Interoffice Memorandum



REAL ESTATE MANAGEMENT ITEM 6

DATE:	March 22, 2018
TO:	Mayor Teresa Jacobs and the Board of County Commissioners
THROUGH:	Paul Sladek, Manager RES Real Estate Management Division
FROM:	Monica Hand, Senior Title Examiner Wafe Real Estate Management Division
CONTACT PERSON:	Paul Sladek, Manager
DIVIŠION:	Real Estate Management Phone: (407) 836-7090
ACTION REQUESTED:	APPROVAL AND EXECUTION OF RESOLUTION AND AUTHORIZATION TO INITIATE CONDEMNATION PROCEEDINGS
PROJECT:	Taft-Vineland Road (Orange Blossom Trail to Orange Avenue)
	District 4
PURPOSE:	Acquisition of one fee simple parcel and two temporary construction easements required for road widening improvements.
ITEM:	Resolution (Parcels 102/702/702A)
BUDGET:	Account No.: 1033-072-3037-6110
APPROVALS:	Real Estate Management Division Public Works Department

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

U pon a motion by Commissioner Pete Clarke, seconded by Commissioner Jennifer Thompson, and carried with all members present and voting AYE by voice vote, the Board adopted the following:

RESO LUTION

WHEREAS, during FY 98/99, the Board approved the project known as Taft-Vineland Road (South Orange Blossom Trail to Orange Avenue) to improve the existing 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 Taft-Vineland Road (South Orange Blossom Trail to Orange Avenue) project by Orange County, a charter county and political subdivision of the State of Florida, it is necessary that said County have the required areas for roadway purposes and it is necessary and in the public interest that there be acquired the required fee simple and temporary construction easement interests in certain lands for proper construction and maintenance of the above road in the County's Road System; and

WHEREAS, efforts to purchase said lands from the owner of said lands 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 and temporary construction easement interests in the required lands 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 and temporary construction easement interests for roadway purposes be acquired in the name of said County by gift, purchase, eminent domain proceedings, or otherwise over and upon all those certain pieces, parcels or tracts of land, situate, lying and being in Orange County, Florida, as described in the attached Schedule "A" and Schedule "B"; and be it further

RESOLVED that the temporary construction easements designated as parcel numbers 702 and 702A shall commence on the date that Orange County takes title to said temporary construction easements and terminate seven (7) years after that date; and be it further

Resolution Page 2

RESOLVED that the property descriptions under parcel numbers 102/702/702A are ratified and confirmed and found necessary for this project to the extent of the estates or interests set forth as a part of the respective parcel descriptions, the above referenced descriptions 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 and temporary construction easement interests in said lands 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.

APR 1 0 2018



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

Deputy

Katie Smith

Printed Name

ORANGE COUNTY, FLORIDA By: Board of County Commissioners

BY

Teresa Jacobs Orange County Mayor

4.10.18 DATE:

/mh

EXHIBIT "A"

TAFT-VINELAND ROAD (SOUTH ORANGE BLOSSOM TRAIL to ORANGE AVENUE) February 19, 2018

STAFF REPORT

Project Description

Taft-Vineland Road from South Orange Blossom Trail (U.S. 441; aka S.R. 500), is an eastwest two-lane rural road serving a predominately commercial/industrial area in the southcentral portion of the County. Work under this project will widen Taft-Vineland Road to four lanes. From South Orange Blossom Trail to the Florida's Turnpike the roadway will be divided, with a raised median separating opposing flows of traffic. From the Turnpike to Orange Avenue a continuous bi-directional left turn lane will be provided due to the use characteristics of the abutting properties. Traffic signals, sidewalks, roadway lighting, and landscaping are also included in the project.

Based on information developed during the Roadway Conceptual Analysis (RCA) portion of the project three additional elements of work will be included in the project.

