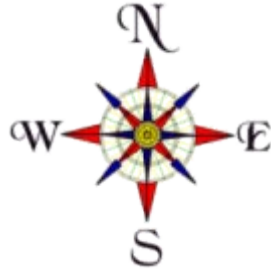
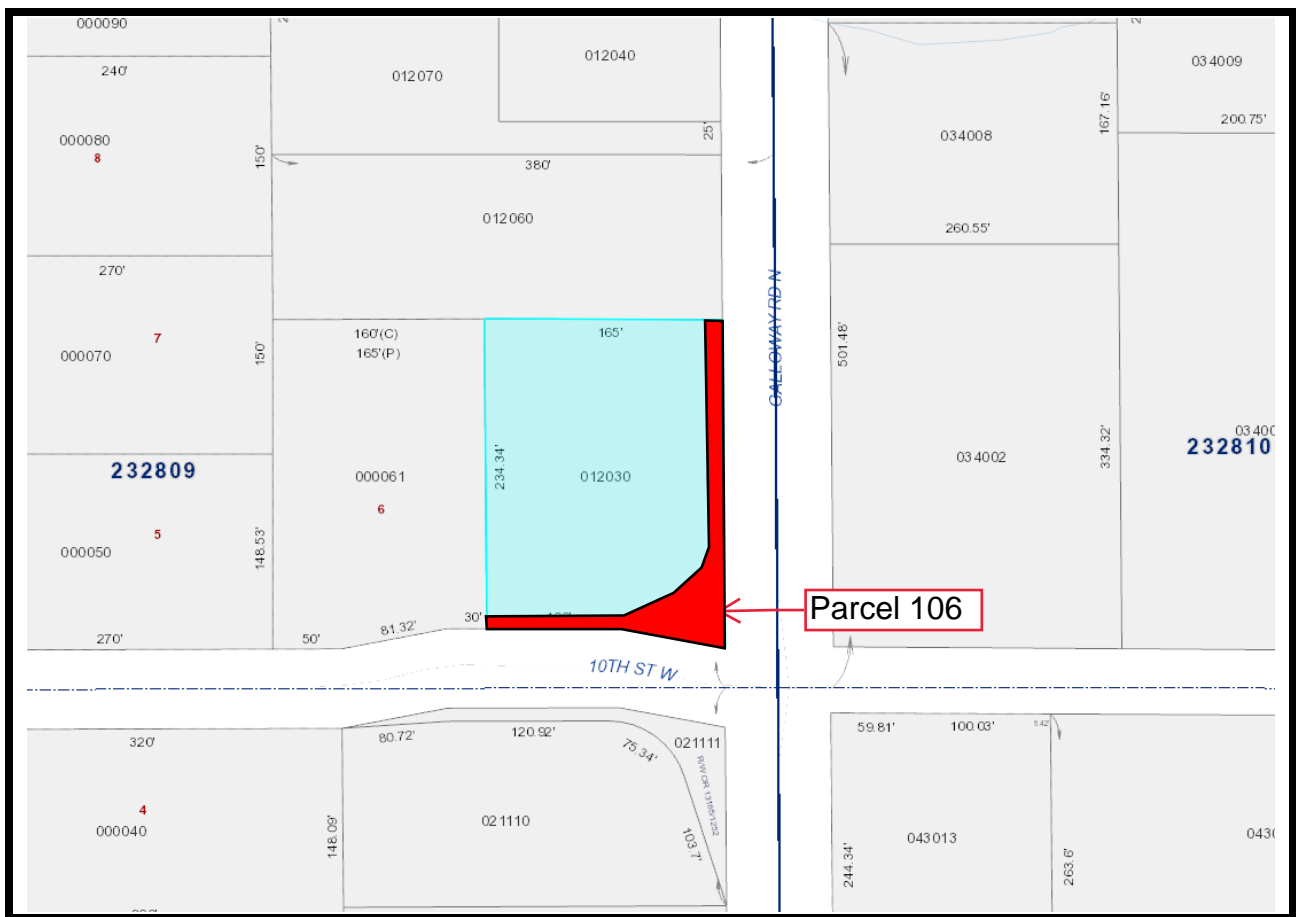


Section 09, Township 28 South, Range 23 East



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





*Board of County Commissioners*

Project No.: 5400190  
Project Name: CR 542A (Galloway Road) @ 10th Street  
Parent Parcel I.D. No.: 232809-000000-012030  
Project Parcel #: 106

