### POLK COUNTY ORDINANCE NO. 07-012

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS, POLK COUNTY, FLORIDA, AMENDING POLK COUNTY ORDINANCE NO. 04-11, THE HARDEN/PARKWAY COMMUNITY REDEVELOPMENT PLAN FOR THE HARDEN/PARKWAY COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR DETERMINATIONS BY THE BOARD OF COUNTY COMMISSIONERS, POLK COUNTY, FLORIDA; AMENDING THE HARDEN/PARKWAY COMMUNITY REDEVELOPMENT PLAN PERTAINING TO THE TYPES OF VARIOUS MULTI-MODAL TRANSPORTATION IMPROVEMENTS AND THE TIMING THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Harden/Parkway Community Redevelopment Area ("the CRA") and the Harden/Parkway Community Redevelopment Agency ("the Agency") were created by the Board of County Commissioners, Polk County, Florida ("the Board") in 2004 to correct transportation blight in the South Lakeland area; and

WHEREAS, the Board adopted Polk County Ordinance No. 04-11, adopting a Redevelopment Plan for the CRA to correct the blighted conditions ("the Plan"); and

WHEREAS, the existing major development and anticipated major development within the bounds of the CRA is encompassed within and is subject to the Oakbridge DRI ("the DRI"), which is governed by the City of Lakeland, Florida ("the City"); and

WHEREAS, the cost estimates of the Transportation Improvements in the adopted Plan were originally projected to be Seven Million, Two Hundred and Seventy Thousand, Five Hundred and Fifty Six and no/100 (\$7,270,556.00); and

WHEREAS, the costs for those Transportation Improvements are now projected to exceed the original costs estimates significantly; and

WHEREAS, the Agency, the City and the Board have reexamined the list of Transportation Improvements contained within the Plan and agree that the list needs to be modified and updated to meet the transportation needs of the CRA, the City of Lakeland and unincorporated Polk County; and

WHEREAS, the proposed updated and modified list of Transportation Improvements are anticipated to cost approximately Twenty-Five Million and no/100 (\$25,000,000.00). The Board and the Agency are willing to fund the updated and modified list of Transportation Improvements through Board issuance of bonds of the constitutional fuel tax, and the Agency will be obligated to repay those funds to the Board.

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

**SECTION 1. AUTHORITY.** This ordinance is adopted by the authority of and in conformance with the provisions of Chapter 163, Part III, Florida Statutes, the "Community Redevelopment Act of 1969" (the "Act").

**SECTION 2. BOARD FINDINGS AND DETERMINATIONS.** The Board makes the following findings and determinations:

- (a) Notice of the public hearing to consider amendments to the Plan was properly provided to the public and the applicable taxing authorities.
- (b) The Agency submitted written recommendations to the Board requesting that the Plan be modified in accordance with this Ordinance.
- (c) The modifications of the Plan below are necessary to cure the blighted conditions within the CRA which currently exist.

**SECTION 3. MODIFICATIONS OF THE PLAN.** The Plan is hereby modified as noted in the sections below. Underlining indicates additions to the Plan and strikeouts indicate deletions from the Plan.

**SECTION 4. AMENDMENT OF TABLE OF CONTENTS**. The Table of Contents in the Plan is stricken in its entirety and replaced with the Table of Contents contained in Exhibit "1" herein.

### SECTION 5. AMENDMENT OF SECTION OF THE PLAN ENTITLED

"INTRODUCTION". The section of the Plan entitled "INTRODUCTION" and specifically the portion denoted by subheading "Overview" thereof is hereby amended to read as follows:

### Overview

The Harden/Parkway Community Redevelopment Agency ("CRA") that has been created by the Polk County Board of County Commissioners contains lands located within the City of Lakeland, Florida and unincorporated areas of Polk County (the "Harden/Parkway Redevelopment Area"). The County and City have established an Interlocal Agreement to cooperate in creating this single purpose CRA for the specific purpose of eliminating blight on the area's transportation system which currently has adverse impacts upon both County and City governments and the citizenry. Polk County has the statutory authority to establish a redevelopment area that is within a municipality located within Polk County and is supported by the City of Lakeland in utilizing this approach.

