

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: Petition for Road Closing, CR 488 (Staff Recommends Approval).

REQUESTED ACTION: Board Approval

Work Session (Report Only) **DATE OF MEETING:** 9/27/2011
 Regular Meeting Special Meeting

CONTRACT: N/A

Effective Date: _____

Managing Division / Dept: _____

Vendor/Entity: _____

Termination Date: _____

Public Works Division

BUDGET IMPACT:

Annual

Capital

N/A

FUNDING SOURCE: _____

EXPENDITURE ACCOUNT: _____

HISTORY/FACTS/ISSUES:

On 7/19/2011 the Public Works Division received a petition requesting the Board of County Commissioners, to vacate and close CR 488, also known as Turtleback Campground, located North off C-470 in the Lake Panasofkee area.

The length of this road is 780' / .15 miles. The width of the road right of way is 50'.

After researching files and records on this road, Public Works finds that vacating this road will neither deny nor deprive other persons of access. Coordination with other division's and departments of the BOCC reveals no requirement to maintain possession.

LAKE PAN HOLDING LLC
P.O. BOX 2790
WINDERMERE FL 34786
GGOETZ1@LIVE.COM

JUL 11 PM 1:30

7/7/2011

To whom it may concern,

Please find attached the petition for road closure/vacate C.R. 488. We own all of the surrounding property and closure of this road will allow us to better maintain drainage, improved property values by potential of a gated RV resort, and improve landscaping along this entry road to our Park. Your cooperation is greatly appreciated and I am always available by cell phone, 321-228-7421. Our mailing address is above but physical office is located at 5501 Commerce Blvd Orlando Fl 32839. We will continue to maintain this road in good condition as it is our only entrance.

Respectfully,



Geoff Goetz
Manager, Lake Pan Holding LLC

07-19-2011 10:47

1219
63-210/831

LAKE PAN HOLDING COMPANY LLC
OPERATING ACCOUNT
1201 E. ROBINSON ST.
ORLANDO, FL 32801

DATE 7.13.11

PAY TO THE ORDER OF Center County Board of County Commissioners \$ 350.00

DOLLARS

Pay to the order of
Payee's name

Price Reduced Fully at 09/1/10

[Signature]



SUNTRUST

ACH RT 091000104

FOR Metric Ov 100

[Redacted area]

PETITION FOR ROAD CLOSING

The undersigned petitions the Board of County Commissioners of Sumter County, Florida, to vacate and close the following described road, right-of-way or easement and alleges as follows:

1. The road, right-of-way or easement sought to be vacated is described as follows: (proper legal description must be furnished)

PLEASE See Attached Exhibit "A"

2. Attached is the instrument, if any, that identifies the title or interest which the County and public hold in the property sought to be vacated.

3. Sumter County did not pay more than a nominal amount for the road, right-of-way or easement sought to be vacated in that said property was either dedicated to the County in a subdivision plat or title has passed through statutory dedication. (Attach written support of this claim)

4. Attached is a list of all persons likely to be affected by the road closing, which include all persons owning property abutting the road or any extension thereof, as well as any other person who is known to Petitioner to use the road or easement for access to other property whether said other property abuts the road or easement or not.

5. Petitioner hereby certifies that the vacating will not deprive other persons of access to and from their property, whether the access involved is a binding, legal access, by prescription or otherwise.

6. Petitioner hereby certifies that at least thirty (30) days prior to the hearing on petition, petitioner has notified in writing, certified mail return receipt requested, all persons listed pursuant to paragraph 4 above advising such persons that petitioner seeks to have the county vacate the subject property and renounce any right to the public in same, copies of all mail receipts to be filed at the hearing. In lieu of this notice, the petitioner may present signatures from all such property owners waiving this notice.

7. Attached are certificates from public utility companies with easements in the area that the vacating will neither interfere with their services nor encroach unreasonably upon their easement.

8. The Petitioner believes this Petition should be granted for the following reasons:

Internal to my property, allows for upgrades to the Park in future, Help control drainage

9. The vacating of the above described road or right-of-way is in compliance with the Sumter County Comprehensive Plan and long range goals and trends of the area of the property sought to be vacated for the following reasons:

10. Attached is a map showing the general area around the right-of-way to be vacated.

DATED this 7th day of July, 2011.

