

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**APPROVAL OF THE REPURPOSING OF AN
APPROXIMATELY 0.17 ACRE PARCEL KNOWN AS
PARK AVENUE FROM DRAINAGE TO DRAINAGE AND
ACCESS**

Resolution No. 2023-M-21

WHEREAS, on March 18, 1980, the Orange County Board of County Commissioners (“Board”) adopted a Resolution authorizing the County to acquire, via eminent domain, a 0.1703-acre parcel of property, which is more particularly described on **Exhibit “A”** hereto (“Park Avenue”), for drainage in the Park Avenue Drainage Project; and

WHEREAS, on June 27, 1980, the Circuit Court of Orange County, Florida (Case No. 80-4186) entered an Order of Taking giving Orange County, Florida a perpetual drainage easement over Park Avenue; and

WHEREAS, on August 5, 1982, the Circuit Court of Orange County, Florida, by entry of a Final Judgment, granted fee simple title to Park Avenue to Orange County; and

WHEREAS, Park Avenue was never used for drainage and the County does not currently plan to use Park Avenue for drainage; and

WHEREAS, the Public Works Department has determined that Park Avenue is not needed for drainage at this time and would be amenable to having Park Avenue classified as drainage and / or as access for the owners of the lots at 1740, 1746, and 1748 Clarcona Road; and

WHEREAS, because Park Avenue was acquired via eminent domain, the Public Works Department is requesting that the Board adopt this Resolution approving the repurposing of Park Avenue from drainage to drainage and / or access; and

WHEREAS, the Public Works Department is also recommending that, for access purposes, Park Avenue function merely as an opened, non-maintained roadway, subject to the owners of the lots complying with the requirements of Section 21-6, Orange County Code; and

WHEREAS, nothing in this Resolution should be construed or interpreted as meaning that at any point of time in the future the County will be obligated to convert the non-maintained roadway to a maintained roadway.

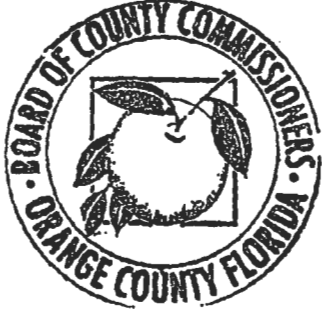
NOW, THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS:

Section 1. Repurposing of Park Avenue. The Board hereby accepts the determination, request, and recommendation of the Public Works Department, and resolves that Park Avenue, as more particularly described on **Exhibit "A"** hereto, shall be repurposed from drainage to drainage and / or access., consistent with the recitals of this Resolution.

Section 2. Effective date. This Resolution shall take effect on the date of its adoption.

[signatures appear on following page]

ADOPTED this 20th day of June, 2023.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings,
County Mayor

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

By: *Jennifer Lara-Klimetz*
Deputy Clerk

Print Name: Jennifer Lara-Klimetz

EXHIBIT "A"
LEGAL DESCRIPTION OF PARK AVENUE

For a Point of Reference, commence at the SW corner of NW 1/4 of NW 1/4 of Section 22, Township 21 South, Range 28 East, Orange County, Florida; run thence N. 00°00'00" East along the West line of the NW 1/4 of NW 1/4 of said Section 22, a distance of 200' to the POB, run thence N. 89°56'58" East along the South line of the N. 200' of S. 400' of NW 1/4 of NW 1/4 a distance of 254.95'; run thence N. 63°26'40" East, (N. 53°20' East from Official Records 1811, page 380) a distance of 243.27' to a concrete monument at the Westerly right-of-way line of SR 435; run thence N. 26°52'44" West along said Westerly right-of-way line (N. 36°40' West by Official Records 1811, Page 380) a distance of 15.00'; run thence S. 63°26'40" West, a distance of 239.66' to a point 15' North of the aforesaid South line of the N. 200' of the S. 400' of the NW 1/4 of NW 1/4; run thence S. 89°56' 58" West a distance of 251.40' to the West line of said NW 1/4 of NW 1/4; run thence S. 00°00'00" West, a distance of 15.00' to the POB, all lying in the NW 1/4 of Section 22, Township 21 South, Range 28 East, Orange County, Florida, containing 0.1703 acres more or less.

