

ORDINANCE NO: 1318

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA; VOLUNTARILY ANNEXING PROPERTY INTO THE CITY PURSUANT TO SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR FINDINGS, PUBLICATION OF NOTICE, & DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE WITH THE CIRCUIT COURT CLERK, THE CHIEF ADMINISTRATIVE OFFICER OF POLK COUNTY, & THE STATE; PROVIDING A BUSINESS IMPACT ESTIMATE, CONFLICTS, SEVERABILITY, & AN EFFECTIVE DATE.

WHEREAS, STANDARD SAND & SILICA CO, as owner/applicant, petitioned the City of Davenport, Florida, (hereafter "City") pursuant to Section 171.044, *Florida Statutes*, for voluntary annexation of said property into the municipal limits of the City of Davenport; and,

WHEREAS, the owner of the real property referenced herein is listed as, and the petition for annexation bears the signature of the owner; and,

WHEREAS, City staff has reviewed and subsequently recommended approval of the annexation of said property to the City Commission of the City of Davenport, Florida, and have accomplished all actions required under the City Charter and the Code of Ordinances of the City of Davenport; and,

WHEREAS, the City Commission has determined that the property proposed to be annexed into the City is all within an unincorporated area of Polk County, is reasonably compact and contiguous to the corporate areas of the City, and it is further determined that the annexation of said property will not result in the creation of any enclave, and it is further determined that annexation of said property otherwise fully complies with the requirements of State law; and,

WHEREAS, the City has furnished the Board of County Commissioners of Polk County a copy of the published notice of annexation by certified mail no sooner than ten (10) days prior to said publication, and said action is hereby ratified and confirmed by the City Commission; and,

WHEREAS, all other procedural and notice requirements mandated by State law and the City's Charter and Code of Ordinances have been followed and satisfied; and,

WHEREAS, the City has performed a business impact estimate pursuant to § 166.041(4)(c), and determined that adoption of this ordinance:

- (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City,

- (2) has no direct negative economic impact on private, for-profit businesses in the city,
- (3) will not result in direct compliance costs by businesses,
- (4) does not impose any new charge or fee on businesses for which businesses will be financially responsible,
- (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City; and,

WHEREAS, the City Commission hereby determines that it is to the advantage of the City and in the best interests of the City's citizens to annex the property described below.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS. The above recitals are hereby adopted and incorporated into this Ordinance as legislative findings of the City Commission of the City of Davenport, Florida.

SECTION 2. ANNEXATION. The City Commission hereby annexes into the City of Davenport, Florida, the property legally described in Exhibit "A" attached to and incorporated into this Ordinance, and graphically depicted in Exhibit "B" attached to and incorporated into this Ordinance (the "Annexed Property"). The City Commission directs and determines that the boundaries of Davenport as specified by the City's Charter shall be redefined to include the Annexed Property.

SECTION 3. EFFECT OF ANNEXATION. Upon this Ordinance becoming effective, the property owners of the said Annexed Property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners of Davenport, as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the City, and the provisions of said Chapter 171, *Florida Statutes*.

SECTION 4. ADMINISTRATIVE ACTIONS. In accordance with Section 171.044(3), *Florida Statutes*, within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a certified copy of this Ordinance, with legal description and map, with the Clerk of the Court of Polk County (Land Records/Recording), with the Chief Administrative Officer of Polk County (the County Manager), with the Florida Department of State, and with any additional agencies impacted by said annexation.

SECTION 5. LAND USE AND ZONING. The Annexed Property shall, upon its annexation, remain subject to the County's land use plan and zoning or subdivision regulations until Davenport adopts a comprehensive plan amendment that includes the Annexed Properties annexed, as required by section 171.062, *Florida Statutes*.

SECTION 6. BUSINESS IMPACT ESTIMATE. Pursuant to Section 166.041(4), Florida Statutes, the City of Davenport is required to prepare a business impact estimate for certain proposed ordinances. This proposed ordinance voluntarily annexes land into the City of Davenport. The voluntary annexation of residential land into the City (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City, (2) has no direct negative economic impact on private, for-profit businesses in the city, (3) will not result in direct compliance costs by businesses, (4) does not impose any new charge or fee on businesses for which businesses will be financially responsible, and (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City. Thus, it is estimated that neither residents nor any business will incur additional costs. The City does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected. The Business Impact Estimate form for this ordinance is on file with the City Clerk.

SECTION 7. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 8. SEVERABILITY. Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 9. NO CODIFICATION. The provisions of this Ordinance shall not be codified, but the Annexed Property shall be incorporated and included in all appropriate maps of the City Limits of the City of Davenport, Florida, by the City Manager, and the City Manager is hereby directed to take any and all appropriate actions relative to land use planning pertaining to the Annexed Property pursuant to this Ordinance.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect as provided by state law within ten (10) days of adoption.

INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the City Commission of the City of Davenport, Florida, meeting in regular Session this 21st day of October 2024.

CITY OF DAVENPORT, FLORIDA

Brynn Summerlin, Mayor

ATTEST:

Raquel Castillo, City Clerk

INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING by the City Commission of the City of Davenport, Florida, meeting in regular Session this 4th day of November 2024.

CITY OF DAVENPORT, FLORIDA

Brynn Summerlin, Mayor

ATTEST:

Raquel Castillo, City Clerk

Approved as to form and legality:

Thomas Cloud, City Attorney

EXHIBIT "A"
POLK COUNTY, FLORIDA
LEGAL DESCRIPTION/Metes and bound

Parcel ID:

27-26-25-000000-011000, 27-26-26-000000-011000, 27-26-26-000000-012010, 27-26-26-000000-013010,
27-26-26-000000-014010, 27-26-27-000000-011010, 27-26-22-000000-011020, 27-26-36-000000-011010,
27-26-23-000000-022000, 27-26-24-000000-022000, 27-26-25-000000-013000, 27-26-22-000000-013010,
27-26-27-000000-021030, 27-26-27-000000-021040, 27-26-25-000000-034010

PARCEL 1:

The South 1/2 of the North 1/2 of the Northeast 1/4 lying East of Old Dixie Highway (State Road 547), and the South 1/2 of the Northeast 1/4 lying East of Old Dixie Highway (State Road 547), and the Southeast 1/4 lying East of Old Dixie Highway (State Road 547), all in Section 22, Township 26 South, Range 27 East, Polk County, Florida.

LESS AND EXCEPT the North 1/2 of the South 1/2 of the North 1/2 of the Southwest 1/4 of the Southeast 1/4, lying East of Highway AND LESS the South 1/2 of the South 1/2 of the North 1/2 of the Southwest 1/4 of the Southeast 1/4, lying East of Highway AND LESS the North 1/2 of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 AND LESS the North 20 feet of the South 1/2 of the Northwest 1/4 of the Northeast 1/4 lying East of State Road 547 (County Road 547), all in Section 22, Township 26 South, Range 27 East, Polk County, Florida.

