

RESOLUTION NO: 2024-
RESOLUTION OF NECESSITY
CR54 at WESTSIDE BOULEVARD IMPROVEMENTS
PROJECT # 5400189
PARCEL: 100

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 CR54 at Westside Boulevard Intersection Improvement Project (Project # 5400189); 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 CR54 at Westside Boulevard 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: The Board of County Commissioners considered various alignments, the costs thereof, and projected improvements to the levels of service before approving an alignment for the CR54 at Westside Boulevard Intersection Improvement Project which provides a "best fit" alignment for the existing roadway.

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 adding signalization to the intersection. 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 CR54 at Westside Boulevard Intersection Improvement Project that property be acquired by Polk County; to wit, fee simple title in the property designated as Parcel 100, 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 100 are available for public inspection at the office of the Real Estate Services Administrator, 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 approves the alignment attached hereto as Exhibit "A". The Board of County Commissioners of Polk County, Florida further finds that it is necessary that fee simple title in Parcel 100, 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 CR54 at Westside Boulevard Intersection Improvement Project (Project #5400189). 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 100 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.

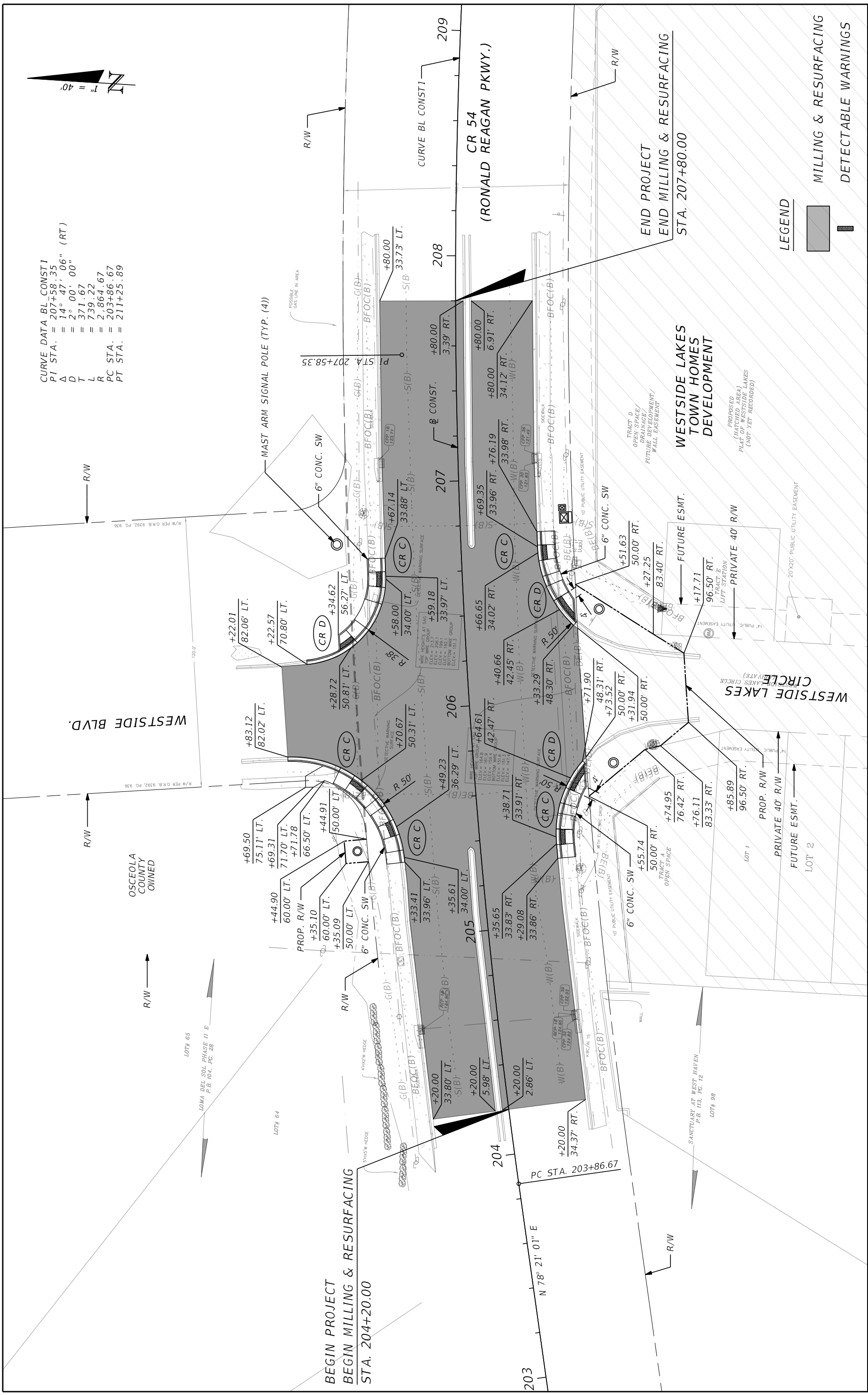
PASSED AND CERTIFIED AS TO PASSAGE this 20th day of February 2024.

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
W. C. Braswell, Chairman

EXHIBIT "A"

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



REVISIONS		COUNTY PROJECT NO.		SHEET NO.	
NO.	DATE	DESCRIPTION	APPROVED	NO.	NO.
				5400189	6

POLK COUNTY ROADS AND DRAINAGE DIVISION
 3000 SHEFFIELD ROAD
 WINTER HAVEN, FL 33880

POLK COUNTY

Kent L. McWaters, P.E.
 P.E. License Number: 45443
 HDR Engineering, Inc.
 4850 W Kennedy Blvd, Suite 400
 Tampa, FL 33609-2546

FDR

8/28/2023 2:28:14 PM c:\pwworking\heng\east01\2645264-PLAN\RD01.dgn JAPHILLI

EXHIBIT "B"

ROAD: CR 54 @ WESTSIDE BLVD. POLK COUNTY DESCRIPTION
PARCEL: 100 ESTATE: FEE SIMPLE PURPOSE: ROAD RIGHT-OF-WAY

Project Name: CR54 @ WESTSIDE BLVD
Tax Folio Number: 27-26-05-000000-033040

Road Number: 660102
Project Number: 6705E23-1

DESCRIPTION

A parcel of land in the Northwest 1/4 of the Northwest 1/4 of Section 5, Township 26 South, Range 27 East, being described as follows:

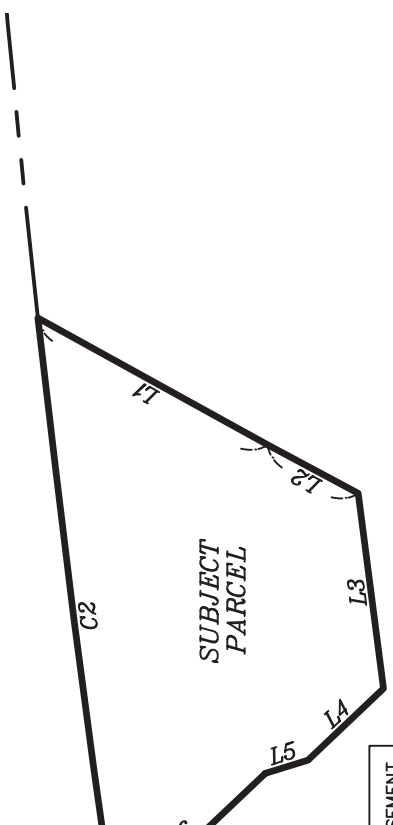
Commence at the point of intersection of the West line of said Section 5 and the South right-of-way line of County Road S-54 (Ronald Reagan Parkway), according to Florida Department of Transportation Right-of-Way Map Section 1673-150, said point being the Northeast corner of Sanctuary at West Haven, a subdivision as recorded in Plat Book 113, Pages 12-14, Public Records of Polk County, Florida and a point on a curve concave Southerly having a radius of 2,814.67 feet, a central angle of 01°40'44", a chord bearing of North 80°53'33" East, and a chord distance of 82.47 feet; thence along the arc of said curve and said South right-of-way line, 82.47 feet to the **Point of Beginning**, said point being on a curve concave Southerly having a radius of 2,814.67 feet, a central angle of 01°55'04", a chord bearing of North 82°41'27" East, and a chord distance of 94.21 feet; thence continue along the arc of said curve and said South right-of-way line, 94.21 feet; thence South 28°53'24" West, 41.02 feet; thence South 28°15'32" West, 16.03 feet; thence South 82°39'11" West, 30.75 feet thence North 43°29'55" West, 16.22 feet; thence North 17°09'24" West, 7.00 feet; thence North 43°28'56" West, 32.42 feet to the **Point of Beginning**.

Parcel containing 2,879 square feet, more or less.

REVISION	DATE	BY
ENCUMBRANCES WITHIN TITLE REPORT #32516-C	11/13/23	BCZ

THIS IS NOT A SURVEY

RONALD REAGAN PARKWAY
(COUNTY ROAD S-54)



Line Table

LINE #	DIRECTION	LENGTH
L1	S 28°53'24" W	41.02'
L2	S 28°15'32" W	16.03'
L3	S 82°39'11" W	30.75'
L4	N 43°29'55" W	16.22'
L5	N 17°09'24" W	7.00'
L6	N 43°28'56" W	32.42'

TAX FOLIO#
272605
000000
033040

SUBJECT TO: BLANKET EASEMENT
TO DUKE ENERGY PER
O.R.B.11549 PG1614

SUBJECT TO: AGREEMENT WITH POLK COUNTY
FOR RIGHT OF ENTRY FOR DEBRIS REMOVAL
O.R.B.12336 PG993

Curve Table

CURVE #	RADIUS (C)	CENTRAL ANGLE (C)	CHORD BEARING (C)	CHORD (C)	LENGTH (C)
C1	2814.67'	1°40'44"	N 80°53'33" E	82.47'	82.47'
C2	2814.67'	1°55'04"	N 82°41'27" E	94.21'	94.21'

LEGEND

- (C) = CALCULATED
- (F) = PLAT
- BOCC = BOARD OF COUNTY COMMISSIONERS
- COR. = CORNER
- F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
- NO. = NUMBER
- ORB = 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

SURVEYOR'S NOTES

1. BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.
2. THIS SKETCH WAS PREPARED WITH THE BENEFIT OF AN ABSTRACT OR TITLE OPINION PROVIDED BY AMERICAN GOVERNMENT SERVICES CORPORATION, FILE NUMBER 32516-C, UPDATE NO. 1, EFFECTIVE DATE NOVEMBER 8, 2023 AT 8:00 AM, ISSUED BY POLK COUNTY BOCC, REAL ESTATE SERVICES, WHICH WAS RELIED UPON TO BE COMPLETE AND CORRECT. ENCUMBRANCES IN SCHEDULE BII OF THE REFERENCED DOCUMENT DOES NOT AFFECT THE PROPOSED PARCEL LOCATION, UNLESS SHOWN HEREON.

Digitally signed
by Bryan
Zelenenki
Date: 2023.11.14
09:11:08 -05'00'



BRYAN C. ZELENENKI, P.S.M.
FLORIDA REGISTRATION #7140
SURVEYING AND MAPPING SECTION

THIS DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER.

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: BCZ Checked by: JRN Check Date: ??????

Parcel Number: N/A PREPARED FOR: REAL ESTATE SERVICES Job Number: 6705E23-1

DESCRIPTION SKETCH
LOCATED IN SECTION 05,
TOWNSHIP 26 SOUTH, RANGE 27 EAST,
POLK COUNTY, FLORIDA.

REVISION	DATE	BY
ENCUMBRANCES WITHIN TITLE REPORT #32516-C	11/13/23	BCZ



SCALE
1" = 30 feet



R/W LINE PER 1673-150
C1

F.D.O.T. R/W MAP SECTION C1

POC
NE COR. OF
SANCTUARY AT
WEST HAVEN
P.B.113 PG.12-14

EAST LINE OF
SANCTUARY AT WEST HAVEN
SEC 5, T 26 S, R 27 E

LOT# 98

SANCTUARY AT WEST HAVEN
P.B. 113, PG. 12-14

SEE SHEET 1 OF 2 FOR DESCRIPTION.