



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 25-1111, **Version:** 1

Interoffice Memorandum

DATE: August 1, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Joseph C. Kunkel, P.E., Director, Public Works Department

CONTACT: Eduardo Avellaneda, P.E., Manager

PHONE: (407) 836-7871

DIVISION: Roads and Drainage Division

ACTION REQUESTED:

Approval and execution of Assignment of Drainage Easement by Orange County, Florida and the City of Winter Garden. District 1. (Roads and Drainage Division)

PROJECT: N/A

PURPOSE:

The City of Winter Garden ("City"), with the adoption of Annexation Ordinance 16-22, has annexed into the city limits the easement North from Edgeway Drive (parcel 806). Orange County has a recorded Drainage Easement in Official Record Book 3548, Page 546 at this property and wishes to assign the easement to the City of Winter Garden.

In accordance with Florida Statutes, an Assignment of Easement has been prepared which transfers to the City interest, authority and responsibility over the portion of the drainage easement. Approval of this assignment also transfers responsibility for maintaining the drainage easement.

The County Attorney's Office has reviewed the Assignment and found the assignment acceptable as to form.

BUDGET: N/A

ASSIGNMENT OF DRAINAGE EASEMENT

THIS ASSIGNMENT OF DRAINAGE EASEMENT (“Assignment”) is made and entered into by **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, whose mailing address is P.O. Box 1393, Orlando, FL 32802-1393 (“Assignor”), and the **CITY OF WINTER GARDEN**, a Florida municipal corporation, whose address is 300 West Plant Street, Winter Garden, FL 34787 (“Assignee”).

WHEREAS, Assignor is the holder of a drainage easement (the “Easement”), dated August 20, 1984, and recorded at OR Book 3548, Page 546, Public Records of Orange County, Florida; and

WHEREAS, the land lying within a portion the Easement, as more particularly described in Exhibit “A,” attached to this Assignment, is located within the jurisdictional limits of the Assignee; and

WHEREAS, pursuant to a Resolution adopted by the Orange County Board of County Commissioners under Section 125.38, Florida Statutes, subject to the provisions herein, the Assignor desires to assign, and the Assignee desires to assume, all of the Assignor’s rights, title, duties, obligations, and interest in the portion of the Easement described in Exhibit “A.”

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by reference.
2. **Assignment.** The Assignor hereby assigns and transfers to the Assignee, to the extent assignable, all of the Assignor’s rights, title, duties, obligations, and interests in the Easement described in Exhibit “A.”
3. **Assumption.** The Assignee hereby assumes from the Assignor all of the Assignor’s rights, duties, and obligations under the terms and conditions of the Easement, including the maintenance of the easement areas, and the Assignee further agrees that, as a condition of this Assignment, the Assignee shall assume and abide by all terms and conditions of the Easement, except as described below and shown on Exhibit “B.”

Assignee shall maintain the existing 24” reinforced concrete pipe (“RCP”) storm line from Edgeway Drive north to and including the manhole, and the Assignor shall maintain the 24” RCP from the manhole to its terminus at the mitered end section in the Orange County stormwater pond, as shown on Exhibit “B.”

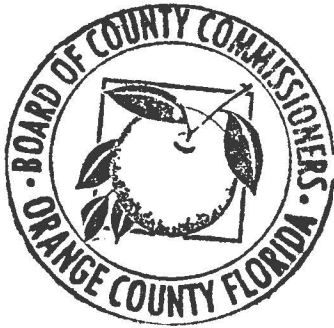
4. **Recording.** The Assignee shall record a certified copy of this Assignment of Drainage Easement in the Official Public Records of Orange County, Florida, within five (5) business days of its Effective Date.

5. **Effective Date.** This Assignment of Drainage Easement shall become effective upon the date of execution by the Assignor or the date of execution by the Assignee, whichever date is later.

IN WITNESS WHEREOF, the Assignor and the Assignee have executed this Assignment of Drainage Easement, as of the dates respectively written below.

ASSIGNOR:

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners



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

Date: *26 August 2025*

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

BY: *Jennifer Lara-Klinetz*
Deputy Clerk
BY *Jennifer Lara-Klinetz*
Print Name

Signed, sealed, and delivered
In the presence of:

ASSIGNEE:

CITY OF WINTER GARDEN, FLORIDA

By: John Rees
John Rees, Mayor

Witnesses:

Marangetti Fraticelli
Marangetti Fraticelli
Printed Name

Mary Taveras
Mary Taveras
Printed Name

ATTEST: Angela Grimage
Angela Grimage, City Clerk

APPROVED AS TO FORM AND
LEGALITY for the use and reliance
of the City of Winter Garden, Florida only.

Date: 1/23/2025, 2025

[Signature]
City Attorney, City of Winter Garden, Florida

Daniel Langley
Printed Name



STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me, a Notary Public, by means of physical presence, or online notarization, this 23rd day of January, 2025, by John Rees, who, is personally known to me, or has produced as identification.

Witness my hand and official seal this 23rd day of Jan, 2025.

