

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Bear Gully Canal – Special Warranty Deed

**DEPARTMENT:** Public Works      **DIVISION:** Roads-Stormwater

**AUTHORIZED BY:** *W. Gary Johnson*      **CONTACT:** Mark Flomerfelt      **EXT.** 5710  
*W. Gary Johnson, P.E., Director*      *Michael K. Arnold, Manager*

Agenda Date 02/28/06    Regular     Consent     Work Session     Briefing   
Public Hearing – 1:30     Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

Accept and authorize recording in the Public Record of a Special Warranty Deed from the Dovera Community Development District to Seminole County for a portion of the Bear Gully Canal.

District 1 - Commissioner Dallari (Michael K. Arnold, Manager)

**BACKGROUND:**

The attached Special Warranty Deed covers property being donated to the County. This conveyance will allow for regular and continued maintenance of that portion of the Bear Gully Canal.

No County funds will be used for acquiring this deed.

Attachment: Special Warranty Deed with  
Legal Description

Reviewed by:  
Co Atty: *gpc*  
DFS: \_\_\_\_\_  
Other: \_\_\_\_\_  
DCM: *[Signature]*  
CM: *[Signature]*  
File No. CPWS01

This space reserved for use by the Clerk  
of the Circuit Court

This Instrument Prepared by:

Brian A. Crumbaker, Esq.  
Hopping Green & Sams, P.A.  
123 South Calhoun Street  
Tallahassee, Florida 32301

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**SPECIAL WARRANTY DEED**

THIS INDENTURE, made and executed this 26<sup>th</sup> day of July, 2005, by the **Dovera Community Development District**, whose mailing address is 10300 N.W. 11th Manor, Coral Springs, Florida 33071 ("Grantor") to **Seminole County**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771 ("Grantee").

**WITNESSETH:**

THAT Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, conveys and confirms unto Grantee, certain real property located in Seminole County, Florida, which is more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference (the "Property").

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 Grantor does hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said lands, and the Grantor hereby warrants title to the Property and will defend same against the lawful claims of all persons claiming by, through or under Grantor, but against no others.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the day and year set forth above.

**Dovera**  
**Community Development District:**

*Christi Yarnell*  
Chairman, Board of Supervisors

*Gary N. Boronny*  
Print Name: Gary N. Boronny

*Thomas Tuledarian*  
Print Name: Thomas Tuledarian

STATE OF FLORIDA  
COUNTY OF SEMIOLA

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of July, 2005, by CHRISTI YARNELL, as Chairman of the Board of Supervisors, on behalf of the District. He/she is personally known to me or has produced as identification.

*Brian Crumbaaker*  
Print Name: Brian Crumbaaker  
Notary Public, State of ~~Virginia~~ FLORIDA  
My Commission Number: DD376361  
My Commission Expires: 12/2/2008

{Notary Seal}



# LEGAL DESCRIPTION

(THIS IS NOT A SURVEY)

## EXHIBIT A


A TRACT OF LAND LYING IN SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING THAT PORTION OF A CERTAIN PERMANENT DRAINAGE EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 2301, PAGES 1177 THROUGH 1184 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA WHICH LIES WITHIN TRACT A OF OVIEDO CROSSING -PHASE 1B ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47 PAGES 80, 81, 82, AND 83 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT A AS THE POINT OF BEGINNING, SAID POINT OF BEGINNING ALSO BEING ON THE EAST LINE OF THE ABOVE REFERENCED PERMANENT DRAINAGE EASEMENT; THENCE RUN SOUTH 89°47'24" WEST ALONG THE SOUTH LINE OF SAID TRACT A A DISTANCE OF 90.51 FEET TO THE WEST LINE OF SAID PERMANENT DRAINAGE EASEMENT; THENCE RUN NORTH 05°51'37" EAST ALONG SAID WEST EASEMENT LINE 198.69 FEET TO THE NORTH LINE OF SAID TRACT A; THENCE RUN SOUTH 74°47'07" EAST, ALONG SAID NORTH LINE 91.22 FEET TO THE AFOREMENTIONED EAST LINE OF THE PERMANENT DRAINAGE EASEMENT; THENCE RUN SOUTH 05°51'37" WEST ALONG SAID EAST LINE AND ALONG THE EAST LINE OF SAID TRACT A, 174.29 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN SEMINOLE COUNTY FLORIDA AND CONTAINS 0.39 ACRES, MORE OF LESS.

### SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE EAST LINE OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING NORTH 89°33'06" EAST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.

  
DAVID A. WHITE, P.S.M.  
FLORIDA REGISTRATION NO. 4044  
PROFESSIONAL ENGINEERING CONSULTANTS, INC.  
CERTIFICATE OF AUTHORIZATION NO. LB-3556  
DATE OF SIGNATURE: JUNE 28, 2005

SHEET 1 OF 2

**PEC** | PROFESSIONAL ENGINEERING CONSULTANTS, INC.  
engineers                      planners                      surveyors

Suite 1560 Eola Park Centre 200 East Robinson Street Orlando, Florida 32801 407/422-8062

SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST

DATE: JUN. 28, 2005

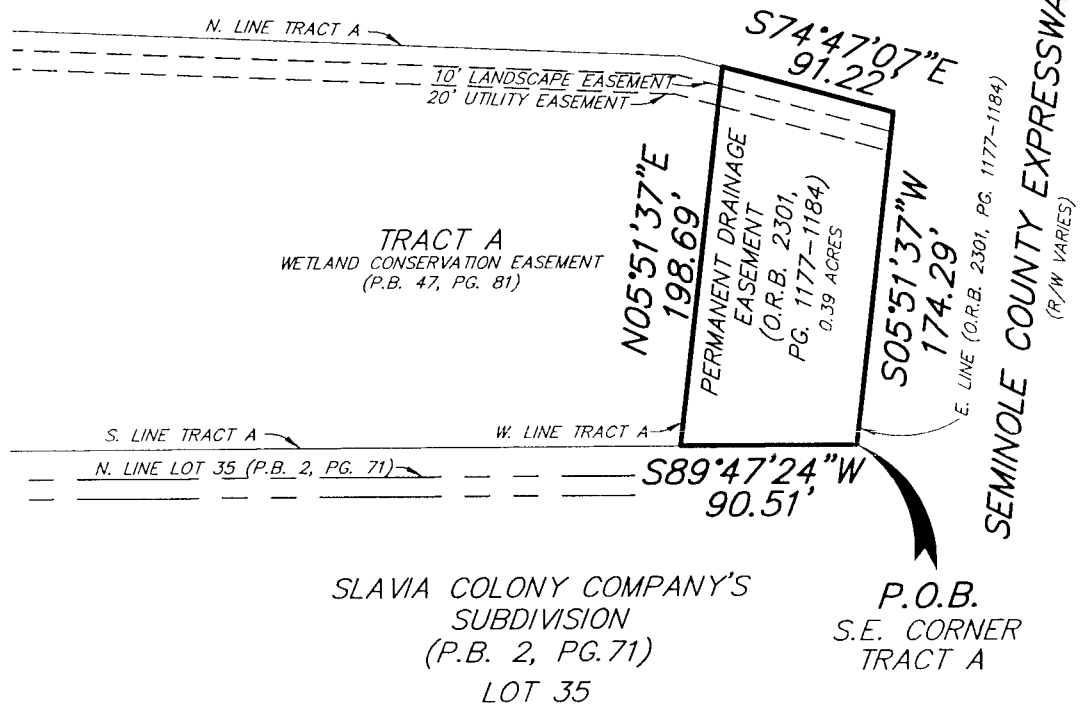
PREP BY: D.W.

DRAWN BY: M.T.

DS-01



SCALE  
1" = 100'



SLAVIA COLONY COMPANY'S  
SUBDIVISION  
(P.B. 2, PG. 71)  
LOT 35

P.O.B.  
S.E. CORNER  
TRACT A

- LEGEND
- P.O.C.....POINT OF COMMENCEMENT
  - P.O.B.....POINT OF BEGINNING
  - SEC.....SECTION
  - R/W.....RIGHT-OF-WAY
  - O.R.B.....OFFICIAL RECORDS BOOK
  - PG.....PAGE
  - R.....RADIUS
  - Δ.....CENTRAL ANGLE
  - L.....ARC LENGTH
  - C.....CHORD LENGTH
  - C.B.....CHORD BEARING
  - PT.....POINT OF TANGENCY
  - S.R.....STATE ROAD
  - PB.....PLAT BOOK
  - CR.....COUNTY ROAD

SHEET 2 OF 2

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SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST OVIEDO CROSSING PHASE 1B

DATE: JUN. 28, 2005

PREP BY: D.W.

DRAWN BY: M.T.

DS-01

O:\ds-001\LEGAL TRACTA.dwg Jul 25, 2005 - 2:19pm

# LEGAL DESCRIPTION

(THIS IS NOT A SURVEY)

A TRACT OF LAND LYING IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING THAT CERTAIN SEMINOLE COUNTY DRAINAGE EASEMENT (EASEMENT), PER OVIEDO CROSSING-PHASE 1B, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47, PAGES 80, 81, 82 AND 83 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF TRACT "F" OF SAID OVIEDO CROSSING-PHASE 1B FOR A POINT OF REFERENCE; THENCE RUN SOUTH 01°09'56" EAST ALONG THE EAST LINE OF SAID OVIEDO CROSSING-PHASE 1B, 414.01 FEET TO THE NORTHEAST CORNER OF SAID EASEMENT AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°09'56" EAST, 207.03 FEET; THENCE RUN ALONG THE SOUTHEASTERY BOUNDARY OF SAID OVIEDO CROSSING-PHASE 1B AND ALONG THE SOUTHEASTERLY BOUNDARY OF SAID EASEMENT THE FOLLOWING COURSES: SOUTH 41°23'06" WEST, 481.75 FEET; NORTH 01°09'40" WEST, 131.03 FEET; SOUTH 41°53'06" WEST, 477.28 FEET; SOUTH 01°09'24" EAST TO THE SOUTH BOUNDARY OF SAID OVIEDO CROSSING-PHASE 1B; THENCE RUN SOUTH 89°18'33" WEST ALONG SAID SOUTH BOUNDARY AND ALONG THE SOUTH BOUNDARY OF SAID EASEMENT, 124.54 FEET TO THE SOUTHWEST CORNER OF SAID EASEMENT; THENCE RUN NORTH 41°23'06" EAST ALONG THE WEST LINE OF SAID EASEMENT, 1147.71 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBE TRACT OF LAND LIES IN SEMINOLE COUNTY, FLORIDA.

#### SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE EAST LINE OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING NORTH 89°33'06" EAST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
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DAVID A. WHITE, P.S.M.  
FLORIDA REGISTRATION NO. 4044  
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CERTIFICATE OF AUTHORIZATION NO. LB-3556  
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SHEET 1 OF 2

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SECTION 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST

DATE: JUN. 28, 2005

PREP BY: D.W.

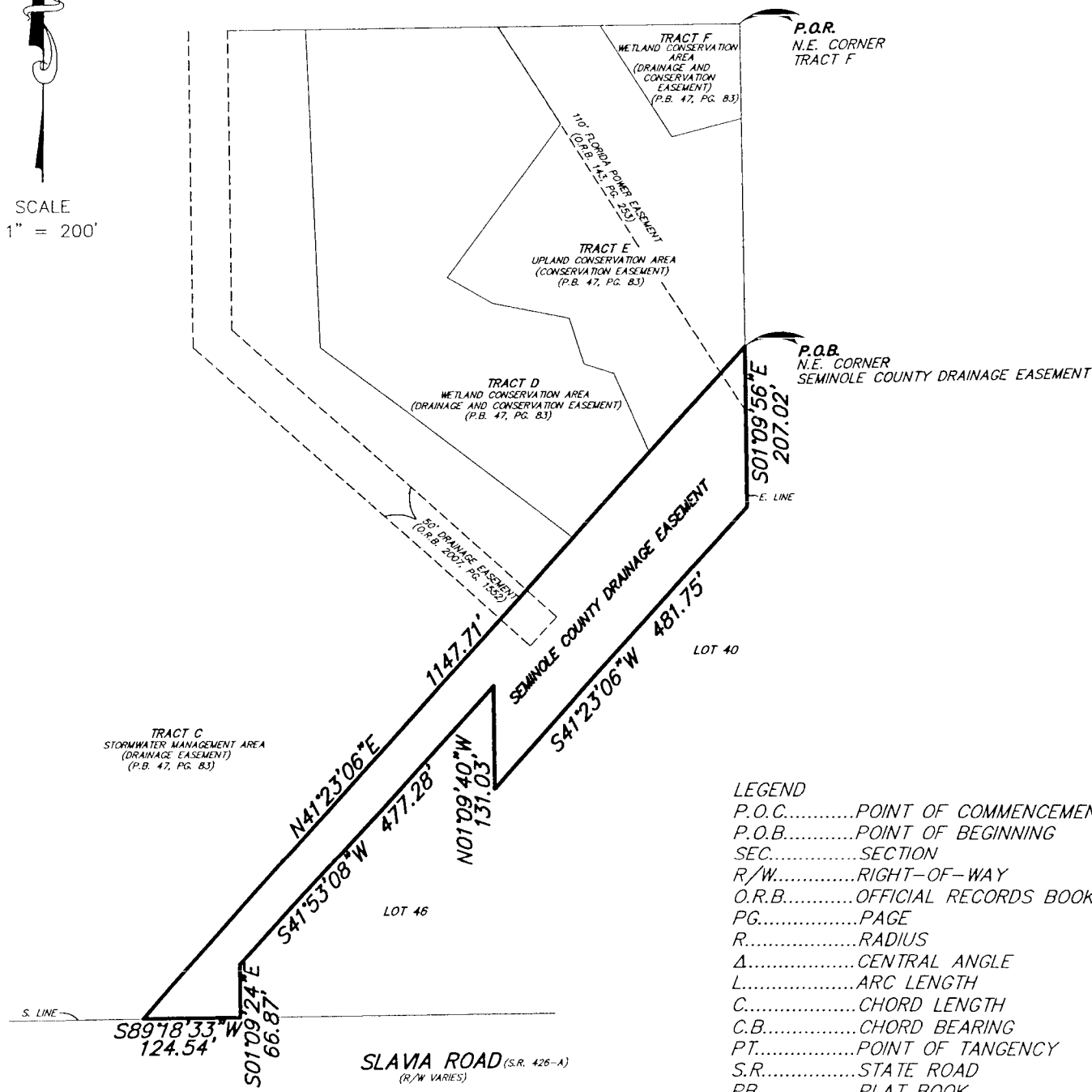
DRAWN BY: M.T.

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SCALE  
1" = 200'



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SHEET 2 OF 2

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SECTION 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST OVIEDO CROSSING PHASE 1B

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