

ORDINANCE NO. 22-13

AN ORDINANCE OF THE CITY OF AVON PARK, FLORIDA PROVIDING FOR A TITLE FOR THE ORDINANCE AND THE CHARTER; APPROVING THE FORM OF CHARTER; APPROVING THE FORM OF BALLOT FOR THE ELECTION APPROVING OR REJECTING THE 2013 CHARTER; ESTABLISHING AN ELECTION DATE FOR APPROVAL OR REJECTION OF THE 2013 CHARTER; PROVIDING FOR REPEAL OF ORDINANCE 10-12; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA:

SECTION 1. TITLE. This Ordinance shall be referred to as the “2013 Charter Ordinance”, and the charter approved herein shall be referred to as the “2013 Charter.”

SECTION 2. ACCEPTANCE OF THE FORM OF CHARTER. The City Council does hereby accept the 2013 Charter attached hereto as Exhibit “A”.

SECTION 3. 2012 CHARTER APPROVED; SET FOR ELECTION.

- A. **Charter approved.** The form of the 2013 Charter as shown on Exhibit “A” is hereby approved for placing on the ballot for election as provided by section 166.031 Florida Statutes.
- B. **Form of Ballot Approved.** The form and text of the ballot to be used for the election to approve the 2013 Charter shown on Exhibit “B” is hereby approved.
- C. **Date of Election.** The date of the election for the electors of the City to either approve or reject the 2013 Charter shall be November 5, 2013.

SECTION 4. REPEAL OF ORDINANCE 10-12 ADOPTING THE 2012 PROPOSED CHARTER

In 2012, Ordinance 101-12 adopted the proposed 2012 charter and placed it on the ballot; however, prior to the election the charter was pulled from the ballot by the City. Ordinance 10-12, adopting the 2012 proposed charter and placing that charter up for election in 2012, is hereby revoked.

SECTION 5. SEVERABILITY

EXHIBIT "A"

CHARTER OF THE CITY OF AVON PARK, FLORIDA 2013

ARTICLE I. CORPORATE EXISTENCE, FORM OF GOVERNMENT, BOUNDARY, AND POWER

Section 1.01. Corporate existence, form of government, and Charter.

The City of Avon Park in Highlands County, Florida, which was created by the Florida Legislature, shall continue as a municipal corporation with a council-manager form of government with this document as the Charter for the City.

Section 1.02. Description of corporate boundary.

The area described in Appendix A of this Charter shall constitute the corporate boundary of the City of Avon Park, along with updates on file with the city clerk. Appendix A may be amended from time to time by Ordinance of the City Council.

Section 1.03. General powers of city.

The city shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as expressly prohibited by law or this Charter.

Section 1.04. Construction.

The powers of the city shall be construed liberally in favor of the city, limited only by the constitution, general and special law, and specific limitations in this Charter.

ARTICLE II. CITY COUNCIL

Section 2.01. Composition of city council.

There shall be a city council of five members elected at large by the electors of the city, one of which shall be elected as mayor-councilmember. Only qualified electors of the city with a minimum of one year of residency within the city limits as of the qualifying deadline shall be eligible to be members of the city council.

Section 2.02. Election and terms.

The regular election of city councilmembers shall be held on the first Tuesday after the first Monday in November of each year in the manner provided in Article IV of this Charter and shall be for a term of three years. No election shall be required to be held if the number of vacancies to be filled at the election is equal to or greater than the number of duly qualified candidates for councilmembers.

Section 2.03. Compensation of council.

The mayor and other members of the city council shall each receive a monthly salary as established by Ordinance. The mayor's salary shall be not less than 25% greater than the councilmembers' salary to reflect additional time necessary for the mayor's duties.

Section 2.04. Mayor.

The office of mayor shall be filled by election by the qualified voters of the City of Avon Park. The mayor shall preside at the meetings of the city council and is to be considered a full member of the council with privilege of debate, motions, and voting. The mayor shall be recognized as head of the city government for service of process, all ceremonial purposes and shall, when directed to do so by the council, execute all instruments to which the city is a party, unless otherwise provided by this Charter or by ordinance, but shall have no regular administrative duties nor veto power.

The city council shall elect a deputy mayor from among its members, who shall act as mayor during the temporary absence or disability of the mayor and, if a vacancy occurs, shall become mayor for the completion of the unexpired term, and their council seat shall become vacant and filled as provided in section 2.07. In the temporary absence of the mayor and deputy mayor the remaining councilmembers shall select a mayor pro tempore. In the event that there is a vacancy in both the mayor and deputy mayor positions, then the council shall select a mayor to serve in that capacity until the next election. A mayor pro tempore or deputy mayor designate may refuse such office, or once in office may resign from such office and remain on the council as a member during their term of office as councilperson.

Section 2.05. General powers of city council.

All powers of the city shall be vested in the city council except those powers specifically given to the appointed officers by this Charter or specifically reserved by this Charter to the electors of the city.

Section 2.06. Limitation on powers of city council and councilmembers.

(a) Neither the council nor any of its members including the mayor, individually or collectively, shall, in any manner, dictate the appointment or removal of any city department heads or employees whom the manager or any of the manager's subordinates are empowered to appoint, however, the council may, at an open meeting, express its views and fully and freely discuss with the manager, anything pertaining to appointment and removal of such officers and employees. The council and its members shall deal with officers and employees of the city who are subject to direction and supervision of the manager, solely through the manager, and neither the council nor any of its members shall give orders to any such officers or employees, either publicly or privately, directly or indirectly. Nothing in the foregoing is to be construed to prohibit the individual members of the council from meeting with the manager and scrutinizing, by questions and personal observations, all aspects of the city government operations so as to

obtain independent information to assist the members in the formulation of such policies to be considered by the council. However, it is the expressed intention hereof that recommendations for improvement in city operations by individual councilmembers be made only to and through the manager.

(b) Any violation of a provision of this section by a member of the council shall constitute grounds for removal of office.

Section 2.07. Vacancies, filling of vacancies.

(a) *Vacancies.* The office of councilmember shall become vacant in accordance with general law or may become vacant by majority vote of the council if a councilmember is absent from four consecutive regular council meetings without being excused by council prior to the fourth consecutive absence.