[Signature]
Witness Nicole Usfanowski

[Signature]
Witness MARK TAYLOR

[Signature]
Geoff Goetz, Luke Parr Holdings
LLC

STATE OF FL)

COUNTY OF Orange)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Geoff T Goetz, who produced FDL Exp 3/24/14 as identification or is known personally to me to be the person(s) described in and who executed the foregoing instrument and who did/did not taken an oath; and acknowledged before me that he (he, she, they) executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 7 day of July, 2011.

[Signature]
Notary Signature

My Commission Expires: Mar 2, 2013 (SEAL)

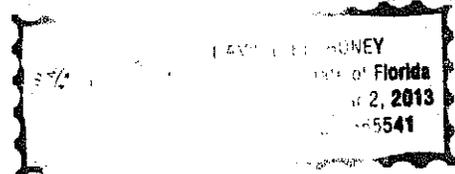
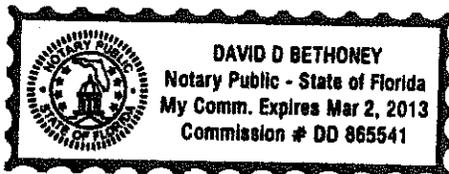


Exhibit "A"

Parcel #1:

Begin at the Southwest corner of the Southeast 1/4 of Southeast 1/4 of Section 9, Township 20 South, Range 22 East, run thence East 501.70 feet; thence run North 900 feet; thence run East 161.0 feet; thence run North 55 feet, plus or minus, to the Southerly Shore of Lake Panasoffkee; thence run Northwesterly along the meanders of said Lake to a point that is 1600 feet, more or less, North of the Point of Beginning; from thence run South 1600 feet, plus or minus, to the Point of Beginning; LESS Right-of-Way for State Road #470, Sumter County, Florida.

AND

Commence at the Southeast corner of Southwest 1/4 of Southeast 1/4, thence run North 915 feet to Point of Beginning; thence run North 330 feet to a C.M.P.R.M.; thence run West 27.7 feet to a C.M.P.R.M.; thence run Southerly along fence line 330 feet to a C.M.P.R.M., said point being 23.85 feet West of Point of Beginning; thence East 23.85 to a C.M.P.R.M., being the Point of Beginning; all in Section 9, Township 20 South, Range 22 East, Sumter County, Florida.

LESS:

Commence at the Southwest corner of Southeast 1/4 of Southeast 1/4 of Section 9, Township 20 South, Range 22 East, run thence along South boundary of said Southeast 1/4, run South 89 degrees 59 minutes East, 96.64 feet; thence run North 1 degree 39 minutes West, 53.9 feet to Northerly right-of-way of State Road #470 for a Point of Beginning; thence continue North 1 degree 39 minutes West, 767.40 feet; thence run South 89 degrees 59 minutes East, 50 feet; thence run South 1 degree 39 minutes East, 789.06 feet to the Northerly right-of-way of State Road #470; thence run North 66 degrees 52 minutes West, 55.03 feet along the Northerly right-of-way of State Road #470 to the Point of Beginning, Sumter County, Florida.

Parcel #2:

That part of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 20 South, Range 22 East, Sumter County, Florida, lying Northerly of C-470 right-of-way. LESS the following described parcel of land: Begin at the Northeast corner of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 16 and run North 89°59'00" West along the North boundary of Section 16 a distance of 20.00 feet, thence South 25°58'00" East 45.68 feet to the East boundary of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 16, thence North 00°03'50" West along said East boundary 41.09 feet to the Point of Beginning and end of this description.

ALSO LESS:

Commence at the Northeast corner of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 20 South, Range 22 East, Sumter County, Florida, thence run N89°35'32"W. along the North line of the Northeast 1/4 of the Northeast 1/4 of said Section 16, 20.00 feet to the Point of Beginning; thence continue N89°35'32"W. along said North line 140.07 feet, thence run S05°27'31"W. , 112.81 feet to the Northerly right of way line of County Road 470; thence run S66°49'26"E. along said Northerly right of way line 184.91 feet to the East line of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 16; thence run N00°15'07"E., along said East line 142.78 feet; thence run N25°40'19"W. 45.75 feet to the Point of Beginning.

1920
Doc Stamps: .70

Prepared By:

Roxanne Mastrantonio

SUMTER ELECTRIC COOPERATIVE, INC.

P.O. Box 301

Sumterville, Florida 33585-0301

Section 9 Township 20 Range 22

Property Appraisers Parcel Identification (Folio) Numbers:

Sumter County Tax Parcel ID # J09=009 & J16=003

PERPETUAL UTILITY EASEMENT

(Whenever used herein, the terms "grantor" and "grantee" include all parties to this instrument and the heirs, legal representatives, assigns of individuals, and the successors and assigns of corporations.)

Space above this line reserved for Recording Office Use.

THE GRANTOR(S) LAKE PAN HOLDING COMPANY, LLC, a Florida limited liability company, whose Mailing address is P.O. Box 2790, Windermere, FL 34786

In consideration of the sum of \$1.00 or other good and valuable consideration, the sufficiency of which is acknowledged received from the Grantee, SUMTER ELECTRIC COOPERATIVE, INC., P.O. Box 301, Sumterville, Florida, a corporation existing under the laws of the State of Florida, its successors and assigns, does hereby on this 12th day of August, 2011, grant and convey to the Grantee an easement, license and privilege of ingress and egress upon and/or under, to place, construct, operate, repair, maintain, relocate and replace thereon, and/or thereunder and to retain ownership thereof, an electric transmission and/or distribution line or system and all associated appurtenances in connection with above-ground and/ or underground facilities and the Grantee shall at all times have the right to keep the easement clear of all structures, obstructions, trees, shrubbery, undergrowth and roots or objects that might endanger said electric power line assembly on or under the real property in SUMTER County, Florida, as described as:

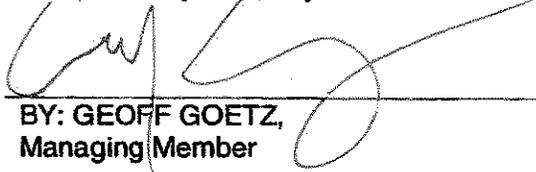
See "Exhibit A", attached hereto and made a part hereof.

In granting the above, it is understood that Grantee will make reasonable efforts to locate power line assemblies in a location which will cause the least interference in the use of the property, if in doing so it will not materially increase the cost of construction or maintenance, and Grantor covenants that it is the owner of the fee simple title of the above described land and will defend the title thereto against all persons claiming through, by, or under the Grantor.

Attested by:

GRANTOR(S):
LAKE PAN HOLDING
COMPANY, LLC, Florida
limited liability company

Its: (Seal)


BY: GEOFF GOETZ,
Managing Member

Printed Name



Signature of First Witness

Joseph Daddio (Seal)

Printed Name of First Witness

(Corporate Seal)



Signature of Second Witness

ROXANNE MASTRANTONIC (Seal)

Printed Name of Second Witness

WARRANTY DEED

DREW'S FORM R. E. 4

Manufactured and for sale by The H. & W. B. Drew Company
Jacksonville, Florida

REC: 49 PAGE 171

This Indenture, Made this 3rd day of June, A. D. 1953
Between BERNARD I. STECKI and SALLY ROSE STECKI, his wife,

of the County of Sumter and State of Florida
parties of the first part, and SUMTER COUNTY, a Political Subdivision of the
whose mailing address is State of Florida
Bushnell

of the County of Sumter and State of Florida
part y of the second part, Witnesseth, that the said parties of the first part, for and
in consideration of the sum of Ten (\$10.00) Dollars, and other good
and valuable considerations to them in hand paid, the receipt whereof is hereby acknowl-
edged, have granted, bargained, sold and conveyed, and by these presents do grant, bar-
gain, sell, convey and confirm unto the said part y of the second part and its heirs
and assigns forever, all that certain parcel of land lying and being in the County of Sumter
and State of Florida, more particularly described as follows:

Commence at the SW corner of SE 1/4 of SE 1/4 of Section 9, Township
20 South, Range 22 East, thence run along South boundary of said
SE 1/4 South 89°59' East 96.34 feet; thence North 1°39' West 53.9
feet to northerly R/W of State Road No. 470 for a P.O.B., Continue
North 1°39' West 757.4 feet, thence South 89°59' East 50 feet,
thence South 1°39' East 789.03 feet to the northerly R/W of State
Road No. 470, thence North 63°52' West 55.03 feet along northerly
R/W of State Road No. 470 to P.O.B.