This Redevelopment Plan establishes a redevelopment program to deal with transportation blight in a developing area. It will draw upon tax increment financing to fund and construct specific projects (the "Transportation Improvements") that will relieve transportation blight identified in the South Lakeland Area Blight Analysis, dated August 15, 2003, (the "Blight Study") prepared for the previously adopted Resolution of the Polk County Board of County Commissioners finding the existence of a blighted area

within the Harden/Parkway Redevelopment Area and finding the necessity for community redevelopment for the Harden/Parkway Redevelopment Area ("CRA Resolution").

The redevelopment program also focuses on initiating private investment to create a mix of uses in the northwest and southeast quadrants of the Polk Parkway and Harden Boulevard interchange to serve the needs of the County, City and surrounding properties to avoid economic disuse of the Harden/Parkway Redevelopment Area.

In 1987, the City of Lakeland approved the Oakbridge Development of Regional Impact ("DRI") as a mixed-use planned development in south Lakeland in the vicinity of the intersection of Harden Boulevard and the Polk Parkway. The original Oakbridge DRI Development Order (Development Order) previously allowed for the development of 1,000,000 square feet for a regional mall, approximately 130,400 additional square feet of commercial uses, 223,150 square feet of office uses, and 54 hotel rooms on the area of the Oakbridge DRI located at the northwest quadrant of the intersection of Harden Boulevard and the Polk Parkway. On October 6, 2003, the City of Lakeland approved an amended Development Order, which addressed the CRA as a mechanism to facilitate some of the required road improvements. The Core Redevelopment Area is within the Oakbridge DRI.

Based upon economic research, the redevelopment area is ideally suited to accommodate a mixed use lifestyle retail center and will also include residential, office hotel and entertainment components. It will serve as a commercial district and related employment opportunity for the larger residential component of the surrounding Oakbridge community and the entire South Lakeland Area of both incorporated and unincorporated Polk County. Although this economic potential is significant, without redevelopment initiatives to address transportation blight and economic disuse, this economic potential is not likely to be realized.

The private sector development anticipated within the Harden/Parkway Redevelopment Area will occur primarily within the NW and SE quadrants of the interchange, as follows and as may be amended from time to time by the City of Lakeland (the Core Redevelopment Area):

NW Quadrant: This quadrant will contain two (2) separate development projects to be built in phases:

- 1) A Mixed Use, Commercial Center: The Drummond Company, the property owner and developer of the Oakbridge DRI, has proposed, in a joint venture effort under the name of Casto-Oakbridge Ventures, Ltd. (the "Developer"), to develop this area. Located on approximately 70 acres the project is expected to commence in 2004 with an initial large scale first phase and includes:
  - i) An approximately 647,000 square foot lifestyle commercial retail center anticipated to include but not necessarily limited to a multiplex cinema anchor tenant, a department store, restaurants, office uses, small motel major retail shops and including out-parcel development, and

- ii) An approximately 120 room hotel
- 2) An estimated 260 unit Residential Project: The Drummond Company has proposed to develop an estimated 260 unit residential project located on approximately 24 acres to the north of the Commercial Center. The project is to be constructed in phases estimated to commence in 2006 and estimated to be complete no later than 2015.

SE Quadrant: This quadrant is expected to contain three (3) separate development projects as follows:

- 1. An approximately 9,000 square feet Restaurant: estimated to start in 2005.
- 2. An approximately 90 room Hotel: estimated to start construction in 2006.
- 3. An approximately 70,000 square feet Office project: estimated to start in 2007.

The above totals are based on the DRI Development Order and may change through any amendments to the Development Order or as final plans are approved by the City of Lakeland.

<u>SECTION 6. AMENDMENT OF SECTION OF THE PLAN ENTITLED</u>

"REQUIREMENTS PURSUANT TO SECTION 163.362, FLORIDA STATUTES". The section of the Plan entitled "REQUIREMENTS PURSUANT TO SECTION 163.362, FLORIDA STATUTES" is hereby amended as noted herein this section.

- (a) Paragraph number two (2) is hereby amended to read as follows:
  - 2. Show by diagram and in general terms

The approximate amount of open space to be provided and the street layout.

