



# Polk County

## Legislation Details (With Text)

---

**File #:** 23-2482

**Type:** Consent Agenda      **Status:** Passed

**File created:** 5/18/2023      **In control:** Board of County Commissioners

**On agenda:** 6/6/2023      **Final action:** 6/6/2023

**Title:** Approve Subordination Agreement between Polk County and Duke Energy Florida, LLC in conjunction with the Powerline Road improvements. (No fiscal impact)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Subordination Agmt - Duke Energy - Powerline Rd Ext - Backup

Date	Ver.	Action By	Action	Result
6/6/2023	1	Board of County Commissioners	approved	Pass

### **SUBJECT**

Approve Subordination Agreement between Polk County and Duke Energy Florida, LLC in conjunction with the Powerline Road improvements. (No fiscal impact)

### **DESCRIPTION**

The developer of a large-scale residential development in the Davenport area entered into an Infrastructure Agreement with the County wherein the developer is constructing a northerly extension of a County roadway known as Powerline Road from South Boulevard to US Highway 17/92. In accordance with the agreement the right-of-way associated with the extension is being conveyed to the County in two phases and the right-of-way for the first phase has already been conveyed. A portion of the right-of-way associated with the first phase that was conveyed to the County is encumbered with utility easements held by Duke Energy Florida, LLC d/b/a Duke Energy (hereinafter "Duke"). Duke has agreed to subordinate its interest in the portions of the subject easements lying within the right-of-way and has executed a Subordination Agreement for the parcels encumbered with the easements. Approving the Subordination Agreement will authorize the Chairman to execute the document and allow its recordation, which will allow the County to fully utilize the parcel for the roadway.

### **RECOMMENDATION**

Request Board approve the above-mentioned Subordination Agreement.

### **FISCAL IMPACT**

There is no fiscal impact associated with this agenda item.

**CONTACT INFORMATION**

R. Wade Allen, Administrator  
Real Estate Services  
863-534-2577