





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: May 19, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Elizabeth Price Jackson, Senior Title Examiner 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

DIVISION: Real Estate Management
Phone: (407) 836-7082

ACTION REQUESTED: APPROVAL AND EXECUTION OF RIGHT OF ENTRY BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF PUBLIC LAND ADMINISTRATION, DIVISION OF STATE LANDS AND ORANGE COUNTY FOR ENVIRONMENTAL ASSESSMENT

PROJECT: Lake Ellenor Park Sublease

District 6

PURPOSE: To provide access to Orange County to conduct an environmental assessment of state lands proposed for county park purposes.

ITEM: Right of Entry
Cost: None
Size: 23.57 acres
Term: Until March 16, 2018

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

REMARKS:

The County has requested permission to access the property for environmental testing purposes to determine the suitability of the property for use as a park. This Right of Entry allows access to conduct an environmental assessment.

The County is executing the Right of Entry to show acceptance of the terms and conditions.

JUN 06 2017



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Ryan E. Matthews
Interim Secretary

March 16, 2017

Katherine Latorre
County Attorney
P.O. Box 1393
Orlando, Florida 32802
AID#31305

RE: Lake Ellenor Park Sublease

Dear Ms. Latorre:

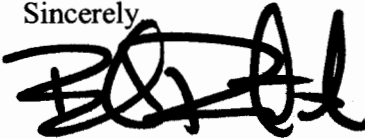
This letter will serve as consent for Orange County, Florida, a political subdivision of the State of Florida ("Orange County"), its officers, employees, agents, and contractors to enter the property described in the attached legal description (the "property") to conduct an environmental assessment. This consent does not waive the authority and/or jurisdiction of any governmental entity, nor does it disclaim any title interest that the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees) may have in this property. This consent shall take effect on the date of execution of this letter of consent by Orange County and shall continue until March 16, 2018.

Orange County agrees to indemnify, protect, defend, save and hold harmless Board of Trustees and the State of Florida, its officers, agents and employees from any and all damages, claims, costs, expense, including attorney's fees, demands, lawsuits, causes of action or liability of any kind or nature arising out of all personal injury or damages attributable to the acts or omissions of Orange County and its officials or employees acting within the scope of their employment. Orange County shall contact the Board of Trustees regarding the legal action deemed appropriate to remedy such damage or claims. Orange County shall maintain a program of insurance covering its liabilities as prescribed by Section 768.28, F.S. Nothing herein shall be construed as a waiver of sovereign immunity enjoyed by any party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims. In the event Orange County subcontracts any part or all of the work performed in the property, Orange County shall require each and every subcontractor to identify the Board of Trustees as an additional insured on all insurance policies required by the Orange County. Any contract awarded by Orange County for work in the property shall include a provision whereby Orange County's subcontractor agrees to indemnify, pay on behalf, and hold the Board of Trustees

harmless for all injuries and damages arising in connection with the Orange County's subcontract.

For this consent to be valid, an authorized representative of Orange County must sign below and return this letter to my attention at the letterhead address (directed to Mail Station 130) or by email to Christopher.Crenshaw@dep.state.fl.us.

Sincerely,



Brad Richardson, OMC Manager
Bureau of Public Land Administration
Division of State Lands

BR/cbc

Enclosure: sketch and legal description

Orange County acknowledges receipt of the above consent letter and agrees to the terms and conditions set forth herein.

Agency:

By: Ajit Lalchandani
Signature

County Administrator

Title

Ajit Lalchandani

Type or Print Name

6.6.17

Date



From the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 27, Township 23 South, Range 29 East, run North 89 degrees 21 minutes 48 seconds East along the South boundary of said Northeast 1/4 of the Northwest 1/4 a distance of 179.80 feet to the West boundary of ORLANDO CENTRAL PARK, NUMBER ONE, as recorded in Plat Book "Z", page 63, Public Records of Orange County, Florida; thence run North 00 degrees 38 minutes 12 seconds West along said West boundary of ORLANDO CENTRAL PARK, NUMBER ONE, a distance of 60 feet to a point which is the point of beginning of the description of the land herein conveyed; from said point of beginning run North 00 degrees 38 minutes 12 seconds West along the aforesaid West boundary of ORLANDO CENTRAL PARK, NUMBER ONE a distance of 550 feet, more or less, to a point on the present edge of the waters of the lake now known and designated as Lake Ellenor (being the lake sometimes previously known as "Rattlesnake Lake", and being the same lake as the "Lake Ellenor" a portion of which is shown on the plat of the aforesaid ORLANDO CENTRAL PARK, NUMBER ONE), which point may hereinafter be referred to as "Point A"; thence return

to the point of beginning and from thence run South 89 degrees 21 minutes 48 seconds West 1509.63 feet to a point on the West boundary of the aforesaid Section 27; run thence North 00 degrees 22 minutes 09 seconds West along said Section line a distance of 880 feet more or less, to the present edge of the waters of the said Lake Ellenor; thence run Easterly along the said present edge of the waters of the said Lake Ellenor to the aforesaid "Point A";

BSM APPROVED

BY *Ray*

DATE February 6, 2017

Map of Boundary Survey UCF / Lake Ellenor Property

Located in
Section 27, Township 23 South, Range 29 East
Orange County, Florida

