

## **RESOLUTION 2016-08**

**A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA RELATING TO EMINENT DOMAIN; AUTHORIZING EMINENT DOMAIN PROCEEDINGS TO ACQUIRE CERTAIN INTERESTS IN REAL PROPERTY LOCATED IN THAT AREA OF THE CITY OR IN UNINCORPORATED POLK COUNTY EXTENDING FROM THE CITY WATER TREATMENT PLANT AND CAPPED 12" WATER LINE AT MULBERRY STREET TO A LOCATION NEAR THE INTERSECTION OF S.R. 60 AND NORTH ACUFF ROAD FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING IMPROVEMENTS RELATED TO THE PLACEMENT OF POTABLE WATER LINES AND SANITARY SEWER LINES; AUTHORIZING CONDEMNATION OF THE PROPERTY DESCRIBED HEREIN; AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Lake Wales, Florida (the "Commission") recognizes that in a May 18, 2007 Court-approved stipulated settlement agreement (the "Settlement Agreement") between the City of Lake Wales ("Lake Wales" and sometimes as "City") and the City of Winter Haven, Florida ("Winter Haven"), (collectively, the "Cities") agreement was reached concerning the utilities territorial boundary line and the annexation line between the Cities; and

**WHEREAS**, the Commission recognizes that the Cities would, at a future time, make four interconnections of their respective water supply lines, including an initial interconnection at the Lake Ashton subdivision; and

**WHEREAS**, the Commission recognizes that the Lake Ashton interconnection has been made and a second interconnection is to be made at a location west of the municipal boundaries of Lake Wales at or near the

intersection of the Florida CSX Railroad Line and S.R. 60 (the "S.R. 60 Interconnection Facility"); and

**WHEREAS**, the Commission recognizes that it is the City's obligation to acquire the property interests necessary for the placement of utility lines within the City's utility service area, including those utility lines leading to an interconnection facility; and

**WHEREAS**, the Commission recognizes that the City's outside engineering consultants, Kimley-Horn Associates, Inc., has completed construction plans to extend the City's utilities from a connection point near Mullberry Street and the City's waste water treatment facility (the "Connection Point") to a location near the intersection of S.R. 60 and the CSX Railroad line, i.e.: the S.R. 60 Utilities Extension Project (the "Project"); and

**WHEREAS**, the Commission recognizes that funding limitations will necessitate that the Project be completed in at least two phases and that the first phase ("Phase One") extends from the Connection Point west along S.R. 60 to a location near its intersection with North Acuff Road; and

**WHEREAS**, the Commission recognizes the need to implement Phase One of the Project and the need to provide for the placement of a potable water line and a sanitary sewer line that will serve properties in the vicinity of such lines within the City's utility service area and that will provide the initial phase of utility lines that will eventually extend to the S.R. 60 Interconnection Facility; and

**WHEREAS**, the Commission has reviewed the S.R. 60 Utilities Extension Route Analysis Memorandum (the "Memorandum") prepared by Sarah Kirkland,

Director of the City's Utility Department. The Memorandum is attached hereto as **Exhibit "A"** and made a part hereof; and

**WHEREAS**, the Commission has determined that it is necessary for the general welfare and in the best interests of the citizens of Lake Wales and those other persons who may be served by the City of Lake Wales Utility Department that potable water lines and sanitary sewer lines and other improvements related thereto, as recommended in the Memorandum, be constructed and that certain properties and interests in real estate be acquired for this public purpose; and

**WHEREAS**, the Commission has determined that such properties and interests in real estate cannot be obtained by purchase, gift or conveyance; and

**WHEREAS**, the Commission has considered and weighed many factors, including but not limited to, the availability of an alternate route, costs, environmental factors, long range planning and safety considerations; and

**WHEREAS**, the Commission, through the City of Lake Wales Utility Department, has either obtained or in all reasonable probability will obtain all necessary approvals for this project from the appropriate governmental entities, including those charged with protecting natural resources.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA:

**SECTION 1.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION 2.** The Commission does hereby determine that it is in the best interest of the citizens of the City's to acquire easement interests in the

properties described in **Composite Exhibit “B”** attached hereto and made a part hereof, which sets forth the parcel number associated with the property described, the record title holder of the parcel, the interests to be acquired and the land to be acquired, for the purpose of constructing potable water lines and sanitary sewer lines for Phase One of the Project.

**SECTION 3.** The Commission, having determined that it is in the best interest of the health, safety and welfare of the citizens of the City’s and those persons who may be served by the City of Lake Wales Utility Department to use said properties for lawful purposes, does hereby further determine that it is necessary to acquire by eminent domain, easement interests in and to the properties described in **Composite Exhibit “B”**, which sets forth the parcel number associated with the property described, the record title holder of the parcel, the interests to be acquired and the land to be acquired.

**SECTION 4.** The Commission does further find that the City has the authority to acquire easement interests, and in some instances, to obtain temporary easement interests for staging and construction purposes, in the properties described in **Composite Exhibit “B”**, which sets forth the parcel number associated with the property described, the record title holder of the parcel, the interests to be acquired and the land to be acquired, pursuant to the provisions of Chapter 166, Florida Statutes and other applicable provisions of law.

