

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR SPECIAL EXCEPTION FOR THE TEMPORARY PLACEMENT OF A RECREATIONAL VEHICLE IN THE A-1 (AGRICULTURE DISTRICT), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 4260 CHRISTIAN PLACE; (SHELLY AND CHARLES TAYLOR, APPLICANTS).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date <u>07-26-04</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Public Hearing – 6:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION FOR THE TEMPORARY PLACEMENT OF A RECREATIONAL VEHICLE IN THE A-1 (AGRICULTURE DISTRICT), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 4260 CHRISTIAN PLACE; (SHELLY AND CHARLES TAYLOR, APPLICANTS); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE TEMPORARY PLACEMENT OF A RECREATIONAL VEHICLE IN THE A-1 (AGRICULTURE DISTRICT), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 4260 CHRISTIAN PLACE; (SHELLY AND CHARLES TAYLOR, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

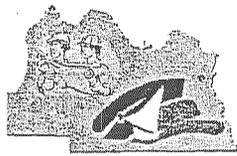
GENERAL INFORMATION	SHELLY AND CHARLES TAYLOR, APPLICANTS 4260 CHRISTIAN PLACE SANFORD, FL 32771		A-1 (AGRICULTURE DISTRICT)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS PROPOSE TO TEMPORARILY OCCUPY A RECREATIONAL VEHICLE IN THE A-1 DISTRICT, WHILE A PERMANENT SINGLE-FAMILY DWELLING IS UNDER CONSTRUCTION. • THE TEMPORARY OCCUPANCY OF A RECREATIONAL VEHICLE WHILE A SINGLE-FAMILY STRUCTURE IS UNDER CONSTRUCTION IS PERMITTED ONLY BY SPECIAL EXCEPTION IN THE A-1 DISTRICT. 		
ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU
	SITE	A-1	SUBURBAN ESTATES
	NORTH	A-1	SUBURBAN
			USE OF PROPERTY
			SINGLE-FAMILY
			MOBILE HOME

			ESTATES	
	SOUTH	A-1	SUBURBAN ESTATES	VACANT
	EAST	A-1	SUBURBAN ESTATES	MOBILE HOME
	WEST	A-1	SUBURBAN ESTATES	VACANT
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)</p>	<p><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></p> <p>RECREATIONAL VEHICLES ARE COMMONLY PERMITTED MOTOR VEHICLES IN THE A-1 DISTRICT. THEREFORE, THE TEMPORARY OCCUPANCY OF THE SAME ON A LOT WHERE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION WOULD NOT BE INCOMPATIBLE WITH THE TREND OF DEVELOPMENT ON NEARBY AND ADJACENT PROPERTIES WITHIN THIS ZONING CATEGORY.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>SINCE THE RECREATIONAL VEHICLE WOULD BE TEMPORARILY UTILIZED AS A SINGLE-FAMILY DWELLING THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.</p> <p><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN;</u></p> <p>THE REQUEST IS FOR THE TEMPORARY APPROVAL OF A USE, WHICH WOULD BE USED FOR SINGLE-FAMILY PURPOSES; THE SAME WOULD BE CONSISTENT WITH THE COMPREHENSIVE PLAN'S DESIGNATION OF SUBURBAN ESTATES FUTURE LAND USE FOR THE SUBJECT PROPERTY.</p> <p><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></p> <p>THE SUBJECT PROPERTY MEETS THE MINIMUM SIZE AND YARD REQUIREMENTS OF THE A-1 DISTRICT.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>AT PRESENT, THE TREND OF DEVELOPMENT IN THE IMMEDIATE AREA INCLUDES MOBILE HOMES, CONVENTIONAL SINGLE-FAMILY HOMES AND VACANT</p>			

	<p>PROPERTIES. THEREFORE, THE TEMPORARY OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE, WHILE A PERMANENT HOME IS CONSTRUCTED ON THE SUBJECT PROPERTY, WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.124(a)</p>	<p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT) UPON MAKING FINDINGS OF FACT, IN ADDITION TO THOSE REQUIRED BY SECTION 30.43(B)(2) OF THE LAND DEVELOPMENT CODE, THAT THE USE:</p> <p><u>IS COMPATIBLE WITH THE CONCEPT OF LOW-DENSITY RURAL LAND USE:</u></p> <p>THE PROPOSED USE WOULD BE CONSISTENT WITH THE CONCEPT OF SURROUNDING SINGLE-FAMILY, RURAL LAND USE SINCE THE COMPREHENSIVE PLAN DESCRIBES SUBURBAN ESTATES AS AN APPROPRIATE FLU CATEGORY FOR THE TEMPORARY PLACEMENT OF A RECREATIONAL VEHICLE BY SPECIAL EXCEPTION.</p> <p><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES.</u></p> <p>THE PROPOSED USE WOULD BE SERVED BY COUNTY WATER AND SEWAGE SYSTEMS AND WOULD HAVE ACCESS TO OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, WHICH ARE AVAILABLE TO THE SITE.</p>
<p>STAFF FINDINGS</p>	<ul style="list-style-type: none"> • SHOULD THE BOA APPROVE THE REQUEST, THE APPLICANT WOULD BE REQUIRED TO SECURE A BUILDING PERMIT FOR THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON THE PROPERTY PRIOR TO PARKING & OCCUPYING THE PROPOSED RECREATIONAL VEHICLE FOR SINGLE-FAMILY USE. • THE PROPOSED SINGLE-FAMILY RESIDENCE WOULD HAVE TO BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE RECREATIONAL VEHICLE IS UTILIZED AS A TEMPORARY DWELLING. • GIVEN THE TEMPORARY NATURE OF THE REQUEST AND THE IMPOSITION OF THE CONDITIONS STATED IN THIS REPORT, STAFF DOES NOT BELIEVE THE TEMPORARY PLACEMENT OF A RECREATIONAL VEHICLE ON THE SUBJECT PROPERTY WOULD BE DETRIMENTAL TO THE RURAL CHARACTER OF SURROUNDING SINGLE-FAMILY DEVELOPMENT.
<p>STAFF RECOMMENDATION</p>	<p>THE APPLICANT HAS SATISFIED THE STANDARDS FOR THE GRANT OF A SPECIAL EXCEPTION FOR TEMPORARY OCCUPANCY OF A RECREATIONAL VEHICLE AS A SINGLE-</p>

FAMILY DWELLING. BASED ON THE FINDINGS PRESENTED, STAFF RECOMMENDS APPROVAL OF THIS REQUEST, CONDITIONED UPON THE SITE PLAN SUBMITTED, CONFORMITY WITH THE COMPREHENSIVE PLAN, AND ADHERENCE TO THE FOLLOWING LAND DEVELOPMENT CODE STANDARDS

- A BUILDING PERMIT SHALL BE SECURED PRIOR TO PLACEMENT AND OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE AS A TEMPORARY SINGLE-FAMILY DWELLING ON THE SUBJECT PROPERTY.
- A PERMANENT SINGLE-FAMILY HOME SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE PROPOSED RECREATIONAL VEHICLE IS USED AS A TEMPORARY DWELLING.
- THE PLACEMENT & OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE SHALL NOT EXCEED ONE (1) YEAR & SHALL BE RENEWABLE FOR AN ADDITIONAL PERIOD OF ONE (1) YEAR UPON APPROVAL BY THE BOARD OF ADJUSTMENT.
- PRIOR TO FINAL INSPECTION OF THE RESIDENCE, THE PROPERTY OWNER SHALL FURNISH THE PLANNING DIVISION WITH ACCEPTABLE EVIDENCE AS TO THE DATE & METHOD THAT THE PROPOSED RECREATIONAL VEHICLE WILL BE REMOVED.
- THE PROPOSED RECREATIONAL VEHICLE SHALL BE REMOVED WITHIN THIRTY (30) DAYS, FOLLOWING THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE PERMANENT SINGLE-FAMILY HOME.



COPY

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

VARIANCE

SPECIAL EXCEPTION

MOBILE HOME SPECIAL EXCEPTION Request temporary placement of Recreation Vehicle during construction of permanent residence.

EXISTING **PROPOSED** REPLACEMENT

MOBILE HOME IS FOR _____

YEAR OF MOBILE HOME 1995 SIZE OF MOBILE HOME 11x30 feet

ANTICIPATED TIME MOBILE HOME IS NEEDED 6-8 months

PLAN TO BUILD YES NO IF SO, WHEN August 2004

MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO

APPEAL FROM DECISION OF THE PLANNING MANAGER

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	<u>Low E. Rhode</u>	<u>Shelly Taylor</u>
ADDRESS	<u>151 Lake Minnie Dr.</u>	<u>P.O. Box 1073</u>
	<u>Sanford, FL 32773</u>	<u>Winter Park, FL 32790</u>
PHONE 1	<u>407-322-5898</u>	<u>(407) 869-7183 (home)</u>
PHONE 2		<u>(321) 303-9551 (cell)</u>
E-MAIL		<u>bill@taylorimage.com</u>

PROJECT NAME: _____

SITE ADDRESS: 4260 Christian Place, Sanford, FL

CURRENT USE OF PROPERTY: Vacant

LEGAL DESCRIPTION: 13-20-30 S 7/8 OF NW 1/4 OF SE 1/4 E OF SCL RR (LESS N 575 FT AND E 497.78 FT.)

SIZE OF PROPERTY: 5.73 acre(s) PARCEL I.D. 13-20-30-301-039F-0000

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on July (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Shelly Taylor
 SIGNATURE OF OWNER OR AGENT* DATE 6-4-04

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

BM 2004-012

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

Call before
visiting site

Access to
site has
locked gate!

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$185 COMMISSION DISTRICT 5 FLU/ZONING SE/A1

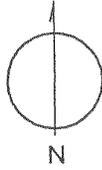
LOCATION FURTHER DESCRIBED AS From S. Sanford Ave., Right
on Old Western Trail to Christian Place.
First lot on left. ← ON THE NW CORNER OF CHRISTIAN PLACE

PLANNER DATE VB logged 6/14/04

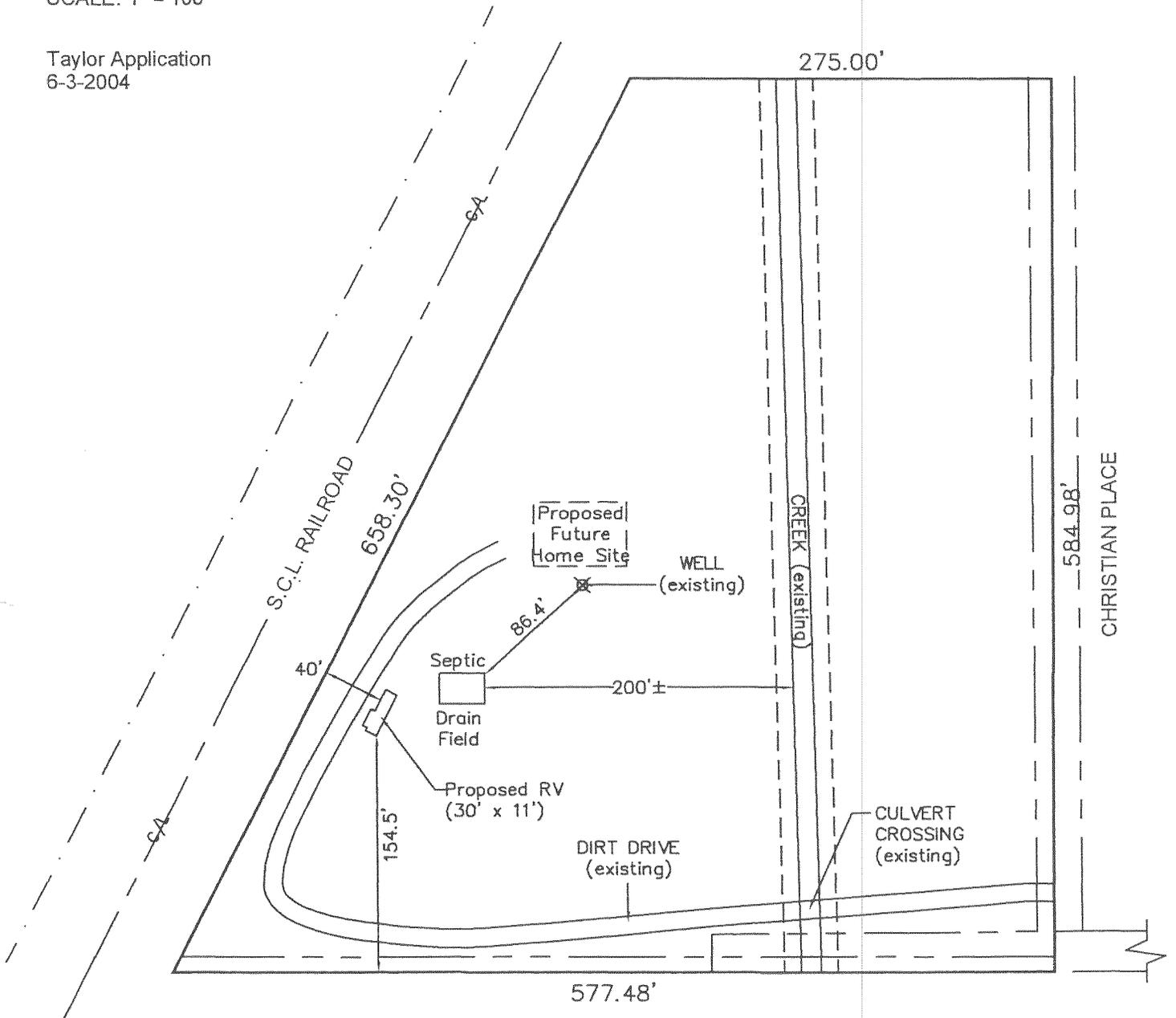
SUFFICIENCY COMMENTS

Proposed Site Plan

SCALE: 1" = 100'



Taylor Application
6-3-2004



PARCEL ID: 13-20-30-301-039F-0000

LEGAL DESC: LEG SEC 13 TWP 20S RGE 30E S 7/8 OF NW 1/4 OF SE 1/4 E SCL RR
(LESS N 575 FT & E 497.78 FT)

- S.C.L. Railroad ROW
- Top of Bank (Approximate)
- Existing Known Easements

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	◀ ◁ Back ▷ ▶																								
 <p> Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506 </p>																													
<p align="center">GENERAL</p> <p> Parcel Id: 13-20-30-301-039F-0000 Tax District: 01-TX DIST 1 - COUNTY Owner: RHODE LOU E Exemptions: Address: 121 LAKE MINNIE DR City,State,ZipCode: SANFORD FL 32773 Property Address: Facility Name: Dor: 99-ACREAGE NOT AGRICULT </p>			<p align="center">2004 WORKING VALUE SUMMARY</p> <p> Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$57,200 Land Value Ag: \$0 Just/Market Value: \$57,200 Assessed Value (SOH): \$57,200 Exempt Value: \$0 Taxable Value: \$57,200 </p>																										
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>05/1992</td> <td>02439</td> <td>0366</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>ARTICLES OF AGREEMENT</td> <td>07/1983</td> <td>01473</td> <td>0834</td> <td>\$17,500</td> <td>Improved</td> </tr> <tr> <td>ARTICLES OF AGREEMENT</td> <td>06/1982</td> <td>01446</td> <td>0032</td> <td>\$11,500</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this DOR Code</p>			Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	05/1992	02439	0366	\$100	Improved	ARTICLES OF AGREEMENT	07/1983	01473	0834	\$17,500	Improved	ARTICLES OF AGREEMENT	06/1982	01446	0032	\$11,500	Vacant	<p align="center">2003 VALUE SUMMARY</p> <p> 2003 Tax Bill Amount: \$529 2003 Taxable Value: \$30,840 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS </p>		
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Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																								
ACREAGE	0	0	5.720	10,000.00	\$57,200																								
<p> NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value. </p>																													

[BACK](#) [PROPERTY APPRAISER HOME PAGE](#) [CONTACT](#)

June 3, 2004

Lou E. Rhode
121 Lake Minnie Drive
Sanford, FL. 32773

Board of Adjustments
Planning Division, Seminole County, Florida
1101 East First Street
Sanford, FL. 32771

RE: Parcel 30-20-30-301-039F-0000, Seminole County, Florida

To Whom It May Concern:

As the sole owner of the above-mentioned property, I would like to grant permission to Charles W. and Shelly D. Taylor to apply for a special exception to the county zoning regulations for placement of a recreational vehicle on the above listed property, as I am currently under contract with them for the sale of this property.

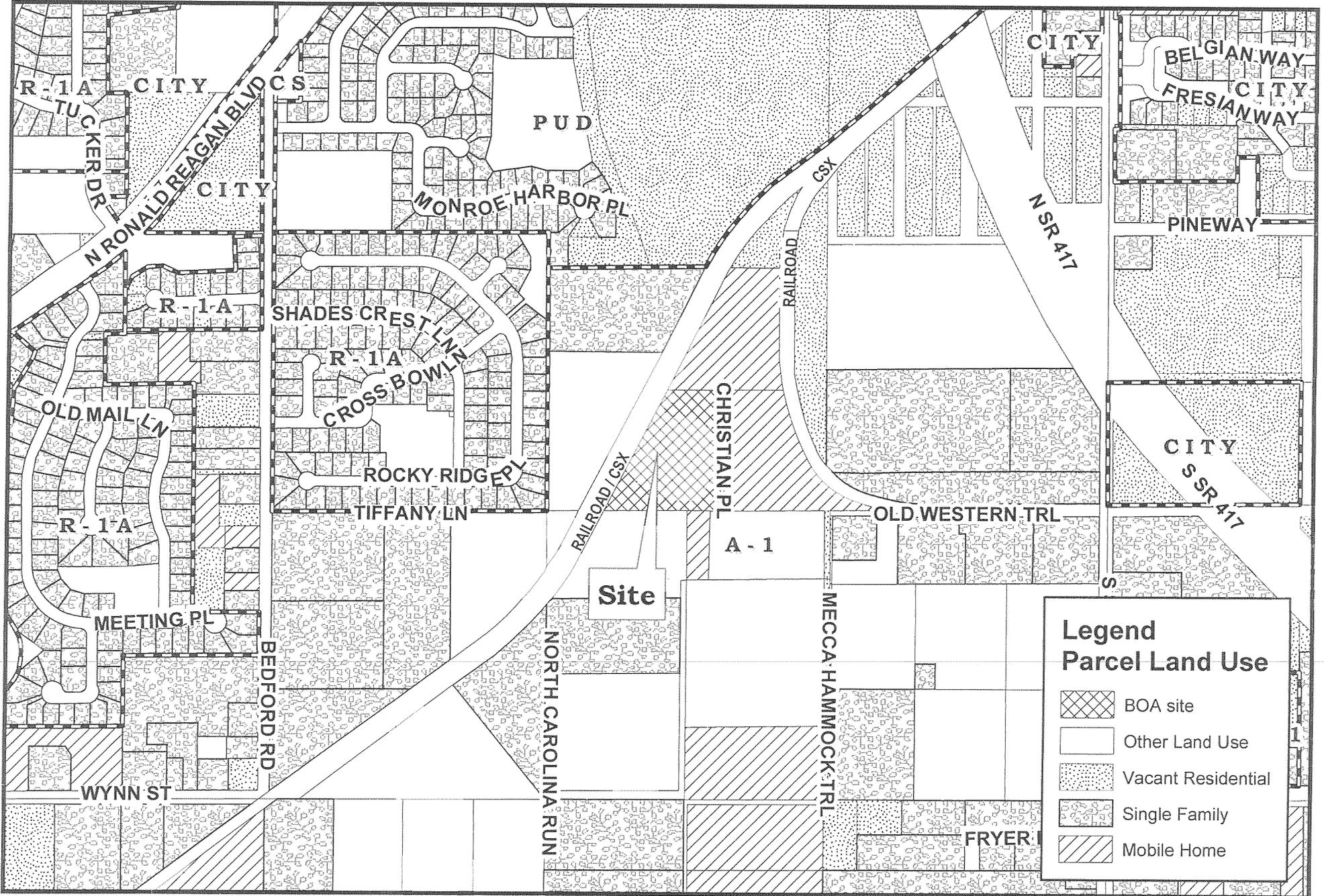
Thank you,

A handwritten signature in cursive script that reads "Lou E Rhode".

Lou E. Rhode

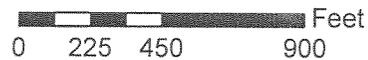


Charles & Shelly Taylor 4260 Christian Place

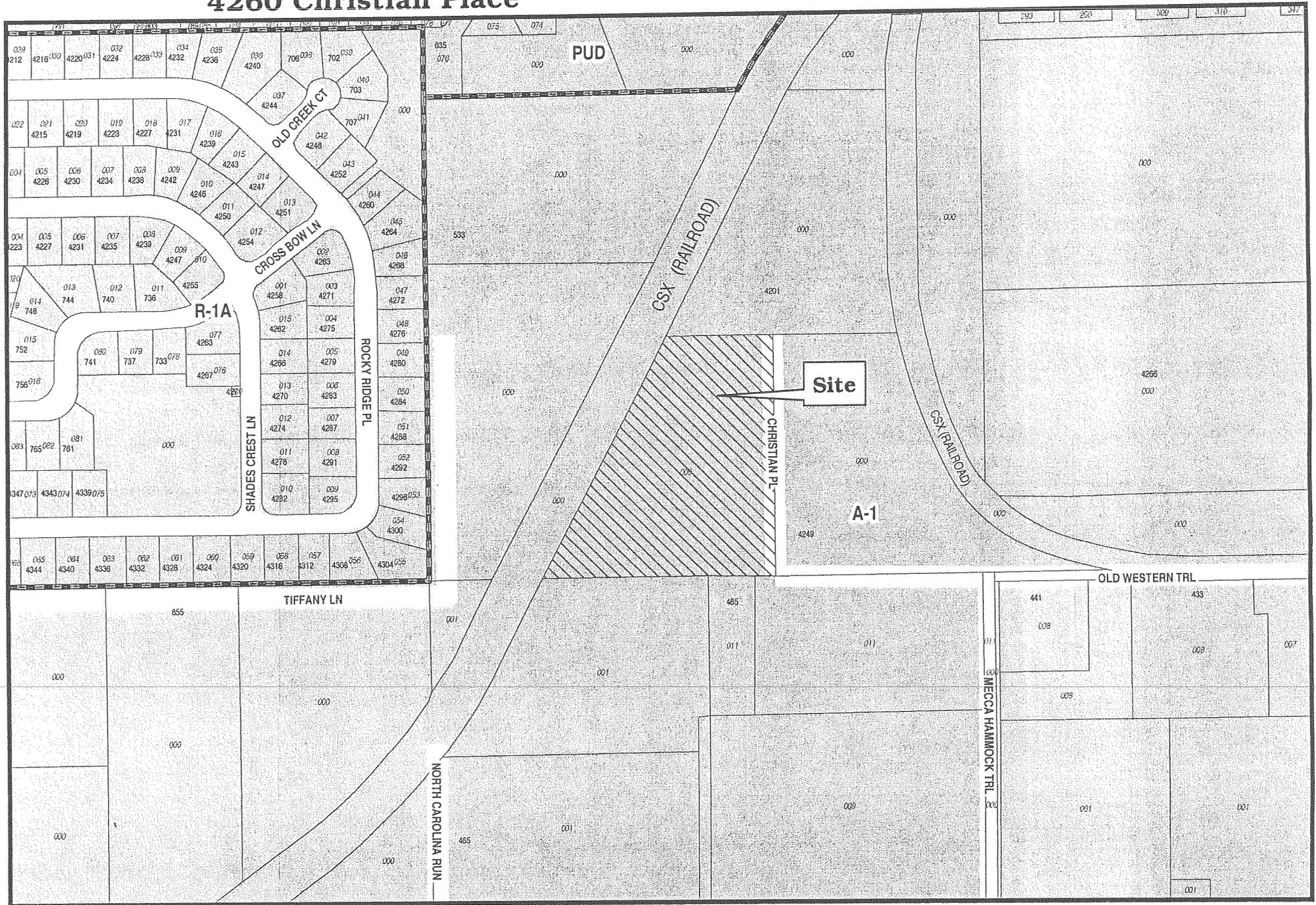
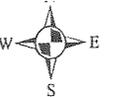


Legend
Parcel Land Use

-  BOA site
-  Other Land Use
-  Vacant Residential
-  Single Family
-  Mobile Home



Charles & Shelly Taylor 4260 Christian Place



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 13 TWP 20S RGE 30E S 7/8 OF NW 1/4 OF SE 1/4 E OF SCL RR
(LESS N 575 FT & E 497.78 FT)

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: LOU RHODE
121 LAKE MINNIE DRIVE
SANFORD, FL 32773

Site Address: 4260 CHRISTIAN PLACE

Requested Development Approval:

SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A RECREATIONAL VEHICLE FOR ONE YEAR IN THE A-1 (AGRICULTURE DISTRICT)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. A BUILDING PERMIT SHALL BE SECURED PRIOR TO PLACEMENT AND OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE AS A TEMPORARY SINGLE-FAMILY DWELLING ON THE SUBJECT PROPERTY.
 - b. A PERMANENT SINGLE-FAMILY HOME SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE PROPOSED RECREATIONAL VEHICLE IS USED AS A TEMPORARY DWELLING.
 - c. THE PLACEMENT & OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE SHALL NOT EXCEED ONE (1) YEAR & SHALL BE RENEWABLE FOR AN ADDITIONAL PERIOD OF ONE (1) YEAR UPON APPROVAL BY THE BOARD OF ADJUSTMENT.
 - d. PRIOR TO FINAL INSPECTION OF THE RESIDENCE, THE PROPERTY OWNER SHALL FURNISH THE PLANNING DIVISION WITH ACCEPTABLE EVIDENCE AS TO THE DATE & METHOD THAT THE PROPOSED RECREATIONAL VEHICLE WILL BE REMOVED.
 - e. THE PROPOSED RECREATIONAL VEHICLE SHALL BE REMOVED WITHIN THIRTY (30) DAYS, FOLLOWING THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE PERMANENT SINGLE-FAMILY HOME.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a

document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
 Matthew West
 Planning Manager

STATE OF FLORIDA)
 COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Matthew West who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

 Notary Public, in and for the County and State
 Aforementioned

My Commission Expires: