



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

**DATE:** August 12, 2020

**TO:** Mayor Jerry L. Demings  
and the  
Board of County Commissioners

**THROUGH:** Paul Sladek, Manager *PSS*  
Real Estate Management Division

**FROM:** Tamara L. Pelc, Senior Title Examiner *TLP of PSS*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

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

**PROJECT:** East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway  
District 5

**PURPOSE:** Acquisition of two fee simple parcels and one perpetual drainage easement, required for road improvements.

**ITEM:** Resolution (Parcels 1140/8140/9140)

**BUDGET:** Account No.: 1023-072-2752-6110

**APPROVALS:** Real Estate Management Division  
Public Works Department

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

Upon a motion by Commissioner Mayra Uribe, seconded by Commissioner Victoria P. Siplin, and carried with all members present and voting AYE by voice vote, the Board adopted the following:

## RESOLUTION

WHEREAS, during FY 00/01, the Board approved the project known as East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway 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 East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway project by Orange County, a charter county and political subdivision of the State of Florida, it is necessary that said County have the required areas for roadway purposes and it is necessary and in the public interest that there be acquired the required fee simple and perpetual drainage easement interests in certain lands for proper construction and maintenance of the above road in the County's Road System; and

WHEREAS, efforts to purchase said lands from the owner of said lands 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 and perpetual drainage easement interests in the required lands 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 and perpetual drainage easement interests for roadway purposes be acquired in the name of said County by gift, purchase, eminent domain proceedings, or otherwise over and upon all those certain pieces, parcels or tracts 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 descriptions under parcel numbers 1140/8140/9140 are ratified and confirmed and found necessary for this project to the extent of the estate or interest set forth as a part of the respective parcel descriptions, the above referenced descriptions 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 and perpetual drainage

easement interests in said lands 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.

ADOPTED THIS SEP 01 2020

(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: Craig Stopyla  
for Deputy Clerk

Craig Stopyla  
Printed Name

DATE: 2 September 2020

/tlp



**SCHEDULE "A"**

**EAST WEST ROAD**

**PARCEL 1140**

**ESTATE: Fee Simple**

**PURPOSE: Road Right of Way**

A portion of the lands lying in Section 15, Township 22 South, Range 30 East, as described in Official Records Book 6424, page 6088, Public Records of Orange County, Florida, being more particularly described as follows:


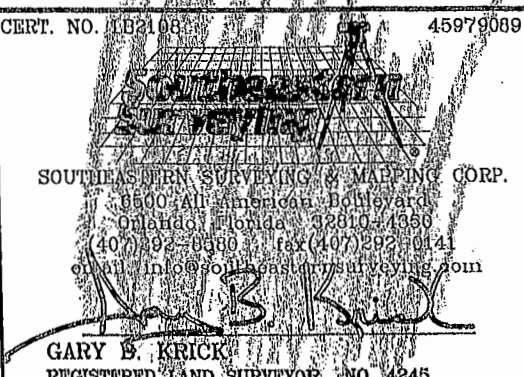
COMMENCE at the Southwest corner of the Northwest 1/4 of said Section 15; thence North 89°36'56" East, a distance of 910.26 feet along the South line of the Northwest 1/4 of said Section 15 to the POINT OF BEGINNING;

thence North 00°23'32" West, 65.52 feet; thence North 78°17'55" East, 494.09 feet to the point of curvature of a curve concave South, having a radius of 2,160.00 feet, a central angle of 02°20'16" and a chord of 88.12 feet which bears North 79°28'03" East; thence Easterly along the arc of said curve a distance of 88.13 feet; thence South 00°34'03" East, 123.54 feet to a point on a non tangent curve concave South, having a radius of 2,038.00 feet, a central angle of 01°48'24", a chord of 64.25 feet which bears South 79°12'07" West; thence Westerly along the arc of said curve, a distance of 64.26 feet to the point of tangency; thence South 78°17'55" West, 218.39 feet to said South line of the Northwest 1/4; thence along said South line, South 89°36'56" West, 294.28 feet to the POINT OF BEGINNING.

Containing 62,398 square feet or 1.43 acres, more or less.

**SURVEYORS NOTES:**

1. The bearings and coordinates shown hereon are based on the Orange County Geodetic Information System traverse between G.I.S. Point #160 to G.I.S. Point #174 as being North 89°55'40" East.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.  
Not valid without sheet 2.

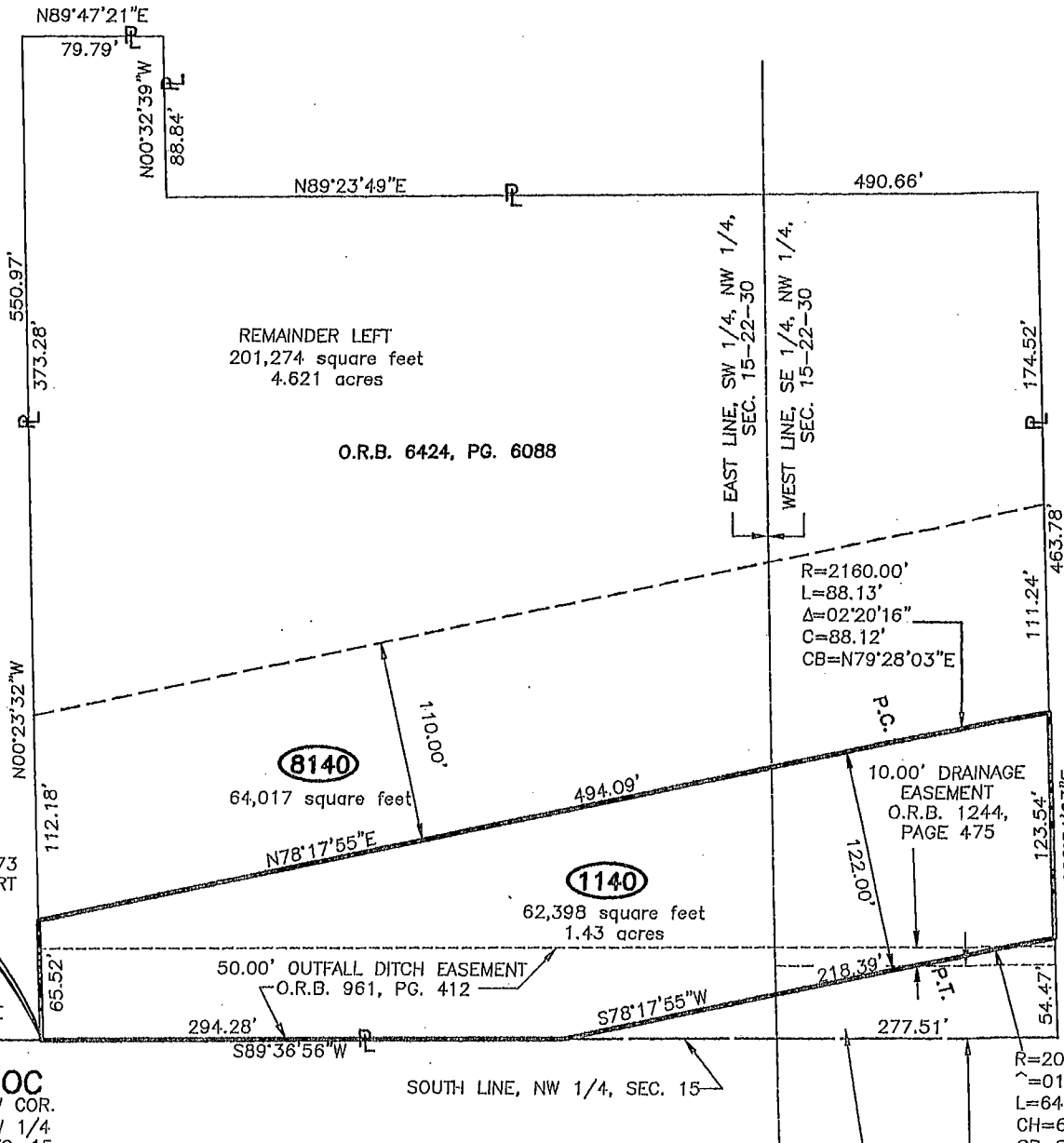
<b>DESCRIPTION</b>  FOR  Revised: September, 2006 REJ	Date: May, 2005 CBvG		CERT. NO. MB2108 45979089
	Job No.: 45979	Scale: N.T.S.	 SOUTHEASTERN SURVEYING & MAPPING CORP. 8500 All American Boulevard Orlando, Florida 32810-1386 (407) 292-0500 fax (407) 292-0141 e-mail info@southeasternsurveying.com
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that <b>THIS IS NOT A SURVEY.</b>		
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH			<b>GARY B. KRICK</b> REGISTERED LAND SURVEYOR NO. 4245

SKETCH OF DESCRIPTION  
 EAST WEST ROAD  
 PARCEL 1140

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST



1"=100'



**POB**  
 STA: 1008+47.73  
 OFFSET: 4.25' RT

**POC**  
 SW COR.  
 NW 1/4  
 SEC. 15

**LEGEND**

CB=CHORD BEARING  
 CCR=CERTIFIED CORNER RECORD  
 CH=CHORD  
 COR.=CORNER  
 (D)=DEED  
 ^=CENTRAL ANGLE  
 L=LENGTH  
 N.T.S.=NOT TO SCALE  
 O.R.B.=OFFICIAL RECORDS BOOK  
 (P)=PLAT

P.C.=POINT OF CURVATURE  
 PG.=PAGE  
 P=PROPERTY LINE  
 POB=POINT OF BEGINNING  
 POC=POINT OF COMMENCEMENT  
 P.T.=POINT OF TANGENCY  
 R=RADIUS  
 R/W=RIGHT OF WAY  
 SEC.=SECTION  
 RT=RIGHT

Drawing No. 45979 089  
 Job No. 45979  
 Date: May, 2005 CBvG  
 Revised: November, 2005 DCS  
 Revised: February, 2006 DRR  
 Revised: September, 2006 REJ  
 SHEET 2 OF 2  
 See Sheet 1 for Description

NOTE: NOT VALID WITHOUT RAISED SEAL AND SIGNATURE  
 OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 NOT VALID WITHOUT SHEET 1

NOTE: SEE SHEET 5 THRU 6 OF 35 FOR PARCEL  
 IDENTIFICATION ON RIGHT OF WAY MAPS FOR EAST WEST  
 ROAD SEGMENT 1.

**SOUTHEASTERN SURVEYING & MAPPING CORP.**  
 6500 All American Boulevard  
 Orlando, Florida 32810-4350  
 (407)292-8580 fax(407)292-0141  
 Cert. No. LB-2108  
 email:info@southeasternsurveying.com  
**THIS IS NOT A SURVEY.**



**SCHEDULE "B"**

**2752 EAST WEST ROAD PARCEL 1140**

**FEE SIMPLE**

Parcel 1140: the interest being acquired is fee simple.

