

By Representative Kosmas

1 A bill to be entitled
2 An act relating to Volusia County; providing
3 for extension of the corporate limits of the
4 City of South Daytona and the City of Port
5 Orange; providing for the annexation of the
6 unincorporated areas lying between the City of
7 South Daytona and the City of Port Orange;
8 providing an effective date.

9
10 WHEREAS, the Legislature finds that there are small,
11 unincorporated areas located between the City of South Daytona
12 and the City of Port Orange that create significant growth
13 management and local government service problems for both of
14 these cities as well as Volusia County, and

15 WHEREAS, the City of South Daytona has held multiple
16 public meetings and the City of Port Orange has agreed to meet
17 separately with each property owner to provide the residents
18 and property owners of the areas to be annexed with
19 information regarding the effects of annexation on matters
20 such as the cost and delivery of governmental services, the
21 application and enforcement of the comprehensive plan and
22 building codes, and other relevant matters, and

23 WHEREAS, these meetings also provide a forum for
24 members of the public to ask questions and express their views
25 regarding the proposed annexation, and

26 WHEREAS, Volusia County, the City of South Daytona, and
27 the City of Port Orange have agreed that these unincorporated
28 areas should be annexed into the cities, NOW, THEREFORE,

29
30 Be It Enacted by the Legislature of the State of Florida:

31

1 Section 1. 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 said annexed property:

5
6 LOT 2 AND THE NORTH 50 FEET OF LOT 3, BLOCK 6
7 OF THE DUNLAWTON SUBDIVISION AS PER THE
8 OFFICIAL RECORDS BOOK 2, PAGE 0398, AND

9
10 THE SOUTHERLY 264 FEET OF LOT 3, BLOCK 7 OF THE
11 DUNLAWTON SUBDIVISION AS PER THE OFFICIAL
12 RECORDS BOOK 2, PAGE 0398 INCLUDING THE 30-FOOT
13 WIDTH OF ALICE AVENUE RIGHT-OF-WAY BORDERING
14 LOT 3, BLOCK 7 OF THE DUNLAWTON SUBDIVISION,
15 AND

16
17 LOT 1 BLOCK 10 OF THE DUNLAWTON SUBDIVISION AS
18 PER THE OFFICIAL RECORDS BOOK 3564, PAGE 0920,
19 AND

20
21 THE EAST 557.03 FEET OF THE SOUTHERLY LINE WEST
22 OF JACKSON STREET OF THE SOUTH 219.47 FEET
23 NORTH OF ALICE AVENUE IN LOT 3, BLOCK 8 OF THE
24 DUNLAWTON SUBDIVISION, INCLUDING THE WEST 15
25 FEET OF THE VACATED JACKSON STREET RIGHT-OF-WAY
26 AS PER OR BOOK 3995, PAGE 2101 AND THE EAST
27 559.03 FEET ON THE NORTHERLY LINE WEST OF
28 JACKSON STREET OF THE NORTH 219.47 FEET OF THE
29 SOUTH 438.94 FEET NORTH OF ALICE AVENUE IN LOT
30 3, BLOCK 8 OF THE DUNLAWTON SUBDIVISION,
31 INCLUDING THE WEST 15 FEET OF THE VACATED

1 JACKSON STREET RIGHT-OF-WAY PER OR BOOK 3995,
2 PAGE 2101, AND
3
4 BEGINNING AT A CONCRETE MONUMENT MARKING THE
5 NORTHWEST CORNER OF LOT 4, BLOCK 1, MAP OF
6 DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGE 82
7 AND 83; THENCE NORTH 63° 20' 29" EAST A
8 DISTANCE OF 376.13 FEET TO A POINT; THENCE
9 SOUTH 26° 55' 22" EAST A DISTANCE OF 200.05
10 FEET TO A POINT ON THE NORTH LINE OF A 20-FOOT
11 EASEMENT; THENCE NORTH 63° 20' 29" EAST A
12 DISTANCE OF 194.83 FEET TO A POINT, POINT BEING
13 THE INTERSECTION OF SAID LINE AND THE WESTERLY
14 RIGHT-OF-WAY OF NOVA ROAD; THENCE NORTHERLY
15 ALONG SAID RIGHT-OF-WAY LINE AS SHOWN BY THE
16 AFOREMENTIONED STATE OF FLORIDA RIGHT-OF-WAY
17 MAP, SHEET 6 OF 17 TO A POINT OF INTERSECTION
18 OF SAID RIGHT-OF-WAY WITH THE SOUTHERLY LINE OF
19 LOT 1, BLOCK 8, MAP OF DUNLAWTON AS RECORDED IN
20 MAP BOOK 14, PAGES 82 AND 83, AND DEED BOOK M,
21 PAGE 187 OF THE PUBLIC RECORDS OF VOLUSIA
22 COUNTY, FLORIDA; THENCE EASTERLY ALONG THE
23 SOUTHERLY LINE OF SAID LOT 1 A DISTANCE OF
24 32.43 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF
25 AFOREMENTIONED NOVA ROAD; THENCE NORTHERLY
26 ALONG SAID WESTERLY RIGHT-OF-WAY LINE AS SHOWN
27 BY THE AFOREMENTIONED STATE OF FLORIDA RIGHT-OF
28 WAY MAP SHEET 8 OF 17, SHEET 7 OF 17, AND SHEET
29 6 OF 17 TO A POINT 75.01 FEET SOUTHERLY, AS
30 MEASURED ALONG SAID WESTERLY RIGHT-OF-WAY LINE,
31 FROM THE NORTHERLY LINE OF LOT 1, BLOCK 8, MAP