## **RIGHT-OF-WAY AGREEMENT**

**STATE OF FLORIDA  
COUNTY OF POLK**

THIS AGREEMENT made and entered into this 17<sup>th</sup> day of September, 2024, by and between **LESLIE R. MASON and CAROL R. MASON, his wife**, whose mailing address is 1406 Galloway Road, Lakeland, Florida 33810-0204 (“Owners”), and **POLK COUNTY**, a political subdivision of the state of Florida, whose mailing address is P.O. 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 Number 106 as more particularly described in Exhibit “A” (the “Property”), as additional right-of-way for the construction and maintenance of an authorized road known as CR 542A (Galloway Rod) @ 10th Street, (hereinafter the “Project”), and said Owners are required to furnish same for such purpose; and

**NOW, THEREFORE**, in consideration of the premises and the sum of One Dollar each to the other paid, it is agreed as follows:

- (a) Owners agree to sell and convey unto the County a fee interest in Parcel 106, by Warranty Deed, free of liens and encumbrances, together with any improvements for the amount of \$100,000 (One Hundred Thousand Dollars).
- (b) County agrees to pay attorney’s fees, with the understanding there are no expert costs/fees in the amount of \$17,919 (Seventeen Thousand Nine Hundred Nineteen Dollars) for a total settlement amount of \$117,919 (One Hundred Seventeen Thousand Nine Hundred Nineteen Dollars).
- (c) County shall pay the total settlement amount of \$117,919, upon simultaneous delivery of deed of conveyance from the Owners to the County (the “Closing”), which shall occur after the approval of this Agreement by the Board of County Commissioners. The County payment of \$117,919.00 shall be made to the Gaylord Merlin Ludovici & Diaz, Trust Account, for disbursement. Any improvements or personal property not removed within

fourteen (14) days after purchase of subject land shall be considered abandoned by the Owners.

- (d) Owners 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, and any payment due will be deducted at closing from the Owners' proceeds. Owners shall also be responsible for the payment of any Mortgages, Judgments and/or Liens, if any, which attach to the Property and any payment(s) due will be deducted at closing from the Owners' proceeds. Any and all applicable deductions stated herein shall be disbursed from the Gaylor Merlin Ludovici & Diaz, Trust Account at the Closing.
- (e) County acknowledges that this conveyance of the Property for right-of-way is in lieu, and under threat, of condemnation.
- (f) The Owner agrees and expressly acknowledges that the monies paid, and any other considerations given in accordance with this Agreement are 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.

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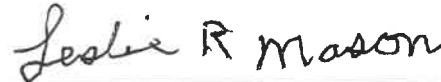
\* **THIS AGREEMENT IS SUBJECT TO FINAL APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA.**

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in their respective names, and on the date shown above.


**PURCHASER:**  
**COUNTY OF POLK, POLK COUNTY, FL**

By:   
Stephanie Gonzalez  
Florida Acquisition & Appraisal, Inc, its Agent

**OWNERS:**

  
Leslie R. Mason

Approved  
By:  9/23/24  
R. Wade Allen  
Real Estates Services Director

  
Carol R. Mason

Parcel Number: 106  
Project Name: GALLOWAY RD @ 10<sup>TH</sup> ST  
Tax Folio Number: 232809-000000-012030

Road Number: 832101 & 830910  
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:

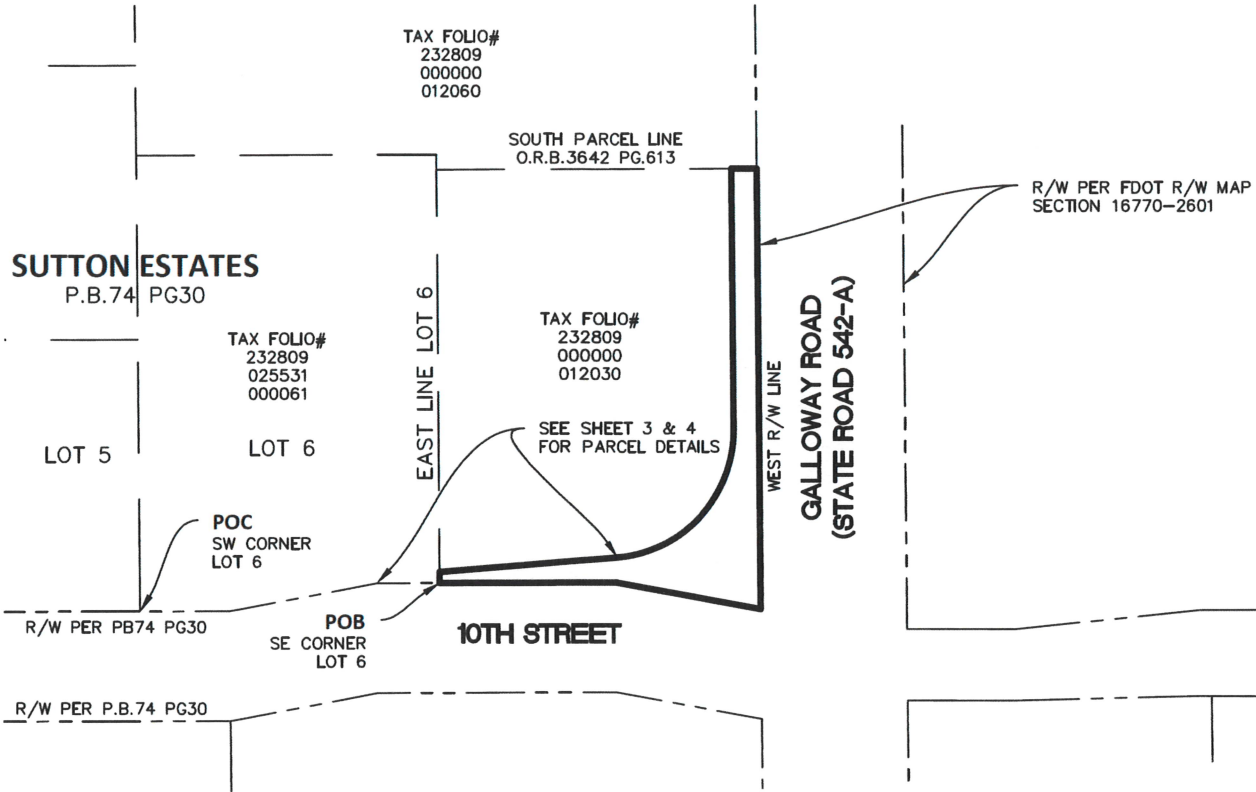
**Commence** at the Southwest corner of Lot 6 of Sutton Estates, a subdivision as recorded in Plat Book 74, Page 30-31, Public Records of Polk County, Florida, being a point on the North right-of-way line of 10<sup>th</sup> Street, as shown on said plat of Sutton Estates; thence along said North right-of-way line the following five (5) 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, 35.00 feet to the Southeast corner of said Lot 6 and the **Point of Beginning**; thence continue North 89°51'15" East, 95.00 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, 240.95 feet to the South line of a parcel as described in Official Records Book 3642, Page 613, of said Public Records; thence South 89°51'15" West, along said South parcel line, 14.00 feet; thence South 00°29'40" East, 142.22 feet to the point of curvature of a curve to the right having a radius of 70.00 feet, a central angle of 85°49'35", a chord bearing of South 42°25'08" West, and a chord distance of 95.32 feet; thence along the arc of said curve a distance of 104.86 feet to the Point of Tangency; thence South 85°19'55" West, 96.04 feet to the East line of said Lot 6; thence South 00°25'19" East, along said East line, 6.00 feet to said **Point of Beginning**.

Containing 6,630 square feet, more or less.

SHEET 1 OF 4

FOR SKETCH SEE SHEETS 2 THRU 4

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

*THIS IS NOT  
A SURVEY*



**SURVEYOR'S NOTES.**

**SCALE**

1" = 100 feet

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. BASED ON THE OVERALL DESCRIPTION OF THE PLAT OF SUTTON ESTATES, RECORDED IN PLAT BOOK 74, PAGE 30, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND THE DEEDS FOR THE ADJACENT PROPERTIES THAT ARE CONTIGUOUS TO LOT 6 OF SAID SUTTON ESTATES, THE UNDERSIGNED HAS DETERMINED THAT THERE APPEARS TO BE A SCRIVENER'S ERROR SHOWN ON SAID SUTTON ESTATES FOR TWO DISTANCES SHOWN ALONG THE NORTH RIGHT-OF-WAY LINE OF TENTH STREET, BEING THE DISTANCES SHOWN ON EITHER SIDE OF THE SOUTHEAST CORNER OF SAID LOT 6. THIS DESCRIPTION SKETCH NOTES THE APPARENT ERROR AND REFLECTS IT IN THE LEGAL DESCRIPTION SHOWN HEREON.

**SEE SHEET 1 OF 4 FOR DESCRIPTION.**

DATE  
01/10/24

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.

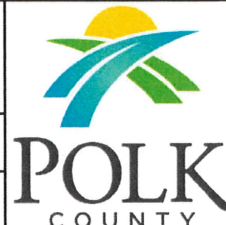
**DESCRIPTION SKETCH**  
LOCATED IN SECTION 09,  
TOWNSHIP 28 SOUTH, RANGE 23  
EAST, POLK COUNTY, FLORIDA.

