



TOWN OF DUNDEE

TO: Town of Dundee Town Commission

PREPARED BY: Lorraine Peterson, Development Director

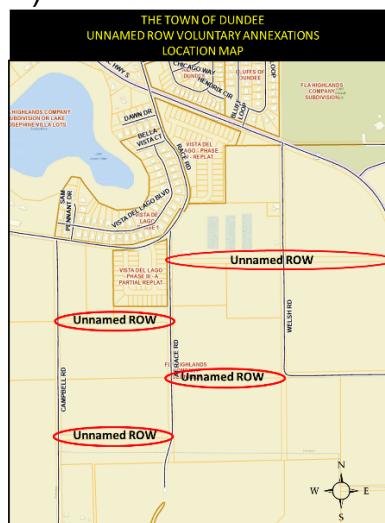
AGENDA DATE: December 12, 2023

REQUESTED ACTION: Ordinance 23-11
The Town Commission will consider the second (adoption) 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. The first reading was held on November 14, 2023 and was unanimously approved to move on to second reading.

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 OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, 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, DUNDEE, FLORIDA (COLLECTIVELY KNOWN AS THE ROADS).

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, pursuant to Section 2(b), Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, the Town is vested with governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, the applicant-initiated petition to voluntarily 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. **RECITALS.** The above factual recitals (WHEREAS clauses) are hereby adopted by the Town Commission of the Town of Dundee as the legislative findings and form a factual and material basis for the passage of this Ordinance.

2. **ANNEXATION PETITION.** A petition has been filed to integrate territory into the Town of Dundee, Florida, as attached hereto as **Composite Exhibit “A”** and made a part hereof by reference.

3. **PROPERTY INFORMATION.** The Town Commission of the Town of Dundee, Florida, does hereby annex into the corporate limits of the Town of Dundee, Florida, the property as legally described and depicted (i.e., location map) in **Composite Exhibit “B”** attached hereto and made a part hereof.

4. **CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided, however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the Town of Dundee Land Development Code unless such repeal is explicitly set forth herein.

5. **SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Dundee, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

6. **ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS AND CODIFICATION.** It is the intention of the Town Commission that the provisions of this Ordinance shall be codified; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; 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 or her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

7. **EFFECTIVE DATE.** This ordinance shall take effect immediately after second reading.

INTRODUCED AND PASSED on first reading at a regular meeting of the Town Commission of the Town of Dundee held this 14th day of November, 2023.

PASSED AND ADOPTED on second reading/public hearing at the meeting of the Town Commission of the Town of Dundee assembled on the 12th day of December, 2023.

TOWN OF DUNDEE, FLORIDA

Mayor-Samuel Pennant

ATTEST:

TOWN CLERK – Trevor Douthat

Approved as to form:

TOWN ATTORNEY - Frederick J. Murphy, Jr.

EXHIBIT A



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: _____



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), 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]
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

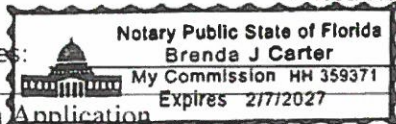
The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 4 day of October, 2023 by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida

[Signature]

Printed Name Brenda J Carter

My commission expires:





Town of Dundee

Voluntary Annexation Application

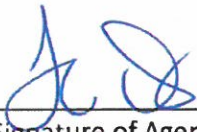
124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

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

AGENT, LESSEE, OR BUYER(S) NOTARIZATION

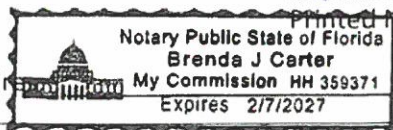
COUNTY OF POLK

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



Printed Name Brenda J Carter



My commission expires _____



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

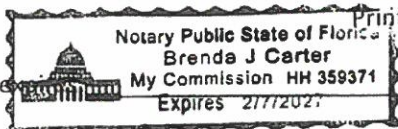
COUNTY OF POLK

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 _____



Voluntary Annexation Application Checklist

Requirements as set out in Florida Statutes 171.044

All boxes must be checked or noted as non-applicable. Information indicated must be attached and submitted with this form or the application will be deemed incomplete. The voluntary annexation application and supporting documents must be submitted in digital format and hard copies.

