



**INSTR # 2018192520
BK 10608 Pgs 207-211 PG(s)5
RECORDED 09/10/2018 4:42:18 PM
STACY M. BUTTERFIELD,**

**CLERK OF COURT POLK COUNTY
RECORDING FEES \$44.00
RECORDED BY JESSCAST**

ORDINANCE NO. 2018-6

AN ORDINANCE OF THE CITY COMMISSION OF THE POLK CITY, FLORIDA; VOLUNTARILY ANNEXING CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF POLK CITY, FLORIDA, PURSUANT TO SECTION 171.044, FLORIDA STATUTES; REDEFINING THE BOUNDARY LINES OF THE MUNICIPALITY TO INCLUDE SAID PROPERTY; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED ANNEXATION AND FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE CLERK OF CIRCUIT COURT IN AND FOR POLK COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Polk City, Florida ("City"), acquired title to certain real property located in Polk County, Florida, described as:

THAT PORTION OF UNRECORDED DEER TRAILS LYING IN A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 DESCRIBED AS COMMENCING AT NORTHEAST CORNER OF SECTION 31 TOWNSHIP 26 SOUTH, RANGE 25 EAST, RUN SOUTH 85 DEGREES, 56 MINUTES, 11 SECONDS WEST 660.59 FEET SOUTH 01 DEGREES, 38 MINUTES, 07 SECONDS EAST 2478.7 FEET TO NORTH RIGHT OF WAY WESTERLY ALONG RIGHT OF WAY 128.69 FEET NORTH 87 DEGREES, 07 MINUTES, 17 SECONDS WEST 1145.95 FEET TO CURVE WESTERLY ALONG CURVE 1902.02 FEET TO SOUTH LINE OF EAST 1/2 OF NORTHWEST 1/4 TO POINT OF BEGINNING SOUTH 85 DEGREES, 15 MINUTES, 58 SECONDS WEST 257.94 FEET NORTH TO SOUTHERLY RIGHT OF WAY OF VOYLES LOOP RD EASTERLY ALONG RIGHT OF WAY TO INTERSECTION WITH NORTHERLY RIGHT OF WAY OF STATE ROAD 33 NORTH SOUTHWESTERLY ALONG RIGHT OF WAY TO POINT OF BEGINNING, LESS ANY PORTION OF THE ABOVE DESCRIBED PARCEL PREVIOUSLY CONVEYED BY GRANTOR OR GRANTOR'S PREDECESSORS, also referred to as Parcel No. 25-26-31-000000-032140, located adjacent Voyles Loop Road, in Polk County, Florida (the "Voyles Loop Parcel") by quit claim deed on February 5, 2016; and, into the incorporated boundaries of the City; and,

WHEREAS, the City also acquired title to certain real property in Polk County, Florida, described as:

PARCEL 1:

That part of the SE 1/4 of the NW 1/4 of Section 31, Township 26 South, Range 25 East, lying South and East of right of way for State Road No. 33, more fully described as follows: Begin at the Southeast corner of said SE 1/4 of the NW 1/4, run thence North 01°09'08" East along the East line of said SE 1/4 of the NW 1/4 a distance of 153.0 feet more or less to the Southeasterly right of way line of State Road No. 33, run thence Southwesterly along said right of way line a distance of 605.0 feet more or less to the intersection with the South line of said SE 1/4 of the NW 1/4 run thence North 88°21'15" East along the South line of said SE 1/4 of NW 1/4 a distance of 581.09 feet to the point of beginning.

AND

PARCEL 2:

The N 1/2 of the NE 1/4 of the SW 1/4 of Section 31, Township 26 South, Range 25 East, LESS that part lying Northwesterly of State Road No. 33 and LESS right of way for State Road No. 33 (the "Bryant Property"); and,

WHEREAS, the Voyles Loop Property and the Bryant Property (collectively the "Annexed Properties") are presently located in unincorporated Polk County, are each contiguous to the City, and are each reasonably compact and will not result in the creation of a pocket or enclave as required by section 171.044, Florida Statutes; and,

WHEREAS, the map depicting the Annexed Properties is attached to and incorporated in this Ordinance as Exhibit "A"; and,

WHEREAS, the City Commission hereby proposes and voluntarily consents to the annexation of the Annexed Properties and determines that this Ordinance bears the authorized signature of the owner of all the Annexed Properties, which means all of the owners of the area proposed to be annexed in accordance with and pursuant to Section 171.044, Florida Statutes, and,

WHEREAS, the City Commission hereby determines that the owner of the property and the area proposed to be annexed has consented to the annexation,

and pursuant to Section 171.044, Florida Statutes, no referendum is required.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF POLK CITY, FLORIDA:

Section 1. Annexation of Property. The Annexed Properties described in the Recitals above and depicted in Exhibit "A" to this Ordinance shall be and are annexed into Polk City, Florida, and the boundary lines of the municipality shall be redefined to include the Annexed Properties described and depicted in Exhibit "A", which is attached to and incorporated in this Ordinance.

Section 2. Notice of Proposed Annexation. Notice of the proposed annexation shall be published at least once each week for two consecutive weeks in a newspaper published in Polk City, Polk County, Florida, before final passage. Not fewer than 10 days prior to publishing or posting the ordinance notice required under section 171.044(2), the City Commission shall provide a copy of the notice, via certified mail, to the Board of County Commissioners of Polk County, Florida. A certified copy of this Ordinance shall, after adoption, be filed with the Clerk of the Circuit Court and the Chief Administrative Officer in and for Polk County, Florida, and with the Department of State, of the State of Florida, within seven (7) days after the adoption of this Ordinance.

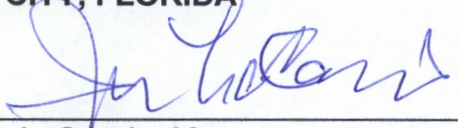
Section 3. Land Use and Zoning. The said property shall, upon its annexation, remain subject to the County's land use plan and zoning or subdivision regulations until the City adopts a comprehensive plan amendment that includes the Annexed Properties annexed, as required by section 171.062, Florida Statutes.

Section 4. Effective Date. This Ordinance shall become effective as provided by state law.

PASSED ON FIRST READING this 21st day of May, 2018.

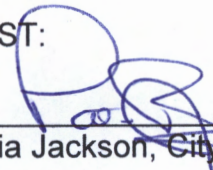
PASSED ON SECOND READING this 16th day of July, 2018

POLK CITY, FLORIDA



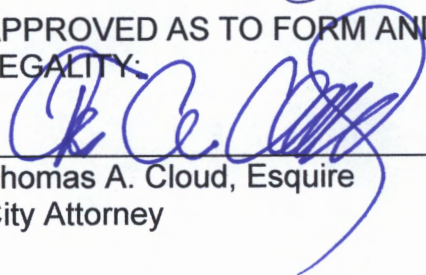
Joseph LaCascia, Mayor

ATTEST:



Patricia Jackson, City Clerk

APPROVED AS TO FORM AND LEGALITY:



Thomas A. Cloud, Esquire
City Attorney



Polk City Annexation Ordinance 2018-06

