

After Recording Return To:
City of Winter Park, City Clerk's Office
401 Park Avenue South
Winter Park, Florida 32789

Prepared by
Jeff Briggs, Planning Director
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

ORDINANCE NO. 2867-12

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 600 LEE ROAD, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation, in order to insure sound urban development and efficient provision of urban services; and

WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, the City Commission hereby finds that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, The Florida Department of Transportation, the owner of the property at 600 Lee Road, Orlando, FL, has petitioned the City of Winter Park for annexation of that property, identified by Orange County Parcel ID Number 02-22-29-0000-00-042 as described in Exhibit "A" and shown on Exhibit "B", which is the area to be annexed; and:

WHEREAS, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Winter Park; and

WHEREAS, the City Commission has determined that the annexation of the subject area has met all procedural requirements and that it will promote sound urban development and efficient provision of urban services; and

WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Winter Park Comprehensive Plan, Charter and Municipal Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Winter Park, the City Commission of the City of Winter Park desires to annex the real property generally described below into the municipal boundaries of the City of Winter Park; and

WHEREAS, upon adoption of this Ordinance, the municipal boundaries lines of the City of Winter Park, shall, for purposes of Article I, Section 1.02 of the Municipal Charter, shall be redefined to include the subject real property.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida as follows:

Section 1. Annexation of Real Property. The real property described herein shall be, and is hereby annexed into the City of Winter Park, Florida. This real property is described in Exhibit "A" and illustrated in Exhibit "B". These Exhibits are incorporated herein by reference. The described real property shall be existing within the boundaries of the City of Winter Park, Florida and known to be existing within said boundaries from the effective date of this Ordinance.

Section 2. Incorporation of Recitals. The recitals to this Ordinance are hereby incorporated herein by reference and are fully effective as part of this Ordinance.

Section 3. City Boundaries Redefined; Winter Park Charter Amended. Pursuant to Section 166.031(3), Florida Statutes and Section 171.091, Florida Statutes, the City of Winter Park Charter, Article I, Section 1.02 is hereby amended to redefine the corporate boundaries of the City of Winter Park to include the real property described in Section 1 and Exhibits "A" and "B" of this Ordinance. The City Clerk shall file the revised Winter Park Charter, Article 1, Section 1.02 with the Department of State within seven days after the effective date of this Ordinance. Section 1.02 provides that the corporate boundaries of the City of Winter Park shall remain as they exist on the date the amended Charter took effect, and provides that the City has the power to change its boundaries in the manner prescribed by law. The amendment to the Charter will provide that after the effective date of the adoption of Section 1.02, the property subject to this Ordinance was annexed, and the legal description of the property will not be included in the Charter but the Ordinance number shall be included so that the public is on notice that a description of the corporate boundaries, including the property annexed hereby, is on file in the City Clerk's office.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed to the extent of conflict.

Section 5. Severability. Should any section or provision of this Ordinance or any portion hereof, including any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole, and the invalid portion shall be severed from the remainder of this Ordinance and the remainder of this Ordinance shall be continue to be lawful, enforceable and valid.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED by the City Commission of the City of Winter Park, Florida at a regular meeting assembled on the 26th day of November, 2012.

Kenneth W. Bradley
Kenneth W. Bradley, Mayor

Attest: Cynthia S. Bonham
Cynthia S. Bonham, City Clerk

First Reading:	<u>November 12</u>	, 2012
Second Reading:	<u>November 26</u>	, 2012
Effective Date:	_____	, 2012

Exhibit A

600 Lee Road, Parcel ID # 02-22-29-0000-00-042

EXHIBIT "A" - THE AAMCO SITE

"Commence at the Northeast corner of the Northwest $\frac{1}{4}$ of Section 2, Township 22 South, Range 29 East, and run South $03^{\circ} 41' 31''$ West along the $\frac{1}{4}$ Section line 2,145.98 feet, thence North $89^{\circ} 51' 59''$ West 140.53 feet to the Point of curvature of a curve concave to the Northeast having a radius of 1,004.93 feet thence along the arc of said curve, through a central angle of $36^{\circ} 27' 43''$ a distance of 639.52 feet, thence South $36^{\circ} 35' 44''$ West 30.0 feet for a Point of Beginning; said point being on the Southerly right-of-way line of State Road 438; thence from a tangent bearing of South $53^{\circ} 24' 16''$ East run Southeasterly along the arc of a curve concave to the Northeast, having a radius of 1,034.93 feet and the intersection angle of $03^{\circ} 10' 29''$, a distance of 57.35 feet, thence South $56^{\circ} 34' 45''$ East 50.04 feet to the limited access line of Interstate Highway No. 4, thence South $08^{\circ} 09' 43''$ East along said limited access right-of-way line a distance of 127.82 feet, thence South $26^{\circ} 37' 04''$ West 166.38 feet, thence from a tangent bearing North $63^{\circ} 22' 56''$ West run Northwesterly along the arc of a curve concave to the Northeast, having a radius of 1,304.93 feet and an intersection angle of $09^{\circ} 58' 40''$ a distance of 227.25 feet, thence North $36^{\circ} 35' 44''$ East 270.00 feet to the Point of Beginning.

SAVE AND EXCEPT

That certain parcel or tract of land situate, lying and being in the County of Orange, State of Florida described as follows, to wit;

Commence at the Northeast corner of the Northwest $\frac{1}{4}$ of Section 2, Township 22 South, Range 29 East, and run thence along the East Line of said Northwest $\frac{1}{4}$ South $03^{\circ} 00' 00''$ West 2,146.29 feet, thence South $89^{\circ} 26' 30''$ West 140.53 feet to the point of curvature of a curve concave to the Northeasterly, and having a radius of 1,004.93 feet, run thence Northwesterly along the arc of said curve 639.52 feet, through a central angle $36^{\circ} 27' 44''$, thence South $35^{\circ} 54' 14''$ West 150.00 feet to the Point of Beginning, thence continue South $35^{\circ} 54' 14''$ West 150.00 feet to a point on a curve concave to the Northeasterly and having a radius of 1,304.93 feet thence a tangent bearing South $54^{\circ} 05' 46''$ East run Southeasterly along the arc of said curve 227.25 feet through a central angle of $09^{\circ} 58' 14''$; thence North $25^{\circ} 55' 33''$ East 130.00 feet; thence run North $53^{\circ} 28' 20''$ West 203.59 feet to the Point of Beginning."

BEING THE LANDS DESCRIBED IN ORB 6930, PAGE 2977, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA



Exhibit B

