

Please Return To:
Community Development
City Hall – Winter Haven
451 Third Street, NW
Post Office Box 2277
Winter Haven, FL 33883-2277

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Space For Recording

AGREEMENT FOR WATER/SEWER SERVICE
EXTENSION AND PETITION/CONSENT FOR ANNEXATION

THIS AGREEMENT, made and entered into this ____ day of _____, 20____,
by and between _____,
hereinafter referred to as "Owner" and the **CITY OF WINTER HAVEN, a municipal corporation of the State of Florida**, hereinafter referred to as the "City".

WITNESSETH:

WHEREAS, the City provides water and/or sewer services to areas within its city limits and certain areas outside its city limits; and

WHEREAS, the City is currently under no obligation to provide water or sewer service to Owner's land which is not within the city limits; and

WHEREAS, the Owner's land is legally described as Parcel Identification No. _____ - _____ - _____ (See Appendix "A" attached hereto and made a part hereof); and

WHEREAS, the Owner hereby requests the City to provide water and/or sewer service and concurrently petitions the City to annex said property into the corporate limits of the City of Winter Haven immediately upon said property, becoming contiguous and adjacent to the City boundaries; and

WHEREAS, the City has found that generally providing water and/or sewer services imposes an economic burden which is borne by all of its tax paying citizens. Therefore, it is necessary to require annexation of any property requesting water/sewer services. Such annexation increases the City's revenue base and provides for the equitable sharing of such general costs. Such action is necessary to protect the health, safety, and welfare of the citizens of the City of Winter Haven. This policy is applied to all landowners seeking to have the City provide water and/or sewer services.

NOW, THEREFORE, in consideration of the mutual promises contained herein the parties agree as follows:

1. The City shall provide water and/or sewer service to the land owned by Owner, and referred to in Appendix "A" attached hereto and made a part hereof.

2. Owner will be responsible for all costs for the establishment and/or improvement of public service delivery systems to the property in accordance with municipal policies and regulations and any other applicable law.

3. As a condition of said provision of water and/or sewer services, the City shall annex the Owner's land upon it becoming contiguous and adjacent to the City corporate limits. The formal Petition/Consent for Annexation is attached hereto as Appendix "A" and made a part hereof. No further consent of Owner shall be required for the City to annex said property immediately, or at some time in the future.

4. This agreement may be duly recorded in the Public Records of Polk County, Florida, and the terms contained herein shall constitute a covenant running with the land, binding on all owners, successors, heirs, and assigns.

5. Prior to the City providing water and/or sewer service, Owner shall submit plans, which shall address the overall public service facility needs of the area proposed for utility service. Such plans, upon approval by all applicable municipal staff and agencies, shall become a part of this agreement.

6. That the annexation of said land by the City shall be in accordance with applicable state and local law.

7. Entire Agreement and Modification. This agreement constitutes the entire understanding of the parties and there are no representations, warranties, covenants, or undertakings, other than those expressed and set forth herein. No modification of any of the terms of this agreement shall be valid unless in writing and executed with the same formality as this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date first written above.

Signed, sealed and delivered
in our presence as witnesses:

OWNER

Signature of Witness

Signature of Owner

Printed Name of Witness

By: _____
Printed Name of Owner

Signature of Witness

As its: _____

Printed Name of Witness

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by _____, who is personally known
to me or who has produced a driver's license as identification and who did not take an oath.

Notary Public
Notarial Seal and Commission
Expiration Date

Signed, sealed and delivered
in our presence as witnesses:

CITY OF WINTER HAVEN, FLORIDA

Signature of Witness

Signature of City Agent

Printed Name of Witness

By: David L. Greene
Printed Name of City Agent

Signature of Witness

As its: City Manager

Printed Name of Witness

STATE OF FLORIDA
COUNTY OF POLK

CITY'S NOTARIZATION

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by DAVID L. GREENE, CITY MANAGER, who is personally known to me or who has
produced a driver's license as identification and who did not take an oath.

Notary Public
Notarial Seal and Commission
Expiration Date



Petition/Consent for Annexation

Applicant

The following information is required for submission of an application to annex into the city limits of Winter Haven. **Please print or type the required information below.**

Name of Property Owner: _____

Mailing Address: _____

Phone: _____

Name of Representative, if applicable: _____

Mailing Address: _____ Phone: _____

Reason for Request: _____

Property Address or General Location: _____

Present Use of the Property: _____

Existing Structures Located on the Site: _____

Number of Residents on Site: _____

Name of Registered Voters Residing on Property: _____

Legal Description of the Property (Preferably Metes & Bounds): _____

Proof of Property Ownership (copy attached): _____

Parcel I.D.#: _____

FOR OFFICE USE ONLY

Total Acreage: _____

Assessed Property Value: \$ _____ Taxable Value: \$ _____

Subdivision: _____

Present County Future Land Use Designation: _____

OWNER'S / AGENT'S SIGNATURE PAGE

I / We, _____ being duly sworn, depose and say that I / we own the properties involved in this petition/consent and that I / we authorize the City of Winter Haven, in accordance with adopted City policy, rules and regulations (Resolution No. R-87-07), and in conformance with State law, to process this petition/consent and annex said property into the corporate limits of the City of Winter Haven. This Petition and Consent shall be irrevocable. No further consent of Owner shall be required for the City to annex said property immediately, or at some time in the future.

Further I / we or any agent or lessee of the subject property authorized by me / us (see attached proof of authorization) to file this petition/consent, deposes and say that the statements and answers contained in the petition/consent for annexation, and any information attached thereto, present the arguments in behalf of this petition/consent to the best of my / our ability; and that the statements and information referred to above are in all respects true and correct to the best of my / our knowledge and belief.

OWNER(S)/AGENT(S)

Signature of Owner/Agent

Printed Name of Owner/Agent

Signature of Owner/Agent

Printed Name of Owner/Agent

Signature of Owner/Agent

Printed Name of Owner/Agent

Signature of Owner/Agent

Printed Name of Owner/Agent

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S/AGENT'S NOTARIZATION

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.

Notary Public
Notarial Seal and Commission
Expiration Date