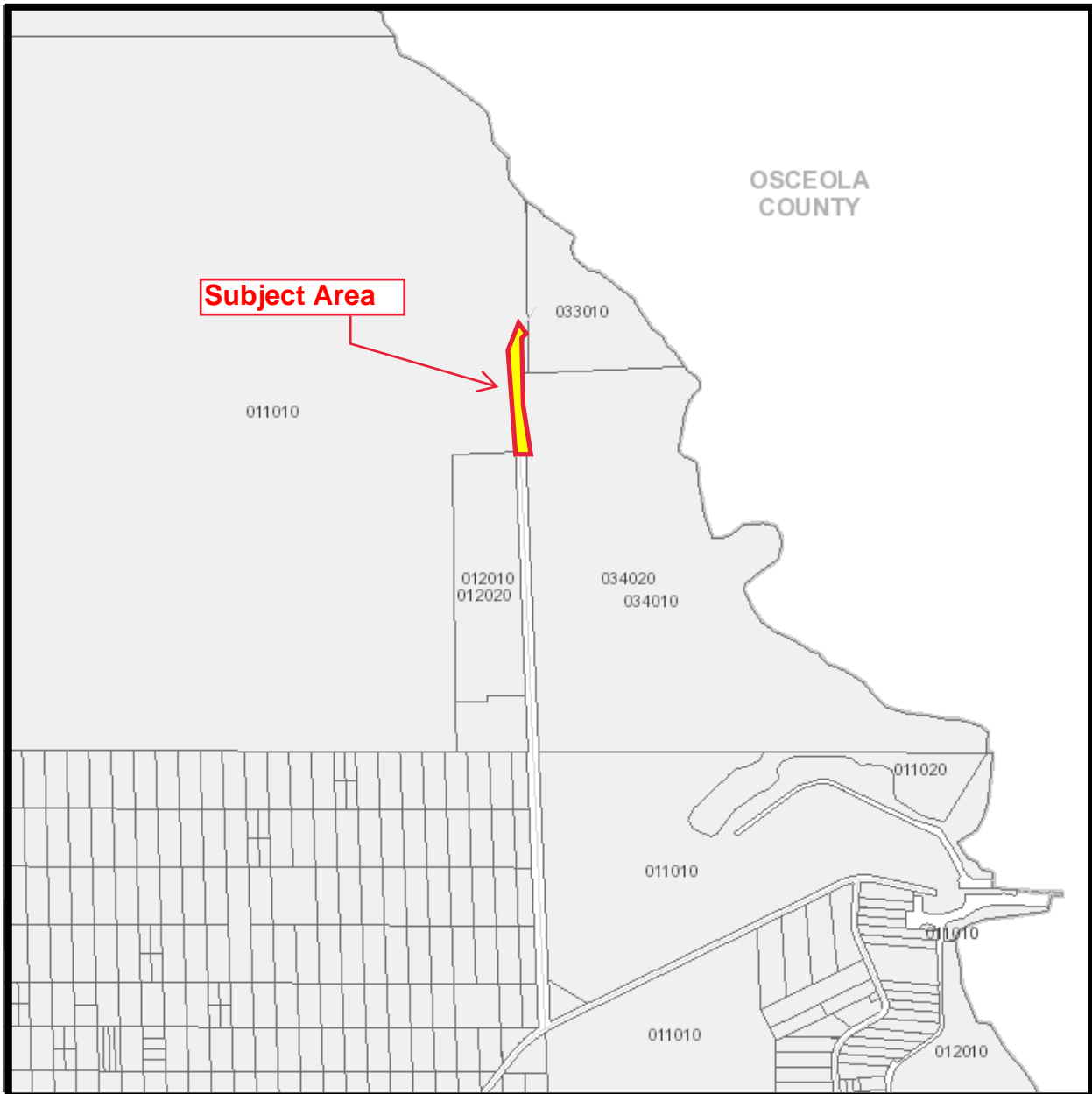
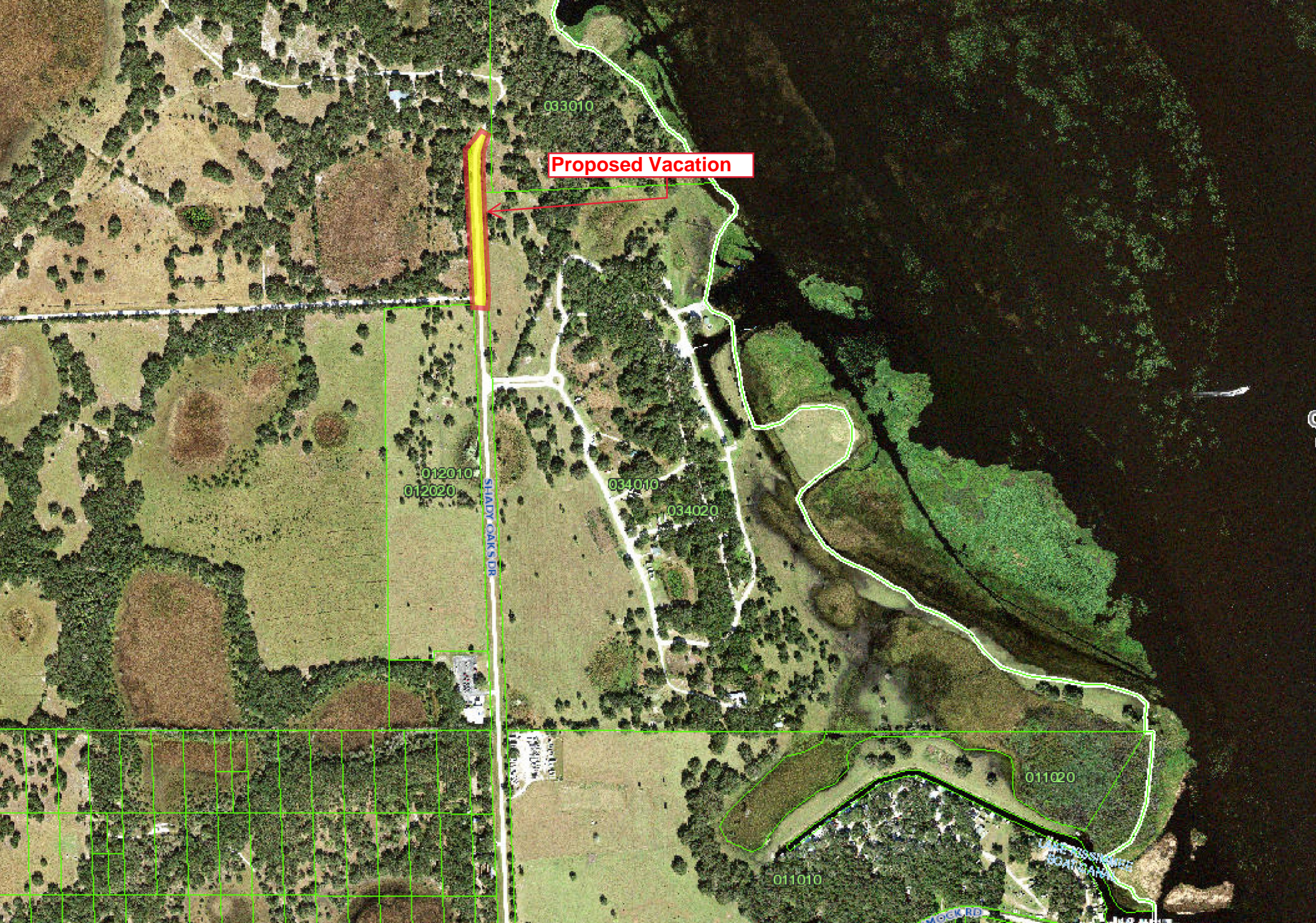


Section 33, Township 30 South, Range 31 East



SECTION 33, TOWNSHIP 30 SOUTH, RANGE 31 EAST





Proposed Vacation

033010

012010
012020

034010

034020

011020

011010

SHADY CREEK DR

LAKE MISSISSIPPI
BOATING AREA

MOG RD



COUNTY OF POLK, FLORIDA
Application and Petition for Vacation and Abandonment
of Streets, Alleys, and Rights-of-Way

Return to:
 Real Estate Services
 P.O. Box 9005, Drawer RE-01
 Bartow, FL 33831
 or
 515 E. Boulevard St.,
 Bartow, FL 33830
 (863) 534-2580

FOR OFFICE USE ONLY

Case/File No. _____
 C/C Meeting: _____

Date Received: _____
 Complete: _____

Please type or print clearly.

A. Property Owner(s): (Attach additional sheets if required)

Name Eagle Haven Ranch Properties, LLC		Email arnie@arnie.com
Address 802 Taray de Avila, Suite 300		
City Tampa	State FL	Zip 33613
Phone 813-956-6560	Fax	Cellular

Name		Email
Address		
City	State	Zip
Phone	Fax	Cellular

B. Is there a pending "Contract for Sale"? Yes No
 If yes, please list all parties involved in the sales contract:

C. Applicant or Authorized Agent: (If different from above)

Name Scott Stigall, Esq.		Email sstigall@gunster.com
Address 601 Bayshore Blvd., Suite 700		
City Tampa	State FL	Zip 33606
Phone 813-253-2020	Fax 813-251-6711	Cellular

General Information

D. General Location of Property to be Vacated:

Property Location or Address The northerly portion of Shady Oaks Drive, being a portion of the maintained right of way of Shady Oaks Drive per the maintained right of way map recorded in Map Book 25, Page 28-35.
Parcel Number(s): The right of way is situated between Parcels 31-30-33-000000-012020, 31-30-33-000000-034010, and 31-30-33-000000-011010.

Legal Description ⁽¹⁾ (Attach additional sheets as necessary)

Please see attached legal description and survey.

The subject property is located within a platted or unrecorded subdivision.

