

BCC Mtg. Date: February 23, 2021

RESOLUTION GRANTING PETITION TO VACATE #20-10-035

WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain **15 foot wide utility easement located along the rear property line of the petitioners' residential lot located within the Winter Park Pines Subdivision, containing approximately 1,224 square feet** in Orange County, Florida, as described in attachment.

WHEREAS, notice of a public hearing before the Board of County Commissioners on **February 23, 2021**, was published in the *Orlando Sentinel*, a newspaper of general circulation in Orange County, Florida, one time at least two weeks prior to the date for the hearing; and

WHEREAS, the Board finds that the vacating of the **15 foot wide utility easement located along the rear property line of the petitioners' residential lot located within the Winter Park Pines Subdivision, containing approximately 1,224 square feet** will not operate to the detriment of Orange County or the public.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

The county road, right-of-way, easement, or park described above is vacated as of this date and Orange County renounces any rights in it.

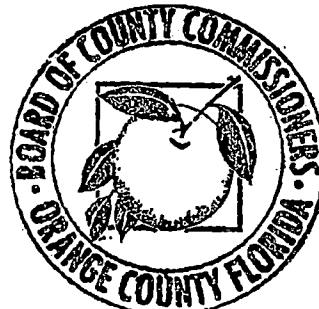
RESOLVED THIS 23RD DAY OF FEBRUARY 2021.

BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

By: *Russell B. Brown*
fol County Mayor

ATTEST:
Phil Diamond, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida

By: *Kate Smith*
Deputy Clerk



cas/jv

Attachments: Legal property description

Proof of publication of the *Orlando Sentinel* regarding the BCC notice of public hearing

Proof of publication of the *Orlando Business Journal* regarding the BCC notice of adoption

SKETCH OF DESCRIPTION

PROJECT: LOT 15, BLK A WINTER PARK PINES

PURPOSE: Vacate 15.00' Utility Easement

THIS IS NOT A BOUNDARY SURVEY
NOT VALID WITHOUT SHEET 2

DESCRIPTION:

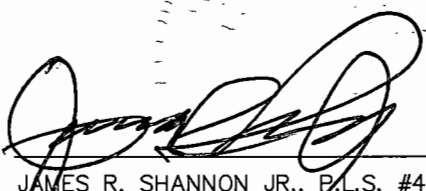
That part of the 15.00 foot Utility Easement lying on Lot 15, Block A, Winter Park Pines, according to the plat thereof as recorded in Plat Book Y, Pages 94 and 95, Public Records of Orange County, Florida, more particularly described as follows:

Commence at the Southern most corner of said Lot 15; thence run N53°53'04"W along the Southwesterly line of said Lot 15, a distance of 95.39 feet to a point on the Southeasterly line of said 15.00 foot Utility Easement for the Point of Beginning; thence continue N53°53'04"W along said Southwesterly line of Lot 15, a distance of 15.00 feet to the Western most corner of said Lot 15 and a point on a non-tangent curve concave to the Southeast, having a radius of 967.56 feet; thence from a radial bearing of S53°56'31"E run Northeasterly along the Northwesterly line of said Lot 15 and the Northwesterly line of said 15.00 foot utility easement and along the arc of said curve through a central angle of 04°52'18", an arc distance of 82.27 feet, having a chord bearing of N38°29'38"E and a chord distance of 82.25 feet to the Northern most corner of said Lot 15; thence run S49°00'22"E along the Northeasterly line of said Lot 15, a distance of 15.00 feet to a point on a non-tangent curve concave to the Southeast, having a radius of 952.56 feet; thence from a radial bearing of S49°04'15"E run Southwesterly along said Southeasterly line of the 15.00 foot Utility Easement and along the arc of said curve through a central angle of 04°52'19", an arc distance of 81.00 feet, having a chord bearing of S38°29'35"W and a chord distance of 80.98 feet to the Point of Beginning

Contains 1,224 square feet or 0.028 acres, more or less.

