



OFFICE OF COMPTROLLER

ORANGE
COUNTY
FLORIDA

Phil Diamond, CPA
County Comptroller as
Clerk of the Board of County Commissioners
201 South Rosalind Avenue
Post Office Box 38
Orlando, FL 32802
Telephone: (407) 836-7300
Fax: (407) 836-5359

March 30, 2018

Ms. Julie Alber, Senior Engineering Technician
Development Engineering, BCC

Dear Ms. Alber:

Enclosed is the Resolution Granting Petition to Vacate # 17-03-018 with attachments for recording with Official Records.

Petition to Vacate # 17-03-018 was approved by the Board of County Commissioners at its regular meeting of March 20, 2018. After recording the resolution with attachments with Official Records, please send a copy of the recorded document to the applicant, along with the staff noted below:

Rick Singh, Orange County Property Appraiser, c/o Rocco Campanale, Manager Real Estate Services, Property Appraiser's Office
Scott Randolph, Orange County Tax Collector
Ann Caswell, Real Estate Management Division, BCC
Kyle Quackenbush, Manager, Official Records Department

Sincerely,

Phil Diamond, County Comptroller
As Clerk of the Board of County Commissioners

By: 
for Deputy Clerk

ks:jk

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

MAR 20 2018

RESOLUTION GRANTING PETITION TO VACATE # 17-03-018

WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain **portion of a 25 foot wide, unopened, unimproved right-of-way known as Malcom Road (aka Malcolm Road) containing approximately 17,197 square feet** in Orange County, Florida, as described in attachment.

WHEREAS, notice of a public hearing before the Board of County Commissioners on **March 20, 2018**, 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 **portion of a 25 foot wide, unopened, unimproved right-of-way known as Malcom Road (aka Malcolm Road) containing approximately 17,197 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 20TH DAY OF MARCH 2018.

BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

By: *Phil Diamond*
County Mayor

fu

ATTEST:

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

By: *Craig A. Stopyla*
for Deputy Clerk



jk/np

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

OF
MALCOM ROAD

OF
AVALON GROVES REPLAT

AS RECORDED IN P.B. J, PG. 90
PUBLIC RECORDS OF ORANGE COUNTY, FL.

DESCRIPTION PREPARED:

A TRACT OF LAND SITUATED IN SECTION 18, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT THE SOUTHWEST CORNER OF THE PLAT OF AVALON GROVES REPLAT AS RECORDED IN PLAT BOOK 'J', PAGE 90 OF THE PUBLIC RECORDS OF SAID ORANGE COUNTY, THENCE N89°37'45"E ALONG THE SOUTH LINE OF SAID PLAT A DISTANCE OF 25.00 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE N89°37'45"E ALONG SAID SOUTH LINE A DISTANCE OF 687.82 FEET TO A POINT OF INTERSECTION WITH A SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 9F; THENCE N00°38'03"E ALONG SAID SOUTHERLY EXTENSION A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9F; THENCE S89°37'45"W ALONG THE SOUTH LINE OF SAID LOT 9F A DISTANCE OF 687.94 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9F; THENCE S00°24'03"W ALONG A SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 9F A DISTANCE OF 25.00 FEET TO A POINT OF INTERSECTION WITH SAID SOUTH LINE OF LAKE AVALON GROVES REPLAT AND THE POINT OF BEGINNING. CONTAINING 17,197 SQUARE FEET.

13-23-26-000100003100
RAYMOND ALDRIDGE, TRUSTEE
7753 CONROY-WINDERMERE RD
ORLANDO, FL 32835

13-23-26-000100002900
RICHARD STALEY
9754 BLACK BEAR LANE
WINTER GARDEN, FL 34787

TO SECTION LINE
S00°24'08"W 1324.29'

S00°24'08"W 1298.82'
TO PHIL C PETERS RD

25' RIGHT OF WAY PER PLAT
LAKE AVALON GROVES REPLAT
PLAT BOOK J, PAGE 90

SPYGLASS HILL ROAD (NOT OPEN)

25.00' WEST LINE OF PB "J", PG. 90

S00°24'03"W

LOT 9F

06-23-27-4292-06-080

WASTE MANAGEMENT INC OF FLORIDA
17900 PHIL C PETERS RD,
WINTER GARDEN, FL 34787
OR BOOK 5009, PAGE 3175

MALCOM ROAD
PLATED ROAD TO BE VACATED
25' RIGHT OF WAY PER PLAT LAKE AVALON
GROVES REPLAT PLAT BOOK J, PAGE 90
(NEVER OPENED, NO UTILITIES)

S89°37'45"W 687.94' SOUTH LINE OF LOT 9F

N89°37'45"E 687.82' SOUTH LINE OF PB "J", PG. 90

712.82'

N00°38'03"E
25.00'

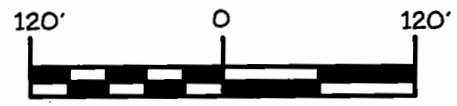
25' VACATED
MALCOLM ROAD

UN-PLATTED LANDS
18-23-27-0000-00-002
WASTE MANAGEMENT INC OF FLORIDA
5400 REX ROAD,
WINTER GARDEN, FL 34787
OR BOOK 5009, PAGE 3175

