

86-M-50

OR3839 PG3390

RESOLUTION

WHEREAS, on October 29, 1984, the Board of County Commissioners of Orange County approved a Resolution vacating and annulling the plat of Vetter Isles, which Resolution is attached hereto to as Exhibit "A" and incorporated herein by reference; and

WHEREAS, said action of the Board of County Commissioners in vacating said plat was challenged in Circuit Court for the Ninth Judicial Circuit, CI 84-11740, by the owners of the lots affected by said vacation; and

WHEREAS, the litigation was ultimately resolved when the District Court of Appeals for the Fifth District rendered its opinion on May 22, 1986 in Case No. 85-1748, holding that the Board of County Commissioners acted improperly in vacating the plat of Vetter Isles under the facts set forth in that case.

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

1. The Resolution approved by the Board of County Commissioners on October 29, 1984 vacating and annulling the plat of Vetter Isles is hereby repealed. The plat of Vetter Isles is hereby deemed to be reinstated upon said lands and upon said public records of Orange County as if said plat had never been vacated or annuled by the Board of County Commissioners.

ADOPTED THIS 24<sup>th</sup> DAY OF November, 1986.

Return to: Clerk to BCC - 5th FL - County Admin. Bldg.-Aurora

Florida	Paid	THOMAS H. LOCKER,
Rec Fee	\$ <u>13.00</u>	Orange County
Doc Tax	\$ _____	Comptroller
Int Tax	\$ _____	By <u>tsa</u>
Total	\$ <u>13.00</u>	Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF ORANGE COUNTY, FLORIDA

By: [Signature]  
Chairman

ATTEST: THOMAS H. LOCKER,  
Clerk to the Board of  
County Commissioners

By: [Signature]  
Deputy Clerk

0895c

APPROVED BY THE BOARD OF COUNTY  
COMMISSIONERS AT THEIR MEETING  
NOV 24 1986

OCT 29 1984

RESOLUTION VACATING AND ANNULLING PLAT

WHEREAS, pursuant to the provisions of Chapter 83-480, Laws of Florida, and Sections 163.280(2), 177.101, Florida Statutes, the Board of County Commissioners of Orange County, Florida gave notice of its intention to vacate and annul a portion of the following described recorded plat of a subdivision for the purpose of returning said lands to acreage:

Lots 8 through 37 inclusive, including those rights of way depicted as Port Avenue and Starboard Avenue, Vetter Isles, according to the plat thereof as recorded in Plat Book Y, Page 79, Public Records of Orange County, Florida.

WHEREAS, the plat of said subdivision was recorded in the public records of Orange County, Florida on May 6, 1961 and not more than 10% of the total subdivision area has been sold as lots by the original subdivider or his successor in title; and

WHEREAS, a public hearing was held on October 29, 1984, to consider said proposal to vacate and annul said plat, as published in the Orlando Sentinel, a newspaper of general circulation published in Orlando, Florida, and in the county in which the plat is located, is not less than two weekly issues, as shown by proof of publication attached to this resolution; and

WHEREAS, the tract to be vacated is not within the corporate limits of any incorporated city or town; and

WHEREAS, no owner of any parcel of land in said subdivision will be deprived by the reversion to acreage of any part of the subdivision of reasonable access to such parcel nor of reasonable access therefrom to existing facilities to which such parcel has theretofore had access, and

WHEREAS, the Board of County Commissioners of Orange County finds that the proposed vacation and reversion to acreage of said subdivided land conforms to the Comprehensive Plan of the area and further finds that the public health, safety, economy, comfort, order, convenience, and welfare