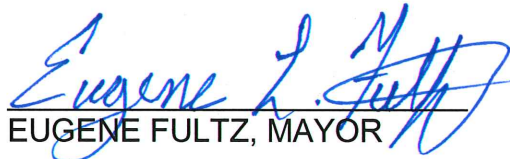
**SECTION 5.** The Commission does hereby specifically determine and find that the acquisition of such easement interests in the properties described in

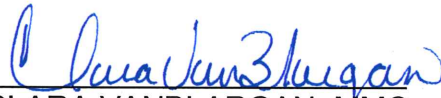
**Composite Exhibit "B"**, which sets forth the parcel number associated with the property described, the record title holder of the parcel, the interests to be acquired and the land to be acquired, cannot be accomplished by gift, purchase or conveyance.

**SECTION 6.** The City Attorney or his designee is hereby authorized to initiate and complete eminent domain proceedings to acquire such easement interests in the properties described in **Composite Exhibit "B"** and to utilize Chapters 73 and 74, Florida Statutes and other applicable provisions of Florida law as may be appropriate.

**SECTION 7.** This resolution shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSGE THIS** 15<sup>th</sup> **day of** March,  
2016 A.D.

  
EUGENE FULTZ, MAYOR

ATTEST:   
CLARA VANBLARGAN, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

  
ALBERT C. GALLOWAY, JR. CITY ATTORNEY

**EXHIBIT "A"**

**S.R. 60 UTILITIES EXTENSION ROUTE ANALYSIS MEMORANDUM**

## **MEMORANDUM**

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March 4, 2016

**TO:** Honorable Mayor and City Commission

**VIA:** Kenneth Fields, City Manager

**FROM:** Sarah B. Kirkland, Utilities Director

**SUBJECT:** S.R. 60 Utilities Extension Project Route Analysis and Memorandum

**SYNOPSIS:** Resolution 2016-08 is for the purpose of authorizing property acquisition associated with the first phase of the Project. It provides for the westward extension of potable water and sanitary sewer lines to a site in unincorporated Polk County that has not been precisely determined for the S.R. 60 Interconnection Facility. In general, the site will be near the intersection of S.R. 60 and the CSX Railroad Line. Phase One provides for the utility extension to proceed only to the intersection of S.R. 60 and North Acuff Road. The extended utility lines will be available to serve properties in the vicinity. In approving the Resolution, there are five factors that must be considered as explained below.

### **STAFF RECOMMENDATION**

**It is recommended that the City Commission consider taking the following action:**

1. Approve Resolution 2016-08 after reviewing the relevant factors set forth below. The ranking of the alternatives for this proposed project is Route A first, Route B second. It is the Utility staffs' recommendation that Route A be selected.
2. Authorize staff to proceed with the necessary easement acquisition through the City's power of eminent domain.

### **BACKGROUND:**

In a court-approved stipulated settlement agreement dated May 18, 2007 (the "Settlement Agreement"), the City of Lake Wales, Florida (hereinafter "Lake Wales" or "City") and the City of Winter Haven, Florida ("Winter Haven") (collectively, the "Cities") agreed to an updated utilities territorial service area to depict the exclusive water, wastewater and reclaimed water service area for each city. Further, the Cities, in an effort to address possible inadequate water flow in their respective systems, provided for four interconnection facility locations.

The Settlement Agreement provided for the first interconnection facility to be constructed at the Lake Ashton subdivision. The Lake Ashton Interconnection has been made and a second interconnection facility is now planned for a location in unincorporated Polk County west of the City near the intersection of S.R. 60 and the CSX Railroad Line. The interconnection facility at this location, though not specifically located, has been designated as the S.R. 60 Interconnection Facility.

The Settlement Agreement requires the Cities to acquire the easements that are necessary for the extension of their respective water lines to an interconnect facility. It is expected that private properties in the vicinity of the extended lines can be served. In addition, the City Utility Department staff, with the concurrence of the City Manager, has determined that it would be prudent, cost effective and in the public interest to extend sanitary sewer lines within the easements so that those properties in the vicinity of the extended sewer lines can be served.

In furtherance of the obligations imposed by the Settlement Agreement and the desire to provide expanded water and sewer service, the City contracted with the engineering firm of Kimley-Horn Associates, Inc. to provide construction plans for the S.R. 60 Utility Extension Project. The construction plans were completed in September 2015.

It is anticipated that a State Revolving Fund Loan will be available for funding an initial phase of the project that will extend water and sanitary sewer lines westerly to the intersection of S.R. 60 and North Acuff Road. Properties served by the extension will be subject to appropriate utility charges.

In approving the Resolution and establishing the public necessity of the first phase of the S.R. 60 Utilities Extension Project, there are five factors the Commission must consider. The five factors are: 1) alternative alignments; 2) long range planning; 3) safety considerations; 4) environmental considerations; and 5) cost considerations. The five factors are discussed in detail below.

