

**ORDINANCE NO. 2881**

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 1976 N. NOVA ROAD (Tax Parcel Number 4242-19-01-0200 AND 1982 N. NOVA ROAD (Tax Parcel Number 4242-19-01-0190) CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Mr. Arthur Ravitch, is the owner of the real property described herein, located at 1976 N. Nova Road, and at 1982 N. Nova Road, south of Alabama Avenue and west of Granada Avenue; and

**WHEREAS**, the owner has filed, pursuant to Florida Statute 171.044, a Petition for Annexation of said property into the municipal limits of the City of Holly Hill; and

**WHEREAS**, the City Commission of the City of Holly Hill has determined that all of the properties which is proposed to be annexed into the City of Holly Hill is within an unincorporated area of Volusia County, is contiguous to the City of Holly Hill, and is reasonably compact; and

**WHEREAS**, the map attached hereto as Exhibit "A" shows the property which is proposed to be annexed into the City of Holly Hill; and

**WHEREAS**, Exhibit "B" is the metes and bounds legal description of the property which is proposed to be annexed into the City of Holly Hill.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:**

**SECTION 1.** The City Commission of the City of Holly Hill based on the above findings, hereby annexes into the City of Holly Hill by voluntary petition the following described property:

(Tax Parcel Number **4242-19-01-0200**)

LEGAL DESCRIPTION

LOTS 20 & 21 EXC PART IN HWY PER DB 542 PG 30 BLK 1 HIGHLAND PARK MB 10 PG 64 FITCH GRANT PER OR 5345 PG 2487

AND

(Tax Parcel Number **4242-19-01-0190**)

LEGAL DESCRIPTION

LOT 19 EXC PART IN HWY PER DB 543 PG 313 BLK 1 HIGHLAND PKMB 10 PG 64 FITCH GRANT PER OR 5254 PG 3976 PER OR 6010 PG 690

**SECTION 2.** That within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court, with the Chief Administrative Officer of Volusia County, and with the Department of State.

**SECTION 3.** That upon approval on first reading, the City Clerk is hereby directed to publish the Notice of Annexation required by Section 171.044(2), Florida Statutes, at least once each week for two (2) consecutive weeks in a newspaper of general circulation in the City of Holly Hill.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

**SECTION 5.** That all ordinances made in conflict with this Ordinance are hereby repealed.

**SECTION 6.** That this Ordinance shall become effective immediately upon its adoption.

The within and foregoing Ordinance was introduced and read on first reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 12<sup>th</sup> day of October, 2010.

It was moved by Commissioner Reed and seconded by Commissioner Glass that said Ordinance be approved on first reading. A roll call vote of the Commission held on said motion for approval of the Ordinance resulted as follows:

**ROLL CALL VOTE AS FOLLOWS: (Ordinance 2881):**

Mayor Roland D. Via	Yes
Commissioner John Penny	Yes
Commissioner Rick Glass	Yes
Commissioner Mark Reed	Yes
Commissioner Liz Towsley	Yes

**ADOPTED THIS 12<sup>th</sup> DAY OF OCTOBER, 2010.**

The within and foregoing Ordinance was introduced and read on the second reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 26<sup>th</sup> day of October, 2010.

It was moved by Commissioner Reed and seconded by Commissioner Towsley that said Ordinance be adopted. A roll call vote of the Commission held on said motion to adopt the Ordinance resulted as follows:

**ROLL CALL VOTE AS FOLLOWS: (Ordinance 2881):**

Mayor Roland D. Via	Yes
Commissioner John Penny	Yes
Commissioner Rick Glass	Absent
Commissioner Mark Reed	Yes
Commissioner Liz Towsley	Yes

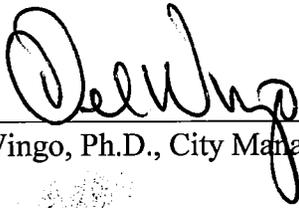
**ADOPTED THIS 26<sup>th</sup> DAY OF OCTOBER, 2010.**

WHEREUPON, the Mayor of the City of Holly Hill, Florida, has hereunto set his official signature, duly attested by the City Clerk, and has caused the official seal of said City to be affixed, all at City Hall in the City of Holly Hill, this 26<sup>th</sup> day of October, 2010 for the purpose of authenticity as is required by law.

