

BCC Mtg. Date: October 13, 2020



230 N. Tubb Street • P.O. Box 98 • Oakland, FL 34760 • 407.656.1117

## **NOTICE OF ANNEXATION**

September 12, 2020

### **RE: Annexation Ordinance 2020-09**

To Whom It May Concern:

As required and/or requested, enclosed is a copy of the above referenced annexation ordinance for your records.

Should you need additional information, please contact me at (407) 656-1117, ext. 2110 or [ehui@oaklandfl.gov](mailto:ehui@oaklandfl.gov).

Sincerely,

A handwritten signature in blue ink that reads "Elise Hui".

Elise Hui  
Town Clerk

Town of Oakland  
P.O. Box 98  
230 N. Tubb Street  
Oakland, FL 34760  
407.656.1117 ext. 2110  
[ehui@oaklandfl.gov](mailto:ehui@oaklandfl.gov)

Received by: Clerk of BCC 9/15/2020 JK  
c: Community Environmental, & Development Services Director Jon Weiss  
Planning Division Manager Alberto Vargas  
Planner II Steven Thorp

# Ordinance

## No. ORDINANCE 2020-09

**AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY CRA-MAR GROVES, INC. BEARING PROPERTY TAX PARCEL IDENTIFICATION NUMBER (ADDRESS) 29-22-27-0000-00-002, 29-22-27-0000-00-040, AND 29-22-27-0000-00-019 (16610 WEST COLONIAL DRIVE, OAKLAND, FLORIDA), AND LOCATED CONTIGUOUS TO THE TOWN OF OAKLAND IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES, AND OTHER CONTROLLING LAW; REDEFINING THE BOUNDARIES OF THE TOWN OF OAKLAND TO INCLUDE SAID PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; DIRECTING THE TOWN CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ORANGE COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property of Cra-Mar Groves, Inc. is hereby determined to be the fee simple title owner of the real property described below; and

**WHEREAS**, the property of Cra-Mar Groves, Inc, through its Personal Representative Mark Griffith and pursuant to Section 171.044, Florida Statutes, for voluntary annexation of said property into the municipal limits of the Town of Oakland, which property totals approximately 7.4 acres in size bearing Property Tax Identification Numbers 29-22-27-0000-00-002, 29-22-27-0000-00-040, and 29-22-27-0000-00-019; and

**WHEREAS**, Town staff has reviewed and recommended approval of the annexation of said property to the Town Commission of the Town of Oakland and has accomplished all actions required under the Code of Ordinances of the Town of Oakland and State law; and

**WHEREAS**, the Town Commission, upon the recommendation of Town staff and the Town Attorney, has determined that all of the property which is proposed to be annexed into the Town of Oakland is within an unincorporated area of Orange County, is reasonably compact and contiguous to the corporate areas of the Town of Oakland, Florida and it is further determined that the annexation of said property will not result in the creation of any enclave, and it is further determined that the property otherwise fully complies with the requirements of State law; and

**WHEREAS**, the Town Commission of the Town of Oakland, Florida has taken all actions



in accordance with the requirements and procedures mandated by State law; and

**WHEREAS**, the Town Commission of the Town of Oakland, Florida hereby determines that it is to the advantage of the Town of Oakland and in the best interests of the citizens of the Town of Oakland to annex the above described property; and

**WHEREAS**, the provisions of Section 166.031(3), Florida Statutes, provide that a municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Florida Department of State; and

**WHEREAS**, the provisions of Section 171.091, Florida Statutes, provide as follows:

*Recording.*—Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.  
; and

**WHEREAS**, the metes and bounds legal description and the map attached hereto collectively as Exhibit “A” shows, describes, and depicts the property which is hereby annexed into the Town of Oakland.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN COMMISSION OF THE TOWN OF OAKLAND, FLORIDA, AS FOLLOWS:**

**Section 1. Legislative and Administrative Findings/Annexation of Properties.**

(a) The recitals set forth above in the “whereas clauses” are hereby adopted as legislative findings of the Town Commission of the Town of Oakland.

(b) The property that is the subject of this Ordinance consists of the following parcel(s) of land assigned the Tax Identification Parcel Number(s) set forth above and being specifically described in Exhibit “A”, said property being situated in Orange County, Florida, and said property is hereby annexed into and is hereby made a part of the Town of Oakland, Florida pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, and other controlling law.

**Section 2. Effect of Annexation.**

Upon this Ordinance becoming effective, the property owners of the said property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners of the Town of Oakland, Florida as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the Town of Oakland, Florida and the provisions of said Chapter 171,



Florida Statutes.

**Section 3. Administrative Actions.**

(a) Within seven (7) days of the adoption of this Ordinance, the Town Clerk shall file a copy of said Ordinance with the Clerk of the Court (Land Records/Recording), with the Chief Administrative Officer of Orange County, with the Florida Department of State, and with such other agencies and entities as may be required by law or otherwise desirable.

(b) The Town Manager, or designees within Town management staff, shall ensure that the property annexed by this Ordinance is incorporated into the Town of Oakland Comprehensive Plan, the Official Zoning Map of the Town of Oakland in an expeditious manner and the map of the Town Limits of the Town of Oakland.

(c) The Town Manager, or designees, are hereby authorized and directed to legally describe and map the existing Town Limits of the Town of Oakland and to take any and all appropriate actions or propose actions to the Town Commission as may be authorized in accordance with controlling law.

**Section 4. Conflicts.**

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**Section 5. Severability.**

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise to be invalid, unlawful, or unconstitutional.

**Section 6. Codification.**

The provisions of this Ordinance shall not be codified, but the annexed property shall be incorporated and included in all appropriate maps of the Town Limits of the Town of Oakland by the Town Manager, or designee(s), and the Town Manager, or designee(s), is/are hereby directed to take any and all appropriate actions relative to the land use planning documents of the Town pertaining to the property annexed pursuant to this Ordinance.



**Section 7. Effective Date.**

This Ordinance shall take effect immediately upon passage and adoption.

**PASSED AND ADOPTED THIS 9TH DAY OF SEPTEMBER, 2020.**

**FIRST READING: AUGUST 11, 2020**

**SECOND READING: SEPTEMBER 9, 2020**



**KATHY STARK, MAYOR**

**ATTEST:**

  
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**ELISE HUI, TOWN CLERK**

**Approved for form:**

  
\_\_\_\_\_

**Attorney**



## LEGAL DESCRIPTION AND MAP

**DESCRIPTION:**

THAT PART OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 29; THENCE RUN S89°37'13"E ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 807.50 FEET; THENCE RUN S00°31'41"E, 75.01 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 50 FOR THE POINT OF BEGINNING; THENCE RUN S89°37'13"E ALONG SAID SOUTH RIGHT OF WAY LINE, 50.01 FEET TO A LINE 50 FEET EAST OF AND PARALLEL TO THE LAST LINE CALL; THENCE RUN S00°31'41"E, 303.78 FEET; THENCE RUN S89°37'13"E, 4.46 FEET; THENCE RUN S00°31'41"E, 471.28 FEET TO THE NORTH LIMITED ACCESS RIGHT OF WAY LINE OF FLORIDA TURNPIKE (STATE ROAD 91); THENCE RUN N89°31'33"W ALONG SAID NORTH RIGHT OF WAY LINE, 239.19 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE N85°24'45"W, 428.85 FEET; THENCE RUN N00°18'58"E, 439.36 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8833, PAGE 4143, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S89°37'13"E ALONG THE SOUTH LINE OF SAID PARCEL, 605.44 FEET; THENCE RUN N00°31'41"W, 303.78 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 7.365 ACRES MORE OR LESS.

Site Map:

