
	<p>To: Town Commission</p> <p>Agenda Date: January 13, 2026</p> <p>Department: Planning and Zoning</p> <p>Discussion Topic: Vacation of Right-of-Way</p> <p>Requested Action: To approve the Vacation of Right-of-Way for the southern portion of Hillcrest Avenue – by Resolution 25-40</p> <p>Prepared By: Lorraine Peterson, Development Director</p> 
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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
<ul style="list-style-type: none"> 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 GRID BEARING OF S-00°15'22"E. THE GRID BEARINGS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83-2007 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
<p>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:</p> <p>COMMENCE AT THE CENTER OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND RUN THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, S-00°15'22"E, 687.94 FEET TO THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 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 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, RUN N-89°42'55"-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, CONTINUE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21, AND CONTINUING N-89°42'55"-E, 632.06 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 21; THENCE ALONG THE EAST LINE THEREOF, S-00°18'44"-E, 30.00 FEET TO A POINT ON THE EASTERLY PROJECTION OF THE SOUTH RIGHT-OF-WAY OF HILLCREST AVENUE, THENCE ALONG SAID EASTERLY PROJECTION, AND ALONG SAID SOUTH RIGHT-OF-WAY, S-89°42'55"-W, 632.07 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-00°15'22"-W, 30.00 FEET TO THE POINT OF BEGINNING.</p> <p>CONTAINING: 18,932 SQUARE FEET, 0.435 ACRE, MORE OR LESS.</p>
<p>EXHIBIT A HILLCREST AVENUE ROW VACATION LEGAL DESCRIPTION (NOT A SURVEY)</p> <p>EXHIBIT A CONSISTS OF TWO (2) PAGES, AND IS NOT COMPLETE WITHOUT ALL PAGES. PAGE 1 OF 2</p>

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

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.

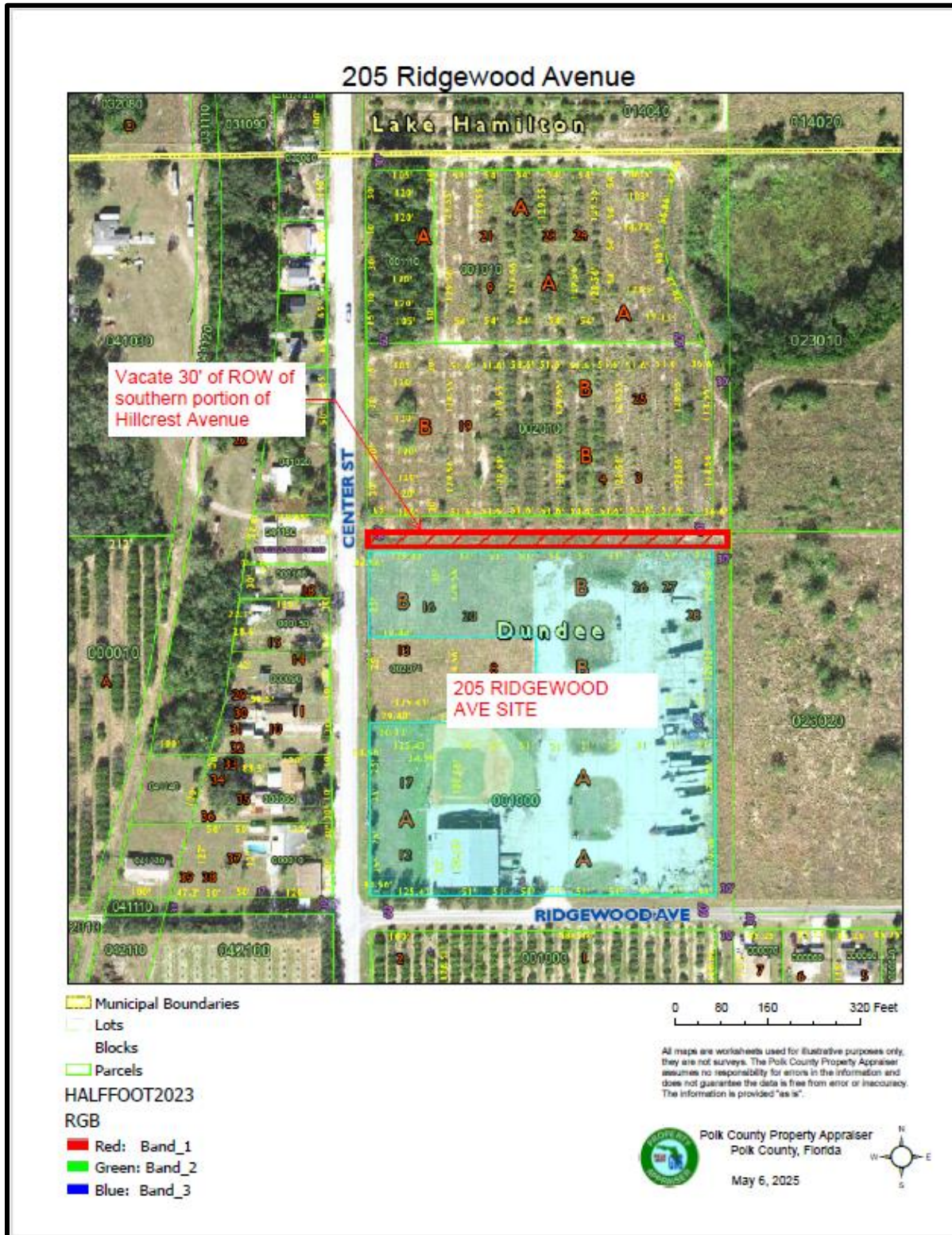
MOTION OPTIONS:

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.
-

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 AND TOPOGRAPHIC SURVEY
CONTAINS 7.21 ACRES



LEGEND

① FURNACE 5/8" UTILITY ROD
WITH NO CAP

(P) PLAT

(F) FIELD

② CENTURINE

W/R RIGHT OF WAY

EXP. DATE OF PAYMENT

ON OVERHEAD UTILITY LINES

UTILITY POLE

A/C AIR CONDITIONING PAD

W/R WATER METER

W/R WATER VALVE

W/R FIRE HYDRANT

STORM DRAIN INLET

CONCRETE POLE WITH STREET LAMP

W/R STORM DRAIN MANHOLE

LEGAL DESCRIPTION AS FURNISHED:

Block A and B, adjacent, a subdivision according to the plat thereon recorded on Plat Book 20, Page 4, in the Public Records of Polk County, Florida, less and except the following:

Cornerstone of the northwest corner of Lot 15, Block B, of adjacent, according to the plat thereon recorded on Plat Book 20, Page 4, Public Records of Polk County, Florida, Section North 00'09"03" West along the twenty line of said Block B and the Eastern right of way line of S.R. 17, a distance of 149.00 feet for the Part of Beginning, Thence North 89°48'16" East, 250.00 feet to the Point of Beginning, Thence North 89°48'16" West, 250.00 feet to the Point of Beginning, Thence North 00'09'03" East, along said right of way line, 150.00 feet to the Point of Beginning.

SURVEYOR'S NOTES:

- 1) The north and the bearing station names are referenced to the location of North 20°00'00" street along the right side of way to the Center of the station from Krasnyy Smolensk (Central District, Krasnyy Smolensk).
- 2) Legal description was limited by street.
- 3) Underground representations, annotations, foundations and/or JCBs (Jacking Boxes) are not shown in the plan.
- 4) Information based on North American Vertical Datum, 1988 (NAVD83) on the basis of National Geospatial Survey benchmarks (SDR5) on published data.
- 5) Main horizontal dimensions are as shown.
- 6) Area survey completed: 07/20/2021.
- 7) Not used without the signature and the original stamp of a Licensed Professional Engineer (LPE) or a Licensed Professional Surveyor (LPS) of the State of Maryland. No surveying reports or reports of other than the signing party or person is produced without the signature of the LPE or LPS.
- 8) The use of the signature is not intended to reflect the date of the survey.
- 9) The survey maps are created digitally according to a system of projection.
- 10) Any survey as prepared without the license of a LPE or LPS is illegal. The undersigned map is purchased or represents/implies that the undersigned is a LPE or LPS. The undersigned map is not a legal document or a legal representation of the undersigned. The undersigned map is not a legal document or a legal representation of the undersigned. The undersigned map is not a legal document or a legal representation of the undersigned.

CARITIZATION

THIS CERTIFICATE THAT THIS DRAWING CORRECTLY REFLECTS THE RESULTS OF A PRELIMINARY SURVEY MADE UNDER MY DIRECTION AND THIS SURVEY WAS MADE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ADOPTED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, OFFICE OF THE COMMISSIONER, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 53-07 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.007, FLORIDA STATUTES.

7-1000 02 MAY P.S.M.
FLORIDA REGISTRATION No. 6082

[illegible]

Winter Haven, Florida 33884
Phone: (863)216-4002
Email: jtdsurveyor@hotmail.com

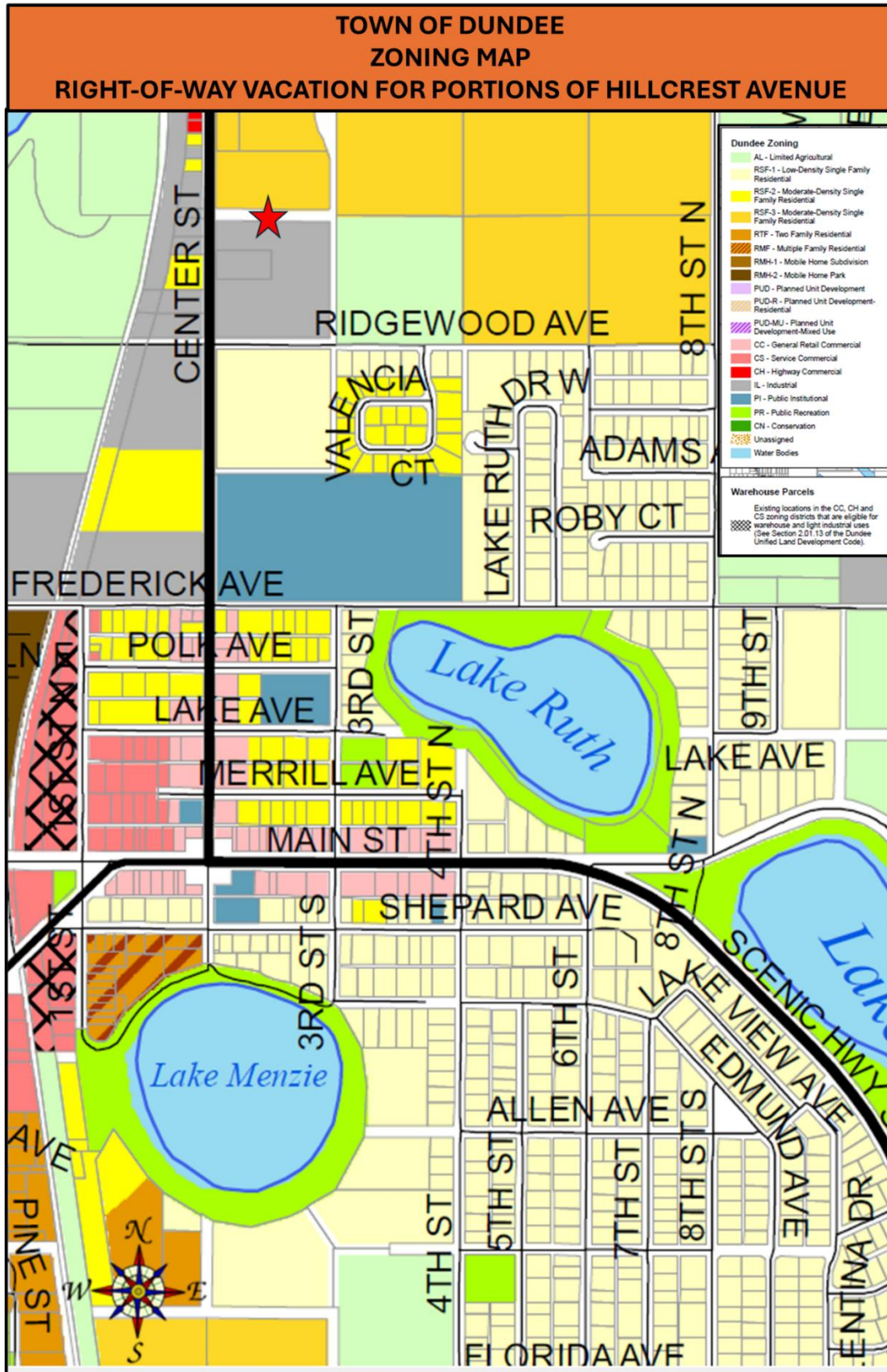
John Todd Deliman, P.S.M.

DRAWN BY
 J.T.D.
 CHECKED BY
 T.D.
 SCALE
 1" = 40'
 SHEET
 1 OF 1
 DRAWING NUMBER
 113021

Dundee Future Land Use

- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Downtown Transitional
- Commercial
- Multi-Use Village Center
- Commercial/Industrial Corridor
- Public Buildings and Grounds
- Parks/Lake Boulevards
- Conservation
- Unassigned
- Water Bodies

The map displays a grid of streets including Center St, RidgeWood Ave, Adams Ave, Roby Ct, Main St, and others. A red star is located in the upper central area, near RidgeWood Ave and Center St. The map also shows various colored zones corresponding to the legend, such as yellow for Low Density Residential and red for Commercial. A compass rose is visible in the bottom right corner.



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: _____

Variance Application

Page 1 of 5



Town of Dundee

Vacation of Right-of-Way Application

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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



Town of Dundee

Vacation of Right-of-Way Application

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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

Printed Name of Owner

Signature of Owner

Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 20th 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.




Notary Public
Notarial Seal and Commission
Expiration Date 02/17/2028



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

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

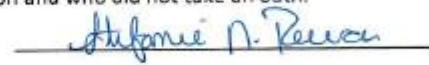
AGENT, LESSEE, OR BUYER(S) NOTARIZATION

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

Variance Application

Page 4 of 5



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

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

