

BCC Mtg. Date: October 18, 2016

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

AUTHORIZATION TO CONVEY CERTAIN COUNTY PROPERTY INTERESTS TO THE CITY OF WINTER GARDEN, FLORIDA

Resolution No. 2016-M- 50

WHEREAS, Orange County ("County"), a charter county and political subdivision of the State of Florida, pursuant to its home rule power and Section 125.38, Florida Statutes, upon an application by the United States, the State of Florida, any political subdivision or agency thereof, any municipality of the State of Florida, or any corporation or not for profit entity organized for the purpose of promoting community interest and welfare, has authority to determine, upon such an application, that certain County property is not needed for County purposes and to convey such property, for nominal price or otherwise, to the State of Florida, any political subdivision or agency thereof, or any municipality of the State of Florida, or any corporation or not for profit entity organized for the purpose of promoting community interest and welfare;

WHEREAS, the County obtained an easement to a certain property by virtue of a Sidewalk Easement recorded on July 9, 1985, in Official Records Book 3661, Page 2099, of the Public Records of Orange County, Florida, a copy of which is attached hereto as

Exhibit “A” (“Sidewalk Easement”);

WHEREAS, by virtue of an annexation that occurred through Ordinance 16-22 adopted by the City Commission of the City of Winter Garden on March 24, 2016, the Sidewalk Easement is now located within the jurisdictional limits of the City of Winter Garden;

WHEREAS, the City of Winter Garden has applied to the County to be assigned the Sidewalk Easement for the public interest or welfare;

WHEREAS, the County has determined that, pursuant to the City of Winter Garden’s application and Section 5 of Ordinance 16-22, the Sidewalk Easement should be assigned to the City of Winter Garden, and such conveyance is in the public interest; and

WHEREAS, the City of Winter Garden is qualified, as a municipality under the laws of the State of Florida, to be assigned the Sidewalk Easement pursuant to Section 125.38, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

1. The Board hereby determines that the Sidewalk Easement is not needed for County purposes and that it is in the best interest of Orange County and the City of Winter Garden that the Sidewalk Easement be conveyed to the City of Winter Garden.
2. The Board directs that all of the County’s right, title, and interest in the Sidewalk Easement be conveyed to the City of Winter Garden and, as consideration, the City of Winter Garden will assume all of the County’s rights, duties, and obligations that exist under the terms and conditions of the Sidewalk Easement.

3. The Board directs the Orange County Mayor to execute and deliver an Assignment of Easement to effectuate such conveyance, and that staff do all things necessary and appropriate to conclude this transaction.

4. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the City Manager of the City of Winter Garden.

5. This Resolution shall become effective upon its adoption by the Board.

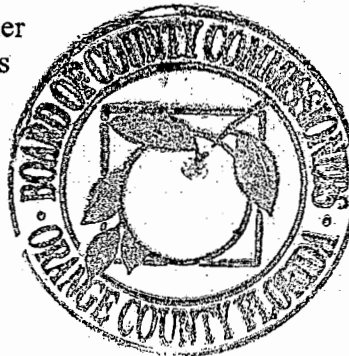
ADOPTED this ____ day of OCT 18 2016, 2016.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: *Martha O. Haynie*
Deputy Clerk



2344244 ORANGE
JUL 9 9 06 AM '85

SIDEWALK EASEMENT

APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS AT THEIR MEETING
JUL 01 1985

C.F. 3561 Pg 2099

THIS INDENTURE made the 6th day of May, 1985, between
SHOP & GO, INC., hereinafter called the Grantor, and the
COUNTY OF ORANGE, in the State of Florida, hereinafter called the Grantee.

WITNESSETH, That the Grantor, in consideration of the sum of
\$1.00 and other valuable considerations, paid by the Grantee, the
receipt whereof is hereby acknowledged, does hereby give and grant to the
Grantee and its assigns a right of way and easement for sidewalk purposes with
full authority to enter upon, construct, and maintain, as the Grantee and its
assigns may deem necessary, a paved sidewalk upon the following described lands
situate in Orange County aforesaid, to-wit:

LEGAL DESCRIPTION: SIDEWALK EASEMENT, SHOP & GO, WINTER GARDEN

THE EAST 20 FEET OF THE WEST 45 FEET OF THE SOUTH 225 FEET OF THE
NORTH 325 FEET OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 22
SOUTH, RANGE 27 EAST, TOGETHER WITH THE SOUTH 25 FEET OF THE NORTH
100 FEET OF THE EAST-250 FEET OF THE WEST 275 FEET OF THE NORTHWEST
QUARTER OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE
COUNTY, FLORIDA.

SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.

And see Exhibit A attached.

TO HAVE AND TO HOLD said right of way and easement unto said Grantee and
its assigns forever.

THE Grantee herein and its assigns shall have the right to clear and keep
clear all trees and other obstructions that may interfere with normal usage or
maintenance of the paved sidewalk and easement area. The Grantor, successors
and assigns, agree not to build, construct, or create, nor permit others to
build, construct, or create any fence, wall, or other structure on the herein
granted right of way.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be
signed in its name by Robert R. Garrett, its President and
its corporate seal to be affixed, attested by Marilyn Fowler,
its Secretary, the day and year above written.

