

**ORDINANCE 2014-06**

(Vacation of portions of Owens and Ray Martin Roads, Lake Wales)

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, CLOSING, VACATING, RENOUNCING, AND DISCLAIMING ANY RIGHTS OF THE CITY AND THE PUBLIC, EXCEPT FOR ACCESS TO PUBLIC FACILITIES BY OFFICIALS OF THE CITY OF LAKE WALES AND POLK COUNTY, TO THOSE PORTIONS OF RAY MARTIN AND OWENS ROADS AS SHOWN ON "ATTACHMENT A" AND SPECIFICALLY DESCRIBED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sunshine Agriculture Inc., owner of property has requested that the City of Lake Wales, Florida (the "City") vacate those portions of Ray Martin and Owens Roads located within their property and shown in "Attachment A;" and

**WHEREAS**, the rights-of-way to be vacated are located entirely within property owned by Sunshine Agriculture Inc.; and

**WHEREAS**, there are no public utilities within the rights-of-way; and

**WHEREAS**, under separate instrument Sunshine Agriculture Inc. shall grant easements for access to the City and Polk County for access to and maintenance of their facilities; and

**WHEREAS**, notice of hearing has been duly published for the adoption of this ordinance 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 ENACTED** 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 those portions of Ray Martin and Owens Roads as shown on "Attachment A" and specifically described as follows:

**That portion of Ray Martin Road lying within the West ½ of the NW ¼ of the NE ¼ of Section 14, Township 30 South, Range 27 East and in the North ½ of the NW ¼ of Section 14, Township 30 South Range 27 East;**

**AND**

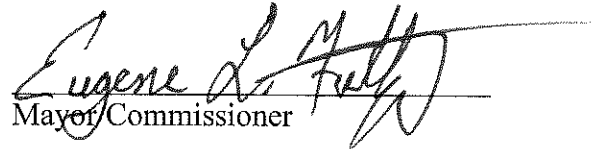
**That portion of Ray Martin Road lying within the SW ¼ of Section 11, Township 30 South, Range 27 East;**

AND

All of Owens Road lying East of State Road 27 within the NW ¼ of Section 14, Township 30 South, Range 27 East and within the SW ¼ of Section 11, Township 30 South, Range 27 East; all in Polk County, Florida.

This ordinance shall become effective immediately upon adoption.

CERTIFIED AS TO PASSAGE this 15<sup>th</sup> day of April 2014.

  
Mayor/Commissioner

ATTEST:

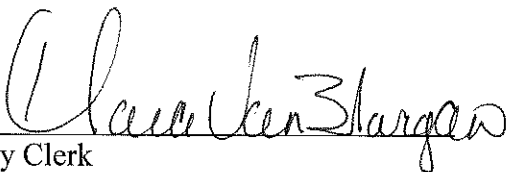
  
City Clerk

EXHIBIT "A"

