

### Interoffice Memorandum

Received on October 25, 2023 Deadline: October 31 2023 Publish: November 5, 2023

OCT25 23 10:30AM

Date: October 20, 2023

TO: Jennifer Lara-Kilmetz, Deputy Clerk, Comptroller Clerk's Office

THRU: Cheryl Gillespie, Agenda Development Supervisor

Agenda Development Office, BCC

FROM: Susan V. Ussach, P.E., CFM, County Engineer, Public Works Department SW

THRU: William Worley, Assistant Project Manager

Development Engineering Division, Public Works Department

Telephone:

407-836-7925

E-mail address:

William.worley@ocfl.net

RE: Request for Public Hearing PTV-22-04-014 – Michael L. Soper on behalf

of Legacy Funeral Holdings of Florida LLC., a Florida Limited Liability

Company

Applicant: Michael L. Soper

3103 Sackett Street Houston, TX 77098

Location: S32/T21/R28 Petition to vacate all unnamed platted

rights-of ways within the plat of West Orange Memorial Park. Public interest was created by the West Orange Memorial Park plat as recorded in Plat Book Y, Page 137 of the public records of Orange County, Florida. The parcel ID is 32-21-28-9154-01-010. The parcel address is

5264 Ingram Road, and the parcel lies in District 2.

Estimated time required

for public hearing:

Five (5) minutes, not to exceed ten (10) minutes.

Hearing controversial: No.

Advertising timeframes: Publish the petition, the Clerk's estimated hearing date,

time and place at least 14 days prior to the date set for the public hearing. Publish the notice of adoption within

30 days of the hearing date.

Applicant/Abutters to

Be notified:

Yes – Mailing labels are attached.

Hearing by Fla. Statute

# or code:

Pursuant to Section 336.10 of the Florida Statutes.

Legislative File 23-1568

November 28, 2023 @ 2:00 p.m.

Request for Public Hearing PTV-22-04-014 - Michael L. Soper on behalf of Legacy Funeral Holdings of Florida LLC

Spanish contact person: 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.

Materials being submitted as backup for public hearing request:

- 1. Complete originals and exhibits
- 2. Certified sketch and legal description
- 3. Receipt of payment of petition fees
- 4. Proof of property ownership
- 5. Mailing labels

# SPECIAL INSTRUCTIONS TO CLERK (IF ANY):

Please notify William Worley of the scheduled date and time. The Development Engineering Division will notify the customer.

# PUBLIC WORKS DEPARTMENT DEVELOPMENT ENGINEERING DIVISION REQUEST FOR COUNTY MAYOR'S APPROVAL August 4, 2023

Request authorization to schedule a Public Hearing for the Petition to Vacate 22-04-014. This is a request from Machael L. Soper on behalf of Legacy Funeral Holdings of Florida LLC to vacate a 40 foot wide portion of an opened, partially improved and unnamed right-of-way, and portions of a 24 foot wide of an opened, improved and unnamed right-of-way and portions of unopened, unimproved and unnamed right-of-way. The parcel lies in District 2. The staff has no objection to this request.

Approved by Mayor Jerry L. Demings (Date)

NOTE: FURTHER PROCESSING NECESSARY:

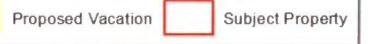
Please return to William Worley via interoffice mail.

For any questions regarding this map, contact William Worley at 407-836-7925





PTV-22-04-014
Michael L. Soper
on behalf of Legacy Funeral Holdings of Florida LLC





Control Number 22-04-014
(For use by Orange County only)

# PETITION REQUESTING VACATION OF ORANGE COUNTY ROAD, RIGHT OF WAY OR EASEMENT

To: Board of County Commissioners

Orange County, Florida

The undersigned hereby petitions the Board of County Commissioners to vacate an existing right-of-way or easement and to disclaim any right Orange County and the public have in that right-of-way or easement.

The undersigned does hereby certify:

# PUBLIC INTEREST IN RIGHT OF WAY OR EASEMENT:

The title or interest of Orange County and the public in the above described right-of-way or easement is acquired and is evidenced in the following manner: (state whether public interest acquired by deed, dedication or prescription).

Public interest was created by the West Orange Memorial Park plat as recorded in Plat Book Y, Page 137 of the public records of Orange County, Florida.

ATTACH SKETCH AND DESCRIPTION: Attached as Exhibit "A" is a sketch and legal description prepared by a registered land surveyor accurately showing and describing the above-described right-of-way or easement, and showing its location in relation to the surrounding property.

### SEE ATTACHED EXHIBIT 'A'

<u>ABUTTING PROPERTY OWNER:</u> Attached as Exhibit "B" is a list which constitutes a complete and accurate schedule of all abutting property owners (other than the petitioner). This exhibit <u>may</u> also include any letters received from abutting property owners resulting from courtesy letters sent to them.

### SEE ATTACHED EXHIBIT 'B'

<u>ACCESS TO OTHER PROPERTY:</u> The undersigned certifies that if this petition is granted and the right-of-way or easement is terminated, no other property owner will be denied access to and from his or her property.

<u>POSTING OF NOTICE:</u> The undersigned agrees to place a notice of petition to vacate on the subject property in a conspicuous and easily visible location no later than ten (10) days prior to the public hearing on the petition. This notice will be available at the Orange County Public Works Division after a Public Hearing has been scheduled.

<u>PUBLIC UTILITIES:</u> Attached as Exhibit "C" are certificates of public utility companies serving the area of the above-described property, and each utility company has certified that the vacating will not interfere with the utility services being provided.

### SEE ATTACHED EXHIBIT 'C'

NO FEDERAL OR STATE HIGHWAY AFFECTED: The undersigned certifies that, to the best of his or her knowledge, the above-described right-of-way or easement is not a part of any existing or proposed state or federal highway. It was not acquired or dedicated for state or federal highway purposes, and such right of way or easement is under the control and jurisdiction of the Board of County Commissioners.

