

ORDINANCE NO. 14-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA ANNEXING REAL PROPERTY GENERALLY LOCATED AT 4050 W KING STREET WITH A PARCEL ID NUMBER OF 24-35-26-00-763.1, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUND LEGAL DESCRIPTION AS SET FORTH HEREIN; PROVIDING FOR THE AMENDMENT OF COCOA CHARTER, ARTICLE 1, CITY BOUNDARIES, TO INCORPORATE THE REAL PROPERTY INTO THE CITY BOUNDARIES; PROVIDING FOR THE FILING OF THE REVISED COCOA CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation, in order to ensure sound urban development and efficient provision of urban services; and

WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has otherwise met all other requirements of Chapter 171, Florida Statutes; and

WHEREAS, GEM Industries Incorporated has petitioned the City of Cocoa for annexation of a parcel of land identified by Brevard County Parcel Identification Number 24-35-26-00-763.1; and

WHEREAS, the City Council has determined that the annexation of the subject area has met all procedural requirements and that it will promote sound urban development and efficient provision of urban services; and

WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Cocoa Comprehensive Plan, Charter, and City Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Cocoa, the City Council of the City of Cocoa desires to annex the real property generally described below into the municipal boundaries of the City of Cocoa; and

WHEREAS, upon adoption of this Ordinance, the municipal boundary lines of the City of Cocoa, contained in Cocoa Charter, Article 1, Section 1, shall be redefined to include the subject real property.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. **Annexation of Real Property.** The real property shall be, and is hereby annexed into the City of Cocoa, Florida. This real property is described in Exhibit "A" and illustrated in Exhibit "B". The real property shall be known as existing within the boundaries of the City of Cocoa, Florida, from the effective date of this ordinance.

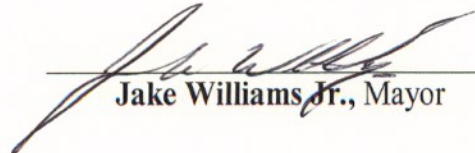
Section 2. City Boundaries Redefined; Cocoa Charter Amended. Pursuant to Section 166.031(3), Florida Statutes, and Section 171.091, Florida Statutes, the City of Cocoa Charter, Article 1, Section 1, is hereby amended to redefine the corporate boundaries of the City of Cocoa to include real property described in Section 1 of this Ordinance. The City Clerk shall file the revised Cocoa Charter, Article 1, Section 1, with the Department of State within thirty (30) days of the effective date of this Ordinance.

Section 3. Repeal of Prior Inconsistent Ordinances and Resolutions. All ordinances and resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed to the extent of conflict.

Section 4. Severability. Should any section or provision of this Ordinance, or any portion hereof, any paragraph, sentence, or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not effect the validity of the remainder hereto as a whole or part thereof to be declared invalid.

Section 5. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Cocoa, Florida.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the 13th day of October, 2020.


Jake Williams Jr., Mayor




Carie Shealy, City Clerk

First Reading:	<u>09/23/2020</u>
Second Reading:	<u>10/13/2020</u>
Legal Ads Published:	<u>09/29/2020 & 10/06/2020</u>
Effective Date:	<u>10/13/2020</u>



Exhibit A

LEGAL DESCRIPTION FOR THE CITY OF COCOA, FLORIDA, ANNEXATION 4050 KING STREET

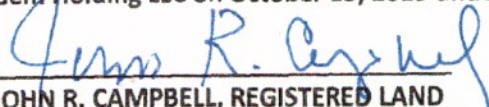
A parcel of land lying in the South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 24 South, Range 35 East, Brevard County, Florida, said parcel is bonded on the North by the lands described in Official Records Book 7971 at Page 1279, bounded on the South by KING STREET (STATE ROAD 520), bounded on the West by Official Records Book 3162 at Page 4879, bounded on the East by Official Records Book 6114 at Page 2685 and bounded on the East (also) by Official Records Book 5904 at Page 2647, all of the Public Records of Brevard County, the same being more particularly as follows:

TO WIT

Begin at the Northwest corner of the lands described in the aforesaid Official Records Book 6114 at Page 2685, the same point lies on the South line of the lands described in Official Records Book 7971 at Page 1279; thence run S 89°27'49" W along the South line thereof for 99.96 feet to the Northeast corner of the lands described in Official Records Book 3162 at Page 4879; thence run S 00°00'02" W along the East line thereof for 267.70 feet to a point on the North right of way line of KING STREET (STATE ROAD 520); thence run S 89°55'02" E along the North line thereof for 100.03 feet to the Southwest corner of the lands described in Official Records Book 5904 at Page 2647; thence run N 00°01'51" W along the West line thereof for 165.78 feet to the Southwest corner of the lands described in Official Records Book 6114 at Page 2686; thence run N 00°01'51" W along the West line thereof for 103.00 feet to the Point of Beginning

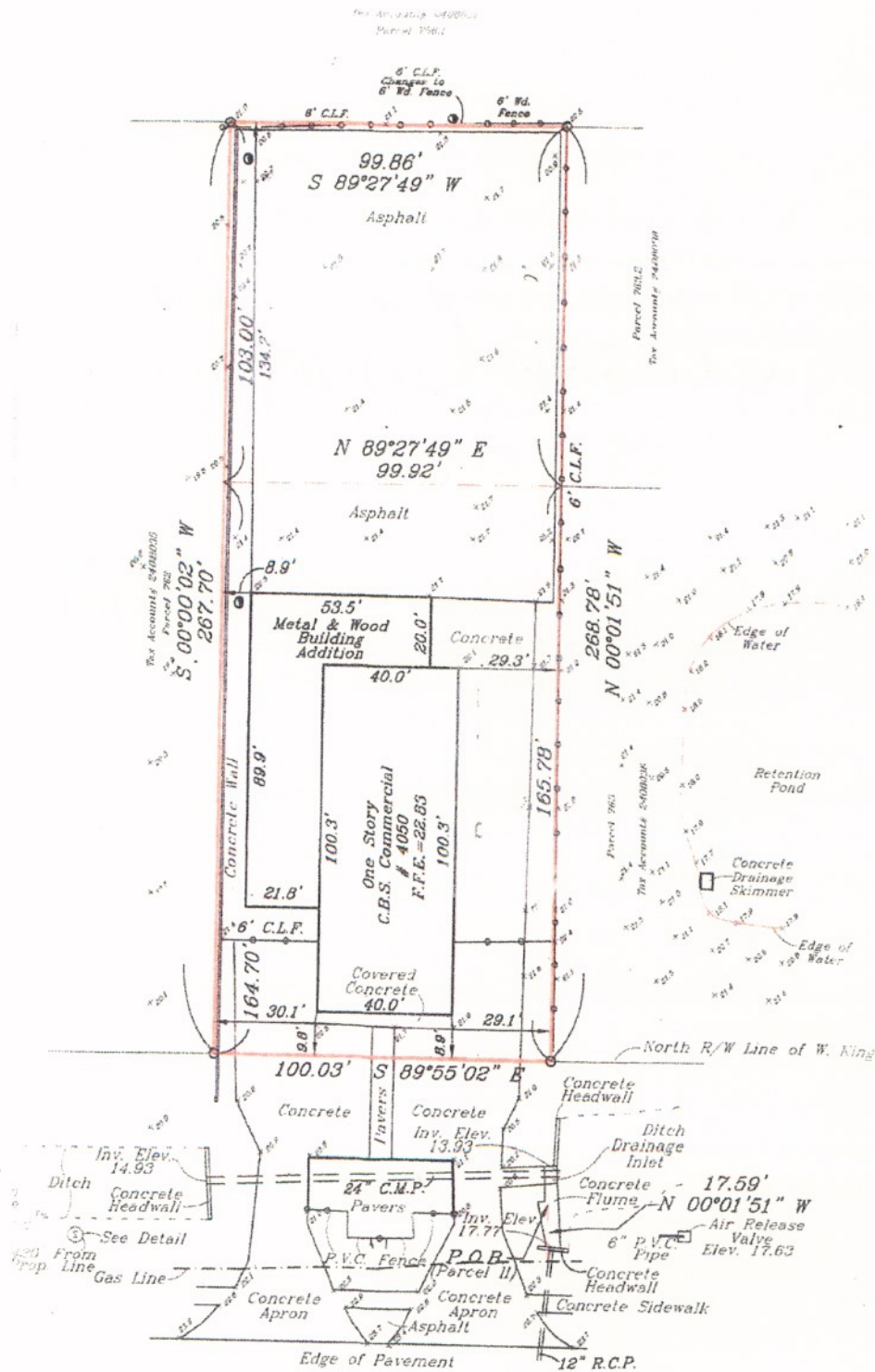
CERTIFICATION

I HEREBY CERTIFY THAT: The attached LEGAL DESCRIPTION, was prepared by me and is true and correct to the best of my knowledge and belief and is based on an actual Boundary Survey done for Gem Holding LLC on October 15, 2019 under my Project No. 2019-276.


JOHN R. CAMPBELL, REGISTERED LAND
SURVEYOR #2351, STATE OF FLORIDA

Project #2019-276

Dated August 4, 2020



West King Street (State Road 520)
Varied Width Public Right-of-Way (Paved Asphalt)

John R. Campbell

PO Box 541866
Merritt Island, FL 32954-1866

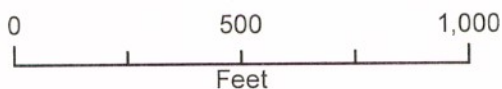
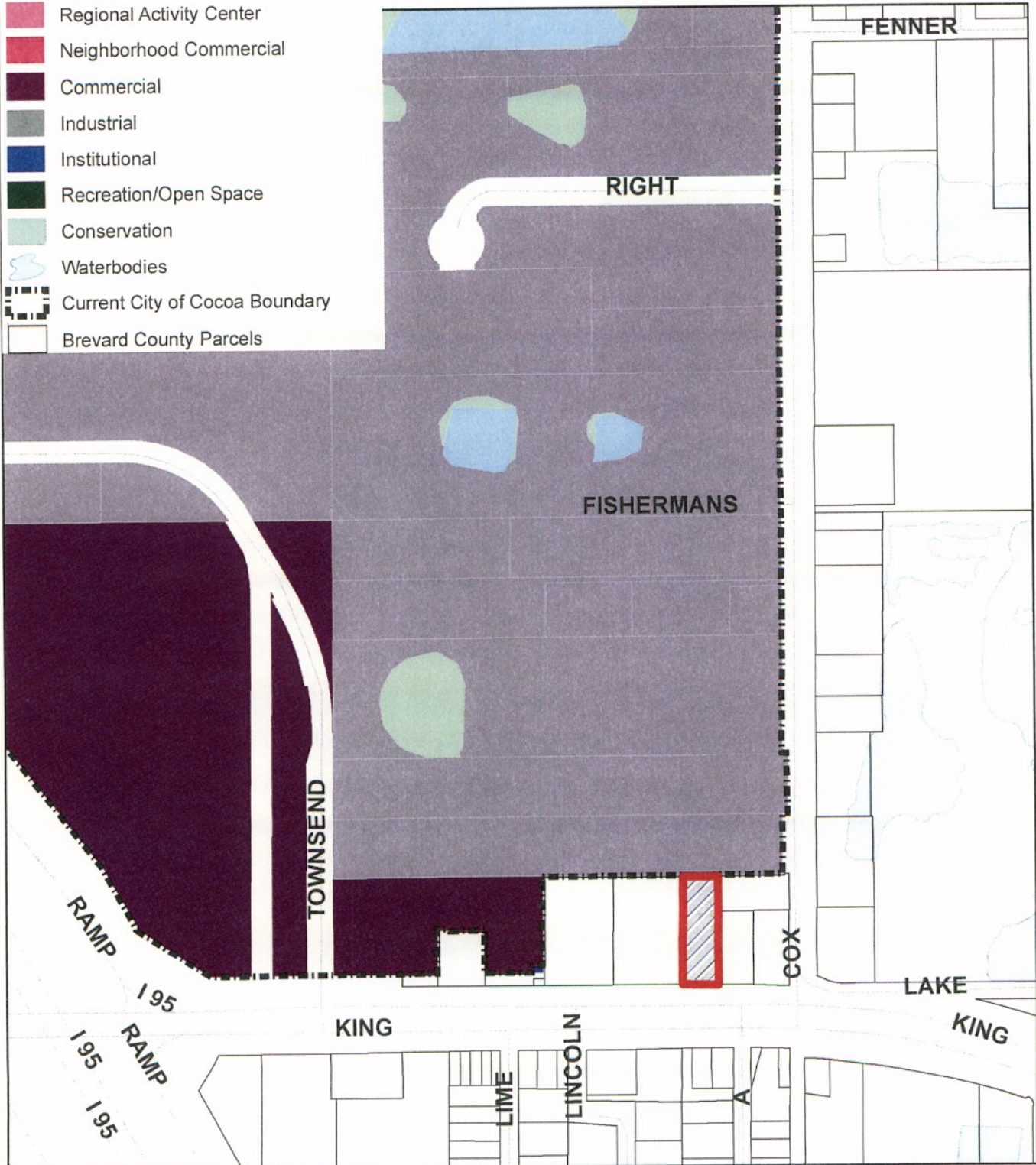
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Mobile: 321 514 6920
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Merritt Island, FL 32953



Exhibit B Location Map

-  4050 W King Street Annexation Parcel
-  Very Low Density Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Mixed Use
-  Regional Activity Center
-  Neighborhood Commercial
-  Commercial
-  Industrial
-  Institutional
-  Recreation/Open Space
-  Conservation
-  Waterbodies
-  Current City of Cocoa Boundary
-  Brevard County Parcels



This map was compiled from Geographic Information Services and does not reflect an actual survey. It is intended for reference purposes only. © 8-2020

