

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

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

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

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

**Agenda Date** 04/25/06    **Regular**     **Consent**     **Work Session**     **Briefing**   
**Public Hearing – 1:30**       **Public Hearing – 7:00**

**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 PULTE HOME CORPORATION.

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

**BACKGROUND:**

The developer, PULTE HOME CORPORATION, is building a 254 unit town home development (Regency Oaks) on their property located on Upsala Road south of St. Johns Parkway in Sanford, Florida. PULTE HOME CORPORATION is required as part of their right-of-way permit, to install a left turn lane and a right turn lane on Upsala Road into their site. Additional right-of-way is needed to accommodate these off-site improvements. PULTE HOME CORPORATION has agreed to donate land to Seminole County for additional right-of-way on Upsala Road.

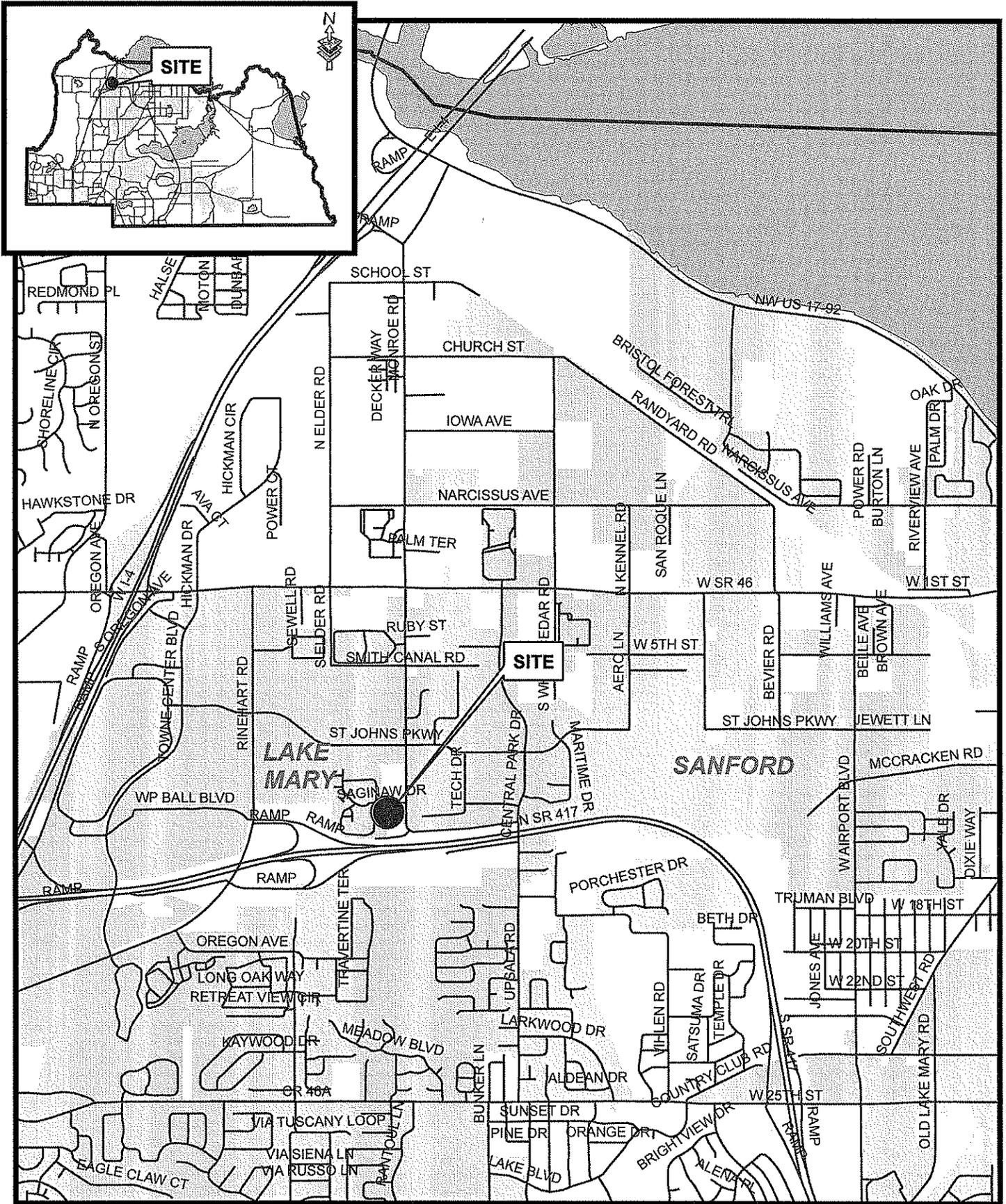
This resolution accepts the right-of-way and cancels the ad valorem taxes on the dedicated properties. The taxes cancelled for year 2006 are estimated to be \$2.19.

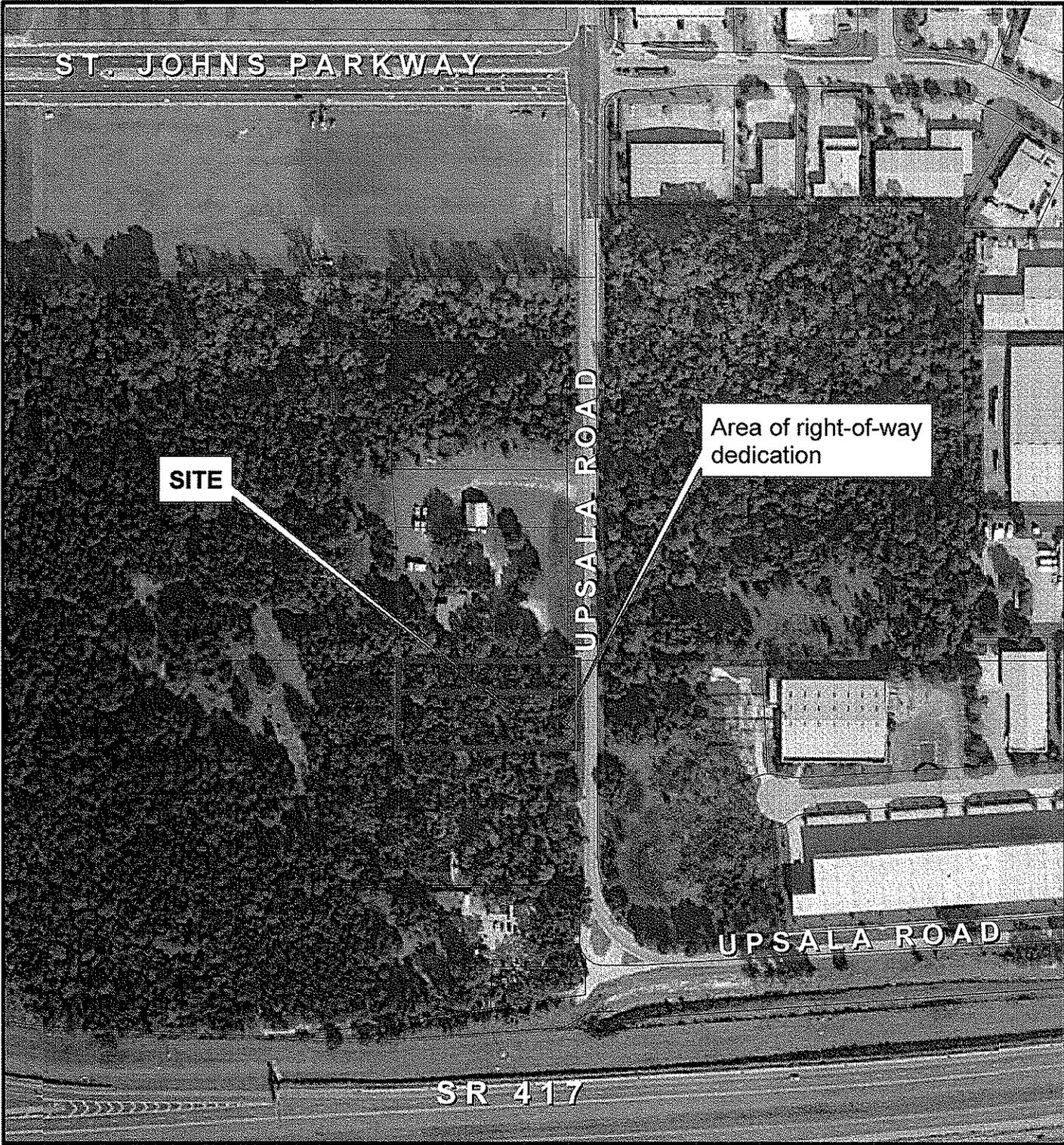
**STAFF RECOMMENDS:**

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 PULTE HOME CORPORATION.

- Attachments: Location maps  
Resolution  
Warranty Deeds  
Estimate of Real Property Assessments

Reviewed by: *[Signature]*  
Co Atty: *[Signature]*  
DFS: \_\_\_\_\_  
Other: \_\_\_\_\_  
DCM: *[Signature]*  
CM: *[Signature]*  
File No. cpdd03





Upsala Road Right of Way  
Regency Oaks

-  Parcel
-  Subject Property



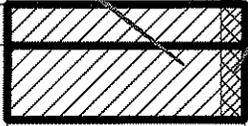
January 2004 Color Aerials

**ST. JOHNS PARKWAY**

**SITE**

**UPSALA ROAD**

Area of right-of-way  
dedication



**UPSALA ROAD**

**SR 417**

**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 Section 33, 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**

**PULTE HOME CORPORATION., has indicated it's willingness to donate to Seminole County the required right-of-way, as evidenced by executed Warranty Deeds 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 those Warranty Deeds for Right-of-way executed November 10<sup>th</sup>, 2005 and November 17<sup>th</sup>, 2005, conveying to Seminole County the land described in EXHIBITS "A" & "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 EXHIBITS "A" & "B" are hereby cancelled and discharged.**

**BE IT FURTHER RESOLVED that said Warranty Deeds 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:**

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**CARLTON D. HENLEY, CHAIRMAN**

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

**TAX PARCEL ID's # 33-19-30-300-013A-0000  
28-19-30-5RZ-0A00-0000**

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

This instrument prepared by:  
Meredith H. Pickens, Esq.  
Shutts & Bowen LLP  
300 South Orange Avenue, Suite 1000  
P.O. Box 4956  
Orlando, Florida 32802-4956  
(407) 423-3200

**SPECIAL WARRANTY DEED FROM  
PULTE HOME CORPORATION TO SEMINOLE COUNTY (PARENT TRACT)**

