



# CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 5/18/10

**SUBJECT:** 10-350000003/PROPOSED EASEMENT VACATION – LOT 133, CROSS CREEK PHASE II SUBDIVISION (4613 SECRET RIVER TRAIL; TAX PARCEL NO. 6307-15-00-1330)

**DEPARTMENT:** COMMUNITY DEVELOPMENT

### RECOMMENDED MOTION

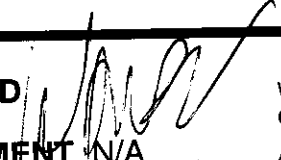


To approve Resolution # 10-34, vacating the southerly 4.00 feet of the northerly 10.00-foot wide rear yard Drainage, Utility, and Grading Easement located on Lot 133 of the Cross Creek Phase II Subdivision, per the attached legal description.

### SUMMARY

The Community Development Department has received a request to vacate a portion of the northerly 10.00-foot wide rear yard Drainage, Utility, and Grading Easement located on Lot 133 of the Cross Creek Phase II Subdivision. The property owners have made this request in connection with a desire to clear the property title for a pool deck and screen pool enclosure previously constructed in to the easement area. They have also proposed lengthening the deck and enclosure at its current width limit extending in to the easement area.

The easement vacation application and legal description have been reviewed for completeness and accuracy. The area was inspected with respect to City Codes and possible effects to adjacent properties resulting in no outstanding concerns. A contractor has submitted a building permit application for the proposal as described. The entire concrete deck and screen pool enclosure will not exceed required minimum setback distances or the total allowable lot coverage limit. Release letters have been obtained from all franchise utility companies and 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

<b>DEPARTMENT HEAD</b>		Wayne Clark Community Development Director	Date <u>5/27/10</u>
<b>FINANCE DEPARTMENT</b>	N/A	Approved as to Budget Requirements	Date
<b>CITY ATTORNEY</b>		Approved as to Form and Legality	Date <u>5.10.10</u>
<b>CITY MANAGER</b>		Approved Agenda Item For:	<u>5/18/10</u>

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

RESOLUTION NO. 10-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, VACATING A PORTION OF THE NORTHERLY REAR YARD 10.00-FOOT WIDE DRAINAGE, UTILITY, AND GRADING EASEMENT LOCATED ON LOT 133 OF THE CROSS CREEK PHASE II SUBDIVISION; AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A QUIT CLAIM DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Brian and Melinda Driscoll, are the record owners of Lot 133 of the Cross Creek Phase II Subdivision, according to the plat thereof, recorded in Map Book 5666, Page 81, Public Records of Volusia County, Florida, the "Property", and have applied to vacate a portion of the northerly rear yard 10.00-foot wide drainage, utility, and grading easement; and

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

WHEREAS, the City Council of the City of Port Orange has determined that the easement to be vacated is not presently necessary and that vacation of the easement is consistent with the objectives of the City's tree protection requirements and it is in the best interest and welfare of the City of Port Orange and the citizens thereof to vacate and abandon the 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 easement description attached hereto as Exhibit A, 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 attached easement hereby vacated are renounced and disclaimed. All other easements located within the Property of the Cross Creek Subdivision, shall remain in full force and effect.

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, (the "Property Owners") agree that the City shall have the continued right to perform maintenance within the drainage easement of record; and further, the Property Owners 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 within the vacated area.

Section 4. This resolution shall become effective immediately upon recording in the public records of Volusia County, Florida.

\_\_\_\_\_  
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 southerly 4.00 feet of the northerly rear yard 10.00-foot wide Drainage, Utility, and Grading Easement, except the easterly 7.50 feet and westerly 7.50 feet thereof, located on Lot 133 of the Cross Creek Phase II subdivision plat as recorded in Map Book 43, Page 56, of the Public Records of Volusia County, Florida (4613 Secret River Trail; Tax Parcel No. 6307-15-00-1330).

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

RETURN RECORDED INSTRUMENT TO:  
ATTN: Deputy City Clerk  
City of Port Orange  
1000 City Center Circle  
Port Orange, FL 32129

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.