This instrument prepared by and return to:

Sandra Faye Woodson
1748 Clarcona Road
Apopka, Florida 32703

Parcel ID(s): 22-21-28-0000-00-146

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

ACCESS EASEMENT

THIS INDENTURE made as of the last date signed below between Gwendolyn B. Woodson (1/6 Interest), Sandra Faye Woodson (1/6 Interest), Willie G. Woodson (1/6 Interest), William B. Woodson (1/6 Interest), Deborah D. Orr (1/6 Interest), La Navorety Woodson (1/6 Interest), whose address is 1746 Clarcona Road, Apopka, Florida 32703, collectively, GRANTORS, and Sandra Faye Woodson, whose address is 1748 Clarcona Road, Apopka, Florida 32703, GRANTEE.

WITNESSETH, that the GRANTORS for and in consideration of the sum of \$10.00 and other valuable considerations, paid by the GRANTEE the receipt of which is hereby acknowledged, do hereby give and grant to the GRANTEE and its assigns, an easement for access purposes over the lands described in **Exhibit "A"** hereto (the "Subservient Estate"), with full authority to enter upon, construct, maintain, and operate an access facility, as the GRANTEE and its assigns may deem necessary, over, under, and upon the following described lands situate in Orange County aforesaid to-wit:

SEE ATTACHED EXHIBIT "B" (the "Dominant Estate")

**Property Appraiser's Parcel Identification Number:
(a portion of)
22-21-28-0000-00-146**

TO HAVE AND TO HOLD the said access easement unto the GRANTEE and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with normal operation or maintenance of the access, out of and away from the herein granted easement, and the GRANTORS, their heirs, successors, and assigns agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the access.

IN WITNESS WHEREOF, the GRANTORS have caused these presents to be duly executed the day and year written below.

GWENDOLYN B. WOODSON

By: Gwendolyn Woodson

Print Name: Gwendolyn B. Woodson

Date: 4-7-2023

WITNESS:

Debra A. Williams

Print Name: Debra A. Williams

WITNESS:

Michael Block

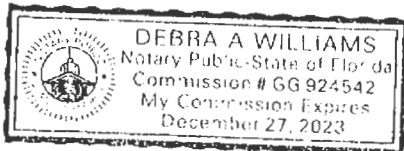
Print Name: Michael Block

(Signature of **TWO** witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7 day of April, 2023, by Gwendolyn B. Woodson. Said person (check one) is personally known to me, produced _____ as identification.

(NOTARY SEAL)



Debra A. Williams

Notary Public Signature

Debra A. Williams

Typed or Printed Notary Name

Notary Public-State of Florida

Commission No.:

My Commission Expires: 12/27/2023

SANDRA FAYE WOODSON

By: Sandra Faye Woodson

Print Name: Sandra Faye Woodson

Date: 4-7-23

WITNESS:

Debra A. Williams

Print Name: Debra A. Williams

WITNESS:

Michael Block

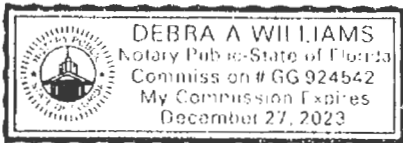
Print Name: Michael Block

(Signature of **TWO** witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7 day of April, 2023, by Sandra Faye Woodson. Said person (check one) is personally known to me, produced FL Drivers License as identification.

(NOTARY SEAL)



Debra A. Williams

Notary Public Signature

Debra A. Williams

Typed or Printed Notary Name

Notary Public-State of FLORIDA

Commission No.:

My Commission Expires: 12/27/2023

WILLIE G. WOODSON

By: Willie G. Woodson

Print Name: Willie G. Woodson

Date: 4/11/2023

WITNESS:

Alando McKenzie

Print Name: Alando McKenzie

WITNESS:

Lorenzo Green

Print Name: Lorenzo Green

(Signature of **TWO** witnesses required by Florida law)

STATE OF Alabama
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 11 day of April, 2023, by Willie G. Woodson. Said person (check one) is personally known to me, produced _____ as identification.

