

ORDINANCE NO. 1715

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, REDEFINING THE CORPORATE/MUNICIPAL BOUNDARIES (CITY LIMITS) OF THE CITY OF OVIEDO AND AMENDING THE *CITY CHARTER OF THE CITY OF OVIEDO* IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.031, *FLORIDA STATUTES*, AND OTHER CONTROLLING LAW; PROVIDING FOR PURPOSE AND OBJECTIVES; PROVIDING FOR A REVISED LEGAL DESCRIPTION OF THE CORPORATE/MUNICIPAL BOUNDARIES (CITY LIMITS) OF THE CITY OF OVIEDO; PROVIDING FOR CONFLICTS, SEVERABILITY; CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE.

WHEREAS, the provisions of Section 166.031(3), *Florida Statutes*, provide that A[a] municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Department of State pursuant to the provisions of subsection (2); and

WHEREAS, the provisions of Section 171.091, *Florida Statutes*, provide as follows:

Recording.—Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.; and

WHEREAS, the Town of Oviedo was established in 1925 by Act of the Florida Legislature and the City of Oviedo in 1967 was re-created by Act of the Florida Legislature in 1967; and

WHEREAS, on February 19, 2018, City Council adopted Ordinance No. 1666 that defined and amended the original Corporate Limits of the City of Oviedo from the date of its creation as set forth in Chapter 67-1850, *Laws of Florida, Acts of 1067*; and

WHEREAS, the City Council of the City of Oviedo has annexed various properties which have been included within the City Limits of the City of Oviedo in accordance with the provisions of State law and such properties are included in the legal description set forth in the Exhibits to this Ordinance, said properties now being a part of the City of Oviedo and being located within the municipal or corporate boundaries of the City of Oviedo and being subject to the jurisdiction of the City of Oviedo; and

WHEREAS, the City Council of the City of Oviedo deems it necessary and desirable to amend the *City Charter of the City of Oviedo* to redefine the corporate or municipal boundaries (City Limits) of the City of Oviedo as well as to clarify the boundaries of the City of Oviedo in order

to avoid ambiguities and ensure clarity and all such actions have been taken in accordance with the provisions of State law.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS;

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

(a). The City staff report and City Council agenda memorandum relating to this matter are hereby adopted as if fully set forth herein.

(b). The City of Oviedo has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). The foregoing recitals (whereas clauses) are hereby adopted as the legislative findings of the City Council of the City of Oviedo and incorporated into this Ordinance as if set forth *in haec verba*.

(d). It is the intent of this Ordinance to define and depict the current existing municipal or corporate boundaries (City Limits) of the City of Oviedo to include all lands defined by, and included in, Ordinance No. 1666 and all lands annexed into the City of Oviedo since the date of adoption of Ordinance No. 1666.

SECTION 2. LEGAL DESCRIPTION OF CITY OF OVIEDO. The legal description (setting forth the municipal or corporate boundaries) of the City of Oviedo is hereby amended as set forth in Exhibits 1 and 2 to this Ordinance. Exhibit 1 includes the legal description for each annexation of additional lands, following or since the adoption of Ordinance 1666 which established the first comprehensive boundary unification of the City of Oviedo. Exhibit 2 to this Ordinance is a map depicting the general limits of the City of Oviedo in graphic form as of the date of adoption of this Ordinance. Exhibits 1 and 2 are incorporated herein by this reference thereto as if fully set forth herein verbatim and, further, said Exhibits are made a part of this Ordinance describing the redefined City Limits of the City of Oviedo as of the date of adoption of this Ordinances. Said legal aggregated description, together with the associated descriptive map, effectuate the inclusion of all rights-of-way of any type or nature being included within the City Limits of the City of Oviedo when abutted, on both sides, by property located within the City Limits of the City of Oviedo, and inclusion of rights-of-way, to the centerline of the rights-of-way, when abutted on one side by property located within the City Limits of the City of Oviedo.

SECTION 3. DUTY OF CITY CLERK. The City Clerk is hereby directed to file a certified copy of this Ordinance with the Florida Department of State in accordance with the provisions of Section 166.031(2), *Florida Statutes*.

SECTION 4. SAVINGS. The prior actions of the City of Oviedo in terms of the matters relating to the exercise of municipal jurisdiction and the effectuation of the City Limits of the City are hereby ratified and affirmed.

SECTION 5. CONFLICTS. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.


SECTION 7. CODIFICATION; SCRIVENER'S ERRORS. The provisions of this Ordinance, including its recitals, shall, as determined by the Code Codifier, become and be made a part of the City Charter of the City of Oviedo, Florida and the Sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage and adoption.

FIRST READING: February 7, 2022

SECOND READING: February 21, 2022

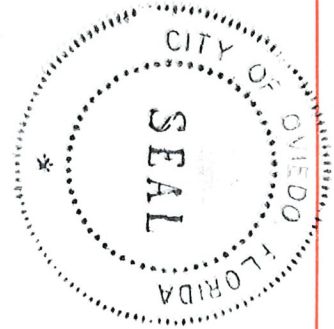
PASSED AND ADOPTED this 21st day of February, 2022.



MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:


ELIANNE RIVERA
CITY CLERK



ORDINANCE NO. 1694

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY APPROXIMATELY ZERO POINT ONE SIX (0.16) ACRE IN SIZE AND GENERALLY LOCATED ON THE WEST SIDE OF MISSION ROAD AND APPROXIMATELY 280 FEET NORTH OF CHAPEL STREET LOCATED CONTIGUOUS TO THE CITY OF OVIEDO IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, *FLORIDA STATUTES*; REDEFINING THE BOUNDARIES OF THE CITY OF OVIEDO TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICE OF SEMINOLE COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP; PROVIDING FOR A SAVINGS PROVISION, RATIFICATION OF ACTS AND ACKNOWLEDGMENT OF INCLUSION OF LANDS WITHIN CITY MUNICIPAL BOUNDARIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS; PROVIDING FOR SCRIVERNER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the following applicant for annexation of property into the City of Oviedo and is hereby determined to be the authorized agent of property owners of the real property described below: JM Mission Land LLC whose address is 3540 Legacy Hills Court, Longwood, Fl 32779; whose consultant acting on the application is Evans Engineering, Inc.; and

WHEREAS, said applicant petitioned the City of Oviedo, pursuant to Section 171.044, *Florida Statutes*, for annexation of said property into the municipal limits of the City of Oviedo; and

WHEREAS, applicant is the authorized agent of the owner of all of said property being described by Tax Identification Parcel Number as follows:

| <u>Tax Identification Parcel No.</u> | <u>Owner</u> |
|--------------------------------------|---------------------|
| 09-21-31-300-0160-0000 | JM Mission Land LLC |
| 09-21-31-300-0170-0000 | JM Mission Land LLC |

; and

WHEREAS, City staff has reviewed and recommended approval of the annexation of said property to the City Council of the City of Oviedo and has accomplished all actions required under the *Code of Ordinances of the City of Oviedo* and State law; and

WHEREAS, the City Council, upon the recommendation of City staff and the City Attorney, has determined that all of the property which is proposed to be annexed into the City of Oviedo is within an unincorporated area of Seminole County, is reasonably compact and contiguous to the corporate areas of the City of Oviedo, Florida and it is further determined that the annexation

of said property will not result in the creation of any enclave, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, the City Council of the City of Oviedo, Florida has taken all actions in accordance with the requirements and procedures mandated by State law; and

WHEREAS, the City Council of the City of Oviedo, Florida hereby determines that it is to the advantage of the City of Oviedo and in the best interests of the citizens of the City of Oviedo to annex the aforescribed property; and

WHEREAS, the provisions of Section 166.031(3), *Florida Statutes*, provide that [a] municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Department of State pursuant to the provisions of subsection (2); and

WHEREAS, the provisions of Section 171.091, *Florida Statutes*, provide as follows:

Recording.—Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area; and

WHEREAS, the map and the legal description attached hereto as Exhibit "A" shows and describes and Exhibit "B" depicts the properties which are hereby annexed into the City of Oviedo.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS

SECTION 1. Legislative and Administrative Findings. The recitals set forth above in the "whereas clauses" are hereby adopted as legislative findings of the City Council of the City of Oviedo.

SECTION 2. Approval of Annexation. The property that is the subject of this Ordinance consists of the parcels of land assigned the Tax Identification Parcel Numbers set forth in Exhibit "A", together with abutting right-of-way, said property being situated in Seminole County, Florida, and said property is hereby annexed into and are hereby made a part of the City of Oviedo, Florida pursuant to the voluntary annexation provisions of Section 171.044, *Florida Statutes* and as described in Exhibit "A" and as depicted in Exhibit "B".

SECTION 3. Effect Of Annexation. Upon this Ordinance becoming effective, the property owners of the said property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners of the City of Oviedo, Florida as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the City of Oviedo, Florida and the provisions of said Chapter 171, *Florida Statutes*.

SECTION 4. Implementing Administrative Actions.

(a). Within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court (Land Records/Recording), with the Chief Administrative Officer of Seminole County (the County Manager), with the Florida Department of State, and with such other agencies and entities as may be required by law or otherwise desirable.

(b). The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 5. Savings Provision; Ratification and Acknowledgement of Inclusion in City Boundaries.

(a). Any and all actions taken by the City of Oviedo relative to its municipal boundaries, mapping of its municipal boundaries, enforcement of codes and ordinances within its municipal boundaries, the exercise of land use actions within its municipal boundaries, and any all relates matters and actions of whatsoever nature relative to the municipal boundaries of the City of Oviedo are hereby ratified and affirmed.

