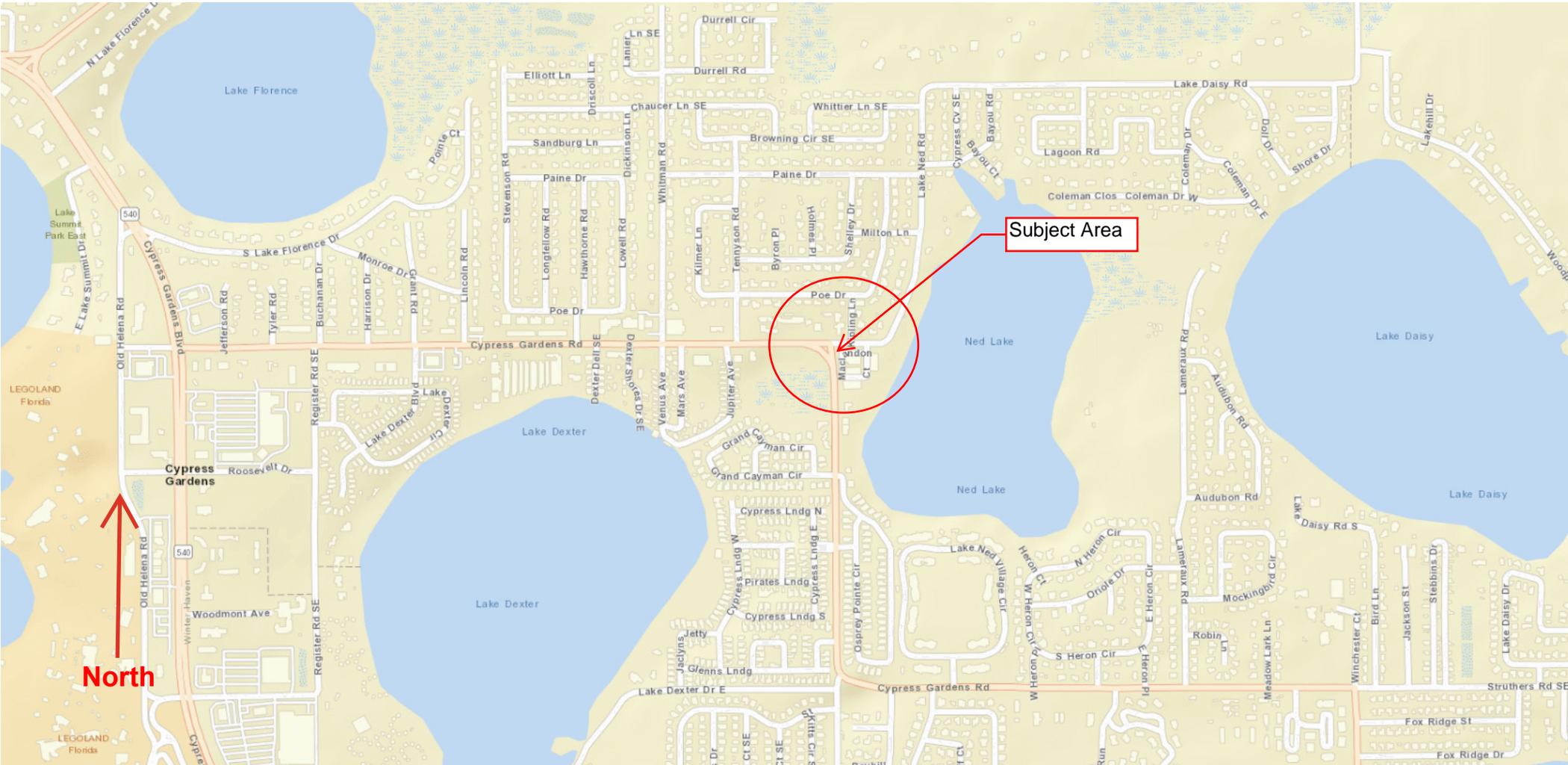
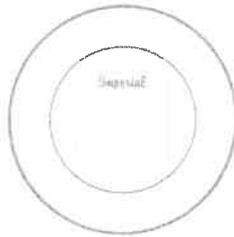


