



Legislation Text

File #: 24-1437, **Version:** 1

Interoffice Memorandum

DATE: September 18, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Mindy T. Cummings, Manager

FROM: Tara Petersen, Program Manager

CONTACT: Mindy T. Cummings, Manager

PHONE: 407-836-7090

DIVISION: Real Estate Management Division

ACTION REQUESTED:

Approval and execution of Resolution and authorization to initiate condemnation proceedings for Ficquette Road (Parcel 1035). District 1. **(Real Estate Management Division)**

PROJECT: Ficquette Road (Parcel 1035)

PURPOSE: Acquisition of one fee-simple parcel required for roadway improvements.

ITEM: Resolution (Parcel 1035)

BUDGET: NA

REVENUE: NA

FUNDS: NA

APPROVALS:

Real Estate Management Division
Public Works Engineering

REMARKS: This is the seventh submittal of parcels for this project to be acquired through eminent domain.

OCT 08 2024

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

RESOLUTION

WHEREAS, during fiscal year 2003/2004, the Board approved the project known as Ficquette Road to improve the existing two-lane roadway to a four-lane divided urban roadway including sidewalks, a multi-purpose trail, stormwater drainage, signage, paving and marking, and signalization within the project limits 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 fee simple 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 fee simple 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 fee simple 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 property description under parcel number 1035 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 fee simple 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,

Resolution
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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.

ADOPTED THIS OCT 08 2024



(Official Seal)

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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

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

BY: *[Signature]*
Deputy Clerk

DAVID ROONEY
Printed Name

DATE: 8 October 2024

Exhibit "A"

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

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**

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.

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 REPORTOctober 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.

STAFF REPORT

October 1st, 2021

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CIP 5140

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: 1035

A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6806, PAGE 3652 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LOCATED IN THE NORTHEAST 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 X-CUT MARKING THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA; THENCE RUN SOUTH 00°01'13" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 1748.63 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6806, PAGE 3652 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE, RUN NORTH 89°11'23" WEST ALONG SAID NORTH LINE, A DISTANCE OF 1563.72 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 2013.48 FEET, A CHORD DISTANCE OF 363.57 FEET AND A CHORD BEARING OF SOUTH 08°43'46" WEST FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE FROM A TANGENT BEARING OF SOUTH 13°54'34" WEST, RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'36", A DISTANCE OF 364.07 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN INSTRUMENT NUMBER 20180658516 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID CURVE, RUN NORTH 89°11'23" WEST ALONG SAID NORTH LINE, A DISTANCE OF 51.90 FEET TO A POINT ON THE EXISTING EASTERLY RIGHT OF WAY LINE OF FICQUETTE ROAD AS DESCRIBED IN DEED BOOK 1015, PAGE 150 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH LINE, RUN NORTH 14°19'07" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 370.35 FEET TO ITS INTERSECTION WITH AFORESAID NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6806, PAGE 3652; THENCE DEPARTING SAID EASTERLY LINE, RUN SOUTH 89°11'23" EAST ALONG SAID NORTH LINE, A DISTANCE OF 15.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 10138 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. 2037-4223777/18.00161, EFFECTIVE DATE OF JANUARY 24, 2019.
2. BEARINGS SHOWN HEREON WERE DERIVED FROM THE EAST LINE OF THE NE 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING SOUTH 00°01'13" WEST.


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 A. Ware
SHEILA A. WARE, P.S.M.
LICENSE NUMBER 5529

02/21/2023
DATE

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

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

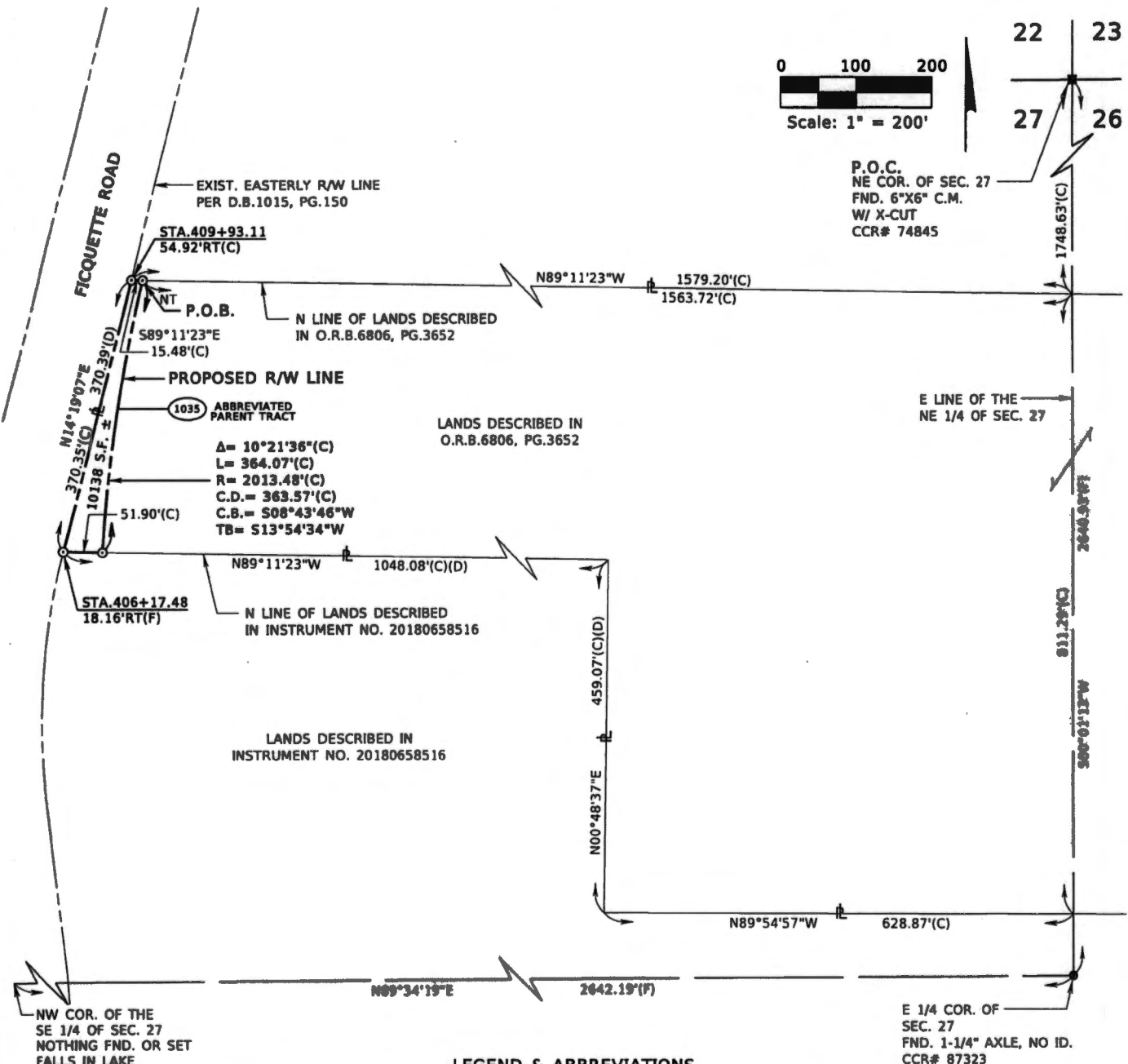
DATE	FEBRUARY 21, 2023	 Dewberry 800 NORTH MAGNOLIA AVENUE SUITE 3000 ORLANDO, FLORIDA 32803 (407) 843-5120	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	SECTION: 27
DRAWN BY	M. ROLLINS			TOWNSHIP: 23 S
CHECKED BY	S. WARE		RANGE: 27 E	
DEWBERRY PROJECT NO.	50104430		SCALE: N/A	
REVISION	BY DATE		C.I.P. NO. 5140	SHEET 1 OF 2

TP. 3/16/2023

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1035



P.O.C.
NE COR. OF SEC. 27
FND. 6"X6" C.M.
W/ X-CUT
CCR# 74845

Δ = 10°21'36"(C)
L = 364.07'(C)
R = 2013.48'(C)
C.D. = 363.57'(C)
C.B. = S08°43'46"W
TB = S13°54'34"W

LANDS DESCRIBED IN
O.R.B. 6806, PG. 3652

LANDS DESCRIBED IN
INSTRUMENT NO. 20180658516

E 1/4 COR. OF
SEC. 27
FND. 1-1/4" AXLE, NO ID.
CCR# 87323

LEGEND & ABBREVIATIONS

- | | | | | |
|--------------------------------------|---------------------------------|--------------------------------|----------------------------------|---------------------------|
| C.B. = CHORD BEARING | D.B. = DEED BOOK | I.R. = IRON ROD | P.B. = PLAT BOOK | R/W = RIGHT OF WAY |
| C.C.R. = CERTIFIED CORNER RECORD | ESMT = EASEMENT | L = ARC LENGTH | PC = POINT OF CURVATURE | S.F. = SQUARE FEET |
| C.D. = CHORD DISTANCE | EXIST. = EXISTING | LB = LICENSED SURVEY BUSINESS | PG./PGS. = PAGE / PAGES | SEC. = SECTION |
| C.I.P. = CAPITAL IMPROVEMENT PROGRAM | FND. = FOUND | M.N.D. = MAG NAIL AND DISK | P.I. = POINT OF INTERSECTION | STA. = STATION |
| C.M. = CONCRETE MONUMENT | FPC = FLORIDA POWER CORPORATION | NO. = NUMBER | P.O.B. = POINT OF BEGINNING | TB = TANGENT BEARING |
| COR. = CORNER | OC = ORANGE COUNTY | NT = NON-TANGENT | P.O.C. = POINT OF COMMENCEMENT | W/ = WITH |
| (C) = CALCULATED DISTANCE | ID. = IDENTIFICATION | O.C. = ORANGE COUNTY | PRC = POINT OF REVERSE CURVATURE | ± = PROPERTY LINE |
| (D) = DEED DISTANCE | | O.R.B. = OFFICIAL RECORDS BOOK | PT = POINT OF TANGENCY | △ = SAME PROPERTY OWNER |
| | | | (P) = PLAT | Δ = DELTA (CENTRAL ANGLE) |
| | | | R = RADIUS | ⊖ = CHANGE IN DIRECTION |
| | | | (R) = RADIAL | - - - = R/W LINE |
| | | | RT = RIGHT | ± = MORE OR LESS |

SEE SHEET 1 FOR LEGAL DESCRIPTION AND CERTIFICATION

DATE FEBRUARY 21, 2023	CERTIFICATION OF AUTHORIZATION No. LB 8011	<p>Dewberry 800 NORTH MAGNOLIA AVENUE SUITE 1000 ORLANDO, FLORIDA 32803 (407) 843-5120</p>	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	SECTION: 27
DRAWN BY M.ROLLINS			FICQUETTE ROAD ORANGE COUNTY C.I.P. NO. 5140	TOWNSHIP: 23 S
CHECKED BY S.WARE				RANGE: 27 E
DEWBERRY PROJECT NO. 50104410				SCALE: 1"=200'
REVISION	BY	DATE		SHEET 2 OF 2

TP 3/16/2023

SCHEDULE "B"

5140 FICQUETTE ROAD PARCEL 1035

FEE SIMPLE

Parcel 1035: the interest being acquired is fee simple.