



**TOWN OF LAKE HAMILTON
TOWN COUNCIL
REGULAR MEETING AGENDA
TUESDAY, JUNE 6, 2023
6:00 P.M.**

The Town Council of the Town of Lake Hamilton will hold a Regular Council Meeting on Tuesday, June 6, 2023, at 6:00 PM at the Town Hall, 100 Smith Ave, Lake Hamilton, FL 33851.

- 1. CALL TO ORDER BY THE MAYOR**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL OF COUNCIL MEMBERS BY THE CLERK**
- 5. SCHEDULED PRESENTATIONS**
- 6. CONSENT AGENDA**
 - a. May 2, 2023, Regular Meeting Minutes- *pages 1-5*
 - b. May 23, 2023, Special Meeting Minutes- *pages 6-7*
- 7. RECOGNITION OF CITIZENS (Non-Agenda Items)**
- 8. OLD BUSINESS-**
 - a. Future Planning Items/Update/Action on WUP/AWS/WW/PRWC- *no pages*
 - b. Restated Resolution R-2023-08 SRF Loan Application for Project No. WW531654- *pages 8-10*
 - c. Clarification of Town Administrator Candidates to be Interviewed- *no pages*
- 9. NEW BUSINESS-**
 - a. Resolution R-2023-11 Scenic Terrace South Phase 3 Plat Approvals- *pages 11-16*
 - Open Public Hearing
 - b. Ordinance O-23-06 Hamilton Bluff Proposed Boundary Amendment- *pages 17-25*
 - Close Public Hearing
- 10. STAFF REPORTS**
 - a. Interim Town Administrator- *no pages*
 - b. Town Clerk- *pages 26*
 - c. Police Department- *no pages*
 - d. Code Enforcement- *pages 27-28*
 - e. Community Development- *pages 29*
 - f. Public Works- *pages 30*
- 11. ATTORNEY COMMENTS**
- 12. COUNCIL MEMBERS COMMENTS**
- 13. ADJOURNMENT**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND F. S. 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS PLEASE CONTACT TOWN CLERK, BRITTNEY SANDOVAL SOTO, TOWN HALL, LAKE HAMILTON, FL AT 863-439-1910 WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTIFICATION. IF A PERSON DESIRES TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE WHICH THE APPEALS IS TO BE BASED. (F.S. 286.26.105)

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, MAY 2, 2023
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday May 2, 2023, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 6:00 p.m.

INVOCATION

Invocation was given by Cora Roberson.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all.

ROLL CALL

Roberson, Tomlinson, Slavens, Wagner, and Mayor Kehoe were present. Interim Town Administrator Teague, Assistant Town Clerk Garcia and Attorney Maxwell were present.

SCHEDULED PRESENTATIONS

Swear in Council Seat 1, Cora Perry Roberson.

Assistant Clerk Garcia swore in Cora Perry Roberson, Council Seat 1.

Swear in Council Seat 3, Patrick Slavens.

Assistant Clerk Garcia swore in Patrick Slavens, Council Seat 3.

Mike Brynjulfson, CPA, Summary of Financial Indicators-

The Annual financial report was presented by Mike Brynjulfson.

CONSENT AGENDA

Motion made by Wagner and a second by Tomlinson to approve consent agenda items a, b, c, d, and e. No public comments were received. **Motion Passed 5-0.**

RECOGNITION OF CITIZENS

There were no citizens signed in to speak.

OLD BUSINESS

Future Planning Items Update/Action on WUP/AWS/WW/PRWC

Interim Town Administrator Teague gave an update and noted that the septic to sewer project is on schedule and is close to completion. Teague also noted that the sewer plant will not be sufficient for the long term needs of the town, however the water permit allows for plenty of water so that will not cause any issue.

Pennoni Agreement Phase 2 Wastewater Treatment Facility Design

Steve Elias gave an overview of the design and requested that the council approve the agreement and they will apply for funding in November 2023. Interim Town Administrator Teague noted the Town will take ownership of the sewer line on Main Street that Dundee currently services. The town will also need to purchase right of way. Mayor Kehoe questioned how the fee will be paid. Steve noted that we cannot currently apply for another grant until the previous grant is completed, so the fee will be paid from impact fee funds. Mayor Kehoe noted that this can possibly be budgeted for next year. Interim Town Administrator Teague noted we can possibly do a budget amendment if we receive additional funds.

Motion Made by Roberson and a second by Wagner to approve Phase 2 Wastewater Treatment Facility Design. No public comments were received. A roll call vote was taken. Tomlinson aye, Slavens aye, Wagner aye, Roberson aye, Kehoe aye. **Motion passed 5-0.**

Amended Resolution R-2023-07 SRF Loan Application for Project No. DW53165

Interim Town Administrator Teague noted that this project is 50 % funded with grant money and 50% from a loan for a new water line and well and to upgrade the existing water plant.

Motion Made by Wagner and a second by Tomlinson to approve Resolution R-2023-07 SRF Loan Application for Project No. DW53165. No public comments were received. A roll call vote was taken. Slavens aye, Wagner aye, Roberson aye, Tomlinson aye, Kehoe aye.

Motion passed 5-0.

Resolution R-2023-08 SRF Loan Application for Project No. WW531654

Steve Elias from Pennoni noted that this has previously been approved through the septic to sewer project.

Motion Made by Roberson and a second by Wagner to approve Resolution R-2023-08 SRF Loan Application for Project No. WW531654. No public comments were received. A roll call vote was taken. Wagner aye, Roberson aye, Tomlinson aye, Slavens aye, Kehoe aye.

Motion passed 5-0.

Attorney Maxwell requests to move Resolution R-2023-09 Vacate a Portion of White Clay Pit Road to 9c.

Mayor Kehoe opened the Public Hearing at 6:36 P.M.

Second Reading of Ordinance O-23-04 Irrigation Meter Required

Attorney Maxwell read the title for the record.

An ordinance of the town council of the Town of Lake Hamilton, Polk County, Florida, an ordinance amending the Town of Lake Hamilton code of ordinances by adding section 32-8 (h) by providing updated guidelines for water used for irrigation for water and sewer utility services for water and sewer customers; providing for codification, conflicts, severability, the administrative correction of scrivener's errors; and providing an effective date.

Motion made by Roberson and a second by Tomlinson to approve on second reading, Ordinance O-23-04 to require irrigation meters. No public comments were received. A roll call vote was taken. Roberson aye, Tomlinson aye, Slavens aye, Wagner aye Kehoe aye. **Motion passed 5-0.**

Second Reading of Ordinance O-23-05 Scenic Terrace Proposed Boundary Amendment

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida amending ordinance O-21-19, which established the Scenic Terrace South community development district; providing for amendment to section 5 of the ordinance to change the geographical boundaries of the district pursuant to section 190.046, Florida statutes, by removing approximately 15.699 acres of land and adding approximately 30.182 acres of land thereto; providing for amendment to ordinance O-21-19, to further amend exhibit a of said ordinance to provide for a new metes and bounds legal description of the district; providing for the correction of a scrivener's error to exhibit a thereto; providing for all other terms and conditions to remain unchanged; providing for severability; and providing for an effective date.

Motion made by Wagner and a second by Roberson to approve on second reading, Ordinance O-23-05 for the Scenic Terrace proposed boundary amendment. No public comments were received. A roll call vote was taken. Tomlinson aye, Slavens aye, Wagner aye, Roberson aye Kehoe aye. **Motion passed 5-0.**

Mayor Kehoe closed the Public Hearing at 6:40 P.M.

New Business

Appoint Vice Mayor

Tomlinson nominates Roberson for Vice Mayor. Wagner nominates herself and requests one more year in the Vice Mayor position. Roberson seconds Tomlinson's nomination for herself. Slavens seconds to nominate Wagner. Attorney Maxwell advises a vote for the first motion of Roberson for Vice Mayor must be taken. A roll call vote was taken for the nomination of Roberson for Vice Mayor. Slavens nay, Wagner nay, Roberson aye, Tomlinson aye, Kehoe aye. **Motion passed 3-2.**

Resolution R-2023-10 Scenic Terrace South Phase 1 Plat Approval

Attorney Maxwell read the title for the record.

A resolution approving that certain plat entitled "Scenic Terrace South phase 1" for filing in accordance with chapter 177, Florida statutes; and establishing an effective date.

Interim Town Administrator Teague noted phase 2 has already been approved.

Motion Made by Roberson and a second by Slavens to approve Resolution R-2023-10 Scenic Terrace South Phase 1 Plat. No public comments were received. A roll call vote was taken. Wagner aye, Roberson aye, Tomlinson aye, Slavens aye, Kehoe aye. **Motion Passed 5-0.**

Resolution R-2023-09 Vacate a portion of White Clay Pit Road

Attorney Maxwell read the title for the record.

A resolution of the Town Council of the Town of Lake Hamilton, Florida, vacating a portion of White Clay Pit Road, a maintained right-of-way lying and situate within the corporate limits of the Town of Lake Hamilton, Polk County, Florida, as shown on Polk County maintenance map book 2, page 146, of the public records of Polk County, Florida; and providing an effective date. Mayor Kehoe noted that the vacation of right of way was approved by Town Council at the last meeting.

Motion Made by Roberson and a second by Tomlinson to approve Resolution R-2023-09 Vacate a portion of White Clay Pit Road. No public comments were received. A roll call vote

was taken. Roberson aye, Tomlinson aye, Slavens aye, Wagner aye, Kehoe aye. **Motion Passed 5-0.**

Consider Addendum No 2 for Task Order 7 with Chastain-Skillman

To amend modifications and additions to the plans that were not included in the submission dated June of 2022. Additional tasks include the resurfacing the balance of 2nd St., north 6th St. (1 block), Gates Ave. between 5th and 6th St., 5th St. alley stabilized, place 2nd St. in the project, last block of 6th St., Nelson, Omaha, and other streets not listed but discussed during the meeting with the Town of Lake Hamilton held on February 2nd, 2023.

Interim Town Administrator Teague gave an update about the repaving project and noted that Church Street will be paved from Gunter Street to Kokomo Road.

Motion Made by Roberson and a second by Slavens to approve Addendum No 2 for Task Order 7 with Chastain-Skillman to amend modifications and additions to the plans. No public comments were received. A roll call vote was taken. Tomlinson aye, Slavens aye, Wagner aye, Roberson aye, Kehoe aye. **Motion Passed 5-0.**

Approve the Water Impact Fee Study Agreement with Florida Rural Water

Interim Town Administrator Teague briefed the council on the impact fee study.

Motion Made by Roberson and a second by Tomlinson. No public comments were received. **Motion Passed 5-0**

Raftelis Wastewater Impact Fee Study

Interim Town Administrator Teague briefed the council on the impact fee study. Trevor from Raftelis gave a presentation on the impact fee study. Kehoe noted the fees are tied to the life of the mortgage. Rafetelis noted these fees are different from the tap fee and is based on the meter size, and it is better to be consistent with the water fees. Attorney Maxwell requested a Resolution be drafted for the approval of the Raftelis wastewater impact fee study.

Motion Made by Wagner and a second by Slavens to approve Raftelis wastewater impact fee study and directed Attorney Maxwell to draft a resolution. No public comments were received. **Motion Passed 5-0.**

Mayor Kehoe update regarding the Town Administrator Position

Mayor Kehoe recommends reposting the position until May 15th. Experience requirement reduced to five years minimum. **Motion Made** by Wagner and a second by Tomlinson to repost the Town Administrator position until May 15th. **Motion Passed 5-0.**

Wagner noted experience should be equally qualifying for applicants as education. Slavens noted experience is important and we need someone that is qualified. Mayor Kehoe would like to narrow the pool and only recommends Brittney and Chris out of the current applicants.

Motion Made by Roberson and a second by Slavens to approve reposting with the experience requirement reduced to five years with a minimum of a Bachelor's degree in public administration or business administration. **Motion Passed 5-0.** Mayor Kehoe will provide a packet of applicants and a 25 interview questions that will be used to interview all qualified applicants chosen.

Staff Reports-

Town Administrator- Interim Town Administrator Teague reminded Council about the upcoming July 2nd and the Back -to-school event. He suggests all vendors can make a donation to the Town for future events. Construction will begin soon for the repaving of the six lanes and additional lighting of Hwy 27 and the DOT will have their office next to the Puppy Boutique.

Town Clerk- Clerk's notes included in packet.

Police Department- Police Department notes included in packet.

Code Enforcement- included in packet. Attorney Maxwell noted that there is currently a market analysis in process for the property on Tangerine Street. Teague noted that there is a current permit, but the permit requires them to reside in the home. Roberson has concerns that there are even more dogs on the property.

Community development- Kirby noted that the FRDAP grant is currently being closed out.

Public Works- No comments.

COUNCIL COMMENTS:

Roberson introduced the treasure of the non-profit Northeast Revitalization Corporation, Ms. Cruz. Tomlinson asks about the drain issue on Bryant Ave. Kirby noted that the road is eroding from the drainage. Kehoe noted it is currently being worked on.

ADJOURNMENT:

Motion made by Wagner and second by Roberson to adjourn the regular at 8:01 PM. **Motion passed 5-0.**

ATTEST:

Michael Kehoe, Mayor

Brittney Sandoval Soto, Town Clerk

Michael Teague, Interim Town Administrator

**TOWN OF LAKE HAMILTON
MINUTES
SPECIAL MEETING
TUESDAY, MAY 23, 2023
5:00 PM**

The Town Council of Lake Hamilton held a Special Meeting on Tuesday, May 23, 2023, at 5:00 PM, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Vice Mayor Roberson called the meeting to order at 5:00 p.m.

INVOCATION

The invocation was given by Councilmember Slavens.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited by all.

ROLL CALL

Roberson, Slavens, Tomlinson, and Wagner were present. Clerk Sandoval Soto was present. Attorney Maxwell was present via virtual conference.

SPECIAL COUNCIL MEETING BUSINESS

Review and Discuss Town Administrator Applications-

Wagner arrived at 5:04pm

Vice Mayor Roberson noted that all councilmembers received copies of the 4 applicants received. The four applicants that were received are the applicants that will be reviewed. John Barkley from West Virginia was to be eliminated due to discrepancies in his application. Wagner questioned the veteran's preference that was requested, and the attorney noted she will gather information regarding the requirements. She noted they will still need to meet the minimum qualifications and just means they are entitled to an interview.

Motion made by Wagner and a second by Patrick to accept the three applicants for interviews: Steve Hunnicut, Brittney Sandoval Soto and Jeff Shoobridge.

No public comments were received. **Motion Passed 4-0.**

Review and Set Interview Dates and Times-

Vice Mayor Roberson recommends interviews be held on June 7th and to start at noon. There was discussion amongst the council regarding availability in their schedules to conduct interviews. June 16th was a mutual day that there was availability for everyone and gives flexibility to stagger interviews during the day.

Motion made by Wagner and a second by Slavens to set interviews for June 16th with the ability to set interviews throughout the day.

No public comments received. **Motion Passed 4-0.**

Town Attorney Special Investigative Report-

Attorney Maxwell noted that all council members have a report in their packet and if there are no questions, they can make a motion to accept the report.

Motion made by Wagner and a second by Slavens to accept the special investigative report from the Town Attorney.

Roberson questioned what needed to be done after this and Attorney Maxwell noted that it was just a housekeeping issue and nothing was done intentionally. A roll call vote was taken. Slavens aye, Wagner aye, Tomlinson aye, Roberson aye. **Motion Passed 4-0.**

ADJOURNMENT:

Motion made by Wagner and a second by Tomlinson to adjourn the special meeting at 5:24 PM. No public comments were received.

Motion passed 4-0.

ATTEST:

Michael Kehoe, Mayor

Brittney Sandovalsoto, Town Clerk

Michael Teague, Interim Town Administrator

RESOLUTION R-2023-08

A RESOLUTION OF TOWN OF LAKE HAMILTON, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of **wastewater treatment facilities**; and

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates **Project No. WW53164** as eligible for available funding; and

WHEREAS, the Town of Lake Hamilton, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1.

The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2.

The Town of Lake Hamilton, Florida, is authorized to apply for a loan to finance the Project.

SECTION 3.

The revenues pledged for the repayment of the loan are net **water and sewer system revenues and Utility Service Tax for Electricity**.

SECTION 4.

The Town Administrator is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION 5.

The Mayor is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The Mayor is authorized to represent the Town in carrying out the Town's responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate Town staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION 6.

The legal authority for borrowing moneys to construct this Project is Title XII Municipalities, Section 166.011, Florida Statutes.

SECTION 7.

All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8.

If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 9. EFFECTIVE DATE.

This Resolution shall become effective immediately upon its passage and adoption.

INTRODUCED and PASSED at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 6th day of June 2023.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVAL SOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson		
Tomlinson		
Slavens		
Wagner		
Kehoe		

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SPACE FOR RECORDING

RESOLUTION R-2023-11

A RESOLUTION APPROVING THAT CERTAIN PLAT ENTITLED “SCENIC TERRACE SOUTH PHASE 3” FOR FILING IN ACCORDANCE WITH CHAPTER 177, FLORIDA STATUTES; AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1.

That certain plat entitled “Scenic Terrace South Phase 3” and showing the following described property, to wit:

SEE EXHIBIT “A” ATTACHED AND
MADE A PART HEREOF

was presented to the Town Council for approval on the 6th day of June 2023. The Town Council, having reviewed said plat and having been otherwise fully advised in the premises, hereby approves said plat for filing in accordance with Chapter 177, Florida Statutes.

SECTION 2.

This Resolution shall take effect immediately upon passage.

INTRODUCED AND PASSED at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 6th day of June 2023.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

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SPACE FOR RECORDING

ATTEST:

BRITTNEY SANDOVAL SOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson		
Tomlinson		
Slavens		
Wagner		
Kehoe		

SCENIC TERRACE SOUTH PHASE 3

LYING IN SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA

SHEET 1 OF 4 SHEETS

DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 9, RUN THENCE ALONG THE EAST BOUNDARY OF SAID SOUTHWEST 1/4 N.00°36'53"W., A DISTANCE OF 658.76 FEET TO THE SOUTH BOUNDARY OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SOUTHWEST 1/4; THENCE ALONG SAID SOUTH BOUNDARY, N.89°39'23"W., A DISTANCE OF 48.06 FEET FOR A **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID SOUTH BOUNDARY, N.89°39'23"W., A DISTANCE OF 573.15 FEET TO THE EASTERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2209, PAGE 597, BEING THE EASTERLY BOUNDARY OF THE WESTERLY 30 FEET OF THE FORMER ATLANTIC COAST LINE RAILROAD ACCORDING TO THE CSX VALUATION MAP: V03173, V.3F.FLA. SHEET 2, STATION 43704+10 TO STATION 43915+30; THENCE ALONG SAID EAST BOUNDARY, N.03°05'08"W., A DISTANCE OF 1964.48 FEET TO THE SOUTH MAINTAINED RIGHT OF WAY OF HUGHES ROAD ACCORDING TO THE POLK COUNTY MAINTAINED RIGHT OF WAY MAP OF HUGHES ROAD, RECORDED IN MAP BOOK 9, PAGES 12 THROUGH 30 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG SAID SOUTH MAINTAINED RIGHT OF WAY THE FOLLOWING EIGHT (8) COURSES: 1) N.89°29'49"E., A DISTANCE OF 59.89 FEET; 2) N.00°24'08"E., A DISTANCE OF 5.72 FEET; 3) S.89°59'55"E., A DISTANCE OF 100.00 FEET; 4) S.89°46'10"E., A DISTANCE OF 100.00 FEET; 5) S.89°53'03"E., A DISTANCE OF 100.00 FEET; 6) S.89°18'40"E., A DISTANCE OF 100.00 FEET; 7) N.89°49'46"E., A DISTANCE OF 100.00 FEET; 8) S.83°43'01"E., A DISTANCE OF 99.75 FEET TO THE WESTERLY RIGHT OF WAY OF SCENIC HIGHWAY (STATE ROAD 17) ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP, PROJ. 5209-RD.(8); THENCE ALONG THE WESTERLY RIGHT OF WAY OF SCENIC HIGHWAY (STATE ROAD 17) AND SOUTHERLY EXTENSION THEREOF, ACCORDING TO SAID RIGHT OF WAY MAP, S.00°35'07"E., A DISTANCE OF 1958.98 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 27.82 ACRES, MORE OR LESS.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT ATLANTIC BLUE COMMUNITIES II, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LANDS SHOWN HEREON HAVE CAUSED THIS PLAT OF "SCENIC TERRACE SOUTH PHASE 3" TO BE MADE AND HEREBY MAKE THE FOLLOWING DEDICATIONS:

- TO THE PUBLIC AND THE TOWN OF LAKE HAMILTON, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, (THE "TOWN") FOR PERPETUAL USE FOR ANY AND ALL PURPOSES INCIDENTAL THERETO TRACT R-1 (ADDITIONAL RIGHT-OF-WAY) AS SHOWN AND DEPICTED HEREON.
- TO THE PUBLIC AND THE "TOWN" ALL EASEMENTS DESIGNATED ON THIS PLAT AS "PUBLIC".
- TO THE PUBLIC AND THE "TOWN" TRACT PS (PUMP STATION) FOR USE AS A PUMP STATION SITE AND ALL PURPOSES INCIDENTAL THERETO.
- ALL INTERNAL STREETS, ROADS, AND RIGHTS-OF-WAY DEPICTED HEREON AS DESIGNATED AS TRACT S-1 ARE HEREBY DEDICATED TO THE SCENIC TERRACE SOUTH COMMUNITY DEVELOPMENT DISTRICT (THE "DISTRICT"), A UNIT OF SPECIAL PURPOSE LOCAL GOVERNMENT ORGANIZED AND EXISTING PURSUANT TO CHAPTER 190, FLORIDA STATUTES, THEIR SUCCESSORS AND ASSIGNS, FOR THE PERPETUAL USE BY THE PUBLIC.
- DEDICATE TO THE "DISTRICT," WITH JURISDICTION OVER THE LANDS DESCRIBED IN THIS PLAT FOR PERPETUAL OWNERSHIP AND MAINTENANCE, TRACTS C-1, C-2 (COMMON & LANDSCAPE AREA), TRACT D-1 (DRAINAGE AND LANDSCAPE AREA), PRIVATE DRAINAGE EASEMENTS AND PRIVATE LANDSCAPE BUFFER EASEMENTS.
- DEDICATES SAID LANDS AS SHOWN AND DEPICTED ON THE PLAT A PRIVATE UTILITY EASEMENT AREA FOR THE USES AND PURPOSES OF PRIVATE UTILITY EASEMENTS, AND HEREBY DEDICATES TO THE "TOWN," PUBLIC UTILITY PROVIDERS, AND THEIR ASSIGNS AS SHOWN HEREON A 2.00 FOOT PRIVATE UTILITY EASEMENT WITHIN THE PRIVATE UTILITY EASEMENT AREA FOREVER FOR THE PURPOSES OF INSTALLATION, OPERATION, REPAIR AND MAINTENANCE OF A PRIVATE UTILITY.
- EACH PROVIDER'S CONSTRUCTION/MAINTENANCE WITHIN ITS RESPECTIVE PRIVATE UTILITY EASEMENT SHALL BE COMPLETED IN A GOOD AND WORKMANLIKE MANNER, FREE AND CLEAR OF ANY CONSTRUCTION LIENS AND IN FULL COMPLIANCE WITH ALL PRESENT AND FUTURE LOCAL, MUNICIPAL, COUNTY, STATE, STATUTES, ORDINANCES, CODES, RULES AND REGULATIONS. EACH PROVIDER SHALL MAINTAIN ITS FACILITIES WITHIN THE RESPECTIVE PRIVATE UTILITY EASEMENT, AT ITS SOLE COST AND EXPENSE, IN A FIRST-CLASS CONDITION AND IN FULL COMPLIANCE WITH THE LAWS. EACH PROVIDER WILL HAVE CROSS-ACCESS INCLUDING INGRESS, EGRESS, AND UTILITY RIGHTS WITHIN THE ENTIRE 15.00 FOOT PLATTED PRIVATE UTILITY EASEMENT AREA FOR CONSTRUCTION, MAINTENANCE AND TO PROVIDE UTILITIES TO PLATTED LOTS AND COMMON AREAS. EACH PROVIDER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE OTHER PROVIDERS FOR, FROM AND AGAINST ANY AND ALL CLAIMS SUFFERED OR INCURRED IN CONNECTION WITH ANY ALLEGED BODILY INJURY OR PROPERTY DAMAGE ARISING OUT OF USE OR ENJOYMENT OF THE PRIVATE UTILITY EASEMENT AREAS, UNLESS CAUSED BY NEGLIGENCE OR WILLFUL MISCONDUCT OF THE PARTY TO BE INDEMNIFIED.

OWNER: ATLANTIC BLUE COMMUNITIES II, LLC, A FLORIDA LIMITED LIABILITY COMPANY
BY: ATLANTICBLUE CAPITAL, LLC, A FLORIDA LIMITED LIABILITY COMPANY

JOHN D. ALEXANDER, MANAGER

WITNESS
PRINT

WITNESS
PRINT

ACKNOWLEDGMENT

STATE OF FLORIDA

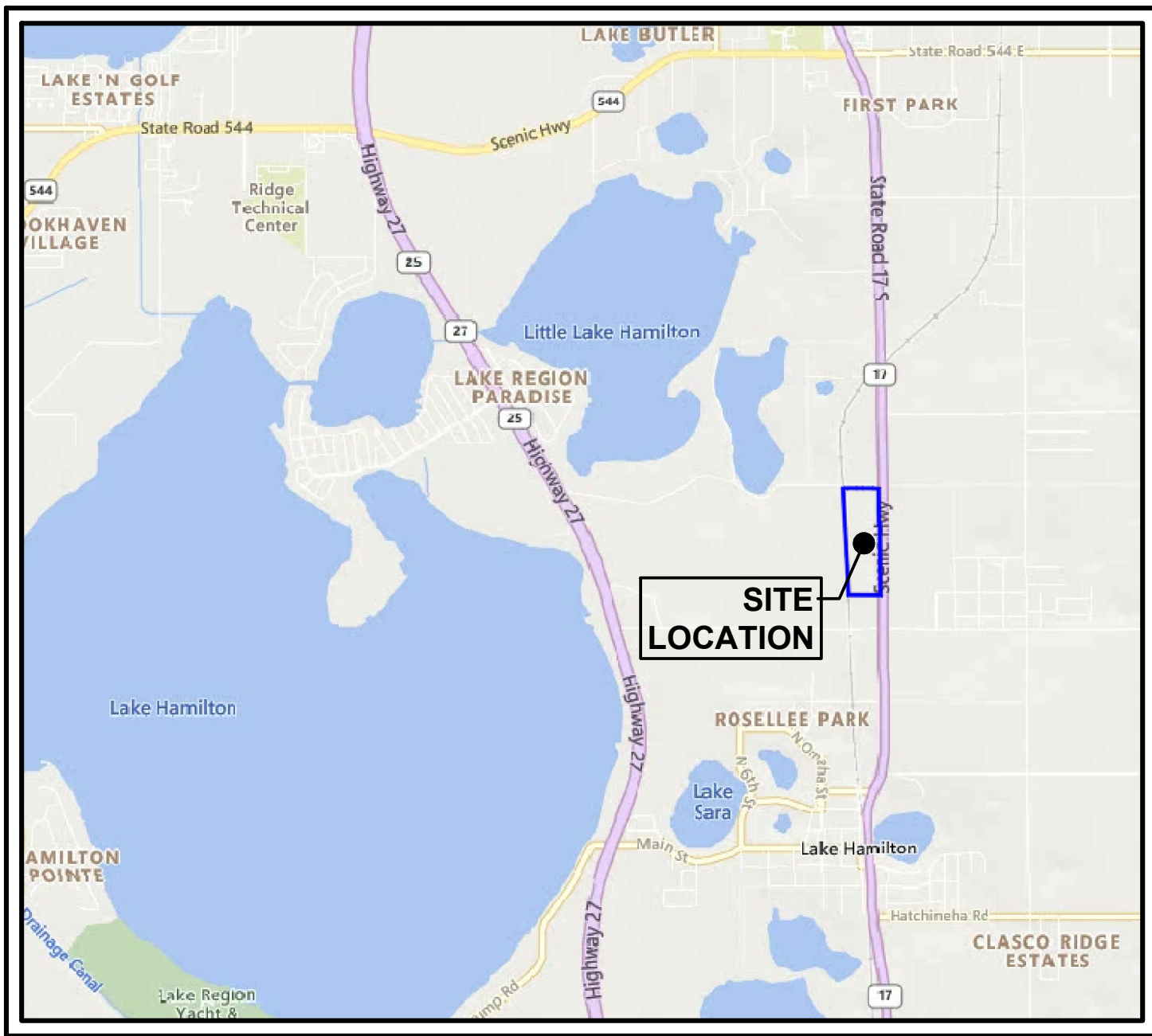
COUNTY OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, BY MEANS OF PHYSICAL PRESENCE, THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED JOHN D. ALEXANDER, AS MANAGER OF ATLANTICBLUE CAPITAL, LLC, A FLORIDA LIMITED LIABILITY COMPANY, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC:
PRINT:

COMMISSION NO.:

EXPIRES:



LOCATION MAP

NOT TO SCALE

CERTIFICATE OF ACCEPTANCE

IN WITNESS WHEREOF, DISTRICT HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS DULY AUTHORIZED OFFICER THIS ____ DAY OF _____, 2023.

SCENIC TERRACE SOUTH COMMUNITY DEVELOPMENT DISTRICT

WARREN K. HEATH II

WITNESS:
PRINT:

WITNESS:
PRINT:

ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ____ PHYSICAL PRESENCE OR ____ ONLINE NOTARIZATION, THIS ____ DAY OF _____, 20____, BY WARREN K. HEATH II AS CHAIRPERSON OF SCENIC TERRACE SOUTH COMMUNITY DEVELOPMENT DISTRICT, WHO ____ IS PERSONALLY KNOWN TO ME OR ____ HAS PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC:
PRINT:

COMMISSION NO.:

EXPIRES:

APPROVAL: CONSULTING SURVEYOR

TOWN OF LAKE HAMILTON
STATE OF FLORIDA
COUNTY OF POLK

THIS PLAT HAS BEEN REVIEWED AND FOUND TO BE SUBSTANTIALLY IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES, RELATING TO THE MAKING OF MAPS AND PLATS. THIS ____ DAY OF _____, A.D. 2023.

BY: _____

PRINTED NAME: _____ LS.# _____
CONSULTING SURVEYOR

APPROVAL: TOWN ENGINEER

TOWN OF LAKE HAMILTON
STATE OF FLORIDA
COUNTY OF POLK

THIS PLAT IS HEREBY APPROVED BY THE TOWN OF LAKE HAMILTON ENGINEER THIS ____ DAY OF _____, 2023.

BY: _____

PRINTED NAME: _____ PE.# _____
TOWN ENGINEER

APPROVAL: LAND DEVELOPMENT DIVISION

TOWN OF LAKE HAMILTON
STATE OF FLORIDA
COUNTY OF POLK

THIS PLAT IS HEREBY APPROVED BY THE TOWN OF LAKE HAMILTON LAND DEVELOPMENT DIVISION THIS ____ DAY OF _____, 2023.

BY: _____

PRINTED NAME: _____
LAND DEVELOPMENT DIRECTOR

APPROVAL: TOWN COUNCIL

TOWN OF LAKE HAMILTON
STATE OF FLORIDA
COUNTY OF POLK

THIS PLAT HAS RECEIVED FINAL APPROVAL THIS ____ DAY OF _____, 2023 BY THE CHAIRPERSON OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA IN ACCORDANCE WITH THE PROCEDURE ADOPTED BY THE TOWN COUNCIL.

TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON

BY: _____ ATTEST: _____

PRINTED NAME: _____ CHAIRPERSON
PRINTED NAME: _____ CLERK

ACCEPTANCE: CLERK OF THE CIRCUIT COURT

STATE OF FLORIDA,
COUNTY OF POLK

I, STACY M. BUTTERFIELD, CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN ACCEPTED FOR RECORDING THIS ____ DAY OF _____, A.D. 2023.

