

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Utility Easement from Olympia Development Group, Inc. to Seminole County

DEPARTMENT: Environmental Services **DIVISION:** Planning, Engineering&Inspections

AUTHORIZED BY: *Robert G. Adolph* **CONTACT:** Hugh P. Sipes ^(SW) **EXT.** 2117
Robert G. Adolph, P.E.

Agenda Date <u>12-14-04</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:

Approve easement from Olympia Development Group, Inc. to Seminole County. District 1

BACKGROUND:

The utility easement is being granted by Olympia Development Group within the 25-foot building setback area of the Lockwood/McCulloch Retail Phase II project. A 12-inch reclaimed water main will be constructed in the easement through a Reclaimed Water Agreement which is also on the same BCC agenda.

Reviewed by:
Co Atty: <u>NA</u>
DFS: <u>NA</u>
Other: _____
DCM: <u><i>[Signature]</i></u>
CM: <u><i>[Signature]</i></u>
File No. <u>CESP01</u>

UTILITY EASEMENT

THIS UTILITY EASEMENT is made and entered into this 25th day of OCTOBER, 2004, by and between **OLYMPIA DEVELOPMENT GROUP, INC.**, a corporation existing under the laws of the State of Florida, and having its principal place of business at 1060 Keene Road, Dunedin, Florida 34698, hereinafter referred to as the "GRANTOR," 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".

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, GRANTOR does hereby grant and convey to the GRANTEE and its assigns, a non-exclusive easement and right-of-way for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water and sewer pipes and mains and any other utility facilities and appurtenances over, under, upon and through the following described lands situate in the County of Seminole, State of Florida, to-wit:

See Exhibit "A" attached hereto and incorporated herein.

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

THE GRANTEE and its assigns shall have the right to clear, keep clear and remove from said right-of-way all trees, undergrowth, and other obstructions that may interfere with location, excavation, operation or maintenance of the utilities or any facilities installed thereon by the GRANTEE and its assigns, and the GRANTOR, its successors and assigns, agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on the

This instrument prepared by: Susan E. Dietrich
Assistant County Attorney
Seminole County Services Building
1101 East First Street
Sanford, Florida 32771

SKETCH OF DESCRIPTION
25' UTILITY EASEMENT

EXHIBIT A

THIS IS NOT A SURVEY

1 of 2

A TRACT OF LAND BEING A PORTION OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 35; THENCE N 89°56'13" E, ALONG THE SOUTH LINE OF SOUTHWEST ¼ OF SECTION 35 FOR 663.45 FEET; THENCE N 00°49'19" W, ALONG THE WEST LINE OF THE EAST ½ OF THE WEST ½ OF THE SOUTHWEST ¼ OF SAID SECTION 35 FOR 60.00 FEET TO THE POINT OF BEGINNING; THENCE N 89°56'13" E, ALONG THE NORTH RIGHT OF WAY LINE OF McCULLOCH ROAD AS SHOWN ON THE PLAT OF LOCKWOOD BOULEVARD AS RECORDED IN PLAT BOOK 42, PAGE 80 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, A DISTANCE OF 240.51 FEET; THENCE N 44°56'13" E, A DISTANCE OF 106.07 FEET TO THE WEST RIGHT OF WAY LINE OF LOCKWOOD BOULEVARD AS SHOWN ON SAID PLAT OF LOCKWOOD BOULEVARD; THEN N 00°03'47" W, ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 120.00 FEET; THENCE N 02°59'23" E, FOR A DISTANCE OF 120.00 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE RUN N 87°00'37" W, FOR A DISTANCE OF 25.00 FEET; THENCE RUN S 02°59'23" W, FOR A DISTANCE OF 120.67 FEET; THENCE RUN S 00°03'47" E, FOR A DISTANCE OF 110.31 FEET; THENCE RUN S 44°56'13" W, FOR A DISTANCE OF 85.36 FEET; THENCE RUN S 89°56'13" W, FOR A DISTANCE OF 230.49 FEET TO THE AFOREMENTIONED WEST LINE OF THE EAST ½ OF THE WEST ½ OF THE SOUTHWEST ¼ OF SAID SECTION 35; THENCE RUN S 00°49'19" E, ALONG SAID WEST LINE FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING .325 ACRES (14,168 SQUARE FEET) MORE OR LESS .

