

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** RESOLUTION – SIDEWALK EASEMENT

**DEPARTMENT:** PUBLIC WORKS **DIVISION:** ENGINEERING

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

<b>Agenda Date</b> <u>10/11/05</u>	<b>Regular</b> <input type="checkbox"/>	<b>Consent</b> <input checked="" type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Public Hearing – 1:30</b> <input type="checkbox"/>		<b>Public Hearing – 7:00</b> <input type="checkbox"/>	

**MOTION/RECOMMENDATION:**

Adopt Resolution accepting a Sidewalk Easement for the construction of sidewalk along a portion of Sipes Avenue.

District 5 – Commissioner Carey (Jerry McCollum, P.E.)

**BACKGROUND:**

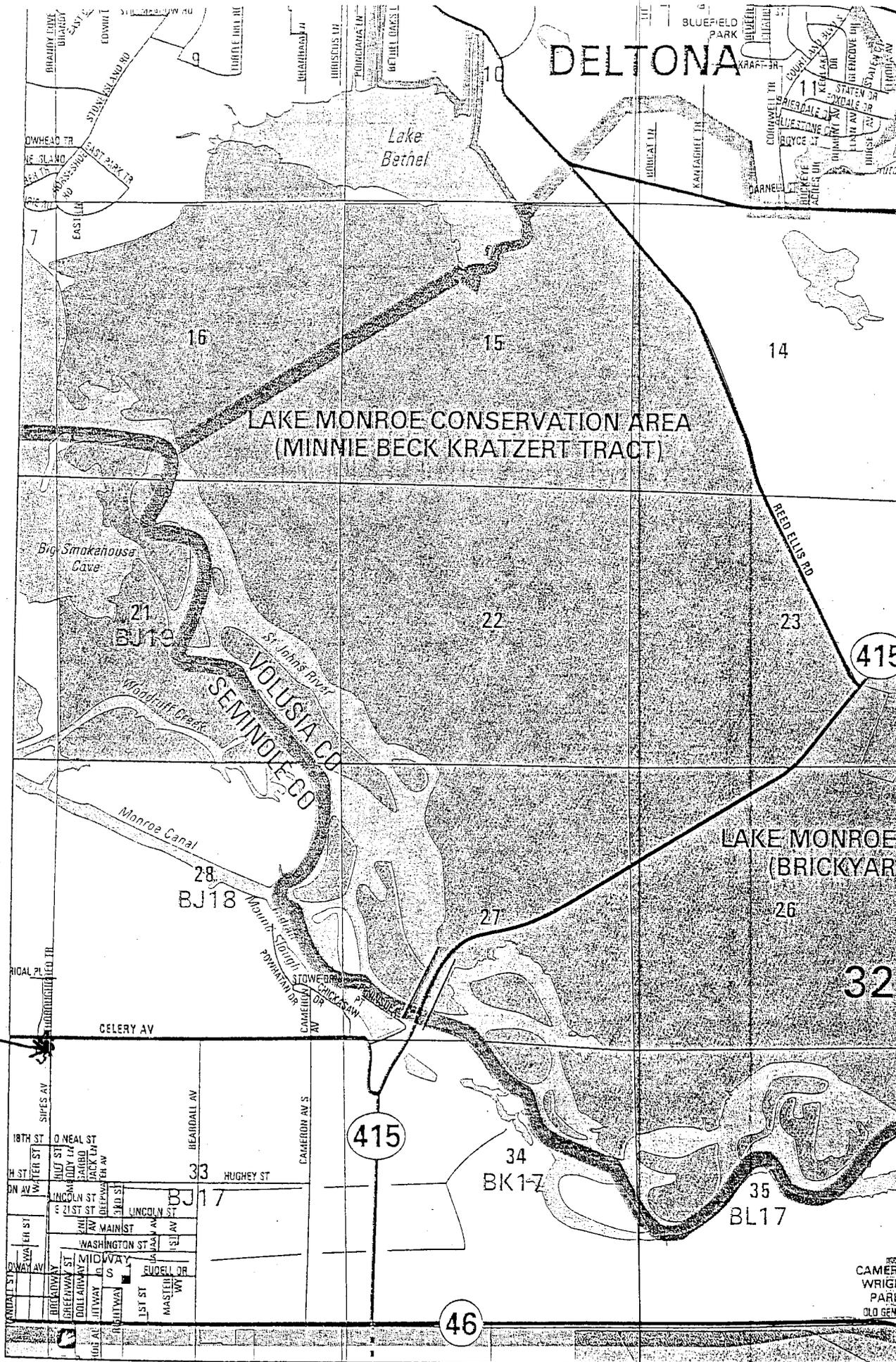
The construction of the Sipes Avenue Sidewalk project (see attached location map) will require property not currently owned by Seminole County. Mr. Jack A. Rosier has indicated his willingness to convey said easement, at no cost, to the County as evidenced by the recorded Sidewalk Easement.

