

BCC Mtg. Date: September 22, 2020



230 N. Tubb Street • P.O. Box 98 • Oakland, FL 34760 • 407.656.1117

## **NOTICE OF ANNEXATION**

August 12, 2020

**RE: Annexation Ordinance 2020-05**

To Whom It May Concern:

As required and/or requested, enclosed is a copy of the above referenced annexation ordinance for your records.

Should you need additional information, please contact me at (407) 656-1117, ext. 2110.

Sincerely,

A handwritten signature in blue ink that reads "Elise Hui". The signature is written in a cursive style.

Elise Hui  
Town Clerk

Town of Oakland  
P.O. Box 98  
230 N. Tubb Street  
Oakland, FL 34760  
407.656.1117 ext. 2110  
[ehui@oaklandfl.gov](mailto:ehui@oaklandfl.gov)

Received by: Clerk of BCC 8/18/2020 JK  
c: Community Environmental, & Development Services Director Jon Weiss  
Planning Division Manager Alberto Vargas  
Planner II Steven Thorp

# Ordinance

## No. ORDINANCE 2020-05

**AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY OAKLAND CAPITAL GROUP LLC BEARING PROPERTY TAX PARCEL IDENTIFICATION NUMBER (ADDRESS) 30-22-27-2392-00-010 (7 ORANGE AVENUE), AND LOCATED CONTIGUOUS TO THE TOWN OF OAKLAND IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES, AND OTHER CONTROLLING LAW; REDEFINING THE BOUNDARIES OF THE TOWN OF OAKLAND TO INCLUDE SAID PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; DIRECTING THE TOWN CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ORANGE COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property of Oakland Capital Group LLC is hereby determined to be the fee simple title owner of the real property described below; and

**WHEREAS**, the property of Oakland Capital Group LLC, through its Personal Representative Sadique Jaffer and pursuant to Section 171.044, Florida Statutes, for voluntary annexation of said property into the municipal limits of the Town of Oakland, which property totals approximately 4.78 acres in size bearing Property Tax Identification Numbers 30-22-27-2392-00-010; and

**WHEREAS**, Town staff has reviewed and recommended approval of the annexation of said property to the Town Commission of the Town of Oakland and has accomplished all actions required under the Code of Ordinances of the Town of Oakland and State law; and

**WHEREAS**, the Town Commission, upon the recommendation of Town staff and the Town Attorney, has determined that all of the property which is proposed to be annexed into the Town of Oakland is within an unincorporated area of Orange County, is reasonably compact and contiguous to the corporate areas of the Town of Oakland, Florida and it is further determined that the annexation of said property will not result in the creation of any enclave, and it is further determined that the property otherwise fully complies with the requirements of State law; and

**WHEREAS**, the Town Commission of the Town of Oakland, Florida has taken all actions in accordance with the requirements and procedures mandated by State law; and



**WHEREAS**, the Town Commission of the Town of Oakland, Florida hereby determines that it is to the advantage of the Town of Oakland and in the best interests of the citizens of the Town of Oakland to annex the above described property; and

**WHEREAS**, the provisions of Section 166.031(3), Florida Statutes, provide that a municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Florida Department of State; and

**WHEREAS**, the provisions of Section 171.091, Florida Statutes, provide as follows:

*Recording.* —Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area; and

**WHEREAS**, the metes and bounds legal description and the map attached hereto collectively as Exhibit “A” shows, describes, and depicts the property which is hereby annexed into the Town of Oakland.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN COMMISSION OF THE TOWN OF OAKLAND, FLORIDA, AS FOLLOWS:**

**Section 1. Legislative and Administrative Findings/Annexation of Properties.**

(a) The recitals set forth above in the “whereas clauses” are hereby adopted as legislative findings of the Town Commission of the Town of Oakland.

(b) The property that is the subject of this Ordinance consists of the following parcel of land assigned the Tax Identification Parcel Number set forth above and being specifically described in Exhibit “A”, said property being situated in Orange County, Florida, and said property is hereby annexed into and is hereby made a part of the Town of Oakland, Florida pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, and other controlling law.

**Section 2. Effect of Annexation.**

Upon this Ordinance becoming effective, the property owners of the said property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners of the Town of Oakland, Florida as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the Town of Oakland, Florida and the provisions of said Chapter 171, Florida Statutes.



**Section 3. Administrative Actions.**

(a) Within seven (7) days of the adoption of this Ordinance, the Town Clerk shall file a copy of said Ordinance with the Clerk of the Court (Land Records/Recording), with the Chief Administrative Officer of Orange County, with the Florida Department of State, and with such other agencies and entities as may be required by law or otherwise desirable.

(b) The Town Manager, or designees within Town management staff, shall ensure that the property annexed by this Ordinance is incorporated into the Town of Oakland Comprehensive Plan, the Official Zoning Map of the Town of Oakland in an expeditious manner and the map of the Town Limits of the Town of Oakland.

(c) The Town Manager, or designees, are hereby authorized and directed to legally describe and map the existing Town Limits of the Town of Oakland and to take any and all appropriate actions or propose actions to the Town Commission as may be authorized in accordance with controlling law.

**Section 4. Conflicts.**

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**Section 5. Severability.**

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise to be invalid, unlawful, or unconstitutional.

**Section 6. Codification.**

The provisions of this Ordinance shall not be codified, but the annexed property shall be incorporated and included in all appropriate maps of the Town Limits of the Town of Oakland by the Town Manager, or designee(s), and the Town Manager, or designee(s), is/are hereby directed to take any and all appropriate actions relative to the land use planning documents of the Town pertaining to the property annexed pursuant to this Ordinance.



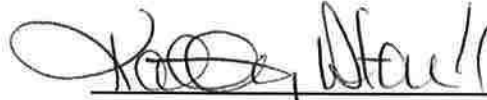
**Section 7. Effective Date.**

This Ordinance shall take effect immediately upon passage and adoption.

**PASSED AND ADOPTED THIS 14TH DAY OF JULY 2020.**

**FIRST READING: JUNE 23, 2020**

**SECOND READING: JULY 14, 2020**



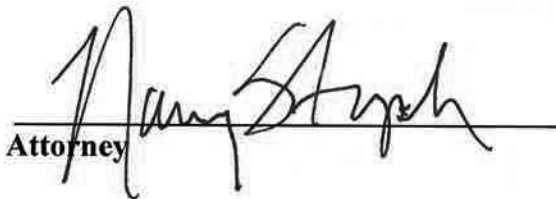
**KATHY STARK, MAYOR**

**ATTEST:**



**ELISE HUI, TOWN CLERK**

**Approved for form:**



**Attorney**



**Exhibit "A"**  
**LEGAL DESCRIPTION AND MAP**

Lots 3, 4 and 5, Block 39, Killarney, according to map or plat thereof as recorded in Plat Book C, Page 57, of the Public Records of Orange County, Florida

All of Second Replat of Edgewater Beach less state Road Right-of-Way, according to map or plat thereof as recorded in Plat Book Q, Page 31, of the Public Records of Orange County, Florida.

Less the following described parcels:

All that part of Second Replat of Edgewater Beach, according to map or plat thereof as recorded in Plat Book Q, Page 31, of the Public Records of Orange County, Florida lying North of the Right-of-Way of State Road No. 50.

From the Northeast corner of Section 30, Township 22 South, Range 27 East run South 2226.3 feet, thence East 34 feet, thence North 87.81 feet, thence South 62 degrees 07 minutes East 184.52 feet for a Point of Beginning, run thence South 10 degrees 38 minutes West 391.09 feet to the waters of Johns Lake, Back to the Point of Beginning, run South 53 degrees East 175.58 feet, thence South 22 degrees West 301.93 feet to the waters of Johns Lake, thence Westerly along the waters of Johns Lake to intersect the first described line.

Beginning 2226.3 feet South and 34 feet East of the Northwest Corner of Section 30, Township 22 South, Range 27 East, run South 381.55 feet more or less to the waters of Johns Lake, back to the Point of Beginning, run North 87.81 feet, thence South 62 degrees 7 minutes East 184.52 feet, thence South 10 degrees 38 minutes West 391.09 feet more or less, to the waters of Johns Lake, thence Westerly along the waters of said Lake 88 feet more or less, to intersect the first described line.

