

INSTR # 2283598 OR BK 02526 PG 2923 RECD 07/13/2011 12:47:55 PM  
Pgs 2923 - 2928; (6pgs)  
MARSHA EWING MARTIN COUNTY DEPUTY CLERK L Bettineschi

ORDINANCE # 29

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO AMEND ORDINANCE #8 ADOPTED BY THE TOWN OF SEWALL'S POINT ON THE 8TH DAY OF JANUARY, 1958, ESTABLISHING A 150 FOOT BULKHEAD LINE, SAID ORDINANCE #8 IS TO BE AMENDED BY CHANGING THE BULKHEAD LINE ON THE NORTH AND SOUTH OF THE BRIDGE APPROACH ACROSS THE INDIAN RIVER, AND FOR OTHER PURPOSES.

WHEREAS, the Town did establish a 150 foot bulkhead line along portions of the East shoreline of said Town, which was established by Ordinance #8 adopted by the Town of Sewall's Point on the 8th day of January, 1958, and

WHEREAS, said Ordinance #8 was amended by Ordinance #28, adopted on November 14, 1962, and

WHEREAS, this Amendment desired in connection with this 150 foot bulkhead line pertains to that portion that extends southward and northward from the Indian River Bridge approach, and

WHEREAS, a Notice has been published as required by law of this intended Amendment of Ordinance #8, and

WHEREAS, said Notice was also mailed by certified mail to all riparian owners of uplands lying within 1000 feet of the proposed change of bulkhead line, and

WHEREAS, a public hearing was had pursuant to the aforesaid Notice and no objections were filed or offered to the said amendment of the aforesaid Ordinance #8, and

THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE TOWN OF SEWALL'S POINT:

Section 1. That Ordinance #8 of the Town of Sewall's Point adopted on the 8th day of January, 1958, establishing a 150 foot bulkhead line, be amended by vacating the 150 foot bulkhead line as it is located within the area hereinafter described.

Section 2. That Ordinance #8 be, and the same is hereby amended by substituting a new bulkhead line extending southward and northward from the approach of the Indian River Bridge, the same being on the East side of the Town of Sewall's Point, which amended line is hereby described as follows:

Beginnint at a point that is 150 feet off shore from (as measured on the perpendicular) the point of intersection of the southline of Section 36, Township 37 South, Range 41 East and the line of mean high water on the west shore of the Indian River, thence run southeasterly to a point on the seawall of the west bridgeway abutment, said point being 920 feet easterly of the center line of Sewall's Point Road and 65 feet northerly of the center line of said bridgeway as measured at right angles; thence meander southerly along said seawall to a point that is 920 feet easterly of said center line of Sewall's Point Road and 65 feet southerly of the center line of said bridgeway as measured at right angles; thence run southerly to a point on the easterly extension of the south line of G. W. Baker's Subdivision that is 150 feet off shore from said line of mean high water and which is also a point of intersection with the existing bulkhead line.

Section 3. The aforesaid new bulkhead line will replace the old 150 foot bulkhead line along the area encompassed in said new line.

Section 4. All parts of Ordinance #8 adopted the 8th day of January, 1958, by the Town of Sewall's Point not inconsistent with the Amendment are otherwise approved, ratified and confirmed.

Section 5. All parts of Ordinance #28 adopted on the 14th day of November, 1962, by the Town of Sewall's Point, not inconsistent with this Amendment are otherwise approved, ratified and confirmed.

Section 6. This amended bulkhead line is hereby defined as set forth in Chapter 253 of Florida Statutes as amended, and this Ordinance is enacted in conformance therewith and under the authority thereof.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. If any part of this Ordinance is declared invalid or unenforceable, the remaining portions of the ordinance shall continue to be in full force and effect.

Section 9. That this change be shown on the Town's Bulkhead Line Ordinance map or survey.

Section 10. That a copy of this Ordinance, together with map or survey be presented to the Board of County Commissioners of Martin County, and also filed with the Clerk of the Circuit Court of Martin County, Florida.

Section 11. That a copy of this Ordinance, together with map or survey be filed with the Trustees of the Internal Improvement Fund of the State of Florida.

Section 12. This Ordinance shall take effect immediately upon the date of its passage according to law.

PASSED at first reading at meeting of the Town Commission held on the 15 day of <sup>February</sup> January, 1963.

PASSED second reading and finally passed at meeting of the Town Commission held on the 10 day of April, 1963.

ATTEST:

Jean Niebling

TOWN COMMISSIONERS OF THE  
TOWN OF SEWALL'S POINT.

By John T. Dickinson  
As <sup>vice</sup> Mayor-Commissioner

Approved as to form and correctness

this 25 day of <sup>February</sup> January, 1963

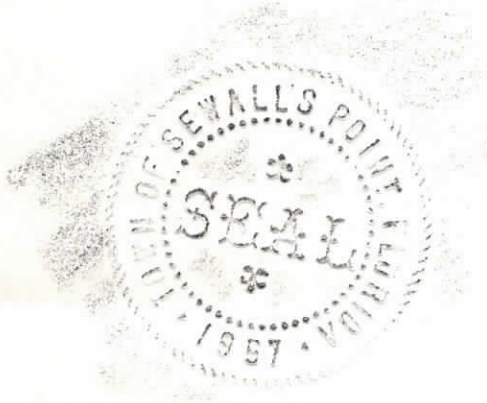
*J. J. O. Peterson*  
As Town Attorney

*W. G. Wheeler*  
Commissioner

*E. Spaulding*  
Commissioner

*J. C. Peterson*  
Commissioner

\_\_\_\_\_  
Commissioner



CERTIFICATE OF TRUE COPY

This is to certify this document is a true and correct copy of the foregoing document as on file with the Town of Sewall's Point, Sewall's Point, Florida.

BY: *Ann-Marie S. Basler*  
Ann-Marie S. Basler, Town Clerk

STATE OF FLORIDA            )  
COUNTY OF MARTIN         )

Personally appeared before me, a Notary Public in and for the State of Florida at Large, JEAN NIEBLING, who first being duly sworn upon oath, deposes and says that she is the duly acting and qualified Town Clerk of the Town of Sewall's Point, Martin County, Florida; that pursuant to the Laws of Florida governing said Town of Sewall's Point, she did post at the Town Hall, a true copy of the foregoing Ordinance No. 29 passed by the Town Commission of the Town of Sewall's Point on the 10 day of April, 1963, the title to said Ordinance being as follows:

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO AMEND ORDINANCE #8 ADOPTED BY THE TOWN OF SEWALL'S POINT ON THE 8TH DAY OF JANUARY, 1958, ESTABLISHING A 150 FOOT BULKHEAD LINE, SAID ORDINANCE #8 IS TO BE AMENDED BY CHANGING THE BULKHEAD LINE ON THE NORTH AND SOUTH OF THE BRIDGE APPROACH ACROSS THE INDIAN RIVER, AND FOR OTHER PURPOSES.

A copy of said Ordinance was posted as aforesaid by the undersigned on the 18 day of April, 1963.

Jean Niebling  
Town Clerk

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 1963.

\_\_\_\_\_  
Notary Public



**RESOLUTION**

WHEREAS, the Town of Sewall's Point, Florida, a Municipality located in Martin County, Florida, did present to the Board of County Commissioners of Martin County, Florida, for its approval, Ordinance number 29, said Ordinance setting certain bulkhead lines for that area, at the regular meeting of this Board on April 23, 1963, and

WHEREAS, it is mandatory that the Board of County Commissioners approve said bulkhead lines according to the mandate of Chapter 253.122 (1), Florida Statutes, 1961, Now, Therefore,

BE IT RESOLVED by the Board of County Commissioners of Martin County, Florida, that the bulkhead lines as established and designated by the Town of Sewall's Point, Florida, a Municipality located in Martin County, Florida, in Ordinance number 29, said Ordinance hereto attached and made a part of this resolution as though fully incorporated herein be approved.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the Trustees of the Internal Improvement Fund, Tallahassee, Florida; and Mrs. Fred Niebling, Clerk of the Town of Sewall's Point, Jensen Beach, Florida.

ADOPTED at the regular meeting of April 23, 1963.

BOARD OF COUNTY COMMISSIONERS  
OF MARTIN COUNTY, FLORIDA

By Frank A. Vaska  
FRANK A. VASKA, Chairman

ATTEST:

Dorothy Pierce  
Dorothy Pierce, Clerk