

POLK COUNTY ORDINANCE NO. 22-001

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 18-036, WHICH ESTABLISHED THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, AS PREVIOUSLY AMENDED BY ORDINANCE NUMBERS 20-028 AND 20-046; PROVIDING FOR AMENDMENT TO SECTION 5 OF THE ORDINANCE TO CHANGE THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT PURSUANT TO SECTION 190.046, FLORIDA STATUTES, BY ADDING APPROXIMATELY 153.5 ACRES OF LAND AND CONTRACTING APPROXIMATELY 4.303 ACRES OF LAND THERETO; PROVIDING FOR AMENDMENT TO ORDINANCE NUMBER 18-036, AS AMENDED BY ORDINANCE NUMBER 20-028 AND ORDINANCE NUMBER 20-046, TO FURTHER AMEND EXHIBIT A OF SAID ORDINANCE TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 5, 2018, the Board of County Commissioners of Polk County (the “County Commission”) pursuant to Section 190.005(2)(a), *Florida Statutes*, adopted Ordinance No. 18-036, and approved and consented to by the City Commission of Davenport, Florida (the “City”), pursuant to Resolution No. 387-18, adopted on March 19, 2018, which established the North Powerline Road Community Development District (“District”); and

WHEREAS, on June 16, 2020, the County Commission adopted Ordinance No. 20-028, amending Ordinance 18-036, expanding the boundaries of the District, which amended boundaries are described in Exhibit A to Ordinance 20-028; and

WHEREAS, on December 1, 2020, the County Commission adopted Ordinance No. 20-046, further amending Ordinance 18-036 (together, the “Ordinance”), expanding the boundaries of the District, which amended boundaries are described in Exhibit A to Ordinance 20-046; and

WHEREAS, the County has received from the Board of Supervisors of the District, a “Petition to Amend the Boundary of the North Powerline Road Community Development District,” dated October 21, 2021 (the “Petition”), which Petition is in compliance with the provisions of Section 190.046, *Florida Statutes*; and

WHEREAS, pursuant to Section 190.046(1)(b), *Florida Statutes*, on December 6, 2021, following a publicly advertised meeting, the City adopted Resolution 474-21, consenting and approving to the County Commission's amendment of the Ordinance; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County Commission on January 4, 2022, pursuant to Section 190.046(1)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that duly noticed hearing, the County Commission has considered the record of the public hearing and the statutory factors set forth in Section 190.046(1)(b), *Florida Statutes*, in making its determination to grant or deny the Petition; and

WHEREAS, the County Commission, pursuant to the information contained within the Petition and based on an investigation conducted by the Polk County (the "**County**") staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

- (1) The statements within the Petition are true and correct; and
- (2) The Petition is complete in that it meets the requirements of Section 190.046(1)(a), *Florida Statutes* (2021); and
- (3) The appropriate County staff have reviewed the Petition of the District on the proposed lands to be included within the District and have advised the County Commission that said Petition is complete and sufficient; and
- (4) Amendment of the District boundaries and all land uses and services planned within the District, as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the applicable and effective local comprehensive plans; and

(5) The area of land to be included within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and

(6) The District, as amended, is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and

(7) The community development services and facilities of the District, as amended, will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(8) The area that will be served by the District, as amended, is amenable to separate special-district government; and

WHEREAS, pursuant to the information stated above, the County Commission has decided to grant the District's Petition to Expand the Boundary of the North Powerline Road Community Development District; and

WHEREAS, the amendment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

WHEREAS, the amendment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, upon the effective date of this Ordinance, the North Powerline Road Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

SECTION 1. TITLE. This Ordinance shall be known and may be cited as the "North Powerline Road Community Development District Boundary Amendment Ordinance No. 3."

SECTION 2. BOARD FINDINGS. The Board findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

SECTION 3. AUTHORITY. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. Section 5, External Boundaries of the District of Ordinance No. 18-036, as previously amended, is hereby further amended as described and as set forth in Exhibit "A" of this Ordinance, attached hereto and incorporated herein. Further, the District boundaries shall encompass approximately 429.51 acres, more or less.

SECTION 5. LEGAL DESCRIPTION OF THE DISTRICT. Exhibit "A" of Ordinance No. 18-036, as amended, is hereby replaced in its entirety with a new Exhibit "A", which is attached hereto and incorporated herein, and which accurately depicts the external boundaries of the District.

SECTION 6. ALL OTHER CONDITIONS TO REMAIN UNCHANGED. All other terms and conditions of Ordinance No. 18-036, as amended, shall remain unchanged and enforceable in accordance with the terms expressed herein.

SECTION 7. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgement that a copy of this Ordinance has been filed with the Secretary of State.

DULY ADOPTED by the Polk County Board of County Commissioners with a quorum present and voting this 4th day of January, 2022.

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY, FLORIDA

By: 
Chairman/Vice-Chairman

ATTEST:
POLK COUNTY CLERK OF THE BOARD

By: 
Clerk/Deputy Clerk of the Board



EXHIBIT A- LEGAL DESCRIPTION

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77°13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14° WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED AS FOLLOWS: BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14° 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

PARCEL 13: (272702-713000-040170)

THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY; ALSO DESCRIBED AS LOTS 17 AND 18 IN THE SW 1/4 OF SECTION 2, FLORIDA DEVELOPMENT COMPANY SUB (PLAT BOOK 3, PAGE 60-63), LESS EXISTING ROAD RIGHT-OF-WAY:

PARCEL 14: (272702-713000-040310)

TRACTS 31 AND 32 IN THE SW 1/4 OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, OF FLORIDA DEVELOPMENT COMPANY TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 15: (272703-713500-020070)

TRACTS G AND H IN THE SE 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, OF FLORIDA DEVELOPMENT COMPANY TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 16: (272710-730000-010901 AND 272710-730000-011202)

PARCEL 1:

TRACTS "L" AND "M" OF FLORIDA DEVELOPMENT CO. TRACT SUBDIVISION, LYING IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING FIVE DESCRIBED LANDS:

(1)

BEGINNING AT A POINT 411.63 FEET NORTH AND 30 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST; THENCE WEST 61.25 FEET, THENCE SOUTH 190.82 FEET, THENCE EAST 61.15 FEET, THENCE NORTH 190.81 FEET TO THE POINT OF BEGINNING; ABOVE DESCRIBED PARCEL BEING A PART OF LOT "M" OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION.

(2)

BEGINNING AT A POINT IN THE CENTERLINE OF A CONCRETE DRIVEWAY AT ITS INTERSECTION WITH THE SOUTH LINE OF LOT "M" IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO THE PLAT OF FLORIDA DEVELOPMENT CO. TRACT SUBDIVISION, RECORDED IN PLAT BOOK 3, PAGES 60 ET SEQ., 577.92 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT "M" AND RUN THENCE NORTHERLY WITH THE CENTERLINE OF SAID CONCRETE DRIVEWAY 125 FEET, THENCE WEST TO THE WEST LINE OF SAID LOT "M", THENCE SOUTH ALONG THE WEST LINE OF SAID LOT "M" TO THE SOUTH LINE OF LOT "M", THENCE EAST TO THE POINT OF BEGINNING.

(3)

BEGINNING AT A POINT IN THE CENTERLINE OF A CONCRETE DRIVEWAY AT ITS INTERSECTION WITH THE SOUTH LINE OF LOT "M" IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, 577.92 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT "M", THENCE NORTHERLY WITH THE CENTERLINE OF SAID CONCRETE DRIVEWAY 125 FEET, THENCE EAST 75 FEET, THENCE SOUTH 125 FEET, THENCE WEST 78.5 FEET TO THE POINT OF BEGINNING.

(4)

BEGINNING AT A POINT IN THE WEST LINE OF LOT "M" IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, WHERE AN IRON PIPE IS SET IN THE WEST LINE OF SAID LOT "M" APPROXIMATELY 225 FEET NORTH OF THE SOUTH LINE OF SAID LOT "M", RUN THENCE EAST 150 FEET, THENCE NORTH 50 FEET, THENCE WEST 150 FEET TO THE WEST LINE OF SAID LOT "M", THENCE SOUTH ON THE WEST LINE OF SAID LOT "M" TO THE POINT OF BEGINNING.

(5)

BEGIN AT A POINT IN THE WEST LINE OF LOT "M" OF FLORIDA DEVELOPMENT CO. TRACT SUBDIVISION, PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, WHERE AN IRON PIPE IS SET IN THE WEST LINE OF SAID LOT "M" APPROXIMATELY 225 FEET NORTH OF THE SOUTH LINE OF SAID LOT "M" FOR A POINT OF BEGINNING, RUN THENCE EAST 150 FEET, THENCE SOUTH 100 FEET, MORE OR LESS, TO A POINT 125 FEET NORTH OF THE SOUTH BOUNDARY LINE OF SAID LOT "M", THENCE WEST 150 FEET TO THE WEST BOUNDARY LINE OF SAID LOT "M", THENCE NORTH THE WEST LINE OF SAID LOT "M" TO THE POINT OF BEGINNING.

