

RESOLUTION NO. ____

PROPOSED RESOLUTION NO. 19-011

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA; AUTHORIZING THE POLK REGIONAL WATER COOPERATIVE TO ACQUIRE TEMPORARY DRAINAGE EASEMENTS OR SUCH OTHER INTERESTS IN REAL PROPERTY AS MAY BE REQUIRED BY EMINENT DOMAIN WITHIN THE CITY OF LAKELAND FOR AQUIFER PERFORMANCE TESTING AS PART OF THE WEST POLK LOWER FLORIDAN AQUIFER PROJECT; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Polk Regional Water Cooperative (“Cooperative”) is an independent special district created pursuant to Chapter 189 Florida Statutes and Interlocal Agreement creating the Cooperative entered into on June 1, 2016 pursuant to Section 163.01 Florida Statutes organized by and for its members the City of Auburndale (“**Auburndale**”), the City of Bartow (“**Bartow**”). The City of Davenport (“**Davenport**”), the Town of Dundee (“**Dundee**”), City of Eagle Lake (“**Eagle Lake**”), City of Fort Meade (“**Fort Meade**”), City of Frostproof (“**Frostproof**”) City of Haines City (“**Haines City**”), City of Lake Alfred (“**Lake Alfred**”), Town of Lake Hamilton (“**Lake Hamilton**”), City of Lake Wales (“**Lake Wales**”), City of Lakeland (“**Lakeland**”), City of Mulberry (“**Mulberry**”), City of Polk City (“**Polk City**”), County of Polk (“**Polk**”), and the City of Winter Haven (“**Winter Haven**”); and

WHEREAS, pursuant to the Interlocal Agreement, the Polk Regional Water Cooperative (the “Cooperative”) is implementing and funding a Combined Projects Implementation Agreement with all members with the exception of Frostproof; and

WHEREAS, the Combined Projects Implementation Agreement provides for the implementation of several Approved Water Projects pursuant the Interlocal Agreement, including the West Polk County Lower Floridan Aquifer Wellfield Project (the “Project”); and

WHEREAS, the Interlocal Agreement authorizes the Cooperative to acquire water and water rights; to develop, store and transport water; and

WHEREAS, the Interlocal Agreement authorizes the Cooperative to acquire, construct, own, lease, operate, manage, maintain, dispose of, improve and expand the Cooperative Facilities; and

WHEREAS, the Interlocal Agreement and Section 163.01(7)(f) Florida Statutes authorizes the Cooperative to exercise the power of eminent domain as provided by the Interlocal Agreement and law for the condemnation of private property interest for public use, and to acquire any interest to such real property as is necessary for the purpose of carrying out the Interlocal Agreement; and

WHEREAS, Section 2.06(A)(3) of the Interlocal Agreement requires local consent prior to the Cooperative proceeding with an eminent domain action on property owned or controlled by a Member Government, which in this case is the City of Lakeland, who is in control of said properties by virtue of them being situated within the City of Lakeland city limits; and

WHEREAS, the Cooperative in order perform its duties in implementing the Project, requires a consumptive use permit from the Southwest Florida Water Management District (“SWFWMD”) and must perform and complete the Aquifer Performance Test project (“APT”) on a property adjacent to Providence Road in

Lakeland, Florida having Polk County Florida Property ID No. 232802-018500-000501; and

WHEREAS, the Cooperative in performing the APT, will need to remove and transport water generated by the APT through the normal drainage pattern to Lake Parker in Lakeland, Florida, and in doing so will need to transport water through both existing public and private conveyances; and

WHEREAS, the Cooperative has determined an appropriate route to transport water through both existing public and private conveyances and for the APT, and in determining the route, and the land rights reasonably necessary for the APT, the Cooperative has given great consideration to, and has weighed the availability of alternative routes, environmental impact, safety factors, long range planning, and costs of the Project; and

WHEREAS, the Cooperative determined the estate or interest reasonably necessary for the APT is nonexclusive temporary drainage easements, on certain lands located in Polk County, Florida as more fully described in Exhibit "A", and the nature, terms and duration of the nonexclusive temporary drainage easements are set forth on exhibit "B"; and

WHEREAS, the Cooperative has caused to be surveyed the line and area of construction by map or survey and location for the Project; and

WHEREAS, the Cooperative shall comply with the Chapters 73 and 74 Florida Statutes; and

WHEREAS, upon compliance with Chapters 73 and 74 Florida Statutes, the Cooperative will need to exercise its power of eminent domain to acquire an interest

in real property by initiating condemnation proceedings under Chapters 73 and 74 Florida Statutes; and

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF
THE CITY OF LAKELAND FLORIDA:**

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. That the City Commission of the City of Lakeland after consideration of factors described in the foregoing recitals, the description of the property and interests described as Parcels 4, 5, 6, 7, 8, 9, 10, 13, 14, 16, 17, 18, 24, and 25 in Exhibits and “A” and “B” attached hereto and the same is hereby ratified and confirmed and found to be reasonably necessary for the Cooperative’s public purposes in conducting the of APT in support of the Project.

SECTION 3. That the City Commission of the City of Lakeland having determined that it is in the public interest for the Cooperative to use said properties as described in Exhibit “A” for lawful public purposes grants authorization and consent to the Cooperative, its officers, employees, contractors and attorneys to acquire by negotiation, contract or legal proceedings, including eminent domain proceedings pursuant to Chapters 73 and 74 Florida Statutes as may be necessary to acquire the temporary drainage easement in certain lands located in the City of Lakeland, Polk County, Florida described as enumerated in Exhibit “B”.

SECTION 4. That this Resolution shall take effect immediately upon its adoption.

SECTION 5. That if any phrase, portion or part of this Resolution is found to be invalid or unconstitutional by a court of competent jurisdiction, such phrase,

portion or part shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remainder of the Resolution.

PASSED AND CERTIFIED AS TO PASSAGE this 4th day of March, A.D. 2019.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. McCAUSLAND
CITY ATTORNEY

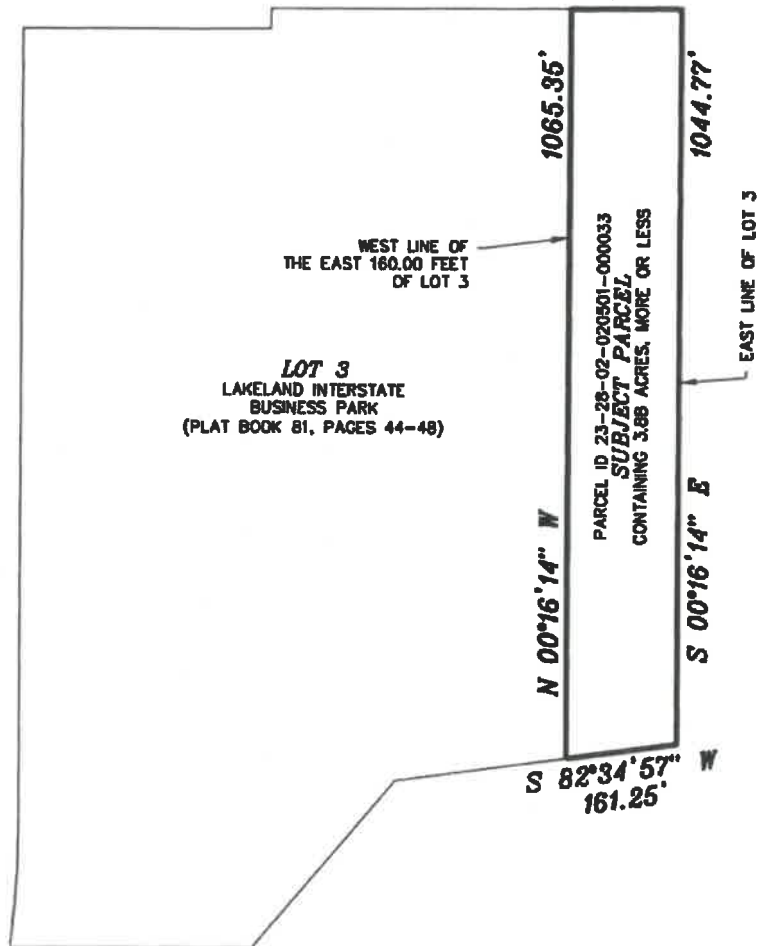
Exhibit A
Nonexclusive
Temporary Drainage Easement
Legal Descriptions

EASEMENT
 PARCEL #4
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH

POLK COUNTY PARCEL ID
 23-28-02-020501-000033

N 89°54'49" E
 160.00'



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the east line of Lot 3, LAKELAND INTERSTATE BUSINESS PARK, recorded in Plat Book 81, pages 44-48, Public Records of Polk County, Florida, being South 00°16'14" East.

