

# EXHIBIT B



## 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: Weiberg West Phase 1 Total Acreage: \_\_\_\_\_

Site Address or General Location: 0 Center St. Dundee FL 33838

Present Use of the Property: Agriculture

Existing Structures Located on the Site: N/A

Legal Description of the Property: See attached

#### PROPERTY OWNER:

Name: Cassidy Property Investments, LLC

Mailing Address: 346 East Central Ave

City: Winter Haven State: Florida Zip: 33880

Home/Mobile Phone: 863-324-3698 Email Address: daniel@cassidylanddev.com

#### APPLICANT/AGENT:

Name: Cassidy Land Development, LLC

Mailing Address: 346 East Central Ave

City: Winter Haven State: Florida Zip: 33880

Home/Mobile Phone: 863-324-3698 Office: \_\_\_\_\_

Email Address: daniel@cassidylanddev.com

Applicant is: ☐ Owner ☐ Agent/Representative ☐ Purchaser ☐ Lessee

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

Identify Affected Right-of-Way: Hillcrest Ave, Third St, Williams Ave, Biltmore Ave & Seseen Ave

Metes and Bounds Legal Description of Right-of-Way: Attached

Nature and Purpose of Request: Vacation of existing platted ROW to replat for Furture Development

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: Existing ROW will be replatted w/lots & New ROW

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

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

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



# ***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.  
\_\_\_\_\_  
\_\_\_\_\_
2. Identify how abutting property owners will be affected by the proposed request.  
\_\_\_\_\_  
\_\_\_\_\_
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.  
\_\_\_\_\_  
\_\_\_\_\_
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.  
\_\_\_\_\_  
\_\_\_\_\_
5. What is the cost of relocating any public utility lines?  
\_\_\_\_\_  
\_\_\_\_\_

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

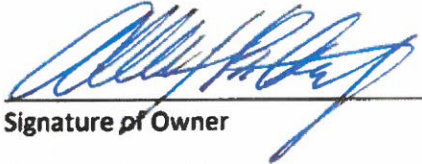
## Vacation of Right-of-Way Application

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### STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

(I) (We), Cassidy Property 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

Albert B Cassidy

Printed Name/Title of Owner

### OWNERS

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name/Title of Owner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Owner

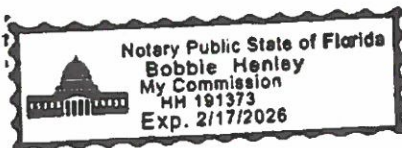
\_\_\_\_\_  
Printed Name of Owner

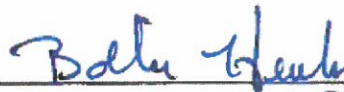
\_\_\_\_\_  
Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

### OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2024, by Albert B Cassidy, 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 Bobbie Henley  
Notarial Seal and Commission  
Expiration Date 02/17/2024



# Town of Dundee

## Vacation of Right-of-Way Application

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

(I) (We), Cassidy Land Development, LLC being duly sworn, depose and say that (I) (we) serve as \_\_\_\_\_ 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)

Albert B Cassidy

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)

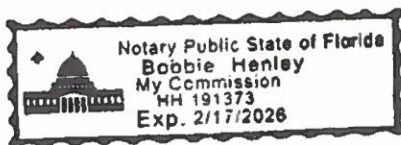
\_\_\_\_\_  
Printed Name of Agent, Lessee, or Buyer(s) Printed Name of Agent, Lessee, or Buyer(s)

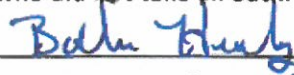
STATE OF FLORIDA

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

COUNTY OF POLK

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2024 by Albert B Cassidy, 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 Bobbie Henley  
Notarial Seal and Commission  
Expiration Date 02/17/2026



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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: Albert B Cassidy Title: Manager

Company: Cassidy Property Investments, LLC

Company Address: 346 East Central Ave

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 30<sup>th</sup> day of October, 2021

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



## Vacation of Right-of-Way Application Checklist

Requirements as set out in Florida Statutes 177.101 and Section 7.01 13 Land Development Code

All boxes must be checked or noted as non-applicable. Information indicated must be attached and submitted with this form or the application will be deemed incomplete. The voluntary annexation application and supporting documents must be submitted in digital format and hard copies.

### What is this checklist?

- This checklist is based on Florida Statutes and Town of Dundee requirements and is being provided as a courtesy to help streamline the application review process.
- Plans and other submitted materials will be reviewed for compliance with requirements of the Town of Dundee Code of Ordinances and Land Development Code. This checklist is intended to give you the ability to be sure that the bulk of the requirements from the Codes have been incorporated into your submittal.
- The requirements from the Codes represent a large portion of the detailed content required for project submittals.

### How should this checklist be used?

- *As a content guide.* Submitted applications must address each item in the Codes, as applicable to your project. You can smooth and shorten the review process by making sure that every item on the checklist has been fully addressed.
- *As a verification document.* When you submit your application, include a copy of the completed checklist with every item either initialed to indicate that it has been addressed in the design, or marked "N/A" to indicate the item is not applicable to your project.
- *As a means to speed up the review process.* Projects with completed checklists are easier to review and completion of the review may be achieved sooner.

**NOTE:** Town of Dundee requirements may differ from other agencies or municipalities. The way you as an applicant have addressed certain issues in the past or in other jurisdictions may not apply in Dundee. The Codes contain Dundee's requirements, and are the Town's rulebook.

*Please initial each item on the following pages to show it has been incorporated into your submittal. If an item is not applicable to your submittal, enter "N/A" in the initial blank. Sign below to state that you have provided the information in your submittal and submit the initialed and signed checklist as part of your resubmittal package:*

I have reviewed the Vacation of Right-of-Way application and supporting materials consistent with the Town of Dundee's Content Requirements Checklist and have provided the required items.

