

ORDINANCE NO. 24-2092

AN ORDINANCE OF THE CITY OF HAINES CITY FLORIDA, ANNEXING CERTAIN LAND INTO THE CORPORATE LIMITS OF HAINES CITY, FLORIDA AND REDEFINING THE BOUNDARY LINES OF THE MUNICIPALITY TO INCLUDE PROPERTY OWNED BY TENOLD HOLDING, INC., CONGDON DAVID B AND TAMARA S REVOCABLE TRUST, CONGDON DARRELL W AND DEBORAH J REVOCABLE TRUST, FLORIDA DEPARTMENT OF TRANSPORTATION, MH LAND LEASE, LLC, PC SOUTH PARTNERS, LLC, US HWY 27, LLC, ORANGE 95, LLC, STEVEN AND JAMES CLIETT, CHARLES AND VIRGINIA GLASS, AND RAZ PROPERTIES, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED ANNEXATION AND FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE CLERK OF CIRCUIT COURT IN AND FOR POLK COUNTY, FLORIDA AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LAND USE AND ZONING DESIGNATIONS; PROVIDING FOR A COPY TO BE KEPT ON FILE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Tenold Holdings, LLC, has petitioned for a Voluntary Annexation of properties into the City of Haines City; and

WHEREAS, the City of Haines City wishes to involuntarily annex properties owned by Congdon David B And Tamara S Revocable Trust, Congdon Darrell W and Deborah J Revocable Trust, Florida Department of Transportation, MH Land Lease, LLC, PC South Partners, LLC, US Hwy 27, LLC, Orange 95, LLC, Steven and James Cliett, Charles and

Virginia Glass, and Raz Properties, Inc., and has prepared an Urban Services Report in support of; and,

WHEREAS, the said real properties are presently in an unincorporated area of Polk County, are contiguous to the City of Haines City, are reasonably compact and will not result in the creation of an enclave; and

WHEREAS, the legal description is defined as follows:

SEE ATTACHED EXHIBIT “A” FOR VOLUNTARY ANNEXATION PROPERTIES

SEE ATTACHED EXHIBIT “B” FOR INVOLUNTARY ANNEXATION PROPERTIES

WHEREAS, the attached map shows the parcels comprising 624.36+/- acres located alongside of U.S. Highway 27 North and South, is proposed to be annexed herein by reference and is hereafter referred to as Exhibit “C”; and

WHEREAS, Section 11.04 (f – i) of the City’s Charter provides for annexation; and

WHEREAS, the City Commission hereby determines that the owners of the property and the area proposed to be annexed has consented to the annexation, and proper notice has been provided for those parcels being annexed involuntarily, and meets the requirements pursuant to §171.043 and §171.0413 Florida Statutes (see attached the Urban Services Report as Exhibit “D”); and

WHEREAS, the City Commission hereby determines that incorporation of the area proposed to be annexed are deemed practical and expedient and in conformity with the overall plan for extending the boundaries of the city.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA:

Section 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Annexation of Property. The property described and depicted in Exhibit “A” and “B” shall be and are hereby annexed to the City of Haines City, Florida and the boundary lines of the municipality shall be redefined to include the said property.

Section 3. Notice of Proposed Annexation. Notice of the proposed annexation shall be published at least once each week for two consecutive weeks in a newspaper published in Polk County, Florida before final passage. A copy of this Ordinance shall, after adoption, be filed with the Clerk of the Circuit Court and the Chief Administrative Officer in and for Polk County, Florida and with the Department of State of the State of Florida within seven (7) days after the adoption of this Ordinance.

Section 4. Land Use and Zoning. The County zoning or subdivision regulations shall remain in effect until the City adopts a zoning map amendment that includes the properties annexed.

Section 5. Codification. The ordinance shall be codified and made a part of the official Code of Ordinances or Charter of the City of Haines City.

Section 6. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

Section 7. Repeal of Ordinance in Conflict. All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 8. Effective Date. This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, and its approval and adoption by said Commission.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 2nd day of December, 2024.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

Omar Arroyo, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

ADOPTED AND ENACTED on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this 19th day of December, 2024.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

Omar Arroyo, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

Exhibit "A"

PARCEL A:

Starting at the Northwest corner of the SW 1/4 of the SE 1/4 of Section 31, Township 27 South, Range 27 East, Polk County, Florida, run thence North 89°51'00" East, along the North boundary of said SW 1/4 of the SE 1/4, 627.24 feet for the Point of Beginning; thence continue North 89°51'00" East, along said North boundary, 212.49 feet; thence South 00°30'18" East, 205.00 feet; thence South 89°51'00" West, parallel with said North boundary of the SW 1/4 of the SE 1/4, 212.49 feet; thence North 00°30'18" West, 205.00 feet to the said Point of Beginning. TOGETHER WITH an easement for ingress and egress, 25.00 feet in width, further described as: Starting at the Northwest corner of the SW 1/4 of the SE 1/4 of Section 31, Township 27 South, Range 27 East, Polk County, Florida, run thence South 01°22'58" West, along the West boundary of said SW 1/4 of the SE 1/4, 7.36 feet; thence South 89°51'00" West, parallel with the North boundary of said SW 1/4 of the SE 1/4, 98.61 feet for the Point of Beginning; thence South 80°31'12" East, 198.07 feet; thence South 43°14'31" East, 43.12 feet; thence South 86°47'45" East, 502.80 feet to a point lying 101.40 feet, South 00°30'18" East from said North boundary of the SW 1/4 of the SE 1/4; thence South 00°30'18" East, 25.05 feet; thence North 86°47'45" West, 514.41 feet; thence North 43°14'31" West, 44.67 feet; thence North 80°31'12" West, 187.54 feet; thence South 89°51'00" West, parallel with said North boundary of the SW 1/4 of the SE 1/4, 117.05 feet to the Easterly right-of-way boundary of U.S. Highway No. 27; thence North 08°53'00" East, along said Easterly right-of-way boundary, 25.31 feet; thence North 89°51'00" East, parallel with said North boundary of the SW 1/4 of the SE 1/4, 115.18 feet to the said Point of Beginning, all in Polk County, Florida.

PARCEL B:

PARCEL 1:

The NE 1/4 of the NE 1/4 and that part of the East 3/4 of the SE 1/4 of the NE 1/4, North of SR-544, in Section 6, Township 28 South, Range 27 East, Polk County, Florida. Less right of way of S.R. 544.

Also Less and Except

Begin at the Northwest corner of the Northeast quarter of the Northeast quarter of Section 6, Township 28 South, Range 27 East, Polk County, Florida; thence North 89°37' 23" East along the North line thereof a distance of 450.00 feet; thence South 00°26' 49" East a distance of 422.02 feet; thence South 89°37' 23" West a distance of 400.00 feet to an intersection with a line lying 50.00 feet East of and parallel with the West line of the Northeast quarter of said Section 6; thence South 00°26' 49" East along said parallel line a distance of 850.38 feet to an intersection with a line lying 50.00 feet North of and parallel with the South line of said Northeast quarter of the Northeast quarter; thence North 89°32' 43" East along said parallel line, a distance of 121.61 feet;

CONTINUED ON SHEET 2...

...CONTINUED FROM SHEET 1

thence South 00°25' 36" East a distance of 152.51 feet to a point on the Northerly right of way line of State Road 544; thence North 77°04' 37" West along said Northerly right of way line 51.39 feet to the West line of the East 210.00 feet of the West quarter of the Southeast quarter, of the Northeast quarter of said Section 6; thence North 00°25' 36" West along said West line a distance of 90.62 feet to the South line of said Northeast quarter of the Northeast quarter; thence South 89°32' 43" West along said South line, a distance of 121.59 feet to the Southwest corner of said Northeast quarter of the Northeast quarter; thence North 00°25' 49" West along the West line of said Northeast quarter of the Northeast quarter a distance of 1322.47 feet to the Point of Beginning.

PARCEL 2:

Begin at the Northeast corner of the W 1/4 of the SE 1/4 of the NE 1/4 of Section 6, Township 28 South, Range 27 East, thence run South along the East boundary 141 feet to the North right of way of S.R. 544, thence Northwesterly along said North right of way 225 feet, thence North 90 feet to the North line of said SE 1/4 of the NE 1/4, thence East along said North line of the SE 1/4 of the NE 1/4, 201 feet to the Point of Beginning. Less the West 50 feet and Less right of way of S.R. 544.

PARCEL 4:

All of the NW 1/4 of Section 5, Township 28 South, Range 27 East, lying North of Highway S.R. 544, Polk County, Florida.

Less and Except

That part of the Northeast Quarter of the Northwest Quarter of Section 5, Township 28 South, Range 27 East, Polk County, Florida, bounded on the northerly and westerly sides by the old Haines City – Winter Haven Highway (Scenic Drive) and bounded on the southerly and westerly sides by State Road 544 (Lucerne Park Road), being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 5, said corner being designated by a found 1-1/2 Inch pipe filled with concrete, previously located with a brass cap stamped Government Land Office; thence South 00°24' 33" East, along the east line of the Northeast Quarter of the Northwest Quarter of said Section 5, a distance of 501.71 feet to a point lying approximately one foot southeasterly of the asphalt pavement of the Old Haines City Winter Haven Highway and said point being the Point of Beginning of this description; thence continue South 00°24' 33" East, along the east line of said Northeast Quarter of the Northwest Quarter, a distance of 547.74 feet to a point on the northerly right-of-way line of State Road 544, said point being on a non-tangential curve concave to the northwest, said curve having a radius of 2824.79 feet, a central angle of 08°08' 38", a chord distance of 401.17 feet and a chord bearing of South 61°04' 45" West; thence Southwesterly along said curve and northerly right-of-way line an arc length of 401.51 feet; thence North 69°27' 43" West, along a non-tangent line and continuing along said northerly right-of-way line, 20.96 feet;

CONTINUED ON SHEET 3...

...CONTINUED FROM SHEET 2

thence North 23°56' 10" West, continuing along said northerly right-of-way line, 17.70 feet to the beginning of a tangential curve concave to the east, said curve having a radius of 70.00 feet, a central angle of 61°11' 31", a chord distance of 71.26 feet and a chord bearing of North 06°39' 35" East; thence Northerly along said curve and northerly right-of-way line an arc length of 74.76 feet to a point of reverse curve concave to the northwest, said curve having a radius of 984.93 feet, a central angle of 03°00' 00" , a chord distance of 51.66 feet and a chord bearing of North 35°45' 21" East; thence Northeasterly along said curve and northerly right-of-way line an arc length of 51.57 feet; thence North 37°21' 46" East, departing from said northerly right-of-way line and along a line lying approximately one foot southeasterly of the asphalt pavement of the old Haines City - Winter Haven Highway, 111.73 feet; thence North 19°18' 29" East, approximately one foot easterly of said asphalt pavement, 32.81 feet to the beginning of a non-tangential curve concave to the northwest, said curve having a radius of 633.54 feet, a central angle of 11°06' 22", a chord distance of 122.61 feet and a chord bearing of North 30°52' 16" East; thence Northeasterly along said curve and approximately one foot southeasterly of said asphalt pavement an arc length of 122.80 feet; thence North 25°18' 58" East, approximately one foot easterly of said asphalt pavement, 344.86 feet to the beginning of a tangential curve concave to the southeast, said curve having a radius of 272.07 feet, a central angle of 17°34' 33", a chord distance of 83.13 feet and a chord bearing of North 34°06' 17" East; thence Northeasterly along said curve and approximately one foot southeasterly of said asphalt pavement an arc length of 83.46 feet to the said Point of Beginning.

PARCEL 5:

The West 840 feet of the North 1037 feet of the Southwest 1/4 of the Southeast 1/4, Section 31, Township 27 South, Range 27 East Polk County, Florida. Less the North 778.03 feet thereof,

AND

The North 1/2 of the NE 1/4, lying Easterly of the S.R. 25, Section 31, Township 27 South, Range 27 East, Polk County, Florida.

Less and Except that portion of the above described property acquired by the State of Florida, Department of Transportation, by Order of Taking, recorded in Official Records Book 5095, Page 1627, more particularly described as follows:

That portion of the Northeast 1/4 of Section 31; Township 27 South, Range 27 East, Polk County, Florida. Being described as follows:

Commence at the Northeast corner of the Northwest 1/4 of said Northeast 1/4 of Section 31; thence along the North boundary of said Section 31, South 89°22' 33" West a distance of 200.185 meters (656.77 feet) to the Easterly existing right of way line of State Road 25 and the beginning of a curve concave Easterly and having a radius of 3456.182 meters (11,339.16 feet); thence along said Easterly existing right of way line the arc of said curve to the left a distance of 32.733 meters (107.39 feet) through a central angle of 00°32' 34" with a chord bearing South 20°57' 28" West for a POINT OF BEGINNING and the end of said curve; thence North 66°06' 40" East a distance of 51.399 meters (168.63 feet); thence South 89°43' 20" East a distance of 128.084 meters (420.22 feet); thence South 30°25' 19" East a distance of 102.090 meters (334.94 feet); thence South 00°16' 40" West a distance of 44.196 meters (145.00 feet); thence North 89°43' 20" West a distance of 32.327 meters (106.06 feet);

CONTINUED ON SHEET 4...

...CONTINUED FROM SHEET 3

thence South 44°16' 40" West a distance of 25.423 meters (83.41 feet); thence North 89°43' 20" West a distance of 111.557 meters (366.00 feet); thence North 00°16' 40" East a distance of 140.208 meters (460.00 feet); thence North 89°43' 20" West a distance of 16.507 meters (54.16 feet); thence South 66°06' 40" West a distance of 59.115 meters (193.95 feet) to said Easterly existing right of way line and the beginning of a curve concave Easterly and having a radius of 3456.182 meters (11,339.16 feet); thence along said Easterly existing right of way line the arc of said curve to the right a distance of 14.092 meters (46.23 feet) through a central angle of 00°14' 01" with a chord bearing North 20°34' 11" East to the end of said curve and to the POINT OF BEGINNING.

AND

North 1/2 of the NE 1/4, lying Westerly of S.R. 25; Section 31, Township 27 South, Range 27 East, Polk County, Florida. Less the South 25 feet thereof.

AND

The SE 1/4 of the NE 1/4, Section 31, Township 27 South, Range 27 East, Polk County, Florida Less the SW 1/4 of the SE 1/4 of the NE 1/4, and less the South 87.5 feet of the NW 1/4 of SE 1/4 of the NE 1/4 thereof.

AND

The South 1/2 of the SE 1/4, of Section 31, Township 27 South, Range 27 East and Less the West 840 feet of the North 1037 feet thereof, Polk County, Florida.

PARCEL 6:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 31, Township 27 South, Range 27 East, Polk County, Florida.

AND

The Southwest 1/4 of the Southeast 1/4 of the Northeast 1/4, Less the South 106 feet thereof; and the South 87.5 feet of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 31, Township 27 South, Range 27 East, Polk County, Florida.

PARCEL 7:

That part of the South 1345 feet of the SW 1/4 of Section 31, Township 27 South, Range 27 East, lying East of the right of way of U.S. Highway 27 and North of the Lake Drane drainage canal, lying and being in Polk County, Florida.

Less and Except

Beginning at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 31, Township 27 South, Range 27 East, Polk County, Florida, run thence South 01° 2' 58" West along the West boundary of said Southwest Quarter of the Southeast Quarter; 7,36 feet;

CONTINUED ON SHEET 5...

...CONTINUED FROM SHEET 4

thence South 89°51' 00" West, parallel with the North boundary of said Southwest Quarter of the Southeast Quarter 213.79 feet to the Easterly right-of-way boundary of U.S. Highway No. 27; thence South 08°53' 00" West, along said Easterly right-of-way boundary, 780.34 feet; thence North 89°51' 00" East, parallel with said North boundary of the Southwest Quarter of the Southeast Quarter, 1181.06 feet; thence North 00°30' 18" West, 573.03 feet thence South 89°51' 00" West, parallel with said North boundary of the Southwest Quarter of the Southeast Quarter; 212.49 feet; thence North 00°30' 18" West 205.00 feet to said North boundary of the Southwest Quarter of the Southeast Quarter; thence South 89°51' 00" West along said North boundary, 627.24 feet to the said Point of Beginning.

PARCEL C:

Beginning at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 31, Township 27 South, Range 27 East, Polk County, Florida, run thence South 01° 2' 58" West along the West boundary of said Southwest Quarter of the Southeast Quarter; 7.36 feet; thence South 89°51' 00" West, parallel with the North boundary of said Southwest Quarter of the Southeast Quarter 213.79 feet to the Easterly right-of-way boundary of U.S. Highway No. 27; thence South 08°53' 00" West, along said Easterly right-of-way boundary, 780.34 feet; thence North 89°51' 00" East, parallel with said North boundary of the Southwest Quarter of the Southeast Quarter, 1181.06 feet; thence North 00°30' 18" West, 573.03 feet thence South 89°51' 00" West, parallel with said North boundary of the Southwest Quarter of the Southeast Quarter; 212.49 feet; thence North 00°30' 18" West 205.00 feet to said North boundary of the Southwest Quarter of the Southeast Quarter; thence South 89°51' 00" West along said North boundary, 627.24 feet to the said Point of Beginning.

LESS AND EXCEPT THE FOLLOWING;

That portion of the Southwest 1/4 of Section 31, Township 27 South, Range 27 East, Polk County, Florida, being described as follows;

Commence at the Northeast corner of the Southeast 1/4 of said Southwest 1/4 of Section 31; thence along the North line of said Southeast 1/4 of the Southwest 1/4, South 89°39' 38" West a distance of 103.867 meters (340.77 feet) to the survey base line of State Road 25 (U.S. 27); thence along said survey base line South 08°41' 05" West a distance of 19.402 meters (63.65 feet); thence North 89°40' 51" East a distance of 30.860 meters (101.25 feet) to the easterly existing right of way line of said State Road 25 [per 1618-Proj. 175(5244)] for a Point of Beginning; thence continue North 89°40' 51" East a distance of 44.747 meters (146.81 feet); thence South 08°41' 05" West a distance of 220.681 meters (724.02 feet); thence South 89°40' 51" West a distance of 44.747 meters (146.81 feet) to said Easterly existing right of way line; thence along said Easterly existing right of way line North 08°41' 05" East a distance of 220.681 meters (724.02 feet) to the Point of Beginning.

PARCEL D:

All that part of Lots 1, 2, 3 and 6 through 8, inclusive, lying Easterly of U.S. Highway 27, in HASKINS, NYDEGGER & DAUGHERTY SUBDIVISION, according to the plat thereof recorded in Plat Book 4, Page 66, Public Records of Polk County, Florida;

CONTINUED ON SHEET 6...

...CONTINUED FROM SHEET 5

AND

All that part of Lots 2 through 6, inclusive, and Lot 9 lying Westerly of U.S. Highway 27, in HASKINS, NYDEGGER & DAUGHERTY SUBDIVISION, according to plat thereof recorded in Plat Book 4, Page 66, Public Records of Polk County, Florida;

AND

The West 1/2 of the NE 1/4 of the SE 1/4 and the South 106 feet of the SW 1/4 of the SE 1/4 of the NE 1/4, all in Section 31, Township 27 South, Range 27 East, Polk County, Florida;

AND

LESS AND EXCEPT that portion of the above property conveyed to the State of Florida Department of Transportation as described in the Warranty Deed recorded in Official Records Book 5075, Page 455, Public Records of Polk County, Florida.

NOTE "A": The field location for the Point of Commencement, being the Northwest Corner of the Southwest 1/4 of the Southeast 1/4 of Section-31-27S-27E, does not match the deed location. Based on the field location of said corner the deed description for Parcel A would not match occupation of the residence and the ingress/egress easement would not be contiguous with the Easterly right-of-way boundary of US Highway No. 27.

NOTE "B": The Easterly limits of the Lake Drane Drainage Canal is unknown. The limits of said Canal as depicted on FDOT Map Section No. 16180-2103 extends Easterly of the West Boundary of the SE 1/4 of Section 31-27S-27E. Surveyor did not receive any documents describing the limits of said Canal.

NOTE "C": Surveyor has not seen any evidence vacating the 40 foot public right-of-way per HASKINS, NYDEGGER & DAUGHERTY SUBDIVISION as recorded in Plat Book 4, Page 66, though the Surveyor made the assumption that the right-of-way has been vacated. However, the right-of-way takes as described in Official Records Book 5075, Page 455 does not include this portion of the 40 foot right-of-way.

Exhibit "B"

Parcel ID: 272731-000000-031010

NE1/4 OF NW1/4 LESS S 50 FT THEREOF

Parcel ID: 272731-000000-013020

S 25 FT OF NW1/4 OF NE1/4 LYING W OF SR 25 & S 50 FT OF NE1/4 OF NW1/4

Parcel ID: 272730-000000-024030

S 312 FT OF SW1/4 OF SE1/4 E OF HWY

Parcel ID: 272731-000000-011011

STORMWATER MANAGEMENT FACILITY PARCEL 108 SECTION 16180-2538 AS
DESC IN OR 5095-1627

Parcel ID: 272806-000000-013070

N 980 FT OF NW1/4 OF NE1/4 OF SEC LYING E OF US HWY 27

Parcel ID: 272806-000000-013030

NW1/4 OF NE1/4 LYING E OF HWY US 27 LESS RD R/W & BEG NW COR OF SE1/4 OF
NE1/4 RUN E 121.84 FT S 05 DEG 27 MIN 37 SEC W 91.72 FT TO NLY R/W SR 544 N

Parcel ID: 272806-000000-012050

BEG AT INTER OF C/L OF PAVING OF LUCERNE PARK-HAINES CITY RD WITH E
R/W OF US HWY NO 27 RUN SLY ALONG R/W 185.57 FT S 76 DEG 33 MIN E 150 FT

Parcel ID: 272806-000000-012110

W1/4 OF SE1/4 OF NE1/4 E OF ST RD 19 & SW1/4 OF NE1/4 E OF ST RD 19 LESS BEG
NE COR OF W1/4 OF SE1/4 OF NE1/4 RUN S 141 FT TO HY WLY ALONG HY 225

Parcel ID: 272806-000000-012070

E3/4 OF SE1/4 OF NE1/4 S OF HY & E1/2 OF SE1/4 FRACTL LYING ELY OF US HWY 27
LESS ADDL R/W FOR SR 25 AS DESC IN OR 5139 PG 2192

Parcel ID: 272805-000000-031030

COM NE COR OF NE1/4 OF NW1/4 OF SEC S00-24-33E ALG E LINE OF NE1/4 OF NW1/4
501.71 FT FOR POB S00-24- 33E ALG E LINE 547.74 FT TO NLY R/W LINE OF SR 544

Exhibit "C"

