

RESOLUTION NO. 24-1776

A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA; AMENDING RESOLUTION NO. 23-1717, REGARDING THE GRANTING APPROVAL OF THE AMENDED FINAL PLAT OF THE MAGNOLIA VILLAGE SUBDIVISION BY INCLUDING A DUKE ENERGY EASEMENT, LOCATED SOUTH OF ALTA VISTA DRIVE, NORTH OF COUNTY ROAD 544, AND EAST OF VERANO DRIVE, IN HAINES CITY, FLORIDA; PROVIDING FOR APPROVAL OF AN AMENDED FINAL PLAT; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING IN THE PUBLIC RECORDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City of Haines City Commission of Haines City approved by Resolution No. 23-1717, the Magnolia Village subdivision Final on February 2, 2023.

Whereas, in working with Duke Energy, it has been determined that an easement is needed for their utilities, which needs to be made part of the Magnolia Final Plat.

Whereas, the City Commission of the City of Haines City desires to amend Resolution No. 23-1717, and approve the amended final plat of the Magnolia Village Subdivision located south of Alta Vista Drive, north of County Road 544, and east of Verano Drive, in 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 located within the City of Haines City, and as more particularly described as follows:

SEE ATTACHED COMPOSITE EXHIBIT A

CONTAINS 21.148 ACRES MORE OR LESS.

is hereby granted an amended Final Plat.

Section 2. Conditions of Approval.

1. Approval of the amended 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 amended Final Plat shall be done in accordance with design as shown on the plat attached hereto as "Composite Exhibit A".
4. Approval of the cost estimate of the bond for the uninstalled improvements.
5. Receipt of Surety securing uninstalled improvements that meets all the requirements.
6. Polk County off-site improvements approved by the County Engineer prior to issuing Certificates of Occupancy

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 September 10, 2021.

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 on in regular session of the City Commission of Haines City, Florida, this 16th day of January, 2024.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

H. L. “Roy” Tyler, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

“Composite Exhibit A”

Legal Description

LEGAL DESCRIPTION

A REPLAT OF A PORTION OF LOTS 4, 5, & 6 OF THE PLAT TOTTEN & MADDUX'S SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 23 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING SITUATED PARCEL IN SECTION 33, TOWNSHIP 27 SOUTH, RANGE 27 EAST, HAINES CITY, POLK COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 100 OF HAINES RIDGE PHASE 1 AS RECORDED IN PLAT BOOK 150, PAGES 7-11 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID PLAT RUN SOUTH $00^{\circ}13'35''$ EAST A DISTANCE OF 880.01 FEET TO THE SOUTHWEST CORNER SAID HAINES RIDGE PLAT; THENCE DEPARTING SAID WEST LINE ALONG THE SOUTH LINE OF THE LANDS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 11813, PAGE 842 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA RUN SOUTH $89^{\circ}18'01''$ WEST A DISTANCE OF 242.40 FEET TO THE NORTHEAST CORNER OF THE WALL EASEMENT AREA RECORDED IN OFFICIAL RECORDS BOOK 12088, PAGES 266-307; THENCE ALONG THE EAST, SOUTH, THEN WEST LINES OF SAID WALL EASEMENT AREA RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) RUN SOUTH LINE RUN SOUTH $00^{\circ}41'59''$ EAST A DISTANCE OF 11.47 FEET; (2) THENCE RUN SOUTH $89^{\circ}48'21''$ WEST A DISTANCE OF 86.63 FEET; (3) THENCE RUN NORTH $00^{\circ}13'20''$ WEST A DISTANCE OF 10.70 FEET TO A POINT ON AFORESAID SOUTH LINE OF LANDS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED; THENCE ALONG SAID SOUTH LINE RUN SOUTH $89^{\circ}18'01''$ WEST A DISTANCE OF 229.50 FEET; THENCE DEPARTING SAID SOUTH LINE RUN SOUTH $00^{\circ}45'31''$ EAST A DISTANCE OF 80.50 FEET TO A POINT OF CURVATURE WITH A CURVE TO THE LEFT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF $35^{\circ}30'02''$ AND A CHORD DISTANCE OF 106.70 FEET WHICH BEARS SOUTH $18^{\circ}30'32''$ EAST; THENCE ALONG THE ARC OF SAID CURVE RUN FOR A LENGTH OF 108.43 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE RIGHT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF $36^{\circ}02'10''$ AND A CHORD DISTANCE

