

Item # 18

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: RESOLUTION – SIDEWALK EASEMENTS

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** *Jerry McCollum*, P.E. EXT. 5651
W. Gary Johnson, P.E., Director

Agenda Date <u>02/08/05</u>	Regular <input type="checkbox"/>	Consent <input checked="" type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>	Public Hearing – 7:00 <input type="checkbox"/>		

MOTION/RECOMMENDATION:

Adopt Resolution accepting three (3) Sidewalk Easements for the construction of a sidewalk along a portion of Old Lake Mary Road.

District 5 – Commissioner Carey (Jerry McCollum, P.E.)

BACKGROUND:

The construction of the Old Lake Mary Road Sidewalk project (see attached location map) will require easements not currently owned by Seminole County. The following three (3) property owners have indicated their willingness to donate the necessary easements as evidenced by the executed Sidewalk Easements: Ali Muhammad Asmar and Suzanne Marie Asmar; Mecca Enterprises, L.L.C. and Rainier Holdings Group, L.L.C.

Attachments: Location Map / Resolution / Sidewalk Easements

Reviewed by:	<i>SA</i>
Co Atty:	<i>SA</i>
DFS:	
Other:	
DCM:	<i>WJ</i>
CM:	<i>WJ</i>
File No.	<u>CPWE02</u>

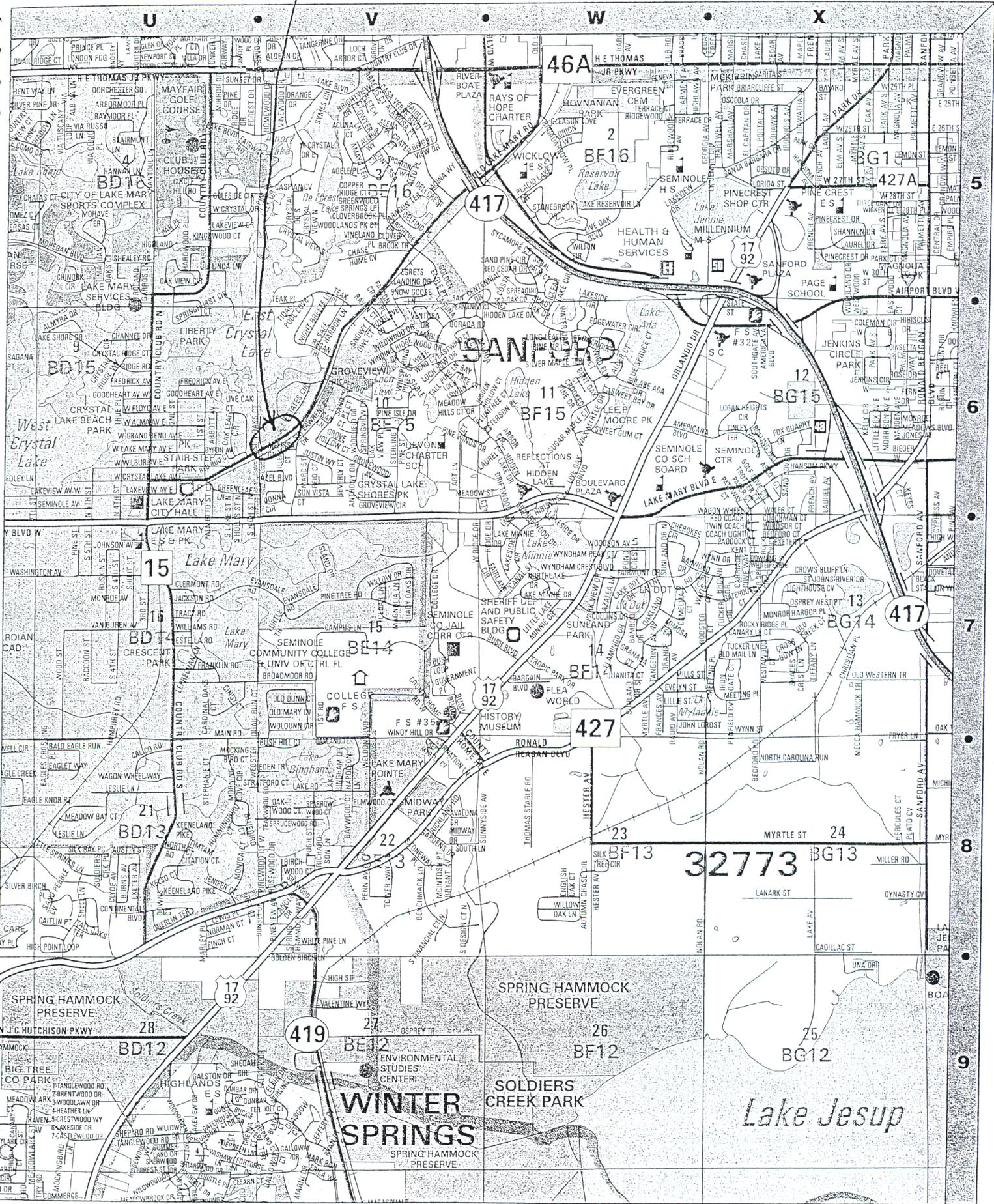


Project

MAP 12



1	2	3	4
11	12	13	
21	22	23	



RESOLUTION NO. 2005-R-_____

RESOLUTION

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON THE _____ DAY OF _____ A.D., 2005.

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that a necessity exists for protection of pedestrians along a portion of Old Lake Mary Road located in Section 10, Township 20 South, Range 30 East, in Seminole County, Florida; and

WHEREAS, the protection of pedestrians will require easements that are not currently owned by the County of Seminole; and

WHEREAS, Ali Mohammad Asmar and Suzanne Marie Asmar, his wife; Mecca Enterprises, L.L.C.; and Rainier Holdings Group, L.L.C. have indicated their willingness to donate to Seminole County the required Sidewalk Easements as evidenced by the executed Sidewalk Easements accompanying this resolution.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County, Florida, hereby accepts the accompanying Sidewalk Easements conveying to Seminole County easements over the land described therein; and

BE IT FURTHER RESOLVED that the aforementioned Sidewalk Easements be recorded in the Official Records of Seminole County, Florida.

ADOPTED THIS _____ DAY OF _____ A.D., 2005.

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

ATTEST:

Carlton Henley, Chairman

**MARYANNE MORSE, Clerk to the
Board of County Commissioners in
and for Seminole County, Florida.**

Prepared under the direction of:
Charles F. Barcus
Program Manager/Right-of-Way
01-07-2005

Document prepared by:
Warren Lewis, Senior Coordinator
Right-of-Way Section
Seminole County Engineering
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

Legal Description Approved by:
Steve L. Wessels, P.L.S.
County Surveyor
Seminole County Engineering
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

SIDEWALK EASEMENT

THIS SIDEWALK EASEMENT is made and entered into this 3rd day of December, 2004, by and between ALI MUHAMMED ASMAR and SUZANNE MARIE ASMAR, his wife, whose address is 250 Old Lake Mary Road, Lake Mary, Florida 34746, hereinafter referred to as the GRANTOR and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the GRANTEE;

WHEREAS, the purpose of this grant of easement is to facilitate the GRANTEE'S establishment of continuous sidewalks along its roads and streets for the benefit of the public,

WITNESSETH:

FOR AND IN CONSIDERATION OF the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR do hereby grant and convey to the GRANTEE and its assigns, an exclusive, perpetual, permanent easement and right-of-way for the construction and maintenance of a sidewalk, with full authority to enter upon (by means of abutting property reasonably required to attain such access), construct, reconstruct and maintain, as the GRANTEE and its assigns may deem necessary, a sidewalk over, under, upon, and through (as the GRANTEE deems appropriate) the following described lands situate in the County of Seminole, State of Florida, to-wit:

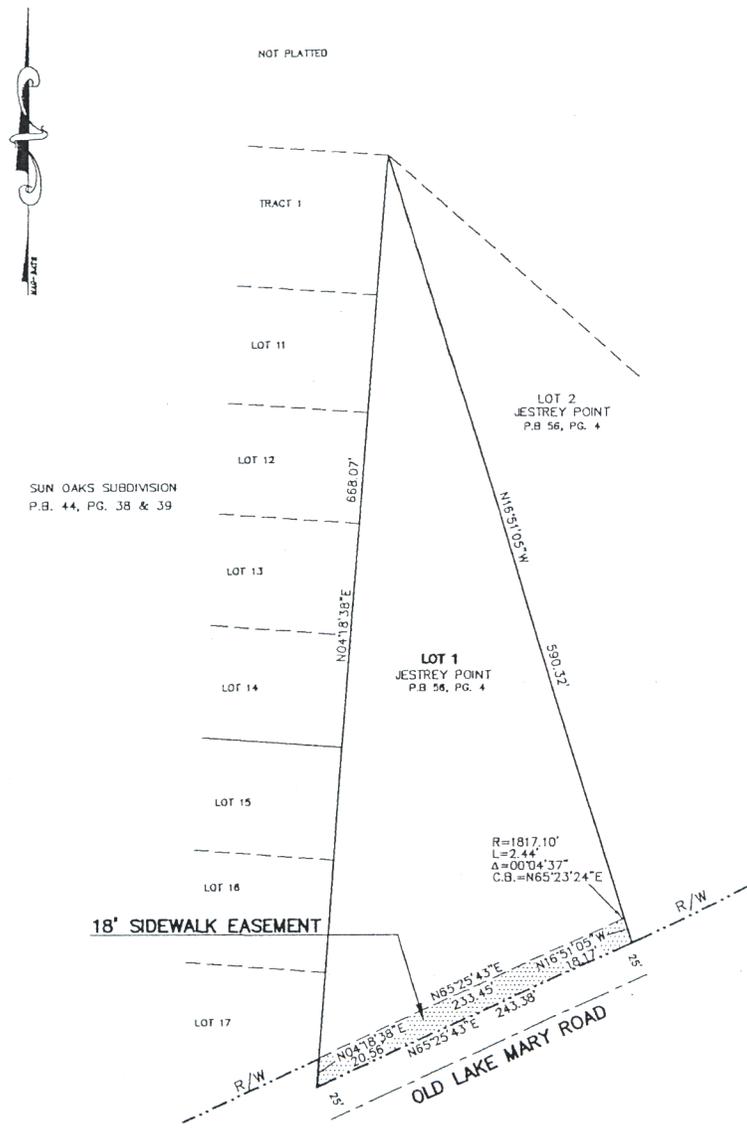
See Sketch of Description and Legal Description attached hereto as Exhibits "A-1" and "A-2."

Property Appraiser's Parent Parcel Identification No.:
10-20-30-512-0000-0010

TO HAVE AND TO HOLD said easement and right-of-way unto said GRANTEE and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear, keep clear, remove from said easement all trees, undergrowth and other obstructions that may interfere with location, excavation, operation or maintenance of the sidewalk, and the GRANTOR, their successors and assigns agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on said easement that may interfere with the location, excavation, operation or maintenance of the sidewalk.

SKETCH OF DESCRIPTION



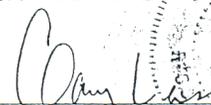
SHEET 1 OF 2

SEMINOLE COUNTY
ENGINEERING DEPARTMENT
SURVEY SECTION
520 W. LAKE MARY BLVD.
SANFORD, FLORIDA 32773
(407)323-2500 EXT.5647

