

RETURN TO CLERK'S OFFICE - BCC - 5TH FLOOR - COUNTY ADMINISTRATION BUILDING - ATTN: DIANA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

RESOLUTION NO. 88-M-11

A RESOLUTION REPEALING THAT CERTAIN RESOLUTION FOUND IN BOOK 3955, PAGE 3552, OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA, REGARDING A PETITION TO VACATE UTILITY AND DRAINAGE EASEMENTS IN ORLANDO NORTH INDUSTRIAL PARK SUBDIVISION.

WHEREAS, on October 28, 1987, a Petition was submitted to the Orange County Commission requesting that certain county drainage and utility easements located within Orlando North Industrial Park Subdivision be vacated. A copy of the Petition is attached hereto as Exhibit "I".

WHEREAS, on January 11, 1988, the Orange County Commission passed a Resolution which was intended to grant the above-described Petition. A copy of the Resolution is attached hereto as Exhibit "II".

WHEREAS, due to a clerical error, the effect of the aforementioned Resolution was to vacate lots 17, 18 and 19 of Orlando North Industrial Park Subdivision instead of the utility and drainage easements described in the Petition.

WHEREAS, for the purpose of remedying the effect of the aforementioned clerical error in the most expedient manner, the Commission now desires to repeal the Resolution.

NOW, THEREFORE, the County, by and through the Orange County Commission, hereby RESOLVES as follows:

1. The Resolution found in Book 3955, Page 3552, of the Official Records of Orange County, Florida, which vacated lots 17, 18 and 19 of Orlando North Industrial Park Subdivision as recorded in Plat Book 18, Page 64, of the Public Records of Orange County, Florida, is hereby repealed and rendered without legal effect.

2. This Resolution shall take effect as of the date of its adoption.

APPROVED BY THE ORANGE COUNTY COMMISSION AT THEIR MEETING

FEB 22 1988

Rec Fee \$ 21.00
Add Rec \$ 3.00
Doc Tax \$ _____
Int Tax \$ _____
Total \$ 24.00
THOMAS H. LOCKER,
Orange County
Comptroller
By [Signature]
Deputy Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

ADOPTED THIS 22nd DAY OF February, 1988.

ORANGE COUNTY, FLORIDA

BY: Tom Darnau
Chairman,
Orange County Commission

DATE: FEB 24 1988

ATTEST: THOMAS H. LOCKER, Clerk
to the Orange County Commission

BY: Mary J. Garrison
Deputy Clerk



OR3962 PG4877

1580j

PETITION REQUESTING VACATING
OF COUNTY EASEMENT

TO: Board of County Commissioners
Orange County, Florida

The undersigned hereby petition(s) the Board of County Commissioners to vacate an existing county easement, and to disclaim any right of Orange County and the public in that easement.

The undersigned hereby certify:

1. LEGAL DESCRIPTION: The complete and accurate legal description of the easement sought to be vacated is as follows:

THOSE CERTAIN 5 FOOT UTILITY AND DRAINAGE EASEMENTS ALONG THE SIDE LOT LINES OF LOTS 17, 18 AND 19, ORLANDO NORTH INDUSTRIAL PARK SUBDIVISION AS RECORDED IN PLAT BOOK 18, PAGE 64, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA,

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY FIVE FEET OF LOT 17 AND THE NORTHERLY FIVE FEET OF LOT 18 AND THE SOUTHERLY FIVE FEET OF LOT 18 AND THE NORTHERLY FIVE FEET OF LOT 19 OF THE AFOREMENTIONED ORLANDO NORTH INDUSTRIAL PARK SUBDIVISION.

2. PUBLIC INTEREST IN ROAD, RIGHT-OF-WAY OR EASEMENT: The title or interest of Orange County and the public in the above described easement was acquired and is evidenced in the following manner by dedication of Orlando North Industrial Park Subdivision recorded in Plat Book 18, Page 64 of the Public Records of Orange County, Florida.

3. ATTACH SURVEY SKETCH: Attached as Exhibit "A" is a survey accurately showing and describing the above described easement, and its location and relation to surrounding property, and showing all encroachments and utility easements.

4. ABUTTING PROPERTY OWNERS: Attached as Exhibit "B" is a list which constitutes a complete and accurate schedule of all owners of property abutting upon or contiguous to the above described easement.

5. ACCESS TO OTHER PROPERTY: The undersigned certify that if this petition is granted, no other property owners will be denied access to and from their property.

