

RESOLUTION 2023-03

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, CLOSING, VACATING, RENOUNCING AND DISCLAIMING ANY RIGHTS OF THE CITY AND THE PUBLIC IN AND TO A DRAINAGE EASEMENT DATED MAY 19, 1997, GRANTED TO THE CITY BY FINDLAY INDUSTRIES INC AND RECORDED IN OFFICIAL RECORDS BOOK 3861, PAGE 1116, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LOCATED EAST OF SCENIC HIGHWAY NORTH AND SOUTH OF FINDLEY DRIVE, ON PROPERTY OWNED BY RISE PROPERTIES LLC, AS SHOWN ON “ATTACHMENT A” AND SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, RISE PROPERTIES LLC., owns the property and requests that the City of Lake Wales vacate a drainage easement granted to the City by previous owner FINDLAY INDUSTRIES INC, dated May 19, 1997, and recorded in Official Records Book 3861, Page 1116, public records of Polk County, Florida, as more specifically depicted and described on ‘Attachment A’ attached; and

WHEREAS, RISE PROPERTIES LLC also requests that the City Commission of the City of Lake Wales approve and vacate a portion of Findley Drive within property owned by RISE PROPERTIES LLC, as described in Ordinance 2023-10; and

WHEREAS, the drainage easement served as public use for the contemplated completion of Findley Drive that is no longer contemplated and terminates within property owned by RISE PROPERTIES LLC; and

WHEREAS, a building addition for Pamlico interfered with the existing drainage easement outlined in “Attachment A”; and

WHEREAS, drainage requirements outlined by the Southwest Florida Water Management District must be met; and


WHEREAS, notice 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 drainage system.

NOW THEREFORE, BE IT RESOLVED that the City of Lake Wales, by and through its City Commission, does hereby vacate a drainage easement, as shown on “Attachment A” and specifically described as follows:

That part of the northwest quarter of Section 3S, Township 29 South, Range 27 East, Polk County, Florida, described as follows:

Commence at the southwest corner of the northwest quarter of said Section 35; thence North 89°03'17" East along the south line of the northwest quarter thereof a distance of 853.89 feet to a point on the curved easterly right-of-way line of State Road 17 (U.S. Highway 27A) according to Florida Department of Transportation Right-of-Way Map Project No. 5209, Sheet 12, said point being the POINT OF BEGINNING and said curved easterly right-of-way line being concaved northeasterly having a radius of 3133.10 feet; thence northwesterly along said curved easterly right-of-way through a central angle of 05°07'12", an arc distance of 279.98 feet (Chord = 279.89, Chord Bearing = N 23°41'36" W) to the end of said curve; thence on a radial bearing of South 68°52'00" West along said easterly right-of-way line a distance of 10.00 feet; thence North 21°08'00" West along said easterly right-of-way line a distance of 327.70 feet; thence North 89°06'23" East a distance of 885.53 feet; thence South 00°58'07" East a distance of 30.00 feet to the POINT OF BEGINNING; thence continue South 00°58'07" East a distance of 512.34 feet to a point on a parallel line lying 19.10 feet north (measured perpendicular) of the aforesaid south line of the northwest quarter; thence South 89°03'17" West along said parallel line a distance of 186.11 feet; thence North 00°58'07" West a distance of 20.00 feet; thence South 89°03'17" West a distance of 59.00 feet; thence North 00°58'07" West a distance of 62.00 feet; thence North 89°03'17" East a distance of 152.00 feet; thence North 40°13'46" East a distance of 10.00 feet; thence North 00°58'07" West a distance of 350.00 feet; thence North 89°23'17" East a distance of 36.52 feet; thence North 00°58'07" West a distance of 73.07 feet; thence North 89°06'23" East a distance of 50.00 feet to the POINT OF BEGINNING. Containing 1.23 acres.

APPROVED AND ADOPTED by the City Commission of the City of Lake Wales, Polk County, Florida, this 21st day of March, 2023.



Jack Hilligoss, Mayor

Attest:

Jennifer Nanek, City Clerk

Resolution 2023-03
Attachment "A"

That part of the northwest quarter of Section 3S, Township 29 South, Range 27 East, Polk County, Florida, described as follows:

Commence at the southwest corner of the northwest quarter of said Section 35; thence North 89°03'17" East along the south line of the northwest quarter thereof a distance of 853.89 feet to a point on the curved easterly right-of-way line of State Road 17 (U.S. Highway 27A) according to Florida Department of Transportation Right-of-Way Map Project No. 5209, Sheet 12, said point being the POINT OF BEGINNING and said curved easterly right-of-way line being concaved northeasterly having a radius of 3133.10 feet; thence northwesterly along said curved easterly right-of-way through a central angle of 05°07'12", an arc distance of 279.98 feet (Chord = 279.89, Chord Bearing = N 23°41'36" W) to the end of said curve; thence on a radial bearing of South 68°52'00" West along said easterly right-of-way line a distance of 10.00 feet; thence North 21°08'00" West along said easterly right-of-way line a distance of 327.70 feet; thence North 89°06'23" East a distance of 885.53 feet; thence South 00°58'07" East a distance of 30.00 feet to the POINT OF BEGINNING; thence continue South 00°58'07" East a distance of 512.34 feet to a point on a parallel line lying 19.10 feet north (measured perpendicular) of the aforesaid south line of the northwest quarter; thence South 89°03'17" West along said parallel line a distance of 186.11 feet; thence North 00°58'07" West a distance of 20.00 feet; thence South 89°03'17" West a distance of 59.00 feet; thence North 00°58'07" West a distance of 62.00 feet; thence North 89°03'17" East a distance of 152.00 feet; thence North 40°13'46" East a distance of 10.00 feet; thence North 00°58'07" West a distance of 350.00 feet; thence North 89°23'17" East a distance of 36.52 feet; thence North 00°58'07" West a distance of 73.07 feet; thence North 89°06'23" East a distance of 50.00 feet to the POINT OF BEGINNING. Containing 1.23 acres.



