

**ORDINANCE 2016-18**

**AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF MONTVERDE, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044 AND SECTION 171.204, *FLORIDA STATUTES (2016)*; ANNEXING 117.314 +/- ACRES OF REAL PROPERTY NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE TOWN OF MONTVERDE; PROVIDING FOR FINDINGS; PROVIDING A LEGAL DESCRIPTION AND A MAP; DIRECTING THE MAYOR TO RECORD CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL WITH THE CLERK OF THE CIRCUIT COURT, THE COUNTY MANAGER OF LAKE COUNTY, AND THE SECRETARY OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; SETTING AN EFFECTIVE DATE.**

**WHEREAS**, Center Lake Properties, LLLP, a Florida Limited Liability Limited Partnership, a property owner in an un-incorporated area Lake County, has petitioned the Town Council of the Town of Montverde, Florida, to annex certain property it owns into the Town of Montverde; and

**WHEREAS**, the property the Town has petitioned to be annexed is not contiguous to the boundaries of the Town of Montverde, however, the property is subject to the Interlocal Service Boundary Agreement between the Town of Montverde, City of Clermont, City of Minneola, Pine Island Community Development District and Lake County (“ISBA”); and

**WHEREAS**, the Town of Montverde is authorized to annex the hereinafter described property under the terms of the ISBA and Section 171.204, Florida Statutes; and

**WHEREAS**, written notice of this proposed annexation has been provided to Lake County, Florida, as required by Florida law and the terms of the ISBA; and

**WHEREAS**, this Ordinance has been advertised as required by law; and

**THEREFORE**, be it ordained, by the Town Council of the Town of Montverde, Florida, as follows:

**Section 1: Purpose and Intent.**

The municipal limits of the Town of Montverde, Florida, are hereby extended and increased so as to include and embrace within the corporate limits of the Town of Montverde, the property described as follows - Lake County Property Appraiser Parcel Identification Numbers: 15-22-26-0002-0000-2500, 10-22-26-0003-0000-0600, 09-22-

**26-0200-0370-0000, 09-22-26-0200-0390-0001, more particularly describe in Exhibit A attached hereto and incorporated herein.**

The above described real property is hereby annexed by and declared to be within the municipal limits of the Town of Montverde, Florida. A map depicting the property is attached hereto and incorporated herein as **Exhibit B**.

**Section 2: Applicability and Effect.**

The above described real property shall be subject to all laws, ordinances, and regulations to which lands in the Town of Montverde are now or may be subjected to and persons residing thereon shall be deemed citizens of the Town of Montverde and shall be entitled to the same privileges and benefits as other parts of and citizens of the Town of Montverde upon the effective date of the annexation.

**Section 3: Directions to Town Clerk.**

Certified copies of this Ordinance within 7 days of approval shall be provided to the Clerk of the Circuit Court, the County Manager of Lake County, and the Secretary of State of the State of Florida. In accordance with the ISBA within 5 days of approval a certified copy of this Ordinance shall be provided to the Board of County Commissioners of Lake County.

**Section 4: 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 force and effect.

**Section 5: Scrivener's Errors.** Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

**Section 6: Effective Date.**

This Ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunities or Administration Commission finding the comprehensive plan amendment affecting the Property in compliance in accordance with Section 163.3184, Florida Statutes.

PASSED AND ORDAINED in regular session of the Town Council of the Town of Montverde, Lake County, Florida, this 10 day of January, 2017.

  
\_\_\_\_\_  
Joe Wynkoop, Mayor

  
\_\_\_\_\_  
Jim Peacock, Council President

Attest:

  
Graham Wells, Town Clerk

Approved as to form and legality:

  
Anita Geraci-Carver, Town Attorney

First Reading: December 13, 2016

Second Reading: January 10, 2017

Council Member Ley moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member Smith and upon roll call on the motion the vote was as follows:

	YEA	NAY
Billy Bates	✓	
Glenn Burns		✓
Jim Ley	✓	
Jim Peacock	✓	
Judy Smith	✓	

## EXHIBIT A

A parcel of land lying in Sections 10 and 15, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 Corner of said Section 10, thence South 89°35'08" East along the North line of the Southwest 1/4 of said Section 10 for a distance of 1046.68 feet; thence South 00°19'53" West, departing said North line, for a distance of 25.00 feet to the South Right of Way of Fosgate Road according to that Right of Way Deed recorded in Official Records Book 968, Page 200 of the Public Records of Lake County, Florida and the Point of Beginning; thence South 89°35'08" East along said South Right of Way for a distance of 1578.21 feet to the West Right of Way of Blackstill Lake Road according to that Right of Way Deed recorded in Official Records Book 968, Page 200 of the Public Records of Lake County, Florida; thence South 00°31'57" West along said West Right of Way for a distance of 1296.05 feet; thence South 89°32'53" East for a distance of 10.00 feet to the West Right of Way of Blackstill Lake Road according to the Plat of Lake Highlands Company as recorded in Plat Book 3, Page 51 of the Public Records of Lake County, Florida; thence South 00°31'57" West along said West Right of Way for a distance of 990.80 feet; thence South 89°31'09" East continuing along said platted Right of Way for a distance of 156.00 feet to a point on a non-tangent curve concave Easterly, having a radius of 239.46 feet; thence from a tangent bearing of South 23°17'27" West along said curve through a central angle of 19°05'09" for a distance of 79.77 feet to the Point of Reverse Curvature of a curve concave Westerly, having a radius of 708.13 feet; thence Southerly along said curve through a central angle of 07°51'11" for a distance of 97.06 feet to the Point of Compound Curvature of a curve concave Westerly having a radius of 2806.54 feet; thence Southerly along said curve through a central angle of 02°40'50" for a distance of 131.31 feet; thence South 13°44'40" West for a distance of 29.70 feet; thence North 89°30'35" West for a distance of 74.00 feet; thence South 00°30'59" West for a distance of 783.37 feet; thence North 89°10'32" West for a distance of 38.75 feet; thence South 00°49'28" West for a distance of 115.88 feet to the Point of Curvature of a curve concave Northwesterly having a radius of 226.48 feet; thence Southwesterly along the arc of said curve through a central angle of 87°03'00" for a distance of 344.09 feet to the Point of Tangency; thence South 87°52'28" West for a distance of 108.70 feet to the Northeasterly Right of Way of the Sunshine State Parkway (Florida Turnpike); thence North 35°37'32" West along said Northeasterly Right of Way for a distance of 3012.46 feet; thence South 89°32'53" East departing said Northeasterly Right of Way for a distance of 542.46 feet; thence North 00°19'53" East for a distance of 1310.02 feet to the Point of Beginning.

Contains 5,110,191 Square Feet or 117.314 Acres, more or less.

**EXHIBIT B**

