



Interoffice Memorandum

September 29, 2017

TO: Mayor Teresa Jacobs and Board of County Commissioners

FROM: Mark V. Massaro, P.E., Public Works Director

CONTACT PERSON: Mark V. Massaro, P.E., Director
Public Works Department

PHONE NUMBER: (407) 836-7970

SUBJECT: **Interlocal Agreement between Orange County and the City of Apopka regarding jurisdiction to operate and maintain East Sandpiper Street between Ustler Road and North Thompson Road.**

The City of Apopka (City) has requested Orange County (County) transfer the Deed and Assignment of Easements for East Sandpiper Street from the easterly right-of-way line of Ustler Road to the westerly right of way line of North Thompson Road.

In accordance with Florida Statutes, a County Deed and Assignment of Easements have been prepared which transfer to the City all interest, authority and responsibility over the portion of East Sandpiper Street. Approval of this Agreement transfers responsibility for maintaining East Sandpiper Street to the City.

The Orange County Attorney's Office and Risk Management Division have reviewed the resolution and found it acceptable.

Action Requested: Approval and execution of (1) Interlocal Agreement between Orange County, Florida and City of Apopka, Florida regarding transfer of jurisdiction of East Sandpiper Street from Ustler Road to North Thompson Road; (2) County Deed by Orange County and the City of Apopka; and (3) Assignment of Drainage Easements by Orange County to the City of Apopka. District 2.

MVM/GS/shc

Attachment(s)

BCO Mtg. Date: October 17, 2017

INTERLOCAL AGREEMENT

between

ORANGE COUNTY, FLORIDA

and

CITY OF APOPKA, FLORIDA

regarding

**TRANSFER OF JURISDICTION OF
EAST SANDPIPER STREET FROM USTLER ROAD TO
NORTH THOMPSON ROAD**

Approved by the Orange County
Board of County Commissioners
OCT 17 2017, 2017

Approved by the City of Apopka
City Council
September 16, 2017

INTERLOCAL AGREEMENT
between
ORANGE COUNTY, FLORIDA
and
CITY OF APOPKA, FLORIDA
regarding
TRANSFER OF JURISDICTION OF
EAST SANDPIPER STREET FROM USTLER ROAD TO
NORTH THOMPSON ROAD

THIS INTERLOCAL AGREEMENT is made and entered into by and between **Orange County, Florida**, a Charter County and political subdivision of the State of Florida (“County”), and the **City of Apopka, Florida**, a municipal corporation created and existing under the laws of the State of Florida (“City”).

RECITALS

WHEREAS, the County has authority pursuant to Section 125.01, Florida Statutes, to enter into agreements;

WHEREAS, the City has authority pursuant Section 166.021, Florida Statutes, to enter into agreements;

WHEREAS, the County and the City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, all roads which are open and available for use by the public and dedicated to public use, according to law or by prescription, are declared to be and established as, pursuant to Section 335.01(1), Florida Statutes, public roads;

WHEREAS, a “road” is defined by Section 334.03(22), Florida Statutes, as “a way open

to travel by the public, including, but not limited to, a street, highway, or alley. The term includes associated sidewalks, the roadbed, the right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts. . . .”;

WHEREAS, the term “road” as defined be Section 334.03(22), Florida Statutes, also implicitly includes, curbs, guardrails, landscaping, and traffic control devices (such as signals and signs) within the right-of-way;

WHEREAS, according to Section 335.01(2), Florida Statutes, public roads are divided into the following four systems: (1) the “county road system”; (2) the “city street system”; (3) the “State Highway System”; and (4) the “State Park Road System”;

WHEREAS, the “county road system” is defined by Section 334.03(8), Florida Statutes, as “all collector roads in the unincorporated areas of a county and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterial roads not in the State Highway System”;

WHEREAS, the “city street system” is defined by Section 334.03(3), Florida Statutes, as “all local roads within a municipality, and all collector roads inside that municipality, which are not in the county road system”;

WHEREAS, pursuant to Section 335.0415(2), Florida Statutes, any change of the jurisdiction of a public road after July 1, 1995, that is a part of a county road system or a city street system is governed by Section 335.0415, Florida Statutes;

WHEREAS, pursuant to Section 335.0415(3), Florida Statutes, subsequent to July 1, 1995, public roads within the respective road systems of a county or a city may be transferred

between those jurisdictions only by mutual agreement of those local governmental entities;

WHEREAS, the City desires to own (or accept dedication of, whatever the case may be), maintain, control, and have responsibility over the portion of the local road known as East Sandpiper Street from the easterly right-of-way line of Ustler Road to the westerly right-of-way line of North Thompson Road, including the culvert thereunder, along with three drainage easements and a portion of a fourth drainage easement serving that segment of East Sandpiper Street;

WHEREAS, the City also desires to accept an assignment of, and maintain, control, and have responsibility over, those three drainage easements and the portion of the fourth drainage easement;

WHEREAS, this Interlocal Agreement is solely intended to address the transfer of such road, or segment thereof, including the three drainage easements and the portion of the fourth drainage easement, from the County road system to the City street system;

WHEREAS, except as provided under Section 2.E, this Interlocal Agreement is not intended to apply and shall not be construed as applying to the subject of which party has jurisdiction to control traffic along such road (see Section 316.006, Florida Statutes); and

WHEREAS, this Interlocal Agreement is not intended to apply and shall not be construed as applying to the subject of which law enforcement authority has jurisdiction to enforce traffic laws along such road (see Section 316.640, Florida Statutes).

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated

herein by reference.

2. Transfer of Jurisdiction of East Sandpiper Street; Scope; Torts; Powers; Other.

A. Transfer of Jurisdiction. The County hereby transfers to the City, and the City hereby accepts and acknowledges jurisdiction over the following: **(1)** the portion of the County local road known as East Sandpiper Street from the easterly right-of-way line of Ustler Road to the westerly right-of-way line of North Thompson Road, including the culvert thereunder; **(2)** the three drainage easements associated with that segment of East Sandpiper Street, recorded in Official Records Book 1771, Pages 472-473, Official Records Book 5203, Pages 4061-4063, and Official Records Book 5152, Pages 24-27; and **(3)** the portion of a fourth drainage easement associated with that segment of East Sandpiper Street, recorded in Official Records Book 1771, Pages 470-471, lying south of the East Sandpiper Street right-of-way (collectively, "East Sandpiper Street").

B. Scope. The City's jurisdiction over East Sandpiper Street means the authority and responsibility to maintain, control, repair, or improve such road, as the term "road" is defined by Section 334.03(22), Florida Statutes, and to regulate, warn, or guide traffic on such road, regardless of any future alteration, realignment, construction, extension, widening, or renaming of such road. East Sandpiper Street is therefore henceforth deemed to be part of the "City street system" for purposes of operation and maintenance.

C. Torts. Pursuant to Section 337.29(3), Florida Statutes, to the extent that sovereign immunity has been waived, liability for torts for East Sandpiper Street shall be in the City.

D. Powers. Also pursuant to Section 337.29(3), except as may be otherwise provided by law or this Interlocal Agreement, the City shall have the same governmental, corporate, and proprietary powers with relation to East Sandpiper Street that the City has with relation to other public roads and rights-of-way within the City, except as may be otherwise provided by this Interlocal Agreement.

E. Alteration of Traffic; On Street Parking; Reduction in Speed Limits; Weight Limits; Road Closure; Vacation. Unless having first applied for and obtained permission from the Board of County Commissioners, which permission may be withheld in the Board's discretion, the City shall not:

(1) alter, modify or regulate traffic on East Sandpiper Street, or any portion thereof, in such a manner as will reduce or otherwise impede the flow of traffic on East Sandpiper Street (for example, through traffic calming devices, speed humps, speed bumps, or roundabouts);

(2) reduce the current speed limit of 40 miles per hour for East Sandpiper Street, or any portion thereof;

(3) establish weight limits or prohibit or restrict certain types of traffic (for example, truck traffic) on East Sandpiper Street, or any portion thereof;

(4) close or barricade East Sandpiper Street, or any portion thereof, to vehicular traffic, other than temporarily for road maintenance, road repair, accidents, or miscellaneous special events, such as road races; or

(5) vacate any portion of East Sandpiper Street.

3. Dedication and Acceptance; Deed; Vesting of Title.

A. Dedication and Acceptance. For East Sandpiper Street, or any portion thereof, that was heretofore dedicated and that the County heretofore accepted, the County hereby dedicates East Sandpiper Street, and any portion thereof, to the City, and the City hereby accepts such dedication.

