

RESOLUTION NO. 11-15

A RESOLUTION APPROVING THAT CERTAIN PLAT ENTITLED "TRACT 4A, THE LAKES II" FOR FILING AND ACCEPTANCE IN ACCORDANCE WITH CHAPTER 177, FLORIDA STATUTES, WITH CONDITIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, WM SUB LA, LLC., the owner of the lands described in Exhibit "A" attached hereto has submitted that certain plat entitled Tract 4A, The Lakes II, for filing and acceptance by the City Commission of the City of Lake Alfred, Florida, in accordance with Chapter 177 of the Florida Statutes and Section 7.06.07 of the City of Lake Alfred Unified Land Development Code; and

WHEREAS, WM SUB LA, LLC and the City of Lake Alfred have approved an Amendment to the Development Agreement for The Lakes II on November 2, 2015, which clarifies zoning cluster standards and requires dedication of open space in consideration of clustering; and

WHEREAS, the Lake Alfred Planning Board has reviewed and held a public hearing on the final plat for Tract 4A, The Lakes II on August 19, 2015 and has found it in compliance with the Section 7.06.07 of the City's Unified Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE ALFRED, FLORIDA:

SECTION 1: PROPERTY That certain plat entitled "Tract 4A, The Lakes II" and showing the following described property, to wit:

See Exhibit "A" which is attached hereto
and made a part hereof

was presented to the City Commission for approval on the 2nd day of November, 2015. The City Commission having reviewed said plat and having been otherwise fully advised in the premises, hereby approves said plat for filing and accepts the dedications in favor of the City notated thereon in accordance with Chapter 177, Florida Statutes subject to the Owner/Developer of the said lands providing performance bonds to the City of Lake Alfred in an amount of 120% of the costs of the all improvements and other onsite infrastructure and testing not yet completed as certified by the City's Engineer and in a form approved by the City Attorney.

SECTION 2: UTILITY SYSTEM The City of Lake Alfred does not accept the utility systems for the subject lands including but not limited to water and wastewater systems until all such improvements and systems as may be constructed and noted on the plat have passed all required tests and all required certifications have been obtained and the improvements and systems are fully operational pursuant to City standards. Further, no certificates of occupancy for any structures constructed thereon will be issued until all such utility systems and other required infrastructure and improvements as required by the City of Lake Alfred Code of Ordinances and applicable Florida law are fully operational and have been accepted by the City and/or other appropriate entity.

SECTION 3: WATER SYSTEM All surface and/or storm water systems for the proposed subdivision shown on the plat being approved for filing herein shall be dedicated to the Homeowners Association for the subdivision shown on the plat being approved for filing herein and/or other private entity which along with the developer shall have the sole responsibility for the maintenance, repair, and liability for the entire surface and/or storm water systems, including all collection, transmission, and piping components. It is the express intention of the City of Lake Alfred that it will not accept for dedication said surface and/or storm water systems.

SECTION 4: PLAT. The final plat approved herein shall not be filed in the public records of Polk County, Florida, until the City's Engineer has approved same. Thereafter, the Mayor and City Clerk shall be authorized to sign the final plat approved for filing herein.

SECTION 5: EFFECTIVE DATE. This Resolution shall take effect immediately upon passage.

INTRODUCED AND PASSED by the City Commission of the City of Lake Alfred, Florida, in regular session this 2nd day of November, 2015.

