



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 1/9/07

SUBJECT: 06-350000007/PROPOSED EASEMENT VACATION – WINTER WOODS SUBDIVISION, LOT 47 (1139 KANE DRIVE; TAX PARCEL NO. 6308-06-00-0470)

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION

To approve Resolution #07-1, vacating the northerly 5.00 feet of the southerly rear yard 10.00-foot wide Drainage and Utility Easement located on Lot 47 of the Winter Woods Subdivision, per the attached legal description.

SUMMARY

The Community Development Department has received a request to vacate a portion of the southerly rear yard 10.00-foot wide Drainage and Utility Easement located on Lot 47 of the Winter Woods Subdivision. The property owners have made this request in connection with a desire to eliminate potential title concerns involving an existing pool, deck, and screen enclosure constructed in to the easement in the past. The structures meet their required setback distances. Total allowable lot coverage has not been exceeded and enough easement area will remain for necessary drainage.

The easement vacation application and legal description have been reviewed for completeness and accuracy. City departments have reviewed this request and have no outstanding concerns. There are no currently planned drainage or utility improvements proposed for this area in the future. The easement may be vacated, as described in the attached Exhibit "A", to the extent that it is not being used.

ATTACHMENTS: Ordinance Resolution Budget Resolution
 Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD	<i>[Signature]</i>	Submitted	Date <i>1/2/07</i>
FINANCE DEPARTMENT	N/A	Approved as to Budget Requirements	Date
CITY ATTORNEY	<i>[Signature]</i>	Approved as to Form and Legality	Date <i>12-29-06</i>
CITY MANAGER	<i>[Signature]</i>	Approved Agenda Item For:	<i>1/9/07</i>

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Continued to Date Certain Approved with Modification

RESOLUTION NO. 07-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, VACATING A PORTION OF PLATTED DRAINAGE AND UTILITY EASEMENT FOR LOT 47, WINTER WOODS SUBDIVISION; AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A QUIT CLAIM DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Avril A. Ward and DeeDee S. Ward, Husband and Wife, are the record owners of Lot 47, Winter Woods Subdivision, according to the plat thereof recorded in Map Book 35, Page 128, Public Records of Volusia County, Florida, and have applied for the vacation of a portion of a drainage and utility easement in order to eliminate potential title concerns involving pre-existing swimming pool, deck, and screen enclosure; and

WHEREAS, the applicants have complied with the requirements of Section 177.101(4), Florida Statutes; and

WHEREAS, the City Council of the City of Port Orange has the power and authority to vacate easements under constitutional home rule powers, Chapter 166 and Chapter 177, Florida Statutes; and

WHEREAS, the City Council of the City of Port Orange has determined that the portion of the easement to be vacated is not presently in use and that adjoining and neighboring owners of property will not be adversely affected by the vacation of a portion of the easement and it is in the best interest and welfare of the City of Port Orange and the citizens thereof to vacate and abandon the portion of the drainage and utility easement as more particularly described hereinbelow.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The interest of the City of Port Orange, Volusia County, Florida, in the following described easement is hereby declared to be vacated and abandoned and any

right, title and interest of the City of Port Orange and any public rights in and to the easements hereby vacated are renounced and disclaimed. The portion of the platted easement to be vacated is more particularly described as follows:

See Exhibit "A", attached hereto and made a part hereof.

Section 2. The Mayor and City Manager are hereby authorized and directed to execute a Quit Claim Deed to the aforescribed property to effectuate the intent of this resolution.

Section 3. By accepting the above-described Quit Claim Deed, the applicants, for themselves, their successors and assigns, agree that the City shall have the continued right to perform maintenance within the drainage easement of record; and further, the applicants accept full and sole responsibility for any damage that the maintenance or that the storm water drainage may cause to any private improvements placed or constructed adjacent to the said drainage easement.

Section 4. This resolution shall become effective immediately upon adoption.


MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Adopted on the day of

Reviewed and Approved:



City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION OF THE AREA TO BE VACATED

The northerly 5.00 feet of the southerly 10.00 feet wide Drainage and Utility Easement, except the easterly 19.00 feet and westerly 25.00 feet thereof, located on Lot 47 of the Winter Woods subdivision plat, as recorded in Map Book 35, Pages 128 and 129, of the Public Records of Volusia County, Florida (1139 Kane Drive; Tax Parcel No. 6308-06-00-0470).

