

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution to accept land for public purposes

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

AUTHORIZED BY: Dan Matthys **CONTACT:** Tom Radzai **EXT.** 7342

Agenda Date <u>04/25/06</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"/>
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MOTION/RECOMMENDATION:

Adopt the Resolution to accept the Warranty Deeds and cancel property taxes for land donated as right-of-way on Upsala Road from SEMINOLE WAREHOUSE PARTNERS, LTD.

District 5 – Commissioner Carey (Tom Radzai, Senior Engineer)

BACKGROUND:

The developer, SEMINOLE WAREHOUSE PARTNERS, LTD., is building a Stor-A-Way Warehouse Complex development on their property located on Upsala Road south of SR 46 in Sanford, Florida. SEMINOLE WAREHOUSE PARTNERS, LTD. is required as part of their right-of-way permit, to extend the existing right turn lane on Upsala Road at SR 46. Additional right-of-way is needed to accommodate the right turn lane extension. SEMINOLE WAREHOUSE PARTNERS, LTD. has agreed to donate land to Seminole County for additional right-of-way on Upsala Road.

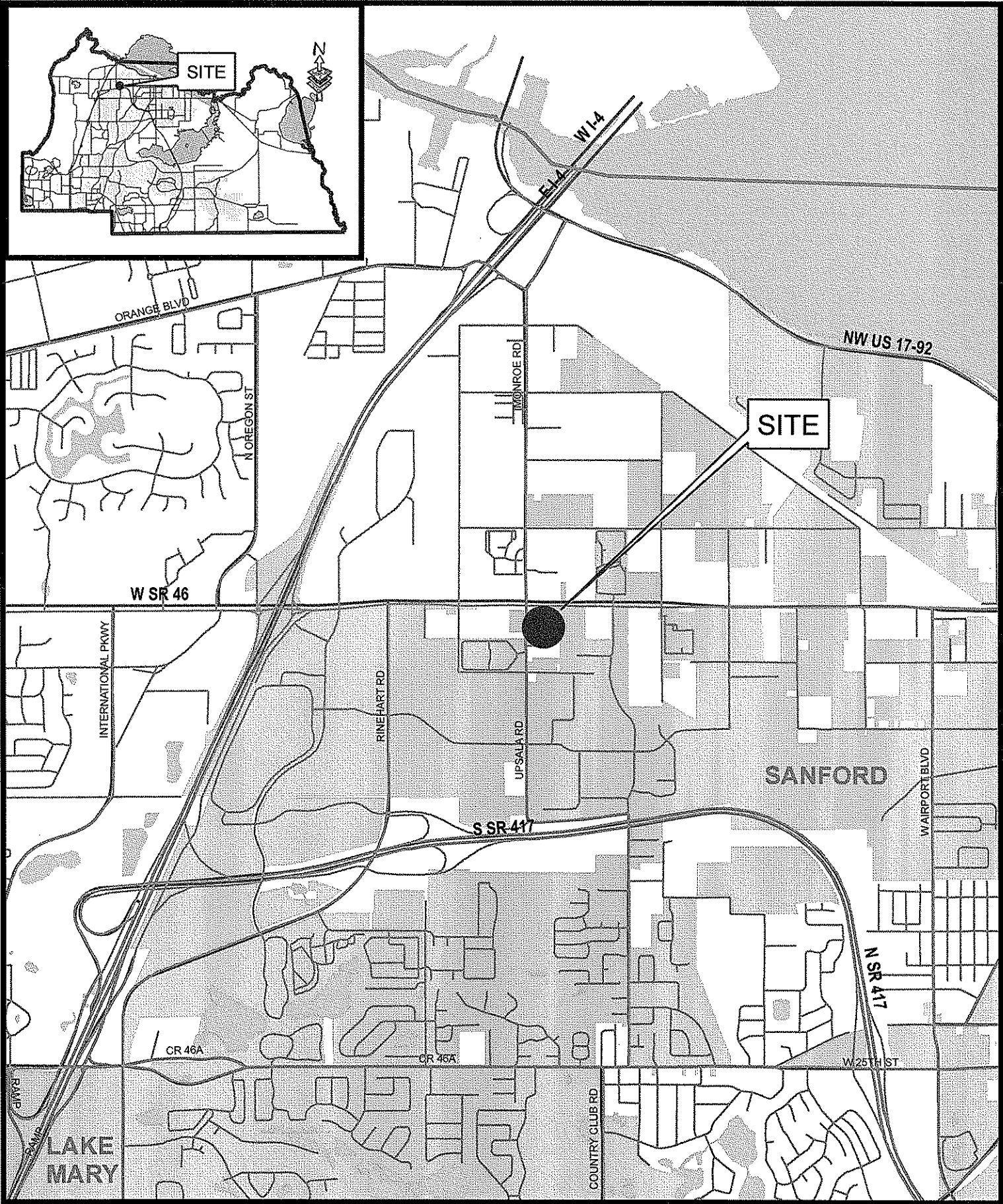
This resolution accepts the right-of-way and cancels the ad valorem taxes on the dedicated properties. The taxes cancelled for year 2006 are estimated to be \$159.92.