AND LESS AND EXCEPT that portion conveyed to Polk County, a political subdivision of the State of Florida by virtue of the Special Warranty Deed recorded August 6, 2014 in Official Records Book 9308, Page 2114, of the Public Records of Polk County, Florida, being more particularly described as follows:

Parcel 300 Part "A": A portion of the East 1/2 of Section 22, Township 26 South, Range 27 East, Polk County, Florida, being described as follows:

Commence at the Southeast corner of said Section 22, thence N 00°54'50" W along the East line of said Section 22, a distance of 287.06 feet to the POINT OF BEGINNING; thence N 65°27'21" W, a distance of 523.65 feet to a point of tangent curve; thence along the arc of a curve to the right a distance of 357.20 feet, through a central angle of 18°36'20" concaved Northeasterly, having a radius of 1100.00 feet and a chord bearing and distance of N 56°09'11" W, 355.63 feet; thence N 43°08'59" E, a distance of 20.00 feet to a point of non-tangent curve; thence along the arc of a curve to the right a distance of 486.00 feet, through a central angle of 25°46'59" concaved Northeasterly, having a radius of 1080.00 feet and a chord bearing and distance of N 33°57'32" W, 481.91 feet; thence S 68°55'58" W, a distance of 5.00 feet to a point of non-tangent curve; thence along the arc of a curve to the right a distance of 361.19 feet, through a central angle of 19°04'24" concaved Northeasterly, having a radius of 1085.00 feet and a chord bearing and distance of N 11°31'50" W, 359.52 feet;

thence N 01°59'38" W, a distance of 167.11 feet; thence N 88°00'22" E, a distance of 20.00 feet; thence N 01°59'38" W, a distance of 400.00 feet; thence S 88°00'22" W, a distance of 20.00 feet; thence N 01°59'38" W, a distance of 350.00 feet; thence N 88°00'22" E, a distance of 5.00 feet; thence N 01°59'38" W, a distance of 248.21 feet to a point on the South line of the Northeast 1/4 of said Section 22; thence continue N 01°59'38" W, a distance of 141.79 feet; thence S 88°00'22" W, a distance of 26.00 feet; thence N 01°59'38" W, a distance of 446.46 feet to a point of tangent curve; thence along the arc of a curve to the left a distance of 1042.13 feet, through a central angle of 66°47'21" concaved Southwesterly, having a radius of 894.00 feet and a chord bearing and distance of N 35°23'19" W, 984.12 feet; thence N 68°46'59" W, a distance of 119.54 feet; thence N 13°32'31" E, a distance of 217.95 feet; thence S 68°46'59" E, a distance of 148 .65 feet to a point of tangent curve; thence along the arc of a curve to the right a distance of 224.39 feet, through a central angle of 11°34'57" concaved Southwesterly, having a radius of 1110.00 feet and a chord bearing and distance of S 62°59'31" E, 224.01 feet; thence S 32°47'58" W, a distance of 10.00 feet to a point of non-tangent curve; thence along the arc of a curve to the right a distance of 550.00 feet, through a central angle of 28°38'52" concaved Southwesterly, having a radius of 1100.00 feet and a chord bearing and distance of S 42°52'36" E, 544.29 feet; thence S 61°26'50" W, a distance of 10.00 feet to a point of non-tangent curve; thence along the arc of a curve to the right a distance of 490.50 feet, through a central angle of 25°46'59" concaved Southwesterly, having a radius of 1090.00 feet and a chord bearing and distance of S 15°39'40" E, 486.37 feet; thence N 87°13'50" E, a distance of 10.00 feet to a point of non-tangent curve; thence along the arc of a curve to the right a distance of 14.89 feet, through a central angle of 00°46'32" concaved Southwesterly, having a radius of 1100.00 feet and a chord bearing and distance of S 02°22'54" E, 14.89 feet; thence S 01°59'38" E, a distance of 538.73 feet to a point on the Northerly right of way line of Pond 900 (per Polk County Transportation Division Project 06000010); thence along the Northerly, Westerly and Southerly right of way line of said Pond 900 the following five (5) courses: 1) N 64°29'58" W, a distance of 21.12 feet; 2) thence S 88°00'22" W, a distance of 33.27 feet; 3) thence S 01°59'38" E, a distance of 62.83 feet to a point on the South line of the Northeast 1/4 of said Section 22; 4) thence continue S 01°59'38" E, a distance of 434.20 feet; 5) thence N 73°37'09" E, a distance of 38.20 feet; thence S 01°59'38" E, a distance of 653.04 feet; thence S 73°47'35" W, a distance of 38.17 feet; thence S 01°59'38" E, a distance of 74.64 feet to a point of tangent curve; thence along the arc of a curve to the left a distance of 555.59 feet, through a central angle of 33°26'16" concaved Northeasterly, having a radius of 952.00 feet and a chord bearing and distance of S 18°42'46" E, 547.73 feet; thence N 54°34'06" E, a distance of 27.00 feet to a point of non-tangent curve; thence along the arc of a curve to the left a distance of 484.72 feet, through a central angle of 30°01'27" concaved Northeasterly, having a radius of 925.00 feet and a chord bearing and distance of S 50°26'38" E, 479.20 feet; thence N 24°32'39" E, a distance of 15.00 feet; thence S 65°27'21" E, a distance of 433 .20 feet to a point on the East line of said Section 22; thence S 00°54'50" E along said East line, a distance of 210.43 feet to the POINT OF BEGINNING.

Parcel 300 Part "B" (Pond 900): A portion of the East 1/2 of Section 22, Township 26 South, Range 27 East, Polk County, Florida, being described as follows:

Commence at the East 1/4 corner of said Section 22, thence S 89°35'58" W along the North line of the Southeast 1/4 of said Section 22, a distance of 810.99 feet to the POINT OF BEGINNING; thence N 64°29'58" W, a distance of 145.90 feet; thence S 88°00'22" W, a distance of 33.27 feet; thence S 01°59'38" E, a distance of 62.83 feet to a point on the aforesaid North line of the Southeast 1/4 of Section 22; thence continue S 01°59'38" E, a distance of 434.20 feet; thence N 73°37'09" E, a distance of 175.96 feet; thence N 05°32'01" E, a distance of 158.99 feet; thence N 04°07'54" W, a distance of 99.41 feet; thence N 09°56'23" E, a distance of 71.28 feet; thence N 35°45'33" W, a distance of 71.28 feet to the POINT OF BEGINNING.

Parcel 300 Part "C" (Pond 1000): A portion of the Southeast 1/4 of Section 22, Township 26 South, Range 27 East, Polk County, Florida, being described as follows:

Commence at the Southeast corner of said Section 22; thence N 00°54'50" W along the East line of said Section 22, a distance of 981.18 feet; thence S 89°05'10" W, a distance of 762.13 feet to the POINT OF BEGINNING; thence S 54°34'06" W, a distance of 27.00 feet to a point of non-tangent curve; thence along the arc of a curve to the right, a distance of 555.59 feet, concaved Northeasterly, through a central angle of 33°26'16", having a radius of 952.00 feet, and a chord bearing and distance of N 18°42'46" W, 547.73 feet; thence N 01°59'38" W, a distance of 74.64 feet; thence N 73°47'35" E, a distance of 167 .81 feet; thence S 23°31'38" E, a distance of 324.36 feet; thence S 15°25'47" W, a distance of 339.40 feet to the POINT OF BEGINNING.

Parcel 300, Part "D": A portion of the Northeast 1/4 of Section 22, Township 26 South, Range 27 East, Polk County, Florida, being described as follows:

Commence at the Northeast corner of said Section 22; thence S 00°54'50" E along the East line of the Northeast 1/4 of said Section 22, a distance of 680.06 feet to the South line of the North 20.00 feet of the North 1/2 of the South 1/2 of the North 1/2 of said Northeast 1/4 of Section 22; thence S 89°38'36" W along said South line of the North 20.00 feet, a distance of 1656.32 feet to the POINT OF BEGINNING; thence S 16°13'01" W, a distance of 325.83 feet to a point on the Northerly right of way line of Ernie Caldwell Boulevard (per Polk County Transportation Division Project No. 06000010); thence S 13°32'31" W, a distance of 217.95 feet to a point on the Southerly right of way line of said Ernie Caldwell Boulevard; thence S 16°13'01" W, a distance of 310.24 feet; thence S 20°22'33" W, a distance of 701.85 feet; thence N 73°43'33" W, a distance of 4.00 feet to a point on the Easterly County Maintained right of way of County Road 547, as recorded In Map Book 8, Pages 119 through 122, of the Public Records of Polk County, Florida; thence along said County Maintained right of way the following sixteen (16) courses: 1) N 16°16'27" E, a distance of 100.00 feet; 2) thence N 16°19'53" E, a distance of 100.00 feet; 3) thence N 16°40'31" E, a distance of 100.00 feet; 4) thence N 16°19'53" E, a distance of 100.00 feet; 5) thence N 16°09'34" E, a distance of 100.00 feet; 6) thence N 16°13'01" E, a distance of 100.00 feet; 7) thence N 16°09'35" E, a distance of 100.00 feet; 8) thence N 16°13'01" E, a distance of 100.00 feet; 9) thence N 17°14'53" E, a distance of 100.02 feet; 10) thence N 16°09'35" E, a distance of 100.00 feet; 11) thence N 16°23'19" E, a distance of 100.00 feet; 12) thence N 16°16'27" E, a distance of 21.18 feet to a point on the survey baseline of said Ernie Caldwell Boulevard Station 310+67.05; 13) thence continue N 16°16'27" E, a distance of 178.82 feet; 14) thence N 16°13'01" E, a distance of 100.00 feet; 15) thence N 16°43'57" E, a distance of 100.00 feet; 16) thence N 14°29'55" E, a distance of 41.37 feet to a point on said South line of the North 20.00 feet of the North 1/2 of the South 1/2 of the North 1/2 of the Northeast 1/4 of said Section 22; thence N 89°38'36" E along said South line, a distance of 43.58 feet to the POINT OF BEGINNING.

AND LESS AND EXCEPT that portion conveyed to Polk County, a political subdivision of the State of Florida by virtue of the Special Warranty Deed recorded July 26, 2016 in Official Records Book 9887, Page 1626, of the Public Records of Polk County, Florida, being more particularly described as follows:

A 130 foot wide strip of land lying in Sections 22 and 23, Township 26 South, Range 27 East, Polk County, Florida, being more particularly described as:

Commence at the Southeast corner of Section 22, Township 26 South, Range 27 East, Polk County, Florida; thence along the East line of the Southeast 1/4 of said Section 22, N 00°54'50" W, a distance of 855.05 feet to the POINT OF BEGINNING; thence departing said East line run S 81°13'28" W, a distance of 292.72 feet to the beginning of a curve concave to the Southeast with a radius of 258.00 feet, a central angle of 47°20'57", with a chord bearing of S 57°33'00" W, and a chord distance of 207.20 feet; thence along the arc of said curve 213.21 feet to the beginning of a non-tangent curve concave to the Northeast with a radius of 925.00 feet, with a chord bearing of N 56°35'28" W, and a chord distance of 130.00 feet; thence along the arc of said curve 130.11 feet, a central angle of 08°03'33" to the beginning of a non-tangent curve concave to the Southeast with a radius of 388.00 feet, with a chord bearing of N 57°28'18" E, and a chord distance of 312.57 feet; thence along the arc of said curve 321.70 feet, a central angle of 47°30'20" to the end of said curve; thence N 81°13'28" E, a distance of 770.62 feet; thence S 08°46'32" E, a distance of 130.00 feet; thence S 81°13'28" W, a distance of 477.90 feet to the POINT OF BEGINNING.

PARCEL 2:

The Northeast 1/4 of Northwest 1/4; and the Northwest 1/4 of the Northeast 1/4 lying West of Old Dixie Highway, all lying and being in Section 22, Township 26 South, Range 27 East, Polk County, Florida.

LESS AND EXCEPT that portion conveyed to Polk County, a political subdivision of the State of Florida by virtue of the Special Warranty Deed recorded August 6, 2014 in Official Records Book 9308, Page 2114, of the Public Records of Polk County, Florida.

AND LESS AND EXCEPT that portion conveyed by Warranty Deed recorded March 2, 2021 in Official Records Book 11602, Page 2182, of the Public Records of Polk County, Florida.

AND LESS AND EXCEPT that portion conveyed by Special Warranty Deed recorded December 20, 2019 in Official Records Book 11083, Page 516, of the Public Records of Polk County, Florida.

AND LESS AND EXCEPT that portion conveyed by Special Warranty Deed recorded December 14, 2022 in Official Records Book 12517, Page 1801, of the Public Records of Polk County, Florida.

AND LESS AND EXCEPT that portion conveyed by Special Warranty Deed recorded December 14, 2022 in Official Records Book 12517, Page 1893, of the Public Records of Polk County, Florida.

PARCEL 3:

The Southeast 1/4 of the Southeast 1/4 of Section 23, Township 26 South, Range 27 East, Polk County, Florida.

PARCEL 4:

The South 1/2 of the South 1/2 of Section 24, Township 26 South, Range 27 East, Polk County, Florida.

PARCEL 5:

All of Section 25, Township 26 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT the Northwest 1/4 of the Northeast 1/4 thereof.

AND LESS AND EXCEPT that portion conveyed to Rinker Materials Corporation, a Florida corporation by virtue of the Warranty Deed recorded November 5, 1998 in Official Records Book 4126, Page 1325, of the Public Records of Polk County, Florida, being more particularly described as follows:

All that portion of the following described property lying within Section 25, Township 26 South, Range 27 East, Polk County, Florida:

Commence at the Southeast corner of Section 36, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°43'57" West along the South boundary of said Section 36, 850.40 feet to the POINT OF BEGINNING; run thence North 01°41'07" West, 3518.83 feet; thence North 27°41'50" East, 596.59 feet; thence North 10°35'10" West, 1355.39 feet to a point on the North boundary of said Section 36; thence South 89°17'44" West along said North boundary, 3306.36 feet; thence North 09°41'26" West, 2519.65 feet; thence North 75°50'03" East, 357.63 feet to a point on a curve concave to the West having a radius of 180.00 feet; thence Northerly along the arc of said curve through a central angle of 42°27'42", an arc distance of 133.40 feet, a chord bearing of North 10°46'46" West a chord distance of 130.37 feet to the Point of Tangency of said curve; thence North 32°00'37" West, 323.72 feet to the Point of Curvature of a curve concave to the Southwest having a radius of 200.00 feet; thence Northwesterly along the arc of said curve through a central angle of 32°49'18", an arc distance of 114.57 feet, a chord bearing of North 48°25'16" West a chord distance of 113.01 feet to the Point of Tangency of said curve; thence North 64°49'55" West, 407.62 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 450.00 feet; thence Northwesterly along the arc of said curve through a central angle of 30°36'13", an arc distance of 240.36 feet, a chord bearing of North 49°31'49" West a chord distance of 237.51 feet to the Point of Tangency of said curve; thence North 34°13'42" West, 258.21 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 565.00 feet; thence Northerly along the arc of said curve through a central angle of 25°00'29", an arc distance of 246.61 feet, a chord bearing of North 21°43'28" West a chord distance of 244.65 feet to the Point of Tangency of said curve; thence North 90°00'00" West, 2349.80 feet; thence South 00°00'00" West, 1434.83 feet; thence North 41°17'02" West, 479.59 feet; thence North 67°04'26" West, 291.42 feet; thence North 86°04'20" West, 505.89 feet to a point on the Easterly right-of-way of U.S. Highway 17-92; thence South 28°24'09" West along said right-of-way, 3665.70 feet; thence leaving said right-of-way and running South 35°08'08" East, 1111.18 feet; thence South 00°00'00" West, 1409.63 feet to a point on a wetland line as marked by others; thence along said wetland line the following courses and distances: North 37°17'04" East, 110.04 feet; North 73°23'26" East, 395.16 feet; South 71°53'31" East, 583.13 feet; South 58°15'05" East, 288.39 feet; South 56°37'27" East, 312.84 feet; South 53°34'49" East, 207.91 feet; South 53°31'22" East, 1382.11 feet; South 07°52'25" East, 430.78 feet; South 69°27'23" West,

636.14 feet; South 47°53'22" West, 506.39 feet; South 76°08'18" East, 475.37 feet; South 45°09'04" East 562.02 feet; South 01°05'45" West, 149.25 feet; South 66°10'21" West, 236.48 feet; South 28°33'44" East, 474.96 feet; South 20°09'12" East, 259.65 feet; South 25°44'58" East, 495.23 feet; thence leaving said wetland line and running North 90°00'00" East, 1588.02 feet to a point on the East boundary of Section 2, Township 27 South, Range 27 East; thence North 00°58'46" West along said boundary, 1395.31 feet to the Northeast corner of said Section, also being the Southwest corner of said Section 36; thence North 89°43'57" East, 4459.11 feet to the POINT OF BEGINNING.

