



## TOWN OF DUNDEE

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**TO:** Town of Dundee Town Commission

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

**AGENDA DATE:** July 11, 2023

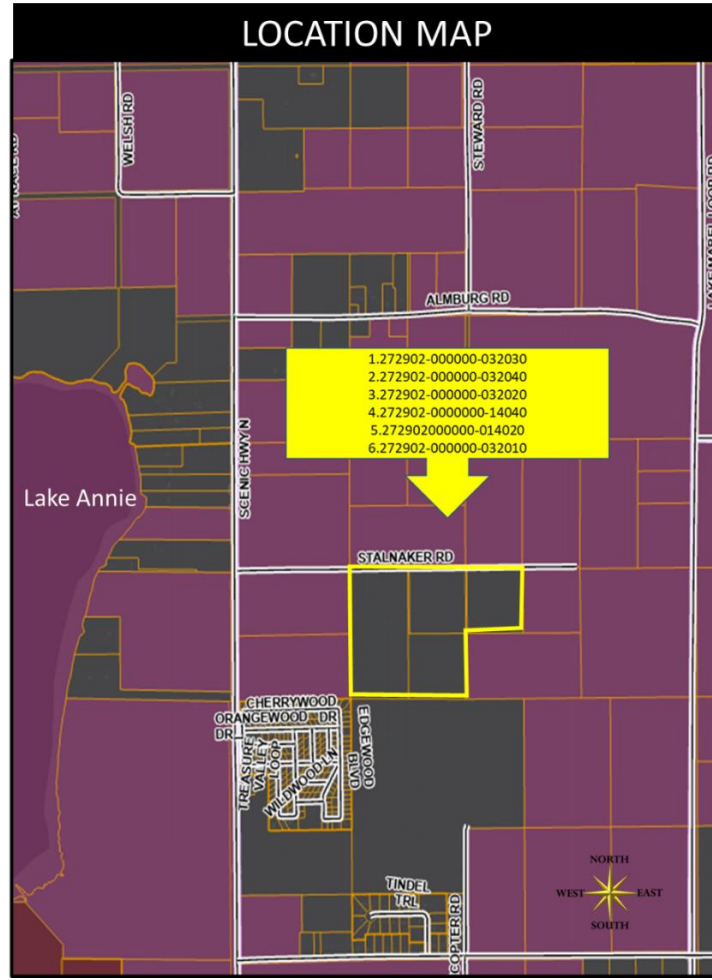
**REQUESTED ACTION:** Ordinance 23-05  
The Town Commission will hear the Public Hearing (Adoption) reading of Ordinance 23-05 Hills of Dundee Voluntary Annexation.

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### **STAFF ANALYSIS:**

The Town of Dundee has received a petition for the voluntary annexation of the Hills of Dundee Subdivision from Ag Investments of Polk County, LLC-Lee Saunders, Manager.

The general location of the proposed land to be annexed is located east of Scenic Highway North, south of Stalnaker Road, and west of Lake Mabel loop and consists of six parcels: 27-29-02-000000-032040, 27-29-02-000000-032020, 27-29-02-000000-032030, 27-29-02-000000-032010, 27-29-02-000000-014020, 27-29-02-000000-014040. The proposed area consists of approximately 50.36 +/- acres.



The proposed Ordinance 23-05 was prepared by Town Staff and Consultants. The first reading was held on June 13, 2023 and unanimously approved to move on to second reading.

### **CONCURRENCY:**

#### **Potable Water-**

- The developer will construct potable water lines.
- The Town of Dundee will be the service provider.
- Available water capacity 140,281 gpd

#### **Sanitary Sewer-**

- The developer will construct sewer lines.
- The Town of Dundee will be the service provider.
- Available sanitary sewer capacity

#### Solid Waste-

- The Town of Dundee will be the service provider.
- There is available landfill capacity for solid waste for the next 65 years at 3.47lbs pcd.

#### Parks, Recreation and Open Space-

- East Central Park is the nearest recreational area at 2.41 +/- miles southwest of the proposed annexation site. East Central Park is located at the corner of Lake Mable Loop Rd. and Lake Trask Rd. The park consists of the following:
  - Three 200 foot and one 300-foot lit baseball fields
  - Basketball court
  - Racquetball court
  - Football/Soccer fields
  - Two sand volleyball courts
  - Five horseshoe pits
  - Seven small picnic pavilions
  - Nearly mile long jogging and walking trail with 14 fitness stations
  - Four press boxes
  - Seating for 200
  - Two playgrounds with rubberized surfaces

#### Roads-

- Scenic Highway North (SR 17)
  - state road, urban collector road, current LOS is C, paved road, road is 30' wide
  - Available peak hour capacity is 392 going north (link#5206N) and 382 going south (link# 5206S)
- Stalnaker Road
  - county road, unpaved road,
- Lake Mabel Loop
  - county road, rural minor collector, current LOS C, paved road, 20" wide road
  - Available peak hour capacity is 711 going north (link#8203N) and 707 going south (link#8203S).

