ORDINANCE NO. 2016-13

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, ANNEXING 1.28 ACRES OF PROPERTY CONTIGUOUS THERETO, LOCATED AT 2394 MINTON ROAD LYING IN SECTION 12, TOWNSHIP 28 SOUTH, RANGE 36 EAST, AND AS MORE FULLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of the property described herein below have petitioned the City pursuant to F.S. 171.044 for voluntary annexation of the said property into the City;

WHEREAS, said property to be annexed is contiguous to the corporate limits of the City and meets the requirements of F.S. 171.044; and

WHEREAS, the City Council has determined that it is desirable to annex the said property.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Melbourne, Brevard County, Florida, that:

Section 1.
The following property shall hereby be annexed to and incorporated within the City of West Melbourne, Brevard County, Florida:

DESCRIPTION (ORB 5561, Page 2761)
From the N.E. corner of Section 12, Township 28 South, Range 36 East, Brevard County, Florida, run S87°37'50"W, along the North line of said Section 12 a distance of 33.04 feet to the West right of way line of Malabar Road, also known as Minton Road; thence S0°23'20"W, parallel with the East line of said Section 12 and along said West right of way line of Malabar Road a distance of 630.0 feet to the Point of Beginning of the herein described parcel; thence continue S0°23'20"W, along said right of way a distance of 70.07 feet; thence N 89°04'01"W, a distance of 270.90 feet; thence N0°23'20"E, a distance of 73.64 feet; thence S88°18'40" E, a distance of 270.96 feet to the Point of Beginning.

AND

From the N.E. corner of Section 12, Township 28 South, Range 36 East, Brevard County, Florida, run S87°37'50"W, along the North line of said Section 12 a distance of 33.04 feet to the West right of way line of Malabar Road, also known as Minton Road; thence S0°23'20"W, along said West right of way line of Malabar Road and parallel with the East line of said Section 12, a distance of 700.07 feet to the Point of

Beginning of the herein described parcel; thence continue S0°23'20"W, along said West right of way line a distance of 98.0 feet; thence N89°01'40"W, a distance of 296.84 feet; thence N0°47'21"E, a distance of 31.95 feet; thence N21°47'33"E, a distance of 70.46 feet; thence S89°04'01"E, a distance of 270.90 feet to the Point of Beginning.

AND

From the N.E. corner of Section 12, Township 28 South, Range 36 East, Brevard County, Florida, run S87°37'50"W, along the North line of said Section 12 a distance of 33.04 feet to the West right of way line of Malabar Road, also known as Minton Road; thence S0°23'20" W, parallel with the East line of said Section 12 and along said West right of way line of Malabar Road a distance of 870.07 feet to the North line of property as described in Deed Book 351, Page 408, Brevard County Public Records; thence S87°41'20"W, along said North line of Deed Book 351, Page 408, a distance of 225.30 feet to the Point of Beginning of the herein described parcel; thence continue S87°41'20"W, along said North line of Deed Book 351, Page 408, a distance of 96.48 feet to the East line of property as described in Deed Book 119, Page 415, Brevard County Public Records; thence N0°47'21"E, along said East line of Deed Book 119, Page 415, a distance of 121.01 feet; thence N. 87°41'20" E., a distance of 24 feet; thence S 0°47'21"W, a distance of 31.95 feet; thence S89°01'40"E, a distance of 69.84 feet; thence S0°55'07"E, a distance of 84.95 feet to the Point of Beginning.

A map showing the locations of the said properties is attached as Exhibit "A" of this Ordinance. Such land shall immediately become subject to the jurisdiction and powers of the City of West Melbourne, Florida.

Section 2.
Utilities Notification. The City Clerk is hereby directed to notify all utility companies servicing this property of this annexation.

Section 3.
County Notification. The City Clerk is hereby directed to provide a copy of the notice of annexation, via certified mail, to the Brevard County Board of County Commissioners at least 10 days prior to the time of publishing said notice as provided for in Florida Statutes, Section 171.044(6).

Section 4.
Department of State Notification. The City Clerk is hereby directed to file, via certified mail, a certified copy of this Ordinance with the Department of State of the State of Florida, the Brevard County Clerk of the Circuit Court for recording and the Brevard County Chief Administrative Officer, within seven (7) days after the adoption of this Ordinance, as provided for in Florida Statutes, Section 171.044(3). Any change in the

municipal boundaries shall be filed with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area, as provided for in Florida Statutes, Section 171.091.

