

ORDINANCE 2019-09

AN ORDINANCE OF THE CITY COMMISSION OF POLK CITY, FLORIDA; RATIFYING ORDINANCE NO. 2018-03, WHICH VOLUNTARILY ANNEXED 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"), received a Petition for Voluntary Annexation of certain lands ("Property") into the incorporated boundaries of the City; and,

WHEREAS, the Property is presently located in unincorporated Polk County, is contiguous to the City, and is reasonably compact and will not result in the creation of enclave as required by section 171.044, Florida Statutes; and,

WHEREAS, the map and legal description of the Property attached to and incorporated in this Ordinance as Exhibit "A" depicts the land and parcel proposed to be annexed by this Ordinance; and,

WHEREAS, the City Commission hereby determines that the Petition bears the signature of the owner of all the Property, 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;
and;

WHEREAS, the City Commission lawfully conducted a public hearing and adopted Ordinance No. 2018-03 that voluntarily annexed the Property; and,

WHEREAS, after the adoption of the ordinance, the Polk County Property Appraiser asked that the City readopt the Ordinance of annexation to include a more fully defined legal description which was not previously available to the City; and,

WHEREAS, the City has once again held the necessary public hearing, conducted two public readings of the title to this ordinance, and has made all necessary findings required by law to voluntarily annex the Property as more fully described below.

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

Section 1. Ratification of Ordinance No. 2018-03 and Ratification of Prior Annexation. The City hereby ratifies and readopts and confirms the adoption of Ordinance No. 2018-03. As an accommodation to the Polk County Property Appraiser, the City also includes a metes and bounds legal description of the Property as Exhibit "B" incorporated into this Ordinance and into Ordinance No. 2018-03. The Property described in Exhibit "A" and Exhibit "B" to this Ordinance has been and continues to be annexed into Polk City, Florida..

Section 2. Notice of Proposed Ratification Ordinance. Notice of this proposed ordinance shall be published at least once each week for two

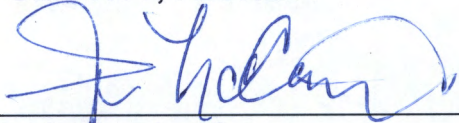
consecutive weeks in a newspaper published in Polk City, Polk County, Florida, before final passage. Not fewer than 10 days prior to publishing or posting the ordinance notice required under section 171.044(2), the City Commission shall provide a copy of the notice, via certified mail, to the Board of County Commissioners of Polk County, Florida. A certified copy of this Annexation Ratification 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. Effective Date. This Ordinance shall become effective as provided by state law.

PASSED ON FIRST READING this 29th day of July, 2019.

PASSED ON SECOND READING this 17th day of August, 2019.

POLK CITY, FLORIDA



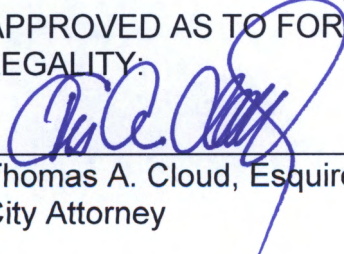
Joe LaCascia, Mayor

ATTEST:



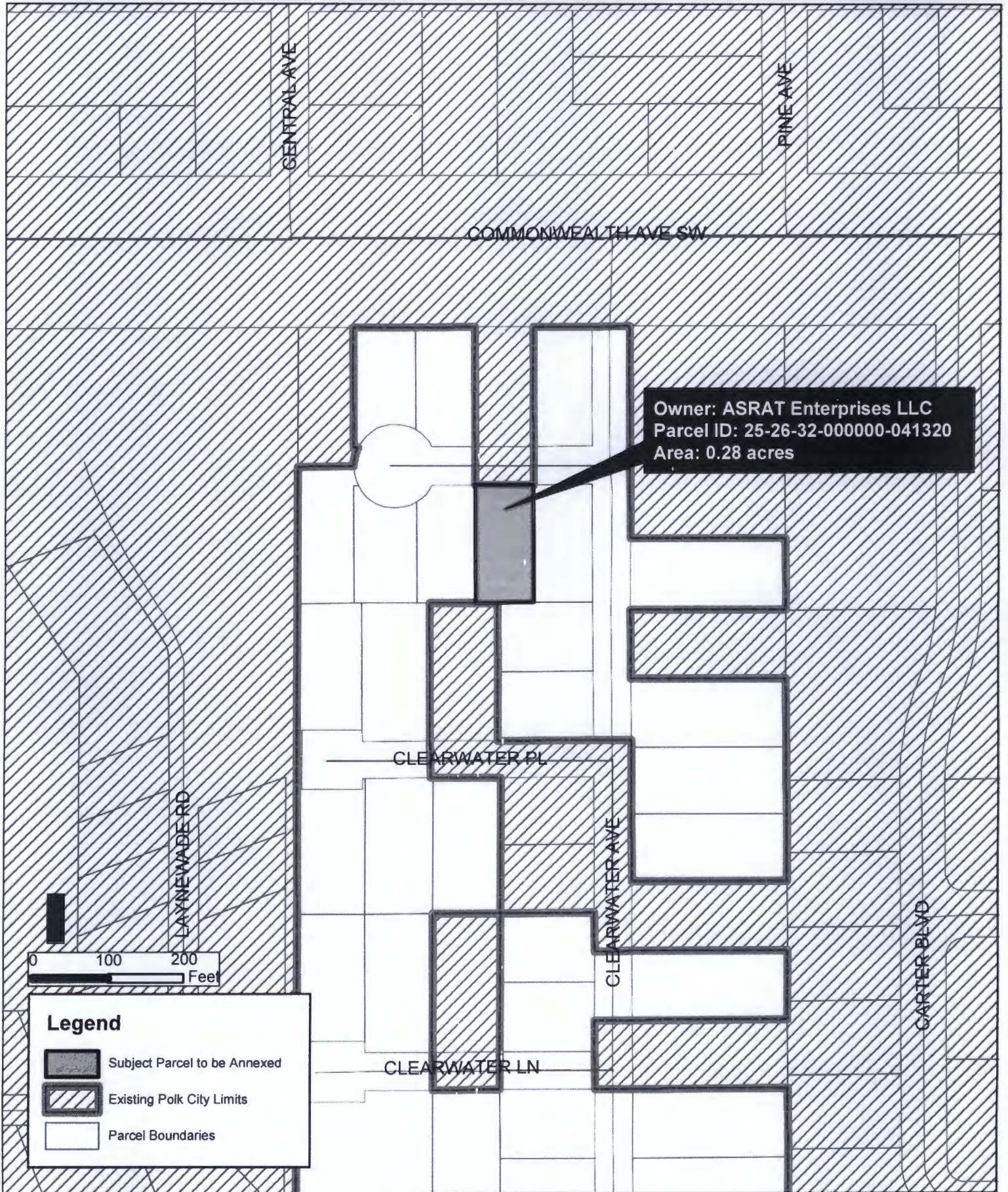
Patricia Jackson, City Manager/Clerk

APPROVED AS TO FORM AND
LEGALITY:

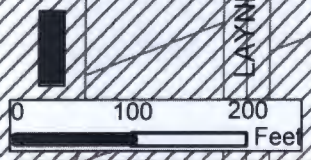


Thomas A. Cloud, Esquire
City Attorney

Exhibit "A": City of Polk City
ANNEXATION ORDINANCE 2019-09



Owner: ASRAT Enterprises LLC
Parcel ID: 25-26-32-000000-041320
Area: 0.28 acres



Legend




-  Subject Parcel to be Annexed
-  Existing Polk City Limits
-  Parcel Boundaries

EXHIBIT "B"

MEETS AND BOUNDS DESCRIPTION

111 CLEARWATER ESTATES

**S 156 FT OF N 482 FT OF W 78 FT OF E 411 FT OF NE1/4 OF NE1/4 OF
SW1/4 BEING LOT 157 OF UNRE CLEARWATER LK ESTS ADD**