Development within the Harden/Parkway Redevelopment Area is only anticipated within the Core Redevelopment Area at this time. Development within any portion of the Harden/Parkway Redevelopment Area will be required to be consistent by the appropriate local jurisdiction's Comprehensive Plan and Land Development Regulations. The specific\_amount of acres of open space to be provided will be determined by the regulations of the\_appropriate jurisdiction, however there is some open space planned for the Core Redevelopment Area described below. The Core Redevelopment Area is within the DRI that has an approved Development Order by the City of Lakeland and is expected to be processed with a Planned Development District for the following areas and as may be amended from time to time by the City of Lakeland:

The Northwest Quadrant:

- The Commercial Center: Open space will include a piazza, plazas, wetlands and water retention areas.
- Residential Project: Open space will include recreation and environmental areas
- The Southwest Quadrant
  - Open space will include plazas, wooded areas, wetlands and water retention areas.

The street layouts for the Core Redevelopment Area will be provided in accordance with City Land Development Regulations and the DRI Development Order. The street layout of parcels outside of the Core Redevelopment Area will be provided in accordance with the appropriate jurisdictions regulations.

### Limitations on the type, size, height, number of proposed buildings.

The type, size, height, number and proposed use of buildings must conform to the land development regulations of the jurisdiction in which they are located. A Planned Unit Development District is expected to be adopted for each area of Core Redevelopment Area and will determine the final development standards. The following numbers are approximate numbers for the Core Redevelopment Area and shall be finally determined by the DRI Development Order and the City's appropriate regulations and as may be amended from time to time by the City of Lakeland:

Northwest Quadrant Mixed Use, Commercial Center - Basic Requirements:

		Approximate	Approximate	Approximate
		Maximum	Maximum	# of
0	Land use types	s.f./rms/acres	Height	Proposed Blds
	<ul> <li>Office 2<sup>nd</sup> Floor</li> </ul>	50,000 s.f.	65 ft	1
	<ul><li>*Commercial</li></ul>	474,000 s.f.	65 ft	12
	<ul> <li>Hotel</li> </ul>	120 rooms	80 ft	1
	* Commercial includes	hut is not limited to	theatens motell of	cc

<sup>\*</sup> Commercial includes, but is not limited to, theaters, retail, office, restaurants, and other similar and associated uses.

Northwest Quadrant Residential Area - Basic Requirements:

		Approximate	Approximate	Approximate
		Maximum	Maximum	# of
0	Land use types	Units	Height	Proposed Blds
	<ul> <li>Multi-Family</li> </ul>	260	80 ft	Multiple phases
				on one site

Southeast Quadrant Mixed Use Area - Basic Requirements:

0	Land use types	Approximate Maximum s.f./rms/acres	<b>Approximate</b> Maximum Height	<b>Approxi</b> t # of Proposed	
	<ul> <li>Office</li> </ul>	70,000 s.f.	3 floors	1	
	■ Hotel	90 rms	60 ft		1
	<ul><li>* Commercial</li></ul>	! 79,000 s.f.	60 ft		2
		ludes, but is not limite other similar and othe		00	e,

There are some parcels outside of the Core Redevelopment Area that are within the CRA. Specific development is not anticipated for these parcels at this time. However, if these parcels develop the following table lists the approximate Floor Area Ratio (FAR) and approximate height limits that would be used to determine size of development. These may be amended from time to time by the City of Lakeland and Polk County as appropriate. These totals may be amended by the appropriate jurisdiction through planned developments or variance type requests.

City of Lakeland Regional Activity Center Linear Commercial Corridor Residential Medium	Approximate FAR 0.35 0.50 0.35	Approximate Height 44 ft 36 ft 36 ft
Polk County	Approximate FAR	Approximate Height
Residential Medium Residential Low Linear Commercial Corridor Commercial Enclave	0.25 0.25 0.35 0.35	50 50 35 35

# Harden/Parkway CRA Land Use Map

Page 7 of 14

### The approximate number of dwelling units.

No dwelling units presently exist within the Core Redevelopment Area. Approximately 260 dwelling units are proposed in the Core Redevelopment Area or as may be amended from time to time by the City of Lakeland. Any other dwelling units\_outside of the Core Redevelopment Area will be approved according to the appropriate jurisdiction's regulations.

Such property as intended for use as public parks, recreation areas, streets, public utilities and public improvements of any nature.

