

## ORDINANCE 22-20

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.11 ± ACRES LOCATED AT 12950 WEST COLONIAL DRIVE, 648 MAGNOLIA STREET, AND A PORTION OF THE MAGNOLIA STREET RIGHT OF WAY; SOUTH OF WEST COLONIAL DRIVE, WEST OF BEULAH ROAD, NORTH OF PALM AVENUE, AND EAST OF 9TH STREET 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 1.11 ± acres located at 12950 West Colonial Drive, 648 Magnolia Street, and a portion of the Magnolia Street right of way; south of West Colonial Drive, west of Beulah Road, north of Palm Avenue, and east of 9th Street, 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 II of this Ordinance (*i.e.*, the property or properties to be annexed); and

**WHEREAS**, the City has determined that the property described in Section II 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 I:** *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 II:** *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 III:** *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 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 IV:** *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 V:** *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 VI:** *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 VII:** *Effective Date.* This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: JULY 14, 2022.

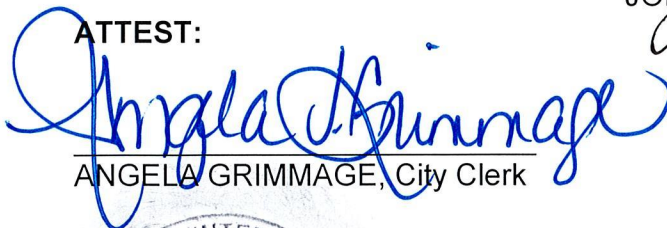
SECOND READING AND PUBLIC HEARING: JULY 28, 2022.

ADOPTED this 28<sup>th</sup> day of JULY, 2022, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

  
JOHN REES, Mayor/Commissioner

ATTEST:

  
ANGELA GRIMMAGE, City Clerk



**ATTACHMENT "A"**  
**LEGAL DESCRIPTION**

Parcel ID # **25-22-27-9384-01-182, 25-22-27-9384-02-011, ROW**

DESCRIPTION: (12950 W Colonial Dr.)

LOT 18, BLOCK A, WINTER GARDEN MANOR, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK L, PAGE 117, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING WEST OF DRAINAGE EASEMENT AS RECORDED IN MINUTE BOOK 16, PAGE 405, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LESS THE WEST 133 FEET AND LESS ROAD RIGHT-OF-WAY ON NORTH.

CONTAINING 0.219 ACRES MORE OR LESS.

DESCRIPTION: (648 Magnolia St)

LOTS 1, 2 AND 3, BLOCK B, WINTER GARDEN MANOR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK L, PAGE 117, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING WEST OF DRAINAGE EASEMENT AS RECORDED IN MINUTE BOOK 16, PAGE 405, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

CONTAINING 0.656 ACRES MORE OR LESS.

DESCRIPTION: (portion of Magnolia St right of way)

THAT PORTION OF MAGNOLIA STREET, WINTER GARDEN MANOR, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK L, PAGE 117, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA LYING SOUTH OF LOT 1, BLOCK A AND NORTH OF LOTS 1-J, BLOCK B AND BOUND ON THE WEST BY 9TH STREET AND THE WEST LINE OF AN 80.00 DRAINAGE EASEMENT AS DESCRIBED IN MINUTE BOOK 16, PAGE 405, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



ATTACHMENT "B"

LOCATION MAP

12950 W Colonial Drive, 648 Magnolia Street,  
& a portion of the Magnolia Street right of way

