

**ORDINANCE NO. 2547**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ANNEXING CERTAIN UNINCORPORATED PROPERTY GENERALLY KNOWN AS FISHER PLANTATION, AND MORE PARTICULARLY DESCRIBED HEREIN, INTO THE CORPORATE LIMITS OF THE CITY OF APOPKA; PROVIDING FOR A REFERENDUM FOR APPROVAL BY THE REGISTERED ELECTORS OF THE AREA PROPOSED TO BE ANNEXED; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Apopka has undertaken a study regarding the annexation of Fisher Plantation; and

**WHEREAS**, the City Council has determined that the total area to be annexed is contiguous to the City of Apopka boundary, is reasonably compact and is not included within the boundary of another municipality; and

**WHEREAS**, the City Council further determined that the area to be annexed is developed for urban purposes; and

**WHEREAS**, the City of Apopka is prepared to provide urban services to the area to be annexed; and

**WHEREAS**, this enabling ordinance and backup will be transmitted to the Board of County Commissioners for Orange County; and

**WHEREAS**, all prerequisites to annexation have been met.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA:**

**SECTION I: ANNEXATION OF UNINCORPORATED PROPERTY:** The corporate limits of the City of Apopka are hereby extended, amended and modified so as to annex and include the area referred to as Fisher Plantation, generally located northwest corner of Schopke Road and Lester-Schopke Road, more particularly described in Exhibit "A" (attached hereto and incorporated herein by this reference) and depicted in the map in Exhibit "B" (attached hereto and incorporated herein by this reference).

**SECTION II: REFERENCE BY REGISTERED ELECTORS:** This ordinance proposing to annex the property herein described to the corporate limits to the City of Apopka shall be submitted to a vote of the registered electors of the area herein proposed to be annexed. The referendum for the annexation shall be held April 11, 2017, with a mail ballot in a form substantially similar to that set forth in Exhibit "C" (attached hereto and incorporated herein by this reference). Such election shall be held in conformity with the laws and ordinances now in effect and in conformance with the provisions of Chapter 171, Florida Statutes.

**SECTION III: 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 hereof.

**SECTION IV: EFFECTIVE DATE:** This ordinance shall become effective April 21, 2017 provided there is a majority vote for annexation within the area proposed herein to be annexed.

**SECTION V: DIRECTIONS TO THE CITY CLERK:** Immediately upon the effective date of this Ordinance, the City Clerk shall file a certified copy of this Ordinance, along with the certified referendum election results, with the Clerk of the Circuit Court in and for Orange County; the Orange County Property Appraiser; and the Department of State of the State of Florida.

**PASSED AND ORDAINED** this 15<sup>th</sup> day of February 2017, by the City Council of the City of Apopka, Florida.

READ FIRST TIME: January 18, 2017 &  
February 1, 2017

READ SECOND TIME  
AND ADOPTED: February 15, 2017

  
\_\_\_\_\_  
Joseph E. Kilshelmer, Mayor

ATTEST:



  
\_\_\_\_\_  
Linda E. Goff, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: January 8, 2017  
January 27, 2017  
February 3, 2017

