

BCC Mtg. Date: October 31, 2017

**ORDINANCE NO. 2017-006**

**(Annexation Ordinance for Ocoee Reserve AKA Silver Star Road PUD)**

**TAX PARCEL ID: 15-22-28-4716-00-142**

**CASE NO. AX-01-16-57: Ocoee Reserve AKA Silver Star Road 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 +/-10.91 ACRES LOCATED AT 8600 SILVER STAR ROAD, PURSUANT TO THE APPLICATION SUBMITTED BY THE PROPERTY OWNERS; 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 +/- 10.91 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 July 12, 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

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

**OCT 04 2017**

DOC# 20170525858  
09/26/2017 12:28:30 PM Page 1 of 5  
Rec Fee: \$44.00  
Phil Diamond, Comptroller  
Orange County, FL  
MB - Ret To: CITY OF OCOEE

**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.

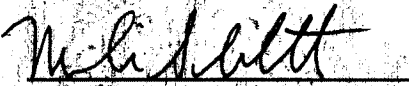
**Section 11. EFFECTIVE DATE.** This Ordinance shall become effective upon passage and adoption. Thereafter, the City Clerk is hereby directed to file a certified copy of this Ordinance with the Clerk of the Circuit Court for Orange County, Florida, the Chief Administrative Officer of Orange County,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


PASSED AND ADOPTED this 19<sup>th</sup> day of September, 2017.

APPROVED:

CITY OF OCOEE, FLORIDA

ATTEST:

  
City Clerk

  
Rusty Johnson, Mayor

(SEAL)

FOR USE AND RELIANCE ONLY BY  
THE CITY OF OCOEE, FLORIDA  
APPROVED AS TO FORM AND  
LEGALITY THIS 19 DAY OF  
SEPT., 2017

ADVERTISED 8/24/17 AND 8/31/17  
READ FIRST TIME February 7, 2017  
READ SECOND TIME AND ADOPTED  
September 19, 2017, UNDER  
AGENDA ITEM NO. 18

SHUFFIELD, LOWMAN & WILSON, P.A.

By:

  
City Attorney

**EXHIBIT "A"**

**Legal Description**

8600 Silver Star Road Property

**LEGAL DESCRIPTION:**

THE WEST 870 FEET OF LOT 14-1/2 OF LAKE PARK HIGHLANDS, A SUBDIVISION OF SECTION 15, TOWNSHIP 22 S OF RANGE 28 E., ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK F, PAGE 124, (LESS STATE ROAD RIGHT OF WAY ON NORTH & LESS PART TAKEN FOR RIGHT OF WAY PER 5892/0483), OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

EXHIBIT "B"

Map of Annexed Area

