



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: October 10, 2019

TO: Mayor Jerry L. Demings
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager *PS*
Real Estate Management Division

FROM: Russell L. Corriveau, Assistant Manager *RLC*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

DIVISION: Real Estate Management
Phone: (407) 836-7090

ACTION REQUESTED: Approval and execution of Right of Entry from Orange County, Florida to The School Board of Orange County, Florida

PROJECT: Dr. P. Phillips Community Park (Fire Hydrant Hookup)

District 1

PURPOSE: To facilitate construction of a new public high school (H.S. 80).

ITEM: Right of Entry
Revenue: None/Donation
Size: 400 square feet
Term: Until March 1, 2020

APPROVALS: Real Estate Management Division
County Attorney's Office
Parks and Recreation Division

REMARKS:

The School Board of Orange County, Florida (OCPS) is building a new high school on lands to the south of Dr. P. Phillips Community Park (Park). To support its construction activities, OCPS has requested permission to enter upon the Park to temporarily hook up to an existing fire hydrant located in the southwest corner of the Park. The Parks and Recreation Division has reviewed and approved OCPS' request.

Pursuant to this Right of Entry (ROE), OCPS is responsible for obtaining any permits required to connect to the fire hydrant and for paying any and all costs associated with OCPS' use of the fire hydrant and water therefrom. The ROE expires March 1, 2020.

RIGHT OF ENTRY

For and in consideration of \$1.00, other valuable considerations and benefits, ORANGE COUNTY, FLORIDA, a charter county and a political subdivision of the State of Florida (“County”), does hereby give, grant and bargain subject to terms provided herein, to THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA, a public corporate body organized and existing under the laws of the State of Florida (“School Board”), this certain right of entry to enter upon the portion of lands described as follows:

SEE ATTACHED EXHIBIT “A” (“Property”)

**Orange County Property Appraiser’s Parcel Identification Number:
11-24-28-0000-00-007**

for the purpose of connecting to the fire hydrant on the Property for the temporary use of water by the School Board and/or its assigns. School Board, at its sole cost and expense, shall obtain any and all permits required for the use of water and connection to the fire hydrant (the “Permits”), and if required by the applicable permitting agency, install or caused to be installed, a separate meter for the use of the water from the fire hydrant. School Board shall be responsible for the payment of any and all costs associated with the connection to, and use of the water from, the fire hydrant. Access to the fire hydrant on the Property shall be limited to the gate along the southern boundary of the Property from the adjacent real property owned by the School Board. If the School Board and/or its assigns: (a) fails to comply with a term or condition of any Permits, (b) violates any law or regulation in connection with the connection to, or use of the water from, the fire hydrant, or (c) fails to pay for any cost associated with the connection to, or use of the water from, the fire hydrant by the deadline for payment, then the County may terminate this Right of Entry by sending written notice to the School Board by United States mail, postage prepaid, certified mail, return receipt requested, and addressed to:

Orange County Public Schools
6501 Magic Way, Building 200
Orlando, Florida 32809
Attention: Laura L. Kelly

To the extent allowed by law, the School Board hereby agrees to indemnify the County for liability for any property damage or for death or personal injury occurring on the above referenced Property or any surrounding property in connection with use of the fire hydrant by the School Board or its employees, agents, independent contractors, guests, invitee or licensees use of the Property.

School Board has represented and hereby agrees to complete all of the work on prior to March 1, 2020. This Right of Entry shall expire on March 1, 2020 unless sooner terminated as set forth above.

By use of this Right of Entry, the School Board accepts the obligations herein.

[SIGNATURE PAGE TO FOLLOW]

"SCHOOL BOARD"

Signed, sealed and delivered in the presence of:

Margarita Riera
Printed Name: Margarita Riera

Marcia Rojas
Printed Name: Marcia Rojas

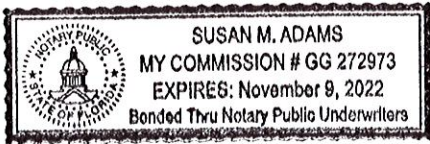
**THE SCHOOL BOARD OF ORANGE COUNTY
FLORIDA**, a corporate body organized and existing under the constitution and laws of the State of Florida

By: [Signature]
Barbara M. Jenkins, Ed. D.,
as its Superintendent

STATE OF FLORIDA)
) s.s.:
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 8th day of October, 2019, by Barbara M. Jenkins, Ed. D., as Superintendent of The School Board of Orange County, Florida, who produced _____ as identification or is personally known to me and who acknowledged that she signed the instrument voluntarily for the purpose expressed in it.

(NOTARY SEAL)



[Signature]
Notary Public
Printed Name: Susan M. Adams
My Commission Expires: _____

Approved as to form and legality by the Office of the General Counsel for The School Board of Orange County, Florida this 3rd day of October, 2019, for its exclusive use and reliance.

Reviewed and approved by Orange County Public Schools Chief Facilities Officer this 7th day of OCT, 2019.

By: [Signature]
Laura L. Kelly, Esq.

By: [Signature]
John T. Morris, Chief Facilities Officer



ORANGE COUNTY, FLORIDA

By: Orange County Board of County Commissioners

By: *Bryan B. Barks*
for Jerry L. Demings
Orange County Mayor

Date: 22 Oct 19

ATTEST:

Phil Diamond, C.P.A., Orange County Comptroller
As Clerk of the Board of County Commissioners

By: *Jennifer Klimetz*
for Deputy Clerk

Date: OCT 22 2019

EXHIBIT "A"
Legal Description

Entry is limited to the 20' x 20' (400 square foot) area in Southwest corner of Dr. P. Philips Community Park identified as Orange County Property Appraiser's Parcel Identification Nos. 11-24-28-0000-00-007, as generally shown circled in blue below.

