

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Weeping Willow (4391) Utility Vacate

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

**AUTHORIZED BY:** Dori DeBord

**CONTACT:** Alan Willis

**EXT:** 7332

**MOTION/RECOMMENDATION:**

Adopt and authorize the Chairman to execute a Resolution to vacate and abandon a portion of the public utility easement situated at the rear of Lot 128, Deer Run Unit 12 “B”, as recorded in Plat Book 37, Page 82, of the Public Records of Seminole County, Florida, and further described as 4391 Weeping Willow Circle, Casselberry, Florida – Hesham Z. Abudaif and Mona A. Abdelmalak, applicant.

District 2 Michael McLean

Alan Willis

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**BACKGROUND:**

The applicants, Hesham Z. Abudaif and Mona A. Abdelmalak, are requesting to vacate and abandon the north 1 foot portion of the 7.5 foot wide public utility easement situated at the rear of the property located at 4391 Weeping Willow Circle, Casselberry, Florida, and further described as Lot 128, Deer Run Unit 12 “B”, as recorded in Plat Book 37, Page 82, of the Public Records of Seminole County, Florida, in Section 14, Township 21 S, Range 30 E. The applicant is requesting to vacate the described portion of the utility easement to cure an encroachment of an existing covered porch in the utility easement. The applicant has provided letters from the applicable utility companies stating “no objections” to the request.

**STAFF RECOMMENDATION:**

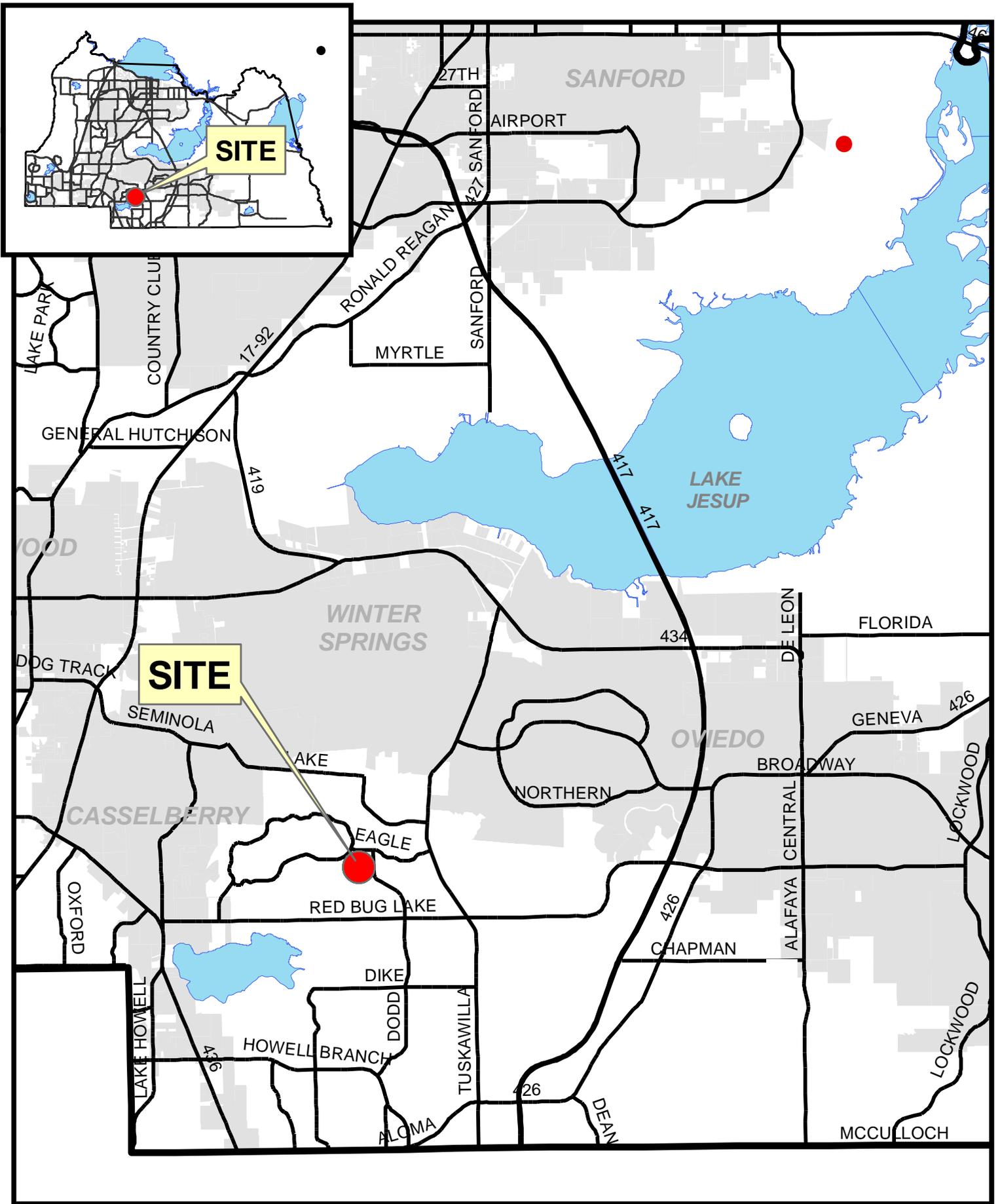
Staff recommends the Board adopt and authorize the Chairman to execute a Resolution to vacate and abandon a portion of the public utility easement situated at the rear of Lot 128, Deer Run Unit 12 “B”, as recorded in Plat Book 37, Page 82, of the Public Records of Seminole County, Florida, and further described as 4391 Weeping Willow Circle, Casselberry, Florida.

