

RESOLUTION GRANTING PETITION TO VACATE # 15-06-016

WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate those certain **two 15 ft wide ingress/egress easements, containing 0.44 acres and 0.45 acres, respectively, for a total of approximately 0.89 acres** in Orange County, Florida, as described in attachment.

WHEREAS, notice of a public hearing before the Board of County Commissioners on **February 9, 2016**, was published in the **Orlando Sentinel**, a newspaper of general circulation in Orange County, Florida, one time at least two weeks prior to the date for the hearing; and

WHEREAS, the Board finds that the vacating of the **two 15 ft wide ingress/egress easements, containing 0.44 acres and 0.45 acres, respectively, for a total of approximately 0.89 acres** will not operate to the detriment of Orange County or the public.

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

The county road, right-of-way, easement, or park described above is vacated as of this date and Orange County renounces any rights in it.

RESOLVED THIS 9TH DAY OF FEBRUARY 2016.

BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

By: *Bob D'Amico*
County Mayor
fu

ATTEST:
Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida

By: *Craig A. Stopynka*
fu Deputy Clerk



jk
Attachments: Legal property description
Proof of publication of the *Orlando Sentinel* regarding the BCC notice of public hearing
Proof of publication of the *Orlando Business Journal* regarding the BCC notice of adoption

Drawing name: S:\CMAG Columnar Magnolia\1\DWG-Land\CMAG_Ingress Egress Easement Vacation.dwg ESMT VACATION #1 Jun 11, 2015 6:19am by: tcarden

LEGAL DESCRIPTION:

THAT CERTAIN 15 FOOT INGRESS/EGRESS EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1162, PAGE 643, OFFICIAL RECORDS BOOK 3918, PAGE 2906, AND OFFICIAL RECORDS BOOK 4408, PAGE 340 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING THE NORTH 15 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE SOUTH 00°06'31" WEST, ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, A DISTANCE OF 15.00 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 89°24'30" WEST, ALONG A LINE PARALLEL WITH AND 15.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 5, A DISTANCE OF 1265.46 FEET; THENCE NORTH 00°06'08" EAST, A DISTANCE OF 15.00 FEET TO AFORESAID NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5; THENCE, NORTH 89°24'30" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1265.47 FEET TO THE POINT OF BEGINNING.

CONTAINING: 18,982 SQUARE FEET OR 0.44 ACRES, MORE OR LESS.

SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST, AS BEING N89°24'30"E.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
3. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
4. THIS IS NOT A BOUNDARY SURVEY.

William D. Donley 06/11/15
 WILLIAM D. DONLEY DATE
 PROFESSIONAL SURVEYOR & MAPPER
 LICENSE NUMBER LS 5381
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
 FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET 1 OF 2

(SEE SHEET 2 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

**15' INGRESS/EGRESS
EASEMENT VACATION #1**

SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST

ORANGE COUNTY

FLORIDA



Dewberry

520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801

PHONE: 321.354.9826 FAX: 407.648.9104
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

COLUMNAR HOLDINGS, LLC

DATE: 06/1/15
REV DATE:
SCALE 1" = N/A

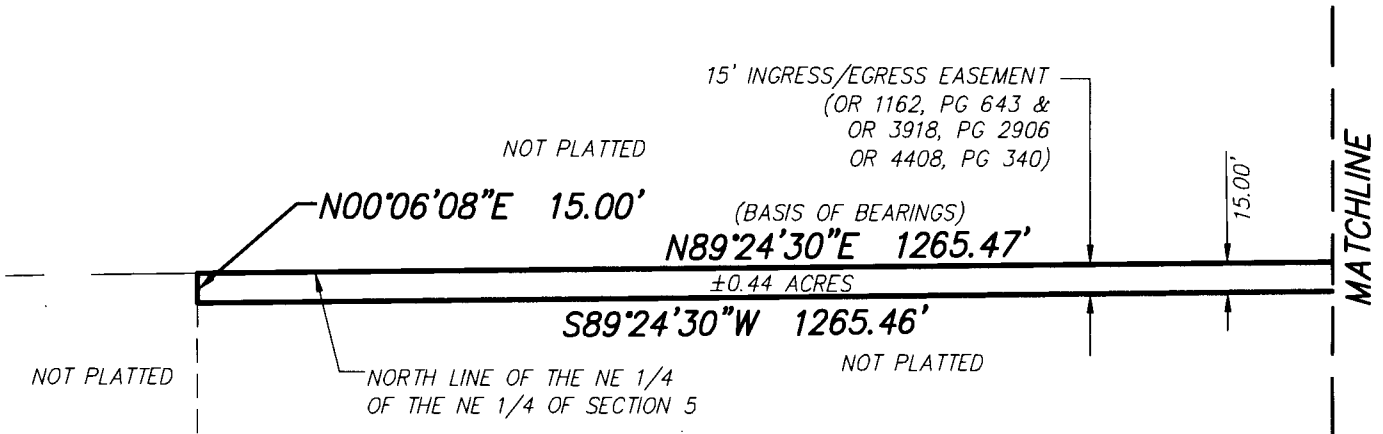
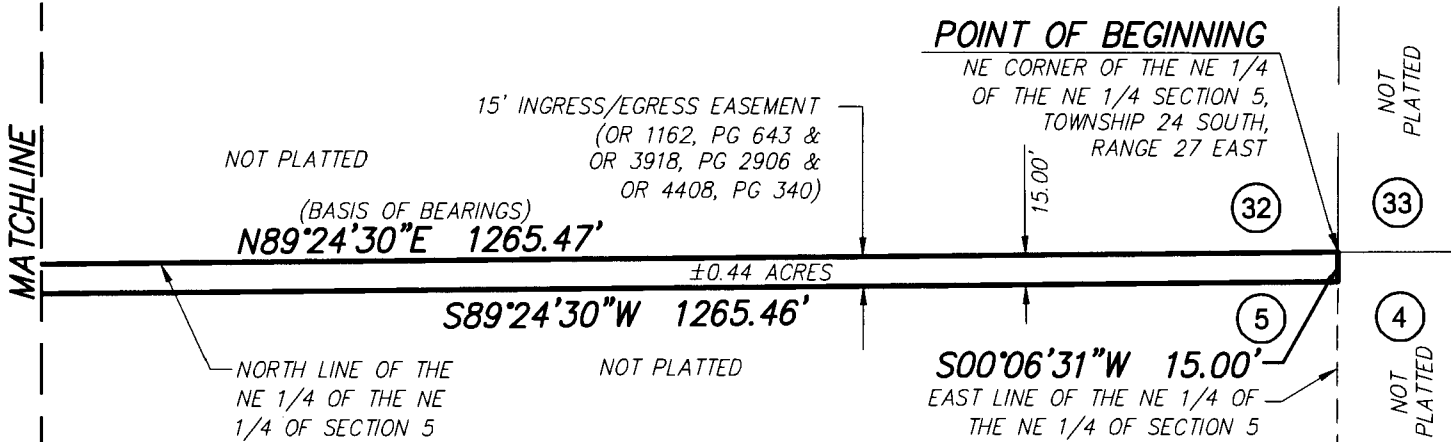
PROJ: 50066826
DRAWN BY: TRC
CHECKED BY: WDD



1 INCH = 100 FEET

LEGEND:

— —	LINE BREAK
POC	POINT ON A CURVE
PC	POINT OF CURVATURE
PRC	POINT OF REVERSE CURVATURE
PT	POINT OF TANGENCY
R/W	RIGHT OF WAY
OR	OFFICIAL RECORDS BOOK
PG	PAGE
L	LENGTH
R	RADIUS
Δ	CENTRAL ANGLE
CB	CHORD BEARING
CH	CHORD LENGTH
TAN BRG	TANGENT BEARING
sf	SQUARE FEET
ac	ACRES
SEC	SECTION



SHEET 2 OF 2

(SEE SHEET 1 FOR DESCRIPTION OF SKETCH)

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DATE: 06/1/15
REV DATE:
SCALE 1" = 100'

PROJ: 50066826
DRAWN BY: TRC
CHECKED BY: WDD

LEGAL DESCRIPTION:

THAT CERTAIN 15 FOOT PERPETUAL EASEMENT AND RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 4408, PAGE 340, OFFICIAL RECORDS BOOK 3918, PAGE 2906 AND OFFICIAL RECORDS BOOK 946, PAGE 438 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING THE EAST 15 FEET OF THE NORTH 1320 FEET OF THE NORTHEAST 1/4 SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE SOUTH 00°06'31" WEST, ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, A DISTANCE OF 1320.10 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 89°24'30" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°06'31" EAST, ALONG A LINE PARALLEL WITH AND 15.00 FEET WEST OF AFORESAID EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, A DISTANCE OF 1320.10 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5; THENCE NORTH 89°24'30" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 19,801 SQUARE FEET OR 0.45 ACRES, MORE OR LESS.

SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST, AS BEING S00°06'31"W.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
3. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
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William D. Donley 06/11/15
 WILLIAM D. DONLEY DATE
 PROFESSIONAL SURVEYOR & MAPPER
 LICENSE NUMBER LS 5381
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
 FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET 1 OF 2

(SEE SHEET 2 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

**15' INGRESS/EGRESS
EASEMENT VACATION #2**

SECTION 5, TOWNSHIP 24 SOUTH, RANGE 27 EAST

ORANGE COUNTY

FLORIDA



Dewberry

520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801

PHONE: 321.354.9826 FAX: 407.648.9104
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

COLUMNAR HOLDINGS, LLC

DATE: 06/1/15
REV DATE:
SCALE 1" = N/A

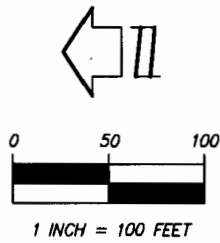
PROJ: 50066826
DRAWN BY: TRC
CHECKED BY: WDD

Drawing name: S:\CMAG Columnar Magnolia\JLDWG-Land\CMAG-Ingress Egress Easement Vacation.dwg ESMT VACATION #2 Jun 11, 2015 6:21am by: lcamden

