

RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 100

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 100, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 100 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 100, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 100 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

This Resolution shall be effective upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 100

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 100
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232810-000000-043013

Road Number: 832101 & 830910
Project Number: 8309E24-1

DESCRIPTION

A parcel of land lying in the West 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 10, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

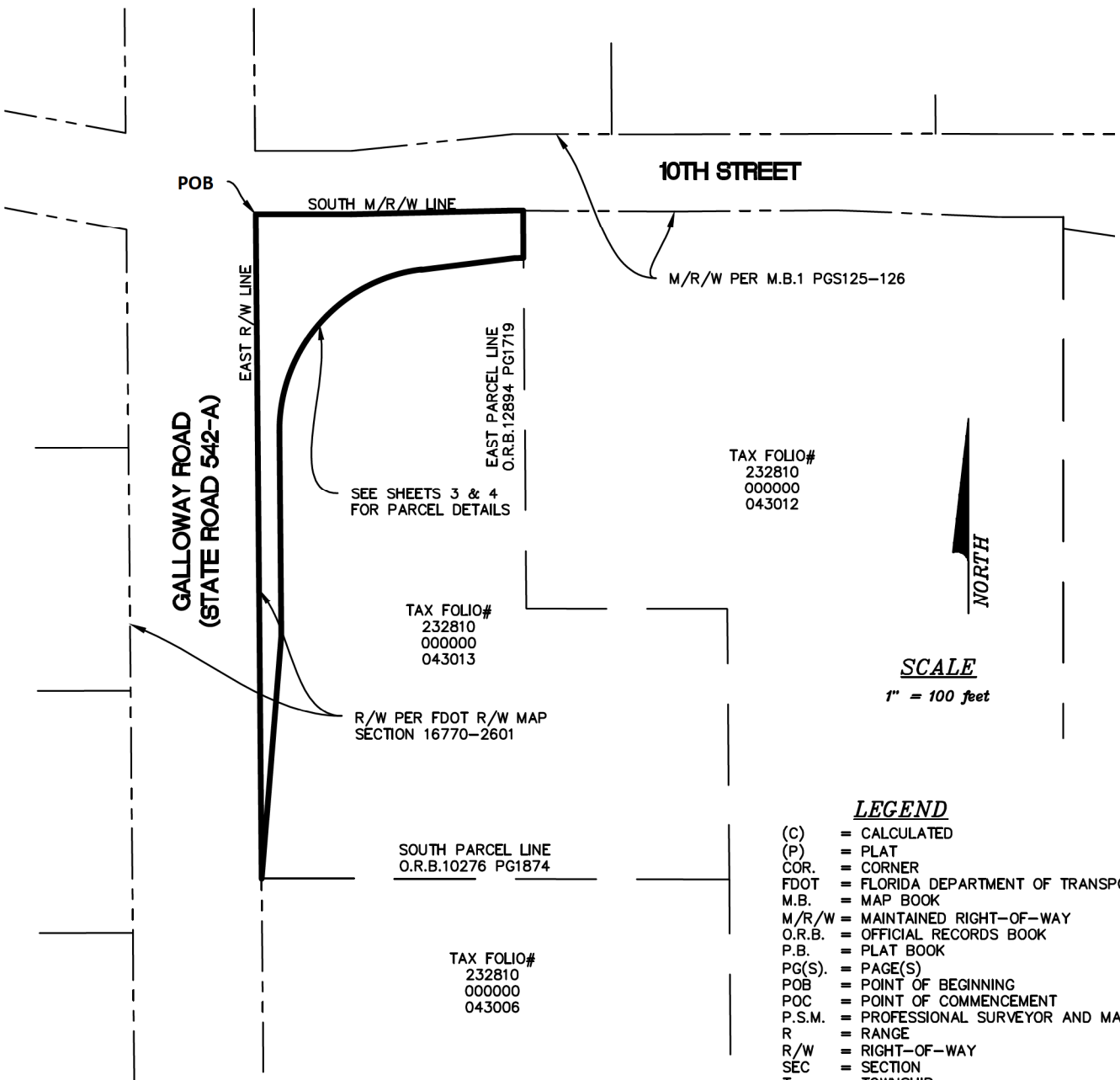
Commence at the intersection of the East right-of-way line of Galloway Road (State Road 542-A) as shown on Florida Department of Transportation Right-of-Way Map Section 16770-2601 and the South maintained right-of-way line of 10th Street as shown on Polk County Maintained Right-of-Way Map recorded in Map Book 1, Pages 125-126, Public Records of Polk County, Florida for the **Point of Beginning**; thence along said South maintained right-of-way line the following three (3) courses: (1) thence South 89°55'15" East, 59.12 feet; (2) thence North 88°38'50" East, 100.03 feet; (3) thence South 89°38'02" East, 6.42 feet to the East line of a parcel as described in Official Records Book 12894, Page 1719, of said Public Records; thence South 00°27'37" East, along said East parcel line, 29.81 feet; thence South 88°27'17" West, 5.91 feet; thence South 82°58'56" West, 57.81 feet to the point of curvature of a curve to the left having a radius of 100.00 feet, a central angle of 83°30'00", a chord bearing of South 41°13'56" West, and a chord distance of 133.18 feet; thence along the arc of said curve a distance of 145.73 feet to the Point of Tangency; thence South 00°31'04" East, 126.18 feet; thence South 04°37'02" West, 150.84 feet to the Southwest corner of a parcel as described in Official Records Book 10276, Page 1874, of said Public Records, being a point on the said East right-of-way line; thence North 00°31'04" West, along said East right-of-way line, 411.48 feet to said **Point of Beginning**.

Containing 11,829 square feet, more or less.

SHEET 1 OF 4

FOR SKETCH SEE SHEETS 2 THRU 4

REVISION	DATE	BY



- LEGEND**
- (C) = CALCULATED
 - (P) = PLAT
 - COR. = CORNER
 - FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
 - M.B. = MAP BOOK
 - M/R/W = MAINTAINED RIGHT-OF-WAY
 - O.R.B. = OFFICIAL RECORDS BOOK
 - P.B. = PLAT BOOK
 - PG(S). = PAGE(S)
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT
 - P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
 - R = RANGE
 - R/W = RIGHT-OF-WAY
 - SEC = SECTION
 - T = TOWNSHIP

**THIS IS NOT
A SURVEY**

SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 4 FOR DESCRIPTION.

DATE
01/10/24



Digitally signed
by Bryan
Zelenenki
Date: 2024.01.31
07:43:26 -05'00'

BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

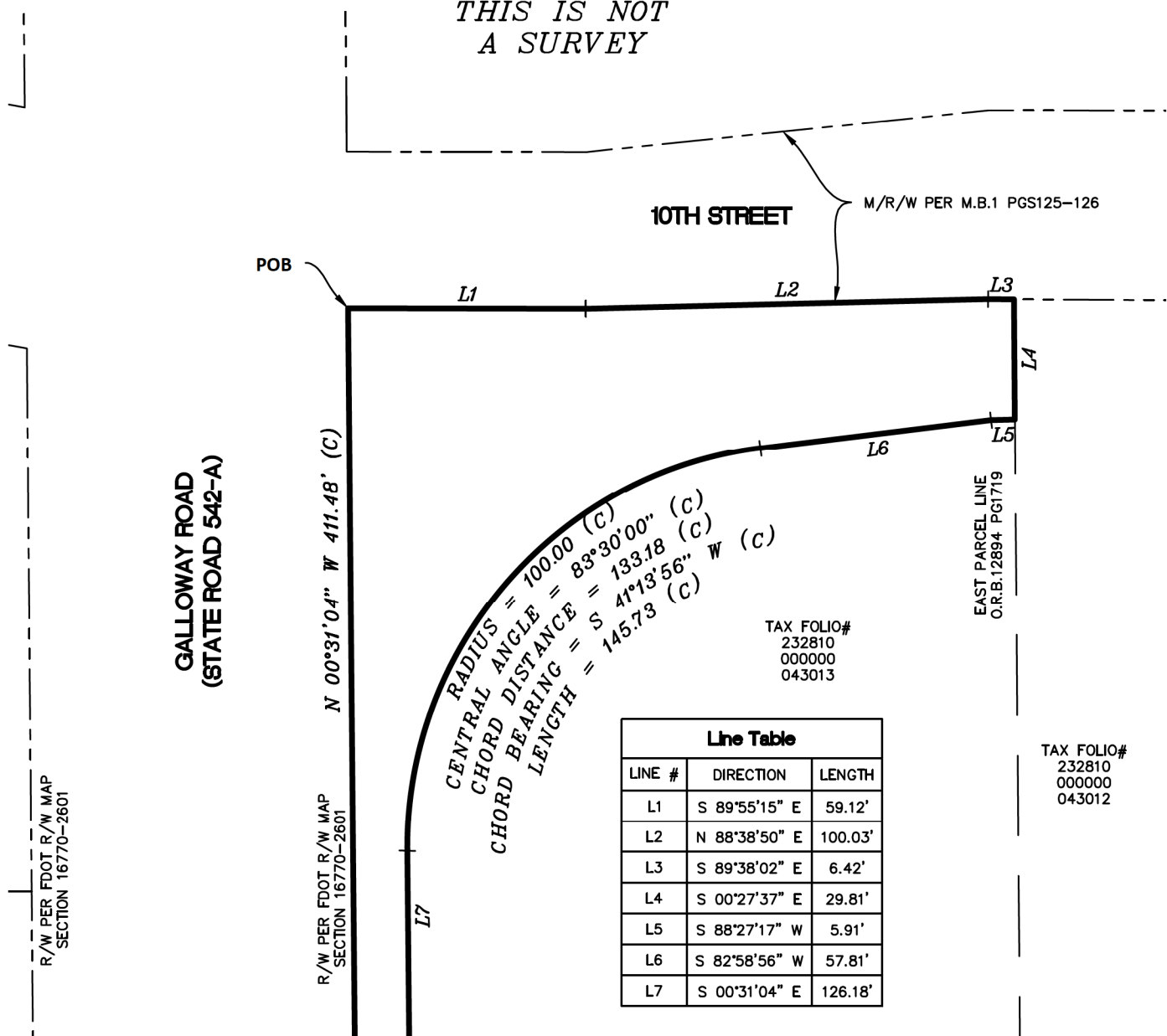
PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 2 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
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Parcel Number: 100	PREPARED FOR: REAL ESTATE SERVICES	File Name: 8309E24-1
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THIS IS NOT
A SURVEY



10TH STREET

M/R/W PER M.B.1 PGS125-126

GALLOWAY ROAD
(STATE ROAD 542-A)

N 00°31'04" W 411.48' (C)

R/W PER FDOT R/W MAP
SECTION 16770-2601

EAST PARCEL LINE
O.R.B.12894 PG1719

TAX FOLIO#
232810
000000
043013

TAX FOLIO#
232810
000000
043012

Line Table		
LINE #	DIRECTION	LENGTH
L1	S 89°55'15" E	59.12'
L2	N 88°38'50" E	100.03'
L3	S 89°38'02" E	6.42'
L4	S 00°27'37" E	29.81'
L5	S 88°27'17" W	5.91'
L6	S 82°58'56" W	57.81'
L7	S 00°31'04" E	126.18'

MATCHLINE (SEE SHEET 4)

LEGEND

- (C) = CALCULATED
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SCALE
1" = 40 feet

SURVEYOR'S NOTES.

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SEE SHEET 1 OF 4 FOR DESCRIPTION.