Surveyor's Certification:

I hereby certify that the attached "Sketch of Description" of the hereon-described property is true and correct to the best of my knowledge. I further certify that this "Sketch of Description" meets the minimum technical standards set forth in rule 61g17-6 of the Florida Administrative Code.

For the Firm By: _____

Ralph A. Nieto, P.S.M.
Professional Surveyor and Mapper
Florida Registration No. 6025

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED "SURVEYOR AND MAPPER".

CLIENT: OLYMPIA
PROJECT NUMBER: 02133
CADD DWG. FILE: 02133EASE25.DWG

NOT VALID WITHOUT SHEET 2
SHEET 1 OF 2



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500 West Fulton Street, Sanford, FL 32771 P.O. Box 2808, Sanford, FL 32772-2808
Phone: 407.322.6841 Fax: 407.330.0639

REVISION	BY	DATE
SKETCH OF DESCRIPTION	J.T.F.	8/19/04

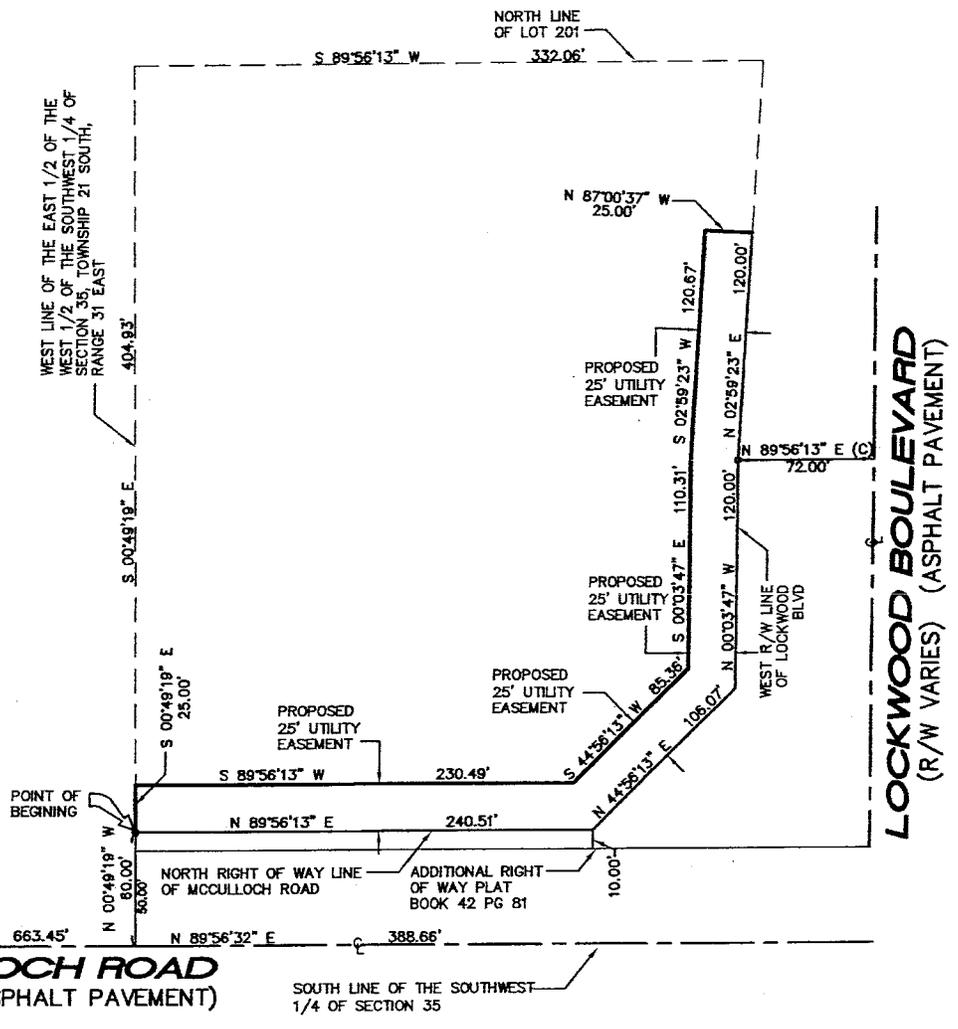
Certificate of Authorization No. 7143

**SKETCH OF DESCRIPTION
25' UTILITY EASEMENT**

THIS IS NOT A SURVEY

EXHIBIT A

2 of 2



CLIENT: OLYMPIA
PROJECT NUMBER: 02133
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NOT VALID WITHOUT SHEET 1
SHEET 2 OF 2



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