

ORDINANCE NO. 2024-O-49

AN ORDINANCE ANNEXING 2.72± ACRES OF CERTAIN REAL PROPERTY LOCATED AT 267 CAROL ANN DRIVE (PARCEL IDENTIFICATION NUMBER 7432-08-00-0110), VOLUSIA COUNTY, INTO THE CITY OF EDGEWATER, FLORIDA; SUBJECT TO THE JURISDICTION, OBLIGATIONS, BENEFITS AND PRIVILEGES OF THE MUNICIPALITY; AMENDING THE DESCRIPTION OF THE CITY OF EDGEWATER CORPORATE LIMITS; PROVIDING FOR FILING WITH THE CLERK OF THE CIRCUIT COURT, VOLUSIA COUNTY, THE VOLUSIA COUNTY PROPERTY APPRAISER AND THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR AN EFFECTIVE DATE, RECORDING AND ADOPTION.

WHEREAS, the City Council of the City of Edgewater, Florida, has made the following determinations:

1. Jeffrey Bock, applicant on behalf of Oak Grove on Park, LLC, owner, has applied for annexation of property located at 267 Carol Ann Drive within Volusia County, Florida. Subject property contains approximately 2.72± acres.
2. The owner has voluntarily petitioned (applied) the City of Edgewater for annexation pursuant to Section 171.044, Florida Statutes.
3. The property is located within the Interlocal Service Boundary Agreement mutually adopted by Volusia County and the City. The conditions for annexation and the economics thereof are satisfactory.
4. The boundaries of Voting District 1 of the City of Edgewater are hereby designated to include the property described herein.
5. During the Planning and Zoning Board meeting on September 11, 2024, the Board recommended that the property be annexed into the City of Edgewater.

NOW, THEREFORE, BE IT ENACTED by the People of the City of Edgewater,
Florida:

**PART A. ANNEXATION OF CERTAIN REAL PROPERTY INTO THE CITY
OF EDGEWATER, FLORIDA.**

1. Pursuant to Section 171.044, Florida Statutes, that certain real property described in **Exhibit “A”** and depicted in the map identified as **Exhibit “B”**, which are attached hereto and incorporated by reference, is hereby annexed into and made part of the City of Edgewater, Florida, and shall be subject to the jurisdiction, obligations, benefits and privileges of the municipality.

2. The boundaries of the City of Edgewater are hereby redefined to include the property described herein and depicted in the map identified as **Exhibit “B”**.

3. Pursuant to Section 2.01 of the Charter of the City of Edgewater, Florida, that certain document entitled “Description of City of Edgewater Corporate Limits” shall be amended accordingly.

4. Within seven (7) days after adoption, copies of this ordinance shall be filed with the Volusia County Clerk of the Circuit Court, the Volusia County Property Appraiser, the Volusia County Manager, the Mapping Division of the Volusia County Growth Management Department, and the Department of State.

PART B. CONFLICTING PROVISIONS.

All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.

PART C. SEVERABILITY AND APPLICABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this

ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances, such holding shall not affect its applicability to any other person, property, or circumstance

PART D. RECORDING.

Upon approval and execution, this document shall be delivered to the Clerk of Court for recording into the public records of Volusia County, Florida.

PART E. EFFECTIVE DATE.

This ordinance shall take effect upon adoption.

PASSED AND DULY ADOPTED this ____ day of _____, 2024.

Diezel DePew, Mayor

ATTEST:

Bonnie Zlotnik, CMC, City Clerk

Passed on first reading on the ____ day of _____, 2024

REVIEWED AND APPROVED: _____
Aaron R. Wolfe, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

Lot 11, Park Avenue Estates, as per Map Recorded in Map Book 34, Page 69, Public Records of Volusia County, Florida, together with an easement for ingress and egress over the following described property: Being a part of the Geronimo Alvarez Grant Section 52, Township 17 South, Range 34 East and being more particularly described as following: Commence at the Northeast corner of U.S. Lot 3, Section 32, Township 17 South, Range 34 East said point being in the South line of the Geronimo Alvarez Grant, thence along said South line South 73 degrees 58 minutes 06 seconds West a distance of 1002.66 feet for the Point of Beginning; thence continue along said South line of the G. Alvarez Grant South 73 degrees 58 minutes 06 seconds West a distance of 69.80 feet, thence by a curve to the left having a radius of 145.00 feet; a central angle of 23 degrees 40 minutes 59 seconds, for an arc length of 59.94 feet to the Point of Reverse Curvature, thence by a curve to the right having a radius of 205.00 feet, a central angle of 47 degrees 17 minutes 49 seconds for an arc length of 169.22 feet to the Point of Tangency of said curve, thence North 23 degrees 08 minutes 10 seconds West along the tangency of the previously described curve a distance of 404.36 feet to the Southerly right of way of Park Avenue, a 50 foot right of way as now laid out, thence North 67 degrees 00 minutes 54 seconds East along said Southerly right of way a distance of 60 feet, thence South 23 degrees 08 minutes 10 seconds East, a distance of 404.20 feet to the Point of Tangency of a curve to the left having a radius of 145.00 feet, a central angle of 47 degrees 17 minutes 49 seconds for an arc length of 119.70 feet to the Point of Reverse Curvature of a curve to the right having a radius of 205.00 feet a central angle of 23 degrees 40 minutes 59 seconds for an arc length of 84.74 feet to the Point of Tangency of said curve, thence South 46 degrees 45 minutes 00 seconds East along the tangency of the previously described curve a distance of 35.65 feet to the Point of Beginning.

Parcel Identification Number: 743208000110

EXHIBIT "B"

