



Interoffice Memorandum

DATE: June 6, 2023

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

FROM: Brett W. Blackadar, P.E., County Engineer, Public Works Department *BWB*

SUBJECT: **PETITION TO VACATE PTV-23-03-012 - Mr. Brock Fanning, on behalf of Toll FL Limited Partnership.**

**Reason For Vacation**

Toll FL is requesting to vacate 3 portions of a 20 foot wide emergency access easement, containing a total of approximately 4,206 square feet. The emergency access easements were platted over the same area encumbered by the backyard drainage easement system dedicated to the Homeowners Association located within the gated community known as Royal Cypress Preserve. The Homeowners Association has terminated portions of their backyard drainage easements leaving the emergency access easement dedicated to the County in place. The County has been unable to approve the construction of improvements, mainly pools, due to the County's easement restrictions, hence, the request to vacate the emergency access easement. The County has no need or use for the emergency access easement; therefore, staff has no objection to this request. The six lot owners joining in this request are: Jonathan Porter, Bridgette Porter, Don Simerly, Diane Simerly, Penny York, & Ian Ramcheran. The petitioners wish to vacate in order to be allowed to construct pools and other improvements and to ensure clear title to their properties.

**Location of Property/Legal Description**

The properties lie north of Vista Drive and west of Apopka Vineland Road (CR 535). Public interest was created by the plat of the Royal Cypress Preserve - Phase 2 as recorded in Plat Book 87, Page 56, Royal Cypress Preserve - Phase 4 as recorded in Plat Book 92, Page 139, & Royal Cypress Preserve - Phase 5 as recorded in Plat Book 95, Page 26, of the public records of Orange County, Florida.

**Statement of No Objection**

The Real Estate Management, Engineering, Transportation Planning, Roads and Drainage and Environmental Protection Divisions have no objection to the request. The Relationship Disclosure and Specific Expenditure forms have been submitted.

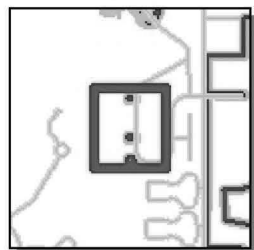
**Staff Findings**

County staff visited the site on May 12, 2023. There appears to be no visible improvements over the emergency access easement requested for vacation.

**Staff Recommendations**

Approval of this request will have no adverse effect on Orange County. Staff has no objection to this request.

**ACTION REQUESTED: APPROVAL OF PTV-23-03-012 – DISTRICT 1**



**PTV-23-03-012**

**Brock Fanning, on behalf of multiple property owners**

	Proposed Vacation		Subject Property
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1 in : 151 ft