



# CITY OF DAVENPORT

## Gateway to the Ridge

### CLERK'S CERTIFICATE

I, Raquel Castillo, the undersigned City Clerk of the City of Davenport, Florida (the "City"), DO HEREBY CERTIFY that:

(1) Attached hereto is a true and correct copy of Resolution No. 517-25 adopted at the April 21, 2025 Regular Meeting.

(2) Said action made upon a motion by Commissioner Fellows and a second by Commissioner Fellows-Coffey and carried unanimously.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affix the official seal of the city this 23<sup>rd</sup> day of April, 2025.

  
Raquel Castillo, City Clerk

## RESOLUTION 517-25

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DAVENPORT APPROVING AND CONSENTING TO THE AMENDMENT OF THE EXTERNAL BOUNDARIES OF THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS PURSUANT TO SECTION 190.046(1)(B), FLORIDA STATUTES OVER THE LANDS DESCRIBED HEREIN; APPROVING AND CONSENTING TO PROPERTY DESCRIBED HEREIN TO BE EXCLUDED FROM THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Petitioner, North Powerline Road Community Development District (hereafter, the “**District**”), is a local unit of special-purpose government established pursuant to the provisions of Chapter 190, *Florida Statutes*, and Polk County Ordinance No. 18-036, as amended (the “**Ordinance**”), and located both within the City of Davenport, Florida (the “**City**”), and unincorporated Polk County, Florida (the “**County**”); and

**WHEREAS**, on or around February 20, 2025, the District petitioned the Polk County Board of County Commissioners (the “**County Commission**”), pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, and specifically Section 190.046(1)(b), *Florida Statutes*, to adopt an amendment to the Ordinance to remove approximately 26.526 acres of land, more or less, from the District ( the “**Contraction Parcels**”); and

**WHEREAS**, the Contraction Parcels are located within the City which the legal description of said lands are identified in **Composite Exhibit A**; and

**WHEREAS**, Section 190.046(1)(b), *Florida Statutes*, provides that for those community development districts initially established by County ordinance, the petition for ordinance amendment shall be filed with the County; and

**WHEREAS**, Section 190.046(1)(b), *Florida Statutes*, provides that if the land to be added or removed, in whole or in part, is within the boundaries of a municipality, the County shall not amend the Ordinance without the municipality’s approval; and

**WHEREAS**, Petitioner is requesting consent from the City to remove the Contraction Parcels identified in **Composite Exhibit A**, from the North Powerline Road Community Development District.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA AS FOLLOWS:**

**SECTION 1. City Approval of Contraction Parcels.** The City Commission of the City of Davenport, Florida hereby approves and consents to the Contraction Parcels, the external boundaries of which are as described in **Composite Exhibit A** attached hereto, to be removed from the North Powerline Road Community Development District.

**SECTION 2. Effective Date.** This Resolution shall take effect immediately upon its approval.

**INTRODUCED AND APPROVED** by the City Commission of the City of Davenport, Florida this 21<sup>st</sup> day of April, 2025.

**ATTEST:**

By: Raquel Castillo  
Raquel Castillo  
City Clerk

**APPROVED:**

Brynn Summerlin  
for Mayor  
Jeremy Clark  
Vice Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

