

RESOLUTION

A RESOLUTION OF THE CITY OF ORLANDO, FLORIDA, REGARDING ANNEXATION OF RICHARD PLACE, ALBERT STREET, WEST PINELOCH AVNEUE, LAKE HOLDEN TERRACE, WEST ILLIANA STREET, WADSWORTH AVENUE, AND SUNRISE COURT INTO THE CITY OF ORLANDO

WHEREAS, the City has been in discussions with representatives from Richard Place, Albert Street, West Pineloch Avenue, Lake Holden Terrace, West Illiana Street, Wadsworth Avenue and Sunrise Court regarding annexation into the City limits; and

WHEREAS, the City is willing to annex Richard Place, Albert Street, West Pineloch Avenue, Lake Holden Terrace, West Illiana Street, Wadsworth Avenue and Sunrise Court into the corporate limits of the City of Orlando; and

WHEREAS, the City has prepared an annexation report and proposal for Richard Place, Albert Street, West Pineloch Avenue, Lake Holden Terrace, West Illiana Street, Wadsworth Avenue and Sunrise Court contingent on the Subdivision annexing into the City in accordance with the procedures set forth in Chapter 171, Florida Statutes; and

WHEREAS, the annexation proposal shall include the City and Richard Place, Albert Street, West Pineloch Avenue, Lake Holden Terrace, West Illiana Street, Wadsworth Avenue and Sunrise Court forming a partnership to construct traffic calming and infrastructure improvements; providing for Police and Fire protection, and providing neighborhood beautification.

WHEREAS, the annexation will require approval of a majority of the registered voters of Richard Place, Albert Street, West Pineloch Avenue, Lake Holden Terrace, West Illiana Street, Wadsworth Avenue and Sunrise Court taking part in a special neighborhood referendum and the approval of the Orlando City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ORLANDO, FLORIDA, that upon approval by a majority of the registered voters of Richard Place, Albert Street, West Pineloch Avenue, Lake Holden Terrace, West Illiana Street, Wadsworth Avenue and Sunrise Court taking part in the referendum and the approval of City Council, Richard Place, Albert Street, West Pineloch Avenue, Lake Holden Terrace, West Illiana Street, Wadsworth Avenue and Sunrise Court, more particularly described in Exhibit "A" (attached hereto and incorporated herein by reference) and depicted in the map in Exhibit "B" (attached hereto and incorporated herein by reference, shall be annexed into the City of Orlando, and the City shall provide the following services contingent upon said annexation.

A. TRAFFIC CONTROL & SIGNAGE

1. Upon annexation into the City of Orlando, the City shall assist the neighborhood in arranging meetings to discuss traffic calming and signage alternatives.
2. The City will work with the neighborhood to identify the most effective traffic calming measures to control vehicle speed and discourage cut-through traffic.
3. Traffic calming measures will be installed/constructed at no cost to the residents upon reaching neighborhood consensus. If traffic calming measures are to be installed, the neighborhood will need to reach consensus within 24 months following the effective date of annexation.
4. The City shall monitor speeding upon request of the residents (407-246-2436).

B. LANDSCAPING AND NEIGHBORHOOD ENTRANCE FEATURE

1. Upon annexation into the City of Orlando, the City shall landscape the triangular median at the intersection of Richard Place and Albert Street.
2. The City will install street trees along Richard Place, Albert Street, and along the residential portion of West Pineloch Avenue. Street trees will be installed along Wadsworth Avenue, West Illiana Street, Lake Holden Terrace, and the remaining streets within the annexation area at the request of the neighbors residing along those streets.
3. To create a visual separation between the commercial and residential properties, the City will coordinate with the residents of Albert Street, Richard Place, and West Pineloch Avenue on the design of a neighborhood entrance feature to be installed in the vicinity of the intersection of West Pineloch Avenue and Wadsworth Avenue. The neighborhood entrance feature, to include signage and landscaping, will be installed at no cost to the residents.
4. Provided that the required easements can be obtained, the City will coordinate with the property owner of the commercial property east of Wadsworth Avenue to install a landscape buffer. The landscape buffer will be installed at no cost to the residents.

C. STREETS & DRAINAGE

1. The City will offer street sweeping service. The City Streets and Drainage Bureau strives to sweep residential streets once every eleven (11) working days.
2. At the neighborhood's request, the City will install sidewalks.

