

House Bill No. 959

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

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

WHEREAS, 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 of the areas to be annexed with information regarding the effects of 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, and

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

WHEREAS, 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, NOW, THEREFORE,

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

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

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

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

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

THE EAST 557.03 FEET OF THE SOUTHERLY LINE WEST OF JACKSON STREET OF THE SOUTH 219.47 FEET NORTH OF ALICE AVENUE IN LOT 3, BLOCK 8 OF THE DUNLAWTON SUBDIVISION, INCLUDING THE WEST 15 FEET OF THE VACATED JACKSON

STREET RIGHT-OF-WAY AS PER OR BOOK 3995, PAGE 2101 AND THE EAST 559.03 FEET ON THE NORTHERLY LINE WEST OF JACKSON STREET OF THE NORTH 219.47 FEET OF THE SOUTH 438.94 FEET NORTH OF ALICE AVENUE IN LOT 3, BLOCK 8 OF THE DUNLAWTON SUBDIVISION, INCLUDING THE WEST 15 FEET OF THE VACATED JACKSON STREET RIGHT-OF-WAY PER OR BOOK 3995, PAGE 2101, AND

BEGINNING AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF LOT 4, BLOCK 1, MAP OF DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGE 82 AND 83; THENCE NORTH 63° 20' 29" EAST A DISTANCE OF 376.13 FEET TO A POINT; THENCE SOUTH 26° 55' 22" EAST A DISTANCE OF 200.05 FEET TO A POINT ON THE NORTH LINE OF A 20-FOOT EASEMENT; THENCE NORTH 63° 20' 29" EAST A DISTANCE OF 194.83 FEET TO A POINT, POINT BEING THE INTERSECTION OF SAID LINE AND THE WESTERLY RIGHT-OF-WAY OF NOVA ROAD; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE AS SHOWN BY THE AFOREMENTIONED STATE OF FLORIDA RIGHT-OF-WAY MAP, SHEET 6 OF 17 TO A POINT OF INTERSECTION OF SAID RIGHT-OF-WAY WITH THE SOUTHERLY LINE OF LOT 1, BLOCK 8, MAP OF DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGES 82 AND 83, AND DEED BOOK M, PAGE 187 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 1 A DISTANCE OF 32.43 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED NOVA ROAD; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AS SHOWN BY THE AFOREMENTIONED STATE OF FLORIDA RIGHT-OF-WAY MAP SHEET 8 OF 17, SHEET 7 OF 17, AND SHEET 6 OF 17 TO A POINT 75.01 FEET SOUTHERLY, AS MEASURED ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FROM THE NORTHERLY LINE OF LOT 1, BLOCK 8, MAP OF DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGES 82 AND 83, AND DEED BOOK M, PAGE 187 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE WESTERLY, PARALLEL TO THE NORTHERLY LINE OF SAID LOT 1, BLOCK 8, A DISTANCE OF 18.33 FEET TO THE WESTERLY RIGHT-OF-WAY LINE AS SHOWN BY THE AFOREMENTIONED STATE OF FLORIDA RIGHT-OF-WAY MAP, SHEET 6 OF 17 AND DESIGNATED AS EXISTING RIGHT-OF-WAY; THENCE NORTHERLY ALONG SAID LINE TO A POINT OF INTERSECTION WITH SAID RIGHT-OF-WAY AND THE SOUTHERLY LINE OF LOT 141 OF BLAKE'S SUBDIVISION AS RECORDED IN DEED BOOK "E", PAGE 150, MAP BOOK 1, PAGE 38, AND MAP BOOK 15, PAGE 119 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF LOT 141 TO THE WESTERLY LINE OF SECTION 42, TOWNSHIP 15 SOUTH, RANGE 33 EAST, BEING THE SOUTHWESTERLY CORNER OF SAID LOT 141; THENCE SOUTHERLY ALONG SAID SECTION LINE TO THE SOUTHWESTERLY CORNER OF SAID SECTION, THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF SECTION 42, TOWNSHIP 15 SOUTH, RANGE 33 EAST TO A POINT ON THE

NORTHERLY RIGHT-OF-WAY LINE OF REED CANAL ROAD, THENCE EASTERLY ALONG SAID RIGHT-OF-WAY TO A POINT OF INTERSECTION OF SAID RIGHT-OF-WAY AND THE WESTERLY LINE OF SECTION 43, TOWNSHIP 15 SOUTH, RANGE 33 EAST, THENCE SOUTHERLY ALONG SAID WESTERLY LINE ON SECTION 43, TOWNSHIP 15 SOUTH, RANGE 33 EAST TO THE POINT OF BEGINNING, AND

