

**RESOLUTION NO. 2024-\_\_\_\_\_**

**VACATING AND CLOSING A PORTION OF PLATTED, UNMAINTAINED, RIGHT-OF-WAY SHOWN AS 43<sup>RD</sup> STREET ON THE REPLAT OF DAVENPORT TERMINALS, DAVENPORT, POLK COUNTY, FLORIDA.**

WHEREAS, by Board's own motion, that the Board of County Commissioners of Polk County, Florida, vacate, abandon, discontinue and close a portion of platted, unmaintained right-of-way within the Replat of Davenport Terminals, described as:

**A PORTION OF PLATTED RIGHT-OF-WAY SHOWN AS 43<sup>RD</sup> STREET ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29 PAGE 4 OF THE PUBLIC RECORDS OF POLK COUNTY, BEING IN SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**A PORTION OF 43<sup>RD</sup> STREET LYING SOUTH AND EAST OF US HIGHWAY 17/92 RIGHT-OF-WAY, AND BEING SOUTH OF TRACT C-2 OF THE PLAT OF BELLA VISTA PHASE 1A AND 1B-1, RECORDED IN PLAT BOOK 183, PAGES 8 THROUGH 16, AND BEING NORTH OF HIBISCUS AVENUE SHOWN ON THE REPLAT OF DAVENPORT TERMINALS, BEING PREVIOUSLY VACATED BY RESOLUTION AND RECORDED IN OFFICIAL RECORDS BOOK 2229, PAGES 0960 THROUGH 0962, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.**

and renounce and disclaim any right of the County and the public in and to said right-of-way and the land in connection therewith, was duly presented to said Board at its regular meeting held on the 16th day of April 2024; and

WHEREAS, notice of intention to apply to the Board of County Commissioners to close said right-of-way was duly published in The Ledger, Lakeland, Florida, a newspaper of general circulation in Polk County, Florida; and

WHEREAS, a hearing has been held this 16th day of April 2024, as provided in the above referred to notice, and after due weight, consideration and determination, it has been determined that the statutory requirements have been complied with and that the closing and abandoning of the right-of-way described above will not adversely affect the ownership of any person, it being conclusively shown and demonstrated that said right-of-way is no longer needed as right-of-way; and

WHEREAS, this action is found to be in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, that certain right-of-way described above be and is hereby vacated, abandoned, discontinued, and closed and all rights of the County and the public in and to said right-of-way and the land in connection therewith be and is hereby renounced.

ADOPTED this 16th day of April 2024.