

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

May 24, 2021

Ms. Julie Alber
Development Engineering, BCC

Dear Ms. Alber:

Enclosed is the Resolution Granting Petition to Vacate # 20-07-021 with attachments for recording with Official Records.

Petition to Vacate # 20-07-021 was approved by the Board of County Commissioners at its regular meeting of May 11, 2021. 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 Cummings, Real Estate Management Division, BCC
Ryan Smith, Assistant Manager, Official Records Department

Sincerely,

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

By: 

Deputy Clerk

ks:np

BCC Mtg. Date: May 11, 2021

RESOLUTION GRANTING PETITION TO VACATE # 20-07-021

WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain **25 foot wide unopened and unimproved right-of-way known as Western Parkway, containing approximately 0.42 acres** in Orange County, Florida, as described in attachment.

WHEREAS, notice of a public hearing before the Board of County Commissioners on **May 11, 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 **25 foot wide unopened and unimproved right-of-way known as Western Parkway, containing approximately 0.42 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.

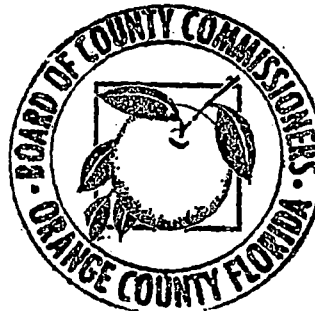
RESOLVED THIS 11TH DAY OF MAY 2021..

BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

By: *Bryan W. Bivona*
for County Mayor

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

By: *Katie Smith*
Deputy Clerk



np/jlk

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

LEGAL DESCRIPTION

THIS IS NOT A SURVEY

A STRIP OF LAND LYING IN SECTION 20, TOWNSHIP 22 SOUTH, RANGE 32 EAST, BEING THAT PORTION OF WESTERN PARKWAY, EAST CLOVERDALE ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK K, PAGE 73 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 50, ON THE EAST BY THE WEST LINE OF TRACT 1 OF SAID EAST CLOVERDALE, ON THE NORTH BY THE NORTH LINE OF SAID EAST CLOVERDALE AND ON THE WEST BY THE WEST LINE OF WESTERN PARKWAY, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID TRACT 1; THENCE RUN SOUTH 00°01'35" WEST, ALONG SAID WEST LINE OF TRACT 1, A DISTANCE OF 728.26 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD 50; THENCE RUN NORTH 70°42'46" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 26.48 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID WESTERN PARKWAY; THENCE RUN NORTH 00°01'35" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 719.70 FEET TO THE NORTHWEST CORNER OF SAID EAST CLOVERDALE; THENCE RUN SOUTH 89°34'18" EAST, ALONG THE NORTH LINE OF SAID EAST CLOVERDALE, 25.00 FEET TO THE POINT OF BEGINNING:

THE ABOVE DESCRIBED STRIP OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 18,099 SQUARE FEET MORE OR LESS.

SHEET 1 OF 2
SEE SHEET 2 OF 2
FOR SKETCH OF DESCRIPTION



16 East Plant Street
Winter Garden, Florida 34787 • (407) 654 5355

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE WEST LINE OF TRACT 1, EAST CLOVERDALE, PLAT BOOK K, PAGE 73, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING SOUTH 00°01'35" WEST.
3. THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
4. THE ADJOINING RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PROPERTY APPRAISER PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
6. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR AT THE CLIENTS REQUEST.

SKETCH 1

JOB NO. 20150412
DATE: 6-30-2020
SCALE: 1"=100'
FIELD BY: N/A

CALCULATED BY: SEJ
DRAWN BY: SEJ
CHECKED BY: MR

FOR THE LICENSED BUSINESS # 6723 BY:

JAMES L RICKMAN P.S.M. # 5633

SKETCH OF DESCRIPTION THIS IS NOT A SURVEY

NW CORNER OF
EAST CLOVERDALE

L2

NOT PLATTED

N. LINE OF EAST CLOVERDALE

P.O.B.
NW CORNER TRACT 1



NOT PLATTED

WEST R/W LINE OF WESTERN PARKWAY

719.70'

N00°01'35"E

WESTERN PARKWAY (PLAT BOOK K, PAGE 73)

728.26'

S00°01'35"W

WEST LINE OF TRACT 1

25.00'

EAST EAST CLOVERDALE
(PLAT BOOK K, PAGE 73)

