



CITY OF AVON PARK
Highlands County, Florida

Office of the City Manager
110 East Main Street
Avon Park, Florida 33825

January 7, 2015

Avon Park City Council
110 E. Main St.
Avon Park, FL 33825

Dear Council Members:

Pursuant to City Ordinance No. 874, you are hereby notified of a Regular Meeting of the City Council on Monday, January 12, 2015 at 6:00 p.m. in the Avon Park City Council Chambers, located at 123 E. Pine St.

If you are unable to attend, please contact me at 452-4403.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julian Deleon".

Julian Deleon,
City Manager

/bb



CITY OF AVON PARK
Highlands County, Florida

CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
123 E. Pine St., Avon Park, FL
January 12, 2014
6:00 PM

A. OPENING

1. Invocation
2. Pledge of Allegiance
3. Roll Call

B CITIZENS/OUTSIDE AGENCIES

C. CONSENT AGENDA:

4. Approve Minutes of December 29, 2014

D. COMMITTEE REPORTS/ATTY UPDATES/ANNOUNCEMENTS/PRESENTATIONS

E. ADMINISTRATIVE

11. Second Reading Ordinance 08-15: Approve Final Master Development Plan for Grand Oaks PU
Open the Public Hearing – Mayor Schuler
Close the Public Hearing – Mayor Schuler
12. First Reading Ordinance 01-15: Annex 30 Lake Byrd Blvd
13. First Reading Ordinance 02-15: Annex 28 Lake Byrd Blvd
14. First Reading Ordinance 03-15: Annex 20 Lake Byrd Blvd
15. First Reading Ordinance 04-15: Annex 17 Lake Byrd Blvd
16. First Reading Ordinance 05-15: Annex 15 Lake Byrd Blvd

17. First Reading Ordinance 06-15: Annex 13 Lake Byrd Blvd

18. First Reading Ordinance 07-15: Annex 2501 US 27 North
19. Approval of lowest bidder for Museum at Community Center – M Sutherland

G. CITIZENS PARTICIPATION

H. ADJOURN

Any person who might wish to appeal any decision made by the City Council of the City of Avon Park, Highlands County, Florida, in public hearing or meeting is hereby advised that he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based. Any person with disabilities requiring accommodations in order to participate should contact the City Manager prior to the meeting.

C-4

CITY COUNCIL SPECIAL MEETING MINUTES
Council Chambers – 123 E. Pine St., Avon Park, FL
December 29, 2014
6:00 PM

Members Present: Mayor Sharon Schuler, Deputy Mayor Brenda Giles, Councilman Parke Sutherland and Councilman Terry Heston.

Members absent: Councilman Garrett Anderson

Others Present: City Manager Julian Deleon, and Administrative Services Director Maria Sutherland, Attorney Gerald T. Buhr, Members of Press and Audience.

Mayor Sharon Schuler called the meeting to order at 6:00 P.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

Shirley Johnson, 202 Williams Gray Court, approached Council to recognize the City of Avon Park for their long standing support towards the November 11, Veterans Day Program at the Southside Veterans Garden. She presented a Certificate of Appreciation to the Council and Deputy Mayor Brenda Giles. She commented on the community support from passers- by that drove by the event, the different groups that participated and the benefit to the local veterans.

CONSENT AGENDA: City Manager, Julian Deleon, noted the items on the consent agenda.

- Council Minutes Regular Meeting December 8, 2014

Motion by Councilman Deputy Mayor Brenda Giles, Seconded by Councilman Terry Heston to approve consent agenda as presented. Motion carried unanimously.

Under Announcements- City Manager Julian Deleon announced that staff would like to dedicate the Martin Luther King Complex on Martin Luther King Holiday.

Under Atty updates- Motion made by Deputy Mayor Brenda Giles, Seconded by Councilman Terry Heston to have City Attorney Gerald T. Buhr, represent City Manager and use his discretion for the Count #3 of the Counter Claim by Councilman Garrett Anderson against City Manager Julian Deleon, Motion carried unanimously.

Resolution 14-16. Acceptance of dedication of roads from Crystal Lake Golf Club. Attorney Gerald T. Buhr read the Title of Resolution 14-16 into the minutes.

Motion made by Councilman Terry Heston, Seconded by Councilman Parke Sutherland to approve Resolution 14-16 as presented. Motion carried unanimously.

Maria Sutherland announced that the current fuel farm owner was no longer going to provide fuel at the airport as of January 1, 2015. DOT is going to provide a JPA which will fund a fuel farm, design and engineer of the fuel farm and tear down the big hangar to remedy safety issues. This has to be signed

before the end of the year. The grant that is proposed is \$528,554. We are applying for a REDI /RACEC waiver that this will not be a matching grant.

Resolution 14-17. Joint Participation Agreement (JPA) with DOT for airport fuel farm, and to authorize Mayor to execute an agreement with DOT and approve the Contract with Amherst to provide design, bidding and Construction Phase services for \$81,054. **Motion** made by Councilman Parke Sutherland, seconded by Deputy Mayor Brenda Giles to approve a contract with Amhurst Consultants for engineering, design, bidding and construction phase services for \$81,054. Motion carried unanimously.

Motion made by Councilman Terry Heston, Seconded by Councilman Parke Sutherland to approve Resolution 14-17 to authorize Mayor Sharon Schuler to enter into an agreement with DOT (JPA) 436411-1-94-0101. Motion carried unanimously.

Approval of Consultant for fire Assessment Methodology Study. City Manager Julian Deleon discussed the factors in selecting the firm recommendation of Burton and Associates.

Motion made by Parke Sutherland, Seconded by Councilman Terry Heston to approve the firm of Burton and Associates for Fire Assessment Methodology Study. Motion approved unanimously.

Motion made by Councilman Parke Sutherland, Seconded by Deputy Mayor Brenda Giles to approve budget adjustment as identified in Exhibit 1. Motion carried unanimously.

Motion made by Councilman Parke Sutherland, seconded by Deputy Mayor Brenda Giles to approve bid award to Rowe Drilling for Bid 52-14 in the amount of \$378,875. Motion carried unanimously.

Motion made by Councilman Parke Sutherland, Seconded by Deputy Mayor Brenda Giles, to enter into a contract with Rowe Drilling for wells. Motion carried unanimously.

Motion made by Councilman Terry Heston, Seconded by Deputy Mayor Brenda Giles to approve Utility Service Agreement with Esperer, LLC contingent of review of easement language in contract by Attorney Gerald Buhr. Motion carried unanimously.

Brickell Building RFP. **Motion** made by Parke Sutherland, Seconded by Deputy Mayor Brenda Giles to amend specs in RFP. Motion passed unanimously.

Motion made by Councilman Parke Sutherland, Seconded by Councilman Terry Heston to advertise RFP as broadly as possible. Motion carried unanimously.

SWFWMD Amendment. City Manager Julian Deleon explained that because of the rainy season, the SWFWMD contract needed to be amended before December 31, 2014 in order to obtain a time extension into the new year.

Motion made by Councilman Terry Heston, Seconded by Councilman Parke Sutherland to allow Mayor Sharon Schuler to enter into an extended contract with SWFWMD. Motion carried unanimously.

Land Purchase for Ponds. Attorney Gerald Buhr asked that before a contract is performed that the owners allow ingress and egress agreement to perform tests with hand auger.

Motion made by Councilman Parke Sutherland, Seconded by Councilman Terry Heston to authorize administration to pursue a contract and ability to perform testing on property. Motion carried unanimously.

Meeting adjourned at 7:25 PM

Attest City Clerk, Maria Sutherland

Mayor Sharon Schuler

E-12

ORDINANCE 01-15

AN ORDINANCE TO ANNEX APPROXIMATELY 0.43 ACRES OF LAND OWNED BY ROSA ANTHONY L + DEBRA JONEL, LOCATED AT 30 LAKE BYRD BLVD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, ROSA ANTHONY L + DEBRA JONEL, is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by ROSA ANTHONY L + DEBRA JONEL, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the ____ day of _____, 2014.

**PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
AVON PARK, FLORIDA ON THE ____ DAY OF _____, 2014.**

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 1-15

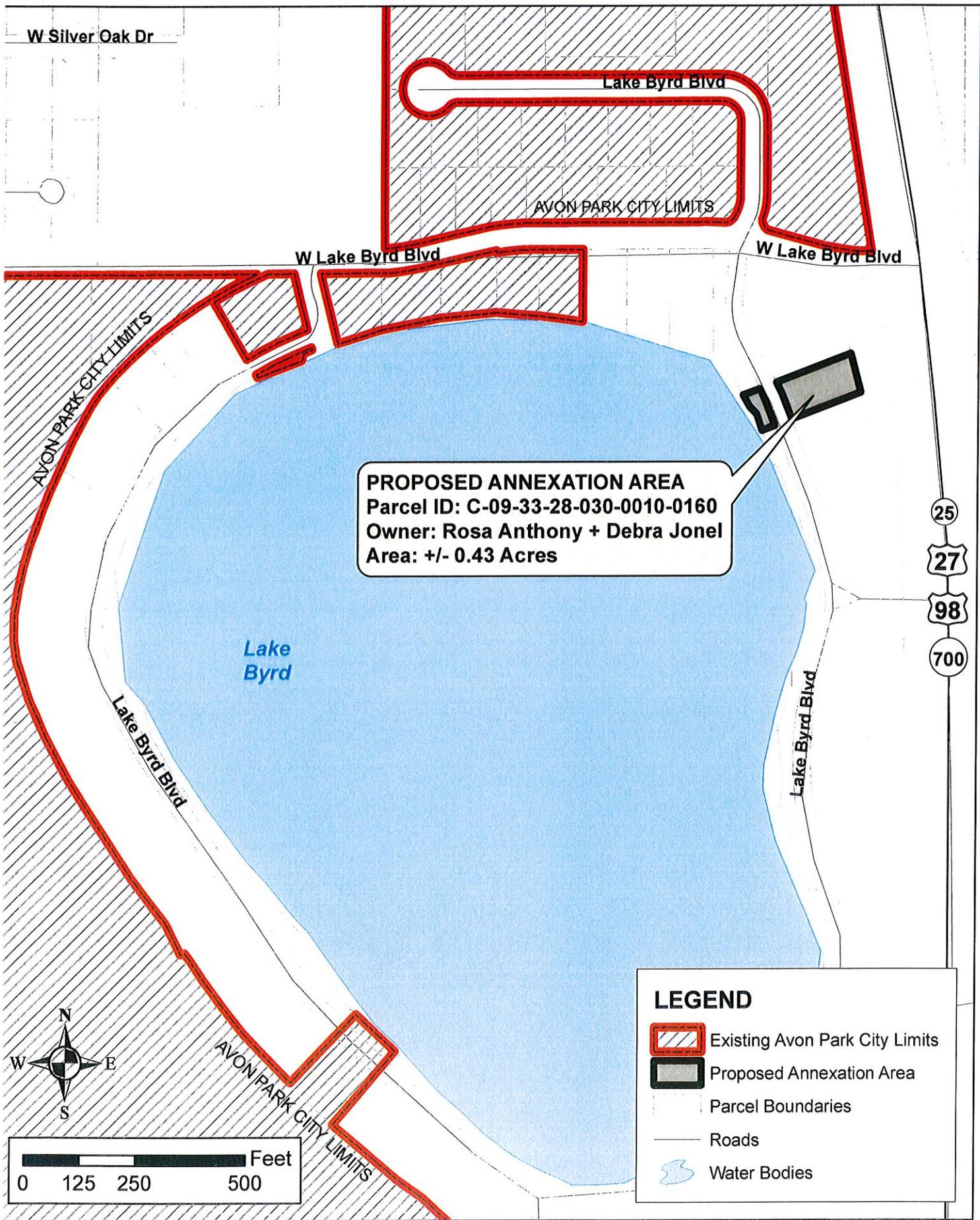


EXHIBIT-B



PREVIOUS ACCOUNT NEXT ACCOUNT
C-09-33-28-030-0010-0160
40 County Southwest Water

[VIEW MAP](#)
[VALUE SUMMARY](#)
[SALES HISTORY](#)
[BUILDINGS](#)
[LAND LINES](#)
[EXTRA FEATURES](#)
[QUERY LIST](#)

Owners

Name 1 : ROSA ANTHONY L + DEBRA JONEL
 Name 2 :

SITE ADDRESS

30 LAKE BYRD BLVD
 AVON PARK , FL 33825

MAILING ADDRESS

Addr 1 : 523 BAYSIDE WAY
 Addr 2 :
 City : NOKOMIS
 State : FL
 Country:
 Zip : 34275

Legal Description

2ND RESUB LAKEWOOD VILLA
 PB 4-PG 21
 LOT 16 + SLY 27 FT M/L OF
 LOT 17 ALONG RD BLK 1

[VIEW GIS MAP](#)

DOR Code : 01
[CLICK FOR CODE DESCRIPTION](#)

Neighborhood Code: 3021.00
 LAKE BYRD

Map Id : 22C
[CLICK TO DOWNLOAD](#)
 *Map is in PDF format and file size is large

[TAX COLLECTOR WEB SITE FOR THIS PARCEL.](#)

Please note that property values on this site are continuously being updated and are a work in progress throughout the year. The final values are certified in October of each year.

VALUE SUMMARY

TAXABLE VALUE SUMMARY

Total Building Value	\$95,250	Total Assessed Value	\$168,752
Total OB/XF Value	\$19,502	Total Exemptions	\$0
Total Land Value	\$54,000	Total Taxable Value	\$168,752
Total Land Value - Agri.	\$0	Please note that property values in this office are being updated throughout the year. The final values are certified in October.	
Income	NA		
Total Classified Use Value	\$0		
Total Just Value	\$168,752		

ent
AR 10.00



Prepared by C.B. Shirey
City of Avon Park
110 E. Main St.
Avon Park, FL 33825

EXHIBIT-C



DECLARATIONS OF COVENANTS

Anthony Rosa, herein called "Declarant", is the owner in fee
(Print Name)

of certain real property, herein called the "Property", located in Highlands County, Florida, more particularly described as follows: (Insert Street Address and Legal Description)

2nd Resub Lakewood Villa
PB 4 - PG 21
Lot 16 + 514 27 Ft m/L OF
Lot 17 Along rd. Block 1

For good and valuable consideration, and in exchange for the right for the Property to receive Water & NA service from the City of Avon Park, Declarant hereby declares that the Property shall be subject to the following covenant, which shall constitute a covenant running with the Property and shall be binding on all parties having any right, title or interest in the Property, their heirs, successors and assigns.

When the Property becomes contiguous to the City Limits of the City of Avon Park, the Property shall be subject to annexation into said City Limits and this declaration shall be considered a petition to the City of Avon Park to facilitate the annexation of the Property when it becomes contiguous.

Dated this 23 day of Sept., 2005.

Declarant: Anthony Rosa [Signature]
(Print Name) (Signature)

STATE OF FLORIDA
COUNTY OF HIGHLANDS

BEFORE me, personally appeared A. ROSA, personally known or who produced identification Driver's Lic. to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that (he or she) executed said instrument for the purposes therein expressed and was authorized by said corporation to do so.

WITNESS my hand and official seal this 23 day of Sept., 2005.

[Signature]
Notary Public, State of Florida

(affix stamp or seal)

Filing Fee: \$11.00 - 1st Page
\$8.50 - Additional Page



RENEE A. GREEN
MY COMMISSION # DD 177427
EXPIRES: January 29, 2007
Bonded Thru Budget Notary Services

FILE# 1349357 RCD: Sep 29 2005 @ 10:02 AM
L.E. "Luke" Brooker Clerk of Courts Highlands Co

E-13

ORDINANCE 02-15

AN ORDINANCE TO ANNEX APPROXIMATELY 0.35 ACRES OF LAND OWNED BY TITUS CHARLES E + JUDITH L, LOCATED AT 28 LAKE BYRD BLVD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, TITUS CHARLES E + JUDITH L, is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by Cuomo, John D., attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the ____ day of _____, 2014.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE ____ DAY OF _____, 2014.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 2-15

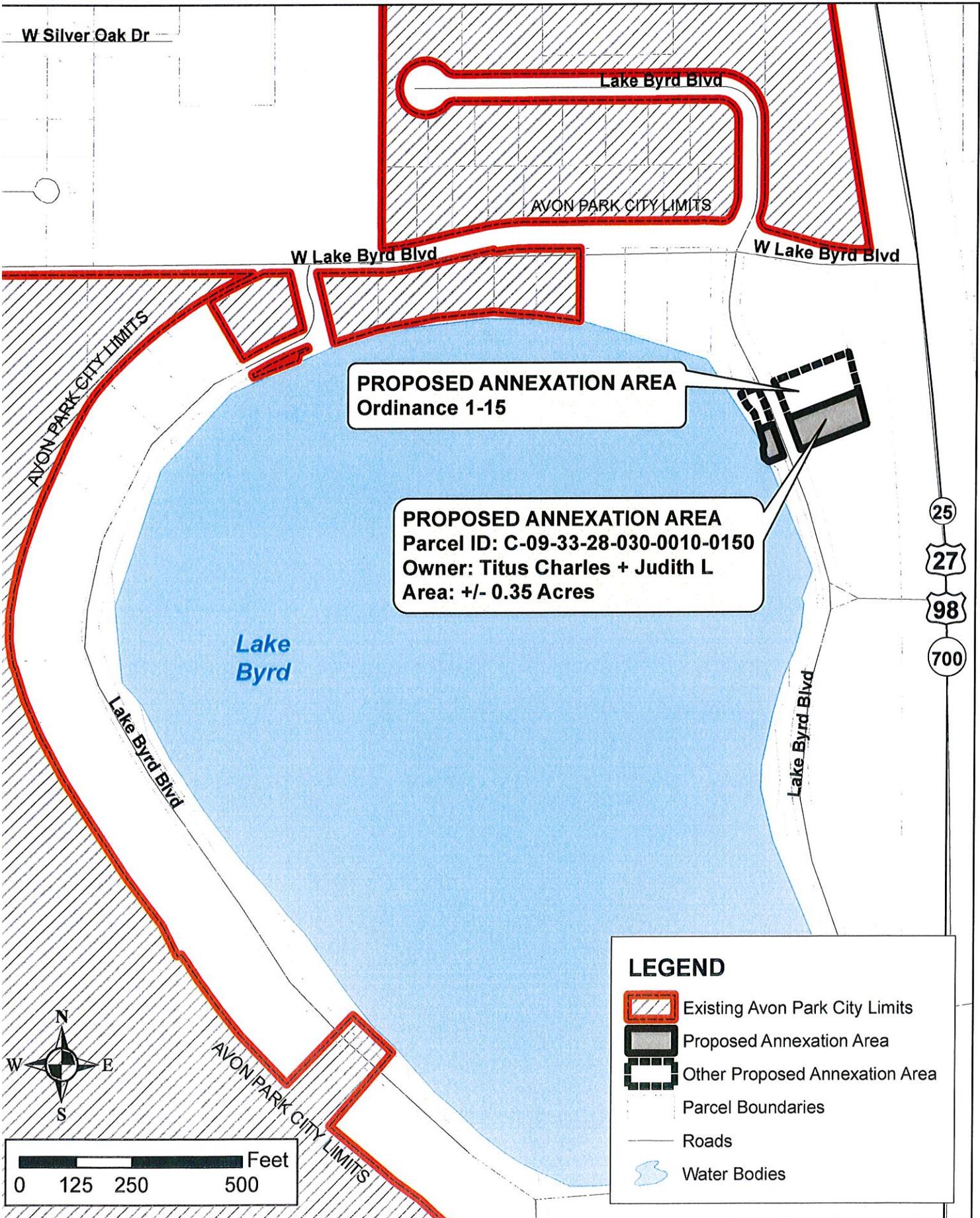




ExHIBIT-B

PREVIOUS ACCOUNT NEXT ACCOUNT
C-09-33-28-030-0010-0150
40 County Southwest Water

- VIEW MAP
- VALUE SUMMARY
- SALES HISTORY
- BUILDINGS
- LAND LINES
- EXTRA FEATURES
- QUERY LIST

Owners

Name 1 : **TITUS CHARLES E + JUDITH L**
Name 2 :

SITE ADDRESS

28 LAKE BYRD BLVD
AVON PARK , FL 33825

MAILING ADDRESS

Addr 1 : **5512 N CARLIN SPRING RD**
Addr 2 :
City : **ARLINGTON**
State : **VA**
Country:
Zip : **22203**

Legal Description

2ND RESUB LAKEWOOD VILLA
PB 4-PG 21
LOT 15 BLK 1

[VIEW GIS MAP](#)

DOR Code : 07
[CLICK FOR CODE DESCRIPTION](#)

Neighborhood Code: 3021.00
LAKE BYRD

Map Id : 22C
[CLICK TO DOWNLOAD](#)
*Map is in PDF format and file size is large

[TAX COLLECTOR WEB SITE FOR THIS PARCEL.](#)

Please note that property values on this site are continuously being updated and are a work in progress throughout the year. The final values are certified in October of each year.

VALUE SUMMARY

TAXABLE VALUE SUMMARY

Total Building Value	\$0	Total Assessed Value	\$50,071
Total OB/XF Value	\$5,071	Total Exemptions	\$0
Total Land Value	\$45,000	Total Taxable Value	\$50,071
Total Land Value - Agri.	\$0	Please note that property values in this office are being updated throughout the year. The final values are certified in October.	
Income	NA		
Total Classified Use Value	\$0		
Total Just Value	\$50,071		

TR 10.00 CD



EXHIBIT-C

→ Prepared by C.B. Shirey
City of Avon Park
110 E. Main St.
Avon Park, FL 33825



DECLARATIONS OF COVENANTS

John V. Cuomo, herein called "Declarant", is the owner in fee
(Print Name)

of certain real property, herein called the "Property", located in Highlands County, Florida, more particularly described as follows: (Insert Street Address and Legal Description) 2nd Resub Lakewood Villa
PB 4 - PB 21
LOT 15 B1K1

For good and valuable consideration, and in exchange for the right for the Property to receive Water & NA service from the City of Avon Park, Declarant hereby declares that the Property shall be subject to the following covenant, which shall constitute a covenant running with the Property and shall be binding on all parties having any right, title or interest in the Property, their heirs, successors and assigns.

When the Property becomes contiguous to the City Limits of the City of Avon Park, the Property shall be subject to annexation into said City Limits and this declaration shall be considered a petition to the City of Avon Park to facilitate the annexation of the Property when it becomes contiguous.

Dated this 18 day of Oct, 2005.

Declarant: John V. Cuomo [Signature]
(Print Name) (Signature)

STATE OF FLORIDA
COUNTY OF HIGHLANDS

BEFORE me, personally appeared JOHN D. CUOMO, personally known or who produced identification DRIVER'S LICENSE (FL) to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that (he or she) executed said instrument for the purposes therein expressed and was authorized by said corporation to do so.

WITNESS my hand and official seal this 18th day of OCTOBER, 2005.

[Signature]
Notary Public, State of Florida (affix stamp or seal)



Filing Fee: \$11.00 - 1st Page
\$8.50 - Additional Page

FILE# 1355381 RCD: Oct 27 2005 @ 2:16 PM
L.E. "Luke" Brooker Clerk of Courts Highlands Co

E-14

ORDINANCE 03-15

AN ORDINANCE TO ANNEX APPROXIMATELY 0.75 ACRES OF LAND OWNED BY ADAMS FREDERICK M + SALLY M TRUSTEES, LOCATED AT 20 LAKE BYRD BLVD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, ADAMS FREDERICK M + SALLY M TRUSTEES, is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by ADAMS FREDERICK M + SALLY M, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the ____ day of _____, 2014.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE ____ DAY OF _____, 2014.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 3-15

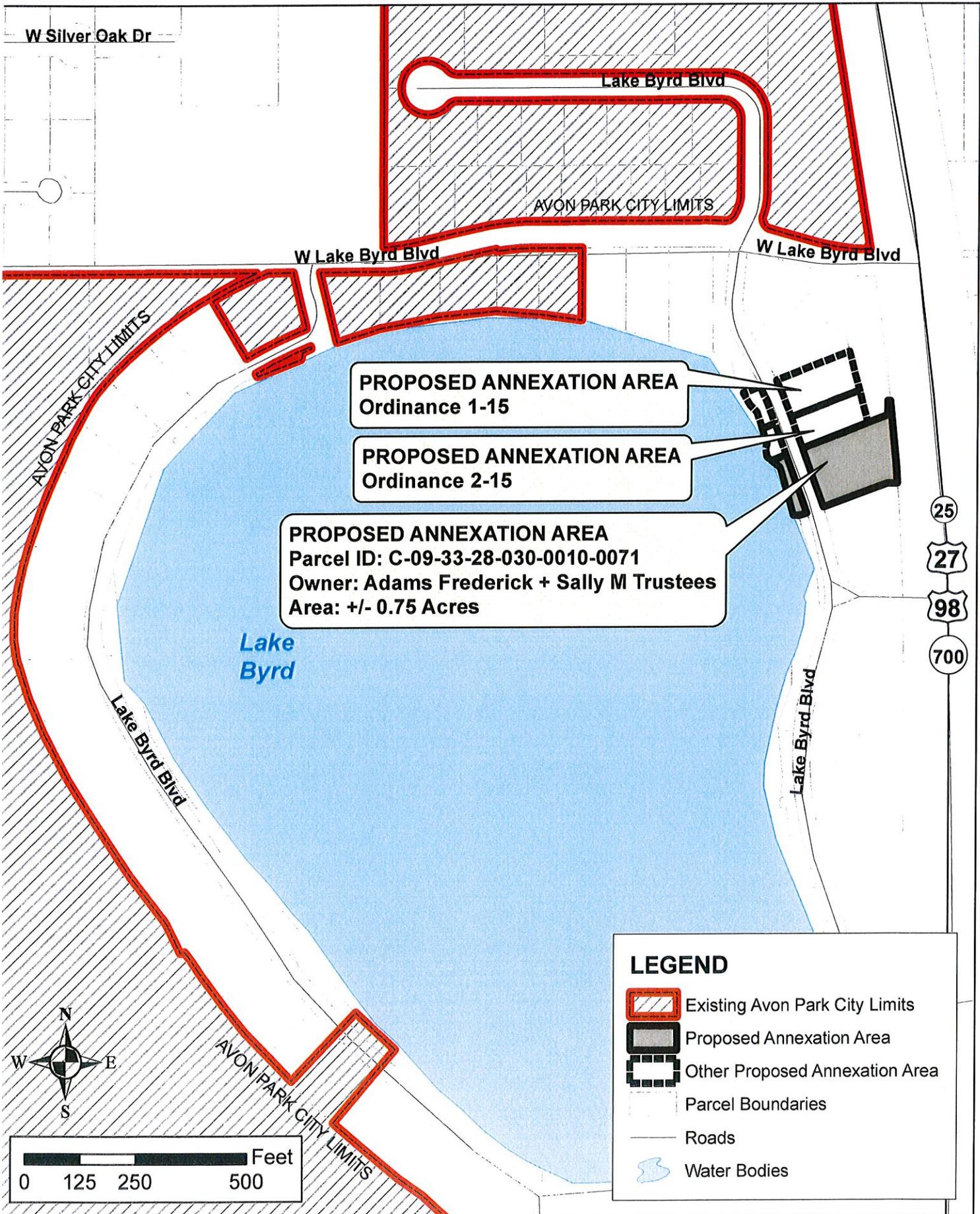




EXHIBIT-B

PREVIOUS ACCOUNT

NEXT ACCOUNT

C-09-33-28-030-0010-0071
40 County Southwest Water

- VIEW MAP
- VALUE SUMMARY
- SALES HISTORY
- BUILDINGS
- LAND LINES
- EXTRA FEATURES
- QUERY LIST

Owners

Name 1 : 20 LAKE BYRD BLVD FL LAND TRUST
 Name 2 : ADAMS FREDERICK M + SALLY M TRUSTEES

SITE ADDRESS

20 LAKE BYRD BLVD
 AVON PARK , FL 33825

MAILING ADDRESS

Addr 1 : P O BOX 403
 Addr 2 :
 City : DEEP RIVER ONTARIO
 State :
 Country: CANADA
 Zip : K0J 1P0

Legal Description

2ND RESUB LAKEWOOD VILLA
 PB 4-PG 21
 N 34.24 FT OF LOT 7-LESS
 HWY 27 R/W + LOTS 13-14
 BLK 1 + CONTIG LAND
 BETWEEN SUB + LAKE +
 LAKEWOOD VILLA + ADDS
 PB 1 PG 6
 LOTS 269-270 + 271 IN SEC
 9-33-28-LESS US 27 R/W

DOR Code : 01
 CLICK FOR CODE DESCRIPTION

Neighborhood Code: 3021.00
 LAKE BYRD

[VIEW GIS MAP](#)

Map Id : 22C
[CLICK TO DOWNLOAD](#)
 *Map is in PDF format and file size is large
[TAX COLLECTOR WEB SITE FOR THIS PARCEL.](#)

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VALUE SUMMARY

TAXABLE VALUE SUMMARY

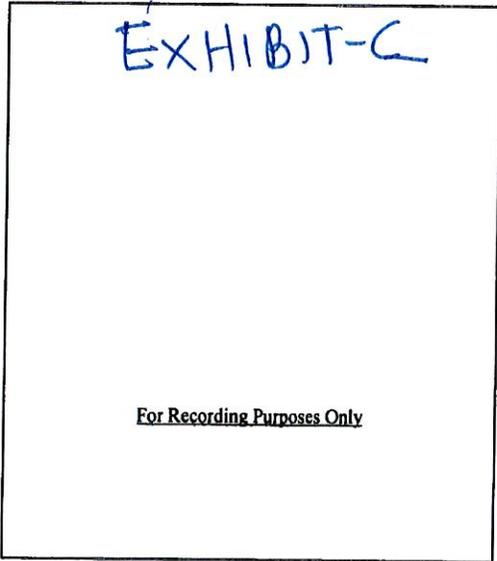
Total Building Value	\$89,760	Total Assessed Value	\$187,392
Total OB/XF Value	\$18,032	Total Exemptions	\$0
Total Land Value	\$79,600	Total Taxable Value	\$187,392
Total Land Value - Agri.	\$0	Please note that property values in this office are being updated throughout the year. The final values are certified in October.	
Income	NA		
Total Classified Use Value	\$0		
Total Just Value	\$187,392		

SALES HISTORY

**THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:**

Utility Billing Department
Savitri Latchmansingh
City of Avon Park, Florida
110 East Main Street
Avon Park, FL 33825
(863) 452-4403

JB
18.50
AIR



AGREEMENT TO ANNEX PROPERTY

This Agreement is executed on this 29 day of January, 2014, by Sally + Fred Adams and _____, whose address is 20 LAKE BYRD BLVD, and his /her successors and assigns heirs and personal representatives (hereinafter collectively referred to as "Owner"), for and in favor of the City of Avon Park whose business address is 110 East Main, Avon Park, Florida 33825, and its successors and assigns (hereinafter referred to as "City").