#### **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</b> FLU: LDR/ Low Density Residential Zoning: RSF-2 Citrus</p>	<p><b>North Town of Dundee</b> FLU: LDR Zoning: RSF-3/RSF-2 Citrus</p>	<p><b>Northeast Town of Dundee</b> FLU: LDR Zoning: RSF-2/PUD-MU Citrus</p>
<p><b>West Town of Dundee</b> FLU: LDR/Low Density Residential Zoning: Unassigned Farmland</p>	<p><b>Subject Site Polk County</b> FLU: A/RR (Agricultural Rural Residential) Farmland</p>	<p><b>East Town of Dundee</b> FLU: LDR Zoning: PUD/PUD-MU Farmland</p>
<p><b>Southwest Polk County</b> FLU: A/RR Twin Fountains MHP</p>	<p><b>South Polk County</b> FLU: INST- 1/Institutional Citrus</p>	<p><b>Southeast Polk County/Town of Dundee</b> FLU: INST-1/LDR Citrus</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 23-05

**Attachments:**

Ordinance 23-05

**EXHIBIT "A"**  
**To Ordinance 23-05**

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SPACE FOR RECORDING

**ORDINANCE NO.: 23-05**

**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: SIX PARCELS LOCATED EAST OF SCENIC HIGHWAY NORTH, SOUTH OF STALNAKER ROAD, AND WEST OF LAKE MABEL LOOP. THE AREA COVERED BY THIS REQUEST INCLUDES 50.36 +/- ACRES.)**

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 13th day of June, 2023.

PASSED on second reading this 11th day of July, 2023.

TOWN OF DUNDEE, FLORIDA

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Mayor-Samuel Pennant

ATTEST:

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TOWN CLERK – Trevor Douthat

Approved as to form:

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TOWN ATTORNEY - Frederick J. Murphy, Jr.

**EXHIBIT "A"**  
**To Ordinance 23-05**

**OFFICE COPY ONLY FEB 06 2023**



**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: The Hills of Dundee

Parcel I.D.#: 27-29-02-000000-032040; 27-29-02-000000-032020; 27-29-02-000000-032030

27-29-02-000000-032010; 27-29-02-000000-014020; & 27-29-02-000000-014040  
Site Address or General Location: SE corner of Scenic Highway and Stalnacker Road

Present Use of the Property: Abandoned citrus grove

Existing Structures Located on the Site: None

Total Acreage: 49.19 Number of Residents on Site: 0

Legal Description of the Property: See attached

**PROPERTY OWNER:**

Name: Ag Investments of Polk County, LLC - Lee Saunders, Manager

Mailing Address: 5529 US Hwy 98 N

City: Lakeland State: FL Zip: 33809

Home/Mobile Phone: 863-660-4803 Email Address: lee@landsearchfl.com

**APPLICANT/AGENT:**

Name: Ag Investments of Polk County, LLC - Lee Saunders, Manager

Mailing Address: 5529 US Hwy 98 N

City: Lakeland State: FL Zip: 33809

Home/Mobile Phone: 863-660-4803 Office: (863) 858-5686

Email Address: lee@landsearchfl.com

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), Lee Saunders, Manager, AG Investments of Polk County, LLC 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.

  
\_\_\_\_\_  
Signature of Owner

Lee Saunders, Manager  
\_\_\_\_\_  
Printed Name/Title of Owner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name of Owner

#### OWNERS

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name/Title of Owner

\_\_\_\_\_  
Signature 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 19 day of January, 2023, by, as, on its behalf, who is personally known to me or who has produced AK as identification.



PAMELA G. CHANCEY  
Commission # HH 010422  
Expires October 15, 2024  
Bonded thru Budget Notary Services

Notary Public, State of Florida

  
\_\_\_\_\_  
Printed Name Pamela G. Chancey

My commission expires: 10-15-2024

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: Lee Saunders Title: Manager

Company: AG Investments of Polk County, LLC

Company Address: 5529 US Hwy 98 N

City/State/Zip Code: Lakeland / FL/ 33881

Telephone Number: 863-660-4803

Email Address: lee@landsearchfl.com

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

1. Signed this 14<sup>th</sup> day of January, 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 19 day of January, 2023 by, as, on its behalf, who is personally known to me or who has produced PL as identification.