Applicant

Date

10-30-24



## Vacation of Right-of-Way Application Checklist

The following items are required for a submittal package to be accepted for review. Applicant to initial or write N/A for each item below.

- ☐ Complete Vacation of Right-of-Way Application form including signature from all adjacent property owners proposed for annexation. Signature of representative/agent, as applicable. For properties that are owned by a company, the applicant must submit proof that the person signing has the authority to sign on behalf of the company.
- ☐ Required Supporting Documents Including:
  - ☐ Location Map
  - ☐ Aerial Map
  - ☐ Metes and bounds legal description of property to be vacated
  - ☐ Current survey of subject property certified to the Town of Dundee
  - ☐ A letter from the petitioner of his/her agent addressed to the Town Manager requesting that the proposal be placed on the Town Commission agenda for review purposes.
  - ☐ A signed authorization form from the abutting property owner(s) making the request or who are a part of the request.
  - ☐ A survey or plat containing a description of all land uses abutting the affected right(s)-of-way.
  - ☐ Written request review responses from each franchise utility provider as well as from affected Town Departments, including Public Services, Fire, and Police. If no responses are received, provide proof of mailing notices to the franchise utility provider.
  - ☐ Schematic drawing(s) showing the location of all utilities utilizing the subject right-of-way, as provided by each utility provider, i.e., electricity, gas, sewer, water, telephone, drainage, sanitation, or underground TV cable. Applicants may be able to obtain such schematic drawings from the Town Public Services Department and other applicable utility providers upon request.
  - ☐ Proof of publication of Notice of Intent
  - ☐ Certificate of Title
  - ☐ Statement of taxes and resolution
- ☐ Submit five (5) paper copies of application and application materials (including application and checklist) plus one electronic copy of all documents.
- ☐ A signed copy of this Vacation of Right-of-Way Application Checklist
- ☐ Required fees

### ADDITIONAL DOCUMENTATION:

After initial application review by staff to determine likely impacts of implementing the vacation or street/traffic redirection proposal, the Town may require a traffic analysis report based on accepted transportation engineering criteria. This traffic analysis report may include, but shall not be limited to the following:

1. Background narrative containing the definition of the problem.
2. General data, including but not limited to:



## Vacation of Right-of-Way Application Checklist

- a. A location map showing local streets.
  - b. Collector and arterial streets in the area as designated on the Transportation map series in the Comprehensive Plan.
  - c. Zoning of the affected area.
  - d. Traffic counts.
  - e. Accident counts.
  - f. Width of pavements.
  - g. On-street parking.
  - h. Related demographic data.
  - i. Identification of major trip generators in the area.
3. Analysis of traffic characteristics, including:
- a. Estimated trip generators that would be characteristic for the neighborhood.
  - b. Comparison of actual, observed traffic volumes with estimated traffic volumes to be generated in the neighborhood.
  - c. Determination of peak-hour flows.
  - d. Estimated impact of changes on parallel facilities (e.g. alternative routing).
4. Alternative solution identification, including:
- a. An analysis of the impact of each alternative on the overall area traffic network.
  - b. An analysis of the impact on zoning, utilities, and drainage systems.
  - c. An analysis of costs of each alternative. d. A prioritization of alternatives.
5. As part of the application process, if the Town Commission determines that additional of independent study is necessary, the applicant shall bear all associated costs in producing the study.



## Vacation of Right-of-Way Application Checklist

### Proof of Publication

Publishing legal notice in a newspaper of general circulation in the county in which the tract or parcel of land is located, in not less than two weekly issues of said paper, and must attach to the petition for vacation the proof of such publication (FS 177.101).

### Sample Proof of Publication:

#### AFFIDAVIT OF PUBLICATION THE LEDGER Lakeland, Polk County, Florida

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Olga L. Rodriguez Martin, who on oath says that she is an Account Executive for Advertising at The Ledger, the owner of The Ledger, a daily newspaper published in Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

#### PUBLIC NOTICE TO VACATE

In the matter of RIGHT-OF-WAY

Concerning TOWN OF BUNNERTOWN LIMITS

was published in newspaper and no-line in the issue of

4-25-2020

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, compensation or reward for the purpose of securing this advertisement for publication in the said newspaper

  
Olga L. Rodriguez Martin  
Advertising Account Executive  
Who is personally known to me.

Sworn to and subscribed before me this 29th day of April, A.D. 2020

  
Notary Public

(Seal)



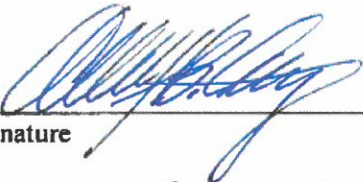


## Vacation of Right-of-Way Application Checklist

### Adjoining Property Owner Signature Form

I, Albert B Cassidy, understand that Cassidy Property Investments, LLC is requesting that the Town of Dundee to close, vacate, and abandon the Hillcrest Ave, Third St, Williams Ave, Biltmore Ave & Seseen Ave right-of-way which adjoins my property. I also understand that I will receive one-half of the right-of-way fronting my property.

- ☒ I hereby approve or have no objections to this request.  
☐ I hereby disapprove and have an objection to this request.

  
Signature

Albert B. Cassidy  
Printed Name

346 E. Central Ave.  
Address

Winter Haven FL 33880  
City, State, Zip Code

10/30/24  
Date



INSTR # 2020284071  
BK 11518 Pgs 0903-0913 PG(s)11  
12/30/2020 04:23:21 PM  
STACY M. BUTTERFIELD,  
CLERK OF COURT POLK COUNTY  
RECORDING FEES 95.00  
DEED DOC 0.70

Prepared by and return to:  
Deborah Lester  
Florida Registered Paralegal  
STRAUGHN & TURNER, P.A.  
255 Magnolia Ave SW  
Winter Haven, FL 33880-2902  
863-293-1184  
File Number: 15700-0001 - Polk

## Special Warranty Deed

**This Special Warranty Deed** made this **29th** day of **December, 2020** between **ALBERT B. CASSIDY and STEVEN L. CASSIDY** whose post office address is **346 E Central Ave, Winter Haven, FL 33880**, grantor, and **CASSIDY PROPERTY INVESTMENTS, LLC**, a Florida limited liability company whose post office address is **346 E Central Ave, Winter Haven, FL 33880**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Polk County, Florida**, to-wit:

See Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

Grantors warrant that at the time of this conveyance, the subject property is not the Grantors' homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

This instrument was prepared from information provided by the parties. No title assurance or opinion was requested or given.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

NOTE TO RECORDER: This deed is recorded with minimal documentary stamp tax affixed because there is no change in beneficial ownership of the real property and the property is not encumbered by a mortgage.

Signed, sealed and delivered in our presence:

Lauren O. Scha  
Witness Name: Lauren O. Scha

April W. Payeur  
Witness Name: April W. Payeur

Albert B. Cassidy  
ALBERT B. CASSIDY

Steven L. Cassidy  
STEVEN L. CASSIDY

State of Florida

County of Polk

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29th day of December, 2020 by ALBERT B. CASSIDY and STEVEN L. CASSIDY, who ☐ are personally known or ☒ have produced a driver's license as identification.

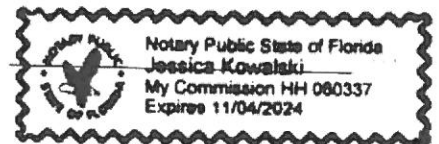
[Notary Seal]

Jessica Kowalski  
Notary Public

Printed Name:

Jessica Kowalski

My Commission Expires:



**Exhibit "A"**

**Parcel No. 272630-708000-010310:**

Tract 31 in the Northeast ¼ of Section 30, Township 26 South, Range 27 East, FLORIDA DEVELOPMENT CO. TRACT, according to the map or plat thereof as recorded in Plat Book 3, Page 60, Public Records of Polk County, Florida.

**Parcel Nos. 272630-708000-030010; 272630-708000-030132; 272630-708000-030202; and 272630-708000-040170:**

THOSE PARTS OF PARCEL "C" AND PARCEL "D" AS DESCRIBED IN THAT CERTAIN WARRANTY DEED TO TRUSTEE OF REVOCABLE TRUST RECORDED IN OFFICIAL RECORDS BOOK 9383, PAGES 1467 TO 1473, INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

**PARCEL ONE**

THAT PART OF ABOVE SAID PARCEL "C" DESCRIBED AS:

TRACTS 1 AND 2 IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 26 SOUTH, RANGE 27 EAST, OF THE FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

**PARCEL TWO**

THAT PART OF ABOVE SAID PARCEL "C" DESCRIBED AS:

THE EAST 30.00 FEET OF THE TRACT 13 IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 26 SOUTH, RANGE 27 EAST, OF THE FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA. LESS AND EXCEPT THE SOUTH 10 FEET OF THE EAST 80 FEET OF TRACT 13 IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 30.

**PARCEL THREE**

THAT PART OF ABOVE SAID PARCEL "C" DESCRIBED AS:

THE EAST 30.00 FEET OF THE NORTH HALF OF TRACT 20 IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 26 SOUTH, RANGE 27 EAST, OF THE FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, INCLUSIVE, PUBLIC RECORDS, OF POLK COUNTY, FLORIDA. LESS AND EXCEPT THE NORTH 10 FEET OF THE EAST 80 FEET OF TRACT 20 IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 30.

PARCEL FOUR :

THAT PART OF ABOVE SAID PARCEL "D" DESCRIBED AS:

TRACTS 17, 18, 31, AND 32 IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 26 SOUTH, RANGE 27 EAST OF THE FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

**Parcel Nos: 272715-739500-040300 and 272715-739500-040400:**

ALL OF TRACTS 3, 4, 13, 14, AND 20, AND THE SOUTH  $\frac{1}{2}$  OF TRACTS 17, 18 AND 19 LYING IN THE SW  $\frac{1}{4}$  OF SECTION 15, TOWNSHIP 27 SOUTH, RANGE 27 EAST, OF FLORIDA DEVELOPMENT COMPANY'S SUBDIVISION AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63 INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING PARCELS:

A. THE WEST 280 FEET OF TRACT 17.

B. BEGIN AT THE NORTHEAST CORNER OF THE WEST 280 FEET OF THE SOUTH  $\frac{1}{2}$  OF SAID TRACT 17; THENCE SOUTHERLY ALONG THE EAST LINE OF THE WEST 280 FEET OF THE SOUTH  $\frac{1}{2}$  OF SAID TRACT 17, A DISTANCE OF 330 FEET MORE OR LESS TO THE SOUTH LINE OF SAID TRACT 17; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID TRACTS 17 AND 18, A DISTANCE OF 193.00 FEET; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF THE WEST 280 FEET OF THE SOUTH  $\frac{1}{2}$  OF SAID TRACT 17, A DISTANCE OF 330 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTH  $\frac{1}{2}$  OF SAID TRACT 18; THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH  $\frac{1}{2}$  OF SAID TRACTS 18 AND 17, A DISTANCE OF 193.00 FEET TO THE POINT OF BEGINNING.

