

APPROVED BY THE ORANGE COUNTY
COMMISSION AT THEIR MEETING
NOV 30 1987

3901130 ORANGE CO. FL.
02:53:00PM 12/03/87

OR3940 PG2094

RESOLUTION NO. 87-M-49

A RESOLUTION RELATING TO THE EXTINGUISH-
MENT OF THE NORTH TWENTY FEET (20') OF
DORWOOD DRIVE AND STARR DRIVE DRAINAGE
EASEMENT.

WHEREAS, Orange County, Florida, a political subdivision
of the State of Florida (hereinafter the "County"), is the
grantee of a forty foot (40') drainage easement located at
the intersection of Dorwood Drive and Starr Drive; and

WHEREAS, the fee title to the property on which the
drainage easement lies is owned by Carl C. Hodges and Cindy
Peterson Hodges, his wife, as part of a larger parcel, more
particularly described in Exhibit "A"; and

WHEREAS, the south twenty feet (20') of said drainage
easement is currently being used by Orange County for drain-
age purposes, but the north twenty feet (20') of same is used
by Orange County only for purposes of obtaining access to and
maintaining the drainage facility located in the south twenty
feet (20') of the easement; and

WHEREAS, Orange County does not now or ever intend to
use the north twenty feet (20') of the forty foot (40')
drainage easement for any purposes other than to obtain
access to and maintain the south twenty feet (20') of the
drainage easement; and

WHEREAS, the north twenty feet (20') of the drainage
easement is used as a driveway for and supplies the only
access to the property described in Exhibit "A"; and

WHEREAS, the owners of the property described in Exhibit
"A" desire to ensure that access to their properties by way
of the north twenty feet (20') of the drainage easement will
not be disturbed or obstructed in such a way as to landlock
their properties; and

WHEREAS, the owners of the property described in Exhibit
"A" desire to grant to the County a non-exclusive easement
for access and maintenance purposes over the north twenty
(20') of the present drainage easement, and further desire

Return to: Clerk of the Orange County Commission - 5th Fl, County Admin Bldg. - Aurora

| | |
|------------|-------|
| Pec Fee \$ | 33.00 |
| Add Rec \$ | 4.52 |
| Doc Tax \$ | |
| Int Tax \$ | |
| Total \$ | 37.52 |

THOMAS H. LOCKER,
Orange County
Comptroller
By ASA Deputy Clerk

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1 that, simultaneously with the recording of the instrument
2 creating the access and maintenance easement, the County
3 shall record this Resolution in the public records of Orange
4 County for the purpose of extinguishing the drainage easement
5 as to the same twenty foot (20') strip.

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

8 1. Subject to paragraph 2 below, the County hereby
9 extinguishes, vacates, and abandons the twenty foot (20')
10 drainage easement created by those certain instruments lo-
11 cated in the public records of Orange County at O.R. Book
12 3201, Page 463, and O.R. Book 3215, Page 393, attached hereto
13 as Exhibits "B" and "C". The extinguishment of the legal
14 effect of Exhibits "B" and "C" destroys only the County's
15 interest in the north twenty feet (20') of the County's forty
16 foot (40') drainage easement, and does not vacate, abandon or
17 extinguish the County's interests in the south twenty feet
18 (20') of the forty foot (40') drainage easement, which the
19 County currently uses for drainage purposes.

20 2. Simultaneously with the recording of this Resolu-
21 tion in the official records of Orange County, there shall be
22 recorded in favor of the County a non-exclusive easement for
23 access and maintenance purposes over the same north twenty
24 feet (20') of the drainage easement which is extinguished in
25 paragraph one above, the legal description for which may be
26 found in Exhibits "B" and "C". Said access and maintenance
27 easement shall be granted to Orange County by Carl C. Hodges
28 and Cindy Peterson Hodges, his wife, the fee title holders of
29 the property, shall be binding on Hodges' grantees or suc-
30 cessors and assigns in interest, and shall be in the form of
31 the attached document, which is labeled as Exhibit "D."

32 3. This Resolution shall become effective on the date
33 of its adoption.

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ADOPTED THIS 30th DAY OF November, 1987.

