

POLK REGIONAL WATER COOPERATIVE

Resolution 2025-20

PARCEL RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN SPECIFIED PARCELS TO IMPLEMENT THE SOUTHEAST LOWER FLORIDAN AQUIFER WATER PRODUCTION FACILITY AND SOUTHEAST TRANSMISSION LINE PROJECTS

The Polk Regional Water Cooperative (“Cooperative”), created pursuant to Section 373.713, Florida Statutes, and an Interlocal Agreement pursuant to Section 163.01, Florida Statutes, in lawful session and in regular order of business properly presented, finds that:

WHEREAS, the Cooperative as an independent special district created pursuant to Chapter 189, Section 373.713, Florida Statutes and an Interlocal Agreement entered into on June 1, 2016 pursuant to Section 163.01, Florida Statutes by Polk County and 15 municipalities within Polk County (the “Interlocal Agreement”) for the purpose of developing AWS projects to meet the future potable water needs of the citizens of Polk County; and

WHEREAS, the Interlocal Agreement was approved by a Final Order of the Secretary of the Florida Department of Environmental Protection on September 26, 2023, pursuant to Section 373.713(1), Florida Statutes; and

WHEREAS, in April 2021, the Cooperative and 15 of its member governments entered into the Implementation Agreement for the Southeast Wellfield, which obligates the Cooperative to construct and operate the Southeast Wellfield Project to supply the participating member governments 15.15 million gallons a day of potable water by 2045 (the “Implementation Agreement”); and

WHEREAS, the Southeast Wellfield Project consists of the Southeast Lower Floridan Aquifer Water Production Facility (“SELFA WPF”) and the Southeast Transmission Main (“SETM”); and

WHEREAS, the Cooperative is in the process of constructing the first phase of the SELFA WPF, which consists of a 5 raw water wells, approximately 10 miles of raw water transmission line and a water treatment plant capable of producing 7.5 million gallons a day of high quality potable water and the SETM, which consists of approximately 61 miles of water transmission pipeline to deliver the finished water from the water treatment plant to the project participants for use in their water service areas; and

WHEREAS, pursuant to Cooperative Resolution 2023-06, as modified by Cooperative Resolutions 2024-34 and 2025-05, the Cooperative Board designated the SELFA WPF and SETM Projects as approved projects pursuant to the Interlocal Agreement and the Implementation Agreement; and

WHEREAS, pursuant to Cooperative Resolution 2023-06, as modified by Cooperative Resolutions 2024-34 and 2025-05, the Cooperative Board approved the construction of the SEFLA WPF raw water transmission line as depicted in said resolution and the SETM finished water pipeline as depicted in said resolution as necessary, practical and in the best interest of the Cooperative and its member governments and that the acquisition of such property and property rights are needed for such construction is necessary for the performance of its duties and for the construction, reconstruction and maintenance of said facilities for the use of the general public; and that the Cooperative is authorized to make such acquisition by gift, purchase or condemnation.

WHEREAS, the Cooperative has been granted the power of eminent domain pursuant to the Interlocal Agreement and Section 163.01(7)(f) and 373.713(2)(e), Florida Statutes for the condemnation of private property interest for public use, and to acquire any interest in such real property as is necessary for the purpose of carrying out the Interlocal Agreement; and

WHEREAS, before exercising the power of eminent domain the Cooperative Board of Directors is required to adopt a resolution authorizing the acquisition of property for any purpose set forth in the Interlocal Agreement for the Cooperative's purpose or use subject to limitations set forth in Sections 73.013 and 73.014, Florida Statutes; and

WHEREAS, the Cooperative has bifurcated its eminent domain resolution into two separate resolutions; the Project Resolution, authorizing acquisition of property and property rights for the SELFA WPF raw water transmission line and SETM finished water pipeline projects, and the Parcel Resolution, authorizing the parcel acquisition and identifying the specific property and property rights to be acquired for the projects; and

WHEREAS, this Resolution constitutes a Parcel Resolution for the Southeast Wellfield Project; and

WHEREAS, the Cooperative has determined the need to acquire a non-exclusive permanent easement for construction of the Southeast Wellfield Project on certain lands located in Polk County, Florida, as more fully described in **Exhibit "A"**, the nature, terms and duration of the nonexclusive permanent easement as set forth in **Exhibit "B"**; and

WHEREAS, the Cooperative has determined the need to acquire a non-exclusive temporary construction easement for construction of the Southeast Wellfield Project on certain lands located in Polk County, Florida, as more fully described in **Exhibit "C"**, the nature, term and duration of the nonexclusive temporary construction easement as set forth in **Exhibit "D"**; and

WHEREAS, absent a relinquishment of the property pursuant to Section 73.013(4), Florida Statutes, land to be acquired will not be conveyed to natural persons or private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate a slum or blight; and

WHEREAS, the Cooperative intends in good faith to construct the Southeast Wellfield Project on, under or over the described property; and

WHEREAS, the Cooperative has caused to be surveyed the line and area of construction by map or survey and location for the project; and

WHEREAS, the Cooperative shall comply with Chapters 73 and 74, Florida Statutes; and

WHEREAS, upon compliance with Chapters 73 and 74, Florida Statutes, the Cooperative is hereby authorized to exercise its power of eminent domain to acquire an interest in real property by initiating condemnation proceedings under Chapters 73 and 74, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The forgoing findings are incorporated herein by reference and made a part hereof.

Section 2. That after consideration of the factors described in the foregoing recitals, the description of the property and interests described as Parcels (4017-PE), (4017-TCE) and (4075-PE) in **Exhibits "A," "B," "C," and "D"** attached hereto and the same is ratified and confirmed and found to be reasonably necessary for the Cooperative's public purpose in constructing the Southeast Wellfield Project.

Section 3. That the Cooperative, its officers, employees, contractors and attorneys are hereby authorized and directed to acquire by negotiation, contract or legal proceedings, including eminent domain proceedings pursuant to Chapters 73 and 74, Florida Statutes, as may be necessary to acquire permanent and temporary construction easements in certain lands located in Polk County, Florida described in **Exhibits "A," "B," "C" and "D."**

Section 4. That the proper offices of the Cooperative are hereby authorized to do all things necessary and proper under the applicable provisions of Chapters 73, 74 and 163, Florida Statutes and the Interlocal Agreement and Implementation Agreements.

Section 5. That this Resolution shall take effect immediately upon its adoption.

Section 6. That if any phrase, portion or part of this Resolution is found to be invalid or unconstitutional by a court of competent jurisdiction, such phrase, portion or part shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remainder of the Resolution.

DONE at Auburndale, Florida this 21st day of May, 2025

Southeast Wellfield Project Board of the Polk Regional Water Cooperative:

Chair

Secretary/Treasurer

Approved as to Form:

Edward P. de la Parte
Legal Counsel

EXHIBIT A

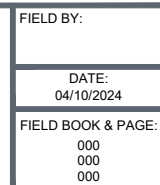
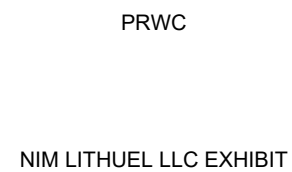
Nonexclusive Permanent Easement Legal Descriptions

[See Attached 6 Pages]



CHASTAIN-SKILLMAN
205 EAST ORANGE STREET
SUITE #110
LAKELAND, FL 33801-4611
(863) 646-1402

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| |
|-------------------------------|
| CS PROJECT NUMBER: 8825.03 |
| PARCEL NUMBER: 4017 |
| SHEET NUMBER: V-01 |

DESCRIPTION
4017-PE

DESCRIPTION:

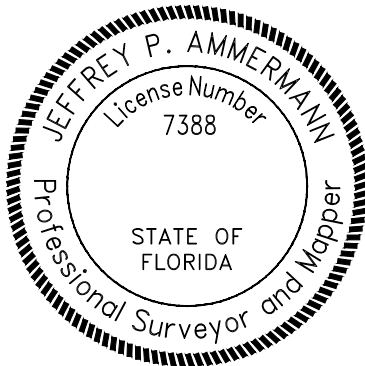
A parcel of land being a portion of a parcel described in Official Records Book 8889, Pages 207 through 208, Public Records of Polk County, Florida, as located in Section 13, Township 29 South, Range 27 East, being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence North 89°34'27" East, along the South line of said North 1/2 of the Southwest 1/4 of the Northwest 1/4, a distance of 16.47 feet to the intersection with the East maintained right-of-way line of Tower Road as depicted in Map Book 27, Pages 98 through 103, Public Records of Polk County, Florida and the POINT OF BEGINNING; thence along said East maintained right-of-way line the following four (4) courses; thence (1) North 01°56'49" West, 50.38 feet; thence (2) North 00°31'09" West, 306.28 feet; thence (3) North 00°22'30" West, 306.85 feet; thence (4) North 02°13'51" East, 0.94 feet to the North line of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence North 89°34'27" East, along said North line, 31.05 feet; thence South 00°30'42" East, 664.44 feet to the South line of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence South 89°34'27" West, along said South line, 30.53 feet to the POINT OF BEGINNING.

Said parcel contains 20,996.00 square feet, more or less.

CERTIFICATION:

I hereby certify that this Description with Sketch was made under my direction and was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



Jeffrey P

Ammermann

Digitally signed by
Jeffrey P Ammermann

Date: 2024.04.10
20:26:39 -04'00'

JEFFREY P. AMMERMAN, P.S.M.
FLORIDA REGISTRATION PSM 7388
JAMMERMAN@CHASTAINSKILLMAN.COM
THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE
SURVEYOR ON THE DATE ADJACENT TO SEAL. ANY SIGNATURE MUST BE
VERIFIED ON ANY ELECTRONIC COPIES. PRINTED COPIES OF THIS DOCUMENT
ARE NOT CONSIDERED VALID WITHOUT A RAISED SEAL.

