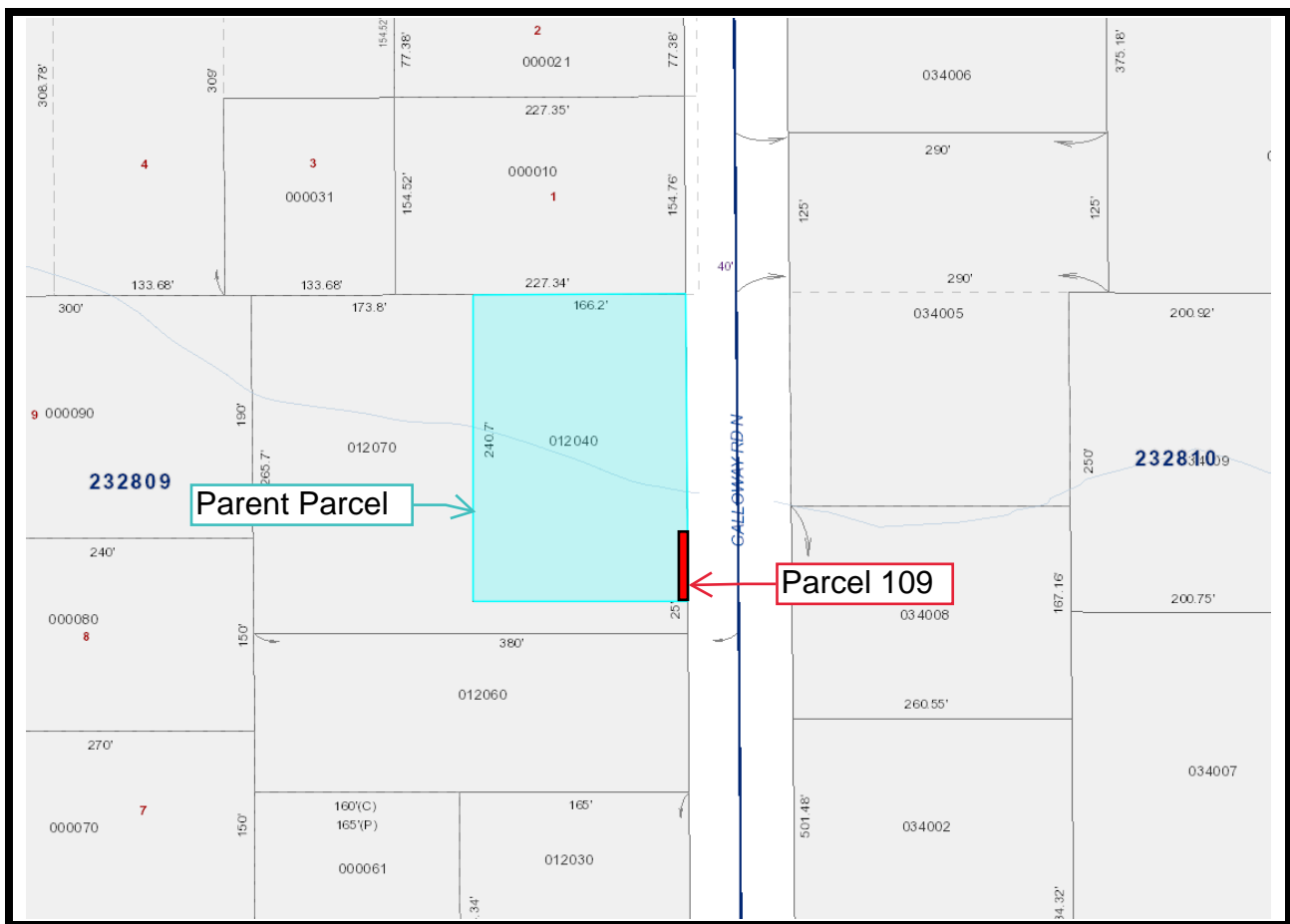


**SECTION 09, TOWNSHIP 28 SOUTH, RANGE 23 EAST**





*Board of County Commissioners*

Project No.: 5400190  
Project Name: CR 542A (Galloway Road) @ 10th Street  
Parcel No.: 109  
Parent Parcel I.D. No.: 232809-000000-012040

**RIGHT-OF-WAY AGREEMENT**

**STATE OF FLORIDA  
COUNTY OF POLK**

THIS AGREEMENT made and entered into this 21<sup>th</sup> day of June, 2024, between **Eduardo Moreno, a Married Person** whose mailing address is 11107 Cherrywood Ln, Riverview, FL 33579-7107, 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. 109 (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 109, by Warranty Deed, free of liens and encumbrances, together with any improvements for the total sum of **\$4,000.00**.
- (b) County shall pay unto the Owner the sum of **\$4,000.00** 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

Page 2

Project No.: 5400190

Project Name: CR 542A (Galloway Road) @ 10th Street

Parcel No.: 109

Parent Parcel I.D. No.: 232809-000000-012040

(d) Owner agrees to grant a Right of Entry to the County to allow for construction and harmonization of the 12-foot wide driveway to the westerly right-of-way line as referenced on Exhibit B.

