

**ORDINANCE NO. 446**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA ANNEXING WITHIN THE CORPORATE AREA OF THE TOWN OF HAVERHILL, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, SAID PROPERTY BEING AN APPROXIMATELY .98 ACRE PARCEL LOCATED ON THE EAST SIDE OF PARK LANE APPROXIMATELY 167 FEET NORTH OF THE INTERSECTION OF CYPRUS LANE; SITUATED IN PALM BEACH COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES (2016) AS REQUESTED BY JORGE E. RODRIGUEZ AND ANA L. RODRIGUEZ, OWNERS OF THE PROPERTY LOCATED AT 1310 PARK LANE; PROVIDING FOR REDEFINING THE BOUNDARY LINES OF THE TOWN OF HAVERHILL TO INCLUDE THE SUBJECT PROPERTY IN THE TOWN'S OFFICIAL BOUNDARY MAP; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND EFFECTIVE DATE.**

**WHEREAS**, there has been filed with the Town Administrator of the Town of Haverhill, Florida, a Petition by Jorge E. Rodriguez and Ana L. Rodriguez, owners of the property to be annexed located at 1310 Park Lane, ("Petitioners") requesting voluntary annexation to the corporate area of the Town of Haverhill, Florida and requesting to be included therein; and

**WHEREAS**, the Town Council, as the governing body, having confirmed that the Petitioner is the owner of the area to be annexed and that the Petitioner has signed the Petition for annexation; and

**WHEREAS**, it has been determined that the property described hereinafter is reasonably compact and contiguous of the corporate areas to the Town of Haverhill, Florida, and it has further been determined that the annexation of said property will not result in the creation of any enclave; and

**WHEREAS**, the Town of Haverhill has heretofore been authorized to annex lands in accordance with Section 171.044 of the Florida Statutes; and

**WHEREAS**, the Town has provided written notice of this annexation to Palm Beach County as required by law; and

**WHEREAS**, the proposed annexation of the subject property is in the best interest of the citizens of the Town of Haverhill, and is in accordance with State and local law.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA:**

**SECTION 1.** That the Town Council finds that the written petition for voluntary annexation filed with the Town by the Petitioner bears the signature of the owner of the real property described below situated in Palm Beach County, Florida and that said property is hereby annexed to and made a part of the Town of Haverhill, Florida, pursuant to voluntary annexation provisions of Section 171.044, Florida Statutes (2016):

**Beginning at a point 1007.45 feet Easterly and 1615 feet Northerly from Southwest Corner, Section 25, Township 43 South, Range 42 East, palm Beach County, Florida; thence Northerly 137 feet; thence Westerly 313.48 feet; thence Southerly 137 feet; thence Easterly 313.45 feet to Point of Beginning.**

**Also known as Lot 27, of Haverhill Parks, as shown in Deed Book 941, Page 166, of the Public Records of Palm Beach County, Florida.**

PCN: 00-42-43-25-00-000-7250

(See map of subject property attached hereto and made a part hereof)

**SECTION 2.** That the boundary lines of the Town of Haverhill are hereby redefined to include the above described property into the Town's Boundary Map.

**SECTION 3.** That upon this Ordinance becoming effective, the above described real property shall be entitled to all of the franchises, privileges, immunities, debts, obligations, liabilities, ordinances, regulations, codes and laws to which lands and/or Town citizens in the Town of Haverhill are now or may be subjected to.

**SECTION 4.** That the annexation of the above described property, including adjacent roads, alleys, or the like, if any, shall not be deemed accepted by the Town of any maintenance responsibility for such roads, alleys, or the like, unless otherwise specifically initiated by the Town pursuant to current requirements and conditions.

**SECTION 5.** The Mayor and Town Administrator are hereby authorized and directed to do all things necessary to effectuate this annexation.

**SECTION 6.** If any section or portion of a section of this Ordinance is for any reason held or declared to be invalid, unlawful or unconstitutional, it shall not be held to impair the invalidity, force or effect of any other section or part of this Ordinance.

**SECTION 7.** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby revoked and repealed.

**SECTION 8.** This Ordinance shall be submitted to the Secretary of State, Clerk of the Circuit Court and Chief Administrative Office for Palm Beach County within seven (7) days after its effective date.

**SECTION 9.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND APPROVED ON FIRST READING** this 25<sup>th</sup> day of May 2017.


