

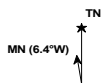
Subject Area

Section 33,
Township 29 South,
Range 26 East

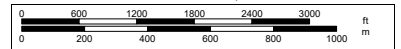
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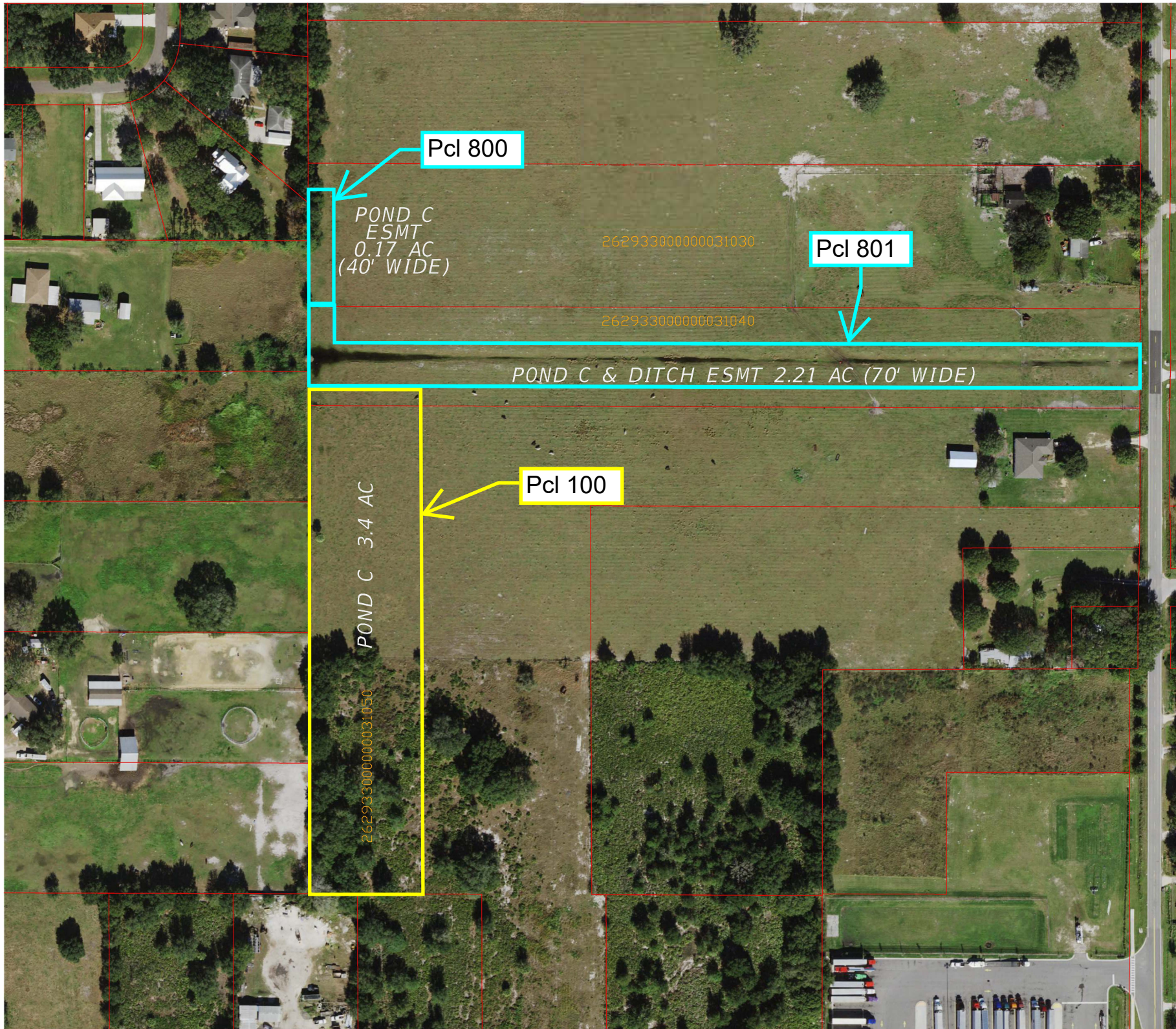


Scale 1 : 24,000



1" = 2,000.0 ft

Data Zoom 13-1



Pcl 800

POND C
ESMT
0.17 AC
(40' WIDE)