What is this checklist?

- This checklist is based on Florida Statutes and Town of Dundee requirements and is being provided as a courtesy to help streamline the application review process.
- Plans and other submitted materials will be reviewed for compliance with requirements of the Town of Dundee Code of Ordinances and Land Development Code. This checklist is intended to give you the ability to be sure that the bulk of the requirements from the Codes have been incorporated into your submittal.
- The requirements from the Codes represent a large portion of the detailed content required for project submittals.

How should this checklist be used?

- *As a content guide.* Submitted applications must address each item in the Codes, as applicable to your project. You can smooth and shorten the review process by making sure that every item on the checklist has been fully addressed.
- *As a verification document.* When you submit your application, include a copy of the completed checklist with every item either initialed to indicate that it has been addressed in the design, or marked "N/A" to indicate the item is not applicable to your project.
- *As a means to speed up the review process.* Projects with completed checklists are easier to review and completion of the review may be achieved sooner.

NOTE: Town of Dundee requirements may differ from other agencies or municipalities. The way you as an applicant have addressed certain issues in the past or in other jurisdictions may not apply in Dundee. The Codes contain Dundee's requirements, and are the Town's rulebook.

Please initial each item on the following pages to show it has been incorporated into your submittal. If an item is not applicable to your submittal, enter "N/A" in the initial blank. Sign below to state that you have provided the information in your submittal and submit the initialed and signed checklist as part of your resubmittal package:

I have reviewed the Voluntary Annexation Application and supporting materials consistent with the Town of Dundee's Content Requirements Checklist and have provided the required items.

Applicant **Tandra Davis for the Town of Dundee**

10-4-23

Date

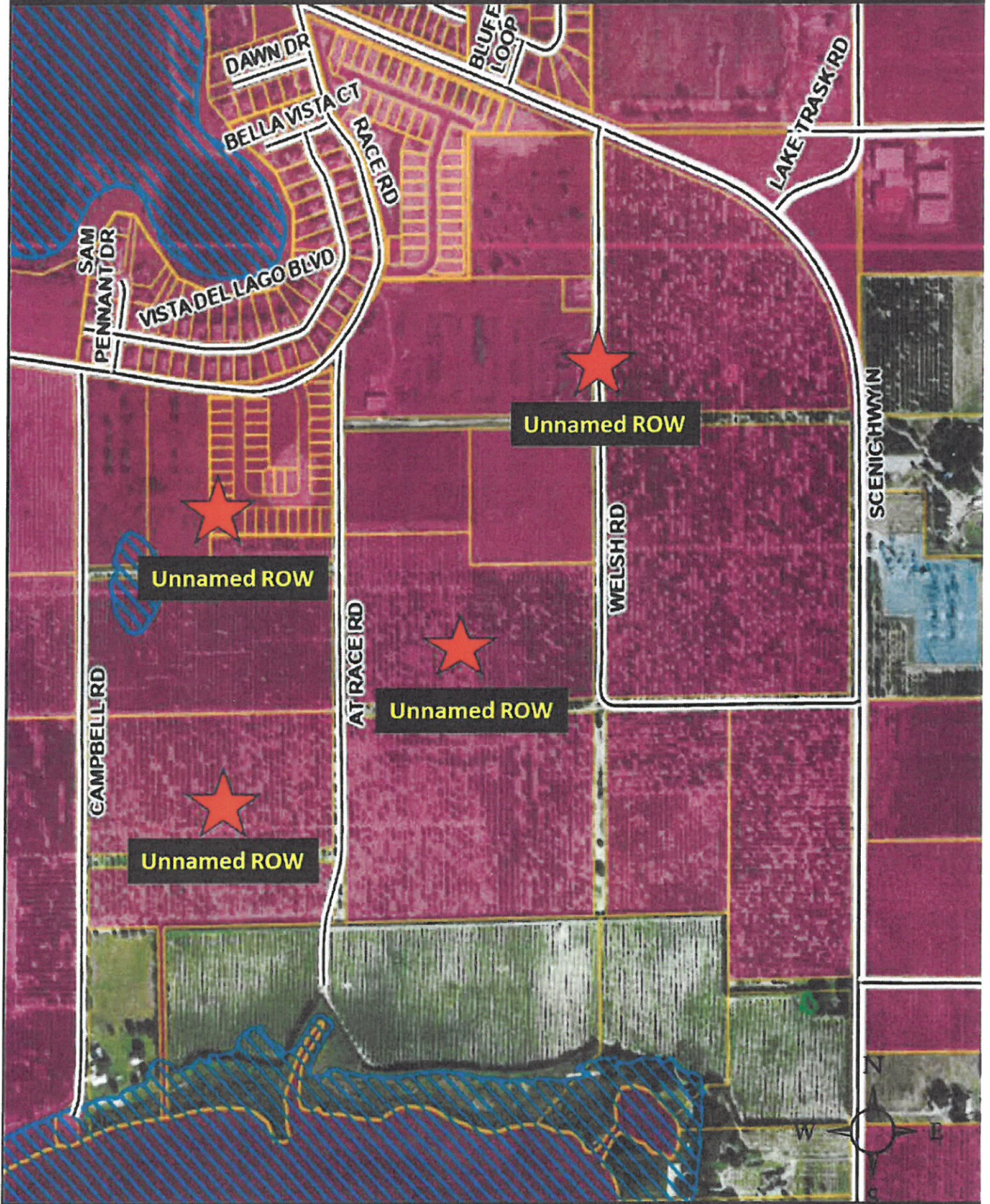


Voluntary Annexation Application Checklist

The following items are required for a submittal package to be accepted for review. Applicant to initial or write N/A for each item below.

- Complete Voluntary Annexation Application form including signature from all owners of property in the area proposed for annexation. Signature of representative/agent, as applicable. For properties that are owned by a company, the applicant must submit proof that the person signing has the authority to sign on behalf of the company.
- Current ownership information for the subject property – the name of the owner(s) stated on the application must match the information on the Property Appraiser’s website. If the land is under an agreement for sale as indicated by caveat, please submit a copy of the signed agreement. The individual noted on the caveat must sign the application. If the applicant is not the owner, a letter must be provided from the owner authorizing the applicant to act on his/her behalf.
- Current ownership information for the subject property – Florida limited liability companies. Provide executed authorizations (i.e., must be signed by the member managers identified by the Division of Corporations or corporate resolutions will also be required for any other authorized signatory) from both entities authorizing a person(s) to act on behalf of said entities for purposes of submitting the instant application.
- Required Supporting Documents Including:
 - Location Map
 - Aerial Map
 - Metes and bounds legal description of property
 - Current survey of subject property certified to the Town of Dundee
- Submit **four (4)** paper copies of application and application materials (including application and checklist) plus **one (1)** electronic copy of all documents.
- A signed copy of the Request for Extension of Processing Time.
- A signed copy of this Voluntary Annexation Application Checklist.
- Required fees.

UNNAMED ROW VOLUNTARY ANNEXATIONS
AERIAL MAP



THE TOWN OF DUNDEE UNNAMED ROW VOLUNTARY ANNEXATIONS LOCATION MAP



EXHIBIT A

RESOLUTION NO. 22-17

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA; AFFIRMATIVELY ACCEPTING THE CONVEYANCE OF THAT CERTAIN REAL PROPERTY FROM POLK COUNTY, FLORIDA TO THE TOWN OF DUNDEE, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN THE COUNTY DEEDS EXECUTED AND DELIVERED BY POLK COUNTY, FLORIDA TO THE TOWN OF DUNDEE AND RECORDED ON FEBRUARY 17, 2022, IN OFFICIAL RECORDS BOOK 12123, PAGE 657; OFFICIAL RECORDS BOOK 12123, PAGE 663; OFFICIAL RECORDS BOOK 12123, PAGE 669; AND OFFICIAL RECORDS BOOK 12123, PAGE 675, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 15, 2022, the Town of Dundee, Florida and Polk County, Florida entered into certain Agreement(s) for Transfer of Public Roads (hereinafter collectively referred to as the "Agreements") approved by the Town of Dundee, Florida Town Commission which provided for the transfer of publicly platted unmaintained road that lies within and adjacent to the corporate limits of the Town of Dundee, Florida; and

