

Prepared by and return to:
Cindy Bonham, City Clerk
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789



ORDINANCE NO. 2869-12

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING APPROXIMATELY 51+- ACRES OF REAL PROPERTY REFERRED TO AS RAVAUDAGE OR HOME ACRES; GENERALLY LOCATED IN THAT POCKET OF UNINCORPORATED ORANGE COUNTY AREA BORDERED BY LEE ROAD TO THE SOUTH, ORLANDO AVENUE TO THE EAST; MONROE AVENUE TO THE NORTH AND BENNETT AVENUE TO THE WEST; 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 ANNEXED HEREBY INTO THE MUNICIPAL BOUNDARIES; 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 51+- acre area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, does not have any registered electors, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, Benjamin Partners, Ltd., Greenhouse Partners, Ltd. and Garmet, Ltd.; Florida limited liability companies, have petitioned the City of Winter Park for annexation of thirty three (33) parcels of land that they own within this proposed 51+- acre annexation area and those properties represent 62.3% of the properties included in this annexation and comprise 86.24% of the land area involved; and

WHEREAS, the City Commission has determined that the annexation of the subject are 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 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.

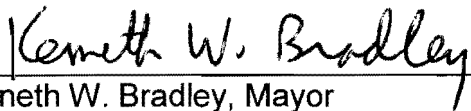
Section 3. City Boundaries Redefined; Winter Park Charter Amended. Pursuant to Section 166.031(3), Florida Statutes and Section 171.091, Florida Statutes, the City of Winter Park Charter, Article I, Section 1.02 is hereby amended to redefine the corporate boundaries of the City of Winter Park to include 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 7 days of 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 effect 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 12th day of November, 2012.



Kenneth W. Bradley, Mayor

Attest: 

Cynthia S. Bonham, City Clerk

First Reading: April 9, 2012

Second Reading: November 12, 2012

Effective Date: November 12, 2012

Exhibit "A" Ravaudage Annexation Metes and Bounds Legal Description:

Begin 30.00 feet South and 21.00 feet West of the Northeast corner of the Northwest $\frac{1}{4}$ of Section 1, Township 22 South, Range 29 East, Orange County, Florida; thence run South $01^{\circ}18'01''$ West along the West right-of-way line of Bennett Avenue a distance of 100.61 feet; thence departing said West right-of-way line run South $89^{\circ}37'38''$ East along the South line of Lot 2, Block "O", and a projection thereof, of Home Acres, according to the plat thereof, as recorded in Plat Book "M", Page 97 of the Public Records of Orange County, Florida, a distance of 161.80 feet to the Southeast corner of said Lot 2, Block "O"; thence North $00^{\circ}53'15''$ East along the East line of said Lot 2, a distance of 11.60 feet to the Southwest corner of Lot 15, Block "O", of said Home Acres; thence South $89^{\circ}19'59''$ East along the South Line of said Lot 15, a distance of 115.79 feet to the Southeast corner of said Lot 15, said point also being on the West right-of-way line of Loren Avenue, of said Home Acres; thence departing said West right-of-way line run South $89^{\circ}50'25''$ East a distance of 50.00 feet to the East right-of-way line of said Loren Avenue, said point also being the Southwest corner of Lot 7, Block "P", of said Home Acres; thence North $89^{\circ}41'18''$ East along the South line of said Lot 7, a distance of 132.57 feet to the Southeast corner of said Lot 7; thence South $00^{\circ}26'08''$ West along the West line of Lot 10, of said Block "P", a distance of 2.70 feet to the Southwest corner of said Lot 10; thence North $89^{\circ}40'00''$ East along the South line of said Lot 10, a distance of 132.57 feet to the Southeast corner of said Lot 10, said point also being on the West right-of-way line of Lewis Drive, of said Home Acres; thence South $00^{\circ}25'53''$ West along said West right-of-way line and an extension thereof, a distance of 359.32 feet; thence departing said West right-of-way line run South $89^{\circ}34'07''$ East 70.00 feet to the Northwest corner of Lot 10, Block "K", of said Home Acres; thence South $00^{\circ}25'53''$ West along the West line of said Lot 10 and the West line of Lots 9, 8 and 7, of said Block "K", a distance of 200.00 feet to the Southwest corner of said Lot 7; thence South $89^{\circ}34'30''$ East along the South line of said Lot 7, a distance of 132.50 feet to the Northwest corner of Lot 15, of said Block "K"; thence South $00^{\circ}25'53''$ West along the West line of said Lot 15, a distance of 50.00 feet to the Southwest corner of said Lot 15; thence South $89^{\circ}34'30''$ East along the South line of said Lot 15 and an extension thereof, a distance of 185.50 feet to the Northwest corner of Lot 5, Block "J", of said Home Acres; thence South $00^{\circ}25'53''$ West along the West line of said Lot 5 and the West line of Lot 4, of said Block "J", a distance of 100.00 feet to the Southwest corner of said Lot 4; thence South $89^{\circ}34'30''$ East along the South line of said Lot 4 and the South line of Lot 17, of said Block "J", a distance of 180.44 feet to the Westerly right-of-way line of North Orlando Avenue (State Road 15/600), (U.S. 17/92), as now established. thence run along said Westerly right-of-way line the following courses and distances: South $02^{\circ}34'51''$ East 138.24 feet to the Point of Curvature of a curve concave Westerly and having a radius of 5676.65 feet; thence run Southerly along the arc of said curve 283.03 feet, through a central angle of $02^{\circ}51'24''$ to the Point of Tangency; thence South $00^{\circ}16'33''$ West a distance of 803.23 feet; thence South $67^{\circ}51'04''$ West a distance of 36.60 feet, to the North right-of-way line of Lee Road (State Road 438) as now

established; thence South 89°57'03" West along said North right-of-way line and an extension thereof, a distance of 1183.25 feet to the Southeast corner of Lot 1, of Lee Shore, according to the Plat thereof, as recorded in Plat Book "T", Page 78, of the Public Records of Orange County, Florida, said point also being the Point of Intersection of said North right-of-way line of Lee Road with the West right-of-way line of Bennett Avenue (as now established); thence North 01°18'01" East along said West right-of-way line, a distance of 1439.59 feet to the Northeast corner of Park Green, according to the plat thereof, as recorded in Plat Book 10, Page 90, of the Public Records of Orange County, Florida; thence South 88°47'55" West along the North line of said Park Green, and an extension thereof, a distance of 489.00 feet to the Southwest corner of that certain parcel of land, as described and recorded in Official Record Book 09053, Page 4134, of the Public Records of Orange County, Florida; thence run along the Westerly line of said certain parcel of land, the following courses and distances: North 00°22'00" West 186.65 feet; thence North 89°33'44" East 191.75 feet; thence North 00°22'00" West 320.55 feet; thence North 89°23'57" East 49.46 feet; thence North 00°30'06" West 103.82 feet to the Northwest corner of the aforesaid certain parcel of land; thence North 89°17'48" East along the North line of said certain parcel, a distance of 274.63 feet to the Point of Beginning.

(LESS) Lot 16, Block "L" and Lot 17, Block "F", of Home Acres, according to the plat thereof, as recorded in Plat Book "M", Page 97, of the Public Records of Orange County, Florida.

TOGETHER WITH:

North Orlando Ave.

US 17-92 North Annex

Commence at Northwest corner, of the Northeast $\frac{1}{4}$, of Section 1, Township 22 South, Range 29 East, Orange County, Florida; thence run North 89°28'20" East along the North line of said Northeast $\frac{1}{4}$, a distance of 1093.87 feet for a POINT OF BEGINNING, said point also being on a Northerly extension of the West right-of-way line of North Orlando Avenue (U.S. 17/92) and (S.R. 15/600); thence departing said West line, continue North 89°28'20" East along said North line of the Northeast $\frac{1}{4}$, a distance of 53.03 feet to the center line of said North Orlando Avenue; thence departing said North line of the Northeast $\frac{1}{4}$, of Section 1, run South 02°34'51" East along said center line a distance of 495.08 feet; thence departing said center line, run South 87°25'09" West a distance of 53.00 feet to the aforementioned West right-of-way line of North Orlando Avenue, said point also being on the South right-of-way line of Elvin Avenue of Home Acres, as recorded in Plat Book "M," Page 97, of the Public Records of Orange County, Florida; thence departing said South right-of-way line, run North 02°34'51" West along said West right-of-way line of North Orlando Avenue being a projection and an extension thereof, a distance of 496.98 feet to the Point of Beginning.

Exhibit B – Area to be annexed

