

COUNTY ATTORNEY'S OFFICE JEFFREY J. NEWTON, County Attorney

AGENDA ITEM

201 South Rosalind Avenue • 3rd Floor Reply To: Post Office Box 1393 Orlando, FL 32802-1393 407-836-7320 • Fax 407-836-5888 http://www.ocfl.net

MEMORANDUM

Deputy County Attorney

TO:

Joel D. Prinsell

Senior Assistant County Attorneys

Elaine Asad

Lila McHenry

Assistant County

Attorneys

Andrea Adibe

Roberta Alfonso

Anthony Cotter

Whitney E. Evers

Wanzo Galloway, Jr.

Erin E. Hartigan

Georgiana Holmes

Katherine W. Latorre

Scott McHenry

Sawsan Mohiuddin

Scott Shevenell

William Turner

Legal Administrative Supervisor

Anna M. Caban

Senior Paralegal Kimberly Cundiff

Paralegals Melessia Lofgren Maria Vargas, ACP Mayor Teresa Jacobs

and

County Commissioners

FROM: Jeffrey J. Newton, County Attorney

Elaine M. Asad, Senior Assistant County Attorney

Contact: (407) 836-7320

DATE: February 20, 2017

SUBJECT: Consent Agenda Item for March 7, 2017

Orange County v. Orlando South Trail Plaza, LLC, et al.

Case No. 2014-CA-10828-O

Parcels 1015/7015/8015 (Owners NYR Properties, LLC)

Project: Holden Ave. (John Young Parkway to Orange Blossom Trail)

This item requests settlement authorization by the Board of County Commissioners (BCC) for the *Orange County v. Orlando South Trail Plaza, LLC, et al.* eminent domain case brought on behalf of Orange County for the Holden Avenue Project, and authority for the County Attorney's Office to execute the Stipulated Final Judgment on behalf of Orange County.

The BCC has been provided a Confidential Memorandum from Jeffrey J. Newton, County Attorney, and Elaine M. Asad, Senior Assistant County Attorney, a Settlement Analysis, and a proposed Stipulated Final Judgment under separate cover. These documents will become public records at the conclusion of the litigation pursuant to Section 119.071(1)(d), Florida Statutes.

ACTION REQUESTED: Approval of the Mediated Settlement Agreement in the case *Orange County v. Orlando South Trail Plaza (NYR Properties, LLC), et al.*, Case No. 2014-CA-10828-O, Parcels 1015/7015/8015, Project: Holden Avenue; and authorization for the County Attorney's Office to execute the proposed Stipulated Final Judgment as to Parcels 1015/7015/8015 on behalf of Orange County.

EMA/gs

February 20, 2017 Page 2 of 2

Copy: Ajit Lalchandani, County Administrator
Ann Caswell, Manager, Real Estate Management Division
Raymond L. A. Williams, P.E., Manager, Public Works Engineering
Anne Kulikowski, Director, Administrative Services Department

S:\EAsad\Cases - Eminent Domain\Orlando South Trail Plaza P-1015\BCC\Consent Agenda - Memo to BCC4.doc



COUNTY ATTORNEY'S OFFICE JEFFREY J. NEWTON, County Attorney

201 South Rosalind Avenue • 3rd Floor Reply To: Post Office Box 1393 Orlando, FL 32802-1393 407-836-7320 • Fax 407-836-5888 http://www.ocfl.net 03-21-11AUS: 38 KCVD

MEMORANDUM

Deputy County Attorney

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Senior Paralegal Kimberly Cundiff

Paralegals Melessia Lofgren Maria Vargas, ACP TO: Katie Smith, Deputy Clerk

Comptroller Clerk of BCC

FROM:

Elaine Asad, Senior Assistant County Attorney

DATE:

March 24, 2017

SUBJECT: Consent Agenda Item for March 7, 2017

Orange County v. Orlando South Trail Plaza, LLC, et al.

Case No. 2014-CA-10828-O Parcels: 1015, 7015 and 8015

Project: Holden Ave. (John Young Pkwy to Orange Blossom Trail)

County Attorney's Office Consent Agenda Item 1

Document: Stipulated Final Judgment Date of BCC Approval: March 7, 2017

Enclosed is a fully executed copy of the Stipulated Final Judgment signed by Judge Christi L. Underwood and rendered on March 23, 2017. The Clerk of Court will have the final judgment recorded.

Also enclosed is a copy of the memorandum to Mayor Teresa Jacobs and County Commissioners dated February 20, 2017 for the consent agenda item that was approved by the Board on March 7, 2017.

Should you need additional information, please do not hesitate to contact my office.

EMA/gs

Enclosures



COUNTY ATTORNEY'S OFFICE JEFFREY J. NEWTON, County Attorney

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This document is privileged under F.S. 119.07, and is not for copying or distribution.

Deputy County Attorney

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Assistant County

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Paralegals Melessia Lofgren Maria Vargas, ACP

MEMORANDUM

TO:

Mayor Teresa Jacobs

and

County Commissioners

FROM:

Jeffrey J. Newton, County Attorney

Elaine M. Asad, Senior Assistant County Attorney

Contact: (407) 836-7320

DATE:

February 20, 2017

SUBJECT:

Consent Agenda Item for March 7, 2017

Orange County v. Orlando South Trail Plaza, LLC, et al.

Case No. 2014-CA-10828-O

Parcels 1015/7015/8015 (Owners NYR Properties, LLC)

Project: Holden Ave. (John Young Parkway to Orange Blossom Trail)

This item requests settlement authorization and approval of the Mediated Settlement Agreement by the Orange County Board of County Commissioners (BCC) in the Eminent Domain case, Orange County v. Orlando South Trail Plaza (NYR Properties, LLC), et al, Case No. 2014-CA-10828-O. The case was brought on behalf of Public Works for the Holden Avenue Project (John Young Parkway to Orange Blossom Trail). The County staff recommended settlement of this case in the amount of \$664,200 for Parcels 1015/7015/8015, plus statutory attorney fees in the amount of \$114,825 and expert fees and costs in the amount of \$36,845.77, for a total amount of \$815,870.77. There are no non-monetary benefits. The County will receive a credit of \$337,400, which was previously deposited for the Order of Taking, leaving a balance due of \$478,470.77.

I. The Project

The project consists of 1.26 miles of reconstruction on Holden Avenue. Improvements are necessary to accommodate future traffic demands safely and efficiently. Holden Avenue will be improved to a four-lane divided urban roadway, when complete, and will run east of John Young Parkway to just west of the Orange Blossom Trail. The proposed improvements include four (4) 11-foot travel lanes with a 15-foot raised median and 5-foot sidewalks.

Confidential Memorandum February 20, 2017 Page 2 of 3

II. The Lawsuit

This is an Eminent Domain lawsuit seeking fee simple title to parcel 1015, a temporary easement on Parcel 7015 and a permanent easement on parcel 8015. The subject property is located at 4714 South Orange Blossom Trail, Orlando, FL 32839. More specifically, it is a multi-tenant retail shopping plaza located at the southwest corner of Holden Avenue and Orange Blossom Trail. The original owner of the subject property (Orlando South Trail Plaza) sold the property to NYR Properties. LLC prior to the Order of Taking, which occurred on March 12, 2015. As a result of the sale, NYR Properties, LLC intervened in the lawsuit and by Order of the Court, NYR Properties LLC was substituted for Orlando South Trail Plaza. NYR Properties, LLC provided the County with the Assignment of Leases and All Eminent Domain Rights.

The parent tract in the before condition is 3.307 Acres (144,053 SF) and included:

Parcel 1015 – 3,730 SF (Fee Simple)

Parcel 8015 – 1,123 SF (Permanent Easement – perpetual drainage easement and slope and fill easement)

Parcel 7015 – 864 SF (Temporary Easement)

Remainder – 3.221 Acres (1.123 SF encumbered)

III. The Mediated Settlement

At mediation, the parties argued the strengths and weaknesses of each other's cases. NYR Properties, LLC sought \$1,010,982 as full compensation (based on land value of \$17.00/SF for the fee, plus the permanent easement, the temporary construction easement, the value of improvements, costs to cure and severance damages). The County, on the other hand, contended that \$454,700 was full compensation (based on land value of \$13.00/SF for the fee, plus the permanent easement, the temporary construction easement, the value of improvements, costs to cure and severance damages). The parties ultimately agreed on compensation of \$664,200, which included the fee, permanent easement, temporary construction easement, value of improvements, costs to cure and severance damages; plus statutory attorney fees in the amount of \$114,825 and expert fees and costs in the amount of \$36.845.77. The County will receive credit of \$337,400 for the deposit from the Order of Taking. There are no non-monetary benefits.

Confidential Memorandum February 20, 2017 Page 3 of 3

IV. Staff Recommendation

At mediation, the County's negotiation team included: Elaine Asad, Senior Assistant County Attorney: Raymond Williams, P.E. Manager, Public Works Engineering; and Ann Caswell, Manager Real Estate Management. County staff recommends that the BCC approve the Mediated Settlement Agreement. If a briefing is desired, please have the Administrative Aide contact Gail Stanford, at Extension 6-7364 to arrange a time.

Attached is a copy of the Settlement Analysis with the proposed Stipulated Final Judgment as to Parcels 1015/7015/8015.

ACTION REQUESTED: Approval of the Mediated Settlement Agreement in the case Orange County v. Orlando South Trail Plaza (NYR Properties, LLC), et al., Case No. 2014-CA-10828-O, Parcels 1015/7015/8015, Project: Holden Avenue; and authorization for County Attorney's Office to execute the proposed Stipulated Final Judgment as to Parcels 1015/7015/8015 on behalf of Orange County.

EMA/gs

Attachments

Copy: Ajit Lalchandani, County Administrator
Ann Caswell. Manager, Real Estate Management Division
Raymond L. A. Williams, P.E., Manager, Public Works Engineering
Anne Kulikowski, Director, Administrative Services Department

S. di Asad Cases - Emment Domain/Orlando South Trail Plaza P-1015/BCC/Consent Agenda - Confidential Memo to BCC 2-16-17.2 doc

SETTLEMENT ANALYSIS

Project: Holden Avenue Project (from John Young Parkway to Orange

Blossom Trail)

Parcels: 1015/8015/7015

Case Name: Orange County v. Orlando South Trail Plaza

(NYR Properties, LLC)
Case No. 2014-CA-10828-O

Land Size

Parent Tract: 3.307 acres

Parcel 1015: 3730 S.F. (fee simple)

Parcel 8015: 1123 S.F. (perpetual drainage easement and a slope and fill easement

Parcel 7015: 864 S.F. (temporary construction easement)

Remainder: 3.221 acres

This consent agenda item requests settlement authorization and mediated settlement approval by the Orange County Board of County Commissioners (BCC) for Parcels 1015/7015/8015. The staff recommended settlement is at the total sum of \$815,870.77, inclusive of all land value, improvement value, severance damage, costs to cure, statutory interest, expert fees and costs and attorney fees. The total settlement sum is allocated:

\$664,200.00 Compensation for land, improvements, severance damages, costs to cure,

and statutory interest.

\$114,825.00 Statutory attorney fees

\$ 36,845.77 Appraiser and Engineer expert fees and costs

\$ 0.00 No business damages

The Mediated Settlement Agreement is attached as Exhibit A.

Individual briefings on this request for mediated settlement approval are available for each commissioner. If a briefing is desired, please have the administrative aide contact Gail Stanford at extension 6-7364 to arrange a time.

I. PROPERTY

The subject property is part of the Holden Avenue Project, which consists of 1.26 miles of reconstruction on Holden Avenue. Improvements are necessary to accommodate future traffic demands safely and efficiently. Holden Avenue will be improved to a four-lane divided urban roadway, when complete, and will run east of John Young Parkway to just west of the Orange Blossom Trail. The proposed improvements include four (4) 11-foot travel lanes with a 15-foot raised median and 5-foot sidewalks.

The property in question is located at 4714 South Orange Blossom Trail, Orlando 32839. More specifically it is located at the southwest corner of Holden Avenue and Orange Blossom Trail and is a multi-tenant retail shopping plaza. The retail plaza was constructed circa 1959 and the free-standing restaurant outparcel located at the northeast corner of the property, was constructed circa 1968. There are eight (8) in-line tenants and a restaurant tenant in the outparcel. The subject property was 100% occupied as of the date of value (3/25/15) with near full historical occupancy, which includes several long-term tenants.

II. COUNTY ACQUISITION

The parent tract in the before condition is 3.307 Acres (144,053 SF).

The take included:

Parcel 1015 – 3,730 SF (Fee Simple along the Holden Avenue frontage)

Parcel 8015 – 1,123 SF (Permanent Easement – perpetual drainage easement and slope and fill easement at the northwest portion of the property)

Parcel 7015 – 864 SF (Temporary Easement located at the easterly driveway connection to Holden Avenue)

Remainder – 3.221 Acres (1,123 SF encumbered)

Attached as Exhibit B is a sketch of the subject property showing in pink Parcel 1015, showing in blue Parcel 8015, and showing in green Parcel 7015.

There are two driveway connections along Holden Avenue and two driveway connections along Orange Blossom Trail. The four driveway connections will remain in the after condition.

Affected improvements include asphalt / pavement areas, drainage inlet, curbing, pavement markings, palm trees, various other landscaping, portions of concrete walkways, perimeter parking, and the restaurant pole sign located at the northeast corner of the property.

III. NON-CONFORMING USES

In the before condition, the property was non-conforming as to landscaping, parking, building setbacks and signage. In the after condition, the property's non-conforming status as to landscaping, parking and building setbacks will be further increased as follows:

Landscaping: the fee simple acquisition (Parcel 1015) will further reduce the nonconforming buffer width to 1.5 ft wide, increasing the landscaping nonconformity.

Parking: the current retail shopping center includes approximately 36,282 sf of leasable retail/commercial space requiring 200 parking spaces, plus the outparcel restaurant requires 10 additional spaces (210 total spaces required per Orange County Code). In the before condition, the subject property was nonconforming as it had only 150 parking spaces. The taking will result in the loss of 7 parking spaces impacting the north portion of the site. As a result, overall parking in the after condition is reduced from 150 spaces to 143 spaces, a percentage loss of 4.7%, increasing the parking nonconformity.

Building setbacks: the restaurant building in the northeast corner of the site is set back 4.92 ft from Holden Avenue. The Orange County Code required setback from Holden Avenue is 25 ft. As a result of the fee simple acquisition (Parcel 1015), the outparcel building setback will be reduced from 4.92 ft to 1.26 feet, thus increasing the setback nonconformity.

Signage: the restaurant sign is located within the area of acquisition and is, in the before condition, nonconforming; however, the County has proposed a cure to re-establish the sign in conformance with the minimum required 10 ft setback.

Waiver and Exception:

Pursuant to Section 30-637 of Article XIII of the Orange County Code, Carol Knox, Manager, Orange County Zoning, has provided a waiver for the continuing and increasing nonconforming status of parking, landscaping and building setbacks in the after condition.

IV. THE REMAINDER PROPERTY AND IMPACT OF TAKING

The remainder land has not been significantly altered as a result of the taking. The overall land has been reduced from 3.307 acres to 3.221 acres or 2.6% less with 1,123 SF encumbered by the drainage and slope and fill permanent easement (Parcel 8015). The remainder will retain similar frontage along Holden Avenue and Orange Blossom Trail and will have a similar shape as in the before condition. The acquisition impacts the parking on-site with the loss of seven (7) parking spaces adjacent to the north face of the main building and the new right-of-way. It is the loss of those seven (7) parking spaces which proved most troublesome to each side's appraiser and how that loss was treated for purposes of valuation. In short, the County's appraiser indicates the lost parking spaces

are of marginal impact, while the Owner's appraiser views the lost parking spaces as most valuable due to their close proximity to the entrance of commercial retail property.

V. VALUATION APPRAISALS

A. County Report

The County's appraisal report was prepared by Ted Hastings, III, MAI, SRA of The Spivey Group, Orlando, Florida. In the before condition, the subject property was valued at \$5,010,000, which was a reconciled value using both the income approach and the market approach to valuation. In the after condition, again using both the income and market approaches to valuation, the reconciled value was \$4,675,400. Full compensation was opined to be \$454,700 allocated: land value \$66,800; improvements \$54,100; costs to cure \$109,500; and severance damages \$224,300. There were no business damages.

B. Owner Report

The Owner's appraisal report was prepared by Matthew Ray, MAI of Cantrell Ray Real Estate, LLC, Jacksonville, Florida. In the before condition, the subject property was valued at \$5,220,000, which was a reconciled value using the income approach and a test of reasonableness. In the after condition, using the income approach for valuation, the value was \$4,340,000. Full compensation was opined to be \$1,010,982 allocated: land value \$91,828; improvements \$76,675; costs to cure \$112,500; and severance damages \$729,979. There were no business damages.

VI. MEDIATION

The Court-ordered mediation occurred on January 13, 2017 with the resulting Mediation Settlement Agreement attached as Exhibit A.

The County's position at mediation was \$454,700 would represent full compensation. The owner's position at mediation was \$1,010,982 would represent full compensation. The spread in valuation was \$556,282 with the midpoint being \$732,841.

Negotiations were significantly impacted by how each appraiser treated the loss of the seven (7) parking spaces. Under Mr. Hastings income approach analysis, he takes the loss of 7 parking spaces and accounts for it in a reduction of the gross rent of the center by 5% across the board in the after condition and the capitalization rate of 9% remains the same in the before and after condition. Mr. Hastings also uses a parking study that measures the percent loss in income per square foot for every percent reduction in parking. The parking study indicated a range between -0.23% and -1.07% reduction in operating income per square foot for every percent loss in parking. Mr. Hastings then reconciled to a parking loss of 5%, which correlates to a 4.7% actual loss in parking.

Mr. Ray, on the other hand, accounts for the loss of the 7 parking spaces by increasing both the vacancy and capitalization rates. In the before condition, Mr. Ray uses a 5% vacancy rate and a cap rate of 7.75%. In the after condition, Mr. Ray has increased the vacancy rate to 15% without providing any market evidence to support that increase. The same is true of Mr. Ray's increase in the cap rate to 8%. Mr. Ray's extracted cap rate does not include any center that is of the same age as the subject property. This increase in both the vacancy and cap rates results in a larger cumulative effect on valuation and appears arbitrary at best.

The mediated land value, improvements, costs to cure and severance damages settlement at \$664,200 was achieved at mediation. Negotiations centered on the different approaches to valuing the subject property with the loss of the parking spaces, i.e., whether a rent reduction of 5% across the board or an increase in the vacancy and capitalization rates were the better ways to calculate damages. Negotiations also looked at the potential jury response to the case and imparting to the jury the differences on value by use of the Market approach, the Income approach, vacancy rates and capitalization rates. The mediated settlement at \$664,200 is \$209,500 above the County's position at mediation; and \$346,782 below the Owner's position at mediation.

VII. BENEFIT BASED ON ATTORNEY'S FEE REIMBURSEMENT

The settlement at mediation was \$664,200. The County's written offer was \$284,900, producing a benefit of \$379,300. Eminent Domain Attorney fees are governed by Section 73.092, Florida Statues, and are computed at 33% of the first \$250,000 of the benefit achieved and 25% of any balance of the benefit achieved up to \$1 million. In this case, the statutory attorney fees were \$114,825. No attorney fees were reimbursed related to non-monetary benefits as the Owner specifically waived any claim to non-monetary benefits.

VIII. COST REIMBURSEMENTS

The Respondent Owner asserted a cost claim totaling \$36,845.77, allocated \$27,803.75 for the appraiser; \$7,962.50 for the engineer; and \$1,079.52 for exhibits. After Orange County experts from its Real Estate Management division and its Engineering division reviewed the billing, the appraisal and the work performed, the costs were approved.

IX. SETTLEMENT RATIONALE

The County's exposure at trial was \$1,010,982, plus a potentially greater benefit-based attorney fees, plus increased expert fees and costs, and other costs for depositions, court reporters and possible jury view of the subject site. The differences in how each appraiser valued the property; which approach (Income and Market vs Income and test of reasonableness) was the correct approach to valuation; and whether a 5% reduction in

rent across the board or an increase in both the vacancy and capitalization rates was the correct approach to the impact of the loss of parking spaces were significant jury issues to take into consideration.

Under the circumstances, the County staff recommends that the BCC approve this settlement at the total sum of \$815,870.77 to resolve all matters, including land value, improvements, costs to cure, severance damages, attorney fees and expert fees and costs. The County will receive a credit of \$337,400 for the amount deposited in accordance with the Order of Taking.

X. RECOMMENDATION

The County staff negotiation team included: Elaine Asad, Senior Assistant County Attorney; Raymond Williams, P.E. Manager Public Works Engineering Division; and Ann Caswell, Manager Real Estate Management. In view of the County's exposure at trial; the uncertainty of the jury's response to the multiple layers of and differences in approaches to valuation; the calculation and application of vacancy and capitalization rates to valuation; and the increasing costs and fees exposure if the case is not settled, the County staff recommends that the BCC approve this Mediated Settlement Agreement.

XI. ACTION REQUESTED

Settlement authorization and approval by the BCC of the Mediated Settlement Agreement, including all land value, improvements, costs to cure, severance damages, fees and cost reimbursements in the Eminent Domain case styled Orange County v. Orlando South Trail Plaza, et al., Case No. 2014-CA-10828-O.

A copy of the proposed Stipulated Final Judgment is attached as Exhibit C.

Attachments: Exhibits A, B and C

Copy: Ajit Lalchandani, County Administrator

Jeffrey Newton, County Attorney

Elaine Asad, Senior Assistant County Attorney

Ann Caswell, Manager, Real Estate Management Division

Raymond L.A. Williams, P.E., Manager, Public Works Engineering Division

Pay. 1 of 4

BCC Mtg. Date: Mar. 7, 2017

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2014-CA-10828-O

ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida,

Petitioner,

VŞ.

PARCELS: 1015/7015/8015

ORLANDO SOUTH TRAIL PLAZA, LLC.,
A Florida limited liability company; CITIZENS
BANK OF FLORIDA, a Florida banking
Corporation; CHINA HOT EXPRESS, LLC,
A Florida limited liability company; ELTIJUANA
SPORT BAR, LLC, a Florida limited liability company;
SOUTHWEST MEGA MEATS SUPERMARKET, INC.
a Florida corporation; ACE CASH EXPRESS, a Texas
corporation; NICOLE LEBLANC, doing business as
Jean Nicole Unisex Beauty Salon; KONIG INVESTMENT
GROUP, LLC, a Florida limited liability Company doing
business as Great Rooms Sales and Lease Purchase;
CITY OF ORLANDO, a municipal corporation; and
SCOTT RANDOLPH, ORANGE COUNTY TAX
COLLECTOR; and NYR PROPERTIES, LLC.,

Respondents.	•	
		/

MEDIATED SETTLEMENT AGREEMENT

At a Mediation Conference held on the 13TH day of January, 2017, the parties reached the following tentative Settlement Agreement subject to approval by the Board of County Commissioners of Orange County.

1.	Petition	er will pa	y to Respond	lent(s) NYK	TROPERTIES	<u>, LL</u> C
			•	subject to the int	terest, if any, of ot	her parties in
this case,	the sum of \$	664	200.00	in full set	tlement of all clai	ms for
compensa	ation in this c	ause from	Petitioner w	hatsoever, including	ng statutory intere	st but excluding
attorney's	s fees, expert'	s fees, co	sts and exper	ises.		_

1440 0- -

2. previously de	Petitioner is entitled to a credit in the amount of \$ 334,900 which was eposited in this case by Petitioner and received by Respondent(s).
3. signature a m hereafter.	Counsel for Petitioner and Respondent(s) will jointly submit to the Court for nutually approved form of final judgment of this matter as soon as practical
	Petitioner will deposit in the Court Registry the balance due of \$_\frac{226,800}{26,800}\$ ys of the actual date of receipt by Petitioner's counsel of a conformed copy of the all judgment from the Court.
atterncy's fer	The Court will retain jurisdiction berein solely as to the matter of Respondent(s., expect's first, costs and expenses.
5.	Attached hereto is an addendum to this agreement: yes no
6. OF THE AGI AGREEMEN	THIS AGREEMENT (AND ANY ADDENDUM, IF ANY) CONTAIN(S) ALE REEMENTS OF THE PARTIES, AND EVERY PART OF EVERY IT.
RINNI	IN DOMS
Petitioner, Or	Respondent
Attorney for I	Petitioner Attorney for Respondent,
Mediator, Lav	wrence S. Gendzier Petitioner Orange County

ADDENDUM TO MEDIATED SETTLEMENT AGREEMENT

This settlement is made subject to the following additional conditions:

1. Attorneys fees shall be based on monetary benefits only
and exclude consideration of any non-monetary benefits.
2. As a moterial andition of settlement, average Country
has approved waivers of increased noncontartning
conditions regerding applicable provisions of the Overege
Country Cook of Ovdinances resulting from the envient domain
tatings in this case as set tanh in the January 11, 2017
letter attacked as telibit "A" hereto. Said waves are
incorporated and mode part of this softement and stall
be made part of the final judgment edered in this cause.
3. Copies of the most vecent set of many mays
and construction observations to larcels 1015 8015
and construction plan schools relating to Parcels 1015, 8015, and 7015 should be incorporated into the find judgment therein

ADDENDUM TO MEDIATED SETTLEMENT AGREEMENT This settlement is made subject to the following additional conditions:

4. Orange Gerty shall pay the anaux
of \$ 36,845.77 in full satistates of
any and all expect fees ar asts of
NXR Properties, LLC
5. Overge Couty shall pay the amount of
attorneys' fees incurred by NYR Properties,
LCC reserving only supplemental attamens!
fee, for apportunient pioceding itany.
6. The annual set faith in magazine 4 and 5
6. The angus sit talk in paragraps 4 and 5 abuse are in addition to be arout of \$664,200.
and shall be incorporated into the trial judgment.
33.



January 11,2017

Orange County Government
Community, Environmental and Development Services Department
201 Rosalind Avenue
Orlando, Florida 32801

Attn: Carol Knox, Zoning Manager

Re: Holden Avenue Widening

Orange County Project No.: 3045 Parcel No.: 1015 / 8015 / 7015

NYR Properties, LLC (South Trail Plaza)

15-23-29-0000-00-011 (commercial strip center) & 15-23-29-0000-00-059 (outparcel restaurant)

Dear Ms. Knox:

Kelly, Collins & Gentry, Inc. (KCG) is assisting Orange County with right of way acquisitions for the above referenced property. Enclosed please find various exhibits and photos of the property located at 4700 & 4714 South Orange Blossom Trail (southwest corner of SOBT and Holden Avenue) in unincorporated Orange County.

The subject property is a ± 3.3 acre improved multi-tenant shopping center known as South Trail Plaza with a free standing restaurant use at the near corner of the intersection. The Orange County right of way acquisition consists of three parts:

- Parcel 1015: a variable width fee simple strip along the Holden Avenue frontage totaling 3,730 sf in size,
- Parcel 8015: a 5 ft wide permanent easement at the northwest portion of the property totaling 1,123 sf in size, and;
- Parcel 7015: a temporary construction easement located at the easterly driveway connection to Holden Avenue totaling 864 sf in size.

Affected site improvements include:

Parcel 1015: Two driveway connections to Holden Avenue, asphalt /
pavement areas, drainage inlet, curbing, pavement markings, palm trees and
various landscaping, portions of concrete walkways, and the restaurant pole
sign in the northeast corner of the property.

Ms. Carol Knox January 11, 2017 Page 2

- Parcel 8015: Asphalt area, pavement markings, a portion of one parking space, curbing, bollard, a portion of the perimeter fencing, and landscaping.
- Parcel 7015: Concrete curbing, landscaping, asphalt area and partial encroachment into two parking spaces.

The site was first developed in the 1950's and predates the current county land development regulations. In accordance with Section 38-46, it is the intent of the county to permit nonconformities to continue until they are removed or damaged to the extent of seventy-five (75) percent or more of the assessed value.

In the before condition prior to the taking, the property was nonconforming to landscaping, parking, building setbacks and signage as described below:

• Landscaping: In accordance with Chapter 24, where a vehicular use area lies adjacent to a public roadway the site shall provide a 7 ft wide landscaped strip with 1 tree per 40 lf and continuous 30 inch hedge row. The subject property is improved with minor landscaping improvements along portions of the Holden Avenue frontage consisting of palm trees, hedges and ground cover, generally nonconforming to minimum code standards.

The fee simple acquisition (Parcel 1015) will further reduce the nonconforming buffer width to ± 1.5 ft wide in areas impacted much of the existing landscape material.

Parking: The current retail shopping center includes approximately 36,282 sf of leasable retail / commercial space requiring 200 spaces. The outparcel restaurant use requires approximately 10 additional spaces (210 total spaces required). As improved, the outparcel restaurant is striped with 9 spaces and the center with 141 spaces (150 total spaces).

The roadway construction will impact the north portion of the site rendering seven parking spaces along the north side of the building functionally obsolete. As a result, overall parking in the after condition is reduced from 150 spaces to 143 spaces, a percentage loss of 4.7%.



Ms. Carol Knox January 11, 2017 Page 3

Building Setbacks: The restaurant building in the northeast corner of the site
was built in 1968 and is setback ±4.92 ft from Holden Avenue. Per Section
38-855 of the Orange County Land Development Code the required setback
from Holden Avenue is 25 ft.

As a result of the right of way acquisition (Parcel 1015), the outparcel building setback is reduced from ± 4.92 ft to ± 1.26 ft, increasing the setback nonconformity.

• <u>Signage</u>: The property is improved with two permanent business signs. The permanent pole sign for the Plaza is located along South Orange Blossom Trail outside the limits of the acquisition. The restaurant pole sign is located in the northeast corner of the property. In the before condition, the restaurant sign is otherwise conforming with the exception of a 2.5 ft setback from the property line.

The restaurant sign is located within the area of acquisition; however, there is sufficient area within the remainder property to reestablish the sign at the minimum required 10 ft setback, in compliance with code.

Orange County / KCG Cured Remainder Plan

On behalf of the Orange County Public Works Department, KCG has prepared a Cured Remainder Plan (attached) to address site improvements impacted by the acquisitions to the greatest extent possible, and in a manner that does not adversely affect the health, safety or welfare of the general public.

In the northwest portion of the site, the cure plan proposes to restore site circulation by providing a 22 ft wide drive aisle. Additional cure activities include modification of the covered walkway at the northeast corner of the plaza, and minor drainage improvements. In the northeast portion of the site, cure activities include a new business sign for the restaurant in compliance with code, new palm trees, landscaping and irrigation repairs as necessary.

The cured remainder plan endeavors to comply with applicable codes and ordinance to the extent possible (e.g. new business signage). However, where the inherent hardship created by the governmental taking places limitations upon redevelopment alternatives, relief from code is proposed.



Ms. Carol Knox January 11, 2017 Page 4

Action to be Taken:

Pursuant to Section 30-637 of Article XIII, Eminent Domain Waivers, Exceptions and Variances, we are requesting a waiver from the Zoning Manager for relief from the nonconforming conditions previously identified and reflected on the attached Cured Remainder Plan dated 10/24/16.

Your signature below shall constitute approval of this request. Please provide any comments or conditions as necessary.

Thank you for your assistance with this matter.

Respectfully Submitted,

KELLY, COLLINS & GENTRY, INC.

Hal Collins, Jr., P.E.

Principal Planner

Enclosures

Aug. 1-13-17

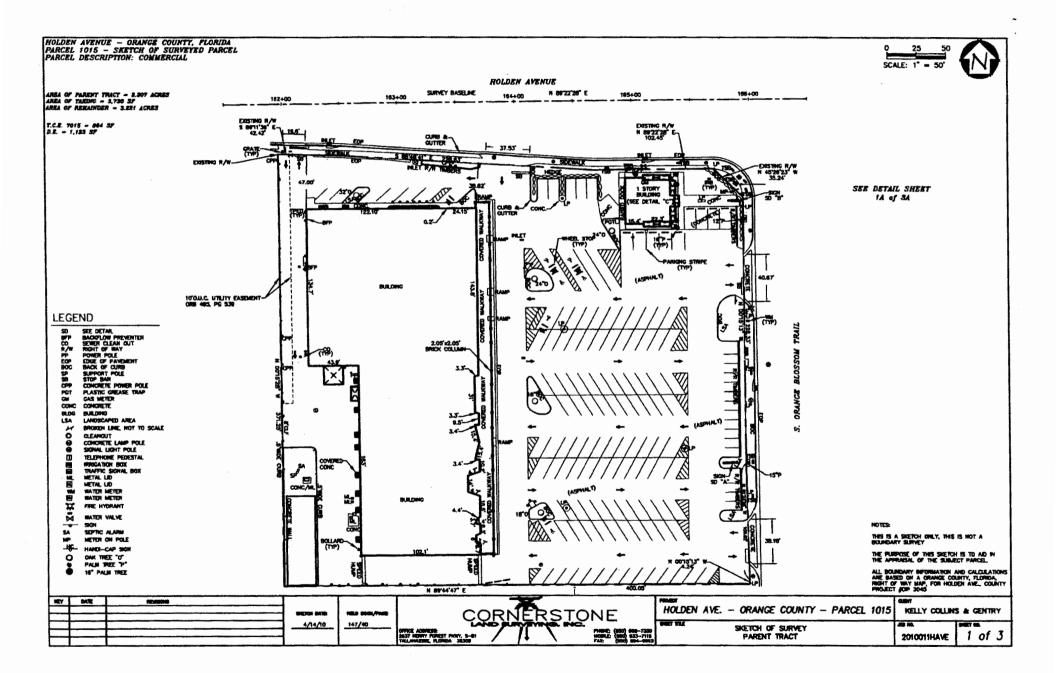
Carol Knox, Zoning Manager Date

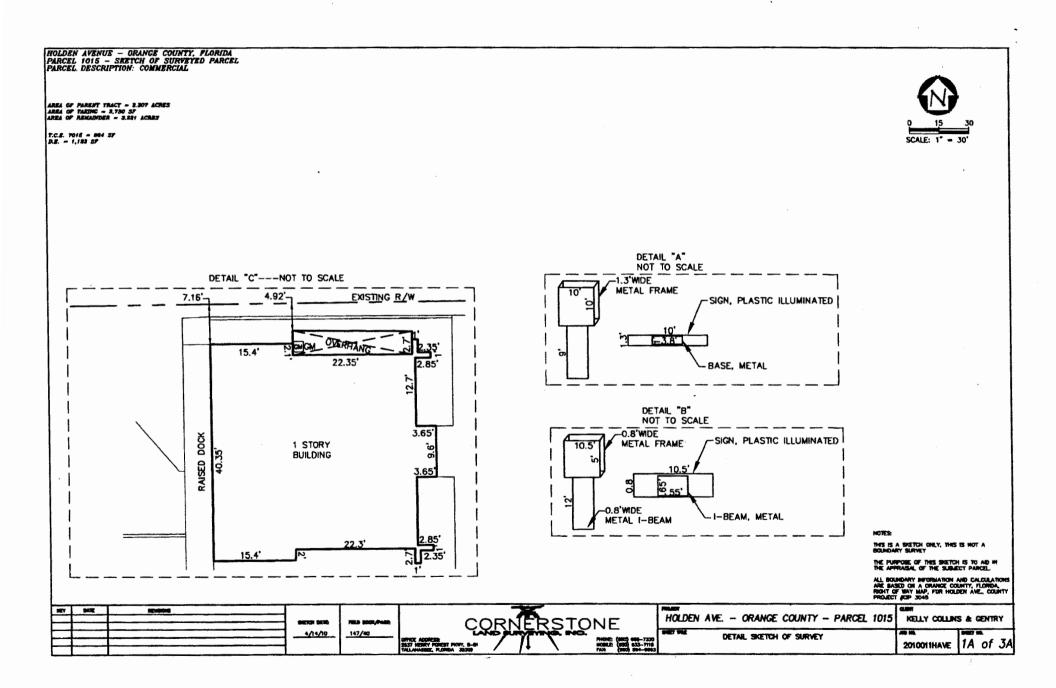
Comments:

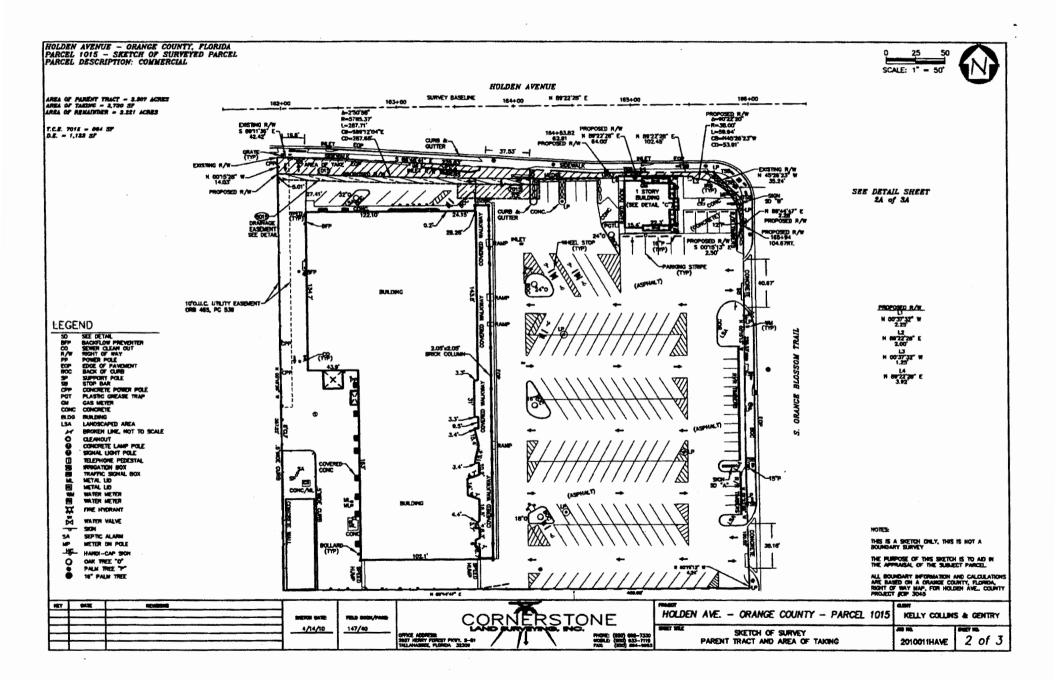
xc: Damian Czapka, P.E., Orange County Public Works
Elaine M. Asad, Esq., Orange County Attorney's Office
Christopher Langton, Orange County Real Estate Division
Ted Hastings, MAL, The Spivey Group, Inc.

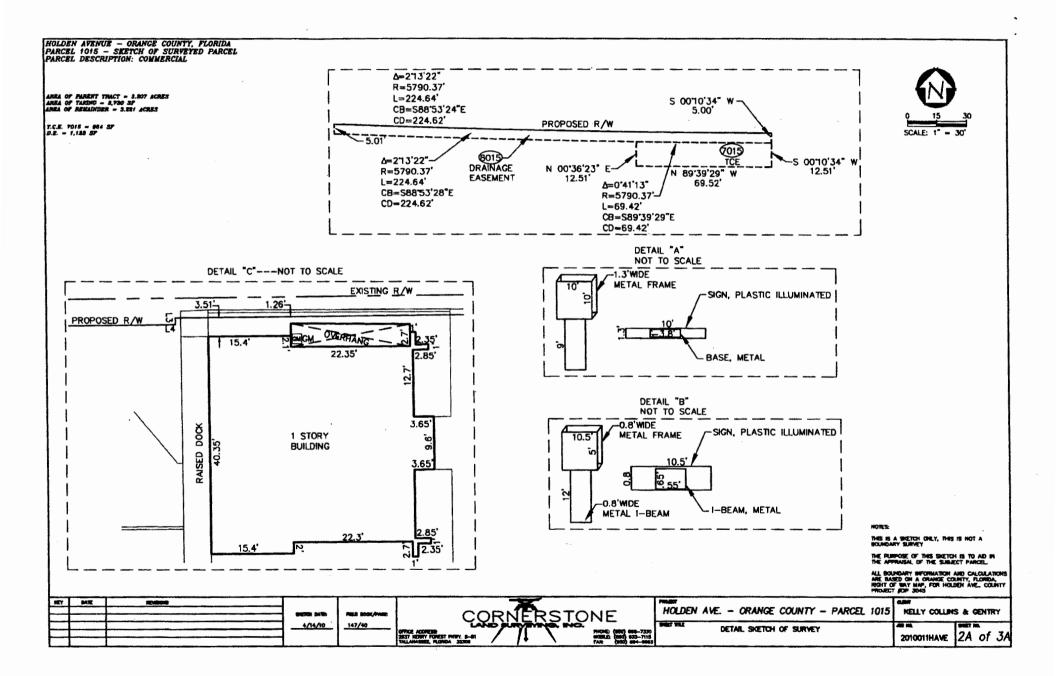
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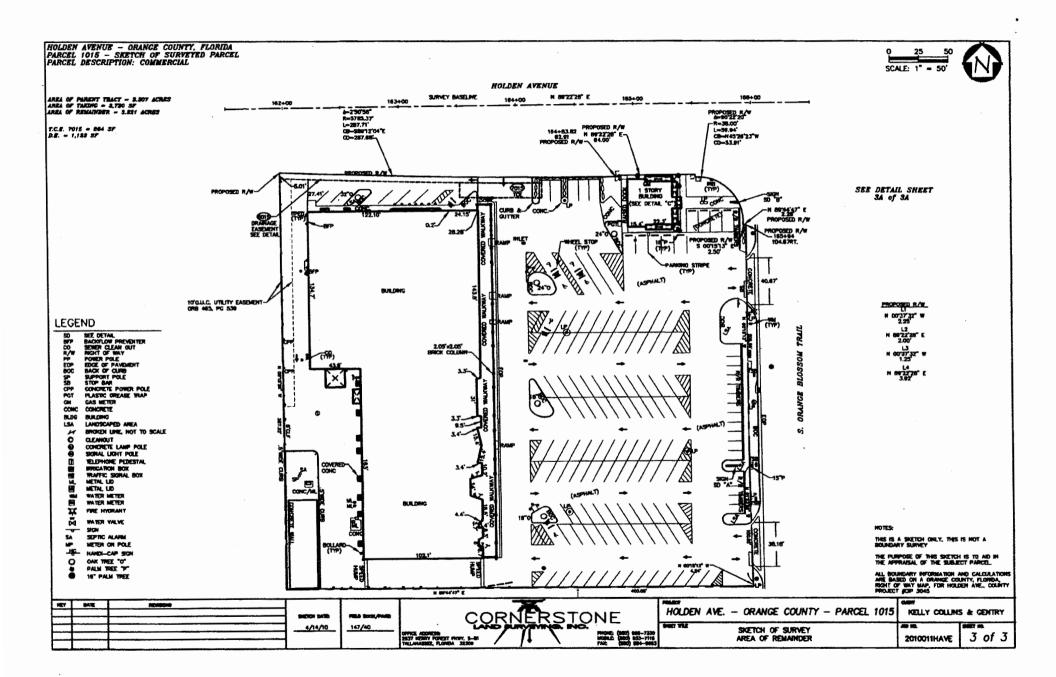


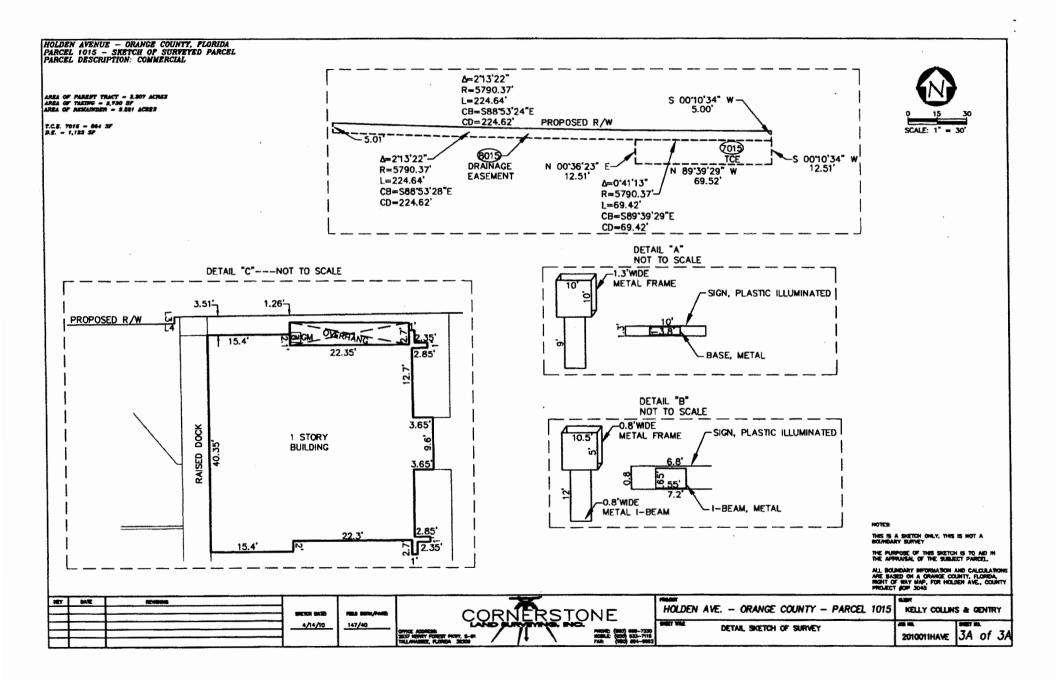


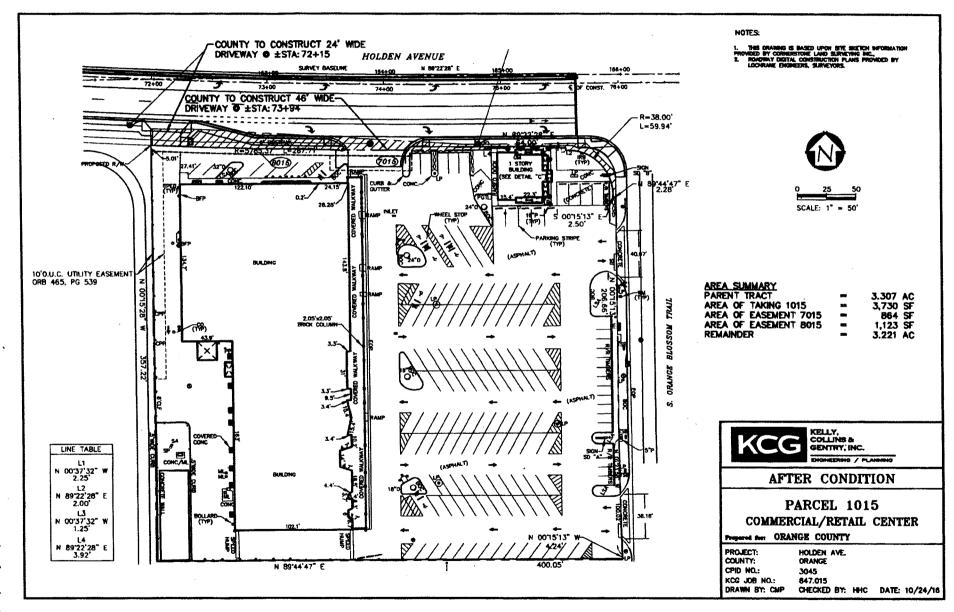


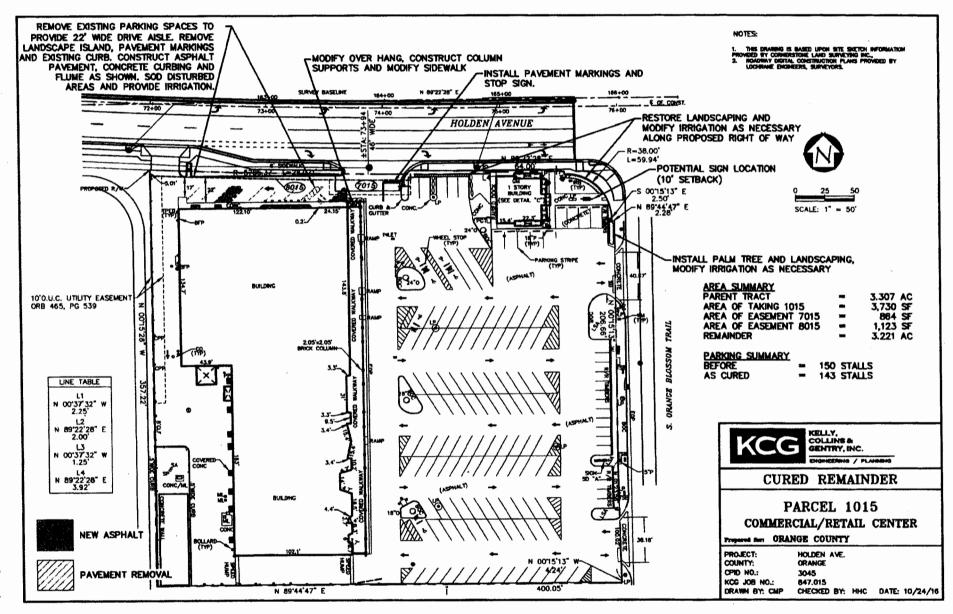


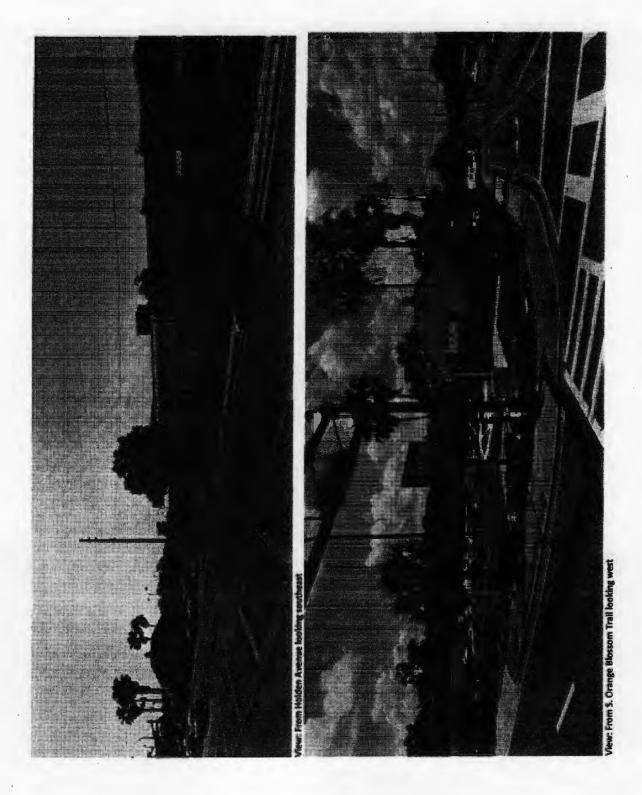




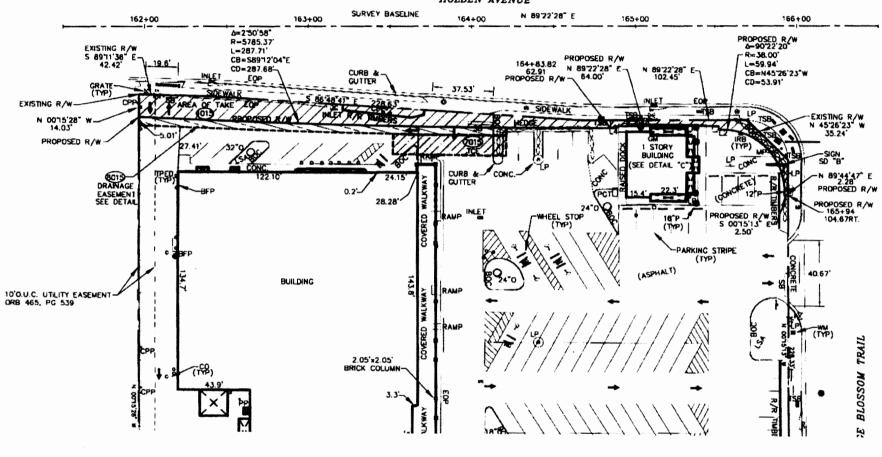








HOLDEN AVENUE



IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2014-CA-10828-O DIVISION: 39

ORANGE COUNTY, FLORIDA.

a political subdivision of the State of Florida,

Petitioner,

v. PARCELS: 1015/7015/8015

ORLANDO SOUTH TRAIL PLAZA, LLC, a Florida limited liability company; CITIZENS **BANK OF FLORIDA**, a Florida banking corporation; CHINA HOT EXPRESS LLC, a Florida limited liability company; EL TIJUANA SPORT BAR LLC, a Florida limited liability company; SOUTHWEST MEGA MEATS **SUPERMARKET, INC.**, a Florida corporation; ACE CASH EXPRESS, INC., a Texas corporation; NICOLE LEBLANC, doing business as Jean Nicole Unisex Beauty Salon; KONIG INVESTMENT GROUP, LLC, a Florida limited liability company doing business as Great Rooms Sales and Lease Purchase; CITY OF ORLANDO, a municipal corporation; ORLANDO UTILITIES **COMMISSION**, a statutory commission; and SCOTT RANDOLPH, ORANGE COUNTY COLLECTOR; and NYR PROPERTIES, LLC,

Respondents.		

STIPULATED FINAL JUDGMENT

THIS CAUSE having come upon joint motion for the entry of a Stipulated Final Judgment made by, ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida ("ORANGE COUNTY"), and Respondent, NYR PROPERTIES, LLC ("NYR PROPERTIES"), and

Stipulated Final Judgment; Case No. 2014-CA-10828-O; Page 1 of 5

it appearing to the Court that the parties were authorized to enter into such motion, and the Court finding that the compensation to be paid by ORANGE COUNTY is full, just and reasonable for all parties concerned, and the Court being fully advised in the premises, it is therefore,

ORDERED AND ADJUDGED:

- 1. This Court has jurisdiction over the subject matter and parties to this cause.
- 2. Proper notice was first given to all Respondents and all persons having or claiming any equity, lien, title or other interest in or to the subject real property, which is described in **Exhibit A** attached hereto and incorporated herein by reference ("Parcels 1015/7015/8015").
- 3. The pleadings in this cause are sufficient, and ORANGE COUNTY is properly exercising its delegated authority.
- 4. Parcels 1015/7015/8015 were acquired for a public purpose and the taking of those parcels were reasonably necessary to serve the public purpose for which the property is being acquired.
- 5. The estimates of value filed in this cause by ORANGE COUNTY were made in good faith, and based upon valid appraisals.
- 6. As full compensation for the taking of Parcels 1015/7015/8015, including land, improvements, severance damages, and cures, but excluding attorney's fees and costs and expert's fees and costs, Respondent, NYR PROPERTIES, is entitled to recover from ORANGE COUNTY the sum of SIX HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$664,200.00).
- 7. ORANGE COUNTY is entitled to a credit for the funds previously deposited for Parcels 1015/7015/8015 in the amount of THREE HUNDRED THIRTY-SEVEN THOUSAND FOUR HUNDRED DOLLARS AND NO/100 (\$337,400.00) against the above sum of \$664,200.00, resulting in a remaining amount due of THREE HUNDRED TWENTY-SIX THOUSAND EIGHT

HUNDRED AND NO/100 DOLLARS (\$326,800.00) to be paid as directed in paragraph 8 below.

Respondent, NYR PROPERTIES acknowledges it has withdrawn the amount deposited of \$337,400.00, pursuant to the Order of Taking.

- 8. Within thirty (30) days from the entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY shall pay, to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, the sum of THREE HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$326,800.00), that amount being the difference between the full payment required by this Stipulated Final Judgment and the amount deposited pursuant to the Order of Taking.
- 9. Within thirty (30) days from the entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY shall pay to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, LLC, the sum of **ONE HUNDRED FOURTEEN THOUSAND EIGHT HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$114,825.00)** as full payment for all attorneys' fees for all services in this case. Respondent, NYR PROPERTIES, and its counsel, as a condition of this settlement, have waived any claim for computation of attorney's fees for non-monetary benefits arising out of ORANGE COUNTY's acquisition of Parcels 1015/7015/8015 or any provision in the Order of Taking or this Final Judgment.
- 10. Within thirty (30) days from the entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY shall pay, to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, the sum of THIRTY-SIX THOUSAND EIGHT HUNDRED FORTY-FIVE AND

77/100 DOLLARS (\$36,845.00) as reasonable experts fees and costs and attorney costs.

- 11. Within thirty (30) days from entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY, shall pay to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, those sums set forth in paragraphs 8, 9 and 10 above, which represents full compensation for Parcels 1015/7015/8015, attorney fees and costs, and expert fees and costs as set forth above.
- 12. The project shall be constructed by ORANGE COUNTY in accordance with the construction plan sheets relating to Parcels 1015/7015/8015, attached hereto as **Exhibit B**, and incorporated herein by reference ("Construction Plans").
- 13. A copy of the right-of-way maps relating to Parcels 1015/7015/8015, are attached hereto as **Exhibit C** and incorporated herein by reference ("Right-of-Way Maps").
- 14. ORANGE COUNTY has approved waivers of increased non-conforming conditions applicable to the subject property in accord with Orange County Code of Ordinances Section 30-637 of Article XIII, Eminent Domain Waivers, Exceptions and Variances, as set forth in the January 11, 2017 letter from Kelly, Collins & Gentry, Inc., with attachments, and approved by Carol Knox, Orange County Zoning Manager on January 13, 2017, attached hereto as **Exhibit D**.
 - 15. This Court orders that title to the following described property, to-wit:

SEE ATTACHED EXHIBIT "A"

which vested in the Petitioner pursuant to the Order of Taking and deposit of money heretofore made is approved, ratified and confirmed.

	16.	This Court retains jurisdiction to enforce the terms and conditions contained herein of
this St	ipulated	l Final Judgment.
	DONE	E AND ORDERED in Chambers at Orlando, Orange County, Florida this
day of		, 2017.
		CHRISTI L. UNDERWOOD
		Circuit Judge

Copies to:

Elaine Asad Esq., Orange County Attorney's Office, P.O. Box 1393, Orlando, FL 32806-1393 Andrew Prince Brigham, Esq., Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217. PURPOSE: ROAD RIGHT OF WAY

DESCRIPTION:

That part of:

"From the Northeast corner of the Northwest I/4 of the Northeast I/4 of Section I5, Township 23 South, Range 29 East, run South 415.95 feet; thence West 49.27 feet to the point of beginning on the Westerly right of way line of South Orange Biossom Trail. Thence run West at right angles to said Orange Biossom Trail right of way 400 feet; thence North parallel to said Orange Biossom Trail right of way 413.5 feet to the North line of soid Northwest I/4 of the Northeast I/4; thence East 400 feet along said North line of the Northwest I/4 of the Northeast I/4 to the West right of way line of South Orange Biossom Trail; thence South along said right of way line to the point of beginning. Subject to an eosement to the County of Orange over the North 30 feet thereof for Holden Avenue.

Less:

Commence at the Northwest Corner of the Northeast 1/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida: thence run N89°22'36"E, along the North line of the Northeast 1/4 of said Section 15. a distance of 497.61 feet; thence \$00°37'24"E, a distance of 30.0 feet to the existing South right-of-way line of Holden Avenue for a POINT OF BEGINNING, said point being on the East line of the West 165 feet of the East 3/4 of the Northwest I/4 of the Northeast I/4 of said Section 15: thence N89°22'36"E along said South right-af-way line, a distance of 782.48 feet to the existing West right-of-way line of State Road 500; thence S00°15'05'E along said West right-of-way line, a distance of 381.34 feet; thence departing said right-of-way line; run NOI°23'50"W, a distance of 100.02 feet; thence NOO°15'05"W along a line being 2 feet Westerly of and parallel with said West right-of-way line, a distance of 228.33 feet; thence N45°26'15"W, a distance of 35.24 feet, thence 589°22'36"W along o line being 58 feet Southerly of and parallel with the North line of the Northeast 1/4 of said Section 15, a distance of 102.45 feet; thence N86°48'33" W, a distance of 228.63 feet; thence N89°11'28"W, a distance of 274.87 feet; thence N88°21'42"W, a distance of 150.07 feet to the POINT OF BEG!NNING. "

(Said property being the same lands as described in Official Records Book 430, Page 351 less the lands described in Official Records Book 4612, Page 4827 of the Public Records of Orange County, Florida.)

described as follows:

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC. L.B. No. 2856

8/21/14

JOHN J. CAUPBELL, JR.

P.S.M. NO. \$522

NOT VALID WITHOUT THE SIGNATURE WHO ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

LOCHRANE

Consulting Engineers • Surveyors

20I South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

PROJECT NAME: HOLDEN AVENUE

 DRAWN BY:
 C. LEFTAKIS
 DATE:
 7/I3/O4
 SCALE:
 N/A

 CHECKED BY:
 J. CAMPBELL
 DATE:
 7/I3/O4
 LEI JOB No.:
 02076.IO

 SEC.
 IS, TWP.
 23 S., RGE.
 29 E.
 REVISED:
 II/IO/O5
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PARCEL No.: 1015 ESTATE: FEE SIMPLE

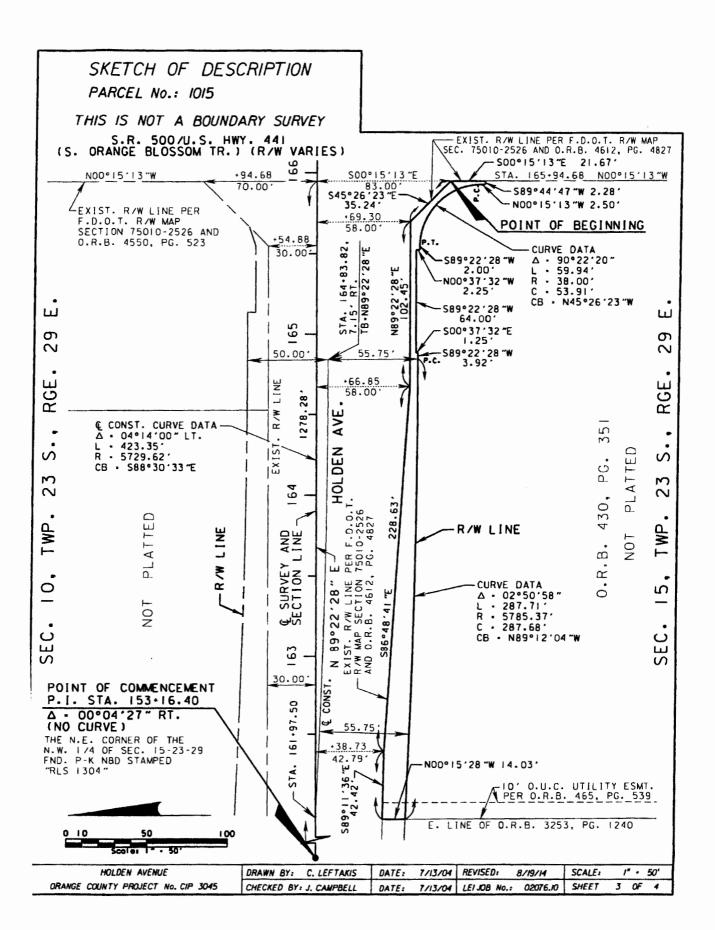
PURPOSE: ROAD RIGHT OF WAY

DESCRIPTION: (CONTINUED FROM SHEET I)

Commence at a P-K nail and disk stamped "RLS 1304" marking the Northeast corner of the Northwest 1/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida, said point being on the Centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the North line of said Northwest 1/4 and said Centerline of Survey of Holden Avenue a distance of 1278.28 feet to a point on the Northerly projection of the West right of way line of South Orange Blossom Trail (State Road 500/United States Highway 441) as shown on said Right of Way Map: thence departing said North line and said Centerline of Survey run South 00°15′13″ East along said Nartherly projection a distance of 83.00 feet to a point on the South right of way line of Holden Avenue os shown an said right of way map, for o Point of Beginning: thence continue South 00°15'13" East along said West right of way line of South Orange Blossom Trail o distance of 21.67 feet; thence departing said West right of way line of South Orange Blossom Trail run South 89°44'47" West a distance of 2.28 feet; thence North 00°15'13" West a distance of 2.50 feet to the point of curvature of a curve concave Southwesterly having a radius of 38.00 feet and a chord bearing of North 45°26'23" West; thence run Northwesterly along the arc of sold curve through a central angle of 90°22'20" a distance of 59.94 feet to the point of tangency; thence run South 89°22'28" West parollel with the aforesaid Centerline of Survey of Holden Avenue o distance of 2.00 feet; thence North 00°37'32" West a distance of 2.25 feet; thence South 89°22'28" West parallel with sold Centerline of Survey o distance of 64.00 feet; thence South 00°37°32~ East a distance of 1.25 feet; thence South 89°22'28~ West parallel with said Centerline of Survey a distance of 3.92 to the point of curvature of a curve concave Northerly having a radius of 5785.37 feet and a chord bearing of North 89°12'04" West; thence run Westerly along the orc of sald curve through a central angle 02°50′58″ a distance of 287.71 feet to a point on the West Line of that certain parcel of Lond described in Official Records Book 3253, Page 1240 of the Public Records of Orange County, Florida: thence departing said curve run North 00°15'28" West along said East line a distance of 14.03 feet to the aforesaid South right of way line of Holden Avenue: thence run South 89°11'36" East olong said South right of way line of Holden Avenue a distance of 42.42 feet; thence run South 86°48'41" East continuing along said South right of way line of Holden Avenue a distance of 228.63 feet; thence run North 89°22'28" East continuing along said South right of way line of Holden Avenue a distance of 102.45 feet to a point on the aforesaid Westerly right of way line of South Orange Biossom Trail; thence departing said South right of way line of Holden Avenue run South 45°26'23" East along said Westerly right of way line of South Orange Blossom Trail a distance of 35.24 feet to the Point of Beginning.

Containing 3,730 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 7/13/04	REVISED: 8/19/14	SCALE	N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 7/13/04	LEI JOB No.: 02076,10	SHEET 2	OF 4



SKETCH OF DESCRIPTION PARCEL No.: 1015

THIS IS NOT A BOUNDARY SURVEY

GENERAL NOTES:

- I. THIS IS NOT A BOUNDARY SURVEY.
- 2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
- 3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 3,730 SQUARE FEET, MORE OR LESS.
- 4. SEE SHEETS I THROUGH 2 FOR LEGAL DESCRIPTION; SEE SHEET 3 FOR PARCEL SKETCH.
- 5. SEE RIGHT OF WAY MAP SHEET 7 OF 13 FOR THIS PARCEL.

LEGEND:

£	CENTERL INE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
С	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P. S. M.	PROFESSIONAL SURVEYOR AND MAPPER
D	DEGREE OF CURVE	R	RADIUS
EXIST.	EXISTING	(R)	RADIAL
FND.	FOUND	RGE.	RANGE
1D.	IDENTIFICATION	RT.	RIGHT
L	LENGTH	R/W	RIGHT OF WAY
LB	LICENSED BUSINESS	SEC.	SECTION
LT.	LEFT	STA.	STATION
0.R.B.	OFFICIAL RECORDS BOOK	7	TANGENT
P.B.	PLAT BOOK	TB	TANGENT BEARING
		TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 7/13/04	REVISED: 11/10/05	SCALE:	N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 7/13/04	LEI JOB No.: 02076.10	SHEET	4 OF 4

HOLDEN AVENUE PARCEL 1015

FEE SIMPLE

Parcel 1015: the interest being acquired is fee simple.

PARCEL No.: 8015

ESTATE: PERPETUAL EASEMENT

PURPOSE: DRAINAGE

DESCRIPTION:

That part of:

"From the Northeost corner of the Northwest I/4 of the Northeost I/4 of Section I5, Township 23 South, Range 29 East, run South 415.95 feet; thence West 49.27 feet to the point of beginning on the Westerly right of way line of South Orange Blossom Trail. Thence run West at right angles to sold Orange Blossom Trail right of way 400 feet; thence North parallel to sold Orange Blossom Trail right of way 413.5 feet to the North line of sold Northwest I/4 of the Northeast I/4; thence East 400 feet along sold North line of the Northwest I/4 of the Northeast I/4 to the West right of way line of South Orange Blossom Trail; thence South along sold right of way line to the point of beginning. Subject to an easement to the County of Orange over the North 30 feet thereof for Holden Avenue.

Less:

Commence of the Northwest Corner of the Northeast 1/4 of Section 15. Township 23 South, Range 29 East, Orange County, Florida; thence run N89°22'36"E, along the North line of the Northeast 1/4 of sold Section 15. o distance of 497.61 feet; thence SOO°37'24"E, a distance of 30.0 feet to the existing South right-of-way line of Holden Avenue for a POINT OF BEGINNING, said point being on the East line of the West 165 feet of the East 3/4 of the Northwest I/4 of the Northeast I/4 of sold Section 15; thence N89°22'36 °E along said South right-of-way line, a distance of 782.48 feet to the existing West right-of-way line of State Road 500; thence S00°15'05'E along sold West right-of-way line, a distance of 381.34 feet: thence departing said right-of-way line; run NOI°23'50"W, a distance of 100.02 feet; thence NO0°15'05"W along a line being 2 feet Westerly of and parallel with said West right-of-way line, a distance of 228.33 feet: thence N45°26'15"W, a distance of 35.24 feet, thence S89°22'36"W along a line being 58 feet Southerly of and parollel with the North line of the Northeost 1/4 of sold Section 15, a distance of 102.45 feet; thence N86°48'33" W, o distance of 228.63 feet; thence N89°11'28"W, a distance of 274.87 feet; thence N88°21'42"W, a distance of 150.07 feet to the POINT OF BEGINNING.

(Said property being the some lands as described in Official Records Book 430, Page 351 less the lands described in Official Records Book 4612, Page 4827 of the Public Records of Orange County, Florida.)

described os follows:

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC. S.L.B. No. 2856

8/21/14

P.S.M. NO. 5522

NOT VALID WITHOUT THE SIGNATURE NOD ORIGINAL RAISED SEAL

OF A FLORIDA UCENSED SURVEYOR AND MAPPER

<u>LOCHRANE</u>

Consulting Engineers • Surveyors

20I South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

PROJECT NAME: MOLDEN AVENUE

DRAWN BY: C. LEFTAKIS DATE: II/IO/05 SCALE:

> EXHIBIT A Page 6 of 15

J)

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PARCEL No.: 8015

ESTATE: PERPETUAL EASEMENT

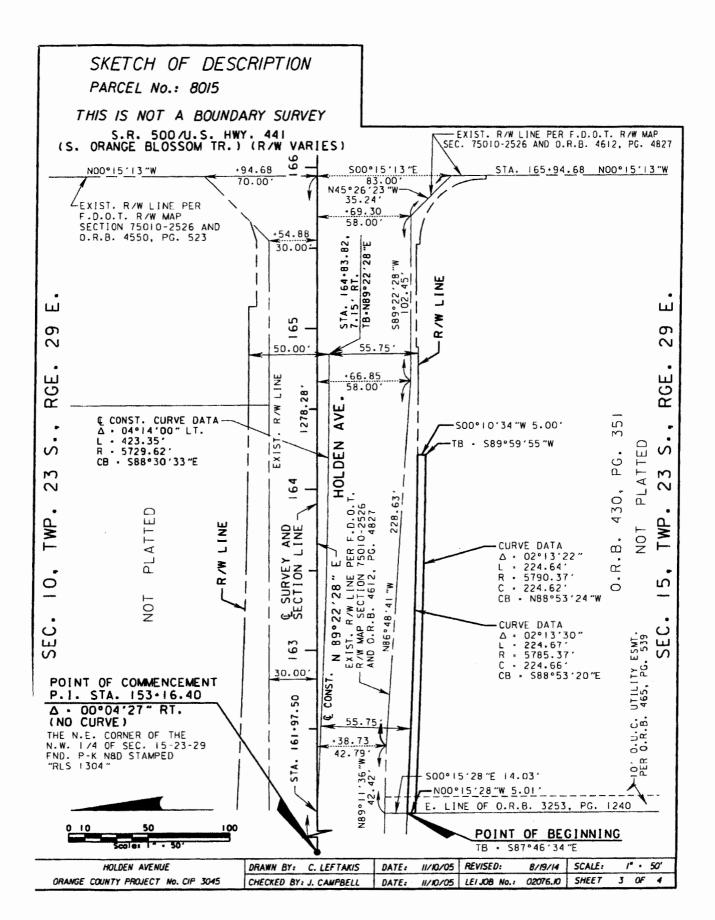
PURPOSE: DRAINAGE

DESCRIPTION: (CONTINUED FROM SHEET I)

Commence at a P-K nail and disk stamped "RLS 1304" morking the Northeast corner of the Northwest 1/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida, said point being on the Centerline of Survey of Holden Avenue as shown on Orange County Right of Woy Map, County Project CIP 3045; thence run North 89°22'28" East along the North line of soid Northwest I/4 and soid Centerline of Survey of Holden Avenue a distance of 1278.28 feet to a point on the Northerly projection of the West right of way line of South Orange Biossom Trail (State Road 500/United States Highway 441) as shown on said Right of Way Map: thence departing said North line and said Centerline of Survey run South 00°15′13″ East along said Northerly projection a distance of 83.00 feet to a point on the South right of way line of Holden Avenue as shown on said right of way mop; thence run North 45°26'23" West along said South right of way line a distance of 35.24 feet: thence South 89°22'28" West continuing along said South right of way line a distance of 102.45 feet; thence North 86°48'41" West continuing along said South right of way line a distance of 228.63 feet: thence North 89°11'36" West continuing along said South right of way line a distance of 42.42 feet to a point on the East line of that certain parcel of land described in Official Records Book 3253, page 1240 of the Public Records of Orange County, Florida, and shown on said Right of Way Map: thence departing said South right of way line run South 00°15'28" East along said East line a distance of 14.03 feet for a Point of Beginning, said point being a point on a curve concave Northerly having a radius of 5785.37 feet and a chord bearing of South 88°53'20" East; thence departing said East line from a tangent bearing of South 87°46'34" East run Easterly along the arc of said curve through a central angle of 02°13'30" a distance of 224.67 feet; thence departing said curve run South 00°10'34" West o distance of 5.00 feet to the beginning of a nontangent curve concentric with the aforesaid curve having a radius of 5790.37 feet and a chard bearing of North 88°53'24" West; thence from a tangent bearing of South 89°59'55" West run Westeriy along the arc of sold curve through a central angle of 02°13'22" a distance of 224.64 feet to a point on the East line of the aforesaid parcel of land; thence departing said curve run North 00°15'28" West along said East line a distance of 5.01 feet to the Point of Beginning.

Containing 1,123 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 11/10/05	REVISED: 8/19/14	SCALE:	N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 11/10/05	LEI JOB No.: 02076.10	SHEET	2 OF 4



SKETCH OF DESCRIPTION PARCEL No.: 8015

THIS IS NOT A BOUNDARY SURVEY

GENERAL NOTES:

- 1. THIS IS NOT A BOUNDARY SURVEY.
- 2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF
 SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING
 N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY
 PROJECT No. CIP 3045.
- 3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 1,123 SQUARE FEET, MORE OR LESS.
- 4. SEE SHEETS I THROUGH 2 FOR LEGAL DESCRIPTION: SEE SHEET 3 FOR PARCEL SKETCH.
- 5. SEE RIGHT OF WAY MAP SHEET 7 OF 13 FOR THIS PARCEL.

LEGEND:

Œ	CENTERL INE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
С	CHORD DISTANCE	PI	POINT OF INTERSECTION
СВ	CHORD BEARING	Pī	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P. S. M.	PROFESSIONAL SURVEYOR AND MAPPER
D	DEGREE OF CURVE	R	RADIUS
EXIST.	EXISTING	(R)	RADIAL
FND.	FOUND	RGE.	RANGE
1D.	IDENTIFICATION	RŢ.	RIGHT
L	LENGTH	R/W	RIGHT OF WAY
LB	LICENSED BUSINESS	SEC.	SECTION
LT.	LEFT	STA.	STATION
0.R.B.	OFFICIAL RECORDS BOOK	7	TANGENT
P.B.	PLAT BOOK	TB	TANGENT BEARING
		TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: III	/10/05	REVISED:	8/7/07	SCALE:	N/A	
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: IL	/10/05	LEI JOB No .:	02076.10	SHEET	4 OF 4	,

HOLDEN AVENUE PARCEL 8015

DRAINAGE EASEMENT

Parcel 8015 is being acquired as a permanent non-exclusive easement for drainage purposes, with full authority to enter upon, construct, operate, and maintain, as the GRANTEE and its assigns may deem necessary, an underground pipe and appurtenant facilities over, under, and upon the following lands as described in Schedule "A".

Parcel 8015 is also being acquired as a permanent non-exclusive slope and fill easement for the purpose of insuring the structural integrity of the roadway facility adjacent to the granted easement. This easement is to allow the GRANTEE to maintain the elevation of the roadway facility, to GRANTEE's specifications, with full authority to enter upon, clear, grade, excavate and add or remove fill material to the following lands as described in Schedule "A".

THE GRANTEE and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with normal operation or maintenance of the underground pipe and appurtenant facilities out of and away from the granted easement, and the GRANTORS and their heirs, successors and assigns shall not build, construct, or create, nor permit others to build, construct, or create any building, utilities, or other structures on the granted easement that may interfere with the normal operation or maintenance of the underground pipe and appurtenant facilities.

THE GRANTOR may use the granted easement for any use not inconsistent with the GRANTEE'S intended use of the granted easement including, but not limited to, open space, setback area, or any activity that will not adversely affect the structural integrity of the drainage facilities.

This easement is for the purposes noted herein and does not obligate the GRANTEE to perform any right-of-way maintenance or other duties.

