

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Alafaya Self Storage Exclusive Access Easement & Release of Exclusive Access Easement

DEPARTMENT: Environmental Services **DIVISION:** Planning, Engineering & Inspections

AUTHORIZED BY: [Signature] **CONTACT:** DW 8/1/06 **EXT.** 2040
Dr. John Cirello, P.E., Director Dennis Westrick, P.E. PEI Manager

Agenda Date <u>8/22/06</u>	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:

Approve Release of Exclusive Access Easement for Alafaya Self Storage, LLC.

District – 1 Dallari

BACKGROUND:

An Exclusive Access Easement was executed on September 8, 1986 by Charles E. Bailes, III in favor of Seminole County for the express purpose of providing the Department of Public Safety access to a water storage tank and piping for fire protection. Alafaya Self Storage, the current owner of the property, connected to the County's water system on February 20, 1992 and subsequently removed the storage tank. Therefore, the Exclusive Access Easement is no longer needed nor does it serve a public purpose.

Reviewed by: <u>8-7-06</u>
Co Atty: <u>[Signature]</u>
DFS: _____
Other: _____
DCM: <u>[Signature]</u>
CM: <u>[Signature]</u>
File No. <u>CESP01</u>

Prepared By:

JOHN F. BENNETT, ESQUIRE
170 East Washington Street
Orlando, Florida 32801

Return To:

RELEASE OF EXCLUSIVE ACCESS EASEMENT

This Release of Exclusive Access Easement made this 3RD day of July, 2006 by and between ALAFAYA SELF-STORAGE, LLC, a Florida limited liability company, whose address is 6424 Pinecastle Boulevard, Suite A, Orlando, Florida 32809 and the COUNTY OF SEMINOLE, a political subdivision of the State of Florida, whose address is 1101 East First Street, Sanford, Florida 32771.

WITNESSETH:

WHEREAS, Charles E. Bailes, Jr. executed an Exclusive Access Easement dated September 8, 1986, in favor of the County of Seminole, which easement is recorded at Official Records Book 1849, page 0079, of the Public Records of Seminole County, Florida; and,

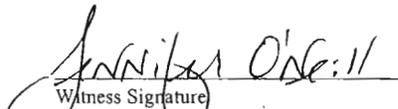
WHEREAS, Alafaya Self-Storage, LLC is the successor in interest to Charles E. Bailes, Jr.; and,

WHEREAS, the purpose of the Exclusive Access Easement was for construction of a water tank and piping for fire protection; and,

WHEREAS, since the execution of said Exclusive Access Easement, water mains have been installed adjacent to the subject property so that the Exclusive Access Easement is no longer necessary and the water tank and pipes related thereto have long since been removed.

NOW THEREFORE in consideration of ten (10.00) dollars and other good and valuable considerations receipt whereof is hereby acknowledged the parties hereto do hereby agree that said Exclusive Access Easement be and it is hereby terminated and of no further force nor effect.

IN WITNESS WHEREOF the parties have executed this agreement the day and year first above written.


Witness Signature

JENNIFER O'NEILL
Witness Print Name


Witness Signature

LEAH CORWIN
Witness Print Name

ALAFAYA SELF-STORAGE, LLC,
a Florida limited liability company,
By Bailes Holdings, LLP
Its managing member
By Bailes Properties, Inc.
Its General Partner,

By: 
Charles E. Bailes, III

Its: Vice President

STATE OF FLORIDA:
COUNTY OF Orange :

The foregoing instrument was acknowledged before me this 3rd day of July, 2006, by CHARLES E. BAILES, III as Vice President of Bailes Properties, Inc., general partner of Bailes Holdings, LLP, as managing member of Alafaya Self-Storage, LLC.

State of Florida
The foregoing instrument was acknowledged this 3rd day of July, 2006, by Charles E. Bailes, III who personally appeared before me and acknowledged that he/she signed the instrument voluntarily for the purpose expressed in it.
Robin L. Martin
Notary Public
Print type to stamp Commissioner Name if Notary Public.

Robin L. Martin
(Notary Signature)
Robin L. Martin
(Notary Printed Name)
My Commission Expires:



Robin L. Martin
My Commission DD342745
Expires October 03, 2008

Personally known OR Produced Identification _____
Type of Identification Produced _____

ATTEST:

Maryanne Morse
Clerk to the Board of
County Commissioners of
Seminole County, Florida

COUNTY OF SEMINOLE

By: _____
Carlton Henley

Its: _____
Chairman, Board of
County Commissioners
Seminole County, Florida

For the use and reliance of
Seminole County only. Approved
as to form and legal sufficiency.

A Susan E. Dietrich
County Attorney

As authorized for execution
by the Board of County
Commissioners at its
_____, 2006,
regular meeting.