

RESOLUTION NO. 09-107

A RESOLUTION OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS RECOGNIZING AND DESIGNATING THE ELOISE COMMUNITY REDEVELOPMENT AREA (CAA) AS A MUNICIPAL CORE IMPROVEMENT AREA FOR PURPOSES OF EXEMPTING IMPACT FEES

WHEREAS, Polk County has acknowledged the need for and has encouraged revitalization, redevelopment and rehabilitation of blighted areas in the County through the creation of Community Redevelopment Agencies (CRA) including the area designated as the Eloise CRA ; and

WHEREAS, in consolidating and amending the Polk County Impact Fee Ordinances into Ordinance 07- 018, adopted on May 9, 2007, and in further amending Section 2.06(A)(6) of that ordinance on August 15, 2007 with the adoption of Ordinance 07-040, Polk County created an exemption from impact fees for the construction, alteration or expansion of any structure within an area that is formally recognized and designated by the Board of County Commissioners (Board) as a "Core Improvement Area"; and

WHEREAS, before such exemption may be granted, the Board must adopt a Resolution recognizing the affected area and include a legal description thereof;

WHEREAS, in order encourage revitalization, redevelopment rehabilitation the area designated as the Eloise CRA the Board has determined that the area should be recognized and designated as a "Core Improvement Area" for purposes of exempting impact fees, with the exception of water and sewer/wastewater utility impact fees; and

WHEREAS, the Board finds that encouraging revitalization, redevelopment and rehabilitation of the area designated as the Eloise CRA will encourage economic development in that area and such development is in the best interests of the citizens of Polk County.

**NOW THEREFOR, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF POLK COUNTY, FLORIDA, IN REGULAR MEETING
ASSEMBLED THIS 17th DAY OF June, 2009:**

SECTION 1: Recitals

The above recitals are true and correct and incorporated herein.

SECTION 2: Description of Eloise CRA Core Improvement Area

The Core Improvement Area for the Eloise CRA is that area generally bordered by Old Eagle Lake Winter Haven Road on the West, CR 655 on the East, the Whaneta Farms

Drainage Canal on the South and Lake Lulu on the North as depicted in Exhibit "A" (the Eloise Boundary) and as more fully described in Exhibit "8" (Legal Description), attached hereto and made a part hereof.

SECTION 3: Exemption of Impact Fees within the Eloise CRA Core Improvement Area

The construction, alteration or expansion of any structure within the Eloise CRA Core Improvement Area identified on Exhibit "A" and "8" shall be exempt from the payment of Polk County Impact Fees, with the exception of water and sewer/wastewater utility impact fees, as of the effective date of this Resolution and thereafter until such time as this Resolution may be repealed or otherwise amended by the Board.

SECTION 5: EFFECTIVE DATE

This Resolution shall be effective upon adoption by the Board.

DATED and effective this 17th of June, 2009.

ATTEST:

RICHARD M. WEISS, Clerk

BOARD OF COUNTY COMMISSIONERS

POLK COUNTY, FLORIDA

By: *Frida K. Wade*
Deputy Clerk *E.14*

By: *Sam Johnson*
Sam Johnson, Chairman



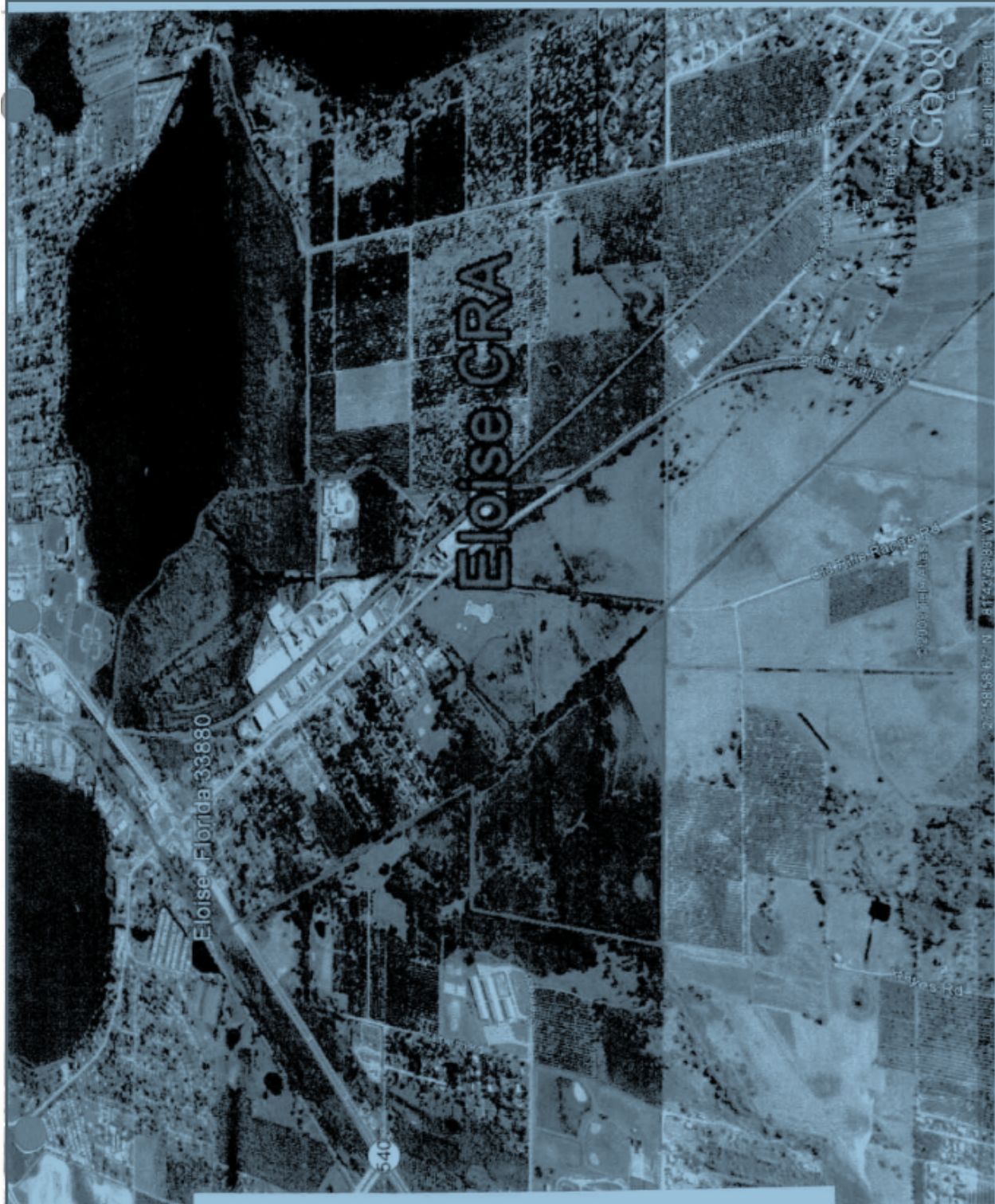


EXHIBIT "A": Eloise CRA Boundary

LEGAL DESCRIPTION FOR THE ELOISE COMMUNITY REDEVELOPMENT
AREA PREPARED FOR
THE POLK COUNTY BOARD OF COMMISSIONERS

EXHIBIT "B": Eloise CAA Legal Description

DESCRIPTION:

That part of Section 32, Township 28 South, Range 26 East, and Sections 4, 5, 8 and 9, Township 29 South, Range 26 East, Polk County, Florida, described as follows:

Commence at the Northwest corner of Section 5, Township 29 South, Range 26 East, also being the Southwest corner of Section 32, Township 28 South, Range 26 East; thence N89°44'20"E, along the North boundary of said Section 5 and the South boundary of said Section 32, a distance of 1690.75 feet to the intersection with the Northwesterly boundary of the CSX Transportation Railroad right-of-way and to the Point of Beginning; thence N45°08'16"E, along said boundary, into said Section 32, a distance of 51.03 feet to a point of curve; thence along the arc of a curve to the left (having a radius of 5679.65 feet, central angle 08°20'52") 827.52 feet, more or less, to the South boundary of the Lake Shipp-Lake Lulu Canal; thence run Easterly along the South boundary of said Lake Shipp-Lake Lulu Canal to the intersection of the Westerly right-of-way boundary of U.S. Highway No. 17; thence continue along said South boundary of the Lake Shipp-Lake Lulu Canal in an Easterly direction to the West boundary of the SE 1/4 of the SE 1/4 of Section 32, Township 28 South, Range 26 East; thence S00°50'27"W, along said West boundary, 196 feet, more or less, to the southwest corner of said SE 1/4 of SE 1/4 of Section 32; thence N89°44'20"E, along the South boundary of said Section 32, a distance of 224 feet, more or less, to the water's edge of Lake Lulu; thence Southeasterly, along said water's edge, into Section 5, Township 29 South, Range 26 East, to the intersection of the East boundary of said Section 5; thence S00°11'00"E, along said East boundary, 1494 feet, more or less, to the Southeast corner of the NE 1/4 of said Section 5; thence N89°49'28"E, into Section 4, along the North boundary of the SW 1/4 of said Section 4, a distance of 330.56 feet to the Easterly boundary of Shell Road as described in Official Records Book 949, Page 327 of the public records of Polk County, Florida; thence along said Easterly boundary the following courses and distances: thence S29°24'57"E, 32.95 feet to a point on a curve concave to the Southeast; thence along the arc of a curve to the left (having a radius of 185.37 feet, central angle 65°57'23", chord bearing S27°36'22"W) 213.39 feet to the end of said curve; thence S05°22'20"E, 197.64 feet to a point of curve; thence along the arc of a curve to the left (having a radius of 783.51 feet, central angle 16°40'00") 227.91 feet to the end of said curve; thence S22°02'20"E, 50.39 feet to a point of curve; thence along the arc of a curve to the right (having a radius of 255.37 feet, central angle 62°00'00") 276.34 feet to the end of said curve; thence S39°51'40"W, 406.17 feet to a point of curve; thence along the arc of a curve to the right (having a radius of 1944.86 feet, central angle 00°33'00") 18.67 feet to the end of

said curve; thence N49°29'20"W, 26.14 feet to the Southeast boundary of the maintained right-of-way of Shell Road as shown in Map Book 10, Page 13, of the public records of Polk County, Florida; thence S41°21'04"W, along said maintained right-of-way, 10.14 feet to the East boundary of said Section 5; thence S00°11'00"E, along said East boundary, 1394.20 feet to the Southeast corner of said Section 5, also being the Northwest corner of Section 9; thence S00°14'57"E, along the West boundary of said Section 9, a distance of 264.42 feet to the intersection of the Easterly right-of-way boundary of State Road No. 655; thence, along said right-of-way boundary, into said Section 9, the following courses and distances: thence S29°43'08"E, 1453.37 feet to a point of curve; thence along the arc of a curve to the right (having a radius of 1482.40 feet, central angle 50°55'00") 1317.35 feet to the end of said curve; thence S21°11'52"W, 566.02 feet to the intersection of the Southwesterly boundary of a 50 foot wide canal as shown on the plat of WAHNETA FARMS as recorded in Plat Book 1, Pages 82A and 82B of the public records of Polk County, Florida; thence, N41°55'03"W, along said Southwesterly boundary of canal, 898.30 feet to the East boundary of Section 8, Township 29 South, Range 26 East; thence continue N41°55'03"W, along said Southwesterly canal boundary, into said Section 8, a distance of 1772.41 feet to the Southeast corner of Lot 71 of said WAHNETA FARMS; thence S89°46'55"W, along the South boundary of Lots 71, 72, 73 & 74 of said WAHNETA FARMS, a distance of 2784.49 feet to the Southwest corner of Lot 74; thence N00°06'50"W, along the West boundary of Lot 74 and Lot 60 of said WAHNETA FARMS, a distance of 1332.59 feet to the North boundary of said Section 8; thence continue N00°06'50"W, along the West boundary of Lot 51 and Lot 52 of said WAHNETA FARMS, into said Section 5, a distance of 659.53 feet to the Northwest corner of said Lot 51; thence N89°45'09"E, along the North boundary of said Lot 51, a distance of 1095.72 feet, more or less, to the Southwest boundary of a 50 foot wide canal as shown on said plat of WAHNETA FARMS; thence, along the Southwesterly boundary of canal, N30°44'16"W, 1736.75 feet; thence continue along said canal N31°18'21"W, 1639.89 feet to the Southeast boundary of State Road 555 (U.S. Highway No. 17); thence N31°39'28"W, 551.93 feet to the Northwesterly boundary of the CSX Transportation Railroad right-of-way; thence N45°08'16"E, along said right-of-way, 1797.19 feet to the Point of Beginning.

Said parcel of land contains 671 acres, more or less.