**THIS WARRANTY DEED** is made this 10 day of November, 2005, between PULTE HOME CORPORATION, a Michigan corporation having its principal place of business at 4901 Vineland Road, Suite 500, Orlando, Florida 32811, 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.

**WITNESSETH:**

**THAT GRANTOR**, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) and other valuable consideration, to GRANTEE 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 for right-of-way that certain land lying and being in the County of Seminole, State of Florida, more particularly described on Exhibit "A" attached hereto and incorporated herein (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** the GRANTOR hereby does warrant that Grantor will defend title to the Property against the lawful claims of all persons claiming by, through or under Grantor, alone, but not against the lawful claims of all persons claiming by, through or under others, and in all events excepting the matters set forth on Exhibit "B" attached hereto (the "Permitted Exceptions") and incorporated herein by this reference.

**(GRANTOR'S SIGNATURE LOCATED ON THE FOLLOWING PAGE)**

**EXHIBIT A**

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

PULTE HOME CORPORATION, a Michigan corporation

Charles B. Costan III  
Witness Number 1 Signature

Charles B. Costan III  
Witness Number 1 Printed Name

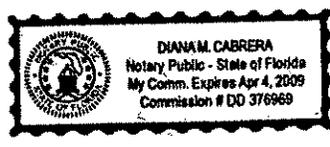
Lynn Sweetman  
Witness Number 2 Signature

Lynn Sweetman  
Witness Number 2 Printed Name

By: Douglas W. Puvogel  
Douglas W. Puvogel  
Attorney-In-Fact

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of November, 2005 by Douglas W. Puvogel, Attorney-In-Fact, of Pulte Home Corporation, a Michigan corporation. He () is personally known to me or ( ) has produced, as identification, a driver's license issued by \_\_\_\_\_, a state of the United States, which is either current or has been issued within the past five (5) years and bears a serial or other identifying number.



Diana M. Cabrera  
Notary Public

DIANA M. CABRERA  
Printed name of Notary Public  
My commission expires: APRIL 4, 2009  
Serial No., if any: DD 376969

# SKETCH OF DESCRIPTION

(SEE SHEET 2 FOR SKETCH)

## DESCRIPTION:

The West 25.00 feet of the East 50.00 feet of the North 60.00 feet of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 33, Township 19 South, Range 30 East, Seminole County, Florida, lying, situate and being in the Northwest 1/4 of said Section 33, being further described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 28, Township 19 South, Range 30 East, Seminole County, Florida, said Southeast corner also being the North 1/4 corner of Section 33, Township 19 South, Range 30 East, as documented in Certified Corner Record #063142; thence run S89°53'11"W along the North line of the Northwest 1/4 of said Section 33 for a distance of 25.00 feet to the West right-of-way line of Upsala Road (variable width right-of-way) and to the POINT OF BEGINNING; thence, departing said North line of said Northwest 1/4, run S00°10'52"E along said West right-of-way line, distant 25 feet Westerly from and parallel with the East line of said Northwest 1/4, for a distance of 60.00 feet to the South line of the North 60 feet of said Northwest 1/4; thence departing said West right-of-way line run S89°53'11"W along said South line for a distance of 25.00 feet; thence run N00°10'52"W along a line being distant 50 feet Westerly from and parallel with the East line of said Northwest 1/4 of said Section 33, for a distance of 60.00 feet to said North line of said Northwest 1/4; thence run N89°53'11"E along said North line for a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 0.034 acres (1,500 square feet) more or less and being subject to any rights-of-way, restrictions and easements of record.

## SURVEYOR'S NOTES:

- This is not a Survey.
- Bearings based on the North line of the Northwest 1/4 of Section 33, Township 19 South, Range 30 East, Seminole County, Florida, being N89°53'11"E, an assumed meridian.
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.

I hereby certify that this sketch, subject to the surveyor's notes contained hereon, meets the applicable "Minimum Technical Standards" set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

DONALD W. McINTOSH ASSOCIATES, INC.

*Paul Trnka*

PAUL TRNKA  
Florida Registered Surveyor and Mapper  
Certificate No. 5244

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

## LEGEND

CCR	CERTIFIED CORNER RECORD	POB	POINT OF BEGINNING
CM	CONCRETE MONUMENT	POC	POINT OF COMMENCEMENT
FND	FOUND	PRM	PERMANENT REFERENCE MONUMENT
FPL	FLORIDA POWER AND LIGHT	LB	LICENSED BUSINESS
SEC 28-19-30	SECTION, TOWNSHIP, RANGE	NE	NORTHEAST
NO.	NUMBER	SE	SOUTHEAST
NT	NON-TANGENT	NW	NORTHWEST
ORB	OFFICIAL RECORDS BOOK	SW	SOUTHWEST
PB	PLAT BOOK	R/W	RIGHT-OF-WAY
PG(S)	PAGE(S)		



**DONALD W. McINTOSH**  
**ASSOCIATES, INC.**  
**ENGINEERS PLANNERS SURVEYORS**

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

PREPARED FOR:

**PULTE HOME CORP.**

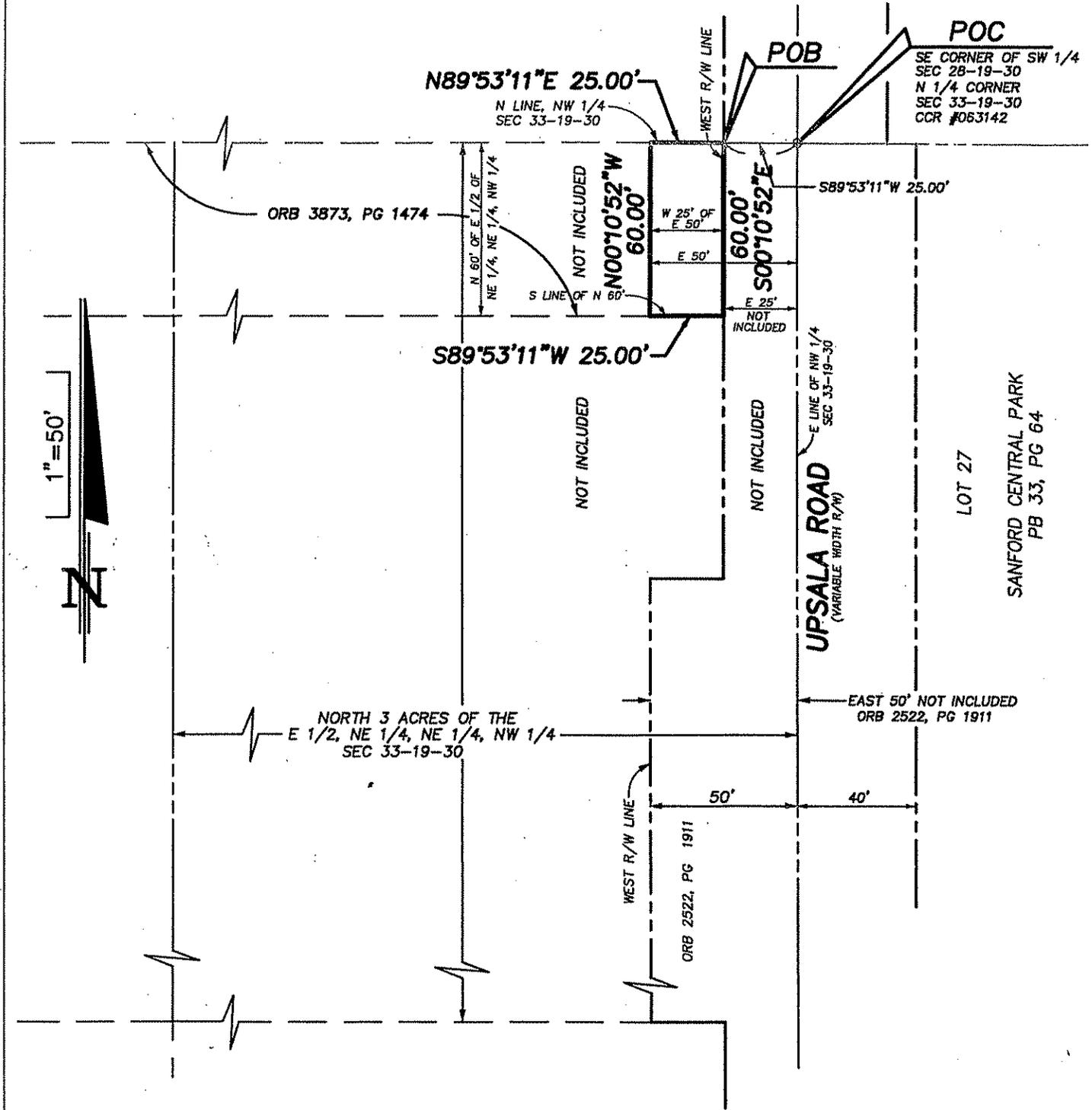
REGENCY OAKS - R/W DEDICATION (FOR PLAT)

REVISIONS:

DRAWN BY: <u>P.T.</u>	CHECKED BY: <u>P.T.</u>	JOB NO. <u>23239.0095</u>	SCALE <u>1"=50'</u>	SHEET <u>1</u>	DWG NO. <u>CS#05-129</u>
DATE: <u>01/26/05</u>	DATE: <u>01/26/05</u>			OF <u>2</u>	

# SKETCH OF DESCRIPTION

(SEE SHEET 1 FOR DESCRIPTION)



**DONALD W. McINTOSH**  
**ASSOCIATES, INC.**  
**ENGINEERS PLANNERS SURVEYORS**

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
 CERTIFICATE OF AUTHORIZATION NO. LB68

