

POLK REGIONAL WATER COOPERATIVE

Resolution 2025-31

**PARCEL RESOLUTION OF NECESSITY AMENDING PARCEL RESOLUTION 2024-29
TO ACQUIRE CERTAIN SPECIFIED PARCELS TO IMPLEMENT
THE SOUTHEAST LOWER FLORIDAN AQUIFER WATER PRODUCTION FACILITY AND
SOUTHEAST TRANSMISSION LINE PROJECTS**

The Polk Regional Water Cooperative ("Cooperative"), created pursuant to Section 373.713, Florida Statutes, and an Interlocal Agreement pursuant to Section 163.01, Florida Statutes, in lawful session and in regular order of business properly presented, finds that:

WHEREAS, the Cooperative as an independent special district created pursuant to Chapter 189, Section 373.713, Florida Statutes and an Interlocal Agreement entered into on June 1, 2016 pursuant to Section 163.01, Florida Statutes by Polk County and 15 municipalities within Polk County (the "Interlocal Agreement") for the purpose of developing AWS projects to meet the future potable water needs of the citizens of Polk County; and

WHEREAS, the Interlocal Agreement was approved by a Final Order of the Secretary of the Florida Department of Environmental Protection on September 26, 2023, pursuant to Section 373.713(1), Florida Statutes; and

WHEREAS, in April 2021, the Cooperative and 15 of its member governments entered into the Implementation Agreement for the Southeast Wellfield, which obligates the Cooperative to construct and operate the Southeast Wellfield Project to supply the participating member governments 15.15 million gallons a day of potable water by 2045 (the "Implementation Agreement"); and

WHEREAS, the Southeast Wellfield Project consists of the Southeast Lower Floridan Aquifer Water Production Facility ("SELFA WPF") and the Southeast Transmission Main ("SETM"); and

WHEREAS, the Cooperative is in the process of constructing the first phase of the SELFA WPF, which consists of a 5 raw water wells, approximately 10 miles of raw water transmission line and a water treatment plant capable of producing 7.5 million gallons a day of high quality potable water and the SETM, which consists of approximately 61 miles of water transmission pipeline to deliver the finished water from the water treatment plant to the project participants for use in their water service areas; and

WHEREAS, pursuant to Cooperative Resolution 2023-06, as modified by Cooperative Resolutions 2024-34 and 2025-05, the Cooperative Board designated the SELFA WPF and SETM Projects as approved projects pursuant to the Interlocal Agreement and the Implementation Agreement; and

WHEREAS, pursuant to Cooperative Resolution 2023-06, as modified by Cooperative Resolutions 2024-34 and 2025-05, the Cooperative Board approved the construction of the SEFLA WPF raw water transmission line as depicted in said resolution and the SETM finished water pipeline as depicted in said resolution as necessary, practical and in the best interest of the Cooperative and its member governments and that the acquisition of such property and property rights are needed for such construction is necessary for the performance of its duties and for the construction, reconstruction and maintenance of said facilities for the use of the general public; and that the Cooperative is authorized to make such acquisition by gift, purchase or condemnation.

WHEREAS, the Cooperative has been granted the power of eminent domain pursuant to the Interlocal Agreement and Section 163.01(7)(f) and 373.713(2)(e), Florida Statutes for the condemnation of private property interest for public use, and to acquire any interest in such real property as is necessary for the purpose of carrying out the Interlocal Agreement; and

WHEREAS, before exercising the power of eminent domain the Cooperative Board of Directors is required to adopt a resolution authorizing the acquisition of property for any purpose set forth in the Interlocal Agreement for the Cooperative's purpose or use subject to limitations set forth in Sections 73.013 and 73.014, Florida Statutes; and

WHEREAS, the Cooperative has bifurcated its eminent domain resolution into two separate resolutions; the Project Resolution, authorizing acquisition of property and property rights for the SELFA WPF raw water transmission line and SETM finished water pipeline projects, and the Parcel Resolution, authorizing the parcel acquisition and identifying the specific property and property rights to be acquired for the projects; and

WHEREAS, this Resolution constitutes a Parcel Resolution for the Southeast Wellfield Project; and

WHEREAS, the Cooperative has determined the need to acquire non-exclusive permanent easements and non-exclusive temporary construction easement for construction of the Southeast Wellfield Project on certain lands located in Polk County, Florida, as more fully described in Exhibits "A" and "C" of Cooperative Resolution 2024-29, the nature, term and duration of the permanent easement as set forth in Exhibit "B" and the nature, terms and duration of the nonexclusive temporary construction easement as set forth in Exhibit "D" of Cooperative Resolution 2024-29; and

WHEREAS, the Cooperative desires to amend Cooperative Resolution 2024-29 to replace the sketch and legal description for Parcel 10013-TCE-A with the sketch and legal description attached hereto as **Exhibit "A."**

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The forgoing findings are incorporated herein by reference and made a part hereof.

Section 2. That after consideration of the factors described in the foregoing recitals, the sketch and legal description for Parcel 10013-TCE-A in **Exhibit "A"** attached hereto shall henceforth replace the sketch and legal description for Parcel 10013-TCE-A contained in Exhibit "C" to Cooperative Resolution 2024-29.

Section 3. That after consideration of the factors described in the foregoing recitals, the description of the property and interests described as Parcels (4074-PE), (4074-TCE), (10002-PE), (10002-TCE-A), (10002-TCE-B), (10013-PE), (10013-TCE-B), (10015-PE) and (10015-TCE) in Exhibits "A," and "C" of Cooperative Resolution 2024-29 and Parcel (10013-TCE-A) in **Exhibit "A"** hereto are ratified and confirmed and found to be reasonably necessary for the Cooperative's public purpose in constructing the Southeast Wellfield Project.

Section 4. That the Cooperative, its officers, employees, contractors and attorneys are hereby authorized and directed to acquire by negotiation, contract or legal proceedings, including eminent domain proceedings pursuant to Chapters 73 and 74, Florida Statutes, as may be necessary to acquire permanent and temporary construction easements in certain lands located in Polk County, Florida described in Exhibits "A," and "C" of Cooperative Resolution 2024-29 and in **Exhibit "A"** hereto.

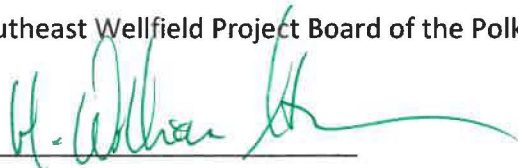
Section 5. That the proper offices of the Cooperative are hereby authorized to do all things necessary and proper under the applicable provisions of Chapters 73, 74 and 163, Florida Statutes and the Interlocal Agreement and Implementation Agreements.


Section 6. That this Resolution shall take effect immediately upon its adoption.

Section 7. That if any phrase, portion or part of this Resolution is found to be invalid or unconstitutional by a court of competent jurisdiction, such phrase, portion or part shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remainder of the Resolution.

DONE at Auburndale, Florida this 17th day of September, 2025

Southeast Wellfield Project Board of the Polk Regional Water Cooperative:


Chair


~~Secretary/Treasurer~~
EXECUTIVE DIRECTOR

Approved as to Form:

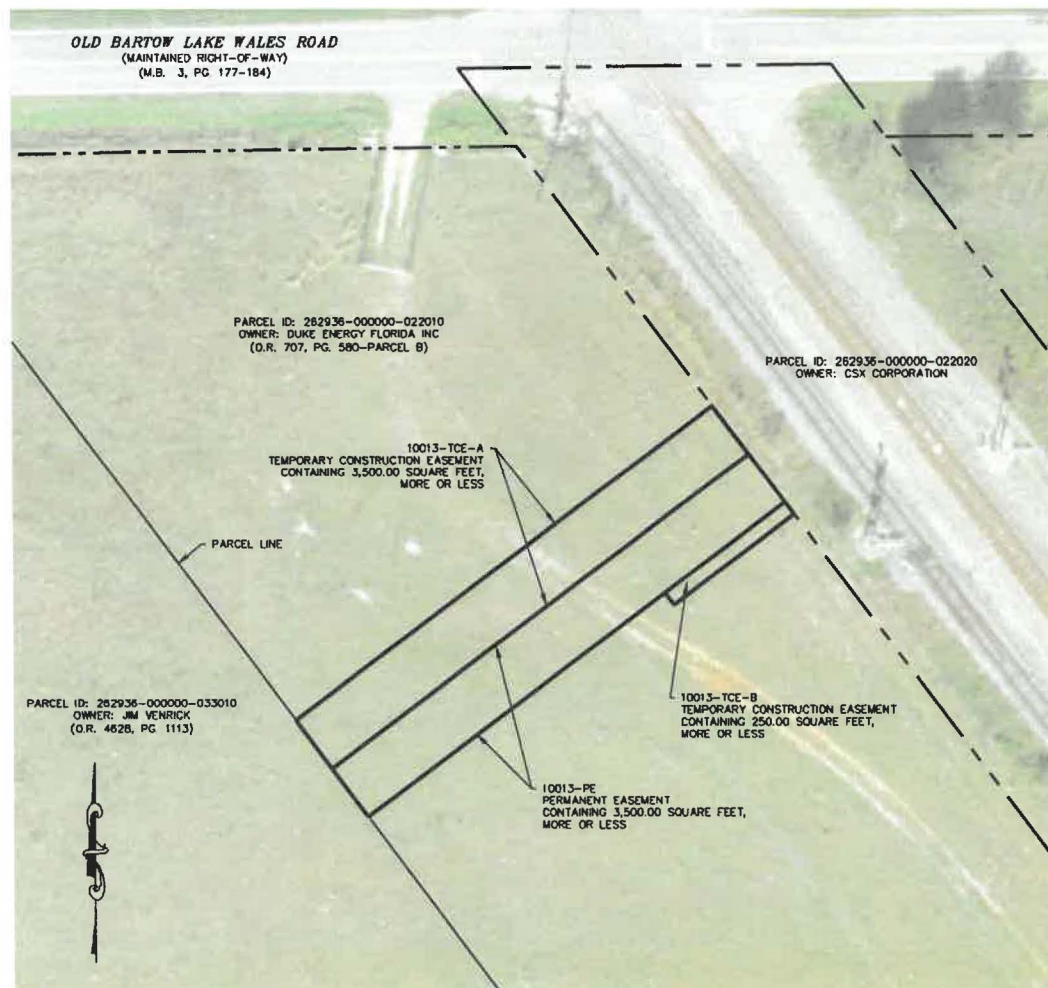

Edward P. de la Parte
Legal Counsel

EXHIBIT A

Nonexclusive Temporary Construction Easement Legal Description

[See Attached 2 Pages]

EXHIBIT

[illegible]

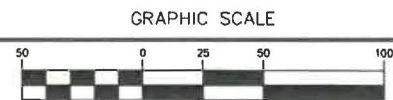
CHASTAIN-SKILLMAN
205 EAST ORANGE STREET
SUITE #110
LAKELAND, FL 33801-4811
(863) 648-1402

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PRWC

DUKE ENERGY EXHIBIT



(IN FEET)
1 inch = 50 feet

		CS PROJECT NUMBER: 8825.03
FIELD BY:	PARCEL NUMBER: 10013	
DATE 01/15/2025		
FIELD BOOK & PAGE N/A	SHEET NUMBER: V-01	

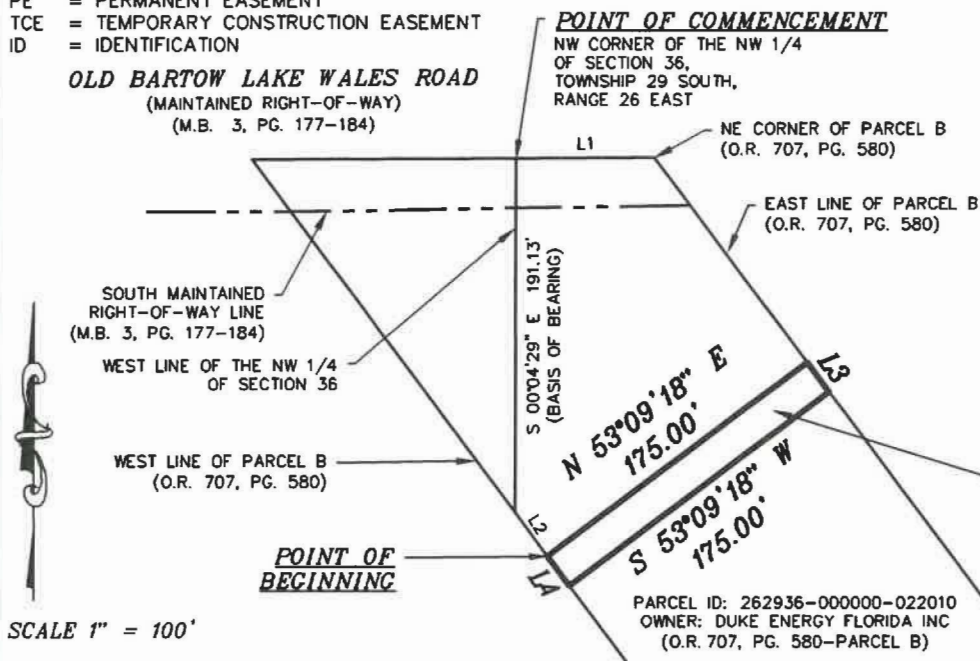
LEGEND:

P.B. = PLAT BOOK
PG. = PAGE
O.R. = OFFICIAL RECORDS BOOK
M.B. = MAP BOOK
PE = PERMANENT EASEMENT
TCE = TEMPORARY CONSTRUCTION EASEMENT
ID = IDENTIFICATION

OLD BARTOW LAKE WALES ROAD
(MAINTAINED RIGHT-OF-WAY)
(M.B. 3, PG. 177-184)

DESCRIPTION AND SKETCH**10013-TCE-A****NOTES:**

- 1) This is not a Boundary survey.
- 2) Bearings are based on the West line of the Northwest 1/4 of Section 36, Township 29 South, Range 26 East, Polk County, Florida, being South 00°04'29" East.



LINE TABLE		
LINE #	BEARING	LENGTH
L1	S 89°35'38" W	75.32'
L2	S 36°50'42" E	30.00'
L3	S 36°50'42" E	20.00'
L4	N 36°50'42" W	20.00'

SUBJECT PARCEL
10013-TCE-A
CONTAINING 3,500.00 SQUARE FEET,
MORE OR LESS

PARCEL ID: 262936-000000-022010
OWNER: DUKE ENERGY FLORIDA INC
(O.R. 707, PG. 580-PARCEL B)

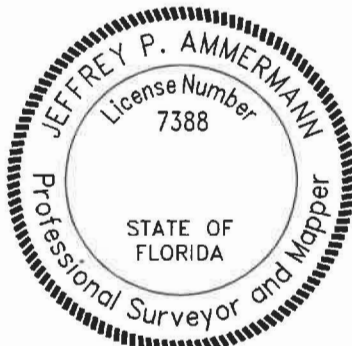
DESCRIPTION:

A parcel of land being a portion of Parcel "B" as described in Official Records Book 707, Pages 580 through 583, Public Records of Polk County, Florida, located in Section 36, Township 29 South, Range 26 East, being more particularly described as follows:

COMMENCE at the Northwest corner of the Northwest 1/4 of said Section 36 said point lying South 89°35'38" West, 75.32 feet from the Northeast corner of said Parcel "B"; thence South 00°04'29" East, along the West line of the Northwest 1/4 of said Section 36, a distance of 191.13 feet; thence South 36°50'42" East, along the West line of said Parcel "B", 30.00 feet to the POINT OF BEGINNING; thence North 53°09'18" East, 175.00 feet to the East line of said Parcel "B"; thence South 36°50'42" East, along said East line, 20.00 feet; thence South 53°09'18" West, 175.00 feet to the West line of said Parcel "B"; thence North 36°50'42" West, along said West line, 20.00 feet to the POINT OF BEGINNING. Said parcel containing 3,500.00 square feet, more or less.

CERTIFICATION:

I hereby certify that this Description with Sketch was made under my direction and was made in accordance with Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



**Jeffrey P
Ammermann**

Digitally signed by
Jeffrey P Ammermann

Date: 2025.01.16

10:46:22 -05'00'

JEFFREY P. AMMERMAN, P.S.M.
FLORIDA REGISTRATION PSM 7388
JAMMERMAN@CHASTAINSKILLMAN.COM
THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE
SURVEYOR ON THE DATE ADJACENT TO SEAL. ANY SIGNATURE MUST BE
VERIFIED ON ANY ELECTRONIC COPIES. PRINTED COPIES OF THIS DOCUMENT
ARE NOT CONSIDERED VALID WITHOUT A RAISED SEAL.

SHEET 1 OF 1**CS PROJECT: 8825.03****10013-TCE-A****SHEET NO. V-01**

PREPARED BY: CHASTAIN-SKILLMAN, LLC. - 205 EAST ORANGE STREET SUITE #110
LAKELAND, FLORIDA 33801 - (863) 646-1402 - LB 262

DRAWN BY: S. CHILDS**FIELD BOOK: — PAGE: —****DATE: 01/16/2025**