**SCHEDULE "A"**

**EAST WEST ROAD**

**PARCEL 8140**

**ESTATE: Perpetual Easement**

**PURPOSE: Drainage**


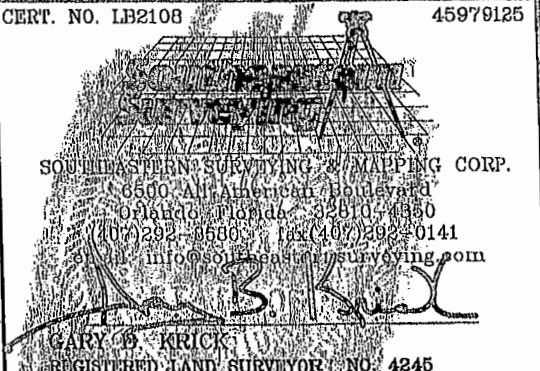
A portion of the lands lying in Section 15, Township 22 South, Range 30 East, as described in Official Records Book 6424, page 6088, Public Records of Orange County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of the Northwest 1/4 of said Section 15; thence North 89°36'56" East, a distance of 910.26 feet along the South line of the Northwest 1/4 of said Section 15; thence North 00°23'32" West, a distance of 65.52 feet to the POINT OF BEGINNING; thence continue North 00°23'32" West, a distance of 112.18 feet; thence North 78°17'55" East, a distance of 472.09 feet to a point of curvature of a curve concave South having a radius of 2,270.00 feet, a central angle of 02°46'02" and a chord of 109.62 feet that bears North 79°40'56" East; thence Easterly along the arc of said curve, a distance of 109.63 feet; thence South 00°34'03" East, a distance of 111.24 feet to a point on the arc of a non-tangent curve concave to the South having a radius of 2,160.00 feet, a central angle of 02°20'16" and a chord of 88.12 feet that bears South 79°28'03" West; thence Westerly along the arc of said curve, 88.13 feet to the point of tangency; thence South 78°17'55" West, a distance of 494.09 feet to the POINT OF BEGINNING.

Containing 64,017 square feet or 1.470 acres, more or less.

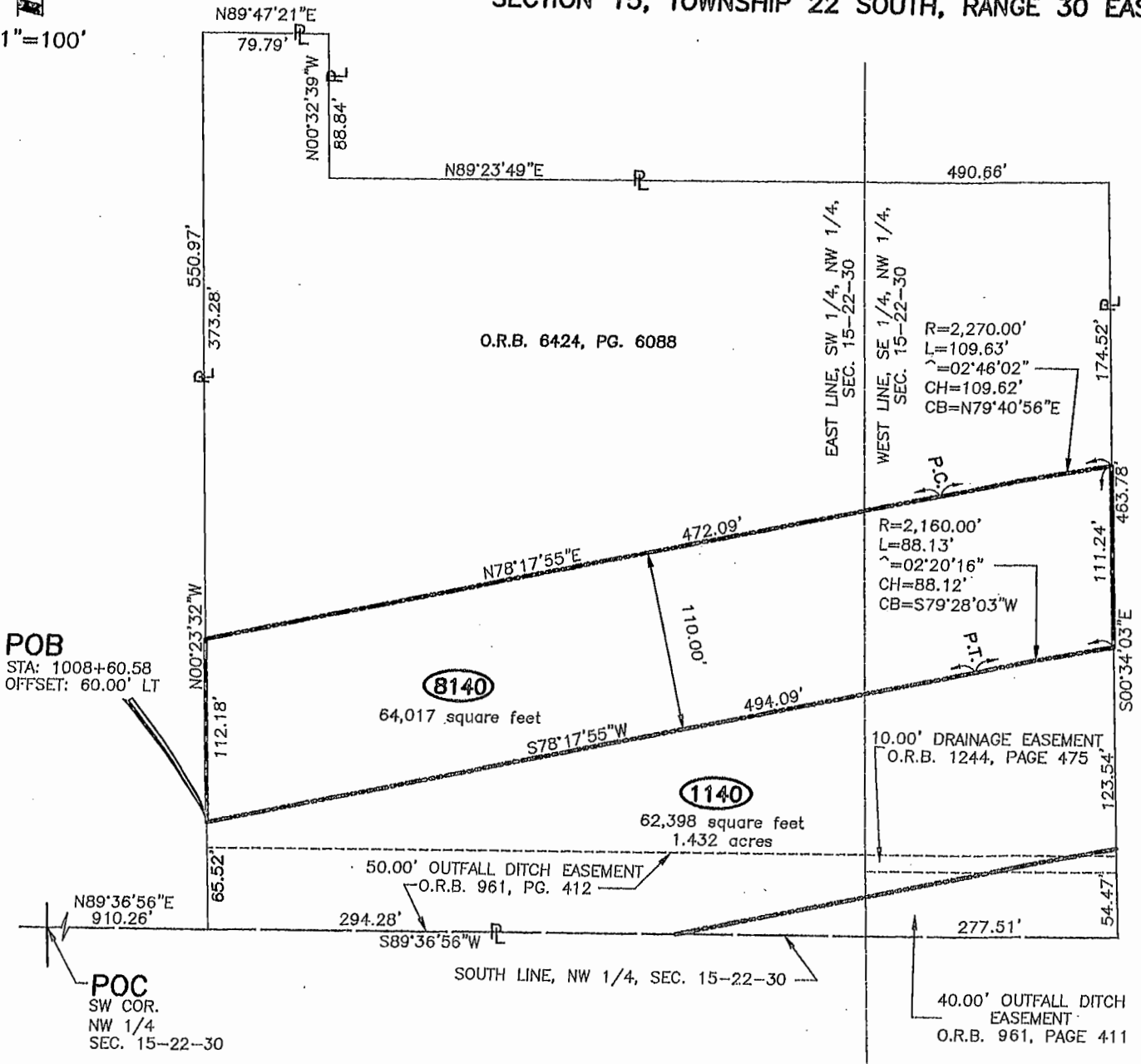
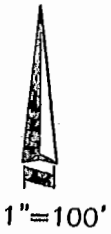
**SURVEYORS NOTES:**

1. The bearings and coordinates shown hereon are based on the Orange County Geodetic Information System traverse between G.I.S. Point #160 to G.I.S. Point #174 as being North 89°55'40" East.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.  
Not valid without sheet 2.

<b>DESCRIPTION</b>  FOR  Revised: September, 2006 REJ	<b>Date:</b> May 2005 CBvG		<b>CERT. NO. LB2108</b>	<b>45979125</b>	
	<b>Job No.:</b> 45979	<b>Scale:</b> N.T.S.			
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that <b>THIS IS NOT A SURVEY.</b>				
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH					

SKETCH OF DESCRIPTION  
EAST WEST ROAD  
PARCEL 8140

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST

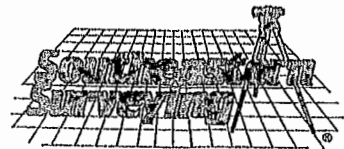


LEGEND

- |                              |                           |
|------------------------------|---------------------------|
| CB=CHORD BEARING             | P.C.=POINT OF CURVATURE   |
| CCR=CERTIFIED CORNER RECORD  | PG.=PAGE                  |
| CH=CHORD                     | P= PROPERTY LINE          |
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| (D)=DEED                     | POC=POINT OF COMMENCEMENT |
| ∠=CENTRAL ANGLE              | P.T.=POINT OF TANGENCY    |
| L=LENGTH                     | R=RADIUS                  |
| N.T.S.=NOT TO SCALE          | R/W=RIGHT OF WAY          |
| O.R.B.=OFFICIAL RECORDS BOOK | LT=LEFT                   |
| (P)=PLAT                     |                           |

Drawing No. 45979 125  
Job No. 45979  
Date: May, 2005 CBvG  
Revised: December, 2005 ALK  
Revised: September, 2006 REJ  
SHEET 2 OF 2  
See Sheet 1 for Description

NOTE: NOT VALID WITHOUT RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
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NOTE: SEE SHEETS 5 THRU 6 OF 35 FOR PARCEL IDENTIFICATION ON RIGHT OF WAY MAPS FOR EAST WEST ROAD SEGMENT 1.



