

RESOLUTION NO. 2023-_____

VACATING AND CLOSING A PORTION OF PLATTED, UNOPENED AND UNMAINTAINED RIGHT-OF-WAY SHOWN ON THE MAP OF CAPTAIN DAVID BURNS', DAVENPORT, POLK COUNTY, FLORIDA.

WHEREAS, the petition of Davenport Legacy, LLC, through its authorized agent Jeffrey D. Hofius, requesting that the Board of County Commissioners of Polk County, Florida, vacate, abandon, discontinue and close a portion of platted, unopened, and unmaintained right-of-way shown on the map of Captain David Burns' described as:

SEE EXHIBIT "A"

and renounce and disclaim any right of the County and the public in and to said right-of-way and the land in connection therewith, was duly presented to the Board at its regular meeting held on the 21st day of November 2023; and

WHEREAS, notice of intention to apply to the Board of County Commissioners to close said right-of-way was duly published in The Ledger, Lakeland, Florida, a newspaper of general circulation in Polk County, Florida, and

WHEREAS, a hearing has been held this 21st day of November 2023, as provided in the above referred to notice, and after due weight, consideration and determination, it has been determined that the statutory requirements have been complied with and that the closing and abandoning of the right-of-way described herein will not adversely affect the ownership of any person, it being conclusively shown and demonstrated that said right-of-way is no longer needed as right-of-way; and

WHEREAS, this action is found to be in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, that certain right-of-way described herein be and is hereby vacated, abandoned discontinued, and closed and all rights of the County and the public in and to said right-of-way and the land in connection therewith be and is hereby renounced.

ADOPTED this 21st Day of November 2023

**SKETCH OF DESCRIPTION FOR
VACATION OF RIGHT OF WAY**

SECTION 12, TOWNSHIP 26 SOUTH, RANGE 27 EAST
POLK COUNTY, FLORIDA

Exhibit "A" - Sheet 1 of 2

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING A 30-FOOT UNNAMED RIGHT OF WAY PER CAPTAIN DAVID BURNS SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 34 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF BLOCK 2 OF SAID CAPTAIN DAVID BURNS SUBDIVISION; THENCE ALONG THE SOUTH LINE OF SAID BLOCK 2, S69°14'13"E, A DISTANCE OF 374.21 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID 30-FOOT UNNAMED RIGHT OF WAY AND THE POINT OF BEGINNING;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, N29°24'30"E, A DISTANCE OF 739.52 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S24°07'01"E, A DISTANCE OF 37.30 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID 30-FOOT UNNAMED RIGHT OF WAY; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, S29°24'30"W, A DISTANCE OF 712.78 FEET TO THE SOUTHEASTERLY EXTENSION OF BLOCK 2 OF SAID CAPTAIN DAVID BURNS SUBDIVISION; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, AND ALONG THE SOUTHEASTERLY EXTENSION OF SAID BLOCK 2, N69°14'13"W, A DISTANCE OF 30.34 FEET TO THE POINT OF BEGINNING.


CONTAINING 21,780 SQUARE FEET (0.500 ACRES) OF LAND, MORE OR LESS.

SURVEYOR'S NOTES

1. THE PURPOSE OF THIS SKETCH OF DESCRIPTION IS TO PROVIDE A LEGAL DESCRIPTION FOR VACATION OF AN UNOPENED, PLATTED RIGHT OF WAY.
2. THIS IS NOT A SURVEY.
3. THE BASIS OF BEARINGS FOR THIS SKETCH IS GRID NORTH, STATE PLANE COORDINATE SYSTEM, FLORIDA WEST, NAD 83, NGS ADJUSTMENT OF 2011. THE SOUTH LINE OF BLOCK 2 OF CAPTAIN DAVID BURNS SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 34, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEARS S69°14'13"E.
4. THE PROPERTY DEPICTED ON THIS SKETCH IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
5. THIS LEGAL DESCRIPTION IS INCOMPLETE UNLESS ACCOMPANIED BY A SKETCH OF THE PROPERTY DESCRIBED HEREIN.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

