

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution to accept land for public purposes

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

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

Agenda Date 06/14/05. 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 accept the Warranty Deed and cancel property taxes for land donated as right-of-way on Upsala Road from JOYCE H. E. APPLEBY AND SUSAN A. COVER AND FROM MARGARET HARRELL.

District 1 – Commissioner Carey (Tom Radzai, Senior Engineer)

BACKGROUND:

The developer, Pulte Homes Corporation, is building a 254 unit town home development on their property located on Upsala Road south of St. Johns Parkway in Sanford, Florida. Pulte Homes Corporation is proposing as part of their development, to install a left turn and a right turn lane on Upsala Road into their site. The additional right of way is needed to accommodate these off-site improvements. Pulte Homes and the following adjacent property owners have agreed to donate land to Seminole County for additional right-of-way on Upsala Road:

Joyce H. E. Appleby and Susan A. Cover – Exhibit A
Margaret Harrell – Exhibit B

This resolution accepts the right-of-way and cancels the ad valorem taxes on the dedicated properties.

STAFF RECOMMENDS :

Staff recommends that the Board cancel all property taxes for the dedicated parcels and approve the attached resolution. The taxes cancelled for year 2005 are estimated to be \$352.63.

Attachments: Location map
Resolution
Warranty Deeds
Estimate of Real Property Assessments

Reviewed by: <u>KR</u> Co Atty: _____ DFS: _____ Other: _____ DCM: _____ CM: _____ File No. <u>cpdd04</u>
--

RESOLUTION

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON 14th DAY OF June, 2005 .

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

WHEREAS, the implementation of the future roadway improvements will require right-of-way not now owned by the County of Seminole; and

WHEREAS, JOYCE H. E. APPLEBY and SUSAN A. COVER and MARGARET HARRELL have indicated their 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 April 20th, 2005, conveying to Seminole County the land described in EXHIBITS "A" and "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 EXHIBIT "A and "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 14th DAY OF June, 2005 .

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

ATTEST:

CARLTON D. HENLEY

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

**TAX PARCEL ID's # 28-19-30-300-0070-0000
28-19-30-300-0090-0000**

**Prepared by: Tracy N. Phelps
Development Review Division
Date: 05-05-05**

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

Parcel I.D. No. 28-19-30-300-0070-0000

SPECIAL WARRANTY DEED TO SEMINOLE COUNTY
APPLEBY RIGHT-OF-WAY PARCEL

THIS WARRANTY DEED is made this 20th day of April, 2005, between JOYCE H. E. APPLEBY and SUSAN A. COVER, whose address is 1050 Upsala Road, Sanford, Florida 32771, hereinafter collectively referred to as 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 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, 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 taxes accruing after December 31, 2004 and matters of record, if any, but this reference thereto shall not operate to reimpose the same.

(GRANTOR'S SIGNATURE LOCATED ON THE FOLLOWING PAGE)

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

GRANTOR

James A Barks
Witness Number 1 Signature
James A Barks
Witness Number 1 Printed Name

Joyce H. E. Appleby
Joyce H. E. Appleby

Victoria A. McCormack
Witness Number 2 Signature
VICTORIA A. MCCORMACK
Witness Number 2 Printed Name

James A Barks
Witness Number 1 Signature
James A. Barks
Witness Number 1 Printed Name

Susan A. Cover
Susan A. Cover

Victoria A. McCormack
Witness Number 2 Signature
VICTORIA A. MCCORMACK
Witness Number 2 Printed Name

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 20th day of April, 2005 by Joyce H. E. Appleby. She 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.

James A Barks
Notary Public



James A Barks
My Commission DD063294
Expires January 24, 2006

Printed name of Notary Public
My commission expires:
Serial No., if any

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 20th day of April, 2005 by Susan A. Cover. She 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.


