

Item # 63

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Vacate and Abandon a portion of a platted drainage easement for Lot 6, Westlake Estates – Waterford Homes, Matthew Joyce, applicant

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

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

Agenda Date 6/24/2003 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Adopt the Resolution to vacate and abandon that portion of the south 5 feet of the most northerly 20 feet of the drainage easement located on Lot 6, Westlake Estates, as recorded in the Public Records of Seminole County, Florida in Plat Book 56, Pages 97 and 98, in Section 30, Township 19 S, Range 30 E and further described as 136 Overoaks Place, Sanford, Florida – Waterford Homes, Matthew Joyce, applicant.

District 5 – McLain (Cynthia Sweet, Planner) *J*

BACKGROUND:

The applicant, Matthew Joyce, Representative for Waterford Homes is requesting to vacate and abandon a portion of the platted drainage easement (approximately 475 square feet) to allow construction of a swimming pool and pool enclosure located on the most southerly 5 feet of the most northerly 20 feet of Lot 6, Westlake Estates, as recorded in the Public Records of Seminole County, Florida in Plat Book 56, Pages 97 and 98 in Section 30, Township 19 S, Range 30 E. The property is located at 136 Overoaks Place, Sanford, Florida. The proposed vacated area will not diminish the effectiveness of the subdivision’s drainage system. The vacation and abandonment of that portion of the drainage easement as requested is necessary to prohibit a potential cloud of title on the property.

STAFF RECOMMENDATION:

Staff recommends adoption of the Resolution to vacate and abandon that portion of the platted drainage easement as requested by Waterford Homes.

District 5 - McLain
Attachments: Resolution - Exhibit A
Sketch of description - Exhibit B
Location map – Exhibit C

Reviewed by:
Co Atty: RZC
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. ph130pdd01

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 24th DAY OF JUNE A.D., 2003.

RESOLUTION TO VACATE AND ABANDON A DRAINAGE EASEMENT

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Whereas, a Petition was presented on behalf of
WATERFORD HOMES

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

THE SOUTH 5.0 FEET OF THE NORTHERLY 20.0 FEET OF LOT 6, WESTLAKE ESTATES, ACCORDING TO A PLAT THEREOF AS RECORDED IN PLAT BOOK 56, PAGES 97 AND 98, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. CONTAINS 475 SQUARE FEET. SEE ATTACHED EXHIBIT A.

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, has determined that the abandonment of the above described drainage easement is in 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 drainage easement 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 is hereby disclaimed.

