

ORDINANCE NO. 2020-020

(Annexation Ordinance for Brown Property 213 Bay Street)

TAX PARCEL ID: 18-22-28-0000-00-033

CASE NO. AX-01-20-87: Brown Property – 213 Bay Street Annexation

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF OCOEE, FLORIDA, CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY +/- 0.30 ACRES LOCATED TO THE NORTHWEST OF WEST OHIO STREET, SOUTHWEST OF MCKEY STREET AND DIRECTLY WEST OF BAY STREET, PURSUANT TO THE APPLICATION SUBMITTED BY THE PROPERTY OWNER; FINDING SAID ANNEXATION TO BE CONSISTENT WITH THE OCOEE COMPREHENSIVE PLAN, THE OCOEE CITY CODE; 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 +/- 0.30 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 August 11, 2020, 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, to comply with all applicable requirements of the Ocoee City Code, and to be in the best interest of the City of Ocoee and has recommended to the Ocoee City Commission that it approve said annexation petition; 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

Received by: Clerk of BCC 9/17/2020 JK

c: Planning, Environmental, & Development Services Director Jon Weiss

Planning Division Manager Alberto Vargas

Planner II Nicolas Thalmueller

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, as amended, and meets all of the requirements for annexation set forth in the Ocoee Comprehensive Plan, 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.

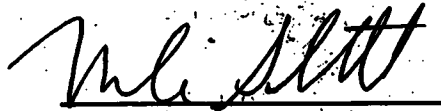
PASSED AND ADOPTED this 15th day of September, 2020.

APPROVED:

CITY OF OCOEE, FLORIDA


Rusty Johnson, Mayor

ATTEST:


Melanie Sibbitt, City Clerk

(SEAL)

ADVERTISED 9/3/20 AND 9/10/20
READ FIRST TIME September 1, 2020
READ SECOND TIME AND ADOPTED
September 15, 2020, UNDER AGENDA
ITEM NO. 11

FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, FLORIDA APPROVED AS
TO FORM AND LEGALITY THIS 15th DAY
OF SEPT., 2020

SHUFFIELD, LOWMAN & WILSON, P.A.

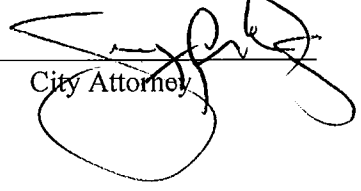
By: 
City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 22 SOUTH, RANGE 28 EAST; RUN WEST 382.3 FEET, THEN NORTH 431.6 FEET, THEN WEST 135 FEET TO POINT OF BEGINNING; NOW RUN WEST 80 FEET, THEN NORTH 60 FEET, THEN EAST 80 FEET, THENCE SOUTH 60 FEET TO THE POINT OF THE BEGINNING.

AND

BEGINNING AT THE SOUTHEAST CORNER OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 22 SOUTH, RANGE 28 EAST, RUN WEST 382.3 FEET, THEN NORTH 431.6 FEET TO THE POINT OF THE BEGINNING; THENCE WEST 135 FEET, THENCE NORTH 60 FEET, THENCE EAST 135 FEET, THENCE SOUTH 60 FEET TO THE POINT OF THE BEGINNING.

EXHIBIT "B"

