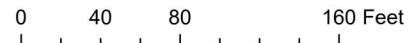


Section 35, Township 28 South, Range 25 East



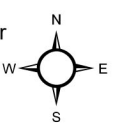
Section 35, Township 28 South, Range 25 East



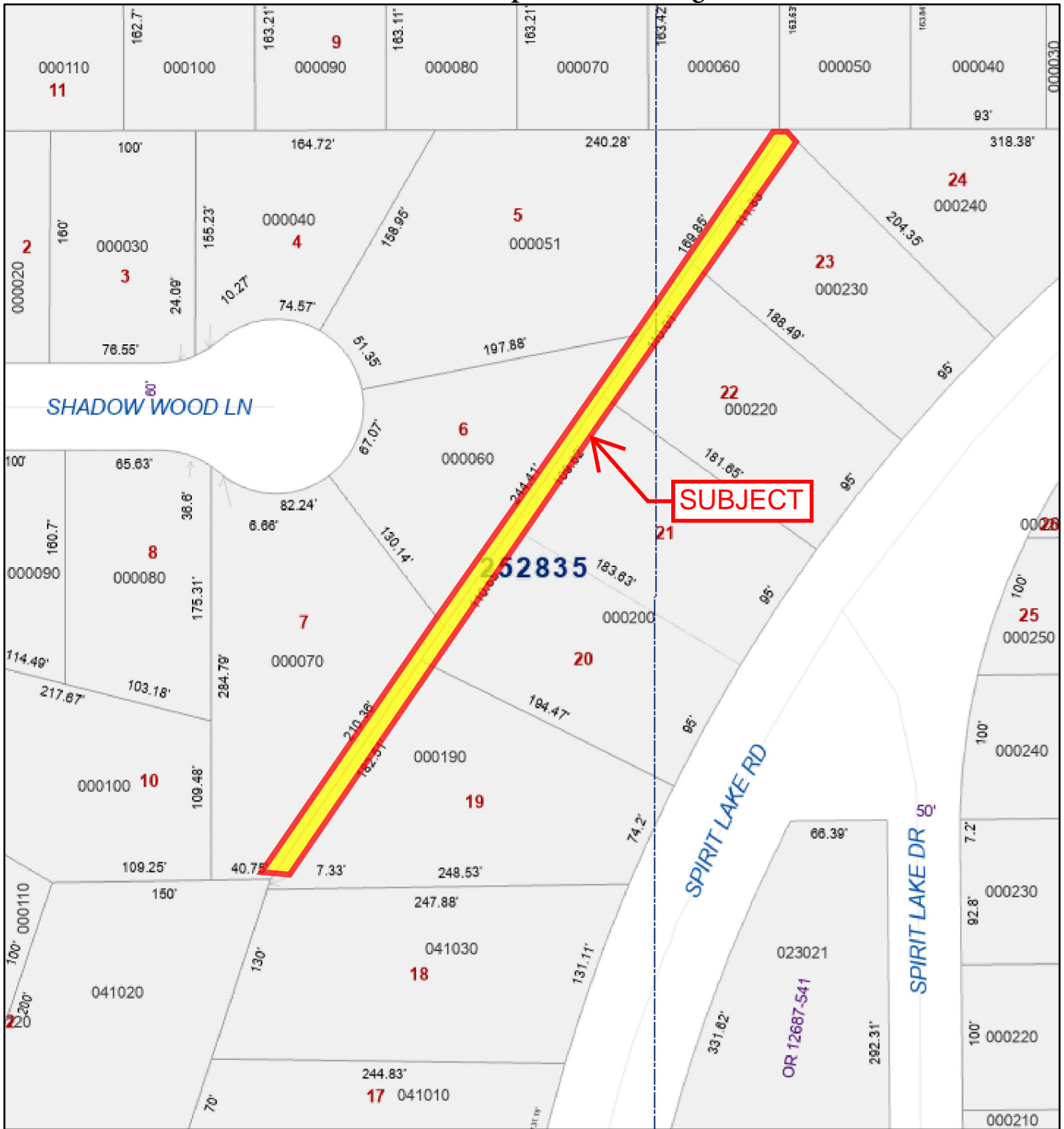
All maps are worksheets used for illustrative purposes only, they are not surveys. The Polk County Property Appraiser assumes no responsibility for errors in the information and does not guarantee the data is free from error or inaccuracy. The information is provided "as is".



Polk County Property Appraiser
 Polk County, Florida
 March 25, 2026



Section 35, Township 28 South, Range 25 East

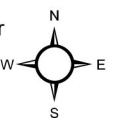


All maps are worksheets used for illustrative purposes only, they are not surveys. The Polk County Property Appraiser assumes no responsibility for errors in the information and does not guarantee the data is free from error or inaccuracy. The information is provided "as is".



Polk County Property Appraiser
Polk County, Florida

March 25, 2026



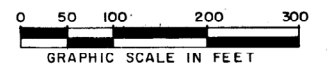
SHADOW WOOD UNIT 2

A SUBDIVISION OF A PORTION OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA

DESCRIPTION

Commence at the Southwest corner of the NW/4 of Section 35, Township 28 South, Range 25 East, Polk County, Florida and run thence S0°45'42"E along the West boundary thereof 594.83 feet; run thence S89°58'53"W 1762.88 feet to the point of beginning; run thence S0°06'23"E 719.53 feet; run thence S89°09'24"W 393.38 feet; run thence S32°00'00"W 485 feet; run thence N89°09'24"E 1115 feet along the North boundary and the Westerly extension thereof of Dinner Lake Estates Unit One as recorded in Plat Book 58, page 6, Public Records of Polk County, Florida; run thence N89°25'14"E along subdivision boundary, 112 feet; run thence N89°09'24"E along said subdivision boundary 224 feet to the Westerly right of way line of Spirit Lake Road; run thence N9°25'14"E along said right of way line 488.89 feet to the beginning of a curve to the right having a radius of 1185.92 feet and a central angle of 0°42'02"; run thence Northeastly along said curve and right of way line an arc distance of 15.54 feet; run thence S89°09'24"W 235.80 feet; run thence N0°50'36"W 61 feet; run thence N18°25'01"E 7.33 feet; run thence S89°09'24"W 150.66 feet; run thence N18°25'01"E 200 feet; run thence N89°09'24"E 150 feet; run thence S18°25'01"W 7.33 feet; run thence N89°09'24"E 248.53 feet to a point on the Westerly right of way line of Spirit Lake Road; said point lying on a curve having a radius of 1185.92 feet, a central angle of 32°51'47" and a chord bearing N39°16'23"E, run thence Northeastly along said curve and right of way line an arc distance of 680.21 feet; run thence S89°53'37"W along the South boundary of Shadow Wood as recorded in Plat Book 65, Page 49, Public Records of Polk County, Florida, 1043.38 feet; run thence N0°06'23"W along said subdivision boundary 162.07 feet; run thence S89°45'37"W along said subdivision boundary 209.10 feet; run thence S0°01'07"E 420.99 feet; run thence S89°58'53"W 3712 feet to the R.O.B. of Shadow Wood Lane; run thence N89°09'24"E 1762.88 feet to the SW corner NW/4 Sec. 35, T28S, R25E; run thence S0°45'42"E 594.83 feet to the point of beginning.

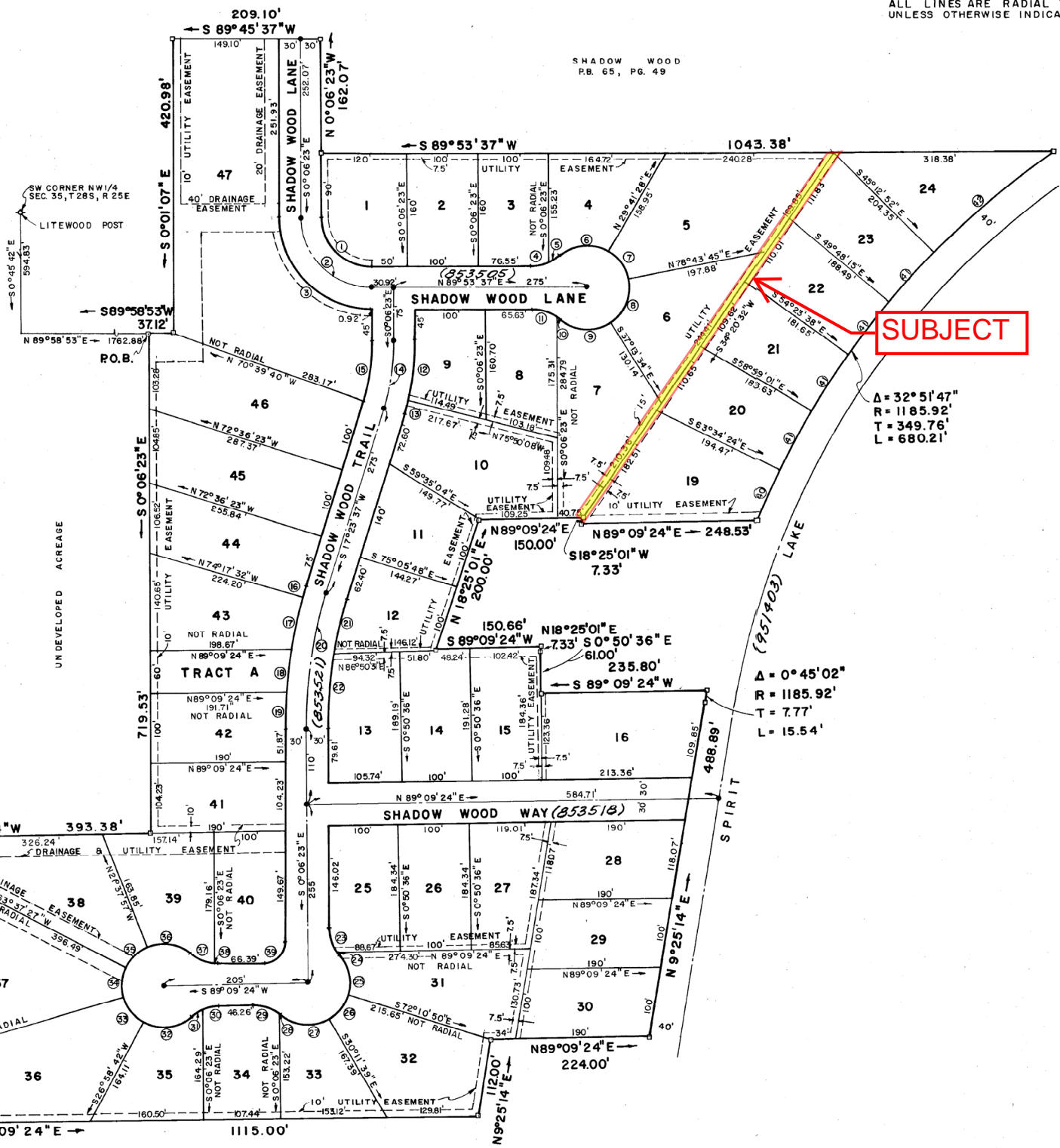
CURVE		DATA		
NO.	RADIUS	TANGENT	CENTRAL ANGLE	ARC LENGTH
1	70'	70'	90°	109.96'
2	100'	100'	90°	157.08'
3	130'	130'	90°	204.20'
4	60'	12.21'	23°00'23"	24.09'
5	60'	9.72'	18°24'12"	19.27'
6	60'	42.96'	71°02'26"	74.57'
7	60'	27.37'	49°02'17"	51.35'
8	60'	37.52'	64°02'41"	67.07'
9	60'	49.05'	78°31'46"	82.24'
10	60'	3.33'	6°21'19"	6.66'
11	60'	18.89'	34°56'53"	36.60'
12	354.86'	44.42'	14°16'15"	88.39'
13	354.86'	10'	3°13'45"	20'
14	324.86'	50'	17°30'00"	99.22'
15	294.86'	45.38'	17°30'00"	90.06'
16	679.71'	10'	1°41'09"	20'
17	679.71'	39.51'	6°39'14"	78.94'
18	679.71'	30.27'	5°06'02"	60.51'
19	679.71'	24.12'	4°03'55"	48.16'
20	649.71'	100'	17°30'00"	198.44'
21	619.71'	41.49'	7°39'38"	82.86'
22	619.71'	53.34'	9°50'22"	106.42'
23	60'	21.54'	39°29'42"	36.12'
24	60'	1.00'	1°54'53"	2.01'
25	60'	34.03'	59°07'19"	61.91'
26	60'	23.15'	42°12'00"	44.19'
27	60'	40.18'	67°36'51"	70.81'
28	60'	1.65'	3°08'47"	3.29'
29	60'	22.68'	41°24'35"	43.36'
30	60'	11.04'	2°05'18"	21.84'
31	60'	10.88'	2°03'17"	21.52'
32	60'	41.42'	69°13'53"	72.50'
33	60'	25.47'	46°00'30"	48.18'
34	60'	24.18'	43°54'08"	45.97'
35	60'	22.72'	41°28'43"	43.44'
36	60'	36.19'	62°11'56"	65.13'
37	60'	20.43'	37°36'06"	39.38'
38	60'	1.99'	3°48'29"	3.99'
39	30'	29.62'	89°15'47"	46.74'
40	1185.92'	37.12'	3°35'06"	74.20'
41	1185.92'	47.52'	4°35'23"	95'
42	1185.92'	113.35'	10°55'09"	226.01'



