

ORDINANCE 2005-11

**AN ORDINANCE OF THE CITY OF MIDWAY, FLORIDA,
VOLUNTARILY ANNEXING APPROXIMATELY 3/8 ACRE OF LAND
OWNED BY FRED STRAUSS, INTO THE CITY OF MIDWAY,
FLORIDA; PROVIDING FOR A LEGAL DESCRIPTION;
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Fred Strauss, has indicated a desire to voluntarily annex approximately 3/8 acre of land located adjacent to the City of Midway, which is part of a parcel annexed into the City in 2002, but inadvertently left out of the legal description, and has petitioned the City for a voluntary annexation; and,

WHEREAS, the City Council of the City of Midway, Florida, has conducted two public hearings in accordance with Florida Statutes, Chapter 171, Section 171.044 - Voluntary Annexation.

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

Section 1. The City of Midway, Florida, hereby voluntarily annexes the following property owned by Fred Strauss, which drawings and legal descriptions are attached hereto and made a part of this ordinance, into the City of Midway, Florida, with the following legal description:

"Commence at the SWC of SW 1/4 of Section 7-1N-2W, run North 00 degrees 16 minutes 06 seconds East 1127.08 feet to N/LY right of way of CR 268; North 86 degrees 16 minutes 23 seconds East along said right of way 1651.65 feet; North 82 degrees 48 minutes 28 seconds east 340.18 feet to POINT OF BEGINNING; North 75 degrees 11 minutes 24 seconds East 407.94 feet; South 88 degrees 44 minutes 08 seconds West 393.81 feet; South 00 degrees 23 minutes 59 seconds West 95.59 feet to the POINT OF BEGINNING".

Section 2. A copy of this ordinance, upon adoption by the City Council, shall be filed with the Clerk of the Circuit Court and the County Manager of Gadsden County and the Florida Department of State within seven days after adoption.

Section 3. 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, January 6, 2005.

**READ THE SECOND TIME AND ADOPTED by the City Council of the City of Midway at a regularly scheduled City Council meeting on Thursday, _____
Feb 3, 2005.**

ATTEST:


Delores Madison, Mayor


Frances Harrell, City Clerk

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Feb 3

ATTEST:



Frances Harrell, City Clerk



Delores Madison, Mayor

CAM112M01 S CamaUSA Appraisal System
 12/10/2004 9:22 Legal Description Maintenance
 Year T Property Sel
 2005 R 4-07-1N-2W-0000-00300-0100

Gadsden County
 29155 Land 001 *
 AG 000
 32274 Bldg 001
 1100 Xfea 002
 62529 TOTAL B

STRAUSS FRED

1	COMM AT THE SWC OF SW1/4 OF SECT 7-1N-2W, RUN N00*16'06"E	2
3	1127.08 FT. TO N/LY RT/WY OF CR	4
5	248.15 FT. TO BEGIN; N75*11'24"	6
7	340.18 FT. TO BEGIN; N75*11'24"	8
9	393.81 FT.; S00*23'59"W 95.59	10
11	FT. TO POB. COMM AT THE SWC OF SW1/4 OF SECT 7-1N-2W, RUN N00*16'06"E	12
13	1127.08 FT. TO N/LY RT/WY OF CR	14
15	COMM AT THE SWC OF SW1/4 OF SECT 7-1N-2W, RUN N00*16'06"E	16
17	1127.08 FT. TO N/LY RT/WY OF CR 268.; N86*16'24"E ALONG SAID	18
19	RT/WY 1651.65 FT.; N82*48'28"E 340.18 FT. TO BEGIN; N75*11'24"	20
21	E 407.94 FT.; S88*44'08"W 393.81 FT.; S00*23'59"W 95.59	22
23	FT. TO POB. COMM AT THE SWC OF SW1/4 OF SECT 7-1N-2W, RUN N00*16'06"E	24
25	1127.08 FT. TO N/LY RT/WY OF CR 268.; N86*16'24"E ALONG SAID	26
27	RT/WY 1651.65 FT.; N82*48'28"E 340.18 FT. TO BEGIN; N75*11'24"	28

Mnt 5/02/2003 MOORE

F1=Task F3=Exit F4=Prompt F10=GoTo PGUP/PGDN F24=MoreKeys

ORDINANCE NO. 95-01

AN ORDINANCE OF THE CITY OF MIDWAY, FLORIDA AMENDING ARTICLE II OF THE CHARTER OF THE CITY OF MIDWAY, TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF MIDWAY, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY BEING SITUATED IN GADSDEN COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, there has been filed with the City of Midway, Florida, a petition containing the name and signature of the Trustee of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Midway, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Midway, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and,

FURTHER WHEREAS, the City of Midway, Florida, is in a position to provide municipal services to the property described herein, and that the City Council of the City of Midway, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF MIDWAY, FLORIDA:

Section 1. That the property described below, and as described on the attached map, situated in Gadsden County, Florida, is hereby 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:

That part of the following lying outside Midway limits OR 316 P 1870; OR 288 P 597 Tract 1. Comm at Sec. Run S 89 Deg 41' W 2578.62 Ft to begin; S 89 Deg 41' W 888 50 Ft., N 3518.46 Ft to Forbes purchase line, S 47 Deg E 1214.85 Ft., S 2985.15 Ft to the POB, less parts per OR 155 P 275 & OR 166 P 561 sold North of road. Tract 2 an additional 15 acres per OR 288 P 597. Comm at the Sec and run S 89 Deg 41' 30" W 1984.62 Ft. to begin thence S 89 Deg 41' 30" W 594.00 FT N 1100 Ft., N.89 Deg 41' E 594 Ft, S 1100 Ft to the P.O.B. OR 314 P 1378 in Section 12-1N-3W.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Midway, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined by the governing authority of the City of Midway, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it

shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Council on the 5th day of January, 1995.

