




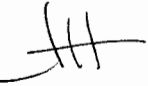
COUNTY ATTORNEY'S OFFICE
JEFFREY J. NEWTON, County Attorney

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>

AGENDA ITEM

MEMORANDUM

TO: Mayor Teresa Jacobs
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney 
Andrea Adibe, Assistant County Attorney 
Contact: (407) 836-7320

DATE: May 17, 2017

SUBJECT: Consent Agenda Item for June 6, 2017
Central Florida Expressway Authority v. Orange County
Case No. 2014-CA-6812-O
Parcel 135, S.R. 429 Wekiva Parkway Extension

This item requests settlement authorization by the Board of County Commissioners (BCC) for the *Central Florida Expressway Authority v. Orange County* eminent domain case brought on behalf of Central Florida Expressway Authority for construction of S.R. 429 Wekiva Parkway extension, and authority for the County Attorney's Office to execute the Stipulated Final Judgment on behalf of Orange County.

Under separate cover the Board has been provided a Confidential Memorandum dated May 17, 2017 from Jeffrey J. Newton, County Attorney, and Andrea Adibe, Assistant County Attorney, a Settlement Analysis, and a proposed Stipulated Final Judgment. 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 proposed settlement in the case *Central Florida Expressway Authority v. Orange County*, Case No. 2014-CA-6812-O, Parcel 135; Project: S.R. 429 Wekiva Parkway, and authorization for the County Attorney's Office to execute the proposed Stipulated Final Judgment as to Parcel 135 on behalf of Orange County.

AAA/mhl

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

Deputy County Attorney
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



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JEFFREY J. NEWTON, County Attorney

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07-05-17 14:14 RCD

MEMORANDUM

Deputy County Attorney
Joel D. Prinsell

Senior Assistant County Attorneys

Elaine M. Asad
Lila McHenry

Assistant County Attorneys

Andrea A. Adibe
Roberta Alfonso
Cristina T. Berrios
Anthony Cotter
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Kimberly Cundiff

Paralegals
Melessia Lofgren
Maria Vargas, ACP

TO: Katie Smith, Deputy Clerk
Comptroller Clerk of BCC

FROM: Andrea Adibe, Assistant County Attorney

DATE: July 5, 2017

SUBJECT: Consent Agenda Item for June 6, 2017
Central Florida Expressway Authority v. Orange County
Case No. 2014-CA-6812-O
Parcel 135
Project: S.R. 429 Wekiva Parkway
Consent Agenda Item 1
Document: Stipulated Final Judgment
Date of BCC Approval: June 6, 2017

Enclosed is a fully executed copy of the above referenced Stipulated Final Judgment entered by Judge Christi L. Underwood on June 15, 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 May 17, 2017, for the consent agenda item that was approved by the Board on June 6, 2017.

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

AAA/mhl

Enclosures



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

Deputy County Attorney
Joel D. Prinsell

*Senior Assistant County
Attorneys*
Elaine Asad
Lila McHenry

*Assistant County
Attorneys*
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Anthony Cotter
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Supervisor*
Anna M. Caban

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Melessia Lofgren
Maria Vargas, ACP

MEMORANDUM

TO: Mayor Teresa Jacobs
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney *JJN*
Andrea A. Adibe, Assistant County Attorney *AA*
Contact: (407) 836-7320

DATE: May 17, 2017

SUBJECT: Consent Agenda Item for June 6, 2017
Central Florida Expressway Authority v. Orange County
Case No. 2014-CA-6812-O
Parcel 135, S.R. 429 Wekiva Parkway

This item requests settlement authorization by the Board of County Commissioners (BCC) for the *Central Florida Expressway Authority v. Orange County* eminent domain case brought on behalf of Central Florida Expressway Authority ("CFX") for S.R. 429 Wekiva Parkway. The County staff recommends settlement of the case upon payment by CFX of \$205,000 to Orange County.

I. The Project

The parent tract of the subject property consisted of approximately 27.391 acres located on the west side of Sorrento Avenue, north of Yothers Road. The Central Florida Expressway Authority ("CFX") condemned approximately 8.334 acres of land located in the central portion of the parent tract owned by Orange County for the construction of the Wekiva Parkway extension.

The Real Estate Management staff believed that prior sale data, as discussed in the attached Settlement Analysis reasonably supported a value of \$20,000/acre for the Parent Tract. Based on this value, compensation for CFX's acquisition of Parcel 135 would be \$166,680 for the land acquired, plus \$38,100 in severance damages using the same methodology used by CFX. Orange County staff requested total compensation of \$205,000.

May 8, 2017

Page 2 of 2

II. Staff Recommendation

The County's staff includes Andrea Adibe, Assistant County Attorney, Raymond L.A. Williams, Chief Engineer, and Ann Caswell, Division Manager. County staff recommends that the BCC approve the settlement. If a briefing is desired, please have your administrative aide contact Andrea Adibe at extension 6-7364 to arrange a time.

Attached is a copy of the Settlement Analysis with the proposed Stipulated Final Judgment as to Parcel 135.

ACTION REQUESTED: Approval of the proposed settlement in the case *Central Florida Expressway Authority v. Orange County*, Case No. 2014-CA-6812-O, Parcel 135; Project: S.R. 429 Wekiva Parkway, and authorization for the County Attorney's Office to execute the proposed Stipulated Final Judgment as to Parcel 135 on behalf of Orange County.

AAA/mhl

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
Elaine Asad, Senior Assistant County Attorney

S:\AAdibe\Litigation\Cases\Eminent Domain\CFX v OC P-135 2014-CA-6812-O\BCC

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

Case Name: *Central Florida Expressway Authority v. Orange County, Florida*
Case No. 2014-CA-006812-O
Parcel: 135

SETTLEMENT ANALYSIS

Land Size

Parent Tract: 27.391 acres
Parcel 135: 8.334 acres
Western Remainder: 10.285 acres
Eastern Remainder: 8.772 acres

COMPENSATION VALUES		
	CFX	County (Owner)
Land	\$4,286 to \$19,825/acre → \$12,000/acre x 8.334 acres = \$100,000	\$16,400 to \$31,127/acre → \$20,000/acre x 8.334 acres = \$166,680
Damages	25,000	38,100
Total	\$125,000	\$204,780

RECOMMENDED SETTLEMENT	
Compensation	\$205,000

The Central Florida Expressway Authority ("CFX") condemned approximately 8.334 acres of land owned by Orange County for the construction of the Wekiva Parkway extension. The parent tract of the subject property consisted of approximately 27 acres located on the west side of Sorrento Avenue, north of Yothers Road. Real Estate Management records indicate that a large part of the parent tract was purchased by the County in a series of transactions in the 1960's and 1970's for use as a borrow pit and was referred to as the Plymouth Pit. About 10 acres of the property was leased to the U.S. Department of Agriculture in the 1980's through 1999 for citrus and horticultural research. Since that time the property has been vacant and unused. The remaining 19 acres are irregularly shaped.

The 27.391 acre parent tract has a future land use designation of Rural and a zoning designation of A-1. However, it is adjacent to property zoned Low Density Residential and Residential Low Suburban, so the highest and best use of the property is arguably low density residential. Both parties used the "comparable sales" approach to value the property.

CFX's appraiser found four sales, which he believed were comparable to the Parent Tract. The first comparable sale was located in unincorporated Orange County, Florida, and was zoned A-1, with a future land use designation of Rural/Agricultural. This property was sold for \$19,825/acre. The second and third comparable sales were located in unincorporated Lake County, Florida and were zoned Agriculture with future land use designations of Rural. Both properties sold for \$10,769/acre and \$6,232/acre, respectively. The final sale was also located in unincorporated Lake County, Florida. Said property was zoned Agriculture with a future land use designation of Rural Transition and was sold for \$4,286/acre.

Based on the aforementioned comparable sales, the CFX appraiser reconciled the value of the subject property to \$12,000/acre. The appraiser found that the value of the land and improvements condemned was \$100,000. The CFX appraiser also found that the remainder of 19.057 acres suffered a 10% severance damage, which he valued at \$25,000. The sum of all compensation is \$125,000.

Orange County's Real Estate Management ("REM") staff found eight sales, all of which are located within Orange County, Florida, which they believe provide a reasonable indication of the value of the Parent Tract. These sales ranged from 5.6 acres to 37.78 acres and ranged in value from \$16,400/acre to \$31,127/acre. The REM staff believed these sales reasonably supported a value of \$20,000/acre for the Parent Tract. Based on this value, compensation for CFX's acquisition of Parcel 135 would be \$166,680 for the land acquired, plus \$38,100 in severance damages using the same methodology used by CFX. Orange County staff requested total compensation of \$205,000.

Additionally, as a result of the taking by CFX, the remainder parcel located east of the new Wekiva Parkway extension will continue to maintain vehicular access from Sorrento Avenue. However, vehicular access for the remainder parcel located west of the Wekiva Parkway extension presented a concern for staff because said parcel appeared to be landlocked by the taking. To alleviate staff concerns and, in settlement of this case, CFX has agreed to pay \$205,000 to Orange County for the taking and also agreed to construct a 30-foot right-of-way for the western remainder parcel to provide vehicular access to said parcel. The 30-foot right-of-way is shown on the construction plans that CFX provided to staff for review prior to reaching a settlement in this matter. Said construction plans are attached as an exhibit to the proposed Stipulated Final Judgment.

The CFX board has already approved this settlement agreement. Please find a copy of the proposed Stipulated Final Judgment attached as **Exhibit "A."** Also, attached as **Composite Exhibit "B"** is a location map of the parent tract, a right-of-way map and aerial of Parcel 135 and the resulting remainder parcels, and a legal description and sketch of Parcel 135.

