

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

31
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
45

46 **WHEREAS**, the Orlando City Council hereby finds that, in accordance with
47 subsection 171.043(3)(a), Florida Statutes, the Majorca annexation area, and/or any part
48 thereof that does not meet the requirements of subsection 171.043(2), Florida Statutes,
49 lies between the city's existing boundary and an area developed for urban purposes, so
50 that the area developed for urban purposes is either not adjacent to the city's existing
51 boundary or cannot be served by the city without extending services or water or sewer
52 lines through such sparsely developed area; and

53
54 **WHEREAS**, in accordance with section 171.043(3)(b), Florida Statutes, the
55 Orlando City Council hereby finds that the Majorca annexation area, and/or any part
56 thereof that does not meet the requirements of subsection 171.043(2), Florida Statutes,
57 is adjacent, on at least 60% of its external boundary, to any combination of the city's
58 existing boundary and the boundary of an area or areas developed for urban purposes
59 as defined by subsection 171.043(2), Florida Statutes; and

60
61 **WHEREAS**, the Orlando City Council hereby finds that:

- 62
63 1. As of the effective date of this ordinance, the Majorca annexation area is
64 located wholly in the unincorporated area of Orange County; and
- 65
66 2. As of the effective date of this ordinance, the Majorca annexation area is
67 contiguous to the city within the meaning of subsection 171.031(11), Florida
68 Statutes; and
- 69
70 3. As of the effective date of this ordinance, the Majorca annexation area is
71 reasonably compact within the meaning of subsection 171.031(12), Florida
72 Statutes; and
- 73
74 4. Annexing the Majorca annexation area is consistent with the purpose of
75 ensuring sound urban development and accommodation to growth; and
- 76
77 5. This ordinance, and the procedures leading to the adoption of this ordinance
78 are consistent with the uniform legislative standards provided by the Florida
79 Municipal Annexation and Contraction Act for the adjustment of municipal
80 boundaries; and
- 81
82 6. Annexing the Majorca annexation area is consistent with the purpose of
83 ensuring the efficient provision of urban services to areas that become urban
84 in character within the meaning of subsection 171.031(8), Florida Statutes;
85 and
- 86
87 7. Annexing the Majorca annexation area is consistent with the purpose of
88 ensuring that areas are not annexed unless municipal services can be
89 provided to those areas; and

90
91 **WHEREAS**, the Orlando City Council hereby finds that more than 70% of the
92 land in the Majorca annexation area is owned by individuals, corporations, or legal
93 entities which are not registered electors of such area, and that, therefore, in accordance
94 with subsection 171.0413(5), Florida Statutes, the parties proposing annexation have
95 obtained written consent to the annexation from the owners of more than 50% of the
96 land in the Majorca annexation area; and
97

98 **WHEREAS**, the Orlando City Council hereby finds that, as of the adoption date
99 of this ordinance, the Majorca annexation area has no registered electors, and that,
100 therefore, in accordance with subsection 171.0413(6), Florida Statutes, the parties
101 proposing annexation have obtained written consent to the annexation from the owners
102 of more than 50% of the parcels of land in the Majorca annexation area; and
103

104 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the
105 best interest of the public health, safety, and welfare, and is consistent with the
106 applicable provisions of the city's Land Development Code and Growth Management
107 Plan; and
108

109 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
110 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
111

112 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section
113 171.0413, Florida Statutes, and having made the findings set forth in this ordinance, the
114 property is hereby annexed into the corporate limits of the City of Orlando, Florida, and
115 the boundary lines of the city are hereby redefined to include the property.
116

117 **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,
118 the charter boundary article of the city is hereby revised in accordance with this
119 ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a
120 revision of the City Charter with the Florida Department of State. The city planning
121 official, or designee, is hereby directed to amend the city's official maps in accordance
122 with this ordinance.
123

124 **SECTION 3. SCRIVENER'S ERROR.** The city attorney may correct scrivener's
125 errors found in this ordinance by filing a corrected copy of this ordinance with the city
126 clerk.
127

128 **SECTION 4. SEVERABILITY.** If any provision of this ordinance or its
129 application to any person or circumstance is held invalid, the invalidity does not affect
130 other provisions or applications of this ordinance which can be given effect without the
131 invalid provision or application, and to this end the provisions of this ordinance are
132 severable.
133

134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179

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

[Remainder of page intentionally left blank.]