

1           **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**  
2           **OF ORLANDO, FLORIDA, RELATING TO THE**  
3           **GREENWAY IMPROVEMENT DISTRICT; GRANTING A**  
4           **PETITION TO AMEND THE BOUNDARIES OF THE**  
5           **GREENWAY IMPROVEMENT DISTRICT, AS INITIATED**  
6           **BY THE DISTRICT’S BOARD OF SUPERVISORS;**  
7           **AMENDING ORDINANCE NO. 0805191001 TO EXPAND**  
8           **THE DISTRICT BY APPROXIMATELY 4.6 ACRES, THE**  
9           **DISTRICT BEING GENERALLY LOCATED NORTH OF**  
10           **THE OSCEOLA COUNTY BORDER, EAST OF BOGGY**  
11           **CREEK RD., SOUTH OF THE CENTRAL FLORIDA**  
12           **GREENWAY (SR 417), AND WEST OF NARCOOSSEE**  
13           **RD.; PROVIDING FOR SEVERABILITY, CORRECTION**  
14           **OF SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.**  
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16           **WHEREAS**, pursuant to Chapter 190, Florida Statutes, the City Council of the  
17 City of Orlando, Florida (the “Orlando City Council”), established on February 24, 2003,  
18 the Greenway Improvement District (the “district”) by that certain city ordinance bearing  
19 a document number of 030224701 (the “establishing ordinance”); and  
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21           **WHEREAS**, on February 13, 2006, the Orlando City Council adopted that certain  
22 city ordinance bearing a document number of 0602131004 (the “2006 ordinance”), which  
23 ordinance amended the establishing ordinance to expand the original boundaries of the  
24 district to enlarge the area of the district by about 408 acres of land (from about 991  
25 acres to about 1,399 acres), such ordinance being requested by the Board of  
26 Supervisors of the Greenway Improvement District; and  
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28           **WHEREAS**, on May 19, 2008, the Orlando City Council adopted that certain city  
29 ordinance bearing a document number of 0805191001 (the “2008 ordinance”), which  
30 ordinance amended the 2006 ordinance to further amend the boundaries of the district to  
31 reduce the area of the district by about 196 acres of land (from about 1,339 acres to  
32 about 1,201 acres), such ordinance being requested by the Board of Supervisors of the  
33 Greenway Improvement District; and  
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35           **WHEREAS**, the district’s Board of Supervisors (the “petitioner”), having obtained  
36 written consent to a further expansion of the district’s external boundaries by the owners  
37 of one-hundred percent (100%) of the owners of the real property to be now added to  
38 the district, submitted to the city on July 22, 2016, a *Petition to Amend the Boundaries of*  
39 *the Greenway Improvement District* (the “petition”), and thereby petitioned the Orlando  
40 City Council to again expand the external boundaries of the district in accordance with  
41 the petition by amending the 2008 ordinance pursuant to section 190.046, Florida  
42 Statutes; and  
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44           **WHEREAS**, a public hearing has been conducted by the Orlando City Council on  
45 September dd, 2016, in accordance with the requirements and procedures of section  
46 190.046(1), Florida Statutes, and all other applicable requirements and procedures of

47 the Florida Statutes and the Code of the City of Orlando, Florida (the “Orlando City  
48 Code”), and all interested persons and affected units of general-purpose local  
49 government were afforded an opportunity to present oral and written comments on the  
50 petition at said duly noticed public hearing; and

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52 **WHEREAS**, upon consideration of the record established at that hearing, the City  
53 Council determined and found as follows:

- 54  
55 1. That the statements within the petition were true and correct; and
- 56  
57 2. That the proposed expansion of the district’s boundaries is not  
58 inconsistent with any applicable element or portions of the adopted City of  
59 Orlando comprehensive plan, as amended, or any applicable elements of  
60 the state comprehensive plan; and
- 61  
62 3. That the area of land within the proposed district is of sufficient size, is  
63 sufficiently contiguous to be developable as one functional interrelated  
64 community; and
- 65  
66 4. That the district is the best alternative available for delivering community  
67 development services and facilities to the area that will be served by the  
68 district; and
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70 5. That the community development services and facilities of the district will  
71 be compatible with the capacity and uses of existing local and regional  
72 community development services and facilities; and
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74 6. That the area that will be served by the district is amenable to separate  
75 special-district government.

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

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80 **SECTION 1. AUTHORITY.** This ordinance is enacted in compliance with and  
81 pursuant to the Uniform Community Development District Act of 1980, Chapter 190,  
82 Florida Statutes.

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84 **SECTION 2. FINDINGS.** The foregoing recitals, determinations, and findings  
85 are true and correct and are incorporated herein, adopted hereby, and made a part  
86 hereof.

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88 **SECTION 3. GRANT OF PETITION.** Pursuant to Chapter 190, Florida  
89 Statutes, the *Petition to Amend the Boundaries of the Greenway Improvement District*

90 submitted by the district's Board of Supervisors on July 22, 2016, is hereby granted, said  
91 petition being attached to this ordinance as **Exhibit A**.

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93 **SECTION 4. AMENDING THE 2008 ORDINANCE AND EXPANDING THE**  
94 **DISTRICT'S EXTERNAL BOUNDARIES.** Pursuant to Chapter 190, Florida Statutes,  
95 and the petition submitted by the district's Board of Supervisors, the 2008 ordinance is  
96 hereby amended to expand the external boundaries of the Greenway Improvement  
97 District. Henceforth the external boundaries of the district shall be as described and  
98 depicted in **Exhibit B** attached hereto and incorporated herein.

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100 **SECTION 5. SCRIVENER'S ERROR.** The city attorney may correct scrivener's  
101 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
102 clerk.

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104 **SECTION 6. SEVERABILITY.** If any provision of this ordinance or its  
105 application to any person or circumstance is held invalid, the invalidity does not affect  
106 other provisions or applications of this ordinance which can be given effect without the  
107 invalid provision or application, and to this end the provisions of this ordinance are  
108 severable.

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110 **SECTION 7. REPEAL.** All ordinances or parts of ordinances previously adopted  
111 and conflicting with this ordinance are hereby repealed.

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113 **SECTION 8. EFFECTIVE DATE.** This ordinance takes effect immediately upon  
114 adoption.

115  
116 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City  
117 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this \_\_\_\_\_ day  
118 of \_\_\_\_\_, 2016.

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120 **DONE, THE FIRST READING,** by the City Council of the City of Orlando,  
121 Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

122  
123 **DONE, THE SECOND READING, HEARING, AND ENACTED ON FINAL**  
124 **PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council  
125 of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of  
126 \_\_\_\_\_, 2016.

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130 BY THE MAYOR OF THE CITY OF  
131 ORLANDO, FLORIDA:  
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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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