B. Deed; Vesting of Title. The County shall execute, record (at the City's expense) and deliver a County deed in favor of the City substantially in the form attached hereto as **Exhibit "A,"** for any portion of East Sandpiper Street in which the County holds, or may hold, fee title or a property interest, as specifically described in the legal descriptions and sketches of description attached to **Exhibit "A"** as **Appendix "A."** Upon the recording of the County deed and **Appendix "A"** thereto, title and property interest in East Sandpiper Street shall vest in the City pursuant to Section 337.29(3), Florida Statutes.

C. Assignment of Drainage Easements. Furthermore, the County shall execute, record (at the City's expense) and deliver a County assignment of drainage easements in favor of the City substantially in the form attached hereto as **Exhibit "B,"** for the three drainage easements recorded in Official Records Book 1771, Pages 472-473, Official Records Book 5203, Pages 4061-4063, and Official Records Book 5152, Pages 24-27, and the portion of the fourth drainage easement recorded in Official Records Book 1771, Pages 470-471, lying south of the East Sandpiper Street right-of-way (not lying north of such right-of-way).

4. Annexation. Within nine (9) months after the effective date of this Interlocal Agreement, the City shall undertake and complete all necessary or required proceedings and hearings to annex East Sandpiper Street, or any portions thereof, that have not been annexed

prior to the effective date of this Interlocal Agreement.

5. Miscellaneous.

A. Validity. The County and the City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Interlocal Agreement, acknowledges the validity and enforceability of this Interlocal Agreement, and waives any future right of defense based on claim of illegality, invalidity or unenforceability of any nature. The County and the City each hereby represents, warrants and covenants to and with the other that this Interlocal Agreement has been validly approved by its respective governing body, and that this Interlocal Agreement constitutes a legal, valid and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution and delivery hereof by the other party hereto).

B. Ambiguities. Both parties have been allowed equal input regarding the terms and wording of this Interlocal Agreement and have had the benefit of consultation with their respective legal counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.

C. Headings. The headings or captions of sections or subsections used in this Interlocal Agreement are merely for the convenience of the parties for reference only and are not intended to define or limit their contents, nor are they to affect the construction of or to be taken into consideration in interpreting this Interlocal Agreement.

D. Severability. The provisions of this Interlocal Agreement are declared by the parties to be severable only to the extent that the remaining provisions can effectuate the

purpose and intent of the parties.

E. Governing Law; Venue; Attorney's Fees and Costs.

(1) This Interlocal Agreement shall be governed by and construed in accordance with laws of the State of Florida.

(2) Venue for any action arising out of or related to this Interlocal Agreement shall be in the Circuit Court for the Ninth Judicial Circuit in Orange County, Florida.

(3) In the event a party deems it necessary to take legal action to enforce any provisions of this Interlocal Agreement, each party shall bear its own attorney's fees and costs at both the trial and appellate levels.

F. Entire Agreement. This Interlocal Agreement, along with any exhibits, constitutes the entire Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

G. Amendments. This Interlocal Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Council of the City, and executed by the authorized officers of each party.

H. Counterparts. This Interlocal Agreement and any amendments thereto may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

I. Notices. Any notice required to be given or otherwise given by one party to the other party shall be in writing and shall be deemed delivered when given by hand delivery; five (5) days after being deposited in the United States Mail, postage prepaid, certified or

registered; or the next business day after being deposited with a recognized overnight mail or courier delivery service; or when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission; and addressed as follows:

If to the County: Director, Orange County Public Works Department
4200 South John Young Parkway
Orlando, Florida 32839
Facsimile: (407) 836-7716

With a copy to: County Attorney
Orange County Administration Center
201 South Rosalind Avenue
Orlando, Florida 32802
Facsimile: (407) 836-5888

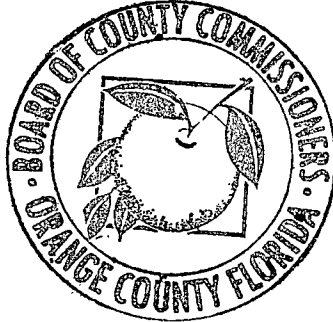
If to the City: City Administrator
City of Apopka
120 E. Main St.
Apopka, Florida 32703
Facsimile: (407) 703-1705

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this section.

5. Effective Date. This Interlocal Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year indicated below.



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: Teresa Jacobs
Teresa Jacobs, Mayor

Date: October 17, 2017

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

By: Craig A. Stopyna
for Deputy Clerk

CITY of APOPKA, FLORIDA

By: City Council

By: Joe Kilsheimer
Joe Kilsheimer, Mayor

Date: 9-6, 2017

ATTEST:

By: Linda F. Goff
Linda F. Goff, City Clerk

APPROVED BY APOPKA CITY COUNCIL

IN ... 9-6-17

Exhibit "A"

Project: Interlocal Agreement with the City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street from Ustler Road to North Thompson Road

This document constitutes a conveyance from a state agency or instrumentality to an agency of the state and is not subject to documentary stamp tax. Department of Revenue Rules 12B-4.0114(10), F.A.C.

COUNTY DEED

THIS DEED, effective as of the date written below, by ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the City of Apopka, a municipal corporation, under the laws of the State of Florida, whose address is 120 E. Main St., Apopka, Florida, 32703, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

SEE ATTACHED APPENDIX "A"

Property Appraiser's Parcel Identification Number:

Unassigned

THIS COUNTY DEED is being given in accordance with the Interlocal Agreement for the transfer of jurisdiction of East Sandpiper Street from Ustler Road to North Thompson Road.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project: Interlocal Agreement with the City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street from Ustler Road to North Thompson Road

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

(Official Seal)

ORANGE COUNTY, FLORIDA
By Board of County Commissioners

BY: _____
Teresa Jacobs,
Orange County Mayor

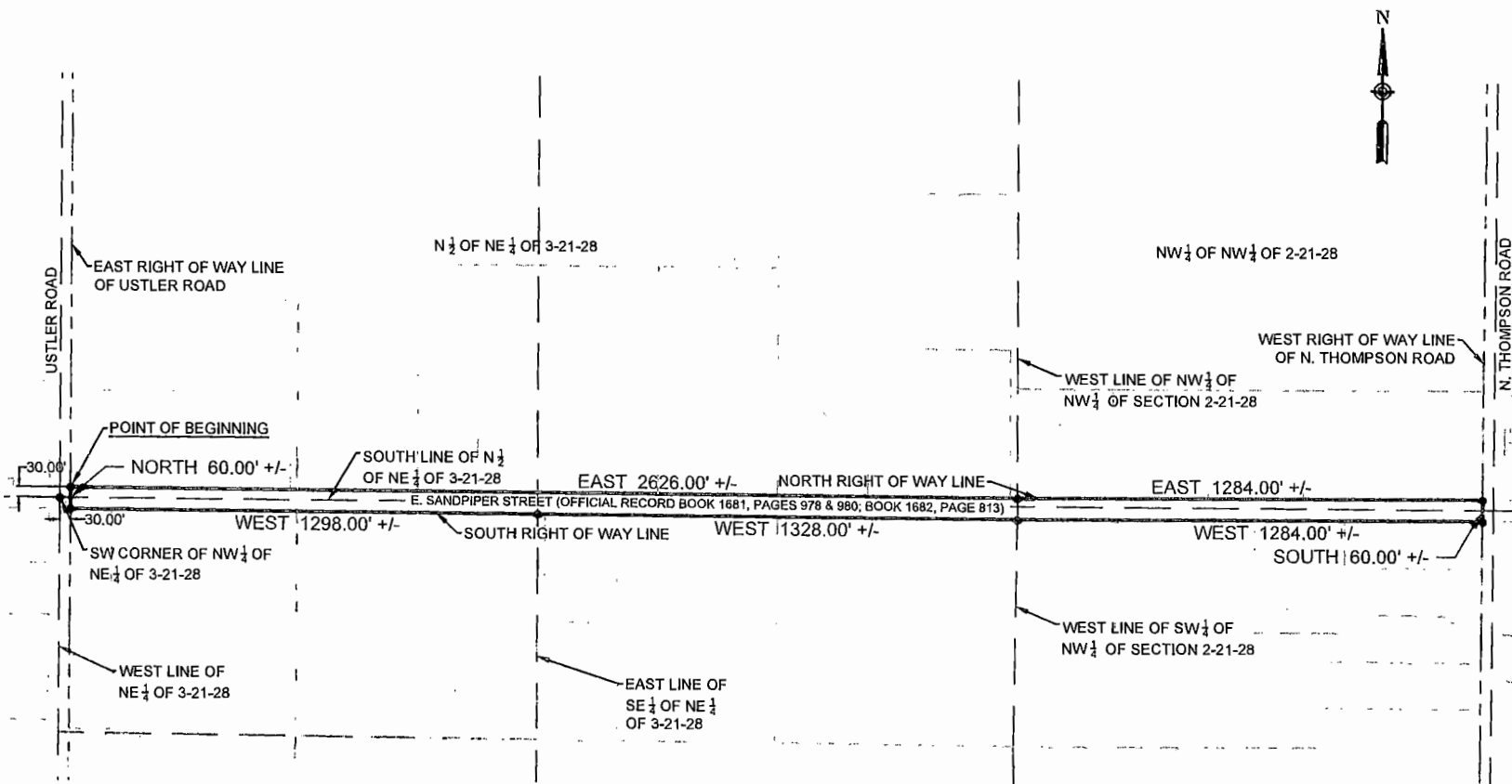
DATE: _____

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

BY: _____
Deputy Clerk

Printed Name

SCHEDULE "A" SKETCH OF DESCRIPTION



LEGEND

- O.R.B. OFFICIAL RECORD BOOK
● CHANGE IN DIRECTION, NO POINT SET

NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF THE N $\frac{1}{2}$ OF THE NE $\frac{1}{4}$ OF SECTION 3, AND THE SOUTH LINE OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 2.
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

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

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C., PURSUANT TO CHAPTERS 17 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

8/23/17
DATE:

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479

DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2,3	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21	
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28	
REVISION DATE:	8026 E. Sandpiper St.	SHEET 1 OF 2	
DRAWING SCALE: 1"=500'			PROJECT NUMBER 8026



SCHEDULE "A"

LEGAL DESCRIPTION

That portion of East Sandpiper Street from the East right of way line of Ustler Road to the West right of way line of North Thompson Road lying in Sections 2 and 3, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Begin at a point 30.00 feet North and 30.00 feet East of the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida; said point also lying on the East right of way line of Ustler Street and the North right of way line of East Sandpiper Street; thence run East along said North right of way line for a distance of 2,626.00 feet more or less to a point lying on the West line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida; thence continue East along said North right of way line for a distance of 1,284.00 feet more or less to a point lying on the West right of way line of North Thompson Street; thence run South along said West right of way line for a distance of 60.00 feet more or less to a point lying on the South right of way line of East Sandpiper Street; thence run West along said South right of way line for a distance of 1,284.00 feet more or less to a point lying on the West line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida; thence continue West along said South right of way line for a distance of 1,328.00 feet more or less to a point lying on the East line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3; thence continue along said South right of way line for a distance of 1,298.00 feet more or less to a point lying on the East right of way line of Ustler Road; thence run North along said East right of way line for a distance of 60.00 feet to the Point of Beginning.

Containing 5.4 acres, more or less.


PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2,3	 <p>SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940</p>	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28		8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2		

Exhibit "B"

This instrument prepared by:
Joel D. Prinsell
Deputy County Attorney
201 S. Rosalind Ave., 3rd Floor
Orlando, FL 32802-1393

Project: Interlocal Agreement with City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street from Ustler Road to North Thompson Road

ASSIGNMENT OF DRAINAGE EASEMENTS

THIS ASSIGNMENT OF DRAINAGE EASEMENTS (the "Assignment"), effective as of the day of execution, is made and entered into by ORANGE COUNTY, a charter county and political subdivision of the State of Florida, whose mailing address is P.O. Box 1393, Orlando, FL 32802-1393 ("Assignor"), to the CITY OF APOPKA, a municipal corporation under the laws of the State of Florida, whose address is 120 E. Main St., Apopka, Florida 32703 ("Assignee").

WHEREAS, Assignor is the owner of a Drainage Easement recorded at O.R. Book 1771, Pages 470-471, Public Records of Orange County, Florida, between Oket-Ches-Kee, Inc., as Grantor, and Orange County, Florida, as Grantee ("Drainage Easement One");

WHEREAS, Assignor is the owner of a second Drainage Easement recorded at O.R. Book 1771, Pages 472-473, Public Records of Orange County, Florida, between Thomas A. Staley and Martha C. Staley, his wife, as Grantors, and Orange County, Florida, as Grantee ("Drainage Easement Two");

WHEREAS, Assignor is the owner of a third Drainage Easement recorded at O.R. Book 5203, Pages 4061-4063, Public Records of Orange County, Florida, between Clifford G. Ruble and Evelyn G. Ruble, his wife, as Grantors, and Orange County, Florida, as Grantee ("Drainage Easement Three");

WHEREAS, Assignor is the owner of a fourth Drainage Easement recorded at O.R. Book 5152, Pages 24-27, Public Records of Orange County, Florida, between Thomas A. Staley, surviving spouse of Martha C. Staley, deceased, joined by Norma L. Staley, his wife, as Grantors, and Orange County, Florida, as Grantee ("Drainage Easement Four");

WHEREAS, subject to the provisions herein, and the provisions of the Interlocal Agreement between Assignor and Assignee for the transfer of jurisdiction of East Sandpiper Street from Ustler Road to North Thompson Road, Assignor desires to assign, and Assignee

**Project: Interlocal Agreement with City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street
from Ustler Road to North Thompson Road**

desires to assume, all of Assignor's rights, title, duties, obligations, and interest in the four above referenced Drainage Easements as more particularly described below.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct, and are incorporated herein by reference.

2. **Assignment.** Assignor hereby assigns and transfers to Assignee all of Assignor's rights, title, duties, obligations, and interest to Drainage Easements Two, Three, and Four, and to the portion of Drainage Easement One lying south of the north line of the East Sandpiper Street right-of-way, all as more fully described in the legal descriptions and sketches attached hereto as **Appendix "A."**

3. **Assumption.** Assignee hereby assumes from Assignor all of Assignor's rights, title, duties, obligations and interest under the terms and conditions of the four Drainage Easements, including for utilities; the maintenance of any existing utility facilities located within the Drainage Easements; and Assignee further agrees that, as a condition of this agreement, Assignee shall assume and abide by all terms and conditions of the four Drainage Easements.

IN WITNESS WHEREOF, the Assignor hereto has executed this Assignment of Drainage Easements as of the day and year below its signature.

ASSIGNOR:
ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Teresa Jacobs
Orange County Mayor

Date: _____, 2017

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

By: _____
Deputy Clerk
Print Name: _____

**Project: Interlocal Agreement with City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street
from Ustler Street to North Thompson Road**

