

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: DEVON GREEN PHASE 1 LOT 2 UTILITY VACATE

DEPARTMENT: Planning & Development DIVISION: Development Review

AUTHORIZED BY: Dan Matthys CONTACT: Rebecca Hammock EXT. 7438

Agenda Date 10/11/05 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 eastern most 6 ft. of a 10ft. utility easement located within the rear yard of lot 1, Devon Green Phase 1 as recorded in the Public Records of Seminole County, Florida in Plat Book 34 Page 93-94 in Section 12, Township 20E, Range 29S.

District 5-Brenda Carey (Rebecca Hammock, Principal Planner)

BACKGROUND:

The applicant, Russell Hartley, is requesting to vacate the eastern most 6 ft. of a 10 ft. utility easement in order to construct a swimming pool. The vacate will allow for additional land area so that the site may accommodate a pool.

The subject property is located at 454 Devon Place within the Devon Green subdivision east of Heathrow Blvd. and west of International Parkway.

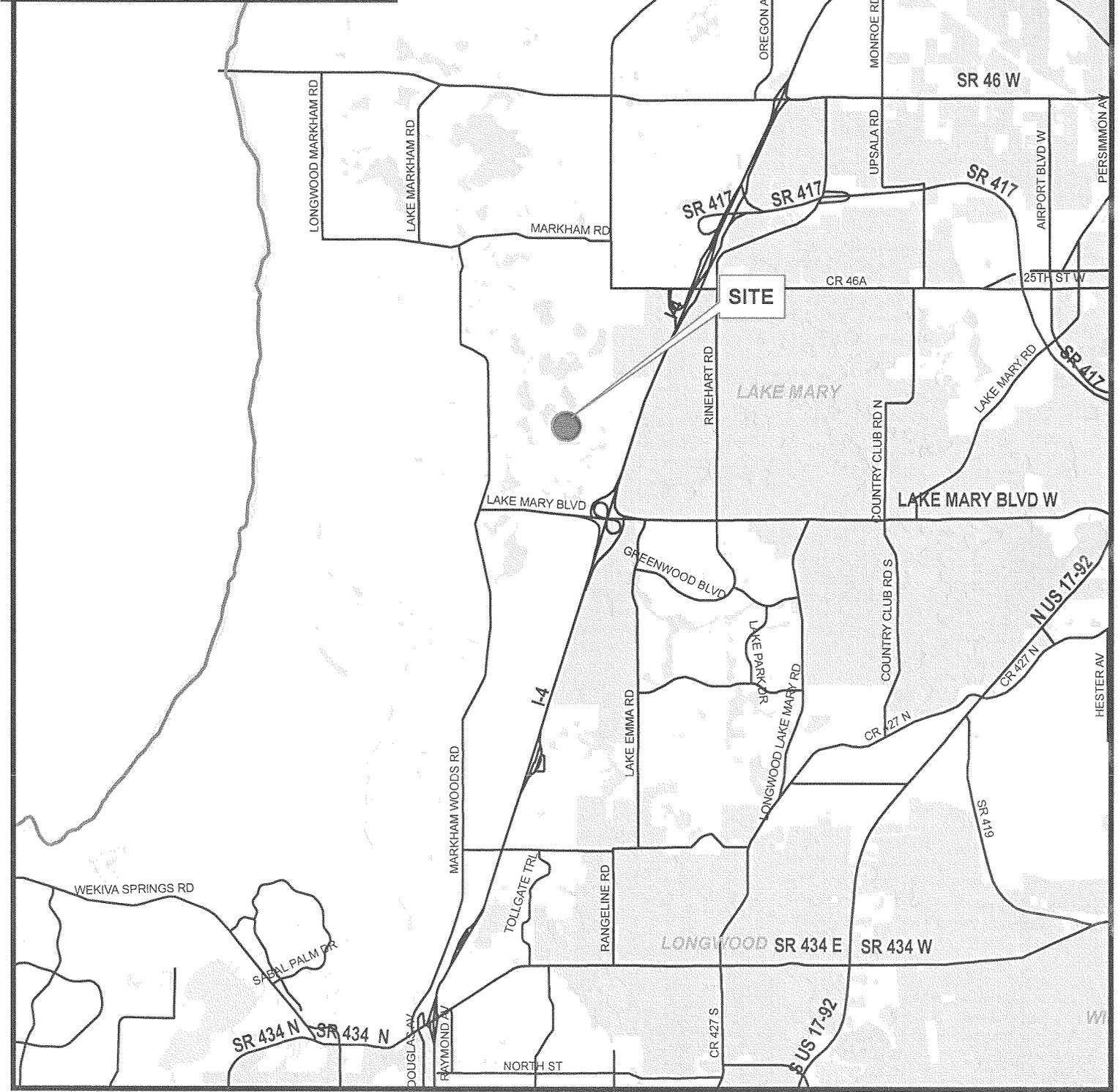
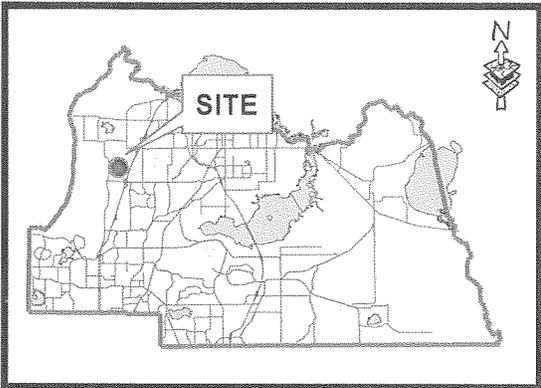
The applicant has submitted letters from all applicable utility providers stating, "no objection" to the request and county staff has reviewed the request and determined that the 6 ft. portion of the platted utility easement is not needed.