(b) *Filling of vacancies.* A vacancy on the council, except the mayor's seat, shall be filled by a majority vote of the remaining members of the council, unless at the time of the vacancy there is less than six months remaining before the next regular election of city councilmembers, in which case the council shall have the discretion to leave the seat vacant until the next regular election of city councilmembers. Any person appointed by the council to fill a vacancy shall hold office until the next regular election of city councilmembers. A person then elected to fill that vacancy shall serve the remaining term of that vacant seat. If at any time the membership of the council is reduced to less than a quorum, the remaining member or members may by majority vote appoint additional members in conformity with this section or shall call for a special election to be held; or failing to agree on new members within thirty (30) days of losing a quorum, the Clerk shall set a date for a special election to be held, within 60 days from the date of the vacancy which reduced the council to less than a quorum or such subsequent date as soon as elections may reasonably be held. In the event that all seats on the council become vacant, the governor shall appoint an interim council which shall serve until the next regular election.

Section 2.08. City council meetings.

(a) *Time and place.* The council shall meet regularly at least once a month at such times and places as the council may prescribe by ordinance. Special meetings may be held at the call of the mayor, or, in the mayor's absence at the call of the deputy mayor, or at the request of a majority of the councilmembers; and, except in emergencies, shall provide for not less than 48 hours of notice to each member and the public. The first regular meeting of the council after each election has been certified shall be an organizational meeting scheduled by the City Clerk. At this organizational meeting the newly-elected councilmembers shall be inducted into office, and the deputy mayor shall be chosen.

(b) *Quorum.* A majority of the full council shall constitute a quorum. No action of the council, except as provided in section 2.07, shall be valid unless adopted by the affirmative vote of a majority of members of the council present.

(c) *Voting.* Voting on ordinances and resolutions shall be by roll call and shall be recorded by the city clerk.

(d) *Rules.* The council shall determine its own rules and order of business.

ARTICLE III. CITY OFFICERS

Section 3.01. Designation.

The city council members, mayor, city manager, and city attorney are the officers of the city government.

Section 3.02. Appointment.

The city manager and city attorney shall be appointed by the council and shall serve at the pleasure of the council subject to the provisions of section 3.03 of this article.

Section 3.03. Removal.

An affirmative vote by not less than three (3) members of the council at any meeting shall be required to remove the city manager or city attorney.

Section 3.04. City manager--Powers and duties.

(a) Employees and Employment. The city manager when necessary shall hire, suspend, demote, or dismiss any city employee under the manager's jurisdiction in accordance with law and the personnel rules approved by resolution of the council, and may authorize any department head to exercise these powers with respect to subordinates in that department. The city manager shall create and discontinue any department or division in the city administration that the city manager deems necessary for the good of the city. The city manager shall approve no employment agreements, nor commit the city to any special terms of employment.

(b) City Chief Executive Officer. The city manager shall be the city's chief executive officer, and shall direct and supervise the administration of all departments of the city except the office of city attorney and shall attend all council meetings unless excused by council and shall have the right to take part in discussions, but not vote.

(c) Enforcement of City laws. The city manager shall see that all laws, Charter provisions, ordinances, resolutions, and other acts of the council subject to enforcement by the city manager are faithfully executed, and shall act as the city's director of emergency management with all of the authority of that position either granted by the city's emergency management plan, the city council, state law, city or county ordinance.

(d) Budgeting and Finance. The city manager shall prepare and submit for approval the annual budget, budget message, and capital program to the council, and shall keep the council fully advised as to the financial condition and future needs of the city, and shall make such recommendations to the council concerning the affairs of the city as the manager deems appropriate. The city manager shall approve no expenditures nor commit the city to expenditures or contingency expenditures not authorized by ordinance, resolution, or vote of the council.

(e) Continuity of Office. The city manager shall designate a city employee as assistant city manager to exercise the powers and perform the duties of acting city manager during any temporary absence or disability of the city manager, or such period between the time when the office of city manager becomes vacant and when an interim city manager or city manager is appointed by the council. The council shall appoint a city manager or an interim city manager within a reasonable time of the office of city manager becoming vacant.

Section 3.05. City clerk--Powers and duties.

The city clerk shall give notice of all city meetings to the councilmembers and the public as required by law and shall attend all such meetings in person or by a city manager designee and shall keep minutes of the proceedings. The city clerk shall authenticate by signature and shall be custodian of this Charter, all ordinances, resolutions, and other city documents and shall perform such other duties as required by law or by the council. The city clerk shall be the supervisor of elections for the city.

Section 3.06. City attorney--Powers and duties.

The city attorney shall be a member of the Florida Bar and shall be the legal advisor to the City of Avon Park. The city attorney or assistant city attorney shall attend all city council meetings unless excused, and shall perform such professional duties as may be required by law or by the council. The city attorney when necessary shall appoint, suspend, demote, or dismiss any employee in the office of the city attorney in accordance with law and the personnel rules of the city. The city attorney shall prepare an annual budget for the operation of the office of the city attorney and shall submit this budget to the city manager for inclusion in the annual city budget in accordance with uniform city procedures. If a private attorney is retained to serve as city attorney by contract, the manager or designee shall prepare the budget for legal expenses.

ARTICLE IV. ELECTIONS

Section 4.01. Electors.

Any person who is a resident of the city who has qualified as an elector of this state, and who registers in the manner prescribed by law, shall be an elector of the city.

Section 4.02. Nonpartisan elections.

All elections for the office of city councilmember shall be conducted on a nonpartisan basis without any designation of political party affiliation.

Section 4.03. Qualifying.

Candidates for office of city councilmember shall qualify by filing a written notice of candidacy with the city clerk at such time and in such manner as may be prescribed by ordinance and state statutes. All persons seeking to qualify as candidates for election to the office of mayor or city council must be a legally qualified elector of the City, and must have maintained residency in the City for at least the one year immediately prior to the date of qualification for office. In addition, any person seeking an elective office in said city shall be current in payment to said city of all taxes, occupational licenses and utility bills, and shall not have any outstanding code enforcement violation which has been adjudicated against them or their property pursuant to law.

Section 4.04. Form of ballots.

The city council shall prescribe the form of the ballot by ordinance including the method of listing candidates for city council election.

Section 4.05. Schedule, notice and conduct of elections.

(a) The government of said city shall be vested in a city council including a mayor-councilperson, to be called the "City Council of the City of Avon Park," consisting of five (5) members, elected from the City at large, whose terms of office shall be fixed as hereinafter provided and whose compensation shall be fixed by ordinance and shall not be changed during their terms of office. The term of city councilmembers and mayor-councilperson shall be three (3) years. Whenever possible, regular elections shall be held on a date and time coinciding with national elections.

(b) All elections shall be resolved by the highest vote getter(s) being awarded the seat(s) open for election.