BY: _____
CLERK OF THE CIRCUIT COURT

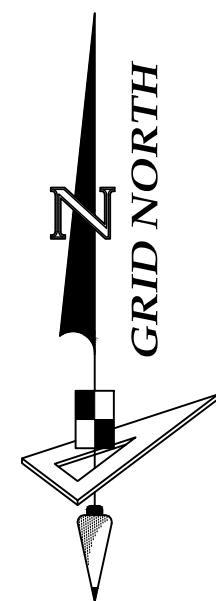
SURVEYOR'S CERTIFICATION

I HEREBY STATE THAT THIS PLAT OF "SCENIC TERRACE SOUTH PHASE 3" WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLIES WITH ALL SURVEY REQUIREMENTS OF CHAPTER 177, PART I, PLATTING, FLORIDA STATUTES, AND THAT ALL PERMANENT REFERENCE MONUMENTS (PRMs) HAVE BEEN SET AS SHOWN HEREON, AND THAT PERMANENT CONTROL POINTS (PCPs) AND LOT CORNERS HAVE BEEN SET OR WILL BE SET PER REQUIREMENTS OF FLORIDA STATUTE OR IN ACCORDANCE WITH CONDITIONS OF BONDING.

CHARLES M. ARNETT, (License No. 6884)
Florida Professional Surveyor and Mapper

GeoPoint
Surveying, Inc.

213 Hobbs Street
Tampa, Florida 33619
www.geopointsurvey.com
Phone: (813) 248-8888
Fax: (813) 248-2266
Licensed Business Number LB 7768



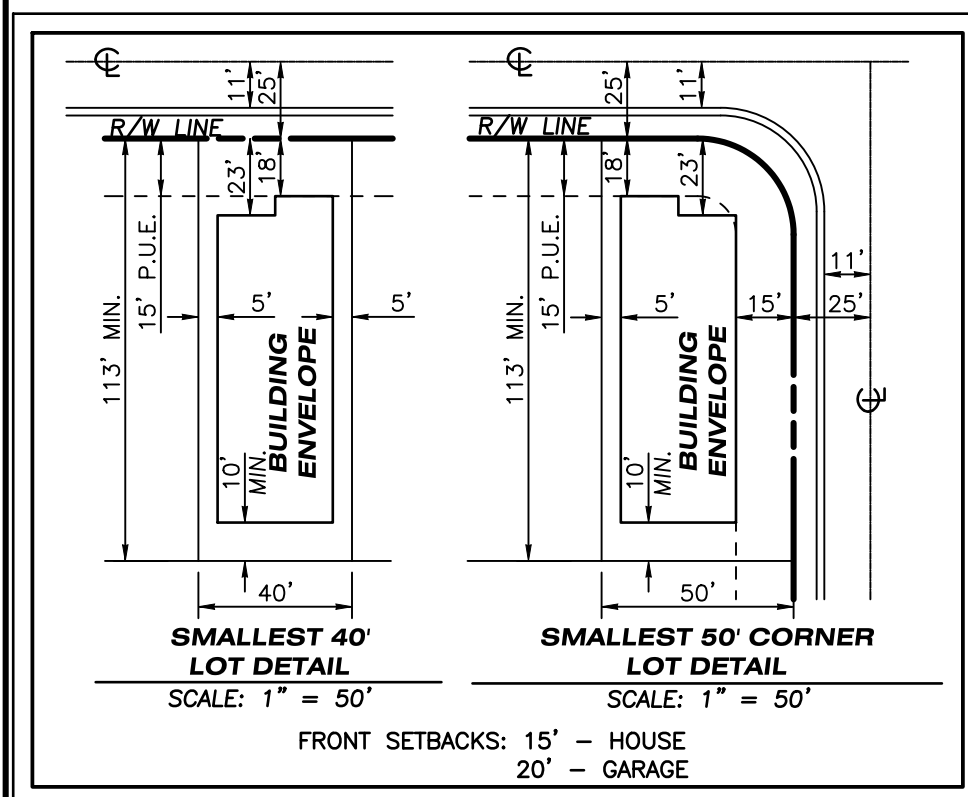
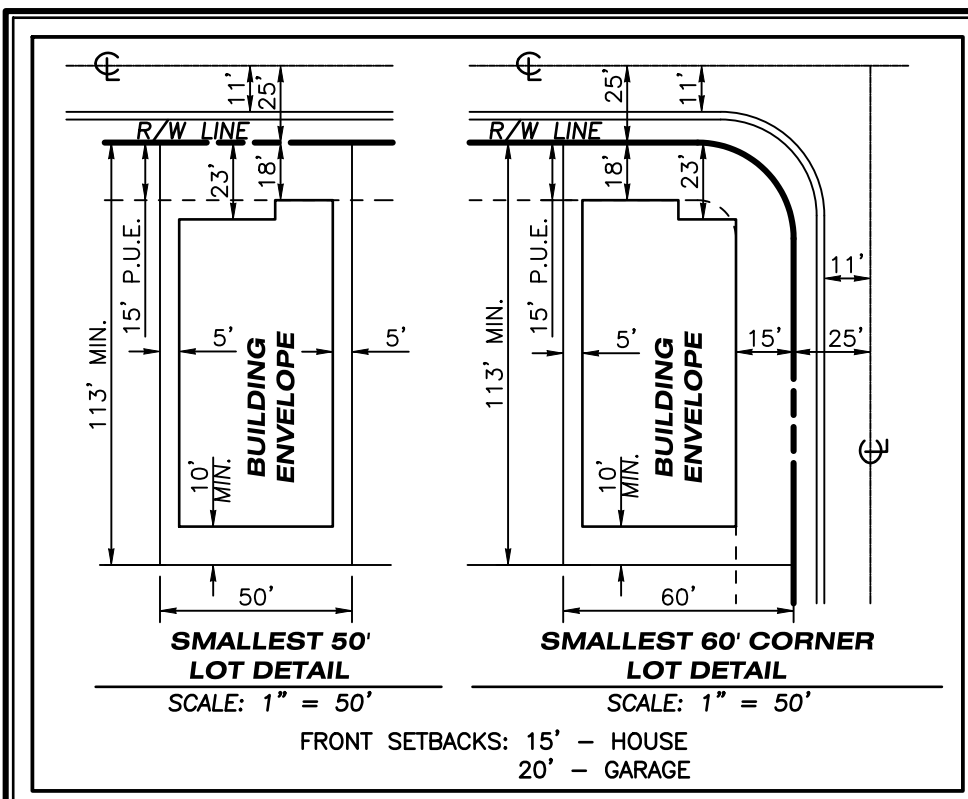
SCALE 1" = 100'

0 50 100 200

SCENIC TERRACE SOUTH PHASE 3

LYING IN SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA

BOUNDARY AND KEY SHEET



LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N89°29'49"E	59.69'
L2	N00°24'08"E	5.72'
L3	S89°59'55"E	100.00'
L4	S89°46'10"E	100.00'
L5	S89°53'03"E	100.00'
L6	S89°18'40"E	100.00'
L7	N89°49'46"E	100.00'
L8	S83°43'01"E	99.75'

PLAT NOTES:

1) BEARINGS SHOWN HEREON ARE BASED ON THE EAST BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, HAVING A GRID BEARING OF N00°36'53"W, THE GRID BEARINGS AS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN HORIZONTAL DATUM OF 1983 (NAD 83-2011 ADJUSTMENT) FOR THE WEST ZONE OF FLORIDA.

2) HORIZONTAL COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE. (NAD 83-2011 ADJUSTMENT) AS DETERMINED FROM GLOBAL POSITIONING SYSTEM (GPS) DERIVED FROM LENGEMANN L-NET GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) NETWORK.

3) THE FLOODPLAIN AND WETLAND DELINEATIONS SHOWN ON THIS PLAT REPRESENT THE DELINEATIONS AS OF THE DATE OF THIS PLAT AND ARE SUBJECT TO CHANGE BASED ON NEW AND MORE DETAILED INFORMATION. ALL FLOODPLAIN AND WETLAND DELINEATIONS SHOULD BE VERIFIED PRIOR TO FUTURE DEVELOPMENT. WETLAND AREAS SHALL REMAIN IN THEIR NATURAL STATE, BUT WILL RECEIVE DESIGN STORM WATER DRAINAGE. WETLAND AREAS SHALL NOT BE MODIFIED UNLESS PERMITTED BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, OR ITS SUCCESSOR AGENCY.

4) THE SUBJECT PARCEL LIES IN FLOOD ZONES "AE" AND "X", ACCORDING TO FLOOD INSURANCE RATE MAP, MAP NOS. 12105C0380G AND 12105C0390G FOR THE TOWN OF LAKE HAMILTON, COMMUNITY NO. 120414, POLK COUNTY, FLORIDA, DATED DECEMBER 22, 2016 AND ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. LINES SHOWN, IF ANY, HAVE BEEN DIGITALLY TRANSLATED FROM DFIRM DATABASE INFORMATION SUPPLIED BY THE FEMA MAP SERVICE CENTER ([HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)).

5) ALL CURVILINEAR LINES SHOWN HEREON ARE RADIAL UNLESS NOTED AS NON-RADIAL (NR).

6) A 1/2 INCH DIAMETER IRON PIPE WITH CAP No. LB7768 WILL BE SET AT EACH LOT CORNER, POINTS OF INTERSECTION, AND CHANGES OF DIRECTION AS REQUIRED BY CHAPTER 177 OF THE FLORIDA STATUTES WITHIN THE TIME ALLOTTED IN 177.091(9), UNLESS PRIOR MONUMENTATION OF THE LOT CORNER IS FOUND IN PLACE.

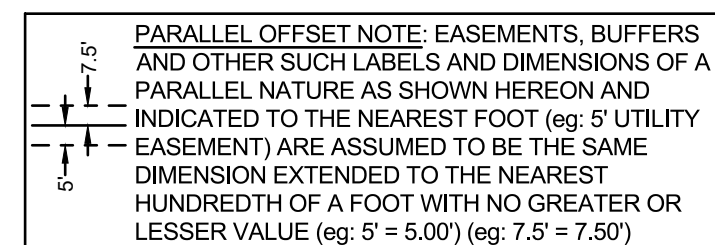
7) LANDS IN THE VICINITY OF THE DRAINAGE/RETENTION AREAS AND SWALES MAY BE SUBJECT TO TEMPORARY STANDING WATER WHEN CONDITIONS DECREASE THE RATE OF PERCOLATION AND DRAINAGE RUNOFF.

8) PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTENANCE OF VEGETATION (MOWING) IN THE RETENTION AREAS AND DRAINAGE SWALES LYING WITHIN THEIR RESPECTIVE LOT AND THE DESIGN IS TO BE LEFT UNCHANGED.

9) ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBIC SERVICE COMMISSION.

