

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Adopt Resolution to vacate and abandon a portion of a Utility Easement for Lot 44, Copperfield - Jason A. and Maria C. Aspinwall, applicant

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

AUTHORIZED BY: Dan Matthys **CONTACT:** Cynthia Sweet **EXT.** 7443

Agenda Date 10/11/2005 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Adopt and authorize the Chairman to execute a Resolution to vacate and abandon the west 5 feet of the 15-ft. wide platted utility easement along the east property line of Lot 44, Copperfield, recorded in the Public Records of Seminole County, Florida in Plat Book 43, Pages 93 and 94, in Section 22, Township 21 S, Range 30 E and further described as 867 Copperfield Terrace, Casselberry, Florida – Jason A. and Maria C. Aspinwall, applicant.

District 1 – Dallari (Cynthia Sweet, Planner)

BACKGROUND:

The applicant, Jason A. and Maria C. Aspinwall is requesting to vacate and abandon the west 5 feet of the 15-ft. wide utility easement located along the east property line. The property is located at 867 Copperfield Terrace, Casselberry, Florida; further described as Lot 44, Copperfield, recorded in the Public Records of Seminole County, Florida in Plat Book 43, Pages 93 and 94 in Section 22, Township 21 S, Range 30 E. The applicant plans to construct a pool with an enclosure that will encroach into the platted easement. Vacating that portion of the utility easement is necessary to prohibit a potential cloud of title.

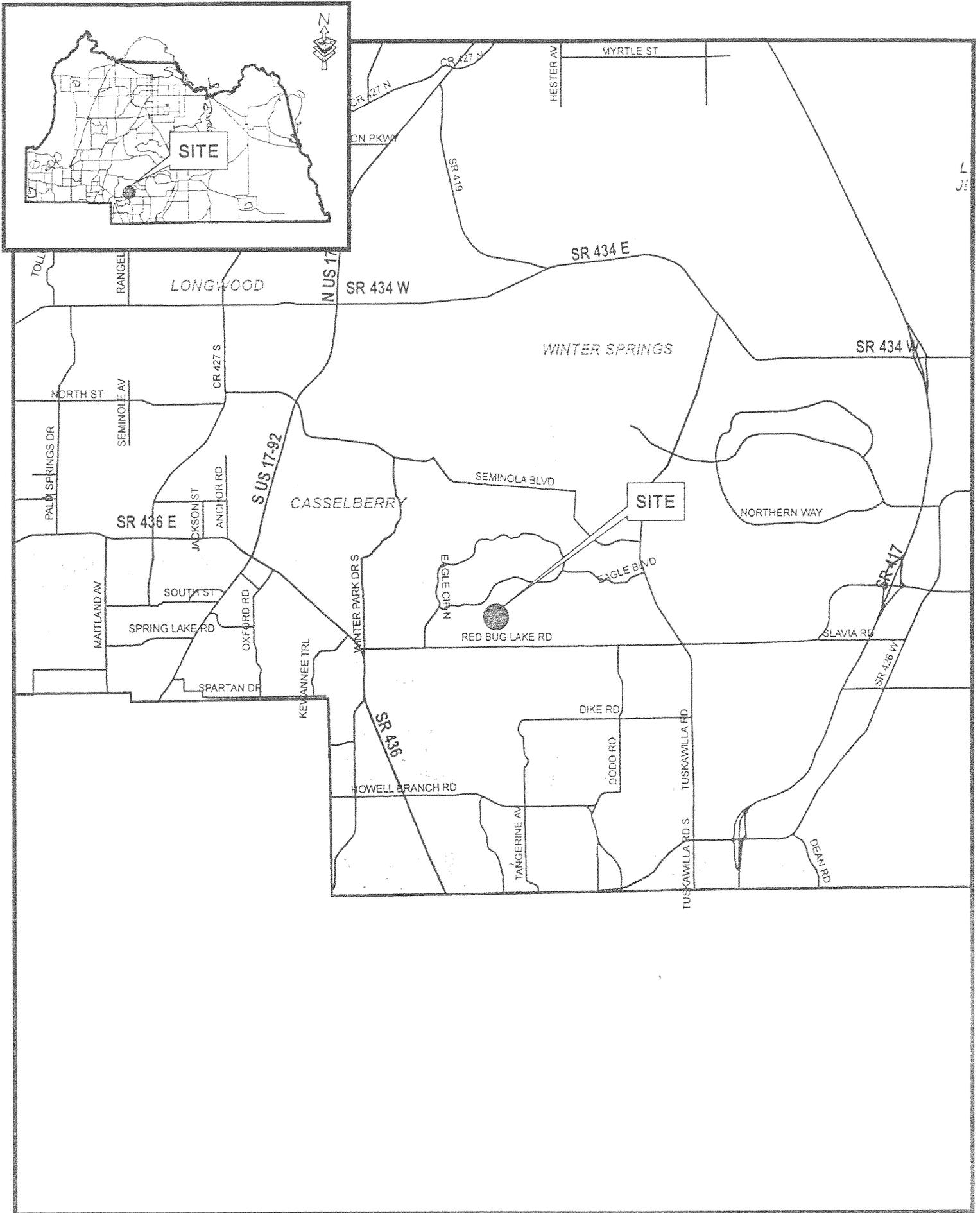
The applicant has provided letters from the applicable utility companies stating no objections to the request.

STAFF'S RECOMMENDATION:

Staff recommends the Board adopt a Resolution to vacate and abandon that portion of the 15-ft. wide utility easement as requested by the applicant.

District 1 - Dallari
Attachments: Location Map
Resolution
Sketch of Description

Reviewed by: KR
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. cpdd02



LOCATION MAP

RESOLUTION NO.: 2005-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 11TH DAY OF OCTOBER A.D., 2005.

RESOLUTION TO VACATE AND ABANDON A UTILITY EASEMENT

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Whereas, a Petition was presented on behalf of

JASON A. & MARIA C. ASPINWALL

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

A PARCEL VACATING THE WEST 5' OF THE 15' UTILITY EASEMENT ALONG THE REAR PROPERTY LINE OF LOT 44, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 44, COPPERFIELD, AS RECORDED IN PLAT BOOK 43, PAGES 93 & 94, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA THENCE S 89°23'28" W A DISTANCE OF 10.00 FEET TO A POINT ON THE NORTH LINE OF LOT 44 FOR A POINT OF BEGINNING, THENCE S 00°47'32" E A DISTANCE OF 80.00 TO A POINT ON THE SOUTH LINE OF LOT 44, THENCE S 89°12'28" W A DISTANCE OF 5.00', THENCE N 00°47'32" W A DISTANCE OF 80.00 FEET, THENCE N 89°12'28" E A DISTANCE OF 5.00' FEET TO THE POINT OF BEGINNING. CONTAINS 400 SQUARE FEET OR 0.0091 ACRES, MORE OR LESS. SEE ATTACHED SKETCH OF DESCRIPTION - "EXHIBIT A"

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described utility easement is to the best interest of the County and the public in that the area in question is not needed for utility purposes and not necessary for public need.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described 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 be, and the same is hereby disclaimed.

PASSED AND ADOPTED this 11th day of October A.D., 2005.

ATTEST:

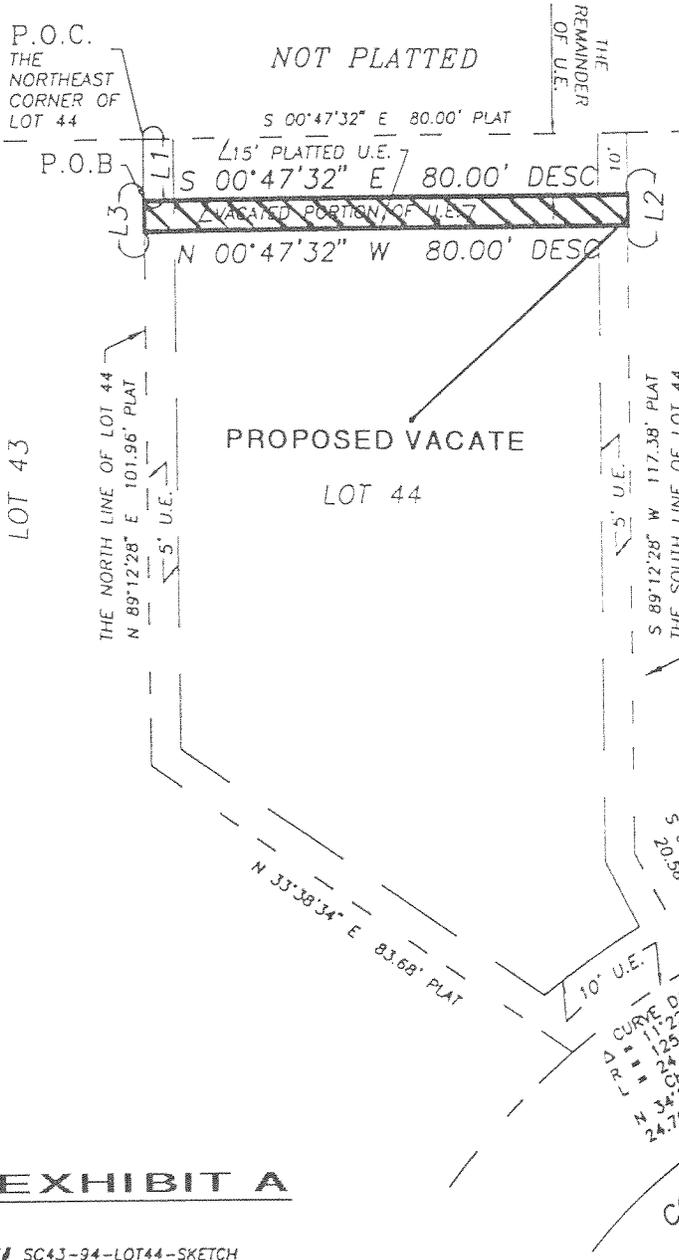
BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE

BY:

CARLTON D. HENLEY

SKETCH OF DESCRIPTION



867 COPPERFIELD TERRACE

DESCRIPTION

A PARCEL VACATING THE WEST 5' OF THE 15' UTILITY EASEMENT ALONG THE REAR PROPERTY LINE OF LOT 44, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 44, COPPERFIELD, AS RECORDED IN PLAT BOOK 43, PAGES 93 & 94, PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, THENCE S 89°12'28\"/>

CONTAINS 400 SQUARE FEET OR 0.0091 ACRES, MORE OR LESS.

LINE CHART		
L1	S 89°12'28\"/>	
L2	S 89°12'28\"/>	
L3	N 89°12'28\"/>	

EXHIBIT A

DF# SC43-94--LOT44--SKETCH

SKETCH OF DESCRIPTION, THIS IS NOT A BOUNDARY SURVEY.

LEGEND	
BC - BACK OF CURB	CBW - CONCRETE BLOCK WALL
CALC - CALCULATED	CM - CONCRETE MONUMENT
E - CENTERLINE	COVD - COVERED
CLF - CHAIN LINK FENCE	CW - CONCRETE WALKWAY
CONC - CONCRETE	DE - DRAINAGE EASEMENT
CP - CONCRETE PAD	ESMT - EASEMENT
Δ - CENTRAL ANGLE	FFE - FINISHED FLOOR ELEVATION
DESC - DESCRIPTION	IP - IRON PIPE
DW - DRIVEWAY	L - ARC LENGTH
E/P - EDGE OF PAVEMENT	MS - METAL SHED
FND - FOUND	OL - ON LINE
IR - IRON ROD	P&M - PLAT & MEASURED
MEAS - MEASURED	POB - POINT OF BEGINNING
N&D - NAIL & DISK	POC - POINT OF COMMENCEMENT
PC - POINT OF CURVATURE	R/W - RIGHT OF WAY
R - RADIUS	UB - UTILITY BOX
TYP - TYPICAL	WF - WOOD FENCE
UE - UTILITY EASEMENT	/ - NUMBER
LB - LICENSE BUSINESS	

REVISIONS:	DATE: 8-15-05
	SCALE: 1"=30'
	DRAWN BY: B. D.

M.A.P.
Land Surveying, Inc.

4515 Curry Ford Rd.
Suite C
Orlando Fl. 32812
PH. 407 898 4557
FAX 407 898 4874

E-Mail: Maplandsurveying@AOL.com LB #7084

THIS LOT IS IN FLOOD ZONE X, BASED ON FLOOD INSURANCE RATE MAP, NO.120289 0145 E, SEMINOLE COUNTY, FLORIDA.

Andrew Perry
Andrew Perry, P.S.M.
Professional Surveyor & Mapper #6124
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER.