

BCC Mtg. Date: May 22, 2018

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

**ORDINANCE NO. 2018-001**  
**(Annexation Ordinance for Inspiration PUD)**



**TAX PARCEL ID: 30-22-28-0000-00-004**

**CASE NO. AX-08-17-64: Inspiration 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 +/-10.66 ACRES LOCATED SOUTH OF FLORIDA'S TURNPIKE AND WEST OF MAGUIRE 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 +/- 10.66 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 October 10, 2017, 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

**APR 19 2018**

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

**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 6<sup>th</sup> day of March, 2018.

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 6<sup>th</sup> DAY OF  
MARCH, 2018

ADVERTISED 2/8/18 AND 2/15/18  
READ FIRST TIME January 11e, 2018  
READ SECOND TIME AND ADOPTED  
March 6, 2018, UNDER  
AGENDA ITEM NO. 19

SHUFFIELD, LOWMAN & WILSON, P.A.

By:

  
City Attorney

## **EXHIBIT "A"**

### **Legal Description**

THAT PART OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 28 EAST, LYING SOUTH OF SUNSHINE STATE PARKWAY, MORE PARTICULARLY DESCRIBED AS: COMMENCE AT THE EAST  $\frac{1}{4}$  CORNER OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 28 EAST; THENCE RUN SOUTH  $89^{\circ}18'41''$  WEST, 921.65 FEET ALONG THE  $\frac{1}{4}$  SECTION LINE FOR A POINT OF BEGINNING; THENCE NORTH  $00^{\circ}39'00''$  WEST, 660.07 FEET PARALLEL TO THE EAST LINE OF THE BORTHEAST  $\frac{1}{4}$  OF SAID SECTION 30 TO A CONCRETE MONUMENT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY, SAID POINT BEING ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 4,495.60 FEET; THENCE FROM A TANGENT BEARING OF SOUTH  $80^{\circ}29'23''$  EAST RUB EASTERLY 853.49 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  $10^{\circ}52'39''$ ; THENCE SOUTH  $00^{\circ}44'12''$  EAST, 269.30 FEET; THENCE SOUTH  $17^{\circ}26'09''$  EAST, 137.05 FEET; THENCE SOUTH  $00^{\circ}39'00''$  EAST, 30 FEET TO THE AFORESAID  $\frac{1}{4}$  SECTION LINE; THENCE SOUTH  $89^{\circ}18'41''$  WEST, 861.03 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 30 FEET FOR ROAD RIGHT-OF-WAY AND THE NORTH HALF OF THE VACATED RIGHT OF WAY LINE SOUTH OF THE ABOVE DESCRIBED PROPERTY.

ALL LYING AND BEING SITUATE IN ORANGE COUNTY, FLORIDA.

THIS ANNEXATION INCLUDES THE ADJACENT RIGHT OF WAY DESCRIBED AS: THE S. E.  $\frac{1}{4}$  OF THE N. E.  $\frac{1}{4}$  OF SECTION 30, T 22 S, R 28 E, ORANGE COUNTY; FL,

DESCRIBED AS FOLLOWS:

BEGIN ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 439, N. $00^{\circ}39'00''$ W., 30.00 FEET FROM THE SOUTH LINE OF SAID N. E.  $\frac{1}{4}$ ; THENCE CONTINUE NORTH.  $00^{\circ}39'00''$ W., ALONG SAID WEST R/W LINE, 376.62 FEET TO A POINT ON A CURVE HAVING A RADIUS OF 4,495.60 FEET AN BEING CONCAVE SOUTHWESTERLY; THENCE FROM A TANGENT BEARING OF N. $68^{\circ}47'20''$ W., RUN 65.15 FEET, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $00^{\circ}49'49''$ ; THENCE S,  $00^{\circ}44'12''$  E., 269.30 FEET; THENCE S.  $17^{\circ}26'09''$ E., 137.05 FEET; THENCE N.  $89^{\circ}15'48''$ E., 20.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.476 ACRES  $\pm$ .

# Exhibit "B" Location Map

