

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Resolution – Sidewalk Easement

**DEPARTMENT:** PUBLIC WORKS **DIVISION:** ENGINEERING

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

<b>Agenda Date</b> <u>08/08/06</u>	<b>Regular</b> <input type="checkbox"/>	<b>Consent</b> <input checked="" type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Public Hearing – 1:30</b> <input type="checkbox"/>		<b>Public Hearing – 7:00</b> <input type="checkbox"/>	

**MOTION/RECOMMENDATION:**

Adopt Resolution accepting a Sidewalk Easement for the construction of a sidewalk along a portion of Bear Lake Circle.

District 3 – Commissioner Van Der Weide (Jerry McCollum, P.E.)

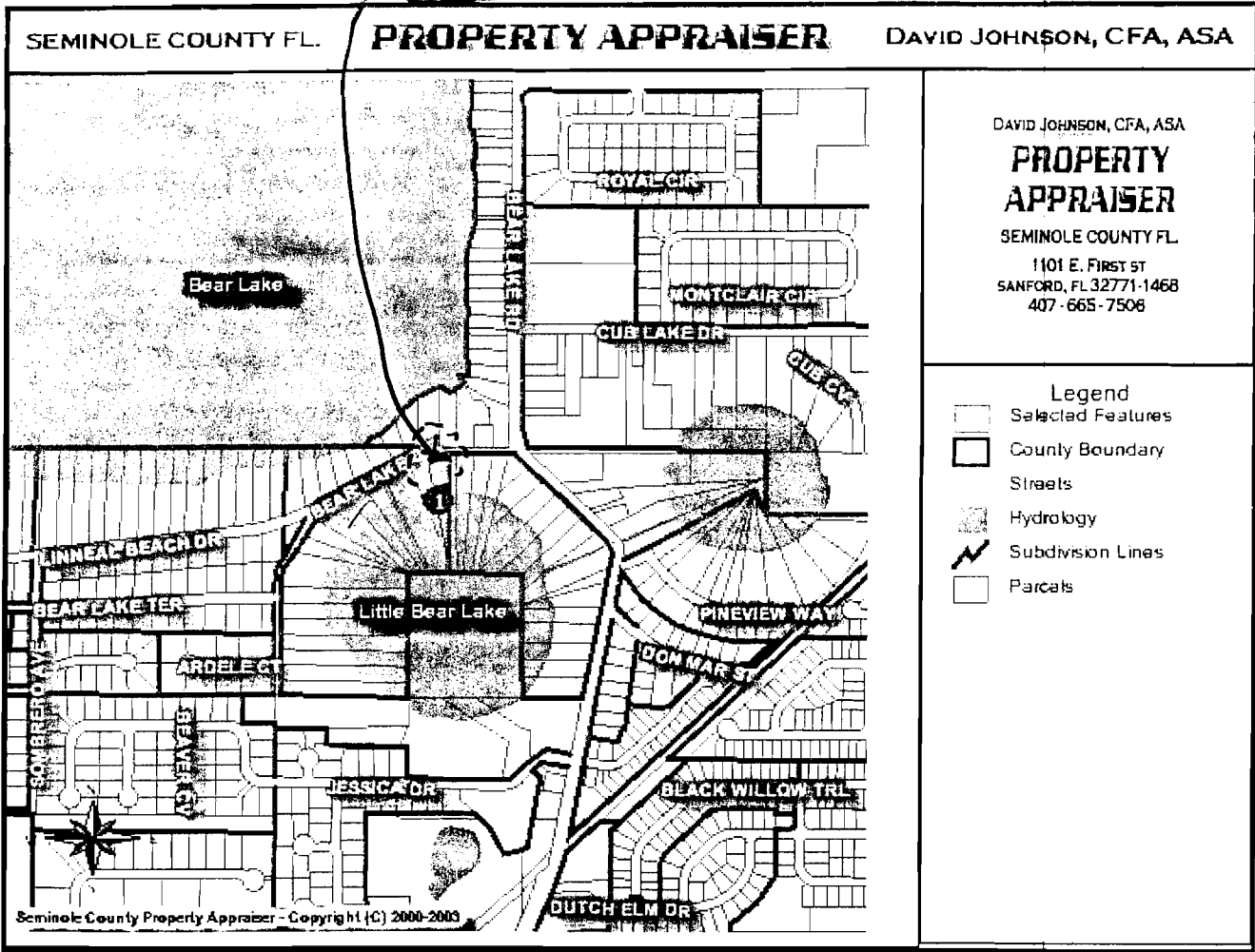
**BACKGROUND:**

The construction of a sidewalk adjacent to Bear Lake Circle (see attached location map) will require property not currently owned by Seminole County. Mr. Jeffrey L. George and Rosemary M. George, his wife, have indicated their willingness to donate said easement, at no cost, to the County as evidenced by the attached Sidewalk Easement.

Attachments: Location Map / Resolution / Sidewalk Easement

Reviewed by:	<u><i>J. McCollum</i></u> 7-13-06
Co Atty:	<u><i>J. McCollum</i></u>
DFS:	_____
Other:	_____
DCM:	<u><i>J. McCollum</i></u>
CM:	<u><i>J. McCollum</i></u>
File No.	<u>CPWE01</u>

*Subject Parcel*



Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	1921295070A000010	GEORGE JEFFREY L & ROSEMARY M	5700 BEAR LAKE CIR	APOPKA	FL	32703

RESOLUTION NO. 2006-R-\_\_\_\_\_

**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 protection of pedestrians along a portion of Bear Lake Circle located in Section 19, Township 21 South, Range 29 East, in Seminole County, Florida; and

**WHEREAS**, the protection of pedestrians will require an easement that is not owned by the County of Seminole; and

**WHEREAS**, Jeffrey L. George and Rosemary M. George, his wife, have indicated their willingness to donate to Seminole County the required Sidewalk Easement as evidenced by the executed Sidewalk Easement accompanying this resolution.

**NOW THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Seminole County, Florida, hereby accepts the accompanying Sidewalk Easement conveying to Seminole County an easement over the land described within the Sidewalk Easement attached hereto.

**BE IT FURTHER RESOLVED** that the aforementioned Sidewalk Easement be recorded in the Official Records of Seminole County, Florida.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2006.**

**BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY**

**ATTEST:**

\_\_\_\_\_  
**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  
07-12-2006

Document prepared by:  
Warren Lewis, Senior Coordinator  
Right-of-Way Section  
Seminole County Engineering  
520 W. Lake Mary Boulevard, Suite 200  
Sanford, Florida 32773

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

## SIDEWALK EASEMENT

**THIS SIDEWALK EASEMENT** is made and entered into this 23<sup>rd</sup> day of June, 2006, by and between JEFFREY L. GEORGE and ROSEMARY M. GEORGE, his wife, whose address is 5700 Bear Lake Circle, Apopka, Florida 32703, hereinafter referred to as 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 referred to as the GRANTEE;

**WHEREAS**, the purpose of this grant of easement is to facilitate the GRANTEE'S establishment of continuous sidewalks along its roads and streets for the benefit of the public,

### W I T N E S S E T H:

**FOR AND IN CONSIDERATION OF** the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR do hereby grant and convey to the GRANTEE and its assigns, an exclusive, perpetual, permanent easement and right-of-way for the construction and maintenance of a sidewalk, with full authority to enter upon (by means of abutting property reasonably required to attain such access), construct, reconstruct and maintain, as the GRANTEE and its assigns may deem necessary, a sidewalk over, under, upon, and through (as the GRANTEE deems appropriate) the following described lands situate in the County of Seminole, State of Florida, to-wit:

See Sketch of Description and Legal Description attached hereto as Exhibits "A-1" and "A-2."

Property Appraiser's Parent Parcel Identification No.:  
19-21-29-507-0A00-0010

**TO HAVE AND TO HOLD** said easement and right-of-way unto said GRANTEE and its assigns forever.

**THE GRANTEE** herein and its assigns shall have the right to clear, keep clear, remove from said easement all trees, undergrowth and other obstructions that may interfere with location, excavation, operation or maintenance of the sidewalk, and the GRANTOR, their successors and assigns agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on said easement that may interfere with the location, excavation, operation or maintenance of the sidewalk.

**THE GRANTEE**, as part of the consideration for this grant, agrees, to the extent and limits permitted by law, to hold harmless, indemnify and defend the GRANTOR, their successors and assigns against any and all claims, losses, damages or lawsuits for damages, arising from, allegedly arising from or related to the construction or maintenance of the sidewalk within said easement by the GRANTEE.

**GRANTOR** does hereby covenant with the GRANTEE, that they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the said easement and that this easement is being conveyed to GRANTEE in an AS IS, WHERE IS condition without any representations or warranties other than those specifically set forth in this sidewalk easement.

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

WITNESSES:

(Sign) Heidi Miller  
 Print Name: Heidi Miller

(Sign) Eric B. Erickson  
 Print Name: ERIC B. ERICKSON

(Sign) Heidi Miller  
 Print Name: Heidi Miller

(Sign) Eric B. Erickson  
 Print Name: ERIC B. ERICKSON

Jeffrey L. George  
 JEFFREY L. GEORGE

Rosemary M. George  
 ROSEMARY M. GEORGE

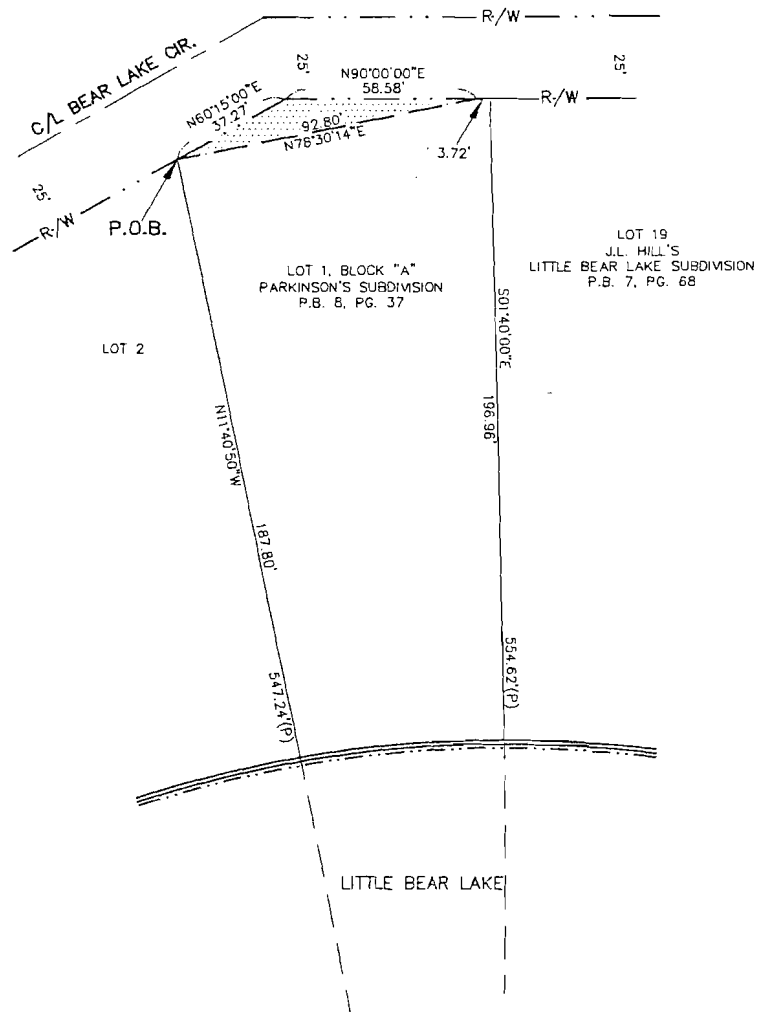
STATE OF FLORIDA )  
 ) SS  
 COUNTY OF Seminole )

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of June, 2006, by JEFFREY L. GEORGE and ROSEMARY M. GEORGE, his wife, who are personally known to me or has produced FLDL 6620-432-58-131-0 + FLDL M26-733-56-839-0 as identification and who did/did not take an oath.



Print Name: Heidi Miller  
 Notary Public in and for the County and State Aforementioned

# SKETCH OF DESCRIPTION



SHEET 1 OF 2

**SEMINOLE COUNTY**  
 ENGINEERING DEPARTMENT  
 SURVEY SECTION  
 520 W. LAKE MARY BLVD.  
 SANFORD, FLORIDA 32773  
 (407)665-5647

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

BY: *[Signature]*  
 GARY A. LEE, P.L.S., No. 4723  
 STATE OF FLORIDA  
 No. 4723  
 No. 4723  
 No. 4723

LEGEND	
Δ	CENTRAL ANGLE (DELTA)
R	RADIUS
CB	CHORD BEARING
L	ARC LENGTH
C	CHORD
○	SET IRON PIN OR PIPE
◐	FOUND IRON PIN OR PIPE
◑	SET CONCRETE MONUMENT
■	FOUND CONCRETE MONUMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.O.T.	POINT OF TERMINATION
R/W	RIGHT OF WAY
D	DEED
C/L	CENTERLINE
UTIL	UTILITY
PB	PLAT BOOK
PG	PAGE (S)
ORB	OFFICIAL RECORDS BOOK
SEC	SECTION - TOWNSHIP - RANGE
PCL	PARCEL
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
PI	POINT OF INTERSECTION
PCC	POINT OF COMPOUND CURVE
PRC	POINT OF REVERSE CURVE
M	MEASURED
P	PLAT
F	FIELD
C	CALCULATED
P/L	PROPERTY LINE
ESMT	EASEMENT
FIELD DATE	N/A
DATE	03/15/06
JOB NAME	06-033
SCALE	1"=40'
DRAWN BY	L.W.
CHECKED BY	

EXHIBIT "A-1"

# LEGAL DESCRIPTION

## SIDEWALK EASEMENT

THAT PORTION OF LOT 1, BLOCK "A", PARKINSON'S SUBDIVISION AS RECORDED IN PLAT BOOK 8, PAGE 37, OF THE PUBLIC RECORDS, SEMINOLE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BEAR LAKE CIRCLE; THENCE RUN N60°15'00"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 37.27 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE S90°00'00"E A DISTANCE OF 58.58 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN S78°30'14"W A DISTANCE OF 92.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 542 SQUARE FEET MORE 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.

### LEGEND

BEARINGS BASED ON :

THE NORTHERLY RIGHT-OF-WAY LINE OF LINNEAL BEACH RD.

AS BEING N90°00'00"E

### REVISIONS

DATE	BY	REVISIONS	REQUESTED BY:
1			
2			
3			
4			

JOB NAME: 06-033	FIELD DATE: N/A	DATE: 03/16/06	SCALE: 1"=40'	DRAWN BY: L.W.	CHECKED BY:
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EXHIBIT "A-2"