



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 4

DATE: July 11, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager *PBS*
Real Estate Management Division

FROM: Monica Hand, Senior Title Examiner *MH*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

DIVISION: Real Estate Management
Phone: (407) 836-7090

ACTION REQUESTED: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN ORANGE COUNTY PUBLIC WORKS DEPARTMENT AND ORANGE COUNTY UTILITIES DEPARTMENT, APPROVAL AND EXECUTION OF NOTICE OF RESERVATION AND AUTHORIZATION TO TRANSFER FUNDS FROM UTILITIES DEPARTMENT TO PUBLIC WORKS DEPARTMENT AND DISBURSE FUNDS TO PAY RECORDING FEES AND RECORD INSTRUMENT

PROJECT: Pump Station No. 3439 (Secluded Oaks Drive)

District 3

PURPOSE: To provide for access, construction, operation, and maintenance of utility facilities.

ITEMS: Memorandum of Understanding
Cost/Revenue: \$200
Size: 153 square feet

Notice of Reservation
Size: 153 square feet

BUDGET: Account No.: 4420-038-1503-49-6110

REVENUE: Account No.: 1142-072-5092-6110

FUNDS: \$27.00 Payable to Orange County Comptroller
(recording fees)

\$200.00 Transfer from Utilities Department to Public Works
Department

APPROVALS: Real Estate Management Division
County Attorney's Office
Public Works Department
Utilities Department

REMARKS: The transfer from the Public Works Department to the Utilities
Department is being requested because the land being transferred has been
enclosed by the fence for, and used as part of, the pump station site since
originally constructed in 1989. The Notice of Reservation, which reserves
a fee simple interest for expansion of the existing abutting pump station
site, will be recorded to reflect this transfer of interest.

REQUEST FOR FUNDS FOR LAND ACQUISITION

 X Under BCC Approval

 Under Ordinance Approval

Date: 06/08/17

Amount: \$27.00

Project: Pump Station No. 3439 (Secluded Oaks Drive)

Charge to Account # 4420-038-1503-49-6110

Controlling Agency Approval

Date

Fiscal Approval

Date

TYPE TRANSACTION (Check appropriate block{s})
 Pre-Condernation Post-Condernation

District #3

 Acquisition at Approved Appraisal
 Acquisition at Below Approved Appraisal
 Acquisition at Above Approved Appraisal
 X Advance Payment Requested (recording fees)

Name:

DOCUMENTATION ATTACHED (Check appropriate block{s})

 Contract/Agreement
 X Copy of Instrument (Notice of Reservation)
 Certificate of Value
 Settlement Analysis

Payable to: Orange County Comptroller

 CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by Monica Hand
 Monica Hand, Title Examiner

6-8-17
 Date

Payment Approved Ann Caswell
 Manager, Real Estate Management Division

6-26-17
 Date

Under Ordinance Approved by Kate Smith
 Assistant Manager, Real Estate Management Division

 Date

Certified Kate Smith
 Approved by BCC Deputy Clerk to the Board

JUL 18 2017
 Date

Examined/Approved _____
 Comptroller/Government Grants

 Check No. / Date

REMARKS:

To be recorded as soon as possible after BCC approval.

APPROVED
 BY ORANGE COUNTY BOARD
 OF COUNTY COMMISSIONERS
JUL 18 2017


X Under BCC Approval

Under Ordinance Approval

Amount: \$27.00

Charge to Account # 4420-038-1503-49-6110

6/13/17


Fiscal Approval

Date _____

Date _____

_____ Pre-Condernnation _____ Post-Condernnation

District #3

Name:

<u> </u>	Contract/Agreement
<u> X </u>	<u>Copy of Instrument</u> (Notice of Reservation)
<u> </u>	Certificate of Value
<u> </u>	Settlement Analysis

CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

6-8-17
Date

Date _____

Date _____

Date _____

Check No. / Date

To be recorded as soon as possible after BCC approval.

JUL 18 2017

MEMORANDUM OF UNDERSTANDING

REGARDING PUMP STATION NO. 3439

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into this 18 day of May, 2017, by and between ORANGE COUNTY PUBLIC WORKS DEPARTMENT ("Public Works") and ORANGE COUNTY UTILITIES DEPARTMENT ("OCU").

RECITALS:

WHEREAS, Orange County is the fee simple owner of certain real property, comprised of two (2) parcels, generally located on the south side of Secluded Oaks Drive, west of Kennedy Avenue, more particularly described herein; and

WHEREAS, one parcel contains a dry pond, which is maintained by Public Works ("Tract A"), and the other parcel contains Pump Station No. 3439, which is maintained by OCU ("Tract B"); and

WHEREAS, the fence surrounding the pump station and other improvements related thereto encroach approximately five feet (5') onto Tract A ("the Encroachment"); and

WHEREAS, given that both parcels are owned by Orange County and are used for public purposes, Public Works and OCU desire to enter into this MOU to set forth their mutual understanding of the rights and responsibilities of each party regarding the Encroachment.