Grantors herein do hereby reserve the sign as it is located this
date slightly within the above described right of way.

Exhibit "A"



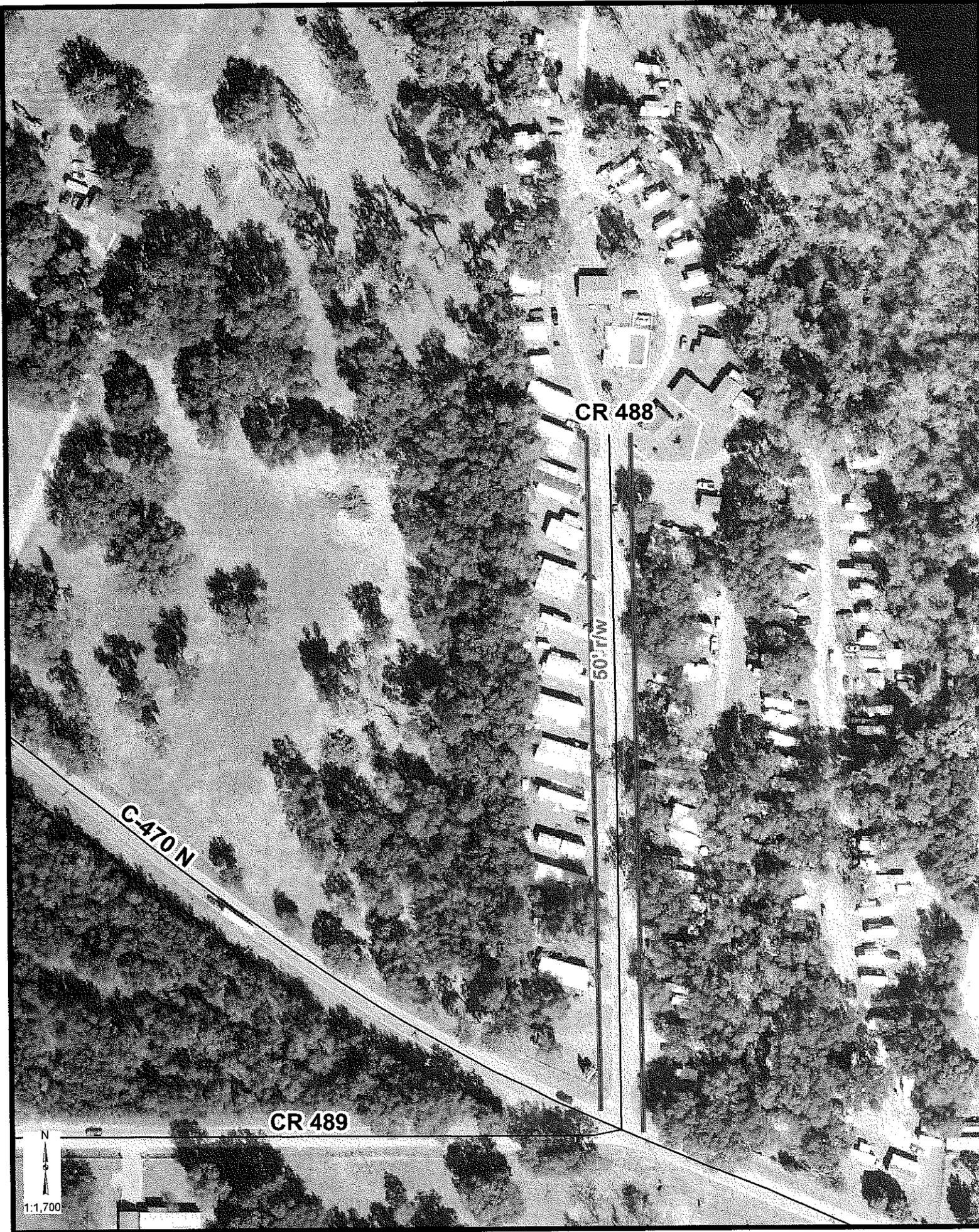
053032
Public & Recording in Public
Records of Sumter County
FLORIDA, RECORDS VERIFIED
1953 JUN 11 PM 2:10
A. Burton Mack
CLERK OF CIRCUIT COURT