PARCEL No.: 7015

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

DESCRIPTION:

That part of:

"From the Northeast corner of the Northwest I/4 of the Northeast I/4 of Section I5, Township 23 South, Range 29 East, run South 415.95 feet; thence West 49.27 feet to the point of beginning on the Westerly right of way line of South Orange Biossom Trail. Thence run West at right angles to said Orange Biossom Trail right of way 400 feet; thence North parallel to said Orange Biossom Trail right of way 413.5 feet to the North line of said Northwest I/4 of the Northeast I/4; thence East 400 feet along said North line of the Northwest I/4 of the Northeast I/4 to the West right of way line of South Orange Biossom Trail; thence South along said right of way line to the point of beginning. Subject to an easement to the County of Orange over the North 30 feet thereof for Holden Avenue.

Lessi

Commence at the Northwest Corner of the Northeast 1/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida; thence run N89°22'36"E, along the North line of the Northeast 1/4 of said Section 15. a distance of 497.61 feet; thence 500°37'24"E, a distance of 30.0 feet to the existing South right-of-way line of Holden Avenue for a POINI OF BEGINNING, said point being on the East line of the West 165 feet of the Eost 3/4 of the Northwest 1/4 of the Northeast 1/4 of said Section 15; thence N89°22′36°E along said South right-of-way line, a distance of 782.48 feet to the existing West right-of-way line of State Road 500; thence S00°15'05'E along said West right-of-way line, a distance of 381.34 feet; thence departing said right-of-way line; run NOI°23'50"W, a distance of 100.02 feet; thence N00°15'05"W along a line being 2 feet Westerly of and parallel with said West right-of-way line, a distance of 228.33 feet; thence N45°26′15″W, a distance of 35.24 feet, thence S89°22′36″W along a line being 58 feet Southerly of and parallel with the North line of the Northeast 1/4 of said Section 15, a distance of 102.45 feet; thence N86°48'33" W, a distance of 228.63 feet; thence N89°11'28"W, a distance of 274.87 feet; thence N88°21'42"W, a distance of 150.07 feet to the POINT OF BEGINNING. '

(Said property being the same lands as described in Official Records Book 430, Page 351 less the lands described in Official Records Book 4612, Page 4827 of the Public Records of Orange County, Florida.)

described as follows:

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING JNCO L.B. No. 2856

10HN J. CAPPBELL, JR. 2014

IOHN J. CAMPBELL, JR. 1997.

S.M. NO. 15522

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL

OF A PLORIDA LICENSED SURVEYOR AND MAPPER

LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

 PROJECT NAME:
 HOLDEN AVENUE

 DRAWN BY:
 C. LEFTAKIS
 DATE:
 II/IO/05
 SCALE:
 N/A

 CHECKED BY:
 J. CAMPBELL
 DATE:
 II/IO/05
 LEI JOB No.:
 02076.KO

 SEC. IS. TWP. 23 S.. RGE. 29 E.
 REVISED:
 I/2B/09
 SHEET
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 OF
 4

EXHIBIT A Page 11 of 15 Ġ

N

9

PARCEL No.: 7015

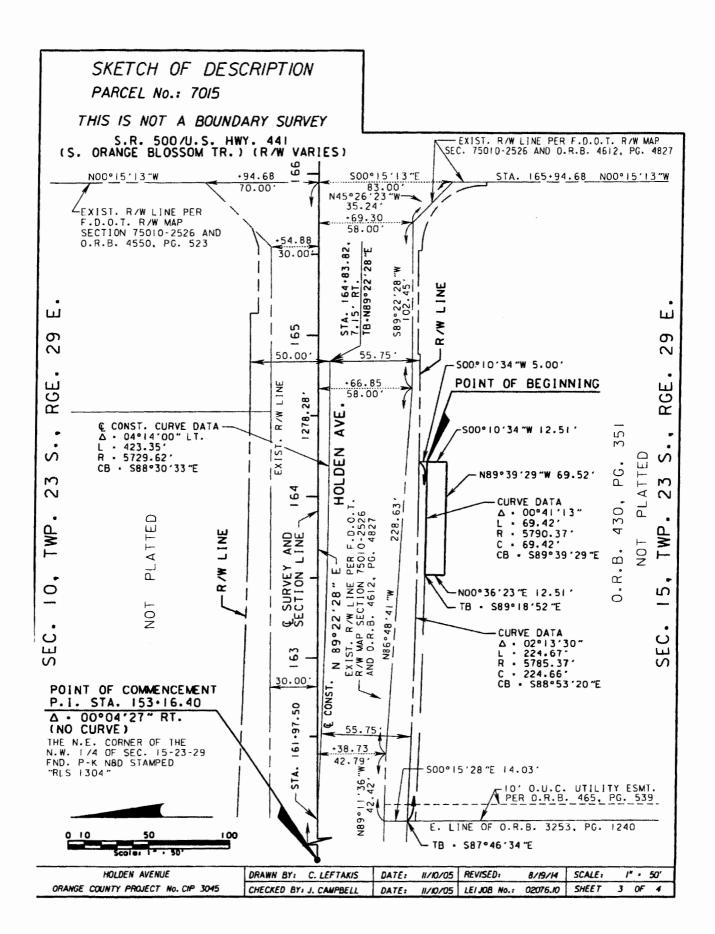
ESTATE: TEMPORARY EASEMENT
PURPOSE: TEMPORARY CONSTRUCTION

DESCRIPTION: (CONTINUED FROM SHEET 1)

Commence at a P-K nail and disk stamped "RLS 1304" marking the Northeast corner of the Northwest I/4 of Section I5, Township 23 South, Range 29 East, Orange County, Florida, said point being on the Centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the North line of said Northwest 1/4 and said Centerline of Survey of Holden Avenue a distance of 1278.28 feet to a point on the Northerly projection of the West right of way line of South Orange Biossom Trali (State Road 500/United States Highway 441) as shown on said Right of Way Map: thence departing soid North line and said Centerline af Survey run South 00°15′13″ Eost olong sold Northerly projection a distance of 83.00 feet to a point on the South right of way line of Holden Avenue as shown on sold right of way map; thence run North 45°26'23" West along sold South right of way line a distance of 35.24 feet; thence South 89°22'28" West continuing along said South right of way line a distance of 102.45 feet; thence North 86°48'41" West continuing along said South right of way line o distance of 228.63 feet; thence North 89°II'36" West continuing olong sold South right of way line a distance of 42.42 feet to a point on the East line of that certain parcel of land described in Official Records Book 3253, page 1240 of the Public Records of Orange County, Florida, and shown an said Right of Way Map: thence departing sold South right of way line run South 00°15'28" East along said East line a distance of 14-03 feet to a point on a curve concave Northerly having a radius of 5785.37 feet and a chard bearing of South 88°53'20" East; thence departing said West line from a tangent bearing of South 87°46'34" East run Easterly along the arc of sold curve through a central angle of 02°13'30" o distance of 224.67 feet; thence departing soid curve run South 00°10'34" West a distance of 5.00 feet for a Point of Beginning; thence continue South 00°10'34" West a distance of 12.51 feet; thence North 89°39'29" West a distance of 69.52 feet; thence North 00°36'23" East a distance of 12.51 feet to a point an a curve concentric with the aforesaid curve having a radius of 5790.37 feet and a chord bearing of South 89°39'29" East; thence from a tangent bearing of South 89°18'52" East run Easterly along the arc of said curve through a central angle of 00°41′13″ a distance of 69.42 feet to the Point of Beginning.

Containing 864 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 11/10/05	REVISED: 8/19/14	SCALE:	N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 11/10/05	LEI JOB No.: 02076.10	SHEET 2	0F 4



SKETCH OF DESCRIPTION PARCEL No.: 7015

THIS IS NOT A BOUNDARY SURVEY

GENERAL NOTES:

- I. THIS IS NOT A BOUNDARY SURVEY.
- 2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF
 SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING
 N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY
 PROJECT No. CIP 3045.
- 3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 864 SOUARE FEET, MORE OR LESS.
- 4. SEE SHEETS I THROUGH 2 FOR LEGAL DESCRIPTION: SEE SHEET 3 FOR PARCEL SKETCH.
- 5. SEE RIGHT OF WAY MAP SHEET 7 OF 13 FOR THIS PARCEL.

LEGEND:

Œ	CENTERL INE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
С	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P. S. M.	PROFESSIONAL SURVEYOR AND MAPPER
D	DEGREE OF CURVE	R	RADIUS
EXIST.	EXISTING	(R)	RADIAL
FND.	FOUND	RGE.	RANGE
1D.	IDENTIFICATION	RT.	RIGHT
L	LENGTH	R/W	RIGHT OF WAY
LB	LICENSED BUSINESS	SEC.	SECTION
LT.	LEFT	STA.	STATION
0.R.B.	OFFICIAL RECORDS BOOK	7	TANGENT
P.B.	PLAT BOOK	TB	TANGENT BEARING
		TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 11/10/05	REVISED: 1/28/09	SCALE:	N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 11/10/05	LEI JOB No.: 02076.10	SHEET	4 OF 4

HOLDEN AVENUE PARCEL 7015

TEMPORARY CONSTRUCTION EASEMENT

Parcel 7015 is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

The GRANTEE at all times during construction will ensure the integrity of the parking space within the proposed easement area.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

1015/7015/8015



CONSTRUCTION PLANS FOR

HOLDEN AVENUE (PHASE I)

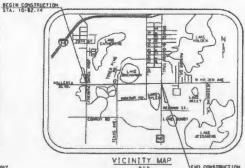
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DISTRICT NO. 6 ORANGE COUNTY, FLORIDA

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FLORIDA DEPARTMENT OF TRANSPORTATIONS ROADWAY AND TRAFFIC DESIGN STANDARDS SANUARY 2004

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.



TYPE OF CONSTRUCTION, FOUR LANF ERBAN DIVIDED PROJECT | FNGTH: 6,524.45 FT. 1.236 MI.

NOTE: LENGTH MEASURED ALONG CENTERLINE OF CONSTRUCTION

SOUNCE OF BENCH MARK DATUM L. 1989-018 FMB 4 TMF CADM WITH 3.5" BRASS FDDT: SMANNET DISK STAMPES F5.79 / x 5000 30 FT v. MORTH OF BULLMOSE OF 152 MMD HORTH OF CA. P.1. OF JOHN TOWNS ENERGY AND RELECTIA NEWD. ELEV. 95.45M CCS+- 19-4238 CCS+- 1217 AT 58 COMMEN OF 58 COM SIDERALM ON MEST SIDE OF MEDITERS DRIVE AND ME AVENUE LLCY- 195-528

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CERTIFICATION TO PLANS

LETTER THE THE DESIGN FOR THIS PROJECT AND THE ATTACHED CONSTRUCTION PLANS COMPLY WITH THE REQUIREMENTS OF SECTION 336-04% OF THE FLORIDA STATUTES AND ARE IN SUBSTANTIAL CONFORMANCE WITH THE STAMDARDS CONTAINED IN THE EDITION OF THE "MANUAL OF INSTRUMEN WITH THE STAMDARDS FOR USSIGN. CONSTRUCTION AND MAINTANANCE FOR STREETS AND HIGHWAYS IN EFFECT ON THIS DAIL AS ADDRESD BY THE FLORIDA DEPARTMENT OF TRANSFORTATION PURPOSANT TO SUBSECTION 336-036(1) OF THE FLORIDA

ENGINEER, THOMAS S. LOCHRANE MEC. NO. 20111

29E 29E 235 LOCATION MAP

-	INDEX OF SHEETS
SHEET	DESCRIPTION
1	COVER SHEET
2	GENERAL NOTES
3	PROJECT DETAILS
4-5	SUMMARY OF PAY ITEMS
6-10	DRAINAGE MAPS
1.1	EXISTING DRAINAGE STRUCTURES
12-16	TYPICAL SECTIONS
17	SUMMARY OF QUANTITIES
15-24	SLAMARY OF DRAINAGE STRUCTURES
25-27	PROJECT LAYOUT
28-30	BASCLINE SURVEY CONTROL
31-55	PLAN AND PROFILE SHEETS
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61-62	GRAYITY WALL PROFILES
63-68	INTERSECTION DETAILS
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124-131	DRAINAGE DETAILS
132	ROADWAY SOIL SURVEY
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52-252	ROADWAY CROSS SECTIONS
53-260	POND CROSS SECTIONS
261-262	STORHWATER POLLUTION PREVENTION PLAN
63-266	BOX COLVERY PLANS
31 -67	BOX CULVERT PLANS
#1 - W1 4	WALL PLANS
F1-F12	LANDSCAPE PLANS
MI - M96	MAINTENANCE OF TRAFFIC PLANS
\$1-\$29	SIGNING AND PAVENENT MARKING PLANS
11-172	SICNALIZATION PLANS
	LUTILITY ADJUSTMENT PLANS

ENGINEERS . SURVEYORS

	REVISIONS	DATE	BY
GEO BECC	THE RESERVE ALMS	4710/13	TAA
MERITARD COM	PESSONEL MANES		

MIT, SMID BY: FIRE HOAT, 04/04 1467 C 2 451 MEN LAST 104404 IMARM NY: TAN BATE 04/04 AMMINIST TEL CASS 08/05 PHONE: NO. 02076-90



Page 1 of 28 EXHIBIT

FINAL PLANS MAY 22, 2009

BOARD OF COUNTY COMMISSIONERS

TERESA JACOBS	COUNTY WAYOR
S. SCOTT BOYD	DISTRICT
FREDERICK C. BRUNNER	DISTRICT 2
PETE CLARKE	DISTRICT 3
JENNIFER THOMPSON	DISTRICT 4
TED EDWARDS	DISTRICT 5
TIFFANY MOORE RUSSELL	DISTRICT 6
MARK V. MASSARD, P.E.	DIRECTOR OF PUBLIC WORKS

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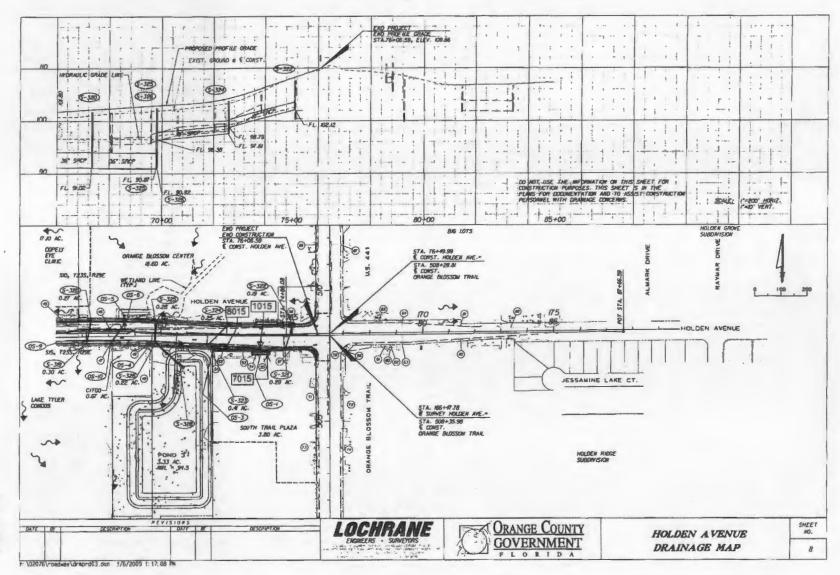
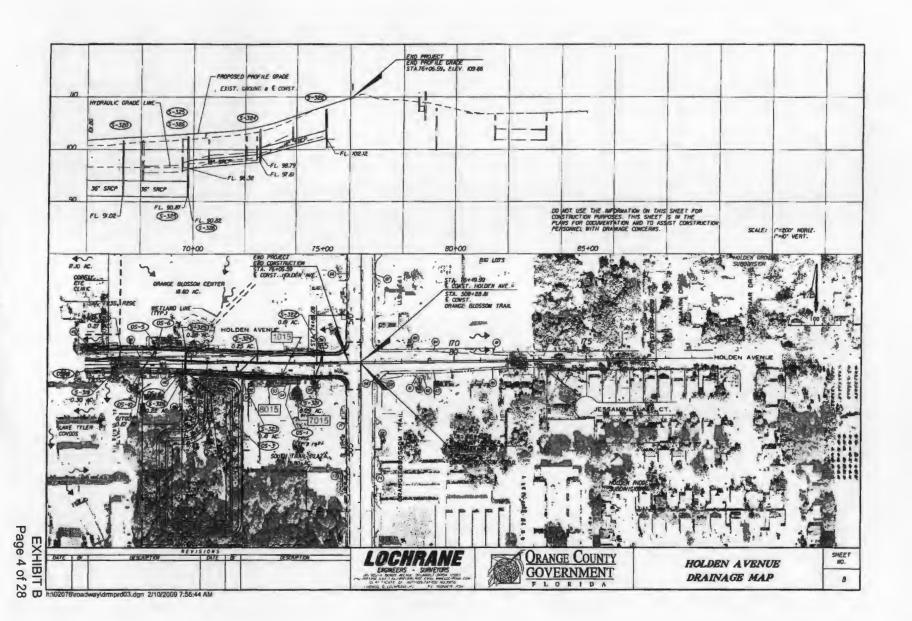


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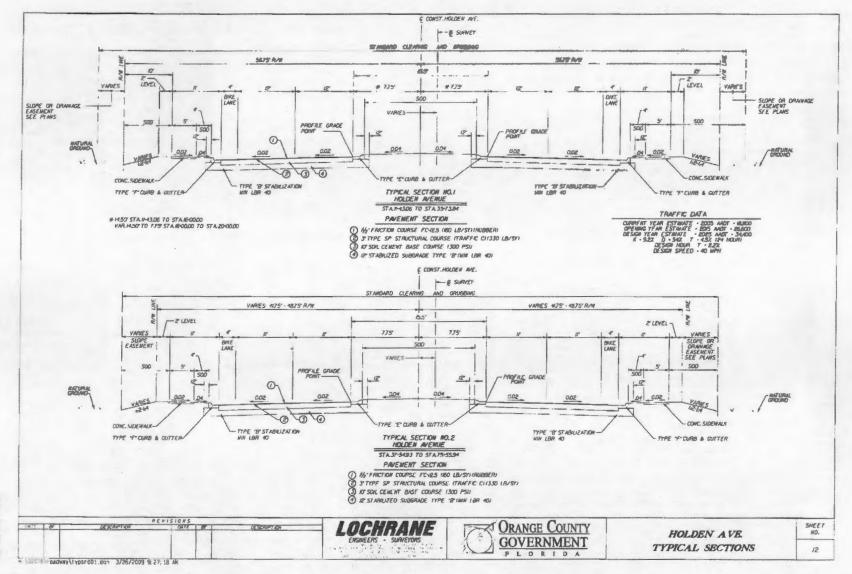


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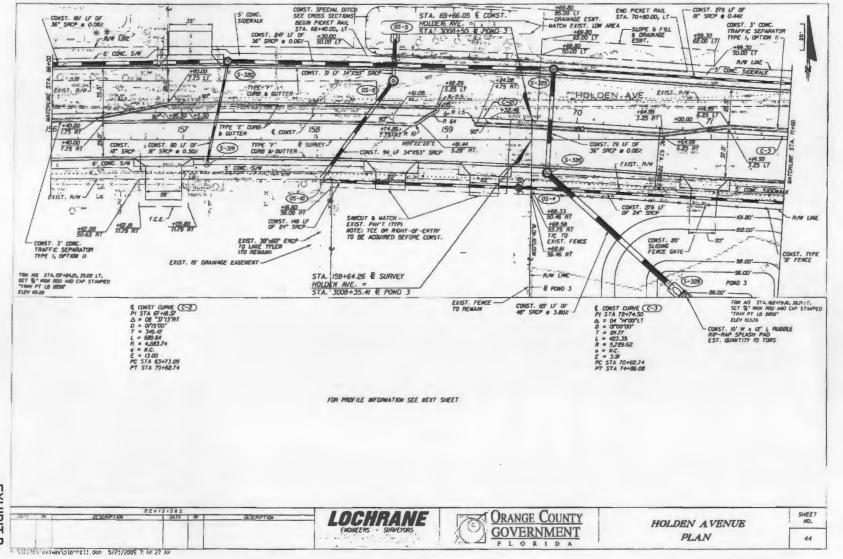
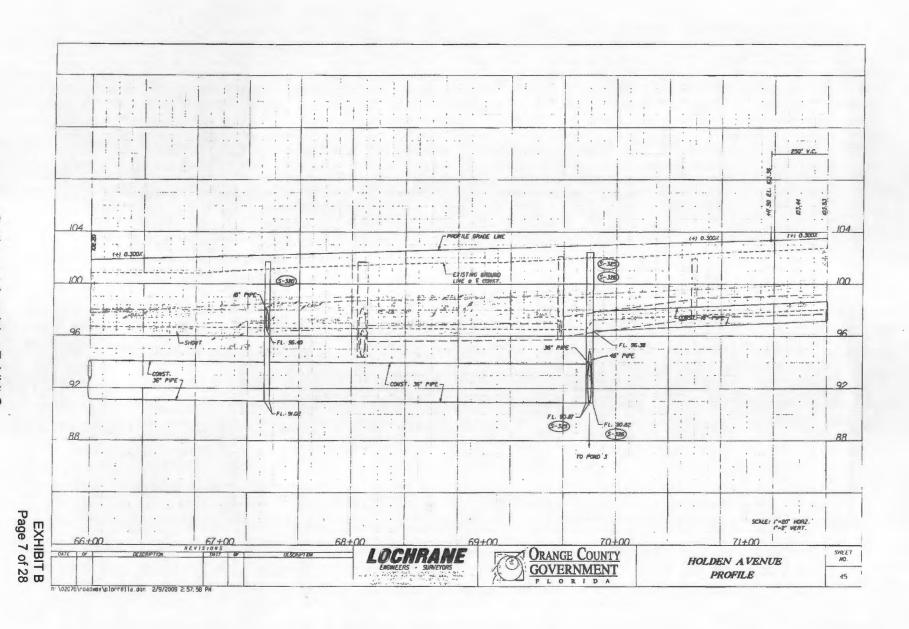


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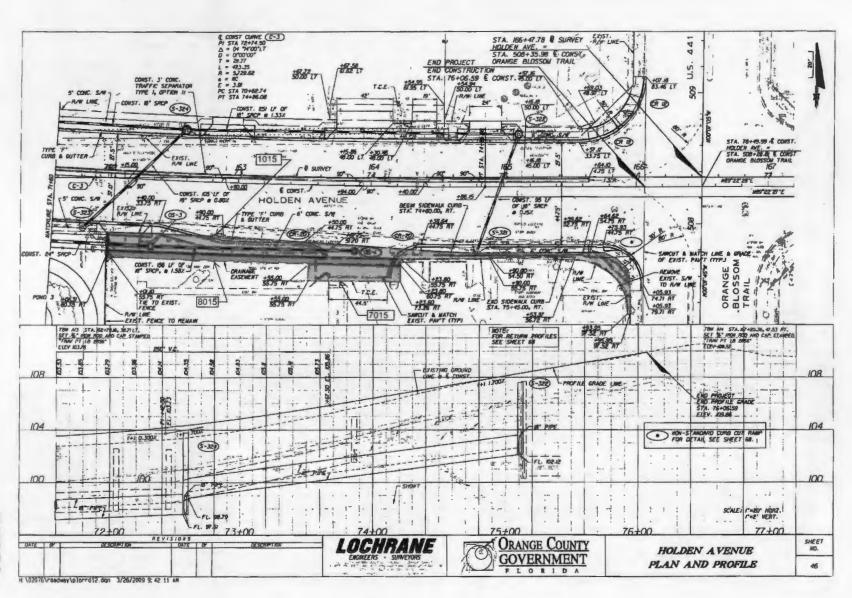


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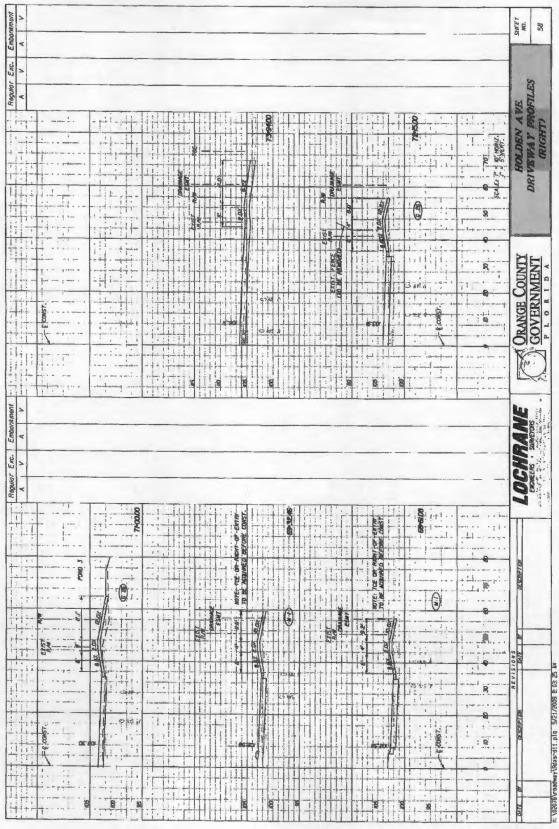
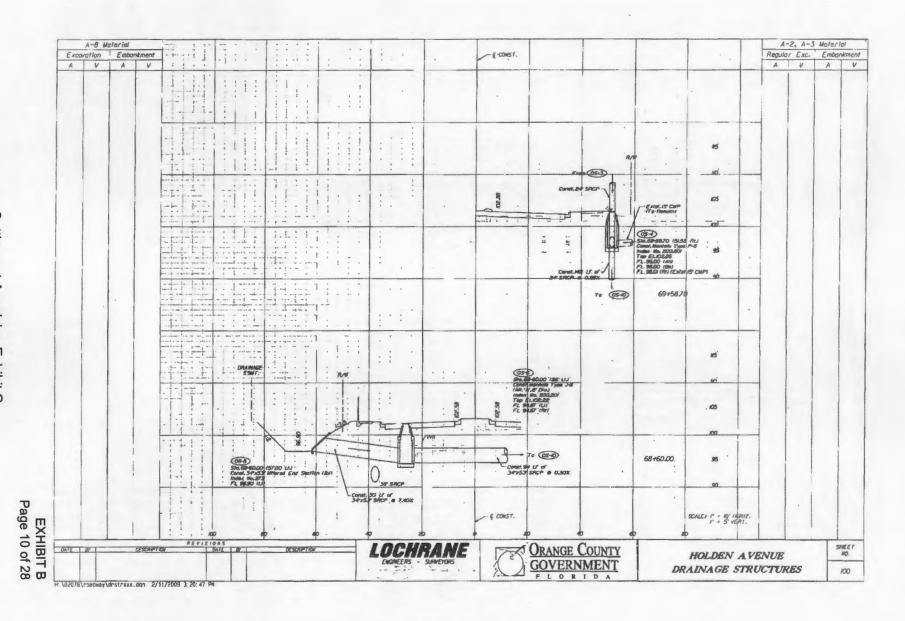


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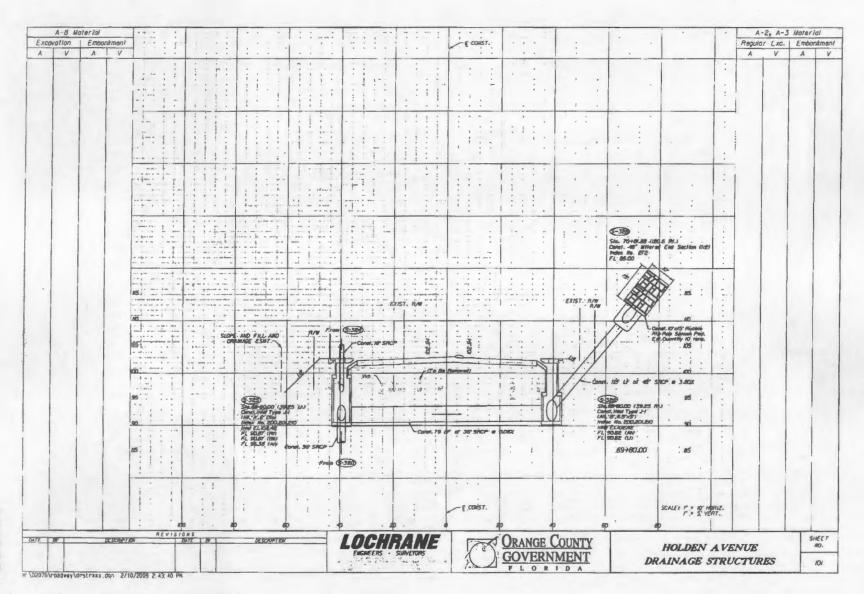
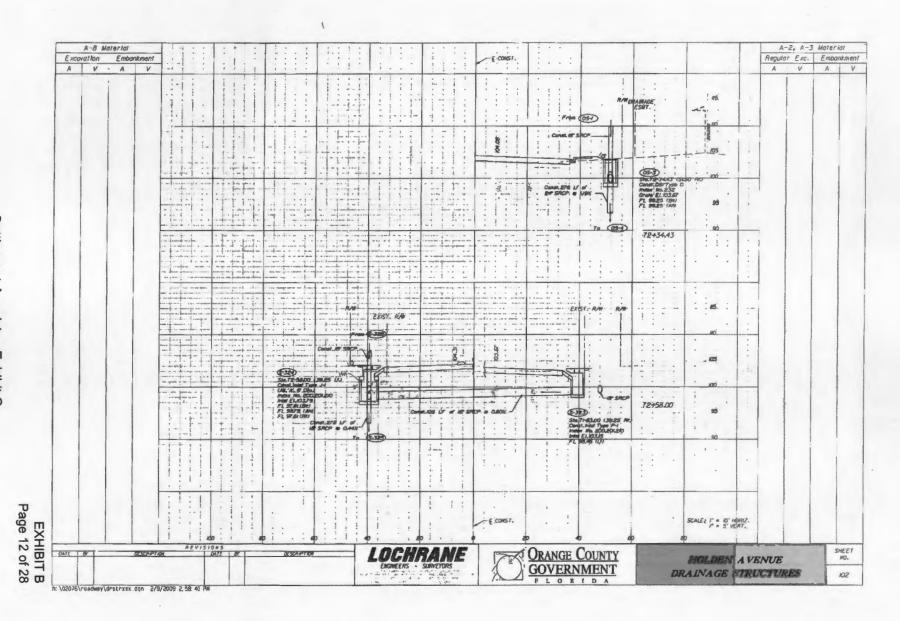
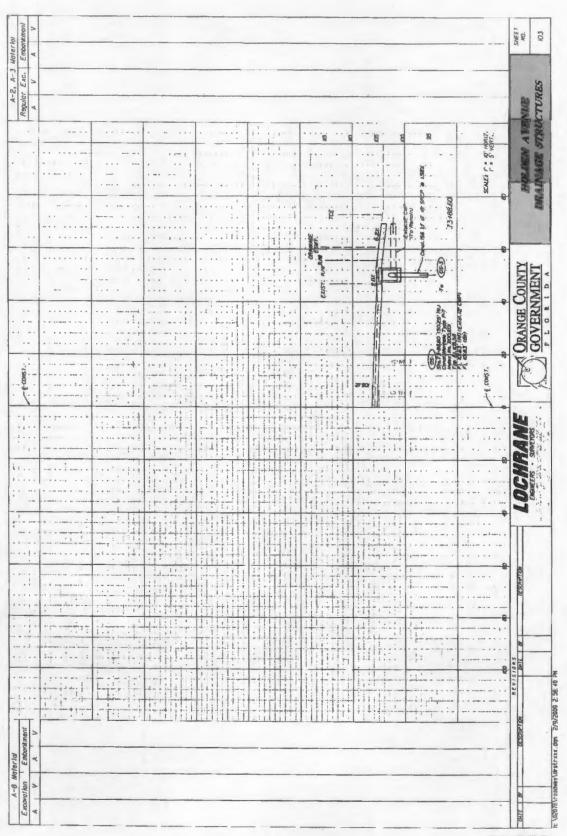
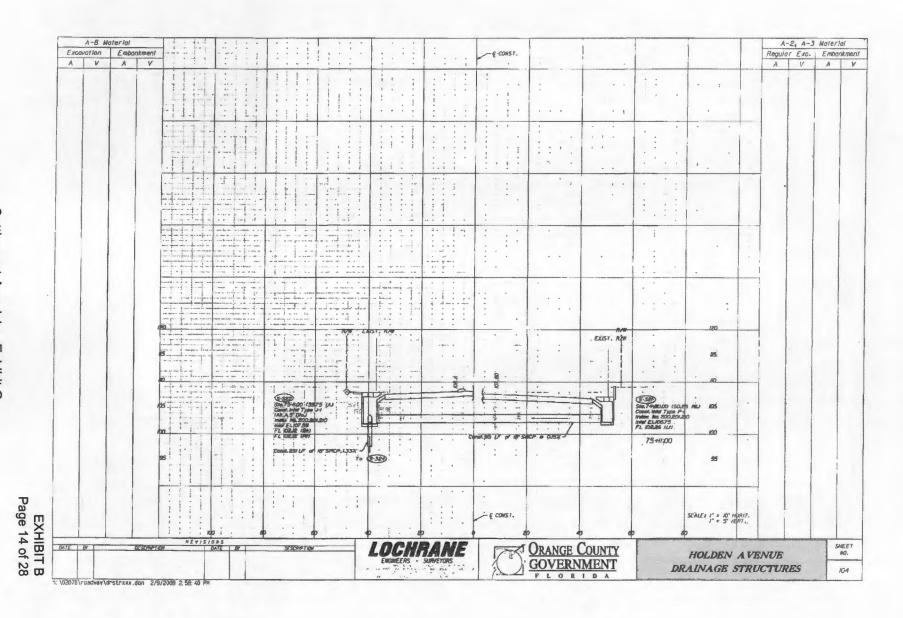


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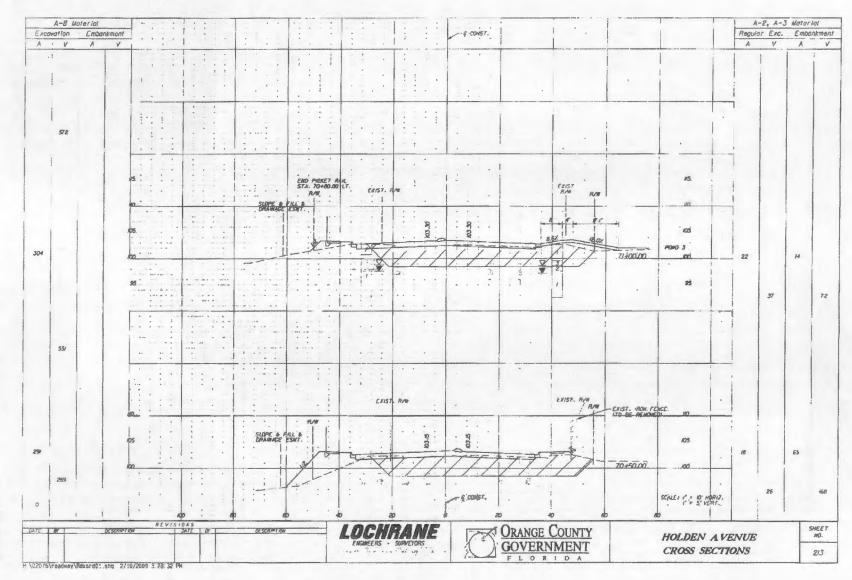
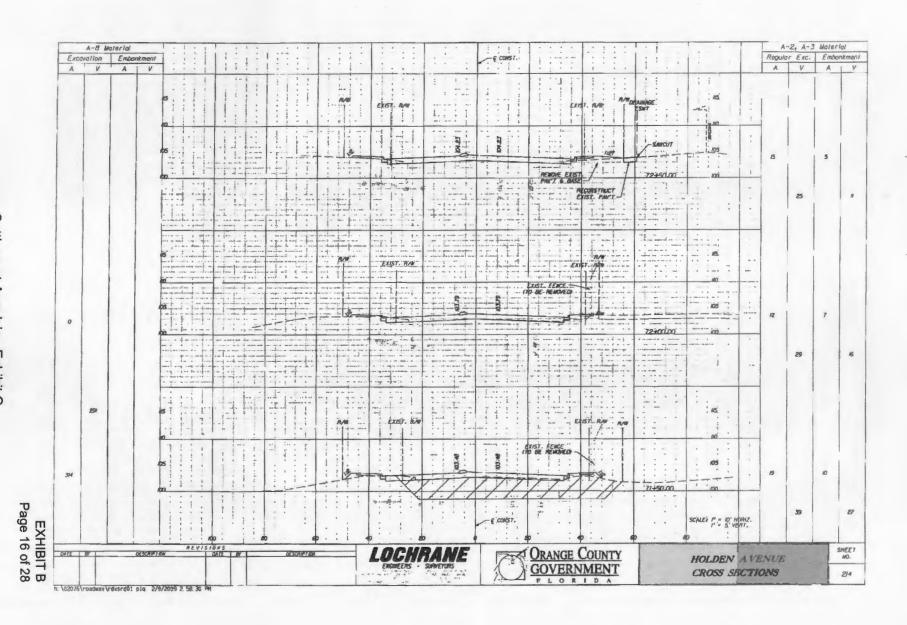
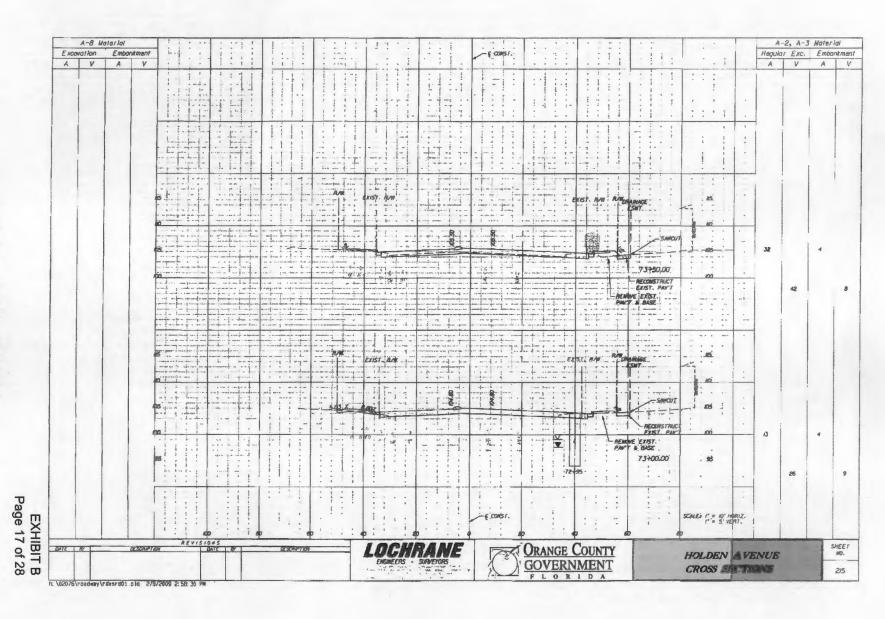
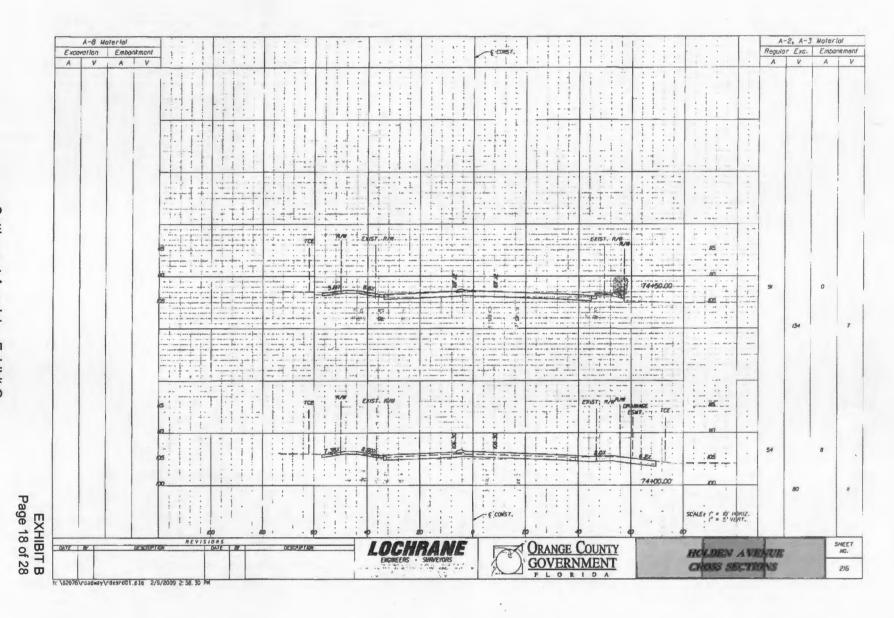
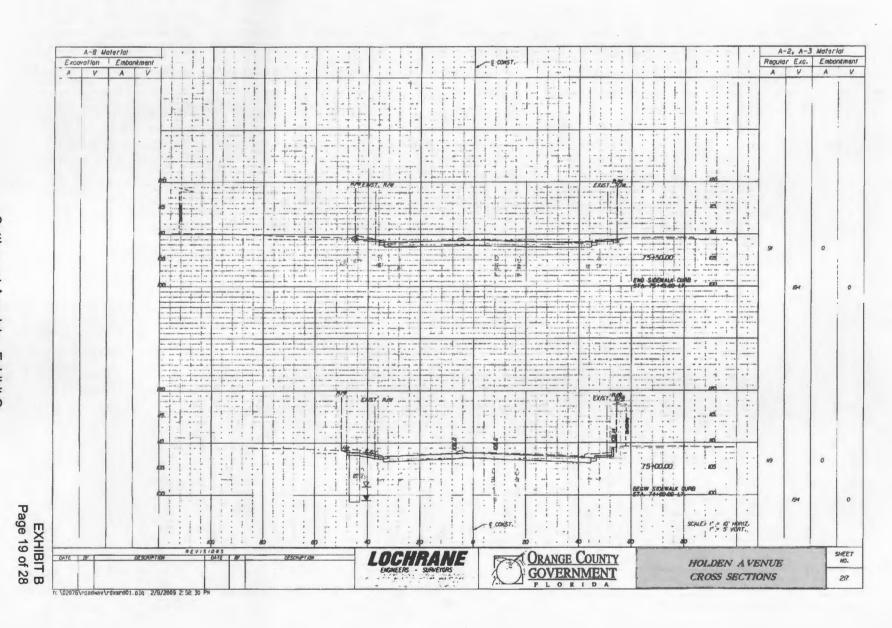