Pcl 801

262933000000031030

262933000000031040

POND C & DITCH ESMT 2.21 AC (70' WIDE)

Pcl 100

POND C 3.4 AC

262933000000031050



Board of County Commissioners

Project No.: 5400215
Project Name: Palmer Road Drainage
Parcel Nos.: 100, 800 and 801
Parcel I.D. Nos.: 262933-000000-031030/031040/031050

RIGHT-OF-WAY AGREEMENT

STATE OF FLORIDA COUNTY OF POLK

THIS AGREEMENT made and entered into this 8th day of November 2023, between **KENNETH E. RICKS**, a single man, whose address is 447 Old Bartow/Lake Wales Road, Bartow, Florida 33830, hereinafter 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. 100 as more particularly described in Exhibit "A" as a storm water retention pond and the lands described as Parcel Nos. 800 and 801 as more particularly described in Exhibits "B-1" and "B-2" as drainage easements, hereinafter collectively referred to as the "Property", all for the construction and maintenance of an drainage project known as the Palmer Road Drainage Project (the "Project"):

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 unto the County a fee interest in Parcel 100, by Warranty Deed, free of liens and encumbrances, together with affected improvements along with a perpetual easement interest in Parcels 800 and 801, by Drainage Easement, for the total amount of \$262,800 (Two Hundred Sixty-Two Thousand Eight Hundred and 00/100 Dollars).
- (b) The County payment of \$262,800 for the purchase of the Property together with applicable closing costs shall be made to the Title Agency described in Section (e) herein for disbursement at closing.
- (c) The County agrees to construct a culvert and crossing over the ditch located within Parcel 801 to accommodate vehicular crossing of the ditch to be located in a mutually agreeable location. Parcels 800 and 801 will not be fenced to allow the Owner access over and across the parcels; however, the retention pond in Parcel 100 will be fenced as part of the Project.
- (d) 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, and any

Project No.: 5400215

Project Name: Palmer Road Drainage

Parcel No.: 100, 800 and 801

Parcel I.D. Nos.: 262933-000000-031030/031040/031050

payment due will be deducted at closing from the Owner's proceeds. Owner shall also be responsible for the payment of any monetary Judgments and/or Liens, if any, which attach to the Property and any payment(s) due will be deducted at closing from the Owner's proceeds.


- (e) Transaction will be closed by American Government Services Corporation (the "Title Agency"). The County agrees to pay all closing costs associated with the transaction with the exception of the real property taxes, assessments, and/or Judgments/Liens as described in Section (c), and real estate commissions or fees, if any, incurred as a result of the Owner. Such closing costs paid by the County include the closing fee, title search fee, documentary stamps on the deed, if any, and ancillary recordable documents, if any.
- (f) Any personal property located on Parcel 100 not removed after 14 days of transaction closing shall be considered abandoned by the Owner.
- (g) The County possesses eminent domain authority; however, Owner acknowledges that the conveyance of the Property is a voluntary acquisition by the County and is not under threat of condemnation.
- (h) The Owner agrees and expressly acknowledges that the monies paid and other consideration given 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 cost 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 WHEREOF, the parties hereto have caused these presents to be executed in their respective names, and on the date shown above.

COUNTY:

POLK COUNTY, a political subdivision of the State of Florida

By: 
R. Wade Allen, Administrator
Polk County Real Estate Services

OWNER:

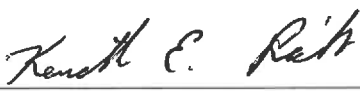

Kenneth E. Ricks

Exhibit "A" - Sheet 1 of 2

Parcel Number: 100 (Pond Pcl)
Project Name: Palmer Road
Tax Folio Number: 262933-000000-031050,
262933-000000-031040

Project Number: 9633E23-1

DESCRIPTION

A parcel of land lying in the Northwest 1/4 of Section 33, Township 29 South, Range 26 East, Polk County, Florida, being more particularly described as follows:

The East 180.25 feet of the West 1500.25 feet of the South 815 feet of the North 1960 feet of the NW 1/4 of said Section 33.

Said Parcel containing 3.37, acres more or less.

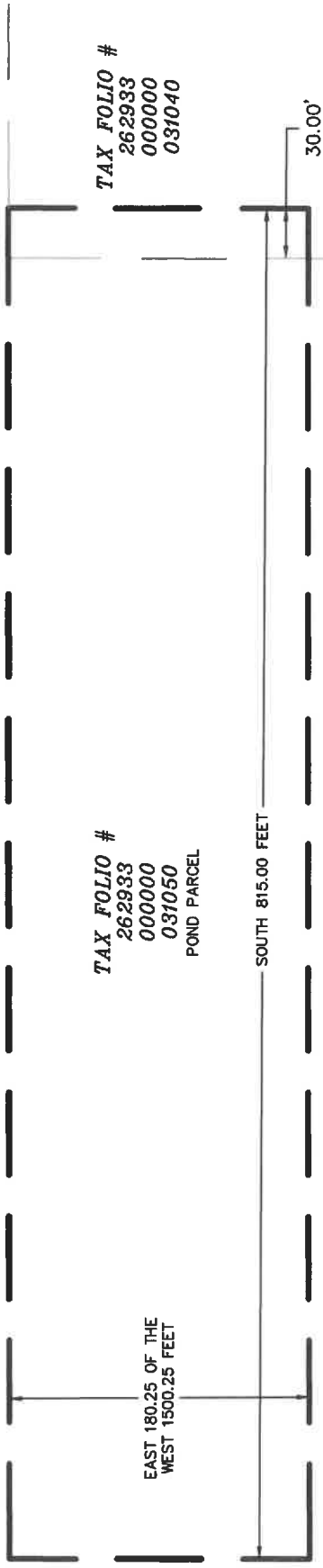
SHEET 1 OF 2

FOR SKETCH SEE SHEET 2 OF 2

REVISION	DATE	BY

THIS IS NOT A SURVEY

SCALE
1" = 100 feet



- LEGEND**
- (C) = CALCULATED
 - (P) = PLAT
 - COR. = CORNER
 - 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 2 FOR DESCRIPTION.

Digitally signed
 by John Richard
 Noland Jr. P.S.M.
 Date: 2023.08.17
 14:22:36 -04'00'



JOHN RICHARD NOLAND, JR. P.S.M.
 FLORIDA REGISTRATION #5923
 SURVEYING & MAPPING MANAGER
 SURVEYING AND MAPPING SECTION

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	Drawn by: MSK	Drawn Date: 08/08/23
Sheet No. 2 of 2	Checked by: BRM	PREPARED FOR: REAL ESTATE SERVICES	Job Number: 9833E22-1
Parcel Number: POND PARCEL			

REVISION		DATE	BY

DESCRIPTION SKETCH
 LOCATED IN SECTION 33,
 TOWNSHIP 29 SOUTH, RANGE 26 EAST,
 POLK COUNTY, FLORIDA.

POLK COUNTY

Exhibit "B-1" - Sheet 1 of 2

Parcel Number: 800
Project Name: Palmer Road
Tax Folio Number: 262933-000000-031030

Project Number: 9633E23-1

DESCRIPTION

A parcel of land lying in the Northwest 1/4 of Section 33, Township 29 South, Range 26 East, Polk County, Florida, being more particularly described as follows:

Commence at the Southeast Corner of Lot 29, Peace River Oaks Subdivision, as recorded in Plat Book 70, Page 40, Public Records of Polk County, Florida for the **Point of Beginning**; thence North 00°11'49" West, along the East line of said Lot 27, and the East Line of the Northwest 1/4 of the Northwest 1/4 , a distance of 70.79 feet; thence South 89°49'12" East, 40.00 feet; thence South 00°11'49" East, 175.40 feet to the South Line of the South 230 feet of the North 1015 feet of said Northwest 1/4; thence North 89°49'12" West, along said south line, 40.00 feet to the East Line of said Northwest 1/4; thence North 00°11'49" West, along said east Line, 104.48 feet to the **Point of Beginning**.

Said Parcel containing 7,000 Square feet, more or less.

SHEET 1 OF 2

FOR SKETCH SEE SHEET 2 OF 2

REVISION	DATE	BY

THIS IS NOT A SURVEY

SCALE
1" = 40 feet

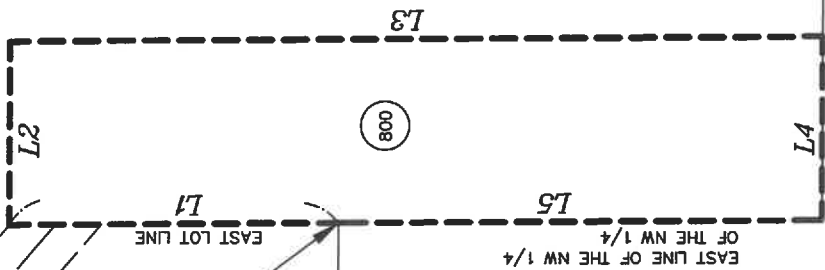


PEACE RIVER OAKS
P.B. 70, PG. 40

TAX FOLIO #
262928
691000
000290

POB. OF
SE COR. OF
LOT 29 OF
PEACE RIVER
OAKS

TAX FOLIO #
262933
000000
033040



TAX FOLIO #
262933
000000
031030

Line Table		
LINE #	DIRECTION	LENGTH
L1	N 0°11'49" W	70.79'
L2	S 89°49'12" E	40.00'
L3	S 0°11'49" E	175.40'
L4	N 89°49'12" W	40.00'
L5	N 0°11'49" W	104.48'

SOUTH LINE OF THE SOUTH 230 FEET OF
THE NORTH 1015 FEET OF NW 1/4

TAX FOLIO #
262933
000000
031040

LEGEND

- (C) = CALCULATED
- (P) = PLAT
- COR. = CORNER
- 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

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 2 FOR DESCRIPTION.

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

JOHN RICHARD NOLAND, JR. P.S.M.
FLORIDA REGISTRATION #5923
SURVEYING & MAPPING MANAGER
SURVEYING AND MAPPING SECTION



Digitally signed by
John Richard Noland Jr.
P.S.M.
Date: 2023.08.17
14:14:00 -04'00'

DESCRIPTION SKETCH

LOCATED IN SECTION 33,
TOWNSHIP 29 SOUTH, RANGE 26 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 2	Drawn by: MSK
Checked by: BRM	Drawn Date: 08/09/23
PREPARED FOR: REAL ESTATE SERVICES	Job Number: 9633E22-1

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



POLK
COUNTY

Exhibit "B-2" - Sheet 1 of 2

Parcel Number: 801
Project Name: Palmer Road
Tax Folio Number: 262933-000000-031040

Project Number: 9633E23-1

DESCRIPTION

A parcel of land lying in the Northwest 1/4 of Section 33, Township 29 South, Range 26 East, Polk County, Florida, being more particularly described as follows:

Commence at the Southeast Corner of Lot 29, Peace River Oaks Subdivision, as recorded in Plat Book 70, Page 40, Public Records of Polk County, Florida; thence South 00°11'49" East, along the East Line of the Northwest 1/4 of the Northwest 1/4, a distance of 104.48 feet to a point on the North Line of the south 160.00 feet of North 1175.00 feet of said Northwest 1/4, and the **Point of Beginning**; thence continue South 00°11'49" East, along said east line, 130.00 feet; thence South 89°49'12" East, parallel with the north line of said south 160.00 feet, a distance of 1337.18 feet to the west maintained right-of-way line for Old Bartow Lake Wales Road as depicted in Map Book 3, Pages 177 through 184, of said Public Records, Polk County, Florida, thence North 00°12'56" East, along said west maintained right-of-way line, 48.73 feet; thence continue North 00°23'15" East, along said west maintained right-of-way line 21.27 feet; thence North 89°49'12" West, parallel with the north line of said south 160.00 feet, a distance of 1297.64 feet; thence North 00°11'49" West, 60.00 feet, to a point on the north line of said south 160.00 feet; thence North 89°49'12" West, along said north line, 40.00 feet to the **Point of Beginning**.

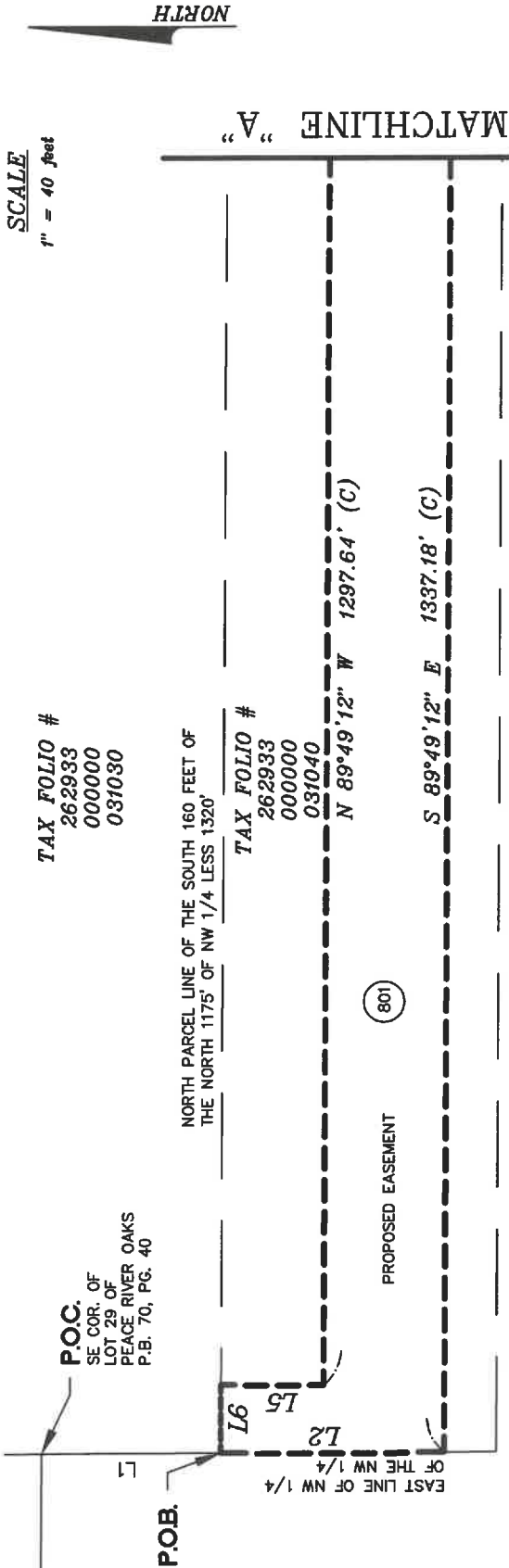
Said Parcel containing 2.2, acres more or less.

SHEET 1 OF 2

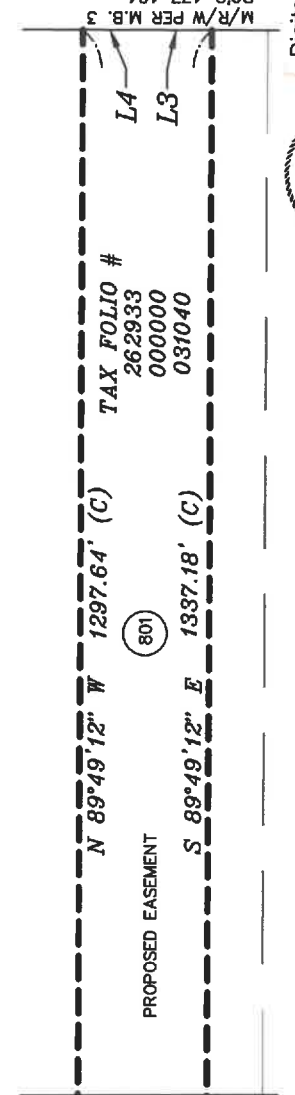
FOR SKETCH SEE SHEET 2 OF 2

REVISION	DATE	BY

THIS IS NOT A SURVEY



LINE #	DIRECTION	LENGTH
L1	S 0°11'48" E	104.48'
L2	S 0°11'49" E	130.00'
L3	N 0°12'56" E	48.73'
L4	N 0°23'15" E	21.27'
L5	N 0°11'49" W	60.00'
L6	N 89°49'12" W	40.00'



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. 2 of 2 Drawn by: MSK Checked by: BRM Drawn Date: 08/09/23 Job Number: 9633222-1

Parcel Number: 801 PREPARED FOR: REAL ESTATE SERVICES

DESCRIPTION SKETCH
LOCATED IN SECTION 33,
TOWNSHIP 29 SOUTH, RANGE 26 EAST,
POLK COUNTY, FLORIDA.

REVISION	DATE	BY



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 2 FOR DESCRIPTION.