## FISHER PLANTATION ANNEXATION

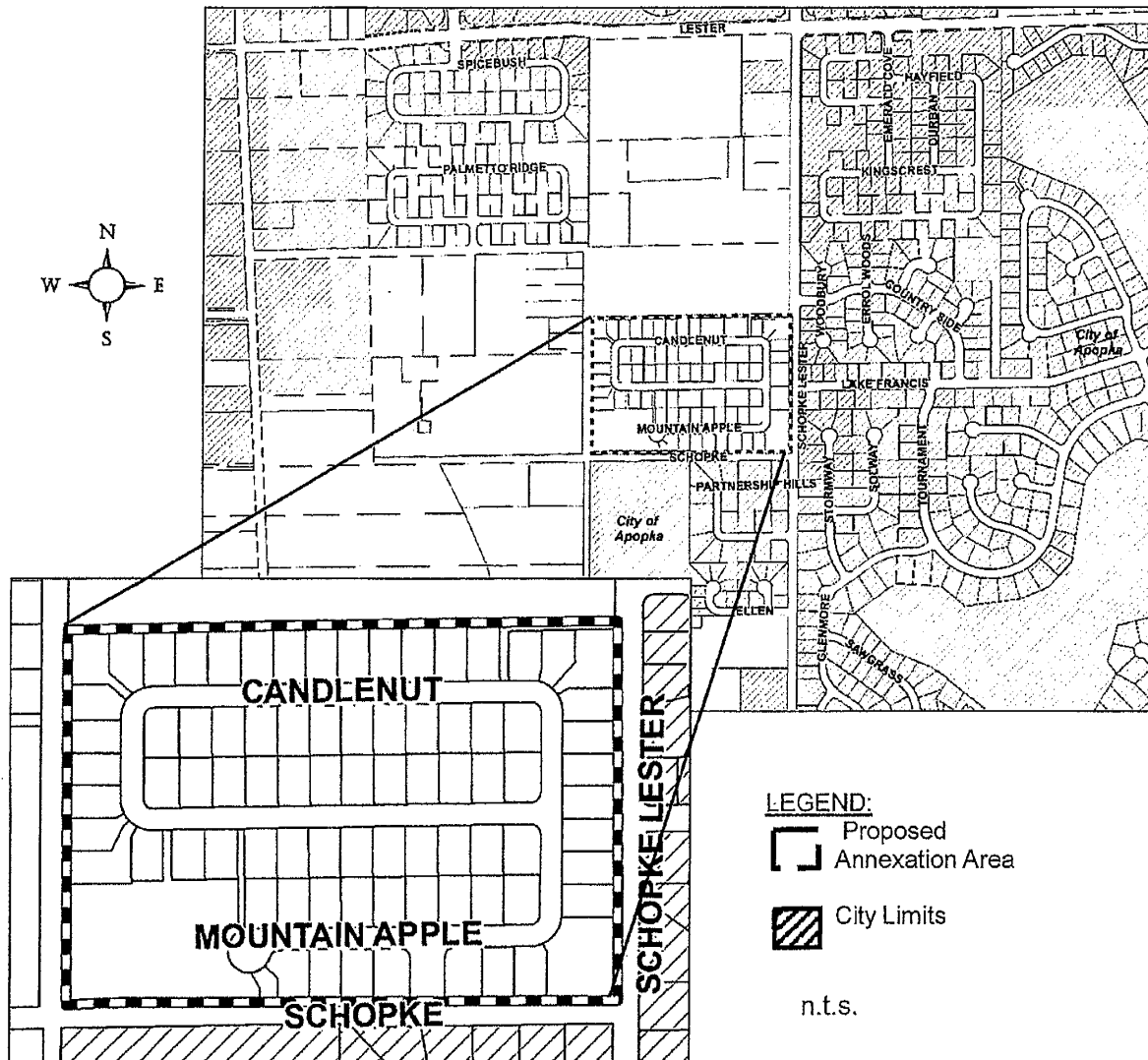
**Legal Description including acreage:**

That part of the Northeast  $\frac{1}{4}$  of Section 31, Township 20 South, Range 28 East, Orange County, Florida, being described as follows:

Commence at the Southeast corner of said Northeast  $\frac{1}{4}$ , as a point of reference; thence run N88° 39' 44"W, along the South line thereof, 1350.00 feet to the intersection of the South line of the Northeast  $\frac{1}{4}$  with the West right-of-way line of Schopke-Lester Road; Thence run N02° 14' 02"E, along said West right-of-way line of Schopke Road; Thence run N88° 39' 44"W, along said North line, 1259.99 feet to the East right-of-way line of Schopke Road; Thence run N02° 13' 57"E, along said East line, 864.39 feet; Thence run S88° 39' 44"E, parallel with the South line of the Northeast  $\frac{1}{4}$ , 1260.01 feet to the aforesaid West right-of-way line of Schopke-Lester Road; Thence run S02° 14' 02"W, along said West line, 864.39 feet to the point of beginning.

Containing 25 acres +/-

## Fisher Plantation Annexation – Vicinity Map



SAMPLE BALLOT

PAPELETA DE MUESTRA

## Official Special Annexation Referendum Election Ballot

April 11, 2017  
Apopka, Florida

9904-0001

Papeleta Oficial Para la Elección Referendum Anexion Especial  
11 de abril de 2017  
Apopka, Florida

99040001



- Instructions: To vote, fill in the oval completely (●) next to your choice. Use black ballpoint pen.
- If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.
- Instrucciones: Para votar, llene completamente el óvalo (●) al lado de su selección. Use bolígrafo de tinta negra.
- Si comete un error, pida una nueva papeleta. No lo tache, o puede que su voto no cuente.

Fisher Plantation Subdivision  
Annexation Referendum

The Apopka City Council has adopted Ordinance Number 2547 calling for annexation into the City of Apopka certain land located adjacent to the City and generally in the Fisher Plantation subdivision. The annexation will not occur unless a majority of registered electors in the area to be annexed casting ballots approve annexation.

- ☐ For annexation of property described in Ordinance Number 2547 of the City of Apopka.  
Estoy de acuerdo con la anexión de las propiedades descritas en la Ordenanza Numero 2547 de la Ciudad de Apopka.
- ☐ Against annexation of property described in Ordinance Number 2547 of the City of Apopka.  
Estoy en contra de la anexión de las propiedades descritas en la Ordenanza Numero 2547 de la Ciudad de Apopka.

Subdivisión de Fisher Plantation  
Referéndum de Anexión

El Consejo Municipal de la Ciudad de Apopka ha aprobado la Ordenanza Numero 2547 que propone la anexión a la Ciudad de Apopka ciertos terrenos adyacentes a la Ciudad en la subdivisión de Fisher Plantation. La anexión no procederá a menos que una mayoría de votantes inscritos del área ha ser anexada emitan su voto y aprueben la anexión.

PAPELETA DE MUESTRA

SAMPLE BALLOT