SHEET 1 OF 2
SEE SHEET 2 FOR
DESCRIPTION SKETCH, LEGEND,
AND SURVEYOR'S NOTES

CS PROJECT: 8825.03

PREPARED BY: **CHASTAIN-SKILLMAN, LLC. - 205 EAST ORANGE STREET SUITE #110
LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262**

4017-PE

DRAWN BY: S. CHILDS

FIELD BOOK: — PAGE: —

DATE: 04/10/2024

SHEET NO. V-01

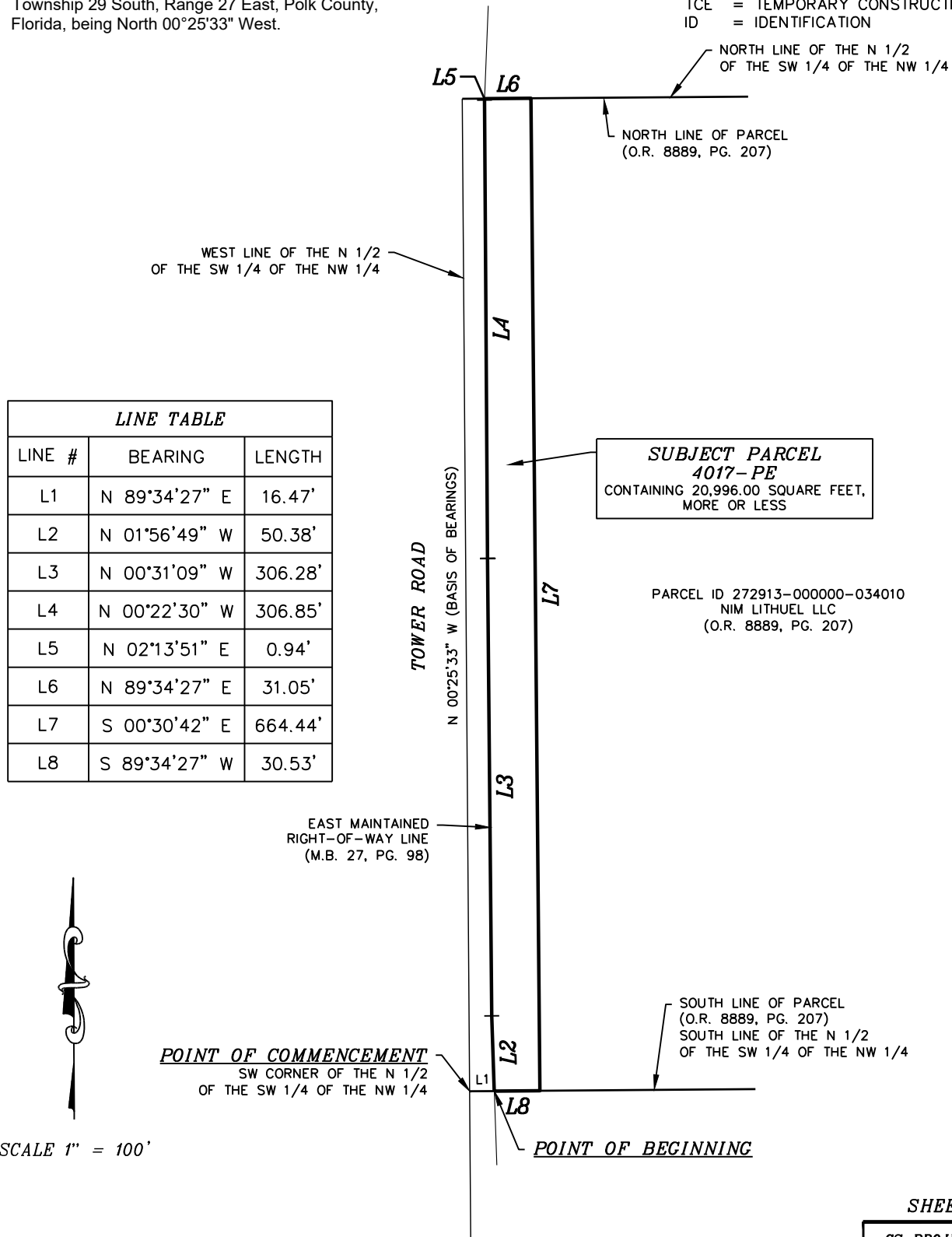
P: \882503\CAD\Survey\KEY SHEET 1\17-LAKE MABEL LOOP-TOWER ROAD\882503-SCC-2023-06-15-ESM\T.S.dwg 4017-PE Apr 10, 2024 8:20pm by: jammermann

NOTES:

- 1) This is not a Boundary survey.
- 2) Please see sheet 1 of 2 for description, certification, and Surveyor's signature and seal.
- 3) Bearings are based on the West line of the North 1/2 of the SW 1/4 of the NW 1/4 of Section 13, Township 29 South, Range 27 East, Polk County, Florida, being North 00°25'33" West.

