



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: March 23, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

THROUGH: Mindy T. Cummings, Manager
Real Estate Management Division *MMC*

FROM: Theresa A. Avery, Senior Acquisition Agent *TA/MMC*
Real Estate Management Division

CONTACT PERSON: **Mindy T. Cummings, Manager**

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

ACTION REQUESTED: Approval and execution of Temporary Construction Easement between Orange County and the City of Orlando and authorization to record instrument.

PROJECT: Dean Road Extension (University Blvd. to Seminole County Line)

District 5

PURPOSE: To provide the City of Orlando a temporary construction easement for access, construction and construction support activities including, operation, and maintenance of utility improvements.

ITEM: Temporary Construction Easement (Instrument 701.1)
Revenue: Donation
Size: 28,078.34 square feet
Term: 9 months

APPROVALS: Real Estate Management Division
County Attorney's Office
Public Works Department
Risk Management Division

REMARKS:

The City of Orlando ("City") has requested a temporary construction easement from the County and the Public Works Department so that the City can complete the installation of its utility improvements in the Dean Road rights-of-way abutting the County's property. The respective County divisions named above have approved the request and the temporary construction easement was approved at the City Council meeting on January 25, 2021.

The City of Orlando will pay recording fees and record the instrument.

The temporary construction easement is a conveyance that is not subject to documentary stamp tax.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
APR 13 2021

This Instrument Prepared by:
Roy K. Payne, Esq.
Chief Assistant City Attorney
City of Orlando
400 South Orange Avenue
Orlando, Florida 32801
(407) 246-3483

Instrument: 701.1 TCE
Project: Dean Road Extension (University Blvd. to Seminole County Line)

This document constitutes a conveyance from a state agency or instrumentality to an agency of the state and is not subject to documentary stamp tax. Department of Revenue Rules 12B-4.0114(10), F.A.C.

TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, made this _____ day of APR 13 2021, 2021, by and between **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, whose address is P.O. Box 1393, Orlando, FL, 32802-1393 (hereinafter referred to as "Grantor,") and **CITY OF ORLANDO, FLORIDA**, a municipal corporation created and existing under and by virtue of the laws of the State of Florida, situated in Orange County, Florida, hereinafter referred to as "Grantee," whose address is 400 South Orange Avenue, Orlando, Florida 32801:

WITNESSETH:

That for and in consideration of the Sum of One Dollar (\$1.00) and other valuable considerations in hand paid to the Grantor by Grantee, the receipt whereof is hereby acknowledged, said Grantor does hereby grant, bargain, sell and convey to Grantee, its successors and assigns, for that period of time **beginning January 1, 2021, and ending September 30, 2021**, a temporary easement over, through and under that certain piece, parcel or tract of real estate situated in the County of Orange, State of Florida, more particularly described as:

(See attached **Exhibit "A"** the depiction of which shall hereinafter be referred to as "Easement Area")

The easement is granted solely for the right and privilege of the Grantee to carry on construction and construction support activities, including maintenance of traffic activities, within the above-described area, related to the construction of an interior lining to an existing gravity wastewater line generally located in the centerline of Dean Road and attendant improvements, all state activities hereinafter referred to as the "Project."

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall

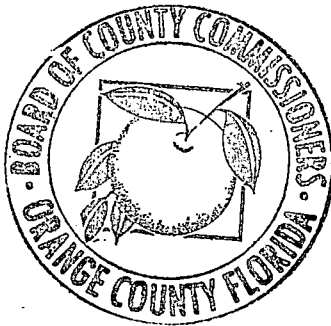
constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assume any liability for the acts, omissions and/or negligence of the other party.

PROVIDED, HOWEVER, that all rights granted hereby to the Grantee shall cease and terminate on the completion of the Project, or on September 30, 2021 (unless extended as provided above) whichever occurs first.

The Grantor hereby covenants with the Grantee that Grantor is lawfully seized of said land in fee simple; that they have good, right and lawful authority to grant said easement.

The Grantee hereby covenants that upon completion of the Project, Grantee shall restore the Easement Area to that same condition that existed prior to the granting of this Easement.

IN WITNESS WHEREOF, the Grantor has caused this Temporary Construction Easement to be executed in its name by its Board, acting by the County Mayor, the day and year written below.



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

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

Date: *13 April 2021*

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

By: *Noelia Perez*
for Deputy Clerk

Printed Name: *Noelia Perez*



WOOLPERT

DESIGN | GEOSPATIAL | INFRASTRUCTURE

SHEET 1 OF 2, SEE SHEET 2 OF 2 FOR SKETCH

Woolpert, Inc.
11486 Corporate Boulevard
Suite 190
Orlando, FL 32817
407.381.2192
FAX: 407.384.1185
Certificate of Authorization No. LB6777

TEMPORARY CONSTRUCTION EASEMENT

LEGAL DESCRIPTION:

A PORTION OF LAND LOCATED IN SECTION 05, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA. SAID PORTION OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LANDS DESCRIBED IN ORB 6233; PG 2849 OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF TRACT "A", SUNCREST UNIT V, AS RECORDED IN PB 23; PGS 56 THROUGH 58 OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF DEAN ROAD (SR 425, A 60 FOOT RIGHT-OF-WAY) AND A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 924.95 FEET AND A CHORD BEARING OF N28°38'56"E; THENCE RUN NORTHEASTERLY ALONG ARC OF SAID CURVE AND SAID EAST RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 16°36'19" FOR A DISTANCE OF 268.06 FEET TO THE POINT OF BEGINNING; THENCE RUN N36°57'05"E A DISTANCE OF 446.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 848.51 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°34'53" FOR A DISTANCE OF 97.47 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY OF DEAN ROAD, RUN N89°52'59"E ALONG THE NORTH LINE OF THE SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5 FOR A DISTANCE OF 57.47 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 898.51 FEET AND A CHORD BEARING OF S32°43'51"W; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8°26'30" FOR A DISTANCE OF 132.38 FEET; THENCE RUN S36°57'05"W 446.60 FEET; THENCE RUN N53°02'55"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 28,078.34 SQUARE FEET (0.65 ACRES), MORE OR LESS.

NOTES:

- 1. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THIS DOCUMENT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY WOOLPERT INC. FOR EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
3. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
4. BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5 BEING NORTH 89°52'59" EAST, PER THE DESCRIPTION OF LANDS DESCRIBED IN ORB 6233, PG 2849, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
5. THIS IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.
6. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO DOCUMENT A TEMPORARY CONSTRUCTION EASEMENT WITHIN LANDS DESCRIBED IN ORB 6233, PG 2849, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
7. AERIAL IMAGERY IS FOR REFERENCE ONLY.

LEGEND:

- CH = CHORD
ID = IDENTIFICATION
ORB = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
PGS = PAGES
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R/W = RIGHT OF WAY

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE INTENT OF THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS AS SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

FOR THE FIRM WOOLPERT INC., I.D. # 6777

BRADLEY ALEXANDER, PSM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE No. 6885

SKETCH & DESCRIPTION
NOT A SURVEY

Table with columns: REVISIONS, DATE, BY, DATE, DRAWN BY, CHECKED BY, FIELD BOOK, PROJECT NO. Includes handwritten date 04/19/17 and signature.