ORANGE COUNTY, FLORIDA

By: Tom German
Chairman
County Commission

DATE: 11-30-87

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

By: Mary Jo Garrison
Deputy Clerk

EXHIBIT "A"

Begin SE corner of NE 1/4 of the NW 1/4, run North 349.72 feet, West 503.15 feet to ELY right of way of SCL RR, Southwesterly along said right of way to South line of the NE 1/4 of the NW 1/4, East to POB. (LESS beginning 28 feet North of the SE corner of the NE 1/4 of the NW 1/4, run North to a point 442.28 feet South of the North boundary of the North 1/2 of the South 1/3 of the North 3/5 of the West 1/4 of the NW 1/4, of the NE 1/4 of Sec., run West 100 feet South to a point 30.8 feet North of the South boundary of the NE 1/4 of the NW 1/4, East to POB) and beginning SW corner of the South 1/5 of the West 1/4 of the NW 1/4 of the NE 1/4 of Section, run East 297.76 feet, North 22 feet, West 297.74 feet, South 28 feet to POB, all being in Section 10, Township 22 South, Range 28 East, Orange County, Florida.

1663053 ORANGE
JUN 15 1 43 PM '81
C.R. 3201 PG 463

DORWOOD DRIVE & STARR DRIVE
DRAINAGE EASEMENT NO. 5

THIS INDENTURE, made the 2nd day of June, 1981 between Thomas E. Olive & Anita R. Olive, his wife,

of the County of Orange and State of Florida, GRANTOR, and the COUNTY OF ORANGE, in the State of Florida, GRANTEE.

WITNESSETH, That the Grantor, in consideration of the sum of \$ 1.00 paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby give and grant to the Grantee and its assigns an easement for drainage purposes, with full authority to enter upon, construct and maintain, as the Grantee and its assigns may deem necessary, a drainage ditch, pipe or facility over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

40 The South 20.00 feet of the South 349.72 feet of the SE 1/4 of NE 1/4 of NW 1/4 of SECTION 10, TOWNSHIP 22 SOUTH, RANGE 28 EAST, lying East of the Seaboard Coast Line Railroad Right of Way.

Containing .306 acres more or less



STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
PR JUN 15 1981
164024
\$00.40

OR 3940 PG 2
(P 2098)

THIS IS A DONATION

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING
JUN 10 1981

TO HAVE AND TO HOLD said easement unto said Grantee and its assigns forever.

THE Grantee herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the drainage ditch, pipe or facility, out of and away from the herein granted easement, and the Grantor, his heirs, successors and assigns, agrees not to build, construct or create, nor permit others to build, construct or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the drainage ditch, pipe or facility.

IN WITNESS WHEREOF, we have hereto set our hand and seal the day and year above written.

Signed, Sealed and Delivered in our Presence:
H. S. Ruth (Seal)
Thomas E. Olive (Seal)
Anita R. Olive (Seal)
Robert C. Smith (Seal)
RECORDED & RECORD VERIFIED (Seal)

STATE OF FLORIDA
COUNTY OF ORANGE

Thomas P. Walker
County Controller, Orange Co., Fla.

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Thomas E. Olive & Anita R. Olive, his wife,

the foregoing instrument and acknowledged before me that they executed the same, to me known to be the person(s) described in and who executed the same.

WITNESS my signature and official seal in the county and state last aforesaid, this 2nd day of June, 1981.
Notary Public Robert C. Smith
My commission expires on the 2nd day of April, A.D. 1982.
69-15 (3/80)

1685279

ORANGE CO., FL

AUG 10 8 35 AM '81

C.I. 3215 PG 393

DOORWOOD DRIVE & STARR DRIVE DRAINAGE EASEMENT

NO 2

400
line

THIS INDENTURE, made the 13th day of July, 1981 between Thomas E. Olive & Anita R. Olive, his wife,

of the County of Orange and State of Florida, GRANTOR, and the COUNTY OF ORANGE, in the State of Florida, GRANTEE.

WITNESSETH, That the Grantor, In consideration of the sum of \$ 1.00 paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby give and grant to the Grantee and its assigns an easement for drainage purposes, with full authority to enter upon, construct and maintain, as the Grantee and its assigns may deem necessary, a drainage ditch, pipe or facility over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

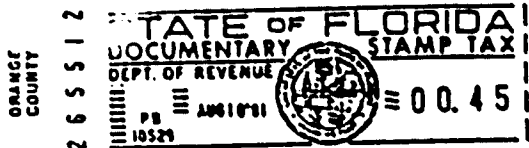
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The South 20.00 feet of the South 1/5 of the NW 1/4 of the NW 1/4 of the NE 1/4 of SECTION 10, TOWNSHIP 22 SOUTH, RANGE 28 EAST, (Less the East 30 feet).