DESCRIPTION:

A parcel of land being the east 160.00 feet of Lot 3, LAKELAND INTERSTATE BUSINESS PARK, recorded in Plat Book 81, pages 44-48, Public Records of Polk County, Florida.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
 FLORIDA REGISTRATION #5923

RNOLAND@CHASTAINSKILLMAN.COM
 THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E1

DRAWN BY: L. MILLER FIELD BOOK: PAGE: DATE: 09/25/2018

SHEET NO. V-01

EASEMENT
PARCEL #5
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH
POLK COUNTY PARCEL ID
23-28-02-018500-000201

DESCRIPTION:

A parcel of land being a portion of Lot 2, Webster & Omohundro Est. Lands, lying in Section 2, Township 28 South, Range 23 East, as recorded in Plat Book 3, page 81, Public Records of Polk County, Florida, being described as follows:

COMMENCE at the northeast corner of Lot 5, Block "F", GOLDEN NORTHGATE UNIT ONE, as recorded in Plat Book 48, page 21, Public Records of Polk County, Florida, also being a point on the west right-of-way of Providence Road, as depicted on Florida Department of Transportation Right-of-way Map, Section 16780-2150; thence North 00°15'54" West, along said west right-of-way, 400.00 feet to the north line of a parcel described in Official Records Book 1594, page 783, said Public Records for the POINT OF BEGINNING; thence South 89°43'30" West, along said north line, and its westerly extension, 699.85 feet to the east line of Lot 3, LAKELAND INTERSTATE BUSINESS PARK, as recorded in Plat Book 81, pages 44 through 48, Public Records of Polk County, Florida; thence North 00°16'14" West, along said east line, 20.00 feet; thence North 89°43'30" East, 699.86 feet to said west right-of-way line of Providence Road; thence South 00°15'54" East, along said west right-of-way line, 20.00 feet to the POINT OF BEGINNING.

Said parcel containing 13,997 square feet, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

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SHEET 1 OF 2

PREPARED BY: **CHASTAIN-SKILLMAN, INC. - 206 EAST ORANGE STREET**
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E2

DRAWN BY: **L. MILLER** **FIELD BOOK:** **PAGE:** **DATE:** **09/25/2018**

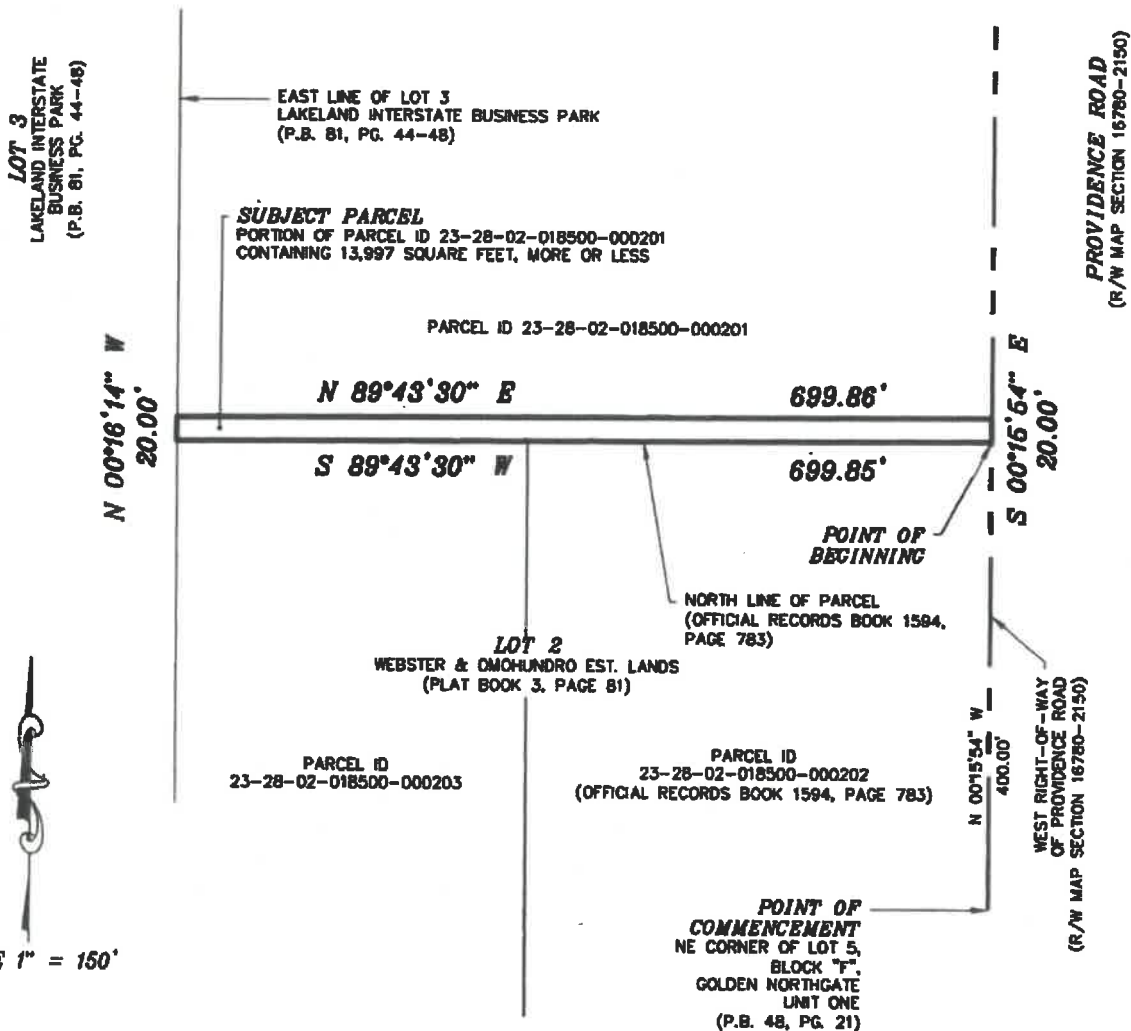
SHEET NO. V-01

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EASEMENT
 PARCEL #5
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH

POLK COUNTY PARCEL ID
 23-28-02-018500-000201



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the west right-of-way line of Providence Road, being North 00°15'54" West.

SHEET 2 OF 2

PREPARED BY: **CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262**

8825.02-E2

DRAWN BY: **L. MILLER** **FIELD BOOK:** **PAGE:** **DATE:** 09/25/2018

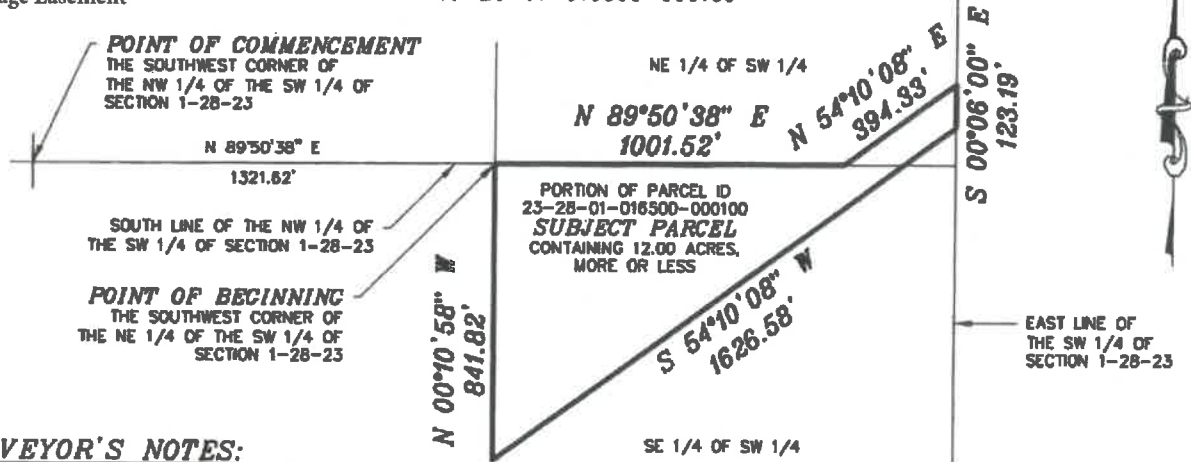
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EASEMENT
 PARCEL #6
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-016500-000100

SCALE 1" = 500'



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the south line of the North 1/2 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being North 89°50'38" East.