ASSIGNEE:
CITY OF APOPKA, FLORIDA
By: City Council

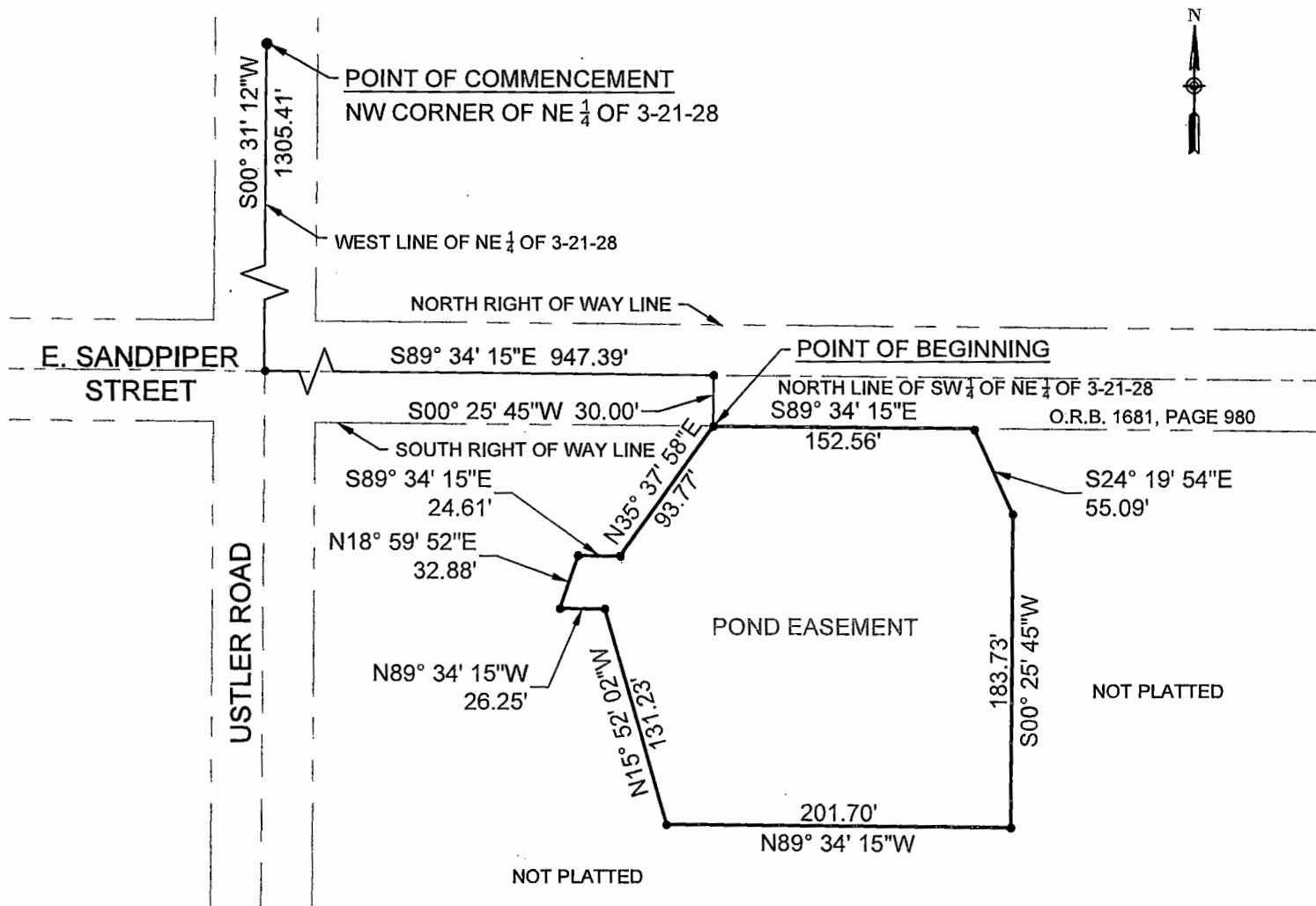
By: _____
Joe Kilsheimer, Mayor

Date: _____, 2017

ATTEST:

By: _____
Linda F. Goff
City Clerk

SCHEDULE "A" SKETCH OF DESCRIPTION



LEGEND

- O.R.B. OFFICIAL RECORD BOOK
● CHANGE IN DIRECTION, NO POINT SET

NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE SW 1/4 OF THE NE 1/4 OF SECTION 3, BEING S 89° 34' 15" E (ASSUMED).
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

SKETCH AND DESCRIPTION

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I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 6J-17, F.A.C., PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

8/23/17
DATE:

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479


DRAWN BY: Washington	DATE: 8/23/17	SECTION: 3	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION	DRAWING SCALE: 1" = 100'
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21	4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	PROJECT NUMBER 8026
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28	ORANGE COUNTY GOVERNMENT	
REVISION DATE:	8026 E. Sandpiper St.	SHEET 1 OF 2		

SCHEDULE "A" **LEGAL DESCRIPTION**

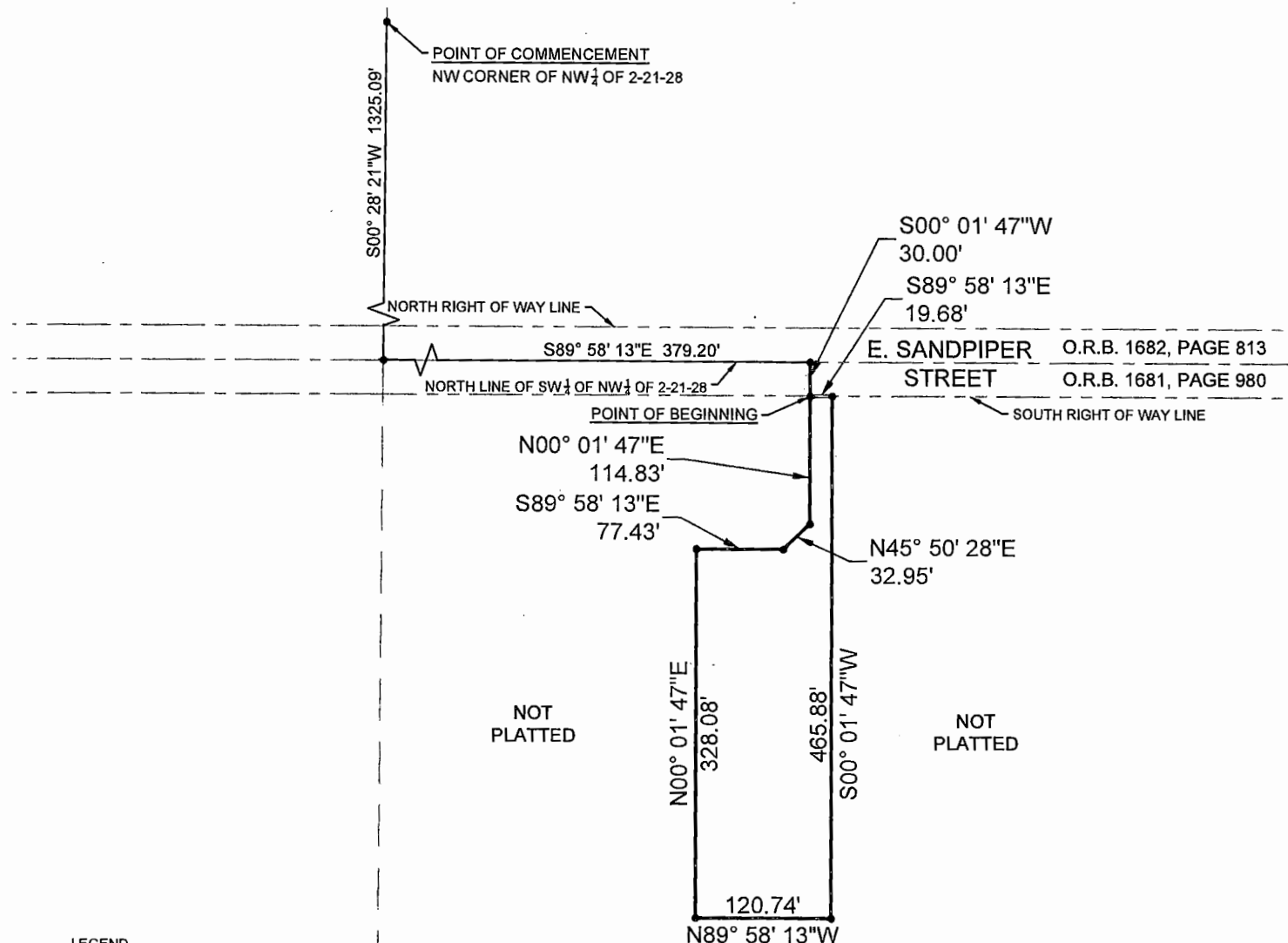
A portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida; thence run S00°31'12"W for a distance of 1,305.41 feet along the West line of said Northeast $\frac{1}{4}$ to a point on the North line of the Southwest $\frac{1}{4}$ of said Northeast $\frac{1}{4}$; thence run S89°34'15"E 947.39 feet along said North line; thence leaving said North line, run S00°25'45"W for a distance of 30.00 feet to a point on the South right of way line of E. Sandpiper Street and the Point of Beginning; thence run S89°34'15"E for a distance of 152.56 feet along said South right of way line; thence leaving said South right of way line run S24°19'54"E for a distance of 55.09 feet; thence S00°25'45"W for a distance of 183.73 feet; thence N89°34'15"W for a distance of 201.70 feet; thence N15°52'02"W for a distance of 131.23 feet; thence N89°34'15"W for a distance of 26.25 feet; thence N18°59'52"E for a distance of 32.88 feet; thence S89°34'15"E for a distance of 24.61 feet; thence N35°37'58"E for a distance of 93.77 feet to the Point of Beginning.