**POLK COUNTY ROADS AND DRAINAGE**

3000 SHEFFIELD ROAD,  
WINTER HAVEN, FL 33880

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 2 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 106	PREPARED FOR: REAL ESTATE SERVICES		File Name: 8309E24-1



SCALE

1" = 40 feet



**THIS IS NOT A SURVEY**  
**SUTTON ESTATES**  
 P.B.74 PG30

LOT 5

LOT 6

TAX FOLIO#  
 232809  
 025531  
 000061

TAX FOLIO#  
 232809  
 000000  
 012030

**POC**  
 SW CORNER LOT 6  
 P.B.74 PG30

**POB**  
 SE CORNER LOT 6  
 P.B.74 PG30

**10TH STREET**

EAST LINE LOT 6

MATCHLINE (SEE SHEET 4)

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)	35.00' (C) 30.00' (P)
L4	N 89°51'15" E (C) N 89°40'27" E (P)	95.00' (C) 100.00' (P)
L5	S 79°32'09" E (C) S 79°42'57" E (P)	81.18' (C) 81.47' (P)
L6	S 89°51'15" W (C)	14.00' (C)
L7	S 85°19'55" W (C)	96.04' (C)
L8	S 00°25'19" E (C) S 00°36'07" E (P)	6.00' (C)

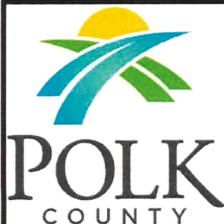
Curve Table					
CURVE #	RADIUS (C)	CENTRAL ANGLE (C)	CHORD BEARING (C)	CHORD (C)	LENGTH (C)
C1	70.00'	85°49'35"	S 42°25'08" W	95.32'	104.86'

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  - (P) = PLAT
  - COR. = CORNER
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  - R = RANGE
  - R/W = RIGHT-OF-WAY
  - SEC = SECTION
  - T = TOWNSHIP

**SURVEYOR'S NOTES**

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SEE SHEET 1 OF 4 FOR DESCRIPTION.



**DESCRIPTION SKETCH**  
 LOCATED IN SECTION 09,  
 TOWNSHIP 28 SOUTH, RANGE 23 EAST,  
 POLK COUNTY, FLORIDA.

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

PHONE: (863) 535-2200 FAX: (863) 519-8117

Sheet No. 3 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
Parcel Number: 106	PREPARED FOR: REAL ESTATE SERVICES		Job Number: 8309E24-1

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

**THIS IS NOT  
A SURVEY**

TAX FOLIO#  
232809  
000000  
012060

SOUTH PARCEL LINE  
O.R.B.3642 PG.613

**LEGEND**

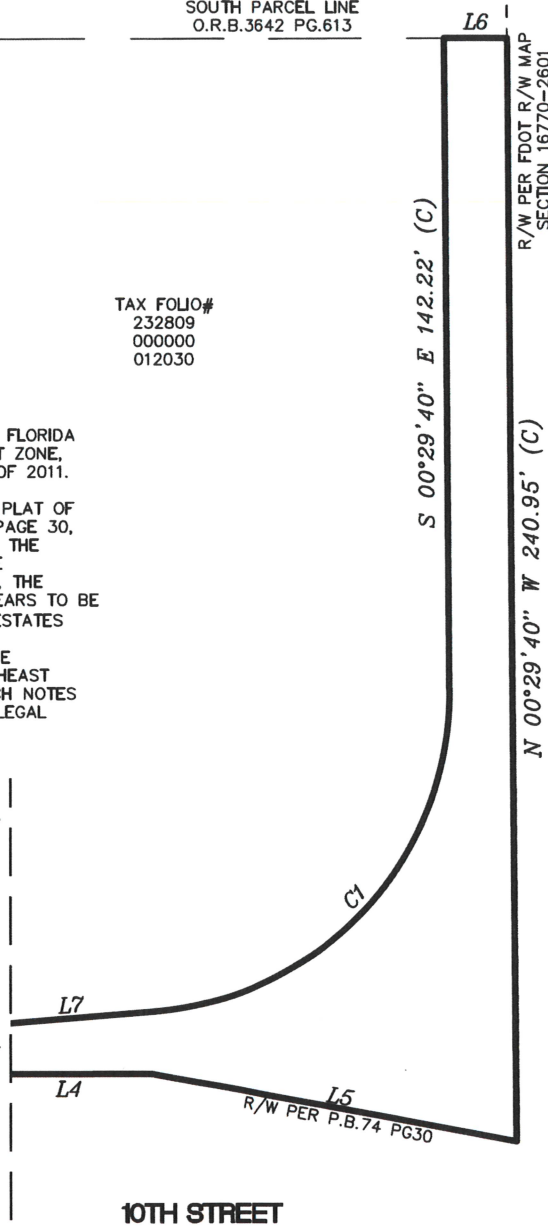
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TAX FOLIO#  
232809  
000000  
012030

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MATCHLINE (SEE SHEET 3)



Line Table		
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Curve Table					
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GALLOWAY ROAD  
(STATE ROAD 542-A)



SCALE  
1" = 40 feet

SEE SHEET 1 OF 4 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

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

PHONE: (863) 535-2200		FAX: (863) 519-8117	
Sheet No. 4 of 4	Drawn by: BCZ	Checked by: BCZ	Check Date: 01/25/24
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