PREPARED BY: CITY ATTORNEY
CITY OF PORT ORANGE
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA 32129

Parcel No. 6308-06-00-0470

This document has been prepared by the City of Port Orange without the benefit of title examination or survey; and shall not constitute a waiver of compliance with local and general laws regulating the subject property.

QUIT CLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2007, between City of Port Orange, Florida, a Florida municipality, of the County of Volusia and State of Florida, Grantor, and Arvil A. Ward and DeeDee S. Ward, Husband and Wife, whose mailing address is 1139 Kane Drive, Port Orange, Florida 32129, Grantee.

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has remised, released and quit claimed, and by these presents does remise, release and quit claim unto the said Grantee, and Grantee's heirs and assigns forever, all the right, title, interest, claim and demand which the said Grantor has in and to the following described land, situate, lying and being in Volusia County, Florida, to-wit:

See Exhibit "A", attached hereto and made a part hereof.

By accepting the above-described Quit Claim Deed, the Grantee, for themselves, their successors and assigns, agree that the City shall have the continued right to perform maintenance within the drainage easement of record; and further, the Grantees accept full and sole responsibility for any damage that the maintenance or that the storm water drainage may cause to any private improvements placed or constructed adjacent to the said drainage easement.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee, her heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:

CITY OF PORT ORANGE,
a Florida municipality

By: _____
Mayor Allen Green

Witnesses

ATTEST: _____
Kenneth W. Parker,
City Manager

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this ____ day of _____, 2007, by Allen Green and Kenneth W. Parker, as Mayor and City Manager, respectively, of the City of Port Orange, a Florida municipality, on behalf of said city. They are personally known to me.

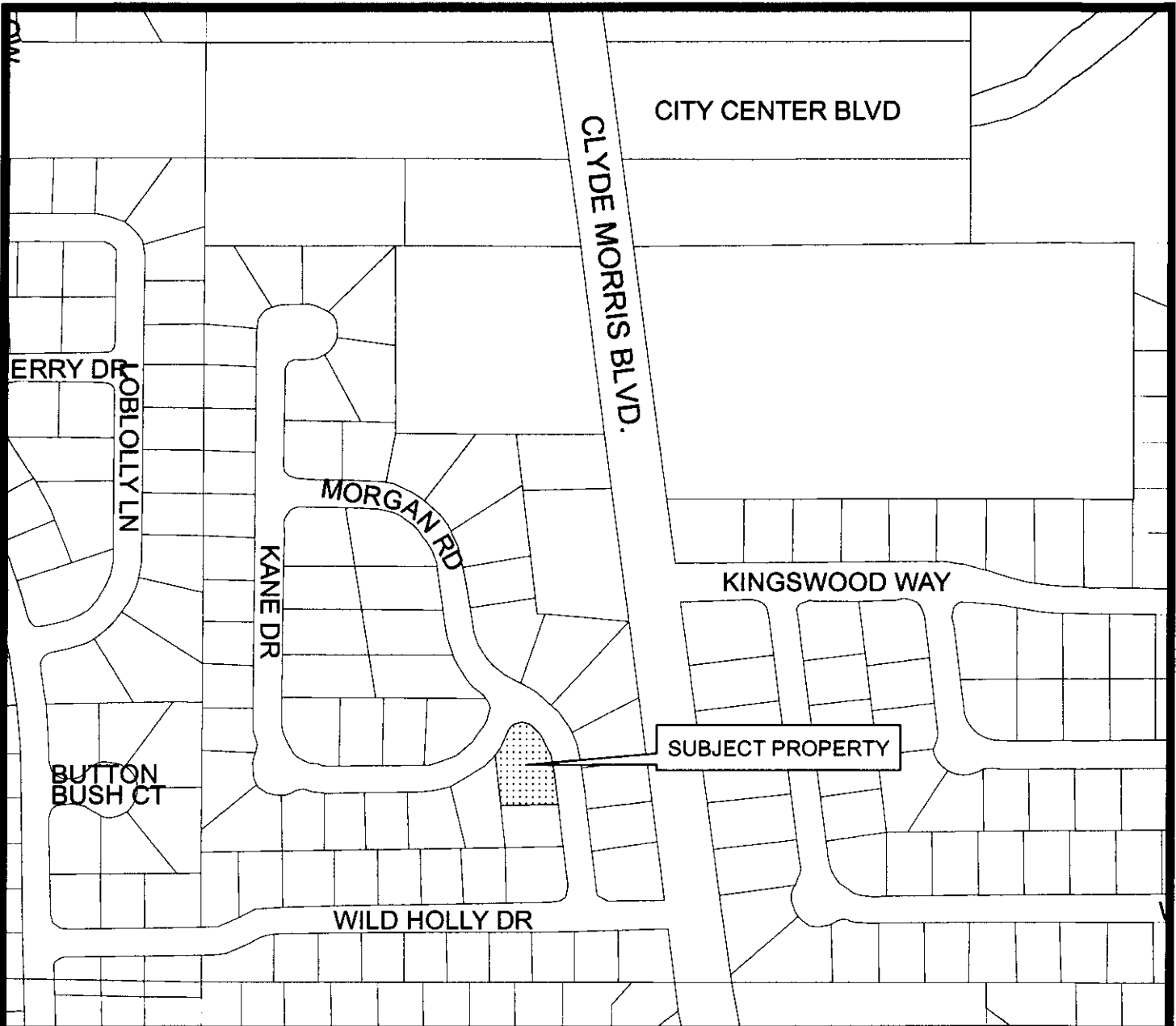
Notary Public, State of
Florida at Large