CITY OF HOLLY HILL, FLORIDA

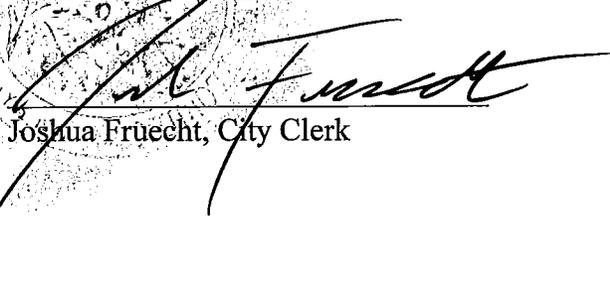


\_\_\_\_\_  
Roland D. Via, Mayor

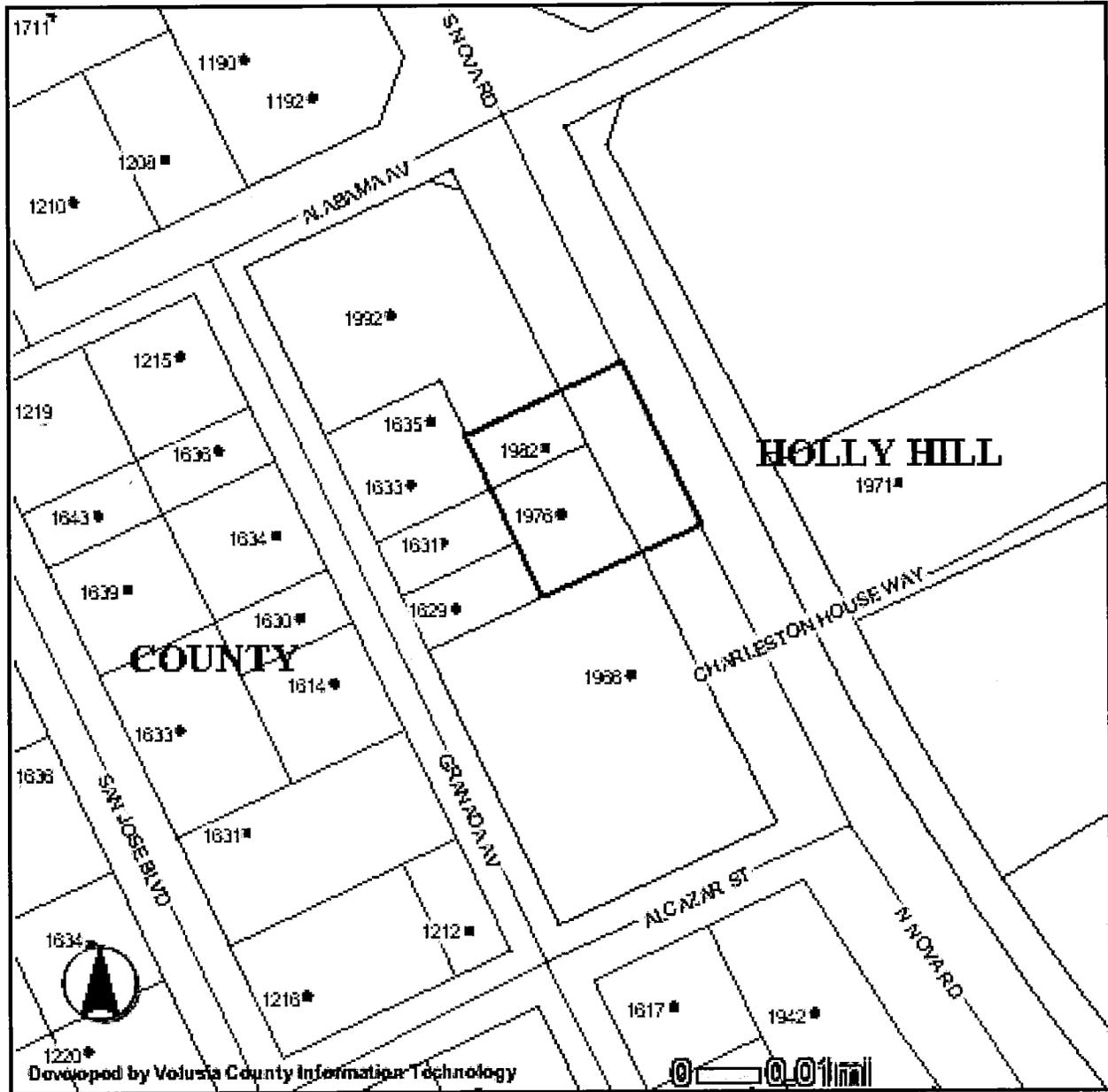


\_\_\_\_\_  
Oel Wingo, Ph.D., City Manager

Attest:

  
  