DESCRIPTION:

A parcel of land being a portion of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

COMMENCE at the southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 1; thence North 89°50'38" East, along the south line of the Northwest 1/4 of the Southwest 1/4 of said Section 1, a distance of 1,321.62 feet to the southwest corner of the Northeast 1/4 of the Southwest 1/4 of said Section 1, also being the POINT OF BEGINNING; thence continue North 89°50'38" East, along the south line of said Northeast 1/4 of the Southwest 1/4, a distance of 1001.52 feet; thence North 54°10'08" East, 394.33 feet to a point on the east line of said Northeast 1/4 of the Southwest 1/4; thence South 00°06'00" East, along said east line, 123.19 feet; thence South 54°10'08" West, 1626.58 feet to the west line of the Southeast 1/4 of the Southwest 1/4 of said Section 1; thence North 00°10'58" West, along said west line, 841.82 feet to the POINT OF BEGINNING.

Said parcel containing 12.00 acres, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
 FLORIDA REGISTRATION #5923

THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY: **CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262**

8825.02-E7

DRAWN BY: **L. MILLER** FIELD BOOK: PAGE: DATE: **09/25/2018**

SHEET NO. **V-01**

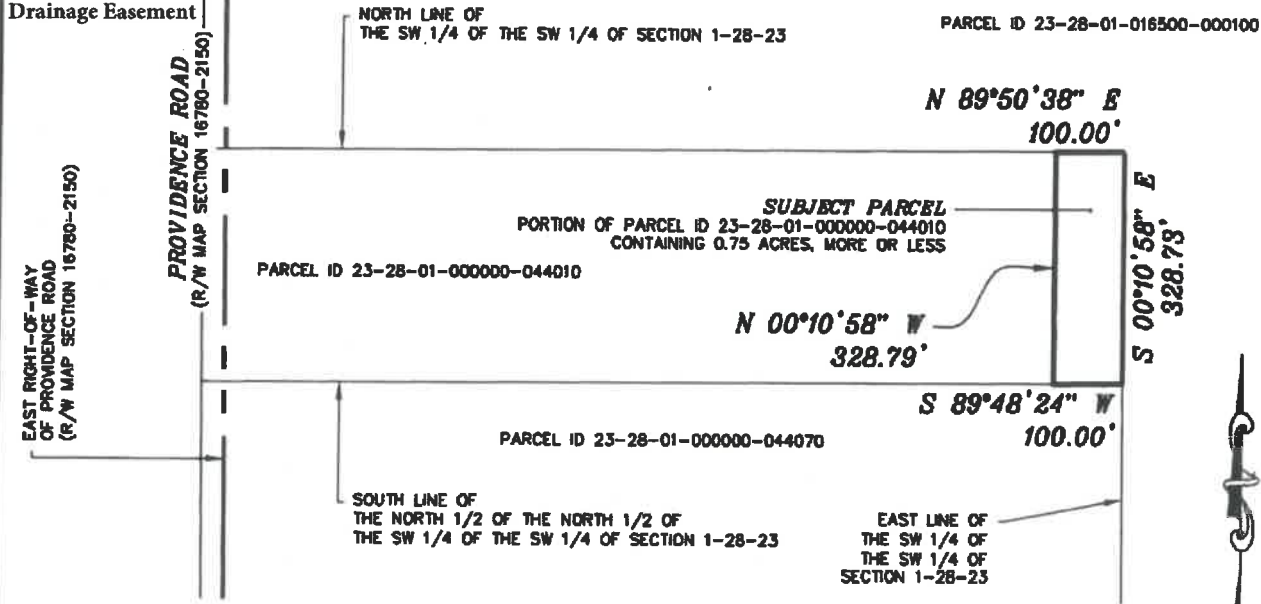
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EASEMENT
 PARCEL #7
 Non Exclusive
 Temporary
 Drainage Easement

DESCRIPTION SKETCH

POLK COUNTY PARCEL ID
 23-28-01-000000-044010

PARCEL ID 23-28-01-016500-000100



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the east right-of-way line of Providence Road, being North 00°15'54" West.

DESCRIPTION:

A parcel of land being the East 100.00 feet of the North 1/2 of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida.

Parcel containing 0.75 acres, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
 FLORIDA REGISTRATION #5923

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PREPARED BY: CHASTAIN-SKILLMAN, INC. - 206 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E6

DRAWN BY: L. MILLER

FIELD BOOK:

PAGE:

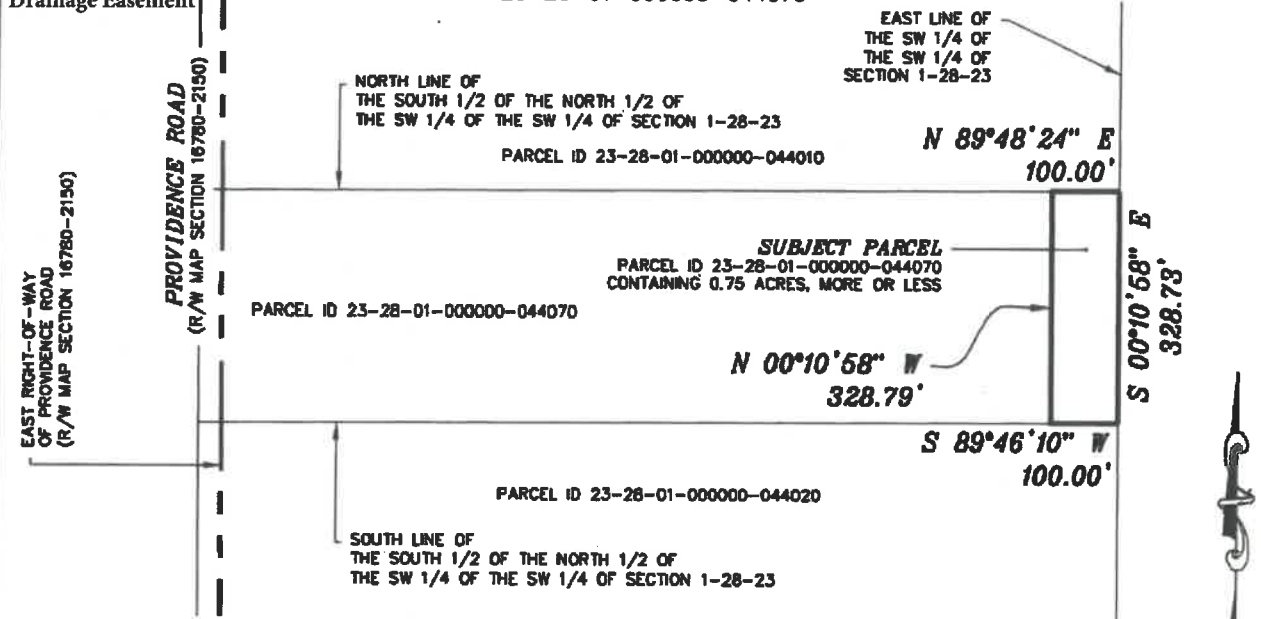
DATE: 09/25/2018

SHEET NO. V-01

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EASEMENT
 PARCEL #8
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-044070



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the east right-of-way line of Providence Road, being North 00°15'54" West.

DESCRIPTION:

A parcel of land being the East 100.00 feet of the South 1/2 of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida.
 Parcel containing 0.75 acres, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

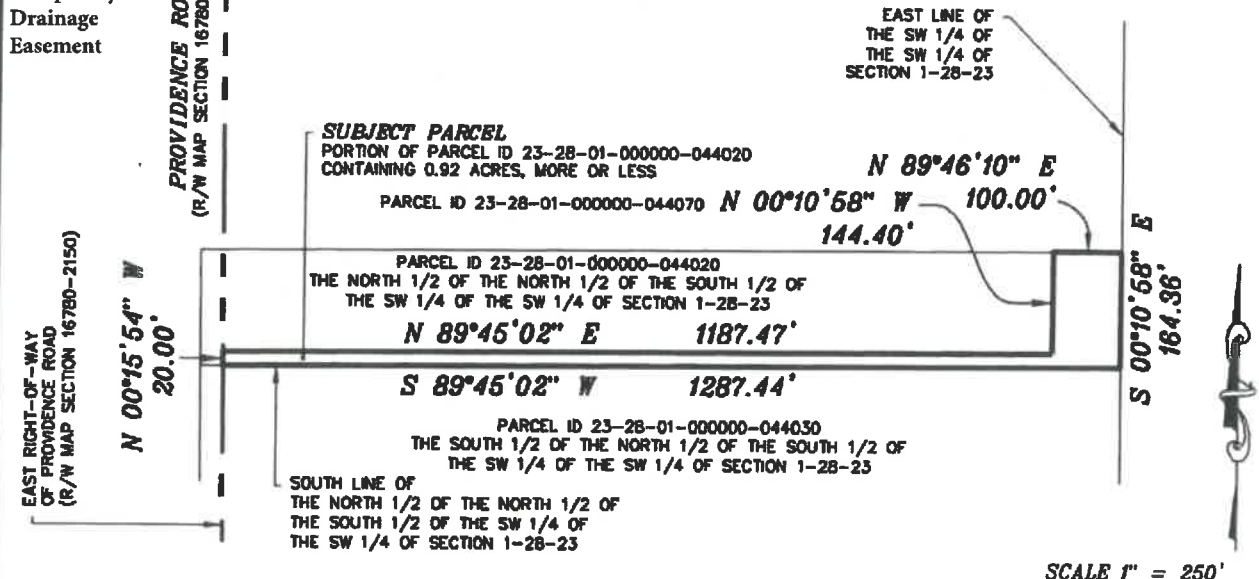
JOHN RICHARD NOLAND, Jr., P.S.M.
 FLORIDA REGISTRATION #5923
 RNOLAND@CHASTAINSKILLMAN.COM
THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262		8825.02-E5
DRAWN BY: L. MILLER	FIELD BOOK:	DATE: 09/25/2018
PAGE:	DATE:	SHEET NO. V-01

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EASEMENT
 PARCEL #9
 Non Exclusive
 Temporary
 Drainage
 Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-044020



SCALE 1" = 250'

SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the east right-of-way line of Providence Road, being North 00°15'54" West.

DESCRIPTION:

A parcel of land being the South 20.00 feet and the East 100.00 feet of the North 1/2 of the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, LESS AND EXCEPT right-of-way for Providence Road.

Parcel containing 0.92 acres, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
 FLORIDA REGISTRATION #5923

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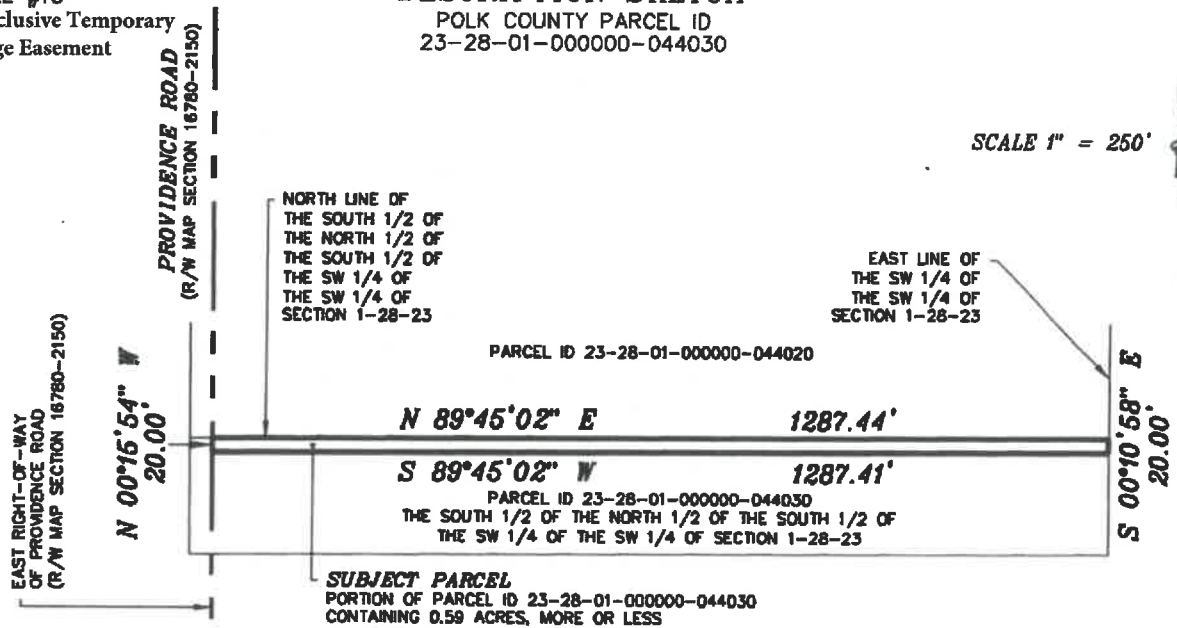
PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262		8825.02-E4
DRAWN BY: L. MILLER	FIELD BOOK:	SHEET NO. V-01
PAGE:	DATE: 09/25/2018	

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EASEMENT
 PARCEL #10
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-044030

SCALE 1" = 250'



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the east right-of-way line of Providence Road, being North 00°15'54" West.

DESCRIPTION:

A parcel of land being the North 20.00 feet of the South 1/2 of the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, LESS AND EXCEPT right-of-way for Providence Road.

Said parcel containing 0.59 acres, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
 FLORIDA REGISTRATION #5923
 RNOLAND@CHASTAINSKILLMAN.COM
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PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262		8825.02-E3
DRAWN BY: L. MILLER	FIELD BOOK: PAGE:	DATE: 09/26/2018
		SHEET NO. V-01

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EASEMENT
PARCEL #13
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH
POLK COUNTY PARCEL ID
23-28-01-000000-023010

DESCRIPTION:

That portion of the following described parcel:

The North 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, LESS AND EXCEPT the South 66 feet of the Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 1.

That lies within a strip of land, 100.00 feet wide, being 50.00 feet on each side of the following described centerline:

COMMENCE at the southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 1; thence North 89°50'38" East, along the south line of the North 1/2 of the Southwest 1/4 of said Section 1, a distance of 2,323.13 feet; thence North 54°10'08" East, 394.33 feet to a point on the west line of the Southeast 1/4 of said Section 1; thence South 00°06'00" East, along said west line, 61.59 feet to the POINT OF BEGINNING; thence North 54°10'08" East, 1,557.52 feet to a point on the westerly right-of-way of State Road 700, as described in Right-of Way Map, Section 16210-2503, Public Records of Polk County, Florida, also being the POINT OF TERMINUS.

Sidelines of said 100-foot wide strip of land are to be extended or trimmed as to terminate at said westerly right-of-way line of State Road 700.

Parcel containing 1.42 acres, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

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SHEET 1 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E15

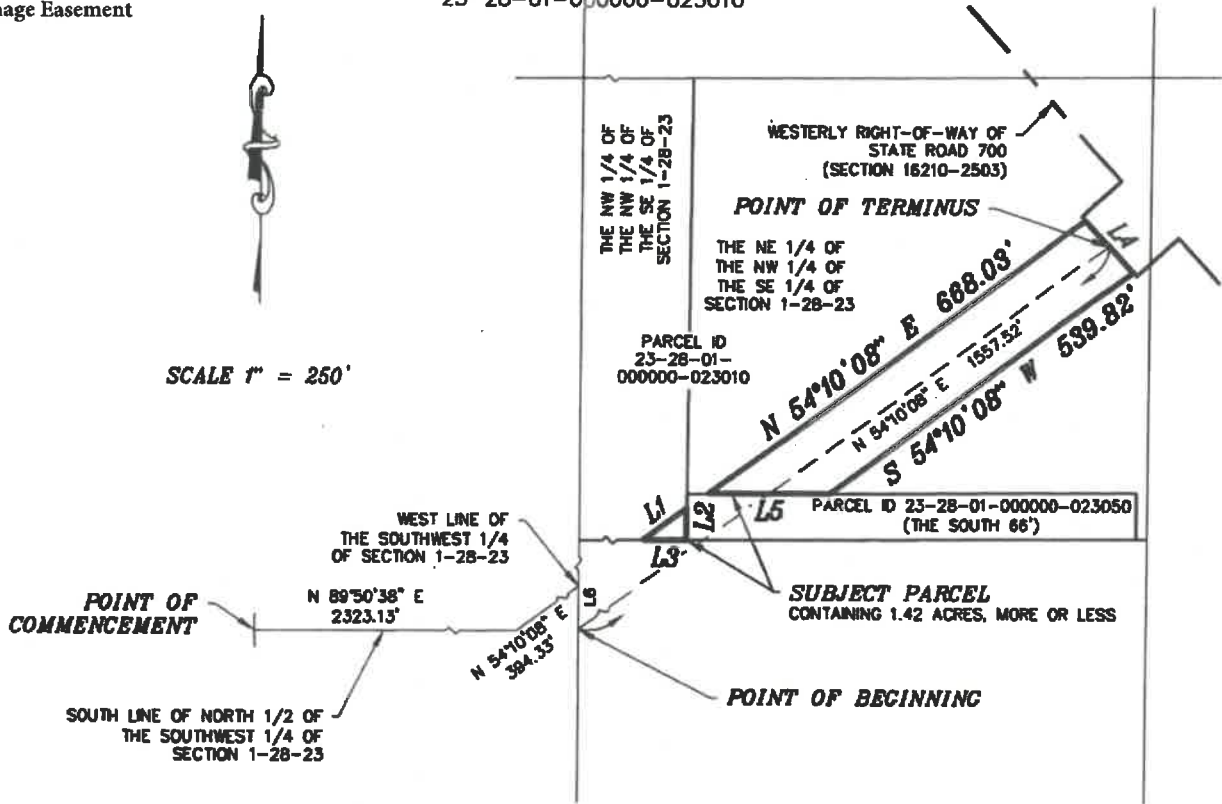
DRAWN BY: L. MILLER FIELD BOOK: PAGE: DATE: 09/26/2018

SHEET NO. V-01

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EASEMENT
 PARCEL #13
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-00000-023010



LINE TABLE

LINE #	BEARING	LENGTH
L1	N 54°10'08" E	77.43'
L2	S 00°09'20" W	44.93'
L3	S 89°38'23" W	62.65'
L4	S 42°45'16" E	100.73'
L5	S 89°38'23" W	172.33'
L6	N 00°06'00" W	61.59'

SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the south line of the North 1/2 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being North 89°50'38" East.

SHEET 2 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 206 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E15

DRAWN BY: L. MILLER FIELD BOOK: PAGE: DATE: 09/26/2018

SHEET NO. V-02

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EASEMENT
 PARCEL #14
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-023080

DESCRIPTION:

That portion of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, that lies within a strip of land, 100.00 feet wide, being 50.00 feet on each side of the following described centerline:

COMMENCE at the southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 1; thence North 89°50'38" East, along the south line of the North 1/2 of the Southwest 1/4 of said Section 1, a distance of 2,323.13 feet; thence North 54°10'08" East, 394.33 feet to a point on the west line of the Southeast 1/4 of said Section 1; thence South 00°06'00" East, along said west line, 61.59 feet to the POINT OF BEGINNING; thence North 54°10'08" East, 1,557.52 feet to a point on the westerly right-of-way of State Road 700, as described in Right-of Way Map, Section 16210-2503, Public Records of Polk County, Florida, also being the POINT OF TERMINUS.

Sidelines of said 100-foot wide strip of land are to be extended or trimmed as to terminate at said west line of the Southeast 1/4 of Section 1.

Parcel containing 20,222 square feet, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
 FLORIDA REGISTRATION #5923
 RNOLAND@CHASTAINSKILLMAN.COM

THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

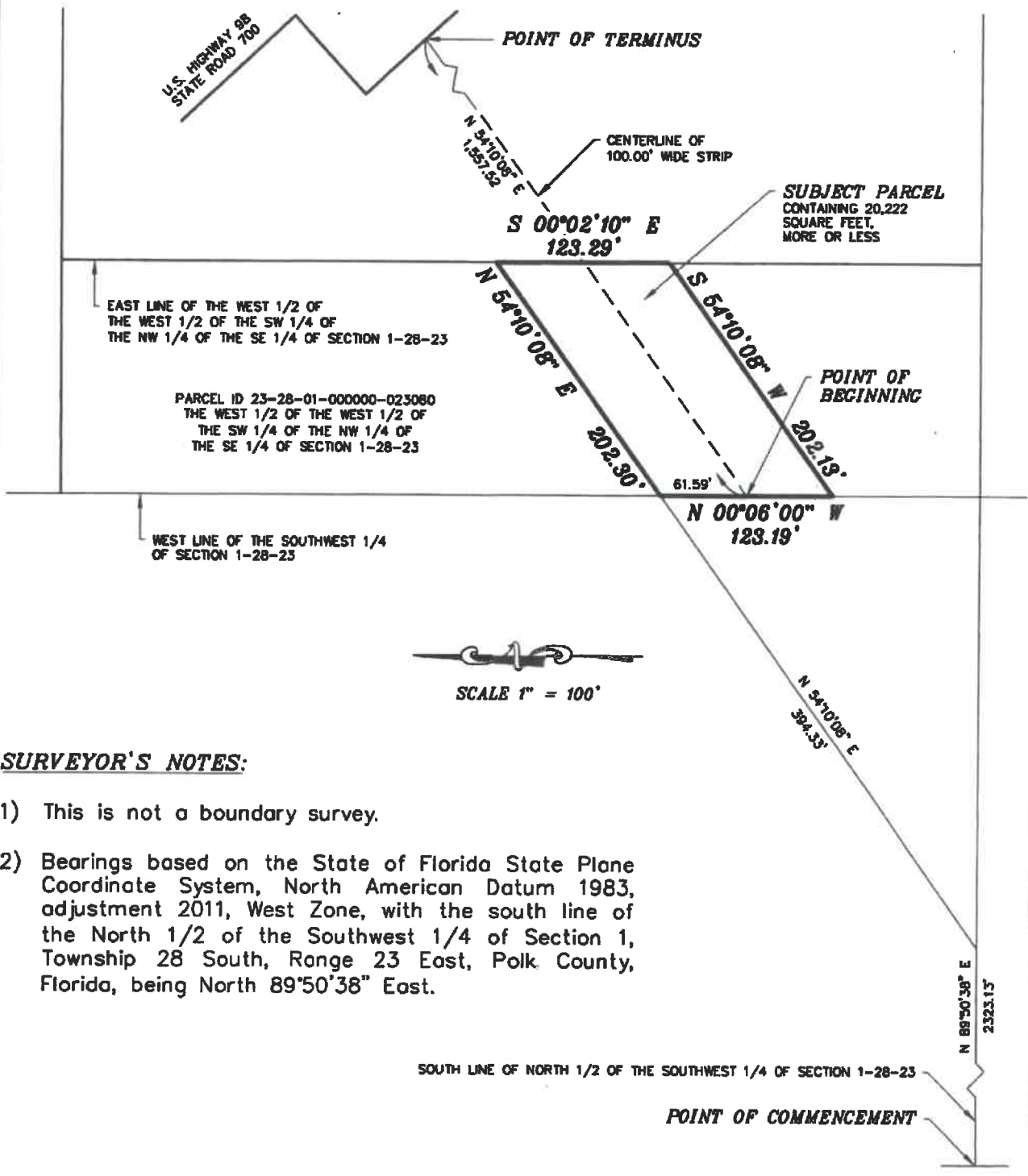
SHEET 1 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262			8825.02-E10
DRAWN BY: L. MILLER	FIELD BOOK:	PAGE:	SHEET NO. V-01
		DATE: 09/26/2018	

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EASEMENT
 PARCEL #14
 Non Exclusive Temporary
 Drainage Easement

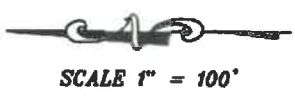
DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-023080



PARCEL ID 23-28-01-000000-023080
 THE WEST 1/2 OF THE WEST 1/4 OF
 THE SW 1/4 OF THE NW 1/4 OF
 THE SE 1/4 OF SECTION 1-28-23

EAST LINE OF THE WEST 1/2 OF
 THE WEST 1/2 OF THE SW 1/4 OF
 THE NW 1/4 OF THE SE 1/4 OF SECTION 1-28-23

WEST LINE OF THE SOUTHWEST 1/4
 OF SECTION 1-28-23



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the south line of the North 1/2 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being North 89°50'38" East.

