



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE: 12/09/08

SUBJECT: RESOLUTION NO. 08-63: NOTICE OF INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENT FOR PORT ORANGE TOWN CENTER TRANSPORTATION CONCURRENCY EXCEPTION AREA

DEPARTMENT: CITY MANAGER

RECOMMENDED MOTION:

To adopt Resolution No. 08-63, expressing the City's intent to use the uniform method of collecting non-ad valorem special assessments for mobility strategies and enhancements required as part of the Port Orange Town Center Transportation Concurrence Exception Area.

SUMMARY:

One of the requirements for establishing a Transportation Concurrence Exception Area (TCEA) is to demonstrate a financial commitment to implement Transportation System Management (TSM) and Transportation Demand Management (TDM) strategies and enhancements that ensure mobility within and around the TCEA. This is in lieu of strict application of transportation level of service (LOS) standards as part of the transportation impact analysis of new development. As part of the amendments creating the Port Orange Town Center TCEA, the City foreshadowed the use of special assessment revenues to fund various mobility strategies and enhancements should Tax Increment Financing (TIF) revenues, developer obligations and other financial sources provide insufficient revenue. The attached Resolution places the County Property Appraiser on notice and preserves the City's right to use the uniform method of collecting non-ad valorem special assessment revenues in 2009 and thereafter for the Port Orange Town Center TCEA.

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD

Shannon M. Lewis

Date 11/10/08

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date 11/17/08

CITY ATTORNEY

Approved as to Form and Legality

Date 11.25.08

CITY MANAGER

Approved Agenda Item For:

12/9/08

COUNCIL ACTION: Approved as Recommended Disapproved Tabled Indefinitely
 Continued to Date Certain Approved with Modification:

RESOLUTION NO. 08-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, EXPRESSING ITS INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENT FOR CAPITAL IMPROVEMENTS IN THE TRANSPORTATION CONCURRENCY EXCEPTION AREA; STATING THE NEED FOR THE LEVY OF A SPECIAL ASSESSMENT FOR CAPITAL IMPROVEMENTS IN THE TRANSPORTATION CONCURRENCY EXCEPTION AREA; PROVIDING FOR THE DESCRIPTION OF PROPERTY SUBJECT TO THE LEVY; PROVIDING FOR DIRECTION TO THE CITY CLERK; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orange, Florida (the "City") intends to adopt an ordinance imposing a special assessment for capital improvements serving the Transportation Concurrency Exception Area as defined herein; and

WHEREAS, the City intends to use the uniform method for collecting the non-ad valorem special assessment for capital improvements for the Transportation Concurrency Exception Area serving the property within the Community Redevelopment Area for Port Orange Town Center as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessment to be collected annually commencing in November 2009, in the same manner as provided for ad valorem taxes; and

WHEREAS, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. Commencing with the Fiscal Year beginning on October 1, 2009, and with the tax statement mailed for such Fiscal Year, the City intends to use the uniform method of collecting non-ad valorem special assessment for capital improvements serving the Transportation Concurrency Exception Area authorized in section 197.3632, Florida Statutes, as amended. Such non-ad valorem special assessment for capital improvements serving the Transportation Concurrency Exception Area shall be levied on property in the Community Redevelopment Area for Port Orange Town Center. The public right-of-way within the City shall be exempt from the non-ad valorem special assessment. A legal description of the Transportation Concurrency Exception Area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

Section 2. The City hereby determines that the levy of the non-ad valorem special assessment is needed to fund the cost of capital improvements serving the Transportation Concurrency Exception Area.

Section 3. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Volusia County Department of Finance and Administrative Services, and the Volusia County Property Appraiser by January 10, 2009.

Section 4. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed to the extent of such conflict.

Section 5. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared severable.

Section 6. This resolution shall become effective immediately upon adoption.

MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Adopted on the _____ day of _____, 2008.

Reviewed and Approved:



City Attorney

PUBLIC HEARING NOTICE

The City Council of the City of Port Orange, Florida shall consider for adoption Resolution No. 08-63 titled as follows:

RESOLUTION NO. 08-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA EXPRESSING ITS INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENT FOR CAPITAL IMPROVEMENTS IN THE TRANSPORTATION CONCURRENCY EXCEPTION AREA; PROVIDING FOR THE DESCRIPTION OF PROPERTY SUBJECT TO THE LEVY; PROVIDING FOR DIRECTION TO THE CITY CLERK; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Port Orange, Florida, shall hold a meeting to consider the enactment of said proposed Resolution at 7:00 p.m., or as soon thereafter as may be heard, on Tuesday, December 9, 2008, at the Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida.

A copy of the proposed Resolution is available in the City Clerk's Office, City Hall, Port Orange, Florida, and may be inspected by the public.

All interested parties may appear at said meeting and be heard with respect to the proposed Resolution.

