

RESOLUTION NO: 2025-
RESOLUTION OF NECESSITY
SPIRIT LAKE ROAD AT OLD BARTOW EAGLE LAKE ROAD
PROJECT # 5400193
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 Spirit Lake Road at Old Bartow Eagle Lake Road Intersection Improvement Project (Project # 5400193); 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 Spirit Lake Road at Old Bartow Eagle Lake Road 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 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 Spirit Lake Road at Old Bartow Eagle Lake Road 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 Director, 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 approved the alignment attached hereto as Exhibit "A". the Board of County Commissioners of Polk County, Florida, further find 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 Spirit Lake Road Old Bartow Eagle Lake Road Improvement Project (Project 5400193). 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 21st day of January 2025.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
T. R. Wilson, Chairman

EXHIBIT "A"

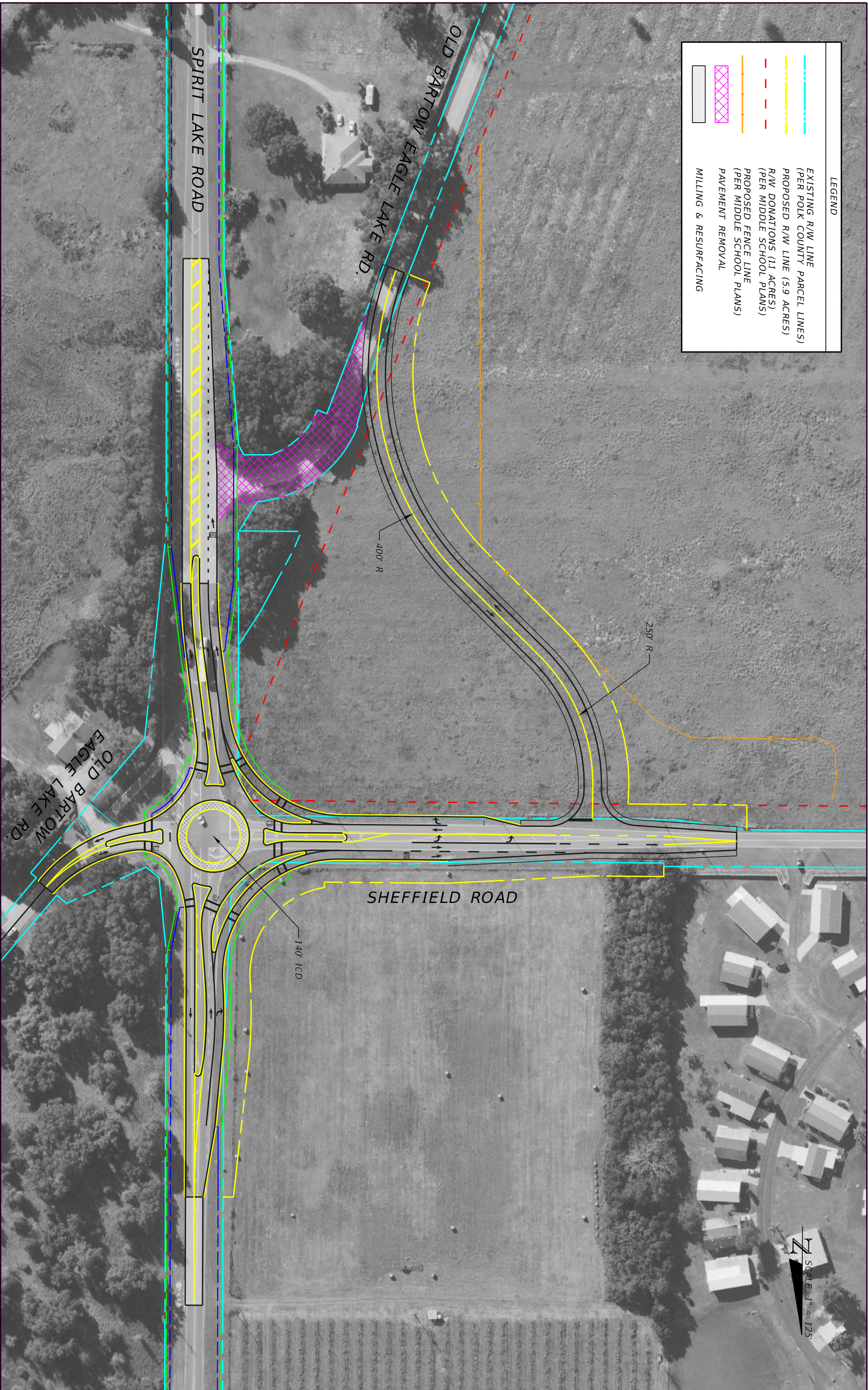


EXHIBIT "B"

