



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

June 22, 2023

Mr. William Worley
Development Engineering, BCC

Dear Mr. Worley:


Enclosed is the Resolution Granting Petition to Vacate # 13-12-025 with attachments for recording with Official Records.

Petition to Vacate # 13-12-025 was approved by the Board of County Commissioners at its regular meeting of June 6, 2023. 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:

Amy Mercado, Orange County Property Appraiser, c/o Rocco Campanale, Manager
Real Estate Services, Property Appraiser's Office
Scott Randolph, Orange County Tax Collector
Mindy T. Cummings, 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: 
Deputy Clerk

jlk:np

RESOLUTION GRANTING PETITION TO VACATE # 13-12-025

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 40 foot wide unopened, unimproved and unnamed right-of-way, containing approximately 0.55 acres** in Orange County, Florida, as described in attachment.

WHEREAS, notice of a public hearing before the Board of County Commissioners on **June 6, 2023**, 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 40 foot wide unopened, unimproved and unnamed right-of-way, containing approximately 0.55 acres** 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.

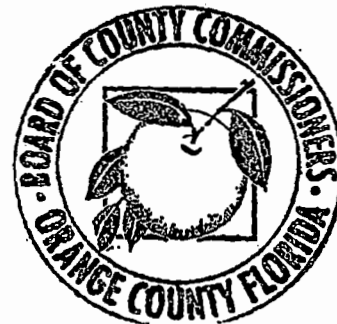
RESOLVED THIS SIXTH DAY OF JUNE 2023.

BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

By: *Raymond B. Bivolar*
for County Mayor

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

By: *Jennifer Ann Kincaid*
Deputy Clerk



np/mf

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:
 Right of Way
 to be Vacated

LEGAL DESCRIPTION:

A PORTION OF AN UN-NAMED ROAD, 40 FEET IN WIDTH, ACCORDING TO THE PLAT OF SPHALER'S ADDITION TO PROSPER COLONY AS RECORDED IN PLAT BOOK F, PAGE 94 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 28, SPHALER'S ADDITION TO PROSPER COLONY AS RECORDED IN PLAT BOOK F, PAGE 94 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE N00°03'20"W ALONG THE WEST LINE OF SAID LOT 28 FOR A DISTANCE OF 603.84 FEET; THENCE S89°56'40"W FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST LINE OF LOT 29, SAID SPHALER'S ADDITION TO PROSPER COLONY; THENCE S00°03'20"E ALONG THE EAST LINE OF SAID LOT 29 FOR A DISTANCE OF 603.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 29; THENCE N89°50'10"E FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 24,155 SQUARE FEET, MORE OR LESS.

OK
 12/8/2020

NOTES:

1. BEARINGS BASED ON ASSUMED N89°50'10"E ALONG S. LINE LOTS 27 AND 28, SPHALER'S ADDITION TO PROSPER COLONY, P.B. F, PG.94
2. NOT ABSTRACTED FOR EASEMENTS OR RIGHT OF WAYS OF RECORD.
3. THIS IS NOT A SURVEY

CERTIFICATION: WE DO HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION IS IN COMPLIANCE WITH APPLICABLE STANDARDS OF PRACTICE SET FORTH BY FLORIDA ADMINISTRATIVE CODE 5 J 17
 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SEE SHEET 2 FOR MAP

BY:  01/20/2020 

GARY A. BURDEN DATE
 FLORIDA REGISTRATION NO. 3691 LB7809

Secom LLC
PROFESSIONAL LAND SURVEYING
 1219 Roxboro Road
 Longwood, FL 32750
 TEL (407) 694-2461
 E Mail garyburden@a1d2.com

| | | | |
|-----------|---------------|------------|--------------|
| SCALE | 1" = 100 FEET | JOB NUMBER | |
| DRAWN BY | BHJ | | 13049 |
| REVISIONS | 01/20/2020 | | SHEET 1 OF 2 |

SKETCH OF DESCRIPTION:
Right-of Way
to be vacated

LOT 4
SPHALER'S ADDITION TO
PROSPER COLONY
P.B. F, PG. 94

S 89°56'40" W
40.00'

LOT 5
SPHALER'S ADDITION TO
PROSPER COLONY
P.B. F, PG. 94

LOT 29

SPHALER'S ADDITION TO
PROSPER COLONY
P.B. F, PG. 94

S 00°03'20" E 603.92'

UN-NAMED ROAD
(NO IMPROVEMENTS)

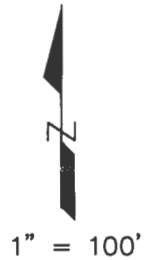
N 00°03'20" W 603.84'

LOT 28

SPHALER'S ADDITION TO
PROSPER COLONY
P.B. F, PG. 94

LEGEND:

- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- P.B. - PLAT BOOK
- ORB - OFFICIAL RECORDS BOOK
- PG. - PAGE
- ROW - RIGHT-OF-WAY



N 89°50'10" E
40.00'

