

**ORDINANCE NO. 23-2061**

**AN ORDINANCE OF THE CITY OF HAINES CITY FLORIDA, ANNEXING CERTAIN LAND INTO THE CORPORATE LIMITS OF HAINES CITY, FLORIDA AND REDEFINING THE BOUNDARY LINES OF THE MUNICIPALITY TO INCLUDE PROPERTY OWNED BY SONNY M. ADVINCULA, JR. AND FE EVELYN ADVINCULA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED ANNEXATION AND FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE CLERK OF CIRCUIT COURT IN AND FOR POLK COUNTY, FLORIDA AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LAND USE AND ZONING DESIGNATIONS; PROVIDING FOR A COPY TO BE KEPT ON FILE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sonny M. Advincula, Jr. and Fe Evelyn Advincula has petitioned for a Voluntary Annexation of properties into the City of Haines City; and

**WHEREAS**, the said real property is presently in an unincorporated area of Polk County, is contiguous to the City of Haines City, is reasonably compact and will not result in the creation of an enclave; and

**WHEREAS**, the legal description (the “Legal Description”) is defined as follows:

FLA DEVELOPMENT CO SUB PB 3 PGS 60 TO 63 TRACT 15 IN NE1/4 LESS  
RD R/W PER MB 22 PG 55-58

PARCEL ID NUMBER: 27-27-07-727000-010150

**WHEREAS**, the attached map shows the parcels comprising of properties containing approximately 4.88 +/- acres combined, and located west of HWY 27 and south of Sanders Rd is proposed to be annexed herein by reference and is hereafter referred to as “Composite Exhibit A”; and

**WHEREAS**, Section 11.04 (f – i) of the City’s Charter provides for annexation; and

**WHEREAS**, the City Commission hereby determines that the owner of the property and the area proposed to be annexed has consented to the annexation and meets the requirements pursuant to §171.043, Florida Statutes; and

**WHEREAS**, the City Commission hereby determines that incorporation of the area proposed to be annexed are deemed practical and expedient and in conformity with the overall plan for extending the boundaries of the city.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA:**

**Section 1. Incorporation of Recitals.** The above recitals are true and correct, and are incorporated herein by reference.

**Section 2. Annexation of Property.** The property described above (the Legal Description) and depicted in “Composite Exhibit A” shall be and are hereby annexed into the City of Haines City, Florida and the boundary lines of the municipality shall be redefined to include the said property.

**Section 3. Notice of Proposed Annexation.** Notice of the proposed annexation shall be published at least once each week for two consecutive weeks in a newspaper published in Polk County, Florida before final passage. A copy of this Ordinance shall, after adoption, be filed with the Clerk of the Circuit Court and the Chief Administrative Officer in and for Polk County, Florida and with the Department of State of the State of Florida within seven (7) days after the adoption of this Ordinance.

**Section 4. Land Use and Zoning.** The County zoning or subdivision regulations shall remain in effect until the City adopts a zoning map amendment that includes the properties annexed.

**Section 5. Codification.** The ordinance shall be codified and made a part of the official Code of Ordinances or Charter of the City of Haines City.

**Section 6. Severability.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

**Section 7. Repeal of Ordinance in Conflict.** All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 8. Effective Date.** This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, and its approval and adoption by said Commission.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Haines City, this 7<sup>th</sup> of December, 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

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H.L. "Roy" Tyler, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
Fred Reilly, City Attorney

**ADOPTED AND ENACTED** on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this 4<sup>th</sup> day of January 2024.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
H.L. "Roy" Tyler, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

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Fred Reilly, City Attorney

**"EXHIBIT A"**