WHEREAS, on February 17, 2022, Polk County, Florida delivered the Agreements and certain County Deed(s) for the real property more particularly described therein and attached hereto as Composite Exhibit "A" and incorporated herein by reference to the Town of Dundee, Florida; and

WHEREAS, said County Deed(s) were recorded on February 17, 2022, in Official Records Book 12123, Page 657; Official Records Book 12123, Page 663; Official Records Book 12123, Page 669; and Official Records Book 12123, Page 675 of the public records of Polk County, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA:

- 1. The Town Commission of the Town of Dundee, Florida hereby affirmatively accepts from Polk County, Florida the conveyance of said real property described in the County Deed(s) delivered and recorded on February 17, 2022, in Official Records Book 12123, Page 657; Official Records Book**

12123, Page 663; Official Records Book 12123, Page 669; and Official Records Book 12123, Page 675 of the public records of Polk County, Florida, a copy of which is attached hereto as Composite Exhibit "A" and incorporated herein by reference.

2. This Resolution shall take effect immediately upon passage.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA:

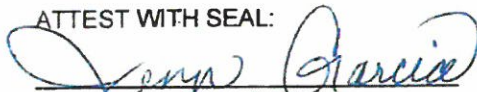
INTRODUCED AND PASSED by the Town Commission of the Town of Dundee, Florida, in regular session this 26th day of April, 2022.

TOWN OF DUNDEE



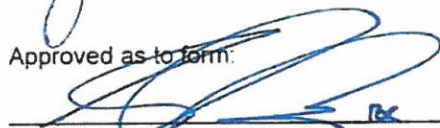
Sam Pennant, Mayor

ATTEST WITH SEAL:



Jenn Garcia, Town Clerk

Approved as to form:



Frederick J. Murphy, Jr., Town Attorney



INSTR # 2022044888
 BK 12123 Pgs 658-662 PG(s)5
 RECORDED 02/17/2022 03:31:21 PM
 STACY H. BUTTERFIELD, CLERK OF COURT
 POLK COUNTY
 RECORDING FEES \$44.00
 RECORDED BY shakame

AGREEMENT FOR TRANSFER OF PUBLIC ROADS

between

THE TOWN OF DUNDEE, FLORIDA

and

POLK COUNTY, FLORIDA

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

This is an Agreement by and between the Town of Dundee, a municipal corporation of the State of Florida (TOWN), and Polk County, a political subdivision of the State of Florida (POLK), their respective successors and assigns.

WITNESSETH

WHEREAS, Chapter 335, Florida Statutes, Subsection 335.0415(3) authorizes the transfer of public roads between jurisdictions by mutual agreement of the affected governmental entities; and

WHEREAS, the ROADS are platted, adjacent to and within the corporate limits of the TOWN; and

WHEREAS, TOWN has requested, and POLK has agreed to the transfer of ROADS lying within Section 34, Township 28 South, Range 27 East, in order to accommodate the transfer of maintenance and operational responsibilities to TOWN; and

WHEREAS, Chapter 337, Florida Statutes, Subsection 337.29(3) provides that upon such transfer, liability for torts shall be in the governmental entity having operation and maintenance responsibility for such roads; and

WHEREAS, a transfer of ROADS is in the best interests of TOWN and of POLK; and

NOW, THEREFORE, in consideration of the promises, mutual covenants, and conditions hereinafter contained, the parties agree as follows:

RETURN TO POLK COUNTY
 REAL ESTATE SERVICES OFFICE BOX

SECTION 1: Recitals

The above recitals are true and correct and incorporated herein.

SECTION 2: Description of ROADS subject to agreement

THE ROADS as depicted on the map attached hereto and made a part hereof as

Attachment "A", and more particularly described as:

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.

SECTION 3: Transfer and acceptance of roads

POLK agrees to transfer, by County Deed, the ROADS as described above, and TOWN agrees to acknowledge and accept this transfer via Resolution adopted by the Governing Body of the TOWN. Upon the delivery and recording of a COUNTY Deed and affirmative acceptance by the TOWN via Resolution adopted by the Governing Body of the TOWN both parties agree that, the ROADS thus transferred will no longer be a part of the Polk County Road System, will become part of the Town of Dundee Road System, and all jurisdiction over the ROADS and the responsibility for operation and maintenance of the ROADS and associated infrastructure will be with TOWN.

