

Item # 80

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Vacate and Abandon a portion of a platted drainage and utility easement for Lot 58, Stillwater – Phase 2

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

AUTHORIZED BY: Dori L. DeBord **CONTACT:** Brian M. Walker **EXT.** 7337

[Handwritten signature]

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 drainage and utility easement situated at Lot 58, Stillwater – Phase 2, according to the plat thereof as recorded in Plat Book 36, Pages 93-99, of the Public Records of Seminole County, Florida, in Section 27, Township 21 S, Range 31 E, and further described as 3060 Harbor Lake Court, Oviedo, Florida – David J. Kosich, applicant.

District 1 – Dallari

(Brian M. Walker – Planner)

BACKGROUND:

David J. Kosich, applicant, is requesting to vacate and abandon a 16.20 foot long by 2.20 foot wide portion of the five foot wide platted Drainage and Utility easement along the east bounds of the property known as Lot 58, Stillwater – Phase 2 according to the Plat filed in Plat Book 36, Pages 93-99 of the Public Records of Seminole County, Florida, and further described as 3060 Harbor Lake Court, Oviedo, Florida. The applicant is requesting said vacate in order to accommodate a wooden shed. The Board of Adjustment granted a variance to the setback requirements for a shed on September 25, 2006.

Staff has determined that vacating and abandoning this portion of the five foot platted drainage and utility easement would not diminish the effectiveness of the subdivision's drainage system. The owners have provided letters from all applicable utility providers and next door neighbor stating that they have no objections to the proposed vacate.

Reviewed by: [Signature]
Co Atty: [Signature]
DFS: _____
Other: BP
DCM: [Signature]
CM: [Signature]
File No. ph130pdd01

STAFF RECOMMENDATION:

Staff recommends that the Board adopt and authorize the Chairman to execute a resolution to vacate and abandon the platted five foot wide drainage and utility easement along the eastern border of 3060 Harbor Lake Court as requested by the applicant, David J. Kosich.

District 1 - Dallari

Attachments: Location Map
Resolution

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 DRAINAGE & UTILITY EASEMENT

Whereas, a Petition was presented on behalf of
DAVID J KOSICH

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

COMMENCE AT THE NORTHEAST CORNER OF LOT 58, STILLWATER - PHASE 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGES 93-99, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN S 2°30'30"E ALONG THE EAST LINE OF SAID LOT 58, A DISTANCE OF 32.90 FEET AND THE BASIS OF BEARING; THENCE RUN S 87°29'30"W PERPINDICULAR TO SAID EAST LINE, A DISTANCE OF 2.80' AND THE POINT OF BEGINNING; THENCE CONTINUE S 87°29'30"W 2.20 FEET; THENCE RUN S 2°30'30"E PARALLEL WITH SAID EAST LINE, A DISTANCE OF 16.20 FEET; THENCE RUN N 87°29'30"E A DISTANCE OF 2.20 FEET; THENCE RUN N 2°30'30"W A DISTANCE OF 16.20 FEET TO THE POINT OF BEGINNING.

(CONTAINING 0.001 ACRES MORE OR LESS)

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, has determined that the abandonment of the above described drainage and utility easement 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 drainage and 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 is hereby disclaimed.