6. POSTING OF NOTICE: The undersigned agrees to place a notice of petition to vacate on the subject property in a conspicuous and easily visible location no later that ten (10) days prior to the public hearing on the petition.

7. PUBLIC UTILITIES: Attached are certificates of public utility companies servicing the area of the above described property, and each public utility company has certified that the vacating will neither interfere with the utility services being provided nor encroach unreasonably on any utility easements.

OR3962 PG4878

8. NO FEDERAL OR STATE HIGHWAY AFFECTED: The undersigned certify that the above described easement is not a part of any existing or proposed state or federal highway and was not acquired or dedicated for state or federal highway purposes, and that such easement is under the control and jurisdiction of the Board of County Commissioners. Undersigned agrees that if this certification is erroneous for whatever reason, petitioner or his successor shall reconvey to the county all property subject to this petition upon demand by the county, and petitioner shall bear all costs incurred in such conveyance. Petitioner further agrees that the county shall have the remedy of specific performance of this covenant in a court of law.

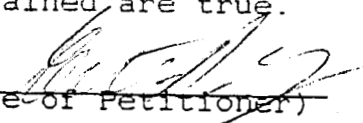
9. GROUNDS FOR GRANTING PETITION: The undersigned submit as grounds and reasons in support of this petition the following: the prospective user of Lots 17, 18 and 19 of Orlando North Industrial Park Subdivision desires to erect one commercial building which would extend across the interior lot lines common to Lots 17 and 18 and Lots 18 and 19, thereby also overlaying the existing side lot line easements which were created by the record plat.

RESPECTFULLY SUBMITTED,

NAME: SOUTHEASTERN INVESTMENT PROPERTIES, INC.
ADDRESS: 933 Lee Road, Ste. 400
Orlando, FL 32810

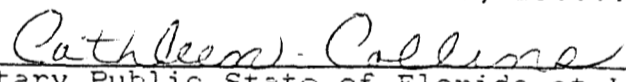
STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned authority, personally appeared who first by me duly sworn, deposes and says that he is one of the Petitioners named in and who signed the foregoing petition; that he is duly authorized to make this verification for and on behalf of all petitioners; that he has read the foregoing petition and that the statements therein contained are true.


(Signature of Petitioner)

ROBERT N. JOHNSON
President

Sworn to and subscribed before me this
..28TH.day of..OCTOBER....., 1987..


Notary Public State of Florida at Large.

My Commission Expires:

Notary Public, State of Florida at Large
My Commission Expires February 23, 1990
Bonded thru Huckleberry, Sibley &
Harvey Insurance and Bonds, Inc.

OR3962 PG4879

RESOLUTION

WHEREAS, pursuant to procedures adopted by the Orange County Commission, a petition was filed with the Commission to vacate that certain UTILITY & DRAINAGE EASEMENTS in Orange County, Florida, described as follows:

LOTS 17, 18 & 19, ORLANDO NORTH INDUSTRIAL PARK SUBDIVISION AS RECORDED IN PLAT BOOK 18, PAGE 64, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

CONTAINING THEREIN 2.666 ACRES MOR OR LESS

WHEREAS, the petition is complete and has been reviewed and investigated by the appropriate county staff personnel; and

WHEREAS, the Commission has considered the petition and finds it to be of sufficient merit to be further considered at public hearing.

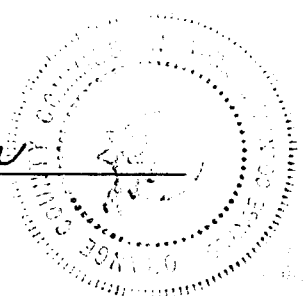
THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTY COMMISSION OF ORANGE COUNTY:

A public hearing will be held on JANUARY 11, 1988 at 2:45 P.M. in the County Commission Chambers, 1st Floor, County Administration Building, 201 South Rosalind Avenue in Orlando, Florida to consider the advisability of granting the petition to vacate.

RESOLVED THIS 7TH DAY OF DECEMBER, 19 87.

ORANGE COUNTY COMMISSION
ORANGE COUNTY, FLORIDA

BY: Tom Herman
Chairman



ATTEST:

THOMAS H. LOCKER, Clerk
of the Orange County Commission

By: Mary J. Garrison
Deputy Clerk

OR3955 PG3552

OR3962 PG4880

RECORDED & RECORDED VERIFIED
Thomas H. Locker
County Comptroller, Orange Co., FL