C. THE SOUTH 165 FEET OF THE WEST 115 FEET OF TRACT 14, LESS RIGHT OF WAY FOR SHAMROCK DRIVE, LYING IN THE SW  $\frac{1}{4}$  OF SECTION 15, TOWNSHIP 27 SOUTH, RANGE 27 EAST, OF FLORIDA DEVELOPMENT COMPANY'S SUBDIVISION AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63 INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

D. THE SOUTH 165 FEET OF THE EAST 20 FEET OF THE WEST 135 FEET OF TRACT 14, LESS RIGHT OF WAY FOR SHAMROCK DRIVE, LYING IN THE SW  $\frac{1}{4}$  OF SECTION 15, TOWNSHIP 27 SOUTH, RANGE 27 EAST OF FLORIDA DEVELOPMENT COMPANY'S SUBDIVISION AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63 INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN O.R. BOOK 9220, PAGE 2061, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

**Parcel Nos. 272631-708500-030012 and 272631-708500-030151:**

Tracts 17, 18 and 31; the North 200 feet of Tract 1; the South 600 feet of Tract 16; and the West 132 feet of the South 600 feet of Tract 15; All in the Northwest  $\frac{1}{4}$  of Section 31, Township 26 South, Range 27 East, of FLORIDA DEVELOPMENT CO. TRACT, according to the map or plat thereof recorded in Plat Book 3, Page 60, Public Records of Polk County, Florida.

**Parcel Nos. 272821-831500-002010; 272821-831500-001010 and 272821-831500-001110:**

Lots 1 through 24, inclusive, Block A, LAKE ESTATES, according to the plat thereof as recorded in Plat Book 21, Page 1, Public Records of Polk County, Florida.

AND

Lots 1 through 27, inclusive, Block B, LAKE ESTATES, according to the plat thereof as recorded in Plat Book 21, Page 1, Public Records of Polk County, Florida.

**Parcel No. 272822-000000-021020:**

The Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 22, Township 28 South, Range 27 East, Polk County, Florida, LESS road right of way.

**Parcel No. 272822-000000-011030:**

The West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  AND the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 22, Township 28 South, Range 27 East, Polk County, Florida, LESS road right of way.

**Parcel No. 272710-730000-020500:**

Tracts 5 and 6 in the SE  $\frac{1}{4}$  of Section 10, Township 27 South, Range 27 East, FLORIDA DEVELOPMENT CO. TRACT, according to the map or plat thereof recorded in Plat Book 3, Page 60, Public Records of Polk County, Florida, LESS the North 25 feet for road right of way.

**Parcel No. 272710-733500-006011:**

The West 45 feet of Block 6, and the West 45 feet of Sylvan Way, DRUID HILLS UNIT NUMBER ONE, according to the map or plat thereof recorded in Plat Book 15, Page 19, Public Records of Polk County, Florida.

**Parcel No. 272715-740000-000010:**

Grove Lot 1 of the Replat of Diamond Shores, being a replat of Lots 7, 8, 9, 10, and 11 of the NW  $\frac{1}{4}$  of Section 15, Township 27 South, Range 27 East, of Florida Development Co. Subdivision, according to the map or plat thereof recorded in Plat Book 30, Page 24, Public Records of Polk County, Florida.

**Parcel No. 272710-730000-022200:**

Tract 22 in the SE  $\frac{1}{4}$  of Section 10, Township 27 South, Range 27 East, FLORIDA DEVELOPMENT CO. TRACT, according to the map or plat thereof recorded in Plat Book 3, Page 60, Public Records of Polk County, Florida.

**Parcel No. 272710-730000-012200:**

Tracts 22 and 23 in the NE 1/4 of Section 10, Township 27 South, Range 27 East , FLORIDA DEVELOPMENT CO. TRACT, according to the map or plat thereof recorded in Plat Book 3, Page 60, Public Records of Polk County, Florida.

**Parcel No. 272822-000000-041010:**

The Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 22, Township 28 South, Range 27 East, LESS the North 20 feet for road, lying in Polk County, Florida.

**Parcel No. 272821-000000-014020**

The Southeast 1/4 of the SW 1/4 of the NE 1/4 of Section 21, Township 28 South, Range 21 East, Polk County, Florida.

**Parcel No. 272821-000000-023010**

The Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 21, Township 28 South, Range 27 East, Polk County, Florida.

**Parcel No. 272821-000000-021030**

The Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 21, Township 28 South, Range 21 East, Polk County, Florida.

**Parcel No. 272822-000000-041040**

The Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4, and the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 22, Township 28 South, Range 27 East, Polk County, Florida.

**Parcel No. 272822-000000-021030:**

The Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4; and the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4; and the Northwest 1/4 of the Southeast 1/4 LESS the Northeast 1/4 and LESS the North 20 feet for road; and the Southwest 1/4 of the Southeast 1/4 of Section 22, Township 28 South, Range 27 East, Polk County, Florida.

**Parcel No. 272822-000000-021010:**

The East 1/2 of the Northeast 1/4 of the Southeast 1/4, LESS the North 20 feet for road; and the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4, Section 22, Township 28 South, Range 27 East, Polk County, Florida.

**Parcel No. 272823-000000-043030:**

The West 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 23, Township 28 South, Range 27 East, Polk County, Florida; TOGETHER with a perpetual easement over the West 12 feet of that part of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 23 lying north of the canal leading into Lake Trask, for the purpose of transporting irrigation and spray water from said canal and said lake, including the right to erect and maintain a pump and motor on said strip of land. AND

**Parcel No. 272823-000000-044010:**

The West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 23, Township 28 South, Range 27 East, Polk County, Florida.

