

**To:** Planning and Zoning Board

**Agenda Date:** May 15, 2025

**Department:** Planning and Zoning

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

**Requested Action:** A recommendation to Town Commission- Vacation of Rights-of-Way for Camp Endeavor Blvd. and an Unnamed Rd.

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



## **REQUEST:**

A request to vacate portions of specific open, unpaved, and unimproved portions of Camp Endeavor Blvd. and an Unnamed Road as depicted in plat book 1, page 87 of the public records of Polk County, Florida, that lies along the above-described corridor. That part of section 33, Township 28, Range 27 East, Polk County Florida.

## **PROPERTY INFORMATION**

### **CAMP ENDEAVOR SOUTH VACATION DESCRIPTION**

THAT PART OF SECTION 33, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 5/8" STEEL ROD (NO I.D.) AT A POINT ON THE NORTHERLY LINE OF LOT 14 OF FLORIDA HIGHLANDS COMPANY'S SUBDIVISION, SAID POINT ALSO BEING A POINT OF INTERSECTION ON THE SOUTHERLY LINE OF THE CAMP ENDEAVOR BOULEVARD RIGHT-OF-WAY, AS SHOWN ON THE PLAT OF FLORIDA HIGHLAND COMPANY'S SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 87 OF THE PUBLIC RECORDS OF POLK COUNTY; THENCE N62°37'38"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 139.64 FEET TO A POINT ON A CURVE; THENCE, DEPARTING SAID LINE, RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 762.65 FEET, A CHORD BEARING OF S89°15'59"E, AND AN ARC LENGTH OF 177.91 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE; THENCE S87°32'00"W, ALONG SAID LINE, 41.25 FEET TO THE POINT OF BEGINNING.

### **CAMP ENDEAVOR NORTH VACATION DESCRIPTION**

THAT PART OF SECTION 33, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 5/8" STEEL ROD (NO I.D.) AT THE SOUTHWEST CORNER OF LAKE ADA VILLA LOT 5 OF FLORIDA HIGHLANDS COMPANY'S SUBDIVISION, ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CAMP ENDEAVOR BOULEVARD, AS SHOWN ON THE PLAT OF FLORIDA HIGHLAND COMPANY'S SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 87 OF THE PUBLIC RECORDS OF POLK COUNTY; THENCE N87°32'46"E, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 436.26 FEET TO A FOUND 5/8" STEEL ROD WITH CAP (NOT LEGIBLE) AT A POINT OF INTERSECTION OF SAID RIGHT-OF-WAY LINE; THENCE DEPARTING SAID RIGHT-OF-WAY LINE S76°11'12"W, A DISTANCE OF 92.46 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 702.65 FEET, A CHORD BEARING OF N89°26'15"W, AND AN ARC LENGTH OF 346.09 FEET TO THE POINT OF BEGINNING.

### **UNIMPROVED AND UNNAMED RIGHTS OF WAY TO BE VACATED**

THE FOLLOWING UNIMPROVED UNNAMED RIGHTS OF WAY AS PER PLAT OF FLORIDA HIGHLANDS COMPANY SUBDIVISION IN SECTION 33, TOWNSHIP 28 SOUTH, RANGE 27 EAST, RECORDED IN PLAT BOOK 1, PAGE 87 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

- THE WEST 1/2 OF 60 FOOT RIGHT OF WAY LYING EAST OF LOT 12
- THE NORTH 1/2 OF 60 FOOT RIGHT OF WAY LYING SOUTH OF LOTS 10, 11, & 12, BEING BOUND ON THE WEST BY THE EASTERLY RIGHT OF WAY LINE OF CSX RAILROAD AND ON THE EAST BY THE CENTERLINE OF A 60 FOOT RIGHT OF WAY LYING EAST OF SAID LOT 12.
- ALL OF 60 FOOT RIGHT OF WAY LYING BETWEEN LOTS 3 AND 10 ON THE WEST AND LOTS 2 AND 11 ON THE EAST, LYING SOUTH OF LINCOLN AVENUE.

### Surrounding Property Information

|   |   |  |
|---|---|--|
| <u>Northwest:</u><br>FLU: LDR<br>ZON: RSF-1<br>Existing Uses: Residential                                     | <u>North:</u><br>FLU: LDR<br>ZON: RSF-2 & RSF-3<br>Existing Uses: Residential<br>Bella Vista Subdivision &<br>Woodlands | <u>Northeast:</u><br>FLU: LDR<br>ZON: RSF-2<br>Existing Uses: Bella Vista<br>Subdivision |
| <u>West:</u><br>FLU: LDR & MDR<br>ZON: AL & RTF<br>Existing Uses: SF Homes &<br>Agricultural Lands            | <u>Subject Parcel</u><br><br>Rights-of-Way  | <u>East:</u><br>FLU: LDR<br>ZON: RSF-1<br>Existing Uses: SF Home<br>and Camp Endeavor    |
| <u>Southwest:</u><br>FLU: LDR & Conservation<br>ZON: AL & CON<br>Existing Uses: Agricultural<br>Lands- Citrus | <u>South:</u><br>FLU: LDR & Conservation<br>ZON: AL & CON<br>Existing Uses: Agricultural<br>Lands-Citrus                | <u>Southeast:</u><br>FLU: LDR<br>ZON: AL<br>Existing Uses: Agricultural<br>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.
- The applicant sent out notices to surrounding property owners by certified/registered mail.
- The applicant published legal notice of the request for vacation of a right-of-way in The Winter Haven Sun on May 8, 2025 (web), and May 21, 2025 (print).
- The rights-of-way are open, unpaved, unimproved portions of road depicted in plat book 1, page 87 of public records of Polk County, Florida, that lies along the Camp Endeavor Blvd. and an Unnamed Rd. in section 33, Township 28, 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 the Planning & Zoning Board **recommend approval** to the Town Commission to have the Town of Dundee vacate and abandon specific unopened, unpaved, and unimproved rights-of-way as described in this staff report.
  2. I move the Planning & Zoning Board **recommend denial** to the Town Commission to have the Town of Dundee vacate and abandon specific unopened, unpaved, and unimproved rights-of-way as described in this staff report.
  3. I move the Planning and Zoning Board continue this item until a certain date.
- 