Shirley M. Kelly, CMC
Deputy City Clerk

L771083. Nov. 17, 24, Dec. 1, 8,
2008 4t. to

EXHIBIT B

LEGAL DESCRIPTION - PORT ORANGE TOWN CENTER

DESCRIPTION - AREA NO. 1

A PARCEL OF LAND LOCATED IN SECTIONS 3, 4, 10, 11, 14 AND 15, TOWNSHIP 16 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ("A") AT THE INTERSECTION OF THE WESTERLY EDGE OF THE HALIFAX RIVER AND THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF KERR AND TOWNSLEY SUBDIVISION AS RECORDED IN MAP BOOK 16, PAGE 169 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;

THENCE WESTERLY A DISTANCE OF APPROXIMATELY 295 FEET ALONG SAID EXTENSION AND ALONG SAID NORTHERLY LINE, TO THE CENTERLINE OF KESSLER PLACE (VACATED);

THENCE SOUTHERLY ALONG SAID CENTERLINE APPROXIMATELY 558 FEET TO THE SOUTHERLY LINE OF SAID KERR AND TOWNSLEY SUBDIVISION;

THENCE EASTERLY A DISTANCE OF APPROXIMATELY 10 FEET, ALONG SAID SOUTHERLY LINE, TO THE EAST LINE OF THE WESTERLY 219 FEET OF LOT 6, ASSESSOR'S PLAT OF THE BUNCH GRANT AS RECORDED IN MAP BOOK 3, PAGE 128, SAID RECORDS,

THENCE SOUTHERLY, ALONG SAID EAST LINE, APPROXIMATELY 100 FEET TO THE NORTH LINE OF LOT 7, SAID ASSESSOR'S PLAT;

THENCE EASTERLY ALONG SAID NORTH LINE OF LOT 7, APPROXIMATELY 46 FEET TO THE EAST LINE OF SAID LOT 7;

THENCE SOUTHERLY APPROXIMATELY 75 FEET TO THE NORTHERLY LINE OF THE SOUTHERLY 25 FEET OF SAID LOT 7;

THENCE WESTERLY ALONG SAID NORTHERLY LINE, APPROXIMATELY 46 FEET TO A POINT BEING APPROXIMATELY 219 FEET EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE;

THENCE SOUTHERLY APPROXIMATELY 25 FEET, TO THE EASTERLY LINE OF THE WESTERLY 220.30 FEET, AS MEASURED FROM THE EASTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE, OF LOT 9, SAID ASSESSOR'S PLAT ;

THENCE SOUTHERLY ALONG SAID EASTERLY LINE, APPROXIMATELY 62.8 FEET TO THE SOUTHERLY LINE OF THE NORTHERLY 62.8 FEET OF SAID LOT 9;

THENCE EASTERLY ALONG SAID SOUTHERLY LINE APPROXIMATELY 79.70 FEET, TO THE EASTERLY LINE OF THE WESTERLY 300 FEET OF LOTS 9 AND 1A, SAID ASSESSOR'S PLAT;

THENCE SOUTHERLY ALONG SAID EASTERLY LINE, AND THE EXTENSION THEREOF, APPROXIMATELY 87.2 FEET TO THE CENTERLINE OF OAK AVENUE (RIGHT OF WAY WIDTH VARIES);

THENCE WESTERLY ALONG SAID CENTERLINE APPROXIMATELY 86 FEET TO THE WEST LINE EXTENDED OF LOT 1, BLOCK 1, THOMAS T. ALLEN SUBDIVISION, AS RECORDED IN MAP BOOK 14, PAGE 35, SAID RECORDS;

THENCE SOUTHERLY ALONG SAID WEST LINE EXTENDED AND THE WEST LINE THEREOF APPROXIMATELY 100 FEET TO THE NORTH LINE OF LOT 2, SAID BLOCK 1;

THENCE EASTERLY ALONG SAID NORTH LINE AND ALONG SAID NORTH LINE EXTENDED EASTERLY APPROXIMATELY 385 FEET TO THE WESTERLY EDGE OF THE HALIFAX RIVER;

THENCE SOUTHERLY ALONG SAID WESTERLY EDGE APPROXIMATELY 84 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 2;

THENCE WESTERLY ALONG SAID EXTENSION AND ALONG SAID SOUTH LINE APPROXIMATELY 391 FEET TO THE WEST LINE OF LOT 3, SAID BLOCK 1;

THENCE SOUTHERLY ALONG SAID WEST LINE APPROXIMATELY 72.5 FEET TO THE NORTH LINE OF LOT 4, SAID BLOCK 1;

THENCE EASTERLY ALONG SAID NORTH LINE AND ALONG SAID NORTH LINE EXTENDED EASTERLY APPROXIMATELY 397.7 FEET, TO THE WESTERLY EDGE OF THE HALIFAX RIVER;

THENCE SOUTHERLY ALONG SAID WESTERLY EDGE APPROXIMATELY 76.5 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 4;

THENCE WESTERLY ALONG SAID EXTENSION AND ALONG SAID SOUTH LINE APPROXIMATELY 403.9 FEET TO THE WEST LINE OF LOT 5, SAID BLOCK 1;

THENCE SOUTHERLY ALONG THE WEST LINE OF LOTS 5 THROUGH 8, SAID BLOCK 1 APPROXIMATELY 288 FEET TO THE NORTHEAST CORNER OF LOT 10, SAID BLOCK 1;

THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 10 APPROXIMATELY 50 FEET TO THE EASTERLY LINE OF THE WESTERLY 163 FEET OF SAID LOT 10;

THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND THE SOUTHERLY EXTENSION THEREOF APPROXIMATELY 121.5 FEET TO THE SOUTH LINE OF FOX PLACE; (A 50 FOOT RIGHT OF WAY);

THENCE WESTERLY ALONG SAID SOUTH LINE OF FOX PLACE APPROXIMATELY 22.5 FEET TO THE WEST LINE OF LOT 7, COYLES SUBDIVISION, MAP BOOK 15, PAGE 107, SAID RECORDS;

THENCE SOUTHERLY ALONG SAID WEST LINE APPROXIMATELY 214.8 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 7 APPROXIMATELY 66.8 FEET TO THE NORTHEAST CORNER OF LOT 14, BLOCK 2, THOMAS T. ALLEN SUBDIVISION, SAID RECORDS;

THENCE SOUTHERLY ALONG SAID EAST LINE OF SAID LOTS 14, AND LOT 13, SAID BLOCK 2 APPROXIMATELY 140 FEET TO THE NORTH LINE OF LOT 6, SAID BLOCK 2;

THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 90 FEET TO THE EAST LINE OF THE WEST 90 FEET OF LOTS 6 AND 7, SAID BLOCK 2;

THENCE SOUTHERLY ALONG SAID EAST LINE APPROXIMATELY 143 FEET TO THE SOUTH LINE OF SAID LOT 7;

THENCE WESTERLY APPROXIMATELY 90 FEET ALONG SAID SOUTH LINE TO THE

SOUTHWEST CORNER THEREOF;
THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 10, SAID BLOCK 2 APPROXIMATELY 100 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE WESTERLY ALONG THE NORTH LINE OF LOT 9, SAID BLOCK 2 APPROXIMATELY 114 FEET, TO A POINT THAT IS APPROXIMATELY 105.8 FEET EAST OF THE EASTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE;
THENCE SOUTHERLY APPROXIMATELY 96 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WHITE PLACE (A 50 FOOT RIGHT OF WAY), BEING APPROXIMATELY 96.6 FEET EASTERLY OF THE RIGHT OF WAY LINE OF RIDGEWOOD AVENUE;
THENCE EASTERLY ALONG SAID NORTHERLY LINE APPROXIMATELY 234 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF PROSPECT STREET;
THENCE SOUTHERLY ALONG SAID EXTENSION AND ALONG SAID EAST LINE APPROXIMATELY 157 FEET TO THE SOUTH LINE EXTENDED OF LOT "E", OF PORT ORANGE DEVELOPMENT, AS RECORDED IN MAP BOOK 15, PAGE 161, SAID RECORDS;
THENCE WESTERLY ALONG SAID SOUTH LINE EXTENDED AND SAID NORTH LINE OF LOT "F" APPROXIMATELY 200 FEET TO THE NORTHWESTERLY CORNER THEREOF;
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT "F" AND THE EAST LINE OF LOTS 10 AND 11, BLOCK A, CARLTON'S PLACE AS RECORDED IN MAP BOOK 9, PAGE 45, SAID PUBLIC RECORDS, APPROXIMATELY 150 FEET TO THE NORTHERLY LINE OF CARLTON STREET;
THENCE EASTERLY ALONG THE NORTH LINE OF SAID CARLTON STREET (A 37 FOOT RIGHT OF WAY) APPROXIMATELY 50 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 8, BLOCK B, SAID CARLTON PLACE;
THENCE SOUTHERLY ALONG SAID EXTENSION, ACROSS SAID CARLTON STREET AND ALONG THE WEST LINE OF SAID LOT 8 APPROXIMATELY 137 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 8 APPROXIMATELY 50 FEET TO THE SOUTHEAST CORNER THEREOF;
THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 8 APPROXIMATELY 100 FEET TO THE NORTHEAST CORNER THEREOF;
THENCE EASTERLY ALONG THE NORTH LINE OF LOTS 7 AND 6, SAID BLOCK B, APPROXIMATELY 75 FEET TO THE EAST LINE OF THE WEST ONE HALF (1/2) OF SAID LOT 6;
THENCE SOUTHERLY ALONG SAID EAST LINE APPROXIMATELY 100 FEET TO TO THE NORTH LINE OF LOT 12, BLOCK 2, MARY C. FLEMING SUBDIVISION, AS RECORDED IN MAP BOOK 12, PAGE 121, SAID RECORDS;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 37.5 FEET TO THE EAST LINE OF LOT 12,
THENCE SOUTHERLY ALONG SAID EAST LINE APPROXIMATELY 100 FEET TO THE NORTH LINE OF LOT 13, SAID MARY C. FLEMING SUBDIVISION;
THENCE WESTERLY ALONG SAID NORTH LINE APPROXIMATELY 164.5 FEET TO

