

Item # 32

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Vacate a temporary utility easement located within Lot 1, Block L, The Woodlands Section 2 Subdivision.

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

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Michael Rumer **EXT.** 7337

<b>Agenda Date</b> <u>10/14/03</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 a resolution to vacate and abandon a temporary utility easement within lot 1, Block L, The Woodlands Section 2 Subdivision. The applicant is Vincent Marshall.

This lot is located on the west side of Foxridge Run and the north side of Hickory Tree Road within The Woodlands Section 2 Subdivision in Section 36, Township 20 South, Range 29 East.

District 4 - Henley

**BACKGROUND:**

The applicant is requesting to vacate and abandon a temporary utility easement that contains part of an existing pool that encroaches into this easement, as shown in the attached sketch and legal description. The 14 foot temporary easement was originally dedicated as part of the plat for The Woodlands Section 2 subdivision with the intent that the temporary easement would be removed when the adjacent land was platted. The adjacent property has since been platted and the temporary easement is no longer necessary. The area of the temporary easement vacate does not contain any utilities as all utilities are located in the permanent easement. The applicant has provided letters of no objection from the applicable utility companies.

**STAFF RECOMMENDATION:**

Staff recommends approval of the resolution to vacate and abandon the subject temporary utility easement.

District           4 - Henley  
Attachments: Resolution  
                  Sketch of description  
                  Location map

<b>Reviewed by:</b> <b>Co Atty:</b> <u>RCC</u> <b>DFS:</b> _____ <b>Other:</b> <u>AL</u> <b>DCM:</b> <u>SS</u> <b>CM:</b> <u>KL</u> <b>File No.</b> <u>cpdd03</u>
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THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 14th DAY OF October A.D., 2003.

**RESOLUTION TO VACATE AND ABANDON A  
TEMPORARY UTILITY EASEMENT**

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Whereas, a Petition was presented on behalf of Vincent Marshall

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

THAT CERTAIN 14' TEMPORARY UTILITY EASEMENT DESCRIBED AS THE WEST 14.00 FEET OF LOT 1, BLOCK L, THE WOODLANDS SEC. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGES 38 & 39, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described temporary 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 temporary 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 14th day of October A.D., 2003.

ATTEST:  
  
\_\_\_\_\_  
MARYANNE MORSE  
CLERK OF THE CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA  
  
BY: \_\_\_\_\_  
DARYL G. MCLAIN  
CHAIRMAN

Boundary Survey  
for  
**VINCENT C. & TRACIE A. MARSHALL**

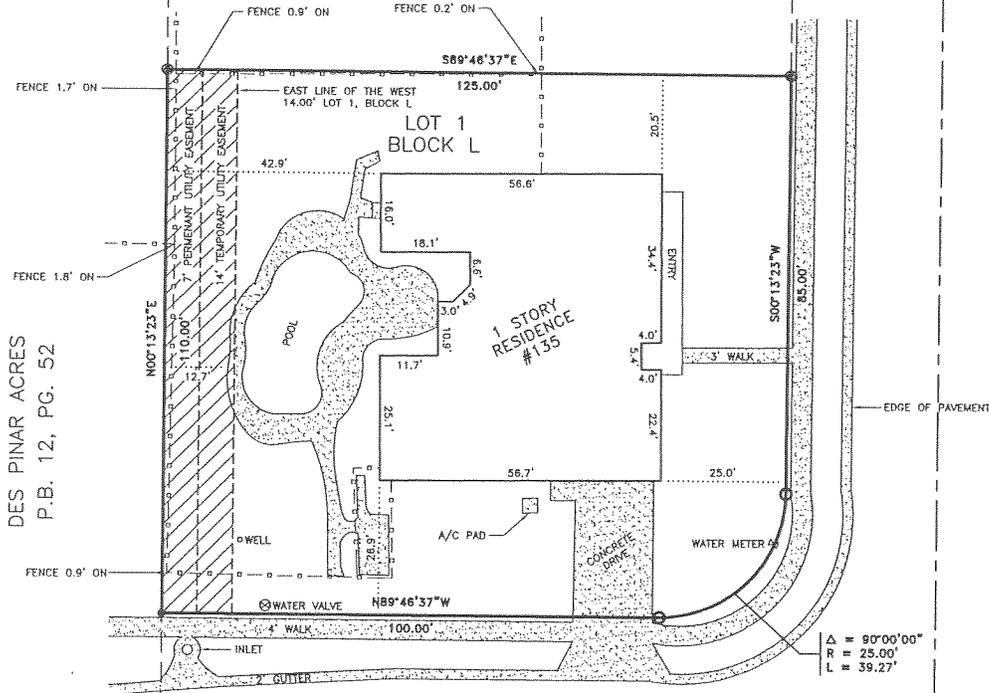
SKETCH OF DESCRIPTION

LOT 1, BLOCK L  
THE WOODLANDS SEC. 2  
Plat Book 16, Pages 38-39,  
Seminole County, Florida

EASEMENT TO BE VACATED

THAT CERTAIN 14' TEMPORARY UTILITY EASEMENT DESCRIBED AS THE WEST 14.00 FEET OF LOT 1, BLOCK L, THE WOODLANDS SEC. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGES 38 AND 39, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LOT 2  
BLOCK L



DES PINAR ACRES  
P.B. 12, PG. 52

**HICKORY TREE ROAD**

(60' RIGHT OF WAY)

**FOX RIDGE RUN**

(60' RIGHT OF WAY)

Bearings are based on Foxridge Run as being S00°13'23"W, per plat. Legal Description furnished by client (unless otherwise noted). This is to certify that I have reviewed the Flood Insurance Rating Map (FIRM) Panel #120179 0130 E dated 4/17/95 and determined that the lands shown hereon lie in zone "X".

This Survey Certified To:  
Metropolitan Title & Guaranty Company  
Premium Funding Corporation  
First American Title Insurance Company  
Vincent C. Marshall  
Tracie A. Marshall

LOT 1  
BLOCK L

ADD LEGAL: 9/8/03

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions and deletions to survey maps, sketches, or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

*Michael W. Selinger, P.S.M. #4458*  
Michael W. Selinger, P.S.M. #4458  
For the firm of Altamonte Surveying and Platting, Inc. #LB6530

SCALE: 1"=30'  
REVIEWED BY: MWS  
DRAWN BY: LIG  
DATE: 3/18/98  
JOB No.: 989467  
UPDATE SURVEY: 6/23/01

- LEGEND**
- = Recovered 4"x4" Conc. Monument
  - △ = Recovered Nail & Disk #
  - × = Recovered X Cut in concrete
  - ⊙ = Recovered 5/8" Iron Rod no #
  - ⊗ = Recovered 1/2" Iron Rod no #
  - = Recovered 1/2" Iron Rod #LB 5953
  - ⊕ = Power Pole as shown
  - ⊖ = Wood Fence as shown
  - X- = Chain link fence as shown
  - ▒ = Concrete Slab

△=Central Angle L=Arc R=Radius R/W=Right of Way  
A/C=Air Conditioner (R)=Radial (NR)=Non-Radial  
(P)=Plot (M)=Measured (C)=Calculated (D)=Dead  
POB=Point of Beginning POC=Point of Commencement  
POL=Point on Line CONC.=Concrete

This survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals listed and shall not be relied on by any other entity or individual whatsoever. Underground foundations and/or improvements were not located as part of this survey. Land shown hereon were not abstracted for rights of ways and/or easements of public record.

**ALTAMONTE SURVEYING AND PLATTING, INC.**

Phone (407) 862-7555

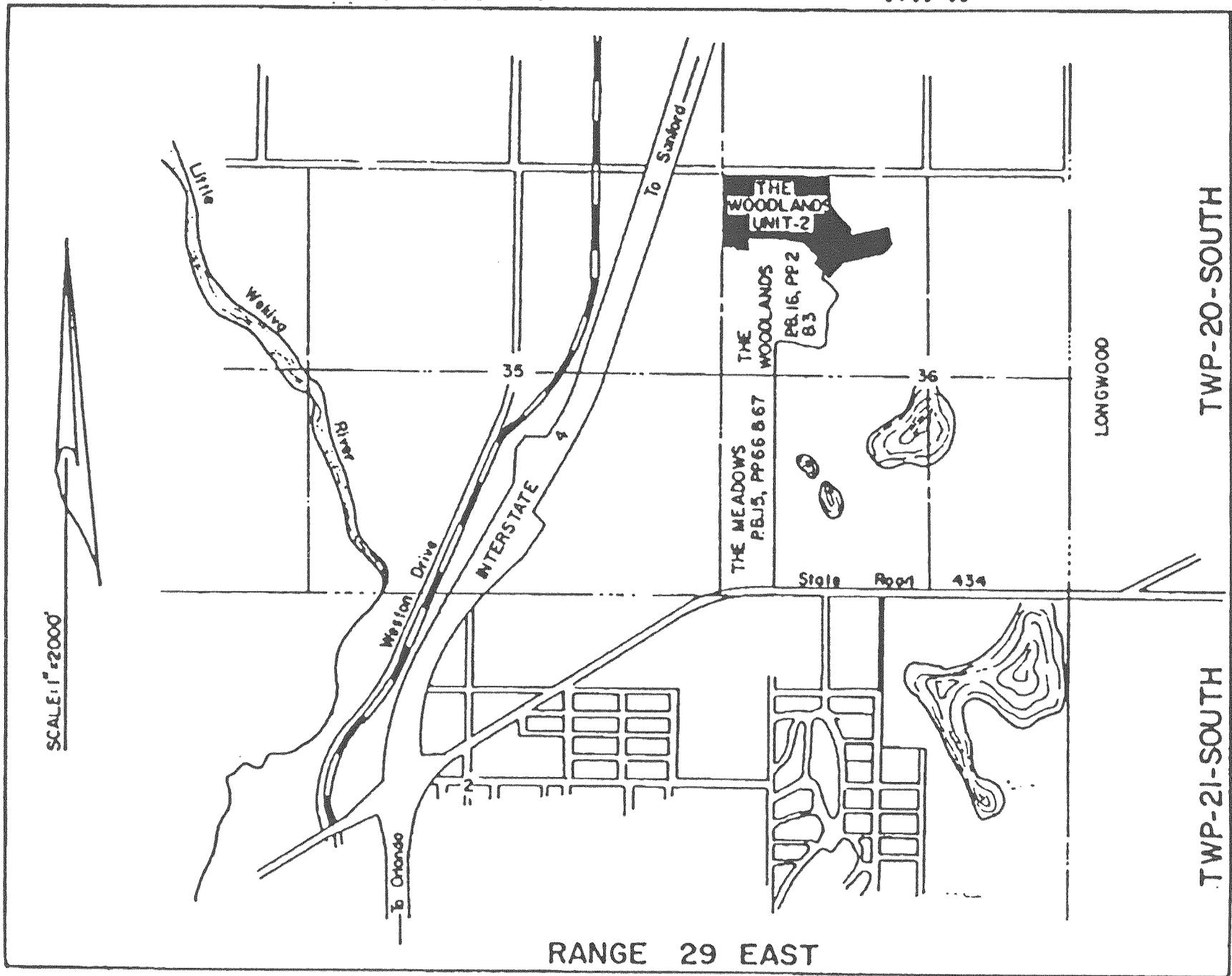
445 Douglas Avenue, Suite 1505  
Altamonte Springs, Florida 32714

Fax (407) 862-6229

0000002.DWG

# VICINITY

# MAP



SCALE: 1" = 2000'

RANGE 29 EAST

TWP-20-SOUTH

TWP-21-SOUTH

LONGWOOD

THE WOODLANDS UNIT-2

THE WOODLANDS P.B. 16, P.P. 2 & 3

THE MEADOWS P.B. 5, P.P. 66 & 67

State Road 434

INTERSTATE 4

Weston Drive

Little Wokwa River

To Sanford

To Orlando

35

36