TRACT 1

TRACT 2

LINE TABLE		
LINE	BEARING	LENGTH
L1	N70°42'46"W	26.48'
L2	S89°34'18"E	25.00'

STATE ROAD 50
(200' R/W)
SECTION 75060
SHEETS 1-16
NOT PLATTED

N R/W LINE

L1

SKETCH 1



Professional Surveyors & Mappers

16 East Plant Street
Winter Garden, Florida 34787 * (407) 654 5355

LEGEND:
P.O.B.....POINT OF BEGINNING
R/W.....RIGHT-OF-WAY LINE

JOB NO. 20150412

DATE: 6-30-2020

SCALE: 1"=100'

FIELD BY: N/A

CALCULATED BY: SEJ

DRAWN BY: SEJ

CHECKED BY: MR

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR LEGAL DESCRIPTION

Orlando Sentinel

Published Daily
ORANGE County, Florida

Sold To:

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

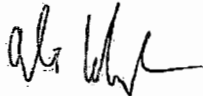
Bill To:

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 Charlie Welenc, 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: Petition to Vacate 20-07-021 Petition to Vacate 21-01-002 was published in said newspaper in the issues of Apr 18, 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.



Charlie Welenc

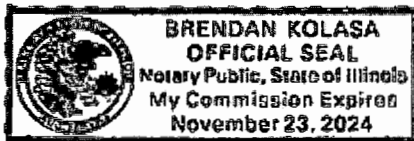
Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 22 day of April, 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 # 20-07-021
PETITION TO VACATE # 21-01-002**

Notice is hereby given that on May 11, 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 case(s) 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 hearing, 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: John Prowell, on behalf of American Land Investments of Orange County, LLC

Consideration: Resolution granting Petition to Vacate # 20-07-021, vacating a 25 foot wide unopened and unimproved right-of-way known as Western Parkway, containing approximately 0.42 acres.

Location: District 5; The parcel address is 16499 East Colonial Drive; S20/T22/R32; Orange County, Florida (legal property description on file)

AND

Applicant: Dion Marsham, Harris Engineers, LLC, on behalf of Waterford Lakes Town Center, LLC

Consideration: Resolution granting Petition to Vacate # 21-01-002, vacating approximately 87 foot by 47 foot portion of an Orange County Utility and Access Easement, containing approximately 0.09 acres.

Location: District 4; The parcel address is 331 N. Alafaya Trail; S22/T22/R31; 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 Hearing(s):

You may observe the hearing(s) 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

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Channel 99 on AT&T U-Verse.

Subject to restrictions on seating, you may also observe the hearing(s) 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, May 10, 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, May 10, 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 THESE 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.

ORG6927249

4/18/021

6927249

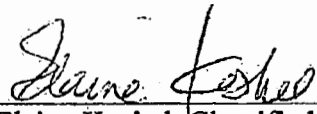
Orlando Business Journal
Published Weekly
Orlando, Orange County, Florida

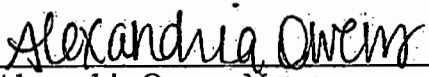
STATE OF FLORIDA
COUNTIES OF ORANGE, SEMINOLE, OSCEOLA, LAKE,
VOLUSIA & BREVARD

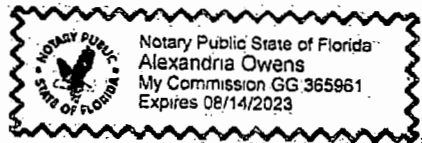
Before the undersigned authority personally appeared Elaine Koshel, who states that she is Classified Manager of Orlando Business Journal, a weekly newspaper published at Orlando in Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida; that the attached copy of advertisement, being a Notice of Adoption in the matter of Petition to Vacate # 20-07-021, was published in said newspaper in the issue of May 21, 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, 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 21st day of May, 2021 by Elaine Koshel who is personally known to me.


Elaine Koshel, Classified Manager


Alexandria Owens, Notary



NOTICE OF ADOPTION
PETITION TO VACATE # 20-07-021
WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain 25 foot wide unopened and unimproved right-of-way known as Western Parkway, containing approximately 0.42 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 May 11, 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 25 foot wide unopened and unimproved right-of-way known as Western Parkway, containing approximately 0.42 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 11TH DAY OF MAY 2021.
Phil Diamond, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida
May 21, 2021