

RESOLUTION 2022-19

A RESOLUTION RELEASING AND DISCLAIMING THE RIGHTS OF THE CITY OF LAKE WALES TO CERTAIN MINERAL RIGHTS RESERVED BY STATUTE AS TO PROPERTIES PREVIOUSLY TITLED IN THE CITY AND SUBSEQUENTLY CONVEYED BY THE CITY FOR PURPOSES OF FACILITATING DEVELOPMENT; MAKING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Lake Wales previously owned certain real property which it subsequently conveyed by Deeds recorded in Official Records Books 5228, 7042, and 7952, at Pages 1657, 1376, and 2154, respectively, of the Public Records of Polk County, Florida; and

WHEREAS, §270.11(1), Florida Statutes, provides for a reservation in a local government of an undivided three-fourths interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same; and

WHEREAS, §270.11(3), Florida Statutes, provides that a local government may release the reserved interest after receipt of a petition to do so; and

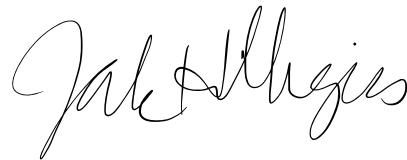
WHEREAS, a petition for release has been received and Ridgecrest of Lake Wales, LLC, has submitted a proposal to the City to develop certain real property impacted by the reservations as a mixed-use community with single-family and commercial/retail uses and the statutory reservations cloud the title to the property and limit its potential development; and

WHEREAS, there is no record indication of any reserved minerals at the site; and

WHEREAS, the development of the property will serve to enhance the City's tax base and its receipt of *ad valorem* tax revenues.

NOW THEREFORE, BE IT RESOLVED that the City of Lake Wales, by and through its City Commission, that the statutory reservation which is the subject of this Resolution is hereby released and disclaimed.

APPROVED and ADOPTED by the City Commission of the City of Lake Wales, Polk County, Florida, this 5th day of July, 2022.



Jack Hilligoss, Mayor

Attest:

Jennifer Nanek, CMC, City Clerk

Prepared by:
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