PROJECT NO. 075420



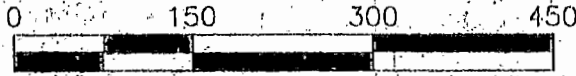
WOOLPERT

DESIGN | GEOSPATIAL | INFRASTRUCTURE

SHEET 2 OF 2, SEE SHEET 1 OF 2 FOR DESCRIPTION

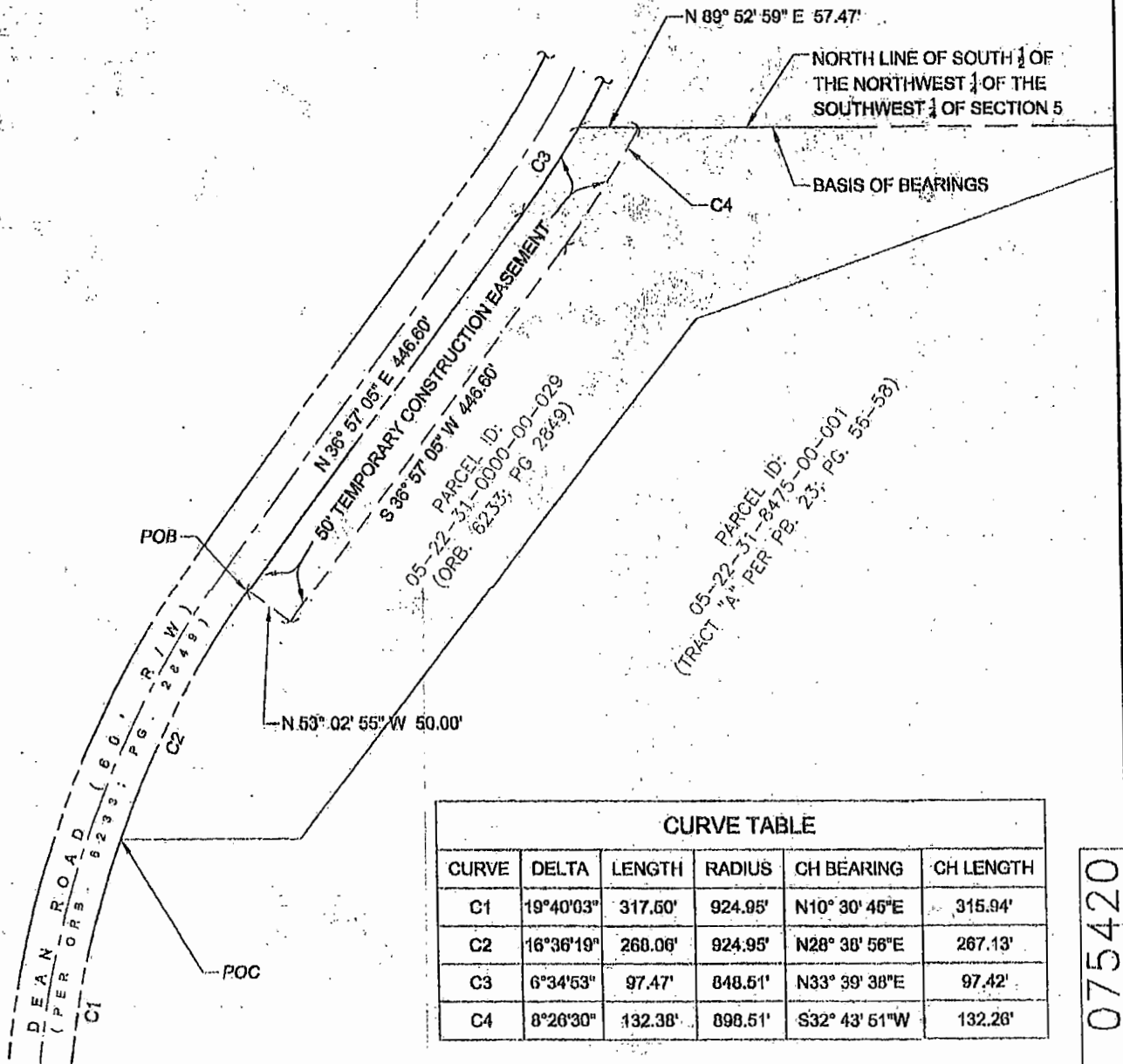
Woolpert, Inc.
11486 Corporate Boulevard
Suite 190
Orlando, FL 32817
407.381.2192
FAX: 407.384.1185
Certificate of Authorization No. LB6777

TEMPORARY CONSTRUCTION EASEMENT



GRAPHIC SCALE IN FEET

PARCEL ID:
05-22-31-0000-00-014



CURVE TABLE

CURVE	DELTA	LENGTH	RADIUS	CH BEARING	CH LENGTH
C1	19°40'03"	317.60'	924.95'	N10° 30' 45"E	315.94'
C2	16°36'19"	268.06'	924.95'	N28° 38' 58"E	267.13'
C3	6°34'53"	97.47'	848.51'	N33° 39' 38"E	97.42'
C4	8°26'30"	132.38'	898.51'	S32° 43' 51"W	132.28'

REVISIONS

DATE

BY

DATE: 04/19/17

DRAWN BY: BHA

CHECKED BY: BHA

FIELD BOOK: N/A

PROJECT NO. 075420