

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**CONVEYANCE OF REAL PROPERTY BY THE
STATE OF FLORIDA TO ORANGE COUNTY**

Resolution No. 2017-m-34

WHEREAS, the State of Florida ("State"), through the State's Department of Transportation ("FDOT"), owns certain real property located on S.R. 436 (Parcel No.: 21-22-30-0000-00-024) ("Property"); and

WHEREAS, FDOT, in accordance with Section 337.25, Florida Statutes, has deemed a portion of the Property, in substantially the form attached hereto as Exhibit "A", as surplus property ("Surplus Property"); and

WHEREAS, Orange County, Florida, a charter county and political subdivision of the State of Florida ("County"), has determined the need for a new fire station site and has filed its application with the FDOT requesting the conveyance of the Surplus Property to the County for such purposes ("Application"); and

WHEREAS, the State has deemed the County's Application to serve as a public purpose and has agreed to convey the Surplus Property to the County, without consideration, to be used solely for public purposes described in the Application, pursuant to the provisions of Section 337.25, Florida Statutes; and

WHEREAS, FDOT has agreed to convey all its rights, title and interest it has in and to the Surplus Property to the County; and

WHEREAS, the County agrees to accept FDOT's conveyance of the Surplus Property, without consideration, for the sole public purpose as described herein and as required in Section 337.25, Florida Statutes.

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

1. The County, through its Board of County Commissioners ("Board"), through the execution of this Resolution, hereby formally accepts FDOT'S conveyance

of said Surplus Property for sole use as a new fire station site and related public purposes.

2. The Board acknowledges that all right, title, and interest of the State of Florida, Department of Transportation in and to said Surplus Property shall be conveyed, without consideration, through a deed in favor of Orange County, Florida which should be drawn and executed by Steven W. Martin, P.E., District Five Secretary, on behalf of Florida Department of Transportation, in a form substantially as attached as Exhibit "A".

3. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the State of Florida Department of Transportation at 719 South Woodland Blvd., Deland, Florida 32720-6834.

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

ADOPTED _____ day of SEP 19 2017, 2017.



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

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

By: *Jessica Vaupel*
for Deputy Clerk

Jessica Vaupel
Printed Name

Exhibit "A" (page 1 of 5)

March 15, 2017
This instrument prepared by
ROBIN D. DERR
Under the direction of
FREDRICK W. LOOSE, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO. 132 PART
SECTION 75060
F.P. NO. 239203-2
STATE ROAD 50
COUNTY ORANGE

QUITCLAIM DEED
Public Purpose

THIS INDENTURE, Made this _____ day of _____, by and between the STATE OF FLORIDA by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose address is 719 South Woodland Blvd., DeLand, FL 32720, to ORANGE COUNTY, a charter county and a political subdivision of the State of Florida, Party of the Second Part, 525 E. South Street, Orlando, FL 32801.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore acquired for state highway purposes; and

WHEREAS, said land is no longer required for such purposes, and the Party of the First Part, by action of the District Secretary, District Five, Florida Department of Transportation on _____, pursuant to the provisions of Section 337.25 Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part without consideration, to be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the State of Florida Department of Transportation to the property herein described to be used solely for public purposes, pursuant to the provisions of Section 337.25, Florida Statutes, all that certain land situate in Orange County, Florida, viz:

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(SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF)

SUBJECT to all Utilities in place and in use to the maintenance thereof.

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

REVERTER - The property herein described is to be used for public purpose, by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Five and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ATTEST: _____

By: _____

(Type/print name)
Executive Secretary

Steven W. Martin, P.E.
District Five Secretary

(Affix Department Seal)

Legal Review

Office of General Counsel

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STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____ day of _____,
by Steven W. Martin, P.E., District Secretary for District Five, who is personally known to me, or
who has produced _____ as identification.

(Affix Notary Seal)

(Type/print name)
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____

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EXHIBIT A

PARCEL NO. 132 Part

**SECTION 75060
F.P. NO. 239203 2**

ALL OF:

"Legal Descriptions from the following Documents O.R. Book 1630, Page 200; O.R. Book 1348, Page 176; O.R. Book 1155, Page 110; O.R. Book 1638, Page 991 of Public Records of Orange County, Florida;

South 100 feet of North 800 feet of E 1/4 of NE 1/4 of SE 1/4 (less North 25 feet). Section 21, Township 22 South, Range 30 East, Subject to right of way for road to Orange County and to State Road Department over the East 53 feet thereof.

The West 125 feet of the South 100 feet of North 900 feet of East quarter of NE 1/4 of SE 1/4 of Section 21, Township 22 South, Range 30 East.

The East 205 feet of South 100 feet of North 900 feet of E 1/4 of NE 1/4 of SE 1/4 of Section 21, Township 22 South, Range 30 East.

The above description is subject to an easement over the South 12 feet thereof for Ingress and egress purposes.

South 100 feet of North 1000 feet of E 1/4 of the NE 1/4 of SE 1/4 Section 21, Township 22 South, Range 30 East, LESS East 53 feet thereof.

LESS that parcel previously take by FDOT/Grantee in condemnation:
Commence at a 3 1/2" aluminum disk stamped "ORANGE COUNTY ENGINEERING DEPT." (no section numbers stamped into disk), being the Southeast corner of Section 21, Township 22 South, Range 30 East, Orange County, Florida; thence North 00°34'33" West, along the East line of said Section 21, also being the centerline of State Road 436 (Semoran Boulevard), as shown on Florida Department of Transportation Right-of-Way Map, Section 75060, F.P. No. 239203 2, for 1318.86 feet, to the intersection of the centerline of said State Road 436 and the centerline of State Road 50 (Colonial Drive), as shown on said Right-of-Way Map; thence continue North 00°34'33" West, along said East line of Section 21, also being the said centerline of State Road 436 (Semoran Boulevard), for 332.12 feet; thence departing said East line, South 89°25'27" West, for 53.00 feet, to the intersection of the West Right-of-Way line of said State Road 436 and the South line of that certain parcel described in

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Official Records Book 5713, Page 3754 of the Public Records of Orange County, Florida, for the POINT OF BEGINNING; thence South 89°07'57" West, along said South line, for 18.00 feet, to a point lying 71.00 feet Westerly of, when measured perpendicular to, said centerline of State Road 436; thence North 00°34'33" West, parallel with said centerline, for 72.21 feet; thence North 15°08'10" East, for 66.47 feet, to the aforesaid West Right-of-Way line of State Road 436; thence South 00°34'33" East, along said West Right-of-Way line of State Road 436, for 136.11 feet to the POINT OF BEGINNING."

(Being the lands described in Official Records Book 8953, Page 935, Public Records of Orange County, Florida.)

LESS THE FOLLOWING:

The West 100.00 feet of the East 171.00 feet of the South 50.00 feet of the North 1000.00 feet of the East ¼ of the Northeast ¼ of the Southeast ¼ of Section 21, Township 22 South, Range 30 East, Orange County, Florida.

Containing 1.608 Acres, more or less.

This legal description prepared under the direction of:
Kevin M. Maylone, PLS No. 3293
McKim & Creed, Inc.
Consultant for Florida Department of Transportation
District Five, Surveying & Mapping
719 South Woodland Boulevard
DeLand, Florida 32720
