

To: Planning and Zoning Board

Agenda Date: March 20, 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 S69°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.

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Surrounding Property Information

<u>Northwest:</u> FLU: LDR ZON: RSF-1 Existing Uses: Residential	<u>North:</u> FLU: LDR ZON: RSF-2 & RSF-3 Existing Uses: Residential Bella Vista Subdivision & Woodlands	<u>Northeast:</u> FLU: LDR ZON: RSF-2 Existing Uses: Bella Vista Subdivision
<u>West:</u> FLU: LDR & MDR ZON: AL & RTF Existing Uses: SF Homes & Agricultural Lands	<u>Subject Parcel</u> Rights-of-Way	<u>East:</u> FLU: LDR ZON: RDF-1 Existing Uses: SF Home and Camp Endeavor
<u>Southwest:</u> FLU: LDR & Conservation ZON: AL & CON Existing Uses: Agricultural Lands- Citrus	<u>South:</u> FLU: LDR & Conservation ZON: AL & CON Existing Uses: Agricultural Lands-Citrus	<u>Southeast:</u> FLU: LDR ZON: AL 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.
- 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 March 5, 2025 (web), and March 12, 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.

MOTION OPTIONS:

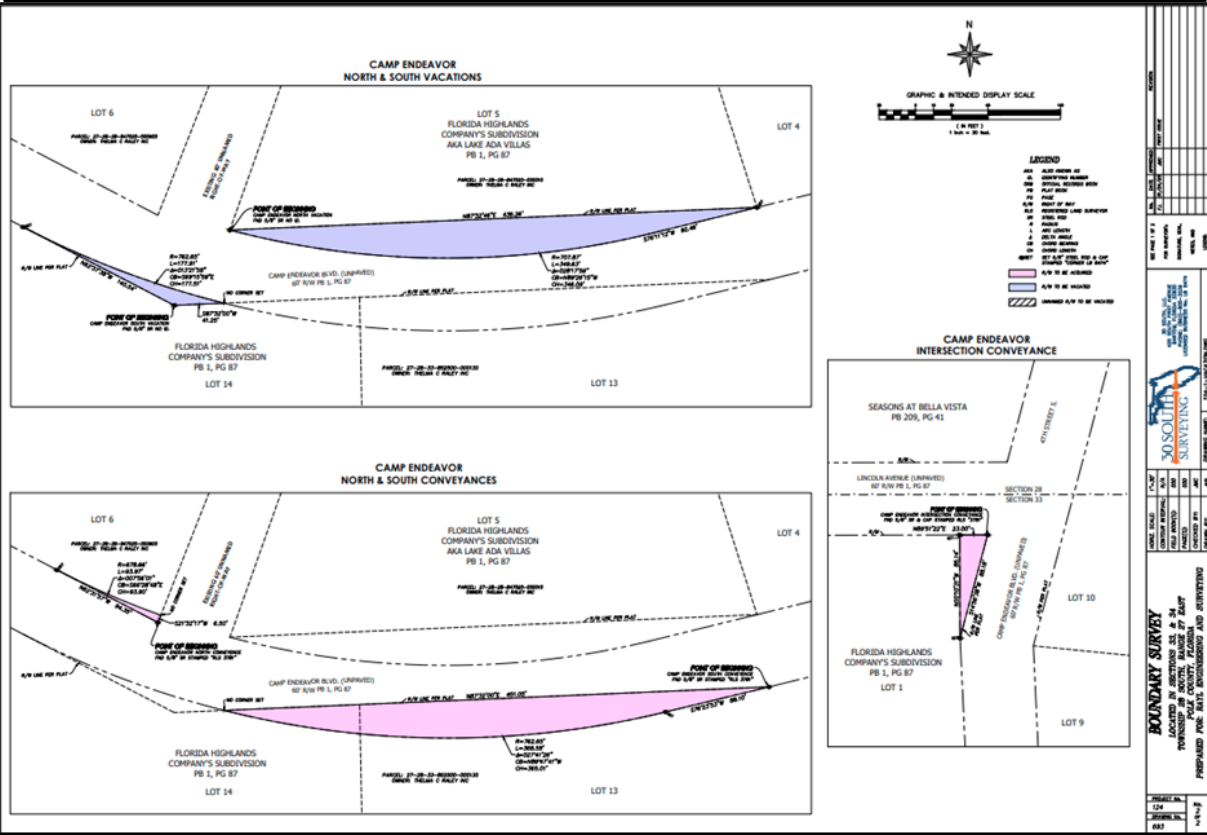
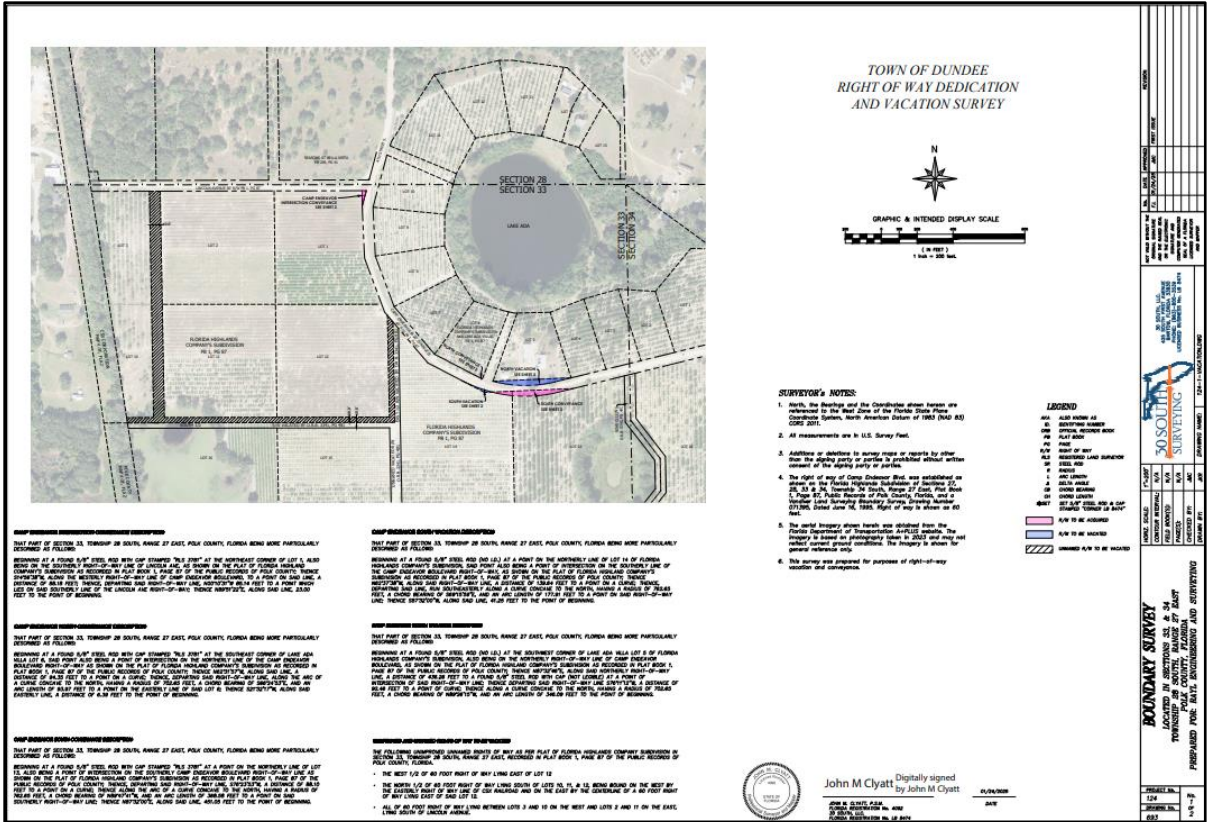
1. I move the Planning & Zoning Board **recommend approval** to the Town Commission to have the Town of Dundee vacate and abandon specific unopened, unpaved, and unimproved rights-of-way as described in this staff report.
 2. I move the Planning & Zoning Board **recommend denial** to the Town Commission 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 date certain.
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Attachments:

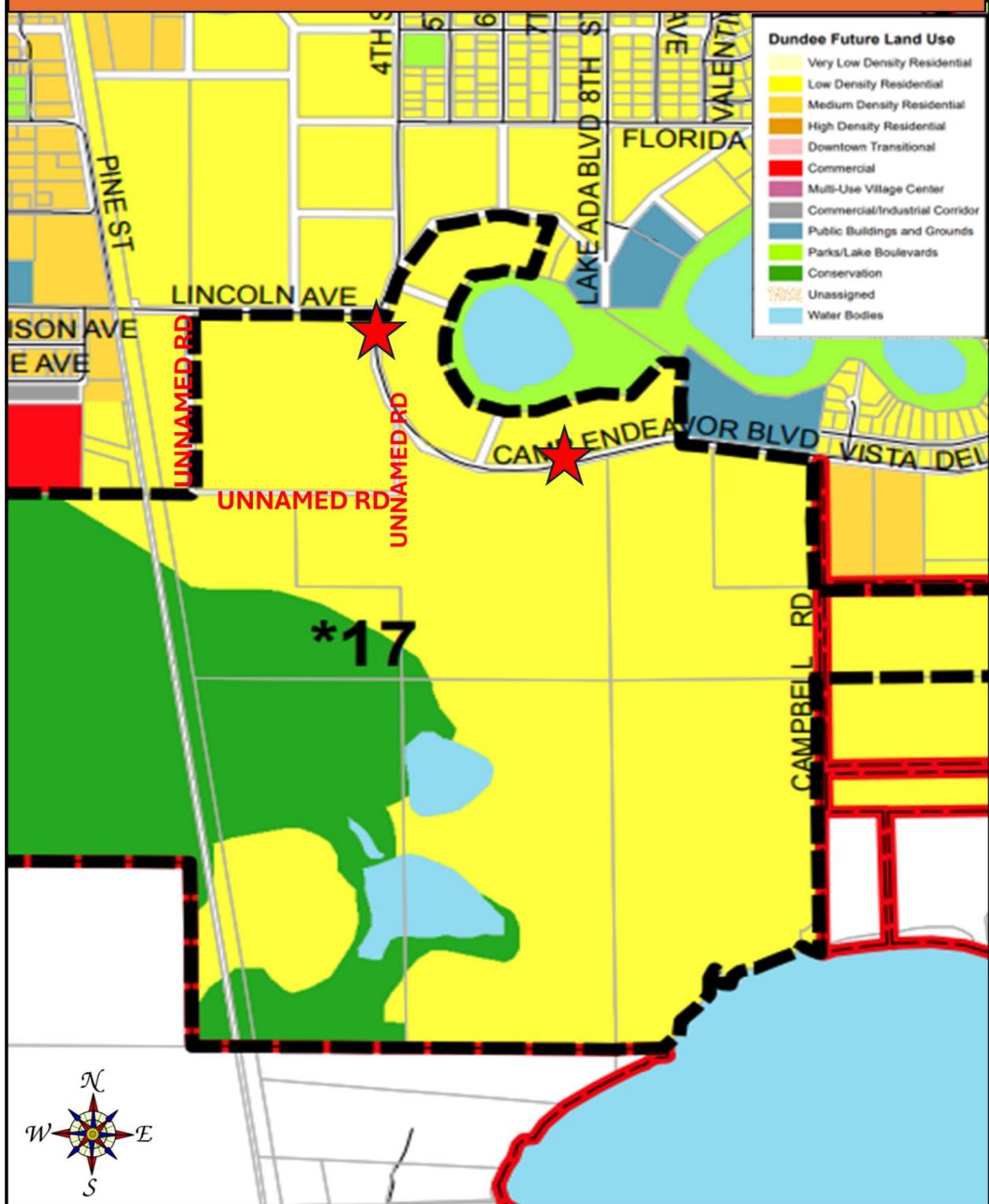
- Aerial Map
- Boundary Survey
- Current Future Land Use Map
- Current Zoning Map
- Proof of Publication
- Application for Right-of-Way Vacation

