

ORDINANCE NO.: 99-21

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. 99-15.

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:


CÉCIL HOWARD
CITY ATTORNEY

PARCEL, "A-2"

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 to a point for the POINT OF BEGINNING. From said POINT OF BEGINNING continue thence North 47 degrees 59 minutes 08 seconds West 1375.00 feet; thence leaving said right of way, run North 36 degrees 03 minutes 34 seconds East 1423.24 feet to the southerly Limited Access Right of Way of State Road No. 8 (Interstate No. 10) 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 South 69 degrees 55 minutes 54 seconds East along said right of way, 245.61 feet to a re-bar with cap marked "FLA DOT" and a point of curve to the left; thence along said curve with a radius of 5904.58 feet, through a central angle of 05 degrees 13 minutes 43 seconds, for an arc distance of 538.84 feet (the chord of said arc bears South 72 degrees 32 minutes 46 seconds East 538.65 feet); thence leaving said right of way, run South 13 degrees 10 minutes 58 seconds West 694.37 feet to a concrete monument with cap marked "LB4923"; thence run North 84 degrees 17 minutes 00 seconds West 118.93 feet to a concrete monument with cap marked "LB4923"; thence South 05 degrees 43 minutes 00 seconds West 200.00 feet to a concrete monument with cap marked "LB4923"; thence South 84 degrees 17 minutes 00 seconds East 70.60 feet to a concrete monument with cap marked "LB4923"; thence run South 19 degrees 18 minutes 00 seconds West 1011.61 feet to the POINT OF BEGINNING, containing 40.000 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: A 60 foot Ingress and Egress Easement described in the instrument recorded in Official Records Book 463, Page 1590 of the Public Records of Gadsden County, Florida and a proposed 20 foot Ingress and Egress Easement described herein.

Sheet 5 of 8

Eugene Moor Davis Estate

Job No. 97-527

PSR No. 575-12-97

January 29, 1998