How was this right-of-way reserved? Plat Deed Other (describe): Map Book 25, Page 28-35

(1) An **exact legal description** of the property to be vacated must be submitted. The County suggests the Applicant contact a Registered Land Surveyor to determine the exact legal description. The County reserves the right to require a survey of the subject property and/or a title opinion, if necessary. The Owner/Applicant is responsible for all costs associated therewith.

E. Are any other applications pending? Yes No (Check all that apply.)

Variance Conditional Use Special Exception Other (describe): _____

F. Reason for this Request – Check all that apply: (Attach additional sheets as necessary)

Code Violation. (Attach copy of letter citing violation.)

Need to clear an existing encroachment. (Describe encroachment below.)

Request to vacate to allow for construction of:

Pool Screened Pool/Deck Building Addition (Describe below.) Other (Describe below)

Other (Describe below).

Additional Comments:

This request is related to the security of the property owned by Eagle Haven Ranch Properties, LLC, and should also benefit Coleman Landing at Shady Oaks Recreation Area. Often, visitors to Coleman Landing at Shady Oaks Recreation Area inadvertently pass the entrance to the recreation area and proceed to the gates of the property owned by Eagle Haven Ranch Properties, LLC. As a result, the entrance to the property owned by Eagle Haven Ranch Properties, LLC has been frequently littered with trash and drug-related paraphernalia.

PETITION TO VACATE RIGHT-OF-WAY

TO: THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA

The undersigned Petitioner respectfully petitions the Board of County Commissioners of Polk County, Florida, and requests that the right-of-way described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

(NOTE: The term "Petitioner" shall refer to all Petitioners, whether singular or plural.)

be vacated, abandoned, discontinued, and closed, and that any rights of the County and the Public in and to the said right-of-way and any lands in connection therewith, be renounced and disclaimed by the Board of County Commissioners of Polk County, Florida. In support of this Petition, Petitioner respectfully affirms:

1. Petitioner is the owner and/or legal representative of the owner of all of the land abutting the above described right-of-way, which is the subject of this Petition; that said ownership has been fully divulged; and that the names of all parties to an existing contract for sale or any options are filed with this application.
2. Petitioner acknowledges and agrees that this vacation of right-of-way may require Petitioner to grant an easement for public utility purposes to Polk County or other legal entities over, under and across all or part of the property to be vacated and further agrees that if said easement is required, Petitioner shall convey said easement in compliance with this request prior to the actual Public Hearing. Further, Petitioner understands that if said easement is not granted, the Public Hearing may be continued or the Petition may be denied, at the discretion of the Board of County Commissioners.
3. The subject right-of-way is unopened right-of-way unmaintained right-of-way opened, maintained right-of-way (check all that apply). The closing of the right-of-way will not deprive the Petitioner the right of access to his/her/their property, nor will it deprive any other person(s) of access to his/her/their property.
4. The subject right-of-way is not a part of a state or federal highway and is not located within the corporate limits of any municipality.
5. Petitioner acknowledges that the act of vacating the subject right-of-way does not necessarily grant ownership rights in the property vacated to the abutting property owners and that decisions regarding the distribution of vacated property shall not be made by the Board of County Commissioners or any of its Departments, Divisions or employees. Upon vacation of the subject right-of-way, the Polk County Property Appraiser's Office will distribute the subject right-of-way in accordance with historical records and applicable Florida Statutes but further legal action may be required to fully clear title to the property. By granting the Petition to vacate right-of-way, the Board of County Commissioners is in no way certifying, declaring or guaranteeing legal title to the vacated right-of-way to the Petitioner or any other persons.

WHEREFORE, the undersigned Petitioner requests the Board of County Commissioners of Polk County, Florida, adopt a Resolution setting a time and place for a public hearing, and, after due notice thereof, adopt a Resolution vacating, abandoning, discontinuing and closing the right-of-way described, renouncing and disclaiming any rights of the County and the Public in and to the subject right-of-way and to any lands in connection therewith, in accordance with the provisions of Section 336.09 and Section 336.10 of the Florida Statutes.

DATED THIS 19th day of December, 2023.

Eagle Haven Ranch Properties, LLC
Petitioner Name (Print)

802 Taray de Avila, Suite 300
Address

Tampa, FL 33613
City/State/Zip

Phone (813) 956-6560

Arnold F. Bellini III
Petitioner Name (Print)

802 Taray de Avila
Address

Tampa, FL 33613
City/State/Zip

Phone (813) 956-6560

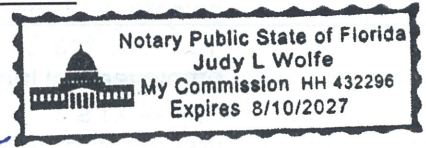
[Signature]
Petitioner's Signature

Arnold F. Bellini, III, Manager of Eagle Haven Ranch Properties, LLC

[Signature]
Petitioner's Signature

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence, this 19 day of December, 2023, by Arnold F. Bellini, III, as Manager of Eagle Haven Ranch Properties, LLC, on behalf of the company, who is /are personally known to me or who has / have produced N/A as identification and who did / did not take an oath.



[Signature]
Notary Public
My Commission Expires: 8/10/2027
Commission No.: 432296

