

RESOLUTION 2011-06

(Amendments to provisions of Resolution 2010-25)

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, AUTHORIZING THE MAYOR TO SIGN DOCUMENTS FOR THE TRANSFER OF TITLE TO A PORTION OF THE CITY-OWNED TRIANGULAR OPEN SPACE AREA AT THE INTERSECTION OF LINCOLN AVENUE AND THE SCENIC HIGHWAY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION AND MAINTENANCE OF A STORM WATER RETENTION AREA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission agreed in Resolution 2010-25 (Nov. 16, 2010) to transfer of title to a portion of the City-owned triangular open space area at of Lincoln Ave. and the Scenic Highway to the Florida Department of Transportation (FDOT) for construction and maintenance of a retention area; and

WHEREAS, the FDOT has worked with the Lake Wales Planning Department to develop a design for the retention area that saves some existing trees and creates an attractive retention area with plantings; and

WHEREAS, the design requires approximately 2,000 square feet more than the 10,000 square feet agreed in Resolution 2010-25; and

WHEREAS, a maintenance easement and agreement are no longer necessary for the project; and

WHEREAS, the FDOT project plans show improvements the retention pond, new sidewalks, removal of East St. pavement and replacement with sod;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Lake Wales, Florida:

SECTION 1. The City Commission agrees to the transfer of title to the FDOT approximately 12,000 square feet of the said parcel as described in Exhibit A and as shown on the "Parcel Sketch" by FDOT.

SECTION 2. The Mayor is authorized to execute documents to transfer ownership of said property with the understanding that the FDOT is responsible for construction and maintenance of the retention area.

SECTION 3. Provisions of Resolution 2010-25 pertaining to the closure of East Street between Lincoln Avenue and the Scenic Highway for expansion of green space and pertaining to the amendment of the Traffic Map to show the closure shall remain in effect.

SECTION 4. This Resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED by the City Commission of the City of Lake Wales, Florida,
this 17th day of May 2011.

By:



Michael S. Carter, Mayor

Attest:



Clara VanBlargan, City Clerk

RESOLUTION 2010-25

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, CLOSING THE PORTION OF EAST STREET BETWEEN LINCOLN AVENUE AND THE SCENIC HIGHWAY, AS SHOWN ON "ATTACHMENT A," TO VEHICULAR USE AND AUTHORIZING THE TRANSFER OF A PORTION OF THE ADJACENT CITY-OWNED TRIANGULAR OPEN SPACE AREA AND THE GRANTING OF AN EASEMENT ALONG LINCOLN AVENUE TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AND MAINTAIN A STORM WATER RETENTION AREA, TO BE GOVERNED BY AN INTER-LOCAL AGREEMENT: PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation (FDOT) is developing plans for resurfacing and improving the Scenic Highway (SR 17) from Mt. Lake Cutoff Road to Ray Martin Road; and

WHEREAS, the construction of sidewalks included in the resurfacing project at the City's request will necessitate additional storm water retention area at the intersection of Lincoln Avenue and the Scenic Highway; and

WHEREAS, the triangular parcel of open space owned by the City and located at the northeast corner of Lincoln Avenue and East Street has been found to be a suitable location for the construction by FDOT of a storm water retention area; and

WHEREAS, said triangular parcel was donated without restrictions to the City of Lake Wales for open space by the Historic Lake Wales Society, Inc. (OR BK 04251/PG 0251); and

WHEREAS, the FDOT and City have proposed the closure of that portion of East Street running along the west side of said triangular parcel from Lincoln Avenue to the Scenic Highway for the purpose of constructing a retention pond and expanding the area of green open space to encompass the right-of-way of East Street;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Lake Wales, Florida:

SECTION 1. It is in the interest of the citizens of the City of Lake Wales that sidewalks be constructed along the Scenic Highway under the Florida Department of Transportation's resurfacing project and that flooding problems be alleviated in the vicinity of Lincoln Avenue and the Scenic Highway.

SECTION 2. The use of said parcel as public open space will not be diminished by the construction of the retention area.

SECTION 3. The segment of East Street between Lincoln Avenue and the Scenic Highway shall be closed to vehicular traffic by the Director of Public Works, the timing of such closure to be at his discretion to facilitate the use of the right-of-way by the Florida Department of

Transportation for construction of the proposed retention area and for expansion of the green open space.

SECTION 4. The Traffic Map of the City of Lake Wales will be amended to show the closure of the said segment of East Street when so ordered by the Director of Public Works.

SECTION 5. The City Commission agrees to transfer the title to the FDOT of up to 10,000 square feet of the said triangular parcel of open space for the retention area and to grant an easement along the Lincoln Avenue frontage of the parcel for access and buffer plantings, as shown on "Attachment A" hereby made a part of this resolution.

SECTION 6. The transfer of title and granting of the easement are to be conditioned upon an inter-local agreement between the City of Lake Wales and FDOT setting forth the provisions and intent of this resolution and providing for maintenance of the retention pond by FDOT.

SECTION 7. This Resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED by the City Commission of the City of Lake Wales, Florida, this / 6th day of November, 2010.

