

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 20, 2023

Ms. Julie Alber
Development Engineering, BCC

Dear Ms. Alber:

Enclosed is the Resolution Granting Petition to Vacate # 20-04-014 with attachments for recording with Official Records.

Petition to Vacate # 20-04-014 was approved by the Board of County Commissioners at its regular meeting of March 7, 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: *Jennifer Lynn - Kline*
Deputy Clerk

np:cas

BCC Mtg. Date: March 7, 2023

RESOLUTION GRANTING PETITION TO VACATE # 20-04-014

WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain **10 foot wide portion of a 60 foot wide open and improved right-of-way known as Indianhead Trail and a 56 foot wide open and improved right-of-way known as Waterford Oaks Access Road**, containing approximately 0.81 acres in Orange County, Florida, as described in attachment.

WHEREAS, notice of a public hearing before the Board of County Commissioners on **March 7, 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 **10 foot wide portion of a 60 foot wide open and improved right-of-way known as Indianhead Trail and a 56 foot wide open and improved right-of-way known as Waterford Oaks Access Road**, containing approximately **0.81 acres** will not operate to the detriment of Orange County or the public subject to the applicant recording an access easement to Orange County over the vacated area for the benefit of the general 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.

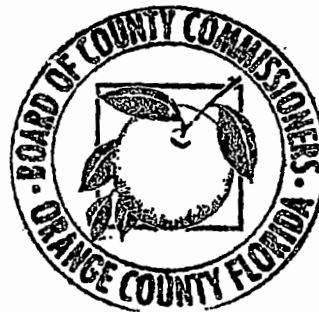
RESOLVED THIS 7TH DAY OF MARCH 2023.

BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

By: *Ronald B. Bivins*
for County Mayor

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

By: *Jennifer Ann - Kline*
Deputy Clerk



np/cas

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 AND DESCRIPTION

THIS IS NOT A BOUNDARY SURVEY

DESCRIPTION:

1/6/2023
OK
MDC
THE SOUTH 56.00 FEET OF LOT 1, PALM CASUAL ALAFAYA, AS RECORDED IN PLAT BOOK 83, PAGE 14, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. TOGETHER WITH A PORTION OF THE 60.00 FOOT RIGHT OF WAY OF INDIANHEAD TRAIL, SUNSET TERRACE AS RECORDED IN PLAT BOOK X, PAGE 11, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 1, PALM CASUAL ALAFAYA, AS RECORDED IN PLAT BOOK 83, PAGE 14, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE N 88°56'02" W, ALONG THE SOUTH LINE OF SAID LOT 1, PALM CASUAL ALAFAYA, A DISTANCE OF 294.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, PALM CASUAL ALAFAYA, SAID POINT ALSO BEING A POINT ON THE EAST RIGHT OF WAY LINE OF INDIANHEAD TRAIL, SUNSET TERRACE, AS RECORDED IN PLAT BOOK X, PAGE 11 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE S 00°00'00" E, ALONG SAID EAST RIGHT OF WAY LINE, 304.05 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID SUNSET TERRACE, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF LOT 1, SHOPPES AT ALAFAYA TRAIL, AS RECORDED IN PLAT BOOK 76, PAGE 56 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE N 88°56'02" W, ALONG THE NORTH LINE OF SAID LOT 1, SHOPPES AT ALAFAYA TRAIL, 30.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF SAID INDIANHEAD TRAIL: THENCE N 00°00'00" W, ALONG SAID WEST LINE, 89.76 FEET; THENCE N 88°56'02" W, DEPARTING SAID WEST LINE, 30.01 FEET TO THE SOUTHEAST CORNER OF LOT 1, WATERFORD OAKS, AS RECORDED IN THE PUBLIC RECORDS OF SAID ORANGE COUNTY, SAID POINT ALSO LYING ON THE WEST RIGHT OF WAY LINE OF SAID INDIANHEAD TRAIL, SAID LINE ALSO BEING AN EAST LINE OF SAID LOT 1, WATERFORD OAKS, AS RECORDED IN PLAT BOOK 86, PAGE 146 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE N 00°00'00" W, ALONG SAID WEST RIGHT OF WAY LINE AND SAID EAST LINE OF SAID LOT 1, WATERFORD OAKS, 270.31 FEET TO THE WESTERLY EXTENSION OF THE OF THE NORTH LINE OF THE SOUTH 56.00 FEET OF AFORESAID LOT 1, PALM CASUAL ALAFAYA; THENCE S 88°56'02" E, ALONG SAID WESTERLY EXTENSION AND THE NORTH LINE OF THE SOUTH 56.00 FEET OF SAID LOT 1, PALM CASUAL ALAFAYA, 354.01 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 56.00 FEET OF SAID LOT 1, PALM CASUAL ALAFAYA, SAID POINT ALSO LYING ON THE WEST RIGHT OF WAY LINE OF ALAFAYA TRAIL; THENCE S 00°00'00" E, ALONG SAID WEST RIGHT OF WAY LINE, 56.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 35,375 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 1, PALM CASUAL ALAFAYA, P.B. 83, PAGE 14. BEING PLATTED AS SHOWN.
3. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS ELECTRONICALLY SIGNED PER CHAPTER 5J-17.062 OF THE FLORIDA ADMINISTRATIVE CODE.

 12/18/22

MICHAEL D. CUMMINS, JR. PSM
FLORIDA REGISTRATION #LS 5592

PREPARED FOR:

BLUROCK DEVELOPMENT

**CUMMINS SURVEYING
AND MAPPING, INC.**

2758 Susanday Drive
Orlando, Florida 32812
321-377-0564

e-mail: mc5592@bellsouth.net
Certificate of Authorization LB 6983

TECHNICIAN: MDC

ISSUE DATE: 12-08-22

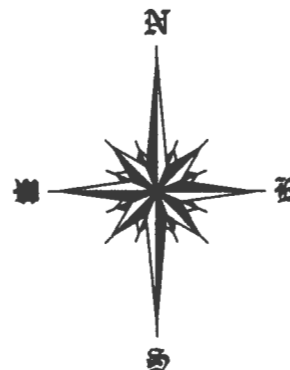
PROJECT NO. 08-17

FILE: 08-17 INDIANHEAD TRAIL VACATION S&D

SHEET No. 1 OF 2

SKETCH AND DESCRIPTION

THIS IS NOT A BOUNDARY SURVEY



LOT 1
WATERFORD OAKS
P.B. 86, PAGE 146

LOT 1
PALM CASUAL ALAFAYA
P.B. 83, PAGE 14

NE CORNER, OF THE
SOUTH 56.00 FEET OF
LOT 1, PALM CASUAL
ALAFAYA

POINT OF BEGINNING
SOUTHEAST CORNER, LOT 1,
PALM CASUAL ALAFAYA
P.B. 83, PAGE 14

ALAFAYA TRAIL
(RIGHT OF WAY WIDTH VARIES)
O.R. 2612, PAGE 1894
O.R. 3409, PAGE 1329

LOT 5
SUNSET TERRACE
P.B. X, PAGE 11

LOT 6
SUNSET TERRACE
P.B. X, PAGE 11

LOT 1
SHOPPES AT ALAFAYA TRAIL
P.B. 76, PAGE 56

LEGEND:

O.R. OFFICIAL RECORDS BOOK
LS SURVEYOR LICENSE NUMBER
P.B. PLAT BOOK
PSM PROFESSIONAL SURVEYOR & MAPPER
LB LICENSED SURVEYING BUSINESS

PREPARED FOR:

BLUROCK DEVELOPMENT

**CUMMINS SURVEYING
AND MAPPING, INC.**

2758 Susanday Drive
Orlando, Florida 32812
321-377-0564

e-mail: mc5592@bellsouth.net
Certificate of Authorization LB 6983

SCALE: 1" = 100'

TECHNICIAN: MDC

ISSUE DATE: 12-08-22

PROJECT NO. 08-17

FILE: 08-17 INDIANHEAD TRAIL VACATION S&D

SHEET No. 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 #22-04-013 Petition to Vacate #20-04-014
Was published in said newspaper by print in the issues of, or by publication
on the newspaper's website, if authorized on Feb 12, 2023.

