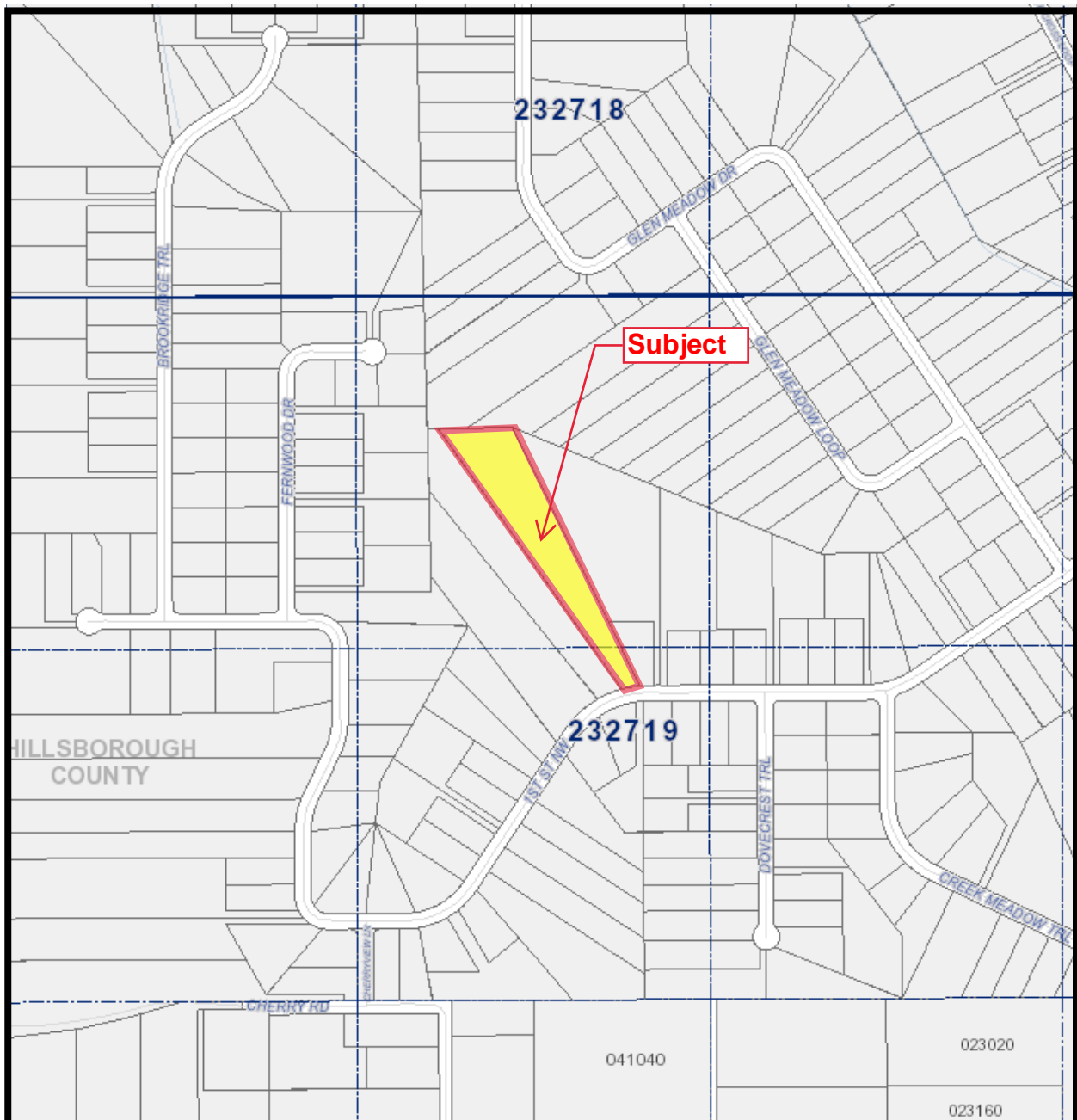