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LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200

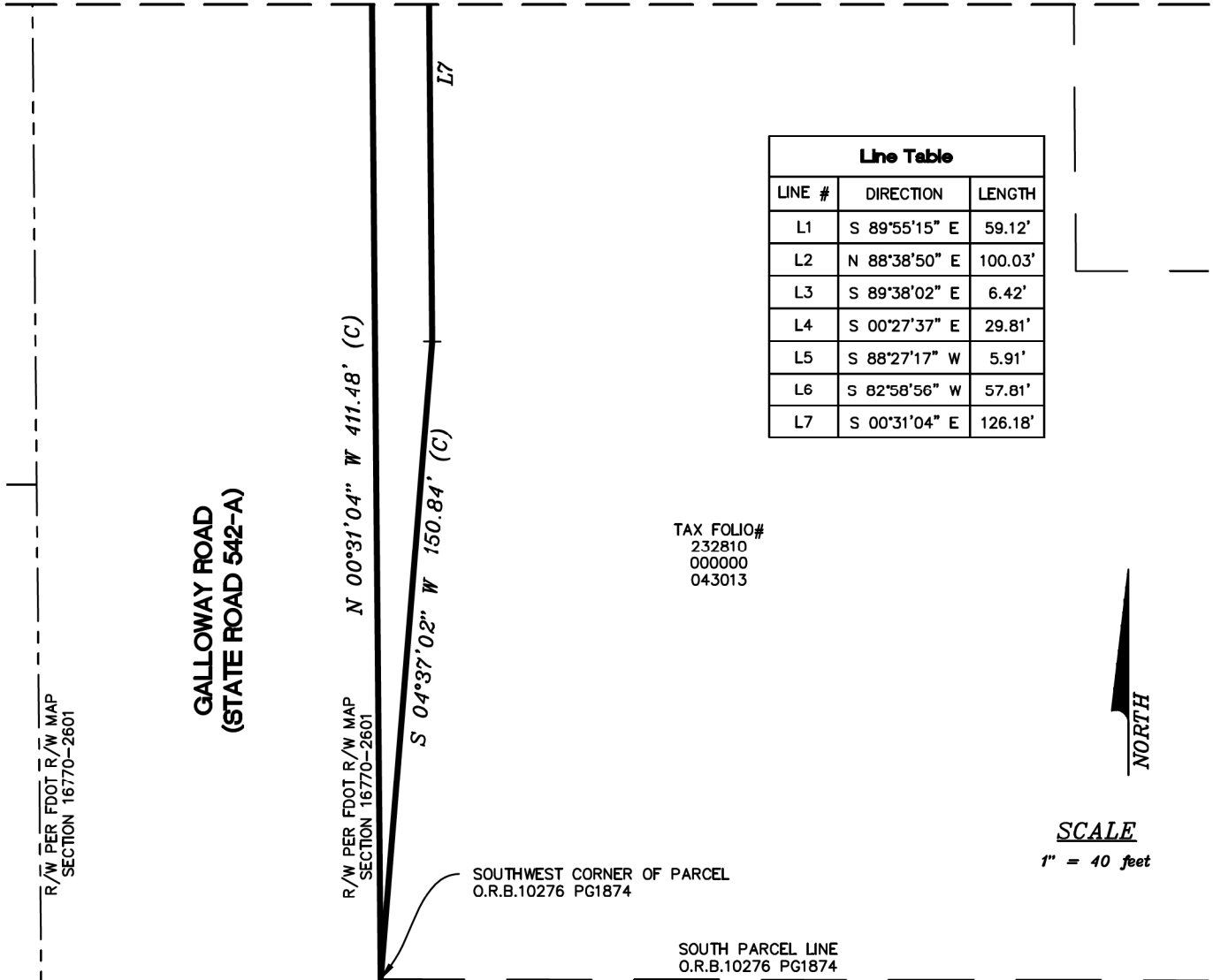
FAX: (863) 519-8117

Sheet No: 3 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 100	PREPARED FOR: REAL ESTATE SERVICES		File Name: 8309E24-1



POLK
COUNTY

MATCHLINE (SEE SHEET 3)



Line Table		
LINE #	DIRECTION	LENGTH
L1	S 89°55'15" E	59.12'
L2	N 88°38'50" E	100.03'
L3	S 89°38'02" E	6.42'
L4	S 00°27'37" E	29.81'
L5	S 88°27'17" W	5.91'
L6	S 82°58'56" W	57.81'
L7	S 00°31'04" E	126.18'

THIS IS NOT
A SURVEY

SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 4 FOR DESCRIPTION.

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DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 4 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 100	PREPARED FOR: REAL ESTATE SERVICES		File Name: 8309E24-1



POLK
COUNTY

RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 101

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 101, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 101 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 101, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 101 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

This Resolution shall be effective upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 101

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 101
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232810-000000-043012

Road Number: 830910
Project Number: 8309E24-1

DESCRIPTION

A parcel of land lying in the West 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 10, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

Commence at the intersection of the East right-of-way line of Galloway Road (State Road 542-A) as shown on Florida Department of Transportation Right-of-Way Map Section 16770-2601 and the South maintained right-of-way line of 10th Street as shown on Polk County Maintained Right-of-Way Map recorded in Map Book 1, Pages 125-126, Public Records of Polk County, Florida; thence along said South maintained right-of-way line the following seven (7) courses: (1) thence South 89°55'15" East, 59.12 feet; (2) thence North 88°38'50" East, 100.03 feet; (3) thence South 89°38'02" East, 6.42 feet to the East line of a parcel as described in Official Records Book 12894, Page 1719, of said Public Records, and the **Point of Beginning**; (4) thence South 89°38'04" East, 93.58 feet; (5) thence North 89°30'23" East, 100.00 feet; (6) thence South 87°37'49" East, 100.08 feet; (7) thence South 89°54'30" East, 40.89 feet to a point on the South right-of-way line of said 10th Street as described in Official Records Book 4950, Page 1782, of said Public Records, said point also being on the East line of said West 1/4 of the NW 1/4 of the SW 1/4; thence South 00°03'36" West, along said South right-of-way line and said East line of West 1/4, a distance of 7.73 feet; thence South 75°46'02" West, 41.51 feet; thence South 88°27'17" West, 294.09 feet to said East parcel line; thence North 00°27'37" West, along said East parcel line, 29.81 feet to said **Point of Beginning**.

Containing 7,890 square feet, more or less.

REVISION	DATE	BY

THIS IS NOT
A SURVEY

10TH STREET

POC

POB

SOUTH M/R/W LINE

R/W PER
O.R.B. 4950 PG1782

EAST R/W LINE

EAST PARCEL LINE
O.R.B. 12894 PG1719

SEE SHEETS 3 & 4
FOR PARCEL DETAILS

GALLOWAY ROAD
(STATE ROAD 542-A)

TAX FOLIO#
232810
000000
043012

TAX FOLIO#
232810
000000
043002

TAX FOLIO#
232810
000000
043013

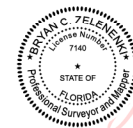
R/W PER FDOT R/W MAP
SECTION 16770-2601

NORTH

SCALE
1" = 100 feet

LEGEND

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- SEC = SECTION
- T = TOWNSHIP



Digitally signed by
Bryan Zelenenki
Date: 2024.01.31
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SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA
STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE,
NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 4 FOR DESCRIPTION.

DATE
01/10/24

BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

THIS SKETCH IS
NOT VALID
WITHOUT THE
SIGNATURE AND
THE ORIGINAL
SEAL OF A
LICENSED
SURVEYOR AND
MAPPER.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200

FAX: (863) 519-8117

Sheet No. 2 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
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Parcel Number: 101	PREPARED FOR: REAL ESTATE SERVICES
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File Name: 8309E24-1



POLK
COUNTY

THIS IS NOT
A SURVEY

M/R/W PER MB1 PG125-126

10TH STREET

POB

POC

L1

L2

L3

L7

GALLOWAY ROAD
(STATE ROAD 542-A)

EAST PARCEL LINE
O.R.B.12894 PG1719

MATCHLINE (SEE SHEET 4)

TAX FOLIO#
232810
000000
043013

TAX FOLIO#
232810
000000
043012

Line Table

LINE #	DIRECTION	LENGTH
L1	S 89°55'15" E	59.12'
L2	N 88°38'50" E	100.03'
L3	S 89°38'02" E	6.42'
L4	S 89°54'30" E	40.89'
L5	S 00°03'36" W	7.73'
L6	S 75°46'02" W	41.51'
L7	N 00°27'37" W	29.81'

R/W PER FDOT R/W MAP
SECTION 16770-2601

R/W PER FDOT R/W MAP
SECTION 16770-2601

LEGEND

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SCALE

1" = 40 feet

SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 4 FOR DESCRIPTION.

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DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200

FAX: (863) 519-8117

Sheet No.

Drawn by:

Checked by:

Check Date:

3 of 4

BCZ

BCZ

01/25/24

Parcel Number:

PREPARED FOR:

File Name:

101

REAL ESTATE SERVICES

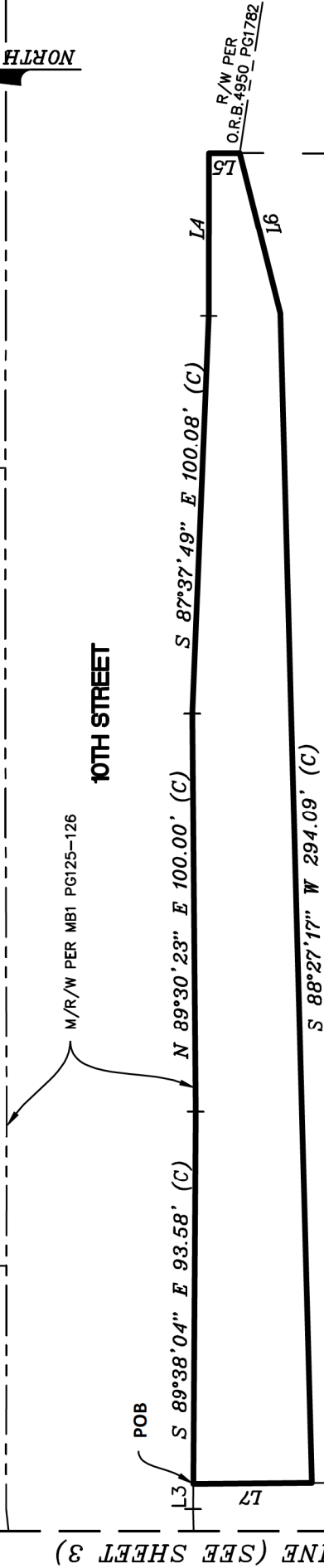
8309E24-1



POLK
COUNTY

THIS IS NOT A SURVEY

SCALE
1" = 40 feet



MATCHLINE (SEE SHEET 3)

EAST PARCEL LINE
O.R.B. 12894 PG1719

TAX FOLIO#
232810
000000
043012

EAST LINE WEST 1/4 OF NW 1/4
OF THE SW 1/4 OF SEC. 10

TAX FOLIO#
232810
000000
043002

R/W PER
O.R.B. 4950 PG1782

Line Table		
LINE #	DIRECTION	LENGTH
L1	S 89°55'15" E	59.12'
L2	N 88°38'50" E	100.03'
L3	S 89°38'02" E	6.42'
L4	S 89°54'30" E	40.89'
L5	S 00°03'36" W	7.73'
L6	S 75°46'02" W	41.51'
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 - FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
 - M.B. = MAP BOOK
 - M/R/W = MAINTAINED RIGHT-OF-WAY
 - O.R.B. = OFFICIAL RECORDS BOOK
 - P.B. = PLAT BOOK

- PG(S) = PAGE(S)
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP

SURVEYOR'S NOTES

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.
SEE SHEET 1 OF 4 FOR DESCRIPTION.

DESCRIPTION SKETCH

LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23 EAST,
POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD, WINTER HAVEN, FL 33880

PHONE: (863) 535-2200	FAX: (863) 519-8117
Sheet No. 4 of 4	Drawn by: BCZ
Parcel Number: 101	Checked by: BCZ
PREPARED FOR: REAL ESTATE SERVICES	Check Date: 01/25/24
	Job Number: 8309E24-1

THIS DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.



RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 102

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 102, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 102 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 102, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 102 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

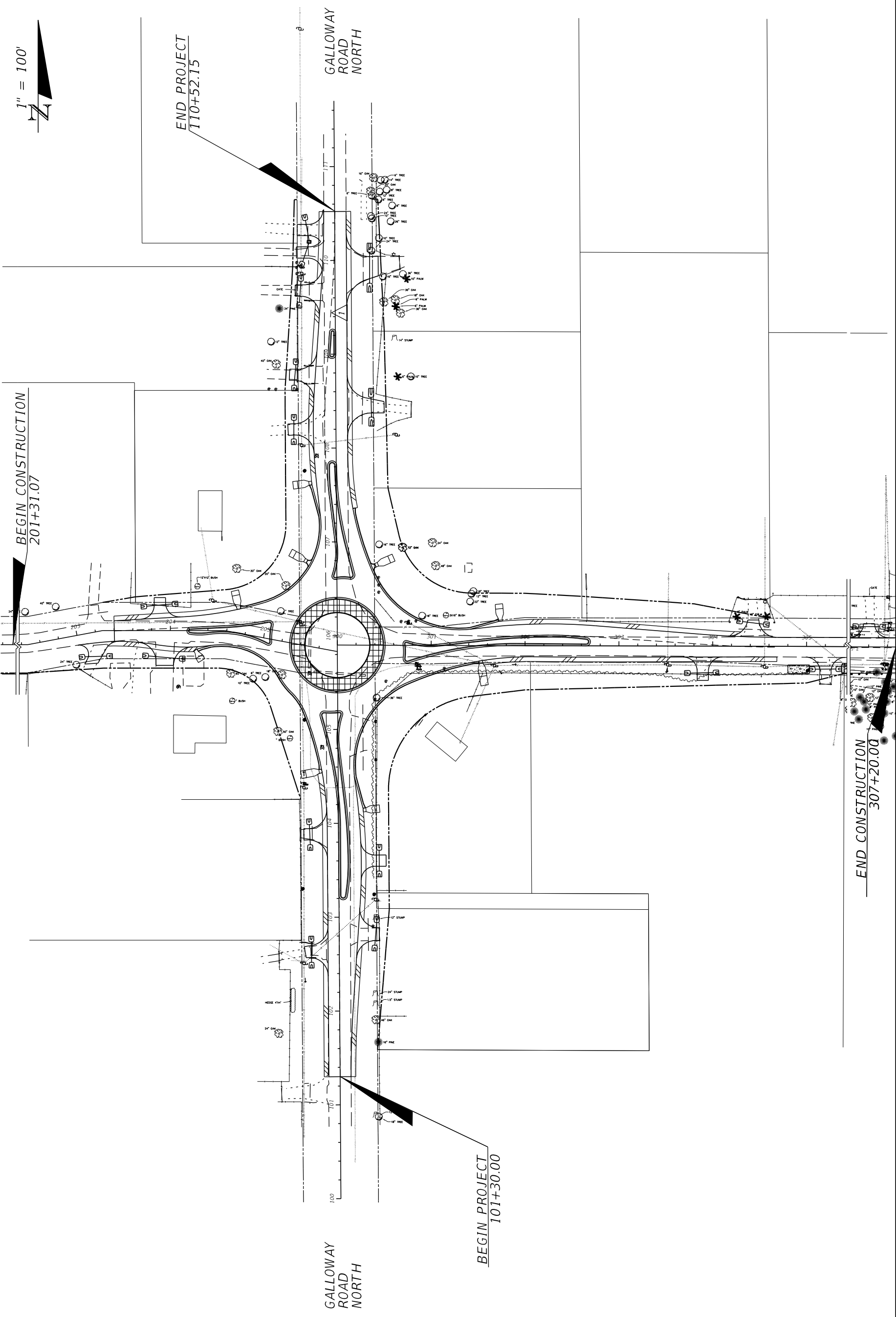
This Resolution shall be effective upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

Exhibit "A"



REVISIONS		DESCRIPTION	
DATE	DESCRIPTION	DATE	DESCRIPTION

POLK COUNTY ROADS AND DRAINAGE DIVISION		OVERALL PROJECT PLAN	SHEET NO.
N. GALLOWAY RD. AT 10TH ST. INTERSECTION IMPROVEMENTS			

SDATES	SFILES
SUSERS	

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 102

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 102
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232810-000000-034002

Road Number: 832101 & 830910
Project Number: 8309E24-1

DESCRIPTION

A parcel of land lying in the Southwest 1/4 of the Northwest 1/4 of Section 10, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

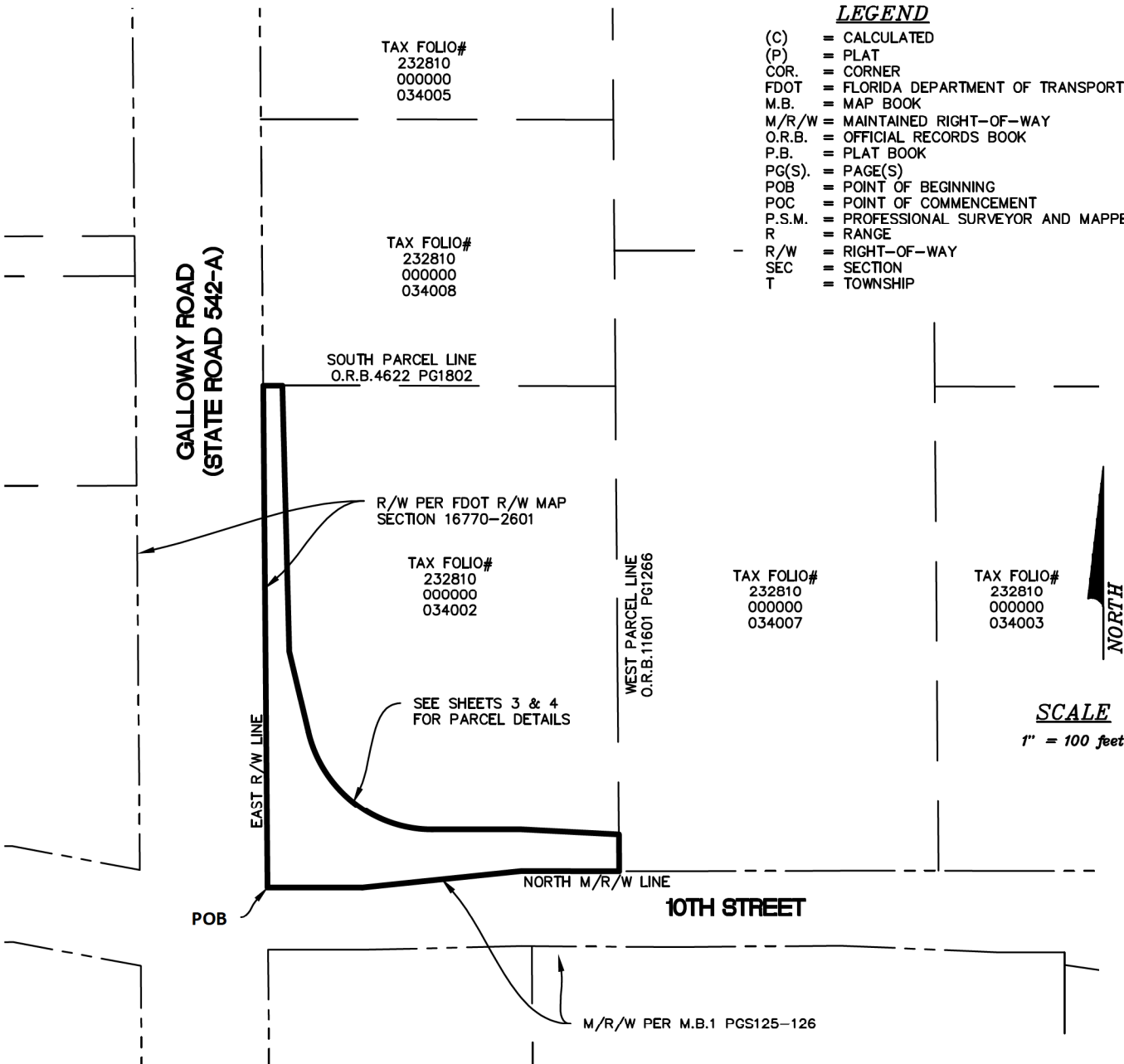
Commence at the intersection of the East right-of-way line of Galloway Road (State Road 542-A) as shown on Florida Department of Transportation Right-of-Way Map Section 16770-2601 and the North maintained right-of-way line of 10th Street as shown on Polk County Maintained Right-of-Way Map recorded in Map Book 1, Pages 125-126, Public Records of Polk County, Florida for the **Point of Beginning**; thence along said North maintained right-of-way line the following three (3) courses: (1) thence South 89°55'15" East, 59.52 feet; (2) thence North 84°05'06" East, 100.55 feet; (3) thence South 89°55'15" East, 61.19 feet to the West line of a parcel as described in Official Records Book 11601, Page 1266, of said Public Records; thence North 00°26'14" West, along said West parcel line, 23.00 feet; thence North 87°06'18" West, 61.06 feet; thence North 89°55'15" West, 56.23 feet to the point of curvature of a curve to the right having a radius of 80.00 feet, a central angle of 76°36'15", a chord bearing of North 51°37'08" West, and a chord distance of 99.17 feet; thence along the arc of said curve a distance of 106.96 feet to the Point of Tangency; thence North 13°19'00" West, 51.60 feet; thence North 01°31'21" West, 167.22 feet to the South line of a parcel as described in Official Records Book 4622, Page 1802, of said Public Records; thence North 89°55'26" West, along said South parcel line, 12.00 feet to said East right-of-way line; thence South 00°29'40" East, along said East right-of-way line, 315.33 feet to said **Point of Beginning**.

Containing 12,931 square feet, more or less.

REVISION	DATE	BY

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- M.B. = MAP BOOK
- M/R/W = MAINTAINED RIGHT-OF-WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG(S). = PAGE(S)
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP



**THIS IS NOT
A SURVEY**

SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 4 FOR DESCRIPTION.

DATE
01/10/24



Digitally signed by
Bryan Zelenenki
Date: 2024.01.31
07:47:14 -05'00'

BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 2 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
---------------------	------------------	--------------------	-------------------------

Parcel Number: 102	PREPARED FOR: REAL ESTATE SERVICES	File Name: 8309E24-1
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MATCHLINE (SEE SHEET 4)

GALLOWAY ROAD
(STATE ROAD 542-A)

S 00°29'40" E
315.33' (C)
R/W PER FDOT R/W MAP
SECTION 16770-2601

R/W PER FDOT R/W MAP
SECTION 16770-2601

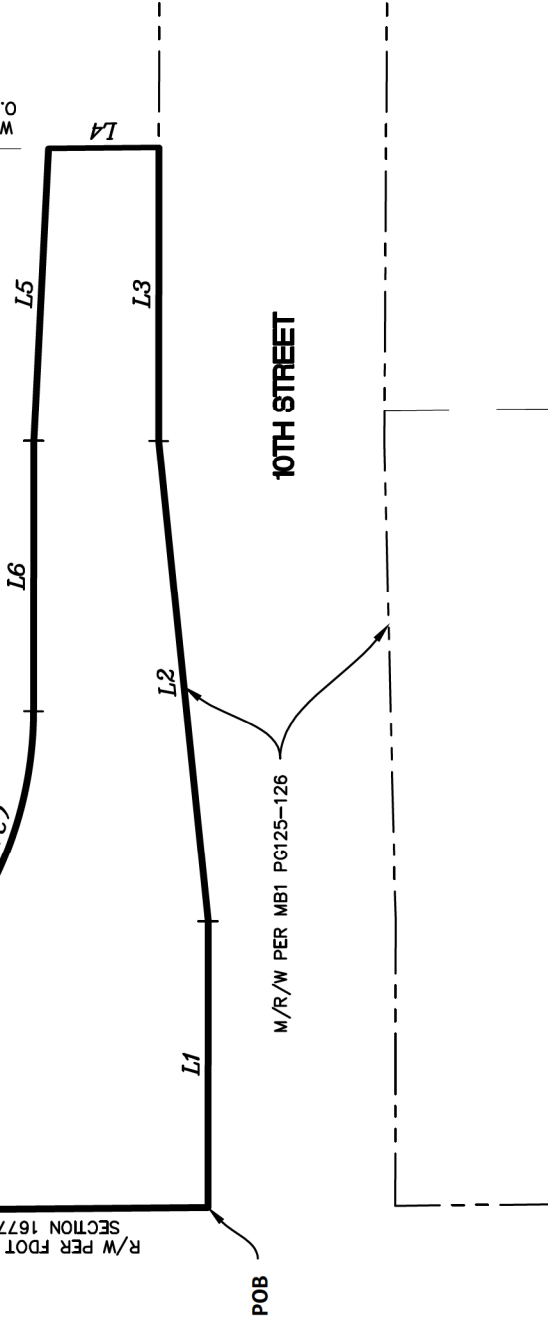
TAX FOLIO#
232810
000000
034002

RADIUS = 80.00 (C)
CENTRAL ANGLE = 76°36'15" (C)
CHORD DISTANCE = 99.17 (C)
CHORD BEARING = N 51°37'08" W (C)
LENGTH = 106.96 (C)

Line Table		
LINE #	DIRECTION	LENGTH
L1	S 89°55'15" E	59.52'
L2	N 84°05'06" E	100.55'
L3	S 89°55'15" E	61.19'
L4	N 00°26'14" W	23.00'
L5	N 87°06'18" W	61.06'
L6	N 89°55'15" W	56.23'
L7	N 13°19'00" W	51.60'
L8	N 89°55'26" W	12.00'

TAX FOLIO#
232810
000000
034007

WEST PARCEL LINE
O.R.B. 11601 PG1266



POB

M/R/W PER MB1 PG125-126

10TH STREET

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- M.B. = MAP BOOK
- M/R/W = MAINTAINED RIGHT-OF-WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK

- PG(S). = PAGE(S)
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- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP

SCALE
1" = 40 feet

NORTH

THIS IS NOT A SURVEY

SURVEYOR'S NOTES

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.
SEE SHEET 1 OF 4 FOR DESCRIPTION.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23 EAST,
POLK COUNTY, FLORIDA.

POLK COUNTY ROADS AND DRAINAGE
3000 SHEFFIELD ROAD, WINTER HAVEN, FL 33880
PHONE: (863) 535-2200 FAX: (863) 519-8117
Sheet No. 3 of 4 Drawn by: BCZ Checked by: BCZ Check Date: 01/25/24
Parcel Number: 102 PREPARED FOR: REAL ESTATE SERVICES Job Number: 8309E24-1

THIS DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.



RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 103

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 103, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 103 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 103, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 103 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

This Resolution shall be effective upon adoption.