WITNESSETH

Owner, for and in consideration of the receipt of utility service, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby agree and covenant to annex the property described below ("Property"), into the boundaries of the City.

<u>SITE ADDRESS</u>	<u>Legal Description</u>	
20 LAKE BYRD BLVD AVON PARK, FL 33825	2ND RESUB LAKEWOOD VILLA PB 4-PG 21 N 34.24 FT OF LOT 7-LESS	HWY 27 RW + LOTS 13-14 PB 1 PG 6 BLK 1 + CONTIG LAND LOTS 269-270 + 271 IN SEC BETWEEN SUB + LAKE + 9-33-28-LESS US 27 RW LAKEWOOD VILLA + ADDS

Owner petitions to voluntarily annex the Property when annexation of the Property is deemed lawful by the City in its sole discretion. The City would not otherwise provide utility service to the Owner but for the expectation that the Property would be annexed when it deems such annexation is lawful. Owner, and any successors, assigns by way of sale of the whole Property, parcels of property, sale of lots through subdivision or any other portion of the Property, all agree to voluntarily allow annexation by the City, and shall execute any documents necessary to accomplish that annexation into the City, and shall in no way hinder or delay such annexation. Owner understands that this Agreement is perpetual, and is not revocable, and binds the Owner, his/her successors, assigns, heirs and personal representatives. It is expressly understood and agreed that the terms, covenants, and conditions of this Agreement shall be and constitute covenants running with and binding on the property described below including any lots or parcels resulting from subdividing, and shall constitute an obligation on any such individual subdivided lots or parcels, regardless of title or ownership and regardless of any other future changes in ownership or characteristics that may take place.

Owner agrees that if Owner breaches this Agreement, the City's loss of potential future taxes from Owner's project and future annexations based from Owner's parcel would be substantial, and agrees that the City would be entitled to damages for such losses, along with all legal and equitable remedies available under the law, as well as all attorney fees and costs, including without limitation paralegals and expert witnesses, and including appellate attorney fees and costs.

Signed, sealed and delivered before these witnesses:

Mamita English
(Signed)

MAMITA ENGLISH
(Printed)

OWNER:

Sally Adams

By: SALLY ADAMS

OWNER:

Shadelyh
(Signed)

Fred M Adams

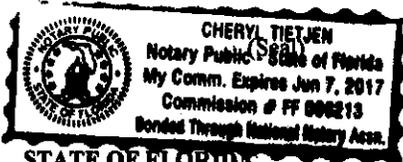
Savitri Latchmansingh
(Printed)

By: FRED M. ADAMS

STATE OF FLORIDA
COUNTY OF HIGHLANDS

I HEREBY CERTIFY that on this 29 day of January 2014, before me, an officer duly qualified to take acknowledgments, personally appeared Sally + Fred Adams is known to me know or who produced DL A352-253-38-283-0 as identification and who executed the foregoing instrument and acknowledged before me that he executed the same DL A352-193-39-840-0

WITNESSETH my hand and official seal in the state and county named above.



Notary Public, State of Florida

Signature: Cheryl Tietjen
Printed name: CHERYL TIETJEN
Commission No. _____ My Commission Expires: _____

STATE OF FLORIDA
COUNTY OF HIGHLANDS

I HEREBY CERTIFY that on this _____ day of _____, 20____, before me, an officer duly qualified to take acknowledgments, personally appeared _____. He is known to me know or who produced _____ as identification and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESSETH my hand and official seal in the state and county named above.

Notary Public, State of Florida

(Seal)

Signature: _____
Printed name: _____
Commission No. _____ My Commission Expires: _____

E-15

ORDINANCE 04-15

AN ORDINANCE TO ANNEX APPROXIMATELY 0.87 ACRES OF LAND OWNED BY LIM CARMELITA B + ABRAHAM N TRS, LOCATED AT 17 LAKE BYRD BLVD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, LIM CARMELITA B + ABRAHAM N TRS, is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by LIM CARMELITA B + ABRAHAM N TRS, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the ____ day of _____, 2014.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE ____ DAY OF _____, 2014.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 4-15

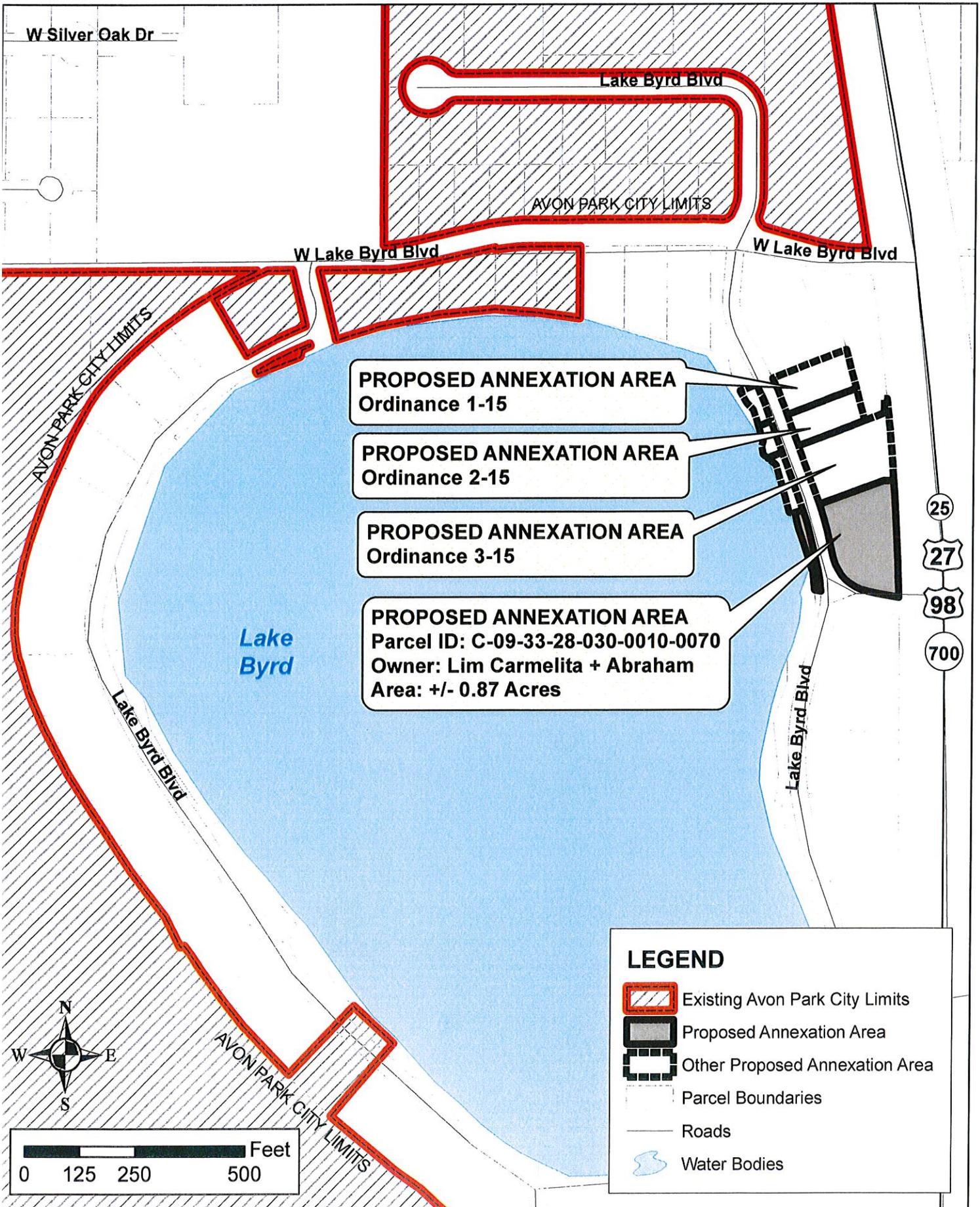




EXHIBIT-B

ABOUT HCPAO MEET YOUR APPRAISER SEARCH PROPERTY RECORDS

PREVIOUS ACCOUNT

NEXT ACCOUNT

C-09-33-28-030-0010-0070
40 County Southwest Water

VIEW MAP
 VALUE SUMMARY
 SALES HISTORY
 BUILDINGS
 LAND LINES
 EXTRA FEATURES
 QUERY LIST

Owners

Name 1 : LIM CARMELITA B + ABRAHAM N TRS
 Name 2 :

SITE ADDRESS

17 LAKE BYRD BLVD
 AVON PARK , FL 33825

MAILING ADDRESS

Addr 1 : 17 LAKE BYRD BLVD
 Addr 2 :
 City : AVON PARK
 State : FL
 Country:
 Zip : 33825

Legal Description

2ND RESUB LAKEWOOD VILLA
 PB 4-PG 21
 LOT 7-LESS N 34.24 FT +
 LOTS 8 THRU 12-LESS HWY 27
 R/W BLK 1

DOR Code : 01
 CLICK FOR CODE DESCRIPTION

VIEW GIS MAP

Neighborhood Code: 3021.00
 LAKE BYRD

Map Id : 22C
 CLICK TO DOWNLOAD
 *Map is in PDF format and file size is large

TAX COLLECTOR WEB SITE
 FOR THIS PARCEL.

Please note that property values on this site are continuously being updated and are a work in progress throughout the year. The final values are certified in October of each year.

VALUE SUMMARY

TAXABLE VALUE SUMMARY

Total Building Value	\$195,581
Total OB/XF Value	\$43,433
Total Land Value	\$95,000
Total Land Value - Agri.	\$0
Income	NA
Total Classified Use Value	\$0
Total Just Value	\$334,014

Total Assessed Value	\$329,827
Total Exemptions	\$50,000
Total Taxable Value	\$279,827

Please note that property values in this office are being updated throughout the year. The final values are certified in October.

