

RESOLUTION NO. 9316

A RESOLUTION OF THE CITY OF APOPKA, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; AFFIRMING THE FINDING THAT SLUM OR BLIGHTED AREAS EXIST, OR AREAS WHICH LACK AFFORDABLE HOUSING EXIST, IN THE CITY, AND DESIGNATING SUCH AREA APPROPRIATE FOR REDEVELOPMENT; FINDING THAT THE REHABILITATION, CONSERVATION OR REDEVELOPMENT OF SUCH AREA IS NECESSARY IN THE PUBLIC INTEREST; FINDING THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO FUNCTION IN THE CITY, AND CREATING THE AGENCY; DECLARING THE CITY COUNCIL AS THE COMMUNITY REDEVELOPMENT AGENCY; ADOPTING A COMMUNITY REDEVELOPMENT PLAN FOR THE DESIGNATED AREA, AND AUTHORIZING AND DIRECTING THE COMMUNITY REDEVELOPMENT AGENCY TO IMPLEMENT THE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community redevelopment act of 1969 of Chapter 163, Part III, Florida Statutes, empowers counties and municipalities to undertake community redevelopment in order to eliminate, remedy or prevent slum and blighted areas and to provide affordable housing; and

WHEREAS, Orange County has adopted a home rule charter, the Orange County Commission delegated by Resolution No. 93-M-38 and Resolution No. 93-M-39, on June 22, 1993, the powers conferred upon the county to the City of Apopka, as provided for in Section 163.410, Florida Statutes; and

WHEREAS, notice to each taxing authority and public notice of the city's intention to adopt a resolution adopting the proposed Finding of Necessity study, creating a Community Redevelopment Agency and declaring the City Council as the Community Redevelopment Agency, has been given, as provided for in Section 163.346 and 166.041(3), Florida Statutes; and

WHEREAS, the City of Apopka has completed the "Finding of Necessity" study determining one or more blighted areas, or areas which lack affordable housing exist, and establishes the Community Redevelopment Area; and

WHEREAS, the City of Apopka has determined that there is a need for a Community Redevelopment Agency, and establishing the agency, and declaring the City Council as the Community Redevelopment Agency, as provided for in Sections 163.356 and 163.357, Florida Statutes; and

WHEREAS, a Community Redevelopment Plan has been completed, pursuant to Sections 163.360 and 163.362, Florida Statutes; and

WHEREAS, to the extent permitted by law, it is also the intent of the City of Apopka and Orange County that, for the purposes of determining the tax increment revenues to be deposited into a Community Redevelopment Trust Fund, the most recent assessment roll be used in connection with the taxation of the property, pursuant to Section 163.387, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Apopka, Florida, as follows:

Section 1: Authority. This resolution is adopted pursuant to the provisions of Chapter 163, Part III, Florida Statutes, and pursuant to the delegated authority contained in Resolution No. 93-M-38 and Resolution No. 93-M-39 adopted by the Board of County Commissioners of Orange County, Florida, on June 22, 1993.

Section 2: Definitions. The definitions of terms contained in Section 163.340, Florida Statutes, are hereby adopted by reference whenever such terms are used in this resolution. The term "Redevelopment Area" means the area within the territorial boundaries of the City of Apopka, Florida (the "City"), as described in Exhibit A and as outlined on the map described as Exhibit B, both entitled "City of Apopka Community Redevelopment Area."

Section 3. Findings. It is hereby found and determined as follows:

A. The Redevelopment Area is a slum or blighted area which substantially impairs the sound growth of the city and is a threat to the public health, safety, morals and welfare of the residents of the city; and the existence of slum or blighted further creates an economic and social liability by hindering industrial, commercial, office, or residential development, reducing employment opportunity, retarding construction and improvement of housing accommodations, aggravating traffic problems, and substantially hampering the elimination of traffic hazards and the improvement of traffic facilities, causing an excessive proportion of public expenditure for crime prevention and other forms of public services, and depressing the tax base.

