

Item # 44

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

SUBJECT: MORGAN PLACE SUBDIVISION LOT 8 DRAINAGE EASEMENT VACATE

DEPARTMENT: Planning & Development DIVISION: Development Review

AUTHORIZED BY: Donald S. Fisher CONTACT: Denny Gibbs EXT. 7359

Agenda Date <u>9/28/04</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 the Resolution to vacate and abandon and authorize the Chairman to execute the resolution to vacate and abandon the Westerly 8 feet of a 15 foot wide platted drainage easement located on Lot 8, Morgan Place Subdivision, recorded in the Public Records of Seminole County, Florida in Plat Book 43, Pages 35 in Section 19, Township 21 S, Range 29 E and further described as 6203 Courtney Cove, Apopka, Florida – Martha A Hughes, applicant

District 3 – Van Der Weide (Denny Gibbs, Planner) *RT*

**BACKGROUND:**

The applicant, Martha Hughes is requesting to vacate and abandon an approximate 8 ft. x 120 ft. portion of the 15 ft. wide platted drainage easement situated at the rear of the property of Lot 8, Morgan Place Subdivision, in order to accommodate a swimming pool. The property is a pie shaped lot therefore the house was constructed further back on the lot to meet the requirement for the minimum lot width at building line; because of this placement, the useable back yard on the lot is less than normal.

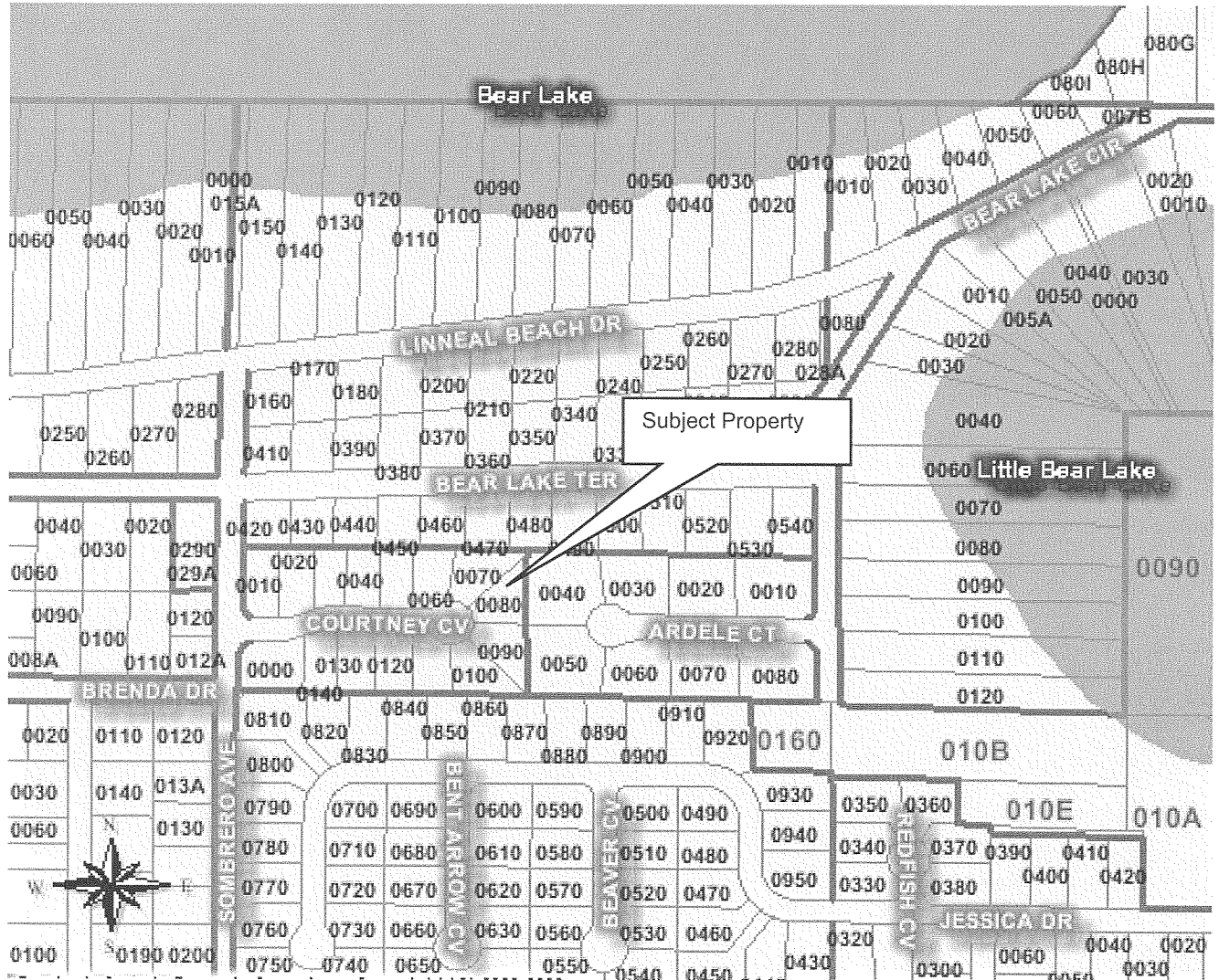
Staff has determined that, with the addition of a new swale system, to be constructed with the pool, the vacation and abandonment of this portion of the platted drainage easement would not diminish the effectiveness of the subdivision's drainage.