10) THIS PLAT IS SUBJECT TO THE FOLLOWING ENCUMBRANCES:

- A) NOTICE OF ESTABLISHMENT OF THE SCENIC TERRACE SOUTH COMMUNITY DEVELOPMENT DISTRICT PER O.R.B. 11945, PG. 1619.
B) COVENANTS, CONDITIONS, AND RESTRICTIONS PER O.R.B. 12607, PG. 713



LEGEND:

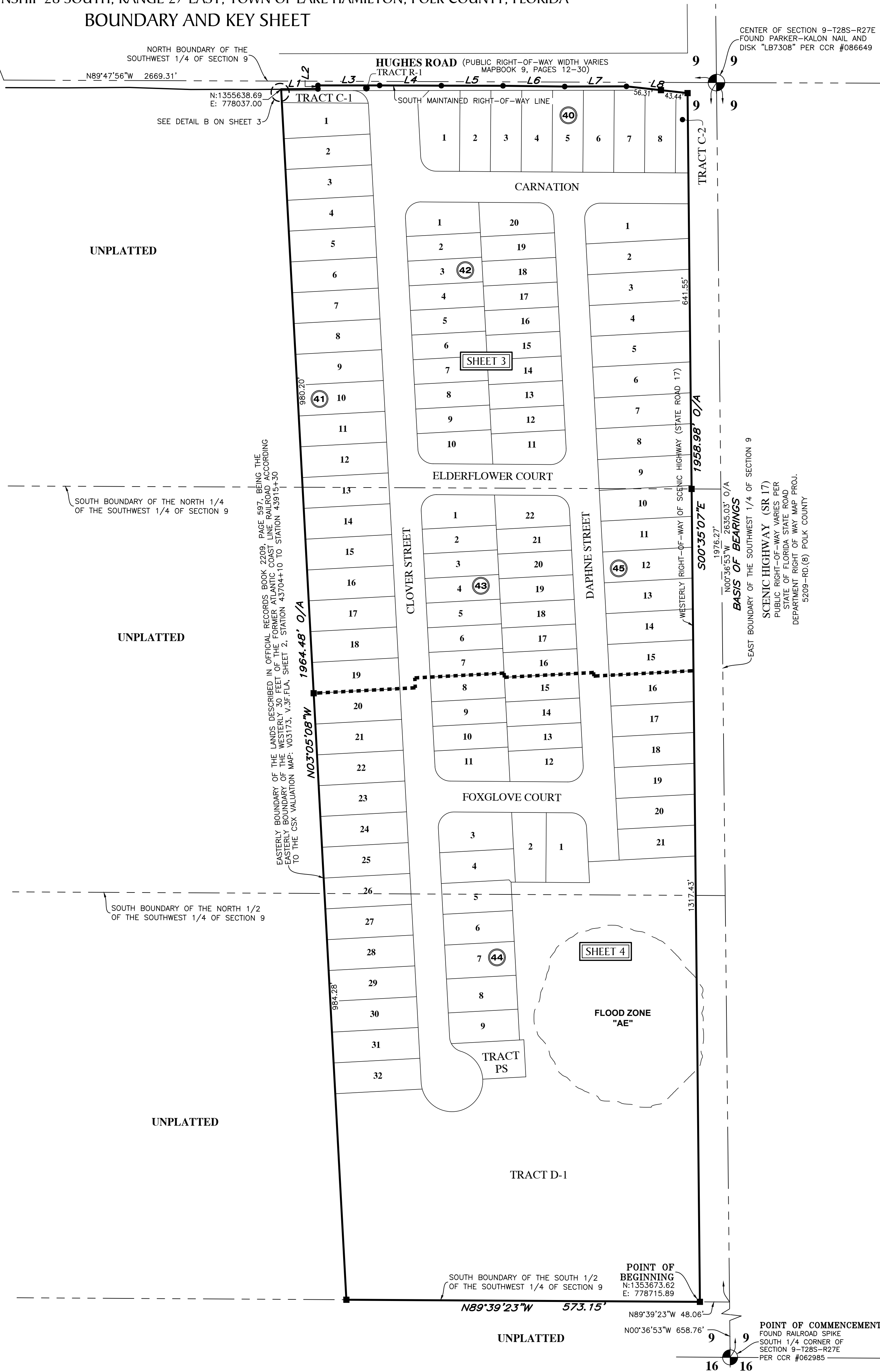
- = Set (PRM) 4" x 4" Concrete monument LB#7768,
- = Set (PCP) Permanent Control Point Parker-Kalon Nail and Disk LB#7768
- = Set (PRM) 1/2" Blue Capped Iron Rod LB#7768 or as Noted
- CDD = Community Development District
- (NR) = Non-Radial Line
- LB = Licensed Business Number
- O/A = Over All
- PUB.U.E. = Public Utility Easement
- P.U.E. = Private Utility Easement
- P.D.E. = Private Drainage Easement
- P.D.W.E. = Private Drainage and Wall Easement
- CCR = Certified Corner Record
- ⑬ = Block Number

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

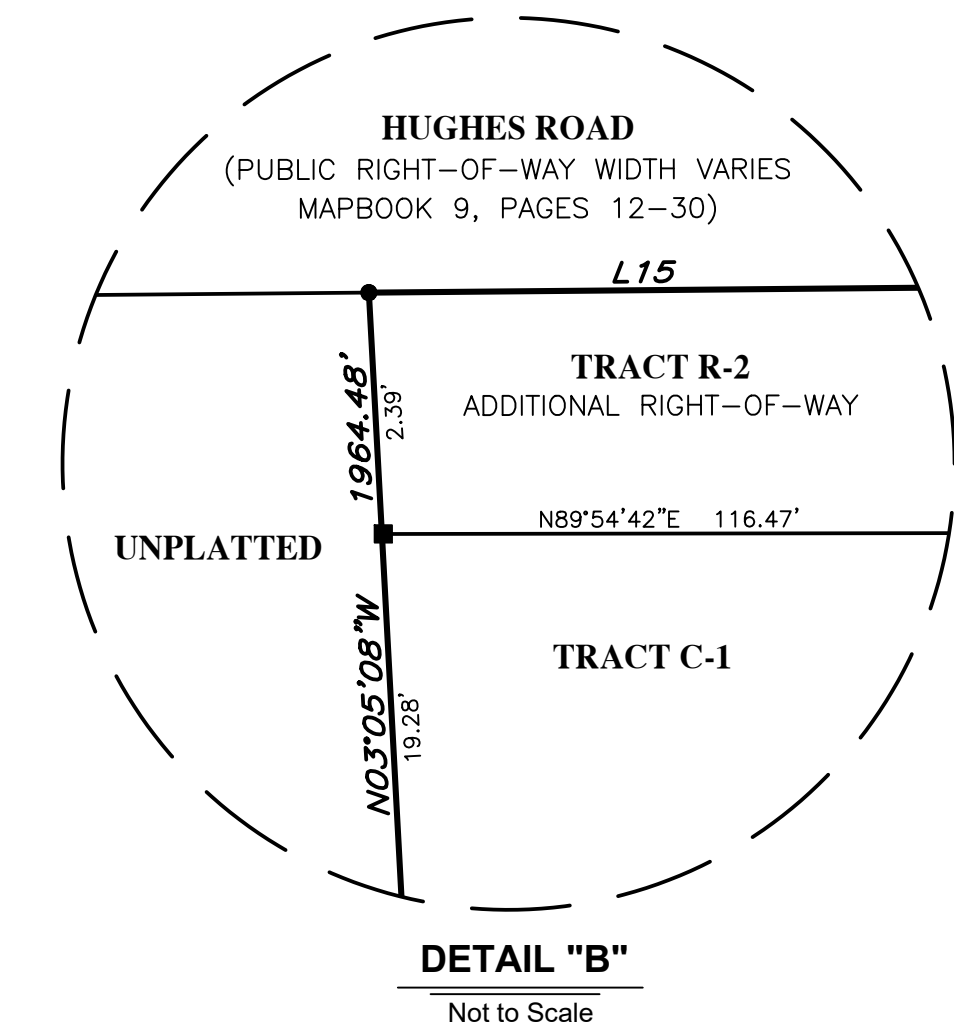
FLOOD HAZARD WARNING:

THIS PROPERTY MAY BE SUBJECT TO FLOODING. YOU SHOULD CONTACT POLK COUNTY AND OBTAIN THE LATEST INFORMATION ON FLOOD ELEVATIONS AND RESTRICTIONS BEFORE MAKING PLANS FOR THIS PROPERTY. EVEN MEETING POLK COUNTY STANDARDS DOES NOT ENSURE THAT ANY IMPROVEMENTS SUCH AS STRUCTURES, DRIVEWAYS, YARDS, SANITARY SEWAGE SYSTEMS, AND WATER WELL SYSTEMS WILL NOT BE FLOODED IN CERTAIN RAIN EVENTS.



LYING IN SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA

SHEET 3 OF 4 SHEETS



SCALE 1" = 50'