Parcel No. 6307 15 00 1330

### QUIT CLAIM DEED

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 2010, between the CITY OF PORT ORANGE, a Florida municipality, of the County of Volusia and State of Florida, Grantor, and **BRIAN AND MELINDA DRISCOLL**, husband and wife, whose permanent address is: 4613 Secret River Trail, Port Orange, FL 32129 Grantees.

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 Grantees, 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 Grantees, 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.

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 Grantees, his heirs and assigns forever.

By accepting the above-described Quit Claim Deed, the Grantees, 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 within the property described in Exhibit "A".

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

\_\_\_\_\_  
Printed Witness Name: \_\_\_\_\_

By: \_\_\_\_\_  
Mayor Allen Green

\_\_\_\_\_  
Printed Witness Name: \_\_\_\_\_

Attest: \_\_\_\_\_  
Kenneth W. Parker, City Manager

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2010, 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 southerly 4.00 feet of the northerly rear yard 10.00-foot wide Drainage, Utility, and Grading Easement, except the easterly 7.50 feet and westerly 7.50 feet thereof, located on Lot 133 of the Cross Creek Phase II subdivision plat as recorded in Map Book 43, Page 56, of the Public Records of Volusia County, Florida (4613 Secret River Trail; Tax Parcel No. 6307-15-00-1330).

Return to:  
Name:  
Address:  
This Instrument Prepared:  
Andrea Swanto Boswell, C.L.C.  
SOUTHERN TITLE HOLDING COMPANY, LLC  
404 SEABREEZE BLVD.  
DAYTONA BEACH, Florida 32118

as a necessary incident to the fulfillment of conditions  
contained in a title insurance commitment issued by it.  
Property Appraisers Parcel I.D. (Folio) Number(s):  
6307-15-00-1330  
Grantee(s) S.S.#(s):  
File No:SB059579

**WARRANTY DEED**

This Warranty Deed Made the 27th day of September, 2005, by WAYNE SAMUEL BARSTOW JR. and REBECCA J. BARSTOW, HUSBAND AND WIFE, hereinafter called the grantor, whose post office address is: P.O. BOX 773, EAST PALATKA, Florida 32131

to BRIAN DRISCOLL and MELINDA DRISCOLL, HUSBAND AND WIFE, whose post office address is: 4613 SECRET RIVER TRAIL, PORT ORANGE, Florida 32129, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$10.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Volusia County, Florida, viz:

LOT 133, CROSS CREEK PHASE II, ACCORDING TO PLAT RECORDED IN MAP BOOK 43, PAGE 56, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. To Have and to Hold, the same in fee simple forever. And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2004, reservations, restrictions and easements of record, if any. (The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.) 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:  
Witness Signature: [Signature] [Signature]  
Printed Name: ANDREW DEGENER WAYNE SAMUEL BARSTOW JR.  
Witness Signature: [Signature] [Signature]  
Printed Name: ANDREA M. BOSWELL REBECCA J. BARSTOW  
Witness Signature: [Signature] \_\_\_\_\_  
Printed Name: LOUI MCCLARK  
Witness Signature: [Signature] \_\_\_\_\_  
Printed Name: DIANE LONG  
STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 27th day of September, 2005, by WAYNE SAMUEL BARSTOW JR., who is/are personally known to me or who has/have produced driver license(s) as identification.

My Commission Expires:  
  
[Signature]  
ANDREA M. BOSWELL  
Notary Public

STATE OF FLORIDA  
COUNTY OF VOLUSIA

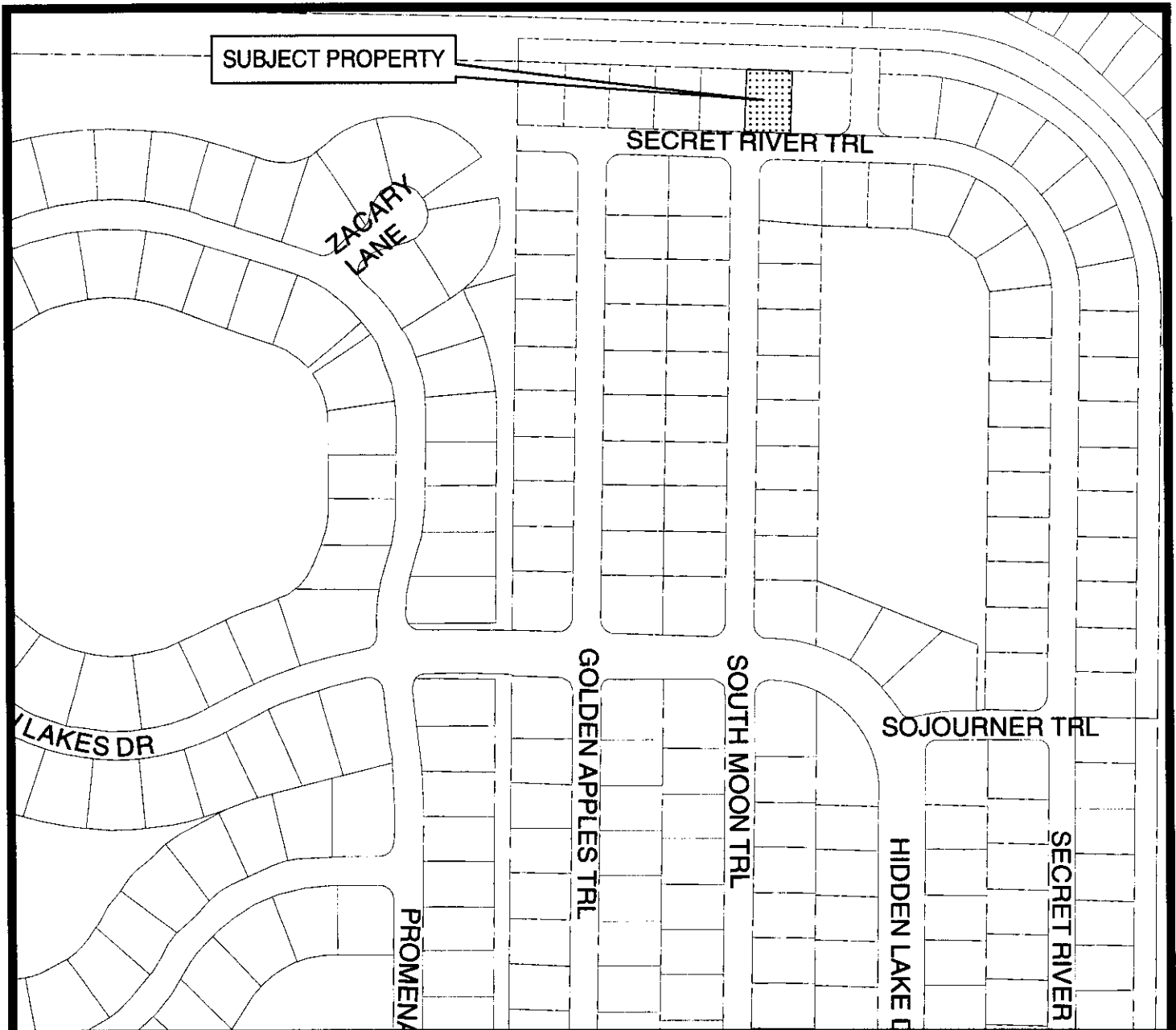
The foregoing instrument was acknowledged before me this 28th day of September, 2005, by REBECCA J. BARSTOW, who produced a driver's license as identification.

