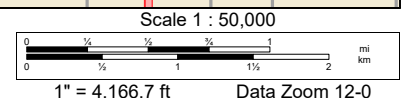
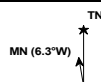


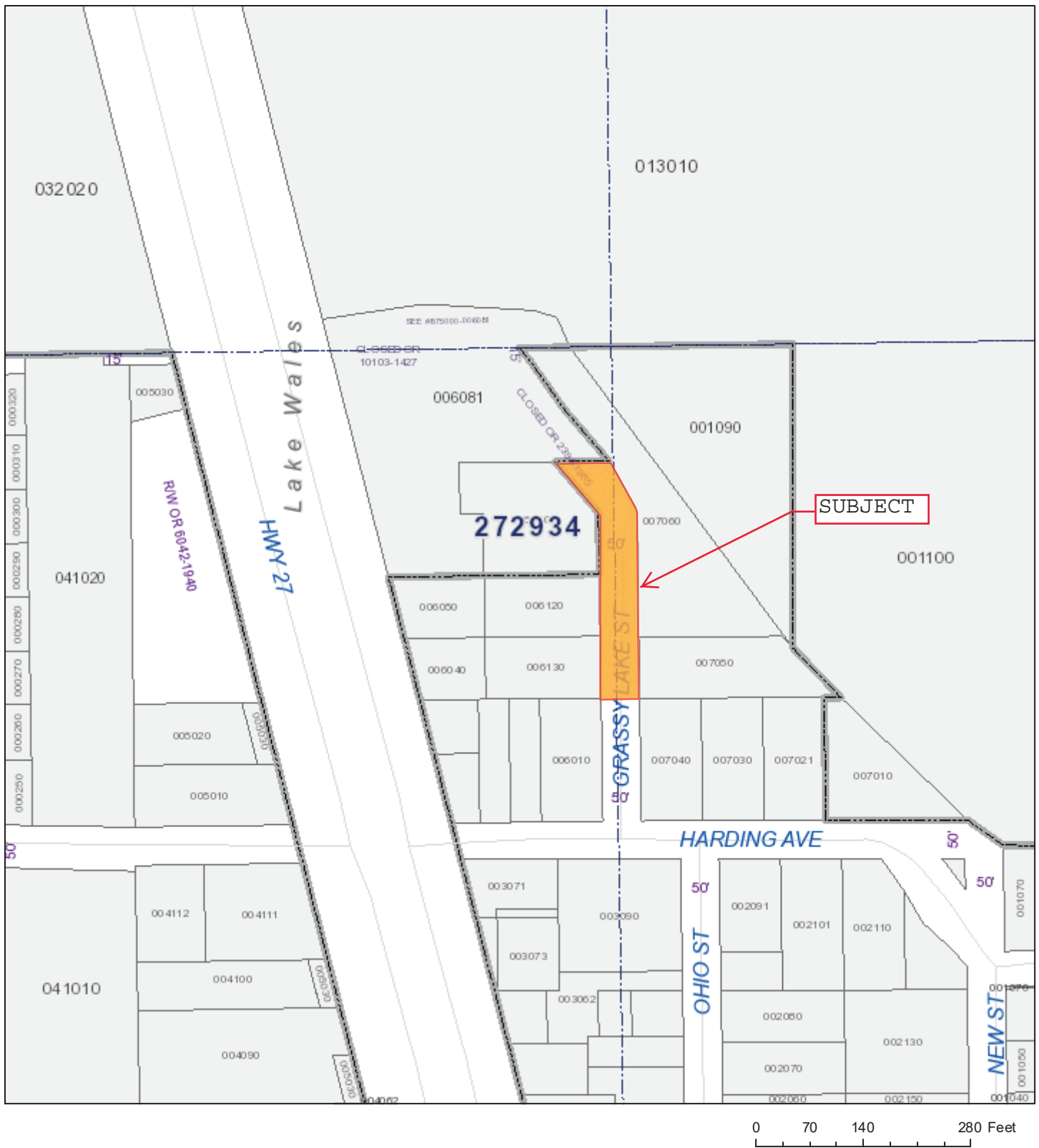
SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST

Data use subject to license.

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www.delorme.com





SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST

All maps are worksheets used for illustrative purposes only, they are not surveys. The Polk County Property Appraiser assumes no responsibility for errors in the information and does not guarantee the data is free from error or inaccuracy. The information is provided "as is".