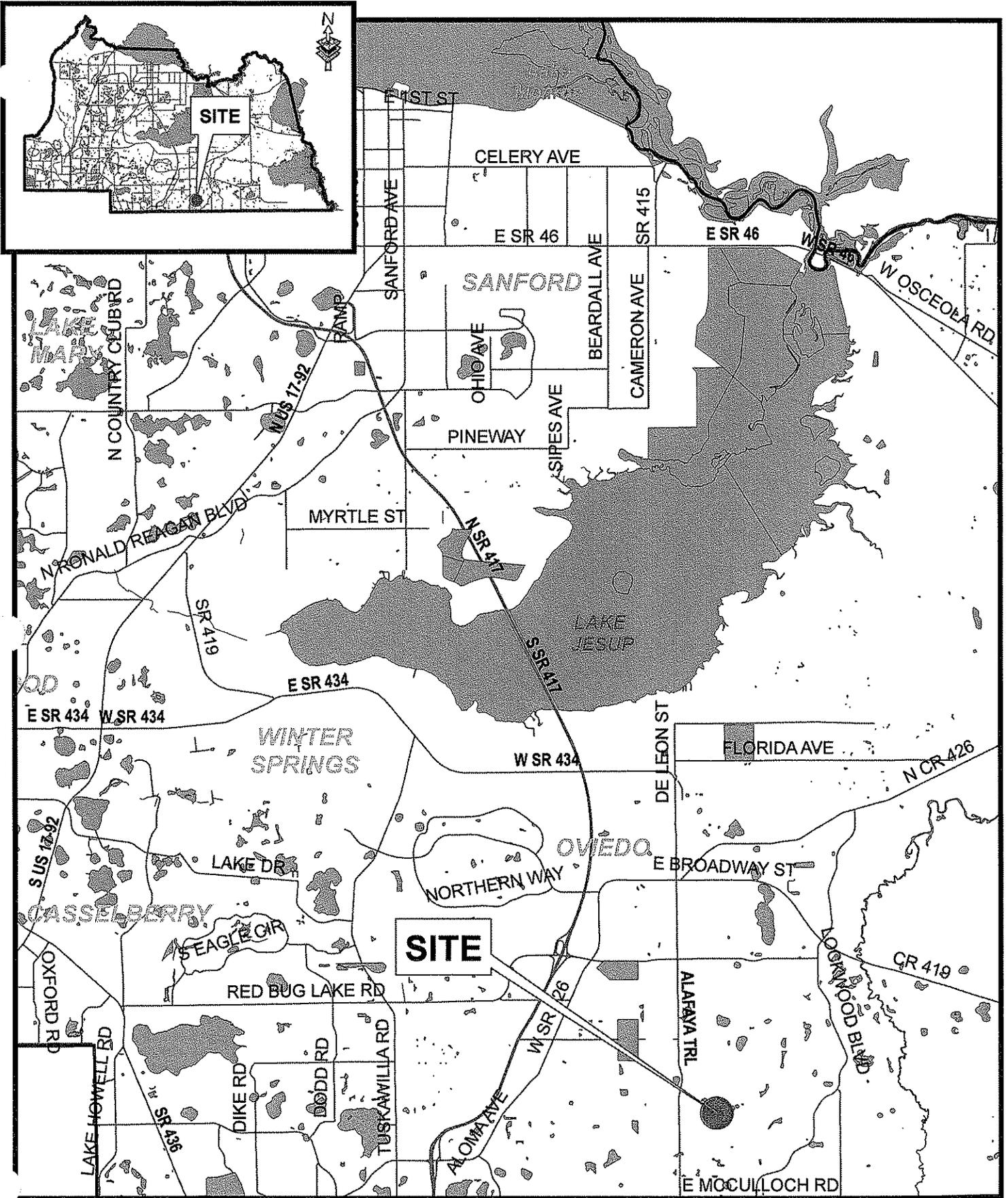
PASSED AND ADOPTED this 12th day of December A.D., 2006

ATTEST:

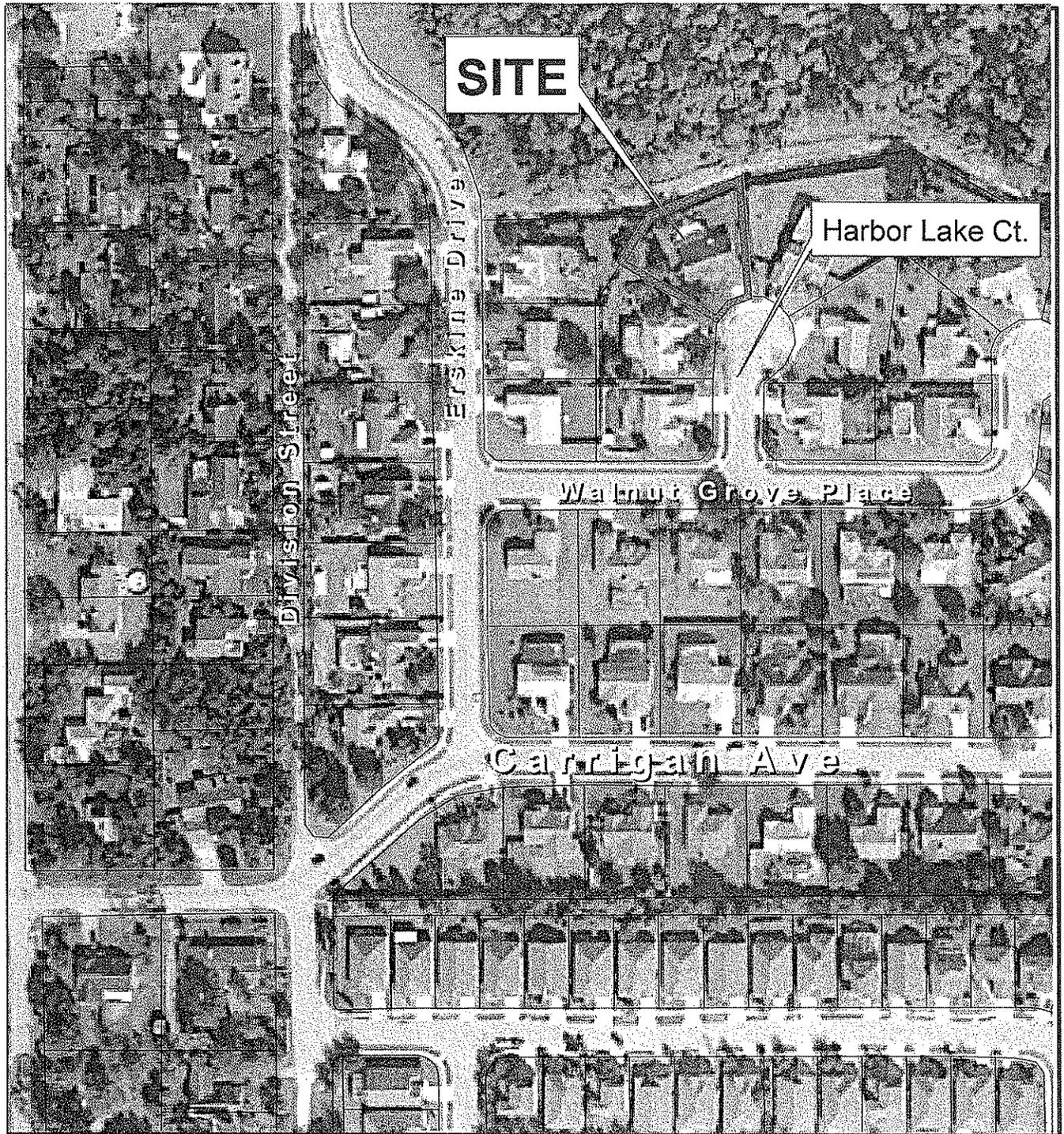
**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: CARLTON D. HENLEY
CHAIRMAN

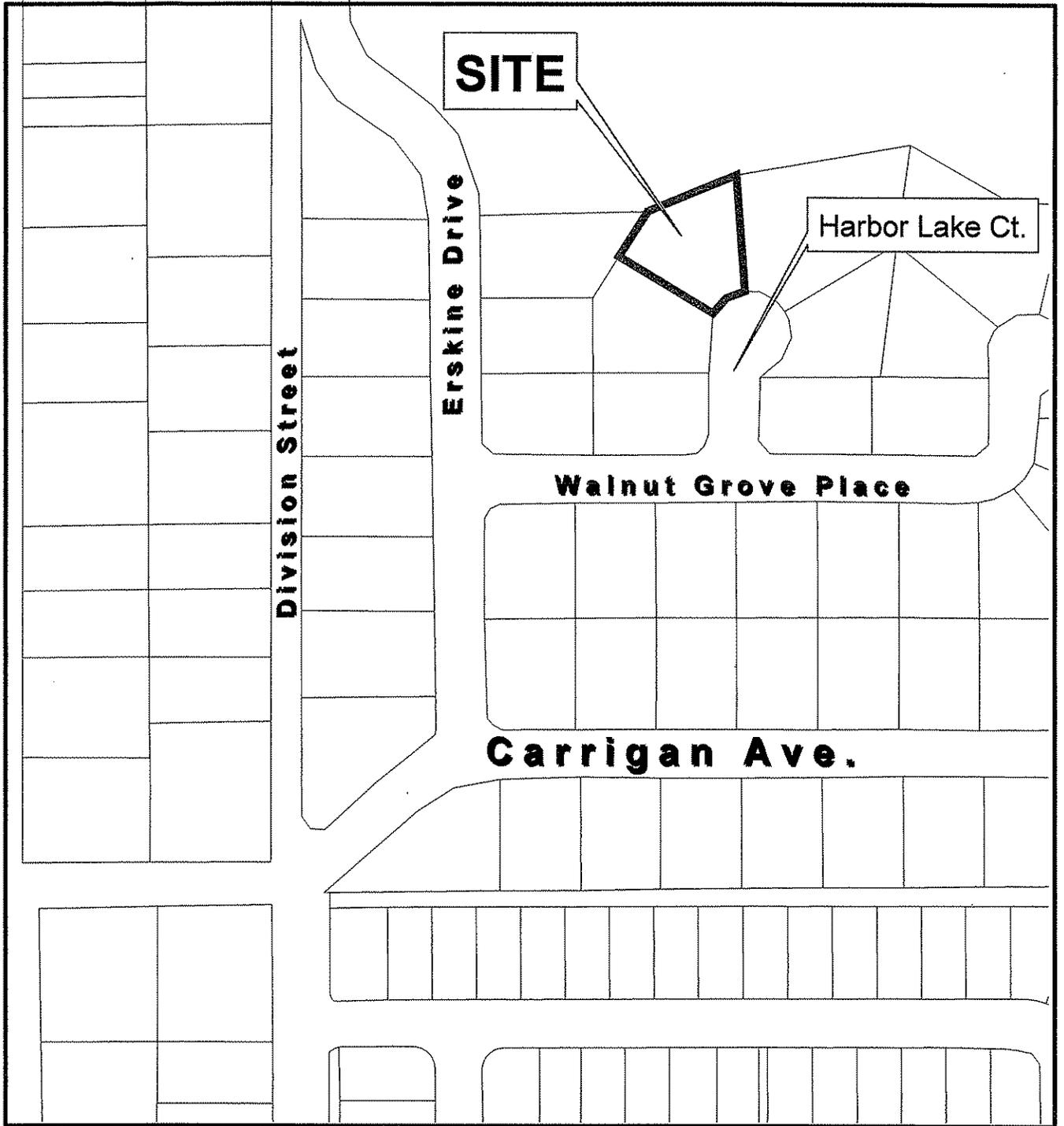


**Harbor Lake Court
D & U Easement Vacate**



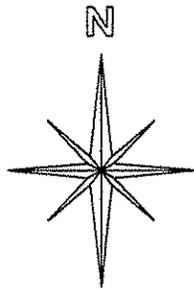
Harbor Lake Court
D & U Easement vacate





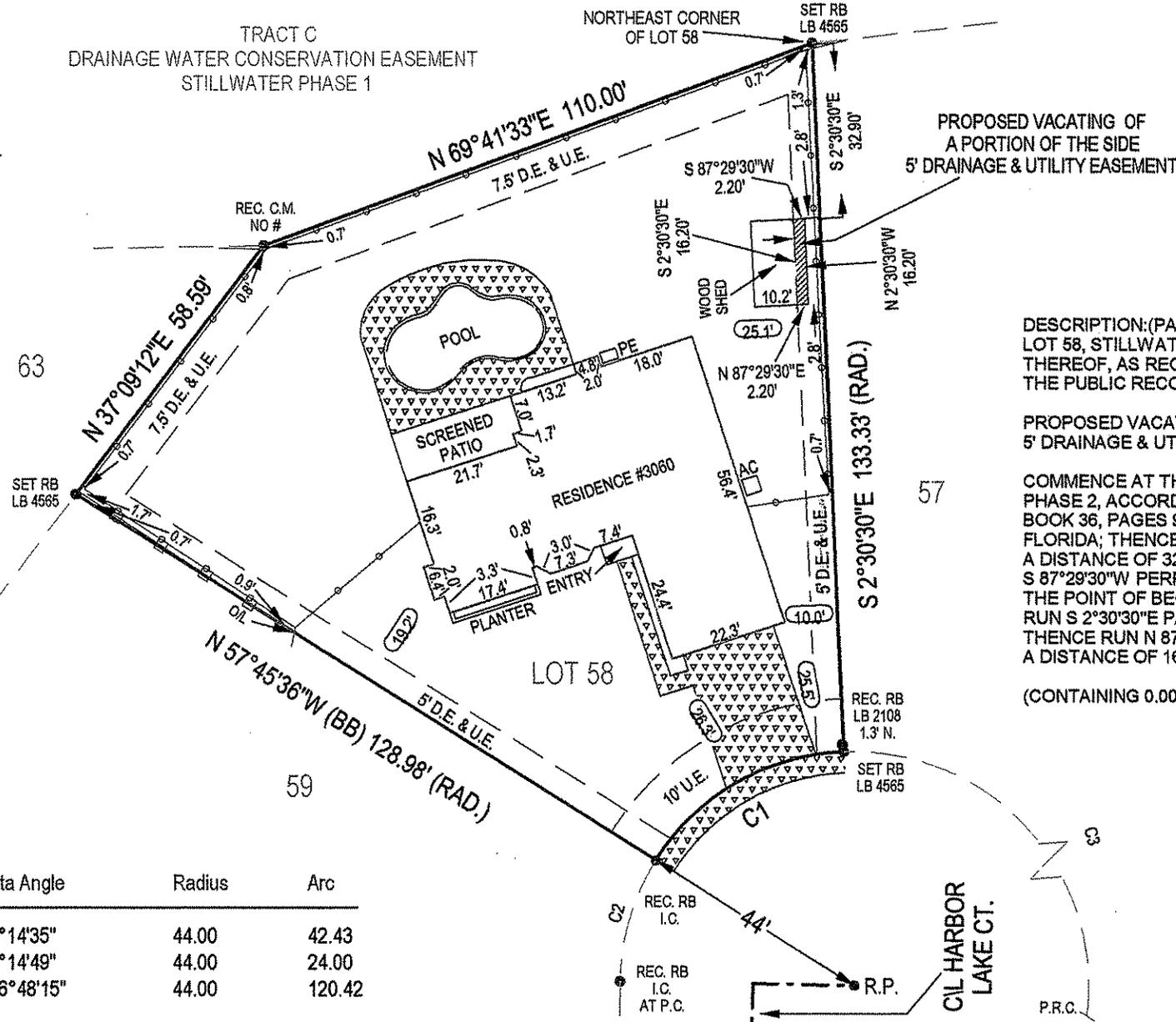
Harbor Lake Court
D & U Easement vacate





SCALE 1" = 30'

TRACT C
DRAINAGE WATER CONSERVATION EASEMENT
STILLWATER PHASE 1



DESCRIPTION: (PARENT TRACT)
LOT 58, STILLWATER - PHASE 2, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK 36, PAGES 93-99, OF
THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

PROPOSED VACATING OF A PORTION OF THE SIDE
5' DRAINAGE & UTILITY EASEMENT DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 58, STILLWATER -
PHASE 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT
BOOK 36, PAGES 93-99, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY,
FLORIDA; THENCE RUN S 2°30'30"E ALONG THE EAST LINE OF SAID LOT 58,
A DISTANCE OF 32.90 FEET AND THE BASIS OF BEARING; THENCE RUN
S 87°29'30"W PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 2.80' AND
THE POINT OF BEGINNING; THENCE CONTINUE S 87°29'30"W 2.20 FEET; THENCE
RUN S 2°30'30"E PARALLEL WITH SAID EAST LINE, A DISTANCE OF 16.20 FEET;
THENCE RUN N 87°29'30"E A DISTANCE OF 2.20 FEET; THENCE RUN N 2°30'30"W
A DISTANCE OF 16.20 FEET TO THE POINT OF BEGINNING.

(CONTAINING 0.001 ACRES MORE OR LESS)

