

BCC Mtg. Date: July 17, 2018

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Rec Fee: \$44.00
Phil Diamond, Comptroller
Orange County, FL
MB - Ret To: CITY OF OCOEE

**ORDINANCE NO. 2018-001
(Annexation Ordinance for Inspiration PUD)**

TAX PARCEL ID: 30-22-28-0000-00-004



**THIS DOCUMENT IS RECORDED TO CORRECT THE LEGAL DESCRIPTION
INCLUDED WITH DOCUMENT 20180216694, RECORDED ON APRIL 11, 2018**

CASE NO. AX-08-17-64: Inspiration PUD

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA; ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF OCOEE, FLORIDA, CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY +/-10.66 ACRES LOCATED SOUTH OF FLORIDA'S TURNPIKE AND WEST OF MAGUIRE ROAD, PURSUANT TO THE APPLICATION SUBMITTED BY THE PROPERTY OWNERS; FINDING SAID ANNEXATION TO BE CONSISTENT WITH THE OCOEE COMPREHENSIVE PLAN, THE OCOEE CITY CODE, AND THE JOINT PLANNING AREA AGREEMENT; PROVIDING FOR AND AUTHORIZING THE UPDATING OF OFFICIAL CITY MAPS; PROVIDING DIRECTION TO THE CITY CLERK; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 171.044, Florida Statutes, the owner of certain real property located in unincorporated Orange County, Florida, as hereinafter described, has petitioned the City Commission of the City of Ocoee, Florida (the "Ocoee City Commission") to annex approximately +/- 10.66 acres of property, as more particularly described in **Exhibit "A"** attached hereto, into the corporate limits of the City of Ocoee, Florida; and

WHEREAS, the Ocoee City Commission has determined that said petition bears the signatures of all owners of the real property proposed to be annexed into the corporate limits of the City of Ocoee, Florida; and

WHEREAS, notice of the proposed annexation has been published pursuant to the requirements of Section 171.044(2), Florida Statutes, and Section 5-9(E) of Article V of Chapter 180 of the Land Development Code of the City of Ocoee (the "Code"); and

WHEREAS, on February 11, 1994, Orange County and the City of Ocoee entered into a Joint Planning Area Agreement, which has from time to time been amended by Orange County and the City of Ocoee (the "JPA Agreement"), and which affects the annexation of the real property hereinafter described; and

WHEREAS, on October 10, 2017, the Planning and Zoning Commission of the City of Ocoee, Florida, reviewed the proposed annexation and found it to be consistent with the Ocoee Comprehensive Plan, compliant with all applicable requirements of the Code, consistent with the JPA Agreement, and in the best interest of the City of Ocoee, and recommended the Ocoee City Commission approve said annexation; and

WHEREAS, the Ocoee City Commission has the authority, pursuant to Section 171.044, Florida Statutes, to annex said real property into its corporate limits upon petition of the owners of said real property; and

WHEREAS, the Ocoee City Commission is desirous of annexing and redefining the boundary lines of the City of Ocoee, Florida, to include said real property.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

Section 1. AUTHORITY. The Ocoee City Commission has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapters 166 and 171, Florida Statutes, and Section C-7 of Article 1 of the Charter of the City of Ocoee, Florida.

Section 2. PETITION. The Ocoee City Commission hereby finds that the petition to annex certain lands, as hereinafter described, into the corporate limits of the City of Ocoee, Florida, bears the signatures of all owners of the real property proposed to be annexed into the corporate limits of the City of Ocoee, Florida.

Section 3. ANNEXATION. The following described real property located in unincorporated Orange County, Florida, is hereby annexed into the corporate limits of the City of Ocoee, Florida:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS
REFERENCE MADE A PART HEREOF**

Section 4. MAP. A map of said land herein described which clearly shows the annexed area is attached hereto as **EXHIBIT "B"** and by this reference is made a part hereof.

Section 5. CONSISTENCY FINDING. The Ocoee City Commission hereby finds that the annexation of said land herein described is consistent with the Ocoee Comprehensive Plan and the JPA Agreement, as amended, and meets all of the requirements for annexation set forth in the Ocoee Comprehensive Plan, the JPA Agreement, and the Ocoee City Code.

Section 6. CORPORATE LIMITS. The corporate territorial limits of the City of Ocoee, Florida, are hereby redefined to include said land herein described and annexed.

Section 7. OFFICIAL MAPS. The City Clerk is hereby authorized to update and supplement official City maps of the City of Ocoee, Florida, to include said land herein described and annexed.

Section 8. LIABILITY. The land herein described and future inhabitants of said land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances, and regulations of the City of Ocoee, Florida, and be entitled to the same privileges and benefits as other areas of the City of Ocoee, Florida.

Section 9. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

Section 10. CONFLICTING ORDINANCES. All ordinances or parts of ordinances in conflict herewith are hereby repealed.