SECTION 4: Liability for torts

As provided in Sections 335.0415 and 337.29, Florida Statutes, upon transfer of the ROADS from POLK to TOWN, liability for torts shall be in the TOWN, subject to the limitations of liability set forth in Section 768.28, Florida Statutes, and any other applicable sovereign immunity defense and /or defenses available under applicable Florida law.

Nothing contained in this Agreement shall be deemed a waiver, expressed or implied, of the Town's or County's sovereign immunity or an increase in the limits of liability contained in

Section 768.28, Florida Statutes, regardless of whether any such obligations are based in tort, contract, statute, strict liability, negligence, product liability or otherwise.

SECTION 5: Costs of transfer of ROADS

COUNTY will record the Agreement and County Deed. Any and all costs associated with this transfer of ROADS shall be borne by TOWN.

SECTION 6: Amendments

No modification, amendment, or alterations of the terms or conditions contained herein shall be effective unless contained in the written document executed by the parties hereto with the same formality, and of equal dignity herewith.

SECTION 7: Severability

In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability shall not effect the remainder of the Agreement which shall remain in full force and effect and enforceable in accordance with its terms.

SECTION 8: Term

This Agreement is effective upon approval of the parties respective Governing Bodies and execution by both parties set out below.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: Polk County, through its Board of County Commissioners, signing by and through its Chairman, authorized to execute the same by Board action on the 15th day of February, 2022, and by Town of Dundee, through its Town Commissioners, signing by and through its Mayor, authorized to execute the same by TOWN Commission action on the 25 day of January, 2022.

ATTEST:

TOWN OF DUNDEE

By: Jenn Garcia
Jenn Garcia, Town Clerk

By: Sam Pennant
Sam Pennant, Mayor

This 25 day of January, 2022

Reviewed as to form and legality

Frederick J. Murphy, Jr.
Frederick J. Murphy, Jr., Town Attorney

ATTEST:

Stacy M. Butterfield, Clerk

POLK COUNTY

Board of County Commissioners

By: Atison Hellard
Deputy Clerk

Dr. Martha Santiago
Dr. Martha Santiago, Chair

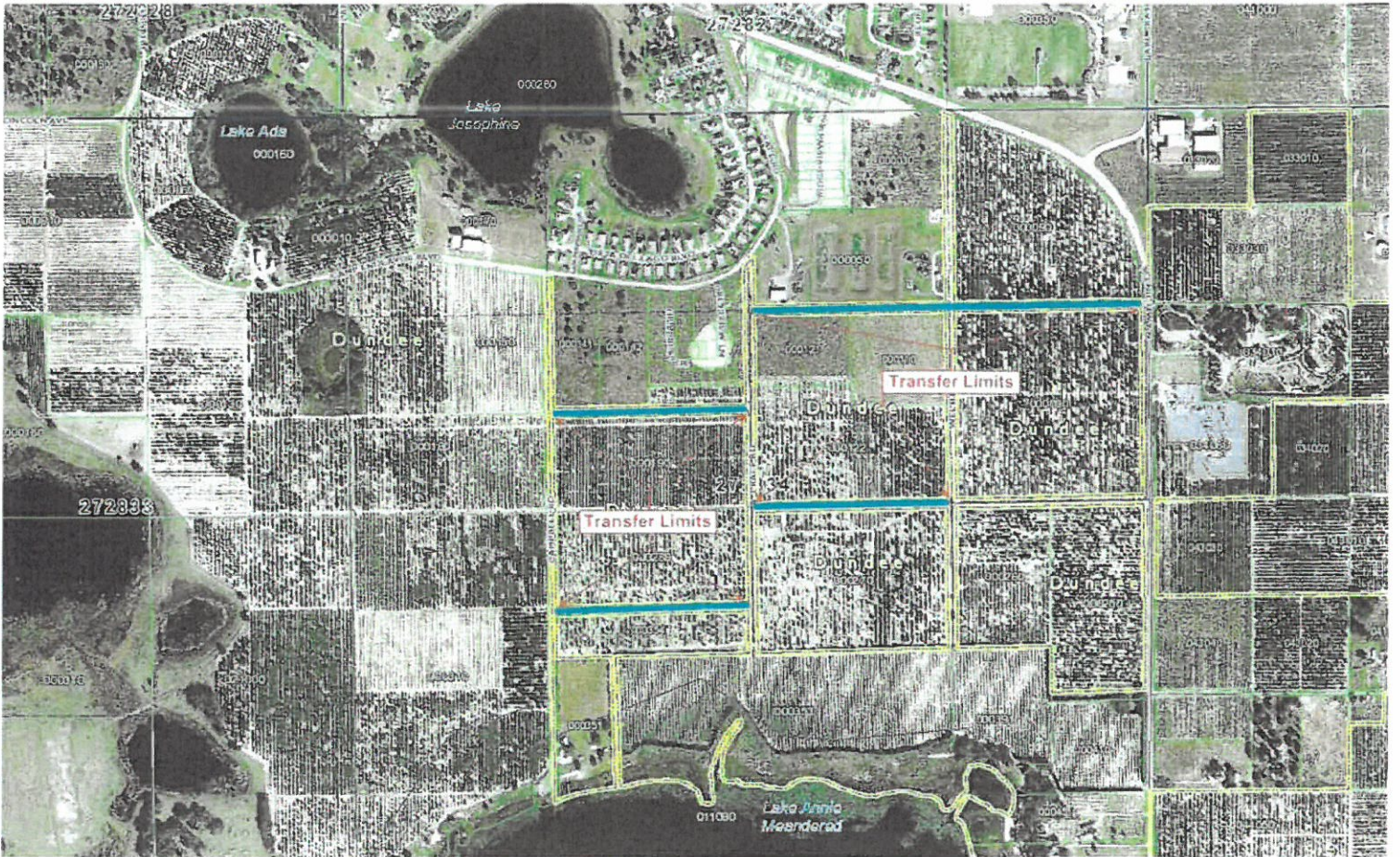
This 15th day of February, 2022

Reviewed as to form and legality

Elizabeth W. Van
County Attorney

P.54





ATTACHMENT "A"

RECORDER'S MEMO:
Legibility of Writing, Typing or Printing Unsatisfactory In This Document When Received.

RETURN TO POLK COUNTY
REAL ESTATE SERVICES OFFICE BOX

This instrument prepared under
The direction of:
R. Wade Allen, Administrator
Polk County Real Estate Services
P. O. Box 9005, Drawer RE 01
Bartow, Florida 33831-9005
By: Chris Peterson
Road Transfer: Portions of Unopened, Unmaintained Platted Rights-of-Ways

INSTR # 2022044889
BK 12123 Pg 663 PG(s)1
RECORDED 02/17/2022 03:31:21 PM
STACY M. BUTTERFIELD, CLERK OF COURT
POLK COUNTY
DEED DOC \$0.70
RECORDING FEES \$10.00
RECORDED BY shakcomp

COUNTY DEED

THIS DEED, made this 15th day of February, 2022 by **POLK COUNTY**, a political subdivision of the State of Florida, Grantor, to the **TOWN OF DUNDEE**, a Florida Municipal Corporation, whose address is, 202 East Main Street, Dundee, Florida 33838, Grantee

WITNESSETH: That the Grantor, for and in consideration of the sum of \$1.00, to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained, and sold to Grantee, its successors and assigns forever, all the right, title, interest, including interests, if any, in rights which may have been reserved by operation of Section 270.11 Florida Statutes, claim, and demand, which the Grantor has in and to the following described land lying and being in Polk County, Florida, to wit:

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.

The purpose of this County Deed is to convey the Grantor's interest in the right-of-way pursuant to Florida Statutes 335.0415 and 337.29 for the public road.

IN WITNESS WHEREOF, said grantor has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chair or Vice-Chair of said board, the day and year aforesaid.

ATTEST:

GRANTOR:

**Stacy M. Butterfield
Clerk to the Board**

Polk County, Florida

By: Alison Hellard
Deputy Clerk

By: Martha Santiago
**Dr. Martha Santiago, Chair
Board of County Commissioners**

(Seal)



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COMPOSITE EXHIBIT "B"
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"
Ordinance No. 23-11
Location Map

