

Item # 41

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Vacate and Abandon a 30' portion of the Arletta Street right-of-way

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

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

Agenda Date <u>6/10/03</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Adopt the Resolution to vacate and abandon that portion of the public right of way of Arletta Street located at the most south easterly corner of Arletta Street and Forest Cove Road for J & D Real Estate Holdings, Inc. – Michelle Wolff, Representative.

District 3 – Van Der Weide

Cynthia Sweet, Planner *cs*

BACKGROUND:

Michelle Wolff, Representative for the applicant, J & D Real Estate Holdings, Inc. is requesting to vacate and abandon a 30 feet x 140 feet (+) portion of the platted public right of way of Arletta Street, located at the south easterly corner of Arletta Street and Forest Cove Road (that runs parallel with the realigned S R 434) in Section 21, Township 21 S, Range 29 E. Vacation and abandonment of the right of way is to provide ownership of the property which is currently fenced and has been maintained by the owners for years. Staff found no record of a building permit issued for the fence.

Staff found no benefit to retain that portion of the public right of way since Arletta Street has been realigned and constructed to county standards. Florida Department of Transportation owns the remaining remnant portion of the public right of way located immediately north of the subject area and south of the realigned Arletta Street and also has confirmed their intent to release that portion to the petitioner.

STAFF RECOMMENDATION:

Staff recommends adoption of the resolution to vacate that portion of the platted public right of way of Arletta Street as requested by J & D Real Estate Holdings, Inc. subject to retaining the utility and drainage easement over the vacated portion.

District	3 – Van Der Weide
Attachments:	Resolution
	Exhibit A: Sketch of description
	Exhibit B: Location map

Reviewed by: Co Atty: <u>JTC</u> DFS: _____ Other: _____ DCM: <u>SS</u> CM: <u>VB</u>
File No. <u>ph130pdd03</u>

RESOLUTION NO.: 2003-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 10TH DAY OF JUNE A.D., 2003.

RESOLUTION TO VACATE AND ABANDON A RIGHT-OF-WAY

Whereas, a Petition was presented on behalf of
J & D REAL ESTATE HOLDINGS, 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:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, FOREST CURVE HOMES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 48, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, RENE N.00°23'13"E. ON A NORTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.00 FEET; THENCE RUN S. 89°27'02"E. PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF ARLETTA STREET, A DISTANCE OF 140.40 FEET; THENCE RUN S.67°13'52"E. 66.11 FEET; THENCE RUN S.89°27'02"E. 31.18 FEET TO A NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 13 OF SAID FOREST CURVE HOMES; THENCE RUN S.00°23'13"W. ALONG SAID PROLONGATION LINE 5.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF ARLETTA STREET; THENCE RUN N.89°27'02"W. ALONG SAID SOUTH RIGHT-OF-WAY LINE 232.71 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 0.124 ACRES MORE OR LESS.

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 in that the right-of-way in question is not needed for right of way purposes and not necessary for the public need.

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 10th day of JUNE A.D., 2003.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: DARYL G. MCLAIN
CHAIRMAN

SKETCH AND DESCRIPTION FOR: JAMES A. HARTMAN, P.A.

DESCRIPTION: VACATING A PORTION OF ARLETTA STREET

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, FOREST CURVE HOMES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 48, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, RUN N.00°23'13"E. ON A NORTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.00 FEET; THENCE RUN S.89°27'02"E. PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF ARLETTA STREET, A DISTANCE OF 140.40 FEET; THENCE RUN S.67°13'52"E. 66.11 FEET; THENCE RUN S.89°27'02"E. 31.18 FEET TO A NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 13 OF SAID FOREST CURVE HOMES; THENCE RUN S.00°23'13"W. ALONG SAID PROLONGATION LINE 5.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF ARLETTA STREET; THENCE RUN N.89°27'02"W. ALONG SAID SOUTH RIGHT-OF-WAY LINE 232.71 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 0.124 ACRES MORE OR LESS.

