

ORDINANCE NO: 329

AN ORDINANCE ANNEXING INTO THE MUNICIPAL LIMITS OF THE CITY OF BONIFAY, FLORIDA, A TRACT OF UNINCORPORATED LAND LOCATED WEST OF HIGHWAY 79 300 FEET M/L NORTH OF HIGHWAY 173; FLORIDA AS MORE PARTICULARLY HEREINAFTER DESCRIBED; AMENDING THE WARDS AND BOUNDARIES OF THE CITY TO INCLUDE SAID LAND AND RECITING AN EFFECTIVE DATE.

Proposed Annexed Area

SEE ATTACHMENT A

The City of Bonifay does ordain as follows:

SECTION ONE

The City Council hereby determines that the territory described does meet the criteria of Florida Statutes, and that such described territory is contiguous to the present City boundaries and compact and not embraced within the City limits; and therefore the City Council of the City of Bonifay has jurisdiction to annex the territory described herein.

SECTION TWO

The City of Bonifay shall extend and provide all its urban services existing or which may be provided in the future to the area described in Section Four hereof. The urban services shall be provided on the same basis as now existing within the Town limits and in the same manner of the City prior to annexation.

SECTION THREE

If any provisions of this ordinance shall be held invalid, its invalidity shall not effect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION FOUR

The Corporate limits of the City of Bonifay are hereby extended and increased so as to include and embrace within the corporate limits of the City of Bonifay the following described territory and such city territory is hereby annexed and declared to be a part of the City of Bonifay.

THE FOLLOWING DESCRIBED PROPERTY IS THE AREA TO BE ANNEXED:


SEE ATTACHMENT A

PASSED IN REGULAR SESSION OF THE CITY OF BONIFAY ON 8th day of March, 2004.

CITY OF BONIFAY
CITY COUNCIL


JAMES E. SIMS, JR.
Mayor

Attest:


Clerk

DESCRIPTIONS FOR WAYNE POWELL FOR ANNEXATION INTO THE CITY OF BONIFAY, FLORIDA

PARCELS OF LAND IN SECTIONS 29 AND 30, TOWNSHIP 5 NORTH, RANGE 14 WEST, HOLMES COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL #1

COMMENCE AT THE S.E. CORNER OF THE SW 1/4 OF SE 1/4 OF SAID SECTION 30, TOWNSHIP 5 NORTH, RANGE 14 WEST OF SAID HOLMES COUNTY, FLORIDA, AND RUN NORTH ALONG THE FORTY LINE, 50.0 FEET MORE OR LESS TO THE NORTH R/W LINE OF COUNTY HIGHWAY #173 AS NOW EXISTS, AND CALL THIS THE POINT OF BEGINNING (P.O.B.); FROM SAID P.O.B. RUN WESTERLY ALONG SAID R/W LINE 1050.00 FEET MORE OR LESS, TO THE EAST LINE OF THE PROPERTY DESCRIBED TO JOHN F. MANUEL AND JOAN H. MANUEL IN O.R. BOOK 165, PAGE 186 IN THE PUBLIC RECORDS OF SAID HOLMES COUNTY, FLORIDA; THENCE RUN NORTH, ALONG SAID EAST PROPERTY LINE 223.92 FEET TO THE NORTHEAST CORNER THEREOF; THENCE RUN NORTHEASTERLY TO A POINT 50.0 FEET NORTH OF THE N.W. CORNER OF THE PARCEL OF LAND DEEDED TO "FLORIDA STATE TELEPHONE COMPANY" AS RECORDED IN O.R. BOOK 27, PAGE 410, IN THE PUBLIC RECORDS OF HOLMES COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE WEST LINE OF SAID "TELEPHONE COMPANY" PROPERTY, 345 FEET MORE OR LESS, TO SAID NORTH R/W LINE OF SAID HIGHWAY 173; THENCE RUN WESTERLY ALONG SAID R/W LINE 15.0 FEET MORE OR LESS TO THE P.O.B.;

