

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Drainage Easement Agreements

DEPARTMENT: Public Works **DIVISION:** Road Operations & Stormwater

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** *Mark E. Flomerfelt* **EXT.** 5710
W. Gary Johnson, P.E., Dir. *Mark E. Flomerfelt, P.E., Mgr.*
Public Works Road Operations & Stormwater

Agenda Date 4/22/03 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Approve and authorize Chairman to execute the drainage easement from Larry E. and Theresa Powers, 975 Palm Springs Road, Longwood, Florida and Leisa Youel, 1005 Palm Springs Road, Longwood, Florida to Seminole County for the Palm Springs Road Paving Project.

BACKGROUND:

Project involves construction of a 350' section of Palm Springs Road (now known as Lake Front Road). The drainage easement allows for construction and maintenance of Stormwater infrastructure and outfall to Lake Brantley.

District 3 – Commissioner Van der Weide

Attachment: Permanent Drainage Easements (2)

Reviewed by: _____
Co Atty: *JTC*
DFS: _____
Other: _____
DCM: *WJ*
CM: *WJ*

File No. CPWS01

This instrument prepared by:
Stephen P. Lee, Esq.
County Attorney's Office
1101 East First Street
Sanford, Florida 32771

DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT is made and entered into this 18th day of March, 2003, by and between LEISA YOUEL, a single woman, whose address is 1005 Palm Springs Road, Longwood, Florida 32779 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.

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 of which is hereby acknowledged, GRANTOR does hereby grant and convey to the GRANTEE and its assigns, a perpetual right-of-way and easement for drainage purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, a drainage system consisting of pipes, ditches, detention, percolation or disposal areas or any combination thereof, together with appurtenant drainage structures over, under, upon and through the following-described lands situate in the County of Seminole, State of Florida, to-wit:

SEE the legal description attached hereto as Exhibit "A"

Property Appraiser's Parcel Identification Nos.: 04-21-29-300-017A-0000

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

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with the location, excavation, operation or maintenance of the drainage and any other facilities placed thereon by the GRANTEE and its assigns, from the herein granted right-of-way, and GRANTOR, her successors and assigns, agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on the herein granted right-of-way that may interfere with the location, excavation, operation or maintenance of the drainage or any facilities placed thereon.

GRANTOR does hereby covenant with the GRANTEE, that she is lawfully seized and possessed of the real estate above described, that she has a good and lawful right to convey the said easement and that it is free from all encumbrances.

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

WITNESSES

Donald E. McKenna
(Signature)
Donald E. McKenna
(Printed Name)
Thomas Rader
(Signature)
THOMAS RADER
(Printed Name)

Leisa Youel (SEAL)
LEISA YOUEL

STATE OF

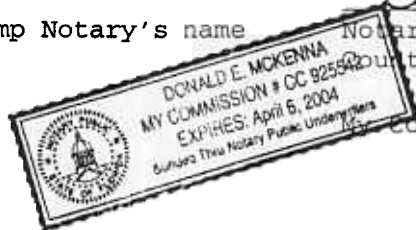
COUNTY OF

The foregoing instrument was acknowledged before me this 18th day of March, 2003, by LEISA YOUEL, who is personally known to me or who produced Dr. License Florida as identification and who did (did not) take an oath.

WITNESS my hand and official seal in the County and State aforesaid this 18th day of March, 2003.

Legibly print or stamp Notary's name

Donald E. McKenna
Notary Public, in and for the
County and State Aforementioned



Commission Expires:

PARCEL 17A



DESCRIPTION:

A portion of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 4, Township 21 South, Range 29 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 4; thence North along the West line of said Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4, a distance of 25.00 feet to the North Right of Way line of Palm Springs Road and the POINT OF BEGINNING; thence continue along said line North 01°39'48" East, a distance of 437.25 feet; thence departing said line North 88°20'13" West, a distance of 7.50 feet; thence South 01°39'48" West, a distance of 437.25 feet along a line 7.50 feet West of and parallel with said West line; thence South 88°20'13" East, a distance of 7.50 feet to the POINT OF BEGINNING.

Containing 3,279 square feet more or less.

