

"All The News That Fits In Print"

P.O. Box 787
Jensen Beach, Florida 33457
Telephone: 334-4333

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA)
COUNTY OF MARTIN)

Before the undersigned authority personally appeared Richard E. Campbell, who on oath says that he is editor of The Jensen Beach Mirror, a weekly newspaper published at Jensen Beach in Martin County, Florida; and that the attached copy of advertisement, being a _____
Public Notice
_____ in the matter of Ordinance # 119
_____ Town of Sewalls Point
_____ in the _____ Court, was published in said newspaper in the issues of _____
August 27, 1980

Affiant further says that the said Jensen Beach Mirror is a newspaper published at Jensen Beach in Martin County, Florida, and that the said newspaper has heretofore been continuously published in said Martin County, Florida, each Wednesday and has been entered as second class mail matter at the post office in Jensen Beach in said Martin County, a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he 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.

Richard E. Campbell
AFFIANT

Sworn to and subscribed

before me this 28
day of Aug., 1980.

Notary Public Jean Morgan
(SEAL)

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES FEB 22 1984
BONDED THRU GENERAL INS. UNDERWRITERS



NOTICE

NOTICE is hereby given that the following proposed Ordinance amending Code of Ordinance Appendix A-Subdivision Regulations, will be introduced in writing and read for the second time at a special meeting of the Town Commission of the Town of Sewall's Point to be held at the Town Hall in Sewall's Point, Florida, on the 3rd day of September, 1980; at 7:30 p.m., or as soon thereafter as is practicable.

A full copy of said proposed Ordinance amending Code of Ordinances Appendix A-Subdivision Regulations, entitled hereafter, may be inspected at the Town Hall in Sewall's Point, Florida, during regular business hours. All interested parties may appear at said meeting and be heard with respect to this proposed Ordinance.

The Town Commission of the TOWN OF SEWALL'S POINT
By: s. JOAN BECKLEY,
Town Clerk

ORDINANCE NO. 119

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING TOWN OF SEWALL'S POINT CODE OF ORDINANCES APPENDIX A-SUBDIVISION REGULATIONS; PROVIDING FOR COST DEPOSITS FOR MINOR SUBDIVISION AND REIMBURSEMENT OF TOWN EXPENSES ON BEHALF OF MINOR SUBDIVISION APPLICANTS; PROVIDING FOR REIMBURSEMENT OF ALL COSTS FROM SUBDIVISION DEVELOPERS TO THE TOWN OF SEWALL'S POINT FOR ITS COSTS AND EXPENSES INCURRED ON BEHALF OF SUBDIVISION DEVELOPERS FOR PLATING OF SUBDIVISIONS; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

Publication: August 27, 1980.

NOTICE is hereby given that the following proposed Ordinance amending Code of Ordinances Appendix A-Subdivision Regulations, will be introduced in writing and read for the second time at a special meeting of the Town Commission of the Town of Sewall's Point to be held at the Town Hall in Sewall's Point, Florida, on the 3rd day of September, 1980; at 7:30 p.m., or as soon thereafter as is practicable.

A full copy of said proposed Ordinance amending Code of Ordinances Appendix A-Subdivision Regulations, entitled hereafter, may be inspected at the Town Hall in Sewall's Point, Florida, during regular business hours. All interested parties may appear at said meeting and be heard with respect to this proposed Ordinance.

The Town Commission of the
TOWN OF SEWALL'S POINT

By: Joan Beckley
JOAN BECKLEY, Town Clerk

ORDINANCE NO. 119

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING TOWN OF SEWALL'S POINT CODE OF ORDINANCES APPENDIX A-SUBDIVISION REGULATIONS; PROVIDING FOR COST DEPOSITS FOR MINOR SUBDIVISION AND REIMBURSEMENT OF TOWN EXPENSES ON BEHALF OF MINOR SUBDIVISION APPLICANTS; PROVIDING FOR REIMBURSEMENT OF ALL COSTS FROM SUBDIVISION DEVELOPERS TO THE TOWN OF SEWALL'S POINT FOR ITS COSTS AND EXPENSES INCURRED ON BEHALF OF SUBDIVISION DEVELOPERS FOR PLATTING OF SUBDIVISIONS; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

Publication: August 27, 1980

ORDINANCE

ORDINANCE NO. 119

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING TOWN OF SEWALL'S POINT CODE OF ORDINANCES APPENDIX A-SUBDIVISION REGULATIONS; PROVIDING FOR COST DEPOSITS FOR MINOR SUBDIVISION AND REIMBURSEMENT OF TOWN EXPENSES ON BEHALF OF MINOR SUBDIVISION APPLICANTS; PROVIDING FOR REIMBURSEMENT OF ALL COSTS FROM SUBDIVISION DEVELOPERS TO THE TOWN OF SEWALL'S POINT FOR ITS COSTS AND EXPENSES INCURRED ON BEHALF OF SUBDIVISION DEVELOPERS FOR PLATTING OF SUBDIVISIONS; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the Charter of the Town of Sewall's Point, styled Chapter 57-1865, Laws of Florida, and pursuant to Chapter 166, Florida Statutes, the Town of Sewall's Point has power to adopt subdivision regulations, and

WHEREAS, the Town Commission of the Town of Sewall's Point has determined that it is necessary and proper to set forth amendments to the comprehensive standard for the subdivision of land in the Town of Sewall's Point and for the filing of subdivision plats.

NOW THEREFORE, be it ordained by the Town Commission of the Town of Sewall's Point, Florida, that:

I.

Appendix A-Subdivision Regulations, Town of Sewall's Point Code of Ordinances, Section B: Minor Subdivision Sub-section 1 is hereby amended to read as follows:

An application for approval of a minor subdivision shall be submitted to the Board at least ten (10) days prior to the regular meeting at which it is to be considered. The application shall be accompanied by a scaled reproducible drawing on paper no larger than 8½ inches by 14 inches and two copies

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prepared by a land surveyor. The drawing shall show:

(a) Dimensions of the proposed lot.

(b) Location of existing structures.

(c) Location of existing and proposed roads, rights of way or easements used, or to be used, for access to all lots.

Along with submission with the application in the proper form and with the required survey, the applicant shall provide a copy of his deed, and \$75.00 cost deposit. The cost deposit shall be for costs incurred by the Town of Sewall's Point for such items as recording fee, or recording the approval of the Board, should same be given as required by Section 3 herein, engineering fees by Town Engineer, attorneys fees provided by Town Attorney, all of which are provided for the benefit of the applicant. There shall be no cost to the Town as a result of the application for minor subdivision.

The Board shall consider the application at its first regular meeting after submittal of the application, provided it has been submitted within the required time frame specified above.

The application must be approved by the Board before the property can be subdivided.

II.

Section C: Subdivisions, Section 1: Preliminary Plan, the third paragraph thereof, is hereby amended to read as follows:

The filing fee shall be \$50.00 for each lot shown on the preliminary plan or plat which shall be paid to the Town at the time the preliminary plat is tendered to the Town authorities and in the event the Town's ~~engineering~~ cost is less than the amount tendered, then in that event, a refund will be made to the subdivider and if the Town's ~~engineering~~ costs are more than the sum so tendered an additional payment will be due the Town. The matter of final cost will be determined as soon as possible, and, prior to the final

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approval and filing, final cost shall be paid by the developer. It is the intent of the Board that the Town be reimbursed for all costs expended on behalf of the developer of any subdivision for any and all costs incurred for developer's benefit.

III.

Section C: Subdivisions, Section I: Preliminary Plan, is hereby amended by the addition of the following last paragraph to the Section as follows:

(g) The legal description of the proposed subdivision and a certificate of ownership from either a member of the Florida Bar or a title insurance company with offices in Martin County, Florida, indicating the name and current mailing address and telephone number of the owner of the property comprising the proposed subdivision. Where the developer is not the owner of the property, an affidavit of the owner indicating that the owner of the property concurs with the proposed subdivision of the property is required.

Separation:

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent of the Board to adopt this Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included herein. If this Ordinance or any provision thereof shall be held to be inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect its applicability to any other person, property or circumstances.

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IV.

Repeal:

Town ordinances and Town resolutions, or parts thereof, in conflict with this Ordinance are hereby abolished and repealed to the extent of such conflict.

V.

Incorporation in Town Code.

Provisions of this Ordinance shall be incorporated in the Town Code and the word "Ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.

VI.

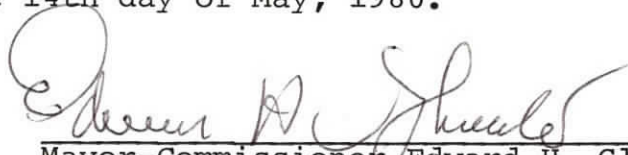
Effective Date:

This Ordinance shall become effective immediately upon the date of its passage according to law.

Passed first reading at the regular meeting of the Town Commission held on the 9th day of April, 1980.

Passed second reading at the regular meeting of the Town Commission held on the 14th day of May, 1980.


ATTEST:

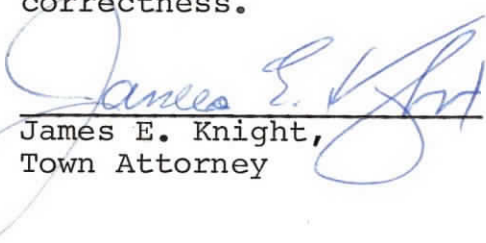

Mayor-Commissioner Edward H. Gluckler


Joan Beckley, Town Clerk

Commissioner E. Clinton Towl

Approved as to form and correctness.


Commissioner William E. Barton, III


James E. Knight,
Town Attorney


Commissioner Dana deWindt

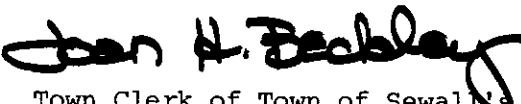

Commissioner Gilbert Strubell

AFFIDAVIT OF POSTING


STATE OF FLORIDA :

COUNTY OF MARTIN :

I, Joan H. Beckley, Clerk of the Town of Sewall's Point, Florida, do hereby state that I did post a copy of Ordinance # 119 on the Town Bulletin Board, on the 1st day of April, 1980, the Ordinance being an Ordinance amending the Sewall's Point Code of Ordinances re: subdivision regulations.


Town Clerk of Town of Sewall's Point

Sworn to and subscribed before me
this 1st day of April, 1980


Notary Public