Together with all the tenements, hereditaments and appurtenances, with every privilege, right,
title, interest and estate, dower and right of dower, reversion, remainder and easement thereto
belonging or in anywise appertaining: To Have and to Hold the same in fee simple forever.

And the said parties of the first part do covenant with the said part y of the
second part that they are lawfully seized of the said premises, that they are free from
all encumbrances whatsoever and that they have good right and law-
ful authority to sell the same; and the said parties of the first part do hereby fully warrant
the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said parties of the first part have hereunto set their
hands and seals the day and year above written.

Signed, sealed and delivered in our presence:
Bernard I. Stecki
Sally Rose Stecki



CR 488

60' TW

C-470 N

CR 489



1:1,700



Sumter County Property Appraiser

Ronnie Hawkins, CFA - Bushnell, Florida - 352-569-6800

0 0.03 0.06 0.09 0.12 0.15 mi

PARCEL: J09=009 - SINGLE FAMILY (00100)

BEG AT SW COR OF SE 1/4 OF SE 1/4 RUN E 501.7 FT N 900 FT E 161 FT N 55 FT M/L TO

Name:	LAKE PAN HOLDING COMPANY LLC	LandVal	\$160,920.00
Site:	185 N C-470	JustVal	\$394,642.00
Mail:	1201 E ROBINSON ST ORLANDO, FL 32801	Assd	\$394,642.00
		Exmpt	None \$0.00
		Taxable	\$394,642.00

	10/1/2007	\$100.00	(O)
Sales Info	10/1/2007	\$1,600,000.00	(Q)
	5/1/2000	\$0.00	(O)



This information, GIS Map Updated: 8/12/2011, was derived from data which was compiled by the Sumter County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.



Sumter
Electric
Cooperative,
Inc.

LETTER OF NO OBJECTION

August 12, 2011

Mr. Geoff Goetz
Lake Pan Holding Company, LLC
1201 E Robinson Street
Orlando, FL 32801

Dear Mr. Goeff,

Re: Road Vacation CR 488

Dear Mr. Goetz,

Please be advised that Sumter Electric Cooperative, Inc. (SECO) has reviewed your submission of documents to the Board of County Commission for Sumter County and hereby submit to you as agent for Lake Pan Holding Company, Inc. a letter no objection for your approval of the road closing by the Board.

Sincerely,

SUMTER ELECTRIC COOPERATIVE, INC.


Roxanne Mastrantonio
Land Rights Agent

A Touchstone Energy[®] Cooperative 
The power of human connections

PO Box 301
330 South US Highway 301
Sumterville, FL 33585-0301

50 West Ardice Avenue
Eustis, FL 32726-6243
(352) 357-5600

850 North Howey Road
Groveland, FL 34736-2234
(352) 429-2195

610 US Highway 41 South
Inverness, FL 34450-6030
(352) 726-3944

4872 SW 60th Avenue
Ocala, FL 34474-4316
(352) 237-4107

211 St. Joe Plaza Drive
Palm Coast, FL 32164

**bright
house**
NETWORKS



August 9, 2011

Geoff Goetz
5501 Commerce Blvd
Orlando, FL 32839

RE: Easement Vacate: CR 488 TurtleBack RV Park

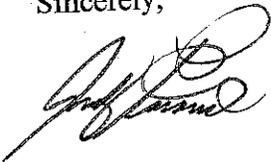
Dear Mr. Goetz,

This letter is in response to a request to Bright House Networks to vacate the above easement as described 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,



Andy Forand
Sr. Plant Manager
407-947-9887