

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED NORTH OF JOSEPHINE ST., EAST OF PINELLI ST., SOUTH OF BEACH BLVD., AND WEST OF OLD CHENEY HWY., AND COMPRISED OF 0.0995 ACRES, MORE OR LESS; PROVIDING LEGISLATIVE FINDINGS AND FOR THE REVISION OF THE CITY'S BOUNDARIES; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, on June 23, 2014, the City Council of the City of Orlando, Florida (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the "Petition") bearing the signatures of all owners of property in an area of land generally located north of Josephine Street, east of Pinelli Street, south of Beach Boulevard, and west of Old Cheney Highway, comprised of approximately 0.0995 acres of land and being precisely described by the legal description of the area by metes and bounds attached to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and

WHEREAS, the Petition was filed with the Orlando City Council pursuant to section 171.044, Florida Statutes; and

WHEREAS, the Orlando City Council hereby finds that:

1. As of the date of the Petition, the Property was located in the unincorporated area of Orange County; and
2. As of the date of the Petition, the Property is contiguous to the City within the meaning of subsection 171.031(11), Florida Statutes; and
3. As of the date of the Petition, the Property is reasonably compact within the meaning of subsection 171.031(12), Florida Statutes; and
4. The Petition bears the signatures of all owners of property in the area to be annexed; and
5. Annexation of the Property will not result in the creation of enclaves within the meaning of subsection 171.031(13), Florida Statutes; and
6. The Property is located wholly within the boundaries of a single county; and
7. The Petition proposes an annexation that is consistent with the purpose of ensuring sound urban development and accommodation to growth; and
8. The Petition, this ordinance, and the procedures leading to the adoption of this ordinance are consistent with the uniform legislative standards provided by the Florida Municipal Annexation and Contraction Act for the adjustment of municipal boundaries; and

- 51 9. The Petition proposes an annexation that is consistent with the purpose of
52 ensuring the efficient provision of urban services to areas that become urban in
53 character within the meaning of subsection 171.022(8), Florida Statutes; and
54
55 10. The Petition proposes an annexation that is consistent with the purpose of
56 ensuring that areas are not annexed unless municipal services can be provided
57 to those areas; and
58

59 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the
60 best interest of the public health, safety, and welfare, and is consistent with the
61 applicable provisions of the City's Growth Management Plan; and
62

63 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
64 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
65

66 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section
67 171.044, Florida Statutes, and having determined that the owner or owners of the
68 Property have petitioned the Orlando City Council for annexation into the corporate limits
69 of the City, and having determined that the petition bears the signatures of all owners of
70 property in the area proposed to be annexed, and having made the findings set forth in
71 this ordinance, the Property is hereby annexed into the corporate limits of the City of
72 Orlando, Florida, and the boundary lines of the City are hereby redefined to include the
73 Property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area
74 is clearly shown on the map attached to this ordinance as **Exhibit "B."**
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76 **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,
77 the charter boundary article of the City is hereby revised in accordance with this
78 ordinance. The City Clerk, or designee, is hereby directed to file this ordinance as a
79 revision of the City Charter with the Florida Department of State. The City Planning
80 Official, or designee, is hereby directed to amend the City's official maps in accordance
81 with this ordinance.
82

83 **SECTION 3. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's
84 errors found in this ordinance by filing a corrected copy of this ordinance with the City
85 Clerk.
86

87 **SECTION 4. SEVERABILITY.** If any provision of this ordinance or its
88 application to any person or circumstance is held invalid, the invalidity does not affect
89 other provisions or applications of this ordinance which can be given effect without the
90 invalid provision or application, and to this end the provisions of this ordinance are
91 severable.
92

93 **SECTION 5. EFFECTIVE DATE.** This ordinance takes effect 30 days after
94 adoption.
95

DONE, THE FIRST PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2014.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2014.

DONE, THE SECOND PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2014.

DONE, THE SECOND READING, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE
OF THE CITY OF ORLANDO, FLORIDA:

Mayor / Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:

City Clerk

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF ORLANDO, FLORIDA:

City Attorney