



OFFICE OF COMPTROLLER

**ORANGE
COUNTY
FLORIDA**

Phil Diamond, CPA
County Comptroller as
Clerk of the Board of County Commissioners
201 South Rosalind Avenue
Post Office Box 38
Orlando, FL 32802
Telephone: (407) 836-7300
Fax: (407) 836-5359

DATE: May 12, 2025

TO: Misty Mills, Senior Planner
Planning Division, BCC

FROM: David Rooney, Manager *RE for DR*
Comptroller Clerk of BCC

SUBJECT: Request for Execution of Document, Planning, Environmental, and
Development Services Department Public Hearing 03, Legislative File 25-
649, May 6, 2025

Enclosed is the Exclusive Method for Voluntary Annexation and Interlocal Agreement for Annexation of 1010 Arthur Avenue between the City of Orlando, Florida and Orange County, Florida (1 original) which was approved by the Board of County Commissioners (BCC) at its regular meeting held on May 6, 2025.

Please forward the document to all required parties for signature.

Email copies of the fully-executed documents to ClerkofBCC@occompt.com and copy jennifer.mcgill@ocfl.net. Note: ClerkofBCC@occompt.com is used only for County staff submission of pending documents.

Please include in cover memo or subject line identification of the document by name, agenda item number, and date of BCC approval. Emailed copies must be in full-size PDF format. The document will be processed and filed for the record upon receipt.

If you are unable to return a copy of the fully-executed document before June 6, 2025, notify the Clerk's Office by email of the reason for the delay prior to that date.

If you have any questions, please do not hesitate to call.

dr:re

Enclosure (1)

dl: Tanya Wilson, Director, Planning, Environmental, and Development Services Department, BCC [email]
Jon Weiss, Deputy County Administrator, BCC [email]
Hyun Kim, Executive Assistant, Planning, Environmental and Development Services Department, BCC [email]
Ana Bell, Senior Executive Assistant, County Administrator's Office, BCC [email]
Pending File

BCC Mtg. Date: May 6, 2025

**THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:**

AFTER RECORDING RETURN TO:

Deidre Oge
City of Orlando
400 S. Orange Avenue, 6th Floor
Orlando, FL 32802

For Recording Purposes Only

Tax Parcel Identification Number(s):
10-22-29-8828-04-150

INTERLOCAL AGREEMENT FOR ANNEXATION OF 1010 ARTHUR AVENUE

between

CITY OF ORLANDO, FLORIDA

and

ORANGE COUNTY, FLORIDA

THIS INTERLOCAL AGREEMENT, dated this ____ day of _____, 2025, (hereinafter referred to as “Agreement”) between the **CITY OF ORLANDO**, a municipal corporation organized and existing under the laws in the State of Florida whose mailing address is 400 S. Orange Avenue, Orlando, Florida 32801 (hereinafter referred to as “City”), and **ORANGE COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida whose mailing address is 201 South Rosalind Avenue, Orlando, Florida 32801 (hereinafter referred to as “County”), is entered into for the purpose of annexing property located within unincorporated Orange County into the corporate limits of the City of Orlando, Florida, pursuant to, and as authorized by Section 171.046, Florida Statutes.

WITNESSETH

WHEREAS, Section 171.043, Florida Statutes, describes the character of the area that may be annexed;

WHEREAS, Section 504 of the Orange County Charter was adopted and became effective November 15, 2024, and establishes the Exclusive Method for Voluntary Annexations;

WHEREAS, Section 504 of the Orange County Charter is inapplicable in municipal joint planning areas adopted with the County by joint Planning agreements;

WHEREAS, the City and the County do not have an existing Joint Planning Agreement and therefore Section 504(B) of the Orange County Charter requires that any voluntary annexation must be approved by an affirmative vote of not less than a majority plus one vote of the entire membership of the Board of County Commissioners at a public hearing; and

WHEREAS, Section 504(B) of the Orange County Charter requires the annexing municipality enter into an interlocal agreement with the County detailing the provision of essential public services, infrastructure maintenance, and future land use.

NOW, THEREFORE, in consideration of the premises and the mutual promises and agreements set forth herein and other good and valuable consideration, the receipt of which is hereby acknowledged and intending to be legally bound hereby, the parties hereto do hereby agree as follows:

SECTION I. The Recitals set forth above are true and correct and by this reference are incorporated herein as part of this Agreement.

SECTION II. This Agreement is executed in order to adjust and redefine the corporate limits of the City to include the lands described in Section III below in order to ensure the sound and efficient delivery of urban services to said lands.

SECTION III. The City and the County hereby find and agree that the following lands located in unincorporated Orange County meets the criteria for annexation into the City under Section 504 of the Orange County Charter:

See **Exhibit “A”** which is attached hereto and by this reference made a part hereof.

SECTION IV. The City hereby finds and agrees that the annexation of the lands described in **Exhibit “A”** (“the Property”) are consistent with State law, the City’s Comprehensive Plan and meets all of the requirements for annexation set forth in State law, the City’s Comprehensive Plan, and the City Code.

SECTION V. Provision of essential public services. The lands described in **Exhibit “A”** are within the Water Service Area for Orlando Utilities Commission and Wastewater Service Area for the City of Orlando. Therefore, the City will continue to provide the Water and Wastewater Service to the Property. Law Enforcement and Fire Rescue services will transfer from the County to the City upon annexation.

SECTION VI. Infrastructure maintenance. That portion of Arthur Avenue, generally located to the east of Grant Boulevard and to the west of Edgewater Drive, as described in **Exhibit “A”**, will transfer at annexation. The City will maintain that portion of Arthur Avenue upon governing approval.