**A. Alternative Alignments**

1. Route A consists of routing the proposed force main (FM) from the WWTF and the water main (WM) from Mulberry Street westward through the "Lightsey Easement" to the airport property. The FM and WM would then continue north and west through the airport property eventually out to SR 60 at Airport Road. The FM and WM would then continue west along SR 60 to a terminal point near SR 60 West and Acuff Road.

*Benefits – The following are benefits for Alternative A.*

- *The route will avoid construction along SR 60 which is congested and has limited ROW.*
- *No additional easements required from Mulberry St. to the airport.*

*Detriments – The following are detriments for Alternative A.*



- *May still require utility and/or construction easements for the airport property and along SR 60 W from the airport to Acuff Road.*
- *Route is approximately 0.25 miles longer than alternative B.*
- *Will require additional FM and WM along SR 60 W to serve existing and future customers between the Airport Road and Henry Street.*

*Easements - The following easements may be required for alternative A.*

- *Utility easement through the airport property*
- *Additional utility and construction easements may be needed based on the final survey and design.*

2. Route B consists of routing the proposed FM from the WWTF northward along Henry Street to SR 60. The FM would then continue west along SR 60 to a terminal point at SR 60 W and Acuff Road. The proposed routing for the WM would be connect on Mulberry Street continue west on SR 60 W on the south side of the highway turning south on Airport Road and continuing west on SR 60 W to Acuff Road.

*Benefits – The following are benefits for alternative B.*

- *This route is approximately 0.75 miles shorter than Alternative A.*
- *Provides water service to customers along SR 60 W from Henry Street to Airport Road.*

*Detriments – The following are detriments for alternative B.*

- *May require utility and/or construction easements from Henry Street to Godwin Road (survey required)*
- *May require horizontal directional drill construction along SR 60 W from Henry Street to Acuff Road.*
- *Will require a service to connect the airport.*

*Easements - The following easements may be required for alternative B.*

- *Utility easement through the airport property*
- *Additional utility and construction easements may be needed based on the final design.*

## **B. Long Range Planning**

The existing customers along the proposed route are currently serviced by septic tank and drain fields and private wells. The extension of the sewer force main and water main will provide a reliable method of sewage disposal and potable drinking water. Older drain fields can be unreliable when not tested and cleaned adequately and they can be problematical during seasonally wet times of the year when the water table is high. There is a new gravity collection area designed within the airport. The gravity system is designed so that the National Guard Armory, the FBO building, and a mobile home facility can easily eliminate their septic tank and drain fields and connect to the new system. These three facilities will immediately tie into the new system and eliminate their septic drain fields.

An estimate of 6 additional facilities will eliminate their septic drain field in the future as more businesses connect to the new system.

By extending the existing sewer force main and water main to the edge of the City's service area, the City can eliminate dependence, as much as possible on private septic tanks and drain fields and private wells for existing and new customers.

**C. Safety Considerations**

Safety, other than construction safety, is usually not a major concern for pipe line installations. However, any time that a pipe line is constructed in the right of way or close to the roadway there may be a need for road closure and a work safety zone that could put workers or the public at some risk. The same is true with regard to future repairs.

1. Route A – This route is considered excellent for safety because construction will be substantially performed through easement locations that are further distant from existing streets and roadways and therefore away from the general public.
2. Route B – This route is designated as poor for safety because of the amount of construction within the public right of way, the limited amount of usable space in the right of way, and its proximity to the street.

**D. Environmental Considerations**

1. Route A – This route is considered excellent for environmental considerations. This route is considered excellent because no wetlands would be impacted by the utilization of this route.
2. Route B – This route is considered excellent for environmental considerations. This route is considered excellent because no wetlands would be impacted by the utilization of this route.

