

RESOLUTION NO. 25-1867

A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA AUTHORIZING THE EXECUTION OF A NONEXCLUSIVE PERMANENT EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT FROM THE CITY OF HAINES CITY TO THE POLK REGIONAL WATER COOPERATIVE CONCERNING REAL PROPERTY OWNED BY THE CITY LOCATED IN HAINES CITY, FLORIDA; PROVIDING FOR ADMINISTRATIVE ACTION; PROVIDING FOR RECORDING IN THE PUBLIC RECORDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haines City, Florida is the owner of real property located in Haines City, Florida as itemized and depicted on Exhibit A to the Nonexclusive Permanent Easement and Temporary Construction Easement proposed by the Polk Regional Water Cooperative (the “Real Property”); and

WHEREAS, the Easements across the Real Property shall be for the benefit of a Polk Regional Water Cooperative water transmission line that will service the City of Haines City; and

WHEREAS, the Polk Regional Water Cooperative has requested that the City of Haines City, execute a Nonexclusive Permanent Easement and Temporary Construction Easement related to the Real Property (the “Easement Area”); and

WHEREAS, execution of the Nonexclusive Permanent Easement and Temporary Construction Easement are in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Haines City as follows:

Section 1. Authorization. That the City of Haines City, Florida hereby authorizes the Mayor to execute the Nonexclusive Permanent Easement, Temporary Construction Easement and any ancillary documents related thereto.

Section 2. Administrative Action. The City of Haines City staff is hereby directed to take all administrative actions necessary to complete the Nonexclusive Permanent Easement, Temporary Construction Easement, and ancillary documents thereto.

Section 3. Recording. This Resolution shall be recorded in the Public Records of Polk County, Florida.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any

Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 5. Conflicting Resolutions. That all resolutions made in conflict with this resolution are hereby repealed.

Section 6. Effective Date. That this resolution shall become effective immediately upon its adoption.

PASSED and APPROVED in regular session of the City Commission of the City of Haines City, Florida, this 15th day of May, 2025.

ATTEST:

APPROVED:

Sharon Lauther, CMC, City Clerk

Morris L. West, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney