



TOWN OF DUNDEE

TO: Town of Dundee Town Commission

PREPARED BY: Lorraine Peterson, Development Director

AGENDA DATE: November 14, 2023

REQUESTED ACTION: Ordinance 23-11
The Town Commission will consider the first reading of Ordinance 23-11 Four Unnamed Rights-Of-Ways Voluntary Annexation.

STAFF ANALYSIS:

The Town of Dundee has placed a petition for the voluntary annexation of portions of unopened, unmaintained rights-of-ways.

The general location of the proposed rights -of-ways to be annexed, portions of certain unopened, unmaintained platted rights-of ways more particularly described herein as lying within Section 34, Township 28 south, Range 27 east, in Dundee, Florida (collectively known as the roads).



The proposed Ordinance 23-11 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 style="text-align: center;">Northwest Town of Dundee RSF-1 Low Density Single Family Residential</p>	<p style="text-align: center;">North Polk County RSF-2 Moderate Density Residential & PI Public Institutional</p>	<p style="text-align: center;">Northeast Polk County Public Institute - Public Recreation</p>
<p style="text-align: center;">West Town of Dundee AL Limited Agriculture</p>	<p style="text-align: center;">Subject Rights-of-Ways (4) Unnamed Roads</p>	<p style="text-align: center;">East Polk County RSF-1 Low Density-Single Family</p>
<p style="text-align: center;">Southwest Town of Dundee AL Limited Agriculture</p>	<p style="text-align: center;">South Town of Dundee Town Boundary- RSF-1 Low Density Single Family Resident</p>	<p style="text-align: center;">Southeast Polk County Town Boundary & RSF 1 Low 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 23-11

Attachments:

Ordinance 23-11

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SPACE FOR RECORDING

ORDINANCE NO.: 23-11

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: PORTIONS OF CERTAIN UNOPENED, UNMAINTAINED PLATTED RIGHTS-OF-WAYS MORE PARTICULARLY DESCRIBED HEREIN. LYING WITHIN SECTION 34, TOWNSHIP 28 SOUTH, RANGE 27 EAST, IN POLK COUNTY, FLORIDA (COLLECTIVELY KNOWN AS THE ROADS)).

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 23-11
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: (4) Unnamed Roads - Right of Ways

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: _____

PROPERTY OWNER:

Name: Town of Dundee

Mailing Address: 202 E. Main Street

City: Dundee State: Florida Zip: 33838

Home/Mobile Phone: (863)438-8330 Email Address: NA

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: _____



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STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

(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

Signature of Owner

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

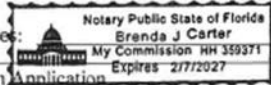
OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 4 day of October, 2023 by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida

Printed Name Brenda J Carter

My commission expires:



Voluntary Annexation Application

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Town of Dundee

Voluntary Annexation Application


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AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Tandra Davis for the Town of Dundee 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 of Agent, Lessee, or Buyer(s) Tandra Davis for the Town of Dundee	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

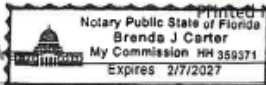
The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 4 day of October, 2023, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida



Printed Name Brenda J Carter

My commission expires _____



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: Tandra Davis for the Town of Dundee Title: Town Manager

Company: _____

Company Address: 202 E. Main Street

City/State/Zip Code: Dundee, FL 33838

Telephone Number: (863)438-8330

Email Address: NA

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

1. Signed this 4 day of October, 2023.

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

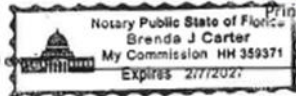
STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 4 day of October, 2023, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida
[Signature]

Printed Name Brenda J Carter



My commission expires _____

COMPOSITE EXHIBIT "B"
to Ordinance No. 23-11
Legal Description

That unopened unmaintained platted right-of-way, lying south of Lots 5, 6, 7, 8, 13, 14, 21, 22, 29, 30; north of Lots 9, 10, 11, 12, 19, 20, 27, 28, 35, 36; east of Lot 27 and west of Lot 26, as depicted on Florida Highlands Company's Subdivision 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. 23-11
Location Map