1 OF DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGES
2 82 AND 83, AND DEED BOOK M, PAGE 187 OF THE
3 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;
4 THENCE WESTERLY, PARALLEL TO THE NORTHERLY LINE
5 OF SAID LOT 1, BLOCK 8, A DISTANCE OF 18.33
6 FEET TO THE WESTERLY RIGHT-OF-WAY LINE AS SHOWN
7 BY THE AFOREMENTIONED STATE OF FLORIDA
8 RIGHT-OF-WAY MAP, SHEET 6 OF 17 AND DESIGNATED
9 AS EXISTING RIGHT-OF-WAY; THENCE NORTHERLY
10 ALONG SAID LINE TO A POINT OF INTERSECTION WITH
11 SAID RIGHT-OF-WAY AND THE SOUTHERLY LINE OF LOT
12 141 OF BLAKE'S SUBDIVISION AS RECORDED IN DEED
13 BOOK "E", PAGE 150, MAP BOOK 1, PAGE 38, AND
14 MAP BOOK 15, PAGE 119 OF THE PUBLIC RECORDS OF
15 VOLUSIA COUNTY, FLORIDA; THENCE WESTERLY ALONG
16 SAID SOUTHERLY LINE OF LOT 141 TO THE WESTERLY
17 LINE OF SECTION 42, TOWNSHIP 15 SOUTH, RANGE 33
18 EAST, BEING THE SOUTHWESTERLY CORNER OF SAID
19 LOT 141; THENCE SOUTHERLY ALONG SAID SECTION
20 LINE TO THE SOUTHWESTERLY CORNER OF SAID
21 SECTION, THENCE EASTERLY ALONG SAID SOUTHERLY
22 LINE OF SECTION 42, TOWNSHIP 15 SOUTH, RANGE 33
23 EAST TO A POINT ON THE NORTHERLY RIGHT-OF-WAY
24 LINE OF REED CANAL ROAD. THENCE EASTERLY ALONG
25 SAID RIGHT-OF-WAY TO A POINT OF INTERSECTION OF
26 SAID RIGHT-OF-WAY AND THE WESTERLY LINE OF
27 SECTION 43, TOWNSHIP 15 SOUTH, RANGE 33 EAST.
28 THENCE SOUTHERLY ALONG SAID WESTERLY LINE ON
29 SECTION 43, TOWNSHIP 15 SOUTH, RANGE 33 EAST TO
30 THE POINT OF BEGINNING, AND
31

