

ORDINANCE NO. 402

AN ORDINANCE OF THE CITY OF BONIFAY, FLORIDA, AMENDING THE CHARTER AND ORDINANCES OF THE CITY OF BONIFAY TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF BONIFAY, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY (THE DEWRELL ANNEXATION) BEING SITUATED IN HOLMES COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, there has been filed with the City of Bonifay, Florida a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Bonifay, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Bonifay, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and

WHEREAS, the City of Bonifay, Florida, is in a position to provide municipal services to the property described herein, and that the City Council of the City of Bonifay, Florida, deems it in the best interest of the City to accept said petition and to annex said property;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA:

Section 1. That the property described below, situated in Holmes County, Florida, be and the same is hereby annexed to and made a part of the City of Bonifay, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to-wit:

Part 1: Commence at the SE corner of the SW-1/4 of the SW-1/4 of Sec. 12, Township 4 N, Range 15 W, Holmes County, Florida, and proceed; Thence N 87°00'55" W, along the S boundary of said Sec. 12, a distance of 5.0 feet to the W maintained R-O-W of a County graded roadway and the point of beginning; thence continue N 87°00'55" W, along said S boundary, 309.56 feet to the southerly R-O-W boundary of County Road 173 (66 feet R-O-W) and being on a curve concave to the NW having a radius of 749.78 feet thence northeasterly along said curve and said R-O-W, through a central angle of 23°23'11", for an arc distance of 306.04 feet (chord N 62°24'19" E 303.92 feet) to found 5/8" Dept. of Transportation rebar and cap; thence N 48°32'12" E, along said R-O-W, 160.97 feet to its intersection with the W maintained R-O-W of a County graded roadway; thence S 17°02'38" W, along said maintained R-O-W, 275.52 feet to the point of beginning; based on

the deed recorded in Deed Book 405 on Page 250, Holmes County, Florida;

AND

Part 2: That part of Sec 13, Township 4 N, Range 15 W, described as follows; Begin at the SW corner of the NW-1/4 as marked by a 4" concrete monument with a #5134 cap; thence N 01°25' 16" E for a distance of 2,519.94 along the W line of said Sec to an iron rod on the S R-O-W line of County Road 173 (now State Road 179); thence S 87°03'15" E for a distance of 755.62 feet along said R-O-W line to an iron rod; thence along said R-O-W line along a curve to the left, having a radius of 749.78 feet and an arc length of 253.33 feet, being subtended by a chord bearing of N 83°15'56" E and a chord distance of 252.13 feet to then line of said Sec; thence S 87°35'23" E for a distance of 1,636 feet to an iron rod on the NE corner of said E-1/2 of NW-1/4; thence S 01°16'09" W for a distance of 1,323.70 feet to an iron rod to the NW corner of the W-1/2 of the SE-1/4 of the NE-1/4; thence S 87°43'02" E for a distance of 662.52 feet to an iron rod on the NE corner of said W-1/2 of SW-1/4 of NW-1/4 (the NW corner of the Southgate Subdivision); thence S 01°14'25" W for a distance of 1,322.74 feet along the W line of said Subdivision to a concrete monument marking the SW corner of said Subdivision; thence S 87°40'21" E for a distance of 661.24 feet to a concrete monument with a #5337 cap marking the NW corner of the NE-1/4 of the SE-1/4; thence S 01°14'25" W for a distance of 1,322.48 feet to a 3/4" iron pipe marking the NW corner of the SE-1/4 of the SE-1/4; thence S 87°45'25" E for a distance of 1,275.78 feet along the forty line to an iron rod on the W R-O-W of State Road 78 (now State Road 79); thence S 01°07' 17" W for a distance of 60.0 feet along said R-O-W to an iron rod; thence N 87°46'28" W along the N line of a parcel recorded in Official Records Book 132, Page 328 for a distance of 630.0 feet to an iron rod; thence S 01°07'17" W for a distance of 210.0 feet along said parcel to an iron rod; thence S 87°46'28" E for a distance of 530.0 feet to an iron rod marking the NW corner of a parcel of land recorded in Official Records Book 210, Page 288; thence S 01°07' 17" W for a distance of 100.0 feet along the W line of said parcel to an iron rod; thence S 87°46'28" E for a distance of 100.0 feet along the S line of said parcel to an iron rod on the W R-O-W of State Road 79; thence S 01°07' 17" W along said R-O-W line for a distance of 950.96 feet to an iron rod on the S line of Sec 13; thence N 87°50'10" W for a distance of 1,277.46 feet to the SE corner of a parcel of land recorded in Official Records Book 74, Page 548; thence N 01°11'39" W for a distance of 661.15 feet to the NE corner of said parcel; thence N 87°48'19" W for a distance of 331.75 feet to the NW corner of said parcel; thence S 01°12'47" W for a distance of 661.32 feet to the SW corner of said parcel; thence N 87°50' 10" W along the Sec line for a distance of 2,323.78 feet to an iron rod on the SW corner of the SE-1/4 of the SE-1/4; thence N 01°21'14" E for a distance of 1,314.61 feet to an iron rod marking the SW corner of a parcel recorded in Official Records

Book 251, Page 256; thence N 58°29'42" E for a distance of 362.29 feet along the W line of said parcel to an iron rod; thence N 58°50'06" E for a distance of 814.81 feet to an iron rod marking the most westerly corner of a parcel recorded in Official Records Book 199, Page 206; thence S 38°09'06" E for a distance of 209.92 feet along the westerly line of said parcel to an iron rod; thence S 23°17' 54" E for a distance of 209.92 feet along the westerly line of a parcel recorded in Official Records Book 199, Page 209, for a distance of 225.30 feet to an iron rod; thence N 54°19'21" E for a distance of 205.74 feet along the southerly line of said parcel to the water's edge at Sun Lake; thence northwesterly along the water's edge for a distance of 1,220.0 feet more or less to an iron rod that bears S 87°42'45" E from the point of beginning; thence N 87°42'45" W along the S line of the NW 1/4 for a distance of 2,074.18 feet to the point of beginning; based on the deed recorded in Deed Book 375 at page 584.

A map clearly showing the area to be annexed is attached.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights, privileges and immunities as are from time to time granted to residents and property owners of the City of Bonifay, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities or residence or ownership as may from time to time be determined by the governing authority of the City of Bonifay, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed and revoked.

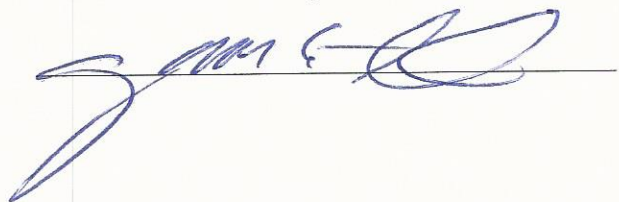
Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED on first reading in the City Council on the ____ day of _____, 2017.

ADOPTED AND PASSED AFTER second reading by the City Council on the 19 day of September 2017.

ATTEST:

CITY OF BONIFAY, FLORIDA



By its Mayor, James E. Sims

By: Beverly Gilley, Clerk

APPROVED AS TO FORM:



Michelle Blankenship Jordan
City Attorney