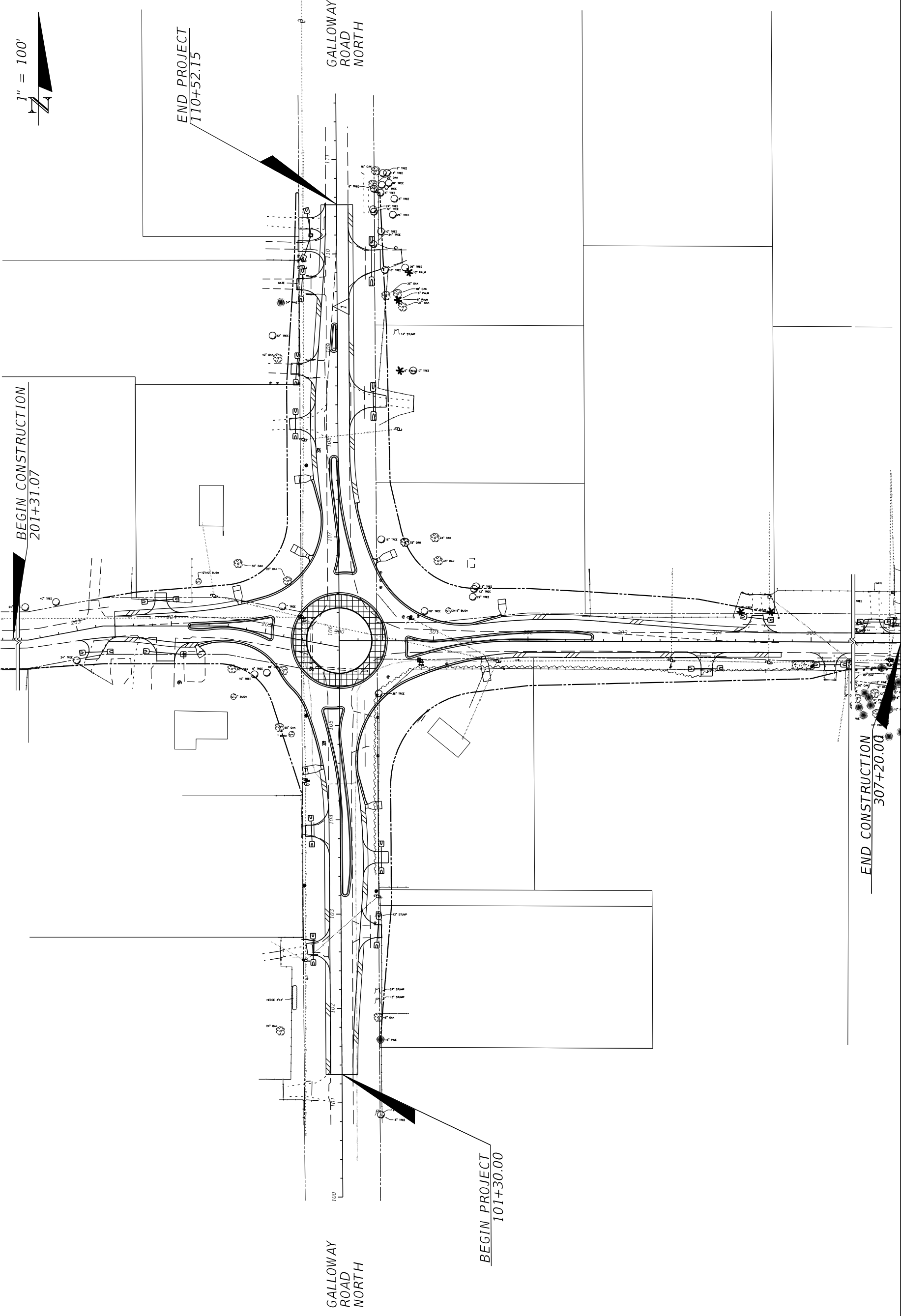
PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

Exhibit "A"

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



SHEET NO.		OVERALL PROJECT PLAN	
POLK COUNTY ROADS AND DRAINAGE DIVISION		N. GALLOWAY RD. AT 10TH ST. INTERSECTION IMPROVEMENTS	
REVISIONS		SDATES	
DATE	DESCRIPTION	SFILES	SUSERS

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 103

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 103
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232810-000000-034007

Road Number: 830910
Project Number: 8309E24-1

DESCRIPTION

A parcel of land lying in the Southwest 1/4 of the Northwest 1/4 of Section 10, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

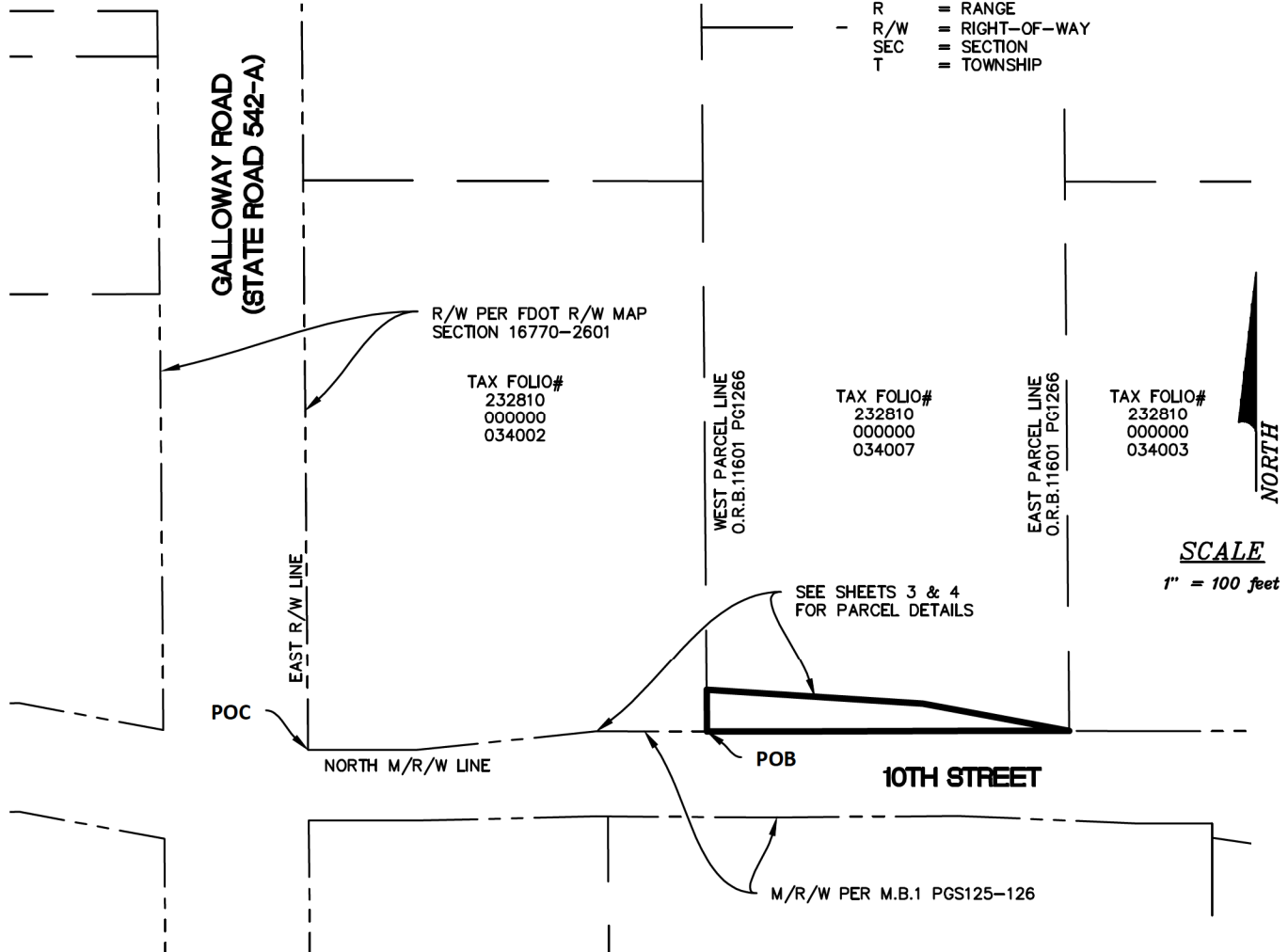
Commence at the intersection of the East right-of-way line of Galloway Road (State Road 542-A) as shown on Florida Department of Transportation Right-of-Way Map Section 16770-2601 and the North maintained right-of-way line of 10th Street as shown on Polk County Maintained Right-of-Way Map recorded in Map Book 1, Pages 125-126, Public Records of Polk County, Florida; thence along said North maintained right-of-way line the following six (6) courses: (1) thence South 89°55'15" East, 59.52 feet; (2) thence North 84°05'06" East, 100.55 feet; (3) thence South 89°55'15" East, 61.19 feet to the West line of a parcel as described in Official Records Book 11601, Page 1266, of said Public Records and the **Point of Beginning**; (4) thence continue South 89°55'15" East, 38.81 feet; (5) thence North 89°47'34" East, 100.00 feet; (6) thence South 89°55'15" East, 61.64 feet to the East line of said parcel; thence North 79°27'31" West, 82.33 feet; thence North 86°18'42" West, 119.92 feet to said West parcel line; thence South 00°26'14" East, along said West parcel line, 23.00 feet to said **Point of Beginning**

Containing 2,889 square feet, more or less.

REVISION	DATE	BY

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- M.B. = MAP BOOK
- M/R/W = MAINTAINED RIGHT-OF-WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG(S). = PAGE(S)
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- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP



**THIS IS NOT
A SURVEY**

SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 4 FOR DESCRIPTION.

DATE
01/10/24



Digitally signed by
Bryan Zelenenki
Date: 2024.01.31
07:49:34 -05'00'

BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 2 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 103	PREPARED FOR: REAL ESTATE SERVICES		File Name: 8309E24-1



TAX FOLIO#
232810
000000
034007

WEST PARCEL LINE
O.R.B. 11601 PG1266

MATCHLINE (SEE SHEET 4)

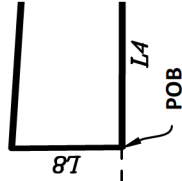
Line Table		
LINE #	DIRECTION	LENGTH
L1	S 89°55'15" E	59.52'
L2	N 84°05'06" E	100.55'
L3	S 89°55'15" E	61.19'
L4	S 89°55'15" E	38.81'
L5	N 89°47'34" E	100.00'
L6	S 89°55'15" E	61.64'
L7	N 79°27'31" W	82.33'
L8	S 00°26'14" E	23.00'

TAX FOLIO#
232810
000000
034002

R/W PER FDOT R/W MAP
SECTION 16770-2601

GALLOWAY ROAD
(STATE ROAD 542-A)

R/W PER FDOT R/W MAP
SECTION 16770-2601



L3

L2

L1

POC

M/R/W PER MB1 PG125-126

10TH STREET



SCALE
1" = 40 feet

PG(S) = PAGE(S)
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
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R/W = RIGHT-OF-WAY
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LEGEND

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FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
M.B. = MAP BOOK
M/R/W = MAINTAINED RIGHT-OF-WAY
O.R.B. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK

THIS IS NOT A SURVEY

SURVEYOR'S NOTES

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.
SEE SHEET 1 OF 4 FOR DESCRIPTION.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23 EAST,
POLK COUNTY, FLORIDA.

POLK COUNTY ROADS AND DRAINAGE
3000 SHEFFIELD ROAD, WINTER HAVEN, FL 33880
PHONE: (863) 535-2200 FAX: (863) 519-8117
Sheet No. 3 of 4 Drawn by: BCZ Checked by: BCZ Check Date: 01/25/24
Parcel Number: 103 PREPARED FOR: REAL ESTATE SERVICES Job Number: 8309E24-1

THIS DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.



POLK
COUNTY

MATCHLINE (SEE SHEET 3)

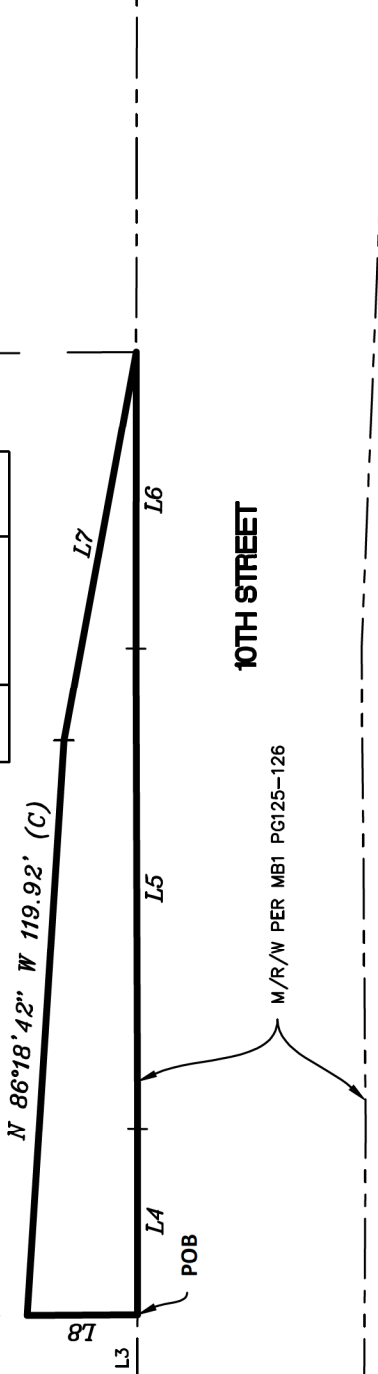
WEST PARCEL LINE
O.R.B.:11601 PG1266

TAX FOLIO#
232810
000000
034007

EAST PARCEL LINE
O.R.B.:11601 PG1266

TAX FOLIO#
232810
000000
034003

Line Table		
LINE #	DIRECTION	LENGTH
L1	S 89°55'15" E	59.52'
L2	N 84°05'06" E	100.55'
L3	S 89°55'15" E	61.19'
L4	S 89°55'15" E	38.81'
L5	N 89°47'34" E	100.00'
L6	S 89°55'15" E	61.64'
L7	N 79°27'31" W	82.33'
L8	S 00°26'14" E	23.00'



THIS IS NOT A SURVEY

SURVEYOR'S NOTES

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011. SEE SHEET 1 OF 4 FOR DESCRIPTION.