LEGEND

- | | |
|--|---|
| <ul style="list-style-type: none"> △ CENTRAL ANGLE (DELTA) R - RADIUS CB - CHORD BEARING L - ARC LENGTH C - CHORD ○ SET IRON PIN OR PIPE ◊ FOUND IRON PIN OR PIPE □ SET CONCRETE MONUMENT ■ FOUND CONCRETE MONUMENT P.O.B. - POINT OF BEGINNING P.O.C. - POINT OF COMMENCEMENT P.O.T. - POINT OF TERMINATION R/W - RIGHT OF WAY D - DEED C/L - CENTERLINE UTIL - UTILITY | <ul style="list-style-type: none"> PB - PLAT BOOK PG - PAGE (S) ORB - OFFICIAL RECORDS BOOK SEC - SECTION - TOWNSHIP - RANGE PCL - PARCEL PC - POINT OF CURVATURE PT - POINT OF TANGENCY PI - POINT OF INTERSECTION PCC - POINT OF COMPOUND CURVE PRC - POINT OF REVERSE CURVE M - MEASURED P - PLAT F - FIELD C - CALCULATED P/L - PROPERTY LINE ESMT - EASEMENT |
|--|---|

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

BY: 
GARY A. LEISE P.L.S. F.L.A. CERT. # 4723

FIELD DATE: N/A
DATE: 10/27/04
JOB NAME: 04-024

SCALE: 1"=100'
DRAWN BY: L.W.
CHECKED BY:

LEGAL DESCRIPTION

SIDEWALK EASEMENT

THE SOUTHERLY 18.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

LOT 1, JESTREY POINT, AS RECORDED IN PLAT BOOK 56, PAGE 4, OF THE PUBLIC RECORDS, SEMINOLE COUNTY, FLORIDA.

CONTAINING 4313 SQUARE FEET MORE OR LESS.

SHEET 2 OF 2

SURVEYOR'S NOTES

1. THIS IS NOT A SURVEY.
2. UNDERGROUND UTILITIES AND/OR IMPROVEMENTS NOT LOCATED.
3. SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON, THE ABOVE REFERENCED PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.
4. THERE IS A 10' PLATTED UTILITY EASEMENT ALONG THE SOUTH PROPERTY LINE

LEGEND

BEARINGS BASED ON :

THE WEST LINE OF LOT 1, JESTREY POINT AS BEING

N04°18'38"E

REVISIONS

	DATE	BY	REVISIONS	REQUESTED BY:
1				
2				
3				
4				

JOB NAME: 04-024	FIELD DATE: N/A	DATE: 10/27/04	SCALE: 1"=100'	DRAWN BY: L.W.	CHECKED BY:
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EXHIBIT "A-2"

Document prepared by:
Warren Lewis, Senior Coordinator
Right-of-Way Section
Seminole County Engineering
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

Legal Description Approved by:
Steve L. Wessels, P.L.S.
County Surveyor
Seminole County Engineering
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

SIDEWALK EASEMENT

THIS SIDEWALK EASEMENT is made and entered into this 3rd day of December, by and between MECCA ENTERPRISES, L.L.C., a Florida Limited Liability Company, whose address is 250 Old Lake Mary Road, Lake Mary, Florida 34746, hereinafter referred to as the GRANTOR and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the GRANTEE;

WHEREAS, the purpose of this grant of easement is to facilitate the GRANTEE'S establishment of continuous sidewalks along its roads and streets for the benefit of the public,

WITNESSETH:

FOR AND IN CONSIDERATION OF the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR do hereby grant and convey to the GRANTEE and its assigns, an exclusive, perpetual, permanent easement and right-of-way for the construction and maintenance of a sidewalk, with full authority to enter upon (by means of abutting property reasonably required to attain such access), construct, reconstruct and maintain, as the GRANTEE and its assigns may deem necessary, a sidewalk over, under, upon, and through (as the GRANTEE deems appropriate) the following described lands situate in the County of Seminole, State of Florida, to-wit:

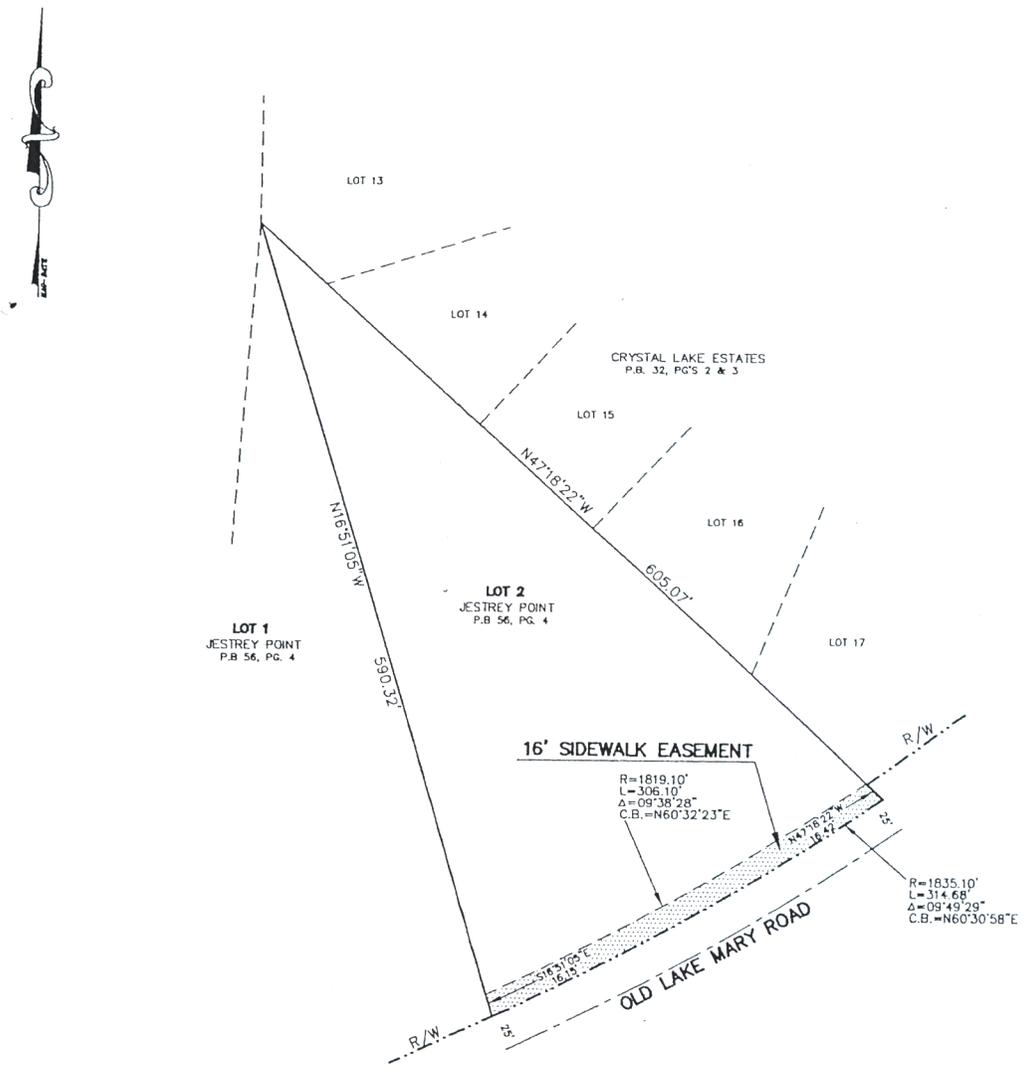
See Sketch of Description and Legal Description attached hereto as Exhibits "A-1" and "A-2."

Property Appraiser's Parent Parcel Identification No.:
10-20-30-512-0000-0020

TO HAVE AND TO HOLD said easement and right-of-way unto said GRANTEE and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear, keep clear, remove from said easement all trees, undergrowth and other obstructions that may interfere with location, excavation, operation or maintenance of the sidewalk, and the GRANTOR, their successors and assigns agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on said easement that may interfere with the location, excavation, operation or maintenance of the sidewalk.

