

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
APR 22 2003 AA/GG

# RESOLUTION

*of the*

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

**RELEASING, TERMINATING AND ABANDONING ITS  
INTEREST IN A CERTAIN DRAINAGE EASEMENT**

**Resolution No. 2003-M-09**

WHEREAS, Orange County, a political subdivision of the State of Florida, has authority to vacate or terminate its interest in drainage easements and to renounce and disclaim any right in any land in connection with an existing public or private road or any portion thereof pursuant to the County's home rule power and Section 336.09(1)(a), Florida Statutes (2002); and

WHEREAS, the Orange County Board of County Commissioners (the "Board") owns a drainage easement over a parcel of real property approximately 0.46 acres in size as described in the Official Records of Orange County, OR Book 3707 Page 2524 (the "County Drainage Easement"), which supports an open drainage ditch to serve a portion of Rouse Road, Kamler Road and surrounding properties; and

WHEREAS, Goetz Construction, Inc., owner of the land underlying the County Drainage Easement, is developing the area as the Rouse Run subdivision and on September 9, 2002 the Board accepted the developer's plat which dedicated to the public, among other things, drainage easements which are currently handling all drainage formerly handled by the ditch in the County Drainage Easement; and

WHEREAS, staff from Orange County's Public Works Department have inspected and approved the closed-pipe drainage system installed by the developer to handle all drainage formerly handled by the County Drainage Easement and found it to be a substantial technological and maintenance improvement over the facilities currently in the County Drainage Easement; and

WHEREAS, the developer has requested that the Board release, abandon, vacate or otherwise terminate its interest in the Drainage Easement in order to accommodate development of Rouse Run.

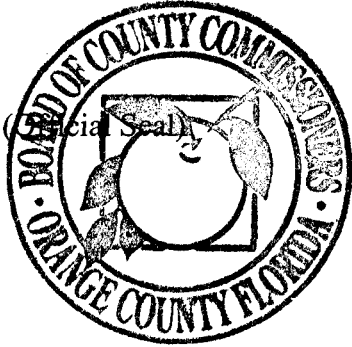
NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

*Section 1.* The County no longer has a need or use for the County Drainage Easement and its value to the County is therefore negligible.

*Section 2.* The facilities and easements dedicated by the developer to the County are a substantial improvement over the facilities currently in the County Drainage Easement.

*Section 3.* The Board hereby releases, terminates and abandons all interest in the County Drainage Easement obtained by the County through that instrument recorded in the Official Records of Orange County, OR Book 3707 Page 2524.

ADOPTED by the Board of County Commissioners of Orange County, Florida, this 22  
day of April, 2003



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: Richard T. Crotty

Richard T. Crotty  
County Chairman

Date: 4.22.03

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

By: Martha O. Haynie  
Deputy Clerk