

ORDINANCE NO. 2025 - 06

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, ABANDONING A PORTION OF THE CHURCH STREET RIGHT-OF-WAY, CONSISTING OF +/- 0.198 ACRE, LOCATED NORTH OF LOTS 1 THROUGH 7 OF THE DELMAY SUBDIVISION AND SOUTH OF THE WESLEYAN CHURCH CAMPUS; AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the applicant, Mark Watts, Esq., of CobbCole has requested approval of the abandonment of a portion of the Church Street right-of-way, consisting of +/- 0.198 acres, located north of lots 1-7 of the Delmay Subdivision and south of the Wesleyan Church campus, and more particularly described in the attached Exhibit "A"; and

WHEREAS, the requested abandonment of the right-of-way is consistent with the transportation element of the City's Comprehensive Plan; and

WHEREAS, the requested abandonment of this portion of the right-of-way will not restrict access to any property, will not be harmful to the public interest, and provides a positive benefit to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. The 0.198 acres of the Church Street right-of way, located north of lots 1-7 of the Delmay Subdivision and south of the Wesleyan Church campus and described in the attached Exhibit A, is hereby abandoned, and any right, title, or interest of the public in and to the right-of-way on any recorded map or plat, is hereby renounced and disclaimed.

Section 2. The effect of this Ordinance is to abandon +/- 0.198 acres of the Church Street right-of way right-of-way described above, and to renounce and disclaim any right, title, or interest of the public in and to the said right-of-way.

Section 3. The City Clerk-Auditor is hereby directed to have recorded in the public records of Volusia County, Florida, a certified copy of this Ordinance.

Section 4. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

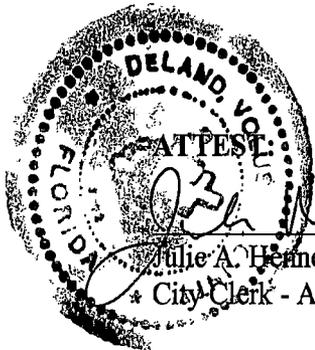
Section 5. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 6. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 5th day of May, 2025.



Christopher M. Cloudman
Mayor-Commissioner

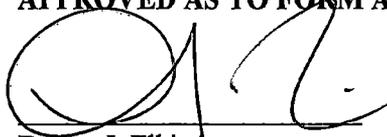


ATTEST:

Julie A. Hennessy
* City Clerk - Auditor

Passed on first reading: April 07, 2025
Adopted on second reading: May 5, 2025

APPROVED AS TO FORM AND LEGALITY:



Darren J. Elkind
City Attorney

Sheet 1 of 2

"EXHIBIT A"

Sketch of Description

Legal Description:

THAT PORTION OF CHURCH STREET LYING NORTH OF AND ADJACENT TO LOTS 1 THROUGH 7, DELMAY SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 8, PAGE 74, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

CONTAINING 8,620.16 SQ. FT. OR 0.198 ACRES ±.

SAID LAND SITUATED, LYING AND BEING IN VOLUSIA COUNTY, FL.

THE INTENT OF THIS DESCRIPTION IS TO VACATE A PORTION OF CHURCH STREET.

This is NOT a Survey.
 This is ONLY a Description.
 This Sketch and Description consist of two sheets and is not full and or complete without both sheets.

Sketch Date: 02-05-25
 Drawn By: AWW
 Approved By: PKI
 Field: N/A

Sketch and Description Certified To:
 COBB COLE ATTORNEYS AT LAW

-Legend-			
C	- Calculated	PC	- Point of Curvature
CL	- Centerline	Pg.	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement	PT	- Point of Tangency
F.E.M.A.	- Federal Emergency Management Agency	R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Frd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rfd.	- Roofed
M	- Measured	Set	- Set 1/2" Rebar & Cap "LB 7623"
N&D	- Nail & Disk	Rebar	- Typical
N.R.	- Non-Radial	Typ.	- Typical
ORB	- Official Records Book	UE	- Utility Easement
P	- Plat	WM	- Water Meter
P.B.	- Plat Book	Δ	- Delta (Central Angle)
W	- Wood Fence	X	- Chain Link Fence

**Ireland & Associates
 Surveying, Inc.**

800 Currency Circle Suite 1020
 Lake Mary, Florida 32746
 www.irelandsurveying.com
 Office-407.678.3366 Fax-407.320.8165

- Notes-**
- >Sketch is Based upon the Legal Description Supplied by Client.
 - >Abutting Properties Deeds have **NOT** been Researched for Gaps, Overlaps and/or Hiatus.
 - >Subject to any Easements and/or Restrictions of Record.
 - >Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
 - >Building Ties are **NOT** to be used to reconstruct Property Lines.
 - >Fence Ownership is **NOT** determined.
 - >Roof Overhangs, Underground Utilities and/or Footers have **NOT** been located **UNLESS** otherwise noted.
 - >Septic Tanks and/or Drainfield locations are approximate and **MUST** be verified by appropriate Utility Location Companies.
 - >Use of This Sketch for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

I hereby Certify that this Sketch and Description of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 63-17.002, Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

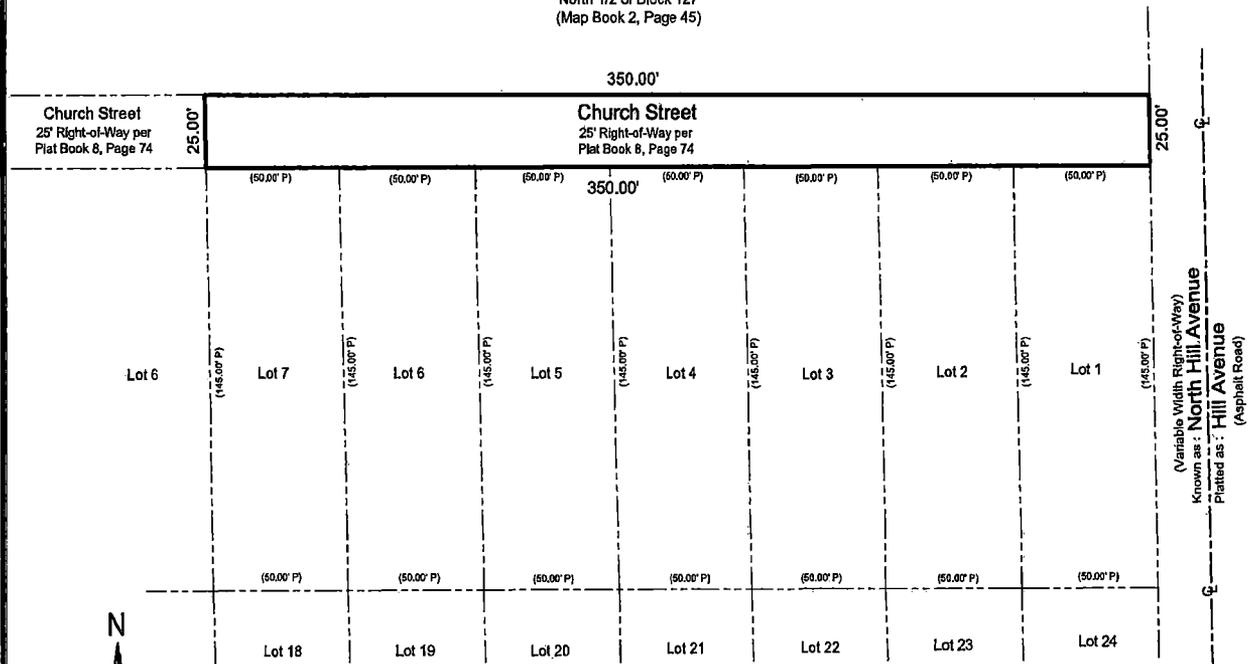
Patrick K. Ireland
 Patrick K. Ireland, F.L.S., P.S.M. 6637 LB 7623
 Date Signed: 02-05-25

This Sketch is intended **ONLY** for the use of Said Certified Parties. This Sketch **NOT VALID UNLESS** Signed and Embossed with Surveyor's Seal. File No. IS-125850

Sheet 2 of 2

Sketch of Description

North 1/2 of Block 127
(Map Book 2, Page 45)



NOT to Scale

This is NOT a Survey.
This is ONLY a Description.
This Sketch and Description consist of two sheets and
is not full and or complete without both sheets.

*Ireland & Associates
Surveying, Inc.*

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