



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 4

DATE: August 24, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Virginia G. Williams, Senior Title Examiner *[Signature]*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

DIVISION: Real Estate Management
Phone: 836-7090

ACTION REQUESTED: APPROVAL AND EXECUTION OF RESOLUTION AND
AUTHORIZATION TO INITIATE CONDEMNATION PROCEEDINGS

PROJECT: Econlockhatchee Trail (Lake Underhill Road to S.R. 50)

District 3

PURPOSE: Acquisition of one temporary construction easement required for road
widening improvements.

ITEM: Resolution (Parcel 7071)

BUDGET: Account No.: 1023-072-5024-6110

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: This is the seventh submittal of parcels for this project to be acquired
through eminent domain.

SEP 19 2017

Upon a motion by Commissioner VanderLey, seconded by Commissioner Thompson, and carried with all members present and voting AYE by voice vote, the Board adopted the following:

RESOLUTION

WHEREAS, during FY 04/05, the Board approved the project known as Econlockhatchee Trail (Lake Underhill Road to S.R. 50) to improve the existing roadway, add sidewalks, bicycle lanes, and turn lanes, address the drainage problems, and improve the traffic flow as outlined in the staff report attached as Exhibit "A".

WHEREAS, in connection with the construction, repair and maintenance of the Econlockhatchee Trail (Lake Underhill Road to S.R. 50) project by Orange County, a charter county and political subdivision of the state of Florida, it is necessary that said County have the required areas for roadway purpose and it is necessary and in the public interest that there be acquired the required temporary construction easement interest in certain land for proper construction and maintenance of the above road in the County's Road System and

WHEREAS, efforts to purchase said land from the owner of said land have been unsuccessful to date.

NOW THEREFORE, be it RESOLVED by Orange County, a charter county and political subdivision of the state of Florida, by and through the Board of County Commissioners of said County, that the acquisition of the required temporary construction easement interest in the required land necessary for roadway purposes has been found to be and is hereby found to be necessary, practical, and to the best interest of Orange County, Florida, and the people of said County, and the same is for a County purpose; and be it further

RESOLVED that for the purposes aforesaid, it is necessary, practical, and to the best interest of the public and Orange County and of the people of said County that the temporary construction easement interest for roadway purposes be acquired in the name of said County by gift, purchase, eminent domain proceedings, or otherwise over and upon that certain piece, parcel or tract of land, situate, lying and being in Orange County, Florida, as described in the attached Schedule "A" and Schedule "B".

AND BE IT FURTHER RESOLVED that the temporary construction easement designated as parcel number 7071 shall commence on the date that Orange County takes title to said temporary construction easement and terminate seven (7) years after that date,

AND BE IT FURTHER RESOLVED that the property description under parcel number 7071 is ratified and confirmed and found necessary for this project to the extent of the estate or interest set forth as a part of the parcel description, the above referenced description being attached hereto as Schedule "A" and Schedule "B", and made a part by reference hereof, that Orange County, the Board of County Commissioners of said County, the Deputy Clerk of said Board of County Commissioners, the attorneys of said Board of County Commissioners and County, and all appropriate departments, officers and employees of said County be, and they are hereby authorized and directed to proceed to take necessary steps to institute and prosecute such necessary actions and proceedings as may be proper for the acquisition of the required temporary construction easement interest in said land by gift, purchase, eminent domain proceedings or otherwise, and to prepare, sign, execute, serve, publish, and file, in the name of the County by its commissioners, all eminent domain papers, affidavits and pleadings, and said attorneys are authorized to have prepared, at said County's expense, such abstract of title search as may be necessary in connection therewith.

ADOPTED THIS _____ DAY OF SEP 19 2017, 20____.

(Official Seal)

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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

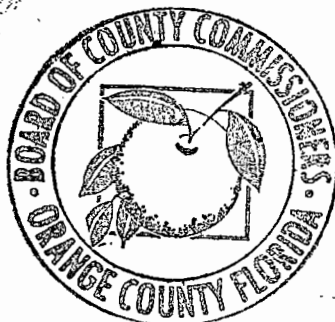
BY: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

BY: *Jessica Vaupel*
for Deputy Clerk

Jessica Vaupel
Printed Name

DATE: 9.19.17

vgw/



PROJECT HISTORY

1. Orange County began the Roadway Conceptual Analysis (RCA) for the Econlockhatchee Trail Project in January 2002. The *Econlockhatchee Trail Roadway Conceptual Analysis Report* documents the need for improvement, existing conditions, design criteria, traffic analysis, corridor analysis, alternative alignment analysis and preliminary design analysis.
2. The First Public Meeting for the Econlockhatchee Trail RCA was held on April 24, 2002. The purpose of this meeting was to inform the community about the roadway project. The meeting included a formal presentation by Orange County, followed by an informal question and answer period.
3. The Second Public Meeting for the Econlockhatchee Trail RCA was held on September 4, 2002 to discuss the Preliminary Preferred alternative.

The following concerns were discussed and evaluated: right-of-way acquisition necessary to construct the project, speed limit, location of retention ponds, median openings, traffic signals, and placement of turn lanes.

4. The Third Public Meeting for the Econlockhatchee Trail RCA was held on February 26, 2003. The preferred improvement concept and typical sections were discussed and displayed for review and comment.
5. A Local Planning Agency (LPA) Workshop was held on September 16, 2004. A brief project presentation was given to the LPA Board. Orange County and Dyer, Riddle, Mills & Precourt Inc. (DRMP) presented the results and recommendations of the Econlockhatchee Trail RCA to the LPA and solicited comments and ideas.
6. A LPA Public Hearing was held on November 18, 2004. A brief project presentation was given to the LPA Board. The presentation outline was as follows: project needs, public involvement, project elements, property impacts, estimated costs, project schedule, and action requested. The LPA found that the proposed improvements were consistent with the Comprehensive Plan.
7. The Board of County Commissioners (BCC) Public Hearing was held on February 22, 2005. County Staff made a brief presentation. The presentation outline was as follows: project need, public involvement, project elements, estimated costs, project schedule, and action requested. The BCC approved proceeding with the design, right-of-way acquisition, and construction of the project.

STAFF REPORT**October 4, 2005****Econlockhatchee Trail****From: Lake Underhill Road****To: SR 50****CIP 5024****PROJECT CONSIDERATIONS**

Some of the important elements in determining the need for the roadway improvements are existing conditions, long range planning, safety considerations, environmental considerations, evaluation of alternative alignments, engineering recommendations and project cost.

Existing Conditions

Econlockhatchee Trail (from 1,075 feet south of Lake Underhill Road to 330 feet north of SR 50) is currently a two-lane, undivided roadway. The road serves residential and commercial developments located adjacent to the roadway. The posted speed limit is 35 mph.

The existing roadway consists of two twelve-foot wide travel lanes (one in each direction) with no paved shoulders or bicycle lanes. Some of the more recent housing or development projects have installed sidewalks along a portion of the roadway, but the majority of the roadway lacks a sidewalk system. The stormwater system collects drainage through open swales.

The right-of-way throughout the project varies. The Econlockhatchee Trail right-of-way is 96 feet wide at the beginning of the project 1,075 feet south of Lake Underhill Road to the intersection of Lake Underhill Road and Econlockhatchee Trail. Between Lake Underhill Road and SR 408, the Econlockhatchee Trail right-of-way varies from 60 feet wide to 100 feet wide. In the vicinity of SR 408, the right-of-way varies extensively, but exceeds 100 feet. North of SR 408 to 330 feet north of SR 50, the right-of-way ranges between 58 feet and 88 feet.

The stormwater from 1,075 feet south of Lake Underhill Road to the southern end of the bridge embankment over SR 408 is collected in open swales and conveyed to the canal on the south side of Lake Underhill Road. From the bridge over the SR 408 to Millinockett Lane, the stormwater is collected in open swales and treated in ponds that eventually outfall into the Little Econlockhatchee River. From Millinockett Lane to SR 50, the stormwater is collected in shallow ditches through ditch bottom inlets, then conveyed through a 48" reinforced concrete pipe that outfalls to the Little Econlockhatchee River. The stormwater collected from SR 50 to 330 feet north of SR 50 will drain to the north to the E-4 canal. The stormwater retention pond for this area was constructed with the improvements to the Econlockhatchee Trail from SR 50 to Trevarthon Road.

STAFF REPORT

October 4, 2005

Econlockhatchee Trail

From: Lake Underhill Road

To: SR 50

CIP 5024

Long Range Planning

The limits of the Econlockhatchee Trail RCA are from Lake Underhill Road to SR 50. A future conditions analysis was performed to identify the effects between a build scenario for Econlockhatchee Trail as a 4-lane facility and a no-build scenario, in which no improvements are made to the existing 2-lane facility. The build scenario shows that all roadway segments will operate at a level of service 'D' or better through the year 2027, except for the SR 50 intersection. Level of service 'A' is very good, and a level of service 'F' is failing. Orange County requires that collector roads, such as the Econlockhatchee Trail, maintain a level of service 'E' or better. If the existing Econlockhatchee Trail roadway is not improved, it is expected that traffic volumes will increase and the unimproved facility would not adequately serve the projected traffic demands and the levels of service will continue to deteriorate to an unacceptable level by 2007.

Safety Considerations

The widening of Econlockhatchee Trail should provide for both traffic and pedestrian safety. The following are some of the improvements associated with Econlockhatchee Trail: signalization, increased sight distance, raised medians, sidewalks and bicycle lanes. New traffic signals will be installed at Lake Underhill Road, Valencia College Lane, Millinockett Lane and SR 50. The traffic signals at SR 50 will be coordinated with FDOT during the widening project of SR 50. Increased sight distance along the project corridor will provide an increased factor of safety. The raised medians will also provide adequate separation for the two directions of traffic. The installation of sidewalks and bicycle lanes will provide designated areas for pedestrians and bicyclists.

Environmental Considerations

The environmental considerations include land use, cultural features and community centers, threatened and endangered species, impacts to wetlands, and contaminated sites.

The predominant land use along the existing Econlockhatchee Trail corridor is residential and multi-family along with sparsely scattered commercial and ranch parcels. There are several businesses along the corridor that include a Progress Energy substation, Econ Golf and Baseball, Palm Gardens Assisted Living Center, Whistle Junction (formerly Ryan's steakhouse), Seven-Eleven Store, Mobil Gas Station, United States Post Office and Shell Service Station. Residential and multi-family developments include Deerwood Village, Valencia Gardens, Sutton Ridge, Rosewalk, Sundance at the Econ and Valencia Trace Apartments. There are three major cultural features, or community centers, which are as follows: Valencia Community College, Hindu University and the Orlando Lutheran Academy.

A survey of threatened and endangered species found that none were within the project area. There were no recorded historical or archaeological sites within the study area.

STAFF REPORT
Econlockhatchee Trail
From: Lake Underhill Road
To: SR 50
CIP 5024

October 4, 2005

Multiple types of wetland systems exist within the study area. They include forested wetlands and the Little Econlockhatchee River. The Little Econlockhatchee River flows parallel to the Econlockhatchee Trail along the entire project corridor from Lake Underhill Road to SR 50, approximately 1000 feet east of the road. The proposed roadway project is expected to impact less than an acre of wetlands. Mitigation for impacts will be determined during permitting with the St. Johns River Water Management District and the US Army Corps of Engineers.

Preliminary investigations indicate that there may be some soil or groundwater contamination near the proposed stormwater retention pond just south of the SR 50 intersection. Further investigation will be done during the design process. Special construction procedures may be required. The stormwater pond will be a joint use pond with FDOT for the SR 50 project.

Evaluation of Alternative Alignments

Three roadway alignment alternatives were considered. The alternatives were developed to address several different concerns including: traffic capacity needs of the study area, pedestrian and bicyclists needs, access management and minimization of impacts to residents, planned development, businesses and the environment. The roadway alignments were evaluated based on the recommended typical section. These alternative alignments were based on left, right and center orientations with respect to existing pavement and right-of-way location. Each segment of the road was evaluated for its best alignment. The recommended alignment was a combination of the alignments for each segment.

Engineering Recommendations

From Lake Underhill Road north the recommended alignment is generally centered on the existing right-of-way. Near SR 50, the alignment shifts to west to accommodate turn lanes for the intersection and connection to the bridge north of SR 50. The alignment discussed above was selected because of its less significant impacts to the local community. According to the Joint Participation Agreement, FDOT will be constructing the intersection with SR 50.

