

Item # 26

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: TUSCANY ISLAND CROSS ACCESS EASEMENT VACATE

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

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Michael Rumer **EXT.** 7337

Agenda Date <u>05/11/04</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"/>

MOTION/RECOMMENDATION:

Adopt the resolution to vacate and abandon two (2) cross access easements as recorded in O.R. Book 3816, Page 1061, Section 36, Township 21, Range 30. (Lance Bennett, applicant)

District 1 – Maloy (Michael Rumer, Planner) *MR*

BACKGROUND:

The applicant Lance Bennett is requesting to vacate two (2) Cross Access Easements granted to Seminole County in 2000. The easements were originally required as a condition of approval for the Reams Plat Waiver, dated 1997 in order to limit access to Tuskawilla Road. However, the site was never developed and has since been approved for a five (5) lot subdivision with one private access on to Tuskawilla Road. Based on the new development proposal the easements are no longer necessary.

STAFF RECOMMENDATION:

Staff recommends adoption of the Resolution to vacate and abandon the cross access easements as described in said resolution.

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

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

RESOLUTION NO.: 2004-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 11th DAY OF May A.D., 2004.

**RESOLUTION TO VACATE AND ABANDON A
CROSS ACCESS EASEMENT**

.....

Whereas, a Petition was presented on behalf of
VIA TUSCANY DEVELOPMENT LLC

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described cross access easements to-wit:

Exhibits A & B

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described cross access easements 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 cross access easements be, and the same are 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 are hereby disclaimed.

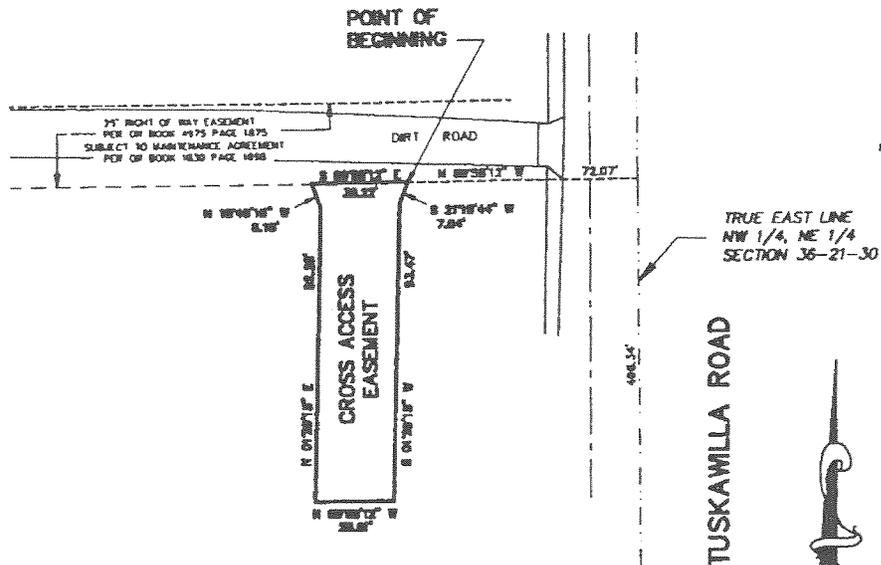
PASSED AND ADOPTED this 11th day of May A.D., 2004.

ATTEST:

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA
BY: _____
DARYL G. MCLAIN
CHAIRMAN

SKETCH OF DESCRIPTION
CROSS ACCESS EASEMENT



BOOK 1070
SEMHOLE CO., FL
PAGE 1070

LEGAL DESCRIPTION - CROSS ACCESS EASEMENT

Commence at the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 38, Township 21 South, Range 30 East, Seminole county, Florida; thence run N 00°27'04" W, along the East line thereof, a distance of 498.34 feet; thence run N 88°58'12" W a distance of 72.07 feet to the Point of Beginning; thence run S 21°18'44" W, a distance of 7.04 feet; thence run S 01°28'15" W, a distance of 93.47 feet; thence run N 88°58'12" W, a distance of 25.01 feet; thence run N 01°28'15" E, a distance of 92.28 feet; thence run N 18°40'18" W, a distance of 8.18 feet; thence run S 88°58'12" E, a distance of 30.22 feet to the Point of Beginning.