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF LOT 146 OF BLAKE'S SUBDIVISION AS RECORDED IN DEED BOOK "E", PAGE 150, MAP BOOK 1, PAGE 38, AND MAP BOOK 15, PAGE 119 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND THE WESTERLY LINE OF SECTION 42, TOWNSHIP 15 SOUTH, RANGE 33 EAST, BEING THE NORTHWESTERLY CORNER OF SAID LOT 142; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 146 A DISTANCE OF 1360.46 FEET AS SHOWN BY THE OFFICIAL STATE OF FLORIDA RIGHT-OF-WAY MAP FOR STATE ROAD 400 SECTION 79001-2501, SHEET 9 OF 17; THENCE SOUTHERLY 282.42 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY OF CONNIE PLACE AS SHOWN BY THE MAP OF BECKMAN SUBDIVISION AS RECORDED IN MAP BOOK 39, PAGE 187 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID POINT BEING A DISTANCE OF 57.42 FEET AS MEASURED EASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FROM THE NORTHWESTERLY CORNER OF SAID CONNIE PLACE; THENCE SOUTHEASTERLY TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF BECKMAN DRIVE AS SHOWN BY THE MAP OF BECKMAN SUBDIVISION AS RECORDED IN MAP BOOK 39, PAGE 187 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA,, SAID POINT BEING THE POINT OF CURVATURE OF A CURVE IN THE RIGHT-OF-WAY OF BECKMAN DRIVE CONNECTING SAID RIGHT-OF-WAY LINE TO THE SOUTHERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED CONNIE PLACE; THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF BECKMAN DRIVE TO THE NORTHEASTERLY CORNER OF LOT 39, BECKMAN SUBDIVISION AS RECORDED IN MAP BOOK 39, PAGE 187 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 39 TO THE NORTHERLY LINE OF LOT 143 OF BLAKE'S SUBDIVISION AS RECORDED IN DEED BOOK "E", PAGE 150, MAP BOOK 1, PAGE 38, AND MAP BOOK 15, PAGE 119 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE EASTERLY ALONG SAID NORTHERLY LINE OF LOT 143 TO THE WESTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED NOVA ROAD AS SHOWN BY THE AFOREMENTIONED STATE OF FLORIDA RIGHT-OF WAY MAP SHEET 9 OF 17; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AS SHOWN BY THE AFOREMENTIONED STATE OF FLORIDA RIGHT-OF WAY MAP SHEET 9 OF 17 AND SHEET 8 OF 17 TO THE NORTHERLY LINE OF LOT 142 OF BLAKE'S SUBDIVISION AS RECORDED IN DEED BOOK "E", PAGE 150, MAP BOOK 1, PAGE 38, AND MAP BOOK 15, PAGE 119 OF THE PUBLIC

RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF LOT 142 TO THE WESTERLY LINE OF SECTION 42, TOWNSHIP 15 SOUTH, RANGE 33 EAST, BEING THE NORTHWESTERLY CORNER OF SAID LOT 142; THENCE NORTHERLY ALONG SAID WESTERLY LINE OF SECTION 42, TOWNSHIP 15 SOUTH, RANGE 33 EAST, TO THE POINT OF BEGINNING.

Section 2. The following described parcels are annexed into the corporate limits of the City of Port Orange, and the corporate limits of the City of Port Orange are amended to incorporate said annexed property:

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

THE NORTH ½ OF LOT 2, BLOCK 10, MAP OF DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGES 82-83 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, TOGETHER WITH THE EASTERLY 15 FEET OF DAME STREET LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 2 AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH ½ OF SAID LOT 2, and

THE WEST ⅓ OF LOT 4, BLOCK 10, MAP OF DUNLAWTON AS RECORDED IN MAP BOOK 14, PAGES 82-83 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF JACKSON STREET LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 4 AND NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF MADELINE AVENUE.

