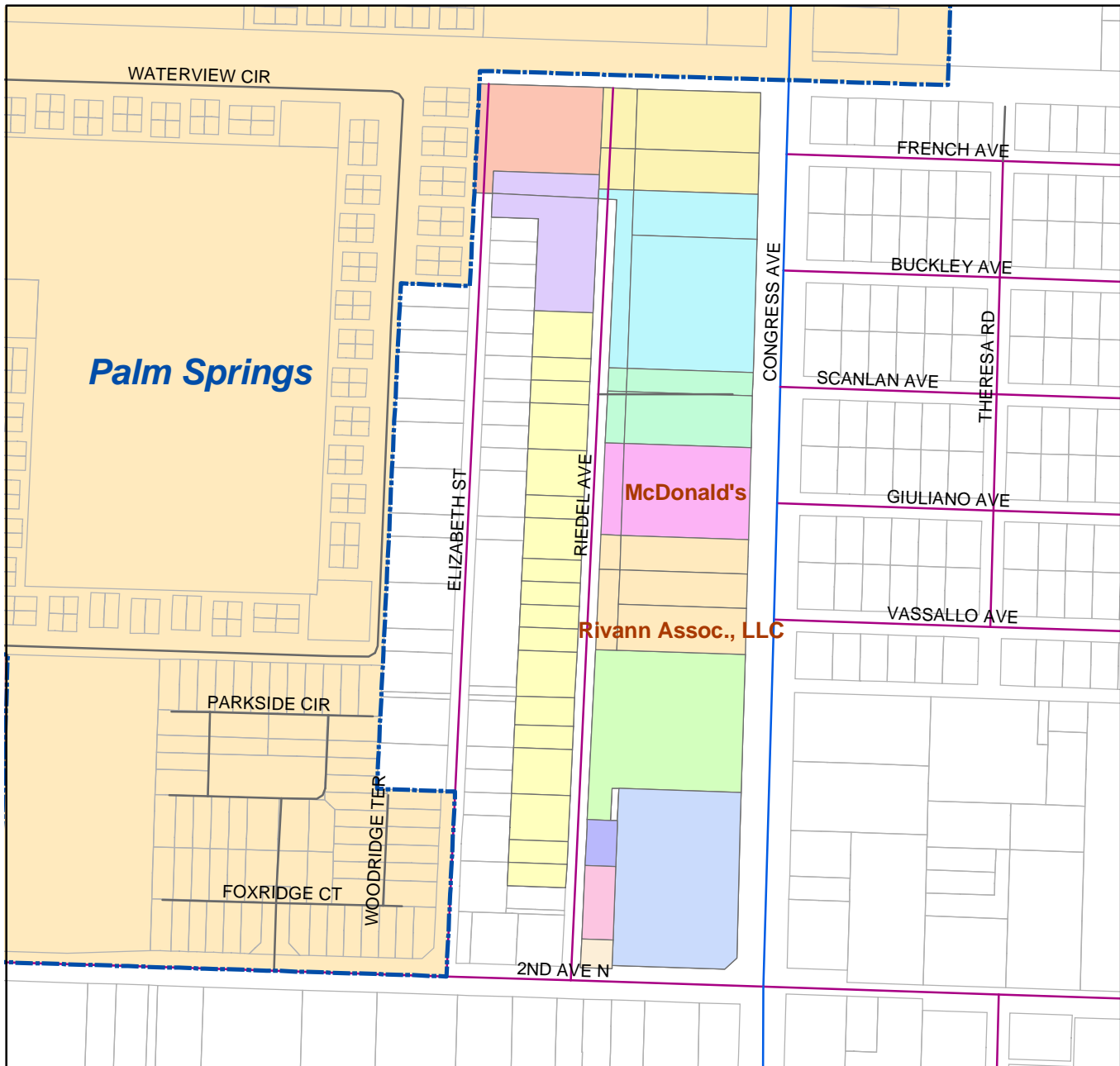


Proposed Annexation Petition Summary

Municipality	Palm Springs	Fiscal Year 2002	
Annexation Name	McDonalds		
Annextion ID	2002-70-026		
Acres	1.52		
Location	3761 So. Congress Avenue, and a lot on Riedel Avenue, north of 2nd Avenue North		
First Reading	7/11/02	Second Reading	7/25/02
Type	Voluntary		
Intake Date	6/27/02		
Existing Use	Commercial		
County FLU	Commercial High/8 (CH/8) and High Res. 8 (HR8)		
County Zoning	General Commercial (CG)		
Proposed Use	Commercial		
Proposed FLU	Commercial		
Proposed Zoning	Commercial General (CG)		
Commissioner	Warren H. Newell	District	3
AdoptionDate	7/25/02	Completed?	<input checked="" type="checkbox"/>
OrdNum	2002-27	Objections?	<input type="checkbox"/>
Affected Parcel Control Numbers		Comments:	
00-43-44-19-20-051-0020		.32 acres to change from HR8 to	
00-43-44-19-20-052-0110		Commercial	

