

**INTERLOCAL AGREEMENT**  
**BETWEEN**  
**LAKE COUNTY**  
**AND**  
**CITY OF LEESBURG**  
**RELATING TO A PORTION OF SOUTH QUARTERS ROAD (#3109)**  
**RIGHT OF WAY ANNEXATION AND**  
**TRANSFER OF JURISDICTION**

**THIS IS** an Agreement by and between LAKE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY"

And

The City of Leesburg, a municipal corporation pursuant to the laws of the State of Florida, hereinafter referred to as "City":

**WHEREAS**, City has requested to annex into the City municipal limits a section of public right of way, and to transfer jurisdiction of said public right of way, known as a portion of South Quarters Road (#3109), located within the Leesburg City Limits, and lying within the proposed subdivision to be known as Windy Oaks Subdivision, lying Northerly of CR 48 for approximately 1,186 ft, more particularly described as being bounded on the North by the North line of the South 1/4 of the Southwest 1/4 of Section 15, Township 20 South, Range 24 East. Said property is described as that certain right of way for South Quarters Road (#3109), as described in the Right of Way Deed, recorded in O.R.B. 915, Page 703, Public Records of Lake County, Florida, lying in Sections 15 and 22, Township 20 South, Range 24 East, Lake County, Florida, and more particularly described on attached Exhibit "B", hereinafter known as ("Property"); and,

**WHEREAS**, City desires that County as owner of the property execute a Petition of Landowner(s) for Annexation of Certain Property to the City of Leesburg, Florida ("Annexation Petition") regarding the annexation of the Property; and,

**WHEREAS**, the surrounding property has been annexed into the City of Leesburg, and is in the platting process for a subdivision to be known as Windy Oaks Subdivision,

**WHEREAS**, County and City find that annexing the Property into city's municipal limits will allow for greater police protection, traffic control and safety of the area surrounding and including South Quarters Rd. (#3109); and,

**WHEREAS**, said right of way covers a portion of a County maintained road known as South Quarters Road (#3109), located adjacent to property within the City of Leesburg; and,

**WHEREAS**, County agrees to transfer jurisdiction of said right of way to the City as requested in accordance with Florida Statute Section 335.0415; and,

**WHEREAS**, this right of way annexation and jurisdiction transfer is mutually agreed upon by the "County" and "City"; and,

**WHEREAS**, County and City find it is in the best interests of County and all of its citizens to enter into this Agreement to provide for these matters; and,

**NOW THEREFORE, IN CONSIDERATION** of the mutual promises, conditions and covenants provided for herein, the parties agree as follows:

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** County and City hereby enter into this Agreement for the purpose of annexing and transferring jurisdiction of the Property described as a portion of South Quarters Road, as that certain right of way for South Quarters Road (#3109), as described in the Right of Way Deed, recorded in O.R.B. 915, Page 703, Public Records of Lake County, Florida, lying in Sections 15 and 22, Township 20 South, Range 24 East, Lake County, Florida, and more particularly described and shown on attached Exhibit "B"

**Section 3.** County agrees to execute a City Annexation Petition regarding the annexation of the Property. The County Manager is authorized to execute the subject annexation petition. Such Annexation Petition shall be in substantially the same format as the Annexation Petition attached hereto as Exhibit "A".

**Section 4.** City agrees that after the Property is annexed into City's municipal limits the Property shall not be utilized by City in any manner as a means to annex future properties. For example, once the Property is annexed into City's municipal limits the boundaries of the Property shall not be used to determine whether other real property desired by City to be annexed into its municipal limits is contiguous to City's boundaries.

**Section 5.** County agrees, by execution of this agreement, to transfer to the City of Leesburg, all rights and title, dedicated for said portion of South Quarters Rd. (#3109), by said Right of Way Deed, as recorded in O.R.B. 915, Page 703, Public Records of Lake County, Florida.

**Section 6.** City agrees to accept jurisdiction of said right of way, and maintenance of said portion of County maintained roadway known as South Quarters Rd. (#3109), as described on attached Exhibit B.

**Section 7. Entire Agreement.** This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

Interlocal Agreement between Lake County and City of Leesburg (relating to the Annexation and transfer of jurisdiction for a portion of South Quarters Road (#3109).

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the respective dates under each signature: Lake County through its Board of County Commissioners, signing by and through its Chairman, authorized to execute same by Board action on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, and \_\_\_\_\_ duly authorized to execute same.

COUNTY

LAKE COUNTY, through its  
BOARD OF COUNTY COMMISSIONERS

ATTEST:

\_\_\_\_\_  
James C. Watkins, Clerk  
of the Board of County  
Commissioners of  
Lake County, Florida

\_\_\_\_\_  
Welton Cadwell, Chairman

This \_\_\_\_\_ day of \_\_\_\_\_, 2007

Approved as to form and legality

\_\_\_\_\_  
Sanford A. Minkoff  
County Attorney

Interlocal Agreement between Lake County and City of Leesburg (relating to the Annexation and transfer of jurisdiction for a portion of South Quarters Road (#3109).

ATTEST:

CITY OF LEESBURG

\_\_\_\_\_  
, City Clerk

\_\_\_\_\_  
, Mayor

This \_\_\_\_\_ day of \_\_\_\_\_, 2007

Approved as to form and legality

\_\_\_\_\_

City Attorney

PETITION - Interlocal Agreement between Lake County and City of Leesburg (relating to the Annexation and transfer of jurisdiction for a portion of South Quarters Road (#3109).

Exhibit "A"

PETITION OF LANDOWNER(S) FOR ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF LEESBURG, FLORIDA

WE, the undersigned landowner(s) pursuant to the provisions of Chapter 59-1497 (Senate Bill No. 912), Laws of Florida, Regular Session 1959, entitled:

AN ACT TO AMEND CHAPTER 9820, LAWS OF FLORIDA, SPECIAL ACT OF 1923, AS AMENDED, BEING THE CHARTER OF THE CITY OF LEESBURG, FLORIDA, TO PROVIDE ENABLING LEGISLATION FOR THE FUTURE ANNEXATION OF CONTIGUOUS TERRITORY BY PETITION AND CONSENT OF THE LANDOWNER(S) IN THE AREA SOUGHT TO BE ANNEXED; PROVIDING THAT THE PROPERTY ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; AND PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL OF SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF THE PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; AND FIXING EFFECTIVE DATE,

Hereby petition that the real estate described as a portion of South Quarters Road (#3109), as described in the Right of Way Deed, recorded in O.R.B. 915, Page 703, Public Records of Lake County, Florida, lying in Sections 15 and 22, Township 20 South, Range 24 East, Lake County, Florida, more particularly described on attached Exhibit "B", be annexed to, and become a part of the city limit of the City of Leesburg. A municipal corporation in Lake County, Florida, created and existing pursuant to Chapter 9820, Laws of Florida , Special Acts of 1923, and amendatory and supplementary acts thereof, and we, jointly and severally, consent to such annexation of such area to said City of Leesburg, and upon annexation sought by this petition, all of the property, real and personal, within such area, and the inhabitants thereof shall be subject to the governmental jurisdiction, powers, franchises, duties, and privileges of said City of Leesburg, Florida and the said property shall be liable, proportionally, for all the present outstanding and existing, as well as future, indebtedness of the said City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, all laws heretofore passed by the Legislature of the State of Florida, relating to and which now or hereafter constitute its Charter shall apply to have the same force and effect in such territory as may be annexed under the provisions hereof as if all of such territory had been part of the City of Leesburg at the time of the passage and approval of said laws and ordinances.

IN WITNESS WHEREOF, we the undersigned landowner(s), as petitioner(s) have hereto set our hand(s) and seal(s) as of the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Board of County Commissioners of Lake County, Florida

By: \_\_\_\_\_  
Cindy Hall, County Manager

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
My Commission Expires:

Interlocal Agreement between Lake County and City of Leesburg (relating to the Annexation and transfer of jurisdiction for a portion of South Quarters Road (#3109).

Exhibit "B"

THAT CERTAIN PORTION OF A COUNTY MAINTAINED ROADWAY KNOWN AS SOUTH QUARTERS ROAD (#3109), LYING IN SECTIONS 15 AND 22, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED IN RIGHT OF WAY DEED RECORDED IN O.R.B. 915, PAGE 703, LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The East 25 feet of the South  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 15; and also;

The West 25 feet of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 15; and also;

The East 25 feet of the North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 22, lying North of CR 48 (formerly known as SR 48); and also;

The West 25 feet of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 22, lying North of CR 48 (formerly known as SR 48);