Section 5.
Effectiveness. This ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of West Melbourne, Brevard County, Florida, this 20th day of September 2016.

CITY OF WEST MELBOURNE CORPORATE SEAL 1959 BREVARD COUNTY, FLORIDA

Hal Rose
HAL J. ROSE, MAYOR

ATTEST:

Sue Frank
Sue Frank, City Clerk

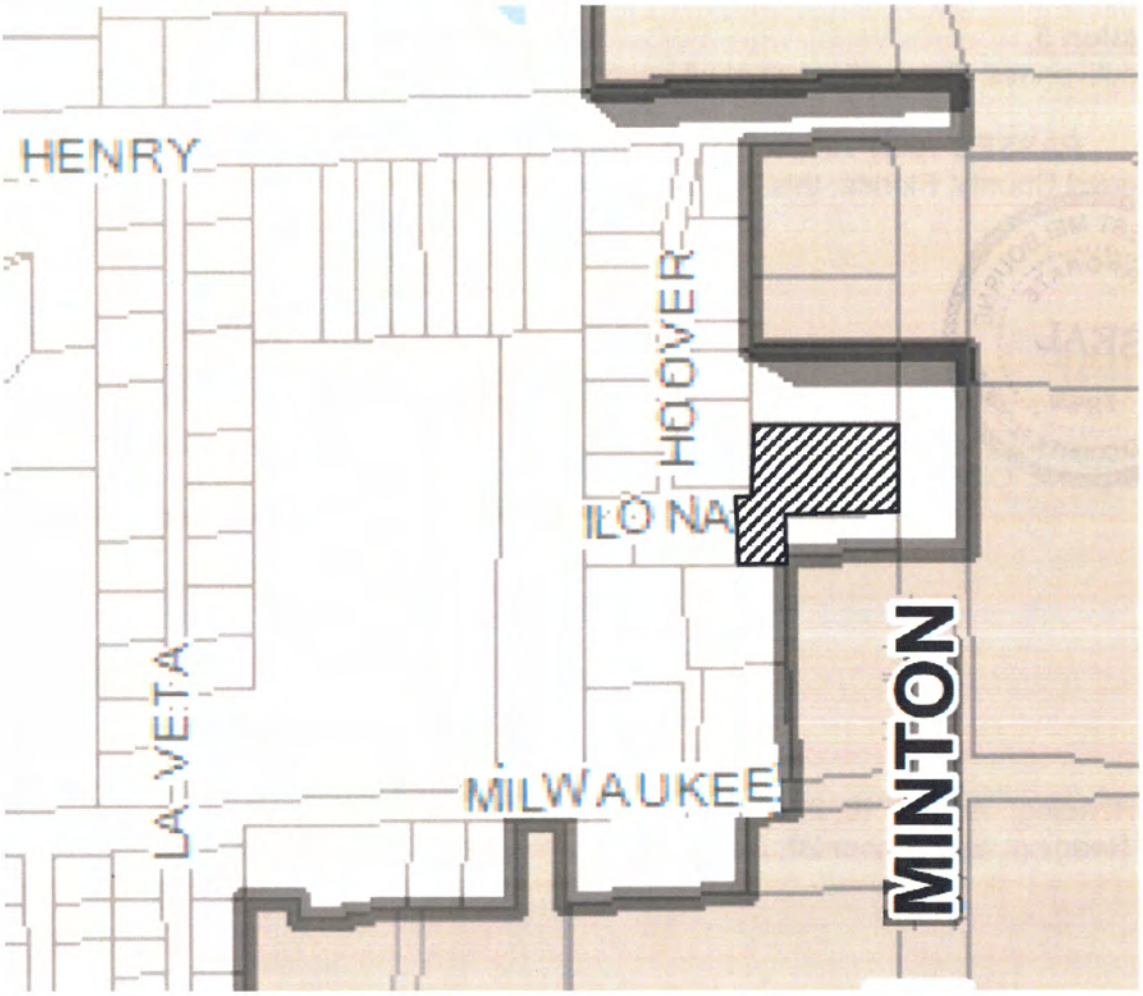
Approved as to form and content:

By: _____
Morris Richardson, City Attorney

1st Reading: August 16, 2016
2nd Reading: September 20, 2016

Exhibit "A"

Ordinance No. 2016-13



Legend

North

Parcel to be annexed

West Melbourne

CITY OF West Melbourne FLORIDA