STAFF RECOMMENDATION:

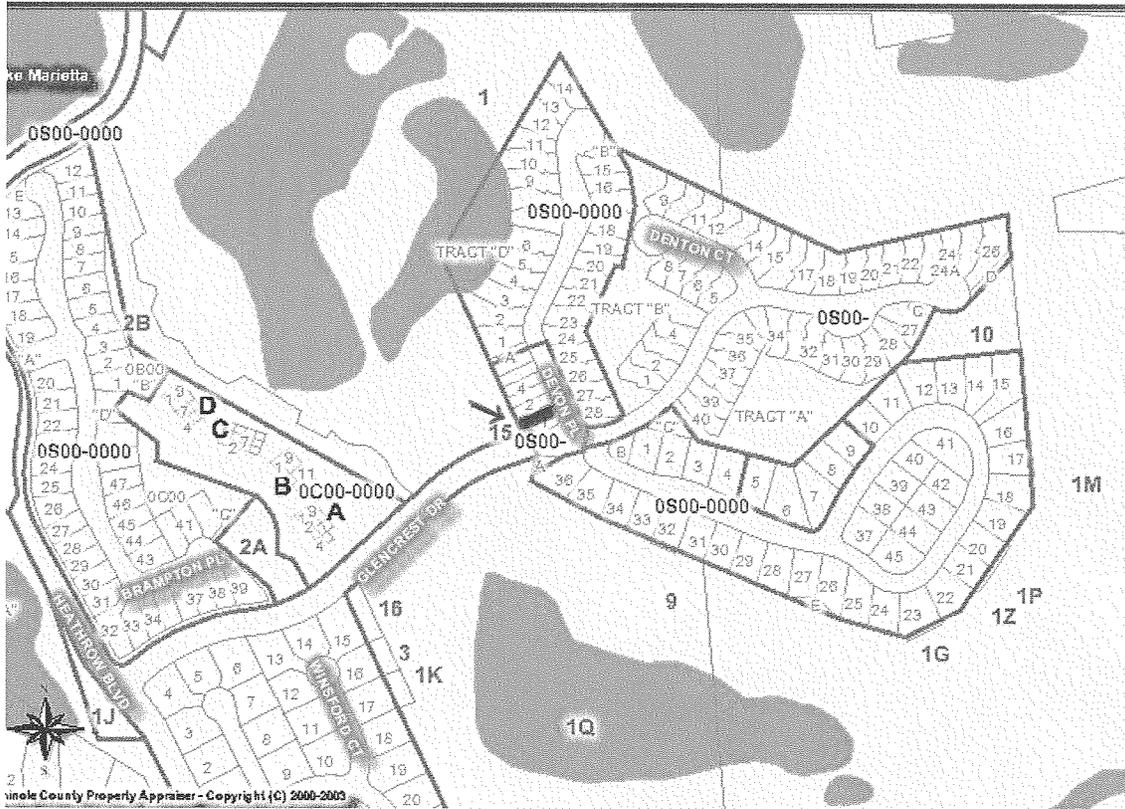
Staff recommends adoption of the resolution to vacate and abandon that portion of a platted utility easement as described.