SALES HISTORY

EXHIBIT-C

AR 600

**** OFFICIAL RECORDS ****
BK 1574 PG 1175

FILE # 1121074 RCD: Nov 07 2001 @ 02:18PM
L. E. "Luke" Brooker, Clerk, Highlands County

→ Prepared by C.B. Shirey
City of Avon Park
110 E. Main St.
Avon Park, FL 33825

DECLARATIONS OF COVENANTS

ABRAHAM LIM, herein called "Declarant", is the owner in fee
(Print Name)

of certain real property, herein called the "Property", located in Highlands County, Florida, more particularly described as follows: (Insert Street Address and Legal Description)
C-09-33-28-030-0010-0070 ^{2nd Resub Lakewood Villa}
PB 4-PG 21
Lot 7-Less N 34.24 FT +
Lots 8 thru 12 Less Hwy 27
PLW BK 2

For good and valuable consideration, and in exchange for the right for the Property to receive Water & _____ service from the City of Avon Park, Declarant hereby declares that the Property shall be subject to the following covenant, which shall constitute a covenant running with the Property and shall be binding on all parties having any right, title or interest in the Property, their heirs, successors and assigns.

When the Property becomes contiguous to the City Limits of the City of Avon Park, the Property shall be subject to annexation into said City Limits and this declaration shall be considered a petition to the City of Avon Park to facilitate the annexation of the Property when it becomes contiguous.

Dated this 30th day of October, 2001.

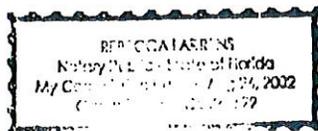
Declarant: ABRAHAM LIM Abraham Lim
(Print Name) (Signature)

STATE OF FLORIDA
COUNTY OF HIGHLANDS

BEFORE me, personally appeared Abraham Lim, personally known or who produced identification personally known to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he (he or she) executed said instrument for the purposes therein expressed and was authorized by said corporation to do so.

WITNESS my hand and official seal this 30th day of October, 2001

Rebecca Jansen
Notary Public, State of Florida (affix stamp or seal)



Filing Fee \$7 00 - 1st Page
\$4 50 - Additional Page

E-16

ORDINANCE 05-15

AN ORDINANCE TO ANNEX APPROXIMATELY 1.35 ACRES OF LAND OWNED BY METCALFE CHARLES G JR ET AL, LOCATED AT 15 LAKE BYRD BLVD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, METCALFE CHARLES G JR ET AL, is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by GROSS, CYNTHIA M, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the _____ day of _____, 2014.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE _____ DAY OF _____, 2014.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 5-15

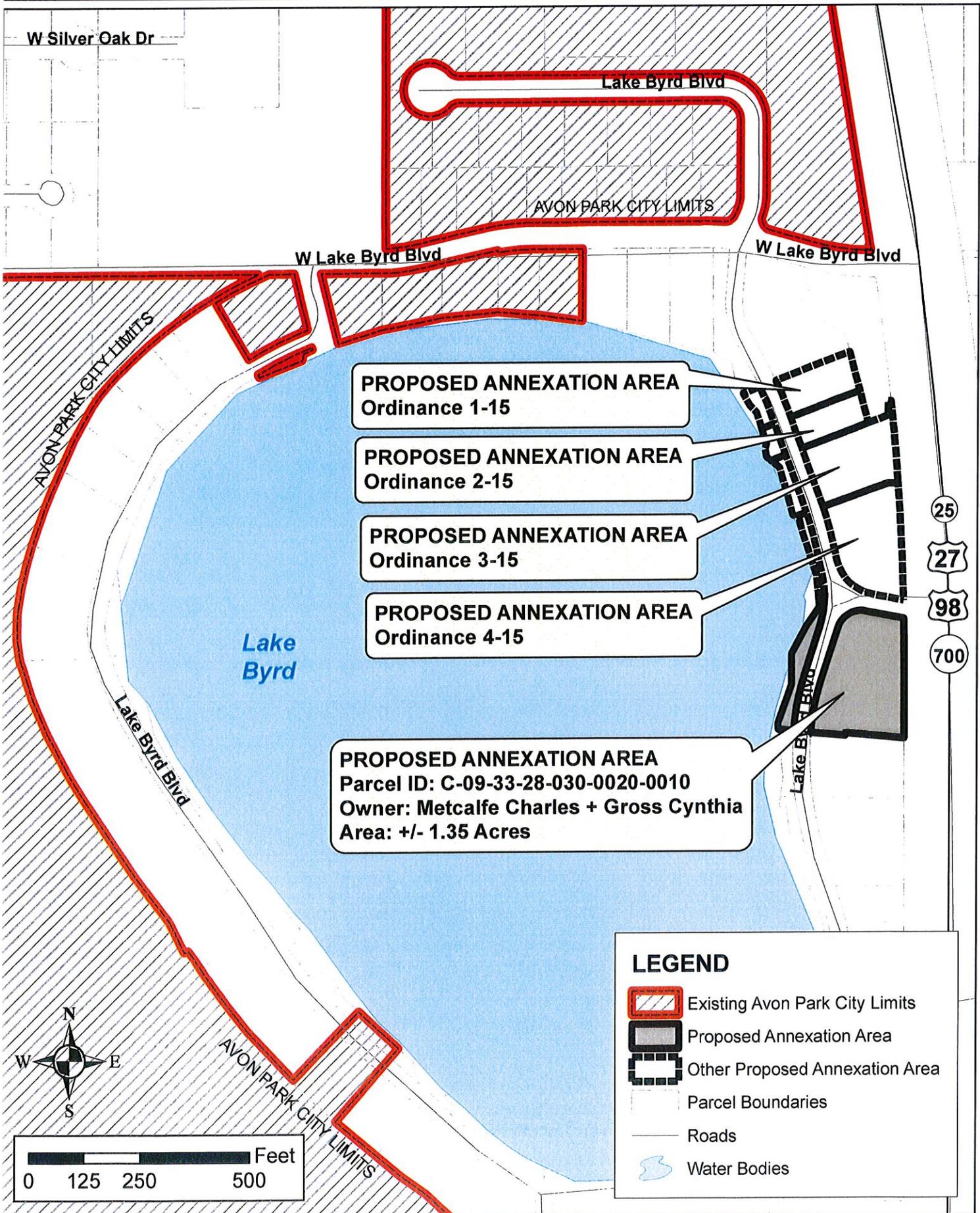




EXHIBIT-B

ABOUT HCPAO MEET YOUR APPRAISER SEARCH PROPERTY RECORDS

PREVIOUS ACCOUNT NEXT ACCOUNT
C-09-33-28-030-0020-0010
40 County Southwest Water

- VIEW MAP
- VALUE SUMMARY
- SALES HISTORY
- BUILDINGS
- LAND LINES
- EXTRA FEATURES
- QUERY LIST

Owners

Name 1 :METCALFE CHARLES G JR ET AL +
 Name 2 :GROSS CYNTHIA M

SITE ADDRESS

15 LAKE BYRD BLVD
 AVON PARK , FL 33825

MAILING ADDRESS

Addr 1 : 13 LAKE BYRD BLVD
 Addr 2 :
 City : AVON PARK
 State : FL
 Country:
 Zip : 33825

Legal Description

2ND RESUB LAKEWOOD VILLA
 PB 4-PG 21
 LOTS 1 + 2-LESS A 6.5 X 135 FT
 STRIP IN SELY COR LOT 2 +
 LESS US 27 RD BLK 2

DOR Code : 01
 CLICK FOR CODE DESCRIPTION

[VIEW GIS MAP](#)

Neighborhood Code: 3021.00
 LAKE BYRD

Map Id : 22C
 CLICK TO DOWNLOAD
 *Map is in PDF format and file size is large

TAX COLLECTOR WEB SITE
 FOR THIS PARCEL.

Please note that property values on this site are continuously being updated and are a work in progress throughout the year. The final values are certified in October of each year.

VALUE SUMMARY

TAXABLE VALUE SUMMARY

Total Building Value	\$53,422
Total OB/XF Value	\$5,511
Total Land Value	\$167,865
Total Land Value - Agri.	\$0
Income	NA
Total Classified Use Value	\$0
Total Just Value	\$226,798

Total Assessed Value	\$226,798
Total Exemptions	\$0
Total Taxable Value	\$226,798

Please note that property values in this office are being updated throughout the year. The final values are certified in October.

MB
10.00
AIR



Prepared by C.B. Shirey
City of Avon Park
110 E. Main St.
Avon Park, FL 33825

DECLARATIONS OF COVENANTS

EXHIBIT-C

Cynthia Metcalfe Gross, herein called "Declarant", is the owner in fee
(Print Name)

of certain real property, herein called the "Property", located in Highlands County, Florida, more particularly described as follows: (Insert Street Address and Legal Description)

15 Lake Beryl Blvd.

Legal Description
2ND RESUB LAKEWOOD VILLA
PB 4-PG 21
LOTS 1 + 2-LESS US 27 RD
R/W BLK 2

For good and valuable consideration, and in exchange for the right for the Property to receive Water & _____ service from the City of Avon Park, Declarant hereby declares that the Property shall be subject to the following covenant, which shall constitute a covenant running with the Property and shall be binding on all parties having any right, title or interest in the Property, their heirs, successors and assigns.

When the Property becomes contiguous to the City Limits of the City of Avon Park, the Property shall be subject to annexation into said City Limits and this declaration shall be considered a petition to the City of Avon Park to facilitate the annexation of the Property when it becomes contiguous.

Dated this 21st day of MARCH, 2007.

Declarant: Cynthia Metcalfe Gross *Cynthia Metcalfe Gross*
(Print Name) (Signature)

STATE OF FLORIDA
COUNTY OF HIGHLANDS

BEFORE me, personally appeared *Cynthia M. Gross*, personally known or who produced identification *FL DRIVER'S LICENSE* to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that (he or she) executed said instrument for the purposes therein expressed and was authorized by said corporation to do so.

WITNESS my hand and official seal this 21st day of MARCH, 2007.