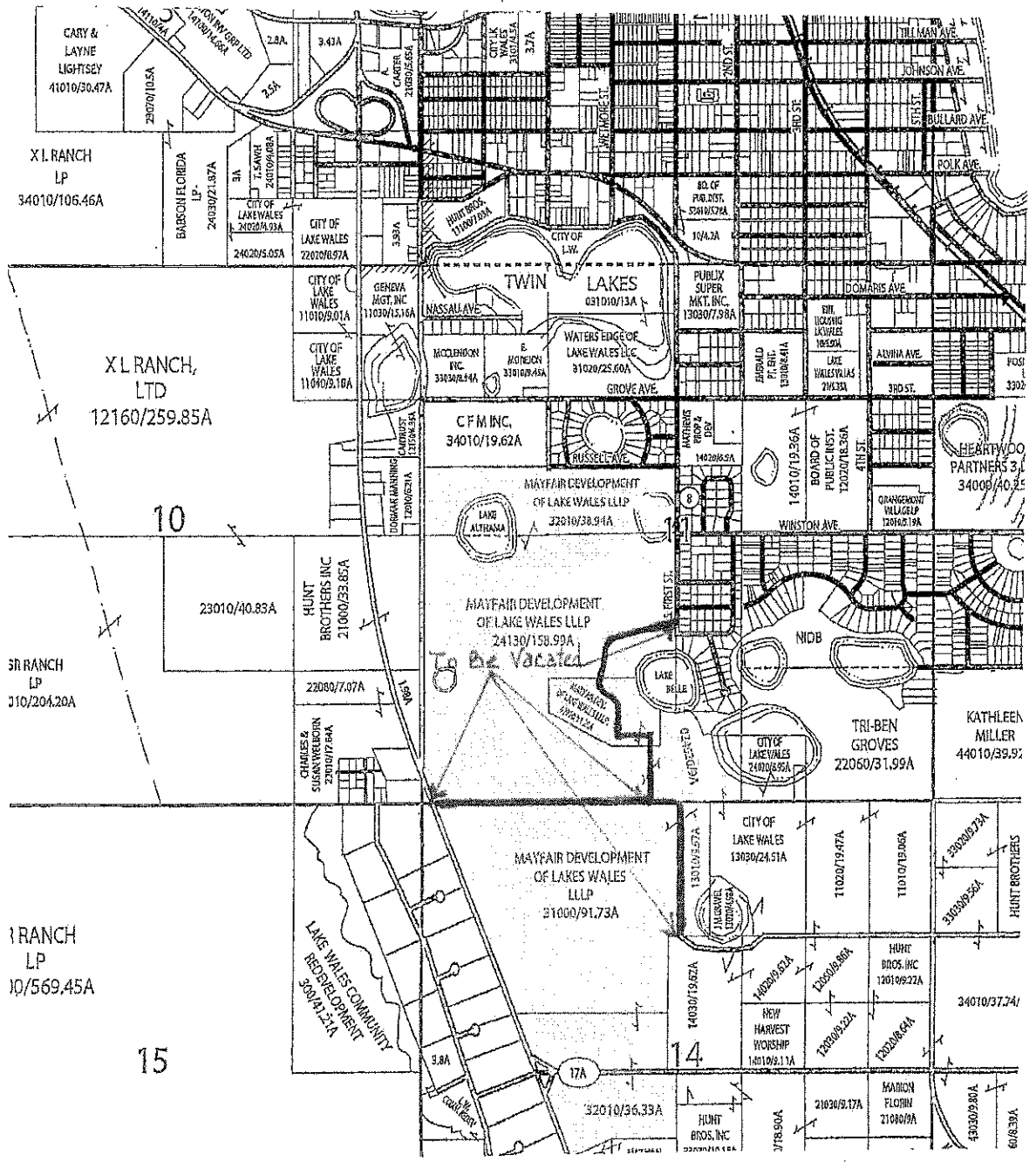
That portion of Ray Martin Road lying within the West  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 14, Township 30 South, Range 27 East and in the North  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 14, Township 30 South, Range 27 East;

AND

That portion of the Ray Martin Road lying within the SW  $\frac{1}{4}$  of Section 11, Township 30 South, Range 27 East;

AND

All of Owens Road lying East of State Road 27 within the NW  $\frac{1}{4}$  of Section 14, Township 30 South, Range 27 East and within the SW  $\frac{1}{4}$  of Section 11, Township 30 South, Range 27 East; all in Polk County, Florida.



