

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Drainage Easement

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

AUTHORIZED BY: W. Gary Johnson **CONTACT:** Mark E. Flomerfelt **EXT.** 5710

W. Gary Johnson
W. Gary Johnson, P.E., Dir.
Public Works

Mark E. Flomerfelt
Mark E. Flomerfelt, P.E., Mgr.
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 Drainage Easement from Larry E. Powers and Theresa Powers for the Palm Springs Road Paving Project.

BACKGROUND:

The enclosed agreement reflects a Drainage Easement donated to the County by Larry E. Powers and Theresa Powers over a portion of the property located at 975 Palm Springs Road, Longwood, Florida 32779, (Parcel Tax I.D. #04-21-29-300-0180-0000) for dedicated legal access and maintenance of a drainage system. No County funds will be used for acquiring these easements. The project involves construction of a 350' section of Palm Springs Road (now known as Lake Front Lane). The drainage easement allows for construction and maintenance of a stormwater infrastructure and outfall to Lake Brantley for the new and existing road section.

District 3 – Commissioner Van Der Weide

Attachment: Permanent Drainage Easement

Reviewed by:
Co Atty: SL
DFS: _____
Other: _____
DCM: ML
CM: MS
File No. CPWS04

This instrument prepared by
Stephen P. Lee, Esq.
County Attorney's Office
1101 East First Street
Sanford, Florida 32771

DRAINAGE EASEMENT

 THIS DRAINAGE EASEMENT is made and entered into this 3rd day of July, 2003, by and between LARRY E. POWERS and THERESA POWERS whose address is 975 Palm Springs Road, Longwood, Florida 32779 hereinafter referred to as the GRANTORS, 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.

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 of which is hereby acknowledged, GRANTORS do hereby grant and convey to the GRANTEE and its assigns, a perpetual right-of-way and easement 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 and a water quality structure, together with appurtenant drainage structures over, under, upon and through the following-described lands situate in the County of Seminole, State of Florida, to-wit:

SEE Legal description attached hereto as Exhibit "A"

Property Appraiser's Parcel Identification No.: 04-21-29-300-0180-0000

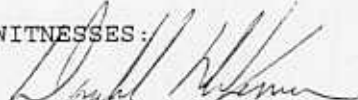
TO HAVE AND TO HOLD said right of way and easement unto said GRANTEE and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with the location, excavation, operation or maintenance of the drainage and any other facilities placed thereon by the GRANTEE and its assigns, from the herein granted right-of-way, and GRANTORS, 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 the herein granted right-of-way that may interfere with the location, excavation, operation or maintenance of the drainage or any facilities placed thereon.

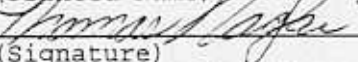
GRANTORS do hereby covenant with the GRANTEE, that they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the said easement and that it is free from all encumbrances.

IN WITNESS WHEREOF, GRANTORS have hereunto set their hands and seals, the day and year first above written.

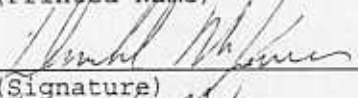
WITNESSES:


(Signature)

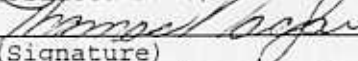
Donald McKenna
(Printed Name)


(Signature)

THOMAS TADZA
(Printed Name)

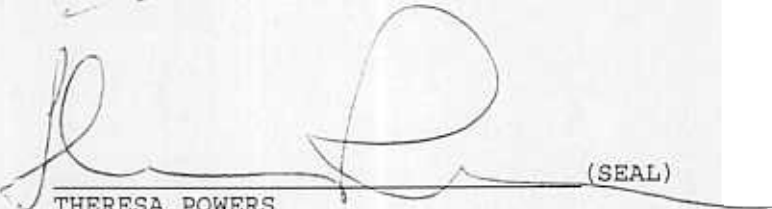

(Signature)

Donald McKenna
(Printed Name)


(Signature)

THOMAS TADZA
(Printed Name)


LARRY E. POWERS (SEAL)


THERESA POWERS (SEAL)

STATE OF)
)
COUNTY OF)

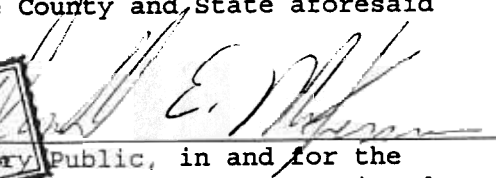
The foregoing instrument was acknowledged before me this 3rd day of July, 2003, by LARRY E. POWERS and THERESA POWERS, who are personally known to me or who produced _____ as identification and who did (did not) take an oath.

WITNESS my hand and official seal in the County and State aforesaid this 3rd day of July, 2003.