Parcel 2:

THAT PORTION OF TRACTS I AND K IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, DESCRIBED AS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 10 AND RUN SOUTH 00 DEGREES 16 MINUTES 36 SECONDS WEST, 15.00 FEET TO A POINT ON THE SOUTH RIGHT

OF WAY LINE OF HORSE SHOE CREEK ROAD, ALSO KNOWN AS PALMETTO STREET; THENCE NORTH 89 DEGREES 47 MINUTES 39 SECONDS WEST ALONG SAID SOUTH RIGHT OF WAY LINE, 15.00 FEET TO THE WEST RIGHT OF WAY LINE OF AN UNOPENED PLATTED RIGHT OF WAY, AND THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 16 MINUTES 36 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE, 647.46 FEET TO THE SOUTH BOUNDARY OF SAID TRACT K; THENCE NORTH 89 DEGREES 49 MINUTES 06 SECONDS WEST ALONG SAID SOUTH BOUNDARY OF TRACT K, 625.98 FEET TO THE EAST RIGHT OF WAY LINE OF EAST BOULEVARD; THENCE NORTH 00 DEGREES 20 MINUTES 54 SECONDS WEST ALONG SAID EAST RIGHT OF LINE, 15.00 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF HARTTS SUBDIVISION, FIRST ADDITION, RECORDED IN PLAT BOOK 90, PAGE 15, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 49 MINUTES 06 SECONDS EAST ALONG THE SOUTH BOUNDARY OF SAID LOT 6,

145.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE NORTH 00 DEGREES 20 MINUTES 54 SECONDS WEST ALONG THE EAST BOUNDARY OF SAID LOT 6, AND THE EAST BOUNDARY OF LOT 1 OF HARTTS SUBDIVISION, RECORDED IN PLAT BOOK 89, PAGE 33, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, 132.50 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 06 SECONDS EAST, 155.00 FEET; THENCE NORTH 00 DEGREES 20 MINUTES 54 SECONDS WEST PARALLEL WITH THE EAST BOUNDARY OF SAID HARTTS SUBDIVISION, 500.12 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF A PLATTED RIGHT OF WAY LINE LYING 15.00 FEET SOUTH OF THE NORTH BOUNDARY OF SAID SECTION 10; THENCE SOUTH 89 DEGREES 47 MINUTES 39 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, 333.04 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PORTION OF SAID TRACT IOF SAID FLORIDA DEVELOPMENT COMPANY SUBDIVISION IN THE NORTHEAST 1/4 OF SAID SECTION 10, TOWNSHI P 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LYING NORTH OF PALMETTO STREET/HORSE SHOE CREEK ROAD, AS NOW IN USE, LESS AND EXCEPT RIGHTS OF WAY OF RECORD AND/OR IN USE.

PARCEL 17: (272710-730000-012000)

LOT 21 AND THE EAST 264 FEET OF LOT 20 IN THE NE 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, OF FLORIDA DEVELOPMENT COMPANY TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT THE NORTH 226.0 FEET OF THE EAST 175.4 FEET OF SAID LOT 21.

AND

TRACT 28 IN THE NE 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, OF FLORIDA DEVELOPMENT COMPANY TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; LESS AND EXCEPT THE SOUTH 25 FEET THEREOF FOR ROAD RIGHT-OF-WAY CONVEYED TO POLK COUNTY IN O.R. BOOK 1234, PAGE 482, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 18: (272710-730000-012200)

LOTS 22 AND 23 IN THE NE 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT COMPANY TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA. LESS AND EXCEPT

A PORTION OF TRACT 22 IN THE NE 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 22; THENCE NORTH 89°43'39" EAST ALONG THE NORTH LINE OF SAID TRACT 22, A DISTANCE OF 223.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°16'21" EAST, 120.00 FEET; THENCE NORTH 89°43'39" EAST, 110.00 FEET; THENCE NORTH 00°16'21" WEST, 120.00 FEET TO SAID NORTH LINE OF TRACT 22; THENCE SOUTH 89°43'39" WEST ALONG SAID NORTH LINE OF TRACT 22, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING.

PARCEL 19: (272710-730000-020500, 272710-733500-006011)

TRACTS 5 AND 6 IN SE 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT COMPANY TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS THE NORTH 25 FEET FOR ROAD RIGHT-OF-WAY.

