

**ORDINANCE NO. 2019-035**

**(Annexation Ordinance for Daka Property – 8807 Hackney Prairie Road)**

**TAX PARCEL ID: 03-22-28-0000-00-052 & 03-22-28-0000-00-101**

**CASE NO. AX-09-19-85: Daka Property – 8807 Hackney Prairie Road 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 +/-2.13 ACRES LOCATED ON THE NORTH SIDE OF HACKNEY PRAIRIE ROAD, APPROXIMATELY 2,683 FEET EAST OF NORTH CLARKE ROAD, 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 +/- 2.13 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 October 8, 2019, 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.


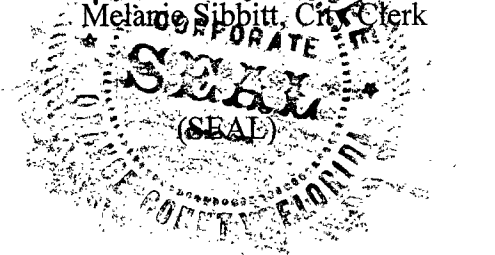
**Section 11. EFFECTIVE DATE.** This Ordinance shall become effective upon passage and adoption. Thereafter, the City Clerk is hereby directed to file a certified copy of this Ordinance with the Clerk of the Circuit Court for Orange County, Florida, the Chief Administrative Officer of Orange County, Florida, and with the Florida Department of State within seven (7) days from the effective date.

PASSED AND ADOPTED this 3<sup>rd</sup> day of December 2019.

APPROVED:

CITY OF OCOEE, FLORIDA

ATTEST:

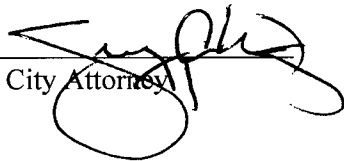
  
Melanie Sibbitt, City Clerk  


  
Rusty Johnson, Mayor

ADVERTISED 11/21/19 & Nov. 28, 2019  
READ FIRST TIME Nov. 5, 2019.  
READ SECOND TIME AND ADOPTED  
December 3, 2019.  
UNDER AGENDA ITEM NO. 17

FOR USE AND RELIANCE ONLY BY THE  
CITY OF OCOEE, FLORIDA APPROVED AS  
TO FORM AND LEGALITY THIS 3<sup>rd</sup> DAY  
OF DEC, 2019

SHUFFIELD, LOWMAN & WILSON, P.A.

By:   
City Attorney

**EXHIBIT "A"**

LEGAL DESCRIPTION

THE WEST 320 FEET OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 3, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; LESS THE NORTH ½ THEROF; ALSO, LESS THE WEST 20 FEET THEREOF; ALSO, LESS THE ROAD RIGHT-OF-WAY ON SOUTH

ALSO DESCRIBED AS PARCEL A AND PARCEL B AS FOLLOWS:

PARCEL A:

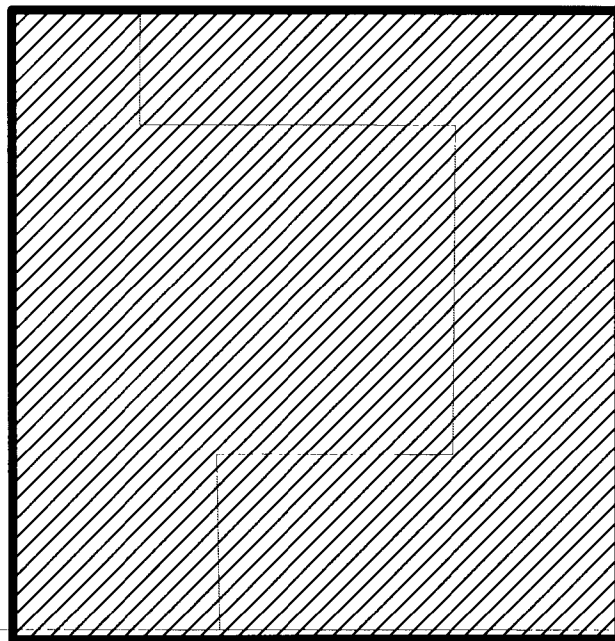
A PART OF THE W 320 FT OF SE1/4 OF NW1/4 OF SW1/4 (LESS N1/2 & LESS W 20 FT) & (LESS S 30 FT FOR R/W OR 1096/596) OF SEC 03-22-28 DESC AS: COMM AT THE SE COR OF REMINGTON OAKS PHASE 1 42/38 TH RUN N90-00-00E 170 FT FOR POB TH CONT N90-00-00E 103.07 FT TH N01-04-14W 87.11 FT TH N90-00-00E 117.81 FT TH N00-25-08E 163.56 TH N90-00-00W 157.38 FT N00-12-29E 57.85 N89-47-22W 59.34 FT S00-43-50W 308.74 FT TO POB. KNOWN AS PARCEL ID 03-22-28-0000-00-052

AND

PARCEL B:

A PART OF THE W 320 FT OF SE1/4 OF NW1/4 OF SW1/4 (LESS N1/2 & LESS W 20 FT) & (LESS S 30 FT FOR R/W OR 1096/596) OF SEC 03-22-28 DESC AS: COMM AT THE SE COR OF REMINGTON OAKS PHASE 1 42/38 TH RUN N90-00-00E 273.07 FT FOR THE POB TH CONT N90-00-00E 196.27 FT TH N00-53-06E 307.64 FT TH N89-47-22W 241.47 FT TH S00-12-29W 57.85 FT TH S90-00-00E 157.38 FT TH S00-25-08W 163.56 FT TH S90-00-00W 117.81 FT TH S01-04-14E 87.11 FT TO POB. KNOWN AS PARCEL ID 03-22-28-0000-00-101

# Daka Property - 8807 Hackney Prairie Rd Exhibit "B" Map



Hackney Prairie Road

Prairie Lake Boulevard