THE WEST LINE OF THE EASTERLY 164.5 FEET OF SAID LOT 13;
THENCE SOUTHERLY ALONG SAID WEST LINE APPROXIMATELY 100 FEET TO THE
NORTHERLY RIGHT OF WAY LINE OF FLEMING AVENUE (A 90 FOOT RIGHT OF
WAY);
THENCE CONTINUE SOUTHERLY ACROSS FLEMING AVENUE APPROXIMATELY 90
FEET TO THE NORTH LINE OF LOT 1, BLOCK 5, NORWOOD, AS RECORDED IN MAP
BOOK 15, PAGE 174, SAID RECORDS;
THENCE WESTERLY ALONG SAID NORTH LINE APPROXIMATELY 150 FEET TO THE
NORTHWEST CORNER THEREOF;
THENCE SOUTHERLY ALONG WEST LINE OF SAID LOT 1 APPROXIMATELY 75 FEET
TO THE SOUTHWEST CORNER THEREOF;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 1 APPROXIMATELY 150
FEET TO THE SOUTHEAST CORNER THEREOF;
THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 2 APPROXIMATELY 50 FEET
TO THE SOUTHEAST CORNER THEREOF;
THENCE, CONTINUE SOUTHERLY ALONG THE EAST LINE OF THE WESTERLY 150
FEET OF LOTS 3 AND 4, SAID BLOCK 5 APPROXIMATELY 100 FEET TO THE
SOUTHERLY LINE OF SAID LOT 4;
THENCE EASTERLY ALONG SAID SOUTH LINE APPROXIMATELY 50 FEET TO THE
EAST LINE OF SAID LOT 4;
THENCE SOUTHERLY ALONG SAID EAST LINE AND ALONG THE EAST LINE OF LOTS
5 THROUGH 10, SAID BLOCK 5, APPROXIMATELY 300 FEET TO THE SOUTH LINE
OF SAID LOT 10;
THENCE WESTERLY ALONG SAID SOUTH LINE APPROXIMATELY 50 FEET TO THE
EAST LINE OF LOT 11, SAID BLOCK 5;
THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 11 AND 12, SAID BLOCK 5,
APPROXIMATELY 100 FEET TO THE SOUTHEAST LINE OF SAID LOT 12;
THENCE WESTERLY ALONG THE NORTH LINE OF LOT 13, SAID BLOCK 5,
APPROXIMATELY 100 FEET TO THE NORTHWEST CORNER THEREOF;
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 13 APPROXIMATELY
50 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 13 APPROXIMATELY
150 FEET TO THE SOUTHEAST CORNER THEREOF;
THENCE SOUTHERLY, ACROSS NORMAN STREET (A 75 FOOT RIGHT OF WAY) TO
THE NORTH LINE OF LOT 1, BLOCK 4, SAID NORWOOD;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 50 FEET TO THE
EAST LINE OF SAID LOT 1;
THENCE SOUTHERLY ALONG SAID EAST LINE AND ALONG THE EAST LINE OF LOTS
2, 3 AND 4, SAID BLOCK 4, APPROXIMATELY 200 FEET TO THE SOUTH LINE OF
SAID LOT 4;
THENCE WESTERLY ALONG SAID SOUTH LINE APPROXIMATELY 50 FEET TO THE
EAST LINE OF LOT 5, SAID BLOCK 4;
THENCE SOUTHERLY ALONG SAID EAST LINE AND ALONG THE EAST LINE OF LOTS
6 AND 7, SAID BLOCK 4, APPROXIMATELY 150 FEET TO THE NORTHERLY LINE OF

ROGERS PLACE (A 60 FOOT RIGHT OF WAY);
THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ITS
WESTERLY PROLONGATION APPROXIMATELY 250 FEET TO THE SOUTHERLY
PROLONGATION OF THE WESTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE
(U.S. 1);
THENCE NORTHERLY ALONG SAID PROLONGATION AND ALONG SAID WESTERLY
RIGHT OF WAY LINE APPROXIMATELY 775 FEET TO THE SOUTHERLY LINE OF LOT
4, BLOCK 6, SAID NORWOOD;
THENCE WESTERLY ALONG SAID SOUTHERLY LINE APPROXIMATELY 200 FEET TO
THE WESTERLY LINE OF SAID LOT 4;
THENCE NORTHERLY ALONG SAID WESTERLY LINE AND ALONG THE WESTERLY
LINE OF LOTS 3, 2 AND 1, SAID BLOCK 6, APPROXIMATELY 200 FEET TO THE
NORTHERLY LINE OF SAID LOT 1;
THENCE EASTERLY ALONG SAID NORTHERLY LINE APPROXIMATELY 200 FEET TO
THE WESTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE;
THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE
APPROXIMATELY 168 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF FLEMING
AVENUE (RIGHT OF WAY WIDTH VARIES);
THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE
APPROXIMATELY 728 FEET TO THE WESTERLY RIGHT OF WAY LINE OF
LAFAYETTE AVENUE (RIGHT OF WAY WIDTH VARIES);
THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE
APPROXIMATELY 695 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF WHITE
PLACE;
THENCE EASTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE
APPROXIMATELY 420.9 FEET TO THE EASTERLY LINE OF BLOCK B OF VIRGINIA
HEIGHTS, AS RECORDED IN MAP BOOK 9, PAGE 92, SAID RECORDS;
THENCE NORTHERLY ALONG SAID EASTERLY LINE OF SAID BLOCK B
APPROXIMATELY 284.9 FEET TO THE SOUTH LINE OF LOT 9, SAID BLOCK B;
THENCE EASTERLY ALONG SAID SOUTH LINE APPROXIMATELY 70 FEET TO THE
WESTERLY RIGHT OF WAY LINE OF MONROE PLACE (A 40 FOOT RIGHT OF WAY);
THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE
APPROXIMATELY 240.1 FEET TO THE SOUTH LINE OF LOT 1, BLOCK 3, SAID
THOMAS T. ALLEN SUBDIVISION;
THENCE WESTERLY ALONG SAID SOUTH LINE EAST LINE APPROXIMATELY 70
FEET TO THE EAST LINE OF THE WEST 70 FEET OF SAID LOT 1;
THENCE NORTHERLY ALONG SAID EAST LINE TO APPROXIMATELY 70 FEET THE
NORTH LINE OF SAID LOT 1;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 70 FEET TO THE
SOUTHERLY EXTENSION OF THE WESTERLY RIGHT OF WAY LINE OF MONROE
PLACE;
THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, AND THE
NORTHERLY EXTENSION THEREOF APPROXIMATELY 578.2 FEET TO THE SOUTH
LINE OF LOT 4, BLOCK 4, SAID THOMAS T. ALLEN SUBDIVISION;