Containing 1.17 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION			
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 3	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940		DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21			PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28			8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2			

SCHEDULE "A" SKETCH OF DESCRIPTION



LEGEND

- O.R.B. OFFICIAL RECORD BOOK
• CHANGE IN DIRECTION, NO POINT SET

NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE SW 1/4 OF THE NW 1/4 OF SECTION 2, BEING S 89°58'13" E, (ASSUMED).
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

SKETCH AND DESCRIPTION

THIS IS NOT A SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 6J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 6J-17, F.A.C., PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

8/23/17
DATE:

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 6476

DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION	ORANGE COUNTY GOVERNMENT	DRAWING SCALE: 1"=150'
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21	4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940		PROJECT NUMBER 8026
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28			
REVISION DATE:	8026 E. Sandpiper St.	SHEET 1 OF 2			


SCHEDULE "A"

LEGAL DESCRIPTION

A portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Northwest $\frac{1}{4}$ of said Section 2; thence run S00°28'21"W a distance of 1325.09 feet to the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2; thence run S89°58'13"E along said North line a distance of 379.20 feet; thence leaving said North line run S00°01'47"W a distance of 30.00 feet to a point on the South right of way line of East Sandpiper Street said point being the Point of Beginning; thence run S89°58'13"E along said South right of way line a distance of 19.68 feet; thence leaving said South right of way line run S00°01'47"W a distance of 465.88 feet; thence run N89°58'13"W a distance of 120.74 feet; thence run N00°01'47"E a distance of 328.08 feet; thence run S89°58'13"E a distance of 77.43 feet; thence run N45°50'28"E a distance of 32.95 feet; thence run N00°01'47"E a distance of 114.83 feet to the Point of Beginning.

Containing 42,595.67 square feet, or 0.98 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28		8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2		


E SANDPIPER STREET
(OFFICIAL RECORD BOOK 1681, PAGE 978 & 980)

Curve Table					
Curve #	Radius	Length	Delta	Chord Direction	Chord Distance
C1	200.00'	242.71'	69° 31' 50"	N35° 20' 19"E	228.09'
C2	200.00'	218.06'	62° 28' 06"	N38° 52' 11"E	207.41'

LEGEND

Curve Table					
Curve #	Radius	Length	Delta	Chord Direction	Chord Distance
C1	200.00'	242.71'	69° 31' 50"	N35° 20' 19"E	228.09'
C2	200.00'	218.06'	62° 28' 06"	N38° 52' 11"E	207.41'

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 53-17, F.A.C., PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAN, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
 8/23/17 
 DATE: _____ Mark A. Daynes
 REGISTERED LAND SURVEYOR
 AND MAPPER
 STATE OF FLORIDA LICENSE NO. 5172

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

1. BEARINGS ARE BASED ON THE WEST LINE OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 3-21-28.
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

● CHANGE IN DIRECTION, NO POINT SET

LEGEND

O.R.B. OFFICIAL RECORD BOOK

- CHANGE IN DIRECTION, NO POINT SET

**PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION**
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940



ORANGE
COUNTY
GOVERNMENT
FLORIDA

DRAWING SCALE:
1" = 200'

PROJECT NUMBER
8026

SCHEDULE "A"

LEGAL DESCRIPTION

All that part of the Northeast $\frac{1}{4}$ of Section 3, Township 21, Range 28 East, Orange County, Florida, lying 20.00 feet right and left of the following described centerline:

Begin at the Southwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, thence run North along the West line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ for a distance of 335.85 feet to the Point of Curvature of a curve concave Southeasterly, having a radius of 200.00 feet and a central angle of $69^{\circ}31'50''$, thence run along the arc of this curve for a distance of 242.71 feet to the Point of Reverse Curvature of a curve concave Northwesterly, having a radius of 200.00 feet, a central angle of $62^{\circ}28'06''$, a chord bearing of $N38^{\circ}52'11''E$, and a chord distance of 207.41 feet; thence run along the arc of said curve for a distance of 218.06 feet to a point lying on the North right of way line of E. Sandpiper Street.

The side lines of said easement shall be prolonged or shortened to terminate at the North right of way line of E. Sandpiper Street.

Containing 31,864.49 square feet, or 0.73 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION			
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 3	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940		DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21			PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28			8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2			



BCC Mtg. Date: October 17, 2017

Project: Interlocal Agreement with the City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street from Ustler Street to North Thompson Road

This document constitutes a conveyance from a state agency or instrumentality to an agency of the state and is not subject to documentary stamp tax. Department of Revenue Rules 12B-4.0114(10), F.A.C.

COUNTY DEED

THIS DEED, dated _____ day of **OCT 17 2017**, 2017 by ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the City of Apopka, a municipal corporation, under the laws of the State of Florida, whose address is 120 E. Main St., Apopka, Florida, 32703, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

SEE ATTACHED APPENDIX "A"

Property Appraiser's Parcel Identification Number:

Unassigned

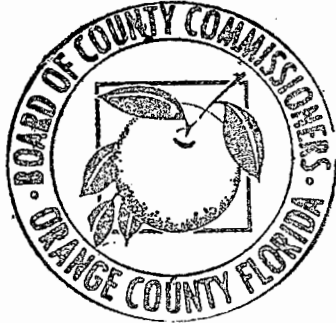
THIS COUNTY DEED is being given in accordance with the Interlocal Agreement for the transfer of jurisdiction of East Sandpiper Street from Ustler Street to North Thompson Road.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project: Interlocal Agreement with the City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street from Ustler Street to North Thompson Road

IN WITNESS WHEREOF, the said GRANTOR 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

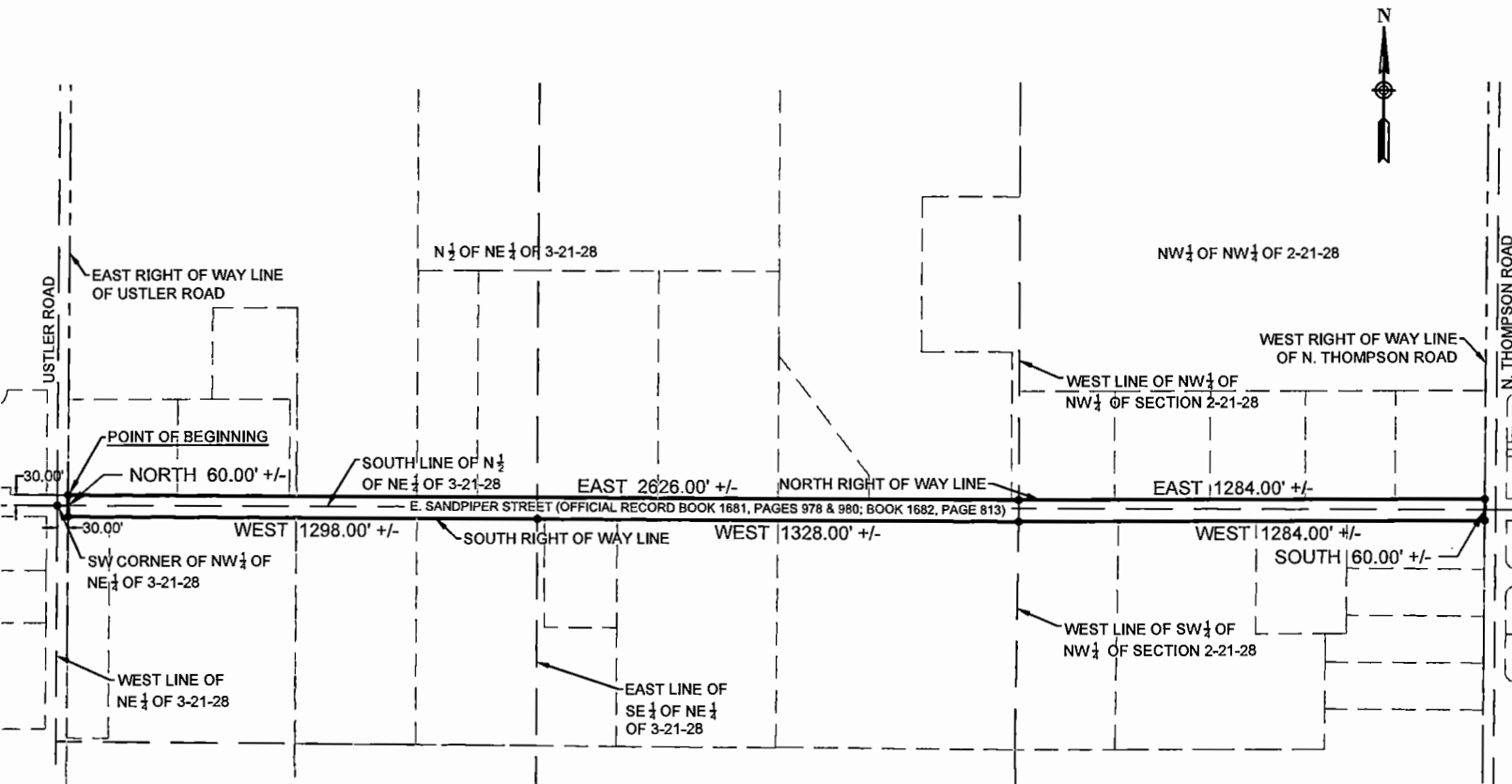
BY: *Teresa Jacobs*
Teresa Jacobs,
Orange County Mayor

DATE: 10.17.17

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

BY: *Craig A. Stopyra*
for Deputy Clerk
Craig A. Stopyra
Printed Name

SCHEDULE "A" SKETCH OF DESCRIPTION



LEGEND

- O.R.B. OFFICIAL RECORD BOOK
● CHANGE IN DIRECTION, NO POINT SET

NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF THE N $\frac{1}{2}$ OF THE NE $\frac{1}{4}$ OF SECTION 3, AND THE SOUTH LINE OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 2.
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

SKETCH AND DESCRIPTION

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

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C., PURSUANT TO CHAPTERS 17 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

8/23/17
DATE:

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479

DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2,3	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32835-9205 (407) 836-7940
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21	
APPROVED BY: Daynes	DRAWING FILE: 8026 E. Sandpiper St.	RANGE: 28	
REVISION DATE:		SHEET 1 OF 2	
DRAWING SCALE: 1"=500'			PROJECT NUMBER: 8026




SCHEDULE "A"

LEGAL DESCRIPTION

That portion of East Sandpiper Street from the East right of way line of Ustler Road to the West right of way line of North Thompson Road lying in Sections 2 and 3, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Begin at a point 30.00 feet North and 30.00 feet East of the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida; said point also lying on the East right of way line of Ustler Street and the North right of way line of East Sandpiper Street; thence run East along said North right of way line for a distance of 2,626.00 feet more or less to a point lying on the West line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida; thence continue East along said North right of way line for a distance of 1,284.00 feet more or less to a point lying on the West right of way line of North Thompson Street; thence run South along said West right of way line for a distance of 60.00 feet more or less to a point lying on the South right of way line of East Sandpiper Street; thence run West along said South right of way line for a distance of 1,284.00 feet more or less to a point lying on the West line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida; thence continue West along said South right of way line for a distance of 1,328.00 feet more or less to a point lying on the East line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3; thence continue along said South right of way line for a distance of 1,298.00 feet more or less to a point lying on the East right of way line of Ustler Road; thence run North along said East right of way line for a distance of 60.00 feet to the Point of Beginning.

Containing 5.4 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2,3	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28		8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2		

BCC Mtg. Date: October 17, 2017

This instrument prepared by:
Joel D. Prinsell
Deputy County Attorney
201 S. Rosalind Ave., 3rd Floor
Orlando, FL 32802-1393

Project: Interlocal Agreement with City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street from Ustler Street to North Thompson Road

ASSIGNMENT OF DRAINAGE EASEMENTS

THIS ASSIGNMENT OF DRAINAGE EASEMENTS (the "Assignment"), effective as of the day of execution, is made and entered into by ORANGE COUNTY, a charter county and political subdivision of the State of Florida, whose mailing address is P.O. Box 1393, Orlando, FL 32802-1393 ("Assignor"), to the CITY OF APOPKA, a municipal corporation under the laws of the State of Florida, whose address is 120 E. Main St., Apopka, Florida 32703 ("Assignee").

WHEREAS, Assignor is the owner of a Drainage Easement recorded at O.R. Book 1771, Pages 470-471, Public Records of Orange County, Florida, between Oket-Ches-Kee, Inc., as Grantor, and Orange County, Florida, as Grantee ("Drainage Easement One");

WHEREAS, Assignor is the owner of a second Drainage Easement recorded at O.R. Book 1771, Pages 472-473, Public Records of Orange County, Florida, between Thomas A. Staley and Martha C. Staley, his wife, as Grantors, and Orange County, Florida, as Grantee ("Drainage Easement Two");

WHEREAS, Assignor is the owner of a third Drainage Easement recorded at O.R. Book 5203, Pages 4061-4063, Public Records of Orange County, Florida, between Clifford G. Ruble and Evelyn G. Ruble, his wife, as Grantors, and Orange County, Florida, as Grantee ("Drainage Easement Three");

WHEREAS, Assignor is the owner of a fourth Drainage Easement recorded at O.R. Book 5152, Pages 24-27, Public Records of Orange County, Florida, between Thomas A. Staley, surviving spouse of Martha C. Staley, deceased, joined by Norma L. Staley, his wife, as Grantors, and Orange County, Florida, as Grantee ("Drainage Easement Four");

WHEREAS, subject to the provisions herein, and the provisions of the Interlocal Agreement between Assignor and Assignee for the transfer of jurisdiction of East Sandpiper Street from Ustler Street to North Thompson Road, Assignor desires to assign, and Assignee

**Project: Interlocal Agreement with City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street
from Ustler Street to North Thompson Road**

desires to assume, all of Assignor's rights, title, duties, obligations, and interest in the four above referenced Drainage Easements as more particularly described below.

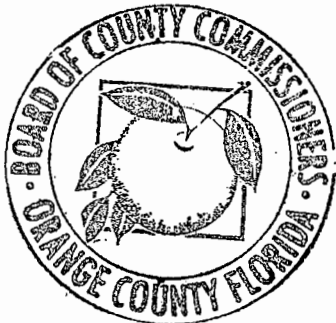
NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by reference.

2. **Assignment.** Assignor hereby assigns and transfers to Assignee all of Assignor's rights, title, duties, obligations, and interest to Drainage Easements Two, Three, and Four, and to the portion of Drainage Easement One lying south of the East Sandpiper Street right-of-way, all as more fully described in the legal descriptions and sketches attached hereto as **Appendix "A."**

3. **Assumption.** Assignee hereby assumes from Assignor all of Assignor's rights, title, duties, obligations and interest under the terms and conditions of the four Drainage Easements, including for utilities; the maintenance of any existing utility facilities located within the Drainage Easements; and Assignee further agrees that, as a condition of this agreement, Assignee shall assume and abide by all terms and conditions of the four Drainage Easements.

IN WITNESS WHEREOF, the Assignor hereto has executed this Assignment of Drainage Easements as of the day and year below its signature.



ASSIGNOR:
ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

Date: October 17, 2017

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

By: *Craig A. Stopyna*
for Deputy Clerk
Print Name: Craig A. Stopyna

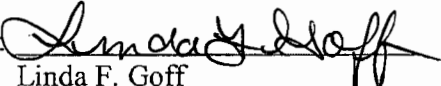
Project: Interlocal Agreement with City of Apopka for the Transfer of Jurisdiction of East Sandpiper Street
from Ustler Road to North Thompson Road

