

ORDINANCE NO. 2004-13

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, PERTAINING TO REDEVELOPMENT; MAKING FINDINGS, CREATING THE SPRING HILL COMMUNITY REDEVELOPMENT AGENCY, ESTABLISHING A BOARD OF COMMISSIONERS OF THE AGENCY; PROVIDING TERMS OF OFFICE; DESIGNATING A CHAIR AND VICE CHAIR OF THE AGENCY; PROVIDING FOR ADMINISTRATION OF THE AGENCY; PROVIDING THAT THIS ORDINANCE CONSTITUTES THE ORDINANCE DESCRIBED IN SECTION 163.356(2), FLORIDA STATUTES (2003); PROVIDING FOR THE EXERCISE OF POWERS BY THE AGENCY; PROVIDING AN EFFECTIVE DATE

WHEREAS, on September 9, 2004, the Volusia County Council adopted by resolution a Finding of Necessity pursuant to Section 163.355, Florida Statutes for the Spring Hill Community Redevelopment Area ("Area"), as depicted in Exhibit A; and

WHEREAS, the Volusia County Council found that it is necessary, appropriate, proper and timely that a community redevelopment agency be created to carry out community redevelopment as contemplated by Part III, Chapter 163, Florida Statutes (2003), to further, cause, promote and encourage rehabilitation, conservation and redevelopment within the Spring Hill Community Redevelopment Area.

WHEREAS, the Spring Hill Community Redevelopment Area includes lands that lie within the municipal boundaries of the City of DeLand and in the unincorporated area of Volusia County; and

WHEREAS, the DeLand City Commission adopted Resolution 2004-55 on August 2, 2004 supporting and consenting to the creation of the Spring Hill Community Redevelopment Area and Agency pursuant to Section 163.356, Florida Statutes;

WHEREAS, in order to foster an intergovernmental partnership and encourage the coordination of redevelopment activities between the City and the County, the Volusia County Council has deemed that the Spring Hill Community Redevelopment Area should be guided by a Board of residents and officials of both the City and the County;

WHEREAS, the Volusia County Council now desires to create the Spring Hill Community Redevelopment Agency ("Agency") and to appoint the members of the board of commissioners of the Agency and designate the chair and vice chair of the Agency;

NOW, THEREFORE, THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, HEREBY ORDAINS THIS ORDINANCE:

Section 1. Findings. The Volusia County Council does hereby affirm, readopt and restate its findings in Resolution 2004-176, adopted on September 9, 2004, determining that one or more slum or blight areas exist within the incorporated area of the City of DeLand and the unincorporated area of Volusia County known as Spring Hill, as provided in said resolution, and finding a need exists to create a community redevelopment agency.

Section 2. Creation of Community Redevelopment Agency. There is hereby created and established a community redevelopment agency of the Spring Hill Community Redevelopment Area pursuant to Section 163.356(2), Florida Statutes (2003), the governing board of which shall consist of a board of commissioners consisting of seven (7) members appointed by the Volusia County Council as provided in Section 163.356(2), Florida Statutes (2003).

Section 3. Board of Commissioners. The board of commissioners of the community redevelopment agency shall consist of seven (7) members meeting the qualifications of Section 163.356(3)(b), Florida Statutes. A member serving ex-officio is hereby determined to have met the qualifications and shall serve as a commissioner only so long as holding the office upon which service as commissioner is predicated. The membership shall be appointed by the Volusia County Council with terms of office as follows:

<u>Members</u>	<u>End of Appointment</u>
Volusia County Chair, ex-officio	September 9, 2005
District 1 Volusia County Council member, ex-officio	September 9, 2006
Mayor of the City of DeLand, ex-officio	September 9, 2007
Two members of the DeLand City Commission, ex-officio, nominated by the City	September 9, 2008
One elector meeting the qualifications from within the City portion of the Area nominated by the City	September 9, 2008
One elector meeting qualifications within the unincorporated portion of the Area nominated by the County of Volusia	September 9, 2008

Until December 31, 2004, the County Council shall appoint a Council member to serve as a commissioner until seating of the elected Volusia County Chair.

Section 4. Designation of Chair and Vice Chair. The following positions of the board of commissioners of the community redevelopment agency appointed in Section 3 are hereby designated as chair and vice chair of the Agency:

Chair	Mayor of the City of DeLand, ex-officio
Vice Chair	District 1 County Council Member, ex-officio

Section 5. The board of commissioners of the community redevelopment agency shall be subject to and governed by the provisions of the community redevelopment act and applicable ordinances and resolutions of the Volusia County Council adopted pursuant thereto, particularly including Section 163.356, Florida Statutes (2003).

Section 6. This ordinance constitutes the ordinance described in Section 163.356(2), Florida Statutes (2003).

Section 7. This ordinance shall take effect immediately upon its adoption by the County Council of Volusia County, Florida.

ADOPTED IN OPEN MEETING DULY ASSEMBLED IN COUNCIL CHAMBERS IN THE THOMAS C. KELLY ADMINISTRATION CENTER, DELAND, FLORIDA, ON THIS 9TH DAY OF SEPTEMBER 2004.