The recommended typical section for this project is as follows:

- Four lanes (two, each direction)
- Raised landscaped median
- Bicycle lanes (one, each direction)
- Sidewalks (one, each direction)
- Curb and gutter stormwater drainage system with retention ponds
- 110 feet-wide minimum proposed right-of-way
- Landscaping
- Roadway Lighting

STAFF REPORT**October 4, 2005****Econlockhatchee Trail****From: Lake Underhill Road****To: SR 50****CIP 5024****Project Costs**

The right-of-way costs include land, attorney fees and expert costs were estimated for each individual parcel. The total right-of-way cost for the recommended alignment is approximately \$4,836,650.

The Engineering Design cost for the recommended alignment is approximately \$2,000,000.

The estimated construction cost for the recommended alignment is approximately \$17,600,000.

Therefore, the total project cost is approximately \$24,436,650.

Conclusion

In accordance with the Econlockhatchee Trail Roadway Conceptual Analysis, the Econlockhatchee Trail project from Lake Underhill Road to SR 50 should be designed and constructed as a four lane urban, divided facility. This project is needed to increase the traffic operation capacity of the existing two-lane roadway. Also, the improvements are required in order to accommodate the increased transportation demands resulting from current and future growth in the area.

LEGAL DESCRIPTION

SCHEDULE "A"


PARCEL: 7071

A TRACT OR PARCEL OF LAND BEING A PORTION OF LOT 69, DEERWOOD UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 150 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 31 (A 3/16 INCH IRON ROD IN A WELL BOX AS NOW EXISTS); THENCE SOUTH 00°36'41" EAST, ALONG THE EAST LINE THEREOF, A DISTANCE OF 704.88 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 89°23'19" WEST, A DISTANCE OF 48.00 FEET TO A POINT ON THE EXISTING WEST RIGHT OF WAY LINE OF ECONLOCKHATCHEE TRAIL, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 69; THENCE SOUTH 00°36'41" EAST, ALONG THE EAST LINE OF SAID LOT 69 AND SAID EXISTING WEST RIGHT OF WAY LINE, A DISTANCE OF 35.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°36'41" EAST ALONG SAID EAST LOT LINE AND EXISTING WEST RIGHT OF WAY LINE, A DISTANCE OF 50.00 FEET; THENCE DEPARTING SAID LOT LINE AND EXISTING RIGHT OF WAY LINE, SOUTH 89°23'19" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 00°36'41" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 89°23'19" EAST A DISTANCE OF 5.00 TO THE POINT OF BEGINNING.

CONTAINING 250 SQUARE FEET, MORE OR LESS.

THIS IS NOT A BOUNDARY SURVEY, NOR HAS ANY FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.


RUSSELL J. MARKS
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 5623

PREPARED FOR: ORANGE COUNTY, FLORIDA			ECONLOCKHATCHEE TRAIL	
DESIGNED BY: RJM	DATE: 1/26/10		URS URS CORPORATION 315 E. ROBINSON STREET, SUITE 245 ORLANDO, FL 32801-1949 PH (407) 422-0353 LICENSED BUSINESS NO. 6839	REVISIONS:
DRAWN BY: DJK	JOB NO:			
APPROVED BY: RJM	COUNTY PROJECT NO: C.I.P. 5024			SHEET: 1 OF 2

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL: 7071

SCALE: 1" = 50'

TOWNSHIP 22 SOUTH, RANGE 31 EAST

NW 1/4
SEC 31

DEERWOOD UNIT 2
PB 8, PG 150

LEGEND

Δ = DELTA
C = CALCULATED
CB = CHORD BEARING
CCR = CERTIFIED CORNER RECORD
IR = IRON ROD
FND = FOUND
L = LENGTH OF ARC
LB = LICENSED BUSINESS
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PL = PROPERTY LINE
R = RADIUS
R/W = RIGHT OF WAY
SEC = SECTION