PARCEL 6:

The Northwest 1/4 of Northeast 1/4 of Section 25, Township 26 South, Range 27 East, Polk County, Florida.

PARCEL 7:

All that part of the following described property lying within Section 25, Township 26 South, Range 27 East, Polk County, Florida:

A parcel of land lying in Sections 25 and 26, Township 26 South, Range 27 East, Polk County, Florida being more particularly described as follows:

Commence at the Southeast corner of Section 36, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°43'57" West along the South boundary of said Section 36, 850.40 feet; thence North 01°41'07" West, 3518.83 feet; thence North 27°41'50" East, 596.59 feet; thence North 10°35'10" West, 1355.39 feet to a point on the North boundary of said Section 36; thence South 89°17'44" West along said North boundary, 3306.36 feet; thence North 09°41'26" West, 2519.65 feet; thence North 75°50'03" East, 94.44 feet to the POINT OF BEGINNING; thence continue North 75°50'03" E, 263.19 feet to a point on a curve concave to the West having a radius of 180.00 feet; thence Northerly along the arc of said curve through a central angle of 42°27'42", an arc distance of 133.40 feet, a chord bearing of North 10°46'46" West, a chord distance of 130.37 feet to the Point of Tangency of said curve; thence North 32°00'37" West, 323.72 feet to the Point of Curvature of a curve concave to the Southwest having a radius of 200.00 feet; thence Northwesterly along the arc of said curve through a central angle of 32°49'18", an arc distance of 114.57 feet, a chord bearing of North 48°25'16" West, a chord distance of 113.01 feet to the Point of Tangency of said curve; thence North 64°49'55" West, 407.62 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 450.00 feet; thence Northwesterly along the arc of said curve through a central angle of 30°36'13", an arc distance of 240.36 feet, a chord bearing of North 49°31'49" West, a chord distance of 237.51 feet to the Point of Tangency of said curve; thence North 34°13'42" West, 258.21 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 565.00 feet; thence Northerly along the arc of said curve through a central angle of 25°00'29", an arc distance of 246.61 feet, a chord bearing of North 21°43'28" West, a chord distance of 244.65 feet to the Point of Tangency of said curve; thence North 90°00'00" West, 2349.80 feet; thence South 00°00'00" West, 1472.18 feet; thence South 87°02'04" East, 441.10 feet; thence North 61°22'02" East, 233.78 feet; thence North 88°46'33" East, 426.52 feet; thence South 59°04'39" East, 218.53 feet; thence South 63°39'48" East, 428.66 feet; thence South 80°21'00" East, 138.64 feet; thence North 69°51'27" East, 1061.11 feet to the Point of Curvature of a curve concave to the South having a radius of 500.00 feet;

thence Northeasterly along the arc of said curve though a central angle of 22°01'07", an arc distance of 192.15 feet, a chord bearing of North 80°52'00" East, a chord distance of 190.97 feet to a Point of Tangency of said curve; thence South 88°07'27" East, 195.44 feet to the POINT OF BEGINNING.

PARCEL 8:

The West 1/2 of the Northwest 1/4, and all that part of the East 1/2 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4 lying between U.S. Highway 17-92 and the Atlantic Coast Line Railroad, all lying and being in Section 26, Township 26 South, Range 27 East, Polk County, Florida.

AND TOGETHER WITH that part of the Northeast 1/4 of the Southwest 1/4 of Section 26, Township 26 South, Range 27 East, lying and being situate West of U.S. Highway No. 17-92, Polk County, Florida.

AND TOGETHER WITH all that part of the Southwest 1/4 of the Southwest 1/4 of Section 26, Township 27 South Range 27 East, lying West of Highway No. 17-92, Polk County, Florida.

AND TOGETHER WITH all lands in Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying East of U.S. Highway Seventeen, LESS AND EXCEPT the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southeast 1/4 thereof.

AND LESS AND EXCEPT those portions conveyed to Polk County, a political subdivision of the State of Florida by virtue of Special Warranty Deed recorded August 6, 2014 in Official Records Book 9308, Page 2114, of the Public Records of Polk County, Florida, being more particularly described as follows:

Parcel 302 Part "A": A portion of the West 1/2 of Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying Northwesterly of C.S.X. Transportation Railroad right of way, being described as follows:

Commence at the Northwest corner of said Section 26; thence N 89°41'16" E along the North line of said Section 26, a distance of 602.32 feet to the POINT OF BEGINNING; thence continue N 89°41'16" E along said North line, a distance of 561.45 feet to a point on the Northeasterly right of way line of Ernie Caldwell Boulevard (per Polk County Transportation Division Project 06000010); thence along said Northeasterly right of way line S 65°27'21" E, a distance of 74.25 feet to the Westerly right of way line of C.S.X. Transportation Railroad right of way, as shown on valuation map V.3FLA/44; thence S 24°32'26" W along said railroad right of way line, a distance of 266.91 feet to a point on the Southwesterly right of way line of the aforesaid Ernie Caldwell Boulevard; thence along said Southwesterly right of way line the following two (2) courses: (1) N 62°15'03" W, a distance of 552.87 feet; (2) thence N 65°27'21" W, a distance of 31.71 feet to the POINT OF BEGINNING.

Parcel 302 Part "B": A portion of the West 1/2 of Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying Northwesterly of C.S.X. Transportation Railroad right of way, being described as follows:

Commence at the Northwest corner of said Section 26, thence N 89°41'16" E along the North line of said Section 26, a distance of 1163.77 feet to the Northeasterly right of way line of Ernie Caldwell Boulevard (per Polk County Transportation Division Project 06000010) and the Point of Beginning; thence continue N 89°41'16" E along said North line, a distance of 81.83 feet to a point on the Westerly right of way line of C.S.X. Transportation Railroad right of way, as shown on valuation map V.3FLA/44; thence S 24°32'26" W along said railroad right of way line, a distance of 34.40 feet to a point on the aforesaid Northeasterly right of way line of said Ernie Caldwell Boulevard; thence along said Northeasterly right of way line N 65°27'21" W, a distance of 74.25 feet to the Point of Beginning.

Parcel 303 Part "A": A portion of Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying Southeasterly of C.S.X. Transportation Railroad right of way and Northwesterly of State Road 600 (U.S. 17/92) right of way, being described as follows:

Commence at the Northwest corner of said Section 26; thence N 89°41'16" E along the North line of said Section 26, a distance of 854.50 feet to the survey baseline of Ernie Caldwell Boulevard (per Polk County Transportation Division Project No. 06000010), said point being Station 366+97.11; thence S 65°27'21" E along said survey baseline, a distance of 533.49 feet to the POINT OF BEGINNING, said point being Station 372+30.60 of said survey baseline; thence N 24°32'39" E, a distance of 150.00 feet; thence S 60°45'35" E, a distance of 68.02 feet to a point on the Southerly right of way line of Pond 1100 (per said Polk County Transportation Division Project 06000010); the next three (3) courses are along the Southerly right of way line of said Pond 1100: 1) thence S 11°08'54" E, a distance of 71.60 feet; 2) thence S 61°41'50" E, a distance of 504.02 feet; 3) thence N 19°58'12" E, a distance of 36.88 feet; thence S 65°27'21" E, a distance of 730.11 feet; thence N 28°24'08" E, a distance of 85.80 feet to a point on the East line of the Northwest 1/4 of said Section 26; thence S 00°08'24" E, a distance of 35.58 feet to a point on the Westerly right of way line of State Road 600 (U.S. Highway 17 & 92), (per Florida Department of Transportation Section 1605-PROJ-94); thence S 28°24'08" W along said right of way line, a distance of 874.61 feet; thence N 61°35'52" W, a distance of 18.00 feet; thence N 28°24'08" E, a distance of 380.00 feet; thence S 61°35'52" E, a distance of 6.00 feet; thence N 28°24'08" E, a distance of 260.00 feet; thence N 33°42'34" E, a distance of 18.98 feet; thence N 65°27'21" W, a distance of 291.50 feet; thence S 24°32'39" W, a distance of 12.40 feet; thence N 65°27'21" W, a distance of 25.00 feet; thence N 24°32'39" E, a distance of 12.40 feet; thence N 65°27'21" W, a distance of 500.50 feet; thence N 71°10'24" W, 501.90 feet; thence N 24°32'39" E, 130.00 feet to the POINT OF BEGINNING.