(b). Without limiting the broad effect and intent and generality of the prior Subsection, the City of Oviedo hereby acknowledges that the following described properties are and have been located within the municipal boundaries of the City of Oviedo and any and all actions taken relative to said properties being located within the municipal boundaries of the City of Oviedo are hereby ratified and affirmed in plenary manner:

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 7. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for

an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

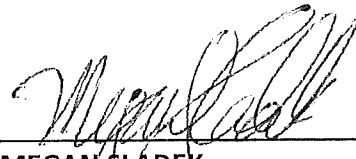
SECTION 8. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon enactment.

FIRST READING: September 10, 2020

SECOND READING: September 21, 2020

PASSED AND ADOPTED this 21st day of September, 2020.



MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:


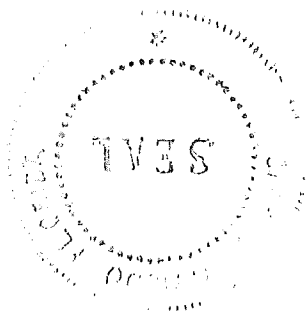

BARBARA J. BARBOUR
CITY CLERK

EXHIBIT A

Legal Description

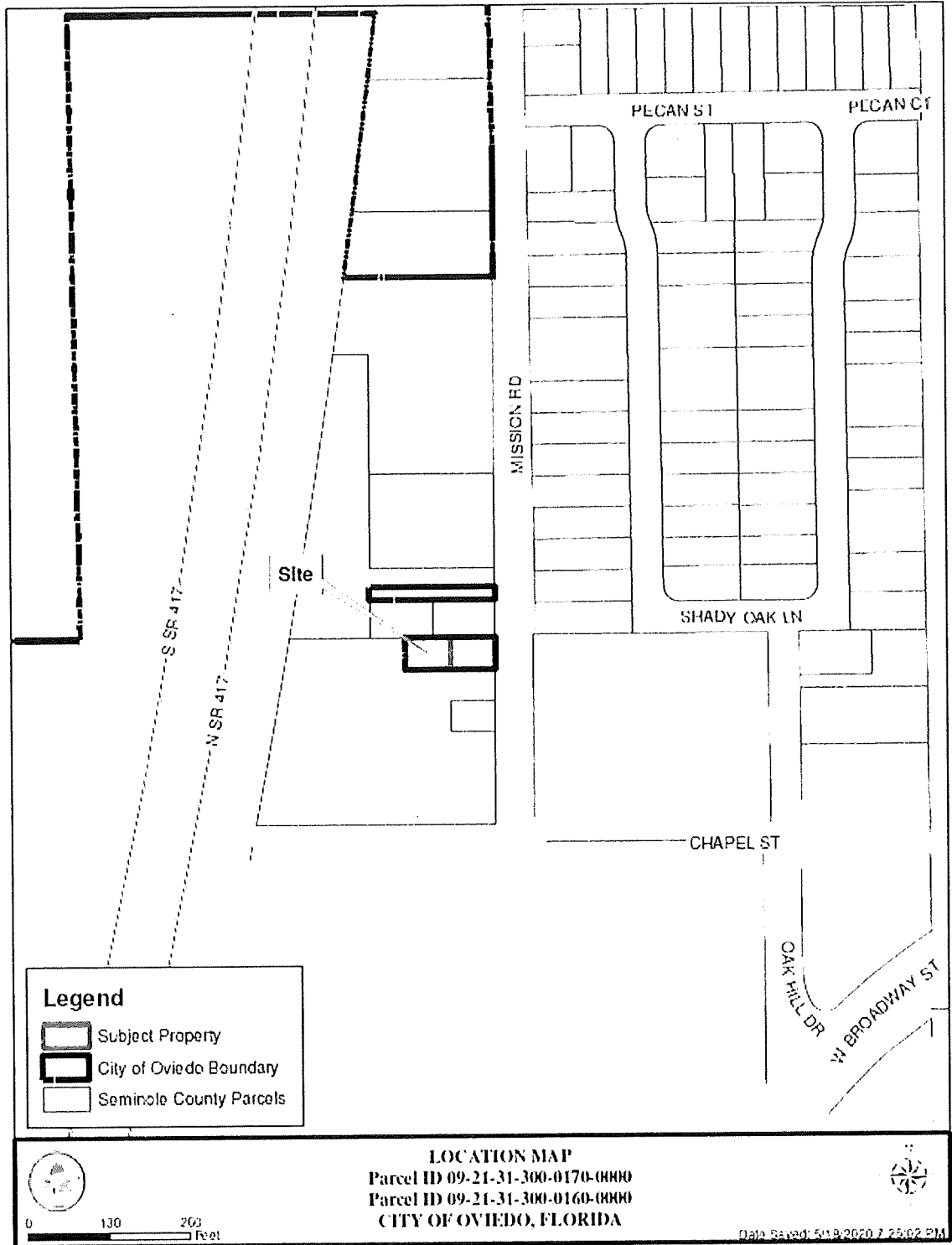
(Tax Identification Parcel No. 09-21-31-300-0160-0000)

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, RUN SOUTH 50 FEET; THENCE WEST 72 FEET; THENCE NORTH 50 FEET; THENCE EAST 72 FEET TO THE POINT OF BEGINNING.