**Parcel No. 272719-742520-000021:**

**THAT PART OF THE FOLLOWING:**

**TRACT #1:** ALL OF THE REPLAT OF A PART OF GOLF GROUNDS ESTATES AND AGUA VISTA COUNTRY CLUB, HAINES CITY, FLORIDA, AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 41, PAGE 26, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, **LESS AND EXCEPT** THAT PART THEREOF AS SET FORTH IN FINAL JUDGMENT, CASE NO. 18404-31-542, FILED JUNE 27, 1968, RECORDED IN O.R. BOOK 1164, PAGE 498, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND **LESS AND EXCEPT BEGINNING** AT THE NORTHWEST (NW) CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, AND THEN RUN SOUTH EIGHTY-SEVEN (87) FEET MORE OR LESS TO THE EASTERLY BOUNDARY LINE OF THE RIGHT OF WAY OF COUNTY ROAD NO. 17, THEN RUN IN A EASTERLY DIRECTION A DISTANCE OF 872.50 FEET MORE OR LESS TO A POINT 118 FEET SOUTH OF THE SOUTH BOUNDARY LINE OF SECTION 18, TOWNSHIP 27 SOUTH, RANGE 27 EAST; THEN RUN NORTH 118 FEET TO THE SOUTH BOUNDARY LINE OF SAID SECTION 18, THEN RUN WEST ALONG THE SAID SOUTH BOUNDARY LINE A DISTANCE OF 871.95 FEET TO THE **POINT OF BEGINNING**.

**ALSO LESS AND EXCEPT** THAT PORTION CONVEYED TO D E RANCH, INC., A FLORIDA CORPORATION, BY DEED RECORDED IN O.R. BOOK 10268, PAGE 2011, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

**TRACT #2:** ALL THAT PART OF WEST HALF OF NE 1/4 OF NW 1/4 AND ALL THAT PART OF NE 1/4 OF NW 1/4 OF NW 1/4 (OR NE 1/4 OF UNITED STATES GOVERNMENT LOT 1), LYING NORTH OF THE ACL RAILROAD RIGHT OF WAY IN SECTION 30, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

**LESS AND EXCEPT** THAT PORTION OF TRACT #2 LYING WITHIN AND NORTH OF THE RIGHT OF WAY OF JOHNSON AVENUE WEST.

**LESS AND EXCEPT** THAT PORTION OF TRACTS #1 AND 2 CONVEYED BY DEED RECORDED IN O.R. BOOK 8278, PAGE 1958, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN N00°02'56"W, ALONG THE WEST BOUNDARY OF SAID SECTION 19, 280.75 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY BOUNDARY OF THE CSX RAILROAD RIGHT OF WAY; THENCE CONTINUE N00°02'56"W ALONG SAID WEST BOUNDARY,

81.65 FEET; THENCE S65°19'34"E, 515.47 FEET; THENCE S65°43'55"E, PARALLEL WITH, AND 30 FEET NORTHERLY OF SAID RAILROAD RIGHT OF WAY, 1831.08 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 114°32'24", A CHORD BEARING OF N56°59'53"E, AND A CHORD DISTANCE OF 126.18 FEET; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 149.93 FEET TO THE END OF SAID CURVE; THENCE N00°16'19"W, 408.82 FEET; THENCE N63°52'00"W, 33.49 FEET; THENCE N00°16'21"W, 60.00 FEET TO THE SOUTHERLY RIGHT OF WAY BOUNDARY OF JOHNSON AVENUE; THENCE S63°52'00"E, ALONG SAID RIGHT OF WAY BOUNDARY, 66.99 FEET; THENCE S00°16'19"E, ALONG THE WEST BOUNDARY OF LAKE HESTER ESTATES SUBDIVISION, AND THE SOUTHERLY PROJECTION OF THAT WEST BOUNDARY, 617.29 FEET TO ITS INTERSECTION WITH THE AFOREMENTIONED NORTHERLY RIGHT OF WAY OF THE CSX RAILROAD; THENCE N65°43'55"W ALONG SAID RIGHT OF WAY, 1994.45 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHWESTERLY, HAVING A RADIUS OF 2869.35 FEET, A CENTRAL ANGLE OF 09°40'02", A CHORD BEARING OF N70°34'01"W, AND A CHORD DISTANCE OF 483.55 FEET; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 484.13 FEET TO THE **POINT OF BEGINNING**.

**BEING DESCRIBED AS:**  
**(REVISED 4/9/2020)**

**COMMENCE** AT A 4"X4" CONCRETE MONUMENT WITH NO IDENTIFICATION STANDING AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN THENCE ALONG THE WEST BOUNDARY OF SAID SECTION 19, N-00°02'13"-W, 425.20 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID WEST BOUNDARY, AND CONTINUING N-00°02'13"-W, 900.20 FEET; THENCE DEPARTING SAID WEST BOUNDARY, N-89°55'33"-E, 135.45 FEET; THENCE N-00°04'27"-W, 44.46 FEET; THENCE N-89°55'33"-E, 50.00 FEET; THENCE N-00°04'27"-W, 60.54 FEET; THENCE N-89°55'33"-E, 200.00 FEET; THENCE S-00°04'27"-E, 110.00 FEET; THENCE S-89°55'33"-W, 5.00 FEET; THENCE S-00°04'27"-E, 50.00 FEET; THENCE S-89°55'33"-W, 97.72 FEET; THENCE S-00°04'27"-E, 380.00 FEET; THENCE N-89°55'33"-E, 992.72 FEET; THENCE N-00°04'27"-W, 85.00 FEET; THENCE N-89°55'33"-E, 50.00 FEET; THENCE N-00°04'27"-W, 23.43 FEET; THENCE N-89°55'33"-E, 145.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF PRADO GRANDE ROAD; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) S-00°04'27"-E, 885.74 FEET TO A POINT OF CURVE CONCAVE EAST; THENCE 2) SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 145.00 FEET; A CENTRAL ANGLE/DELTA OF 91°36'40", A CHORD BEARING OF S-45°52'47"-E, A CHORD DISTANCE OF 207.92 FEET, FOR AN ARC LENGTH OF 231.84 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF WEST JOHNSON AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT OF THE WAY THE FOLLOWING FIVE (5) COURSES: 1) N-88°18'53"-E, 493.84 FEET TO A POINT OF CURVE CONCAVE SOUTH; THENCE 2) SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE/DELTA OF 27°49'07", A CHORD BEARING OF S-77°46'34"-E, A CHORD DISTANCE OF 36.06 FEET, FOR AN ARC LENGTH OF 36.41 FEET; THENCE 3) S-63°52'00"-E, 68.61 FEET; THENCE 4) S-00°16'21"-E, 60.00 FEET; THENCE 5) S-63°52'00"-E, 33.49 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, S-00°16'19"-E, 408.82 FEET TO A POINT OF CURVE CONCAVE WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE/DELTA OF 114°32'03", A CHORD BEARING OF S-56°59'53"-W, A CHORD DISTANCE OF 126.18 FEET, FOR AN ARC LENGTH OF 149.92 FEET; THENCE N-65°43'55"-W, 1831.08 FEET; THENCE N-65°19'34"-W, 460.35 FEET; THENCE ALONG A NON-RADIAL LINE, N-00°02'13"-W, 72.98 FEET TO A POINT ON CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 3133.46 FEET, A CENTRAL ANGLE/DELTA OF 00°56'39" A CHORD BEARING OF N-75°36'08"-W, A CHORD DISTANCE OF 51.63 FEET, FOR AN ARC LENGTH OF 51.63 FEET TO THE **POINT OF BEGINNING**.

**Parcel No. 272816-823000-040012:**

The South 1/2 of Lot 1, Block 40, Lake Hamilton, a subdivision according to the plat thereof recorded at Plat Book 3, Page 34, in the Public Records of Polk County, Florida; AND the South 1/2 of Lot 2, Block 40, Lake Hamilton, a subdivision according to the plat thereof recorded at Plat Book 3, Page 34, in the Public Records of Polk County, Florida; LESS AND EXCEPT the West 175 feet thereof, all of the above being located in Section 16, Township 28 South, Range 27 East.

**Parcel No. 272816-823000-040035:**

Lot 3, Block 40, LESS AND EXCEPT: Beginning 175 feet South of the Northwest corner of said Lot 3, run thence East 117 feet, run thence South 180 feet, run thence West 117 feet, run thence North 180 feet to the Point of Beginning; AND LESS AND EXCEPT: Begin at the Southwest corner of the NE 1/4 of Section 16, Township 28 South, Range 27 East, Polk County, Florida, run thence East 162.68 feet; thence North 02 degrees 51 minutes 16 seconds East, 127.08 feet; thence West 170.61 feet to the West boundary of said NE 1/4, run thence South 00 degrees 43 minutes 18 seconds East along said West boundary 126.93 feet to the Point of Beginning; AND LESS AND EXCEPT: Right of Way for State Road SR 17 (Alt. U.S. Highway 27), all in Lake Hamilton, a subdivision according to the plat thereof recorded at Plat Book 3, Page 34, in the Public Records of Polk County, Florida.

**Parcel No. 272816-823000-040042:**

The West 1/2 of Lot 4, Block 40, Lake Hamilton, a subdivision according to the plat thereof recorded at Plat Book 3, Page 34, in the Public Records of Polk County, Florida.

**Parcel No. 272816-823000-040041**

The East 1/2 of Lot 4, Block 40, Lake Hamilton, a subdivision according to the plat thereof recorded at Plat Book 3, Page 34, in the Public Records of Polk County, Florida.

**Parcel No. 272816-823000-037031:**

Lot 3, Block 37, LESS AND EXCEPT the South 300 feet of the East 250 feet thereof, Lake Hamilton, a subdivision according to the plat thereof recorded at Plat Book 3, Page 34, in the Public Records of Polk County, Florida.

**Parcel No. 272714-739000-040110:**

Tracts 11, 12, 13, FLORIDA DEVELOPMENT CO. TRACT, in the Southwest 1/4 of Section 14, Township 27 South, Range 27 East, according to the map or plat thereof as recorded in Plat Book 3, Page 60, Public Records of Polk County, Florida.

**Parcel No. 272723-000000-031001:**

The East 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida.

**Parcel No. 272723-000000-032002:**

The West 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272723-000000-032001:**

The East 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272723-000000-014000:**

The Southwest 1/4 of the Northeast 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272723-000000-011003:**

The Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS the North 50.00 feet.

**Parcel No. 272723-000000-012002:**

The West 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272723-000000-012001:**

The East 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS the North 35.00 feet, and LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272724-000000-034010:**

The West 1/2 of the Southwest 1/4 of the Northwest 1/4, LESS the North 35.00 feet, and LESS Beginning 270 feet East and 25 feet North of the Southwest corner of the Northwest 1/4, run North 233.71 feet, East 208.71 feet, North 35.29 feet, East 179.04 feet, South 269 feet, West 387.75 feet to the Point of Beginning and LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21, all lying in Section 24, Township 27 South, Range 27 East, Polk County, Florida.