- District 5-Commissioner Carey
- Attachments: Location Maps
- Sketch of Description
- Resolution
- Letters of No Objection

Reviewed by: KR
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. cpdd05



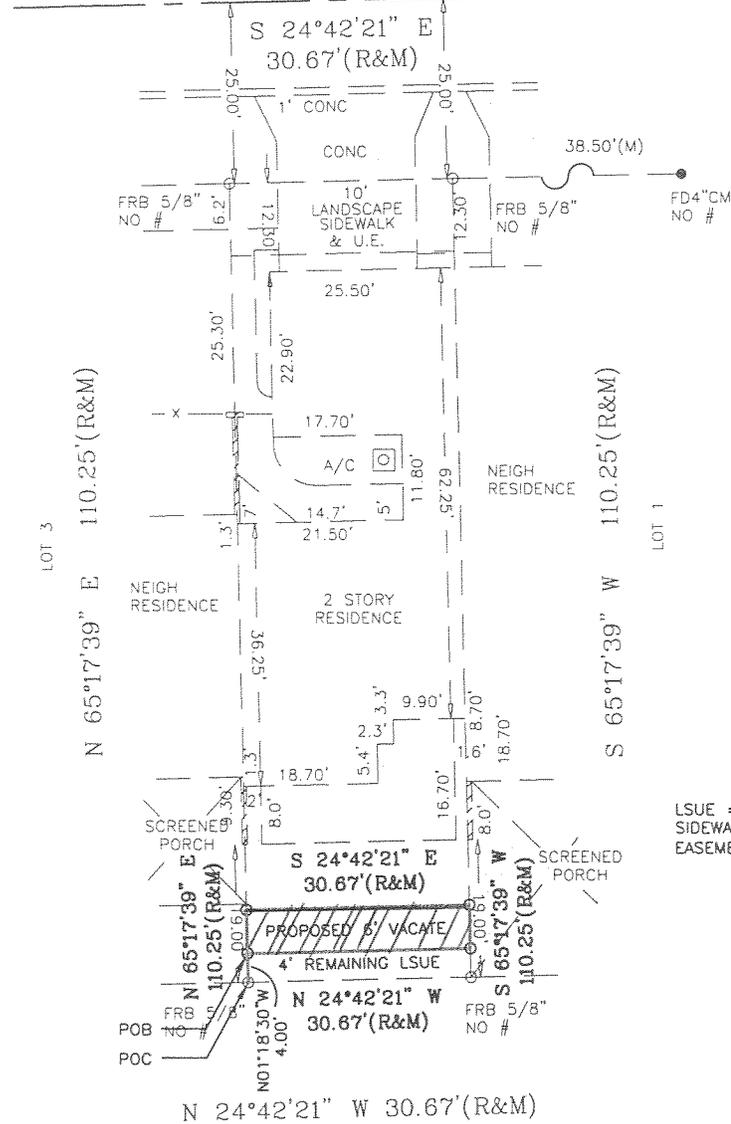
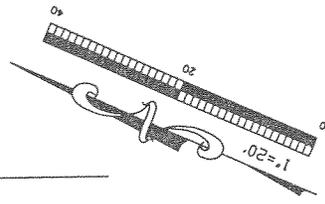
LOCATION MAP



Does not need to be color - just copy in Black & white
Thanks!
RHT

on Phase 1 Lot 2
icate Request

DEVON PLACE
50' R/W 24' ASPH



LSUE = LANDSCAPE, SIDEWALK & UTILITY EASEMENT (PER PLAT)

