

ORDINANCE NUMBER 2014-10

AN ORDINANCE ANNEXING TO THE CITY OF MIDWAY, FLORIDA BY VOLUNTARY ANNEXATION, PURSUANT TO SECTION 171.044, FLORIDA STATUTES, REAL PROPERTY IN SECTION 10, TOWNSHIP 1N, RANGE 2W, IN THE UNINCORPORATED AREA OF GADSDEN COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS 914 COMMERCE BOULEVARD ON PARCEL 4-10-1N-2W-1514-0000C-0390, KNOWN AS THE COMMUNITY COFFEE LLC VOLUNTARY ANNEXATION; PROVIDING FOR CODIFICATION AND THE FILING OF SAME WITH THE CLERK OF THE CIRCUIT COURT OF GADSDEN COUNTY, FLORIDA, THE COUNTY ADMINISTRATOR OF GADSDEN COUNTY, FLORIDA, AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of real property at 914 Commerce Boulevard on Parcel 4-10-1N-2W-1514-0000C-0390 as shown in Attachment 1 and 2 in Section 10, Township 1N, Range 2W the Unincorporated Area of Gadsden County Florida which is contiguous to the City of Midway, Florida, and reasonably compact, therewith have petitioned the governing body of said City to have said property annexed to the municipality as shown on Attachment 3 attached; and,

WHEREAS, the governing body of the City of Midway has made a determination that the petition bears the signature of the owners of the real property in the area proposed to be annexed; and,

WHEREAS, the governing body of the City of Midway has further determined that such annexation will not result in the creation of an enclave; and,

WHEREAS, since the owner of property to be annexed has voluntarily petitioned the City of Midway for such annexation and agreed to the same, a referendum is not required in order to complete such annexation pursuant to the provisions of Florida law; and,

WHEREAS, notice of this voluntary annexation by Ordinance has been published once a week for 2 consecutive weeks in a newspaper of general circulation in the City of Midway, which notice has given the Ordinance Number and a description of the area proposed to be annexed, including a map clearly showing the area to be annexed, and a statement that the complete Ordinance can be obtained from the City Clerk of the City of Midway,

NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDWAY, FLORIDA:

SECTION 1. DESCRIPTION OF PROPERTY TO BE ANNEXED:

That the City of Midway, Florida does hereby annex to the City by voluntary annexation pursuant to the provisions of Section 171.044, Florida Statutes, the following described real property situate, lying and being in Gadsden County, Florida, to wit:-

Description attached hereto and made a part hereof and marked Attachment "1". And the boundary lines of the City of Midway are here by redefined accordingly.

SECTION 2. EFFECT OF ANNEXATION.

That the above described area hereby annexed to the City of Midway, Florida shall be subject to all laws, ordinances, and regulations in force in the City of Midway, Florida, and shall be entitled to the same privileges and benefits as other parts of this municipality upon the effective date of this annexation as hereinafter provided.

SECTION 3. CODIFICATION AND FILING:

It is the intent of the City of Council of the City of Midway that this Ordinance be made a part of the Code of Ordinances of the City of Midway, Florida and be codified for inclusion therein, and that this Ordinance be filed with the Clerk of the Circuit Court of Gadsden County, Florida, the County Administrator of Gadsden County, Florida, and the Department of State of the State of Florida.

SECTION 4. EFFECTIVE DATE:

This Ordinance shall take effect on October 2, 2014

INTRODUCED in open session to the Midway Council of the City of Midway on the 2nd day of October 2014.

ADOPTED AND PASSED on the second and final reading in open session at the City Council of the City of Midway, Florida, on the 2nd day of October 2014

David Knight

DAVID KNIGHT, MAYOR

Date: 10/23/14

Date: 10/3/14

ATTEST:

Frances Harrell

Frances Harrell, City Clerk

Approved as to form and sufficiency:

Francis Harrell

CITY ATTORNEY

ATTACHMENTS:

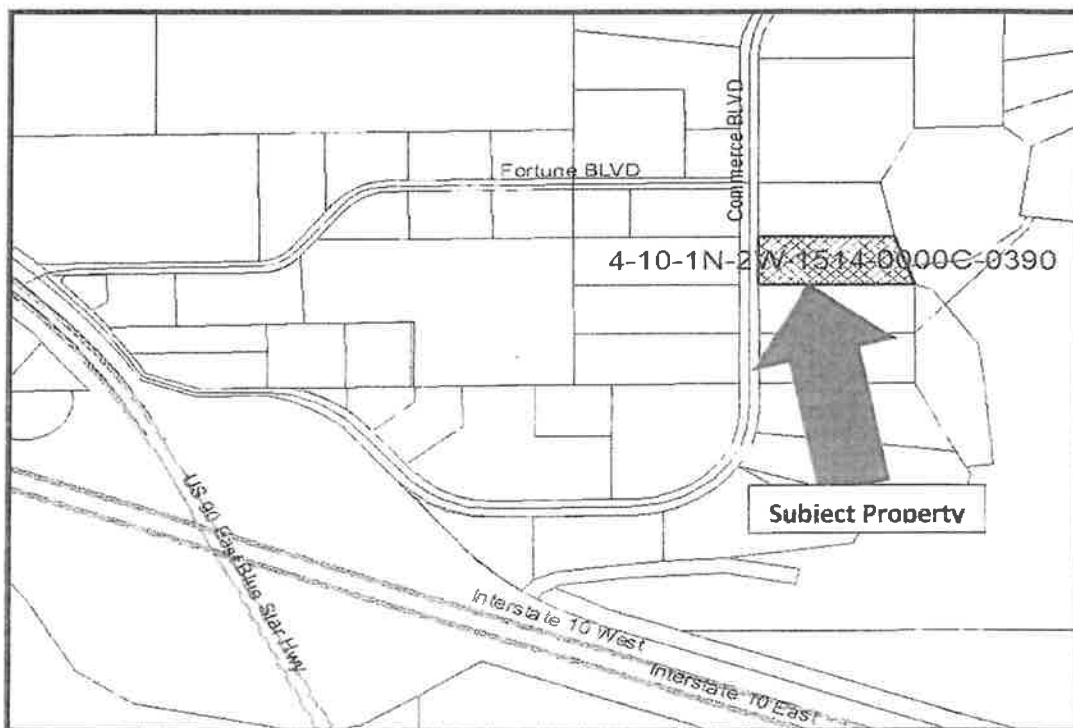
1. Legal Description
2. Vicinity Map
3. Voluntary Petition (signed by owner)

LEGAL DESCRIPTION

Lot 39, Block C, Gadsden 10/90 Commerce Park, Phase I, as per map or plat thereof as recorded in Plat Book 2, pages 73 and 74, of the Public Records of Gadsden County, Florida.

VICINITY MAP

(914 Commerce Boulevard)



VOLUNTARY PETITION