EXHIBIT “A”
STIPULATED FINAL JUDGMENT

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

CASE NO.: 2014-CA-6812-O
DIVISION: 39

CENTRAL FLORIDA EXPRESSWAY
AUTHORITY, a body politic and corporate,
and an agency of the State under the laws of
the State of Florida,

Petitioner,

v.

PARCEL: 135

ORANGE COUNTY, FLORIDA, a political
subdivision of the State of Florida; and
SCOTT RANDOLPH, Orange County Tax Collector,

Respondents.

STIPULATED FINAL JUDGMENT AS TO PARCEL 135

THIS CAUSE having come on for consideration upon the Joint Motion for entry of a Stipulated Final Judgment by the Petitioner, **CENTRAL FLORIDA EXPRESSWAY AUTHORITY** ("Petitioner") and Respondent, **ORANGE COUNTY, FLORIDA** ("Respondent") and as the fee owner of Parcel 135, as confirmed in the Joint Motion attached hereto, and it appearing to the Court that the parties were authorized to enter into such motion, the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable for all parties concerned and the Court being otherwise fully advised in the premises, finds:

- A. The taking is necessary for a public purpose.
- B. This Court found that the good faith estimate of value was **ONE HUNDRED TWENTY- FIVE THOUSAND DOLLARS EXACTLY (\$125,000)** for Parcel 135.

- C. Petitioner previously deposited the sum of **ONE HUNDRED TWENTY- FIVE THOUSAND DOLLARS EXACTLY (\$125,000)** in the Registry of the Court, which has been disbursed and Petitioner shall receive credit in that amount regarding the sum due.
- D. The parties have reached a settlement regarding the amount of full compensation due to the Respondent for the taking of Parcel 135.
- E. The compensation to be paid by Petitioner is full, just and reasonable for all parties concerned.
- F. The parties have waived the right to trial by jury and consent to the immediate entry of this Stipulated Final judgment.
- G. On or about August 14, 2014, the Orange County Tax Collector filed a Disclaimer of Interest. Accordingly, it is

ORDERED AND ADJUDGED as follows:

1. Full and complete compensation for the taking of Parcel 135, including damages resulting to the remainder and for any other damages of any kind and nature, including severance damages, business damages, tort damages (if any), interest, attorneys' fees, experts' fees and costs is the sum of **TWO HUNDRED FIVE THOUSAND DOLLARS EXACTLY (\$205,000)**.
2. Title to the property designated as Parcel 135, and more particularly described in **Exhibit "A"** attached hereto and incorporated herein, is vested in the Petitioner, Central Florida Expressway Authority, pursuant to the August 5, 2014 Order of Taking and deposit of the good faith estimate of value made on August 18, 2014 by the Petitioner. The vesting of title is hereby approved, confirmed and ratified.

3. There shall be no further claim by the Respondent, **ORANGE COUNTY, FLORIDA**, and all parties claiming by, though, under or against said Respondent, in this action for any further monies from the Petitioner.

4. Within ten (10) days after receipt by the Petitioner of this Stipulated Final Judgment, Petitioner shall pay Orange County, Florida the total sum of **EIGHTY THOUSAND DOLLARS EXACTLY (\$80,000)** with the check made payable to Orange County Board of County Commissioners, c/o Andrea A. Adibe, Esq., County Attorney's Office, 201 S. Rosalind Avenue, P.O. Box 1393, Orlando, FL 32802-1393, which sum represents the difference between full compensation (\$205,000) and the amount previously deposited (\$125,000).

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida this _____ day of May, 2017.

JOHN MARSHALL KEST
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Stipulated Final Judgement was filed with the Clerk of the Court this _____ day of May, 2017, by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorneys and interested parties identified on the e-Portal Electronic Service List, via transmission of Notices of Electronic Filing generated by the e-Portal System.

Judicial Assistant /Attorney

EXHIBIT “A”

LEGAL DESCRIPTION OF PARCEL 135

ORLANDO ORANGE COUNTY
EXPRESSWAY AUTHORITY
STATE ROAD 429
PROJECT NO. 429-202

PARCEL NO. 135
PURPOSE: LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; BEING A PORTION OF THE SOUTHEAST 1/4 OF SAID SECTION 25 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING A FOUND 6"X6" CONCRETE MONUMENT WITH 1" IRON PIPE, TOP BROKEN AND NO IDENTIFICATION; THENCE NORTH 00°06'03" EAST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 25, A DISTANCE OF 535.52 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 132 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°15'54" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 408.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°15'54" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 254.36 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°01'37" WEST ALONG SAID EAST LINE, A DISTANCE OF 131.84 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°15'41" WEST ALONG SAID NORTH LINE, A DISTANCE OF 115.50 FEET TO A POINT; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 11°31'44" WEST, A DISTANCE OF 1019.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE NORTH 89°41'41" EAST ALONG SAID NORTH LINE, A DISTANCE OF 318.21 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°02'40" EAST ALONG SAID WEST LINE, A DISTANCE OF 333.49 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°21'06" EAST ALONG SAID NORTH LINE, A DISTANCE OF 113.10 FEET TO A POINT; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 10°07'33" EAST, A DISTANCE OF 807.60 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 8.334 ACRES, MORE OR LESS.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION
SEE SHEET 3 FOR GENERAL NOTES AND LEGEND

SHEET 1 OF 3

FOR: ORLANDO-ORANGE COUNTY
EXPRESSWAY AUTHORITY

DATE: FEBRUARY 28, 2013

PROJECT NO.: H20-01

DRAWN: PMM CHECKED: JMS

STATE ROAD 429
OOCEA PROJECT NO. 429-202
PARCEL NO. 135



GEODATA CONSULTANTS, INC.

SURVEYING & MAPPING

2700 WESTHALL LANE

SUITE 137

MAITLAND, FLORIDA 32751

VOICE: (407) 660-2322 FAX: 660-8223

LAND SURVEYOR BUSINESS LICENSE NO. 6556

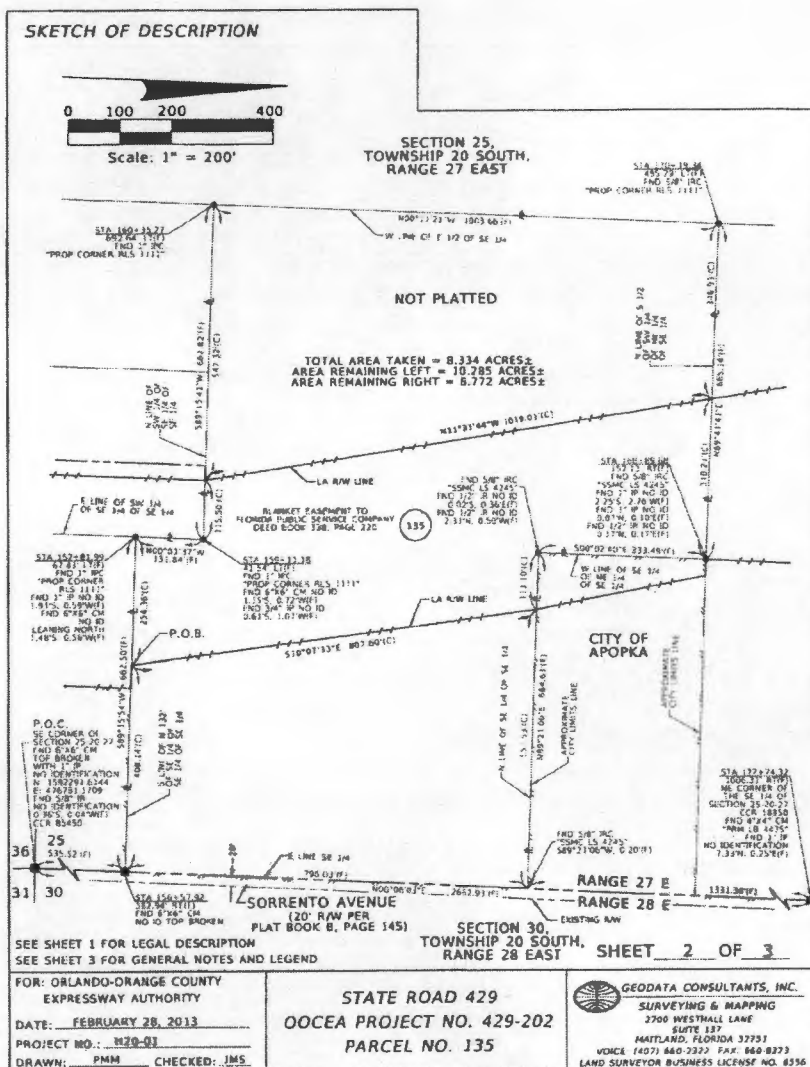


EXHIBIT “B”
LOCATION MAP OF PARENT
TRACT



ARKWAY
Counties

number 2014

CENTRAL
FLORIDA
AUTHORITY

ORLANDO ORANGE COUNTY
EXPRESSWAY AUTHORITY
STATE ROAD 429
PROJECT NO. 429-202

PARCEL NO. 135
PURPOSE: LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION

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CONTAINING 8.334 ACRES, MORE OR LESS.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION
SEE SHEET 3 FOR GENERAL NOTES AND LEGEND

SHEET 1 OF 3

FOR: ORLANDO-ORANGE COUNTY
EXPRESSWAY AUTHORITY

DATE: FEBRUARY 28, 2013

PROJECT NO.: H20-01

DRAWN: PMM CHECKED: JMS

STATE ROAD 429
OOCEA PROJECT NO. 429-202
PARCEL NO. 135



GEODATA CONSULTANTS, INC.

SURVEYING & MAPPING

2700 WESTHALL LANE

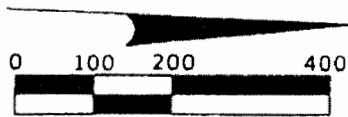
SUITE 137

MAITLAND, FLORIDA 32751

VOICE: (407) 660-2322 FAX: 660-8223

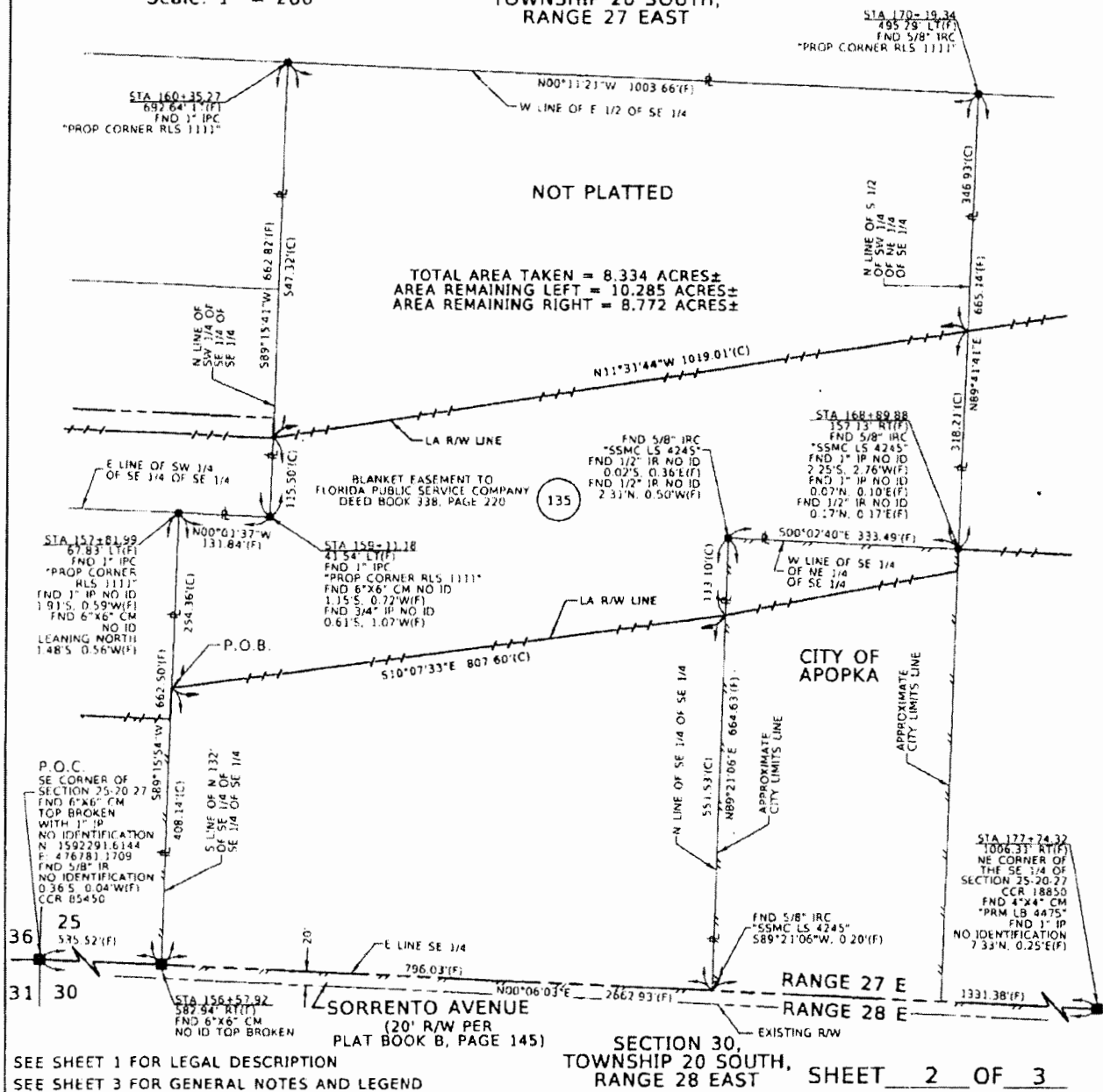
LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION



Scale: 1" = 200'

SECTION 25,
TOWNSHIP 20 SOUTH,
RANGE 27 EAST



FOR: ORLANDO-ORANGE COUNTY
EXPRESSWAY AUTHORITY

DATE: FEBRUARY 28, 2013

PROJECT NO.: H20-01

DRAWN: PMM CHECKED: JMS

STATE ROAD 429
OOCEA PROJECT NO. 429-202
PARCEL NO. 135



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SKETCH OF DESCRIPTION

LEGEND AND ABBREVIATIONS

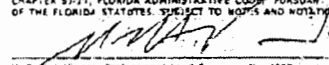

(C)	= CALCULATED	LA	= LIMITED ACCESS
(F)	= FIELD	LT	= LEFT
CCR	= CERTIFIED CORNER RECORD	NO.	= NUMBER
CM	= CONCRETE MONUMENT	PL	= PROPERTY LINE
FND	= FOUND	P.O.B.	= POINT OF BEGINNING
ID	= IDENTIFICATION	P.O.C.	= POINT OF COMMENCEMENT
IP	= IRON PIPE	RT	= RIGHT
IPC	= IRON PIPE AND CAP	R/W	= RIGHT OF WAY
IR	= IRON ROD	STA	= STATION
IRC	= IRON ROD AND CAP		

GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/2007 ADJUSTMENT (NAD83/07), EAST ZONE, WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 27 EAST, HAVING A BEARING OF NORTH 00°06'03" EAST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. A CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY DATED JULY 19, 2012, FILE NO. 2037-2774537, WAS REVIEWED BY THE SURVEYOR. EXCEPTIONS LISTED THEREIN (IF ANY) WHICH AFFECT THE PARCEL DESCRIBED HEREON, WHICH CAN BE DELINEATED OR NOTED, ARE SHOWN HEREON.
6. CITY LIMITS SHOWN HEREON ARE TAKEN FROM THE ORANGE COUNTY GEOGRAPHIC INFORMATION SYSTEM SITE, AND ARE APPROXIMATE.
7. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
8. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 3 OF 3

REVISED PER COMMENTS		PMM	04/18/2013	I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 8-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 412 OF THE FLORIDA STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.  8-12-13 H. Paul deVivier, Professional Land Surveyor No. 4980 DATE
REVISION		BY	DATE	
FOR: ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY		STATE ROAD 429 OOCEA PROJECT NO. 429-202 PARCEL NO. 135		 GEGDATA CONSULTANTS, INC. SURVEYING & MAPPING 2700 WESTHALL LANE SUITE 137 MAITLAND, FLORIDA 32753 VOICE: (407) 660-2922 FAX: 660-6223 LAND SURVEYOR BUSINESS LICENSE NO. 6556
DATE: FEBRUARY 28, 2013				
PROJECT NO.: H20-01				
DRAWN: PMM CHECKED: JMS				

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

CASE NO.: 2014-CA-6812-O
DIVISION: 39

CENTRAL FLORIDA EXPRESSWAY
AUTHORITY, a body politic and corporate,
and an agency of the State under the laws of
the State of Florida,

Petitioner,

v.

PARCEL: 135

ORANGE COUNTY, FLORIDA, a political
subdivision of the State of Florida; and
SCOTT RANDOLPH, Orange County Tax Collector,

Respondents.

STIPULATED FINAL JUDGMENT AS TO PARCEL 135

THIS CAUSE having come on for consideration upon the Joint Motion for entry of a Stipulated Final Judgment by the Petitioner, **CENTRAL FLORIDA EXPRESSWAY AUTHORITY** ("Petitioner") and Respondent, **ORANGE COUNTY, FLORIDA** ("Respondent") and as the fee owner of Parcel 135, as confirmed in the Joint Motion attached hereto, and it appearing to the Court that the parties were authorized to enter into such motion, the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable for all parties concerned and the Court being otherwise fully advised in the premises, finds:

- A. The taking is necessary for a public purpose.
- B. This Court found that the good faith estimate of value was **ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS EXACTLY (\$125,000)** for Parcel 135.

- C. Petitioner previously deposited the sum of **ONE HUNDRED TWENTY- FIVE THOUSAND DOLLARS EXACTLY (\$125,000)** in the Registry of the Court, which has been disbursed and Petitioner shall receive credit in that amount regarding the sum due.
- D. The parties have reached a settlement regarding the amount of full compensation due to the Respondent for the taking of Parcel 135.
- E. The compensation to be paid by Petitioner is full, just and reasonable for all parties concerned.
- F. The parties have waived the right to trial by jury and consent to the immediate entry of this Stipulated Final judgment.
- G. On or about August 14, 2014, the Orange County Tax Collector filed a Disclaimer of Interest. Accordingly, it is

ORDERED AND ADJUDGED as follows:

- 1. Full and complete compensation for the taking of Parcel 135, including damages resulting to the remainder and for any other damages of any kind and nature, including severance damages, business damages, tort damages (if any), interest, attorneys' fees, experts' fees and costs is the sum of **TWO HUNDRED FIVE THOUSAND DOLLARS EXACTLY (\$205,000)**.
- 2. Title to the property designated as Parcel 135, and more particularly described in **Exhibit "A"** attached hereto and incorporated herein, is vested in the Petitioner, Central Florida Expressway Authority, pursuant to the August 5, 2014 Order of Taking and deposit of the good faith estimate of value made on August 18, 2014 by the Petitioner. The vesting of title is hereby approved, confirmed and ratified.

3. There shall be no further claim by the Respondent, **ORANGE COUNTY, FLORIDA**, and all parties claiming by, though, under or against said Respondent, in this action for any further monies from the Petitioner.