(NOTARY SEAL)

Dorethia H. Green

Notary Public Signature

Dorethia H. Green

Typed or Printed Notary Name

Notary Public-State of Alabama

Commission No.: NA

My Commission Expires: 3/12/2027

WILLIAM B. WOODSON

By: William B. Woodson

Print Name: William B. Woodson

Date: 4-7-2023

WITNESS:

Debra A. Williams

Print Name: Debra A. Williams

WITNESS:

Michael Block

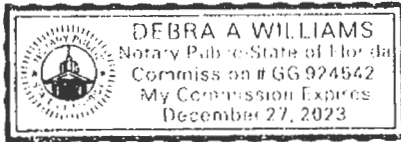
Print Name: Michael Block

(Signature of **TWO** witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7 day of April, 2023, by William B. Woodson. Said person (check one) is personally known to me, produced _____ as identification.

(NOTARY SEAL)



Debra A. Williams
Notary Public Signature

Debra A. Williams
Typed or Printed Notary Name

Notary Public-State of Florida

Commission No.: _____

My Commission Expires: 12/27/2023

DEBORAH D. ORR

By: Deborah D. Orr

Print Name: Deborah D. Orr

Date: 4/12/2023

WITNESS:

WITNESS:

Martha R. Washington

Jill B. Hodges

Print Name: Martha R. Washington

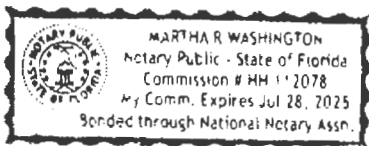
Print Name: Jill B. Hodges

(Signature of **TWO** witnesses required by Florida law)

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of April, 2023, by Deborah D. Orr. Said person (check one) is personally known to me, produced _____ as identification.

(NOTARY SEAL)



Martha R. Washington

Notary Public Signature

Martha R. Washington

Typed or Printed Notary Name

Notary Public-State of Florida

Commission No.: HH 112078

My Commission Expires: Jul 28 2025

La NAVORETY WOODSON

By: La Navorety Woodson

Print Name: La Navorety Woodson

Date: 4/7/23

WITNESS:

Debra A. Williams

Print Name: DEBRA A. WILLIAMS

WITNESS:

Michael Block

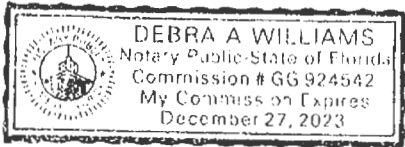
Print Name: MICHAEL BLOCK

(Signature of **TWO** witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7 day of April, 2023, by La Navorety Woodson. Said person (check one) is personally known to me, produced FL DRIVERS LICENSE identification.

(NOTARY SEAL)



Debra A. Williams
Notary Public Signature

Debra A. Williams
Typed or Printed Notary Name

Notary Public-State of Florida

Commission No.:

My Commission Expires: 12/27/2023

EXHIBIT "A"
LEGAL DESCRIPTION OF SUBSERVIENT ESTATE

W 300 FT OF N 100 FT OF S 200 FT OF NW1/4 OF NW1/4 LYING W OF PAVED RD IN SEC 22-21-28

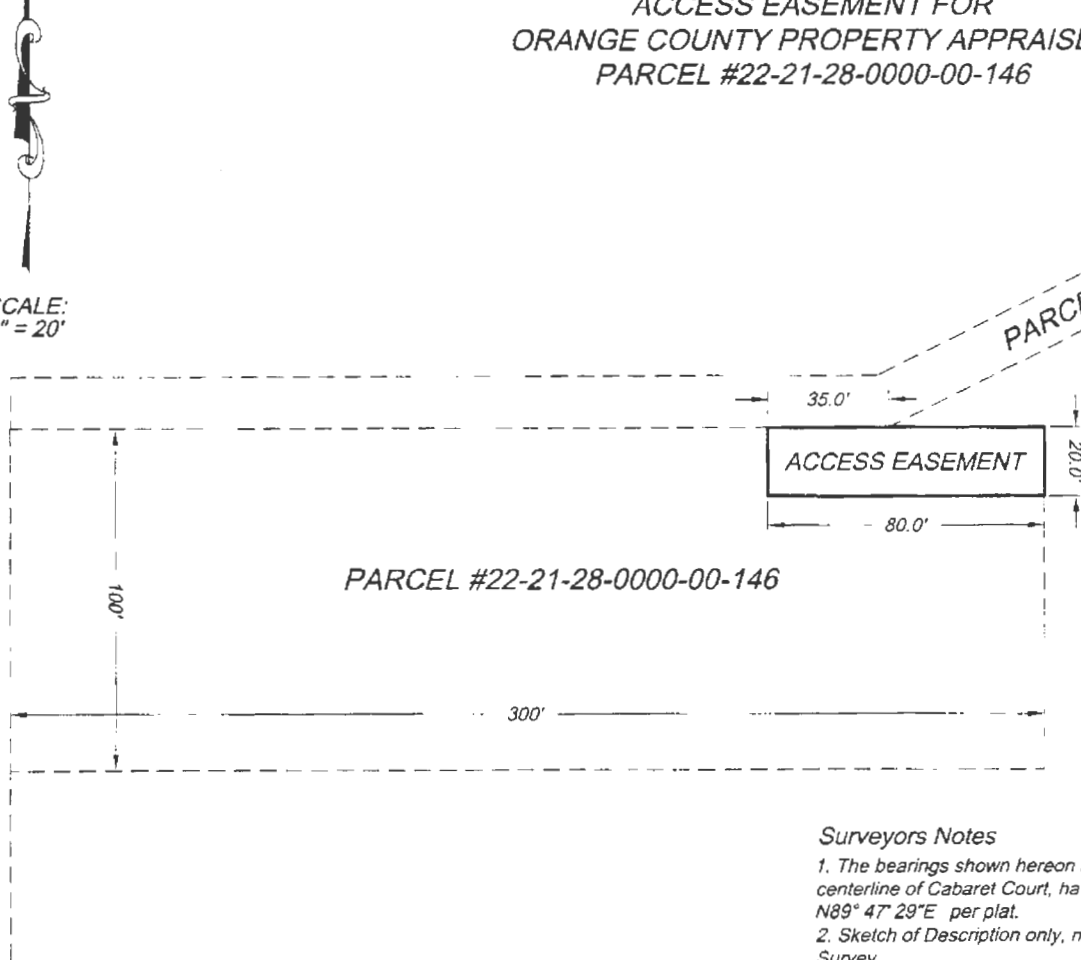
EXHIBIT "B"
SKETCH AND LEGAL OF ACCESS EASEMENT ("DOMINANT ESTATE")

THE EAST 80 FEET OF THE NORTH 20 FEET OF THE WEST 300 FEET OF THE NORTH 100 FEET OF THE SOUTH 200 FEET OF THE NORTHWEST 1/ 4 OF THE NORTHWEST 1/ 4 LYING WEST OF PAVED ROAD, SECTION 22, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA



SCALE:
1" = 20'

SKETCH OF DESCRIPTION
of
ACCESS EASEMENT FOR
ORANGE COUNTY PROPERTY APPRAISER
PARCEL #22-21-28-0000-00-146



CLARCONA ROAD
60' PLATTED RIGHT-OF-WAY
PUBLIC ROADWAY

LEGAL DESCRIPTION

THE EAST 80 FEET OF THE NORTH 20 FEET
OF THE WEST 300 FEET OF THE NORTH
100 FEET OF THE SOUTH 200 FEET OF THE
NORTHWEST 1/4 OF THE NORTHWEST 1/4
LYING WEST OF PAVED ROAD, SECTION 22,
TOWNSHIP 21 SOUTH, RANGE 28 EAST,
ORANGE COUNTY, FLORIDA

Surveyors Notes

1. The bearings shown hereon are based upon the centerline of Cabaret Court, having a bearing of N89° 47' 29"E per plat.
2. Sketch of Description only, not a Boundary Survey.

HARTLEY SURVEYING, INC

263 TIGER LILY COURT
ALTA MONTE SPRINGS, FL 32714
407-383-1978 407-785-9415 (FAX)
LB #7197

Jeff L. Hartley
JEFF L. HARTLEY, PSM #5116
FIELD DATE: 04/11/2023