**ATTACHMENTS:**

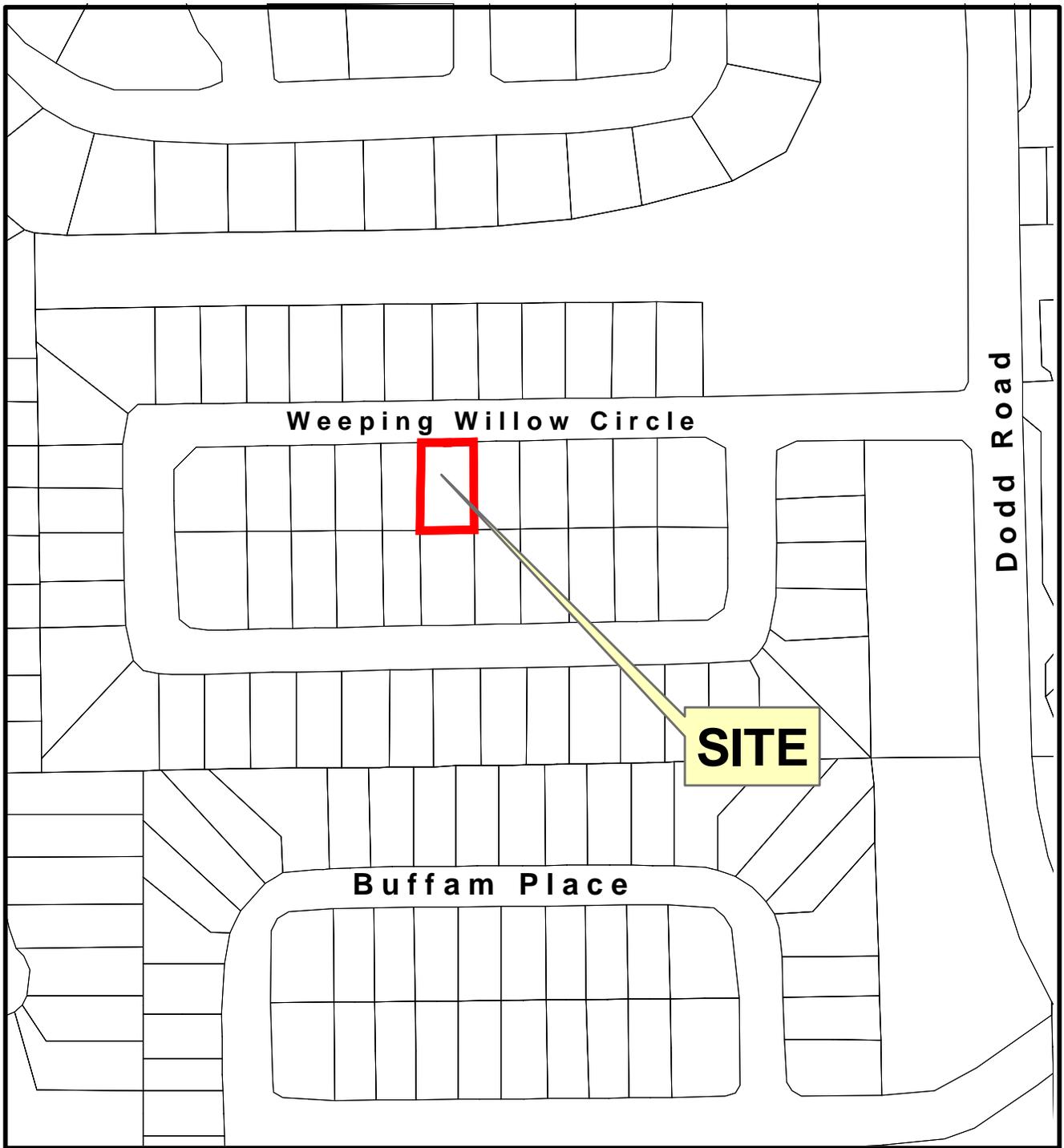
1. Maps and Aerials
2. Maps and Aerials
3. Maps and Aerials
4. Resolution
5. Sketch of Description

**Additionally Reviewed By:**

County Attorney Review ( Kathleen Furey-Tran )

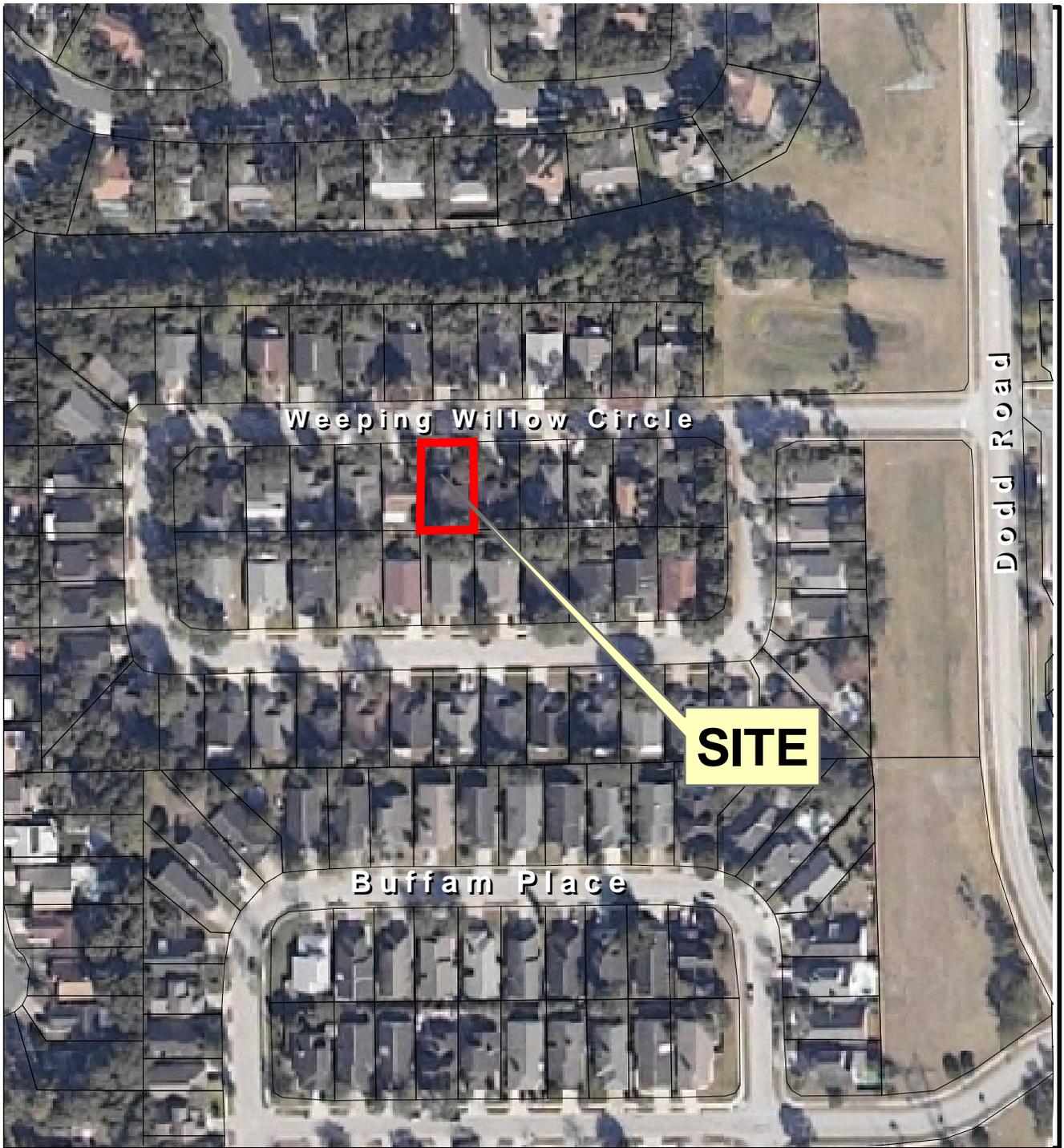


Weeping Willow (4391) Utility Vacate



Weeping Willow (4391) Utility Vacate





Weeping Willow (4391) Utility Vacate



RESOLUTION NO.: 2007-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 28th DAY OF August A.D., 2007.

