

**Joint City of Ormond Beach and Volusia County  
Interlocal Agreement for Ormond Crossings**

904-676-3242 ORMOND PLANNING DEPT

838 P02 SEP 27 '04 16:52

**RESOLUTION NO. 2004-131**

**A RESOLUTION DELEGATING THE EXERCISE OF  
SPECIFIED COUNTY REDEVELOPMENT POWERS TO  
THE CITY OF ORMOND BEACH FOR THE ORMOND  
CROSSINGS PROJECT AREA; AND PROVIDING  
WHEN THIS RESOLUTION SHALL TAKE EFFECT.**

WHEREAS, the City of Ormond Beach, Florida (the "City") is in the process of annexation or has annexed the land that is known as the "Ormond Crossing Land;" and

WHEREAS, a substantial portion of the Ormond Crossings Land is subject to an antiquated and unbuildable subdivision containing hundreds of lots and scattered outparcels that are in multiple ownerships, none of which are on an improved public road and many of which are in wetlands; and

WHEREAS, substantially all of the Ormond Crossings Land was burned during the 1998 wildfires resulting in the destruction of most of the tree cover and degradation of wetlands resulting in unsightly conditions; and

WHEREAS, on December 13, 2001, the Volusia County Council (the "County Council") passed Resolution 2001-233 thereby repealing the delegation of the exercise of all powers of the Community Redevelopment Act of 1969 (Chapter 163, Part III, Florida Statutes) conferred upon the governing bodies of the Cities of Daytona Beach, DeLand, Ormond Beach, New Smyrna Beach, Holly Hill and Port Orange within their respective boundaries without prior authorization of the County Council.

WHEREAS, the City has requested that the County authorize it to take the following actions, subject to conditions, as hereinafter set forth:

- Conduct a study and hold public hearings, pursuant to Chapter 163.355, Florida Statutes, for the purpose of considering whether or not conditions exist upon which to make a legislative finding that conditions on and in the area of the Ormond Crossings Land meet the criteria described in Section 163.340(7) or (8), Florida Statutes, for the creation of a community redevelopment district; and
- If a finding of necessity is made by the City pursuant to Chapter 163.555, Florida Statutes, and upon a further finding by the City that there is a need for a community redevelopment district, create a community redevelopment district containing the Ormond Crossings Land (the "District").

WHEREAS, the authority delegated to the City herein to create the District is expressly conditioned upon the limitations that are hereinafter set forth.

WHEREAS, there shall be a master plan for the Ormond Crossings Land which shall designate industrial, office, and warehouse on the Master Plan (Exhibit B) and encouraging the development of those job producing non-residential land uses.

WHEREAS, in accordance with the master plan for the Ormond Crossings Land, the District may use tax increment financing solely to design and construct the Infrastructure improvements that are identified on Exhibit "C" hereto (the "District Improvements").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA IN OPEN MEETING AT COUNCIL CHAMBERS IN THE CITY OF DELAND, FLORIDA, THIS 8th DAY OF July, 2004, AS FOLLOWS :

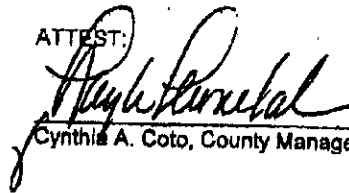
1. The powers conferred on the County of Volusia pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes (2004), are hereby delegated to the City of Ormond Beach as specifically enumerated below. Any power not specifically enumerated below is reserved exclusively to the County of Volusia.
2. The powers delegated herein are to be exercised only in the geographic area described in Exhibit A as attached hereto and made a part hereof.
3. The City and the Community Redevelopment Agency may create a community redevelopment district pursuant to Section 163.357, Florida Statutes.
4. The CRA may adopt plans and modify plans pursuant to Sections 163.360 and 163.361, Florida Statutes, subject to approval of the County Council, for the District.
5. The CRA may exercise the powers of Section 163.370, Florida Statutes, except as limited herein, for the District.
6. The CRA may exercise the power of eminent domain pursuant to Section 163.375, Florida Statutes, and to dispose of property pursuant to Section 163.380, Florida Statutes, within the District.

7. The CRA may issue debt in accordance with Section 163.385, Florida Statutes, as limited by Section 8 herein below.
8. The CRA may create a District account within the Redevelopment Trust Fund (RTF) pursuant to Section 163.387, Florida Statutes, upon the following conditions and limitations:
- a. The appropriation of funds by any taxing authority governed by the County Council shall be separately accounted for in the RTF District account.
  - b. Appropriation of funds by any taxing authority governed by the County Council shall not commence until final regulatory approval of a business/industrial park of a minimum of 1,000 acres and 5,000,000 square feet of building as conceptually depicted on the attached Exhibit B.
  - c. Appropriations of funds by any taxing authority governed by the County Council to the RTF District account shall forever cease after an aggregate total of \$4,000,000 has been appropriated by all taxing authorities governed by the County Council or after the passage of 10 years from commencement of the appropriation.
  - d. Funds appropriated from the RTF District account and the proceeds from debt issued which is to be repaid from the RTF shall be expended solely on public infrastructure known as the spine road as depicted on the attached Exhibit C. No other debt shall be issued to be repaid by the RTF District account.
  - e. No expenditures provided for in 8d above and no debt shall be incurred in furtherance thereof until final regulatory approval of a business/industrial park of a minimum of 1,000 acres and 5,000,000 square feet of building as conceptually depicted on the attached Exhibit B. Failure to gain final regulatory approval within 3 years of adoption of this resolution shall cause the CRA to dissolve the RTF District account and remit funds to the contributing taxing authorities.
9. This delegation of authority shall expire and the District dissolved upon the earlier of the following:
- a. Failure to gain final regulatory approval of the planned development (including a development of regional impact) within 3 years of adoption of this resolution.

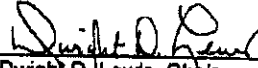
b. Twenty-five years after adoption of this resolution.

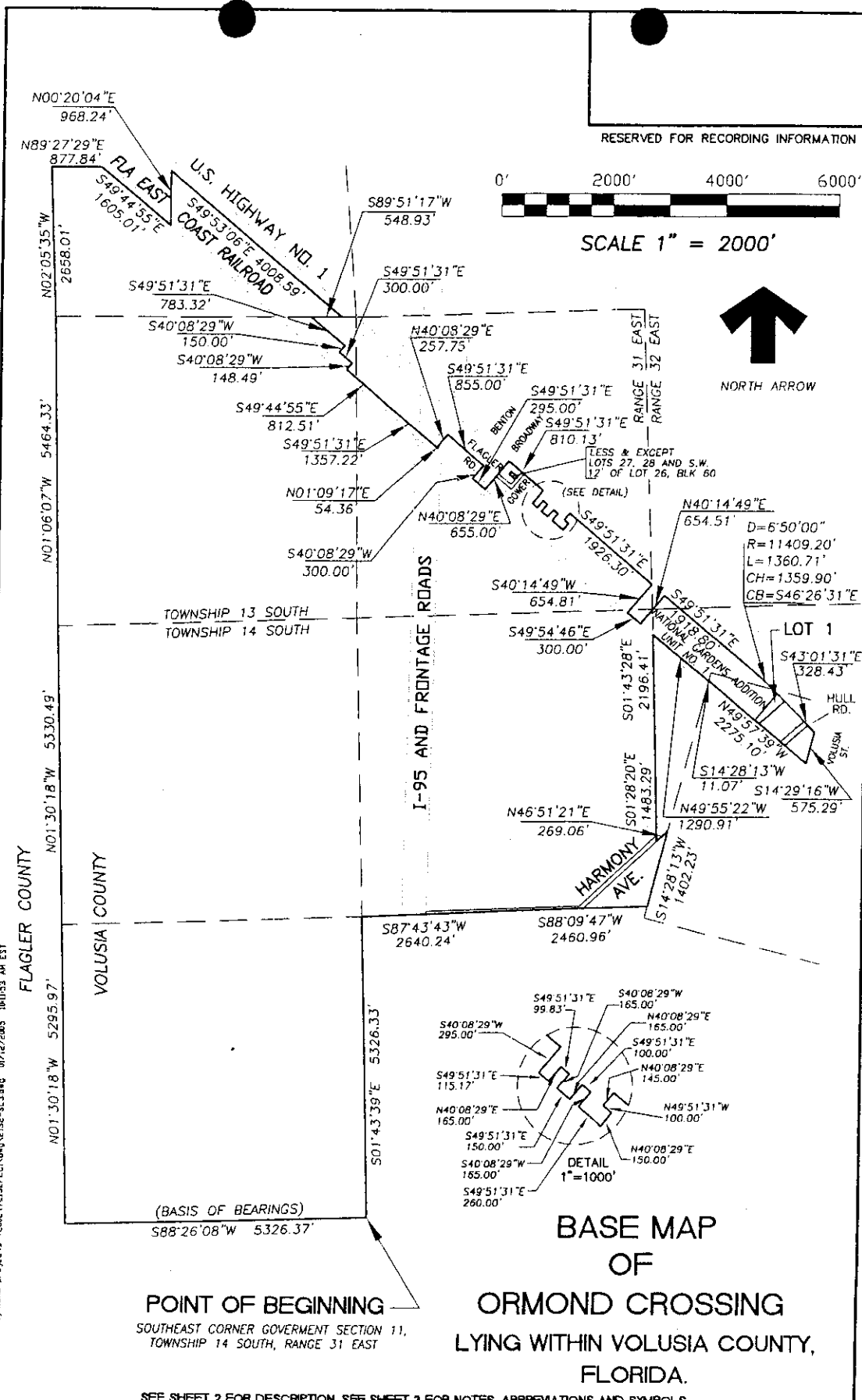
DONE AND ORDERED IN OPEN MEETING.

ATTEST:

  
Cynthia A. Coto, County Manager

COUNTY COUNCIL  
VOLUSIA COUNTY, FLORIDA

  
Dwight D. Lewis, Chair



**TOMOKA ENGINEERING**  
CIVIL ENGINEERING & LAND SURVEYING SINCE 1976  
DAYTONA BEACH FLAGLER/PALM COAST  
Main Office: 1410 LPGA Blvd, Daytona Beach, FL 32117  
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SKETCH  
AND  
DESCRIPTION

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, 54.35 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, 855.00 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)

 <p>LB #2232</p>	<p><b>TOMOKA ENGINEERING</b>                  CIVIL ENGINEERING &amp; LAND SURVEYING SINCE 1976                  DAYTONA BEACH FLAGLER/PALM COAST                  Main Office: 1410 LPGA Blvd, Daytona Beach, FL 32117                  Phone: 386-274-1600 Fax: 386-274-1602                  email: tomoka@tomoka-eng.com website: www.tomoka-eng.com</p>	<p><b>SKETCH AND DESCRIPTION</b></p>	PROJECT NO. T2132FLCI
			DRAWING REFERENCE NO. 2132-SL3D
			DATE: 12/09/2004
			SHEET NO. 2 OF 3

**SKETCH AND DESCRIPTION**

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**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	I.D.=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
¢=CENTER LINE		MB=MAP BOOK	



**TOMOKA ENGINEERING**

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