

**RESOLUTION - \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA AMENDING RESOLUTION 2025-127 TO CORRECT SCRIVENER'S ERROR AND RESTATING THE SOLIVITA STREET LIGHTING ASSESSMENT AREA IN FULL BY COMBINING SOLIVITA PHASE 1 WITH SOLIVITA PHASE IIA, SOLIVITA PHASE IIB, SOLIVITA PHASE IIC, SOLIVITA PHASE IID, SOLIVITA PHASE 1D, SOLIVITA PHASE IVA, SOLIVITA PHASE IVB, SOLIVITA PHASE IVC SECTION 1, SOLIVITA PHASE IVC SECTION 2, SOLIVITA PHASE IIIA, SOLIVITA PHASE 1E, SOLIVITA PHASE VIA, SOLIVITA PHASE IIIB, SOLIVITA PHASE VIB, SOLIVITA PHASE 7A, SOLIVITA PHASE 7C, SOLIVITA PHASE 7B 1, SOLIVITA PHASE 7B 2, SOLIVITA PHASE 7D, SOLIVITA PHASE 7G-1, SOLIVITA PHASE 5F, SOLIVITA PHASE 1H, SOLIVITA PHASE 7G – UNITE 1, SOLIVITA PHASE 1H UNIT 2, SOLIVITA PHASE 7G – UNIT 2, SOLIVITA PHASE 7E – UNIT 1, SOLIVITA PHASE 7E UNIT 2, SOLIVITA PHASE 1C, SOLIVITA PHASE 1H UNIT 3, SOLIVITA PHASE G J, SOLIVITA PHASE 5F – UNIT 1 REPLAT, SOLIVITA PHASE 5I, SOLIVITA PHASE 1F UNIT 1, SOLIVITA PHASE 1F UNIT 2, SOLIVITA PHASE 7F, SOLIVITA PHASE 5A, SOLIVITA PHASE 5E-S, SOLIVITA PHASE 5E-W, SOLIVITA PHASE 5H UNIT 1, SOLIVITA PHASE 5B, SOLIVITA PHASE 5 E-S AMENDMENT, SOLIVITA PHASE 5H UNIT 2, SOLIVITA PHASE 5H UNIT 3, SOLIVITA PHASE 5C, AND SOLIVITA PHASE 5D; PROVIDING AUTHORITY, PROVIDING DEFINITIONS; PROVIDING FINDINGS; PROVIDING LIGHTING SERVICES; PROVIDING METHOD OF APPORTIONMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on October 7, 2025, the Board of County Commissioners of Polk County adopted Resolution 2025-127 amending and combining all phases under the SOLIVITA Property Owner's Association, Inc. under a single street lighting area, SOLIVITA PHASE 1; and

**WHEREAS**, Resolution 2025-127 contained the incorrect legal description for one of the SOLIVITA phases, Solivita IIB; and

**WHEREAS**, this Resolution shall amend Resolution 2025-127 to correct the scrivener's error, as further set forth below; and

**WHEREAS**, for ease of reference, SOLIVITA PHASE 1 will be restated in its corrected entirety.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled:

**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 SOLIVITA PHASE 1 Street Lighting Assessment Area (“SLAA”) in 2000 pursuant to Polk County Resolution No. 2000-094 for the purpose of providing continued street lighting in the SLAA. (Polk County

Ordinance No. 2000-94 has been subsequently repealed and replaced by the Master Street Lighting Assessment Ordinance.

- (D) The SOLIVITA Property Owners' Association, Inc. has requested that the legal description of the SLAA to be amended to add all phases of the Solivita Special Street Lighting Areas into one.
- (E) The owners who own over 75% percent of the properties to be included in the SLAA has petitioned for the legal description of the SLAA to be amended to add the platted developments for all Solivita Special Street Lighting Areas.
- (F) The Board has enacted the Master Street Lighting Assessment Ordinance to provide for the creation and amending of Street Lighting Assessment Areas, authorize the imposition of Street Lighting Assessments to fund the Street Lighting Service Cost to benefitted property located therein.
- (G) It is consistent with the Florida Supreme Court case of City of Winter Springs v. State, 776 So. 2d 255 (Fla. 2001), that street lighting provides a special benefit to property by enhancing the aesthetics, safety, value and the use and enjoyment of property.
- (H) The Street Lighting Services will provide a special benefit to all Tax Parcels of Assessed Property by protecting and enhancing the value, use and enjoyment of such property. The provision of street lights and the operation and maintenance of those lights will provide better and easier nighttime recognition and identification, which enhances safety and access to property; provide enhanced roadway lighting that is intended to produce quick, accurate, and comfortable seeing at night that will safeguard, facilitate, and encourage vehicular and pedestrian traffic on the

