

35:50

**ORDINANCE NO. O2016-5**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; AMENDING AND RESTATING ORDINANCE O2015-30, PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 7.07 ACRES BEING GENERALLY LOCATED ON THE WEST SIDE OF US HWY 301 (SR 35) ACROSS FROM THE INTERSECTION WHERE WESTBOUND C-462 DEAD-ENDS AT US HWY 301 (SR 35); IN SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST; WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF WILDWOOD AND LOCATED IN THE CITY'S JOINT PLANNING AREA; PROVIDING THAT SECTION 1-14 OF THE CITY OF WILDWOOD CODE OF ORDINANCES IS AMENDED TO INCLUDE THE ANNEXED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

100' N Main St  
Wildwood FL

**WHEREAS**, the City Commission of the City of Wildwood, Florida, passed and ordained Ordinance O2015-30 on August 24, 2015, which utilized a property description in the ordinance; and

**WHEREAS**, said Ordinance was recorded September 9, 2015, in O.R. Book, 3007, Page 804, Public Records of Sumter County, Florida; and,

**WHEREAS**, the property description provided to the City contained scrivener's errors; and,

**WHEREAS**, all notice and other legal requirements to any property owner were met for the area, which was the correct area which would be affected by the Ordinance as evidenced by the location map incorporated in said notice; and,

**WHEREAS**, the property owner subsequently contacted the City with a corrected legal description; and,

**WHEREAS**, it is the intention of the City for this amendment and restatement to supersede Ordinance O2015-30; and,

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

**SECTION 1.** Based upon the petition of the owner of the following described real property, which is generally located on the west side of US Hwy 301 (SR 35) across from the intersection where westbound C-462 dead-ends at US Hwy 301 (SR 35), to be annexed into the City, the property is hereby annexed into the City of Wildwood pursuant to Sections 171.044 and 171.201, Florida Statutes. The City Commission finds that the property is contiguous to the City of Wildwood; is located within the City's Joint Planning Area with Sumter County; and

Ordinance

Scrivener's Error - Amending and Restating O2015-30 (Irby 1 Annexation)

meets all legal requirements for annexation. The annexed property lying in Sumter County, Florida owned by the Stuart C. Irby Company is more particularly described as follows:

**Parcels D31=002 & D31=003**  
**Stuart C. Irby Company**  
**7.07 +/- Acres**

THE SOUTH 3/4 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 18 SOUTH, RANGE 23 EAST, LESS THE NORTH 420 FEET THEREOF AND LESS THE RIGHT-OF-WAY FOR SR 35.

THE ABOVE PARCEL CONTAINS 7.070 ACRES MORE OR LESS

**SECTION 2.** All of the above described annexed property shall liable for its proportionate share of the future and existing indebtedness of the City of Wildwood.

**SECTION 3.** All of the above described annexed property shall be subject to the laws and ordinance of the City of Wildwood as if this territory had been a part of the City of Wildwood at the time of passage and approval of said laws and ordinances.

**SECTION 4.** Until such time as the City amends its comprehensive plan, the current Sumter County zoning classification and future land use regulations will remain in full force and effect.

**SECTION 5.** Section 1-14 of the City of Wildwood Code of Ordinances is hereby amended to include the legal description of the annexed parcel pursuant to this Ordinance. The location map identifying the property to be annexed are attached hereto as "Exhibit A" and incorporated herein by reference.

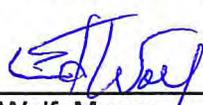
**SECTION 6.** All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

**SECTION 7.** 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 8.** This Ordinance shall take effect upon its final reading by the City Commission of the City of Wildwood.

**DONE AND ORDAINED** this 25<sup>th</sup> day of January, 2016, *nunc pro tunc* to August 24, 2015, by the City Commission of the City of Wildwood, Florida.

