



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 2

DATE: January 30, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Elizabeth Price Jackson, Senior Title Examiner *EPJ*
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
AUTHORIZATION TO INITIATE CONDEMNATION PROCEEDINGS

PROJECT: East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway

District 5

PURPOSE: Acquisition of one fee simple parcel required for road widening
improvements.

ITEM: Resolution (Parcel 1015)

BUDGET: Account No.: 1032-072-2752-6110

APPROVALS: Real Estate Management Division
Public Works Department

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

FEB 20 2018

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

RESOLUTION

WHEREAS, during FY 00/01, the Board approved the project known as East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway to construct a new roadway, add sidewalks and turn lanes, address the drainage problems, and improve the traffic flow as outlined in the staff report attached as Exhibit "A"; and

WHEREAS, in connection with the construction, repair and maintenance of the East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway project by Orange County, a charter county and political subdivision of the State of Florida, it is necessary that said County have the required area for roadway purposes and it is necessary and in the public interest that there be acquired the required fee simple 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 fee simple 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 fee simple interest for roadway purposes be acquired in the name of said County by gift, purchase, eminent domain proceedings, or otherwise over and upon all 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 property description under parcel number 1015 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 fee simple 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 FEB 20 2018.

(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: *Katie Smith*
Deputy Clerk
Katie Smith

Printed Name

DATE: 2.20.18

/bj

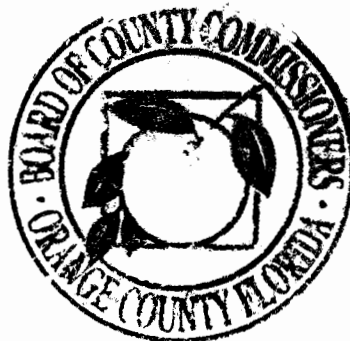


Exhibit "A"

**STAFF REPORT
East-West Road
(S.R. 436 to Dean Road)
CIP 2752**

August 11, 2003

PROJECT HISTORY

1. Orange County began a study for a proposed East-West Road between S.R. 436 (Semoran Boulevard) and Dean Road in the fall of 1999. The services in the Roadway Conceptual Analysis included preparation of the *East-West Road Roadway Conceptual Analysis Report*. This report included, but was not limited to, right-of-way identification maps, alternative alignment analysis, traffic analysis, cost analysis, etc.
2. The Public Kickoff Meeting for the East-West Road Roadway Conceptual Analysis (RCA) Study was held on Thursday, December 2, 1999 at University High School and was attended by over 500 people. The meeting began at 6:00 PM and lasted until 9:00 PM.

The "open-house" portion of the meeting began at 6:00 PM with members of the study team available to answer questions from residents, business owners and other interested parties. At 7:00 PM, county staff provided a brief presentation that addressed the need for the project, the study process, the project schedule and an overview of the public involvement process that will be used during the entire study phase. Following the presentation, members of the study team again answered project questions one-on-one.

3. The Second Public Workshop (Meeting) for the East-West Road Roadway Conceptual Analysis (RCA) Study was held on Thursday, March 30, 2000 at University High School and was attended by over 600 people.

This workshop was similar to the first one held in December, with an open-house format followed by a formal presentation. It began at 6:00 PM with members of the Project Team available to answer questions from residents and business owners one-on-one. At 7:00 PM, the Project Team gave a formal presentation that described the activities that have been held since the first Public Workshop and the development and evaluation of the alternative alignments that are being considered. Following this presentation, a question & answer period was held to allow the public to ask questions in a formal setting.

4. The Third Public Workshop (Meeting) for the East-West Road Roadway Conceptual Analysis (RCA) Study was held on Monday, October 2, 2000 at University High School and was attended by almost 200 people.

This workshop was similar to the first two workshops that have been held for this project with an open-house format followed by a formal presentation. The workshop began at 6:00 PM with members of the Project Team available to answer questions

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from residents and business owners one-on-one. At 7:00 PM, Orange County staff gave a formal presentation that described the activities that have been held since the second Public Workshop. The refined alternative alignments and the evaluation of these alternative alignments were discussed. Following this presentation, a question & answer period was held to allow the public to ask questions in a formal setting.

5. The Fourth Public Workshop for the East-West Road Roadway Conceptual Analysis (RCA) Study was held on Thursday, November 30, 2000 at University High School and was attended by approximately 140 people.

This workshop began at 6:00 PM with an open-house format followed by a formal presentation. The open-house portion of the meeting had members of the Project Team available to answer questions from residents and business owners one-on-one. At 7:00 PM, the Project Team gave a formal presentation that described the activities that have been held to date and how the selection of the recommended alignment was made. Following this presentation, a question & answer period was held to allow the public to ask questions in a formal setting.

6. A Local Planning Agency (LPA) Public Hearing was held on February 15, 2001. A brief project presentation was given to the LPA Board and then public comment was allowed. Twenty-seven citizens made comments to the Board or asked questions regarding the proposed improvements. Three of the 27 citizens made comments in support of the proposed improvements and the remainder were generally against the project. Because of questions raised by the public, the LPA Board voted to continue the Public Hearing until April 2001 and asked that County Staff again meet with the public to address these issues.
7. The Fifth Public Information Meeting was held on Thursday April 5, 2001 at University High School. County staff was on hand beginning at 6:00 PM to answer questions one-on-one and a presentation was made at 7:00 PM. This presentation focused on the concerns raised at the Local Planning Agency (LPA) Public Hearing held on February 15, 2001. It also included an in-depth discussion of the history of this project, beginning with the East Orange County Transportation Needs Study, and other regional transportation improvements adjacent to this proposed improvement. Approximately 110 people attended this meeting.
8. The continuance of the Local Planning Agency (LPA) Public Hearing was held on April 19, 2001 at 3:00 PM. Several residents made comments to the LPA Board following a brief presentation by Orange County staff. The LPA found the East-West Road project consistent with the Orange County Comprehensive Policy Plan.
9. The Board of County Commissioners (BCC) Public Hearing was held on Tuesday, June 26, 2001 at approximately 4:00 PM. A brief presentation was made by County Staff and then public comments were heard by the Board. Twenty-nine (29) citizens made comments to the Board regarding the proposed East-West Road with seven in

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support of roadway improvements and twenty-two (22) opposed. Following much discussion, the Board approved the recommended four-lane roadway and recommended alignment with a vote of 5-1. The final recommendation included five amendments as brought forward by Commissioner Edwards, and unanimously supported by the other Board members, as follows:

1. Increase the height of proposed screen walls from the standard 6-feet to a height of 8-feet.
2. Increase the standard County landscape construction budget from \$75,000 per mile of roadway to \$125,000 per mile so that a tree canopy can be created.
3. Block Gresham Drive at the new East-West Road and survey residents after six-months to determine whether a permanent cul-de-sac needs to be constructed.
4. Prohibit tractor-trailer type trucks between Forsyth Road and Dean Road.
5. Decrease the roadway lane widths to 11-feet between Forsyth Road and Goldenrod Road to match the proposed 11-foot lanes between Goldenrod Road and Dean Road.

PROJECT CONSIDERATIONS

Among 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

Predominantly, the existing land use through the project corridor is commercial and light industrial between SR 436 and Goldenrod Road. The portion east of Goldenrod Road is almost built-out with single-family residential neighborhoods.

The Orange County Future Land Use Maps indicate that the future land use is essentially the same as the existing land use. The future land use, near Forsyth Road, is commercial and light industrial. However, the remainder of the project is primarily single and multi-family residential.

While the majority of the East-West Road will be on a new alignment, portions of this new road will utilize existing roads such as Hanging Moss Road and Trevarthon Road. Both, Hanging Moss Road and Trevarthon Road are two-lane undivided roadways with swales used to collect the stormwater runoff.

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Long Range Planning

The East Orange County Transportation Needs Study (EOCTNS) was an area wide study between east of SR 436, north of SR 50, south of the Seminole County Line and west of Chuluota Road. The EOCTNS began with an analysis of the existing conditions of the roadway systems within East Orange County. Next, a future conditions analysis was conducted to identify the deficiencies of the year 2020 roadway systems and an analysis of the critical corridors. The study was completed in 1998 and identified the transportation needs for eastern Orange County through the year 2020. One of the roadways identified in this report was the East-West Road.

For the design year, 2025, daily traffic volumes are expected to range from 21,900 vehicles per day (vpd) east of Harrell Road to 24,200 vpd west of Forsyth Road.

Safety Considerations

Currently, there are no roadways north of SR 50 and south of University Boulevard that provide a continuous east-west route between SR 436 and Dean Road. However, there are several minor residential roadways, which are not designed to carry the necessary traffic volumes. Some of these residential streets can be improved and used to accomplish a continuous roadway from SR 436 to Dean Road. Due to the lack of roadways there is an increase in "cut-through" traffic on residential streets, which is very unsafe. Not only is the "cut-through" traffic unsafe, but the residential streets are not equipped to handle the volume of traffic. Additionally, due to the lack of roadways there is also a lack of pedestrian features, sidewalks and bicycle lanes.

Environmental Considerations

The environmental considerations include cultural resource assessment, impacts to wetlands, and environmental assessment for potential contamination.

A cultural resource assesement survey was performed to locate and identify any cultural resources within the project limits. The surveys were conducted in December of 2000 and January of 2001. Background research and a review of the Florida Site File (FSF) indicated that no archeological sites were currently recorded within the project area. Also, historical background research including a review of the FSF and National Register of Historic Places (NRHP) indicated that no historic properties were previously recorded in the project area.

A review of the National Wetlands Inventory documented the presence of several different sized wetlands within the project area. The different types of wetlands include

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forested systems; both isolated and connected to Waters of the United States, and herbaceous systems, mainly within the floodplain of the Little Econlockhatchee River channel. There are various different types of vegetation, which inhabit these wetlands. The project area wetlands drain to the Little Econlockhatchee River and ultimately to the St. Johns River.

Due to the development of the project area, all wetlands have a history of physical and hydrologic modifications. The most notable of which is the channelization of a portion of the Little Econlockhatchee River to create the E-4 canal. For the most part, the adjacent wetlands near the developed portions of the project area do not receive pre-treatment/pollution control.

A Contamination Screening Evaluation Report (CSER) was performed for this project. A review of the Public Records and Site Reconnaissance identified twenty-two (22) sites with a contamination risk potential of low, four sites were assigned a risk rating of medium, and four have been assigned a risk rating of high. The four sites, which contain a risk rating of high, are as follows: Former Corporate Express Delivery Systems (6933 Partridge Lane), Historic Texaco Service Station (2050 Forsyth Road), Tractor Trailer Parking Area (Proposed Pond A-4, south of Hanging Moss Road between SR 436 and Forsyth road), and an area of dumping activity (east of Glyn Street and south of Bates Road).

Evaluation of Alternative Alignments

There were several roadway improvement alternatives considered including the "No Build" alternative. However, the combination of not constructing the East-West Road and increases in the traffic volume would further congest the existing roadway network. Roads, such as University Boulevard and SR 50 would not be able to handle the traffic demand. Additionally, the level of service would decrease to unacceptable levels. Residential streets would become congested due to the volume of "cut-through" traffic. Significant delays would occur and the crash rates may continue to increase on other roadways as congestion increases.

For the purpose of this study, the East-West Road corridor was subdivided into five segments. The five segments are as follows: Segment 1, SR 436 to Forsyth; Segment 2, Forsyth Road to Goldenrod Road; Segment 3, Goldenrod Road to Harrell Road; Segment 4, Harrell Road to Econlockhatchee Trail; Segment 5, Econlockhatchee Trail to Dean Road.

For Segment 1, seven different alternatives were evaluated. The recommended alternative was named "Alternative 1B". This alternative begins at the Auvers Boulevard intersection with SR 436 and heads eastward for approximately 2,000 feet where it curves to the north and ties into the existing Hanging Moss Road alignment. From this point,

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approximately 2300 feet west of Forsyth Road utilizes the existing Hanging Moss Road alignment through its intersection with Forsyth Road.

For Segment 2, six different alternatives were evaluated. The recommended alternative was named "Alternative 2C". Alternative 2C begins at the Hanging Moss Road intersection with Forsyth Road and heads directly eastward until it intersects Goldenrod Road.

For Segment 3, six different alternatives were evaluated. The recommended alternative was named "Alternative 3D". This alternative begins at Goldenrod Road, just south of Mistletoe Court. The alignment heads eastward through the southernmost row of houses along Mistletoe Court and then ties into Alternative 3C, which runs eastward for several hundred feet and then curves back to the northeast south of Pinewood Village. The alignment then curves to the south past the Orange County Indigent Cemetery and intersects Harrell Road.

For Segment 4, eleven different alternatives were evaluated. The recommended alternative was named "Alternative 4J". This alternative begins at the Harrell Road intersection with Trevarthon Road and heads eastward along the existing Trevarthon Road alignment. As the alignment approaches SR 417, it curves towards the south and crosses SR 417 south of the Trevarthon Road with a new bridge. Then it continues on a southeast alignment and runs along the north bank of the E-4 canal. At a point just west of Econlockhatchee Trail, the alignment curves slightly to the northeast and intersects with Econlockhatchee Trail.

For Segment 5, four different alternatives were evaluated. The recommended alternative was named "Alternative 5D". This alternative begins at Econlockhatchee Trail approximately 700 feet south of the Trevarthon Road intersection, where Alternative 4J ends. It heads east and then northeastward from south of Econ River Estates towards the Arbor Ridge subdivision. As the alignment approaches the retention ponds for Arbor Ridge, it turns towards the east and over to Dean Road through the existing wooded area. The alignment intersects Dean Road north of the Little Econlockhatchee River.

Engineering Recommendations

The engineering consideration included evaluating various urban typical sections, with the recommended alignment, in order to meet the projected traffic demands.

The recommended urban typical section provides for a four-lane divided typical section that includes four, 11 or 12-foot through lanes, a 22-foot raised median with Type E curb and gutter, four-foot on-road bike lanes, Type F curb and gutter, and five-foot sidewalks, eight-foot sidewalks between Forsyth Road and Goldenrod Road.

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Project Costs

The right-of-way costs, which include support costs, administrative costs, and land costs were estimated for each individual parcel. The total right-of-way cost for the recommended alignment is approximately \$13,437,000.00.

The estimated Engineering Design cost for the recommended alignment is approximately \$3,900,000.00.

The estimated construction cost for the recommended alignment is approximately \$22,202,000.00.

Therefore, the total project cost is approximately \$39,439,000.00.

Conclusion

In accordance with the Orange County Comprehensive Plan, the adopted Year 2020 Long Range Transportation Plan, the East Orange County Transportation Needs Study and the East-West Road RCA, the East-West Road from SR 436 to Dean Road should be designed and constructed. This proposed roadway will provide for the transportation needs to the year 2020.

SCHEDULE "A"**EAST WEST ROAD****PARCEL 1015****ESTATE: Fee Simple****PURPOSE: Road Right of Way**

A portion of the lands lying in Section 15, Township 22 South, Range 30 East, as described in Official Records Book 3688, page 2020, Public Records of Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 1, Ivey's Commerce Park, as recorded in Plat Book 3, Page 141, Public Records of Orange County, Florida; thence South 89°05'52" West, a distance of 37.23 feet along the original plat line of said plat to the POINT OF BEGINNING;

thence South 62°26'33" East, a distance of 36.54 feet; thence South 00°33'46" East, a distance of 40.03 feet to a point on a non tangent curve concave to the Southwest, having a radius of 45.00 feet, a central angle of 56°15'24" and a chord bearing and distance of North 43°59'28" West, 42.43 feet; thence along the arc of said curve a distance of 44.18 feet; thence North 84°22'51" West, a distance of 54.07 feet; thence South 88°35'59" West, a distance of 125.50 feet; thence South 62°06'02" West, a distance of 18.93 feet to a point on a non tangent curve concave to the Southeast, having a radius of 30.18 feet, a central angle of 89°39'30" and a chord bearing and distance of North 44°16'07" East, 42.55 feet; thence along the arc of said curve a distance of 47.23 feet to a point of tangency; thence North 89°05'52" East, a distance of 163.00 feet to the POINT OF BEGINNING.

Containing 4,905 square feet, or 0.113 acres, more or less.

SURVEYORS NOTES:

1. The bearings and coordinates shown hereon are based on the Orange County Geodetic Information System traverse between G.I.S. Point #160 to G.I.S. Point #174 as being North 89°55'40" East.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.

Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.

Not valid without sheet 2.

DESCRIPTION

FOR



Revised: January, 2008 REJ

Date:

December, 2004 CBvG

Job No.:

45979

Scale:

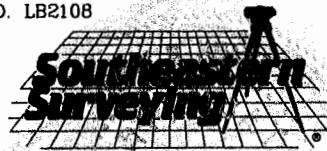
N.T.S.

CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that
THIS IS NOT A SURVEY.

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH

CERT. NO. LB2108

45979038



SOUTHEASTERN SURVEYING & MAPPING CORP.

6500 All American Boulevard

Orlando, Florida 32810-4350

(407)292-8580 fax (407)292-0141

email: info@southeasternsurveying.com

A handwritten signature of Gary B. Krick in black ink.
GARY B. KRICK

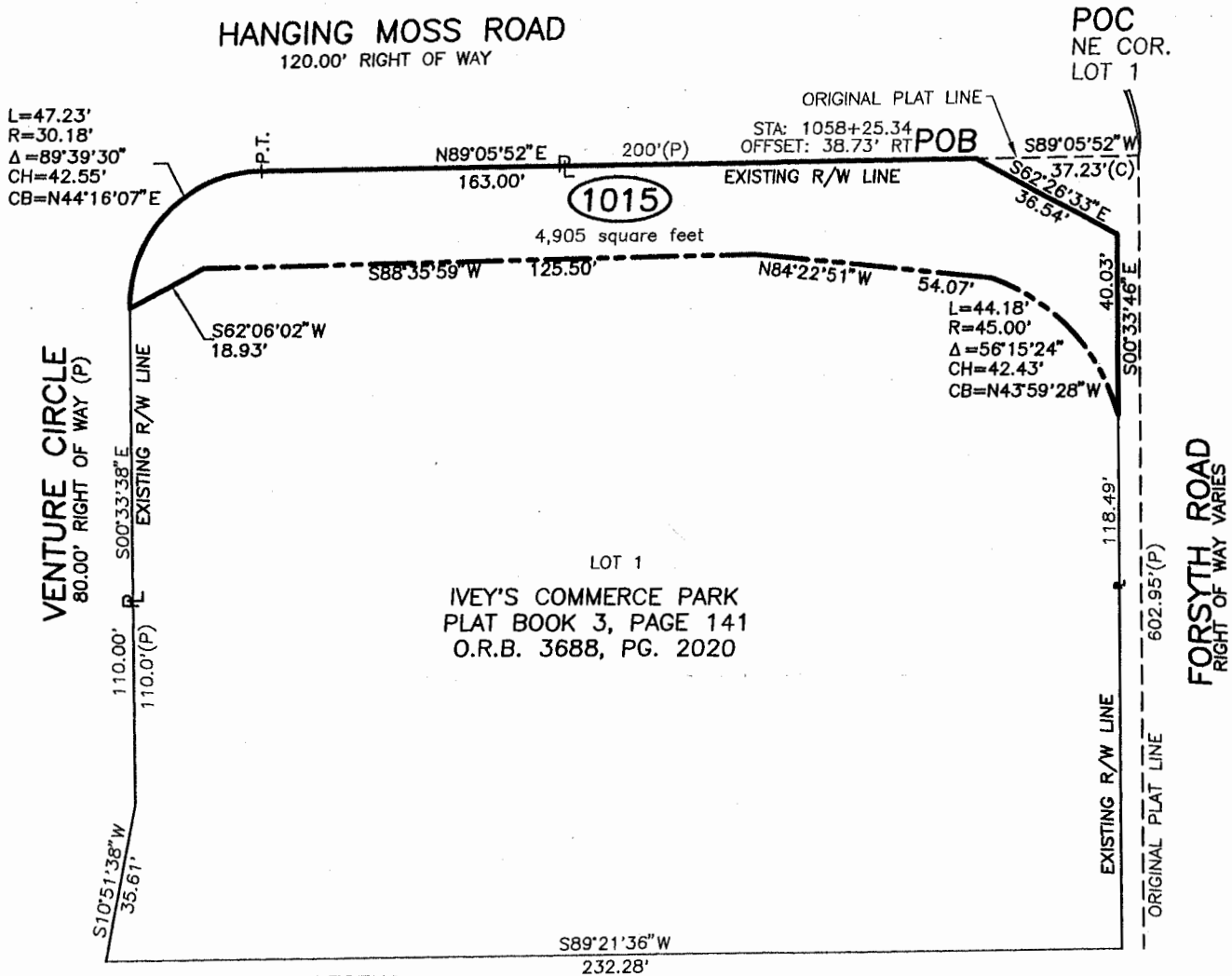
REGISTERED LAND SURVEYOR NO. 4245

SKETCH OF DESCRIPTION
EAST WEST ROAD
PARCEL 1015



1"=40'

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST



LEGEND

CB=CHORD BEARING
CCR=CERTIFIED CORNER RECORD
CH=CHORD
COR.=CORNER
(D)=DEED
Δ=CENTRAL ANGLE
L=LENGTH
N.T.S.=NOT TO SCALE
O.R.B.=OFFICIAL RECORDS BOOK
(P)=PLAT
(C)=CALCULATED

P.C.=POINT OF CURVATURE
PG.=PAGE
P= PROPERTY LINE
POB=POINT OF BEGINNING
POC=POINT OF COMMENCEMENT
P.T.=POINT OF TANGENCY
R=RADIUS
R/W=RIGHT OF WAY
SEC.=SECTION
RT=RIGHT

Drawing No. 45979038

Job No. 45979

Date: December, 2004 CBvG

Revised: May, 2005 DCS

Revised: February, 2006 DRR

Revised: September, 2006 REJ

Revised: May, 2007 SB

Revised: August, 2007 REJ

Revised: January, 2008 REJ

SHEET 2 OF 2

See Sheet 1 for Description

NOTE: NOT VALID WITHOUT RAISED SEAL AND SIGNATURE
OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
NOT VALID WITHOUT SHEET 1

NOTE: SEE SHEET 15 & 16 OF 36 FOR PARCEL
IDENTIFICATION ON RIGHT OF WAY MAPS FOR EAST WEST
ROAD SEGMENT 1.



SOUTHEASTERN SURVEYING & MAPPING CORP.
6500 All American Boulevard
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Cert. No. LB-2108
email:info@southeasternsurveying.com
THIS IS NOT A SURVEY.

SCHEDULE "B"

2752 EAST WEST ROAD PARCEL 1015

FEE SIMPLE

Parcel 1015: the interest being acquired is fee simple.