

Item # 45

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: MORNING GLORY DR. (220) UTILITY VACATE

DEPARTMENT: Planning & Development DIVISION: Development Review

AUTHORIZED BY: Dori L. DeBord CONTACT: BRIAN WALKER EXT. 7337

Agenda Date 12/12/06 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 a platted utility easement on Lot 16, Greenwood Lakes, Unit 2, recorded in the Public Records of Seminole County, Florida in Plat Book 23, Page 52 in Section 18, Township 20 S, Range 30 E and further described as 220 Morning Glory Drive – Timothy and Patricia Shirah, applicant

District 4 – Henley

(Brian M. Walker, Planner)

BACKGROUND:

The applicant, Timothy and Patricia Shirah, is requesting to vacate and abandon a portion of a 15 foot platted utility easement as described in the Resolution in order to accommodate a swimming pool and screen enclosure.

Staff has determined that the vacation and abandonment of a portion of the platted utility easement would not have a negative impact on the area.

The applicant has provided letters from all applicable utility providers stating “no objections” to the proposed vacate.

STAFF RECOMMENDATION:

Staff recommends adoption of a Resolution to vacate and abandon a portion of the platted utility easement as requested.

District 4 - Henley

Attachments: Location Map
Resolution
Sketch of Description

Reviewed by:	
Co Atty:	<u>lct</u>
DFS:	
Other:	<u>[Signature]</u>
DCM:	
CM:	<u>[Signature]</u>
File No.	<u>cpdd03</u>

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

TIMOTHY & PATRICIA SHIRAH

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

A PORTION OF A 15.00' UTILITY EASEMENT LYING OVER AND UPON THE NORTH 15.00 FEET OF LOT 16, GREENWOOD LAKES UNIT 2, FIRST ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 52, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 15.00 FEET OF LOT 16, GREENWOOD LAKES UNIT 2, FIRST ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 52, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, LESS THE WEST 7.50 FEET AND THE EAST 5.00 FEET THEREOF.

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**

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

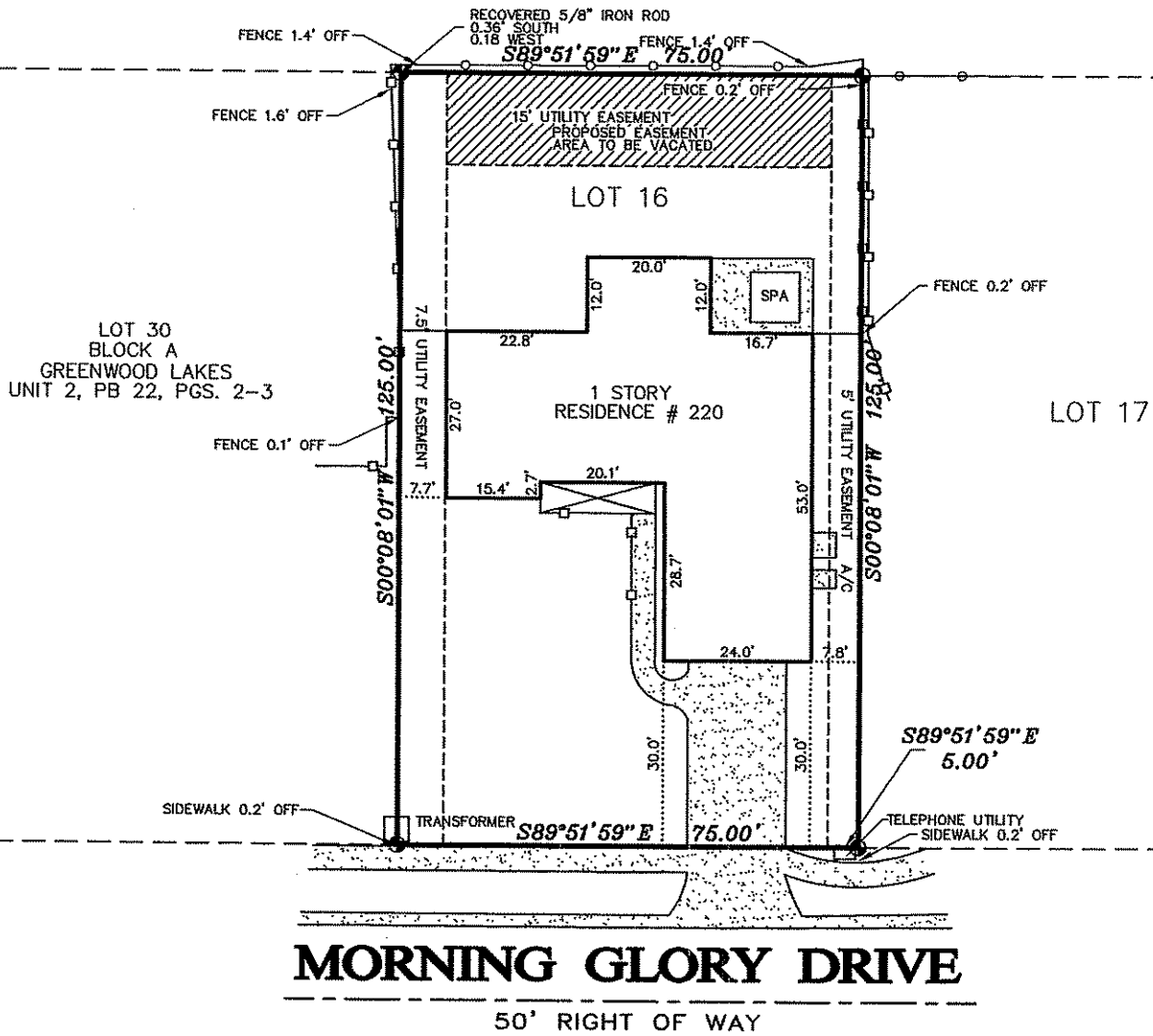
BY: _____
CARLTON D. HENLEY
CHAIRMAN

**BOUNDARY SURVEY
FOR
TIM AND PAT SHIRAH**

LOT 16
GREENWOOD LAKES, UNIT 2, FIRST ADDITON
PLAT BOOK 23, PAGE 52,
SEMINOLE COUNTY, FLORIDA



UNPLATTED



MORNING GLORY DRIVE

50' RIGHT OF WAY

**LEGAL DESCRIPTION
(EASEMENT AREA TO BE VACATED)**

A PORTION OF A 15.00' UTILITY EASEMENT LYING OVER AND UPON THE NORTH 15.00 FEET OF LOT 16, GREENWOOD LAKES UNIT 2, FIRST ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 52, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEARINGS ARE BASED ON THE CENTERLINE OF MORNING GLORY DRIVE AS BEING S89°51'59"E, PER PLAT.

LEGAL DESCRIPTION WAS FURNISHED BY CLIENT, UNLESS OTHERWISE NOTED.

THIS IS TO CERTIFY THAT I HAVE REVIEWED THE FLOOD RATE INSURANCE MAP (FIRM) PANEL #120289 0130 E, DATED 4/17/95 AND DETERMINED THAT THE LANDS SHOWN HEREON LINE IN ZONE "X".

MATTERS NOT KNOWN TO THIS SURVEYOR MAY AFFECT THE BOUNDARY LINES SHOWN HERON.

THIS SURVEY CERTIFIED TO:
TIM SHIRAH
PAT SHIRAH

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS AND DELETIONS TO SURVEY MAPS, SKETCHES, OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

MICHAEL W. SOLITRO, PSM #445B
FOR THE FIRM OF ALTAMONTE SURVEYING
AND PLATTING, INC. #LB 6300

SCALE: 1"=30'

REVIEWED BY: MWS

DRAWN BY: EMT

DATE: 10/9/06

JOB No.: 26091

REVISED:

LEGEND

- = RECOVERED 4"x4" CONCRETE MONUMENT NO#
- ▲ = RECOVERED NAIL & DISK #
- ✕ = RECOVERED X CUT IN CONCRETE
- ⊙ = RECOVERED 1/2" IRON ROD #
- ⊙ = RECOVERED 1/2" IRON ROD NO #
- ⊙ = RECOVERED 5/8" IRON ROD NO #
- = SET 1/2" IRON ROD #LB 6300
- ⊖ = POWER POLE AS SHOWN
- ⊖ = WOOD FENCE AS SHOWN
- ⊖ = CHAIN LINK FENCE AS SHOWN
- ⊖ = CONCRETE SLAB AS SHOWN

D = CENTRAL ANGLE (DELTA), L = ARC, R = RADIUS,
R/W = RIGHT OF WAY, A/C = AIR CONDITIONER,
(R) = RADIAL, (NR) = NON-RADIAL, (P) = PLAT,
(M) = MEASURED, (C) CALCULATED, (D) = DEED,
POB = POINT OF BEGINNING, CONC. = CONCRETE,
POC = POINT OF COMMENCEMENT, POL = POINT ON
LINE O.R.BOOK = OFFICIAL RECORDS BOOK PB= PLAT
BOOK PGS= PAGES

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY. LAND SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAYS AND/OR EASEMENTS OF PUBLIC RECORD.

COMPUTER: JCAD2006 26091.DWG