

**ORDINANCE NUMBER 2003-43**

**AN ORDINANCE OF THE CITY OF MIDWAY, FLORIDA, AMENDING  
CITY OF MIDWAY, FLORIDA, ORDINANCE NUMBER 98-15 WHICH VOLUNTARILY  
ANNEXED A CERTAIN PORTION OF MIDWAY FOREST INTO THE CITY OF  
MIDWAY, BY CORRECTING A TYPOGRAPHICAL ERROR IN THE LEGAL  
DESCRIPTION; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Ordinance number 98-15 voluntarily annexed property located in the Midway Forest area upon receipt of a petition by all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Midway, Florida; and,

**WHEREAS**, the property included in the voluntary annexation in Ordinance Number 98-15 has never been included within the City limits by the Gadsden County Property Appraiser's Office; and

**WHEREAS**, upon investigation in September 2003, it was found that there were typographical errors in the legal description contained in Ordinance 98-15, which typographical errors were verified by the original surveyor of the property, Genesis Group of Tallahassee, Florida; and

**WHEREAS**, the City Council of the City of Midway, Florida, wishes to honor the requests by the residents in Midway Forest to voluntarily annex into the City of Midway in 1998.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Midway, Florida, as follows:

Section 1. The legal description contained in Ordinance Number 98-15, which has been found to be in error by Genesis Group, the original surveyor of the property, and who have a copy of the original survey on file in their office in Tallahassee, is hereby corrected to read as follows:

That the property described below, and as described on the attached map, situated in Gadsden County, Florida, is hereby voluntarily annexed to and made a part of the City of Midway, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:

**MIDWAY FOREST - Annexation**

"A portion of the lands described in the instrument recorded in the Official records Book 316, Page 1870 of the Public Records of Gadsden County, Florida, lying in Section 12, Township 1 North, Range 3 West, Gadsden County, Florida, more particularly described as follows:

COMMENCE at the Southeast corner of Section 12, Township 1 North, Range 3 West, Gadsden County, Florida and run thence South 89 degrees 41 minutes 30 seconds West 1984.91 feet (Bearing Base) to an axle; thence South 89 degrees 42 minutes 19 seconds West 593.88 feet to an axle and the POINT OF BEGINNING. From said POINT OF BEGINNING, run thence South 89 degrees 50 minutes 24 seconds West 889.48 feet to an axle; thence North 00 degrees 06 minutes 00 seconds East 1320.00 feet, more or less, to the existing Midway City Limits; thence run North 89 degrees 50 minutes 21 seconds East along the Midway City Limits, 887.94 feet, more or less, to the easterly boundary of said parcel of land described in Official Records Book 316, Page 1870; thence run South 00 degrees 08 minutes 30 seconds West along said easterly boundary and city limits, 214.93 feet, more or less, to a concrete monument marking the northwest corner of that parcel of land described in Official Records Book 288, Page 597 of said public records; thence run South 00 degrees 00 minutes 45 seconds West along the westerly boundary of said parcel and said city limits, 1105.08 feet to the POINT OF BEGINNING, containing 26.924 acres, more or less."

Bearing base taken from the instrument recorded in Official Records Book 316, Page 1870 of the Public

Records of Gadsden County, Florida.

Section 2. This ordinance shall become effective in accordance with Florida State Law.

**INTRODUCED and read the First Time at a regularly scheduled City Council meeting on Thursday, October 2, 2003.**

**READ THE SECOND TIME AND ADOPTED by the City Council of the City of Midway at a regularly scheduled City Council meeting on Thursday, \_\_\_\_\_  
*November 6th*, 2003.**

**ATTEST:**

*Delores Madison*

**Delores Madison, Mayor**

*Francis Harrell*

**Francis Harrell  
City Clerk**