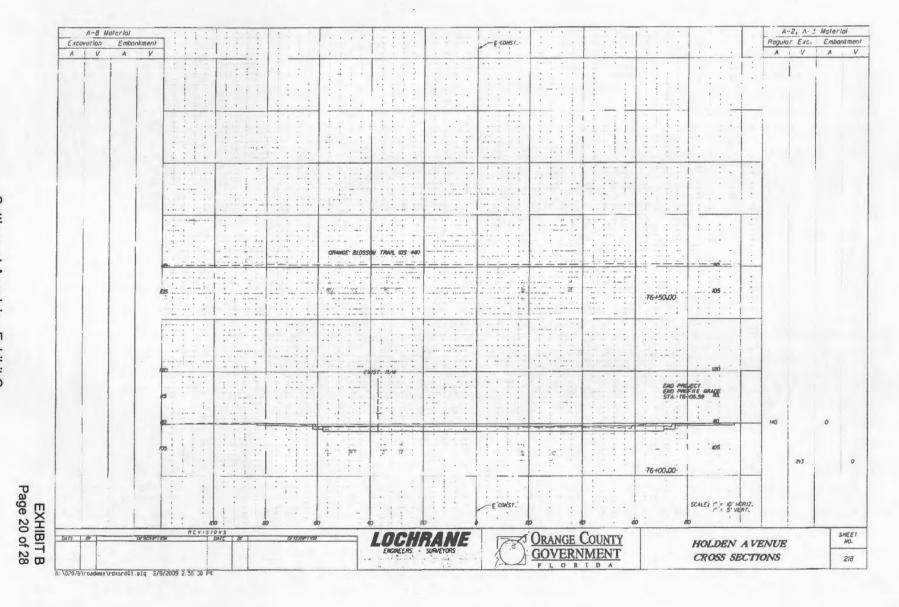
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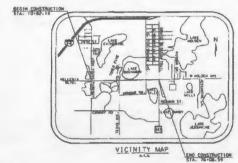


SIGNING AND PAVEMENT MARKING PLANS FOR

HOLDEN AVENUE (PHASE I)

JOHN YOUNG PARKWAY TO ORANGE BLOSSOM TRAIL (US 441)

DISTRICT NO. 6 ORANGE COUNTY, FLORIDA



FINAL PLANS MARCH 25, 2009

FLORIDA DEPARTMENT OF FRAMSPORTATION. DESIGN STANDARDS JANUARY 2008

BOARD OF COUNTY COMMISSIONERS

RICHARD T. CROTTY	MAYOR
S. SCOTT BOYD	DISTRICT ;
FRED BRUMMER	DISTRICT 2
MILORED FERNANDEZ	OISTRICT 3
LINDA STEWART	DISTRICT 4
BILL SEGAL	DISTRICT 5
TIFFANY MOORE RUSSELL	DISTRICT 6
MARK V. MASSARD, P.E.	DIRECTOR OF PUBLIC WORKS

CERTIFICATION TO PLANS
HEREDY CERTIFY THAT THE DASION FOR THIS PROJECT AND THE ATTACHED
SIGNING AND PREVENEN MARKED PLANS COMPLY WITH THE REQUIREMENTS OF
SECTION 336-045 OF THE FLORIDA STATUTES AND ARE IN SUBSTANTIAL
COMPORMANCE WITH THE STANDARDS CONTRIBED IN THE EDITION OF THE
"MANUAL OF UNIFORM MINIMAL STANDARDS OF DESIGN. CONSTRUCTION AND
MAINTENERS FOR STREETS AND HICHMARTS IN EFFECT ON THIS DATE A
ADDRIED BY THE PLORIDA OPPARTMENT OF TRANSPORTATION PURSUANT TO
SUBSECTION 336-05411) OF THE FLORIDA STATUTES.

DATE, D3/25/2009 ENGINEER, DANTE A. GABRIEL, P.E. REC. NO. 37271



	INDEX OF SHEETS
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	According Agreement



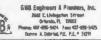
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- SIGNING AND PAYEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF THANSPORTATION (FOOT) DESIGN STANDARDS, DATED JAMUARY 2008. AND THE MANUAL ON UNITONE THANFIC CONTROL DEVICES (METCO), 2003 CONTION
- FOOT SIGNS THAT CONFLICT WITH CONSTRUCTION OPERATIONS SHALL BE REMOVED, STOCKPILED AND RELOCATED BY THE CONTRACTOR. SIGN REMOVAL SHALL BE DIRECTED BY THE PROJECT EMBINEET.
- ALL EXISTING SIGNS TO BE REMOVED BUST BE FREE OF DAMAGE AND DELIVERED TO AN AREA DESIGNATED BY THE OWNER'S AUTHORIZED REPRESENTATIVE FOR PROPER STORAGE.
- CAUTION SHOULD BE EXERCISED WHILE RELOCATING EXISTING SIGNS TO PREVENT UNNECESSAY DAMAGE TO SIGNS. IF THE SIGNS ARE DAMAGED BEYOND USE. AS DETERMINED BY THE PROJECT MANAGER, SIGNS SHALL BE REPLACED BY THE CONTRACTOR AT HIS EXPERSE.
- ALL REMOVED SIGN WATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF PROPERTY IN AN AREA PROVIDED BY HIM.
- FOR THERMOPLASTIC PAVEMENT MARKINGS, THE CONTRACTOR SHALL UTILIZE ALKYD BASED THERMOPLASTIC.
- ALL SURFACES SHALL BE CLEANED PRIOR TO THE START OF INSTALLATION OF ALL PAVEWENT MARKINGS ALONG JOHN YOUNG PARKWAY WHERE THERE WILL BE NO MILLING AND RESURFACING.
- 8. ALL PAVEMENT MARKINGS SHALL BE APPLIED BEFORE REFLECTIVE PAVEMENT MARKERS ARE APPLIED.
- ALL SIGNS SHALL BE PLACED IN ACCORDANCE WITH HORIZONTAL CLEARANCES ICLEAR ZONES! AS A SPECIFIED BY FOOT.
- 10 FOR REFLECTIVE PAVEMENT WARKER PLACEMENT DETAILS, REFER TO FOOT DESIGN STANDARDS, INDEX NO 17352.
- 11. ASPHALT SURFACES SHALL CURE 30 DAYS BEFORE THE FINAL THERMOPLASTIC PAYEMENT MARKINGS ARE INSTALLED. TEMPORTARY PAINT PAVEMENT MARKINGS SHALL BE INSTALLED OUTHER THE 30-OM PERIOD. TEMPORARY PAINT PAVEMENT MARKINGS SHALL NOT BE PAID SEPERATELY BUT SHALL BE INCLUDED IN THE BID PAICE FOR THERMOPLASTIC PAYEMENT MARKINGS.
- 12. SIGN ASSENBLY LOCATIONS SHOWN ON THE PLANS WHICH ARE IN CONFLICT WITH LIGHTING, UTILITIES, ETC. MAY BE ADJUSTED SLIGHTLY AS DIRECTED BY THE EMGINEER, EXTREME LOCATION CHANGES MUST BE APPROVED BY THE EMGINEER OF RECORD.
- 13. THE CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITIES 48 HOURS PRIOR TO ANY EXCAVATION FOR UTILITY LOCATES AND PROTECTION.
- 14. ALL EXISTING SIGNS ARE TO REMAIN UNLESS OTHERWISE NOTED IN THE PLANS.
- 15. CAUTION SHOULD BE EXERCISED IN THE INSTALLATION OF POST WOUNTED MOADSIDE SIGNS IN ORDER TO PREVENT DAMAGE TO BURIED UTILITIES.
- 16. REFLECTIVE PAYEMENT WARKERS ARE NOT TO BE PLACED ON SIDESTREET CENTERLINES

- 17 IF THE CONTRACTOR USES SEGMENTAL TEMPLATES TO PLACE DIRECTIONAL ARROWS AND PAYEMENT MESSAGES, ALL SEGMENTS SHALL BE CLOSED TO FORM ONE-PIECE COMPONENTS PER STANDARD INDEX 17346, IT344, AND 1778E.
- 18. PAYMENT FOR MULTIPLE PANEL SIGNS SHALL BE INCLUDED IN THE PAY ITEM NUMBER FOR
- 19. MATCH ENISTING PAYEMENT MARKINGS AT THE BEGINNING AND AT THE END OF THE PROJECT LIMITS AND AT ALL SIDE STREETS.
- 20. CROSSWALKS SHALL BE ID' WIDE UNLESS OTHERWISE SPECIFIED IN THE PLANS.
- NOTE THAT LYHE SIGNS ARE NOT TO BE REMOVED OR RELOCATED BY THE CONTRACTOR THE CONTRACTOR WILL COORDINATE WITH LYAE PROPYLOING AT LEAST 7 DAYS NOTICE FOR LYHE TO REMOVE OR RELOCALE SIGNS. THE CONFRACTOR WILL CONDINATE WITH THE LYHE BUS STOP COORDINATOR AT 1407 J 254-6180 ILBROWNEDDLYBE COBE SITH A COPT OF LYHE FACILITY MAINTENANCE AT 1407 J 254-610 ISROBINSON MISSORBOLTHE.COM J

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GENERAL NOTES

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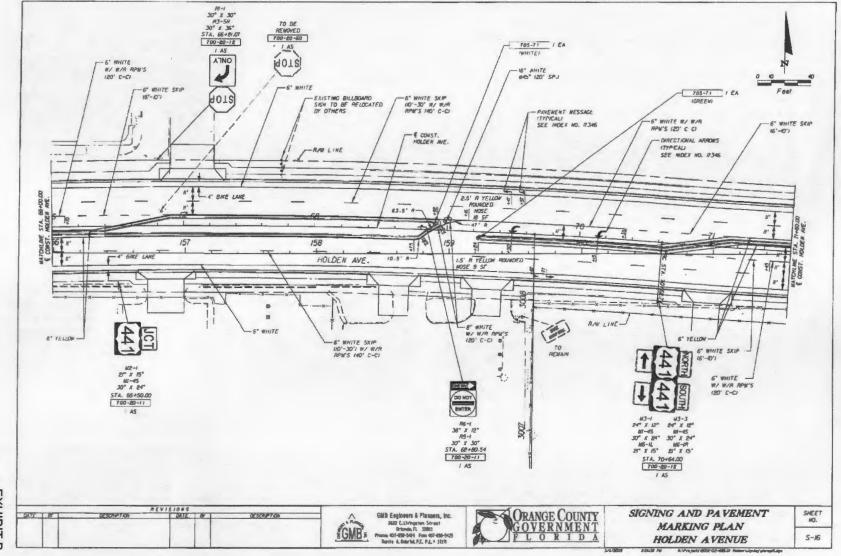


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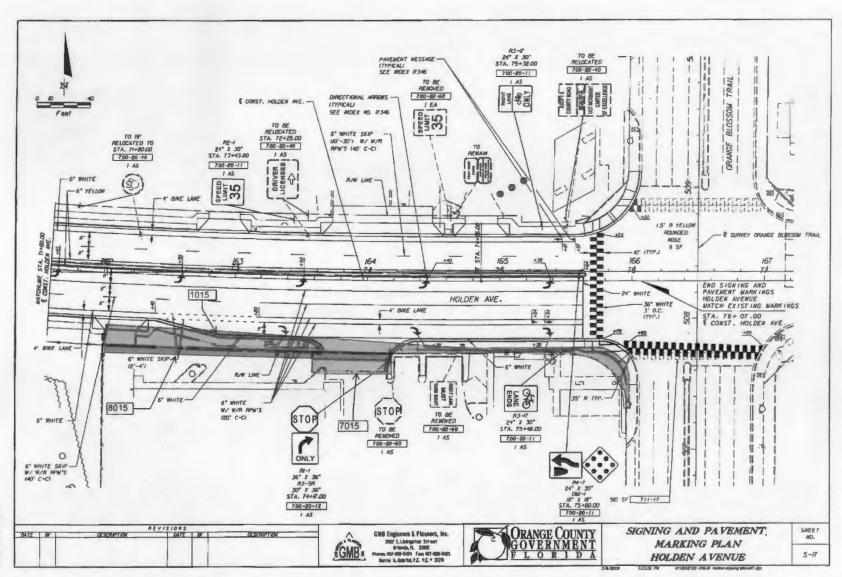


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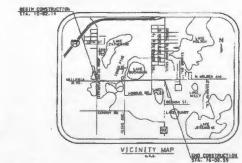


SIGNAL PLANS

HOLDEN AVENUE (PHASE I)

JOHN YOUNG PARKWAY TO ORANGE BLOSSOM TRAIL (US 441)

DISTRICT NO. 6 ORANGE COUNTY, FLORIDA



FLOR DA DEPARTMENT OF TRANSPORTATION. DESIGN STANDARDS JANUARY 2008 NOTE. THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION. **FINAL PLANS**

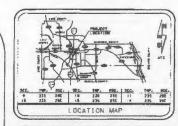
MARCH 25, 2009

BOARD OF COUNTY COMMISSIONERS

RICHARD T. CROTTY	MAYOR
S. SCOTT BOYD	DISTRICT
FRED BRUMMER	DISTRICT 2
MILDRED FERNANDEZ	DISTRICT 3
LINDA STEWART	DISTRICT 4
BILL SEGAL	DISTRICT 5
TIFFANY MOORE RUSSELL	DISTRICT 6
MARK V. MASSARO, P.E.	DIRECTOR OF PUBLIC WORKS

CERTIFICATION TO PLANS

I MERGET CERTIFY INST THE DESIGN FOR THIS PROJECT AND THE ATTACHED.
SIGNING AND PAYMENT MARKING PLANS COMPLY WITH THE REQUIREMENTS OF SECTION 336.045 OF THE FLORIDA STRIPTES MID AME IN SUBSTANTIAL COMMONINAL OF UNIFORM MINIMUM STANDARDS CONTRIBED IN THE EDITION OF THE THANHALD OF UNIFORM MINIMUM STANDARDS CONTRIBED IN THE EDITION OF THE MARKINGLOF OF STREETS AND BLORBORYS FOR DESIGN. CONSTRUCTION AND MAINTENANCE FOR STREETS AND BLORBORYS FOR REPORT AND ADDRESS OF STREETS AND BLORBORYS IN EFFECT ON STREETS AND BLORBORYS IN EFFECT ON STREETS AND BLORBORYS IN EFFECT ON STREETS AND BLORBORYS OF REPORT AND ADDRESS OF STREETS AND BLORBORYS ATTRIBES. DATE: 03/25/2009 ENGINEER, DANTE A. GABRIEL, P.E. MEG. NO. 37271



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16	MAST ARM TABLE OF VARIABLES
	OULDS JOH WORKSHIE TS
19	TRAFFIC SIGNAL MISCELLANEOUS DETAILS
-1-22	BORING RESULTS
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PROJECT NO. GO-SBELON

EXHIBIT B Page 25 of 28

DATE

IN THE SIGNALIZATION PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE FORMAN 23 ALL CABLE SHALL BE PULLED IN THE COMCULT WITH A CABLE GROW DESIGNED SPECKFRATIONS A FAIR HOLD ON THE CENTERIN COVERING OF THE CABLE. A WHICH WITH A SLIP CLUTCH ARE THE THE COLOR OF PRINCIPLE OF THROUGH OF PRINCIPLE OF STORMAN OF PRINCIPLE OF STORMAN OF THROUGH OF THE CONTROL OF THE CABLE.

ARE THE STATE OF FORMAN OF PRINCIPLE WITH A SLIP CLUTCH SHALL BE FOR DISCOVERY THAT THE ALDRIBUTE TESTICAL WHITE STORT EXCEPTION. AN APPROVED LUBRICANT SHALL BE USED TO FACILITATE THE PULLING OF THE CABLE. AND SUPPLEMENTS THERETO IF NOTED IN THE SPECIAL PROVISIONS FOR THIS PROJECT

2) THESE PLANS REFLECT CONDITIONS KNOWN DURING PLAN DEVELOPMENT. IN THE EMENT ACTUAL PHYSICAL CANDITIONS PREVENT THE APPLICATION OF THE PROGRESSION OF ANY WORK SPECIFICO IN THESE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER UNIDIDATELY AND PRIGHT TO ANY FURTHER WORM ACTIVITY.

3) WHENEVER SIGNAL WORK IS BEING PERFORMED AT AN INTERSECTION LIPSTALLING COMMIT IN THE STREET, REMOVING EXISTING SIGNAL EMPINIENT, INSTALLING HEN SIGNAL EMPINIENT, INSTALLING LIGHS AND TRUTS, AND TURNING ON MEN SIGNALS WHERE A LAME, IS CLOSED A TRUFFIC CONTROL OFFICER SHALL DIRECT TRAFFIC. THE COST OF THE TRAFFIC CONTROL OFFICER SHALL DE INCIDENTAL TO THE WORK AND WILL NOT BE PAID SEPARATELY.

4) CURRING NON-WORKING HOURS, NO EQUIPMENT, VEHICLES OR MATERIAL SHALL BE PARKED OR SYDRED WITHIN 30 FEET OF THE PODDING CAMBURG TRAFFEC. IF THE ABOVE IS NOT POSSIBLE, A STORAGE AREA WITH PROPER DELINEATION AND ADVANCED WARRING SHALL BE USED WITH THE APPROVAL OF THE EMBRER.

SI THE CONTRACTOR SHALL MOTHER OPANGE COUNTY AND FOOT TWO IEL BUSINESS DAYS PRIOR TO REGISTRUCTION.

NU THE CONTRACTOR SHALL NOTEY THE APPROPRIATE UTILITY DEPARTMENT AT LEAST 48 HOURS IN ADVANCE OF POLE SETTING OPERATIONS WHERE A CONFLICT WITH OVERHEAD ELECTRICAL CONOUCTORS IS EXPECTED AND IN ALL CASES WHERE JOINT USE POLES ARE

7) THE CONTRACTOR SHALL CONTACT GRANGE COUNTY FOR LAWE CLOSURE RESTRICTIONS ALONG HOLDEN APERME. LANF CLOSURE RESTRETOMS FOR THIS SECTION OF US 0-797-44 AT MOLDEN AVENUE ARE: -100 AN TO 400 PM WONTHOUGHD, AND 1500 AN TO 6,00 PM SOUTHOUGHD.

BI AT THE THE OF FINAL PROJECT INSPECTION THE CONTRACTOR SHALL FURNISH TO THE INSPECTOR THREE COMPLETE SETS OF AS-BUILT PLANS, ONE SET SHALL BE LEFT IN THE CABINET FOR THE LOCAL MAINTAINING AGENCY, DRANGE COUNTY.

9) THE CONTRACTOR IS REQUIRED TO HISPECT THE HISTALLATION OF THE TRAFFIC SIGNALS IN ACCORPOACE WITH FOOT SPECIFICATION 605-520. THE CONTRACTOR SHALL CORPORATE THE FINAL ACCEPTANCE HISPECTION IN ACCORPOACE WITH OUT SPECIFICATION 80-22. WITH THE ENGINEER AT LEAST TEN OWNS IN ADVANCE, ORANGE COUNTY AND BUT WANTED A WAITH AT 1386, 943-5318 SHOULD ALSO BE CONTACTED TEN DATS BEFORE THE INSPECTION IS 10 BE PENFORMED SO THEY MAY BE PRESENT.

IO) THE CONTRACTOR SHULL MOTHY GRANGE COUNTY TRAFFIC OPERATIONS (MOT-838-7880) AT LEAST ZE HOURS IN ADMANCE OF INSTALLING ROUND ROUSE, WIEDERSOUND COMDUT, MAST ANN PROMODITIONS OF SETTING POLES SO THAT THESE OPERATORS AND AC OBSERVED.

UI IT SHOULD BE MOTED THAT MO TEST BORINGS WERE MADE WHERE COMBUT RUIS ARE TO BE WISTALLED BY JUCKIME OR TREMPOWER. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO EXAMIME JOB SITE COMDITIONS BEFORE SUBMITTING BIO PROPOSALS IN ACCURANCE WITH SECTION 2-4 OF THE FOOT SPECIFICATIONS.

HE THE CONTRACTOR SHALL HAND DIG THE FIRST 4" AT EACH POLE LOCATION AND THE FIRST 2" AT EACH PEDESTAL LOCATION TO VERNEY NO UTILITY CONFLICTS.

13) AS DIRECTED SE THE PROJECT ENGINEER, THE CONTRACTOR SHALL ADJUST CONDUIT VERTICALLY TO ANOHO ANY POSSIBLE CONFLICTS WITH UNDERGROUND UTILITIES.

14) ALL CONDUITS TO BE MISTALLED UNDER PAVENENT OR SIDEWALK SHALL BE INSTALLED PRIOR TO THE INSTALLATION OF THE BASE COURSE.

15) THE LOCAL PERMIT MANAGER MUST BE INFORMED TWO BUSINESS DAYS BEFORE AND DIRECTIONAL BORES.

IS ALL CONDUIT SHALL BE SCHEDULE 40, 2 NICH DIA. HIMINUM UNLESS OTHERWISE SPECIFIED IN PLANS, EXCEPT ELECTRICAL POWER SERVICE DUCT.

IT! THE CONTRACTOR SHALL RISTALL A CONDUIT STUB WITH CAP A WINDOW OF 12 WICHES III THE CONTINUE OF STREET MOTHER A COMMITT SHOW WITH DO BY A MINIMUM OF TE MINISTED OF THE POLE FOR THE COMMITT SHEEP OF MINISTED FOR MINISTED OF THE FORE OF THE FORTHER, TOP OF SECRETARIA, SIZE OF POLE, ETC.
STALL BE MARKED WITH AN APPROPRIATE ETCHED "A" OF ORDER THAT IT HAT BE REDULY LOCATED FOR FUTURE USE.

HO ALL ENDS OF CONDUITS HE PULL BOXES AND CABINETS SHALL BE SEALED WITH ELECTRICAL PUTTY AFTER WIRING IS COMPLETE.

ISH TWO SPARE CABINET CONDUITS SHALL BE STUBBED AND CAPPED IN THE MEAREST PULL BOX. 201 PULL BOXES SHALL BE PLACED BEHIND CURD AND BUTTER. IF THERE IS NO CURB AND GUTTER, THEN PULL BOXES SHALL BE PLACED AY LEAST NO FEET

REVISIONS

DATE LA

DESCRIPTION

2N PULL BOKES AND COVERS SHALL BE FOOT APPROVED OF NON-METALLIC CONSTRUCTION WITH RECESSED COVER LOGO "TRAFFIC SKNAL" OR "FIBER OFTIC" AS APPROPRIATE.

221 ALL COMMUNICATION CABLE SHALL BE INSTALLED IN SEPARATE PULL BOXES.

DESCRIPTION

25) ALL CARLE SHALL RE PULLED IN THE COMOUNT WITH A CABLE GRUP DESIGNED TO PROVIDE

241 CABLE GRIP SHALL BE OF SUFFICIENT SIZE TO NOT COMPROMISE THE MISULATION ON

251 THE CONTRACTOR SHALL VERIFY COLOR CODES FOR BOTH SIGNAL AND INTERCONNECT CABLE WITH ORANGE COUNTY BEFORE ORDERING, WIRHING DIAGRAMS SHALL BE IN ACCORDANCE WITH

267 ALL FIELD WIRRING SHALL BE NEATLY BUNDLED AND CLEARLY HOLDTHIED WITH PERMANENT LEGBLE, WEATHERPROOF TAGS THAT ARE SCHOLLELY ATTACHED TO EACH CABLE, THE TROGRING SYSTEM PROPOSED SHALL BE SUBJUTTED FOR APPROVAL WITH THE DYNER EXIDENCE AT SUBJITTALS REQUIRED FOR THIS PROJECT

27) FIBER OPTIC CARIF SHALL BE MANNON DA SINGLE MODE / 12 MULTI MODE LODSE TUDE, DAR BLOCK, DIELECTRIC HORRID PE CABLE AND WILL MICLIOE A M GAIGE, SINGLE CONDUCTOR WIRE PULLED IN THE SAME COMDUT AS THE FIBER OPTIC CABLE FOR LOCATIOS. THE CONTRACTOR SHALL REFER TO THE TECHNICAL SPETUAL PROVISIONS FOR SIGNAS — FIBER OFTIC CABLE.

281 THREE SPARE WHES ARE REQUIRED PER SIGNAL CABLE. SPARES SHALL BE BOUND AND GROUNDED IN CABINET.

291 GROUPID MOUNTED CONTROLLER CABINETS SHALL BE TYPE 5 WINIMUM, UNLESS OFHERWISE SPECIFIED IN THE PLANS.

30) THE MOUNTING OR ATTACHMENT OF THE ELECTRICAL SERVICE TO THE TRAFFIC SIGNAL CABMET SHALL BE PROHIBITED.

SU THE CONTROLLER BASE AND SERVICE PAD SHALL BE A MOMOLITHIC CONCRETE POUR 4 RICHE'S MAXIMUM ABOVE FRIENED GRADE.

JZ) THE CABINET DOOR SHALL OPEN AWAY FROM THE INTERSECTION WILESS SPECIFIED OTHERWISE.

330 THE CONTROLLER ASSEMBLY SHALL BE TS-2 TYPE I OR TYPE 2 AND SHALL HAVE ALL HARDNARE MECESSARY TO COMMUNICATE WITH ORANGE COUNTY'S SIGNAL SYSTEM. THE ADDITIONAL EQUIPMENT AND ACCESSIONES FOR THE FIBER OFFIC WYERCONNECT SHALL BE FURNISHED AND WISTALLED AS PART OF THE COUNTROLLER ASSEMBLY.

34) PRE-EMPTION SYSTEM SHALL BE COMPATIBLE WITH ORANGE COUNTY'S EXISTING SYSTEM.

35) OFLAY TIMES SHALL BE SET TO 5 SECONOS.

SEL DURING TRAFFIC SIGNAL FLASHING OPERATION THE RED ARROW INDICATION OF ALL 3-SECTION LIFT TURN METADS SHALL FLASH. UNLESS SPECIFIC OTHERWISE, FLASHING OPERATION SHALL BE ANDER FOR INDICREMENTS & 6 AND RED FOR INDICATING & 6.

37) ALL SIGNAL DISPLAYS SHALL BE LED.

381 40 POLYCARBONATE HOUSING OR MOUNTING HARDWARE WILL BE PERMITTED FOR VEHICULAR OR PEDESTRIAN SISMAL MEAD ASSEMBLIES. ALL STOMAL MEADS SHALL BE CAST ALMINION. TURNEL VISIONS SHALL BE USED ON ALL SHAML SECTIONS, PARMENT FOR TURNEL VISIONS SHALL BE MICLIORED IN THE PRICE OF THE SHAML MEADS.

39) ALL SIGNAL ASSEMBLIES SHALL HAVE A VERTICAL CLEARANCE OF 17.5 FEET WHINKAM AND 19 FEET WASHUN FROM THE BOTTOM OF THE ASSEMBLY TO THE ROAD.

401 EXISTING SIGNALIZATION SHALL REMAIN IN PLACE TO THE EXTENT POSSIBLE AND SHALL BE USED FOR THE MAINTENANCE OF TRAFFIC AS REQUIRED. THE MAINTENANCE OF EXISTING SIGNALS, UNTIL REMOVED, SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

40 THE USE OF "JOHES" PLUGS FOR SIGNAL INSTALLATIONS SHALL BE PROHIBITED

49 CHOULAR DRIP LOOPS (MINIMUM ONE CHOLE) ARE TO BE PROVIDED AT ALL AERIAL DISCONNECT HAMBER, INTERCONNECT JUNCTION BOX, ELECTRICAL SIGN AND POLE JUNCTIONS.

43) ALL PEDESTRIAN SIGNALS SHALL BE 16" LED. COUNTOUNH TYPE.

44) PEDESTRIAN SIGNS NEEDED ARE: FTP-688-06.

GMB.

45) CONTRACTOR IS TO ENSURE THAT A 4" X 4" FLAT LANDING AREA (SP2-Q IS ADJACENT TO ALL PED BUTTONS FOR PEDESTRIAN ACCESS.

46) THREE CSJ SPARE CONDUCTORS ARE TO BE RUN TO THE FURTHEST PEDESTRIAN SIGNAL HEAD. 47) ANY EXISTING LOOPS DAMAGED DURING CONSTRUCTION SHALL BE MEPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST. TEMPORARY DETECTION WILL BE REQUIRED WHENEVER

REPAIRS CANNOT BE MADE WITHIN 24 HOURS. 480 THE CONTRACTOR SHALL MOTEST GRANGE COUNTY TRAFFIC OPERATIONS (407-836-7650) AT LEAST 24 HOURS IN MOVABLE OF LODY OUTTING SO THAT COUNTY PERSONNEL WAY CHAUK THE LODYS AND OBSERVE THEM INSTRALLATION.

49 ALL NEW LOGP DETECTORS ARE TO BE INSTALLED IN THE CABINET PRIOR TO CUTTING THE EXISTING LOOPS.

50) ANY NEW OR EXISTING STRIPING CUT BECAUSE OF LOOP PLACEMENT SHALL BE RE-STRIPED PRIOR TO ACCEPTANCE.

50 ALL TYPE F LOOPS SHALL BE 6 FEET WIDE BY 40 FEET LONG AND EXTEND 5 FEET BEYOND THE STOP BAR WILLESS OTHERWISE NOTED IN THE PLANS.

SPI ALL DETECTOR LOOPS OR SYSTEM SENSORS SHALL DE CUT ONTO THE ASPHALTIC CONCRETE STRUCTURAL COURSE WHENEVER POSSIBLE. ALL LOOP LEAD-IN CARLES SHALL BE PLACED IN CONDUIT. LOOP LEAD-IN CARLE SHALL NOT EXIT THE ROADINA' WITHIN THE COMMEN RADIOS AT AN INTERSECTION.

531 EACH LOOP SHALL BE TREATED AS AN INDIVIDUAL LOOP WITH SEPARATE LEAD-INS FROM SPLICE POINT TO CABINET TERMINAL.

SHIELDED WHRING SHALL BE USED FOR ALL LOOP LEAD-IN CABLE FROM THE LOOP SPLICE POINT TO THE CABINET TERMINAL

551 THE CONTRACTOR SHALL USE BELDON TYPE 9138 ROADRAY LOOP WIRE, OR EQUINALENT TYPE KINN HIGH DEWSITY CROSSLINKED POLYETHTIENE MISULTED WIRE RATED BOD VOLTS

561 SECTION 660-3-2 OF THE FOOT SPECIFICATIONS IS MODIFIED TO REQUIRE THAT DEL SECTION GOLD OF THE FOOL SPECIFICATIONS IS MORE EVEN TO TREATMENT THAT ALL SAMOUTS FOR LODGE RESTALLATION WHALL BE CLEARED OF DUST, DIRT AND OTHER GEBRIS WITH A VACION CLEARER PRINT OF THE INSTALLATION OF LODGE WITH AN LEAD-IN CREATE. ALL SAMOUTS SHALL BE SEALED WITH AN APPROVED FLEXIBLE EPOXY.

ST) SECTION 660-3-3 OF THE FDOY SPECIFICATIONS IS MODIFIED TO PROMBIT THE USE OF TYPE HI STEEP ASPRALT OR COM. TAR BASE CEMENT TO SEAL TRAFFIC DETECTOR LOOPS.

SNI SECTION 680-6.2 OF THE FOOT SPECIFICATIONS IS MODIFIED TO REQUIRE THE RISULATION RESISTANCE OF EACH LOOP TO MEASURE GREATER THAN 100 MEGADINIS WHEN USING A SOC-VOLT DC INSULATION MERGER.

59) IF A CONTINUOUS RUN OF SIGNAL CABLE IS NOT POSSIBLE FROM THE CABINET TO THE SIGNAL HEAD, THEN A TERMINAL BLOCK SHALL BE USED.

BOD SIX FEET OF ADDITIONAL CABLE SLACK SHALL BE WOUND MISTOE THE UPPRICHT AND SUPPORTED BY THE CABLE CLARE SLOW THAT THE TERMINAL BLOCK CAM BE REMOVED FROM THE UPPRICHT TO ALLOW FOR TROUBLESHOOTHS.

BIT THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIRING A CERTIFIED DRILLED SHAFT CTOP LEVEL I CONSTRUCTOR ERROERERING AND RISPECTION ICEN FIRM, AND A CONCRETE TESTING LABORATORY FOR THE PURPOSE OF INSPECTION ALL OPILLED SHAFT INSTALLATIONS PER FOOT STAMDARUS. THE FIRM SHALL THEM SUBMIT A SIGNED AND SEALED REPORT VERWILD BY THE PL. ON RESONABLE CHARGE OF THE DRILLED SHAFT INSPECTOR TO THE REPARTIMENT FOR APPROVAL FAILURE TO OBTAIN THESE SERVICES PRIDE TO THE CONSTRUCTION OF THE DRILLED SHAFTIS) SHALL RESULT IN THE REJECTION OF THE

GET THE CONTRACTOR SHALL BE RESPONSIBLE FOR SUPPLYING APPROVED SHOP DRAWINGS SHOWING THE BOLT PATTERN AND ARM ORDENTATION PRIOR TO THE PRE-DRILL SHAFT

63) PUSH BUTTONS SHALL BE CONSTRUCTED WITH MECHANICAL CONTACTS. WICHOSWITCHES SHALL NOT BE USED.

GAI THE CONTRACTOR SHALL MISTALL AND TEST IN PLACE THE INTERMALLY ALLIMINATED STREET NAME SIGNS. THE SIGNS ARE TO BE BURNED IN FOR BO DAY'S BEFORE FINAL ACCEPTANCE. THE SIGNS SHALL MAPS SEPARATE CIRCUIT BREAKERS.

85) UNLESS OTHERWISE NOTED, ALL REMOVED EQUIPMENT EXCEPT CONCRETE POLES SHALL BE DELIMENED TO THE WANTAINING AGENCY. THE MAINTAINING AGENCY I ORANGE COUNTY TRAFFIC OPERATIONS

-200 SOUTH JOHN YOUNG PARKINA ORLANDO, FLORIDA 320.59-9205

GG) THE FINISH COATING OF TRAFFIC SIGNAL WAST ARMS/POLES SHALL BE A TRIGUTORIL ISOCYAMURATE OR URETHANE POLYESTER POMDER EQUIVALENT IN COLOR TO VALMONT FROM BLACK #334. THE COATURE SHALL BE ELECTRO-STATICALLY APPLIED AND CURED BY MEATINS.

BE) ALL INTERNALLY ILLUMINATED STREET NAME SIGNS SHALL BE DOUBLE FACED UNILESS STATED OTHERWISE IN THE PLANS, AND SHALL BE ILLIMINATED WITH WHITE LEOS.

GRU THE SUPPORT ARM AND BRACKET FOR INTERMALLY ILLUMINATED STREET NAME SIGNS SHALL BE DESIGNED TO SUPPORT A SIGN WEIGHING TS POUNDS

ER) THE CONTRACTOR SHALL NOTHY GRANSE COUNTY TRAFFIC ENGINEERING AT EST THE CONTINECTOR SHALL MOTET COMMON. COUNTY THREFT C SEGMECTION TO ANY OWNERS—TOO THAT A STORM IS REBUT FOR MITTHAL MOST COUNTY OF THAT A STORM IS REBUT FOR MITTHAL MOST FOR THAT AND ALLOW THE SECOND THE MOST FOR THE SECOND THE SECOND TO BE IT TURNED ON THE ASSEMBLY TO BE IT TURNED ON THE ASSEMBLY THE MOST FOR FULL OPERATION. THAT FOR EDIBLICATION WILL ALLOW THE SECOND TO FULL OPERATION WHEN AUTHORIZED OF THE EDIBLICATION WHEN AUTHORIZED OF THE EDIBLICATION.

