

ORDINANCE NO. 2025 - 13

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF DELAND, BY ADDING THE INSTITUTIONAL OVERLAY FUTURE LAND USE DESIGNATION TO PROPERTY LOCATED AT 1200 SOUTH GARFIELD AVENUE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, F.S. §163.3161, et seq., creates the Community Planning Act (hereinafter the "Act"); and

WHEREAS, the Act allows each local government to approve comprehensive plan amendments related to small scale development activities at any time during the year under certain conditions; and

WHEREAS, the Act permits small area amendments to be approved without regard to statutory limits on the frequency of comprehensive plan amendments as long as:

1. The proposed amendment involves the change to the land use designation of a parcel of property that is 50 acres or less; and
2. The cumulative effect of the above amendment does not exceed 120 acres annually; and

WHEREAS, the City Commission adopted a comprehensive plan for the future growth and development of the City pursuant to Ordinance No. 90-4, as amended, (hereinafter the "Comprehensive Plan"); and

WHEREAS, the City Commission has received a request to amend the Comprehensive Plan by adding the Institutional Overlay future land use designation of approximately +/- 49.37 acres of land located at 1200 South Garfield Avenue; and

WHEREAS, the Planning Board held a public hearing, after due public notice, for the purpose of recommending the adoption of the proposed Comprehensive Plan amendment; and

WHEREAS, the City Commission held a public hearing after due public notice, in accordance with F.S. §163.3184(11); and

WHEREAS, this land use amendment has been transmitted to and reviewed by the Volusia Growth Management Commission.

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

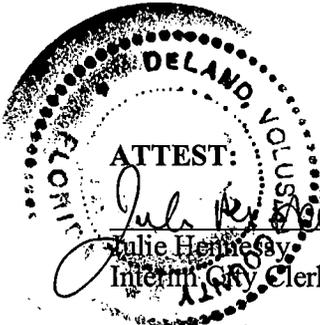
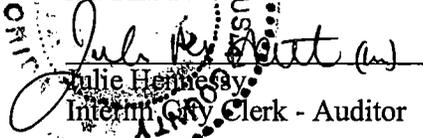
Section 1. The City Commission hereby amends the Future Land Use Map for the incorporated area by adding the Institutional Overlay future land use designation of that certain parcel of land located at 1200 S. Garfield Avenue, consisting of approximately +/- 49.37 acres of land, as more particularly described in the Exhibit "A" attached hereto and by this reference made a part hereof.

Section 2. 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 3. The effective date of this Ordinance shall be the later date of the following events: (1) the date of issuance of a certificate of consistency or conditional certificate of consistency with regard to the land use designation of the subject property by the Volusia Growth Management Commission; (2) thirty-one (31) days after its adoption by the City Commission; or (3) if properly challenged by an affected person, after the state land planning agency or the Administration Commission, respectively, issues a final order determining this adopted small scale development amendment to be in compliance. No development orders, development permits or land uses dependent on this Ordinance may be issued or commence before it has become effective.

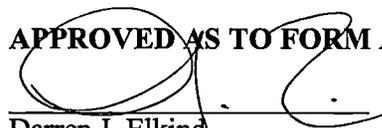
PASSED AND DULY ADOPTED this 3rd day of September, 2025.


Christopher M. Cloudman
Mayor - Commissioner


ATTEST:

Julie Hennessy
Interim City Clerk - Auditor

Passed on first reading: June 16, 2025
Adopted on second reading: September 03, 2025

APPROVED AS TO FORM AND LEGALITY:


Darren J. Elkind
City Attorney

"EXHIBIT A"

DESCRIPTION

VOLUSIA COUNTY PARCEL ID 702100000180 (PER VOLUSIA COUNTY OFFICIAL RECORDS BOOK 1787, PAGE 798):

THE NORTH HALF (N 1/2) OF THE SE 1/4 OF THE SW 1/4 OF THE NE 1/4, SECTION 21 TOWNSHIP 17 SOUTH, RANGE 30 EAST, CONTAINING FIVE ACRES MORE OR LESS.

