

ORDINANCE NUMBER 23-15

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 4.63 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1213177, GENERALLY LOCATED AT THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD.

WHEREAS, Richard and Cindy Eichelberger, as the legal owners of record, have authorized Adam Novack, President of Novack and Sons, Inc, to make an application for voluntary annexation of approximately 4.63 acres of real property located at the northeast corner of CR 44 at the intersection with South Fishcamp Road, more particularly described as:

Parcel Alternate Key: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404

(The foregoing legal description were copied directly from Lake County Property Appraiser records submitted by the applicant and have not been verified for accuracy); and

WHEREAS, the subject property is reasonably compact and contiguous and continues the incorporation of enclave properties; and

WHEREAS, the annexation of this property will not result in the creation of enclaves; and

WHEREAS, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

WHEREAS, on September 7, 2023, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on September 21, 2023, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 4.63 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

SECTION 2.

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

SECTION 3.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

SECTION 5.

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 6.

That this Ordinance shall become effective upon passing.

SECTION 7.

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 21st day of September 2023.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 21st day of September 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-15 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT "A"

GENERAL LOCATION MAP

