

North

Subject Area

Section 09, Township 28 South, Range 23 East



Board of County Commissioners

Project No.: 5400190
Project Name: CR 542A (Galloway Road) @ 10th Street
Parcel No.: 108
Parent Parcel I.D. No.: 232809-000000-012070

RIGHT-OF-WAY AGREEMENT

**STATE OF FLORIDA
COUNTY OF POLK**

THIS AGREEMENT made and entered into this 14TH day of JUNE, 2024, between Lynn M. Van Wormer, whose mailing address is 1426 N Galloway Rd, Lakeland, FL 33810-0204, hereinafter collectively referred to as "Owner", and the **POLK COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 9005, Drawer RE-01, Bartow, Florida 33831-9005, hereinafter referred to as the "County".

WITNESSETH

WHEREAS, the County requires the lands described as Parcel No. 108 (the "Property") as more particularly described in Exhibit A as additional right-of-way for the construction and maintenance of an authorized road known as CR 542A (Galloway Road) @ 10th Street (the "Project"), and said Owner are required to furnish the parcel for such purpose:

NOW, THEREFORE, in consideration of the premises and the sum of one dollar each to the other paid, it is agreed as follows:

- (a) Owner agrees to sell and convey to the County a fee interest in Parcel 108, by Warranty Deed, free of liens and encumbrances, together with any improvements for the total sum of **\$1,400.00**.
- (b) County shall pay unto the Owner the sum of **\$1,400.00** by County warrant, within ninety (90) days from date hereof upon simultaneous delivery of such deed of conveyance. Any improvements or personal property not removed within fourteen (14) days after purchase of subject land shall be considered abandoned by the Owner.
- (c) Owner shall be responsible for the payment of any and all current and/or past due real property taxes, or pro-rations thereof, pro-rated to the date of closing, and assessments due on the date of closing. Any payment will be deducted at closing from the Owners' proceeds. Owner shall be responsible for the payment of any mortgages, if any, which attach to the Property, and any payment(s) due will be deducted at closing from the Owners' proceeds.

Polk County Right of Way Agreement

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(d) County acknowledges that this conveyance of the Property for right-of-way is in lieu of and under threat of condemnation.

(e) The Owner agrees and expressly acknowledge that the monies paid in accordance with this Agreement is just and full compensation for all property interest and or claims arising from this acquisition and no other monies including fees and/or costs are owed by the County to Owner.

* **THIS AGREEMENT IS SUBJECT TO FINAL APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA.**


IN WITNESS THEREOF, the parties hereto have caused these presents to be executed in their respective names, and on the date shown above.

PURCHASER:
POLK COUNTY, a political subdivision of the State of Florida

OWNER: Lynn M. Van Wormer

By: 

Joseph Blair
Florida Acquisition & Appraisal, Inc, its Agent



Lynn M. Van Wormer
Date 6-14-24

Approved By:  6/18/24

R. Wade Allen, Administrator

Real Estate Services Administrator Date

Exhibit A

Parcel Number: 108
Project Name: GALLOWAY RD @ 10TH ST
Tax Folio Number: 232809-000000-012070

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, 372.89 feet to the North 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, 25.00 feet to the South line of a parcel as described in Official Records Book 10715, Page 1333, of said Public Records; thence South 89°50'06" West, along said South parcel line, 4.30 feet; thence South 01°06'46" West, 25.01 feet to said North parcel line; thence North 89°50'06" East, along said North parcel line, 5.00 feet to said **Point of Beginning**.