OR 3940 PG 2099

(Pg 2099)

Containing 0.137 acres, more or less.



RETURN TO RIGHT OF WAY

THIS IS A DONATION

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING

JUL 23 1981

TO HAVE AND TO HOLD said easement unto said Grantee and its assigns forever.

THE Grantee herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the drainage ditch, pipe or facility, out of and away from the herein granted easement, and the Grantor, his heirs, successors and assigns, agrees not to build, construct or create, nor permit others to build, construct or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the drainage ditch, pipe or facility.

IN WITNESS WHEREOF, WE have hereto set OUR hand and seal the day and year above written.

Signed, Sealed and Delivered in our Presence:

Blair Hopper

Thomas E. Olive (Seal)

Anita R. Olive (Seal)

Robert C. Smith

RECORDED & RECORD-RETURNED

STATE OF FLORIDA
COUNTY OF ORANGE

County Controller, Orange, Fla.

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take oaths and administer, personally appeared Thomas E. Olive and Anita R. Olive, his wife,

to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my signature and official seal in the county and state last aforesaid, this 13th day of July, 1981.

Notary Public Robert C. Smith

My commission expires on the 9th day of April, A.D. 1982.

10 15 1980

ACCESS AND MAINTENANCE EASEMENT

THIS INDENTURE, made this _____ day of _____, 1987, between Carl C. Hodges and Cindy Peterson Hodges, his wife, of Orange County, Florida, Grantors, and Orange County, a political subdivision of the State of Florida, Grantee.

WITNESSETH, that the Grantors, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by the Grantee, the receipt whereof is hereby acknowledged, does give and grant to the Grantee and its assigns and a non-exclusive right-of-way and easement for access and maintenance purposes, with full authority to enter upon said right-of-way and easement area, as the Grantee and its assigns may deem necessary, for the purpose of maintaining those certain drainage facilities lying adjacent and to the south of the right-of-way and easement area described below. Said right-of-way and easement shall be over and upon the following described lands situate in Orange County, to-wit:

The South 20.00 feet of the South 349.72 feet of the SE 1/4 of NE 1/4 of NW 1/4 of SECTION 10, TOWNSHIP 22 SOUTH, RANGE 28 EAST, lying East of the Seaboard Coast Line Railroad Right of Way, (containing .306 acres more or less), and the South 20.00 feet of the South 1/5 of the W 1/4 of the NW 1/4 of the NE 1/4 of SECTION 10, TOWNSHIP 22 SOUTH, RANGE 28 EAST, (Less the East 30 feet) (containing 0.137 acres, more or less).

TO HAVE AND TO HOLD said right-of-way and easement unto said Grantee and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with the normal operation or maintenance of the adjacent drainage facilities. The Grantee further acknowledges and agrees that it shall not build, construct or create, nor permit others to build, construct or create any building or other structure on the herein granted right-of-way and easement that may interfere with the Grantors' use of the easement area for gaining access to those properties owned by Grantors, which properties are more particularly

described in that certain instrument located in the public records of Orange County at O.R. Book 3661, Page 752.

THE GRANTORS, their successors or assigns, agree not to build, construct or create, nor permit others to build, construct or create, any building or other structure on the herein granted right-of-way and easement that may interfere with the normal operation and maintenance of the adjacent drainage facilities.

Witnesses:

CARL C. HODGES

CINDY PETERSON HODGES

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 1987 by CARL C. HODGES and CINDY PETERSON HODGES, his wife.

Notary Public
My Commission Expires:

ORANGE COUNTY, FLORIDA

By: _____
Chairman,
County Commission

DATE: _____

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

By: _____
Deputy Clerk

OR3940 PG210.1

FOR THE USE AND RELIANCE
OF ORANGE COUNTY ONLY
APPROVED AS TO FORM AND LEGALITY
_____ 19 _____

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

Susan J. Tedder
Assistant County Attorney

1197j SJT 11/11/87