## E. Cost Considerations

### Opinion of Probable Cost of Construction-Sewer Main

CITY OF LAKE WALES					
S.R. 60 Westerly Expansion - PRELIMINARY CONSTRUCTION COST ESTIMATE - 100% PLANS					
XXXXXXXXXXXXXXXXXXXXXXXXXXXX					
KIMLEY-HORN AND ASSOCIATES, INC.					
116 SOUTH KENTUCKY AVENUE, LAKELAND, FL 33813					
OFFICE 863-761-8702 FAX 863-761-6982					
Engineers Project Number: 046149024					9/29/2015
CONTRACTOR'S PROPOSAL FORM					
	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL
Item No.	I. Underground Utilities				
1050 11222	3" Sewer Force Main PVC	6,527	LF	\$22.44	\$146,428.76
1051 11223	6" Sewer Force Main PVC	6,010	LF	\$60.44	\$363,246.97
1052 11224	8" Sewer Force Main PVC	8,842	LF	\$46.90	\$414,674.91
1053 11224	12" Sewer Force Main PVC	6,478	LF	\$46.90	\$303,831.80
1050 11224	8" Gravity Sewer PVC	1,394	LF	\$46.90	\$65,356.49
0555 12	Directional Bore 3" Sewer	1,924	LF	\$43.00	\$82,714.80
0555 12	Directional Bore 6" Sewer	100	LF	\$44.00	\$4,389.00
0555 12	Directional Bore 8" Sewer	1,082	LF	\$45.00	\$48,667.50
0555 12	Directional Bore 12" Sewer	1,924	LF	\$46.00	\$88,485.60
1050 11322	3" Sewer Force Main HDPE	1,924	LF	\$48.50	\$93,294.60
1050 11323	6" Sewer Force Main HDPE	100	LF	\$48.50	\$4,837.88
1050 11324	8" Sewer Force Main HDPE	1,082	LF	\$48.50	\$52,452.75
1050 11324	12" Sewer Force Main HDPE	1,924	LF	\$48.50	\$93,294.60
0556 14	8" Jack & Bore Sewer	421	LF	\$191.38	\$80,580.55
1050 11514	16" Steel Sleeve (16" Sleeve)	421	LF	\$60.00	\$25,263.00
1080 11404	12" Gate Valves	14	EA	\$2,527.90	\$35,390.60
1080 11404	8" Gate Valves	41	EA	\$2,527.90	\$103,643.90
1081 11204	3" Gate Valves	14	EA	\$1,143.81	\$16,013.34
0425 2 41	Gravity Sewer Manholes	10	EA	\$2,992.96	\$29,929.60
1080 11406	2" Air Release Assembly Sewer	7	EA	\$4,675.22	\$32,726.54
1080 11409	Mech Joint Restraints 8" Sewer	100	EA	\$266.44	\$26,644.00
1080 11403	Tapping Sleeve and Valve 8" Sewer	1	EA	\$5,337.90	\$5,337.90
	Fiberglass Lift Station	1	EA	\$50,000.00	\$50,000.00
1501 1	Lift Station Sanitary Sewer	1	EA	\$350,000.00	\$350,000.00
	SUBTOTAL				\$2,517,205.08
	II. Miscellaneous (some costs are reduced because they are shared with the water line construction)				
0104 10 3	Silt Fence	14,000	LF	\$1.30	\$18,200.00
0110 1 1	Clearing & Grubbing & Right of Way Restoration	7.5	AC	\$10,767.06	\$80,752.95
0102 1	Maintenance of Traffic (MOT)	40	DY	\$534.67	\$21,386.80
0550 10228	Fence Restoration	3,500	LF	\$15.63	\$54,705.00
0522 2	Side Walk Restoration (to nearest joint)	100	SY	\$44.12	\$4,412.00
0700 1 50	Sign Relocation/Replacement/	18	AS	\$136.45	\$2,456.10
0101 1	Mobilization (includes bonds and insurance)	1	LS	\$104,111.15	\$104,111.15
	Easements	1	LS	\$50,455.39	\$50,455.39
	Dewatering (costs depend on time of construction and water level)	1	LS	\$75,000.00	\$75,000.00
	SUBTOTAL				\$411,479.39
	III. Planning/Design/Construction Phase (some costs are reduced because they are shared with the water line)				
	As-Built Survey, Easement Legal Descriptions and Sketch	1	LS	\$35,000.00	\$35,000.00
	Construction Testing & Staking	1	LS	\$30,000.00	\$30,000.00
	Engineering Construction Management	1	LS	\$62,500.00	\$62,500.00
	Planning	1	LS	\$28,691.50	\$28,691.50
	Survey and Design	1	LS	\$177,195.65	\$177,195.65
	SUBTOTAL				\$333,387.15
	IV. Eligible Land (some costs are reduced because they are shared with the water line)				
	Easements	1	LS	\$50,455.39	\$50,455.39
	SUBTOTAL				\$50,455.39
	V. Special Studies (SUE and Natural Resource) (some costs are reduced because they are shared with the water line)				
	Reports	1	LS	\$20,124.00	\$20,124.00
	SUBTOTAL				\$20,124.00
	I Underground Utilities			\$2,517,205.08	
	II Miscellaneous			\$411,479.39	
	III Planning			\$333,387.15	
	IV Eligible Land			\$50,455.39	
	V Special Studies			\$20,124.00	
	TOTAL			\$3,332,651.01	
	10% contingency for Sections I and II GRAND				
	\$292,868.45				
	TOTAL INCLUDING CONTINGENCY				
	\$3,625,519.45				

The Consultant has no control of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to the Consultant at this time and represent only the Consultant's judgement as a design professional familiar with the construction industry. The Consultant cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

### Opinion of Probable Cost of Construction-Water main

CITY OF LAKE WALES

S.R. 60 Westerly Expansion - PRELIMINARY CONSTRUCTION COST ESTIMATE - 100% PLANS

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

KIMLEY-HORN AND ASSOCIATES, INC.