SE CORNER
LOT 29

P.O.B.
SW CORNER
LOT 28

UN-NAMED ROAD (NO IMPROVEMENTS)

Secom LLC

PROFESSIONAL LAND SURVEYING

1219 Roxboro Road
Longwood, FL 32750
TEL (407) 694-2461
E Mail garyburden@ald2.com

SEE SHEET 1 FOR LEGAL DESCRIPTION

SCALE 1" = 100 FEET

DRAWN BY BHJ

REVISIONS 01/20/2020

JOB NUMBER

13049

SHEET 2 OF 2

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 Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized
representative of the ORLANDO SENTINEL, a DAILY newspaper
published in ORANGE County, Florida; that the attached copy of
advertisement, being a Legal Notice in:

The matter of 11150-Public Hearing Notice, Certify Lines: Petition to
Vacate # 13-12-025 Petition to Vacate # 23-01-002 Petition to Vacate #
23-03-012

Was published in said newspaper by print in the issues of, or by publication
on the newspaper's website, if authorized on May 14, 2023.

Affiant further says that the newspaper complies with all legal requirements
for publication in Chapter 50, Florida Statutes.



Rose Williams

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 15 day of May, 2023,
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 # 13-12-025
PETITION TO VACATE # 23-01-002
PETITION TO VACATE # 23-03-012**

The Orange County Board of County Commissioners will conduct public hearings on **June 6, 2023, 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: Carl Irwin, on behalf of Iafate Rockwood, LLC., Advantage Engineering, Inc.

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)

AND

Applicant: Adam Smith, on behalf of D.R. Horton Inc.

Consideration: Resolution granting Petition to Vacate # 23-01-002, vacating a 3.10 foot and a 6.51 foot portion of a 15 foot wide utility easement containing approximately 63.14 square feet, that lies along the easterly boundary of an undeveloped residential lot in the Waterleigh subdivision located in Horizon West.

Location: District 1; The parcel address is located at 13605 Salamander Street; S07/T24/R27; Orange County, Florida (legal property description on file)

AND

Applicant: Brock Fanning, on behalf of Toll FL Limited Partnership

Consideration: Resolution granting Petition to Vacate # 23-03-012, vacating 3 portions of a 20-footwide emergency access easement and a variable width portion of an emergency access easement.

Location: District 1; The parcel addresses are 10468 Royal Cypress Way, 10588 Royal Cypress Way, 10546 Royal Cypress Way; S08/T24/R28; 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 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 THESE NOTICES, CONTACT THE ORANGE COUNTY DEVELOPMENT ENGINEERING DIVISION WILLIAM WORLEY, 407-836-7925, Email: William.worley@ocfl.

net

PARA MÁS INFORMACIÓN ACERCA DE ESTA VISTA PÚBLICA, FAVOR DE COMUNICARSE CON LA DIVISIÓN DE INGENIERÍA Y DE DESARROLLOS (DEVELOPMENT ENGINEERING DIVISION) AL NÚMERO, 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 407-836-5631 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

ORG7430784

5/14/2023

7430784

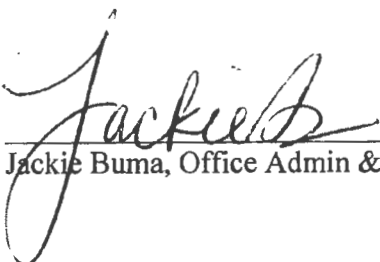
Orlando Business Journal
Published Weekly
Orlando, Orange County, Florida

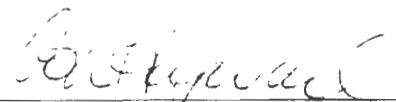
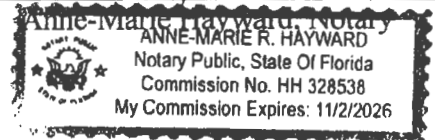
STATE OF FLORIDA COUNTIES OF ORANGE,
SEMINOLE, OSCEOLA, LAKE, VOLUSIA & BREVARD

Before the undersigned authority personally appeared Jackie Buma, who states that she is Office Administrator and Sales Support of Orlando Business Journal, a weekly newspaper published at Orlando in Orange, Seminole, Osceola, Lake, Volusia & Brevard Counties, Florida; that the attached copy of advertisement, being a Notice of Adoption in the matter of Petition to Vacate #13-12-025 was published in said newspaper in the issue of June 16, 2023.

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 16th day of June, 2023 by Jackie Buma who is personally known to me.


Jackie Buma, Office Admin & Sales Support

NOTICE OF ADOPTION
PETITION TO VACATE #
13-12-025

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 40 foot wide unopened, unimproved and unnamed right-of-way, containing approximately 0.55 acres 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 June 6, 2023, 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 40 foot wide unopened, unimproved and unnamed right-of-way, containing approximately 0.55 acres 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 SIXTH DAY OF JUNE 2023.

Phil Diamond, County Comptroller

As Clerk of the Board of County Commissioners

Orange County, Florida
June 16, 2023