(c) One (1) member shall be elected as mayor at the regular election along with one (1) other councilmember every third year commencing with the election of the mayor's seat and one councilmember seat in November, 2013. The remaining three (3) councilmember seats previously elected in November 2012 shall be elected every third year commencing with the election of the three (3) councilmember seats at the elections of November, 2015. In the event any or all of the three (3) city councilmembers not standing for election during the years when the mayor -councilperson candidate shall be elected should choose to run for said position, then and in that event, they shall submit their resignation from the city council effective not less than ten (10) days prior to the first day of qualifying for the office of mayor-councilperson, and the(ir) seat(s) shall be declared vacant for purposes of the regular election. In the event of such vacancies created by the resign to run requirement above, the vacancy(ies) shall be filled for the period up to the election, by appointment by the remaining member(s) of the Council, and the next highest vote-getter(s) in said election shall occupy said seat(s) for the unexpired portion of their term, with the highest vote getters receiving the seats with the longest remaining terms.

(d) Referendums shall be conducted as provided by state law and city ordinances.

Section 4.06. City canvassing board.

The city canvassing board shall be composed of the councilmembers not running for office in that election, and any other person appointed by the council to serve at that election cycle such that the canvassing board has not less than three (3) nor more than five (5) members. In the event that less than three (3) members appear at the appointed time and place for canvassing, the city clerk, city attorney or city manager may serve as an alternate. The board shall meet at a place and time designated by the County Supervisor of Elections or otherwise in accordance with law and this Charter, and shall proceed to publicly canvass the absentee electors' ballots and then publicly canvass the vote as shown by the returns then on file in the office of the County Supervisor of Elections. The board shall prepare and sign a certificate containing the total number of votes cast for each person or other measure voted on. The certificate shall be placed on file with the city clerk.

Section 4.07. The councilmembers elected shall assume their respective offices at the first regular meeting of the council after the results of each election have been certified.

Section 4.08. Recall.

Any member of the city council may be removed from office by the electors of the city following the procedures for recall established by general law. Procedures not inconsistent with

state law may be established by ordinance.

ARTICLE V. GENERAL PROVISIONS

Section 5.01. Charter amendments.

This Charter may be amended in accordance with the provisions for charter amendments as provided by law. The form, content, and certification of any petition to amend shall be established by ordinance.

Section 5.02. Oath of officers.

After election or appointment and before taking office each officer of the city shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, honor, protect, and defend the Constitution and government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State and under the Charter of the City of Avon Park; and that I will well and faithfully perform the duties of (title of office) on which I am now about to enter so help me God."

Section 5.03. Budget adoption.

The council shall adopt an annual budget for the city by ordinance before October 1 of each year, or otherwise in accordance with state statutes. An ordinance adopting an annual budget shall constitute appropriations of the amounts specified as expenditures from the funds indicated and shall constitute a levy of the property tax proposed.

Section 5.04 Investigations.

The council may conduct investigations into the affairs of the city and the conduct of any city department, office or agency and may retain the services of another law enforcement agency or licensed investigator for that purpose. For the purposes of the investigation, the city council may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Except as otherwise provided by law, any person who refuses to cooperate with investigator(s) may be subject to removal from office or employment. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be guilty of a misdemeanor.

Section 5.05. Pending matters.

No rights, claims, actions, contracts, or legal or administrative proceedings existing on the effective date of this Charter and involving the city shall be affected by the adoption of this Charter, including the number of intoxicating beverage licenses which the city may be presently allowed by law.

Section 5.06. Severability.

If any section, paragraph, subdivision, clause, sentence, or provision of this Charter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Charter, but the effect thereof shall be

confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered, unless it clearly appears that such other part is wholly or necessarily dependent for its operation upon the part held to be unconstitutional or invalid.

Section 5.07. Effective date.

This Charter shall become effective immediately upon passage.

ARTICLE VI. GENERAL; TRANSITION SCHEDULE

Section 6.01. Repeal of former Charter provisions.

All Charter provisions in effect prior to the effective date of this Charter are deleted or relocated as provided herein; however, the city government shall continue to have perpetual existence without interruption under the provisions of this new Charter.

Section 6.02. Ordinances and resolutions preserved.

All ordinances and resolutions in force on the effective date of this Charter, to the extent not inconsistent with it, shall remain in force until repealed or amended.

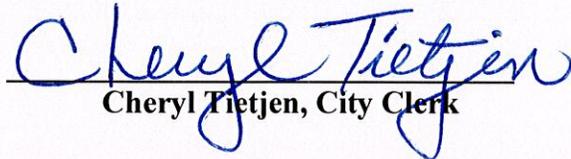
Section 6.03. Continuation in office.

Councilmembers shall continue to hold their offices for the term to which they were elected or appointed and to discharge their duties until their successors take office. The election for their respective seats shall continue as presently scheduled.

Section 6.04. Transition schedule removed by ordinance.

After adoption of this Charter and the conclusion of transition events, the transition title above and this Article may be removed by ordinance without any effect on the transition or any other provision of this Charter.

**ATTEST AS TO APPROVAL BY ELECTORATE AT AN ELECTION HELD ON
NOVEMBER 5, 2013, AND FILING WITH OFFICE OF SECRETARY OF STATE ON
November 8th, 2013.**


Cheryl Tietjen, City Clerk

APPENDIX A. DESCRIPTION OF CORPORATE BOUNDARY

APPENDIX A

Legal Description
For City Limits City of Avon Park
10/15/13
Sherco Proj# 22332814

Beginning at the SW corner of Lot 11, Block 4, Section 23, Township 33 South, Range 28 East and run North to the SW corner of Lot 6, Block 4, Section 23; thence East to the SE corner of Lot 6, Block 4, Section 23; thence West to the NW corner of Lot 3, Block 4; thence North to the SW corner of Lot 11, Block 1, Section 23; thence East to the SE corner of Lot 11, Block 1; thence North to the NE corner of Lot 11, Block 1; thence West to the SE corner of Lot 8, Block 2, Section 23; thence North to the SW corner of Lot 3, Block 10, Section 14; thence West to the SE corner of Lot 4, Block 12, Section 14; thence North to the NE corner of Lot 4, Block 12; thence West to the NW corner of Lot 3, Block 12, Section 14; thence North along the West line of Block 12 to the NW corner of Block 12, Section 14; thence West to the SW corner of Lot 3, Block 8, Section 15; thence North along the West boundary of Block 8 and 1 to a point 25 feet North of the North line of Section 15; thence East along the North right-of-way line of County Road 17A for 1,652 feet more or less; thence $N00^{\circ}21'40''W$ for 637.53 feet; thence $N89^{\circ}07'38''E$ for 332.18 feet; thence $N00^{\circ}08'16''W$ for 200 feet more or less to the shoreline of Lake Pioneer; thence meander said shoreline in a Northwesterly then Northeasterly direction to the intersection with the East line of Lot 14, Block 2, Section 11; thence North along the East line of Lots 14 and 11 to the NE corner of Lot 11, Block 2, Section 11; thence West along the North line of Lots 11 and 12 to the NW corner of Lot 12, Block 2; said point lying on the Section line common to Sections 10 and 11, Township 33 South, Range 28 East; thence South on said common line for 590 feet more or less; thence $S89^{\circ}48'27''W$ for 871.09 feet, Section 10; thence $S00^{\circ}24'00''E$ for 2,908.44 feet; thence $N90^{\circ}00'00''W$ for 901.28 feet to the intersection with the East right-of-way line of the abandoned railroad; thence $S02^{\circ}05'52''W$, along said abandoned railroad, 473.57 feet; thence $N90^{\circ}00'00''W$ for 130 feet to the West right-of-way line of said abandoned railroad; thence $N02^{\circ}05'52''E$, along the Westerly right-of-way of said railroad, for 825 feet more or less; thence West to a point lying 100 feet East, as measured at right angles, to the East right-of-way of the C.S.X. railroad; thence following said railroad, 100 feet East of a parallel to along a curve concave to the West to a point lying 80 feet East of the East right-of-way line of Gaster Road; thence North on a line 80 feet East of a parallel to the East right-of-way line of Gaster Road to the intersection of the South line of Lake Damon Villas South No. 1; thence East along said South line to the intersection with the West right-of-way line of the abandoned railroad; thence $n02^{\circ}09'11''E$ along the East boundaries of Lake Damon Villas South No. 1, 2, 3, 4 and a portion of 5, for 816.32 feet to the Point of Curvature of a curve concave to the Southeast; thence along said curve, to the right, and having for it's elements a radius of 45.24 feet, central angle of $87^{\circ}56'00''$, chord bearing of $N46^{\circ}07'24''E$, chord length of 62.81 feet along the arc for 49.43 feet; thence $S89^{\circ}54'48''E$ for 71.44 feet; thence $N02^{\circ}06'40''E$, 15' West of and parallel to the East right-of way line of the abandoned railroad, for 1,282.85 feet to the Northeasterly corner of Tract D of TWIN LAKES SUBDIVISION, PB 16, Pg. 80; (the next 4 calls are along the North boundary of said TWIN LAKES SUBDIVISION); thence $N78^{\circ}42'58''W$ for 151.13 feet to the intersection of a non-tangent curve concave to the Southwest; thence along said curve to the left and having for it's elements a radius of 50.00 feet, central angle of $85^{\circ}34'06''$, chord bearing of $N31^{\circ}30'01''W$, chord length of 67.92 feet, along the arc for 74.67 feet to the beginning of a non-tangent line; thence $N15^{\circ}42'56''E$ for 55.59 feet; thence $N40^{\circ}39'16''W$ for 271 feet more or less to the shoreline of Lake Damon; thence Southwesterly along the shoreline of Lake Damon for 912 feet more or less to the intersection of the East line of the West 134.7 feet of the East ½ of Section 10, Township 33 South, Range 28 East; thence $S00^{\circ}13'38''E$, along the East line of said West 134.7 feet to the East ½ of Section 10, for 441 feet more or less to the NE corner of TRACT "B", TWIN LAKES SUBDIVISION; thence $N89^{\circ}21'32''W$ for 114.70 feet to the East right-of-way line of Gaster Road, a 40' wide right-of-way; thence $S00^{\circ}03'36''E$, along said East right-of-way line, for 1,185.33 feet; thence $N89^{\circ}48'06''W$, crossing Gaster Road and along the North line of Grand Oaks on Lake Damon recorded in Plat Book 16, Page 85 for 364.68 feet to a point; thence $N00^{\circ}08'57''W$, still along said Grand Oaks on

Lake Damon, for 1050 feet more or less to the ordinary high water line of Lake Damon; thence following said ordinary high water line in a Westerly then Northwesterly direction 1260 feet more or less to the intersection of the North line of Lot X of said E.D. & C.E. Putney Subdivision; thence N89°35'14"W, along said North line of Lot X, for 67 feet more or less to a point on the East line of a 15 foot easement per O.R. Book 896, Page 930; thence S00°16'24"W, along said East line for 84.10 feet; thence S49°26'22"E for 65.51 feet; thence N70°32'17"E for 88.94 feet; thence N50°59'08"E for 51.45 feet; thence S74°20'52"E for 73.72 feet; thence S07°23'53"E for 155.57 feet; thence S54°46'16"W for 93.20 feet; thence S87°03'39"W for 334.92 feet to the East right-of-way line of U.S. Highway 27; thence S00°03'39"W, along said East right-of-way, for 345.72 feet; thence S89°50'21"E for 167 feet; thence S00°03'39"W for 118 feet; thence S89°50'21"E for 228.09 feet; thence S00°03'39"W for 200 feet; thence S89°50'21"E for 198 feet to the East line of said Lot X, thence S00°03'39"W, along said West line of Lot X and crossing C.R. 17-A, for 319 feet to a point 20 feet North of the North line of Section 15; thence in a Westerly direction, 20 feet North of and parallel to the North line of said Section 15 and a portion of Section 16 to the intersection of the West right-of-way line of the road lying between 125 and 126, LAKEWOOD VILLA AND ADDITION as recorded in Plat Book 1, Page 6 of the Public Records of Highlands County; thence North, along the West right-of-way line of said road to the Northeasterly corner of Lot 125; thence running along the Easterly line of Lots 125, 124, 121, un-numbered Lot, 282, 281, 280, 279, 278 and 113 to the Northeast corner of said Lot 113; thence West along the North line of Lots 113 and 100 to the Northwest corner of said Lot 100; thence in a Southerly direction, along the West boundary of Lots 100 through 112 and continuing South to the intersection with the South right-of-way of Stryker Road; thence run West along said South right-of-way line for 7920 feet more or less to the intersection with the East right-of-way line of Olivia Drive; thence South, along said East right-of-way line, for 5220 feet more or less to the intersection with the North right-of-way line of Taunton Road; thence N89°58'53"E, along said right-of-way line for 216.55 feet; thence N00°01'07"W for 315.00 feet; thence N89°58'53"E for 325.00 feet; thence S00°01'07"E for 315.00 feet to said North right-of-way line of Taunton Road; thence along said right-of-way line for 9,369.5 feet more or less to the line common to Lots 7 and 13, Pittsburg Florida Fruit Growers Association of Section 16, Township 33 South, Range 28 East and recorded in Plat Book 1, Page 5 of the Public Records of Highlands County, Florida; thence South along the East right-of-way line of Hart Avenue to the intersection with the centerline of Lagrange Street (now closed); thence West along said centerline of 60 feet to the Westerly right-of-way line of Hart Street; thence South, along said West right-of-way line to a point on the South right-of-way line of Cornell Street, a point 30 feet South of the South line of Section 21, Township 33 South, Range 28 East; thence West along the South line of Cornell Street to the intersection with the West right-of-way line of Self Avenue; thence North, along said West right-of-way line, to the North right-of-way line, to the North right-of-way line of Pine Street; thence West along said North line to the intersection with the West line of the East ½ of Lot 2, Block 21, TOWN OF AVON PARK in Section 21, Township 33 South, Range 28 East; thence North along said West line to a point 20 feet North of the North line of said Lot 2; thence West along the East-West Quarter Section line of Section 21 and into Section 22 to the intersection with the Northerly extension of the East line of Lot 6, Block 1, Oak Park Subdivision as recorded in Plat Book 1, Page 106 of the Public Records of Highlands County, Florida; thence South along the East lines of Lots 6 and 19, Block 1 to the Southeast corner of Lot 6, Block 2 of said Oak Park Subdivision; thence West, along the South line of said Lot 6 to the Southwest corner of Lot 6; thence North, along the West line of Lot 6, Block 2, Lots 19 & 6, Block 1 to the Northwest corner of Lot 6, Block 1; thence West, along the North lines of said Block 1 and Block 11 to the Northeast corner of Lot 5, Block 11, Oak Park Subdivision; thence South, along the East line of said Lot 5, to the Southeast corner of said Lot 5; thence West along the South line of Lots 5, 8, 9 and 10, Block 11 to the Southwest corner of said Lot 10; thence North along the West line of Lot 10 to the Northwest corner of Lot 10; thence West to the intersection of the Southerly extension of the centerline of Childs Avenue; thence North, along said centerline to the Southerly right-of-way line of State Road No. 64; thence Westerly, along said Southerly right-of-way to the West line of the East 14 feet of Lot 3, Block C, WEST AP-MAHAN SYNDICATE as recorded in Plat Book 2, Page 68A of the Public Records of Highlands County, Florida; thence South, 14 feet West of and