116 SOUTH KENTUCKY AVENUE, LAKELAND, FL 33813

OFFICE 863-701-8702 FAX 863-701-9832

Engineers Project Number: 046149024

9/29/2015

CONTRACTOR'S PROPOSAL FORM

Item No.	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL
I. Underground Utilities					
1050 11224	12" Water Main PVC	22,300	LF	\$46.90	\$1,045,870.00
1051 11224	10" Water Main PVC	300	LF	\$43.90	\$13,170.00
1050 11223	6" Water Main PVC	50	LF	\$60.44	\$3,022.00
1050 11324	12" Water Main HDPE	3,100	LF	\$48.50	\$150,350.00
1051 11324	10" Water Main HDPE	268	LF	\$102.58	\$27,491.44
1080 11404	12" Gate Valve	50	EA	\$2,527.90	\$126,395.00
1080 11404	10" Gate Valve	2	EA	\$2,527.90	\$5,055.80
1080 11304	6" Gate Valve	1	EA	\$1,058.62	\$1,058.62
0555 13	Directional Bore 10" Water	268	LF	\$46.00	\$12,328.00
0555 13	Directional Bore 12" Water	3,100	LF	\$46.00	\$142,600.00
0556 15	12" Jack & Bore Water	320	LF	\$323.75	\$103,600.00
1050 11515	24" Steel Sleeve	320	LF	\$473.62	\$151,558.40
1080 11405	Blowoff Valve 12" Water	1	EA	\$2,455.39	\$2,455.39
1080 11406	Air Release Assembly 12" Water	12	EA	\$4,675.22	\$56,102.64
1080 11409	Mech Joint Restraints 12" Water	100	EA	\$266.44	\$26,644.00
1080 11403	Tapping sleeve and valve 12" Water	1	EA	\$5,337.90	\$5,337.90
SUBTOTAL					\$1,873,039.19
II. Miscellaneous (some costs are reduced because they are shared with the sewer line construction)					
0104 10 3	Silt Fence	14,000	LF	\$1.30	\$18,200.00
0110 1 1	Clearing & Grubbing & Right of Way Restoration	7.5	AC	\$10,767.06	\$80,752.95
0102 1	Maintenance of Traffic (MOT)	40	DY	\$534.67	\$21,386.80
0550 10228	Fence Restoration	3,500	LF	\$15.63	\$54,705.00
0522 2	Side Walk Restoration (to nearest joint)	100	SY	\$44.12	\$4,412.00
0700 1 50	Sign Relocation/Replacement/	18	AS	\$136.45	\$2,456.10
0101 1	Mobilization (includes bonds and insurance)	1	LS	\$104,111.15	\$104,111.15
	Easements	1	LS	\$50,455.39	\$50,455.39
	Dewatering (costs depend on time of construction and water level)	1	LS	\$75,000.00	\$75,000.00
SUBTOTAL					\$411,479.39
III. Planning/Design/Construction Phase (some costs are reduced because they are shared with the sewer line)					
	As-Built Survey, Easement Legal Descriptions and Sketch	1	LS	\$35,000.00	\$35,000.00
	Construction Testing & Staking	1	LS	\$30,000.00	\$30,000.00
	Engineering Construction Management	1	LS	\$62,500.00	\$62,500.00
	Planning	1	LS	\$28,691.50	\$28,691.50
	Survey and Design	1	LS	\$177,195.65	\$177,195.65
SUBTOTAL					\$333,387.15
IV. Eligible Land (some costs are reduced because they are shared with the sewer line)					
	Easements	1	LS	\$50,455.39	\$50,455.39
SUBTOTAL					\$50,455.39
V. Special Studies (SUE and Natural Resource) (some costs are reduced because they are shared with the sewer line)					
	Reports	1	LS	\$20,124.00	\$20,124.00
SUBTOTAL					\$20,124.00
I Underground Utilities		\$1,873,039.19			
II Miscellaneous		\$411,479.39			
III Planning		\$333,387.15			
IV Eligible Land		\$50,455.39			
V Special Studies		\$20,124.00			
TOTAL:		\$2,688,485.12			
10% contingency for Sections I and II GRAND		\$228,451.86			
TOTAL INCLUDING CONTINGENCY		\$2,916,936.98			

Note: Unit Price based on FDOT Item Average Unit Cost spreadsheet dated "From 2014/08/01 to 2015/01/31"

The Consultant has no control of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to the Consultant at this time and represent only the Consultant's judgement as a design professional familiar with the construction industry. The Consultant cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

## **F. Other Options**

The no action or no-built alternative would result in delay of the proposed S.R.60 water interconnection between the City and Winter Haven, it would further result in few land use impacts since public water and sewer service would not be extended. Socioeconomically, the City would be adversely impacted by the no action alternative. Underutilized areas along the SR 60 route would likely not be developed to the scale envisioned by the City of Lake Wales. Development would be performed through the use of additional treatment systems and private wells. If the sewer system is not extended, the water system will not be extended either. Under the no-action alternative, there would be no benefit or impact to public safety and emergency services as the public water supply would not be extended into areas that currently have no fire protection. There would be no initial cost for the no action or no-built alternative.

## **ATTACHMENTS**

Alternative Route A  
Alternative Route B  
Conceptual Overall Route

**COMPOSITE EXHIBIT "B"**

**Parcel 1919**

Owners

SAWYERS, STEVEN M. 50%

SAWYERS, BRENDA S. 50%

25' Utility Easement Interest

The Southerly 25 feet of the following described property:

The West 100 feet of the following described property, to-wit: Begin 379 feet south of the NE corner of the East 1/2 of the SW 1/4 of NW 1/4. thence West 462 feet, thence South to the right-of-way of Highway 60, thence Easterly 462 feet, thence North to the Point of Beginning, lying in Section 4, Township 30 South, Range 27 East, Polk County, Florida.