roadways abutting and serving the Assessed Property; provide a reduction in nighttime accidents occurring on or adjacent to Assessed Property resulting from the proper use of nighttime lighting; aid to public safety services (such as police, fire & rescue) in responding to the Assessed Property; provide better property identification and recognition of property; will enhance the aesthetics, value, use, enjoyment, safety and access to Assessed Property; and facilitate traffic flow to and from the Assessed Property during nighttime hours.

- (I) It is consistent with City of Winter Springs v. State that the benefit received by non-assessment area residents en route to other parts of the County is incidental to the benefits received by the properties within the assessment area.
- (J) The imposition and levy of an annual Street Lighting Assessment is the most equitable and efficient method of allocating and apportioning the costs of the street lights within the Street Lighting Assessment Area.

**SECTION 4. AMENDMENT OF STREET LIGHTING ASSESSMENT AREA.**

The SOLIVITA PHASE 1 Street Lighting Assessment Area is hereby amended and shall include the lands described as:

Lots 1 through 401, Solivita Phase 1, as recorded in Plat Book 112, Pages 1 through 14, Public Records of Polk County, Florida being in Sections 13, 14, 23, and 24, Township 27 South, Range 28 East Polk County, Florida;

AND

Lots 3 through 81, Solivita IIA, as recorded in Plat Book 115, Pages 9 through 11, Public Records of Polk County, Florida, being in Section 22 and 23, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 82 through 273, Solivita IIB, as recorded in Plat Book 115, Pages 34 through 38, Public Records of Polk County, Florida, being in Section 22, 23, 26, and 27, Township 27 south, Range 28 East, Polk County, Florida LESS AND EXCEPT that portion of Lot 82 that was re-platted in Solivita Phase IVB as recorded in Plat Book 121, Pages 2 through 6 of said Public Records;

