

ORDINANCE 08- 13

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, RELATED TO ANNEXATION; MAKING CERTAIN FINDINGS; PROPOSING TO ANNEX THAT CERTAIN PROPERTY CONSISTING OF TWENTY-SEVEN COMMERCIAL PARCELS LOCATED BETWEEN MCCOY AVENUE AND THE BEACHLINE EXPRESSWAY EAST OF S. ORANGE AVENUE AND WEST OF THE CURRENT BOUNDARY LINE OF BELLE ISLE, FLORIDA AND ALSO CONSISTING OF FORTY-SIX COMMERCIAL/INDUSTRIAL PARCELS LOCATED SOUTH OF THE BEACHLINE EXPRESSWAY SAID PARCELS BEING EAST AND WEST OF S. ORANGE AVENUE, SAID AREA BEING MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Belle Isle, in the interest of promoting the public health, safety, welfare, and aesthetics of the residents and property owners of the City of Belle Isle, deems it to be consistent with the law of the State of Florida to annex that certain area of land as described herein (“area to be annexed;”) and

WHEREAS, the area to be annexed is legally described by metes and bounds; and

WHEREAS, the 2008 Southwest Commercial Industrial Annexation Report (hereinafter referred to as “Annexation Report”)for the area to be annexed has been filed with the Orange County Board of County Commissioners pursuant to Section 171.042 (2) Florida Statutes; and

WHEREAS, the Annexation Report has been determined to satisfy the requirements of Chapter 171, Florida Statutes; and

WHEREAS, the notices of the proposed annexation have been mailed to each person who resides or owns property within the area to be annexed as required by Section 171.042(3); and

WHEREAS, the City Council of the City of Belle Isle, Florida, finds that the area to be annexed is reasonably compact and contiguous to the City of Belle Isle, and this annexation does not create any enclaves, pockets, or finger areas in serpentine patterns, as required by law; and

WHEREAS, the area to be annexed consists of a single area that is wholly located within Orange County, Florida; and

WHEREAS, the area to be annexed satisfies the City of Belle Isle’s annexation criteria; and

WHEREAS, pursuant to Section 171.0413, Florida Statutes, a general referendum is not required to be held to effectuate the annexation of the area to be annexed;

WHEREAS, there are no registered electors residing in the area to be annexed; and

WHEREAS, the owners of more than 50% of the land in the area to be annexed and the owners of more than 50% of the parcels in the area to be annexed have consented to the annexation; and

NOW THEREFORE, BE IT ENACTED by the City Council of the City of Belle Isle, Florida:

SECTION 1.: Area to be Annexed. The property as shown on the map attached hereto as Exhibit "A" and incorporated to this Ordinance by reference and more completely described as follows is hereby annexed into the City of Belle Isle, Florida, to wit:

27-parcel area:

Commence at the Southwest corner of Block 5 of the Airport Commerce Center Replat, recorded at Plat Book 20, Page 91, Public Records of Orange County, Florida, said point being on the North right-of-way line of State Road 528 (Beachline) for the Point of Beginning; thence run Northeasterly along said North right-of-way line a distance of 2,784 feet, more or less, to the Southeast corner of Block 9, McCoy Commerce Center Unit 2, as recorded in Plat Book 38, Page 107, Public Records of Orange County; thence run North 00°01'053" West on a line parallel with and 300 feet Westerly of the East line of Bon Air recorded in Plat Book P, Page 46, a distance of 478.78 feet, more or less, to a point 500.00 feet South of the South right-of-way line of McCoy Road (S.R. 528A); thence North 89°33'11" East a distance of 175.00 feet; thence North 00°05'52" West a distance of 500 feet to the South right-of-way line of said McCoy Road; thence run West along said South right-of-way line of McCoy Road a distance of 2,412 feet, more or less, to the point of intersection of the South right-of-way line of McCoy Road and the East right-of-way line of South Orange Avenue; thence run Southwesterly along the East right-of-way line of South Orange Avenue a distance of 1,689 feet, more or less, to the Point of Beginning.

