



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 4

DATE: January 30, 2023

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

THROUGH: Mindy T. Cummings, Manager
Real Estate Management Division *MTC*

FROM: Anmber Ayub, Program Manager – Right of Way *AA/MTC*
Real Estate Management Division

CONTACT PERSON: **Mindy T. Cummings, Manager**

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

ACTION REQUESTED: Approval and execution of Resolution and authorization to initiate condemnation proceedings.

PROJECT: Ficquette Road (Inglenook Dr. to Reams Road)

District 1

PURPOSE: To allow the acquisition of one temporary construction easement parcel required for roadway improvements.

ITEM: Resolution (Parcel 7006)

APPROVALS: Real Estate Management Division
Public Works Engineering

REMARKS: This is the first submittal of a parcel for this project to be acquired through eminent domain.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
FEB 21 2023

Upon a motion by Commissioner Bonilla, seconded by Commissioner Moore and carried with all members present and voting AYE by voice vote, the Board adopted the following :

RESOLUTION

WHEREAS, during FY 02/03, the Board approved the project known as Ficquette Road to construct a new roadway, add sidewalks and turn lanes, address the drainage problems, and improve the traffic flow as outlined in the staff report attached as Exhibit "A"; and

WHEREAS, in connection with the construction, repair and maintenance of the Ficquette Road project by Orange County, a charter county and political subdivision of the State of Florida, it is necessary that said County have the required area for roadway purposes and it is necessary and in the public interest that there be acquired the required temporary construction easement interest in certain land for proper construction and maintenance of the above road in the County's Road System; and

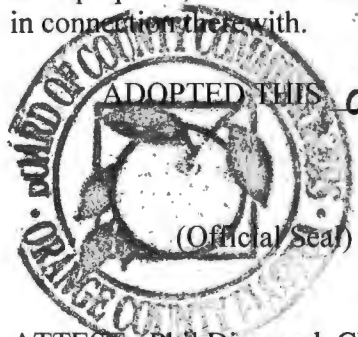
WHEREAS, efforts to purchase said land from the owner of said land have been unsuccessful to date.

NOW THEREFORE, BE IT RESOLVED by Orange County, a charter county and political subdivision of the State of Florida, by and through the Board of County Commissioners of said County, that the acquisition of the required temporary construction easement interest in the required land necessary for roadway purposes has been found to be and is hereby found to be necessary, practical, and to the best interest of Orange County, Florida, and the people of said County, and the same is for a County purpose; and be it further

RESOLVED that for the purposes aforesaid, it is necessary, practical, and to the best interest of the public and Orange County and of the people of said County that the temporary construction easement interest for roadway purposes be acquired in the name of said County by gift, purchase, eminent domain proceedings, or otherwise over and upon all that certain piece, parcel or tract of land, situate, lying and being in Orange County, Florida, as described in the attached Schedule "A" and Schedule "B"; and be it further

RESOLVED that the temporary construction easement designated as parcel number 7006 shall commence on the date that Orange County takes title to said temporary construction easement and terminate seven (7) years after that date, or upon the completion of the construction on the project adjacent to the lands described in the attached Schedule "A", whichever occurs first; and be it further

RESOLVED that the property description under parcel number 1006 is ratified and confirmed and found necessary for this project to the extent of the estate or interest set forth as a part of the parcel description, the above referenced description being attached hereto as Schedule "A" and Schedule "B", and made a part by reference hereof, that Orange County, the Board of County Commissioners of said County, the Deputy Clerk of said Board of County Commissioners, the attorneys of said Board of County Commissioners and County, and all appropriate departments, officers and employees of said County be, and they are hereby authorized and directed to proceed to take necessary steps to institute and prosecute such necessary actions and proceedings as may be proper for the acquisition of the required temporary construction easement interest in said land by gift, purchase, eminent domain proceedings or otherwise, and to prepare, sign, execute, serve, publish, and file, in the name of the County by its commissioners, all eminent domain papers, affidavits and pleadings, and said attorneys are authorized to have prepared, at said County's expense, such abstract of title search as may be necessary in connection therewith.



