

**To:** Town Commission

**Agenda Date:** January 13, 2026

**Department:** Planning and Zoning

**Discussion Topic:** Vacation of Right-of-Way

**Requested Action:** To approve the Vacation of Right-of-Way for the southern portion of Hillcrest Avenue – by Resolution 25-40

**Prepared By:** Lorraine Peterson, Development Director



## REQUEST:

- A request to vacate a 30' wide southern portion of specific unopen, unpaved, and unimproved portion of Hillcrest Avenue depicted in plat book 20, page 4 of public records of Polk County, Florida, that lies along Hillcrest Ave. in Section 21, Township 28 South, Range 27 East, Polk County Florida.

## PROPERTY INFORMATION

**LEGAL DESCRIPTION NOTES**

- THE BEARINGS SHOWN HEREON ARE BASED ON THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, TOWNSHIP 28 SOUTH, RANGE 27 EAST, HAVING A NORTH BOUNDARY LINE 5-20'-0" WEST OF THE GRID BEARING SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 2007 ADJUSTMENT) FOR THE WEST ZONE OF FLORIDA.
- EXHIBIT A, THE LEGAL DESCRIPTION AND SKETCH TO ACCOMPANY LEGAL DESCRIPTION - CONSISTS OF TWO (2) PAGES, AND IS NOT COMPLETE WITHOUT ALL PAGES.

### HILLCREST AVENUE RIGHT OF WAY VACATION LEGAL DESCRIPTION

THAT PART OF "RIDGECREST", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 4 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS:  
COMMENCE AT THE CENTER OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, 50.00 FEET TO THE SOUTHWEST N OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, THENCE DEPARTING SAID WEST LINE, AND ALONG THE NORTH LINE OF THE SOUTHWEST N OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, RUN N-89°42'35"E, 30.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF CENTER STREET (STATE ROAD 17), SAID POINT IS ALSO THE POINT OF BEGINNING, THENCE DEPARTING SAID EAST RIGHT-OF-WAY, CONTINUING ALONG THE NORTH LINE OF THE SOUTHWEST N OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, RUN N-89°42'35"E, 30.00 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST N OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, THENCE ALONG THE EAST LINE THEREOF, S-0°16'44"E, 30.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST N OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, THENCE ALONG THE EAST LINE THEREOF, S-0°16'44"E, 30.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF SAID CENTER STREET (STATE ROAD 17); THENCE ALONG SAID EAST RIGHT-OF-WAY, S-0°16'44"E, 63.07 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF SAID CENTER STREET (STATE ROAD 17); THENCE ALONG SAID EAST RIGHT-OF-WAY, N-0°15'22"W, 30.00 FEET TO THE POINT OF BEGINNING.  
CONTAINING: 38,932 SQUARE FEET, 0.435 ACRE, MORE OR LESS.



**EXHIBIT A  
HILLCREST AVENUE RIGHT OF WAY  
LEGAL DESCRIPTION  
(NOT A SURVEY)**

EXHIBIT A CONSISTS OF TWO (2) PAGES,  
AND IS NOT COMPLETE WITHOUT ALL PAGES.

PAGE 1 OF 2

### **Surrounding Property Information**

<u>Northwest:</u> Lake Hamilton	<u>North:</u> Lake Hamilton	<u>Northeast:</u> Lake Hamilton
<u>West:</u> FLU: Commercial/Industrial Corridor ZON: Industrial Existing Uses: Residential and Businesses	<u>Subject Parcel</u> Low Density Residential (LDR) Single Family Residential-3 (RSF-3)	<u>East:</u> FLU: LDR ZON: RSF-3 Existing Uses: Vacant Land
<u>Southwest:</u> FLU: LDR & Conservation ZON: IL Existing Uses: Residential	<u>South:</u> FLU: Commercial/Industrial Corridor ZON: AL Existing Uses: auto shops with bays, truck parking	<u>Southeast:</u> FLU: LDR ZON: RSF-3 Existing Uses: Agricultural Lands-Citrus

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### **FINDINGS OF FACT:**

The Petition for Right-of-Way Vacation is to be reviewed by the Town Staff, Planning and Zoning Board and Town Commission consistent with the requirements of the Town of Dundee, regarding the vacation of streets, alleys, and public ways.

Below are staff findings of fact determined during review of the petition.

- The applicant has submitted a completed application.
- Staff sent out notices to surrounding property owners within 300' by certified mail.
- The right-of-way is unopen, unpaved, unimproved portions of road depicted in plat book 20, page 4 of public records of Polk County, Florida, that lies along Hillcrest Ave. in Section 21, Township 28 South, Range 27 East, Polk County Florida.

## **PLANNING AND ZONING BOARD ACTION:**

Consistent with the requirement of the Town of Dundee regarding vacating streets, alleys, and public ways, the Town administration is forwarding this Petition for Right-of-Way Vacation to the Town of Dundee Planning and Zoning Board for Review and Comment.

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### **MOTION OPTIONS:**

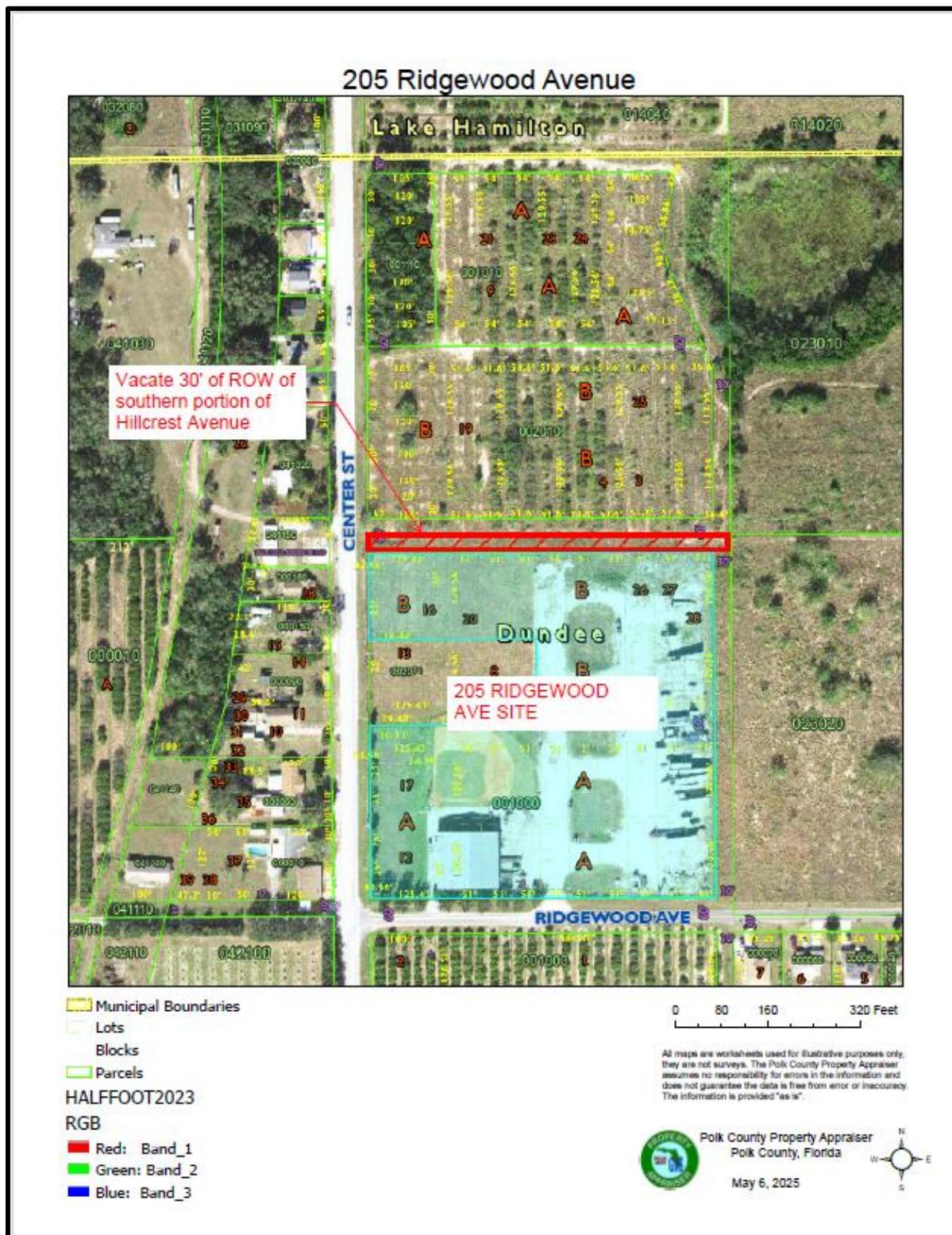
1. I move Town Commission **approve, Resolution 25-40** the vacating and abandoning of specific unopened, unpaved, and unimproved right-of-way as described in this staff report.
2. I move Town Commission **deny, Resolution 25-40** the vacating and abandoning of specific unopened, unpaved, and unimproved right-of-way as described in this staff report.
3. I move Town Commission continue this item until a certain date.