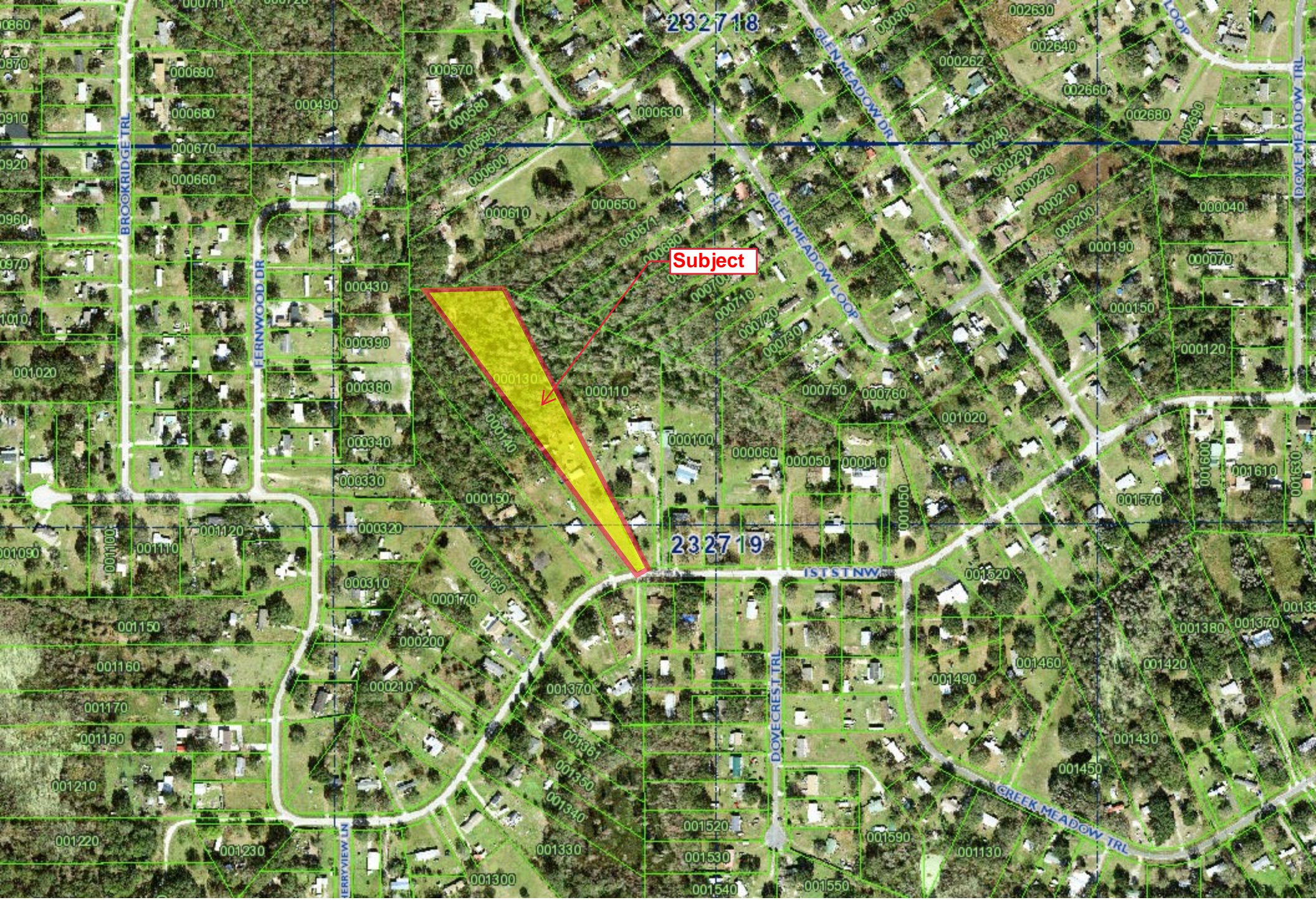


**Section 19, Township 27 South, Range 23 East**



SECTION 19 TOWNSHIP 27 SOUTH, RANGE 23 EAST





**Section 19, Township 27 South, Range 23 East**



**COUNTY OF POLK, FLORIDA**  
**Application and Petition for Vacation and Abandonment**  
**of Drainage and/or Utility Easements**

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: 6/11/2024  
 Complete: dcj

Please type or print clearly.

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

|                          |             |                                 |
|--------------------------|-------------|---------------------------------|
| Name<br>Susan Carden     |             | Email<br>Susanalayne@icloud.com |
| Address<br>2025 CREEK RD |             |                                 |
| City<br>Lakeland         | State<br>FL | Zip<br>33809                    |
| Phone                    | Fax         | Cellular                        |

|                          |             |                                 |
|--------------------------|-------------|---------------------------------|
| Name<br>Otis Carden      |             | Email<br>Otis.carden@icloud.com |
| Address<br>2025 CREEK RD |             |                                 |
| City<br>Lakeland         | State<br>FL | Zip<br>33809                    |
| Phone                    | Fax         | Cellular                        |

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

Susan & Otis Carden

Yosvany & Yanet Lainque

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

|   |             |                                    |
|---|-------------|------------------------------------|
| Name<br>Thomas Wodrich, AICP, TDW Land Planning |             | Email<br>tdwlandplanning@gmail.com |
| Address<br>218 E. Pine Street                   |             |                                    |
| City<br>Lakeland                                | State<br>FL | Zip<br>33801                       |
| Phone   | Fax         | Cellular<br>863-838-8511           |

**General Information**

**D. General Location of Property to be Vacated:**

|  |
|--|
| Property Location or Address<br><br>5035 1ST ST NW, Lakeland, FL 33810 |
| Parcel Number(s):<br>232718-000996-000130                              |

|   |
|---|
| Legal Description <sup>(1)</sup> (Attach additional sheets as necessary)  |
| <b>See Survey</b>   |
|   |
|   |
| The subject property is located within a <input checked="" type="checkbox"/> platted or <input type="checkbox"/> unrecorded subdivision.<br>If the property is located within a subdivision, is there a Homeowner's Association <sup>(2)</sup> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>How was this easement reserved? <input checked="" type="checkbox"/> Plat <input type="checkbox"/> Deed <input type="checkbox"/> Easement <input type="checkbox"/> Other (describe): _____ |

(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.

(2) If there is a Homeowner's Association (HOA) for the subdivision. If required, the Owner/Applicant shall be responsible for obtaining a Letter of Consent from the authorized representative of the HOA prior to submittal for Board Approval.

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)

|  |
|--|
| <input type="checkbox"/> Code Violation. (Attach copy of letter citing violation.)<br><input checked="" type="checkbox"/> Need to clear an existing encroachment. (Describe encroachment below.)<br><input checked="" type="checkbox"/> Request to vacate to allow for construction of:<br><input type="checkbox"/> Pool <input type="checkbox"/> Screened Pool/Deck <input type="checkbox"/> Building Addition (Describe below.) <input checked="" type="checkbox"/> Other (Describe below) |
|--|

Additional Comments:

The property owner replaced an older mobile home using a Building Permit (BR-2024-41). During the sale of the property to another owner, the title company discovered the drainage easement. After contacting the Roads & Drainage, it was discovered that there is no actual drainage ditch and therefore no longer a need for the drainage easement. We are requesting the vacation of the drainage easement to allow for the permitted mobile home to remain in its current locaion.

**PETITION TO VACATE DRAINAGE/UTILITY EASEMENT**  
**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  drainage  utility  other: \_\_\_\_\_  
\_\_\_\_\_ easement, hereinafter collectively referred to as "easement", described as follows  
(check all that apply):

**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 easement 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 easement, 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. The subject easement and the use thereof is not now used. No other landowner or landowner's interest will be affected by the requested closure. The closing of the easement 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.
3. The subject easement is not a part of a state or federal highway and no part of the easement is located within the corporate limits of any municipality.
4. Petitioner acknowledges that by granting the Petition to vacate the easement, the Board of County Commissioners is in no way certifying, declaring or guaranteeing legal title to the vacated easement 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 easement described, renouncing and disclaiming any rights of the County and the Public in and to the subject easement 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 10 day of June, 20 24.

Susan Carden  
Petitioner Name (Print)

2025 Creek Rd  
Address

Lakeland FL 33809  
City/State/Zip

Phone (813) 944 4997

[Signature]  
Petitioner's Signature

Otis Carden  
Petitioner Name (Print)

2025 Creek Rd  
Address

Lakeland FL 33809  
City/State/Zip

Phone (813) 349 5090

[Signature]  
Petitioner's Signature

STATE OF FLORIDA  
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 10 day of June,  
20 24, by Otis Carden & Susan Carden,  
who  is / are personally known to me or  who has / have produced FL Driver's  
licence as identification and who  did /  did not take an oath.



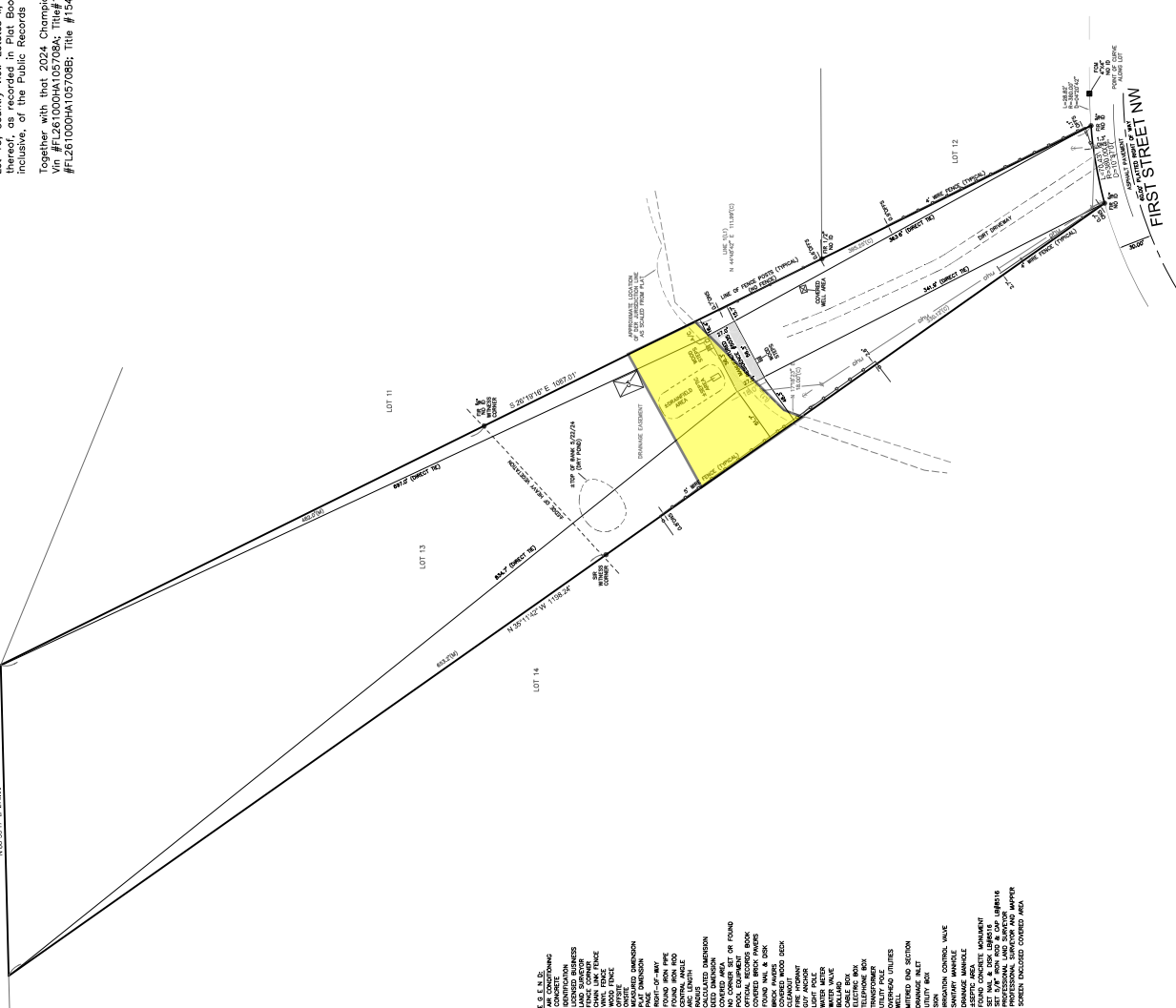
[Signature]  
Notary Public  
My Commission Expires: Jul 25, 2026  
Commission No.: H17 292646

EASEMENT NOTE:  
THERE IS A DRAINAGE EASEMENT ON THE  
SUBJECT PROPERTY, AS SHOWN HEREON.

# BOUNDARY SURVEY

**LEGAL DESCRIPTION (as furnished):**  
Lot 13, Country View Estates II, according to the map or plat  
thereof, as recorded in Plat Book 84, Page(s) 8 through 11,  
inclusive, of the Public Records of Polk County, Florida.  
Together with that 2024 Champion Home Builders Mobile Home  
Vin #FL261000HA105708A, Title#154861813, AND Vin  
#FL261000HA105708B; Title #154861963.