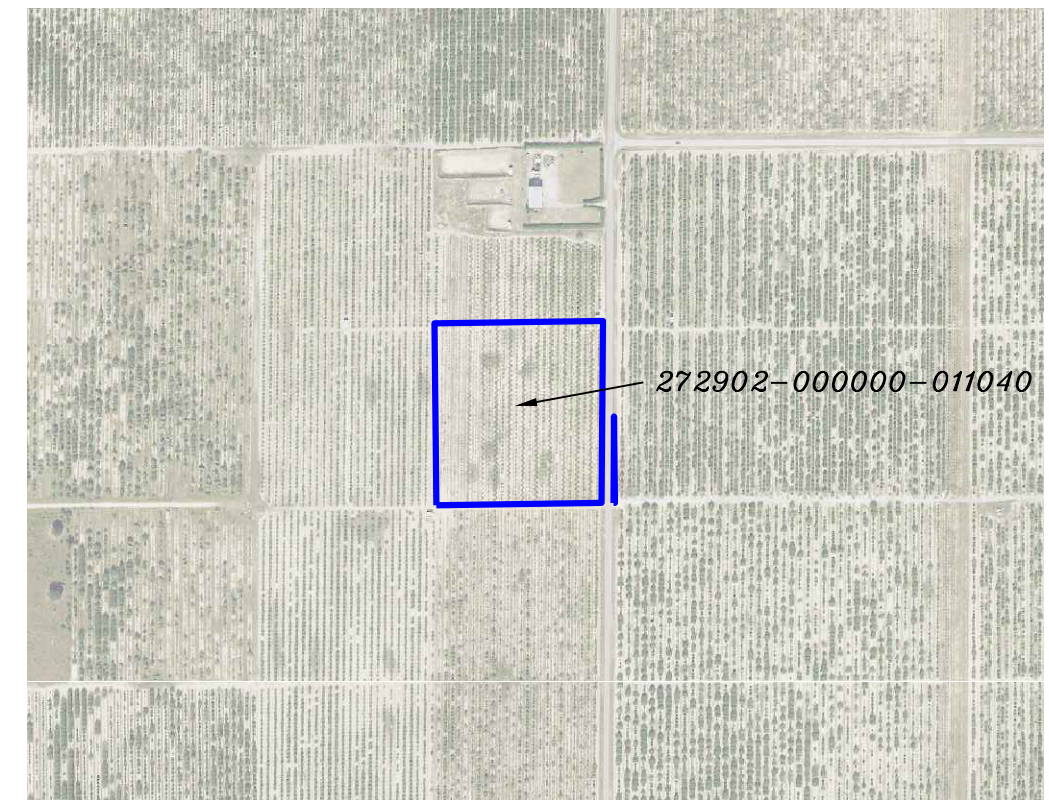
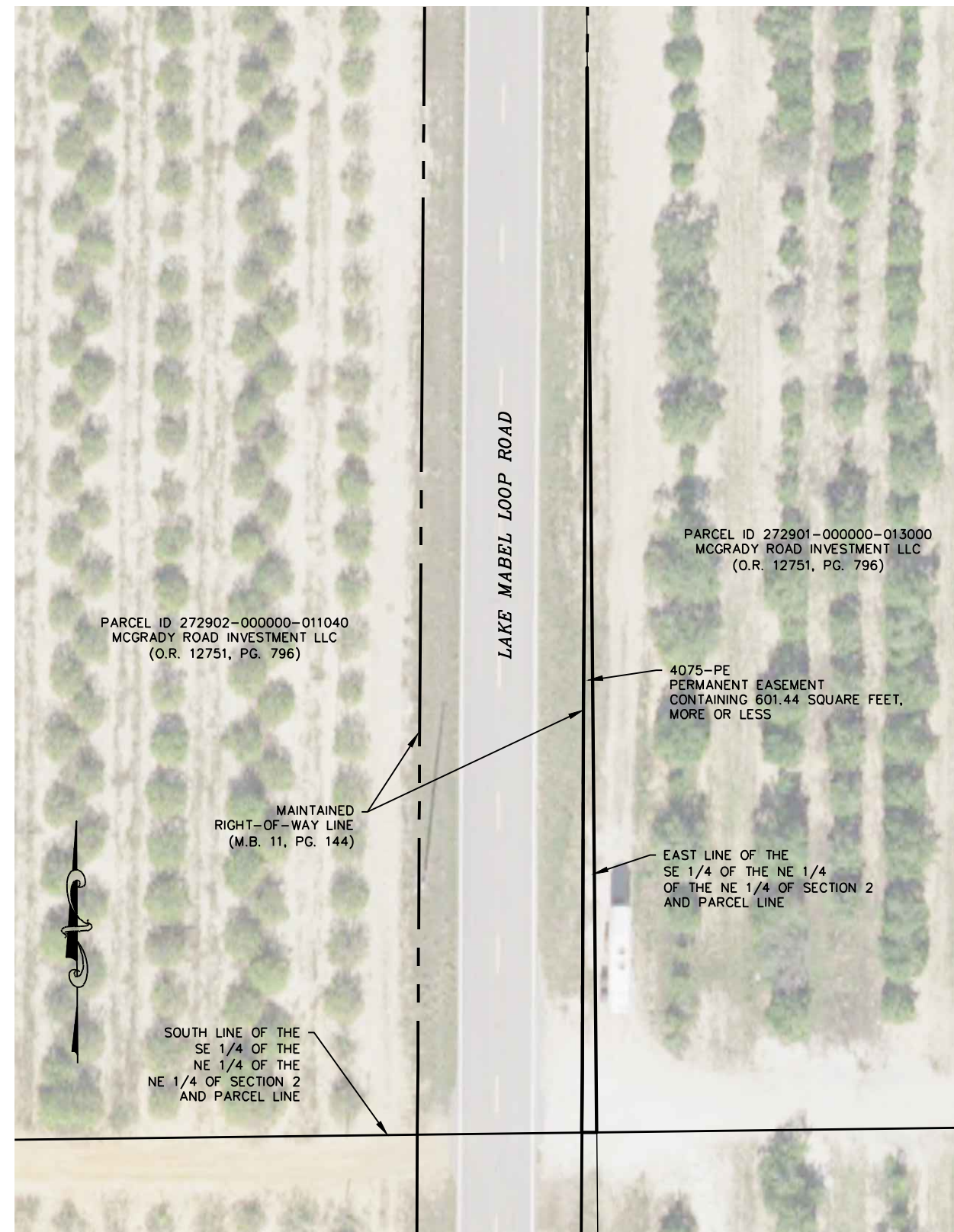
DESCRIPTION SKETCH**4017-PE****LEGEND:**

