

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

*[Continued from 10/11/2005]
Public Input Closed, Board Discussion Only*

SUBJECT: Adopt Resolution to vacate and Abandon a portion of the unimproved public rights-of-way known as Palm Avenue and Elm Street

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

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

Agenda Date <u>10/25/05</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 and authorize the Chairman to execute a resolution to vacate and abandon a portion of the unimproved public rights-of-way known as Palm Avenue and Elm Street as recorded in Plat Book 2, Page 110, O. P. Swope Land Company's Plat of Black Hammock, in Section 26, Township 20 S, Range 31 E, as requested by Arthur Evans, applicant.

District 2 – Morris (Cynthia Sweet, Planner)

BACKGROUND:

[This item was continued from the last BCC meeting to permit the district commissioner the opportunity to visit the site for better assessment.]

Lonnie Groot, representative for the applicant (Arthur Evans) is requesting to vacate and abandon a portion of the unimproved public rights-of-way known as Palm Avenue and Elm Street consisting of approximately 1.85 acres located in Section 26, Township 20 S, Range 31 E and as recorded in Plat Book 2, Page 110, O. P. Swope Land Company's Plat of Black Hammock of the Public Records of Seminole County, Florida.

The applicant stated in his request for vacate that the rights-of-way are "antiquated and obsolescent" and are "more in the nature of agricultural use rights-of-way and not access oriented rights-of-way". Site inspections confirmed that the subject rights-of-way are dirt roads that appear to provide access to orange groves. Vacating of the proposed roads is consistent with the LDC and will not prohibit access to any adjacent properties.

The easements have been prepared and executed, and shall be held in escrow until such time as the Board executes this resolution to vacate and abandon the subject portion of the unimproved rights-of-way. The

Reviewed by: <u>KL</u> Co Atty: _____ DFS: _____ Other: _____ DCM: _____ CM: _____ File No. <u>ph130pdd01</u>
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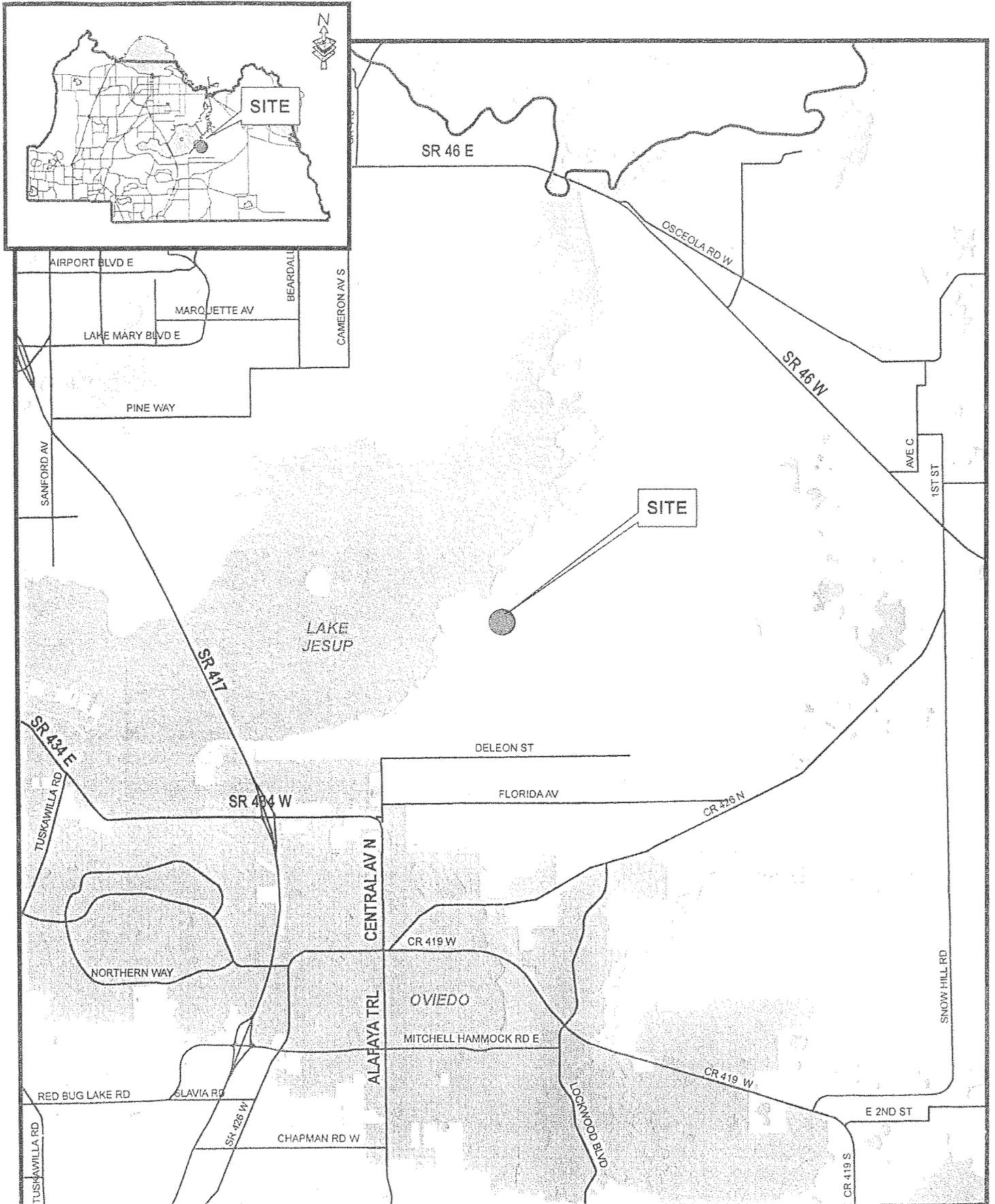
resolution and easement shall subsequently be recorded in the Land Records of Seminole County.

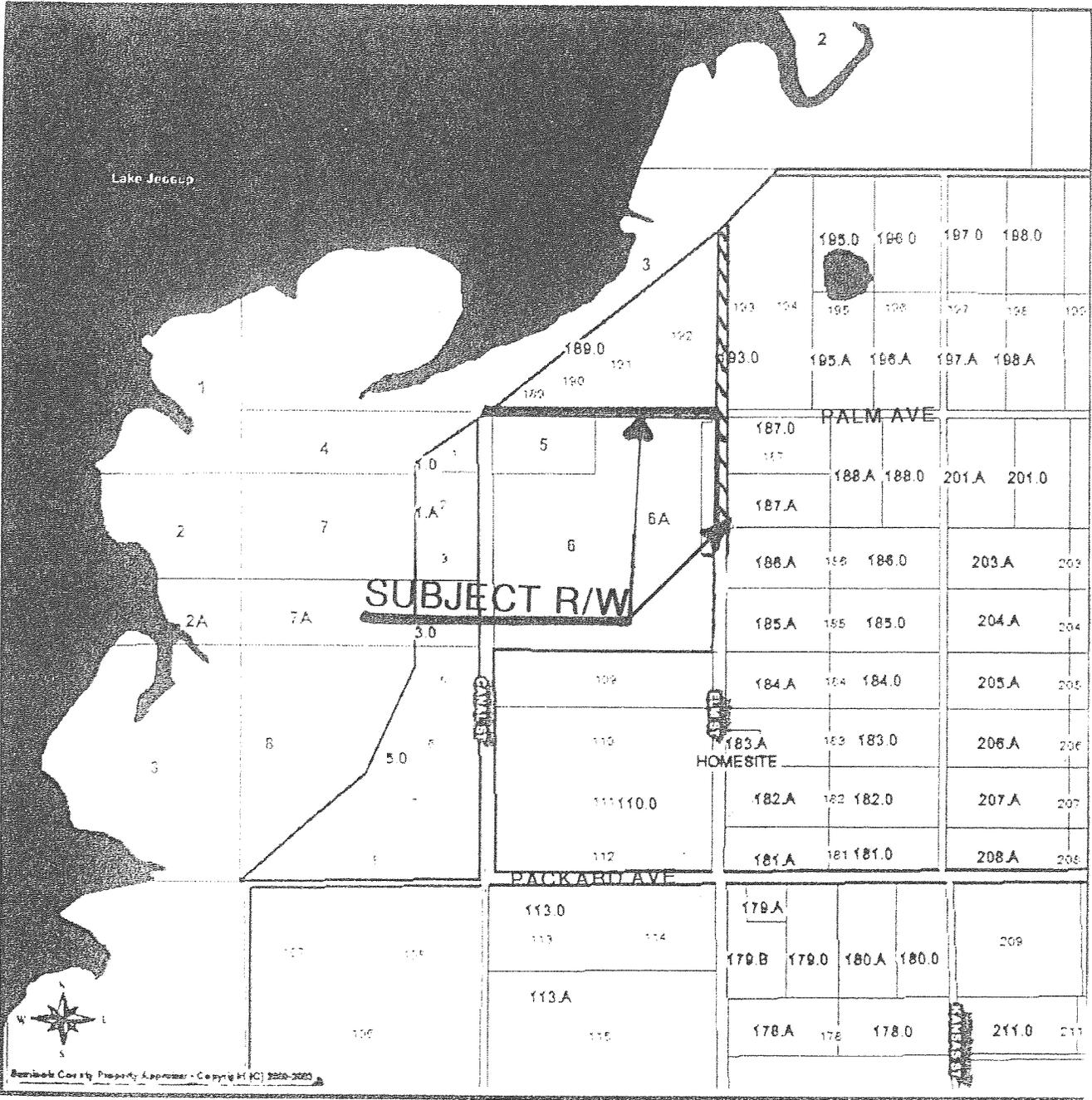
STAFF RECOMMENDATION:

Staff recommends the Board adopt a resolution to vacate and abandon the portions of the unimproved public rights-of-way as requested by the applicant.

District 2 - Morris

Attachments: Location Maps
Resolution





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 25TH DAY OF October A.D., 2005.

**RESOLUTION TO VACATE AND ABANDON A
RIGHT-OF-WAY**

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Whereas, a Petition was presented on behalf of
ARTHUR EVANS

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

SEE ATTACHED SKETCH OF DESCRIPTIONS

EXHIBIT A

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described rights-of-way is to 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 as attached Rights-of-way 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 25TH day of October A.D., 2005.

ATTEST: **BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**
BY:

**MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA**

**CARLTON D. HENLEY
CHAIRMAN**

THIS SKETCH CONSISTS OF TWO SHEETS & IS ONLY VALID IN ITS ENTIRETY

SEE SHEET 1 FOR LEGAL DESCRIPTION

SHEET 2 OF 2

RESERVED FOR RECORDING INFORMATION

OFFICIAL RECORD BOOK 2849, PAGE 0323, SEMINOLE COUNTY, FLORIDA

GOVERNMENT LOT 6
 NORTHWEST RIGHT OF WAY LINE
 EAST RIGHT OF WAY LINE
 WEST RIGHT OF WAY LINE
 UNIMPROVED ROAD (PICK PLAT)

LOT 192
 O.P. SACRE LAND COMPANY'S PLAT OF BLACK HAMMOCK PLAT BOOK 2, PAGE 110, SEMINOLE COUNTY, FLORIDA

LOT 193
 O.P. SACRE LAND COMPANY'S PLAT OF BLACK HAMMOCK PLAT BOOK 2, PAGE 110, SEMINOLE COUNTY, FLORIDA

PALM AVENUE
 NORTH RIGHT OF WAY LINE
 SOUTH RIGHT OF WAY LINE

L2 NORTH RIGHT OF WAY LINE
 PALM AVENUE
 SOUTH RIGHT OF WAY LINE

EAST RIGHT OF WAY LINE

LOT 187
 O.P. SACRE LAND COMPANY'S PLAT OF BLACK HAMMOCK PLAT BOOK 2, PAGE 110, SEMINOLE COUNTY, FLORIDA

P.O.B.

EAST RIGHT OF WAY LINE

P.O.C.

NORTHEAST CORNER OF LOT 193

LOT 109
 O.P. SACRE LAND COMPANY'S PLAT OF BLACK HAMMOCK PLAT BOOK 2, PAGE 110, SEMINOLE COUNTY, FLORIDA



LINE	BEARING	LENGTH
L1	N 45°00'00" E	55.74
L2	N 89°19'12" E	13.15
L3	S 89°17'37" W	20.00
L4	S 89°02'42" W	13.00
L5	N 89°23'04" E	33.00

SKETCH OF LEGAL DESCRIPTION

For LAKE MARY GROVES PARTNERSHIP

Date: 1/15/04
 Revised: N/A
 Drawn by: JTB
 Field by: TJA
 Checked by: PJB

LEGEND
 P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 "Unless Noted Otherwise"

PR. (Ricky) Burns
 Professional Surveyor & Mapper
 Florida Registration No. 4732
 Not valid without the signature and the original rolled seal of a Florida licensed surveyor and mapper

AND BCH
 SURVEYING & MAPPING CORP.
 353 S. Central Ave., Oviedo, FL 32765
 P.O. Box 621892, Oviedo, FL 32762
 Voice (407) 365-1034
 Fax (407) 365-1030
 Licensee Business No. 5777

SECTION 26, TOWNSHIP 20 SOUTH, RANGE 31 EAST

THIS SKETCH CONSISTS OF TWO SHEETS &
IS ONLY VALID IN ITS ENTIRETY
SEE SHEET 1 FOR LEGAL DESCRIPTION

SHEET 2 OF 2

RESERVED FOR RECORDING INFORMATION



ELM STREET

P.O.C.

WEST RIGHT
OF WAY LINE

L2

NORTHEAST CORNER
OF LOT 109

PALM AVENUE

N 89°19'12" E 1317.23'

NORTH RIGHT OF WAY LINE OF PALM AVENUE

PALM AVENUE

SOUTH RIGHT OF WAY LINE OF PALM AVENUE

N 89°19'12" E 1267.17'

S 89°23'04" W 1254.53'

NORTH LINE OF LOT 109

LOT 109
OF SWOPE LAND COMPANY'S
PLAT OF BLACK HAMMOCK
PLAT BOOK 2, PAGE 110
SEMINOLE COUNTY, FLORIDA

P.O.B.

NORTHWEST CORNER
OF LOT 109

N 00°50'31" W 1318.29'

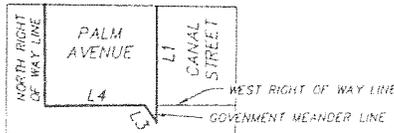
L1

L4

EAST RIGHT OF WAY LINE

WEST RIGHT OF WAY LINE

CANAL STREET
RIGHT OF WAY VARIES



DETAIL (NOT TO SCALE)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 89°19'12" W	50.89
L2	S 00°40'48" E	20.00
L3	N 54°44'54" E	0.97
L4	N 00°50'31" W	19.45
L5	N 89°23'04" E	10.00

SKETCH OF LEGAL DESCRIPTION

Date: 1/15/04

Revised: N/A

Drawn by: XTLB

For LAKE MARY GROVES PARTNERSHIP

Job No: 02091

Scale: 1" = 200'

Field by: T/A

Checked by: P.R.B.

LEGEND
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING

P.R. (Rick) Burns
Professional Surveyor & Mapper
Florida Registration No. 4702

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper



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SURVEYING & MAPPING CORP.
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SECTION 26, TOWNSHIP 20 SOUTH, RANGE 31 EAST