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100 N Main Street
Wildwood, FL 34785

ORDINANCE NO. O2013-02

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; PROVIDING FOR TEXT AMENDMENTS TO POLICY 1.7.3 OF THE FUTURE LAND USE ELEMENT OF THE ADOPTED LOCAL COMPREHENSIVE PLAN; PERTAINING TO THE VILLAGES OF WILDWOOD DEVELOPMENT OF REGIONAL IMPACT; IN ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Villages of Wildwood Development of Regional Impact, herein referred to as "The Villages," is a mixed-use development located within the municipal limits of the City of Wildwood, Florida;

WHEREAS, The Villages is governed by The Villages of Wildwood Development of Regional Impact Development Order and Policy 1.7.3 of the Future Land Use Element of the City of Wildwood Comprehensive Plan; and

WHEREAS, The Villages wish to amend Policy 1.7.3 of the Future Land Use Element of the City of Wildwood Comprehensive.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. Policy 1.7.3 of the Future Land Use Element of the Comprehensive Plan pertains solely to The Villages. The lands contained within The Villages subject to Policy 1.7.3 are legally described as follows:

**VILLAGES OF WILDWOOD
DEVELOPMENT OF REGIONAL IMPACT**

SECTION 4, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA:

THE LAND LYING IN SECTION 4, TOWNHSIP 19, SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 4, RUN S00°22'17"W, ALONG THE WEST LINE OF THE SOUTHWEST ¼ OF SAID SECTION 4 A DISTANCE OF 50.00 FEET TO

THE SOUTH RIGHT OF WAY OF WAY OF COUNTY ROAD 466A AND THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE S89°30'00"E, ALONG SAID RIGHT OF WAY A DISTANCE OF 2208.01 FEET; THENCE DEPARTING SAID RIGHT OF WAY, S00°29'59"W, 294.99 FEET; THENCE S11°45'51"W, 115.75; THENCE S03°11'42"E, 88.78 FEET; THENCE S20°58'27"E, 62.51 FEET; THENCE S26°51'45"E, 59.88; THENCE S39°43'42"E, 51.33 FEET; THENCE S72°01'33"W, 298.77 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 3,572.15 FEET AND A CHORD BEARING AND DISTANCE OF S21°25'12"E, 351.44 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°38'21", A DISTANCE OF 351.58 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 40.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 122°10'41", A DISTANCE OF 85.30 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 171.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98°54'59", A DISTANCE OF 295.22 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ½ OF SAID SOUTHWEST ¼; THENCE N89°32'24"W, ALONG SAID SOUTH LINE A DISTANCE OF 249.33 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 170.00 FEET AND A CHORD BEARING AND DISTANCE OF N26°31'56"W, 303.33 FEET TO WHICH A RADIAL LINE BEARS S53°23'12"E; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 126°17'27", AN ARC DISTANCE OF 374.71 FEET TO THE POINT OF TANGENCY; THENCE N89°40'39"W, 166.79 FEET; THENCE S00°19'21"W, 269.89 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ½ OF SAID SOUTHWEST ¼; THENCE N89°32'24"W, ALONG SAID SOUTH LINE A DISTANCE OF 521.40 FEET TO A POINT ON THE EAST LINE OF THE WEST 789.00 FEET OF SAID SOUTHWEST ¼; THENCE DEPARTING SAID SOUTH LINE N00°22'17"E, ALONG SAID EAST LINE A DISTANCE OF 15.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 15.00 FEET OF THE WEST 789.00 FEET OF SAID NORTH ½ OF THE SOUTHWEST ¼; THENCE DEPARTING SAID EAST LINE N89°32'24"W, ALONG SAID NORTH LINE A DISTANCE OF 298.30 FEET TO A POINT ON THE EAST LINE OF WEST 490.70 FEET OF SAID NORTH ½ OF THE SOUTHWEST ¼; THENCE DEPARTING SAID NORTH LINE N00°22'17"E, ALONG SAID EAST LINE A DISTANCE OF 466.70 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 481.70 FEET OF SAID NORTH ½ OF THE SOUTHWEST ¼; THENCE DEPARTING SAID

