

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Vacate and Abandon a Maintenance Easement for Celery Key

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

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Michael Rumer <sup>MR</sup> **EXT.** 7337

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

**MOTION/RECOMMENDATION:**

Adopt the resolution to vacate and abandon a 661 feet wide blanket maintenance easement dedicated to Seminole County providing that the property owner dedicate three new drainage easements via two legal instruments being recording with the recording of the resolution. – D.R. Horton, Inc. /Owner, Applicant (William Barfield, Representative).

The maintenance easement is located on the north side of Celery Avenue within the Sanford City limits in Section 29, Township 19 South, Range 31 East.

District 5 – McLain (Michael Rumer– Planner). *RH*

**BACKGROUND:**

William Barfield, representative for the property owner, D.R.Horton, Inc., is requesting to vacate and abandon a 661 feet wide blanket maintenance easement consisting of 39.6 acres more or less. The proposed vacate encompasses property within Celery Key, which is currently in the subdivision permitting process with the City of Sanford. The easement provides access and maintenance for an existing drainage ditch maintained by Seminole County. The Seminole County Public Works Department has reviewed the proposed maintenance easement vacate and recommends approval subject to the following conditions:

- 1) Dedicate a new 65 feet drainage easement over the subject drainage ditch.
- 2) Dedicate a new 20 feet drainage easement over an existing drainage ditch on the west side of the said property.
- 3) Dedicate a new 25 feet drainage easement over an existing drainage ditch on the east side of the said property.

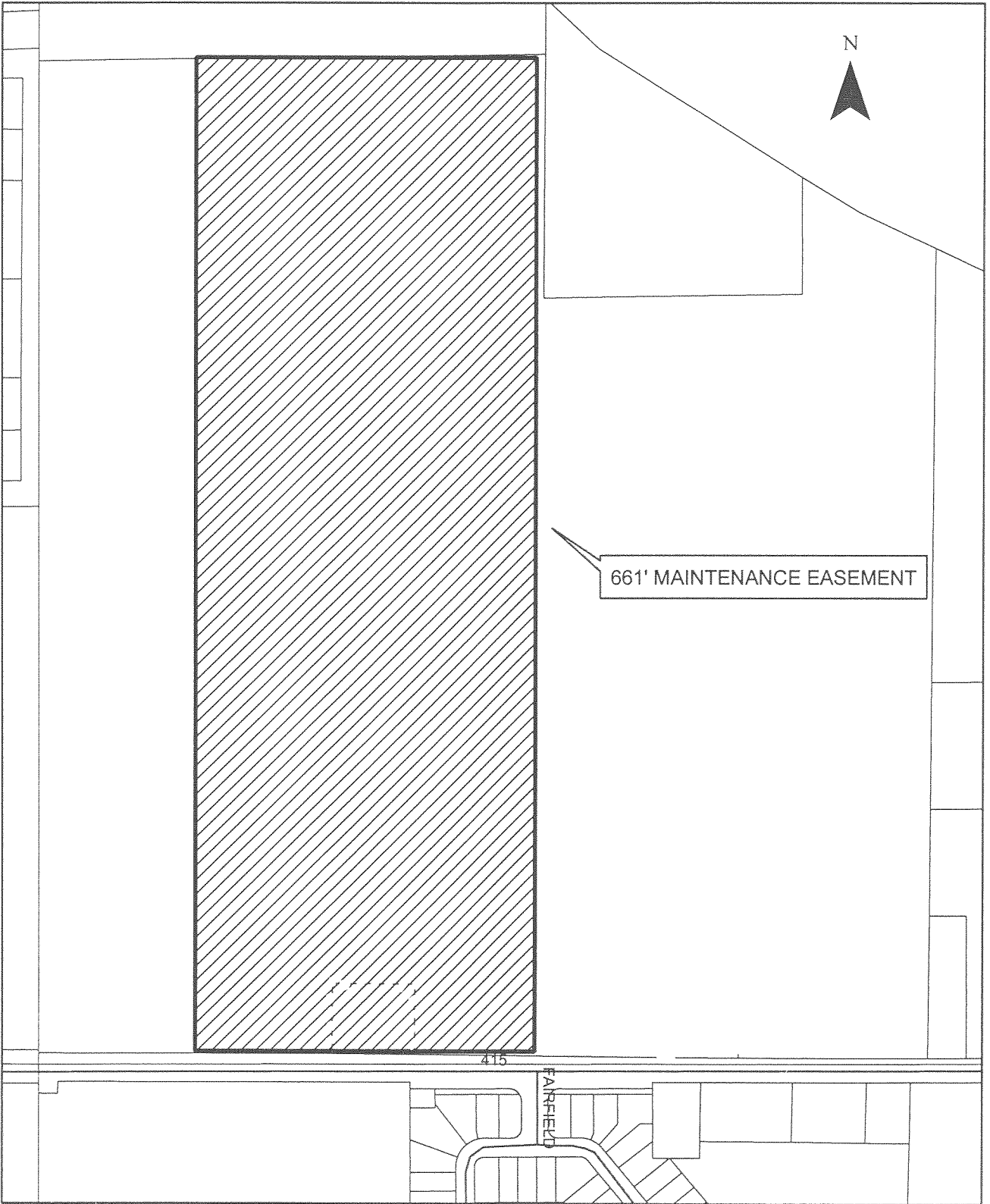
Upon Board's approval, the new easements mentioned above are to be recorded along with the subject resolution in order for the vacate to be valid.

<b>Reviewed by:</b> _____ <b>Co Atty:</b> <u>KZL</u> <b>DFS:</b> _____ <b>Other:</b> _____ <b>DCM:</b> _____ <b>CM:</b> _____  <b>File No.</b> <u>ph130pdd02</u>
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**STAFF RECOMMENDATION:**

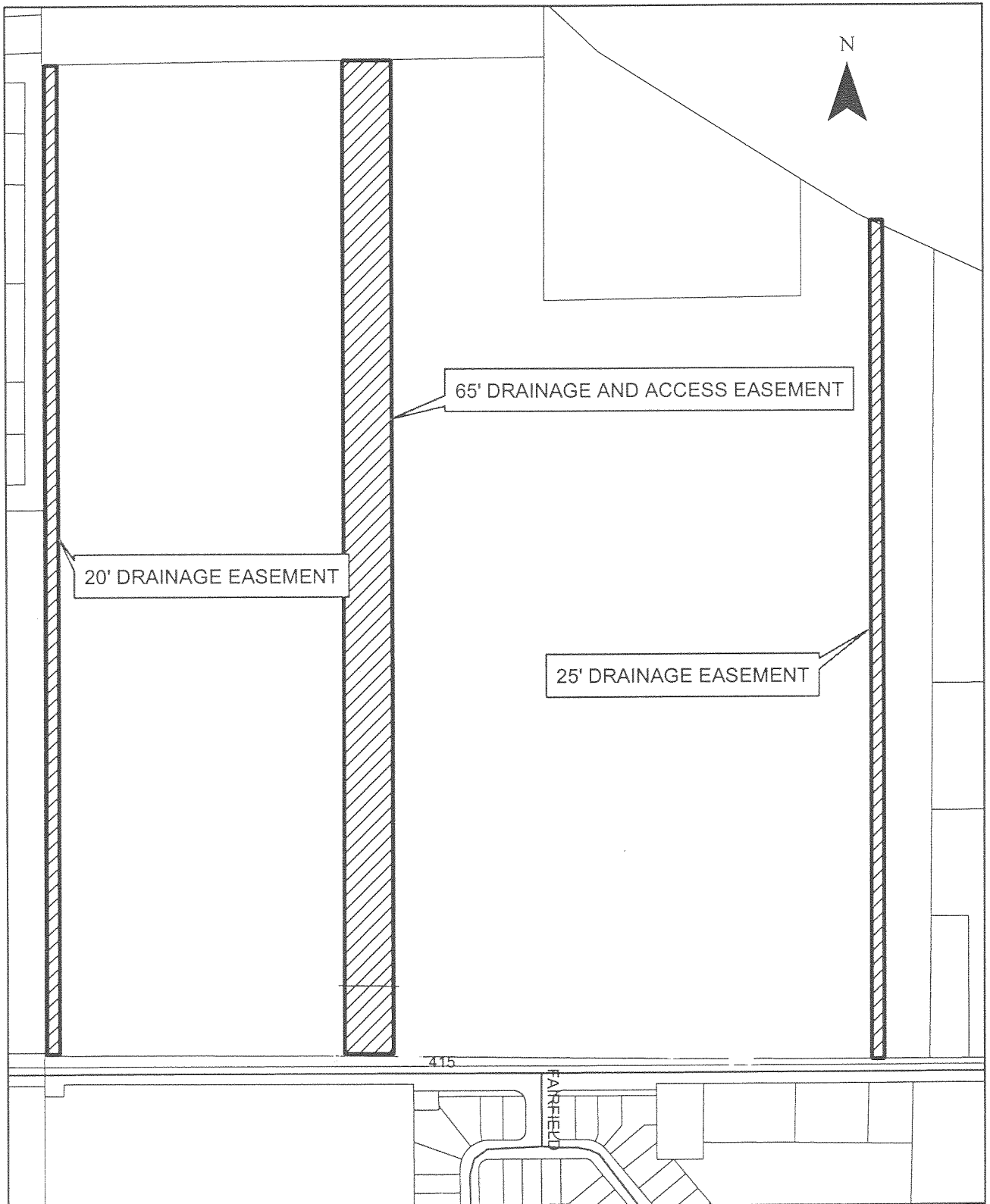
Staff recommends adoption of the Resolution to vacate and abandon the 661 feet wide maintenance easement with the condition of the new easements being recorded.

District        5 - McLain  
Attachments: Location Maps  
                  Resolution



**LOCATION MAP**

**MAINTENANCE EASEMENT TO BE VACATED**



**LOCATION MAP**  
**NEW DRAINAGE EASEMENTS**

RESOLUTION NO.: 2003-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 18th DAY OF NOVEMBER A.D., 2003.

**RESOLUTION TO VACATE AND ABANDON A MAINTENANCE EASEMENT**

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Whereas, a Petition was presented on behalf of D.R. Horton, Inc.

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described maintenance easement subject to the placement of three new drainage easements via two legal instruments being recorded with the recording of this resolution:

See Exhibit A

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, has determined that the abandonment of the above described drainage easement and acceptance of three new easements is in 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 maintenance 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 is hereby disclaimed.

PASSED AND ADOPTED this 18th day of November A.D., 2003

ATTEST:	BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA
_____ MARYANNE MORSE CLERK OF THE CIRCUIT COURT SEMINOLE COUNTY, FLORIDA	BY: _____ DARYL G. MCLAIN CHAIRMAN

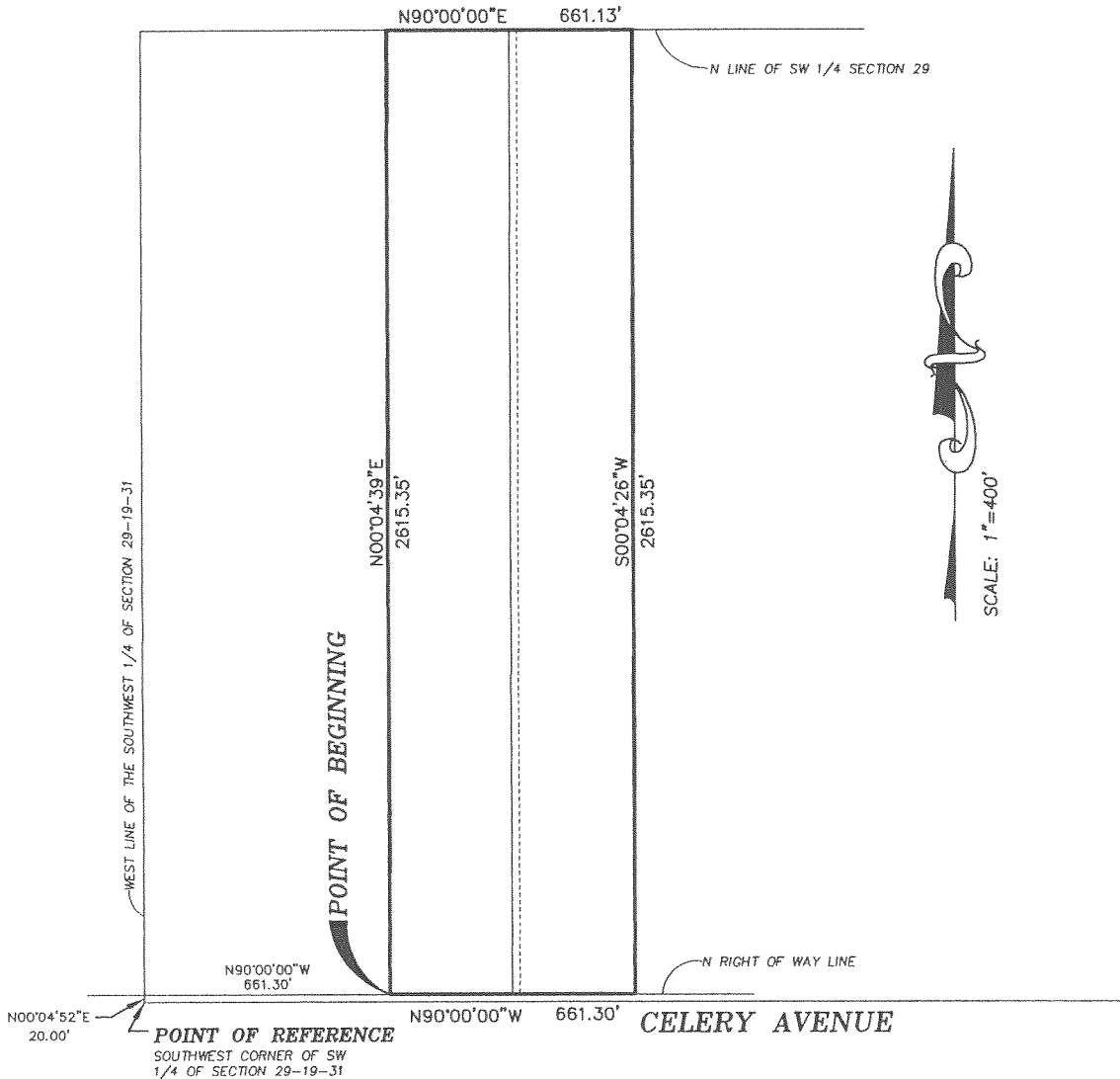
# SKETCH of DESCRIPTION

DESCRIPTION: (MAINTENANCE EASEMENT TO BE VACATED)

THAT CERTAIN MAINTENANCE EASEMENT AS DEFINED IN OFFICIAL RECORDS BOOK 103, PAGE 180 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 19 SOUTH, RANGE 31 EAST, AS A POINT OF REFERENCE; THENCE RUN N 00°04'52"E, ALONG THE WEST LINE THEREOF, 20.00 FEET TO THE NORTH RIGHT OF WAY LINE OF CELERY AVENUE; THENCE RUN N 90°00'00"E, ALONG SAID NORTH LINE, 661.30 FEET TO THE POINT OF BEGINNING; THENCE RUN N 00°04'39" E, 2615.35 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE RUN N 90°00'00"E, ALONG SAID NORTH LINE, 661.13 FEET; THENCE RUN S 00°04'26" W, 2615.35 FEET TO THE AFORESAID NORTH RIGHT OF WAY LINE OF CELERY AVENUE; THENCE RUN N 90°00'00"W, ALONG SAID NORTH LINE, 661.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 39.699 ACRES MORE OR LESS.



**SURVEYORS NOTES:**

- NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- BEARINGS SHOWN HEREON ARE BASED ON THE W LINE OF THE SW 1/4 OF SECTION 29-19-31 AS BEING N 00°04'52"E (ASSUMED).
- THIS IS NOT A BOUNDARY SURVEY.

EXHIBIT *A*

CERTIFIED TO:

I CERTIFY THAT THIS SKETCH MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, IN CHAPTER 61617-6 FLORIDA ADMINISTRATIVE CODE PURSUANT TO FLORIDA STATUTE 472.027

BY: Robert D.M. Sears, P.L.S. FLORIDA REGISTRATION No. 4263

SKETCH of DESCRIPTION  
 JOB No. 02005.007  
 DRAWN BY: R. SEARS  
 FILE NAME: #17:02005-7A  
 FIELD BY: N/A  
 FIELD BOOK:  
 PAGE:  
 FIELD DATE: N/A  
 DRAWING DATE: 07/11/03

**SEARS  
SURVEYING  
COMPANY**

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