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

(f) 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: Eduardo Moreno**

By: \_\_\_\_\_

Stephanie Gonzalez

Florida Acquisition & Appraisal, Inc, its Agent

\_\_\_\_\_  
Eduardo Moreno

6/21/2024  
Date

Approved By: \_\_\_\_\_

R. Wade Allen, Administrator

Real Estate Services Administrator

6/25/24  
Date

# Exhibit A

Parcel Number: 109  
Project Name: GALLOWAY RD @ 10<sup>TH</sup> ST  
Tax Folio Number: 232809-000000-012040

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:

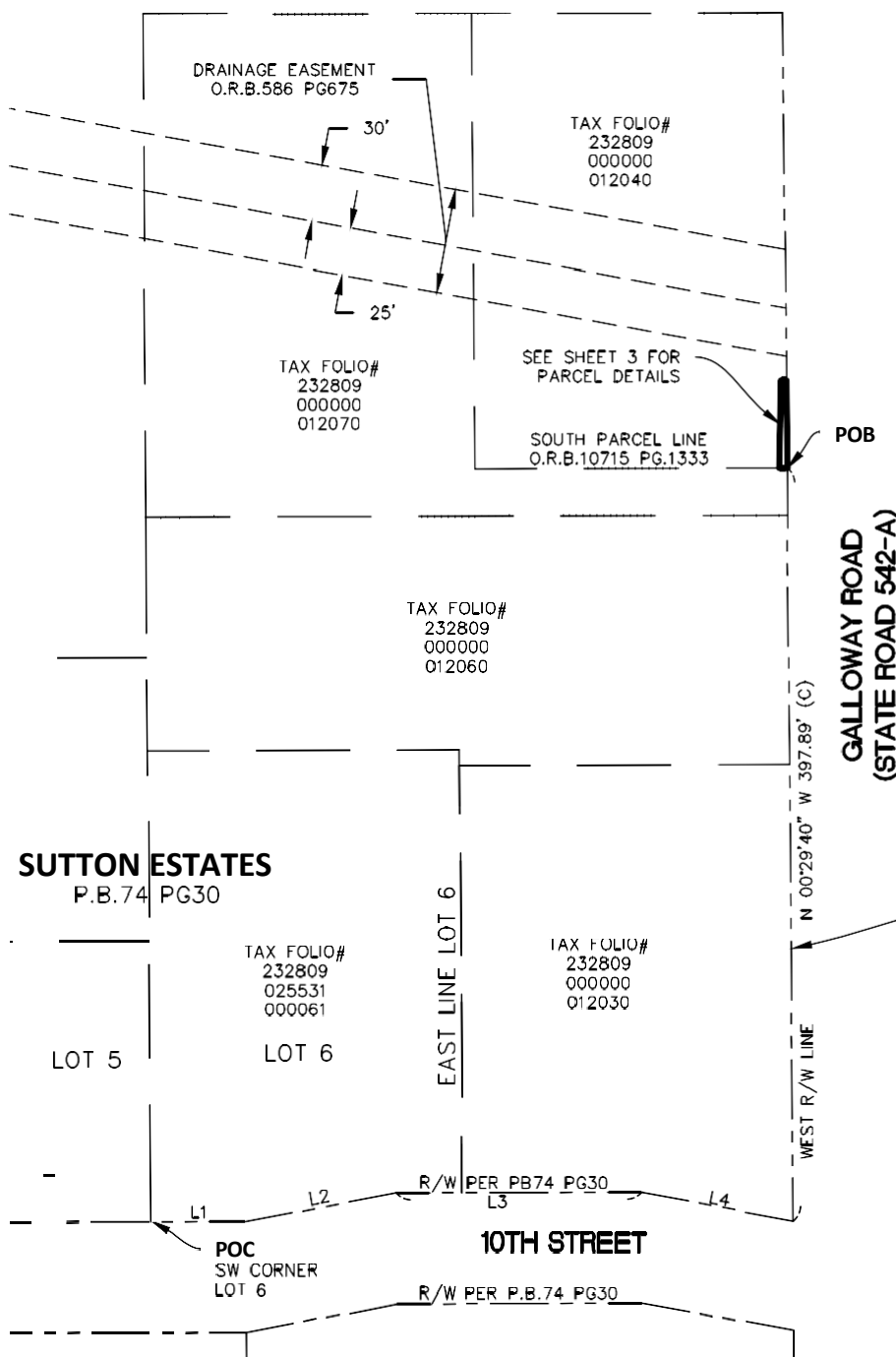
**Commence** at the Southwest corner of Lot 6 of Sutton Estates, a subdivision as recorded in Plat Book 74, Page 30-31, Public Records of Polk County, Florida, being a point on the North right-of-way line of 10<sup>th</sup> Street, as shown on said plat of Sutton Estates; thence along said North right-of-way 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, 397.89 feet to the South line of a parcel as described in Official Records Book 10715, Page 1333, of said Public Records and the **Point of Beginning**; thence continue North 00°29'40" West, along said West right-of-way line, 46.31 feet; thence South 89°30'20" West, 3.00 feet; thence South 01°06'46" West, 46.30 feet to said South parcel line; thence North 89°50'06" East, along said South parcel line, 4.30 feet to said **Point of Beginning**.