3. The City will conduct a drainage study to address neighborhood drainage issues. If a project or projects are proposed as a result of the study, the City will place the project(s) on its Capital Improvement Projects list and will begin the project(s) within five (5) years. Efforts will be made to construct the drainage project at the same time as the sanitary sewer installation project. If curbs and gutters do not adversely affect the existing drainage situation, the City will install curbs and gutters in conjunction with the sewer installation project.

D. LAKE HOLDEN MAINTENANCE

1. Upon Annexation, the residents will no longer be assessed the Lake Holden MSTU of 3 mils. The City will work with the residents and Orange County on projects to improve Lake Holden. The City will work with the existing Lake Holden MSTU committee and will participate in funding projects that will improve Lake Holden. At a minimum, the City will contribute an amount equivalent to the MSTU that would have been generated by the 41 properties included within the Albert Shores Annexation Area that prior to annexation paid the Lake Holden MSTU of 3.0 mils on their individual property tax bills. Based on the 2002 taxable values of those 41 properties, approximately \$12,404 is generated for the Lake Holden MSTU fund.
2. Upon annexation, the City will encourage the residents to develop a Lake Holden Improvement Committee that will serve as an advisory board to the City to assist in decision-making regarding Lake Holden. Representatives from the Lake Holden Improvement Committee will be encouraged to attend the Lake Holden MSTU meetings with the City. The Lake Holden Improvement Committee and the City will agree to which projects will be funded and at what level. At a minimum, the City will contribute an amount equivalent to the MSTU that would have been generated by the 41 properties included within the Albert Shores Annexation Area that prior to annexation paid the Lake Holden MSTU of 3.0 mils.
3. The City will assume responsibility of the stormwater outfall pipes discharging from this neighborhood to Lake Holden provided adequate easements are provided by the property owners for that purpose.
4. The City will not support the construction of a public boat ramp within the annexation area.
5. Lake Holden will be included in the City's quarterly lake water sampling program.

E. NEIGHBORHOOD RESOURCES

1. The neighborhood will be eligible for the Mayor's Neighborhood Matching Grants Program. This grant program is designed to provide Orlando's neighborhood associations with grants of up to \$5,000 to implement projects that address neighborhood needs and improve the quality of life in neighborhoods. Associations listed with the City's Neighborhood Services Office receive applications in the spring of each year. The association may contact the Neighborhood Services Office at 407-246-2169 for grant criteria and an application.
2. The neighborhood will be eligible to participate in the City's tree planting program at no cost to the residents. The City's tree planting program has been successful in restoring the tree canopy in the City's neighborhoods and is considered an asset and an enhancement to property values.
3. The neighborhood will be eligible to participate in the City's Green-Up Orlando Program. Green-Up Orlando will provide all plant materials, and the neighborhood will supply volunteers, to landscape a designated public right-of-way area.
4. The neighborhood will be assigned a Neighborhood Ambassador from the Neighborhood Services Office. The Ambassador will assist the neighborhood regarding all issues that relate to the City. In addition, the Ambassador will assist the neighborhood with accessing City resources and programs.
5. The neighborhood will be eligible to participate in the City's Citizens for Neighborhood Watch (CNW) program. The CNW program will coordinate with the Neighborhood Watch group that has already been established in Albert Shores. CNW provides residents with neighborhood watch training, operation I.D. to engrave personal items for easy identification, assistance with home security surveys, knowledgeable crime prevention professionals to speak at neighborhood functions, quarterly newsletters, and crime alert bulletins.

F. PUBLIC SAFETY

1. Additional fire hydrants will need to be installed within Albert Shores in order to meet City Code. The City of Orlando shall coordinate installation of additional fire hydrants with the sewer construction project. Property owners will not assume any costs associated with installing additional fire hydrants.

2. The City of Orlando's Fire Station #5 at 1818 South Orange Avenue shall serve the neighborhood for fire protection. The City's Fire Department is committed to providing superior fire and emergency services for City residents. Every fire station in the City has an advanced life support unit for emergency situations. An estimated 50% of the City's Fire personnel are paramedics. The City's Fire Department has special teams for dive and technical rescues, as well as, an aggressive Public Education Program called the Citizens Emergency Response Team.
3. The Orlando Police Department shall provide the neighborhood's police protection and emergency "911" service. The Orlando Police Department continually upgrades and enhances its communication systems for radio and computer aided dispatch. OPD is committed to providing superior law enforcement services that enhance citizen safety and reduce crime. OPD assures adequate police protection is provided to all neighborhoods by continuously monitoring levels of service, crime trends, and other quality of life issues.

G. STREET LIGHTING

Upon annexation, the City will coordinate the installation of streetlights within Albert Shores at no cost to residents. The neighborhood may select to have either the Granville or Arlington light fixture installed. (Detailed descriptions are attached). Upon annexation into the City, the residents will not be assessed for the monthly maintenance of streetlights within the public right of way.

H. RECREATION

Residents of the annexed area shall be permitted to use all City recreational facilities without paying the non-City resident surcharge.

I. UTILITIES

1. The neighborhood will continue to be served by the Orlando Utilities Commission (OUC) for water and electric utility services.
2. Upon annexation into the City, the residents will no longer be billed for outside customer surcharges for water service. Upon annexation into the City, the residents will be charged "Inside City" rates, which will reduce the monthly water charges.

3. Upon annexation into the City, the monthly electric service rates will remain unchanged.

J. SOLID WASTE COLLECTION

Upon annexation, the City of Orlando Solid Waste Bureau will make arrangements with Orange County to begin serving the neighborhood in 2007. Florida law prohibits the City from taking over the neighborhood's solid waste collection service for a period of five years following annexation. During this five-year period, Orange County will continue to provide solid waste service to the neighborhood. The City will serve as an advocate for the neighborhood should any issues arise with the service that is being provided by Orange County. The neighborhood is entitled to utilize any City solid waste service not covered by the Orange County Mandatory Program. This would include our claw truck service or any other services the City provides that Orange County does not offer. If the neighborhood is not satisfied with the service being provided by Orange County, the neighborhood may vote to obtain service from the City of Orlando prior to the expiration of the five-year period. The City offers twice-a-week pickup service, once-a-week yard waste pickup service, and recycling service once-a-week.

K. SEWER

1. The neighborhood is currently on septic systems and the City of Orlando is the designated sewer service provider. If the neighborhood annexes into the City, the City will construct a sewer system to serve the area.
2. Upon installation of a sewer system, residents will not be required to connect to the City sewer system, or pay any fees associated with connection/construction, until the septic system needs to be replaced, the system is condemned by regulatory health authorities, or the system requires expansion or relocation as a result of proposed improvements to or on the property. Replacement can be generally defined as the need to remove, replace or enlarge a significant component of the septic system, i.e. the drainfield or tank. Repair to the septic system can be generally defined as a minor maintenance activity to ensure the continued functionality and integrity of the system, i.e. repairing a damaged section of pipe from the house to the septic tank, and does not trigger connection to the sewer system. Normal routine maintenance, such as pumping out the tank, would not be considered a major repair or replacement activity.

“Rejuvenation” of the drainfield would be an indication of impending drainfield failure, but by itself would not trigger the requirement to connect to the sewer system. At the time the drainfield ceases to function and needs replacement, connection to the sewer system would be required.

3. The City, as part of the sewer construction, will construct laterals to the individual property lines. We will work with the individual property owners to coordinate the location of the lateral to provide the easiest route for connection.
4. After construction of the sewer system is complete, the roads will be repaved from edge to edge.
5. Upon annexation into the City, each property owner will qualify for the City’s Septic Tank Abandonment Credit of \$3,384. In an effort to encourage connection to the City’s sewer system and protect lake water quality, the City developed a septic tank abandonment credit for residential customers who connect to the City’s sewer system.
6. Upon annexation into the City, the residents will not be billed customer surcharges for wastewater service, if a sewer system is installed. The “Inside City” sewer rates are approximately 33% less expensive than if the neighborhood remained outside the City limits and requested sewer service from the City.
7. Residents will not pay any fees for sewer connection/construction until their property is connected to the sewer system. Upon connection, residents are responsible for paying the then current rate, but not to exceed the listed cost for the following fees:

Fees due to City at time of Connection(Off-Site Costs):

Sewer Benefit Fee	\$2,538
Septic Tank Abandonment Credit	(\$3,384)
Lift Station	\$195
Sewer Construction Fee	<u>\$2,950</u>
Total (off-site costs)	\$2,299

Estimated On-Site Costs:

Septic Tank Abandonment	\$500
Lateral Extension	\$ 30/foot

If the Off-Site fees increase prior to residents connecting to the sewer system, residents will not be charged the increased rates. If the Off-Site fees are lowered, residents will pay the lower of the rates.

March 14, 2002

Re: Albert Shores Annexation Issues

Dear Resident:

I am in receipt of your March 12, 2002 list of annexation issues and would like to respond to each individually.

School District

As you are aware, the City is not asked for input from the Orange County School Board as it relates to redistricting decisions. While we understand your concerns regarding the school district, we do not feel that we can actively participate in the residents' efforts to change school districts, as there are multiple neighborhoods currently within the City seeking similar redistricting. The City would be willing to facilitate a meeting between the residents and the Orange County School Board.

Power Poles

The City does not currently have a program for undergrounding residential utilities. The Orlando Utilities Commission is in the process of developing a program to help fund projects to underground residential utilities. It is my understanding that the program that OUC is creating will require property owners to assume a portion of the construction costs, as well as, assume all on-site costs.

Commercial Power

Recently, the City was successful in working with OUC to have the commercial pole at the intersection of Wadsworth and Pineloch replaced with a similar pole rather than with the new commercial pole that was planned for installation. The new commercial pole planned for that location would have been much larger. While the City will support the neighborhoods' efforts to have the commercial poles and power lines relocated, it is ultimately a decision of OUC and Pineloch Management.

Buffering and Light Shielding

We are very supportive of the residents' concerns regarding the Pineloch Management properties. The City has committed to installing a neighborhood entrance feature to include signage and landscaping along Pineloch and Wadsworth to create a visual separation between the commercial and residential properties. Pineloch Management has verbally agreed to provide additional right-of-way to support our landscaping efforts. In addition to what has been committed, upon annexation, the neighborhood will be eligible to participate in the City's Green-up Orlando Program. This program provides the materials to landscape a public right-of-way area, and the neighborhood supplies volunteers for the actual planting. Utilizing this program may be a good option for the neighborhood if additional landscape and buffering is desired.

The City is committed to working with Pineloch Management to minimize the commercial impact on the neighborhood. If code violations do exist, the City will work with

the property owner to correct such violations. In addition, to the extent that Pineloch Management is willing to partner with the City, we will coordinate with them on lighting and landscaping issues to protect the neighborhood's interests.

Recreational Vehicle Parking

Chapter 58 of the Orlando City Code regulates recreational vehicle parking to include boats, trailers and RVs. Based on City Code, recreational vehicles are to be parked in either the side or rear yard of the property. A section has been added to the Albert Shores Resolution providing for an exemption to Chapter 58 of the City Code as it pertains to recreational vehicle parking for a period of 12 months following annexation. It is important that the neighborhood understand that the City typically will not cite for recreational parking violations unless a complaint is registered.

Public Boat Ramp

The language in the Annexation Resolution has been amended to read, "The City will not support the construction of a public boat ramp within the annexation area." While the City has no intentions of constructing a public boat ramp anywhere on Lake Holden, the Annexation Resolution can only be applied to the area included within the referendum. While it is highly unlikely that it would occur, other governmental entities could construct public boat ramps, without the City's approval, including the Florida Game and Fresh Water Fish Commission and Orange County.

The City is very supportive of the residents' efforts to protect and expedite the clean up of Lake Holden. We believe the City can and will be critical player in fostering the restoration of Lake Holden.

I hope that this clarifies some of the annexation issues that have been raised. Please let me know if you have any questions. I can be reached at 407.246.2719. The finalized Annexation Resolution will be mailed to the residents of Albert Shores, following approval by City Council on March 18th. I look forward to working with you and your neighbors.