1 BEGINNING AT THE INTERSECTION OF THE NORTHERLY
2 LINE OF LOT 146 OF BLAKE'S SUBDIVISION AS
3 RECORDED IN DEED BOOK "E", PAGE 150, MAP BOOK
4 1, PAGE 38, AND MAP BOOK 15, PAGE 119 OF THE
5 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND
6 THE WESTERLY LINE OF SECTION 42, TOWNSHIP 15
7 SOUTH, RANGE 33 EAST, BEING THE NORTHWESTERLY
8 CORNER OF SAID LOT 142; THENCE EASTERLY ALONG
9 THE NORTHERLY LINE OF SAID LOT 146 A DISTANCE
10 OF 1360.46 FEET AS SHOWN BY THE OFFICIAL STATE
11 OF FLORIDA RIGHT-OF-WAY MAP FOR STATE ROAD 400
12 SECTION 79001-2501, SHEET 9 OF 17; THENCE
13 SOUTHERLY 282.42 FEET TO A POINT IN THE
14 NORTHERLY RIGHT-OF-WAY OF CONNIE PLACE AS SHOWN
15 BY THE MAP OF BECKMAN SUBDIVISION AS RECORDED
16 IN MAP BOOK 39, PAGE 187 OF THE PUBLIC RECORDS
17 OF VOLUSIA COUNTY, FLORIDA, SAID POINT BEING A
18 DISTANCE OF 57.42 FEET AS MEASURED EASTERLY
19 ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FROM THE
20 NORTHWESTERLY CORNER OF SAID CONNIE PLACE;
21 THENCE SOUTHEASTERLY TO THE POINT OF
22 INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF
23 BECKMAN DRIVE AS SHOWN BY THE MAP OF BECKMAN
24 SUBDIVISION AS RECORDED IN MAP BOOK 39, PAGE
25 187 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY,
26 FLORIDA,, SAID POINT BEING THE POINT OF
27 CURVATURE OF A CURVE IN THE RIGHT-OF-WAY OF
28 BECKMAN DRIVE CONNECTING SAID RIGHT-OF-WAY LINE
29 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF
30 AFOREMENTIONED CONNIE PLACE; THENCE SOUTHERLY
31 ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF

1 BECKMAN DRIVE TO THE NORTHEASTERLY CORNER OF
2 LOT 39, BECKMAN SUBDIVISION AS RECORDED IN MAP
3 BOOK 39, PAGE 187 OF THE PUBLIC RECORDS OF
4 VOLUSIA COUNTY, FLORIDA; THENCE SOUTHERLY ALONG
5 THE EASTERLY LINE OF SAID LOT 39 TO THE
6 NORTHERLY LINE OF LOT 143 OF BLAKE'S
7 SUBDIVISION AS RECORDED IN DEED BOOK "E", PAGE
8 150, MAP BOOK 1, PAGE 38, AND MAP BOOK 15, PAGE
9 119 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY,
10 FLORIDA; THENCE EASTERLY ALONG SAID NORTHERLY
11 LINE OF LOT 143 TO THE WESTERLY RIGHT-OF-WAY
12 LINE OF AFOREMENTIONED NOVA ROAD AS SHOWN BY
13 THE AFOREMENTIONED STATE OF FLORIDA RIGHT-OF
14 WAY MAP SHEET 9 OF 17; THENCE SOUTHERLY ALONG
15 SAID WESTERLY RIGHT-OF-WAY LINE AS SHOWN BY THE
16 AFOREMENTIONED STATE OF FLORIDA RIGHT-OF WAY
17 MAP SHEET 9 OF 17 AND SHEET 8 OF 17 TO THE
18 NORTHERLY LINE OF LOT 142 OF BLAKE'S
19 SUBDIVISION AS RECORDED IN DEED BOOK "E", PAGE
20 150, MAP BOOK 1, PAGE 38, AND MAP BOOK 15, PAGE
21 119 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY,
22 FLORIDA; THENCE WESTERLY ALONG SAID NORTHERLY
23 LINE OF LOT 142 TO THE WESTERLY LINE OF SECTION
24 42, TOWNSHIP 15 SOUTH, RANGE 33 EAST, BEING THE
25 NORTHWESTERLY CORNER OF SAID LOT 142; THENCE
26 NORTHERLY ALONG SAID WESTERLY LINE OF SECTION
27 42, TOWNSHIP 15 SOUTH, RANGE 33 EAST, TO THE
28 POINT OF BEGINNING.

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30 Section 2. The following described parcels are annexed
31 into the corporate limits of the City of Port Orange, and the

1 corporate limits of the City of Port Orange are amended to
2 incorporate said annexed property:

3
4 THE SOUTH 50 FEET OF THE EAST 500 FEET OF LOT
5 2, BLOCK 12, MAP OF DUNLAWTON AS RECORDED IN
6 MAP BOOK 14, PAGES 82-83 OF THE PUBLIC RECORDS
7 OF VOLUSIA COUNTY, FLORIDA, and

