



RESOLUTION NO. 26-06

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE CERTIFIED SUBDIVISION PLAN (CSP) WITH CERTAIN CONDITIONS FOR THE ALFORD RIDGE SUBDIVISION; MAKING FINDINGS; AND AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY FURTHER ACTION(S) TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the *Municipal Home Rule Powers Act* (F.S. Chapter 166) and *Article VIII, §2 of the Florida Constitution*; and

WHEREAS, pursuant to *Section 2(b), Article VIII of the Florida Constitution and Chapter 166, Florida Statutes*, the Town is vested with governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, the proposed *Alford Ridge Subdivision* (the "Subdivision") is to occur on approximately 49.24 +/- acres which are located within the corporate limits of the Town of Dundee, Florida, further identified as Polk County Property Appraiser's Parcel Identification Numbers 272823-000000-034010, 272823-000000-034020, 272823-000000-034030, and 272823-000000-032020 (hereafter collectively referred to as the "Property"); and

WHEREAS, on January 7, 2022, fee simple title to the Property was conveyed to

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SLC IRA, LLC, an active Florida limited liability company and **ABC IRA, LLC**, an active Florida limited liability company (hereafter collectively referred to as the “Applicant” and/or “Owner”), by virtue of that certain *Special Warranty Deed* (hereafter the “Deed”) recorded in Official Records Book 12066, Pages 1343-1344, Public Records of Polk County, Florida; and

WHEREAS, copies of the Deed and Polk County Property Appraiser Aerial depiction of the Property are attached hereto as **Composite Exhibit “A”** and made a part hereof by reference; and

WHEREAS, on September 10, 2024, at a duly noticed public meeting, the Town Commission passed and adopted *Town of Dundee Ordinance No. 24-09* (the “Moratorium”) establishing a moratorium on and/or for the acceptance and processing of applications for annexations, rezonings, building permits, planned developments, master planned communities, development order(s), and development permit(s); and

WHEREAS, prior to the adoption of the Ordinance, the Owner negotiated and executed the *Town of Dundee Concurrency Developer’s Agreement* and *Water Supply Allocation Agreement* (hereafter collectively referred to as the “Agreements”); and

WHEREAS, the Agreements are attached hereto as **Composite Exhibit “B”** and made a part hereof by reference; and

WHEREAS, pursuant to the terms and conditions of the Moratorium, the Subdivision was specifically and conditionally exempt from the Moratorium; and

WHEREAS, the Applicant submitted a *Town of Dundee Subdivision Application* (hereafter the “Application”) for approval of the proposed *Certified Subdivision Plan for the Alford Ridge Subdivision* (hereafter the “Alford Ridge CSP”) which is located on the Property (see **Composite Exhibit “A”**); and

WHEREAS, pursuant to Section 7.01.07 of the LDC, the purpose of the *certified subdivision plan* is to allow Town staff to perform a technical review of all proposed site improvements; and

WHEREAS, pursuant to Section 7.01.07 of the LDC, the *certified subdivision plan* forms the basis upon which a final plat will be prepared and consists complete working drawings and design specifications; and

WHEREAS, copies of the Application and proposed Alford Ridge CSP are attached hereto as **Composite Exhibit “C”** and made a part hereof by reference; and

WHEREAS, the Alford Ridge CSP (see **Composite Exhibit “C”**) includes 178 single-family lots, amongst other improvements and amenities; and

WHEREAS, pursuant to the technical review performed by the Town and/or Town's consultants, the Alford Ridge CSP (see **Composite Exhibit "C"**) has not satisfied the general requirements set forth by Section 7.01.07 of the LDC; and

WHEREAS, the Applicant has substantially complied with all the requirements set forth in *Section 7.01.07 of the LDC* regarding the preparation the Alford ridge CSP (see **Composite Exhibit "C"**) for the Subdivision; and

WHEREAS, pursuant to *Section 7.02.03 of the LDC* and applicable provision(s) of the *Code of Ordinances of the Town of Dundee*, a *development order* and/or *development permit* will not be approved by the Town for the Subdivision unless a satisfactory concurrency evaluation is performed in accordance with *Section 6.01.00 of the LDC*; and

WHEREAS, pursuant to *Section 6.01.07.03 of the LDC* and applicable Florida law, this **Resolution No. 26-06** does not create a reservation of capacity in the Town water plant or network capacity or a commitment to provide such service(s) to and/or for the Subdivision; and

WHEREAS, the Applicant requests that the Town Commission of the Town of Dundee conditionally approve the Alford Ridge CSP (see **Composite Exhibit "C"**) for the Subdivision subject to the terms and conditions set forth by this **Resolution No. 26-06**; and Town Commission's approval for construction of streets, drainage facilities, and/or other subdivision improvements prior to final platting in accordance with applicable provisions of the *Town of Dundee Land Development Code* and the conditions set forth by this **Resolution No. 26-06**; and

