

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Utility Easement Acquisition for Apple Valley Pump Station

DEPARTMENT: Environmental Services

DIVISION: Planning Engineering Inspections

AUTHORIZED BY: John Cirello

CONTACT: Brad Stroppel

EXT: 2338

MOTION/RECOMMENDATION:

Accept the new Utility and Access Easement located on the northern side of Lot 1 Apple Valley Subdivision.

District 4 Carlton D. Henley

Dennis Westrick

BACKGROUND:

A sanitary force main runs northerly through the property of Lot 1 Apple Valley Subdivision in an existing utility easement . As part of the Apple valley Pump Station Replacement project, the sanitary force main will be rerouted around the property. The subject document will grant a new utility easement 25 feet long by 15 feet wide to complete the new path.

STAFF RECOMMENDATION:

Staff recommends that the Board accept the new Utility and Access Easement located on the northern side of Lot 1 Apple Valley Subdivision.

ATTACHMENTS:

1. Easement

<p>Additionally Reviewed By:</p> <p><input checked="" type="checkbox"/> County Attorney Review (Susan Dietrich)</p>
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THIS INSTRUMENT PREPARED BY:
SUSAN E. DIETRICH, ASSISTANT COUNTY ATTORNEY
COUNTY ATTORNEY'S OFFICE
1101 E. FIRST STREET
SANFORD, FL 32771

UTILITY EASEMENT

THIS UTILITY EASEMENT is made and entered into this _____ day of _____, 2008, by and between **DANIEL C. HULL and CHERYL D. CUMMINGS**, whose address is 101 Candlewick Road, Altamonte Springs, Florida 32714, being the owners of the property located at 101 Candlewick Road, Altamonte Springs, Florida 32714, hereinafter referred to as "GRANTORS", and **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".

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which its hereby acknowledged, GRANTORS do hereby grant and convey to the GRANTEE and its assigns, an exclusive easement and right-of-way for utility purposes, with full authority to enter upon, excavate, construct, maintain and repair, as the GRANTEE and its assigns may deem necessary, water pipes and mains, sewer pipes and mains, and any other appurtenant water and sewer utility facilities or associated infrastructure over, under, upon and through the following described lands situate in the County of Seminole, State of Florida, to-wit:

See Legal Description attached hereto and incorporated herein as Exhibit "A".

THE GRANTEE and its assigns shall have the right to clear, keep clear and remove from said right-of-way all trees, undergrowth, and

other obstructions that may interfere with location, excavation, operation, maintenance or repair of the utilities or any facilities installed thereon by the GRANTEE and its assigns, and the GRANTOR, its successors and assigns, agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on the said right-of-way that may interfere with the location, excavation, operation, maintenance or repair of the utilities, or any facilities installed thereon.

GRANTORS do hereby covenant with the GRANTEE, that they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the said easement and that it is free from all encumbrances.

GRANTORS further grant to GRANTEE, its employees, agents and other representatives the right to enter upon the property described below upon conveyance of this Easement for the purposes of: (a) removing sod over the centerline of an existing six-inch (6") diameter waste water force main (hereinafter referred to as "force main"); (b) excavating soil from around the force main and removing the force main; and (c) back filling with the existing soil and compacting the open trench caused by removal of the existing force main as depicted in the engineering drawing attached hereto and incorporated herein as Exhibit "B".

GRANTORS hereby covenant with GRANTEE that they are the true and lawful owners of the above described real estate and are lawfully seized of the same in fee simple and have good right and full power to grant this right of entry.

GRANTORS acknowledge that they will not receive from GRANTEE any compensation during the period of time the GRANTEE occupies the above described property for the purposes set forth above for the right to enter.

IN WITNESS WHEREOF, the parties hereto have made and executed this instrument for the purposes herein expressed.

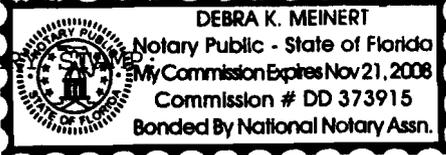
Michael R. Harber
Witness
Michael R. Harber
Print Name
Brad Struppel
Witness
Brad Struppel
Print Name

BY: Daniel C. Hull
DANIEL C. HULL

Date: April 23, 2008

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 23 day of APRIL, 2008, by DANIEL C. HULL, who is personally known to me or who has produced FL. DRIVERS LICENSE as identification.

NOTARY STAMP: 
DEBRA K. MEINERT
Notary Public - State of Florida
My Commission Expires Nov 21, 2008
Commission # DD 373915
Bonded By National Notary Assn.

Debra K. Meinert
Notary Public in and for the County
and State Aforementioned

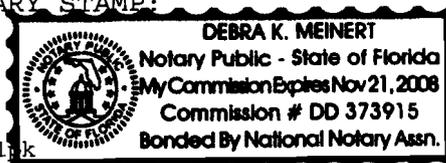
Michael R. Harber
Witness
Michael R. Harber
Print Name
Brad Struppel
Witness
Brad Struppel
Print Name

BY: Cheryl D. Cummings
CHERYL D. CUMMINGS

Date: April 23, 2008

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 23 day of APRIL, 2008, by CHERYL D. CUMMINGS, who is personally known to me or who has produced FL. DRIVERS LICENSE as identification.

NOTARY STAMP: 
DEBRA K. MEINERT
Notary Public - State of Florida
My Commission Expires Nov 21, 2008
Commission # DD 373915
Bonded By National Notary Assn.

Debra K. Meinert
Notary Public in and for the County
and State Aforementioned

SED/ljk
2/4/08
P:\Users\lkennedy\My Documents\Environmental Services\UE-Cummings.doc

Attachments:
Exhibit "A" - Legal Description
Exhibit "B" - Engineering Drawing

**SKETCH AND DESCRIPTION:
15'X25' EASEMENT**

EXHIBIT A

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN SECTION 11, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA; SAID TRACT OF LAND BEING THE NORTH 15.00 FEET OF THE EAST 25.00 FEET OF THE VACATED RIGHT-OF-WAY OF FRANKLIN AVE. AS RECORDED IN OFFICIAL RECORDS BOOK 1981, PAGES 1542 AND 1543 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, APPLE VALLEY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 70 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; SAID POINT LYING ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE RUN SOUTH 89°34'32" WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 25.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE LEAVING SAID NORTH LINE RUN SOUTH 00°26'00" EAST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11 FOR A DISTANCE OF 15.00 FEET; THENCE LEAVING SAID WEST LINE RUN NORTH 89°34'32" EAST FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE RUN NORTH 00°26'00" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING: 375 SQUARE FEET OR 0.008 ACRE MORE OR LESS.

ABBREVIATION LEGEND:

*SYMBOLS SHOWN HEREON ARE NOT TO SCALE

P.R.C. - POINT OF REVERSE CURVATURE	C.B. - CHORD BEARING R/W - RIGHT-OF-WAY	H.A. - HOMEOWNERS ASSOCIATION	(P) - PLAT	W/ - WITH
P.C. - POINT OF CURVATURE	P.B. - PLAT BOOK	D.E. - DRAINAGE EASEMENT	(M) - MEASURED	LR - IRON ROD
P.C.C. - POINT OF COMPOUND CURVATURE	FND - FOUND	D/U - DRAINAGE AND UTILITY EASEMENT	(C) - CALCULATED	SQ. FT. - SQUARE FEET
P.T. - POINT OF TANGENCY	TYP. - TYPICAL	F.F. - FINISHED FLOOR	(B) - DEED	WM - WATER METER
P.I. - POINT OF INTERSECTION	F.B. - FIELD BOOK	B.S.L. - BUILDING SETBACK LINE	(A) - ACTUAL	F.H. - FIRE HYDRANT
P.C.P. - PERMANENT CONTROL POINT	P.O.L. - POINT ON LINE	C.B.S. - CONCRETE BLOCK STRUCTURE	TELE - TELEPHONE RISER	H & D - HAIL AND DISC
POB - POINT OF BEGINNING	RAD. - RADIAL	L.C.V. - IRRIGATION CONTROL	TRANS - TRANSFORMER PAD	PAVT. - PAVEMENT
POC - POINT OF COMMENCEMENT	R. - RADIUS	CONC. - CONCRETE	L.P. - LIGHT POLE	P.P. - POWER POLE
P.R.M. - PERMANENT REFERENCE MONUMENT	L. - ARC LENGTH	PK - FARMER KALON	M.H. - MANHOLE	NG - NATURAL GROUND
C.M. - CONCRETE MONUMENT	Δ - DELTA	T 21 S - TOWNSHIP 21 SOUTH	S/W - SIDEWALK	SQ - SQUARE
	R.P. - RADIUS POINT	SEC 11 - SECTION 11	R 29 E - RANGE 29 EAST	CO - CLEANOUT

SURVEY NOTES:

1. "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER".
2. BEARINGS SHOWN HEREON ARE RELATIVE AS BEING N 00°26'00" W ALONG THE CENTER LINE OF FRANKLIN AVE AND WEST LINE OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 29 EAST, AS RECORDED IN PLAT BOOK 15, PAGE 70, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.
3. THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
4. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
5. THIS IS NOT A BOUNDARY SURVEY. THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR. NO FIELD SURVEY WAS PERFORMED TO DEFINE OWNERSHIP.

SURVEYOR'S CERTIFICATION:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on December 12, 2007. I further certify that this "Sketch and Description" meets the minimum technical standards set forth in Chapter 61g17-8 of the Florida Administrative Code.