STAFF RECOMMENDS:

Adopt and authorize the chairman to execute a Resolution to accept the Warranty Deeds and cancel property taxes for land donated as right-of-way on Upsala Road from SEMINOLE WAREHOUSE PARTNERS, LTD.



- Attachments: Location maps
 Resolution
 Warranty Deed
 Estimate of Real Property Assessment

Reviewed by:	
Co Atty:	<u>RM</u>
DFS:	_____
Other:	_____
DCM:	<u>SS</u>
CM:	<u>RM</u>
File No.	<u>cpdd02</u>



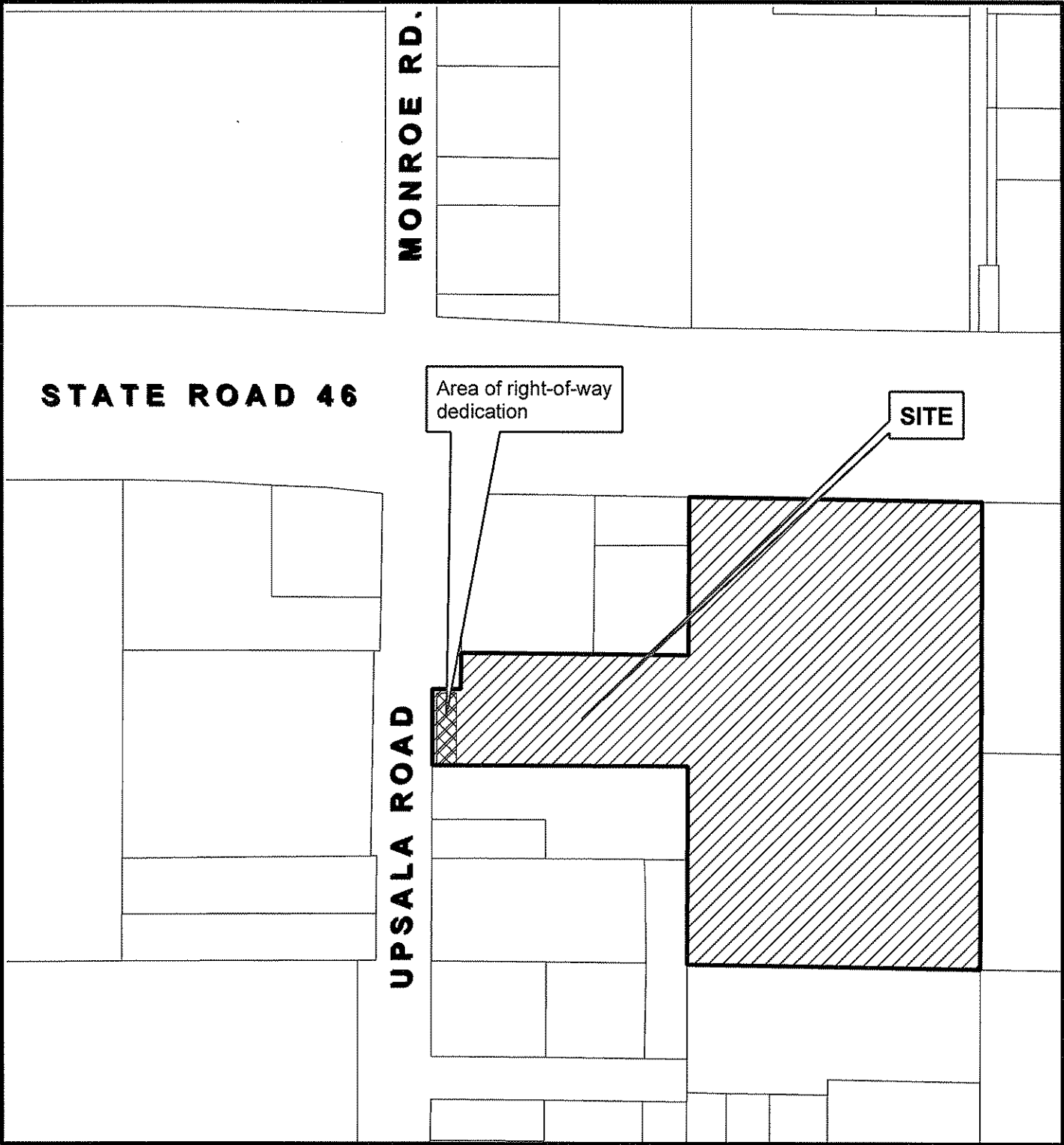


Upsala Road/State Road 46
 Right of Way
 Stor-A-Way

-  Parcel
-  Subject Property



January 2004 Color Aerials



RESOLUTION

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON 25th DAY OF April, 2006 .

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 28, 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

SEMINOLE WAREHOUSE PARTNERS, LTD., has indicated it's willingness to donate to Seminole County the required right-of-way, as evidenced by 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 the Warranty Deed for Right-of-way executed March 1st, 2006, conveying to Seminole County the land described in EXHIBIT "A", 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" is 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 25th DAY OF April, 2006 .

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

ATTEST:

CARLTON D. HENLEY, CHAIRMAN

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

TAX PARCEL ID's # 28-19-30-506-0000-009C

**Prepared by: Tracy N. Phelps
Development Review Division
Date: 03-16-06**

This Instrument Prepared by:
Kimberly M. Laucella
Seminole County Attorney's Office
1101 E. 1st Street
Sanford, FL 32771

WARRANTY DEED

THIS WARRANTY DEED is made this 1ST day of MARCH, 2006, between **SEMINOLE WAREHOUSE PARTNERS, LTD.**, whose address is 4051 WEST STATE ROAD 46, SANFORD, FL, 32771 hereinafter called 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 called the "GRANTEE":

That the GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, to GRANTOR 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.

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 GRANTOR hereby covenants 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, GRANTOR has hereunto set their hands and seals the day and year first above written.

ATTEST:

GRANTOR:

SEMINOLE WAREHOUSE PARTNERS

By: EA Board
March 1, 2006

By: Richard S. C.
