

RESOLUTION NO. 2006-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA, PROVIDING FOR THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR FINDINGS; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Ormond Beach, Florida, based upon evidence submitted in the public record, adopted Resolution Number 2006-35 finding the existence of one (1) or more blighted areas, as defined in the "Community Redevelopment Act" or Part III of Chapter 163, *Florida Statutes*, within the boundary of the North Mainland/Ormond Crossings Community Redevelopment Area (the "Area"), and determines that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area by a community redevelopment agency is necessary and in the best interest of the public health, safety, morals, or welfare of the residents and citizens of the City of Ormond Beach, and

WHEREAS, the City Commission commissioned a study by Strategic Planning Group, Inc., dated September 28, 2004, that confirmed the findings of blight within the Area which study is adopted herein by this reference thereto, and

WHEREAS, the conditions of blight endanger life and property and substantially impair or arrest the sound economic growth of the Area and are a menace to the public health, safety, morals or welfare in its present condition and use, and

WHEREAS, adequate action must be taken to prevent further blight and deterioration and to protect and enhance public expenditures in the Area, and

WHEREAS, the City Commission desires to proceed under Part III, Chapter 163, *Florida Statutes*, to establish the necessary means by which redevelopment can be effectively and efficiently accomplished within the Area, and

WHEREAS, the provisions of this Resolution are consistent with the goals, policies, and objectives of the *City of Ormond Beach Comprehensive Plan*, and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that a community redevelopment plan be prepared, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA THAT:

SECTION ONE. The above recitals are adopted herein as the findings of the City Commission and the findings of Resolution Number 2006-35 are hereby ratified and affirmed.

SECTION TWO. The City Commission hereby creates a community redevelopment agency, pursuant to Section 163.357, *Florida Statutes*, to be named the “the North Mainland/Ormond Crossings Community Redevelopment Agency”, which Agency shall be a public body, corporate and politic, and constitute a public instrumentality.

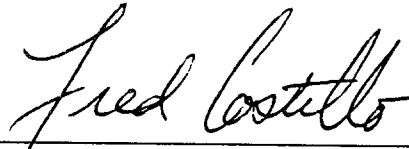
SECTION THREE. The City Commission does hereby expressly authorize the North Mainland/Ormond Crossings Community Redevelopment Agency created in Section Two to exercise all powers conferred by Part III, Chapter 163, *Florida Statutes*, necessary or convenient to carry out and effectuate the purposes of community redevelopment within the boundaries of the North Mainland/Ormond Crossings Community Redevelopment Area, more particularly described in

Exhibit "A", attached hereto. The City Manager is hereby delegated all authority necessary to implement the provisions of this Resolution.

SECTION FOUR. The City Commission of the City of Ormond Beach shall serve as the governing body of the North Mainland/Ormond Crossings Community Redevelopment Agency.

SECTION FIVE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 17th day of January, 2006.

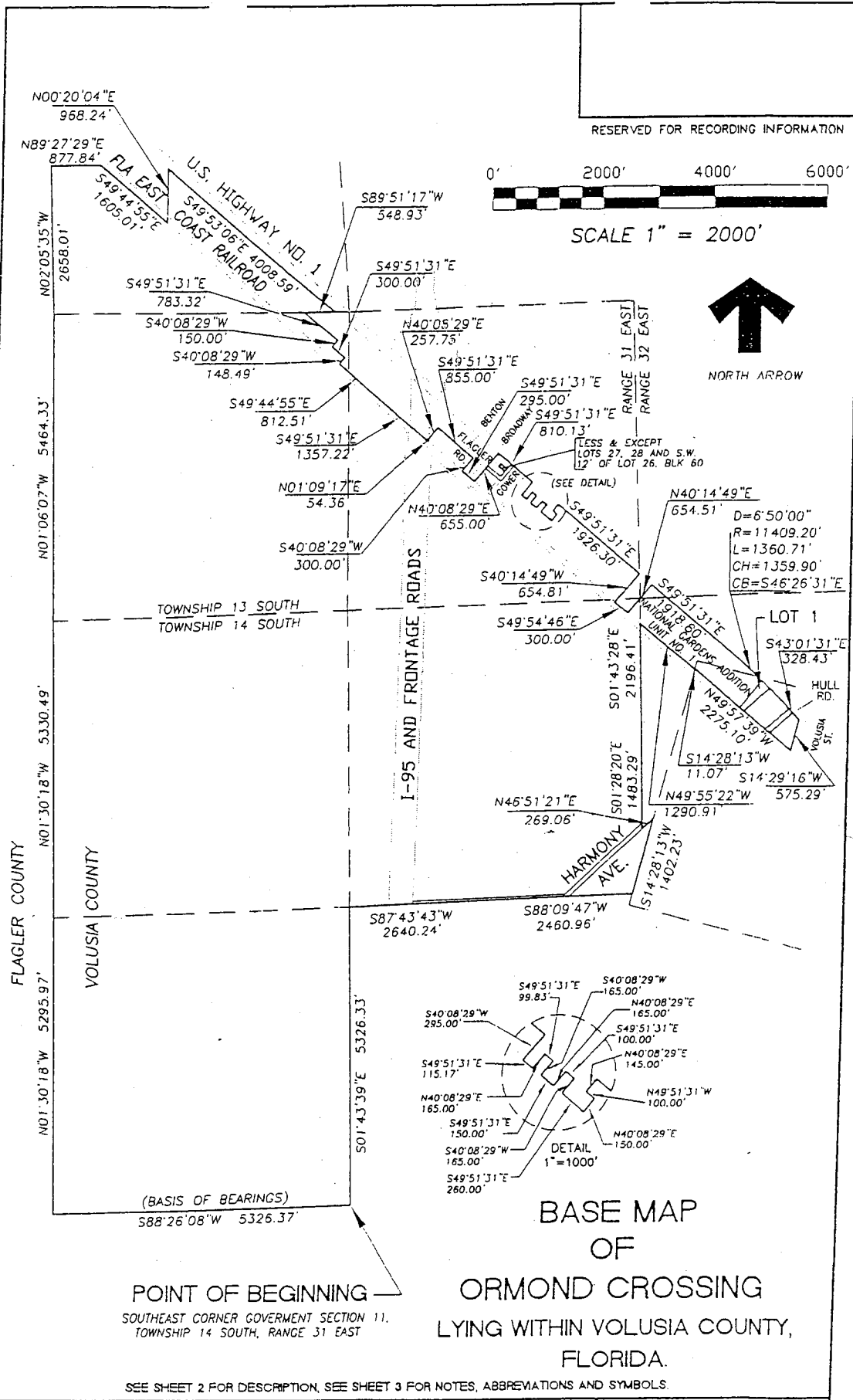


FRED COSTELLO
Mayor

ATTEST:



VERONICA PATTERSON
City Clerk



TOMOKA ENGINEERING
 CIVIL ENGINEERING & LAND SURVEYING SINCE 1976
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SKETCH
AND
DESCRIPTION

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| PROJECT NO. | T2132FLCI |
| DRAWING REFERENCE NO. | 2132-SL3D |
| DATE: | 12/09/2004 |
| SHEET NO. | 1 OF 3 |