ASSIGNEE:
CITY OF APOPKA, FLORIDA
By: City Council

By: 
Joe Kilsheimer, Mayor

Date: 9-6, 2017

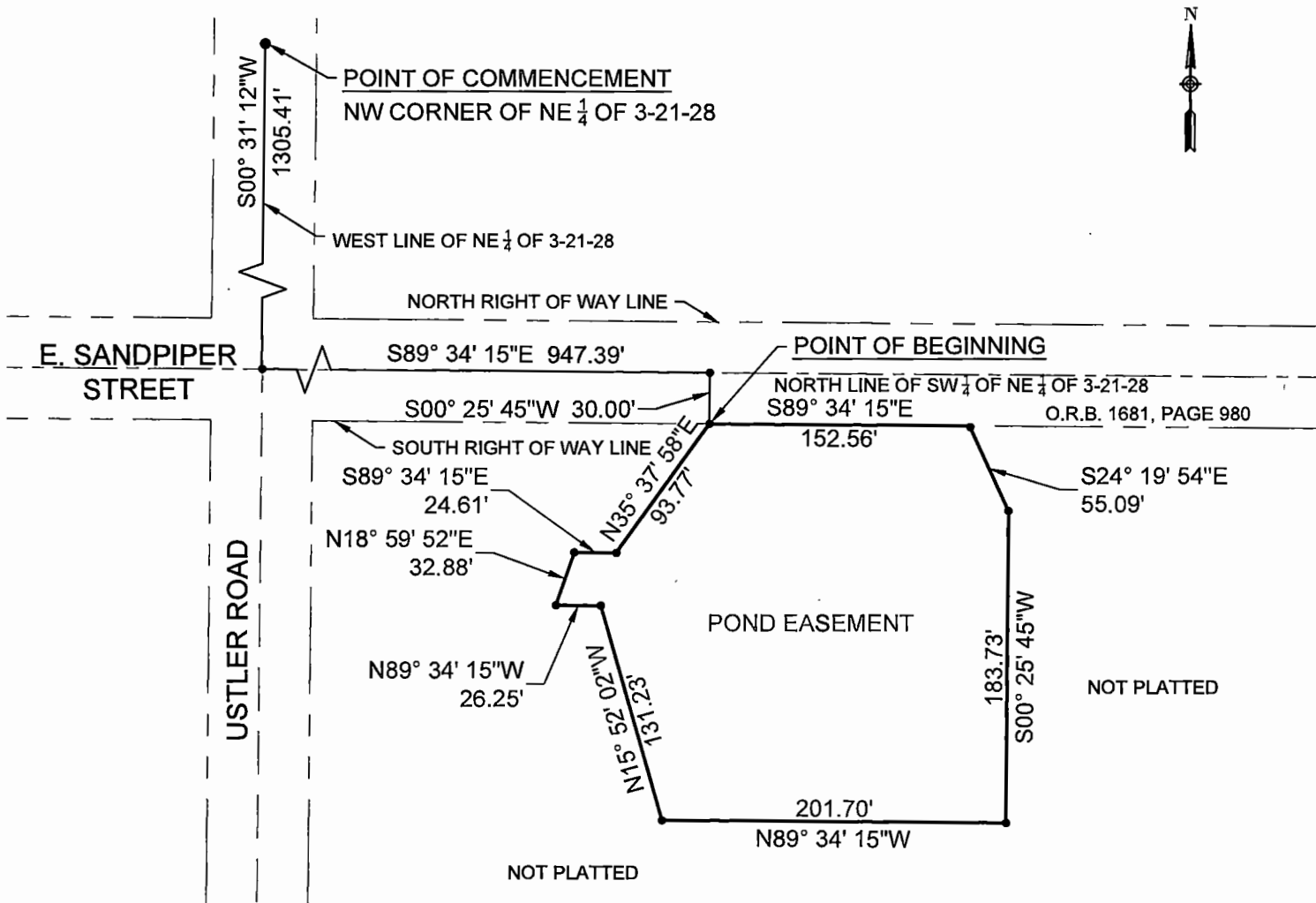
ATTEST:

By: 
Linda F. Goff
City Clerk

APPROVED BY APOPKA CITY COUNCIL

ON 9-6, 2017

SCHEDULE "A" SKETCH OF DESCRIPTION



LEGEND

- O.R.B. OFFICIAL RECORD BOOK
● CHANGE IN DIRECTION, NO POINT SET

NOTES:

- BEARINGS ARE BASED ON THE NORTH LINE OF THE SW 1/4 OF THE NE 1/4 OF SECTION 3, BEING S 89°34'15" E (ASSUMED).
- THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
- THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
- NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

SKETCH AND DESCRIPTION

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8/23/17
DATE:

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479

DRAWN BY: Washington	DATE: 8/23/17	SECTION: 3	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION	DRAWING SCALE: 1"=100'
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21	4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	PROJECT NUMBER 8026
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28	ORANGE COUNTY FLORIDA	
REVISION DATE:	8026 E. Sandpiper St.	SHEET 1 OF 2		

PREPARED FOR:
Engineering -
Survey Section


SCHEDULE "A"

LEGAL DESCRIPTION

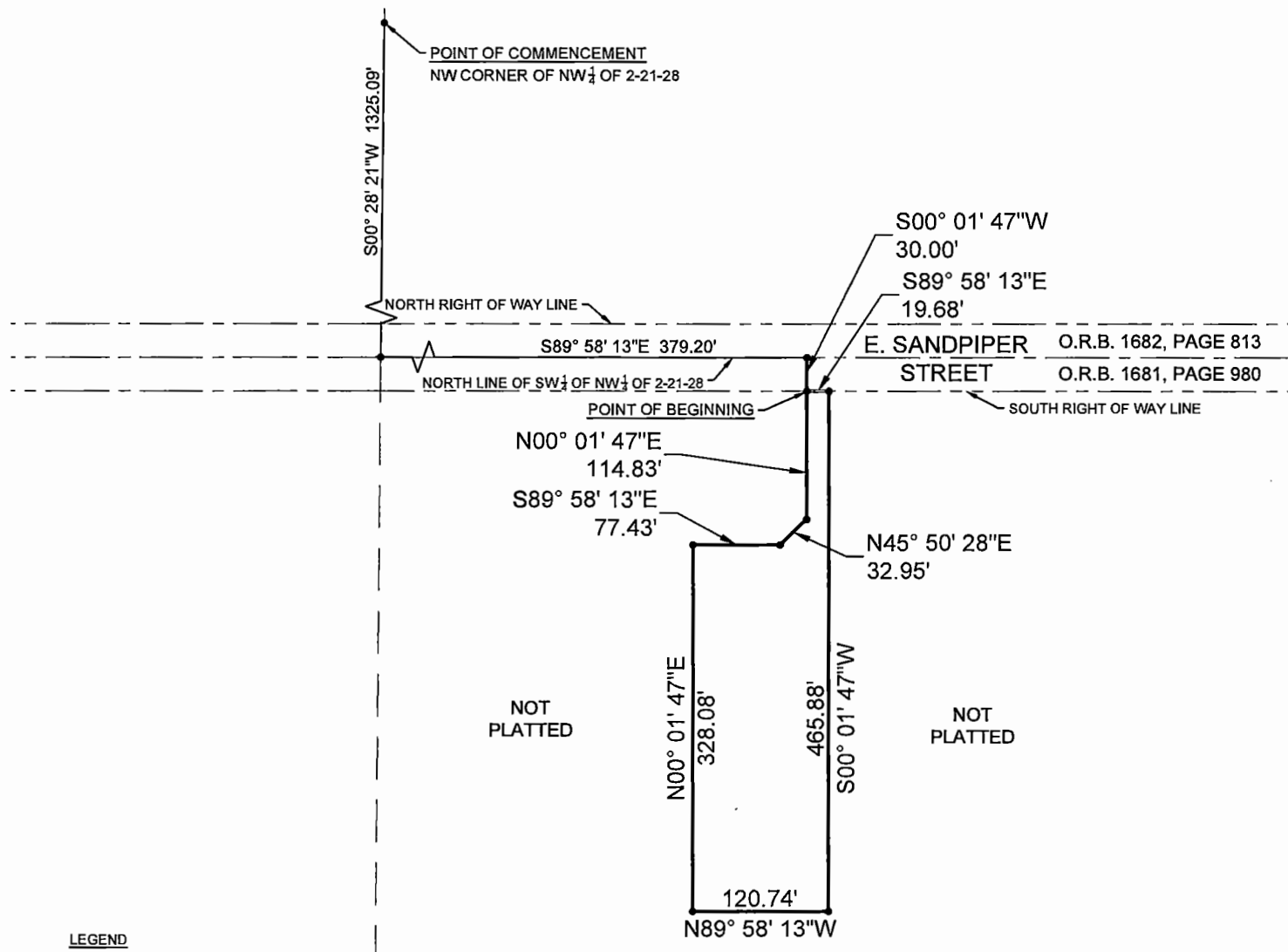
A portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, Orange County, Florida; thence run S00°31'12"W for a distance of 1,305.41 feet along the West line of said Northeast $\frac{1}{4}$ to a point on the North line of the Southwest $\frac{1}{4}$ of said Northeast $\frac{1}{4}$; thence run S89°34'15"E 947.39 feet along said North line; thence leaving said North line, run S00°25'45"W for a distance of 30.00 feet to a point on the South right of way line of E. Sandpiper Street and the Point of Beginning; thence run S89°34'15"E for a distance of 152.56 feet along said South right of way line; thence leaving said South right of way line run S24°19'54"E for a distance of 55.09 feet; thence S00°25'45"W for a distance of 183.73 feet; thence N89°34'15"W for a distance of 201.70 feet; thence N15°52'02"W for a distance of 131.23 feet; thence N89°34'15"W for a distance of 26.25 feet; thence N18°59'52"E for a distance of 32.88 feet; thence S89°34'15"E for a distance of 24.61 feet; thence N35°37'58"E for a distance of 93.77 feet to the Point of Beginning.