Sincerely,

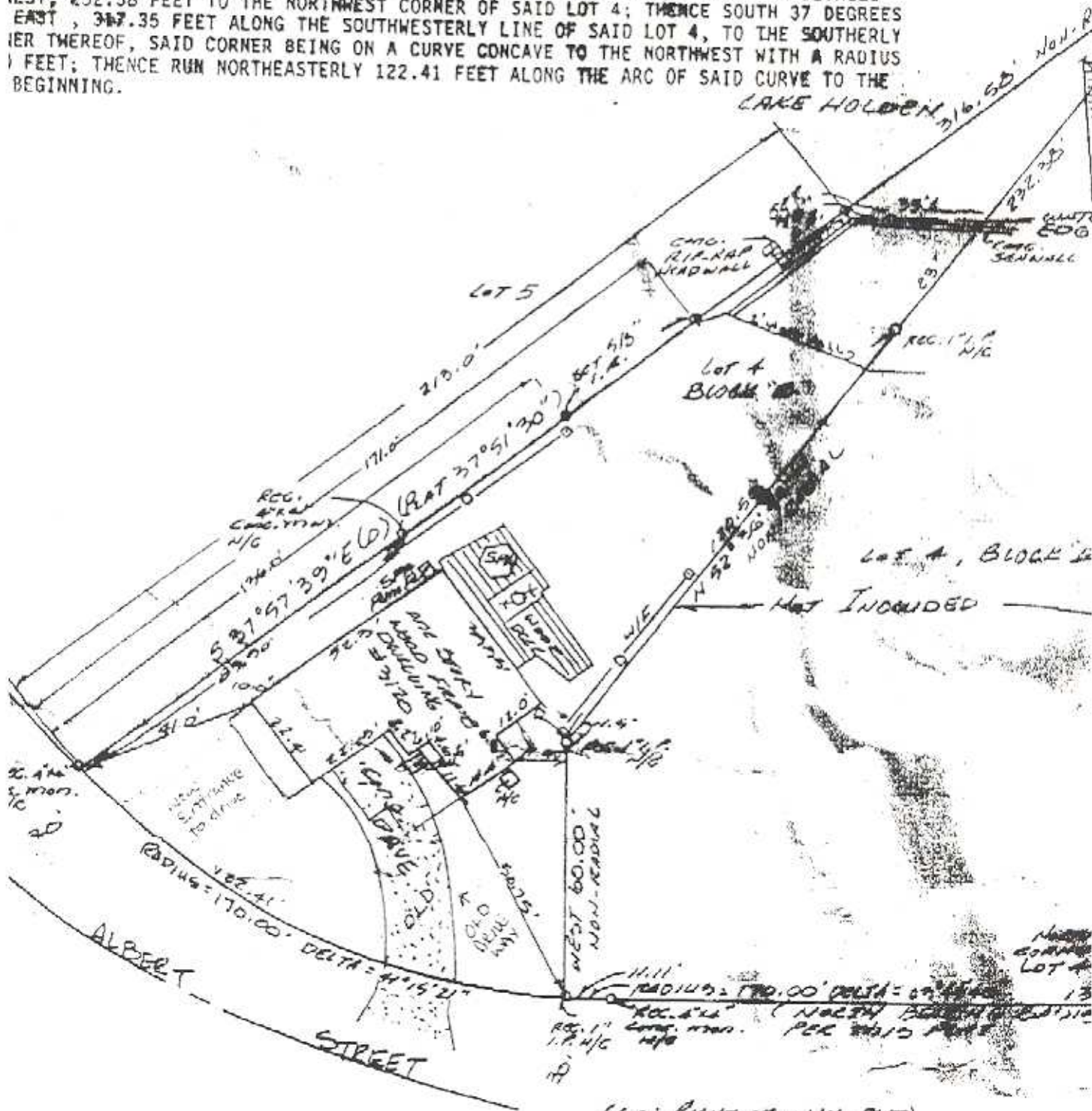
Brooke Bonnett
Economic Development Coordinator

PLAT OF SURVEY

DESCRIPTION (SUPPLIED BY CLIENT)

SCALE: 1" = 40'

BEGINNING AT THE NORTHEAST CORNER OF LOT 4, BLOCK "B", ALBERT SHORES, AS RECORDED IN "Q", PAGE 167, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, RUN SOUTH 330.00 FEET EAST LINE OF SAID LOT 4, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT RADIUS OF 170.00 FEET; THENCE RUN SOUTHWESTERLY 11.11 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF BEGINNING; THENCE WEST, 60.00 FEET; THENCE NORTH 52 DEGREES WEST, 232.38 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 37 DEGREES EAST, 347.35 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4, TO THE SOUTHERLY CORNER THEREOF, SAID CORNER BEING ON A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 170.00 FEET; THENCE RUN NORTHEASTERLY 122.41 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF BEGINNING.



(60' RIGHT-OF-WAY PLAT)