LB #2232

SKETCH AND DESCRIPTION

RESERVED FOR RECORDING INFORMATION

LEGAL DESCRIPTION

A PARCEL OF LAND LYING SOUTH AND WEST OF U.S. HIGHWAY No. 1 (160'R/W), SAID PARCEL LYING WITHIN AND BEING A PORTION OF GOVERNMENT SECTIONS 26, 35 AND 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, SECTIONS 1, 2 AND 11, TOWNSHIP 14 SOUTH, RANGE 31 EAST, SECTION 31, TOWNSHIP 13 SOUTH, RANGE 32 EAST, SECTION 6 AND 38 (THE GEORGE ANDERSON GRANT), TOWNSHIP 14 SOUTH, RANGE 32 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 11, TOWNSHIP 14 SOUTH, RANGE 31 EAST RUN THENCE S88°26'08"W, ALONG THE SOUTH LINE OF SAID SECTION 11, 5,326.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 11; THENCE N01°30'18"W ALONG THE WEST LINE OF SAID SECTION 11, 5,295.97 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE N01°30'18"W ALONG THE WEST LINE OF SAID SECTION 2, 5,330.49 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE N01°06'07"W ALONG THE WEST LINE OF SAID SECTION 35, 5,464.33 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE N02°05'35"W ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26, 2,658.01 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 26; THENCE N89°27'29"E ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 877.84 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY (VARIABLE WIDTH R/W); THENCE S49°44'55"E ALONG SAID WESTERLY RAILROAD RIGHT-OF-WAY LINE, 1,605.01 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY RUN N00°20'04"E, 968.24 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY No. 1; THENCE S49°53'06"E ALONG SAID WESTERLY LINE OF U.S. HIGHWAY, 4,008.59 FEET TO THE SOUTH LINE OF SAID SECTION 26; THENCE S89°51'17"W ALONG THE SOUTH LINE OF SAID SECTION 26, 548.93 FEET TO THE INTERSECTION WITH NORTHERLY EXTENSION OF THE NORTHEASTERLY LINE OF BLOCK 66, BEING PART OF THE REVISED PLAT OF NATIONAL GARDENS, RECORDED IN MAP BOOK 10 PAGES 250 TO 253 INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S49°51'31"E ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 66, 783.32 FEET TO THE NORTHEASTERLY CORNER OF LOT 7 OF SAID BLOCK 66; THENCE S40°08'29"W ALONG THE SOUTHEASTERLY LINE OF SAID LOT 7, 150.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 7; THENCE S49°51'31"E ALONG THE SOUTHWESTERLY LINES OF LOTS 6 THROUGH 1 ALL IN SAID BLOCK 66, 300.00 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 66; THENCE S40°08'29"W ALONG SAID SOUTHEASTERLY BLOCK LINE, 148.49 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA EAST COAST RAILWAY; THENCE S49°44'55"E ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE, 812.51 FEET; THENCE S49°51'31"E, 1357.22 FEET; THENCE DEPARTING SAID EASTERLY RAILROAD RIGHT-OF-WAY RUN N01°09'17"E, 54.36 FEET TO THE SOUTHERLY EXTENSION OF THE SOUTHEAST LINE OF LOT 15, BLOCK 63 OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE N40°08'29"E ALONG SAID SOUTHWESTERLY EXTENSION, 257.75 FEET TO THE NORTHEASTERLY LINE OF BLOCK 68 OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE S49°51'31"E ALONG SAID NORTHEASTERLY LINE OF BLOCK 68, 855.00 FEET TO THE NORTHEAST CORNER OF LOT 9, BLOCK 69 OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE S40°08'29"W ALONG THE SOUTHEASTERLY LINES OF LOTS 9, 12, 13, AND 14, OF SAID BLOCK 69, 300.00 FEET TO THE EASTERLY LINE OF SAID RAILROAD RIGHT-OF-WAY; THENCE S49°51'31"E ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE, 295.00 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BROADWAY (100'R/W); THENCE N40°08'29"E ALONG SAID SOUTHEASTERLY LINE OF BROADWAY, 655.00 FEET TO SAID WESTERLY LINE OF U.S. HIGHWAY NO. 1; THENCE S49°51'31"E ALONG SAID WESTERLY LINE OF U.S. HIGHWAY NO. 1, 810.13 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY LINE OF LOT 10 AND LOT 59, BLOCK 58 OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE S40°08'29"W ALONG SAID NORTHWESTERLY LINE OF LOT 10, 295.00 FEET TO THE SOUTHWESTERLY LINE OF LOT 59, BLOCK 58; THENCE S49°51'31"E ALONG THE SOUTHWESTERLY LINES OF LOTS 59 AND 58 OF SAID BLOCK 58, 115.17 FEET; THENCE N40°08'29"E ALONG THE SOUTHEASTERLY LINE OF SAID LOT 58, 165.00 FEET; THENCE S49°51'31"E, A DISTANCE OF 99.83 FEET TO THE NORTHWESTERLY LINE OF LOT 55, BLOCK 58; THENCE S40°08'29"W ALONG SAID NORTHWESTERLY LINE, 165.00 FEET; THENCE S49°51'31"E ALONG THE SOUTHWESTERLY LINE OF LOTS 55, 54 AND 53, BLOCK 58, A DISTANCE OF 150.00 FEET; THENCE N40°08'29"E ALONG THE SOUTHEASTERLY LINE OF SAID LOT 53 A DISTANCE OF 165.00 FEET; THENCE S49°51'31"E A DISTANCE OF 100.00 FEET TO THE NORTHWESTERLY LINE OF LOT 50, BLOCK 58; THENCE ALONG SAID NORTHWESTERLY LINE S40°08'29"W A DISTANCE OF 165.00 FEET; THENCE S49°51'31"E ALONG THE SOUTHWESTERLY LINES OF LOTS 46 THROUGH 50 A DISTANCE OF 260.00 FEET; THENCE N40°08'29"E ALONG THE SOUTHEASTERLY LINE OF SAID LOT 46 A DISTANCE OF 150.00 FEET; THENCE N49°51'31"W A DISTANCE OF 100.00 FEET; THENCE N40°08'29"E ALONG THE SOUTHEASTERLY LINE OF LOT 21 A DISTANCE OF 145.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 1; THENCE S49°51'31"E ALONG SAID WESTERLY LINE OF U.S. HIGHWAY 1, 1,926.30 FEET TO THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERLY LINE OF LOT 27, BLOCK 57 OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE S40°14'49"W ALONG THE EXTENSION OF SAID NORTHWESTERLY LINE OF LOT 27, 654.81 FEET TO THE EASTERLY LINE OF SAID RAILROAD RIGHT-OF-WAY; THENCE S49°54'46"E ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE, 300.00 FEET TO THE NORTHWESTERLY LINE OF LOT 19, NATIONAL GARDENS ADDITION UNIT NO. 1 AS RECORDED IN MAP BOOK 11 PAGE 148, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N40°14'49"E ALONG SAID NORTHWESTERLY LINE OF LOT 19, 654.51 FEET TO THE WESTERLY LINE OF SAID U.S. HIGHWAY NO. 1.

(DESCRIPTION CONTINUED ON PAGE 3 OF 3)



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| PROJECT NO. | T2132FLCI |
| DRAWING REFERENCE NO. | 2132-SL3D |
| DATE: | 12/09/2004 |
| SHEET NO. | 2 OF 3 |

SKETCH AND DESCRIPTION

RESERVED FOR RECORDING INFORMATION

LEGAL DESCRIPTION (CONTINUED)

THENCE S49°51'31"E, 1,918.80 FEET ALONG SAID WESTERLY LINE OF U.S. HIGHWAY NO. 1 TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 1,360.71 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 11,409.20 FEET, A CENTRAL ANGLE OF 06°50'00", AND A CHORD BEARING S46°26'31"E, 1,359.90 FEET; THENCE S43°01'31"E, 328.43 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF VOLUSIA STREET (30' R/W); THENCE S14°29'16"W ALONG SAID NORTHERLY LINE OF VOLUSIA STREET, 575.29 FEET TO THE EASTERLY LINE OF SAID FLORIDA EAST COAST RAILWAY; THENCE N49°57'39"W ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE, 2275.10 FEET; THENCE S14°28'13"W, 11.07 FEET; THENCE N49°55'22"W, 1,290.91 FEET TO THE EASTERLY LINE OF SAID SECTION 1; THENCE DEPARTING SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE RUN S01°43'28"E ALONG SAID EASTERLY LINE OF SAID SECTION 1, 2,196.41 FEET TO THE EASTERLY CORNER OF SAID SECTION 1; THENCE S01°28'20"E ALONG SAID EASTERLY LINE OF SAID SECTION 1, 1,483.29 FEET TO THE SOUTHERLY LINE OF HARMONY AVENUE (80'R/W); THENCE N46°51'21"E ALONG SAID SOUTHERLY LINE OF HARMONY AVENUE, 269.06 FEET TO THE WESTERLY LINE OF SAID SECTION 38; THENCE S14°28'13"W ALONG SAID WESTERLY LINE OF SECTION 38, 1402.23 FEET TO THE SOUTH LINE OF SAID SECTION 1; THENCE S88°09'47"W ALONG SAID SOUTH LINE OF SECTION 1, 2,460.96 FEET TO THE SOUTH CORNER OF SAID SECTION 1; THENCE S87°43'43"W ALONG SAID SOUTH LINE OF SECTION 1, 2,640.24 FEET TO THE NORTHEAST CORNER OF SAID SECTION 11; THENCE S01°43'39"E ALONG THE EAST LINE OF SAID SECTION 11, 5,326.33 FEET TO THE POINT OF BEGINNING.
PARCEL CONTAINING A TOTAL AREA OF 136,213,060 SQ. FT. OR 3127.02 ACRES MORE OR LESS.