parallel to the East line of Lot 3, Block C crossing Beckett Street and continuing South 14 feet West of and parallel to Lot 3, Block F and extending to the East-West Quarter section line of Section 20, Township 33 South, Range 28 East; thence West to the intersection with the Southern extension of the East line of Lot 1, Block E; thence North along the East line of said Lot 1, Block E crossing Beckett Street and continuing along the East line of Lot 1, Block D to the intersection of the South right-of-way line of State Road No. 64; thence along the South right-of-way line in a Westerly direction to the intersection of the West line of the East 10 feet of Lot 13, Block D; thence South, along the West line of the East 10 feet of said Lot 13, Block D to the Southwest corner of the East 10 feet of said Lot 13, Block D; thence in a Southerly direction, crossing Beckett Street to the Northwest corner of the East 13 feet of Lot 13, Block E; thence South, along the West line of the East 13 feet of Lot 13, Block E to the intersection with said East-West Quarter Section line; thence West along said East-West Quarter Section line to the Northwest corner of Lot 4, Block 4, TOWN OF AVON PARK, in Section 20, Township 33 South, Range 28 East; thence South along the West line of said Lot 4, Block 4 to the Southwest corner of Lot 4, Block 4; thence East, along the South line of Lots 4 and 3, Block 4, to the Southeast corner of said Lot 3; thence in a Southerly direction following the West boundary of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 20 (further described as being the centerline of an unnamed street) to the point of intersection with the centerline of Block 19 extended Westerly; thence Easterly along the centerline of Block 19 to the Northeast corner of Lot 21, Block 19; thence in a Southerly direction to the Southeast corner of said Lot 21, Block 19; thence Westerly, along the Southerly boundary of Block 19 to the intersection with the Westerly boundary of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 20 (being the centerline of unnamed road); thence in a Southerly direction following the Westerly boundary of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ to the intersection with the South boundary of Section 20; thence East to the intersection with a line extended North from the NW corner of Lot 12, Block 1, OAK RIDGE SUBDIVISION as recorded in Plat Book 1, Page 107; thence in a Southerly direction along the Westerly boundary of Blocks 1, 2 and 3 of said OAK RIDGE SUBDIVISION to the SW corner of Lot 12, Block 3; thence Easterly to the SE corner of Lot 11, Block 3; thence in a Southerly direction to the SE corner of Lot 14, Block 3; thence Easterly to the SE corner of Block 3, OAK RIDGE SUBDIVISION thence continue East to the intersection with the East line of Section 29, Township 33 South, Range 28 East; thence North along said East line of Section 29, for 57.29 feet; thence N45°06'43"E, into Section 28, for 1,013.24 feet to the intersection with the North line of said Section 28, said point being 718.15 feet East of the NW corner of said Section 28; thence East, along the North line of said Section 28, for 1280.43 feet, said point being 325.92 feet West of the NW corner of the NE $\frac{1}{4}$ of said Section 28; thence S45°25'18"E for 460.49 feet; thence N00°22'04"W for 71.50 feet; thence N89°54'42"E for 661.47 feet; thence S00°21'00"E for 251.62 feet; thence N89°34'00"E for 641.40 feet; thence S00°21'00"E for 151.68 feet; thence S89°59'25"E for 30.80 feet; thence S00°08'38"E for 1323.16 feet to the South line of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28, Township 33 South, Range 28 East; thence S89°58'15"E, along said South line of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the intersection of the West line of Government Lot 4 in Section 27, Township 33 South, Range 28 East; thence South along the West line of Government Lot 4 to the Southwest corner of Government Lot 4; thence East along the South line of Government Lot 4 to the Southeast corner of the West $\frac{1}{2}$ of Government Lot 4; thence North to the Northeast corner of the West $\frac{1}{2}$ of Government Lot 4, Section 27; thence East to the North corner common to Government Lots 4 and 5; thence South to the Southwest corner of the North $\frac{1}{2}$ of Government Lot 5; thence East to the center of Government Lot 5; thence South along the West line of the East $\frac{1}{2}$ of Government Lot 5 to the Southwest Corner of the East $\frac{1}{2}$ of Government Lot 5; thence East to the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27; thence South to the South line of Section 27; thence East along the Section line to the Southeast corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 33 South, Range 28 East; thence North to the Southeast corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24; thence West to the Point of Beginning.