[Signature]  
ANDREA M. BOSWELL  
Notary Public

  
ANDREA M. BOSWELL  
Commission # DD390093  
Expires April 19 2009

SOUTHERN TITLE





**Case No.:** 10-350000003

**Applicant:** Brian and Melinda Driscoll,  
Property Owners

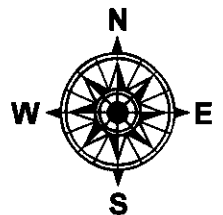
**Location:** Lot 133, Cross Creek Phase II  
Subdivision (4613 Secret River  
Trail)

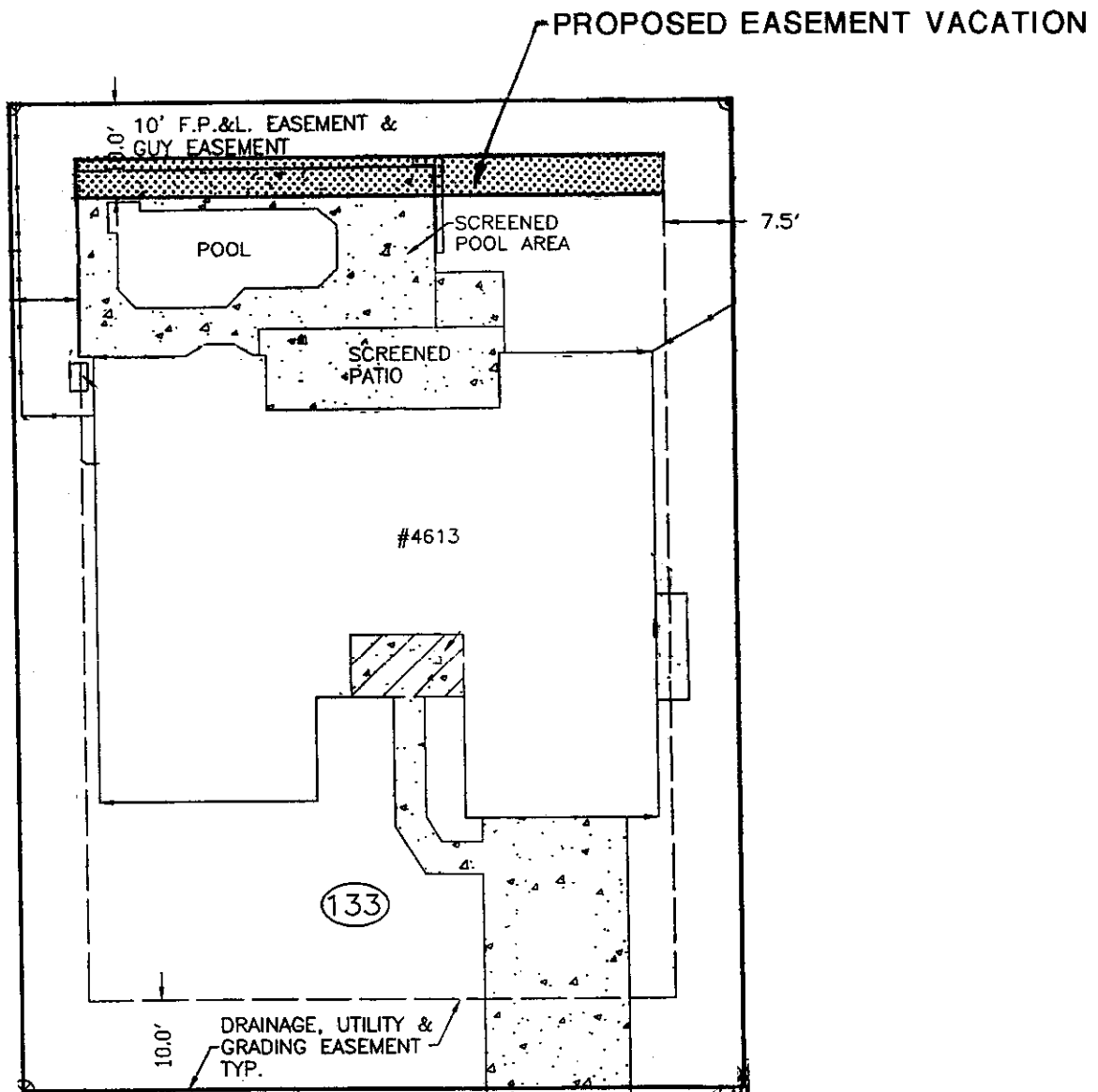
**Requested Action:** To vacate a portion  
of the northerly rear  
yard 10.00' wide  
Drainage, Utility, and  
Grading Easement  
located on Lot 133 of  
the Cross Creek  
Phase II Subdivision