ALSO: PARCEL #2

COMMENCE AT THE S.E. CORNER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 14 WEST, HOLMES COUNTY, FLORIDA AND RUN WEST ALONG THE THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 331.00 FEET; THENCE N 01°30'00" W 173.00 FEET TO THE NORTH BOUNDARY LINE OF STATE ROAD #173; (AS DESCRIBED IN O.R. BOOK 220, PAGE 300, PUBLIC RECORDS OF HOLMES COUNTY FLORIDA); THENCE CONTINUE N 01°30'00" W 630.00 FEET TO THE POINT OF BEGINNING (P.O.B.); THENCE S 88°30'00" W 210.00 FEET; THENCE S 04°00'00" E 678.00 FEET MORE OR LESS TO THE NORTHERLY R/W LINE OF SAID STATE ROAD #173; THENCE RUN SOUTHWESTERLY ALONG SAID R/W LINE (ALSO BEING A CURVED R/W LINE), TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DEEDED TO THE "FLORIDA STATE TELEPHONE COMPANY", RECORDED IN O.R. BOOK 27, PAGE 410, PUBLIC RECORDS OF HOLMES COUNTY, FLORIDA; THENCE NORTH ALONG THE EAST LINE OF SAID "TELEPHONE COMPANY" PROPERTY 290.21 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID "TELEPHONE COMPANY" PROPERTY; THENCE RUN WEST, ALONG THE NORTH LINE OF SAID "TELEPHONE COMPANY" PROPERTY 300.00 FEET MORE OR LESS TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 50.00 FEET; THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID "TELEPHONE COMPANY" LAND, 580.00 FEET TO A POINT 740.00 FEET WEST OF THE WEST LINE OF SAID SECTION 30; THENCE NORTH, PARALLEL TO THE WEST LINE OF SAID SECTION 30, A DISTANCE OF 430.00 FEET MORE OR LESS TO A POINT 50.0 FEET NORTH OF THE NORTH LINE OF SAID PARCEL RECORDED IN SAID O.R. BOOK 220, PAGE 300; THENCE EAST, PARALLEL TO SAID NORTH LINE, 400.00 FEET, MORE OR LESS; TO A POINT 50.0 FEET NORTH OF THE P.O.B. OF THE PARCEL DESCRIBED HEREIN AS PARCEL #2

ALSO:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 14 WEST, AND RUN N 88°28'26" W 321.83 FEET; THENCE N 0°28'57" E 172.18 FEET TO THE NORTH R/W LINE OF STATE ROAD 173 FOR THE POINT OF BEGINNING; THENCE CONTINUE N 0°28'57" E 1151.61 FEET; THENCE S 88°58'55" E A DISTANCE OF 1545.26 FEET TO THE WEST R/W LINE IF STATE ROAD 173; THENCE SOUTHWESTERLY ALONG SAID LINE 1960.00 FEET TO THE POINT OF BEGINNING;

LESS AND EXCEPT:

COMMENCE AT THE S.E. CORNER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 14 WEST, HOLMES COUNTY, FLORIDA, AND RUN N 88°28'26" W 321.83 FEET; THENCE N 00°28'57" E 172.15 FEET TO THE NORTH RIGHT OF WAY BOUNDARY OF COUNTY ROAD #173 AND THE POINT OF BEGINNING; THENCE CONTINUE N 00°28'57" E 547.30 FEET; THENCE S 88°13'56" E 418.03 FEET; THENCE S 00°28'57" W 377.98 FEET TO SAID NORTH R/W LINE OF COUNTY HIGHWAY #173, AND BEING ON A CURVE, CONCAVE

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TO THE NORTHWEST, HAVING A RADIUS OF 2814.93; THENCE SOUTHWESTERLY ALONG SAID CURVE AND R/W LINE THROUGH A CENTRAL ANGLE OF $09^{\circ}07'05''$, FOR AN ARC DISTANCE OF 447.96 FEET (CHORD OF $S 69^{\circ}32'24'' W 447.49$ FEET) TO THE P.O.B.