

ORDINANCE NUMBER 23-27

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 2.61 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089 GENERALLY LOCATED ON ORANGE AVENUE, WEST OF BEACH DRIVE.

WHEREAS, Tree Frog, LLC, as the legal owners of record, have made an application for voluntary annexation of approximately 2.61 acres of real property located on Orange Avenue just west of the unimproved portion of Beach Drive, more particularly described as:

Parcel Alternate Keys: 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089

Parcel Identification Numbers: 26-18-26-0004-000-03301, 26-18-26-0004-000-08500, 26-18-26-0004-000-08600, 26-18-26-0004-000-08700, 26-18-26-0004-000-08800, and 26-18-26-0004-000-08900

Legal Description:

Parcel 1:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTH EAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 THENCE RUN NORTH 01-39-00 EAST 190 FEET FOR POINT OF BEGINNING, THENCE RUN SOUTH 89-45-22 WEST 214.62 FEET, NORTH 03-16-28 EAST 158.14 FEET, NORTH 30-32-14 EAST 434.75 FEET, SOUTH 01-39-00 WEST TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 2:

FROM THE SOUTHEAST CONER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA THE SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN SOUTH 89-49-20 WEST ALONG WOUTH LINE OF THE FURZE TRACT 159.89 FEET FOR POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-49-20 WEST 60.11 FEET, NORTH 03-16-28 EAST 190 FEET, NORTH 89-45-22 EAST 60.11 FEET, SOUTH 03-16-28 EAST 190.07 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 3:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN SOUTH 89-49-20 WEST ALONG SOUTH LINE OF THE FURZE TRACT 100 FEET FOR POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-49-20 WEST 59.89 FEET, NORTH 03-16-28 EAST 129.94 FEET, NORTH 89-44-11 EAST 60.11 FEET, SOUTH 03-22-13 WEST 130.04 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 4:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 FOR POINT OF BEGINNING, RUN SOUTH 89-49-20 WEST 100 FEET, NORTH 03-22-13 EAST 69.80 FEET, NORTH 89-38-44 EST 97.91 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 70 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 5:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN NORTH 01-39-00 EAST 70 FEET FOR POINT OF BEGINNING, RUN SOUTH 89-38-44 WEST 97.91 FEET, NORTH 03-22-13 EAST 60.24 FEET, NORTH 89-44-11 EAST 96.10 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 6:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN NORTH 01-39-00 EAST 130 FEET FOR POINT OF BEGINNING, THENCE SOUTH 89-44-11 WEST 156.21 FEET, NORTH 03-16-28 EAST 60.13 FEET, NORTH 89-45-22 EAST 154.51 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

(The foregoing legal descriptions were copied directly from Lake County Property Appraiser records submitted by the applicant and has 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 November 2, 2023, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on November 16, 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 2.61 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 16th day of November 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 16th day of November 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 but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-27 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