Parcel 303 Part "B": A portion of Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying Southeasterly of C.S.X. Transportation Railroad right of way and Northwesterly of State Road 600 (U.S. 17/92) right of way, being described as follows:

Commence at the Northwest corner of said Section 26; thence N 89°41'16" E along the North line of said Section 26, a distance of 854.50 feet to the survey baseline of Ernie Caldwell Boulevard (per Polk County Transportation Division Project No. 06000010), said point being Station 366+97.11; thence S 65°27'21" E along said survey baseline, a distance of 533.49 feet, being Station 372+30.60 of said survey baseline; thence N 24°32'39" E, a distance of 150.00 feet to a point on the Northerly right of way line of said Ernie Caldwell Boulevard; thence S 60°45'35" E along said Northerly right of way line, a distance of 68.02 feet to the POINT OF BEGINNING; thence N 24°32'39" E, a distance of 67.99 feet; thence N 89°41'16" E, a distance of 565.34 feet; thence S 19°58'12" W, a distance of 398.09 feet to a point on the Northerly right of way line of said Ernie Caldwell Boulevard; thence along said Northerly right of way line the following two (2) courses: 1) N 61°41'50" W, a distance of 504.02 feet; 2) thence N 11°08'54" W, a distance of 71.60 feet to the POINT OF BEGINNING.

Parcel 304: A portion of Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying Southeasterly of C.S.X. Transportation Railroad right of way and Northwesterly of State Road 600 (U.S. 17/92) right of way, being described as follows:

Commence at the Northwest corner of said Section 26, thence N 89°41'16" E along the North line of said Section 26, a distance of 854.50 feet to the survey baseline of Ernie Caldwell Boulevard (per Polk County Transportation Division Project No. 06000010), said point being Station 366+97.11; thence S 65°27'21" E along said survey baseline, a distance of 454.89 feet a point on the Easterly right of way line of C.S.X. Transportation Railroad right of way as shown on valuation map V.3FLA/44 and the POINT OF BEGINNING, said point being Station 371+52.00 of said survey baseline; thence N 24°32'26" E along said Easterly right of way line of said C.S.X. Transportation Railroad, a distance of 150.00 feet; thence S 65°27'21" E, a distance of 78.62 feet to a point on the Westerly right of way line of the aforesaid Ernie Caldwell Boulevard; thence S 24°32'39" W along said Westerly right of way line, a distance of 280.00 feet; thence N 65°27'21" W, a distance of 78.60 feet too point on said C.S.X. Easterly right of way line; thence N 24°32'26" E along said Easterly right of way line, a distance of 130.00 feet to the Point of Beginning.

AND LESS AND EXCEPT that portion conveyed to Rinker Materials Corporation, a Florida corporation by virtue of the Warranty Deed recorded November 5, 1998 in Official Records Book 4126, Page 1333, of the Public Records of Polk County, Florida, being more particularly described as follows:

All that portion of the following described property lying within Section 26, Township 26 South, Range 27 East, Polk County, Florida:

Commence at the Southeast corner of Section 27, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°56'44" West along the South boundary of said Section 27, 326.17 feet to a point on the Northerly right-of-way of Lem Carnes Road, having a right-of way of 50.00 feet, and the POINT OF BEGINNING; run thence South 71°45'42" East along said right-of-way, 384.44 feet to a point on the Westerly right-of-way of U.S. Highway 17-92 having a right-of-way of 100.00 feet; thence North 28°24'09" East along said right-of-way, 1239.67 feet; thence leaving said right-of-way and running North 63°29'42" West, 1156.58 feet to a point on the Easterly right-of-way of the CSX Railroad; thence South 24°33'39" West along said right-of-way, 1607.78 feet to a point on the Northerly right-of-way of said Lem Carnes Road; thence leaving said railroad right-of-way and running along Lem Carnes Road, North 89°56'44" East, 673.82 feet; thence South 71°45'42" East along Lem Carnes Road, 79.65 feet to the POINT OF BEGINNING.

AND LESS AND EXCEPT that portion conveyed to Rinker Materials Corporation, a Florida corporation by virtue of the Warranty Deed recorded November 5, 1998 in Official Records Book 4126, Page 1325, of the Public Records of Polk County, Florida, being more particularly described as follows:

All that portion of the following described property lying within Section 26, Township 26 South, Range 27 East, Polk County, Florida:

Commence at the Southeast corner of Section 36, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°43'57" West along the South boundary of said Section 36, 850.40 feet to

the POINT OF BEGINNING; run thence North 01°41'07" West, 3518.83 feet; thence North 27°41'50" East, 596.59 feet; thence North 10°35'10" West, 1355.39 feet to a point on the North boundary of said Section 36; thence South 89°17'44" West along said North boundary, 3306.36 feet; thence North 09°41'26" West, 2519.65 feet; thence North 75°50'03" East, 357.63 feet to a point on a curve concave to the West having a radius of 180.00 feet; thence Northerly along the arc of said curve through a central angle of 42°27'42", an arc distance of 133.40 feet, a chord bearing of North 10°46'46" West a chord distance of 130.37 feet to the Point of Tangency of said curve; thence North 32°00'37" West, 323.72 feet to the Point of Curvature of a curve concave to the Southwest having a radius of 200.00 feet; thence Northwesterly along the arc of said curve through a central angle of 32°49'18", an arc distance of 114.57 feet, a chord bearing of North 48°25'16" West a chord distance of 113.01 feet to the Point of Tangency of said curve; thence North 64°49'55" West, 407.62 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 450.00 feet; thence Northwesterly along the arc of said curve through a central angle of 30°36'13", an arc distance of 240.36 feet, a chord bearing of North 49°31'49" West a chord distance of 237.51 feet to the Point of Tangency of said curve; thence North 34°13'42" West, 258.21 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 565.00 feet; thence Northerly along the arc of said curve through a central angle of 25°00'29", an arc distance of 246.61 feet, a chord bearing of North 21°43'28" West a chord distance of 244.65 feet to the Point of Tangency of said curve; thence North 90°00'00" West, 2349.80 feet; thence South 00°00'00" West, 1434.83 feet; thence North 41°17'02" West, 479.59 feet; thence North 67°04'26" West, 291.42 feet; thence North 86°04'20" West, 505.89 feet to a point on the Easterly right-of-way of U.S. Highway 17-92; thence South 28°24'09" West along said right-of-way, 3665.70 feet; thence leaving said right-of-way and running South 35°08'08" East, 1111.18 feet; thence South 00°00'00" West, 1409.63 feet to a point on a wetland line as marked by others; thence along said wetland line the following courses and distances: North 37°17'04" East, 110.04 feet; North 73°23'26" East, 395.16 feet; South 71°53'31" East, 583.13 feet; South 58°15'05" East, 288.39 feet; South 56°37'27" East, 312.84 feet; South 53°34'49" East, 207.91 feet; South 53°31'22" East, 1382.11 feet; South 07°52'25" East, 430.78 feet; South 69°27'23" West, 636.14 feet; South 47°53'22" West, 506.39 feet; South 76°08'18" East, 475.37 feet; South 45°09'04" East 562.02 feet; South 01°05'45" West, 149.25 feet; South 66°10'21" West, 236.48 feet; South 28°33'44" East, 474.96 feet; South 20°09'12" East, 259.65 feet; South 25°44'58" East, 495.23 feet; thence leaving said wetland line and running North 90°00'00" East, 1588.02 feet to a point on the East boundary of Section 2, Township 27 South, Range 27 East; thence North 00°58'46" West along said boundary, 1395.31 feet to the Northeast corner of said Section, also being the Southwest corner of said Section 36; thence North 89°43'57" East, 4459.11 feet to the POINT OF BEGINNING.