Commission No. _____

EXHIBIT "A"

LEGAL DESCRIPTION OF THE AREA TO BE VACATED

The northerly 5.00 feet of the southerly 10.00 feet wide Drainage and Utility Easement, except the easterly 19.00 feet and westerly 25.00 feet thereof, located on Lot 47 of the Winter Woods subdivision plat, as recorded in Map Book 35, Pages 128 and 129, of the Public Records of Volusia County, Florida (1139 Kane Drive; Tax Parcel No. 6308-06-00-0470).



Case No.: 06-35000007

Applicant: Arvil A. Ward and Dee Dee S. Ward, Property Owners

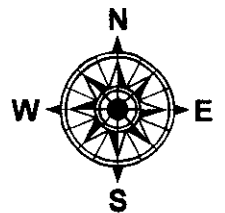
Location: Lot 47, Winter Woods Subdivision (1139 Kane Drive)

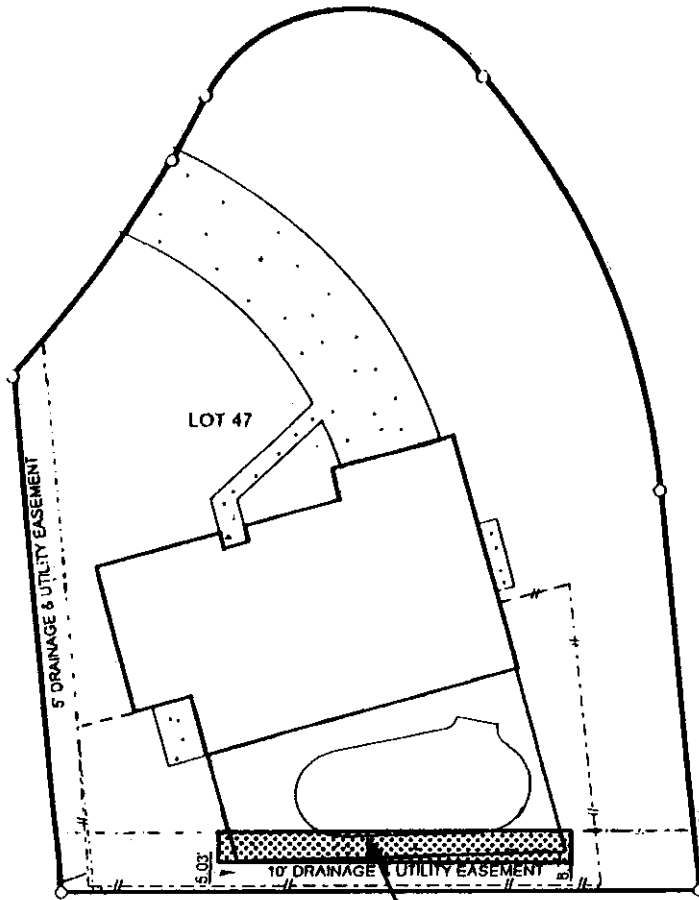
Requested Action: To vacate a portion of the southerly rear yard 10.00' wide Drainage and Utility Easement located on Lot 47 of the Winter Woods Subdivision