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH

Description	Date: March 6, 2003 CBvG		CERT. NO. LB2108	47420003
	FOR LEISA YUEL	Job No.: 47420003	Scale: N.T.S.	 SOUTHEASTERN SURVEYING & MAPPING CORP. 324 North Orlando Avenue Maitland, Florida 32751 (407)647-8898 fax(407)647-1667 email: info@southeasternsurveying.com  GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.			

SKETCH OF DESCRIPTION



N.T.S.

NORTH LINE, SW 1/4, SW 1/4
SECTION 4-21-29

N88°20'13"W
7.50'

OWNER: LEISA YUDEL
PARCEL ID:
04-21-29-300-017A-0000
OFFICIAL RECORDS BOOK 2236,
PAGE 382

437.25'

437.25'

WEST LINE, SW 1/4, SW 1/4, SECTION 4-21-29

OWNER: LARRY E. JR. & THERESA POWERS
PARCEL ID: 04-21-29-300-018A-0000
OFFICIAL RECORDS BOOK 3334, PAGE 5

OWNER: MATT L & JUDITH S LEAVITT
PARCEL ID:
04-21-29-300-017B-0000
OFFICIAL RECORDS BOOK 4087,
PAGE 1243

S01°39'48"W

N01°39'48"E

OWNER: LARRY E. JR. & THERESA POWERS
PARCEL ID: 04-21-29-300-0180-0000
OFFICIAL RECORDS BOOK 3334, PAGE 5

INGRESS & EGRESS EASEMENT
OFFICIAL RECORDS BOOK 3334, PAGE 13
20'x50'

POB

S88°20'13"E
7.50'

SOUTH LINE, SW 1/4,
SECTION 4-21-29

POC

SOUTHWEST CORNER
SOUTHWEST 1/4,
SOUTHEAST 1/4,
SOUTHWEST 1/4
SECTION 4-21-29

25.00'



SOUTHEASTERN SURVEYING & MAPPING CORP.
324 North Orlando Avenue
Maitland, Florida 32751-4702
(407)647-8898 fax(407)647-1667
Cert. No. LB-2108
email: info@southeasternsurveying.com

PALM SPRINGS ROAD

ABBREVIATIONS:

R/W = RIGHT OF WAY

Drawing No. 47420003

Job No. 47420004

Date: March 7, 2003

Sheet 2 of 2

See Sheet 1 for Description

This instrument prepared by
Stephen P. Lee, Esq.
County Attorney's Office
1101 East First Street
Sanford, Florida 32771

DRAINAGE EASEMENT

March THIS DRAINAGE EASEMENT is made and entered into this 18th day of March, 2003, by and between LARRY E. POWERS and THERESA POWERS whose address is 975 Palm Springs Road, Longwood, Florida 32779 hereinafter referred to as 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 referred to as the GRANTEE.

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 of which is hereby acknowledged, GRANTORS do hereby grant and convey to the GRANTEE and its assigns, a perpetual right-of-way and easement for drainage purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, a drainage system consisting of pipes, ditches, detention, percolation or disposal areas or any combination thereof, together with appurtenant drainage structures over, under, upon and through the following-described lands situate in the County of Seminole, State of Florida, to-wit:

SEE Legal description attached hereto as Exhibit "A"

Property Appraiser's Parcel Identification No.: 04-21-29-300-0180-0000

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

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with the location, excavation, operation or maintenance of the drainage and any other facilities placed thereon by the GRANTEE and its assigns, from the herein granted right-of-way, and GRANTORS, 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 the herein granted right-of-way that may interfere with the location, excavation, operation or maintenance of the drainage or any facilities placed thereon.

GRANTORS do 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 it is free from all encumbrances.

IN WITNESS WHEREOF, GRANTORS have hereunto set their hands and seals the day and year first above written.

WITNESSES

Thomas Radzai
(Signature)
THOMAS RADZAI
(Printed Name)

Donald E. McKenna
(Signature)
Donald E. McKenna
(Printed Name)

Thomas Radzai
(Signature)
THOMAS RADZAI
(Printed Name)

Donald E. McKenna
(Signature)
Donald E. McKenna
(Printed Name)

LARRY E. POWERS (SEAL)

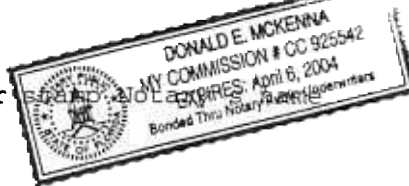
THERESA POWERS (SEAL)

STATE OF

COUNTY OF

The foregoing instrument was acknowledged before me this 10th day of March, 2003, by LARRY E. POWERS and THERESA POWERS, who are personally known to me or who produced Dr. license Florida as identification and who did (did not) take an oath.

WITNESS my hand and official seal in the County and State aforesaid this 18th day of March, 2003.



Donald E. McKenna
Notary Public, in and for the
County and State Aforementioned

Legibly print or

My Commission Expires:

PARCEL 18A


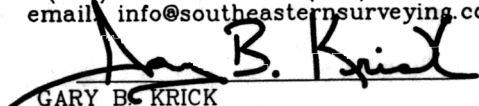
DESCRIPTION:

A portion of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 4, Township 21 South, Range 29 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 4; thence North along the West line of said Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4, a distance of 25.00 feet to the North Right of Way line of Palm Springs Road and the POINT OF BEGINNING; thence continue along said line North 01°39'48" East a distance of 437.25 feet; thence departing said line South 88°20'13" East a distance of 7.50 feet; thence South 01°39'48" West, a distance of 437.25 feet along a line 7.50 feet East of and parallel with said West line; thence North 88°20'13" West, a distance of 7.50 feet to the POINT OF BEGINNING.

Containing 3,279 square feet, more or less.

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH

DESCRIPTION	Date: March 6, 2003 CBvG		CERT. NO. LB2108	47420002
	Job No.: 47420002	Scale: N.T.S.	 SOUTHEASTERN SURVEYING & MAPPING CORP. 324 North Orlando Avenue Maitland, Florida 32751 (407)647-8898 fax(407)647-1667 email info@southeasternsurveying.com  GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245	
FOR Larry E. Powers, Jr. Theresa Powers	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.			

SKETCH OF DESCRIPTION

UNNAMED STREET

TRACT "A"
BRANTLEY HARBOR
PLAT BOOK 17, PAGE 44
SEMINOLE COUNTY, FLORIDA

EDGE OF WATER
LOCATED 05/24/02

S88°20'12"E
7.50'



N.T.S.

OWNER: LEISA YOUEL
PARCEL ID:
04-21-29-300-017A-0000
OFFICIAL RECORDS BOOK 2236,
PAGE 3B2

437.25'

OWNER: LARRY E. JR.
& THERESA POWERS
PARCEL ID:
04-21-29-300-018A-0000
OFFICIAL RECORDS BOOK 3334,
PAGE 5

437.25'

WEST LINE, SW 1/4, SECTION 4-21-29

N01°39'48"E

S01°39'48"W

OWNER: LARRY E. JR.
& THERESA POWERS
PARCEL ID:
04-21-29-300-0180-0000
OFFICIAL RECORDS BOOK 3334,
PAGE 5

N88°20'12"W
7.50'

INGRESS & EGRESS EASEMENT
OFFICIAL RECORDS BOOK
3334, PAGE 13
20'x50'

POB

NORTH R/W LINE

25.00'

SOUTH LINE, SW 1/4, SECTION 4-21-29

PALM SPRINGS ROAD



ABBREVIATIONS:

R/W = RIGHT OF WAY

Drawing No. 47420002
Job No. 47420002
Date: March 6, 2003 CBvG
Sheet 2 of 2
See Sheet 1 for Description

POC

SOUTHWEST CORNER
SOUTHWEST 1/4,
SOUTHEAST 1/4,
SOUTHWEST 1/4,
SECTION 4-21-29

SOUTHEASTERN SURVEYING & MAPPING CORP.
324 North Orlando Avenue
Maitland, Florida 32751-4702
(407)647-8898 fax(407)647-1667
Cert. No. LB-2108
email: info@southeasternsurveying.com