A PORTION OF MAGNOLIA GROVE SUBDIVISION, AS RECORDED IN MAP BOOK 14, PAGE 104 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, 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, SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 8, SAID MAP OF DUNLAWTON, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF LOT 4, BLOCK 8, SAID MAP OF DUNLAWTON; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 4 TO THE WEST RIGHT OF WAY LINE OF NOVA ROAD, AS NOW LAID OUT AND IN USE; THENCE SOUTH ALONG SAID WEST RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF ALICE STREET AS SHOWN ON SAID MAP OF DUNLAWTON; THENCE EASTERLY ALONG SAID SOUTH LINE OF ALICE STREET TO THE NORTHWEST CORNER OF LOT 2 BLOCK 9, SAID MAP OF DUNLAWTON; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 2, BLOCK 9 TO THE NE CORNER OF LOT 4, BLOCK 9, SAID MAP OF DUNLAWTON; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 4, BLOCK 9 TO THE NORTHWEST

CORNER OF SAID LOT 4; THENCE WESTERLY ALONG THE NORTH LINE OF LOTS 6 AND 7, SAID MAP OF MAGNOLIA GROVE, TO THE EASTERLY LINE OF GOVERNMENT LOT 2, SECTION 5, TOWNSHIP 17 SOUTH, RANGE 33 EAST; THENCE NORTH ALONG SAID EAST LINE OF GOVERNMENT LOT 2 TO THE NATURAL BOUNDARY OF BUTLER BRANCH AND THE SOUTH LINE OF THAT PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 1724, PAGE 1902, SAID PUBLIC RECORDS.

(OFFICIAL RECORDS BOOK 1724, PAGE 1902 - LOT 1, BLOCK 8, EXCEPT THE NORTHERLY 75 FEET THEREOF, DUNLAWTON, AS RECORDED IN DEED BOOK "M", PAGE 187, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND A PART OF LOT 1, SUBDIVISION OF LOTS 1, 2, AND 4, SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33 EAST, LYING WEST AND NORTH OF THE FOLLOWING DESCRIBED LINE COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 8, DUNLAWTON; THENCE S65°W A DISTANCE OF 500 FEET; THENCE TO A POINT WHICH LIES 600 FEET S65°W OF THE SOUTHWEST CORNER OF LOT 4, BLOCK 1, DUNLAWTON; THENCE TO THE NEAREST POINT WHERE THE LINE WILL STRIKE THE NATURAL BOUNDARY OF "BUTLER BRANCH"; THENCE FOLLOWING THE COURSE THEREOF IN A GENERAL WESTERLY DIRECTION OT THE WEST LINE OF LOT 2, SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33 EAST, AS RECORDED IN MAP BOOK 2, PAGE 69, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: COMMENCE AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID LOT 4, BLOCK 1, DUNLAWTON; THENCE S25°E ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 410.5 FEET TO THE POINT OF BEGINNING; THENCE WEST ALONG THE NORTH LINE OF LOT 1, SUBDIVISION OF LOT 1, 2, AND 4, SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33 EAST, AFORESAID, A DISTANCE OF 551.68 FEET TO A POINT; THENCE S25°E, A DISTANCE OF 572.65 FEET TO A POINT; THENCE N65°E A DISTANCE OF 500 FEET TO A POINT IN THE WEST LINE OF BLOCK 8, DUNLAWTON; THENCE NORTH ALONG THE WEST LINE OF BLOCKS 1 AND 8, DUNLAWTON, A DISTANCE OF 339.5 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS: LOT 1, BLOCK 8, EXCEPT THE NORTHERLY 75 FEET THEREOF, DUNLAWTON, AS RECORDED IN DEED BOOK "M", PAGE 187, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND A PART OF LOT 1, SUBDIVISION OF LOTS 2 AND 4 OF SECTION 5, TOWNSHIP 16 SOUTH, RANGE 33 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF LOT Q, BLOCK 8, SAID DUNLAWTON SUBDIVISION; THENCE S65°14'55"W A DISTANCE OF 540.47 FEET; THENCE S15°56'27"E A DISTANCE OF 705 FEET MORE OR LESS TO THE NATURAL BOUNDARY OF "BUTLER BRANCH"; THENCE FOLLOWING THE COURSE THEREOF IN A GENERAL WESTERLY DIRECTION TO THE WEST LINE OF LOT 2, SECTION 5, TOWNSHIP

16 SOUTH, RANGE 33 EAST, AS RECORDED IN MAP BOOK 2, PAGE 68, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N0°50'10"E ALONG THE WEST LINE OF SAID U.S. LOT 2, A DISTANCE OF 2100 FEET MORE OR LESS; THENCE S26°59'44"E A DISTANCE OF 572.75 FEET; THENCE N63°00'16"E A DISTANCE OF 500 FEET; THENCE S26°59'44"E A DISTANCE OF 585 FEET TO THE POINT BEGINNING);

THENCE EASTERLY AND NORTHERLY ALONG THE BOUNDARY OF SAID DESCRIBED PARCEL TO THE POINT OF BEGINNING.

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

Section 4. This act shall take effect on October 1, 2002.

Became a law without the Governor's approval May 1, 2002.

Filed in Office Secretary of State April 29, 2002.