AND

Lots 274 through 475 and Lots 646 through 659, Solivita IIC, as recorded in Plat Book 118, Pages 12 through 16, Public Records of Polk County, Florida, being in Section 23, 24, and 26, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 476 through 645 and Lots 660 through 695, Solivita Phase IID, as recorded in Plat Book 118, Pages 17 through 20, Public Records of Polk County, Florida, being in Sections 23, 24, and 26, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 65, Solivita Phase ID, as recorded in Plat Book 122, Pages 9 through 11, Public Records of Polk County, Florida, being in Sections 13 and 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 92, Solivita Phase IVA, as recorded in Plat Book 120, Pages 13 through 17, Public Records of Polk County, Florida, being in Sections 14, 15, 22, and 23, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 12 through 177, Solivita Phase IVB, as recorded in Plat Book 121, Pages 2 through 6, Public Records of Polk County, Florida, being in Sections 22 and 23, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 65, and 429 through 439, Solivita Phase IVC Section 1, as recorded in Plat Book 124, Pages 15 through 18, Public Records of Polk County, Florida, being in Sections 22 and 23, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 66 through 428 and Lot 440, Solivita Phase IVC Section 2, as recorded in Plat Book 124, Pages 33 through 38, Public Records of Polk County, Florida, being in Sections 22, 23, 26 and 27, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 83, and Lots 283 through 507, Solivita Phase IIIA, as recorded in Plat Book 127, Pages 10 through 13, Public Records of Polk County, Florida, being in Sections 13 and 24, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 84, Solivita Phase IE, as recorded in Plat Book 128, Pages 27 through 30, Public Records of Polk County, Florida, being in Sections 13 and 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 120, Solivita Phase VIA, as recorded in Plat Book 131, Pages 30 through 35, Public Records of Polk County, Florida, being in Section 13, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 84 through 282, Solivita Phase IIIB, as recorded in Plat Book 131, Pages 36 through 39, Public Records of Polk County, Florida, being in Section 24, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 102, Solivita Phase VIB, as recorded in Plat Book 133, Pages 14 through 17, Public Records of Polk County, Florida, being in Section 13, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 259, Solivita Phase 7A, as recorded in Plat Book 134, Pages 20 through 31, Public Records of Polk County, Florida, being in Sections 15, 16, 21, 22, and 27, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 202, Solivita Phase 7C, as recorded in Plat Book 136, Pages 3 through 5, Public Records of Polk County, Florida, being in Sections 15 and 22, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 101 and Lots 192 through 250 and Lots 392 through 446, Solivita Phase 7B 1, as recorded in Plat Book 136, Pages 14 through 18, Public Records of Polk County, Florida, being in Section 22, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 102 through 191 and Lots 251 through 391, Solivita Phase 7B 2, as recorded in Plat Book 136, Pages 39 through 41, Public Records of Polk County, Florida, being in Section 22, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 203, Solivita Phase 7D, as recorded in Plat Book 137, Pages 9 through 16, Public Records of Polk County, Florida, being in Sections 15, 16, and 22, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 204 through 208, Solivita Phase 7G-1, as recorded in Plat Book 143, Pages 13 through 15, Public Records of Polk County, Florida, being in Section 22, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 29 through 146, Solivita Phase SF, as recorded in Plat Book 145, Pages 1 through 5, Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 16, Solivita Phase 1H, as recorded in Plat Book 153, Pages 14 and 15 of the Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 97, Solivita Phase 7G-Unit 1, as recorded in Plat Book 153, Pages 36 through 39 of the Public Records of Polk County, Florida; being in Sections 15, 21, and 22, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 17 through 36, Solivita Phase 1H Unit 2, as recorded in Plat Book 154, Pages 41 and 42 of the Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 98 through 278, Solivita Phase 7G-Unit 2, as recorded in Plat Book 155, at Pages 4 through 8, Public Records of Polk County, Florida, being in Sections 15, 21, and 22, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 17 through 93, Solivita Phase 7E-Unit 1, as recorded in Plat Book 155, at Pages 9 and 10, Public Records of Polk County, Florida, being in Sections 15 and 16, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 16, and Lots 94 through 165, Solivita Phase 7E Unit 2, as recorded in Plat Book 155, Pages 13 through 16, Public Records of Polk County, Florida, being in Sections 15 and 16, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 36, Solivita Phase 1C, as recorded in Plat Book 155, at Pages 44 and 45, Public Records of Polk County, Florida, being in Sections 14 and 23, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lot 37 and Tract A, Solivita Phase 1H Unit 3, as recorded in Plat Book 157, Page 9, of the Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 623 through 630, Solivita Phase SJ, as recorded in Plat Book 157, Pages 10 and 11, Public Records of Polk County, Florida, being in Section 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 28, and Lots 147 through 170, Solivita Phase SF - Unit 1 Replat, as recorded in Plat Book 157, Pages 33 through 47, Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 601 through 622, Solivita Phase 51, as recorded in Plat Book 158, Pages 1 through 4, Public Records of Polk County, Florida, being in Section 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 72 through 140, and Lots 201 through 206, Solivita Phase IF Unit 1, as recorded in Plat Book 158, Pages 46 through 49, Public Records of Polk County, Florida, being in Sections 14, and 23, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 37 through 71, and Lots 141 through 200, Solivita Phase IF Unit 2, as recorded in Plat Book 160, Pages 14 through 16, Public Records of Polk County, Florida, being in Sections 14 and 23, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 92, Solivita Phase 7F, as recorded in Plat Book 161, Pages 7 through 10, Public Records of Polk County, Florida, being in Section 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 122, Solivita Phase SA, as recorded in Plat Book 165, Pages 10 through 21, Public Records of Polk County, Florida, being in Section 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 494 through 539, and Lot 547, Solivita Phase SE-S, as recorded in Plat Book 169, Pages 42 through 46, Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 38, Solivita Phase SE-W, as recorded in Plat Book 171, Pages 13 and 14, Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 548 through 584, Lots 604 through 611, Lots 628 through 640, and Lots 650 through 692, Solivita Phase SH Unit 1, as recorded in Plat Book 171, Pages 37 through 43, Public Records of Polk County, Florida, being in Sections 14 and 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 123 through 251, Solivita Phase SB, as recorded in Plat Book 177, Pages 1 through 4, Public Records of Polk County, Florida, being in Section 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 540 through 546, and Lots 548 through 558, Solivita Phase 5 E-S Amendment, as recorded in Plat Book 177, Page 33, Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 21, Plat of Solivita Phase SH Unit 2, as recorded in Plat Book 182, Pages 50 and 51, Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 22 through 38, Solivita Phase SH Unit 3, as recorded in Plat Book 186, Pages 22 and 23, Public Records of Polk County, Florida, being in Section 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 1 through 115, Solivita Phase SC, as recorded in Plat Book 187, Pages 26 through 30, Public Records of Polk County, Florida, being in Sections 14 and 15, Township 27 South, Range 28 East, Polk County, Florida;