**Parcel No. 272723-000000-041004:**

The West 1/4 of the Northeast 1/4 of the Southwest 1/4, of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272723-000000-041003:**

The East 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4, of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272723-000000-041001:**

The Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4, of Section 23, Township 27 South, Range 27 East, Polk County, Florida, LESS Baker Dairy Road right of way per Map Book 18, Pages 6-21.

**Parcel No. 272723-000000-041002:**

The Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 23, Township 27 South, Range 27 East, Polk County, Florida.

**Parcel No. 272722-000000-033000**

The East 1/2 of the Southwest 1/4 of the Northwest 1/4, less the South 25 feet thereof, together with the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 22, Township 27 South, Range 27 East, all being situated in Polk County, Florida.

**Parcel No. 272822-000000-011020:**

The Southeast ¼ of the Northeast ¼ of the Northeast ¼ in Section 22, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT the Easterly 15 feet and LESS the Southerly 15 feet for roadway.





# 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: Weiberg West Phase 1 Total Acreage: \_\_\_\_\_

Site Address or General Location: 0 Center St. Dundee FL 33838

Present Use of the Property: Agriculture

Existing Structures Located on the Site: N/A

Legal Description of the Property: See attached

### PROPERTY OWNER:

Name: Crow Investments, LLC

Mailing Address: 346 East Central Ave

City: Winter Haven State: Florida Zip: 33880

Home/Mobile Phone: 863-324-3698 Email Address: daniel@cassidylanddev.com

### APPLICANT/AGENT:

Name: Cassidy Land Development, LLC

Mailing Address: 346 East Central Ave

City: Winter Haven State: Florida Zip: 33880

Home/Mobile Phone: 863-324-3698 Office: \_\_\_\_\_

Email Address: daniel@cassidylanddev.com

Applicant is: ☐ Owner ☐ Agent/Representative ☐ Purchaser ☐ Lessee

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

Identify Affected Right-of-Way: Hillcrest Ave, Third St, Williams Ave, Biltmore Ave & Seseen Ave

Metes and Bounds Legal Description of Right-of-Way: Attached

Nature and Purpose of Request: Vacation of existing platted ROW to replat for Furture Development

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: Existing ROW will be replatted w/lots & New ROW

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

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

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



# ***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

### **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.  
\_\_\_\_\_  
\_\_\_\_\_
2. Identify how abutting property owners will be affected by the proposed request.  
\_\_\_\_\_  
\_\_\_\_\_
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.  
\_\_\_\_\_  
\_\_\_\_\_
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.  
\_\_\_\_\_  
\_\_\_\_\_
5. What is the cost of relocating any public utility lines?  
\_\_\_\_\_  
\_\_\_\_\_

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

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

### 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

Albert S Cassidy  
\_\_\_\_\_  
Printed Name/Title of Owner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name of Owner

### OWNERS

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name/Title of Owner

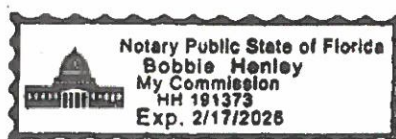
\_\_\_\_\_  
Signature of Owner

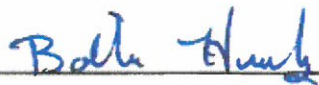
\_\_\_\_\_  
Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

### OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2024 by Albert S Cassidy, 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 Bobbie Henley  
Notarial Seal and Commission  
Expiration Date 02/17/2026



# 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), Cassidy Land Development, LLC being duly sworn, depose and say that (I) (we) serve as \_\_\_\_\_ 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)

Albert B Cassidy

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)

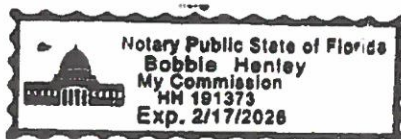
\_\_\_\_\_  
Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA

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

COUNTY OF POLK

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2021 by Albert B Cassidy, 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 Bobbie Henley  
Notarial Seal and Commission  
Expiration Date 02/17/2026



# 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: Albert S Cassidy Title: Manager

Company: Crow Investments, LLC

Company Address: 346 East Central Ave

City/State/Zip Code: Winter Haven FL 33880

Telephone Number: 863-324-3698

Email Address: daniel@cassidylanddev.com

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

1. Signed this 30<sup>th</sup> day of October, 2024

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



## Vacation of Right-of-Way Application Checklist

Requirements as set out in Florida Statutes 172.101 and Section 7.01.13 Land Development Code

All boxes must be checked or noted as non-applicable. Information indicated must be attached and submitted with this form or the application will be deemed incomplete. The voluntary annexation application and supporting documents must be submitted in digital format and hard copies.

### What is this checklist?

- This checklist is based on Florida Statutes and Town of Dundee requirements and is being provided as a courtesy to help streamline the application review process.
- Plans and other submitted materials will be reviewed for compliance with requirements of the Town of Dundee Code of Ordinances and Land Development Code. This checklist is intended to give you the ability to be sure that the bulk of the requirements from the Codes have been incorporated into your submittal.
- The requirements from the Codes represent a large portion of the detailed content required for project submittals.

### How should this checklist be used?

- *As a content guide.* Submitted applications must address each item in the Codes, as applicable to your project. You can smooth and shorten the review process by making sure that every item on the checklist has been fully addressed.
- *As a verification document.* When you submit your application, include a copy of the completed checklist with every item either initialed to indicate that it has been addressed in the design, or marked "N/A" to indicate the item is not applicable to your project.
- *As a means to speed up the review process.* Projects with completed checklists are easier to review and completion of the review may be achieved sooner.

**NOTE:** Town of Dundee requirements may differ from other agencies or municipalities. The way you as an applicant have addressed certain issues in the past or in other jurisdictions may not apply in Dundee. The Codes contain Dundee's requirements, and are the Town's rulebook.