MARCH 1, 2006

(Corporate Seal)

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that, on this 1ST day of MARCH, 2006, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared RICHARD E. CARDAMONE, GREGORY ALLEN, BOYD, as Officers of SEMINOLE WAREHOUSE PARTNERS, LTD., a corporation organized under the laws of the State of Florida, who are personally known to me or who have produced FL DRIVERS LICENSE FL DRIVERS LICENSEs identification. They have acknowledged before me that they executed the foregoing instrument as such officers in the name and on behalf of the corporation, and that they also affixed thereto the official seal of the corporation.



Denise V. Smeltzer
Commission # DD112888
Expires April 29, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

Denise V Smeltzer
Print Name: DEUISE V SMELTZER
Notary Public, in and for the County
and State Aforementioned

Attachment:

Exhibit "A" - Legal Description

P:\Users\klaucella\MYDOCS\MISC\Warranty deed(Upsala Road-46).doc

EXHIBIT A

(Attach Legal Description)

A PART OF LOTS 20, 21 AND THE NORTH 1/2 OF THE VACATED STREET LYING SOUTH OF LOT 20, BOOTH'S SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 6, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. ALSO A PART OF THE NORTH 155 FEET OF THE SOUTH 405 FEET OF LOT 9, SMITH'S THIRD SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 86, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF UPSALA ROAD AND THE CENTERLINE OF THE VACATED JESSIE STREET, SAID POINT OF BEGINNING LYING 25.00 FEET EAST OF THE CENTER LINE OF UPSALA ROAD, AS RECORDED IN PLAT BOOK 40, PAGE 28 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN ALONG THE EAST RIGHT OF WAY LINE OF SAID UPSALA ROAD THE FOLLOWING THREE BEARINGS AND DISTANCES; NORTH 235.80 FEET; THENCE EAST 5.00 FEET; THENCE NORTH 47.08 FEET TO A POINT ON THE NORTH LINE OF THE NORTH 155 FEET OF THE SOUTH 405 FEET OF LOT 9, SMITH'S THIRD SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 86 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN S 89°37'45"E ALONG SAID NORTH LINE A DISTANCE OF 10.00 FEET, THENCE SOUTH A DISTANCE OF 282.71 FEET TO THE CENTER LINE OF VACATED JESSIE STREET; THENCE S 89°36'54"W ALONG SAID CENTERLINE A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.


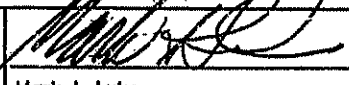
CONTAINING 4007 SQUARE FEET, MORE OR LESS.