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**THIS IS NOT A SURVEY.**



**SCHEDULE "B"**

**2752 EAST WEST ROAD PARCEL 8140**

**DRAINAGE EASEMENT**

Parcel 8140 is being acquired as a permanent non-exclusive easement for drainage purposes, with full authority to enter upon, construct, operate, and maintain, as the GRANTEE and its assigns may deem necessary drainage facilities over, under, and upon the following lands as described in Schedule "A".

THE GRANTEE 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 drainage facilities out of and away from the granted easement, and the GRANTORS and their heirs, successors and assigns shall not build, construct, or create, nor permit others to build, construct, or create any building, utilities, or other structures on the granted easement that may interfere with the normal operation or maintenance of the drainage facilities.

THE GRANTOR may use the granted easement for any use not inconsistent with the GRANTEE'S intended use of the granted easement including, but not limited to, open space, setback area, or any activity that will not adversely affect the structural integrity of the drainage facilities.

This easement is for the purposes noted herein and does not obligate the GRANTEE to perform any right-of-way maintenance or other duties.

**SCHEDULE "A"**

**EAST WEST ROAD**

**PARCEL 9140**

**ESTATE: Fee Simple**

**PURPOSE: Retention & Drainage Area**


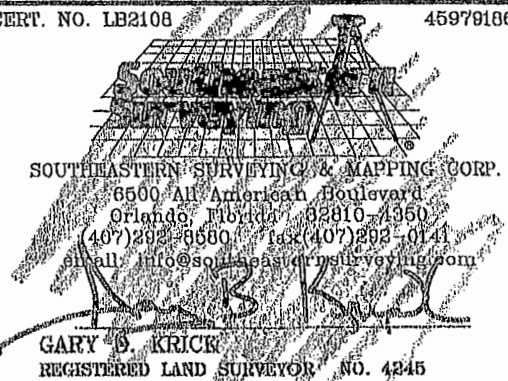
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Containing 58 square feet, more or less.