ADDRESS:
454 DEVON PLACE
LAKE MARY, FLORIDA 32746
LEGAL DESCRIPTION:
VACATING A PORTION OF THAT CERTAIN 10 FOOT UTILITY, LANDSCAPE AND SIDEWALK EASEMENT LYING AT THE REAR OF LOT 2, DEVON GREEN PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, PAGE(S) 93 AND 94, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WESTERLY MOST CORNER SAID LOT 2, RUN THENCE NORTH 65°17'39" EAST ALONG SAID NORTHERLY MOST LINE SAID LOT 2 A DISTANCE OF 4.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 65°17'39" EAST ALONG SAID NORTHERLY LINE A DISTANCE OF 6.00 FEET TO A POINT, THUS DEPARTING SAID NORTHERLY LINE RUN THENCE SOUTH 24°42'21" EAST A DISTANCE OF 30.67 FEET TO A POINT ON THE SOUTHERLY MOST LINE SAID LOT 2, RUN THENCE SOUTH 65°17'39" WEST ALONG SAID SOUTHERLY LINE A DISTANCE OF 6 FEET TO A POINT, THENCE DEPARTING AFOREMENTIONED SOUTHERLY LINE, RUN THENCE NORTH 24°42'21" WEST A DISTANCE OF 30.67 FEET TO THE POINT OF BEGINNING SAID PARCEL HEREIN DESCRIBED CONTAINING 184 SQUARE FEET MORE OR LESS.

(R) RECORD	UE UTILITY EASEMENT	FRB FOUND IRON PIPE	NEIGH NEIGHBORING PROPERTY	X - X - X WIRE FENCE	CONC CONCRETE
(M) MEASURED	DUE DRAINAGE & UTILITY EASEMENT	OUR FOUND IRON ROD	SUBJECT PROPERTY	POB POINT OF COMMENCEMENT	
A/C AIR CONDITIONER	R/W RIGHT-OF-WAY	CM CONCRETE MONUMENT	OVERHEAD ELECTRIC	WOOD FENCE	POB POINT OF BEGINNING

- NOTES:
- 1) NOT VALID UNLESS COPIES CONFORM TO SIGNATURE AND DATE CERTIFICATION.
 - 2) LEGAL DESCRIPTION PROVIDED BY OTHERS.
 - 3) PROPERTIES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PROPERTY PLAT OF RECORD.
 - 4) BEARINGS WHERE SHOWN ARE PER RECORD UNLESS OTHERWISE NOTED.
 - 5) UNDISCOVERED UTILITIES, FOUNDATIONS, AND/OR OTHER IMPROVEMENTS, IF ANY, WERE NOT LOCATED.
 - 6) ELEVATIONS, IF SHOWN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.
 - 7) FENCE OWNERSHIP NOT DETERMINED UNLESS OTHERWISE NOTED.
 - 8) MEASUREMENTS TO WIRE FENCES ARE TO CENTER OF WIRE.
 - 9) MEASUREMENTS TO WOOD FENCES ARE TO OUTSIDE OF WOOD.
 - 10) WALL MEASURES ARE TO/FROM FACE OF WALL.
 - 11) DRAWING DISTANCE BETWEEN WALLS AND/OR FENCES AND PROPERTY LINES MAY BE ENLARGED FOR CLARITY.
 - 12) FLOOD ZONE INFORMATION WAS DERIVED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INFORMATION RATE MAPS.

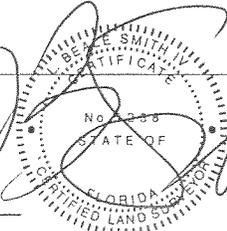
FLOOD INFORMATION:
FLOOD ZONE X
COMMUNITY NO. 120289
PANEL NO. 0040
SUFFIX E
DATE OF FIRM 4/17/95
DATE OF SURVEY 4/15/04
SURVEY NO. 26346

CERTIFIED TO:
RUSSELL HARTLEY AND CORINNE HARTLEY, LAWRENCE R. STEINER, P.A., AMERICAN PIONEER TITLE INSURANCE COMPANY, CITIZENS TRUST MORTGAGE CORPORATION.