CARY & LAYNE LIGHTSEY  
41010/30.47A

XI L RANCH LP  
34010/106.46A

XI L RANCH, LTD  
12160/259.85A

SR RANCH LP  
310/204.20A

SR RANCH LP  
10/569.45A

15

14

17A

LAKE WALES COMMUNITY REDEVELOPMENT  
300/41.21A

To Be Vacated

HUNT BROTHERS INC  
21000/33.85A

23010/40.83A

CFM INC.  
34010/19.62A

CITY OF LAKE WALES  
11010/9.01A

CITY OF LAKE WALES  
22010/6.97A

CITY OF LAKE WALES  
24020/5.05A

BARBON FLORIDA LP  
24030/2.187A

2.8A, 9.43A, 2.5A

MAYFAIR DEVELOPMENT OF LAKE WALES LLLP  
24130/158.99A

MAYFAIR DEVELOPMENT OF LAKE WALES LLLP  
32010/38.91A

MAYFAIR DEVELOPMENT OF LAKE WALES LLLP  
31020/25.60A

WATERS EDGE OF LAKE WALES LLC  
31020/25.60A

CITY OF LAKE WALES  
031010/13A

CITY OF LAKE WALES  
21010/13A

3.7A, 3.7A

CITY OF LAKE WALES  
24010/8.95A

TRI-BEN GROVES  
22060/31.99A

14010/19.36A

BOARD OF PUBLIC INST.  
12020/18.56A

14020/6.9A

14020/6.9A

PUBLIC SUPER MKT INC.  
13020/7.98A

80 OF PUB. INST.  
53010/5.72A

19A, 2A

2ND ST, 3RD ST, 4TH ST, 5TH ST, 6TH ST, 7TH ST, 8TH ST, 9TH ST, 10TH ST, 11TH ST, 12TH ST, 13TH ST, 14TH ST, 15TH ST, 16TH ST, 17TH ST, 18TH ST, 19TH ST, 20TH ST, 21ST ST, 22ND ST, 23RD ST, 24TH ST, 25TH ST, 26TH ST, 27TH ST, 28TH ST, 29TH ST, 30TH ST, 31ST ST, 32ND ST, 33RD ST, 34TH ST, 35TH ST, 36TH ST, 37TH ST, 38TH ST, 39TH ST, 40TH ST, 41ST ST, 42ND ST, 43RD ST, 44TH ST, 45TH ST, 46TH ST, 47TH ST, 48TH ST, 49TH ST, 50TH ST

LAKE BELLE

NIDB

WINSTON AVE

4TH ST

3RD ST

ALBINA AVE

LAKE WALES VILLAS 21033A

SH. LOCALITY LAKES RES. 1

DOMARIS AVE

JOHNSON AVE

TILLMAN AVE

KATHLEEN MILLER  
44010/39.92

HUNT BROTHERS

34010/37.24

34010/37.24

34010/37.24

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34010/37.24

C. B. MYERS III, P.A.

ATTORNEY AT LAW

202 E. Stuart Avenue  
P. O. Box 1410  
Lake Wales, FL 33859-1410

(863) 679-5337 • FAX (863) 679-5215

November 27, 2013

City of Lake Wales  
Planning & Development Department  
PO Box 1320  
Lake Wales FL 33859-1320

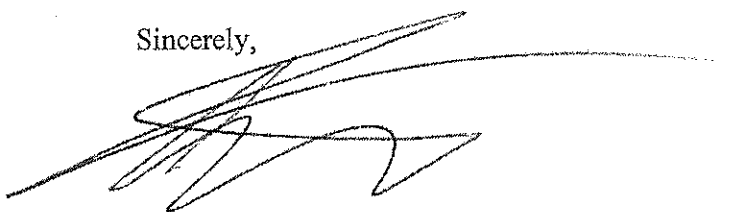
Re: Vacation of a Portion of Owens Road and Ray Martin Road

This letter shall serve to request that those portions of Ray Martin and Owens Road as set forth and described on the attached exhibit be vacated.

The property owner shall grant easements to the City of Lake Wales and Polk County for access and maintenance of their facilities. In the event Verizon has facilities in the area an easement shall also be granted to them.

Should you have any questions concerning this matter, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to be 'C. B. Myers III', written over a horizontal line.

C. B. Myers III

Attachment

## IMPACT OF CLOSURE

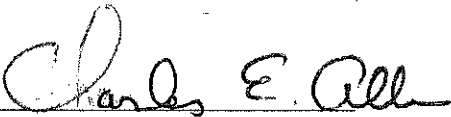
Owens Road and those portions of Ray Martin Road which are requested to be vacated lie entirely within the boundaries of Sunshine Agriculture Incorporated. The current road is a clay stabilized road and is not currently being maintained. It does not impact access to any person's property other than the party requesting the vacation and should have minimal impacts.

LETTER OF AUTHORIZATION

August 12, 2013

The undersigned hereby authorizes C. B. Myers, III and/or Ellis Hunt, Jr. to represent it in any and all matters pertaining to that certain vacation of right of way of Ray Martin Road and Owens Road located in Lake Wales, Polk County, Florida.

Sunshine Agriculture Incorporated

By:   
Charles Allison, its president