AND

(ORB 1821, Pg. 1771)

A portion of Lot 7, Block 9, subdivision of W $\frac{1}{2}$ of NE $\frac{1}{4}$, W $\frac{1}{2}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and W $\frac{1}{2}$ of Section 28, Township 33 South, Range 28 East as recorded in Transcript Book Page 32 of the Public Records of

Highlands County, Florida, together with a portion of Tract 9, a replat of Section 28, Township 33 South, Range 28 East, as recorded in Plat Book 3, Page 63 of the Public Records of Highlands County, Florida, being more particularly described as follows: Commence at the SE corner of the NE¼ of the SE¼ of Section 28, Township 33 South, Range 28 East, Highlands County, Florida, thence N89°53'50"W, along the South line of said NE¼ of the SE¼ for 86.71 feet to a point on the Westerly right-of-way line of U.S. Highway No. 27; thence N00°18'36"W, along said Westerly right-of-way line, 20.00 feet to a point on the South line of Tract 9, a replat of Section 28, Township 33 South, Range 28 East, as recorded in Plat Book 3, Page 63 of the Public Records of Highlands County, Florida, and the Point of Beginning; thence N89°53'50"W, along said South line of Tract 9, for 600.00 feet; thence N00°01'32"W for 499.20 feet; thence S89°54'21"E for 598.92 feet to the intersection of the West right-of-way line of U.S. Highway No. 27, said line being a curve concave to the East; thence along said right-of-way line, to the left, having for its elements a radius of 34,477.48 feet, central angle of 00°30'57", chord bearing of S00°03'08"E, chord length of 310.40 feet, along the arc for 310.40 feet; thence S00°18'36"E, still along said West right-of-way line for 188.90 feet to the Point of Beginning. Containing 6.865 acres.

AND

(ORB 1377, Pg. 726)

A portion of Tract 16 of A REPLAT OF H.L. SACHSENMAIER SUBDIVISION OF SECTION 28, TOWNSHIP 33 SOUTH, RANGE 28 EAST, according to the plat thereof recorded in Plat Book 3, at Page 63, of the Public Records of Highlands County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Tract 16; thence run S89°37'11"W for 66.59 feet to the Westerly right-of-way line of U.S. Highway No. 27; thence S00°50'44"E, along said right-of-way line, for 20.00 feet to the Point of Beginning of the following described parcel of land: thence continue S00°50'44"E, still along said Westerly right-of-way line, for 600.00 feet; thence S89°37'11"W for 555.36 feet to the point of curvature of a curve to the right; thence along said curve, having a radius of 45.0 feet, central angle of 89°32'05", along the arc for 7032 feet to the point of tangency; thence N00°50'44"W for 530.16 feet to the point of curvature of a curve to the right; thence along said curve having a radius of 25.0 feet and a central angle of 90°27'55" along the arc for 39.47 feet to a point of tangency; said point being 20.0 feet South of the North line of said Tract 16; thence N89°37'11"E 20 feet South of and parallel to the North line of said Tract 16, for 574.80 feet to the Point of Beginning.

TOGETHER WITH

(ORB 1377, Pg. 727)

A non-exclusive easement for ingress, egress, utilities and drainage over:

A portion of Tract 16 of A REPLAT OF H.L. SACHSENMAIER SUBDIVISION OF SECTION 28, TOWNSHIP 33 SOUTH, RANGE 28 EAST, according to the plat thereof recorded in Plat Book 3, at Page 63, of the Public Records of Highlands County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Tract 16; thence S89°37'11"W, along the North line of said Tract 16, for 66.39 feet to the intersection of the West right-of-way line of U.S. Highway 27; thence continue S89°37'11"W along said North line of Tract 16, for 660.00 feet; thence S00°50'44"E for 20.00 feet to Point of Beginning; thence continue S00°50'44"E for 555.85 feet to the point of curvature of a curve concave to the left; thence along said curve that has a radius of 105.00 feet, central angle of 89°32'05", along the arc for 164.08 feet to the point of tangency; thence N89°37'11"E for 555.85 feet to the West right-of-way line of U.S. Highway 27; thence N00°50'44"W, along said right-of-way line, for 60.00 feet; thence S89°37'11"W for 555.36 feet to the point of curvature of a curve to the right; thence along said curve that has a radius of 45.00 feet, central angle of 89°32'05"; along the arc for 70.32 feet to the point of tangency; thence N00°50'44"W for 530.16 feet to the point of curvature of a curve to the right; thence along said curve, that has a radius of 25.00 feet, central angle of 90°27'55", along the arc for 39.47 feet to the point of tangency; thence S89°37'11"W for 85.20 feet to the Point of Beginning.

AND

(ORB 1920, Pg 1352)

The fractional SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 33 South, Range 28 East, LESS AND EXCEPT the East 178 feet thereof and LESS AND EXCEPT State Road right-of-way and LESS AND EXCEPT road along South boundary called Garrett Road.

AND

(ORB 1913, Pg. 568)

A parcel of land located in the Northwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 33 South, Range 28 East, Highlands County, Florida, being more particularly described as follows: Commence at the Northwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 33 South, Range 28 East, Highlands County, Florida; thence N89°52'15"E along the North line of said NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ for 113.30 feet; thence S00°18'36"E for 83.00 feet to the Point of Beginning, said point being on the Easterly right-of-way line of State Road No. 25 (U.S. Highway No. 27); thence S00°18'36"E along said right-of-way line for 260.00 feet; thence N89°52'15"E leaving said right-of-way for 300.00 feet; thence N00°18'36"W for 310.00 feet to the intersection with the South right-of-way line of Garrett Road; thence S89°52'15"W along said South right-of-way line for 283.00 feet; thence S18°29'43"W for 52.76 feet to the Point of Beginning.

AND

(ORB 1954, Pg. 1430)

A portion of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 33 South, Range 28 East, Highlands County, Florida, being more particularly described as follows: Commence at the Northwest corner of the NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ of said Section 27; thence North 89°52'15" East, along the North line of said NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ for 113.30 feet; thence South 00°18'36" East, along the East right-of-way line of U.S. Highway No. 27, for 343.00 feet to the Point of Beginning; thence North 89°52'15" East for 300.00 feet; thence North 00°18'36" West for 310.00 feet to the intersection of the South right-of-way line of Garrett Road as described in Deed Book 138, Page 527 of the Public Records of Highlands County, Florida, thence North 89°52'15" East, along said South right-of-way line for 892.75 feet; thence South 00°00'55" East, along the West right-of-way line of Garrett Road described in Official Records Book 134, Page 98 of the Public Records of Highlands County, Florida, for 571.02 feet; thence South 89°48'31" West for 50.00 feet; thence South 00°00'55" East for 24.00 feet; thence South 89°48'31" West for 240.10 feet; thence South 00°11'29" East for 32.21 feet to the intersection of the South line of said NE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$; thence South 89°48'31" West, along the South line of said NE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ and the South line of said NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, for 899.52 feet to the intersection with the East right-of-way line of U.S. Highway No. 27; thence North 00°18'36" West, along said right-of-way line for 318.52 feet to the Point of Beginning.

AND

(ORB 1837, Pg. 776)

The Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 33 South, Range 28 East, Highlands County, Florida, less right-of-way for U.S. Highway 27 and for Martin Road.

AND

(ORB 1922, Pg. 730)

Lot 11, Lot 12, Lot 13, Lot 14 and Lot 15, in Block 4; Lot 1, Lot 2, Lot 3 and Lot 4 and the North Half of Lot 5, in Block 13; and that parcel shown on the plat thereafter described as the "Pavillion Lot" lying between Blocks 4 and 13, all in FIRST RESUBDIVISION OF PINECREST LAKES, according to the plat thereof as recorded in Plat Book 3, Pages 7 and 8, of the Public Records of Highlands County, Florida

AND

A portion of PINECREST LAKES SUBDIVISION, as recorded in Plat Book 2, Page 139, of the Public records of Highlands County, Florida, more particularly described as follows: COMMENCE at the Northeast corner of Lot 11 in Block 4, of the above mentioned Pinecrest Lakes Subdivision; run thence South 77°30'50" East a distance of 51.72 feet to the Easterly right-of-way line of Palm Drive, the same being the POINT OF BEGINNING of the following described property; continue thence South 77°30'50" East a distance of 55.32 feet; run thence South 50°10'58" East a distance of 24.30; run thence South

01°27'12" West a distance of 133.32 feet; run thence South 09°16'25" West a distance of 90.35 feet; run thence South 11°03'45" West a distance of 165.45 feet; run thence South 15°27'45" West a distance of 138.75 feet to the Northerly right-of-way line a distance of 122.27 feet to the aforesaid Easterly right-of-way line of Palm Drive; run thence North and East on the ace of a curve to the left, said curve having for its elements a radius of 1126.70 feet and a central angle of 11°31'47" for a distance of 226.73 feet to a point of tangency; run thence North 13°54'15" East for a distance of 181.40 feet to a point of curve to the left, said curve having for its elements a radius of 509.00 feet and a central angle of 15°27'37"; run thence Northerly along the arc of said curve for a distance of 136.40 feet to the POINT OF BEGINNING.

AND

The South 30.00 feet of Lot 11, Block 13, and all of Lot 8, Block 13, of PINECREST LAKES, as per plat recorded in Plat Book 2, Page 139, of the Public Records of Highlands County, Florida, being more particularly described as follows: Begin at the Southeast corner of said Lot 8 and on the West right-of-way line of Holly Shore Drive; thence North 76°59'45" West along the South line of said Lot 8 a distance of 296.70 feet to the Southwest corner of said Lot 8; thence North 18°14'04" East along the West line of said Lot 8 a distance of 98.34 feet to the Southwest corner of said Lot 7; thence North 16°33'19" East along the West line of said Lot 7 a distance of 30.06 feet; thence South 76°59'45" East a distance of 260.82 feet to a point on the West right-of-way line of Holly Shore Drive on a curve concave to the East; thence along said right-of-way line and along said curve to the left and having for its elements a radius of 741.80 feet, a central angle of 7°59'30" and a chord bearing of South 2°10'00" West, an arc distance of 103.47 feet to a point of reverse curvature of a curve concave to the West; thence along said curve to the right and having for its elements a radius of 275.00 feet, a central angle of 5°37'26" and a chord bearing of South 00°58'58" West, an arc distance of 26.99 feet to the POINT OF BEGINNING.

AND

Begin at the intersection of the East right-of-way line of U.S. Highway 27 and the South line of Tract 3, Block 4 of Section 34 of Subdivision of Map of Sections 34, 35 and 36, Township 33 South, Range 28 East, DeSoto County, Florida (which Highlands County was formerly a part) as recorded in Transcript Book Page 12 of the Public Records of Highlands County, Florida; thence East, along the South line of said Tract 3, for 371.88 feet; thence North 100.00 feet; thence East 474.00 feet into Tract 4, Block 4; thence North 430.96 feet; thence East 349.53 feet; thence N36°47'12"E for 51 feet more or less to the shoreline of Lake Lelia; thence meandering said shoreline in a Easterly and Southerly direction for 1833 feet more or less to the intersection of the East line of the West 335 feet of Tract 2, Block 7 of said Transcript Book Page 12; thence South 335 feet East of and parallel to the West line of Tracts 2 and 3, Block 7 and a portion of Tract 2, Block 10 of said plat for 1656 feet more or less to the shoreline of Lake Glenada; thence meandering said shoreline in a Northwesterly and Southwesterly direction for 2374 feet more or less to the intersection with the North right-of-way line of Lake Glenada Road; thence West, along said right-of-way line for 947 feet more or less to the intersection with the East right-of-way line of U.S. Highway 27; thence Northwesterly, along said right-of-way line for 1159 feet more or less returning to the Point of Beginning.

AND

Begin at the Northwest corner of Section 35, Township 33 South, Range 28 East, Highlands County, Florida, also being the Northeast corner of said Section 34; thence S89°06'15"E, along the North boundary of said Section 35, also being the North boundary of said Glenada Hills Subdivision recorded in Plat Book 2, Page 118, a distance of 179.48 feet to the Southwesterly right of way line of a 100 foot CSX Transportation System right of way (formerly Seaboard Air Line Railroad); thence S33°51'15" E, along said right of way line, a distance of 1606.30 feet to the Southeast corner of said Glenada Hills Subdivision, recorded in Plat Book 2, Page 118, also being the Northeast corner of said Glenada Hills Subdivision recorded in Plat Book 2, Page 129; thence continue S33°51'15"E, along said Southwesterly right of way line, a distance of 305.48 feet to the West right of way line of Highlands Avenue (formerly State Road 17-A); thence S00°29'20"W, along said West right of way line, a distance of 1002.97 feet to the South boundary of Block 21 of said Glenada Hills Subdivision, also being the North right of way line of Baltimore Street South; thence N89°35'07"W, along said North right of way line, a distance of 667.05

