

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution – Sidewalk Easement

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

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

Agenda Date <u>12/12/06</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 Sidewalk Easement for the construction of a sidewalk along a portion of Palm Springs Drive.

District 4 – Commissioner Henley (Jerry McCollum, P.E.)

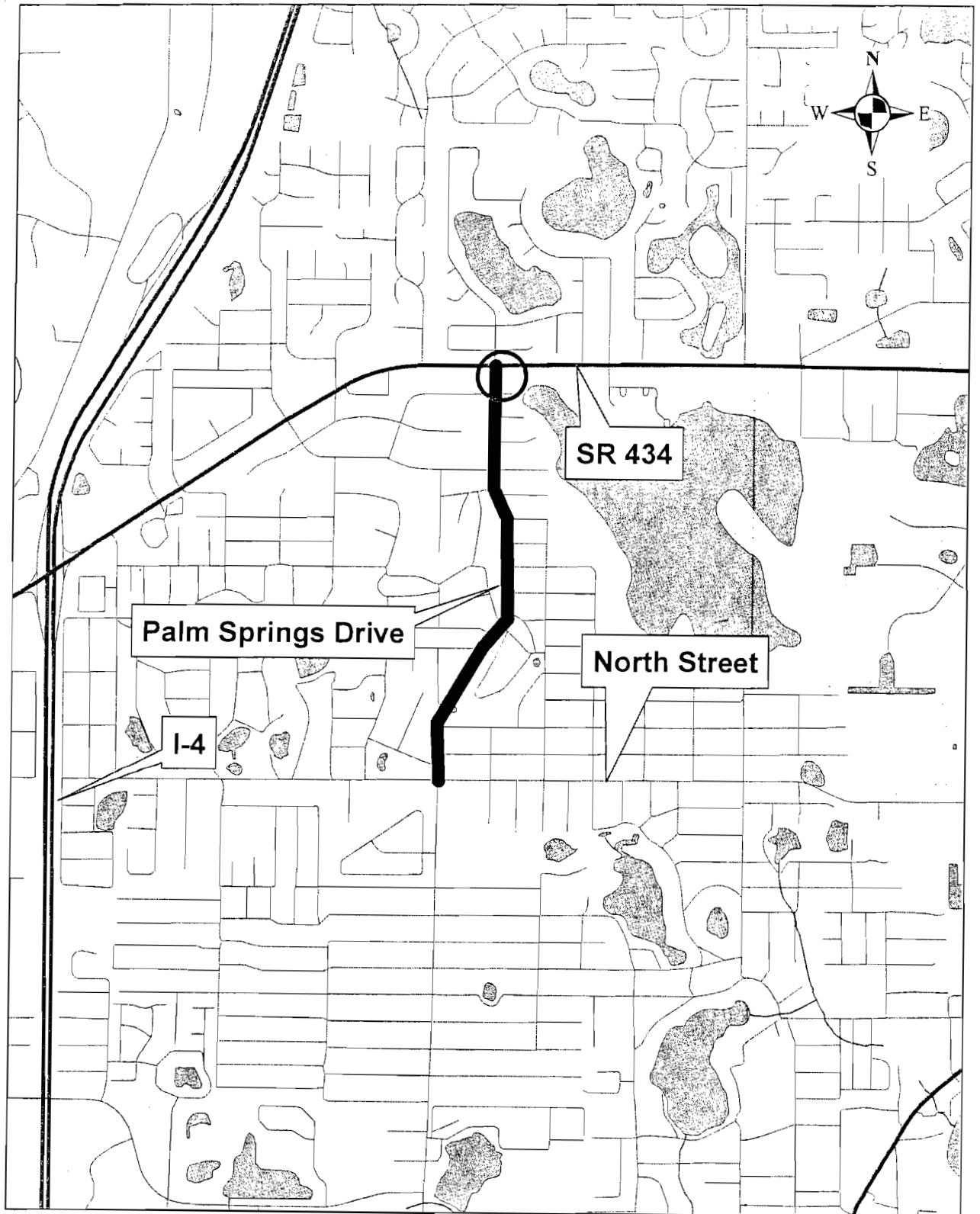
BACKGROUND:

The construction of a sidewalk adjacent to Palm Springs Drive (see attached location map) will require property not currently owned by Seminole County. Longwood Professional Center Condominium Association, Inc., a Florida not-for-profit Corporation, has indicated its willingness to convey said easement, at no cost, as evidenced by the attached Sidewalk Easement.

Attachments: Location Map / Resolution / Sidewalk Easement

Reviewed by: <u>11/2/06</u>
Co Atty: <u>S. Detrick</u>
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. <u>CPWE02</u>

Palm Springs Drive Sidewalk Project



RESOLUTION NO. 2006 - 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 _____, 2006.

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that a necessity exists for protection of pedestrians along a portion of Palm Springs Drive, located in Section 1, Township 21 South, Range 29 East, in Seminole County, Florida; and

WHEREAS, the protection of pedestrians will require an easement that is not currently owned by the County of Seminole; and

WHEREAS, Longwood Professional Center Condominium Association, Inc., has indicated its willingness to donate to Seminole County the required easement as evidenced by the executed Sidewalk Easement accompanying this resolution.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County, Florida, hereby accepts the accompanying Sidewalk Easement conveying to Seminole County an easement over the land described within the Sidewalk Easement attached hereto.

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

ADOPTED THIS _____ DAY OF _____, 2006.

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

ATTEST:

**MARYANNE MORSE, Clerk to the
Board of County Commissioners in
and for Seminole County, Florida.**

Carlton Henley, Chairman

Prepared under the direction of:
Charles F. Barcus
Program Manager/Right-of-Way
11-3-2006

This document prepared by:
Neil Newton, R/W-NAC, Senior Coordinator
Right-of-Way Section
Seminole County Engineering
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

Legal Description Prepared Under
the Direction of:
Steve L. Wessels, P.L.S., County Surveyor
520 W. Lake Mary Boulevard, Suite 200
Sanford, Florida 32773

SIDEWALK EASEMENT

THIS SIDEWALK EASEMENT is made and entered into this 6 day of Oct 2006, 2006, by and between LONGWOOD PROFESSIONAL CENTER CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit Corporation, JAMES D. RAWLINS, JR. and NICOLE P. RAWLINS, his wife, SAMANAICK RANGANATHAN and HEIDI F. PECK, his wife; DAVID L. BEAN, JR., AS TRUSTEE under the provisions of a certain Trust Agreement, dated July 12, 2000 and known as the David L. Bean Jr. Revocable Trust; and ROBERT C. KRAMER and SANDRA S. KRAMER, his wife, whose address is 1250 West State Road 434, Suite 1008, Longwood, Florida 32750, hereinafter referred to as the GRANTORS 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;

WHEREAS, the purpose of this grant of easement is to facilitate the GRANTEE'S establishment of continuous sidewalks along its roads and streets for the benefit of the public,

WITNESSETH:

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 GRANTORS do hereby grant and convey to the GRANTEE and its assigns, an exclusive, perpetual, permanent easement and right-of-way for the construction and maintenance of a sidewalk, with full authority to enter, construct, reconstruct and maintain, as the GRANTEE and its assigns may deem necessary, a sidewalk over, under, upon, and the following described lands situate in the County of Seminole, State of Florida, to-wit:

See Legal Description and Sketch of Description attached hereto as Exhibits
"A-1" & "A-2"

Property Appraiser's Parent Parcel Identification No.:
01-21-29-502-0C00-0000

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

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 sidewalk, and the GRANTORS, 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 sidewalk.

THE GRANTEE, as part of the consideration for this grant, agrees, to the extent and limits permitted by law, to hold harmless, indemnify and defend the GRANTORS, their successors and assigns against any and all claims, losses, damages or lawsuits for damages, arising from, allegedly arising from or related to the construction or maintenance of the sidewalk within said easement by the GRANTEE.

GRANTORS do 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 GRANTORS have hereunto set their hand and seal, the day and year first above written.

(Sign) *[Signature]*
Print Name: Gregory R. Crouse

(Sign) *[Signature]*
Print Name: Donna Gill

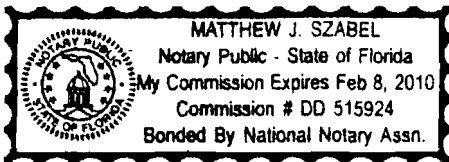
LONGWOOD PROFESSIONAL CENTER
CONDOMINIUM ASSOCIATION, INC., a Florida
not-for-profit Corporation

By: *[Signature]*
James D. Rawlins, Jr.
President

Attested by: _____
Print Name: _____

State of FLORIDA)
County of SEMINOLE)

The foregoing instrument was acknowledged before me this 6 day of October, 2006, by James D. Rawlins of LONGWOOD PROFESSIONAL CENTER CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit Corporation, who is personally known to me or who has produced FLDL as identification and did/did not take an oath.



[Signature]
Notary Public in and for the County
and State Aforementioned
My commission expires 2/8/10

(Sign) [Signature]
Print Name: JAMES D. RAWLINS JR.
Gregory R. Crouse

James D. Rawlins Jr
James D. Rawlins, individually GRANTOR

(Sign) Donna Gill
Print Name: Donna Gill

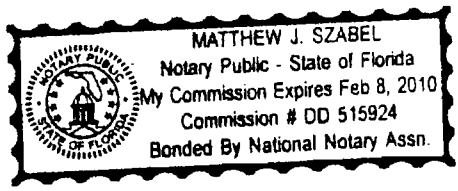
(Sign) Donna Gill
Print Name: Donna Gill

Nicole P. Rawlins
Nicole P. Rawlins, GRANTOR

(Sign) [Signature]
Print Name: Gregory R. Crouse

State of FLORIDA)
County of SEMINOLE)

The foregoing instrument was acknowledged before me this 6 day of October, 2006, by Matthew J Szabel of JAMES D. RAWLINS, JR. and NICOLE P. RAWLINS, his wife, who is personally known to me or who has produced FLDL & US Services Id as identification and did/did not take an oath.



Matthew J Szabel
Notary Public in and for the County and State Aforementioned
My commission expires 2/8/10

(Sign) Mary K. Simmons
Print Name: Mary K. Simmons

Samanaick Ranganathan
Samanaick Ranganathan, GRANTOR

(Sign) Mary K. Simmons
Print Name: SAMANATHAN RANGANATHAN

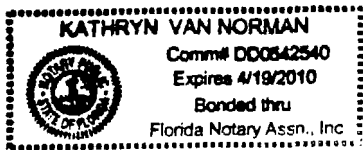
(Sign) Heidi Peck
Print Name: Heidi F. Peck

Heidi Peck
Heidi F. Peck, GRANTOR

(Sign) HUONG T. NGUYEN
Print Name:

State of FLORIDA)
County of SEMINOLE)

The foregoing instrument was acknowledged before me this 19 day of October, 2006, by Kathryn Van Norman of SAMANAICK RANGANATHAN and HEIDI F. PECK, his wife, who is personally known to me or who has produced _____ as identification and did/did not take an oath.



Kathryn Van Norman
Notary Public in and for the County
and State Aforementioned
My commission expires 4/19/2010

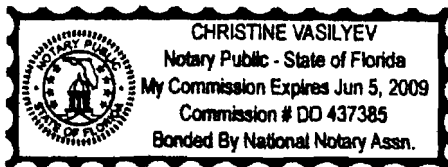
(Sign) Mary K. Simmons
Print Name: Mary K. Simmons

David L. Bean, Jr.
David L. Bean, Jr., as Trustee, GRANTOR

(Sign) Huong T. Nguyen
Print Name: HUONG T. NGUYEN

State of FLORIDA)
County of SEMINOLE)

The foregoing instrument was acknowledged before me this 1 day of November, 2006, by David L. Bean Jr Trustee of DAVID L. BEAN, JR., AS TRUSTEE, who is personally known to me or who has produced FL Drivers License as identification and did/did not take an oath.



Christine Vasilyev
Notary Public in and for the County
and State Aforementioned
My commission expires 6-5-2009

WITNESSES

(Sign) [Signature]
Print Name: Erick Aristizabal

[Signature]
Robert C. Kramer, GRANTOR

(Sign) [Signature]
Print Name: Gladys Arachew

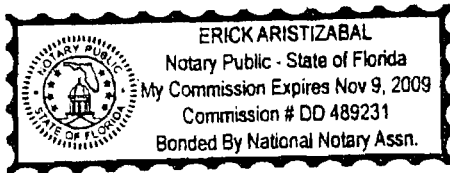
(Sign) [Signature]
Print Name: Erica Aristizabal

[Signature]
Sandra S. Kramer, GRANTOR

(Sign) [Signature]
Print Name: Gladys Arachew

State of FLORIDA)
County of SEMINOLE)

The foregoing instrument was acknowledged before me this 20th day of October, 2006, by _____ of ROBERT C. KRAMER and SANDRA S. KRAMER, his wife, who is personally known to me or who has produced FLDL # K656 797-42-588-0 as identification and did/did not take an oath.



[Signature]
Notary Public in and for the County
and State Aforementioned
My commission expires 11/09/09

LEGAL DESCRIPTION

LEGAL DESCRIPTION

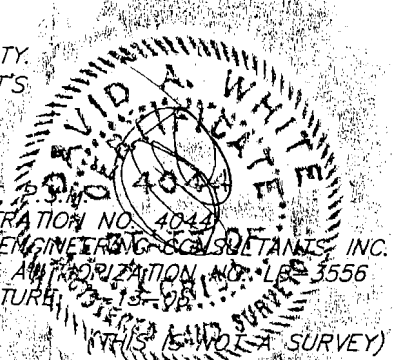
A PARCEL OF LAND BEING A PORTION OF LOTS 2 AND 3, BLOCK "A" AND ALSO A PORTION OF VACATED CHARLES STREET, ALL OF THE PLAT OF SANLANDO SPRINGS TRACT NO. 3, AS RECORDED IN PLAT BOOK 5, PAGE 51, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, SAID PARCEL BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE NORTH LINE OF POWELL STREET, AS DEPICTED ON THE AFORESAID PLAT, WITH THE EAST RIGHT-OF-WAY LINE OF PALM SPRINGS DRIVE, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2078, PAGE 759, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE RUN NORTH 00°20'48" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 265.01 FEET; THENCE RUN NORTH 44°21'12" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 14.21 FEET TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 434; THENCE RUN NORTH 89°03'11" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 15.00 FEET; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, RUN SOUTH 38°04'43" WEST, 32.18 FEET TO A POINT LYING 5.00 FEET EAST OF, BY PERPENDICULAR MEASURE, THE AFORESAID EAST RIGHT-OF-WAY LINE; THENCE RUN SOUTH 00°20'48" EAST, PARALLEL WITH AND 5.00 FEET EAST OF, BY PERPENDICULAR MEASURE, SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 250.01 FEET TO A POINT LYING ON THE SOUTH LINE OF AFORESAID LOT 3 AND THE AFORESAID NORTH RIGHT-OF-WAY LINE OF POWELL STREET; THENCE RUN SOUTH 89°03'11" WEST, ALONG SAID SOUTH LOT LINE AND SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN SEMINOLE COUNTY, FLORIDA AND CONTAINS 1,575 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE EAST RIGHT-OF-WAY LINE OF PALM SPRINGS DRIVE, BEING NORTH 00°20'48" WEST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THIS SURVEY IS CERTIFIED TRUE AND CORRECT TO SEMINOLE COUNTY.
- (7) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.



DAVID A. WHITE, P.E.
FLORIDA REGISTRATION NO. 4044
PROFESSIONAL ENGINEERING CONSULTANTS, INC.
CERTIFICATE OF AUTHORIZATION NO. LB 3556
DATE OF SIGNATURE 3-13-06

SHEET 1 OF 2

PEC PROFESSIONAL ENGINEERING CONSULTANTS, INC.
engineers planners surveyors

Suite 1560 Eola Park Centre 200 East Robinson Street Orlando, Florida 32801 407/422-8062

SECTIONS 1, TOWNSHIP 21 SOUTH, RANGE 29 EAST

DATE: MARCH 9, 2006

PREP BY: P.S.

DRAWN BY: M.T.

SC-107

Exhibit "A-1"

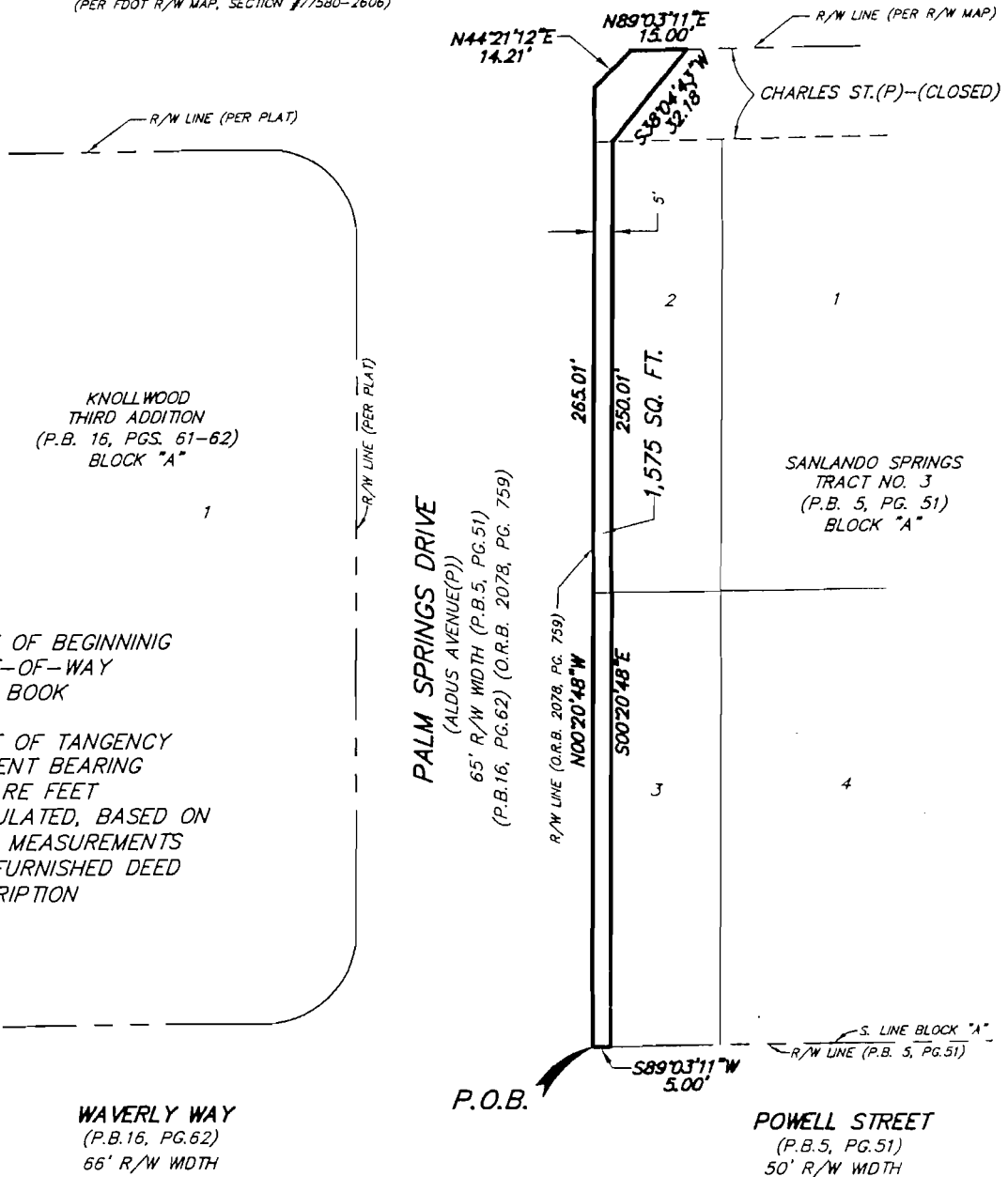
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SKETCH OF DESCRIPTION



SCALE:
1"=50'

STATE ROAD 434
(PER FDOT R/W MAP, SECTION #77580-2606)



KNOLLWOOD
THIRD ADDITION
(P.B. 15, PGS. 61-62)
BLOCK "A"

SANLANDO SPRINGS
TRACT NO. 3
(P.B. 5, PG. 51)
BLOCK "A"

LEGEND

- P.O.B.....POINT OF BEGINNING
- R/W.....RIGHT-OF-WAY
- P.B.....PLAT BOOK
- PG.....PAGE
- P.T.....POINT OF TANGENCY
- T.B.....TANGENT BEARING
- SQ.FT.....SQUARE FEET
- (C).....CALCULATED, BASED ON
FIELD MEASUREMENTS
- (D).....PER FURNISHED DEED
DESCRIPTION

WAVERLY WAY
(P.B.16, PG.62)
66' R/W WIDTH

P.O.B.

POWELL STREET
(P.B.5, PG.51)
50' R/W WIDTH

SHEET 2 OF 2

(THIS IS NOT A SURVEY)

PEC PROFESSIONAL ENGINEERING CONSULTANTS, INC.
engineers planners surveyors

Suite 1560 Eola Park Centre 200 East Robinson Street Orlando, Florida 32801 407/422-8062

SECTIONS 1, TOWNSHIP 21 SOUTH, RANGE 29 EAST

DATE: MARCH 9, 2006

PREP BY: P.S.

DRAWN BY: M.T.

SC-107

Exhibit "A-2"

O:\SC-107\EAS--7.dwg Mar 13, 2006 - 1:11pm