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- M.B. = MAP BOOK
- M/R/W = MAINTAINED RIGHT-OF-WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK

LEGEND

- PG(S). = PAGE(S)
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP

SCALE
1" = 40 feet



DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23 EAST,
POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE
3000 SHEFFIELD ROAD, WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 4 of 4 Drawn by: BCZ Checked by: BCZ Check Date: 01/25/24

Parcel Number: 103 PREPARED FOR: REAL ESTATE SERVICES Job Number: 8309E24-1

THIS DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 104

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 104, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 104 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 104, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 104 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

This Resolution shall be effective upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 104

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 104
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232810-000000-034008

Road Number: 832101
Project Number: 8309E24-1

DESCRIPTION

A parcel of land lying in the Southwest 1/4 of the Northwest 1/4 of Section 10, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

Commence at the intersection of the East right-of-way line of Galloway Road (State Road 542-A) as shown on Florida Department of Transportation Right-of-Way Map Section 16770-2601 and the North maintained right-of-way line of 10th Street as shown on Polk County Maintained Right-of-Way Map recorded in Map Book 1, Pages 125-126, Public Records of Polk County, Florida; thence North 00°29'40" West, along said East right-of-way line, 315.33 feet to the South line of a parcel as described in Official Records Book 4622, Page 1802, of said Public Records and the **Point of Beginning**; thence continue North 00°29'40" West, along said East right-of-way line, 140.57 feet; thence North 89°30'20" East, 6.00 feet; thence South 02°56'11" East, 140.82 feet to said South parcel line; thence North 89°55'26" West, along said South parcel line, 12.00 feet to said **Point of Beginning**

Containing 1,265 square feet, more or less.

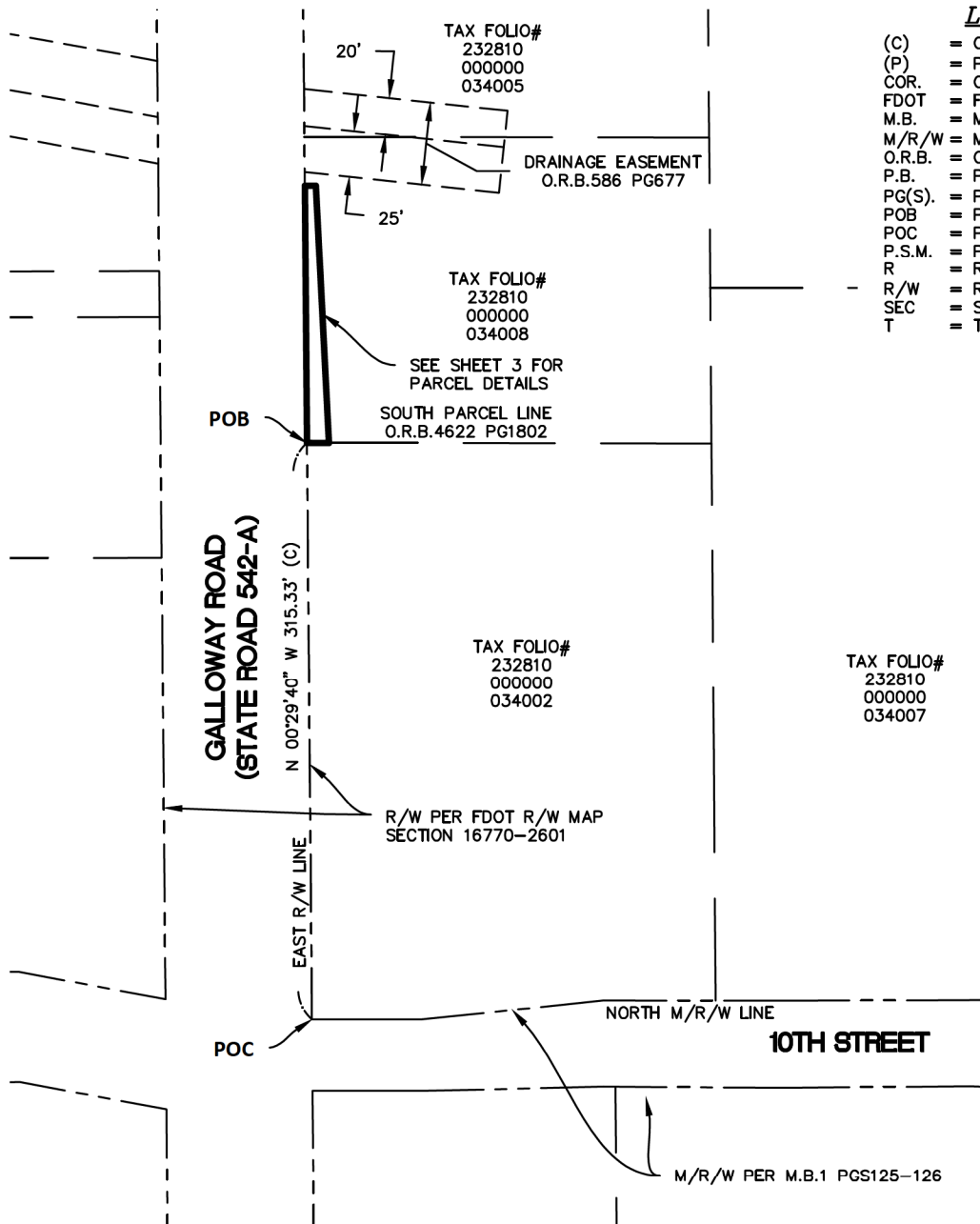
REVISION	DATE	BY

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- M.B. = MAP BOOK
- M/R/W = MAINTAINED RIGHT-OF-WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG(S). = PAGE(S)
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP



SCALE
1" = 100 feet



**THIS IS NOT
A SURVEY**

SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 3 FOR DESCRIPTION.

DATE
01/10/24



Digitally signed
by Bryan
Zelenenki
Date: 2024.01.31
07:51:24 -05'00'

BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 2 of 3	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
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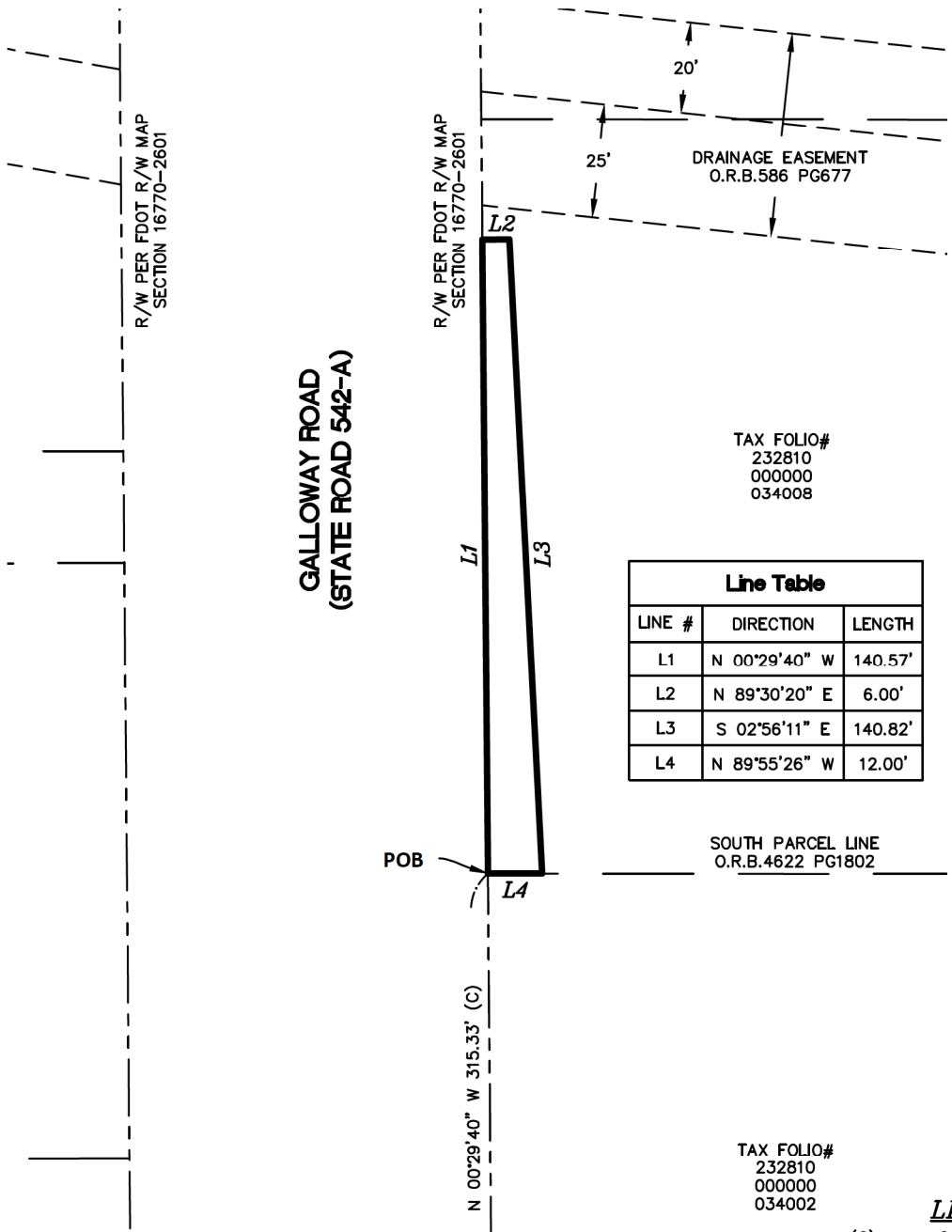
Parcel Number: 104	PREPARED FOR: REAL ESTATE SERVICES	File Name: 8309E24-1
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THIS IS NOT
A SURVEY



SCALE
1" = 40 feet



TAX FOLIO#
232810
000000
034008

Line Table		
LINE #	DIRECTION	LENGTH
L1	N 00°29'40" W	140.57'
L2	N 89°30'20" E	6.00'
L3	S 02°56'11" E	140.82'
L4	N 89°55'26" W	12.00'

SOUTH PARCEL LINE
O.R.B.4622 PG1802

TAX FOLIO#
232810
000000
034002

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- M.B. = MAP BOOK
- M/R/W = MAINTAINED RIGHT-OF-WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG(S). = PAGE(S)
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP

SURVEYOR'S NOTES.

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 3 FOR DESCRIPTION.

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

DESCRIPTION SKETCH
LOCATED IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 3 of 3	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 104	PREPARED FOR: REAL ESTATE SERVICES		File Name: 8309E24-1



RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 105

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 105, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 105 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 105, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 105 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

This Resolution shall be effective upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

Exhibit "A"