B. In the Redevelopment Area there exists a shortage of housing affordable to residents of low or moderate income, including the elderly.

C. A combination of rehabilitation, conservation and redevelopment of the Redevelopment Area is necessary in the interest of the public health, safety, morals and welfare of the residents of the city to eliminate, remedy and prevent conditions of slum and blight; and to provide affordable housing to residents of low or moderate income, including the elderly.

D. The findings of slum or blight, and shortage of affordable housing, in Paragraphs A and B above, are hereby adopted and supported by (1) the City of Apopka "Finding of Necessity" dated May, 1993, prepared by Glenn Acomb Associates Inc., a copy of which is on file in the office of the Clerk of the City of Apopka; (2) and such other evidence as presented at prior public hearings, work sessions and council meetings.

E. There exists a need for a Community Redevelopment Agency to function in the City to carry out the community redevelopment purposes provided for in Chapter 163, Part III, Florida Statutes.

F. Notice of the proposed adoption of this resolution has been published and mailed in accordance with Sections 163.346 and 166.041(3), Florida Statutes.

Section 4. Creation of Community Redevelopment Agency

A. There is hereby created a community redevelopment agency known as the "Apopka Community Redevelopment Agency", to function within the Redevelopment Area of the City.

B. The Apopka Community Redevelopment Agency shall consist of the Mayor and the four (4) council members of the city together with two (2) additional members, one (1) appointed by the Board of County Commissioners of Orange County, Florida, and one (1) appointed by the City Council of the City of Apopka, Florida.

C. The City Council of the City of Apopka hereby declares itself to be the Apopka Community Redevelopment Agency and shall, together with the members appointed by the City Council and the Board of County Commissioners of Orange County, Florida, act as the members of the Apopka Community Redevelopment Agency.

D. The City Council finds and declares that the members of the Apopka Community Redevelopment Agency constitute the head of a legal entity, separate, distinct, and independent from the City Council of the City of Apopka.

E. The Mayor of the City shall serve as chairman of the Apopka Community Redevelopment Agency.

F. Subject to those prior approvals by the city required by Chapter 163, Part III, Florida Statutes, the City Council is hereby authorized to direct the Apopka Community Redevelopment Agency to exercise the redevelopment powers delegated to the city by the Board of County Commissioners of Orange County, Florida.

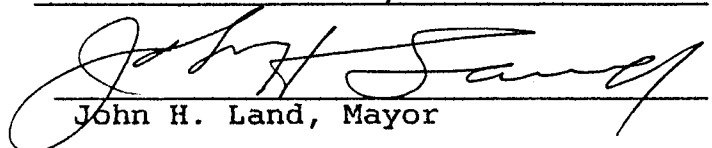
Section 5. Designation of Community Redevelopment Area. The Community Redevelopment Area is hereby designated as appropriate for community redevelopment, as provided for in Chapter 163, Part III, Florida Statutes.

Section 6. Community Redevelopment Plan. The Apopka Community Redevelopment Plan, dated June, 1993, prepared by Glenn Acomb Associates Inc., a copy of which is on file in the office of the City Clerk of the City of Apopka, is hereby adopted for the Community Redevelopment Area, pursuant to Chapter 163, Part III, Florida Statutes.

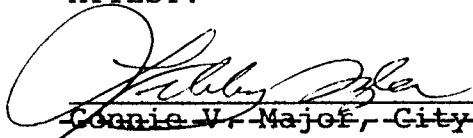
Section 7. Effective Date. This resolution shall take effect immediately upon its approval and adoption by the Apopka City Council.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this 28th day of June, 1993.