Location Map

**CITY OF PORT ORANGE**

DEPARTMENT OF COMMUNITY DEVELOPMENT





**Case No.:** 10-350000003

**Applicant:** Brian and Melinda Driscoll,  
Property Owners

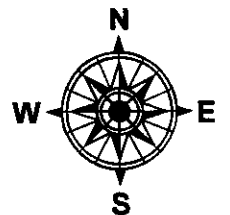
**Location:** Lot 133, Cross Creek Phase II  
Subdivision (4613 Secret River  
Trail)

**Requested Action:** To vacate a portion  
of the northerly rear  
yard 10.00' wide  
Drainage, Utility, and  
Grading Easement  
located on Lot 133 of  
the Cross Creek  
Phase II Subdivision

Location Map

**CITY OF PORT ORANGE**

DEPARTMENT OF COMMUNITY DEVELOPMENT



211 St. Joe Plaza Drive  
Palm Coast, FL 32164



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

**RE: Easement Vacate: Cross Creek ( phase II ), Lot #133  
4613 Secret River Trail, Port Orange, FL 32129  
Parcel #: 6307-15-00-1330**

Dear Mr. Glor:

This letter is in response to a request to Bright House Networks to vacate the above referenced utility 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.**

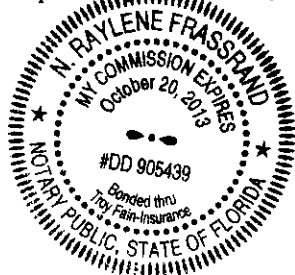
If you have any questions regarding this, please contact the undersigned.


Sincerely,

A handwritten signature in black ink that reads "Larry Henderson".

Larry Henderson  
Construction Manager  
386-446-1420

Larry Henderson acknowledged the foregoing instrument before me this 27<sup>th</sup> day of April 2010. He is personally known to me, and did not take an oath.



Signature   
Raylene Frassrand

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF THE AREA TO BE VACATED**

The southerly 4.00 feet of the northerly rear yard 10.00-foot wide Drainage, Utility, and Grading Easement, except the easterly 7.50 feet and westerly 7.50 feet thereof, located on Lot 133 of the Cross Creek Phase II subdivision plat as recorded in Map Book 43, Page 56, of the Public Records of Volusia County, Florida (4613 Secret River Trail; Tax Parcel No. 6307-15-00-1330).



April 15, 2010

Malinda and Brian Driscoll  
4613 Secret River Trail  
Port Orange, FL 32129

Re: Partial Easement Vacation at  
4613 Secret River Trail, Port Orange, FL 32129

With regard to the request for partial easement vacation on Lot 133, Cross Creek of record in map book 43, pages 56, of the public record of Volusia County FL, please accept this letter as our notification that FPL does not object any interest in or right to the portion as described below.

The southerly 4.00 feet of the northerly rear yard 10.00-foot wide Drainage, Utility, and Grading Easement, except the easterly 7.50 feet and westerly 7.50 feet there of, located on lot 133 of the Cross Creek Phase II subdivision plat as recorded in Map Book 43, Page 56, of the Public Records of Volusia County, Florida (4613 Secret River Trail; Tax Parcel 6307-15-00-1330)..

If you have any questions regarding this matter, please contact Shawn McMichael, FPL's local representative at 386-322-3412.

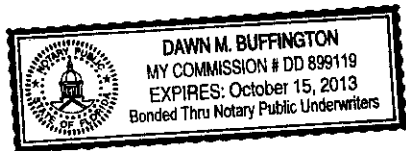
Thank you,

Bill Watier  
Service Planning Supervisor

**STATE OF FLORIDA AND COUNTY OF VOLUSIA**

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of April, 2010 by Bill Watier who is personally known to me and did not take an oath.

My Commission number and expiration date:

  
Notary Public, Signature

**EXHIBIT "A"**

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AT&T Southeast. – Network Planning  
Northeast Florida District

900 N. Nova Rd.  
Daytona Beach, FL 32117

April 15, 2010

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

**Re: Proposed Easement Vacation:**    *Cross Creek (phase 2) Lot # 133  
4613 Secret River Trail  
Port Orange, FL 32129  
Parcel ID: 6307-15-00-1330*

To whom it may concern,

In regard to the request for the vacation of this property at 4613 Secret River Trail in Port Orange, Florida; as shown on the attached documents, please accept this letter as our notification of agreement to relinquish all rights that we have to the drainage, utility, and grading easement on this property.

Since there are no telecommunication facilities in this portion of this property, and no further requirements foreseen, we respectfully release it from use and right of AT&T.

If you have any further questions, please contact Michael J. Moore at 386-254-8550.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Peter Hassett".

Peter Hassett  
Area Manager

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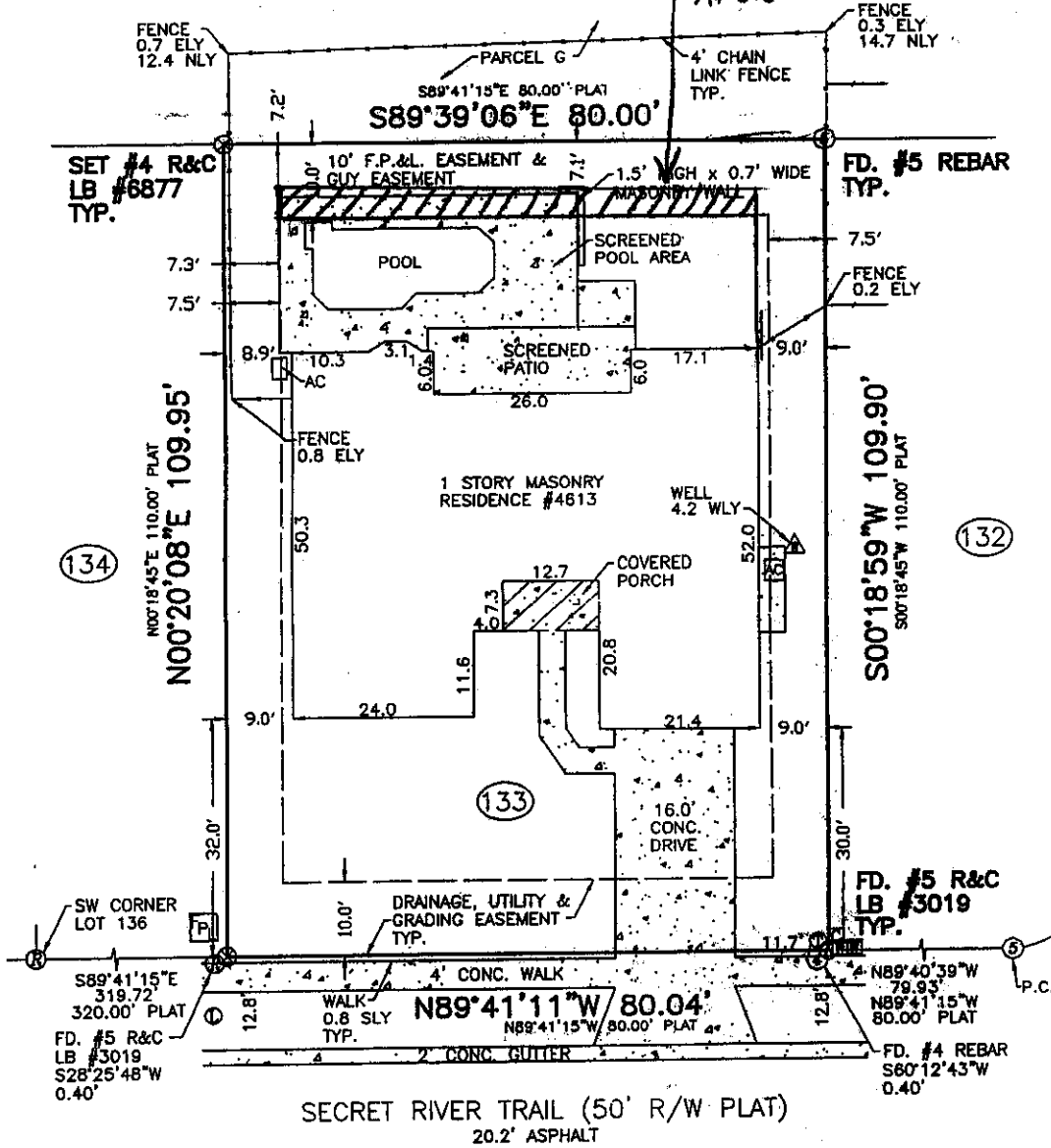