SONIA STREET

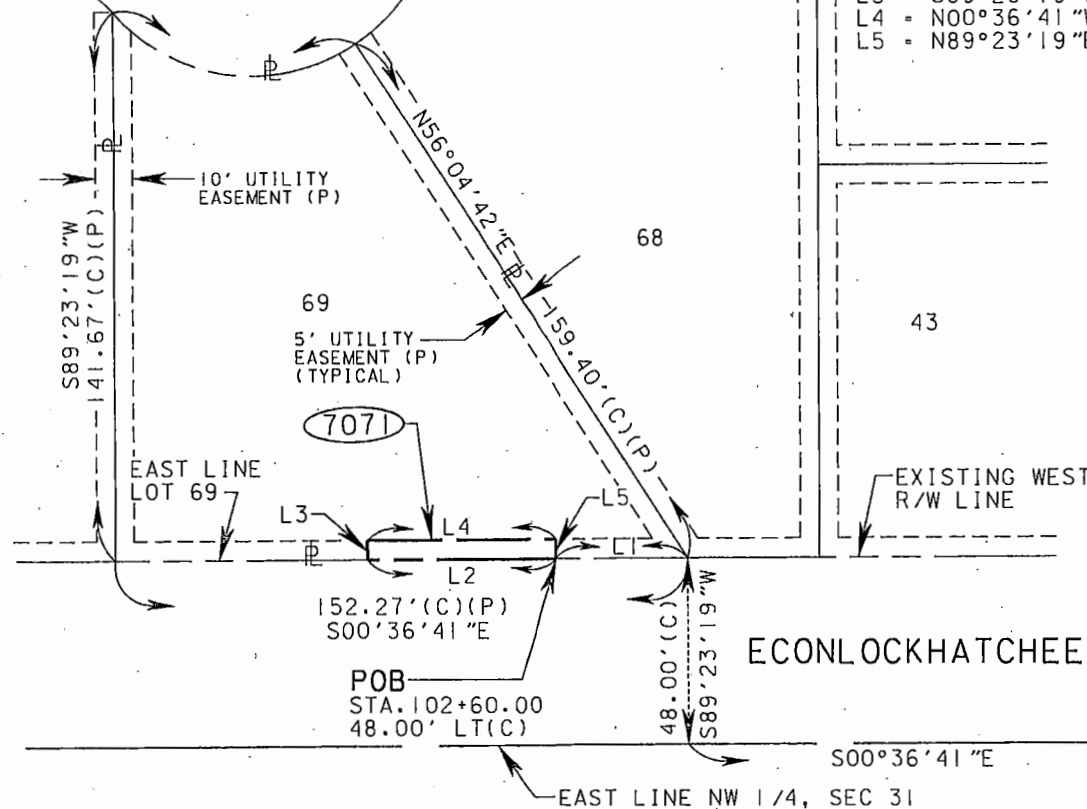
Δ = 81°30'29"(C)
R = 50.00'(C)
L = 71.13'(C)
CB = N06°49'57"E

15' DRAINAGE
EASEMENT (P)

L1 = S00°36'41"E 35.12'(C)
L2 = S00°36'41"E 50.00'(C)
L3 = S89°23'19"W 5.00'(C)
L4 = N00°36'41"W 50.00'(C)
L5 = N89°23'19"E 5.00'(C)

NORTH LINE NW 1/4, SEC 30

S89°31'52"W



NOTE:

1. BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 22, SOUTH, RANGE 31 EAST ORANGE COUNTY, FLORIDA, AS HAVING AN ASSUMED BEARING OF SOUTH 00°36'41" EAST.
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY URS CORPORATION ORLANDO, FLORIDA.
3. THERE MAY BE OTHER RECORDED DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY THAT ARE NOT SHOWN ON THIS SKETCH OF DESCRIPTION.

SOUTH SEGMENT R/W SHEETS 3 & 6

THIS IS NOT A BOUNDARY SURVEY, NOR HAS ANY FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

PREPARED FOR: ORANGE COUNTY, FLORIDA

ECONLOCKHATCHEE TRAIL

DESIGNED BY: RJM

DATE: 1/26/10

URS

URS CORPORATION
315 E. ROBINSON STREET
SUITE 245
ORLANDO, FL 32801-1949
PH (407) 422-0353
LICENSED BUSINESS NO. 6839

REVISIONS:

DRAWN BY: SLH

JOB NO:

APPROVED BY: RJM

COUNTY PROJECT NO: C.I.P. 5024

SHEET: 2 OF 2

SCHEDULE "B"

5024 ECONLOCKHATCHEE TRAIL PARCEL 7071

TEMPORARY CONSTRUCTION EASEMENT

Parcel 7071 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 tying in and harmonizing the existing grade with the adjacent roadway and constructing facilities that will be located within the adjacent right-of-way or easement. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

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.