SOUTH LINE OF NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1-28-23

SHEET 2 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262		8825.02-E10	
DRAWN BY: L. MILLER	FIELD BOOK:	PAGE:	DATE: 09/26/2018
			SHEET NO. V-02

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EASEMENT
PARCEL #16
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH

POLK COUNTY PARCEL ID
23-28-01-000000-023100

DESCRIPTION:

That portion of the East 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, that lies within a strip of land, 100.00 feet wide, being 50.00 feet on each side of the following described centerline:

COMMENCE at the southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 1; thence North 89°50'38" East, along the south line of the North 1/2 of the Southwest 1/4 of said Section 1, a distance of 2,323.13 feet; thence North 54°10'08" East, 394.33 feet to a point on the west line of the Southeast 1/4 of said Section 1; thence South 00°06'00" East, along said west line, 61.59 feet to the POINT OF BEGINNING; thence North 54°10'08" East, 1,557.52 feet to a point on the westerly right-of-way of State Road 700, as described in Right-of Way Map, Section 16210-2503, Public Records of Polk County, Florida, also being the POINT OF TERMINUS.

Parcel containing 18,911 square feet, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
FLORIDA REGISTRATION #5923

RINOLAND@CHASTAINSKILLMAN.COM
THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET 1 OF 2

PREPARED BY: **CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262**

8825.02-E12

DRAWN BY: **L. MILLER** FIELD BOOK: PAGE: DATE: **09/26/2018**

SHEET NO. V-01

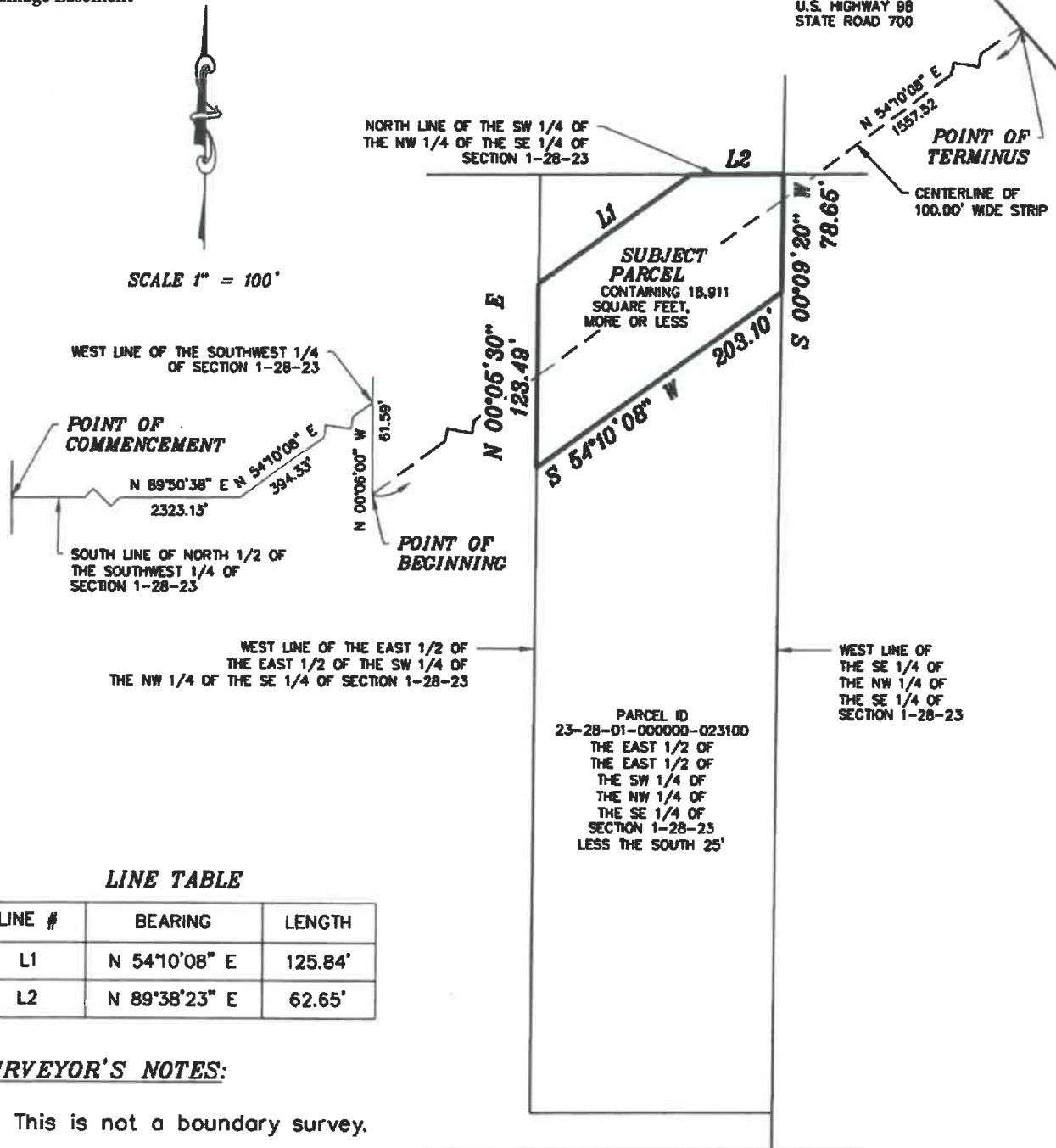
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EASEMENT
PARCEL #16
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH
POLK COUNTY PARCEL ID
23-28-01-000000-023100

RIGHT-OF-WAY LINE OF
U.S. HIGHWAY 98
STATE ROAD 700

SCALE 1" = 100'



PARCEL ID
23-28-01-000000-023100
THE EAST 1/2 OF
THE EAST 1/2 OF
THE SW 1/4 OF
THE NW 1/4 OF
THE SE 1/4 OF
SECTION 1-28-23
LESS THE SOUTH 25'

LINE TABLE

LINE #	BEARING	LENGTH
L1	N 54°10'08" E	125.84'
L2	N 89°38'23" E	62.65'

SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the south line of the North 1/2 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being North 89°50'38" East.

SHEET 2 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E12

DRAWN BY: L. MILLER FIELD BOOK: PAGE: DATE: 09/26/2018

SHEET NO. V-02

EASEMENT
PARCEL #17
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH
POLK COUNTY PARCEL ID
23-28-01-000000-023050

DESCRIPTION:

That portion of the South 66 feet of the Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, that lies within a strip of land, 100.00 feet wide, being 50.00 feet on each side of the following described centerline:

COMMENCE at the southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 1; thence North 89°50'38" East, along the south line of the North 1/2 of the Southwest 1/4 of said Section 1, a distance of 2,323.13 feet; thence North 54°10'08" East, 394.33 feet to a point on the west line of the Southeast 1/4 of said Section 1; thence South 00°06'00" East, along said west line, 61.59 feet to the POINT OF BEGINNING; thence North 54°10'08" East, 1,557.52 feet to a point on the westerly right-of-way of State Road 700, as described in Right-of Way Map, Section 16210-2503, Public Records of Polk County, Florida, also being the POINT OF TERMINUS.

Parcel containing 9,966 square feet, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
FLORIDA REGISTRATION #5923

RNOLAND@CHASTAINSKILLMAN.COM
THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE
AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET 1 OF 2

PREPARED BY: **CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262**

8825.02-E14

DRAWN BY: **L. MILLER**

FIELD BOOK:

PAGE:

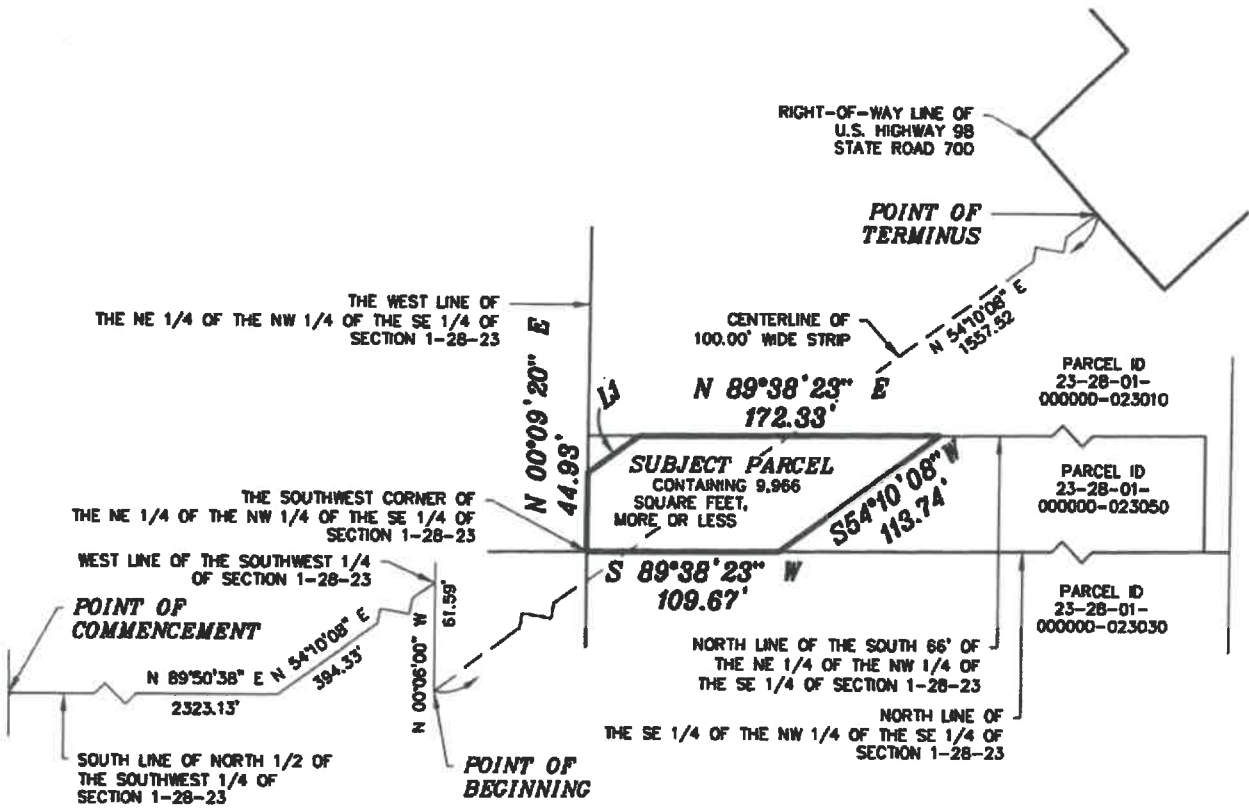
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EASEMENT
 PARCEL #17
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-023050



LINE TABLE

LINE #	BEARING	LENGTH
L1	N 54°10'08\" E	36.31'

SCALE 1" = 100'

SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the south line of the North 1/2 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being North 89°50'38\" East.

SHEET 2 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E14

DRAWN BY: L. MILLER

FIELD BOOK:

PAGE:

DATE: 09/26/2018

SHEET NO. V-02

EASEMENT
PARCEL #18
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH
POLK COUNTY PARCEL ID
23-28-01-000000-023030

DESCRIPTION:

That portion of the following described parcel:

BEGINNING 528 feet North of the southeast corner of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 28 South, Range 23 East, and run North 132 feet; thence run West 660 feet; thence South 132 feet; thence East 660 feet to the POINT OF BEGINNING, in Polk County, Florida.

That lies within a strip of land, 100.00 feet wide, being 50.00 feet on each side of the following described centerline:

COMMENCE at the southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 1; thence North 89°50'38" East, along the south line of the North 1/2 of the Southwest 1/4 of said Section 1, a distance of 2,323.13 feet; thence North 54°10'08" East, 394.33 feet to a point on the west line of the Southeast 1/4 of said Section 1; thence South 00°06'00" East, along said west line, 61.59 feet to the POINT OF BEGINNING; thence North 54°10'08" East, 1,557.52 feet to a point on the westerly right-of-way of State Road 700, as described in Right-of Way Map, Section 16210-2503, Public Records of Polk County, Florida, also being the POINT OF TERMINUS.

Parcel containing 4,313 square feet, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
FLORIDA REGISTRATION #5923

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SHEET 1 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E13

DRAWN BY: L. MILLER FIELD BOOK: PAGE: DATE: 09/26/2018

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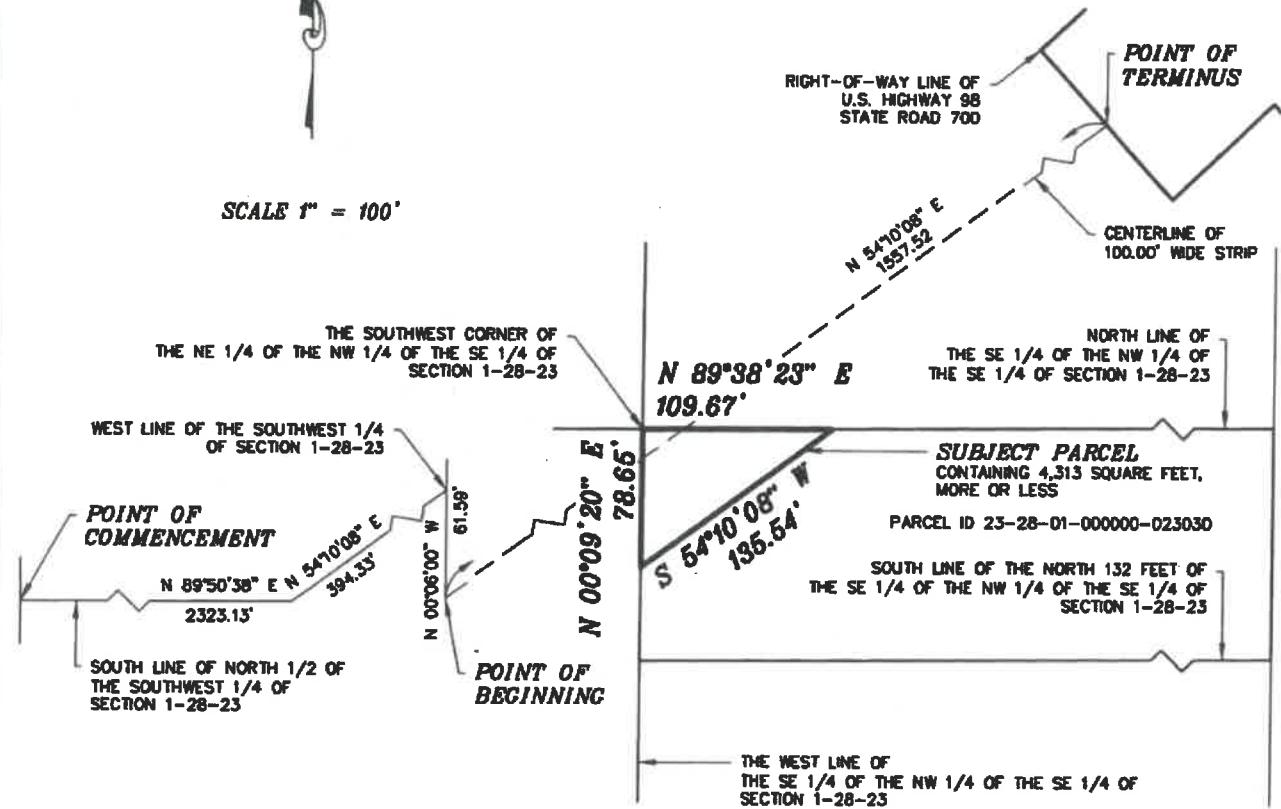
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EASEMENT
 PARCEL #18
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-023030



SCALE 1" = 100'



SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the south line of the North 1/2 of the Southwest 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being North 89°50'38" East.

SHEET 2 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E13

DRAWN BY: L. MILLER

FIELD BOOK:

PAGE:

DATE: 09/26/2018

SHEET NO. V-02

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EASEMENT
PARCEL #24
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH
POLK COUNTY PARCEL ID
23-28-01-000000-012050

DESCRIPTION:

A parcel of land being a portion of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

COMMENCE at the northeast corner of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 1; thence South 89°44'23" West, along the north line of said South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1, a distance of 123.77 feet to the southwest corner of a parcel described in Official Records Book 2519, page 1388, Public Records of Polk County, Florida, also being the POINT OF BEGINNING; thence South 54°48'47" West, 175.72 feet; thence South 89°52'47" West, 841.56 feet; thence South 03°22'55" East, 561.34 feet to the south line of the Northeast 1/4 of said Section 1; thence South 89°37'44" West, along said south line, 75.10 feet; thence North 03°22'55" West, 636.79 feet; thence North 89°52'47" East, 897.26 feet; thence North 54°48'47" East, 44.62 feet to a point on said north line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4; thence North 89°44'23" East, along said north line, 131.00 feet to the POINT OF BEGINNING.

