



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 9

DATE: August 30, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Kim Heim, Senior Title Examiner *KH*
Real Estate Management Division

**CONTACT
PERSON:** Paul Sladek, Manager

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

**ACTION
REQUESTED:** APPROVAL AND EXECUTION OF RESOLUTION OF THE ORANGE
COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING
AUTHORIZATION TO CONVEY CERTAIN COUNTY PROPERTY
INTERESTS TO THE CITY OF WINTER GARDEN, FLORIDA AND
ASSIGNMENT OF EASEMENTS FROM ORANGE COUNTY TO
CITY OF WINTER GARDEN AND AUTHORIZATION TO DISBURSE
FUNDS TO PAY RECORDING FEES AND RECORD INSTRUMENT

PROJECT: Harbor Dr Drainage Easements

District 1

PURPOSE: To convey certain real property interests of Orange County to the City of
Winter Garden.

ITEMS: Resolution

Assignment of Easements
Revenue: None/Donation
Total size: 12,087 square feet

BUDGET: Account No.: 1002-072-2908-6110

FUNDS: \$53.20 Payable to Orange County Comptroller
(recording fees)

APPROVALS: Real Estate Management Division
County Attorney's Office
Roads and Drainage Division

REMARKS: Orange County (the "County") holds certain interests in three drainage easements (the "Easements"). All of the lands subject to the Easements are now located within the jurisdictional limits of the City of Winter Garden (the "City"), and the City has requested that the County transfer the County's interests in the Easements to the City.

This Assignment of Easements will convey the County's interests in the Easements to the City. This Resolution is required by Section 125.38, Florida Statutes, as a condition precedent to this conveyance.

County to pay recording fees.

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

Under Ordinance Approval

Date: May 1, 2018
Project: Harbor Dr Drainage Easement

Amount: \$53.20

Charge to Account: 1002-072-2908-6110

Controlling Agency Approval: _____

Fiscal Approval: _____

TYPE TRANSACTION (Check appropriate block(s))
☐ Pre-Condemnation ☐ Post-Condemnation XX N/A District # 1

☐ Acquisition at Approved Appraisal
☐ Acquisition at Below Approved Appraisal
☐ Acquisition at Above Approved Appraisal
X Advance Payment Requested (recording fees)

Name:
\$53.20 - Orange County Comptroller
(recording fees)

DOCUMENTATION ATTACHED (Check appropriate block(s))

☐ Contract/Agreement
X Copy of Instruments
☐ Certificate of Value
☐ Settlement Analysis

Payable to: \$53.20 Orange County Comptroller

 CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by Kimberly Heim
 Kimberly Heim Senior Title Examiner

May 1, 2018
 Date

Payment Approved Paul Sladek
 Paul Sladek, Manager

5/1/18
 Date

Under Ordinance
 Approved by Assistant Manager, Real Estate Management Division

Date

Certified Approved Lahela Laris
 by BCC Deputy Clerk to the Board

SEP 11 2018
 Date

Examined/Approved _____
 Comptroller/Government Grants

Check No. / Date

REMARKS:

APPROVED
 BY ORANGE COUNTY BOARD
 OF COUNTY COMMISSIONERS
SEP 11 2018

REQUEST FOR FUNDS FOR LAND ACQUISITION

☒ Under BCC Approval

☐ Under Ordinance Approval

Date: May 1, 2018
Project: Harbor Dr Drainage Easement

Amount: \$53.20

Segeethy 6/21/18

Charge to Account: 1002-072-2908-6110

Controlling Agency Approval:

Pat Davis 6/21/18

Fiscal Approval:

Pat Davis
Pat Davis

TYPE TRANSACTION (Check appropriate block(s))

☐ Pre-Condernation

☐ Post-Condernation

☒ N/A

District # 1

- ☐ Acquisition at Approved Appraisal
☐ Acquisition at Below Approved Appraisal
☐ Acquisition at Above Approved Appraisal
☒ Advance Payment Requested (recording fees)

Name:
\$53.20 - Orange County Comptroller
(recording fees)

DOCUMENTATION ATTACHED (Check appropriate block(s))

- ☐ Contract/Agreement
☒ Copy of Instruments
☐ Certificate of Value
☐ Settlement Analysis

Payable to: \$53.20 Orange County Comptroller

CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by *Kimberly Heim*
Kimberly Heim Senior Title Examiner

May 1, 2018
Date

Payment Approved *Paul Sladek*
Paul Sladek, Manager

5/1/18
Date

Under Ordinance
Approved by Assistant Manager, Real Estate Management Division

Date

Certified Approved
by BCC Deputy Clerk to the Board

Date

Examined/Approved
Comptroller/Government Grants

Check No. / Date

REMARKS:

Project: Harbor Drive Drainage Easements

ASSIGNMENT of EASEMENTS

THIS ASSIGNMENT of EASEMENTS, (hereinafter referred to as the "Assignment") is made 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, (hereinafter referred to as the "**Assignor**"), to and in favor of **CITY OF WINTER GARDEN**, a Florida municipal corporation, whose address is 300 West Plant St., Winter Garden, Florida 34787, (hereinafter referred to as the "**Assignee**").

WHEREAS, Assignor is the holder of certain easement interests pursuant to that certain Drainage Easement filed July 30, 1991, and recorded in Official Records Book 4311, Page 40, Public Records of Orange County, Florida ("**Easement One**"); and

WHEREAS, Assignor is the holder of certain easement interests pursuant to that certain Drainage Easement filed July 30, 1991, and recorded in Official Records Book 4311, Page 43, Public Records of Orange County, Florida ("**Easement Two**"); and

WHEREAS, Assignor is the holder of certain easement interests pursuant to that certain Drainage Easement filed June 26, 1995, and recorded in Official Records Book 4909, Page 2021, Public Records of Orange County, Florida ("**Easement Three**"); and

WHEREAS, by virtue of annexation, as outlined in Ordinance 01-80 and adopted on December 13, 2001, by Assignee 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; and

WHEREAS, 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 collectively described in the attached Schedule "A" are now located within the jurisdictional limits of the City of Winter Garden, and hereinafter referred to as the "**Annexed Lands**"; and

WHEREAS, subject to the provisions herein, Assignor desires to assign, and Assignee desires to assume, all of Assignor's right, title, duties, obligations, and interest in Easement One, in Easement Two, and in Easement Three applicable to the Annexed Lands.

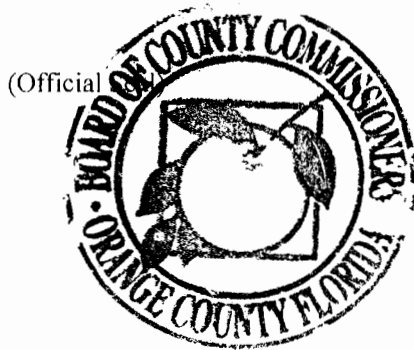
NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Assignment. Assignor hereby assigns and transfers to Assignee, to the extent assignable, all of the Assignor's right, title, duties, obligations, and interest in Easement One, in Easement Two, and in Easement Three.
3. Assumption. Assignee hereby assumes from Assignor all of Assignor's rights, duties, and obligations under the terms and conditions of Easement One, in Easement Two, and in Easement Three, including the maintenance of existing easement areas, and Assignee further agrees that, as a condition of this

Project: Harbor Drive Drainage Easements

Assignment, Assignee shall assume and abide by all terms and conditions of Easement One, in Easement Two, and in Easement Three.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment of Easements, as of the dates respectively written below



ASSIGNOR

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

Date: 9.11.18

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

BY: *Lakela Louis*
for Deputy Clerk

Lakela Louis
Printed Name

Project: Harbor Drive Drainage Easements

ASSIGNEE

Signed, sealed, and delivered
in the presence of:

Witnesses:

Kathleen Rathel

Kathleen Rathel

Printed Name

[Signature]

Vanice Alexander

Printed Name

CITY OF WINTER GARDEN, FLORIDA

BY:

Bob Buchanan
BOB BUCHANAN, Mayor

ATTEST:

Angela J. Grimmage
ANGELA J. GRIMMAGE City Clerk

APPROVED AS TO FORM AND
LEGALITY for the use and reliance
of the City of Winter Garden, Florida only.