**BOUNDARY SURVEY**  
Sheet 1 of 2



SCALE : 1" = 20'

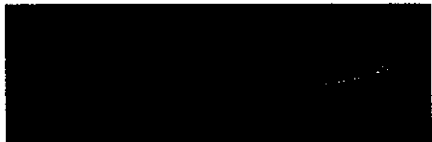
*Proposed Easement Vacation Area*



(Not valid unless accompanied by sheet 2, Survey Report)

**MYER LAND SURVEYING, INC.**  
LICENSED BUSINESS #877  
MICHAEL M. MYER #LS 4006  
PROFESSIONAL LAND SURVEYOR  
316 RIDGEWOOD AVE. HOLLY HILL, FLORIDA 32117

SCALE	DESIGNED	DRAWN	CHECKED	DATE
1" = 20'		PJK	MMM	9/22/05



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 right-of-way shown as recorded in the Public Records of Volusia County, Florida, more particularly described as follows:

Easement Vacation - The southerly 4.00 feet of the northerly rear yard 10.00 foot wide Drainage, Utility, and Grading Easement, except the easterly 7.50 feet and westerly 7.50 feet thereof, located on lot 133 of the Cross Creek Phase II subdivision plat as recorded in Map Book 43, Page 56, of the Public Records of Volusia County, Florida (4613 Secret River Trail; Tax Parcel No. 6307-15-00-1330).

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

WITNESS: George C. Smith

By: George C. Smith

DATE: 4-12-10

George C. Smith  
Construction Coordinator

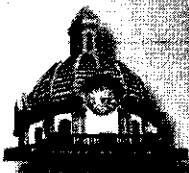
STATE OF FLORIDA, COUNTY OF VOLUSIA

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 12th day of April, 2010.

My Commission Expires: May 26, 2012





# VOLUSIA.COUNTY-TAXES.COM

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- Certificates
- Reports
- Tangible
- Central
- Business Tax
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Account History			
2008	2008	Acct: Paid-in-full	<a href="#">View</a>
2007	2007	Acct: Paid-in-full	<a href="#">View</a>
2006	2006	Acct: Paid-in-full	<a href="#">View</a>
2005	2005	Acct: Paid-in-full	<a href="#">View</a>
2004	2004	Acct: Paid-in-full	<a href="#">View</a>
2003	2003	Acct: Paid-in-full	<a href="#">View</a>
2002	2002	Acct: Paid-in-full	<a href="#">View</a>
2001	2001	Acct: Paid-in-full	<a href="#">View</a>
2000	2000	Acct: Paid-in-full	<a href="#">View</a>
1999	1999	Acct: Paid-in-full	<a href="#">View</a>
Total Due:			\$0.00
<a href="#">View a different due date</a>			