## Attachments:

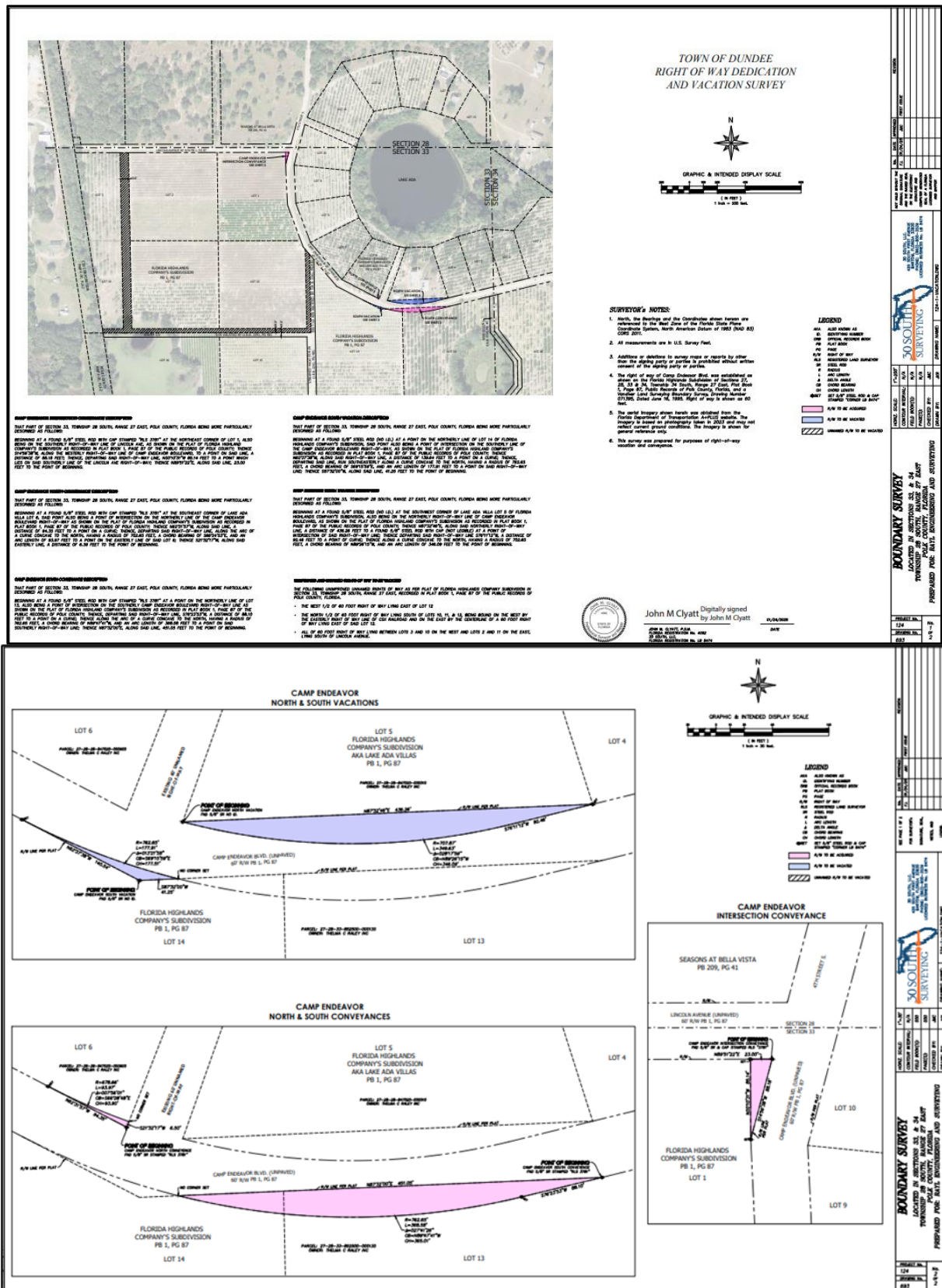
Aerial Map  
Boundary Survey  
Current Future Land Use Map  
Current Zoning Map  
Proof of Publication  
Application for Right-of-Way Vacation

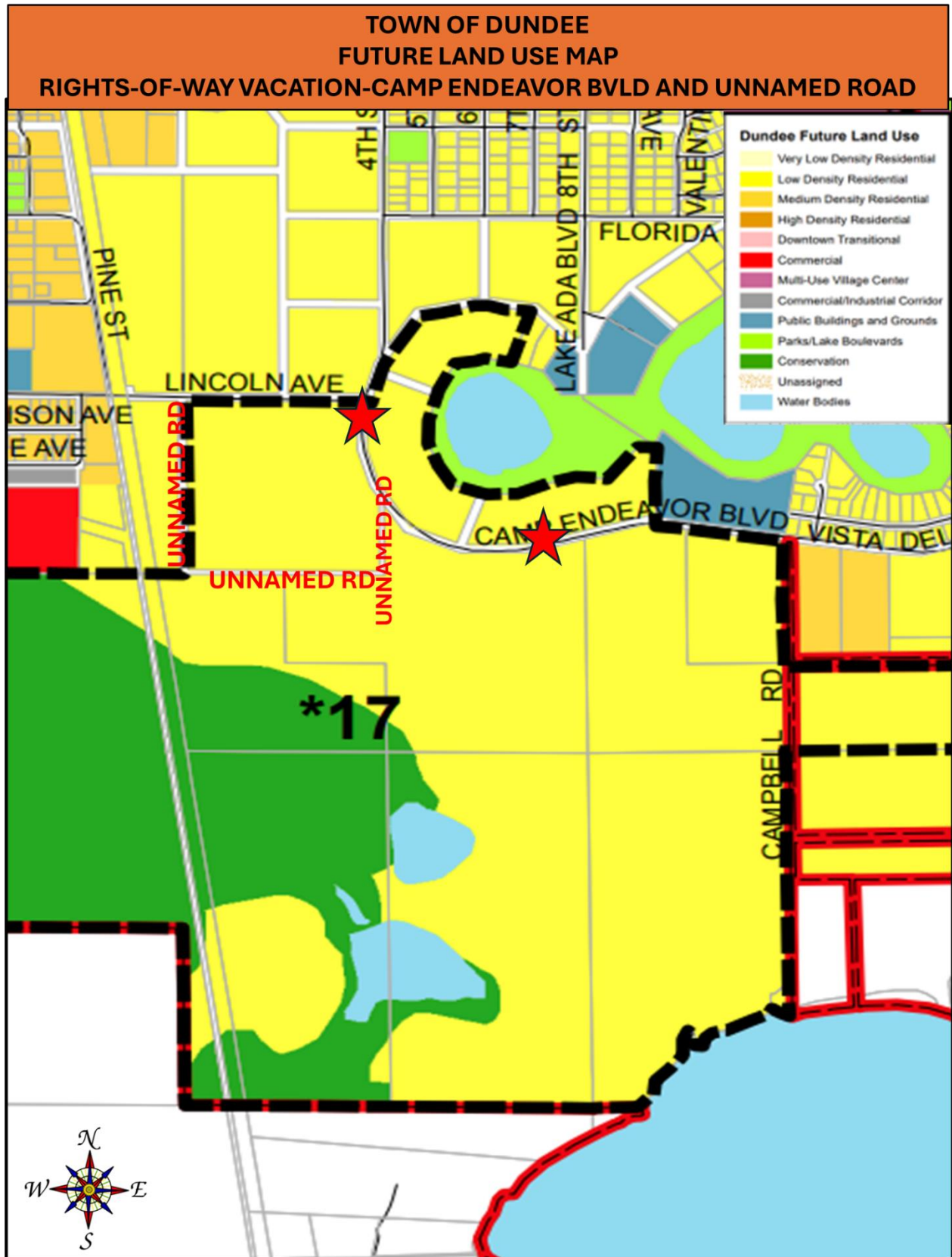


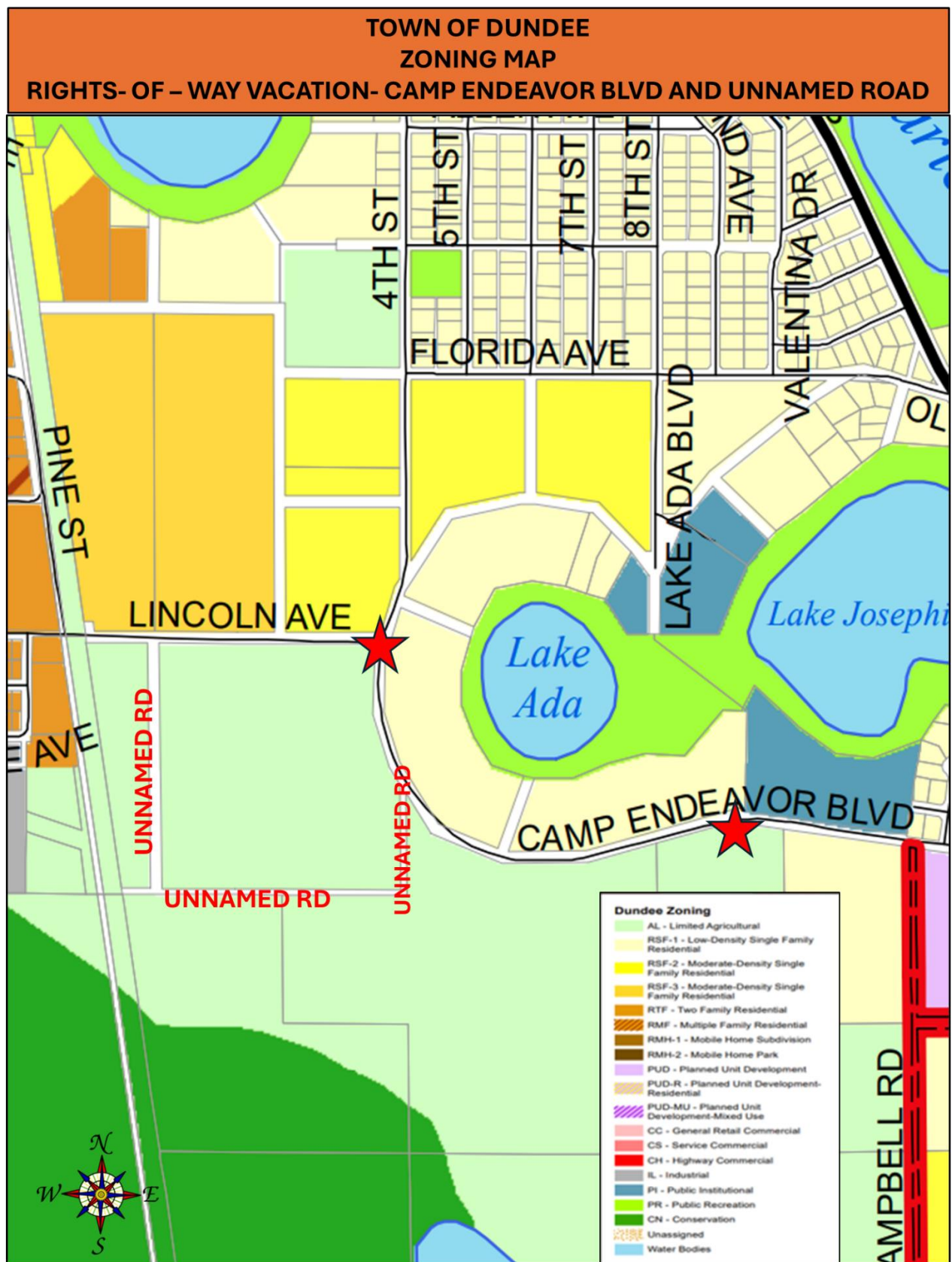
# TOWN OF DUNDEE AERIAL MAP RIGHT-OF-WAY-VACATION













# 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: Camp Endeavor & Lincoln Rd Total Acreage: \_\_\_\_\_  
Site Address or General Location: Section 33, Township 28 South, Range 21 East  
Present Use of the Property: right-of-way gone road  
Existing Structures Located on the Site: N/A  
Legal Description of the Property: please see survey attached

#### PROPERTY OWNER:

Name: Town of Dundee  
Mailing Address: 202 E. Main St  
City: Dundee State: FL Zip: 33838  
Home/Mobile Phone: 863 438-8330 Email Address: lpetersen@townofdundee.com

#### APPLICANT/AGENT:

Name: Town of Dundee  
Mailing Address: 202 E. Main St  
City: Dundee State: FL Zip: 33838  
Home/Mobile Phone: 863 438-8330 Office: ext. 233  
Email Address: lpetersen@townofdundee.com  
Applicant is: ☐ Owner ☒ Agent/Representative ☐ Purchaser ☐ Lessee

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

Identify Affected Right-of-Way: portions of Camp Endeavor & Lincoln Rd  
Metes and Bounds Legal Description of Right-of-Way: attached  
Nature and Purpose of Request: right-of-way improvement  
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: 2/10/2025

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

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

Variance Application

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## 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.

they will positively benefit from the improved right-of-way

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.

The improved st. will not have any impact on public or private utilities

4. What impacts will <sup>the</sup> request have on short-range and long-range ingress and egress by private and public vehicles? Please address if alternative ingress/egress is proposed.

the surrounding property owner Mr. Rayle

5. What is the cost of relocating any public utility lines?

N/A

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), Town of Dundee 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.