# Section 01, Township 29 South, Range 26 East







*Board of County Commissioners*

Project No.: 5400194  
Project Name: CR 540 (Cypress Gardens Road) at Lake Ned Road  
Parcel No.: 100  
Parent Tract Tax I.D. No.: 262901-000000-031050

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

**STATE OF FLORIDA  
COUNTY OF POLK**

THIS AGREEMENT made and entered into this 30<sup>th</sup> day of JUNE, 2025, by and between **Lakeside Real Estate, LLC**, a Florida limited liability company, hereinafter referred to as "Owner", and the **County of Polk**, hereinafter referred to as "Purchaser".

### **WITNESSETH**

**WHEREAS**, Purchaser requires the lands described as Parcel No. 100 (see attached Exhibit "A"), as additional right-of-way for construction and maintenance of an authorized road, and said Owner is required to furnish the parcel for such purpose:

**INTERSECTION IMPROVEMENTS, INCLUDING CONSTRUCTION OF A ROUNDABOUT**

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

- (a) Owner agrees to sell and convey, by Warranty Deed, free of liens and encumbrances, unto said Purchaser, said lands and affected improvements for the total sum of \$60,600 (Sixty Thousand Six Hundred and 00/100 dollars).
- (b) The County agrees to pay attorney's fees to the law firm of Gaylord Merlin Ludovici & Diaz, Eminent Domain Lawyers in the amount of \$9,745, along with expert costs in the amount of \$2,655, for a total settlement of \$73,000.
- (c) The County payment for the purchase, attorney's fees and expert costs in the amount of \$73,000, shall be made payable to Gaylord Merlin Ludovici & Diaz, Trust Account for further disbursement at Closing.

Polk County Right Of Way Agreement

Page 2

Project No.: 5400194

Project Name: CR 540 (Cypress Gardens Road) at Lake Ned Road

Parcel No.: 100

Parent Tract Tax I.D. No.: 262901-000000-031050

- (d) Any improvements or personal property not removed within fourteen (14) days after purchase of subject land shall be considered abandoned by the Owner.
- (e) On the date of Closing, Owner shall be responsible for delivering an original Partial Release of Mortgage and Other Security Documents (see attached Exhibit "B"), executed by Seacoast National Bank, a national banking association.
- (f) Owner shall be responsible for the payment of any and all, current and/or past due real property taxes, or prorations thereof, prorated to the date of Closing, and assessments due on the date of Closing, and any payments due will be deducted at Closing from the Owner's proceeds.
- (g) The County agrees to pay all closing costs associated with the transaction with the exception of the real property taxes / assessments as described in Section (e).
- (h) County acknowledges that this conveyance of the Property for right-of-way is in lieu, and under threat, of condemnation.
- (i) The Owner agrees and expressly acknowledges that the monies paid and other considerations given in accordance with this Agreement is just and full compensation for all property interest and or claims arising from this acquisition and no other monies including fees and/or cost are owed by the Purchaser to Owner.
- (j) The project shall be constructed in substantial conformity with the project plans which serve as the basis of this settlement and are attached hereto as Exhibit "C".

[SIGNATURE PAGE FOLLOWS]

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Polk County Right Of Way Agreement

Page 3

Project No.: 5400194

Project Name: CR 540 (Cypress Gardens Road) at Lake Ned Road

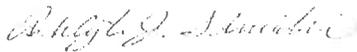
Parcel No.: 100

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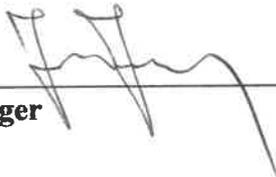
**\* THIS AGREEMENT IS SUBJECT TO FINAL APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA.**

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

**PURCHASER:**  
**POLK COUNTY, a political subdivision of the State of Florida**

By:   
Its Agent  
Ashleigh J. Schneider  
American Acquisition Group, LLC

**OWNER:**  
**LAKESIDE REAL ESTATE, LLC**

By:   
**Imre Juza, Manager**

APPROVED BY:

 6/30/25  
R. Wade Allen, Director  
Polk County Real Estate Services

Exhibit "A" - Sheet 1 of 2

Parcel Number: 100

Road Number: 863602

Project Name: LAKE NED ROAD @ CYPRESS GARDENS ROAD Project Number: 9601E24-2

Tax Folio Number: 262901-000000-031050

**DESCRIPTION**

A parcel of land being in the Northeast 1/4 of the Northwest 1/4 of Section 1, Township 29 South, Range 26 East, Polk County, Florida, being described as follows:

**Commence** at the intersection of the East right-of-way line of Cypress Gardens Road as recorded in Official Records Book 8685, Page 2123 and the South right-of-way line of Lake Ned Road as recorded in Official Records Book 2860, Page 2035, all of the Public Records of Polk County, Florida, for the **Point of Beginning**; thence South 09°23'02" East, along said East right-of-way line, 14.03 feet; thence North 64°26'28" East, 54.12 feet to the South right-of-way line of Lake Ned Road as recorded in said Official Records Book 8685, Page 2123; thence South 89°18'11" West, along said South right-of-way line, 38.01 feet to the said South right-of-way line as recorded in Official Records Book 2860, Page 2035; thence South 55°22'59" West, along said South right-of-way line, 15.91 feet to said **Point of Beginning**.

Containing 533 square feet, more or less.

SHEET 1 OF 2

FOR SKETCH SEE SHEET 2 OF 2

REVISION	DATE	BY
CHANGED SIZE OF PARCEL	12/11/24	BCZ
REVISED SHAPE OF PARCEL	01/07/25	BCZ
ADDED ADDITIONAL EASEMENT INFORMATION	03/26/25	BCZ

THIS IS NOT A SURVEY

LAKE NED ROAD

SOUTH R/W LINE PER  
O.R.B. 2860, PG. 2035

SOUTH R/W LINE PER  
O.R.B. 8685, PG. 2123

SCALE  
1" = 20 feet



Line Table		
LINE #	DIRECTION	LENGTH
L1	S 09°23'02" E	14.03'
L2	N 64°26'28" E	54.12'
L3	S 89°18'11" W	38.01'
L4	S 55°22'59" W	15.91'

TAX FOLIO#  
262901  
000000  
031050  
O.R.B. 11829 PG. 2239

CYPRESS GARDENS ROAD

EAST R/W LINE PER  
O.R.B. 8685, PG. 2123

TAMPA ELECTRIC COMPANY  
BLANKET EASEMENT FOR  
15' STRIP OF LAND  
(O.R.B. 9061, PG. 1714)

BRIGHT HOUSE NETWORKS, LLC  
INSTALLATION AND ACCESS AGREEMENT  
BLANKET EASEMENT  
(O.R.B. 9058, PG. 1391)

LEGEND

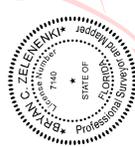
- (C) = CALCULATED
- COR. = CORNER
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG(S) = PAGE(S)
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER

- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC = SECTION
- T = TOWNSHIP

SURVEYOR'S NOTES

BEARINGS AND DISTANCES ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.  
SEE SHEET 1 OF 2 FOR DESCRIPTION.

DATE  
11/18/24



Digitally signed by  
Bryan Zelenenki  
Date: 2025.03.26  
10:39:37 -04'00'

BRYAN C. ZELENENKI, P.S.M.  
FLORIDA REGISTRATION #71140  
SURVEYING AND MAPPING SECTION

DESCRIPTION SKETCH  
LOCATED IN SECTION 1,  
TOWNSHIP 29 SOUTH, RANGE 26 EAST,  
POLK COUNTY, FLORIDA.

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

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

PHONE: (863) 535-2200	FAX: (863) 519-8117
Sheet No. 2 of 2	Drawn by: BCZ
Parcel Number: 100	Checked by: JRN
PREPARED FOR: REAL ESTATE SERVICES	Drawn Date: 11/18/24
	Job Number: 9601E24-1