NOW, THEREFORE, in consideration of the reciprocal covenants contained herein, Public Works and OCU hereby agree as follows:

1. **Recitals.** The foregoing recitals are hereby deemed to be true and correct and are hereby incorporated into this MOU by this reference.

2. **The Property.** The real property subject to this MOU consists of the following two (2) parcels:

A. A parcel of real property generally located on the south side of Secluded Oaks Drive, west of Kennedy Avenue, identified as Tax ID No. 16-23-30-7890-00-001.

B. A parcel of real property generally located on the south side of Secluded Oaks Drive, west of Kennedy Avenue, identified as Tax ID No. 16-23-30-7890-00-010.

3. **Terms and Conditions.** Public Works and OCU hereby agree that OCU, at its sole cost and expense, shall control and maintain the Encroachment as part of OCU's Pump Station No. 3439. The Encroachment is depicted and legally described in **EXHIBIT "A,"**

attached hereto and incorporated herein by this reference. Public Works shall continue to control and maintain Tract A, minus the Encroachment.

4. **Compensation.** OCU shall pay to Public Works Two Hundred Dollars (\$200.00) as reasonable compensation for the Encroachment.

IN WITNESS WHEREOF, the parties have caused this MOU to be executed and delivered on the day and year first above written.



Mark V. Massaro, P.E.
Director

4/25/16
Orange County Public Works Department



Ray Hanson,
Director

5-18-17
Orange County Utilities Department

Sketch and Description:

TEMPORARY CONSTRUCTION EASEMENT
THIS IS NOT A SURVEY

EXHIBIT "A"

Legal Description:

A PORTION OF TRACT "A", SECLUDED OAKS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 128 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF TRACT "B", SECLUDED OAKS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 128 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 89°50'58" WEST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°50'58" WEST A DISTANCE OF 4.00 FEET; THENCE NORTH 00°01'20" WEST A DISTANCE OF 38.83 FEET TO A POINT LYING ON THE SOUTH RIGHT OF WAY LINE OF SECLUDED OAKS DRIVE ACCORDING TO THE AFORESAID PLAT; SAID POINT ALSO LYING ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 100.00 FEET, A CHORD BEARING OF SOUTH 72°06'37" EAST AND A CHORD DISTANCE OF 4.20 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°24'32", FOR AN ARC DISTANCE OF 4.20 FEET; THENCE SOUTH 00°01'20" EAST A DISTANCE OF 37.53 FEET TO THE POINT OF BEGINNING.

ENCOMPASSING 153 SQUARE FEET MORE OR LESS.

Abbreviation Legend:

(A) - ACTUAL	Δ - DELTA	GOV'T - GOVERNMENT	PC - POINT OF CURVATURE	R30E - RANGE 30 EAST
APPROX - APPROXIMATE	(D) - DEED	IP - IRON PIPE	PCC - POINT OF COMPOUND CURVATURE	R - RADIUS
AVG - AVERAGE	(DE) - DEED EXCEPTION	IR - IRON ROD	PCP - PERMANENT CONTROL POINT	RAD - RADIAL
(BB) - BEARING BASIS	DEPT - DEPARTMENT	IR&C - IRON REBAR & CAP	PG - PAGE	REC - RECOVERED
BLDG - BUILDING	O/U - DRAINAGE AND UTILITY EASEMENT	L - LICENSED BUSINESS NUMBER	PGS - PAGES	REV - REVISION
BM - BENCH MARK	ELEV - ELEVATION	N & D - NAIL AND DISK	PI - POINT OF INTERSECTION	RP - RADIUS POINT
(C) - CHORD	EDP - EDGE OF PAVEMENT	NR - NON-RADIAL	POB - POINT OF BEGINNING	R/W - RIGHT-OF-WAY
CB - CHORD BEARING	ESMT - EASEMENT	NSI - NO SURVEYOR IDENTIFICATION	POC - POINT OF COMMENCEMENT	SEC 16 - SECTION 16
CCR # - CERTIFIED CORNER RECORD NUMBER	FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION	NT - NON-TANGENT	POL - POINT ON LINE	SD - SQUARE
C/L - CENTERLINE	FF - FINISH FLOOR	OR - OFFICIAL RECORDS	PRC - POINT OF REVERSE CURVATURE	SO FT - SQUARE FEET
CM - CONCRETE MONUMENT	FND - FOUND	ORB - OFFICIAL RECORDS BOOK	PRM - PERMANENT REFERENCE MONUMENT	T - TANGENT
CONC - CONCRETE	FP&L - FLORIDA POWER AND LIGHT	(P) - PLAT	PT - POINT OF TANGENCY	T23S - TOWNSHIP 23 SOUTH
COR - CORNER	(G) - GRID (STATE PLANE)	PB - PLAT BOOK	FEC - FLORIDA EAST COAST RAILWAY	(TYP) - TYPICAL
				UE - UTILITY EASEMENT
				W/ - WITH

Surveyor's Notes:

- "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- "ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES."
- BEARINGS SHOWN HEREON ARE RELATIVE TO ASSUMED DATUM AS BEING 500°01'20"E ALONG THE WEST LINE OF TRACT "B", SECLUDED OAKS, AS RECORDED IN PLAT BOOK 21, PAGE 128, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- THIS IS NOT A BOUNDARY SURVEY, THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR, NO FIELD SURVEY WAS PERFORMED TO DEFINE OWNERSHIP.

Surveyor's Certification:

CERTIFIED TO:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on October 8, 2014. I further certify that this "Boundary Survey" meets the minimum technical standards set forth in Rule Chapter 5J-17 of the Florida Administrative Code.

For the Firm By:

Thomas J. Galloway, PSM
Professional Surveyor and Mapper
Florida Registration No. 6549

TITLE BLOCK ABBREVIATIONS
Eng. - ENGINEERING L.B. - LICENSED BUSINESS
C.O.A. - CERTIFICATE OF AUTHORIZATION Arch. - ARCHITECTURAL
Landscape - LANDSCAPE N/A - NOT APPLICABLE Lic. - LICENSED
No. - NUMBER P.O. - POST OFFICE © - COPYRIGHT

NOT VALID WITHOUT
SHEETS 1 AND 2 OF 2.

Date: 10/8/14

Job No. 028422

Drawn by: TJG

Scale: N/A

File: 028422 SECLUDED OAKS
TCE.DWG

cph
www.cphcorp.com

Prepared By:
CPH, Inc.
Licenses:
Eng. C.O.A. No. 3215
Survey L.B. No. 7143
Arch. Lic. No. AA2600926
Landscape Lic. No. LC0000298

PORTION OF TRACT "A"
(DRY POND)
SECLUDED OAKS, Plat Book 21, Page 128
SECTION 16-TOWNSHIP 23 SOUTH-RANGE 30 EAST
ORANGE COUNTY, FLORIDA

SKETCH AND DESCRIPTION

Sheet

1

1 of 2

© 2014

500 W. Fulton St. ~ Sanford, FL 32771 ~ Ph: 407.322.6841

REC 02 2014

JUL 18 2017

Project: Pump Station No. 3439 (Secluded Oaks Drive)

NOTICE OF RESERVATION

ORANGE COUNTY, A CHARTER COUNTY AND POLITICAL SUBDIVISION OF THE
STATE OF FLORIDA, HEREBY sets aside in perpetuity a fee simple interest on the following property
for expansion of the existing abutting pump station site:

SEE ATTACHED EXHIBIT "A"

**a portion of
Property Appraiser's Identification No.:**

16-23-30-7890-00-001

Dated at Orlando, Florida this JUL 18 2017.

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

(Official Seal)



ORANGE COUNTY, FLORIDA
By Board of County Commissioners

BY: Teresa Jacobs
Teresa Jacobs
Orange County Mayor

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

BY: Craig A. Stopysa
for Deputy Clerk

Craig A. Stopysa
Printed Name

This instrument prepared by: Monica Hand, a staff employee in the course of duty with the Real Estate
Management Division of Orange County, Florida

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For the Firm By:

Thomas J. Galloway, PSM
Professional Surveyor and Mapper
Florida Registration No. 6549

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NOT VALID WITHOUT
SHEETS 1 AND 2 OF 2.

Date: 10/8/14

Job No. 028422

Drawn by: TJG

Scale: N/A

File: 028422 SECLUDED OAKS
TCE.DWG

cph

www.cphcorp.com

500 W. Fulton St. ~ Sanford, FL 32771 ~ Ph: 407.322.6841

Prepared By:

CPH, Inc.