Proposed Annexations



Legend

New Annexations

- McDonald's
- Rivann Assoc., LLC

Roadway Responsibility

- Palm Beach County
- FDOT
- Other

Annexations In Process

- Royalties, Inc.
- Congress Storage, LLC
- Musa Realty Group, LC
- Islam & Tipu
- Blackwood
- Kahl

Adopted Annexations

- Hickman
- Elizabeth Street
- Congressional Developers, Inc.
- City of Lake Worth Property
- Riedel Avenue



Scale: N.T.S

Revision Date: 6/10/01

Contact: Lisa Lowe

Filename: N:\Division Pr\Annex\FY2002\PSJune02

**Planning,
Zoning &
Building**

100 Australian Avenue
 West Palm Beach, FL 33406
 Phone (561) 233-5300



ORDINANCE NO. 2002-27

(SMALL SCALE ANNEXATION)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO PARCELS OF LAND CONSISTING OF 1.52 ACRES, OWNED BY McDONALD'S CORPORATION; LOCATED AT 3671 SOUTH CONGRESS AVENUE AND A VACANT LOT ON RIEDEL AVENUE; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO COMMERCIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT COMMERCIAL GENERAL ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Petitioner(s), Steven Karl, Agent for the owners, McDonald's Corporation, constituting all of the fee simple title holders to those lands located at 3761 South Congress Avenue and a vacant lot on Riedel Avenue, and more particularly described in Exhibit "A", attached hereto and made a part hereof, have voluntarily requested the Village of Palm Springs annex said lands into the corporate limits of the Village; and

WHEREAS, the Petitioner has further requested that concurrent with said annexations, the Village designate the Future Land Use and Land Development district for said lands; and

WHEREAS, the Village Council, has considered the Petitioner's voluntary request for annexation, and land use and zoning designations, and has also considered the recommendation of the Village staff.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE

VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Findings. The Village Council finds the above statements are true and correct, and serve as a basis for consideration of this ordinance; that said lands are contiguous with the corporate limits of the Village of Palm Springs, create no enclaves, and the Village can effectively provide police, fire, and sanitary services to said land, all in compliance with the terms and requirements of Chapter 171, Florida Statutes, and the Village of Palm Springs Code.

Section 2. Annexation. The Village Council has determined that development of said lands upon annexation shall be in accordance with the regulatory requirements of Palm Beach County, until such time as the Village Comprehensive Land Use Plan amendment herein shall become effective. That the parcels of land more particularly described in Exhibit "A", is hereby annexed into and shall be within the corporate limits of the Village of Palm Springs, Florida, and that same shall henceforth be a part of said Village as if said lands were originally a part of the Village of Palm Springs.

Section 3. Future Land Use. Concurrent with said annexations, the Future Land Use designations in the Village's Comprehensive Land Use Plan shall be established as commercial. Until such time as this said amendment is approved by the Florida Department of Community Affairs, as provided by law, and the appeal period thereafter, but not sooner than 31 days following the effective date of this ordinance, all development of said lands shall be subject to the requirement of Chapter 171.062(2), Florida Statutes, the same stating that the County Land Use Plan, Zoning, and Subdivision regulations shall apply.

Section 4. Zoning. Concurrent with said annexations, the Land Development (Zoning)

District designations on the official Village of Palm Springs Zoning Map shall be established as commercial general, subject to the approval and appeal period stated in Section 3, above.

Section 5. Directions to the Village Clerk. The Village Clerk is hereby authorized and directed to forthwith cause the designation of the zoning of the properties described in attached Exhibit "A", as set forth in Section 4 of this Ordinance, on the official Village of Palm Springs Zoning Map. The Village Clerk shall also cause the boundaries as set forth in the Village Charter to be amended and codified. The Village Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, pursuant to Section 2.01, Village Charter, the Florida Department of State, and the Florida Department of Community Affairs.