feet to the Southeast corner of Lot 38, Block 37 of said Glenada Hills Subdivision, also being the West right of way line of Davis Avenue; thence S00°20'54"W, along said West right of way line, a distance of 220.00 feet to the Northeast corner of Lot 43, Block 36 of said Glenada Hills Subdivision, thence N89°35'07"W, along the North boundary of Lots 43 through 75 of said Block 36, a distance of 648.00 feet; thence S79°49'54"W, along the North boundary of Lots 75 through 81 of said Block 36, a distance of 130.67 feet to the Northwest corner of Lot 81 of said Block 36; thence S00°20'54"W, along the West boundary of said Lot 81 and a Southerly extension thereof, a distance of 155.04 feet to the South boundary of said Glenada Hills Subdivision; thence N89°28'49"W, along said South boundary, a distance of 529.30 feet to a point designated as Reference Point "X"; thence continue N89°28'49"W, along said South boundary, a distance of 90 feet, more or less, to the waters of Lake Glenada; thence Northwesterly, Westerly, and Southwesterly along said waters to the East boundary of the West 335.00 feet of Lot 2, Block 10 of said Subdivision Map of Section 34, 35, and 36, Township 33 South, Range 28 East; thence N00°42'42"E, along said East boundary, a distance of 240.00, more or less, to a point which is N81°13'15"W of the aforementioned Reference Point "X" at a distance of 1633.91 feet; thence continue N00°42'42"E, along the East boundary of the West 335.00 feet of Lot 2, Block 10 and the East boundary of the West 335.00 feet of Lots 2, and 3, Block 7 of said Subdivision Map of Sections 33, 34 and 35, Township 33 South, Range 28 East, a distance of 1416.47 feet to a point on the North boundary of said Lot 2, said point designated as Reference Point "Y"; thence S89°37'57"E, along the North boundary of Lot 2 of said Block 7, a distance of 38.00 feet, more or less; to the waters of Lake Lelia; thence Southeasterly, Easterly, Northeasterly, and Northerly along said waters to the North boundary of said Section 34, also being the North boundary of said Glenada Hills Subdivision, recorded in Plat Book 2, Page 118; thence S89°45'29"E, along said North boundary, a distance of 145.00 feet, more or less, to a point which is N 60°06'21"E of the aforementioned Reference Point "Y" at a distance of 2631.77 feet; thence continue S89°45'29"E, along said North boundary, a distance of 54.83 feet to the Point of Beginning.

LESS AND EXCEPT, HRS CLUSTER:

A portion of NE¼ of Section 34, Township 33 South, Range 28 East, Highlands County, Florida, more particularly described as follows: Commence at the S.E. Corner of the N.E. ¼ said Section 34; thence N00°13'09"E along the East line of said Section a distance of 177.59 feet; thence run N88°35'03"W, a distance of 321.36 feet to a point of tangency on the centerline, of an existing road and the Point of Beginning; thence continue N88°35'03"W along said centerline a distance of 638.94 feet to a point on the East bank of a ditch; thence along said bank N09°34'20"W, a distance of 107.98 feet; thence N20°09'55"E, a distance of 191.72 feet; thence N23°45'14"E, a distance of 151.96 feet; thence N14°11'27"E, a distance of 73.72 feet; thence leaving said bank run S88°35'03"E, a distance of 523.84 feet; thence S01°24'57"W, a distance of 500 feet to the Point of Beginning. Subject to the South 40 feet for road purposes.

Containing 6.32 acres, more or less.

LESS AND EXCEPT ALSO, ASSOCIATION OF RETARDED CITIZENS:

A portion of the NW ¼ of the SW ¼ and SW ¼ of the NW ¼ of Section 35, Township 33 South, Range 28 East and the NE ¼ of the SE ¼ and SE ¼ of the NE ¼ of Section 34, Township 33 South, Range 28 East, Highlands County, Florida, more particularly described as follows: Commencing at the SW corner of Section 35, Township 33 South, Range 28 East; thence run N00°10'18"E 2498.39 feet along the West section line of said Section 35 to the Point of Beginning; thence run S89°51'50"E 612.62 feet to a point being the SE corner of Lot 42, Block 36 of Glenada Hills Subdivision as recorded in Plat Book 2, Page 129 of the Public Records of Highlands County; thence N00°05'30"W 220.00 feet to the SE corner of Lot 38, Block 37; thence run S89°51'50"E 516.90 feet to a point, also being 150.00 feet west of the west right-of-way line of South Highlands Avenue (SR 17A); thence run N00°02'20"E and parallel to South Highlands Avenue 157.99 feet to a point which is 40.00 feet south of the centerline of A.R.C. Road; thence run N89°43'10"W 1001.79 feet parallel to and 40.00 feet south of centerline of said A.R.C. Road to a point of curvature of a curve to the left having a central angle of 21°27'13" and radius of 596.62; thence run westerly along the arc of said curve 127.13 feet to the west section line of Section 35 continue

to run westerly in Section 34 on the arc of said curve a distance of 96.27 feet to a point of tangency and the end of said curve; thence run S68°49'37"W 32.74 feet to a point of curvature of a curve to the right having a central angle of 22°35'20" and radius of 517.46 feet; thence run westerly 204.01 feet along the arc of said curve to a point of tangency, said point being 40.00 feet south of A.R.C. Road centerline, thence run N88°35'03"W 645.39 feet parallel to and 40.00 feet south of the centerline of A.R.C. Road, said point is also the centerline of a 20.00 foot ditch; thence run S06°28'53"E 277.93 feet down the centerline of said ditch; thence run down the centerline S18°06'10"E 212.38 feet said point is the end of 20.00 foot ditch and centerline of Dallas Street as recorded in Plat Book 2, Page 129; thence run S89°55'00"E along the centerline of Dallas Street a distance of 700.46 feet; thence run N00°05'00"E 146.00 feet; thence run N79°52'27"E 135.40 feet; thence run S89°55'00"E 35.00 feet to the Point of Beginning, said point is the east line of said Section 34, Township 33 South, Range 28 East, containing 17.00 acres, and being subject to dedicated streets of record as shown on the plat of Glenada Hills and recorded in Plat Book 2, Page 129, Public Records of Highlands County, Florida.

EXHIBIT "B"

BALLOT

Charter Amendment in Total By New Charter 2013

The existing City Charter shall be amended and replaced in total by the new Charter of 2013, with provisions including removal of obsolete and useless provisions; substantial rewording and reorganization of Charter provisions; elimination of Civil Service provisions; elimination of appeals to the Council by department heads of the City; removal of authority to divide city into wards; amendments to qualifications for office and elections provisions; and other substantial changes.

Shall the above described amendment be approved?

Yes _____

No _____