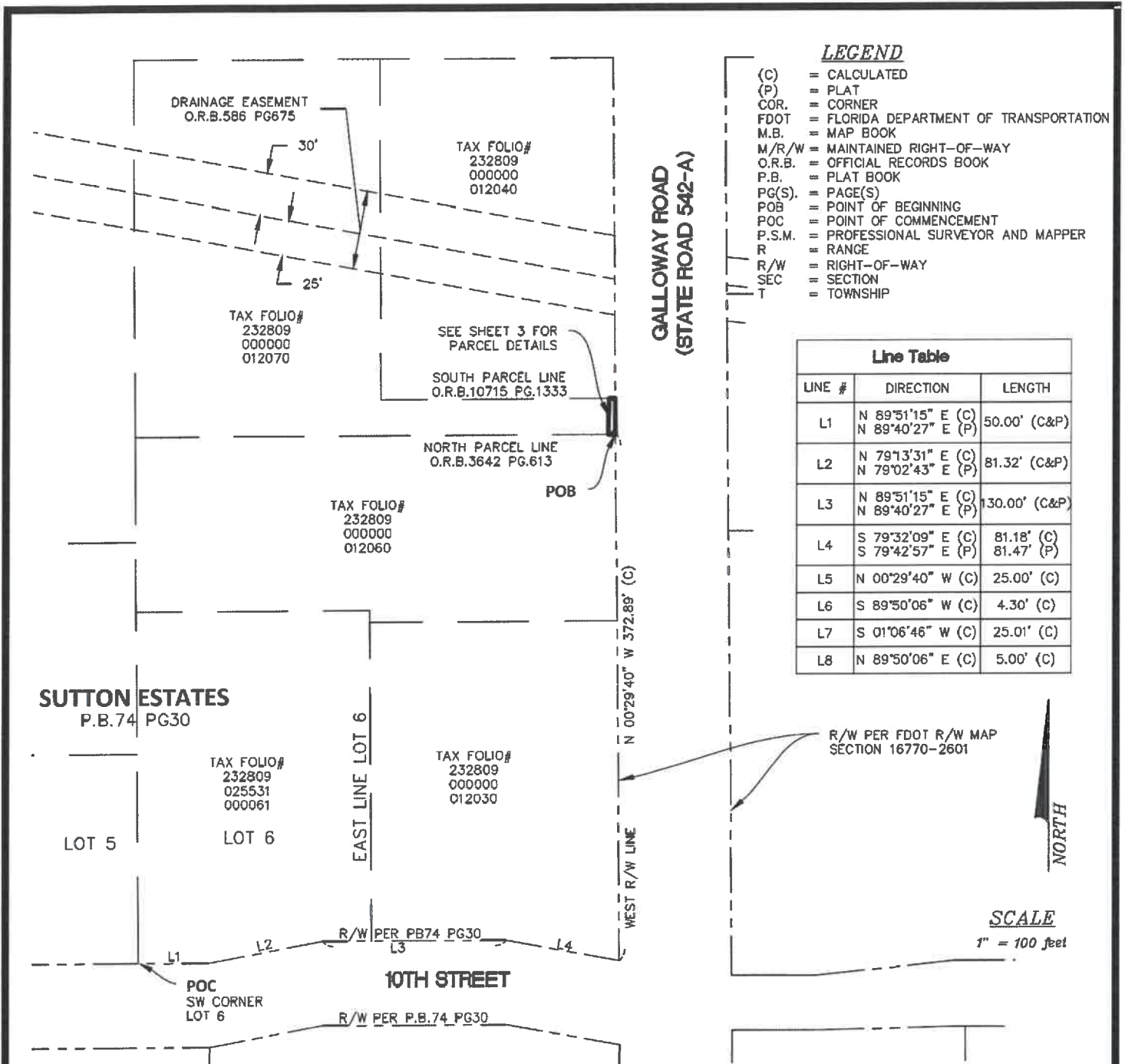
Containing 116 square feet, more or less.