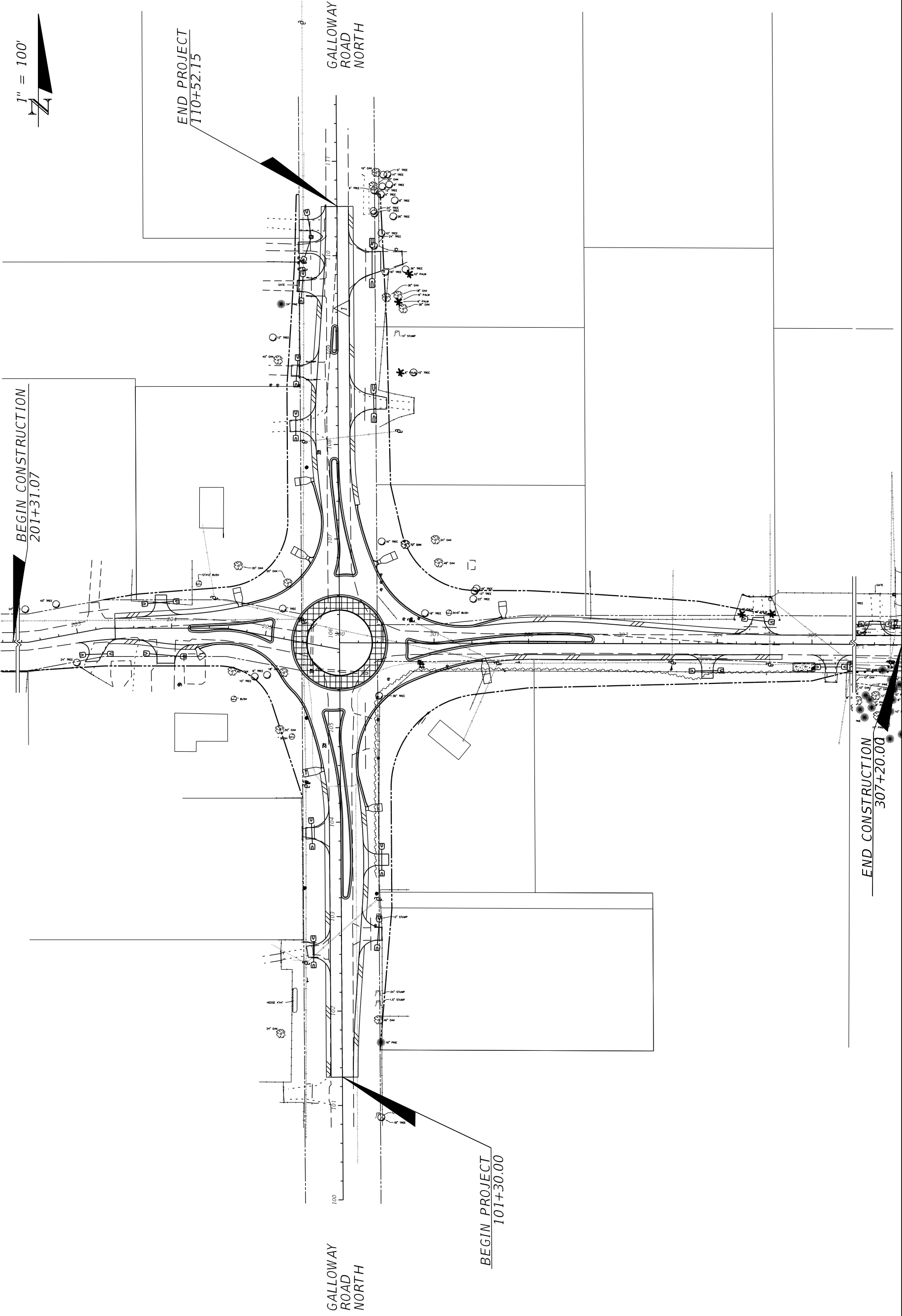
1" = 100'



END PROJECT
110+52.15

GALLOWAY
ROAD
NORTH

BEGIN CONSTRUCTION
201+31.07



BEGIN PROJECT
101+30.00

GALLOWAY
ROAD
NORTH

END CONSTRUCTION
307+20.00

REVISIONS		DESCRIPTION	
DATE	DESCRIPTION	DATE	DESCRIPTION

POLK COUNTY ROADS AND DRAINAGE DIVISION		OVERALL PROJECT PLAN	SHEET NO.
N. GALLOWAY RD. AT 10TH ST. INTERSECTION IMPROVEMENTS			

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

SDATES SFILES

SUSERS

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 105

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 105
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232809-025531-000061

Road Number: 830910
Project Number: 8309E24-1

DESCRIPTION

A parcel of land being a portion of Lot 6 of Sutton Estates, a subdivision as recorded in Plat Book 74, Page 30-31, Public Records of Polk County, Florida, lying in the Southeast 1/4 of the Northeast 1/4 of Section 9, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

Commence at the Southwest corner of said Lot 6, being a point on the North right-of-way line of 10th Street, as shown on said plat of Sutton Estates; thence along said North right-of-way line the following three (3) courses: (1) North 89°51'15" East, 50.00 feet; (2) thence North 79°13'31" East, 81.32 feet to the **Point of Beginning**; (3) thence North 89°51'15" East, 35.00 feet to the Southeast corner of said Lot 6; thence North 00°25'19" West, along the East line of said Lot 6, a distance of 6.00 feet; thence South 80°07'03" West, 35.49 feet to said **Point of Beginning**.

Containing 105 square feet, more or less.

REVISION	DATE	BY

THIS IS NOT A SURVEY

SCALE
1" = 40 feet

NORTH

LOT 5

TAX FOLIO#
232809
025531
000050

SUTTON ESTATES
P.B.74 PG30

LOT 6

TAX FOLIO#
232809
025531
000061

POC
SW CORNER LOT 6
P.B.74 PG30

POB

L1

L2

N 89°51'15" E 95.00' (C)
N 89°40'27" E 100.00' (P)
R/W PER PB74 PG30

L4

L5

SE CORNER LOT 6
P.B.74 PG30

10TH STREET

R/W PER P.B.74 PG30

Line Table		
LINE #	DIRECTION	LENGTH
L1	N 89°51'15" E (C) N 89°40'27" E (P)	50.00' (C&P)
L2	N 79°13'31" E (C) N 79°02'43" E (P)	81.32' (C&P)
L3	N 89°51'15" E (C) N 89°40'27" E (P)	35.00' (C) 30.00' (P)
L4	N 00°25'19" W (C) N 00°36'07" W (P)	6.00' (C)
L5	S 80°07'03" W (C)	35.49' (C)

TAX FOLIO#
232809
000000
012030

SURVEYOR'S NOTES

- BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.
- BASED ON THE OVERALL DESCRIPTION OF THE PLAT OF SUTTON ESTATES, RECORDED IN PLAT BOOK 74, PAGE 30, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND THE DEEDS FOR THE ADJACENT PROPERTIES THAT ARE CONTIGUOUS TO LOT 6 OF SAID SUTTON ESTATES, THE UNDERSIGNED HAS DETERMINED THAT THERE APPEARS TO BE A SCRIVENER'S ERROR SHOWN ON SAID SUTTON ESTATES FOR TWO DISTANCES SHOWN ALONG THE NORTH RIGHT-OF-WAY LINE OF TENTH STREET, BEING THE DISTANCES SHOWN ON EITHER SIDE OF THE SOUTHEAST CORNER OF SAID LOT 6. THIS DESCRIPTION SKETCH NOTES THE APPARENT ERROR AND REFLECTS IT IN THE LEGAL DESCRIPTION SHOWN HEREON.

SEE SHEET 1 OF 2 FOR DESCRIPTION.

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG(S). = PAGE(S)
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP



Digitally signed
by Bryan
Zelnenki
Date: 2024.01.31
08:14:57 -05'00'

DATE
01/10/24

BRYAN C. ZELENEKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION



DESCRIPTION SKETCH

LOCATED IN SECTION 09,
TOWNSHIP 28 SOUTH, RANGE 23 EAST,
POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE
3000 SHEFFIELD ROAD, WINTER HAVEN, FL 33880

PHONE: (863) 535-2200	FAX: (863) 519-8117
Sheet No. 2 of 2	Drawn by: BCZ
Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 105	PREPARED FOR: REAL ESTATE SERVICES
Job Number: 8309E24-1	

THIS DESCRIPTION AND
SKETCH IS NOT VALID
WITHOUT THE SIGNATURE
AND ORIGINAL SEAL OF A
LICENSED SURVEYOR AND
MAPPER.

RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 106

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 106, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 106 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 106, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 106 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

This Resolution shall be effective upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

Exhibit "A"

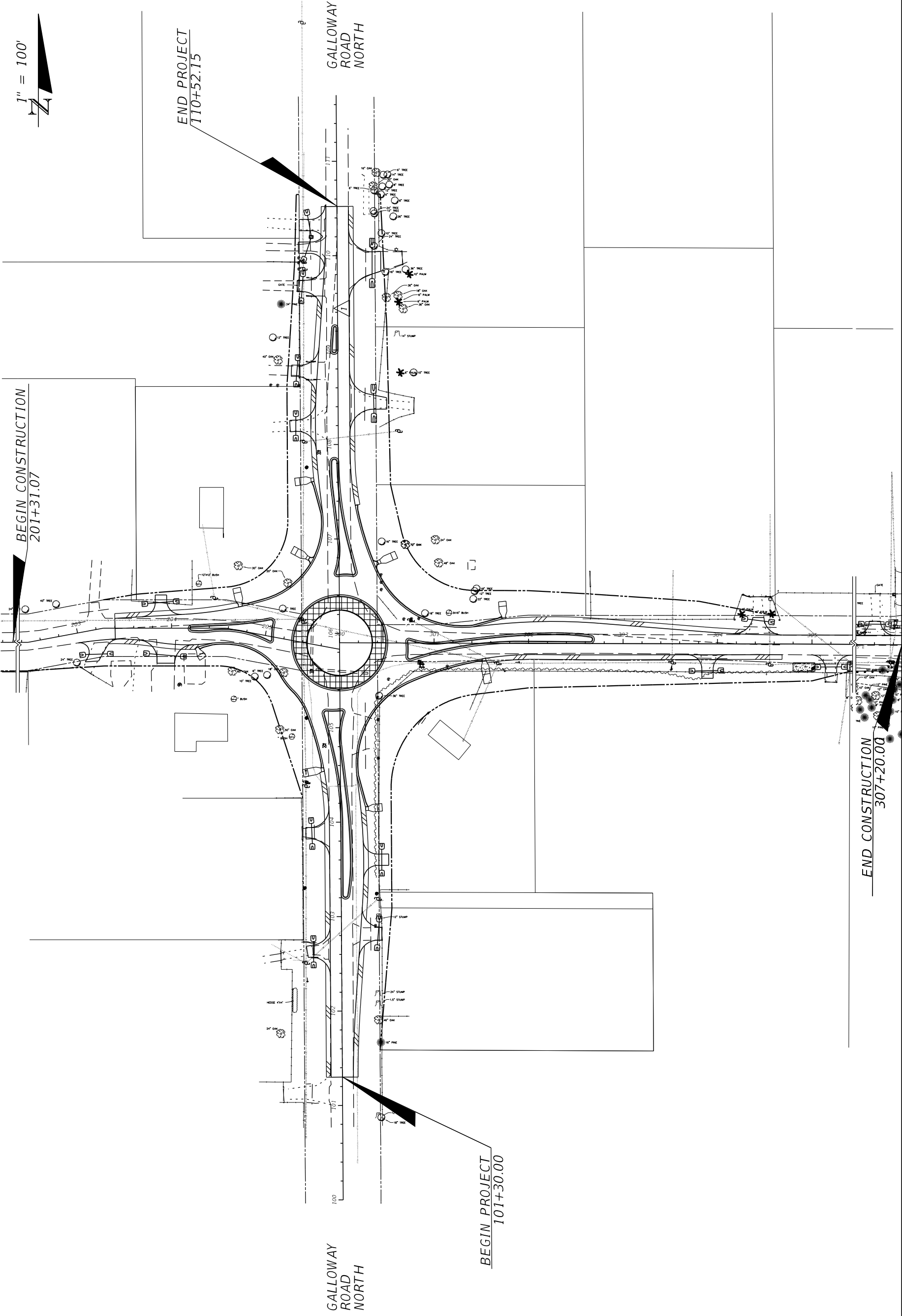
1" = 100'



END PROJECT
110+52.15

GALLOWAY
ROAD
NORTH

BEGIN CONSTRUCTION
201+31.07



BEGIN PROJECT
101+30.00

GALLOWAY
ROAD
NORTH

END CONSTRUCTION
307+20.00

REVISIONS		DESCRIPTION	
DATE	DESCRIPTION	DATE	DESCRIPTION

POLK COUNTY ROADS AND DRAINAGE DIVISION		OVERALL PROJECT PLAN	SHEET NO.
N. GALLOWAY RD. AT 10TH ST. INTERSECTION IMPROVEMENTS			

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

SDATES SFILES

SUSERS

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 106

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 106
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232809-000000-012030