OF 139.19 FEET WHICH BEARS SOUTH 18°14'28" EAST; THENCE ALONG THE ARC OF SAID CURVE RUN FOR A LENGTH OF 141.51 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE ALONG SAID TANGENT LINE RUN SOUTH 00°13'23" EAST A DISTANCE OF 102.84 FEET TO A POINT OF CURVATURE WITH A CURVE TO THE LEFT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°03'23" AND A CHORD DISTANCE OF 35.37 FEET WHICH BEARS SOUTH 45°15'05" EAST; THENCE ALONG THE ARC OF SAID CURVE RUN FOR A LENGTH OF 39.29 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE ALONG SAID TANGENT LINE RUN NORTH 89°43'14" EAST A DISTANCE OF 456.13 FEET TO THE EAST LINE OF AFORESAID LOT 4 OF TOTTEN AND MADDUX'S SUBDIVISION PLAT; THENCE ALONG SAID EAST LINE RUN SOUTH 00°13'35" EAST A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 544 (F.K.A. STATE ROAD 544) PER F.D.O .T. RIGHT-OF-WAY MAP SECTION 16841-2601; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE RUN SOUTH 89°43'14" WEST A DISTANCE OF 701.20 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 00°16'20" WEST A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 89°43'14" EAST A DISTANCE OF 123.09 FEET TO A POINT OF CURVATURE WITH A CURVE TO THE LEFT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°56'37" AND A CHORD DISTANCE OF 35.34 FEET WHICH BEARS NORTH 44°44'55" EAST; THENCE ALONG THE ARC OF SAID CURVE RUN FOR A LENGTH OF 39.25 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE ALONG SAID TANGENT LINE RUN NORTH 00°13'23" WEST A DISTANCE OF 141.29 FEET TO A POINT OF CURVATURE WITH A CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 158.00 FEET, A CENTRAL ANGLE OF 30°57'09" AND A CHORD DISTANCE OF 84.32 FEET WHICH BEARS NORTH 15°41'58" WEST; THENCE ALONG THE ARC OF SAID CURVE RUN FOR A LENGTH OF 85.36 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE RIGHT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF 30°25'01" AND A CHORD DISTANCE OF 118.05 FEET WHICH BEARS NORTH 15°58'02" WEST; THENCE ALONG THE ARC OF SAID CURVE RUN FOR A LENGTH OF 119.45 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE ALONG SAID TANGENT LINE RUN NORTH 00°45'31" WEST A DISTANCE OF 80.55 FEET TO AFORESAID SOUTH LINE OF THAT CERTAIN WARRANTY DEED; THENCE ALONG SAID SOUTH LINE RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) RUN SOUTH 89°18'01" WEST A DISTANCE OF 93.16 FEET; (2) THENCE RUN SOUTH 89°14'29"

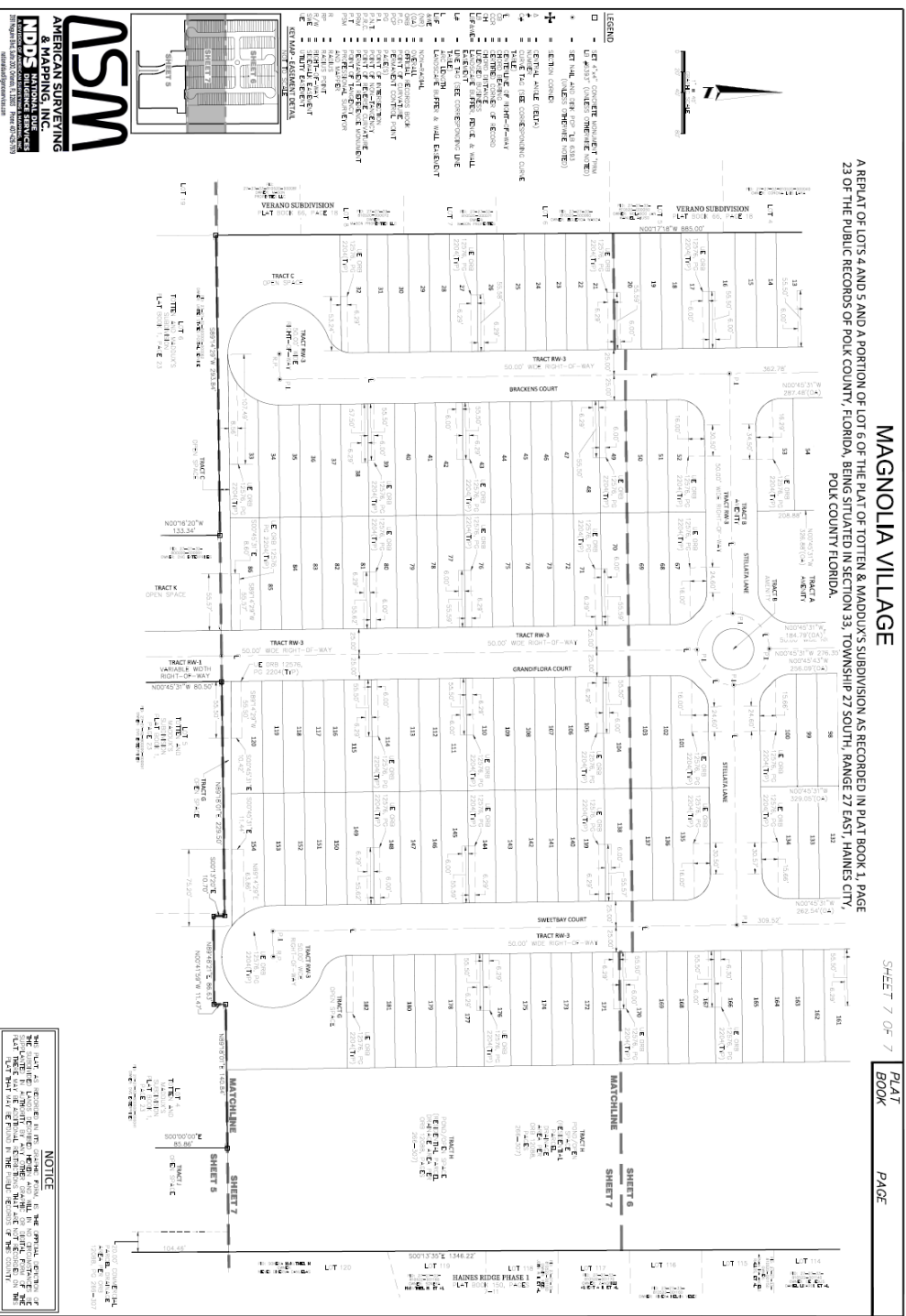
WEST A DISTANCE OF 293.84 FEET TO A POINT ON THE EAST LINE OF VERANO SUBDIVISION PLAT, AS RECORDED IN PLAT BOOK 66, PAGE 18 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE RUN NORTH 00°17'18" WEST A DISTANCE OF 885.00 FEET TO THE SOUTHWEST CORNER OF AFORESAID HAINES RIDGE PLAT; THENCE ALONG THE SOUTH LINE OF SAID HAINES RIDGE PLAT RUN NORTH 89°34'14" EAST A DISTANCE OF 996.36 FEET RETURNING TO THE POINT OF BEGINNING.

CONTAINING 921,201 SQUARE FEET OR 21.148 ACRES, MORE OR LESS.

MAGNOLIA VILLAGE
 A REPORT OF LOTS 4 AND 5 AND A PORTION OF LOT 6 OF THE PLAT OF TOTTEN & MADOLUX SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 23 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING SITUATED IN SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, HAINES CITY, POLK COUNTY FLORIDA.

SHEET 7 OF 7

PLAT BOOK PAGE



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NOTICE
 THE PLAT OF TOTTEN & MADOLUX SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 23 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING SITUATED IN SECTION 23, TOWNSHIP 27 SOUTH, RANGE 27 EAST, HAINES CITY, POLK COUNTY FLORIDA, IS HEREBY REPRODUCED IN THE PUBLIC RECORDS OF POLK COUNTY.