



# Orange County Government

Orange County  
Administration Center  
201 S Rosalind Ave.  
Orlando, FL 32802-1393

## Legislation Text

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**File #:** 25-916, **Version:** 1

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### Interoffice Memorandum

**DATE:** June 9, 2025

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** Luciana Mino, Assistant Manager

**FROM:** Sara Solomon, Senior Title Examiner

**CONTACT:** Faye Lee, Administrative Assistant

**PHONE:** 407-836-7097

**DIVISION:** Real Estate Management Division

**ACTION REQUESTED:**

Approval and execution of Purchase and Sale Agreement by and between City of Orlando and Orange County, approval of Quitclaim Deed by City of Orlando to Orange County and Memorandum of Understanding for Real Estate Transfer Related to Conserv II Property Between Orange County Utilities Department and Orange County Public Works Department; approval and execution of Notice of Reservation; and authorization for the Manager of the Real Estate Division to exercise all delegations of authority expressly provided by the Purchase and Sale Agreement, and perform all actions necessary and incidental to closing for Town Center West (Silverleaf) RAC. District 1. **(Real Estate Management Division)**

**PROJECT:** Town Center West (Silverleaf) RAC

**PURPOSE:** To provide for access, construction, operation, and maintenance of roadway improvements.

**ITEM:**

Purchase and Sale Agreement

Quit Claim Deed

Size: 1.44 acres

Memorandum of Understanding

Notice of Reservation

Size: 1.44 acres

**BUDGET:** N/A

**REVENUE:** N/A

**FUNDS:** N/A

**APPROVALS:**

Real Estate Management Division

Public Works Department

Utilities Department

City of Orlando

**REMARKS:** Pursuant to the terms of the Town Center West (Silverleaf) Road Network Agreement approved by the Board on September 1, 2020 and recorded September 4, 2020, in Official Records of Orange County, Document No. 20200467469 (and as subsequently amended), Jen Florida 36, LLC and Hamlin Partners at Silverleaf, LLC (collectively, the “Developer”) are required to fund the acquisition of a parcel necessary for the Avalon Road widening project (“Project”). The parcel is approximately 1.44 acres (the “Parcel”) and is a portion of Parcel ID: 19-23-27-0000-00-010 (“Property”).

The Property is designated as a Conserv II parcel which is jointly owned 50/50 by the City of Orlando (“the City”) and the County. Orange County Utilities (“OCU”) is the controlling agency for the County’s interest in the Property. The City will quitclaim its 50% interest in the Parcel to the County, and then OCU will transfer its controlling interest to Public Works, via the Memorandum of Understanding and Notice of Reservation. Thereafter, the Parcel will be designated for use as roadway for the Project.

The City is approving this agenda item at their June 9 council meeting.

Developer to pay the cost of acquiring the Parcel and pay all closing costs including recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JUL 01 2025

## PURCHASE AND SALE AGREEMENT

**THIS PURCHASE AND SALE AGREEMENT** (this “**Agreement**”) is made by and between **CITY OF ORLANDO**, a municipal corporation organized and existing under the laws of the State of Florida (“**City**”), whose address is 400 South Orange Avenue, Orlando, Florida 32801, and **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida (“**County**”), whose address is P.O. Box 1393, Orlando, Florida 32802-1393

### RECITALS

**A.** Pursuant that certain Southwest 201 Wastewater Facilities Interlocal Cooperation Agreement between City and County dated July 28, 1983 (the “**Interlocal**”), City and County each own an undivided fifty percent (50%) interest in joint facilities used for City’s and County’s reclaimed water project known as Conserv II.

**B.** Conserv II includes, among other joint facilities, that certain real property located along the western boundary of Avalon Road, Winter Garden, Florida in unincorporated Orange County, containing approximately 70.96 gross acres and bearing Orange County Property Appraiser’s Parcel Identification Number 19-23-27-0000-00-010 (the “**Property**”).

**C.** When the Property was acquired in 1998 for use as a rapid infiltration basin for Conserv II, the deed to the Property was granted solely in the name of County as evidenced by that certain Warranty Deed recorded May 19, 1998, in Official Records Book 5485, Page 1695, Public Records of Orange County, Florida.

**D.** Consistent with the purpose and intent of the Interlocal, County conveyed an undivided fifty percent (50%) interest in the Property to City as evidenced by that certain County Deed recorded October 20, 2023, in Official Records Instrument No. 20230610516, Public Records of Orange County, Florida.

**E.** Orange County Public Works (“**OCPW**”) is currently undertaking a roadway project to widen and make other improvements to Avalon Road, also known as County Road 545 (the “**Project**”).

**F.** OCPW has identified a 1.44-acre portion of the Property as more particularly described on the sketch of description attached as **Exhibit A** (the “**Parcel**”) that is needed for the Project.

**G.** Upon request from County, City has determined that the Parcel is no longer needed for City purposes and has agreed to convey City’s undivided fifty percent (50%) interest in the Parcel to County for the Project upon the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the Purchase Price (as defined below) to be paid by County to City, the mutual covenants set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and County (the “**Parties**”) hereby agree as follows:

1. **Recitals & Exhibits.** The above recitals are true and correct and are incorporated herein by this reference. The Exhibits attached are incorporated herein by reference.

2. **Sale and Conveyance.** City agrees to sell and convey to County all of City's right, title, and interest in and to the Parcel for the sum of **Seventy-Two Thousand and No/100 U.S. Dollars (\$72,000.00)** (the "**Purchase Price**").

3. **Escrow Agent.** Escrow Agent shall refer to Shutts & Bowen, LLP, a Florida limited liability partnership with offices at:

Shutts & Bowen, LLP  
300 S. Orange Avenue, Suite 1600  
Orlando, Florida 32801  
Attn: James G. Willard  
Email: [jwillard@shutts.com](mailto:jwillard@shutts.com)  
407-423-3200

4. **Closing.** Provided that the Contingencies (as defined below) are timely satisfied or waived by County, this transaction shall be closed, a Deed (as defined below) and other closing papers delivered, and the Purchase Price shall be disbursed to City on or before **thirty (30) days** after the Effective Date (the "**Closing**"). Upon City's receipt of a Closing Statement from Escrow Agent, City will deliver to Escrow Agent: (i) a Deed executed by City, in substantially the same form attached hereto as **Exhibit B**, conveying to County all of City's right, title, and interest in and to the Parcel (the "**Deed**"); (ii) a closing statement signed by the City; and (iii) written wiring instructions provided by the City. Upon Escrow Agent's receipt of the foregoing items (i) through (iii) from City, Escrow Agent shall disburse the Purchase Price to City.

5. **Closing Costs.** The Parties acknowledge and agree that the transaction contemplated by this Agreement is a conveyance from a state agency or instrumentality to an agency or instrumentality of the state and is therefore not subject to documentary stamp tax. See Department of Revenue, Rule 12B-4.014(10), F.A.C. Notwithstanding anything to contrary in this Agreement, City shall not be responsible for the payment of any closing costs or fees arising under or related to this Agreement or the conveyance of the Deed contemplated hereunder.

6. **Contingencies.**

a. The Closing is contingent upon and subject to those matters specifically set forth hereinafter in this Section 6 (the "**Contingencies**"):

i. Orange County Utilities Department ("**OCU**") is the controlling agency for County's undivided fifty percent (50%) interest in the Property. OCPW has entered into or will enter into contemporaneously with this Agreement a memorandum of understanding with OCU for the transfer of the controlling interest in the County's undivided fifty percent (50%) interest in the Parcel from OCU to OCPW. The Closing of this Agreement is contingent on OCU's transfer of its controlling interest in the Parcel to OCPW; and

ii. Pursuant to the terms of the Town Center West (Silverleaf) Road Network Agreement dated September 1, 2020, recorded at Document No. 20200467436, Public Records of



Orange County, Florida, as amended (collectively, the “**RAC Agreement**”), the private parties to the RAC Agreement are required to fund the acquisition of property necessary for the Project. The Closing of this Agreement is contingent upon Escrow Agent’s receipt of funds from the private parties under the RAC Agreement for the purchase of the Parcel for the sum of **One Hundred Forty-Four Thousand and No/100 U.S. Dollars (\$144,000.00)** together with any other amounts due from the private parties necessary for the purchase of the Parcel.

b. **Waiver of Contingencies.** Each of the Contingencies may be waived, lessened, or otherwise removed from this Agreement by County at any time by delivery of written notification from County to City. The Manager of the Real Estate Management Division is hereby authorized, on behalf of County, to waive Contingencies and furnish notices pursuant to this paragraph.

c. **Effect of Failure of Contingencies.** If all Contingencies have not been satisfied or waived in writing by County on or before ninety (90) days after the Effective Date, or this timeframe has not been mutually extended, then this Agreement shall terminate.

7. **Attorneys’ Fees.** The Parties expressly agree that each Party shall bear the cost of its own attorneys’ fees and costs for any action arising out of or in connection with this Agreement.

8. **Effective Date.** The effective date of this Agreement (the “**Effective Date**”) shall be latest of: (i) the date this Agreement is executed by City; and (ii) the date this Agreement is executed by County.

9. **Counterparts.** This Agreement may be executed in up to two (2) counterparts, each of which shall be deemed to be an original and both of which together shall constitute one and the same instrument.

10. **Delegation of Authority.**

a. **For County.** The Manager of the Orange County Real Estate Division is hereby authorized, on behalf of the County, to furnish any notice required or allowed under this Agreement, to waive the Contingencies, to sign amendments to this Agreement for the extension of the Closing Date for up to 120 days if agreed by the City, to perform all actions necessary and incidental to Closing of this Agreement, and to terminate the same for cause.

b. **For City.** The Real Estate Manager is hereby delegated, on behalf of the City, the authority to furnish all notices and execute all amendments/modifications as contemplated by this Agreement.

11. **Miscellaneous.** This Agreement supersedes all previous agreements or representations, either oral or written, heretofore in effect between City and County, made with respect to the matters herein contained, and when duly executed constitutes the Agreement between City and County. No additions, alterations, or variations to the terms of this Agreement shall be valid, nor can provisions of this Agreement be waived by either Party unless expressly set forth in writing and duly executed in accordance with this Agreement.

*[Signature pages follow]*

Project: Town Center West (Silverleaf) RAC

**IN WITNESS WHEREOF**, City and County have caused this Agreement to be executed effective as of the Effective Date.

CITY OF ORLANDO, FLORIDA

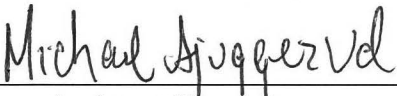
By:   
Mayor/Mayor Pro Tem

Date: June 9, 2025

ATTEST:

By:   
City Clerk/Deputy City Clerk

Approved as to form and legality  
for the use and reliance of the  
City of Orlando, Florida, only

By:   
Assistant City Attorney

City Council Meeting: 06-09-2025  
Item: 3.5.10 Documentary: 2506093510

Project: Town Center West (Silverleaf) RAC

**IN WITNESS WHEREOF**, City and County have caused this Agreement to be executed effective as of the Effective Date.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

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

Date: 1 July 2025

**ATTEST:**

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

By: *Jennifer Lara-Klimetz*  
for Deputy Clerk  
Jennifer Lara-Klimetz  
Printed Name



**EXHIBIT A**  
**Parcel Sketch of Description**

(see attached sketch of description prepared by  
Allen & Company dated 6/24/2021, rev. 3/5/2025 – 3 pages)

# LEGAL DESCRIPTION

NOT A SURVEY  
CONSERV RIGHT OF WAY DEDICATION

A Parcel of land lying in the Southeast Quarter of Section 19, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as:

Commencing at the Northeast corner of the Southeast Quarter said Section 19; thence run North 89°59'52" West along the North line of said Southeast Quarter for a distance of 255.49 feet to a point on the Westerly right line of Avalon Road/County Road 545 as shown on the State Road 429 Right of Way map, Section 75320-6460-653 and the POINT OF BEGINNING; thence run the following courses along said Westerly right of way line: South 00°15'46" East for a distance of 101.41 feet; thence run South 11°10'04" West for a distance of 227.83 feet to the point of curvature of a curve, concave Easterly having a radius of 2342.00 feet, with a chord bearing of South 05°30'30" West, and a chord distance of 461.90 feet; thence run Southerly through a central angle of 11°19'07" along the arc of said curve for a distance of 462.66 feet to a point on a non tangent line; thence run North 89°50'57" East for a distance of 17.00 feet; thence run South 00°09'46" East for a distance of 538.09 feet to a point on the South line of the Northeast Quarter of the Southeast Quarter of aforesaid Section 19; thence run South 89°54'35" West along said South line for a distance of 65.82 feet; thence departing said South line run North 00°08'53" West for a distance of 531.96 feet to the point of curvature of a curve, concave Easterly having a radius of 1497.00 feet, with a chord bearing of North 05°30'36" East, and a chord distance of 295.17 feet; thence run Northerly through a central angle of 11°18'57" along the arc of said curve for a distance of 295.65 feet to a point of tangency; thence run North 11°10'04" East for a distance of 506.67 feet to a point on the aforesaid North line of said Southeast Quarter of Section 19; thence run South 89°56'49" East for a distance of 10.19 feet to the POINT OF BEGINNING.

Containing 62,830 square feet or 1.44 acres, more or less.

SHEET 1 OF 3  
SEE SHEET 2 FOR SKETCH  
SEE SHEET 3 FOR TABLES  
NOT VALID WITHOUT SHEETS 1 - 3



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

## SURVEYOR'S NOTES:

1. THIS LEGAL DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SE 1/4 OF SECTION 19-23-27 AS BEING N 89°59'52"W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB NO. 20180571

DATE: 6/24/2021

SCALE: 1" = 200'

rev. 9/29/21 per county comment  
rev. 3/5/25 per county comment

CALCULATED BY: DY

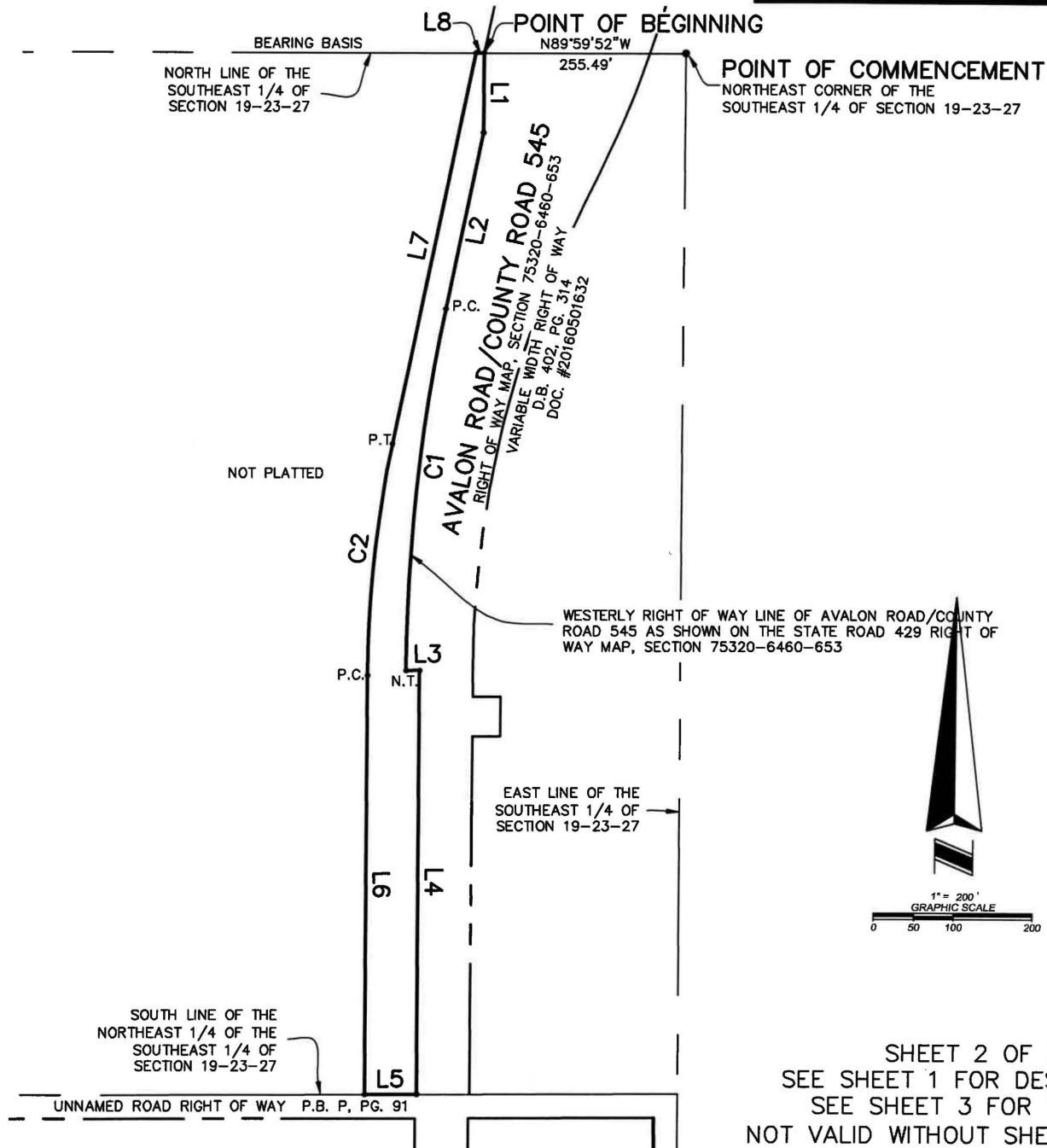
DRAWN BY: DY

CHECKED BY: MR

FOR THE LICENSED BUSINESS #6723 BY:  
Digitally signed by:  
James L. Rickman  
Date: 2025.03.06 16:  
32:49 -05'00'  
JAMES L. RICKMAN, P.S.M. #5633

# SKETCH OF DESCRIPTION

NOT A SURVEY  
CONSERV RIGHT OF WAY DEDICATION



SHEET 2 OF 3  
SEE SHEET 1 FOR DESCRIPTION  
SEE SHEET 3 FOR TABLES  
NOT VALID WITHOUT SHEETS 1 - 3



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

## LEGEND

P.C. POINT OF CURVATURE  
P.T. POINT OF TANGENCY  
N.T. NON TANGENT  
• CHANGE IN DIRECTION

D.B. DEED BOOK  
PG. PAGE  
DOC. DOCUMENT  
P.B. PLAT BOOK

JOB NO. 20180571

DATE: 6/24/2021

SCALE: 1" = 200'

DRAWN BY: DY

rev. 3/5/25 per county comment

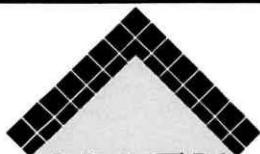
# SKETCH OF DESCRIPTION

NOT A SURVEY  
CONSERV RIGHT OF WAY DEDICATION

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°15'46"E	101.41'
L2	S11°10'04"W	227.83'
L3	N89°50'57"E	17.00'
L4	S00°09'46"E	538.09'
L5	S89°54'35"W	65.82'
L6	N00°08'53"W	531.96'
L7	N11°10'04"E	506.67'
L8	S89°56'49"E	10.19'

CURVE TABLE					
CURVE	RADIUS	BEARING	CHORD	DELTA	LENGTH
C1	2342.00'	S05°30'30"W	461.90'	11°19'07"	462.66'
C2	1497.00'	N05°30'36"E	295.17'	11°18'57"	295.65'

SHEET 3 OF 3  
SEE SHEET 1 FOR DESCRIPTION  
SEE SHEET 2 FOR SKETCH  
NOT VALID WITHOUT SHEETS 1 - 3



**ALLEN  
&  
COMPANY**

Professional Surveyors & Mappers

16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

## LEGEND

P.C. POINT OF CURVATURE  
P.T. POINT OF TANGENCY  
N.T. NON TANGENT  
● CHANGE IN DIRECTION

D.B. DEED BOOK  
PG. PAGE  
DOC. DOCUMENT  
P.B. PLAT BOOK

JOB NO. 20180571

DATE: 6/24/2021

SCALE: 1" = 200'

DRAWN BY: DY

rev. 3/5/25 per county comment

Project: Town Center West (Silverleaf) RAC

**EXHIBIT B**  
**Form of Deed**

**THIS INSTRUMENT PREPARED BY AND AFTER  
RECORDING RETURN TO:**  
Sara Solomon, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida  
P.O. Box 1393  
Orlando, Florida 32802-1393

**Orange County, Florida Property Appraiser's Parcel  
Identification Number:**  
A portion of 19-23-27-0000-00-010

**Project:** Town Center West (Silverleaf) RAC

This document constitutes a conveyance from a state agency or instrumentality to an agency or instrumentality of the state and is not subject to documentary stamp tax.  
Department of Revenue Rule 12B-4.014(10), F.A.C.

**QUITCLAIM DEED**

THIS QUITCLAIM DEED, executed this \_\_\_\_ day of \_\_\_\_\_, 2025, by CITY OF ORLANDO, a municipal corporation organized and existing under the laws of the State of Florida whose address is 400 South Orange Avenue, Orlando, Florida 32801, as to its undivided 50% fee simple interest ("GRANTOR"), to ORANGE COUNTY, a charter county and political subdivision of the state of Florida whose address is P.O. Box 1393, Orlando, Florida 32802-1393 ("GRANTEE").

WITNESSETH, that the GRANTOR, for the sum of \$1.00 and other valuable consideration, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land and all improvements and appurtenances thereto, situate, lying and being in the County of Orange, State of Florida, to-wit:

**SEE ATTACHED EXHIBIT A**



Project: Town Center West (Silverleaf) RAC

Project: Town Center West (Silverleaf) RAC

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name.

CITY OF ORLANDO, a municipal corporation organized and existing under the laws of the State of Florida

Signed, sealed, and delivered  
in the presence of:

By: **FORM NOT FOR SIGNATURE**  
Mayor/Mayor Pro Tem

ATTEST:

Sign Name: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address: 400 S. Orange Ave.  
Orlando, Florida 32801

By: \_\_\_\_\_  
City Clerk/Deputy City Clerk

Sign Name: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address: 400 S. Orange Ave.  
Orlando, Florida 32801

Approved as to form and legality  
for the use and reliance of the  
City of Orlando, Florida, only.

By: \_\_\_\_\_  
Assistant City Attorney

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by \_\_\_\_\_ and \_\_\_\_\_, the Mayor/Mayor Pro Tem and City Clerk/Deputy City Clerk, respectively, of the City of Orlando, Florida, who are both personally known to me.

(Notary Stamp)

**FORM NOT FOR SIGNATURE**  
Notary Signature \_\_\_\_\_  
Print Notary Name \_\_\_\_\_  
Notary Public of: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Project: Town Center West (Silverleaf) RAC

Project: Town Center West (Silverleaf) RAC

**EXHIBIT A**

(see attached sketch of description prepared by  
Allen & Company dated 6/24/2021, rev. 3/5/2025 – 3 pages)

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

AUG 01 2025

**THIS INSTRUMENT PREPARED BY AND AFTER  
RECORDING RETURN TO:**

Sara Solomon, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida  
P.O. Box 1393  
Orlando, Florida 32802-1393

**Orange County, Florida Property Appraiser's Parcel  
Identification Number:**

A portion of 19-23-27-0000-00-010

**Project:** Town Center West (Silverleaf) RAC

This document constitutes a conveyance from a state agency or instrumentality to an agency or instrumentality of the state and is not subject to documentary stamp tax. Department of Revenue Rule 12B-4.014(10), F.A.C.

**QUITCLAIM DEED**

THIS QUITCLAIM DEED, executed this 22 day of July, 2025, by CITY OF ORLANDO, a municipal corporation organized and existing under the laws of the State of Florida whose address is 400 South Orange Avenue, Orlando, Florida 32801, as to its undivided 50% fee simple interest ("GRANTOR"), to ORANGE COUNTY, a charter county and political subdivision of the state of Florida whose address is P.O. Box 1393, Orlando, Florida 32802-1393 ("GRANTEE").

WITNESSETH, that the GRANTOR, for the sum of \$1.00 and other valuable consideration, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land and all improvements and appurtenances thereto, situate, lying and being in the County of Orange, State of Florida, to-wit:

**SEE ATTACHED EXHIBIT A**

City Council Meeting: 6-9-2025

Item: 3610 Documentary: 2506093610

Project: Town Center West (Silverleaf) RAC

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name.