WHEREAS, on February 10, 2026, the Town Commission, at a duly noticed public meeting, held a public hearing to consider the Alford Ridge CSP (see **Composite Exhibit "C"**) for approval; and

WHEREAS, on February 10, 2026, the Town Commission found that approval of this **Resolution No. 26-06** and the Alford Ridge CSP (see **Composite Exhibit "C"**) preserves, enhances and encourages the most appropriate use of land consistent with the public interest, the *Town of Dundee 2030 Comprehensive Plan* policies and objectives, and the *Town of Dundee Land Development Code*; and

WHEREAS, on February 10, 2026, the Town Commission held a duly noticed public hearing in order to approve the Alford Ridge CSP (see **Composite Exhibit "C"**) and found that the approval of this **Resolution No. 26-06** preserves, enhances, and encourages the most appropriate use of land consistent with the public interest; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the

approval and adoption of this **Resolution No. 26-06** is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; and this **Resolution No. 26-06** is intended to promote, protect, and improve the public health, safety, and general welfare of the citizens and residents of the Town of Dundee, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA:

Section 1. Incorporation of Recitals.

The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the adoption of this **Resolution No. 26-06**, and the Town Commission of the Town of Dundee, Florida, hereby adopts the above-referenced factual recitals as the legislative findings supporting the adoption of this **Resolution No. 26-06**.

Section 2. Conditional Approval.

SLC IRA, LLC, an active Florida limited liability company and **ABC IRA, LLC**, an active Florida limited liability company (hereafter collectively referred to as the "Applicant" and/or "Owner"), are the fee simple owner(s) of the real property which is identified by the Polk County Property Appraiser as Parcel Identification Numbers 272823-000000-034010, 272823-000000-034020, 272823-000000-034030, and 272823-000000-032020 (hereafter collectively referred to as the "Property").

The Applicant submitted that certain *Town of Dundee Subdivision Application* (hereafter the "Application") for approval of the *Certified Subdivision Plan for the Alford Ridge Subdivision* (hereafter the "Alford Ridge CSP"). Copies of the Application and Alford Ridge CSP are attached hereto as **Composite Exhibit "C"** and incorporated herein by reference.

The Town Commission having reviewed the *Alford Ridge CSP* (see **Composite Exhibit "D"**) and having been otherwise fully advised in the premises hereby conditionally approves the Alford Ridge CSP for construction of utility systems and other required infrastructure in accordance with *Section 7.01.07 of the Town of Dundee Land Development Code* and the conditions (hereafter the "Alford Ridge CSP Conditions") which are attached hereto as **Exhibit "D"** and incorporated herein by reference.

Section 3. Authorization.

The Town Commission of the Town of Dundee authorizes the Town Manager to take all necessary further actions in order to effectuate the intent of this **Resolution No.**

26-06 which includes, but shall not be limited to, negotiating and entering into any agreement(s) with the Applicant and/or Applicant's authorized designee with regard to the terms and Alford Ridge CSP Conditions (see **Exhibit "D"**) set forth by this **Resolution No. 26-06** and the Town's conditional approval of the Alford Ridge Subdivision CSP (see **Composite Exhibit "C"**).

Section 4. Conflicts.

All resolutions in conflict herewith are repealed in order to give this **Resolution No. 26-06** full force and effect.

Section 5. Severability.

The provisions of this **Resolution No. 26-06** are severable. If any section, subsection, sentence, clause, phrase of this **Resolution No. 26-06**, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of the Town of Dundee hereby declares that it would have passed this **Resolution No. 26-06**, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional, or unenforceable. If any word, sentence, clause, phrase, or provision of this **Resolution No. 26-06** for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, then all remaining provisions and portions of this **Resolution No. 26-06** shall remain in full force and effect. If any section, subsection, sentence, clause or phrase of this **Resolution No. 26-06** is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this **Resolution No. 26-06**. The Town of Dundee, Florida, by and through its Town Commission, hereby declares that it would have passed this **Resolution No. 26-06**, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. Administrative Correction of Scrivener's Errors.

It is the intention of the Town Commission that sections of this **Resolution No. 26-06** may be renumbered or re-lettered and the word "resolution" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and sections of this **Resolution No. 26-06** may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

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Section 7. Effective Date.

This **Resolution No. 26-06** shall take effect upon passage by the Town Commission of the Town of Dundee, Florida.

INTRODUCED AND PASSED by the Town Commission of the Town of Dundee, Florida, in Regular Session this 10th day of February 2026.

TOWN OF DUNDEE

Mayor – Sam Pennant

ATTEST:

Town Clerk – Erica Anderson, CMC

Approved as to form:

Town Attorney - Frederick J. Murphy, Jr.