

BCC Mtg. Date: Jan. 11, 2022

**ORDINANCE NO. 2021-063
(Annexation for Commerce 429 PUD)**

DOC # 20210753915

12/09/2021 13:32 PM Page 1 of 6

Rec Fee: \$52.50

Deed Doc Tax: \$0.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller

Orange County, FL

Ret To: CSC INC

**TAX PARCEL ID: 07-22-28-0000-00-026, 07-22-28-0000-00-096,
07-22-28-0000-00-024 and 07-22-28-0000-00-066**

CASE NO. AX-01-21-01: COMMERCE 429 PUD

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF OCOEE, FLORIDA, CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 39.96 ACRES, LOCATED ON THE WEST SIDE OF OCOEE APOPKA ROAD, EAST OF SR 429 AND APPROXIMATELY 2,900 FEET SOUTH OF FULLERS CROSS 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, AND THE JOINT PLANNING AREA AGREEMENT; 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 +/- 39.96 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 5-9e of Article V of Chapter 180 of the Land Development Code of the City of Ocoee (the "Code"); and

WHEREAS, on July 13, 2021, 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

Received by: Clerk of BCC December 14, 2021 LL

c:

County Mayor
Commissioner Districts 2, 3, & 6 only
County Administrator
Utilities Department Director Ray Hanson

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.

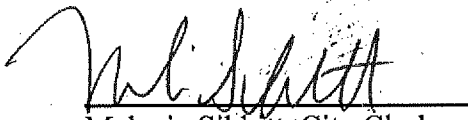
Section 11. EFFECTIVE DATE. This Ordinance shall become effective upon passage and adoption. Thereafter, the City Clerk is hereby directed to file a certified copy of this Ordinance with the Clerk of the Circuit Court for Orange County, Florida, the Chief Administrative Officer of Orange County, Florida,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

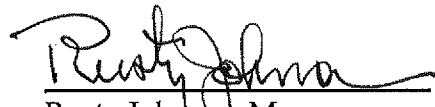
PASSED AND ADOPTED this 7th day of December 2021.

APPROVED:

CITY OF OCOEE, FLORIDA

ATTEST:


Melanie Sibbitt, City Clerk


Rusty Johnson, Mayor

(SEAL)

FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, FLORIDA APPROVED AS
TO FORM AND LEGALITY THIS TH DAY
OF Dec., 2021

ADVERTISED 11/25/21 AND 12/2/21
READ FIRST TIME October 19, 2021
READ SECOND TIME AND ADOPTED
December 7, 2021, UNDER AGENDA
ITEM NO. 9

SHUFFIELD, LOWMAN & WILSON, P.A.

By: 
City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL A:

THE SOUTHEAST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA:

ALSO:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, RUN SOUTH 88 DEGREES 15 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) 31.00 FEET; THENCE NORTH 0 DEGREES 13 MINUTES 00 SECONDS WEST 336.42 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4); THENCE NORTH 88 DEGREES 03 MINUTES 00 SECONDS EAST 40.00 FEET TO THE NORTHEAST CORNER OF THE SAID SOUTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4); THENCE SOUTH 1 DEGREE 18 MINUTES 40 SECONDS WEST 336.93 FEET TO THE POINT OF BEGINNING, ORANGE COUNTY, FLORIDA;

TOGETHER WITH:

THE NORTH HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; AND THE SOUTH HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) AND THE SOUTH HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; AND THE SOUTH QUARTER (1/4) OF THE WEST HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4), LESS THE WEST 2 ACRES THEREOF, SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA;

ALSO TOGETHER WITH:

THE NORTH HALF (1/2) OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

SUBJECT TO RIGHT OF WAY FOR OCOEE-APOPKA ROAD (AKA STATE ROAD NO. 437) ALONG THE EAST SIDE OF THE PROPERTY.

PARCEL B:

A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5140, PAGE 1053, AND THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5140, PAGE 1505, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING AND BEING IN THE SOUTHWEST QUARTER (1/4) OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (1/4) OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, SAID POINT BEING A 6 INCH BY 6 INCH CONCRETE MONUMENT; THENCE SOUTH 00 DEGREES 18 MINUTES 20 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 7 FOR 1321.69 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 7; THENCE NORTH 87 DEGREES 51 MINUTES 01 SECOND EAST ALONG THE NORTH LINE FOR 624. 53 FEET TO THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF THE WESTERN BELTWAY, STATE ROAD NO. 429, ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY PROJECT NO. 75320-6460-602/603 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87 DEGREES 51 MINUTES 01 SECOND EAST ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE FOR 10.00 FEET; THENCE NORTH 01 DEGREE 43 MINUTES 28 SECONDS WEST ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE FOR 520.02 FEET; THENCE NORTH 87 DEGREES 51 MINUTES 02 SECONDS EAST ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE FOR 290.85 FEET; THENCE NORTH 01 DEGREE 43 MINUTES 28 SECONDS WEST ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE FOR 1273.05 FEET TO THE EASTERLY LINE OF THE AFORESAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5140, PAGE 1052; THENCE SOUTH 19 DEGREES 52 MINUTES 25 SECONDS EAST ALONG SAID EASTERLY LINE FOR 21.38 FEET; THENCE SOUTH 42 DEGREES 23 MINUTES 10 SECONDS EAST ALONG SAID EASTERLY LINE FOR 135.00 FEET; THENCE SOUTH 05 DEGREES 11 MINUTES 50 SECONDS EAST ALONG SAID EASTERLY LINE FOR 203.00 FEET; THENCE SOUTH 12 DEGREES 16 MINUTES 38 SECONDS EAST ALONG SAID EASTERLY LINE FOR 172.00 FEET; THENCE SOUTH 16 DEGREES 28 MINUTES 18 SECONDS WEST ALONG SAID EASTERLY LINE FOR 137. 99 FEET; THENCE SOUTH 06 DEGREES 41 MINUTES 41 SECONDS EAST ALONG SAID EASTERLY LINE FOR 220.00 FEET; THENCE SOUTH 40 DEGREES 17 MINUTES 22 SECONDS EAST ALONG SAID EASTERLY LINE FOR 395.00 FEET; THENCE SOUTH 52 DEGREES 43 MINUTES 08 SECONDS EAST ALONG SAID EASTERLY LINE FOR 43.00 FEET; THENCE SOUTH 00 DEGREES 23 MINUTES 41 SECONDS WEST ALONG SAID EASTERLY LINE, ALSO BEING THE EAST LINE OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 7, FOR 610.07 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 7; THENCE SOUTH 87 DEGREES 51 MINUTES 01 SECOND WEST ALONG SAID NORTH LINE FOR 626.00 FEET TO THE EAST LINE OF THE AFORESAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5140, PAGE 1505; THENCE SOUTH 00 DEGREES 23 MINUTES 41 SECONDS WEST ALONG SAID EAST LINE FOR 328.65 FEET; THENCE SOUTH 87 DEGREES 51 MINUTES 01 SECOND WEST ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 5140, PAGE 1505 FOR 34.27 FEET TO THE AFORESAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF THE WESTERN BELTWAY; THENCE NORTH 01 DEGREE 43 MINUTES 28 SECONDS WEST ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE FOR 328.32 FEET TO THE POINT OF BEGINNING.

PARCEL C:

THE WEST 2 ACRES OF THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, LESS THE SOUTH 75 FEET OF THE NORTH 150 FEET OF THE WEST 100 FEET THEREOF, ORANGE COUNTY, FLORIDA.

AND

THE SOUTH 75 FEET OF THE NORTH 150 FEET OF THE WEST 100 FEET OF THE WEST 2 ACRES OF THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCELS CONTAIN A TOTAL OF 39.965 ACRES, MORE OR LESS.

Exhibit "B"

