**ORDINANCE NO. 2022 - 26**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING THE VOLUNTARY ANNEXATION (PETITION NUMBER 2021-0002-ANX) OF REAL PROPERTIES KNOWN AS 441 PARTNERS TOTALING 52.43 ACRES, MORE OR LESS, AND KNOWN AS LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY TOTALING 1.49 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, IN PALM BEACH COUNTY, AS MORE SPECIFICALLY DESCRIBED HEREIN; DECLARING THAT THE VOLUNTARY ANNEXATION PETITION BEARS THE SIGNATURE OF THE PROPERTY OWNERS; AMENDING SECTION 12 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,** Wellington, Florida's Council, has received a written petition from the property owners, 441 Partners Inc, for Parcels 1 and 2, Four Four One Partners Inc. for Parcel 3, and Lake Worth Drainage District (LWDD) for a variable width right-of-way (ROW) of real property, hereinafter described, who desires that said real properties be annexed into Wellington, Florida, pursuant to the provisions of Section 171.044, Florida Statues; and

**WHEREAS,** the subject properties to be annexed do not have any registered electors, a vote of electors of the area proposed to be annexed is not required; and

**WHEREAS,** the subject real properties are currently in unincorporated Palm Beach County with a Future Land Use Map designation of Low Residential (LR-2), and Zoning designation of Agricultural Residential and Public Ownership (AR/PO); and

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

**WHEREAS,** it is the opinion of Wellington's Council that it is in the best public interests that the real properties, described herein, be annexed into the Wellington boundaries.

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

**SECTION 1:** The real properties consisting of 52.43 acres (441 Partners Parcels), more

or less, legally described as set forth in Exhibit A and 1.49 acres (LWDD ROW), more or less, legally described as set forth in Exhibit B, and located in unincorporated Palm Beach County; as indicated on the Location Map in Exhibit C; and being the subject of the aforesaid petition for voluntary annexation, filed pursuant to Section 171.044, Florida Statues, is hereby annexed into the Village of Wellington, Florida.

**SECTION 2:** Section 12 of the Wellington Charter, entitled "Land Description," is hereby amended to reflect the property annexed into Wellington by this Ordinance.

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

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

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

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

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

(The remainder of this page left intentionally blank)

**PASSED** this 6th day of September 2022, upon first reading.

**PASSED AND ADOPTED** this _____ day of _____ 2022, on second and final reading.

**WELLINGTON**

| | | **FOR** | **AGAINST** |
|---|---|---|---|
| BY: | _____<br>Anne Gerwig, Mayor | _____ | _____ |
| | _____<br>Michael Drahos, Vice Mayor | _____ | _____ |
| | _____<br>John T. McGovern, Councilman | _____ | _____ |
| | _____<br>Michael J. Napoleone, Councilman | _____ | _____ |
| | _____<br>Tanya Siskind, Councilwoman | _____ | _____ |

**ATTEST:**

BY: _____
Chevelle D. Addie, Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Wellington Attorney