Notary Public



James A Barks
My Commission DD063294
Expires January 24, 2008

Printed name of Notary Public

My commission expires:

Serial No., if any:

SKETCH OF DESCRIPTION

(SEE SHEET 2 FOR SKETCH)

DESCRIPTION:

The West 25 feet of the East 50 feet of the North 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 19 South, Range 30 East, Seminole County, Florida, lying, situate and being in the Southwest 1/4 of said Section 28, 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 South line of the Southwest 1/4 of said Section 28 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 South line of said Southwest 1/4, run N00°09'05"W along said West right-of-way line, distant 25 feet Westerly from and parallel with the East line of said Southwest 1/4, for a distance of 329.66 feet to the South line of said North 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 28 and to the POINT OF BEGINNING; thence continue N00°09'05"W along said West right-of-way line for a distance of 329.66 feet to the North line of said North 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 28; thence departing said West right-of-way line run S89°54'38"W along said North line for a distance of 25.00 feet; thence run S00°09'05"E, along a line being distant 50 feet Westerly from and parallel with the East line of said Southwest 1/4 of said Section 28, for a distance of 329.66 feet to said South line of said North 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 28; thence run N89°53'54"E along said South line for a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 0.189 acres (8,242 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 South line of the Southwest 1/4 of Section 28, 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. LB88

PREPARED FOR:

PULTE HOME CORP.

REGENCY OAKS - R/W DEDICATION (APPLEBY)

REVISIONS:

DRAWN BY: <u>P.T.</u>	CHECKED BY: <u>P.T.</u>	JOB NO. <u>23239.0085</u>	SCALE <u>1"=60'</u>	SHEET <u>1</u>	DWG NO. <u>CS#05-109</u>
DATE: <u>01/05/05</u>	DATE: <u>01/07/05</u>			OF <u>2</u>	

File Name: f:\pro\2003\23239\sdwg\500\ADD-RW.dwg

EXHIBIT "A"

EXHIBIT "A"

J.W.E.A.
SAC

SKETCH OF DESCRIPTION

(SEE SHEET 1 FOR DESCRIPTION)

LOT 44
SMITH'S THIRD SUBDIVISION
PB 1, PG 86

$S89^{\circ}54'38''W$ 25.00'

N LINE OF N 1/2 OF E 1/2 OF SE 1/4, SE 1/4, SW 1/4 SEC 28-19-30

1"=50'



ORB 4871, PG 839
N 1/2 OF E 1/2 OF SE 1/4, SE 1/4, SW 1/4 OF SEC 28-19-30

NOT INCLUDED

$S00^{\circ}09'05''E$ 329.66'

E 25' NOT INCLUDED

$N00^{\circ}09'05''W$ 329.66'

NOT INCLUDED

UPSALA ROAD
(VARIABLE WIDTH R/W)

M.M. SMITH'S THIRD SUBDIVISION
PB 1, PG 86

E 50'
W 25' OF E 50'

POB

S LINE OF N 1/2 OF E 1/2 OF SE 1/4, SE 1/4, SW 1/4 SEC 28-19-30

$S89^{\circ}53'54''W$ 25.00'

NOT INCLUDED

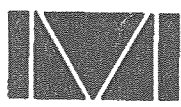
S LINE, SW 1/4 SEC 28-19-30

WEST R/W LINE
329.66'
 $N00^{\circ}09'05''W$

POC

SE CORNER OF SW 1/4 SEC 28-19-30
N 1/4 CORNER SEC 33-19-30
CCR #083142

$S89^{\circ}53'11''W$ 25.00'



DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. LB88

PREPARED FOR:
PULTE HOME CORP.


REGENCY OAKS - R/W DEDICATION (APPLYBY)

REVISIONS:

DRAWN BY: <u>P.T.</u>	CHECKED BY: <u>P.T.</u>	JOB NO. <u>23239.0095</u>	SCALE <u>1"=60'</u>	SHEET <u>2</u>	DWG NO. <u>CS#05-109</u>
DATE: <u>01/05/05</u>	DATE: <u>01/07/05</u>			OF <u>2</u>	

File Name: f:\proj\2003\23239\sdwg\500\ADD-RW.dwg

J. HER SAC

 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

Parcel I.D. No. 28-19-30-300-0080-0000

SPECIAL WARRANTY DEED TO SEMINOLE COUNTY
HARRELL NORTH PARCEL

THIS WARRANTY DEED is made this 20 day of APRIL, 2005, between MARGARET HARRELL, whose address is 1020 Upsala Road, Sanford, Florida 32771, 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 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, 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)

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

GRANTOR

Lacey Beasley
Witness Number 1 Signature

LACEE BEASLEY
Witness Number 1 Printed Name

Kelley McCurdy
Witness Number 2 Signature

Kelley McCurdy
Witness Number 2 Printed Name

Margaret Harrell
Margaret Harrell

STATE OF Florida
COUNTY OF Sumner

The foregoing instrument was acknowledged before me this 20th day of June, 2005 by Margaret Harrell. She (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.

