

## **ORDINANCE 3270-23**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 2.07 ACRES OF REAL PROPERTY LOCATED AT 1896; 1934; 1964; 1968; 1970 AND 1990 KENTUCKY AVENUE PLUS THE RIGHT-OF-WAY OF KENTUCKY AVENUE FROM FORMOSA AVENUE TO CLAY STREET, 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 City of Winter Park proposes to annex six parcels on Kentucky Avenue and has received a voluntary annexation petition from the owners of four of the six parcels; and

**WHEREAS**, the Subject Properties proposed for annexation consist of 1896 Kentucky Avenue (12-22-29-6172-03-100); 1934 Kentucky Avenue (12-22-29-6172-03-110); 1964 Kentucky Avenue (12-22-29-6172-03-120); 1968 Kentucky Avenue; (12-22-29-6172-03-130); 1970 Kentucky Avenue (12-22-29-6172-03-140); and 1990 Kentucky Avenue (12-22-29-6172-03-150); such private properties constituting Lots 10 through 15, Block C, Olympia Heights as recorded in Plat Book "J", Page 61 of the Public Records of Orange County, Florida.

**WHEREAS**, the City of Winter Park has determined that the Subject Properties are reasonably compact and contiguous to the municipal limits of the City of Winter Park, that annexation of the Subject Properties will not result in the creation of an enclave and that the Subject Properties meet the prerequisites and standards set forth in Section 171.0413 and 171.043, Fla. Stat., for a commercial area with no registered voters within which the owners of four of the six parcels to be annexed have consented to the annexation which constitutes more than 50% of the parcels to be annexed and more than 50% of the private land area included in the 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 has conducted the required public hearings 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 two public hearings and having found that the Owners' petition for annexation of the Subject Properties meet the prerequisites and standards for annexation under Chapter 171, FL. Stat., the Subject Properties, as further legally defined in Exhibit "A" and as shown on the map attached hereto as Exhibit "B".

**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 Properties 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 14<sup>th</sup> day of June, 2023, by the City Commission of the City of Winter Park, Florida.

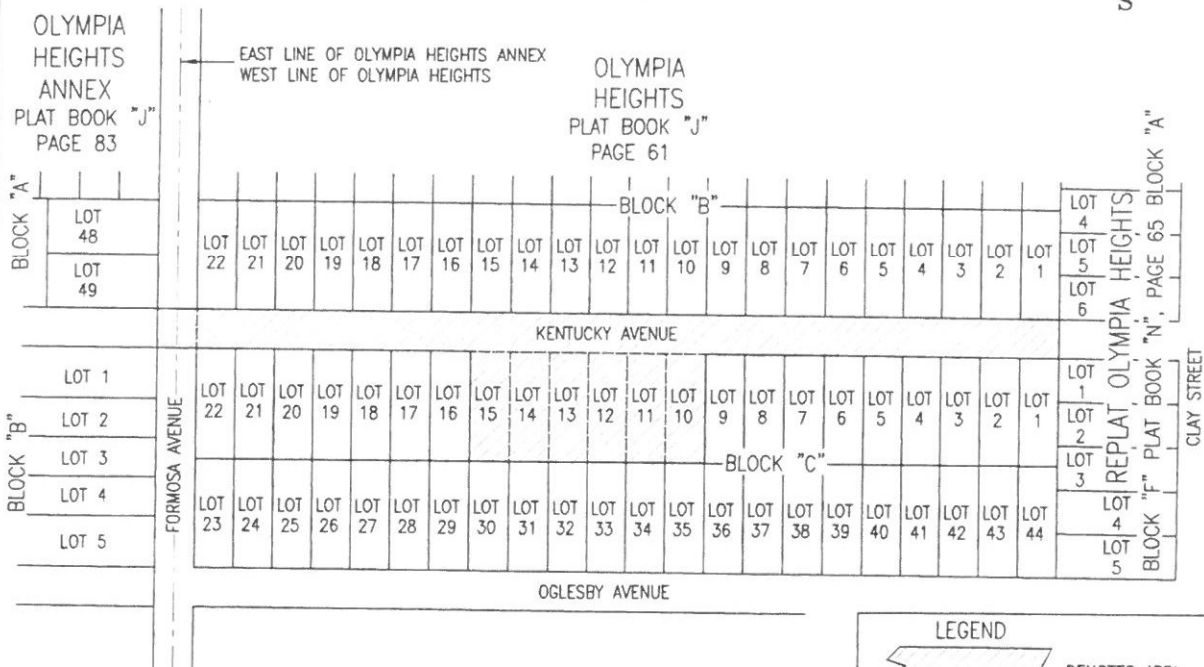
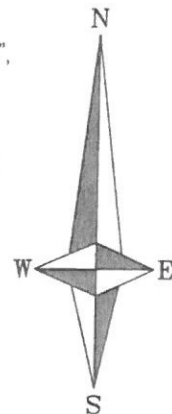
  
Phillip M. Anderson, Mayor

  
Rene Cranis, City Clerk

## EXHIBIT "A"

LEGAL DESCRIPTION  
PARCELS AND RIGHT OF WAY TO BE ANNEXED

LOTS 10, 11, 12, 13, 14 AND 15, BLOCK "C", OLYMPIA HEIGHTS, AS RECORDED IN PLAT BOOK "J", PAGE 61, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.  
TOGETHER WITH:  
THAT PORTION OF KENTUCKY AVENUE PLATTED BY OLYMPIA HEIGHTS, AS RECORDED IN PLAT BOOK "J", PAGE 61, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; LYING NORTH OF BLOCK "C" AND SOUTH OF BLOCK "B", SAID OLYMPIA HEIGHTS.  
TOGETHER WITH:  
THAT PORTION OF FORMOSA AVENUE PLATTED BY OLYMPIA HEIGHTS, AS RECORDED IN PLAT BOOK "J", PAGE 61, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; LYING SOUTH OF A WESTERLY PROJECTION OF THE SOUTH LINE OF BLOCK "B" AND NORTH OF A WESTERLY PROJECTION OF THE NORTH LINE OF BLOCK "C"; SAID OLYMPIA HEIGHTS.  
TOGETHER WITH:  
THAT PORTION OF FORMOSA AVENUE PLATTED BY OLYMPIA HEIGHTS ANNEX, AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; LYING SOUTH OF AN EASTERLY PROJECTION OF THE SOUTH LINE OF BLOCK "A" AND NORTH OF AN EASTERLY PROJECTION OF THE NORTH LINE OF BLOCK "B"; SAID OLYMPIA HEIGHTS ANNEX.



SKETCH OF DESCRIPTION ONLY; NOT A BOUNDARY SURVEY



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

**SKETCH OF DESCRIPTION  
ANNEXATION PARCELS  
OLYMPIA HEIGHTS**  
CITY OF WINTER PARK, ORANGE COUNTY, FL  
SCALE : 1" = 200' DATE : 04/17/23  
KENTUCKY AVENUE ANNEXATION SKETCH.DWG  
PREPARED BY THOMAS L. CONNER, CITY SURVEYOR  
FLORIDA LICENSED SURVEYOR AND MAPPER LS4340  
ON BEHALF OF THE CITY OF WINTER PARK, FLORIDA

# Exhibit "B"