AND

46-parcel area:

Commence at the SE corner of the NE 1/4 of Section 36, Township 23 S, Range 29 E, Orange County, Florida; thence run north along the east line of said NE 1/4 a distance of 772.90 feet to the south right-of-way line of Jetport Drive for the Point of Beginning; thence run along said south right-of-way line in a west-southwest direction a distance of approximately 1,767 feet, more or less, to the point of intersection of the said right-of-way line and the east right-of-way line of S. Orange Avenue; thence from said point of intersection traverse the S. Orange Avenue right-of-way and the A.C.L. Railroad right-of-way on a straight line to the point of intersection of the south right-of-way line of the Beachline Expressway and the north center line of Section 36, Township 23 S, Range 29 E; thence westerly along the south right-of-way line of the Beachline Expressway to the point of intersection of said right-of-way line and the west line of the NW 1/4 of Section 36, Township 23 S, Range 29 E; thence westerly along said south right-of-way line to the point of intersection of said right-of-way line and the west line of Lot 48, according to the plat of Block "D" Prosper County Subdivision of Section 35, Township 23 S, Range 29 E, as recorded in Plat Book D, Page 100 of the Public Records of Orange County, Florida; thence run south along a line parallel to and approximately 374.5 feet, more or less, west of the west line of Section 36, Township 23 S, Range 29 E, to the point of intersection of

said line with the north right-of-way line of W. Landstreet Road; thence run easterly along said road right-of-way line a distance of approximately 2104 feet, more or less, to the SW corner of the parcel described in that deed recorded at O.R. Book 5733, Page 3639 Orange County Public Records; thence run northeasterly a distance of 356.12 feet along the west line of the parcel described in said deed; thence run northwesterly a distance of 374.76 feet along the west line of the parcel described in said deed; then run north a distance of 10 feet along said west line; thence run northeasterly a distance of approximately 827.15 feet along the north line of the parcel described in the deed recorded at O.R. Book 5733, Page 3639 Orange County Public Records to an intersection with the west right-of-way line of the A.C.L. Railroad; thence run northerly a distance of approximately 738 feet, more or less, along said west right-of-way line to the point of intersection, of the said line and the south right-of-way line of Seaboard Coastline Railroad; thence from said point of intersection traverse the A.C.L. Railroad right-of-way and S. Orange Avenue right-of-way northeasterly on a straight line to a point defined as the SW corner of that certain parcel of real property described in O.R. Book 5886, Page 632, Orange County Public Records, said point being a point of intersection of the east right-of-way line of S. Orange Avenue and the north right-of-way line of Pine Avenue; thence southeasterly along the north right-of-way line of Pine Avenue to the point of intersection with the east boundary line of Section 36, Township 23 S, Range 29 E; thence north along said east line approximately 1,809 feet, more or less, to the Point of Beginning.

The territorial boundary lines of the City of Belle Isle, Florida, are hereby redefined so as to include therein these tracts of land as described herein.

SECTION 2: Effective Date: This ordinance shall become effective 10 days after adoption by the City Council of the City of Belle Isle.

SECTION 3: Severability Clause. In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly invalid or unenforceable for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence or section did not exist.

SECTION 4: This Ordinance shall be liberally interpreted to effectuate its purpose of annexation of the Area to be Annexed.

ADOPTED by the City Council of the City of Belle Isle, Florida, on the ____ day of _____, 2008.

First Reading held this ____ day of _____, 2008.

Advertised for first reading on _____, 2008.

Second Reading held this ____ day of _____, 2008

Advertised for second reading on _____, 2008.

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
Thomas G. Petruzzi	_____	_____	_____
Trudy Prince	_____	_____	_____
Charles Scott	_____	_____	_____
Larry Ady	_____	_____	_____
"Harv" Readey	_____	_____	_____
Lydia Pisano	_____	_____	_____
Eric Spaulding	_____	_____	_____

ATTEST:

William G. Brooks, Mayor

Belinda Bateman, MMC, City Clerk

**STATE OF FLORIDA
COUNTY OF ORANGE**

I, BELINDA L. BATEMAN, CITY CLERK of the City of Belle Isle do hereby certify that the above and foregoing document was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____, 2008, at which session a quorum of its members were present.

City Clerk