

RESOLUTION NO. 2025 -

A RESOLUTION DISSOLVING FAIRWAYS LAKE ESTATES PHASE IV SPECIAL STREET LIGHTING DISTRICT; PROVIDING AUTHORITY; PROVIDING CERTAIN DEFINITIONS; PROVIDING FINDINGS REPEALING ALL AMENDMENTS THERETO; PROVIDING FOR THE DISILLUSION OF THE FAIRWAYS LAKE ESTATES PHASE IV ONE SPECIAL STREET LIGHTING DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Polk County pursuant to Article VIII, Section 1 of the Constitution of the State of Florida and Chapter 125, Florida Statutes, adopted Ordinance No. 97-14 creating the Fairways Lake Estates Phase IV Special Street Lighting District; and

WHEREAS, The Fairways Lake Estates Home Owners' Association ("HOA") is currently responsible for the street lighting bills for the Fairways Lake Estates Phases 1, 2, and 3 Special Street Lighting District; and

WHEREAS, The HOA has requested the County dissolve the Fairways Lake Estates Phase IV Special Street Lighting District with plans to combine all phases together beginning January 1, 2026; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the Master Street Lighting Assessment Ordinance (Ordinance 18-066), Article VIII, Section 1, Florida Constitution, Chapter 125, Florida Statutes, the Polk County Home Rule Charter, and other applicable provisions of law.

SECTION 2. DEFINITIONS. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Master Street Lighting Assessment Ordinance

SECTION 3. GENERAL FINDINGS. It is hereby ascertained, determined and declared that:

- (A) Pursuant to Article VIII, Section 1 of the Florida Constitution, and sections 125.01 and 125.66, Florida Statutes, and other applicable provisions of law, the Board has all powers of local self-government to perform county functions and to render county services except when prohibited by law and such power may be exercised by the enactment of legislation in the form of County ordinances.
- (B) Pursuant to Section 125.01(1)(q), Florida Statutes, the Board has an enumerated county power to establish, merge, and abolish municipal service benefit units for any part or all of the county within which may be provided street lighting services, facilities, and programs with funds provided from special assessments. The Street Lighting Assessment Areas are municipal service benefit units within the meaning and intent of Section 125.01(1)(q), Florida Statutes.
- (C) Polk County created the FAIRWAYS LAKE ESTATES PHASE IV Street Lighting Assessment Area (“SLAA”) in 1997 pursuant to Polk County Ordinance No. 1997-14 for the purpose of providing continued street lighting in the SLAA.
- (D) Fairways Lake Estates HOA is currently responsible for Phases 1, 2, and 3, and the Fairways Lake Estates Owners’ Association, Inc. has requested that the FAIRWAYS LAKE ESTATES PHASE IV Street Lighting Assessment Area be dissolved beginning December 31, 2025.
- (E) The owners who own over 75% percent of the properties to be included in the SLAA have petitioned for the SLAA to be dissolved.

- (F) The Board has enacted the Master Street Lighting Assessment Ordinance to provide for the creation, amending, or dissolution of Street Lighting Assessment Areas, authorize the imposition of Street Lighting Assessments to fund the Street Lighting Service Cost to benefitted property located therein.

SECTION 4. REPEAL. FAIRWAY LAKE ESTATES PHASE IV Street Lighting Assessment Area, as established under Resolution No. 18-103 of Polk County, and all amendments thereto, is hereby repealed on December 31st, 2025. All other provisions of Resolution No. 18-103 remain in full force and effect.

SECTION 5. STREET LIGHTING AREA DISSOLUTION:

- (a) The FAIRWAYS LAKE ESTATES PHASE IV Street Lighting Assessment Area consisted of the following street lighting poles and lights which have been installed, operated and maintained by DUKE ENERGY (“Power Company”).

17 – 50 WATT Roadway Lights
17 – 30’ Concrete Poles

- (b) The FAIRWAYS LAKE ESTATES PHASE IV Street Lighting Assessment Area was composed of the lands described as:

Lots 181 through 261 inclusive of Fairways Estates Phase, as recorded in Plat Book 104, Page 12, Public Records of Polk County Florida, beginning in Section 01, Township 25 South, Range 26 East.

- (c) The FAIRWAYS LAKE ESTATES PHASE IV Street Lighting Assessment Area is hereby dissolved on December 31st, 2025.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 7th day of October, 2025.

ATTEST:
STACY M. BUTTERFIELD, CPA,
CLERK

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
T.R. Wilson, Chairman