AND

Lots 116 through 215, Solivita Phase SD, as recorded in Plat Book 195, Pages 31 through 33, Public Records of Polk County, Florida, being in Section 14, Township 27 South, Range 28 East, Polk County, Florida.

#### **SECTION 5. LIGHTING SERVICES.**

- (A) The SOLIVITA PHASE 1 Street Lighting Assessment Area, as amended by this Resolution, shall consist of the following street lighting poles and lights which have been or will be installed, operated and maintained by DUKE ENERGY (“Power Company”):

**1802 – Light Fixtures**

**1605 - Poles**

- (B) The estimated annual Street Lighting Assessment Cost is \$668,010.80.
- (C) The initial estimated Street Lighting Assessment for the Fiscal Year beginning October 1, 2026 is \$122.00.
- (D) Changes to the Lighting Services can be made in accordance with the Master Street Lighting Assessment Ordinance.

#### **SECTION 6. Method of Apportionment.**

- (A) The Street Lighting Assessments shall generally be levied equally upon each Assessment Unit assigned to each Tax Parcel provided with Street Lighting Services as shown on the Property Appraiser’s tax roll.
- (B) The standard Assessment Unit for the Street Lighting Assessment Area shall be a Lot.
- (C) The annual Street Lighting Assessments shall generally be calculated for each Tax Parcel, excluding the Excluded Parcels, in the following manner:

- 1) ANNUAL SERVICE COMPONENT. The Annual Service Component shall be calculated for each Fiscal Year for each Tax Parcel by dividing the number of Assessment Units attributable to such Tax Parcel by the total number of Assessment Units attributable to all Tax Parcels within Street Lighting Assessment Area, and multiplying the result by the estimated Street Lighting Assessed Cost.
- 2) ASSESSMENT COLLECTION COST. The Assessment Collection Cost shall be computed each Fiscal Year for each Tax Parcel by (1) dividing (a) the Annual Service Component for such Tax Parcel by (b) the Street Lighting Assessed Cost and (2) multiplying the result by the Assessment Collection Cost.
- 3) STATUTORY DISCOUNT AMOUNT. The Statutory Discount Amount shall be computed for each Tax Parcel by deducting (1) the sum of (a) the Annual Service Component and (b) the Assessment Collection Cost, from (2) the amount computed by dividing (a) the sum of (i) the Annual Service Component and (ii) the Assessment Collection Cost, by (b) the factor of 0.95.
- 4) STREET LIGHTING ASSESSMENT. The annual Street Lighting Assessment for each Tax Parcel shall be computed as the sum of (1) the Annual Service Component, (2) the Assessment Collection Cost, and (3) the Statutory Discount Amount.

**SECTION 7. SEVERABILITY.** If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall remain in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 8. EFFECTIVE DATE.** Because the purpose of this Resolution is to correct a scrivener's error in a certain legal description and no substantive changes are being made to Resolution 2025-127, the effective date of this Resolution shall be October 7, 2025.

**DULY ADOPTED** this 2<sup>nd</sup> day of June, 2026.

ATTEST:

STACY M. BUTTERFIELD, CPA,  
CLERK

BOARD OF COUNTY COMMISSIONERS  
POLK COUNTY, FLORIDA

By \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
Martha Santiago, Ed.D., Chair