1. General drive is to be paved as a two-lane rural road from Taft-Vineland Road to Thorpe Road. This additional work is based on the fact that construction of a new bridge over the Florida Turnpike will close the existing connection of Bachmann Road to Taft-Vineland, thus eliminating North-South circulation in this portion of the project area. The General Drive improvements will reestablish this circulation. The proposed roadway alignment would be on top of a Duke Energy easement running parallel to the road. Based on coordination meetings, Duke Energy didn't support the road on top of their easement. In 2016, Public Works Management decided not to pursue the extension of General Drive. Additionally, the County entered into an agreement with Turnpike Enterprise to redesign and construct the Taft Vineland Road bridge over Turnpike. The redesign shows Bachman Road connecting to Taft Vineland Road.

2. The Florida Department of Transportation, Turnpike Enterprise, requested that bridge construction beyond that required for the County's project be undertaken at the Turnpike crossing. This work is being done under a Joint Project Agreement between the County and the Department.

3. The Florida Department of Transportation, District Five, requested that the County, as agent for the Department, construct certain improvements along South Orange Blossom Trail, which is a State maintained highway, North and South of the Taft-Vineland Road intersection in order to avoid subjecting the public to two sequential disruptions of the same intersection for construction activities. This work is being done under a Joint Project Agreement between the County and the Department.

Project History

3037 Taft-Vineland Rd Staff Report.doc 2-19-18 Page 1 of 4

EXHIBIT "A"

1. The Board of County Commissioners (BCC) included the Taft-Vineland Road Roadway Conceptual Analysis (RCA) in the FY 96-97 budget.

2. The RCA contract was awarded to H W Lochner, Inc. and the Notice to Proceed was issued on May 12, 1998.

3. The initial public meeting was held on July 16, 1998 at the Taft Community Center. Only a few citizens attended. The major concern expressed by those in attendance was with congestion on the existing road.

4. A second public meeting was held on September 15, 1998. This meeting was started earlier in the afternoon so representatives of the commercial and industrial interests in the area could attend. Approximately 15 citizens attended the meeting. Comments were generally in favor of the project.

5. The Local Planning Agency (LPA) considered the project at a Public Hearing on December 10, 1998. After suggesting that a bi-directional left turn lane be used between Satellite Boulevard and the Turnpike instead of a raised median; the LPA found the project in conformance with the County's Comprehensive Land Use Plan.

6. On February 16, 1999, the Board of County Commissioners held a Public Hearing on the project. Several owners of land along the project spoke in favor of the project. The BCC approved the Preliminary Engineering Report for the project and directed the Public Works Department to proceed with final design, Right-of-Way acquisition, and construction.

7. The final design contract was awarded to HNTB by the BCC and the Notice to Proceed for design was issued April 11, 2000.

8. The Certificate of Necessity for this project was issued on November 5, 2002.

9. Design was completed in August 2012.

10. Design updates started in March 2017.

Project Needs:

Among the important elements in determining the need for roadway improvements are the need to improve safety due to accident rates, the need to remedy expected capacity deficiencies resulting from future traffic volumes, the need to meet goals, objectives, and policies of the County Comprehensive Policy Plan, and the need to meet the present and future social/economic demands of the area. These elements are discussed below.

Safety Considerations

Taft-Vineland Road has historically had a higher than average rate of motor vehicle crashed. A portion of this high crash rate is attributable to the commercial/industrial

EXHIBIT "A"

nature of the abutting land uses. The remaining crashes are generally due to geometric and/or capacity deficiencies of the existing roadway. Between 1977 and 1999 a total of 114 vehicle crashes were reported on this segment of roadway. Particularly high crash rates were reported at the intersections of Taft-Vineland and South Orange Blossom Trail (66 crashes), General Boulevard (15 crashes), and Orange Avenue (20 crashes). The proposed roadway improvements will reduce the probability of these types of crashes.

Capacity deficiencies:

Existing and Design Year (2023) traffic volumes were determined during the Roadway Conceptual Analysis phase of this project. Taft-Vineland Road is operating at Level of Service D throughout the segment. All of the intersections along the segment operate at Level of Service F for some time period during one of the peak hours. Operating problems are exacerbated by the extremely high percentage of trucks (16% to 20%) in the traffic mix.

Since the existing road is deficient under present traffic volumes, it obviously will not be able to serve the additional 8,000 vehicles per day that are projected to be added to the users by the year 2023.

The Florida Department of Transportation rates the existing bridge carrying Taft-Vineland Road over the Florida Turnpike as structurally sound but "Functionally Obsolete", due to capacity and geometry constraints.

The proposed roadway, bridge, and intersection improvements in this project will provide sufficient capacity to handle the design year traffic volumes.

Consistent with the Comprehensive Policy Plan

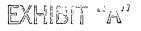
Both the Local Planning Agency and the Board of County Commissioners found, at Public Hearings, that the proposed improvements are in compliance with the goals, objectives, and policies of the 1990-2020 Orange County Comprehensive Policy Plan.

Social/Economic Demands

Land use along Taft-Vineland Road is almost entirely commercial/industrial with some large vacant tracts along the south side of the road. These uses are in accordance with the County's Future Land Use Plan and further commercial/industrial development (or intensification of existing uses) is expected.. The elements of the proposed improvements have been selected to support this type of land use.

Recommended Improvements:

Alignment:



<u>Taft-Vineland Road</u>: The proposed alignment will generally follow the existing road centerline in order to make maximum possible use of the existing Right-of-Way. Additional property will be acquired along one or both sided to accommodate the wider roadway.

<u>Turnpike Bridge</u>: The existing single bridge will be replaced with dual spans providing a larger clear opening. The new westbound span will be on the alignment of the existing bridge. The new eastbound span will be south of the existing alignment. Additional right-of-way will be required to accommodate the larger footprint of the approach embankments for the bridge.

<u>South Orange Blossom Trail</u>: The proposed improvements as designated by the Department of Transportation will follow the existing alignment. Additional property will be acquired on the East side of the existing road due to the wider cross section. The County will acquire this property as agent for the Department.

Cross Sections:

The following typical cross sections are being implemented:

Taft-Vineland Road (SOBT to Turnpike Bridge):

22 foot raised median with Type E curb and gutter 2 travel lanes in each direction (inside at 12' and outside at 14') Type F curb and gutter outside of the travel lanes Grass utility strip of variable width between the curb and the sidewalk 5 foot wide sidewalks on both sides of the roadway

Taft-Vineland Road (Turnpike Bridge to Orange Avenue):

A 12 foot bi-directional left turn lane 2 travel lanes in each direction (inside at 12' and outside at 14') Type F curb and gutter outside of the travel lanes Grass utility strip of variable width between the curb and the sidewalk 5 foot wide sidewalks on both sides of the roadway

South Orange Blossom Trail:

3 travel lanes in each direction Turn lanes at the Taft Vineland Road intersection as directed by FDOT 5' wide sidewalks on both sides of the roadway

Estimated cost for the Right-of-Way is ten million dollars (\$10,000,000) and the estimated construction cost is twelve million dollars (\$12,000,000).

LEGAL DESCRIPTION

PARCEL: 102 SCHEDULE "A" TAFT-VINELAND ROAD THIS IS NOT A BOUNDARY SURVEY

DESCRIPTION:

A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7145, PAGE 808, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. SITUATE IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, SAID CORNER BEING MARKED WITH A 6"x6" CONCRETE MONUMENT WITH A BRASS DISK AND NO IDENTIFICATION; THENCE RUN S89'43'19"W, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 659.48 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7145, PAGE 808; THENCE RUN SOO'13'35"E, ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 30.00 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF TAFT-VINELAND ROAD AS SHOWN ON THE PLAT OF TAFT-VINELAND ROAD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGES 141-144, SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE CONTINUE SOO'13'35"E, ALONG THE EAST LINE OF SAID LANDS. A DISTANCE OF 13.15 FEET; THENCE DEPARTING SAID EAST LINE, RUN N90'00'00"W, A DISTANCE OF 524.62 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 5671.58 FEET, A CENTRAL ANGLE OF 00"29'55", A CHORD BEARING OF S89'45'03"W AND A CHORD DISTANCE OF 49.34 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE. A DISTANCE OF 49.36 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 500 (SOUTH ORANGE BLOSSOM TRAIL) ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR STATE ROAD 500. SECTION 75010–2542, DATED 03/16/01; THENCE RUN N54*47'30"E, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 18.48 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT-OF-WAY. LINE OF TAFT-VINELAND ROAD; THENCE RUN N89'43'19"E, ALONG SAID SOUTH. RIGHT-OF-WAY LINE, A DISTANCE OF 558.82 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 6,674 SQUARE FEET OR 0.153 ACRES. MORE OR LESS.

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- 2. REFERENCE TAFT-VINELAND ROAD RIGHT-OF-WAY MAP, ORANGE COUNTY C.I.P. NO. 3037 BY BOWYER-SINGLETON & ASSOCIATES, DATED . 03/26/10.

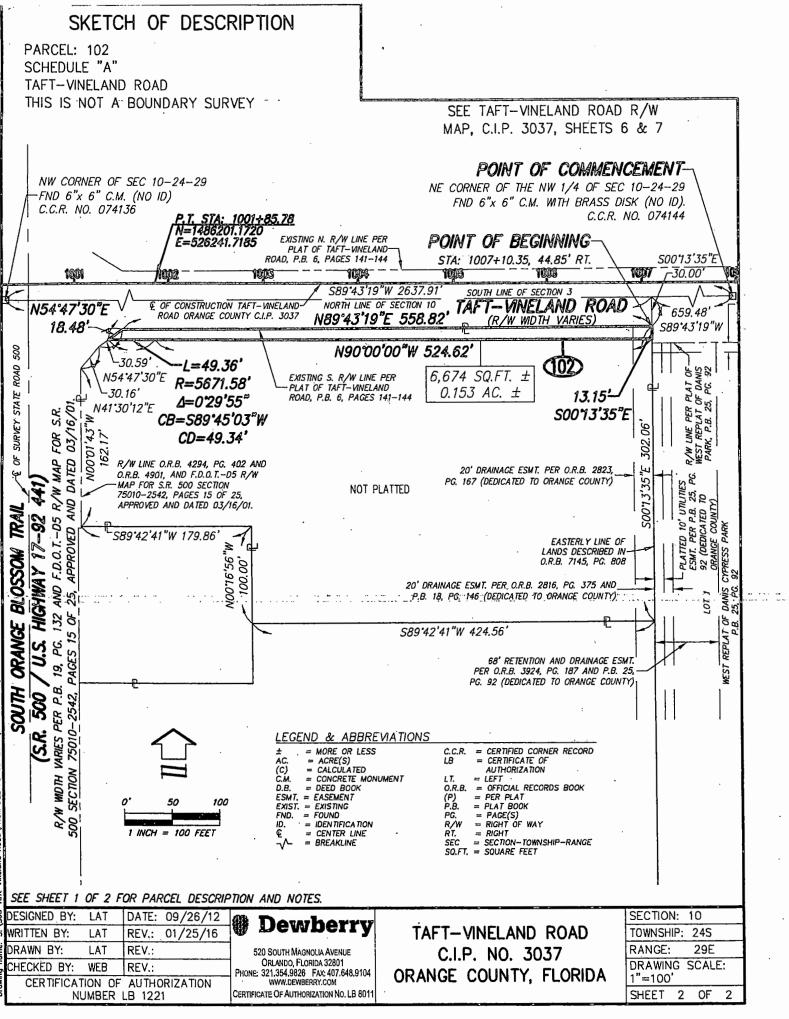
2. REFERENCE TAFT-VINELAND F MAP, ORANGE COUNTY C. BOWYER-SINGLETON & A 03/26/10. SEE SHEET 2 OF 2 FOR SKETCH OF DESC	I.P. NO. 3037 BY ASSOCIATES, DATED	WILLIAM D. DONLEM A FLORIDA PROFESSIONAL SURVEYOR AND LICENSE NUMBER 5384 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 NOT VALID WITHOUT SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYO	ORIGINAL RAISED
DESIGNED BY: LAT DATE: 09/26/12 WRITTEN BY: LAT REV.: 01/25/16 DRAWN BY: LAT REV.: 04/05/16 CHECKED BY: WEB REV.: CERTIFICATION OF AUTHORIZATION	520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 PHONE: 321.354.9826 FAX: 407.648.9104 WWW.DEWBERRY.COM CERTIFICATE OF AUTHORIZATION NO. LB 8011	TAFTVINELAND ROAD C.I.P. NO. 3037 ORANGE COUNTY, FLORIDA	SECTION: 10 TOWNSHIP: 24S RANGE: 29E DRAWING SCALE: N/A SHEET 1 OF

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THIS IS NOT A BOUNDARY SUPPLY THIS SKETCH MEETS THE APPLICABLE STANDARDS OF PRACT AS SET FORTH BY THE PEORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE SUIT.050-052, FLORIDA



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SCHEDULE "B"

3037 TAFT VINELAND RD PARCEL 102

FEE SIMPLE

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Parcel 102: the interest being acquired is fee simple.

LEGAL DESCRIPTION

PARCEL: 702 SCHEDULE "A" TAFT-VINELAND ROAD THIS IS NOT A BOUNDARY SURVEY

DESCRIPTION:

PARCEL 702:

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, ALSO BEING DESCRIBED I N OFFICIAL RECORDS BOOK 7145, PAGE 808, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SITUATE IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, SAID CORNER BEING MARKED WITH A 6"x6" CONCRETE MONUMENT WITH A BRASS DISK AND NO IDENTIFICATION; THENCE RUN S89'43'19"W, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 985.87 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOO'OO'OO'E, A DISTANCE OF 41.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOO'OO'E, A DISTANCE OF 14.00 FEET; THENCE RUN \$90'00'W, A DISTANCE OF 49.81 FEET; THENCE RUN NOO'OO'W, A DISTANCE OF 14.00 FEET; THENCE RUN N90'00'OO'E, A DISTANCE OF 49.81 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 697 SQUARE FEET OR 0.016 ACRES, MORE OR LESS.

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A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, ALSO BEING DESCRIBED I N OFFICIAL RECORDS BOOK 7145, PAGE 808, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SITUATE IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, SAID CORNER BEING MARKED WITH A 6"x6" CONCRETE MONUMENT WITH A BRASS DISK AND NO IDENTIFICATION; THENCE RUN S89'43'19"W, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 687.57 FEET; THENCE DEPARTING SAID NORTH LINE, RUN S00'00'00"E, A DISTANCE OF 43.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00'00"E, A DISTANCE OF 12.00 FEET; THENCE RUN S90'00'00"W, A DISTANCE OF 35.46 FEET; THENCE RUN NOO'OO'OO'W, A DISTANCE OF 12.00 FEET; THENCE RUN N90'OO'OO''E, A DISTANCE OF 35.46 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 425 SQUARE FEET OR 0.010 ACRES, MORE OR LESS

NOTES:

- BEARINGS SHOWN HEREON WERE DERIVED FROM THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 29 EAST, BEING S89'43'19"W.
- 2. REFERENCE TAFT-VINELAND ROAD RIGHT-OF-WAY MAP, ORANGE COUNTY C.I.P. NO. 3037 BY BOWYER-SINGLETON & ASSOCIATES, DATED 03/26/10.

SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION & LEGEND.

S65	DESIGNED BY:	LAT	DATE:	09/27/12	.	Dewberry
	WRITTEN BY:	LAT	REV.:	01/25/16		Dewnerry
	DRAWN BY:	LAT	REV.:		1 :	520 SOUTH MAGNOLIA AVENUE
ğ	CHECKED BY:	WEB	REV.:		PHONE	ORLANDO, FLORIDA 32801 : 321.354.9826 FAX: 407.648.9104
Drawin	CERTIFICATION OF AUTHORIZATION NUMBER LB 1221				WWW.DEWBERRY.COM CERTIFICATE OF AUTHORIZATION NO. LB 8011	

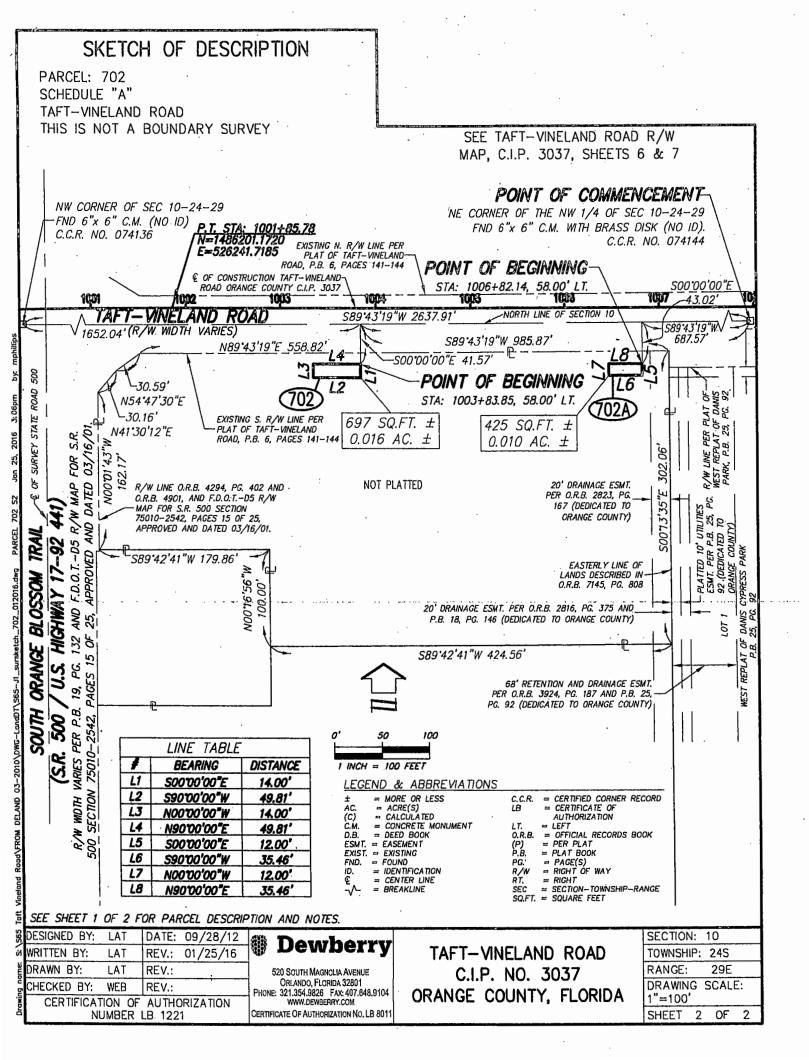
, MORE OR LESS THIS IS NOT A BOUNDARY SURVEY THIS SKETCH MEE'S CARPLICABLE "STANDARDS OF PRACTIC AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RELE-SUE 050 -052, FLORIDA "STANDARDS" OF PRACTICE" ADMINISTRATIVE CODE 書 出 に .

<u>: 01/25</u>/16

WILLIAM D. DONLE X. FLORIDA PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER 3383 520 SOUTH MAGNOMA AMENUE ORLANDO, FLORIDA 32601

NOT VALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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TAFT-VINELAND ROAD	TOWNSHIP: 24S
C.I.P. NO. 3037	RANGE: 29E
ORANGE COUNTY, FLORIDA	DRAWING SCALE: N/A
	SHEET 1 OF 2



SCHEDULE "B"

3037 TAFT VINELAND RD PARCEL 702

TEMPORARY CONSTRUCTION EASEMENT

Parcel 702 is being acquired as a temporary, non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

The temporary construction easement encompasses certain existing fixture, concrete sign, which will not be affected by the GRANTEE.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

SCHEDULE "B"

3037 TAFT VINELAND RD PARCEL 702A

TEMPORARY CONSTRUCTION EASEMENT

Parcel 702A is being acquired as a temporary, non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.