Location Map
CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





PROPOSED EASEMENT VACATION

Case No.: 06-350000007

Applicant: Arvil A. Ward and Dee Dee S. Ward, Property Owners

Location: Lot 47, Winter Woods Subdivision (1139 Kane Drive)

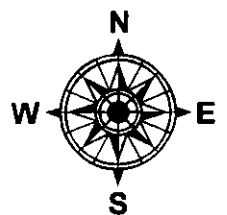
Requested Action: To vacate a portion of the southerly rear yard 10.00' wide Drainage and Utility Easement located on Lot 47 of the Winter Woods Subdivision



Location Map

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT



This instrument was prepared by:
Sharon B. Logan, P.A., Attorney
180 Vining Court
P. O. Box 4258
Ormond Beach, FL 32175-4258

WARRANTY DEED

This Indenture, made this 18th day of April, 2006 between Mark A. LaPan, a single man, whose post office address is 1139 Kane Drive, Port Orange, Florida 32129, grantor*, and Arvil A. Ward and DeeDee S. Ward, Husband and Wife, whose post office address is 1139 Kane Drive, Port Orange, Florida 32129, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of Ten & 00/100 (\$10.00) Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Volusia County, Florida, to-wit:

Lot 47, Winter Woods, according to the map or plat thereof as recorded in Plat Book 35, Page(s) 128, of the Public Records of Volusia County, Florida.

Subject to covenants, restrictions and easements of record, if any, and taxes for the current year.

Parcel Identification No.: 6308-06-00-0470.

By this Deed, I fully release any interest I might have under the Marital Settlement Agreement dated March 10, 2006, Case No.: 05-31728-FMCI-36, Circuit Court, Seventh Judicial Circuit, Volusia County, Florida.

And said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed, and delivered in our presence:

Cherie V. Sherman
Witness # 1 CHERIE V. SHERMAN

Mark A. LaPan
Mark A. LaPan

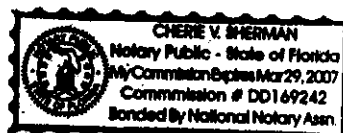
Nancy Fowler
Witness # 2
Nancy Fowler

State of Florida

County of Volusia

The foregoing instrument was acknowledged before me this 18th day of April, 2006, by Mark A. LaPan, who, (check appropriate box) is/are personally known to me or has/have produced FLORIDA as identification.
DRIVERS LICENSE

Cherie V. Sherman
Notary Public
My commission expires:



39822
(800) 5
Boulevard

04/21/2006 03:47 PM
Doc stamps 874.10
(Transfer Amt \$ 96250)
Instrument# 2006-101548 # 1
Book: 5814
Page: 236
Diane M. Matousek
Volusia County, Clerk of Court

This instrument was prepared by:
Sharon B. Logan, P.A., Attorney
180 Vining Court
P. O. Box 4258
Ormond Beach, FL 32175-4258

WARRANTY DEED

This Indenture, made this 12th day of April, 2006 between Angela K. LaPan, a single woman, whose post office address is 129 Riverview Circle, Saline, Michigan 48176, grantor*, and Arvil A. Ward and DeeDee S. Ward, Husband and Wife, whose post office address is 1139 Kane Drive, Port Orange, Florida 32129, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of Ten & 00/100 (\$10.00) Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Volusia County, Florida, to-wit:

Lot 47, Winter Woods, according to the map or plat thereof as recorded in Plat Book 35, Page(s) 128, of the Public Records of Volusia County, Florida.

Subject to covenants, restrictions and easements of record, if any, and taxes for the current year.

Parcel Identification No.: 6308-06-00-0470.