Containing 1.17 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 3	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28		8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2		

SCHEDULE "A" SKETCH OF DESCRIPTION



LEGEND

- O.R.B. OFFICIAL RECORD BOOK
● CHANGE IN DIRECTION, NO POINT SET

NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE SW 1/4 OF THE NW 1/4 OF SECTION 2, BEING S 89° 58' 13" E, (ASSUMED).
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

SKETCH AND DESCRIPTION

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

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C., PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

8/23/17
DATE:

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479

DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION	ORANGE COUNTY GOVERNMENT FLORIDA	DRAWING SCALE: 1"=150'
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21			PROJECT NUMBER 8026
APPROVED BY: Daynes	DRAWING FILE: 8026 E. Sandpiper St.	RANGE: 28	4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940		
REVISION DATE:		SHEET 1 OF 2			

PREPARED FOR:
Survey Section


SCHEDULE "A"

LEGAL DESCRIPTION

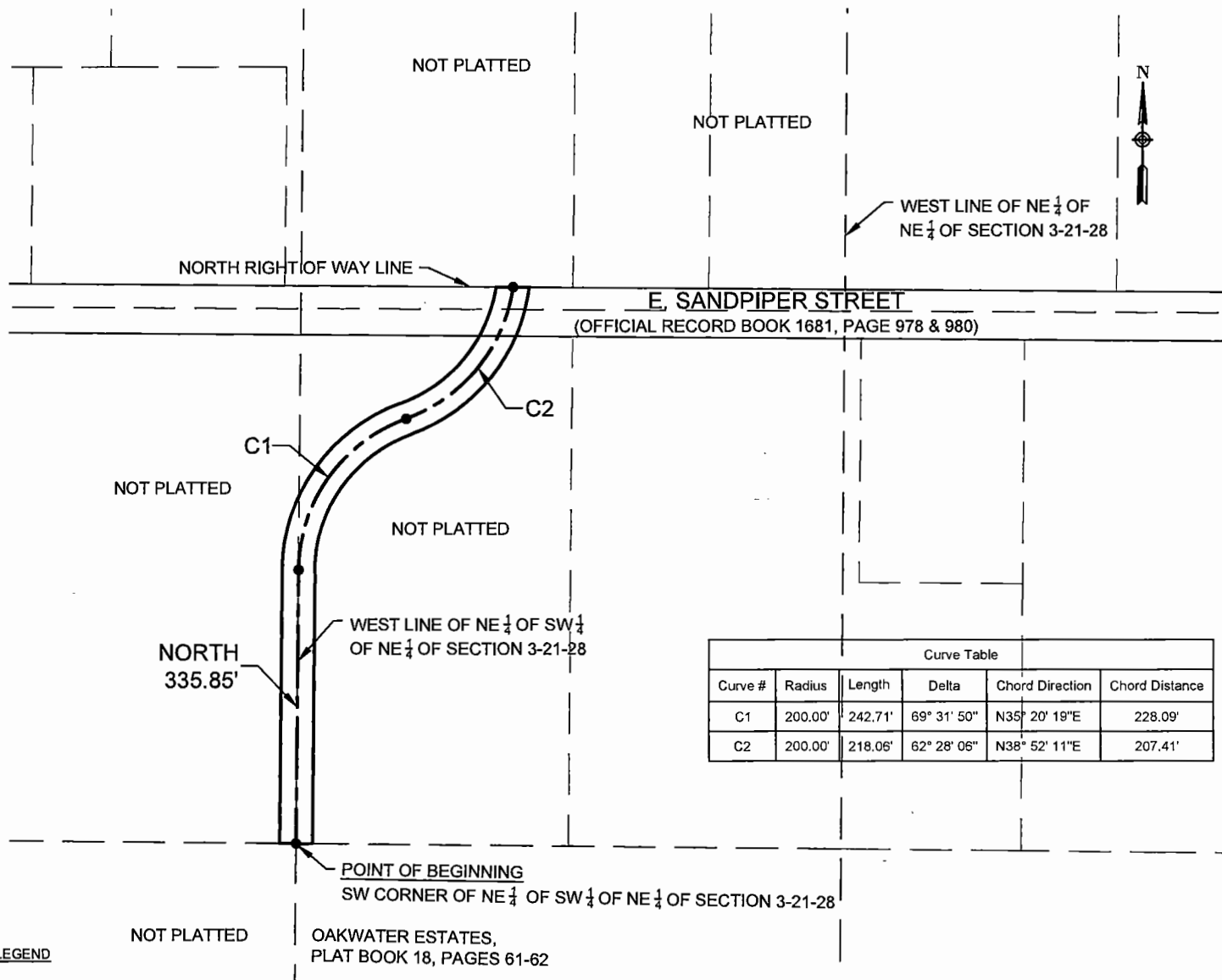
A portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Northwest $\frac{1}{4}$ of said Section 2; thence run S00°28'21"W a distance of 1325.09 feet to the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2; thence run S89°58'13"E along said North line a distance of 379.20 feet; thence leaving said North line run S00°01'47"W a distance of 30.00 feet to a point on the South right of way line of East Sandpiper Street said point being the Point of Beginning; thence run S89°58'13"E along said South right of way line a distance of 19.68 feet; thence leaving said South right of way line run S00°01'47"W a distance of 465.88 feet; thence run N89°58'13"W a distance of 120.74 feet; thence run N00°01'47"E a distance of 328.08 feet; thence run S89°58'13"E a distance of 77.43 feet; thence run N45°50'28"E a distance of 32.95 feet; thence run N00°01'47"E a distance of 114.83 feet to the Point of Beginning.

Containing 42,595.67 square feet, or 0.98 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 2	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28		8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2		

SCHEDULE "A" SKETCH OF DESCRIPTION



Curve Table					
Curve #	Radius	Length	Delta	Chord Direction	Chord Distance
C1	200.00'	242.71'	69° 31' 50"	N35° 20' 19"E	228.09'
C2	200.00'	218.06'	62° 28' 06"	N38° 52' 11"E	207.41'

LEGEND

- O.R.B. OFFICIAL RECORD BOOK
- CHANGE IN DIRECTION, NO POINT SET

NOTES:

- BEARINGS ARE BASED ON THE WEST LINE OF THE NE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 3-21-28.
- THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
- THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
- NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

SKETCH AND DESCRIPTION

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

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 6J-17, F.A.C., PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

8/23/17
DATE:

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479

DRAWN BY: Washington
CHECKED BY: Daynes
APPROVED BY: Daynes
REVISION DATE:

DATE: 8/23/17
JOB No: 8026
DRAWING FILE: 8026 E. Sandpiper St.

SECTION: 3
TOWNSHIP: 21
RANGE: 28
SHEET 1 OF 2

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940

ORANGE
COUNTY
FLORIDA
GOVERNMENT

DRAWING SCALE:
1" = 200'
PROJECT NUMBER
8026

PREPARED FOR:
Survey Section

SCHEDULE "A"

LEGAL DESCRIPTION

All that part of the Northeast $\frac{1}{4}$ of Section 3, Township 21, Range 28 East, Orange County, Florida, lying 20.00 feet right and left of the following described centerline:

Begin at the Southwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 28 East, thence run North along the West line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ for a distance of 335.85 feet to the Point of Curvature of a curve concave Southeasterly, having a radius of 200.00 feet and a central angle of 69°31'50", thence run along the arc of this curve for a distance of 242.71 feet to the Point of Reverse Curvature of a curve concave Northwesterly, having a radius of 200.00 feet, a central angle of 62°28'06", a chord bearing of N38° 52' 11"E, and a chord distance of 207.41 feet; thence run along the arc of said curve for a distance of 218.06 feet to a point lying on the North right of way line of E. Sandpiper Street.

The side lines of said easement shall be prolonged or shortened to terminate at the North right of way line of E. Sandpiper Street.

Containing 31,864.49 square feet, or 0.73 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 8/23/17	SECTION: 3	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8026	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28		8026
REVISION DATE:	8026 E. Sandpiper St.	SHEET 2 OF 2		

