

**ORDINANCE 09-06**

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, RELATED TO ANNEXATION; MAKING CERTAIN FINDINGS; PROPOSING TO ANNEX THAT CERTAIN PROPERTY CONSISTING OF THREE PARCELS IMMEDIATELY WEST OF MATCHETT ROAD BETWEEN IDAHO ROAD TO THE SOUTH AND SWANN AVENUE TO THE NORTH AND MATCHETT ROAD BETWEEN NELA AVENUE AND PERKINS ROAD, AS MORE PARTICULARLY DESCRIBED HEREIN; 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 2009 Matchett Road West 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**, more that 70 percent of the land in the area to be annexed is owned by individuals, corporations, or other legal entities which are not registered electors in the area; 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;

**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:

BEGIN at the Northwest corner of the parcel described as North 257 feet 10 inches of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 25, Township 23 South, Range 29 East, Orange County, FL; thence run East a distance of 313.3', more or less, along the North boundary line of said parcel to the West right-of-way line of Matchett Road; thence run North a distance of 650.5 feet, more or less, along the West right-of-way line of Matchett Road to the South right-of-way line of Nela Avenue; thence East a distance 50 feet, more or less, to the intersection of the South right-of-way line of Nela Avenue and the East right-of-way line of Matchett Road; thence run South a distance of 1285.3 feet, more or less, along the East right-of-way line of Matchett Road to the North right-of-way line of Perkins Road, thence run West a distance of 55 feet, more or less, to the intersection of the North right-of-way line of Perkins Road and the West right-of-way line of Matchett Road; thence run North a distance of 375 feet, more or less, to the Southeast corner of the parcel described as North 257 feet 10 inches of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 25, Township 23 South, Range 29 East, Orange County, FL; thence run West a distance of 308.3 feet, more or less, along the South boundary line of said parcel to the Southwest corner of said parcel; thence run North a distance 257 feet 10 inches, more or less, along the West boundary line of said parcel 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 upon adoption.

**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 2<sup>nd</sup> day of June, 2009.

1<sup>st</sup> Reading held the 12 day of May, 2009.

Advertised on May 3, 2009.


2<sup>nd</sup> Reading held the 2<sup>nd</sup> day of June, 2009.

Advertised on May 11<sup>th</sup>, 2009.

	YES	NO	ABSENT
Thomas G. Petruzzi			✓
Trudy Prince			✓
Charles Scott	✓		
Larry Ady	✓		
"Harv" Readey	✓		
Lydia Pisano	✓		
Eric Spaulding			✓


ATTEST:

  
Miriam Rodriguez, City Clerk

  
William G. Brooks, Mayor

STATE OF FLORIDA  
COUNTY OF ORANGE

I, MIRIAM RODRIGUEZ, 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 2<sup>nd</sup> day of June, 2009, at which session a quorum of its members were present.

  
City Clerk