

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 7, 2017

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

Dear Ms. Alber:

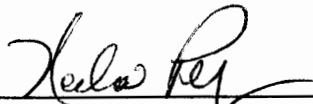
Enclosed is the Resolution Granting Petition to Vacate # 17-01-004 with attachments for recording with Official Records.

Petition to Vacate # 17-01-004 was approved by the Board of County Commissioners at its regular meeting of May 23, 2017. 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, Assistant Manager, Official Records Department

Sincerely,

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

By: 
for Deputy Clerk

ks:np

MAY 23 2017

RESOLUTION GRANTING PETITION TO VACATE # 17-01-004

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 30 foot wide right-of-way, containing approximately 0.32 acres** in Orange County, Florida, as described in attachment.

WHEREAS, notice of a public hearing before the Board of County Commissioners on **May 23, 2017**, 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 30 foot wide right-of-way, containing approximately 0.32 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 23RD DAY OF MAY 2017.

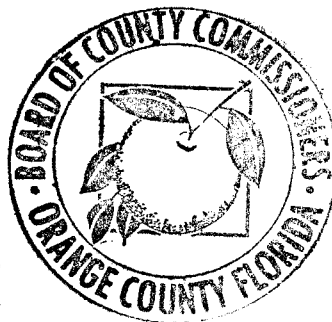
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

By: *Bill Salazar*
County Mayor

ATTEST:

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

By: *Laketa Jones*
Deputy Clerk



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



L.B. 7551

3460 FAIRLANE FARMS ROAD, SUITE 6,
WELLINGTON, FL. 33414
TELEPHONE NO.: 561-314-0769.
FAX NO.: 561-314-0770

LEGAL DESCRIPTION OF: A 30' RIGHT OF WAY EASEMENT

A PORTION OF THE N. 1/2
OF THE N.E. 1/4 OF THE N.W. 1/4 OF
SECTION 5, TOWNSHIP 20 S., RANGE 28 E.
ORANGE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A 30 FOOT WIDE RIGHT OF WAY EASEMENT BEING A PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 28 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 5; THENCE SOUTH 03°29'42" EAST, ALONG THE EAST LINE OF PARCEL 1, AS RECORDED IN DOCUMENT No. 20150651259, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND THE EAST LINE OF THE NORTH 1/2 OF THE N.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 5, A DISTANCE OF 470.33 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 1, AND THE NORTH LINE OF THE SOUTH 200.00 FEET OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 5; THENCE SOUTH 89°24'51" WEST, ALONG SAID SOUTH LINE OF SAID PARCEL 1, AND THE NORTH LINE OF THE SOUTH 200.00 FEET OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 5, A DISTANCE OF 30.04 FEET TO A POINT 30.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID PARCEL 1 AND THE EAST LINE OF THE NORTH 1/2 OF THE N.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 5; THENCE NORTH 03°29'42" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 470.69 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL 1 AND THE NORTH LINE OF THE NORTH 1/2 OF THE N.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 5; THENCE SOUTH 89°53'51" EAST, ALONG THE NORTH LINE OF SAID PARCEL 1 AND THE NORTH LINE OF THE NORTH 1/2 OF THE N.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 5, A DISTANCE OF 30.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.32 ACRES (14,115 SQUARE FEET), MORE OR LESS.

[Signature]
4/10/2017

NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF S.03°29'42"E., ALONG THE EAST LINE OF THE N. 1/2 OF THE N.E. 1/4 OF THE N.W. 1/4 OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 28 EAST AND REFER TO THE FLORIDA STATE PLANE COORDINATES SYSTEM, EAST ZONE, 1983 (1990) ADJUSTMENT.
2. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY OR OTHER MATTERS OF RECORD BY EXACTA.
3. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY (THIS IS NOT A SURVEY).
4. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY EXACTA COMMERCIAL SURVEYORS, INC., WITHOUT THE BENEFIT OF A TITLE SEARCH. FOR MORE INFORMATION ABOUT POSSIBLE EASEMENTS AND RESTRICTIONS ON THIS PROPERTY REFER TO THE PUBLIC RECORDS OF THIS COUNTY AND THE PLAT OF RECORD (IF ANY).

SKETCH No.
ECS1701-009 SD1

REVISIONS		DATE	BY
DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
01/24/17	J.E.C.	J.D.L.R.	N/A

CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

JAVIER DE LA ROCHA *[Signature]*
PROFESSIONAL SURVEYOR AND MAPPER NO. 6080 - STATE OF FLORIDA

SEAL
NOT VALID UNLESS
SEALED HERE WITH
AN EMBOSSED
SURVEYOR'S SEAL

SHEET 1 OF 2



L.B. 7551

3460 FAIRLANE FARMS ROAD, SUITE 6,
WELLINGTON, FL. 33414
TELEPHONE NO.: 561-314-0769.
FAX NO.: 561-314-0770

SKETCH OF DESCRIPTION OF: A 30' RIGHT OF WAY EASEMENT

A PORTION OF THE N. 1/2
OF THE N.E. 1/4 OF THE N.W. 1/4 OF
SECTION 5, TOWNSHIP 20 S., RANGE 28 E.
ORANGE COUNTY, FLORIDA

TRACT "A"
FAIRWAYS AT MT.
PLYMOUTH, PHASE 3
P.B. 49, PG. 93
LAKE COUNTY, FLORIDA

S 89°53'51" E
30.06'