Section 11. EFFECTIVE DATE. This Ordinance shall become effective upon passage and adoption. Thereafter, the City Clerk is hereby directed to file a certified copy of this Ordinance with the Clerk of the Circuit Court for Orange County, Florida, the Chief Administrative Officer of Orange County, Florida, and with the Florida Department of State within seven (7) days from the effective date.


PASSED AND ADOPTED this 6th day of March, 2018.

APPROVED:

CITY OF OCOEE, FLORIDA

ATTEST:


Melanie Sibbitt, City Clerk


Rusty Johnson, Mayor

(SEAL)

**FOR USE AND RELIANCE ONLY BY
THE CITY OF OCOEE, FLORIDA
APPROVED AS TO FORM AND
LEGALITY THIS 6th DAY OF
March, 2018**

**ADVERTISED 2/8/18 AND 2/15/18
READ FIRST TIME January 16, 2018
READ SECOND TIME AND ADOPTED
March 6, 2018, UNDER AGENDA ITEM
NO. 19.**

SHUFFIELD, LOWMAN & WILSON, P.A.

By: 
City Attorney

EXHIBIT "A"

Legal Description

THAT PART OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 28 EAST, LYING SOUTH OF SUNSHINE STATE PARKWAY, MORE PARTICULARLY DESCRIBED AS: COMMENCE AT THE EAST $\frac{1}{4}$ CORNER OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 28 EAST; THENCE RUN SOUTH $89^{\circ}18'41''$ WEST, 921.65 FEET ALONG THE $\frac{1}{4}$ SECTION LINE FOR A POINT OF BEGINNING; THENCE NORTH $00^{\circ}39'00''$ WEST, 660.07 FEET PARALLEL TO THE EAST LINE OF THE BORTHEAST $\frac{1}{4}$ OF SAID SECTION 30 TO A CONCRETE MONUMENT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY, SAID POINT BEING ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 4,495.60 FEET; THENCE FROM A TANGENT BEARING OF SOUTH $80^{\circ}29'23''$ EAST RUB EASTERLY 853.49 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $10^{\circ}52'39''$; THENCE SOUTH $00^{\circ}44'12''$ EAST, 269.30 FEET; THENCE SOUTH $17^{\circ}26'09''$ EAST, 137.05 FEET; THENCE SOUTH $00^{\circ}39'00''$ EAST, 30 FEET TO THE AFORESAID $\frac{1}{4}$ SECTION LINE; THENCE SOUTH $89^{\circ}18'41''$ WEST, 861.03 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 30 FEET FOR ROAD RIGHT-OF-WAY

AND THE NORTH HALF OF THE VACATED RIGHT OF WAY LINE SOUTH OF THE ABOVE DESCRIBED PROPERTY.

ALL LYING AND BEING SITUATE IN ORANGE COUNTY, FLORIDA.

THIS ANNEXATION INCLUDES THE ADJACENT RIGHT OF WAY DESCRIBED AS: THE S. E. $\frac{1}{4}$ OF THE N. E. $\frac{1}{4}$ OF SECTION 30, T 22 S, R 28 E, ORANGE COUNTY; FL,

DESCRIBED AS FOLLOWS:

BEGIN ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 439, N. $00^{\circ}39'00''$ W., 30.00 FEET FROM THE SOUTH LINE OF SAID N. E. $\frac{1}{4}$; THENCE CONTINUE NORTH. $00^{\circ}39'00''$ W., ALONG SAID WEST R/W LINE, 376.62 FEET TO A POINT ON A CURVE HAVING A RADIUS OF 4,495.60 FEET AN BEING CONCAVE SOUTHWESTERLY; THENCE FROM A TANGENT BEARING OF N. $68^{\circ}47'20''$ W., RUN 65.15 FEET, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $00^{\circ}49'49''$; THENCE S, $00^{\circ}44'12''$ E., 269.30 FEET; THENCE S. $17^{\circ}26'09''$ E., 137.05 FEET; THENCE N. $89^{\circ}15'48''$ E., 20.62 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH: FROM THE EAST $\frac{1}{4}$ CORNER SETION 30, TOWNSHIP 22 SOUTH, RANGE 28 EAST, RUN N $00^{\circ}39'00''$ W, A DISTANCE OF 30.00' FOR A POINT OF BEGINNING; THENCE S $89^{\circ}15'48''$ W, A DISTANCE OF, 40.00'; THENCE N $00^{\circ}39'00''$ W, A DISTANCE OF 376.62' TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE FLORIDA TURNPIKE; THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY, A DISTANCE OF 43.00' MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID SECTION 30; THENCE S $00^{\circ}39'00''$ E ALONG SAID EAST LINE AND CENTERLINE OF MAGUIRE ROAD, A DISTANCE OF 360.14' TO THE POINT OF BEGINNING.

Exhibit "B" Location Map