SHEET 1 OF 3

FOR SKETCH SEE SHEETS 2 THRU 3

REVISION	DATE	BY

Exhibit A



**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.

DATE
01/10/24



Digitally signed by
Bryan Zelenenki
Date: 2024.01.31
07:55:56 -05'00'

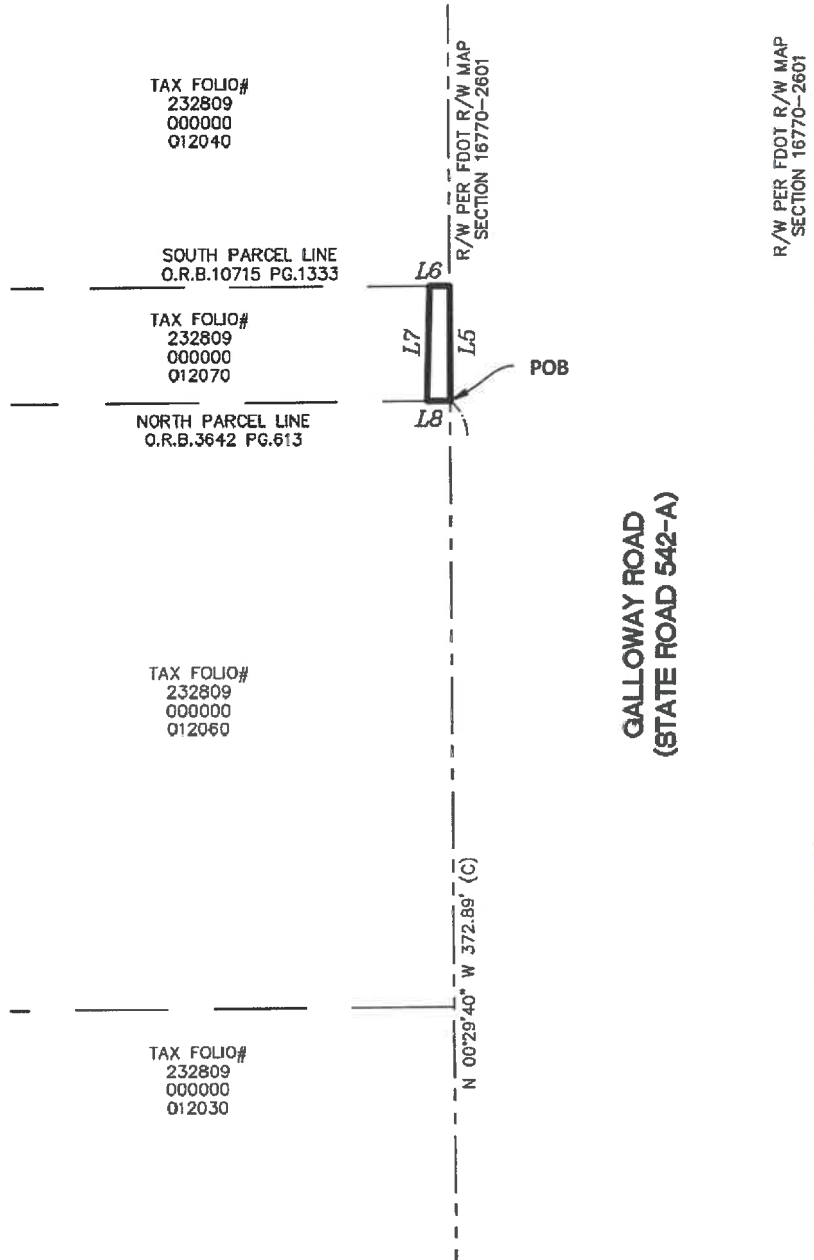
BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

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			POLK COUNTY ROADS AND DRAINAGE		
	LOCATED IN SECTION 09, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA.			3000 SHEFFIELD ROAD, WINTER HAVEN, FL 33880		
	REVISION		DATE	BY	PHONE: (863) 535-2200	FAX: (863) 519-8117
	Sheet No. 2 of 3		Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24	
Parcel Number: 108		PREPARED FOR: REAL ESTATE SERVICES			File Name: 8308E24-1	



THIS IS NOT
A SURVEY



SCALE
1" = 40 feet

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)	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)	25.00' (C)
L6	S 89°50'06" W (C)	4.30' (C)
L7	S 01°06'46" W (C)	25.01' (C)
L8	N 89°50'06" E (C)	5.00' (C)

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.

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