

ORDINANCE NO. 326

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 NOVEMBER 1, 2006.

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 November 1, 2006.

INTRODUCED in open session of the Town Council of the Town of Havana, Florida, on the 26th day of September, A.D. 2006.

ADOPTED AND PASSED on second and final reading in open session
of the Town Council of the Town of Havana, Florida, on the 31st day
of October, A.D. 2006.

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

ATTEST:

Shelia Agvans
Clerk of the Town of Havana and
Clerk of the Town Council thereof



PO Box 1128
8007 FL GA Highway
Havana, FL 32333
(850) 539-6432
(850) 539-6799 Fax

July 28, 2006

Mayor T. J. Davis
Cecil G. Trippe Building
PO Box 1068
Havana, FL 32333

Re: Request Annexation of Undeveloped Property

Parcel ID: 2233N2W0000002200000

2223N2W0000001440500

2143N2W00000003330100

2223N2W0000001441000

2233N2W0000004320000

Dear Mayor Davis:

As the owner of the property identified by the above parcel numbers, Coastal Forest Resources Company, dba Coastal Timberlands Company (CTC) is formally requesting the annexation of these parcels into the Town of Havana. CTC has an established long-term relationship with the Town spanning several decades.

A few of the recent projects CTC and Havana have worked together on are providing land for Town sign on highway 27 southern entrance to town, jointly promoted an industrial park which provided property for a new Post Office, and, most notably, provided land for the towns Spray Field. CTC owns other properties in Havana as well as Gadsden County and will continue to forge mutually beneficial relationships with both.

The subject property is approximately 350 acres of undeveloped land with no residences. It joins the Town's northern boundary and is adjacent to the new "Twin Ponds" Subdivision. The property offers the Town an opportunity to control through zoning the future development and use of this area. Being undeveloped land, there are few if any cost to the Town associated with this annexation. Your manager, Susan Freiden, and I met with Richard Winters, Certified Planner an Town consultant on zoning matters, and he did not point out a single negative but he did point out numerous positive reasons for the Town to annex this property. I am confident Susan will address these with you.

Exhibit "A"

Currently, CTC has no formal development plans for these parcels but the land obviously has development potential. CTC's desire is to have this land added to the Town for future quality growth. This desire is based on CTC's ownerships, long standing commitment to the success, quality of living, potential improvement and overall well being of the Town. The Town of Havana would benefit from this annexation in the form of increased tax revenues and your cost would come only as you have revenue to cover them.

Your attention and that of the Town Council are greatly appreciated.

Sincerely,



John Higgins
Vice President Southern Region
Coastal Timberlands Company

Copy to: Susan Freiden

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 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 property by and to the said Town of Havana, Florida through adoption of the appropriate ordinance by the Town Council of the said Town of Havana, Florida, of pursuant to Section 171.044, Florida Statutes 2004.

Dated this 28 day of July, A. D. 2006

PROPERTY OWNER

COASTAL FOREST RESOURCES COMPANY

WITNESSES:

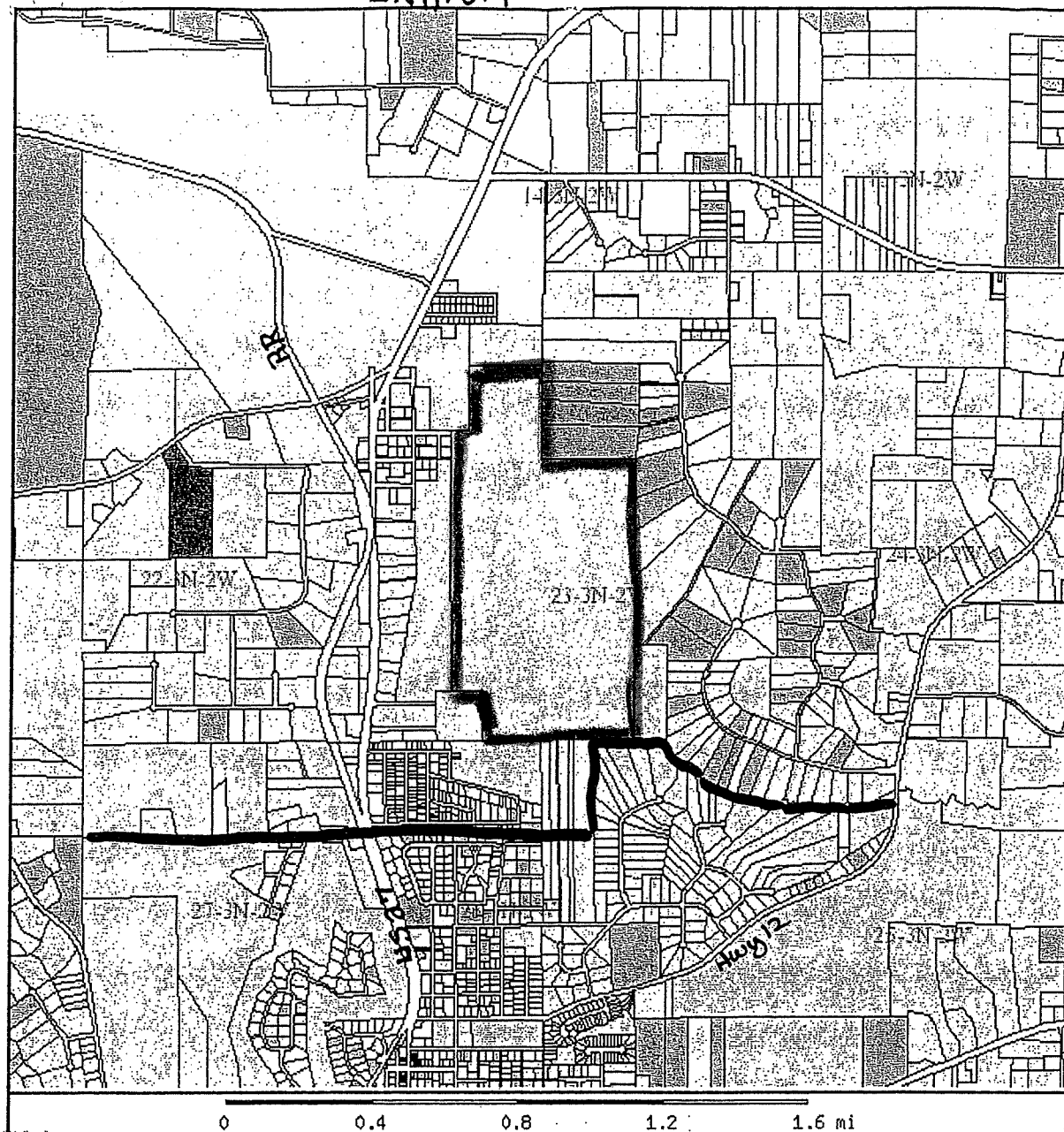
Stephani Lopez

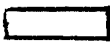

Marilyn Atrany

BY: 

V.P.
John K. Higgins
Coastal Timberlands

Exhibit "A"



Parcel 
± Town Limits 



Gadsden County Property Appraiser's Office
Clay VanLandingham, CFA
COUNTY APPRAISER

1688 CALHOUN ST.
QUINCY, FL 32353-0582
PH (850) 627-7168
FAX (850) 627-0388

COMPLETE LEGAL DESCRIPTION FOR PARCEL 2-23-3N-2W-0000-00432-0000

OR 91, P. 344 OR 113, P. 360 HINSON & LAING SW1/4 OF SE 1/4, LESS THE EAST 923 FT. IN SECTION 23-3N-2W.

COMPLETE LEGAL DESCRIPTION FOR PARCEL 2-22-3N-2W-0000-00144-1000

OR 506 P 127; OR 515 P 1466 ALL THAT PART OF THE NE 1/4 OF NE 1/4 OF SEC 22-3N-2W THAT LIES E OF LAING ST, SAVING AND EXCEPTING THEREFROM LOTS 1-3 & THE W 50 FT OF LT 6, BLK 8. ALL THAT PT OF NE1/4 OF SE1/4 OF NE1/4 THAT LIES E OF LOTS 3 AND 4 BLK 9 AND E AND S OF LTS 1 AND 2 BLK 10 ALSO: BEGIN AT SWC OF LAING AND BOYD ST AND RUN S 224 FT TO BEGIN AND RUN W 80 FT, S TO S BDRY OF NE1/4 OF SE1/4 OF NE1/4 THENCE E 80 FT MORE OR LESS TO A POINT DUE S OF THE POB, THENCE N TO THE POB. LESS AND EXCEPT PER OR 334 P 1032. OR 334 P 1032

COMPLETE LEGAL DESCRIPTION FOR PARCEL 2-14-3N-2W-0000-00333-0100

OR 506 P 127; OR 515 P 1466 HINSON FARM OR 329 PAGE 213— BEGIN AT SWC., RUN N. TO THE S. LINE OF TRACT OF LAND SOLD TO C. V. BUTLER FARMS, INC. PER OR 62, P. 218, S. 88° 56' E. TO THE E. BOUNDARY OF THE SW1/4 OF SW1/4., S. TO THE SEC OF SW1/4 OF SW1/4., W. TO SWC OF SW1/4 OF SW1/4 AND TO POB. LESS PT PER OR 133 P 144. LESS PART PER OR 283, P 256. IN SECTION 14-3N-2W. OR 334 P 1032

COMPLETE LEGAL DESCRIPTION FOR PARCEL 2-22-3N-2W-0000-00144-0500

OR 113 P 360 COMM AT NEC OF SECT 22 AND RUN S 88 DEG 59 MIN 19 SEC W 522. 62 FT TO BEGIN AND RUN S 297. 97 FT, E 235.15 FT, S 594 FT, RUN E ALONG THE N/LY R/WAY BDRY 554.02 FT, N 1496.14 FT, S 89 DEG 51 MIN 29 SEC W 201. 06 FT, S 00 DEG 08 MIN 31 SEC E 200 FT, S 89 DEG 51 MIN 29 MIN W 200 FT, N 00 DEG 08 MIN 31 SEC W 140 FT, S 89 DEG 51 M MIN 29 SEC W 323.62 FT, S 25 DEG 29 MIN 14 SEC W 604.66 FT, N 88 DEG 59 MIN 19 SEC E 195. 59 FT TO THE POB. OR 162 PG 125 IN SECTION 22-3N-2W.

COMPLETE LEGAL DESCRIPTION FOR PARCEL 2-23-3N-2W-0000-00220-0000

OR 506 P 127; OR 515 P 1466 OR 329 P 213—HINSON AND LAING NW1/4 OF NW1/4., S. 1/2 OF NW1/4., SW1/4. LESS PART SOLD. LESS AND EXCEPT ANY PTS KEPT BY COASTAL LUMBER OR 334 P 1032 IN SECTION 23-3N-2W.