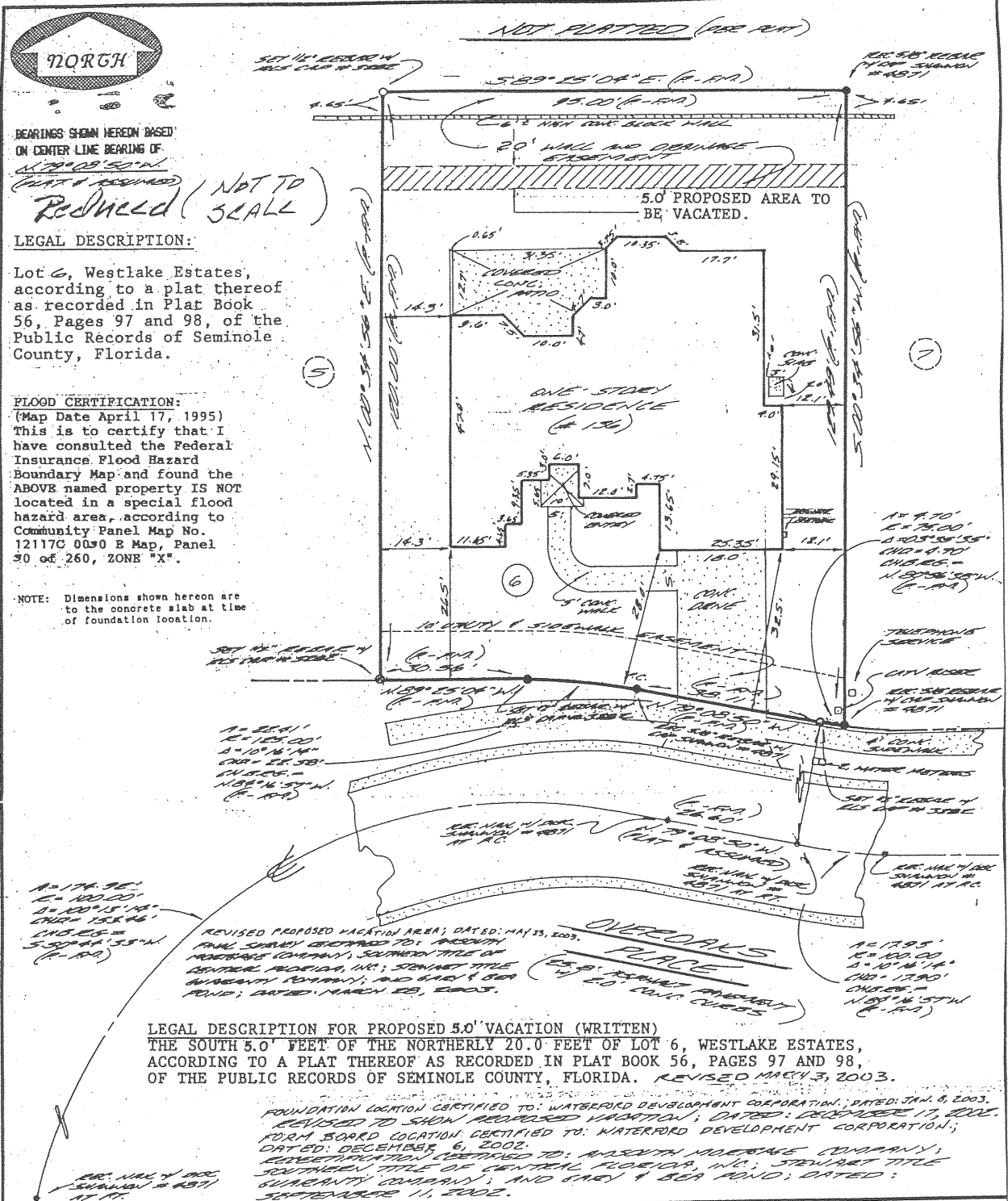
PASSED AND ADOPTED this 24TH day of JUNE A.D., 2003.

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

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: _____
DARYL G. MCLAIN
CHAIRMAN

EXHIBIT A



BEARINGS SHOWN HEREON BASED ON CENTER LINE BEARINGS OF 117° 02' 50" W (PLAT 1 RECORDED)

Reduced (NOT TO SCALE)

LEGAL DESCRIPTION:

Lot 6, Westlake Estates, according to a plat thereof as recorded in Plat Book 56, Pages 97 and 98, of the Public Records of Seminole County, Florida.

FLOOD CERTIFICATION:

(Map Date April 17, 1995)
This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12117C 0090 E Map, Panel 30 of 260, ZONE "X".

NOTE: Dimensions shown hereon are to the concrete slab at time of foundation location.

A=25.41'
E=125.00'
S=10° 16' 14"
CHD=25.38'
CHD 25=11.85'
N 82° 16' 55" W
(C-FA)

A=174.96'
E=100.00'
S=100° 15' 14"
CHD=155.46'
CHD 25=55.00'
S 55° 04' 33" W
(C-FA)

REVISED PROPOSED VACATION AREA, DATED: MAY 13, 2003.
FINAL SURVEY CERTIFIED TO: WATERFORD DEVELOPMENT CORPORATION, INC.; SOUTHERN TITLE OF FLORIDA, INC.; SOUTHERN TITLE GUARANTY COMPANY; AND SNEY & SEA FUND; DATED: MARCH 22, 2003.