The Plan requirements for public parks, recreation areas, streets, public utilities and other public improvements shall be determined by the City of Lakeland Comprehensive Plan and Land Development Regulations and the Planned Unit Development Zoning District requirements or the County's Comprehensive Plan and Land Development Code established for each area of development and may include: design standards that will create buffers; interconnected pathways; view corridors; and gathering spaces.

- (b) Paragraph number four (4) is hereby amended to read as follows:
  - 4. Identify specifically any public funding capital projects to be undertaken within the Community Redevelopment Area.

There are currently no fully funded capital projects, by either the Capital Improvements Plan\_of the City or the County, to be undertaken within the Harden/Parkway Redevelopment Area.

The following major projects are located within the Harden/Parkway Redevelopment Area that will require all or partial CRA funding. The estimated cost for the improvements and the proposed timing for the implementation of each improvement are set forth below in the Redevelopment Actions section.

### Roads

- Install Right Turn Lane on south, east and west legs of intersection at Lake Miriam Drive @ 37 A (Cleveland Heights)
- Align Harden Blvd Pipkin Intersection; add 3<sup>rd</sup> SB land on Harden Blvd to south of Polk Parkway
- <u>Install East Bound Left Turn Lane on Alamo Drive @ South Florida</u> Avenue.

### Sidewalks

- Install Sidewalk on West Side of Florida Avenue (Alamo to 540A)
- Install Sidewalks on both sides of Harden Blvd (from the Polk Parkway North Frontage Road north to where the sidewalk system

### begins, (on west side from Lakeside Village north to Beacon Rd and on east side from Parkway Frontage Rd to San Gulley Rd.)

### • Transit

- New transit routes in the south Lakeland area with a headway of not less than 30 minutes will require:
- One (1) additional bus.
- Eleven (11) new bus shelters

### Roads

- \* Construction of dedicated dual left turn lanes on westbound Beacon Road at Harden Boulevard.
- Construction of dedicated left turn lane on east bound Beacon Road at Harden Boulevard.
- Construction of dedicated eastbound, westbound, and northbound right turn lanes at the intersection of CR 37A and Lake Miriam Drive.
- Construction of a dedicated eastbound left turn lane at the intersection of SR 37 and Alamo Drive.
- Construction of a dedicated westbound left turn lane at Fitzgerald Road and SR 37.
- Construction of a dedicated northbound right turn lane at Hallam Drive and CR 37A.
- Construction of realignment of the Harden Boulevard and Pipkin Road intersection.
- Construction of a south bound lane on Harden Boulevard from Alamo Drive to Pipkin Road.

### Sidewalks

- Sidewalk on the west side of SR 37 from Alamo Drive to Pipkin.
- Sidewalk on one side of SR 37 from Lake Miriam Drive to CR 540A.
- \* Sidewalk on W. Pipkin Road/Lake Miriam Drive from Harden Boulevard to CR 37A.
- Sidewalk on Harden Boulevard, both sides, from from the Polk Parkway North Frontage Road north to where the sidewalk system begins.

### • Transit Related

- New transit routs in the south Lakeland area with a headway of not less than 30 minutes will require:
  - **-** Two (2) new buses;
  - Fifteen (15) new bus shelters

### SECTION 7. AMENDMENT OF SECTION OF THE PLAN ENTITLED

"REDEVELOPMENT GOALS AND OBJECTIVES". The section of the Plan entitled "REDEVELOPMENT GOALS AND OBJECTIVES" is hereby amended to read as follows:

### Strategic Objectives

Land Use (#1 through #3 being referred to as the "Development Projects")

Objective # 1: To stimulate development of a 70 acre mixed-use, commercial retail lifestyle center to be located in the northwest quadrant of the interchange of the Polk County Parkway and Harden Boulevard (the "Interchange") within the DRI and in accordance with the following land uses which may be amended from time to time by the City of Lakeland:

- To contain up to approximately 647,000 s.f. of building space for the mix of uses and containing an estimated 120 room hotel.
- Designed based on new urbanist principles to provide internal pedestrian connectivity and reduce external road trips.
- Estimated to be complete by the year 2005.