By this Deed, I fully release any interest I might have under the Marital Settlement Agreement dated March 10, 2006, Case No.: 05-31728-FMCI-36, Circuit Court, Seventh Judicial Circuit, Volusia County, Florida.

And said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed, and delivered in our presence:

[Signature]
Witness # 1 Kyle M. Miller

Angela K. LaPan
Angela K. LaPan

Denise J. Rains
Witness # 2 Denise J. Rains

State of Michigan
County of WASHINGTON

The foregoing instrument was acknowledged before me this 12 day of April, 2006, by Angela K. LaPan, who, (check appropriate box) is/are personally known to me or has/have produced Driver License as identification.



[Signature]
Notary Public
My commission expires:

KYLE M. MILLER
Notary Public Washington County Michigan
My Commission Expires July 24, 2006



November 13, 2006

TO:
CITY OF PORT ORANGE
COMMUNITY DEVELOPMENT DEPT.
1000 CITY CENTER CIR.
PORT ORANGE , FL 32129

Re: Easement Vacation
Lot: 47
Address: 1139 Kane Dr
Subd: Winter Woods Subdivision
Map book 35 page 128 & 129, public records of Volusia County, Florida
Tax Parcel: 6308-06-00-0470

Please be advised that FPL does not object to the 5.00 foot partial vacation of the platted 10' utility easement described as follows. The northerly 5.00 feet of the southerly 10.00 feet wide Drainage and Utility Easement , except the easterly 19.00 feet and westerly 25.00 feet thereof, located on lot 47 of Winter Woods – Subdivision plat, as recorded in Map Book 35, Page 128 and 129, of the Public Records of Volusia County, Florida (1139 Kane Dr : Tax parcel 6308-06-00-0470).

If you have any questions regarding this matter, please contact Wayne A Wagner, FPL's local representative at 322-3464.

Thank you,

Bill Water

Construction Supervisor

STATE OF FLORIDA AND COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 13th day of November, 2006 by Bill Water who is personally known to me and did not take an oath.

My Commission number and expiration date:

Dawn M. Bauder
Notary Public, Signature

DAWN M. BAUDER MY COMMISSION # DD 463724 EXPIRES: October 15, 2009 Qualified Notary Public Underwriters
--

BellSouth Telecommunications, Inc.
900 North Nova Road
Daytona Beach, FL 32117

November 10, 2006

City of Port Orange
Community Development Dept.
Attn: Chip Glor
1000 City Center Circle
Port Orange, Florida 32129

**RE: PARTIAL RELEASE OF EASEMENT LOT 47, 1139 KANE DRIVE , PORT
ORANGE, FLORIDA, WINTER WOODS SUBDIVISION,
PARCEL # 6308 06 00 0470**

Dear Sir,

In regard to the request for the release of the drainage and utility easement please accept this letter as our notification of agreement to relinquish all rights we may have to this easement as described as:

The Northerly 5.0 feet of the southerly 10.00 wide Drainage and Utility Easement, except the easterly 19.00 feet and westerly 25.00 feet thereof, located on Lot 47 of the Winter Woods Subdivision, as recorded in Map Book 35, Pages 128 and 129, of the Public Records of Volusia County, Florida.

If you have any questions please contact Rebecca S. Cochrane @ 386 252 0662.

Sincerely,



Peter W. Hassett
BellSouth Telecommunications Inc.

Cc: Arvil Ward



PEOPLES GAS

Release of Easement

PEOPLES GAS SYSTEM, INC. having its principle place of business at 1722 Ridgewood Avenue, Holly Hill, Volusia County, Florida, for and in consideration of certain benefits accruing to it, does hereby release and cancel all of its right, title, interest, claim, easement and demand, if any, it may have in, over, above, under, and across the public utility easement shown in the Winter Woods Subdivision plat being more particularly described as follows:

The northerly 5.00 feet of the southerly 10.00 feet wide drainage and utility easement, except the easterly 19.00 feet and westerly 25.00 feet thereof, located on lot 47 of the Winter Woods Subdivision plat, as recorded in Map Book 35, pages 128 and 129, of the Public Records of Volusia County, Florida.

Physical Address - 1139 Kane Drive
Port Orange, FL
Tax Parcel # 6308-06-00-0470

This release applies only to that public utility easement hereinabove specifically described and in no way affects other lands covered by said public utility right-of-way.

WITNESS: Brooke Stone

By: George C. Smith

George C. Smith
Construction Coordinator

DATE: 11/09/06

STATE OF FLORIDA, COUNTY OF VOLUSIA

I hereby certify that on this day, before me, personally appeared George C. Smith, and known to me to be the person described in and who executed the foregoing instrument of the corporation names therein, and acknowledged before me that they executed the same in the name and on behalf of said corporation.

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID
THIS 09th day of November, 2006



Joni M. Murray
Commission #DD323920
Expires: May 26, 2008
Bonded Thru

My Commission Expires:

MAY 26, 08

Joni M. Murray

Atlantic Bonding Co., Inc.
Notary Public, State of
Florida at Large

211 St. Joe Plaza Drive
Palm Coast, FL 32164



November 1, 2006

Chip Glor
City of Port Orange
Community Development Dept.
1000 City Center Circle
Port Orange, FL 32129

**RE: Proposed Easement Vacate: Winter Woods, Lot 47
1139 Kane Dr., Port Orange, FL 32129**

Gentlemen:

This letter is in response to a request to Bright House Networks to vacate the above referenced easement as described in Legal Description within attached Exhibit "A".

We have reviewed the request and find that we do not presently maintain cable plant in this easement and have no plans to utilize it in the future. **Bright House Networks has no objection to the vacation of this easement.**

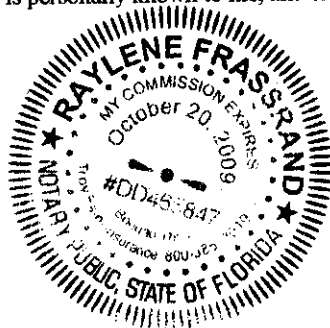
If you have any questions regarding this, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Larry Henderson".

Larry Henderson
Construction Manager
386-446-1420

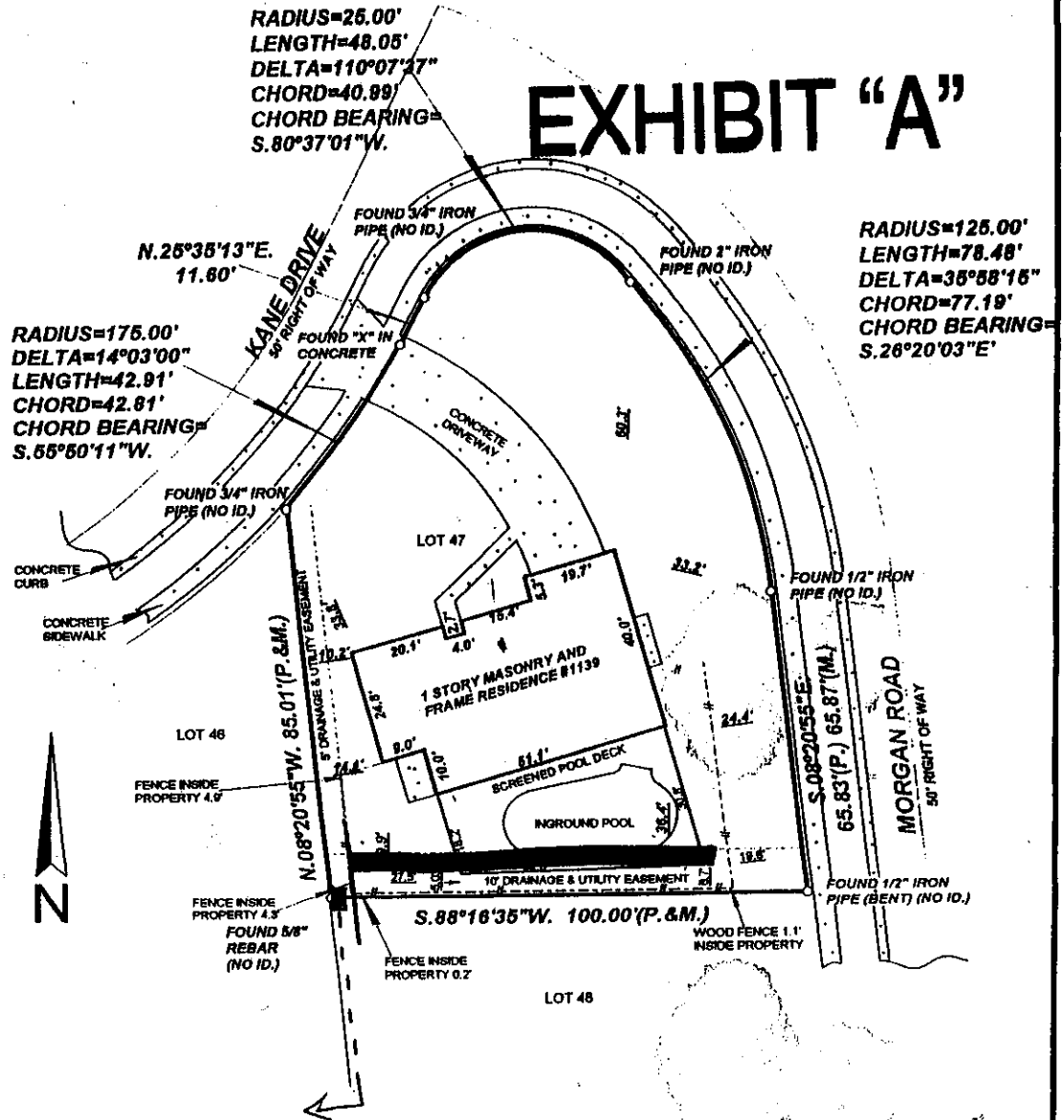
Larry Henderson acknowledged the foregoing instrument before me this 1st day, November 2006.
He is personally known to me, and did not take an oath.



Signature A handwritten signature in cursive script that reads "Raylene Frassrand".
Raylene Frassrand

LEGAL DESCRIPTION: LOT 47, WINTER WOODS ACCORDING TO THE MAP RECORDED IN MAP BOOK 35, PAGES 128 AND 129, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

EXHIBIT "A"



GENERAL NOTES:

1. THIS IS AN ASBUILT SURVEY PERFORMED IN THE FIELD ON 20 MAY 01
2. UNDERGROUND FEATURES AND/OR UTILITIES HAVE NOT BEEN LOCATED (UNLESS OTHERWISE NOTED)
3. DESCRIPTION SHOWN ABOVE HAS BEEN FURNISHED BY CLIENT, OR REPRESENTATIVES OF CLIENT, NO SEARCH OF PUBLIC RECORDS HAS BEEN DONE BY THIS OFFICE.
4. SUBJECT TO ANY EASEMENTS, RESTRICTIONS, RESERVATIONS, RIGHT OF WAYS, EITHER RECORDED, PRIVATE, AND/OR VERBAL.
5. THIS PROPERTY LIES IN ZONE(S) X PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 120313 0005 C DATED 04/90
6. BEARINGS ARE ASSUMED AND BASED ON THE SOUTH LINE OF LOT 47 AS BEING S.88°16'35"W.

LEGEND

R/W	RIGHT OF WAY	CONC	CONCRETE
R&C	REBAR AND CAP	A.C.	AIR CONDITIONER
I.P.	IRON PIPE	L	ARC LENGTH
C.M.	CONCRETE MONUMENT	Δ	DELTA
L.S.	LAND SURVEYOR	CH	CHORD LENGTH
L.B.	LICENSED BUSINESS	R	RADIUS
P.C.	POINT OF CURVATURE	RAD.	RADIAL
P.T.	POINT OF TANGENCY	N.R.	NOT RADIAL
P.R.C.	PERMANENT CONTROL POINT	U/P	UTILITY POLE
P.R.M.	PERMANENT REFERENCE MONUMENT	O/U	OVERHEAD UTILITIES
E/P	EDGE OF PAVEMENT	P.	PLAT
C/L	CENTER LINE	M.	MEASURED
E/W	EDGE OF WATER	D.	DESCRIPTION
		RES.	RESIDENCE
		C.B.	CONCRETE BLOCK

PREPARED FOR:
MARK LAPAN

SCALE: 1"=30' FINAL: _____

CERTIFIED TO: MARK LAPAN
 GMAC MORTGAGE CORPORATION
 COLUMBIA TITLE RESEARCH CORPORATION
 AMERICAN PIONEER TITLE INSURANCE COMPANY

DATE: 20 MAY 2001 REVISED: _____

FOUNDATION: _____ FILE NUMBER: 409-01

I CERTIFY THAT I AM A LICENSED SURVEYOR AND THIS SURVEY INCLUDING ALL MEASUREMENTS AND CALCULATIONS HAS BEEN MADE IN ACCORDANCE WITH THE STANDARDS AND ETHICS OF THE PROFESSION AS SET FORTH IN THE CONSTITUTION AND STATUTES OF THE STATE OF FLORIDA AND THE PROFESSIONAL CODE OF CONDUCT FOR SURVEYORS OF THE STATE OF FLORIDA.

Ralph Dimarsico
 RALPH DIMARSICO, REGISTERED LAND SURVEYOR AND MAPPING ENGINEER
 10725N PARK RD. ESTERLINE FL 32116
 THIS IS MY OFFICIAL SIGNATURE AND SEAL.

RALPH DIMARSICO
 PROFESSIONAL LAND SURVEYOR AND MAPPER
 PHONE: (904) 426-1329, FAX (904) 426-1324
 P.O. BOX 702941
 NEW SMYRNA BEACH, FLORIDA, 32170

FINANCIAL AND ADMINISTRATIVE SERVICES
Revenue • Ad Valorem Tax
123 W. Indiana Avenue • Room 103 • DeLand, Florida 32720
(386) 736-5938 • FAX (386) 822-5729
www.volusia.org

CERTIFICATION

DATE: October 27, 2006

PARCEL: 6308-06-00-0470

LEGAL: LOT 47 WINTER WOODS MB 35 PGS 128-129 INC PER OR 4696 PG 3295
PER OR 5804 PGS 3099-3107 INC PER OR 5814 PG 0236 PER OR 5814 PG 0237

PROPERTY OWNER: Arvil A and Dee Dee S Ward

PROPERTY ADDRESS: 1139 Kane Dr Port Orange

I hereby certify that there are no delinquent or unpaid real estate taxes against or due on the lands described above as required by Section 197.192 of the Florida Statutes.

By: *Melanie Gentry*

Revenue Specialist

RECEIVED

OCT 30 2006

**Community
Development Dept.**



CITY OF PORT ORANGE

Department of Community Development
Engineering Division

CASE NO. <u>06-35000007</u>
DATE APPLICATION RECEIVED <u>11/16/06</u>

1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129 (386) 506-5600 FAX: (386) 506-5699

EASEMENT VACATION APPLICATION

Property Owner: ARVIL A. WARD AND DEE DEE S. WARD

Address: 1139 KANE DR PORT ORANGE, FL 32129

Phone: 760-5644

Applicant's Name (if other than owner): SAME

Address: _____ Phone: _____

Property Address/Location: 1139 KANE DR PORT ORANGE, FL 32129

Subdivision Name: WINTER WOODS

Lot Number(s): 47 Parcel No.: 6308-06-00-0470

Legal Description of proposed easement vacation: SEE ATTACHED

Purpose for proposed easement vacation: VACATE EASEMENT FOR POOL, DECK, SCREEN
ENCLOSURE ENCROACHMENT

REQUIRED ATTACHMENTS

1. Sealed property survey showing all structures, easements, area of proposed easement vacation;
2. Legal description of proposed easement vacation;
3. Copy of recorded deed for the property;
4. Application/recording fee of \$250 (payable to the City of Port Orange);
5. Completed application form (signatures required on reverse side of application form)

RECEIVED

NOV 16 2006

Applicant's Signature: _____ Date: _____

I HEREBY GRANT AUTHORIZATION FOR THE ABOVE LISTED APPLICANT TO ACT IN MY BEHALF:

Owner's Signature: *[Signature]* Date: *11/16/06*
Dee Dee S. Ward *11/16/06*

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this *16 day of November 2006* by *Arvid + DeeDee Ward*, who is personally known to me or who has produced *FL DL* as identification and who did (did not) take an oath.

[Signature] Notary Public, Commission No. *00305395*
Leslie Campbell
(Name of Notary typed, printed or stamped)

