

**ORDINANCE NO. 2024-13**

**(Annexation Ordinance for 1305 & 1113 Ocoee Apopka Rd –  
MDTL Enterprise LLC Property)**

**TAX PARCEL ID: 07-22-28-0000-00-039 &  
07-22-28-0000-00-041**

**CASE NO. AX-03-24-02: 1305 & 1113 Ocoee Apopka Road –  
MDTL Enterprise LLC Annexation**

**AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF OCOEE, FLORIDA, CERTAIN REAL PROPERTIES CONTAINING APPROXIMATELY 4.32 ACRES LOCATED AT 1305 AND 1113 OCOEE APOPKA ROAD APPROXIMATELY 2,616 FEET SOUTH OF FULLERS CROSS ROAD AT ITS INTERSECTION WITH NORTH LAKEWOOD AVENUE AND ASSIGNED PARCEL ID NUMBERS 07-22-28-0000-00-039 AND 07-22-28-0000-00-041, PURSUANT TO THE APPLICATION SUBMITTED BY THE PROPERTY OWNER; FINDING SAID ANNEXATION TO BE CONSISTENT WITH THE FLORIDA STATUTES, 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; PREVAILING IN THE EVENT OF ANY INCONSISTENCY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 171.044, Florida Statutes, the owner of certain real properties 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 4.32 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 9, 2024, 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 Florida Statutes § 171.044, 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

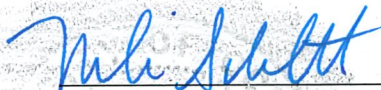
competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

**Section 10. CONFLICTING ORDINANCES.** This ordinance prevails in the event of any inconsistency with all ordinances or parts of ordinances in conflict herewith.

**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 21<sup>st</sup> day of MAY, 2024.

ATTEST:



Melanie Sibbitt, City Clerk

(SEAL)

APPROVED:

CITY OF OCOEE, FLORIDA



Rusty Johnson, Mayor

ADVERTISED MAY 9, 2024

READ FIRST TIME MAY 7, 2024.

READ SECOND TIME AND ADOPTED

MAY 21, 2024.

UNDER AGENDA ITEM NO. 14

FOR USE AND RELIANCE ONLY BY THE  
CITY OF OCOEE, FLORIDA; APPROVED AS  
TO FORM AND LEGALITY

this 21<sup>st</sup> day of MAY, 2024.

FISHBACK DOMINICK

By: 

City Attorney

**EXHIBIT "A"**

LEGAL DESCRIPTIONS

**PARCEL ID NO.: 07-22-28-0000-00-039**

BEG NW COR OF SE1/4 RUN S 8.71 CHS E 3.33 CHS N 3.35 CHS NWLY TO BEG & NE1/4 OF SW1/4 E  
OF RD SEC 07-22-28

**PARCEL ID NO.: 07-22-28-0000-00-041**

BEG 574.86 FT S 1 DEG W FROM CENTER OF SEC RUN N 87 DEG E 219.78 FT N 1 DEG E 214.5 FT N  
87 DEG E 239.66 FT TH S 1 DEG W 314.53 FT S 87 DEG W 458.80 FT N 100 FT TO POB (LESS W 30 FT  
RD R/W) IN SEC 07-22-28



**EXHIBIT "B"**

**LOCATION MAP**