Section 6. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 7. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 8. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member Waller, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member Smith, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
JOHN M. DAVIS, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BEV SMITH, MAYOR PRO TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHESTER D. OSBORNE, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI S. BRINKMAN, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the 25th day of July, 2002.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: John M. Davis

JOHN M. "MIKE" DAVIS, MAYOR

First Reading: 7-11-02

Second Reading: 7-25-02

ATTEST:

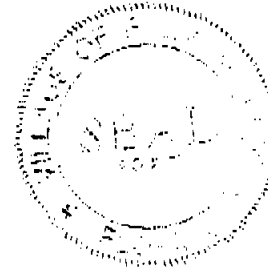
BY: Irene L. Burroughs

IRENE L. BURROUGHS, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

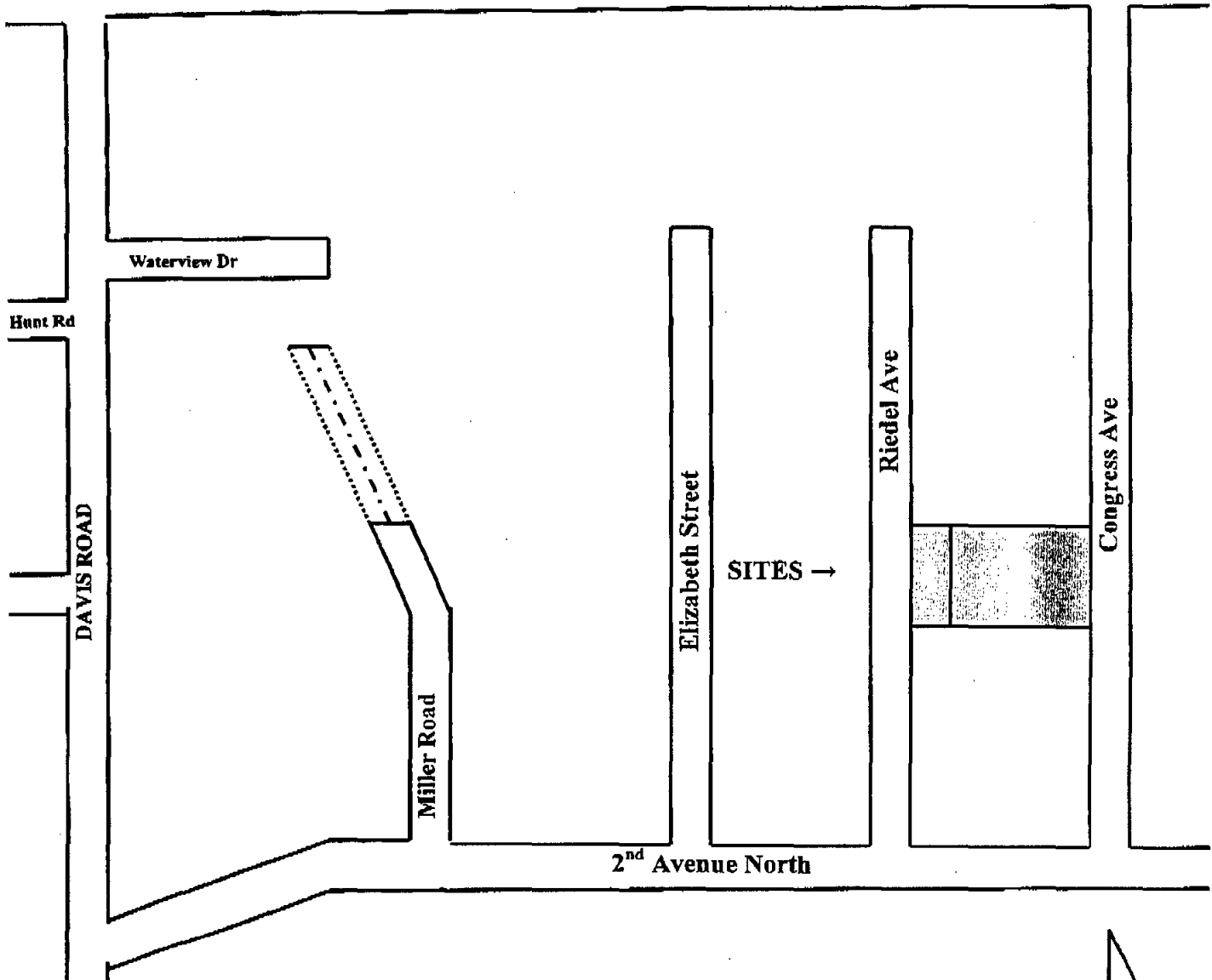
BY: Paul J. Nicoletti

PAUL J. NICOLETTI, VILLAGE ATTORNEY



Ordinance No. 2002-27
Exhibit "A"