SURVEYORS NOTES

1. Bearings based on the Southwesterly line of Lot 15 as being N53°53'04"W.
2. I hereby certify that the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying set forth in Florida Administrative Code Rule 5J-17.05 requirements.
3. Not valid without the signature and seal of a Florida Licensed Surveyor and Mapper.
4. The electronic signature hereon is in compliance with the Florida Administrative Code (FAC) 5J-17.062 (3).
5. The seal appearing on this document was authorized by James R. Shannon, PLS 4671 on 11/24/2020 per FAC 5J-17.062 (2).



JAMES R. SHANNON JR., P.L.S. #4671
NOT VALID WITHOUT THE SIGNATURE AND THE SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER

SHANNON SURVEYING, INC.
499 NORTH S.R. 434 - SUITE 2045
ALTAMONTE SPRINGS, FLORIDA, 32714
(407) 774-8372 LB # 6898

DATE OF SURVEY: 11/24/2020

DRAWN BY: BP SCALE: 1" = 30'

PBY-PG94-BLKA-LOT15

SHEET 1 OF 2

OK
11/24/2020

SKETCH OF DESCRIPTION

PROJECT: LOT 15, BLK A WINTER PARK PINES

PURPOSE: Vacate 15.00' Utility Easement

THIS IS NOT A BOUNDARY SURVEY
NOT VALID WITHOUT SHEET 1

NOT PLATTED

$\Delta = 04^{\circ}52'18''$
 $R = 967.56'$
 $L = 82.27'$
 $RB = S53^{\circ}56'31''E$
 $CH = 82.25'$
 $CB = N38^{\circ}29'38''E$

NORTHERN MOST CORNER OF LOT 15

$S49^{\circ}00'22''E$
 15.00'

LOT 16



WESTERN MOST CORNER OF LOT 15

NORTHWESTERLY LINE OF LOT 15
 SOUTHEASTERLY LINE OF LOT 15

PLATTED UTILITY EASEMENT
 15.00'

$\Delta = 04^{\circ}52'19''$
 $R = 952.56'$
 $L = 81.00'$
 $RB = S49^{\circ}04'15''E$
 $CH = 80.98'$
 $CB = S38^{\circ}29'35''W$

LOT 15

$\Delta = 04^{\circ}52'40''$
 $R = 855.90'$
 $L = 72.87'$
 $CH = 72.85'$
 $CB = S38^{\circ}33'16''W$

EASTERN MOST CORNER OF LOT 15

$N53^{\circ}53'04''W$
 15.00'

LOT 14

POINT OF BEGINNING
 SOUTHWESTERLY LINE OF LOT 15

SOUTHWESTERLY LINE OF LOT 15
 95.39'

SOUTHEASTERLY LINE OF LOT 15
 95.47'

CORNWALL ROAD
 (60.00' RIGHT OF WAY)

POINT OF COMMENCEMENT
 SOUTHERN MOST CORNER OF LOT 15

LEGEND

- Δ DEGREE OF CURVATURE
- CH CHORD
- CB CHORD BEARING
- L LENGTH
- PG PAGE
- R RADIUS
- RB RADIAL BEARING

SHANNON SURVEYING, INC.
 499 NORTH S.R. 434 - SUITE 2045
 ALTAMONTE SPRINGS, FLORIDA, 32714
 (407) 774-8372 LB # 6898

DATE OF SURVEY: 11/24/2020

DRAWN BY: BP SCALE: 1" = 30'

PBY-PG94-BLKA-LOT15

SHEET 2 OF 2

Orlando Sentinel

Published Daily
ORANGE County, Florida

Sold To:

Clerk County Commission-Orange - CU00123736
201 S. Rosalind Avenue, 4th Floor
Orlando, FL, 32801-3527

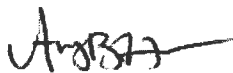
Bill To:

Clerk County Commission-Orange - CU00123736
201 S. Rosalind Avenue, 4th Floor
Orlando, FL, 32801-3527

State Of Illinois
County Of Cook

Before the undersigned authority personally appeared Amy Houser, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, Certify Lines: PTV 20-10-035 PTV 13-12-025 was published in said newspaper in the issues of Jan 31, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Amy Houser

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 4 day of February, 2021,
by above Affiant, who is personally known to me (X) or who has produced identification ().



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

Orlando Sentinel

**ORANGE COUNTY NOTICE OF PUBLIC
HEARINGS PETITION TO VACATE # 20-10-035
PETITION TO VACATE # 13-12-025**

Notice is hereby given that on **February 23, 2021, beginning at 2 p.m.**, or as soon thereafter as the matter may be heard, the **Orange County Board of County Commissioners (BCC)** will hold public hearings in the cases described below. The BCC will hold the hearings "in person" at the First Floor of the Orange County Administration Center, 201 S. Rosalind Avenue in downtown Orlando, Florida, and "virtually," utilizing communications media technology, due to the Covid-19 state of emergency. **If you have any questions about the exact format of the hearing, please call the Orange County Planning Division at 407-836-5600 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except legal holidays, or visit the County Calendar at <https://www.ocfl.net/Home/CountyCalendar.aspx>.**

The hearings will be hosted by Mayor Jerry L. Demings, a quorum of the BCC will be physically present during the hearings, and other BCC members not physically present may be participating from remote locations via WebEx ©. (See <https://www.webex.com> for more information.)

Description of the Hearings:

Applicant: Graeme J. Mellet and Heather L. Mellet

Consideration: Resolution granting Petition to Vacate # 20-10-035, vacating a 15 foot wide utility easement located along the rear property line of the petitioners' residential lot located within the Winter Park Pines Subdivision, containing approximately 1,224 square feet.

Location: District 5; The parcel address is 121 Cornwall Road; S04/T22/R30; Orange County, Florida (legal property description on file)

AND

Applicant: Carl Irwin, on behalf of Iafate Rockwood, LLC

Consideration: Resolution granting Petition to Vacate 13-12-025, vacating a portion of a 40 foot wide unopened, unimproved and unnamed right-of-way, containing approximately 0.55 acres.

Location: District 4; One parcel address is 500 W. Landstreet Road and the other parcel is unaddressed; S02/T24/R29; Orange County, Florida (legal property description on file)

You may obtain a copy of the legal property descriptions by calling the Comptroller Clerk of the Board of County Commissioners, 407-836-7300; or picking one up at 201 South Rosalind Avenue, Fourth Floor; Orlando, Florida.

Observing the Hearings:

You may observe the hearings on Orange TV via the Internet or television:

Online: <http://orangecountyfl.net/OpenGovernment/OrangeTVVisionTV.aspx>. Televised: Channel 488 on Spectrum; Channel 9 on Comcast; and Channel 99 on AT&T U-Verse.

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Subject to restrictions on seating, you may also observe the hearings by appearing at the First Floor of the Orange County Administration Center at 201 S. Rosalind Avenue, Orlando, Florida. Orange County staff will be present to ensure that social distancing and other health and safety measures are practiced and enforced.

Participating in a Hearing:

If you wish to provide testimony and/or submit evidence during a hearing, you must utilize one of the following options:

- You may attend the hearing in person at Room 105 on the First Floor of the Orange County Administration Center, 201 S. Rosalind Avenue, Orlando, Florida, where you will be able to communicate with the BCC members "virtually" via WebEx at a kiosk equipped with a computer laptop and video camera. Orange County staff will be present to ensure that social distancing and other health and safety measures are practiced and enforced. OR

- You may participate in the hearing and communicate with the BCC members virtually via WebEx from a remote location of your choosing, such as your home or office, through the video section of WebEx found in the link in the County Calendar at <https://www.ocfl.net/Home/CountyCalendar.aspx>. If you decide to participate from a remote location, you are responsible for ensuring that you will be able to communicate from the remote location via Webex, where you can be seen and heard, and you must register via the link provided in the County Calendar by not later than 5:00 p.m. on Monday, February 22, 2021, so that Orange County may register your name and make arrangements to ensure that you are able to participate in the hearing via WebEx from the remote location.

Also, if you intend to show photographs, presentations, reports, or any other documents or evidence when you testify at the hearing, by not later than 5:00 p.m. on Monday, February 22, 2021, you must email true and correct copies of such documentary evidence to Public.Comment@ocfl.net and note the public hearing or public hearing number to which it relates, or you must physically deliver copies of such documentary evidence to the Planning Division at the Second Floor of the Orange County Administration Center at 201 S. Rosalind Avenue in Orlando, Florida, and note the public hearing or public hearing number to which it relates.

Regardless of the form of participation, the time allotted to you and each other person who provides testimony at a hearing will be at the sole discretion of the Mayor, and may be reduced from the usual time limit of three minutes to two minutes, depending on the number of participants.

Section 286.0105, Florida Statutes, states that "If a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

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ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this hearing, then not later than two business days prior to the hearing, he or she should contact the Orange County Communications Division at (407) 836-5651.

This petition to vacate is complete and has been reviewed and investigated by appropriate County staff. The County Mayor, acting on behalf of the Board of County Commissioners pursuant to Resolution No. 91-M-62, has considered this petition and finds it acceptable for consideration at a public hearing.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICES, CONTACT THE ORANGE COUNTY DEVELOPMENT ENGINEERING DIVISION, JULIE ALBER, 407-836-7928, Email: Julie.alber@ocfl.net

PARA MÁS INFORMACIÓN ACERCA DE ESTA VISTA PÚBLICA, FAVOR DE COMUNICARSE CON LA DIVISIÓN DE INGENIERÍA DE DESARROLLOS (DEVELOPMENT ENGINEERING DIVISION) AL NÚMERO 407-836-7921.

ORG6865731

1/31/2021

6865731

Orlando Business Journal

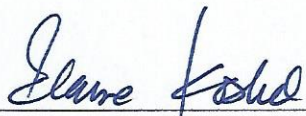
Published Weekly
Orlando, Orange County, Florida

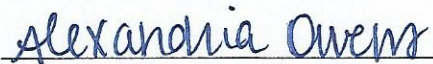
STATE OF FLORIDA
COUNTIES OF ORANGE, SEMINOLE, OSCEOLA, LAKE,
VOLUSIA & BREVARD

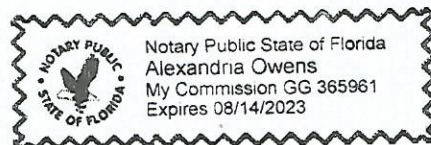
Before the undersigned authority personally appeared Elaine Koshel, who states that she is Classified Manager of Orlando Business Journal, a weekly newspaper published at Orlando in Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida; that the attached copy of advertisement, being a Notice of Adoption in the matter of Petition to Vacate #20-10-035, was published in said newspaper in the issue of March 5, 2021

Affiant further says that the said Orlando Business Journal is a newspaper published in Orlando in Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida, and that the said newspaper has heretofore been continuously published in said Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida each week and has been entered as second-class mail matter at the post office in Orlando, in said Orange County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 5th day of March, 2021 by Elaine Koshel who is personally known to me.


Elaine Koshel, Classified Manager


Alexandria Owens, Notary



NOTICE OF ADOPTION
PETITION TO VACATE #20-10-035
WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain 15 foot wide utility easement located along the rear property line of the petitioners' residential lot located within the Winter Park Pines Subdivision, containing approximately 1,224 square feet in Orange County, Florida (the legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners).
WHEREAS, notice of a public hearing before the Board of County Commissioners on February 23, 2021, was published in the Orlando Sentinel, a newspaper of general circulation in Orange County, Florida, one time at least two weeks prior to the date for the hearing; and
WHEREAS, the Board finds that the vacating of that certain 15 foot wide utility easement located along the rear property line of the petitioners' residential lot located within the Winter Park Pines Subdivision, containing approximately 1,224 square feet will not operate to the detriment of Orange County or the public.
THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY: The county road, right-of-way, easement, or park described above is vacated as of this date and Orange County renounces any rights in it.
RESOLVED THIS 23RD DAY OF FEBRUARY 2021.
Phil Diamond, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida
March 5, 2021