P.B. = PLAT BOOK
PG. = PAGE(S)
O.R. = OFFICIAL RECORDS BOOK
M.B. = MAP BOOK
PE = PERMANENT EASEMENT
TCE = TEMPORARY CONSTRUCTION EASEMENT
ID = IDENTIFICATION

**SHEET 2 OF 2****CS PROJECT: 8825.03**

PREPARED BY: CHASTAIN-SKILLMAN, LLC. - 205 EAST ORANGE STREET SUITE #110
LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262

4017-PE**DRAWN BY: S. CHILDS****FIELD BOOK: — PAGE: —****DATE: 04/10/2024****SHEET NO. V-02**

[illegible]

CHASTAIN-SKILLMAN
205 EAST ORANGE STREET
SUITE #110
LAKELAND, FL 33801-4611
(863) 646-1402

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PRWC

MCGRADY ROAD INVESTMENT LLC EXHIBIT

GRAPHIC SCALE



(IN FEET)
1 inch = 40 feet

FIELD BY:

DATE:
07/02/2024

FIELD BOOK & PAGE:
000
000
000

CS PROJECT NUMBER:
8825.03

PARCEL NUMBER:
4075

SHEET NUMBER:
V-01

DESCRIPTION
4075-PE

DESCRIPTION:

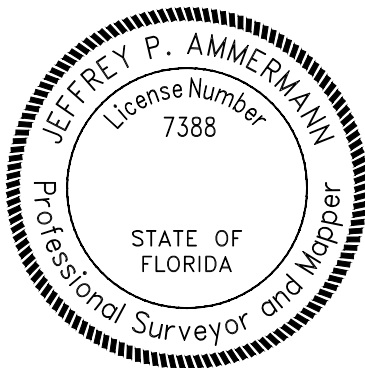
A parcel of land being a portion of "Parcel 2" as described in Official Records Book 12751, Pages 796 through 797, Public Records of Polk County, Florida, located in Section 02, Township 29 South, Range 27 East, lying East of the maintained right-of-way of Lake Mabel Loop Road, being more particularly described as follows:

BEGIN at the Southeast corner of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 02; thence South 89°16'06" West, along the South line of said Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4, a distance of 4.08 feet to the intersection with the East maintained right-of-way line of Lake Mabel Loop Road as depicted in Map Book 11, Pages 144 through 155, Public Records of Polk County, Florida; thence along said East maintained right-of-way line the following four (4) courses; thence (1) North 00°22'32" East, 17.73 feet; thence (2) North 00°12'26" East, 100.00 feet; thence (3) North 00°22'45" East, 100.00 feet; thence (4) North 00°15'52" East, 73.31 feet to the intersection with the East line of said Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4; thence South 00°30'46" East, along said East line, 290.99 feet to the POINT OF BEGINNING.

Said parcel contains 601.44 square feet, more or less.

CERTIFICATION:

I hereby certify that this Description with Sketch was made under my direction and was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



Jeffrey P
Ammermann

Digitally signed by
Jeffrey P Ammermann
Date: 2024.04.25
10:17:16 -04'00'

JEFFREY P. AMMERMAN, P.S.M.
FLORIDA REGISTRATION PSM 7388
JAMMERMANN@CHASTAINSKILLMAN.COM
THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE
SURVEYOR ON THE DATE ADJACENT TO SEAL. ANY SIGNATURE MUST BE
VERIFIED ON ANY ELECTRONIC COPIES. PRINTED COPIES OF THIS DOCUMENT
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SHEET 1 OF 2
SEE SHEET 2 FOR
DESCRIPTION SKETCH, LEGEND,
AND SURVEYOR'S NOTES

CS PROJECT: 8825.03

PREPARED BY: CHASTAIN-SKILLMAN, LLC. - 205 EAST ORANGE STREET SUITE #110
LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262