Curve	Delta Angle	Radius	Arc
1	55°14'35"	44.00	42.43
2	31°14'49"	44.00	24.00
3	156°48'15"	44.00	120.42

DESCRIPTION OF PROPOSED
VACATING OF A PORTION
OF 5' D.E. & U.E. 09-08-06

JOB NO.: 06-2106
DATE:
FIELD: 07-10-06
SIGNED: 07-11-06
DRAWN BY: CMS
P.C.: JA
CHECI RWJ

LEGEND
REC. - RECOVERED
I.P. - IRON PIPE
C.M. - CONCRETE MONUMENT
RB - REBAR
RAD. - RADIAL
N.R. - NOT RADIAL
(P) - PER PLAT
(M) - AS MEASURED
(D) - PER DESCRIPTION
P.O.L. - POINT ON LINE
P.C. - POINT OF CURVATURE
P.T. - POINT OF TANGENCY
CONCRETE
P.R.C. - POINT OF REVERSE CURVE
R.P. - RADIUS POINT
R. - RADIUS
L. - LENGTH OF ARC
CA - CENTRAL ANGLE
U.E. - UTILITY EASEMENT
D.E. - DRAINAGE EASEMENT
L.E. - LANDSCAPE EASEMENT
S.E. - SIDEWALK EASEMENT
P.P. - POWER POLE
CL - CHAIN LINK FENCE
WF - WOODEN FENCE



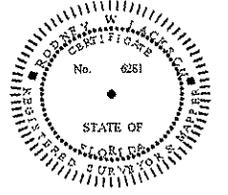
Boundary
And
Mapping
Associates, Inc.
109 W. ORANGE ST.
ALTAMONTE SPRINGS, FL.
7) 696-1155

LAND
SURVEYORS
LB 4685

CERTIFIED TO:
DAVID J. KOSICH AND EMILY M. RANDALL
CHASE HOME FINANCE, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

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.

Rodney W. Jackson
RODNEY W. JACKSON, PSM 6281



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 RECORDED 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. 120287 0165 E DATED 04-17-95.