

Item # 42

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

**SUBJECT:** Vacate of public right-of-way of 16<sup>th</sup> Street and two 30-ft. wide unnamed rights-of-way

**DEPARTMENT:** Planning & Development **DIVISION:** Development Review

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Cynthia Sweet **EXT.** 7443

<b>Agenda Date</b> <u>1/27/2004</u> <b>Regular</b> <input type="checkbox"/> <b>Consent</b> <input type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/>
<b>Public Hearing – 1:30</b> <input checked="" type="checkbox"/> <b>Public Hearing – 7:00</b> <input type="checkbox"/>

**MOTION/RECOMMENDATION:**

Adopt the Resolution to vacate and abandon that portion of the platted right-of-way of 16<sup>th</sup> Street and that portion of the two-30 foot wide unnamed platted rights-of-way lying north of Vihlen Road and south westerly of SR 417, as recorded in the Public Records of Seminole County, Florida in Plat Book 1, Page 55, M. M. Smith's Subdivision and Plat Book 1, Page 101, of M. M. Smith's Second Subdivision for Keewin Real Property Company, Allan E. Keen, applicant

District 5 – McLain (Cynthia Sweet, Planner) *RH*

**BACKGROUND:**

The applicant, Allan E. Keen with Keewin Real Property Company is requesting to vacate and abandon a portion of the platted public right-of-way of 16<sup>th</sup> Street and that portion of the two-30 feet wide unnamed platted rights-of-way lying north of Vihlen Road and south westerly of SR 417, as recorded in the Public Records of Seminole County, Florida in Plat Book 1, Page 55, M. M. Smith's Subdivision and Plat Book 1, Page 101, M. M. Smith's Second Subdivision. The subject property was annexed into the city of Sanford after July 1, 1995, and is presently under review for a proposed single family residential subdivision known as Kay's Landing, located in Section 34, Township 19 S, and Range 30 E.

Pursuant to Florida Statute 335.0415, jurisdiction over a public road may be transferred only by mutual agreement of the affected governmental entities. Staff found no record of a transfer of jurisdiction of the subject rights-of-way from Seminole County to the city of Sanford. Meaning, although this site was annexed into the city of Sanford, the road rights-of-way remain under the jurisdiction of Seminole County. Therefore, the applicant has applied to Seminole County to vacate the subject rights-of-way.

<b>Reviewed by:</b>
<b>Co Atty:</b> <u>KZC</u>
<b>DFS:</b> _____
<b>Other:</b> _____
<b>DCM:</b> <u>SS</u>
<b>CM:</b> <u>HO</u>
<b>File No.</b> <u>ph130pdd01</u>

The applicant has provided letters from the city of Sanford and the appropriate utility companies stating no objections to the request.

**STAFF RECOMMENDATION:**

Staff recommends adoption of the resolution to vacate and abandon that portion of the public right-of-way of 16<sup>th</sup> Street and the portions of the two 30-foot wide unnamed rights-of-way as requested by the applicant subject to access being provided to Seminole County through the newly proposed subdivision to the county's property located to the north of the proposed development.

- District            5 - McLain
- Attachments: Resolution – Exhibit A
- Sketch of Description – Exhibit B
- Location Map– Exhibit C

RESOLUTION NO.: 2003-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 27th DAY OF January A.D., 2004.

**RESOLUTION TO VACATE AND ABANDON A  
RIGHT-OF-WAY**

Whereas, a Petition was presented on behalf of

**KEEWIN REAL PROPERTY COMPANY, ALLAN E. KEEN**

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described rights-of-way, to wit:

See attached Exhibit "A"

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described rights-of-way is in the best interest of the County and the public.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described Rights-of-Way be, and the same is hereby abandoned, closed and vacated, and that all right in and to the same on behalf of the County and the public be, and the same is hereby disclaimed.

PASSED AND ADOPTED this 27th day of January A.D., 2004.

ATTEST:

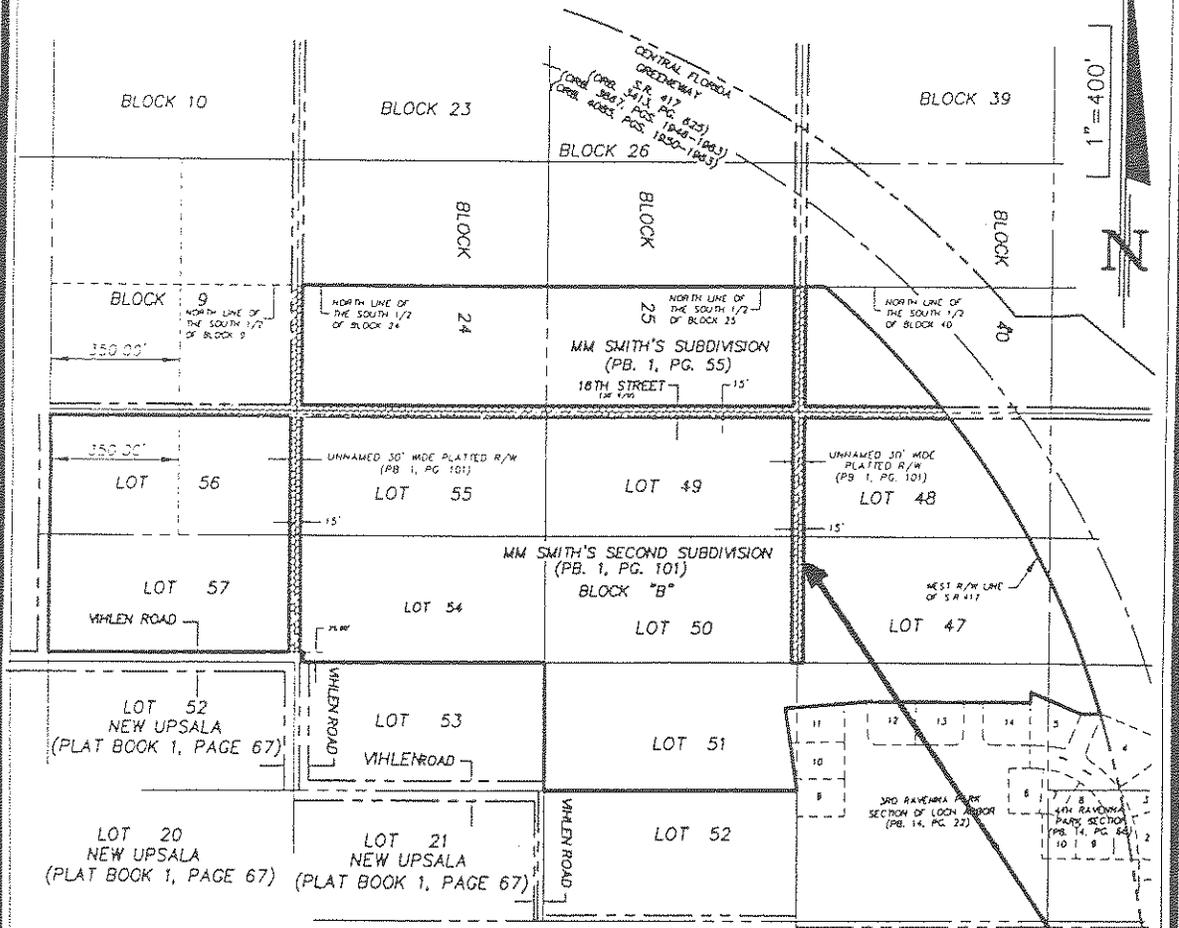
BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA

BY:

MARYANNE MORSE  
CLERK OF THE CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA

DARYL G. MCLAIN  
CHAIRMAN

# SKETCH OF DESCRIPTION



## SUBJECT RIGHT-OF-WAYS

**DESCRIPTION:**

That part of the unnamed plotted right-of-way lying between the South 1/2 of Block 25 and the South 1/2 of Block 40, M. M. SMITH'S SUBDIVISION, as recorded in Plat Book 1, Page 55, of the Public Records of Seminole County, Florida.

AND:

That part of the unnamed plotted right-of-way lying between the South 1/2 of Block 9 and the South 1/2 of Block 24, M. M. SMITH'S SUBDIVISION, as recorded in Plat Book 1, Page 55, of the Public Records of Seminole County, Florida.

AND:

That part of the unnamed plotted right-of-way lying between Lots 48 and 49 and that part lying between Lots 47 and 50, Block "B", M. M. SMITH'S SECOND SUBDIVISION, as recorded in Plat Book 1, Page 101, of the Public Records of Seminole County, Florida.

AND:

That part of the unnamed plotted right-of-way lying between Lots 55 and 56, Block "B", and that part lying between Lots 54 and 57 (except the South 25.00 feet for Vhlen Road), Block "B", M. M. SMITH'S SECOND SUBDIVISION, as recorded in Plat Book 1, Page 101, of the Public Records of Seminole County, Florida.

AND:

That part of 18th Street lying West of State Road 417 and East of the West 350.00 feet of Block 9, M. M. SMITH'S SUBDIVISION, as recorded in Plat Book 1, Page 55, of the Public Records of Seminole County, Florida, and East of the West 350.00 feet of Lot 56, Block "B", M. M. SMITH'S SECOND SUBDIVISION, as recorded in Plat Book 1, Page 55, of said Public Records.

### EXHIBIT "A"

SURVEYOR NOTES:  
- THIS NOT A SURVEY

I hereby certify that this sketch, subject to the surveyor's notes contained hereon, meets the applicable "Minimum Technical Standards" set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.001, Florida Statutes.

DONALD W. McINTOSH ASSOCIATES, INC.

*[Signature]*  
Dwight Green  
Florida Registered Surveyor and Mapper  
Certificate No. 4285

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PREPARED FOR:

KEEWIN REAL PROPERTY

KAY'S LANDING

DATE	BY	DESCRIPTION

REVISIONS



**DONALD W. McINTOSH ASSOCIATES, INC.**  
ENGINEERS                      PLANNERS                      SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB58

FIELD BOOK \_\_\_\_\_ PG \_\_\_\_\_

SURVEY \_\_\_\_\_

FOUNDATION \_\_\_\_\_

FINAL \_\_\_\_\_

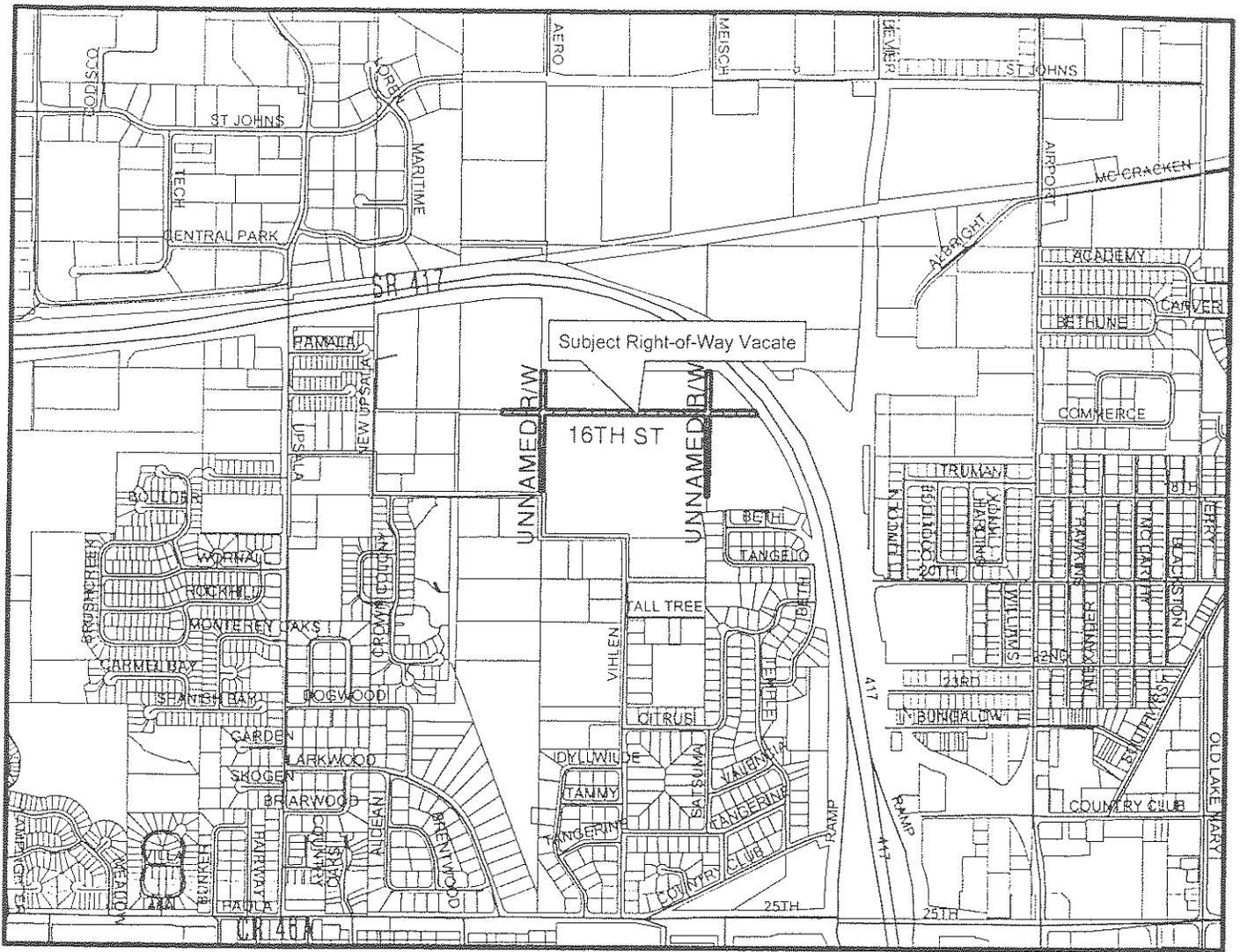
DRAWN BY JSL  
DATE 11-21-02

CHECKED BY BLC  
DATE 11-21-02

JOB NO.  
20108 0445

SCALE  
1"=400'

SHEET 1  
OF 1



LOCATION MAP