

ORDINANCE NO. 401

AN ORDINANCE OF THE CITY OF ORANGE CITY, FLORIDA, ANNEXING THE ARIEL MINISTRIES PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF ORANGE CITY, FLORIDA; SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF EAST GRAVES AVENUE, APPROXIMATELY 300 FEET WEST OF MONASTERY ROAD, CONTAINING APPROXIMATELY 4.86 ACRES; IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF FLORIDA STATUTE 171.044; REDEFINING THE BOUNDARIES OF THE CITY OF ORANGE CITY BY AMENDING THE APPROPRIATE SECTIONS OF THE CODE OF ORDINANCES; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ariel Ministries, Inc. is the owner in fee simple of certain real property generally located on the north side of East Graves Avenue, approximately 300 feet west of Monastery Road, containing approximately 4.86 acres as hereinafter described, and

WHEREAS, the Ariel property is currently situated within the jurisdiction of the County of Volusia, and

WHEREAS, the property owner is desirous of having his property annexed into the City limits of the City of Orange City, Florida, and

WHEREAS, the property owner has petitioned the City of Orange City for voluntary annexation of his property pursuant to Florida Statute 171.044, and

WHEREAS, the City Council of the City of Orange City hereby finds that the Ariel property is contiguous to and abuts the City boundaries of the City of Orange City, Florida, and that the Ariel property is reasonably compact, and annexation of said property will not result in the creation of an enclave, and that said annexation meets the other requirements of Florida Statute 171.044, and

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

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

SECTION 1. That the Ariel property, generally located on the north side of East Graves Avenue, approximately 300 feet west of Monastery Road, containing approximately 4.86 acres, a description of which is attached hereto as Attachment "A", and by reference incorporated herein with full force and effect, is hereby annexed and made part of the City of Orange City, Florida, pursuant to Section 171.044, Florida Statutes.

SECTION 2. That upon adoption of this ordinance, the appropriate Sections of the Code of Ordinances of the City of Orange City shall be amended by redefining the boundaries of the City to include the lands described in Section 1.

SECTION 3. The City Clerk of the City of Orange City, Florida, is hereby directed pursuant to Section 171.044(3) of the Florida Statutes to comply with the public notification requirements for adoption of this ordinance, including sending a copy of the notice, via certified mail, to the County Council of the County of Volusia, and that upon adoption of this ordinance, certified copies shall be filed with the Clerk of the Circuit Court and the Chief Administrative Officer of the County of Volusia, the Department of State in Tallahassee, and the Office of the Governor, within seven days from the effective date of the ordinance, pursuant to Section 171.044.

SECTION 4. That upon this ordinance becoming effective, the property owners and any residents on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Orange City, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined by the governing authority of the City of Orange City, Florida, and the provisions of said Chapter 171, Florida Statutes.

SECTION 5. Repealer: That all ordinances or parts of ordinances and all resolutions in conflict herewith be and the same are hereby repealed, as well as any portion in conflict herewith.

SECTION 6. Severability: If any section, part of a section, paragraph, clause, phrase or word of this ordinance is declared invalid, the remaining provisions of this ordinance shall not be affected.

SECTION 7. Effective Date: This Ordinance shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS (Ordinance No. 401):

First Reading this 28th day of July, 2009.

Jim Mahoney	<u>yes</u>	Donald C. Sherrill	<u>yes</u>
Tom Laputka	<u>yes</u>	Tom Abraham	<u>yes</u>
Paul Rasch	<u>yes</u>	Jeff H. Allebach, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

ROLL CALL VOTE AS FOLLOWS (Ordinance No. 401):

Second Reading this 11th day of August, 2009.

Jim Mahoney	<u>yes</u>	Donald C. Sherrill	<u>yes</u>
Tom Laputka	<u>yes</u>	Tom Abraham	<u>yes</u>
Paul Rasch	<u>yes</u>	Jeff H. Allebach, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

PASSED and ADOPTED this 11th day of August, 2009.

ATTEST:

Deborah J. Renner
Deborah J. Renner, CMC, City Clerk

AUTHENTICATED:

Harley Strickland
Harley Strickland, Mayor

Approved as to form and legal sufficiency:

William E. Reischmann, Jr.
William E. Reischmann, Jr., City Attorney

Attachment A

Ordinance No. 401

Legal Description

Ariel Ministries Annexation

Property located on East Graves Avenue

Name: Ariel Ministries Inc.