ATTEST: Phil Diamond, CPA,
County Comptroller
as Clerk of the Board
of County Commissioners

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: Bryan W. Brooks
for Jerry L. Demings
Orange County Mayor

BY: Jennifer Lara-Klimetz
for Deputy Clerk
Jennifer Lara-Klimetz
Printed Name

DATE: 21 February 2023

STAFF REPORT

October 1st, 2021

Ficquette Road Segments G, H-1 and H-2

From Ingelnook Dr. Intersection to approximately 750' west onto Summerlake Blvd. and approximately 1500' south onto Reams Rd.

CIP 5140

Project History

The Ficquette Road widening project derived from the Ficquette/Porter Preliminary Engineering Report prepared by MSCW, Inc. on August 2006. This study was conducted pursuant to the "Road Corridor Analysis and Engineering Agreement" between Summerport Land Company and Orange County, Florida, approved by the Orange County Board of Commissioners (BCC) on December 14, 2004, and the Development agreement for "Stillwater Crossings and Center Bridge Neighborhood PD within the Village of Bridgewater", approved by the Orange County Commissioners on July 27, 1999.

The Village of Bridgewater roadways study area includes over ten miles of County Road (CR) 535, Ficquette Road, Reams Road, Lake Hancock Road, Porter Road, McKinney Road, and land near these existing roadways in western Orange County. The roadways have been subdivided into 13 segments, designated A through M. Segments A through E represent the first phase of the study (previously completed), and Segments F through M represent the second phase. A Roadway Conceptual Analysis (RCA) was conducted for Segments A through E and constructed, and Segments A and E and approved by the Orange County BCC on April 8, 2003. Segments F through M, were included in the Ficquette/Porter Preliminary Engineering Study. Segments B through F have been designed and constructed and Segments G, H-1 and H-2 are included in the Ficquette Road Design Project. Segments G, H-1 and H-2 are described below:

- **Segment G:** Ficquette Road, from approximately 1,900 feet south of CR 535, extending generally south to approximately 600 feet west of the intersection with Overstreet Road.
- **Segment H-1:** Ficquette Road, from approximately 1,600 feet southwest of the intersection with Overstreet Road to approximately 3,500 feet north of the Reams Road/Lake Hancock Road intersection
- **Segment H-2:** Ficquette Road, from approximately 3,500 feet north of the Reams Road/Lake Hancock Road intersection to the Reams Road/Lake Hancock Road intersection. Reams Road, from the Ficquette Road/Lake Hancock Road intersection, 1,000 feet south, and extending westerly approximately 1,000 feet from the southern limits on Reams Road.

PROJECT CONSIDERATIONS

Among the important elements in determining the need for the roadway improvements are: Existing conditions, long range planning, safety considerations, environmental

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considerations, evaluation of alternative alignments, engineering recommendations and project cost.

Existing Conditions

Ficquette Road is a two-lane undivided rural section that extends from Ingelnook Drive Intersection to Reams Road, a distance of approximately two miles. The existing land use within the corridor varies and primarily includes residential, recreational, and undisturbed wetlands. The existing roadway consists of two travel lanes (one in each direction), undivided with no paved shoulders or bicycle lanes. Travel lanes vary from 9 feet to 11 feet in width, there is a normal crown to promote drainage flow away from the roadway, and there is no curb and gutter. There is an existing trail along the west side of the road which extends from the northern projects limits at Ficquette Hancock Road to 920 linear feet south of Old Thicket Trace. The speed limit is 45 mph, and there is an advisory speed limit of either 35 mph or 40 mph for the horizontal curves.

The right-of-way width throughout the project corridor varies from 60 feet to 120 feet. The right-of-way is 60 feet wide at the beginning of the project 1,350 feet south of Summerlake Blvd. to approximately 890 feet south of Old Thicket Trace and Ficquette Road intersection. From 890 feet south of Old Thicket Trace to the end of the project (Ingelnook Drive and Ficquette Road intersection) the right-of-way is 120 feet wide.

The majority of the existing roadway corridor lacks permitted stormwater management systems. Stormwater runoff from existing Ficquette Road discharges to adjoining low-lying areas or wetlands. The project lies within the Lake Hancock watershed. The terrain in this area is relatively flat. Existing drainage patterns are generally in a southeasterly direction towards large wetland systems downstream. This system of interconnected lakes and wetlands are located within the Reams Road subwatershed and the Reedy Creek watershed. These waters ultimately discharge to the stormwater management facilities operated and maintained by the Reedy Creek Improvement District (RCID).

Long Range Planning

METROPLAN ORLANDO, the Metropolitan Planning Organization (MPO) for Orange, Osceola, and Seminole Counties, adopted the 2005 Long Range Transportation Plan (LRTP) in September 2004. The following roadway corridors are specified in the LRTP to be widened to four lanes: Ficquette Road, from Reams Road to CR 535; Reams Road, from Ficquette Road to CR 535; and Porter Road, from CR 545 to Ficquette Road/Lake Hancock Road.

STAFF REPORT

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Ficquette Road Segments G, H-1 and H-2

**From Ingelnook Dr. Intersection to approximately 750' west onto Summerlake Blvd. and approximately 1500' south onto Reams Rd.
CIP 5140**

Safety Consideration

The need for improvements can be attributed to more than one cause: an expected deficiency in future traffic operations and capacity, horizontal and vertical curves along many of the roadways that do not conform to current standards, the ability to meet the demand of future development within the area, and providing consistency with the goals, objectives, and policies of the Orange County Comprehensive Policy Plan, the METROPLAN ORLANDO Long Range Transportation Plan, the Village of Bridgewater Specific Area Plan (SAP), the Lakeside Village SAP and the Horizon West planning area.

The widening of Ficquette Road should provide for both traffic and pedestrian safety. The following are some of the improvements associated with Ficquette Road: widening of existing roadway to four lanes, closed stormwater management system, curb and gutter, signalization, raised medians, a five-foot sidewalk on one side and a 10-14 feet wide multi-purpose path/trail on the other. New traffic signals will be installed at Summerlake Boulevard, New Independence Parkway and Scott Pine Park intersections. The raised medians will also provide adequate separation for the two directions of traffic. The installation of sidewalk and the multi-purpose path/trail lanes will provide designated areas for pedestrians and bicyclists. Dedicated turn lanes reduce the potential for rear end collisions. Sidewalks, pedestrian crosswalks, pedestrian signals and streetlights increase the safety of the intersection for vehicles and pedestrians.

Environmental Considerations

The environmental considerations include land use, cultural features and community centers, threatened and endangered species, impacts to wetlands, and contaminated sites.

The predominant land use along the existing Ficquette Road corridor consists of residential, recreational and undisturbed wetlands. Multiple types of wetland systems exist within the project area. Total direct impacts equal 11.99 acres, with 0.34 acres of impacts to surface waters and 10.65 acres of impacts to natural wetlands. Several impact areas are located along the existing roadway are of minimal quality due to the associated edge effects. As a result of the original roadway construction, many of these systems are associated with stormwater runoff features and contain existing buried utility lines that run along the project boundary. In summary, these systems are distinctly more disturbed inside and adjacent to the existing ROW; they contain more nuisance and exotic vegetation. Due to the need for a safer alignment which reduces unsafe roadway curvature, the corridor will impact a greater acreage of wetland systems along the eastern side of the roadway. While it is anticipated that some adverse secondary impacts will occur, secondary impacts should not be significant, due to surrounding development,

STAFF REPORT**October 1st, 2021****Ficquette Road Segments G, H-1 and H-2****From Ingelnook Dr. Intersection to approximately 750' west onto Summerlake Blvd. and approximately 1500' south onto Reams Rd.****CIP 5140**

associated existing noise, observed exotic/nuisance vegetation occurrence within these systems, evidence of trash and dumping well into the interior of the wetlands, and lack of land-management activities. Therefore, secondary impacts have been assessed at 25 feet beyond most direct impacts associated with the existing roadway alignment. A total of 3.42 acres are assessed as secondary wetland impacts to the roadway and proposed stormwater system. Direct and secondary impacts total 14.41 acres.

