

ORDINANCE NO. 2021 – 11

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING THE VOLUNTARY ANNEXATION (PETITION NUMBER 2021-0001-ANX) OF REAL PROPERTY TOTALING 0.35 ACRE, MORE OR LESS, KNOWN AS LAKE WORTH DRAINAGE DISTRICT 25-FOOT WIDE RIGHT-OF-WAY, 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 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**, Wellington, Florida's Council, has received a written petition from the owner, Lake Worth Drainage District (LWDD) of real property, hereinafter described, who desires that said real property be annexed into Wellington, Florida, pursuant to the provisions of Section 171.044, Florida Statutes; and

**WHEREAS**, the subject property is a 0.35-acre portion of the 25-foot wide right-of-way (L-7W Canal) owned by the LWDD. As 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 Agricultural Residential and Future Land Use Map designation of Low Residential (LR-2); and

**WHEREAS**, the subject real property is 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 property, described herein, be annexed into the Wellington boundaries.

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

1       **SECTION 1:** The real property consisting of 0.35-acre, more or less, legally described  
2 as set forth in Exhibit A and located in unincorporated Palm Beach County; as indicated on  
3 the Location Map in Exhibit B; and being the subject of the aforesaid petition for voluntary  
4 annexation, filed pursuant to Section 171.044, Florida Statutes, is hereby annexed into the  
5 Village of Wellington, Florida.  
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7       **SECTION 2:** Section 12 of the Village 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.  
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13       **SECTION 4:** The Village Clerk is hereby directed to file a copy of this Ordinance with  
14 the Clerk of the Circuit Court, Palm Beach County, the Chief Administrative Officer of Palm  
15 Beach County, and the Department of State within seven (7) 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  
21 the 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:** This Ordinance shall become effective immediately upon adoption of the  
29 Council following second reading.  
30

31                               (The remainder of this page left intentionally blank)  
32

1 **PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021, upon first reading.

2  
3 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2021, on second and final reading.

4  
5 **WELLINGTON**

6 **FOR** **AGAINST**

7  
8 BY: \_\_\_\_\_  
9 Anne Gerwig, Mayor  
10  
11 \_\_\_\_\_  
12 John T. McGovern, Vice Mayor  
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14 \_\_\_\_\_  
15 Michael Drahos, Councilman  
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17 \_\_\_\_\_  
18 Michael J. Napoleone, Councilman  
19  
20 \_\_\_\_\_  
21 Tanya Siskind, Councilwoman

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23  
24 **ATTEST:**

25  
26  
27 BY: \_\_\_\_\_  
28 Chevelle D. Addie, Clerk  
29

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

33  
34  
35 BY: \_\_\_\_\_  
36 Laurie Cohen, Village Attorney