



TOWN OF DUNDEE

TO: Town of Dundee Town Commission

PREPARED BY: Lorraine Peterson, Development Director

AGENDA DATE: November 14, 2023

REQUESTED ACTION: Ordinance 23-14
 The Town Commission will consider the first reading of Ordinance 23-14, Almburg Road Right-of-Way Voluntary Annexation.

STAFF ANALYSIS:

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

The general location of the proposed right-of-way to be annexed is Almburg Road from Scenic Highway (S.R. 17) North, East to Lake Mabel Loop Road in Dundee, Florida. More particularly described herein as all lying and being in Section 35, Township 28 South, Range 27 East, in Polk County, Florida.



The proposed Ordinance 23-14 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

<p>Northwest Town of Dundee PUD-R-Planned Unit Development Residential & RTF – Two Family Residential</p>	<p>North Polk County PUD-R Planned Unit Development Residential</p>	<p>Northeast Polk County RSF-3- Moderate Density Single Family Residential</p>
<p>West Polk County Citrus Groves and Unassigned</p>	<p>Subject Right-of-Way Almburg Road</p>	<p>East Polk County RSF-2-Moderate Density Single Family Residential</p>
<p>Southwest Town of Dundee Polk County Citrus Groves & RSF-3- Moderate Density Single Family Residential</p>	<p>South Town of Dundee RSF-2- & RSF-3- Moderate Density Single Family Residential</p>	<p>Southeast Polk County RSF-2- Moderate Density Single Family Residential</p>

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 23-14

Attachments:

Ordinance 23-14

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SPACE FOR RECORDING

ORDINANCE NO.: 23-14

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 ALMBURG ROAD FROM SCENIC HIGHWAY (SR 17) NORTH, EAST TO LAKE MABEL LOOP ROAD 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

Mayor-Samuel Pennant

ATTEST:

INTERIM TOWN CLERK – Trevor Douthat

Approved as to form:

TOWN ATTORNEY - Frederick J. Murphy, Jr.

EXHIBIT "A"
To Ordinance 23-14
Annexation Petition



Town of Dundee

Voluntary Annexation 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. The project name should be based on the ownership of the property. This name will be used for companion Future Land Use and Zoning applications.

SITE INFORMATION

Project Name: Almburg Road
 Parcel I.D.#: _____
 Site Address or General Location: _____
 Present Use of the Property: Public Road
 Existing Structures Located on the Site: None
 Total Acreage: _____ Number of Residents on Site: _____
 Legal Description of the Property: SEE NOTE BELOW FOR LEGAL DESCRIPTION

PROPERTY OWNER:

Name: Town of Dundee
 Mailing Address: 202 E. Main Street
 City: Dundee State: FL Zip: 33838
 Home/Mobile Phone: (863)438-8330 Email Address: _____

APPLICANT/AGENT:

Name: Town of Dundee
 Mailing Address: SAME AS ABOVE.
 City: _____ State: _____ Zip: _____
 Home/Mobile Phone: _____ Office: _____
 Email Address: _____

Applicant is: Owner Agent/Representative Purchaser Lessee

***Legal Description:** All of Almburg Rd., from Soenic Hwy., North a/k/a SR 17, to Lk Mabel Loop Road, including but not limited to those parts of the right of ways for Almburg Road that lie within the above-described corridor, as depicted, or described in the following document: All of that maintained right-of-way as depicted on Map Book 3, pages 41-43 of the Public Records of Polk County, Florida that lies along the above-described corridor. All lying and being in Section 35 and 36, Township 28 South, Range 27 East, Polk County, Florida.

Date Application Accepted by Town: _____
 Project ID Number: _____
 Application Fee Amount Paid: _____ Review Deposit Amount Paid: _____



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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 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

J. D.
Signature of Owner

Signature of Owner

Tandra Davis, Town Manager
Printed Name/Title 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, by means of physical presence or online notarization, this 28 day of September, 2023, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida

Brenda J Carter
Printed Name Brenda J Carter

My commission expires _____
Notary Public State of Florida
Brenda J Carter
My Commission MH 359371
Expires 2/7/2027



Town of Dundee

Voluntary Annexation Application


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AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Town of Dundee 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)

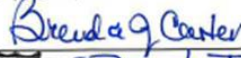
	_____
Signature of Agent, Lessee, or Buyer(s)	Signature of Agent, Lessee, or Buyer(s)
<u>Tandra Davis</u>	_____
Printed Name of Agent, Lessee, or Buyer(s)	Printed Name of Agent, Lessee, or Buyer(s)
_____	_____
Signature of Agent, Lessee, or Buyer(s)	Signature of Agent, Lessee, or Buyer(s)
_____	_____
Printed Name of Agent, Lessee, or Buyer(s)	Printed Name of Agent, Lessee, or Buyer(s)

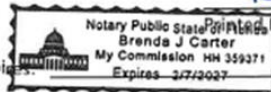
STATE OF FLORIDA
COUNTY OF POLK

AGENT, LESSEE, OR BUYER(S) NOTARIZATION

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 28 day of September, 2023 by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida





Name Brenda J Carter

My commission expires _____



Town of Dundee

Voluntary Annexation Application

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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 (Section 8.08.00 of the Land Development Code and Resolution 2007-02).

Name: Town of Dundee Title: Owner

Company: _____

Company Address: 202 E. Main Street

City/State/Zip Code: Dundee, FL 33838

Telephone Number: (863) 438-8330

Email Address: _____

Type text here

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

1. Signed this 28 day of Sept., 2023

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

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 28 day of September, 2023 by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida

My commission expires _____ Name _____
Notary Public State of Florida
Brenda J Carter
My Commission MH 359371
Expires 2/7/2027

COMPOSITE EXHIBIT "B"
to Ordinance No. 23-14
Legal Description

All of Almburg Road from Scenic Highway North, a/k/a State Road 17, to Lake Mabel Loop Road.

Including, but not limited to those parts of the rights-of-ways for Almburg Road that lie within the above-described corridor, as depicted, or described in the following document: All of that maintained right-of-way as depicted on Map Book 3, Pages 40 through 43 of the Public Records of Polk County, Florida that lies along the above-described corridor. All lying and being in Sections 35 and 36, Township 28 South, Range 27 East, Polk County Florida.

COMPOSITE EXHIBIT "B"
to Ordinance No. 23-14
Location Map