CITY OF ORLANDO, a municipal corporation organized and existing under the laws of the State of Florida

Signed, sealed, and delivered in the presence of:

By: [Signature]  
Mayor/Mayor Pro Tem

Sign Name: Casey A. Billings  
Print Name: Casey A. Billings  
Address: 400 S. Orange Ave.  
Orlando, Florida 32801

ATTEST:

By: [Signature]  
City Clerk/Deputy City Clerk

Sign Name: Alexis Alston  
Print Name: Alexis Alston  
Address: 400 S. Orange Ave.  
Orlando, Florida 32801

Approved as to form and legality for the use and reliance of the City of Orlando, Florida, only.

By: [Signature]  
Assistant City Attorney

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 22 day of July, 2025, by Robert F. Stuart and Stephanie Herdoux, the Mayor/Mayor Pro Tem and City Clerk/Deputy City Clerk, respectively, of the City of Orlando, Florida, who are both personally known to me.

(Notary Stamp)



CASEY AARON BILLINGS  
Notary Public  
State of Florida  
Comm# HH628513  
Expires 1/13/2029

Casey A. Billings  
Notary Signature  
Casey A. Billings  
Print Notary Name  
Notary Public of: State of Florida  
My Commission Expires: 1/13/2029

City Council Meeting: 6-9-2025  
Item: 3610 Documentary: 2506093610

Project: Town Center West (Silverleaf) RAC

**EXHIBIT A**

**(see attached sketch of description prepared by  
Allen & Company dated 6/24/2021, rev. 3/5/2025 – 3 pages)**

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SHEET 1 OF 3  
SEE SHEET 2 FOR SKETCH  
SEE SHEET 3 FOR TABLES  
NOT VALID WITHOUT SHEETS 1 - 3



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

## SURVEYOR'S NOTES:

1. THIS LEGAL DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SE 1/4 OF SECTION 19-23-27 AS BEING N 89°59'52"W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
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JOB NO. 20180571

DATE: 6/24/2021

SCALE: 1" = 200'

rev. 9/29/21 per county comment  
rev. 3/5/25 per county comment

CALCULATED BY: DY

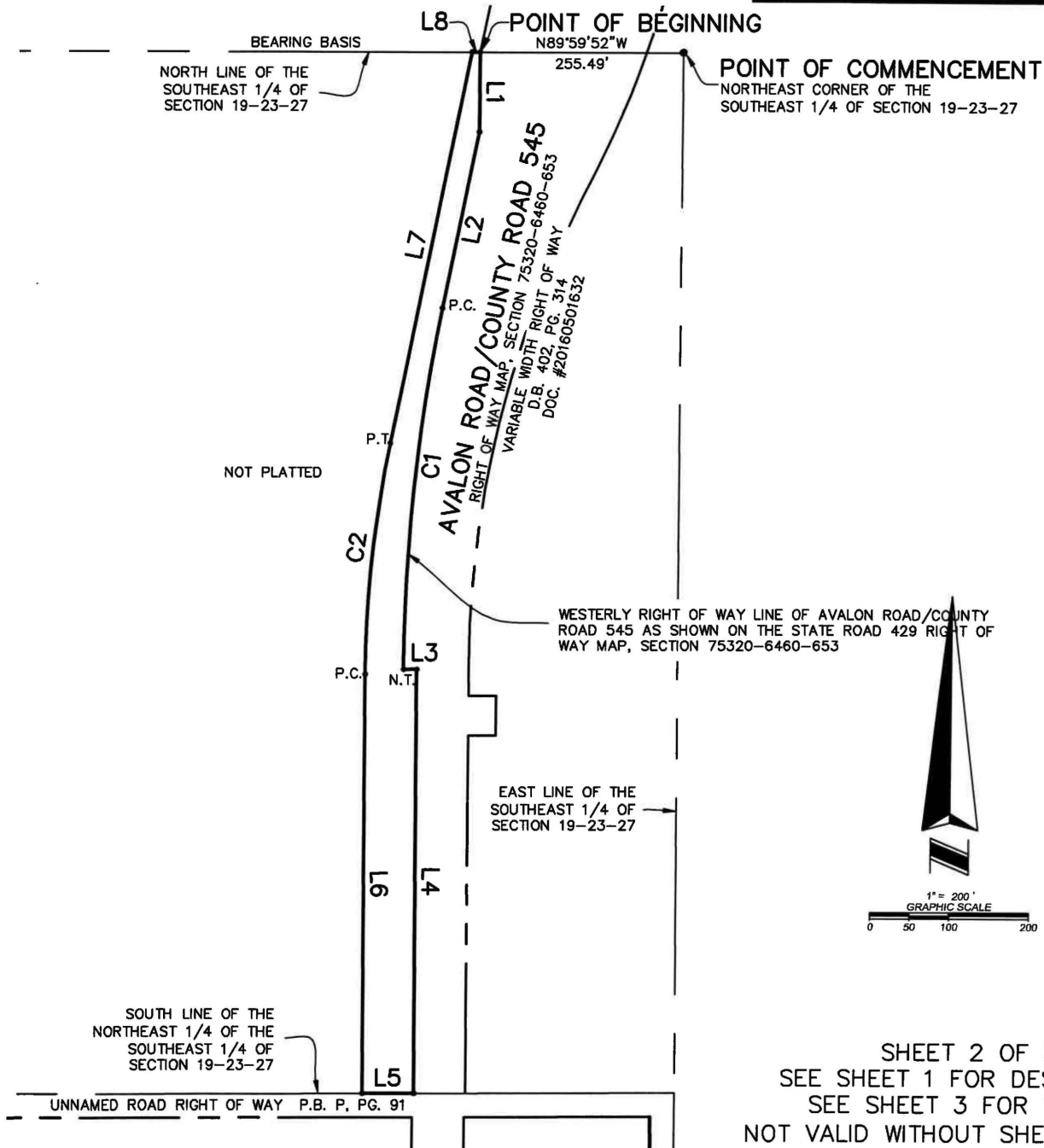
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James L Rickman  
Date: 2025.03.06 16:  
32:49 -05'00'  
JAMES L. RICKMAN, P.S.M. #5633

