

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:**

49       **SECTION 1:** The real property consisting of 0.35-acre, more or less, legally described  
50 as set forth in Exhibit A and located in unincorporated Palm Beach County; as indicated on  
51 the Location Map in Exhibit B; and being the subject of the aforesaid petition for voluntary  
52 annexation, filed pursuant to Section 171.044, Florida Statutes, is hereby annexed into the  
53 Village of Wellington, Florida.  
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55       **SECTION 2:** Section 12 of the Village Charter, entitled "Land Description," is hereby  
56 amended to reflect the property annexed into Wellington by this Ordinance.  
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58       **SECTION 3:** The Manager is hereby directed to do all things necessary to effectuate  
59 this annexation.  
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61       **SECTION 4:** The Village Clerk is hereby directed to file a copy of this Ordinance with  
62 the Clerk of the Circuit Court, Palm Beach County, the Chief Administrative Officer of Palm  
63 Beach County, and the Department of State within seven (7) days of the adoption of this  
64 Ordinance.  
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66       **SECTION 5:** Should any section paragraph, sentence, clause, or phrase of this  
67 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall  
68 not affect the validity of this ordinance as a whole or any portion or part thereof, other than  
69 the part to be declared invalid.  
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71       **SECTION 6:** Should any section, paragraph, sentence, clause, or phrase of this  
72 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
73 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this  
74 Ordinance shall prevail to the extent of such conflict.  
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76       **SECTION 7:** This Ordinance shall become effective immediately upon adoption of the  
77 Council following second reading.  
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79                               (The remainder of this page left intentionally blank)  
80

81 **PASSED** this 10<sup>th</sup> day of August, 2021, upon first reading.

82  
83 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2021, on second and final reading.

84  
85 **WELLINGTON**

86 **FOR** **AGAINST**

87  
88 BY: \_\_\_\_\_  
89 Anne Gerwig, Mayor  
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91 \_\_\_\_\_  
92 John T. McGovern, Vice Mayor  
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94 \_\_\_\_\_  
95 Michael Drahos, Councilman  
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97 \_\_\_\_\_  
98 Michael J. Napoleone, Councilman  
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100 \_\_\_\_\_  
101 Tanya Siskind, Councilwoman

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104 **ATTEST:**

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107 BY: \_\_\_\_\_  
108 Chevelle D. Addie, Clerk  
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111 **APPROVED AS TO FORM AND**  
112 **LEGAL SUFFICIENCY**

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114  
115 BY: \_\_\_\_\_  
116 Laurie Cohen, Village Attorney