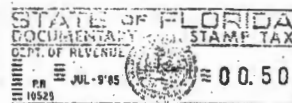
ATTEST: Marilyn Fowler SHOP & GO, INC.
Asst. Secretary

Signed, sealed, and delivered
in our presence:

By Robert R. Garrett
Vice President

John M. Feggs
Mary Anne Thole

ORANGE
COUNTY
38417C



STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

C.B. 3661 PC2100

I HEREBY CERTIFY, that on this 6th day of May, A. D., 19 85,
before me personally appeared Robert R. Garrett
and Marilyn Fowler

respectively Vice President and Assistant Secretary

of SHOP & GO, INC., a corporation under the laws of the State of
Florida, to me known to be the individuals and officers described in and
who executed the foregoing conveyance and severally acknowledged the execution
thereof to be their free act and deed as such officers thereunto duly
authorized, and that the official seal of said corporation is duly affixed
thereto, and the said conveyance is the act and deed of said corporation.

Witness my hand and official seal this 6th day of May, 19 85

(Notarial Seal)

Shirley R. Rigg
Notary Public in and for the County and State
aforesaid.

My commission expires:

Notary Public, State of Florida at Large
My Commission Expires Dec. 18, 1988

CERTIFICATION: (NOTE: NOT VALID UNLESS EMBOSSED WITH LAND SURVEYORS SEAL)

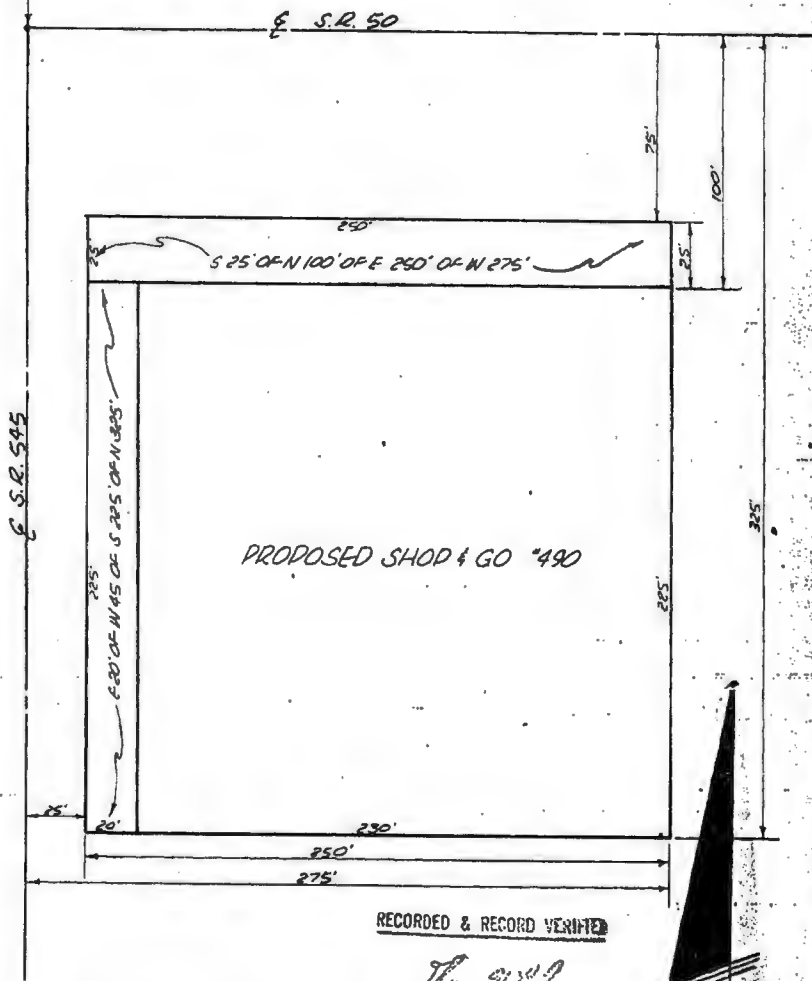
WE HEREBY CERTIFY THAT THE "SKETCH OF LEGAL DESCRIPTION" OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT AS PREPARED UNDER OUR RESPONSIBLE DIRECTION.

MERIDIAN SURVEYING AND MAPPING INC.

William A. Herx

BY: WILLIAM A. HERX, P.L.S.
REGISTERED LAND SURVEYOR NO. 3182
STATE OF FLORIDA

N.W. COR. SEC. 27-22-27



NOTE: THIS IS NOT A SURVEY.

Meridian Surveying and mapping inc.

2328 So Congress Ave. Suite 2A West Palm Beach, FL 33406 (305) 967-5600
5151 Adanson Street, Suite 202, Orlando, FL 32804 (305) 644-2262

drawn E.E.B.	date 5-21-85
checked B.H.	scale 1" = 50'
drawing no. BA-516-2	

SKETCH OF LEGAL
DESCRIPTION FOR
ORANGE COUNTY
SIDEWALK EASEMENT