8
9 THE NORTH 1/2 OF LOT 2, BLOCK 10, MAP OF
10 DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGES
11 82-83 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY,
12 FLORIDA, TOGETHER WITH THE EASTERLY 15 FEET OF
13 DAME STREET LYING SOUTH OF THE EASTERLY
14 EXTENSION OF THE NORTH LINE OF SAID LOT 2 AND
15 LYING NORTH OF THE EASTERLY EXTENSION OF THE
16 SOUTH LINE OF THE NORTH 1/2 OF SAID LOT 2, and

17
18 THE WEST 1/2 OF LOT 4, BLOCK 10, MAP OF
19 DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGES
20 82-83 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY,
21 FLORIDA, TOGETHER WITH THAT PORTION OF JACKSON
22 STREET LYING SOUTH OF THE WESTERLY EXTENSION OF
23 THE NORTH LINE OF SAID LOT 4 AND NORTH OF THE
24 NORTHERLY RIGHT-OF-WAY LINE OF MADELINE AVENUE.

25
26 A PORTION OF MAGNOLIA GROVE SUBDIVISION, AS
27 RECORDED IN MAP BOOK 14, PAGE 104 OF THE PUBLIC
28 RECORDS OF VOLUSIA COUNTY, FLORIDA, TOGETHER
29 WITH A PART OF LOT 4, BLOCK 8, AND ALL OF LOT
30 1, BLOCK 9, MAP OF DUNLAWTON, MAP BOOK 14,

31

1 PAGES 82-83, SAID PUBLIC RECORDS, MORE
2 PARTICULARLY DESCRIBED AS FOLLOWS:
3
4 BEGINNING AT THE SOUTHWEST CORNER OF LOT 1,
5 BLOCK 8, SAID MAP OF DUNLAWTON, SAID CORNER
6 ALSO BEING THE NORTHWEST CORNER OF LOT 4, BLOCK
7 8, SAID MAP OF DUNLAWTON; THENCE EAST ALONG THE
8 NORTH LINE OF SAID LOT 4 TO THE WEST RIGHT OF
9 WAY LINE OF NOVA ROAD, AS NOW LAID OUT AND IN
10 USE; THENCE SOUTH ALONG SAID WEST RIGHT OF WAY
11 LINE TO THE SOUTH RIGHT OF WAY LINE OF ALICE
12 STREET AS SHOWN ON SAID MAP OF DUNLAWTON;
13 THENCE EASTERLY ALONG SAID SOUTH LINE OF ALICE
14 STREET TO THE NORTHWEST CORNER OF LOT 2 BLOCK
15 9, SAID MAP OF DUNLAWTON; THENCE SOUTHERLY
16 ALONG THE WEST LINE OF SAID LOT 2, BLOCK 9 TO
17 THE NE CORNER OF LOT 4, BLOCK 9, SAID MAP OF
18 DUNLAWTON; THENCE WESTERLY ALONG THE NORTH LINE
19 OF SAID LOT 4, BLOCK 9 TO THE NORTHWEST CORNER
20 OF SAID LOT 4; THENCE WESTERLY ALONG THE NORTH
21 LINE OF LOTS 6 AND 7, SAID MAP OF MAGNOLIA
22 GROVE, TO THE EASTERLY LINE OF GOVERNMENT LOT
23 2, SECTION 5, TOWNSHIP 17 SOUTH, RANGE 33 EAST;
24 THENCE NORTH ALONG SAID EAST LINE OF GOVERNMENT
25 LOT 2 TO THE NATURAL BOUNDARY OF BUTLER BRANCH
26 AND THE SOUTH LINE OF THAT PARCEL AS RECORDED
27 IN OFFICIAL RECORDS BOOK 1724, PAGE 1902, SAID
28 PUBLIC RECORDS,
29
30 (OFFICIAL RECORDS BOOK 1724, PAGE 1902 - LOT 1,
31 BLOCK 8, EXCEPT THE NORTHERLY 75 FEET THEREOF,

