



Interoffice Memorandum

December 19, 2018

TO: Mayor Jerry L. Demings
and Board of County Commissioners

FROM:  Mark V. Massaro, P. E., Director, Public Works Department 

CONTACT PERSON: **Christine N. Lofye, P.E., Manager**
Traffic Engineering Division 

PHONE NUMBER: (407) 836-7894

SUBJ: **Release and Termination of Temporary License Agreement between City of Orlando and Orange County for Safe Streets Academy Candidate Project**

On March 6, 2018, the Board approved a Temporary License Agreement between the City of Orlando and Orange County for conducting a candidate project along Curry Ford Road as part of the National Complete Streets Coalition's "Safe Streets Academy." The project limits were from S. Bumby Avenue to S. Crystal Lake Drive. The public right-of-way portion of these limits is located within unincorporated Orange County.

The purpose of the candidate project was to perform a pilot study to test temporary transportation safety countermeasures selected from business and community outreach efforts. The project included installation, maintenance, and removal of temporary devices within the County right-of-way for a period of no more than 120 days.

The City of Orlando completed the project on August 14, 2018, and has removed the improvements and restored the County right-of-way.

Staff recommends approval and execution of the Release and Termination of Temporary License Agreement between the City of Orlando and Orange County. This release has been approved as to form by the County Attorney's Office.

Action Requested: Approval and execution of Release and Termination of Temporary License Agreement between City of Orlando and Orange County for Safe Streets Academy Candidate Project. District 3.

MVM/CL/nad

Attachments

BCC Mtg. Date: January 15, 2019

Prepared By and Return To:
Roy K. Payne, Esq.
Chief Assistant City Attorney
City Attorney's Office
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(407) 246-3483

RELEASE AND TERMINATION OF TEMPORARY LICENCE AGREEMENT
BETWEEN
CITY OF ORLANDO AND ORANGE COUNTY

This RELEASE AND TERMINATION OF TEMPORARY LICENCE AGREEMENT between **CITY OF ORLANDO** and **ORANGE COUNTY** ("RELEASE") is made and entered into this ____ day of JAN 15 2019, 2018, by and between **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida with a mailing address at P.O. Box 1393, Orlando, FL 32802-1393 ("COUNTY "), and the **CITY OF ORLANDO**, a municipal corporation created by and existing under the laws of the State of Florida whose address is P.O. Box 4990, 400 S. Orange Avenue, Orlando, Florida 32802 (the "CITY") .

WITNESSETH:

WHEREAS, the COUNTY and the CITY entered into a TEMPORARY LICENSE AGREEMENT BETWEEN CITY OF ORLANDO AND ORANGE COUNTY, "AGREEMENT," on March 21, 2018, recorded in the Official Records of Orange County, Florida, Instrument Number 20180163302; and

WHEREAS, pursuant to the terms of the AGREEMENT, CITY conducted a temporary project (the "PROJECT"), as part of the National Complete Streets Coalition's "Safe Streets Academy," along Curry Ford Road between South Bumby Avenue and South Crystal Lake Drive which included installation of improvements within certain COUNTY rights-of-way; and

WHEREAS, the CITY completed the PROJECT on August 14, 2018; and

WHEREAS, Paragraph 8 of the AGREEMENT provides that the parties shall execute a RELEASE of the AGREEMENT upon the CITY's completion of the PROJECT.

NOW THEREFORE, in consideration of the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the CITY and COUNTY hereby agree as follows:

1. Recitals. The recitals set forth above are true and correct and are incorporated herein by this reference.
2. Termination. CITY and COUNTY hereby terminate the AGREEMENT as of the Effective Date, upon which termination, the parties are relieved of any further obligations thereunder.
3. Recording. Upon execution, this RELEASE shall be recorded in the Official Records of Orange County, Florida.
4. Effective Date. This Release shall become effective on the date of full and complete execution by the parties hereto.

IN WITNESS WHEREOF, the Parties have caused this RELEASE to be executed as of the day and year first written above.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

for By: *Jerry L. Demings*
Name: Jerry L. Demings
Title: Orange County Mayor
Date: 15 January 2019

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

By: *Katie Smith*
Deputy Clerk

Print Name: Katie Smith



THE CITY OF ORLANDO,
a municipal corporation operating under the laws of
the State of Florida

By: *Regina F. Hill*
Name: REGINA F. HILL
Title: Mayor or Mayor Pro Tem
Date: DECEMBER 10, 2018

Attest: *Denise Aldridge*
Name: Denise Aldridge
Title: City Clerk

Approved on the 13 day of Jan,
2018 as to Form and Legality for the use and
reliance of The City of Orlando, Florida.

By: *Raymond*
Name: Raymond
Title: C.A. City Clerk