

ORDINANCE NO. 22-84

AN ORDINANCE OF THE TOWN OF JUPITER, FLORIDA, PURSUANT TO CHAPTER 171.044, FLORIDA STATUTES, PROVIDING FOR THE VOLUNTARY ANNEXATION OF LAND; ACCEPTING THE ANNEXATION PETITION OF JUPITER WEST, INC., AS AND ON BEHALF OF THE OWNERS OF APPROXIMATELY 6.4 ACRES OF LAND IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, LOCATED IN SECTION 9, TOWNSHIP 41 SOUTH, RANGE 42 EAST, AND CONTIGUOUS TO THE LANDS COMPRISING THE JUPITER PARK OF COMMERCE DEVELOPMENT; REVISING ARTICLE II OF THE AMENDED CHARTER OF THE TOWN OF JUPITER, BEING THE CHARTER BOUNDARY ARTICLE, TO INCLUDE THE TERRITORY ANNEXED BY THIS ORDINANCE; ACKNOWLEDGING THAT THE LANDS ANNEXED WERE SUBJECT TO THE PALM BEACH COUNTY LAND USE PLAN, COUNTY ZONING REGULATIONS AND COUNTY SUBDIVISION REGULATIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL OTHERWISE PROVIDED BY LAW; AND REQUESTING A WAIVER BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY OF THE TWO YEAR DELAY FOR CHANGE OF REGULATIONS.

WHEREAS, Jupiter West, Inc., has petitioned the Town of Jupiter for the annexation of five (5) out parcels totaling 6.4 acres which are contiguous to its Jupiter Park of Commerce Development, which lands are legally described in exhibit "A" attached hereto and made a part hereof; and,

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WHEREAS, the Jupiter Planning and Zoning Commission has considered and reviewed the proposed annexation 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 pursuant to this annexation ordinance; NOW THEREFORE,

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

Section 1. The property owned and represented by Jupiter West, Inc., consists of approximately 6.4 acres of land in the unincorporated area of Palm Beach County, located in Section 9, Township

41 South, Range 42 East and is contiguous to the lands comprising the Jupiter Park of Commerce Development. The legal description of said land is set forth on exhibit "A" attached hereto and made part hereof.

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 either 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 Jupiter West, Inc., 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 accepts 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 limits 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, unto the Town of Jupiter and the Town boundaries shall be redefined to include the said 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 re-vision 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. The Town of Jupiter, hereby acknowledges that the area annexed was at the time of annexation, subject to the Palm Beach County Land Use Plan, the County Zoning Regulations and the County Subdivision Regulations, and that said regulations shall remain in full force and effect until otherwise provided by law.

Section 12. The Town of Jupiter hereby requests a waiver ^{85 42} by the Board of County Commissioners of Palm Beach County of the two year delay in changing the development regulations for this land and increasing or decreasing the allowable density under the present Palm Beach County ordinances pursuant to Chapter 171.062(2), Florida Statutes.

✓ Section 13. 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 and with the Department of State of the State of Florida.

Section 14. This Ordinance shall take effect immediately upon its adoption.

Upon first reading this 3rd day of April, 1984, the foregoing Ordinance was offered by Council member Charles Altwein who moved its adoption. The motion was seconded by Council member Edwin P. Pedersen, and upon being put to a roll call vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>
Mayor, MARY HINTON	<u>x</u>	—
Vice Mayor, EDWIN P. PEDERSEN	<u>x</u>	—
Councilman, CHARLES ALTWEIN	<u>x</u>	—
Councilman, CHARLES H. JOHNSTON	<u>x</u>	—
Councilman, TERRY VERNER	<u>x</u>	—

Upon second reading this 29th day of May, 1984, the foregoing Ordinance was offered by Council member Edwin P. Pedersen who moved its adoption. The motion was seconded by Council member Terry Verner, and upon being put to a roll call vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>
Mayor, MARY HINTON	<u>ab</u>	—
Vice Mayor, CHARLES H. JOHNSTON	<u>x</u>	—
Councilman, EDWIN PEDERSEN	<u>x</u>	—
Councilman, TERRY VERNER	<u>x</u>	—
Councilman, ROBERT CHAPMAN	<u>ab</u>	—

The Mayor thereupon declared the foregoing Ordinance duly passed and adopted this 29th day of May, 1984.

TOWN OF JUPITER

(TOWN SEAL)

BY Mary Hinton
MARY HINTON, MAYOR

BOOK 382 PAGE 485

ATTEST:

BY John H. Beck
JOHN H. BECK, Town Clerk

FILED
MAY 1 1984
TOWN CLERK

EXHIBIT "A"

JUPITER WEST, INC.

PARCEL NO.

LEGAL DESCRIPTION

- 140 Section 9, Township 41 South, Range 42 East, Palm Beach County, Florida. Being the North 210 feet of the South 660 feet of the East 240 feet of the West 1930 feet of the Northeast 1/4. Containing 1.15 acres, more or less. Subject to a road easement for ingress and egress over the easterly 30 feet thereof.
- 185 Section 9, Township 41 South, Range 42 East, Palm Beach County, Florida. Being the East 480 feet of the West 1930 feet of the North 240 feet of the Southeast 1/4 of said Section 9; less that part thereof lying West of a line 100 feet East of and parallel to the easterly right-of-way line of Sunshine State Parkway. Containing 1.7 acres, more or less. Subject to a road easement for ingress and egress over the easterly 30 feet thereof, and over the northerly 30 feet thereof.
- 218 Section 9, Township 41 South, Range 42 East, Palm Beach County, Florida. Being the South 210 feet of the North 450 feet of the East 240 feet of the West 2170 feet of the Southeast 1/4 of said Section 9. Containing 1.15 acres, more or less. Subject to a road easement for ingress and egress over the westerly 30 feet thereof.
- 260 Section 9, Township 41 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows: The South 210 feet of the North 1140 feet of the East 250 feet of the West 2420 feet of the Southeast Quarter (SE 1/4) of said Section 9. Containing 1.20 acres, more or less. Subject to a road easement for ingress and egress over the easterly 40 feet thereof.
- 297 Section 9, Township 41 South, Range 42 East, Palm Beach County, Florida. Being the South 210 feet of the North 1560 feet of the Southeast 1/4 of said Section 9; less the West 2420 feet thereof. Containing 1.2 acres, more or less. Subject to a road easement for ingress and egress over the westerly 40 feet thereof.