LEGAL DESCRIPTION FOR PROPOSED 5.0' VACATION (WRITTEN)
THE SOUTH 5.0' FEET OF THE NORTHERLY 20.0 FEET OF LOT 6, WESTLAKE ESTATES, ACCORDING TO A PLAT THEREOF AS RECORDED IN PLAT BOOK 56, PAGES 97 AND 98, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. REVISED MARCH 3, 2003.

FOUNDATION LOCATION CERTIFIED TO: WATERFORD DEVELOPMENT CORPORATION; DATED: JAN. 6, 2003.
REVISED TO SHOW REVISED VACATION; DATED: DECEMBER 17, 2002.
FORM BOARD LOCATION CERTIFIED TO: WATERFORD DEVELOPMENT CORPORATION; DATED: DECEMBER 6, 2002.
FOUNDATION LOCATION CERTIFIED TO: MARENTH ADVERTISING COMPANY; SOUTHERN TITLE OF FLORIDA, INC.; SOUTHERN TITLE GUARANTY COMPANY; AND SNEY & SEA FUND; DATED: SEPTEMBER 11, 2002.

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|---------------|----------------------------|---------------------------------|----------------------------|----------------------------------|------------------------------|
| ABBREVIATIONS | A=Arc Length | CONC=Concrete | INV=Invert | (P)=Plot | RCP=Reinforced Concrete Pipe |
| | Δ=Center Conditioning Unit | Δ=Delta (Central Angle) | L=Length of Arc | PC=Point of Curve | RLS=Registered Land Surveyor |
| | BL=Benchmark | (D)=Dred Cell | LS=Land Surveying Business | PCP=Permanent Control Point | T=Tangent |
| | C=Center Line | ELEV or EL=Elevation | M.B.=Map Book | PRC=Point of Reverse Curve | TBL=Temporary Benchmark |
| | CTV=Cable TV Service | FD=Found | MON=Monument | PRM=Permanent Reference Monument | W=Width |
| | CB=Concrete Block | FIN. FL.=Finish Floor Elevation | NO I.D.=No Identify | PSI=Point of Street Intersection | REC.=RECOVERED |
| | CHBC=Chord Bearing | (FM)=Field Measurement | O.R.=Official Record Book | PVC=Poly-Vinyl-Chloride Pipe | |
| | CHD=Chord Distance | F=Force Main | | R=Radius of Curve or Radial Line | |

NOTE: This Plat of Survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals shown hereon, valid on the most current date shown hereon, and shall not be relied upon by any other entity or individual whatsoever.

This Survey / Sketch has been prepared without benefit of abstract or title search unless otherwise noted hereon.

There may be additional restrictions and/or other matters of record not shown on this Survey / Sketch that may be found in the Public Records of the county or contained within the Title Commitment.

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

BLACKWELL & ASSOCIATES LAND SURVEYORS, INC. (L.S. 82791)