PASSED by the City Council on the 2nd day of February, 1995.


PATRICIA McLAIN, Mayor

ATTEST:


KAREN FITZGERALD
City Clerk

PETITION FOR VOLUNTARY ANNEXATION

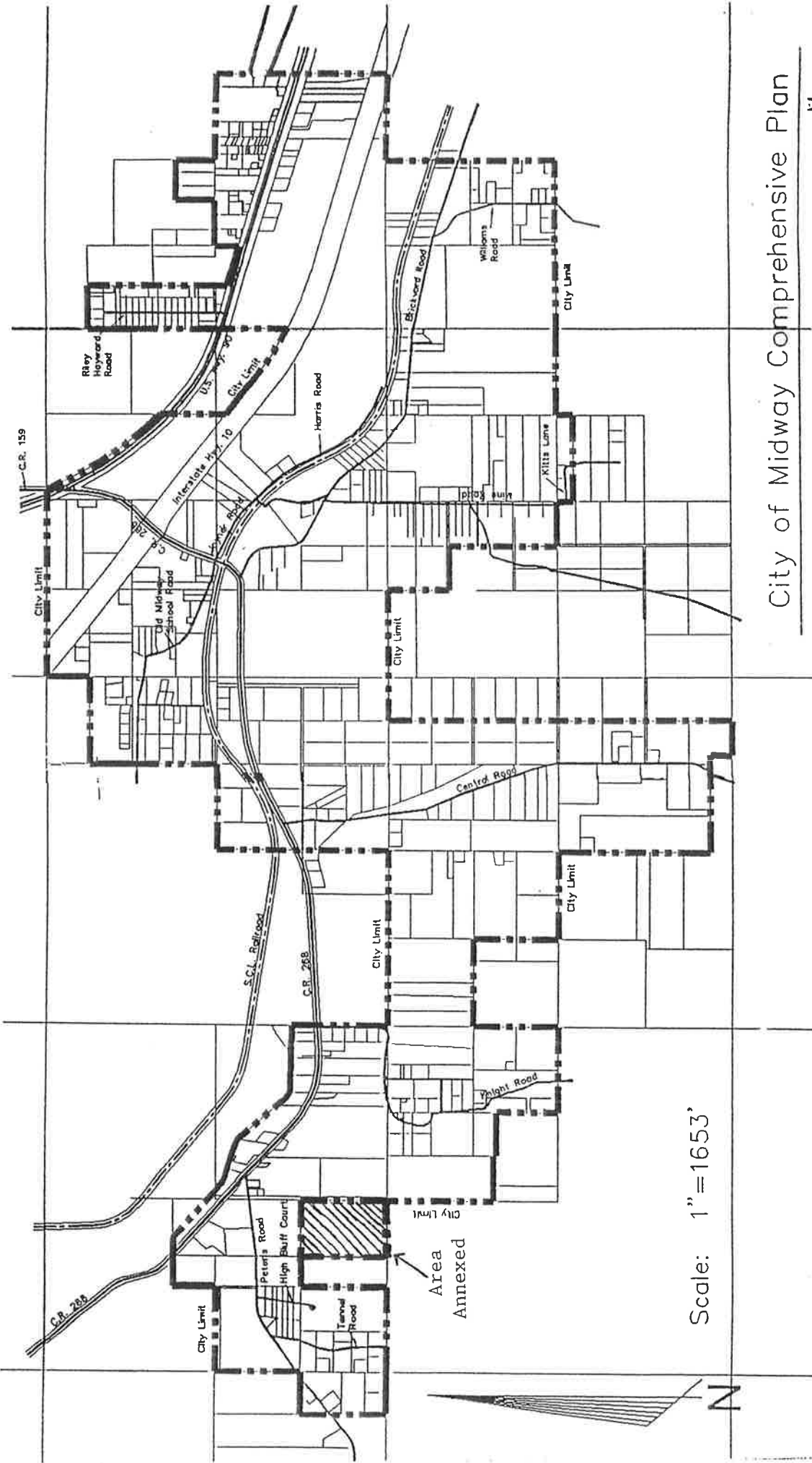
To: The Midway City Council

The undersigned being owner(s) of the property noted and described on the attached map, do hereby request the annexation of said property by the City of Midway in accordance with Section 171.044, Florida Statutes, which authorizes the petitioning for voluntary annexation.

<u>NAME</u>	<u>TAX NUMBER</u>	<u>ACREAGE</u>
Woodrow Kerce, Trustee u/a/d m/b WOODROW KERCE with the power and authority to protect, conserve, and to sell, lease, encumber or otherwise manage and dispose of the real property conveyed.	4-12-IN-3W-0000-00311-1000	22 acres more or less

Woodrow Kerce 12-2-94
Signature and Date

Dorothy K. Kerce 12/2/94



Scale: 1" = 1653'

City of Midway Comprehensive Plan
Map