TO CONTRACTOR SHALL CONTACT BILLA BLACKWELDER, FOOT AT 1386; 740-3454 TO SOMEDULE WITHALPHOST-CONSTRUCTION WISPECTION ON CABLE SIGNS, CANTILEYER SIGNS, TRUES SIGNS, HAM LUST LIGHT FOLES, ITS, OMES ANDORS MAST AWAS, ONE WONTH PRIOR TO COMPLETION OF JOB.

MO.

GMB Engineers & Planears, Inc. 2502 E. Livingston Street Grands, FL 38003 Plane 407-419-5425 Fam 497-939-5425

ORANGE COUNTY GOVERNMENT LORIDA

GENERAL NOTES

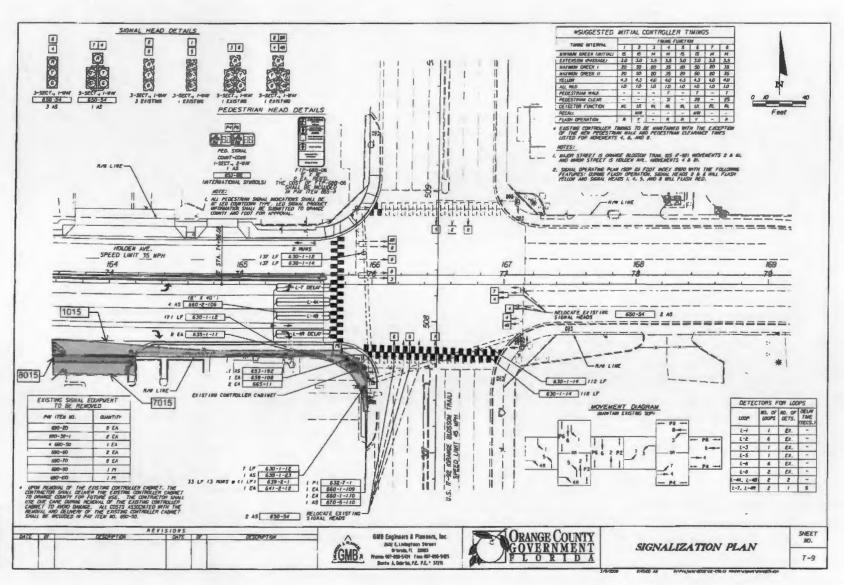
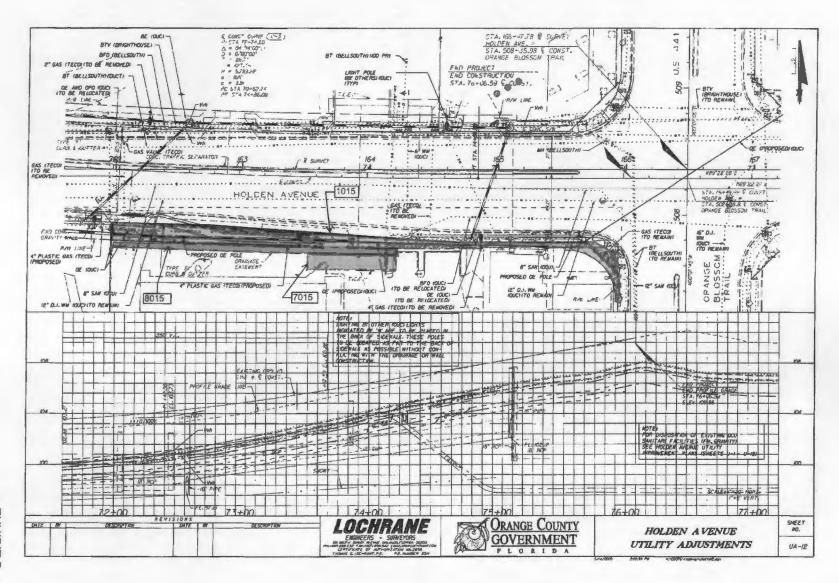


EXHIBIT B Page 27 of 28



Orange County v. Orlando South Trail Plaza, LLC, et al., Case No. 2014-CA-10828-O January 28, 2015

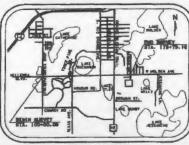
EXHIBIT C Page 1 of 4

CIP#3045 Holden Avenue - John Young Parkway to Orange Biossom Trail Parcels: 1015/7015/8015

RIGHT OF WAY MAPS FOR HOLDEN AVENUE SEGMENT 1

JOHN YOUNG PARKWAY TO ORANGE BLOSSOM TRAIL (US 441) C.I.P. NO. 3045 **COUNTY CONTRACT Y2-818** DISTRICT NO. 6 ORANGE COUNTY, FLORIDA

GENERAL NOTES:



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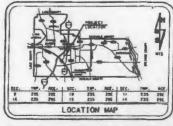
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BOARD OF COUNTY COMMISSIONERS

RICHARD T. CROTTY	COUNTY MAYOR
S. SCOTT BOYD	DISTRICT I
FREDERICK BRUMMER	DISTRICT 2
MILDRED FERNANDEZ	DISTRICT 3
LINDA STEWART	DISTRICT
BILL SEGAL	DISTRICT
TIFFANY MOORE	DISTRICT
HARY W MASSARO, R.F.	DIRECTOR OF PUBLIC WORKS

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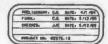


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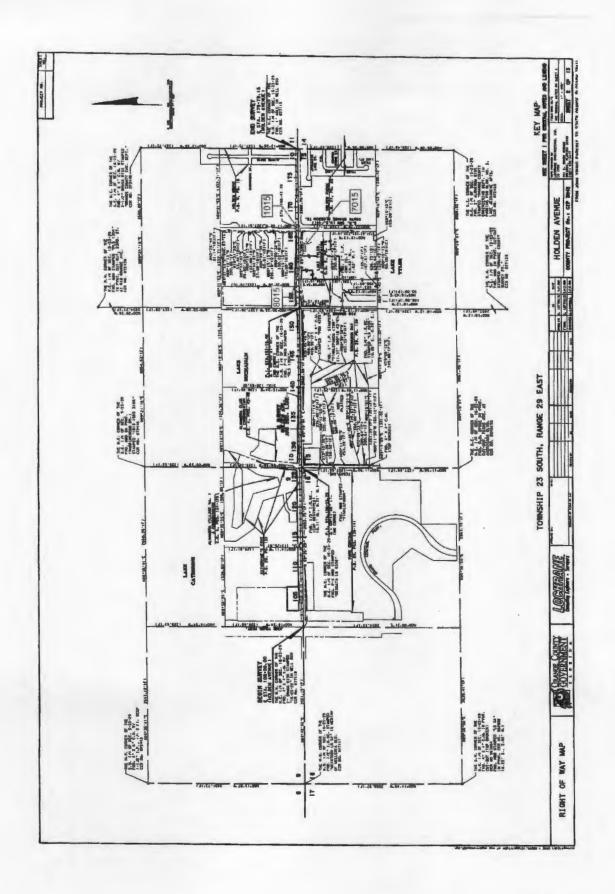


EXHIBIT C Page 2 of 4

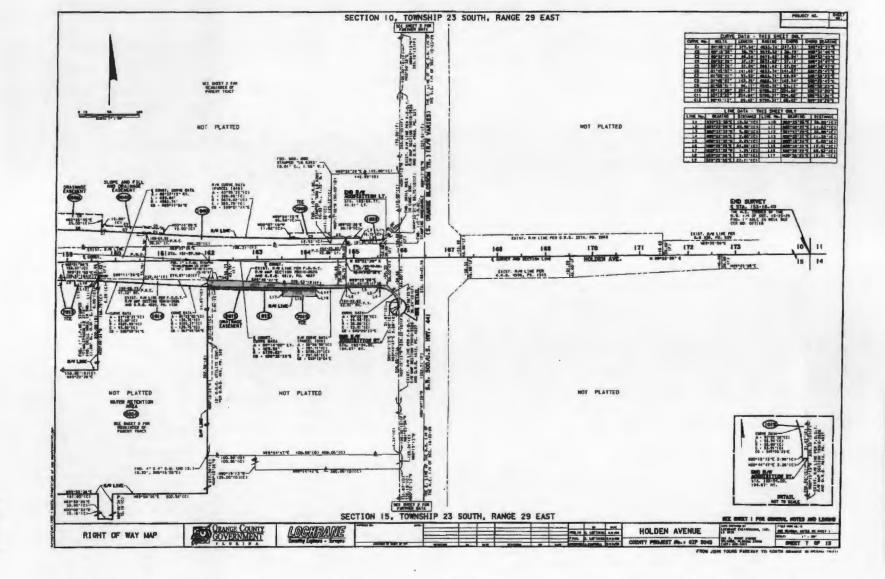


EXHIBIT C Page 3 of 4

PARCEL	SHEET	NAME	AREA	REMA	INDERS	POWERTE	RECORDING DATA	Deutet	ON BLOCK
NO.	NO.		AREA TAKEN	LEFT	RIGHT	COMMENTS	RECUMULING DATA	MCA121	ON BLOCK
1000 -	10/A	MOT USED	M/A	M/A	M/A				
1001	1			_	-		Total Control of the		
1002	3	ORANGE COUNTY B.C.C.	6,662 0.4.	N/A	187A				
1003	3	SERGE P. BESAMGER	7,808 a. f.	N/A	2.443 ac.	SLOPE AND FILL EASEMENT	0.R.S. 9730, PO. 5036		
BOOSA			280 a.f.			DRAINAGE EASENEWT			
8004	1	LIFFEY BELWONT 111, LLC	1	0	19.881 oc.	DRAINAGE EASEMENT	0.8.8. 9705, PG. 223		
8001	314010	CIPPET BELIEVE III, LEC	5,862 0.7.	-	19.881 00.	Dura Luarde Evorale H.	D.R.S. 9105, PS. 223		
1005	4,9,10	LIFFEY BELMONY [], LLC	1.086 s.f.	H/A	23.034 oc.		D.R.B. 9705, PS. 217		
1006	2.450	BUCHAMAN BAY, LTD.	2,847 1-7-	H/A	23.450 pc.		0.R.B. 5510, PG. 940		
1006A	117.000	Department Bart City	1,861 6.7.	1971	231700 001		WINTER 23767 FG. 340		
7006			1,879 a.f.			TEMPORARY CONSTRUCTION EASEMENT			
8006			626 g. f.			SLOPE AND FILL EASENENT			
			-	***************************************					
1007	2,5,0	MORTGAGE INVESTORS [1], LLC	5,184 a-f.	H/A	11.937 ac.		U.R.S. 2976, PG. 1924		
1009	4,5,9	CITY OF ORLANDO AND ORLANDO UTILITIES COMMISSION	7.047 m.f.	H/A	1.702 00.	TEMPORARY CONSTRUCTION EASEMENT	O.R.B. 412, PG. 687		
8008			154 s.f.			SLOPE AND FILL EASEMENT			
BODB		LOUIS J. CELENZA, TRUSTEE	1.000 s.f.	H/A	15,000 a.f.	SLOPE AND FILL EASENENT	0.8.8. \$789, PG. 2560		
1010	5	LOUIS J. CELENZA, TRUSTEE AND ONEN R. LOVEJOY II	4.730 a.f.	H/A	3.124 on.		0.R.S. 6184, PG. 3453 AMD 0.R.S. 10014, PG. 6689		
0108			4,649 6.1.			SLOPE AND FILL EASEMENT			
BOIGE			4,474 p.f.			DRAI NAGE EASEMENT			
1014	5.6	CHOMBER APARYMENTS LP	0.564 90.	N/A	14.778 oc.		D.R.S. 9179, PG. 4444		
-7011-			-2+640-oute			VOID - PARCEL SPLIT INTO TOLIA AND TOLIB			
TOTTA			1.721 0.7.			TEMPORARY CONSTRUCTION EASEMENT			
70118 8011	-		821 s.f.	-		TEMPORARY CONSTRUCTION EASEMENT SLOPE AND FILL EASEMENT			
BOILA			1.468 E. T.			DRAFMAGE EASEMENT			
80118			3,500 a.f.			WALL MAINTENANCE EASEMENT			
8011C			100 8.1.	-		DRAINAGE EASEMENT			
1012	2.6	LAKE TYLER COMOD ASSOCIATION	3,217 a.f.	H/A	9.874 00.				
7010			-1+700 mele			VOID - PARCEL SPLIT INTO TOIZA AND TOIZE			-
A\$107			1.060 a.f.			TEMPORARY CONSTRUCTION EASEMENT			
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-1913-	6,7	ABARY HOLDINGS, LLC	-076-m-f	N/A	0.679 ac.	VOID - PARCEL DELETED	D.R.B. 9887. PG. 9379	TACK THE	
6013			900 s. F.		4-913 OGL	DRAINAGE EASEMENT			
1014	242	ARRIVE DI COCCUI TRATA CON ANDO. LLC	2 202 4 4	444	12 200		6 6 8 8440 PC 3874		
9014	2,0,1	GRANGE BLOSSOM TRAIL OFLANDO, LLC	2,282 4.f. 5.056 oc.	M/A	12-859 00-	WATER RETENTION AREA	0.8.8. 9449, PG- 3874		
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EXHIBIT C Page 4 of 4



January 11, 2017

Orange County Government Community, Environmental and Development Services Department 201 Rosalind Avenue Orlando, Florida 32801

Attn: Carol Knox, Zoning Manager

Re: Holden Avenue Widening

Orange County Project No.: 3045 Parcel No.: 1015 / 8015 / 7015

NYR Properties, LLC (South Trail Plaza)

15-23-29-0000-00-011 (commercial strip center) & 15-23-29-0000-00-059 (outparcel restaurant)

Dear Ms. Knox:

Kelly, Collins & Gentry, Inc. (KCG) is assisting Orange County with right of way acquisitions for the above referenced property. Enclosed please find various exhibits and photos of the property located at 4700 & 4714 South Orange Blossom Trail (southwest corner of SOBT and Holden Avenue) in unincorporated Orange County.

The subject property is a ± 3.3 acre improved multi-tenant shopping center known as South Trail Plaza with a free standing restaurant use at the near corner of the intersection. The Orange County right of way acquisition consists of three parts:

- Parcel 1015: a variable width fee simple strip along the Holden Avenue frontage totaling 3,730 sf in size,
- Parcel 8015: a 5 ft wide permanent easement at the northwest portion of the property totaling 1,123 sf in size, and;
- Parcel 7015: a temporary construction easement located at the easterly driveway connection to Holden Avenue totaling 864 sf in size.

Affected site improvements include:

Parcel 1015: Two driveway connections to Holden Avenue, asphalt /
pavement areas, drainage inlet, curbing, pavement markings, palm trees and
various landscaping, portions of concrete walkways, and the restaurant pole
sign in the northeast corner of the property.

Ms. Carol Knox January 11, 2017 Page 2

- Parcel 8015: Asphalt area, pavement markings, a portion of one parking space, curbing, bollard, a portion of the perimeter fencing, and landscaping.
- Parcel 7015: Concrete curbing, landscaping, asphalt area and partial encroachment into two parking spaces.

The site was first developed in the 1950's and predates the current county land development regulations. In accordance with Section 38-46, it is the intent of the county to permit nonconformities to continue until they are removed or damaged to the extent of seventy-five (75) percent or more of the assessed value.

In the before condition prior to the taking, the property was nonconforming to landscaping, parking, building setbacks and signage as described below:

• <u>Landscaping:</u> In accordance with Chapter 24, where a vehicular use area lies adjacent to a public roadway the site shall provide a 7 ft wide landscaped strip with 1 tree per 40 lf and continuous 30 inch hedge row. The subject property is improved with minor landscaping improvements along portions of the Holden Avenue frontage consisting of palm trees, hedges and ground cover, generally nonconforming to minimum code standards.

The fee simple acquisition (Parcel 1015) will further reduce the nonconforming buffer width to ± 1.5 ft wide in areas impacted much of the existing landscape material.

Parking: The current retail shopping center includes approximately 36,282 sf
of leasable retail / commercial space requiring 200 spaces. The outparcel
restaurant use requires approximately 10 additional spaces (210 total spaces
required). As improved, the outparcel restaurant is striped with 9 spaces and
the center with 141 spaces (150 total spaces).

The roadway construction will impact the north portion of the site rendering seven parking spaces along the north side of the building functionally obsolete. As a result, overall parking in the after condition is reduced from 150 spaces to 143 spaces, a percentage loss of 4,7%.



Ms. Carol Knox January 11, 2017 Page 3

<u>Building Setbacks</u>: The restaurant building in the northeast corner of the site
was built in 1968 and is setback ±4.92 ft from Holden Avenue. Per Section
38-855 of the Orange County Land Development Code the required setback
from Holden Avenue is 25 ft.

As a result of the right of way acquisition (Parcel 1015), the outparcel building setback is reduced from ± 4.92 ft to ± 1.26 ft, increasing the setback nonconformity.

<u>Signage:</u> The property is improved with two permanent business signs. The
permanent pole sign for the Plaza is located along South Orange Blossom
Trail outside the limits of the acquisition. The restaurant pole sign is located
in the northeast corner of the property. In the before condition, the restaurant
sign is otherwise conforming with the exception of a 2.5 ft setback from the
property line.

The restaurant sign is located within the area of acquisition; however, there is sufficient area within the remainder property to reestablish the sign at the minimum required 10 ft setback, in compliance with code.

Orange County / KCG Cured Remainder Plan

On behalf of the Orange County Public Works Department, KCG has prepared a Cured Remainder Plan (attached) to address site improvements impacted by the acquisitions to the greatest extent possible, and in a manner that does not adversely affect the health, safety or welfare of the general public.

In the northwest portion of the site, the cure plan proposes to restore site circulation by providing a 22 ft wide drive aisle. Additional cure activities include modification of the covered walkway at the northeast corner of the plaza, and minor drainage improvements. In the northeast portion of the site, cure activities include a new business sign for the restaurant in compliance with code, new palm trees, landscaping and irrigation repairs as necessary.

The cured remainder plan endeavors to comply with applicable codes and ordinance to the extent possible (e.g. new business signage). However, where the inherent hardship created by the governmental taking places limitations upon redevelopment alternatives, relief from code is proposed.



Ms. Carol Knox January 11, 2017 Page 4

xc:

Action to be Taken:

Pursuant to Section 30-637 of Article XIII, Eminent Domain Waivers, Exceptions and Variances, we are requesting a waiver from the Zoning Manager for relief from the nonconforming conditions previously identified and reflected on the attached Cured Remainder Plan dated 10/24/16.

Your signature below shall constitute approval of this request. Please provide any comments or conditions as necessary.

Thank you for your assistance with this matter.

Respectfully Submitted,

KELLY, COLLINS & GENTRY, INC.

Hal Collins, Jr., P.E.

Principal

Enclosures

Carol Knox, Zoning Manager

Comments:

OA) (Project/Conne Courty V7-901-DRN/chim Autorich mades wasen heter mages/847 1015 south trail stem wasen latter #10017-for

Damian Czapka, P.E., Orange County Public Works

Ted Hastings, MAI, The Spivey Group, Inc.

Elaine M. Asad, Esq., Orange County Attorney's Office Christopher Langton, Orange County Real Estate Division



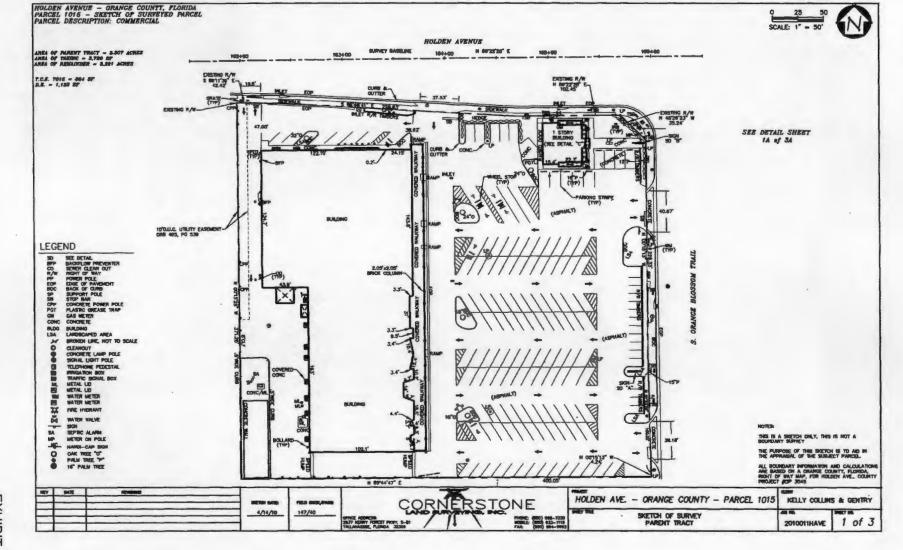
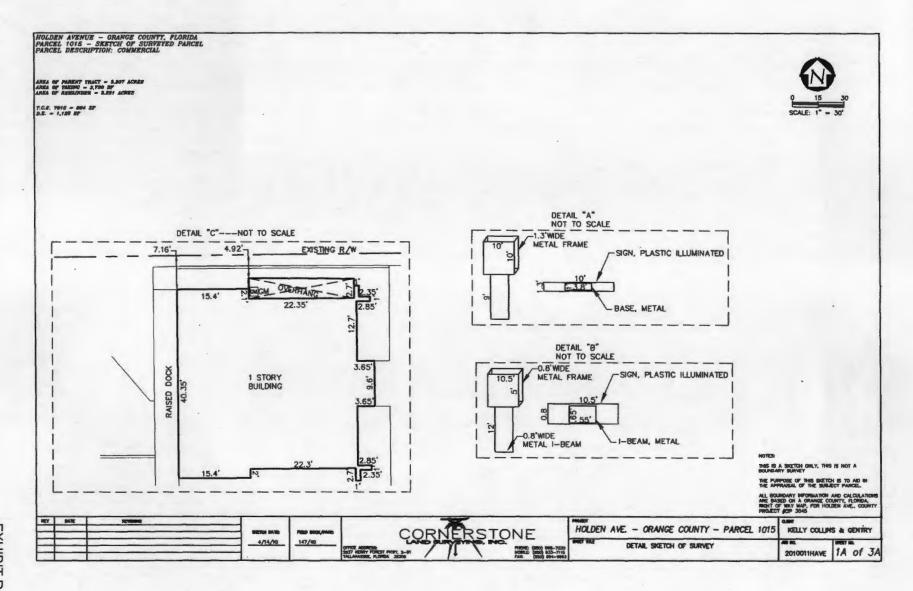


EXHIBIT D Page 5 of 13





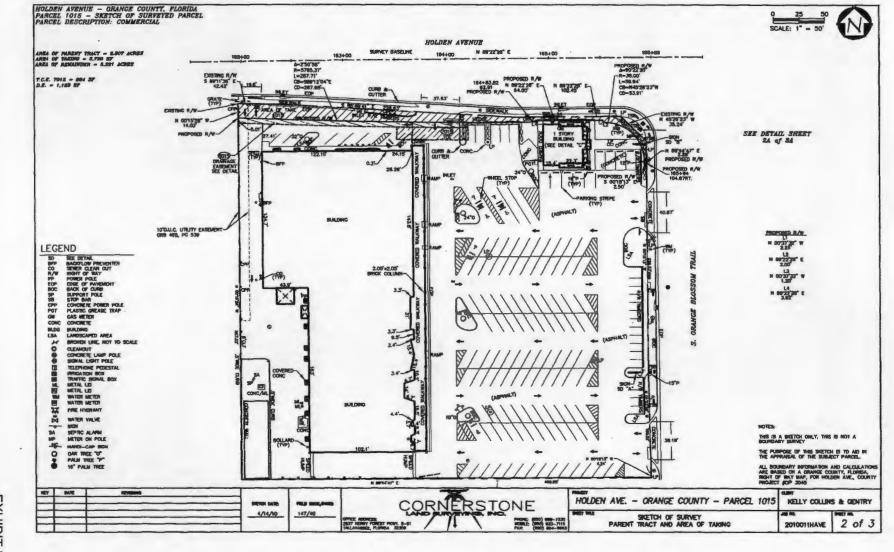
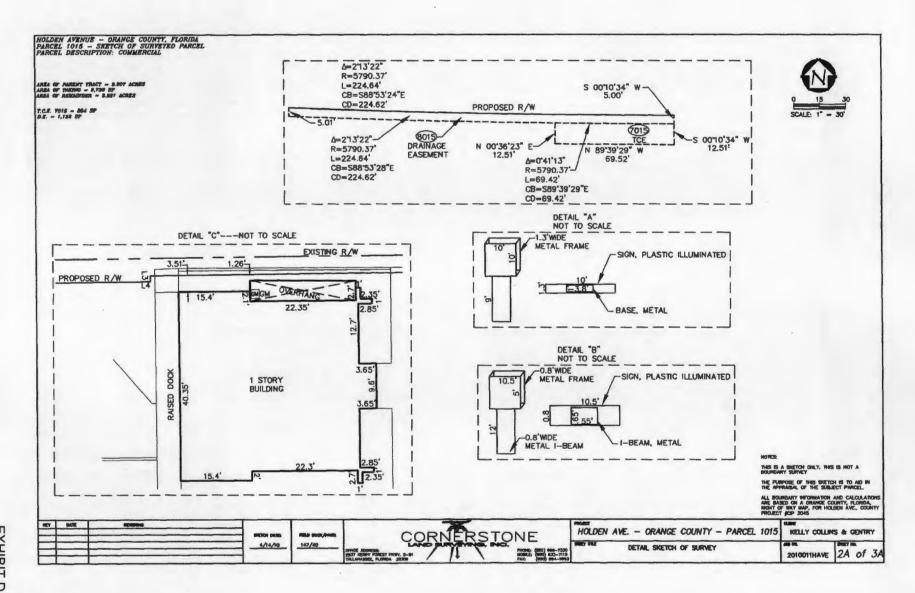
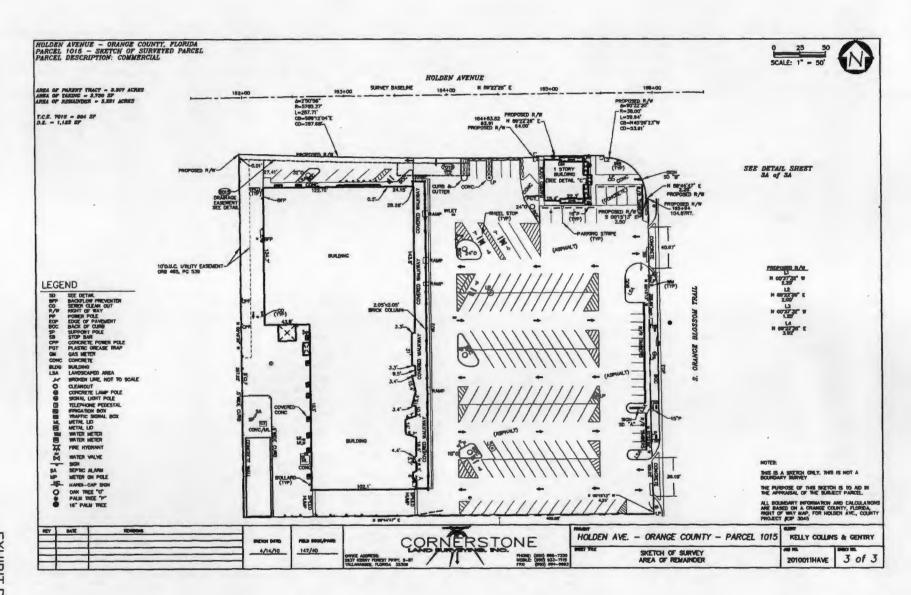
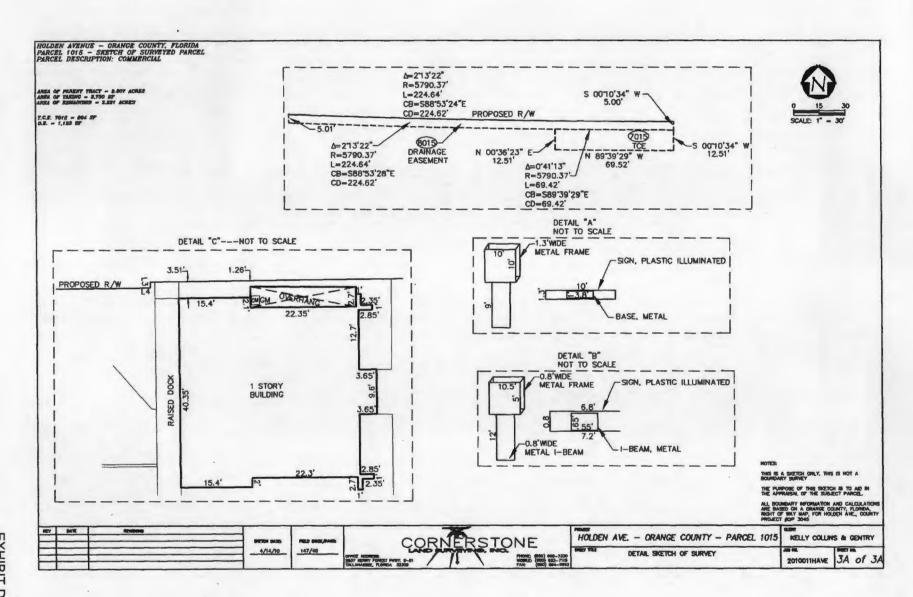
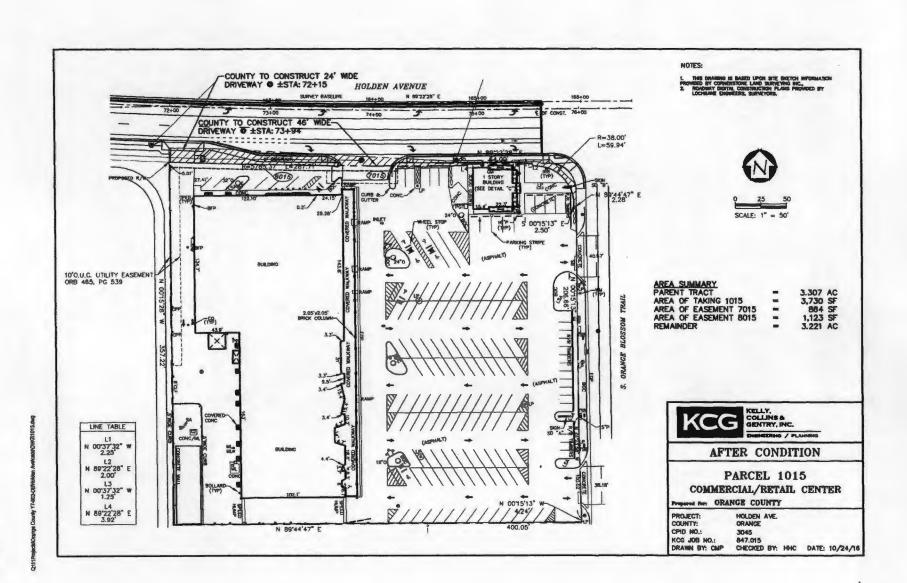


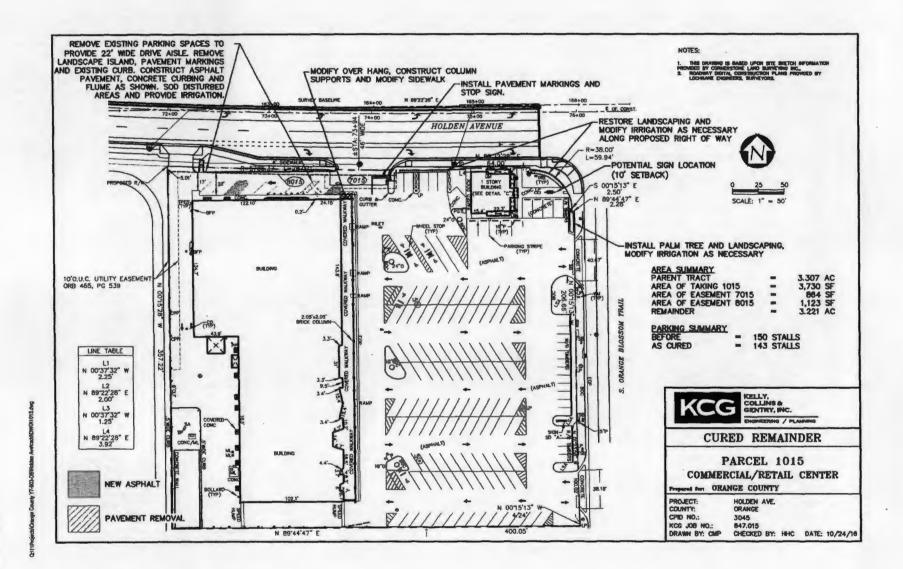
EXHIBIT D Page 7 of 13











Page 12 of 13





EXHIBIT D Page 13 of 13

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2014-CA-10828-O DIVISION: 39

ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida.

Petitioner,

PARCELS: 1015/7015/8015

ORLANDO SOUTH TRAIL PLAZA, LLC, a Florida limited liability company; CITIZENS BANK OF FLORIDA, a Florida banking corporation; CHINA HOT EXPRESS LLC, a Florida limited liability company; EL TIJUANA SPORT BAR LLC, a Florida limited liability company; SOUTHWEST MEGA MEATS SUPERMARKET, INC., a Florida corporation; ACE CASH EXPRESS, INC., a Texas corporation; NICOLE LEBLANC, doing business as Jean Nicole Unisex Beauty Salon; KONIG INVESTMENT GROUP, LLC, a Florida limited liability company doing business as Great Rooms Sales and Lease Purchase; CITY OF ORLANDO, a municipal corporation; ORLANDO UTILITIES COMMISSION, a statutory commission; and SCOTT RANDOLPH, ORANGE COUNTY COLLECTOR; and NYR PROPERTIES, LLC,

Respondents	•
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STIPULATED FINAL JUDGMENT

THIS CAUSE having come upon joint motion for the entry of a Stipulated Final Judgment made by, ORANGE COUNTY, FLORIDA, a political subdivision of the State of Florida ("ORANGE COUNTY"), and Respondent, NYR PROPERTIES, LLC ("NYR PROPERTIES"), and

it appearing to the Court that the parties were authorized to enter into such motion, and the Court finding that the compensation to be paid by ORANGE COUNTY is full, just and reasonable for all parties concerned, and the Court being fully advised in the premises, it is therefore,

ORDERED AND ADJUDGED:

- 1. This Court has jurisdiction over the subject matter and parties to this cause.
- 2. Proper notice was first given to all Respondents and all persons having or claiming any equity, lien, title or other interest in or to the subject real property, which is described in **Exhibit A** attached hereto and incorporated herein by reference ("Parcels 1015/7015/8015").
- 3. The pleadings in this cause are sufficient, and ORANGE COUNTY is properly exercising its delegated authority.
- 4. Parcels 1015/7015/8015 were acquired for a public purpose and the taking of those parcels were reasonably necessary to serve the public purpose for which the property is being acquired.
- 5. The estimates of value filed in this cause by ORANGE COUNTY were made in good faith, and based upon valid appraisals.
- 6. As full compensation for the taking of Parcels 1015/7015/8015, including land, improvements, severance damages, and cures, but excluding attorney's fees and costs and expert's fees and costs, Respondent, NYR PROPERTIES, is entitled to recover from ORANGE COUNTY the sum of SIX HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$664,200.00).
- 7. ORANGE COUNTY is entitled to a credit for the funds previously deposited for Parcels 1015/7015/8015 in the amount of THREE HUNDRED THIRTY-SEVEN THOUSAND FOUR HUNDRED DOLLARS AND NO/100 (\$337,400.00) against the above sum of \$664,200.00, resulting in a remaining amount due of THREE HUNDRED TWENTY-SIX THOUSAND EIGHT

HUNDRED AND NO/100 DOLLARS (\$326,800.00) to be paid as directed in paragraph 8 below.

Respondent, NYR PROPERTIES acknowledges it has withdrawn the amount deposited of \$337,400.00, pursuant to the Order of Taking.

- 8. Within thirty (30) days from the entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY shall pay, to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, the sum of THREE HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$326,800.00), that amount being the difference between the full payment required by this Stipulated Final Judgment and the amount deposited pursuant to the Order of Taking.
- 9. Within thirty (30) days from the entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY shall pay to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, LLC, the sum of ONE HUNDRED FOURTEEN THOUSAND EIGHT HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$114,825.00) as full payment for all attorneys' fees for all services in this case. Respondent, NYR PROPERTIES, and its counsel, as a condition of this settlement, have waived any claim for computation of attorney's fees for non-monetary benefits arising out of ORANGE COUNTY's acquisition of Parcels 1015/7015/8015 or any provision in the Order of Taking or this Final Judgment.
- 10. Within thirty (30) days from the entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY shall pay, to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, the sum of THIRTY-SIX THOUSAND EIGHT HUNDRED FORTY-FIVE AND

77/100 DOLLARS (\$36,845.00) as reasonable experts fees and costs and attorney costs.

- 11. Within thirty (30) days from entry of this Stipulated Final Judgment, Petitioner, ORANGE COUNTY, shall pay to the Trust Account of Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, as attorneys for the Respondent, NYR PROPERTIES, those sums set forth in paragraphs 8, 9 and 10 above, which represents full compensation for Parcels 1015/7015/8015, attorney fees and costs, and expert fees and costs as set forth above.
- 12. The project shall be constructed by ORANGE COUNTY in accordance with the construction plan sheets relating to Parcels 1015/7015/8015, attached hereto as **Exhibit B**, and incorporated herein by reference ("Construction Plans").
- 13. A copy of the right-of-way maps relating to Parcels 1015/7015/8015, are attached hereto as **Exhibit C** and incorporated herein by reference ("Right-of-Way Maps").
- 14. ORANGE COUNTY has approved waivers of increased non-conforming conditions applicable to the subject property in accord with Orange County Code of Ordinances Section 30-637 of Article XIII, Eminent Domain Waivers, Exceptions and Variances, as set forth in the January 11, 2017 letter from Kelly, Collins & Gentry, Inc., with attachments, and approved by Carol Knox, Orange County Zoning Manager on January 13, 2017, attached hereto as **Exhibit D**.
 - 15. This Court orders that title to the following described property, to-wit:

SEE ATTACHED EXHIBIT "A"

which vested in the Petitioner pursuant to the Order of Taking and deposit of money heretofore made is approved, ratified and confirmed.