BY: *[Signature]*

RALPH E. BLACKWELL REGISTERED LAND SURVEYOR FLORIDA CERTIFICATE No. 3282

BLACKWELL & ASSOCIATES LAND SURVEYORS, INC

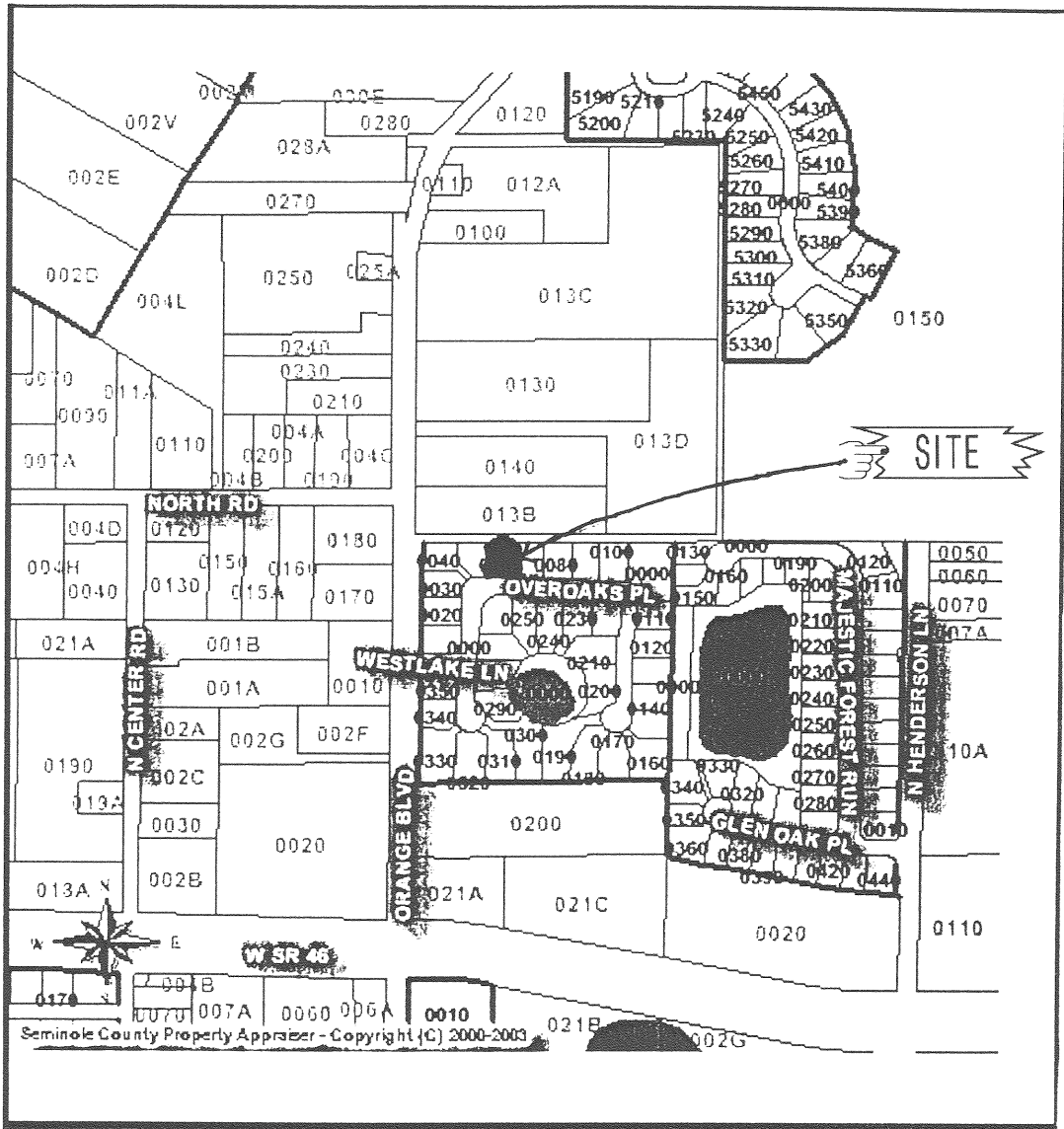
PLATBOOK 1013 ■ ORANGE CITY, FL.
995 V. VOLUSTIA AVE. ■ DELAND, FL. ■ PH (904) 734-6050

WARRANT BY SNEY AND SEA FUND TO:
[Signature]
WATERFORD DEVELOPMENT CORPORATION

SYMBOLS :

- = REBAR FOUND (SIZE SHOWN HEREON)
- = 1/2" REBAR & CAP SET
- = 4"x4" CONCRETE MONUMENT & CAP SET
- = CONCRETE MONUMENT FOUND (SIZE SHOWN HEREON)
- = R.L.S. DISC/NAIL FOUND (SIZE SHOWN HEREON)
- = R.L.S. DISC/NAIL SET
- = IRON PIPE FOUND (SIZE SHOWN HEREON)
- = RAILROAD SPICKE FOUND
- ◆ = BOLT FOUND
- = P/K NAIL FOUND

DATE: MARCH 22, 2003
V/L No. 5-281-02
DRAWN BY: B.A. JENNIFER
FIELD BOOK: 440, P. 207 D.B.
FILE No. 30111C



LOCATION MAP