

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: HUGHEY STREET RIGHT-OF-WAY QUIT CLAIM DEED

DEPARTMENT: Planning & Development DIVISION: Development Review

AUTHORIZED BY: Dan Matthys *DM* CONTACT: Denny Gibbs EXT. 7359

Agenda Date 9/13/05 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Adopt a resolution accepting a quit claim deed for the Hughey Street right-of-way, dedicated by the Merriwether Terrace as recorded in Plat Book 9, Page 70 and vacated in ORB 5797, PG 1612, Public Records of Seminole County.

District 5 – Commissioner Carey (Denny Gibbs, Planner) *DK*

BACKGROUND:

On 6/28/05 the Board of County Commissioners vacated the Merriwether Terrace plat which inadvertently vacated a portion of the Hughey Street right-of-way. A 25 ft right-of-way for Hughey Street was originally dedicated to the Public by the plat of MERRIWETHER TERRACE, FIRST SECTION, Plat Book 9, Page 70, Public Records of Seminole County but was not clearly depicted. The Merriwether Terrace plat was vacated by Resolution filed in Official Records Book 5797, Page 1612, Public Records of Seminole County. To remedy this, the applicant has executed a quit claim deed in favor of the County for this portion of the right-of-way.

STAFF RECOMMENDATION:

Adopt a resolution accepting a quit claim deed for the Hughey Street right-of-way.

District 5 – Commissioner Carey

Attachments: Location Map

Merriwether Terrace Plat

Resolution

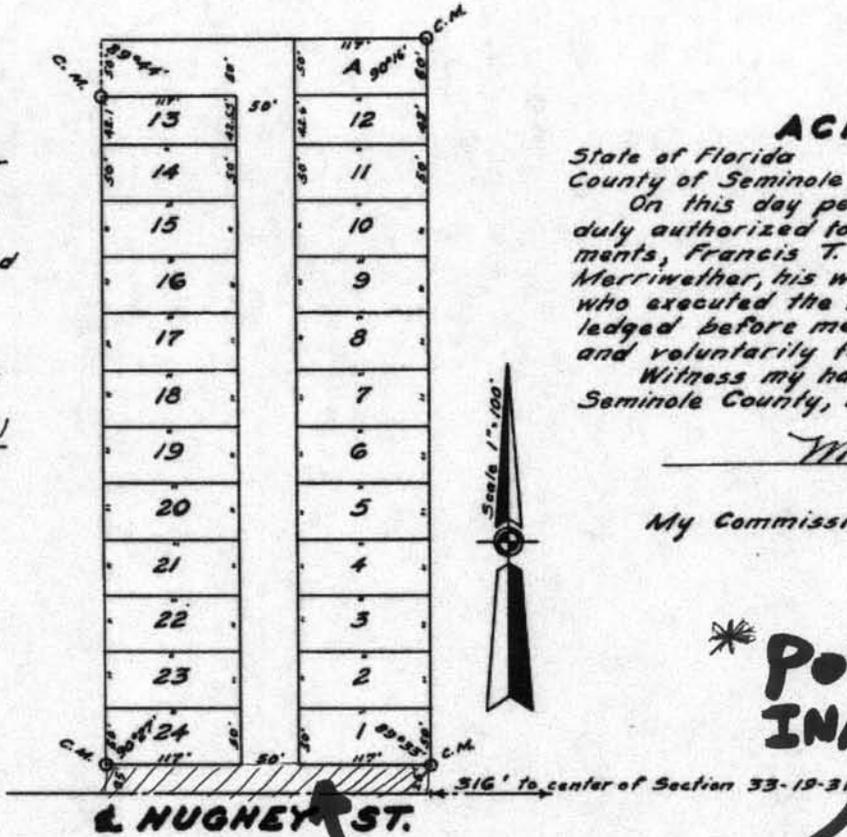
Quit Claim Deed

Reviewed by: KL
Co Atty: KL
DFS: _____
Other: [Signature]
DCM: [Signature]
CM: [Signature]
File No. cpdd03

MERRIWETHER PLAT

Francis T. Merriwether
 & Owners here
 Plat to be Sur-
 Merriwether
 hereby Dedicated

of:
Merriwether
 owner
C. Merriwether
 owner



ACKNOWLEDGEMENT

State of Florida
 County of Seminole
 On this day personally appeared before me,
 duly authorized to administer oaths and take o-
 ments, Francis T. Merriwether and Wilhelmine
 Merriwether, his wife, to me well known to be
 who executed the foregoing Dedication and who
 ledged before me that they executed the same
 and voluntarily for the purposes therein expres-
 Witness my hand and official seal at Sant.
 Seminole County, Florida, this 21 day of Sept.