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### Attachments:

- Location Map
- Boundary Survey
- Current Future Land Use Map
- Current Zoning Map
- Proof of Publication
- Application for Right-of-Way Vacation

## LOCATION MAP



# BOUNDARY SURVEY

BOUNDARY AND TOPOGRAPHIC SURVEY  
CONTAINS 7.21 ACRES



18. **LEGAL DESCRIPTION AS FURNISHED:**  
B. Right-of-Way, a subdivision according to the plan thereof  
bearing No. 1000 in the public records of Polk County,  
Iowa, less a portion thereof.

C. The Northwest quarter of Lot 10, Block 20, of Allerton  
Land, as recorded in Plat Book 20, Page 4, Polk  
County, Iowa, Section South 89-00703 West, along the  
North and the Entire right of way line of S.R. 57,  
100.00 feet for the Right of Way bearing South 89-00703  
West, 150.00 feet to the and Entire right of way line of S.R.  
57, 100.00 feet to the and Entire right of way line of S.R.  
57, 100.00 feet East, and right of way line of S.R. 57,  
100.00 feet to the Right of Way.

**STATEMENT OF JOBS**

1. *Name and business address of persons referred to in the statement of facts.* *State along with the right of way only.* *State the name of the corporation, partnership, firm, or other business system.*

2. *Legal residence is indicated by check.*

3. *Indicate the following, if applicable, names, addresses, telephone numbers and office, if any, where was left in the past 6 months.*

4. *Abstention from American Legion, Veterans of Foreign Wars, American Legion Auxiliary, American Legion Service Women, American Legion Riders, American Legion Auxiliary Daughters, DAV or similar organizations.*

5. *Voluntary associations are as follows:*

6. *Hold voting membership.* *10/1/2011.*

7. *Not held voting membership and the original intent was of a World War I veteran.* *Indicate the date of the original intent and the date the intent was received by the organization or party or whether it was withdrawn.*

