

ORDINANCE NO. 2022-2247

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR ANNEXATION OF THE WITHIN DESCRIBED TRACT OF LAND LOCATED ON SEA FOREST DRIVE, WEST OF ELISABETHAN LANE IN PASCO COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NEW PORT RICHEY, AS LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR AMENDMENT OF THE CORPORATE BOUNDARIES OF THE CITY IN ACCORDANCE WITH CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, the City has received a voluntary petition for annexation of the real property located in an unincorporated area of Pasco County, Florida, and being more particularly described on Exhibit "A" (hereinafter "PROPERTY") which is attached hereto and made a part hereof; and

WHEREAS, the PROPERTY is contiguous to the CITY and reasonably compact, and otherwise meets the requirements for voluntary annexation provided in Chapter 171, Florida Statutes; and

WHEREAS, the OWNER is desirous that the PROPERTY be annexed into the municipal boundaries of the CITY, and the CITY wishes to annex the PROPERTY; and

WHEREAS, the OWNER has executed a document pursuant to Chapter 171, Florida Statutes, (hereinafter "PETITION") to facilitate the voluntary annexation of said PROPERTY in satisfaction of Chapter 171, Florida Statutes; and

WHEREAS, this Ordinance is intended to and does comply with the requirements of the City's Code of Ordinances and Land Development Code, pertaining to pre-annexation agreements; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

Section 1. Annexation of Property. The City of New Port Richey, Florida, acting by and through its City Council, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of New Port Richey, Florida, and accordingly redefines the corporate boundaries of the City of New Port Richey, Florida, so as to include the real property legally described in Exhibit “A” attached hereto and incorporated herein, and the City boundaries shall be so amended.

Section 2. Acceptance of Dedications. The City of New Port Richey, Florida hereby accepts the dedication of all easements, parks, plazas, places, and rights-of-way, and other dedications to the public or Pasco County, Florida, which have heretofore been made by plat, deed or user within the area so annexed.

Section 3. Application of Laws. Upon the effective date of this Ordinance, the PROPERTY shall be subject to all laws, ordinances and regulations applicable within the City of New Port Richey, Florida, according to law.

Section 4. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

Section 5. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 7th day of December, 2021, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 1st day of February, 2022.

ATTEST:

By: _____
Judy Meyers, CMC, City Clerk

By: _____
Robert Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE SOLE
USE AND RELIANCE OF THE CITY OF NEW PORT RICHEY,
FLORIDA:

Timothy P. Driscoll, City Attorney (CA Approved 11-18-21)

EXHIBIT A

LEGAL DESCRIPTION:

Parcel ID: 07-26-16-0090-00300-0020

GULF HARBORS, TRACT 40-A

A parcel of land lying in Section 7, Township 26 South, Range 16 East, Pasco County, Florida, and being more particularly described as follows:

Commence at the Northeast corner of Section 7, Township 26 South, Range 16 East, Pasco County, Florida, and run North $89^{\circ}37'05''$ West, 1232.50 feet along the Northerly boundary of said Section to the Point of Beginning; thence run South $30^{\circ}23'49''$ West, 134.39 feet; thence South $09^{\circ}57'44''$ West 254.34 feet; thence South $35^{\circ}26'28''$ East, 172.45 feet; thence South $36^{\circ}20'00''$ West, 83.03 feet to a point on the Easterly right-of way line of Sea Forest Drive (a 70 foot right-of-way), according to the Plat of Gulf Harbors Sea Forest Drive Phase 2, recorded in Plat Book 22, Page 67, of the Public Records of Pasco County, Florida; thence along said Easterly right-of-way line, North $52^{\circ}04'30''$ West, 304.42 feet to a point on the Easterly right-of-way line of Sea Forest Drive (a 70 foot right-of-way), according to the plat of Gulf Harbors Sea Forest Unit 1-A, as recorded in Plat Book 21, Pages 86 through 89, inclusive; thence along said Easterly right-of-way line by a curve to the right, having a radius of 640.00 feet, a central angle of $41^{\circ}45'48''$, a chord bearing North $31^{\circ}11'36''$ West, 456.24 feet, an arc distance of 466.50 feet to a point on the Northerly boundary of said Section 7; thence along said Northerly boundary South $89^{\circ}37'05''$ East, 537.64 feet to the Point of Beginning.

Parcel ID: 07-26-16-0090-00300-0020

GULF HARBORS, TRACT 40-B

A parcel of land lying in Section 7, Township 26 South, Range 16 East, Pasco County, Florida, and being more particularly described as follows:

Commence at the Northeast corner of Section 7, Township 26 South, Range 16 East, Pasco County, Florida, and run North $89^{\circ}37'05''$ West, 1331.08 feet along the Northerly boundary of said Section; thence south $00^{\circ}22'21''$ West, 630.89 feet, parallel to the Easterly boundary of Section 7, to a point on the Southerly right-of-way of Sea Forest Drive (a 70 foot right-of-way) according to the recorded plat of Gulf Harbors Sea Forest Drive Phase 2 for a Point of Beginning; thence South $36^{\circ}20'00''$ West, 686.48 feet; thence South $62^{\circ}45'00''$ West, 294.94 feet; thence South $77^{\circ}45'00''$ West, 310.00 feet; thence South $82^{\circ}38'17''$ West, 90.00 feet; thence North $07^{\circ}21'43''$ West, 256.00 feet; thence North $16^{\circ}30'00''$ East, 247.00 feet; thence North $53^{\circ}00'00''$ East, 77.00 feet; thence North $21^{\circ}30'00''$ West, 78.00 feet; Thence North $41^{\circ}00'00''$ East, 117.00 feet; thence South $73^{\circ}30'00''$ East, 295.00 feet; thence North $23^{\circ}38'00''$ East, 195.21 feet; thence by a curve to the left having a radius of 150.00 feet, a central angle of $40^{\circ}08'00''$, a chord bearing North $03^{\circ}34'00''$ East, 102.93 feet, an arc distance of 105.07 feet; thence North $16^{\circ}30'00''$ West, 117.00 feet; thence North $05^{\circ}00'00''$ West, 70.16 feet, thence a curve a central angle of $40^{\circ}08'00''$ a chord bearing North $03^{\circ}34'00''$ East, 102.93 feet, an arc distance of 105.07 feet; thence North $16^{\circ}30'00''$ West, 117.00 feet; thence North $05^{\circ}00'00''$ West, 70.16 feet; thence by a curve to the left having a radius

of 97.14 feet, a central angle of $40^{\circ}00'00''$, a chord bearing North $25^{\circ}00'00''$ West, 66.45 feet; an arc distance of 67.82 feet; thence by a curve to the right having a radius of 70.00 feet, a central angle of $116^{\circ}00'00''$, a chord bearing North $13^{\circ}00'00''$ East, 118.73 feet; an arc distance of 141.72 feet; thence North $71^{\circ}00'00''$ East, 51.98 feet; thence North $56^{\circ}45'00''$ East, 64.54 feet to a point on the Westerly right-of-way line of Sea Forest Drive (a 70 foot right-of-way) according to the plat of Gulf Harbors Sea Forest Unit 1-A, as recorded in Plat Book 21, Pages 86 through 89, inclusive, of the Public Records of Pasco County, Florida; thence along said Westerly right-of-way line by a non-tangent curve to the left having a radius of 710.00 feet, a central angle of $35^{\circ}03'46''$, a chord bearing South $34^{\circ}32'37''$ East, 427.74 feet, an arc distance of 434.49 feet; thence South $52^{\circ}04'30''$ East, 306.37 feet to the Point of Beginning.