By: EME  
Thomas Cloud, Esq.  
City Attorney  
Elisabeth M. Crane

**Composite Exhibit A**  
**Contraction Parcels<sup>1</sup>**

**Contraction "A":**

A parcel of land being a portion of Tracts I, K, L, and M, of the Northeast 1/4 of Section 10, Township 27 South, Range 27 East, FLORIDA DEVELOPMENT CO. TRACT, as recorded in Plat Book 3, Page 60, of the Public Records of Polk County, Florida, said parcel of land also being a portion of platted Right-of-way, per said plat of FLORIDA DEVELOPMENT CO. TRACT, as vacated per Official Records Book 12630, Page 79, of the Public Records of Polk County, Florida, lying and being in the Northeast 1/4 of Section 10, Township 27 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at a point marking the Northeast corner of the Northeast 1/4 of Section 10, Township 27 South, Range 27 East, Polk County, Florida; thence coincident with the East boundary of the Northeast 1/4 of said Section 10, S 00°09'46" E a distance of 15.00 feet to a point coincident with the Easterly extension of the South Right-of-way boundary of Horseshoe Creek Road, per FLORIDA DEVELOPMENT CO. TRACT, as recorded in Plat Book 3, Page 60, of the Public Records of Polk County, Florida, said point being the POINT OF BEGINNING; thence continue coincident with the East boundary of the Northeast 1/4 of said Section 10, S 00°09'46" E a distance of 1249.73 feet to a point coincident with the Easterly extension of the North Right-of-way boundary of South Boulevard East, as depicted on Official Records Book 12658, Page 2241, of the Public Records of Polk County, Florida; thence departing said East boundary, coincident with said Easterly extension and the North Right-of-way boundary of South Boulevard East, S 89°43'42" W a distance of 484.29 feet to a point marking the Southwest corner of the lands described per Official Records Book 11689, Page 3, of the Public Records of Polk County, Florida; thence departing said North Right-of-way boundary, coincident with the Westerly boundary of said lands for the following two (2) courses: 1.) N 00°47'21" W a distance of 275.15 feet; 2.) thence S 89°41'50" W a distance of 150.07 feet to a point coincident with the East Right-of-way boundary of East Boulevard, per MAP OF DAVENPORT, as recorded in Plat Book 3, Page 58, of the Public Records of Polk County, Florida; thence departing said Westerly boundary, coincident with said East Right-of-way boundary, N 00°47'09" W a distance of 342.38 feet to a point coincident with the aforesaid Westerly boundary of the lands described per Official Records Book 11689, Page 3; thence departing said East Right-of-way boundary, coincident with the Westerly boundary of said lands for the following four (4) courses: 1.) N 89°44'32" E a distance of 144.94 feet; 2.) thence N 00°47'16" W a distance of 132.50 feet; 3.) thence N 89°44'32" E a distance of 155.00 feet; 4.) thence N 00°47'11" W a distance of 500.16 feet to a point coincident with the South Right-of-way boundary of Horseshoe Creek Road, per said plat of FLORIDA DEVELOPMENT CO. TRACT; thence departing said Westerly boundary, coincident with said South Right-of-way boundary, N 89°46'19" E a distance of 348.03 feet to the POINT OF BEGINNING.

Containing an area of 590919.55 square feet, 13.566 acres, more or less.

**Contraction "B": As Written by SurvTech Solutions**

A parcel of land being a portion of Tract I, FLORIDA DEVELOPMENT CO. TRACT, as recorded in Plat Book 3, Page 60, of the Public Records of Polk County, Florida, lying and being in the Northeast 1/4

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<sup>1</sup> Contraction Parcel Sketches are found in Composite Exhibit 4 of the Petition.

of Section 10, Township 27 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at a point marking the Northeast corner of the Northeast 1/4 of Section 10, Township 27 South, Range 27 East, Polk County, Florida; thence coincident with the North boundary of the Northeast 1/4 of said Section 10, S 89°46'19" W a distance of 647.98 feet; thence departing said North boundary, S 00°13'41" E a distance of 15.00 feet to a point marking the Northwest corner of Tract I, FLORIDA DEVELOPMENT CO. TRACT, as recorded in Plat Book 3, Page 60, of the Public Records of Polk County, Florida, said point being the POINT OF BEGINNING; thence coincident with the North boundary of said Tract I, N 89°46'19" E a distance of 233.16 feet to a point coincident with the apparent North Right-of-way boundary of Horseshoe Creek Road; thence departing said North boundary, coincident with said North Right-of-way boundary for the following three (3) courses: 1.) S 59°54'29" W a distance of 73.24 feet to a point coincident with a tangent curve concave to the North, said curve having a radius of 140.00 feet, a delta angle of 29°12'04" and being subtended by a chord bearing S 74°30'31" W for a distance of 70.58 feet; 2.) thence coincident with the arc of said curve a distance of 71.35 feet; 3.) thence S 89°06'33" W a distance of 101.02 feet to a point coincident with the East Right-of-way boundary of East Boulevard, per MAP OF DAVENPORT, as recorded in Plat Book 3, Page 58, of the Public Records of Polk County, Florida; thence departing said North Right-of-way boundary, coincident with said East Right-of-way boundary, N 00°47'09" W a distance of 56.22 feet to the POINT OF BEGINNING.

Containing an area of 10122.14 square feet, 0.232 acres, more or less.

Contraction "C": As Written by SurvTech Solutions

A parcel of land being Tracts G, and H, of the Southeast 1/4 of Section 3, Township 27 South, Range 27 East, FLORIDA DEVELOPMENT CO. TRACT, as recorded in Plat Book 3, Page 60, of the Public Records of Polk County, Florida, said parcel of land also being a portion of platted Right-of-way, per said plat of FLORIDA DEVELOPMENT CO. TRACT, as vacated per Official Records Book 12630, Page 79, of the Public Records of Polk County, Florida, lying and being in the Southeast 1/4 of Section 3, Township 27 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at a point marking the Southeast corner of the Southeast 1/4 of Section 3, Township 27 South, Range 27 East, Polk County, Florida; thence coincident with the East boundary of the Southeast 1/4 of said Section 3, N 00°12'06" W a distance of 15.00 feet to a point coincident with the Easterly extension of the North Right-of-way boundary of Horseshoe Creek Road, per FLORIDA DEVELOPMENT CO. TRACT, as recorded in Plat Book 3, Page 60, of the Public Records of Polk County, Florida, said point being the POINT OF BEGINNING; thence departing said East boundary, coincident with said Easterly extension and the North Right-of-way boundary of Horseshoe Creek Road, S 89°46'19" W a distance of 648.47 feet to a point marking the Southwest corner of Tract H, of the Southeast 1/4 of said Section 3, per said plat of FLORIDA DEVELOPMENT CO. TRACT; thence departing said North Right-of-way boundary, coincident with the West boundary of said Tract H, and the West boundary of Tract G, of the Southeast 1/4 of said Section 3, per said plat of FLORIDA DEVELOPMENT CO. TRACT, N 00°50'53" W a distance of 641.65 feet to a point marking the Northwest corner of said Tract G; thence departing said West boundary, coincident with the North boundary of said Tract G and the Easterly extension thereof, N 89°43'58" E a distance of 655.71 feet to a point coincident with the East boundary of the Southeast 1/4 of said Section 3; thence

departing the Easterly extension of said North boundary, coincident with said East boundary, S 00°12'06" E a distance of 642.06 feet to the POINT OF BEGINNING.

Containing an area of 418537.66 square feet, 9.608 acres, more or less.

Contraction "D": As Written by SurvTech Solutions

A parcel of land being a portion of Tract C-2, BELLA VITA PHASE 1A AND 1B-1, as recorded in Plat Book 183, Page 8, of the Public Records of Polk County, Florida, lying and being in the Northeast 1/4 of Section 3, Township 27 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at a point marking the Northeast corner of the Northeast 1/4 of Section 3, Township 27 South, Range 27 East, Polk County, Florida; thence coincident with the North boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 3, N 88°57'39" W a distance of 1368.62 feet to a point marking the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 3; thence departing said North boundary, coincident with the North boundary of the Northwest 1/4 of the Northeast 1/4 of said Section 3, N 89°00'46" W a distance of 176.85 feet to the POINT OF BEGINNING; thence departing said North boundary, S 35°36'10" E a distance of 290.23 feet; thence S 62°20'12" E a distance of 12.11 feet to a point coincident with the Northerly extension of the Westerly boundary of BELLA VITA PHASE 1A AND 1B-1, as recorded in Plat Book 183, Page 8, of the Public Records of Polk County, Florida; thence coincident with said Northerly extension and said Westerly boundary, S 00°41'14" E a distance of 272.96 feet; thence continue coincident with said Westerly boundary, N 76°15'52" W a distance of 396.13 feet; thence departing said Westerly boundary, N 06°18'39" E a distance of 194.38 feet; thence N 27°20'24" E a distance of 257.08 feet to a point coincident with the aforesaid North boundary of the Northwest 1/4 of the Northeast 1/4 of said Section 3; thence coincident with said North boundary, S 89°00'46" E a distance of 62.42 feet to the POINT OF BEGINNING.

Containing an area of 135924.22 square feet, 3.120 acres, more or less.

Total contraction area of 1155503.57 square feet, 26.526 acres, more or less.



**Composite Exhibit A**  
**Location Map of Contraction Parcels**