Parcel containing 2.72 acres, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
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SHEET 1 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 206 EAST ORANGE STREET
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-EB

DRAWN BY: L. MILLER

FIELD BOOK:

PAGE:

DATE: 09/25/2018

SHEET NO. V-01

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EASEMENT
PARCEL #25
Non Exclusive Temporary
Drainage Easement

DESCRIPTION SKETCH
POLK COUNTY PARCEL ID
23-28-01-000000-012020

DESCRIPTION:

A parcel of land being a portion of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

COMMENCE at the southeast corner of said North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1; thence South 89°44'23" West, along the south line of said North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1, a distance of 123.77 feet to the southwest corner of a parcel described in Official Records Book 2519, page 1388, Public Records of Polk County, Florida, also being the POINT OF BEGINNING; thence continue South 89°44'23" West, along said south line, 131.00 feet; thence North 54°48'47" East, 312.25 feet to a point on the east line of the Northeast 1/4 of said Section 1; thence South 00°08'14" West, along said east line, 133.01 feet to the Point of Intersection of said east line and the easterly extension of the north line of said parcel described in Official Records Book 2519, page 1388; thence North 89°46'50" West, along said easterly extension of and the north line of said parcel, 57.86 feet; thence South 54°48'47" West, along the northwesterly line of said parcel, 80.78 feet to the POINT OF BEGINNING.

LESS AND EXCEPT road right-of-way for North Florida Avenue.

Parcel containing 15,483 square feet, more or less.

CERTIFICATION:

I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JOHN RICHARD NOLAND, Jr., P.S.M.
FLORIDA REGISTRATION #5923

RNOLAND@CHASTAINSKILLMAN.COM
THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET 1 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E9

DRAWN BY: L. MILLER

FIELD BOOK:

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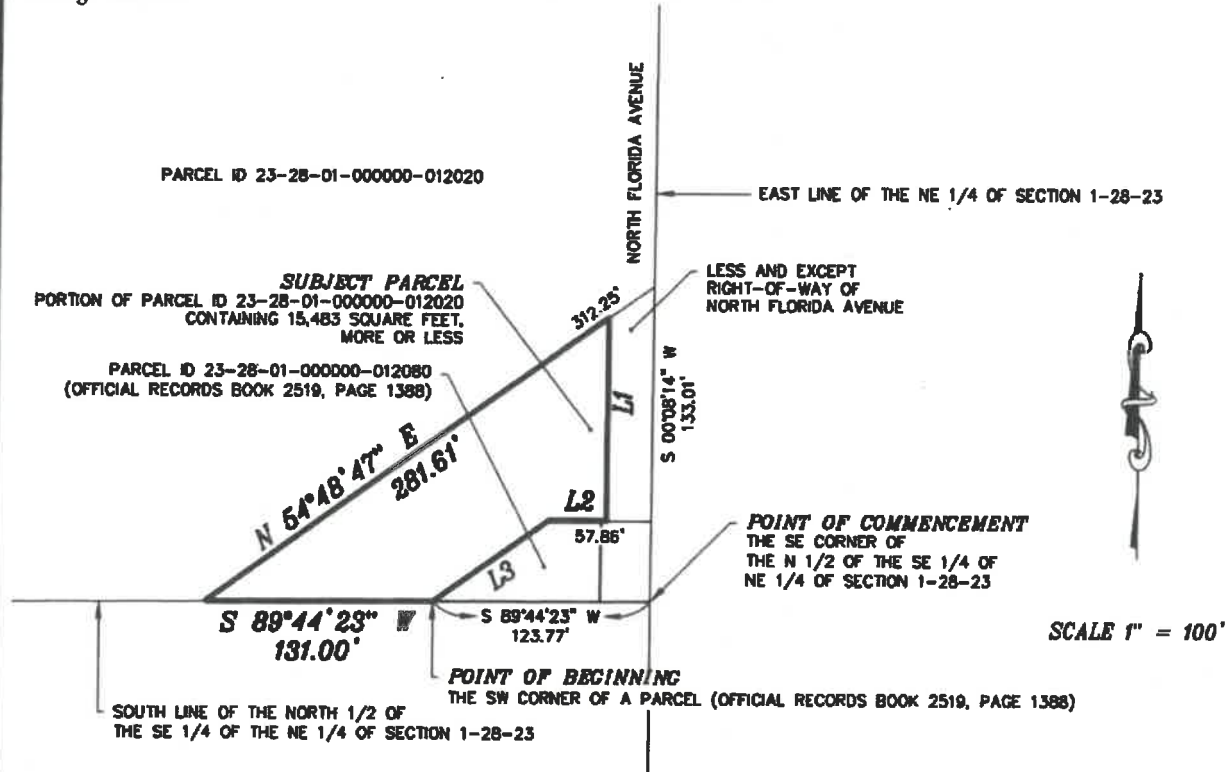
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SHEET NO. V-01

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EASEMENT
 PARCEL #25
 Non Exclusive Temporary
 Drainage Easement

DESCRIPTION SKETCH
 POLK COUNTY PARCEL ID
 23-28-01-000000-012020



LINE TABLE

LINE #	BEARING	LENGTH
L1	S 00°08'14" W	115.26'
L2	N 89°46'50" W	32.86'
L3	S 54°48'47" W	80.78'

SURVEYOR'S NOTES:

- 1) This is not a boundary survey.
- 2) Bearings based on the State of Florida State Plane Coordinate System, North American Datum 1983, adjustment 2011, West Zone, with the south line of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 28 South, Range 23 East, Polk County, Florida, being South 89°44'23" West.

SHEET 2 OF 2

PREPARED BY: CHASTAIN-SKILLMAN, INC. - 205 EAST ORANGE STREET
 LAKELAND, FLORIDA 33813 - (863) 646-1402 - LB #262

8825.02-E9

DRAWN BY: L. MILLER FIELD BOOK: PAGE: DATE: 09/25/2018

SHEET NO. V-02

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Exhibit B
Nonexclusive
Temporary Drainage Easement

Parcel No.: 000000-000000
Section: 00
Township: 00 South
Range: 00 East

TEMPORARY DRAINAGE EASEMENT

THIS TEMPORARY DRAINAGE EASEMENT, is made this ___ day of _____, 2019, by and between _____, ("Grantor"), and the **POLK REGIONAL WATER COOPERATIVE**, an Independent Special District created under the laws of the State of Florida ("Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a nonexclusive TEMPORARY DRAINAGE EASEMENT for the purpose of ingress/egress, and accumulation, drainage, discharge, flowage, and passage of water produced in an Aquifer Performance Test in, upon and through the following described land in the County of Polk, State of Florida, to-wit:

SEE ATTACHED EXHIBIT " A "

Grantor agrees to maintain the land on which the nonexclusive TEMPORARY DRAINAGE EASEMENT is located in a manner that does not interfere with the exercise of Grantee's easement rights.

IT IS EXPRESSLY COVENANTED AND AGREED that this nonexclusive TEMPORARY DRAINAGE EASEMENT does in no way convey the fee simple title to this property, but is only a nonexclusive easement for the use thereof and for the purpose herein stated. Grantor hereby retains any and all rights and uses of the property which do not interfere with the Grantee's use of easement rights as set forth herein.

Grantor covenants with the Grantee that it is lawfully seized of said lands and that it has good right and lawful authority to grant this easement.

This TEMPORARY DRAINAGE EASEMENT will automatically, and without further action by Grantor or Grantee, terminate and be of no further force and effect upon the earlier of the two occurrences one calendar year from the commencement of the easement as set forth from the date above or completion of the Aquifer Performance Test, with the Aquifer Performance Test taking no more than 30 days after commencement. Grantee will execute any additional document that may be reasonably required by Grantor to release the nonexclusive TEMPORARY DRAINAGE EASEMENT.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK - SIGNATURES ON FOLLOWING PAGE

Parcel No.: 000000-000000
Section: 00
Township: 00 South
Range: 00 East

IN WITNESS WHEREOF, the Grantor has caused these presents to be duly executed in its name by its Director, on the date first written above.

**Signed, sealed, and delivered
in the presence of:**

Witness as to all Signatories
Print Name _____

BY: _____
Print name _____
Address _____

Witness as to all Signatories
Print Name _____

(Two witnesses required)

STATE OF _____
COUNTY OF _____

SWORN TO AND SUBSCRIBED before me, the undersigned authority, this day by _____ who is [] personally known to me or [] has produced _____ as _____ identification, described in and who executed the foregoing instrument for the purposes expressed therein.

WITNESS my hand and official seal this ____ day of _____, 2019.

(Notary signature)

Notary Public
Print Name _____
Address _____

My Commission Expires: _____

(AFFIX NOTARY SEAL)

This instrument prepared by:
Tom Mattiacci
City of Lakeland Water Utilities
501 E. Lemon Street
Mail Code W-Admin/Eng
Lakeland, FL 33801
Phone: 863/834-8316

