west line of said Section 8 a distance of 1,050.09 feet to intersect the northerly right of way line of State Road 25 (US 27) right of way;

THENCE S89°25'24"W along said right of way a distance of 443.21 feet to the beginning of a curve to the right;

THENCE westerly 56.83 feet along said curve and right of way, concave to the north, with a radius of 3,662.72 feet, a central angle of 00°53'20", and having a long chord that bears S89°52'04"W and is 56.83 feet long, to the said **POINT OF BEGINNING**.

NOTES:

1. DATE OF DESCRIPTION: APRIL 25, 2022.
2. BEARING REFERENCE: GRID BEARING OF N00°19'09"E ON THE WEST LINE OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 34 EAST, HENDRY COUNTY, FLORIDA; FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 WITH THE 2011 ADJUSTMENT.
3. THIS IS A NEW DESCRIPTION.
4. PARCEL CONTAINS 12.1 ACRES, MORE OR LESS.
5. ADDITIONS OR DELETIONS TO THIS SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY.
6. THIS IS NOT A SURVEY.
7. THIS SKETCH OF DESCRIPTION CONSISTS OF 2 SHEETS AND WITHOUT BOTH SHEETS IT IS INVALID.
8. Unless it bears the signature and the original raised seal or an authenticated electronic signature and seal of a Florida licensed surveyor and mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.
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Description for and certified to:
Kelly Tractor Co.
8255 NW 58TH ST
MIAMI, FL 33166

SKETCH OF DESCRIPTION
KELLY TRACTOR CO.



Prepared by: _____ Date: 04-25-2022
Orvell Howard, LS 2867
SURVEY1, LLC - LB 7650
902 Banyan Street
Clewiston, FL 33440
Phone (863)-832-2282

U S SUGAR CORP
1344308A000003.0000

N89°25'24"E 500.04'

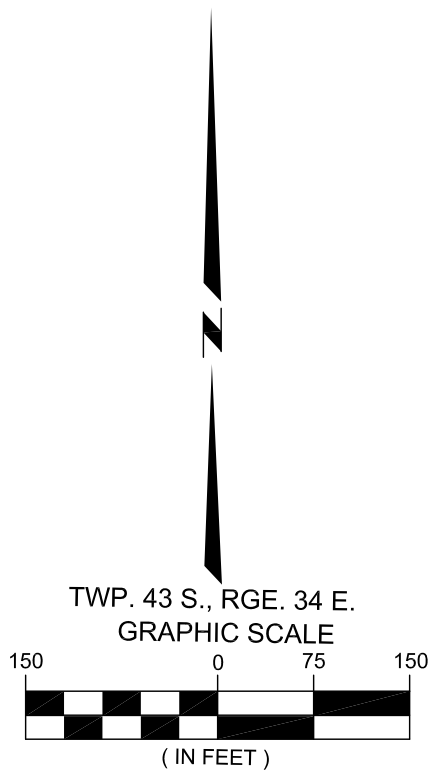
N00°19'09"E 2640.45'
Section corner to 1/4 corner

(OR 191, PG 191)
1344308A000003.0100
KELLY TRACTOR CO

AREA = 12.1 ACRES

West line of Section 8
N00°19'09"E 1049.64'

S00°19'09"W 1050.09'



R=3662.72
L=56.83
 $\Delta=0^{\circ}53'20''$
CB=S89°52'04"W
CL=56.83

POINT OF BEGINNING

S89°25'24"W 443.21'

Railroad spike. SW corner
Section 8, Twp. 43 S., Rge. 34 E.
Certified corner record # 099102.

POINT OF COMMENCEMENT

N00°19'09"E
155.73'

2" pipe

North SR 25 (US 27) Right-of-Way Line

SR 80, SR 25, US 27 FDOT (SRD)
R/W Map Section No. 07030-2109

SKETCH OF DESCRIPTION
KELLY TRACTOR CO.



NOTE: THIS IS NOT A SURVEY!
This sketch and description consists of 2
sheets and without both sheets it is invalid.