**THE SECOND AND FINAL READING** was held this 8th day of June, 2017 Council member REMAR HARVIN offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Council member LAWRENCE GORDON and upon being put to a vote, the vote was as follows:

Jay G. Foy, Mayor	<u>AYE</u>
Lawrence Gordon, Vice Mayor	<u>AYE</u>
Mark C. Uptegraph, Council Member	<u>ABSENT</u>
Jo H. Plyler, Council Member	<u>ABSENT</u>
Remar M. Harvin, Council Member	<u>AYE</u>

The Mayor thereupon declared this Ordinance approved and duly adopted by the Town Council of the Town of Haverhill, Florida.

**ATTEST:**

**TOWN OF HAVERHILL, FLORIDA**

  
\_\_\_\_\_  
Janice C. Rutan, Town Administrator

  
\_\_\_\_\_  
Jay G. Foy, Mayor

**PROOF OF PUBLICATION**  
**STATE OF FLORIDA**

**PUBLIC NOTICE**

Before the undersigned authority, personally appeared Tiffani Everett, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published in West Palm Beach and distributed in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a P-Main Legal ROP was published in said newspaper on: first date of Publication 05/21/2017 and last date of Publication 05/28/2017. Affiant further says that the said The Palm Beach Post is a newspaper published in West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

HAVERHILL, TOWN OF  
4585 CHARLOTTE ST  
WEST PALM BEACH, FL 33417-5911

Invoice/Order Number: 0000141909  
Ad Cost: \$1,400.00  
Paid: \$0.00  
Balance Due: \$1,400.00

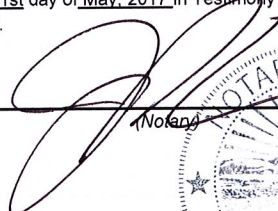
Signed \_\_\_\_\_



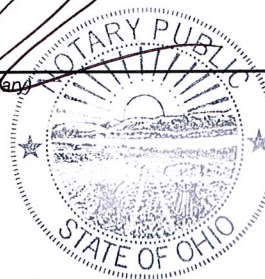
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 31st day of May, 2017 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed \_\_\_\_\_



(Notary)



JUSTIN PETERSON, Notary Public  
In and for the State of Ohio  
My Commission Expires July 31, 2019

Please see Ad on following page(s).

Invoice/Order Number: 0000141909  
Ad Cost: \$1,400.00  
Paid: \$0.00  
Balance Due: \$1,400.00

## TOWN OF HAVERHILL TOWN COUNCIL NOTICE OF PUBLIC HEARING TO CONSIDER APPLICATION FOR VOLUNTARY ANNEXATION

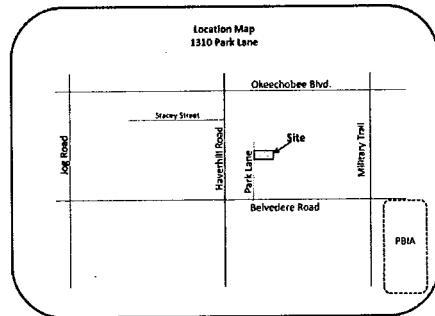
A PUBLIC HEARING will be held on the following proposed Ordinance at 7:00 p.m. on Thursday, May 25, 2017 and a public hearing will be held on Thursday, June 8, 2017 at the Town Hall, 4585 Charlotte Street, Town of Haverhill, Florida for the purpose of adopting said Ordinance No. 446. The Ordinance in its entirety, including the complete legal description of the property to be annexed along with a map showing the proposed annexation area, may be inspected and a copy obtained at the office of the Town Administrator, 4585 Charlotte Street, Haverhill, Florida between the hours of 7:30 a.m. and 4:00 p.m., Monday through Friday, except legal holidays. All interested parties are invited to attend and be heard with respect to the proposed Ordinance. The Ordinance may be postponed, continued or withdrawn without prior notice.

**PLEASE TAKE NOTICE AND BE ADVISED** that if any interested person desires to appeal any decision made by the Town Council with respect to any matter considered at such meeting or hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), auxiliary aids or services will be provided upon request with at least three (3) working days notice. Please contact Janice Rutan at (561) 689-0370 ext. 24 for information.

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**Description of area to be Annexed:** The area to be annexed abuts the northern boundary of the Town of Haverhill and is approximately 167 feet north of the intersection of Cyprus and Park Lanes, as shown by the map below. The complete legal description by metes and bounds and the ordinance can be obtained from the office of the Town Administrator.



ATTEST: Janice C. Rutan  
Town Administrator

Publish: Palm Beach Post - May 21, 2017  
May 28, 2017