

ORDINANCE NO. 2016 – 01

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, PROPOSING THE VOLUNTARY ANNEXATION (PETITION NUMBER 15-80 / 2015 - 42 ANX 1) OF REAL PROPERTY COMPRISING OF 10.5 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 600 FEET WEST OF STATE ROAD 7 AND APPROXIMATELY .5 MILES NORTH OF FOREST HILL BOULEVARD IN PALM BEACH COUNTY, FLORIDA, KNOWN AS THE "VILLAGE PROFESSIONAL PARK," MORE PARTICULARLY DESCRIBED HEREIN; DECLARING THAT THE VOLUNTARY ANNEXATION PETITION BEARS THE SIGNATURE OF THE PROPERTY OWNER; AMENDING SECTION 11 OF THE VILLAGE CHARTER BY REDEFINING THE CORPORATE LIMITS OF THE VILLAGE OF WELLINGTON; DIRECTING THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS ANNEXATION; DIRECTING THE VILLAGE CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT IN PALM BEACH COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF PALM BEACH COUNTY, AND THE FLORIDA DEPARTMENT OF STATE WITHIN SEVEN DAYS AFTER ADOPTION, IN ACCORDANCE WITH CHAPTER 171 OF THE FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Wellington, Florida, has received a written petition from the owners of real property, hereinafter described, who desires that said real property be annexed into the Village of Wellington, Florida, pursuant to the provisions of Section 171.044, Florida Statutes; and

WHEREAS, the Village Council of the Village of Wellington finds that the written petition for voluntary annexation filed with the Village bears the signature of the owners Village Professional Park, LLC (10.5 acre vacant parcel) and Lake Worth Drainage District (adjacent 0.4 acre undeveloped 25 foot Road Right-of-Way) of the real property; and

WHEREAS, it is determined that the area to be annexed does not have any registered electors, a vote of electors of the area proposed to be annexed is not required; and

WHEREAS, the subject real property is currently in unincorporated Palm Beach County with a Zoning designation of Public Ownership (PO) and Future Land Use designation of Low Residential, 2 units per acre (LR-2); and

WHEREAS, the subject real property is in the future annexation area of the Village of Wellington, is contiguous land to the municipal limits of the Village, is not irregular in shape and annexation will not result in the creation of an enclave; and

1 **WHEREAS**, the Palm Beach County Board of County Commissioners sold the subject
2 real property to the current owner and required annexation into the municipal boundary of the
3 Village of Wellington per the Executed Sales Agreement made February 3, 2015; and
4

5 **WHEREAS**, it is the opinion of the Village Council that it is in the best public interests
6 that the real property described herein be annexed into the Village of Wellington boundaries.
7

8 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**
9 **FLORIDA, THAT:**
10

11 **SECTION 1:** The real property consisting of 10.9 acres, more or less, legally described
12 as set forth in Exhibit 1 and located in unincorporated Palm Beach County, as indicated on the
13 Location Map in Exhibit 2, being the subject of the aforesaid petition for voluntary annexation
14 filed pursuant to Section 171.044, Florida Statutes, is hereby annexed into the Village of
15 Wellington, Florida.
16

17 **SECTION 2:** Section 11 of the Village Charter, entitled "Land Description," is hereby
18 amended to reflect the property annexed into the Village of Wellington by this Ordinance.
19

20 **SECTION 3:** The Village Manager is hereby directed to do all things necessary to
21 effectuate this annexation.
22

23 **SECTION 4:** The Village Clerk is hereby directed to file a copy of this Ordinance with
24 the Clerk of the Circuit Court, Palm Beach County, the Chief Administrative Officer of Palm
25 Beach County, and the Department of State within seven (7) days of the adoption of this
26 Ordinance.
27

28 **SECTION 5:** Should any section paragraph, sentence, clause, or phrase of this
29 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
30 not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the
31 part to be declared invalid.
32

33 **SECTION 6:** Should any section, paragraph, sentence, clause, or phrase of this
34 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
35 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this
36 Ordinance shall prevail to the extent of such conflict.
37

38 **SECTION 7:** This Ordinance shall become effective immediately upon adoption of the
39 Village Council following second reading.
40

41 (The remainder of this page left intentionally blank)
42

1 **PASSED** this _____ day of _____, 2016, on first reading.
2
3

4 **PASSED AND ADOPTED** this _____ day of _____, 2016, on second and final reading.
5
6

7 **WELLINGTON**

8 **FOR**

9 **AGAINST**

10 BY: _____

11 Bob Margolis, Mayor

12 _____

13 John Greene, Vice Mayor

14 _____

15 Matt Willhite, Councilman

16 _____

17 Anne Gerwig, Councilwoman

18 _____

19 John T. McGovern, Councilman
20
21
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24

25 **ATTEST:**

26 BY: _____

27 Awilda Rodriguez, Village Clerk
28
29

30 **APPROVED AS TO FORM AND**
31 **LEGAL SUFFICIENCY**

32 BY: _____

33 Laurie Cohen, Village Attorney
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35
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Exhibit 1
Legal Description

LEGAL DESCRIPTION OF TRACT 11 BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 3, TOGETHER WITH 25 FOOT RESERVATION

A PARCEL OF LAND IN PALM BEACH COUNTY, FLORIDA, BEING TRACT 11, BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN THE OFFICIAL RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AT PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE ("PBFARMS COMPANY PLAT NO. 3"), TOGETHER WITH THE 25 FOOT RESERVATION FOR ROAD, DYKE, AND DITCH PURPOSES LYING SOUTH OF AND ADJACENT TO SAID TRACT 11 AND ADJACENT TO TRACT 14, BLOCK 18, OF THE PBFARMS COMPANY PLAT NO. 3; ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF BEGINNING BEING THE NORTHWEST CORNER OF SAID TRACT 11; THENCE SOUTH A DISTANCE OF 685.80 FEET ON A LINE HAVING A BEARING OF S01°25'44"E TO THE NORTHEAST CORNER OF TRACT 15, BLOCK 18, OF PBFARMS COMPANY PLAT NO. 3; THENCE EAST A DISTANCE OF 670.75 FEET ON A LINE HAVING A BEARING OF N88°57'89"E TO THE NORTHEAST CORNER OF TRACT 14, BLOCK 18, PBFARMS COMPANY PLAT NO. 3; THENCE NORTH A DISTANCE OF 687.14 FEET ON A LINE HAVING A BEARING OF S01°08'37"E TO THE NORTHEAST CORNER OF SAID TRACT 11; THENCE WEST A DISTANCE OF 664.58 FEET ON A LINE HAVING A BEARING OF N88°55'13"E TO THE POINT OF BEGINNING.

CONTAINING 458,332+/- SQUARE FEET; 10.522+/- ACRES.

NOTE: BEARINGS ARE BASED ON THE NORTH LINE OF TRACTS 10 AND 11, BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 3, HAVING AN ASSUMED BEARING OF N88°55'13"E.

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Exhibit 2
Location Map



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