

BCC Mtg. Date: September 11, 2018

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

AUTHORIZATION TO CONVEY CERTAIN COUNTY PROPERTY INTERESTS TO THE CITY OF WINTER GARDEN, FLORIDA

Resolution No. 2018 - M-32

WHEREAS, Orange County ("County"), a charter county and political subdivision of the State of Florida, pursuant to its home rule power and Section 125.38, Florida Statutes, upon an application by the United States, the State of Florida, any political subdivision or agency thereof, any municipality of the State of Florida, or any corporation or not for profit entity organized for the purpose of promoting community interest and welfare, has authority to determine that, upon such an application, certain County property is not needed for County purposes and to convey such property, for nominal price or otherwise, to the State of Florida, any political subdivision or agency thereof, or any municipality of the State of Florida, or any corporation or not for profit entity organized for the purpose of promoting community interest and welfare;

WHEREAS, the County obtained right-of-way and easement interests in certain property by virtue of a Drainage Easement recorded on July 30, 1991, in Official Records Book 4311, Page 40, of the Public Records of Orange County, Florida

(“**Easement One**”); and

WHEREAS, the County obtained easement interests in certain property by virtue and Drainage Easement recorded on July 30, 1991 in Official Records Book 4311, Page 43, of the Public Records of Orange County, Florida (“**Easement Two**”); and

WHEREAS, the County obtained easement interests in certain property by virtue of a Drainage Easement recorded on June 26, 1995 and recorded in Official Records Book 4909, Page 2021, of the Public Records of Orange County, Florida (“**Easement Three**”); and

WHEREAS, by virtue of an annexation that occurred through Ordinance 01-80 adopted by the City Commission of the City of Winter Garden on December 13, 2001, all of the lands subject to Easement One, all of the lands subject to Easement Two, and all of the lands subject to Easement Three are now located within the jurisdictional limits of the City of Winter Garden;

WHEREAS, the lands subject to Easement One, Easement Two, and Easement Three that are now located within the jurisdictional limits of the City of Winter Garden are described in the attached as **Schedule “A”** (the “**Annexed Lands**”); and

WHEREAS, the City of Winter Garden has applied to the County to be assigned County’s interests in Easement One, Easement Two, and Easement Three applicable to the Annexed Lands (collectively, the “**Assigned Interests**”) for the public interest or welfare; and

WHEREAS, the County has determined that, pursuant to the City of Winter Garden’s application, the Assigned Interests should be assigned to the City of Winter Garden, and such assignment is in the public interest; and

WHEREAS, the City of Winter Garden is qualified, as a municipality under the laws of the State of Florida, to be assigned the Assigned Interests pursuant to Section 125.38, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

1. The Board hereby determines that the Assigned Interests are not needed for County purposes and that it is in the best interests of Orange County and the City of Winter Garden that the Assigned Interests be assigned to the City of Winter Garden.

2. The Board directs that all of the County's right, title, and interest in the Assigned Interests, to the extent assignable, be assigned to the City of Winter Garden and, as consideration, the City of Winter Garden will assume all of the County's rights, duties, and obligations that exist under the terms and conditions of Easement One, Easement Two, and Easement Three.

3. The Board directs the Orange County Mayor to execute and deliver an Assignment of Easements to effectuate such assignment, and that staff do all things necessary and appropriate to conclude this transaction.

4. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the Mayor of the City of Winter Garden.

5. This Resolution shall become effective upon its adoption by the Board.

ADOPTED this ____ day of SEP 11 2018, 2018.



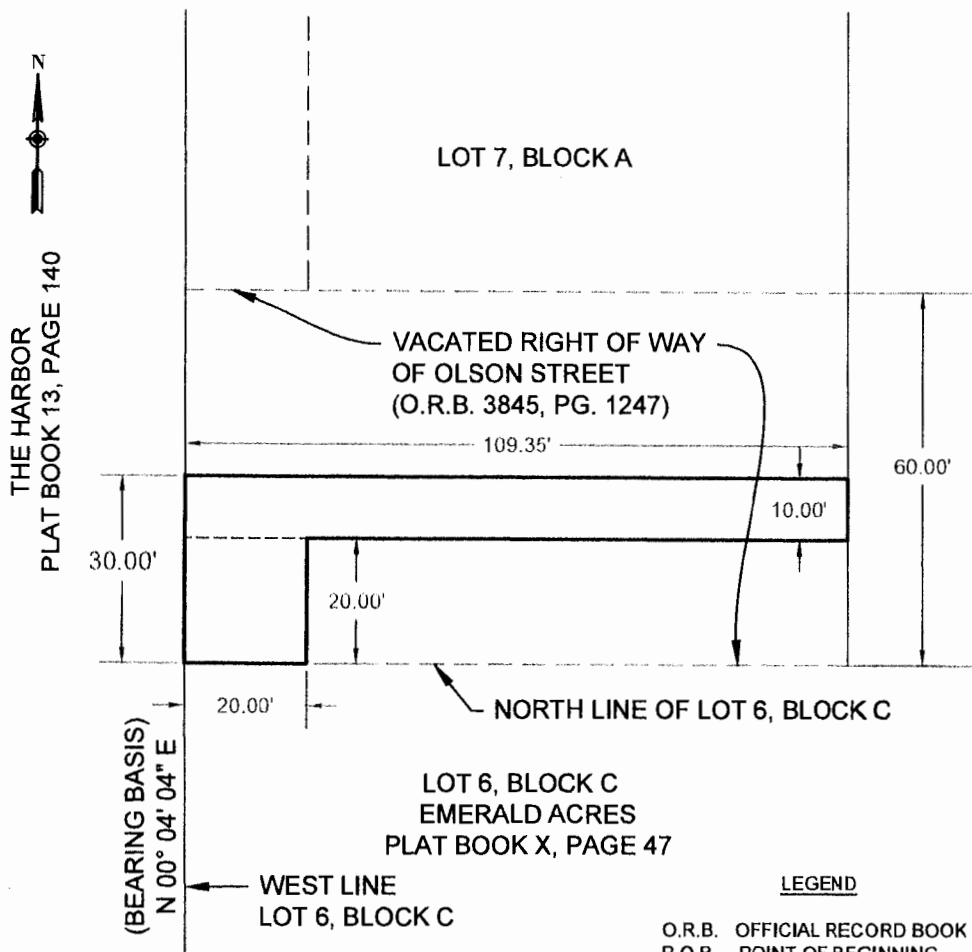
ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Bill Dalchanda*
Teresa Jacobs
Orange County Mayor
tu

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

By: *Lakela Torris*
Deputy Clerk

SCHEDULE "A" **LEGAL DESCRIPTION &** **SKETCH OF DESCRIPTION**



I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 17, F.A.C., PURSUANT TO CHAPTERS 17 AND 472 OF THE FLORIDA STATUTES, AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL SEALED SEAL OF A LICENSED SURVEYOR, THIS SKETCH OF DESCRIPTION IS NOT VALID. INFORMATIONAL PURPOSES ONLY AND NOT VALID.

DATE: 3/14/18
 Mark A. Daynes
 LICENSED LAND SURVEYOR
 STATE OF FLORIDA LICENSE NO. 5479

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

LEGEND

O.R.B. OFFICIAL RECORD BOOK
 P.O.B. POINT OF BEGINNING
 PG. PAGE

NOTES:

1. BEARINGS ARE BASED ON THE WEST BOUNDARY LINE OF EMERALD ACRES, PLAT BOOK X, PAGE 47 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING N 00° 04' 04" E, AN ASSUMED BEARING.
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.

The North 10.00 feet of the South 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida;
 together with

The West 20.00 feet of the South 20.00 feet of the South 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida.

Containing 1,493.50 square feet more or less.