1 DUNLAWTON, AS RECORDED IN DEED BOOK "M", PAGE
2 187, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA,
3 AND A PART OF LOT 1, SUBDIVISION OF LOTS 1, 2,
4 AND 4, SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33
5 EAST, LYING WEST AND NORTH OF THE FOLLOWING
6 DESCRIBED LINE COMMENCING AT THE SOUTHWEST
7 CORNER OF LOT 1, BLOCK 8, DUNLAWTON; THENCE
8 S65°W A DISTANCE OF 500 FEET; THENCE TO A POINT
9 WHICH LIES 600 FEET S65°W OF THE SOUTHWEST
10 CORNER OF LOT 4, BLOCK I, DUNLAWTON; THENCE TO
11 THE NEAREST POINT WHERE THE LINE WILL STRIKE
12 THE NATURAL BOUNDARY OF "BUTLER BRANCH"; THENCE
13 FOLLOWING THE COURSE THEREOF IN A GENERAL
14 WESTERLY DIRECTION OF THE WEST LINE OF LOT 2,
15 SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33 EAST, AS
16 RECORDED IN MAP BOOK 2, PAGE 69, PUBLIC RECORDS
17 OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM
18 THE FOLLOWING DESCRIBED PARCEL: COMMENCE AT A
19 CONCRETE MONUMENT MARKING THE NORTHWEST CORNER
20 OF SAID LOT 4, BLOCK 1, DUNLAWTON; THENCE S25°E
21 ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE
22 OF 410.5 FEET TO THE POINT OF BEGINNING; THENCE
23 WEST ALONG THE NORTH LINE OF LOT 1, SUBDIVISION
24 OF LOT 1, 2, AND 4, SECTION 5, TOWNSHIP 16
25 SOUTH, RANGE 33 EAST, AFORESAID, A DISTANCE OF
26 551.68 FEET TO A POINT; THENCE S25°E, A
27 DISTANCE OF 572.65 FEET TO A POINT; THENCE
28 N65°E A DISTANCE OF 500 FEET TO A POINT IN THE
29 WEST LINE OF BLOCK 8, DUNLAWTON; THENCE NORTH
30 ALONG THE WEST LINE OF BLOCKS 1 AND 8,
31

1 DUNLAWTON, A DISTANCE OF 339.5 FEET TO THE
2 POINT OF BEGINNING.
3
4 ALSO DESCRIBED AS: LOT 1, BLOCK 8, EXCEPT THE
5 NORTHERLY 75 FEET THEREOF, DUNLAWTON, AS
6 RECORDED IN DEED BOOK "M", PAGE 187, PUBLIC
7 RECORDS OF VOLUSIA COUNTY, FLORIDA, AND A PART
8 OF LOT 1, SUBDIVISION OF LOTS 2 AND 4 OF
9 SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33 EAST,
10 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
11 BEGIN AT THE SOUTHWEST CORNER OF LOT Q, BLOCK
12 8, SAID DUNLAWTON SUBDIVISION; THENCE
13 S65°14'55"W A DISTANCE OF 540.47 FEET; THENCE
14 S15°56'27"E A DISTANCE OF 705 FEET MORE OR LESS
15 TO THE NATURAL BOUNDARY OF "BUTLER BRANCH";
16 THENCE FOLLOWING THE COURSE THEREOF IN A
17 GENERAL WESTERLY DIRECTION TO THE WEST LINE OF
18 LOT 2, SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33
19 EAST, AS RECORDED IN MAP BOOK 2, PAGE 68,
20 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;
21 THENCE N0°50'10"E ALONG THE WEST LINE OF SAID
22 U.S. LOT 2, A DISTANCE OF 2100 FEET MORE OR
23 LESS; THENCE S26°59'44"E A DISTANCE OF 572.75
24 FEET; THENCE N63°00'16"E A DISTANCE OF 500
25 FEET; THENCE S26°59'44"E A DISTANCE OF 585 FEET
26 TO THE POINT BEGINNING);
27
28 THENCE EASTERLY AND NORTHERLY ALONG THE
29 BOUNDARY OF SAID DESCRIBED PARCEL TO THE POINT
30 OF BEGINNING.
31

1 Section 3. The above-described areas subject to
2 annexation shall be subject to all laws, ordinances, and
3 regulations in force in the respective annexing municipality
4 and shall be entitled to the same privileges and benefits as
5 other parts of the respective annexing municipality upon the
6 effective date of this act. If any of the above-described
7 parcels are subject to the Volusia County land use plan and
8 Volusia County zoning or subdivision regulations, such plan
9 and regulations shall remain in full force and effect until
10 the respective annexing municipality adopts a comprehensive
11 plan amendment that includes the above-described property. The
12 above-described properties shall be subject to the ad valorem
13 taxes and debts of the respective annexing municipality upon
14 the effective date of this act.

15 Section 4. Notwithstanding any general law or special
16 act to the contrary, the City of South Daytona and the City of
17 Port Orange shall have full authority to collect all franchise
18 fees and utility taxes currently being collected by Volusia
19 County from the respective annexed properties beginning on the
20 effective date of this act.

21 Section 5. This act shall take effect upon becoming a
22 law.

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