**ROAD: SPIRIT LAKE RD @ OLD BARTOW
EAGLE LAKE RD**

POLK COUNTY

DESCRIPTION

PARCEL: 101

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT-OF-WAY

Parcel Number: 101

Project Name: Spirit Lk. Rd. @ Sheffield Rd.

Road Number: 951403

Project Number: 9514E24-1

DESCRIPTION

A parcel of land being a portion of the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 11, Township 29 South, Range 25 East, Polk County, Florida being described as follows:

COMMENCE at the Southwest corner of said Section 11; Thence South 89° 59' 53" East along the south line of said Section 11, a distance of 1947.51 feet, to the west line of the East 1/2 of the SE 1/4 of the SW 1/4 of said Section 11; Thence North 00° 15' 51" West, along said west line, 25.31 feet to the north right-of-way line of Sheffield Road as described in Official Records Book 2411, Page 1249 of the Public Records of Polk County, Florida and the **POINT OF BEGINNING**; Thence continue North 00° 15' 51" West, along said west line, 14.94 feet; Thence South 89° 59' 53" East, 12.33 feet; Thence South 89° 45' 58" East, 112.33 feet; Thence North 85° 16' 51" East, 150.56 feet; Thence North 87° 47' 13" East, 163.85 feet, to a non-tangent curve to the left, having a radius of 135.00 feet, a central angle of 92° 21' 39", a chord bearing of North 44° 03' 13" East, and a chord distance of 194.81 feet; Thence along the arc of said curve a distance of 217.62 feet, to a point of reverse curvature of a curve to the right, having a radius of 659.00 feet, a central angle of 07° 08' 04" a chord bearing of North 01° 26' 26" East, and a chord distance of 82.00 feet; Thence along the arc of said curve 82.06 feet; Thence North 07° 19' 37" East, 171.11 feet; Thence North 00° 12' 30" West, 222.32 feet to the south line of a parcel described in Official Records Book 7705 page 211, Public Records of Polk County, Florida; Thence North 89° 46' 56" East, along said south line 10.00 feet to a point on the west right-of-way line of Spirit Lake Road as described in Deed Book 1037, Page 157, of said Public Records; Thence South 00° 12' 20" East, along said west right-of-way line, 372.87 feet, to a point on said west right-of-way line, as described in Official Records Book 2411, Page 1249 of said Public Records; Thence South 02° 20' 09" West, along said west right-of-way line, 225.52 feet; Thence South 42° 52' 26" West, along said west right-of-way line, 62.95 feet, to a point on said north right-of-way line of Sheffield Road as described in said Official Records Book 2411, Page 1249; Thence; along said north right-of-way line, the following three courses: 1) North 89° 49' 18" West, 206.71 feet; 2) South 87° 22' 17" West, 100.12 feet; 3) North 89° 45' 58" West, 249.49 feet, to the **POINT OF BEGINNING**.

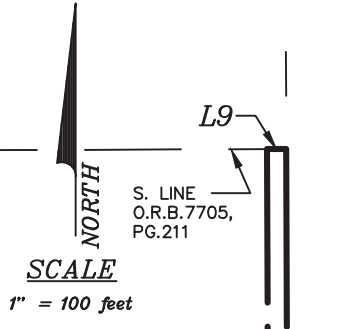
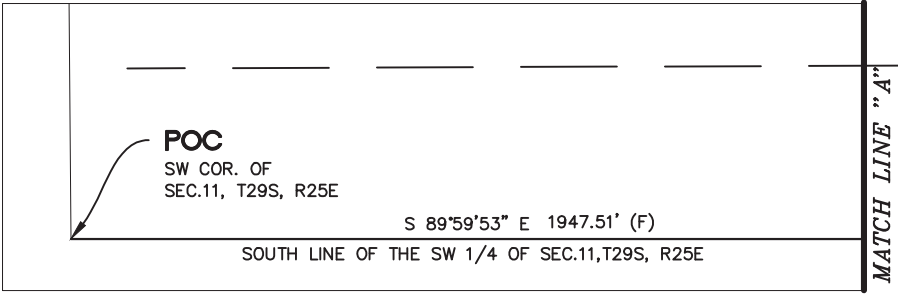
Containing 29,565 square feet, or 0.7 acres more or less.

SHEET 1 OF 2

FOR SKETCH SEE SHEET 2 OF 2

| REVISION | DATE | BY |
|--|------------|-----|
| REV#2 Revised limit of description to exclude 252911000000042060 | 10/30/2024 | JRN |
| REV#3 CORRECTED CURVE C2 | 11/25/2024 | JRN |

THIS IS NOT
A SURVEY



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

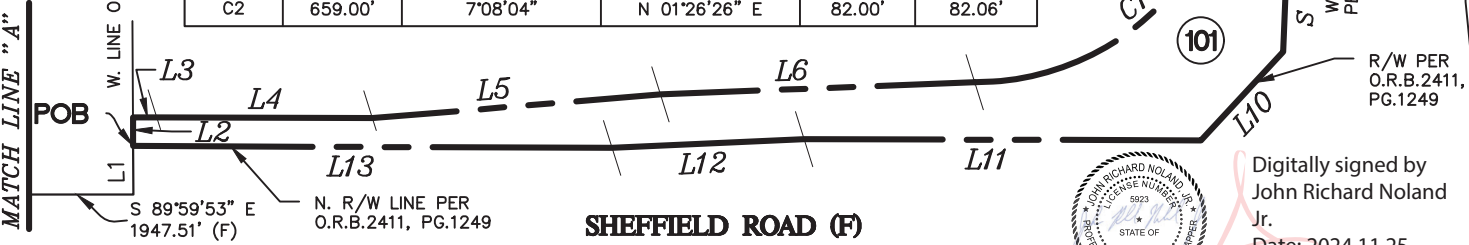
TAX FOLIO#
252911
000000
042040

| Line Table | | |
|------------|---------------|---------|
| LINE # | DIRECTION | LENGTH |
| L1 | N 0°15'51" W | 25.31' |
| L2 | N 0°15'51" W | 14.94' |
| L3 | S 89°59'53" E | 12.33' |
| L4 | S 89°45'58" E | 112.33' |
| L5 | N 85°16'51" E | 150.56' |
| L6 | N 87°47'13" E | 163.85' |
| L7 | N 7°19'37" E | 171.11' |
| L8 | N 0°12'30" W | 222.32' |
| L9 | N 89°46'56" E | 10.00' |
| L10 | S 42°52'26" W | 62.95' |
| L11 | N 89°49'18" W | 206.71' |
| L12 | S 87°22'17" W | 100.12' |
| L13 | N 89°45'58" W | 249.49' |

W. LINE OF THE E. 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SEC.11,T29S, R25E

| Curve Table | | | | | |
|-------------|------------|-------------------|-------------------|-----------|------------|
| CURVE # | RADIUS (C) | CENTRAL ANGLE (C) | CHORD BEARING (C) | CHORD (C) | LENGTH (C) |
| C1 | 135.00' | 92°21'39" | N 44°03'13" E | 194.81' | 217.62' |
| C2 | 659.00' | 7°08'04" | N 01°26'26" E | 82.00' | 82.06' |

TAX FOLIO#
252911
000000
042050



W. R/W LINE PER D.B.1037, PG.157

SPIRIT LAKE ROAD (F)

W. R/W LINE PER O.R.B.2411, PG.1249

R/W PER O.R.B.2411, PG.1249



Digitally signed by
John Richard Noland
Jr.
Date: 2024.11.25
10:54:48 -05'00'

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
9/10/24

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

SEE SHEET 1 OF 2 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 11, TOWNSHIP 29 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA.

| REVISION | DATE | BY |
|---------------------------------|----------|-----|
| 1. ADDED AERIAL | 9/30/24 | EAA |
| 2. REVISED LIMITS | 10/30/24 | JRN |
| 3. CORRECTED C2, REMOVED AERIAL | 11/25/24 | JRN |

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: EAA | Checked by: JRN | Check Date: 9/9/24 |
| Parcel Number: 101 | PREPARED FOR: REAL ESTATE SERVICES | | File Name: SPIRIT LAKE RD. @ SHEFIELD RD. |