**STAFF RECOMMENDATION:**

Staff recommends adoption of the Resolution to vacate and abandon the Westerly 8 feet of a 15 foot wide platted drainage easement as requested.

District 3 – Van Der Weide  
Attachments: Location Map  
Sketch and Legal  
Resolution

Reviewed by: <i>[Signature]</i>
Co Atty: _____
DFS: _____
Other: _____
DCM: <i>[Signature]</i>
CM: <i>[Signature]</i>
File No. <u>ph130pdd03</u>



## LOCATION MAP

MORGAN PLACE SUBDIVISION LOT 8  
DRAINAGE EASEMENT VACATE

# SKETCH OF DESCRIPTION

SHEET 1 OF 2

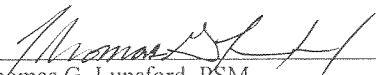
## LAND DESCRIPTION

The Westerly 8.00 feet of the Easterly 15 feet, less the Northerly 7.50 feet and less the Southerly 7.50 feet of Lot 8, MORGAN PLACE SUBDIVISION, according to the plat thereof, as recorded in Plat Book 43, Page 35 of the Public Records of Seminole County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Lot 8 of aforementioned plat, thence S 47°19'42"W, along the North line of said Lot 8, a distance of 9.55 feet to a point on a line 7.00 feet west of and parallel with the East line of said Lot 8; thence S 00°11'55"W, along said parallel line, a distance of 10.23 feet to a point on a line 7.50 feet south of and parallel with the North line of said Lot 8 and to the Point of Beginning; thence continue S 00°11'55"W, along said parallel line, a distance of 125.07 feet to a point on a line 7.50 feet north of and parallel with the South line of said Lot 8; thence S 89°30'57"E, along said parallel line, a distance of 8.00 feet to a point on a line 15.00 feet west of and parallel with the East line of said Lot 8; thence N 00°11'55"E along said parallel line a distance of 117.64 feet to a point on a line 7.50 feet south of and parallel with the North line of said Lot 8; thence N 47°19'42"E, along said parallel line, a distance of 10.92 feet to the Point of Beginning.

Said lands lying in Seminole County, Florida; 971 square feet more or less.

I hereby certify that this Sketch of Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction on July 05, 2004. I certify that this Sketch of Description meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6.003 Florida Administrative Code, Pursuant to Section 472.027, Florida Statutes.

  
Thomas G. Lunsford, PSM  
Florida Licensed Surveyor and Mapper, No. 4646  
LUNSFORD SURVEYING AND MAPPING, INC.

## LUNSFORD SURVEYING AND MAPPING, INC.

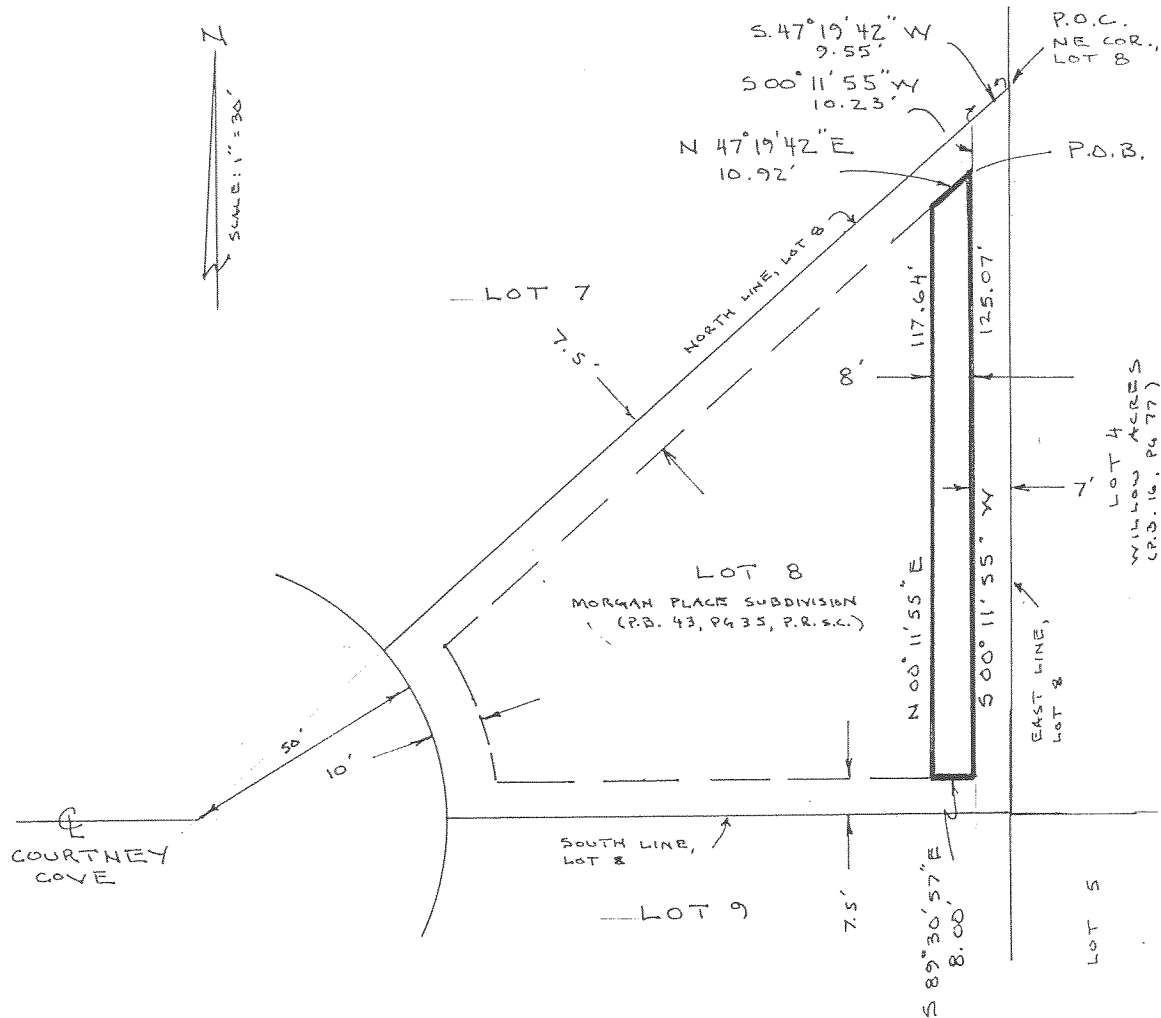
P.O. Box 2293  
715 S. Lakeside Terrace  
Eagle Lake, Florida 33839

Phone: (863) 206-0607  
Email: [ism4surveys@juno.com](mailto:ism4surveys@juno.com)

Drawn by: T. LUNSFORD  
Date: JULY 05, 2004  
Drawing #: 2004-049  
Field book: NA Page: NA

# SKETCH OF DESCRIPTION

SHEET 2 OF 2



## SURVEY NOTES

1. Reproductions of this sketch are not valid unless accompanied by the Signed Survey Report with an embossed Surveyor's seal.
2. The sketch shown hereon was prepared without benefit of an Opinion of Title, nor Abstract of Title, which would indicate easements, rights-of-way, ownership or other instruments of record.
3. Angles/bearings shown hereon are based on/inferred from the plat "MORGAN PLACE SUBDIVISION (PB 43, PG 35, PRSC).
4. The land description shown hereon was prepared by the Surveyor.
5. This sketch does not represent a boundary survey as such.

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AND MAPPING, INC.

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Eagle Lake, Florida 33839

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[lsm4surveys@juno.com](mailto:lsm4surveys@juno.com)

## LEGEND

(P)	Plat
(C)	Calculated
(D)	Description
R/W	Right-of-Way
P.B.	Plat Book
CL	Centerline
PCPR	Polk Co. Public Records

RESOLUTION NO.: 2004-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 28th DAY OF September A.D., 2004.

**RESOLUTION TO VACATE AND ABANDON A DRAINAGE EASEMENT**



Whereas, a Petition was presented on behalf of

**MARTHA A HUGHES**

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

The Westerly 8.00 feet of the Easterly 15 feet, less the Northerly 7.50 feet and less the Southerly 7.50 feet of Lot 8, MORGAN PLACE SUBDIVISION, according to the plat thereof, as recorded in Plat Book 43, Page 35 of the Public Record of Seminole County, Florida, being more particulary described as follows:

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Said lands lying in Seminole County, Florida; 971 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 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 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 28th day of September A.D., 2004

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA

BY:

\_\_\_\_\_  
MARYANNE MORSE

CLERK OF THE CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
DARYL G. MCLAIN

CHAIRMAN