Objective # 2: To stimulate development of an approximately 24 acre residential project to be located in the northwest quadrant of the Interchange, within the area designated Regional Activity Center (RAC) land use, as follows which may be amended from time to time by the City of Lakeland:

- To contain up to approximately 260 units located in close proximity to the commercial retail lifestyle center.
- Designed to have pedestrian connectivity to the commercial lifestyle center.
- To be constructed in phases and estimated to be complete by the year 2015.

Objective # 3: To stimulate development of an approximately 18.25 acre parcel located in the southeast quadrant of the Interchange, within an area designated for Regional Activity Center land (RAC) use, as follows which may be amended from time to time by the City of Lakeland:

- An approximately 90 room hotel estimated to start construction in 2006.
- An approximately 9,000 square feet restaurant estimated to start in 2005.
- An approximately 70,000 square feet office project estimated to start in 2007.

Objective #4: To control development activities within the three Development Projects above through the application of the following:

- The City's Comprehensive Plan,
- The DRI, and
- The City's Land Development Regulations including required Planned Unit Development provisions.

### <u>SECTION 8. AMENDMENT OF SECTION OF THE PLAN ENTITLED</u> <u>"REDEVELOPMENT ACTIONS".</u> The section of the Plan entitled "*REDEVELOPMENT ACTIONS*" is hereby amended to read as follows:

### Transportation Improvements.

The CRA will implement the Transportation Improvements in accordance with the projected improvement dates set forth in this Plan.

The Transportation Improvements for roadways, bus transit and pedestrians, estimated by hard and soft costs for the projects, but not including financing costs, to be included in Phase I (approximately the first five (5) year CIP from the estimated years of 2004 through 2009) and in Phase II (approximately the second five year (5) CIP from the estimated years of 2010 through 2015) are set forth in the attached Appendix D (Harden/Parkway CRA Capital Improvements Program).

**SECTION 9. AMENDMENT OF APPENDIX "C" OF THE PLAN.** Appendix "C" of the Plan, the Tax Increment Analysis and CRA Cash Flow Analysis, is hereby stricken in its entirety and replaced with Appendix "C" attached hereto.

**SECTION 10. AMENDMENT OF APPENDIX "D" OF THE PLAN**. Appendix "D" of the Plan, the Harden/Parkway CRA Capital Improvements Program, is hereby stricken in its entirety and replaced with Appendix "D" attached hereto.

**SECTION 11. REMAINDER OF REDEVELOPMENT PLAN NOT MODIFIED.** Only the portions of the Plan noted herein this ordinance is modified, in the manner described above. The remainder of the Plan remains unchanged.

**SECTION 12. SEVERABILITY.** If any provision of this ordinance is held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining section or portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance, such holding shall not affect its applicability to any other person, property or circumstance.

**SECTION 13. EFFECTIVE DATE**. This ordinance shall become effective upon filing with the Department of State through the Secretary of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS, POLK COUNTY, FLORIDA this 18<sup>th</sup> day of April, 2007.

### EXHIBIT "1" TABLE OF CONTENTS

### TABLE OF CONTENTS

	Page No
INTRODUCTION	3
Overview	3
Multi-Jurisdictional Issues	
Purpose	5
Transportation Blighted Conditons	5
Economic Disuse Conditions	6
Relationship to the County's Existing Redevelopment Plans	6
REQUIRED CONTENTS PURSUANT TO FLORIDA STATUTE 163.362	6
REDEVELOPMENT GOALS AND OBJECTIVE	12
Goals	
Strategic Objectives	
Land Use	
Transportation	
Economic Disuse	13
Environment	14
REDEVELOPMENT STRATEGY	14
Primary Strategies	14
REDEVELOPMENT ACTIONS	14
Transportation Improvements	14
THE FINANCIAL PLAN	15
Potential Changes in the Core Redevelopment Area Taxable Base	— <del>15</del>
Funding Sources	—— 15 15
Tax Increment Financing	15
Advances and Loans	15
Tax Increment Revenue Bonds	16
Bond Anticipation Notes	<u>16</u>
Redevelopment Trust Fund Earned Interest	16
Sale or Lease of Acquired Property	16
Federal and State Grants	16
Proposed CRA Capital Improvements (CIP) Cost	17
THE MANAGEMENT PLAN	17
Private Sector Involvement	17
CRA Development Agreement Procedures	17
Community Redevelopment Agency Powers and Responsibilities	17
Consistency with Other Plans and Regulations	17
Relationship to the Oakbridge DRI	17
Severability	18
Project Close Out	18
DEFINITIONS	18
APPENDICIES	$\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ $
A. Harden/Parkway Redevelopment Area Legal Description	
B. Harden/Parkway Redevelopment Area Plan Map	
C. Tax Increment analysis and CRA Cash Flow Analysis	
D. Harden/Parkway CRA Capital Improvements Program	

