



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 4

DATE: October 20, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager 
Real Estate Management Division

FROM: Russell L. Corriveau, Senior Acquisition Agent 
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: APPROVAL AND EXECUTION OF RESOLUTION AND COUNTY DEED FROM ORANGE COUNTY TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: FDOT – S.R. 400 (I-4) from N. of Kennedy Blvd to Seminole County Line (F.P. No. 242484 6)

District 5

PURPOSE: To convey land to the State of Florida for the expansion of a pedestrian bridge for I-4 Ultimate project.

ITEMS: Resolution

County Deed (Parcel 594.1)
Revenue: None
Size: 13,562 square feet

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS:

This property being conveyed to the Florida Department of Transportation (FDOT) contains a portion of an existing pedestrian bridge that will be expanded in connection with the I-4 Ultimate project. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate existing road, drainage, and utility facilities on, within, and upon the lands being conveyed in accordance with the FDOT's minimum standards for such facilities.

FDOT to pay recording fees and record instrument.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

NOV 14 2017

03-ORANGE CO RES-12/10

July 17, 2017

This instrument prepared by

Suzette K. Hicks

Under the direction of

Daniel L. McDermott, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 594.1
SECTION 75280
F.P. NO. 242484 6
STATE ROAD 400 (I-4)
COUNTY Orange

RESOLUTION

ON MOTION of Commissioner Pete Clarke, seconded by
Commissioner Betsy Vanderley, the following Resolution
was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 400 (I-4), Section No. 75280, F.P. No. 242484 6, in Orange County, Florida: and

WHEREAS, it is necessary that certain lands now owned by Orange County be acquired by the State of Florida Department of Transportation: and

WHEREAS, said property is not needed for County purposes: and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a deed, or deeds, in favor of the State of Florida Department of Transportation, conveying all rights, title and interest, except as set forth in the deed, that said County has in and to said lands required for transportation purposes, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Orange County, that the application of the State of Florida Department of Transportation for a deed, or deeds, is for transportation purposes which are in the public or community interest and for public welfare and the land needed for transportation purposes is not needed for county purposes; that a deed, or deeds, in favor of the State of Florida Department of Transportation conveying all right, title and interest, except as set forth in the deed, of Orange County in and to said lands should be drawn and executed by Jim Dalehand, on behalf of this Board of County Commissioners.

PARCEL NO. 594.1R
SECTION 75280
F.P. NO. 242484 6
PAGE 2

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at 719 South Woodland Blvd., Deland, Florida, 32720-6834.

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of County Commissioners of Orange County, Florida at a meeting held on the NOV 14 2017 day of _____.

(Official Seal)

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: Teresa Jacobs
Teresa Jacobs,
Orange County Mayor

DATE: 11-14-17

ADDRESS OF GRANTOR
P. O. Box 1393
Orlando, Florida 32802-1393

ATTEST: Phil Diamond, CPA, County
Comptroller, Clerk to the Board

BY: Craig A. Stopysa
for Deputy Clerk

Craig A. Stopysa
Printed Name



APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

NOV 14 2017

03-ORCO-5/11

August 17, 2017

This instrument prepared by
Suzette K. Hicks

Under the direction of
Daniel L. McDermott, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO. 594.1
SECTION 75280
F.P. NO. 242484 6
STATE ROAD 400 (I-4)
COUNTY ORANGE

COUNTY DEED

THIS DEED, made this ____ day of **NOV 14 2017**, 20__ by ORANGE COUNTY, a charter county and political subdivision of the state of Florida, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, grantee: (Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Orange County, Florida, viz:

PARCEL No 594

SECTION 75280
F.P. NO. 242484 6

"The West Thirty Feet of the South one-half (S1/2) of Southeast Quarter (SE1/4) of Section 26, Township 21 South, Range 29 East."

(Being the lands described in Deed Book 554, Page 390, Public Records of Orange County, Florida)

Lying North of the Northerly Right of Way Line of Wymore Road as depicted on the Right of Way Map recorded in Road Plat Book 1, Pages 9-13, Public Records of Orange County, Florida.

PARCEL NO. 594.1
SECTION 75280
F.P. NO. 242484 6
PAGE 2

Containing 13562 square feet, 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

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with the appurtenances thereunto belonging or in anywise appertaining, and the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the said grantee forever.

PROVIDED that the following rights are reserved to Orange County:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate existing road, drainage, and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.

PARCEL NO. 594.1
SECTION 75280
F.P. NO. 242484 6
PAGE 3

3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities and to indemnify to the extent permitted under Florida Law the F.D.O.T. against any loss or damage resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either parties sovereign immunity beyond the waiver provided in Florida Statute 768.28.

GRANTEE acknowledges the existing City of Maitland drainage system and grantee agrees to account for and to assure continued drainage flow from said system.

IN WITNESS WHEREOF, the 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

DATE: 11-14-17

ATTEST: Phil Diamond, CPA, County
Comptroller, Clerk to the Board

BY: *Craig A. Stopysa*
for Deputy Clerk

Craig A. Stopysa
Printed Name

ADDRESS OF GRANTOR
P. O. Box 1393
Orlando, Florida 32802-1393