JAC  
Signature of Owner

Printed Name/Title of Owner

Signature of Owner

Printed Name of Owner

### OWNERS

Signature of Owner

Printed Name/Title of Owner

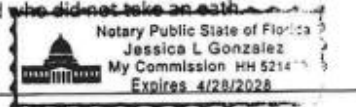
Signature of Owner

Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

### OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 14 day of 3, 2025, by \_\_\_\_\_ who is personally known to me or who has produced a driver's license as identification and ~~who did not take an oath~~



Notary Public  
Notarial Seal and Commission  
Expiration Date 4-28-2028

Variance Application

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# 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), Lorraine Petersen being  
duly sworn, depose and say that (I) (we) serve as 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)

Lorraine Petersen  
Signature of Agent, Lessee, or Buyer(s)

\_\_\_\_\_  
Signature of Agent, Lessee, or Buyer(s)

Lorraine Petersen  
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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, who is personally known to me or  
who has produced a driver's license as identification and who did not take an oath.

\_\_\_\_\_  
Notary Public  
Notarial Seal and Commission  
Expiration Date

Variance Application

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# Affidavit of Publication

## AFFIDAVIT OF PUBLICATION

### Winter Haven Sun

Published Weekly

Winter Haven, Polk County, Florida

Case No. ROW Camp Endeavor

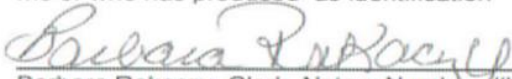
STATE OF FLORIDA  
COUNTY OF POLK

Before the undersigned authority personally appeared Anita Swain, who on oath says that she is the Legal Clerk of Winter Haven Sun, a newspaper published at Winter Haven in Polk County, Florida, and that the attached copy of advertisement, being a Public Notice, was published in a newspaper by print in the issues of Polk Sun on:

February 12, 2025

Affiant further says that the newspaper complies with the legal requirements for publication in Chapter 50, Florida Statutes.

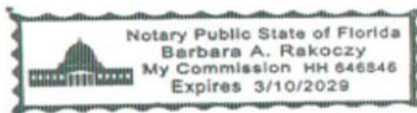
Sworn to and subscribed before me this 12th day of February 2025 by Anita Swain, who is personally known to me or who has produced as identification



Barbara Rakoczy, Clerk, Notary Number: #HH 646846  
Notary expires: March 10, 2029

00036780 00177601

Erica Anderson  
TOWN OF DUNDEE  
PO Box 1000  
DUNDEE, FL 33838

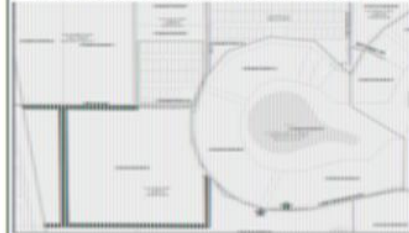


## PUBLIC HEARING NOTICE TOWN OF DUNDEE TOWN COMMISSION

Please take notice that the Town of Planning and Zoning Board will hold hearing, Thursday, February 20, 2025 p.m. and Town Commission will hold hearing Tuesday February 25, 2025 p.m. in the Town of Dundee Court Chambers at 202 East Main Street, Florida to hear the following items:

### REQUEST FOR RIGHT-OF-WAY VACATION - PORTIONS OF CAMP END ROAD BETWEEN LINCOLN AVENUE AND CAMPBELL ROAD

A REQUEST TO VACATE OR UNPAVED, RIGHTS-OF-WAY INCLUDING PORTIONS OF CAMP END ROAD, BETWEEN LINCOLN AVENUE AND CAMPBELL ROAD. PORTION OF MAINTAINED RIGHT-OF-WAY DEPICTED IN PLAT BOOK 1, PAGE 1, THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, THAT LIES ALONG THE DESCRIBED CORRIDOR. THAT IS SECTION 33, TOWNSHIP 28, RANGE 1 EAST, POLK COUNTY FLORIDA.



### LOCATION MAP

AND

Any person who might wish to appeal a decision made by the Town of Planning and Zoning Board, Polk County, Florida, in public hearing or meeting, is hereby advised that he/she will need to be present at the proceedings, and for such appeal, he/she may need to ensure that a record of the proceedings is made which include the testimony and evidence which such appeal is to be based. At the meeting, persons with disabilities requiring accommodation to participate should contact the Town of Dundee prior to the meeting.