COUNTRY VIEW ESTATES II  
PLAT BOOK 84, PAGES 8 - 11  
N 88°20'11"E 274.00'



- 1. I. B. L. S. S.
- 2. A/C
- 3. W. C. CONTINUING
- 4. C/O
- 5. C/O
- 6. C/O
- 7. C/O
- 8. C/O
- 9. C/O
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- 100. C/O

|                    |           |
|--------------------|-----------|
| CLIENT REFERENCE # | 2024-1241 |
| FIELD DATE         | 08/08/24  |
| BOUNDARY SURVEY #  | 24-0698   |
| REVISION DATE      |           |
| FIELD SKETCH       |           |
|                    |           |

BUYER'S ACKNOWLEDGMENT



5035 1st Street NW  
Lakeland, FL 33810

**CERTIFIED TO:**  
Joseph E. Williamson, U.S. REALTOR/REALTOR  
Vernon Williams, U.S. REALTOR/REALTOR  
Joseph E. Williamson, U.S. REALTOR/REALTOR  
Joseph E. Williamson, U.S. REALTOR/REALTOR

**FLOOD ZONE:**  
According to the Federal Emergency Management Agency Flood Hazard Insurance Study, the subject property is within the estimated 100 year flood plain (see flood zone) A, B & C.

**LIST OF POSSIBLE ENCROACHMENTS:**  
FRONT YARD SETBACK VIOLATION  
REAR YARD SETBACK VIOLATION  
ENCROACHMENT ON ADJACENT PROPERTY  
ENCROACHMENT ON ADJACENT PROPERTY  
ENCROACHMENT ON ADJACENT PROPERTY  
ENCROACHMENT ON ADJACENT PROPERTY  
ENCROACHMENT ON ADJACENT PROPERTY  
ENCROACHMENT ON ADJACENT PROPERTY

**GENERAL NOTES:**  
1) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.  
2) Addition or deletion to this survey by any party other than the Surveyor is prohibited without the written consent of the Surveyor.  
3) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.  
4) Any utility above ground improvements have been located and shown as shown on the survey. No other utility lines or underground utilities, foundations or other improvements of a foot unless noted otherwise.  
5) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.  
6) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.  
7) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.  
8) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.  
9) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.  
10) The Surveyor has no knowledge of any other encroachments on the subject property, unless shown or stated otherwise.

**4M SURVEYING & MAPPING SERVICES, INC.**  
3830 STATE COURT, SUITE 100  
TALLAHASSEE, FL 32310  
TEL: (904) 277-0446  
FAX: (904) 277-0446  
LICENSED BUSINESS #8516

**SURVEYOR'S CERTIFICATE:**  
This survey was conducted in accordance with the Florida Statutes, Chapter 461, Part 1, and the Florida Board of Professional Surveying and Mapping, Chapter 461-17.205, through 461-17.205. The Surveyor's Certificate is valid for the State of Florida. The Surveyor's Certificate is valid for the State of Florida. The Surveyor's Certificate is valid for the State of Florida.

Joseph E. Williamson  
Vernon Williams  
Joseph E. Williamson  
Joseph E. Williamson

ON 07/01/23-04/00 SKW DATE: 5/29/24  
JOSEPH E. WILLIAMSON, PSM 6573



## Exhibit "A"

### Legal Description:

A portion of Lot 13, Country View Estates II, according to the map or plat thereof, as recorded in Plat Book 84, Page(s) 8 through 11, inclusive, of the Public Records of Polk County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Lot 13; thence run N35°11'42" W, along the Westerly line of said Lot 13, a distance of 330.12 feet to the Point of Beginning; thence continue

N35°11'42"W, along said Westerly line, a distance of 110.34 feet; thence run N61°06'38"E, a distance of 135.55 feet to the Easterly line of said Lot 13; thence run S26°19'16"E, along said Easterly line, a distance of 65.85 feet; thence run S44°48'42"W, a distance of 111.99 feet; thence run S17°18'23"W, a distance of 18.00 feet to the Point of Beginning.

(Containing ±10,865.3 Sq.Ft. / ±0.25 Acres)