

## **ORDINANCE NO.: 99-08**

**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 PROVISION OF SECTION 171.004, FLORIDA STATUTES, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, there had 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 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 in the attached legal description (Exhibit A) and as described on the attached map, (Exhibit B) 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.

***Section 2.*** That upon this Ordinance becoming effective, the property owners and any residents on the property described herein shall be entitled to all rights and privileges and immunities as are for 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.

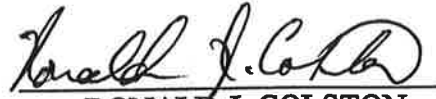
***Section 3.*** If any section or portion of a section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this Ordinance.

***Section 4.*** That all ordinances or part 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.

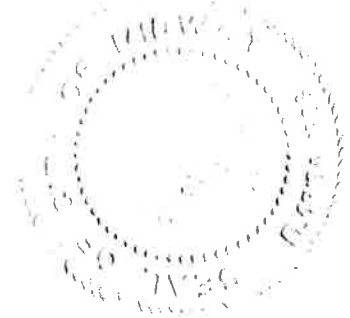
***INTRODUCED in the City Council on the 29th day of April,  
1999.***

**PASSED the City Council on the 20th day of May, 1999.**

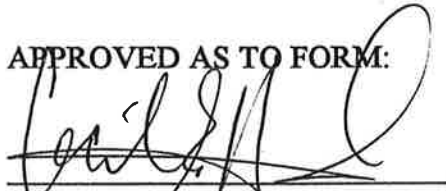
  
RONALD J. COLSTON  
MAYOR

ATTEST:

  
SHELIA D. THOMAS  
CITY CLERK



APPROVED AS TO FORM:

  
CECIL HOWARD  
CITY ATTORNEY

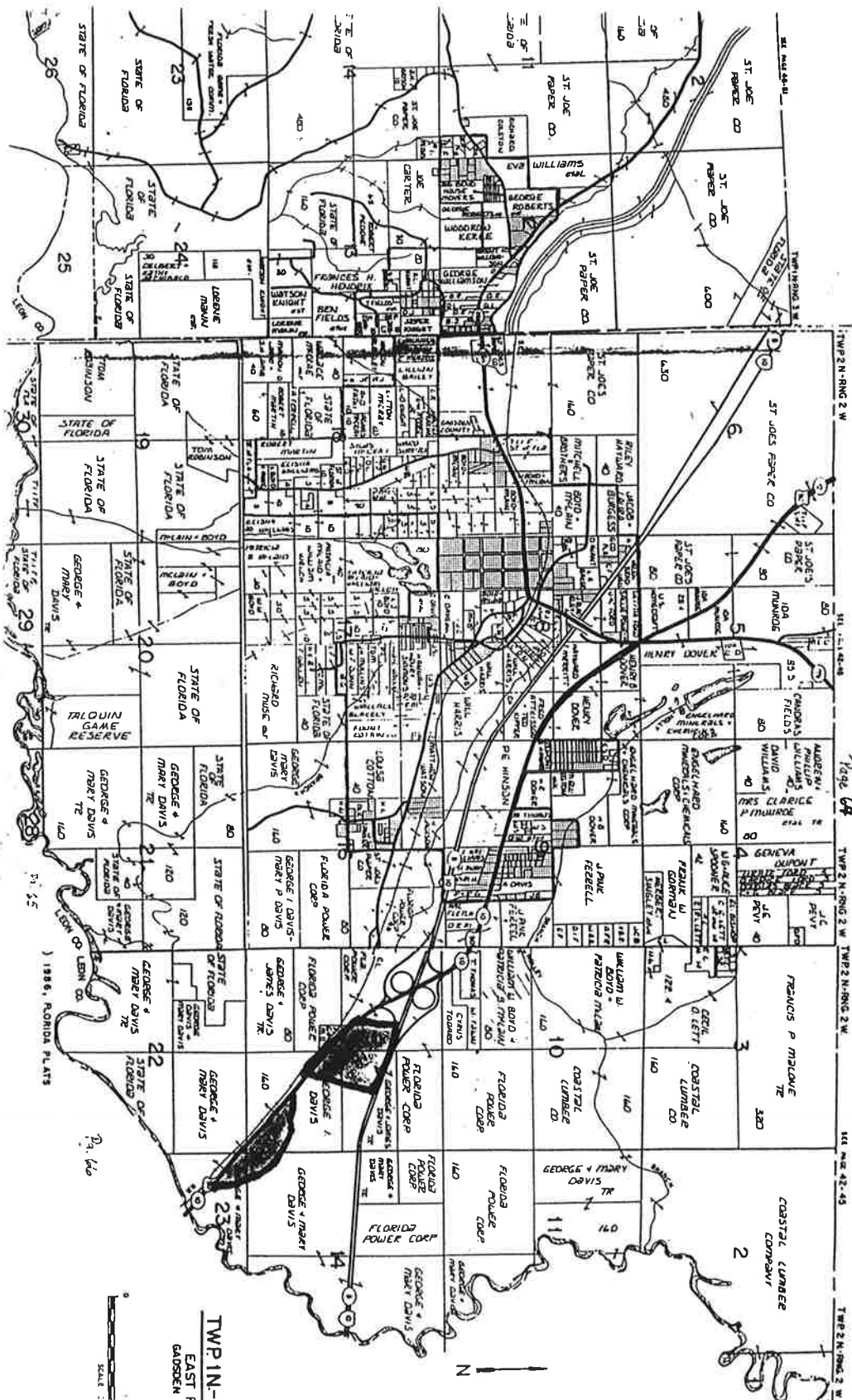
ordinance no 99-08

## EXHIBIT "A"

A portion of Lots 2, 3 and 4, all of Lots 5 and 6 in Section 14, Township 1 North, Range 2 West, Gadsden County, Florida lying South of State Road No. 8 (Interstate No. 10); All of Lot 2 in Section 23, Township 1 North, Range 2 West, Gadsden County, Florida lying North of State Road No. 10 (U.S. Highway 90) and a portion of the East half of Section 15, Township 1 North, Range 2 West, Gadsden County, Florida described as follows:

COMMENCE at the Southwest corner of Section 14, Township 1 North, Range 2 West, Gadsden County, Florida, and run thence South 00 degrees 31 minutes 00 seconds East along the west line of said Section 14 a distance of 2.75 feet to the northeasterly right of way boundary of State Road No. 10 (Section No. 50030-2507 and 2533 U.S. Highway 90) and the POINT OF BEGINNING. From said POINT OF BEGINNING run thence Northwesterly along said right of way as follows: North 47 degrees 59 minutes 08 seconds West 215.37 feet; thence South 42 degrees 00 minutes 52 seconds West 15.00 feet; thence North 47 degrees 59 minutes 08 seconds West 534.00 feet; thence North 42 degrees 00 minutes 52 seconds East 25.00 feet; thence North 47 degrees 59 minutes 08 seconds West 358.00 feet; thence South 42 degrees 00 minutes 52 seconds West 10.00 feet; thence North 47 degrees 59 minutes 08 seconds West 200.00 feet; thence South 42 degrees 00 minutes 52 seconds West 20.00 feet; thence North 47 degrees 59 minutes 08 seconds West 64.54 feet; thence leaving said right of way, run North 27 degrees 21 minutes 27 seconds East 2182.28 feet to the intersection of the aforesaid West boundary of said Section 14 and the southerly right of way boundary of State Road No. 8 (Section No. 50001-2401 Interstate No. 10), said point lying on a curve concave northeasterly; thence run Southeasterly along said right of way as follows: thence along said curve with a radius of 5904.58 feet, through a central angle of 4 degrees 3 minutes 57 seconds, for an arc distance of 419.00 feet (the chord of said arc bears South 84 degrees 23 minutes 44 seconds East 418.91 feet); thence South 86 degrees 25 minutes 43 seconds East 4270 feet, more or less to the westerly Ordinary High Water Line of the Ochlocknee River; thence leaving said southerly right of way, run Southwesterly along said Ordinary High Water Line, 8000 feet more or less to the aforesaid northeasterly right of way of State Road No. 10 (U.S. Highway 90); thence leaving said Ordinary High Water Line and run Northwesterly along said right of way as follows: North 47 degrees 59 minutes 08 seconds West 585 feet, more or less; thence North 42 degrees 00 minutes 52 seconds East 40.00 feet; thence North 47 degrees 59 minutes 08 seconds West 1566.83 feet to the POINT OF BEGINNING.

LESS and EXCEPT that part of Lot 3 in Section 14, Township 1 North, Range 2 West, Gadsden County, Florida, lying South of State Road No. 8 (Interstate No. 10) also described as the East 1/2 of the Northwest 1/4 of Section 14, Township 1 North, Range 2 West, Gadsden County, Florida, in the instrument recorded in Official Records Book 335, Page 52 of the Public Records of Gadsden County, Florida.



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TWP. 23 N.  
 EAST F  
 GADSDEN

SCALE 1" = 1/4 MI.

1986, FLORIDA PLATS