PAMELA G. CHANCEY  
Commission # HH 010422  
Expires October 15, 2024  
Bonded Third Budget Notary Services

Pamela G. Chancey  
Notary Public, State of Florida

Pamela G. Chancey  
Printed Name

My commission expires: 10-15-2024

Voluntary Annexation Application

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# COMPOSITE EXHIBIT "B" to Ordinance No. 23-05

## Legal Description

### SKETCH OF DESCRIPTION

SECTION 2, TOWNSHIP 29 SOUTH, RANGE 27 EAST  
POLK COUNTY, FLORIDA

THIS IS NOT A BOUNDARY SURVEY

#### LEGAL DESCRIPTION (ANNEXATION PARCEL)

A parcel of land lying within Section 2, Township 29 South, Range 27 East, Polk County, Florida and being more particularly described as follows:

COMMENCE at the Southwest corner of the Northwest 1/4 of said Section 2; thence N.89 degrees 25'09"E., on the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 2, a distance of 33.00 feet to a point on the East right of way line of Soenic Highway; thence N.00 degrees 36'30"W., on the East right of way line of said Soenic Highway, a distance of 663.53 feet to a point on the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 2 also being the South line of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 2; thence N.00 degrees 36'30"W., continuing on the East right of way line of said Soenic Highway, a distance of 648.41 feet to a point at the intersection of the East right of way line of said Soenic Highway and the South right of way line of Stalnaker Road; thence N.89 degrees 15'15"E., on the South right of way line of said Stalnaker Road, a distance of 1285.32 feet to a point on the East line Southwest 1/4 of the Northwest 1/4 of said Section 2 also being a point on the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 2 and the POINT OF BEGINNING; thence N.89 degrees 15'15"E., continuing on the South right of way line of said Stalnaker Road, a distance of 659.16 feet to a point on the East line of the Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 2 also being a point on the West line Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 2; thence N.89 degrees 15'15"E., continuing on the South right way line of said Stalnaker Road, a distance of 659.16 feet to the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 2 also being the West line of the Southwest 1/4 of the Northeast 1/4 of said Section 2; thence N.88 degrees 57'38"E., continuing on the South right of way line of said Stalnaker Road, a distance of 653.70 feet to a point on the East line of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 2; thence S.00 degrees 47'33"E., on the East line of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 2, a distance of 650.30 feet to the Southeast corner of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 2; thence S.89 degrees 06'56"W., on the South line of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 2, a distance of 656.30 feet to the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 2 also being a point on the East line of the Southeast 1/4 of the Northwest 1/4 of said Section 2; thence S.00 degrees 33'42"W., on the East line of the Southeast 1/4 of the Northwest 1/4 of said Section 2, a distance of 663.54 feet to the Southeast corner of the Northwest 1/4 of said Section 2; thence S.89 degrees 55'32"W., on the South line of the Northwest 1/4 of said Section 2, a distance of 1318.08 feet to the Southwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 2 also being the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 2 also being the Northeast corner of TWIN FOUNTAINS CLUB, INC., as recorded in Condominium Plat Book 33 Page 3 of the Public Records of Polk County, Florida; thence N.00 degrees 34'33"W., on the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 2 also being the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 2, a distance of 1308.22 feet to the POINT OF BEGINNING.


Parcel contains 49.19 acres, more or less.

#### SURVEYOR'S REPORT

1. This sketch not valid unless embossed or stamped with a surveyor's seal.
2. Underground encroachments such as utilities and foundations, that may exist, have not been located.
3. Parcel numbers, owners name, address and property use shown hereon obtained from the Polk County Property Appraisers web site.
4. This is NOT a Boundary Survey.
5. This sketch was prepared without the benefit of a current Title Commitment, Title Opinion or Ownership and Encumbrance Report. Therefore there may be easements, rights of way or other encumbrances that are not shown on this sketch that may be found in the Public Records of Polk County, Florida.
6. Legal description shown hereon prepared by the undersigned surveyor.
7. Bearings shown hereon are based on the Florida State Plane Coordinate System, West Zone, 1983-2011 adjustment, holding the West line of the Northwest 1/4 Section 2, Township 29 South, Range 27 East as being N.00 degrees 36'30"W.

#### SURVEYOR'S CERTIFICATE

I, the undersigned Professional Surveyor and Mapper, hereby certify that this Sketch of Description was prepared under my direct supervision, that to the best of my knowledge, information and belief is a true and accurate representation of the land shown and described, and that it meets the Standards of Practice for Land Surveying in the State of Florida Chapter 5J-17, Florida Administrative Code.

  
Steven C. Carpenter  
Professional Surveyor and Mapper No. 5489  
State of Florida



PREPARED BY: <b>ACCURATE SURVEYING OF FLORIDA, INC.</b> 4206 NATIONAL GUARD DRIVE PLANT CITY, FLORIDA 33563 (813) 645-2300 LICENSE BUSINESS NO. 8211	PREPARED FOR: <b>AG INVESTMENT OF POLK COUNTY LLC</b> 5529 US HIGHWAY 98 N LAKELAND, FLORIDA 33809-3103  SHEET NAME: <b>SKETCH OF DESCRIPTION</b> <b>HILLS OF DUNDEE - ANNEXATION PARCEL</b> <b>POLK COUNTY, FLORIDA</b>	DRAWN BY: BB CHECKED BY: D.J.B. REVISION DATE: 01/20/23 01/28/23	CREW CHIEF: N/A PROJECT #: ITALIAN/ANNEXATION DATE: 11/27/22 SHEET 1 OF 4
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**COMPOSITE EXHIBIT "B"**  
**to Ordinance No. 23-05**

**Location Map**