Street Address: 1525 East Graves Avenue

Parcel ID: 8001-00-00-0330

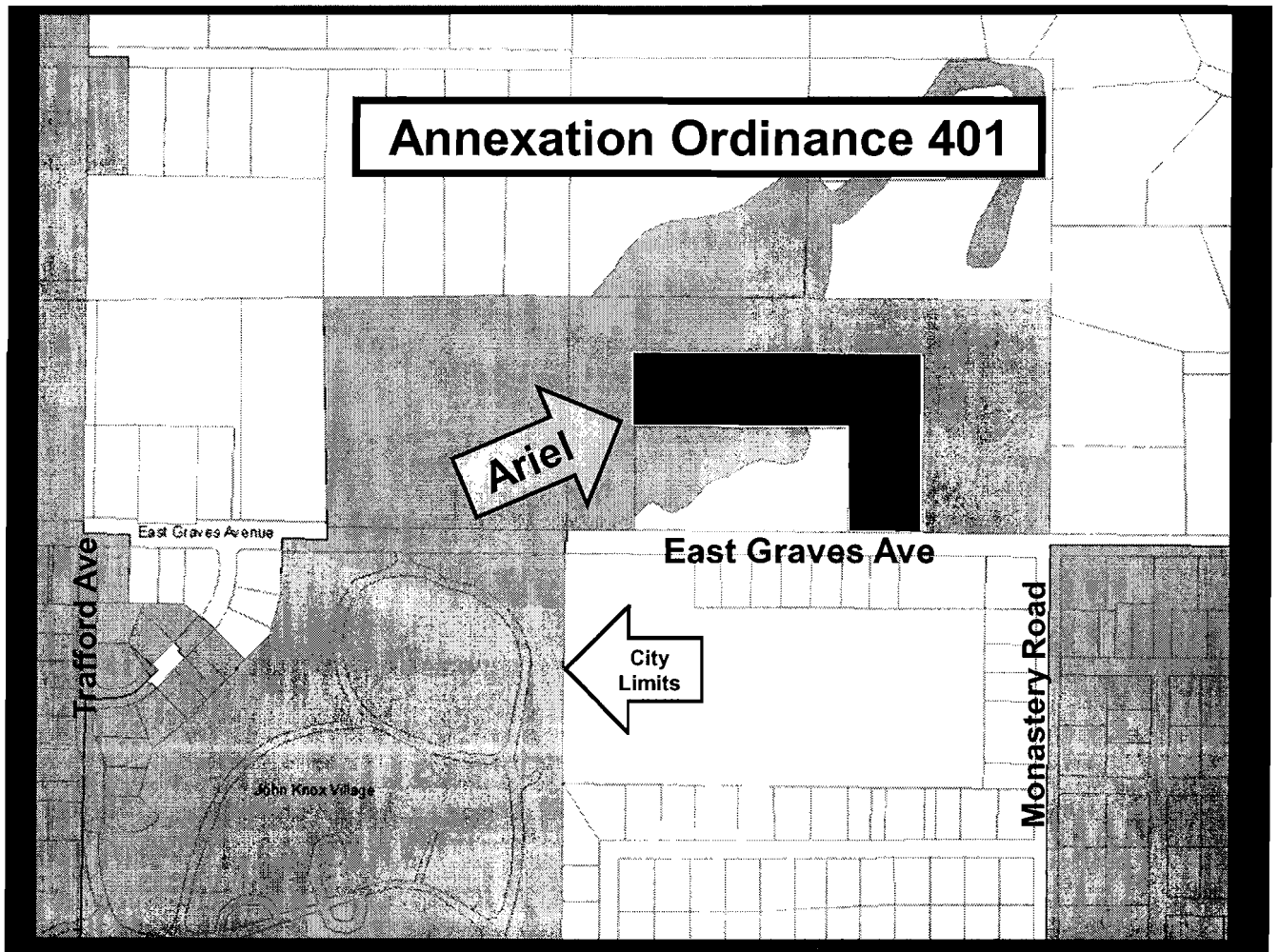
Acreage: 4.86

Legal Description: The West 200 feet of the East 550 feet of the South 500 feet except the South 30 feet lying in East Graves Avenue thereof, and the North 200 feet of the South 500 feet of the West 589 feet of the East 1138 feet of the South 1/2 of the South 1/2 of Government Lot 10, Section 01, Township 18 South, Range 30 East, Volusia County, Florida