AND LESS AND EXCEPT the following parcel in Section 26, Township 26 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 26, thence run East 217.98 feet to a point on the Easterly right of way line of U.S. Highway 17-92; thence run North 28°24'09" East, along said Easterly right of way line, 3338.76 feet to the POINT OF BEGINNING; thence continue North 28°24'09" East, along said Easterly right of way line, 1053.02 feet; thence run East 588.65 feet; thence run South 1434.83 feet; thence run North 41°17'02" West, 479.59 feet; thence run North 67°04'26" West, 291.42 feet; thence run North 86°04'20" West, 505.89 feet to the Point of Beginning.

PARCEL 9:

All that part of the following described property lying within Section 26, Township 26 South, Range 27 East, Polk County, Florida:

A parcel of land lying in Sections 25 and 26, Township 26 South, Range 27 East, Polk County, Florida being more particularly described as follows:

Commence at the Southeast corner of Section 36, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°43'57" West along the South boundary of said Section 36, 850.40 feet; thence North 01°41'07" West, 3518.83 feet; thence North 27°41'50" East, 596.59 feet; thence North 10°35'10" West, 1355.39 feet to a point on the North boundary of said Section 36; thence South 89°17'44" West along said North boundary, 3306.36 feet; thence North 09°41'26" West, 2519.65 feet; thence North 75°50'03" East, 94.44 feet to the POINT OF BEGINNING; thence continue North 75°50'03" E, 263.19 feet to a point on a curve concave to the West having a radius of 180.00 feet; thence Northerly along the arc of said curve through a central angle of 42°27'42", an arc distance of 133.40 feet, a chord bearing of North 10°46'46" West, a chord distance of 130.37 feet to the Point of Tangency of said curve; thence North 32°00'37" West, 323.72 feet to the Point of Curvature of a curve concave to the Southwest having a radius of 200.00 feet; thence Northwesterly along the arc of said curve through a central angle of 32°49'18", an arc distance of 114.57 feet, a chord bearing of North 48°25'16" West, a chord distance of 113.01 feet to the Point of Tangency of said curve; thence North 64°49'55" West, 407.62 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 450.00 feet; thence Northwesterly along the arc of said curve through a central angle of 30°36'13", an arc distance of 240.36 feet, a chord bearing of North 49°31'49" West, a chord distance of 237.51 feet to the Point of Tangency of said curve; thence North 34°13'42" West, 258.21 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 565.00 feet; thence Northerly along the arc of said curve through a central angle of 25°00'29", an arc distance of 246.61 feet, a chord bearing of North 21°43'28" West, a chord distance of 244.65 feet to the Point of Tangency of said curve; thence North 90°00'00" West, 2349.80 feet; thence South 00°00'00" West, 1472.18 feet; thence South 87°02'04" East, 441.10 feet; thence North 61°22'02" East, 233.78 feet; thence North 88°46'33" East, 426.52 feet; thence South 59°04'39" East, 218.53 feet; thence South 63°39'48" East, 428.66 feet; thence South 80°21'00" East, 138.64 feet; thence North 69°51'27" East, 1061.11 feet to the Point of Curvature of a curve concave to the South having a radius of 500.00 feet; thence Northeasterly along the arc of said curve through a central angle of 22°01'07", an arc distance of 192.15 feet, a chord bearing of North 80°52'00" East, a chord distance of 190.97 feet to a Point of Tangency of said curve; thence South 88°07'27" East, 195.44 feet to the POINT OF BEGINNING.

TOGETHER WITH A parcel of land lying in Section 26, Township 26 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 26, thence coincident with the South boundary of said Section 26, N 89°38'26" E, a distance of 2773.42 feet; thence departing said South boundary, N 00°00'00" W, a distance of 1616.31 feet to the POINT OF BEGINNING.; thence N 00°00'00" W, a distance of 227.02 feet; thence S 90°00'00" E, a distance of 121.44 feet; thence N 00°00'00" W, a distance of 531.05 feet; thence S 87°02'04" E, a distance of 441.10 feet; thence S 11°31'06" W, a distance of 389.72 feet; thence S 65°54'40" W, a distance of 220.28 feet; thence S 24°05'20" E, a distance of 125.00 feet; thence S 65°54'40" W, a distance of 365.91 feet to the POINT OF BEGINNING.

AND TOGETHER WITH a parcel of land lying in Section 26, Township 26 South, Range 27 East, Polk County, Florida being more particularly described as follows:

Commence at the Southwest corner of said Section 26, thence coincident with the South boundary of said Section 26, N 89°38'26" E, a distance of 2613.35 feet; thence departing said South boundary, N 00°21'34" W, a distance of 1162.44 feet to the POINT OF BEGINNING; thence N 24°05'20" W, a distance of 40.05 feet; thence N 65°54'40" E, a distance of 104.31 feet; thence N 24°05'20" W, a distance of 306.82 feet; thence N 65°54'40" E, a distance of 600.00 feet; thence N 24°05'20" W, a distance of 125.00 feet; thence N 65°54'40" E, a distance of 625.00 feet; thence S 24°05'20" E, a distance of 455.07 feet; thence S 65°56'33" W, a distance of 1072.64 feet to a point of curvature of a tangent curve concave Southeasterly having a radius of 700.00 feet, a central angle of 09°24'46" and being subtended by a chord bearing S 61°14'10" W for a distance of 114.87 feet; thence along the arc of said curve 115.00 feet to a point of reverse curvature, said curve being concave Northwesterly having a radius of 600.00 feet, a central angle of 09°22'53" and being subtended by a chord bearing S 61°13'14" W for a distance of 98.13 feet; thence along the arc of said curve 98.24 feet; thence S 65°54'40" W, a distance of 44.38 feet to the POINT OF BEGINNING.

PARCEL 10:

The Northwest 1/4 of the Northeast 1/4 of Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying West of the Westerly right of way of State Road 600 (U.S. Highway 17-92), Polk County, Florida.

LESS AND EXCEPT that portion taken by Polk County, a political subdivision of the State of Florida, by virtue of the Order of Taking recorded September 9, 2014 in Official Records Book 9334, Page 383, of the Public Records of Polk County, Florida, being more particularly described as follows:

Parcel 307: A portion of Section 26, Township 26 South, Range 27 East, Polk County, Florida, lying Southeasterly of C.S.X. Transportation Railroad right of way and Northwesterly of State Road 600 (U.S. 17/92) right of way, being described as follows:

Commence at the North 1/4 corner of said Section 26, thence S 00°08'24" E along the West line of the Northeast 1/4 of said Section 26, a distance of 630.46 feet to the POINT OF BEGINNING; thence N 28°24'08" E, a distance of 261.14 feet; thence S 61°35'52" E, a distance of 17.00 feet to a Point on the Westerly right of way line of State Road 600 (U.S. Highway 17 & 92), per Florida Department of Transportation Section 1605-PROJ-94; thence S 28°24'08" W, along said right of way line, a distance of 292.40 feet; thence leaving said right of way line, N 00°08'24" W, a distance of 35.58 feet to the POINT OF BEGINNING.