4. Within ten (10) days after receipt by the Petitioner of this Stipulated Final Judgment, Petitioner shall pay Orange County, Florida the total sum of **EIGHTY THOUSAND DOLLARS EXACTLY (\$80,000)** with the check made payable to Orange County Board of County Commissioners, c/o Andrea A. Adibe, Esq., County Attorney's Office, 201 S. Rosalind Avenue, P.O. Box 1393, Orlando, FL 32802-1393, which sum represents the difference between full compensation (\$205,000) and the amount previously deposited (\$125,000).

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida this 15 day of June, 2017.


CHRISTI L. UNDERWOOD
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Stipulated Final Judgment was filed with the Clerk of the Court this ____ day of June, 2017, by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorneys and interested parties identified on the e-Portal Electronic Service List, via transmission of Notices of Electronic Filing generated by the e-Portal System.

Conformed and Mailed

JUN 16 2017

Judicial Assistant /Attorney

LISA MOHAMED

S:\AAdibe\Litigation\Cases\Eminent Domain\CFX v OC P-135 2014-CA-6812-OBCC\Stipulated Final Judgment 135 3.doc

ORLANDO ORANGE COUNTY
EXPRESSWAY AUTHORITY
STATE ROAD 429
PROJECT NO. 429-202

PARCEL NO. 135
PURPOSE: LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; BEING A PORTION OF THE SOUTHEAST 1/4 OF SAID SECTION 25 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING A FOUND 6"X6" CONCRETE MONUMENT WITH 1" IRON PIPE, TOP BROKEN AND NO IDENTIFICATION; THENCE NORTH 00°06'03" EAST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 25, A DISTANCE OF 535.52 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°15'54" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 408.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°15'54" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 254.36 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°01'37" WEST ALONG SAID EAST LINE, A DISTANCE OF 131.84 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°15'41" WEST ALONG SAID NORTH LINE, A DISTANCE OF 115.50 FEET TO A POINT; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 11°31'44" WEST, A DISTANCE OF 1019.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE NORTH 89°41'41" EAST ALONG SAID NORTH LINE, A DISTANCE OF 318.21 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°02'40" EAST ALONG SAID WEST LINE, A DISTANCE OF 333.49 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°21'06" EAST ALONG SAID NORTH LINE, A DISTANCE OF 113.10 FEET TO A POINT; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 10°07'33" EAST, A DISTANCE OF 807.60 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 8.334 ACRES, MORE OR LESS.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION
SEE SHEET 3 FOR GENERAL NOTES AND LEGEND

SHEET 1 OF 3

FOR: ORLANDO-ORANGE COUNTY
EXPRESSWAY AUTHORITY

DATE: FEBRUARY 28, 2013

PROJECT NO.: H20-01

DRAWN: PMM CHECKED: JMS

STATE ROAD 429
OOCEA PROJECT NO. 429-202
PARCEL NO. 135



GEODATA CONSULTANTS, INC.

SURVEYING & MAPPING

2700 WESTHALL LANE

SUITE 137

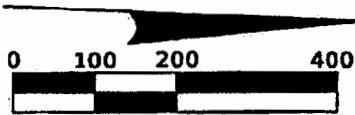
MAITLAND, FLORIDA 32751

VOICE: (407) 660-2322 FAX: 660-8223

LAND SURVEYOR BUSINESS LICENSE NO. 6556

EXHIBIT "A"