SEE PLAY NOTE 1 ON SHEET 2 FOR BASIS OF BEARINGS

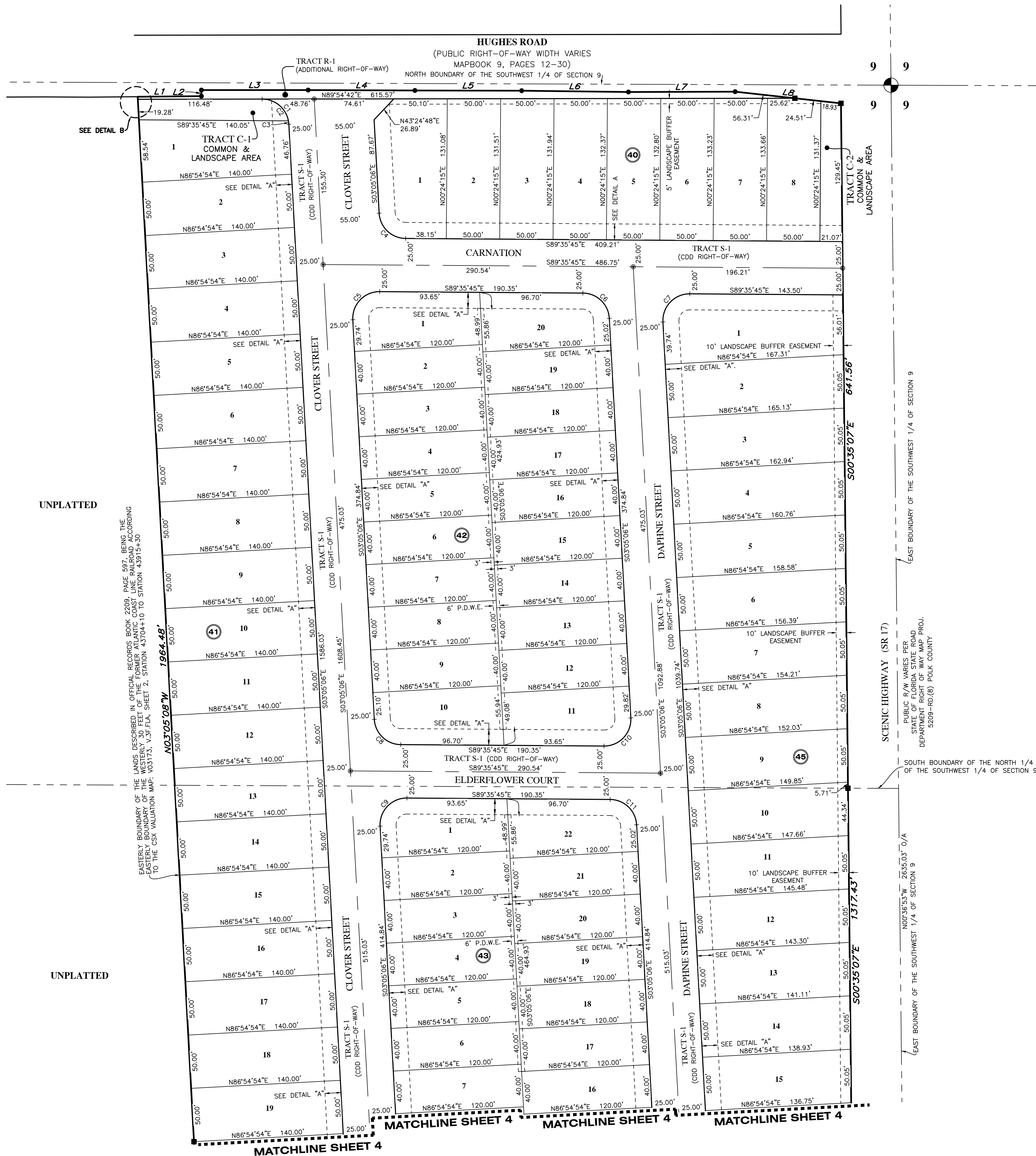
SEE SHEET 2 FOR BUILDING SETBACK DETAIL

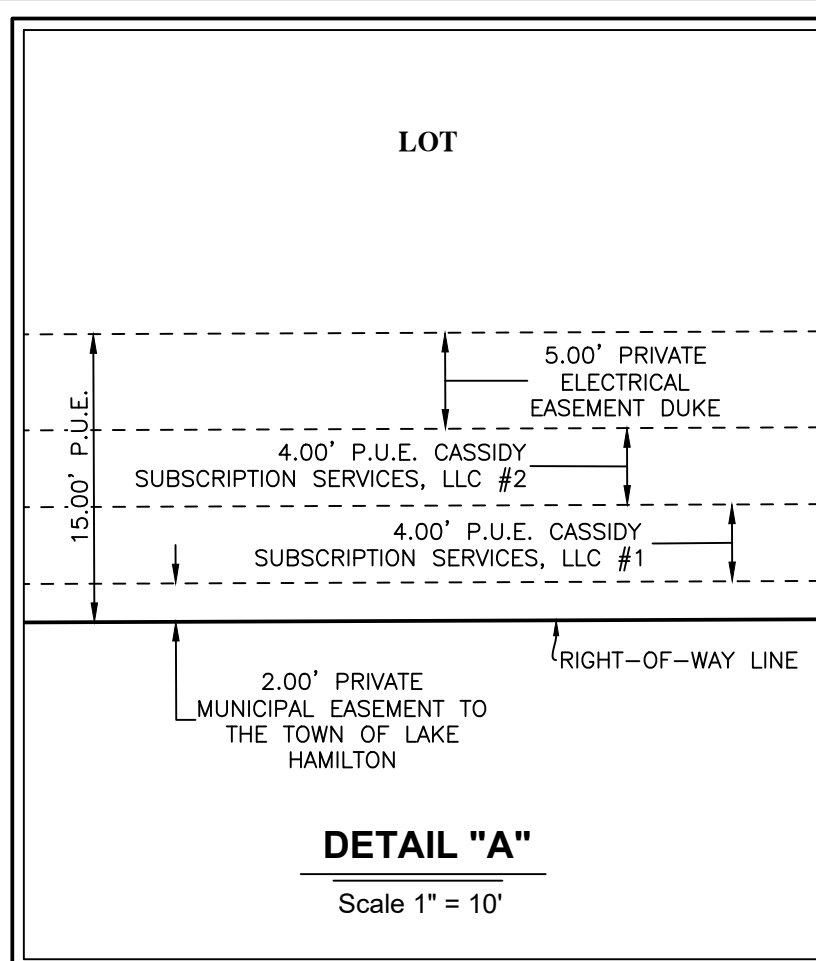
CURVE DATA TABLE						
NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	
C1	25.00'	87°00'12"	37.96'	34.42'	S46°35'12"E	
C2	25.00'	79°31'24"	34.70'	31.98'	N50°19'36"E	
C3	25.00'	72°48'	3.26'	3.26'	N06°49'30"E	
C4	25.00'	86°30'39"	37.75'	34.26'	S46°20'28"E	
C5	25.00'	93°29'21"	40.79'	36.42'	N43°39'34"E	
C6	25.00'	86°30'39"	37.75'	34.26'	S46°20'28"E	
C7	25.00'	93°29'21"	40.79'	36.42'	N43°39'34"E	
C8	25.00'	86°30'39"	37.75'	34.26'	S46°20'28"E	
C9	25.00'	93°29'21"	40.79'	36.42'	N43°39'34"E	
C10	25.00'	93°29'21"	40.79'	36.42'	S43°39'34"E	
C11	25.00'	86°30'39"	37.75'	34.26'	S46°20'28"E	

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N89°29'49"E	59.69'
L2	N00°24'08"E	5.72'
L3	S89°59'55"E	100.00'
L4	S89°46'10"E	100.00'
L5	S89°53'03"E	100.00'
L6	S89°18'40"E	100.00'
L7	N89°49'46"E	100.00'
L8	S83°43'01"E	99.75'

LEGEND

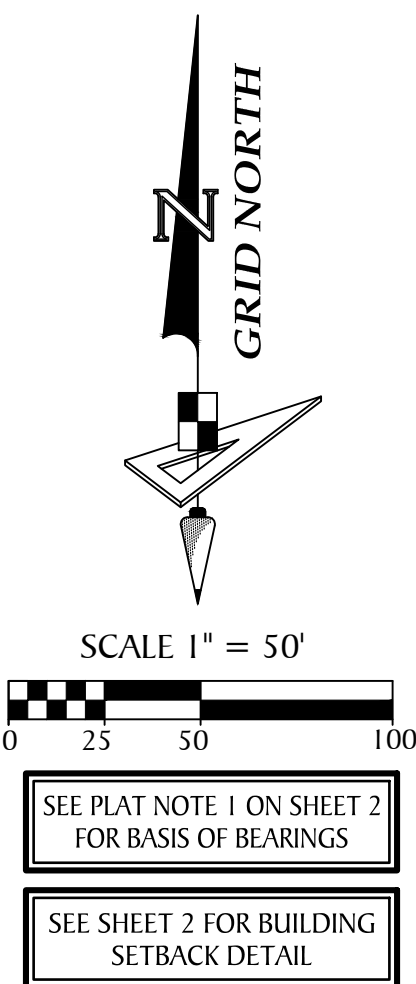
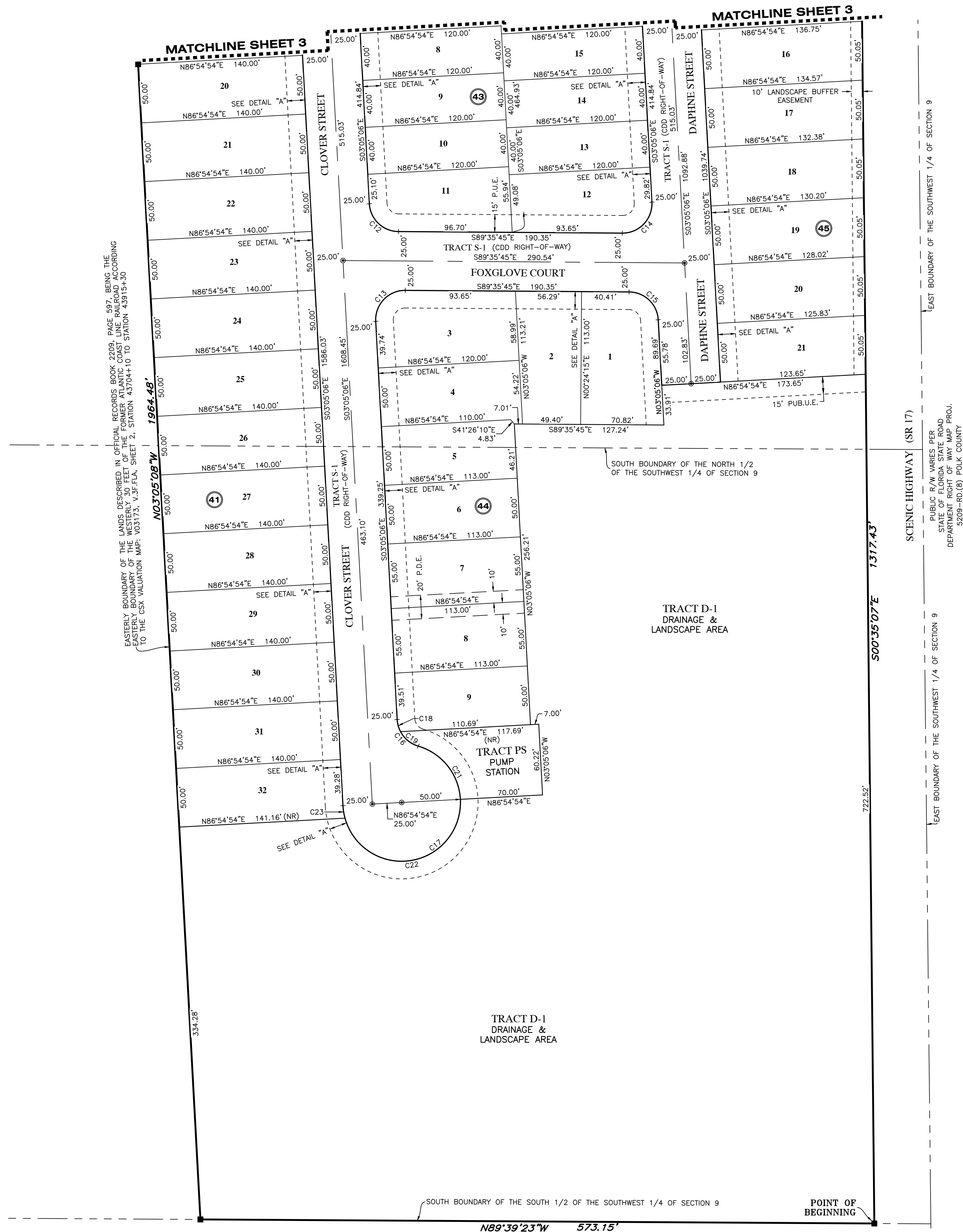
- = Set (PRM) 4" x 4" Concrete monument LB#7768
 - = Set (PCP) Permanent Control Point
 - = Set (PRM) Parker-Kalon Nail and Disk LB#7768
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or as noted
 - CDD = Community Development District
 - (NR) = Non-Radial Line
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 - PUB.U.E. = Public Utility Easement
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 - CCR = Certified Corner Record
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SCENIC TERRACE SOUTH PHASE 3

LYING IN SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA



CURVE DATA TABLE

NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING
C12	25.00'	86°30'39"	37.75'	34.26'	S46°20'26"E
C13	25.00'	93°29'21"	40.79'	36.42'	N43°39'34"E
C14	25.00'	93°29'21"	40.79'	36.42'	S43°39'34"W
C15	25.00'	86°30'39"	37.75'	34.26'	S46°20'26"E
C16	25.00'	70°31'44"	30.77'	28.87'	N38°20'58"W
C17	50.00'	250°31'44"	218.63'	81.65'	N51°39'02"E
C18	25.00'	24°48'13"	10.82'	10.74'	S15°29'13"E
C19	25.00'	45°43'30"	19.95'	19.43'	S50°45'05"E
C21	50.00'	70°31'44"	61.55'	57.74'	N38°20'58"W
C22	50.00'	167°36'56"	146.27'	99.42'	N80°43'22"E
C23	50.00'	12°23'04"	10.81'	10.79'	S09°16'38"E