Pauline L. Howell
Notary Public



Pauline L. Howell
Commission #DD398073
Expires Feb 20, 2009
Printed name of Notary Public
My commission expires Bonded Thru Atlantic Bonding Co., Inc.
Serial No., if any:

SKETCH OF DESCRIPTION

(SEE SHEET 2 FOR SKETCH)

DESCRIPTION:

The West 25 feet of the East 50 feet of the South 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4, less the South 230 feet therefrom, of Section 28, Township 19 South, Range 30 East, Seminole County, Florida, lying, situate and being in the Southwest 1/4 of said Section 28, 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 South line of the Southwest 1/4 of said Section 28 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 South line of said Southwest 1/4, run N00°09'05"W along said West right-of-way line, distant 25 feet Westerly from and parallel with the East line of said Southwest 1/4, for a distance of 230.00 feet to the North line of said South 230 feet and to the POINT OF BEGINNING; thence continue N00°09'05"W along said West right-of-way line for a distance of 99.66 feet to the North line of the aforesaid South 1/2 of the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 28; thence departing said West right-of-way line run S89°53'54"W along said North line for a distance of 25.00 feet; thence run S00°09'05"E, along a line being distant 50 feet Westerly from and parallel with the East line of said Southwest 1/4 of Section 28, for a distance of 99.68 feet to said North line of said South 230 feet; thence run N89°53'11"E along said North line for a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 0.057 acres (2,492 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 South line of the Southwest 1/4 of Section 28, 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 61C17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

DONALD W. McINTOSH ASSOCIATES, INC.

LEGEND

CCP	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)		

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.



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 (HARRELL - NORTH)

REVISIONS: 4/14/05 REVISED DESCRIPTION;

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

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

JOB NO.
23239.0095

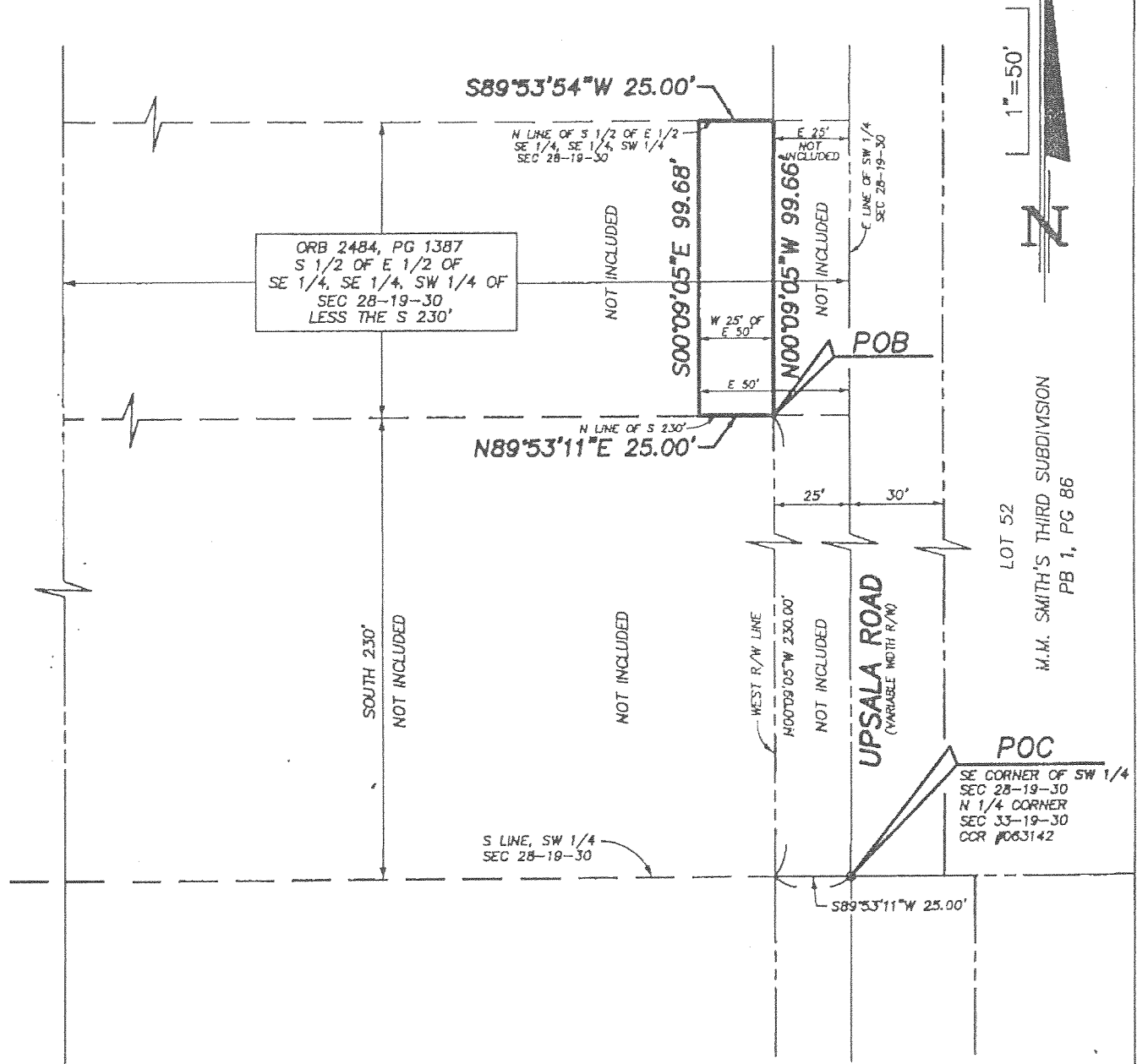
SCALE
1"=50'


