

By Senators Burt and King

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A bill to be entitled
An act relating to Volusia County; extending
the corporate limits of the City of South
Daytona and the City of Port Orange; providing
for the annexation of certain unincorporated
areas lying between the City of South Daytona
and the City of Port Orange; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. The Legislature finds that there are small, unincorporated areas located between the City of South Daytona and the City of Port Orange which create significant growth-management and local-government-service problems for both of these cities as well as Volusia County.

Section 2. The Legislature further finds that Volusia County, the City of South Daytona, and the City of Port Orange have agreed that these unincorporated areas should be annexed into the cities.

Section 3. The Legislature further finds that the City of South Daytona has held multiple public meetings, and the City of Port Orange has agreed to meet separately with each property owner, to provide the residents and property owners within the areas to be annexed with information regarding the effects of such annexation on matters such as the cost and delivery of governmental services, the application and enforcement of the comprehensive plan and building codes, and other relevant matters. These meetings also provided a forum for members of the public to ask questions and express their views regarding the proposed annexation.

1 Section 4. The following described parcels are annexed
2 into the corporate limits of the City of South Daytona, and
3 the corporate limits of the City of South Daytona are amended
4 to incorporate such annexed property:

5
6 DWAYNE/BROOKS AREA (approx. 10.5 acres) Legal
7 Description of the Dwayne/Brooks Property on
8 Sauls Street)

9
10 (1) The Dwayne Property is described as the south 230
11 feet of Lot 2 and the north 50 feet of Lot 3, Block 6 of the
12 Dunlawton Subdivision as per the Official Records Book 2, Page
13 0398. The Dwayne Property is approximately 4.0 acres.

14 (2) The Brooks Property Legal Description is Lot 2
15 except for the south 230 feet of Block 6, Dunlawton
16 Subdivision, containing 6.5 acres. Both parcels combined total
17 approximately 10.5 acres.

18
19 ALICE AVE. R/W-SOUTH OF ORCHARDS AREA (approx.
20 4.5 acres) (Legal Description for the Parcel of
21 Property between Alice Ave. & South Side of the
22 Orchards Phase II Subdivision)

23
24 Legal Description being the southerly 264 feet of Lot 3, Block
25 7 of the Dunlawton Subdivision as per the Official Records
26 Book 2, Page 0398 including the 30-foot width of Alice Avenue
27 right-of-way bordering Lot 3, Block 7 of the Dunlawton
28 Subdivision, containing 4.5 acres.

29
30 KLENK LANDFILL (approx. 9.3 acres) (Legal
31 Description for the Parcel Abutting the South

1 R/W Line of Alice Ave. South of the Orchards 1
2 Subdivision)
3
4 Legal Description being Lot 1 Block 10 of the Dunlawton
5 Subdivision as per the Official Records Book 3564, Page 0920
6
7 CARTER PROPERTIES NEXT TO NOVA RD. (approx. 5.1
8 acres) (Legal Description of the 2 Carter
9 Properties on Nova Road)
10
11 Legal Description being the east 557.03 feet of the southerly
12 line west of Jackson Street of the south 219.47 feet north of
13 Alice Avenue in Lot 3, Block 8 of the Dunlawton Subdivision,
14 including the west 15 feet of the vacated Jackson Street
15 right-of-way as per OR Book 3995, Page 2101 and the east
16 559.03 feet on the northerly line west of Jackson Street of
17 the north 219.47 feet of the south 438.94 feet north of Alice
18 Avenue in Lot 3, Block 8 of the Dunlawton Subdivision,
19 including the west 15 feet of the vacated Jackson Street
20 right-of-way per OR Book 3995, Page 2101. The total area
21 encompassed by this description is approximately 5.1 acres.
22
23 AREA ON WEST SIDE OF NOVA RD. BETWEEN GODAWA
24 SEPTIC ON SOUTH AND TWIN OAKS MOBILE HOME PARK
25 ON NORTH (approximately 56.4 acres)
26
27 Legal Description including Liberty Village Mobile Home
28 Subdivision, Palm View Subdivision, Walgreen's and Nour/LaFlam
29 Business Parks on Nova Road)
30
31

