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ORDINANCE NO. 2022-31

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AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL; ANNEXING, PURSUANT TO A PETITION FOR VOLUNTARY ANNEXATION, REAL PROPERTY COMPRISING 20 ACRES LOCATED ON THE NORTH SIDE OF LAKE WORTH ROAD, APPROXIMATELY 0.66 MILE WEST OF STATE ROAD 7 IN PALM BEACH COUNTY, FLORIDA, KNOWN AS PANTHERS RUN ELEMENTARY SCHOOL; AS 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 WELLINGTON; DIRECTING THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO AFFECTUATE THIS ANNEXATION; DIRECTING THE WELLINGTON 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 SECTION 171.044, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington, Florida's Council, has received a written petition from the owner 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 real property consisting of 20 acres legally described as set forth in Exhibit A and made a part hereof, located in the unincorporated area of Palm Beach County, being the subject of the aforesaid petition for voluntary annexation is contiguous to Wellington, is reasonably compact and the annexation of which does not result in the creation of enclaves; and

WHEREAS, the Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on November 16, 2022, has reviewed the proposed annexation and determined that its approval is consistent with Wellington's Comprehensive Plan; and

WHEREAS, the Council has taken the recommendations from the Local Planning Agency, Wellington staff and the comments from the public into consideration when considering this petition for annexation; and

WHEREAS, it is the opinion of Wellington's Council that it is in the public interest that the real property described below be annexed into the Wellington boundaries.

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

3
4 **SECTION 1.** The real property herein described in Exhibit A is hereby annexed into the
5 Village of Wellington, Florida.

6
7 **SECTION 2.** Section 11 of the Wellington Charter, entitled "Land Description" is hereby
8 amended to reflect the property annexed into Wellington by this ordinance.

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

12
13 **SECTION 4.** The Wellington Clerk is hereby directed to file a copy of this Ordinance
14 with the Clerk of the Circuit Court, Palm Beach County, the Chief Administrative Officer of
15 Palm Beach County, and the Department of State within seven days of the adoption of this
16 Ordinance.

17
18 **SECTION 5.** Should any section, paragraph, sentence, clause, or phrase of this
19 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
20 not affect the validity of this ordinance as a whole or any portion or part thereof, other than the
21 part to be declared invalid.

22
23 **SECTION 6.** Should any section, paragraph, sentence, clause, or phrase of this
24 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
25 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this
26 Ordinance shall prevail to the extent of such conflict.

27
28 **SECTION 7.** 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 so declared to be invalid.

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33 **SECTION 8.** This Ordinance shall become effective immediately upon adoption of the
34 Council following second reading.

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PASSED this ____ day of _____, 2022 on first reading.

PASSED AND ADOPTED this ____ day of _____, 2023, on second and final reading.

WELLINGTON

FOR AGAINST

BY: _____	_____	_____
Anne Gerwig, Mayor		
_____	_____	_____
Michael Drahos, Vice Mayor		
_____	_____	_____
John T. McGovern, Councilman		
_____	_____	_____
Michael J. Napoleone, Councilman		
_____	_____	_____
Tanya Siskind, Councilwoman		

ATTEST:

BY: _____
Chevelle D. Addie, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Wellington Attorney