

CITY OF AVON PARK, FLORIDA
Checklist of Voluntary Annexations

Process for Voluntary Annexations

Person who has verified that each step has been accomplished shall place their initials next to that step.

1.	Discuss requirements for annexation with potential Applicant(s), including utility services and maps for ordinance and special advertisement of ordinance. Provide Voluntary Annexation Application to Applicant. Must be signed by <i>all owners</i> , including <i>both spouses</i> if not owned by a corporate entity. If corporation application, obtain corporate resolution approving annexation.	Applicant, CM; PW
2.	Applicant pays \$2,000 deposit for annexation process, such as professional fees including CFRPC if applicable, and Sherco for update of city limits.	CM; FinD

After Receipt of the Application for Voluntary Annexation

1.	City staff shall verify that <i>all owners of property</i> have signed the Application, and evaluates whether the property is contiguous, reasonably compact, and annexation will not form an enclave. City staff evaluates its ability to provide municipal services to the parcel.	City Manager (CM), Public Works (PW); Attorney (CA); Fire (F); Police (P)	s. 171.044(1) s. 171.044(4)
2.	<ul style="list-style-type: none"> a. If parcel meets requirements of #1 above, then b. annexation ordinance prepared with map showing: c. area to be annexed highlighted and, d. metes & bounds description. e. The owner's application and the Notice in section 3 below should be ordinance attachments as well. 	Attorney; clerk; or CFRPC	s 171.044(2) s. 171.044(3)
3.	Advertisement (Notice) of annexation <i>developed</i> according to the strict requirements of the statute, but not yet published. Ad must include: <ul style="list-style-type: none"> a. The ordinance number and short title; and, b. A brief, general description of the area proposed to be annexed; and 	Attorney; clerk; or CFRPC	s. 171.044(2)

	<p>c. The description shall include a map clearly showing the area; and</p> <p>d. a statement that the complete legal description by metes and bounds and the ordinance can be obtained from the office of the city clerk.</p> <p>e. Date and time and address of the regular meeting (public hearing) at which adoption shall be considered.</p>		
4.	<p>a. At least 10 days prior to the posting and advertisement of the Notice:</p> <p>b. The advertisement and maps (Notice), must all be,</p> <p>c. Sent certified mail to the board of county commissioners (CRITICAL)</p> <p>d. Attach the County returned receipt showing delivery to the Notice attached to original ordinance.</p>	Clerk	s. 171.044(6)
5.	<p>a. <i>Not less than 10 days after the county receives notice above</i>, the advertisement prepared and attached to the ordinance is posted and published at least once a week for two consecutive weeks prior to passage at the first reading.</p> <p>Make sure that the first publication and posting does not occur unless at least 10 days prior to the publishing, the county received their certified mail notice as discussed in #4 above.</p>	Clerk	s. 171.044(2) s 171.044(6)
6.	First reading of ordinance is held. (Annexations can never be emergency ordinance with one reading, and must be read only at regular meetings, no special.)	Clerk, CA, City Council.	
7.	<p>If passed on first reading,</p> <p>a. Prepare normal publication of an ordinance, as the 2-week annexation Ad notice above does not replace the required published notice of the public hearing for the 2nd reading of the ordinance as with any ordinance.</p> <p>b. Conduct second reading at a public hearing at a regular meeting of the City Council on the date published</p>	Clerk, City Council, CA	s 171.044(2)

	in Notice.		
7.	<p>If annexation ordinance is passed, <u>within 7 days after the adoption</u> of such ordinance the <i>ordinance and attachments</i> must:</p> <ul style="list-style-type: none"> a. Be filed with the clerk of the circuit court; and b. Be filed with the chief administrative officer (County Manager); and, c. Be filed with the Dept of State: <i>Florida Department of State Bureau of Administrative Code R.A. Gray Building, Rm 101 500 S. Bronough St Tallahassee, FL 32399-0250</i> 	Applicant	s. 171.044(3)
8.	<p>If annexation ordinance is passed:</p> <ol style="list-style-type: none"> 1. Contact Sherco to update the City Limits legal description and map with new area. 2. Provide new city limits information to County and CFRPC and Municode 	City Clerk @ Applicant's expense.	
9.	<p>Whether annexation passed or not, bill applicant for City time, attorney, Sherco city limit update and other work if applicable, other direct expenses. Refund remainder of deposit, if any.</p>	Finance Director	

**PETITION TO VOLUNTARILY ANNEX
REAL PROPERTY TO THE CITY OF AVON PARK, FLORIDA**

PETITIONER(S) _____, whose mailing address is _____ hereby petition(s) the City Council of the City of Avon Park, Florida, to voluntarily annex the real property of petitioner(s) to the City of Avon Park, 110 E. Main Street, Avon Park, FL 33825 (hereinafter "City"), pursuant to and in accordance with the provisions of Chapter 171.044, Florida Statutes, and state(s) as follows:

1. That petitioner(s) is/are the sole owner(s) of the real property described on Schedule "A" attached hereto and by this reference made a part of this petition (hereinafter the "Real Property"), as evidenced by a deed or other document recorded in Deed Book _____ or Official Records Book _____, pages _____, public records of Highlands County, Florida (and/or metes and bounds legal description), a copy of which is attached hereto, and identified by the following Highlands County Tax ID Number(s) _____ . A map showing the location of the property in relation to existing City Limits is attached as Exhibit "A," along with the proposed advertisement for annexation required by statute. The metes and bounds description and survey of the property are attached as Exhibit "B." Physical address of property, if known is _____.

2. If the Real Property is annexed to the City, petitioner(s) agree(s) to, and will abide by and comply with all of the existing and future laws, rules, and regulations which presently are and from time to time in the future may be in effect within the City.

3. That the Real Property of the petitioner(s) qualifies and is eligible to be annexed into the boundaries of the City, pursuant to the provisions of Chapter 171, Florida Statutes.

4. That the Real Property of the petitioner(s) is presently classified under the Highlands County Land Use Plan for _____ use and is zoned _____ under the Highlands County zoning ordinance(s).

5. If not already connected to the City utility services, petitioner(s) agree(s) to file(s) herewith or when instructed, an application for a connection to the City's water lines to serve said Real Property and agree(s) to abide by and comply with all of the terms and conditions of the city codes, resolutions and policies relating to and governing utility services, and further agree(s) to pay all costs relating to the service, including without limitation, connection fees, installation costs, impact fees, and service charges.

6. (I)/We understand that **once submitted, this Petition for annexation cannot be withdrawn** by the Petitioner without the express written permission of the City Council.

WHEREFORE, petitioner(s) request(s) that the City immediately take action to approve this petition and to annex the Real Property into the City.

DATED this ____ day of _____, _____.

Signed, sealed and delivered in the presence of:

SIGNATURES OF WITNESSES:

SIGNATURES OF PETITIONER(S):

Witness

Petitioner

(print witness name)

(print Petitioner's name)

Witness

Petitioner

(print witness name)

(print Petitioner's name)

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County named above to take acknowledgments, personally appeared _____, to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledged before me that said person or persons executed the same.

WITNESS my hand and official seal in the County and State named above this ____ day of _____, 20__.

Notary Public - State of Florida at Large

Personally known: _____

Identification Produced _____

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County named above to take acknowledgments, personally appeared _____, to me known to be the person or

persons described in and who executed the foregoing instrument, and acknowledged before me that said person or persons executed the same.

WITNESS my hand and official seal in the County and State named above this ____ day of _____, 20 ____.

Notary Public - State of Florida at Large

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Received by the City of Avon Park on this _____ day of _____ 20 _____

By: _____
Name & title of City Officer:

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INSTRUCTIONS FOR PETITION TO ANNEX

1. **Petitioner(s)** – This must be *all owners* of the property, even if the owners own only a small portion of the property. Husbands and wives must both be petitioners. For corporations, only the president or vice president may sign the agreement and a corporate resolution shall be provided authorizing the annexation. For other legal entities, only the person with authority to bind the entity may sign.
2. **Mailing Address** – The current address of the Petitioners, not the property being annexed.
3. **Item #1, first set of blanks** – The County OR book and page numbers if the property is in a platted subdivision, or attach a metes and bounds legal description (and survey if available) to the petition.
4. **Item #1, second & third set of blanks** – The Highlands County tax ID number from your tax statement received for the property from the County, and the physical address of property to be annexed.
5. **Item # 4 – first blank** – Current use category under Highlands County Land Use Plan for the property.
6. **Item # 4, second blank** – The current County zoning category under Highlands County zoning ordinance for the property.
7. **Signature Block(s)** –Signature of Petitioner (or one of them if multiple), with printed name. Signature of witness to Petitioner(s) signature(s).
8. **Notary Block(s)** – Use one notary block for each owner. Fill in first blank as follows:
 - **If corporation, partnership or other entity** - *Person with authority to sign name, as the, title of officer, of , name of corporation.*
 -
 - **If individual(s):** Simply fill in name of individual.
9. **Exhibit “A”** – **This is for the required advertisement. See the example Exhibit A attached.** You must attach a map showing the property in cross-hatch and the surrounding property, including the land that is existing City Limits in shading. Several of the streets in close proximity to the property must be identified. A statement above the drawing in 10 pt type, *roughly* describing the property location in relation to other landmarks such as streets, established businesses, etc., in relation to the North, South, East and West to the property. After the map, a short statement in 10 pt type that says exactly as follows:
The complete legal description by metes and bounds and the ordinance can be obtained from the office of the city clerk.
10. **Exhibit “B”** – Legal description and survey of the property by “metes and bounds.”