# SKETCH OF DESCRIPTION

NOT A SURVEY  
CONSERV RIGHT OF WAY DEDICATION



SHEET 2 OF 3  
SEE SHEET 1 FOR DESCRIPTION  
SEE SHEET 3 FOR TABLES  
NOT VALID WITHOUT SHEETS 1 - 3



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

## LEGEND

P.C. POINT OF CURVATURE  
P.T. POINT OF TANGENCY  
N.T. NON TANGENT  
• CHANGE IN DIRECTION

D.B. DEED BOOK  
PG. PAGE  
DOC. DOCUMENT  
P.B. PLAT BOOK

JOB NO. 20180571

DATE: 6/24/2021

SCALE: 1" = 200'

DRAWN BY: DY

rev. 3/5/25 per county comment

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Professional Surveyors & Mappers

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APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JUL 01 2025

**MEMORANDUM OF UNDERSTANDING  
FOR REAL ESTATE TRANSFER RELATED TO CONSERV II PROPERTY  
BETWEEN ORANGE COUNTY UTILITIES DEPARTMENT AND ORANGE  
COUNTY PUBLIC WORKS DEPARTMENT**

**THIS MEMORANDUM OF UNDERSTANDING (“MOU”)** is made and entered into as of the date of last execution below, by and between ORANGE COUNTY UTILITIES DEPARTMENT (“OCU”) and ORANGE COUNTY PUBLIC WORKS DEPARTMENT (“OCPW”).

**RECITALS**

**A.** City of Orlando, a municipal corporation organized and existing under the laws of the State of Florida (“**City**”), and Orange County, Florida, a charter county and political subdivision of the State of Florida (“**County**”), each own an undivided 50% interest in the parcel of real property bearing Orange County Property Appraiser’s Parcel Identification Number 19-23-27-0000-00-010 and more particularly described in **Exhibit A** attached hereto and by this reference made a part of this MOU (the “**Property**”).

**B.** City and County acquired the Property in fee simple for use as a rapid infiltration basin (RIB) site as part of the City’s and County’s joint reclaimed water project known as Water Conserv II.

**C.** As of the date hereof, OCU is the controlling agency for County’s interest in the Property.

**D.** OCPW is currently undertaking a roadway project to widen and make other improvements to Avalon Road, also known as County Road 545 (the “**Project**”).

**E.** OCPW has identified a 1.44-acre portion of the Property as more particularly described on the sketch of description attached as **Exhibit B** (the “**Parcel**”) that is needed for the Project.

**F.** Pursuant to the terms of the Town Center West (Silverleaf) Road Network Agreement dated September 1, 2020, recorded at Document #20200467436 in the Office of the Public Records of Orange County, Florida and as subsequently amended (collectively, the “**RAC Agreement**”), the private parties subject to that RAC Agreement are required to fund the acquisition of property necessary for the Project.

**G.** OCPW has entered into or will enter into contemporaneously with this MOU a purchase

Project: Town Center West (Silverleaf) RAC

and sale agreement with the City for the transfer of its controlling interest in the City's undivided fifty percent (50%) interest in the Parcel (the "**Purchase Agreement**") and that transaction will close within **sixty (60) days** of the effective date of the Purchase Agreement (the "**City's Closing**").

**H.** Upon request from OCPW, OCU has determined that the Parcel is no longer needed for OCU purposes and agreed to convey OCU's controlling interest in the County's undivided fifty percent (50%) fee simple interest in the Parcel to OCPW upon the terms and conditions set forth herein.

**I.** OCPW and OCU (the "**Parties**") agree that the above-described real estate transaction transferring the controlling rights for County's interest in the Parcel is necessary and appropriate to provide for access, construction, operation, and maintenance of the Project by OCPW and is in the best interest of County and of the public.

**NOW, THEREFORE**, in consideration of the foregoing recitals, the funds to be remitted by OCPW to OCU, the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. **Recitals.** The recitals set forth above are true and correct and are incorporated herein by this reference. The Exhibits attached are incorporated herein by reference.

2. **Compensation for Interest.** As compensation for OCU's controlling interest in the County's 50% undivided fee simple interest in the Parcel, OCU shall receive a total of **Seventy-Two Thousand and No/100 U.S. Dollars (\$72,000.00)** (the "**Transfer Funds**").

3. **Source of Transfer Funds.** Pursuant to the terms of the RAC Agreement, the private parties subject to that RAC Agreement are required to fund the acquisition of property necessary for the Project and will have placed the Transfer Funds into escrow with the Escrow Agent named in the RAC Agreement:

Shutts & Bowen, LLP  
300 S. Orange Avenue, Suite 1600  
Orlando, Florida 32801  
Attn: James G. Willard  
Email: [jwillard@shutts.com](mailto:jwillard@shutts.com)  
407-423-3200

4. **Transfer of Controlling Agency.** Upon the City's Closing, the Escrow Agent shall disburse the Transfer Funds to OCU for deposit into its Accounting Line No. 4420-038-1300-6410 (the "**OCU Account**"). And Escrow Agent shall record an executed notice of reservation in substantially the same form as attached hereto as **Exhibit C**. Thereafter the controlling agency for County's interest in and to the Parcel shall transfer from OCU to OCPW via a notice of reservation.

5. **Simultaneous Closing.** For the avoidance of doubt, OCU acknowledges that it is OCPW's intent to close on the transaction contemplated by this MOU simultaneously with the

Project: Town Center West (Silverleaf) RAC

closing of the Purchase Agreement, and that if the Purchase Agreement is terminated and does not proceed to closing, that OCPW may elect to terminate this MOU by written notification from OCPW to OCU, whereupon this MOU shall be deemed null and void and of no force and effect, and neither Party shall have any further rights, obligations, or liability hereunder. OCU further acknowledges and agrees that, because of the relationship between this MOU and the Purchase Agreement, the actual deposit of the payment into the OCU Account may take up to ten (10) business days following the closing of the Purchase Agreement.

6. **Effective Date.** The effective date of this MOU (the “Effective Date”) shall be latest of: (i) the date this MOU is approved and executed by OCPW; (ii) the date this MOU is approved and executed by OCU; and (iii) the date this MOU is approved by the Orange County Board of County Commissioners.

**IN WITNESS WHEREOF**, the Parties have caused this MOU to be executed and delivered on the day and year of last execution below.

Orange County Utilities Department

Orange County Public Works Department



Ed Torres, M.S., P.E., LEED AP  
Director

Date: 6/4/2025



Joseph C. Kunkel, P.E.  
Director

Date: 6-5-25

**EXHIBIT A**  
**Legal Description**

All the land West of the paved road of the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 19, Township 23 South, Range 27 East (less the South 30 feet conveyed to Orange County for road purposes), of the Public Records of Orange County, Florida.

**EXHIBIT B**  
**Parcel Description**

**[see attached Sketch of Description prepared by  
Allen & Company dated 6/24/2021, rev. 3/5/2025– 3 pages]**

# LEGAL DESCRIPTION

NOT A SURVEY  
CONSERV RIGHT OF WAY DEDICATION

A Parcel of land lying in the Southeast Quarter of Section 19, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as:

Commencing at the Northeast corner of the Southeast Quarter said Section 19; thence run North 89°59'52" West along the North line of said Southeast Quarter for a distance of 255.49 feet to a point on the Westerly right line of Avalon Road/County Road 545 as shown on the State Road 429 Right of Way map, Section 75320-6460-653 and the POINT OF BEGINNING; thence run the following courses along said Westerly right of way line: South 00°15'46" East for a distance of 101.41 feet; thence run South 11°10'04" West for a distance of 227.83 feet to the point of curvature of a curve, concave Easterly having a radius of 2342.00 feet, with a chord bearing of South 05°30'30" West, and a chord distance of 461.90 feet; thence run Southerly through a central angle of 11°19'07" along the arc of said curve for a distance of 462.66 feet to a point on a non tangent line; thence run North 89°50'57" East for a distance of 17.00 feet; thence run South 00°09'46" East for a distance of 538.09 feet to a point on the South line of the Northeast Quarter of the Southeast Quarter of aforesaid Section 19; thence run South 89°54'35" West along said South line for a distance of 65.82 feet; thence departing said South line run North 00°08'53" West for a distance of 531.96 feet to the point of curvature of a curve, concave Easterly having a radius of 1497.00 feet, with a chord bearing of North 05°30'36" East, and a chord distance of 295.17 feet; thence run Northerly through a central angle of 11°18'57" along the arc of said curve for a distance of 295.65 feet to a point of tangency; thence run North 11°10'04" East for a distance of 506.67 feet to a point on the aforesaid North line of said Southeast Quarter of Section 19; thence run South 89°56'49" East for a distance of 10.19 feet to the POINT OF BEGINNING.

Containing 62,830 square feet or 1.44 acres, more or less.

SHEET 1 OF 3  
SEE SHEET 2 FOR SKETCH  
SEE SHEET 3 FOR TABLES  
NOT VALID WITHOUT SHEETS 1 - 3



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

## SURVEYOR'S NOTES:

1. THIS LEGAL DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SE 1/4 OF SECTION 19-23-27 AS BEING N 89°59'52"W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB NO. 20180571

DATE: 6/24/2021

SCALE: 1" = 200'

rev. 9/29/21 per county comment  
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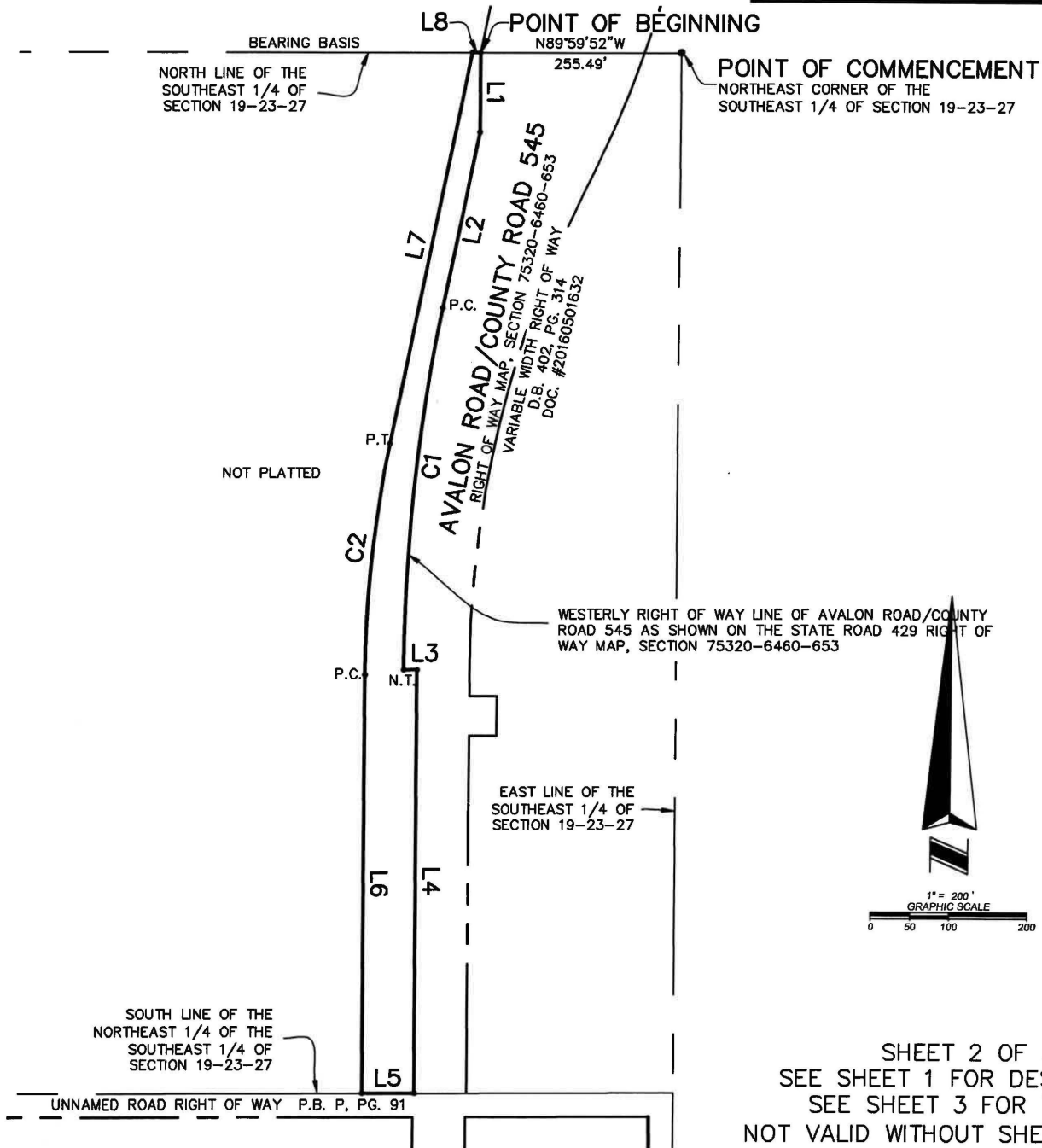
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rev. 3/5/25 per county comment



**EXHIBIT C**  
**Form of Notice of Reservation**

**THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:**

Sara Solomon, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida  
P.O. Box 1393  
Orlando, Florida 32802-1393

**Property Appraiser's Parcel Identification Number:**  
a portion of 19-23-27-0000-00-010

**Instrument:**

**Project:** Town Center West (Silverleaf) RAC

**NOTICE OF RESERVATION**

ORANGE COUNTY, A CHARTER COUNTY AND POLITICAL SUBDIVISION OF THE  
STATE OF FLORIDA, HEREBY reserves a fee simple interest on the following property for road right-  
of way purposes:

**See Attached Exhibit "A"**

THIS RESERVATION is being recorded to transfer the controlling interest in the land described  
on the attached Exhibit "A" from the Orange County Utilities Department to the Orange County Public  
Works Department.

Dated at Orlando, Florida this \_\_\_\_\_.

IN WITNESS WHEREOF, the said COUNTY has caused these presents to be executed in its  
name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)

ORANGE COUNTY, FLORIDA  
By Board of County Commissioners

BY: FORM NOT FOR SIGNATURE

Jerry L. Demings  
Orange County Mayor

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

BY: FORM NOT FOR SIGNATURE

Deputy Clerk

\_\_\_\_\_  
Printed Name

APPROVED  
BY ORANGE COUNTY BOARD  
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JUL 01 2025

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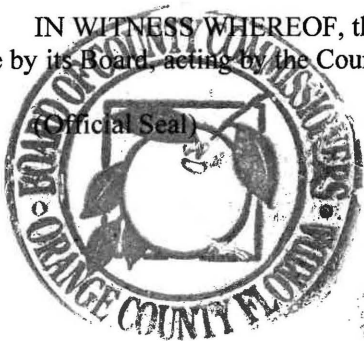
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ORANGE COUNTY, FLORIDA  
By Board of County Commissioners

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

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

BY: *Jennifer Lara-Klimetz*  
for Deputy Clerk

Jennifer Lara-Klimetz  
Printed Name

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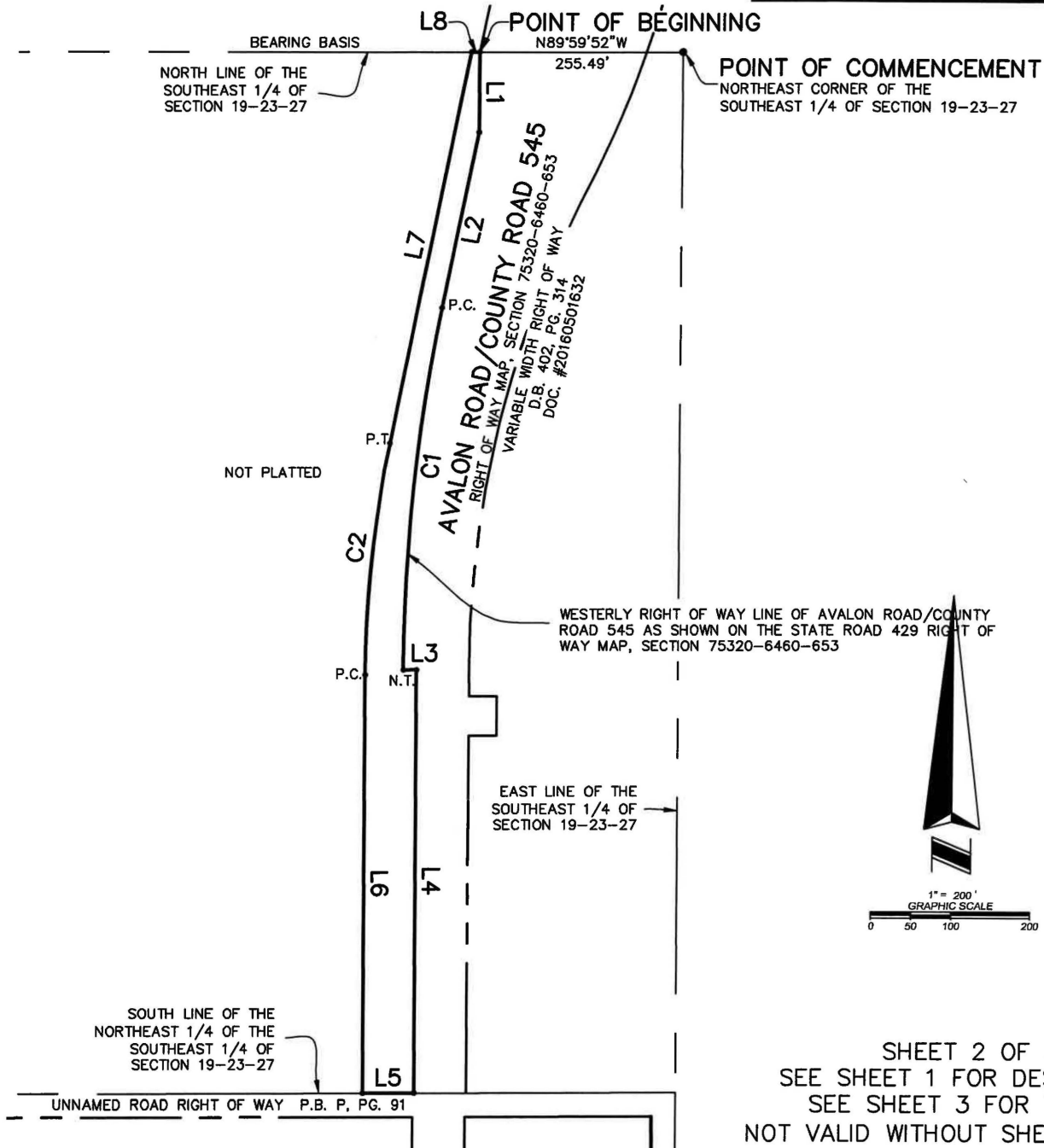
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**ALLEN  
&  
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