\_\_\_\_\_  
Joshua Fruecht, City Clerk

**EXHIBIT “A”  
(Location Map)**



**EXHIBIT “B”**  
**(Metes and Bounds Legal Description)**

# ***MYER LAND SURVEYING***

*Incorporated*

*Michael M. Myer, Professional Surveyor and Mapper*

Bachelor of Land Surveying, University of Florida

Phone (386) 255-6304 FAX (386) 255-6306

*316 Ridgewood Avenue*

*Holly Hill, Florida 32117*

10052-1

August 23, 2010

4242-19-01-0190

Lot 19, Block 1, HIGHLAND PARK, according to plat recorded in Map Book 10, Page 64, Public Records of Volusia County, Florida less and except that part contained in the State Road 5A, Nova Road right of way and being alternatively described as follows: Beginning at the intersection of the northerly line of Lot 19, Block 1 and the westerly right of way of State Road 5A, Nova Road (a 100 foot wide right of way); thence southeasterly along said westerly right of way 50 feet more or less to an intersection with the southerly line of said Lot 19, Block 1; thence departing said right of way southwesterly and perpendicular with the said right of way, 80 feet more or less along the southerly line of Lot 19, Block 1, to an intersection with the westerly line of Lots 15 through 24, inclusive, Block 1, and also being the southwest corner of Lot 19, Block 1; thence northwesterly and perpendicular with said southerly line along the westerly line of said Lots 15 through 24, inclusive, Block 1, 50 feet more or less to an intersection with the northerly line of Lot 19, Block 1 and the northwesterly corner thereof; thence departing said westerly line northeasterly and perpendicular with said westerly line along said northerly line 80 feet more or less, to an intersection with the westerly right of way of State Road 5A, Nova Road and the Point of Beginning. Containing 4,000 square feet, more or less.

Description prepared by:

Michael M. Myer,  
FL PSM LS#4006

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*316 Ridgewood Avenue*

*Holly Hill, Florida 32117*

10052-2

August 23, 2010

4242-19-01-0200

Lots 20 and 21, Block 1, HIGHLAND PARK, according to plat recorded in Map Book 10, Page 64, Public Records of Volusia County, Florida less and except that part contained in the State Road 5A, Nova Road right of way and being alternatively described as follows: Beginning at the intersection of the northerly line of Lot 20, Block 1 and the westerly right of way of State Road 5A, Nova Road (a 100 feet wide right of way); thence southeasterly along said westerly right of way 100 feet more or less to an intersection with the southerly line of said Lot 21, Block 1; thence departing said right of way southwesterly and perpendicular with said right of way 80 feet more or less along the southerly line of Lot 21, Block 1, to an intersection with the westerly line of Lots 15 through 24, inclusive, Block 1, and also being the southwest corner of Lot 21, Block 1; thence northwesterly and perpendicular with said southerly line along the westerly line of said Lots 15 through 24, inclusive, Block 1, 150 feet more or less to an intersection with the northerly line of Lot 21, Block 1 and the northwesterly corner thereof; thence departing said westerly line northeasterly and perpendicular with said westerly line along said northerly line 100 feet more or less, to an intersection with the westerly right of way of State Road 5A, Nova Road and the Point of Beginning. Containing 8,000 square feet, more or less.

Description prepared by:

Michael M. Myer,  
FL PSM LS#4006

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*316 Ridgewood Avenue*

*Holly Hill, Florida 32117*

10052-3

August 24, 2010

## **Nova Road description**

That portion of State Road 5A, Nova Road, a 100 foot wide right of way, lying easterly of and adjacent to Lots 19, 20 and 21 Block 1, HIGHLAND PARK, according to plat recorded in Map Book 10, Page 64, Public Records of Volusia County, Florida, being alternatively described as follows: Beginning at an intersection of the westerly right of way of State Road 5A, Nova Road and the northerly line of Lot 19, Block 1; thence southeasterly along said westerly right of way of State Road 5A, Nova Road 150 feet more or less to an intersection with the southerly line of Lot 21, Block 1; thence departing said westerly right of way northeasterly and perpendicular with said westerly right of way 50 feet more or less, along the southerly line of Lot 21, Block 1 extended northeasterly to an intersection with the centerline of State Road 5A, Nova Road; thence northwesterly and perpendicular with said southerly line extended northeasterly 150 feet more or less, along said centerline of State Road 5A, Nova Road to an intersection with the northerly line of Lot 19, Block 1, extended northeasterly; thence departing said centerline southwesterly and perpendicular with said centerline 50 feet more or less, along said northerly line of Lot 19, Block 1 extended northeasterly to an intersection with the westerly right of way of State Road 5A, Nova Road and the Point of Beginning. Containing 7,500 square feet more or less.

Description prepared by:

Michael M. Myer,  
FL PSM LS#4006