

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Acceptance of a Perpetual Stormwater Easement for the Sweetwater Cove Tributary Surface Water Restoration Project, Phase IIIB-Dredging/Revegetation of Sweetwater Cove Lake

DEPARTMENT: Public Works

DIVISION: Engineering

AUTHORIZED BY: Gary Johnson

CONTACT: Robert Walter

EXT: 5753

MOTION/RECOMMENDATION:

Accept and authorize the Chairman to execute a Perpetual Stormwater Easement for the Sweetwater Cove Tributary Surface Water Restoration Project, Phase IIIB - Dredging/Revegetation of Sweetwater Cove Lake.

District 3 Dick Van Der Weide

Jerry McCollum

BACKGROUND:

As part of the Sweetwater Cove Tributary Surface Water Restoration Project, Phase IIIB, Perpetual Stormwater Easements from property owners adjacent to the project will be required for construction and future maintenance. Douglas Baker and Danielle Baker have indicated their willingness to donate a Perpetual Stormwater Easement, as evidenced by the attached document. (Capital Improvement Project #00008302).

STAFF RECOMMENDATION:

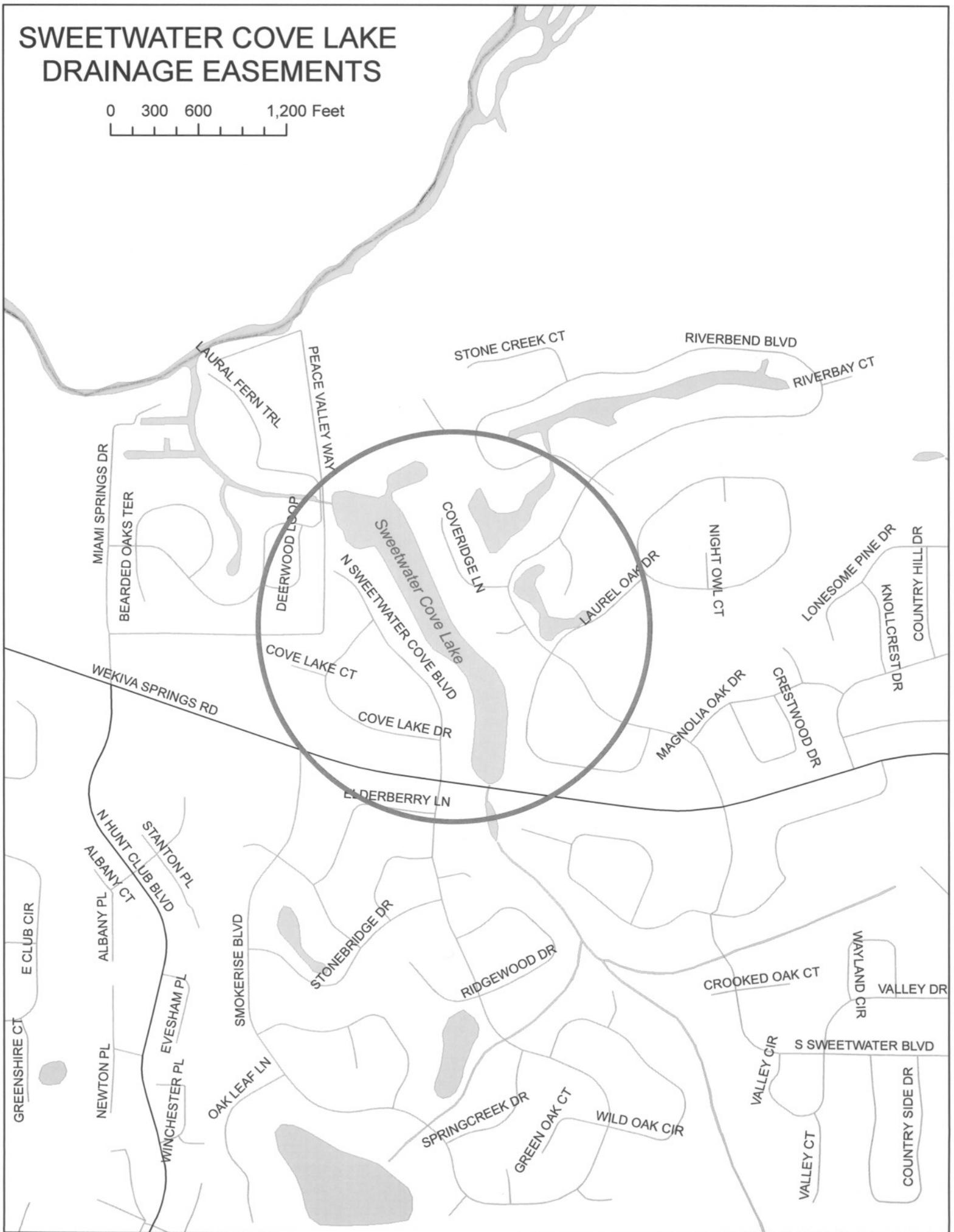
Staff recommends the Board accept and authorize the Chairman to execute a Perpetual Stormwater Easement for the Sweetwater Cove Tributary Surface Water Restoration Project, Phase IIIB - Dredging/Revegetation of Sweetwater Cove Lake.