16. This Court retains jurisdiction to enforce the terms and conditions contained herein of this Stipulated Final Judgment.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida this <u>20</u> day of <u>Mucu</u>, 2017.

CHRISTI L. UNDERWOOD

Circuit Judge

Copies to:

Elaine Asad Esq., Orange County Attorney's Office, P.O. Box 1393, Orlando, FL 32806-1393 Andrew Prince Brigham, Esq., Brigham Property Rights Law Firm, PLLC, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217.

Conformed and Mailed
MAR 2 1 2017
LISA MOHAMED

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SCHEDULE "A"

PARCEL No.: 1015
ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT OF WAY

DESCRIPTION:

That part of:

"Fram the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 23 South, Range 29 East, run South 415.95 feet; thence West 49.27 feet to the point of beginning on the Westerly right of way line of South Orange Biossom Trail. Thence run West at right angles to said Orange Biossom Trail right of way 400 feet; thence North parallel to said Orange Biossom Trail right of way 413.5 feet to the North line of said Northwest 1/4 of the Northeast 1/4; thence East 400 feet along said North line of the Northwest 1/4 of the Northeast 1/4 to the West right of way line of South Orange Biossom Trail; thence South along said right of way line to the point of beginning. Subject to an easement to the County of Orange over the North 30 feet thereof for Holden Avenue.

Lesse

Commence at the Northwest Corner of the Northeast 1/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida: thence run N89°22'36'E, along the North line of the Northeast 1/4 of said Section 15. a distance of 497.61 feet; thence SOO°37'24"E, a distance of 30.0 feet to the existing South right-of-way line of Holden Avenue far a POINT OF BEGINNING, sold point being on the East line of the West 165 feet of the East 3/4 of the Northwest I/4 of the Northeast I/4 of said Section I5; thence N89°22'36"E along said South right-of-way line, a distance of 782.48 feet to the existing West right-of-way line of State Road 500; thence S00°15'05'E along said West right-of-way line, a distance of 381.34 feet: thence departing said right-of-way line; run NOI°23'50"W, a distance of 100.02 feet; thence NO0°15°05"W along a line being 2 feet Westerly of and parallel with said West right-of-way line, a distance of 228.33 feet; thence N45°26'15"W, a distance of 35.24 feet, thence 589°22'36"W along a line being 58 feet Sautherly of and parallel with the North line of the Northeast 1/4 of said Section 15, a distance of 102.45 feet; thence N86°48'33" W, a distance of 228.63 feet; thence N89°11'28"W, a distance of 274.87 feet; thence N88°21'42"W, a distance of 150.07 feet to the POINT OF BEG[NNING.

(Said property being the same lands as described in Official Records Book 430, Page 351 less the lands described in Official Records Book 4612. Page 4827 of the Public Records of Orange County, Florida.)

described as follows:

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, IN

8/21/

HOT VALID WITHOUT THE SIBNATURE DO ORIGINAL RAISED SEAL OF A FLOUDA LICENSED SURVEYOR AND MAPPER

<u>LOCHRANE</u>

Consulting Engineers • Surveyors

20) South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

 PROJECT NAME:
 HOLDEN AVENUE

 DRAWN BY:
 C. LEFTAKIS
 DATE:
 7/13/04
 SCALE:
 N/A

 CHECKED BY:
 J. CAMPBELL
 DATE:
 7/13/04
 LEI JOB No.:
 02076JO

 SEC. IS, TWP. 23
 S., RGE. 29 E.
 REVISED:
 II/IO/O5
 SHEET
 I
 OF
 4

SCHEDULE "A"

PARCEL No.: 1015 ESTATE: FEE SIMPLE

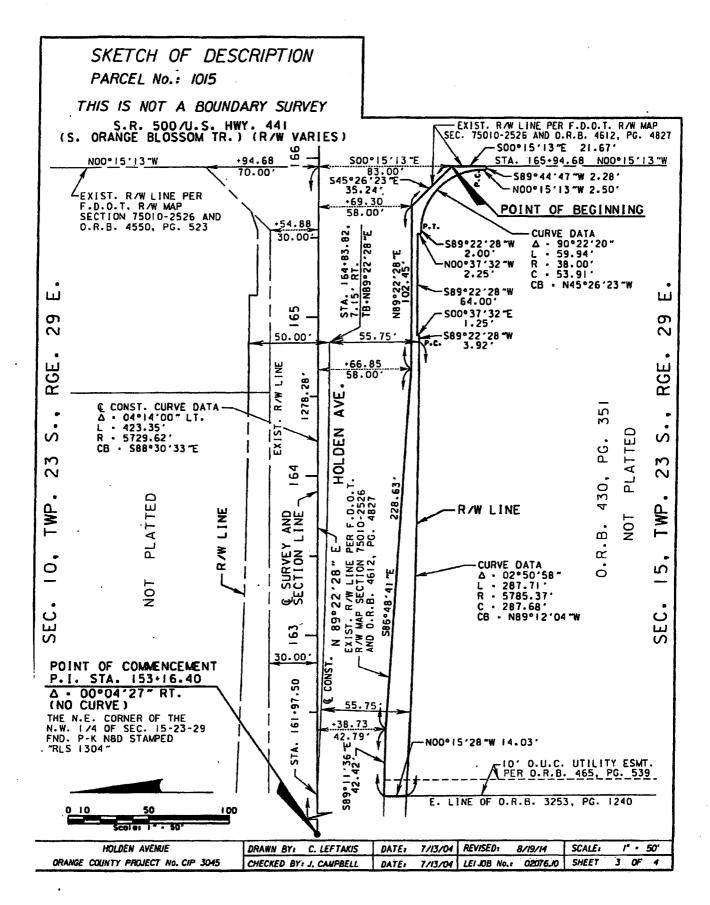
PURPOSE: ROAD RIGHT OF WAY

DESCRIPTION: (CONTINUED FROM SHEET I)

Commence at a P-K nail and disk stamped "RLS 1304" marking the Northeast corner of the Northwest 1/4 of Section 15, Township 23 South, Ronge 29 East, Orange County, Florido, said point being on the Centerline of Survey of Holden Avenue as shown on Orange County . Right of Woy Mop, County Project CIP 3045; thence run North 89°22'28" East olong the North line of soid Northwest I/4 and soid Centerline of Survey of Holden Avenue a distance of 1278.28 feet to a point on the Northerly projection of the West right of way line of South Orange Blossom Trall (State Road 500/United States Highway 441) as shown on said Right of Way Map: thence departing said North line and said Centerline of Survey run South 00°15′13″ East along said Northerly projection a distance of 83.00 feet to a point on the South right of way line of Holden Avenue as shown on said right of way map, for o Point of Beginning; thence continue South 00°15'13" East along sold West right of way line of South Orange Biossom Trall o distance of 21.67 feet; thence departing sold West right of way line of South Orange Biossom Trail run South 89°44'47" West a distance of 2.28 feet; thence North 00°15'13" West a distance of 2.50 feet to the point of curvature of a curve concave Southwesterly having a radius of 38.00 feet and a chord bearing of North 45°26'23" West: thence run Northwesterly along the arc of sold curve through a central angle of 90°22'20" a distance of 59.94 feet to the point of tangency; thence run South 89°22'28" West porollel with the aforesald Centerline of Survey of Holden Avenue a distance of 2.00 feet; thence North 00°37'32" West a distance of 2.25 feet; thence South 89°22'28" West parallel with said Centerline of Survey a distance of 64.00 feet; thence South 00°37°32" Eost o distance of 1.25 feet; thence South 89°22'28" West porallel with said Centerline of Survey a distance of 3.92 to the point of curvature of a curve concave Northerly having a radius of 5785.37 feet and a chord bearing of North 89°12'04" West: thence run Westerly along the arc of said curve through a central angle 02°50°58" a distance of 287.71 feet to a paint on the West line of that certain parcel of land described in Official Records Book 3253, Page 1240 of the Public Records of Orange County, Florido: thence deporting sold curve run North 00°15'28" West along sold East line a distance of 14.03 feet to the aforesoid South right of way line of Holden Avenue; thence run South 89°11'36" East along sold South right of way line of Holden Avenue o distance of 42.42 feet; thence run South 86°48'41" East continuing along sold South right of woy line of Holden Avenue a distance of 228.63 feet; thence run North 89°22'28" East continuing along said South right of way line of Holden Avenue a distance of 102.45 feet to a point on the aforesoid Westerly right of way line of South Orange Blassom Trail: thence deporting said South right of way line of Holden Avenue run South 45°26'23" East olong sold Westerly right of way line of South Orange Blossom Troll a distance of 35.24 feet to the Point of Beginning.

Containing 3,730 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 7/13/04	REVISED: 8/19/14	SCALE:	N/A
ORANGE COUNTY PROJECT No. CIP. 3045	CHECKED BY: J. CAMPBELL	DATE: 7/13/04	LEI JOB No.: 02076.10	SHEET 2	OF 4



SKETCH OF DESCRIPTION PARCEL No.: 1015

THIS IS NOT A BOUNDARY SURVEY

GENERAL NOTES:

- I. THIS IS NOT A BOUNDARY SURVEY.
- 2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF
 SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING
 N.89°35'29°E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY
 PROJECT No. CIP 3045.
- 3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 3,730 SQUARE FEET, MORE OR LESS.
- 4. SEE SHEETS I THROUGH 2 FOR LEGAL DESCRIPTION: SEE SHEET 3 FOR PARCEL SKETCH.
- 5. SEE RIGHT OF WAY MAP SHEET 7 OF 13 FOR THIS PARCEL.

LEGEND:

E	CENTERL INE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
С	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
D	DEGREE OF CURVE	R	RADIUS
EXIST.	EXISTING	(R)	RADIAL
FND.	FOUND	RGE.	RANGE
10.	IDENTIFICATION	RT.	RIGHT
L	LENGTH	R/W	RIGHT OF WAY
LB	LICENSED BUSINESS	SEC.	SECTION .
LT.	LEFT ' '	STA.	STATION
O.R.B.	OFFICIAL RECORDS BOOK	7	TANGENT
P.B.	PLAT BOOK	<i>TB</i> .	TANGENT BEARING
		TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 7/13/04	REVISED: 11/10/05	SCALE:	N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 7/13/04	LEI JOB No.: 02076.10	SHEET	4 OF 4

SCHEDULE "B"

HOLDEN AVENUE PARCEL 1015

FEE SIMPLE

Parcel 1015: the interest being acquired is fee simple.

SCHEDULE "A"

PARCEL No.: 8015

ESTATE: PERPETUAL EASEMENT

PURPOSE: DRAINAGE

DESCRIPTION:

That part of:

From the Northeast corner of the Northwest I/4 of the Northeast I/4 of Section I5. Township 23 South, Range 29 East, run South 415.95 feet; thence West 49.27 feet to the point of beginning on the Westerly right of way line of South Orange Blossom Troll. Thence run West of right angles to said Orange Blossom Troll right of way 400 feet; thence North parallel to said Orange Blossom Troll right of way 413.5 feet to the North line of said Northwest I/4 of the Northeast I/4; thence East 400 feet along said North line of the Northwest I/4 of the Northeast I/4 to the West right of way line of South Orange Blossom Trall; thence South along said right of way line to the point of beginning. Subject to an easement to the County of Orange over the North 30 feet thereof for Holden Avenue.

Less

Commence of the Northwest Corner of the Northeast 1/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida: thence run N89°22°36"E, along the North line of the Northeast 1/4 of said Section 15, a distance of 497.61 feet; thence S00°37'24"E, a distance of 30.0 feet to the existing South right-of-woy line of Holden Avenue for a POINT OF BEGINNING, said point being on the East line of the West 165 feet of the East 3/4 of the Northwest I/4 of the Northeast I/4 of said Section 15; thence N89°22'36"E along said South right-of-way line, a distance of 782.48 feet to the existing West right-of-way line of Stote Road 500: thence SOO°15'05'E along said West right-of-way line, a distance of 381.34 feet; thence departing said right-of-way line; run NOI*23'50"W, a distance of 100.02 feet: thence NOO°15'05"W along a line being 2 feet Westerly of and parallel with said West right-of-way line, a distance of 228.33 feet; thence N45°26'15"W, a distance of 35.24 feet, thence S89°22'36"W along a line being 58 feet Southerly of and parallel with the North line of the Northeast 1/4 of said Section 15. a distance of 102.45 feet; thence N86°48'33" W. a distance of 228.63 feet; thence N89°11'28"W. a distance of 274.87 feet; thence N88°21'42"W, o distance of 150.07 feet to the POINT OF BEGINNING.

(Said property being the same lands as described in Official Records Book 430, Page 351 less the lands described in Official Records Book 4612, Page 4827 of the Public Records of Orange County, Florida.)

described as follows:

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING. INC.

51.51CA)

CAMP AMP

8/21/14

OHN J. CAUPBELL, R.

P.S.M. NO. 5522

NOT VALID WITHOUT THE SIGNATURE WID ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florido 32803 (407) 896-3317

PROJECT NAME: HOLDEN AVENUE

 DRAWN BY:
 C. LEFTAKIS
 DATE:
 II/IO/05
 SCALE:
 N/A

 CHECKED BY:
 J. CAMPBELL
 DATE:
 II/IO/05
 LEI JOB No.:
 02076.IO

 SEC.
 IS, TWP.
 23 S., RGE.
 29 E.
 REVISED:
 8/7/07
 SHEET
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 OF
 4

LOCHRANE

SCHEDULE "A"

PARCEL No.: 8015

ESTATE: PERPETUAL EASEMENT

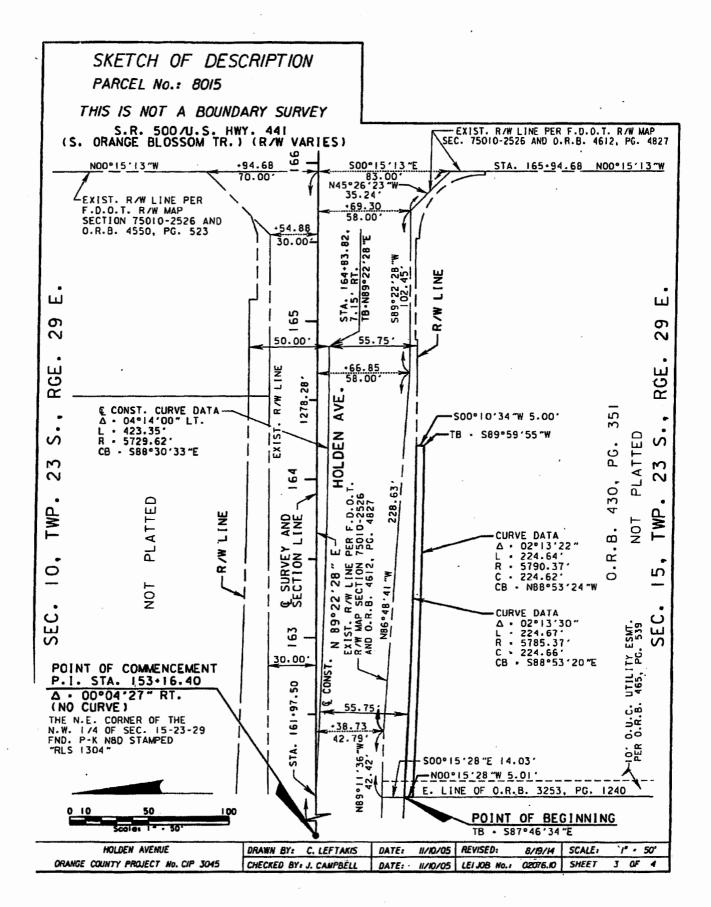
PURPOSE: DRAINAGE

DESCRIPTION: (CONTINUED FROM SHEET I)

Commence at a P-K nail and disk stamped "RLS 1304" marking the Northeast corner of the Northwest I/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida, said point being on the Centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the North line of said Northwest 1/4 and said Centerline of Survey of Holden Avenue a distance of 1278.28 feet to a point on the Northerly projection of the West right of way line of South Orange Biossom Trail (State Road 500/United States Highway 441) as shown on sold Right of Way Map; thence departing sold North line and sold Centerline of Survey run South 00°15'13" East along said Northerly projection a distance of 83.00 feet to a point on the South right of way line of Holden Avenue as shown on sold right of way map: thence run North 45°26'23" West along said South right of way line a distance of 35.24 feet: thence South 89°22'28" West continuing along said South right of way line a distance of 102.45 feet; thence North 86°48'41" West continuing along sold South right of way line o distance of 228.63 feet; thence North 89°11'36" West continuing along said South right of way line a distance of 42.42 feet to a point on the East line of that certain parcel of land described in Official Records Book 3253, page 1240 of the Public Records of Orange County, Florida, and shown on sold Right of Way Map: thence departing sold South right of way line run South 00°15'28" East along sold East line a distance of 14.03 feet for a Point of Beginning, said point being a point on a curve concove Northerly having a radius of 5785.37 feet and a chard bearing of South 88°53'20" East; thence deporting said East line from a tangent bearing of South 87°46'34" East run Easterly along the arc of sold curve through a central angle of 02°(3'30" a distance of 224.67 feet; thence departing sold curve run South 00°10'34" West a distance of 5.00 feet to the beginning of a nontangent curve concentric with the aforesaid curve having a radius of 5790.37 feet and a chard bearing of North 88°53'24" West; thence from a tangent bearing of South 89°59'55" West run Westerly olong the orc of said curve through a central angle of 02°13'22" a distance of 224.64 feet to a point on the East line of the aforesold parcel of land, thence deporting sold curve run North 00°15'28" West along said East line a distance of 5.01 feet to the Point of Beginning.

Contoining 1,123 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 11/10/05	REVISED: 8/19/14	SCALE: N/A
GRANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 11/10/05	LEI JOB No.: 02076.10	SHEET 2 OF 4



SKETCH OF DESCRIPTION
PARCEL No.: 8015
THIS IS NOT A BOUNDARY SURVEY

GENERAL NOTES:

- I. THIS IS NOT A BOUNDARY SURVEY.
- 2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
- 3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 1,123 SOUARE FEET, MORE OR LESS.
- 4. SEE SHEETS I THROUGH 2 FOR LEGAL DESCRIPTION: SEE SHEET 3 FOR PARCEL SKETCH.
- 5. SEE RIGHT OF WAY MAP SHEET 7 OF 13 FOR THIS PARCEL.

LEGEND:

Œ	CENTERL INE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
C .	CHORD DISTANCE	PI	POINT OF INTERSECTION
СВ	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P. S. M.	PROFESSIONAL SURVEYOR AND MAPPER
D	DEGREE OF CURVE	R	RADIUS
EXIST.	EXISTING	(R)	RADIAL
FND.	FOUND	RGE.	RANGE
ID.	IDENTIFICATION	RT.	R] GHT
L	LENGTH	R/W	RIGHT OF WAY
LB .	LICENSED BUSINESS	SEC.	SECTION
LT.	LEFT	STA.	STATION
0.R.B.	OFFICIAL RECORDS BOOK	7	TANGENT
P.8.	PLAT BOOK	TB	TANGENT BEARING
		TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 11/10/05	REVISED: 8/1/01	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 11/10/05	LEI JOB No.: 02076.10	SHEET 4 OF 4

SCHEDULE "B"

HOLDEN AVENUE PARCEL 8015

DRAINAGE EASEMENT

Parcel 8015 is being acquired as a permanent non-exclusive easement for drainage purposes, with full authority to enter upon, construct, operate, and maintain, as the GRANTEE and its assigns may deem necessary, an underground pipe and appurtenant facilities over, under, and upon the following lands as described in Schedule "A".

Parcel 8015 is also being acquired as a permanent non-exclusive slope and fill easement for the purpose of insuring the structural integrity of the roadway facility adjacent to the granted easement. This easement is to allow the GRANTEE to maintain the elevation of the roadway facility, to GRANTEE's specifications, with full authority to enter upon, clear, grade, excavate and add or remove fill material to the following lands as described in Schedule "A".

THE GRANTEE and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with normal operation or maintenance of the underground pipe and appurtenant facilities out of and away from the granted easement, and the GRANTORS and their heirs, successors and assigns shall not build, construct, or create, nor permit others to build, construct, or create any building, utilities, or other structures on the granted easement that may interfere with the normal operation or maintenance of the underground pipe and appurtenant facilities.

THE GRANTOR may use the granted easement for any use not inconsistent with the GRANTEE'S intended use of the granted easement including, but not limited to, open space, setback area, or any activity that will not adversely affect the structural integrity of the drainage facilities.

This easement is for the purposes noted herein and does not obligate the GRANTEE to perform any right-of-way maintenance or other duties.

SCHEDULE "A"

PARCEL No.: 7015

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

DESCRIPTION:

That part of:

From the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 23 South, Range 29 East, run South 415.95 feet; thence West 49.27 feet to the point of beginning on the Westerly right of way line of South Orange Biossom Trail. Thence run West at right angles to said Orange Blossom Trail right of way 400 feet; thence North parallel to said Orange Biossom Trail right of way 413.5 feet to the North line of said Northwest I/4 of the Northeast I/4: thence East 400 feet along said North line of the Northwest 1/4 of the Northeast 1/4 to the West right of way line of South Orange Biossom Trail: thence South along said right of way line to the point of beginning. Subject to an easement to the County of Orange over the North 30 feet thereof far Holden Avenue.

Lesse

Commence at the Northwest Corner of the Northeast 1/4 of Section 15. Township 23 South, Range 29 East, Orange County, Florida, thence run N89°22°36°E, along the North line of the Northeast 1/4 of said Section 15, a distance of 497.61 feet; thence 500°37'24"E, a distance of 30.0 feet to the existing South right-of-woy line of Holden Avenue for a PO!NI OF BEGINNING, said point being on the East line of the West 165 feet of the East 3/4 of the Northwest I/4 of the Northeast I/4 of sold Section I5: thence N89°22'36"E along said South right-of-way line, a distance of 782.48 feet to the existing West right-of-way line of State Road 500; thence 500°15'05'E along sold West right-of-way line, a distance of 381.34 feet; thence departing soid right-of-way line; run NOI º23 '50 'W, a distance of 100.02 feet; thence NOO°15'05"W along a line being 2 feet Westerly of and parallel with said West right-of-way line, a distance of 228.33 feet: thence N45°26'15"W, a distance of 35.24 feet, thence S89°22'36"W along a line being 58 feet Southerly of and parallel with the North line of the Northeast 1/4 of said Section 15, a distance of 102.45 feet; thence N86°48'33" W, a distance of 228.63 feet; thence N89°11'28"W, a distance of 274.87 feet; thence N88°21'42"W, a distance of 150.07 feet to the POINT OF BEG!NNING. "

(Said property being the same lands as described in Official Records Book 430, Page 351 less the lands described in Official Records Book 4612, Page 4827 of the Public Records of Orange County, Florida.)

. described as follows:

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, L.B. No. 2856

IOHN J. CAMPBELL.

THÉ SIGNATURE ORIGINAL RAISED SEAL A PEORIDA LICENSED SURVEYOR AND MAPPER

LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-33/7

HOLDEN AVENUE PROJECT NAME: C. LEFTAKIS

SCALE: DATE 11/10/05

CHECKED BY: J. CAMPBELL SEC. 15, TWP. 23 S., RGE. 29 E.

DRAWN BY

11/10/05 DATE: REVISED: 1/28/09

02076.10 LELJOB No.2 SHEET OF 1

2

SCHEDULE "A"

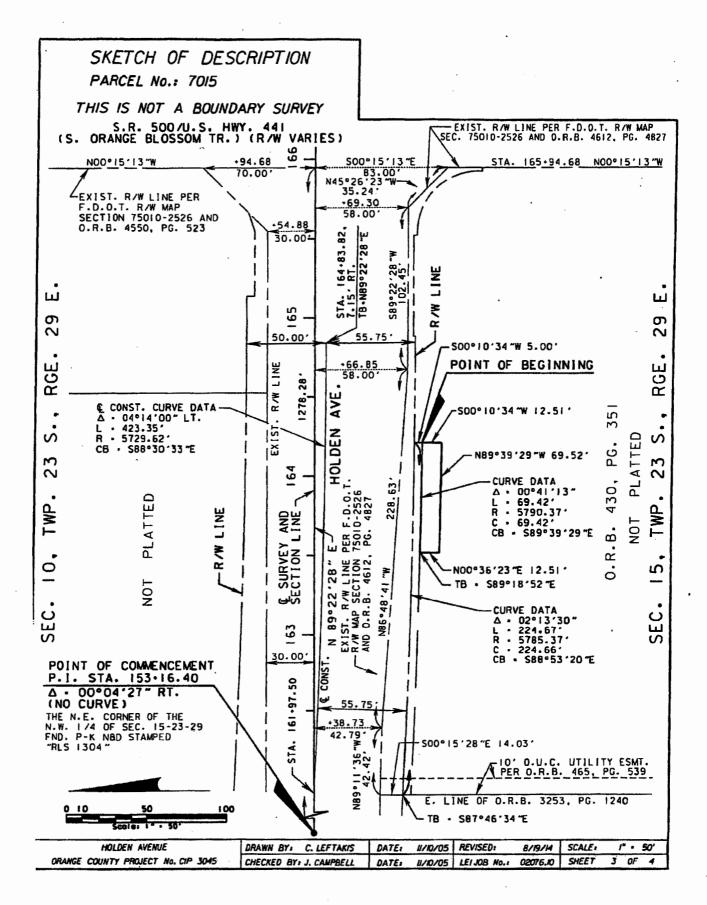
PARCEL No.: 7015
ESTATE: TEMPORARY EASEMENT
PURPOSE: TEMPORARY CONSTRUCTION

DESCRIPTION: (CONTINUED FROM SHEET I)

Commence at a P-K nail and disk stamped "RLS 1304" marking the Northeast corner of the Northwest 1/4 of Section 15, Township 23 South, Range 29 East, Orange County, Florida, said point being on the Centerline of Survey of Holden Avenue os shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the North line of said Northwest 1/4 and said Centerline of Survey of Holden Avenue a distance of 1278.28 feet to a point on the Northerly projection of the West right of way line of South Orange Blossom Trall (State Road 500/United States Highway 441) as shown on sold Right of Way Map: thence deporting sold North line and sold Centerline of Survey run South 00°15'13" East along said Northerly projection a distance of 83.00 feet to a point on the South right of way line of Holden Avenue as shown on sold right of way map; thence run North 45°26'23" West along sold South right of way line a distance of 35.24 feet; thence South 89°22'28" West continuing along sold South right of way line a distance of 102.45 feet; thence North 86°48'41" West continuing along said South right of way line a distance of 228.63 feet; thence North 89°II'36" West continuing along said South right of way line a distance of 42.42 feet to a point on the East line of that certain parcel of land described in Official Records Book 3253, page 1240 of the Public Records of Orange County, Florida, and shown on said Right of Way Map: thence departing soid South right of way line run Sauth 00°15'28" East along soid East line a distance of 14.03 feet to a point on a curve concave Northerly having a radius of 5785.37 feet and a chard bearing of South 88°53'20" East; thence departing sold West line from a tangent bearing of South 87°46'34" East run Easterly along the arc of said curve through a central angle of 02°13'30" a distance of 224.67 feet; thence departing said curve run South 00°10'34" West a distance of 5.00 feet for a Point of Beginning; thence continue South 00°10°34" West a distance of 12.51 feet; thence North 89°39'29" West a distance of 69.52 feet; thence North 00°36'23" East a distance of 12.51 feet to a point on a curve concentric with the aforesaid curve hoving a radius of 5790.37 feet and a chard bearing of South 89°39'29" East; thence from a tangent bearing of South 89°18'52" East run Easterly along the arc of said curve through a central angle of 00°41'13" a distance of 69.42 feet to the Point of Beainning.

Containing 864 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE:	11/10/05	REVISED	8/19/14	SCALE:	N/A	
GRANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE:	11/10/05	LEI JOB No.	02076.10	SHEET	2 OF	4



SKETCH OF DESCRIPTION PARCEL No.: 7015

THIS IS NOT A BOUNDARY SURVEY

GENERAL NOTES:

- I. THIS IS NOT A BOUNDARY SURVEY.
- 2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16. TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
- 3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 864 SQUARE FEET, MORE OR LESS.
- 4. SEE SHEETS I THROUGH 2 FOR LEGAL DESCRIPTION; SEE SHEET 3 FOR PARCEL SKETCH.
- 5. SEE RIGHT OF WAY MAP SHEET 7 OF 13 FOR THIS PARCEL.

LEGEND:

€	CENTERL INE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
С	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P. S. M.	PROFESSIONAL SURVEYOR AND MAPPER
D	DEGREE OF CURVE	R	RADIUS
EXIST.	EXISTING	(R)	RADIAL
FND.	FOUND	RGE .	RANGE
ID.	IDENTIFICATION	RT.	RIGHT
L	LENGTH	R/W	RIGHT OF WAY
LB	LICENSED BUSINESS	SEC.	SECTION
LT.	LEFT	STA.	STATION
0.R.B.	OFFICIAL RECORDS BOOK	7	TANGENT
P.B.	PLAT BOOK	TB	TANGENT BEARING
		TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: IL/IO/05	REVISED: 1/28/0	9 SCALE:	N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 11/10/05	LEI JOB No. : 02075.	O SHEET	1 OF 1

SCHEDULE "B"

HOLDEN AVENUE PARCEL 7015

TEMPORARY CONSTRUCTION EASEMENT

Parcel 7015 is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

The GRANTEE at all times during construction will ensure the integrity of the parking space within the proposed easement area.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

1015/7015/8015





CONSTRUCTION PLANS FOR

HOLDEN AVENUE (PHASE I)

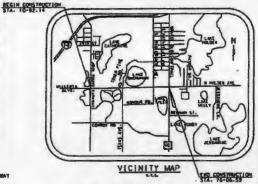
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DISTRICT NO. 6 ORANGE COUNTY, FLORIDA

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FLORIDA DEPARTMENT OF THANSPORTATION. ROA AND TRAFFIC DESIGN STANDARDS JANUARY 2004

NOTE: THE SCALE OF THESE PLANS MAY



TYPE OF CONSTRUCTION, FOUR LANF LRBAN DIVIDED PROJECT 1 FNGTH: 6,524.45 FT. 1.236 MI.

HOTE, LENGTA MEASURED ALONG CENTERLINE OF CONSTRUCTION

SOURCE OF BENCH MARK DATUM

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FINAL PLANS MAY 22, 2009

BOARD OF COUNTY COMMISSIONERS

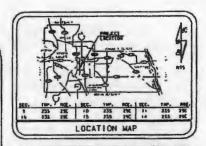
TERESA JACOBS	* COUNTY MAYOR
S. SCOTT BOYD	DISTRICT 1
FREDERICK C. BRUMMER	DISTRICT 2
PETE CLARKE	DISTRICT 3
JENNIFER THOMPSON	DISTRICT 4
TED EDWARDS	DISTRICT S
TIFFANY MOORE RUSSELL	DISTRICT 6
MARK Y. MASSARO, P.E.	DIRECTOR OF PUBLIC WORKS

CERTIFICATION TO PLANS

LEGENO:

LETTICE TO ATTOM TO TO FEATON PROJECT AND THE ATTACHED CONSTRUCTION PLANS COMPLY WITH THE REGULTRUKING OF SECTION 335-045 OF THE FLORIDA STATUTES AND ARE IN SUBSTRUCTIAL COMPONENCE WITH THE STANDARDS CONTRILLED IN THE EDITION OF THE "MANUAL OF UNITORS MINIMAL STANDARDS FOR OLSIGH. CONSTRUCTION AND MAINTENANCE FOR STREETS AND HIGHWAYS "IN EFFECT ON THIS UNIT AS ADDRESS BY THE FLORIDA DEPARTMENT OF TRANSPORTATION PURSUANY TO EURSECTION 335.045(1) OF TAC FLORIDA STATUTES.

ENGINEER, THOMAS G. LOCHRANE REG. NO. 20111



SHEET	DESCRIPTION
1	COVER SHEET
	GENERA, NOTES
	PROJECT DETAILS
4-5	SUMMARY OF PAY ITEMS
6-10	DRAINAGE MAPS
11	EXISTING DRAINAGE STRUCTURES
13.16	TYPICAL SECTIONS
17	SUMMARY OF QUANTITIES
18-24	SLAMARY OF DRAINAGE STRUCTURES
25-27	PROJECY LAYOU?
18-30	BASELINE SURVEY CONTROL
21-55	PLAN AND PROFILE SHEETS
56.60	DEIVENAY PROFILES
61-62	GRAVITY WALL PROFILES
87-69	INTERSECTION DETAILS
69-70	TURNOUT DETAILS
71 -118	DRAINAGE STRUCTURES
19-123	PONO DETAILS
24-131	DRAIMAGE DETAILS
132	ROADWAY SOLL SURVEY
133-151	BORING AND PRODE RESILTS
24.425	ROADWAY CROSS SECTIONS
33-260	POND CROSS SECTIONS
61 -262	STORGHATER POLLUTION PREVENTION PLAN
62-586	EROSION CONTROL PLAN
51-67	BOX CULVERT PLANS
WI - WI4	WALL PLANS
FI-F: 5	LANDSCAPE PLANS
MI - MG-E	MAINTENANCE OF TRAFFIC PLANS
51-529	SIGNING AND PAVEMENT WARKING PLANS
71-172	SIGNALIZATION PLANS
AI -UAIS	UTILITY ADJUSTMENT PLANS



	REVISIONS	DATE	81
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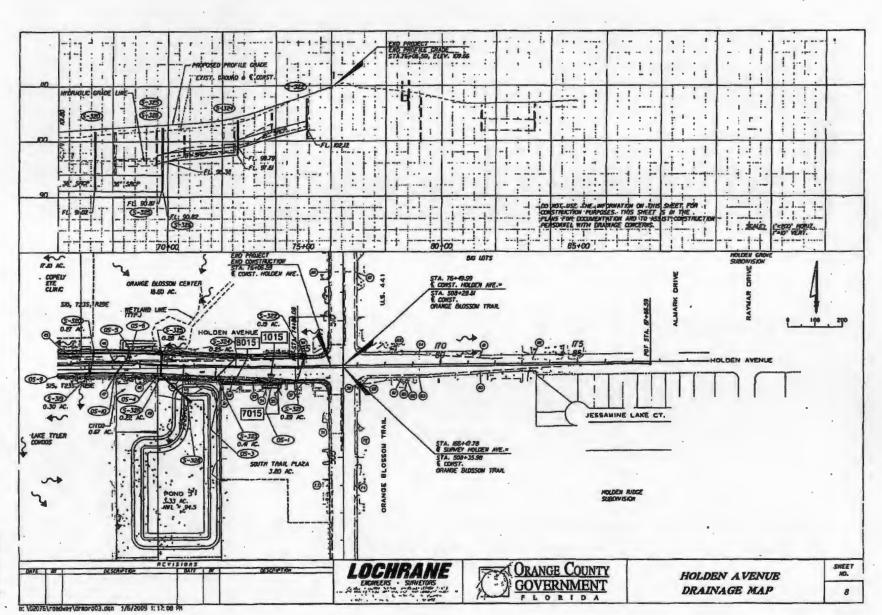
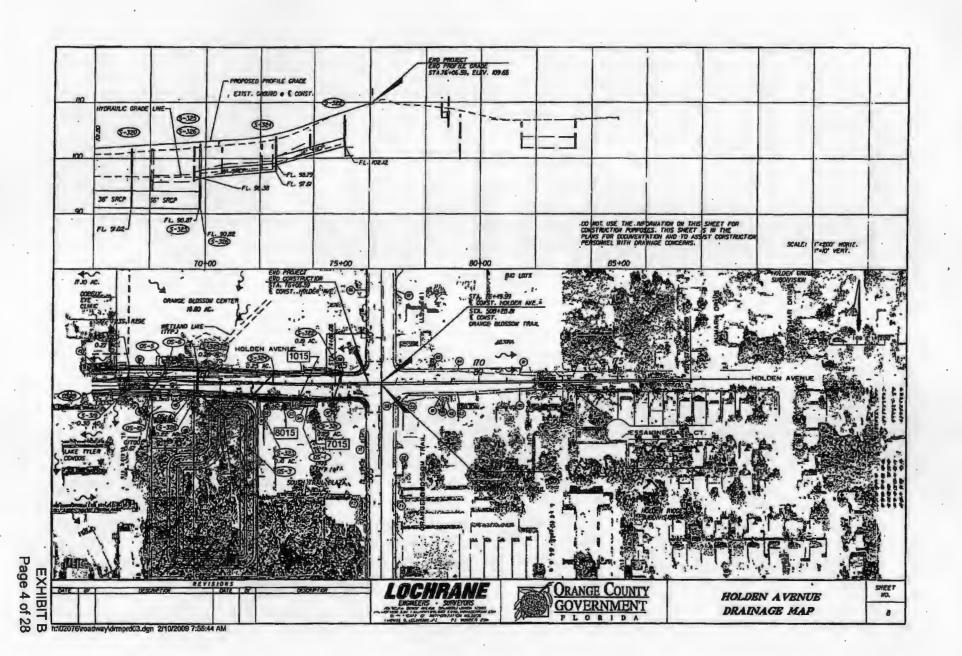