ORDINANCE O-23-06

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING ORDINANCE O-22-06, WHICH ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR AMENDMENT TO SECTION 5 OF THE ORDINANCE TO CHANGE THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT PURSUANT TO SECTION 190.046, FLORIDA STATUTES, BY ADDING APPROXIMATELY 74.301 ACRES OF LAND THERETO; PROVIDING FOR AMENDMENT TO ORDINANCE O-22-06, TO FURTHER AMEND EXHIBIT A OF SAID ORDINANCE TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 1, 2022, the Town Council of Lake Hamilton, Florida (the “**Town Council**”) pursuant to Section 190.005(2)(a), *Florida Statutes*, adopted Ordinance O-22-06, which established the Hamilton Bluff Community Development District (“**District**”); and

WHEREAS, the Town has received from the District a “*Petition to Amend the Boundary of the Scenic Terrace South Community Development District,*” dated December 5, 2022, as amended by the “*Amended and Restated Petition to Amend the Boundary of the Scenic Terrace South Community Development District,*” dated April 6, 2023 (the “**Amended Petition**”), which Amended Petition is in compliance with the provisions of Section 190.046, Florida Statutes; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Amended Petition at a duly noticed public hearing conducted by the Town Council on July 11, 2023, pursuant to Section 190.046(1)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that duly noticed hearing, the Town Council has considered the record of the public hearing and the statutory factors set forth in Section 190.046(1)(b), *Florida Statutes*, in making its determination to grant or deny the Amended Petition; and

WHEREAS, the Town Council, pursuant to the information contained within the Amended Petition and based on an investigation conducted by the Town of Lake Hamilton (the “**Town**”) staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

- (1) The statements within the Amended Petition are true and correct; and
- (2) The Amended Petition is complete in that it meets the requirements of Section 190.046(1)(a), *Florida Statutes* (2022); and
- (3) The appropriate Town staff have reviewed the Amended Petition of the District on the proposed lands to be included within the District and have advised the Town Council that said Amended Petition is complete and sufficient; and
- (4) Amendment of the District boundaries and all land uses and services planned within the District, as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the applicable and effective local comprehensive plans; and
- (5) The area of land to be included within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and
- (6) The District, as amended, is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and
- (7) The community development services and facilities of the District, as amended, will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
- (8) The area that will be served by the District, as amended, is amenable to separate special-district government.

WHEREAS, pursuant to the information stated above, the Town Council has decided to grant the District’s Amended Petition to Expand the Boundary of the Hamilton Bluff Community Development District; and

WHEREAS, the amendment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Amended Petition; and

WHEREAS, the amendment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, upon the effective date of this Ordinance, the Hamilton Bluff Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law.

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA:

SECTION 1. TITLE. This Ordinance shall be known and may be cited as the “Hamilton Bluff Community Development District Boundary Amendment Ordinance No. 1.”

SECTION 2. BOARD FINDINGS. The Board findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

SECTION 3. AUTHORITY. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. Section 5, External Boundaries of the District of Ordinance O-22-06, is hereby amended as described and as set forth in Exhibit “A” of this Ordinance, attached hereto and incorporated herein. Further, the District boundaries, as amended, shall encompass approximately 334.018 acres, more or less.

SECTION 5. LEGAL DESCRIPTION OF THE DISTRICT. Exhibit “A” of Ordinance O-22-06, as amended, is hereby replaced in its entirety with a new Exhibit “A”, which is attached hereto and incorporated herein, and which accurately depicts the external boundaries of the District.

SECTION 6. ALL OTHER CONDITIONS TO REMAIN UNCHANGED. All other terms and conditions of Ordinance O-22-06, shall remain unchanged and enforceable in accordance with the terms expressed herein.

SECTION 7. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption.

INTRODUCED AND PASSED ON FIRST READING by the Town Council of the Town of Lake Hamilton, Florida, meeting in Regular Session this 6TH day of June 2023.

INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING by the Town Council of the Town of Lake Hamilton, Florida, meeting in Regular Session this 11th day of July 2023.

TOWN OF LAKE HAMILTON FLORIDA

Michael W. Kehoe, Mayor

ATTEST:

Brittney Sandoval Soto, Town Clerk

APPROVED AS TO FORM:

Heather R. Maxwell, Esq., Town Attorney

Record of Vote	Yes	No
Roberson		
Tomlinson		
Slavens		
Wagner		
Kehoe		

Exhibit "A"

Legal Description of the District

A parcel of land lying in Section 15, Township 28 South, Range 27 East, Polk County, Florida, and a part of MAP OF LAKE HAMILTON, according to the map or plat thereof, recorded in Plat Book 3, Page 34, of the Public Records of Polk County, Florida, lying in Section 16, Township 28 South, Range 27 East, Polk County, Florida,

hereinafter referred to as Parcel 1; TOGETHER WITH a parcel of land lying in Section 21, Township 28 South, Range 27 East, Polk County, Florida, hereinafter referred to as Parcel 2, and being more particularly described as follows:

PARCEL 1:

COMMENCE at the Southeast corner of said Section 16, run thence along the South line of the Southeast 1/4 of said Section 16, N 89°58'56" W, a distance of 659.79 feet to the Southerly extension of the West boundary of Lots 1 and 4, Block 35, of said MAP OF LAKE HAMILTON; thence along said Southerly extension N 00°34'20"

W, a distance of 35.00 feet to the North Right of Way of Lake Hatchineha Road (County Road 542) according to Official Records Book 483, Page 195 of said Public Records, and the POINT OF BEGINNING; thence along said West boundary Lots 1 and 4, and Northerly extension thereof, N 00°34'20" W, a distance of 1285.12 feet to

the centerline of a 30 foot wide platted Right of Way between Blocks 35 and 36 of said MAP OF LAKE HAMILTON; thence along said centerline, N 89°56'42" W, a distance of 659.76 feet to a line 15 feet West of and parallel with the West boundary of Lots 2 and 3 of said Block 36; thence along said Westerly parallel line, N 00°34'16" W, a distance of 1320.56 feet to the South line of the Northeast 1/4 of said Section 16; thence along the centerline of a 30 foot wide platted Right of Way between Blocks 37 and 40 of said MAP OF LAKE HAMILTON, N 00°34'10" W, a distance of 15.00 feet to the North platted Right of Way of Water Tank Road ; thence along said North Right of Way, N 89°54'27" W, a distance of 1155.86 feet to the East boundary of the lands described in Official Records Book 10806, Page 655 of said Public Records; thence along said East boundary, N 02°57'51" E, a distance of 113.06 feet to the North boundary of said described lands; thence along said North boundary, S 89°45'25" W, a distance of 152.88 feet to the Easterly Right of Way of Scenic Highway (State Road 17) according to the State of Florida State Road Department Right of Way map, Proj. 5209-Rd.(8), with a date drawn of 05/04/40; thence along said Easterly Right of Way the following three (3) courses: 1) Northerly, 152.23 feet along the arc of a non-tangent curve to the left having a radius of 1687.02 feet and a central angle of 05°10'12" (chord bearing N 08°16'30" E, 152.18 feet) to a radial line; 2) along said radial line, N 84°18'36" W, a distance of 17.00 feet; 3) Northerly, 25.47 feet along the arc of a non-tangent curve to the left having a radius of 1670.02 feet and a central angle of 00°52'25" (chord bearing N 05°15'11" E, 25.47 feet) to the South line of the North 355 feet of Lot 3 of said Block 40 ; thence along said South line, N 89°59'02" E, a distance of 105.13 feet to the East line of the West 117 feet of said Lot 3; thence along said East line, N 00°35'22" W, a distance of 180.01 feet to the South line of the North 175 feet of said Lot 3; thence along said South line, S 89°59'02" W, a distance of 97.70 feet to said Easterly Right of Way of Scenic Highway (State Road 17); thence along said Easterly Right of Way, N 00°34'54" W, a distance of 175.01 feet to the South boundary of Lot 2 of said Block 40; thence along said South boundary, N 89°59'02" E, a distance of 155.68 feet to the East line of the West 175 feet of said Lot 2; thence along said East line, N 00°35'22" W, a distance of 327.53 feet to the North

line of the South 1/2 of Lot 1 and 2 of said Block 40; thence along said North line, and Easterly extension thereof, S 89°39'00" E, a distance of 1129.87 feet to aforesaid centerline of a 30 foot wide platted Right of Way between Blocks 37 and 40; thence along said centerline, N 00°34'10" W, a distance of 335.51 feet to the centerline of a 30 foot wide platted Right of Way between Blocks 37 and 38 of said MAP OF LAKE HAMILTON; thence along said centerline, S 89°50'58" E, a distance of 659.97 feet to the Southerly extension of the West boundary of Lot 4 of said Block 38; thence along said West boundary of Lot 4, and Southerly extension thereof, N 00°33'34" W, a distance of 662.69 feet to the North boundary of said Lot 4; thence along said North boundary, and Easterly extension thereof, S 89°55'39" E, a distance of 660.08 feet to the West line of the Northwest 1/4 of said Section 15; thence departing said West line, N 89°27'03" E, a distance of 16.00 feet to the East Maintained Right of Way of Detour Road according to Map Book 1, Pages 14 through 17 of said Public Records; thence along said East Maintained Right of Way the following three (3) courses: 1) N 00°32'57" W, a distance of 319.28 feet; 2) N 00°15'46" W, a distance of 200.00 feet; 3) N 00°32'57" W, a distance of 145.49 feet to the South Right of Way of Kokomo Road (County Road 546E) according to Official Records Book 641, Page 689 of said Public Records; thence along said South Right of Way, N 89°12'46" E, a distance of 1636.55 feet to the East line of the West 1/4 of the Northeast 1/4 of said Northwest 1/4; thence along said East line, S 00°34'30" E, a distance of 1299.62 feet to the North line of the South 1/2 of said Northwest 1/4; thence along said North line, S 89°06'51" W, a distance of 661.66 feet to the East line of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Northwest 1/4; thence along said East line, S 00°33'53" E, a distance of 670.38 feet to the North line of the Southeast 1/4 of the Southwest 1/4 of said Northwest 1/4; thence along said North line, N 89°03'54" E, a distance of 330.89 feet to the East line of the Southwest 1/4 of said Northwest 1/4; thence along said East line, S 00°34'11" E, a distance of 665.64 feet to the North Maintained Right of Way of Water Tank Road according to Map Book 4, Pages 60 through 70 of said Public Records; thence along said North Maintained Right of Way the following five (5) courses: 1) S 88°49'23" W, a distance of 23.79 feet; 2) S 89°58'08" W, a distance of 100.00 feet; 3) S 89°23'46" W, a distance of 400.00 feet; 4) S 89°58'08" W, a distance of 100.00 feet; 5) N 89°27'30" W, a distance of 38.11 feet to the West line of the East 1/2 of the Southwest 1/4 of said Northwest 1/4; thence along said West line, S 00°33'34" E, a distance of 11.37 feet to the North line of the Southwest 1/4 of said Section 15; thence along the East line of the West 1/2 of the Northwest 1/4 of said Southwest 1/4, S 00°34'39" E, a distance of 1321.75 feet to the South line of the Northwest 1/4 of said Southwest 1/4; thence along said South line, S 89°11'36" W, a distance of 661.98 feet to the East line of the Southeast 1/4 of said Section 16; thence along aforesaid centerline of a 30 foot wide platted Right of Way between Blocks 35 and 36, N 89°56'42" W, a distance of 15.00 feet to the West platted Right of Way of Detour Road; thence along said West Right of Way, S 00°34'25" E, a distance of 1269.70 feet to the North Right of Way of said Lake Hatchineha Road (County Road 542) according to Official Records Book 447, Page 558 of said Public Records; thence along said North Right of Way the following four (4) courses: 1) N 89°58'56" W, a distance of 25.00 feet; 2) S 00°34'25" E, a distance of 10.00 feet; 3) N 89°58'56" W, a distance of 60.00 feet; 4) S 00°34'25" E, a distance of 5.00 feet to the North Right of Way of said Lake Hatchineha Road (County Road 542) according to aforesaid Official Records Book 483, Page 195; thence along said North Right of Way, N 89°58'56" W, a distance of 559.78 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the South 300 feet of the East 250 feet of Lot 3, Block 37 of said MAP OF LAKE HAMILTON, as described in Official Records Book 4716, Page 1659.

