

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
POLK COUNTY, FLORIDA, AUTHORIZING THE PRIVATE SALE AND
CONVEYANCE OF CERTAIN COUNTY REAL PROPERTY TO THE
POLK REGIONAL WATER COOPERATIVE IN ACCORDANCE WITH
SECTION 125.38, FLORIDA STATUTES**

WHEREAS, pursuant to Section 125.38, Florida Statutes, the Board of County Commissioners (the "Board") is authorized to sell and convey County property not needed for County purposes to the State of Florida, or to any political subdivision or agency thereof, for such price the Board may fix; and

WHEREAS, the County holds title to those parcels of the real property which are described in the attached composite Exhibit "A" to this Resolution and located in the unincorporated areas of Southeast Polk County (the properties, together with all associated tangible and intangible property thereon or related thereto, and all water rights and water supply development rights the County holds in connection therewith are collectively, the "SEWF Property"); and

WHEREAS, the County has intended to use the SEWF Property in developing a Lower Florida Aquifer wellfield project with interested municipalities; and

WHEREAS, while collaborating with Polk County municipalities to establish a regional water supply entity to develop the wellfield project (the "SEWF Project"), the County began preliminary project design and development eventually obtaining Water Use Permit 53-00293-W (the "SEWF Water Use Permit") from the South Florida Water Management District (SFWMD); and

WHEREAS, in 2017 the County and fifteen (15) municipalities formed the Polk Regional Water Cooperative ("PRWC") which approved the SEWF Project; and

WHEREAS, the County, the PRWC, and participating municipalities have entered a Second Amended and Restated Project Implementation Agreement for the Southeast Wellfield which, among other matters, requires the PRWC to hold title to all real, tangible, and intangible property associated with the SEWF Project, to include the SEWF Water Use Permit, so the PRWC may construct and operate the project for the benefit of the project participants; and

WHEREAS, the Board has determined the SEWF Property is required for the SEWF Project and is not needed for County purposes; and

WHEREAS, the PRWC has agreed to pay the County the sum of \$4,004,937.57, an amount which reimburses the County for the SEWF Project design, development, and permitting costs the County incurred prior to the PRWC formation;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS ____TH DAY OF MARCH, 2023:

1. Having determined the SEWF Property is required for the SEWF Project and is not needed for County purposes, the Board finds it in the best interest of the public to convey the SEWF Property to the PRWC for development and operation of the SEWF Project in accordance with the project implementation agreement.

2. The Board finds the sum of \$4,004,937.57 is a reasonable amount for the County to receive for the SEWF Property.
3. The Board Chair is authorized to execute documents on behalf of the County which are necessary to transfer the SEWF Property to the PRWC to include without limitation a County Deed and Bill of Sale.
4. This resolution shall be effective upon adoption by the Board.

DATED this ____th day of March, 2023.

ATTEST:
STACY M. BUTTERFIELD,
CLERK TO THE BOARD

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: _____
Deputy Clerk

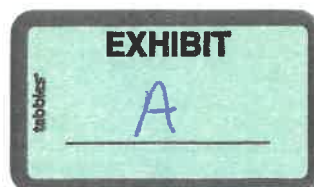
By: _____
George M. Lindsey III, Chair

Legal Description of Well Site No. 1

THAT PART OF SECTION 21, TOWNSHIP 31 SOUTH, RANGE 29 EAST, POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 21 AND RUN SOUTH 00°32'28" EAST ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 A DISTANCE OF 1245.32 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 630 (FORMERLY SR 630) AS SHOWN ON STATE ROAD DEPARTMENT RIGHT OF WAY MAPS FOR PROJECTS 1615-1218, 1615-104, AND 16150-2502; THENCE NORTH 89°42'25" EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 825.97 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF SAID RIGHT OF WAY LINE AND THE SURVEY BASELINE FOR A DRAINAGE EASEMENT, SAID INTERSECTION BEING 80.00 FEET LEFT OF CENTERLINE STATION 410+70.00, AS SHOWN ON SAID STATE ROAD DEPARTMENT RIGHT OF WAY MAPS; THENCE NORTH 21°12'25" EAST ALONG SAID DRAINAGE EASEMENT SURVEY BASELINE, (SAID DRAINAGE EASEMENT BEING 60.00 FEET IN WIDTH, 20.00 FEET RIGHT AND 40.00 FEET LEFT OF SAID SURVEY BASELINE) A DISTANCE OF 327.77 FEET; THENCE NORTH 89°33'36" EAST, A DISTANCE OF 660.07 FEET; THENCE SOUTH 01°00'20" EAST, A DISTANCE OF 306.68 FEET, TO SAID NORTH RIGHT OF WAY LINE OF COUNTY ROAD 630; THENCE SOUTH 59°42'25" WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF COUNTY ROAD 630 A DISTANCE OF 784.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5.07 ACRES MORE OR LESS.



Legal Description of Cypresswood Drive Well Site

Lot 2 of Block "K" and Lots 1 and 2 of Block "L", WALK-IN-WATER LAKE ESTATES PAHSE THREE UNIT ONE, according to the map or plat thereof as recorded in Plat Book 67, at Page 22, Public Records of Polk County, Florida.

Being the same property as described in that certain Escheatment Tax Deed recorded in O.R. Book 9457, at Page 1016 (as to Lot 2 Block K) and in that certain Escheatment Tax Deed recorded in O.R. Book 9457, at Page 1017 (as to Lot 1 Block L) and in that certain Warranty Deed recorded in O.R. Book 10547, at Pages 176 and 177 (as to Lot 2 Block L), all of the Public Records of Polk County, Florida.

Legal Description of Southeast Wellfield Water Treatment Plant Site

Project Name: Naltcrest PRWC
Tax Folio Number: 29-30-08-000000-033010

Project Number: 0908E22-1A

DESCRIPTION

The North 3/4 of the Northwest 1/4 of the Northwest 1/4 of Section 08, Township 30 South, Range 29 East, Polk County, Florida; LESS AND EXCEPT Boy Scout Road right-of-way, as described in Official Records Book 455, page 389, Public Records of Polk County, Florida

AND INCLUDING

BEGIN at a 5/8" iron rod and cap stamped "PLS 3381", marking the Southeast corner of said North 3/4 of the Northwest 1/4 of the Northwest 1/4; thence South 00°16'41" East, along the east line of said Northwest 1/4 of the Northwest 1/4, a distance of 22.57 feet; thence South 89°38'16" West, parallel with the south line of said North 3/4 of the Northwest 1/4 of the Northwest 1/4, a distance of 1284.68 feet, to the east right-of-way line of Boy Scout Road per Official Records Book 455, page 389, of said Public Records; thence North 00°17'25" West, along said east right-of-way line, 22.57 feet, to said south line of the North 3/4 of the Northwest 1/4 of the Northwest 1/4; thence North 89°38'16" East along said south line, 1284.68 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the following:

A parcel of land being a portion of a parcel as described in Official Records Book 10453, Page 04, Public Records of Polk County, Florida, lying in the Northwest 1/4 of Section 08, Township 30 South, Range 29 East, Polk County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 8; thence South 00°17'25" East, along the west line of said Section 08, a distance of 994.37 feet to the south line of the North 3/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 8; thence North 89°38'16" East, along said south line, 40.00 feet to the east right-of-way line of Boy Scout Road as described in Official Records Book 455, Page 389 of said Public Records, and the Point of Beginning; thence North 00°17'25" West, along said east right-of-way line, 317.43 feet; thence North 89°38'16" East, 640.60 feet; thence South 00°17'25" East, 317.43 feet to said south line of the North 3/4 of the Northwest 1/4 of the Northwest 1/4; thence continue South 00°17'25" East, 22.57 feet to the south line of said parcel described in Official Records Book 10453, Page 04; thence South 89°38'16" West, along said south line, 640.60 feet, to said east right-of-way line; thence North 00°17'25" West, along said east right-of-way line, 22.57 feet to the Point of Beginning.