Road Number: 832101 & 830910
Project Number: 8309E24-1

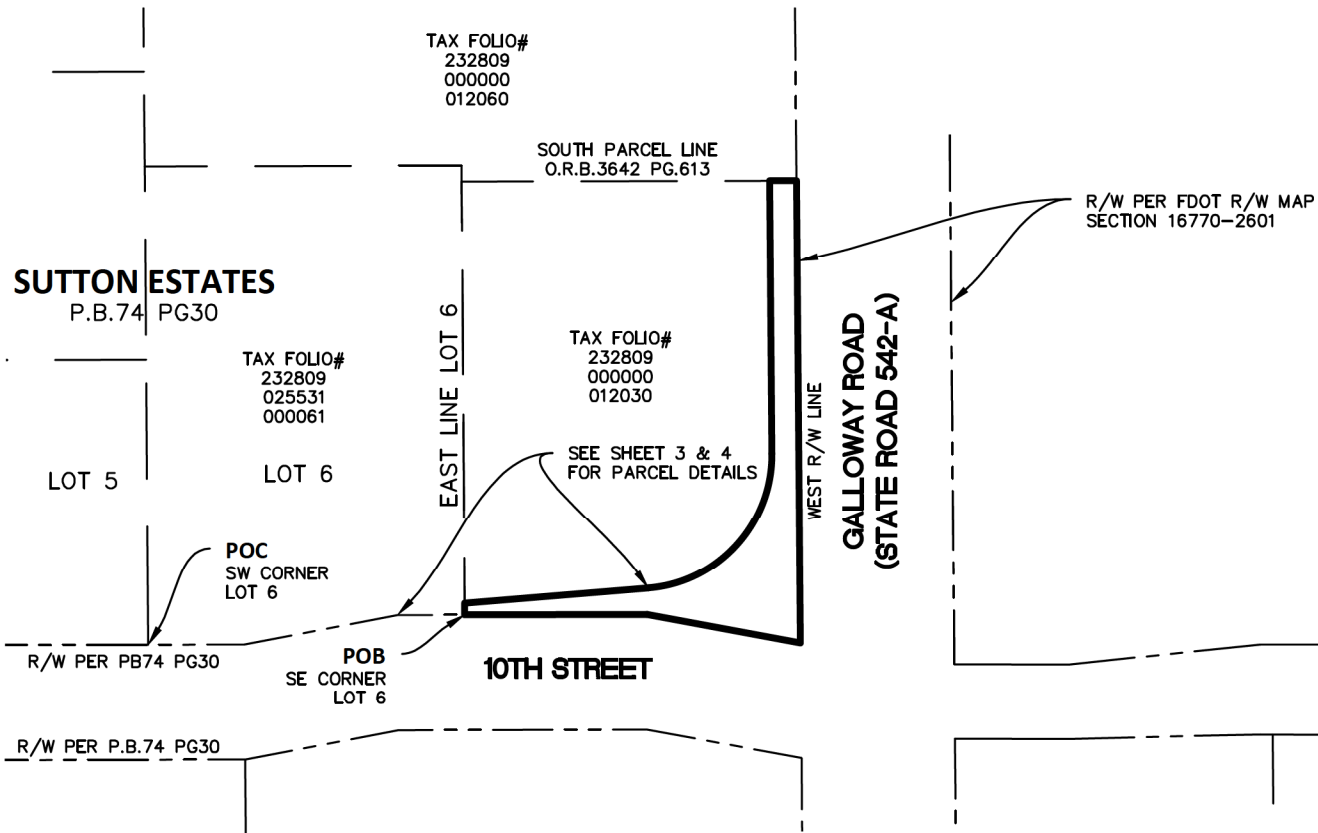
DESCRIPTION

A parcel of land lying in the Southeast 1/4 of the Northeast 1/4 of Section 9, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

Commence at the Southwest corner of Lot 6 of Sutton Estates, a subdivision as recorded in Plat Book 74, Page 30-31, Public Records of Polk County, Florida, being a point on the North right-of-way line of 10th Street, as shown on said plat of Sutton Estates; thence along said North right-of-way line the following five (5) courses: (1) North 89°51'15" East, 50.00 feet; (2) thence North 79°13'31" East, 81.32 feet; (3) thence North 89°51'15" East, 35.00 feet to the Southeast corner of said Lot 6 and the **Point of Beginning**; thence continue North 89°51'15" East, 95.00 feet; thence South 79°32'09" East, 81.18 feet to the West right-of-way line of Galloway Road (State Road 542-A) as shown on Florida Department of Transportation Right-of-Way Map Section 16770-2601; thence North 00°29'40" West, along said West right-of-way line, 240.95 feet to the South line of a parcel as described in Official Records Book 3642, Page 613, of said Public Records; thence South 89°51'15" West, along said South parcel line, 14.00 feet; thence South 00°29'40" East, 142.22 feet to the point of curvature of a curve to the right having a radius of 70.00 feet, a central angle of 85°49'35", a chord bearing of South 42°25'08" West, and a chord distance of 95.32 feet; thence along the arc of said curve a distance of 104.86 feet to the Point of Tangency; thence South 85°19'55" West, 96.04 feet to the East line of said Lot 6; thence South 00°25'19" East, along said East line, 6.00 feet to said **Point of Beginning**.

Containing 6,630 square feet, more or less.

REVISION	DATE	BY



*THIS IS NOT
A SURVEY*

SURVEYOR'S NOTES.

1. BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

2. BASED ON THE OVERALL DESCRIPTION OF THE PLAT OF SUTTON ESTATES, RECORDED IN PLAT BOOK 74, PAGE 30, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND THE DEEDS FOR THE ADJACENT PROPERTIES THAT ARE CONTIGUOUS TO LOT 6 OF SAID SUTTON ESTATES, THE UNDERSIGNED HAS DETERMINED THAT THERE APPEARS TO BE A SCRIVENER'S ERROR SHOWN ON SAID SUTTON ESTATES FOR TWO DISTANCES SHOWN ALONG THE NORTH RIGHT-OF-WAY LINE OF TENTH STREET, BEING THE DISTANCES SHOWN ON EITHER SIDE OF THE SOUTHEAST CORNER OF SAID LOT 6. THIS DESCRIPTION SKETCH NOTES THE APPARENT ERROR AND REFLECTS IT IN THE LEGAL DESCRIPTION SHOWN HEREON.

SEE SHEET 1 OF 4 FOR DESCRIPTION.



SCALE

1" = 100 feet

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- M.B. = MAP BOOK
- M/R/W = MAINTAINED RIGHT-OF-WAY
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- R = RANGE
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- SEC = SECTION
- T = TOWNSHIP

DATE
01/10/24



Digitally signed by
Bryan Zelenenki
Date: 2024.01.31
08:06:37 -05'00'

BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

DESCRIPTION SKETCH
LOCATED IN SECTION 09,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200

FAX: (863) 519-8117

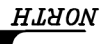
Sheet No. 2 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
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Parcel Number: 106
PREPARED FOR:
REAL ESTATE SERVICES

File Name:
8309E24-1



SCALE
1" = 40 feet



THIS IS NOT A SURVEY
SUTTON ESTATES
P.B.74 PG30

LOT 5

LOT 6

TAX FOLIO#
232809
025531
000061

TAX FOLIO#
232809
000000
012030

POC
SW CORNER LOT 6
P.B.74 PG30

POB
SE CORNER LOT 6
P.B.74 PG30

MATCHLINE (SEE SHEET 4)

Line Table		
LINE #	DIRECTION	LENGTH
L1	N 89°51'15" E (C) N 89°40'27" E (P)	50.00' (C&P)
L2	N 79°13'31" E (C) N 79°02'43" E (P)	81.32' (C&P)
L3	N 89°51'15" E (C) N 89°40'27" E (P)	35.00' (C) 30.00' (P)
L4	N 89°51'15" E (C) N 89°40'27" E (P)	95.00' (C) 100.00' (P)
L5	S 79°32'09" E (C) S 79°42'57" E (P)	81.18' (C) 81.47' (P)
L6	S 89°51'15" W (C)	14.00' (C)
L7	S 85°19'55" W (C)	96.04' (C)
L8	S 00°25'19" E (C) S 00°36'07" E (P)	6.00' (C)

Curve Table					
CURVE #	RADIUS (C)	CENTRAL ANGLE (C)	CHORD BEARING (C)	CHORD (C)	LENGTH (C)
C1	70.00'	85°49'35"	S 42°25'08" W	95.32'	104.86'

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SEE SHEET 1 OF 4 FOR DESCRIPTION.

THIS DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

POLK COUNTY ROADS AND DRAINAGE
3000 SHEFFIELD ROAD, WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 3 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 106	PREPARED FOR: REAL ESTATE SERVICES		Job Number: 8309E24-1

DESCRIPTION SKETCH
LOCATED IN SECTION 09,
TOWNSHIP 28 SOUTH, RANGE 23 EAST,
POLK COUNTY, FLORIDA.

REVISION	DATE	BY



**THIS IS NOT
A SURVEY**

TAX FOLIO#
232809
000000
012060

SOUTH PARCEL LINE
O.R.B.3642 PG.613

LEGEND

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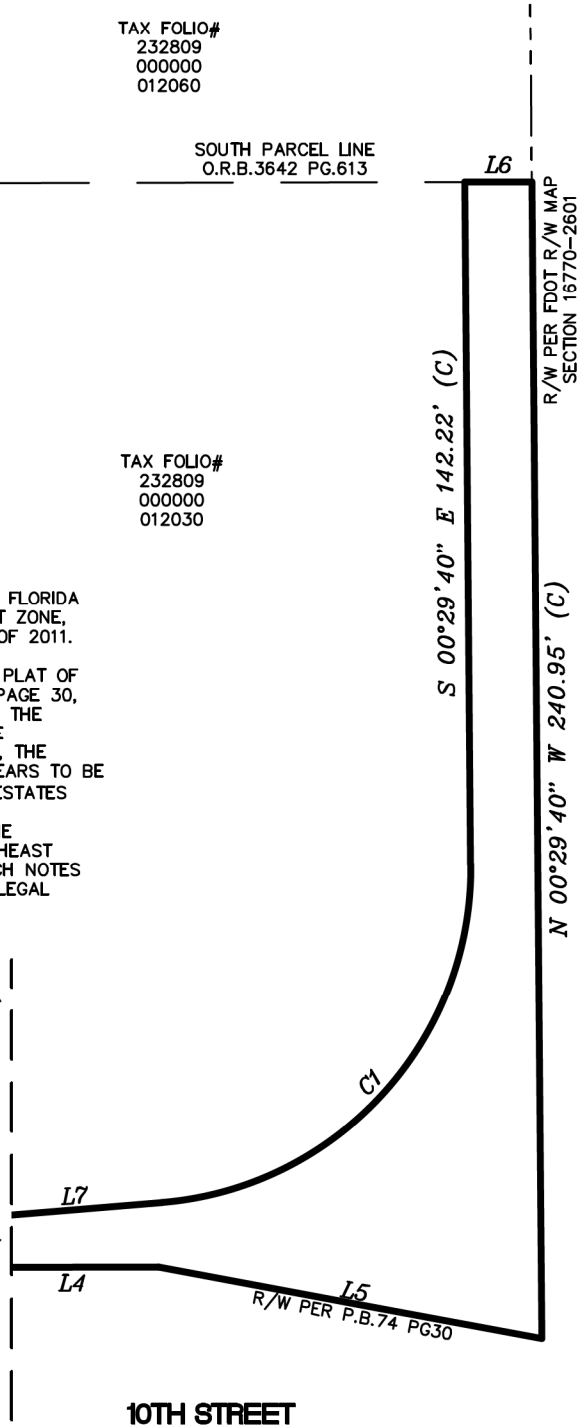
TAX FOLIO#
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000000
012030

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Line Table		
LINE #	DIRECTION	LENGTH
L1	N 89°51'15" E (C) N 89°40'27" E (P)	50.00' (C&P)
L2	N 79°13'31" E (C) N 79°02'43" E (P)	81.32' (C&P)
L3	N 89°51'15" E (C) N 89°40'27" E (P)	35.00' (C) 30.00' (P)
L4	N 89°51'15" E (C) N 89°40'27" E (P)	95.00' (C) 100.00' (P)
L5	S 79°32'09" E (C) S 79°42'57" E (P)	81.18' (C) 81.47' (P)
L6	S 89°51'15" W (C)	14.00' (C)
L7	S 85°19'55" W (C)	96.04' (C)
L8	S 00°25'19" E (C) S 00°36'07" E (P)	6.00' (C)

MATCHLINE (SEE SHEET 3)



GALLOWAY ROAD
(STATE ROAD 542-A)



SCALE
1" = 40 feet

Curve Table					
CURVE #	RADIUS (C)	CENTRAL ANGLE (C)	CHORD BEARING (C)	CHORD (C)	LENGTH (C)
C1	70.00'	85°49'35"	S 42°25'08" W	95.32'	104.86'

SEE SHEET 1 OF 4 FOR DESCRIPTION.

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DESCRIPTION SKETCH
LOCATED IN SECTION 09,
TOWNSHIP 28 SOUTH, RANGE 23
EAST, POLK COUNTY, FLORIDA.

REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880
PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 4 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 106	PREPARED FOR: REAL ESTATE SERVICES		File Name: 8309E24-1



RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR 542A (GALLOWAY ROAD) at 10TH STREET
PROJECT # 5400190
PARCEL: 107

WHEREAS, Polk County has been granted the power of eminent domain to appropriate property for any County purpose pursuant to § 127.01, Fla. Stat.; and

WHEREAS, before exercising the power of eminent domain the Board of County Commissioners is required to adopt a resolution authorizing the acquisition of property for any county use or purpose subject to limitations set forth in §§ 73.013 and 73.014, Fla. Stat.; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make transportation facility improvements to a road, designated as the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project # 5400190); and

WHEREAS, the construction of the proposed transportation facility improvements constitutes a valid county use or purpose in carrying out Polk County's general superintendence and control over county roads and structure including the powers of establishing, changing, and maintaining such roads in good repair; and

WHEREAS, absent a relinquishment of the property pursuant to § 73.013(4), Fla. Stat. land to be acquired will not be conveyed to natural persons or to private entities and the land is not being acquired to abate or eliminate a public nuisance or to prevent or eliminate slum or blight; and

WHEREAS, Polk County intends in good faith to construct the planned transportation facilities on, under or over the described property; and

WHEREAS, this Board, after being fully informed on the matter and upon proper consideration, has previously authorized improvements for the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project as part of the Capital Improvement Program (CIP) within

the boundaries of the proposed alignment which is depicted in the attached "Exhibit A" for such improvements; and

WHEREAS, the alignment makes it necessary to acquire additional rights-of-way and easements for the construction of those improvements; and

WHEREAS, this Board, after proper consideration, makes the following findings for the alignment depicted in "Exhibit A":

A. ALTERNATIVE ROUTES: Due to the fact that this is a project to convert an established intersection to a roundabout, no alternative alignments were considered.

