



## Interoffice Memorandum

### REAL ESTATE MANAGEMENT ITEM 3

**DATE:** August 11, 2022

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

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

**FROM:** Anmber Ayub, Program Manager – Right of Way *AA/MTC*  
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 Resolution and authorization to initiate condemnation proceedings.

**PROJECT:** Bates Road Bridge Replacement  
  
District 5

**PURPOSE:** To allow the acquisition of one fee simple parcel required for roadway improvements.

**ITEMS:** Resolution (Parcel 1007)

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

**REMARKS:** This is the second submittal of a parcel for this project to be acquired through eminent domain.

AUG 3 0 2022

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

### RESOLUTION

WHEREAS, during FY 15/16, the Board approved the project known as Bates Road Bridge Replacement 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 Bates Road Bridge Replacement 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 1007 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, 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

AUG 30 2022



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

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Brynn W. Brooks  
for Jerry L. Demings  
Orange County Mayor

BY: Jessica Vaupel  
for Deputy Clerk

Jessica Vaupel  
Printed Name

DATE: 1 September 2022

**STAFF REPORT  
Bates Road Bridge  
CIP 2852**

**January 19, 2022**

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**Project Summary**

As part of the bridge and major drainage structures program, the County has resolved to replace bridges which require a weight limit posting. Based on the load rating analysis dated 1/20/11 posting is required, based on the Operating ratings, for Single Unit (SU) vehicles as follows: SU = 16 tons. The structure is posted at both approaches. During a routine bridge inspection performed by the Florida Department of Transportation (FDOT) on September 14, 2021, it was observed a significant decrease in the sufficiency rating of the bridge. The value recorded during this inspection was 29.9. The previous sufficiency rating value recorded in the previous inspection dated 09/24/2020 was 41.9. The sufficiency rating determines whether a bridge that is structurally deficient or functionally obsolete should be repaired or just replaced. It ranges from 0-100, where a rating of 100 represents a perfect bridge and a rating of 0 percent is the worst case (entirely insufficient for its current use).

The purpose of the project is to construct a new 2-lane bridge and roadway approach to replace the existing bridge over the Crane Strand Canal at the Bates Road crossing (Bridge No. 754003), approximately 0.3 miles east of the intersection of North Goldenrod Road and Bates Road. The existing bridge, which was constructed in 1962, is showing signs of structural wear and the low chord member does not meet the minimum clearance height over the 50-year event water surface elevation in the Crane Strand Canal. Replacement of the old bridge is recommended to bring the bridge crossing to current standards.

**Safety Considerations**

The bridge is located on Bates Road approximately 0.3 miles east of Goldenrod Road. Bates Road is classified as a two-lane urban collector and the posted speed limit is 30 MPH. The bridge was built in 1962 and consists of three 25-foot spans, 32 feet wide, and set on 12-inch concrete piles. The bridge is classified as Functionally Obsolete.

Per a Florida Department of Transportation (FDOT) Bridge Inspection Report dated January 1, 2011 the Bates Road Bridge was found to require a weight limit posting. As part of the bridge and major drainage structures program, the County has resolved to replace bridges which require a weight limit posting. This will eliminate the undesirable potential of having vehicles which exceed the weight limit from crossing these bridges.

**Alternative Alignments**

All improvements will be constructed within the limits of existing and proposed right-of-way. Two slivers of proposed right-of-way are required for constructing the replacement bridge and appurtenant facilities. One at the northeast parcel of the proposed bridge and at the north side of the proposed bridge. A Temporary Construction Easement is required at the southwest end of the bridge for regrade/tie an existing driveway. Also, a Slope and Fill easement is needed to

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accommodate the proposed drainage improvements at the southeast end of the bridge. A no-build alternative was considered, however the need for safer conditions did not favor this option.

### **Long Range Planning**

The Florida Department of Transportation (FDOT) has a statewide bridge inspection program which requires inspection every two years. Bridges which are classified as functionally obsolete are inspected by FDOT every year. The County has an ongoing bridge replacement program to replace bridges which are classified as functionally obsolete by FDOT.

The Bates Road Bridge is classified as functionally Obsolete and is included in the County's bridge replacement program.

### **Environmental Considerations**

The County will acquire all applicable Federal, State and Local permits required for the Bates Road Bridge construction.

### **Costs**

The design cost for the project is approximately \$382,852.

The right-of-way cost for the project is approximately \$148,079.

The estimated construction cost for the project is approximately \$2,570,183.

Therefore, the total project cost is approximately \$3,101,114.

### **Conclusion**

In accordance with the Florida Department of Transportation's Bridge Inspection Report and the load rating analysis summary, replacement of Bates Road Bridge is required to bring the bridge to current standards by the County.

## **SCHEDULE "A"**

PARCEL: 1007

PROJECT: BATES ROAD

### **LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING A FOUND 1" IRON PIPE IN ASPHALT CUT OUT WITH POLYVINYL SLEEVE; THENCE NORTH 89°58'08" WEST ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 14, A DISTANCE OF 1323.97 FEET TO A POINT ON THE WEST LINE OF THE WEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH LINE RUN NORTH 00°43'48" WEST ALONG SAID WEST LINE, A DISTANCE OF 30.00 FEET TO A POINT ON THE EXISTING NORTH RIGHT OF WAY LINE FOR BATES ROAD AND SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE RUN NORTH 00°43'48" WEST, A DISTANCE OF 26.52 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°59'11" EAST, A DISTANCE OF 136.54 FEET; THENCE SOUTH 00°01'52" WEST, A DISTANCE OF 14.56 FEET; THENCE SOUTH 89°58'08" EAST 12.00 FEET NORTH OF AND PARALLEL TO SAID RIGHT OF WAY LINE, A DISTANCE OF 194.60 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 11; THENCE ALONG SAID WEST LINE RUN SOUTH 00°42'11" EAST, A DISTANCE OF 12.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE OF BATES ROAD; THENCE ALONG SAID RIGHT OF WAY LINE RUN NORTH 89°58'08" WEST, A DISTANCE OF 330.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,955 SQUARE FEET, MORE OR LESS.

### **GENERAL NOTES**

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO, THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/2011 ADJUSTMENT (NAD83/11), EAST ZONE, WITH THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 30 EAST, BEARING NORTH 89°58'08" WEST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. A CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED JUNE 20, 2017, FILE NUMBER 2037-3166804/14.00078, WAS REVIEWED BY THE SURVEYOR. EXCEPTIONS LISTED THEREIN (IF ANY) WHICH AFFECT THE PARCEL DESCRIBED HEREON, WHICH CAN BE DELINEATED OR NOTED, ARE SHOWN HEREON.
6. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
7. THIS SKETCH IS NOT A SURVEY.

SHEET 1 OF 2

Date: APRIL 24, 2019

Project No.: T11-02

Drawn: PMM Chkd.: RJH

**BATES ROAD  
PARCEL 1007**



**GEODATA CONSULTANTS, INC.**

**SURVEYING & MAPPING**

1349 SOUTH INTERNATIONAL PARKWAY

SUITE 2401

LAKE MARY, FLORIDA 32746

VOICE: (407) 732-6965

Land Surveyor Business License No. 6556

24 3-17 2021

# SKETCH OF DESCRIPTION

PARCEL: 1007

PROJECT: BATES ROAD

## LEGEND & ABBREVIATIONS

(C) = CALCULATED  
(D) = DEED  
ESM'T = EASEMENT  
E = EASTING  
FND = FOUND  
N = NORTHING  
ORB = OFFICIAL RECORDS BOOK  
PG = PAGE  
(P) = PLAT  
P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
PVC = POLYVINYL CHLORIDE  
R/W = RIGHT OF WAY  
W/ = WITH

### PARCEL 1007

RIGHT OF WAY NOT PLATTED  
AREA: 5955 SQUARE FEET ±

LANDS DESCRIBED IN  
ORB 10620, PG 7984

S89°59'11"E 136.54'(C)

N00°43'48"W  
26.52'(C)

S00°01'52"W  
14.56'(C)

S89°58'08"E 194.60'(C)

S00°42'11"E  
12.00'(C)

N89°58'08"W 330.94'(C)

P.O.B.

N00°43'48"W  
30.00'(C)

N89°58'08"W 1323.97'(C)

BASIS OF BEARINGS

BATES ROAD

N LINE OF NE 1/4 OF  
SECTION 14-22-30

EXISTING R/W

8' FLORIDA POWER  
CORPORATION ESM'T PER  
ORB 2202, PG 553

LANDS DESCRIBED IN  
ORB 3827, PG 356

NOT PLATTED

EAST LINE OF THE NW 1/4  
OF THE NE 1/4 OF  
SECTION 14-22-30

8' FLORIDA POWER CORPORATION  
DISTRIBUTION EASEMENT PER  
ORB 3115, PG 1506

WEST LINE OF THE E 1/2  
OF THE W 1/2 OF THE  
SE 1/4 OF THE SE 1/4  
OF SECTION 11-22-30

FND 1" IRON PIPE  
NO IDENTIFICATION

LANDS DESCRIBED IN  
ORB 10680, PG 5310

CORONADO TOWNHOMES  
PLAT BOOK 95, PAGE 43

SCALE: 1" = 60'

GRAPHIC SCALE  
0 30 60  
( IN FEET )

P.O.C.  
NORTHEAST CORNER OF  
THE NORTHEAST 1/4 OF  
SECTION 14-22-30  
FOUND 1" IRON PIPE IN  
ASPHALT CUT OUT  
W/ PVC SLEEVE  
N: 1544741.40  
E: 566930.14

LANDS DESCRIBED IN  
ORB 9513, PG 889

NOT PLATTED

PRIVATE 30' INGRESS/EGRESS EASEMENT  
PER ORB 849, PG 385 &  
PER ORB 1456, PG 728

SHEET 2 OF 2

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

H. Paul deVivero, Professional Land Surveyor No. 4990

DATE

REVISION

BY

DATE

Date: APRIL 24, 2019

Project No.: T11-02

Drawn: PMM Chkd.: RJH

BATES ROAD  
PARCEL 1007



GEODATA CONSULTANTS, INC.

SURVEYING & MAPPING

1349 SOUTH INTERNATIONAL PARKWAY  
SUITE 2401

LAKE MARY, FLORIDA 32746

VOICE: (407) 732-6985

Land Surveyor Business License No. 6556

2019-12-20

**SCHEDULE "B"**

**2852 BATES ROAD BRIDGE PARCEL 1007**

**FEE SIMPLE**

Parcel 1007: the interest being acquired is fee simple.