



Polk County

Legislation Details (With Text)

File #: 22-738
Type: Public Hearings **Status:** Passed
File created: 9/8/2022 **In control:** Board of County Commissioners
On agenda: 9/20/2022 **Final action:** 9/20/2022
Title: Public Hearing to consider adoption of a Resolution to vacate a portion of Grassy Lake Street along with platted and unmaintained right-of-way all shown as Second Street on the map of Everett Subdivision.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Vacate Platted RW - Map of Everett Subdivision (Grassy Lake) - Backup, 2. Vacate Platted RW - Map of Everett Subdivision (Grassy Lake) - Resolution

Date	Ver.	Action By	Action	Result
9/20/2022	1	Board of County Commissioners	approved	Pass

SUBJECT

Public Hearing to consider adoption of a Resolution to vacate a portion of Grassy Lake Street along with platted and unmaintained right-of-way all shown as Second Street on the map of Everett Subdivision.

DESCRIPTION

The County has received a petition from Keith H. Wadsworth of Peterson & Myers, P.A. representing MCK Properties of Lake Wales, LLC, and C & C Legacy Holdings, LLC, petitioning to vacate a portion of platted right-of-way for Grassy Lake Street, a county maintained road, along with platted and unmaintained right-of-way, all shown as Second Street on the map of Everett Subdivision, recorded in Plat Book 30, Page 45, Public Records of Polk County, Florida, located in Lake Wales, in Section 34, Township 29 South, Range 27 East.

The map of Everett Subdivision, filed in 1937, dedicated to the public various rights-of-way throughout the plat. A portion of the platted right-of-way shown as Second Street on said plat contains a county-maintained roadway currently known as Grassy Lake Street; however, the county's maintenance does not extend to the northern terminus of the right-of-way. The petitioners have requested the vacation of that right-of-way lying east of Lots 10 through 13, Block 6 and west of Lots 5 and 6, Block 7 of said plat, which includes all of the unmaintained platted right-of-way and a portion of the county-maintained platted right-of-way known as Grassy Lake Street, all shown as Second Street on the plat. The petitioners own all of the properties on either side of the subject vacation area and are requesting the vacation as it bisects their properties. Vacating the right-of-way will remove the public's interest in the subject area and allow the owners to assemble and more fully utilize their properties.

Florida Public Utilities, Florida Gas Transmission, Century Link, and Frontier Communications have no objections to the proposed vacation. Duke Energy Florida, Comcast, and the City of Lake Wales requested easements over the subject vacation area to cover their existing utility facilities and the petitioners have agreed the request and have granted the requested easements.

The Roads and Drainage Division, and the Planning and Development Division have no objections to the proposed vacation request.

RECOMMENDATION

Request Board adopt a resolution to vacate a portion of platted right-of-way for Grassy Lake Street, a county maintained road, along with platted and unmaintained right-of-way, all shown as Second Street on the map of Everett Subdivision, as

more fully described in the legal description attached to the Petition and Resolution attached hereto.

FISCAL IMPACT

There is no fiscal impact associated with this agenda item.

CONTACT INFORMATION

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