

**RESOLUTION NO. 565-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, PROVIDING NOTICE TO THE VOLUSIA COUNTY SUPERVISOR OF ELECTIONS OF ORANGE CITY'S INTENT TO HOLD A MAIL BALLOT REFERENDUM ELECTION ON JANUARY 19, 2010 FOR THE PURPOSE OF ALLOWING THE PROPERTY OWNERS OF THE BREEZEWOOD VILLAGE CONDOMINIUMS TO VOTE ON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF ORANGE CITY, REPEALING ALL RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the Breezewood Village Condominiums, currently located in unincorporated Volusia County, by their condominium association have expressed an intent to annex into the City of Orange City; and

**WHEREAS**, in accordance with the provisions of Florida Statutes Sections 171.0413 and 171.042, the City of Orange City wishes to annex the Breezewood Village Condominiums into the corporate limits of the City of Orange City; and

**WHEREAS**, Resolution No. 565-09 has been prepared pursuant to Section 4.05 of the City Charter to serve as official notice to the Supervisor of Elections of the City's intent to conduct a mail ballot referendum election to be held on January 19, 2010.

**NOW. THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:**

**SECTION 1.** That the City of Orange City hereby provides official notice to the Volusia County Supervisor of Elections of the City's intent to hold a mail ballot referendum election on January 19, 2010 whether to annex the Breezewood Village Condominiums into the corporate limits of the City of Orange City.

**SECTION 2.** Said election shall be held in accordance with the applicable Sections of the Orange City Charter and the Florida Statutes.

**SECTION 3.** That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

**SECTION 4.** In accordance with Section 4.05 of the Orange City Charter, the City Clerk shall send a copy of this Resolution to the Supervisor of Elections, Volusia County, Florida, as notice of the election set forth herein.

**SECTION 5.** This Resolution shall become effective immediately upon its adoption.

**ROLL CALL VOTE AS FOLLOWS:**

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

**ADOPTED THIS** 23<sup>rd</sup> **DAY OF** September, 2009.

**ATTEST:**  
Deborah J. Renner  
Deborah J. Renner, CMC, City Clerk

**AUTHENTICATED:**  
Harley Strickland  
Harley Strickland, Mayor

**Approved as to form and legal sufficiency:**  
W. E. Reischmann  
W. E. Reischmann, City Attorney

BREEZEWOOD VILLAGE CODOMINIUM ASSOC.  
101 Grand Plaza Drive, CH-9  
Orange City, FL32763

September 17, 2009

To: The City of Orange City

This letter is to inform the officials of Orange City of our desire to be annexed into the city. The Board met with Mr. Murray and Mr. Kerr and after discussing this desire, the Board was 100% in agreement that this is the best move for the residents of our Association.

After this meeting, a letter was sent to all residents advising of the Board's desire for this to happen and asked that they attend a special meeting with Mr. Murray, Mr. Kerr and representatives from the Fire, Police, and Code Enforcement.

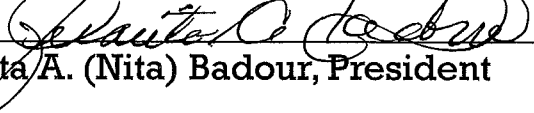
After the meeting was held and our guests had left, a vote was taken of the residents in attendance. All 52 who were present voted to be annexed into the city.

Therefore I, as President of the Association, am asking that you proceed with the Annexation of the Association property into Orange City.

The Board appreciates your anticipated cooperation in this matter and looks forward to this Annexation.

Kindest regards,

Breezewood Village Condominium Assoc.

By:   
Juanita A. (Nita) Badour, President

# Breezewood Village Condos

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