SKETCH OF DESCRIPTION



SHEET 1 OF 2

SEMINOLE COUNTY

ENGINEERING DEPARTMENT
 SURVEY SECTION
 520 W. LAKE MARY BLVD.
 SANFORD, FLORIDA 32773
 (407)323-2500 EXT.5647

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

BY:

Gary A. Leise

GARY A. LEISE P.L.S. FLA. CERT. # 4723

LEGEND

- | | |
|--------------------------------|----------------------------------|
| Δ CENTRAL ANGLE (DELTA) | PB - PLAT BOOK |
| R - RADIUS | PG - PAGE (S) |
| CB - CHORD BEARING | ORB - OFFICIAL RECORDS BOOK |
| L - ARC LENGTH | SEC - SECTION - TOWNSHIP - RANGE |
| C - CHORD | PCL - PARCEL |
| ○ SET IRON PIN OR PIPE | PC - POINT OF CURVATURE |
| ◦ FOUND IRON PIN OR PIPE | PT - POINT OF TANGENCY |
| □ SET CONCRETE MONUMENT | PI - POINT OF INTERSECTION |
| ■ FOUND CONCRETE MONUMENT | PCC - POINT OF COMPOUND CURVE |
| P.O.B. - POINT OF BEGINNING | PRC - POINT OF REVERSE CURVE |
| P.O.C. - POINT OF COMMENCEMENT | M - MEASURED |
| P.O.T. - POINT OF TERMINATION | P - PLAT |
| R/W - RIGHT OF WAY | F - FIELD |
| D - DEED | C - CALCULATED |
| C/L - CENTERLINE | P/L - PROPERTY LINE |
| UTIL - UTILITY | ESMT - EASEMENT |

FIELD DATE: N/A

DATE: 10/27/04

JOB NAME: 04-024

SCALE: 1"=100'

DRAWN BY: L.W.

CHECKED BY:

EXHIBIT "A-1"

LEGAL DESCRIPTION

SIDEWALK EASEMENT

THE SOUTHERLY 16.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

LOT 2, JESTREY POINT, AS RECORDED IN PLAT BOOK 56, PAGE 4, OF THE PUBLIC RECORDS, SEMINOLE COUNTY, FLORIDA.

CONTAINING 4966 SQUARE FEET MORE OR LESS.

SHEET 2 OF 2

SURVEYOR'S NOTES

1. THIS IS NOT A SURVEY.
2. UNDERGROUND UTILITIES AND/OR IMPROVEMENTS NOT LOCATED.
3. SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON, THE ABOVE REFERENCED PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.
4. THERE IS A 10' PLATTED UTILITY EASEMENT ALONG THE SOUTH LINE AND A 110' PLATTED FLORIDA POWER AND LIGHT EASEMENT SOUTHWESTERLY OF AND PERPENDICULAR TO THE NORTHEASTERLY PROPERTY LINE.

LEGEND

BEARINGS BASED ON :

THE WEST LINE OF LOT 1, JESTREY POINT AS BEING

N04°18'38"E

REVISIONS

DATE	BY	REVISIONS	REQUESTED BY:
1	12/03/04	LW 18' EASEMENT TO 16' EASEMENT	W.L. / D.A.
2			
3			
4			

JOB NAME: 04-024	FIELD DATE: N/A	DATE: 10/27/04	SCALE: 1"=100'	DRAWN BY: L.W.	CHECKED BY:
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EXHIBIT "A-2"

Document prepared by:
Warren Lewis, Senior Coordinator
Right-of-Way Section
Seminole County Engineering
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

Legal Description Approved by:
Steve L. Wessels, P.L.S.
County Surveyor
Seminole County Engineering
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

SIDEWALK EASEMENT

THIS SIDEWALK EASEMENT is made and entered into this 16 day December, 2004, by and between RAINIER HOLDINGS GROUP, L.L.C., a Florida Limited Liability Company, whose address is 7608 Dunbridge Drive, Odessa, Florida 33556, hereinafter referred to as the GRANTOR and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the GRANTEE;

WHEREAS, the purpose of this grant of easement is to facilitate the GRANTEE'S establishment of continuous sidewalks along its roads and streets for the benefit of the public,

W I T N E S S E T H :

FOR AND IN CONSIDERATION OF the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR do hereby grant and convey to the GRANTEE and its assigns, an exclusive, perpetual, permanent easement and right-of-way for the construction and maintenance of a sidewalk, with full authority to enter upon (by means of abutting property reasonably required to attain such access), construct, reconstruct and maintain, as the GRANTEE and its assigns may deem necessary, a sidewalk over, under, upon, and through (as the GRANTEE deems appropriate) the following described lands situate in the County of Seminole, State of Florida, to-wit:

See Sketch of Description and Legal Description attached hereto as Exhibits "A-1" and "A-2."

Property Appraiser's Parent Parcel Identification No.:
10-20-30-512-0000-0020

TO HAVE AND TO HOLD said easement and right-of-way unto said GRANTEE and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear, keep clear, remove from said easement all trees, undergrowth and other obstructions that may interfere with location, excavation, operation or maintenance of the sidewalk, and the GRANTOR, their successors and assigns agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on said easement that may interfere with the location, excavation, operation or maintenance of the sidewalk.

THE GRANTEE, as part of the consideration for this grant, agrees, to the extent and limits permitted by law, to hold harmless, indemnify and defend the GRANTOR, their successors and assigns against any and all claims, losses, damages or lawsuits for damages, arising from, allegedly arising from or related to the construction or maintenance of the sidewalk within said easement by the GRANTEE.

GRANTOR does hereby covenant with the GRANTEE, that they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the said easement and that this easement is being conveyed to GRANTEE in an AS IS, WHERE IS condition without any representations or warranties other than those specifically set forth in this sidewalk easement.

IN WITNESS WHEREOF, the **GRANTOR** has hereunto set their hand the day and year first above written.

WITNESSES:

(Sign) [Signature]
Print Name: Kathy Fremmel

(Sign) [Signature]
Print Name: Lucian Guyer

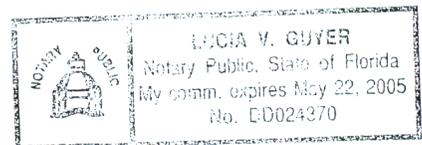
RAINIER HOLDINGS GROUP, L.L.C., A
FLORIDA LIMITED LIABILITY CO.

By [Signature]
SAMEER ASMAR, MANAGER

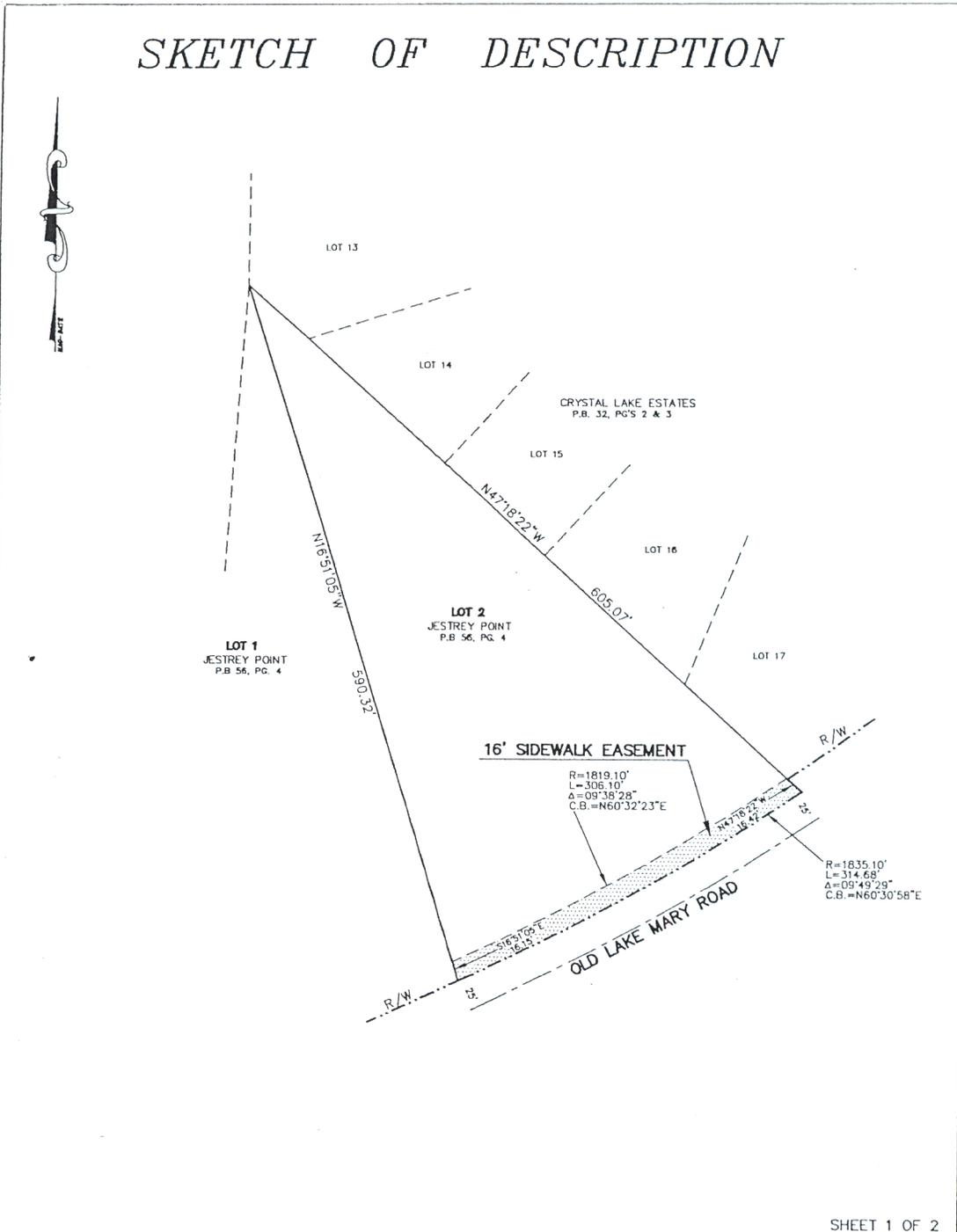
STATE OF FL
COUNTY OF Hillsborough ^{SS}

The foregoing instrument was acknowledged before me this 16 day of December, 2004, by SAMEER ASMAR, as MANAGER, of RAINIER HOLDINGS GROUP, L.L.C., a Florida Limited Liability Company who is personally known to me or has produced well known as identification and who did/did not take an oath.

[Signature]
Print Name: Lucian J. Guyer
Notary Public in and for the County and State Aforementioned



SKETCH OF DESCRIPTION



SEMINOLE COUNTY

ENGINEERING DEPARTMENT
SURVEY SECTION
520 W. LAKE MARY BLVD.
SANFORD, FLORIDA 32773
(407)323-2500 EXT.5647

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

BY: *Gary A. Leise*
GARY A. LEISE P.L.S. # 4723
STATE OF FLORIDA

LEGEND

- | | |
|--------------------------------|----------------------------------|
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FIELD DATE: N/A
DATE: 10/27/04
JOB NAME: 04-024

SCALE: 1"=100'
DRAWN BY: L.W.
CHECKED BY:

LEGAL DESCRIPTION

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SHEET 2 OF 2

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DATE	BY	REVISIONS	REQUESTED BY:
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JOB NAME: 04-024	FIELD DATE: N/A	DATE: 10/27/04	SCALE: 1"=100'	DRAWN BY: L.W.	CHECKED BY:
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EXHIBIT "A-2"