<u>GROUNDS FOR GRANTING PETITION:</u> The undersigned submits as grounds and reasons in support of this petition the following: (State in detail why the petition should be granted)

Respectfully submitted by:  Petitioner's Signature (Include title if applicable)  Respectfully submitted by:  Michael L. Soper, President i Ce
Address: - 3103 Sackett Street, Houston, TX 77098
Phone Number: ( 713 ) 529-5770
STATE OF FLORIDA Texas  COUNTY OF ORANGE Harris
The foregoing instrument was acknowledged before me by means of physical presence or online by MIchael L. Soper notarization, this day of who is personally known or who has produced the brive was identification.
CORINN RUSSO My Notary ID # 2425094 Expires October 5, 2024 Signature of Notary

Print Name

# EXHIBIT "A" LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION

# EXHIBIT "A"

SHEET 1 OF 2 NOT VALID WITHOUT SHEET 2 THIS IS NOT A SURVEY 505/10/2023

DESCRIPTION: R/W TO BE VACATED (PREPARED BY SURVEYOR)

ALL UNNAMED PLATTED ROAD RIGHT OF WAYS AS SHOWN ON THE PLAT OF WEST ORANGE MEMORIAL PARK, AS RECORDED IN PLAT BOOK Y, PAGES 137 AND 138, LYING WITHIN OFFICIAL RECORDS BOOK 10758, PAGE 2593, ALL OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

### SURVEYORS NOTES:

- 1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
- 2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
- 3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR.
- 4. THIS SKETCH WAS PREPARED WITH THE BENEFIT OF PLAT OF WEST ORANGE MEMORIAL PARK, AS RECORDED IN PLAT BOOK Y, PAGES 137 AND 138 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PREPARED FOR:
ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS

ANDREW W. POWSHOK, PLS 5383 PROFESSIONAL LICENSED SURVEYOR

PREPARED BY:

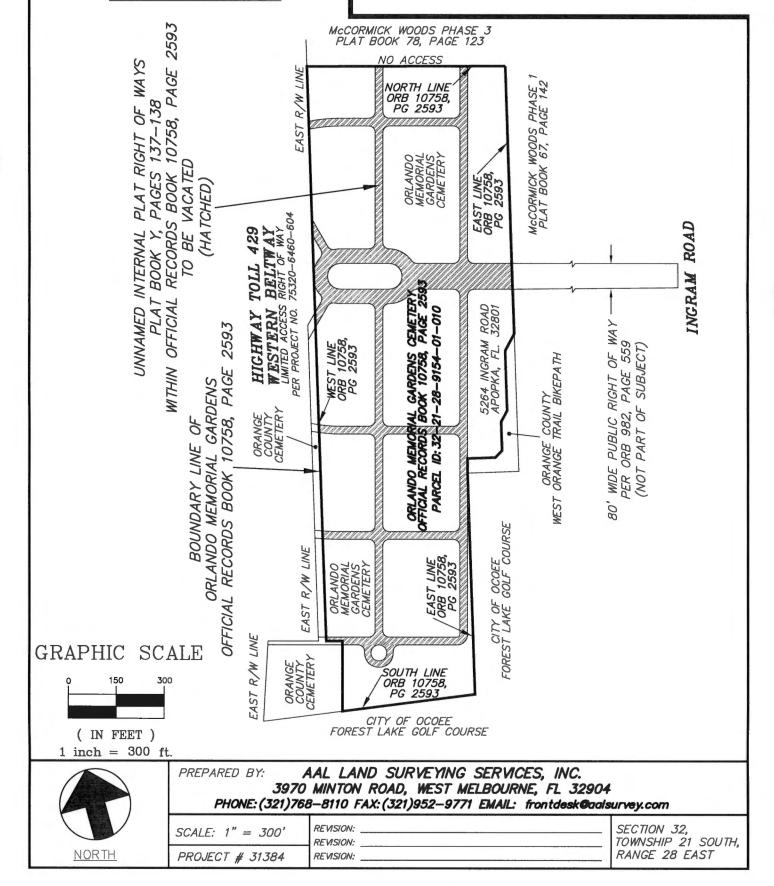
AAL LAND SURVEYING SERVICES, INC. 3970 MINTON ROAD, WEST MELBOURNE, FL 32904

DRAWN BY: ANDREW POWSHOK	ANDREW W POWSHOK	REVISION:	SECTION 32, TOWNSHIP 21 SOUTH.
DATE: 10-02-23	PROJECT # 31384		RANGE 28 EAST

3567 1820ES

EXHIBIT "A"

SHEET 2 OF 2 NOT VALID WITHOUT SHEET 1 THIS IS NOT A SURVEY



# EXHIBIT "B" ABUTTING PROPERTY OWNERS

# EXHIBIT 'B'

# **ABUTTING PROPERTY OWNERS**

As an abutting property owner, I hereby consent without objection, to the vacating of the Easement or Right of Way in the attached petition

NAME AND ADDRESS	DESCRIPTION OF PROPERTY	SIGNATURE(S)
McCornic Woods HOA	32-21-28-5521-00-006	
4700 Millenia Blod.	Su'k 515	
Odando, FL 32839		
Forest Ialu Golf Coase	05-22-28-0000-00-01	
10521 Clorcong Ocale		
Apopka, FL 32703		
Susant Trucy Adams		
523 Belle Fern Ct		
Ocoec, FL34761		
Property auner		
511 Bulle Funct		
Ococe, FL34761		
•		

Robert W. Bowser

akerman

Akerman LLP 420 South Orange Avenue Suite 1200 Orlando, FL 32801-4904

> T: 407 423 4000 F: 407 843 6610

January 23, 2023

# VIA FEDERAL EXPRESS

McCormick Wood Homeowners Association, Inc. 4700 Millenia Blvd.
Suite 515
Orlando, FL 32839

To Whom it May Concern:

This firm represents Orlando Memorial Gardens Cemetery ("OMG"). OMG is in the process of vacating the public rights of way located within its property located at 5264 Ingram Rd, Apopka, Florida, 32703 (the "Property"). Public interest in the rights of way was created by the Plat for West Orange Memorial Park recorded in Plat Book Y, Pages 137-138 of the public records of Orange County, Florida.

As part of the vacation process, OMG is required to provide notice to all abutting property owners of it's intent to vacate the public rights of way on its Property.

If you have any questions or concerns, please reach out to me.

Sincerely,

AKERMAN LLP

Robert W. Bowser (e-signed 012323)

Robert W. Bowser



FOLD on this line and place in shipping pouch with bar code and delivery address visible

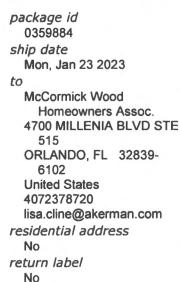
1. Fold the first printed page in half and use as the shipping label.

- Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
- 3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

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notification type
Delivery

notification recipients
lisa.cline@akerman.com

ITOIII
LISA CLINE (5065)
Akerman LLP
420 S Orange Ave STE
1200
CNL II
Orlando, FL 32801
US
billing
LEGACY FUNERAL
HOLDI,
LLC.ORLANDO
MEMORIAL
GAREPLAT
(092401.0409195)
operator
Lisa Cline
407-237-8720
lisa.cline@akerman.com
create time
01/23/23, 9:02AM



vendor
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tracking number
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service
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packaging
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signature
Deliver Without Signature
declared value
10.00 USD
courtesy quote
14.32

Quote may not reflect all accessorial charges

Robert W. Bowser

akerman

Akerman LLP 420 South Orange Avenue Suite 1200 Orlando, FL 32801-4904

> T: 407 423 4000 F: 407 843 6610

January 23, 2023

# VIA FEDERAL EXPRESS

Forest Lake Golf Course 10521 Clarcona Ocoee Rd Apopka, FL 32703

To Whom it May Concern:

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Sincerely,

AKERMAN LLP

Robert W. Bowser (e-signed 012323)

Robert W. Bowser



FOLD on this line and place in shipping pouch with bar code and delivery address visible

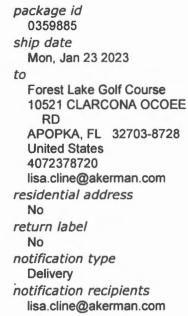
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vendor **FedEx** tracking number 393739174970 service FedEx Priority Overnight® packaging FedEx® Envelope signature Deliver Without Signature declared value 10.00 USD courtesy quote 14.32

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Robert W. Bowser

akerman

Akerman LLP 420 South Orange Avenue Suite 1200 Orlando, FL 32801-4904

> T: 407 423 4000 F: 407 843 6610

August 14, 2023

# VIA FEDERAL EXPRESS

Tracy A. Adams Susan M. Adams 523 Belle Fern Ct. Ocoee, FL 34761-4458

To Whom it May Concern:

This firm represents Orlando Memorial Gardens Cemetery ("OMG"). OMG is in the process of vacating the public rights of way located within its property located at 5264 Ingram Rd, Apopka, Florida, 32703 (the "Property"). Public interest in the rights of way was created by the Plat for West Orange Memorial Park recorded in Plat Book Y, Pages 137-138 of the public records of Orange County, Florida.

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If you have any questions or concerns, please reach out to me.

Sincerely,

AKERMAN LLP

Robert W. Bowser (e-signed 08142023)

Robert W. Bowser

# Worley, William B

From:

lauri.gerson@akerman.com

Sent:

Tuesday, August 22, 2023 1:09 PM

To:

Worley, William B

Subject:

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From: Cline, Lisa (Para-Orl) < lisa.cline@akerman.com>

Sent: Tuesday, August 15, 2023 8:52 AM

To: Gerson, Lauri (Assoc-Atl) < lauri.gerson@akerman.com>

Subject: FW: FedEx Shipment 782458454485. This shipment was tendered to FedEx Express

fyi

I will be out of the office Friday, August 25, 2023.

### Lisa Cline, FRP

Commercial Real Estate Paralegal
Akerman LLP | 420 South Orange Avenue, Suite 1200 | Orlando, FL 32801
D: 407 237 8720
Lisa.Cline@akerman.com

From: TrackingUpdates@fedex.com < TrackingUpdates@fedex.com >

Sent: Monday, August 14, 2023 6:03 PM

To: Cline, Lisa (Para-Orl) < <a href="mailto:lisa.cline@akerman.com">lisa.cline@akerman.com</a>>

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TRACKING NUMBER

782458454485

FROM

Akerman LLP

420 S Orange Ave STE 1200

CNL II

Orlando, FL, US, 32801

TO SUSAN M. ADAMS

TRACY A. ADAMS
523 BELLE FERN CT

OCOEE, FL, US, 34761

REFERENCE 092401.00409195-005065

SHIPPER REFERENCE 092401.00409195-005065

SHIP DATE Mon 8/14/2023 05:49 PM

PACKAGING TYPE FedEx Envelope

ORIGIN Orlando, FL, 32801

**DESTINATION** OCOEE, FL, US, 34761

SPECIAL HANDLING Residential Delivery

STANDARD TRANSIT Tue, 08/15/2023 by 12:00pm

NUMBER OF PIECES 1

TOTAL SHIPMENT WEIGHT 0.50 LB

SERVICE TYPE FedEx Priority Overnight



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Akerman LLP

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Lisa Cline

Email:

lisa.cline@akerman.com

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Thank you for your business.

#### Robert W. Bowser

akerman

Akerman LLP 420 South Orange Avenue Suite 1200 Orlando, FL 32801-4904

> T: 407 423 4000 F: 407 843 6610

August 14, 2023

# VIA FEDERAL EXPRESS

To the owners of: 511 Belle Fern Ct. Ocoee, FL 34761-4458

To Whom it May Concern:

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Sincerely,

AKERMAN LLP

Robert W. Bowser (e-signed 08142023)

Robert W. Bowser

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lauri.gerson@akerman.com

Sent:

Tuesday, August 22, 2023 1:09 PM

To:

Worley, William B

Subject:

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Sent: Tuesday, August 15, 2023 8:46 AM

To: Gerson, Lauri (Assoc-Atl) < lauri.gerson@akerman.com>

Subject: FW: FedEx Shipment 782458611709. This shipment was tendered to FedEx Express

fyi

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### Lisa Cline, FRP

Commercial Real Estate Paralegal Akerman LLP | 420 South Orange Avenue, Suite 1200 | Orlando, FL 32801 D: 407 237 8720 Lisa.Cline@akerman.com

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# Personal Message

**PSShip eMail Notification** 

# Estimated delivery date

Tue, 08/15/2023 before 12:00pm



PICKED UP ORLANDO, FL

MANAGE DELIVERY

**TRACKING NUMBER** <u>782458611709</u>

FROM Akerman LLP

420 S Orange Ave STE 1200

CNL II

Orlando, FL, US, 32801

TO CURRENT RESIDENT

511 BELLE FERN CT OCOEE, FL, US, 34761

**REFERENCE** 092401.00409195-005065

**SHIPPER REFERENCE** 092401.00409195-005065

SHIP DATE Mon 8/14/2023 05:49 PM

PACKAGING TYPE FedEx Envelope

ORIGIN Orlando, FL, 32801

**DESTINATION** OCOEE, FL, US, 34761

SPECIAL HANDLING Residential Delivery

**STANDARD TRANSIT** Tue, 08/15/2023 by 12:00pm

NUMBER OF PIECES 1

TOTAL SHIPMENT WEIGHT 0.50 LB

**SERVICE TYPE** FedEx Priority Overnight



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Name:

Lisa Cline

Email:

lisa.cline@akerman.com

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Thank you for your business.

# EXHIBIT "C" UTILITY LETTERS



Lake Apopka Natural Gas 38 North Park Avenue Apopka, Fl. 32703 407-395-2968 Domingo Colon r-colon@langd.org

Date: 5/11.2022

#### l'etition to Vacate:

Dear Mr. Colon.

Title:

Date:

I am in the process of requesting that Orange County vacate that portion of platted internal roadways within a cemetery as shown on the enclosed sketch. This site address is 5264 Ingram Road, Apopka, Fl. 32703, and lies within the subdivision found in Plat Book Y. Pages 137-138. Part of the vacation process is to provide letters showing no objection from utility companies who have jurisdiction in the cemetery. If you to have facilities within this cemetery please indicate the location and we can provide a specific easement to cover any facilities you have.

Flease review your records, complete the form below and return this letter to me. If you have any questions, please contact myself. Andrew Powshok, P.L.S. at 3.21-768-8110.

Gas Construction/Permitting

5/11/2022



Jul. 27, 2023

Via email: Lauri.Gerson@akerman.com

Ms. Lauri W. Gerson Associate Akerman LLP 999 Peachtree Street NE, Suite 1700 Atlanta, Georgia 30309

RE: Vacation of Platted Right Of Ways

5264 Ingram Road, Apopka Orange County, Florida

Dear Ms. Gerson:

Please be advised that Duke Energy has "no objection" to the vacation and abandonment of the platted internal roadways within the Orlando Memorial Gardens, being more particularly as described on the attached Exhibt A – Legal Description, attached hereto and by this reference made a part hereof.

Once the resolution has recorded in the Public Records please provide a copy to me so the easement executed by the customer for the vacated area can be recorded.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Irma Cuadra

Irma Cuadra Senior Research Specialist

Attachment

### **EXHIBIT "A"**

## **Legal Description**

That part of the East 1/2 of the Southwest 1/4 and the North 80 feet of the Southwest 1/4 of the Southeast 1/4 of Section 32, Township 21 South, Range 28 East, platted as WEST ORANGE MEMORIAL PARK, as recorded in Plat Book Y, Pages 137 and 138, of the Public Records of Orange County, Florida, more particularly described as follows:

Begin at the Northeast corner of said plat, being the Northeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 32; thence run South 01° 57' 10" East, 1321.38 feet along the East line of said plat to the North line of aforementioned North 80 feet; thence run North 89° 59' 04" East, 1293.49 feet along the North line of said North 80 feet to the West right-of-way line of Ingram Road; thence run South 02° 07' 20" East 80.05 feet along said right-of-way line to the South line of the North 80 feet; thence run South 89° 59' 04" West, 1293.73 feet along said South line of the North 80 feet to the East line of said Plat; thence run South 01° 57' 10" East, 1241.52 feet along said East line to the Southeast corner of said plat; thence run South 82° 37' 37" West, 577.27 feet along the South line of said plat; thence run North 00° 00' 00" West, 219.75 feet; thence run South 90° 00' 00" West, 50.58 feet to the West line of the East 40 acres of said plat; thence run North 01° 57' 10" West, parallel with the East line of said plat 2471.42 feet to the North line of said plat; thence run North 87° 36' 39" East, 617.77 feet along said North line to the Point of Beginning.

LESS AND EXCEPT that portion of the above described parcel as conveyed to the City of Ocoee, a Florida municipal corporation, by Warranty Deed recorded in Official Records Book 4634, Page 73, of the Public Records of Orange County, Florida.

ALSO LESS AND EXCEPT that portion of the above described parcel as conveyed to Orange County, Florida, by Warranty Deed recorded in Official Records Book 4998, Page 350, of the Public Records of Orange County, Florida.

