

ORDINANCE NO. 2024-O-14

AN ORDINANCE ANNEXING 21± ACRES OF CERTAIN REAL PROPERTY LOCATED AT 1575 MASSEY ROAD (PARCEL IDENTIFICATION NUMBER 7344-08-00-0122), 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. Hunter Davis, applicant on behalf of Stanley Wallace, owner, has applied for annexation of property located at 1575 Massey Road within Volusia County, Florida. Subject property contains approximately 21± 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 May 8, 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

DESCRIPTION: Overall Parent Parcel (Per ORB 6552, pg 4139)

The easterly 600 feet of Lot 12, except the northerly 363 feet thereof, and the easterly 600 feet of that portion of Lot 13 lying northerly of Massey Road, which is an existing 50-foot County Road running through said lot 13 Subdivision of the South Third of the AMBROSE HULL GRANT, recorded in Map Book 5, Page 54 and Map Book 4, Page 199 of the Public Records of Volusia County, Florida.

AND Property in Section 31, Township 17 South, Range 34 East, described as follows:

Commence at the Southwest Comer of Lot 34, Block 2 A, Spanish Mission Heights Unit No. 2, as recorded in Map Book 23, Page 119 of the Pubic Records of Volusia County, Florida; Thence S 21° E. along the East line of the Hull Grant 3854 feet for the Point of Beginning; Thence continue S. 21° E, 368.8 feet, Thence N. 75° 40' E. 175 feet to the West line of existing drainage canal; Thence along said west bank N 7° 35' 10° W. 400 feet; Thence S. of 69° W. 266.6 feet to the Point of Beginning. (Official Records Book 1693, Page 370, Public Records of Volusia County, Florida.

AND Property in Section 31, Township 17, South, Range 34 East, described as follows: Commence at the Southwest Corner of Lot 34, Block 2A, Spanish Mission Heights Unit #2, as recorded in Map Book 23, Page 119, Public Records of Volusia County, Florida; Thence S 21° E along the East line of the Hull Grant 4237.20 feet to the Point of Beginning; Thence S 21° E along the East line of the Hull Grant 710 feet to the West bank of existing drainage canal; Thence N 7° 35' 10" W along said West bank 710 feet; Thence S 69°W to the Point of Beginning. (Official Records Book 1420, Page 472, Public Records of Volusia County, Florida

LESS AND EXCEPT:

A portion of Lot 13 of the South one-third of the AMBROSE HULL GRANT, per Map Book 5, Page 54 (which portion is the same as Map Book 4, Page 199) of the Public Records of Volusia County, Florida; also a portion of Section 31, Township 17 South, Range 34 East, being described as follows:

BEGIN at a point on the East line of the AMBROSE HULL GRANT, said point being S. 21° E., 585.98 feet from the Northeast Corner of said Lot 13; Thence run N. 67° 54' 40" E., 110 feet to the West line of existing drainage canal; Thence S. 07° 12' 13" E. along said West Line of existing drainage canal, 398.30 feet to the North right-of-way of Massey Road a 50 foot right-of-way as now laid out; Thence S 67°54'40" W along said north right-of-way 315 feet; Thence N. 21° W., 385 feet; Thence N. 67° 54' 40" E., 300.00 feet to the Point of Beginning. Containing 3.20 acres more or less. (Official Records Book 2843, Page 1496, Public Records of Volusia County, Florida)

EXHIBIT "B"



~~Strike through~~ passages are deleted.
Underlined passages are added.
2023-O-28

