

BCC Mtg. Date: March 7, 2017

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Rec Fee: \$44.00
Phil Diamond, Comptroller
Orange County, FL
MB - Ret To: CITY OF OCOEE

ORDINANCE NO. 2017-001
(Annexation for Montessori School)

TAX PARCEL ID: 07-22-28-0000-00-101
07-22-28-0000-00-054
07-22-28-0000-00-079



CASE NO. AX-10-16-59: Montessori School

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA; ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF OCOEE, FLORIDA, CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY +/-17.6 ACRES LOCATED ON THE WEST SIDE OF NORTH LAKEWOOD AVENUE AND 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 +/- 17.6 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 February 11, 1994, Orange County and the City of Ocoee entered into a Joint Planning Area Agreement, which has from time to time been amended by Orange County and the City of Ocoee (the "JPA Agreement"), and which affects the annexation of the real property hereinafter described; and

WHEREAS, on December 13, 2016, 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, compliant with all applicable requirements of the Code, consistent

with the JPA Agreement, and in the best interest of the City of Ocoee, and recommended the Ocoee City Commission approve said annexation; 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 and the JPA Agreement, as amended, and meets all of the requirements for annexation set forth in the Ocoee Comprehensive Plan, the JPA Agreement, 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.

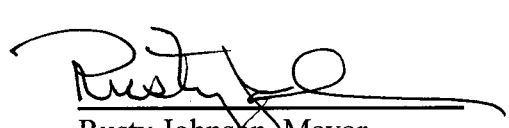
PASSED AND ADOPTED this 17th day of January, 2017.

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 17th DAY OF
JAN, 2017

ADVERTISED 1/5/17 AND 1/12/17
READ FIRST TIME Jan. 3, 2017
READ SECOND TIME AND ADOPTED
Jan. 17, 2017, UNDER AGENDA
ITEM NO. 9

SHUFFIELD, LOWMAN & WILSON, P.A.

By: 

City Attorney

EXHIBIT "A"

Legal Description

LEGAL DESCRIPTION: AS WRITTEN BY THE SURVEYOR

A PORTION OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN S 00°11'47" E ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 598.64 FEET TO A POINT LYING ON THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID EAST LINE RUN S 89°48'13" W ALONG SAID NORTH LINE A DISTANCE OF 30.00 FEET TO A POINT LYING ON THE WEST RIGHT OF WAY LINE OF N LAKEWOOD AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE RUN S 00°11'47" E ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 599.09 FEET TO A POINT LYING ON THE SOUTH LINE OF THE SOUTH 330.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7, ALSO BEING THE SOUTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN S 88°23'56" W ALONG SAID SOUTH LINES, A DISTANCE OF 1,265.70 FEET TO A POINT LYING ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID SOUTH LINES RUN N 00°29'53" E ALONG SAID WEST LINE A DISTANCE OF 615.20 FEET TO A POINT LYING ON THE AFORESAID NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7; THENCE RUN N 89°07'20" E ALONG SAID NORTH LINE A DISTANCE OF 1257.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 765,853 SQUARE FEET OR 17.58 ACRES MORE OR LESS.

EXHIBIT "B"

**Location Map
Innovation Montessori School**

