



## TOWN OF DUNDEE

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**TO:** Town of Dundee Town Commission

**PREPARED BY:** Lorraine Peterson, Development Director

**AGENDA DATE:** November 14, 2023

**REQUESTED ACTION:** Ordinance 23-16  
The Town Commission will consider the first reading of Ordinance 23-16, AT Race Road Right-of-Way Voluntary Annexation.

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### **STAFF ANALYSIS:**

The Town of Dundee has placed a petition for the voluntary annexation of AT Race Road right-of-way.

The general location of the proposed right-of-way to be annexed is all of AT Race Road from the vacated portion North of Lake Annie, North to Camp Endeavor Boulevard in Dundee, Florida. More particularly described herein as all lying and being in Section 34, Township 28 South, Range 27 East, Polk County, Florida.



The proposed Ordinance 23-16 was prepared by Town Staff and Consultants. If approved at this first reading, the public hearing for the second (adoption) and final reading will be held on December 12, 2023.

**SURROUNDING USES:**

Table 1 below lists the Future Land Use (FLU) designations, zoning and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

<b>Northwest Town of Dundee</b> RSF-1 Low Density Single Family Residential	<b>North Polk County</b> Public Institutional & RSF-1 Low Density Single Family Residential	<b>Northeast Polk County</b>  Public Institutional
<b>West Town of Dundee</b> RSF-1 Low Density RSF-2 Moderate Density Single Family Residential	<b>Subject Right-of-Way A T Race Road</b>	<b>East Polk County</b> RSF -2 & RSF -3 Moderate Density Single Family Residential
<b>Southwest</b> Polk County Citrus Groves	<b>South</b> Polk County Citrus Groves	<b>Southeast Polk County</b> RSF-2 Moderate Density Single Family Residential

*Source: Central Florida Regional Planning Council, Florida Department of Transportation, Polk County Property Appraiser, Town of Dundee and site visit by Town staff*

**STAFF RECOMMENDATION:**

Staff recommends approval of Ordinance 23-16

**Attachments:**

Ordinance 23-16

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SPACE FOR RECORDING

**ORDINANCE NO.: 23-16**

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE TOWN OF DUNDEE, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF DUNDEE, FLORIDA; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION; THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS AND AN EFFECTIVE DATE. (GENERAL LOCATION: FOR ALL OF AT RACE ROAD FROM VACATED PORTION NORTH OF LAKE ANNIE, NORTH TO CAMP ENDEAVOR BOULEVARD IN POLK COUNTY, FLORIDA).**

WHEREAS, a petition to integrate territory into the Town of Dundee, Florida, has been filed requesting the Town of Dundee to extend its corporate limits to include certain property herein described; and

WHEREAS, the Town of Dundee deems it expedient and practical to incorporate said territory as the same is in conformity with overall plans for extending the boundaries of the Town of Dundee; and

WHEREAS, the property herein described is contiguous and adjacent to the corporate limits of the Town of Dundee, and the property will become a part of the unified corporate area with respect to municipal services and benefits.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE TOWN OF DUNDEE, FLORIDA:

1. A petition has been filed to integrate territory into the Town of Dundee, Florida, as attached herein as Exhibit "A".

2. Pursuant to Section 171.044 of the Florida Statutes, the Town Commission

of the Town of Dundee does hereby annex into the corporate limits of the Town of Dundee, Florida, the following described property:

See Composite Exhibit "B" attached hereto and made a part hereof consisting of two (2) pages, the first being a legal description, and the second being a locational map.

3. All ordinances in conflict herewith are hereby repealed.

4. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

5. Sections of this Ordinance may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or his/her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

6. This ordinance shall take effect immediately after second reading.

INTRODUCED on first reading this 14th day of November 2023.

PASSED on second reading this 12th day of December 2023.

TOWN OF DUNDEE, FLORIDA

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Mayor-Samuel Pennant

ATTEST:

\_\_\_\_\_  
INTERIM TOWN CLERK – Trevor Douthat

Approved as to form:

\_\_\_\_\_  
TOWN ATTORNEY - Frederick J. Murphy, Jr.

**EXHIBIT "A"**  
**To Ordinance 23-16**  
**Annexation Petition**



## Town of Dundee

201 Center Street PO Box 1000 Dundee, Florida 33838 (863) 419-3114 Fax (863) 419-3186 Suncom 515-9950

### Petition for Annexation Applicant

The following information is required for submission of an application to annex into the Town limits of Dundee, Florida. **Please print or type the required information below. Attach three copies of the current survey with metes and bounds description of subject property certified to the Town of Dundee along with an aerial photograph and location map**

Name of Property Owner: Town of Dundee  
Mailing Address: PO Box 1000, Dundee, FL 33838 Phone: 863-438-8330  
Name of Representative, if applicable: N/A  
Mailing Address: N/A Phone: N/A  
Reason for Request: Town responsible for maintenance.

#### Property Identification

Property Address or General Location: All of AT Race Road from vacated portion north of Lake Annie, north to Camp Endeavor Boulevard  
Present Use of the Property: Unopened ROW  
Existing Structures Located on the Site: None  
Total Acreage: None Number of Residents on Site: None  
Assessed Property Value: None Taxable Value: None  
Legal Description of the Property: See attached Deed  
Section: 34 Township: 28 South Range: 27 East  
Subdivision: N/A  
Parcel I.D.#: N/A

#### Planning and Zoning Information

Present County Future Land Use Designation: N/A  
Requested City Zoning Classification: N/A  
Requested City Future Land Use Designation: N/A

**Note:** Unless specific land use and zoning designations are requested, the City will assign designations which most closely conform with the actual use of the property or with designations of surrounding properties. An application fee will be assessed only on requests for land use and zoning changes which result in an increase in land use or zoning intensity over that allowed under the County designations. (You will need to fill out separate applications for land use/zoning requests.)

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_  
Hearing Date: \_\_\_\_\_ File Number: \_\_\_\_\_

**OWNER'S SIGNATURE PAGE**

(I) (We), Tandra Davis for the 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 for annexation into the Town, 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.

**OWNERS**

  
\_\_\_\_\_  
Signature of Owner  
Tandra Davis for the Town of Dundee  
\_\_\_\_\_  
Printed Name of Owner

\_\_\_\_\_  
N/A  
Signature of Owner  
\_\_\_\_\_  
N/A  
Printed Name of Owner

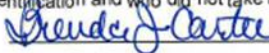
\_\_\_\_\_  
N/A  
Signature of Owner  
\_\_\_\_\_  
N/A  
Printed Name of Owner

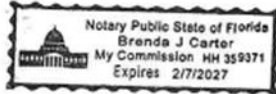
\_\_\_\_\_  
N/A  
Signature of Owner  
\_\_\_\_\_  
N/A  
Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

**OWNER'S NOTARIZATION**

The foregoing instrument was acknowledged before me this 4 day of October, 2023, by Tandra Davis, 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



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

(I) (We), N/A 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]  
Signature of Agent, Lessee, or Buyer(s)  
Tandra Davis  
Printed Name of Agent, Lessee, or Buyer(s)

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

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

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

STATE OF FLORIDA  
COUNTY OF POLK

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

The foregoing instrument was acknowledged before me this 4 day of October, 2023, by Tandra Davis, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.



[Signature]  
Notary Public  
Notarial Seal and Commission  
Expiration Date

11/19/2016



**COMPOSITE EXHIBIT "B"**  
**to Ordinance No. 23-16**  
**Legal Description**

**All of A T Race Road from Vacated Portion north of Lake Annie north to Camp Endeavor Boulevard. Including, but not limited to those parts of the rights-of-ways for A T Race Road that lie within the above-described corridor, as depicted, or described in the following document: All of that platted right-of-way as depicted on Florida Highlands Company's Subdivision lying west of Lots 5, 12, 21, 28, 37 less vacated portion, and east of Lots 13, 20, 29 and 36 less vacated portion as recorded in Plat Book 1, Page 87 of the Public Records of Polk County, Florida that lies along the above described corridor.**

**All lying and being in Section 34, Township 28 South, Range 27 East, Polk County Florida.**

**COMPOSITE EXHIBIT "B"**  
**to Ordinance No. 23-16**  
**Location Map**