A phase I Environmental Site Assessment (ESA) was conducted for the study area, in order to assess the potential for contamination and hazardous waste. The ESA consisted of regulatory database searches, an aerial photograph and topographic map review, and on-site visual reconnaissance. The review of available federal and state environmental records indicate no significant evidence of environmentally suspicious land use. The review of aerial photographs and topographic maps failed to indicate evidence of environmentally suspicious land activities in the study area or adjacent properties on-site reconnaissance did not indicate the presence of environmentally suspicious activities or potential environmental concerns in the immediate vicinity of the proposed alignments. Per the Environmental Considerations Report prepared by Dewberry dated July 2020, a survey of threatened and endangered species found that Gopher tortoise burrows were identified within the project area during the onsite assessment. Within 90 days prior to construction, a survey of all potentially suitable Gopher Tortoise habitat within the project limits will be performed.

The proposed project is not anticipated to adversely affect historical and/or archaeological resources, based on a Cultural Resource survey, conducted in 2006, during a Preliminary Engineering study for the corridor. During that survey, no documented resources were located within one mile of the project site.

Evaluation of Alternative Alignments

Three roadway alignment alternatives were considered. The alternatives were developed to address several different concerns including: traffic capacity needs of the study area, pedestrian and bicyclists needs, access management and minimization of impacts to residents, planned development, businesses and the environment. The proposed alignment for the north portion of Segment G was determined through the Fishback Planned Development (PD). Segments H-1 and H-2 generally follow the existing Ficquette Road alignment. The alignment of the south portion of Segment G and Segment H-1 occurs with the alignment proposed in the Signature Lakes PD. Each segment of the road was evaluated for its best alignment. The recommended alignment was a combination of the alignments for each segment.

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Engineering Recommendations

The recommended alignment is generally centered on the existing right-of-way. Near Summerlake Boulevard, the alignment shifts southwest to realign the Summerlake Boulevard /Reams Road and Ficquette Road intersection. The alignment recommendation was based on the evaluation of project costs, right-of-way requirements, conceptual drainage analysis, socio-economic impact analysis and environmental impact analysis. The recommended typical section for this project is as follows:

- Four lanes (two, each direction)
- Raised landscaped median
- Sidewalks
- 10-14 feet multi-purpose path/trail
- Curb and gutter stormwater drainage system with retention ponds
- 120 feet-wide minimum proposed right-of-way
- Landscaping
- Roadway Lighting

Costs

The estimated project costs are as follows:

Engineering design cost	\$ 1,370,000
Right-of-way cost	\$ 5,520,000
Construction cost	\$ 15,000,000
Total project cost	\$ 21,890,000

Conclusion

In accordance with the Ficquette/Porter Preliminary Engineering Report, the Ficquette Road project from Ingelnook Drive to Summerlake Boulevard should be designed and constructed as a four lane urban, divided facility. This project is needed to increase the traffic operation capacity of the existing two-lane roadway. Also, the improvements are required in order to accommodate the increased transportation demands resulting from current and future growth in the area.

