

**PROPOSED ORDINANCE NUMBER 2015-02**

AN ORDINANCE ANNEXING TO THE CITY OF MIDWAY, FLORIDA BY VOLUNTARY ANNEXATION, PURSUANT TO SECTION 171.044, FLORIDA STATUTES, REAL PROPERTY IN SECTION 7, TOWNSHIP 1N, RANGE 2W, IN THE UNINCORPORATED AREA OF GADSDEN COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS 1515 HIGH BRIDGE ROAD ON PARCEL 4-07-1N-2W-0000-00341-0100 AND 1535 M. L. KING BOULEVARD ON PARCEL 4-07-1N-2W-0000-00344-0000, KNOWN AS MIDWAY MUNICIPAL PROPERTY 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 1535 M.L. KING BOULEVARD on Parcel 4-07-1N-2W-0000-00344-0000 as shown in Attachment 1 and 2 in Section 7, 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, is Midway, and has voluntarily petitioned 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 2". 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 June 4, 2015

INTRODUCED in open session to the Midway Council of the City of Midway on the 4<sup>th</sup> day of June 2015.

ADOPTED AND PASSED on the second and final reading in open session at the City Council of the City of Midway, Florida, on the 4<sup>th</sup> day of June 2015

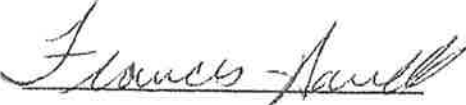
  
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JERROD HOLTON, MAYOR

Date: 06/04/15

Date: 6/4/2015

**ATTEST:**

  
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Frances Harrell, City Clerk

**Approved as to form and sufficiency:**

  
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CITY ATTORNEY

**ATTACHMENTS:**

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