

Item # 41

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Adopt Resolution to Vacate and Abandon a portion of the public utility easement for 1994 Bentwood Drive, Lot 21, Cedar Ridge Unit II (Chad D. Hummel)

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

AUTHORIZED BY: Dori L. DeBord **CONTACT:** Cynthia Sweet **EXT.** 7443

Agenda Date 12/12/2006 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Adopt and authorize the Chairman to execute a Resolution to vacate and abandon a portion of the public utility easement situated at the rear of Lot 21, Cedar Ridge Unit II, as recorded in Plat Book 24, Page 85, Public Records of Seminole County, Florida, and further described as 1994 Bentwood Drive, Winter Park, Florida – Chad D. Hummel, applicant.

District 1 – Dallari

Cynthia Sweet, Senior Planner

BACKGROUND:

The applicant, Chad D. Hummel, is requesting to vacate and abandon the south 9' portion of the 14' wide public utility easement situated at the rear of the property located at 1994 Bentwood Drive, Winter Park, Florida, and further described as Lot 21, Cedar Ridge Unit II, as recorded in Plat Book 24, Page 85, Public Records of Seminole County, Florida, in Section 27, Township 21 S, Range 30 E.

The applicant is requesting to vacate the described portion of the utility easement to utilize the area for an above ground swimming pool. The vacation and abandonment of the utility easement is necessary to prevent the proposed swimming pool from encroaching into the platted utility easement and to prevent a potential cloud of title. The applicant has provided letters from the applicable utility companies stating "no objections" to the request.

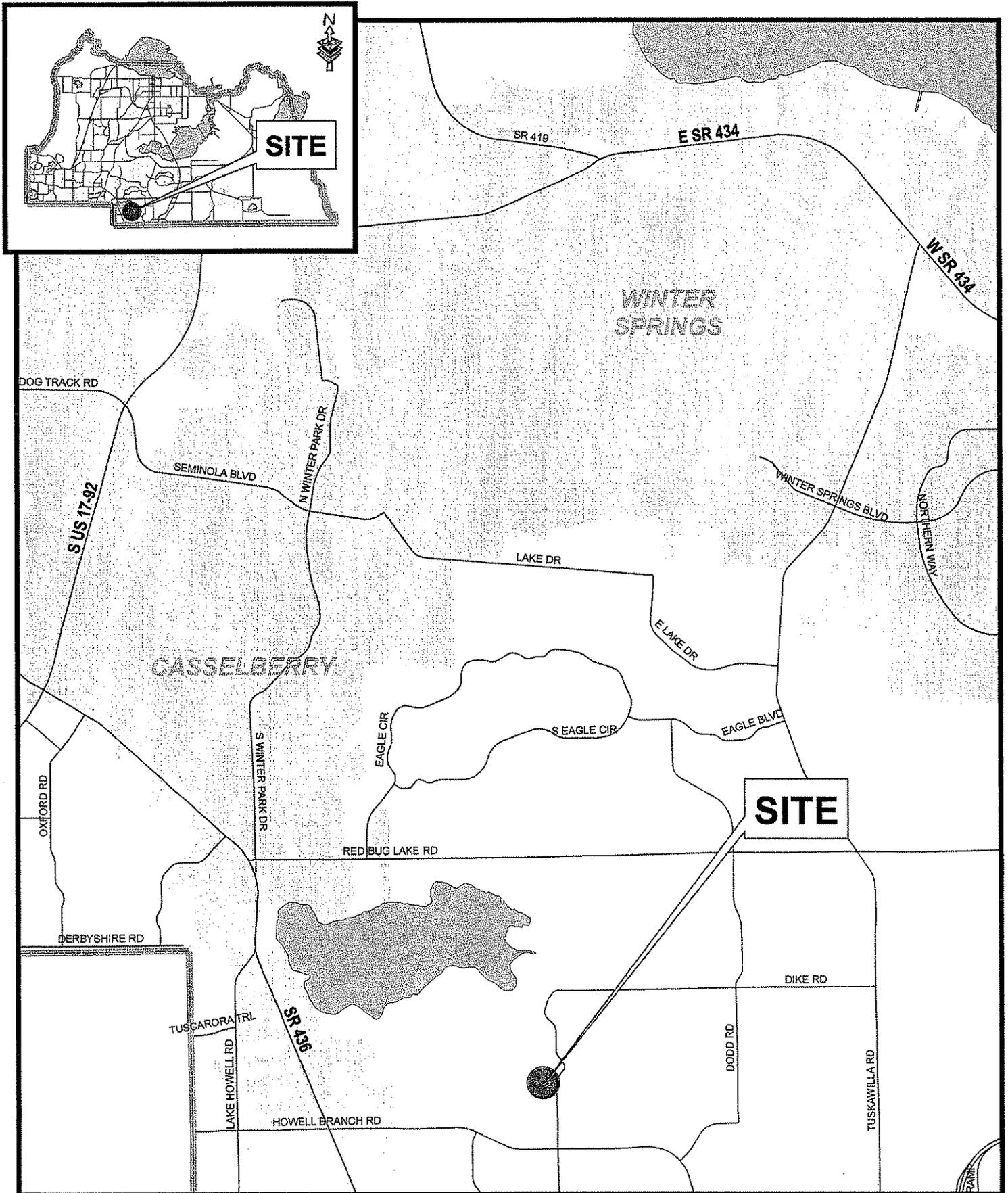
STAFF RECOMMENDATION:

Staff recommends the Board adopt a resolution to vacate and abandon that portion of the public utility easement as requested by the applicant.

District 1 - Dallari

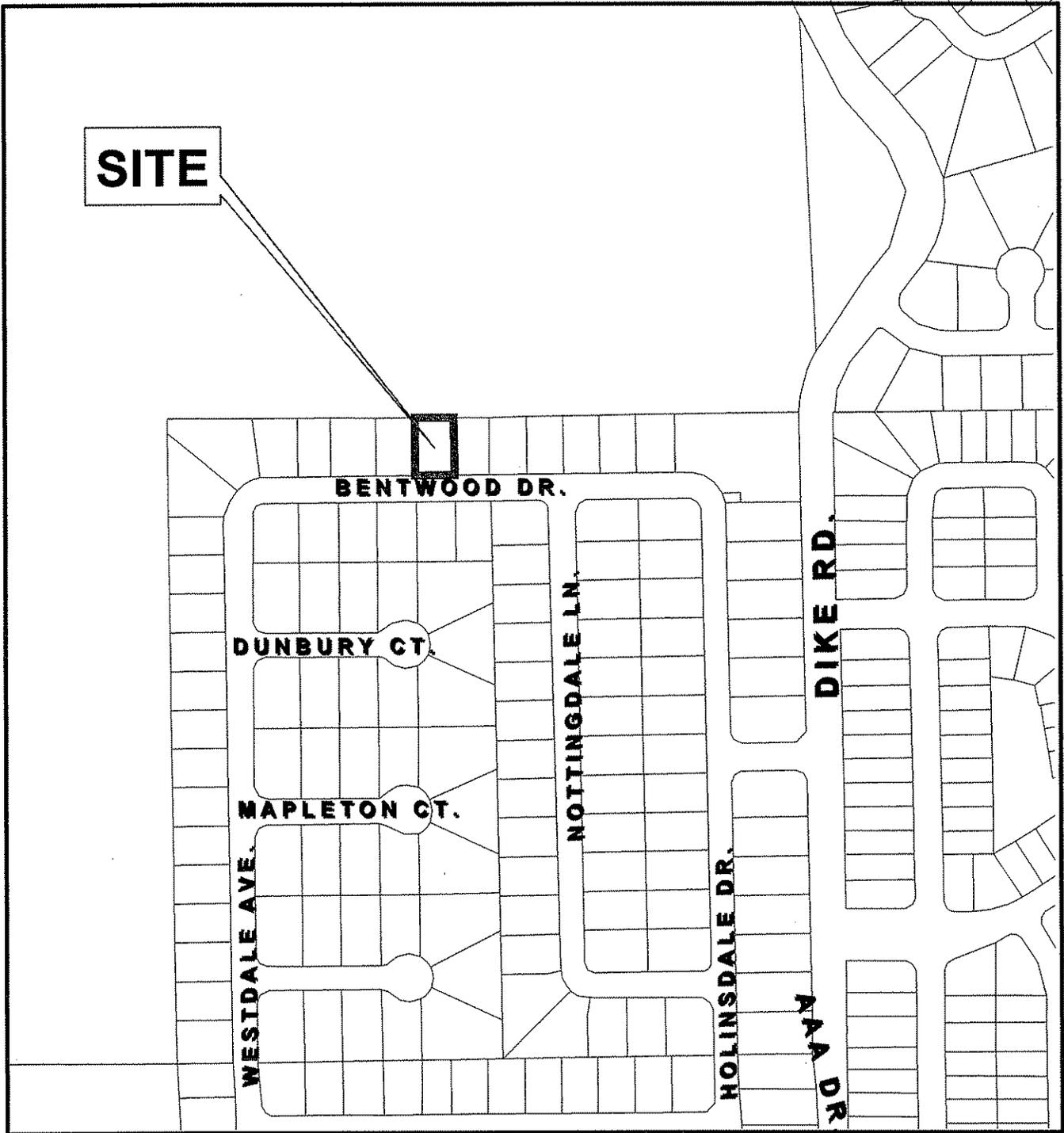
Attachments: Location Maps – Exhibit A
Resolution – Exhibit B
Sketch of Description – Exhibit C

Reviewed by:	
Co Atty:	<u>KFT</u>
DFS:	
Other:	<u>BP</u>
DCM:	<u>AD</u>
CM:	<u>CC</u>
File No.	<u>cpdd04</u>



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EXHIBIT A



Utility Easement Vacate
for Chad D. Hummel





Utility Easement Vacate
for Chad D. Hummel

- Parcel
- Subject Property



January 2006 Color Aerials

RESOLUTION NO.: 2006-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 12TH DAY OF DECEMBER A.D., 2006.

RESOLUTION TO VACATE AND ABANDON A UTILITY EASEMENT

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Whereas, a Petition was presented on behalf of

CHAD D. HUMMEL

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

SEE ATTACHED SKETCH OF DESCRIPTION "EXHIBIT A"

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 DECEMBER A.D., 2006.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

BY:

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

**CARLTON D. HENLEY
CHAIRMAN**

NOTES:

1. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
3. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
4. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
5. BEARINGS ARE BASED ON RECORD PLAT DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
6. PROPERTY HEREON LOCATED IN ZONE "X" PER F.I.R.M. COMMUNITY PANEL NO. 120285 0145 E DATED 04-17-95.



**Boundary
And
Mapping
Associates, Inc.**
LAND SURVEYORS
LB 4565

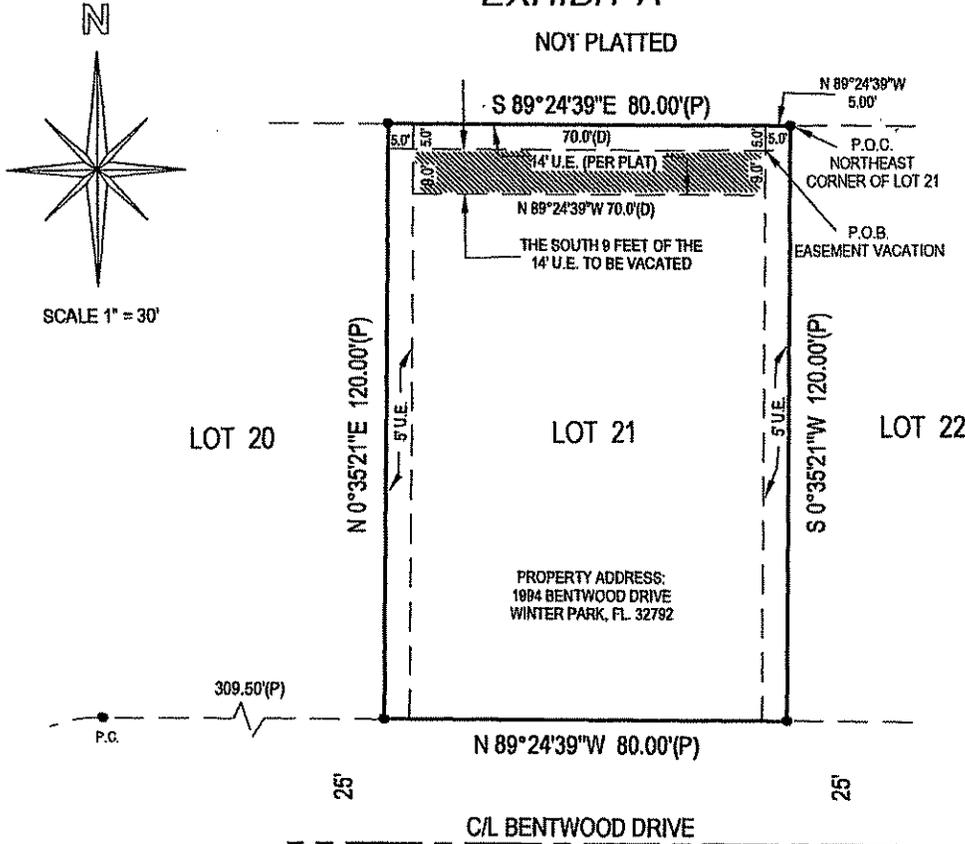
109 WEST ORANGE STREET
ALTAMONTE SPRINGS, FL
32714
PH. (407) 696-1155

**SKETCH OF DESCRIPTION FOR:
(PROPOSED VACATION OF THE SOUTH 9 FEET OF THE REAR 14' UTILITY EASEMENT)**

PREPARED FOR: CHAD HUMMEL

"EXHIBIT A"

REVISED: 09-12-06



DESCRIPTION: (PARENT TRACT)

LOT 21, CEDAR RIDGE UNIT II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 85, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

DESCRIPTION FOR: PROPOSED VACATION OF EASEMENT

THE SOUTH 9 FEET OF THE REAR 14 FOOT UTILITY EASEMENT OF LOT 21, CEDAR RIDGE UNIT II, AS RECORDED IN PLAT BOOK 24, PAGE 85, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 21, CEDAR RIDGE UNIT II, AS RECORDED IN PLAT BOOK 24, PAGE 85, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA. THENCE RUN N 89°24'39"W ALONG THE NORTH LINE OF SAID LOT 21 AND THE BASIS OF BEARING A DISTANCE OF 5.00 FEET; THENCE RUN S 0°35'21"W PARALLEL WITH THE EAST LINE OF SAID LOT 21 A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 0°35'21"W 9.00 FEET; THENCE RUN N 89°24'39"W PARALLEL WITH THE NORTH LINE OF SAID LOT 21 A DISTANCE OF 70.00 FEET; THENCE RUN N 0°35'21"E PARALLEL WITH THE WEST LINE OF SAID LOT 21 A DISTANCE OF 9.00 FEET; THENCE RUN S 89°24'39"E PARALLEL WITH THE NORTH LINE OF SAID LOT 21 A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING.

(CONTAINING 0.014 ACRES MORE OR LESS)

<p>JOB NO.: 06-2519 DATE: FIELD: N.A. SIGNED: 08-15-06 DRAWN BY: RWJ P.C.:</p>	<p>LEGEND</p> <table border="0"> <tr> <td>REC. - RECOVERED</td> <td>CONCRETE</td> </tr> <tr> <td>I.P. - IRON PIPE</td> <td>PRC - POINT OF REVERSE CURVE</td> </tr> <tr> <td>I.C. - ILLEGIBLE CAP #</td> <td>R.P. - RADIUS POINT</td> </tr> <tr> <td>C.M. - CONCRETE MONUMENT</td> <td>R - RADIUS</td> </tr> <tr> <td>RB - REBAR</td> <td>L - LENGTH OF ARC</td> </tr> <tr> <td>RAD. - RADIAL</td> <td>CA - CENTRAL ANGLE</td> </tr> <tr> <td>N.R. - NOT RADIAL</td> <td>U.E. - UTILITY EASEMENT</td> </tr> <tr> <td>N&D - NAIL & DISC</td> <td>D.E. - DRAINAGE EASEMENT</td> </tr> <tr> <td>(P) - PER PLAT</td> <td>L.E. - LANDSCAPE EASEMENT</td> </tr> <tr> <td>(M) - AS MEASURED</td> <td>P.E. - POOL EQUIPMENT</td> </tr> <tr> <td>DJ - PER DESCRIPTION</td> <td>P.P. - POWER POLE</td> </tr> <tr> <td>O.L. - ON LINE</td> <td>-X- - CHAIN LINK FENCE</td> </tr> <tr> <td>P.C. - POINT OF CURVATURE</td> <td>-□- - WOODEN FENCE</td> </tr> <tr> <td>P.T. - POINT OF TANGENCY</td> <td></td> </tr> </table>	REC. - RECOVERED	CONCRETE	I.P. - IRON PIPE	PRC - POINT OF REVERSE CURVE	I.C. - ILLEGIBLE CAP #	R.P. - RADIUS POINT	C.M. - CONCRETE MONUMENT	R - RADIUS	RB - REBAR	L - LENGTH OF ARC	RAD. - RADIAL	CA - CENTRAL ANGLE	N.R. - NOT RADIAL	U.E. - UTILITY EASEMENT	N&D - NAIL & DISC	D.E. - DRAINAGE EASEMENT	(P) - PER PLAT	L.E. - LANDSCAPE EASEMENT	(M) - AS MEASURED	P.E. - POOL EQUIPMENT	DJ - PER DESCRIPTION	P.P. - POWER POLE	O.L. - ON LINE	-X- - CHAIN LINK FENCE	P.C. - POINT OF CURVATURE	-□- - WOODEN FENCE	P.T. - POINT OF TANGENCY		<p>Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions and deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.</p> <p><i>Rodney W. Jackson</i></p> <p>RODNEY W. JACKSON, FSM 6281</p>
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