EXHIBIT B Page 3 of 28



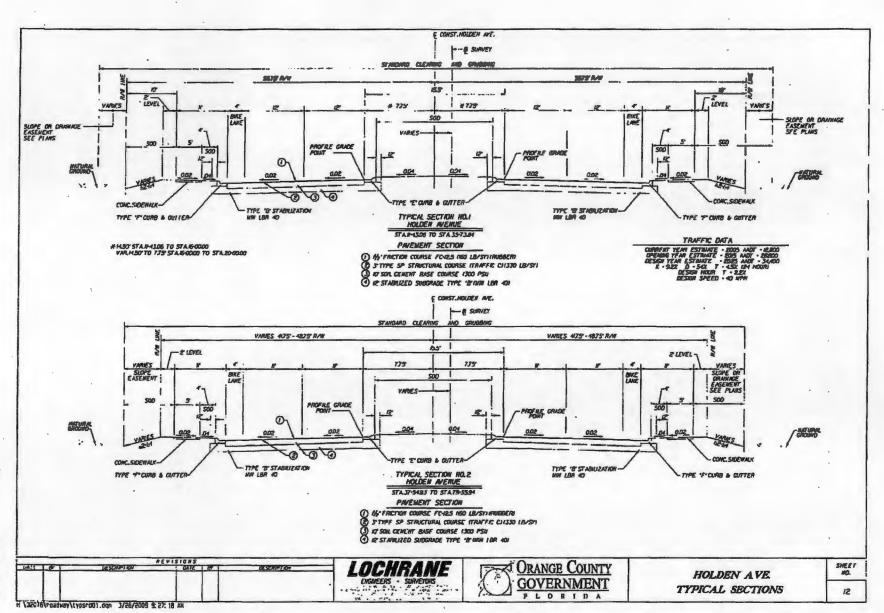


EXHIBIT B Page 5 of 28

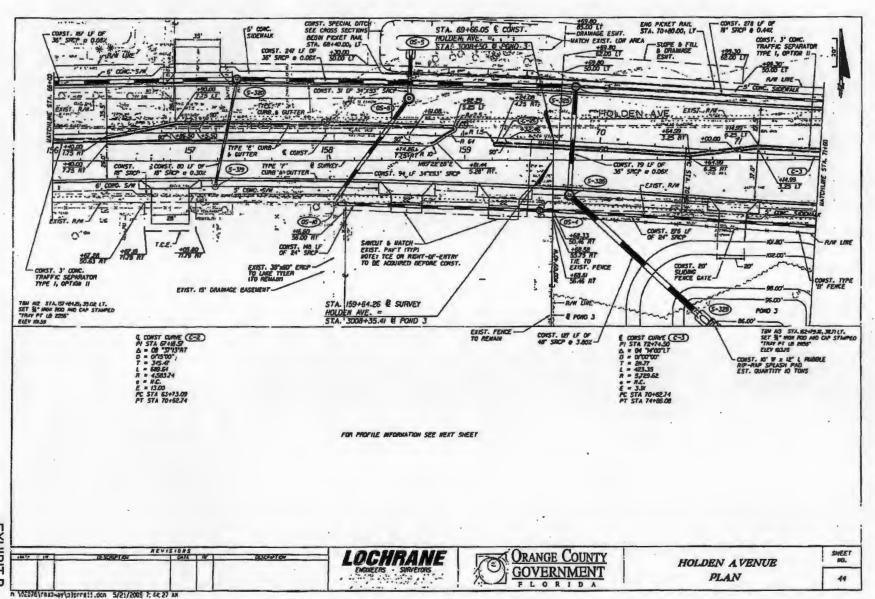


EXHIBIT B Page 6 of 28

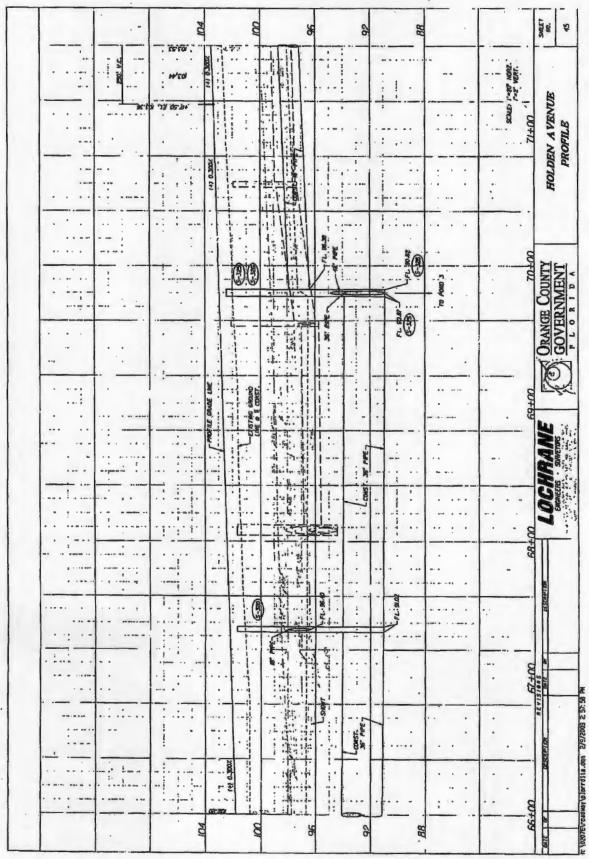
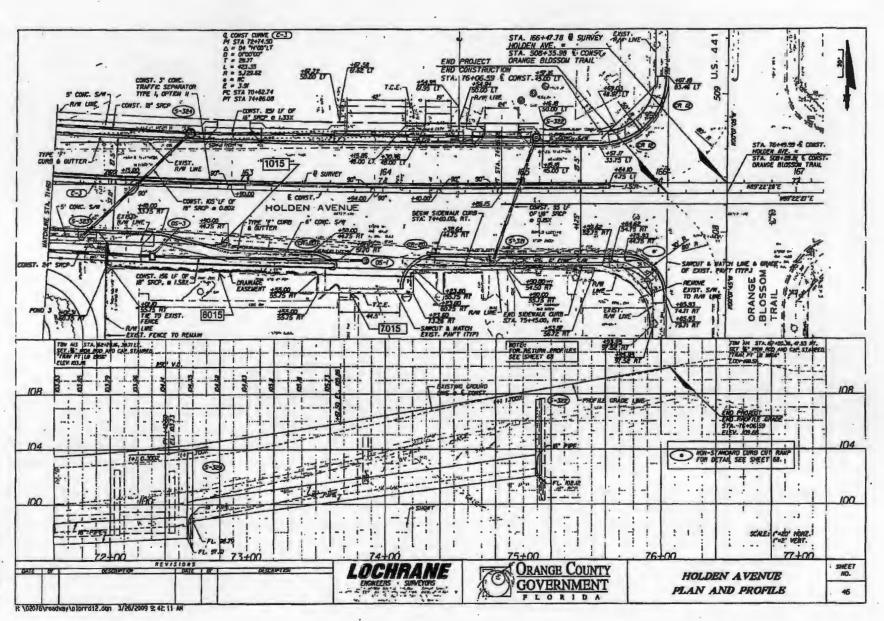


EXHIBIT B Page 7 of 28



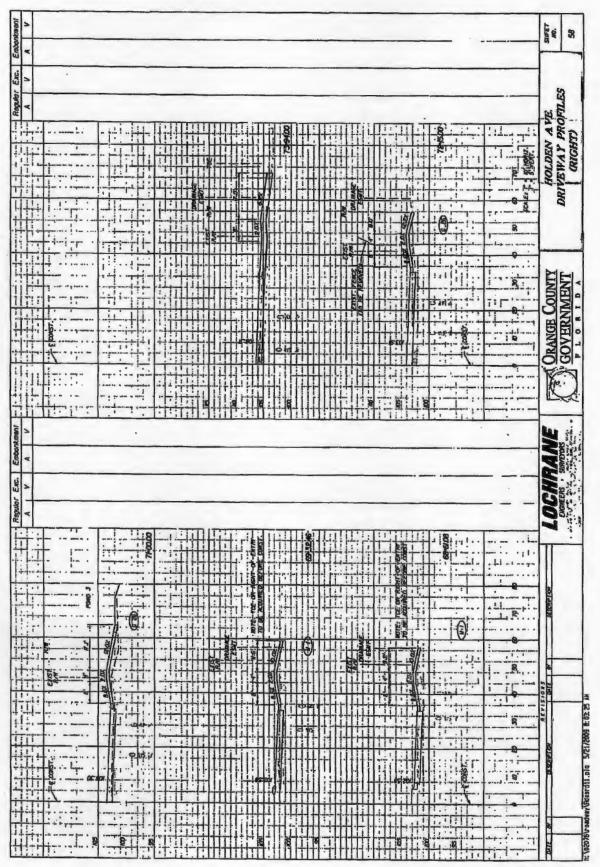


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EXHIBIT B Page 10 of 28

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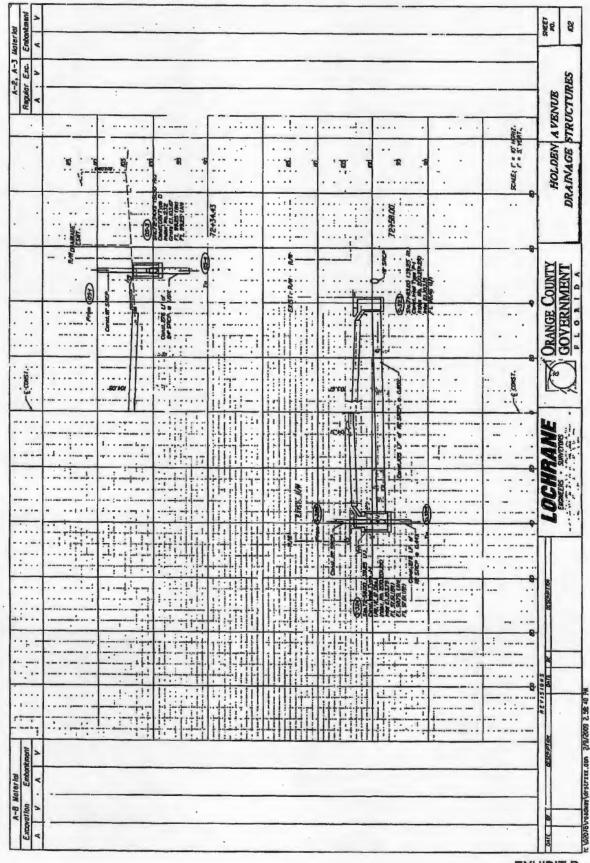


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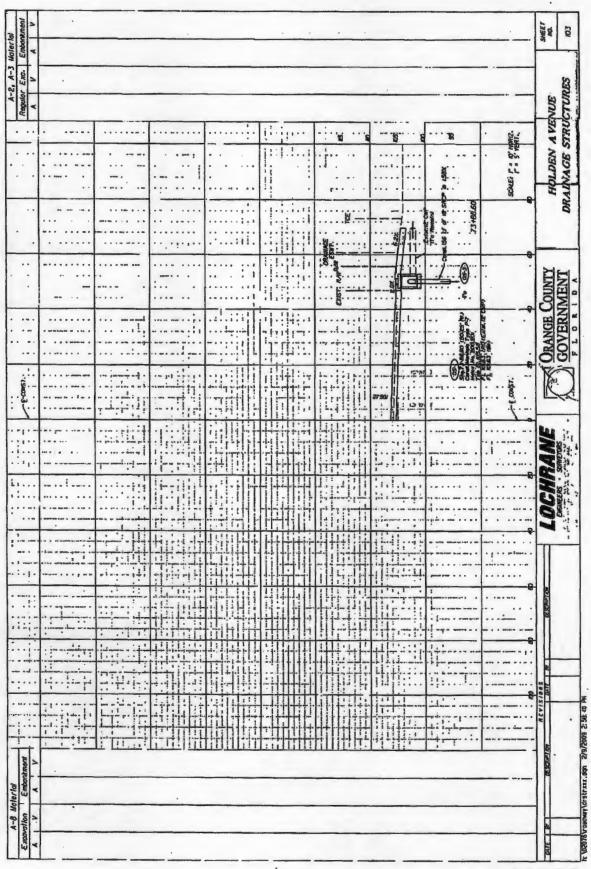


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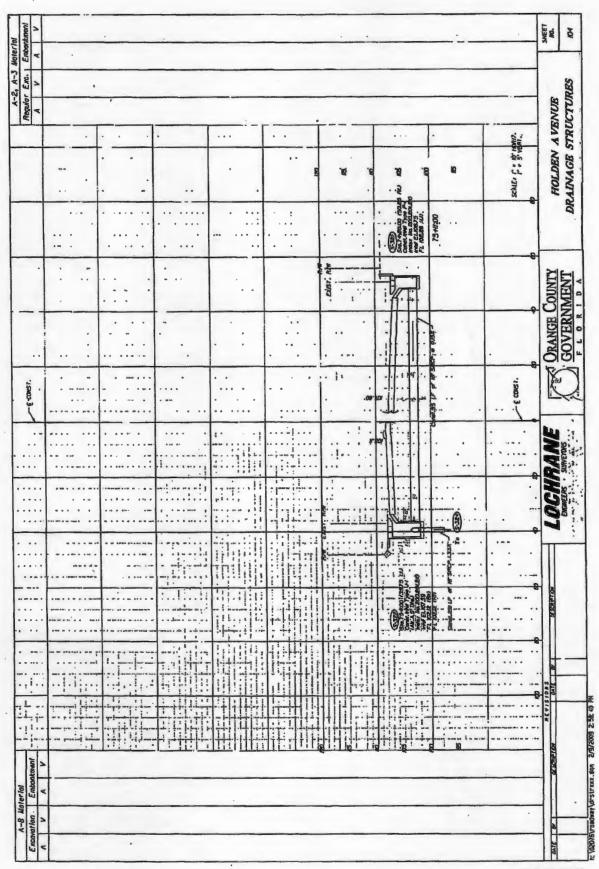


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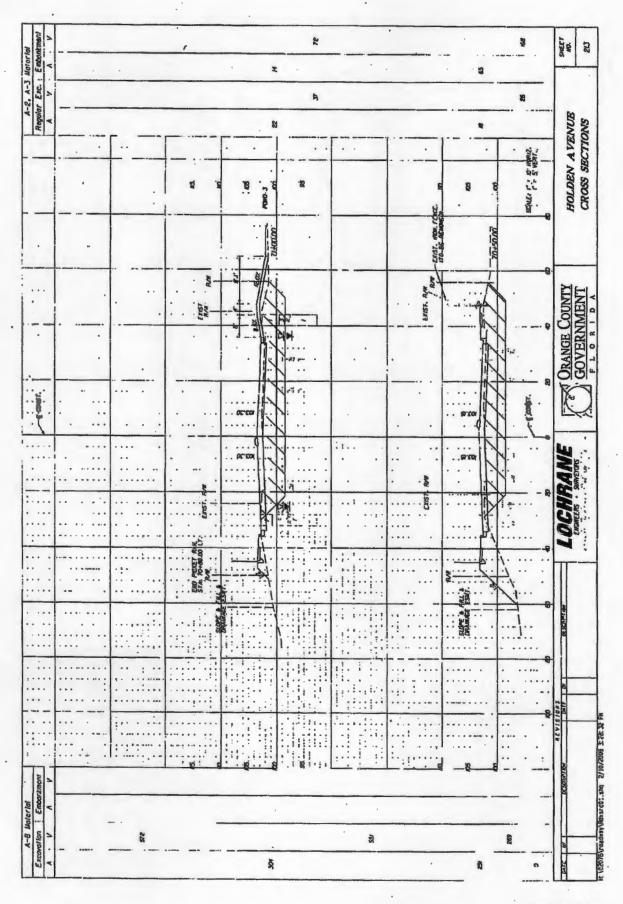


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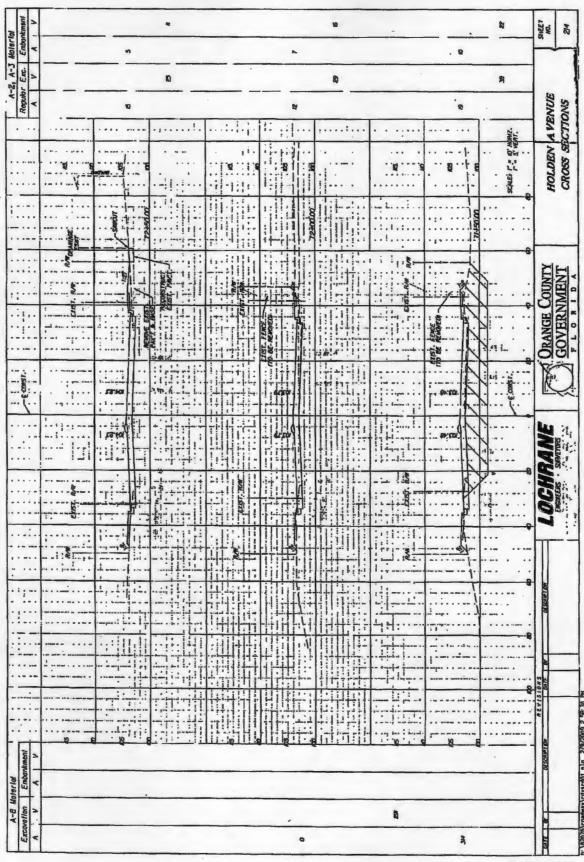


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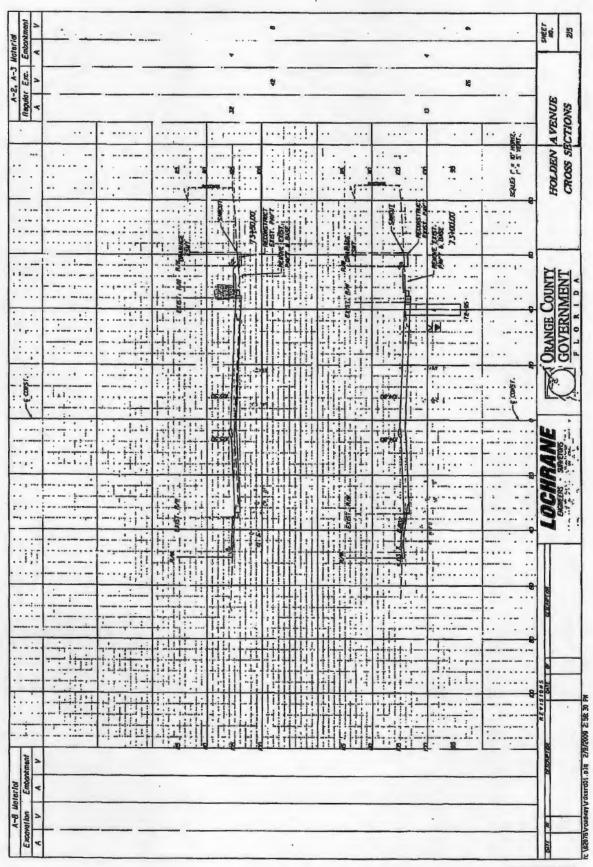


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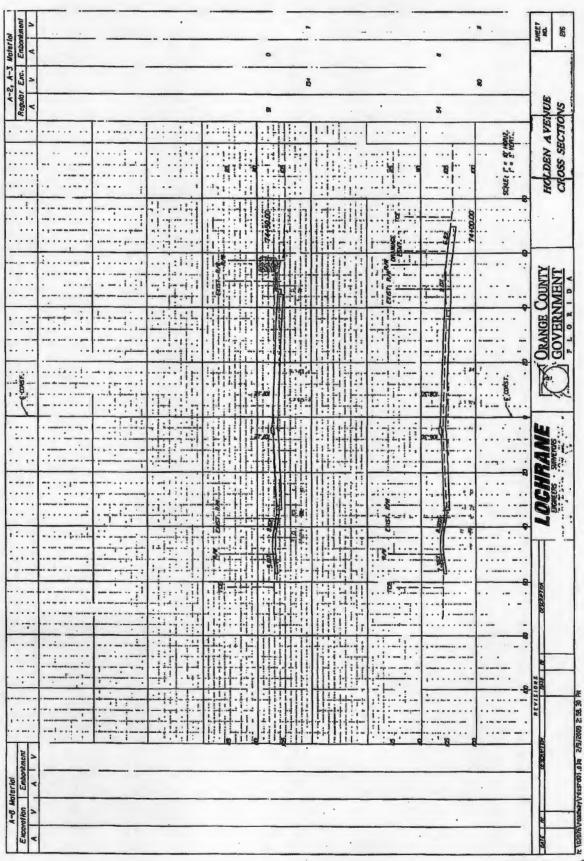


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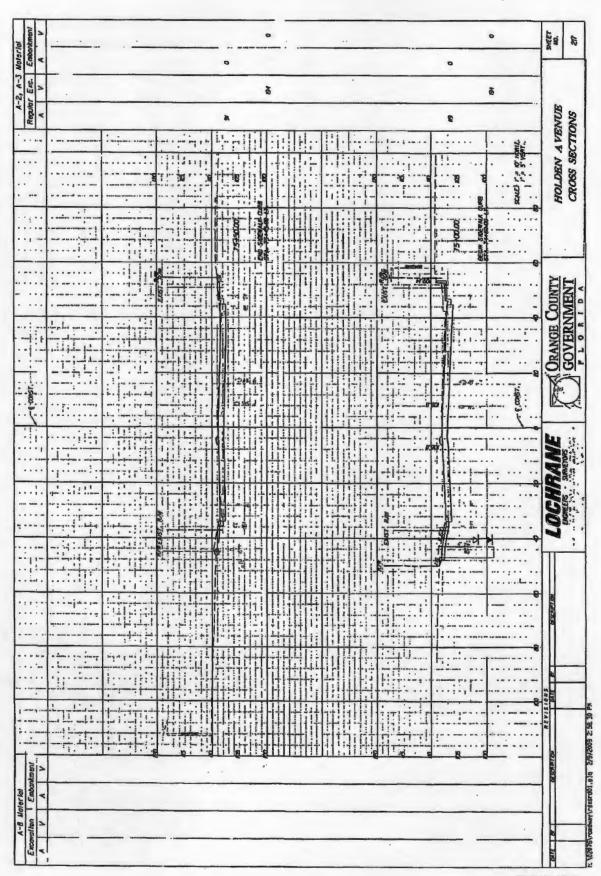


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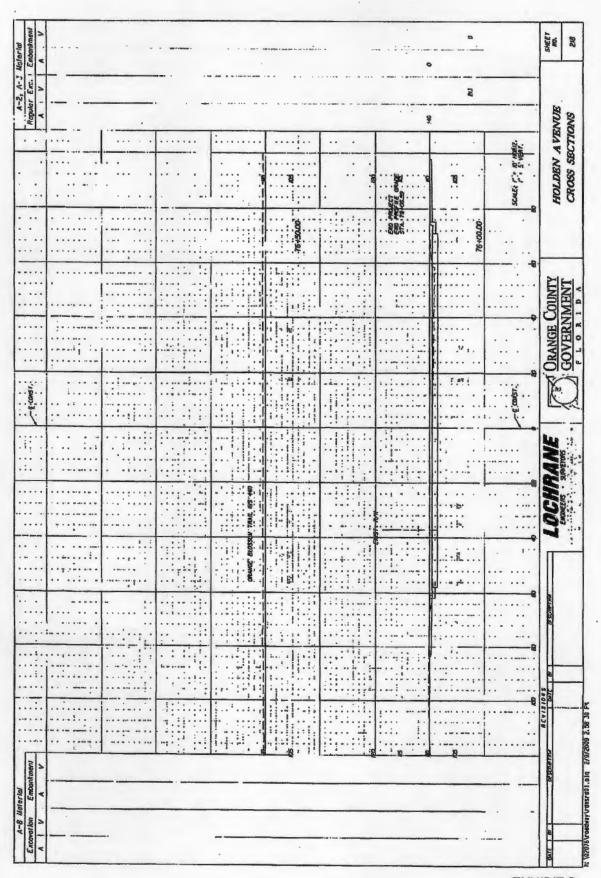


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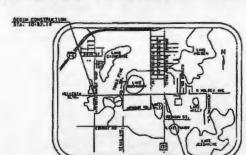
SIGNING AND PAVEMENT MARKING PLANS FOR

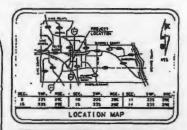
HOLDEN AVENUE

(PHASE I) JOHN YOUNG PARKWAY TO ORANGE BLOSSOM TRAIL (US 441)

DISTRICT NO. 6 ORANGE COUNTY, FLORIDA

VICINITY MAP

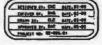




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FINAL PLANS MARCH 25, 2009

BOARD OF COUNTY COMMISSIONERS

RICHARD T. CROTTY	ROYAM
S. SCOTT BOYD	DISTRICT I
FRED BRUMMER	DISTRICT 2
MILDRED FERNANDEZ	DISTRICT 3
LINDA STERART	DISTRICT 4
BILL SEGAL	DISTRICT S
TIFFANY MOORE RUSSELL	DISTRICT 6
MARK V. MASSARO. P.E.	DIRECTOR OF PUBLIC WORKS

CERTIFICATION TO PLANS
I HERE'S CERTIFY THAT THE DESIGN FOR THIS PROJECT AND THE ATTACHED SIGNING AND PARTIENT MARKING PLANS COMPLY WITH THE REGISTREMENTS OF SECTION 335-065 SO THE FEODIOR STATETER AND ARE IN SUBSTANTIAL COMPONENCE WITH THE STANDARDS CONTAINED IN THE EDITION OF THE MARKING WITHOUT AND STANDARDS FOR ESSION, CONSTRUCTION AND CONFORMANCE WITH THE STANDARDS CONTAINED IN THE "MARHAL OF UNIFORM WITH HAM STANDARDS FOR DESIGN MAINTENANCE FOR STREETS AND RICHMATS" IN EFFEC ADOPTED BY THE PLORIDA BEPARTMENT OF TRANSPORT. SUBSECTION 334,048(1) OF THE PLORIDA STATUTES. GATE: 03/25/2009 ENGINEER DANTE A. GARRIEL. P.E.

Page 21 of 28 **EXHIBIT B**

- I SIGNING AND PAYEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (TOOT) DESIGN STANDARDS, DATED JANGARY EGGG. AND THE MANUAL WHITEORY TRAFFIC CONTROL DEVICES INSTED). BOOS EDITION.
- FOOT SIGHS THAT COMPLICT WITH CONSTRUCTION OPERATIONS SHALL BE REMOVED. STOCKPILED AND RELOCATED BY THE CONTRACTOR. SIGN REMOVAL SHALL BE DIRECTED BY THE PROJECT ENGINEER.
- ALL EXISTING SIGNS TO BE REMOVED BUST BE FREE OF DAMASE AND DELIVERED TO AN AREA DESIGNATED BY THE OWNER'S AUTHORIZED REPRESENTATIVE FOR PROPER STORAGE.
- 4. CAUTION SHOULD BE EJERCISED WHILE RELOCATING EXISTING SIGNS TO PREVENT UNINECESSAN DANNOE TO SIGNS. IF THE SIGNS ARE DANNOED BEYOND USE. AS DETERMINED BY THE PROJECT WANGER, SIGNS SHALL BE REPLACED BY THE CONTRACTOR AT HIS EXPENSE.
- ALL REMOVED SIGN HATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF PROPERTY IN AN AREA PROVIDED BY MIM.
- FOR THERMOPLASTIC PAYEMENT WARKINGS, THE CONTRACTOR SHALL UTILIZE ALRYO BASED THERMOPLASTIC.
- 7. ALL SUMFACES SHALL BE CLEANED PRIOR TO THE STAME OF INSTALLATION OF ALL PAVENUM MARKINGS ALONG JOHN TOURG PARKWAY WHERE THERE WILL BE NO MILLING AND RESUMFACING.
- B. ALL PAVEMENT WARKINGS SHALL BE APPLIED BEFORE REFLECTIVE PAVEMENT WARKERS ARE APPLIED.
- ALL SIGNS SHALL BE PLACED IN ACCORDANCE WITH MORIZONTAL CLEARANCES (CLEAR ZONES) AS A SPECIFIED BY FOOT.
- 10 FOR REFLECTIVE PAVEMENT MARKER PLACEMENT DETAILS, REFER TO FOOT DESIGN STANDARDS, INDEX NO 17352.
- 11. ASPHALT SURFACES SHALL CURE 30 DAYS BEFORE THE FIRAL THERMOPLASTIC PAYEMENT MARKINGS ARE INSTALLED. TEMPORTARY PAINT PAYEMENT MAINT SS SHALL BE INSTALLED QURING THE 30-004 PRESIDENT CONFIDENCE PAINT PAYEMENT MARKINGS SHALL NOT BE PAID SEPERATERY BY SHALL BE INCLUDED IN THE BID PRICE FOR THERMOPLASTIC PAYEMENT MARKINGS.
- 12. SIGN ASSEMBLY LOCATIONS SHOWN OF THE PLANS WHICH ARE IN CONFLICT WITH LIGHTING. UTILITIES, ETC. MAY BE ADJUSTED SIGHTLY AS DIRECTED BY THE ENGINEER, EXTREME LOCATION CHANGES MOST BE APPROVED BY THE ENGINEER OF RECORD.
- 13. THE CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITIES 48 HOURS PRIOR TO ANY EXCAVATION FOR UTILITY LOCATES AND PROTECTION.
- 14. ALL EXISTING SIGNS ARE TO REMAIN UNLESS OTHERWISE NOTED IN THE PLANS.
- 15. CAUTION SHOULD BE EXERCISED IN THE INSTALLATION OF POST MOUNTED ROADSIDE SIGNS IN OMDER TO PREVENT DAMAGE TO BURIED UTILITIES.
- 16. REFLECTIVE PAVENENT MARKERS ARE NOT TO BE PLACED ON SIDESTREET CENTERLINES.

- 17. IF THE CONTRACTOR USES SEGMENTAL TEMPLATES TO PLACE DIRECTIONAL ARROWS AND PAYEURIT MESSAGES, ALL SEGMENTS SHALL BE CLOSED TO TORM ONE-PIECE COUNDERINS FOR STANDARD (INDEX 17344, AND 17782.
- 18. PAYMENT FOR MULTIPLE PANEL SIGNS SMALL BE INCLUDED IN THE PAY ITEN NUMBER FOR THE SIGN ASSEMBLY.
- 19. WATCH EXISTING PAYEMENT MARKINGS AT THE BEGINNING AND AT THE END OF THE PROJECT LIWITS AND AT ALL SIDE STREETS.
- 20. CROSSMALAS SHALL BE 10" WIDE UNLESS OTHERWISE SPECIFIED IN THE PLANS.
- 21. NOTE THAT LYMX SIGHS ARE NOT TO BE REMOVED OR RELOCATED BY THE CONTRACTOR THE CONTRACTOR WILL COORDINATE WITH LYMX PROVIDING AT LEAST TO ANS NOTICE FOR LYMY TO REMOVE OR RELOCATE SIGHS. THE CONTRACTOR WILL COORDINATE WITH THE LYMX BUS STOP COORDINATOR AT (407) 254-6180 (LEROWHOSDLYMX.COM) WITH THE TO LYMY FACELITY MAINTERANCE AT (407) 254-6180 (LEROWHOSDLYMX.COM) WITH A COPY TO LYMY FACELITY MAINTERANCE AT (407) 254-6010 (SARQBIASDAGOLYMX.COM)

MIX & DESCRIPTOR DATE & DESCRIPTOR



GVB Engineers & Pleasers, Inc., 2002 Libringston Street Grands, TL 2003

Please up-t-88-542 Fore 607-605-5425

Donne A. Garrini, P.E. P.L. * 3170



GENERAL NOTES

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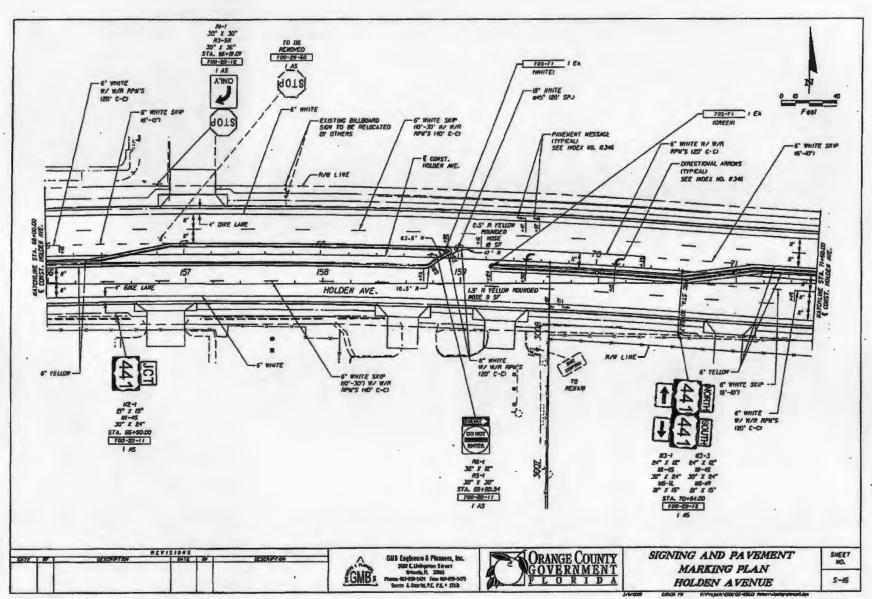


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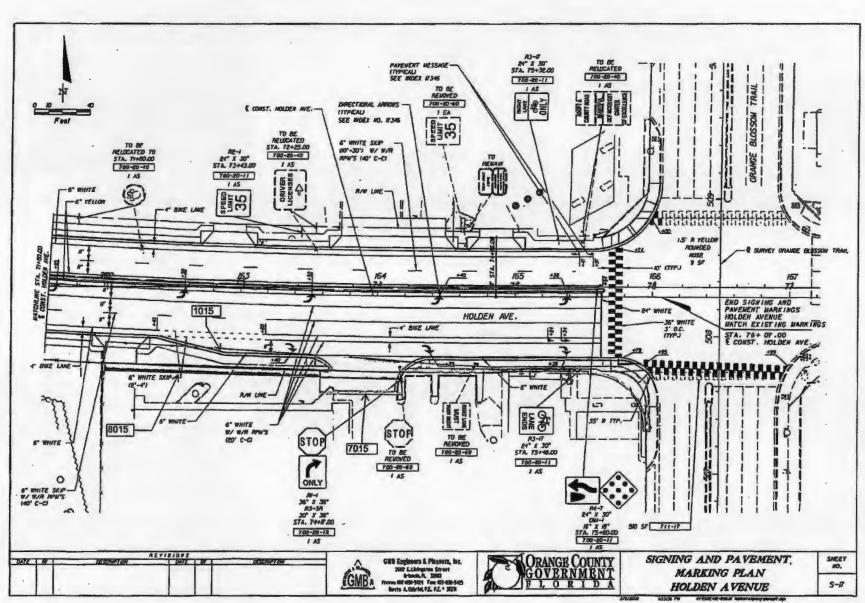


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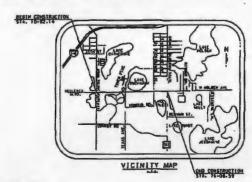


SIGNAL PLANS

HOLDEN AVENUE (PHASE I)

JOHN YOUNG PARKWAY TO ORANGE BLOSSOM TRAIL (US 441)

DISTRICT NO. 6 ORANGE COUNTY, FLORIDA



FINAL PLANS **MARCH 25, 2009**

BOARD OF COUNTY COMMISSIONERS

MAYOR
DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5
DISTRICT 6
PUBLIC WORKS

CERTIFICATION TO PLANS

I MERCEY CERTIFY THAT THE DESIGN FOR THIS PROJECT AND THE ATTACH

SICKING AND PAYMENT BANKS (OF PLANS CONCEPT WITH THE REQUIREMENTS
SECTION 336.045 OF THE FLORICA STATUTES AND AND IN SUBSTANTIAL

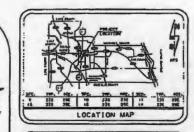
COMPONDANCE WITH THIS STATUTES AND AND IN SUBSTANTIAL

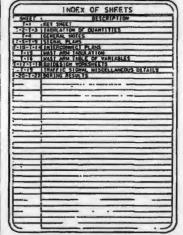
COMPONDANCE OF THE PLANCES CONTAINED IN THE CRITISHOR OF THE

MAINTAIL OF WIFFORM WITH JULY STANDAMEN FOR DESIGN. CONSTRUCTION AND

ANISTROMOGRAF OF STREETS AND INDICATE THE PROPERTY OF THE PLANTING THE PLANT

DATE- 03/25/2009 EMPINEER, DANTE A. GARRIEL. F.E. ACC. HO





GIB Engineers & P STORE LIGHTEN GROWN TO Cortificate of Author	Street 32003 00 407-698-545	CIP #3045
REVISIONS	DATE ST	HABE!

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APPROVED BY, BAG DATE, STORE	1 1 1 2
PROJECT NO. 82-005-01	

EXHIBIT B Page 25 of 28

IN THE SIGNALIZATION PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE FLORDA 231 ALL CABLE SHALL BE PAILED IN THE CONDUIT WITH A CABLE FIRP DESIRED TO PROVIDE DEPARTMENT OF TRANSPORTATION'S DESIGN STAMBARDS, DATED 2008. GOVERNING SPECIFICATIONS A FAIL HOLD ON THE EXTERDER COPERING OF THE CABLE, A WINCH WITH A SUP CLUTCH ARE THE STATE OF FLORIDAD, DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, DATED 2009.
AND SUPPLICIENTS THERETO IF NOTED IN THE SPECIAL PROVISIONS FOR THIS PROJECT.

AND SUPPLICIENTS THERETO IF NOTED IN THE SPECIAL PROVISIONS FOR THIS PROJECT.

2) THESE PLANS REFLECT CONDITIONS KNOWN DURING PLAN GEVELOPMENT. IN THE EVENT ACTOR, PHISEAL CONDITIONS PREVENT THE APPLICATION ON THE PROGRESSING OF ANY WORK SPECIFICO IN THESE PLANS, THE CONTRACTOR SHALL ROTHY THE ENGINEER HOMEGUATELY AND PRIOR TO ANY FURTHER WORK ACTIVITY.

3) WHENEVER SEMAL WARD IS BEING PERFORMED AT AM INTERSECTION UNSTALLING CONDUIT IN THE STREET, REMAINE ELISTING SEMAL EQUIPMENT, INSTALLING MEN. SEMAL EQUIPMENT, WISTALLING LOOPS AND PURIS, AND THEMING ON HIS SEMALS INCIDENT A LAME IS CLOSED A TRAFFIC CONTROL OFFICER SHALL DIRECT TRAFFIC. THE COST OF THE TRAFFIC CONTROL OFFICER SHALL BE INCIDENTAL TO THE WORK AND WILL NOT BE PARD SEPARATEUR.

1) CURRO NON-NORRING HOURS, NO COMPMENT, VEHICLES OR MATERIAL SMALL BE PARKED, OR STORED WITHIN 30 FEET OF THE ROADING CARRING TRAFFIE. IF THE ABOVE IS NOT POSSIBLE, A STORAGE AREA WITH PROPER DELIMEATION AND ADMARCED WARNING SHALL BE USED WITH THE APPRICAL OF THE DISDUECK.

5) THE CONTRACTOR SHALL NOTIFY CRANCE COUNTY AND FOOT TWO ID BUSINESS DAYS PRIOR TO DECIMING ANY CONSTRUCTION.

RU THE CONTRACTOR SHALL MOTHLY THE APPROPRIATE UTILITY DEPARTMENT AT LEAST 48 MODES IN ADVANCE OF PAGE SETTING OPERATIONS WHERE A CONFLICT WITH OPERATOR ELECTRICAL CONDUCTORS IS EMPECTED AND IN ALL CASES WHERE JOINT USE POESS AVE

TO THE CONTROCTOR SHALL CONTRCT ORANGE CODNITY FOR LAME CLOSURE RESTRICTIONS ALONG MOLERA AFFINE, LAME CLOSURE RESTRICTIONS FOR THIS SECTION OF US 17-39/440 at MOLERA MARINE ARE FLOW AN TO 150 PE REPREDIENDA, AND TAO AN TO SOO PE SUPTREDIENDA.

BY AT THE TIME OF FINAL PROJECT DISPECTION THE CONTRACTOR SHALL FURNISH TO THE HISPECTOR THREE COMPLETE SETS OF AS-BUILT PLANS. ONE SET SHALL BE LEFT IN THE CHBRET FOR THE LOCAL MANTANHA GREEC, ORANGE COURTS.

