





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** July 16, 2019

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

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

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

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** Approval and execution of Resolution regarding Authorization to Convey Certain County Property Interests to the Town of Oakland and Assignment of Easement between Orange County and the Town of Oakland and authorization to disburse funds to pay recording fees and record instrument

**PROJECT:** Retention Pond Transfer – Oakland  
District 1

**PURPOSE:** To convey certain real property interests of Orange County to the Town of Oakland.

**ITEMS:** Resolution  
Assignment of Easement  
Revenue: None/Donation  
Size: 35,912 square feet

**BUDGET:** Account No.: 0001-043-0201-3148

**FUNDS:** \$27.00 Payable to Orange County Comptroller  
(recording fees)

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

**REMARKS:** In 1978, County acquired a Drainage Easement (Easement) for retention pond purposes. The area encumbered by the Easement has since been annexed by the Town of Oakland (Town), and Town has requested that County transfer County's interests in the Easement to Town. The Public Works Department has reviewed the request, determined that the Easement is not needed for County purposes, and agreed to Town's request.

This Assignment of Easement will convey County's interests in the Easement to Town. This Resolution is required by Section 125.38, Florida Statutes, as a condition precedent to this assignment.

County to pay recording fees.

AUG 06 2019

Project: Retention Pond Transfer - Oakland

### ASSIGNMENT of EASEMENT

THIS ASSIGNMENT of EASEMENT (this "**Assignment**") is made and entered into by and between **ORANGE COUNTY**, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, ("**Assignor**") and **TOWN OF OAKLAND**, a Florida municipal corporation, whose address is P. O. Box 98, Oakland, Florida, 34760 ("**Assignee**").

WHEREAS, Assignor is the grantee and current holder of that certain Drainage Easement recorded on September 28, 1978, in Official Records Book 2936, Page 833, and re-recorded on October 4, 1978, in Official Records Book 2938, Page 1199, both of the Public Records of Orange County, Florida (the "**Easement**"); and

WHEREAS, by virtue of annexation, the lands encumbered by the Easement are now located within the jurisdictional limits of the Town of Oakland; and

WHEREAS, subject to the provisions herein, Assignor desires to assign, and Assignee desires to assume, all of Assignor's rights, titles, duties, obligations, and interests in, to, and under the Easement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is 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.** Assignor hereby assigns and transfers to Assignee, all of the Assignor's rights, titles, duties, obligations, and interests in, to, and under the Easement.
3. **Assumption.** Assignee hereby assumes from Assignor, all of Assignor's duties and obligations under the Easement, including the maintenance of any existing drainage facilities located within the easement area, and Assignee further agrees that, as a condition of this Assignment, Assignee shall assume and abide by all terms and conditions of the Easement.

[SIGNATURES ON FOLLOWING PAGES]

Project: Retention Pond Transfer - Oakland

Signed, sealed, and delivered  
in the presence of:

Witnesses:

Michael Parker

Michael Parker  
Printed Name

Lynn Dattolo

Lynn Dattolo  
Printed Name

Assignee:

TOWN OF OAKLAND  
By: Kathy Stark  
Kathy Stark, Mayor

Date: \_\_\_\_\_

ATTEST: Kimberly M. Gay  
Kimberly M. Gay, Town Clerk

Date: 5-28-19

Approved as to form and legality for use and  
reliance by the Town of Oakland, Florida

Joseph D. Vose  
Town Attorney

Bretchen R.H. Vose  
Printed Name

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 28 day of May,  
A.D. 2019, by Kathy Stark, Mayor, and Kimberly M. Gay, Town Clerk, who are personally known to me or have  
produced \_\_\_\_\_ and \_\_\_\_\_ as identification and acknowledge  
executing the same freely and voluntarily under the authority vested in them by the Town of Oakland.

(Notary Seal)  RENE E. MULLEN  
MY COMMISSION # FF 906392  
EXPIRES: August 4, 2019  
Bonded Thru Budget Notary Services

Renee E. Mullen  
Notary Signature  
RENEE E. MULLEN  
Printed Notary Name

**This instrument prepared by:**  
E. Price Jackson, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

Notary Public in and for  
the county and state aforesaid

My commission expires: 8-4-19

Project: Retention Pond Transfer - Oakland

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment of Easement as of the date last written below.

(Official Seal)



Assignor:

ORANGE COUNTY, FLORIDA  
By Board of County Commissioners

BY:

Byron W. Brooks  
for Jerry L. Demings  
Orange County Mayor

DATE:

6 Aug 19

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

BY:

Katie Smith  
Deputy Clerk

**Katie Smith**

Printed Name

REQUEST FOR FUNDS FOR LAND ACQUISITION

XX Under BCC Approval

Under Ordinance Approval

Date: July 2, 2019

Total Amount: \$27.00

Project: Retention Pond Transfer - Oakland

Parcels:

Charge to Account # 0001-043-0201-3148

Paul Sladek 7/13/19  
Controlling Agency Approval Signature Date

Paul Sladek  
Printed Name:

Dee Atkins 7/2/19  
Fiscal Approval Signature Date

Dee Atkins  
Printed Name

TYPE TRANSACTION (Check appropriate block{s})  
       Pre-Condemnation        Post-Condemnation

X N/A District # 1

- Acquisition at Approved Appraisal
- Acquisition at Below Approved Appraisal
- Acquisition at Above Approved Appraisal
- XX Advance Payment Requested (recording fees)

Name, Address

DOCUMENTATION ATTACHED (Check appropriate block{s})

- Contract/ Agreement
- XX Copy of Executed Instruments
- Certificate of Value
- Settlement Analysis

Payable to: Orange County Comptroller

\*\*\*\*\*  
**IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)**  
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Recommended by Elizabeth Price Jackson 7/2/19  
Elizabeth Price Jackson, Sr, Title Examiner, Real Estate Management Division Date

Payment Approved Paul Sladek 7/13/19  
Paul Sladek, Manager, Real Estate Management Division Date

or  
Payment Approved \_\_\_\_\_  
Russell Corribeau, Asst. Mgr. Real Estate Management Div. Date

Certified Katie Bruner 8/6/19  
Approved by BCC Deputy Clerk to the Board Date

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants Check No. / Date

REMARKS:

Anticipated Closing Date: As soon as checks are available.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
AUG 06 2019