ATTACHMENTS:

1. Location Map
2. Perpetual Stormwater Easement-Sweetwater Cove Lake

<p>Additionally Reviewed By:</p> <p><input checked="" type="checkbox"/> County Attorney Review (Matthew Minter)</p>
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SWEETWATER COVE LAKE DRAINAGE EASEMENTS



THIS INSTRUMENT PREPARED UNDER DIRECTION OF:
ROBERT WALTER, P.E.
REFLECTIONS PLAZA
520 W. LAKE MARY BLVD., STE 200
SANFORD, FL 32773
(407) 665-5753

PERPETUAL STORMWATER EASEMENT

THIS EASEMENT is made and given this 8 day of FEBRUARY, 2008, by DOUGLAS AND DANIELLE BAKER, whose address is 110 COVERIDGE LN, LONGWOOD, FL 32779, hereinafter collectively referred to as GRANTOR(S), to SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as GRANTEE.

THE GRANTOR, in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) and other good and valuable consideration, which the Grantor has received, grants, sells and conveys to the Grantee and its successors and assigns, a perpetual and non-exclusive easement and right-of-way for drainage purposes ("Easement"), with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its successors and assigns may deem necessary, a drainage system consisting of pipes, ditches, detention, and percolation or any combination thereof, together with any and all appurtenant drainage and renew, a stormwater management system over, under, upon, and through the following described Land ("Land") situated in Seminole County, State of Florida, to wit:

That part of the uplands, submerged lands, and lands between them, if any, which lies at, or below, elevation 25.8 NGVD29 (National Geodetic Vertical Datum of 1929) of Lot 19, Block B, Sweetwater Oaks, Section 17, according to the plat thereof as recorded in Plat Book 21, Pages 51 & 52, of the Public Records of Seminole County, Florida.

Parcel I.D. No. 32-20-29-510-0B00-0190

TO HAVE AND TO HOLD the same unto GRANTEE, its successors and assigns forever.

THE GRANTEE herein and its successors and assigns shall have the right to access to and to clear, keep clear and remove from said Easement all trees, undergrowth, and other obstructions, including structures that may interfere with the stormwater capacity, location, excavation, construction, operation and/or maintenance of the drainage

facilities installed thereon by the GRANTEE and its successors and assigns. The GRANTOR, and its successors and assigns, covenant not to build, construct or create, or permit others to build, construct or create any buildings or other structures on said Easement that may interfere in any way with the location, construction, excavation, operation and/or maintenance of the drainage, retention, or detention structures, or any structures or appurtenant facilities installed thereon. The GRANTEE, and its successors and assigns, shall also have the right to connect and use such stormwater facilities with those on or under other lands and access over, upon and through the easement area to other stormwater facilities on or under other lands.

The GRANTOR shall be permitted to install sod, irrigation pipes/sprinklers, lighting wire/fixtures and other landscaping provided that it does not interfere with the use, operation, and maintenance of the drainage structures/facilities described herein. Notwithstanding the issuance of any permit to construct a fence, or other structure, the GRANTOR recognizes and consents to the right of the GRANTEE or its successors or assigns, if applicable, to remove the fence or other structure from the Easement area without compensation or reimbursement to the GRANTOR if the fence or other structure is deemed to impede the purpose or utility of the Easement.

The GRANTOR contracts with the GRANTEE that: the GRANTOR lawfully owns the Land in fee simple; the GRANTOR has good, right, and lawful authority to sell and convey the Easement; the GRANTOR fully warrants the title to the Land and will defend the Land against the lawful claims of all persons; the Land is free and clear of all liens and encumbrances except matters recorded in the public records, if any, and further agrees to provide further assurances as to title to the property.

SIGNATURE BLOCK BEGINS ON PAGE 3

IN WITNESS WHEREOF, the GRANTOR(S) have executed this deed of easement on the day and year first above written.

WITNESSES for Douglas Baker:

PROPERTY OWNER(S):

[Signature]
SIGNATURE Witness #1

[Signature]
Douglas Baker

GREG GARY
PRINT NAME

[Signature]
SIGNATURE Witness #2

Francine Guffrida
PRINT NAME

WITNESSES for Danielle Baker:

PROPERTY OWNER(S):

[Signature]
SIGNATURE Witness #1

[Signature]
Danielle Baker

GREG GARY
PRINT NAME

[Signature]
SIGNATURE Witness #2

Francine Guffrida
PRINT NAME

PROPERTY OWNERS ADDRESS:

110 Cove Ridge Lane
Longwood, FL 32779

STATE OF FLORIDA)
COUNTY OF SEMIWOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared DOUGLAS BAKER and DANIELLE BAKER, who are personally known to me or who have produced Drivers License Florida as identification and who executed the acknowledged before me that they executed the same.

EXECUTED and sealed by me in the County and State last aforesaid this 7 day of FEBRUARY, 2008.

NOTARY PUBLIC-STATE OF FLORIDA
D. Greg Gary
Commission # DD582432
Expires: AUG. 07, 2010
Notary Public - GENTIC BONDING CO., INC.
in and for the County and State
Aforementioned
My Commission Expires: 2010

SIGNATURE BLOCK CONTINUES ON PAGE 4