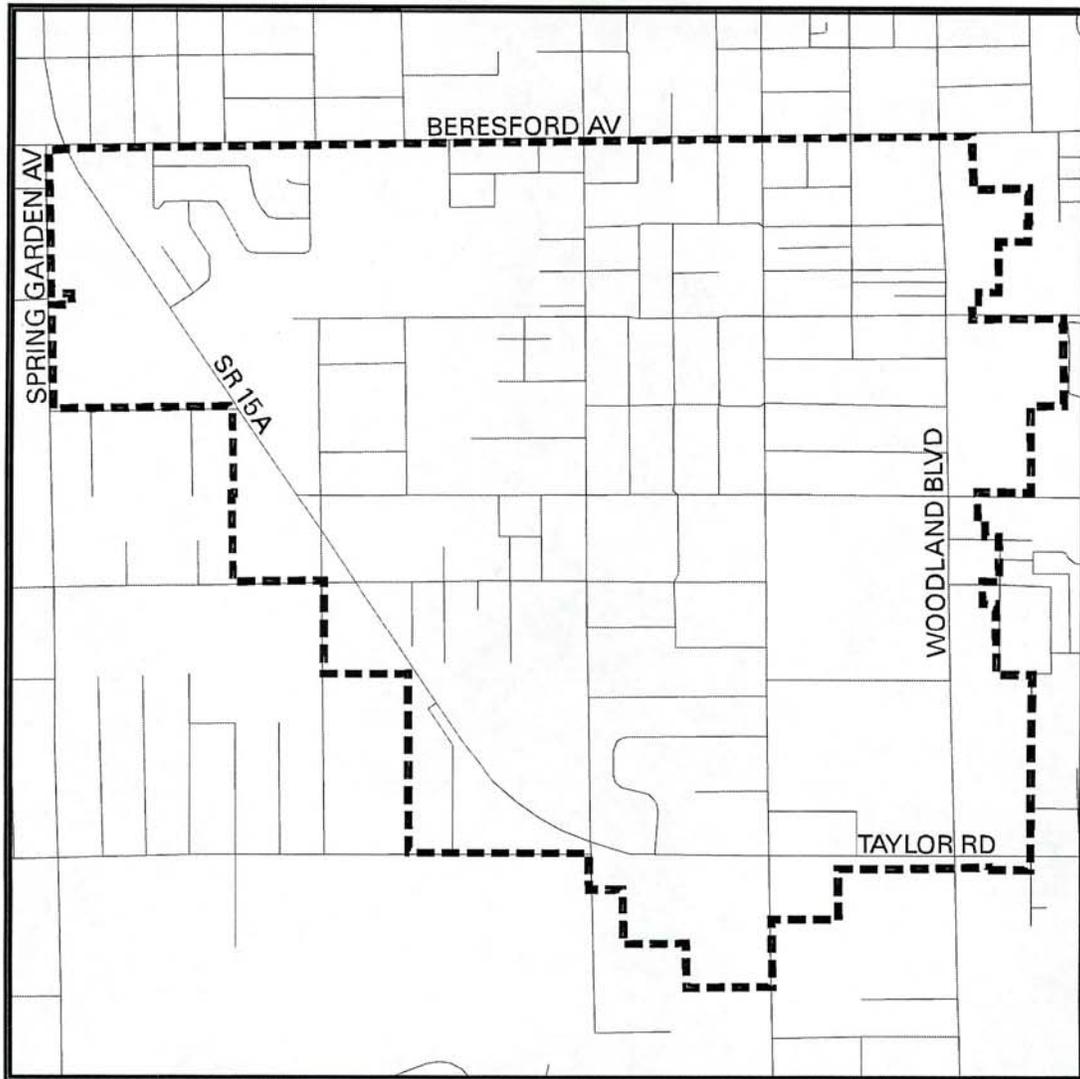
COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA

By: Dwight D. Lewis
Dwight D. Lewis, Chair

ATTEST:

By: Cynthia A. Coto
Cynthia A. Coto, County Manager

MAP A SPRING HILL COMMUNITY REDEVELOPMENT AREA



LEGAL DESCRIPTION FOR SPRING HILL COMMUNITY REDEVELOPMENT DISTRICT

A portion of Sections 20, 21, 28, and 29, Township 17 South, Range 30 East, Volusia County, Florida, being more particularly described as follows:

Begin at the intersection of the southerly extension of the East line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 21 and the North line of the plat of PLUMOSUS PARK, as recorded in Map Book 44, Page 127, of the Public Records of Volusia County, Florida said North line being also the South right-of-way line of Taylor Road; thence run westerly along said South right-of-way line to the East right-of-way line of State Road 17/92; thence continue westerly along the South right-of-way line of State Road 15A as depicted on the Florida Department of Transportation Right-of-Way Map, Section 79160-2509 Sheet 3, dated July 12, 2001, to its intersection with the West line of Lot 1, THE CROSSROADS (The Shoppes of Victoria Square), according to the plat thereof recorded in Map Book 43, Page 192, of the Public Records of Volusia County, Florida; thence run southerly along the West line of said Lot 1 to the South line of the North $\frac{1}{3}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 28; thence run westerly along said South line of the North $\frac{1}{3}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 28 and its westerly extension to a point in the West right-of-way line of Clara Avenue; thence run southerly along said right-of-way line to the South line of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 29; thence run westerly along said South line to the West line of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 29; thence run northerly along said West line to the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said section 29; thence run westerly along said South line to the West line of the East 200 feet of the West 430 feet of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 29; thence run northerly along said West line to the South line of the North 250 feet of the West 230 feet of Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 29; thence run westerly along said South line to the East line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 29; thence run northerly along said East line to the North line of said Section 29; thence run westerly along said North line of Section 29 to the southerly extension of the West right-of-way line of Stone Street; thence run northerly along said West right-of-way line to the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 20; thence run westerly along said South line to the West line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 20; thence run northerly along said West line to the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said section 20; thence run westerly along said South line to the West line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 20; thence run northerly along said West line to the South line of the Northwest $\frac{1}{4}$ of said Section 20; thence run easterly along said South line to its intersection with the southerly extension of the East right-of-way line of Stone

Street; thence run northerly along said East right-of-way line to its intersection with the southwesterly right-of-way line of State Road 15A as depicted on the aforementioned Right-of-Way Map; thence run northwesterly along said right-of-way line to the South line of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 20; thence run westerly along said South line to the East right-of-way line of Spring Garden Avenue; thence run northerly along said East right-of-way line to the North line of the South 135.65 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 20; thence run easterly along said North line to the East line of the West 165.00 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 20; thence run northerly along said east line to the North line of the South 215.65 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 20; thence run Westerly to the aforesaid East right-of-way line of Spring Garden Avenue; thence run northerly along said East right-of-way line to South right-of-way line of Beresford Avenue; thence run easterly along said South right-of-way line to its intersection with the easterly line of that certain parcel of land described in Official Records Book 3730, Page 4508, of the Public Records of Volusia County, Florida; thence run southerly along said easterly line to the Northeast corner of the South 300 feet of the North 430 feet of the West 250.17 feet of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence run southerly along the East line of the said West 250.17 feet to the North line of the North 360 feet of the South 560 feet of the North $\frac{3}{4}$ of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence run easterly along said North line to the East line of the North 360 feet of the South 560 feet of the North $\frac{3}{4}$ of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence run southerly along said East line to the South line of the North 360 feet of the South 560 feet of the North $\frac{3}{4}$ of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence run westerly along said South line to the East line of the West 314.23 feet East of the State Road 17/92, of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence run southerly along said East line to the North line of SOUTH BOULEVARD GARDENS, according to the plat thereof recorded in Map Book 8, Page 24, of the Public Records of Volusia County, Florida; thence run westerly along said North line to the Northwest corner of Lot 22 of said SOUTH BOULEVARD GARDENS; thence run southerly along the West line of said Lot 22 to the North right-of-way line of East Lisbon Parkway; thence run westerly along said North right-of-way line 53.50 feet; thence run southerly and parallel with the East line of Lot 7, SOUTH BOULEVARD GARDENS a distance of 50.00 feet to a point in the South right-of-way line which is 3.50 feet West of the Northeast corner of said Lot 7; thence run easterly along said South right-of-way line and its easterly projection a distance of 677.92 feet to the Northeast corner of a parcel of land described in Official Records Book 5169, Page 4132, of the Public Records of Volusia County, Florida; thence run southerly along the East line of said parcel a distance of 659.41 feet; thence run westerly along the South line of said parcel a distance of 250.00 feet to the East line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence run southerly along said East line to the North right-of-way line of New Hampshire Street; thence run

westerly along said North right-of-way line to its intersection with the northerly extension of the West line of Lot 47, BOULEVARD HIGHLANDS SUBDIVISION, according to the plat thereof recorded in Map Book 10, Page 121, of the Public Records of Volusia County, Florida; thence southerly along said West line to the Southwest corner of said Lot 47; thence run easterly along the North line of Lots 16, 17 and 18 said BOULEVARD HIGHLANDS SUBDIVISION, a distance of 65 feet; thence run southerly along a line which lies 15 feet east of and parallel with the West line of said Lot 18 to the North right-of-way line of Gilbert Street; thence run easterly along said North right-of-way line to its intersection with the northerly extension of the East line of Lot 93 said BOULEVARD HIGHLANDS SUBDIVISION; thence run southerly along said East line and its southerly extension to the North right-of-way line of Andover Street; thence run westerly along said North right-of-way line to its intersection with the East line of the West 102 feet of Lots 1 through 6 inclusive, SO-DEL SUB, according to the plat thereof recorded in Map Book 19, Page 108, of the Public records of Volusia County, Florida; thence run southerly along said east line to the North line of Lot 7 said SO-DEL SUB; thence run easterly along said North line to the West right-of-way line of First Street; thence run southerly along said West right-of-way line to the South right-of-way line of Sherman Road; thence run easterly along said South right-of-way line to the East line of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 21; thence run southerly along said East line and its southerly extension to the POINT OF BEGINNING.