EAST LINE N89°32'24"W, ALONG SAID NORTH LINE A DISTANCE OF 490.70 FEET TO A POINT ON SAID WEST LINE THE SOUTHWEST ¼; THENCE DEPARTING SAID NORTH LINE N00°22'17"E, ALONG SAID WEST LINE A DISTANCE OF 794.16 FEET TO THE POINT OF BEGINNING; LESS: THE RIGHT OF WAY OF COUNTY ROAD 139; AND

SECTIONS 8, 9, 16 AND 17, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA:

A PARCEL OF LAND BEING PORTIONS OF SECTIONS 8, 9, 16 AND 17, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF CSX RAILWAY AND LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 44, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF "KERL & MILLER SUBDIVISION 1ST ADDITION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 55, SUMTER COUNTY RECORDS, FLORIDA; THENCE N65°13'12"W, ALONG THE SOUTH BOUNDARY LINE THEREOF AND ALONG THE NORTHWESTERLY EXTENSION THEREOF FOR A DISTANCE OF 874.89 FEET; THENCE S22°30'28"W 716.00 FEET TO THE SOUTH LINE OF THE NW 1/4 OF THE SW 1/4 OF AFORESAID SECTION 8; THENCE N89°28'01"W ALONG SAID SOUTH LINE FOR A DISTANCE OF 611.48 FEET; THENCE DEPARTING SAID SOUTH LINE, S00°25'18"E, 471.13 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 44; THENCE THE FOLLOWING 22 COURSES ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE: S70°31'17"E, 296.92 FEET; THENCE S71°43'13"E, 300.33 FEET; THENCE S70°31'17"E, 350.12 FEET; THENCE S69°02'54"E, 2190.00 FEET; THENCE N20°57'06"E, 293.00 FEET; THENCE S69°02'54"E, 312.68 FEET; THENCE S00°40'13"W, 307.04 FEET; THENCE S69°02'55"E, 390.88 FEET; THENCE S20°57'06"W, 5.00 FEET; THENCE S69°02'55"E, 1,118.84 FEET; THENCE S69°02'53"E, 943.81 FEET; THENCE N18°38'47"E, 10.01 FEET; THENCE S69°02'55"E, 337.76 FEET; THENCE S20°57'06"W, 5.00 FEET; THENCE S69°02'58"E, 131.89 FEET; THENCE S69°02'49"E, 68.11 FEET; THENCE S68°11'21"E, 200.02 FEET; THENCE S20°57'06"W, 5.00 FEET; THENCE S65°58'19"E, 400.58 FEET; THENCE S64°37'01"E, 200.60 FEET; THENCE S65°48'19"E, 300.48 FEET; THENCE S67°34'23"E, A DISTANCE OF 271.85 FEET TO THE INTERSECTION OF THE WESTERLY LINE OF OAK PARK,

ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 32, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE DEPARTING AFORESAID NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 44, RUN N00°37'16"E, ALONG THE WEST LINE OF SAID OAK PARK A DISTANCE OF 606.23 FEET TO A POINT ON THE NORTH LINE OF SAID "OAK PARK"; THENCE S89°43'00"E ALONG SAID NORTH LINE 401.81 FEET TO A POINT ON THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 947, PAGE 7, RECORDED IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N00°33'26"E ALONG SAID EAST LINE 394.18 FEET TO A POINT ON THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1419, PAGE 616, RECORDED IN PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N60°44'37"W ALONG SAID SOUTH LINE 834.76 FEET TO THE WEST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1419, PAGE 616; THENCE N00°35'51"E, ALONG SAID WEST LINE A DISTANCE OF 536.64 FEET TO A POINT ON THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1419, PAGE 616 AND THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE DEPARTING SAID WEST LINE S89°30'39"E, ALONG SAID NORTH LINES THEREOF A DISTANCE OF 56.08 FEET TO THE INTERSECTION OF SAID NORTH LINES AND THE SOUTH RIGHT-OF-WAY OF THE CSX RAILWAY; (THE FOLLOWING 7 COURSES ARE ALONG SAID SOUTH RIGHT OF WAY OF THE CSX RAILWAY); THENCE DEPARTING SAID NORTH LINES N51°31'53"W, 1,333.10 FEET; THENCE S00°29'25"W, 12.69 FEET; THENCE N51°31'53"W, 30.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWEST AND HAVING A RADIUS OF 1,928.30 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°40'39", AN ARC DISTANCE OF 460.32 FEET; THENCE N65°12'32"W, 2,448.41 FEET; THENCE N00°24'18"E, 10.98 FEET; THENCE N65°12'32"W, 1,418.92 FEET TO THE EAST LINE OF KERL AND MILLER SUBDIVISION 1ST ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 55, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH RIGHT OF WAY OF THE CSX RAILWAY S24°48'19"W, ALONG SAID EAST LINE A DISTANCE OF 1,133.40 FEET TO THE POINT OF BEGINNING.

