

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution – Sidewalk Easement

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** Jerry McCollum, P.E. EXT. 5651
W. Gary Johnson, P.E., Director

Agenda Date <u>09/26/06</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:

Adopt Resolution accepting a Sidewalk Easement for the construction of a sidewalk along a portion of Palm Springs Drive.

District 4 – Commissioner Henley (Jerry McCollum, P.E.)

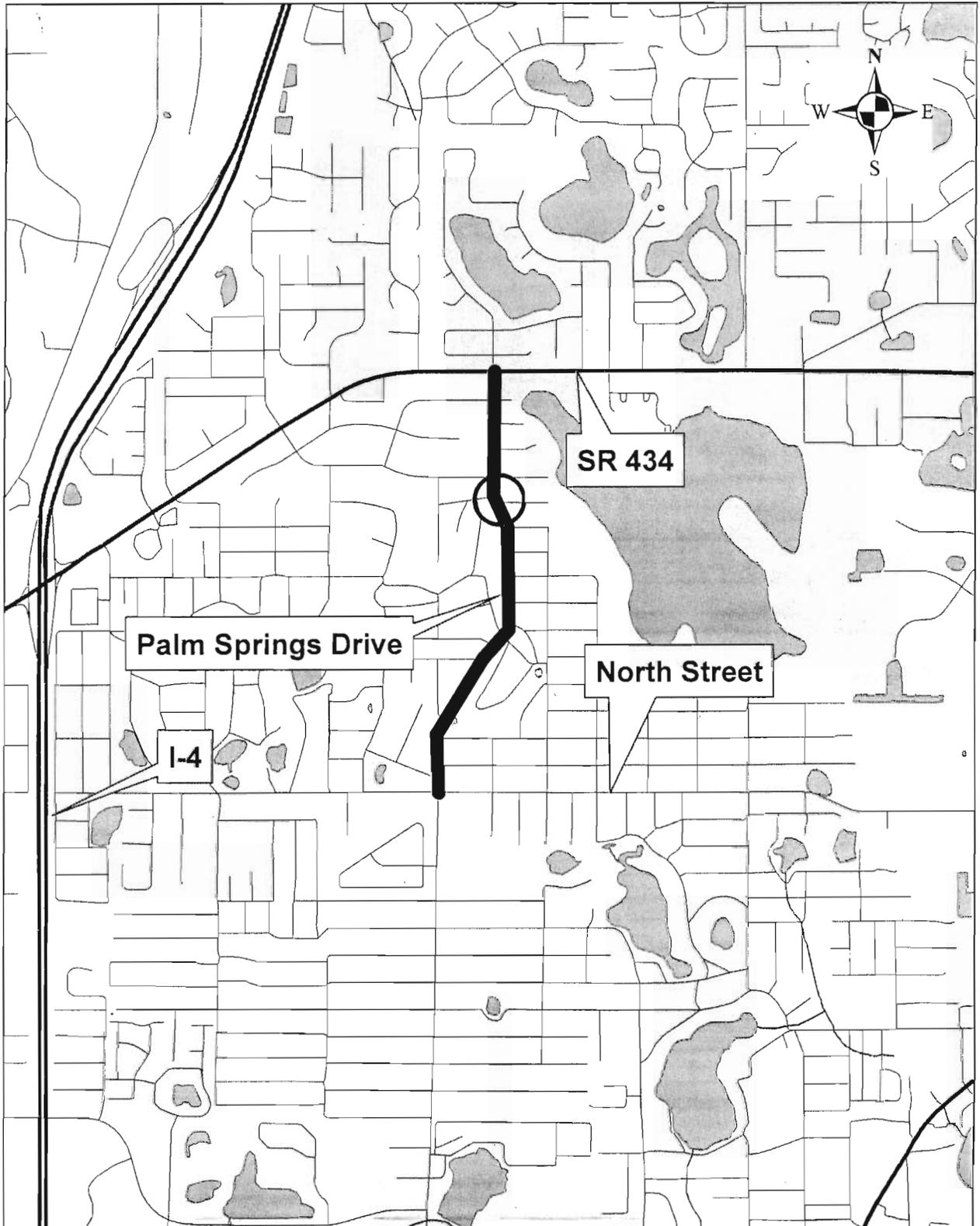
BACKGROUND:

The construction of a sidewalk adjacent to Palm Springs Drive (see attached location map) will require property not currently owned by Seminole County. Dale S. Duplechain and Renee M. Duplechain have indicated their willingness to convey said easement, at no cost, as evidenced by the attached Sidewalk Easement.

Attachments: Location Map / Resolution / Sidewalk Easement

Reviewed by:	<u><i>8-28-06</i></u>
Co Atty:	<u><i>D. Duetrich</i></u>
DFS:	_____
Other:	<u><i>XX</i></u>
DCM:	<u><i>XX</i></u>
CM:	<u><i>CC</i></u>
File No.	<u>CPWE02</u>

Palm Springs Drive Sidewalk Project



RESOLUTION

**THE FOLLOWING RESOLUTION WAS ADOPTED AT THE
REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON
THE _____ DAY OF _____ A.D., 2006.**

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that a necessity exists for protection of pedestrians along a portion of Palm Springs Drive, located in Section 1, Township 21 South, Range 29 East, in Seminole County, Florida; and

WHEREAS, the protection of pedestrians will require an easement that is not currently owned by the County of Seminole; and

WHEREAS, Dale S. Duplechain and Renée M. Duplechain, husband and wife, has indicated their willingness to donate to Seminole County the required Sidewalk Easement as evidenced by the executed Sidewalk Easement accompanying this resolution.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County, Florida, hereby accepts the accompanying Sidewalk Easement conveying to Seminole County an easement over the land described within the Sidewalk Easement attached hereto.

BE IT FURTHER RESOLVED that the aforementioned Sidewalk Easement be recorded in the Official Records of Seminole County, Florida.

ADOPTED THIS _____ DAY OF _____ A.D., 2006.

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

ATTEST:

**MARYANNE MORSE, Clerk to the
Board of County Commissioners in
and for Seminole County, Florida.**

Carlton Henley, Chairman

Prepared under the direction of:
Charles F. Barcus
Program Manager/Right-of-Way
8-23-2006

This document prepared by:
Neil Newton, R/W-NAC, Senior Coordinator
Seminole County Engineering
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

Legal Description Prepared Under
the Direction of:
Steve L. Wessels, P.L.S., County Surveyor
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

SIDEWALK EASEMENT

THIS SIDEWALK EASEMENT is made and entered into this 17 day of August, 2006, by and between DALE S. DUPLCHAIN and RENEE M. DUPLCHAIN, husband and wife, whose address is 215 Palm Springs Drive, Longwood, Florida 32750, 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;

WHEREAS, the purpose of this grant of easement is to facilitate the GRANTEE'S establishment of continuous sidewalks along its roads and streets for the benefit of the public,

WITNESSETH:

FOR AND IN CONSIDERATION OF the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the GRANTORS do hereby grant and convey to the GRANTEE and its assigns, an exclusive, perpetual, permanent easement and right-of-way for the construction and maintenance of a sidewalk, with full authority to enter, construct, reconstruct and maintain, as the GRANTEE and its assigns may deem necessary, a sidewalk over, under, upon, and the following described lands situate in the County of Seminole, State of Florida, to-wit:

See Legal Description and Sketch of Description attached hereto as Exhibits "A-1" and "A-2."

Property Appraiser's Parent Parcel Identification No.:
01-21-29-5CK-060A-0130

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

THE GRANTEE herein and its assigns shall have the right to clear, keep clear, remove from said easement all trees, undergrowth and other obstructions that may interfere with location, excavation, operation or maintenance of the sidewalk, and the 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 said easement that may interfere with the location, excavation, operation or maintenance of the sidewalk.

LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 13, BLOCK "A", SANLANDO SPRINGS TRACT NO. 6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 53, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, SAID PARCEL BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 14, BLOCK "A" OF THE AFORESAID PLAT FOR A POINT OF REFERENCE; THENCE RUN NORTH 23°14'19" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 56.26 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 23°14'19" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 20.00 FEET; THENCE RUN NORTH 00°04'20" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 15.00 FEET; THENCE RUN SOUTH 13°19'57" EAST, 34.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN SEMINOLE COUNTY, FLORIDA AND CONTAINS 59 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

- (1) THIS 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 EAST RIGHT-OF-WAY LINE OF PALM SPRINGS DRIVE, BEING NORTH 23°14'19" WEST.
- (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) THIS SURVEY IS CERTIFIED TRUE AND CORRECT TO SEMINOLE COUNTY.
- (7) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.

DAVID A. WHITE, P.S.M.
FLORIDA REGISTRATION NO. 4044
PROFESSIONAL ENGINEERING CONSULTANTS, INC.
CERTIFICATE OF AUTHORIZATION NO. LB-3556
DATE OF SIGNATURE: MARCH 16, 2006

(THIS IS NOT A SURVEY)

SHEET 1 OF 2

PEC PROFESSIONAL ENGINEERING CONSULTANTS, INC.
engineers planners surveyors

Suite 1560 Eola Park Centre 200 East Robinson Street Orlando, Florida 32801 407/422-8062

SECTIONS 1, TOWNSHIP 21 SOUTH, RANGE 29 EAST

DATE: MARCH 16, 2006

PREP BY: P.S.

DRAWN BY: M.T.

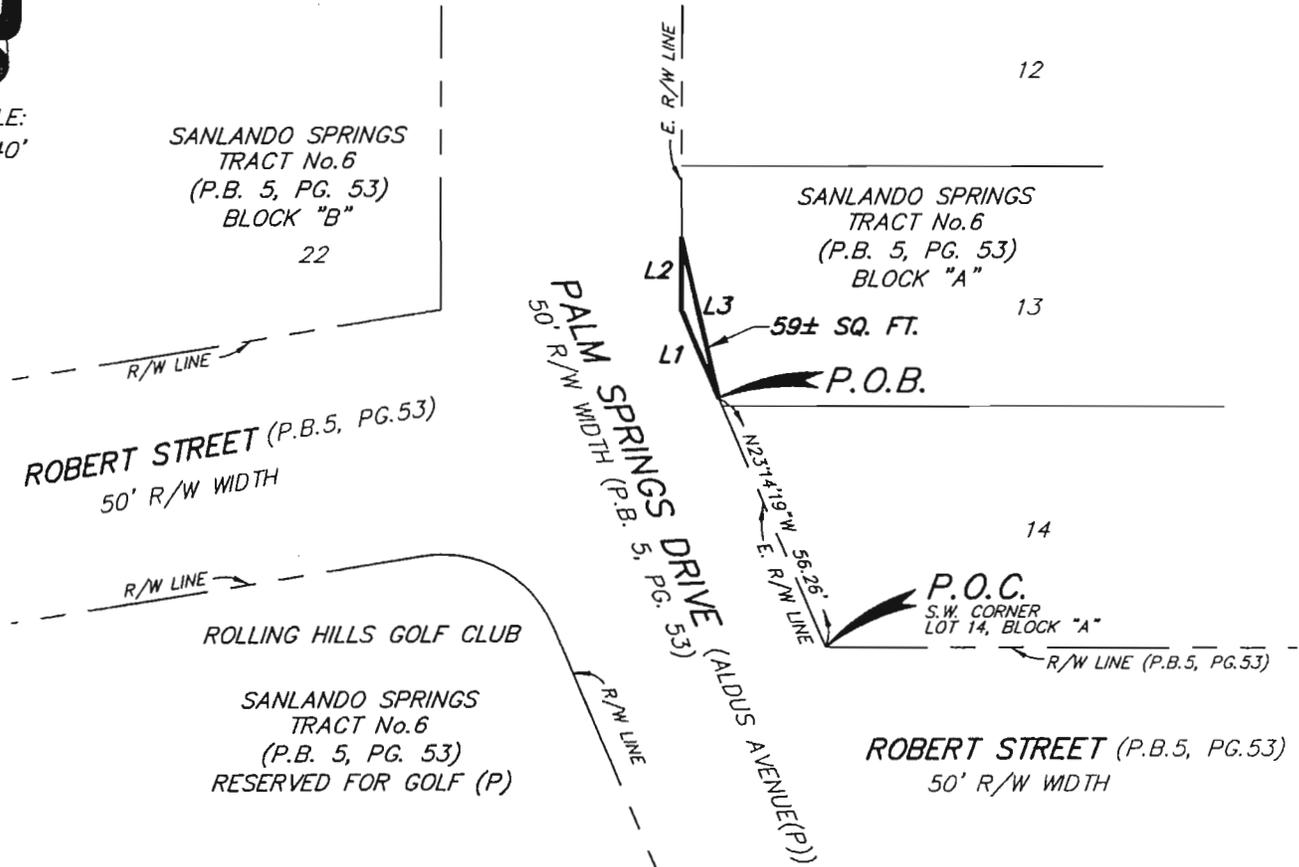
SC-107

Exhibit "A-1"

SKETCH OF DESCRIPTION



SCALE:
1"=40'



LEGEND

- P.O.B.....POINT OF BEGINNING
- P.O.C.....POINT OF COMMENCEMENT
- R/W.....RIGHT-OF-WAY
- P.B.....PLAT BOOK
- PG.....PAGE
- P.T.....POINT OF TANGENCY
- T.B.....TANGENT BEARING
- SQ.FT.....SQUARE FEET

LINE TABLE

L1:	N23°14'19"W	20.00'
L2:	N00°04'20"W	15.00'
L3:	S13°19'57"E	34.30'

SHEET 2 OF 2

(THIS IS NOT A SURVEY)

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SECTIONS 1, TOWNSHIP 21 SOUTH, RANGE 29 EAST

DATE: MARCH 16, 2006

PREP BY: P.S.

DRAWN BY: M.T.

SC-107

Exhibit "A-2"

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