9) THE CONTRACTOR IS REQUIRED TO RISPECT THE WISTALLATION OF THE TRAFFE SIGNALS IN ACCORDANCE WITH FOOT SPECIFICATION RISS-SO. THE CONTRACTOR SMALL COMPONIATE THE FIRM ACCEPTANCE INSPECTION IN ACCORDANCE WITH FOOT SPECIFICATION RISSELL WITH THE ENGINEER AT LEAST TEN DAYS IN ADVANCE. ORANGE COUNTY AND RAY WARLIN AT LISSES 943—383 SHOULD ASD BE CONTRACTED TEN DOTS BEFORE THE INSPECTION IS TO BE PERFORMED SO THEY WAY BE PRESENT.

RU THE CONTRACTOR SHALL MOTHER GRANGE COUNTY TRAFFIC OPERATIONS HAD 455-TESOL AT LEAST 24 HOURS IN ADMINICE OF INSTALLING GROUND ROOM, INCERDING DIRECTLY, MUST ARM PERMONATIONS ON SETTING POLES SO THAT THESE OPERATIONS HIT BE OBSERVED.

BI IT SHOULD BE MOTED THAT NO TEST BORINGS WERE WADE WHERE COMBUIT RURS ARE TO BE WISTALLED BY JUCKING ON TREATMENT. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO EXAMPLE JOB SITE CONDITIONS BEFORE SUBJITTING BID PROPOSALS IN ACCORDANCE WITH SECTION 2-4 OF THE FOOT SPECIFICATIONS.

THE CONTRACTOR SHALL HAND DIG THE, FRST 4" AT EACH POLE LOCATION AND THE FIRST 2" AT EACH PEDESTAL LOCATION TO VERIFY NO UTILITY CONFLICTS.

13) AS DIRECTED BY THE PROJECT ENGINEER, THE CONTRACTOR SHALL ADJUST CONDUIT VERTICALLY TO AVOID ARY POSSIBLE CONFLICTS WITH UNDERGROUND UTILITIES.

MI ALL COMMUTS TO BE INSTALLED WHOER PHIEUERT OR SIDENALK SMALL BE WISTALLED PRIOR TO THE INSTALLATION OF THE BASE COURSE.

IS) THE LOCAL PERMIT MANAGER MUST BE INFORMED TWO BUSINESS DAYS BEFORE ARE OFFICE HOUSE

ISI ALL CONDUIT SHALL DE SCHEDURE IO, 2 DICH DIA. MANIAIM UNTESS OTHERWISE SPECIFIED IN PLAIS, EXCEPT ELECTRICAL POWER SÉRVICE DUCT.

PI THE CONTRACTOR SHALL DISTALL A CONDUIT STUB WITH CAP A WHIMUM OF IL BICHES QUESIGE THE POLE POOTING COMPLETE WITH SHEEP UP WITO THE POLE, W EACH COMPUTE ENTRANCE WITH POLE. THE POOTING, TOP OF SIENWAY, SUE OF POLE, ETC. SHALL BE MARKED WITH AN APPROPRIATE ETCHED "2" OF ORDER THAT IT WAT BE READRY

NO ALL ENDS OF CONDUITS IN PULL BOXES AND CABRIETS SHALL BE SEMED WITH ELECTRICAL PUTTY AFTER WIRING IS COMPLETE.

IN TWO SPARE CABINET CONDUITS SHALL BE STUBBED AND CAPPED IN THE MEANEST PULL BOX. BO PULL BOXES SHALL BE PLACED BEHIND CUMB AND BUTTER. IF THERE IS NO CURB AND GUTTER, THEN PULL BOXES SHALL BE PLACED AT LEAST ID FEET

EN PULL BOXES AND COVERS SHALL BE FOOT APPROVED OF MON-WETALLIC CONSTRUCTION WITH RECESSED COVER LOGO "TRAFFIC SIGNAL" OR "FIBER OFFIC" AS APPROPRIATE.

22) ALL COMMUNICATION CABLE SHALL BE INSTALLED W SEPARATE PULL BOXES.

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28 W

EXHIBIT

241 CABLE GAIP SHALL BE OF SUFFICIENT SIZE TO NOT COMPROMISE THE INSOLATION ON THE SIGNAL CABLE.

25) THE CONTRACTOR SHALL VERIFY COLOR CODES FOR BOTH SIGNAL AND INTERCONNECT CABLE WITH DRANGE COUNTY BEFORE GROENING, WIRING DIAGRAMS SHALL BE IN ACCORDANCE WITH ORANGE COUNTY SPECIFICATIONS.

2D ALL FIELD WINGE SHALL BE HEATH BUNDLED AND CLEARD' IDENTIFIED WITH PERBANDINT LEGIBLE, WEATHERDOOF THIS THAT THE SECURELY ATTRIBLED TO EACH CABLE. THE TAGEND SISTEM PROPOSED SHALL BE SUBMITTED FOR APPROVAL WITH THE OTHER EXEMPTED SUBMITTALS

ZTI FRER OPTIC CARLE SHALL BE WANNER BY STRILE MODE / Q MALTI WODE LOOSE TUBE, OFF BLOCK, OPELECTRIC HYBRID PL CARLE AND WILL MILLING A IN GARZE, SURGLE CONDUCTOR WARE POWLED IN THE SAME CONDUCT AS THE FRER OPTIC CARLE FOR LOCATING. THE CONTINUED SHALL REFER TO THE TECHNICAL SPECIAL PROVISIONS FOR SURVLY — FRER OPTIC CARLE.

281 THREE SPARE WHES ARE RECURRED FOR SHAML CABLE. SPARES SHALL BE BOUND AND GROUNDED IN CABINET.

291 GROOMS MOUNTED CONTROLLER CARMETS SHALL BE TYPE 5 MINIMUM, URLESS STHERWISE SPECIFIES IN THE PLANS.

301 THE MOUNTING OR AFTACHMENT OF THE ELECTRICAL SERVICE TO THE TRAFFIC SIGNAL CABMET SHALL BE PROHIBITED.

34 THE CONTROLLER BASE AND SERVICE PAD SHALL BE A MONDLITHIC CONCRETE POUR 4 INCHES MAXIMUM ABOVE FRIENCES GRADE.

32) THE CABINET COOR SHALL OPEN MAY FROM THE INTERSECTION UNLESS SPECIFIED OTHERWISE. 33) TWE CONTROLLER ASSEMBLY SHALL BE TS-2 TIPE I OR TYPE 2 AND SHALL MAKE ALL HARDWARE MICESSAME TO COMMERCATE WITH OMNAC COMMITS SAMEL STATE, THE ADDITIONAL ECOMPLETE AND ACCESSABLES FOR THE FREE OFTER REFORMECT SHALL BE PURPLED AND WISTALLD AS PART

34) PRE-EMPTION SYSTEM SHALL BE COMPATIBLE WITH ORANGE COUNTY'S EXISTING SYSTEM.

19 DELLO TIMES SHALL BE SET TO 5 SECONDS.

38 DURING TRAFFIC SIGNAL FLASHING OPERATORY THE RED ARROW MIDIEATION OF ALL 3-SECTION LEFT TURN MELIOS SHALL FLASH. WALLES SPECETED OTHERMISE, FLASHING OPERATOR SHALL BE ARROW FOR MOMERCHES & 8 6 AND RED FOR MOMERCHES & 8 8.

377 ALL SIGNAL DISPLAYS SHALL BE LED.

38) NO POLICARDONATE MOUSING OR MOUNTING HANDWAYE WILL BE PERNITTED FOR VENIXUARA OR PEDESTRIAN SURMAL MEAD ASSEMBLES. ALL SCHAL MEADS SHALL BE CAST ALDMANN. THINKEL VISORS SHALL BE USED ON ALL SHORK SECTIONS. PAYMENT FOR TURNEL VISORS SHALL BE MICLIFED IN THE PRICE OF THE SASHAL MERIS.

39 ALL SIGNAL ASSEMBLES SHALL HAVE A VERTICAL CLEARANCE OF IT.5 FEET MAINING AND IS FEET MAXIMUM FROM THE BUTTOM OF THE ASSEMBLY TO THE ROAD.

ON EXISTING SIGNALIZATION SHALL REMAIN IN PLACE TO THE EXTENT POSSIBLE AND SHALL BE USED FOR THE MANTENANCE OF TANFE AS REQUIRED. THE MANTENANCE OF EXISTING SIGNALS, ONTH, REMOVED, SHALL REMAIN THE RESPONSIBILITY OF THE CONTINUED, SHALL REMAIN

40 THE USE OF "JONES" PLUSS FOR SIGNAL INSTALLATIONS SHALL BE PROHIBITED.

49 CHICULAR DRIP LOOPS INSTRUM ONE CHICLE) ARE TO BE PROMOED AT ALL ARRIAL DISCONNECT NAMEER, INTERCONNECT ARRETOR BOX, ELECTRICAL SIGN AND POLE ARCTORS.

431 ALL PEDESTRIAN SIGNALS SHALL BE 16" LEO, COURTOONS TYPE.

+W PEDESTRIAN SIGNS WEEDED ARE: FTP-688-05.

-S) CONTRACTOR IS TO ENSURE THAT A 4' x 4' FLAT LANDING AREA (522-0 IS ACAMCENT TO ALL FED BUTTONS FOR PEDESTRIAN ACCESS.

46) THREE CU SPARE CONDUCTORS ARE TO BE ROW TO THE FURTHEST PEDESTRIAN SIGNAL HCAD.

49 AM EXISTING LOOPS DIMAGED DURING CONSTRUCTION SHALL BE REPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST. TEMPORARY DETECTION WILL BE REQUIRED WHENEVER REPAIRS CARROT BE MADE WITHIR 24 HOURS.

4D THE CONTRACTOR SHALL POTETY GRANGE COUNTY TRAFFIC OPERATORS 4407-836-1850 AT LEAST 84 MOURS IN MOVINGE OF LODE CUTTING SO THAT COUNTY PERSONNEL MAY CHARLE THE LODES MOD DESCRIPE THER INSTALLATION.

48 ALL NEW LOOP DETECTORS ARE TO BE WISTALLED IN THE CARMET PRICE TO CUTTING THE EXISTING LOOPS.

SOLANY NEW OR EXISTING STRIPPING CUT BECAUSE OF LOOP PLACEMENT SHALL BE RE-STRIPPED PRIOR TO ACCEPTANCE.

SO ALL TYPE F LOOPS SHALL BE G FEET WIDE BY 40 FEET LONG AND EXTEND 3 FEET BEYOND THE STOP BAR UNLESS OTHERWISE MOTED IN THE PLANS.

SZI ALL DETECTOR LOOPS OR SYSTEM SENSORS SHALL BE CUIT ORTO THE ASPHALTE CONCRETE STRUCTURAL COURSE WHEREYER POSSIBLE. ALL LOOP LEAD-IN CABLES SHALL BE PLACED IN CONDUT. LOOP LEAD-IN CABLE SHALL NOT EXIT THE ROMAINS WITHIN THE CONFIDER RADIUS AT AN INTERSECTION.

331 EACH LOOP SHALL BE TREATED AS AN IMPRIVIOUAL LOOP WITH SEPARATE LEAD-ISS FROM SPLICE POINT TO CABINET TERMINAL.

SA SHIELDED WHRITE SHALL BE USED FOR ALL LOOP LEAD-IN CABLE FROM THE LOOP SPLICE POINT TO THE CABINET TERMINAL.

SSI THE CONTRACTOR SHALL USE BELOOK TYPE 9438 ROADWAY LOOP WIRE, OR EQUIVALENT TYPE INHM HIGH DENSITY CROSSLAKED POLYETHILENE WISULTED WIRE RATED 800 VOLTS.

SE SECTION 660-3.2 OF THE FOCT SPECIFICATIONS IS MODIFIED TO REQUIRE THAT ALL SANCHTS FOR LODY INSTALLATION SHALL BE CLEARED OF GOST, DIRT AND OTHER DEBRIS WITH A VACUUM CLEARER PHOR TO THE INSTALLATER OF LODY MINE OR LEAD-IN CABLE. ALL SANCHTS SHALL BE SEALED WITH AN APPROVED FLEXIBLE EPOCY.

STI SECTION 660-3.3 OF THE FOOT SPECIFICATIONS IS MODIFIED TO PROMBIT THE USE OF TYPE IN STEEP ASPIRAL OR COAL THE BASE CEMENT TO SEAL TRAFFIC DETECTOR LOOPS.

SAI SECTION 680-6-2 OF THE FOOT SPECIFICATIONS IS MODIFIED TO REQUIRE THE HISBLATION RESISTANCE OF EACH LIDY TO MEASURE GREATER THAN IOD MEDICINGS WHEN USING A SOU-OUT OF MISBLATON WEBGEN.

59) IF A CONTINUOUS FURI OF SIGNAL CABLE IS NOT POSSIBLE FROM THE CABINET TO THE SIGNAL HEAD, THEN A TERMINAL BLOCK SHALL BE USED.

ON SIX FEET OF ADDITIONAL CABLE SLACK SHALL BE WOMEN DISIDE THE UPRIGHT AND SUPPORTED BY THE CABLE CLAPS SIGN THAT THE TERMINAL BLOCK CAR BE REMOVED FROM THE UPRIGHT TO ALLOW FOR TROUBLESHOOTING.

OF THE CONTRACTOR SHALL BE RESPONSELLE FOR MIRING A CERTIFIED DRILLED SHAFT CTOP LEVEL I CONSTRUCTOR EMBLEGATION OF DISPECTION NEED FRIM, AND A CHARGETE TESTING LABORATION FOR THE PRIMARY OF INSPECTION ALL DRILLED SHAFT INSTALLATIONS FOR TOT STRANDAS. THE FIRM SHALL THEN SHAPL THE SECOND AD SEALED REPORT FOR SHAFT OF THE PL. IN RESPONSIBLE CHARGE OF THE SECOND REPORT OF THE PL. IN RESPONSIBLE CHARGE OF THE SECOND TO THE CONSTRUCTION OF THE EMBLED SHAFT SHAPLED S DRILLED SHAFTIST.

GET THE CONTRACTOR SHALL BE RESPONSIBLE FOR SUPPLYING APPROVED SHOP DRIMINGS SHOWING THE BOLT PATTERN AND IRM ORIENTATION PRIOR TO THE PRE-DRUL SHAFT

63) PUSH BUTTONS SHALL BE CONSTRUCTED WITH MECHANICAL CONTRETS. MICROSPITCHES SHALL NOT BE USED.

ON THE CONTRACTOR SMALL DISTALL AND TEST IN PLACE THE INTERNALL RUMINATED STREET RAME SIGHS. THE SAGES AND TO BE RUNNED IN THE OD DAYS DEFORM FINAL RECEPTANCE. THE SAGES SHALL HAVE SEPARATE EPOLITY DIRECTORS.

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BUTHE FINISH COATING OF TRAFFIC SIZNAL WAST AMIS/POLES SHALL BE A TREGISCION, SOCIAMBATE OR OBSTAME POLICESTER FORCES COMMANDET IN COLOR TO VALUOUS FIZION BUILD BE SHALL BE LICTUS-STAVELLY IMPRIED AND CURED BY MEATING.

OF ALL INTERNALLY ILLUMNATED STREET NAME SIGNS SHALL BE COURLE FACED UNLESS STATED OTHERNISE IN THE PLAIS, AND SHALL BE ILLUMNATED WITH WHITE LEGS.

GOI THE SUPPORT ARM AND BRACKET FOR INTERNALLY ILLIMINATED STREET HAME SIGHS SHALL BE DESIGNED TO SUPPORT A SIGN WEIGHING 75 FOUNDS.

SO THE CONTRACTOR SHALL BUT BY ORANGE COUNTY TRAFFIC PROMERANG AT 407-405-7800 THAT A SIGNAL IS READ FOR HITTAL HISPECTUM. TRAFFIC ENGINEERING WITHIN 107 OR THE TRAFFIC PROMERANGE OF THE SIGNAL TO SE TURBED OF FLASHING MODE OF DETERMINED TO SE READ FOR THAL OPERATOR AND THE TRAFFIC ENGINEERING WILL ALLIED THE SIGNAL TO BE TURBED ON TO FULL OPERATOR HISPECTURE OF THE ENGINEER.

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GENERAL NOTES

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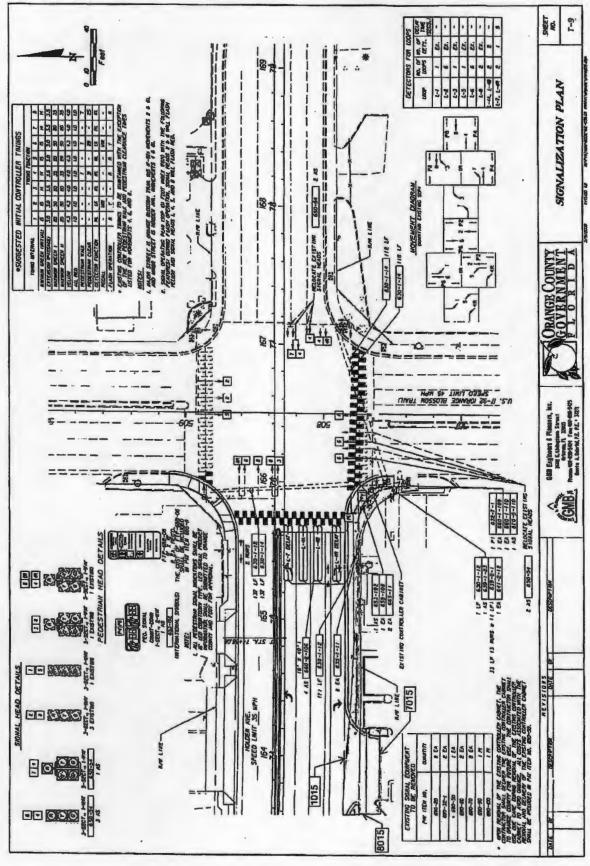
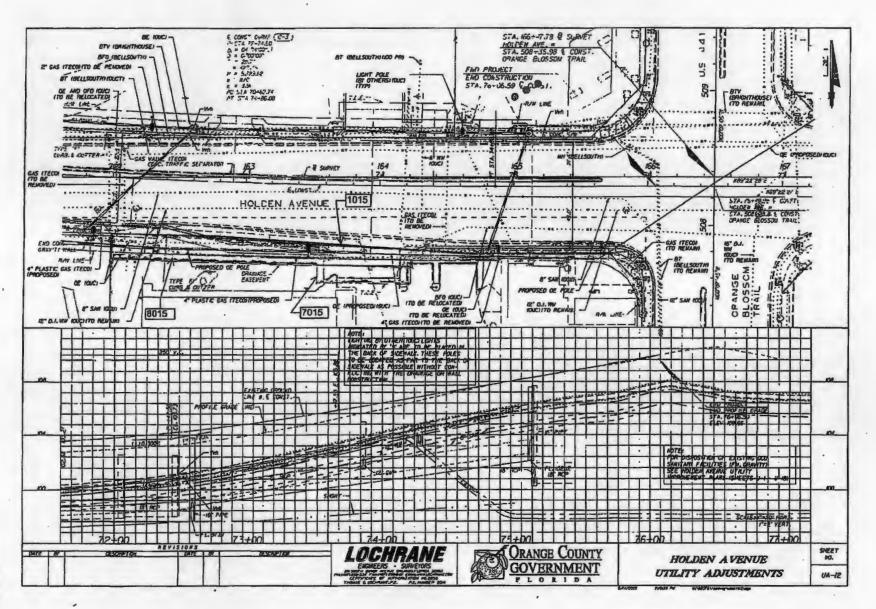


EXHIBIT B Page 27 of 28



Orange County v. Orlando South Trail Plaza, LLC, et al.,

Case No. 2014-CA-10828-O January 28, 2015

CIP#3045 Holden Avenue - John Young Parkway to Orange Blossom Trail Parcels: 1015/7015/8015

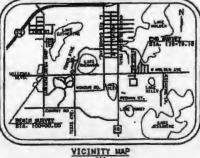
South Trail Plaza, LLC, et al.,



RIGHT OF WAY MAPS FOR HOLDEN AVENUE SEGMENT 1

JOHN YOUNG PARKWAY TO ORANGE BLOSSOM TRAIL (US 441) C.I.P. NO. 3045 **COUNTY CONTRACT Y2-818** DISTRICT NO. 6 ORANGE COUNTY, FLORIDA

GENERAL NOTES



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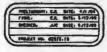


	INDEX OF SHEETS
SHEET	DESCRIPTION
1	ICOVER SHEET
. 2	KEY MAP
3-10	DETAIL SHEETS
11	REFERENCE POINTS
12-13	OWNER TABULATION SHEETS





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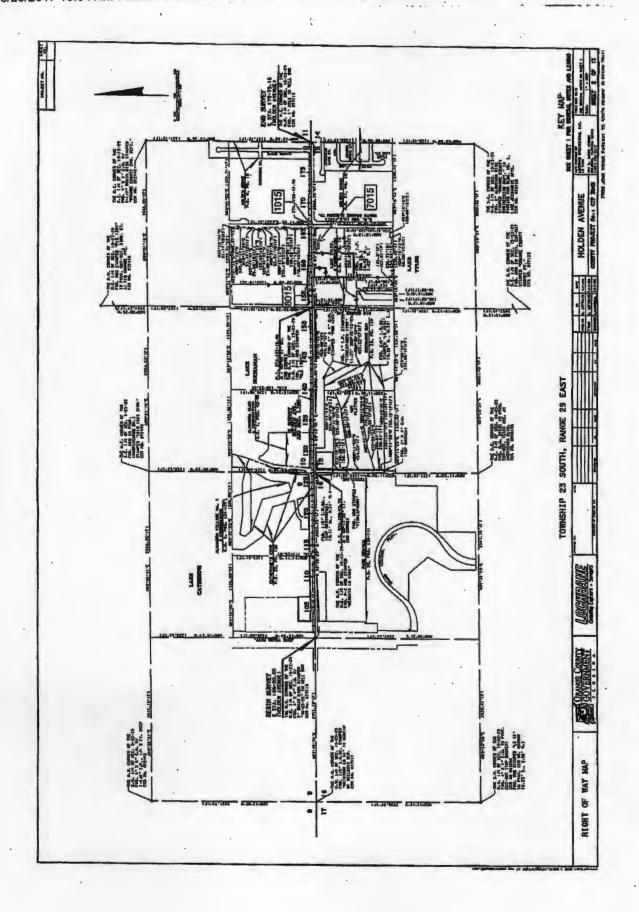


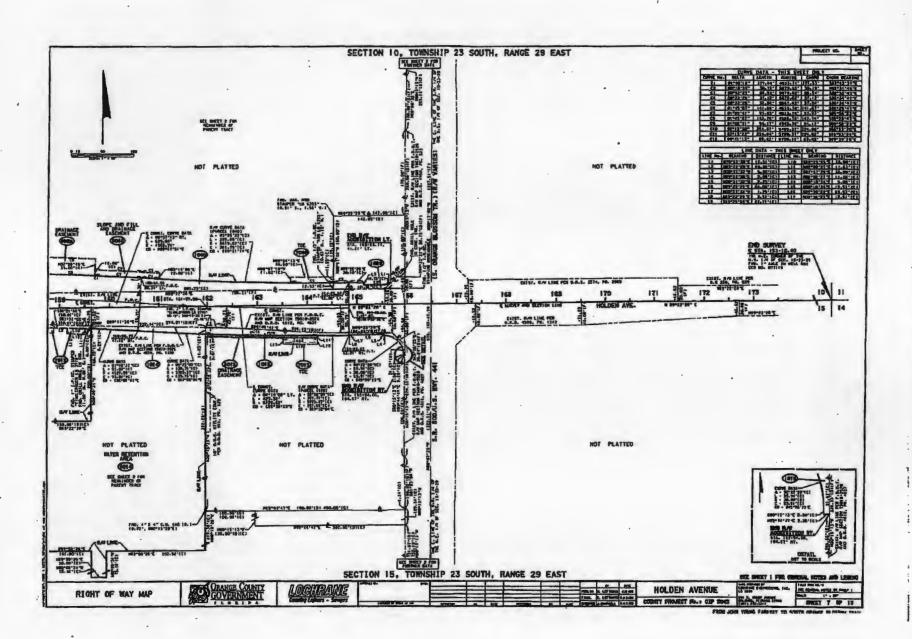


BOARD OF COUNTY COMMISSIONERS

TICHARD T. CRUTTY	COUNTY MAYO
S. SCOTT BOYD	DISTRICT
FREDERICK BRUINER	DISTRICT
CILDRED FERNANDEZ	DISTRICT
INDA STEWART	DISTRICT
SILL SEGAL	DISTRICT
TIFFANY MOORE	DISTRICT
MARK Y. MASSARO, P.E.	DIRECTOR OF PUBLIC WORK

EXHIBIT C Page 1 of 4





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ENGINEERING / PLANNING

January 11, 2017

Orange County Government
Community, Environmental and Development Services Department
201 Rosalind Avenue
Orlando, Florida 32801

Attn: Carol Knox, Zoning Manager

Re: Holden Avenue Widening

Orange County Project No.: 3045 Parcel No.: 1015/8015/7015

NYR Properties, LLC (South Trail Plaza)
15-23-29-0000-00-011 (commercial strip center) &
15-23-29-0000-00-059 (outparcel restaurant)

Dear Ms. Knox:

Kelly, Collins & Gentry, Inc. (KCG) is assisting Orange County with right of way acquisitions for the above referenced property. Enclosed please find various exhibits and photos of the property located at 4700 & 4714 South Orange Blossom Trail (southwest corner of SOBT and Holden Avenue) in unincorporated Orange County.

The subject property is a ±3.3 acre improved multi-tenant shopping center known as South Trail Plaza with a free standing restaurant use at the near corner of the intersection. The Orange County right of way acquisition consists of three parts:

- Parcel 1015: a variable width fee simple strip along the Holden Avenue frontage totaling 3,730 sf in size.
- Parcel 8015: a 5 ft wide permanent easement at the northwest portion of the property totaling 1,123 sf in size, and;
- Parcel 7015: a temporary construction easement located at the easterly driveway connection to Holden Avenue totaling 864 sf in size.

Affected site improvements include:

Parcel 1015: Two driveway connections to Holden Avenue, asphalt it
pavement areas, drainage inlet, curbing, pavement markings, palm trees and
various landscaping, portions of concrete walkways, and the restaurant pole
sign in the northeast corner of the property.

Ms. Carol Knox January 11, 2017 Page 2

- Parcel 8015: Asphalt area, pavement markings, a portion of one parking space, curbing, bollard, a portion of the perimeter fencing, and landscaping.
- Parcel 7015: Concrete curbing, landscaping, asphalt area and partial encroachment into two parking spaces.

The site was first developed in the 1950's and predates the current county land development regulations. In accordance with Section 38-46, it is the intent of the county to permit nonconformities to continue until they are removed or damaged to the extent of seventy-five (75) percent or more of the assessed value.

In the before condition prior to the taking, the property was nonconforming to landscaping, parking, building setbacks and signage as described below:

• Landscaping: In accordance with Chapter 24, where a vehicular use area lies adjacent to a public roadway the site shall provide a 7 ft wide landscaped strip with 1 tree per 40 lf and continuous 30 inch hedge row. The subject property is improved with minor landscaping improvements along portions of the Holden Avenue frontage consisting of palm trees, hedges and ground cover, generally nonconforming to minimum code standards.

The fee simple acquisition (Parcel 1015) will further reduce the nonconforming buffer width to ± 1.5 ft wide in areas impacted much of the existing landscape material.

Parking: The current retail shopping center includes approximately 36,282 sf of leasable retail / commercial space requiring 200 spaces. The outparcel restaurant use requires approximately 10 additional spaces (210 total spaces required). As improved, the outparcel restaurant is striped with 9 spaces and the center with 141 spaces (150 total spaces).

The roadway construction will impact the north portion of the site rendering seven parking spaces along the north side of the building functionally obsolete. As a result, overall parking in the after condition is reduced from 150 spaces to 143 spaces, a percentage loss of 4,7%,



Ms. Carol Knox January 11, 2017 Page 3

Building Setbacks: The restaurant building in the northeast comer of the site
was built in 1968 and is setback ±4.92 ft from Holden Avenue. Per Section
38-855 of the Orange County Land Development Code the required setback
from Holden Avenue is 25 ft.

As a result of the right of way acquisition (Parcel 1015), the outparcel building setback is reduced from ± 4.92 ft to ± 1.26 ft, increasing the setback nonconformity.

• <u>Signage:</u> The property is improved with two permanent business signs. The permanent pole sign for the Plaza is located along South Orange Blossom Trail outside the limits of the acquisition. The restaurant pole sign is located in the northeast corner of the property. In the before condition, the restaurant sign is otherwise conforming with the exception of a 2.5 ft setback from the property line.

The restaurant sign is located within the area of acquisition; however, there is sufficient area within the remainder property to reestablish the sign at the minimum required 10 ft setback, in compliance with code.

Orange County / KCG Cured Remainder Plan

On behalf of the Orange County Public Works Department, KCG has prepared a Cured Remainder Plan (attached) to address site improvements impacted by the acquisitions to the greatest extent possible, and in a manner that does not adversely affect the health, safety or welfare of the general public.

In the northwest portion of the site, the cure plan proposes to restore site circulation by providing a 22 ft wide drive aisle. Additional cure activities include modification of the covered walkway at the northeast corner of the plaza, and minor drainage improvements. In the northeast portion of the site, cure activities include a new business sign for the restaurant in compliance with code, new palm trees, landscaping and irrigation repairs as necessary.

The cured remainder plan endeavors to comply with applicable codes and ordinance to the extent possible (e.g. new business signage). However, where the inherent hardship created by the governmental taking places limitations upon redevelopment alternatives, relief from code is proposed.



Ms. Carol Knox January 11, 2017 Page 4

Action to be Taken:

Pursuant to Section 30-637 of Article XIII, Eminent Domain Waivers, Exceptions and Variances, we are requesting a waiver from the Zoning Manager for relief from the nonconforming conditions previously identified and reflected on the attached Cured Remainder Plan dated 10/24/16.

Your signature below shall constitute approval of this request. Please provide any comments or conditions as necessary.

Thank you for your assistance with this matter.

Respectfully Submitted,

KELLY, COLLINS & GENTRY, INC.

Hal Collins, Jr., P.E.

Principal Planner

Enclosures

Lacel A. Stuart

Principal Planner

Enclosures

Carol Knox, Zoning Manager

Comments:

xc: Damian Czapka, P.E., Orange County Public Works

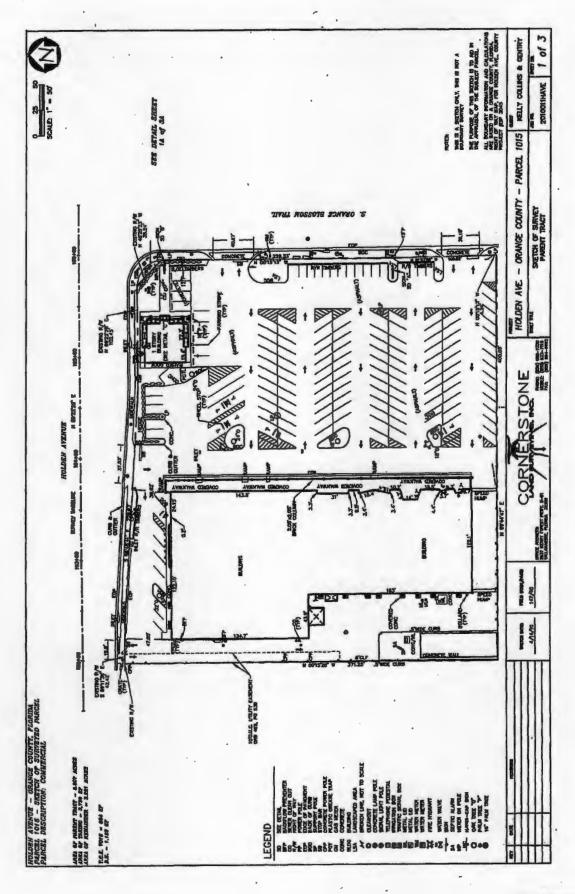
Elaine M. Asad, Esq., Orange County Attorney's Office

Christopher Langton, Orange County Real Estate Division

Ted Hastings, MAI, The Spivey Group, Inc.

QA) (Projects)Orange County Y7-903-DB/Holdin Avelatish gordon waver later request/847 1015_south trail plans_waver letter_010917.doc





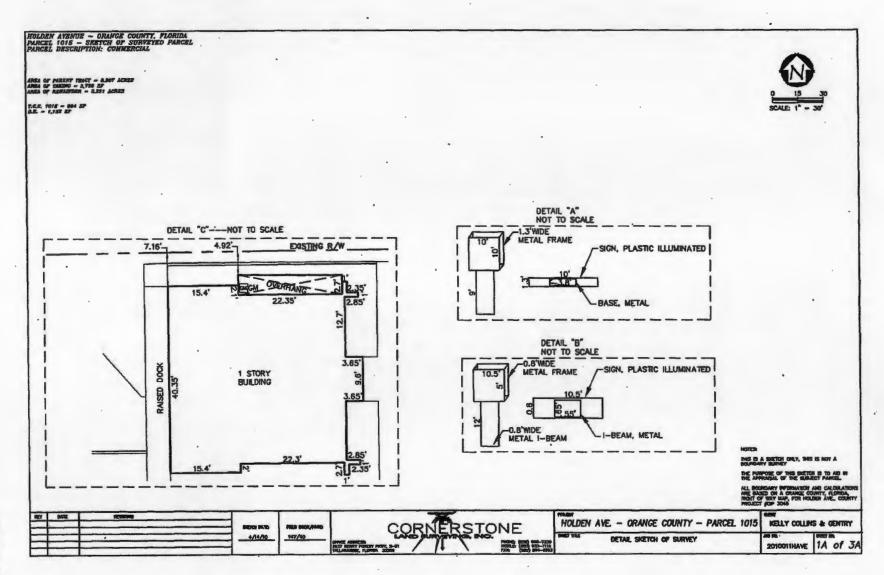
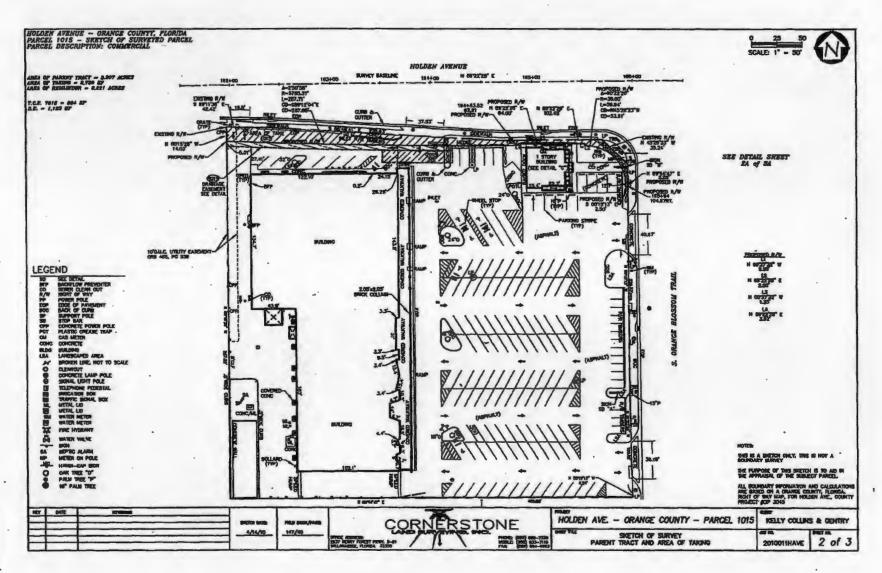
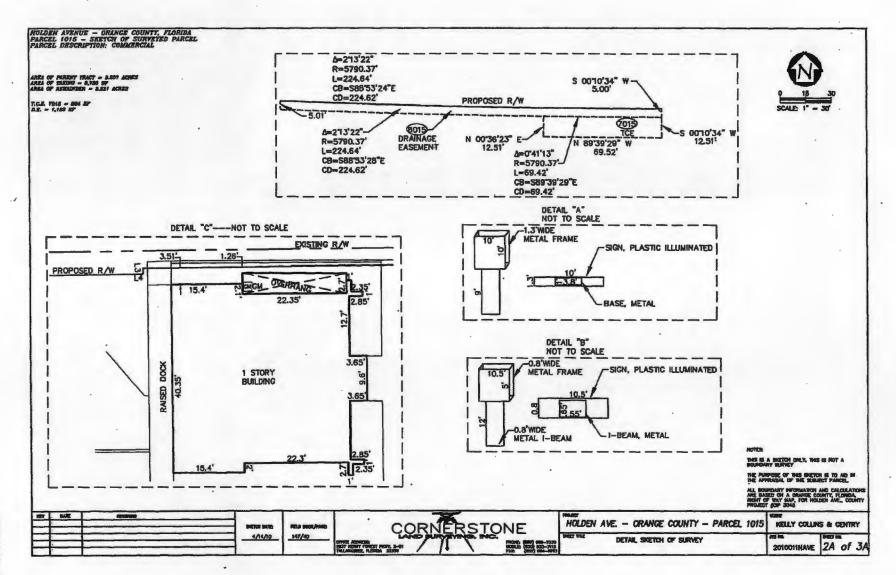


EXHIBIT D Page 6 of 13





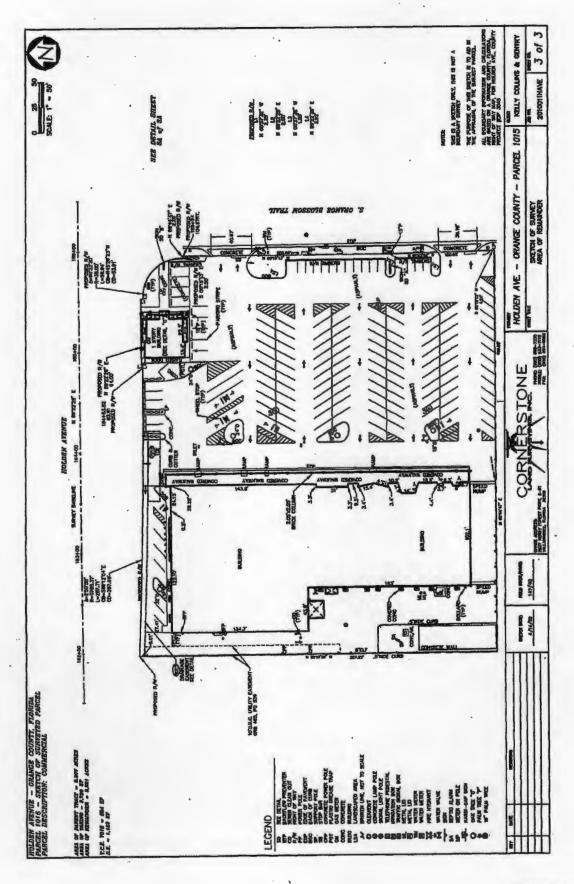


EXHIBIT D Page 9 of 13