CLOSING SERVICES BY:
LAWRENCE R. STEINER, P.A.
407 774 7500

THIS IS A DIGITALLY SIGNED AND SEALED SKETCH OF A BOUNDARY SURVEY PERFORMED UNDER THE DIRECTION OF THE UNDERSIGNED, & COPIES ARE AUTHORIZED ON OR ABOUT THE DATE OF SURVEY SHOWN HEREON AND CERTIFIED ONLY TO THOSE PERSONS AND/OR ENTITIES LISTED HEREON. THE BOUNDARY SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472-027, FLORIDA STATUTES.

L. BEALE SMITH, P.S.
PROFESSIONAL SURVEYOR, FLORIDA REG. NO. 5238



PROFESSIONAL SURVEYOR

BEALE SMITH ASSOCIATES

282 SHORT AVENUE, SUITE 124 LONGWOOD, FLORIDA 32750
PHONE: 407-331-5577 FAX: 407-331-9188

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

.....

Whereas, a Petition was presented on behalf of

RUSSELL HARTLEY

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

As Described in Attached "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.

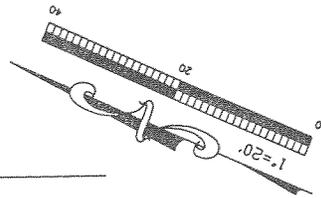
ATTEST:

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

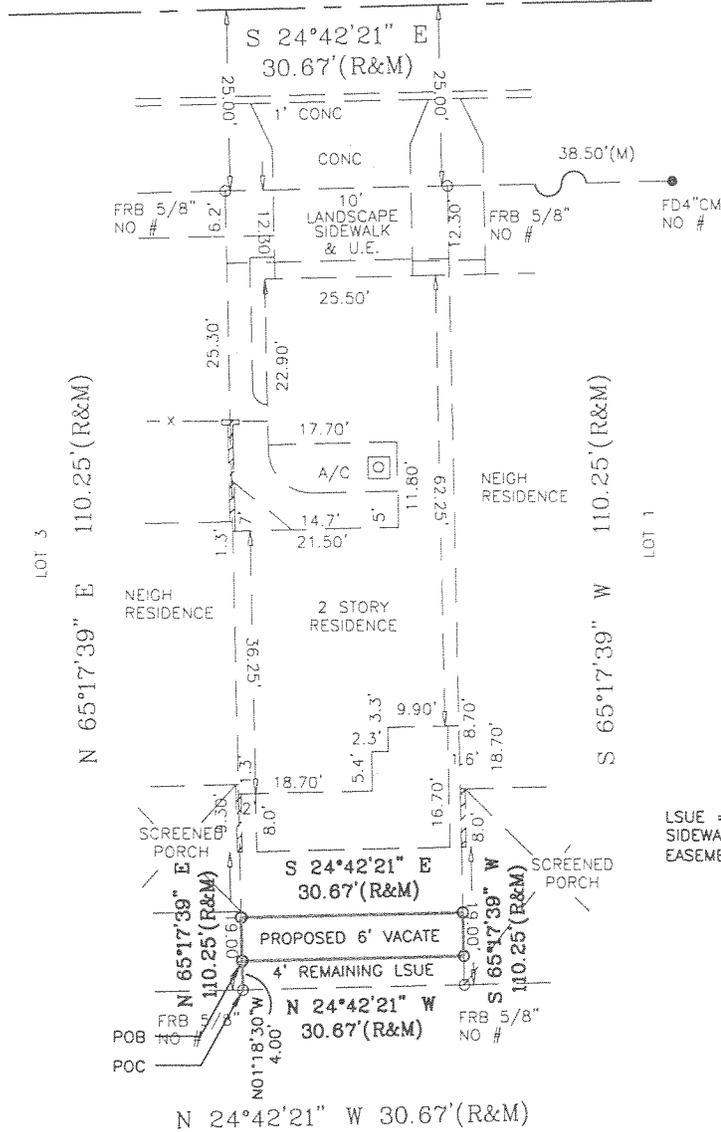
MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: CARLTON D. HENLEY
CHAIRMAN