PREPARED FOR:

**PULTE HOME CORP.**

REGENCY OAKS - R/W DEDICATION (FOR PLAT)

REVISIONS:

DRAWN BY: P.T.  
 DATE: 01/26/05

CHECKED BY: P.T.  
 DATE: 01/26/05

JOB NO.  
23239.0095

SCALE  
1"=50'

SHEET 2  
 OF 2

DWG NO.  
CS#05-129

**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Easement in favor of Florida Power & Light Company recorded February 1, 1983 in Official Records Book 1436, Page 175, Public Records of Seminole County, Florida.
2. Easement reserved in that certain Warranty Deed recorded September 9, 1999, in Official Records Book 3721, Page 571, Public Records of Seminole County, Florida.
3. Matters appearing on that certain survey by Donald W. McIntosh Associates, Inc., dated February 25, 2004 bearing a signature date of April 2, 2004 by Paul Trnka, Florida Registered Surveyor and Mapper Certificate No. 5244.

ORLDOCS 10296625 1

**EXHIBIT A**

This instrument prepared by:  
Heather M. Kowalski, Esquire  
Shutts & Bowen LLP  
300 South Orange Avenue, Suite 1000  
P.O. Box 4956  
Orlando, Florida 32802-4956  
(407) 423-3200

Tax I.D.: Portion of 33-19-30-300-013A-0000

**SPECIAL WARRANTY DEED FROM**  
**PULTE HOME CORPORATION TO SEMINOLE COUNTY**  
**(Former Tomaszewski Parcel)**

**THIS WARRANTY DEED** is made this 17th day of November, 2005, between PULTE HOME CORPORATION, a Michigan corporation having its principal place of business at 4901 Vineland Road, Suite 500, Orlando, Florida 32811, 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.

**WITNESSETH:**

**THAT GRANTOR**, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) and other valuable consideration, to GRANTEE 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 for right-of-way that certain land lying and being in the County of Seminole, State of Florida, more particularly described on Exhibit "A" attached hereto and incorporated herein (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.

