

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Permanent Drainage Easement and Temporary Construction Easement

DEPARTMENT: Public Works **DIVISION:** Road Operations & Stormwater

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** *Mark E. Flomerfelt* **EXT.** 5710
W. Gary Johnson, P.E., Dir. Mark E. Flomerfelt, P.E., Mgr.
Public Works Road Operations & Stormwater

Agenda Date 8/26/03 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Approve acceptance of the Permanent Drainage Easement and Temporary Construction Easement from Karen S. Snyder.

BACKGROUND:

The enclosed agreement reflects a Permanent Drainage Easement donated to the County by Karen S. Snyder, over a portion of the property located at 7046 Betty Street, Goldenrod, Florida 32733, (Parcel Tax I.D. #34-21-30-526-0000-4040) for dedicated legal access and maintenance of a drainage system and a Temporary Construction Easement donated to the County by Karen S. Snyder, over a portion of the property located at 7046 Betty Street, Goldenrod, Florida 32733, (Parcel Tax I.D. #34-21-30-526-0000-4040) for access and construction/installation of a Stormwater structure along Betty Street. No County funds will be used for acquiring these easements. The Stormwater structure will improve water quality of runoff prior to reaching the Eastbrook Canal/Crane Strand Stormwater System.

District 1 – Commissioner Maloy

Attachment: Permanent Drainage Easement
Temporary Construction Easement

Reviewed by:
Co Atty: *SA*
DFS: _____
Other: _____
DCM: *AM*
CM: *KB*

File No. CPWS03

PREPARED BY AND RETURN TO:
Michael F. Garcia, P.S.M., Principal Coordinator
Seminole County Government
Public Works Department/Stormwater Division
520 West Lake Mary Blvd., Suite 200
Sanford, FL 32773

PERMANENT DRAINAGE EASEMENT

Parcel Tax I.D. #34-21-30-526-0000-4040

THIS PERMANENT DRAINAGE EASEMENT signed and given on 31st day of July, 2003, by the GRANTOR, who is: Karen S. Snyder, and the Grantor's address is: P.O. Box 489, Goldenrod, Florida 32733, to the Grantee, who is: 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.

THE GRANTOR, in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, which the Grantor has received, grants, sells and conveys to the Grantee and its assigns, a perpetual and exclusive easement and right-of-way for drainage purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, a drainage system consisting of pipes, ditches, detention, and percolation or any combination thereof, together with any and all appurtenant drainage and renew, a stormwater management system over, under, upon, and through the following described Lands situated in Seminole County, State of Florida, to wit:

AS DESCRIBED IN THE ATTACHED EXHIBIT "A".

TO HAVE AND TO HOLD, said exclusive easement and right-of-way unto said Grantee and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to access to and to clear, keep clear and remove from said easement right-of-way all trees, undergrowth, and other obstructions, including structures that may interfere with the location, excavation, construction, operation and/or maintenance of the drainage facilities installed thereon by the Grantee and its assigns. The Grantor, and its successors and assigns, covenant not to build, construct or create, or permit others to build, construct or create any buildings or other structures on said easement and right-of-way that may interfere in any way with the location, construction, excavation, operation and/or maintenance of the drainage, retention, or detention structures, or any structures or appurtenant facilities installed thereon.

THE GRANTEE agrees to reconstruct and maintain, sidewalks and driveways that are located within the easement area, that are disturbed by the construction of the new drainage facilities so as to provide for the drainage structures installed thereon. The Grantor shall be permitted to install sod, irrigation pipes/sprinklers, lighting wire/fixtures and other landscaping provided that it does not interfere with the use, operation, and maintenance of the drainage structures/facilities described herein. Notwithstanding the issuance of any permit to construct a fence, or other structure, the Grantor recognizes and consents to the right of the Grantee or its assigns, if applicable, to remove the fence or other structure from the easement area without compensation

or reimbursement to the Grantor if the fence or other structure is deemed to impeded the purpose or utility of the easement.

The Grantor contracts with the Grantee that: the Grantor lawfully owns the Land in fee simple; the Grantor has good, right, and lawful authority to sell and convey the easement and right-of-way; the Grantor fully warrants the title to the Land and will defend the Land against the lawful claims of all persons; the Land is free and clear of all liens and encumbrances, except restrictions, and easements of record, if any, and further agrees to provide further assurances as to title to the property.

The Grantor has signed and sealed this Easement on the date written above in the presence of the witnesses signing below:

WITNESSES:

Robert J. Walter

Print Name: ROBERT J. WALTER

Donald E. McKenna

Print Name: Donald E. McKenna

GRANTOR:

Karen S. Snyder

Karen S. Snyder

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 31ST day of JULY, 2003, by KAREN S. SNYDER, who is () personally known to me or (X) who has produced FLORIDA DRIVERS LICENSE as identification and who did take an oath.

Michael F. Garcia

Notary Signature

Print Name: MICHAEL F. GARCIA

Commission # CC 921370

My Commission Expires: MARCH 23, 2004



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

ATTEST:

MARYANNE MORSE

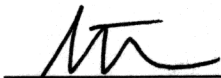
Clerk to the Board of County
Commissioners of Seminole County,
Florida.

By: _____
Daryl G. McLain, Chairman

Date: _____

As authorized for execution by the Board of
County Commissioners at their
_____, 200____, regular
meeting

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

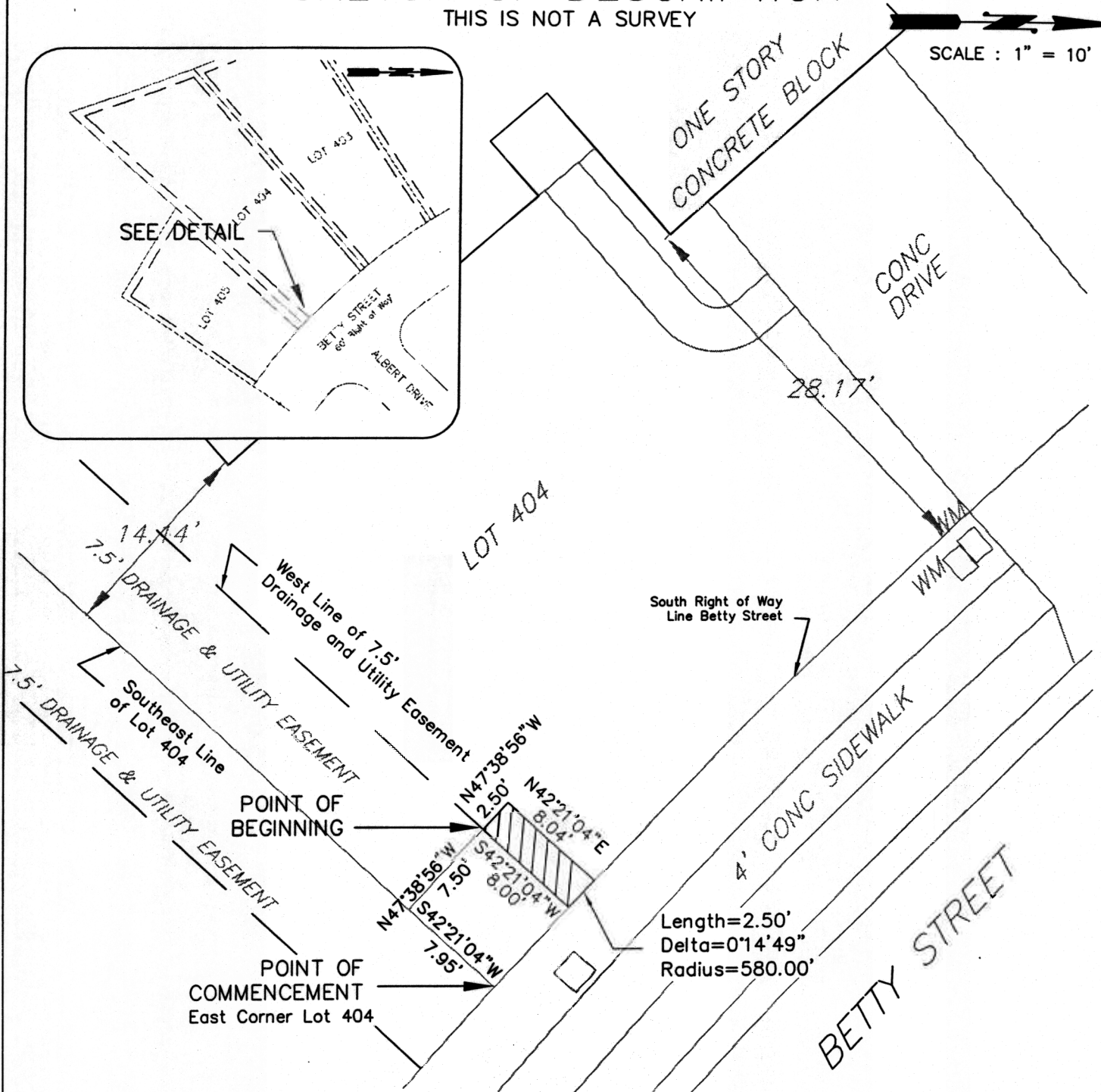
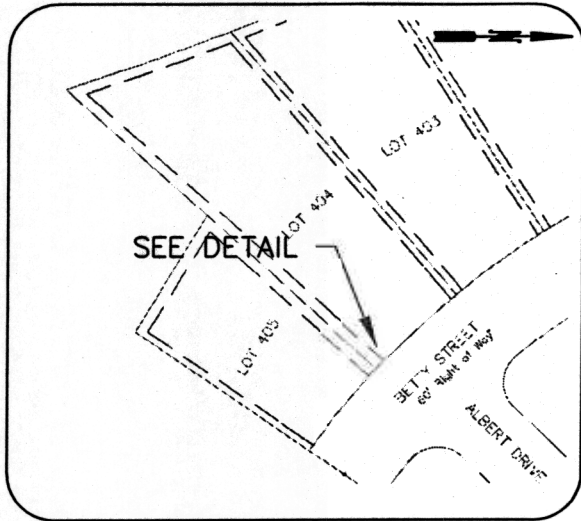


Assistant County Attorney

SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY

SCALE : 1" = 10'



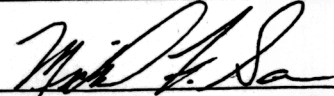
SHEET 1 of 2 SHEETS



Seminole County Stormwater Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773
(407) 665-5673

FILE NAME: <u>Betty Street-Snyder PDE-Sketch of Desc.dwg</u>	SCALE: <u>1" = 10'</u>
DATE: <u>July 15, 2003</u>	DRAWN BY: <u>MFG</u>

1. THIS IS NOT A SURVEY.
2. Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
3. Basis of bearings: The Southeast line of Lot 404, Wrenwood Unit 3, Third Addition as being S42°21'04"W (assumed)

BY: 
Michael F. Garcia P.S.M., Fla. Cert #5904

LEGAL DESCRIPTION

THIS IS NOT A SURVEY

Legal Description:

That portion of Lot 404, Wrenwood Unit 3, third addition recorded in Plat Book 22, pages 50 and 51 of the Public Records of Seminole County, Florida being more particularly described as follows:

Commence at the east corner of said lot 404, thence run S42°21'04"W, along the southeast line of said lot 404, a distance of 7.95 feet; thence run N47°38'56"W, a distance of 7.50 feet, to a point on the west line of a 7.50 foot drainage and utility easement and the Point of Beginning; thence continue N47°38'56"W, a distance of 2.50 feet; thence run N42°21'04"E, along a line 2.50 feet west of and parallel with the west line of aforesaid 7.50 foot drainage and utility easement, a distance of 8.04 feet, to a point on the south Right of Way line of Betty Street, said point also being on the arc of a curve concave northeasterly, having a radius of 580.00 feet; thence run southeasterly 2.50 feet along the arc of said curve, through a central angle of 00°14'49" and a chord distance of 2.50 feet which bears S46°47'04"E; thence run S42°21'04"W, along the west line of foresaid 7.50 foot drainage and utility easement, a distance of 8.00 feet to the point of beginning.

Containing 20 square feet more or less.

SHEET 2 of 2 SHEETS



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PREPARED BY AND RETURN TO:
Michael F. Garcia, P.S.M., Principal Coordinator
Seminole County Government
Public Works Department/Stormwater Division
520 West Lake Mary Blvd., Suite 200
Sanford, FL 32773

TEMPORARY CONSTRUCTION EASEMENT

Parcel Tax I.D. #34-21-30-526-0000-4040

THIS TEMPORARY CONSTRUCTION EASEMENT signed and given on 3/27 day of July, 2003, by the GRANTOR, who is: Karen S. Snyder, and the Grantor's address is: P.O. Box 489, Goldenrod, Florida 32733, to the Grantee, who is: 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.

THE GRANTOR, in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable considerations paid, receipt of which is hereby acknowledged, does hereby grant unto the GRANTEE permission, to be exercised during the period of construction, to enter upon the following described lands:

AS DESCRIBED IN THE ATTACHED EXHIBIT "A".

for the purpose of tying in and harmonizing said property thereon with the construction to be undertaken by the COUNTY on the Little Econlockhatchee River, Watershed Management Plan, Best Management Pollution Devices project, and for the purposes of utilizing said property for all other purposes that the GRANTEE deems or may subsequently deem necessary or desirable during the course of the project.

THIS EASEMENT is granted upon the condition that the sloping and/or grading upon the above land shall not extend beyond the limits outlined above, and that all grading or sloping shall conform to all existing structural improvements within the limits designated. Additionally, as to tying in, harmonizing, construction and all other uses to which the property is put by the COUNTY, as the completion of work provided herein, the easement area will be restored to equal or better condition than prior to construction by the GRANTEE, except for any improvements that may be constructed by the COUNTY in connection with the use of this Temporary Construction Easement.

THIS EASEMENT shall expire upon completion of the Little Econlockhatchee River, Watershed Management Plan, Best Management Pollution Devices project, but not later than five (5) months from the beginning of the construction of the project; provided, however, that the GRANTEE covenants that existing structures and drainage flow ways and patterns will not be altered or impeded by the GRANTEE in any way.

GRANTOR covenants that the GRANTOR is lawfully seized and possessed of the real estate above described and has the right to convey this easement. GRANTOR agrees to further assure the COUNTY if necessary.

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

WITNESSES:

Robert J. Walter

Print Name: ROBERT J. WALTER

Donald E. McKenna

Print Name: Donald E. McKenna

GRANTOR:

Karen S. Snyder

Karen S. Snyder

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 31st day of July, 2003, by KAREN S. SNYDER, who is () personally known to me or (X) who has produced FLORIDA DRIVERS LICENSE as identification and who did take an oath.

Michael F. Garcia

Notary Signature

Print Name: MICHAEL F. GARCIA

Commission # CC 921370

My Commission Expires: MARCH 23, 2004



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

ATTEST:

MARYANNE MORSE

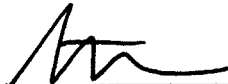
Clerk to the Board of County
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By: _____
Daryl G. McLain, Chairman