PARCEL 11:

Commence at the Southwest corner of Section 26, Township 26 South, Range 27 East, Polk County, Florida, thence run East 217.98 feet to a point on the Easterly right of way line of U.S. Highway 17-92; thence run North 28°24'09" East, along said Easterly right of way line, 3338.76 feet to the POINT OF BEGINNING; thence continue North 28°24'09" East, along said Easterly right of way line, 1053.02 feet; thence run East 588.65 feet; thence run South 1434.83 feet; thence run North 41°17'02" West,

479.59 feet; thence run North 67°04'26" West, 291.42 feet; thence run North 86°04'20" West, 505.89 feet to the POINT OF BEGINNING.

PARCEL 12:

That part of the East 1/2 of Section 27, Township 26 South, Range 27 East, Polk County Florida, lying East of the Old Dixie Highway (State Road #547), LESS AND EXCEPT the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of said section, AND LESS AND EXCEPT any portion thereof lying East of the West boundary line of the CSX railroad right of way.

AND LESS AND EXCEPT that portion conveyed to Rinker Materials Corporation, a Florida corporation by virtue of the Warranty Deed recorded November 5, 1998 in Official Records Book 4126, Page 1333, of the Public Records of Polk County, Florida, being more particularly described as follows:

TRACT NO. 1: All that portion of the following described property lying within Section 27, Township 26 South, Range 27 East, Polk County, Florida:

Commence at the Southeast corner of Section 27, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°56'44" West along the South boundary of said Section 27, 326.17 feet to a point on the Northerly right-of-way of Lem Carnes Road, having a right-of way of 50.00 feet, and the POINT OF BEGINNING; run thence South 71°45'42" East along said right-of-way, 384.44 feet to a point on the Westerly right-of-way of U.S. Highway 17-92 having a right-of-way of 100.00 feet; thence North 28°24'09" East along said right-of-way, 1239.67 feet; thence leaving said right-of-way and running North 63°29'42" West, 1156.58 feet to a point on the Easterly right-of-way of the CSX Railroad; thence South 24°33'39" West along said right-of-way, 1607.78 feet to a point on the Northerly right-of-way of said Lem Carnes Road; thence leaving said railroad right-of-way and running along Lem Carnes Road, North 89°56'44" East, 673.82 feet; thence South 71°45'42" East along Lem Carnes Road, 79.65 feet to the POINT OF BEGINNING.

TRACT NO. 2: Commence at the Southeast corner of Section 27, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°56'44" West, along the South boundary of said Section 27, 326.17 feet to a point on the Northerly right-of-way of Lem Carnes Road, having a 50.00 foot right-of-way; thence North 71°45'42" West, along said right-of-way, 79.65 feet; thence continue along said right-of-way South 89°56'44" West, 783.82 feet to a point on the Westerly right-of-way of the CSX Railroad, having a 100 foot right-of-way, and the POINT OF BEGINNING; thence continue South 89°56'44" West along the North right-of-way of Lem Carnes Road, 492.24 feet to a point on the Easterly right-of-way of County Road 547, having a 40 foot to a 50 foot right-of-way; thence along said right-of-way the following courses and distances: North 08°06'18" East, 106.52 feet; North 10°55'44" East, 100.00 feet; North 11°43'52" East, 100.01 feet; North 11°02'37" East, 100.00 feet; North 12°04'29" East, 100.02 feet; North 10°31'40" East, 100.00 feet; North 10°35'07" East, 100.00 feet; North 11°06'03" East, 100.00 feet; North 10°24'48" East, 100.01 feet; North 11°40'26" East, 100.01 feet; North 09°50'26" East, 100.02 feet; North 10°31'40" East, 100.00 feet; North 11°02'37" East, 100.00 feet; North 11°16'22" East 100.00 feet; North 10°55'44" East, 100.00 feet; North 11°02'37" East, 87.82 feet; thence leaving said right-of-way and running South 83°56'34" East, 872.09 feet to a point on the Westerly right-of-way of the CSX Railroad; thence South 24°33'39" West along said right-of-way, 1620.13 feet to the POINT OF BEGINNING.

PARCEL 13:

Commence at the Southeast corner of Section 27, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°56'44" West, along the South boundary of said Section 27, 326.17 feet to a point on the Northerly right-of-way of Lem Carnes Road, having a 50.00 foot right-of-way; thence North 71°45'42" West, along said right-of-way, 79.65 feet; thence continue along said right-of-way South 89°56'44" West, 783.82 feet to a point on the Westerly right-of-way of the CSX Railroad, having a 100 foot right-of-way, and the POINT OF BEGINNING; thence continue South 89°56'44" West along the North right-of-way of Lem Carnes Road, 492.24 feet to a point on the Easterly right-of-way of County Road 547, having a 40 foot to a 50 foot right-of-way; thence along said right-of-way the following courses and distances: North 08°06'18" East, 106.52 feet; North 10°55'44" East, 100.00 feet; North 11°43'52" East, 100.01 feet; North 11°02'37" East, 100.00 feet; North 12°04'29" East, 100.02 feet; North 10°31'40" East, 100.00 feet; North 10°35'07" East, 100.00 feet; North 11°06'03" East, 100.00 feet; North 10°24'48" East, 100.01 feet; North 11°40'26" East, 100.01 feet; North 09°50'26" East, 100.02 feet; North 10°31'40" East, 100.00 feet; North 11°02'37" East, 100.00 feet; North 11°16'22" East 100.00 feet; North 10°55'44" East, 100.00 feet; North 11°02'37" East, 87.82 feet; thence leaving said right-of-way and running South 83°56'34" East, 872.09 feet to a point on the Westerly right-of-way of the CSX Railroad; thence South 24°33'39" West along said right-of-way, 1620.13 feet to the POINT OF BEGINNING.

PARCEL 14:

That part of the East 1/2 of Section 27, Township 26 South, Range 27 East, Polk County Florida, lying East of the CSX railroad right of way, LESS AND EXCEPT the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of said section.

AND LESS AND EXCEPT that portion conveyed to Rinker Materials Corporation, a Florida corporation by virtue of the Warranty Deed recorded November 5, 1998 in Official Records Book 4126, Page 1333, of the Public Records of Polk County, Florida, being more particularly described as follows:

TRACT NO. 1: All that portion of the following described property lying within Section 27, Township 26 South, Range 27 East, Polk County, Florida:

Commence at the Southeast corner of Section 27, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°56'44" West along the South boundary of said Section 27, 326.17 feet to a point on the Northerly right-of-way of Lem Carnes Road, having a right-of way of 50.00 feet, and the POINT OF BEGINNING; run thence South 71°45'42" East along said right-of-way, 384.44 feet to a point on the Westerly right-of-way of U.S. Highway 17-92 having a right-of-way of 100.00 feet; thence North 28°24'09" East along said right-of-way, 1239.67 feet; thence leaving said right-of-way and running North 63°29'42" West, 1156.58 feet to a point on the Easterly right-of-way of the CSX Railroad; thence South 24°33'39" West along said right-of-way, 1607.78 feet to a point on the Northerly right-of-way of said Lem Carnes Road; thence leaving said railroad right-of-way and running along Lem Carnes Road, North 89°56'44" East, 673.82 feet; thence South 71°45'42" East along Lem Carnes Road, 79.65 feet to the POINT OF BEGINNING.

AND LESS AND EXCEPT Lem Carnes Road right-of-way.

PARCEL 15:

The South 1/2 of the Northeast 1/4 and the South 1/2 of the Section 36, Township 26 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT the Northeast 1/4 of the Southeast 1/4 thereof.

TOGETHER WITH the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 36, Township 26 South, Range 27 East, Polk County, Florida.

TOGETHER WITH the South 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 36, Township 26 South, Range 27 East, Polk County, Florida.

TOGETHER WITH the North 1/4 of Section 36, Township 26 South, Range 27 East, Polk County, Florida.