(Tax Identification Parcel No. 09-21-31-300-0170-0000)

BEGINNING 72 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, RUN SOUTH 50 FEET; THENCE WEST 72 FEET; THENCE NORTH 50 FEET; THENCE EAST 72 FEET TO THE POINT OF BEGINNING.

EXHIBIT B



Annexation or Contraction Reporting Form

Purpose:

To ensure that your local government qualifies for benefits available under the law.

Statutory Authority:

FS171.091 **Recording.**--Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

Please fill out this form and either scan it in and email it to us; fax it; or mail it to us with a copy or link to the ordinance for this action.

City OVIEDO
 Name: BARBARA BARBOUR
 Phone: 407 971 5504 Email: bbarbour@cityofoviedo.net

Action: Annexation Contraction
 Ordinance Number: 1694 Effective Date of Action: 9/21/2020

| As of Effective Date of Action | As of April 1 Preceding Effective Date of Action (if different than effective date) |
|--|--|
| Land Area (acres) <u>16sqmiles 8960acres</u> | Estimated Population |
| Estimated Population <u>40,145</u> | Number of Residential Units* |
| Number of Residential Units* | Single-Family Units |
| Single-Family Units <u>11,115</u> | Multifamily Units |
| Multifamily Units <u>1384</u> | Mobile Homes |
| Mobile Homes <u>0</u> | Other (explain) |
| Other (explain) <u>Townhomes 873</u> | |
| <u>Duplex 400</u> | |

Direct Questions and Return to:
 Florida Legislative Office of Economic and Demographic Research
 111 W. Madison Street, Suite 574
 Tallahassee, FL 32399

Phone: 850-487-1402
 Email: DenseUrbanLandArea@leg.state.fl.us

*Include completed units (not planned development)

ORDINANCE NO. 1701

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, ANNEXING BY VOLUNTARY PETITION THAT CERTAIN REAL PROPERTY APPROXIMATELY THREE-POINT-ONE-SIX (3.16) ACRES IN SIZE GENERALLY LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 426 AND APPROXIMATELY 38 FEET EAST OF OKLAHOMA STREET AND LOCATED CONTIGUOUS TO THE CITY OF OVIEDO IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, *FLORIDA STATUTES*; REDEFINING THE BOUNDARIES OF THE CITY OF OVIEDO TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICE OF SEMINOLE COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR A LEGAL DESCRIPTION AND A MAP; PROVIDING FOR A SAVINGS PROVISION, RATIFICATION OF ACTS AND ACKNOWLEDGMENT OF INCLUSION OF LANDS WITHIN CITY MUNICIPAL BOUNDARIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for annexation of certain real property (the Subject Property") into the City of Oviedo has been received from the record owner of such property Rodel's Investments LLC, whose address is 1397 N. County Road 426, Oviedo, Florida 32765; and

WHEREAS, the Subject Property is generally described as a parcel of real property three-point-one-six (3.16) acres in size and generally located on the south side of County Road 426 and approximately 38 feet east of the south end of Oklahoma Street contiguous to the existing municipal limits of the City of Oviedo; and

WHEREAS, said application for annexation of said property into the municipal limits of the City of Oviedo is submitted pursuant to the provisions of Chapter 171.044, Florida Statutes; and

WHEREAS, the Subject Property is described by Tax Identification Parcel Number as follows:

| <u>Tax Identification Parcel No.</u> | <u>Owner</u> |
|--------------------------------------|-------------------------|
| 12-21-31-502-0000-008A | Rodel's Investments LLC |

; and

WHEREAS, the application for annexation was submitted by Cycorp Engineering, Inc. as agent for Rodel's Investments, LLC; and

WHEREAS, City staff has reviewed and recommended approval of the annexation of the Subject property to the City Council of the City of Oviedo and has accomplished all actions required under the *Code of Ordinances of the City of Oviedo* and State law; and

WHEREAS, the City Council, upon the recommendation of City staff and the City Attorney, has determined that all of the Subject Property which is proposed to be annexed into the City of Oviedo is within an unincorporated area of Seminole County, is reasonably compact and contiguous to the corporate limits of the City of Oviedo, Florida; it is further determined that the annexation of the Subject Property will not result in the creation of an enclave, and that the Subject Property otherwise fully complies with the requirements of State law; and

WHEREAS, the City Council of the City of Oviedo, Florida has taken all actions in accordance with the requirements and procedures mandated by State law; and

WHEREAS, the City Council of the City of Oviedo, Florida hereby determines that it is to the advantage of the City of Oviedo and in the best interests of the citizens of the City of Oviedo to annex the Subject Property into the City of Oviedo; and

WHEREAS, the provisions of Section 166.031(3), *Florida Statutes*, provide that [a] municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Department of State pursuant to the provisions of subsection (2); and

WHEREAS, the provisions of Section 171.091, *Florida Statutes*, provide as follows:

Recording.—Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area; and

WHEREAS, Exhibit “A” attached hereto lists the legal description of the Subject Property and Exhibit “B” describes and depicts the Subject Property.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS

SECTION 1. Legislative and Administrative Findings. The recitals set forth above in the “whereas clauses” are hereby adopted as legislative findings of the City Council of the City of Oviedo.