1 Beginning at a concrete monument marking the Northwest corner
2 of Lot 4, Block 1, Map of Dunlawton as recorded in Map Book
3 14, Page 82 and 83; thence North 63°20'29" East a distance of
4 376.13 feet to a point; thence South 26°55'22" East a distance
5 of 200.05 feet to a point on the North line of a 20-foot
6 easement; thence North 63°20'29" East a distance of 194.83
7 feet to a point, such point being the Intersection of such
8 line and the westerly right-of-way of Nova Road; thence
9 Northerly along such right-of-way line as shown by the
10 aforementioned State of Florida right-of-way map, sheet 6 of
11 17 to a point of Intersection of said right-of-way with the
12 Southerly line of Lot 1, Block 8, Map of Dunlawton as recorded
13 in Map Book 14, Pages 82 and 83, and Deed Book M, Page 187 of
14 the Public Records of Volusia County, Florida; thence Easterly
15 along the Southerly line of Lot 1 a distance of 32.43 feet to
16 the Westerly right-of-way line of aforementioned Nova Road;
17 thence northerly along said Westerly right-of-way line as
18 shown by the aforementioned State of Florida right-of-way map
19 sheet 8 of 17, sheet 7 of 17, and sheet 6 of 17 to a point
20 75.01 feet Southerly, as measured along said Westerly
21 right-of-way line, from the Northerly line of Lot 1, Block 8,
22 Map of Dunlawton as recorded in Map Book 14, Pages 82 and 83,
23 and Deed Book M, Page 187 of the Public Records of Volusia
24 County, Florida; thence Westerly, parallel to the Northerly
25 line of Lot 1, Block 8, a distance of 18.33 feet to the
26 Westerly right-of-way line as shown by the aforementioned
27 State of Florida right-of-way map, sheet 6 of 17 and
28 designated as existing right-of-way; thence Northerly along
29 such line to a point of intersection with such right-of-way
30 and the Southerly line of Lot 141 of Blake's Subdivision as
31 recorded in Deed Book "E", Page 150, Map Book 1, Page 38, and

1 Map Book 15, Page 119 of the Public Records of Volusia County;
2 thence Westerly along such Southerly line of Lot 141 to the
3 Westerly line of Section 42, Township 15 South, Range 33 East,
4 being the Southwesterly corner of such Lot 141; thence
5 Southerly along such Section line to the Southwesterly corner
6 of such Section, thence Easterly along such Southerly Line of
7 Section 42, Township 15 south, Range 33 east to a point on the
8 Northerly right-of-way line of Reed Canal Road. Thence
9 Easterly along such right-of-way to a point of intersection of
10 said right-of-way and the Westerly line of Section 43,
11 Township 15 south, Range 33 east. Thence Southerly along said
12 Westerly line on Section 43, Township 15 south, Range 33 east
13 to the point of beginning. The total area encompassed by this
14 description is approximately 56.4 acres.

15

16 NORTH AREA ON WEST SIDE OF NOVA RD. (approx. 36
17 acres) (Legal Description of Green Acres,
18 Beckman Mobile Home Subdivision and Twin Oaks
19 Mobile Home Park on Nova Road)

20

21 Beginning at the intersection of the northerly line of Lot 146
22 of Blake's Subdivision as recorded in Deed Book "E", Page 150,
23 Map Book 1, Page 38, and Map Book 15, Page 119 of the Public
24 Records of Volusia County, Florida, and the Westerly line of
25 Section 42, Township 15 South, Range 33 East, being the
26 Northwesterly corner of Lot 146; thence Easterly along the
27 Northerly line of Lot 146 a distance of 1360.46 feet as shown
28 by the official State of Florida right-of-way map for State
29 Road 400 Section 79001-2501, sheet 9 of 17; thence Southerly
30 282.42 feet to a point in the Northerly right-of-way of Connie
31 Place as shown by the map of Beckman Subdivision as recorded