Attachments: Location Map / Resolution / Sidewalk Easement

<b>Reviewed by:</b>	<u>SM</u>
<b>Co Atty:</b>	<u>SM</u>
<b>DFS:</b>	_____
<b>Other:</b>	_____
<b>DCM:</b>	<u>SM</u>
<b>CM:</b>	<u>SM</u>
<b>File No.</b>	<u>CPWE04</u>

LOCATION  
MAP

Subject  
Parcel



RESOLUTION NO. 2005-R-\_\_\_\_\_

**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., 2005.**

**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 Sipes Avenue located in Section 32, Township 19 South, Range 31 East, in Seminole County, Florida; and

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

**WHEREAS**, Jack A. Rosier has conveyed to Seminole County the required Sidewalk Easement as evidenced by the executed and recorded 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 executed by the aforementioned property owner and recorded in Official Records Book 5888, Pages 849 thru 852, of the Public Records of Seminole County, Florida, conveying to Seminole County an easement over the land described within the Sidewalk Easement attached hereto.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 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  
09-15-2005

MARYANNE MORSE, CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY  
BK 05888 PGS 0849-0852  
CLERK'S # 2005151948  
RECORDED 09/06/2005 04:11:48 PM  
DEED DOC TAX 0.70  
RECORDING FEES 35.50  
RECORDED BY L McKinley

This Instrument Prepared By:  
Stephen P. Lee, Esq.  
County Attorney's Office  
1101 East First Street  
Sanford, Florida 32771

SIDEWALK EASEMENT

THIS SIDEWALK EASEMENT is made and entered into this 6 day of Sept., 2005, by and between JACK A. ROSIER, 4850 Hester Avenue, Sanford, Florida 32773, hereinafter referred to as 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 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, GRANTOR does hereby grant and convey to the GRANTEE and its assigns, an easement and right-of-way for the construction and maintenance of a sidewalk, with full authority to enter upon, construct, reconstruct and maintain, as the GRANTEE and its assigns may deem necessary, a sidewalk over, under, upon, and through the following-described lands situate in the County of Seminole, State of Florida, to-wit:

See Attached Exhibit "A"

PARCEL ID NO: 32-19-31-300-003A-0000

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 GRANTOR, his 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 sidewalks.

GRANTOR does hereby covenant with the GRANTEE, that he is lawfully seized and possessed of the real estate above described and that he has a good and lawful right to convey the said easement.

RETURN TO SANDY McCANN

IN WITNESS WHEREOF, GRANTOR has hereunto set his hand and seal, the day and year first above written.

WITNESSES:

[Signature]  
(Signature)

[Signature] (SEAL)  
Jack A. Rosier

ERIC B. FRICKSON  
(Printed Name)

[Signature]  
(Signature)

SHIRLEY BERRIE  
(Printed Name)

STATE OF )  
COUNTY OF )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2005, by Jack A. Rosier, who is personally known to me or who produced I.D. ; D.L. as identification and who did (did not) take an oath.

WITNESS my hand and official seal in the County and State aforesaid this 6<sup>th</sup> day of September, 2005.

Legible name of Notary's name



[Signature]  
Notary Public, in and for the County and State Aforementioned

My Commission Expires:

PARCEL ID #: 32-19-31-300-003A-0000

DESCRIPTION:

The East Eighteen (18) feet of the following described Parcel:  
Parcel described as per Official Records of Seminole County, Book 2524, Pages 947.

The East 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 32, Township 19, South, Range 31 East, Less the South 601.00 feet thereof. And also less East 145.00 feet of the North 220.00 feet thereof, less right-of way for Celery Avenue and Sipes Avenue. And also the South 191.96 feet of the following described parcel of land also known as Parcel "A"; The East 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 32, Township 19, Range 31 East, less the South 601.00 feet thereof and also less right-of way for Sipes Avenue.

LEGEND:

R/W = RIGHT OF WAY

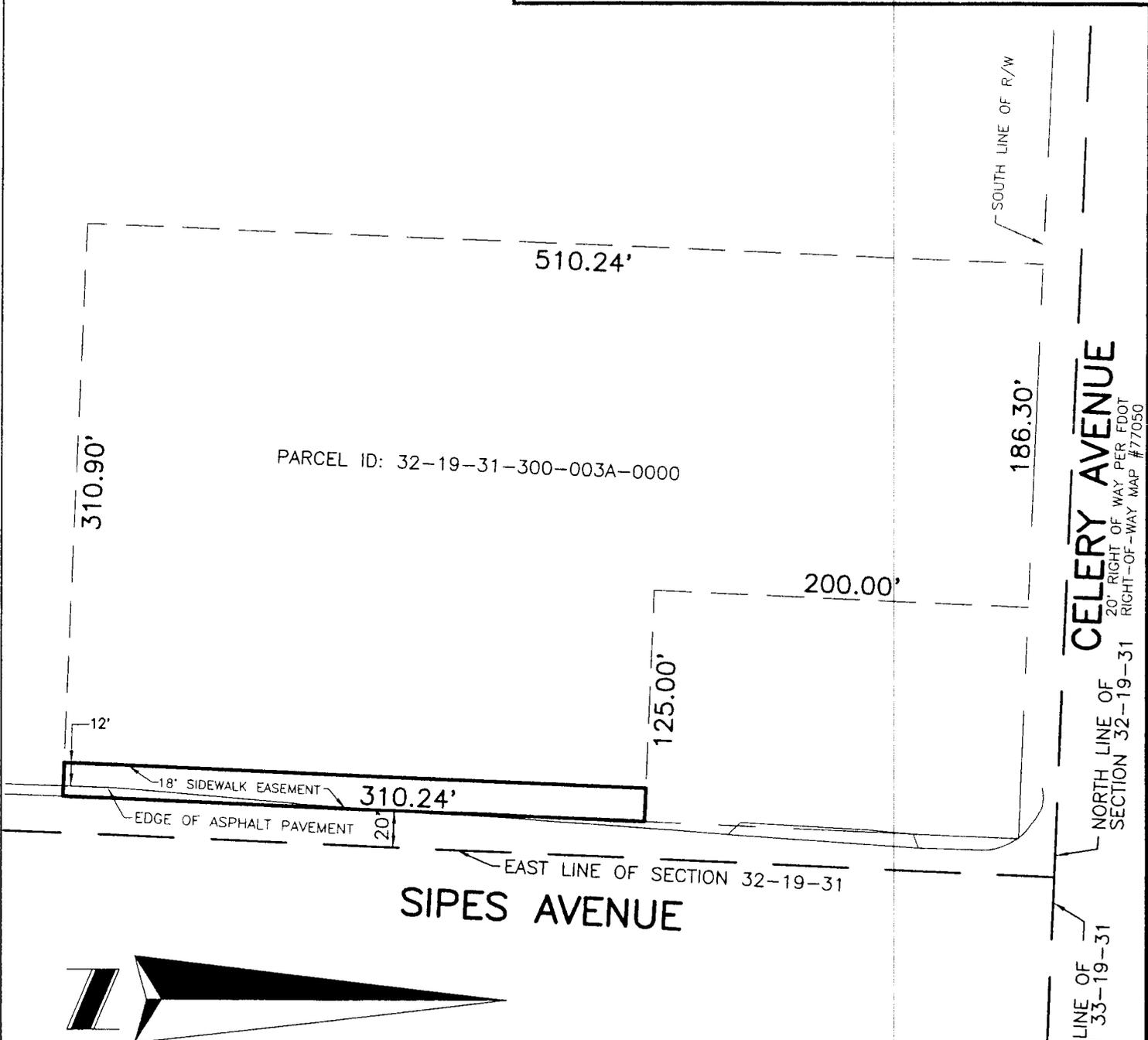
SURVEYORS NOTES:

1. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
2. Easement contains 5,584 square feet more or less.
3. Not valid without the original signature and raised seal of a Florida licensed Surveyor and Mapper.
4. Right-of-way lines shown for Sipes Avenue are based on recorded plats as shown and dimensioned right-of-way lines shown on historic records by Fred Williams, former County surveyor. County right-of-way staff reports that no dedicated right-of-way exists other than by the recorded plats shown hereon.

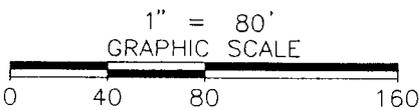
NOT VALID WITHOUT SHEET 2

DESCRIPTION  FOR  Seminole County	Date: 6/16/2005	MV	CERT. NO. LB2108	49774004
	Job No.: 49774004	Scale: 1"=80'	 SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 W. American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 Fax (407) 292-0141 email: info@southeasternsurveying.com  GARY R. KRICK REGISTERED LAND SURVEYOR NO. 4245	
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that <b>THIS IS NOT A SURVEY.</b>			
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH				

SKETCH OF DESCRIPTION  
PARCEL ID- #: 32-19-31-300-003A-0000



CELERY AVENUE  
20' RIGHT OF WAY PER FDOT  
RIGHT-OF-WAY MAP #77050  
NORTH LINE OF SECTION 32-19-31  
NORTH LINE OF SECTION 33-19-31



NOT VALID WITHOUT SHEET 1



THIS IS NOT A SURVEY  
NOT VALID WITHOUT THE ORIGINAL SIGNATURE  
AND RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

49774004  
49774  
6/16/2005  
SHEET 2 OF 2  
See Sheet 1 for Description

SOUTHEASTERN SURVEYING & MAPPING CORP.  
6500 All American Boulevard  
Orlando, Florida 32810-4350  
(407)292-8580 fax(407)292-0141  
Cert. No. LB-2108  
email:info@southeasternsurveying.com