SECTION 2. Approval of Annexation. The property that is the subject of this Ordinance consists of a parcel of land assigned the Tax Identification Parcel Numbers set forth in Exhibit "A", together with abutting right-of-way, said property being situated in Seminole County, Florida; said property being legally described in Exhibit "A" and depicted in Exhibit "B", is hereby annexed into and is hereby made a part of the City of Oviedo, Florida pursuant to the voluntary annexation provisions of Section 171.044.

SECTION 3. Effect of Annexation. Upon this Ordinance becoming effective, the property owners of said property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners in the City of Oviedo, Florida as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the City of Oviedo, Florida and the provisions of said Chapter 171, *Florida Statutes*.

SECTION 4. Implementing Administrative Actions.

(a). Within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court of Seminole County (Land Records/Recording), with the Chief Administrative Officer of Seminole County (the County Manager), with the Florida Department of State, and with such other agencies and entities as may be required by law or otherwise desirable.

(b). The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employee(s) as deemed effectual and prudent.

SECTION 5. Savings Provision; Ratification and Acknowledgement of Inclusion in City Boundaries.

(a). Any and all actions taken by the City of Oviedo relative to its municipal boundaries, mapping of its municipal boundaries, enforcement of codes and ordinances within its municipal boundaries, the exercise of land use actions within its municipal boundaries, and any all relates matters and actions of whatsoever nature relative to the municipal boundaries of the City of Oviedo are hereby ratified and affirmed.

(b). Without limiting the broad effect and intent and generality of Subsection (a) of this Section 5, the City of Oviedo hereby acknowledges that the property that is the subject of this Ordinance is and has been located within the municipal boundaries of the City of Oviedo and any and all actions taken relative to said property being located within the municipal boundaries of the City of Oviedo are hereby ratified and affirmed in plenary manner.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 7. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.


SECTION 8. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon enactment.

FIRST READING: March 1, 2021


SECOND READING: April 5, 2021

PASSED AND ADOPTED this 5th day of April, 2021.



MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:



BARBARA J. BARBOUR
CITY CLERK

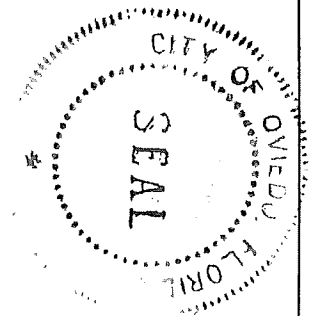


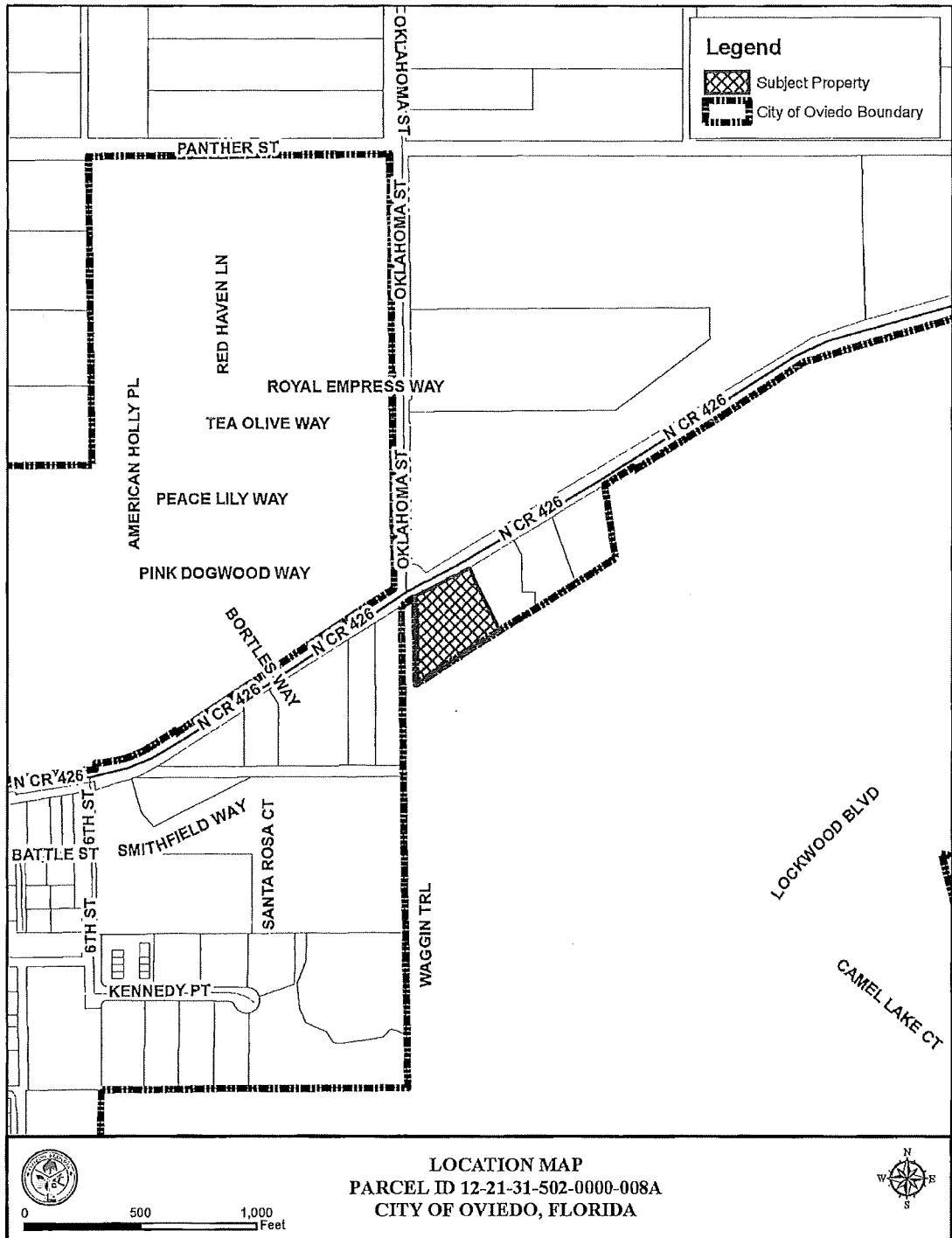
EXHIBIT A

Legal Description

(Tax Identification Parcel No. 12-21-31-502-0000-008A)

FROM A CONCRETE MONUMENT AT THE SOUTHWEST CORNER OF LOT 8, SWOPES 3RD ADDITION TO BLACK HAMMOCK, AS RECORDED IN PLAT BOOK 3, PAGE 20, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, RUN EAST 30.00 FEET; THENCE RUN NORTH 334.83 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 58°38'00" EAST 473.91 FEET; THENCE RUN NORTH 22°32'14" WEST 346.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 426; THENCE RUN SOUTH 61°20'00" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY, 268.26 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1303.40 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 1°49'07", FOR A DISTANCE OF 41.37 FEET TO A POINT LYING 30.00 FEET EAST OF THE WEST LINE OF LOT 8; THENCE RUN SOUTH, ALONG A LINE 30.00 FEET EAST OF SAID WEST LINE, FOR A DISTANCE OF 418.41 FEET TO THE POINT OF BEGINNING.

EXHIBIT B



ORDINANCE NO. 1712

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY APPROXIMATELY FIVE POINT THREE ONE (5.31) ACRES IN SIZE AND GENERALLY LOCATED ON THE SOUTH SIDE OF W COUNTY ROAD 419 AND APPROXIMATELY 1,057 FEET SOUTHEAST OF WILLINGHAM ROAD LOCATED CONTIGUOUS TO THE CITY OF OVIEDO IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; REDEFINING THE BOUNDARIES OF THE CITY OF OVIEDO TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICE OF SEMINOLE COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP; PROVIDING FOR A SAVINGS PROVISION, RATIFICATION OF ACTS AND ACKNOWLEDGMENT OF INCLUSION OF LANDS WITHIN CITY MUNICIPAL BOUNDARIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS, SEVERABILITY; CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE

WHEREAS, the following applicant for annexation of property into the City of Oviedo and is hereby determined to be the authorized agent of property owners of the real property described below: Principal Senior Living Group LLC, whose address is 1175 Cicero Drive, Suite 500, Alpharetta, GA 30022; whose consultant acting on the application is Axel Real Estate; and

WHEREAS, said applicant petitioned the City of Oviedo, pursuant to Section 171.044, *Florida Statutes*, for annexation of said property into the municipal limits of the City of Oviedo; and

WHEREAS, applicant is the authorized agent of the owner of all of said property being described by Tax Identification Parcel Number as follows:

| <u>Tax Identification Parcel No.</u> | <u>Owner</u> |
|--------------------------------------|--|
| 24-21-31-300-0020-0000 | Principal Senior Living Group LLC; and |