L.W.D.D. Canal No. 11



LEGAL DESCRIPTION

3671 S Congress Avenue
00-43-44-19-20-051-0020
SUB 19-44-43, N 200 FT OF S 1150 FT OF TR 51 (LESS E 35 FT RD R/W)

Vacant Lot on Riedel Avenue
00-43-44-19-20-052-0110
19-44-43, N 200 FT OF S 1150 FT OF E 69 FT OF TR 52

THE
LAKE WORTH HERALD

Published Once a Week
Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA
COUNTY OF PALM BEACH:

BEFORE the undersigned authority personally appeared MARK J EASTON, who on oath says that he is PRESIDENT of *The Lake Worth Herald*, a weekly newspaper published at Lake Worth in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

Notice of Annexation, Land Use Amendment and Re-Zoning, Proposed Ord. 2002-27, public hearings at 6:30 p.m. on July 9, 7:30 p.m. on July 11, and 7:15 and 7:30 p.m. on July 25, 2002, at the Village Council Chambers at Village Hall, 226 Cypress Lane, Palm Springs, Florida,

was published in said newspaper in the issues of
July 4 and July 11, 2002.

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 12th day of July, A.D. 2002, by Mark J Easton, who is known to me.


Notary Public, State of Florida at Large

(SEAL)

My Commission Number:
My Commission Expires:



Nancy M. Le
MY COMMISSION # CC898
March 27, 200
BONDED THRU TROY FAIN INS
Irene L. Burroughs, CMC
Village Of Palm Springs
Publish: *The Lake Worth Herald*
Date: July 4 and July 11, 2002

Legal Notice No. 18113

**NOTICE OF ANNEXATION,
LAND USE AMENDMENT AND RE-ZONING**

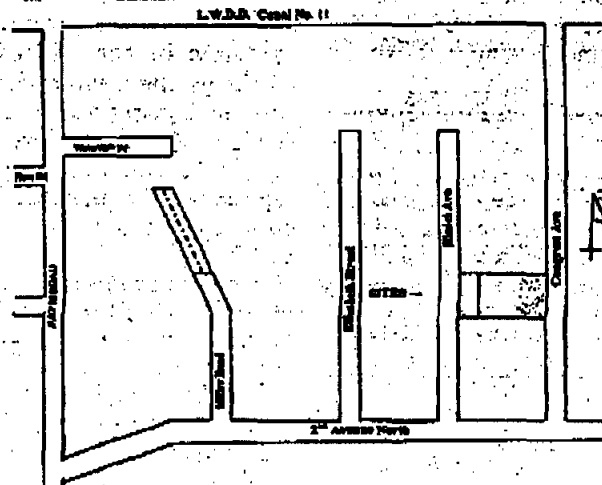
The Village of Palm Springs proposes to adopt ORDINANCE NO. 2002-27:

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO PARCELS OF LAND CONSISTING OF 1.52 ACRES, OWNED BY McDONALD'S CORPORATION; LOCATED AT 3671 SOUTH CONGRESS AVENUE AND A VACANT LOT ON RIEDEL AVENUE; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO COMMERCIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA. SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT COMMERCIAL GENERAL ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP.

Public Hearings on the proposed ordinance will be held at the Village Council Chambers at Village Hall, 226 Cypress Lane, Palm Springs, Florida:

Land Development Board on Tuesday, July 9, 2002, at 6:30 p.m.
Regular Council Meeting on Thursday, July 11, 2002, at 7:30 p.m.
Local Planning Agency on Thursday, July 25, 2002, at 7:15 p.m.
Regular Council Meeting on Thursday, July 25, 2002, at 7:30 p.m.

The ordinance proposes to annex the parcel as shown on the location map.



The ordinance in its entirety and a legal description by metes and bounds may be inspected at the Office of the Village Clerk during Monday through Friday between 8:00 a.m. and 5:00 p.m. All interested parties may appear at the meeting and be heard with respect to the proposed ordinance at the public hearing.

If a person decides to appeal any decision made by the above Village Council with respect to any matter considered at such hearing, he or she will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at 955-4010 at least 3 days prior to the meeting in order to request such assistance.