ALSO LESS AND EXCEPT that portion of the above described parcel as conveyed to McCormick Road, LLC, a Florida limited liability company, by Special Warranty Deed recorded in Official Records Book 7673, Page 4766, of the Public Records of Orange County, Florida.

Ocoee Florida Utilities Department 1800 A.D. Mims Road Ocoee, Florida 34761 407-554-7230 Kelsey Katro kkatro@ocoee.org

Date: April 3, 2023

Petition to Vacate:

Dear Ms. Katro,

I am in the process of requesting that Orange County vacate that portion of platted internal roadways within a cemetery as shown on the enclosed sketch. This site address is 5264 Ingram Road, Apopka, Fl. 32703, and lies within the subdivision found in Plat Book Y, Pages 137-138. Part of the vacation process is to provide letters showing no objection from utility companies who have jurisdiction in the cemetery. If you do have facilities within this cemetery please indicate the location and we can provide a specific easement to cover any facilities you have.

Please review your records, complete the form below and return this letter to me. If you have any questions, please contact myself, Andrew Powshok, P.L.S. at 321-768-8110.

Sincerely,	
Andrew W. Pov	
AAL Land Surv	veying Services, Inc.
The subje	ct parcel is <u>NOT</u> within our service area.
	ect parcel is within or service area. We <u>DO NOT</u> have any facilities within the right of way.
We have NO	OBJECTION to the vacation.
The subject	t parcel is within our service area. We <u>OBJECT</u> to the vacation.
	ments: Property 32-21-28-9154-01-010 is within the Reclaimed Water Service Area and
outside of City	of Ocoee Potable Water Service Area. We have no utility features on the property.
Signature:	Helen Kato
orginaturo.	
Print Name:	Kelsey Katro
Title:	GIS Analyst- Utilities

Date:

4/3/2023

Spectrum
3767 All American Boulevard
Orlando, Fl. 32810
407-532-8511
Tracey Domostoy
Construction Supervisor
Tracey.domostoy@charter.com

Date: 5/11.2022

Title:

Date:

### **Petition to Vacate:**

Dear Mrs. Domostoy,

I am in the process of requesting that Orange County vacate that portion of platted internal roadways within a cemetery as shown on the enclosed sketch. This site address is 5264 Ingram Road, Apopka, Fl. 32703, and lies within the subdivision found in Plat Book Y, Pages 137-138. Part of the vacation process is to provide letters showing no objection from utility companies who have jurisdiction in the cemetery. If you do have facilities within this cemetery please indicate the location and we can provide a specific easement to cover any facilities you have.

Please review your records, complete the form below and return this letter to me. If you have any questions, please contact myself, Andrew Powshok, P.L.S. at 321-768-8110.

Sincerely,
Andrew W. Powshok, P.L.S.

AAL Land Surveying Services, Inc.

The subject parcel is NOT within our service area.

X The subject parcel is within or service area. We DO NOT have any facilities within the right of way.
We have NO OBJECTION to the vacation.

The subject parcel is within our service area. We OBJECT to the vacation.

Additional comments:

Signature:

Tracey Domostoy

Tracey Domostoy

**Construction Supervisor** 

5/27/22

Spectrum 3767 All American Boulevard Orlando, Fl. 32810 407-532-8511 **Tracey Domostoy Construction Supervisor** Tracey.domostoy@charter.com

Date: 5/11.2022

#### **Petition to Vacate:**

Dear Mrs. Domostoy,

Title:

Date:

5/27/22

I am in the process of requesting that Orange County vacate that portion of platted internal roadways within a cemetery as shown on the enclosed sketch. This site address is 5264 Ingram Road, Apopka, Fl. 32703, and lies within the subdivision found in Plat Book Y, Pages 137-138. Part of the vacation process is to provide letters showing no objection from utility companies who have jurisdiction in the cemetery. If you do have facilities within this cemetery please indicate the location and we can provide a specific easement to cover any facilities you have.

Please review your records, complete the form below and return this letter to me. If you have any questions, please contact myself, Andrew Powshok, P.L.S. at 321-768-8110.

Sincerely. Andrew W. Powshok, P.L.S. AAL Land Surveying Services, Inc. The subject parcel is **NOT** within our service area. X The subject parcel is within or service area. We **DO NOT** have any facilities within the right of way. We have NO OBJECTION to the vacation. The subject parcel is within our service area. We **OBJECT** to the vacation. Additional comments: Signature: Print Name: Tracev Domostov **Construction Supervisor** 

AT&T 5100 Steyr Street Orlando, Fl. 32819 321-480-9319 Ronnie Lalchan RI418C@att.com

Date: 5/11.2022

#### **Petition to Vacate:**

Dear Mr. Lalchan,

Title:

Date:

Engineer

5/13/22

I am in the process of requesting that Orange County vacate that portion of platted internal roadways within a cemetery as shown on the enclosed sketch. This site address is 5264 Ingram Road, Apopka, Fl. 32703, and lies within the subdivision found in Plat Book Y, Pages 137-138. Part of the vacation process is to provide letters showing no objection from utility companies who have jurisdiction in the cemetery. If you do have facilities within this cemetery please indicate the location and we can provide a specific easement to cover any facilities you have.

Please review your records, complete the form below and return this letter to me. If you have any questions, please contact myself, Andrew Powshok, P.L.S. at 321-768-8110.

Sincerely,
Andrew W. Powshok, P.L.S.
AAL Land Surveying Services, Inc.

X The subject parcel is NOT within our service area.

The subject parcel is within or service area. We DO NOT have any facilities within the right of way.

We have NO OBJECTION to the vacation.

The subject parcel is within our service area. We OBJECT to the vacation.

Additional comments:

AT&T has no facilities at 5264 Ingram rd, Apopka, FL 32703. Please provide a utility easement for future use.