SHEET 1
OF 2

DWC NO.
CS#05-108

SKETCH OF DESCRIPTION

(SEE SHEET 1 FOR DESCRIPTION)



 <p>DONALD W. McINTOSH ASSOCIATES, INC. ENGINEERS PLANNERS SURVEYORS 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068 CERTIFICATE OF AUTHORIZATION NO. LB68</p>	PREPARED FOR: PULTE HOME CORP. REGENCY OAKS - R/W DEDICATION (HARRELL - NORTH)				
	REVISIONS:				
DRAWN BY: <u>P.T.</u> DATE: <u>01/05/05</u>	CHECKED BY: <u>P.T.</u> DATE: <u>01/07/05</u>	JOB NO. <u>23239.0005</u>	SCALE <u>1"=50'</u>	SHEET <u>2</u> OF <u>2</u>	DWG NO. <u>CS#05-108</u>

File Name: H:\pro\2005\23239\edwg\500\ADD-RW.dwg

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2005 and subsequent years.
2. Perpetual Easement recorded September 10, 1996 in Official Records Book 3128, Page 0049 of the Public Records of Seminole County, Florida

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

Parcel I.D. No. 28-19-30-300-0090-0000

SPECIAL WARRANTY DEED TO SEMINOLE COUNTY
HARRELL SOUTH PARCEL

THIS WARRANTY DEED is made this 20 day of APRIL, 2005, between MARGARET HARRELL, whose address is 1020 Upsala Road, Sanford, Florida 32771, 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 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, 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)

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

GRANTOR

Lacey Beasley
Witness Number 1 Signature

LACEE BEASLEY
Witness Number 1 Printed Name

Margaret Harrell
Margaret Harrell

Kelly McCreedy
Witness Number 2 Signature

Kelley McCreedy
Witness Number 2 Printed Name

STATE OF Florida
COUNTY OF Sumner

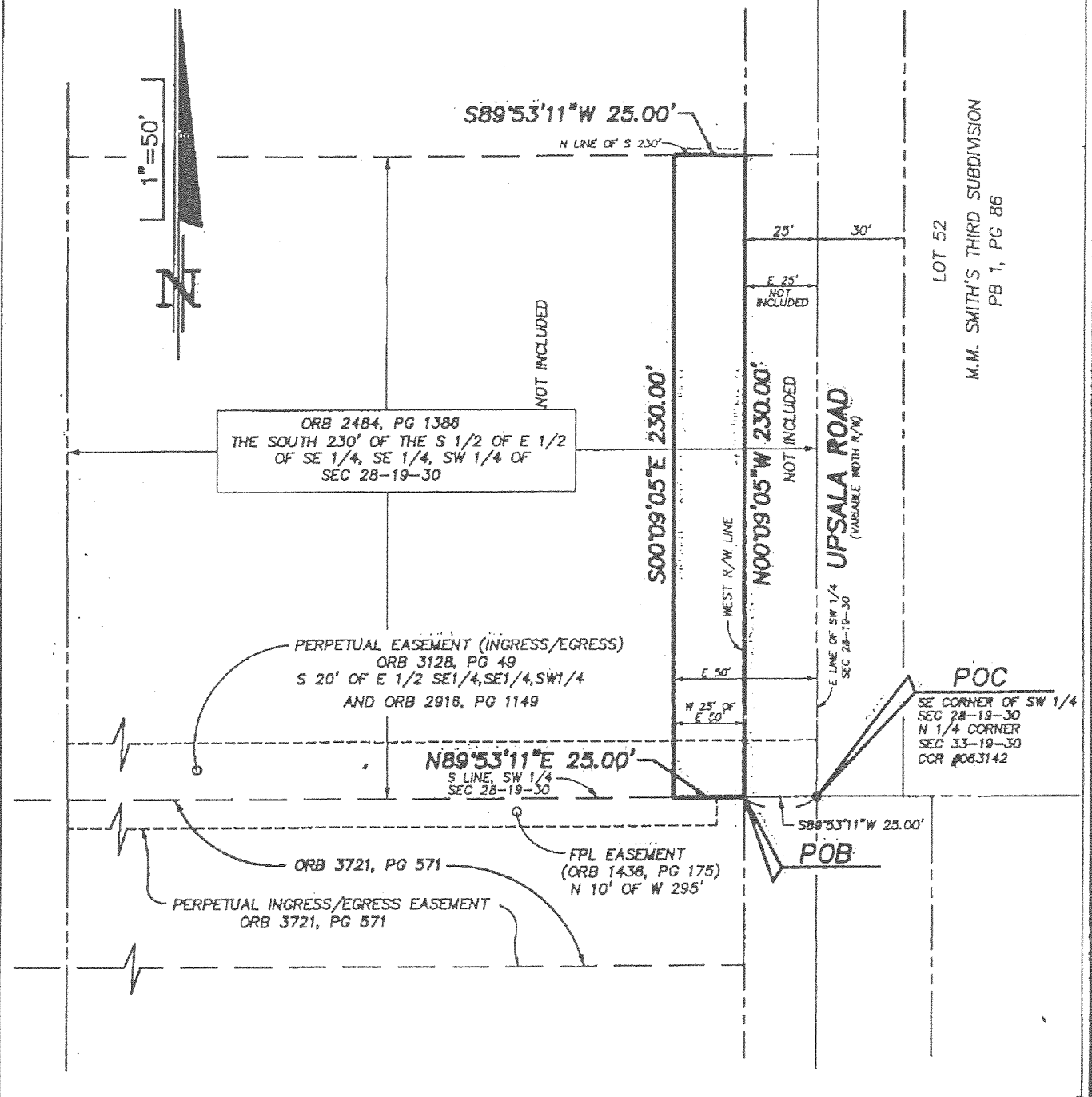
The foregoing instrument was acknowledged before me this 27th day of April, 2005 by Margaret Harrell. She () is personally known to me or () has produced, as identification, a driver's license issued by _____, a state of the United States, which is either current or has been issued within the past five (5) years and bears a serial or other identifying number.

Pauline L. Howell
Notary Public

Pauline L. Howell
Commission #DD398073
Printed name of Notary Public
My commission expires Feb 20, 2009
Bonded Thru
Atlantic Bonding Co., Inc.
Serial No., if any:

SKETCH OF DESCRIPTION

(SEE SHEET 1 FOR DESCRIPTION)



LOT 52
M.M. SMITH'S THIRD SUBDIVISION
PB 1, PG 86

ORB 2484, PG 1388
THE SOUTH 230' OF THE S 1/2 OF E 1/2
OF SE 1/4, SE 1/4, SW 1/4 OF
SEC 28-19-30

PERPETUAL EASEMENT (INGRESS/EGRESS)
ORB 3128, PG 49
S 20' OF E 1/2 SE 1/4, SE 1/4, SW 1/4
AND ORB 2818, PG 1149

N89°53'11\"/>

ORB 3721, PG 571
PERPETUAL INGRESS/EGRESS EASEMENT
ORB 3721, PG 571

FPL EASEMENT
(ORB 1438, PG 175)
N 10' OF W 295'