1 in Map Book 39, Page 187 of the Public Records of Volusia
2 County, Florida, said point being a distance of 57.42 feet as
3 measured easterly along such Northerly right-of-way line from
4 the Northwesterly corner of Connie Place; thence Southeasterly
5 to the point of intersection with the Easterly right-of-way of
6 Beckman Drive as shown by the map of Beckman Subdivision as
7 recorded in Map Book 39, Page 187 of the Public Records of
8 Volusia County, such point being the Point of Curvature of a
9 curve in the right-of-way of Beckman Drive connecting such
10 right-of-way line to the Southerly right-of-way line of
11 aforementioned Connie Place; thence Southerly along such
12 Easterly right-of-way line of Beckman Drive to the
13 Northeasterly corner of Lot 39, Beckman Subdivision as
14 recorded in Map Book 39, Page 187 of the Public Records of
15 Volusia county; thence Southerly along the Easterly line of
16 Lot 39 to the Northerly line of Lot 143 of Blake's Subdivision
17 as recorded in Deed Book "E", Page 150, Map Book 1, Page 38,
18 and Map Book 15, Page 119 of the Public Records of Volusia
19 County, Florida; thence Easterly along such Northerly line of
20 Lot 143 to the Westerly right-of-way line of aforementioned
21 Nova Road as shown by the aforementioned State of Florida
22 right-of-way map sheet 9 of 17; thence Southerly along such
23 Westerly right-of-way line as shown by the aforementioned
24 State of Florida right-of-way map sheet 9 of 17 and sheet 8 of
25 17 to the Northerly line of Lot 142 of Blake's Subdivision as
26 recorded in Deed Book "E", Page 150, Map Book 1, Page 38, and
27 Map Book 15, Page 119 of the Public Records of Volusia County;
28 thence Westerly along such Northerly line of Lot 142 to the
29 Westerly line of Section 42, Township 15 South, Range 33 East,
30 being the Northwesterly corner of Lot 142; thence Northerly
31 along such Westerly line of Section 42, Township 15 South,

1 Range 33 East, to the point of beginning. The total area
2 encompassed by this description is approximately 36.0 acres.

3 Section 5. The following described parcels are annexed
4 into the corporate limits of the City of Port Orange, and the
5 corporate limits of the City of Port Orange are amended to
6 incorporate such annexed property:

7
8 ENCLAVE #1

9
10 The south 50 feet of the east 500 feet of lot
11 2, block 12, map of Dunlawton as recorded in
12 map book 14, pages 82-83 of the public records
13 of Volusia County.

14
15 ENCLAVE #2

16
17 The north 1/2 of lot 2, block 10, map of
18 Dunlawton as recorded in map book 14, pages
19 82-83 of the public records of Volusia County.

20
21 Together with the easterly 15 feet of Dame
22 Street lying south of the easterly extension of
23 the north line of such lot 2 and lying north of
24 the easterly extension of the south line of the
25 north 1/2 of such lot 2.

26
27 ENCLAVE #3

28
29 The west 1/2 of lot 4, block 10, map of
30 Dunlawton as recorded in map book 14, pages
31 82-83 of the public records of Volusia County.

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Together with that portion of Jackson Street lying south of the westerly extension of the north line of such lot 4 and north of the northerly right-of-way line of Madeline Avenue.

ENCLAVE #4

A portion of Magnolia Grove Subdivision, as recorded in map book 14, page 104 of the public records of Volusia County, together with a part of lot 4, block 8, and all of lot 1, block 9, map of Dunlawton, map book 14, pages 82-83, such public records, more particularly described as follows;

Beginning at the southwest corner of lot 1, block 8, map of Dunlawton, such corner also being the northwest corner of lot 4, block 8, map of Dunlawton; thence east along the north line of lot 4 to the west right-of-way line of Nova Road, as now laid out and in use; thence south along such west right-of-way line to the south right-of-way line of Alice Street as shown on the map of Dunlawton; thence easterly along such south line of Alice Street to the northwest corner of lot 2 block 9, map of Dunlawton; thence southerly along the west line of lot 2, block 9 to the NE corner of lot 4, block 9, map of Dunlawton; thence westerly along the north line of lot 4, block 9 to the