THENCE EASTERLY ALONG SAID SOUTH LINE APPROXIMATELY 22 FEET TO THE EAST LINE OF THE WEST 112 FEET OF SAID LOT 4;
THENCE NORTHERLY ALONG SAID EAST LINE APPROXIMATELY 70 FEET TO THE NORTH LINE OF SAID LOT 4;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 112 FEET TO THE WEST LINE OF SAID LOT 4;
THENCE NORTHERLY ALONG THE WEST LINE OF LOTS 3, 2, AND 1, SAID BLOCK 4 APPROXIMATELY 216 FEET TO THE NORTH LINE OF SAID LOT 1;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 112 FEET TO THE EAST LINE OF THE WEST 112 FEET OF SAID LOTS 1, AND 2;
THENCE SOUTHERLY ALONG SAID EAST LINE APPROXIMATELY 146 FEET TO THE NORTH LINE OF SAID LOT 3;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 268 FEET TO THE WESTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE;
THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE APPROXIMATELY 209 FEET TO THE NORTHERLY LINE OF OAK STREET;
THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE APPROXIMATELY 355.8 FEET TO THE WESTERLY LINE OF NORTH MONROE STREET;
THENCE NORTHERLY ALONG SAID WESTERLY LINE APPROXIMATELY 745 FEET TO THE SOUTHERLY LINE OF CHURCH STREET (A 35 FOOT RIGHT OF WAY);
THENCE WESTERLY ALONG SAID SOUTHERLY LINE APPROXIMATELY 150 FEET TO THE WESTERLY LINE OF LAFAYETTE STREET (A 40 FOOT RIGHT OF WAY);
THENCE NORTHERLY ALONG SAID WESTERLY LINE APPROXIMATELY 440 FEET TO THE SOUTH LINE OF LOT 5, BLOCK H, WILSON'S MAP OF PORT ORANGE AS RECORDED IN MAP BOOK 15, PAGE 34, SAID RECORDS;
THENCE WESTERLY ALONG SAID SOUTH LINE APPROXIMATELY 430 FEET TO THE EASTERLY LINE OF ORANGE AVENUE (RIGHT OF WAY WIDTH VARIES);
THENCE SOUTHERLY ALONG SAID EASTERLY LINE APPROXIMATELY 580 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF CHURCH STREET;
THENCE WESTERLY ALONG SAID SOUTHERLY LINE APPROXIMATELY 693 FEET TO THE WESTERLY LINE OF THE FLORIDA EAST COAST RAILROAD RIGHT OF WAY (A 100 FOOT RIGHT OF WAY);
THENCE NORTHERLY ALONG SAID WESTERLY LINE APPROXIMATELY 325.4 FEET TO THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF POWERS SUBDIVISION AS RECORDED IN MAP BOOK 10, PAGE 138, SAID RECORDS;
THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND ALONG SAID NORTHERLY LINE, FOLLOWING THE NORTHERN PLAT BOUNDARY NORTHERLY AND THEN AGAIN WESTERLY (A TOTAL OF APPROXIMATELY 704 FEET) TO THE EASTERLY LINE OF RUTH STREET (A 40 FOOT RIGHT OF WAY);
THENCE SOUTHERLY ALONG SAID EASTERLY LINE APPROXIMATELY 339 FEET TO THE SOUTHERLY LINE OF POWERS AVENUE (A 40 FOOT RIGHT OF WAY);
THENCE WESTERLY ALONG SAID SOUTHERLY LINE APPROXIMATELY 232.8 FEET TO THE EASTERLY LINE OF LOCUST STREET (A 40 FOOT RIGHT OF WAY);

THENCE SOUTHERLY ALONG SAID EASTERLY LINE APPROXIMATELY 391.6 FEET TO THE SOUTHERN BOUNDARY OF THE POWERS SUBDIVISION PLAT; THENCE WESTERLY ALONG SAID SOUTHERN PLAT BOUNDARY TO THE APPROXIMATELY 147 FEET TO THE EASTERLY LINE OF PALM/ROSELLE STREET (A 40 FOOT RIGHT OF WAY);

THENCE SOUTHERLY ALONG SAID EASTERLY LINE APPROXIMATELY 350.3 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 210, SAID POWERS SUBDIVISION;

THENCE WESTERLY ALONG SAID EXTENSION AND SAID SOUTH LOT LINE AND ALONG THE SOUTH LINE OF LOT 211, SAID POWERS SUBDIVISION APPROXIMATELY 245.9 FEET TO THE EASTERLY LINE OF CANAL VIEW BOULEVARD (SPRUCE CREEK ROAD, (RIGHT OF WAY WIDTH VARIES);

THENCE NORTHERLY ALONG SAID EASTERLY LINE APPROXIMATELY APPROXIMATELY 343.3 FEET TO THE CENTERLINE OF VACATED DORA STREET (ORIGINALLY A 40 FOOT RIGHT OF WAY);

THENCE EASTERLY ALONG SAID CENTERLINE LINE APPROXIMATELY 125.1 FEET TO THE WESTERLY LINE OF LOT 188, SAID POWERS SUBDIVISION;

THENCE NORTHERLY ALONG SAID WESTERLY LOT LINE AND CONTINUING ALONG THE WESTERLY LINE OF LOTS 191, 192 AND 193, SAID POWERS SUBDIVISION APPROXIMATELY 246.12 FEET TO THE SOUTHERLY LINE OF DUNLAWTON AVENUE (RIGHT OF WAY WIDTH VARIES);

THENCE WESTERLY ALONG SAID SOUTHERLY LINE APPROXIMATELY 128.1 FEET TO THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF THE AFOREMENTIONED CANAL VIEW BOULEVARD (SPRUCE CREEK ROAD) RIGHT OF WAY;

THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION AND ALONG SAID EASTERLY LINE APPROXIMATELY 936.3 FEET TO THE NORTHERLY PLAT BOUNDARY OF SAID POWERS SUBDIVISION;

THENCE EASTERLY ALONG SAID NORTHERLY PLAT BOUNDARY, SAID LINE ALSO BEING THE SOUTHERLY LINE OF ASSESSOR'S SUBDIVISION OF LOTS 3 AND 4, AS RECORDED IN MAP BOOK 20, PAGE 34, SAID RECORDS APPROXIMATELY 209 FEET TO THE EAST LINE OF LOT 7, SAID ASSESSOR'S SUBDIVISION;

THENCE NORTHERLY ALONG SAID EAST LINE AND ALONG THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3596, PAGE 495, SAID RECORDS APPROXIMATELY 372.3 FEET ;

THENCE FOLLOWING ALONG THE NORTH LINE OF SAID LANDS THE FOLLOWING FIVE COURSES;

- (1) EASTERLY APPROXIMATELY 446.63 FEET;
- (2) NORTHERLY ALONG THE EAST LINE OF SAID LOT 6, APPROXIMATELY 380.00 FEET, TO THE SOUTH LINE OF HERBERT STREET,
- (3) EASTERLY ALONG THE SOUTH LINE OF HERBERT STREET, APPROXIMATELY 27.78 FEET,
- (4) SOUTHERLY PARALLEL TO THE EAST LINE OF LOT 5, SAID ASSESSOR'S SUBDIVISION, APPROXIMATELY 176 FEET,

(5) EASTERLY PARALLEL TO THE SOUTH LINE OF SAID LOT 5, APPROXIMATELY 390 FEET, TO THE WEST LINE OF WEST PARK AS RECORDED IN MAP BOOK 15, PAGE 33, SAID RECORDS;
THENCE NORTHERLY ALONG SAID WEST LINE AND ACROSS HERBERT STREET (A 40 FOOT RIGHT OF WAY APPROXIMATELY 232 FEET TO A POINT ON THE SOUTH LINE OF LOT 4, McDONALD'S SUBDIVISION, AS RECORDED IN MAP BOOK 8, PAGE 128, SAID PUBLIC RECORDS, SAID POINT BEING THE INTERSECTION OF THE NORTH LINE OF HERBERT STREET AND THE WEST LINE OF SAID WEST PARK SUBDIVISION EXTENDED;
THENCE EASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID HERBERT STREET APPROXIMATELY 1787 FEET TO THE WESTERLY RIGHT OF WAY LINE OF LOUISVILLE STREET (A 30 FOOT RIGHT OF WAY);
THENCE NORTHERLY ALONG SAID WESTERLY LINE APPROXIMATELY 350.3 FEET TO THE SOUTH LINE OF J.E. RAWLINGS SUBDIVISION AS RECORDED IN MAP BOOK 21, PAGE 60, SAID RECORDS;
THENCE WESTERLY ALONG SAID SOUTH LINE AND ALONG SAID SOUTH LINE EXTENDED WESTERLY APPROXIMATELY 450 FEET TO THE WESTERLY LINE OF LAFAYETTE STREET; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE APPROXIMATELY 265.4 FEET TO THE NORTH LINE OF CHARLES STREET (A 70 FOOT RIGHT OF WAY);
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 325 FEET TO THE WEST LINE OF THE EAST ONE HALF OF LOT 10, SAID RAWLINGS SUBDIVISION;
THENCE NORTHERLY ALONG SAID LINE APPROXIMATELY 171.5 FEET TO THE NORTH LINE OF SAID RAWLINGS SUBDIVISION;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 25 FEET TO THE SOUTHERLY LINE OF LOT 3, BLOCK 4, HAND SUBDIVISION AS RECORDED IN MAP BOOK 12, PAGE 16, SAID RECORDS;
THENCE EASTERLY ALONG SAID SOUTHERLY LINE APPROXIMATELY 40 FEET TO THE WESTERLY LINE OF THE EASTERLY 246 FEET OF SAID LOT 3, BLOCK 4;
THENCE NORTHERLY ALONG SAID WESTERLY LINE APPROXIMATELY 101 FEET TO THE SOUTH LINE OF LOT 2 BLOCK 4, SAID HAND SUBDIVISION;
THENCE EASTERLY ALONG SAID SOUTH LINE APPROXIMATELY 50 FEET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 7, BLOCK 3, HERRICH TERRACE, AS RECORDED IN MAP BOOK 16, PAGE 156, SAID RECORDS;
THENCE NORTHERLY ALONG SAID EXTENSION APPROXIMATELY 252 FEET TO THE NORTHERLY LINE OF OCEAN AVENUE (A 50 FOOT RIGHT OF WAY);
THENCE WESTERLY ALONG THE NORTH LINE OF SAID OCEAN AVENUE APPROXIMATELY 50 FEET TO THE WEST LINE OF LOT 8, BLOCK 3, HERRICH TERRACE, AS RECORDED IN MAP BOOK 16, PAGE 156;
THENCE NORTHERLY ALONG SAID WEST LINE APPROXIMATELY 100 FEET TO THE NORTH LINE OF SAID BLOCK 3;
THENCE WESTERLY ALONG SAID NORTH LINE APPROXIMATELY 350 FEET TO THE EASTERLY LINE OF LAFAYETTE STREET;
THENCE NORTHERLY ALONG SAID EASTERLY LINE APPROXIMATELY 295 FEET TO

THE SOUTHERLY LINE OF CANAL STREET (A 100 FOOT RIGHT OF WAY);
THENCE WESTERLY ALONG SAID SOUTH LINE APPROXIMATELY 458 FEET TO THE
SOUTHERLY EXTENSION OF THE WEST LINE OF THAT PART OF GOVERNMENT LOT
1, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2261, PAGE 1226, SAID RECORDS;
THENCE NORTHERLY ALONG SAID EXTENSION APPROXIMATELY 100 FEET, TO A
POINT APPROXIMATELY 983 FEET WESTERLY OF THE WESTERLY RIGHT OF WAY
LINE OF RIDGEWOOD AVENUE AND BEING ON THE NORTH LINE OF DOUGHTERTY
CANAL;
THENCE NORTHERLY ALONG SAID WESTERLY LINE, APPROXIMATELY 298 FEET
TO THE NORTH LINE OF SAID LAND;
THENCE EASTERLY ALONG SAID NORTH LINE APPROXIMATELY 867 FEET TO THE
AFOREMENTIONED RIDGEWOOD AVENUE;
THENCE EASTERLY ACROSS SAID RIDGEWOOD AVENUE APPROXIMATELY 70 FEET
TO THE NORTH LINE OF INTRACOASTAL VILLAS CONDOMINIUM, AS RECORDED
IN OFFICIAL RECORDS BOOK 2323, PAGE 1098, SAID RECORDS;
THENCE FOLLOWING ALONG SAID NORTHERLY CONDOMINIUM LIMITS EASTERLY
APPROXIMATELY 505 FEET TO THE WESTERLY EDGE OF THE HALIFAX RIVER;
THENCE MEANDERING SOUTHEAST ALONG SAID RIVER'S EDGE TO THE PORT
ORANGE BRIDGE AREA AND BEYOND, CONTINUING ALONG SAID RIVER'S EDGE
APPROXIMATELY 2,860 FEET TO THE EASTERLY EXTENSION OF THE NORTHERLY
LINE OF KERR AND TOWNSLEY SUBDIVISION AS RECORDED IN MAP BOOK 16,
PAGE 169, SAID RECORDS, AND THE AFOREMENTIONED POINT OF BEGINNING
("A").

TOGETHER WITH

A PARCEL OF LAND LOCATED IN SECTION 2, TOWNSHIP 16 SOUTH, RANGE 33
EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS;

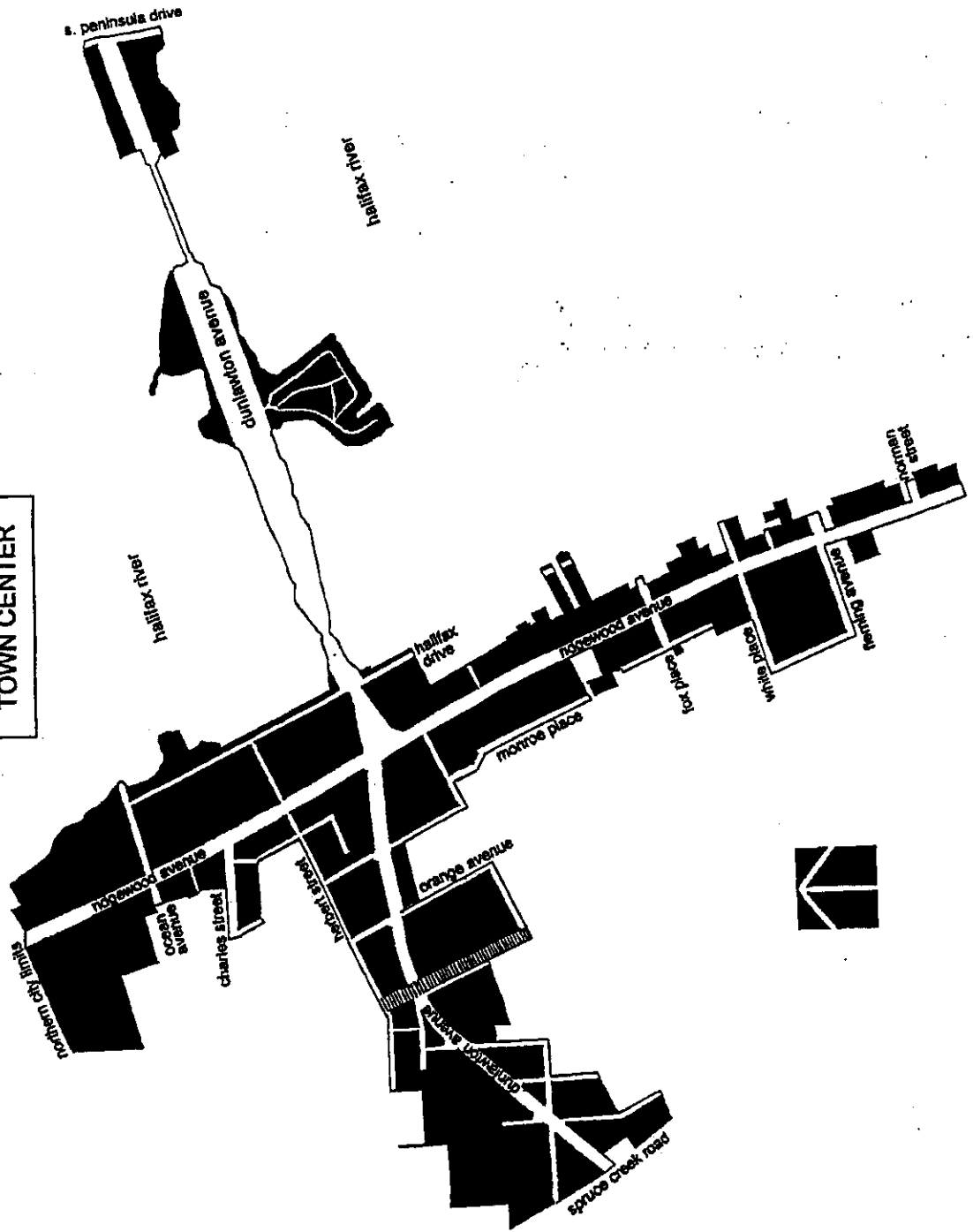
BEGINNING ("B") AT THE SOUTHWEST CORNER OF LOT 60, HALIFAX SHORES
REPLAT NO. 2, AS RECORDED IN MAP BOOK 25, PAGE 13 OF THE PUBLIC
RECORDS OF VOLUSIA COUNTY, FLORIDA;
THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE THEREOF AND ALONG
THE SOUTHERLY LINE OF HALIFAX SHORES REPLAT, AS RECORDED IN MAP BOOK
23, PAGE 218, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALONG
THE NORTHEASTERLY EXTENSION THEREOF, ACROSS SOUTH PENINSULA DRIVE
(A 50 FOOT RIGHT OF WAY) TO THE EASTERLY RIGHT OF WAY LINE THEREOF;
THENCE SOUTHERLY ALONG SAID EASTERLY LINE, ACROSS DUNLAWTON AVENUE
(RIGHT OF WAY WIDTH VARIES), CONTINUING SOUTHERLY TO RAYMOND
AVENUE; THENCE ACROSS RAYMOND AVENUE
(A 60 FOOT RIGHT OF WAY), TO THE SOUTH LINE THEREOF;
THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE EXTENDED SOUTHWESTERLY
TO THE EASTERLY EDGE OF THE HALIFAX RIVER; THENCE MEANDERING

NORTHWESTERLY ALONG THE RIVER'S EDGE TO THE PORT ORANGE BRIDGE AREA AND BEYOND, CONTINUING ALONG THE RIVER'S EDGE TO THE INTERSECTION WITH THE SOUTHWESTERLY EXTENSION OF THE SOUTH LINE OF THE AFORESAID HALIFAX SHORES REPLAT NO. 2;
THENCE ALONG SAID EXTENSION, NORTHEASTERLY TO THE AFOREMENTIONED POINT OF BEGINNING ("B").

TOGETHER WITH

ALL LANDS ADJACENT TO THE CITY OF PORT ORANGE BRIDGE, ALSO KNOWN AS DUNLAWTON AVENUE AND CAUSEWAY PARK, FROM THE EASTERLY EDGE OF THE HALIFAX RIVER TO THE WESTERLY EDGE,
LOCATED IN SECTIONS 2 AND 3, TOWNSHIP 16 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA.

PORT ORANGE
TOWN CENTER



S. peninsula drive

halifax river

cunliffe avenue

halifax river

halifax drive

rosewood avenue

motro place

west street

orange avenue

rosewood avenue

tadburn city limits

oceola avenue

charles street

west street

orange avenue

spruce creek road