**CITY OF LAKE ALFRED, FLORIDA
CITY COMMISSION**

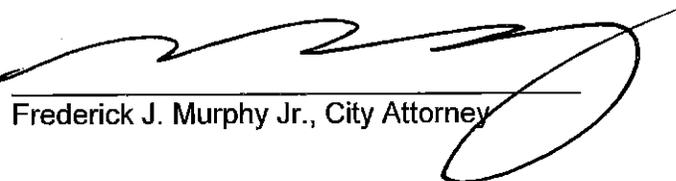


Charles O. Lake, Mayor

Attest:


Amée Bailey-Speck, City Clerk

Approved as to Form:


Frederick J. Murphy Jr., City Attorney

**EXHIBIT 'A' to RESOLUTION 11-15
TRACT 4A, THE LAKES
LEGAL DESCRIPTION**

THE EAST 2.5 ACRES OF THE SOUTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 33, TOWNSHIP 27 SOUTH, RANGE 26 EAST, AND THAT PART OF U.S. GOVERNMENT LOT 3 IN SECTION 04, TOWNSHIP 28 SOUTH, RANGE 26 EAST, ALL IN POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 4, THE SAME ALSO BEING THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE NORTH 89°54'58" EAST, ALONG THE NORTH BOUNDARY OF SAID SECTION 4, A DISTANCE OF 2304.41 FEET TO THE SOUTHEAST CORNER OF TRACT "C", TOD HUNTER ESTATES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 56, PAGE 11 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE NORTH 00°31'36" WEST ALONG THE EAST BOUNDARIES OF TRACTS "C", "B" AND "A" OF SAID TOD HUNTER ESTATES, A DISTANCE OF 329.97 FEET TO A POINT ON THE SOUTH BOUNDARY OF LOT 49, TOD HUNTER ESTATES; THENCE NORTH 89°57'55" EAST, ALONG THE SOUTH BOUNDARIES OF LOTS 49, 48, 47 AND 46, AND THEIR EASTERLY EXTENSION, A DISTANCE OF 330.07 FEET TO THE EAST BOUNDARY OF THE EAST 2.5 ACRES OF THE SOUTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 33, TOWNSHIP 27 SOUTH, RANGE 26 EAST; THENCE SOUTH 00°29'35" EAST, ALONG SAID EAST BOUNDARY, A DISTANCE OF 329.92 FEET, TO THE SOUTH BOUNDARY OF SAID SECTION 33 AND THE NORTH BOUNDARY OF THE AFORESAID SECTION 4; THENCE SOUTH 89°57'25" WEST, 121.50 FEET; THENCE SOUTH 00°00'00" WEST, 172.09 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 25.00 FEET; THENCESOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE/DELTA OF 90°00'00" (CHORD = 35.36, CHORD BEARING = S45°00'00"E) FOR A DISTANCE OF 39.27 FEET; THENCE DEPARTING SAID CURVE ALONG A RADIAL LINE SOUTH 00°00'00" WEST, 50.00 FEET; THENCE SOUTH 90°00'00" WEST, 22.92 FEET; THENCE SOUTH 00°00'00" WEST, 120.00 FEET TO THE NORTH BOUNDARY OF TRACT "C", OF TRACT 4, THE LAKES AS RECORDED IN PLAT BOOK 146, PAGES 2 AND 3 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 90°00'00" WEST, ALONG SAID NORTH BOUNDARY, A DISTANCE OF 300.00 FEET TO THE EAST RIGHT-OF-WAY OF EDINBURGH WAY OF THE AFORESAID TRACT 4, THE LAKES; THENCE NORTH 00°00'00" EAST, ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 120.00 FEET TO THE SOUTH RIGHT-OF-WAY OF INTERLOCK STREET ALSO OF SAID TRACT 4, THE LAKES; THENCE NORTH 90°00'00" EAST ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 87.92 FEET TO THE EAST BOUNDARY OF SAID TRACT 4, THE LAKES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 146, PAGES 2 AND 3 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 00°00'00" EAST, ALONG SAID EAST BOUNDARY, AND THE EAST BOUNDARY OF LOT 33 OF TRACT 4, THE LAKES, A DISTANCE OF 172.09 FEET TO THE AFOREMENTIONED NORTH BOUNDARY OF SECTION 4, TOWNSHIP 28 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA; THENCE NORTH 89°54'58" EAST, ALONG SAID NORTH BOUNDARY, A DISTANCE OF 1.63 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 4.18 ACRES, MORE OR LESS.