Signature:

Ronnie Lalchan

Print Name:

Ronnie Lalchan





## PUBLIC WORKS DEPARTMENT - DEVELOPMENT ENGINEERING DIVISION DIANA M. ALMODOVAR, P.E., *Manager*

4200 South John Young Parkway - Orlando, Florida 32839-9205 407-836-7974 - Fax 407-836-8003 e-mail: diana.almodovar@ocfl.net

October 18, 2023

Dear Mr. Andrew Powshok

The following divisions have Approved the Petition to Vacate and have provided the following comments below.

#### **Engineering ROW Review**

Please contact Mark Daynes at 407-836-8672 with any questions.

#### **EPD Review**

Please contact Jason Root at (407) 836-1518 with any questions.

#### **Real Estate Management Review**

Please contact Elizabeth (Beth) Jackson at 407-836-7099 with any questions.

#### Roads & Drainage Review

Roads and Drainage has no objection for this vacation with the condition of an access easement.

Please contact Rojesh Sankar at 407-836-7948 with any questions.

#### **Transportation Planning Review**

Please contact Tammi Chami at 407-836-8016 with any questions.

## **Property Record - 32-21-28-**9154-01-010

Orange County Property Appraiser • http://www.ocpafl.org

## Property Summary as of 04/20/2022

#### **Property Name**

Orlando Memorial Gardens

#### Names

Legacy Funeral Holdings Of Florida LLC

#### Municipality

ORG - Un-Incorporated

#### **Property Use**

7610 - Inst-Cemetery

#### **Mailing Address**

3103 Sackett St Houston, TX 77098-2016

#### **Physical Address**

5264 Ingram Rd Apopka, FL 32703

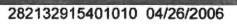


**QR Code For Mobile Phone** 



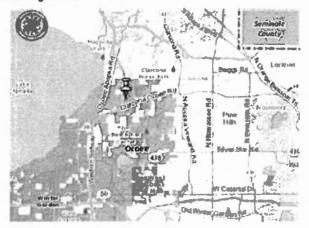
5264 INGRAM RD, APOPKA, FL 32703 10/20/2015 12:49 PM







#### 5264 Ingram Rd



### **Property Features**

#### **Property Description**

WEST ORANGE MEMORIAL PARK Y/137 BEG NE COR OF PLAT RUN S 1321.38 FT E 1293.49 FT S 80.05 FT W 1293.7 FT S 1241.52 FT W 577.27 FT N 219.75 FT W 50.58 FT N 2471.42 FT E 617.77 FT TO POB (LESS BEG AT SE COR OF SW1/4 RUN S 84 DEG W 160.72 FT N 689.7 FT TH N 01 DEG E 45.5 FT E 158.45 FT S 720 FT TO POB) & (LESS RD R/W) & (LESS PT TAKEN FOR WEST ORANGE TRAIL DESC IN OR 4998/350 & LESS BEG NE COR OF NE1/4 OF SW1/4 TH RUN S 707.93 FT N 88 DEG W 618.03 FT N 683.41 FT N 89 DEG E 617.82 FT TO POB)

#### **Total Land Area**

1,082,646 sqft (+/-)

24.85 acres (+/-)

GIS Calculated

#### Land

Land Use Code	Zoning	<b>Land Units</b>	<b>Unit Price</b>	<b>Land Value</b>	<b>Class Unit Price</b>	<b>Class Value</b>
7610 - Inst-Cemetery	A-1	24.85 ACRE(S)	working	working	working	working

#### **Buildings**

<b>Model Code</b>	04 - Commercial	Subarea Description	Sqft	Value
Type Code	1200 - Store/Office/Res I	BAS - Base Area	1641	working
<b>Building Value</b>	working	FDU - F/Det Util	720	working
<b>Estimated New Cost</b>	working	FOP - F/Opn Prch	12	working
<b>Actual Year Built</b>	1978			
Beds	0			
Baths	0.0			
Floors	1			
Gross Area	2373 sqft			
Living Area	1641 sqft			
<b>Exterior Wall</b>	Brd.Btn.Av			
Interior Wall	Drywall			

#### **Extra Features**

Description	<b>Date Built</b>	Units	<b>Unit Price</b>	<b>XFOB Value</b>
6140 - Patio 1	01/01/1978	1 Unit(s)	working	working
6450 - Fireplace 1 Basic	01/01/1978	1 Unit(s)	working	working

#### **Services for Location**

#### **Schools**

Ocoee (High School)

Lisa Jean Karcinski Principal

Office Phone 407.905.3000

Grades 2019: C | 2018: C | 2017: C

Prairie Lake (Elementary)

**Principal** Dr. Robert Strenth Office Phone 407.884.2220

Grades 2019: C | 2018: C | 2017: B

Ocoee (Middle School)

Samuel Davis **Principal** Office Phone 407.877.5035

Grades 2019: B | 2018: C | 2017: B

#### **Utilities/Services**

Electric **Duke Energy** Water **Orange County** Recycling (Wednesday) **Orange County** Trash (Tuesday) **Orange County** Yard Waste (Wednesday) **Orange County** 

#### **Elected Officials**

State Senate Randolph Bracy School Board Representative Melissa Byrd US Representative Val Demings **County Commissioner** Christine Moore Kamia L. Brown State Representative

**Orange County Property** 

Appraiser

Amy Mercado

#### **Traffic Information**

Western Beltway 22,500 Vehicles / Day

## akerman

Lisa Cline **Paralegal** 

Akerman LLP 420 South Orange Avenue Suite 1200

Orlando, FL 32801-4904

D: 407 237 8720 T: 407 423 4000 F: 407 843 6610 Lisa.Cline@akerman.com

August 3, 2023

#### **VIA E-MAIL AND FEDEX**

**Orange County Public Works** 4200 S. John Young Parkway Orlando, FL 32839

Attn: Julie Alber

Re: PTV – 5264 Ingram Road / Orlando Memorial Gardens Cemetery / Legacy

Funeral Holdings of Florida, LLC

#### Dear Julie:

Enclosed please find the following items in connection with the above referenced matter:

- 1. Original, executed Petition Requesting Vacation of Orange County Road, Right of Way or Easement;
- 2. Original, executed Relationship Disclosure Form;
- 3. Original, executed Orange County Specific Project Expenditure Report;
- 4. Copy of Easement in favor of Duke Energy Florida, LLC;
- 5. Copy of Easement in favor of CenturyLink of Florida, Inc.; and
- Check payable to Orange County Board of County Commissioners in the amount 6. of \$1,003.00 per your e-mail to Lauri Gerson of this firm.

Please notify us once the Resolution approving the Petition to Vacate has been recorded so that we can commence with the recordation of the Easements listed as items 4 and 5 above.

If there is anything further that we can provide in the meantime, please contact us.

Lisa Cline, FRP

**Enclosures** 

Steve Bassett cc:

> Corinn Russo Lauri Gerson, Esq.

Robert W. Bowser, Esq.

if Point Founding Point (Point New York 2010)	For Staff Use Only: Initially submitted on
cific Project Expenditure Report (Revised November 5, 2010) use as of March 1, 2011	Updated On
use as of ivialent 1, 2011	Project Name (as filed)
	Case or Bid No.
ORANGE COUNTY SP	ECIFIC PROJECT EXPENDITURE REPORT
is form shall remain cumulative and shall b	oleted in full and filed with all application submittals.  De filed with the department processing your application.  In the shall include an executed Agent Authorization Form.
	This is the initial Form: This is a Subsequent Form:
Part I Please complete all of the following:	
Name and Address of Principal (legal nam Legacy Funeral Holdings of Florida, LLC 3	ne of entity or owner per Orange County tax rolls):
Name and Address of Principal's Authoriz	zed Agent, if applicable:
rame and radiess of timespar's radions	and right, it application.
entities who will assist with obtaining ap	sts, consultants, contractors, subcontractors, individuals or business pproval for this project. (Additional forms may be used as necessary business entity:
<ol><li>Name and address of individual or Are they registered Lobbyist? Yes</li></ol>	r business entity:s or No
<ol> <li>Name and address of individual or Are they registered Lobbyist? Yes</li> </ol>	r business entity:
<ol> <li>Name and address of individual or Are they registered Lobbyist? Yes</li> </ol>	r business entity:
<ol><li>Name and address of individual or Are they registered Lobbyist? Yes</li></ol>	
<ol><li>Name and address of individual or Are they registered Lobbyist? Yes</li></ol>	r business entity:
<ol> <li>Name and address of individual or Are they registered Lobbyist? Yes</li> </ol>	

8. Name and address of individual or business entity:\_ Are they registered Lobbyist? Yes \_\_ or No\_\_\_

	For Staff Use Only:	
Specific Project Expenditure Report (Revised November 5, 2010)	Initially submitted on	
For use as of March 1, 2011	Updated On	
	Project Name (as filed)	
	Case or Bid No.	

## Part II Expenditures:

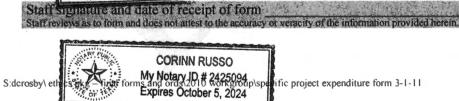
For this report, an "expenditure" means money or anything of value given by the principal and/or his/her lobbyist for the purpose of lobbying, as defined in section 2-351, Orange County Code. This may include public relations expenditures including, but not limited to, petitions, fliers, purchase of media time, cost of print and distribution of publications. However, the term "expenditure" does not include:

- Contributions or expenditures reported pursuant to chapter 106, Florida Statutes;
- Federal election law, campaign-related personal services provided without compensation by individuals volunteering their time;
- Any other contribution or expenditure made by or to a political party;
- Any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4), in accordance with s.112.3215, Florida Statutes; and/or
- Professional fees paid to registered lobbyists associated with the project or item.

The following is a complete list of all lobbying expenditures and activities (including those of lobbyists, contractors, consultants, etc.) incurred by the principal or his/her authorized agent and expended in connection with the above-referenced project or issue. You need not include de minimus costs (under \$50) for producing or reproducing graphics, aerial photographs, photocopies, surveys, studies or other documents related to this project.

Date of Expenditure	Name of Party Incurring Expenditure	Description of Activity	Amount Paid
		TOTAL EXPENDED THIS REPORT	\$

•	pecific Project Expenditure Report (Revised November 5, 2010) or use as of March 1, 2011	For Staff Use Only: Initially submitted on Updated On roject Name (as filed) Case or Bid No
	Part III ORIGINAL SIGNATURE AND NOTARIZ	ATION REQUIRED
	my knowledge and belief. I acknowledge and County code, to amend this specific project extends this project prior to the scheduled Board of Confailure to comply with these requirements to fill result in the delay of approval by the Board of for which I shall be held responsible. In accordant that whoever knowingly makes a false statement performance of his or her official duty shall be provided in s. 775.082 or s. 775.083, Florida Schools Date:	nis specific project expenditure report is true and correct based on agree to comply with the requirement of section 2-354, of the Orange penditure report for any additional expenditure(s) incurred relating to unty Commissioner meeting. I further acknowledge and agree that le the specific expenditure report and all associated amendments may County Commissioners for my project or item, any associated costs dance with s. 837.06, Florida Statutes, I understand and acknowledge in in writing with the intent to mislead a public servant in the guilty of a misdemeanor in the second degree, punishable as tatutes.    Principal or \( \true{\text{Principal's Authorized Agent (check appropriate box)} \)   NAME AND TITLE: Michael L. Soper, President & CEO
	STATE OF FLORIDA TEXOS COUNTY OF Harris:	
	identification and did/did not take an oath.	was acknowledged before me this 19th day of 2 mg, 2023 by mally known to me or has produced Texas Drives Licenses as
	ONOTATORINA	Signature of Notary Public Notary Public for the State of Florida
	My Notary ID #	My Commission Expires: 45, 2024



Expires October 207

OC CE FORM 2D
FOR DEVELOPMENT-RELATED ITEMS (November 5, 2010)
For use after March 1, 2011

For Staff Use Only:	
Initially submitted on	
Updated on	
Project Name (as filed)	
Case Number	

# RELATIONSHIP DISCLOSURE FORM FOR USE WITH DEVELOPMENT RELATED ITEMS, EXCEPT THOSE WHERE THE COUNTY IS THE PRINCIPAL OR PRIMARY APPLICANT

This relationship disclosure form must be submitted to the Orange County department or division processing your application at the time of filing. In the event any information provided on this form should change, the Owner, Contract Purchaser, or Authorized Agent(s) must file an amended form on or before the date the item is considered by the appropriate board or body.