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



Signature of Affiant

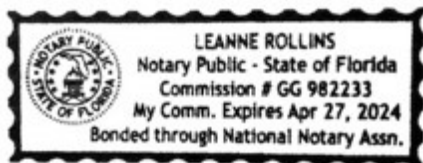
Rose Williams

Name of Affiant

Sworn to and subscribed before me on this 13 day of February, 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 # 22-04-013
PETITION TO VACATE # 20-04-014**

The Orange County Board of County Commissioners will conduct public hearings on March 7, 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: Andrea Burke
Consideration: Resolution granting Petition to Vacate # 22-04-013, vacating a 30 foot wide by 144 foot long portion of a utility and drainage easement, containing approximately 4320 square feet.
Location: District 5; The parcel address is 20171 Racine Street; S24/T23/R32; Orange County, Florida (legal property description on file)

AND

Applicant: Joseph N. Schuemann, on behalf of Bluerock Development LLC.
Consideration: Resolution granting Petition to Vacate # 20-04-014, vacating a 10 foot wide portion of a 60 foot wide open and improved right-of-way known as Indianhead Trail and a 56 foot wide open and improved right-of-way known as Waterford Oaks Access Road, containing approximately 0.81 acres
Location: District 4; The parcel addresses are 1434 N Alafaya Trail, 1440 N Alafaya Trail, and 1448 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 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, 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 Y DE DESARROLLOS (DEVELOPMENT ENGINEERING DIVISION) AL NÚMERO, 407-836-7928.

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

ORG7376460

2/12/2023

7376460

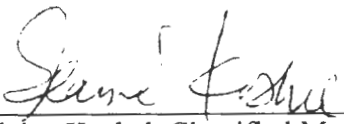
Orlando Business Journal
Published Weekly
Orlando, Orange County, Florida

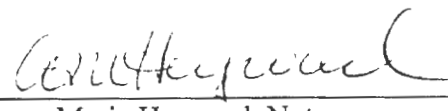
STATE OF FLORIDA
COUNTIES OF ORANGE, SEMINOLE, OSCEOLA, LAKE,
VOLUSIA & BREVARD

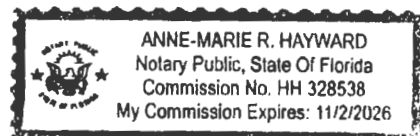
Before the undersigned authority personally appeared Elaine Koshel, who states that she is Classified Manager of Orlando Business Journal, a weekly newspaper published at Orlando in Orange, Seminole, Osceola, Lake, Volusia & Brevard Counties, Florida; that the attached copy of advertisement, being a Notice of Adoption in the matter of Petition to Vacate # 20-04-014, was published in said newspaper in the issue of March 17, 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 sweek 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 17th day of March, 2023 by Elaine Koshel who is personally known to me.


Elaine Koshel, Classified Manager


Anne-Marie Hayward, Notary



NOTICE OF ADOPTION
PETITION TO VACATE #
20-04-014

WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate that certain 10 foot wide portion of a 60 foot wide open and improved right-of-way known as Indianhead Trail and a 56 foot wide open and improved right-of-way known as Waterford Oaks Access Road, containing approximately 0.81 acres (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 7, 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 10 foot wide portion of a 60 foot wide open and improved right-of-way known as Indianhead Trail and a 56 foot wide open and improved right-of-way known as Waterford Oaks Access Road, containing approximately 0.81 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 7TH DAY OF MARCH 2023.

Phil Diamond, County Comptroller

As Clerk of the Board of County Commissioners
Orange County, Florida
March 17, 2023