PREPARED FOR:
 Roads & Drainage
 Section

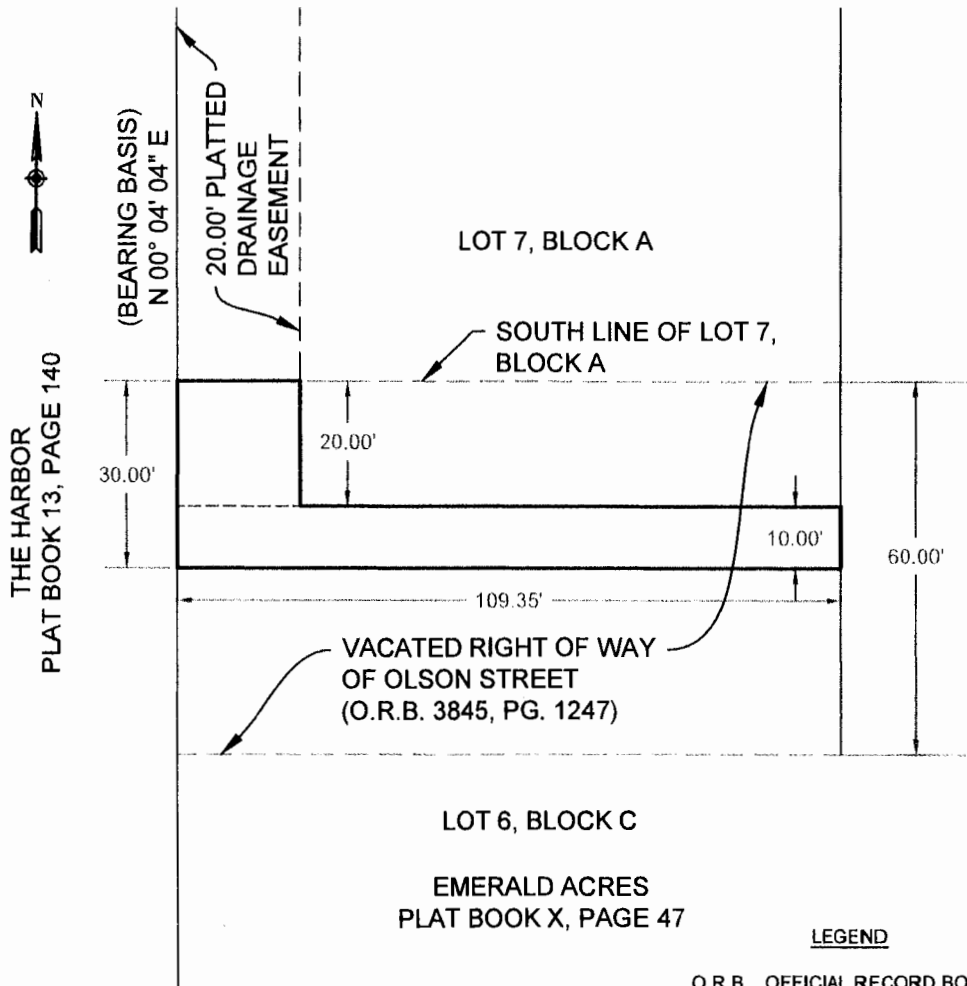
DRAWN BY: Washington	DATE: 3/14/18	SECTION: 15
CHECKED BY: Daynes	JOB No: 8114	TOWNSHIP: 22
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27
REVISION DATE:	8114 Harbor Dr. #2	SHEET 1 OF 1

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



DRAWING SCALE:
 1" = 30'
 PROJECT NUMBER
 8114

SCHEDULE "A" **LEGAL DESCRIPTION &** **SKETCH OF DESCRIPTION**



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 BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED SURVEYOR IN THE STATE OF FLORIDA, BEING N 00° 04' 04" E, AN ASSUMED BEARING. PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES, AND UNLESS IT BEARS THE SIGNATURE AND SEAL OF THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING SKETCH, MAP OR PLAN IS FOR INFORMATION ONLY AND IS NOT VALID.

3/14/18
DATE

Mark A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5475

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.

- NOTES:**
1. BEARINGS ARE BASED ON THE WEST BOUNDARY LINE OF EMERALD ACRES, PLAT BOOK X, PAGE 47 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING N 00° 04' 04" E, AN ASSUMED BEARING.
 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.

The South 10.00 feet of the North 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida;

together with

The West 20.00 feet of the North 20.00 feet of the North 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida.

Containing 1,493.50 square feet more or less.

PREPARED FOR:
Roads & Drainage
Section

DRAWING SCALE:
1"=30'

