

This instrument prepared by:
 Debbie Banks
 201 North 2nd Street
 Palatka, Florida 32177

ORDINANCE NO. 10 - 17

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN SERVICE TO CITY COMMERCIAL, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that any local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 80 acres by small scale amendments annually, and

WHEREAS, the Planning Board conducted a public hearing on July 6th, 2010, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted a public hearing on this amendment on August 26th, 2010,

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section 1. Adopted Small Scale Amendment

That the Future Land Use Element and Future Land Use Map of the adopted comprehensive plan of the City of Palatka is hereby amended to provide that the land uses of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the changes in land use.

**TABLE 1
 ADOPTED SMALL SCALE AMENDMENTS**

<u>Property Tax Number</u>	<u>Acreage</u>	<u>Current Land Use</u>	<u>Amended Land Use</u>
11-10-26-0000-0230-0000	.65	County Urban Service	City Commercial

DESCRIPTION OF PROPERTY: SEE EXHIBIT A ATTACHED

Section 3. Effect on the Comprehensive Plan

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. Severability

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

Section 5. Effective date

This Ordinance shall become effective thirty-one (31) days after its final passage by the City Commission of the City of Palatka, Florida.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 26th day of August, 2010.

CITY OF PALATKA

By: _____

Karl H. Flagg
Its Mayor

ATTEST:

Betsy J. Duggan
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

[Signature]
City Attorney

EXHIBIT A

500 S. PALM AVENUE
11-10-26-0000-0230-0000

Part of that certain tract of land conveyed by J. C. Calhoun, et ux, to Paul H. Mast and Ada B. Mast, his wife, by deed dated November 3, 1945 and recorded in Deed Book 157, page 286, of the public records of Putnam County, Florida, and being in Section 11, Township 10 South, Range 26 East, and more particularly described as follows:

From the quarter section corner on the East boundary of said Section 11, run North 1 deg. 01 mins. West, along the Easterly boundary of Section 11, a distance of 1011 feet; thence run South 89 degs. 09 mins. West, a distance of 38 feet to a concrete marker and point of beginning of the parcel to be described, being one of the corners of that certain tract described in Deed Book 188, page 63; thence (1) run South 89 degs. 09 mins. West and along the boundary line of said lands described at Deed Book 188, page 63, 187.5 feet to a concrete marker; thence (2) run North 1 deg. 01 mins. West, along the boundary of lands described at Deed Book 188, page 63 for a distance of 235 feet to a concrete marker, and continue in the same course, along the East line of lands described at O.R. Book 24, page 556 for an additional distance of 80 feet to the North line of land described at Deed Book 157, page 286 and continue in the same course, to the North line of the SE 1/4 of the NE 1/4 of said Section 11; thence (3) run Easterly, along the North line of the SE 1/4 of the NE 1/4 for a distance of 187.5 feet to the West line of the paved County Road commonly known as "Palm Avenue (see deed in Deed Book 139, page 7); thence (4) South 1 deg. 01 mins. East, along the Westerly line of "Palm Avenue" for a distance of 315 feet, more or less, to the point of beginning to close.

EXCEPTING therefrom the South 135 feet thereof, heretofore conveyed to F & J Inc., by deeds recorded in Official Records Book 161, page 30, Official Records Book 163, page 264 and Official Records Book 172, page 438.

AND, EXCEPTING the North 30 feet thereof, heretofore conveyed to Putnam County, a political subdivision by deed recorded in Official Records Book 39, page 151.

All references being to the public records of Putnam County, Florida.