

## ORDINANCE NO. 426

AN ORDINANCE OF THE CITY OF ORANGE CITY, FLORIDA, ANNEXING THE LADERMAN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF ORANGE CITY, FLORIDA; SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF WEST FERN DRIVE, APPROXIMATELY 250 FEET WEST OF SOUTH VOLUSIA AVENUE, CONTAINING APPROXIMATELY 0.50 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.

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**WHEREAS**, Cliff and Kathy Laderman are the owners in fee simple of certain real property generally located on the north side of West Fern Drive, approximately 250 feet west of South Volusia Avenue, containing approximately 0.50 acres as hereinafter described, and

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

**WHEREAS**, the property owners are desirous of having their property annexed into the City limits of the City of Orange City, Florida, and

**WHEREAS**, the property owners have petitioned the City of Orange City for voluntary annexation of their property pursuant to Florida Statute 171.044, and

**WHEREAS**, the City Council of the City of Orange City hereby finds that the Laderman property is contiguous to and abuts the City boundaries of the City of Orange City, Florida, and that the Laderman 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 Laderman property, generally located on the north side of West Fern Drive, approximately 250 feet west of South Volusia Avenue, containing approximately 0.50 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. 426):**

First Reading this 27<sup>th</sup> day of July, 2010.

Jeff H. Allebach	<u>yes</u>	Thomas Laputka, Vice Mayor	<u>yes</u>
Tom Abraham	<u>yes</u>	Anthony Pupello	<u>yes</u>
Gary Blair	<u>yes</u>	Bill Crippen	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

**ROLL CALL VOTE AS FOLLOWS (Ordinance No. 426):**

Second Reading this 24<sup>th</sup> day of August, 2010.

Jeff H. Allebach	<u>yes</u>	Thomas Laputka, Vice Mayor	<u>yes</u>
Tom Abraham	<u>yes</u>	Anthony Pupello	<u>yes</u>
Gary Blair	<u>yes</u>	Bill Crippen	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

PASSED and ADOPTED this 24<sup>th</sup> day of August, 2010.

**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. 426**

### **Legal Description**

#### **Laderman Annexation**

**Property located on West Fern Drive**

**Name: Cliff and Kathy Rae Laderman**

**Street Address: 111 West Fern Drive**

**Parcel ID: 8015-04-00-0360 and 8015-04-00-0350**

**Acreage: 0.26 and 0.24 = 0.50**

**Legal Description: Lot 36, Orange City Hills, Unit 1, according to map in Map Book 19, Page 126, of the Public Records of Volusia County, Florida,**

**and**

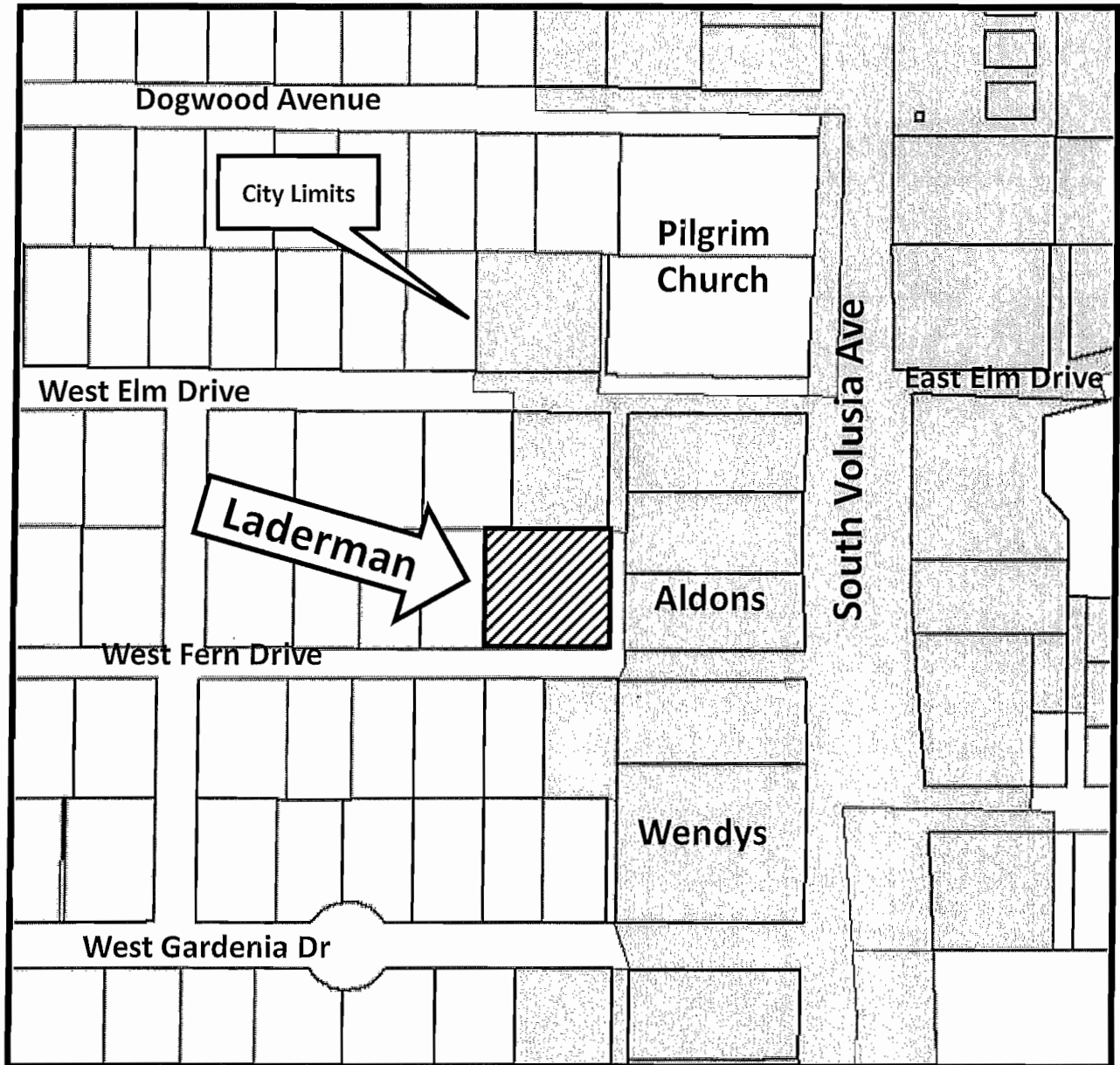
**Lot 35, Orange City Hills, Unit 1, according to map in Map Book 19, Page 126, of the Public Records of Volusia County, Florida**

**Debbie Renner, City Clerk  
City of Orange City  
205 E. Graves Avenue  
Orange City, FL 32763**

# Attachment B

## Ordinance No. 426

### Laderman Annexation Map



## Laderman Property Status Report

### Ownership Status

Property Owner	<b>Cliff and Kathy Laderman</b>				
Applicants Name					
Mailing Address	<b>111 West Fern Drive</b>				
City	<b>Orange City</b>	State	<b>Florida</b>	Zip	<b>32763</b>

### General Description of Current Property Status :

Property Location	<b>Located on the north side of West Fern Drive approximately 250 feet west of South Volusia Avenue.</b>					
Property Address	<b>111 West Fern Drive</b>					
Size of Property	Width:	<b>156</b>	Depth:	<b>140</b>	Acres:	<b>0.50</b>
Total Acres	<b>0.50</b>					
Population	<b>Three</b>					
Number of Structures	<b>Two: a house and a shed</b>					
Dwelling Units	<b>One</b>					
Building Square Feet	<b>1,779</b>					
Parcel Number	<b>8015-04-00-0350 and 8015-04-00-0360</b>					
Legal Description	<b>See Attachment A Legal Description to Ordinance No. 426</b>					

### Current Revenue Status

	Volusia County	Orange City
Total Millage Rate	<b>(21.91803)</b>	<b>(21.56994)</b>
City Millage Rate	<b>N/A</b>	<b>(5.19530)</b>
Assessed Land Value	<b>70,236</b>	<b>70.236</b>
Assessed Building Value	<b>70,603</b>	<b>70,603</b>
Exemption	<b>25,000</b>	<b>25,000</b>
Taxable Value	<b>90,839</b>	<b>90,839</b>
Stormwater	<b>72.00</b>	<b>N/A</b>
Total Ad Valorem	<b>1,991.01</b>	<b>1,959.39</b>
City Ad Valorem	<b>N/A</b>	<b>471.93</b>

The above revenues are based on the current assessed property value as listed in the Volusia County 2009 Tax Roll.

### Subject Property Current Land Use and Zoning Description

**The subject property currently maintains the following:**

Land Use Designation	<b>(Volusia County) ULI Urban Low Intensity &amp; Commercial</b>
Zoning	<b>(Volusia County) R-4 Urban Single Family Resid &amp; B-4 Com General</b>
	<b>The property usage is single family residential.</b>

### Detailed Subject Property Proposed Land Use and Zoning Description

**The subject property is proposed to be changed to the following:**

Land Use Designation	<b>(Orange City) RL Residential Low &amp; CG Commercial General</b>
Zoning	<b>(Orange City) R-1 SF Residential &amp; CG-2 Commercial General</b>
	<b>The property is proposed to continue as single family residential.</b>

# Petition for Annexation

## Into the City of Orange City, Florida

Applicant's Name: **Cliff and Kathy Rae Laderman** Phone:

Business Name: **N/A** Phone:

Address: **111 West Fern Drive** Fax:

City: **Orange City** State: **Florida** Zip: **32763**

Mailing Address: **Same** e-mail:

City: State: Zip:

### Property Information

Property Address: **111 West Fern Drive**

The subject property is located on the **north** side of **West Fern Drive**  
approximately **300** feet **west** from its intersection with **South Volusia Avenue**

Parcel Number: **8015-04-00-0350** Parcel Number: **8015-04-00-0360** Acres **0.50**

The existing land use of the property is **Single family residence**

Whereas, (I / We) **Cliff and Kathy Rae Laderman**  
(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 Laderman 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

CLIFF LADERMAN

Print Name

*Cliff Laderman*

Signature

KATHY RAE LADERMAN

Print Name

*Kathy Rae Laderman*

Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Subscribed and sworn to (or affirmed) before me on this the 19 day of APRIL 2010  
who is/are personally known to me or has/ have produced FL. DR. LIC.  
as identification.

*Laura A. Hamm*  
Signature, Notary Public

NOTARY PUBLIC-STATE OF FLORIDA  
Laura A. Hamm  
Commission # DD791214  
Expires: MAY 21, 2012  
BONDED THRU ATLANTIC BONDING CO., INC.

Notary Stamp

The City of Orange City  
Petition for Annexation