Ronisha Martin
Notary Public, State of Florida

Ronisha Martin
Name typed, printed or stamped
My Commission Expires: 10/21/2027

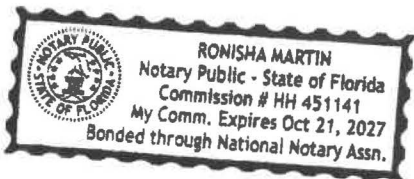


Exhibit A
(Legal Description of Easement)

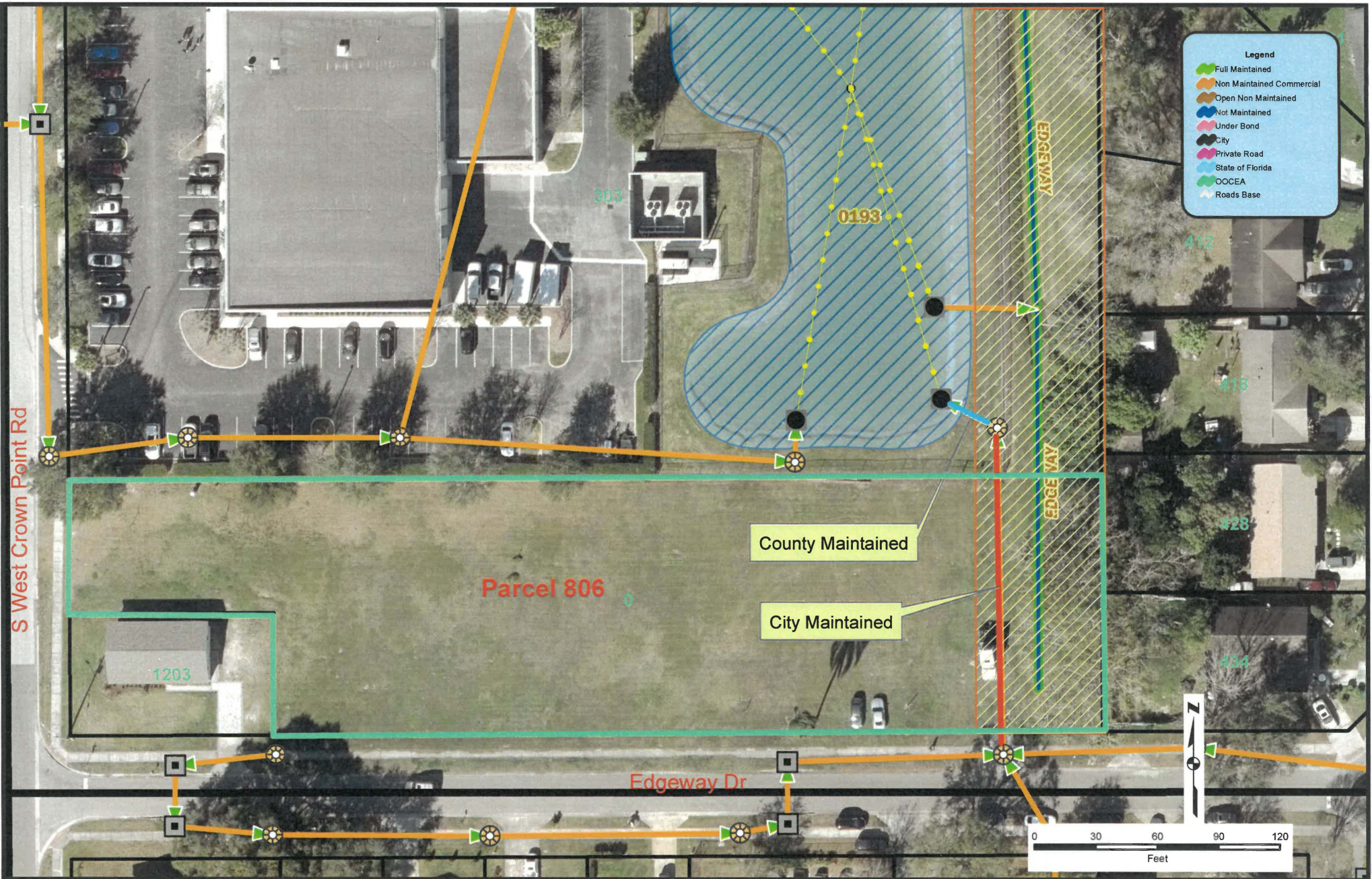
Description No. 6 – Easement North from Edgeway Drive (Drainage Easement) Parcel 806:

A) That part of the West 60.00 feet of the East 190.00 feet of the Southwest 1/4 of Block F, Overstreet Crate Company Subdivision, as recorded in Plat Book F, page 9, Public Records of Orange County, Florida, lying North of the right of way of Edgeway Drive as shown on the plat of Ficquette-Thornal Subdivision No.1, recorded in Plat Book V, page 58, Public Records of Orange County, Florida.

B) The South 187.00 feet of the West 60.00 of the East 190.00 feet of the Northwest 1/4 of Block F, Overstreet Crate Company Subdivision, as recorded in Plat Book F, page 9, Public Records of Orange County, Florida.

Contains 0.643 acres, more or less.

Exhibit B



**Assignment of Drainage Easement
Edgeway Drive**

Exhibit B

- Existing Ditch
- County Maintained
- City of Winter Garden Maintained

Author: Rojesh Sankar
 Checked by:
 Date Saved: 7/31/2025

All data, information, and maps are provided "as is" without warranty or any representation of accuracy, timeliness of completeness