



## TOWN OF DUNDEE

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**TO:** Town of Dundee Town Commission

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

**AGENDA DATE:** November 14, 2023

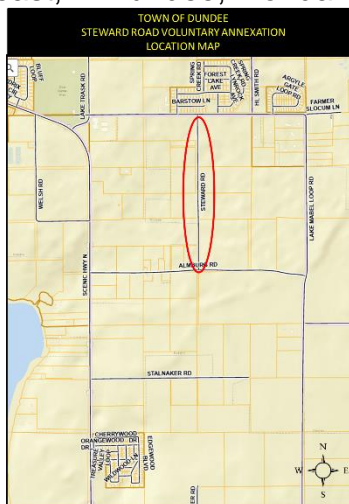
**REQUESTED ACTION:** Ordinance 23-12  
The Town Commission will consider the first reading of Ordinance 23-12, Steward Road Right-of-Way Voluntary Annexation.

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### **STAFF ANALYSIS:**

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

The general location of the proposed right-of-way to be annexed, all of Steward Road from Lake Mabel Loop Road south to Almburg Road in Dundee, Florida more particularly described herein as all lying and being in the north  $\frac{3}{4}$  of Section 35, Township 28 south, Range 27 east, in Dundee, Florida.



The proposed Ordinance 23-12 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><b>Northwest Town of Dundee RSF-1 Low Density Single Family Residential</b></p>	<p><b>North Polk County RSF-2 Moderate Density Single Family Residential</b></p>	<p><b>Northeast Polk County PUD-R Planned Unit Development Residential</b></p>
<p><b>West Town of Dundee PUD-R Planned Unit Development-Residential</b></p>	<p><b>Subject Right-of-Way Steward Road</b></p>	<p><b>East Polk County PUD-R Planned Unit Development-Residential</b></p>
<p><b>Southwest Town of Dundee PUD-R Planned Unit Development-Residential</b></p>	<p><b>South Town of Dundee PUD-R and RSF-2 Moderate Density Single Family Residential</b></p>	<p><b>Southeast Polk County RSF-2 Moderate Density Single Family Residential</b></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 23-12

**Attachments:**

Ordinance 23-12

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SPACE FOR RECORDING

**ORDINANCE NO.: 23-12**

**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: ALL OF STEWARD ROAD FROM LAKE MABLE LOOP ROAD SOUTH TO ALMBURG 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

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Mayor-Samuel Pennant

ATTEST:

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INTERIM TOWN CLERK – Trevor Douthat

Approved as to form:

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TOWN ATTORNEY - Frederick J. Murphy, Jr.

**EXHIBIT "A"**  
**To Ordinance 23-12**  
**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: Steward 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: All of Steward Rd from Lk Mabel Loop Rd S. to Almburg Rd, including any right of ways for Steward Road that lies within the above-described corridor, all lying and being in the North 3/4 of Section 35, Township 26 S., Range 27 E., Polk County, Florida.

**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

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



# Town of Dundee

## Voluntary Annexation Application

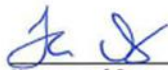
124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

### STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

(I) (We), 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

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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by, as, on its behalf, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Notary Public, State of Florida

Printed Name

My commission expires: \_\_\_\_\_



# 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)

<u>J. S.</u> 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)
_____ 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

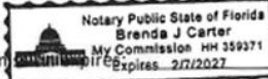
### AGENT, LESSEE, OR BUYER(S) NOTARIZATION

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

Brenda J Carter

Printed Name

My comm.  Expires 2/7/2027

Voluntary Annexation Application

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# Town of Dundee

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

Name: Town of Dundee Title: Owner /Agent

Company: \_\_\_\_\_

Company Address: 202 E. Main Street

City/State/Zip Code: Dundee, FL 33838

Telephone Number: (863)438-8330

Email Address: \_\_\_\_\_

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

1. Signed this 28 day of September, 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

Brenda J Carter

My commission   
Printed Name \_\_\_\_\_

**COMPOSITE EXHIBIT "B"**  
**to Ordinance No. 23-12**  
**Legal Description**

**All of Steward Road from Lake Mabel Loop Road south to Almburg Road, including any rights-of-ways for Steward Road that lies within the above-described corridor, all lying and being in the North 3/4 of Section 35, Township 28 South, Range 27 East, Polk County, Florida.**

**COMPOSITE EXHIBIT "B"**  
**to Ordinance No. 23-12**  
**Location Map**

**TOWN OF DUNDEE**  
**STEWARD ROAD VOLUNTARY ANNEXATION**  
**LOCATION MAP**

