

This instrument was prepared by or under the direction of:  
Tom Mattiacci  
City of Lakeland Department of Water Utilities  
501 E. Lemon Street  
Lakeland, Florida 33811

Parcel ID No. 232802-018500-000403  
232802-018500-000501

## CITY DEED

**THIS DEED** is made this \_\_\_\_\_ of \_\_\_\_\_, 2024, by the **CITY OF LAKELAND, a Florida municipal cooperation**, whose mailing address is 228 S. Massachusetts Avenue, Lakeland Florida 33801, "Grantor," to the **POLK REGIONAL WATER COOPERATIVE, an independent special district under the laws of the State of Florida**, whose address is 330 West Church Street, Bartow, Florida 33831, "Grantee."

*(wherever used herein the terms "Grantor" and "Grantee" may be singular or plural and/or natural or artificial, wherever the context so requires, and include all of the parties to this instrument and the heirs, legal representatives, and assigns of individuals and the successors and assigns of business entities.)*

**WITNESSETH:** that the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, and sells to the Grantee, its successors and assigns forever, all the right, title, interest, claim, and demand which the Grantor has in and to the following-described land lying and being in Polk County, Florida to wit:

### **PARCEL 1 AND PARCEL 2, AND EXHIBIT "A"**

**RESTRICTIVE COVENANTS:** By acceptance of this deed, Grantee hereby agrees that the use of the property described herein (the "Property") shall be subject to the terms and conditions of the Grant Award Agreement (DEP Agreement No. LPA0251), summarized in the Memorandum of Grant, which is attached thereto as Exhibit A and by reference made a part hereof (hereinafter referred to as the "Restrictive Covenants"). These Restrictive Covenants shall run with the title to the Property in perpetuity and be binding upon Grantee and all successive owners (and all parties claiming by, through and under the owners) of the Property. The Florida Department of Environmental Protection ("DEP") shall be deemed a third-party beneficiary of these Restrictive Covenants in a court of competent jurisdiction. DEP shall have the authority to enforce these Restrictive Covenants in any judicial proceeding seeking any remedy recognizable at law or in equity, including an action or lawsuit seeking damages, injunction, specific performance, or any other form of relief, against any person, firm or entity violating or attempting to violate any of these Restrictive Covenants. The failure by DEP to enforce any covenant or restriction contained herein shall in no event be deemed a waiver of such covenant or restriction or of the right of DEP to thereafter enforce such covenant or restriction. The invalidation of any one of the provisions of these Restrictive Covenants by a court of competent jurisdiction shall in no way affect any of the other provisions of these Restrictive Covenants, which shall remain in full force and effect. Venue for enforcement actions regarding these Restrictive Covenants shall be in the Circuit Court of Polk County, Florida. Grantee agrees to incorporate these Restrictive Covenants in any subsequent deed or other written legal instrument by which Grantee transfers or conveys fee simple title or any other lesser estate in the Property or any part thereof to a third party either verbatim or by making an express reference to these Restrictive Covenants and specifically identifying the official records book and page at which this deed is recorded in the public records of Polk County, Florida. Grantee further agrees to give written notice to DEP of the conveyance or transfer of any interest in the Property at least 20 calendar days prior to the date of such conveyance or transfer.

**IN WITNESS WHEREOF**, said Grantor has caused these presents to be executed in Grantor's name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Attest:

Grantor  
City of Lakeland, Florida  
A Florida Municipal Corporation

By: \_\_\_\_\_  
Kelly S. Koos, City Clerk

By: \_\_\_\_\_  
H. William Mutz, Mayor

Approved as to form and correctness:

By: \_\_\_\_\_  
Palmer Davis, City Attorney

**STATE OF FLORIDA  
COUNTY OF POLK**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by H. William Mutz, as Mayor of the City of Lakeland, on behalf of the City who  is personally known to me or  has produced \_\_\_\_\_ as identification.

(AFFIX NOTARY SEAL)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

My Commission Expires \_\_\_\_\_

*DESCRIPTION*

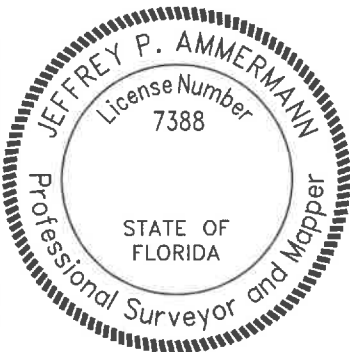
**DESCRIPTION:**

A parcel of land being a portion of Lot 4, Section 2, Township 28 South, Range 23 East, as shown on WEBSTER & OMOHUNDRO EST. LANDS, as recorded in Plat Book 3, Page 81, Public Records of Polk County, Florida, being described as follows:

