

RESOLUTION 2019-23

A RESOLUTION CLOSING, VACATING, RENOUNCING AND DISCLAIMING ANY RIGHTS OF THE CITY AND THE PUBLIC IN AND TO A PORTION OF RIGHT-OF-WAY LOCATED WITHIN PARCELS 272935876500017000; 27293587650018010; 272935876500016000; 272935876500015011 (COLLECTIVELY "THE PROPERTY") AND OWNED BY ARGOS READY MIX LLC AS SHOWN ON "ATTACHMENT A" AND SPECIFICALLY DESCRIBED HEREIN.

WHEREAS, Argos Ready Mix LLC, owner of certain real property located 0 Scenic Highway N (272935876500017000; 27293587650018010; 272935876500016000; 272935876500015011 (collectively the "Property"), has requested that the City of Lake Wales, Florida (the "City) vacate the right-of-way shown on "Attachment A," and

WHEREAS, Argos Ready Mix LLC, is the owner of all of the land abutting to the north and south of the right-of-way, and

WHEREAS, the right-of-way is part of a platted subdivision and is both unopened and unmaintained, and

WHEREAS, this right-of-way was granted to allow connectivity for an undeveloped roadway to cross Scenic Highway and provide through access to East Street. The right-of-way no longer affords such access pursuant to Resolution 85-11 recorded in Official Records Book 2403, Page 313, public records of Polk County, Florida on March 11, 1986, and

WHEREAS, telephone, and cable providers serving the area have stated they have no objections to the proposed vacation, and

WHEREAS, an easement has been executed with Duke Energy to grant easement rights over that portion of Right-of-Way referenced herein, and

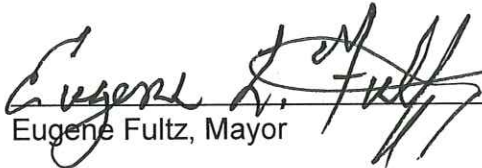
WHEREAS, notice of Hearing has been duly published for the adoption of this resolution and the City Commission has received input from all interested parties as to the advisability of taking this action and has determined that the proposed action will not interfere with any present road system and will not deprive any person of a reasonable means of ingress and egress to his premises.

NOW THEREFORE, BE IT RESOLVED that the City of Lake Wales, by and through its City Commission, does hereby renounce and disclaim any interest of the City of Lake

Wales and the public in and to that portion of a certain right-of-way for Argos Ready Mix LLC shown on "Attachment A" and specifically described as follows:

PID# 272935876500017000; 27293587650018010; 272935876500016000; 272935876500015011 (collectively the "Property") That portion of 6th Avenue lying northerly of Block 17 and southerly of Block 16 and lying easterly of right-of-way of Atlantic Coast Line Railroad and westerly of right-of-way of Seaboard Air Line Railroad; and that portion of 6th Avenue lying northerly of Block 18 and southerly of Block 15 and lying easterly of right-of-way of Seaboard Air Line Railroad and westerly of right-of-way of State Road No. 17; according to the plat of LAKE WALES LAND COMPANY'S INDUSTRIAL ADDITION, Lake Wales, Florida, recorded in Plat Book 19, Page 26, public records of Polk County, Florida; all being in Section 35, Township 29 South, Range 27 East.

APPROVED AND ADOPTED by the City Commission of the City of Lake Wales, Polk County, Florida, this 3rd day of December, 2019.


Eugene Fultz, Mayor

Attest:


Jennifer Nanek, City Clerk



RESOLUTION 2019-23
ATTACHMENT "A"

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