Account Information	
Roll Year:	2009
Tax Year:	2009
Account Number:	630715001330 « Prev Next »
Alternate Key:	5162346
Millage Code:	402
Certified Roll Owner(s):	DRISCOLL BRIAN & MELINDA 4613 SECRET RIVER TR PT ORANGE, FL 32129
Situs Address:	4613 SECRET RIVER, PORT ORANGE
Escrow Company:	WACHOVIA MORTGAGE (100362)
Links:	Property Appraiser, GIS
Exemptions:	01 - HOMESTEAD 25,000 AH - ADDITIONAL HOMESTEAD 25,000
Market Value:	167,750
Class Value:	0
Just Value:	167,750
School Assessed Value:	167,750
Assessed Value:	167,750
Exemption Value:	25,000
Ad Valorem:	\$2,818.96
Non-ad Valorem:	\$99.00
Total Tax:	\$2,917.96

Location Details	Ad Valorem Details	Non-ad Valorem Details						
<div style="border: 1px solid black; padding: 5px;"> <p>Account Search <span style="float: right;">1 of 1</span></p> <p>2009 630715001330 <input type="text"/> -- Any -- <input type="text"/> <input type="button" value="Search"/> <input type="button" value="Clear"/></p> <p style="text-align: right;">Account Status</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">2009</td> <td style="width: 20%;">630715001330</td> <td style="width: 30%;">DRISCOLL BRIAN &amp; MELINDA</td> <td style="width: 20%;">4613 SECRET RIVER PORT ORANGE</td> <td style="width: 10%;">Paid In Full</td> <td style="width: 10%; text-align: right;"><a href="#">View</a></td> </tr> </table> </div>			2009	630715001330	DRISCOLL BRIAN & MELINDA	4613 SECRET RIVER PORT ORANGE	Paid In Full	<a href="#">View</a>
2009	630715001330	DRISCOLL BRIAN & MELINDA	4613 SECRET RIVER PORT ORANGE	Paid In Full	<a href="#">View</a>			

**Contact Us**

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# CITY OF PORT ORANGE

Department of Community Development  
Engineering Division

CASE NO. <u>10-350000003</u>
DATE APPLICATION RECEIVED <u>4/7/10</u>

1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129 PHONE: (386) 506-5600 FAX: (386) 506-5699  
www.port-orange.org

## EASEMENT VACATION APPLICATION

Applicant: See Below

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Property Owner(s): Brian Driscoll Melinda Driscoll

Address: 4613 Secret River Trail Port Orange FL 32129

Phone: 386 760-0423 Fax: same Email: DriscollFlor@A1.com  
cell- 386 451 0773

Subject Property Address: 4613 Secret River Trail

Subdivision Name: Cross Creek Phase II

Lot Number: 133 Parcel No.: 6307-15-00-1330

*(Provide a separate attachment for additional properties if necessary)*

Legal Description of the proposed easement vacation area *(provide a separate attachment if necessary)*:

See Attached

Purpose for the proposed easement vacation: Proposed Patio

- ### REQUIRED ATTACHMENTS
1. A current, original, sealed property survey showing all structures, easements, and the proposed easement vacation area
  2. A copy of the recorded deed for the property
  3. A property tax payment certification or a copy of the total property tax payment receipt
  4. The application processing and recording fee payment of \$250.00
  5. The completed original application form (notarized signatures required on Page 2)

Applicant Signature: See Below Date: \_\_\_\_\_

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

Property Owner Signature: Brian Driscoll Date: 4/7/10

Property Owner Signature: Melinda Driscoll Date: 4/7/10

**STATE OF FLORIDA  
COUNTY OF VOLUSIA**

The foregoing instrument was acknowledged before me this April 7, 2010 by Brian + Melinda Driscoll, who is personally known to me or who has produced FL D L as identification and who did (did not) take an oath.

Julie Sunmeyer  
(Signature)

(Name of Notary typed, printed or stamped)



Notary Public Commission No. \_\_\_\_\_  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# DD0771873  
Expires 3/24/2012

(Provide a separate attachment for additional properties if necessary)