1 northwest corner of lot 4; thence westerly
2 along the north line of lots 6 and 7, map of
3 Magnolia Grove, to the easterly line of
4 government lot 2, section 5, township 17 south,
5 range 33 east; thence north along the east line
6 of government lot 2 to the natural boundary of
7 Butler Branch and the south line of that parcel
8 as recorded in official records book 1724, page
9 1902, public records.
10
11 (Official records book 1724, page 1902 - lot 1,
12 block 8, except the northerly 75 feet thereof,
13 Dunlawton, as recorded in deed book "M", page
14 187, public records of Volusia County, and a
15 part of lot 1, subdivision of lots 1, 2, and 4,
16 section 5, township 16 south, range 33 east,
17 lying west and north of the following described
18 line commencing at the southwest corner of lot
19 1, block 8, Dunlawton; thence S65°W a distance
20 of 500 feet; thence to a point that lies 600
21 feet S65°W of the southwest corner of lot 4,
22 block 1, Dunlawton; thence to the nearest point
23 where the line will strike the natural boundary
24 of "Butler Branch"; thence following the course
25 thereof in a general westerly direction to the
26 west line of lot 2, section 5, township 16
27 south, range 33 east, as recorded in map book
28 2, page 69, public records of Volusia County,
29 excepting therefrom the following described
30 parcel: commence at a concrete monument marking
31 the northwest corner of lot 4, block 1,

1 Dunlawton; thence S25°E along the west line of
2 lot 4, a distance of 410.5 feet to the point of
3 beginning; thence west along the north line of
4 lot 1, subdivision of lot 1, 2, and 4, section
5 5, township 16 south, range 33 east, a distance
6 of 551.68 feet to a point; thence S25°E, a
7 distance of 572.65 feet to a point; thence
8 N65°E a distance of 500 feet to a point in the
9 west line of block 8 Dunlawton; thence north
10 along the west line of blocks 1 and 8,
11 Dunlawton, a distance of 339.5 feet to the
12 point of beginning.

13
14 Also described as: lot 1, block 8, except the
15 northerly 75 feet thereof, Dunlawton, as
16 recorded in deed book "M", page 187, public
17 records of Volusia County and a part of lot 1,
18 subdivision of lots 2 and 4 of section 5,
19 township 16 south, range 33 east, being more
20 particularly described as follows: begin at the
21 southwest corner of lot Q, block 8, Dunlawton
22 Subdivision; thence S65°14'55"W a distance of
23 540.47 feet; thence S15°56'27"E a distance of
24 705 feet more or less to the natural boundary
25 of "Butler Branch"; thence following the course
26 thereof in a general westerly direction to the
27 west line of lot 2, section 5, township 16
28 south, range 33 east, as recorded in map book
29 2, page 68, public records of Volusia County;
30 thence N0°50'10"E along the west line of U.S.
31 lot 2, a distance of 2100 feet more or less;

1 thence S26°59'44"E a distance of 572.75 feet;
2 thence N63°00'16"E a distance of 500 feet;
3 thence S26°59'44"E a distance of 585 feet to
4 the point beginning, containing 46.57 acres
5 more or less).

6
7 Thence easterly and northerly along the
8 boundary of the described parcel to the point
9 of beginning.

10 Section 6. The areas described in sections 3 and 4
11 subject to annexation shall be subject to all laws,
12 ordinances, and regulations in force in the respective
13 annexing municipality and shall be entitled to the same
14 privileges and benefits as other parts of the respective
15 annexing municipality upon the effective date of this act. If
16 any of these parcels were subject to the Volusia County land
17 use plan and Volusia County zoning or subdivision regulations,
18 such plan and regulations shall remain in full force and
19 effect until the respective annexing municipality adopts a
20 comprehensive plan amendment that includes the property. The
21 properties described in sections 3 and 4 shall be subject to
22 the ad valorem taxes and debts of the respective annexing
23 municipality upon the effective date of this act.

24 Section 7. Notwithstanding any general law or
25 special act to the contrary, the City of South Daytona and the
26 City of Port Orange have full authority to collect all
27 franchise fees and utility taxes currently being collected by
28 Volusia County from the respective annexed properties
29 beginning on the effective date of this act.

30 Section 8. This act shall take effect upon becoming a
31 law.