LEGAL DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 7006

A PORTION OF LOT 12, LAKE HANCOCK SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK S, PAGE 54 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, ALSO DESCRIBED IN OFFICIAL RECORDS BOOK 8673, PAGE 737 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6 INCH BY 6 INCH CONCRETE MONUMENT WITH NAIL AND NO IDENTIFICATION MARKING THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA; THENCE RUN SOUTH 89°55'38" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 1872.18 FEET TO ITS INTERSECTION WITH THE EXISTING WEST RIGHT OF WAY LINE OF FICQUETTE ROAD AS DESCRIBED IN DEED BOOK 1015, PAGE 150 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; SAID POINT ALSO BEING A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 372.63 FEET, A CHORD DISTANCE OF 329.24 FEET AND A CHORD BEARING OF NORTH 27°01'59" EAST; THENCE DEPARTING THE SOUTH LINE OF SAID SOUTHEAST QUARTER, FROM A TANGENT BEARING OF NORTH 53°15'01" EAST, RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EXISTING WEST RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 52°26'05", A DISTANCE OF 341.01 FEET TO THE POINT OF TANGENCY THEREOF; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY LINE NORTH 00°48'57" EAST, A DISTANCE OF 557.69 FEET TO THE SOUTHEAST CORNER OF LOT 12, LAKE HANCOCK SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK S, PAGE 54 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE CONTINUE NORTH 00°48'57" EAST ALONG THE WEST RIGHT OF WAY LINE OF FICQUETTE ROAD AS SHOWN ON SAID PLAT BOOK S, PAGE 54 AND ALONG THE EAST LINE OF SAID LOT 12, A DISTANCE OF 48.23 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE AND THE EAST LINE OF SAID LOT 12, RUN SOUTH 88°22'56" WEST, A DISTANCE OF 14.34 FEET; THENCE NORTH 01°37'04" WEST, A DISTANCE OF 40.00 FEET; THENCE NORTH 88°22'56" EAST, A DISTANCE OF 16.04 FEET TO A POINT ON AFORESAID WEST RIGHT OF WAY LINE OF FICQUETTE ROAD AND THE EAST LINE OF SAID LOT 12; THENCE RUN SOUTH 00°48'57" WEST ALONG SAID WEST RIGHT OF WAY LINE AND SAID EAST LINE, A DISTANCE OF 40.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 608 SQUARE FEET, MORE OR LESS

NOTES:

1. THIS SKETCH OF DESCRIPTION WAS PREPARED WITH THE BENEFIT OF CERTIFICATE OF TITLE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY AS TO FILE NO. 2037-4193531/18.00161, EFFECTIVE DATE OF JANUARY 17, 2019.
2. BEARINGS SHOWN HEREON WERE DERIVED FROM THE SOUTH LINE OF THE SE 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING SOUTH 89°55'38" WEST.

SEE SHEET 2 FOR LEGEND
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

I HEREBY CERTIFY THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.


