

BCC Mtg. Date: November 12, 2019

ORDINANCE 19-36

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 28.32 ± ACRES LOCATED AT 14908 AND 14950 TILDEN ROAD, EAST OF STATE ROAD 429, WEST OF WINTER GARDEN VINELAND ROAD, AND SOUTH OF TILDEN ROAD INTO THE CITY OF WINTER GARDEN, FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the land, generally described as approximately 28.32 ± acres located at 14908 and 14950 Tilden Road, east of State Road 429, west of Winter Garden Vineland road and legally described in Section 2 of this Ordinance, which land is reasonably compact and contiguous to the corporate limits of the City of Winter Garden, Florida ("City"), has, pursuant to the prerequisites and standards set forth in § 171.044, Fla. Stat., petitioned the City Commission for voluntary annexation;

WHEREAS, the petition for voluntary annexation referenced herein bears the signatures of all owners of the property or properties described in Section 2 of this Ordinance (*i.e.*, the property or properties to be annexed); and

WHEREAS, the City has determined that the property described in Section 2 of this Ordinance is located in an unincorporated area of the County and that annexation of such property will not result in the creation of an enclave.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: *Annexation.* That the City Commission through its Planning and Zoning Board has conducted an investigation to determine whether the described property meets the prerequisites and standards set forth in Chapter 171, Fla. Stat. and has held a public hearing and said petition and made certain findings.

SECTION 2: *Description of Area Annexed.* That, after said public hearing and having found such petition meets said prerequisites and standards, the property legally defined in ATTACHMENT "A" and graphically shown in ATTACHMENT "B" shall be annexed into the City of Winter Garden, Florida.

SECTION 3: *Effect of Annexation.* That the City of Winter Garden, Florida, shall have all of the power, authority, and jurisdiction over and within the land as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall

Ordinance 19-36

Page 1 of 4

Received by: Clerk of BCC October 11, 2019 CAS

C:

Community, Environmental & Development Services Director Jon Weiss
Planning Division Manager Alberto Vargas
Planner II Nick Thalmueller

apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or his/her designee is directed to file a copy of this ordinance, including ATTACHMENT "A" hereto, with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: JULY 11 , 2019.

SECOND READING AND PUBLIC HEARING: OCTOBER 10 , 2019.

ADOPTED this 10TH day of OCTOBER , 2019, by the City Commission of the City of Winter Garden, Florida.

APPROVED:


JOHN REES, Mayor/Commissioner

ATTEST:


ANGELA GRIMAGE, City Clerk



ATTACHMENT "A"

LEGAL DESCRIPTION

A parcel of land, being a portion of the lands described in Official Records Book 4097, Page 359 and Official Records Book 5752, 4543 of the public records of Orange County, Florida, lying in Section 10, Township 23 South, Range 27 East, Orange County, Florida, being more particularly describes as follows:

Commence at the Northwest corner of said Section 10, thence $S00^{\circ}02'35''E$ along the West line of the Northwest quarter (1/4) of said Section 10 for 30.00 feet to the Point of Beginning, said point being a point on the South right-of-way line of Tilden Road as described in Official Records Book 72, pages 71 and 72 of the Public Records of Orange County, Florida, thence $N89^{\circ}42'20''E$ along said South right-of-way line for 791.79 feet to the point of curvature of a curve concave to the Southwest; thence Southeast along said South right-of-way of Tilden Road and along the arc of said curve having a radius of 188.93 feet; through a central angle of $29^{\circ}35'24''$ for 97.57 feet to a point on the East line of said lands described in Official Records Book 4097, Page 359 also being the East line of the West two-thirds (2/3) of the West half (1/2) of said Northwest quarter (1/4); thence $S00^{\circ}04'53''E$ along said East line for 1643.32 feet to a point on the North line of Exhibit "B" of the Agreement Regarding Zoning and Land Use as described in Official Records Book 10700, Page 2125; thence $N50^{\circ}40'33''W$ along said North line of Exhibit "B" for 573.95 feet; thence departing said north line run $S89^{\circ}38'15''W$ for 99.07 feet to a point on the North line of Exhibit "C" of the Agreement Regarding Zoning and Land Use as described in Official Records Book 10700, Page 2125; thence continue $S89^{\circ}38'15''W$ along said North line of Exhibit "C" for 343.50 feet to a point on the West line of said lands described in Official Records Book 5752, Page 4543 and the West line of aforesaid Northwest quarter (1/4) of Section 10; thence $N00^{\circ}02'35''W$ along said West line for 1302.50 feet to the Point of Beginning.

Containing 28.318 acres (1,233,553 square feet), more or less.

ATTACHMENT "B"

LOCATION MAP

14908 & 14950 Tilden Road

