

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
NOV 11 2008 *SC/np/bj*

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

ACCEPTANCE OF RIGHT-OF-WAY
GRANT (SWAIN ROAD)

RESOLUTION NO. 2008-M-57

WHEREAS, in 1968, Memory N. Martin and Sara Martin, his wife recorded a "Right of Way Grant" in the public records of Orange County at O.R. Book 1770, page 527, dedicating to the public certain property as road right-of-way, a copy of which is attached hereto as **Exhibit "A"** (the "Right of Way Grant"); and

WHEREAS, the land described in the Right of Way Grant is commonly known as "Swain Road," in Orange County; and

WHEREAS, Orange County considers Swain Road a public right-of-way and intends to add it as a component of the County road system; and

WHEREAS, Section 335.01(1) of the Florida Statutes (2006) provides that "[a]ll roads which are open and available for use by the public and dedicated to the public use, according to law or by prescription, are hereby declared to be, and are established as, public roads"; and

WHEREAS, Orange County intends to work with the owners of the property abutting Swain Road to improve the condition of the road, perhaps through the establishment of a Municipal Services Benefit Unit.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Orange County hereby formally accepts the Swain Road Right of Way Grant and reaffirms the status of Swain Road, pursuant to Section 335.01(1), Florida Statutes (2006), as a public right-of-way and proposed component of the Orange County road system.

EXHIBIT "A"

102

222583 RECORDED OCT 4 4 16 PM '68

C.R. 1770 PG 527

2/10/68

RIGHT OF WAY GRANT

KNOW ALL MEN BY THESE PRESENTS, that we, MEMORY N. MARTIN and SARA MARTIN, his wife, of Lake County, Florida, (Memory N. Martin is sometimes known as Memory Martin, and Sara Martin, his wife, is sometimes known as Sara S. Martin.) do hereby grant and convey a right of way for a public road through our land, the right of way being more particularly described as follows:

The East 30 feet of the Northwest Quarter, and the South 30 feet of the North one-half of the North one-half of the Northwest Quarter and the North 30 feet of the South one-half of the North one-half of the Northwest Quarter of Section 5, Township 20, South Range 28 East, Orange County, Florida, and 30 feet in width on the North side and the West side of Lot 5, J. B. Babcock Subdivision, according to plat thereof as recorded in Plat Book B, Page 27, Public Records at Orange County, Florida.

And we hereby covenant that we are lawfully sei,ed of the respective premises and that we have authority to grant the right of way for this purpose.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals this 27 day of Sept, 1968.

Signed sealed and delivered in the presence of:

William Swalter

Memory N. Martin (SEAL) Memory N. Martin

W.D. Walker

Sara Martin (SEAL) Sara Martin

STATE OF Florida COUNTY OF Lake

STATE OF FLORIDA DOCUMENTARY STAMP TAX COMPTROLLER 037653 RB OCT-4-68 10513 00.30

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Memory N. Martin and Sara Martin, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 27 day of Sept, 1968

RECORDED & RECORD VERIFIED

William Swalter Clerk of Circuit Court, Orange Co., Fla.

William Swalter Notary Public My Commission Expires:

May 16 1971

This paper prepared by Memory Martin 205 North Grove Street Eustis, Florida

ORANGE COUNTY 010338 FLORIDA DOCUMENTARY SUR TAX 00.55