COMMENCE at the Southeast corner of said Section 2; thence North 00°15'54" West, along the East line of said Section 2, a distance of 1,318.36 feet to the Southeast corner of the Northeast 1/4 of said Southeast 1/4, also being the Southeast corner of Lot 5, WEBSTER & OMOHUNDRO EST. LANDS, as recorded in Plat Book 3, Page 81, Public Records of Polk County, Florida; thence South 89°53'23" West, along the South line of said Northeast 1/4 of the Southeast 1/4, also being the South line of said Lot 5, a distance of 33.00 feet to the West right-of-way line of Providence Road as shown on the Florida Department of Transportation Right-of-Way Map Section 16780-2150 for the POINT OF BEGINNING; thence South 00°15'54" East, along said West right-of-way line, 29.31 feet; thence South 89°44'06" West, along said West right-of-way line, 2.00 feet; thence South 00°15'54" East, along said West right-of-way line, 15.29 feet to a line being 50.00 feet South of and parallel with the South line of the North 653.90 feet of the South 1/2 of said Northeast 1/4 of the Southeast 1/4; thence South 89°54'35" West, along said line, 400.00 feet; thence North 00°15'54" West, 44.47 feet to said South line of said Northeast 1/4 of the Southeast 1/4, also being the South line of said Lot 5; thence North 89°53'23" East, along said South line, 205.00 feet to the West line of the East 230.00 feet of the South 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2; thence North 00°15'54" West, along said West line, 5.46 feet to the South line of the North 653.90 feet of the South 1/2 of said Northeast 1/4 of the Southeast 1/4; thence North 89°54'35" East, along said South line, 197.00 feet to said West right-of-way line of Providence Road; thence South 00°15'54" East, along said West right-of-way line, 5.39 feet to the POINT OF BEGINNING. Said parcel containing 18,943 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: 2024.01.26 12:06:03 -05'00'

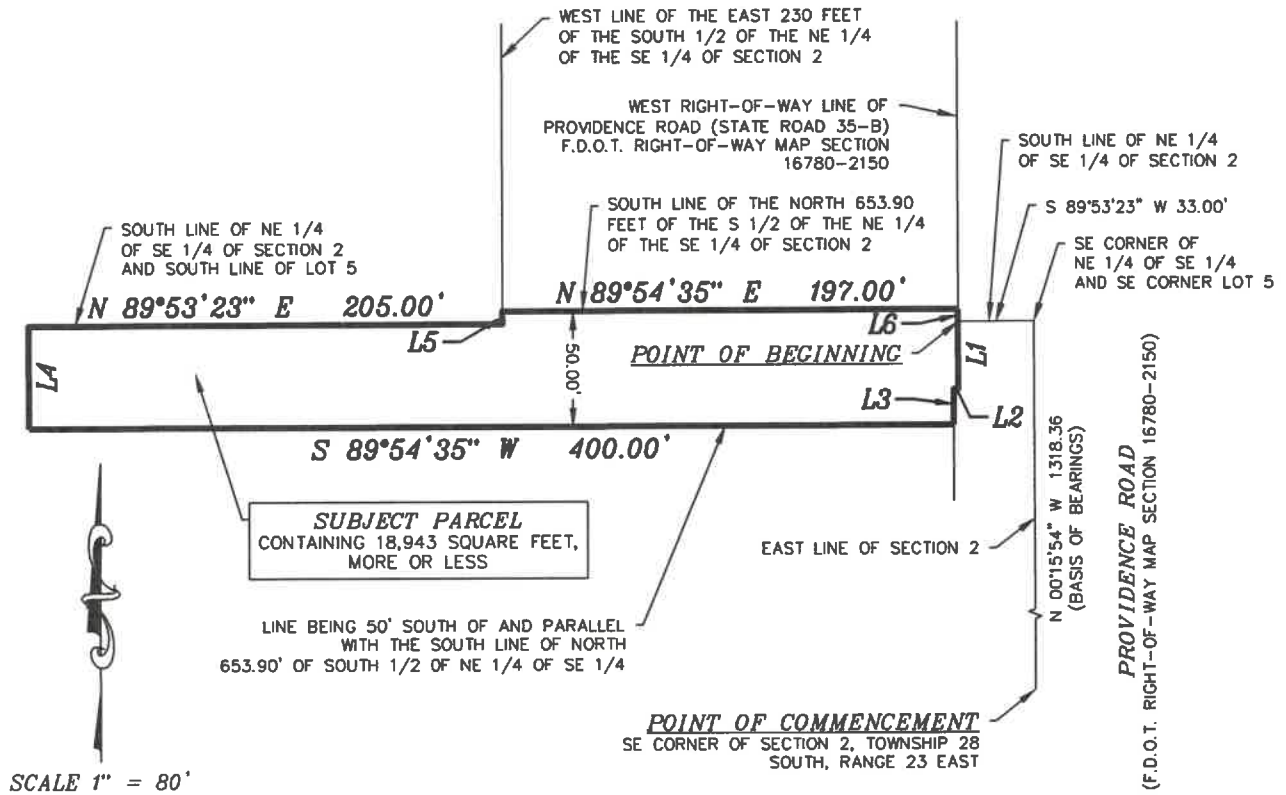
JEFFREY P. AMMERMAN, P.S.M.  
 FLORIDA REGISTRATION PSM 7388  
 JAMMERMANN@CHASTAINSKILLMAN.COM  
 THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE SURVEYOR ON THE DATE ADJACENT TO SEAL. ANY SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED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