Marsha M. Faux, CFA, ASA
Property Appraiser
Polk County, Florida



April 22, 2021



0 70 140 280 Feet

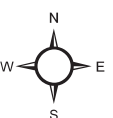
SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST

All maps are worksheets used for illustrative purposes only, they are not surveys. The Polk County Property Appraiser assumes no responsibility for errors in the information and does not guarantee the data is free from error or inaccuracy. The information is provided "as is".



Marsha M. Faux, CFA, ASA
Property Appraiser
Polk County, Florida

December 29, 2021

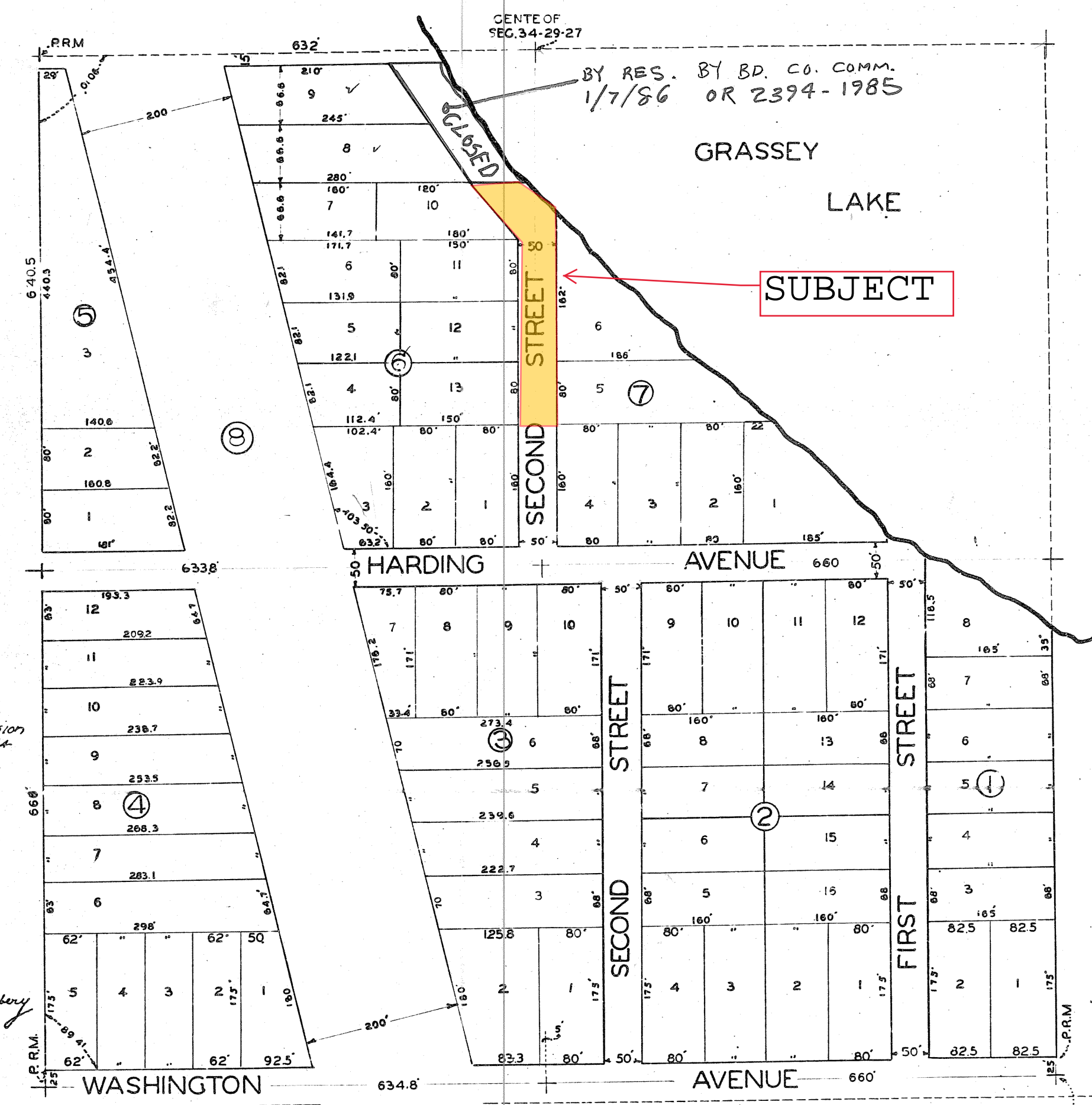


MAP OF
EVERETT SUBDIVISION
BEING A SUBDIVISION OF THE E 1/2 OF THE
NE 1/4 OF SW 1/4 AND THE W 1/2 OF NW 1/4 OF
SE 1/4 ALL IN SEC. 34 TWP. 29S. R. 27E

POLK COUNTY, FLORIDA
SCALE 1 IN 100 FT.

J.S. WHITEHURST ENGR. CERT. NO. 507

30
45



STATE OF FLORIDA
COUNTY OF POLK

We, the Lake Wales Land Company and C.C. Thullberg, Trustee for Martha Gertrude Thullberg, the owners of the land shown upon this map and described as follows, to wit: being a subdivision of the E 1/2 of the NE 1/4 of SW 1/4 and the W 1/2 of NW 1/4 of SE 1/4, Sec. 34, Twp. 29 South Range 2, East Polk County, Florida and with the authority of the Board of Directors of the Lake Wales Land Company hereby dedicate for the use of the public forever all the streets, avenues and alleys shown upon this map. Witness the name and seal of the said company and C.C. Thullberg, Trustee for Martha Gertrude Thullberg, this the 4th day of Oct. 1937.

Signed, Sealed and delivered in the presence of
W.M. Tillman
Rollie Tillman
L.S. Acuff
N.L. Davis

LAKE WALES LAND COMPANY
BY R.L. Johnson
VICE PRES. & GEN. MGR.
ATTEST R.L. Johnson
SECRETARY & TREAS.
C.C. Thullberg Trustee
for Martha Gertrude Thullberg

STATE OF FLORIDA
COUNTY OF POLK

Before me, A Notary Public, personally appeared C.R. Johnson Vice President and General Mgr. R.L. Johnson Secretary and Treas. Well known to be the officials of the Lake Wales Land Co. and they acknowledged before me the foregoing instrument in their official capacity as the act and deed of said company. Also before me appeared C.C. Thullberg, Trustee for Martha Gertrude Thullberg, whose name is signed to the foregoing map and acknowledged before me that he executed the same for the purpose therein expressed and as his free act and deed. Witness my hand and official Seal of Lake Wales Florida the 4th day of October 1937.

Rollie Tillman
My Commission Expires 8th day of Dec. 1940
Notary Public State of Florida at Large

STATE OF FLORIDA
COUNTY OF POLK

I, the Engineer who made this map do hereby certify that the same is a true representation of the land plotted and that permanent markers have been placed as called for by the laws of the State of Florida.
Witness my hand and Seal this the 4th day of October 1937.

J.S. Whitehurst
CERT. NO. 507

STATE OF FLORIDA
COUNTY OF POLK

I, D.H. Sloan Jr. Clerk of Circuit Court of Polk County, Florida do hereby certify that I have examined this plat and it complies in form with the requirements with the laws of the State of Florida regulating the making of surveys and the filing for records of maps and plats and I have this day recorded same for record.
Witness my hand and Seal of Polk County, Florida this the 14th day of Oct. 1937.

D.H. Sloan Jr.
CLERK OF CIRCUIT COURT



COUNTY OF POLK, FLORIDA
Application and Petition for Vacation and Abandonment
of Streets, Alleys, and Rights-of-Way

Return to:
Real Estate Services
P.O. Box 9005, Drawer RE-01
Bartow, FL 33831
or
515 E. Boulevard St.,
Bartow, FL 33830
(863) 534-2580

FOR OFFICE USE ONLY

Case/File No.
C/C Meeting:

2021-04-005

Date Received:
Complete:

4/20/21

Please type or print clearly.

A. Property Owner(s): (Attach additional sheets if required)

Name		MCK Properties of Lake Wales, LLC (Manager Casey McKibben)		Email
Address 20769 US 27				
City	Lake Wales	State	FL	Zip 33853
Phone		Fax		Cellular

Name		C & C Legacy Holdings, LLC (Manager Charles McKibben)		Email
Address 2724 S. Oceanshore Blvd.				
City	Flagler Beach	State	FL	Zip 32136
Phone		Fax		Cellular

B. Is there a pending "Contract for Sale"? ☐ Yes ☒ No
If yes, please list all parties involved in the sales contract:

C. Applicant or Authorized Agent: (If different from above)

Name		Keith H. Wadsworth, Esquire, Peterson & Myers, P.A.		Email
kwadsworth@petersonmyers.com				
Address P.O. Box 7608				
City	Winter Haven	State	FL	Zip 33883
Phone	(863) 294-3360	Fax	(863) 293-4104	Cellular

General Information

D. General Location of Property to be Vacated:

Property Location or Address
A portion of Grassy Lake Street near the intersection of Harding Avenue in Lake Wales, Florida; generally located at 20769 US 27, Lake Wales, Florida
Parcel Number(s):
West of 27-29-34-875000-007060 and 27-29-34-875000-007050, and East of 27-29-34-875000-006100, 27-29-34-875000-006120, and 27-29-34-875000-006130

Legal Description ⁽¹⁾ (Attach additional sheets as necessary)
<p>That part of Grassy Lake Street (plat name Second Street), lying West of Lots 5 and Lot 6 and East of Lots 10, 11, 12, and 13 of Block 7 of Everett Subdivision, as recorded in Plat Book 30, Page 45, Public Records of Polk County, Florida, and lying South of Grassy Lake Street previously vacated by the Resolution Closing road recorded in Official Records Book 2394, Page 1985, Public Records of Polk County, Florida, all being in Section 34, Township 29 South, Range 27 East</p>
<p>The subject property is located within a <input checked="" type="checkbox"/> platted or <input type="checkbox"/> unrecorded subdivision. How was this right-of-way reserved? <input checked="" type="checkbox"/> Plat <input type="checkbox"/> Deed <input type="checkbox"/> Other (describe): _____</p>

(1) An **exact legal description** of the property to be vacated must be submitted. The County suggests the Applicant contact a Registered Land Surveyor to determine the exact legal description. The County reserves the right to require a survey of the subject property and/or a title opinion, if necessary. The Owner/Applicant is responsible for all costs associated therewith.

E. Are any other applications pending? ☐ Yes ☒ No (Check all that apply.)
☐ Variance ☐ Conditional Use ☐ Special Exception ☐ Other (describe): _____

F. Reason for this Request – Check all that apply: (Attach additional sheets as necessary)

<input type="checkbox"/> Code Violation. (Attach copy of letter citing violation.) <input type="checkbox"/> Need to clear an existing encroachment. (Describe encroachment below.) <input type="checkbox"/> Request to vacate to allow for construction of: <input type="checkbox"/> Pool <input type="checkbox"/> Screened Pool/Deck <input checked="" type="checkbox"/> Building Addition (Describe Below) <input checked="" type="checkbox"/> Other (Describe below)
Additional Comments:
<p>Our family business, McKibben Power Sports of Lake Wales, is located off Highway 27, to the north and the west of the portion of Grassy Lake Street we are requesting be vacated. Grassy Lake Street dead-ends into the back of our business at the present time. We have plans to expand the business, and from both a safety and a security perspective, we believe it would be best for the requested portion of Grassy Lake Street to be vacated.</p>

PETITION TO VACATE RIGHT-OF-WAY

TO: THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA

The undersigned Petitioner respectfully petitions the Board of County Commissioners of Polk County, Florida, and requests that the right-of-way described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

(NOTE: The term "Petitioner" shall refer to all Petitioners, whether singular or plural.)

be vacated, abandoned, discontinued, and closed, and that any rights of the County and the Public in and to the said right-of-way and any lands in connection therewith, be renounced and disclaimed by the Board of County Commissioners of Polk County, Florida. In support of this Petition, Petitioner respectfully affirms:

1. Petitioner is the owner and/or legal representative of the owner of all of the land abutting the above described right-of-way, which is the subject of this Petition; that said ownership has been fully divulged; and that the names of all parties to an existing contract for sale or any options are filed with this application.
2. Petitioner acknowledges and agrees that this vacation of right-of-way may require Petitioner to grant an easement for public utility purposes to Polk County or other legal entities over, under and across all or part of the property to be vacated and further agrees that if said easement is required, Petitioner shall convey said easement in compliance with this request prior to the actual Public Hearing. Further, Petitioner understands that if said easement is not granted, the Public Hearing may be continued or the Petition may be denied, at the discretion of the Board of County Commissioners.
3. The subject right-of-way is ☐ unopened right-of-way ☐ unmaintained right-of-way ☒ opened, maintained right-of-way (check all that apply). The closing of the right-of-way will not deprive the Petitioner the right of access to his/her/their property, nor will it deprive any other person(s) of access to his/her/their property.
4. The subject right-of-way is not a part of a state or federal highway and is not located within the corporate limits of any municipality.
5. Petitioner acknowledges that the act of vacating the subject right-of-way does not necessarily grant ownership rights in the property vacated to the abutting property owners and that decisions regarding the distribution of vacated property shall not be made by the Board of County Commissioners or any of its Departments, Divisions or employees. Upon vacation of the subject right-of-way, the Polk County Property Appraiser's Office will distribute the subject right-of-way in accordance with historical records and applicable Florida Statutes but further legal action may be required to fully clear title to the property. By granting the Petition to vacate right-of-way, the Board of County Commissioners is in no way certifying, declaring or guaranteeing legal title to the vacated right-of-way to the Petitioner or any other persons.

WHEREFORE, the undersigned Petitioner requests the Board of County Commissioners of Polk County, Florida, adopt a Resolution setting a time and place for a public hearing, and, after due notice thereof, adopt a Resolution vacating, abandoning, discontinuing and closing the right-of-way described, renouncing and disclaiming any rights of the County and the Public in and to the subject right-of-way and to any lands in connection therewith, in accordance with the provisions of Section 336.09 and Section 336.10 of the Florida Statutes.

DATED THIS 22 day of March, 20 21.

MCK Properties of Lake Wales, LLC
by its Manager, Casey McKibben

Petitioner Name

20769 US 27

Address

Lake Wales, FL 33853

City/State/Zip

Phone

Casey McKibben
Petitioner's Signature

Petitioner Name

Address

Petitioner's Signature

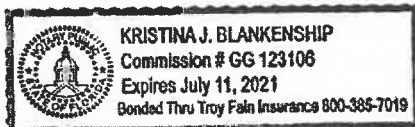
City/State/Zip

Phone

STATE OF FLORIDA

COUNTY OF Polk

The foregoing instrument was acknowledged before me this 22nd day of March, 2020, by means of physical presence by Casey McKibben, who ☒ is personally known to me, or who presented as identification, and who did take an oath.



Kristina J Blankenship
Notary Public
My Commission Expires: July 11, 2021
Commission No.: GG123106

WHEREFORE, the undersigned Petitioner requests the Board of County Commissioners of Polk County, Florida, adopt a Resolution setting a time and place for a public hearing, and, after due notice thereof, adopt a Resolution vacating, abandoning, discontinuing and closing the right-of-way described, renouncing and disclaiming any rights of the County and the Public in and to the subject right-of-way and to any lands in connection therewith, in accordance with the provisions of Section 336.09 and Section 336.10 of the Florida Statutes.

DATED THIS 22 day of March, 20 21.

C & C Legacy Holdings, LLC
by its Manager, Charles McKibben

Petitioner Name

2724 S. Oceanshore Blvd.

Address

Flagler Beach, FL 32136

City/State/Zip

Phone _____

Charles McKibben
Petitioner's Signature

Petitioner Name

Address

Petitioner's Signature

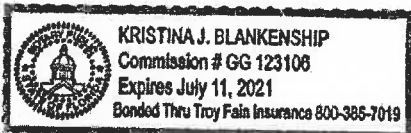
City/State/Zip

Phone _____

STATE OF FLORIDA

COUNTY OF Polk

The foregoing instrument was acknowledged before me this 22nd day of March, 2020, by means of physical presence by Charles McKibben, who ☒ is personally known to me, or _____ who presented _____ as identification, and who did take an oath.



Kristina Blankenship
Notary Public
My Commission Expires: July 11, 2021
Commission No.: GG 123108

Exhibit "A"

Revised Legal Description for road vacation:

That part of Grassy Lake Street (plat name Second Street), lying West of Lots 5 and 6 of Block 7, and East of Lots 11, 12, and 13 of Block 6, AND also the entire width of Grassy Lake Street (plat name Second Street) lying East of Lot 10 of Block 6, all of Everett Subdivision, as recorded in Plat Book 30, Page 45, Public Records of Polk County, Florida, all being in Section 34, Township 29 South, Range 27 East.

SEE 4875000-006081

42.04'

41.98'

311.52'

53.94'

CLOSED OR 10103.1-427

180"

9

215"

006081

8

248'

128"

7

110"

140"

82.1"

006050

120"

103"

006040

82.1"

006031

73"

006032

90"

35"

006021

006022

160'

70'

006010

80'

40'

40'

80'

160'

2

006010

80'

80'

5

120'

10

180'

006100

150'

11

150'

12

150'

13

150'

006120

006130

86'

86'

150'

006010

80'

40'

40'

80'

160'

006021

006022

160'

70'

006031

90'

35"

006032

80'

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180'

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