

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Fifth Street ROW Vacate – Gathering Place Worship Center, Inc., Jeff Welker, applicant (co-applicants, David and Edith McNeill and Jen0 and Lois Paulucci)

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

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Cynthia Sweet **EXT.** 7443

Agenda Date 6/8/2004 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Adopt the Resolution to vacate and abandon a portion of the public right right-of-way of Fifth Street located west side of Orange Boulevard (CR 431) and approximately 924 feet south of Wilson Road in Section 31, Township 19 S, Range 30 E – Gathering Place Worship Center, Inc., Jeff Welker, applicant (co-applicants, David and Edith McNeill and Jen0 and Lois Paulucci)

District 5 – McLain (Cynthia Sweet, Planner) *2 fl*

BACKGROUND:

The applicants, Gathering Place Worship Center, Inc., David and Edith McNeill, and Jen0 and Lois Paulucci are requesting to vacate and abandon that portion of the public right of way known as Fifth Street (approximately 0.167 acres), lying south of Tax Parcel No. 12A, in Section 31, Township 19 South, Range 30 East. The subject right of way is opened but not physically used by the general public at this time. Staff deems there is no need for the remaining right of way by Seminole County.

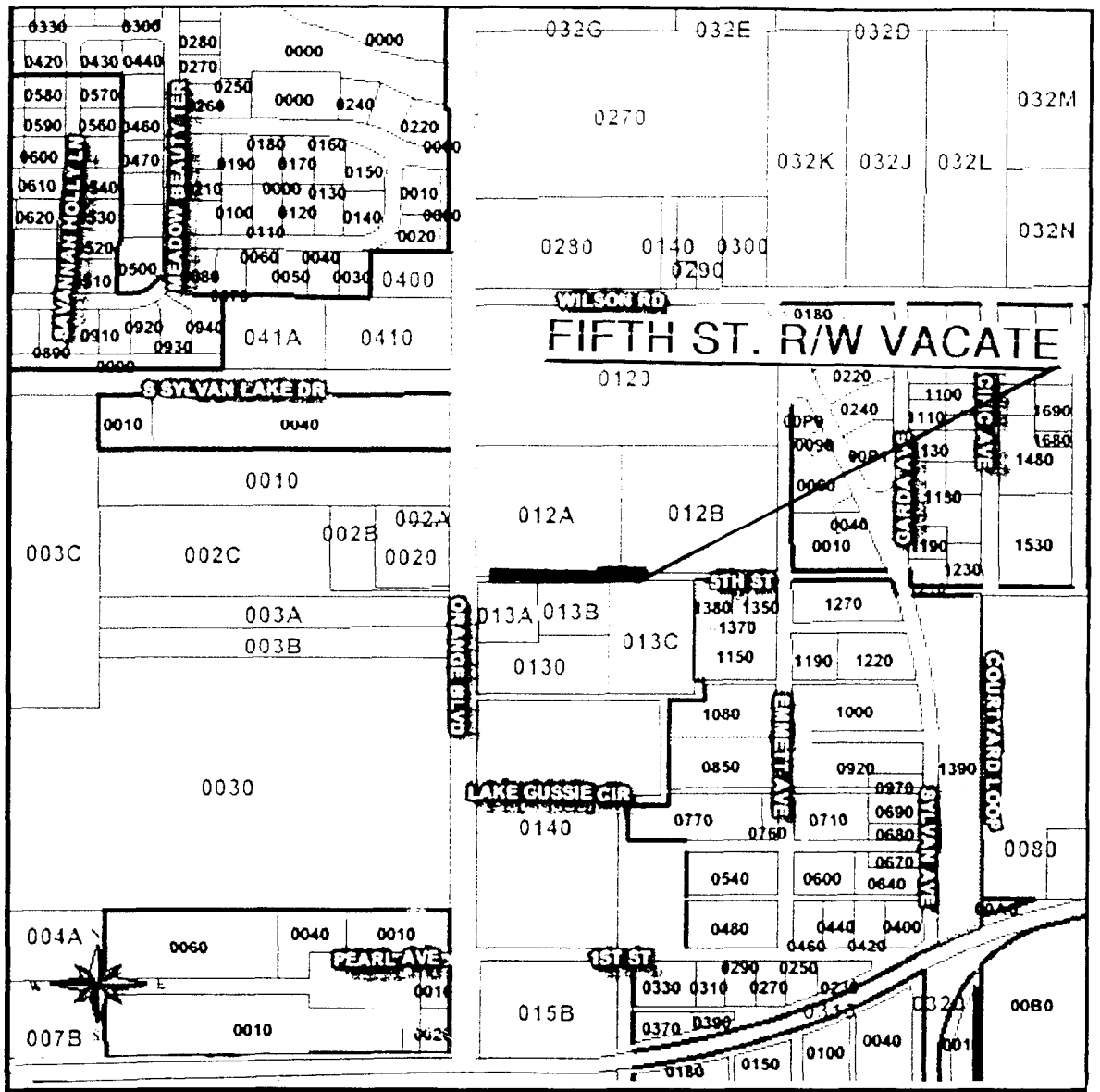
The applicant has provided letters from the applicable utility companies stating no objections to the request.

STAFF RECOMMENDATION:

Staff recommends adoption of the Resolution to vacate and abandon that portion of the public road right of way of Fifth Street as requested by the applicants subject to the establishment of a unity of title of the two parcels located to the immediate south (Tax Parcels 13A and 13B) presently owned by David and Edith McNeill prior to recording of the Resolution.

District 5 - McLain
Attachments: Location Map – Exhibit A
Resolution – Exhibit B
Sketch of Description - Exhibit C

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: *SC*
CM: *KS*
File No. ph130pdd01



LOCATION MAP

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 8th DAY OF June A.D., 2004.

RESOLUTION TO VACATE AND ABANDON A RIGHT-OF-WAY

Whereas, a Petition was presented on behalf of
GATHERING PLACE WORSHIP CENTER, INC.

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described right-of-way, to-wit:

VACATING AN UNNAMED ROAD RIGHT OF WAY, LYING SOUTH OF TAX PARCEL NO. 12A, SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA.

COMMENCE AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN S.00°00'00"E. ALONG THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 31, A DISTANCE OF 924.00 FEET; THENCE RUN N.89°54'52"E. PARALLEL WITH THE NORTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 31, A DISTANCE OF 40.00 FEET TO THE EAST RIGHT OF WAY LINE OF ORANGE BOULEVARD AND THE POINT OF BEGINNING; THENCE CONTINUE N.89°54'52"E. 497.42 FEET; THENCE RUN N.00°00'0"E. 17.00 FEET; THENCE RUN S. 89°54'52"W. 66.18 FEET; THENCE RUN S.00°00'00"E. 2.00 FEET; THENCE RUN S.89°54'52"W. 431.24 FEET TO SAID EAST RIGHT OF WAY LINE; THENCE RUN S.00°00'00"E. ALONG SAID EAST RIGHT OF WAY LINE 15.00 FEET TO THE POINT OF BEGINNING.

AND LESS THAT PORTION LYING WITHIN 60 FEET OF THE CENTERLINE OF ORANGE BLVD (CR-431). CONTAINING 0.167 ACRES MORE OR LESS. *SEE ATTACHED EXHIBIT "A"*

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described right-of-way 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 Right-of-way be, and the same is 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 is hereby disclaimed.

PASSED AND ADOPTED this 8th day of A.D., 2004.

ATTEST:

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

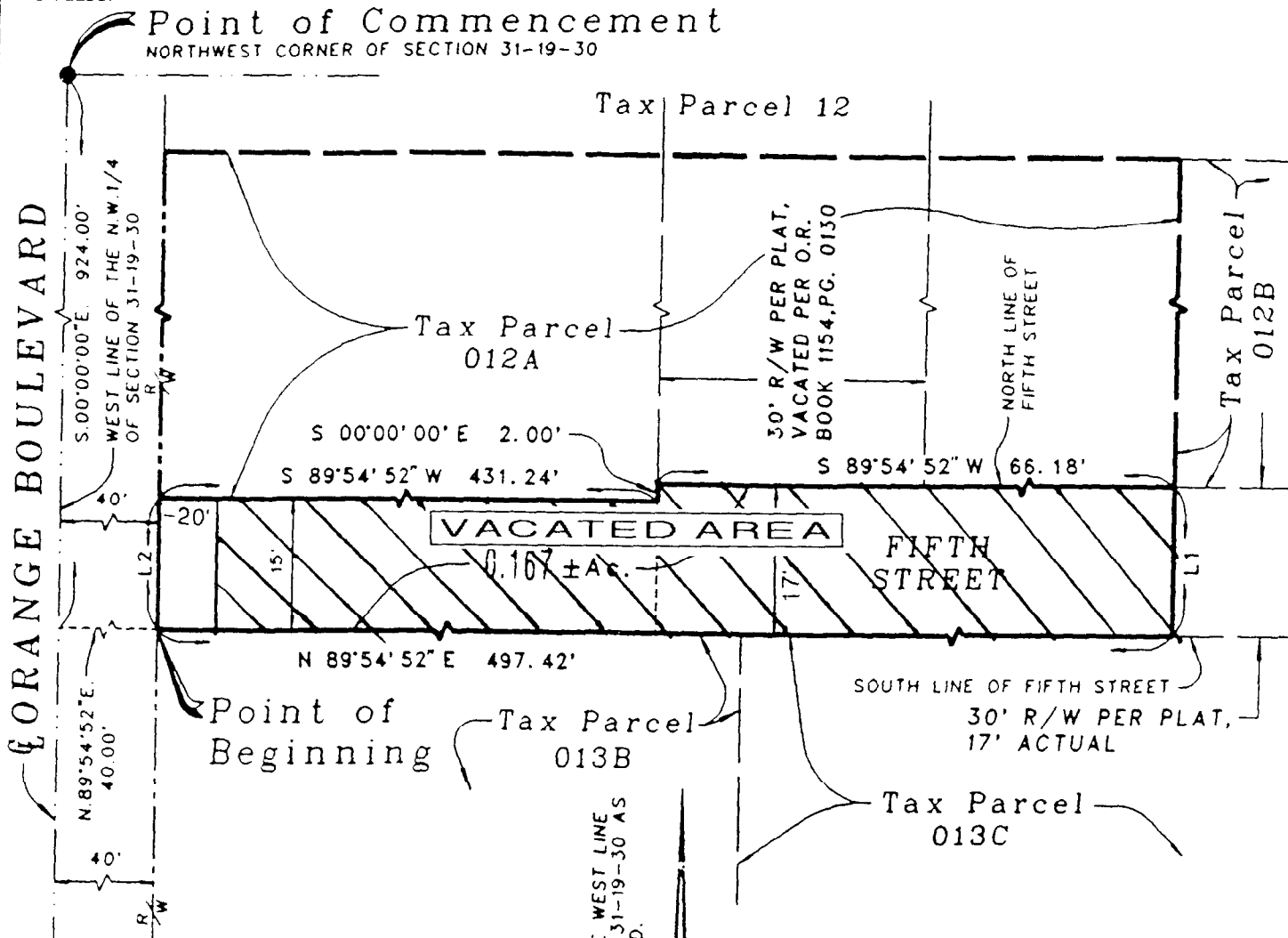
BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA
BY: DARYL G. MCLAIN
CHAIRMAN

SKETCH AND DESCRIPTION EXHIBIT "A"

DESCRIPTION: VACATING AN UNNAMED ROAD RIGHT-OF-WAY, LYING SOUTH OF TAX PARCEL NO. 12A, SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA.

COMMENCE AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN S 00°00'00"E. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 924.00 FEET; THENCE RUN N.89°54'52"E. PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 40.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF ORANGE BOULEVARD AND THE POINT OF BEGINNING; THENCE CONTINUE N.89°54'52"E. 497.42 FEET; THENCE RUN N.00°00'00"E. 17.00 FEET; THENCE RUN S.89°54'52"W. 66.18 FEET; THENCE RUN S.00°00'00"E. 2.00 FEET; THENCE RUN S.89°54'52"W. 431.24 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE RUN S.00°00'00"E. ALONG SAID EAST RIGHT-OF-WAY LINE 15.00 FEET TO THE POINT OF BEGINNING.

AND LESS THE EAST 60 FEET FROM THE CENTERLINE OF THE RIGHT OF WAY OF ORANGE BOULEVARD. CONTAINING 0.167 ACRES MORE OR LESS.



LINE DATA TABLE

L1	N.00°00'00"E.	17.00'
L2	S.00°00'00"E.	15.00'

ABBREVIATIONS:

- ⊕ DENOTES CENTERLINE
- O.R. OFFICIAL RECORDS
- R/W RIGHT-OF-WAY

HTCA HENRICH, TROTTER, CARTER & AYERS, LLC
 Surveyors & Mappers
 723 Executive Drive - Winter Park, Florida 32789
 (407) 647-7346 - FAX (407) 647-8097
 Licensed Business No. 7276

SCALE: 1" = 20'
 DATE: 4-12-04

NOTE: THIS IS NOT A SURVEY!

I HEREBY CERTIFY THAT THE SKETCH SHOWN HEREON WAS MADE IN ACCORDANCE TO THE "MINIMUM TECHNICAL STANDARDS" FOR LAND SURVEYING IN THE STATE OF FLORIDA CH. 472.027 AND CH. 61G11-6.

DATE: 4-12-04
 MARK I. LIUKK
 PCW/5006

GPSKDD)

FILE NO. 35-04