

ORDINANCE NO.: 99-20

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 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 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 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.


Section 4. That this ordinance supersedes and replaces Ordinance No. 99-14.

Section 5. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 6. That this Ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Council on the 25th day of August,
1999.

PASSED the City Council on the 2nd day of September, 1999.



RONALD J. COLSTON
MAYOR

ATTEST:

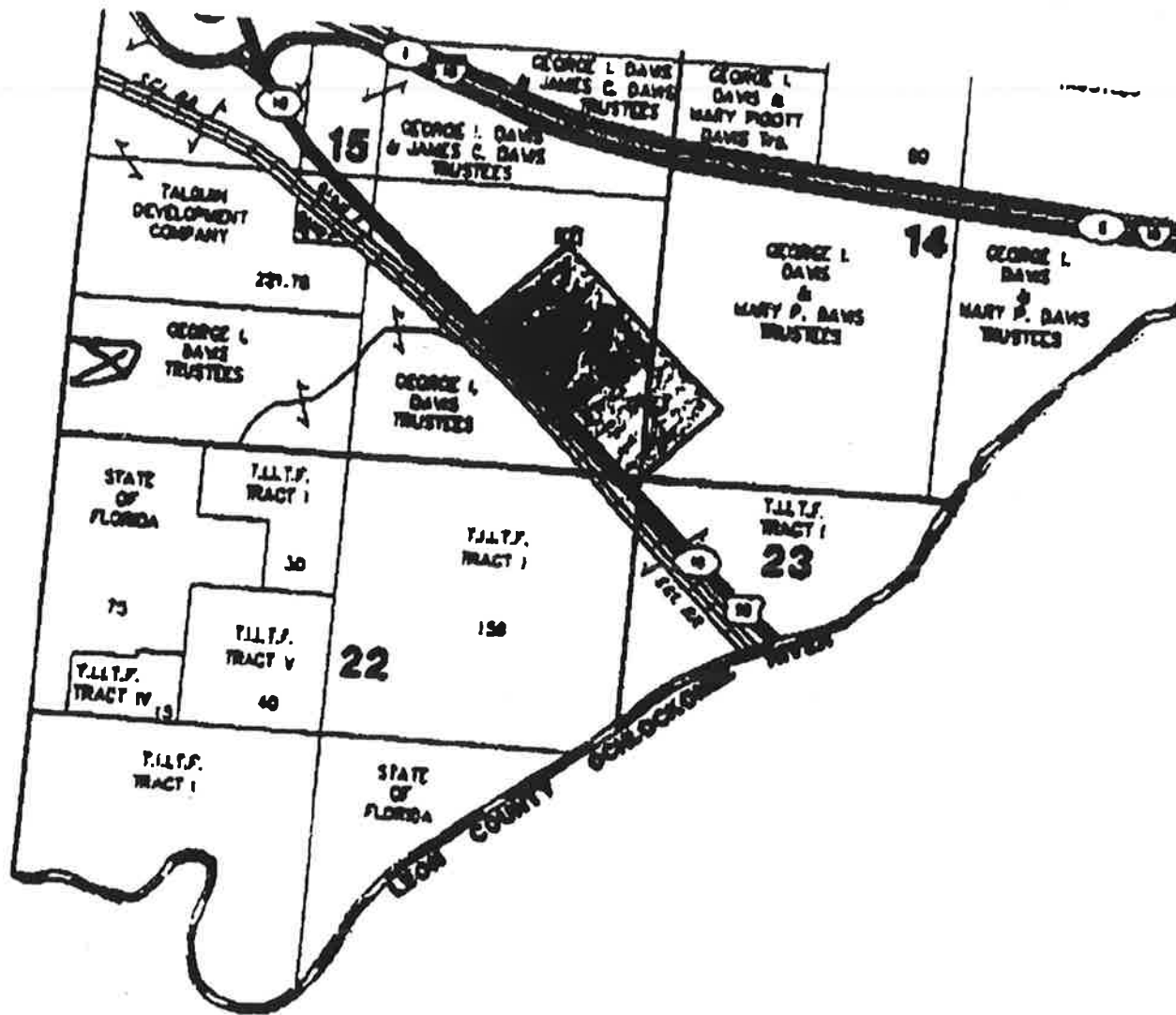


CITY CLERK

APPROVED AS TO FORM:



CECIL HOWARD
CITY ATTORNEY



PARCEL "A-1"

A parcel of land lying in Section 15, Township 1 North, Range 2 West, Gadsden County, Florida described as follows:

COMMENCE at the Southeast corner of Section 15, Township 1 North, Range 2 West, Gadsden County, Florida, and run thence South 00 degrees 31 minutes 00 seconds East along the east line of Section 22, Township 1 North, Range 2 West, Gadsden County, Florida, a distance of 2.75 feet to the northeasterly right of way boundary of State Road No. 10 (Section No. 50030-2533, U.S. Highway 90); thence run 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 300.00 feet; thence South 42 degrees 00 minutes 52 seconds West 15.00 feet; thence North 47 degrees 59 minutes 08 seconds West 150.00 feet; thence North 42 degrees 00 minutes 52 seconds East 15.00 feet; thence North 47 degrees 59 minutes 08 seconds West 1375.00 feet to a point for the POINT OF BEGINNING. From said POINT OF BEGINNING continue thence Northwesterly along said right of way as follows: North 47 degrees 59 minutes 08 seconds West 575.00 feet; thence North 42 degrees 00 minutes 52 seconds East 10.00 feet to the southerly right of way boundary of Interstate No. 10 (State Road No. 8), said point marking Station 645+41.25, 130 feet left, as shown on the Florida Department of Transportation Right of Way Map of State Road No. 8 (Section 50001-2401) and recorded in Map Book 1, Page 89 of the Public Records of Gadsden County, Florida; thence run Northwesterly along said southerly right of way as follows: North 47 degrees 59 minutes 08 seconds West 208.75; thence North 47 degrees 46 minutes 49 seconds West 282.17 feet; thence North 41 degrees 34 minutes 21 seconds West 237.92 feet to a re-bar and cap marked "FLA DOT" marking the beginning of the Limited Access Right of Way of State Road No. 8, said point lying on a curve concave Northeasterly; thence along said limited access right of way and curve with a radius of 2724.79 feet, through a central angle of 01 degrees 32 minutes 42 seconds for an arc distance of 73.48 feet (the chord of said arc bears North 40 degrees 44 minutes 17 seconds West 73.48 feet) to a re-bar with cap marked "LB 0732" marking the Southeast corner of that parcel of land described in Official Records Book 461, Page 935 of the Public Records of Gadsden County, Florida; thence leaving said right of way, run North 00 degrees 05 minutes 50 seconds West along the east boundary of said parcel, 598.94 feet to the aforesaid southerly Limited Access Right of Way of State Road No. 8; thence run Northeasterly and Southeasterly along said Limited Access Right of Way as follows: North 57 degrees 12 minutes 46 seconds East 311.75 feet to a re-bar with cap marked "FLA DOT"; thence South 69 degrees 55 minutes 54 seconds East 1668.39 feet; thence leaving said right of way, run South 36 degrees 03 minutes 34 seconds West 1423.24 feet to the POINT OF BEGINNING, containing 40.017 acres, more or less. Bearings based on Florida Department of Transportation Traverse Stations designated "I-10 74 A43" and "I-10 74 A44". Grid Bearing North 86 degrees 19 minutes 20 Seconds West.

SUBJECT TO: An Ingress, Egress and Utility Easement described in the instrument recorded in Official Records Book 460, Page 1448 of the Public Records of Gadsden County, Florida.

Sheet 4 of 8

Eugene Moor Davis Estate

Job No. 97-527

PSR No. 575-12-97

January 29, 1998