B. ENVIRONMENTAL FACTORS: Necessary permits are being reviewed or have been approved by permitting agencies. The project has been designed to minimize adverse impacts to the environment and it is anticipated that no adverse environmental impacts will result from this project.

C. COSTS: The project is cost effective within the required designed criteria.

D. LONG RANGE PLANNING: This project is consistent with the long-range plan for Polk County and is part of the Capital Improvement Programs previously adopted by the BoCC, and it complements prior improvements made by Polk County.

E. SAFETY CONSIDERATIONS: One purpose of this project is to improve the traffic safety by converting the standard unsignalized intersection to a roundabout. The identified parcel is necessary to provide sufficient right-of-way to construct the recommended improvements; and

WHEREAS, it is necessary, in order to make transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 107, which property is more fully described in the attached Composite "Exhibit B"; and

WHEREAS, a copy of this proposed Resolution, along with parcel sketches and surveys of the project and the parcels to be acquired, including Parcel 107 are available for public inspection at the office of the Real Estate Services Administrator, 515 E. Boulevard Street, Bartow, Florida 33830 during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, finds that the above stated recitals are true and correct and are incorporated herein. The Board of County Commissioners of Polk County, Florida hereby approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 107, as more fully described in the attached Composite "Exhibit B", be acquired for a county use or purpose, to-wit: right-of-way needed to allow the construction of transportation facility improvements to the CR 542A (Galloway Road) at 10th Street Intersection Improvement Project (Project #5400190). The Board of County Commissioners of Polk County hereby authorize the acquisition of property described in the attached Composite "Exhibit B" by eminent domain for the purpose stated herein and that the attorneys for this Board shall, as necessary, institute proceedings to acquire the interest in said land and property as indicated herein and described in attached "Exhibit B", by eminent domain proceedings, and that said interest in Parcel 107 be acquired, prior to trial, by the filing of a Declaration of Taking and by deposit, into the Registry of the Court, of the good faith estimate of value as ordered by the Court upon entry of an Order of Taking.

This Resolution shall be effective upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of July 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

EXHIBIT "B"

**ROAD: CR 542A (GALLOWAY RD)
AT 10TH ST**

POLK COUNTY

DESCRIPTION

PARCEL: 107

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 107

Project Name: GALLOWAY RD @ 10TH ST

Tax Folio Number: 232809-000000-012060

Road Number: 832101

Project Number: 8309E24-1

DESCRIPTION

A parcel of land lying in the Southeast 1/4 of the Northeast 1/4 of Section 9, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

Commence at the Southwest corner of Lot 6 of Sutton Estates, a subdivision as recorded in Plat Book 74, Page 30-31, Public Records of Polk County, Florida, being a point on the North right-of-way line of 10th Street, as shown on said plat of Sutton Estates; thence along said North right-of-way line the following four (4) courses: (1) North 89°51'15" East, 50.00 feet; (2) thence North 79°13'31" East, 81.32 feet; (3) thence North 89°51'15" East, 130.00 feet; thence South 79°32'09" East, 81.18 feet to the West right-of-way line of Galloway Road (State Road 542-A) as shown on Florida Department of Transportation Right-of-Way Map Section 16770-2601; thence North 00°29'40" West, along said West right-of-way line, 240.95 feet to the South line of a parcel as described in Official Records Book 3642, Page 613, of said Public Records and the **Point of Beginning**; thence continue North 00°29'40" West, along said West right-of-way line, 131.94 feet to the North line of said parcel; thence South 89°50'06" West, along said North parcel line, 5.00 feet; thence South 03°24'34" West, 132.20 feet to said South parcel line; thence North 89°51'15" East, along said South parcel line, 14.00 feet to said **Point of Beginning**.

Containing 1,253 square feet, more or less.

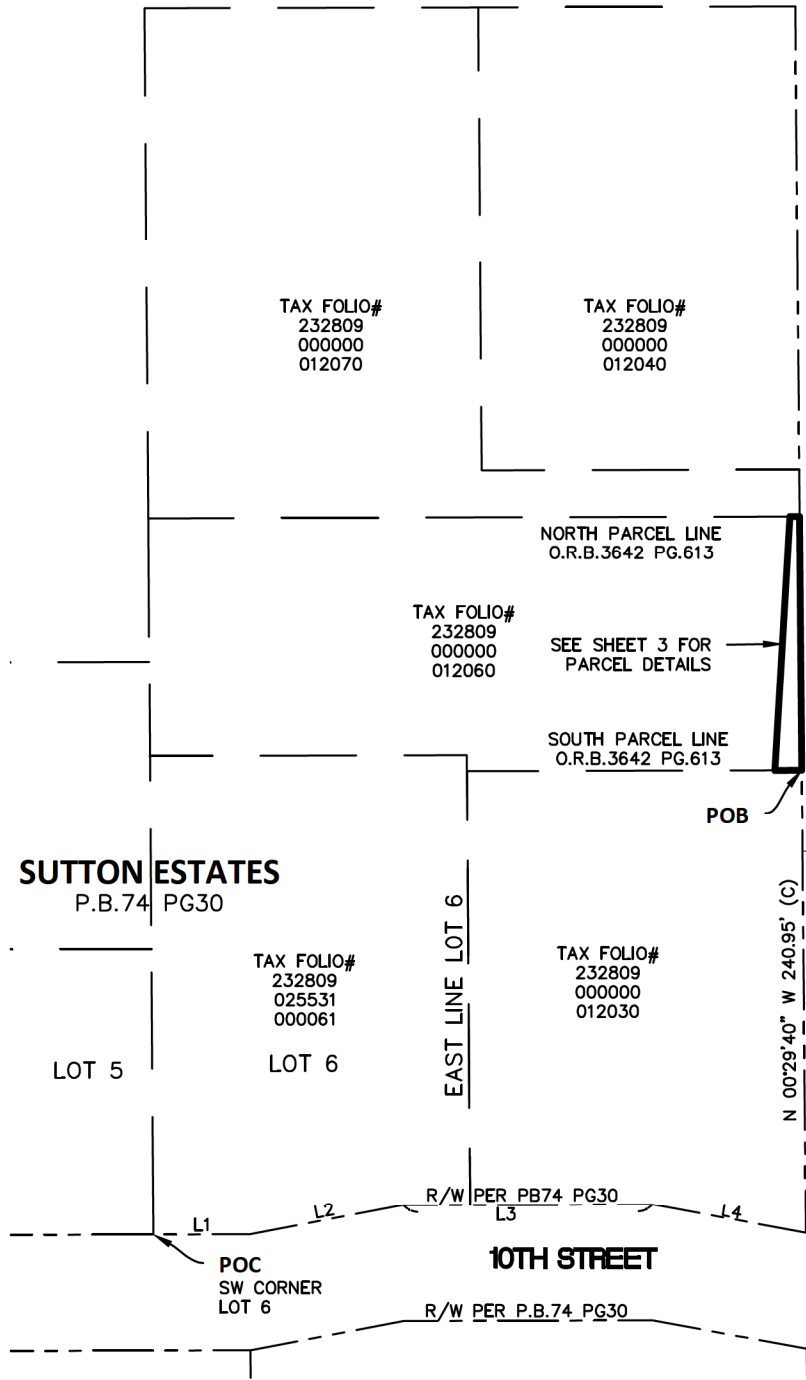
REVISION	DATE	BY

LEGEND

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Line Table		
LINE #	DIRECTION	LENGTH
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L3	N 89°51'15" E (C) N 89°40'27" E (P)	130.00' (C&P)
L4	S 79°32'09" E (C) S 79°42'57" E (P)	81.18' (C) 81.47' (P)
L5	N 00°29'40" W (C)	131.94' (C)
L6	S 89°50'06" W (C)	5.00' (C)
L7	S 03°24'34" W (C)	132.20' (C)
L8	N 89°51'15" E (C)	14.00' (C)

GALLOWAY ROAD
(STATE ROAD 542-A)



R/W PER FDOT R/W MAP
SECTION 16770-2601



SCALE
1" = 100 feet

**THIS IS NOT
A SURVEY
SURVEYOR'S NOTES.**

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA
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NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.

SEE SHEET 1 OF 3 FOR DESCRIPTION.

DATE
01/10/24



Digitally signed by
Bryan Zelenenki
Date: 2024.01.31
07:54:21 -05'00'

BRYAN C. ZELENENKI, P.S.M.
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DESCRIPTION SKETCH
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POLK COUNTY ROADS AND DRAINAGE

3000 SHEFFIELD ROAD,
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200

FAX: (863) 519-8117

Sheet No.

Drawn by:

Checked by:

Check Date:

2 of 3

BCZ

BCZ

01/25/24

Parcel Number:

PREPARED FOR:

File Name:

107

REAL ESTATE SERVICES

8309E24-1

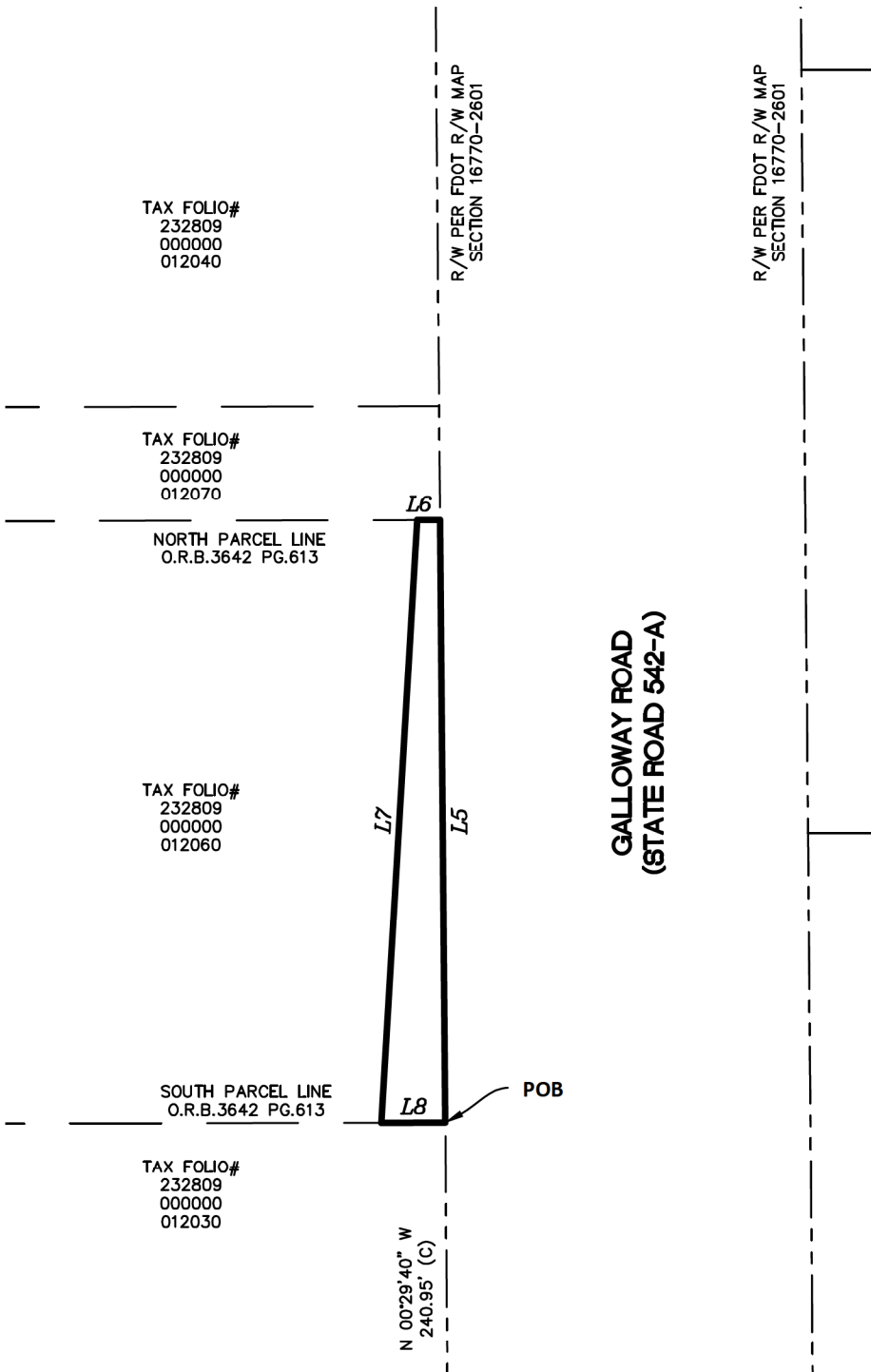


POLK
COUNTY

THIS IS NOT
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SCALE
1" = 40 feet



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SEE SHEET 1 OF 3 FOR DESCRIPTION.

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REVISION	DATE	BY

POLK COUNTY ROADS AND DRAINAGE

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Sheet No. 3 of 3	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
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POLK
COUNTY