LEGEND

CONC CONCRETE
 CB CONCRETE BLOCK
 FE FLOOR ELEVATION
 REC RECOVERED
 IP IRON PIPE
 IR IRON ROD
 BM BENCH MARK
 PT POINT OF TANGENCY
 DRAIN DRAINAGE
 UTIL UTILITY
 ESMT EASEMENT
 SAN SANITARY
 MH MANHOLE
 WM WATER METER
 EL ELEVATION

NOTES:

1. This sketch is not a boundary survey.
2. The property described herein is to be dedicated to Seminole County for additional road right of way.
3. According to the Federal Insurance Rate Map, this property lies in Zone(s) "X", Community Panel number 12117C0040 E, Dated: 4-17-95.
4. This property lies Section 28, Township 19 S., Range 30 E., Seminole County, Florida.

<p>HENRICH-LUKE & SWAGGERTY, LLC <i>surveyors & mappers</i> 250 Ronald Reagan Blvd. Suite 114 Longwood, FL 32750 (407) 647-7346 FAX (407) 647-8097 Licensed Business No. 7276</p> 	 Mark I. Luke Professional Surveyor and Mapper Florida Registration No. 5006	<p>SKETCH OF DESCRIPTION</p> <p>FOR SEMINOLE WAREHOUSE PARTNERS, LTD.</p>																
	<p>*Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper*</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">DATE</td> <td style="width: 25%;">JOB No.</td> <td style="width: 25%;">FIELD BY</td> <td style="width: 25%;">REVISED</td> </tr> <tr> <td>01-25-06</td> <td>E-1918 A</td> <td>na</td> <td></td> </tr> <tr> <td>SCALE</td> <td>DRAWN BY</td> <td>CHECKED BY</td> <td></td> </tr> <tr> <td>1"=60'</td> <td>ml</td> <td>mil</td> <td></td> </tr> </table>	DATE	JOB No.	FIELD BY	REVISED	01-25-06	E-1918 A	na		SCALE	DRAWN BY	CHECKED BY		1"=60'	ml	mil
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01-25-06	E-1918 A	na																
SCALE	DRAWN BY	CHECKED BY																
1"=60'	ml	mil																

FILE: 174-06

**AFFIDAVIT OF CORPORATE
IDENTITY/AUTHORITY**

STATE OF FLORIDA

COUNTY OF SEMINOLE

COMES NOW, RICHARD E CARDAMONE, being first duly sworn, who deposes and says:

(1) That he/she is the GENERAL PARTNER, of SEMINOLE WAREHOUSE PARTNERS a corporation existing under the laws of the State of FLORIDA.
(Print Title) PARTNERSHIP OR LTD

(2) That he/she is authorized to execute the following deeds or instruments on behalf of the above named corporation: SEMINOLE WAREHOUSE PARTNERS, LTD relating to the following described real property:

(3) That this affidavit is made to induce Seminole County to act in reliance upon the contents hereof and the validity of the documents referenced above.

FURTHER AFFIANT SAYETH NAUGHT.

Richard E. Cardamone
Richard E. Cardamone, GP, AFFIANT

The foregoing instrument was acknowledged before me this 1ST day of MARCH, 2006, by RICHARD E CARDAMONE, who is personally known to me or who has produced FL DRIVERS LICENSE as identification and who did (did not) take an oath.

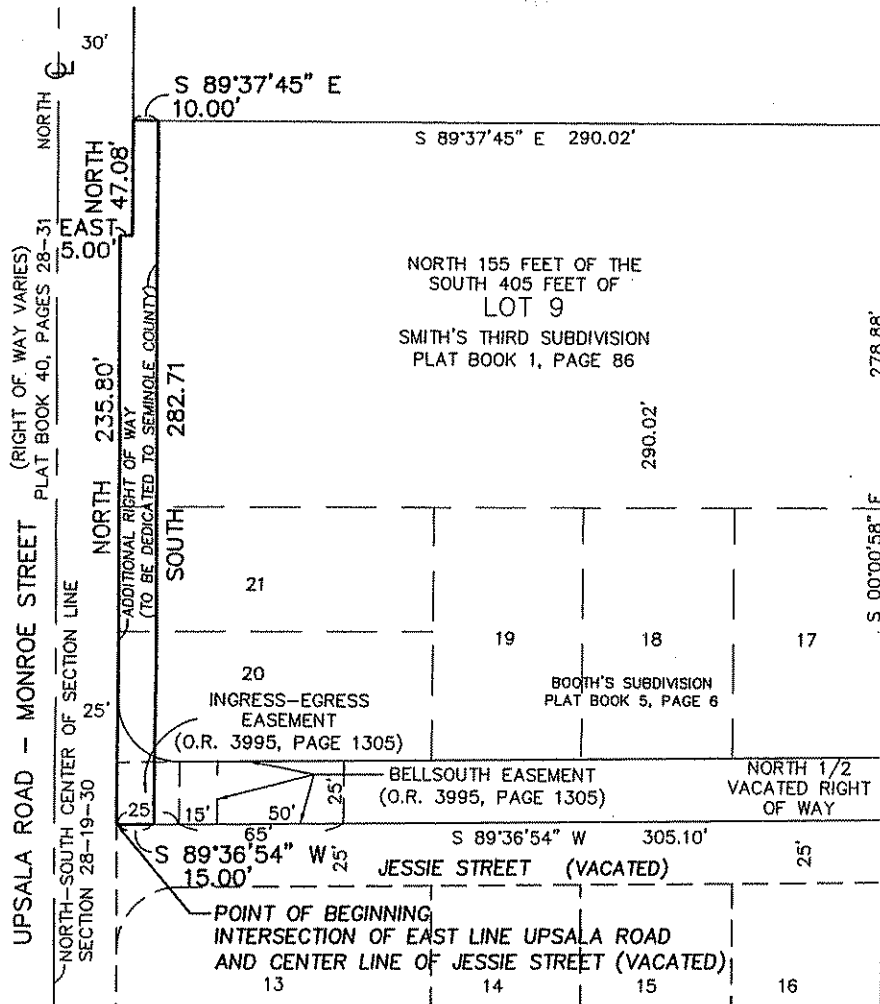
WITNESS my hand and official seal in the County and State aforesaid this 1st day of MARCH, 2006.



Denise V. Smeltzer
Commission # DD112888
Expires April 29, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

Denise V. Smeltzer
Notary Public (Affix Seal)
DENISE V SMELTZER
(Legibly Print/Type/or Stamp Name)

My Commission Expires: 4/29/06



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surveyors & mappers
 250 Ronald Reagan Blvd.
 Suite 114
 Longwood, FL 32750
 (407) 647-7346
 FAX (407) 647-8097
 Licensed Business No. 7276

[Signature]
 Mark I. Luke
 Professional Surveyor and Mapper
 Florida Registration No. 5006

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper

SKETCH OF DESCRIPTION			
FOR SEMINOLE WAREHOUSE PARTNERS, LTD.			
DATE	JOB NO.	FIELD BY	REVISED
01-25-06	E-1918 A	no	
SCALE	DRAWN BY	CHECKED BY	
1"=60'	ml	mil	

BEARING BASIS: NORTH-SOUTH CENTER OF SECTION LINE (CENTERLINE OF UPSALA ROAD) HAVING A BEARING OF NORTH (ASSUMED)

FILE: 174-06

SEMINOLE COUNTY PROPERTY APPRAISER
1101 E FIRST STREET
SANFORD, FL 32771
407-665-7523

ESTIMATE OF REAL PROPERTY ASSESSMENT AND AD VALOREM TAXES

DATE: 03/16/2006
PARCEL: 28 - 19 - 30 - 506 - 0000 - 009C
PAD: 1265 UPSALA (STE 1101-1165) RD

OWNER: SEMINOLE WAREHOUSE PARTNERS
ADDRESS: LTD
4051 W SR 46
SANFORD FL 32771

LEGAL DESCRIPTION:

N 155 FT OF S 405 FT OF LOT 9 (LESS N 46.6 FT OF W 15 FT FOR RD) SMITHS 3RD SUBD PB 1
PG 86 & 28-19-30-502-0000-0170 LOTS 17 18 19 20 & 21 & N 1/2 OF VACD ST S OF LOTS 17 18
19 & 20 BOOTHS SUBD PB 5 PG 6

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.

Contact the city of SANFORD for city non-ad valorem or special assessments and taxes.

ASSESSMENT RECORDS INDICATE PARCEL WAS VACANT AS OF JANUARY 1, 2006.

JUST VALUE	8,014
EXEMPTED AMOUNT	0
TAXABLE VALUE	8,014
MILLAGE RATE	19.955
*** ESTIMATED TAXES	159.92

* Millages and exempt totals used are based on latest certified amounts.

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

DAVID JOHNSON

Initialed by person authorized to release this information

This estimate is good through: 04/15/2006.

Estimate is for a portion of the above described parcel containing 4007 sq ft.