8. *Indicate the date of the original intent to join the organization.*

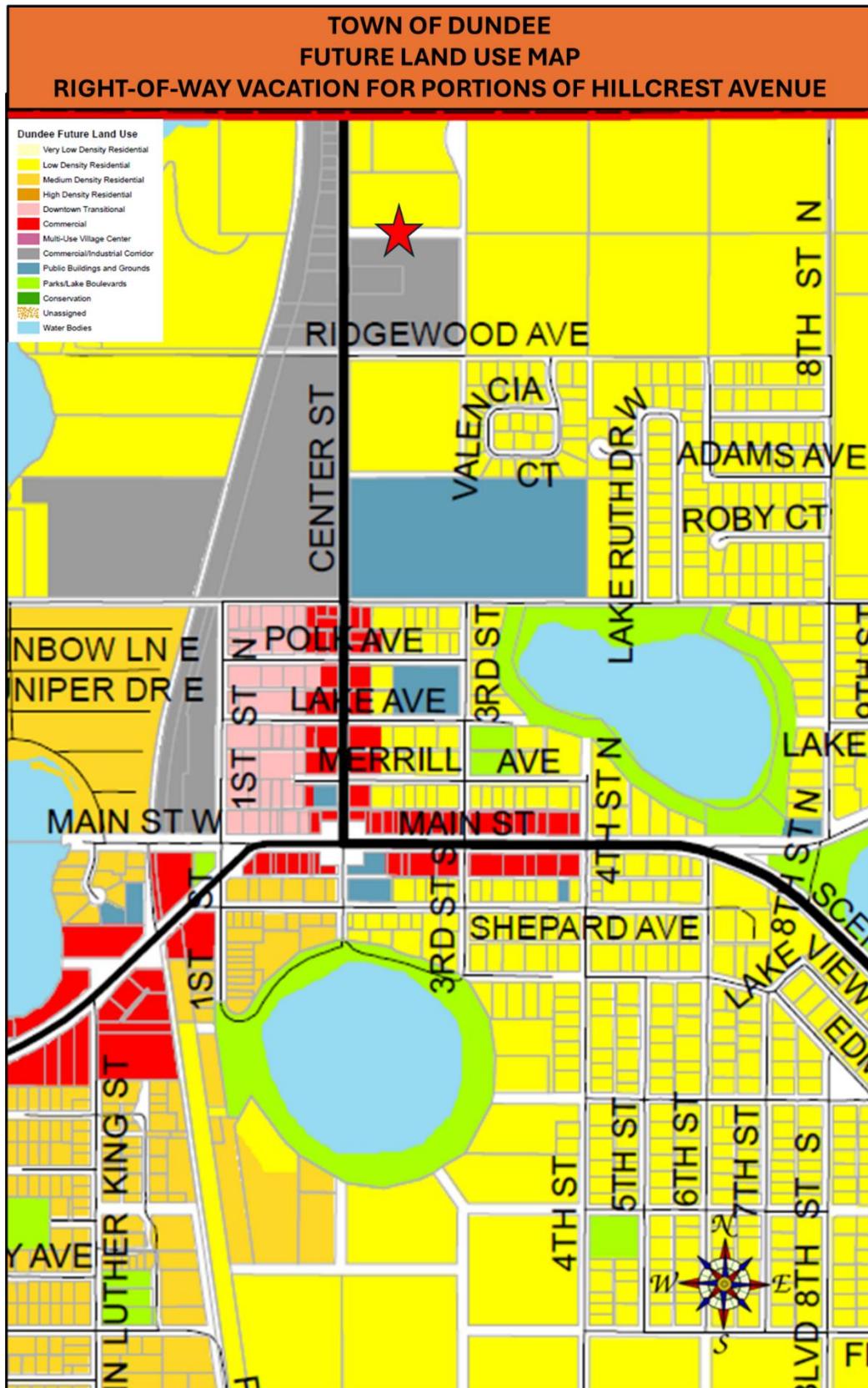
9. *The date of the signature is to indicate the date of the intent of the signer.*

