

ORDINANCE 3208-21

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 0.78+/- ACRES OF REAL PROPERTY LOCATED AT 647/653 HAROLD AVENUE AND A PORTION OF THE ADJACENT HAROLD AVENUE RIGHT-OF-WAY AS MORE SPECIFICALLY DESCRIBED HEREIN, 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 property owners of two (2) parcels have requested the City enact a voluntary annexation for 647/653 Harold Avenue, as also identified by Orange County Tax Parcel ID #: 12-22-29-5000-03-061, and 12-22-29-5000-03-081.

WHEREAS, the City of Winter Park has included for annexation and portions of the adjacent Harold Avenue right-of-way in order to preclude the creation of an enclave, and

WHEREAS, the Subject Properties and Right-of-Way being annexed comprise approximately 0.78 acres; and

WHEREAS, the City of Winter Park has determined that the Subject Properties and Right-of-Way are reasonably compact and contiguous to the municipal limits of the City of Winter Park, that annexation of the Subject Properties and Right-of-Way will not result in the creation of an enclave and that the Subject Properties and Right-of-Way 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 Subject Properties and Rights-of-Way 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 Owners' petition for voluntary annexation of the Subject Properties and Right-of-Way meets the prerequisites and standards for annexation under general law,

the Subject Properties and Right-of-Way legally defined in Exhibit "A" and graphically shown on the map attached hereto as Exhibit "B" are 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 Subject Property and Rights-of-Way 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 at its second reading.

ADOPTED this 28th day of July 2021, by the City Commission of the City of Winter Park, Florida.

APPROVED:

Phillip Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk

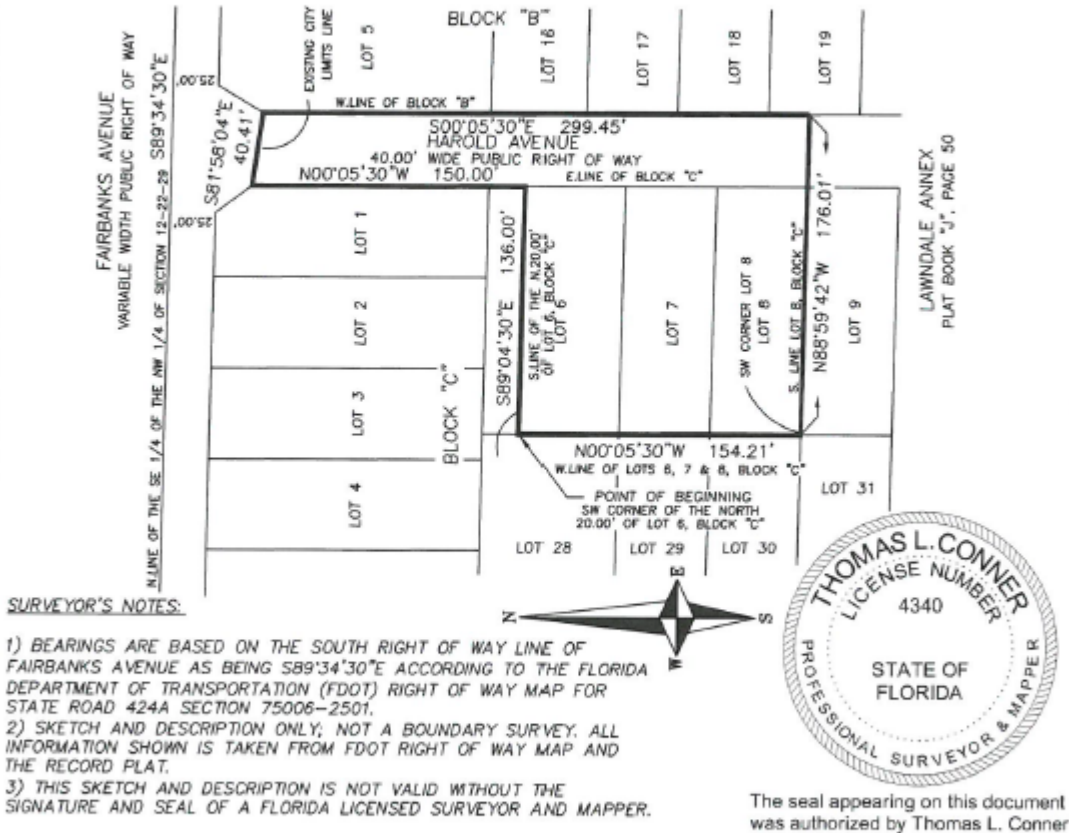
EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PART OF HAROLD AVENUE AND A PART OF LOT 6 AND ALL OF LOTS 7 AND 8, BLOCK "C", LAWDALE ANNEX, AS RECORDED IN PLAT BOOK "J", PAGE 50, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGIN AT THE SOUTHWEST CORNER OF THE NORTH 20.00 FEET OF LOT 6, BLOCK "C", LAWDALE ANNEX, AS RECORDED IN PLAT BOOK "J", PAGE 50, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S89°04'30"E ALONG THE SOUTH LINE OF SAID NORTH 20.00 FEET OF LOT 6 A DISTANCE OF 136.00 FEET TO THE EAST LINE OF SAID BLOCK "C" AND THE WEST RIGHT OF WAY LINE OF HAROLD AVENUE; THENCE RUN N00°05'30"W ALONG SAID EAST LINE OF BLOCK "C" 150.00 FEET TO THE EXISTING CITY LIMITS LINE OF THE CITY OF WINTER PARK, FLORIDA; THENCE RUN S81°58'04"E ALONG SAID CITY LIMITS LINE 40.41 FEET TO THE WEST LINE OF BLOCK "B", SAID LAWDALE ANNEX AND THE EAST RIGHT OF WAY LINE OF AFOREMENTIONED HAROLD AVENUE; THENCE RUN S00°05'30"E ALONG SAID WEST LINE OF BLOCK "B" 299.45 FEET TO AN EASTERLY PROJECTION OF THE SOUTH LINE OF LOT 8, SAID BLOCK "C", LAWDALE ANNEX; THENCE RUN N88°59'42"W ALONG SAID EASTERLY PROJECTION AND CONTINUING ALONG SAID SOUTH LINE OF LOT 8 A DISTANCE OF 176.01 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE RUN N00°05'30"W ALONG SAID WEST LINE OF LOT 8 AND THE WEST LINE OF LOTS 6 AND 7, SAID BLOCK "C" A DISTANCE OF 154.21 FEET TO THE POINT OF BEGINNING. CONTAINS THEREIN 0.76 ACRES, MORE OR LESS.



SURVEYOR'S NOTES:

- 1) BEARINGS ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF FAIRBANKS AVENUE AS BEING S89°34'30"E ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) RIGHT OF WAY MAP FOR STATE ROAD 424A SECTION 75006-2501.
- 2) SKETCH AND DESCRIPTION ONLY; NOT A BOUNDARY SURVEY. ALL INFORMATION SHOWN IS TAKEN FROM FDOT RIGHT OF WAY MAP AND THE RECORD PLAT.
- 3) THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

The seal appearing on this document was authorized by Thomas L. Conner



CITY OF WINTER PARK
 PUBLIC WORKS DEPARTMENT
 ENGINEERING DIVISION
 SURVEY SECTION
 500 N. Virginia Avenue
 Winter Park, Florida 32789
 Phone: (407) 599-3233

PREPARED BY THOMAS L. CONNER, CITY SURVEYOR
 FLORIDA LICENSED SURVEYOR AND MAPPER 434340

SKETCH OF DESCRIPTION
 ANNEXATION PARCEL
 647 HAROLD
 SECTION 12, TWP 22 S., RGE 29 E.
 CITY OF WINTER PARK, ORANGE COUNTY, FL
 SCALE : 1" = 80' DATE : 07/06/20
 VEIGLE HAROLD ANNEX.DWG

This item has been electronically signed & sealed by Thomas L. Conner Florida Licensed Surveyor and Mapper on the date and time shown. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

EXHIBIT "B"
Map of Area to be Annexed