Containing 169 square feet, more or less.

SHEET 1 OF 3

FOR SKETCH SEE SHEETS 2 THRU 3

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

**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)	46.31' (C)
L6	S 89°30'20" W (C)	3.00' (C)
L7	S 01°06'46" W (C)	46.30' (C)
L8	N 89°50'06" E (C)	4.30' (C)

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

NORTH

**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  
07:57:11 -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 3	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 109	PREPARED FOR: REAL ESTATE SERVICES		File Name: 8309E24-1



**POLK  
COUNTY**

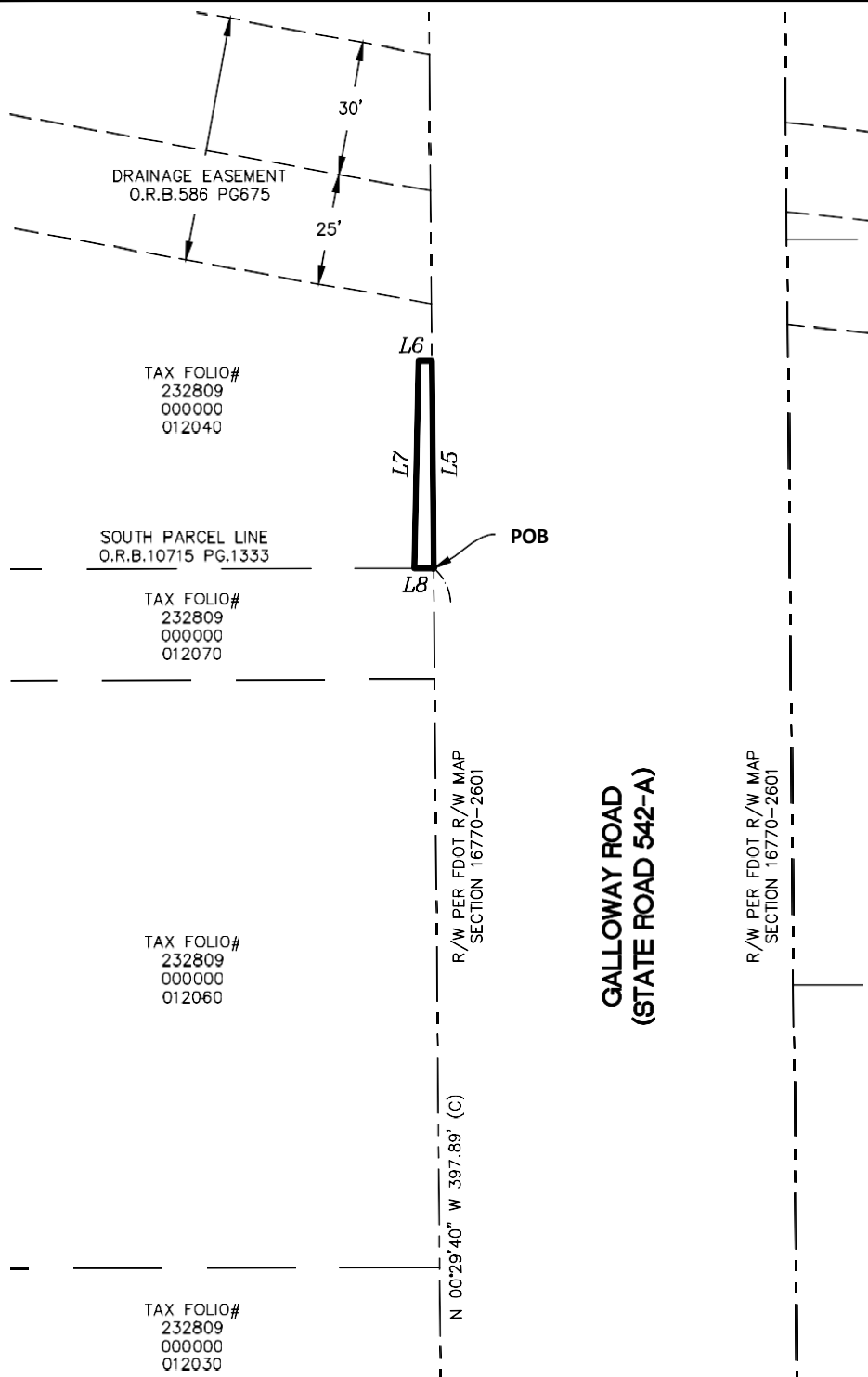


*THIS IS NOT  
A SURVEY*



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)
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LEGEND

(C) = CALCULATED  
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COR. = CORNER  
FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION  
M.B. = MAP BOOK  
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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 09,  
TOWNSHIP 28 SOUTH, RANGE 23  
EAST, POLK COUNTY, FLORIDA.

REVISION	DATE	BY

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**POLK**  
COUNTY

## Exhibit B