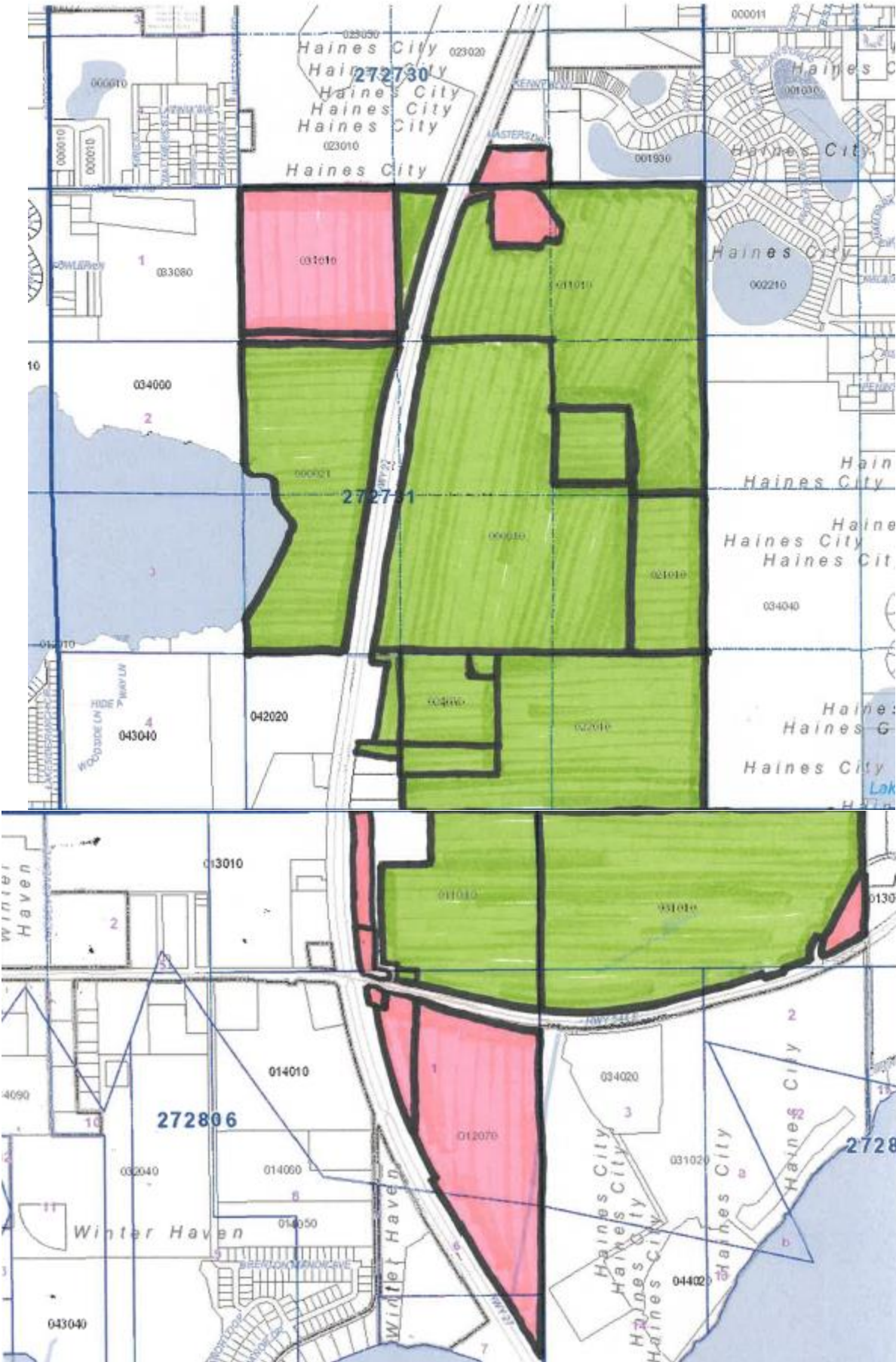


Exhibit “D”

Urban Services Report

URBAN SERVICES REPORT

**FOR THE ANNEXATION
OF AN AREA
LOCATED SOUTH OF HWY 17/92 AND
EAST AND WEST OF HIGHWAY 27**

OCTOBER 4, 2024



Prepared by:

**Development Services Department
of the
City of Haines City
620 Main Street
Haines City, Florida 33845-1507
Telephone: 863-419-3230
Facsimile: 863-419-3168**

URBAN SERVICES REPORT
For the Annexation
of an Area Located
South of Hwy 17/92 and East and West of Highway 27

I. INTRODUCTION

Chapter 171, Florida Statutes, which governs annexation proceedings, requires a city to prepare and file a report to the Board of County Commissioners setting forth the City of Haines City's plans to provide urban services to areas being annexed. This Urban Services Report is submitted in fulfillment of the statutory requirement in Section 171.042, Florida Statutes. The area to be annexed is west and south of the existing municipal boundaries as depicted by the attached exhibits.

Prior to commencing the annexation procedures under Section 171.0413, the governing body of the municipality shall prepare a report as required by Section 171.042 "Prerequisites to Annexation" setting forth the plans to provide urban services to any area to be annexed.

II. PURPOSE

The purpose of this report is to explain the means by which the City of Haines City plans to extend municipal services to the area proposed to be annexed. In addition, this report characterizes the area to be annexed, thereby verifying its qualification for annexation. The report contains information compiled in conjunction with the City's operating departments and is also intended to help them prepare for any extension or expansion of municipal services upon annexation. Information presented herein also allows for evaluation of the fiscal impacts of pursuing annexation of this area. This Urban Services Report is not intended as an overview of the City's annexation program; instead it is a technical document reporting specifically on the provision of municipal services to this particular annexation area.

III. GENERAL

Exhibit 1 identifies the proposed area for annexation, which encompasses approximately 624.36+/- acres not including adjacent rights-of-way. The area is contiguous to the City limits, is reasonably compact, and meets the requirements set forth in Section 171.043, Florida Statutes. Specifically, the proposed annexation area meets the general standards of subsection (1) and (3) of Section 171.043. In addition, this map indicates existing and proposed municipal boundaries.

Composite Exhibit 2 indicates the existing and proposed major trunk water mains and sewer interceptors and outfalls, including the proposed extension of mains and outfalls.

Composite Exhibit 3 depicts the existing general land use of the proposed annexation and the existing City land uses.

Exhibit 4 depicts the City of Haines City's Utility Service Area.

IV. COMPLIANCE WITH STATUTORY CRITERIA – DISCUSSION

A. 171.042 Prerequisites to annexation. (1) (a) A map or maps of the municipality and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, as required in paragraph (c), and the general land use pattern in the area to be annexed.

1. Exhibit 1 indicates the existing and proposed municipal boundaries. The area is located east and west of US Highway 27 and south of Hwy 17/92. The annexation area is contiguous to the existing City limits by approximately 17,650 linear feet.
2. Exhibit 2 indicates the present major trunk water mains and sewer interceptors and outfalls. The City of Haines City has installed 10,300 linear feet of 18" water main and 825 linear feet of 12" water main along Hwy 544 and US 27. The City is currently in the planning process of adding 3,600 linear feet of 16" water main and 5,800 linear feet of sanitary force main within the annexation area.
3. Exhibit 3 depicts the existing general land use of the proposed annexation.
4. Exhibit 4 shows the entire annexation area is within the City of Haines City Utility Service area. Under the vision of the Plan, Principle 3 states "The existing cities serve as the social, commercial, cultural, educational, and civic centers of the entire area. Their urban services and location are responsive to the needs of the neighborhood."
5. **Under Policy 2.131-Q2:** Land Use Categories established (F) Joint Planning Area (JPA): The area included within the City of Haines City Service Area will be defined as a Joint Planning Area (JPA) for the purpose of implementing development review and permitting guidelines in accordance with an executed Interlocal Agreement. The basic principals and goals of the JPA will include the following:
 - (a) Encourage business and commercial development that are complimentary, but not competing to the Haines City downtown;
 - (b) Encourage economic growth and new job creation;
 - (c) Encourage high quality development, which serves as the northern entrance into Haines City;
 - (d) Provide a balance of land uses with functional relationships to one another; and
 - (e) Improve the overall land values of the area.

B. 171.042 Prerequisites to annexation. (1) (b) A statement certifying the area to be annexed meets the criteria in Section 171.043.

1. The City of Haines City certifies the area to be annexed meets the criteria in Florida Statutes 171.043. The City has received a signed voluntary petition for annexation within the proposed annexation area. In order to provide all urban services, it is necessary to complete this annexation. The total area proposed for annexation includes approximately 624.36+/- acres not including adjacent rights-of-way. A majority of the proposed annexation area is planned for urban development.

2. The total area is reasonably compact and is contiguous to the municipal boundaries of Haines City on this date. No part of the area is included within the boundary of another incorporated municipality. [See 171.043(1), Florida Statutes].
3. The area lies between the municipal boundary and an area developed for urban purposes, so the area developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services or water or sewer lines through such sparsely developed area. [Section 171.043.3) (a), Florida Statutes].

C. 171.042 Prerequisites to annexation. (1) (c) (1) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation.

1. Specifically, the City of Haines City plans will provide for extending urban services except as otherwise provided herein to the area to be annexed on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.
2. The City of Haines City intends to extend, to the area to be annexed, each major municipal service performed within the municipality at the time of annexation. This Urban Services Plan provides for extension of urban services, to the area to be annexed, on the date of annexation, on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to the annexation. Listings of major municipal services are:

(a) Parks and Recreation.

Haines City has a large array of activities year-round, for residents of all ages that occur in the Community Center, Clay Cut Center, Dolphus Howard Complex, Bethune Neighborhood Complex, the Ben W. Graham Park and Janet J. Smith Aquatic Facility, and at Lake Eva Park. The City also provides City parks for football, baseball, picnics, and other outdoor recreational activities. Haines City Parks and Recreation Department sponsors numerous citizens' activities year-round and is considered one of the most active Parks and Recreation Departments within the County.

(b) Education Facilities.

The Ridge Community High School is located approximately 3.6 miles north and east of the proposed annexation area. Ridge High opened in 2005 and in 2023-2024 it had a student population over 2,666 students.

The Haines City High School is located approximately 2.0 miles east of the proposed annexation area. Haines City High opened in 1980 and in 2023-2024 it had a student population over 2,914 students.

Public schools located within the City limits are Alta Vista Elementary, Bethune Academy, Eastside Elementary, Daniel Jenkins Academy of Technology, and Boone Middle School.

Ridge Technical Center, a full vocational training center, is located 0.50 +/- miles southwest of the proposed annexation area on SR 544, and Polk Community College is located approximately 5.15 +/- miles southwest of the proposed annexation area in Winter Haven.

(c) Haines City Library Services

In 2011 the City of Haines built a new 19,000 sq. ft. public Library valued at \$2,000,000. The Library currently offers over 85,000 publications and services with 135,000+ visitors. Circulation numbers reached approximately 240,000. The Library operates 47 hours per week and is open every day except Sundays and holidays.

(d) Health Care.

The Haines City area is noted for its outstanding health care facilities. The AdventHealth Heart of Florida Hospital, with 193 beds and over 150 Board certified doctors, is one of the leading medical care centers in Central Florida. This 50+ million-dollar facility is experiencing tremendous growth due to the demand of the northeast growth area. The Hospital is located on US Highway 27, and is located 5.50 +/- miles north of the proposed annexation area. Numerous physicians' offices are located in the proximity of the AdventHealth Heart of Florida Hospital.

(e) Fire Protection.

Haines City Fire Department maintains an ISO rating of four (4). The response time to proposed annexation area is approximately five (5) minutes. The Fire Department is composed of 44 fulltime firefighters and provides 24 hour-a-day coverage. The department conducts numerous fire protection services for the Community.

(f) Police Protection.

The Haines City Police Department is located one (1.0) +/- miles north of the proposed annexation area on US 27. The department is located in a modern multi-million-dollar complex. The Haines City Police Department maintains 73 sworn officers and is nationally accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc. and is also State accredited.

(g) Solid Waste.

The solid waste will be collected by Republic Services, which has a franchise agreement with the City of Haines City.

(h) Community Services.

Services provided by the City through its Community Services Department will be extended to the area. The services will be in a manner consistent with the provision of such services to the rest of the City. As

development occurs, these services will include maintenance and repair of streets, sidewalks and stormwater drainage facilities, which are dedicated to the City. These services will be funded through the City's General Fund and such funds shall be available through additional revenues received from the subject area.

(i) Other City Services.

Impact of the annexation on various other City services and on the ability to provide such services and the cost of providing such services is insignificant. All City services will be extended to the area on the effective date of annexation, and in the same manner as such services are provided within the remainder of the City. An annual evaluation will be undertaken to determine the necessity of additional manpower and equipment, as development occurs in Haines City.

D. 171.042 Prerequisites to annexation. (1) (c) (2) Provide for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect in such municipality for extending water and sewer lines to individual lots or subdivisions.

1. Exhibit 2 indicates the present major trunk water mains and sewer interceptors and outfalls. The City of Haines City has installed 10,300 linear feet of 18" water main and 825 linear feet of 12" water main along Hwy 544 and US 27. The City is currently in the planning process of adding 3,600 linear feet of 16" water main and 5,800 linear feet of sanitary force main within the annexation area.

E. 171.042 Prerequisites to annexation. (1) (c) (3) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation.

1. The City of Haines City is in the planning process of the extension of a 16" major trunk water main to complete a loop and a 12" major sewer forcemain to service the area including the proposed annexation area.
2. The City of Haines City intends to provide all Municipal services currently provided to its residents as outlined in this report.

F. 171.042 Prerequisites to annexation. (1) (c) (4) Set forth the method under which the municipality plans to finance extension of services into the area to be annexed.

1. The method of funding any required service extensions to this newly annexed area will not differ from the methods used to fund similar service arrangements within the existing incorporated area. Funding sources for this area will remain the same as they are in the current City budget structure. Specifically, certain services such as police and fire protection, parks and recreation, and street repairs will continue to be paid for through the general fund. Refuse collection, water, and sanitary sewer services will still be operated as enterprise funds, which use customer revenues as funding support.

2. Currently, the City of Haines City provides water and wastewater service to the area north and east of the current City limits. In the past, the City took steps to prepare for service delivery to this area by improving the existing water and wastewater systems. In particular, the City has funded a \$10 million upgrade and expansion to the wastewater plant. It is known with growth the City will need to continue to improve the service delivery to this area. Many of these needs are already addressed in the Capital Improvement Plan for our water and wastewater systems. These improvements will be funded by retained earnings and/or financed through impact fees, grants, State Revolving Loan Fund, and/or bond issues.
3. Generally speaking, water and wastewater services in the City of Haines City are provided on an enterprise fund basis and are funded from revenues derived from rates, fees, and charges collected in accordance with State law. Refuse collection is provided by a privately-owned hauler. Fire service will be funded through the City's general fund and such fund shall be available through additional revenues received from the subject area. Police service will be funded through the City's general fund and such fund shall be available through additional revenues received from the subject area. Community services, recreational services and other city services will be funded through the City's general fund, user fees, and/or grants, which are or shall be available through additional revenues received from the subject area.

G. Compliance with Section 171.043, Florida Statutes – Character of the area to be annexed.

1. The proposed annexation area meets the general standards of subsection (1) and (3) of Section 171.043, Florida Statutes.
2. Section 171.043 (Character of the area to be annexed), states, in part, as follows:

A municipal governing body may propose to annex an area only if it meets the general standards of subsection (1) and the requirements of either subsection (2) or subsection (3).

(1) The total area to be annexed must be contiguous to the municipality's boundaries at the time the annexation proceeding is begun and reasonably compact, and no part of the area shall be included within the boundary of another incorporated municipality.

(3) In addition to the area developed for urban purposes, a municipal governing body may include in the area to be annexed any area which does not meet the requirements of subsection (2) if such area either:

(a) Lies between the municipal boundary and an area developed for urban purposes, so that the area developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services or water or sewer lines through such sparsely developed area; or

(b) Is adjacent, on at least 60 percent of its external boundary, to any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (2).

The purpose of this subsection is to permit municipal governing bodies to extend corporate limits to include all nearby areas developed for urban purposes and, where necessary, to include areas which at the time of annexation are not yet developed for urban purposes whose future probable use is urban and which constitute necessary land connections between the municipality and areas developed for urban purposes or between two or more areas developed for urban purposes.

V. CONCLUSION.

This Urban Services Report sets forth the City of Haines City's plans to provide urban services to the proposed annexation area and demonstrates that these plans are consistent with the requirements of Section 171.0413, 171.042, and 171.043, Florida Statutes.

EXHIBIT 1

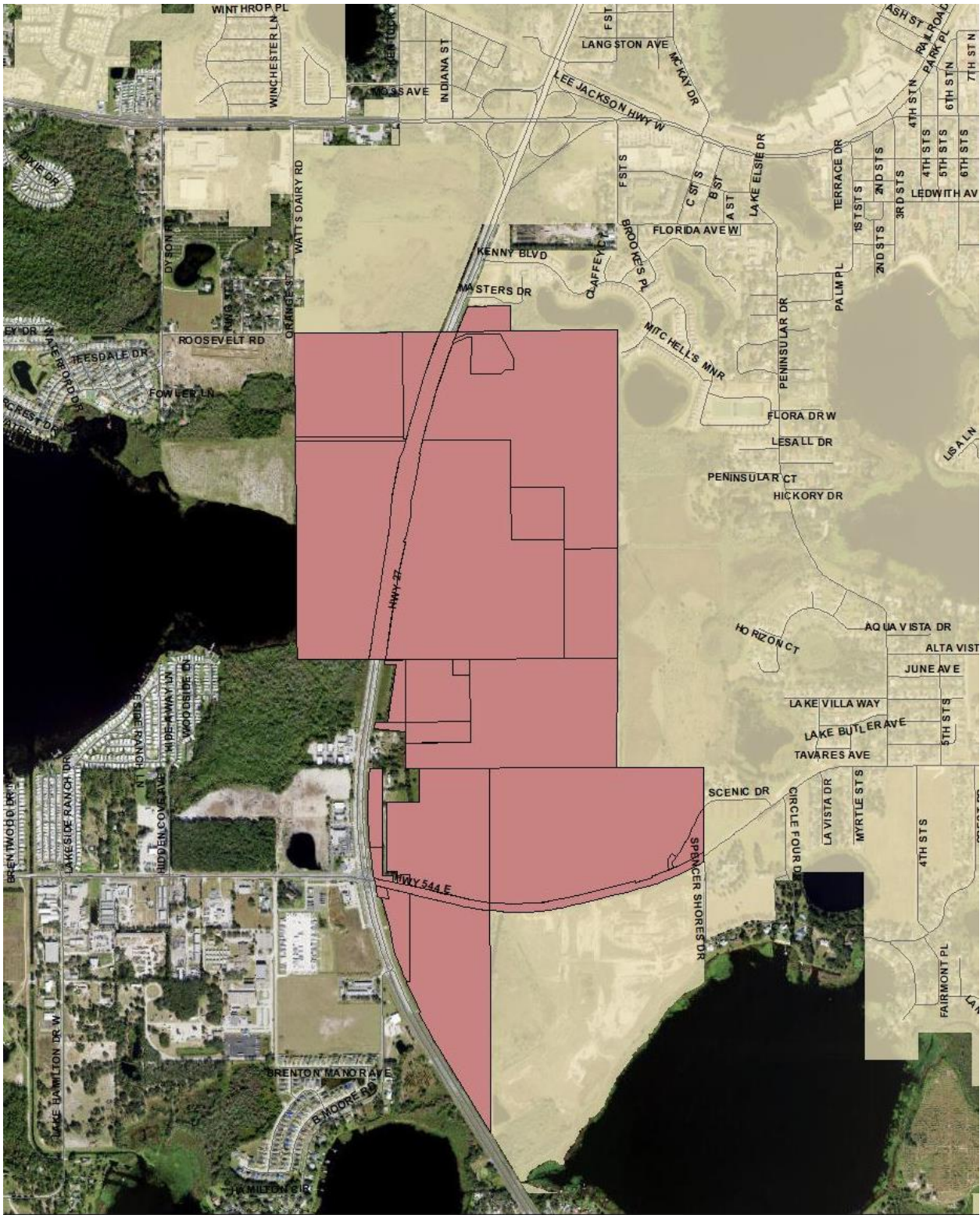


EXHIBIT 2

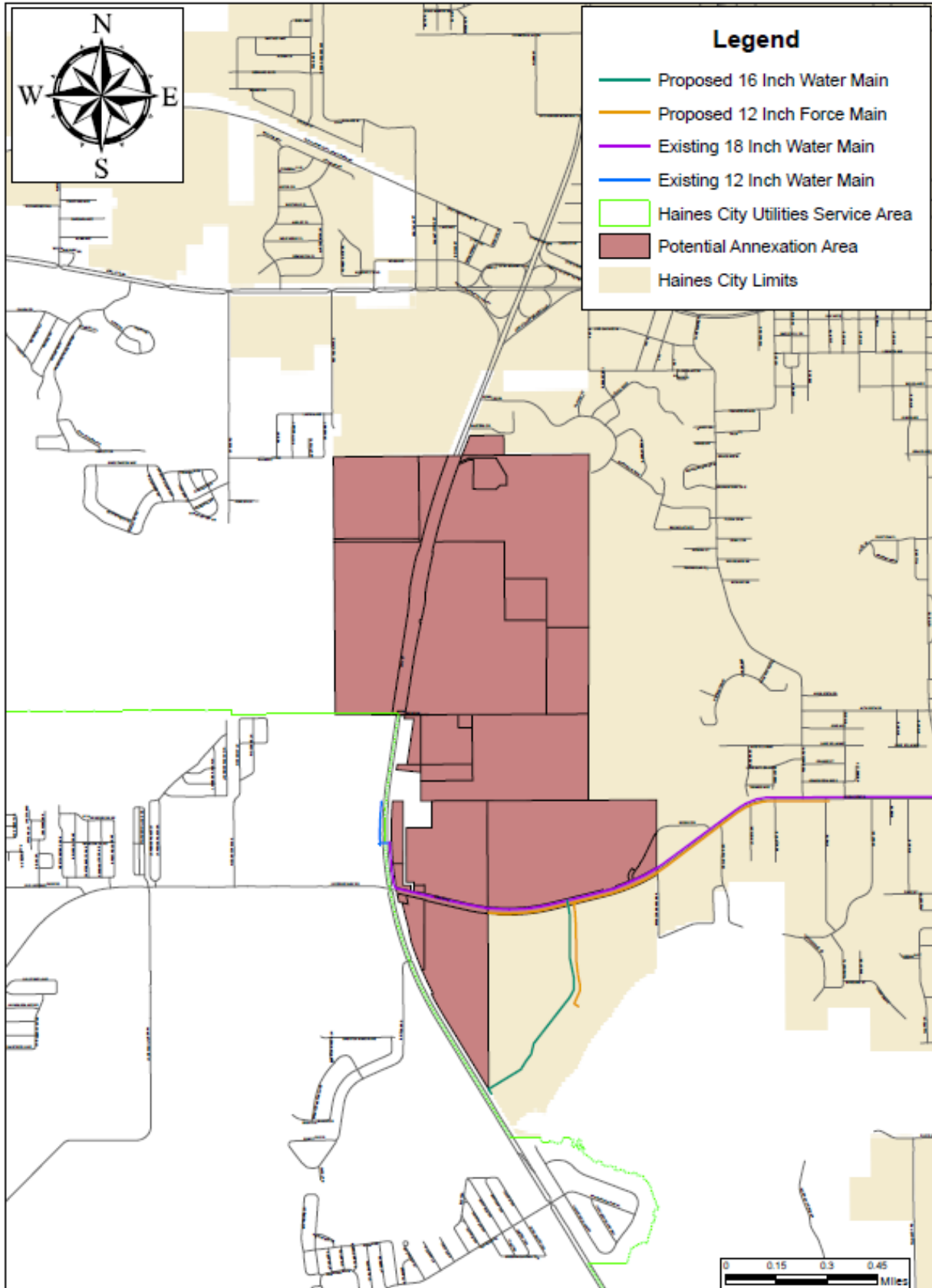


EXHIBIT 3

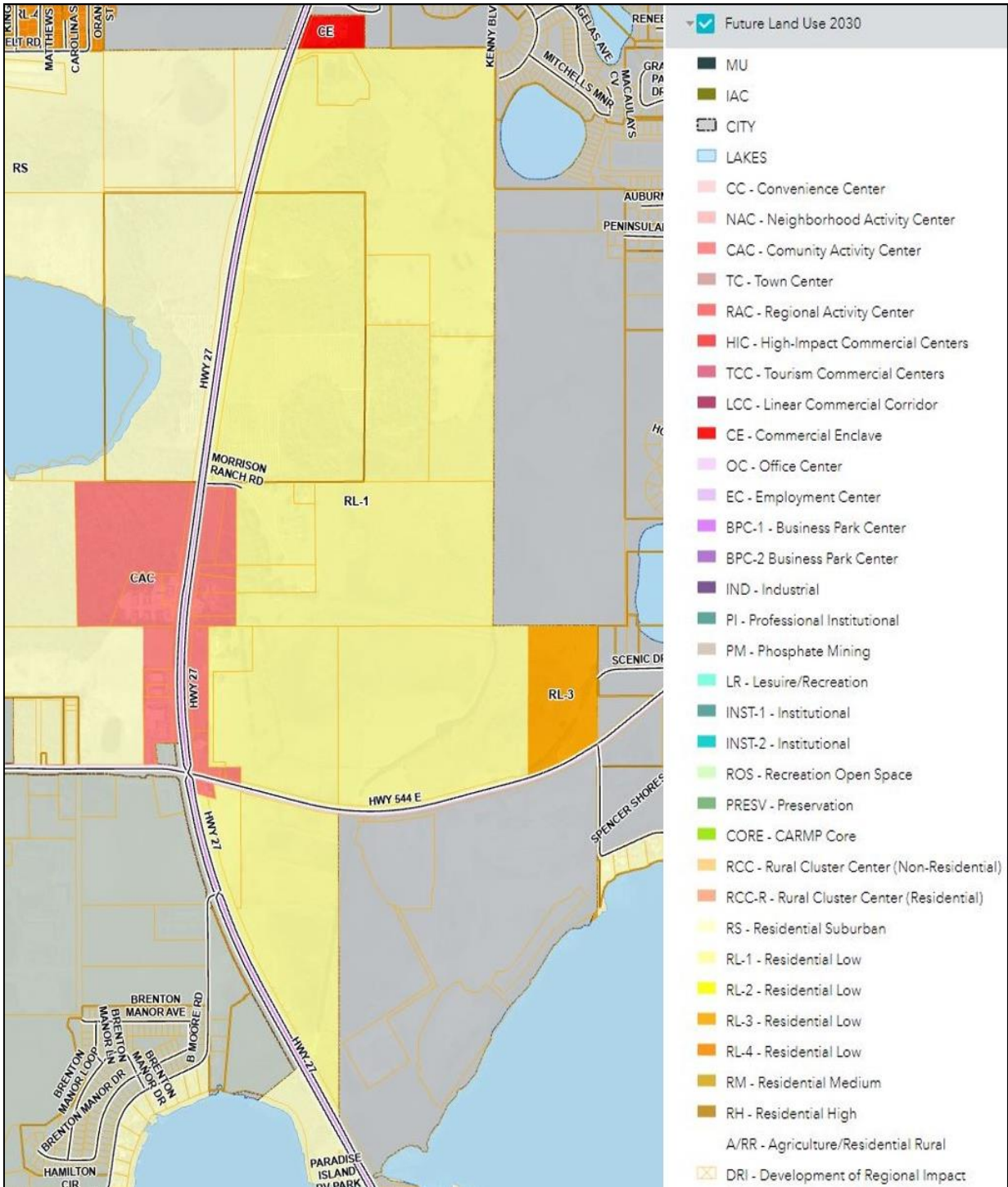


EXHIBIT 4