WHEREAS, the abovementioned property was subject of the Buck Creek Pre-Annexation Petition and Amended Agreement approved by City Council on December 2, 2019, with the adoption of Resolution No. 3866-19, all of which were recorded at Official Records Book 9640, Pages 333 through 346, of the Public Records of Seminole County, Florida; and

WHEREAS, the Buck Creek Pre-Annexation Petition and Amended Agreement states, in pertinent part, that "The Owner will notify the City within 30 days of the final Certificate of Occupancy issued by Seminole County for the Property, the City shall annex the Property in accordance with Section 171.044, *Florida Statutes*."; and

GRANT MALOY, SEMINOLE COUNTY
CLERK OF CIRCUIT COURT & COMPTROLLER
CFN# 2021133698 Bk:10066 Pg:649-654(6Pgs)
REC: 10/08/2021 12:41:36 PM by jeckenroth
RECORDING FEES \$52.50

@ City of Oviedo

WHEREAS, the correct time has occurred relative to the annexation of the properties which are the subject of the Pre-Annexation Agreement; and

WHEREAS, City staff has reviewed and recommended approval of the annexation of said property to the City Council of the City of Oviedo and has accomplished all actions required under the Buck Creek Pre-Annexation Petition and Amended Agreement, the *Code of Ordinances of the City of Oviedo*, and State law; provided, however, that not all provisions and obligations of the subject property owner under the Pre-Annexation Agreement have been adhered to and that non-adherence is addressed herein; and

WHEREAS, the City Council, upon the recommendation of City staff and the City Attorney, has determined that all of the property which is proposed to be annexed into the City of Oviedo is within an unincorporated area of Seminole County, is reasonably compact and contiguous to the corporate areas of the City of Oviedo, Florida, and it is further determined that the annexation of said property will not result in the creation of any enclave, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, the City Council of the City of Oviedo, Florida has taken all actions in accordance with the requirements and procedures mandated by State law; and

WHEREAS, the City Council of the City of Oviedo, Florida hereby determines that it is to the advantage of the City of Oviedo and in the best interests of the citizens of the City of Oviedo to annex the aforescribed property; and

WHEREAS, the provisions of Section 166.031(3), *Florida Statutes*, provide that [a] municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Department of State pursuant to the provisions of Subsection (2); and

WHEREAS, the provisions of Section 171.091, *Florida Statutes*, provide as follows:

Recording.—Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area; and

WHEREAS, the legal description provided in Exhibit "A" describes and the map provided in Exhibit "B" depicts the properties which are hereby annexed into the City of Oviedo.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS

SECTION 1. Legislative and Administrative Findings. The recitals set forth above in the “whereas clauses” are hereby adopted as legislative findings of the City Council of the City of Oviedo.

SECTION 2. Approval of Annexation. The property that is the subject of this Ordinance consists of the parcels of land assigned the Tax Identification Parcel Numbers set forth in Exhibit “A”, together with abutting right-of-way, said property being situated in Seminole County, Florida, and said property is hereby annexed into and are hereby made a part of the City of Oviedo, Florida pursuant to the voluntary annexation provisions of Section 171.044, *Florida Statutes* and as described in Exhibit “A” and as depicted in Exhibit “B”.

SECTION 3. Effect Of Annexation. Upon this Ordinance becoming effective, the property owners of the said property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners of the City of Oviedo, Florida as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the City of Oviedo, Florida and the provisions of said Chapter 171, *Florida Statutes*.

SECTION 4. Implementing Administrative Actions.

(a). Within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court (Land Records/Recording), with the Chief Administrative Officer of Seminole County (the County Manager), with the Florida Department of State, and with such other agencies and entities as may be required by law or otherwise desirable.

(b). The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 5. Savings Provision; Ratification and Acknowledgement of Inclusion in City Boundaries.

(a). Any and all actions taken by the City of Oviedo relative to its municipal boundaries, mapping of its municipal boundaries, enforcement of codes and ordinances within its municipal boundaries, the exercise of land use actions within its municipal boundaries, and any all relates matters and actions of whatsoever nature relative to the municipal boundaries of the City of Oviedo are hereby ratified and affirmed.

(b). Without limiting the broad effect and intent and generality of the prior Subsection, the City of Oviedo hereby acknowledges that the following described properties are and have been located within the municipal boundaries of the City of Oviedo and any and all

actions taken relative to said properties being located within the municipal boundaries of the City of Oviedo are hereby ratified and affirmed in a plenary manner:

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 7. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

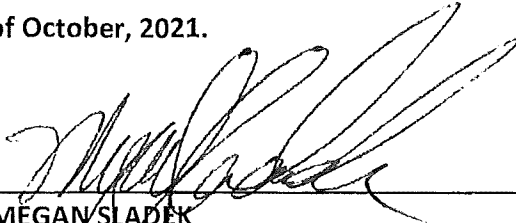
SECTION 8. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon enactment.

FIRST READING: September 20, 2021


SECOND READING: October 4, 2021

PASSED AND ADOPTED this 4th day of October, 2021.



MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:



ELIANNE RIVERA
CITY CLERK

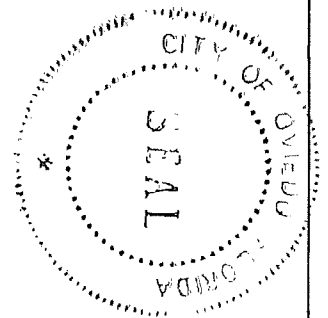


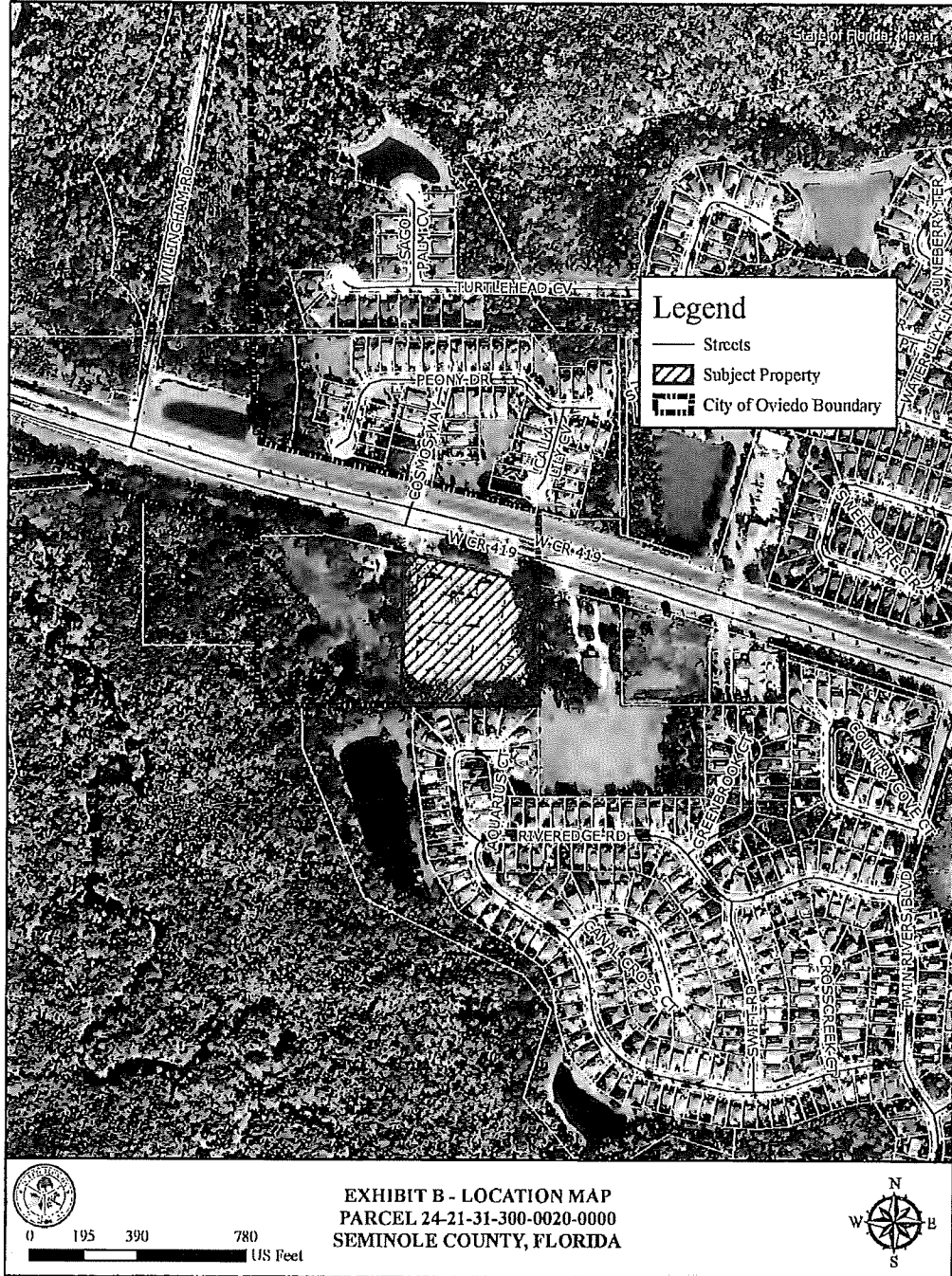
EXHIBIT A

Legal Description

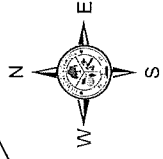
(Tax Identification Parcel No. 24-21-31-300-0020-0000)

THAT PART OF THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, LESS THE WEST 2/5, LESS THE EAST 326 FEET, LYING SOUTH OF COUNTRY ROAD NO 419.

EXHIBIT B



LEGIBILITY UNSATISFACTORY
FOR SCANNING



City of Oviedo City Boundary Map

