

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Vacate of a Utility and Access Easement on Lot 164 Phase III at Carillon

DEPARTMENT: Planning & Development DIVISION: Development Review

AUTHORIZED BY: Donald S. Fisher *DSF* CONTACT: Denny H. Gibbs *DHG* EXT. 7359

Agenda Date 1/26/02 Regular ☐ Consent ☐ Work Session ☐ Briefing ☐
Public Hearing – 1:30 ☐ Public Hearing – 7:00 ☐

MOTION/RECOMMENDATION:

Adopt the resolution to vacate and abandon a 10’ wide portion of a 33’ wide utility and access easement on Lot 164, Tract 105 Phase III at Carillon, as recorded in the Public Records of Seminole County, Florida in Plat Book 47 Page(s) 42-45 in Section 36, Township 21 S, Range 31 E and further described as 2255 Westbourne Drive – Kent A. Banks (Applicant)

District 1 – Grant Maloy (Denny Gibbs, Planner) *fu*

BACKGROUND:

The applicant is requesting to vacate and abandon a 10’ wide portion of a 33’ wide platted utility and access easement in order to accommodate a pool. This easement is contiguous to, but not part of, a 33’ wide Access & Utility Tract owned by the Carillon Community Residential Association. The purpose of the access/utility easement was to accommodate the maintenance of several power poles that served houses and trailers that used to stand on the site of the Lawton Chiles Middle School. Florida Power recently removed all their poles and has indicated they no longer have an interest in this easement, The area does not contain any other utilities and the applicant has provided letters from the applicable utility companies stating no objections to the request.

STAFF RECOMMENDATION:

Staff recommends adoption of the Resolution to vacate and abandon the subject utility and access easement.

District 1 – Grant Maloy
Attachments: Resolution
Exhibit A: Sketch of description
Exhibit B: Location map

Reviewed by:	
Co Atty:	<i>KCC</i>
DFS:	
Other:	<i>SS</i>
DCM:	<i>SS</i>
CM:	<i>JK</i>
File No.	cpdd03

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 12th DAY OF November A.D., 2002.

RESOLUTION TO VACATE AND ABANDON A
UTILITY EASEMENT

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Whereas, a Petition was presented on behalf of

KENT A. BANKS

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

The South 10 feet of a 33' Utility & Access Easement located within Lot 164, Tract 105 Phase III AT CARILLON, as Recorded in Plat Book 47 Page(s) 42-45.

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 12th day of November A.D., 2002.

ATTEST:

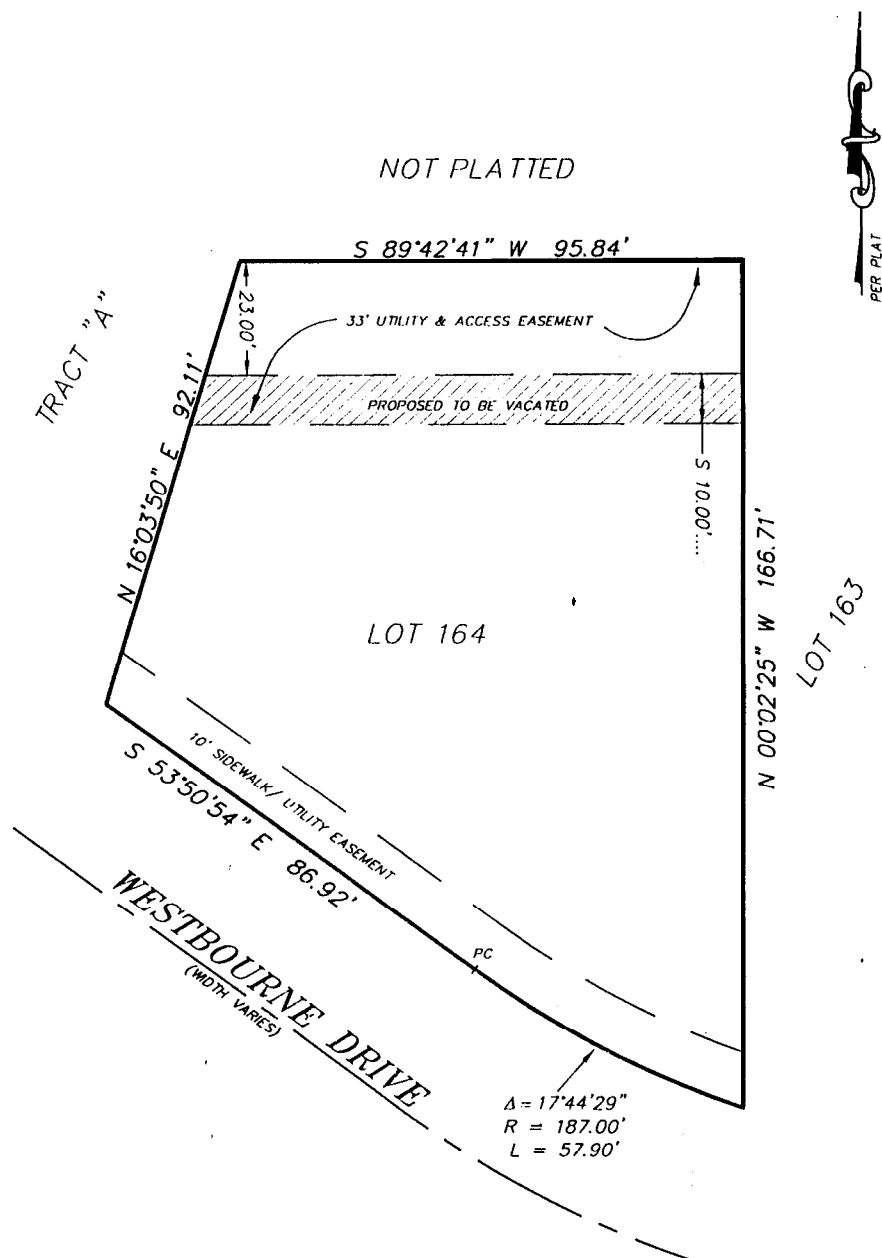
BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: DARYL G. MCLAIN
CHAIRMAN



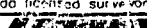
Legal Description: Lot 164, Tract 105 PHASE III AT CARILLON, as Recorded in **Plat Book 47** age(s) 42-45 of the Public Records of **Seminole** County, Florida.

the South **10** Feet of a **33' Utility & Access Easement** located within Lot 164, Tract 105 **HASE III AT CARILLON**, as Recorded In Plat Book 47 Page(s) 42-45.



- 1) Bearings are based on: The North Line of Lot 164, as Being S 89°42'41" W (assumed).
- 2) Vertical Datum is based on: N/A
- 3) The Surveyor has not obstructed the lands shown hereon for easements and/or rights of way of record.
- 4) No underground installations, foundation footings, or improvements have been located.
- 5) There may be additional restrictions that are not recorded on this sketch that may be found in the public records of this county
- 6) There may be evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the sketch.
- 7) This Sketch was prepared for the identities named hereon and is "nontransferable".
- 8) Improvements have not been located as a part of this sketch.

CERTIFICATION:
I hereby certify that the sketch represented on this map was made under my direction on the date shown based on the information furnished to me as noted and conforms to the MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING AND MAPPING in the STATE OF FLORIDA in accordance with CH.61G17-6, Florida Administrative Code.

SKETCH OF LEGAL DESCRIPTION FOR: <div style="text-align: center;">KENT A. BANKS</div>		Date: <div style="text-align: center;">9/13/02</div>	Revised: <div style="text-align: center;">NA</div>	Drawn by: <div style="text-align: center;">SAR</div>	 <div style="text-align: center;">PRICHO ROME</div> Professional Surveyor & Mapper Florida Registration No. 4702 *Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper*
		Job No: <div style="text-align: center;">02083</div>	Scale: <div style="text-align: center;">1" = 30'</div>	Field by: <div style="text-align: center;">N/A</div>	
		LEGEND PC = POINT OF CURVATURE " " " " " " " "			 <div style="text-align: center;">  SURVEYING & MAPPING CORP. 350 S. Central Ave., Oviedo, FL 32765 P.O. Box 621892, Oviedo, FL 32762 Voice (407) 365-1936 Fax (407) 365-1838 Licensed Business No. 5777 </div>
		Unless Noted Otherwise			

INT ? PB ? PGS ? ??

Location Map

Carillon
Access/Utility
Easement
Vacate