SURVEYORS NOTES

- PR.M. INDICATES 4" X 4" X 30" CONCRETE MARKER WITH DISC STAMPED P.R.M. 2260.
- P.C.P. INDICATES DISC IN PAVEMENT OR 4" X 4" X 30" CONCRETE MARKER STAMPED P.C.P. 2260.

ALL LINES ARE RADIAL TO CURVES UNLESS OTHERWISE INDICATED.



SUBJECT

Δ = 32°51'47"
R = 1185.92'
T = 349.76'
L = 680.21'

Δ = 0°45'02"
R = 1185.92'
T = 7.77'
L = 15.54'

STATE OF FLORIDA
COUNTY OF POLK
This plat is hereby approved by the Polk County Engineering Department this 5th day of June, A.D., 1979.

Herald E. Dawson
County Engineer

APPROVAL: COUNTY COMMISSION
STATE OF FLORIDA
COUNTY OF POLK
This Plat, approved this 5th day of JUNE, A.D., 1979, by the Board of County Commissioners of Polk County, Florida.

BOARD OF COUNTY COMMISSIONERS
Attest: *E.D. Bud Dixon* Clerk
By: *Sandra Taylor* Chairman

APPROVAL: PLANNING DEPARTMENT
STATE OF FLORIDA
COUNTY OF POLK
This plat is hereby approved by the Polk County Planning Department this 5th day of June, A.D., 1979.

George Stalham
Director

CLERK OF CIRCUIT COURT
STATE OF FLORIDA
COUNTY OF POLK
I, E.D. Bud Dixon, Clerk of Circuit Court of Polk County, Florida, do hereby certify that this plat has been accepted for recording this 5th day of JUNE, A.D., 1979.

E.D. Bud Dixon
Clerk of Circuit Court

SURVEYOR'S CERTIFICATE
STATE OF FLORIDA
COUNTY OF POLK
I hereby certify that this plat is a true and correct representation of the hereon described land which was recently surveyed and plotted under my direction and supervision, and that permanent reference monuments and permanent control points have been set in accordance with Chapter 177, Florida Statutes. Survey data complies with all the requirements of Chapter 177 Florida Statutes.

ALPHA Engineering & Surveying, Inc.
Robert E. Langan
Florida Land Surveyor
Florida Registration Number 2260

Date: May 22, 1979

DEDICATION
STATE OF FLORIDA
COUNTY OF POLK
Known all men by these presents that Emerald Equities, Inc. a corporation organized and existing under the laws of the State of Florida, owner of the land shown hereon has caused this plat of SHADOW WOOD UNIT 2 to be made and hereby dedicates to the use of the public forever, all streets, alleys, rights of way, and easements shown on this plat for the purposes indicated.

EMERALD EQUITIES, INC.
By: *Ned Sinder* President

Witness
William Shinn
Julie Adams Collier

ACKNOWLEDGEMENT
STATE OF FLORIDA
COUNTY OF POLK
I hereby certify that on this day before me, personally appeared Ned Sinder, President, Emerald Equities, Inc. to me known to be the person who executed the foregoing dedication on behalf of said corporation and he acknowledged same before me this 21st day of May, A.D., 1979.

Julie Adams Collier
Notary Public

My commission expires January 13, 1982

CONSENT TO DEDICATION
STATE OF FLORIDA
COUNTY OF POLK
Known all men by these presents that Barnett Bank of Lakeland a corporation organized and existing under the laws of the State of Florida, mortgagee of the land described hereon does hereby consent to the dedication to the use of the public forever, all streets, alleys, rights of way, and easements shown on this plat for the purposes indicated.

