

**ORDINANCE NO. 2023-10
(Annexation Ordinance for Siri Office Building
– Market St/Arlington Ave Vacated ROW)**

TAX PARCEL ID: 28-22-28-0000-00-019

CASE NO. AX-03-23-03: Siri Office Building – Market St/Arlington Ave ROW 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 0.372 ACRES OF VACATED PUBLIC RIGHT-OF-WAY, PURSUANT TO THE APPLICATION SUBMITTED BY THE PROPERTY OWNER; 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 UPDATE OF OFFICIAL CITY MAPS; PROVIDING DIRECTION TO THE CITY CLERK; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT ORDINANCES; AND 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 0.372 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), Article V, Land Development Code of the City of Ocoee (the “Code”); and

WHEREAS, on April 11, 2023, 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

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.

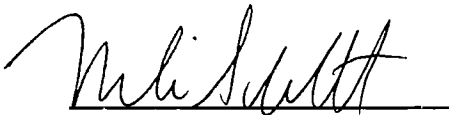
PASSED AND ADOPTED this 16th day of May, 2023.

APPROVED:

CITY OF OCOEE, FLORIDA


Rusty Johnson, Mayor

ATTEST:


Melanie Sibbitt, City Clerk

(SEAL)

ADVERTISED 5/4/23 AND 5/11/23
READ FIRST TIME May 2, 2023
READ SECOND TIME AND ADOPTED
May 16, 2023, UNDER AGENDA
ITEM NO. 7

FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, FLORIDA APPROVED AS
TO FORM AND LEGALITY THIS 16th DAY
OF May, 2023

SHUFFIELD, LOWMAN & WILSON, P.A.

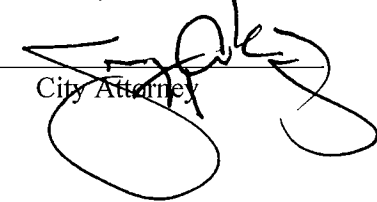
By: 
City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

THAT PORTION OF MARKET STREET AND ARLINGTON AVENUE, PARK RIDGE, AS RECORDED IN PLAT BOOK 0, PAGE 100, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF BLOCK 15 OF SAID PARK RIDGE, SAID POINT BEING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF MARKET STREET AND THE EAST RIGHT OF WAY LINE OF HEMPLE AVENUE ACCORDING TO SAID PARK RIDGE; THENCE RUN $S75^{\circ}23'21''E$ ALONG THE SOUTH LINE OF SAID BLOCK 15, 184.07 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF LOT 27, SAID BLOCK 15, FOR THE POINT OF BEGINNING; THENCE CONTINUE $S75^{\circ}23'21''e$ ALONG THE SOUTH LINE OF SAID BLOCK 15, 261.33 FEET TO A CURVE CONCAVE TO THE NORTHWEST; THEN RUN NORTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF $104^{\circ}22'16''$, A RADIUS OF 16.00 FEET, AN ARC LENGTH OF 29.15 FEET, A CHORD BEARING OF $N51^{\circ}58'48''E$ AND A CHORD DISTANCE OF 25.28 FEET; THENCE RUN $N00^{\circ}05'39''W$ ALONG THE EAST LINE OF SAID BLOCK 15, 199.53 FEET MORE OR LESS TO THE SOUTH RIGHT OF WAY LINE OF OLD WINTER GARDEN ROAD, A VARIABLE WIDTH RIGHT OF WAY; THENCE RUN $S75^{\circ}22'18''E$ ALONG THE SOUTH RIGHT OF WAY LINE OF OLD WINTER GARDEN ROAD, 31.02 FEET MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF AFORESAID ARLINGTON AVENUE, ALSO BEING THE NORTHERLY EXTENSION OF THE WEST LINE OF TRACT B, FALCON POINTE, AS RECORDED IN PLAT BOOK 39, PAGES 98-99, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN $S00^{\circ}05'39''E$ ASLONG SAID NORTHERLY EXTENSION AND THE WEST LINE OF TRACT B, 251.31 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID TRACT B; THENCE RUN $N75^{\circ}23'21''W$ ALONG THE NORTHERLY LINE OF SAID FALCON POINTE, 320.84 FEET TO A POINT 30.00 FEET SOUTH OF THE AFORESAID SOUTHWEST CORNER OF LOT 27, WHEN MEASURED PERPENDICULAR TO THE AFORESAID SOUTH LINE OF BLOCK 15; THENCE RUN $N14^{\circ}36'39''E$, 30.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 0.372 ACRES MORE OR LESS.

EXHIBIT "B"

LOCATION MAP