LESS AND EXCEPT from the above parcels that portion conveyed to Rinker Materials Corporation, a Florida corporation by virtue of the Warranty Deed recorded November 5, 1998 in Official Records Book 4126, Page 1325, of the Public Records of Polk County, Florida, being more particularly described as follows:

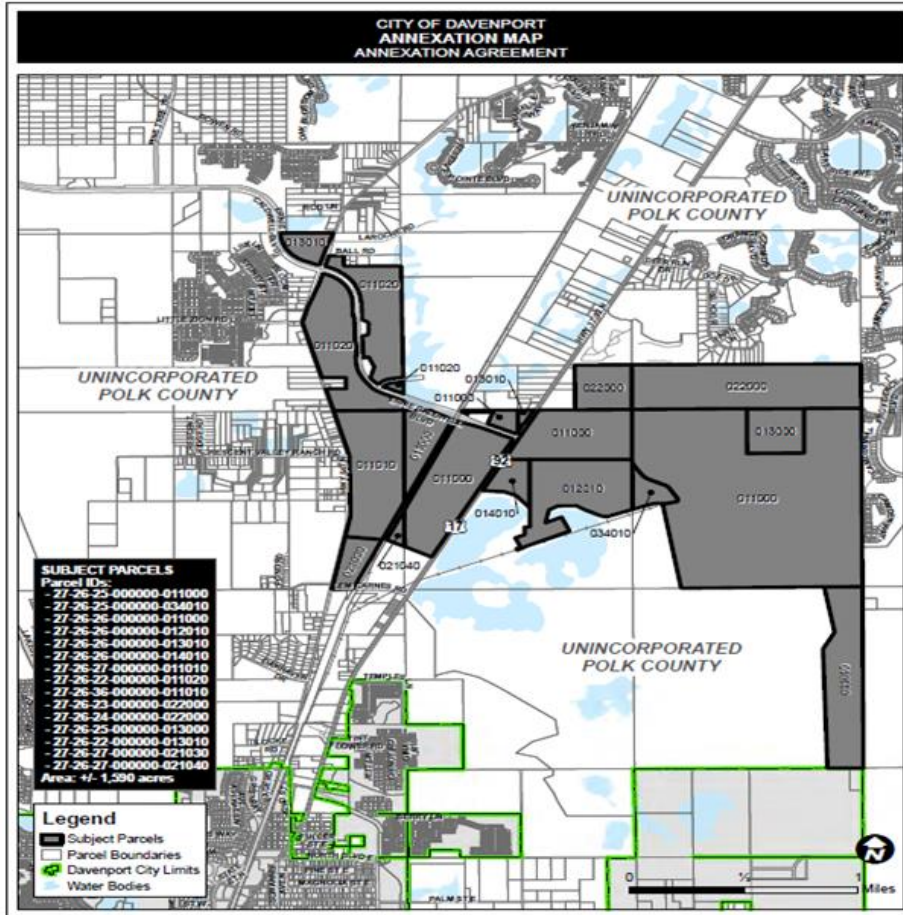
All that portion of the following described property lying within Section 36, Township 26 South, Range 27 East, Polk County, Florida:

Commence at the Southeast corner of Section 36, Township 26 South, Range 27 East, Polk County, Florida, run thence South 89°43'57" West along the South boundary of said Section 36, 850.40 feet to the POINT OF BEGINNING; run thence North 01°41'07" West, 3518.83 feet; thence North 27°41'50" East, 596.59 feet; thence North 10°35'10" West, 1355.39 feet to a point on the North boundary of said Section 36; thence South 89°17'44" West along said North boundary, 3306.36 feet; thence North 09°41'26" West, 2519.65 feet; thence North 75°50'03" East, 357.63 feet to a point on a curve concave to the West having a radius of 180.00 feet; thence Northerly along the arc of said curve through a central angle of 42°27'42", an arc distance of 133.40 feet, a chord bearing of North 10°46'46" West a chord distance of 130.37 feet to the Point of Tangency of said curve; thence North 32°00'37" West, 323.72 feet to the Point of Curvature of a curve concave to the Southwest having a radius of 200.00 feet; thence Northwesterly along the arc of said curve through a central angle of 32°49'18", an arc distance of 114.57 feet, a chord bearing of North 48°25'16" West a chord distance of 113.01 feet to the Point of Tangency of said curve; thence North 64°49'55" West, 407.62 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 450.00 feet; thence Northwesterly along the arc of said curve through a central angle of 30°36'13", an arc distance of 240.36 feet, a chord bearing of North 49°31'49" West a chord distance of 237.51 feet to the Point of Tangency of said curve; thence North 34°13'42" West, 258.21 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 565.00 feet; thence Northerly along the arc of said curve through a central angle of 25°00'29", an arc distance of 246.61 feet, a chord bearing of North 21°43'28" West a chord distance of 244.65 feet to the Point of Tangency of said curve; thence North 90°00'00" West, 2349.80 feet; thence South 00°00'00" West, 1434.83 feet; thence North 41°17'02" West, 479.59 feet; thence North 67°04'26" West, 291.42 feet; thence North 86°04'20" West, 505.89 feet to a point on the Easterly right-of-way of U.S. Highway 17-92; thence South 28°24'09" West

along said right-of-way, 3665.70 feet; thence leaving said right-of-way and running South 35°08'08" East, 1111.18 feet; thence South 00°00'00" West, 1409.63 feet to a point on a wetland line as marked by others; thence along said wetland line the following courses and distances: North 37°17'04" East, 110.04 feet; North 73°23'26" East, 395.16 feet; South 71°53'31" East, 583.13 feet; South 58°15'05" East, 288.39 feet; South 56°37'27" East, 312.84 feet; South 53°34'49" East, 207.91 feet; South 53°31'22" East, 1382.11 feet; South 07°52'25" East, 430.78 feet; South 69°27'23" West, 636.14 feet; South 47°53'22" West, 506.39 feet; South 76°08'18" East, 475.37 feet; South 45°09'04" East 562.02 feet; South 01°05'45" West, 149.25 feet; South 66°10'21" West, 236.48 feet; South 28°33'44" East, 474.96 feet; South 20°09'12" East, 259.65 feet; South 25°44'58" East, 495.23 feet; thence leaving said wetland line and running North 90°00'00" East, 1588.02 feet to a point on the East boundary of Section 2, Township 27 South, Range 27 East; thence North 00°58'46" West along said boundary, 1395.31 feet to the Northeast corner of said Section, also being the Southwest corner of said Section 36; thence North 89°43'57" East, 4459.11 feet to the POINT OF BEGINNING.

EXHIBIT "B"

Location Map





Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Davenport's website by the time notice of the proposed ordinance is published.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA; VOLUNTARILY ANNEXING STANDARD SAND INTO THE CITY PURSUANT TO SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR FINDINGS, PUBLICATION OF NOTICE, & DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE WITH THE CIRCUIT COURT CLERK, THE CHIEF ADMINISTRATIVE OFFICER OF POLK COUNTY, & THE STATE; PROVIDING A BUSINESS IMPACT ESTIMATE, CONFLICTS, SEVERABILITY, & AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Davenport is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Davenport is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

¹ See Section 166.041(4)(c), Florida Statutes.

- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Davenport hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This proposed ordinance will provide City services for the applicant and will expand the City boundaries, thus serving the public health safety, morals and welfare.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Davenport, if any:
- (a) An estimate of direct compliance costs that businesses may reasonably incur;
 - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
 - (c) An estimate of the City of Davenport's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

Annexation does not lessen or remove any private resident or commercial business. Thus, it is estimated that neither residents nor any business will incur additional costs. The city does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: *Zero (0)*

4. Additional information the governing body deems useful (if any):

City of Davenport staff solicited comments from businesses and residents in the City of Davenport as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City of Davenport's website, public workshop, etc. The proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect residents or businesses.