



**ORDINANCE NO. 03-2006**

CFN 2006027358 01-30-2006 11:29 am  
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**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA ANNEXING APPROXIMATELY 0.28 ACRES OF REAL PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF VIRGINIA AVENUE AND STATE ROAD 520; 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.**

Prepared by & Return to:  
Joan Clark, City Clerk  
City of Cocoa  
603 Brevard Avenue  
Cocoa, FL 32922

**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, does not have any registered electors, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

**WHEREAS**, Joseph Welneck has petitioned the City of Cocoa for annexation of a parcel of land identified by Brevard County Parcel Identification Number 24-36-32-31-00000.0-0012.00; 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

**Scott Ellis**

Clerk Of Courts, Brevard County

#Pgs: 5 #Names: 2  
Trust: 3.00 Rec: 41.00 Serv: 0.00  
Ded: 0.00 Excise: 0.00  
Mtg: 0.00 nt Tax: 0.00

**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.

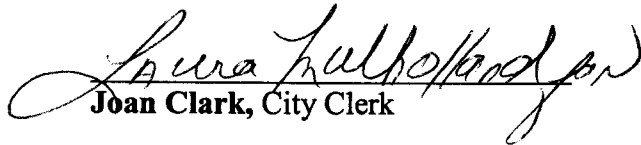
**Section 5. Effective Date.** This Ordinance shall become effective immediately upon adoption by the City Council of the City of Cocoa, Florida.

**ADOPTED** by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the 24 day of January, 2006.



  
Michael C. Blake, Mayor

**ATTEST**

  
Joan Clark, City Clerk

First Reading: January 10, 2006  
Second Reading: January 24, 2006  
Effective Date: January 24, 2006

  
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## EXHIBIT “A” Legal Description

The subject property is generally described as Lot 12 of PINE ACRES SUBDIVISION, recorded in Plat Book 9, Page 46 of the Public Records of Brevard County, Florida, located in Section 32, Township 24 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

BEGIN at the Northwest corner of Lot 11 of PINE ACRES SUBDIVISION, recorded in Plat Book 9, Page 46, of the public records of Brevard County, Florida, said point being at the intersection of the South right of way line of State Road 520 and the East right of way line of Virginia Avenue; thence run S00°32’30”E, along the East right of way line of Virginia Avenue, a distance of 110.04 feet to the Northwest corner of Lot 12 of said PINE ACRES SUBDIVISION, said point being the ***Point of Beginning***; thence continue S00°32’30”E, along the East right of way of Virginia Avenue, a distance of 79.96 feet to the Southwest corner of Lot 12 of said PINE ACRES SUBDIVISION; thence run S89°42’30”E, along the South line of Lot 12 of said PINE ACRES SUBDIVISION, a distance of 149.96 feet to the Southeast corner of Lot 12 of said PINE ACRES SUBDIVISION; thence run N00°32’30”W, along the West line of Lot 12 of said PINE ACRES SUBDIVISION, a distance of 80.04 feet to the Northeast corner of Lot 12 of said PINE ACRES SUBDIVISION; thence run N89°42’30”W, along the North line of Lot 12 of said PINE ACRES SUBDIVISION, a distance of 149.97 feet to the Northwest corner of Lot 12 of said PINE ACRES SUBDIVISION, said point being the ***Point of Beginning***.

Containing 0.275 acres more or less.



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Exhibit B

GRACE AV




VIRGINIA AV

RUTH ST

JACKSON ST

STATE RD 520

Legend:

-  Subject Property
-  City of Cocoa
-  Brevard County



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