

RESOLUTION NO. 23-1768

A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA; GRANTING A PRELIMINARY PLAT FOR PHASE 2 OF THE CROSSWINDS EAST SUBDIVISION LOCATED EAST OF POWERLINE ROAD, NORTH AND SOUTH OF BAKER DAIRY ROAD, AND SOUTH OF CARL BOOZER 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 preliminary plat for Phase 2 of the Crosswinds East subdivision, Haines City, FL. 33844.

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

Section 1. Preliminary Plat Granted. The City Commission of the City of Haines City hereby grants approval of the preliminary plat for Phase 2 of the Crosswinds East subdivision according to the following described property located within the City of Haines City, and as more particularly described as:

Legal Descriptions are included in Exhibit A and Parcel Identification numbers are listed below:

**272723-757500-040152, 272723-757500-040151, 272723-757500-040, 272723-000000-034000
272723-000000-014000, 272723-000000-011003, 272723-000000-012002, 272723-000000-
012001, 272724-000000-034010, 272723-757500-040011, 272723-757500-040030,
272723-000000-041004, 272723-000000-041003, 272723-000000-041001, 272723-000000-
272723-757500-040130, 272723-000000-032004, 272723-000000-032001**

CONTAINING 242.63 ACRES, MORE OR LESS.

Section 2. Conditions of Approval.

1. Approval of the Preliminary 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 Preliminary Plat upon thirty (30) days' advance written notice.

3. The Final Plat shall be consistent with the design as shown on the preliminary plat dated on or around September 8, 2023, as attached hereto as “Exhibit B” and pursuant to the following conditions:

1. A Developer’s Agreement will be negotiated with the developer based on the results of the Traffic study. Off-site improvements will be determined by said agreement and shall be addressed on site construction plans.
2. No parking shall be permitted on roadways and shall be stated in the Homeowners’ Association/Property Owner Association documents and any other association documents of the development.
3. Street trees shall not be removed and shall be stated in the Homeowners’ Association/Property Owner Association documents and any other association documents of the development.
4. Reuse lines shall be installed.
5. All Technical Review Board comments shall be addressed prior to the approval of the site construction plans.
6. Utility easements shall be shown on site construction plans.
7. A school concurrency letter shall be provided prior to approval of site construction plans.
8. E-911 approved street names will be required prior to approval of site construction plans.

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 preliminary plats, to decide questions involved in determining whether preliminary plat should be granted, and to grant preliminary plat with conditions and safeguards appropriate under the Land Development Regulations.

2. A written application for Preliminary Plat was submitted on or around February 20, 2023.

3. Based on the evidence in the record, it is hereby found that the proposed preliminary 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 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 7th day of December, 2023.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

H.L “Roy” Tyler, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

Exhibit A

PARCEL 272723-757500-040152 (PER OR BK 11083 PGS 473-575)

THE NORTH 331.83 FEET OF TRACTS 15 AND 16 IN THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO THE MAP OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 272723-757500-040151-(PER OR BK 10741 PGS 0492-0494)

TRACTS 15 AND 16 IN THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO THE PLAT OF FLORIDA DEVELOPMENT COMPANY RECORDED IN PLAT BOOK 3, PAGES 60 TO 63, INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; SAID TRACTS EQUIVALENT TO THE SOUTHWEST ¼ OF NORTHWEST ¼ OF SOUTHWEST ¼ AND THE NORTHWEST ¼ OF SOUTHWEST ¼ OF SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, LESS ROADWAYS, AS BY ORDER OF TAKING FILED SEPTEMBER 29, 1970 AND RECORDED IN O.R. BOOK 1311, PAGE 975 OF SAID PUBLIC RECORDS, ALSO LESS AND EXCEPT THE NORTH 331.83 FEET OF TRACTS 15 AND 16 IN SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 27 SOUTH, RANG 27 EAST, ACCORDING TO THE MAP OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT IN AND FOR POLK COUNTY, FLORIDA, IN PLAT BOOK 3, PAGES 60 TO 63.