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As authorized for execution by the Board of
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For the use and reliance of Seminole County
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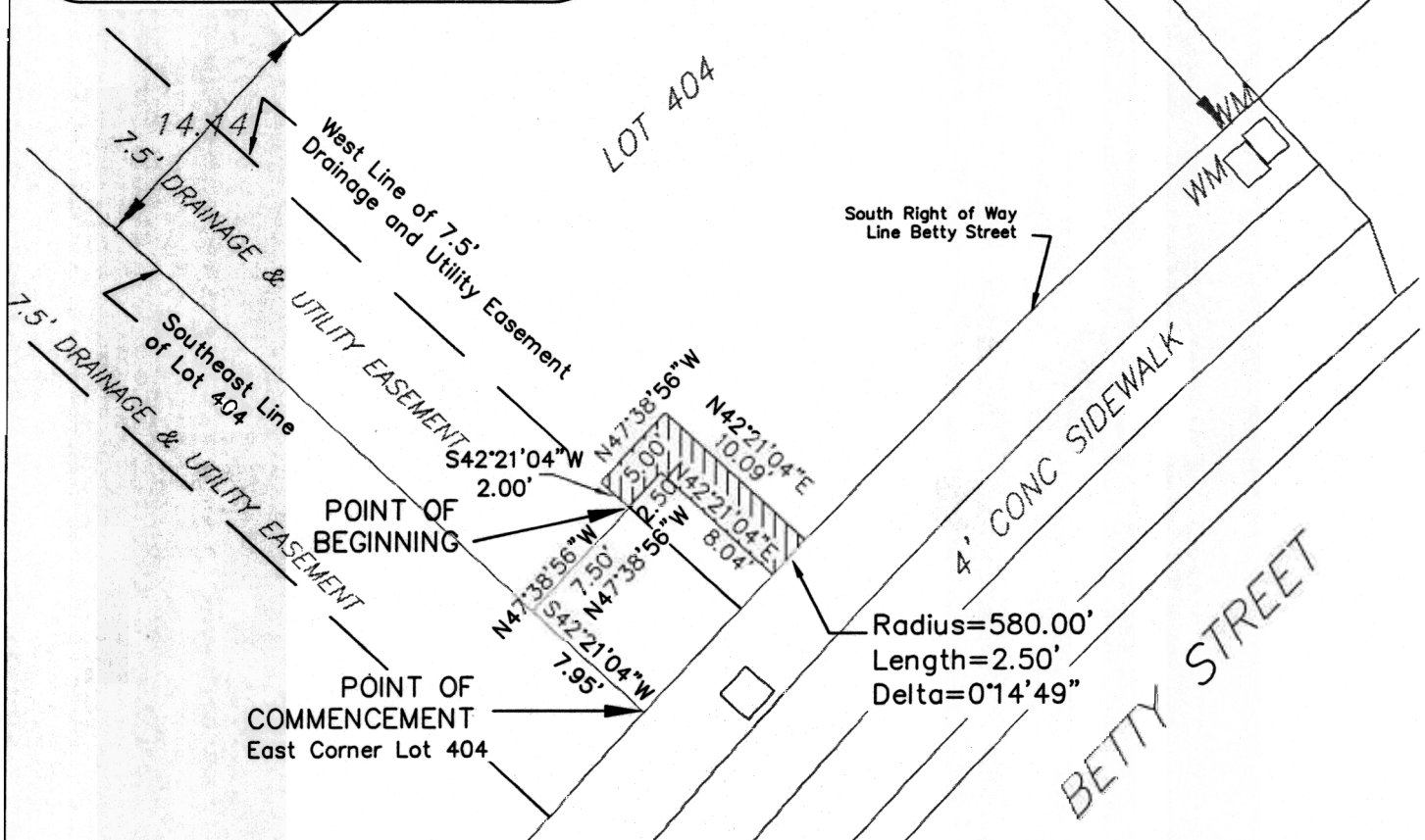
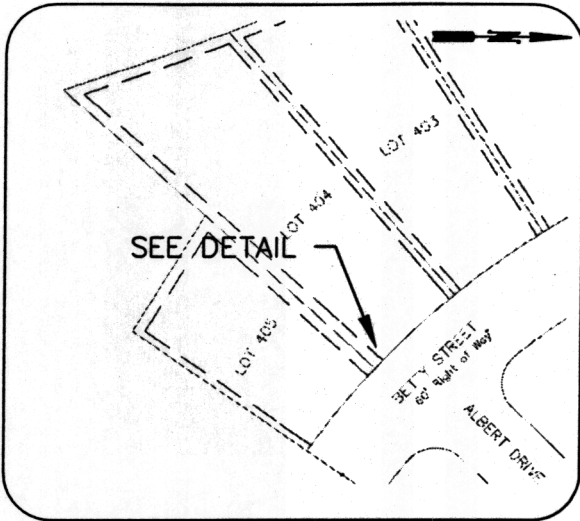
Assistant County Attorney

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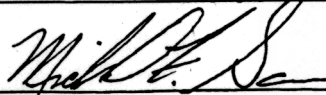
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Containing 30 square feet more or less.

SHEET 2 of 2 SHEETS



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