## TAX INCREMENT ANALYSIS AND CRA CASH FLOW ANALYSIS

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## HARDEN/PARKWAY CRA CAPITAL IMPROVEMENTS PROGRAM APPENDIX "D"

### Summary of Estimated Transportation Related Improvement Costs Harden/Parkway CRA

	Sullingly of Estilliated Transportation Related Improvement Costs	п негатер	ітргочетеп	r Costs		
In the						Proposed Const.
ON Elem	Work Activity	Phase	<b>Estimated Cost</b>	Total Cost	Jurisdiction	Start (Yr)
*	Pipkin Rdi'Harden Blvdi'Old Hwy 37 intersection realignment and 3-laning of	Design	\$750,000			
<del></del>		HOW	\$7,333,300	\$18,533,300	County	2003
		Construction	\$10,450,000			
•	Lake Miriam at Cleveland Heights intersection improvements: And right turn land	Design	\$379,000			
V	to south, east and west leas.	HOW	\$242,000	\$1,421,000	County	2009
		Construction	\$800,000		•	
,	Alamo Drive at SR 37 intersection improvements: And left turn lane on eacthourse	Design	\$480,000			
מ	Alamo, Romania Residente de la companya de la compa	ROW	\$1,100,000	\$2,680,000	Š	2009
		Construction	\$1,100,000		•	
•	Harden Bivd, sidewalk: From Lakeside Village to Reacon Boad on west side and	Design	\$70,000			
<b>t</b>	side	HOW	0\$	\$500,000	FDOT	2002
		Construction	\$430,000			
i,		Design	\$55,000			
n	SH 37 sidewalk: From Alamo Dr. to CR 540A on west side.	HOW.	80	\$775,000	FDOT	2007
		Construction	\$720,000			
(		Design	80			
ρ	install 11 ous shellers (\$15,000;each)	ROW	\$0	\$165,000	LAMTD	2007-2009
r		Construction	\$165,000			
,		Price	\$250,000	\$250,000	LAMTD	2002
00	ding for years 1-3 and 100% funding for					
,	.00	7.10 80 1.10	\$603,000	\$603,000	ZAMTO	2007-2012
	Total estimated cost of program			\$24,927,300		

STATE OF FLORIDA, )
COUNTY OF POLK )

I Richard M. Weiss, Clerk of the Board of County Commissioners of Polk County, Florida hereby certify that the foregoing is a true and correct copy of Ordinance No. 07-012, "Harden/Parkway Community Redevelopment" adopted by the Board on April 18, 2007.

WITNESS my hand and official seal of said Board this \_\_\_\_23<sup>rd</sup> \_\_\_\_\_day of \_\_\_\_April\_\_\_\_2007.

Richard M. Weiss Clerk to the Board

alhryn Courtney



CHARLIE CRIST Governor STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING Secretary of State

April 26, 2007

Ms. Kathryn Courtney, Deputy Clerk Richard M. Weiss, Clerk to the Board Post Office Box 988 Bartow, Florida 33831-0988

Dear Ms. Courtney:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated April 23, 2007 and certified copies of Polk County Ordinance Nos. 07-012 through 07-017, which were filed in this office on April 26, 2007.

Sincerely,

Liz Cloud

Program Administrator

LC/lbh

RECEIVED

75-01-07

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250

850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • http://dlis.dos.state.fl.us

COMMUNITY DEVELOPMENT 850,245.6600 • FAX: 850,245.6643

STATE LIBRARY OF FLORIDA 850.245.6600 • FAX: 850.245.6744 STATE ARCHIVES OF FLORIDA 850.245.6700 • FAX: 850.488.4894

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