
**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Utility Easement Vacate for 118 Leon Court

DEPARTMENT: Planning and Development **DIVISION:** Development Review

AUTHORIZED BY: Dori DeBord

CONTACT: Cynthia Sweet

EXT: 7443

MOTION/RECOMMENDATION:

Adopt and authorize the Chairman to execute a Resolution to vacate and abandon a portion of the platted 7 feet wide utility easement situated at the east side of Lot 12, Greengate Estates, as recorded in Plat Book 16, Page 17, of the Public Records of Seminole County, Florida, and further described as 118 Leon Court, Fern Park, Florida; in Section 20, Township 21 S, Range 30 E, Robert J. and Marsha K. Lillie, applicant.

District 4 Carlton D. Henley

Cynthia Sweet

BACKGROUND:

The applicant, Robert J and Marsha K. Lillie is requesting to vacate and abandon a portion of the platted 7 feet wide utility easement situated on the east side of the property located at 118 Leon Court, Fern Park, Florida; and further described as Lot 12, Greengate Estates, as recorded in Plat Book 16, Page 17, of the Public Records of Seminole County, Florida; in Section 20, Township 21 S, Range 30 E.

The applicant is requesting to vacate the described portion of the utility easement to rebuild an existing screen room enclosure. The vacation and abandonment of the utility easement is necessary to prevent the proposed screen room enclosure from encroaching into the platted utility easement and to prevent a potential "cloud of title".

On December 3, 2007, the Board of Adjustment granted a variance for a side yard setback from 7.5 feet to 2.23, subject to vacation and abandonment of that portion of encroachment into the existing utility easement. Encroachment into the existing platted utility easement is for the replacement of a screen room enclosure. The applicant has provided letters from the applicable utility companies stating "no objections" to the request.

STAFF RECOMMENDATION:

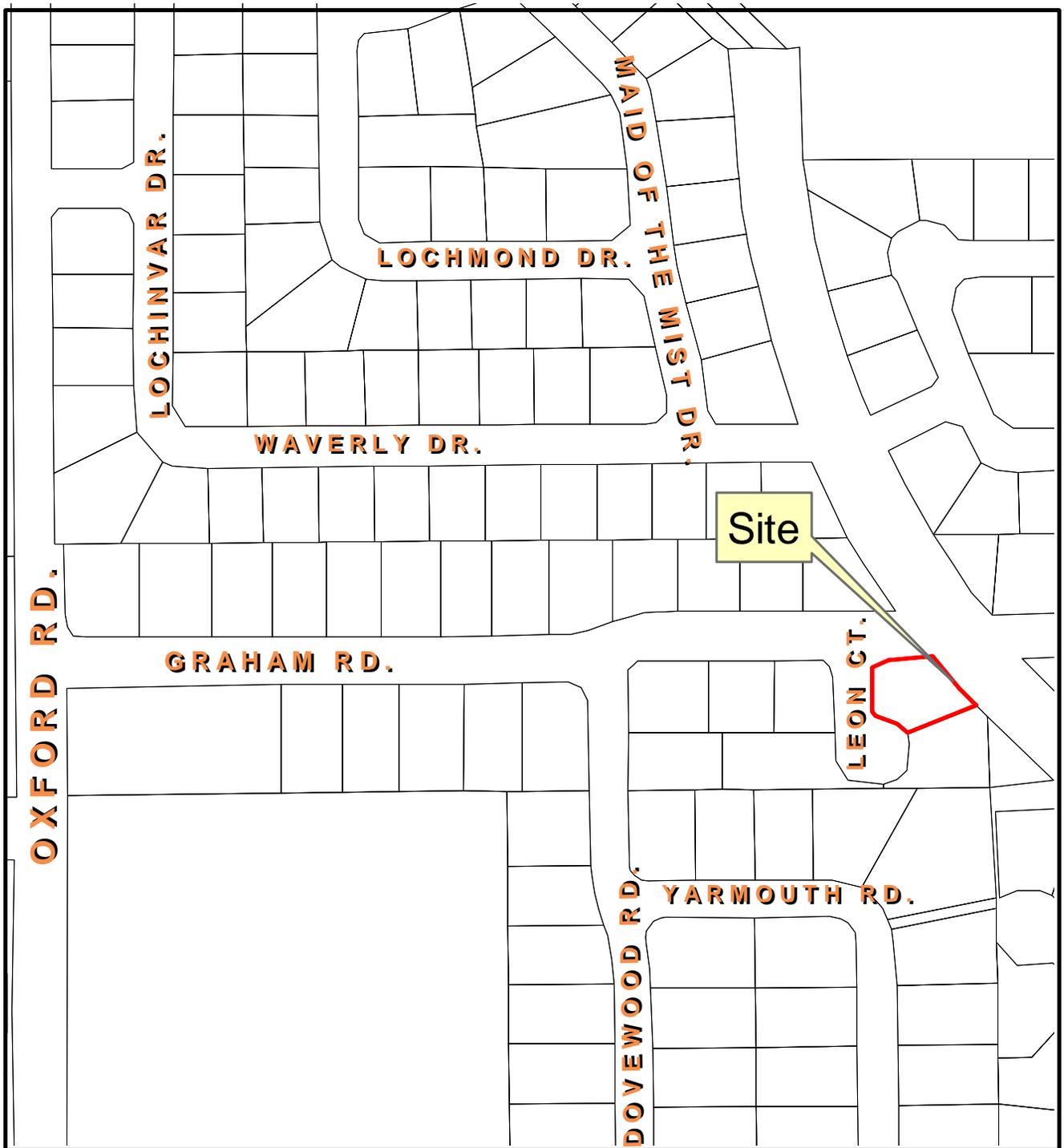
Staff recommends that the Board adopt and authorize the Chairman to execute a Resolution to vacate and abandon a portion of the platted 7 feet wide utility easement situated at the east side of Lot 12, Greengate Estates, as recorded in Plat Book 16, Page 17, of the Public Records of Seminole County, Florida, and further described as 118 Leon Court, Fern Park, Florida; in Section 20, Township 21 S, Range 30 E, Robert J. and Marsha K. Lillie, applicant.

ATTACHMENTS:

1. Maps and Aerials
2. Location Map
3. Maps and Aerials
4. Resolution
5. Sketch of Description

Additionally Reviewed By:

County Attorney Review (Kathleen Furey-Tran)



Utility Easement Vacate for 118 Leon Court
Location Map





Utility Easement Vacate
for 118 Leon Court

-  Parcel
-  Subject Property



January 2008 Color Aerials

RESOLUTION NO.: 2009-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 24TH DAY OF February A.D., 2009.

RESOLUTION TO VACATE AND ABANDON A UTILITY EASEMENT

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Whereas, a Petition was presented on behalf of

ROBERT J & MARSHA K LILLIE

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating, and abandoning of the following described utility easement to-wit:

LEGAL DESCRIPTION

LOT 12, GREENGATE ESTATES, AS RECORDED IN PLAT BOOK 16, PAGE 17, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; 118 LEON COURT, FERN PARK, FLORIDA 32730 AND FURTHER DESCRIBED ON THE ATTACHED EXHIBIT "A"

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described utility easement is to the best interest of the County and the public in that the area in question is not needed for utility purposes and not necessary for public need.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described utility easement be, and the same is hereby abandoned, closed, and vacated, and that all right in and to the same on behalf of the County and the public be, and the same is hereby disclaimed.

PASSED AND ADOPTED this 24th day of February A.D., 2009.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

BY:

**MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA**

**BOB DALLARI
CHAIRMAN**

