

Item # 45

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Vacate and Abandon a platted drainage and utility easement for Estates at Aloma Woods Phase 1, Lot 43.

DEPARTMENT: Planning & Development **DIVISION:** Development Review

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Michael Rumer ^{MR} **EXT.** 7337

Agenda Date <u>09/23/03</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Adopt a resolution to vacate and abandon the east 5' of the 15' west drainage and utility easement for lot 43, Estates at Aloma Woods Phase 1 as recorded in Plat Book 48, Pages 41 through 43 in Section 32, Township 21, Range 31 and further described as 5705 Aloma Woods Blvd - Todd Ackerman (Applicant).

District 1 – Maloy (Michael Rumer– Planner).

BACKGROUND:

The applicant, Todd Ackerman, is requesting to vacate and abandon the east 5' of a 15' drainage and utility easement consisting of 400 square feet more or less. The easement is located on the western property boundary of lot 43, 5705 Aloma Woods Blvd in Estates at Aloma Woods, Phase 1. The applicant is requesting the vacate to accommodate a screen enclosed pool that will encroach the easement by 5.00 feet. The area of easement vacate does not contain any utilities and the applicant has provided letters from the applicable utility companies stating no objections to the request.

STAFF RECOMMENDATION:

Staff recommends adoption of the Resolution to vacate and abandon the subject drainage and utility easement.

District 1-Maloy
Attachments: Resolution
Sketch of description
Location map

Reviewed by: Co Atty: <u>KSC</u> DFS: _____ Other: _____ DCM: <u>SS</u> CM: <u>KB</u> File No. <u>ph130pdd04</u>

RESOLUTION NO.: 2003-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 23rd DAY OF SEPTEMBER A.D., 2003.

RESOLUTION TO VACATE AND ABANDON A DRAINAGE & UTILITY EASEMENT

Whereas, a Petition was presented on behalf of
Todd Ackerman

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described drainage and utility easement to-wit:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 43, ESTATES AT ALOMA WOODS PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGES 41 THROUGH 43 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. RUN SOUTH 00°42'53" WEST, ALONG THE WEST LINE OF SAID LOT 43, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°17'07" EAST, 10.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°17'07" EAST 5.00 FEET; THENCE RUN SOUTH 00°42'53" WEST, 80.00 FEET; THENCE RUN NORTH 89°17'07" WEST , 5.00 FEET; THENCE RUN NORTH 00°42'53" EAST, 80.00 FEET; TO THE POINT OF BEGINNING. CONTAINING 400 SQUARE FEET MORE OR LESS.

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, has determined that the abandonment of the above described drainage and utility easement is in the best interest of the County and the public.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described drainage and utility easement be, and the same is hereby abandoned, closed and vacated, and that all right in and to the same on behalf of the County and the public is hereby disclaimed.

PASSED AND ADOPTED this 23rd day of SEPTEMBER A.D., 2003

ATTEST:

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

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: DARYL G. MCLAIN
CHAIRMAN

LEGAL DESCRIPTION
(THIS IS NOT A SURVEY)

A STRIP OF LAND LYING IN SECTION 32, TOWNSHIP 21 SOUTH, RANGE 31 EAST BEING A PORTION OF LOT 43, ESTATES AT ALOMA WOODS PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGES 41 THROUGH 43 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 43 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 00°42'53" WEST, ALONG THE WEST LINE OF SAID LOT 43, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°17'07" EAST, 10.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°17'07" EAST, 5.00 FEET; THENCE RUN SOUTH 00°42'53" WEST, 80.00 FEET; THENCE RUN NORTH 89°17'07" WEST, 5.00 FEET; THENCE RUN NORTH 00°42'53" EAST, 80.00 FEET; TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP OF LAND LIES IN SEMINOLE COUNTY, FLORIDA AND CONTAINS 400 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

- (1) THIS SKETCH AND LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE WEST LINE OF LOT 43, ESTATES AT ALOMA PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGES 41 THROUGH 43 OF SEMINOLE COUNTY, FLORIDA, BEING S00°42'53"W
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

SHEET 1 OF 2


SAMUEL EDWARD JOHNSON, P.E., P.S.M.
FLORIDA REGISTRATION NO. 5510
PROFESSIONAL ENGINEERING CONSULTANTS, INC.
CERTIFICATE OF AUTHORIZATION NO. LB-3556

PEC | PROFESSIONAL ENGINEERING CONSULTANTS, INC.
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Suite 1560 Eola Park Centre 200 East Robinson Street Orlando, Florida 32801 407/422-8062

SECTION 32, TOWNSHIP 21 SOUTH, RANGE 31 EAST

DATE: AUGUST 14, 2003

PREP BY: S.E.J.

DRAWN BY: S.E.J.

JOB NO: GE99-TODD

LEGAL DESCRIPTION
(THIS IS NOT A SURVEY)



SCALE 1"=20'

TRACT "E"
ESTATES AT ALOMA WOODS PHASE 1
PB.48, PGS. 41-43

LOT 41

W. LINE LOT 43

500'42'53"W 5.00'

P.O.C.
NW. CORNER
LOT 43

P.O.B.

N00°42'53"E 80.00'
400 ± SQUARE FEET
S00°42'53"W 80.00'

LOT 43
ESTATES AT ALOMA WOODS PHASE 1
PB.48, PGS. 41-43

5' UTILITY EASEMENT

15' DRAINAGE & UTILITY
EASEMENT

5' UTILITY EASEMENT

S89°17'07"E 10.00'

LOT 44

LOT 42

10' UTILITY EASEMENT

25'

ALOMA WOODS BOULEVARD
50' R/W WIDTH

25'

SHEET 2 OF 2
SEE SHEET 1 OF 2 FOR LEGAL
DESCRIPTION AND SURVEYOR'S NOTES

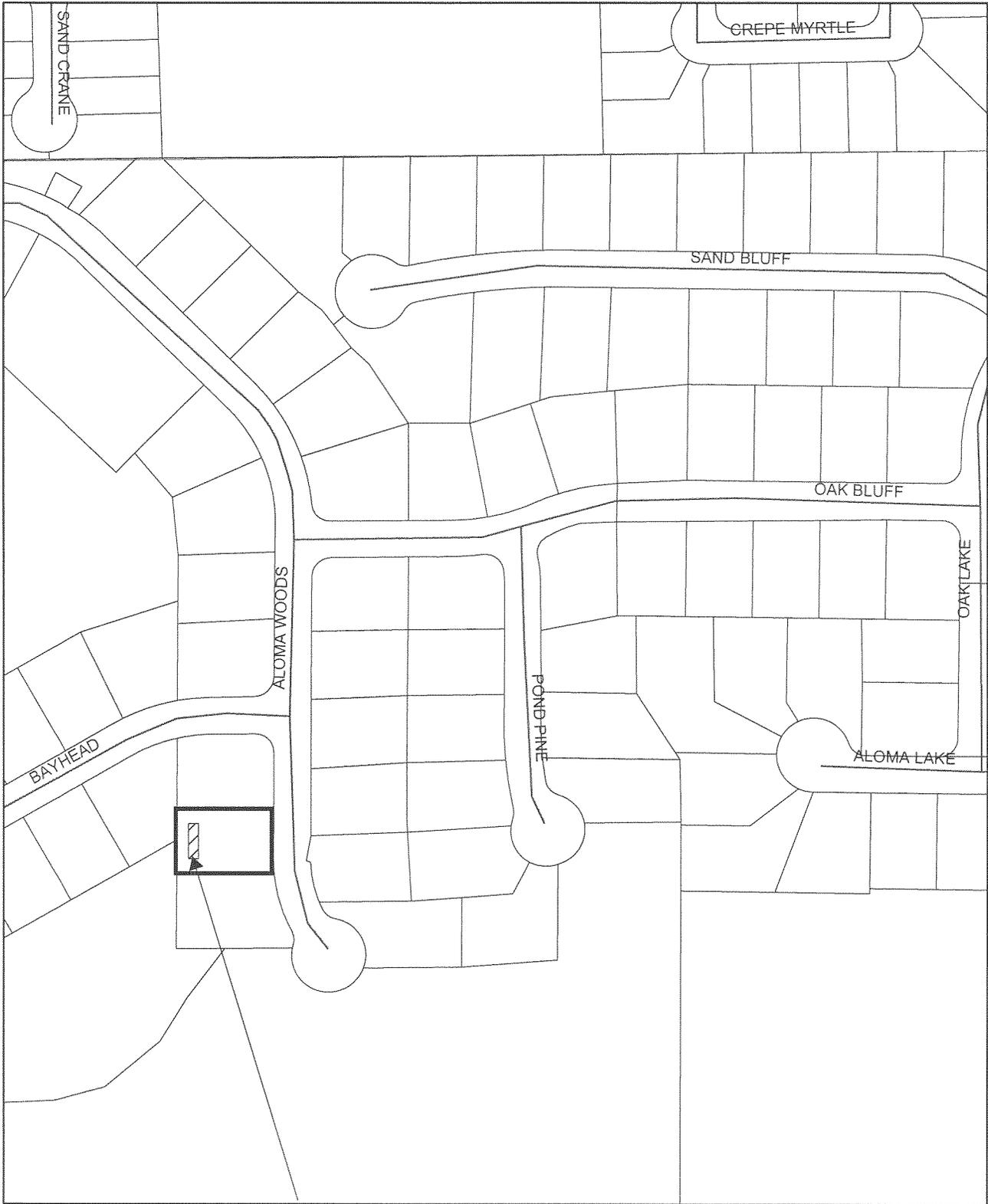
LEGEND
P.O.B.....POINT OF BEGINNING
P.O.C.....POINT OF COMMENCEMENT
PB.....PLAT BOOK
PG.....PAGE
@.....CENTERLINE

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LOCATION MAP

ESTATES AT ALOMA WOODS
PHASE 1 LOT 43

DRAINAGE EASMENT VACATE