6-14, 2018
[Signature]
City Attorney, City of Winter Garden, Florida

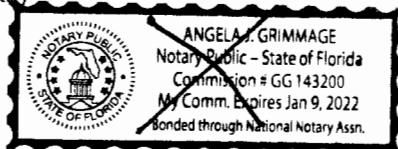
AKVET ARDAMAN
Printed Name

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 14TH day of JUNE, A.D. 2018, by BOB BUCHANAN, Mayor, and ANGELA J. GRIMMAGE City Clerk, of the City of Winter Garden, a Florida municipal corporation. They are personally known to me or have produced _____ and _____ as identification.

Witness my hand and official seal this 14th day of June, 2018.

(Notary Seal)



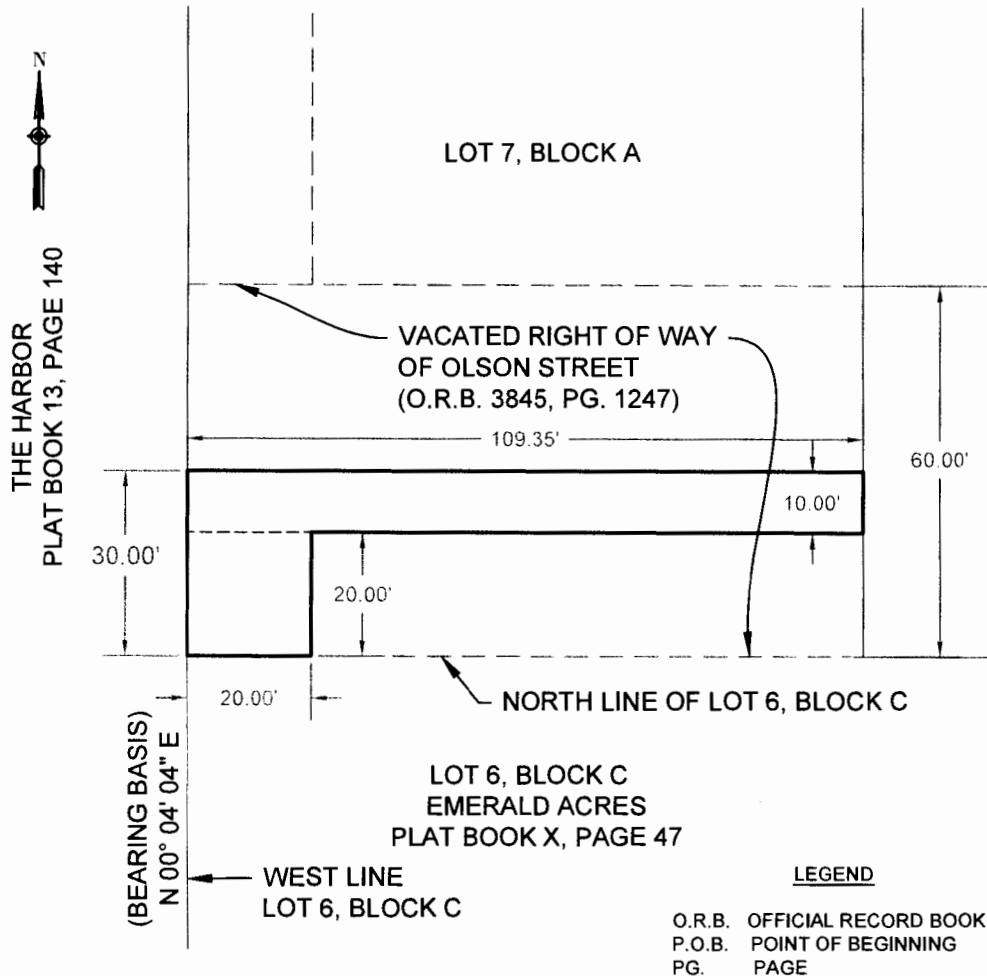
Kathleen Rathel
Notary Signature
Kathleen Rathel
Printed Notary Name



Kathleen Rathel
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG158882
Expires 12/25/2021

Notary Public in and for the
County and State aforesaid
My commission expires:

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 IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 177, F.S., PURSUANT TO CHAPTERS 177 AND 472 OF THE FLORIDA STATUTES, AND THE ORIGINAL SEALED OR SIGNATURED AND THE ORIGINAL SEALED OR FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING SKETCH A PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

3/14/18
DATE

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.

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

DRAWING SCALE:
 1"=30'

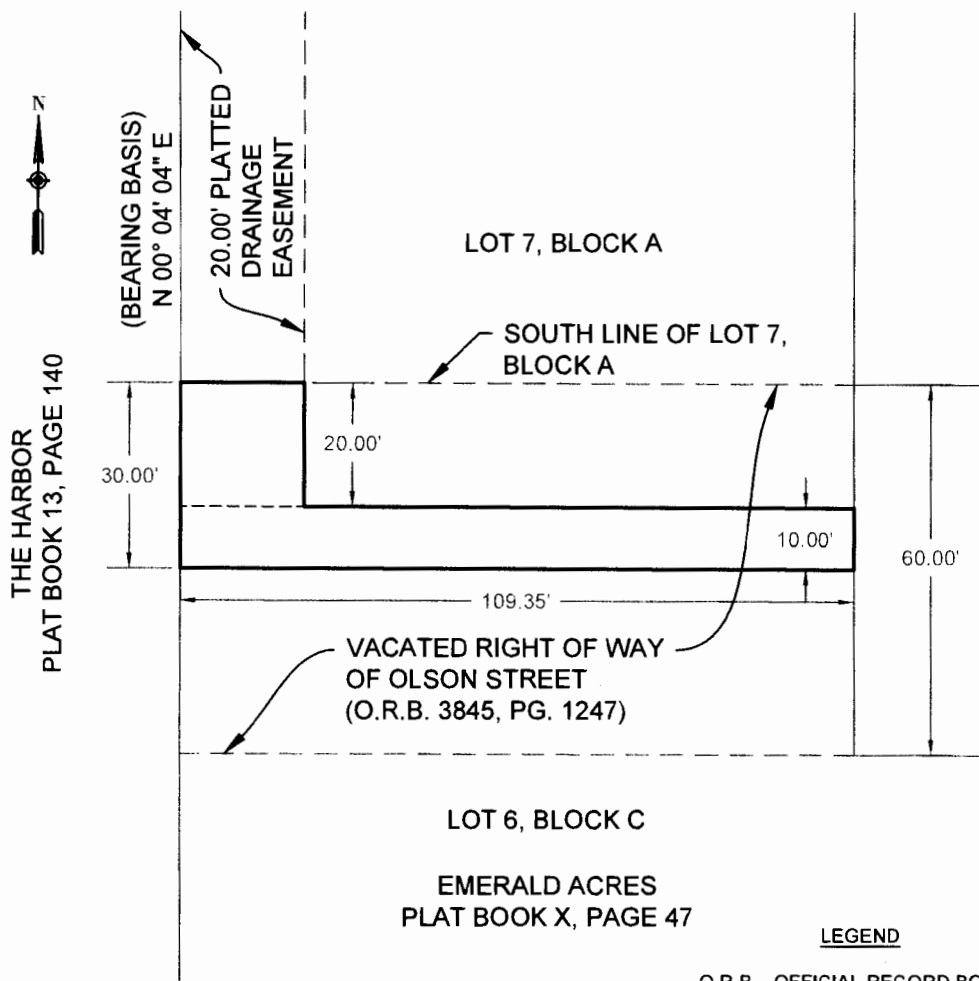
PROJECT NUMBER
 8114

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. #2	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 BEST KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE FLORIDA SURVEYING BOARD AND THE FLORIDA SURVEYING ACT, AND IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR. THIS DRAWING, SKETCH, PLAN, MAP OR INFORMATION FOR ANY PURPOSES IS NOT VALID.

3/14/18
DATE

REGISTERED 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.

LEGEND

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

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.

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.