Sarah J. Adely
Notary Public, State of Florida

(affix stamp or seal)



Filing Fee: \$11.00 - 1st Page
\$8.50 - Additional Page

ORDINANCE 06-15

AN ORDINANCE TO ANNEX APPROXIMATELY 0.80 ACRES OF LAND OWNED BY GROSS JOHN H JR + CYNTHIA, LOCATED AT 13 LAKE BYRD BLVD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, GROSS JOHN H JR + CYNTHIA, is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by GROSS JOHN H JR, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the ____ day of _____, 2014.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE ____ DAY OF _____, 2014.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

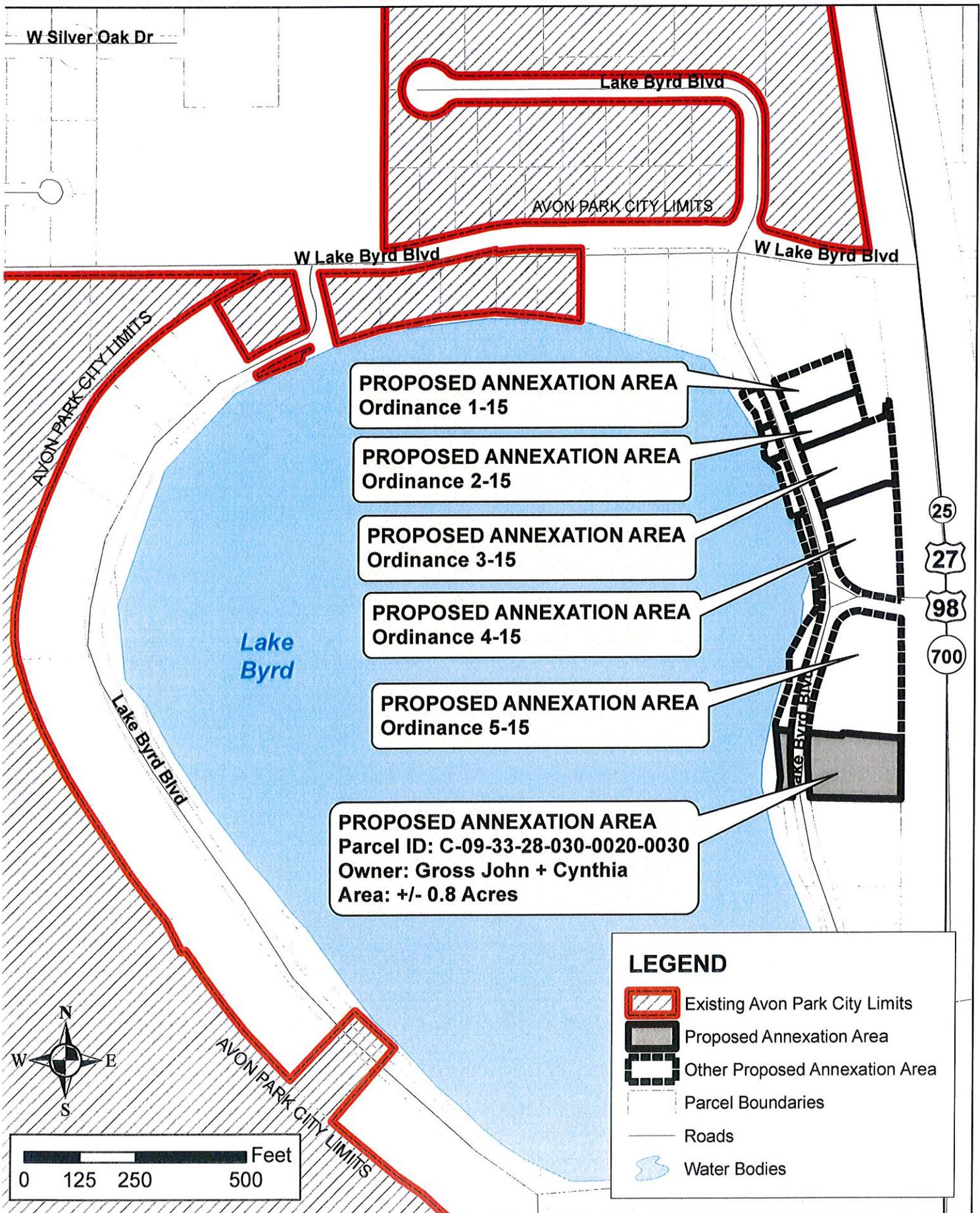
ATTEST:

Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 6-15



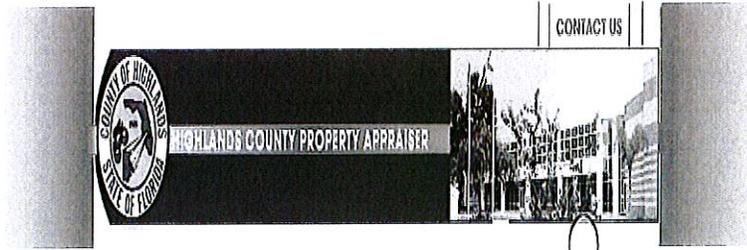


EXHIBIT-B

ABOUT HCPAO MEET YOUR APPRAISER SEARCH PROPERTY RECORDS

PREVIOUS ACCOUNT NEXT ACCOUNT
C-09-33-28-030-0020-0030
40 County Southwest Water

VIEW MAP
 VALUE SUMMARY
 SALES HISTORY
 BUILDINGS
 LAND LINES
 EXTRA FEATURES
 QUERY LIST

Owners

Name 1 : **GROSS JOHN H JR + CYNTHIA**
 Name 2 :

SITE ADDRESS

13 LAKE BYRD BLVD
 AVON PARK , FL 33825

MAILING ADDRESS

Addr 1 : **13 LAKE BYRD BLVD**
 Addr 2 :
 City : **AVON PARK**
 State : **FL**
 Country:
 Zip : **33825**

Legal Description

2ND RESUB LAKEWOOD VILLA
 PB 4 - PG 21
 A 6.5 X 135 FT M/L STRIP OF
 LOT 2 IN SELY COR +
 LTS 3 + 4 -LESS S 10 FT OF LOT 4
 -LESS US 27 RD BLK 2

DOR Code : 01
 CLICK FOR CODE DESCRIPTION

[VIEW GIS MAP](#)

Neighborhood Code: 3021.00
 LAKE BYRD

Map Id : 22C
[CLICK TO DOWNLOAD](#)
 *Map is in PDF format and file size is large

[TAX COLLECTOR WEB SITE FOR THIS PARCEL.](#)

Please note that property values on this site are continuously being updated and are a work in progress throughout the year. The final values are certified in October of each year.

VALUE SUMMARY

TAXABLE VALUE SUMMARY

Total Building Value	\$64,395
Total OB/XF Value	\$11,865
Total Land Value	\$85,500
Total Land Value - Agri.	\$0
Income	NA
Total Classified Use Value	\$0
Total Just Value	\$161,760

Total Assessed Value	\$144,739
Total Exemptions	\$50,000
Total Taxable Value	\$94,739

Please note that property values in this office are being updated throughout the year. The final values are certified in October.

EXHIBIT-C

AR 600

** OFFICIAL RECORDS **
BK 1558 PG 1954

FILE # 1109345 RCD: Jul 30 2001 @ 10:39AM
L. E. "Luke" Brooker, Clerk, Highlands County

Prepared by C.B. Shirey
City of Avon Park
690 E. Main St
Avon Park, FL 33825



DECLARATIONS OF COVENANTS

John H Gross, herein called "Declarant", is the owner in fee
(Print Name)
of certain real property, herein called the "Property", located in Highlands County,
Florida, more particularly described as follows: (Insert Street Address and Legal
Description) 13 Lake Byrd Blvd Avon Park 33825
NE 1/4 of SE 1/4 of Section 9 Township 33 S Range 28 E
Highlands County Lakewood Villa Lots 3+4 Block 2

For good and valuable consideration, and in exchange for the right for the
Property to receive Water & NO OTHER service from the City of Avon Park, Declarant
hereby declares that the Property shall be subject to the following covenant, which shall
constitute a covenant running with the Property and shall be binding on all parties having
any right, title or interest in the Property, their heirs, successors and assigns.

When the Property becomes contiguous to the City Limits of the City of Avon
Park, the Property shall be subject to annexation into said City Limits and this declaration
shall be considered a petition to the City of Avon Park to facilitate the annexation of the
Property when it becomes contiguous.

Dated this 26th day of July, 2001.

Declarant: John H Gross John H Gross
(Print Name) (Signature)

STATE OF FLORIDA
COUNTY OF HIGHLANDS

BEFORE me, personally appeared John H Gross, personally known or
who produced identification _____ to be the person described in
and who executed the foregoing instrument, and acknowledged to and before me that
(he) or she) executed said instrument for the purposes therein expressed and was
authorized by said corporation to do so.

WITNESS my hand and official seal this 26th day of July, 2001

Diana R Manely
Notary Public, State of Florida (affix stamp or seal)



Filing Fee \$7 00 - 1st Page
\$4 50 - Additional Page

E-18

ORDINANCE 07-15

AN ORDINANCE TO ANNEX APPROXIMATELY 8.72 ACRES OF LAND OWNED BY ESPERER LLC, LOCATED AT 2501 US 27 N, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, **ESPERER LLC**, is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by **ESPERER LLC**, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the _____ day of _____, 2014.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE _____ DAY OF _____, 2014.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

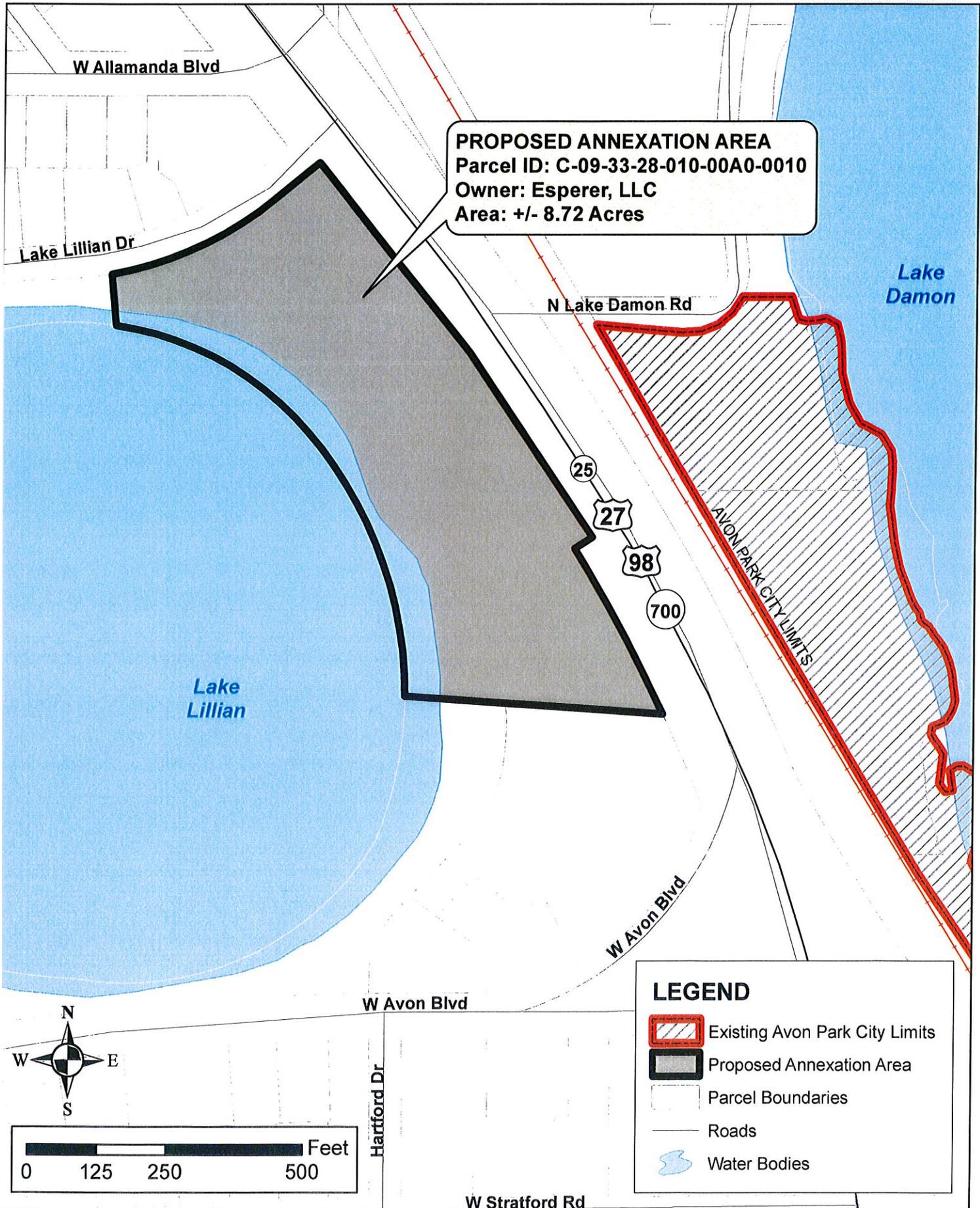
ATTEST:

Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 07-15





ABOUT HCPAO MEET YOUR APPRAISER SEARCH PROPERTY RECORDS

EXHIBIT-B

PREVIOUS ACCOUNT

NEXT ACCOUNT

C-09-33-28-010-00A0-0010
40 County Southwest Water

- VIEW MAP
- VALUE SUMMARY
- SALES HISTORY
- BUILDINGS
- LAND LINES
- EXTRA FEATURES
- QUERY LIST

Owners

Name 1 : **ESPERER LLC**
 Name 2 :

SITE ADDRESS

2501 US 27 N
 AVON PARK , FL 33825

MAILING ADDRESS

Addr 1 : **P O BOX 460**
 Addr 2 :
 City : **BROOKMEAL**
 State : **VA**
 Country:
 Zip : **24528-0460**

Legal Description

UNIT NO 1 LAKE LILLIAN
 PB 2-PG 77
 ALL BLK A + NLY PORT BLK B
 E OF LAKE + BLK 65 + LOTS
 5 TO 10 + NLY PORT LOTS 11
 + 27 + ALL LOTS 28 TO 30
 BLK 77 + CONTIG
 CLSD RD + ALLEY
 ALL LESS US 27 R/W
 8.72 ACRES

DOR Code : 10
 CLICK FOR CODE DESCRIPTION

Neighborhood Code: 5130.00
 US 27 COUNTY LINE TO LK GLENADA

[VIEW GIS MAP](#)

Map Id : 22B
 CLICK TO DOWNLOAD
 *Map is in PDF format and file size is large

TAX COLLECTOR WEB SITE
 FOR THIS PARCEL.

Please note that property values on this site are continuously being updated and are a work in progress throughout the year. The final values are certified in October of each year.

VALUE SUMMARY

TAXABLE VALUE SUMMARY

Total Building Value	\$0
Total OB/XF Value	\$0
Total Land Value	\$741,200
Total Land Value - Agri.	\$0
Income	NA
Total Classified Use Value	\$0
Total Just Value	\$741,200

Total Assessed Value	\$741,200
Total Exemptions	\$0
Total Taxable Value	\$741,200
Please note that property values in this office are being updated throughout the year. The final values are certified in October.	

SALES HISTORY

Off. Record	Date	Type	Qualified or Unqualified	Vacant or Improved	Reason Code	Sales Price		
Book	Page	Month	Year	Inst				
2314	1825	02	2012	CT	Unqualified	Vacant	11	\$100

AGREEMENT

EXHIBIT-C

THIS AGREEMENT is made and entered into this 17 day of Dec 2014 by and between ESPERER LLC, whose business address is P O BOX 460, BROOKMEAL, VA 24528-0460, and its successors and assigns (hereinafter referred to as "Owner"), and the City of Avon Park, a municipal corporation whose business address is 110 East Main Street, Avon Park, Florida 33825, and its successors and assigns (hereinafter referred to as "City").

PURPOSE & INTENT

1. Owner is desirous of developing Owner's property ("Property" description attached as Exhibit "A") someday in the future, and obtaining water service from the City when the Property is developed.

2. City is willing to provide such water and wastewater service in the manner described herein, but in exchange requires that the annexation of the Property be performed as soon as legally possible.

OWNER and CITY therefore agree as follows:

PURPOSE & INTENT AND EXHIBITS PART OF AGREEMENT

The above recitations are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement and statements therein are hereby deemed a part of this Agreement.

1. Agreements between the Parties as to Annexation. Owner irrevocably agrees to voluntarily annex the Property within the City. City agrees to annex the Property.

2. Agreements as to Extension of Water Service.

a. The City agrees to install 8" water main as illustrated in Exhibit-B, as permitted by Pickett Engineering.

3. Commencement of City Duties. The City's obligation to perform its duties after the permits have been obtained.

4. Purchase of Easement and Existing Lift Station. To facilitate water and sewer construction, the City purchases 15 ft utility easement along the property frontage on US-27, and 10 ft easement on Lake Lillian Road, along with the existing Lift Station turned over to the City for a total amount of \$2,000.

5. Zoning. The City has reviewed the existing Zoning and agrees that a Dollar General Retail Store is an approved land use.

6. Site Plan Review. The City waives the site plan review fee, and agrees to start the review process with Dollar General and Pickett Engineering prior to the annexation.

7. Laws of Florida to Govern / Venue. This Agreement shall be governed by the laws of the State of Florida, and the proper venue shall be state court in Highlands County, Florida, and the parties agree to waive any right to jury trial.

8. Waiver: Remedies. No failure or delay on the part of either party in exercising any right, power or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party of any right, power, or privilege hereunder operate as a waiver of any other right, power, or privilege hereunder, nor will any single or partial exercise of any right, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, power, or privilege hereunder.

9. Document is the Result of Mutual Draftsmanship The terms and conditions in this Agreement are the product of mutual draftsmanship by both parties, each being represented by counsel, and any ambiguities in this Agreement or any documentation prepared pursuant to it shall not be construed against any of the parties because of authorship. The parties acknowledge that all the terms of this Agreement were negotiated at arms' length, and that each party, being represented by counsel, is acting to protect its, his, her, or their own interest.

10. Prior Agreements: Amendments. This Agreement supersedes all previous agreements or representations, either verbal or written, heretofore in effect between DEVELOPER and CITY, made with respect to the matters herein contained, and when duly executed constitutes the entire Agreement between DEVELOPER and CITY. No additions, alterations or variations of the terms of this Agreement shall be valid nor provisions of this Agreement be deemed waived by either party, unless such additions, alterations, variations or waivers are expressed in writing and duly signed.

11. Conflict With Laws. In the event of a conflict between provisions in this Agreement and the provisions in any federal or state law, or any City ordinance, resolution, rules and regulations or code, the parties shall first attempt to read the provisions in reasonable harmony, and if no agreement can be reached, the provision of federal law, then state law, then City ordinance (Code), resolution, rules & regulations shall prevail over the provisions in the Agreement, in that order, however, the City shall pass no future ordinance that will invalidate this Agreement or eliminate the City's duties under this Agreement.

12. Agreement Recorded as Covenant on the Property. A copy of this Agreement shall be duly recorded in the county records by the City as a covenant binding the Owner of the Property and any subsequent purchasers of the Property, and the benefits and burdens of this Agreement shall become a covenant, running, touching, building and concerning the title to the Property, and all parts and parcels thereof.

13. Attorney Fees. In the event of any action to enforce the terms of this Agreement, the prevailing party shall be entitled to recover actual and reasonable attorneys' fees, paralegals' fees, and costs incurred, whether the same be incurred in a pre-litigation negotiation, litigation at the trial level, or upon appeal.

IN WITNESS WHEREOF, OWNER and CITY have executed or have caused this Agreement, with the named Exhibits attached, to be duly executed.

ESPERER LLC

Signed, sealed and delivered before these witnesses:	By: <u><i>[Signature]</i></u> <i>Managing Member</i>
_____ (Signed)	
_____ (Printed)	
_____ (Signed)	
_____ (Printed)	

**STATE OF FLORIDA
COUNTY OF HIGHLANDS**

SWORN TO AND SUBSCRIBED freely and voluntarily for the purposes therein expressed before me by Michael Marcos as the Manager of ESPERER LLC, a Virginia Co. and who executed the foregoing, this 18 day of April - December, 2014. She is personally known to me or has produced VADL (type of identification) as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 18 day of December 2014.