	Part I
- Constant	
	INFORMATION ON OWNER OF RECORD PER ORANGE COUNTY TAX ROLLS:
	Name: Legacy Funeral Holdings of Florida, LLC
	Business Address (Street/P.O. Box, City and Zip Code): 3103 Sackett Street, Houston, TX 77
	098
	Business Phone ( 713 ) 529-5770
-	Facsimile ( )
	INFORMATION ON CONTRACT PURCHASER, IF APPLICABLE:
	Name: N/A
	Business Address (Street/P.O. Box, City and Zip Code):
	Business Phone ( )
	Facsimile ( )
	INFORMATION ON AUTHORIZED AGENT, IF APPLICABLE:
	(Agent Authorization Form also required to be attached)
	Name:
	Business Address (Street/P.O. Box, City and Zip Code):
	Business Phone ( )
	Facsimile ( )
	1 405111110 ( )

OC CE FORM 2D FOR DEVELOPMENT-RELATED ITEMS (November 5, 2010) For use after March 1, 2011		For Staff Use Only: Initially submitted on Updated on Project Name (as filed) Case Number			
	Part II				
		TRACT PURCHASER, OR AUTHORIZED AGENT A AYOR OR ANY MEMBER OF THE BCC?			
	YES X NO				
	IS THE MAYOR OR ANY MEMBER OF THE BCC AN EMPLOYEE OF THE OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT?				
	YES X NO				
	IS ANY PERSON WITH A DIRECT BENE OF THIS MATTER A BUSINESS ASSOCI MEMBER OF THE BCC? (When responding consultants, attorneys, contractors/subcontribeen retained by the Owner, Contract Purcle obtaining approval of this item.)	ATE OF THE MAYOR OR ANY ng to this question please consider all actors and any other persons who may have			
	YES X NO				
	If you responded "YES" to any of the above explain the relationship:	re questions, please state with whom and			

(Use additional sheets of paper if necessary)

OC CE FORM 2D FOR DEVELOPMENT-RELATED ITEMS (November 5, 2010) For use after March 1, 2011

For Staff Use Only:	
Initially submitted on	
Updated on	
Project Name (as filed)	
Case Number	

#### Part III ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this relationship disclosure form is true and correct based on my knowledge and belief. If any of this information changes, I further acknowledge and agree to amend this relationship disclosure form prior to any meeting at which the above-referenced project is scheduled to be heard. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.082 Florida Statutes.

			, .	
Signature	of	△Owner,	△Contract	Purchaser
	or	· △Author	ized Agent	

Signature of Owner, Ocontract Purchaser or OAuthorized Agent

Print Name and Title of Person completing this form:

| Date: 1192023

STATE OF LEVES COUNTY OF Harris :

I certify that the foregoing instrument was acknowledged before me this 1 ichael L. Somer. He/she is personally known to me or has produced fexas Orises Lienze as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the , in the year

> stary Secorinn RUSSO My Notary ID # 2425094 Expires October 5, 2024

ignature of Notary Public Notary Public for the State of Florida My Commission Expires:

Staff signature and date of receipt of form

Staff reviews as to form and does not attest to the accuracy or veracity of the information provided herein

form oc ce 2d (relationship disclosure form - development) 3-1-11





## Orange County Public Works Department 4200 South John Young Parkway Orlando, FL 32839

Invoice To:

Invoice No

4926275

AAL LAND SURVEYING SERVICES, INC

Invoice Date :

May 31, 2022

Mr. Andrew Powshok 3970 MINTON Rd.

Folder#

22 141011 000 00 PTV

WEST MELBOURNE, FL 32904

PTV-22-04-014

Project Name:

Case Number:

**Orlando Memorial Gardens** 

FEE DESCRIPTION		AMOUNT
PTV Application Fee	- 1002-072-2700-4180	1,003.00
	TOTAL:	1,003.00
	PAYMENT RECEIVED :	0.00
	BALANCE:	1,003.00

when

PW 1241

One Thousand Three Dollars and 00 Cents

**Orange County Board of County Commissioners** 

Pay to the Order of:

Legacy Funeral Payable Co-Op P.O. Box 56005 Houston, Texas 77256-6005

THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

JPMorgan Chase Bank, N.A. Dallas, TX

32-61/1110

Aug 23, 2023

0006694285

O.C. PUBLIC WORKS DEPARTMENT

4200 S JOHN YOUNG PKWY ORLANDO, FL 32839 4078367708

https://www.orangecountyfl.net/

Cashier: Andrea 28-Aug-2023 8:04.32A

Invoice PW: 1241 1 PTV 2700-4180

\$1,003.00

**Total** 

\$1,003.00

CHECK SALE

\$1,003.00

Clover ID: FAR67VAMKA6EY Payment RY4GZF8N0K4GJ

O.C. PUBLIC WORKS DEPARTMENT Privacy **Policy** 

https://clover.com/privacy/m /jrnxwedcqm0d1

Clover Privacy Policy https://clover.com/privacy



**VOID AFTER 90 DAYS** 

\$1,003.00