

ORDINANCE NO. 20-1706

AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA; ANNEXING CERTAIN LAND INTO THE CORPORATE LIMITS OF HAINES CITY, FLORIDA AND REDEFINING THE BOUNDARY LINES OF THE MUNICIPALITY TO INCLUDE PROPERTY OWNED BY ALMATT, LLC, BERRY REAL ESTATE, LLC, CASSIDY HOLDINGS, LLC, CASSIDY HOLDINGS GROUP, INC., DANNIE AND GWENDOLYN MACK; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED ANNEXATION AND FILING OF THIS ORDINANCE WITH THE CLERK OF CIRCUIT COURT IN AND FOR POLK COUNTY, FLORIDA AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LAND USE AND ZONING DESIGNATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Almatt, LLC, Berry Real Estate, LLC, Cassidy Holdings, LLC, Cassidy Holdings Group, Inc., Dannie and Gwendolyn Mack, have petitioned for a Voluntary Annexation of properties into the City of Haines City; and

WHEREAS, the said real property is presently in an unincorporated area of Polk County, are contiguous to the City of Haines City, are reasonably compact and will not result in the creation of an enclave; and

WHEREAS, the legal description is defined as follows:

Parcel #272715-739500-030210

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 TRACTS 21 & 22 IN NW1/4

Parcel #272715-739500-030230

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 TRACTS 23 & 24 IN NW1/4

Parcel #272715-739500-040300

FLA DEVOLPMENT CO SUB PB 3 PG 60 TO 63 TRACTS 3 & 14 IN SW1/4 LESS RD R/W & LESS ADDNL RD R/W PER MB 17 PG 60-65 & LESS S 165 FT OF W 135 FT OF TRACT 14

Parcel #272715-739500-040400

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 TRACTS 4 13 20 & S1/2 OF 17 LESS W 280 FT & 18 & 19 IN SW1/4 & LESS BEG AT NE COR OF W 280 FT OF S1/2 OF TRACT 17 SLY ALONG E LINE OF SAID W 280 FT 330 FT M/L TO S LINE OF TRACT 17 ELY ALONG S LINE OF TRACT 17 & 18 193 FT NLY PARALLEL WITH E LINE OF W 280 FT 330 FT M/L TO N LINE OF S1/2 OF SAID TRACT 18 WLY ALONG SAID N LINE 193 FT TO POB

Parcel #272715-739500-040501

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 TRACTS 5 THRU 12 & 21 THRU 28 IN SW1/4 & CLOSED RD LYING BETWEEN TRACTS 9 THRU 12 & 21 THRU 24 & W1/2 OF CLOSED RD LYING E OF ABOVE DESC PROP LESS COMM SE COR OF SW1/4 OF SEC RUN N00-02-50W 15 FT TO POB N89-55-24W 30 FT N00-02-50W 30 FT S89-55-24E 30 FT S00-02-50E 30 FT TO POB & TRACTS 25 THRU 28 IN NW1/4 & SE1/4 SW1/4 OF NW1/4 OF SEC LESS BEG SW COR OF NW1/4 RUN N 450 FT E 965.50 FT S 12-24-33W 188.22 FT S23-42-34E

Parcel #272715-739500-010230

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 TRACTS 23 TO 32 IN NE1/4 LESS E 15 FT OF 24 & 25 & TRACTS 1 TO 16 IN SE1/4 LESS E 15 FT OF 8 & 9 FOR POWER LINE RD R/W & N1/2 OF VACATED RD LYING S OF LOTS 9 THRU 16 IN SE1/4 & E1/2 OF VACATED RD LYING W OF LOTS 1 & 16 IN SE1/4

Parcel #272715-739500-042900

FLA DEVELOPMENT CO PB 3 PGS 60 TO 63 TRACTS 29 TO 32 IN SW1/4

Parcel #272721-749500-010700

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 TRACTS 7 TO 10 IN NE1/4

Parcel #272722-000000-033000

NW1/4 OF NW1/4 & SW1/4 OF NW1/4 LESS S 6 AC OF W1/2 & LESS S 25 FT FOR R/W

CONTAINING 414.56 ACRES, MORE OR LESS.

WHEREAS, the attached map shows the parcel comprising 414.56+/- acres located south of Snell Creek Road, north of Baker Dairy Road and west of Powerline Road, is proposed to be annexed herein by reference and is hereafter referred to as "Exhibit A"; and

WHEREAS, Section 11.04 (f – i) of the City's Charter provides for annexation; and

WHEREAS, the City Commission hereby determines that the owner of the property and the area proposed to be annexed has consented to the annexation and meets the requirements pursuant to §171.043, Florida Statutes; and

WHEREAS, the City Commission hereby determines that incorporation of the area proposed to be annexed are deemed practical and expedient and in conformity with the overall plan for extending the boundaries of the city.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA:

Section 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Annexation of Property. The property described and depicted in "Exhibit A" shall be and are hereby annexed to the City of Haines City, Florida and the boundary lines of the municipality shall be redefined to include the said property.

Section 3. Notice of Proposed Annexation. Notice of the proposed annexation shall be published at least once each week for two consecutive weeks in a newspaper published in Polk County, Florida before final passage. A copy of this Ordinance shall, after adoption, be filed with the Clerk of the Circuit Court and the Chief Administrative Officer in and for Polk County, Florida

and with the Department of State of the State of Florida within seven (7) days after the adoption of this Ordinance.

Section 4. Land Use and Zoning. The County zoning or subdivision regulations shall remain in effect until the City adopts a zoning map amendment that includes the properties annexed.

Section 5. Codification. The ordinance shall be codified and made a part of the official Code of Ordinances or Charter of the City of Haines City.


Section 6. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

Section 7. Repeal of Ordinance in Conflict. All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

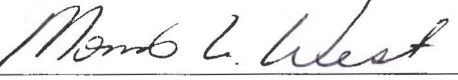
Section 8. Effective Date. This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, and its approval and adoption by said Commission.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 1st day of October, 2020.

ATTEST:


Linda Bourgeois, BAS, MMC, City Clerk

APPROVED:


Morris L. West, Mayor-Commissioner

APPROVED AS TO FORM AND CORRECTNESS:


Fred Reilly, City Attorney

ADOPTED AND ENACTED on second and final reading by the City Commission of the
City of Haines City, Florida, at regular session this 15th day of October, 2020.

ATTEST:

Linda Bourgeois
Linda Bourgeois, BAS MMC, City Clerk

APPROVED:

Morris L. West
Morris West, Mayor-Commissioner

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly
Fred Reilly, City Attorney



“EXHIBIT A”