**Parcel 1920**

Owner

SAWYERS, STEVEN M. 50%

SAWYERS, BRENDA S. 50%

25' Utility Easement Interest

The Southerly 25 feet of the following described property:

Beginning at a point 379.5 feet south of the Northeast corner of the East 1/2 of the Southwest 1/4 of Northwest 1/4 of Section 4, Township 30 South, Range 27 East; thence West 462 feet; thence South to the right-of-way of Highway No. 60; thence East meandering with right-of-way of Highway 60 a distance of 462 feet; thence due North to Point of Beginning, Less and Except the West 100 feet and less road right of ways, Polk County, Florida.

**Parcel 1921**

Owner

BERG, LEONA OR BERG, RAYMOND A.

25' Utility Easement Interest

That part of the Northeast 1/4 of Southwest 1/4 of the Northwest 1/4 of Section 4, Township 30 South, Range 27 East, Polk County, Florida, more particularly described as follows:

Begin at the intersection of the north right of way line of State Road 60 and the west line of the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 4, Township 30 South, Range 27 East, thence North 83°05'02" East a distance of 25.66 feet; thence South 06°54'58" East a distance of 50.00 feet to the Point of Beginning; thence North 83°07'16" East a distance of 68.12 feet; thence North 00°11'00" West a distance of 25.17 feet; thence South 83°07'16" West a distance of 71.07 feet; thence South 06°54'58" East a distance of 25.00 feet to the Point of Beginning.

**Parcel 1922**

Owner

BERG, LEONA OR BERG, RAYMOND A.

25' Utility Easement Interest

That part of the Northeast 1/4 of Southwest 1/4 of the Northwest 1/4 of Section 4, Township 30 South, Range 27 East, Polk County, Florida, more particularly described as follows:

Begin at the intersection of the north right of way line of State Road 60 and the west line of the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 4, Township 30 South, Range 27 East, thence North 83°05'02"



**Parcel 1923**

Owner

Wright, J. Glenn 50%  
Wright, D. Michelle 50%

25' Utility Easement Interest

The Southerly 25 feet of the following described property:  
Lots 10, 11, 12, 13 and 14, lying North of State Road 60 lying in Block 2 of the Inter-Urban Park, Unit 3, according to the plat thereof as recorded in Plat Book 22, Page 13, public records of Polk County, Florida.

East a distance of 25.66 feet; thence South 06°54'58" East a distance of 50.00 feet; thence North 83°07'16" East a distance of 68.12 feet to the Point of Beginning; thence North 00°11'00" West a distance of 25.17 feet; thence North 83°07'16" East a distance of 99.68 feet; thence South 00°11'00" East a distance of 25.17 feet; thence South 83°07'16" West a distance of 99.68 feet to the Point of Beginning.

**Parcel 1924**

Owner

AJM Capital, LLC

25' Utility Easement Interest

The Southerly 25 feet of the following described property:  
The South 1/2 of Lot 9; All of Lots 10, 11, 12, 13 and 14, lying North of State Road 60; and all of Lot 15; all lying in Block 1 of the Inter-Urban Park, Unit 3, according to the plat thereof as recorded in Plat Book 22, Page 13, public records of Polk County, Florida.

**Parcel 1925**

Owner

WOODS FINANCIAL MANAGEMENT, INC.

25' Utility Easement Interest

The Southerly 25 feet of the following described property:

A portion of Tract D of the Replat of that part of Unity No. 1 Inter Urban Park, North of State Road No. 79 (currently State Road 60), according to the map or plat thereof recorded in Plat Book 31, Page 46, public records of Polk County, Florida, more particularly described as follows:

Commence at the NE corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 30 South, Range 27 East, Polk County, Florida, thence run on an assumed bearing of S 89°50'46" W 330.00 feet along the North line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence S 00°15'01" W 254.15 feet; thence S 89°04'19" W 132.20 feet to the East line of said Tract D and the Point of Beginning; thence continue S 89°04'19" W 68.90 feet; thence S 00°15'01" W 162.35 feet to the South line of said Tract D; thence S 83°20'44" W 75.00 feet along the South line of said Tract D, which is also the North right of way line of State Road Number 60; thence N 65°51'24" W 27.14 feet to the West line of said Tract D; thence N 00°18'47" E 254.71 feet to the NW corner of said Tract D; thence N 89°51'05" E 167.88 feet to the NE corner of said Tract D; thence S 00°14'57" W 96.09 feet along the East line of said Tract D, returning to the Point of Beginning.

**Parcel 1926**

Owner

B&S LAND DEVELOPMENT, LLC

25' Utility Easement Interest

The Southerly 25 feet of the following described property:

A portion of Tracts D and E of the Replat of that part of Unit No. 1, inter Urban Park, North of State Road No. 79 (State Road 60), according to the map or plat thereof recorded in Plat Book 31, page 46, Public Records of Polk County, Florida, AND a portion of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 30 South, Range 27 East, Polk County, Florida more particularly described as follows: Commence at the NE corner of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence run on an assumed bearing of S 89°50'46" W 330.00 feet along the North line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence S 00°15'01" West 254.15 feet to the Point of Beginning; thence S 89°04'19" W 201.10 feet; thence S 00°15'01" W 162.35 feet to the South line of said Tract D, which is also the North right of way line of State Road Number 60; thence N 83°20'44" E 202.52 feet to the SE corner of said Tract E, which is also the intersection of the North right of way line of State Road Number 60 with the West line of the East  $\frac{1}{4}$  of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence continue N 83°20'44" E 110.00 feet along the North right of way line of State Road Number 60; thence N 00°15'01" E 140.00 feet, thence S 83°20'44" W 110.00 feet; thence N 00°15'01" E 2.14 feet, returning to the Point of Beginning.

**Parcel 1927**

Owner

R & K WELDING & FABRICATION, INC.

25' Utility Easement

The Southerly 25 feet of the following described property:

Begin at the intersection of the North boundary line of the right-of-way of State Road 60 (formerly State Road 79) and the East Boundary line of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 30 South, Range 27 East and run thence North 140 feet, thence Southwesterly parallel with said right-of-way line of State Road 60 a distance of 222.22 feet, thence South 140 feet to said right-of-way line, thence Northeasterly along said right-of-way line, 222.22 feet to the Point of Beginning.

**Parcel 1928**

Owner

LANDRETH, DELORES 50%

DEMARIA, DELORES 50%

25' Utility Easement Interest

The Southerly 25 feet of the following described property:

Begin at a point 175 feet South of the Northwest corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 4, Township 27 East, Polk County, Florida; run thence East 132 feet; run thence South 89 feet; run thence West 12 feet; run thence South to North right of way line of New Highway No. 60; run thence Southwesterly along said right of way line to a point on the West line of said SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; run thence North to the Point of Beginning.

**Parcel 1929**

Owner

LAMBERT, JOHN W. AND LAMBERT, SUSIE M.

16' Utility Easement Interest

The Southerly 16 feet of the following described property:

Begin 232 feet East and 150 feet South of the Northwest corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 4, Township 30 South, Range 27 East, Polk County, Florida, thence West 100 feet, thence South 97 feet, thence West 12 feet, thence South to the Northwesterly right-of-way of State Road 60, thence Northeasterly along said right-of-way 112.78 feet, thence North 180.80 feet to the Point of Beginning.

**Parcel 1930**

Owner

MONK, BRENT I. 50%

MONK, BETSY L. 50%

5' Construction Easement Interest

5' by 104' Temporary Construction Easement being that part of South Half of the Northeast Quarter North of Highway No. 79 (State Road No. 60) in Section 5, Township 30 South, Range 27 East, Polk County, Florida, more particularly described as follows:

Commence at the southwest corner of the South half of the Northeast Quarter of said Section 5, thence North 89°33'51" East along the south line of said South Half of the Northeast Quarter a distance of 382.41 feet to the northerly right of way line of Highway No. 79 (State Road No. 60) thence continue North 71°32'34" East along said northerly right of way line a distance of 993.04 feet to the Point of Beginning; thence North 18°27'26" West a distance of 5.00 feet; thence North 71°32'34" East a distance of 104.00 feet; thence South 18°27'26" East a distance of 5.00 feet; thence South 71°32'34" West along said northerly right of way line a distance of 104.00 feet; to the Point of Beginning.

**Parcel 1931**

Owner

DARLENE C. LEVINSON AND DONNA P. MCDANIEL, TRUSTEES OF THE  
MERCERI, JOAN M. IRREVOCABLE TRUST

25' Utility Easement Interest

The Southerly 25 feet of the following described property:

The East 100 feet of the West 332 feet of that part of the South ½ of the NE ¼ of Section 4, Township 30 South, Range 27 East, Polk County, Florida, lying between the Old lake Wales-Bartow Road and SR60.

**Parcel 1932**

Owner

FORD, IRENE

25' Utility Easement Interest

The Southerly 25 feet of the following described property:

The East 100 feet of the West 432 feet of that portion of the South half of the Northeast  $\frac{1}{4}$  of Section 4, Township 30 South, Range 27 East, Polk County, Florida, Lying between the Old-Bartow-Lake Wales Road and State Road #60, Except the North 160 feet of said tract.

**Parcel 1933**

Owner

STRAUB, GARY E. 50%

STRUAB, CHERYL R. 50%

15' Utility Easement Interest

The Southerly 15 feet of the following described property:

The East 100 feet of the West 532 feet, except the North 160 feet thereof of that portion of the South one-half of the Northeast quarter of Section 4, Township 30 South, Range 27 East, Polk County, Florida. Lying North of State Road #60.