PARCEL 272723-757500-040 (1P7E0R -OR BK 10741 PGS 0492-0494)

TRACTS 17 AND 18 IN THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO MAP OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION, RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT IN AND FOR POLK COUNTY, FLORIDA IN PLAT BOOK 3, PAGES 60 TO 63; LESS ROADWAYS AS BY ORDER OF TAKING FILED SEPTEMBER 29, 1970 AND RECORDED IN OR BOOK 1311, PAGE 975 OF SAID PUBLIC RECORDS.

PARCEL 272723-000000-034000 - (PER OR BK 11083 PGS 473-575)

THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS AND EXCEPT THE WEST 20 FEET FOR POWERLINE ROAD RIGHT OF WAY AS RECORDED IN OR BOOK 1280, PAGE 232, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND LESS AND EXCEPT THE MAINTAINED RIGHT OF WAY FOR BAKER DAIRY ROAD AS RECORDED IN MAP BOOK 18, PAGES 6-21 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 272723-000000-014000 (PER OR BK 1159 PGS 2263-2267)

THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS BAKER DAIRY ROAD RIGHT OF WAY.

PARCEL 272723-000000-011003 (PER OR BK 1159 PGS 2263-2267)

THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE NORTH 50.00 FEET.

PARCEL 272723-000000-012002 (PER OR BK 1159 PGS 2263-2267)

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS BAKER DAIRY ROAD RIGHT OF WAY.

PARCEL 272723-000000-012001 (PER OR BK 1159 PGS 2263-2267)

THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY FLORIDA LESS THE NORTH 35.00 FEET, AND LESS ROADWAYS OF RECORD AND/OR IN USE.

PARCEL 272724-000000-034010 (PER OR BK 1159 PGS 2263-2267)

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, LESS THE NORTH 35.00 FEET, AND LESS BEGINNING 270 FEET EAST AND 25 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4, RUN NORTH 233.71 FEET, EAST 208.71 FEET, NORTH 35.29 FEET, EAST 179.04 FEET, SOUTH 269 FEET, WEST 387.75 FEET TO THE POINT OF BEGINNING, ALL LYING IN SECTION 24, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 272723-757500-040011 (PER OR BK 11083 PGS 473-575)

TRACTS 1 AND 2 IN THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO MAP OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, LESS AND EXCEPT POWER LINE ROAD RIGHT-OF-WAY AND LESS BAKER DAIRY ROAD RIGHT-OF-WAY AND LESS THE NORTH 200 FEET OF THE WEST 215 FEET OF TRACT 1, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 272723-757500-040030 (PER OR BK 10741 PGS 0492-0494)

TRACTS 3 AND 4 IN THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ACCORDING TO THE MAP OF FLORIDA DEVELOPMENT COMPANY SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT IN AND FOR POLK COUNTY, FLORIDA, IN PLAT BOOK 3, PAGE 60 TO 63.

PARCEL 272723-000000-041004 (PER OR BK 1159 PGS 2263-2267)

THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS BAKER DAIRY ROAD RIGHT OF WAY.

PARCEL 272723-000000-041003 (PER OR BK 1159 PGS 2263-2267)

THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS BAKER DAIRY ROAD RIGHT OF WAY.

PARCEL 272723-000000-041001 (PER OR BK 1159 PGS 2263-2267)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS BAKER DAIRY ROAD RIGHT OF WAY.

PARCEL 272723-000000-041002 (PER OR BK 1159 PGS 2263-2267)

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 272723-7575000-040130 (PER OR BK 058 PGS 019)

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 272723-000000-032004 - (PER OR BK 9908 PGS 0263-0266)

THE WEST ¼ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS AND EXCEPT THE MAINTAINED RIGHT OF WAY FOR BAKER DAIRY ROAD.

PARCEL 272723-000000-032001(PER OR BK 1159 PGS 2263-2267)

THE EAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST OF SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS BAKER DAIRY ROAD RIGHT OF WAY.

