

ORDINANCE NO. 323

AN ORDINANCE ANNEXING TO THE TOWN OF HAVANA, FLORIDA BY VOLUNTARY ANNEXATION PURSUANT TO SECTION 171.044, FLORIDA STATUTES, THE REAL PROPERTY IN THE UNINCORPORATED AREA OF GADSDEN COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AND SHOWN ON EXHIBIT "B" ATTACHED; PROVIDING FOR THE EFFECT OF SAID ANNEXATION; PROVIDING FOR CODIFICATION AND THE FILING OF SAME WITH THE CLERK OF THE CIRCUIT COURT OF GADSDEN COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF GADSDEN COUNTY, FLORIDA, AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE OF DECEMBER 1, 2005.

WHEREAS, the owner of real property in a certain unincorporated area of Gadsden County, Florida which is contiguous to the Town of Havana, Florida and reasonably compact therewith has petitioned the governing body of said Town to have said property annexed to the municipality as shown on Exhibit "A" attached; and,

WHEREAS, the governing body of the Town of Havana has made a determination that the petition bears the signature of the owner of the real property in the area proposed to be annexed; and,

WHEREAS, the governing body of the Town of Havana has further determined that such annexation will not result in the creation of an enclave; and,

WHEREAS, since the owner of the property in the area proposed to be annexed has voluntarily petitioned the Town of Havana for such annexation and agreed to the same, a referendum is not required in order to complete such annexation pursuant to the provisions of Florida law; and,

WHEREAS, notice of this voluntary annexation by ordinance has been published once a week for two (2) consecutive weeks in a newspaper of general circulation in the Town of Havana, which

notice has given the ordinance number and a description of the area proposed to be annexed, including a map clearly showing the area to be annexed, and a statement that the complete ordinance can be obtained from the office of the Town Clerk.

NOW THEREFORE,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAVANA, FLORIDA:

SECTION 1. DESCRIPTION OF PROPERTY TO BE ANNEXED:

That the Town of Havana, Florida does hereby annex to the Town by voluntary annexation pursuant to the provisions of Section 171.044, Florida Statutes, the following described real property situate, lying and being in Gadsden County, Florida, to-wit:

Description attached hereto and made a part hereof and marked Exhibit "B".

and the boundary lines of the Town of Havana are hereby redefined accordingly.

SECTION 2. EFFECT OF ANNEXATION:

That the above-described area hereby annexed to the Town of Havana, Florida shall be subject to all laws, ordinances, and regulations in force in the Town of Havana, Florida, and shall be entitled to the same privileges and benefits as other parts of this municipality upon the effective date of this annexation as hereinafter provided.

SECTION 3. CODIFICATION AND FILING:

It is the intent of the Town Council of the Town of Havana that this ordinance be made a part of the Code of Ordinances of the Town of Havana, Florida and be codified for inclusion therein, and that this ordinance be filed with the Clerk of the Circuit Court of

Gadsden County, Florida, the chief administrative officer of Gadsden County, Florida, and the Department of State of the State of Florida.

SECTION 4. EFFECTIVE DATE:

This ordinance shall take effect on December 1, 2005.

INTRODUCED in open session of the Town Council of the Town of Havana, Florida, on the 25th day of October, A.D. 2005.

ADOPTED AND PASSED on second and final reading in open session of the Town Council of the Town of Havana, Florida, on the 29th day of November, A.D. 2005.

G. J. Davis
Presiding Officer of the
Town Council of the Town of
Havana, Florida

ATTEST:

Howard L. McKinnon
Clerk of the Town of Havana and
Clerk of the Town Council thereof

PETITION FOR VOLUNTARY ANNEXATION

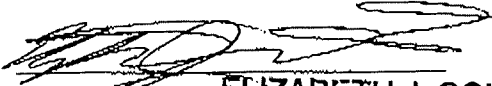

The undersigned owner of real property located within that certain unincorporated area of Gadsden County, Florida, which is contiguous to and reasonably compact with the Town of Havana, Florida, a municipal corporation located in the said Gadsden County, Florida, and which area is more particularly described and shown on Exhibit "A" attached hereto and made a part hereof, does hereby voluntarily consent to, agree with, and request the annexation of the said described real property by and to the said Town of Havana, Florida through the adoption of the appropriate ordinance by the Town Council of the said Town of Havana, Florida, pursuant to Section 171.044, Florida Statutes 2004.

Dated this 30th day of August, A.D. 200 5

PROPERTY OWNER

PREMIER CONSTRUCTION
& DEVELOPMENT, INC.

WITNESSES:


ELIZABETH J. COLVIN

TIM FERRERA

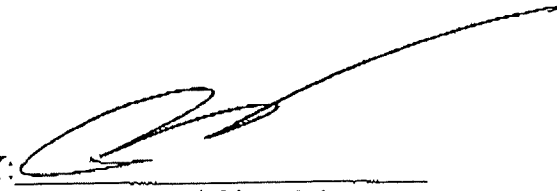
BY: 
Mehrdad Ghazvini
Its President

EXHIBIT "A"

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ANA Project No. 4891.001
September 19, 2005
Sheet 2 of 2

**4.54 Acres in Section 26, Township 3 North,
Range 2 West, Gadsden County, Florida**

A part of that property recorded in Official Records Book 96, Page 512 and Official Records Book 497, Page 1911 of the Public Records of Gadsden County, Florida, being more particularly described as follows:

Commence at the Southeast corner of that property recorded in Deed Book 90, Page 552 of said Public Records and said point being located 3203.7 feet East and 1320 feet North of the Southwest corner of said Section 26 and run South 89 degrees 46 minutes 06 seconds West along the Southerly boundary of that property recorded in Deed Book 90, Page 552 a distance of 117.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue South 89 degrees 46 minutes 06 seconds West along said Southerly boundary a distance of 433.05 feet to the Northwest corner of that property described in Official Records Book 594, Page 0572 of the Public Records of Gadsden County, Florida and thence run North 00 degrees 27 minutes 19 seconds East along the Easterly boundary of the property described in Official Records Book 497, Page 1911 of said Public Records a distance of 393.24 feet to a point on the Southerly right of way boundary of State Road 12, thence run North 74 degrees 37 minutes 13 seconds East along said Southerly right of way boundary a distance of 7.85 feet, thence run North 73 degrees 01 minutes 06 seconds East a distance of 442.87 feet, thence leaving said Southerly right of way boundary run South 00 degrees 07 minutes 42 seconds West a distance of 523.03 feet to the POINT OF BEGINNING, containing 4.54 acres, more or less.

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Exhibit "B"