**RESOLUTION TO VACATE AND ABANDON A UTILITY EASEMENT**

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Whereas, a Petition was presented on behalf of

**ABUDAIF HESHAM Z**

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

**SEE ATTACHED SKETCH OF DESCRIPTION "EXHIBIT C"**

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 28th day of August A.D., 2007.

ATTEST:

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

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

BY: \_\_\_\_\_  
**CARLTON D. HENLEY**  
CHAIRMAN

LEGAL DESCRIPTION

A PORTION OF LOT 128, DEER RUN UNIT 12"B", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 37, PAGE 82 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT SAID 128; THENCE NORTH 00°23'57" EAST, ALONG THE EAST LINE OF SAID LOT 128, A DISTANCE OF 6.50 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°36'03" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 128; THENCE NORTH 00°23'57" EAST, ALONG THE WEST LINE OF SAID LOT 128, A DISTANCE OF 1.00 FEET TO A POINT; THENCE SOUTH 89°36'03" EAST, ALONG A LINE PARALLEL TO AND 7.50 FEET NORTH OF THE SOUTH LINE OF SAID LOT 128, A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 128; THENCE SOUTH 00°23'57" WEST, ALONG THE EAST LINE OF SAID LOT 128, A DISTANCE OF 1.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 50 SQUARE FEET OR 0.001 ACRE, MORE OR LESS.

WEeping WILLOW CIRCLE

S89°36'03"E 50.00'

10' UTILITY EASEMENT

LOT 128

ONE STORY RESIDENCE #4391

COVERED CONCRETE & TILE SCREENED PORCH

SEE DETAIL

7.5' UTILITY EASEMENT

S 89°36'03" E 50.00'

POINT OF BEGINNING

POINT OF COMMENCEMENT  
SE CORNER OF LOT 128

LEGEND:

--- CENTERLINE  
- - - RIGHT OF WAY LINE

SCALE: 1" = 20'

N00°23'57"E 1.00'

LOT 129

S 00°23'57" W 100.00'

W LINE OF LOT 128

E LINE OF LOT 128

100.00'

LOT 127

N 00°23'57" E 100.00'

LOT 136

LOT 139

LOT 140

S89°36'03"E 50.00'

N89°36'03"W 50.00'

POINT OF BEGINNING

S00°23'57"W 1.00'

GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE SURVEYOR HAS NOT ABSTRACTED THE LANDS SHOWN HEREON FOR EASEMENTS AND OR RIGHT-OF-WAY RECORDS.
3. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 128, BEING S89°36'03"E, ASSUMED.

PREPARED FOR:

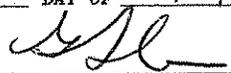
HESHEAM Z. ABUDAIF AND  
MONA A. ABDELMALAK

SKETCH OF DESCRIPTION  
VACATE PORTION  
OF UTILITY EASEMENT

CERTIFICATION:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

THIS 15<sup>TH</sup> DAY OF MAY, 2007



Gregory S Locklin, Professional Land Surveyor No. 5619  
Land Surveyor Business License No. 6906  
VALID ONLY WITH SIGNATURE AND EMBOSSED SEAL



LOCKLIN & ASSOCIATES, INC.

SURVEYORS & MAPPERS

1417 N. SEMORAN BLVD., ST. 115  
ORLANDO, FL. 32807

VOICE: (407) 273-0356 FAX/DATE: 282-7850

| No. | DATE | REVISION |
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|                                 |
|---------------------------------|
| DRAWN BY: GSL                   |
| CHECKED BY: GSL                 |
| DRAWING FILE:<br>U01540ESMT.DWG |
| DATE:<br>4/29/07                |
| PROJECT No.<br>S05-721          |
| SCALE:<br>1" = 20'              |
| SHEET<br>OF 3 <b>2</b>          |

EXHIBIT C