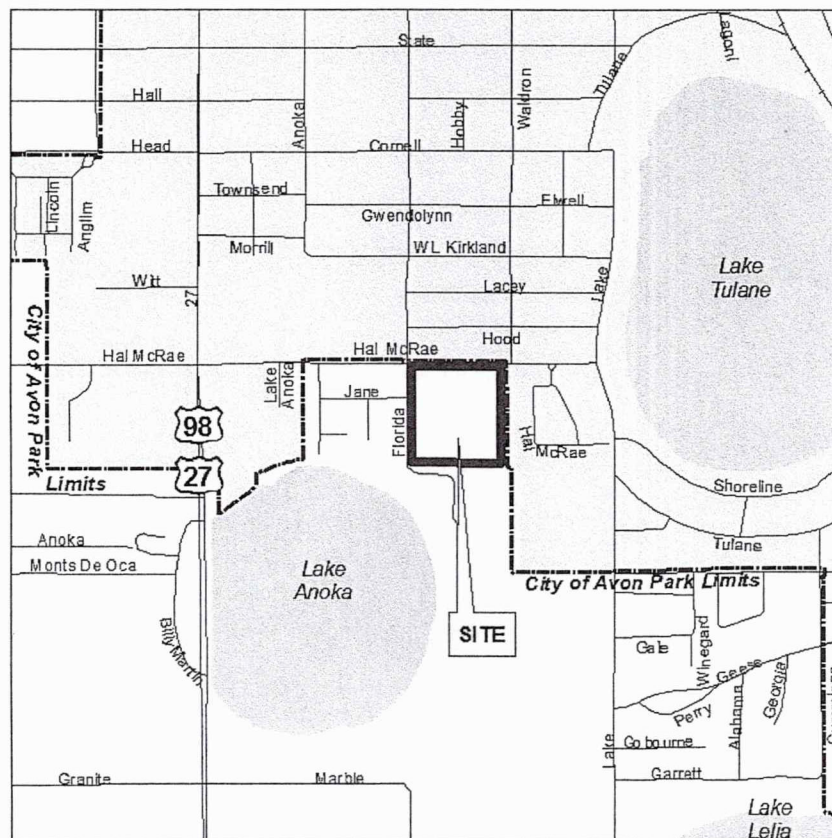
EXHIBIT A (EXAMPLE)

NOTICE OF ANNEXATION CITY OF AVON PARK, FLORIDA

Notice is given that the City of Avon Park, Florida, will consider approval of an annexation of property pursuant to Ordinance No. 12-10 at the regular City Council meeting scheduled for Monday, December 13, 2010, at the Avon Park City Council Chambers, 123 E. Pine Street, Avon Park, Florida, starting at 6:00 PM. The property to be annexed is the Ridge Seventh-Day Adventist Church (parcel number 283327A0000310000C), located at 507 West Hal McRae Boulevard, and is a 9.07 acre parcel as shown the following map. The property lies directly south of Hal McRae Boulevard, and east of South Florida Avenue, as shown on the map below.

ORDINANCE NO. 12-10

AN ORDINANCE PROVIDING FOR ANNEXATION OF CERTAIN PROPERTY KNOWN AS THE RIDGE AREA SEVENTH-DAY ADVENTIST CHURCH PROPERTY LOCATED AT 507 HAL MCRAE BOULEVARD, PURSUANT TO A PETITION FOR VOLUNTARY ANNEXATION INTO THE CITY OF AVON PARK, PASCO, COUNTY, FLORIDA; PROVIDING INTENT, SHORT TITLE AND FINDINGS PURSUANT TO STATUTE; AND PROVIDING AN EFFECTIVE DATE.



Interested persons can appear and be heard on this Ordinance at the City Council meeting. Copies of background materials, the complete proposed ordinance, and a description of the property by metes and bounds may be reviewed or

obtained at the office of the City Clerk, 110 E. Main Street, Avon Park, FL 33825. City Hall is open between 8 am and 5 pm, Monday through Friday, excluding holidays. Comments may also be submitted in writing to the City Clerk prior to or during the meeting.

If a person decides to appeal any decision made by the Board with respect to any matter discussed at any meeting or hearing, he will need a record of the proceedings for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is based, per Florida Statute 286.0105. Verbatim transcripts are not furnished by the City. Any person with a disability requiring reasonable special accommodations in order to participate in this meeting should contact the City Clerk with the request at 863-452-4403.