Legibly print or stamp



My Commission Expires:


Notary Public, in and for the
County and State Aforementioned

PARCEL 18A


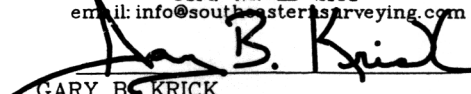
DESCRIPTION:

A portion of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 4, Township 21 South, Range 29 East, Seminole County, Florida, being more particularly described as follows:

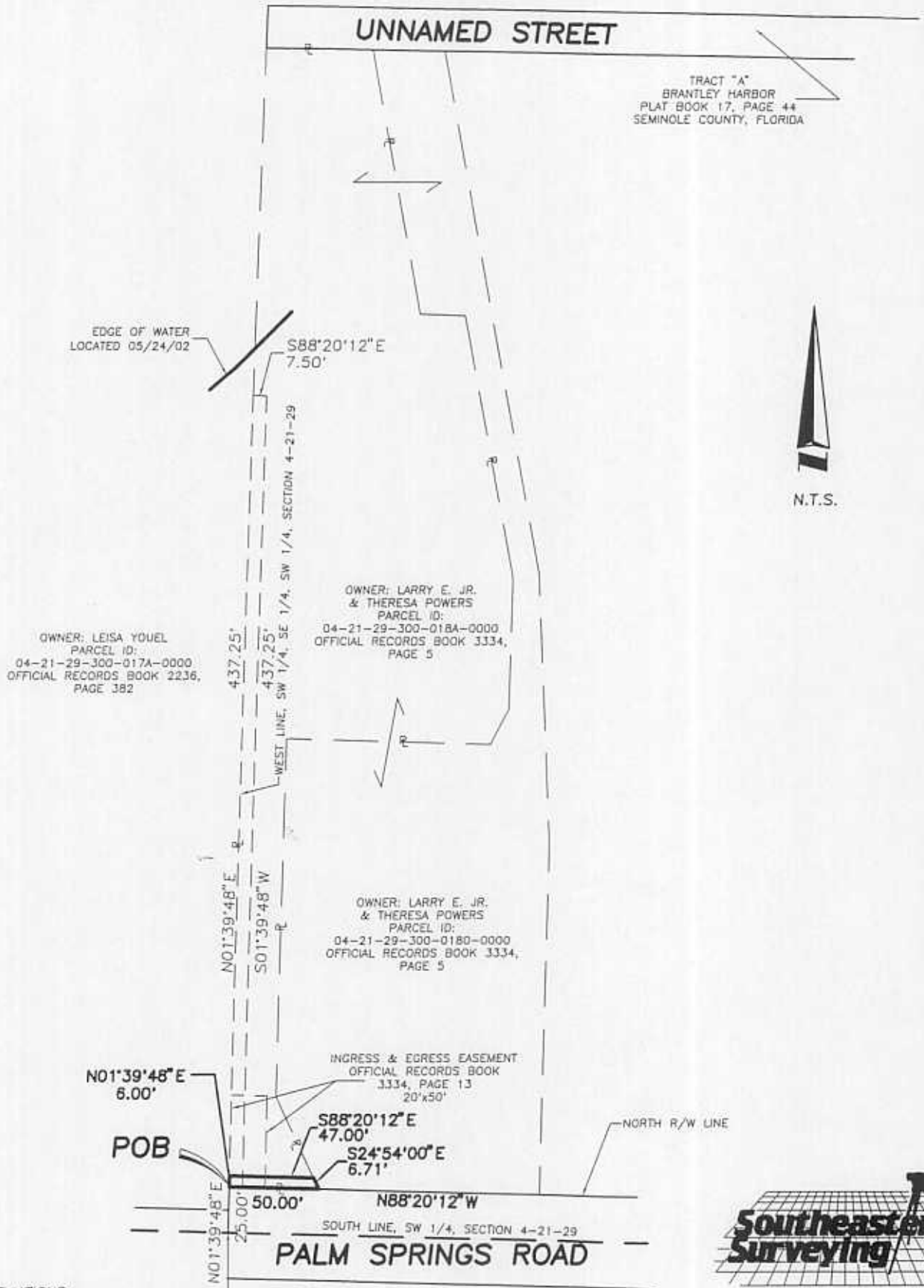
Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 4; thence North 01°39'48" East along the West line of said Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4, a distance of 25.00 feet to the North Right of Way line of Palm Springs Road and the POINT OF BEGINNING; thence continue along said line North 01°39'48" East a distance of 6.00 feet; thence South 88°20'12" East a distance of 47.00 feet; thence South 24°54'00" East, a distance of 6.71 feet to said North Right of Way line; thence North 88°20'12" West along said North Right of Way line, a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 291 square feet, more or less.

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH

DESCRIPTION	Date: July 2, 2003 CBvG		CERT. NO. LB2108	47420002
	Job No.: 47420004	Scale: N.T.S.	 SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 All American Boulevard Orlando, Florida 32810 (407)292-8580 fax(407)292-0141 Cert. No. LB-2108 email: info@southeasternsurveying.com	
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.			
FOR Larry E. Powers, Jr. Theresa Powers			 GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245	

SKETCH OF DESCRIPTION



ABBREVIATIONS:
R/W = RIGHT OF WAY
Drawing No. 47420004
Job No. 47420004
Date: July 2, 2003 CBvG
Sheet 2 of 2
See Sheet 1 for Description

SOUTHEASTERN SURVEYING & MAPPING CORP.
8500 All American Boulevard
Orlando, Florida 32810
(407)292-8580 fax(407)292-0141
Cert. No. LB-2108
email: info@southeasternsurveying.com