03 MAY 2023; EXTENDED R/W VACATION EXTENTS

 <p>LEADING EDGE LAND SERVICES INCORPORATED 8802 EXCHANGE DRIVE ORLANDO, FLORIDA 32809 PHONE: (407) 351-6730 FAX: (407) 351-9691 WEB: www.leadingedgeis.com</p> <p>FLORIDA LICENSED BUSINESS NUMBER LB 6848</p>	<p>SKETCH OF DESCRIPTION FOR LEGACY AT DAVENPORT, LLC</p> <p>SURVEYOR'S CERTIFICATION</p> <p>I, THE UNDERSIGNED FLORIDA LICENSED SURVEYOR AND MAPPER, DO HEREBY CERTIFY THAT I HAVE COMPLETED THIS SKETCH IN ACCORDANCE WITH FLORIDA ADMINISTRATIVE RULE 15-17 STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS.</p> <p><i>[Signature]</i> DATE: <u>05/05/2023</u></p> <p>JEFFREY D. HOEJUS PROFESSIONAL SURVEYOR AND MAPPER NUMBER 6610</p>		<p>DATE OF DRAWING: 18 APR 2023</p> <p>MANAGER: JDH CADD: EAC</p> <p>PROJECT NUMBER: 1167-21001</p> <p>FIELD BOOK NUMBER: N/A</p> <p>LAST FIELD WORK: N/A</p> <p>CREW CHIEF(S): N/A</p> <p>COMPUTER FILE: 1167001SD_ROW1.DWG</p> <p>SCALE: 1" = 150' SHEET 1 OF 2</p>
	<p>FLORIDA LICENSED BUSINESS NUMBER LB 6848</p>		

