

ORDINANCE NO. 26-14

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; REDEFINING THE BOUNDARIES OF THE TOWN OF DUNDEE TO INCLUDE SAID PROPERTY; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING BUSINESS IMPACT ESTIMATE; AND PROVIDING FOR AN EFFECTIVE DATE.

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, on or about June 1st, 2026, pursuant to Section 171.044, Florida Statutes (2024), the owner/applicant, Central Florida Outdoor Storage, Inc., an active and authorized to transact business in the State of Florida, submitted an applicant-initiated petition (the "Petition") to voluntarily integrate territory into the corporate limits of the Town of Dundee, Florida; and

WHEREAS, a copy of the Petition is attached hereto as **Composite Exhibit "A"** and made a part hereof by reference; and

WHEREAS, pursuant to Section 171.044 of the Florida Statutes, the real property which is the subject of this Ordinance is *reasonably compact* and *contiguous* to the

corporate limits of the Town of Dundee, Florida; and the subject real property will become a part of the unified corporate area with respect to municipal services and benefits; and

WHEREAS in accordance with the *Town of Dundee Townwide Traffic Analysis and Adequacy Determination Technical Report 7.1*, the owner/applicant is required to dedicate land on the northern right of way of parcel 27-28-35-000000-044040 as per **Exhibit “D” Proposed 80’ Almburg Road Corridor**, intended to provide standard roadway width and pavement from SR 17 (Scenic Highway) to Lake Mable Loop Road; and

WHEREAS, on September 1st, 2026, after considering all the facts and testimony presented by the Town, interested and/or aggrieved parties, and citizens in attendance, the Town Commission voted to approve the applicant-initiated request for voluntary annexation as set forth in this **Ordinance No. 26-14**; and

WHEREAS, on September 1st, 2026, the Town Commission, at a duly noticed public meeting, found that the approval of this **Ordinance No. 26-14** preserves, enhances, and encourages the most appropriate use of land consistent with the public interest and the *Town of Dundee 2030 Comprehensive Plan* policies, goals, and objectives; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the approval and adoption of this **Ordinance No. 26-14** is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; and this **Ordinance No. 26-14** is intended to promote, protect, and improve the public health, safety, and general welfare of the citizens and residents of the Town of Dundee, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE TOWN OF DUNDEE, FLORIDA:

Section 1. Incorporation of Recitals.

The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the adoption of this Ordinance, and the Town Commission of the Town of Dundee, Florida, hereby adopts the above-referenced factual recitals as the legislative findings supporting the adoption of this Ordinance.

Section 2. Voluntary Annexation Petition.

Pursuant to Section 171.044, Florida Statutes (2024), the *applicant-initiated* petition to voluntarily integrate territory into the corporate limits of the Town of Dundee, Florida, is attached hereto as **Composite Exhibit “A”** and incorporated herein by reference.

Section 3. Annexation.

The Town Commission of the Town of Dundee, Florida, does hereby annex into the corporate limits of the Town of Dundee, Florida, the real property as legally described and depicted (i.e., location map) in **Exhibit "B"** attached hereto and made a part hereof by reference.

Section 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* (LDC) unless such repeal is explicitly set forth herein.

Section 5. Severability.

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase of this Ordinance, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of 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 invalid, unenforceable, or unconstitutional, or unenforceable. If any word, sentence, clause, phrase, or provision of this Ordinance for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, then all remaining provisions and portions of this Ordinance shall remain in full force and effect. 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, by and through its Town Commission, 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.

Section 6. Administrative Correction of Scrivener's Errors and Codification.

It is the intention of the Town Commission 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; and regardless of whether such inclusion in the Code of Ordinances of the Town of Dundee is accomplished, 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 designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk. A certified copy of this enacting Ordinance shall be located in the Office of the Town Clerk of the Town of Dundee, Florida.

Pursuant to Section 171.044, Florida Statutes (2024), within seven (7) days after this **Ordinance No. 26-14** is passed and adopted by the Town Commission, copies of this **Ordinance No. 26-14** shall be filed with the Clerk of the Circuit Court in and for Polk County, Florida; Polk County, a political subdivision organized and existing under the laws of the State of Florida; and the Department of State. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

Section 7. Business Impact Estimate.

On October 1, 2023, Senate Bill 170 ("SB 170"), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance. Section 166.041(4)(c)1, as amended, provided that municipal ordinances enacted to implement Part II of Chapter 163, Florida Statutes, were not subject to the *business impact estimate* requirement.

On October 1, 2024, Senate Bill 1628 ("SB 1628"), as codified under *Chapter 2024-145, Laws of Florida*, becomes effective and further amends Section 166.041, Fla. Stat. (2023), by creating express exclusion(s) for *comprehensive plan* and *land development regulation amendments* initiated by an application by a private party other than the municipality.

In this instance, this Ordinance is enacted pursuant to an applicant-initiated request to amend the corporate limits of the Town of Dundee, Florida for municipal ordinances enacted to implement *development orders* and *development permits*, as defined by Section 163.3164, Florida Statutes (2024) and certain amendments to the Town of Dundee 2030 Comprehensive Plan which are *applicant-initiated*.

In this instance, **Ordinance No. 26-14** arises out of an *applicant-initiated* request for voluntary annexation of certain real property into the corporate limits of the Town of Dundee, Florida. **Ordinance No. 26-14** is an official action of the Town Commission which enables the Town to issue development approval(s) and permit(s) for the development of the subject real property; and, at the same time, **Ordinance No. 26-14** operates to amend the legal description for the Town's corporate limits.

Section 8. Effective Date.

This **Ordinance No. 26-14** shall become effective upon passage by the Town Commission of the Town of Dundee, Florida, immediately following second reading and adoption public hearing.

INTRODUCED AND PASSED, on First Reading and public hearing with a quorum present and voting, by the Town Commission of the Town of Dundee, Florida, this August 4th, 2026.

PASSED AND DULY ADOPTED, on Second Reading and public hearing with a quorum present and voting, by the Town Commission of the Town of Dundee, Florida, this September 1, 2026.

TOWN OF DUNDEE

MAYOR – Joe Garrison

Attest:

TOWN CLERK – Erica Anderson

Approved as to Form:

TOWN ATTORNEY – Markeishia Smith

**Ordinance No. 26-14
Exhibit "A"**

Applicant-Initiated 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: CFOS
Parcel I.D.#: 27-28-35-000000-044040
Site Address or General Location: 0 ALMBURG RD, LAKE WALES, FL 33838
Present Use of the Property: OUTDOOR STORAGE
Existing Structures Located on the Site: _____
Total Acreage: 4.72 Number of Residents on Site: 0
Legal Description of the Property: _____

PROPERTY OWNER:

Name: CENTRAL FLORIDA OUTDOOR STORAGE INC.
Mailing Address: PO BOX 952
City: DUNDEE State: FL Zip: 33838
Home/Mobile Phone: 863-845-0657 Email Address: centralfloridaoutdoorstorage@gmail.com

APPLICANT/AGENT:

Name: DONIELLE MIXON
Mailing Address: 5720 WATER TANK RD
City: HAINES CITY State: FL Zip: 33844
Home/Mobile Phone: _____ Office: 863-845-0657
Email Address: centralfloridaoutdoorstorage@gmail.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

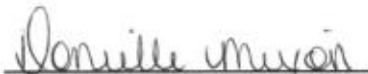
124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

(I) (We), _____ 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

DONIELLE MIXON / PRESIDENT
Printed Name/Title of Owner


Signature of Owner

Donielle Mixon
Printed Name of Owner


Signature of Owner

NELSON ZENTENO / VP
Printed Name/Title of Owner

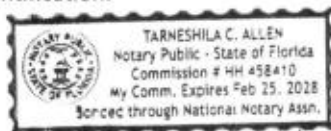

Signature of Owner

Nelson Zenteno
Printed Name of Owner

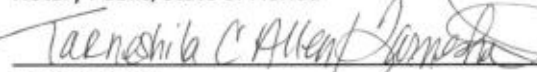
STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☒ online notarization, this 1 day of June, 2020 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: 2/25/2028



Town of Dundee

Voluntary Annexation Application

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AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Central Florida Outdoor Storage Inc 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)

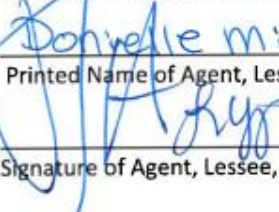
Nelson Zenteno
Printed Name of Agent, Lessee, or Buyer(s)


Signature of Agent, Lessee, or Buyer(s)

Donielle Nixon
Printed Name of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

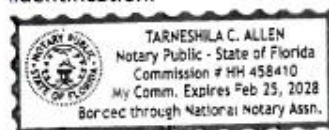
 — owners & applicant
Signature of Agent, Lessee, or Buyer(s)

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 24 day of June, 2026 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: 2/25/28

Voluntary Annexation Application

Page 3 of 4



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: NELSON ZENTENO Title: VP

Company: CENTRAL FLORIDA OUTDOOR STORAGE INC.

Company Address: 0 ALMBURG RD

City/State/Zip Code: LAKE WALES, FL 33898

Telephone Number: 863-845-0657

Email Address: centralfloridaoutdoorstorage@gmail.com

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

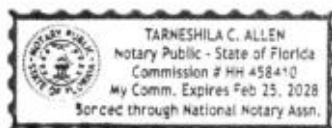
1. Signed this 1st day of June, 2026.


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 1 day of June, 2026, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.




Notary Public, State of Florida
Tarneshila C. Allen
Printed Name

My commission expires: 2/25/2028



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
CENTRAL FLORIDA OUTDOOR STORAGE INC.

Filing Information

Document Number	P21000024408
FEI/EIN Number	86-2942816
Date Filed	03/09/2021
Effective Date	03/09/2021
State	FL
Status	ACTIVE

Principal Address

0 ALMBURG RD.
LAKE WALES, FL 33898

Mailing Address

PO Box 952
Dundee, FL 33838

Changed: 02/01/2022

Registered Agent Name & Address

MIXON, DONIELLE N
5720 WATER TANK RD
HAINES CITY, FL 33844

Address Changed: 02/01/2022

Officer/Director Detail

Name & Address

Title P

MIXON, DONIELLE N
5720 WATER TANK RD
HAINES CITY, FL 33844

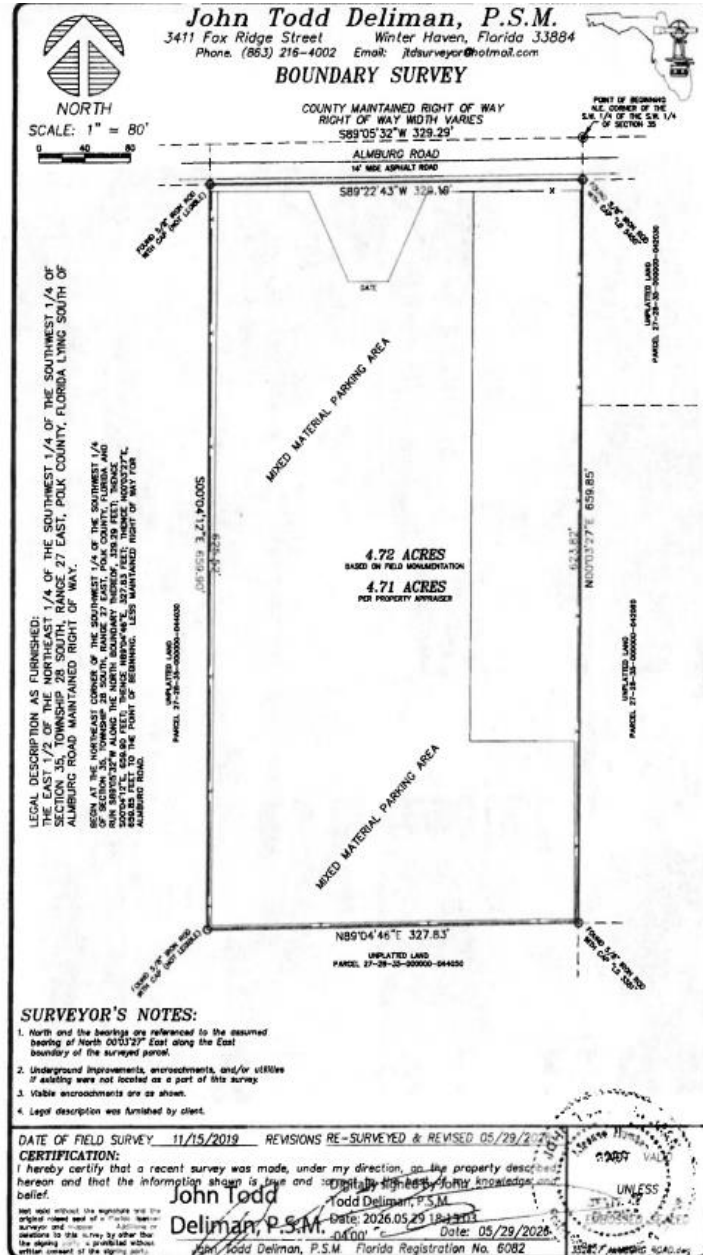
Title VP

Ordinance No. 26-14
Exhibit "B"
Location Map



Ordinance No. 26-14
Exhibit "C"
Legal Description and Survey
Parcel Number: 272835-000000-044040

The East half of the NE ¼ of the SW ¼ of the SW ¼ of Section 35, Township 28 South,
Range 27 East, Polk County, Florida less road Right of Way.



Ordinance No. 26-14
Exhibit "D"
Proposed Almburg Road Corridor

