

ORDINANCE NO 97-04

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 names and signatures 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:

The North one-half of the Southwest quarter of Section 10, Township 1 North, Range 2 West, Gadsden County, Florida, more particularly described as follows:
From the Northwest corner of Section 10, Township 1 North, Range 2 West, proceed South 00 degrees 14 minutes 42 seconds East 2646.29 feet to a 5/8 inch iron bar marking the Northwest corner of the North one-half of the Southwest quarter of said Section 10, which is the Point of Beginning. Run thence North 89 degrees 15 minutes 17 seconds East 2698.11 feet to an iron pipe marking the Northeast corner of said Southwest quarter, thence South 00 degrees 03 minutes 02 seconds East 1320.22 feet to a point marked by a concrete monument, thence South 89 degrees 11 minutes 30 seconds West 2693.66 feet to a point marked by a concrete monument, thence North 00 degrees 14 minutes 42 seconds West, 1323.14 feet to the Point of Beginning, containing 81.79 acres, more or less.

Section 2. That upon this Ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all 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.

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

5. Section 5. That this Ordinance shall be come effective immediately upon its passage and adoption.

INTRODUCED in the City Council on the 3rd day of June, 1997.

PASSED the City Council on the 3rd day of July, 1997.

Patricia B. McLain
Patricia McLain, Mayor

ATTEST:

Nickcole Caldwell
Nickcole Caldwell
City Clerk