POC
SE CORNER OF SW 1/4
SEC 28-19-30
N 1/4 CORNER
SEC 33-19-30
CCR #063142

POB



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 (HARRELL - SOUTH)

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>2</u> OF <u>2</u>	DWG NO. <u>CS#05-107</u>
DATE: <u>01/05/05</u>	DATE: <u>01/07/05</u>				

File Name: c:\proj\2003\23239\dwg\SD0\A00-R12.dwg

SKETCH OF DESCRIPTION

(SEE SHEET 2 FOR SKETCH)

DESCRIPTION:

The West 25 feet of the East 50 feet of the South 230 feet of the South 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 19 South, Range 30 East, Seminole County, Florida, lying, situate and being in the Southwest 1/4 of said Section 28, 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 South line of the Southwest 1/4 of said Section 28 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 South line of said Southwest 1/4, run N00°09'05"W along said West right-of-way line, distant 25 feet Westerly from and parallel with the East line of said Southwest 1/4, for a distance of 230.00 feet to the North line of said South 230 feet; 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 S00°09'05"E, along a line being distant 50 feet Westerly from and parallel with the East line of said Southwest 1/4 of said Section 28, for a distance of 230.00 feet to said South line of said Southwest 1/4; thence run N89°53'11"E along said South line for a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 0.132 acres (5,750 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 South line of the Southwest 1/4 of Section 28, 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) 844-4088
CERTIFICATE OF AUTHORIZATION NO. LB88

PREPARED FOR:
PULTE HOME CORP.
REGENCY OAKS - R/W DEDICATION (HARRELL - SOUTH)

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>1</u> OF <u>2</u>	DWG NO. <u>CS#05-107</u>
DATE: <u>01/05/05</u>	DATE: <u>01/07/05</u>				

File Name: f:\pro\2003\23239\adwg\500\400-RW.dwg

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2005 and subsequent years.
2. Perpetual Easement recorded September 10, 1996 in Official Records Book 3128, Page 0049 of the Public Records of Seminole County, Florida

SEMINOLE COUNTY PROPERTY APPRAISER
1101 E FIRST STREET
SANFORD, FL 32771
407-665-7523

ESTIMATE OF REAL PROPERTY ASSESSMENT AND AD VALOREM TAXES

DATE: 05/04/2005
PARCEL: 28 - 19 - 30 - 300 - 0090 - 0000
PAD: 1020 UPSALA RD

OWNER: HARRELL MARGARET
ADDRESS: 1020 UPSALA RD
SANFORD FL 32771 6640

EGAL DESCRIPTION:

LEG SEC 28 TWP 19S RGE 30E S 230 FT OF E 1/4 OF SE 1/4 OF SW 1/4

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.

ASSESSMENT RECORDS INDICATE PARCEL WAS IMPROVED AS OF JANUARY 1, 2005.

JUST VALUE	8,580	
EXEMPTED AMOUNT	0	
TAXABLE VALUE	8,580	
MILLAGE RATE	16.9012	* Millages and exempt totals used are
*** ESTIMATED TAXES	145.00	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

his estimate is good through: 06/03/2005.

ESTIMATE IS FOR .132 ACRES OF ABOVE LEGAL

SEMINOLE COUNTY PROPERTY APPRAISER
1101 E FIRST STREET
SANFORD, FL 32771
407-665-7523

ESTIMATE OF REAL PROPERTY ASSESSMENT AND AD VALOREM TAXES

DATE: 05/04/2005
PARCEL: 28 - 19 - 30 - 300 - 0070 - 0000
PAD: 1050 UPSALA RD

OWNER: APPLEBY JOYCE H E &
ADDRESS: COVER SUSAN A
1050 UPSALA RD
SANFORD FL 32771 6640

LEGAL DESCRIPTION:

LEG SEC 28 TWP 19S RGE 30E N 1/2 OF E 1/2 OF SE 1/4 OF SE 1/4 OF SW 1/4

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.

ASSESSMENT RECORDS INDICATE PARCEL WAS IMPROVED AS OF JANUARY 1, 2005.

JUST VALUE	12,285	
EXEMPTED AMOUNT	0	
TAXABLE VALUE	12,285	
MILLAGE RATE	16.9012	* Millages and exempt totals used are
*** ESTIMATED TAXES	207.63	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

his estimate is good through: 06/03/2005.

ESTIMATE IS FOR .189 ACRES OF ABOVE LEGAL