AND

VOLUSIA COUNTY PARCEL ID 702102000090 (PER VOLUSIA COUNTY OFFICIAL RECORDS BOOK 6466, PAGE 4530):

LOT 9, EXCEPT THE WEST 252.75 FEET THEREOF, PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 3, PAGE 25, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS RIGHT-OF-WAY ON EAST.

AND

VOLUSIA COUNTY PARCEL ID 702100000171 & A PORTION OF VOLUSIA COUNTY PARCEL ID 702100000170 (PER VOLUSIA COUNTY OFFICIAL RECORDS BOOK 7578, PAGE 4747):

THE SOUTH ONE HALF (S 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

VOLUSIA COUNTY PARCEL IDS 702102000061, 702102000060, 702102000052 & 702102000050 (PER VOLUSIA COUNTY OFFICIAL RECORDS BOOK 8373, PAGE 552)

PARCEL 1:

THE WEST 1/2 OF LOT 6, LESS AND EXCEPT THE WESTERLY PORTION THEREOF OCCUPIED BY SOUTH AMELIA AVENUE, ACCORDING TO THE PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE, LOCATED IN THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, RECORDED IN MAP BOOK 3, PAGE 25, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. THIS DESCRIPTION DESCRIBES THE LANDS IDENTIFIED IN OFFICIAL RECORDS BOOK 3766 PAGE 2062.

DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, BEGIN AT THE NORTH 1/4 CORNER OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, OCCUPIED BY A 2 INCH IRON PIPE WITH NO IDENTIFICATION, IN THE ASPHALT ROAD; THENCE S01°03'28"E, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21 AND THE WEST LINE HIRAM WATERS, MAP BOOK 3, PAGE 25, A DISTANCE OF 848.72 FEET TO THE NORTHWEST CORNER OF LOT 6, SAID HIRAM WATERS GROVE; THENCE DEPARTING SAID WEST LINE N89°51'00"E, ALONG THE SOUTHERLY LINE OF LOT 5, SAID HIRAM WATERS GROVE AND THE WESTERLY PROJECTION OF THE SOUTH LINE OF THE LANDS DESCRIBED IN THE FOLLOWING OFFICIAL RECORDS BOOKS AND PAGES: 4262/2015, 1893/0720, 5694/2672, AND 3987/0178, A DISTANCE OF 31.09 FEET TO THE EASTERLY RIGHT OF WAY OF SOUTH AMELIA AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH LINE OF LOT 5, N89°51'00"E, A DISTANCE OF 300.65 FEET TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID LOT 5; THENCE S00°55'48"E, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID LOT 6, A DISTANCE OF 205.75 FEET TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID LOT 6; THENCE S89°56'35"W, ALONG THE NORTH LINE OF LOT 7, OF SAID HIRAM WATERS GROVE A DISTANCE OF 303.93 FEET TO THE EASTERLY LINE OF THE RIGHT OF WAY OF SOUTH AMELIA AVENUE AS NOW OCCUPIED; THENCE N00°00'58"W, ALONG SAID RIGHT OF WAY A DISTANCE OF 205.24 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 1.426 ACRES, MORE OR LESS.

PARCEL 2:

THE EAST 1/2 OF LOT 6, AND THE EAST 1/2 OF THE SOUTH 108.00 FEET OF LOT 5, LESS AND EXCEPT THE WEST 80.00 FEET AND THE EASE 80.00 FEET OF SAID LOT 5, ACCORDING TO THE PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE, LOCATED IN THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, RECORDED IN MAP BOOK 3, PAGE 25, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. THIS DESCRIPTION DESCRIBES THE LANDS IDENTIFIED IN OFFICIAL RECORDS BOOK 1893 PAGE 0720.

DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, BEGIN AT THE NORTH 1/4 CORNER OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, OCCUPIED BY A 2 INCH IRON PIPE IN THE ASPHALT ROAD; THENCE S01°03'28"E, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21 AND THE WEST LINE HIRAM WATERS, MAP BOOK 3, PAGE 25 A DISTANCE OF 848.72 FEET TO THE NORTHWEST CORNER OF LOT 6, SAID HIRAM WATERS

GROVE; THENCE DEPARTING SAID WEST LINE N89°51'00"E ALONG THE SOUTHERLY LINE OF LOT 5, SAID HIRAM WATERS GROVE AND THE WESTERLY PROJECTION OF THE SOUTH LINE OF THE LANDS DESCRIBED IN THE FOLLOWING OFFICIAL RECORDS BOOKS AND PAGES: 4262/2015, 1893/0720, 5694/2672, AND 3987/0178, A DISTANCE OF 331.74 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF SAID LOT 5, AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH LINE OF LOT 5, N89°51'00"E, A DISTANCE OF 80.01 FEET TO THE SOUTHEAST CORNER OF THE WEST 80.00 FEET OF THE EAST 1/2 OF SAID LOT 5; THENCE N00°55'48"W, ALONG THE EAST LINE OF THE WEST 80.00 FEET OF THE EAST 1/2 OF SAID LOT 5, A DISTANCE OF 108.01 FEET TO THE NORTHEAST CORNER OF THE EAST LINE OF THE WEST 80.00 FEET OF THE SOUTH 108.00 FEET OF SAID LOT 5; THENCE N89°51'00"E, ALONG THE NORTH LINE OF THE SOUTH 108.00 FEET OF SAID LOT 5, A DISTANCE OF 171.97 FEET TO THE NORTHWEST CORNER OF THE EAST 80 FEET OF THE SOUTH 108.00 FEET OF SAID LOT 5; THENCE S00°48'10"E, ALONG THE WEST LINE OF THE EAST 80.00 FEET OF SAID LOT 5, A DISTANCE OF 108.01 FEET TO THE SOUTHWEST CORNER OF THE EAST 80.00 FEET OF SAID LOT 5; THENCE N89°51'00"E, ALONG THE AFORESAID SOUTH LINE OF LOT 5, A DISTANCE OF 80.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5, AND THE WESTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5166 PAGE 3678; THENCE S00°48'10"E, ALONG THE EASTERLY LINE OF SAID LOT 6, AND SAID WEST LINE RECORDED IN OFFICIAL RECORDS BOOK 5166 PAGE 3678 DISTANCE OF 206.28 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE S89°56'35"W, ALONG THE NORTH LINE OF LOT 7, OF SAID HIRAM WATERS GROVE A DISTANCE OF 331.29 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF SAID LOT 6; THENCE N00°55'48"W, ALONG THE EAST LINE OF THE WEST 1/2 OF SAID LOT 6, A DISTANCE OF 205.75 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 1.994 ACRES, MORE OR LESS.

PARCEL 4:

THE WEST 80.00 FEET OF THE EAST 1/2 OF LOT 5, ACCORDING TO THE PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE, LOCATED IN THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, RECORDED IN MAP BOOK 3, PAGE 25, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. THIS DESCRIPTION DESCRIBES THE LANDS IDENTIFIED IN OFFICIAL RECORDS BOOK 5694 PAGE 2672.

DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, BEGIN AT THE NORTH 1/4 CORNER OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, OCCUPIED BY A 2 INCH IRON PIPE WITH NO IDENTIFICATION, IN THE ASPHALT ROAD; THENCE S01°03'28"E, ALONG THE WEST LINE