Containing 2519 square feet, more or less.

TUSKAMILLA ROAD

POINT OF COMMENCEMENT
SOUTHEAST CORNER
NW 1/4 NE 1/4
SECTION 38-21-30

DEPT. OF CIVIL
MARYANNE MOSS
CLERK OF CIRCUIT COURT
SEMIHOLE COUNTY, FLORIDA
[Signature]
DEPUTY CLERK

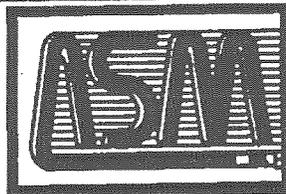
MAR 30 2004

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NW 1/4 OF THE NE 1/4 OF SECTION 36-21-30, HAVING AN ASSUMED BEARING OF N 00°27'04" W.

DATE: 12/03/99
SCALE: 1" = 40'
APPROVED BY: BAH
JOB NO. ASM1837801.DWG
DRAWN BY: JLN

REVISED:

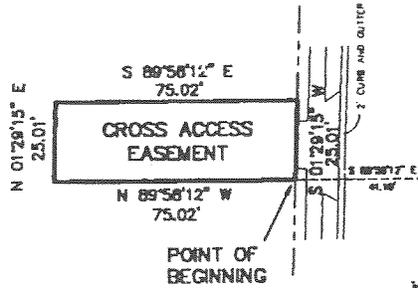


AMERICAN SURVEYING & MAPPING
CERTIFICATION OF AUTHORIZATION NUMBER LB04343
2511 EDGEWATER DRIVE
ORLANDO, FLORIDA
32804 (407) 438-7979

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND LOCATED.
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPING.

[Signature]
BRETT A. MOSCOWITZ, PLS. 0001-04K

SKETCH OF DESCRIPTION
CROSS ACCESS EASEMENT



TUSKAWILLA ROAD



3816 1072
SEMINOLE CO., FL
OFFICIAL RECORDS

TRUE EAST LINE
NW 1/4, NE 1/4
SECTION 36-21-30

LEGAL DESCRIPTION - CROSS ACCESS EASEMENT

Commence at the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 21 South, Range 30 East, Seminole county, Florida; thence run N 00°27'04" W, along the East line thereof, a distance of 198.33 feet; thence run N 89°58'12" W a distance of 41.10 feet to the Point of Beginning; thence continue to run N 89°58'12" W, a distance of 75.02 feet; thence run N 01°29'15" E, a distance of 25.01 feet; thence run S 89°58'12" E, a distance of 75.02 feet; thence run S 01°29'15" W, a distance of 25.01 feet to the Point of Beginning.

Containing 1875 square feet, more or less.

POINT OF COMMENCEMENT
SOUTHEAST CORNER
NW 1/4 NE 1/4
SECTION 36-21-30

DELETED COPY
MARTINE HORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
[Signature]
DEPUTY CLERK

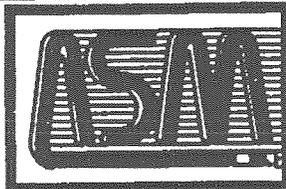
MAR 30 2004

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

BEARINGS SHOWN HEREON ARE BASED ON THE EAST
E.C. OF THE NW 1/4 OF THE NE 1/4 OF SECTION 36-21-30
HAVING AN ASSUMED BEARING OF N 00°27'04" W.