PICKETT & ASSOCIATES, INC.
 Engineers • Surveyors • Planners
 475 South First Avenue Bartow, Florida 33830
 Phone: (941) 533-8095



JOB NO. 10060 (100601C)
 DATE 03/12/97

DESCRIPTION SKETCH FOR FINDLAY INDUSTRIES DRAINAGE
 EASEMENT DEDICATION TO THE CITY OF LAKE WALES

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	3133.10'	274.98'	140.08'	279.89'	N 23°41'36" E	05°07'12"

LINE	DIRECTION	DISTANCE
L1	S 68°52'00" W	10.00'
L2	N 00°58'07" W	20.00'
L3	N 40°13'46" E	10.00'
L4	N 89°23'17" E	36.52'



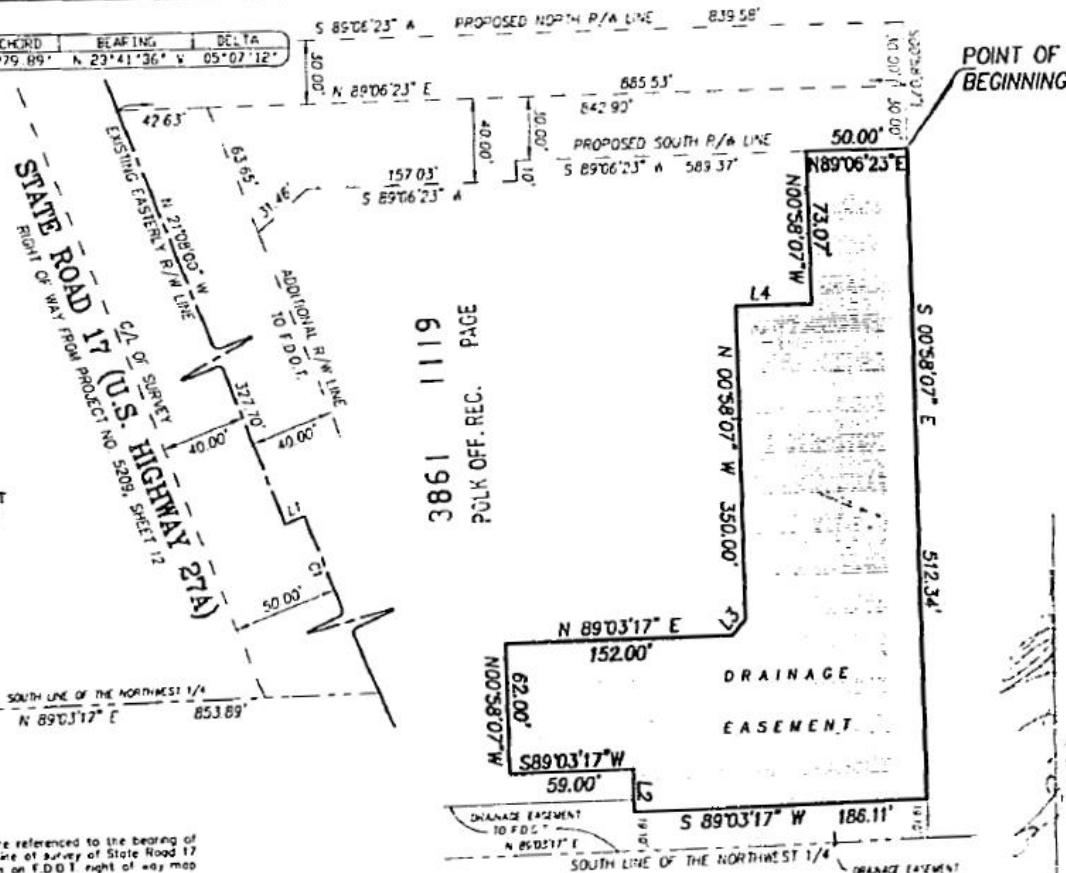
LEGEND:

C/L CENTERLINE
 R/W RIGHT OF WAY
 F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION

POINT OF COMMENCEMENT
 SOUTHWEST CORNER OF
 THE NORTHWEST 1/4 OF
 SECTION 35, TOWNSHIP 29
 SOUTH, RANGE 27 EAST

SURVEYOR'S NOTES:

- 1.) North and the bearings shown herein are referenced to the bearing of North 21°00'00" West, along the centerline of survey of State Road 17 (U.S. Highway Alternate 27A) as shown on F.D.O.T. right of way map Project No. 5209, sheet 12.
- 2.) An abstract of title was not performed by or furnished to Pickett and Associates, Inc. Any easements or encumbrances that may appear as appear as a result of said abstract is not warranted by this sketch.
- 3.) Legal description was prepared by Pickett and Associates, Inc. at client request and is based on parent parcel deed of record.



SHEET 1 OF 2
SEE SHEET 2 FOR DESCRIPTION

**DESCRIPTION SKETCH
 NOT A SURVEY**

3/12/97
 DATE
 GARY L. ALLEN, P.L.S.
 FLORIDA REGISTRATION No. 47548
 PICKETT AND ASSOCIATES, INC.
 FLORIDA REGISTRATION No. LB 384

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.