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

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET SUITE #110 LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262		10135.03
DRAWN BY: S. CHILDS	FIELD BOOK: — PAGE: —	DATE: 01/26/2024
		SHEET NO. V-01

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DESCRIPTION SKETCH



LINE TABLE		
LINE #	BEARING	LENGTH
L1	S 00°15'54" E	29.31'
L2	S 89°44'06" W	2.00'
L3	S 00°15'54" E	15.29'
L4	N 00°15'54" W	44.47'
L5	N 00°15'54" W	5.46'
L6	S 00°15'54" E	5.39'

SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings are based on the East line of Section 2, Township 28 South, Range 23 East, Polk County, Florida, being North 00°15'54" West.
- 3) See sheet 1 of 2 for description, certifications, and Surveyor's signature.

SHEET 2 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET SUITE #110 LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262		10135.03
DRAWN BY: S. CHILDS	FIELD BOOK: — PAGE: —	DATE: 01/26/2024
		SHEET NO. V-02

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DESCRIPTION

DESCRIPTION:

A parcel of land being a portion of Lots 5 and 6, Section 2, Township 28 South, Range 23 East, as shown on WEBSTER & OMOHUNDRO EST. LANDS, as recorded in Plat Book 3, Page 81, Public Records of Polk County, Florida, being described as follows:

COMMENCE at the Southeast corner of said Section 2; thence North 00°15'54" West, along the East line of said Section 2, a distance of 1,318.36 feet to the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of said Section 2, also being the Southeast corner of said Lot 5; thence South 89°53'23" West, along the South line of said Lot 5, 33.00 feet to the West right-of-way line of Providence Road (State Road 35-B) as shown on the Florida Department of Transportation Right-of-Way Map Section 16780-2150; thence South 00°15'54" East, along said West right-of-way line, 29.31 feet; thence South 89°44'06" West, along said West right-of-way line, 2.00 feet; thence South 00°15'54" East, along said West right-of-way line, 15.29 feet to a line being 50.00 feet South of and parallel with the South line of the North 653.90 feet of the South 1/2 of said Northeast 1/4 of the Southeast 1/4; thence South 89°54'35" West, along said South line, 400.00 feet; thence North 00°15'54" West, along said West line, 44.47 feet to the South line of said Northeast 1/4 of the Southeast 1/4, also being the South line of said Lot 5 for the POINT OF BEGINNING; thence South 89°53'23" West, along said South line 299.92 feet to the East line of LAKELAND INTERSTATE BUSINESS PARK, as recorded in Plat Book 81, Page 44, Public Records of Polk County, Florida; thence North 00°16'14" West, along said East line, 29.61 feet to the North line of said LAKELAND INTERSTATE BUSINESS PARK; thence South 89°54'49" West, along said North line, 511.90 feet; thence North 00°15'32" West, 549.89 feet; thence North 89°54'35" East, 936.77 feet; thence South 00°15'54" East, 579.39 feet to said South line of Lot 5; thence South 89°53'23" West, along said South line, 125.00 feet to the POINT OF BEGINNING. Said parcel containing 12.11 acres, 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.



Digitally signed by Jeffrey P Ammermann Date: 2024.06.25 12:50:34 -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 ARE NOT CONSIDERED VALID WITHOUT A RAISED SEAL.

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

Table with 2 columns: Information (Prepared by, Drawn by, Field Book, Page, Date) and Sheet/Parcel info (10135.03, Sheet No. V-01).

by: jammermann Jun 25, 2024 12:45pm PARCEL 2 P:\1013503\CAD\Survey\1013503-SCC-2023-12-12-BNDY.dwg



Exhibit A

MEMORANDUM OF GRANT

DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT NO. LPA0251

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This Grant Agreement was executed on July 28, 2022, by and between the Florida Department of Environmental Protection and Polk Regional Water Cooperative (Grantee), for in pertinent part, land acquisition in Polk County, Florida, to construct a regional water supply. A copy of the Grant Agreement can be viewed at: <https://facts.fldfs.com/> under “Agency Assigned Contract ID” search tab, or a copy may be obtained by contacting the Clerk of the Department in the Office of General Counsel at 3900 Commonwealth Blvd., Mail Station 35, Tallahassee Florida 32399. The Grant Agreement and the required Conservation Easement/Restrictive Covenant implement an environmental benefit under Chapter 403 of the Florida Statutes and constitute an exception to marketability under Section 712.03 of the Florida Statutes.