*Please initial each item on the following pages to show it has been incorporated into your submittal. If an item is not applicable to your submittal, enter "N/A" in the initial blank. Sign below to state that you have provided the information in your submittal and submit the initialed and signed checklist as part of your resubmittal package:*

I have reviewed the Vacation of Right-of-Way application and supporting materials consistent with the Town of Dundee's Content Requirements Checklist and have provided the required items.

Applicant

Date



## Vacation of Right-of-Way Application Checklist

The following items are required for a submittal package to be accepted for review. Applicant to initial or write N/A for each item below.

- ☐ Complete Vacation of Right-of-Way Application form including signature from all adjacent property owners proposed for annexation. Signature of representative/agent, as applicable. For properties that are owned by a company, the applicant must submit proof that the person signing has the authority to sign on behalf of the company.
- ☐ Required Supporting Documents Including:
  - ☐ Location Map
  - ☐ Aerial Map
  - ☐ Metes and bounds legal description of property to be vacated
  - ☐ Current survey of subject property certified to the Town of Dundee
  - ☐ A letter from the petitioner of his/her agent addressed to the Town Manager requesting that the proposal be placed on the Town Commission agenda for review purposes.
  - ☐ A signed authorization form from the abutting property owner(s) making the request or who are a part of the request.
  - ☐ A survey or plat containing a description of all land uses abutting the affected right(s)-of-way.
  - ☐ Written request review responses from each franchise utility provider as well as from affected Town Departments, including Public Services, Fire, and Police. If no responses are received, provide proof of mailing notices to the franchise utility provider.
  - ☐ Schematic drawing(s) showing the location of all utilities utilizing the subject right-of-way, as provided by each utility provider, i.e., electricity, gas, sewer, water, telephone, drainage, sanitation, or underground TV cable. Applicants may be able to obtain such schematic drawings from the Town Public Services Department and other applicable utility providers upon request.
  - ☐ Proof of publication of Notice of Intent
  - ☐ Certificate of Title
  - ☐ Statement of taxes and resolution
- ☐ Submit **five (5)** paper copies of application and application materials (including application and checklist) plus one electronic copy of all documents.
- ☐ A signed copy of this Vacation of Right-of-Way Application Checklist
- ☐ Required fees

### ADDITIONAL DOCUMENTATION:

After initial application review by staff to determine likely impacts of implementing the vacation or street/traffic redirection proposal, the Town may require a traffic analysis report based on accepted transportation engineering criteria. This traffic analysis report may include, but shall not be limited to the following:

1. Background narrative containing the definition of the problem.
2. General data, including but not limited to:



## Vacation of Right-of-Way Application Checklist

- a. A location map showing local streets.
  - b. Collector and arterial streets in the area as designated on the Transportation map series in the Comprehensive Plan.
  - c. Zoning of the affected area.
  - d. Traffic counts.
  - e. Accident counts.
  - f. Width of pavements.
  - g. On-street parking.
  - h. Related demographic data.
  - i. Identification of major trip generators in the area.
3. Analysis of traffic characteristics, including:
- a. Estimated trip generators that would be characteristic for the neighborhood.
  - b. Comparison of actual, observed traffic volumes with estimated traffic volumes to be generated in the neighborhood.
  - c. Determination of peak-hour flows.
  - d. Estimated impact of changes on parallel facilities (e.g. alternative routing).
4. Alternative solution identification, including:
- a. An analysis of the impact of each alternative on the overall area traffic network.
  - b. An analysis of the impact on zoning, utilities, and drainage systems.
  - c. An analysis of costs of each alternative. d. A prioritization of alternatives.
5. As part of the application process, if the Town Commission determines that additional of independent study is necessary, the applicant shall bear all associated costs in producing the study.



## Vacation of Right-of-Way Application Checklist

### Proof of Publication

Publishing legal notice in a newspaper of general circulation in the county in which the tract or parcel of land is located, in not less than two weekly issues of said paper, and must attach to the petition for vacation the proof of such publication (FS 177.101).

### Sample Proof of Publication:

#### AFFIDAVIT OF PUBLICATION THE LEDGER Lakeland, Polk County, Florida

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Olga L. Rodriguez Martin, who on oath says that she is an Account Executive for Advertising at The Ledger, the owner of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

#### PUBLIC NOTICE TO VACATE

In the matter of RIGHT-OF-WAY

Concerning TOWN OF BUNNELL TOWN LIMITS

was published in newspaper and on-line in the issues of

4-25-2020

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or reward for the purpose of securing this advertisement for publication in the said newspaper.

Signed Olga L. Rodriguez Martin  
Olga L. Rodriguez Martin  
Advertising Account Executive  
Who is personally known to me

Sworn to and subscribed before me this 24th day of April, A.D. 2020

Patricia Ann House  
Notary Public

(Seal)



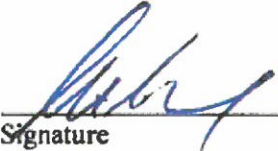


## Vacation of Right-of-Way Application Checklist

### Adjoining Property Owner Signature Form

I, Albert S Cassidy, understand that Crow Investments, LLC  
is requesting that the Town of Dundee to close, vacate, and abandon the \_\_\_\_\_  
Hillcrest Ave, Third St, Williams Ave, Biltmore Ave & Seseen Ave  
right-of-way which adjoins my property. I also understand that I will receive one-half of the right-  
of-way fronting my property.

- ☒ I hereby approve or have no objections to this request.  
☐ I hereby disapprove and have an objection to this request.

  
Signature

Albert S. Cassidy  
Printed Name

346 E. Central Ave  
Address

Windsor, MI 48090  
City, State, Zip Code

10/30/24  
Date