Notary Public: Catherine G. Satterfield
My Council Expires: April 30, 2017

CITY OF AVON PARK

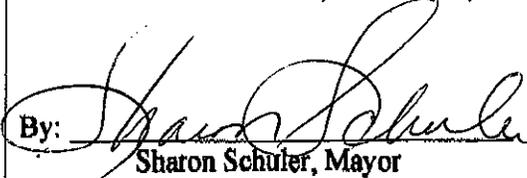
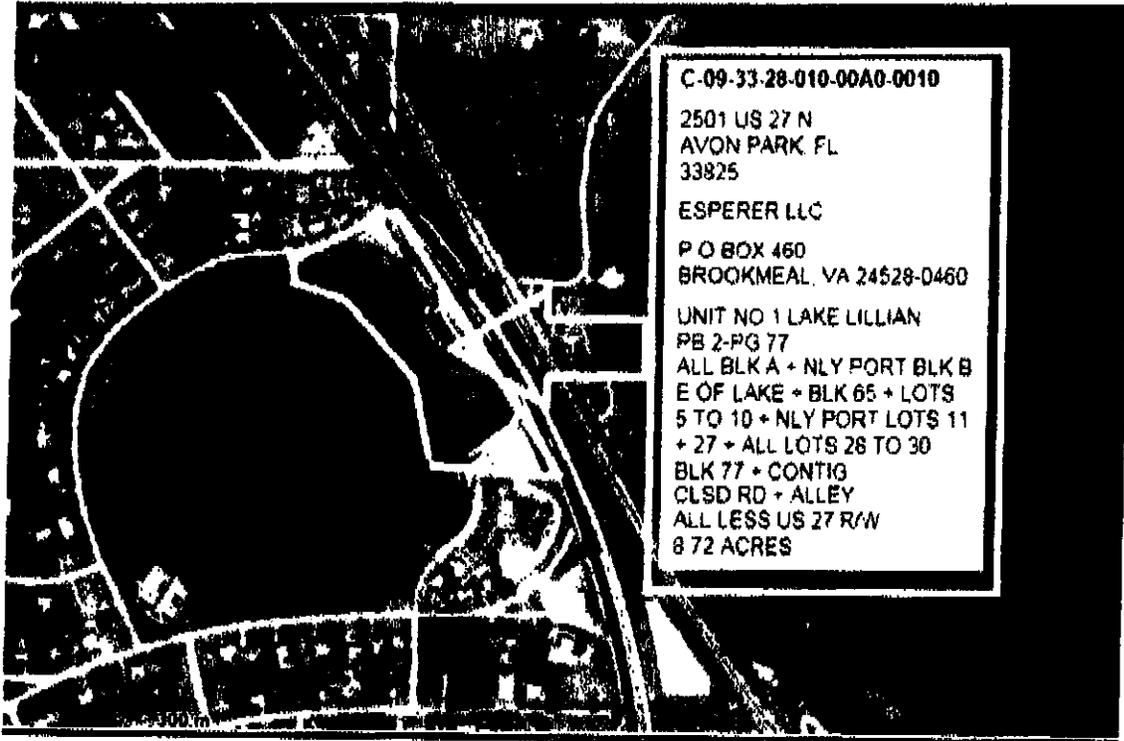
<p>[SEAL]</p> <p>ATTEST: _____ Maria Sutherland, City Clerk</p> <p>APPROVED AS TO FORM: _____ Gerald T. Buhr, City Attorney</p>	<p>CITY OF AVON PARK, FLORIDA,</p> <p>By:  Sharon Schuler, Mayor</p>
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EXHIBIT A

DESCRIPTION OF OWNER'S PROPERTY TO BE ANNEXED



C-09-33-28-010-00A0-0010

2501 US 27 N
AVON PARK FL
33825

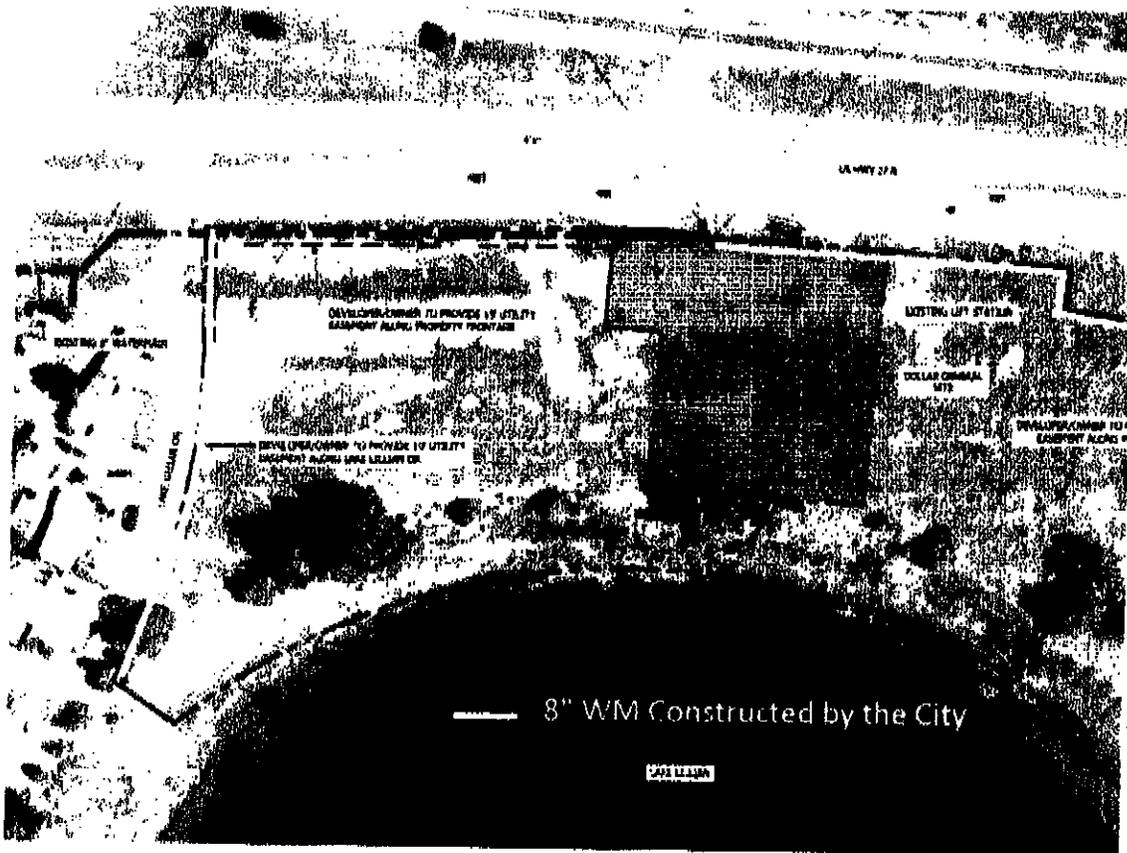
ESPERER LLC

P O BOX 460
BROOKMEAL VA 24528-0460

UNIT NO 1 LAKE LILLIAN
PB 2-PG 77
ALL BLK A + NLY PORT BLK B
E OF LAKE + BLK 65 + LOTS
5 TO 10 + NLY PORT LOTS 11
+ 27 + ALL LOTS 28 TO 30
BLK 77 + CONTIG
CLSD RD + ALLEY
ALL LESS US 27 R/W
8.72 ACRES

EXHIBIT-B

LOCATION AND ALIGNMENT OF PROPOSED WATER MAIN, and EASEMENT



Agenda Item Summary

January 12, 2015

E-19

Subject: Community Center renovation for Museum Bids

Item No.

Placed on Agenda by: M Sutherland

Total Amount of Project:

Staff Review: Yes

Attorney Review: N/A

Background: In 2014, Council approved \$35,000 for the renovations to the upper floor of the Community Center for the Peter Powell Roberts Museum. The \$35,000 was the projected amount based from drawn specifications and probable costs.

City staff advertised the project and three bidders submitted as follows:

Trinity Dev	\$ 38,818.00
Handly	\$ 57,000.00
DEC Contracting	\$ 69,931.00



TRINITY

Development Corporation

Residential ♦ Commercial ♦ Investment Properties

The City of Avon Park
Attention: Ms. Maria Sutherland
110 East Main Street
Avon Park , Florida 33825

January 5, 2015

Re: Proposed Renovations
Peter Powell Roberts Museum of Art and Cultural Center

We hereby propose to furnish all necessary labor, materials, and equipment to complete the renovations shown on plans drawn by mdi creative inc., dated November 17, 2014, pages 1 through 8 inclusive.

TOTAL BID PRICE \$ 38,818.00 **

**** NOTE:**

- 1) The specified carpet squares are very expensive. We would recommend using a good commercial grade , dense pile, glue down carpet (choice of color and patterns) that would **reduce the above price by \$3,900.00!!**
- 2) Installing a fiberglas door and composite frame for the Office Area in lieu of a Steel Door and frame would **reduce the cost by \$ 320.00!!**
- 3) We have included lever hardware on the new doors to match the oiled bronze finish of the existing doors. We have not included any panic hardware per telephone conference with mdi creative during the prebid meeting.

Submitted

by:

Date:

1/5/15

Mike Secor, President



#CBC019838

Custom Homes • Commercial • Remodeling

BID

BID SUBMITTED TO: City of Avon Park Bid #2-15

WORK TO BE PERFORMED AT: Avon Park Community Center/Peter Powell Roberts
Museum of Art and Cultural Center

We hereby propose to furnish all the materials and perform all the labor necessary for the following items per the plans and specifications dated November 17, 2014 drawn by MDI Creative Inc.-

- Inspections/Permitting
- Site Supervision
- Carpet installation
- Wall Paint
- Gypsum Walls
- Baseboard Installation
- Crown Moulding Installation
- New door installation
- New door hardware
- Electrical installation
- Track lighting track installation
- Cleanup and Disposal of Waste/Dumpster Provided
- Florescent UV Light filter tubes installed
- Replace burnt out fluorescent bulbs
- Laminate one existing door
- Replace damaged existing ceiling tiles
- Provide enough extra carpet tiles to cover a 12'x12' podium and 20 extra carpet tiles for storage, installation by others
- Tint existing windows per specs
- Final cleaning of entire project area

Bid Price

\$57,000.00

ORIGINAL

DEC Contracting Group, Inc.

Responsibilities	Owner	MDIC	General Contractor	
Inspections and Permits			X	\$ 736.00
Site Supervision			X	\$5,888.00
Carpet/Installation			X	\$17,811.00
Wall paint			X	\$11,430.00
Gypsum Walls			X	\$ 7,862.00
Base Board/Finish/Install			X	\$ 2,837.00
Crown Moulding/Finish/Install			X	\$ 4,255.00
Picture Hanging Hardware/Install		X		
Moveable Walls/Finish/Install		X		
Pedestals/Finish/Install		X		
Benches/Install		X		
Doors, Door Frames, Door Hardware Finish/Install			X	\$ 1,204.00
Furniture: chairs, desks, POS units		X		
Glass Shelves in Bookstore/Install		X		
Shelves in Closet at Elevator/Install		X		
Podium/Install		X		
Lectern/Install		X		
Electrical/Install			X	\$15,658.00
Track Lighting Track/install			X	*Included Above*
Track Lighting Heads and Bulbs/Install		X		
Aiming of Light Heads		X		
Cutout letters		X		
Cleanup and Disposal of Waste			X	\$ 500.00
Dumpster			X	\$ 750.00
Hanging Art	X			
Flip Book Graphic Images	X			
Flip Book Printing and Stand		X		
Florescent UV light filter tubes			X	\$ 1,000.00
Replace burned out florescent tubes			X	*Included Above*

Total Bid: \$69,931.00