DATE: 12/03/99
SCALE: 1" = 40'
APPROVED BY: BAM
JOB NO. ASM16375GD2.DWG
DRAWN BY: JH

REVISED:



AMERICAN SURVEYING & MAPPING
CERTIFICATION OF AUTHORIZATION NUMBER LB#2393
2511 EDGEWATER DRIVE
ORLANDO, FLORIDA
32804 (407) 426-7878

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

[Signature]
BRETT A. MOSCOWITZ, PSM #5011 DATE



LOCATION MAP

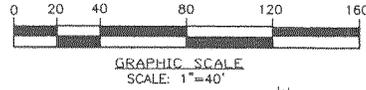
CROSS ACCESS EASEMENTS TO BE VACATED

TUSCANY ISLAND

SECTION 36, TOWNSHIP 21 SOUTH, RANGE 30 EAST,
SEMINOLE COUNTY, FLORIDA

LEGEND

- ① - INDICATES SET PERMANENT REFERENCE MONUMENT (4"x4" CONCRETE MONUMENT WITH DISK #PSM3305) & STATE PLANE COORDINATE REFERENCE NUMBER
- ② - INDICATES RECOVERED PERMANENT REFERENCE MONUMENT (4"x4" CONCRETE MONUMENT AS NOTED)
- ③ - INDICATES PERMANENT CONTROL POINT (NAIL & DISC - STAMPED P.L.S.)
- ④ - INDICATES IRON ROD AND CAP SIZE AND MARKED AS SHOWN
- △ - CENTRAL ANGLE
- R - RADIUS
- Tan - TANGENT
- AL - ARC LENGTH OF CURVE
- (##) - CURVE NUMBER
- L# - LINE NUMBER
- ESMT - EASEMENT
- PO&UE - PUBLIC DRAINAGE AND UTILITY EASEMENT
- TYP - TYPICAL
- R/W - RIGHT OF WAY
- P.O.B. - POINT OF BEGINNING
- P.I. - POINT OF INTERSECTION
- C - CHORD
- CB - CHORD BEARING
- N - NORTHING
- E - EASTING



N.
SCALE: 1" = 40'

BEAR GULLY LAKE

LINO T. SANFT, P.S.M.
110 Old Hickory Court
Longwood, Florida 32750
Phone: 407-786-9456
Fax: 407-786-0659
Email: PLS5792@aol.com

**SURVEYING,
MAPPING
AND
REPROGRAPHICS
TECHNOLOGY
SERVICES & SUPPLIES**

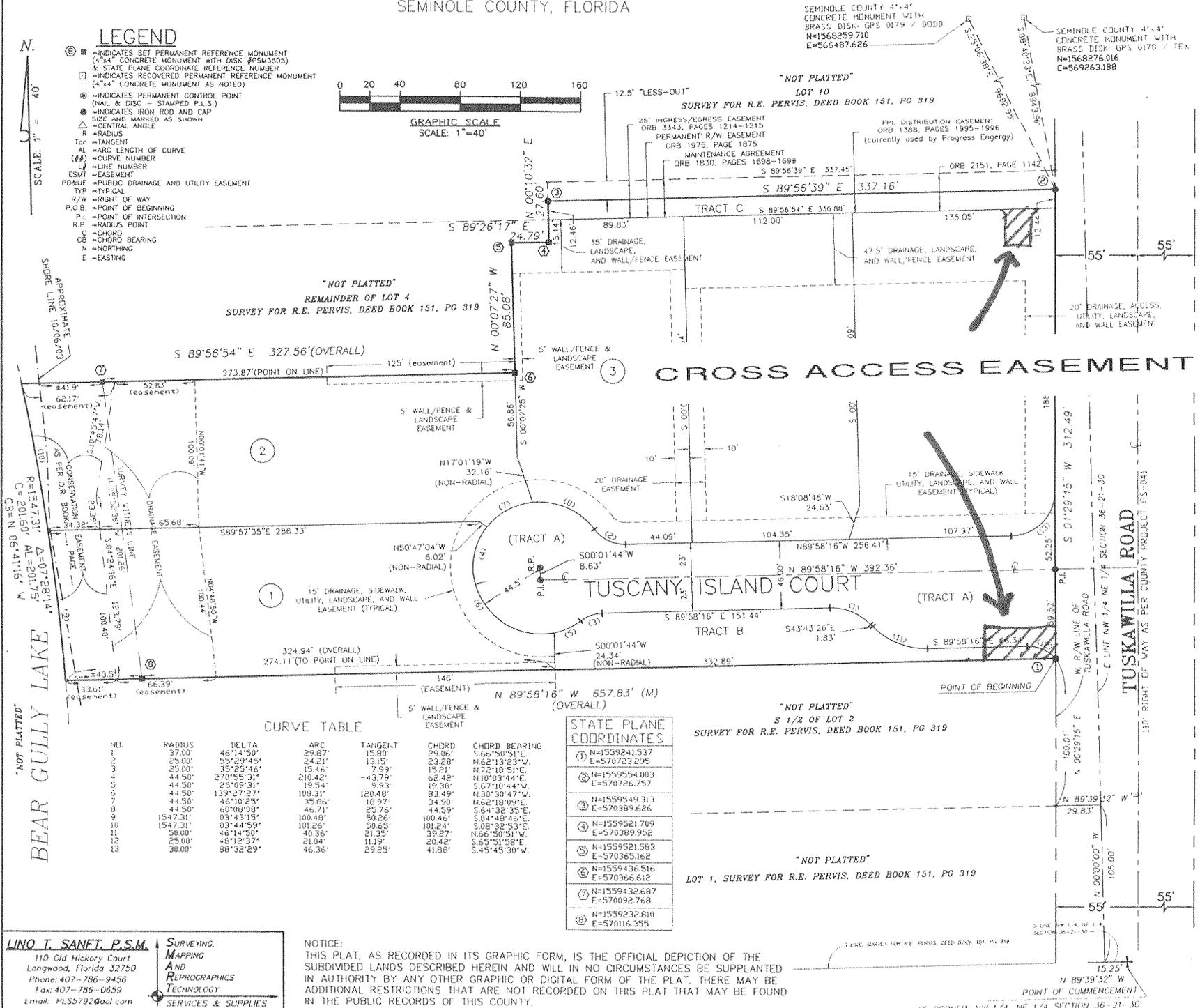
NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	27.00'	46°14'59"	29.87'	15.80'	29.06'	S.66°50'51"E
2	25.00'	55°29'45"	24.21'	13.15'	23.28'	N.62°13'23"W
3	25.00'	35°25'46"	15.46'	7.99'	15.21'	N.72°18'51"E
4	44.50'	27°05'31"	210.42'	-43.79'	62.42'	N.10°03'44"E
5	44.50'	25°09'34"	159.34'	9.93'	19.38'	S.67°10'44"W
6	44.50'	139°27'27"	108.31'	120.48'	81.49'	N.30°30'47"W
7	44.50'	46°10'28"	35.86'	18.97'	34.90'	N.62°18'09"E
8	44.50'	60°09'08"	45.71'	25.76'	44.59'	S.64°32'35"E
9	1547.31'	03°43'15"	100.48'	50.66'	100.46'	S.04°48'46"E
10	1547.31'	03°44'59"	101.26'	50.65'	101.24'	S.08°32'53"E
11	50.00'	46°14'50"	40.36'	21.35'	39.27'	N.66°50'51"W
12	25.00'	25.00'	21.04'	11.19'	20.42'	S.65°51'58"E
13	30.00'	88°32'29"	46.36'	29.25'	41.88'	S.45°45'30"W

STATE PLANE COORDINATES

①	N=1559241.537 E=570723.295
②	N=1559554.003 E=570726.757
③	N=1559549.313 E=570389.626
④	N=1559521.769 E=570389.952
⑤	N=1559521.583 E=570365.162
⑥	N=1559436.516 E=570366.612
⑦	N=1559432.687 E=570092.768
⑧	N=1559232.810 E=570116.355



SE CORNER, NW 1/4, NE 1/4, SECTION 36-21-30