RIGHT-OF-WAY LINE PER FLORIDA DEPT. OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 77120-2504, SHEET NO. 6

ABBREVIATIONS:

P.T. DENOTES POINT OF TANGENCY
R/W RIGHT-OF-WAY

SCALE: 1" = 40'

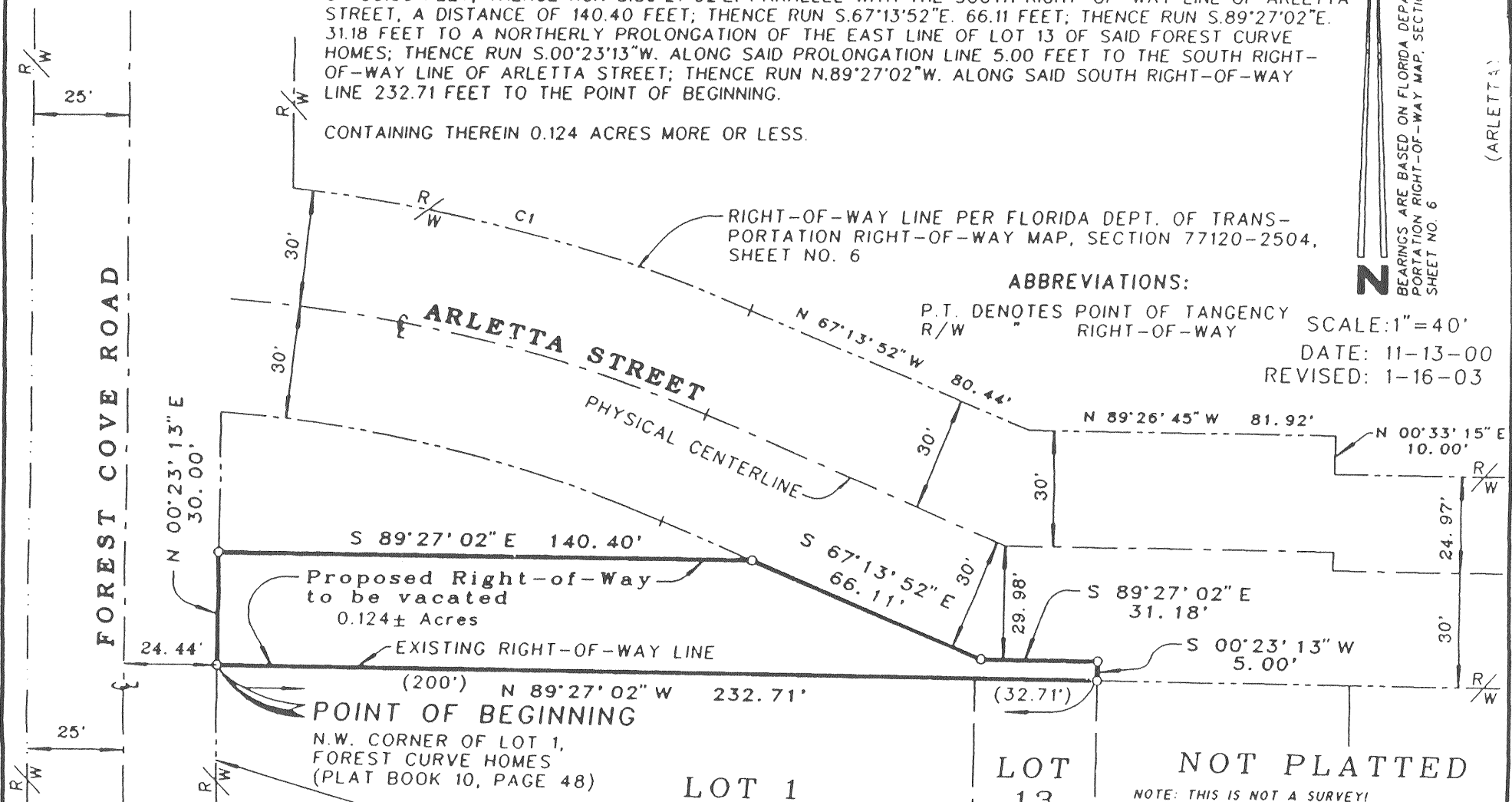
DATE: 11-13-00

REVISED: 1-16-03



BEARINGS ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 77120-2504, SHEET NO. 6

(ARLETTA)



NOT PLATTED

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. 61G17-6

Steven B. Swaggerty DATE: 1-16-03
REGISTERED LAND SURVEYOR NO. 3764

FILE NO. 18-03



SWAGCERTY LAND SURVEYING, INC.

L.B. 4906
1450 KASTNER PLACE, SUITE 100
P.O. BOX 2384
SANFORD, FLORIDA 32772-2384
14071322-4630 FAX 14071322-8611

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	16°37'48"	430.00'	124.81'	62.85'	124.37'	N 75°32'46"W

Exhibit A

ARLETTA STREET VACATE