Beginning 2226.3 feet South of the Northwest Corner of Section 30, Township 22 South, Range 27 East, run thence East 34 feet, thence North 87.81 feet, thence West 34 feet, thence South 87.81 feet to the Point of Beginning.

The West 34 feet of the South 362.31 feet.

A parcel of land being a portion of Second Replat of Edgewater Beach, as recorded in Plat Book Q, Page 31 and a portion of Lots 3, 4, and 5, Killarney, as recorded in Plat Book C, Page 57, of the Public Records of Orange County, Florida. All lying in Section 30, Township 22 South, Range 27 East, Orange County, Florida.

Being more particularly described as follows:

Commence at the Northeast corner of Section 25, Township 22 South, Range 26 East, Orange County, Florida, point also lying on the West line of aforesaid Section 30; thence run South 00°23'02" West along the East line of said Section 25 and said West line of Section 30, for a distance of 1338.09 feet to a point on the Center Line of Survey of State Road 50, as recorded in Road Plat Book 5, Page 141 of the Public Records of Orange County, Florida and shown on Florida Department of Florida Right-of-Way Map Section 75050; thence departing said Center Line run South 00°28'11" West along said East line of said Section 25 and said West line of Section 30, for a distance of 85.31 feet to the Southerly right-of-way line of said State Road 50; thence departing said East line of said Section 25 and said West line of Section 30, run South 84°39'04" East along said Southerly right-of-way line, for a distance of 40.15 feet to the Point of Beginning; thence run Easterly along the Southerly right-of-

way line the following courses and distances; run South  $84^{\circ}39'04''$  East, for a distance of 540.08 feet; thence run North  $05^{\circ}20'56''$  East, for a distance of 10.00 feet; thence run South  $84^{\circ}39'04''$  East, for a distance of 425.19 feet to the East line of aforesaid Lot 3, Killarney; thence departing said Southerly right-of-way line, run South  $00^{\circ}42'15''$  West along said East line of Lot 3, for a distance of 470.43 feet to Point "A", said point being on the intersection of said East line of Lot 3 and the waters edge of Johns Lake; thence meander Southwesterly along said waters edge for 340 feet more or less to a point on the intersection of the West line of the West line of aforesaid Lot 5, Killarney, said point being Point "B" and lying South  $63^{\circ}23'51''$  West, at a distance of 327.84 feet from said Point "A"; thence departing said waters edge, run North  $00^{\circ}23'11''$  East along the West line of said Lot 5, for a distance of 177.39 feet; thence departing said West line, run North  $88^{\circ}51'47''$  East, for a distance of 3.82 feet; thence run North  $00^{\circ}23'11''$  East, for a distance of 75.03 feet; thence run South  $88^{\circ}51'47''$  West, for a distance of 122.38 feet; thence run South  $64^{\circ}39'50''$  West, for a distance of 130.93 feet; thence run South  $52^{\circ}23'03''$  West, for a distance of 91.37 feet; thence run South  $44^{\circ}57'30''$  West, for a distance of 97.50 feet; thence run North  $45^{\circ}02'30''$  West, for a distance of 30.77 feet; thence run North  $48^{\circ}03'19''$  West, for a distance of 50.64 feet; thence run South  $32^{\circ}04'42''$  West, for a distance of 51.61 feet to a point on the Northerly line of a parcel of land described in Instrument # 20100717574 of the Public Records of Orange County Florida; thence run North  $53^{\circ}50'03''$  West along said Northerly line, for a distance of 58.89 feet to the Northerly line of a parcel of land described in Instrument # 20050488495 of the Public Records of Orange County Florida; thence run North  $61^{\circ}35'52''$  West along said Northerly line, for a distance of 177.70 feet to a point on the East right-of-way line of Orange Avenue, as recorded in aforesaid Plat Book Q, Page 31; thence departing said Northerly line, run North  $00^{\circ}28'11''$  East along said East right-of-way line, for a distance of 496.84 feet to aforesaid Point of Beginning.