Sheila Ann Ware

01/11/2022

SHEILA ANN WARE, P.S.M.
LICENSE NUMBER 5529

DATE

NOT VALID WITHOUT THE ORIGINAL
SIGNATURE AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

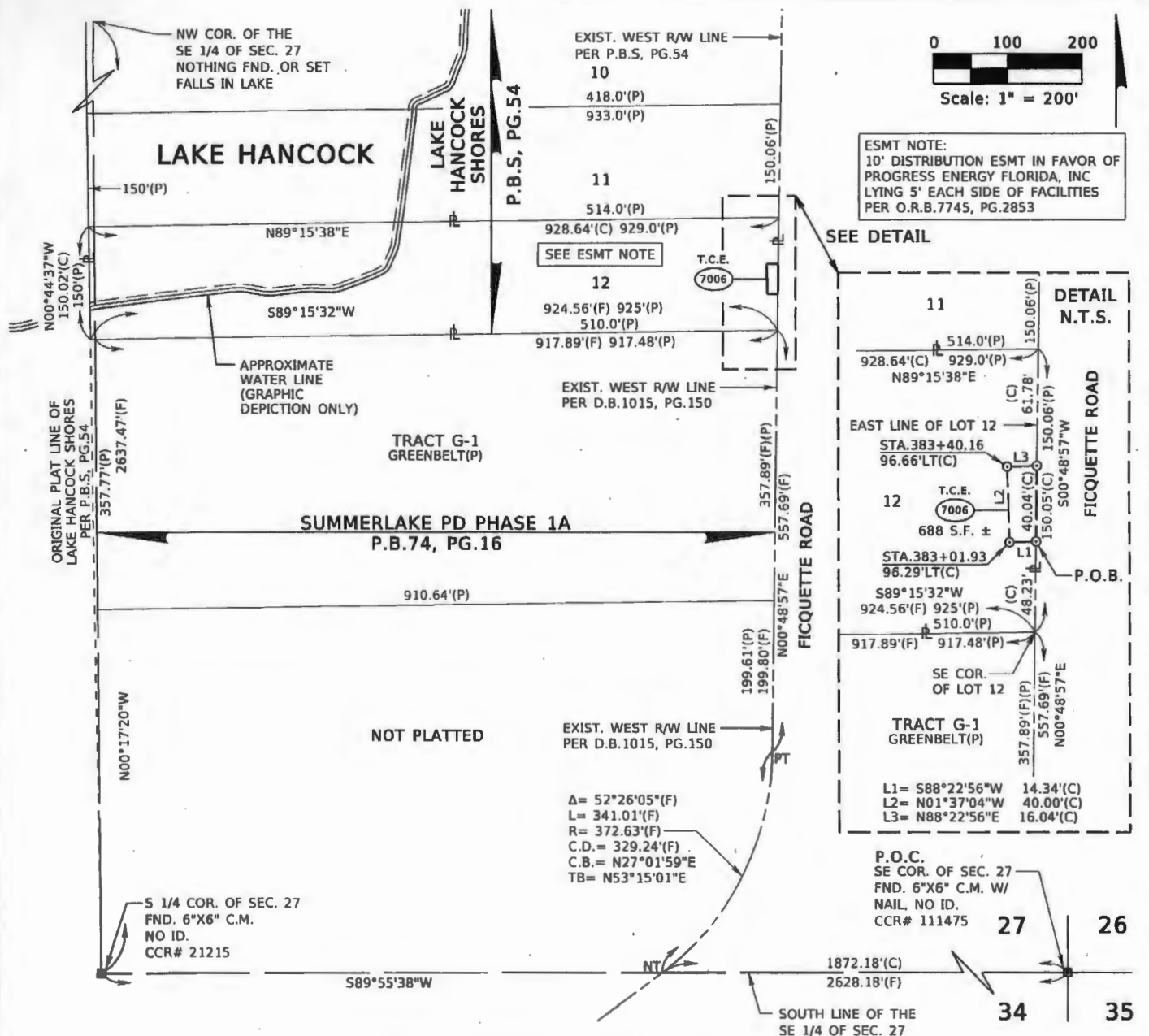
DATE	JANUARY 11, 2022	 Dewberry 800 NORTH MAGNOLIA AVENUE SUITE 1000 ORLANDO, FLORIDA 32803 (407) 843-5120	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	SECTION: 27
DRAWN BY	M.ROLLINS			TOWNSHIP: 23 S
CHECKED BY	S.WARE		RANGE: 27 E	
DEWBERRY PROJECT NO.	50104410		SCALE: N/A	
REVISION	BY	DATE	FICQUETTE ROAD ORANGE COUNTY C.I.P. NO. 5140	SHEET 1 OF 2

TT 1/19/2023


SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 7006



SEE SHEET 1 FOR LEGAL DESCRIPTION AND CERTIFICATION

DATE	JANUARY 11, 2022		 Dewberry 800 NORTH MAGNOLIA AVENUE SUITE 1000 ORLANDO, FLORIDA 32803 (407) 843-5120	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	SECTION: 27
DRAWN BY	M.ROLLINS				TOWNSHIP: 23 S
CHECKED BY	S.WARE			RANGE: 27 E	
DEWBERRY PROJECT NO.	50104410			SCALE: 1"=200'	
					SHEET 2 OF 2
REVISION	BY	DATE			

TT 1/19/2023

SCHEDULE "B"

5140 FICQUETTE ROAD PARCEL 7006

TEMPORARY CONSTRUCTION EASEMENT

Parcel 7006 is being acquired as a temporary, non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" ("Easement Area") for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a same or similar condition as the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the "Easement Area" or after seven (7) years, whichever occurs first.