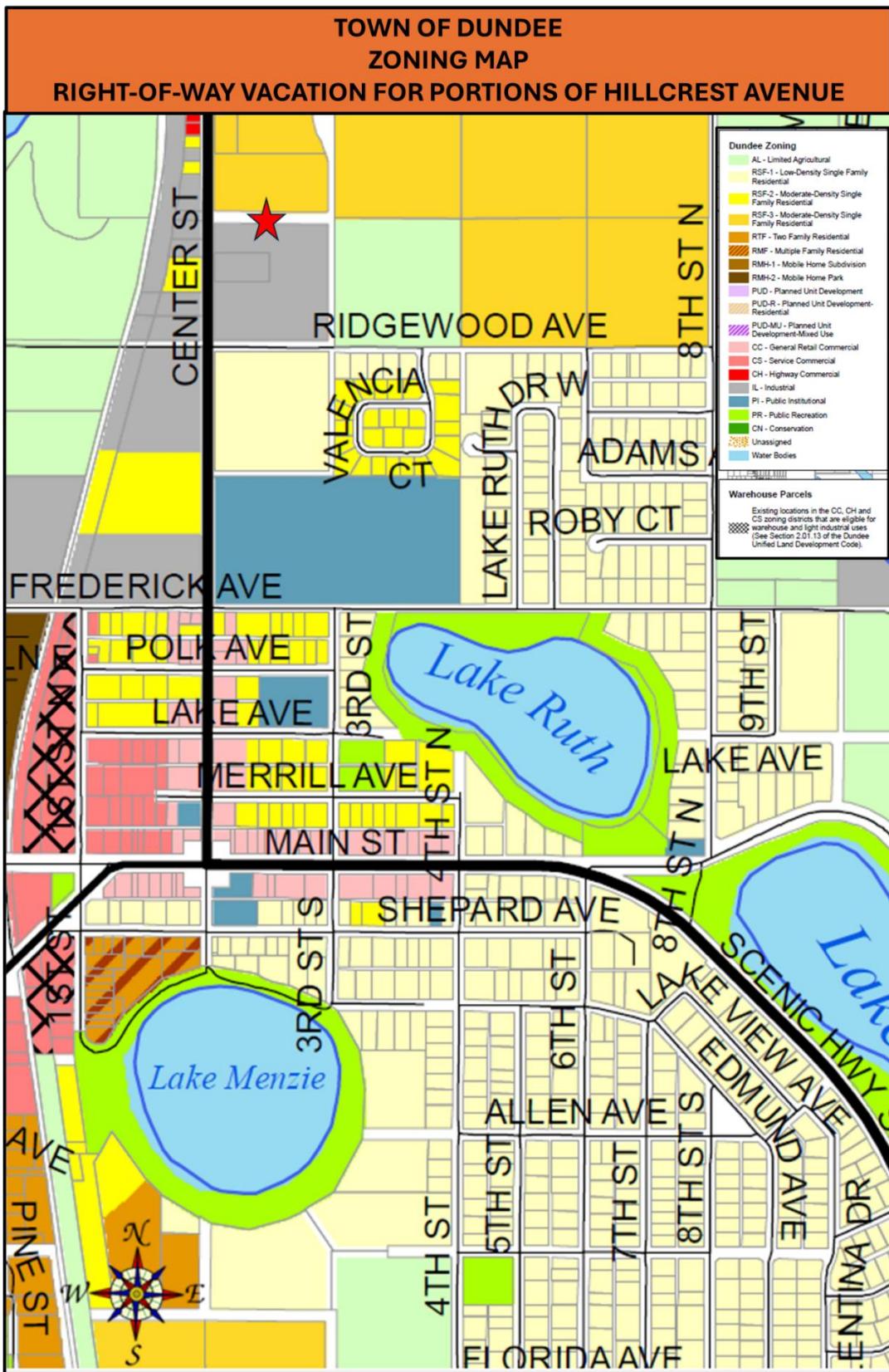
10. *This survey involves no intent regarding ownership or right of possession.*

11. *This survey was prepared prior to any intent to buy or sell.* *Indicate, the undersigned intent to purchase or representative regarding ownership or right of possession.* *Indicate the date of the intent to buy or sell.* *Indicate, the date of the intent to sell.* *Indicate the date when this survey was completed.*

*John Todd Deliman, P.S.M.*

3411 Fox Ridge Street  
Winter Haven, Florida 33884  
Phone: (863)216-4002  
Email: [jidsurveyor@hotmail.com](mailto:jidsurveyor@hotmail.com)





# Application for Right-of-Way Vacation



## Town of Dundee

### Vacation of Right-of-Way Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

In addition to the application, please provide all materials as listed on the application checklist. It is important that all information be complete and accurate when submitted to the Town. Additional pages may be attached to provide necessary information.

#### SITE INFORMATION

Project Name: Ridgewood Avenue Mini Warehouse Total Acreage: 8.26

Site Address or General Location: 205 Ridgewood Avenue, Dundee

Present Use of the Property: Semitruck Parking/Automotive

Existing Structures Located on the Site: 9500 square foot building

Legal Description of the Property: See attached

#### PROPERTY OWNER:

Name: Crow Investments, LLC

Mailing Address: 346 East Central Avenue

City: Winter Haven State: FL Zip: 33880

Home/Mobile Phone: 863-324-3698 Email Address: loakley@cassidyhomes.com

#### APPLICANT/AGENT:

Name: John Bannon/Quiddity Engineering, LLC

Mailing Address: 1925 Bartow Road Suite 100

City: Lakeland State: FL Zip: 33801

Home/Mobile Phone: 863-207-5155 Office: 863-940-2040

Email Address: jbannon@quiddity.com

Applicant is:  Owner  Agent/Representative  Purchaser  Lessee

#### VACATION OF RIGHT-OF-WAY REQUEST:

Identify Affected Right-of-Way: Hillcrest Avenue

Metes and Bounds Legal Description of Right-of-Way: See attached

Nature and Purpose of Request: Vacate southern portion of Hillcrest Avenue

A statement substantiating the need and justification for the approval of vacation of right-of-way sought relative to the development and/or improvement of the Town:

Date Application Accepted by Town: \_\_\_\_\_

Project ID Number: \_\_\_\_\_

Application Fee Amount Paid: \_\_\_\_\_ Review Deposit Amount Paid: \_\_\_\_\_



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#### PLEASE ADDRESS THE FOLLOWING:

1. Are there any known applicable portions of any current town plans for the use of the subject right-of-way, street, or alley? If so, please address this.  
No
2. Identify how abutting property owners will be affected by the proposed request.  
The abutting property owners will not be affected
3. What impacts will the request have on short-range and long-range public and private utilities? Please address if utilities are to be relocated.  
There will be no impacts
4. What impacts will the request have on short-range and long-range ingress and egress by private and public vehicles? Please address if alternative ingress/egress is proposed.  
There will be no impacts
5. What is the cost of relocating any public utility lines?  
No utility lines will need to be relocated

The Town will consider the cost and attendant responsibilities involved in maintaining utilities where improvements may be constructed over existing facilities. The Town also ensures that the rights of all franchised utilities are protected



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#### STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

(I) (We), Crow Investments, LLC being

duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the Town of Dundee to process this petition in accordance with all adopted Town rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application for annexation, and any information attached thereto, present the arguments in behalf of this petition 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.

Signature of Owner

Lauren Schwenk, Manager

Printed Name/Title of Owner

#### OWNERS

Signature of Owner

Printed Name/Title of Owner

Signature of Owner

Signature of Owner

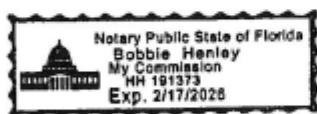
Printed Name of Owner

Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

#### OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of July, 2025,  
by Lauren Schwenk, who is personally known to me or  
who has produced a driver's license as identification and who did not take an oath.



Bobbie Henley  
Notary Public  
Notarial Seal and Commission  
Expiration Date 02/17/2026



## Town of Dundee

### Vacation of Right-of-Way Application

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#### AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), John Bannon, Quiddity Engineering, LLC being duly sworn, depose and say that (I) (we) serve as Authorized Agent for the owner(s) (agent or lessee) in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this capacity.

Further, (I) (we) depose and say that the statements and answers herein contained and other information attached hereto present the arguments in behalf of the petition herein requested to the best of (my) (our) ability and that the statements and information above referred to are in all respects true and correct to the best of (my) (our) knowledge and belief.

#### AGENT, LESSEE, OR BUYER(S)



Signature of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

John Bannon

Printed Name of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA

#### AGENT, LESSEE, OR BUYER(S) NOTARIZATION

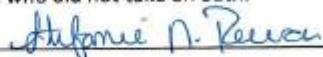
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 30 day of July, 2025, by John Bannon, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.



STEFANIE N. ROWAN  
Notary Public  
State of Florida  
Comm# HH234285  
Expires 3/8/2026

Notary Public  
Notarial Seal and Commission  
Expiration Date





## Town of Dundee

### Vacation of Right-of-Way Application

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#### FINANCIAL RESPONSIBILITY FORM

The undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all Town expenses associated with the referenced application, including time spent by the Town's consultants consistent with the Town's adopted application fee schedule, extraordinary expenses, and development review deposit policies.

Name: Lauren Schwenk Title: Manager

Company: Crow Investments, LLC

Company Address: 346 East Central Avenue

City/State/Zip Code: Winter Haven, FL 33880

Telephone Number: 863-324-3698

Email Address: loakley@cassidyhomes.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 29th day of July, 2025

  
Signature of Property Owner, Lessee, Contract Purchase, or Applicant (circle one)

