

ORDINANCE NO. 99-12

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 CHAPTER 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 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 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 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 annexation provisions of Chapter 171.044 Florida Statutes, to wit:

SEE ATTACHED EXHIBIT "A"

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 of 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 20th day of May, 1999.

PASSED the City Council on the 3rd day of June 1999.

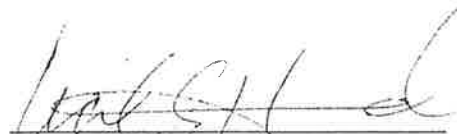

Ronald J. Colston
Mayor

ATTEST:


Shelia D. Thomas
City Clerk



APPROVED AS TO FORM:


Cecil Howard, City Attorney

ordinance no 99-11

EXHIBIT "A"

The South one-half of the Southwest one-quarter, the Southeast one-quarter, the East one-half of the Southeast one-quarter of the Northwest one-quarter, and the Northeast one-quarter of the Northeast one-quarter of the Southwest one-quarter of Section 15, Township 1 North, Range 2 West Gadsden County, Florida, lying Southwesterly of the State Road 10/U.S. 90 right-of-way being more particularly described by product of survey as follows:

Begin at the Southwest Corner of Section 15, Township 1 North, Range 2 West Gadsden County, Florida, said point being marked by a concrete monument (LS 2400); thence North 89 degrees 36 minutes 53 seconds East along the South boundary of said Section 15, 1319.14 feet to a concrete monument (LS 2400); thence North 89 degrees 37 minutes 41 seconds East along the said South boundary 1319.75 feet to a concrete monument (LB 0340); thence North 89 degrees 38 minutes 11 seconds East, along the said South boundary 1319.09 feet to a concrete monument (LB 0340); thence North 89 degrees 37 minutes 03 seconds East along the said South boundary 872.04 feet to the Southwesterly right-of-way boundary of the Seaboard Airline Railroad, said point being marked by a concrete monument (LB 0340); thence Northwesterly parallel with and 50 feet Southwesterly of the centerline of the single railroad track the following courses and distances: North 46 degrees 00 minutes 20 seconds West 1282.22 feet to a point of curve to the left; thence along a curve with a radius of 3224.17 feet through a central angle of 07 degrees 26 minutes 40 seconds for an arc length of 418.92 feet (chord bears North 49 degrees 43 minutes 06 seconds West 418.62 feet); thence North 53 degrees 26 minutes 26 seconds West 1199.45 feet; thence leaving said right-of-way run South 00 degrees 25 minutes 07 seconds East 574.11 feet to a 5/8 inch iron rod and cap; thence South 89 degrees 29 minutes 11 seconds West 2652.55 feet to a concrete monument (LB 0340); thence South 01 degrees 01 minutes 52 seconds East 1309.70 feet to the POINT OF BEGINNING containing 130.37 acres more or less.

AND ALSO:

Commence at the Southwest corner of Section 15, Township 1 North, Range 2 West, Gadsden County, Florida, said point being marked by a concrete monument (LS 2400); thence North 01 degrees 01 minutes 52 seconds West 1309.70 feet to a concrete monument (LB 0340); thence North 89 degrees 29 minutes 11 seconds East 2652.55 feet to a 5/8 inch iron rod and cap; thence North 00 degrees 25 minutes 07 seconds West 564.24 feet to a 5/8 inch iron rod and cap (LB 0155) on the Southwesterly right-of-way of the Seaboard Airline Railroad; thence North 53 degrees 36 minutes 43 seconds West along said right-of-way 57.81 feet to the POINT OF BEGINNING; thence continue along said right-of-way North 53 degrees 36 minutes 43 seconds West 778.31 feet to a 5/8 inch iron rod and cap (LS 3140); thence leaving said right-of-way South 00 degrees 03 minutes 22 seconds East 465.66 feet to a concrete monument (FPC); thence North 89 degrees 38 minutes 27 seconds East 626.11 feet to the POINT OF BEGINNING containing 3.35 acres more or less.

AND ALSO:

Commence at the Southwest corner of Section 15, Township 1 North, Range 2 West, Gadsden County, Florida, said point being marked by a concrete monument (LS 2400); thence North 01 degrees 01 minutes 52 seconds West 1309.70 feet to a concrete monument (LB 0340); thence North 89 degrees 29 minutes 11 seconds East 2652.55 feet to a 5/8 inch iron rod and cap; thence North 00 degrees 25 minutes 07 seconds West 574.11 feet to a 5/8 inch iron rod and cap (LB 6745) on the Southwesterly right-of-way of the Seaboard Airline Railroad; thence continue North 00 degrees 25 minutes 07 seconds West 125.18 feet to the POINT OF BEGINNING on the Northeasterly right-of-way boundary of the Seaboard Airline Railroad; thence along the said right-of-way as follows: North 00 degrees 25 minutes 07 seconds West 14.84 feet; thence North 53 degrees 36 minutes 43 seconds West 835.38 feet; thence leaving said right-of-way North 00 degrees 04 minutes 28 seconds West 175.40 feet to an intersection with the Southwesterly right-of-way of State Road 10/U.S. 90; thence along said right-of-way and along a curve concave to the Northeast with a radius of 2964.79 feet through a central angle of 02 degrees 44 minutes 57 seconds for an arc length of 142.26 feet (chord bears South 46 degrees 31 minutes 28 seconds East 142.24 feet); thence South 47 degrees 53 minutes 56 seconds East 1377.02 feet to an intersection with the Northeast right-of-way boundary of the Seaboard Airline Railroad; thence along the said railroad right-of-way North 53 degrees 26 minutes 26 seconds West 562.84 feet to the POINT OF BEGINNING containing 2.15 acres, more or less.