BARNETT BANK OF LAKELAND
By: *Morris R. Lunn* Senior Vice President

Witness
Charley B. Spauld
Julie Adams Collier

ACKNOWLEDGEMENT
STATE OF FLORIDA
COUNTY OF POLK
I hereby certify that on this day before me, personally appeared Morris R. Lunn, Senior Vice President of Barnett Bank of Lakeland to me known to be the person who executed the foregoing Dedication on behalf of said corporation and he acknowledged same before me this 22nd day of May, A.D., 1979.

Julie Adams Collier
Notary Public

My commission expires January 13, 1982



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 BRION G BABULA		Email CADLAWFIRM@HOTMAIL.COM	
Address 4308 SHADOW WOOD LN			
City WINTER HAVEN	State FL	Zip 33880	
Phone 863-293-1117	Fax	Cellular	

Name JANET F BABULA		Email CADLAWFIRM@HOTMAIL.COM	
Address 4308 SHADOW WOOD LN			
City WINTER HAVEN	State FL	Zip 33880	
Phone 863-293-1117	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 CHRISTOPHER A DESROCHENS		Email CADLAWFIRM@HOTMAIL.COM	
Address 2504 AVE G NW			
City WINTER HAVEN	State FL	Zip 33880	
Phone 863-299-8309	Fax 863-591-3236	Cellular	

General Information

D. General Location of Property to be Vacated:

SEE ATTACHMENT

Property Location or Address
Parcel Number(s):

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

The subject property is located within a platted or unrecorded subdivision.
How was this right-of-way reserved? Plat Deed 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.

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)

SEE ATTACHMENT

Additional Comments:

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 24th day of February, 2026.

BRION G BABULA
Petitioner Name

4308 SHADOW WOOD LN
Address

WINTER HAVEN FL 33880
City/State/Zip

Phone 863-293-1117

Brion Babula Sr.
Petitioner's Signature

JANET F BABULA
Petitioner Name

4308 SHADOW WOOD LN
Address

WINTER HAVEN FL 33880
City/State/Zip

Phone 863-293-1117

Janet F Babula
Petitioner's Signature

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 24th day of February, 2026 by BRION G BABULA AND JANET F BABULA, who is / are personally known to me or who has / have produced _____ as identification and who did / did not take an oath.



CHRISTOPHER DESROCHERS
Commission # HH 636867
Expires February 13, 2029

[Signature]
Notary Public
My Commission Expires: 02/13/2029
Commission No.: HH 636867

Attachment to Application and Petition for Vacation and Abandonment of Streets, Alleys, and Rights-of-Way

Page 1, Question D

The subject property sought to be vacated is a 7.5 foot easement that appears to the positional rear of three conjoined properties in a common subdivision. The general legal description of the three properties are as follows:

Lots 6, 20, and 21 of Shadow Wood Unit 2, according to the map or plat thereof, recorded in Plat Book 68, Page 28, Public Records of Polk County, Florida.

Parcel ID #s 25-28-35-354990-000060
25-28-35-354990-000200

An exact legal description of the property to be vacated will be submitted by a survey with specified legal description.

Page 2, Question F

Mr. Babula installed ground mounted solar panels on his property, and was visited by code enforcement, who told him they were constructed within the right-of-way that is located on the map of the subdivision. The home itself also encroaches on the right-of-way that is located on the map of the subdivision.

The subdivision rights-of-way abut the rear of the lots, and are currently not being used by anyone. There is no homeowners' association in this subdivision, and any restrictive covenants for the subdivision have been long extinguished by MRTA. The roads, utilities, and other amenities provided to the residents are provided via the roads and road right-of-ways, which abut the front of the lots.

Mr. Babula would like to clear the code enforcement issue, but would also like to clear an issue that should have been cleared when Polk County first granted building permits for his house approximately 30 years ago, which is the vacation of the easements for the three lots. The easements, among other things, encroach on the house, and Polk County must have known this when the initial building permits were issued long ago.

Mr. Babula would also wish to point out that Section 163.04 of the Florida Statutes generally prohibits any arrangement that bans solar panels, or otherwise has "the ultimate effect, however unintended, of driving the costs of owning and operating commercial or residential property beyond the capacity of private owners to maintain."