AND

A PORTION OF SECTIONS 8 AND 9, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE CSX RAILWAY RIGHT-OF-WAY ADJACENT TO AND NORTHEASTERLY OF TAX PARCELS G08=096, G08=019, G08=022, G09=009 AND G09=008; SAID RIGHT-OF-WAY BOUNDED ON THE WEST BY THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF "KERL & MILLER SUBDIVISION 1st ADDITION" AS RECORDED IN PLAT BOOK 2, PAGE 55 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA AND BOUNDED ON THE EAST BY A LINE BEING AT RIGHT ANGLES TO THE SOUTH RIGHT-OF-WAY LINE OF AFOREMENTIONED CSX RAILWAY BEGINNING AT ITS INTERSECTION OF THE SOUTH LINE OF SAID SECTION 9, LESS THE RIGHT-OF-WAY FOR COUNTY ROAD NUMBER 44A.

AND

THAT LAND LYING IN SECTIONS 8 AND 9, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8 RUN N00°29'25"E, ALONG THE EAST LINE THEREOF A DISTANCE OF 317.95 FEET TO THE NORTHERLY RIGHT-OF-WAY OF C-44A ACCORDING TO THE RIGHT-OF-WAY MAP ON FILE IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE AND ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES: N57°12'30"W, 18.62 FEET; THENCE N65°08'45"W, 55.69 FEET; THENCE N64°55'26"W, 27.20 FEET; THENCE N65°09'05"W, 652.79 FEET; THENCE S71°31'02"W, 3.69 FEET; THENCE N65°35'30"W, 10.02 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF COUNTY ROAD 139 AS RECORDED IN OFFICIAL RECORDS BOOK 2088, PAGE 193, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY AND ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY THE FOLLOWING COURSES: N19°25'59"W, 39.56 FEET; THENCE N25°04'43"E, 239.29 FEET TO THE NORTH BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2131, PAGE 399, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA.; THENCE DEPARTING SAID SOUTHEASTERLY RIGHT-OF-WAY AND ALONG SAID NORTH BOUNDARY AND THE

SOUTHEASTERLY EXTENSION THEREOF, S65°09'05"E, 715.62 FEET;
THENCE DEPARTING THE SOUTHEASTERLY EXTENSION OF SAID
NORTH BOUNDARY, S00°57'59"W, 295.85 FEET TO SAID
NORTHERLY RIGHT-OF-WAY OF C-44A; THENCE ALONG SAID
NORTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES:
N65°02'56"W, 21.89 FEET; THENCE N57°12'30"W, 20.22 FEET TO THE
POINT OF BEGINNING.

SECTION 2. The text amendments to Policy 1.7.3 of the Future Land Use Element of the City of Wildwood Comprehensive Plan are shown in attached "Exhibit A." The amendments are attached hereto and are shown with ~~strikethrough~~ for deletions and underline for additions.

SECTION 3. With the recommendations of the City Commission, the proposed amendments are hereby transmitted by the City Commission to the state land planning agency.

SECTION 4. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 5. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 6. This Ordinance, if the amendment is not timely challenged, shall be effective 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this Ordinance shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this Ordinance to be in compliance. No development orders, development permits, or land uses dependent upon this Ordinance may be issued or commenced before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this Ordinance may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

DONE AND ORDAINED this 11th day of March, 2013, by the City Commission of the City of Wildwood, Florida.

S E A L

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA



Ed Wolf, Mayor



ATTEST: Joseph Jacobs
Joseph Jacobs, City Clerk

First Reading: 1-14-13

Second Reading: 3-11-13

Approved as to form:

Jerril Blair
Jerril A. Blair, City Attorney