4075-PE

DRAWN BY: S. CHILDS

FIELD BOOK: — **PAGE:** —

DATE: 04/25/2024

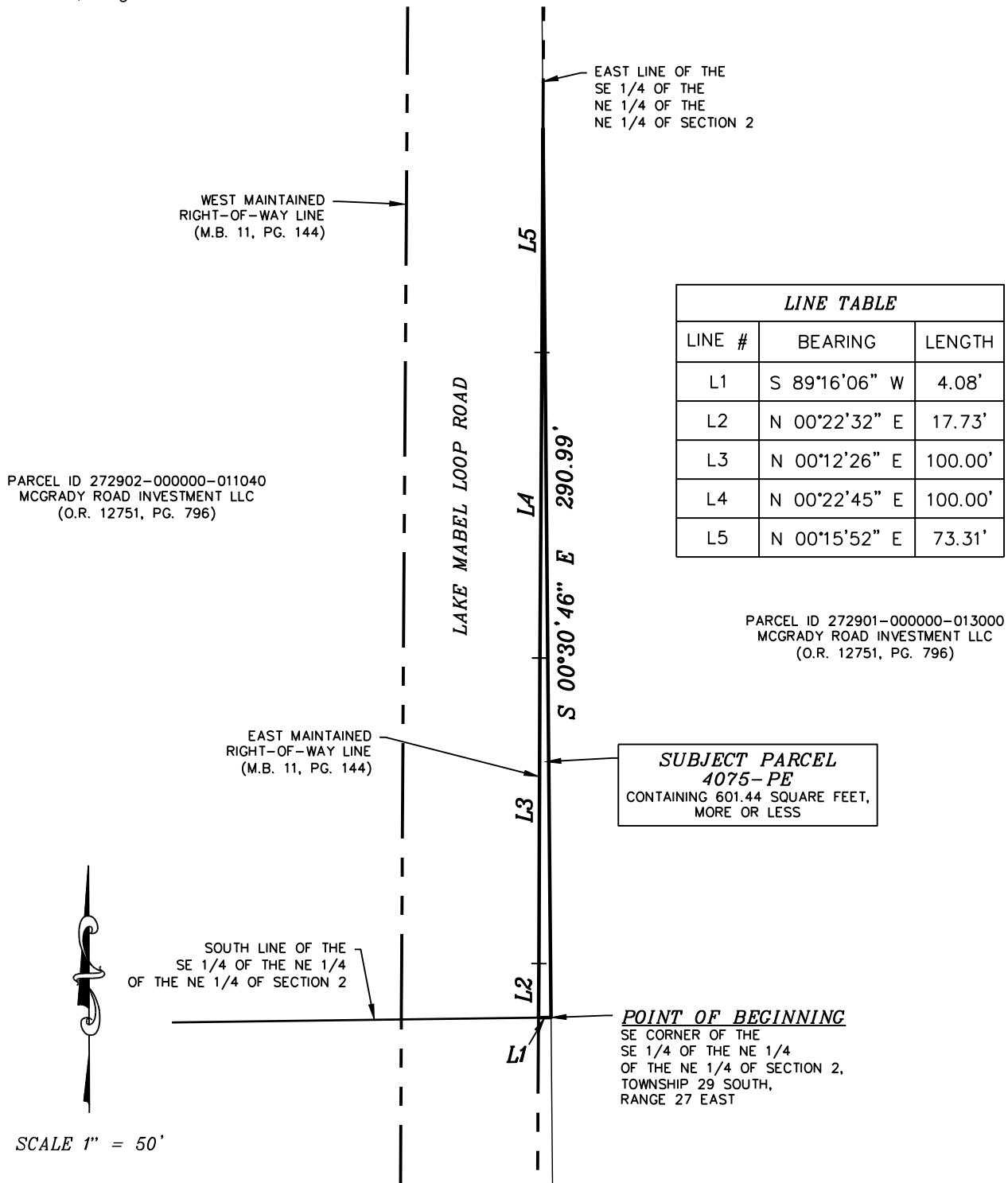
SHEET NO. V-01

NOTES:

- 1) This is not a Boundary survey.
- 2) Please see sheet 1 of 2 for description, certification, and Surveyor's signature and seal.
- 3) Bearings are based on the East line of the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 02, Township 29 South, Range 27 East, Polk County, Florida, being South 00°30'46" East.

DESCRIPTION SKETCH**4075-PE****LEGEND:**

PG. = PAGE(S)
O.B. = OFFICIAL RECORDS BOOK
M.B. = MAP BOOK
PE = PERMANENT EASEMENT
TCE = TEMPORARY CONSTRUCTION EASEMENT
ID = IDENTIFICATION

**SHEET 2 OF 2****CS PROJECT: 8825.03**

PREPARED BY: **CHASTAIN-SKILLMAN, LLC. - 205 EAST ORANGE STREET SUITE #110
LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262**

4075-PE**DRAWN BY: S. CHILDS****FIELD BOOK: — PAGE: —****DATE: 04/25/2024****SHEET NO. V-02**

EXHIBIT B

Nonexclusive Permanent Easement

[See Attached 2 Page]

The nature, terms and duration of the nonexclusive permanent easement (the "Easement") which the Polk Regional Water Cooperative ("PRWC") acquires from the property owners/interest holders ("Owner") of the real property shown and described on Exhibit "A" are:

The Easement in, upon and through the following described land in the County of Polk, State of Florida, to-wit:

SEE ATTACHED EXHIBIT "A"
(the "Easement Area")

1. The permanent perpetual water line Easement interests and rights acquired by PRWC are the perpetual right, privilege and authority to construct, install, maintain, operate, inspect, patrol, ingress and egress, test, repair, alter, substitute, relocate, resize, replace and remove the water transmission line or lines and related fixtures and/or appurtenances thereto, and vehicular and pedestrian access over the easement area, for the transmission of water and such other improvements as are reasonably necessary in connection with the water supply project for the PRWC.
2. In the event that the construction and installation of the water transmission line or lines and related fixtures and/or appurtenances thereto impact Owner's improvements, PRWC shall, to the extent practicable, relocate or replace with the same, like, or better quality and at their original locations or as near as is reasonably practicable, all fences, roads, driveways, sidewalks, parking areas, irrigation systems, wells, septic tanks and septic drain fields, that PRWC damaged or caused to be removed, relocated or replaced from the Easement before or during initial construction and installation of the water transmission line or lines and related fixtures and/or appurtenances. Furthermore subject to PRWC's acquired easement rights, PRWC will restore the surface of all disturbed areas within the Easement to its original contour and condition, as near as is reasonably practicable.
3. This Grant of Easement shall not be construed as a grant of right of way and is limited to a PRWC Easement. The Owner shall have the right to use the area subject to the Easement granted hereby, including without limitation for improved parking areas, improved driveways, and landscaping, which are not inconsistent with the use of the Easement by PRWC for the purposes granted hereby. Inconsistent improvements to the use of the Easement by Owner for the purposes granted hereby, including mounded landscaping, building foundations and overhangs, foundations for pole mounted commercial signage, and other permanent structures and related foundations shall be strictly prohibited. With the specific written approval of PRWC, the limited use of trees, walls, and mounded landscaping may be utilized within the Easement by Owner.
4. Owner reserves the right to grant permission or other easements to other parties for ingress and egress. In addition, the Owner reserves the right to grant

permission or other easements to other parties for the purpose of installing and maintaining underground utilities, including without limitation, electrical, gas, broadband, fiber optic and cable (but not other water transmission lines), with the prior written consent of PRWC. PRWC shall not unreasonably withhold, condition, or delay its decision concerning such utility easements. Owner's request to grant permission or an easement to other parties must be written and delivered 1) in person, 2) via certified or registered mail (return receipt), or 3) via nationally recognized overnight delivery service to the attention of the Executive Director of the Polk Regional Water Cooperative at the then-current address of the PRWC as reflected on the PRWC website. If after sixty (60) days, PRWC has not responded to Owner's request to grant permission or an easement to other parties, Owner may assume PRWC has granted permission for same. Any permissions or easements granted under this Paragraph prior to Owner's development of the subject property must be perpendicular to the PRWC easement.

5. In the event that PRWC performs emergency related repairs, unscheduled infrastructure adjustment activities, or scheduled community improvement projects within said Easement, PRWC shall be responsible for restoring the disturbed portions of all existing approved and permitted improvements in as good or better condition that existed prior to the disturbance activity by PRWC.

EXHIBIT C

Nonexclusive Temporary Construction Easement Legal Descriptions

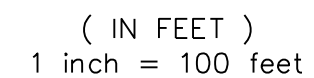
[See Attached 3 Pages]

[illegible]

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NIM LITHUEL LLC EXHIBIT



| |
|---|
| FIELD BY: |
| DATE: 04/10/2024 |
| FIELD BOOK & PAGE: 000 000 000 |

SHEET NUMBER:
V-01

DESCRIPTION
4017-TCE

DESCRIPTION:

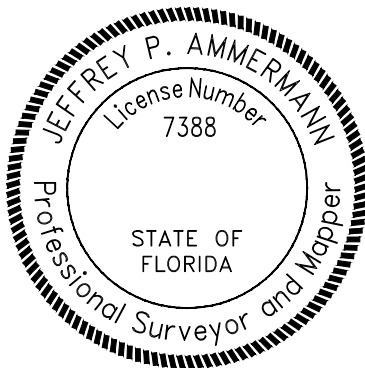
A parcel of land being a portion of a parcel described in Official Records Book 8889, Pages 207 through 208, Public Records of Polk County, Florida, as located in Section 13, Township 29 South, Range 27 East, being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence North 89°34'27" East, along the South line of said North 1/2 of the Southwest 1/4 of the Northwest 1/4, a distance of 16.47 feet to the intersection with the East maintained right-of-way line of Tower Road as depicted in Map Book 27, Pages 98 through 103, Public Records of Polk County, Florida; thence continue North 89°34'27" East, along said South line, 30.53 feet to the POINT OF BEGINNING; thence North 00°30'42" West, 664.44 feet to the North line of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence North 89°34'27" East, along said North line, 5.00 feet; thence South 00°30'42" East, 664.44 feet to the South line of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence South 89°34'27" West, along said South line, 5.00 feet to the POINT OF BEGINNING.

Said parcel contains 3,322.24 square feet, more or less.