LEGEND:

- D = CENTRAL ANGLE
- A = ARC LENGTH
- C# = CURVE NUMBER
- CB = CHORD BEARING
- L# = LINE NUMBER
- OR = OFFICIAL RECORDS
- P.B. = PLAT BOOK
- PG. = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POT = POINT OF TERMINUS
- R = RADIUS
- R/W = RIGHT-OF-WAY

CERTIFIED TO:
WASTE MANAGEMENT INC. OF FLORIDA



SCALE: 1"=120'

NOTES:

1. PREPARED AS A SKETCH OF DESCRIPTION. *** THIS IS NOT A SURVEY ***
2. THIS MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
4. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
5. MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.
6. THIS SKETCH WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL, AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
7. ALL BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 18-23-27 AS BEARING S89°15'32"W AS SHOWN.
8. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

OK
MD

REVISIONS: RESPOND TO COMMENTS 04/12/17

PROJECT NO: 17-366
SCALE: 1"=120'
DRAWN BY: RAE
CHECKED BY: DB
DATE DRAWN: 03/29/17
FIELD BOOK/PAGE: XX/XX



ELLIS SURVEYS LLC
Land Surveying & Planning
P.O. Box 160952
Altamonte Springs, FL 32716
Florida Licensed Business LB-7970
P. 407-834-4003 F. 407-869-5454
www.ellisurveys.com

THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR.
[Signature]
ROBERT A. ELLIS, P.L.S.
FLORIDA REGISTRATION NO. 00880
FOR THE FIRM
DATE SIGNED: 1/31/18

Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared Paul Koch/ Tina Robinson/ Sharon McDowell/ Karen Pistone, 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: Petition to Vacate # 17-03-018** was published in said newspaper in the issues of Feb 25, 2018.

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.

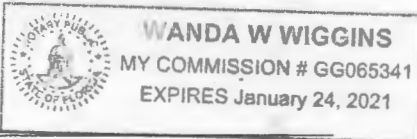
Signature of Affiant

Paul Koch

Printed Name of Affiant

Sworn to and subscribed before me on this 26 day of February, 2018, 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

**ORANGE COUNTY
NOTICE OF PUBLIC HEARING
PETITION TO VACATE # 17-03-018**

The Orange County Board of County Commissioners will conduct a public hearing on March 29, 2018, at 2 p.m., or as soon thereafter as possible, in the County Commission Chambers, First Floor, County Administration Center, 201 South Rosalind Avenue, Orlando, Florida. You are invited to attend and be heard regarding a request by:

Applicant: James Golden, on behalf of Waste Management Inc. of Florida
Consideration: Resolution granting Petition to Vacate # 17-03-018, vacating a portion of a 25 foot wide, unopened, unimproved right-of-way known as Malcom Road (aka Malcolm Road) containing approximately 17,197 square feet

Location: District 1; The parcel address is 17900 Phil C. Peters Road; S18/T23/R27; Orange County, Florida (legal property description on file)

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

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 NOTICE, 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, AL NUMERO, 407-836-7921.

If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should 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.

If you require special accommodations under the Americans with Disabilities Act of 1990, please call 407-836-5431 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor llame al 407-836-3111.

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

ORG5469711

2/25/2018

Orlando Business Journal

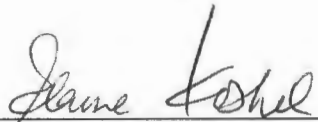
Published Weekly
Orlando, Orange County, Florida

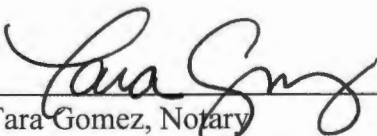
STATE OF FLORIDA
COUNTIES OF ORANGE, SEMINOLE, OSCEOLA, LAKE,
VOLUSIA & BREVARD

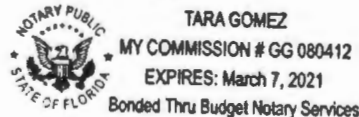
Before the undersigned authority personally appeared Elaine Koshel, who states that she is Classified Manager of Orlando Business Journal, a weekly newspaper published at Orlando in Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida; that the attached copy of advertisement, being a Notice of Adoption in the matter of Petition to Vacate # 17-03-018, was published in said newspaper in the issue of March 30, 2018.

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 30th day of March, 2018 by Elaine Koshel who is personally known to me.


Elaine Koshel, Classified Manager


Tara Gomez, Notary



NOTICE OF ADOPTION
PETITION TO VACATE # 17-03-018
WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain portion of a 25 foot wide, unopened, unimproved right-of-way known as Malcom Road (aka Malcolm Road) containing approximately 17,197 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 March 20, 2018, 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 portion of a 25 foot wide, unopened, unimproved right-of-way known as Malcom Road (aka Malcolm Road) containing approximately 17,197 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 20TH DAY OF MARCH 2018.
Phil Diamond, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida
March 30, 2018