OF THE NORTHEAST 1/4 OF SAID SECTION 21 AND THE WEST LINE HIRAM WATERS, MAP BOOK 3, PAGE 25 A DISTANCE OF 848.72 FEET TO THE NORTHWEST CORNER OF LOT 6, SAID HIRAM WATERS GROVE; THENCE DEPARTING SAID WEST LINE N89°51'00"E ALONG THE SOUTHERLY LINE OF LOT 5, SAID HIRAM WATERS GROVE AND THE WESTERLY PROJECTION OF THE SOUTH LINE OF THE LANDS DESCRIBED IN THE FOLLOWING OFFICIAL RECORDS BOOKS AND PAGES: 4262/2015, 1893/0720, 5694/2672, AND 3987/0178, A DISTANCE OF 331.74 FEET TO THE SOUTHEAST CORNER OF THE WEST 1/2 SAID LOT 5, AND THE POINT OF BEGINNING; THENCE N00°55'48"W, ALONG EAST LINE OF THE WEST 1/2 OF SAID LOT 5, A DISTANCE OF 108.01 FEET TO THE NORTHWEST CORNER OF THE SOUTH 108.00 FEET OF THE EAST 1/2 OF SAID LOT 5; THENCE N89°51'00"E, ALONG THE NORTH LINE OF THE SOUTH 108.00 FEET OF SAID LOT 5, A DISTANCE OF 80.01 FEET TO THE NORTHEAST CORNER OF THE WEST 80.00 FEET OF THE SOUTH 108.00 FEET OF THE EAST 1/2 OF LOT 5; THENCE S00°55'48"E, ALONG THE EAST LINE OF THE WEST 80.00 FEET OF THE EAST 1/2 OF SAID LOT 5, A DISTANCE OF 108.01 TO SOUTHEAST CORNER OF THE WEST 80 FEET OF THE EAST 1/2 OF SAID LOT 5; THENCE S89°51'00"W, ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 0.198 ACRES, MORE OR LESS.

PARCEL 5:

THE EAST 80.00 FEET LESS THE EAST 20.00 FEET OF LOT 5, ACCORDING TO THE PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE, LOCATED IN THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, RECORDED IN MAP BOOK 3, PAGE 25, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. THIS DESCRIPTION DESCRIBES THE LANDS IDENTIFIED IN OFFICIAL RECORDS BOOK 398 PAGE 0178.

DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, BEGIN AT THE NORTH 1/4 CORNER OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, OCCUPIED BY A 2 INCH IRON PIPE WITH NO IDENTIFICATION, IN THE ASPHALT ROAD; THENCE S01°03'28"E, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21 AND THE WEST LINE HIRAM WATERS, MAP BOOK 3, PAGE 25 A DISTANCE OF 848.72 FEET TO THE NORTHWEST CORNER OF LOT 6, SAID HIRAM WATERS GROVE; THENCE DEPARTING SAID WEST LINE N89°51'00"E ALONG THE SOUTHERLY LINE OF LOT 5, SAID HIRAM WATERS GROVE AND THE WESTERLY PROJECTION OF THE SOUTH LINE OF THE LANDS DESCRIBED IN THE FOLLOWING OFFICIAL RECORDS BOOKS AND PAGES: 4262/2015, 1893/0720, 5694/2672, AND 3987/0178, A DISTANCE OF 583.47 FEET TO THE SOUTHWEST CORNER OF THE EAST 80.00

FEET SAID LOT 5, AND THE POINT OF BEGINNING; THENCE N00°48'10"W, ALONG THE WEST LINE OF THE EAST 80.00 FEET OF SAID LOT 5, A DISTANCE OF 108.01 FEET TO THE NORTHWEST CORNER OF THE EAST 80.00 FEET OF THE SOUTH 108.00 FEET OF SAID LOT 5; THENCE N89°51'00"E, ALONG THE NORTH LINE OF THE SOUTH 108.00 FEET OF SAID LOT 5, A DISTANCE OF 60.00 FEET TO THE NORTHWEST CORNER OF THE EAST 20.00 FEET OF THE SOUTH 108.00 FEET OF SAID LOT 5; THENCE S00°48'10"E, ALONG THE WEST LINE OF THE EAST 20.00 FEET OF SAID LOT 5, A DISTANCE OF 108.01 FEET TO THE SOUTHWEST CORNER OF THE EAST 20.00 FEET OF SAID LOT 5; THENCE S89°51'00"W, ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 0.149 ACRES, MORE OR LESS

AND

VOLUSIA COUNTY PARCEL ID 702100000170 (PER VOLUSIA COUNTY PROPERTY APPRAISER - NO OTHER LEGAL DESCRIPTION FOUND OR PROVIDED):

21 17 30 NE 1/4 OF SW 1/4 OF NE 1/4 & W 1/2 OF SW 1/4 OF NE 1/4 EXC S 214.17 FT MEAS ON E/L & S 41.48 FT MEAS ON W/L

AND

VOLUSIA COUNTY PARCEL IDS 702101000210 & 702101000220 (PER VOLUSIA COUNTY OFFICIAL RECORDS BOOK 8267, PAGE 237):

PARCEL 1:

LOT 21, CLARK HARPER'S SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 21 TOWNSHIP 17 SOUTH, RANGE 30 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 9, PAGE 15 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

PARCEL 2:

LOTS 22 THROUGH 26, CLARK HARPER'S SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 9, PAGE 15, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

VOLUSIA COUNTY PARCEL ID 702101000190 (PER VOLUSIA COUNTY OFFICIAL RECORDS BOOK 6748, PAGE 2719):

LOT 19, CLARK HARPER'S SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 15, OF THE CURRENT PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

ALL BEING MORE PARTICULARLY DESCRIBED AS:

DESCRIPTION (BY THIS SURVEYOR):

PARCEL 1

A PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, LYING IN VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF BERESFORD AVENUE AND THE CENTERLINE OF AMELIA AVENUE AS SHOWN ON THE PLAT OF GOLF VIEW HEIGHTS AS RECORDED IN MAP BOOK 23, PAGE 175 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID POINT BEING THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST; THENCE ALONG THE NORTH LINE OF SAID SECTION 21, N89°30'53"E, A DISTANCE OF 1,310.49 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S01°00'41"E ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 1,038.57 TO THE NORTHEAST CORNER OF LOT 9 AS SHOWN ON THE PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE AS RECORDED IN MAP BOOK 3, PAGE 25 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S89°56'03"W ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 25.00 FEET TO THE WEST RIGHT OF WAY LINE OF SOUTH GARFIELD AVENUE (AN APPARENT 50.00 FOOT RIGHT OF WAY) AND THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT OF WAY LINE, S01°00'41"E, A DISTANCE OF 1,384.52 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE N89°30'37"W ALONG SAID NORTH LINE, A DISTANCE OF 634.69 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S00°54'37"E ALONG THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 314.57 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST NEW HAMPSHIRE AVENUE; THENCE

N89°22'19"W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 630.29 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH AMELIA AVENUE; THENCE N00°48'29"W ALONG THE EAST RIGHT OF WAY OF AMELIA AVENUE (AN APPARENT 60.00 FOOT RIGHT OF WAY), A DISTANCE OF 1,890.21 FEET TO A POINT ON THE SOUTH LINE OF LOT 5 AS SHOWN ON THE PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE AS RECORDED IN MAP BOOK 3, PAGE 25 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N89°56'05"E ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 298.38 FEET TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID LOT 5; THENCE N00°51'33"W ALONG THE EAST LINE OF THE WEST HALF OF SAID LOT 5, A DISTANCE OF 108.01 FEET TO THE NORTH LINE OF THE SOUTH 108.00 FEET OF SAID LOT 5; THENCE N89°56'05"E ALONG THE NORTH LINE OF THE SOUTH 108.00 FEET OF SAID LOT 5, A DISTANCE OF 308.29 FEET TO THE NORTHEAST CORNER OF THE WEST 60.00 FEET OF THE EAST 80.00 FEET OF THE SOUTH 108.00 FEET OF SAID LOT 5; THENCE S00°54'37"E ALONG THE EAST LINE OF THE WEST 60.00 FEET OF THE EAST 80.00 FEET OF SAID LOT 5, A DISTANCE OF 108.01 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE N89°56'05"E ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF LOT 6 AS SHOWN ON SAID PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE; THENCE S00°54'37"E ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 204.99 FEET TO THE NORTHWEST CORNER OF LOT 9 AS SHOWN ON SAID PLAT OF THE ASSESSOR'S SUBDIVISION OF HIRAM WATERS GROVE; THENCE N89°56'03"E ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 632.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 48.171 ACRES, MORE OR LESS.

PARCEL 2

LOTS 21 THROUGH 26, CLARK HARPER'S SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 9, PAGE 15, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST; THENCE N89°22'19"W ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 1,320.71 FEET TO THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID POINT ALSO BEING THE

SOUTHEAST CORNER OF CLARK HARPER'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN MAP BOOK 9, PAGE 15, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N01°00'41"W ALONG THE EAST LINE OF CO SAID CLARK HARPER'S SUBDIVISION AND THE EAST LINE OF THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 326.18 FEET TO THE INTERSECTION OF THE EAST LINE OF THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 AND THE EASTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF MANSFIELD AVENUE AS SHOWN ON SAID CLARK HARPER'S SUBDIVISION; THENCE N89°30'37"W ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 20.01 FEET TO THE NORTHEAST CORNER OF LOT 19 OF SAID CLARK HARPER'S SUBDIVISION; THENCE CONTINUE N89°30'37"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 184.11 FEET TO THE NORTHEAST CORNER OF LOT 21 OF SAID CLARK HARPER'S SUBDIVISION AND THE POINT OF BEGINNING; THENCE S00°58'53"E ALONG THE EAST LINE OF SAID LOT 21, A DISTANCE OF 150.34 FEET TO THE SOUTHEAST CORNER OF SAID LOT 21; THENCE N89°26'28"W ALONG THE SOUTH LINE OF LOTS 21 THROUGH 26 OF SAID CLARK HARPER'S SUBDIVISION, A DISTANCE OF 301.95 FEET TO THE SOUTHWEST CORNER OF LOT 26; THENCE N00°55'55"W ALONG THE WEST LINE OF SAID LOT 26, A DISTANCE OF 149.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 26, BEING ON THE SOUTH RIGHT OF WAY LINE OF SAID MANSFIELD AVENUE; THENCE S89°30'37"E ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 301.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.040 ACRES, MORE OR LESS.

PARCEL 3

LOT 19, CLARK HARPER'S SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 9, PAGE 15, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 17 SOUTH, RANGE 30 EAST; THENCE N89°22'19"W ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 1,320.71 FEET TO THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, SAID POINT ALSO BEING THE

SOUTHEAST CORNER OF CLARK HARPER'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN MAP BOOK 9, PAGE 15, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N01°00'41"W ALONG THE EAST LINE OF SAID CLARK HARPER'S SUBDIVISION AND THE EAST LINE OF THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 326.18 FEET TO THE INTERSECTION OF THE EAST LINE OF THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 AND THE EASTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF MANSFIELD AVENUE AS SHOWN ON SAID CLARK HARPER'S SUBDIVISION; THENCE N89°30'37"W ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 20.01 FEET TO THE NORTHEAST CORNER OF LOT 19 OF SAID CLARK HARPER'S SUBDIVISION AND THE POINT OF BEGINNING; THENCE S01°00'41"E ALONG THE EAST LINE OF SAID LOT 19, A DISTANCE OF 50.19 FEET TO THE SOUTHEAST CORNER OF SAID LOT 19; THENCE N89°29'14"W ALONG THE SOUTH LINE OF SAID LOT 19, A DISTANCE OF 133.82 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19; THENCE N00°59'23"W ALONG THE WEST LINE OF SAID LOT 19, A DISTANCE OF 50.13 FEET TO THE NORTHWEST CORNER OF SAID LOT 19, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF SAID MANSFIELD AVENUE; THENCE S89°30'37"E ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 133.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,710 SQUARE FEET, MORE OR LESS.