By:



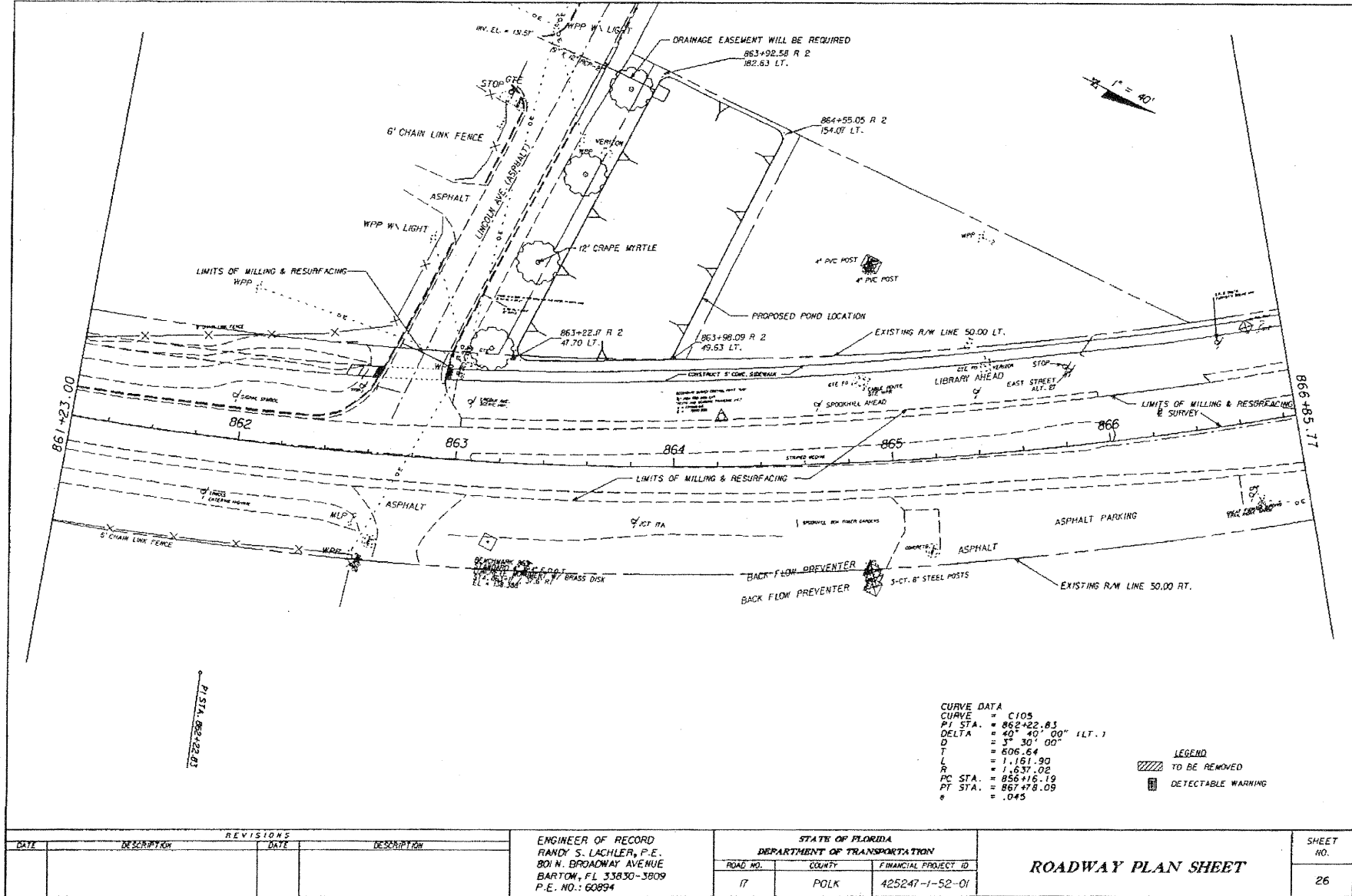
L. Jack Van Sickle, Mayor

Attest:



Clara VanBlargan, City Clerk

ATTACHMENT A RESOLUTION 2010-25



GENERAL FIXED ASSETS - PROPERTY RECORD

City of Lake Wales

Asset # **1999-001-02**

Name **Vacant Land - Lincoln #2**

Location **NW Corner Lincoln & Scenic**

	Sec	Twp	Rng	Subdiv	Parcel	Legal Description	Acquired	Deed Filing		Acres	Aquisition Value				
								OR Book	Page		Land	Bldgs	Impr	Other	Total
01	35	29	27	000000	042060	That portion of NE1/4 of SE1/4 of SW1/4 in Section 35 Twp 29S Range 27E lying W of Scenic Highway and N of Lincoln Ave	5/26/1999	4251	251	0.62	2,857				2,857
TOTAL >										0.62	2,857				2,857

Description of Asset: Triangular piece of land at corner of Lincoln and Scenic to be site of future gateway improvements to NW business district; donated with structure on site that was subsequently demolished

Determination of Acquisition Value: City financial records YE 9/30/99 for taxes due

Funding Source: donated + General Revenues

Description / Documentation		Date	Value of Additions (Deletions)				
			Land	Bldgs	Impr	Other	Total
TOTAL >							

Record created: 9/30/00, JH Delmar, Asst City Mgr

TOTAL VALUE OF ASSET >

Land	Bldgs	Impr	Other	Total
2,857				2,857