SEAL  
ATTEST  
CITY OF WILDWOOD, FLORIDA  
  
Cassandra Lippincott, City Clerk

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA  
  
Ed Wolf, Mayor

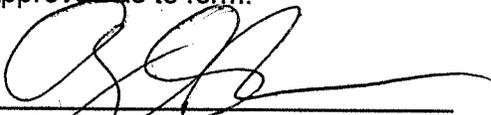
First Reading: 1/11/16

Inst:20166004318 Date:2/17/2016 Time:12:44 PM DC,Gloria R. Hayward,Sumter County Page 2 of 4 B:3067 P:5

Second Reading:

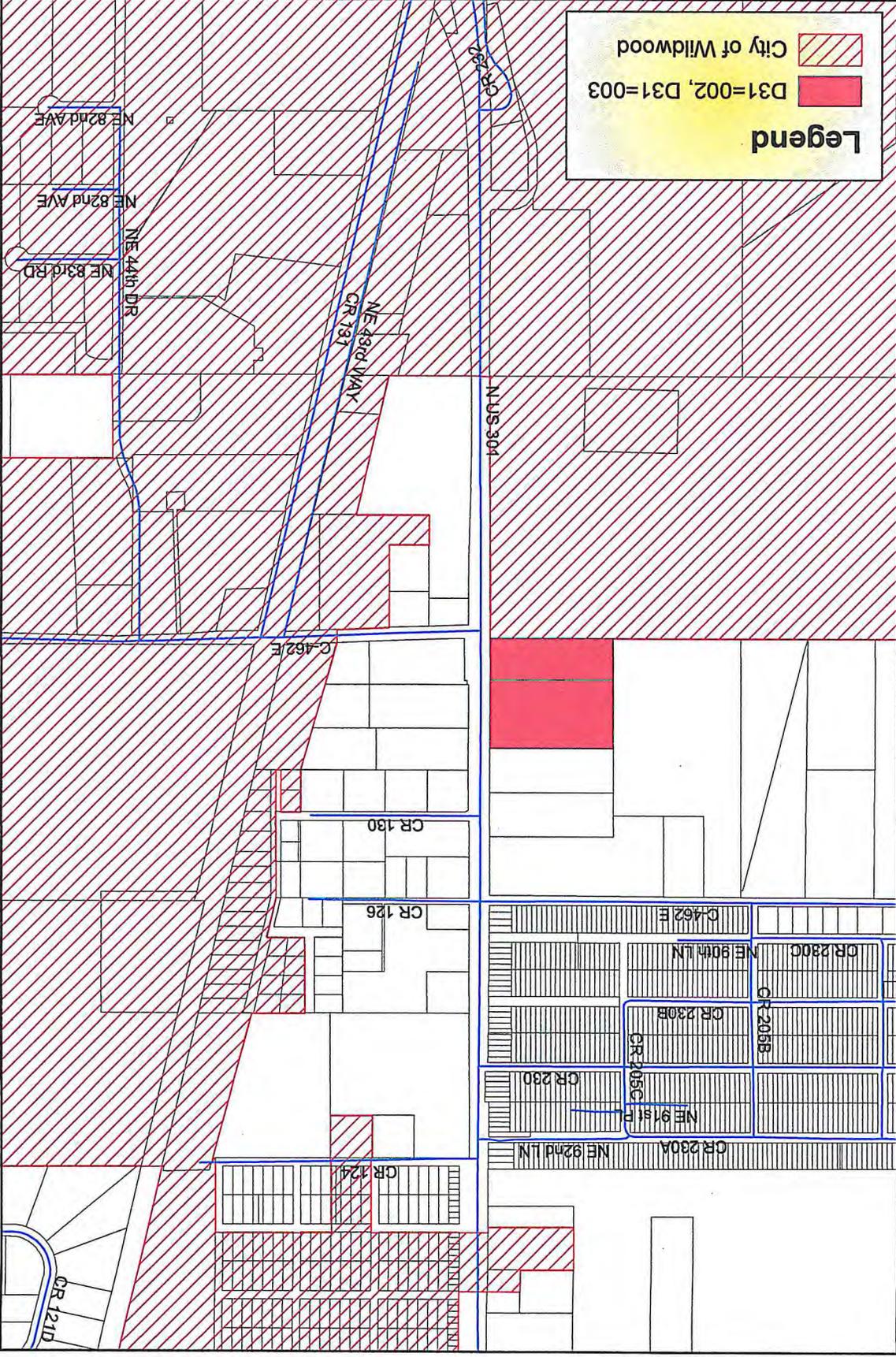
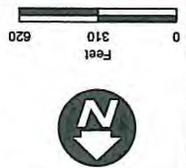
1/25/16

Approved as to form:



Ashley Hunt, City Attorney

Inst:201660004318 Date:2/17/2016 Time:12:44 PM  
DC,Gloria R. Hayward,Sumter County Page 3 of 4 B:3067 P:6



**Legend**

- D31=002, D31=003
- City of Wildwood

I:\GIS\MapServer\location\location - Oxford Pointe South.mxd - 7/10/2015 10:56:27 AM - tonaj