**Parcel 1934**

Owner

CROSBY, MARGARET S. a/k/a MARGARET G. CROSBY

15' Utility Easement Interest

The Southerly 15 feet of the following described property:

East 95 feet of the West 627 feet of the South  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$  in Section 4, Township 30 South, Range 27 East, Polk County, Florida. Lying North of HWY 79 and Less the North 160 feet.

**Parcel 1935**

Owner

NOLEN M. RYAN; WHITE, TINA DENISE; AND MCMICKIN, CURTIS WAYNE, OR  
NOLEN, M. RYAN, INDIVIDUALLY

20' Utility Easement Interest

Point of Beginning; thence North 00°17'20" West a distance of 20.14 feet; thence North 83°03'49" East a distance of 57.67 feet; thence South 06°56'11" East a distance of 20.00 feet; thence South 83°03'49" West a distance of 60.00 feet to the Point of Beginning.

**Parcel 1936**

Owner

BOURGET, DANIEL D. AND BOURGET, SILVA A., HUSBAND AND WIFE,  
UNDIVIDED ½ INTEREST

AND

SILVA, RICARDO AND SILVA ELMA, HUSBAND AND WIFE, UNDIVIDED ½  
INTEREST

20' Utility Easement Interest

That part of Lot 5 of Oliver Park as recorded in Plat Book 33, page 45, Public Records of Polk County, Florida, more particularly described as follows:

Begin at the northeast corner of Lot 5 of said Oliver Park; thence South 83°03'49" West along south right of way line of State Road 60 a distance of 45.00 feet to the Point of Beginning; thence South 07°00'33" East a distance of 10.00 feet; thence South 82°59'27" West a distance of 41.47 feet; thence South 56°38'58" West a distance of 9.82 feet; thence South 00°04'00" West a distance of 20.66 feet; thence North 89°56'00" West a distance of 10.00 feet to the west line of Lot 5; thence North 00°04'00" East a distance of 26.04 feet; thence North 56°38'58" East a distance of 17.54 feet; thence North 82°59'27" East a distance of 43.81 feet to the Point of Beginning.

**Parcel 1937**

Owner

LUKER, WILLIAM E.

LUKER, THERESA M.

15' Utility Easement Interest

That part of the West Half of the Southwest quarter of the Northeast Quarter of Section 4, Township 30 South, Range 27 East, Polk County, Florida, lying south of the CSX Railroad more particularly described as follows:

Commence at the Southeast corner of said Section 4; thence run North 00°05'10" East along the east line of said Section 4 a distance of 2667.41; to the south line of said Northeast Quarter; thence South 89°45'00" West along said south line a distance of 2018.96 feet to the Point of Beginning; thence continue South 89°45'00" West along said south line a distance of 15.00 feet; thence North 01°02'16" East a distance of 506.28 feet to the south right of way line of CSX Railroad; thence North 61°06'30" East along said south right of way line a distance of 17.31 feet to the west right of way line of S Airport Road; thence South 01°02'16" West along said west right of way line a distance of 514.58 feet to the Point of Beginning.

**Parcel 1938**

Owner

AMERICAN GARDEN PERLITE, LLC

15' Utility Easement Interest

That part of the East Half of the Southwest quarter of the Northeast Quarter of Section 4, Township 30 South, Range 27 East, Polk County, Florida, lying south of the CSX Railroad more particularly described as follows:

Commence at the Southeast corner of said Section 4; thence run North 00°05'10" East along the east line of said Section 4 a distance of 2667.41; to the south line of said Southwest Quarter of the Northeast Quarter; thence South 89°45'00" West along said south line a distance of 1988.96 feet to the Point of Beginning; thence North 01°02'16" East along the east right of way line of S Airport Road a distance of 539.47 feet to the south right of way line of CSX Railroad; thence North 61°06'30" East along said south right of way line a distance of 17.31 feet; thence South 01°02'16" West a distance of 539.47 feet to the aforementioned south line of Southwest Quarter of the Northeast Quarter; thence South 89°45'00" West along said south line a distance of 15.00 feet to the Point of Beginning.



**Parcel 1939**

Owner

CITIZENS BANK AND TRUST

15' Utility Easement Interest

That part of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 4, Township 30 South, Range 27 East, Polk County, Florida, more particularly described as follows:

Begin at the Northeast corner of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 4, Township 30 South, Range 27 East, Polk County, Florida, run thence South 671.63 feet; run thence West 10 feet for a Point of Beginning and the west right of way line of Acuff Road; run thence South  $00^{\circ}07'00''$  East along said west right of way line a distance of 119.18 feet; thence South  $89^{\circ}53'00''$  West a distance of 15.00 feet; thence North  $00^{\circ}07'00''$  West a distance of 104.18 feet; thence South  $89^{\circ}53'00''$  West a distance of 11.00 feet; thence North  $00^{\circ}07'00''$  West a distance of 62.41 feet to the south right of way line of SR 60; thence continue along said south right of way line the following (1)South  $67^{\circ}10'18''$  East a distance of 3.98 feet; (2)thence South  $28^{\circ}38'22''$  East a distance of 23.74 feet; (3)thence South  $00^{\circ}07'00''$  East a distance of 25.00 feet to the Point of Beginning.