LESS AND EXCEPT THE RIGHT-OF-WAY OF FLORIDA EAST COAST RAILWAY, CONTAINING 1,137,683 SQ. FT. OR 26.12 ACRES MORE OR LESS;

LESS AND EXCEPT LOT 1, NATIONAL GARDENS ADDITION UNIT 1, AS PER MAP BOOK 11, PAGE 148, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, CONTAINING 90,072 SQ. FT. OR 2.07 ACRES MORE OR LESS;

LESS AND EXCEPT THAT PORTION OF HARMONY ROAD (50' AND 80' R/W) LYING EAST OF INTERSTATE HIGHWAY I-95, FURTHER DESCRIBED IN OR BOOK 530, PAGES 681 THROUGH 683 INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, CONTAINING 283,918 SQ. FT. OR 6.52 ACRES MORE OR LESS;

LESS AND EXCEPT THE SW 12' OF LOT 26 AND ALL OF LOT 27 AND 28, BLOCK 60, NATIONAL GARDENS, MAP BOOK 10, PAGES 250-253, VOLUSIA COUNTY, FLORIDA, CONTAINING 8,835 SQ. FT. OR 0.203 ACRES, MORE OR LESS.

SAID PARCEL CONTAINING A NET AREA OF 134,692,545 SQ. FT. OR 3092.12 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE SOUTHERLY LINE OF GOVERNMENT SECTION 11, TOWNSHIP 14 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA BEING S88°26'08"W.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SKETCH WHICH MAY BE FOUND IN THE COUNTY PUBLIC RECORDS.
3. THIS IS NOT A BOUNDARY SURVEY.
4. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR / MAPPER.

SIGNED: _____

PETER G. JOHNSON
FLA. PROFESSIONAL SURVEYOR/MAPPER # 5913

ABBREVIATIONS

| | | | |
|--------------------|-----------------------|-----------------------------|----------------------------------|
| C=CURVE | S/SECT=SECTION | PCP=PERMANENT CONTROL POINT | PRM=PERMANENT REFERENCE MONUMENT |
| D=DELTA | R/RNG=RANGE | PC=POINT OF CURVE | PLS=PROFESSIONAL LAND SURVEYOR |
| R=RADIUS | T/TWP=TOWNSHIP | PT=POINT OF TANGENCY | PE=PROFESSIONAL ENGINEER |
| L=LENGTH | ID=IDENTIFICATION | PI=POINT OF INTERSECTION | ORB=OFFICIAL RECORD BOOK |
| CH=CHORD | CONC=CONCRETE | PB=PLAT BOOK | FFE=FINISH FLOOR ELEVATION |
| TB=TANGENT BEARING | (R)=RECORD | PG=PAGE | (NR)=NON-RADIAL |
| CB=CHORD BEARING | (F)=FIELD MEASURED | POB=POINT OF BEGINNING | (RAD)=RADIAL |
| R/W=RIGHT OF WAY | U.E.=UTILITY EASEMENT | POC=POINT OF COMMENCEMENT | A/C=AIR CONDITIONER UNIT |
| C = CENTER LINE | | MB=MAP BOOK | |



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