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

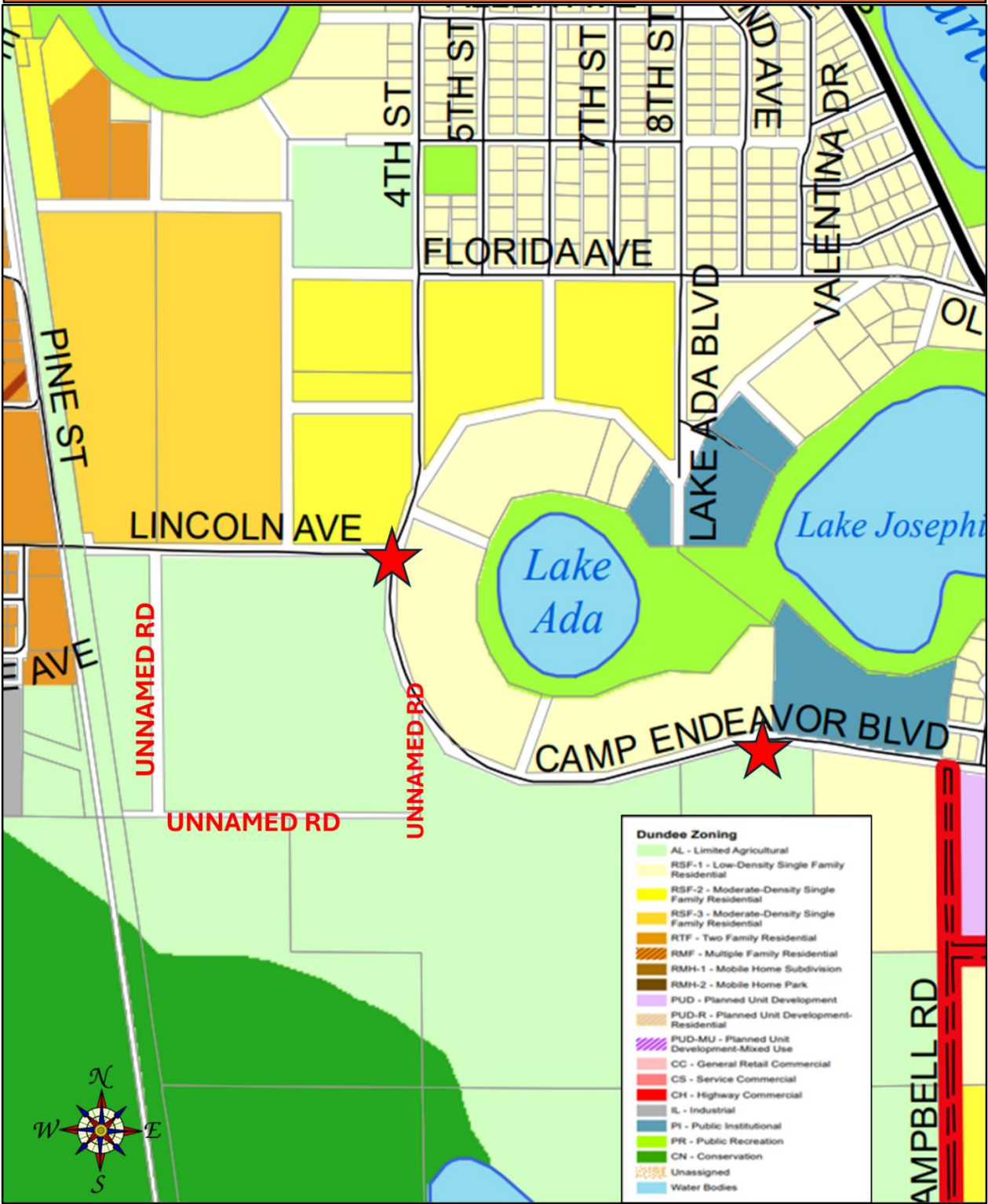




**TOWN OF DUNDEE
FUTURE LAND USE MAP
RIGHTS-OF-WAY VACATION-CAMP ENDEAVOR BLVD AND UNNAMED ROAD**



**TOWN OF DUNDEE
ZONING MAP
RIGHTS-OF-WAY VACATION- CAMP ENDEAVOR BLVD AND UNNAMED ROAD**



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 grave 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: lpeterson@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: lpeterson@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: _____



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

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.

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



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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

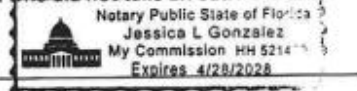
Signature of Owner

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



Town of Dundee

Vacation of Right-of-Way Application

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AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Lorraine Peterson 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 Peterson
Signature of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Lorraine Peterson
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

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.

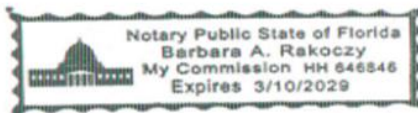
Sworn to and subscribed before me this 12th day of February 2025 by Anita Swain, who is personally known to me or who has produced as identification



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

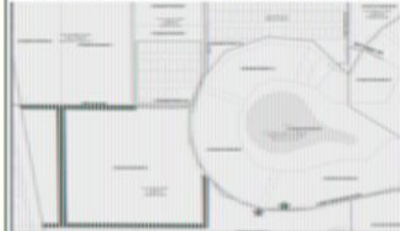


PUBLIC HEARING NOTICE TOWN OF DUNDEE TOWN COMMISSION

Please take notice that the Town of Planning and Zoning Board will hold hearing, Thursday, February 20, 2025 7:00 p.m. and Town Commission will hold hearing Tuesday February 25, 2025 7:00 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 CAMPBELLE ROAD

A REQUEST TO VACATE OR UNPAVED, RIGHTS-OF-WAY INCLUDING PORTIONS OF CAMP END ROAD, BETWEEN LINCOLN AVENUE AND CAMPBELL ROAD. PORTIONS OF MAINTAINED RIGHT-OF-WAY AS DEPICTED IN PLAT BOOK 1, PAGE 10 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, THAT LIES ALONG THE DESCRIBED CORRIDOR. THAT IS LOCATED IN SECTION 33, TOWNSHIP 28, RANGE 17 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 accommodations to participate should contact the Town Clerk prior to the meeting.

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