Licenses:

Eng. C.O.A. No. 3215

Survey L.B. No. 7143

Arch. Lic. No. AA2600926

Landscape Lic. No. LC0000298

PORTION OF TRACT "A"

(DRY POND)

SECLUDED OAKS, Plat Book 21, Page 128
SECTION 16-TOWNSHIP 23 SOUTH-RANGE 30 EAST
ORANGE COUNTY, FLORIDA

SKETCH AND DESCRIPTION

Sheet

1

1 of 2

© 2014

DEC 02 2014

Boundary Survey:

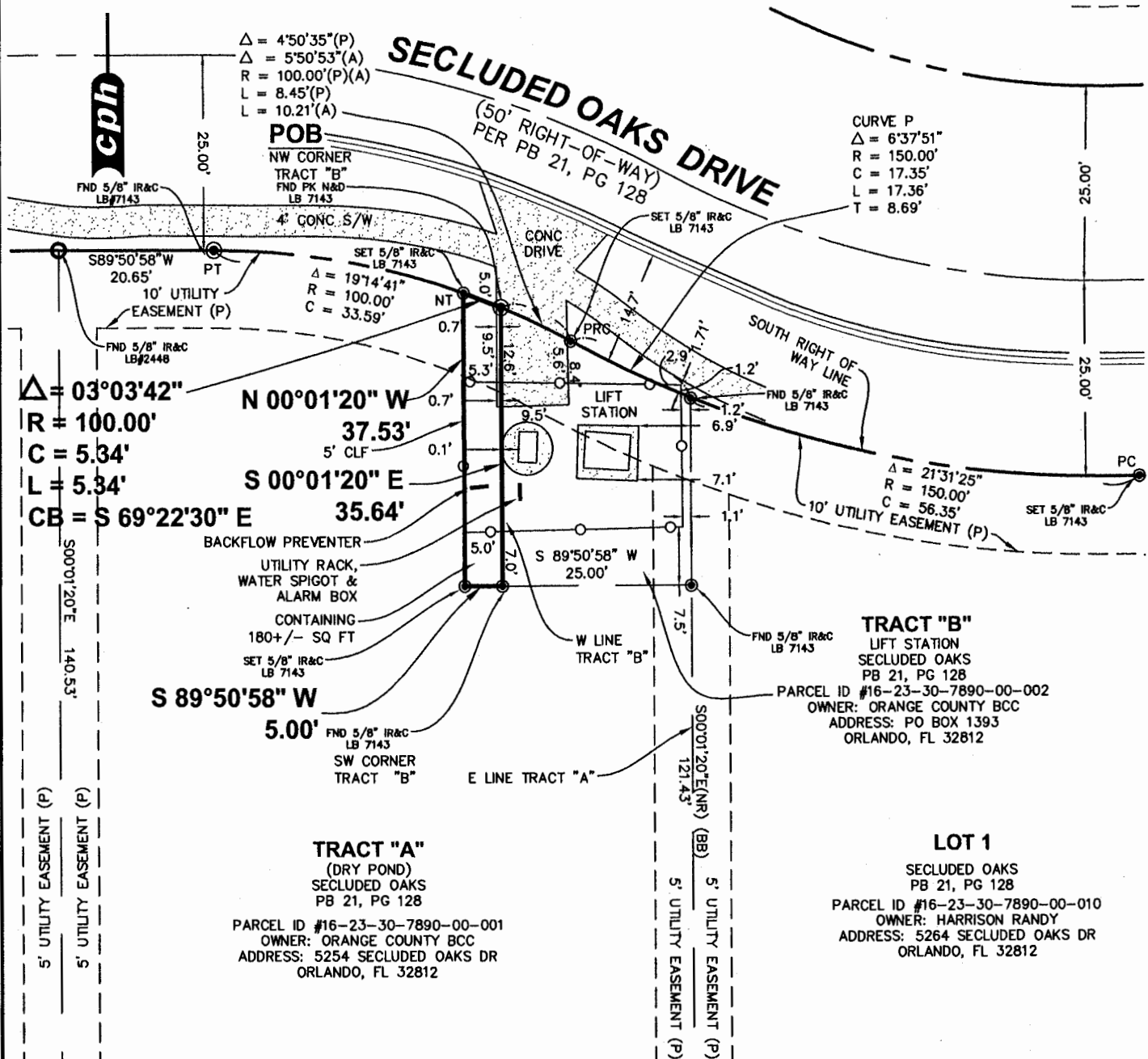
GRAPHIC SCALE



EXHIBIT "A"

(IN FEET)

1 inch = 20 ft.



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**NOT VALID WITHOUT
SHEETS 1 AND 2 OF 2.**

Date: 10/1/14

Job No. 028422

Drawn by: TJG

Scale: 1"=20'

File: 028422_SECLUDED OAKS
BOUNDARY STRIP.DWG

Prepared By:
CPH, Inc.

Licenses:
Eng. C.O.A. No. 3215
Survey L.B. No. 7143
Arch. Lic. No. AA2600926
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ORANGE COUNTY, FLORIDA

Sheet

2

2 of 2

BOUNDARY SURVEY

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