

**RESOLUTION NO. 23-1750**

**A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA;  
GRANTING A FINAL PLAT OF CONGDON TOWNHOMES  
PHASE 1 AND 2 LOCATED WEST OF POWERLINE ROAD AND  
NORTH OF BAKER DAIRY ROAD HAINES CITY, FLORIDA;  
SETTING FORTH CONDITIONS; PROVIDING FOR FINDINGS;  
PROVIDING FOR RECORDING IN THE PUBLIC RECORDS; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

Whereas, the City Commission of the City of Haines City desires to approve the final plat of the Congdon Townhomes Phase 1 & 2 located west of Powerline Road and north of Baker Dairy Road, Haines City, Florida.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA, AS FOLLOWS:**

**Section 1. Final Plat Granted.** The following described property (Congdon Townhomes Phase 1 & 2) located within the City of Haines City, and as more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

is hereby granted a Final Plat.

**Section 2. Conditions of Approval.**

1. Approval of the Final Plat does not release the applicant from meeting the requirements of all other applicable sections of Haines City's Land Development Regulations, Code of Ordinances, and Growth Management Plan.

2. Violations of any conditions of approval shall be deemed a violation of the Land Development Regulations and shall give rise to the City's right to cancel the Final Plat upon thirty (30) days' advance written notice.

3. The Final Plat shall be done in accordance with design as shown on that plat

attached hereto as “Exhibit B”.

4. Final Plat shall be recorded upon approval of the Surety Bond provided for the improvements not yet completed in the subdivision, as well as subject to the following conditions:

- a. All outstanding review comments are satisfied including receipt of Binding School Concurrency letter and Architectural Variety Package.
- b. Once cost estimate has been approved by all reviewers, receipt of Subdivision bond securing uninstalled improvements that meet all requirements prior to the recording of the Final Plat(s).

**Section 3. Findings.** In adopting this Resolution, the City Commission hereby makes the following findings, purposes, and intent:

1. The City Commission is empowered under the City’s Land Development Regulations to hear and decide applications for final plats, to decide questions involved in determining whether final plat should be granted, and to grant final plat with conditions and safeguards appropriate under the Land Development Regulations.

2. A written application for Final Plat was submitted on or about January 17, 2023.

3. Based on the evidence in the record, it is hereby found that the proposed final plat will not adversely affect the public interest, that it is not contrary to the intent and provisions of the City’s Comprehensive Plan, that there is compliance with specific rules governing individual plats of the type involved, that the proposed development, with conditions and safeguards in Section 1 and Section 2 conditions herein, will be generally compatible with adjacent properties in the district, and that satisfactory provisions and arrangements have been made concerning the specific conditions enumerated in this Resolution.

**Section 4. Recording.** This Resolution shall be recorded in the Public Records of

Polk County, Florida.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon its adoption.

**PASSED and APPROVED** in regular session of the City Commission of Haines City, Florida, this 7<sup>th</sup> day of December, 2023.

**ATTEST:**

**APPROVED:**

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Sharon Lauther, MMC, City Clerk

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H. L. "Roy" Tyler, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

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Fred Reilly, City Attorney

“Exhibit A”

LEGAL DESCRIPTION

DESCRIPTION:

A PORTION OF TRACTS 20, 21, 22, 25, 26, 27 AND 28 OF THE MAP OF FLORIDA DEVELOPMENT COMPANY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE EAST 1/4 CORNER OF SAID SECTION 22, RUN THENCE ALONG THE EAST BOUNDARY OF SAID NORTHEAST 1/4 OF SECTION 22, N.00°12'03"W., A DISTANCE OF 25.00 FEET TO A LINE 25.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID NORTHEAST 1/4; THENCE ALONG SAID PARALLEL LINE, S.89°53'51"W., A DISTANCE OF 30.00 FEET TO A LINE 30.00 FEET WEST OF AND PARALLEL WITH SAID EAST BOUNDARY OF THE NORTHEAST 1/4, BEING THE WEST RIGHT OF WAY LINE OF POWERLINE ROAD ACCORDING TO OFFICIAL RECORDS BOOK 1280, PAGE 237 OF SAID PUBLIC RECORDS, FOR A **POINT OF BEGINNING**; THENCE ALONG A RIGHT OF WAY LINE BY DEED EXCEPTION AS RECORDED IN OFFICIAL RECORDS BOOK 5147, PAGE 1731 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID LINE ALSO BEING 10.00 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF AN UNNAMED ROAD OF SAID MAP OF FLORIDA DEVELOPMENT COMPANY, S.89°53'51"W., A DISTANCE OF 1297.25 FEET TO THE WEST BOUNDARY OF SAID TRACT 28; THENCE ALONG SAID WEST BOUNDARY, N.00°08'42"W., A DISTANCE OF 635.94 FEET TO THE NORTHWEST CORNER OF SAID TRACT 28; THENCE ALONG THE SOUTH BOUNDARY OF SAID TRACT 20, S.89°56'07"W., A DISTANCE OF 330.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 20; THENCE ALONG THE WEST BOUNDARY OF SAID TRACT 20, N.00°20'07"W., A DISTANCE OF 646.15 FEET TO THE NORTHWEST CORNER OF SAID TRACT 20; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF AN UNNAMED ROAD OF SAID MAP OF FLORIDA DEVELOPMENT COMPANY, N.89°58'19"E., A DISTANCE OF 997.08 FEET TO THE NORTHEAST CORNER OF SAID TRACT 22; THENCE ALONG THE EAST BOUNDARY OF SAID TRACT 22, S.00°14'11"W., A DISTANCE OF 645.51 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 22; THENCE ALONG THE NORTH BOUNDARY OF SAID TRACTS 25 AND 26, N.89°56'07"E., A DISTANCE OF 636.20 FEET TO AFORESAID WEST RIGHT-OF-WAY LINE OF POWERLINE ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S.00°12'03"E., A DISTANCE OF 635.08 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 33.66 ACRES, MORE OR LESS.

“Exhibit B”

FINAL PLAT