

ORDINANCE NO. 19-014

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS, POLK COUNTY, FLORIDA, DISSOLVING THE POLK COMMERCE CENTRE COMMUNITY REDEVELOPMENT AGENCY AS A DEPENDENT SPECIAL DISTRICT PURSUANT TO SECTION 189.071, FLORIDA STATUTES; AND REPEALING ALL RESOLUTIONS AND ORDINANCES INCONSISTENT THEREWITH; DIRECTING THE CLERK TO FORWARD A COPY OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 17, 1992, the Board of County Commissioners of Polk County, Florida (the "Board") adopted Resolution Number 92-03 establishing the boundaries of the Polk Commerce Centre Community Redevelopment Area (the "Redevelopment Area"), more particularly described in Exhibit "A" attached hereto and made a part hereof, and finding the existence of certain slum and blight within the Redevelopment Area; and

WHEREAS, on November 24, 1992, the Board adopted Ordinance Number 92-40 creating the Polk Commerce Centre Community Redevelopment Agency (the "Polk Commerce Centre CRA") to carry out and effectuate the purposes of community redevelopment within the boundaries of the Redevelopment Area; and

WHEREAS, on December 22, 1992, the Board adopted Ordinance Number 92-45 establishing the Polk Commerce Centre Community Redevelopment Trust Fund (the "Fund") to finance projects within the Redevelopment Area; and

WHEREAS, on December 22, 1992, the Board adopted Ordinance Number 92-46 approving the Polk Commerce Centre Community Redevelopment Plan (the "Plan"); and

WHEREAS, on June 10, 1996, the Board adopted Ordinance Number 96-20, amending Ordinance Numbers 92-40 and 92-45 to establish 1993 as the base year for the CRA; and

WHEREAS, on April 5, 2006, the Board adopted Ordinance Number 06-15, amending Ordinance Number 92-40 to revise the Polk Commerce Centre CRA membership to include the Board plus two additional Board-appointment members; and

WHEREAS, the Board has determined that it is in the best interest of the residents of Polk County to dissolve the Polk Commerce Centre CRA and all ordinances and resolutions inconsistent therewith; and

WHEREAS, the Polk Commerce Centre CRA meets the criteria for a dependent special district as defined in Subsection 189.012(2), Florida Statutes; and

WHEREAS, Subsection 189.071(1), Florida Statutes, provides that the dissolution of a dependent special district may be effectuated by an ordinance of the local general-purpose governmental entity wherein the geographical area of the district or districts is located; and

WHEREAS, the Board desires to dissolve the Polk Commerce Centre CRA as a dependent special district in accordance with Section 189.071, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT:

SECTION 1. REPEAL OF RESOLUTION FINDING SLUM AND BLIGHT, ESTABLISHMENT OF THE REDEVELOPMENT AREA, AND ALL FINDINGS RELATIVE THERETO

Resolution Number 92-03, which declared the existence of slum and blight in the Redevelopment Area, designated the Redevelopment Area as appropriate for redevelopment, and found that rehabilitation, conservation or redevelopment, or combination thereof, of the Redevelopment Area was in the interest of the public welfare is repealed.

SECTION 2. DISSOLUTION OF THE POLK COMMERCE CENTRE CRA

Ordinance Number 92-40, creating the Polk Commerce Centre CRA, Ordinance Number 06-15, amending the composition of the Polk Commerce Centre CRA, and all resolutions appointing CRA members are hereby repealed.

SECTION 3. TERMINATION OF THE TRUST FUND

Ordinance Number 92-45, which established and created the Fund, and Ordinance Number 92-40, which established the base year, are hereby repealed and the Fund is hereby terminated.

SECTION 4. TERMINATION OF THE CRA PLAN

Ordinance Number 92-46, which approved and adopted the Plan, is hereby repealed and the Plan is terminated.

SECTION 5. DISSOLUTION OF THE SPECIAL DISTRICT; THE CLERK TO FORWARD A COPY TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY

- A. The Polk Commerce Centre CRA is hereby dissolved as a dependent special district pursuant to Section 189.071, Florida Statutes.
- B. The clerk is hereby directed to forward a copy of this ordinance to the Special District Accountability Program in the State of Florida Department of Economic Opportunity within thirty (30) days after the effective date.

SECTION 6. SEVERABILITY

If any provision or application of this ordinance is for any reason held invalid, such invalidity shall not affect the remaining provisions or applications of this ordinance, which provision, or application and, to this end, the provisions of this ordinance are declared severable.

SECTION 7. EFFECTIVE DATE

This ordinance shall take effect upon filing a certified copy with the Florida Department of State.

APPROVED AND ENACTED by the Board of County Commissioners of Polk County, Florida, this 19th day of March, 2019.

EXHIBIT "A"
LEGAL DESCRIPTION

EXHIBIT A

LEGAL DESCRIPTION FOR THE POLK COMMERCE CENTRE CRA

A TRACT OF LAND LYING IN POLK COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

THAT PART OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 25 EAST LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 400 - INTERSTATE HIGHWAY NO. 4, WESTERLY OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 559A, AND NORTHERLY OF THE NORTHERLY RIGHT-OF-WAY LINE AND EAST OF THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 559 (OLD POLK CITY - AUBURNDALE ROAD);

TOGETHER WITH;

THAT PART OF SECTION 9, TOWNSHIP 27 SOUTH, RANGE 25 EAST LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 559 (OLD POLK CITY - AUBURNDALE ROAD) AND SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 400 - INTERSTATE HIGHWAY NO. 4;

TOGETHER WITH;

THAT PART OF SECTION 8, TOWNSHIP 27 SOUTH, RANGE 25 EAST LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 400 - INTERSTATE HIGHWAY NO. 4, NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 559 (OLD POLK CITY - AUBURNDALE ROAD) AND WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY;

TOGETHER WITH;

THAT PART OF SECTIONS 17 AND 20, TOWNSHIP 27 SOUTH, RANGE 25 EAST LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY;

TOGETHER WITH;

THAT PART OF SECTION 29, TOWNSHIP 27 SOUTH, RANGE 25 EAST LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY, LESS THE WEST HALF OF THE SOUTHWEST QUARTER AND LESS THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

TOGETHER WITH;

THAT PART SECTION 32, TOWNSHIP 27 SOUTH, RANGE 25 EAST LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY, LESS THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER AND THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER LYING NORTH OF THE SOUTH 1580.00 FEET OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 32;

TOGETHER WITH;

THAT PART SECTION 33, TOWNSHIP 27 SOUTH, RANGE 25 EAST LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY;

TOGETHER WITH;

SECTION 5, TOWNSHIP 28 SOUTH, RANGE 25 EAST, LESS THAT PORTION LYING WITHIN THE TENORAC STATE PRESERVE AND ALSO LESS POLK COUNTY TAX PARCEL NO. 042010, BEING DESCRIBED AS FOLLOWS:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; AND THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; AND THE EAST 160 FEET OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE SOUTH 570.6 FEET THEREOF; AND THE SOUTH 570.6 FEET OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE SOUTH 525.6 FEET OF THE EAST 100 FEET THEREOF OF AFORESAID SECTION 5.

TOGETHER WITH;

THAT PART OF SECTION 6, TOWNSHIP 28 SOUTH, RANGE 25 EAST LYING WITHIN THE FOLLOWING POLK COUNTY TAX PARCELS:

PARCEL NO. 011010: THE EAST 454 FEET OF THE NORTH 495 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER;

PARCEL 011020: THE SOUTH 495 FEET MORE OR LESS OF THE NORTH 990 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, LESS THE EAST 88 FEET;

PARCEL 011030: THE SOUTH QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER;

PARCEL 011050: THE EAST 88 FEET OF THE SOUTH HALF OF THE NORTH THREE-QUARTERS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER;

PARCEL 011060: THE SOUTH HALF OF THE NORTH 495 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, LESS THE EAST 454 FEET AND LESS THE NORTH 110 FEET OF THE WEST 396 FEET;

PARCEL 011070: THE NORTH 110 FEET OF THE WEST 396 FEET OF THE SOUTH HALF OF THE NORTH THREE-EIGHTHS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER;

PARCEL 011080: THE NORTH HALF OF THE NORTH 495 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, LESS THE EAST 454 FEET;

PARCEL 011090: THE NORTH HALF OF THE NORTH 495 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, LESS THE EAST 454 FEET;

PARCEL 012010: THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, LESS THE SOUTH 45 FEET OF THE WEST THREE-QUARTERS AND LESS THE NORTH 220 FEET OF THE WEST 792 FEET AND LESS THE NORTH 220 FEET OF THE EAST 396 FEET OF WEST 1188 FEET.

STATE OF FLORIDA)
)
COUNTY OF POLK)

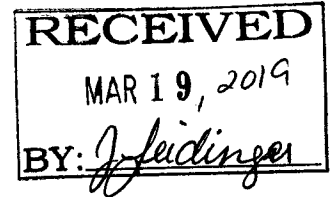
I Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No.19-014 adopted by the Board on March 19, 2019.

WITNESS my hand and official seal on this 19th day of March, 2019.

STACY M. BUTTERFIELD, CLERK

By: Jennifer Leiding
Jennifer Leiding
Deputy Clerk





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 19, 2019

Ms. Jennifer Leidinger, Deputy Clerk
Finance and Accounting
Post Office Box 988
Bartow, Florida 33831-0988

Dear Ms. Leidinger:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Polk County Ordinance No. 19-014, which was filed in this office on March 19, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb