

North

Subject Area

Section 8,
Township 27 South,
Range 23 East



Board of County Commissioners

Parent Parcel ID No.: 232708-000778-001270

AGREEMENT

**COUNTY OF POLK
STATE OF FLORIDA**

THIS AGREEMENT made and entered into this 5th day of May, 2025, between **FOX BRANCH RANCH COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, whose address is c/o Wrathell Hunt & Associates, LLC, 2300 Glades Road, #410w, Boca Raton, Florida 33431 (the “Owner”), and **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, (the “County”).

WITNESSETH

WHEREAS, Owner agrees to sell to County, and County agrees to purchase from Owner a portion of the lands identified as Parcel ID Number 232708-000778-001270, as more particularly described in Exhibit “A”, (the “Property”), in accordance with the provisions of this Agreement for a drainage project known as the Rolling Oaks Drainage Improvement project (“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 the Property by Special Warranty Deed, free of liens, mortgages, and encumbrances, except for those identified in a title commitment to be obtained by the County at the County’s expense on or before the Closing, unto the County, for the sum of \$40,000 (Forty Thousand and 00/100 Dollars). The Special Warranty Deed shall be in substantially the same form as Exhibit “B”.
- (b) The County shall pay unto the Owner the total sum of \$40,000, by County Warrant, within thirty (30) days from date hereof upon simultaneous delivery of said Special Warranty Deed. Any improvements or personal property not removed from subject land by closing shall be considered abandoned by the Owner and conveyed to the County at Closing.
- (c) County agrees to pay documentary stamps on the deed, if any, the cost to record the deed and any ancillary recordable documents.

Equal Opportunity Employer

- (d) Owner shall be responsible for the payment of any and all, current and/or past due real property taxes and assessments, or proration thereof, prorated to the date of closing, and any payment due will be deducted from the Owner's proceeds.
- (e) County and Owner each represent to the other that it has not incurred the services of a broker and that no persons, firms, corporations, or other entities are entitled to a real estate commission or other fees as a result of this Agreement or the subsequent Closing.
- (f) The final approval by the Board of County Commissioners of Polk County, Florida and the Closing shall occur no later than May 30, 2025 or this Agreement shall become null and void, unless further extended in writing by all parties herein.
- (g) 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.
- (h) Time is of the essence with regard to all dates or times set forth in this Agreement.
- (i) COUNTY ACKNOWLEDGES AND AGREES THAT OWNER WILL CONVEY TO COUNTY AND COUNTY WILL ACCEPT THE PROPERTY IN ITS "AS IS" AND "WHERE IS" CONDITION, WITH ALL FAULTS, AND THAT, EXCEPT AS MAY BE EXPRESSLY SET FORTH HEREIN TO THE CONTRARY, OWNER MAKES NO REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, ANY REPRESENTATIONS OR WARRANTIES REGARDING THE PHYSICAL OR ENVIRONMENTAL CONDITION OF THE PROPERTY, THE GROUNDWATER LOCATED IN OR UNDER THE PROPERTY, THE AIR LOCATED ABOVE THE PROPERTY, THE VALUE OF THE PROPERTY, THE SUITABILITY OF THE PROPERTY, OR THE FEASIBILITY OF COUNTY'S INTENDED USE. The provisions of this paragraph shall survive the Closing or any termination of this Agreement, and shall run with the title to the Property.
- **THIS AGREEMENT IS SUBJECT TO FINAL APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA.**

[Signatures on Next Page]

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

COUNTY:

POLK COUNTY, a political subdivision of
the State of Florida

OWNER:

**FOX BRANCH RANCH COMMUNITY
DEVELOPMENT DISTRICT**, a local unit
of special purpose government pursuant to
Chapter 190, Florida Statutes

By: _____

 5/6/25
R. Wade Allen, Director
Real Estate Services
Its Agent

By: _____


Shelley Kaercher, Chair

Approved by the Board:

Date: _____

Project Name: ROLLING OAKS
Project Number: 7317E22-2
Tax Folio Number: 23-27-08-000778-001270

DESCRIPTION

A parcel of land being a portion of TRACTS HH-1, II-1, and NN-1, FOX BRANCH RANCH PHASE 1, as recorded in Plat Book 212, Pages 22-29, Public Records of Polk County, Florida and being in the Southeast 1/4 of the Southwest 1/4 of Section 8, Township 27 South, Range 23 East, described as follows:

Commence at the Southeast corner of said FOX BRANCH RANCH PHASE 1 also being the Southeast corner of said Southeast 1/4 of the Southwest 1/4; thence South 89°46'21" West, along the South line of said FOX BRANCH RANCH PHASE 1 also being the South line of said Southeast 1/4 of the Southwest 1/4, a distance of 531.25 feet to the Northwest corner of a parcel as described in Official Records Book 7556, Page 2066, Public Records of Polk County, Florida and the **Point of Beginning**; thence North 00°02'29" West, along the Northerly extension of the West line of said parcel, 25.00 feet; thence North 89°46'21" East, 30.09 feet; thence North 00°02'29" West, 60.00 feet; thence North 89°46'21" East, 228.00 feet to the Northerly extension of the East line of a parcel as described in Official Records Book 3420, Page 1473, Public Records of Polk County, Florida; thence South 00°02'29" East, along said Northerly extension of East line, 85.00 feet to said South line; thence South 89°46'21" West, along said South line, 258.09 feet to the **Point of Beginning**.

Containing 20,132 square feet, more or less

SHEET 1 of 2

FOR SKETCH SEE SHEET 2 OF 2

REVISION	DATE	BY
ADDED INFORMATION FROM PLAT BOOK 212 PAGES 22-29	04/15/2025	BCZ



Project Name: ROLLING OAKS
Project Number: 7317E22-2
Tax Folio Number: 23-27-08-000778-001270

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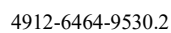
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FOR SKETCH SEE SHEET 2 OF 2

REVISION	DATE	BY
ADDED INFORMATION FROM PLAT BOOK 212 PAGES 22-29	04/15/2025	BCZ



This instrument was prepared by and
upon recording should be returned to:

(This space reserved for Clerk)

Jere Earlywine, Esq.
Kutak Rock LLP
107 W College Avenue
Tallahassee, Florida 32301

Parent Parcel ID No.: 232708-000778-001270

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made to be effective as of the ____ day of _____
2025, by and between:

FOX BRANCH RANCH COMMUNITY DEVELOPMENT DISTRICT, a community
development district formed pursuant to Chapter 190, Florida Statutes, whose
mailing address is c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite
410W, Boca Raton, Florida 33431 ("**Grantor**"); and

POLK COUNTY, FLORIDA, a political subdivision of the State of Florida, whose
mailing address is Post Office Box 9005, Drawer RE-01, Bartow, Florida 33831-9005
("**Grantee**").

SPECIAL WARRANTY GRANT OF FEE TITLE

WITNESS THAT GRANTOR, for good and valuable consideration in hand paid by Grantee, the
receipt and sufficiency whereof are hereby acknowledged, grants, bargains and conveys to Grantee
forever, all of the right, title, interest, claim and demand which the Grantor has in and to the following
described lot, piece or parcel of land, situate, lying and being in the County of Polk, State of Florida,
and more particularly below ("**Property**") Identified in **Exhibit "A"** attached hereto.

TOGETHER with all of the tenements, hereditaments and appurtenances thereto belonging
or in anywise appertaining, and to have and to hold the same in fee simple forever. Such conveyance
is subject to all matters of record; however, reference hereto shall not operate to re-impose the
same.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said
land in fee simple and that the Grantor has good right and lawful authority to sell and convey said
land. Further, the Grantor hereby warrants the title to said land and will defend the same against the
lawful claims of all persons or entities whomsoever claiming by, through or under Grantor, but
against none other. Additionally, the Grantor warrants that it has complied with the provisions of
Section 196.295, *Florida Statutes*.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed on the day and year first above written.

WITNESS

**FOX BRANCH RANCH COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Name: _____
Address: _____

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Address: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2025, by _____, as _____ of Fox Branch Ranch Community Development District, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

(NOTARY SEAL)

NOTARY PUBLIC, STATE OF FLORIDA

Name: _____
(Name of Notary Public, Printed, Stamped or
Typed as Commissioned)

Exhibit "A" to Special Warranty Deed – Sheet 1 of 2

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