M. C. Hagan
 Notary Public

My Commission expires: Oct 25 1957

**Portion of R/W
 INADVERTENTLY
 VACATED**

CERTIFICATE

I, the Undersigned, being a reg-
 ularly surveyed, staked out and
 d property, and the Plat hereon
 correct representation of the
 ce Markers have been planted
 0. Measurements are in feet

M. C. Hagan
 M. C. Hagan, Reg. Land
 Surveyor No. 248

COUNTY APPROVAL

This Plat was approved by the Board of County
 Commissioners of Seminole County, Florida at a meeting
 held in Sanford, Florida, this day of A.D. 1954.

 Clerk of Board Chairman, Board of County
 Commissioners, Seminole County, Florida

No. _____
 Filed and recorded in Plat Book 9, Page _____, of the
 Public Records of Seminole County, Florida, this _____ day
 of _____ A.D. 1954 at _____ o'clock _____ M.

RESOLUTION

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON THE 13th DAY OF September A.D., 2005.

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that a necessity exists for the protection of pedestrians along a portion of Hughey Street, located in Section 33, Township 19 South, Range 31 East, in Seminole County, Florida; and

WHEREAS, the protection of pedestrians will require right-of-way that is not currently owned by the County of Seminole; and

WHEREAS, American Land Development of Central Florida LLC, have indicated their willingness to convey to Seminole County the required right-of-way as evidenced by the executed Quit Claim Deed accompanying this resolution; and

WHEREAS, *Section 196.28, Florida Statutes*, provides for and authorizes the Board of County Commissioners to cancel and discharge any and all liens for taxes, delinquent or current, held or owned by the County or State upon lands conveyed to or acquired by the County for road or other public purposes.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County, Florida, hereby accepts the accompanying Quit Claim Deed executed by the aforementioned property owner, conveying to Seminole County the land described therein.

BE IT FURTHER RESOLVED that all ad valorem taxes, either current or delinquent, that are owed upon and liens upon said lands resulting from said taxes and relating to the lands described in the above referenced Quit Claim Deed are hereby canceled and discharged to the fullest extent of the law.

BE IT FURTHER RESOLVED that all incidental costs, such as recording fees and taxes due pursuant to *Section 196.29* and *Section 196.295, Florida Statutes*, be paid by Seminole County.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided by the Clerk for the Board of County Commissioners to the Tax Collector for Seminole County and the Property Appraiser for Seminole County.

ADOPTED THIS 13th DAY OF September A.D., 2005.

**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
7-13-2005

Document Prepared By:
Neil Newton, Senior Coordinator
Right-of-Way Section
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

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

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made this 17 day of August, 2005, between AMERICAN LAND DEVELOPMENT OF CENTRAL FLORIDA, LLC., a Florida limited liability company, 1911 Orange Lake Drive, Orlando, Florida, 32817, hereinafter called 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 called the GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) and other valuable considerations, to GRANTEE in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the GRANTEE forever, all the right, title, interest, claim and demand which the GRANTOR has in and to the following described lot, piece or parcel of land, situated, lying and being in the County of Seminole, State of Florida, to-wit:

The South 25 feet of the following described property:

The West 284 feet of the East 600 feet of the South ½ of the Southeast ¼ of the Northwest ¼ of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

Property Appraiser's Parent Parcel Identification Nos.:
01-21-29-5CK-770B-0010 & 01-21-29-5CK-770B-0240

NOTE: This property is same 25 ft right-of-way for Hughey Street as originally dedicated to the use of the Public by the plat of MERRIWETHER TERRACE, FIRST SECTION, Plat Book 9, Page 70, Public Records of Seminole County (vacated by Resolution filed in Official Records Book 5797, Page 1612, Public Records of Seminole County)

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the GRANTOR, either in law or equity, to the proper use, benefit and behoof of the GRANTEE forever.

IN WITNESS WHEREOF, the GRANTOR has hereunto signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

(Sign) Cheryl A Crandall
Print Name: CHERYL A Crandall

AMERICAN LAND DEVELOPMENT OF CENTRAL FLORIDA, LLC., a Florida limited liability company

By: Robert Zlatkiss President

(Sign) Fran Newborg
Print Name: FRAN NEWBORG

Attested by: Robert Zlatkiss
Print Name:

State of FLORIDA)
County of SEMINOLE)

The foregoing instrument was acknowledged before me this 17th day of August, 2005, by Robert Lloyd Zlatkiss of AMERICAN LAND DEVELOPMENT OF CENTRAL FLORIDA, LLC., a Florida limited liability company, who is personally known to me or who has produced Florida drivers license as identification and did/did not take an oath.

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

Diana Harper Merkt
Print Name
DIANA HARPER MERKT
Notary Public in and for the County and State Aforementioned
My commission expires 6-18-09

County Attorney