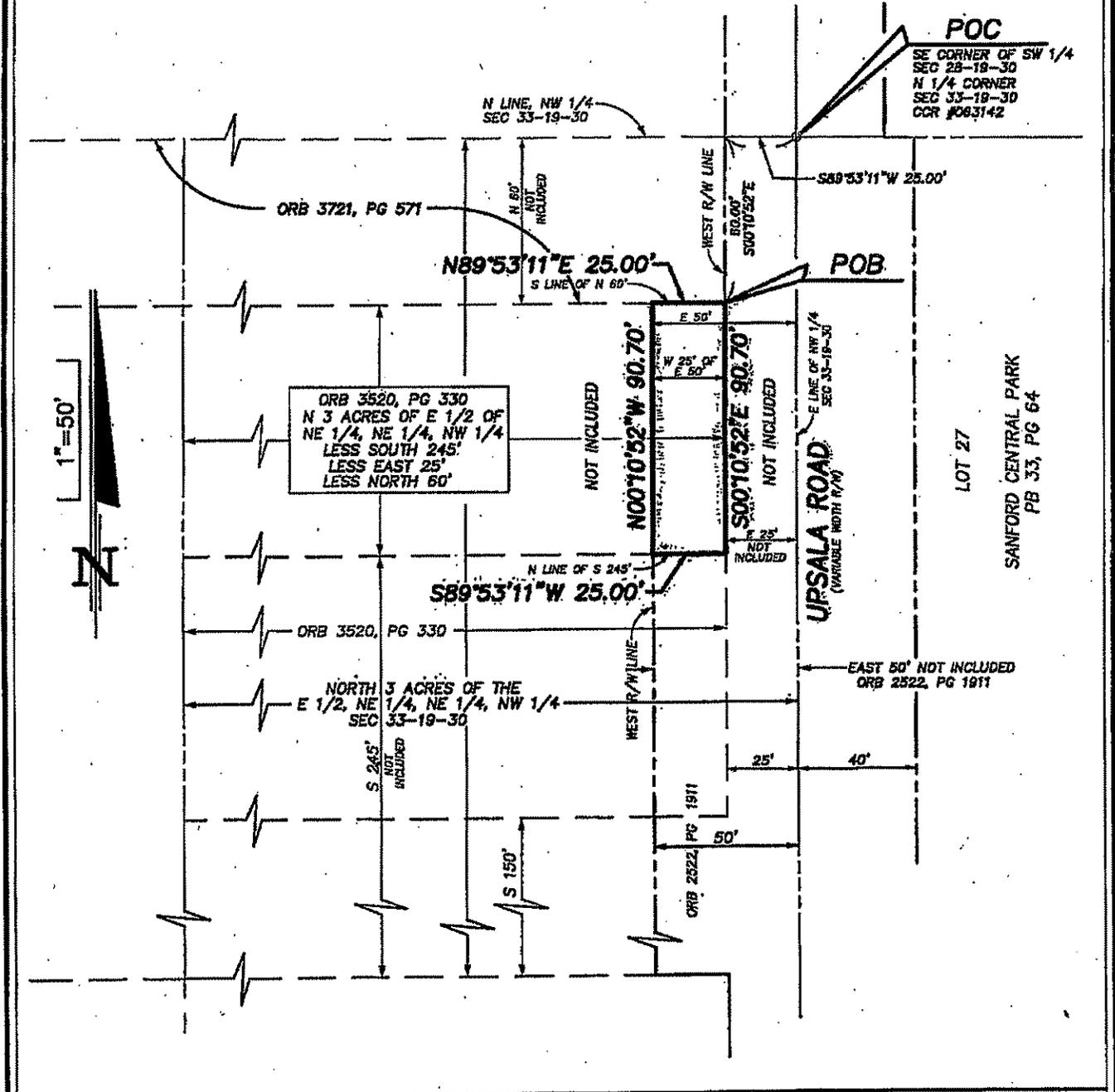
**AND** the GRANTOR hereby does warrant that Grantor will defend title to the Property against the lawful claims of all persons claiming by, through or under Grantor, alone, but not against the lawful claims of all persons claiming by, through or under others, and in all events excepting the matters set forth on Exhibit "B" attached hereto (the "Permitted Exceptions") and incorporated herein by this reference.

**(GRANTOR'S SIGNATURE LOCATED ON THE FOLLOWING PAGE)**



# SKETCH OF DESCRIPTION

(SEE SHEET 1 FOR DESCRIPTION)



**DONALD W. McINTOSH**  
ASSOCIATES, INC.  
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

PREPARED FOR:

**PULTE HOME CORP.**

REGENCY OAKS - R/W DEDICATION (PULTE)

REVISIONS:

DRAWN BY: <u>P.T.</u>	CHECKED BY: <u>P.T.</u>	JOB NO. <u>23239.0085</u>	SCALE <u>1"=50'</u>	SHEET <u>2</u>	DWG NO. <u>CS#05-106</u>
DATE: <u>01/05/05</u>	DATE: <u>01/07/05</u>			OF <u>2</u>	

File Name: f:\pro\2005\23239\sdwg\500\ADD-RW.dwg

# SKETCH OF DESCRIPTION

(SEE SHEET 2 FOR SKETCH)

**DESCRIPTION:**

The West 25.00 feet of the East 50.00 feet of the North 3 acres of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4, less the South 245 feet, the North 60 feet and the East 25 feet therefrom, of Section 33, Township 19 South, Range 30 East, Seminole County, Florida, lying, situate and being in the Northwest 1/4 of said Section 33, being further described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 28, Township 19 South, Range 30 East, Seminole County, Florida, said Southeast corner also being the North 1/4 corner of Section 33, Township 19 South, Range 30 East, as documented in Certified Corner Record #063142; thence run S89°53'11"W along the North line of the Northwest 1/4 of said Section 33 for a distance of 25.00 feet to the West right-of-way line of Upsala Road (variable width right-of-way); thence, departing said North line of said Northwest 1/4, run S00°10'52"E along said West right-of-way line, distant 25 feet Westerly from and parallel with the East line of said Northwest 1/4, for a distance of 60.00 feet to the South line of the North 60 feet of said Northwest 1/4 and to the POINT OF BEGINNING; thence continue S00°10'52"E along said West right-of-way line for a distance of 90.70 feet to the North line of the South 245 feet of the aforesaid North 3 acres of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 33; thence departing said West right-of-way line run S89°53'11"W along said North line for a distance of 25.00 feet; thence run N00°10'52"W along a line being distant 50 feet Westerly from and parallel with the East line of said Northwest 1/4 of said Section 33, for a distance of 90.70 feet to said South line of said North 60 feet; thence run N89°53'11"E along said South line for a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 0.052 acres (2,267 square feet) more or less and being subject to any rights-of-way, restrictions and easements of record.

