

Item # 37

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: RESOLUTION – DRAINAGE EASEMENT

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

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

Agenda Date <u>11/18/03</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Adopt Resolution accepting a Drainage Easement (Rene E. Baez and Denise Baez to Seminole County) for the drainage protection of Cardinal Court located in Section 20, Township 21 South, Range 29 East.

District 3 – Commissioner Van Der Weide

Attachments: Resolution
Drainage Easement

Reviewed by: <u><i>W</i></u>
Co Atty: <u><i>W</i></u>
DFS: _____
Other: _____
DCM: <u><i>W</i></u>
CM: <u><i>W</i></u>
File No. <u>CPWE01</u>

RESOLUTION NO. 2003-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., 2003.

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that a necessity exists for drainage protection of Cardinal Court located in Section 20, Township 21 South, Range 29 East, in Seminole County, Florida; and

WHEREAS, the drainage protection of Cardinal Court will require a Drainage Easement not now owned by the County of Seminole; and

WHEREAS, Rene E. Baez and Denise Baez, have indicated their willingness to donate to Seminole County the required Drainage Easement as evidenced by the executed Drainage Easement accompanying this resolution.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County, Florida, hereby accepts the accompanying Drainage Easement, executed October 14, 2003, by the aforementioned property owners, conveying to Seminole County the land described therein.

BE IT FURTHER RESOLVED that the aforementioned Drainage Easement be recorded in the Official Records of Seminole County, Florida.

ADOPTED THIS DAY OF _____ A.D., 2003.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

Daryl G. McLain, 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
10-20-2003

Document prepared by:
Warren Lewis, Senior Coordinator
Right-of-Way Section
Seminole County Engineering Division
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

Legal Description Approved by:
Steve L. Wessels, P.L.S.
County Surveyor
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT is made and entered this 14th day of October, 2003, by RENE E. BAEZ AND DENISE BAEZ, his wife whose address is 3819 Anna Drive, Apopka, Florida, 32703, hereinafter referred to as the 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;

FOR AND IN CONSIDERATION OF the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR does hereby grant and convey to the GRANTEE and its assigns, an exclusive, perpetual, permanent easement and right-of-way for drainage purposes with full authority to enter upon, desiltrate, sump, excavate, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage system consisting of pipes, ditches, detention, percolation or disposal areas or combination thereof, together with appurtenant drainage structures, over, under, upon and through the following described lands situate in the County of Seminole, State of Florida, to-wit:

The Most Northerly 15 feet of the following described parcel:

Lot 29, Orange Villa Heights, according to the plat thereof, as recorded in Plat Book 12, Page 22, Public Records of Seminole County, Florida, as described in Official Records Book 3096, Page 1194.

Property Appraiser's Parent Parcel Identification No:
20-21-29-503-0000-0290

TO HAVE AND TO HOLD said easement and right-of-way unto said GRANTEE and its assigns forever.

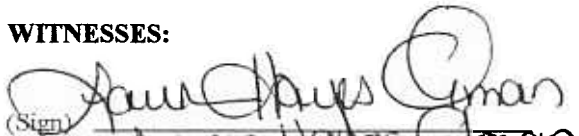
THE GRANTOR further gives and grants unto the GRANTEE and it's assigns, the right to use such other area of land adjoining the above described easement and right-of-way as may be necessary and proper for the use of the equipment necessary to be utilized in digging and/or excavating the drainage area.

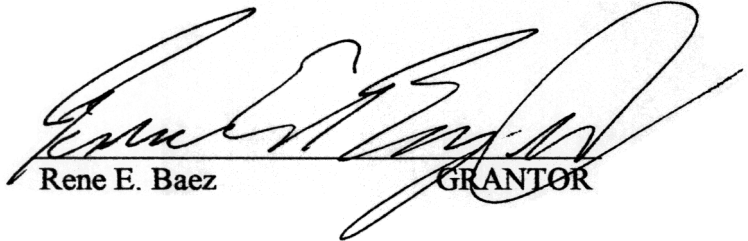
THE GRANTEE herein and its assigns shall have the right to clear, keep clear, remove from said easement all trees, undergrowth and other obstructions that may interfere with location, excavation, operation or maintenance of the drainage or any structures installed thereon by the GRANTEE and it's assigns, and the GRANTOR, their 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 drainage or any structures installed thereon.

GRANTOR does hereby covenant with the GRANTEE, that they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the said easement and that it is free from all encumbrances.

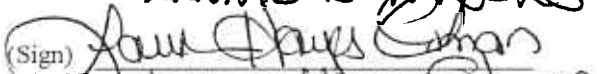
IN WITNESS WHEREOF, the **GRANTOR** has hereunto set their hand and seal, the day and year first above written.

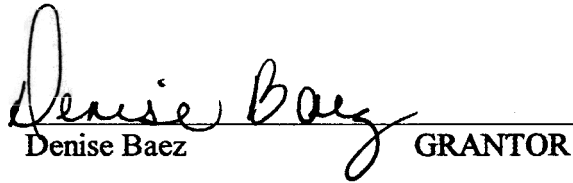
WITNESSES:

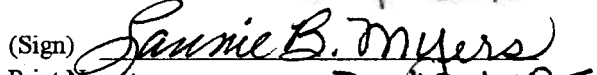
(Sign) 
Print Name: LAURIE HAYES COLEMAN


Rene E. Baez GRANTOR

(Sign) 
Print Name: LANNIE B. MYERS

(Sign) 
Print Name: LAURIE HAYES COLEMAN


Denise Baez GRANTOR

(Sign) 
Print Name: LANNIE B. MYERS

STATE OF FLORIDA

COUNTY OF Seminole)
) SS

The foregoing instrument was acknowledged before me this 14th day of October, 2003, by Rene E. Baez and Denise Baez, his wife, who are personally known to me or who have produced Drivers License as identification and did/did not take an oath

Lannie B. Myers
Print Name: LANNIE B. MYERS
Public in and for the County and State
Aforementioned

My commission expires:

