

ORDINANCE NO. 3130-18

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS OWNED BY THE CITY OF WINTER PARK GENERALLY DESCRIBED AS APPROXIMATELY 8.85 +/- ACRES LOCATED NORTH OF HOWELL BRANCH ROAD AND WEST OF TEMPLE TRAIL AND HAVING ORANGE COUNTY TAX PARCEL IDENTIFICATION NUMBER 29-21-30-0000-00-002 INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park is owner of the land, generally described as approximately 8.85 ± acres located in Orange County, Florida, being North of Howell Branch Road and West of Temple Trail and legally described in Attachment "A" attached to this Ordinance and incorporated herein by this reference (herein the "Property"); and

WHEREAS, the Property is being contracted (or de-annexed) from the city limits of the City of Maitland and the effective date of this annexation Ordinance will be after the effective date of the City of Maitland's contraction of the Property; and

WHEREAS, the City of Winter Park (as both the Property owner and as a municipality) desires to annex the Property into the city limits of the City of Winter Park and the City of Winter Park, as the property owner of the Property, is petitioning for voluntary annexation; and

WHEREAS, the City of Winter Park has determined that the Property is reasonably compact and contiguous to the municipal limits of the City of Winter Park, that annexation of the Property will not result in the creation of an enclave and that the Property's annexation meets the prerequisites and standards set forth in Section 171.044, Fla. Stat., for voluntary annexation into the City of Winter Park; and

WHEREAS, the City of Winter Park has provided adequate notice required by general law for the annexation of the Property and has conducted the required public hearing prior to the adoption of this Ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION 1: *Recitals.* The above "Whereas" clauses are true and correct and constitute legislative findings of the City of Winter Park City Commission and are incorporated herein by this reference.

SECTION 2: *Property Annexed.* That, after conducting a public hearing and having found that the City of Winter Park's petition for voluntary annexation of the Property meets the prerequisites and standards for annexation under general law, the Property legally defined in Attachment "A" and graphically shown on the map attached hereto as Attachment "B" is hereby annexed into the municipal boundaries of the City of Winter Park.

SECTION 3: *Effect of Annexation.* That the City of Winter Park, shall have all of the power, authority, and jurisdiction over and within the Property as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or her designee is directed to file a copy of this Ordinance with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

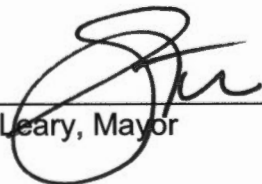
SECTION 7: *Effective Date.* This Ordinance shall become effective after its adoption upon the later of: (i) the date this Ordinance is adopted at its second reading, and (ii) the effective date of the contraction of the Property from the City of Maitland city limits.

FIRST READING AND PUBLIC HEARING: November 26, 2018

SECOND READING AND PUBLIC HEARING: December 10, 2018


ADOPTED this 10th day of December, 2018, by the City Commission of the City of Winter Park, Florida.

APPROVED:



Steve Leary, Mayor

ATTEST:



Cynthia Bonham, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

Orange County Tax Parcel No. 29-21-30-0000-00-002

Legal Description

Begin at the Southeast corner of the Southwest one-quarter of the Southwest one-quarter, Section 29, Township 21 South, Range 30 East, run thence North 666.26 feet; thence run West 585.71 feet; thence South to the South line of the Southwest one-quarter; thence East to the Point of Beginning.

Attachment "B"

