

# SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

**SUBJECT:** Resolution to accept land for public purposes

**DEPARTMENT:** Planning and Development **DIVISION:** Development Review

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Jean Abi-Aoun **EXT.** 7342

<b>Agenda Date</b> 02/10/04	<b>Regular</b> <input type="checkbox"/>	<b>Consent</b> <input checked="" type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Public Hearing – 1:30</b> <input type="checkbox"/>		<b>Public Hearing – 7:00</b> <input type="checkbox"/>	

**MOTION/RECOMMENDATION:**

Adopt the Resolution to accept the Warranty Deed and cancel property taxes for land donated as right-of-way on Elder Road from MICHAEL B. MYERS AND JACQUELINE M. MYERS.

District 5 – McLain. (Jean Abi-Aoun – Principal Engineer)

**BACKGROUND:**

The owners, Michael B. Myers and Jacqueline M. Myers, are proposing a restaurant on their property located on Elder Road at State Road 46, and have agreed to donate land to Seminole County for additional right-of-way on Elder Road. This resolution accepts the right-of-way and cancels the ad valorem taxes on the property.

MICHAEL B. MYERS and JACQUELINE M. MYERS are proposing as part of their site development plan, to access Elder Road. Elder Road along the north 132' of the subject property frontage has a 25' half right of way. A 30' half right of way is required to meet minimum County standards of 60' for a closed drainage local road. To access Elder Road, additional right of way is required to be dedicated to Seminole County. Per the Seminole County Land Development Code Appendix A, Section 11.3, a developer may be required to dedicate right-of-way to the County if the site abuts an existing street of inadequate right-of-way, and the need for additional right-of-way is rationally related to the development being approved. Florida Statutes permit the Board of County Commissioners to cancel all liens and ad valorem taxes, both delinquent and current, owed on land acquired by the County for road or other public purposes.

**STAFF RECOMMENDS :**

Staff recommends that the Board cancel all property taxes for this parcel and approve the attached resolution. The taxes cancelled for year 2004 are estimated to be \$22.63.

District 5 - McLain  
Attachments: Resolution  
Warranty Deed  
Estimate of Real Property Assessment

Reviewed by:	
Co Atty:	KRC
DFS:	
Other:	JAN
DCM:	SS
CM:	id
File No.	cpdd01

RESOLUTION NO. 2004 - R - \_\_\_\_\_  
FLORIDA

SEMINOLE COUNTY,

RESOLUTION

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR  
MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF  
SEMINOLE COUNTY, FLORIDA, ON       10th       DAY  
OF       February      , 2004 .

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that there is a necessity for future improvements to property, located in Section 16, Township 19 South, Range 30 East, Seminole County, Florida; and

WHEREAS, the implementation of the future roadway improvements will require right-of-way not now owned by the County of Seminole; and

WHEREAS, MICHAEL B. MYERS AND JACQUELINE M. MYERS have indicated its willingness to donate to Seminole County the required right-of-way, as evidenced by an executed Warranty Deed for RIGHT-OF-WAY, attached hereto; and

WHEREAS, Section 196.28, Florida Statutes, provides for and authorizes the Board of County Commissioners to cancel and discharge any and all liens for taxes, delinquent or current, held or owned by the County or State upon lands conveyed to or acquired by the County for road purposes.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County hereby accepts that Warranty Deed for Right-of-way executed November 30th, 2003, conveying to Seminole County the land described in EXHIBITS "A" and "B", attached hereto.

BE IT FURTHER RESOLVED that all ad valorem taxes either current or delinquent, that are owed upon and liens upon said lands resulting from said taxes and relating to the lands described in EXHIBIT "A" are hereby cancelled and discharged.

BE IT FURTHER RESOLVED that said Warranty Deed be recorded in the Official Records of Seminole County, Florida.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided by the Clerk to the Board of County Commissioners to the Tax Collector for Seminole County and the Property Appraiser for Seminole County.

ADOPTED THIS 10<sup>th</sup> DAY OF February, 2004.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

ATTEST:

\_\_\_\_\_  
DARYL G. MCLAIN

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

TAX PARCEL ID # 16-19-30-5AC-0000-099C

Prepared by: Tracy N. Phelps  
Development Review Division  
Date: 01-05-04

This Instrument Prepared By:  
Stephen P. Lee, Esq.  
County Attorney's Office  
1101 East First Street  
Sanford, Florida 32771

WARRANTY DEED

THIS WARRANTY DEED is made this 20<sup>th</sup> day of November, 2003, between MICHAEL B. MYERS and JACQUELINE M. MYERS, whose address is 1100 Fieldwood Boulevard, Lake Mary, Florida 32746, hereinafter called the "GRANTORS" 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 called the "GRANTEE":

That the GRANTORS, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, to GRANTORS in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged by these presents does grant, bargain, sell, release, convey and confirm unto the GRANTEE, its heirs and assigns forever, all that certain land lying and being in the County of Seminole, State of Florida, more particularly described as follows:

See Exhibit "A," attached hereto and incorporated herein.

Parcel No.: 16-19-30-5AC-0000-099C

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the GRANTORS hereby covenant with said GRANTEE that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land; that they hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF,  
and seals the day and year first above written

the GRANTORS have hereunto set their hands

WITNESSES:

Kari M Picou  
(Signature) Kari M Picou


Michael B. Myers (SEAL)  
MICHAEL B. MYERS

(Printed Name)  
Barbara Fedder  
(Signature)  
Barbara Fedder  
(Printed Name)

Shirley M. Picklo  
(Signature)  
Shirley M. Picklo  
(Printed Name)

Jacqueline M. Myers  
JACQUELINE M. MYERS  
Personally known to me.  
Shirley Picklo  
November 24, 2003

(Signature)  
  
(Printed Name)


 Shirley M. Picklo  
My Commission DD261120  
Expires October 23 2007

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 2003, by MICHAEL B. MYERS and JACQUELINE M. MYERS who are personally known to me or who produced FL # M69 54262 4000 as identification and who did (did not) take an oath.

WITNESS my hand and official seal in the County and State aforesaid  
this 20<sup>th</sup> day of November, 2003.

Legibly print or stamp Notary's name

Barbara Fedder  
Notary Public, in and for the  
County and State Aforementioned  **Barbara Fedder**  
My Commission DD267253  
Expires October 30, 2007

Attachment:  
Exhibit "A" - Legal Description

IN WITNESS WHEREOF the GRANTOR, JACQUELINE M. MYERS, has hereunto re-executed the foregoing Warranty Deed and set her hand on the day and year written below.

WITNESSES:

JACQUELINE M. MYERS

Michele Stuckey  
SIGNATURE

Michele Stuckey  
PRINT NAME

Susan Almon  
SIGNATURE

Susan Almon  
PRINT NAME

Jacqueline M. Myers  
DATE: January 14, 2004

STATE OF FLORIDA, )  
COUNTY OF Seminole

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared JACQUELINE M. MYERS, who is personally known to me or who has produced personally known as identification and who acknowledged the foregoing instrument.

Shirley Picklo  
NOTARY PUBLIC  
Print Name Shirley PICKLO  
Notary Public in and for the County  
and State Aforementioned  
My commission expires: 10/23/07