Attachment B

Ordinance No. 401

Ariel Ministries Annexation



Petition for Annexation

Into the City of Orange City, Florida

Applicant's Name: **Ariel Ministries Inc.**

Phone:

Business Name:

Phone:

Address: **P.O. Box 730011**

Fax:

City: **Ormond Beach**

State: **Florida**

Zip: **32173**

Mailing Address: **Same**

e-mail:

City:

State:

Zip:

Property Information

Property Address: **1525 East Graves Avenue**

The subject property is located on the **north** side of **East Graves Avenue**

approximately **300** feet **west** from its intersection with **Monastery Road**

Parcel Number: **8001-00-00-0330**

Parcel Number: **N/A**

Acres **4.86**

The existing land use of the property is **House of Worship**

Whereas, (I / We) **Ariel Ministries Inc.**

(is / are) the owner(s) of property abutting and contiguous to the existing city limits of the City of Orange City, Florida, do voluntarily petition the City of Orange City, Florida, pursuant to Section 171.044, Florida Statutes, that (my / our) property be annexed into the City of Orange City, Florida

Whereas, said property to be annexed is more particularly described in the legal description as follows:

Legal Description

See Attachment "A", Legal description for Ariel Annexation

Therefore, (I / We) do request that the above described property owned by (me / us) in fee simple be annexed as part and parcel of the City of Orange City, Florida

Notarization

State of Florida County of Volusia

DENNIS RICHARDS

Print Name

Dennis Richards
Signature

Print Name

Signature

Print Name

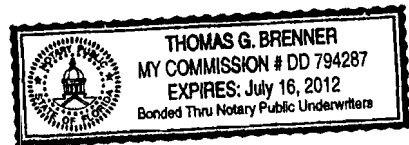
Signature

Print Name

Signature

Subscribed and sworn to (or affirmed) before me on this the 16th day of June 2009
who is/are personally known to me or has/ have produced _____
as identification.

Thomas G. Brenner
Signature, Notary Public



Notary Stamp

The City of Orange City
Petition for Annexation

Ariel Ministries Property Status Report

Ownership Status

Property Owner	Ariel Ministries, Inc.				
Applicants Name					
Mailing Address	P.O.Box 730011				
City	Ormond Beach	State	Florida	Zip	32173

General Description of Current Property Status :

Property Location	Located on the north side of East Graves Avenue approximately 300 feet west of Monastery Road.				
Property Address	1525 East Graves Avenue				
Size of Property	Width:	Irregular	Depth:	Irregular	Acres: 4.65
Total Acres	4.86				
Population	None				
Number of Structures	None				
Dwelling Units	None				
Building Square Feet	1,705				
Parcel Number	8001-00-00-0330				
Legal Description	See Attachment A Legal Description to Ordinance 401				

Current Revenue Status

	Volusia County	Orange City
Total Millage Rate	(19.38832)	(19.26027)
City Millage Rate	N/A	(4.48000)
Assessed Land Value	349,830	349,830
Assessed Building Value	118,099	118,099
Exemption	3,770	3,770
Taxable Value	471,699	471,699
Stormwater	72.00	N/A
Total Ad Valorem	72.00	0
City Ad Valorem	N/A	0

The above revenues are based on the current assessed property value as listed in the Volusia County 2008 Tax Roll.

Subject Property Current Land Use and Zoning Description

The subject property currently maintains the following:	
Land Use Designation	(Volusia County) ULI Urban Low Intensity
Zoning	(Volusia County) RR Rural Residential
The property usage is a house of worship.	

Detailed Subject Property Proposed Land Use and Zoning Description

The subject property is proposed to be changed to the following:	
Land Use Designation	(Orange City) MX Mixed Use
Zoning	(Orange City) MX-2 Mixed Use
The property is proposed to continue as a house of worship.	