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

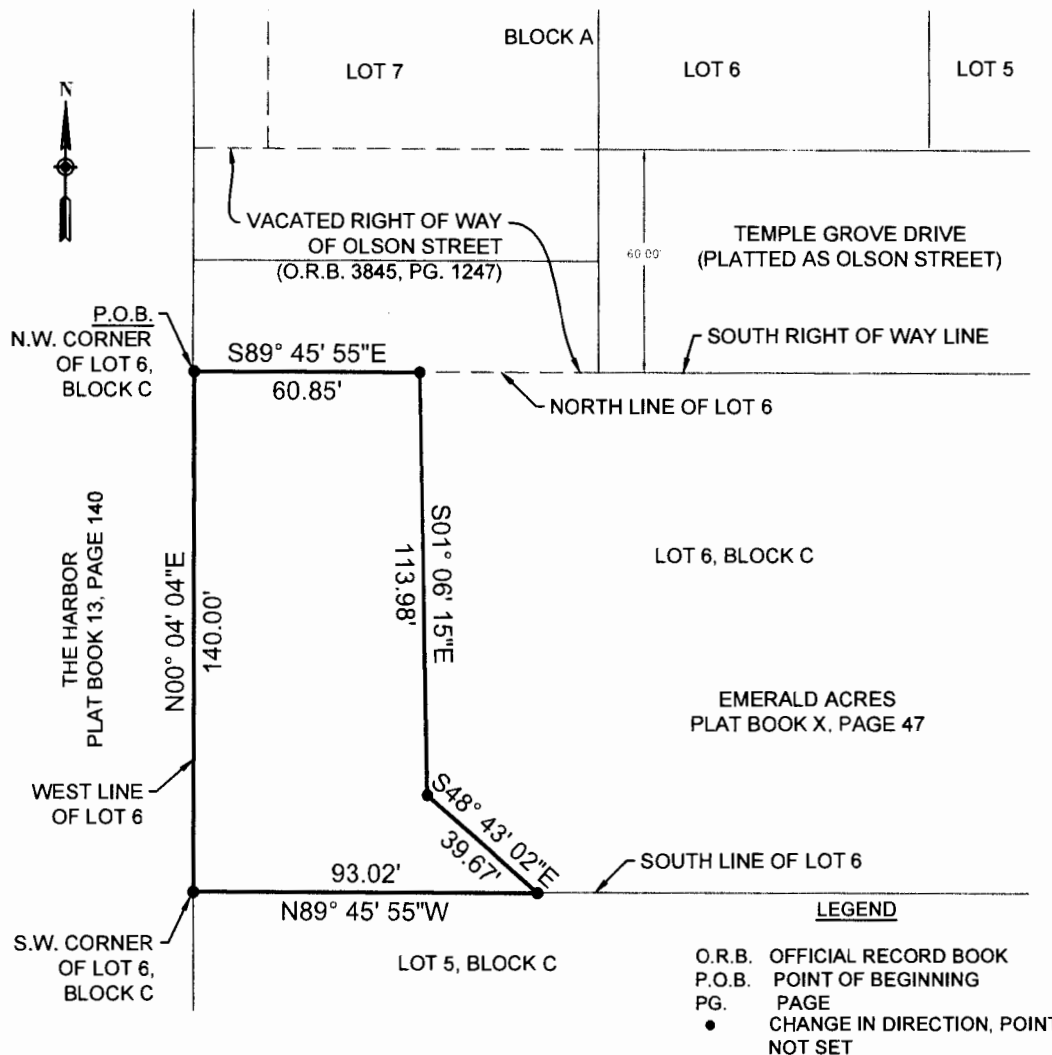
PUBLIC WORKS
 ENGINEERING DIVISION
 SURVEY SECTION
 4200 SOUTH JOHN YOUNG PARKWAY
 ORLANDO, FLORIDA 32839-9205
 (407) 836-7940



I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHM 47 AND 47C, PURSUANT TO CHAPTERS 176 AND 177 OF THE FLORIDA STATUTES, AND UNLESS IT BEAR THE SIGNATURE AND SEAL OF THE COUNCIL, 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: 2/4/10

[Signature]
 Kent A. Daynes
 REGISTERED LAND SURVEYOR
 AND MAPPER
 STATE OF FLORIDA LICENSE NO. 54793



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

DRAWN BY: Washington	DATE: 3/14/18	SECTION: 15	 PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32838-9205 (407) 836-7940	DRAWING SCALE: 1"=50'
CHECKED BY: Daynes	JOB No: 8114	TOWNSHIP: 22		PROJECT NUMBER 8114
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27		
REVISION DATE:	8114 Harbor Dr. #1	SHEET 1 OF 1		