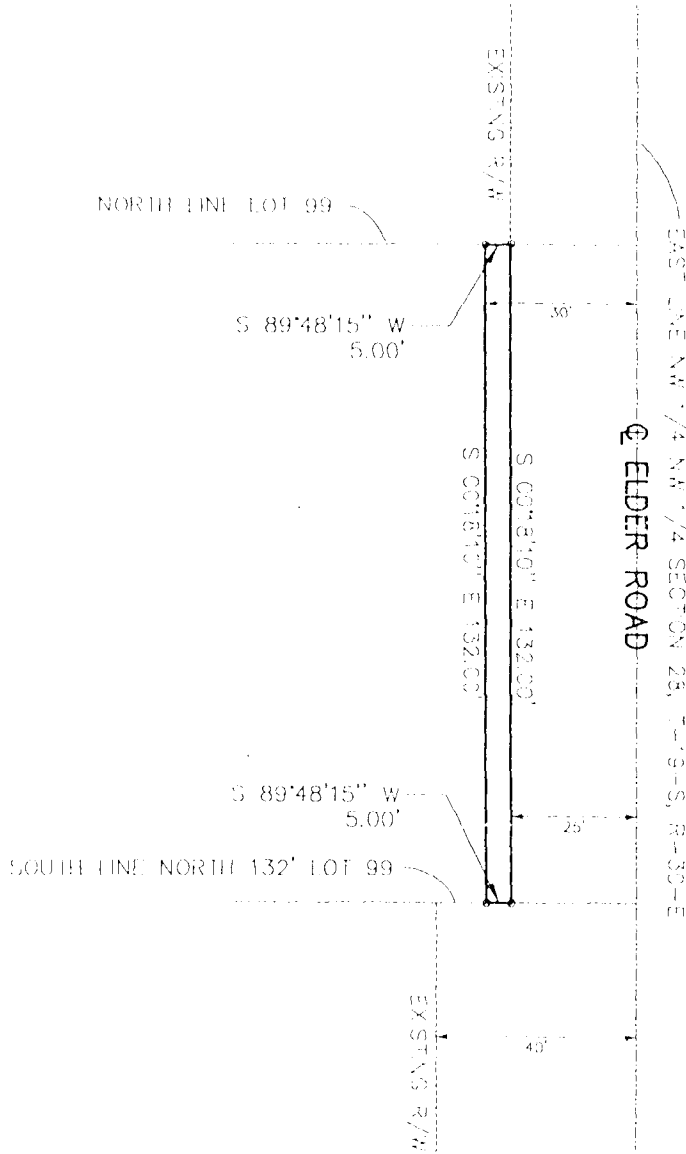


Shirley M. Picklo  
My Commission DD261120  
Expires October 23, 2007

SKETCH OF DESCRIPTION  
for  
**MIKE MYERS & ASSOCIATES, INC.**

Legal Description

All that part of the North 132.00 feet of Lot 99, FLORIDA LAND AND COLONIZATION COMPANY LIMITED W. BEARDALL'S MAP OF ST. JOSEPHS, according to the plat thereof as recorded in Plat Book 1, Page 114, of the Public Records of Seminole County, Florida, lying with 30.00 feet of the centerline of Elder Road, said centerline also being the East Line of the Northwest 1/4 of the Northwest 1/4 of Section 28, Township 19 South, Range 30 East, Seminole County, Florida.



SCALE AS NOTED


SCALE: 1" = 30'

SURVEY NOTES:

- 1) Bearings shown hereon are based on the centerline of Elder Road being N.00°18'10"W. (assumed Datum)
- 2) This is not a "BOUNDARY SURVEY", only a sketch of the above legal description.

SURVEYOR'S CERTIFICATE

This is to certify that I have made a Survey of the above described property and that the plat hereon delineated is an accurate representation of the same. I further certify that this Survey meets the Minimum Technical Standards set forth by the Florida Board of Land Surveyors pursuant to Section 427.027 of the Florida Statutes.

REVISIONS:	 <b>KITNER SURVEYING, INC.</b> R. BLAIR KITNER - P.L.S. NO. 3582 Post Office Box 823, Sanford, FL 32772-0823 (407) 322-2000	CERTIFIED CORRECT TO:
PROJECT NO: 02-465(A)	SURVEY DATE: 20 NOV. 2007	

ESTIMATE OF REAL PROPERTY ASSESSMENT AND AD VALOREM TAXES

DATE: 01/06/2004  
PARCEL: 16 - 19 - 30 - 5AC - 0000 - 099C  
PAD: W 46 SR

OWNER: MYERS MICHAEL B & JACQUELINE M  
ADDRESS: 1100 FIELDWOOD BLVD  
LAKE MARY FL 32746 4616

LEGAL DESCRIPTION:

LEG E 1/2 OF LOT 99 (LESS W 95 FT & N 132 FT & RD) ST JOSEPHS PB 1 PG 114

NOTE: This is an estimate based on information provided by requestor and other data available in this office. This estimate DOES NOT reflect non-ad valorem or special assessments and taxes. For information regarding County non-ad valorem or special assessments and taxes contact the Office of Management and Budget at (407) 665-7176.

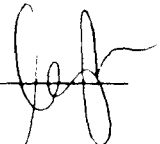
ASSESSMENT RECORDS INDICATE PARCEL WAS VACANT AS OF JANUARY 1, 2004.

JUST VALUE	1,320	
EXEMPTED AMOUNT	0	
TAXABLE VALUE	1,320	
MILLAGE RATE	17.1441	* Millages and exempt totals used are
*** ESTIMATED TAXES	22.63	based on latest certified amounts.

\*\*\* This estimate represents the most current value and is subject to change.

H.W. "BILL" SUBER

Initialed by person authorized to  
release this information



his estimate is good through: 02/05/2004.

Estimate is for a portion of the above described property containing 660 sq ft being taken for additional road r/w