P.O.B.
N. 1/4 CORNER OF
SECTION 5-20-28

PARCEL 2
DOCUMENT No.
20150651259

NORTH LINE OF THE N.
1/2 OF THE N.E. 1/4
OF THE N.W. 1/4 OF
SECTION 5-20-28

NORTH LINE OF PARCEL 1 PER
DOCUMENT No. 20150651259

EAST LINE OF THE N. 1/2
OF THE N.E. 1/4
OF THE N.W. 1/4 OF
SECTION 5-20-28

WEST LINE OF LOT 4
J.B. BABCOCK'S SUBDIVISION
P.B. "B", PG. 27

EAST LINE OF PARCEL 1 PER
DOCUMENT No. 20150651259

8' FLORIDA POWER & LIGHT
COMPANY EASEMENT
PER O.R.B. 2544, PG. 410

PARCEL 1
DOCUMENT No. 20150651259

LOT 4
J.B. BABCOCK'S SUBDIVISION
P.B. "B", PG. 27

THE N. 1/2 OF THE N.E. 1/4
OF THE N.W. 1/4 OF
SECTION 5, TOWNSHIP 20 S., RANGE 28 E.
ORANGE COUNTY, FLORIDA

THE N.E. 1/4 OF THE N.W. 1/4 OF
SECTION 5, TOWNSHIP 20 S.,
RANGE 28 E.
ORANGE COUNTY, FLORIDA

SOUTH LINE OF PARCEL 1 PER
DOCUMENT No. 20150651259

NORTH LINE OF THE S. 200' OF
THE N. 1/2 OF THE N.E. 1/4 OF
THE N.W. 1/4 OF SECTION 5-20-28

S 89°24'51" W
30.04'

30' RIGHT OF WAY PER
O.R.B. 9795, PG. 8222

THE S. 200 FT OF THE N. 1/2 OF
THE N.E. 1/4 OF THE N.W. 1/4 OF
SECTION 5, TOWNSHIP 20 S.,
RANGE 28 E.
ORANGE COUNTY, FLORIDA
DOCUMENT No. 20150651259

30' RIGHT OF WAY EASEMENT
PER O.R.B. 1770, PG. 527.

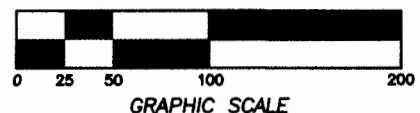
SWAIN ROAD

8' FLORIDA POWER &
LIGHT COMPANY EASEMENT
PER O.R.B. 2544, PG. 410
& O.R.B. 2458, PG. 1558

SOUTH LINE OF THE N. 1/2
OF THE N.E. 1/4 OF THE
N.W. 1/4 OF SECTION 5-20-28



SCALE: 1" = 100'



NOTE:

THIS IS NOT A SURVEY.

LEGEND:

P.B. PLAT BOOK
PG. PAGE
O.R.B. OFFICIAL RECORDS BOOK
P.O.B. POINT OF BEGINNING

SHEET 2 OF 2

SKETCH No.
ECS1701-009 SD1

Orlando Sentinel

Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared Brandon DeLoach / Maria Torres, 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 **Petition to Vacate # 17-01-004** was published in said newspaper in the issues of Apr 30, 2017.

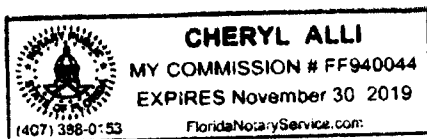
Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, 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.

Bd
Signature of Affiant

Brandon DeLoach
Printed Name of Affiant

Sworn to and subscribed before me on this 1 day of May, 2017,
by above Affiant, who is personally known to me (X) or who has produced identification ().

Cheryl Alli
Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

ORANGE COUNTY NOTICE OF PUBLIC HEARING PETITION TO VACATE # 17-01-004

The Orange County Board of County Commissioners will conduct a public hearing on May 23, 2017, 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: Thomas J. Wilkes, Gray-Robinson, on behalf of Michael T. Keese and Julie A. Keese 2012 Revocable Trust

Consideration: Resolution granting Petition to Vacate # 17-01-004, vacating a portion of a 30 foot wide right-of-way, containing approximately 0.32 acres. Location: District 2; One parcel address is 6895 Swain Road. The other parcel address is 6998 Mt. Plymouth Road; S05/T20/R28; 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 REFERENTE A ESTA VISTA PÚBLICA, FAVOR DE COMUNICARSE CON LA DIVISIÓN DE INGENIERÍA DE DESARROLLOS (DEVELOPMENT ENGINEERING DIVISION) 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 407-836-5631 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

OS4910083

4/20/2017

Orlando Business Journal

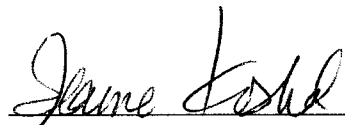
Published Weekly
Orlando, Orange County, Florida

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

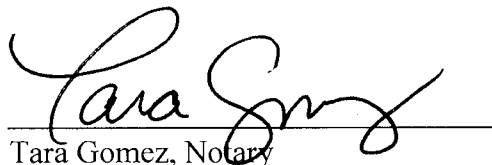
Before the undersigned authority personally appeared Elaine Koshel, who states that she is Classified Manager of Orlando Business Journal, a weekly newspaper published at Orlando in Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida; that the attached copy of advertisement, being a Notice of Adoption in the matter of Petition to Vacate #17-01-004, was published in said newspaper in the issue of June 2, 2017.

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 2nd day of June, 2017 by Elaine Koshel who is personally known to me.



Elaine Koshel, Classified Manager



Tara Gomez, Notary



TARA GOMEZ
MY COMMISSION # GG 080412
EXPIRES: March 7, 2021
Bonded Thru Budget Notary Services

NOTICE OF ADOPTION

PETITION TO VACATE # 17-01-004

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 30 foot wide right-of-way, containing approximately 0.32 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 23, 2017, 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 30 foot wide right-of-way, containing approximately 0.32 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 23RD DAY OF MAY 2017.

Phil Diamond, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida
June 2, 2017