EXHIBIT A



DEVON PLACE
50' R/W 24' ASPH



LSUE = LANDSCAPE, SIDEWALK & UTILITY EASEMENT (PER PLAT)

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454 DEVON PLACE
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(R) RECORD MEASURED CONDITIONER	UE UTILITY EASEMENT DUE DRAINAGE & UTILITY EASEMENT R/W RIGHT-OF-WAY	FIP FOUND IRON PIPE OUR CONCRETE MONUMENT FOUND	HEIGH OUR ONE	NEIGHBORING PROPERTY SUBJECT PROPERTY OVERHEAD ELECTRIC	X - X WIRE FENCE □ - □ WOOD FENCE ○ - ○ PROPERTY CORNER	CONCRETE POINT OF COMMENCEMENT POB POINT OF BEGINNING
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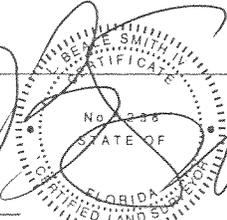
FLOOD INFORMATION:
FLOOD ZONE COMMUNITY NO. 120269
PANEL NO. 0040
SUFFIX E
DATE OF FIRM 4/17/95
DATE OF SURVEY 4/15/04
SURVEY NO. 26346

CERTIFIED TO:
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L. BEALE SMITH IV, PS
PROFESSIONAL SURVEYOR, FLORIDA REG. NO. 52346



PROFESSIONAL SURVEYOR
BEALE SMITH ASSOCIATES
282 SHORT AVENUE, SUITE 124 LONGWOOD, FLORIDA 32750
PHONE: 407-331-5577 FAX: 407-331-9188

844 Maguire Road
Ocoee, FL 34761

Tel 407-532-8596
Fax 407-656-1162



July 19, 2005

Russell G. Hartley
454 Devon Place
Heathrow, Florida 32746

Re: Request for the partial Vacation of a Utility Easement
SECTION 12, TOWNSHIP 20, RANGE 29

Dear Mr. Hartley,

Bright House Networks has reviewed your request for the partial Vacation of a Utility Easement described as:

The easternmost 6' of the 10' Landscape, Sidewalk & Utility Easement lying adjacent to the rear or westernmost property line of 454 Devon Place, Heathrow.

Bright House Networks has NO OBJECTION to the partial Vacation of the Utility Easement described above.

Please do not hesitate to call me at (407) 532-8508 should have any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "P.J. King".

P.J. King,
Senior Construction Manager
Bright House Networks

cc: Marvin L. Usry, Jr., 
Construction Supervisor

PJK/vbs

BellSouth Telecommunications, Inc.

450 North Goldenrod Road
Orlando, Florida 32807

Office: 407 382-1490
Fax: 407 277-7241
Pager: 407 646-8988

Matt S. Terrien
BellSouth
Project Manager

June 12, 2005

Russell G. Hartley
454 Devon Place
Heathrow, FL 32746

Re: Easement Vacate at 454 Devon Place

Dear Russell:

After reviewing the survey of the easement at 454 Devon Place, BellSouth would like to inform you that it does not object to this easement vacate request. Please feel free to contact me if you have any further questions.

Thank You,



Matt Terrien
Project Manager



Concurred
Mark G. LoCastro
Director



July 6, 2005

Mr. Russell G. Hartley
454 Devon Place
Heathrow, FL 32746

**RE: Request to Vacate Platted Utility Easement
454 Devon Place, Heathrow, Florida**

Dear Mr. Hartley,

Please be advised that Progress Energy (formerly known as Florida Power Corporation) has "no objection" to the vacation and abandonment of the 10 foot wide platted landscape, sidewalk and utility easement being more particularly described as the Southwesterly 10 feet (rear lot) of Lot 2, DEVON GREEN PHASE 1, according to the plat thereof, as recorded in Plat Book 34, Pages 93 and 94, of the Public Records of Seminole County, Florida.

If I can be of further assistance, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Lori L. Herring".

Lori L. Herring
Land Agent
Distribution Asset Engineering