 Ralph A. Nieto, P.S.M.
 Professional Surveyor and Mapper
 Florida Registration No. 6025

PROJECT NUMBER: S0954
 CADD DWG. FILE: 15FT_EXT_UTILITY_EASEMENT.dwg

**NOT VALID WITHOUT SHEET 2
SHEET 1 OF 2**

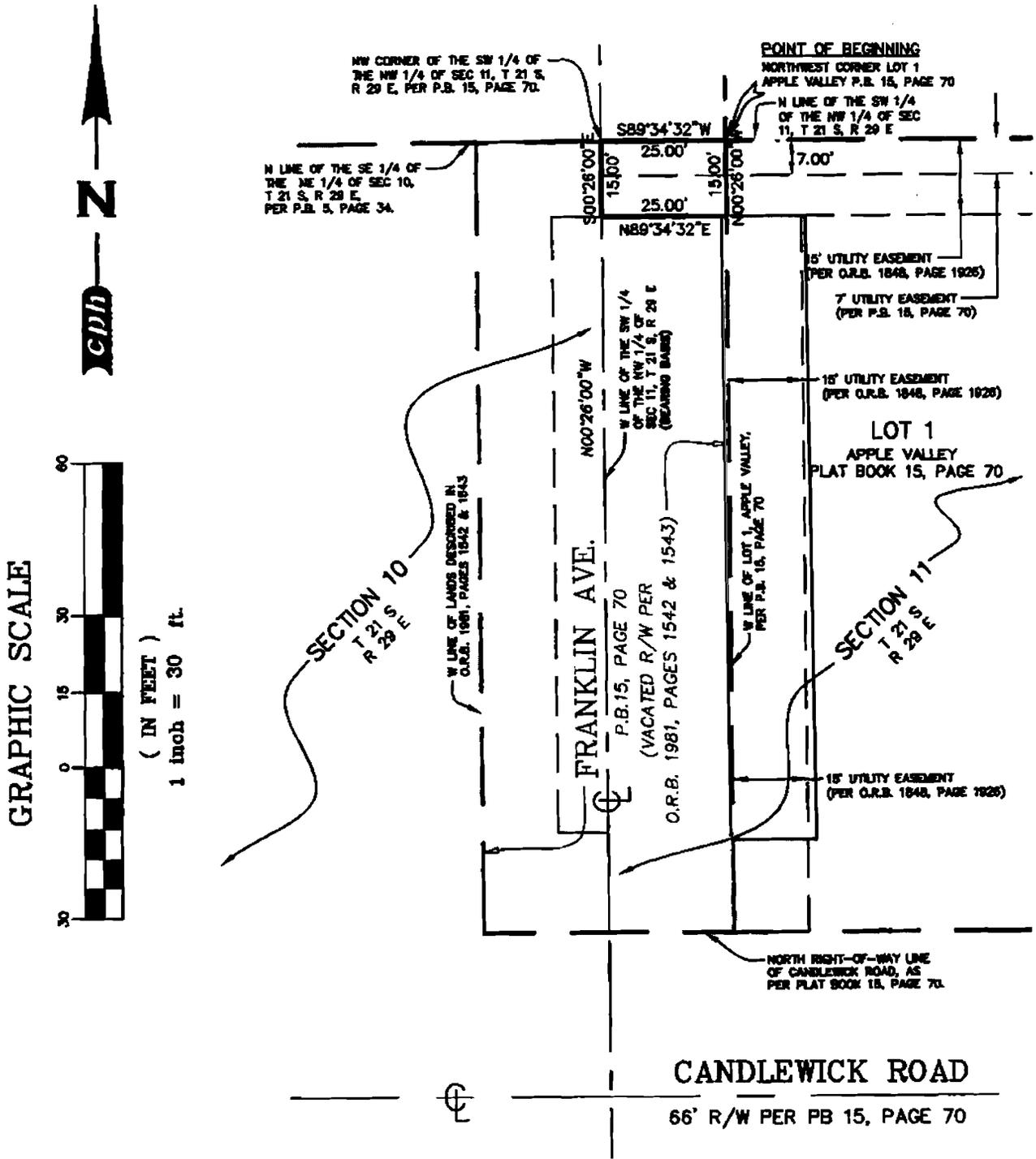
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 Planners
 Landscape Architects
 Surveyors
 Construction Management
 www.cphengineers.com
 500 West Fulton Street, Sanford, FL 32771 P.O. Box 2808, Sanford, FL 32772-2808
 Phone: 407.322.6841 Fax: 407.330.0639

REVISION	BY	DATE
SKETCH OF DESCRIPTION	J.T.F.	12/12/07

Certificate of Authorization No. 7145

**SKETCH AND DESCRIPTION:
15'X25' EASEMENT**

EXHIBIT B



PROJECT NUMBER: S0854
CADD DWG. FILE: 15FT_EXT_UTILITY_EASEMENT.dwg

**NOT VALID WITHOUT SHEET 1
SHEET 2 OF 2**



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Planners
Landscape Architects
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REVISION	BY	DATE
SKETCH OF DESCRIPTION	J.T.F.	12/12/07

Certificate of Authorization No. 7143