**SURVEYOR'S NOTES:**

- This is not a Survey.
- Bearings based on the North line of the Northwest 1/4 of Section 33, Township 19 South, Range 30 East, Seminole County, Florida, being N89°53'11"E, an assumed meridian.
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.

I hereby certify that this sketch, subject to the surveyor's notes contained hereon, meets the applicable "Minimum Technical Standards" set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

DONALD W. McINTOSH ASSOCIATES, INC.

*Paul Trnka*

PAUL TRNKA  
Florida Registered Surveyor and Mapper  
Certificate No. 5244

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

**LEGEND:**

CCR	CERTIFIED CORNER RECORD	PGB	POINT OF BEGINNING
CM	CONCRETE MONUMENT	POC	POINT OF COMMENCEMENT
FNB	FOUND	PRM	PERMANENT REFERENCE MONUMENT
FPL	FLORIDA POWER AND LIGHT	LB	LICENSED BUSINESS
SEC 28-19-30	SECTION, TOWNSHIP, RANGE	NE	NORTHEAST
NO.	NUMBER	SE	SOUTHEAST
NT	NON-TANGENT	NW	NORTHWEST
ORB	OFFICIAL RECORDS BOOK	SW	SOUTHWEST
PB	PLAT BOOK	R/W	RIGHT-OF-WAY
PG(S)	PAGE(S)		



**DONALD W. McINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. 1888

PREPARED FOR:  
**PULTE HOME CORP.**

REGENCY OAKS - R/W DEDICATION (PULTE)

REVISIONS:

DRAWN BY: P.T.  
DATE: 01/05/05

CHECKED BY: P.T.  
DATE: 01/07/05

JOB NO.  
23239.00#5

SCALE  
1"=50'

SHEET 1  
OF 2

DWG NO.  
CS#05-106

File Name: f:\proj\2005\23239\edwg\500\ADD-RW.dwg

**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

**There are no permitted title exceptions that encumber the Property**

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 - 5RZ - 0A00 - 0000  
PAD:

OWNER: PULTE HOME CORP  
ADDRESS: 555 WINDERLEY PL STE 420  
MAITLAND FL 32751 7143

=====

LEGAL DESCRIPTION:  
TRACT A (LESS RD) REGENCY OAKS UNIT ONE PB 68 PGS 88 - 92

=====

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	10
EXEMPTED AMOUNT	0
TAXABLE VALUE	10
MILLAGE RATE	19.955 * Millages and exempt totals used are
*** ESTIMATED TAXES	.19 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 FOR .034 ACRES. PARCEL FORMERLY KNOWN AS 331930300013C0000

*TW*

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: 33 - 19 - 30 - 300 - 013A - 0000  
PAD: UPSALA RD

OWNER: PULTE HOME CORP  
ADDRESS: 4901 VINELAND RD STE 500  
ORLANDO FL 32811

LEGAL DESCRIPTION:

SEC 33 TWP 19S RGE 30E N 3 ACRES OF E 1/2 OF NE 1/4 OF NE 1/4 OF NW 1/4 (LESS N 60 FT & S 245 FT & E 25 FT FOR RD)

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	100
EXEMPTED AMOUNT	0
TAXABLE VALUE	100
MILLAGE RATE	19.955
*** ESTIMATED TAXES	2.00

\* 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 FOR .052 ACRES