SECTION VII. Future Land Use. The County future land use map designation and County zoning designation for the Property shall remain in full force and effect until the City

adopts a comprehensive plan amendment designating the Property with a City future land use designation. The Orange County future land use designation for the Property is Commercial (C). Upon annexation the City will assign a future land use designation of Medium Use Corridor – Medium Intensity / Resource Protection (MUC-MED/RES-PRO).

SECTION VIII. Miscellaneous.

1. This Agreement may not be modified or amended, or any term or provision hereof waived or discharged except in writing, in recordable form, signed by the parties hereto, or their respective successors and assigns. Any such modification or amendment shall not be effective until recorded in the Public Records of Orange County, Florida.

2. This Agreement shall be construed and enforced in accordance with, and governed by, the laws of the State of Florida.

3. All of the terms of this Agreement, whether so expressed or not, shall be binding upon the respective successors, assigns and legal representatives of the parties hereto and shall inure to the benefit of and be enforceable by the parties hereto and their respective successors, assigns and legal representatives.

4. The headings of this Agreement are for reference only and shall not limit or otherwise affect the meaning thereof.

5. Each party to this Agreement shall bear its own attorneys' fees and costs in connection with this Agreement and / or in connection with any action undertaken in compliance with, or relating to, this Agreement.

SECTION IX. If any section, subsection, sentence, clause, phrase, or portion of this Agreement 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 X. This Agreement shall become effective upon its execution by the second of the two parties hereto and such date shall be inserted on the first page of this Agreement ("Effective Date"). Thereafter, the City Clerk is directed to record a certified copy of this Agreement in the Official Public Records of Orange County, Florida. Further, the City Clerk is directed to send executed copies of this Agreement to the Orange County Property Appraiser and the Department of State of the State of Florida.

IN WITNESS WHEREOF, the City and County have executed this Interlocal Agreement for Annexation on the dates inscribed below.

“CITY”

CITY OF ORLANDO, a Florida municipal corporation organized and existing under the laws of the State of Florida

By: _____
Buddy Dyer, Mayor

Date: _____, 2025

ATTEST:

By: _____
Stephanie Herdocia, City Clerk



"COUNTY"

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

Date: May 8, 2025

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Jennifer Lara-Klimetz*
Deputy Clerk

Print Name: Jennifer Lara-Klimetz

EXHIBIT “A”
(DESCRIPTION OF ANNEXED LANDS)



VERIFIED LEGAL DESCRIPTION FORM

The following legal description has been prepared by
KPM Franklin, John Pulice PSM LS6811

and submitted to the City Planning Division for verification.



Signature

10/28/2024
Date



"This Description has been
reviewed by the Engineering
Division and is acceptable
based on a comparison with:

PLAT, RLW MAP
GIS MAPPING

By:  Date: 1-7-25
Guy Adams

Application Request (Office Use Only)

File No. ANX2024-10011;
GMP2024-10023,
ZON2024-10019

1010 Arthur Ave. Annexation, GMP Amendment, Initial Zoning

Legal Description Including Acreage (To be typed by Applicant):

A PORTION OF THOSE LANDS IN ARTHUR AVENUE AND LOTS 15 AND 16, BLOCK "D", "UNIVERSITY HEIGHTS", AS RECORDED IN PLAT BOOK "N", PAGE 59 OF THE PUBLIC RECORDS, ORANGE COUNTY, FLORIDA, LYING IN SECTION 10, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AND BEGIN AT A NAIL AND DISC (LB 4475) MARKING THE CURRENT NORTHEAST CORNER OF LOT 14, BLOCK D, SITUATE ON THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ARTHUR AVENUE (60 FOOT RIGHT-OF-WAY PER PLAT BOOK N, PAGE 59) AND THE CURRENT WEST RIGHT-OF-WAY LINE OF EDGEWATER DRIVE (RIGHT-OF-WAY WIDTH VARIES PER FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SECTION NUMBER 75260-2501); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 89°19'04" WEST, 139.81 FEET, TO A 5/8" IRON ROD & CAP (LB 6605) MARKING THE NORTHEAST CORNER OF LOT 15, BLOCK "D", OF SAID PLAT; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID LOT 15, SOUTH 00°40'56" EAST, 140.00 FEET, TO A 5/8" IRON ROD & CAP (LB 6605) MARKING THE SOUTHEAST CORNER OF LOT 15, BLOCK "D"; THENCE, DEPARTING SAID EAST LINE AND ALONG THE SOUTH LINE OF LOTS 15 AND 16, SOUTH 89°19'04" WEST, 100.00 FEET, TO A 5/8" IRON ROD & CAP (LB 6605) MARKING THE SOUTHWEST CORNER OF LOT 16, BLOCK "D"; THENCE, DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF LOT 16, BLOCK "D", NORTH 00°40'56" WEST, 140.00 FEET, TO A 5/8" IRON ROD & CAP (LB 6605), MARKING THE NORTHWEST CORNER OF LOT 16, BLOCK "D", SITUATE ON THE SAID SOUTH RIGHT-OF-WAY LINE OF ARTHUR AVENUE; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, NORTH 00°40'56" WEST, 60.00 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF SAID ARTHUR ROAD; THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 89°19'04" EAST, 239.81 FEET, TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF ARTHUR AVENUE AND THE CURRENT WEST RIGHT-OF-WAY LINE OF EDGEWATER DRIVE; THENCE, DEPARTING THE SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID CURRENT WEST RIGHT-OF-WAY LINE, SOUTH 00°40'56" EAST, 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 28,388 SQUARE FEET OR 0.65 ACRES MORE OR LESS.

The above legal description has been surveyor prepared.

EXHIBIT

A