AND

THE WEST 45 FEET OF BLOCK 6, AND THE WEST 45 FEET OF SYLVAN WAY, DRUID HILLS UNIT NUMBER ONE ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 19, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 20: (272703-713500-010232)

SOUTH 100 FEET OF WEST 84.74 FEET OF TRACT 23, SOUTH 15 FEET OF TRACT 25 AND SOUTH 15' OF E 3/4 OF TRACT 26 AND W 1/4 OF TRACT 26 AND SOUTH 15 FEET OF TRACT 27, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO PLAT THEREOF AND RECORDED IN PLAT BOOK 3 PAGES 60 THROUGH 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

PARCEL NUMBER 21: (272702-713000-040190)

TRACTS 19 AND 20, MAP OF FLORIDA DEVELOPMENT CO TRACT IN THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL NUMBER 22: (272702-713000-040210)

TRACTS 21 AND 22 OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, ON PAGES 60 THROUGH 63, INCLUSIVE, IN THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL NUMBER 23: (272702-713000-040230)

TRACTS 23 AND 24 OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGES 60-63 LOCATED IN SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL NUMBER 24: (272702-713000-040251)

THE NORTH 396 FEET OF TRACT 25 AND TRACT 26 LEES THE SOUTH 396 FEET OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGES 60 - 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING IN SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST.

PARCEL NUMBER 25: (272702-713000-040260)

THE SOUTH 396 FEET OF TRACT 26 OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION IN THE SW 1/4 OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 SOUTH, POLK COUNTY FLORIDA.

PARCEL NUMBER 26: (272710-730000-021201)

THE W 1/2 OF SW 1/4 OF NE 1/4 OF SE 1/4 IN SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, LESS THE W 208 FEET OF THE S 208 FEET TOGETHER WITH A 1971 AMERICAN HOME MOBILE HOME ID# HDGA070994.

PARCEL NUMBER 27: (272710-730000-022200)

TRACT 22 IN THE SE 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL NUMBER 28: (272710-730000-022700)

TRACTS 27 AND 28 IN THE SE 1/4 OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL NUMBER 29: (272715-739500-010011 AND 272715-739500-010050)

FLORIDA DEVELOPMENT COMPANY SUBDIVISION, PLAT BOOK 3, PAGES 60 TO 63, TRACTS 1 TO 6, LESS LOTS 1, 2, AND 3, OF BLOCK A, LAKEWOOD PARK UNIT #3, ALL IN THE NE 1/4 OF SECTION 15, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA

PARCEL NUMBER 30: (272715-740000-000010)

GROVE LOT 1 OF THE REPLAT OF DIAMOND SHORES, BEING A REPLAT OF LOTS 7, 8, 9, 10, AND 11 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 27 SOUTH, RANGE 27 EAST, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 30, PAGE 24, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL NUMBER 31: 272702-713000-030191

THE SOUTH 1/4 OF TRACT 19, THE EAST 1/2 OF TRACT 31 AND TRACTS 20, 21, 28, 29 AND 30 LESS THE EAST 95.7 FEET AND LESS THE WEST 750 FEET OF THE SOUTH 200 FEET OF THE FLORIDA DEVELOPMENT COMPANY TRACT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3 PAGES 60 THROUGH 63 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 17 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 2, RUN THENCE ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 2, S.00°13'11"E., A DISTANCE OF 1313.95 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4; THENCE N.89°43'42"E., A DISTANCE OF 990.55 FEET TO THE NORTHERLY EXTENSION OF THE WESTERLY BOUNDARY OF SAID TRACT 20; THENCE ALONG SAID NORTHERLY EXTENSION, S.00°22'03"E., A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT 20, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE NORTH BOUNDARY OF SAID TRACTS 20 AND 21, N.89°43'42"E., A DISTANCE OF 554.70 FEET TO A LINE 95.70 FEET WEST OF AND PARALLEL WITH THE EAST BOUNDARY OF SAID TRACTS 21 AND 28; THENCE ALONG SAID PARALLEL LINE, S.00°28'11"E., A DISTANCE OF 1282.40 FEET TO THE SOUTH BOUNDARY OF SAID TRACT 28 AND 29; THENCE ALONG SAID SOUTH BOUNDARY, S.89°39'34"W., A DISTANCE OF 296.49 FEET TO A LINE 750 FEET EAST OF AND PARALLEL WITH THE WEST BOUNDARY OF THE EAST 1/2 OF SAID TRACT 31; THENCE ALONG SAID PARALLEL LINE, N.00°17'28"W., A DISTANCE OF 200.00 FEET TO A LINE 200 FEET NORTH OF AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID TRACTS 29, 30 AND 31; THENCE ALONG SAID PARALLEL LINE, S.89°39'34"W., A DISTANCE OF 750.00 FEET TO THE AFORESAID WEST BOUNDARY OF THE EAST 1/2 OF TRACT 31; THENCE ALONG SAID WEST BOUNDARY, N.00°17'28"W., A DISTANCE OF 441.83 FEET TO THE NORTHWEST CORNER OF SAID EAST 1/2; THENCE ALONG THE NORTH BOUNDARY OF SAID TRACT 31, N.89°41'38"E., A DISTANCE OF 162.88 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 19; THENCE ALONG THE WEST BOUNDARY OF SAID TRACT 19, N.00°18'59"W., A DISTANCE OF 160.43 FEET TO THE NORTH BOUNDARY OF SAID SOUTH 1/4 OF TRACT 19; THENCE ALONG SAID NORTH BOUNDARY, N.89°42'09"E., A DISTANCE OF 325.63 FEET TO THE WEST BOUNDARY OF SAID TRACT 20; THENCE ALONG SAID WEST BOUNDARY, N.00°22'03"W., A DISTANCE OF 481.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.329 ACRES, MORE OR LESS.

PARCEL NUMBER 32: 272702-713000-030211

(PER BOOK 11017, PAGES 1680 - 1681): TRACTS 20, 21, 28, 29, 30 AND THE EAST 1/2 OF TRACT 31 AND THE SOUTH 1/4 OF TRACT 19, LESS THE EAST 95.7 FEET OF SAID TRACTS 21 AND 28, IN THE NW 1/4 OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND THE NORTH 182.60 FEET OF TRACTS 1 THROUGH 4 AND THE WEST 60.00 FEET OF TRACTS 1 AND 16, IN THE SW 1/4 OF SAID SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, ALL SHOWN ON THE PLAT OF FLORIDA

DEVELOPMENT COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 3, PAGES 60 - 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA. SUBJECT TO RIGHTS-OF-WAY AND/OR EASEMENTS OF RECORD AND/OR IN USE. TOGETHER WITH THAT CERTAIN 1998 FLEETWOOD MOBILE HOME, ID # GAFL W07 A424 L 6W222, LOCATED THEREON.

PARCEL NUMBER 33: 272710-730000-010904

THAT PORTION OF SAID TRACT I OF SAID FLORIDA DEVELOPMENT CO. TRACT SUBDIVISION IN THE NORTHEAST 1/4 OF SAID SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, AS SHOWN ON THE MAP OR PLAT RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING NORTH OF PALMETTO STREET/HORSE SHOE CREEK ROAD, AS NOW IN USE, LESS AND EXCEPT RIGHTS OF WAY OF RECORD AND/OR IN USE.

LESS A PORTION OF EXISTING PARCEL 4: 272703-713500-010031

DESCRIPTION: A PORTION OF TRACTS 3 & 4, OF FLORIDA DEVELOPMENT COMPANY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF US 17-92, AS RECORDED IN DEED BOOK 515, PAGE 105, OF THE PUBLIC RECORDS OF SAID COUNTY AND THE NORTH BOUNDARY OF SAID NORTHEAST 1/4 OF SECTION 3, RUN THENCE ALONG SAID NORTH BOUNDARY, S 89°00'46" E, A DISTANCE OF 345.37 FEET; THENCE S 27°20'24" W, A DISTANCE OF 257.08 FEET; THENCE S 06°18'39" W, A DISTANCE OF 194.37 FEET; THENCE N 76°15'52" W, A DISTANCE OF 301.53 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY OF US 17-92; THENCE ALONG SAID EASTERLY RIGHT OF WAY, N 13°44'24" E, A DISTANCE OF 366.40 FEET TO THE POINT OF BEGINNING.

LESS EXISTING PARCEL 20: (272703-713500-010232)

SOUTH 100 FEET OF WEST 84.74 FEET OF TRACT 23, SOUTH 15 FEET OF TRACT 25 AND SOUTH 15' OF E ¼ OF TRACT 26 AND W ¼ OF TRACT 26 AND SOUTH 15 FEET OF TRACT 27, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO PLAT THEREOF AND RECORDED IN PLAT BOOK 3 PAGES 60 THROUGH 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 1.56 AC. MORE OR LESS

ALTOGETHER CONTAINING 429.51 AC. MORE OR LESS

STATE OF FLORIDA)
)
COUNTY OF POLK)

I Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022-001 adopted by the Board on January 4, 2022.

WITNESS my hand and official seal on this 4th day of January 2022.



STACY M. BUTTERFIELD, CLERK

By Stephanie May
Stephanie May
Deputy Clerk

A black and white copy of this document is not official

STATE OF FLORIDA DEPARTMENT OF STATE

I, LAUREL M. LEE, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Polk County Ordinance No. 22-001, which was filed in this office on January 4, 2022, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
10th day of January, A.D., 2022.



Laurel M Lee
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document