

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, ANNEXING TO THE**
3 **CORPORATE LIMITS OF THE CITY CERTAIN LAND**
4 **GENERALLY LOCATED NORTH OF SAND LAKE RD.,**
5 **EAST OF SPRING LAKE, AND WEST OF TURKEY LAKE**
6 **RD., COMPRISED OF 11.263 ACRES OF LAND, MORE**
7 **OR LESS; PROVIDING FINDINGS, AMENDMENT OF**
8 **THE CITY'S BOUNDARY DESCRIPTION, AND FOR**
9 **AMENDMENT OF THE CITY'S OFFICIAL MAPS;**
10 **PROVIDING FOR SEVERABILITY, CORRECTION OF**
11 **SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

12
13 **WHEREAS**, the City Council of the City of Orlando, Florida (the "Orlando City
14 Council") desires to annex an area of land generally located north of Sand Lake Road,
15 east of Spring Lake, and west of Turkey Lake Road, comprised of approximately 11.263
16 acres of land and being precisely described by the legal description of the area by metes
17 and bounds attached to this ordinance as **Exhibit A** (hereinafter the "Majorca
18 annexation area"); and

19
20 **WHEREAS**, the Majorca annexation report, attached to this ordinance as **Exhibit**
21 **B**, includes the maps, statements, plans, and other information required by subsection
22 171.042(1), Florida Statutes; and

23
24 **WHEREAS**, on June 8, 2016, the Orlando City Council filed a copy of the
25 Majorca annexation report with the Orange County Board of County Commissioners as
26 required by subsection 171.042(2), Florida Statutes; and

27
28 **WHEREAS**, on July 1, 2016, the Orlando City Council mailed a written notice to
29 each person who owns property within the Majorca annexation area as required by
30 subsection 171.042(3), Florida Statutes; and

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32 **WHEREAS**, in accordance with section 171.043, Florida Statutes, the Orlando
33 City Council hereby finds that the Majorca annexation area was contiguous to the city's
34 boundaries at the time the instant annexation proceeding began, and was and is
35 reasonably compact, and that no part of the Majorca annexation area is within the
36 boundary of another incorporated municipality; and

37
38 **WHEREAS**, the Orlando City Council hereby finds that, in accordance with
39 subsection 171.043(2), Florida Statutes, part or all of the Majorca annexation area is
40 developed for urban purposes in that it is so developed that at least 60% of the total
41 number of lots and tracts in the area at the time of annexation are used for urban
42 purposes, and it is subdivided into lots and tracts so that at least 60% of the total
43 acreage, not counting the acreage used at the time of annexation for nonresidential
44 urban purposes, consists of lots and tracts five acres or less in size; and
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WHEREAS, the Orlando City Council hereby finds that, in accordance with subsection 171.043(3)(a), Florida Statutes, the Majorca annexation area, and/or any part thereof that does not meet the requirements of subsection 171.043(2), Florida Statutes, lies between the city's existing boundary and an area developed for urban purposes, so that the area developed for urban purposes is either not adjacent to the city's existing boundary or cannot be served by the city without extending services or water or sewer lines through such sparsely developed area; and

WHEREAS, in accordance with section 171.043(3)(b), Florida Statutes, the Orlando City Council hereby finds that the Majorca annexation area, and/or any part thereof that does not meet the requirements of subsection 171.043(2), Florida Statutes, is adjacent, on at least 60% of its external boundary, to any combination of the city's existing boundary and the boundary of an area or areas developed for urban purposes as defined by subsection 171.043(2), Florida Statutes; and

WHEREAS, the Orlando City Council hereby finds that:

1. As of the effective date of this ordinance, the Majorca annexation area is located wholly in the unincorporated area of Orange County; and
2. As of the effective date of this ordinance, the Majorca annexation area is contiguous to the city within the meaning of subsection 171.031(11), Florida Statutes; and
3. As of the effective date of this ordinance, the Majorca annexation area is reasonably compact within the meaning of subsection 171.031(12), Florida Statutes; and
4. Annexing the Majorca annexation area is consistent with the purpose of ensuring sound urban development and accommodation to growth; and
5. 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
6. Annexing the Majorca annexation area is consistent with the purpose of ensuring the efficient provision of urban services to areas that become urban in character within the meaning of subsection 171.031(8), Florida Statutes; and
7. Annexing the Majorca annexation area is consistent with the purpose of ensuring that areas are not annexed unless municipal services can be provided to those areas; and

WHEREAS, the Orlando City Council hereby finds that more than 70% of the land in the Majorca annexation area is owned by individuals, corporations, or legal entities which are not registered electors of such area, and that, therefore, in accordance with subsection 171.0413(5), Florida Statutes, the parties proposing annexation have obtained written consent to the annexation from the owners of more than 50% of the land in the Majorca annexation area; and

WHEREAS, the Orlando City Council hereby finds that, as of the adoption date of this ordinance, the Majorca annexation area has no registered electors, and that, therefore, in accordance with subsection 171.0413(6), Florida Statutes, the parties proposing annexation have obtained written consent to the annexation from the owners of more than 50% of the parcels of land in the Majorca annexation area; and

WHEREAS, the Orlando City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of the city's Land Development Code and Growth Management Plan; and

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

SECTION 1. ANNEXATION. Pursuant to the authority granted by section 171.0413, Florida Statutes, and having made the findings set forth in this ordinance, the property is hereby annexed into the corporate limits of the City of Orlando, Florida, and the boundary lines of the city are hereby redefined to include the property.

SECTION 2. CITY BOUNDARIES. Pursuant to section 171.091, Florida Statutes, the charter boundary article of the city is hereby revised in accordance with this ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a revision of the City Charter with the Florida Department of State. The city planning official, or designee, is hereby directed to amend the city's official maps in accordance with this ordinance.

SECTION 3. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

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

SECTION 5. EFFECTIVE DATE. This ordinance is effective upon adoption, except for sections one and two, which take effect on the 30th day after adoption.

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 _____, 2016.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2016.

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 _____, 2016.

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 _____, 2016.

BY THE MAYOR OF THE CITY OF
ORLANDO, FLORIDA:

Mayor

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

City Clerk

Print Name

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

City Attorney

Print Name

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