CERTIFICATION:

I hereby certify that this Description with Sketch was made under my direction and was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



Jeffrey P
Ammermann

Digitally signed by
Jeffrey P Ammermann
Date: 2024.04.10
20:27:37 -04'00'

JEFFREY P. AMMERMAN, P.S.M.
FLORIDA REGISTRATION PSM 7388
JAMMERMAN@CHASTAINSKILLMAN.COM
THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE
SURVEYOR ON THE DATE ADJACENT TO SEAL. ANY SIGNATURE MUST BE
VERIFIED ON ANY ELECTRONIC COPIES. PRINTED COPIES OF THIS DOCUMENT
ARE NOT CONSIDERED VALID WITHOUT A RAISED SEAL.

SHEET 1 OF 2
SEE SHEET 2 FOR
DESCRIPTION SKETCH, LEGEND,
AND SURVEYOR'S NOTES

CS PROJECT: 8825.03

PREPARED BY: **CHASTAIN-SKILLMAN, LLC. - 205 EAST ORANGE STREET SUITE #110
LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262**

4017-TCE

DRAWN BY: S. CHILDS

FIELD BOOK: — PAGE: —

DATE: 04/10/2024

SHEET NO. V-01

P: \882503\CAD\Survey\KEY SHEET 1\17-LAKE MABEL LOOP-TOWER ROAD\882503-SCC-2023-06-15-ESMTS.dwg 4017-TCE Apr 10, 2024 8:24pm by: jammermann

NOTES:

- 1) This is not a Boundary survey.
- 2) Please see sheet 1 of 2 for description, certification, and Surveyor's signature and seal.
- 3) Bearings are based on the West line of the North 1/2 of the SW 1/4 of the NW 1/4 of Section 13, Township 29 South, Range 27 East, Polk County, Florida, being North 00°25'33" West.

DESCRIPTION SKETCH
4017-TCE

LEGEND:

PG. = PAGE(S)
O.R. = OFFICIAL RECORDS BOOK
M.B. = MAP BOOK
PE = PERMANENT EASEMENT
TCE = TEMPORARY CONSTRUCTION EASEMENT
ID = IDENTIFICATION

| LINE TABLE | | |
|------------|---------------|--------|
| LINE # | BEARING | LENGTH |
| L1 | N 89°34'27" E | 16.47' |
| L2 | N 89°34'27" E | 30.53' |
| L3 | N 89°34'27" E | 5.00' |
| L4 | S 89°34'27" W | 5.00' |

WEST LINE OF THE N 1/2
OF THE SW 1/4 OF THE NW 1/4

TOWER ROAD

N 00°25'33" W (BASIS OF BEARINGS)

N 00°30'42" W 664.44'

S 00°30'42" E 664.44'

NORTH LINE OF THE N 1/2
OF THE SW 1/4 OF THE NW 1/4

NORTH LINE OF PARCEL
(O.R. 8889, PG. 207)

SUBJECT PARCEL
4017-TCE
CONTAINING 3,322.24 SQUARE FEET,
MORE OR LESS

PARCEL ID 272913-000000-034010
NIM LITHUEL LLC
(O.R. 8889, PG. 207)

EAST MAINTAINED
RIGHT-OF-WAY LINE
(M.B. 27, PG. 98)



POINT OF COMMENCEMENT
SW CORNER OF THE N 1/2
OF THE SW 1/4 OF THE NW 1/4

SOUTH LINE OF PARCEL
(O.R. 8889, PG. 207)
SOUTH LINE OF THE N 1/2
OF THE SW 1/4 OF THE NW 1/4

POINT OF BEGINNING

SCALE 1" = 100'

SHEET 2 OF 2

CS PROJECT: 8825.03

PREPARED BY: CHASTAIN-SKILLMAN, LLC. - 205 EAST ORANGE STREET SUITE #110
LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262

4017-TCE

DRAWN BY: S. CHILDS

FIELD BOOK: — PAGE: —

DATE: 04/10/2024

SHEET NO. V-02

EXHIBIT D

Nonexclusive Temporary Construction Easement

[See Attached 1 Page]

The nature, terms and duration of the nonexclusive temporary construction easement (the "Easement") which the Polk Regional Water Cooperative ("PRWC") acquires from the property owners/interest holders ("Owner") of the real property shown and described on Exhibit "A" are:

The Easement in, upon and through the following described land in the County of Polk, State of Florida to-wit:

SEE ATTACHED EXHIBIT "A"
(the "Easement Area")

1. The Easement interests and rights acquired by PRWC are the right, privilege and authority to construct, install, maintain, operate, inspect, patrol, ingress and egress, test, repair, alter, substitute, relocate, resize, replace and remove the water transmission line or lines and related fixtures and/or appurtenances thereto, and vehicular and pedestrian access over the easement area, for the transmission of water and such other improvements as are reasonably necessary in connection with the water supply project for the PRWC.
2. After construction is complete, the lands of the Owner shall be restored to the same, or as good as, condition as existed before construction began.
3. Within a reasonable time after construction is complete, paving, grassed areas and other improvements will be replaced by PRWC.
4. The rights granted herein shall expire upon completion of construction within this Easement or sixty (60) months from the date the Easement is established, whichever occurs sooner.