Containing 240.531 acres, more or less.

TOGETHER WITH

PARCEL 2:

COMMENCE at the Northeast corner of said Section 21, run thence along the North line of the Northeast 1/4 of said Section 21, N 89°58'56" W, a distance of 659.79 feet to the East line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4; thence along said East line, S 00°19'18" E, a distance of 35.00 feet to the South Right of Way of Lake Hatchineha Road (County Road 542) according to Official Records Book 483, Page 193 of said Public Records, and the POINT OF BEGINNING; thence continuing along said East line, S 00°19'18" E, a distance of 631.91 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4; thence along said South line and the South line of the Northeast 1/4 of the Northwest 1/4 of said Northeast 1/4, S 89°57'44" W, a distance of 1320.08 feet to the West line of the Northeast 1/4 of the Northwest 1/4 of said Northeast 1/4; thence along said West line, N 00°16'40" W, a distance of 633.19 feet to aforesaid South Right of Way; thence along said South Right of Way, S 89°58'56" E, a distance of 1319.60 feet to the POINT OF BEGINNING.

Containing 19.187 acres, more or less.

PH Citrus Weiberg Phase 1

TOGETHER WITH:

Ph Citrus Weiberg Ph 1

Begin 370 feet north of the southwest corner of the northwest 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East, Polk County, Florida; thence East 210 feet; thence north 210 feet; thence west 210 feet; thence south to the point of beginning.

and

The northwest 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East, Polk County, Florida, less begin 160 feet north of the southwest corner thereof; thence East 210 feet; thence north 420 feet; thence west 210 feet; thence south to the point of beginning.

and

the southwest 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East, Polk County, Florida, less the East 223 feet thereof and less the south 20 feet thereof for road.

and

Begin 160 feet north of the southwest corner of the northwest 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East, Polk County, Florida; thence north 210 feet; thence East 210 feet; thence south 210 feet; thence west 210 feet to the point of beginning.

And The northeast 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East Polk County Florida.

and

Begin at the southwest corner of the southeast 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East, Polk County, Florida; thence East 140 feet; thence north 209 feet:

thence East 520 feet; thence north to the northeast corner of tract; thence west to the northwest corner of tract; thence south to the point of beginning, less the south 20 feet of the west 140 feet for road, and less the west 75 feet of the north 150 feet thereof.

and

Begin 140 feet East of the southwest corner of the southeast 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East, Polk County, Florida; thence East 117 feet; thence north 209 feet; thence west 117 feet; thence south to the point of beginning, less the south 20 feet for road.

and

the north 350 feet of the East 132 feet of the southwest 1/4 of the southwest 1/4 of the northwest 1/4 of section 22, township 28 south, range 27 East, Polk County, Florida, less the west 7 feet thereof and less the north 25 feet thereof.

and

The west 75 feet of the north 150 feet of the southeast 1/4 of the southwest 1/4 of the northwest 1/4 and the north 150 feet of the East 12 feet of the southwest 1/4 of the southwest 1/4 of the northwest 1/4. Less the west 7 feet thereof for right-of-way, all lying and being in section 22, township 28 south, range 27 East, Polk County, Florida.

Containing 34.85 acres, more or less.

Eagle Landing Ph 2

DESCRIPTION:

That portion of the Southwest 1/4 of the Northeast 1/4 of Section 21, Township 28 South, Range 27 East, Polk County, Florida, lying East of Scenic Highway (State Road 17) and being more particularly described as follows:

COMMENCE at the East 1/4 corner of said Section 21, run thence along the South boundary of said Northeast 1/4, S.89°47'45"W., a distance of 1321.60 feet to the Southeast corner of the Southwest 1/4 of said Northeast 1/4 for a POINT OF BEGINNING; thence continue along said South line, S 89°47'45" W, a distance of 1286.00 feet to the Easterly Right of Way of Scenic Highway (State Road 17) according to the State of Florida State Road Department Right of Way map, Proj. 5209-Rd.(8), with a date drawn of 05/04/40; thence along said Easterly Right of Way the following four (4) courses: 1) N 00°33'54" W, a distance of 668.81 feet to the North line of the South 1/2 of the Southwest 1/4 of said Northeast 1/4; 2) along said North line, N 89°51'04" E, a distance of 17.00 feet; 3) departing said North line, N 00°33'54" W, a distance of 41.24 feet; 4) Northerly, 629.09 feet along the arc of a tangent curve to the left having a radius of 5779.58 feet and a central angle of 06°14'11" (chord bearing N 03°41'00" W, 628.78 feet) to the North boundary of aforesaid Southwest 1/4 of the Northeast 1/4; thence along said North boundary, N.89°54'24"E., a distance of 1309.40 feet to the East boundary thereof; thence along said East boundary, S.00°17'59"E., a distance of 1335.10 feet to the POINT OF BEGINNING.

Containing 39.450 acres, more or less.

Altogether containing 334.018 acres, more or less.



Memorandum

To: Town Council

From: Town Clerk, Brittney Sandoval, CMC

Date: June 01, 2023

Subject: Monthly Update.

Town Hall is Closed on Monday, June 19, 2023, in observance of Juneteenth.

All Form 1 applications are due by July 1st. If you need a copy of the form or have any questions, feel free to stop by the office and I can print one out for you.

I attended the Florida Business Tax Officials Conference and received my certification as a Certified Business Tax Official.

I will be attending the Florida Association of City Clerks Conference from June 18th to June 21st.

Business Tax Receipt renewals will be sent out at the beginning of July.

Reminder that the July Council meeting will be held on July 11th.

Other business as usual.

Memorandum

To: Town Council
From: Lisa Harris, Code Enforcement
Date: May 1 through May 31, 2023
Subject: Code Enforcement Report

Code Enforcement would like to advise the Town that this report is from May 1, 2023 through May 31, 2023.

- There were (9) new cases generated and (10) to generate
- There were (19) courtesy letters mailed – from cases at the end of April '23
- There were (3) extension of time granted – courtesy letter stage
- There were (14) notices mailed out for June SM hearing
- There were (9) cases closed out (courtesy letter stage)
- There were (4) cases closed out (notice of violation stage).
- There are (14) cases to be reinspected for compliance (notices & courtesy letter stage)
- May 17, 2023 SM hearing
 - a. (3) Imposition of Fine / Lien
 - b. (4) First Offences
 - c. (1) Extension of Time
 - d. (3) Continuations from previous (2) hearings
 - e. (2) Reductions
 - f. (1) Rescission
- Picked up signs in the right of way
- Satisfactions of Liens to include Cost of Enforcement Costs – See report from Ashley
- Working with Building and Planning to resolve special projects on Hwy 27
- Received Public Record Request for all cases this year – will be working on
- Next Special Magistrate Hearing is June 21, 2023 – 6:30 pm

If the Board members or staff at the Town Hall have any questions, they are welcome to email me at harrisl@townoflakehamilton.com or call me at 863-207-1933 for specific details regarding the status of cases.

Respectfully Submitted,

Lisa Harris, Code Enforcement

Filters: Receipt Type: Code Enforcement Fee, Start Date: 05/01/2023, End Date: 05/31/2023, Status: Posted

Receipt#	Receipt Date	Type	From	For	Amount	Status	Posted
22712	05/04/2023	Code Enforcement Fee	ROCHELLE ESTES	314 Smith Ave Code case #20160027	-25.00	Active	Posted
22952	05/11/2023	Code Enforcement Fee	Realty Connection	Code Case # 20220137	-134.35	Active	Posted
23428	05/23/2023	Code Enforcement Fee	QUINTON DAVIS	Code Case #20180098	-131.87	Active	Posted
23236	05/19/2023	Code Enforcement Fee	Carmen Ruiz	Code case # 20220008	-267.23	Active	Posted
Totals							
Code Enforcement Fee		4			-558.45		
Total All Receipts: 4						-558.45	



Memorandum

To: Town Council

From: Community Development Department, Chris Kirby

Date: June 6, 2023

Subject: Monthly Update

1. **Scenic Terrace South – Phase 2** House construction has started.
2. **Scenic Terrace South – Phase 1** Plat has been approved and recorded.
3. **Feltrim Lakes** – Town staff comments for final construction plans are with the developer
4. **Hamilton Bluff Phase 1 & 2** – Final construction plans have been approved.
5. **FRDAP** – Construction at both Gunter Park and Detour Road Ballfield is complete. All close-out documentation has been delivered.
6. **Water Use Permit Renewal** – SWFMD comments have been finalized.
7. **Road and Drainage Improvements Project** – Chastain Skillman engineer Doug Forni is working with staff to revise the plans and go out for bids. Grant funding in place \$1,975,000.



Memorandum

To: Town Council

From: Public Services Director

Date: 5-30-2023

Subject: Monthly Update for activities and work performed in May 2023

Sanitation: Normal Operations continue. A new hire was not retained after a 90 day probation period. New hire Ian Craig has started this month.

Parks: Operation continue as we are currently trying to a fill vacant position.

Streets: Normal Operations.

Water: The Water plant has been operating well until recently when the CPU failed to operate correctly on Memorial Day. Service was restored and a Boil Water Notice was distributed to the residence. No reason for the disruption has been determined as of yet.

Sewer: The wastewater plant continues under construction a little behind schedule. MG Underground continues to install sewer lines around town. The process of the septic to sewer project continues to be very taxing on the town staff and resources, occupying more attention than likely anticipated.

MISC: The search for a wastewater plant operator continues.

Sincerely,

Patrick Henry

Public Works Director