

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution – Warranty Deed

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** Jerry McCollum, P.E. EXT. 5651
W. Gary Johnson, P.E., Director

Agenda Date <u>05/23/06</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"/>		

MOTION/RECOMMENDATION:

Adopt Resolution accepting a Warranty Deed for property necessary for the construction of a sidewalk adjacent to Lake Markham Road (a/k/a Kelz Road).

District – 5 Commissioner Carey (Jerry McCollum, P.E.)

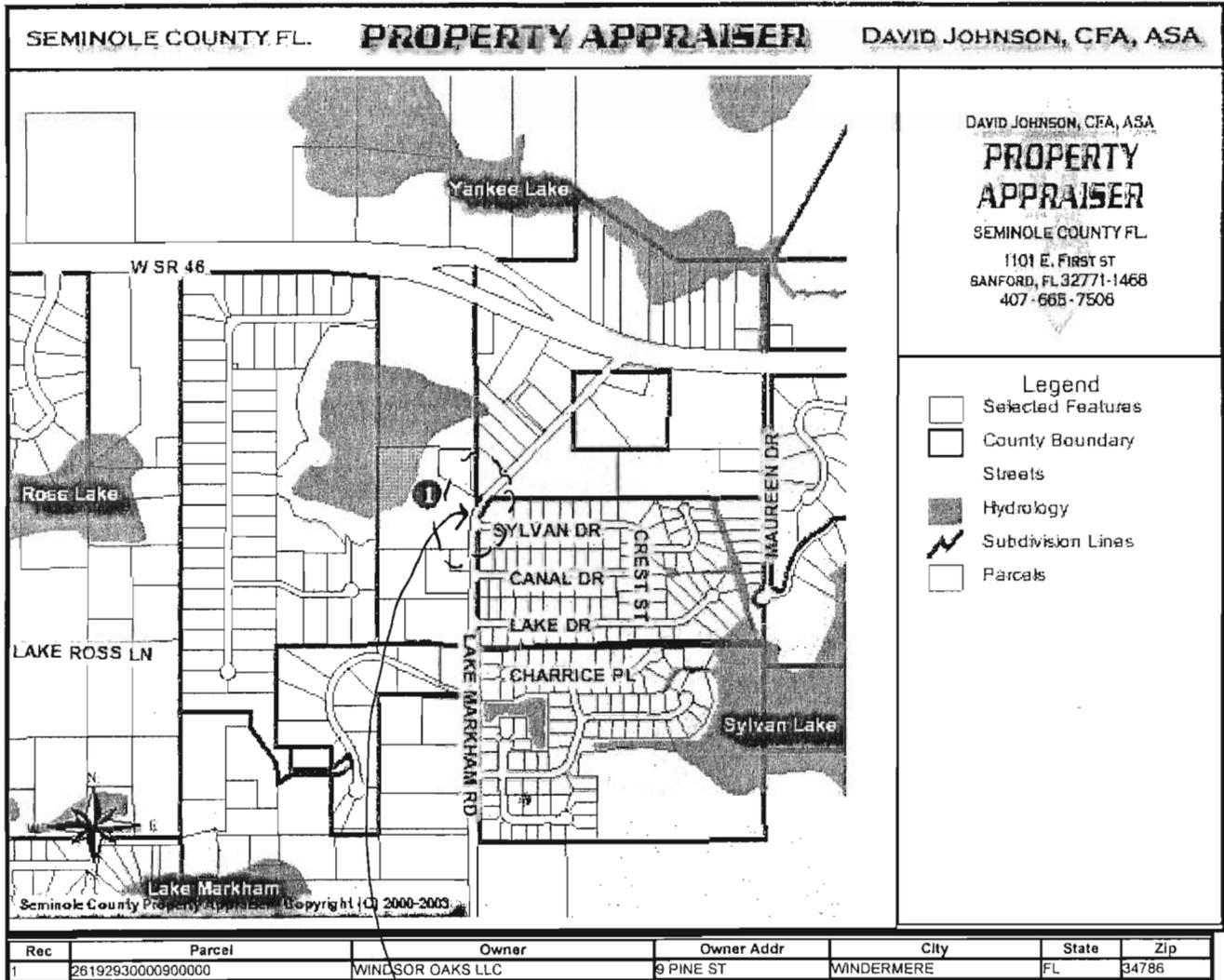
BACKGROUND:

The construction of a sidewalk adjacent to Lake Markham Road (see attached location map) will require property not currently owned by Seminole County. Windsor Oaks, LLC, has indicated their willingness to donate said property, at no cost, to the County as evidenced by the attached Warranty Deed.

Attachments: Location Map / Resolution / Warranty Deed

Reviewed by:	<u><i>[Signature]</i></u>
Co Atty:	<u><i>[Signature]</i></u>
DFS:	_____
Other:	_____
DCM:	<u><i>[Signature]</i></u>
CM:	<u><i>[Signature]</i></u>
File No.	<u>CPWE 01</u>

Location Map



Subject Parcel

RESOLUTION

**THE FOLLOWING RESOLUTION WAS ADOPTED AT THE
REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON
THE _____ DAY OF _____ A.D., 2006.**

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that a necessity exists for the protection of pedestrians along a portion of Lake Markham Road located in Section 26, Township 19 South, Range 29 East, in Seminole County, Florida; and

WHEREAS, the protection of pedestrians will require right-of-way that is not currently owned by the County of Seminole; and

WHEREAS, Windsor Oaks, LLC, A Florida Limited Liability Company has indicated their willingness to donate to Seminole County the required right-of-way as evidenced by the executed Warranty Deed accompanying this resolution; 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 or other public purposes.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County, Florida, hereby accepts the accompanying Warranty Deed, by the aforementioned property owner, conveying to Seminole County the land described therein; and

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 the above referenced Warranty Deed are hereby canceled and discharged to the fullest extent of the law.

BE IT FURTHER RESOLVED that all incidental costs, such as recording fees and taxes due pursuant to *Section 196.29 and Section 196.295, Florida Statutes*, be paid by Seminole County.

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; and

BE IT FURTHER RESOLVED that the aforementioned Warranty Deed be recorded in the Public Records of Seminole County, Florida.

ADOPTED THIS _____ DAY OF _____ A.D., 2006.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

Carlton Henley, Chairman

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

Prepared under the direction of:
Charles F. Barcus
Program Manager/Right-of-Way
04-24-2006

Document Prepared By:
Warren Lewis, Senior Coordinator
Right-of-Way Section
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

Legal Description Approved By:
Steve L. Wessels, P.L.S.
County Surveyor
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

WARRANTY DEED

THIS WARRANTY DEED is made this 4th day of April, 2006, between WINDSOR OAKS, LLC, A Florida Limited Liability Company, whose address is 9 Pine Street, Windermere, Florida, 34786, 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 the GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) 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, it's 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 Sketch of Description and Legal Description attached hereto as Exhibits "A-1" and "A-2" respectively.

Property Appraiser's Parent Parcel Identification No(s):
26-19-29-300-0090-0000 & 26-19-29-502-0000-027A

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. Together with all other common law covenants of title, this conveyance includes the covenant of further assurances.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

Signed, Sealed & Delivered
in the presence of:

WINDSOR OAKS, LLC, A Florida
Limited Liability Company

(Sign): Nola J. McGhee
Print Name: NOLA J. McGhee

By: Mark A. Crone
Mark A. Crone, As its Manager

(Sign): Angela Pruitt
Print Name: Angela Pruitt

(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF Orange) SS

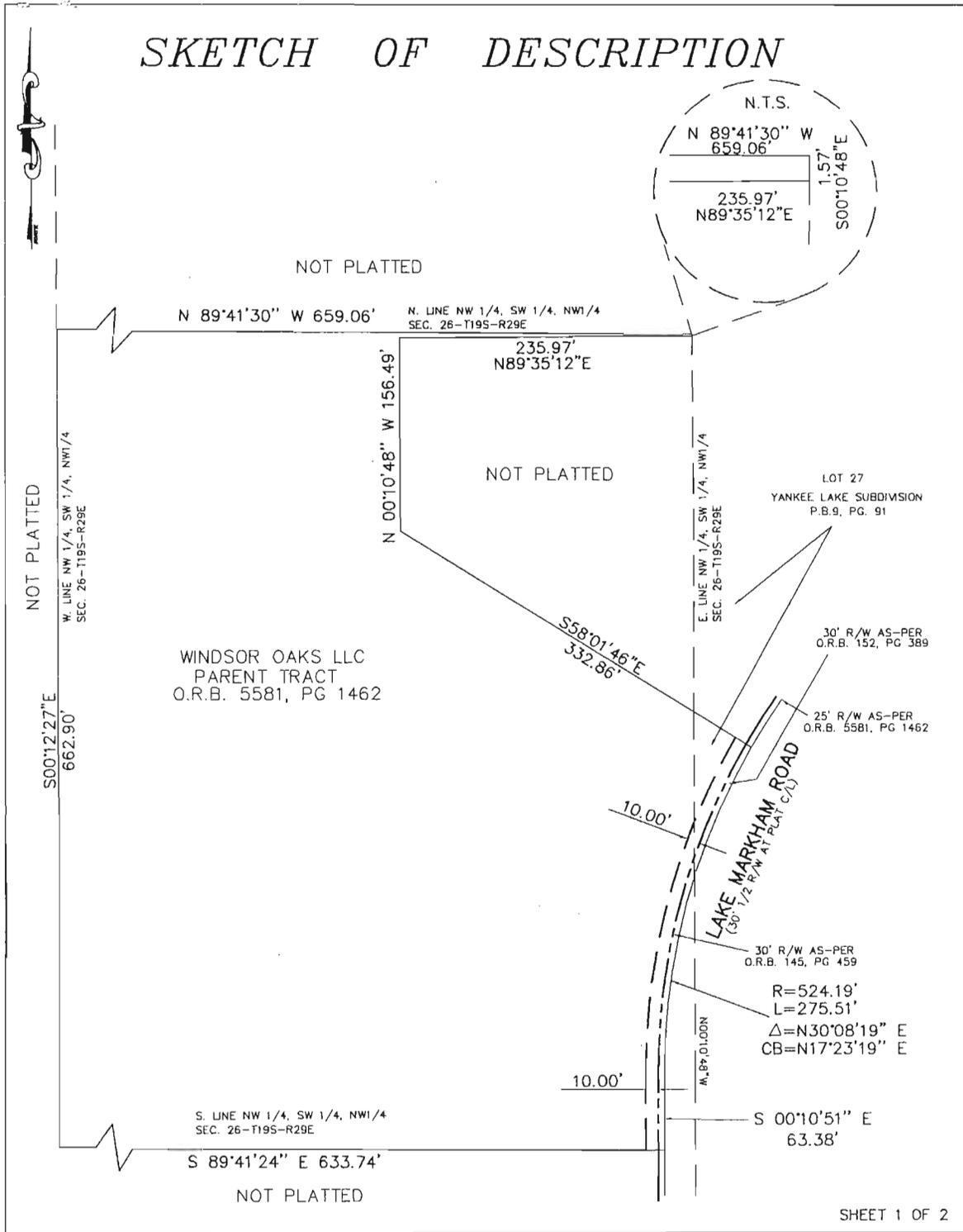
I HEREBY CERTIFY, that on this 4 day of April, 2006, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mark A. Crone, as Manager of Windsor Oaks, LLC, A Florida Limited Liability Company, who is personally known to me or who has produced _____ as identification and did/did not take an oath.

Nola J. McGhee
Print Name: _____
Notary Public in and for the County
and State Aforementioned
My commission expires:



NOLA J. MCGHEE
MY COMMISSION # DD 322201
EXPIRES: May 20, 2008
Bonded Thru Budget Notary Services

SKETCH OF DESCRIPTION



SHEET 1 OF 2

SEMINOLE COUNTY

ENGINEERING DEPARTMENT
SURVEY SECTION
520 W. LAKE MARY BLVD.
SANFORD, FLORIDA 32733
(407) 323-2500 EXT. 5647

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

NO. 4723
STATE OF FLORIDA
GARY A. LEISE P.L.S. FLA. CERT. # 4723

LEGEND

- | | |
|--------------------------------|----------------------------------|
| △ CENTRAL ANGLE (DELTA) | PB - PLAT BOOK |
| R - RADIUS | PG - PAGE (S) |
| CB - CHORD BEARING | ORB - OFFICIAL RECORDS BOOK |
| L - ARC LENGTH | SEC - SECTION - TOWNSHIP - RANGE |
| C - CHORD | PCL - PARCEL |
| ○ SET IRON PIN OR PIPE | PC - POINT OF CURVATURE |
| ◦ FOUND IRON PIN OR PIPE | PT - POINT OF TANGENCY |
| □ SET CONCRETE MONUMENT | PI - POINT OF INTERSECTION |
| ■ FOUND CONCRETE MONUMENT | PCC - POINT OF COMPOUND CURVE |
| P.O.B. - POINT OF BEGINNING | PRC - POINT OF REVERSE CURVE |
| P.O.C. - POINT OF COMMENCEMENT | M - MEASURED |
| P.O.T. - POINT OF TERMINATION | P - PLAT |
| R/W - RIGHT OF WAY | F - FIELD |
| D - DEED | C - CALCULATED |
| C/L - CENTERLINE | P/L - PROPERTY LINE |
| UTIL - UTILITY | ESMT - EASEMENT |

FIELD DATE: N/A

DATE: 02/09/06

JOB NAME: 06-006

SCALE: 1"=100'

DRAWN BY: L.W.

CHECKED BY: G.L.

LEGAL DESCRIPTION

THAT PORTION OF THE NW 1/4 OF THE SW 1/4 OF THE NW 1/4 OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA AND THAT PART OF LOT 27, YANKEE LAKE SUBDIVISION, AS RECORDED IN PLAT BOOK 9, PAGE 91, OF THE PUBLIC RECORDS, SEMINOLE COUNTY, FLORIDA.

LESS:

THAT PORTION OF RIGHT-OF-WAY OF LAKE MARKHAM ROAD (A.K.A. KELZ ROAD) AS RECORDED IN OFFICIAL RECORDS BOOK 145, PAGE 459 AND OFFICIAL RECORDS BOOK 152, PAGE 389, OF THE PUBLIC RECORDS, SEMINOLE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 10.00 FEET LYING WESTERLY OF AND COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF LAKE MARKHAM ROAD (A.K.A. KELZ ROAD) AS RECORDED IN OFFICIAL RECORDS BOOK 145, PAGE 459 AND OFFICIAL RECORDS BOOK 152, PAGE 389, OF THE PUBLIC RECORDS, SEMINOLE COUNTY, FLORIDA.

CONTAINING 3446 SQUARE FEET MOER OR LESS.

SHEET 2 OF 2

SURVEYOR'S NOTES

1. THIS IS NOT A SURVEY.
2. UNDERGROUND UTILITIES AND/OR IMPROVEMENTS NOT LOCATED.
3. SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON, THE ABOVE REFERENCED PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.
4. BASED ON BOUNDARY SURVEY BY KITNER SURVEYING, INC.

LEGEND

BEARINGS BASED ON :

THE W. LINE SW 1/4, SW 1/4, NW 1/4, SEC. 26-T19S-R29E

AS BEING N00°10'48"W

REVISIONS

DATE	BY	REVISIONS	REQUESTED BY:
1			
2			
3			
4			

JOB NAME: 06-008	FIELD DATE: N/A	DATE: 02/09/06	SCALE: 1"=100'	DRAWN BY: L.W.	CHECKED BY: GL
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EXHIBIT "A-2"