

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Adopt a Resolution to Vacate and Abandon a Portion of the Public Right-of Way of Red Bug Lake Road

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

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Denny Gibbs **EXT.** 7359

Agenda Date 2/1 1/03 Regular  Consent  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

Adopt the Resolution to vacate and abandon a strip of the southerly portion of the right-of-way (ROW) of Red Bug Lake Road, comprising approximately 2,900 square feet in area, located west of Dodd Road. and north of Lake Howell, in Section 22, Township 21 S, Range 30E. The applicant is Judy Stewart for Centex Homes.

District 1 – Maloy (Denny Gibbs – Planner) *lev*

**BACKGROUND:**

A six foot brick privacy wall was constructed around the Lakehurst residential development and lies partially within the ROW for Red Bug Lake Road. A portion of this wall encroaches approximately 2-4' into the Red Bug Lake Road right-of-way for a distance of 575'. The applicant is requesting to vacate this area of encroachment, which would consist of a strip of land varying in width from 4-6', in order to keep the wall in its current location. No Seminole County utilities lay within the proposed vacate area. Staff has received a letter of no objection from Florida Power, which crosses the proposed vacate area with a buried electric line, subject to the reservation of a utility easement over the entire portion to be vacated. This right-of-way was purchased by the County in 1991 for \$1,380 as part of the Red Bug Lake Road Phase 2 improvement and, as such, the applicant has agreed to purchase from the County the 2,900 sq. ft. area for the adjusted amount of \$1,855.

Staff has reviewed the request, and finds that the proposed vacate would not create public safety concerns or impact the future location of public facilities.

**STAFF RECOMMENDATION:**

Staff recommends approval of the resolution-to vacate and abandon the 2,900 square foot strip of Red Bug Lake Road for the consideration of \$1,855.

District: 1 - Maloy  
Attachments: Resolution  
Exhibit A: Sketch of description  
Exhibit B: Location map

Reviewed by:  
Co Atty: \_\_\_\_\_  
DFS: \_\_\_\_\_  
Other: \_\_\_\_\_  
DCM: \_\_\_\_\_  
CM: \_\_\_\_\_  
File No. ph130pdd02

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 11<sup>th</sup> DAY OF February A.D., 2003.

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

.....

Whereas, a Petition was presented on behalf of  
**Centex Homes**

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

See Exhibit "A"

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having found that the residents of Seminole County do not have a need to utilize this portion of Red Bug Lake Road right-of-way, has determined that the abandonment of the above described right-of-way is to 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 right-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; subject to the reservation of a utility easement over the property described in Exhibit "A" above.

PASSED AND ADOPTED this 11<sup>th</sup> day of February A.D., 2003.

ATTEST: BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE  
CLERK OF THE CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA

BY: DARYL G. MCLAIN  
CHAIRMAN

**SHEET 1 OF 2**

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

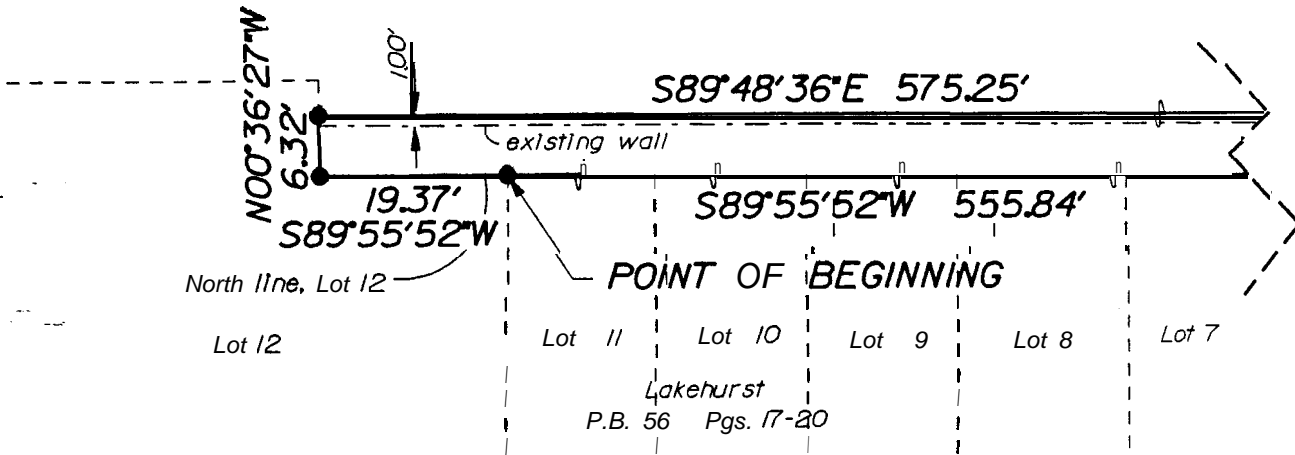
**EXHIBIT A**

SCALE: 1" = 20'

**LEGEND**

- R/W - RIGHT-OF-WAY
- P.B.- FLAT BOOK
- PGS.- PAGES
- . - CHANGE IN DIRECTION

RED BUG LAKE ROAD 100' R/W



North 11ne, Lot 12

**POINT OF BEGINNING**

Lot 12

Lot 11

Lot 10

Lot 9

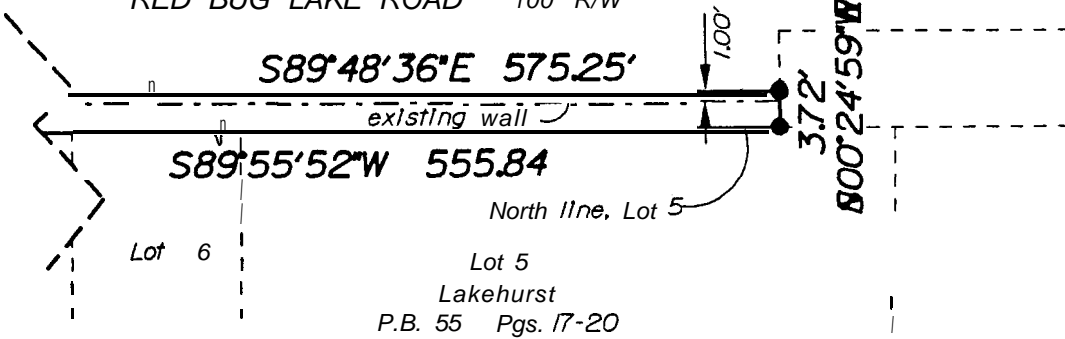
Lot 8

Lot 7

Lakehurst

P.B. 56 Pgs. 17-20

RED BUG LAKE ROAD 100' R/W



Lot 6

North 11ne, Lot 5

Lot 5

Lakehurst

P.B. 55 Pgs. 17-20

AUG 27 2001

BEARING STRUCTURE BASED ON THE NORTH LINE OF LOT 12, LAKEHURST, PLAT BOOK 55, PAGES 17-20, AS S89°55'52\"/>

**SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.**

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS AS REWIRED BY CHAPTER 61G17-6 F.A.C.

*Sandra V. Bailey*  
 SANDRA V. BAILEY P.L.S.  
 LICENSE, NUMBER LS. 497.2

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

CERTIFICATE OF AUTHORIZATION NO. LB 1221

**BOWYER SINGLETON & ASSOCIATES, INCORPORATED**  
 ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

520 SOUTH MAGNOLIA AVENUE  
 ORLANDO, FLORIDA 32801  
 (407) 843-5120

SEMINOLE COUNTY FLORIDA

RIGHT-OF-WAY VACATION  
 LAKEHURST

9/24/01

PT

SK4.DOC

LHISK4.001  
 LHISK4.PTS

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

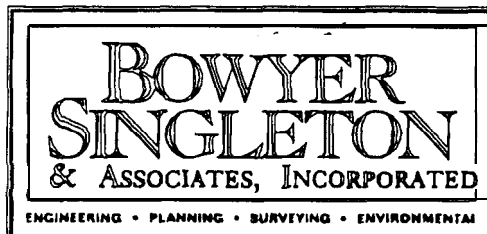
BEGIN AT THE NORTHEAST CORNER OF LOT 12, LAKEHURST, AS RECORDED IN PLAT BOOK 55, PAGES 17-20, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, RUN S89° 55' 52 "W, ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 19.37 FEET; THENCE DEPARTING SAID NORTH LINE, RUN N00° 36' 27 "W, A DISTANCE OF 6.32 FEET; THENCE S89° 48' 36 "E, A DISTANCE OF 575.25 FEET; THENCE S00° 24' 59 "E, A DISTANCE OF 3.72 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LAKEHURST; THENCE RUN S89° 55' 52 "W, ALONG SAID NORTHERLY LINE, A DISTANCE OF 555.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.066 ACRES, MORE OR LESS.