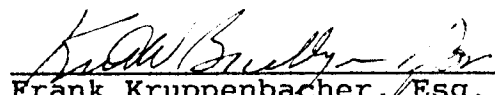
ADOPTION: June 28, 1993


John H. Land, Mayor

ATTEST:


~~Connie V. Major, City Clerk~~
Libby Tyler, Deputy City Clerk

Approved as to form:


Frank Kruppenbacher, Esq.,
City Attorney

Duly Advertised on: June 18, 1993

EXHIBIT A**CITY OF APOPKA
COMMUNITY REDEVELOPMENT AREA****DESCRIPTION**

Beginning at the intersection of the Northerly Right-of-Way line of Tenth Street with the Easterly Right-of-Way line of Hawthorne Avenue; Run thence Northerly along said Easterly line to the Northerly Right-of-Way line of Ninth Street; Run thence Westerly at right angles from the Easterly line of Hawthorne Avenue to the Westerly Right-of-Way line of Hawthorne Avenue; Run thence Northerly along said Westerly line to the Southeast corner of lot 16, Block "B" of Bradshaw and Thompson's Addition to Apopka as recorded in Plat Book "B", page 25 of the Public Records of Orange County, Florida; Run thence Easterly at right angles to the Easterly Right-of-Way line of Hawthorne Avenue; Run thence Northerly along said Easterly line to the Southerly Right-of-Way line of Oak Street; Run thence Easterly along said southerly line to the Easterly Right-of-Way line of Central Avenue; Run thence Northerly along said Easterly line to the Northwest corner of Lot 95 of Lakeside Homes as recorded in Plat Book "B", page 69 of the Public Records of Orange County, Florida; Run thence Easterly along the northerly line of said Lot 95 and Lot 94 of said Plat and a projection Easterly thereof to the Easterly Right-of-Way line of Park Avenue; Run thence Southerly along said Easterly line to the Northerly Right-of-Way line of Oak Street; Run thence Easterly along said Northerly Line to the West line of the East 1/2 of the Northwest 1/4 of Section 10, Township 21 South, Range 28 East, Orange County, Florida; Run thence Southerly along said West line and the Easterly Right-of-Way line of Highland Avenue to the Northerly Right-of-Way line of Monroe Avenue; Run thence Easterly along said Northerly line to the East line of the West 1/2 of the Southeast 1/4 of Section 10; Run thence Southerly along said East line to the Northerly Right-of-Way line of State Road (S.R.) 436; Run thence Westerly along said northerly line to the Northerly projection of the Westerly line of Lots 2 and 3 Block "B" of L.F. Tilden's Addition to Apopka City as recorded in Plat Book "A", page 140 of the Public Records of Orange County, Florida; Run thence Southerly along said Westerly line and a projection Northerly and Southerly thereof to the Southerly Right-of-Way line of Sixth Street; Run thence Westerly along said Southerly line to the Easterly Right-of-Way line of Alabama Street; Run thence Southerly and Easterly along said Easterly line to the Easterly Right-of-Way line of McGee Street; Run thence Southerly along said Easterly line to the Northerly Right-of-Way line of Tenth Street; Run thence Westerly along, said Northerly line and a line 30.00 feet Northerly, measured at right angles, from the South Line of the North 1/2 of the Southwest 1/4 of Section 15, Township 21 South, Range 28 East, to the Westerly Right-of-Way line of Robinson Avenue; Run thence Southerly along said Westerly line to the Northerly Right-of-Way line of Eleventh Street; Run thence Westerly along said Northerly line to the Easterly Right-of-Way line of Park Avenue; Run Thence Southerly along said line to the Easterly projection of the Southerly line of lot 12 Block "J" of the Town of Apopka as recorded in Plat Book "A", page 109 of the Public Records of Orange County, Florida; Run thence Westerly along said projection and the Southerly line of said Lot 12 to the Westerly line of Lot 12; Run thence Northerly along said Westerly line and the Westerly line of Lot 6 Block "J" and a projection Northerly thereof to the Northerly Right-of-Way line of Tenth Street; Run thence Westerly along said Northerly line to the Point Of Beginning.

Containing 633 acres of land more or less.