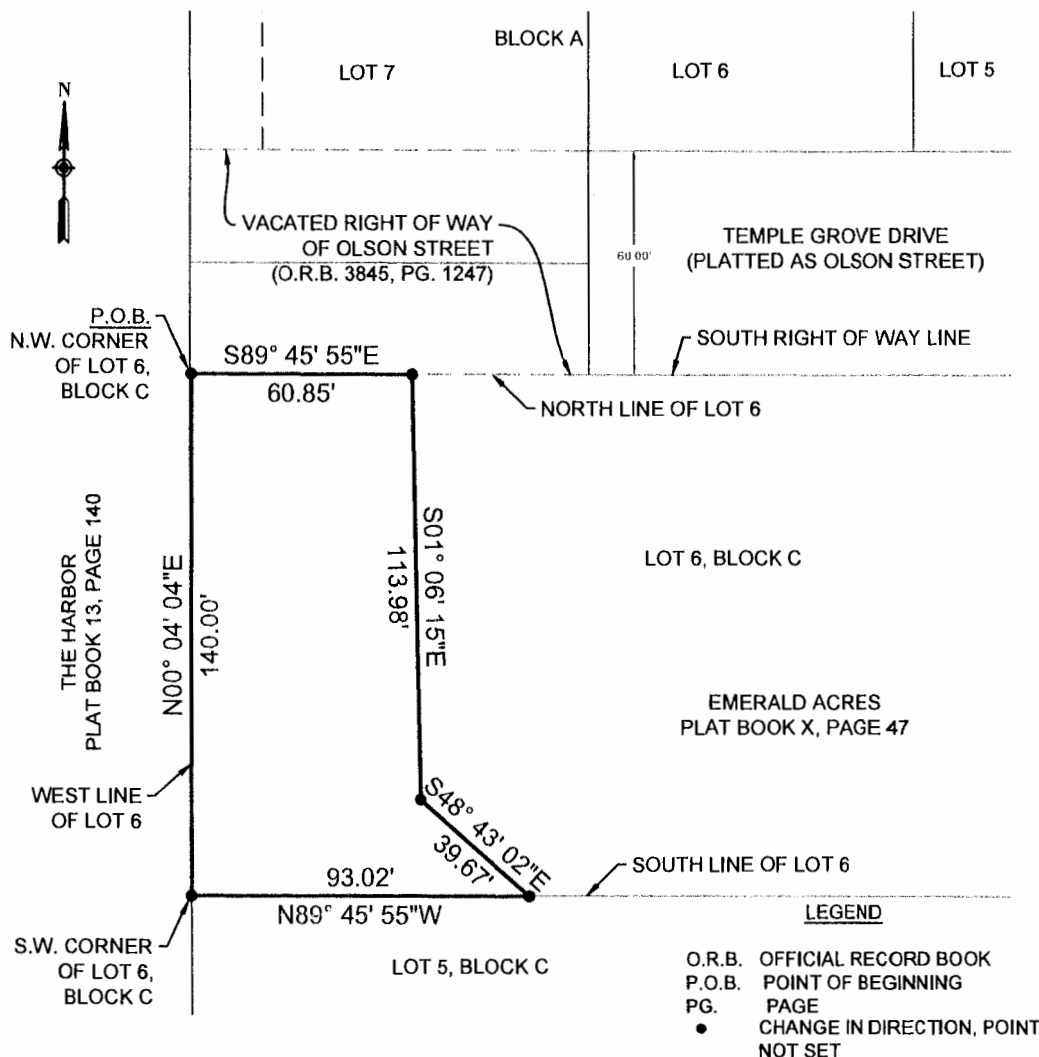
PROJECT NUMBER
8114

DRAWN BY: Washington	DATE: 3/14/18	SECTION: 15
CHECKED BY: Daynes	JOB No: 8114	TOWNSHIP: 22
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27
REVISION DATE:	8114 Harbor Dr. #3	SHEET 1 OF 1

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



SCHEDULE "A" **LEGAL DESCRIPTION &** **SKETCH OF DESCRIPTION**



I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTS MY TRUE AND CORRECT KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 177, F.A.C., PURSUANT TO CHAPTERS 177 AND 172 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.

DATE: 3/14/18
 Mark A. Daynes
 LICENSED LAND SURVEYOR
 AND MAPPER
 STATE OF FLORIDA LICENSE NO. 5479

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.

- NOTES:**
1. BEARINGS ARE BASED ON THE WEST BOUNDARY LINE OF EMERALD ACRES, PLAT BOOK X, PAGE 47 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING N 00° 04' 04\" E, AN ASSUMED BEARING.
 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.

Beginning at the Northwest corner of Lot 6, Block C of the Plat of Emerald Acres as recorded in Plat Book X Page 47 of the Public Records of Orange County, Florida; thence run S 89°45'55\" E along the North line of said Lot 6, said line being the South Right of way line of Olson Street, a 60 foot right of way, a distance of 60.85 feet; thence run S 01°06'15\" E a distance of 113.98 feet; thence run S 48°43'02\" E a distance of 39.67 feet to the South line of said Lot 6; thence run N 89°45'55\" W along the South line of said Lot 6 a distance of 93.02 feet to the Southwest corner of aforementioned Lot 6; thence run N 00°04'04\" E along the West line of said Lot 6 a distance of 140.00 feet to the Point of Beginning.

Containing 9100 square feet more or less.

PREPARED FOR: Roads & Drainage Section	DRAWING SCALE: 1"=50'
PROJECT NUMBER 8114	

DRAWN BY: Washington	DATE: 3/14/18	SECTION: 15	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	
CHECKED BY: Daynes	JOB No: 8114	TOWNSHIP: 22		
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27		
REVISION DATE:	8114 Harbor Dr. #1	SHEET 1 OF 1		