SKETCH OF DESCRIPTION FOR VACATION OF RIGHT OF WAY

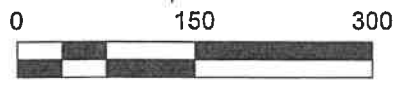
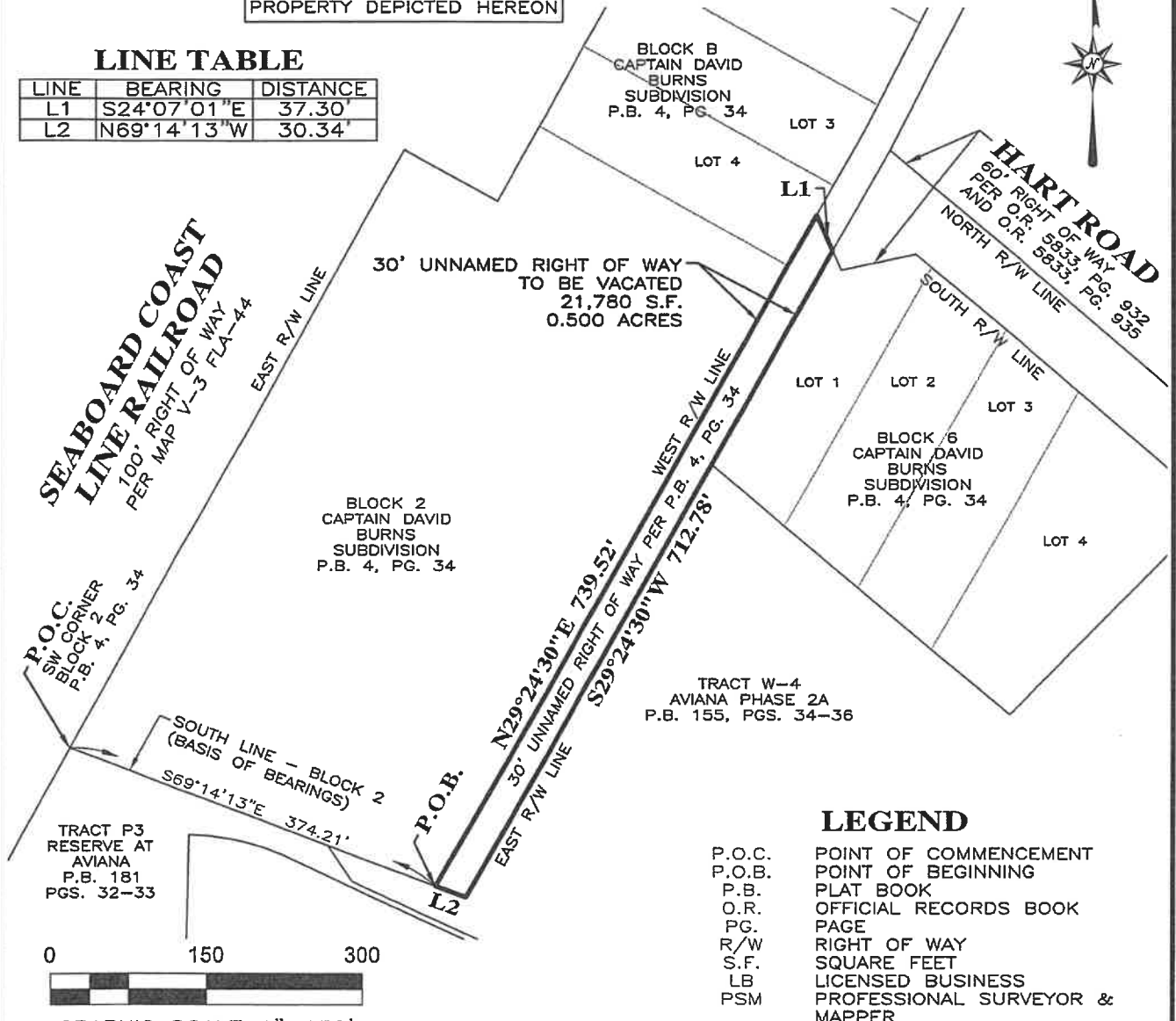
SECTION 12, TOWNSHIP 26 SOUTH, RANGE 27 EAST
POLK COUNTY, FLORIDA

Exhibit "A" - Sheet 2 of 2

THIS SKETCH IS INCOMPLETE
UNLESS ACCOMPANIED BY A
LEGAL DESCRIPTION OF THE
PROPERTY DEPICTED HEREON

LINE TABLE

LINE	BEARING	DISTANCE
L1	S24°07'01"E	37.30'
L2	N69°14'13"W	30.34'




LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.B. PLAT BOOK
- O.R. OFFICIAL RECORDS BOOK
- PG. PAGE
- R/W RIGHT OF WAY
- S.F. SQUARE FEET
- LB LICENSED BUSINESS
- PSM PROFESSIONAL SURVEYOR & MAPPER

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 2)

03 MAY 2023: EXTENDED R/W VACATION EXTENTS

 <p>LEADING EDGE LAND SERVICES INCORPORATED</p> <p>8802 EXCHANGE DRIVE ORLANDO, FLORIDA 32809</p> <p>PHONE: (407) 351-6730 FAX: (407) 351-9691 WEB: www.leadingedgels.com</p> <p>FLORIDA LICENSED BUSINESS NUMBER LB 6846</p>	<p>SKETCH OF DESCRIPTION FOR LEGACY AT DAVENPORT, LLC</p>	<p>DATE OF DRAWING: 18 APR 2023</p>
	<p>THIS IS NOT A SURVEY</p>	<p>MANAGER: JDH CADD: EAC</p> <p>PROJECT NUMBER: 1167-21001</p> <p>FIELD BOOK NUMBER: N/A</p> <p>LAST FIELD WORK: N/A</p> <p>CREW CHIEF(S): N/A</p> <p>COMPUTER FILE: 1167001SD_ROW1.DWG</p> <p>SCALE: 1" = 150' SHEET 2 OF 2</p>