SKETCH OF DESCRIPTION

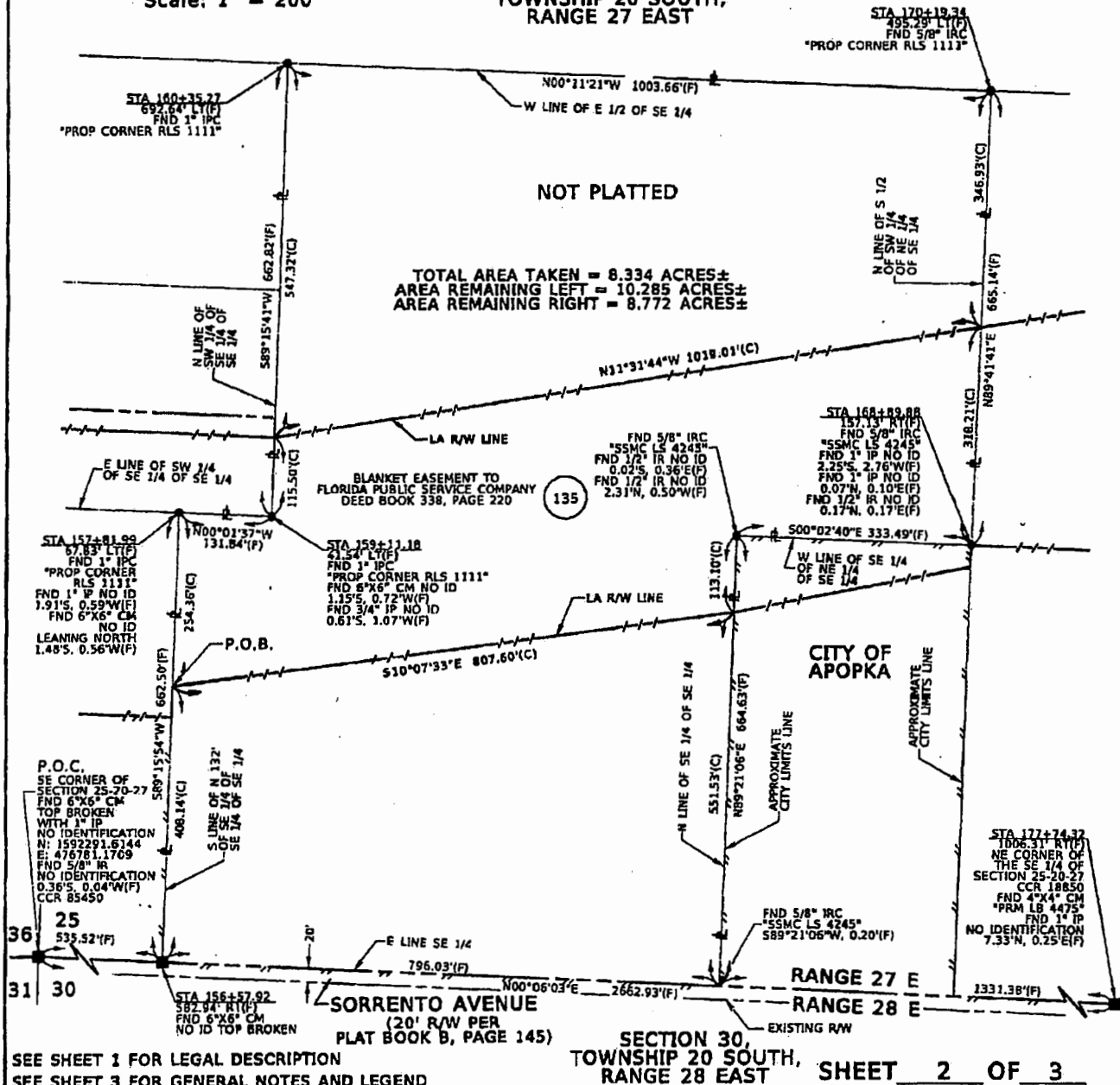


Scale: 1" = 200'

SECTION 25,
TOWNSHIP 20 SOUTH,
RANGE 27 EAST

NOT PLATTED

TOTAL AREA TAKEN = 8.334 ACRES±
AREA REMAINING LEFT = 10.285 ACRES±
AREA REMAINING RIGHT = 8.772 ACRES±



SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 3 FOR GENERAL NOTES AND LEGEND

SECTION 30,
TOWNSHIP 20 SOUTH,
RANGE 28 EAST

SHEET 2 OF 3

FOR: ORLANDO-ORANGE COUNTY
EXPRESSWAY AUTHORITY

DATE: FEBRUARY 28, 2013

PROJECT NO.: H20-01

DRAWN: PMM CHECKED: JMS

STATE ROAD 429
OOCEA PROJECT NO. 429-202
PARCEL NO. 135



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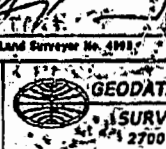

SKETCH OF DESCRIPTION**LEGEND AND ABBREVIATIONS**

(C)	= CALCULATED	LA	= LIMITED ACCESS
(F)	= FIELD	LT	= LEFT
CCR	= CERTIFIED CORNER RECORD	NO.	= NUMBER
CM	= CONCRETE MONUMENT	±	= PROPERTY LINE
FND	= FOUND	P.O.B.	= POINT OF BEGINNING
ID	= IDENTIFICATION	P.O.C.	= POINT OF COMMENCEMENT
IP	= IRON PIPE	RT	= RIGHT
IPC	= IRON PIPE AND CAP	R/W	= RIGHT OF WAY
IR	= IRON ROD	STA	= STATION
IRC	= IRON ROD AND CAP		

GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/2007 ADJUSTMENT (NAD83/07), EAST ZONE, WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 27 EAST, HAVING A BEARING OF NORTH 00°06'03" EAST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. A CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY DATED JULY 19, 2012, FILE NO. 2037-2774537, WAS REVIEWED BY THE SURVEYOR. EXCEPTIONS LISTED THEREIN (IF ANY) WHICH AFFECT THE PARCEL DESCRIBED HEREON, WHICH CAN BE DELINEATED OR NOTED, ARE SHOWN HEREON.
6. CITY LIMITS SHOWN HEREON ARE TAKEN FROM THE ORANGE COUNTY GEOGRAPHIC INFORMATION SYSTEM SITE, AND ARE APPROXIMATE.
7. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
8. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

		SHEET 3 OF 3	
		I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; I FURTHER CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 31.17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES, SUBJECT TO MONITORING AND NOTATIONS SHOWN HEREON.	
REVISED PER COMMENTS	PMM	04/18/2013	 8-12-13 H. Paul deViverra, Professional Land Surveyor No. 4991
REVISION	BY	DATE	
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