**SURVEYORS NOTES:**

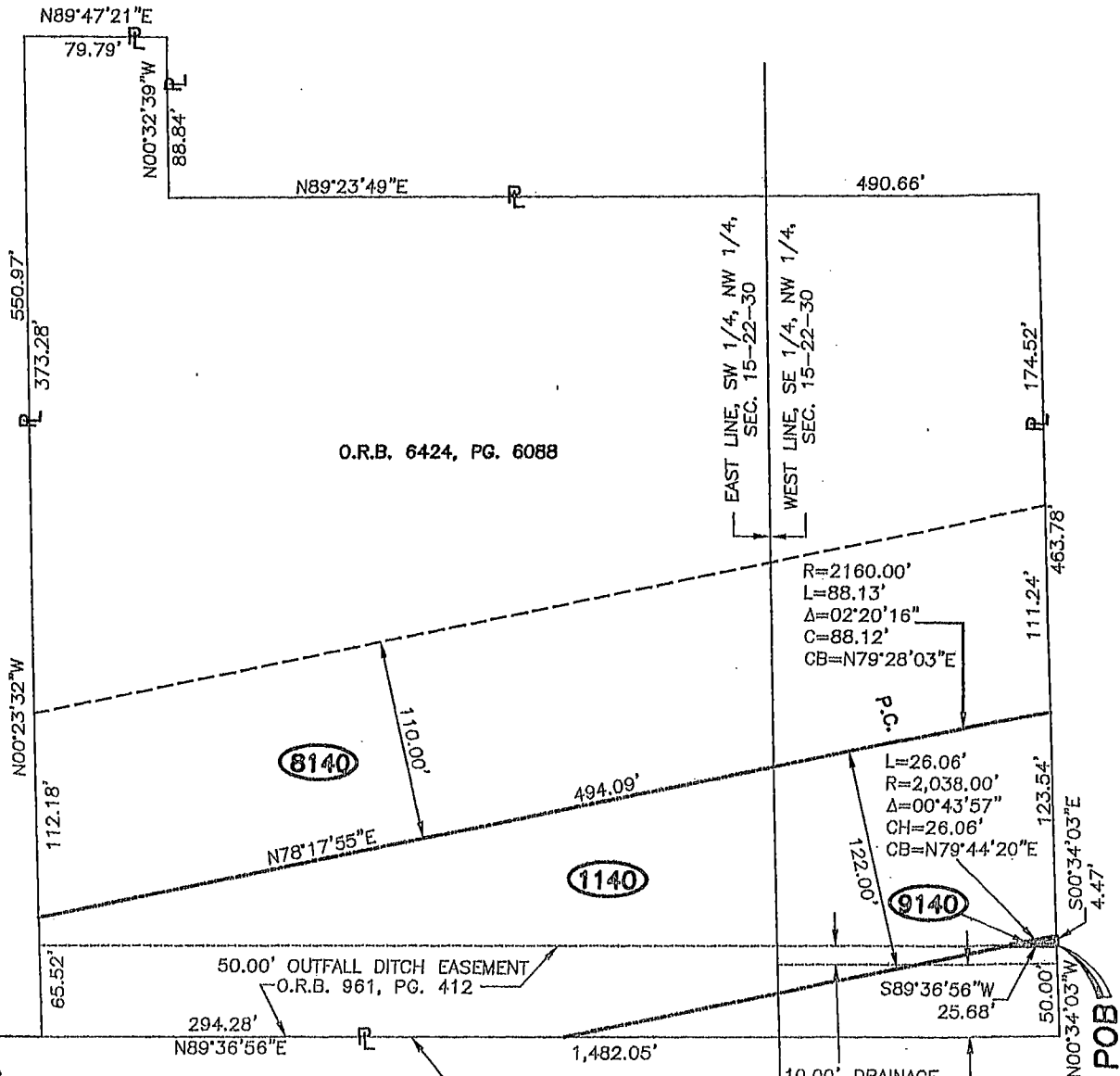
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3. Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.  
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<b>DESCRIPTION</b>  FOR  <b>ORANGE COUNTY GOVERNMENT FLORIDA</b>	Date: December, 2005 ALK		CERT. NO. LB2108	45979186
	Job No.: 45979	Scale: N.T.S.	 <b>SOUTHEASTERN SURVEYING &amp; MAPPING CORP.</b> 6500 All American Boulevard Orlando, Florida 32810-4360 (407)292-8580 Fax (407)292-0141 email: info@southeasternsurveying.com <b>GARY B. KRICK</b> REGISTERED LAND SURVEYOR NO. 4245	
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SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH				

SKETCH OF DESCRIPTION  
EAST WEST ROAD  
PARCEL 9140

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST

N.T.S.



POC  
 SW COR.  
 NW 1/4  
 SEC. 15

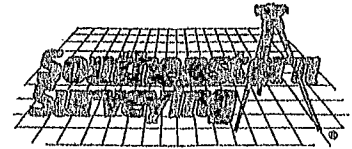
LEGEND

- |                              |                           |
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| O.R.B.=OFFICIAL RECORDS BOOK | SEC.=SECTION              |
| (P)=PLAT                     |                           |

Drawing No. 45979186  
 Job No. 45979  
 Date: December, 2005 ALK  
 Revised: December, 2006 REJ  
 Revised: August, 2007 REJ  
 Revised: January, 2008 REJ  
 Revised: February, 2018 JRH  
 SHEET 2 OF 2  
 See Sheet 1 for Description

NOTE: NOT VALID WITHOUT RAISED SEAL AND SIGNATURE  
 OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 NOT VALID WITHOUT SHEET 1  
 NOTE: SEE SHEET 6 & 7 OF 36 FOR PARCEL IDENTIFICATION  
 ON RIGHT OF WAY MAPS FOR EAST WEST ROAD SEGMENT 1.

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 email:info@southeasternsurveying.com  
**THIS IS NOT A SURVEY.**



**SCHEDULE "B"**

**2752 EAST WEST ROAD PARCEL 9140**

**FEE SIMPLE**

Parcel 9140: the interest being acquired is fee simple.