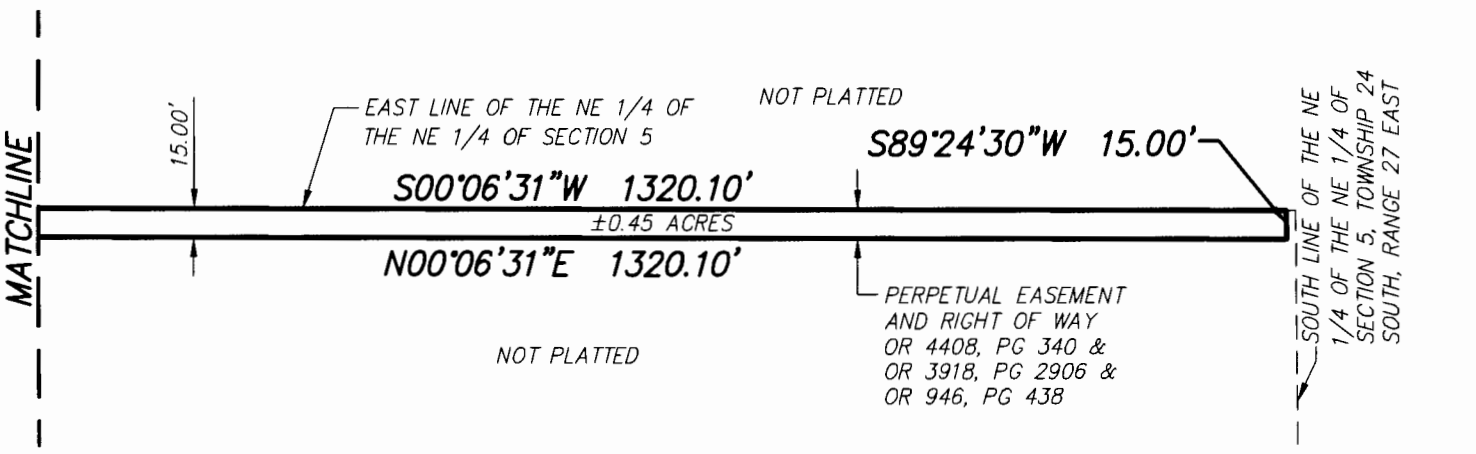
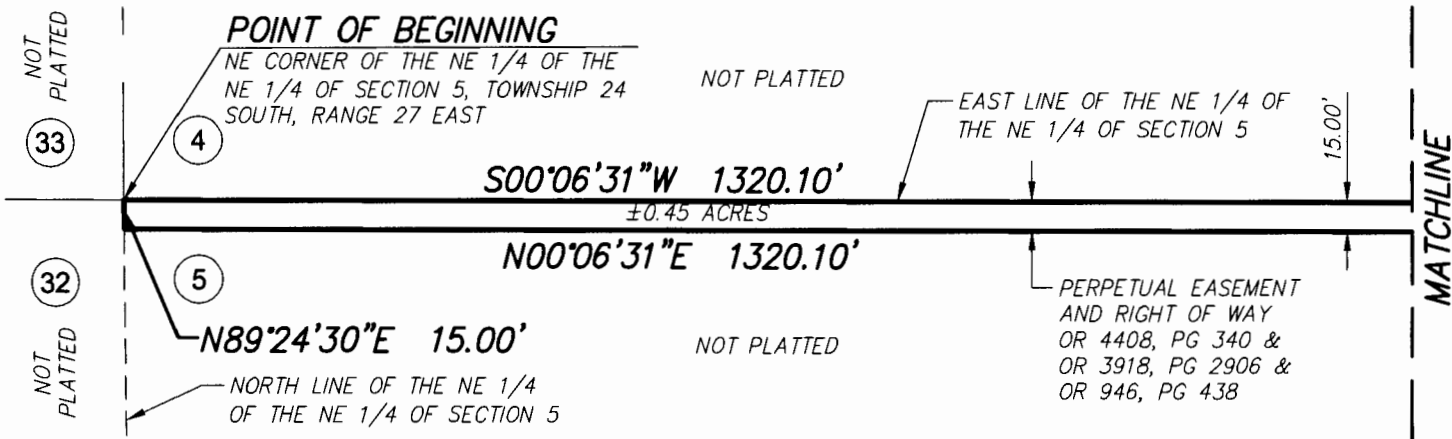
OK III 211

LEGEND:

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POC	POINT ON A CURVE
PC	POINT OF CURVATURE
PRC	POINT OF REVERSE CURVATURE
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R/W	RIGHT OF WAY
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Drawing name: S:\CMAG Columnar Magnolia\J\DWG-Land\CMAG-Ingress Egress Easement Vacation.dwg ESMT VACATION #2 Jun 11, 2015 6:21am by: tcamden



SHEET 2 OF 2

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Orlando Sentinel

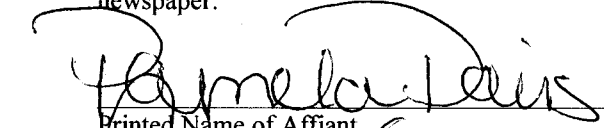
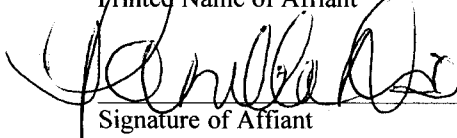
Published Daily
ORANGE County, Florida

STATE OF FLORIDA


COUNTY OF ORANGE

Before the undersigned authority personally appeared **Jennifer Rhodes / Ingrid Quiles / Pamela Davis / Sheri Schmitz**, who on oath says that he/ she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of **Petition to Vacate # 15-06-016** in ORANGE County Florida, was published in said newspaper in the issues of **01/21/2016**.

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


Printed Name of Affiant

Signature of Affiant

Sworn to and subscribed before me on this **08** day of **February, 2016** by above said affiant, who is personally known to me (X) or who has produced identification ().


Signature of Notary Public (Typed, Printed or Stamped)



Ad No 3904472

**ORANGE COUNTY
NOTICE OF PUBLIC HEARING
PETITION TO VACATE # 15-06-016**

The Orange County Board of County Commissioners will conduct a public hearing on February 9, 2016, at 2 p.m., or as soon thereafter as possible, in the County Commission Chambers, First Floor, County Administration Center, 201 South Rosalind Avenue, Orlando, Florida. You are invited to attend and be heard regarding a request by:

Applicant: James H. McNeil, Jr., Akerman, LLP, on behalf of Magnolia Estates, LLC
Consideration: Resolution granting Petition to Vacate # 15-06-016, vacating two 15 ft wide ingress/egress easements, containing 0.44 acres and 0.45 acres, respectively, for a total of approximately 0.89 acres
Location: District 1; The parcel is unaddressed, 588724R57, Orange County, Florida (legal property description on file).

You may obtain a copy of the legal property description by calling the Comptroller Clerk of the Board of County Commissioners, 407-836-7200 or sick stop at 201 South Rosalind Avenue, Fourth Floor, Orlando, Florida.

This petition to vacate is complete and has been reviewed and investigated by appropriate County staff. The County Mayor, acting on behalf of the Board of County Commissioners pursuant to Resolution No. 91-M-02, has considered this petition and finds it acceptable for consideration of a public hearing.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY DEVELOPMENT ENGINEERING DIVISION, FRANCISCO VILLAR, 407-836-7921, Email: francisco.villar@ocfl.net

PARA MÁS INFORMACIÓN REFERENTE A ESTA VISTA PÚBLICA, FAVOR DE COMUNICARSE CON LA DIVISION DE INGENIERIA Y DE DESARROLLOS (DEVELOPMENT ENGINEERING DIVISION) AL NUMERO 407-836-7921.

If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you require special accommodations under the Americans with Disabilities Act of 1990, please call 407-836-5631 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor llame al 407-836-5111.

Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida

ORG3904472 1/21/16

Orlando Business Journal

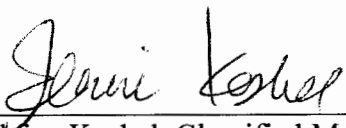
Published Weekly
Orlando, Orange County, Florida

STATE OF FLORIDA
COUNTIES OF ORANGE, SEMINOLE, OSCEOLA, LAKE,
VOLUSIA & BREVARD

Before the undersigned authority personally appeared Elaine Koshel, who states that she is Classified Manager of Orlando Business Journal, a weekly newspaper published at Orlando in Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida; that the attached copy of advertisement, being a Notice of Adoption, in the matter of PTV #15-06-016, was published in said newspaper in the issue of February 19, 2016.

Affiant further says that the said Orlando Business Journal is a newspaper published at Orlando in said Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida, and that the said newspaper has heretofore been continuously published in said Orange, Seminole, Osceola, Lake, Volusia and Brevard Counties, Florida each week and has been entered as second-class mail matter at the post office in Orlando, in said Orange County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19th day of February, 2016 by Elaine Koshel who is personally known to me.


Elaine Koshel, Classified Manager


Marti McKeown, Notary
MARTHA D. MCKEOWN
MY COMMISSION # FF 004507
EXPIRES: August 3, 2017
Bonded thru Budget Notary Services



NOTICE OF ADOPTION
PETITION TO VACATE #15-06-016
WHEREAS, pursuant to procedures adopted by the Board of County Commissioners, a petition was filed with the Board to vacate those certain two 15 ft wide ingress/egress easements, containing 0.44 acres and 0.45 acres, respectively, for a total of approximately 0.89 acres in Orange County, Florida (the legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners).
WHEREAS, notice of a public hearing before the Board of County Commissioners on February 9, 2016, was published in the Orlando Sentinel, a newspaper of general circulation in Orange County, Florida, one time at least two weeks prior to the date for the hearing; and
WHEREAS, the Board finds that the vacating of those certain two 15 ft wide ingress/egress easements, containing 0.44 acres and 0.45 acres, respectively, for a total of approximately 0.89 acres will not operate to the detriment of Orange County or the public.
THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY: The county road, right-of-way, easement, or park described above is vacated as of this date and Orange County renounces any rights in it.
RESOLVED THIS 9TH DAY OF FEBRUARY 2016.
Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida
February 19, 2016