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

AUG 27 2001

SHEET 2 OF 2



520 SOUTH MAGNOLIA AVENUE  
ORLANDO, FLORIDA 32801  
(407) 843-5120

SEMINOLE  
COUNTY

FLORIDA

RIGHT-OF-WAY  
VACATION

LAKEHURST

8/24/01

PT

SK4.DOC

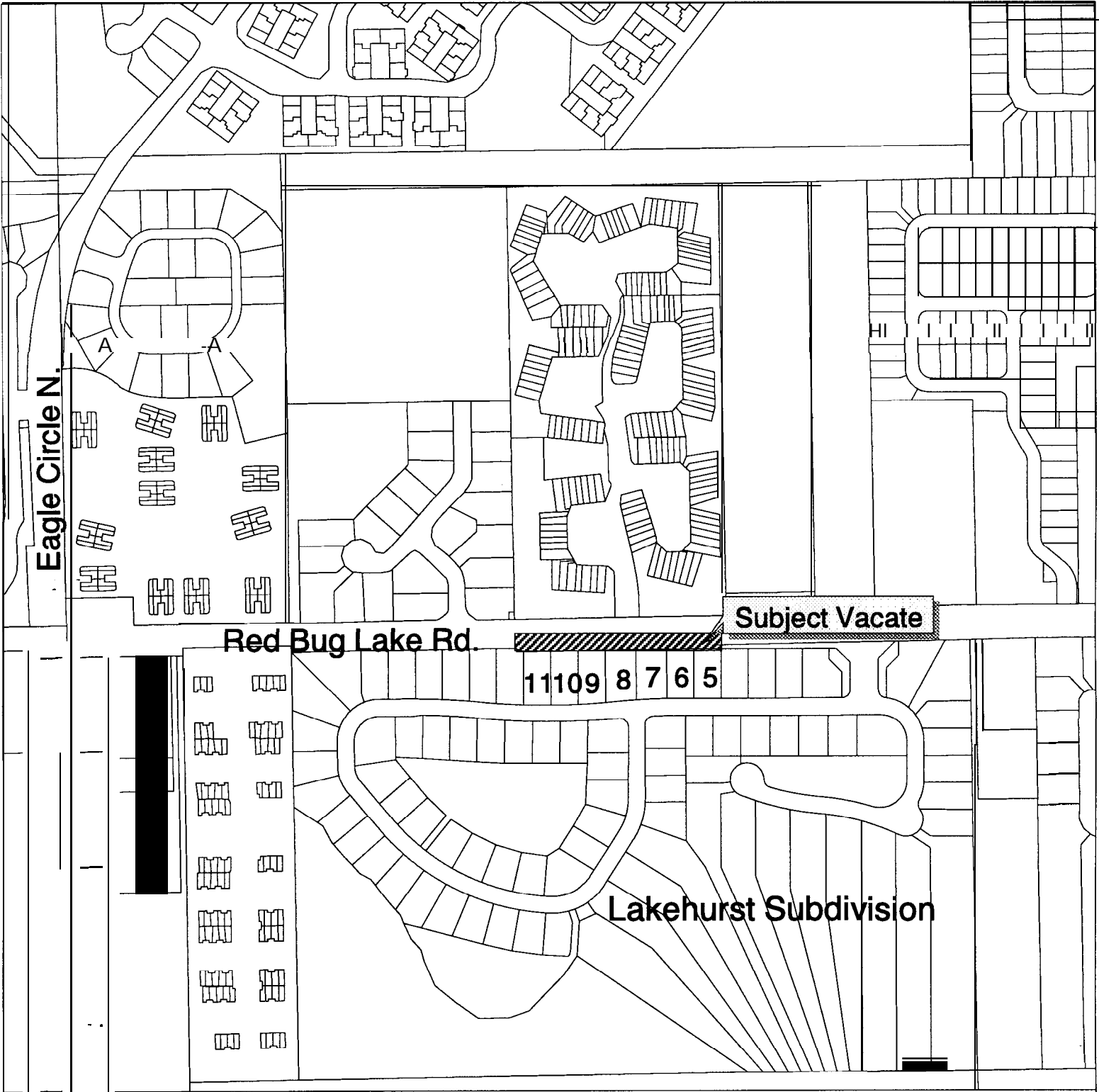
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Pat Tract

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8/27/01 08:36:50



90 0 90 180 Feet

# Location Map Red Bug Lake Rd. Right-Of-Way Vacate

Exhibit B