

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
MAR 12 2019

# RESOLUTION

*of the*

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

**regarding**

**AUTHORIZATION TO CONVEY  
CERTAIN COUNTY PROPERTY INTERESTS TO  
THE CITY OF MAITLAND, FLORIDA IN ACCORDANCE WITH  
SECTION 125.38, FLORIDA STATUTES**

**Resolution No. 2019 - M-09**

**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, certain County property is not needed for County purposes and to convey such property, for nominal price or otherwise, to such applicant; and

**WHEREAS**, the County has an interest in the land more particularly described in Appendix "A" attached hereto (the "Parcel"); and

**WHEREAS**, the City of Maitland, Florida has applied to the County for the conveyance of any and all of County's interest in the Parcel for the use in future park expansion by the City; and

**WHEREAS**, the Board has determined that the County's interest in the Parcel is no longer needed for County purposes; and

**WHEREAS**, the County has determined that, pursuant to the City of Maitland's application, the County's interest in the Parcel should be conveyed to the City of Maitland, and such conveyance is in the public interest.

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

1. The above recitals are hereby incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

2. The Board hereby determines that it is in the best interests of Orange County that the County's interest in the Parcel be conveyed to the City of Maitland.

3. The Board directs that all of the County's right, title, and interest in the Parcel, to the extent transferable, be conveyed to the City of Maitland and, as consideration, the City of Maitland will assume all of the County's rights, duties, and obligations that exist or arise from the County's interest in the Parcel.

4. The Board directs the Orange County Mayor to execute and deliver a County Deed in the form attached hereto as Exhibit "B" to effectuate such conveyance, and that staff do all things necessary and appropriate to conclude this transaction.

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

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

MAR 12 2019

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Jerry L. Demings*  
Jerry L. Demings  
Orange County Mayor

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


By: *Katie Smith*  
Deputy Clerk

# APPENDIX "A"

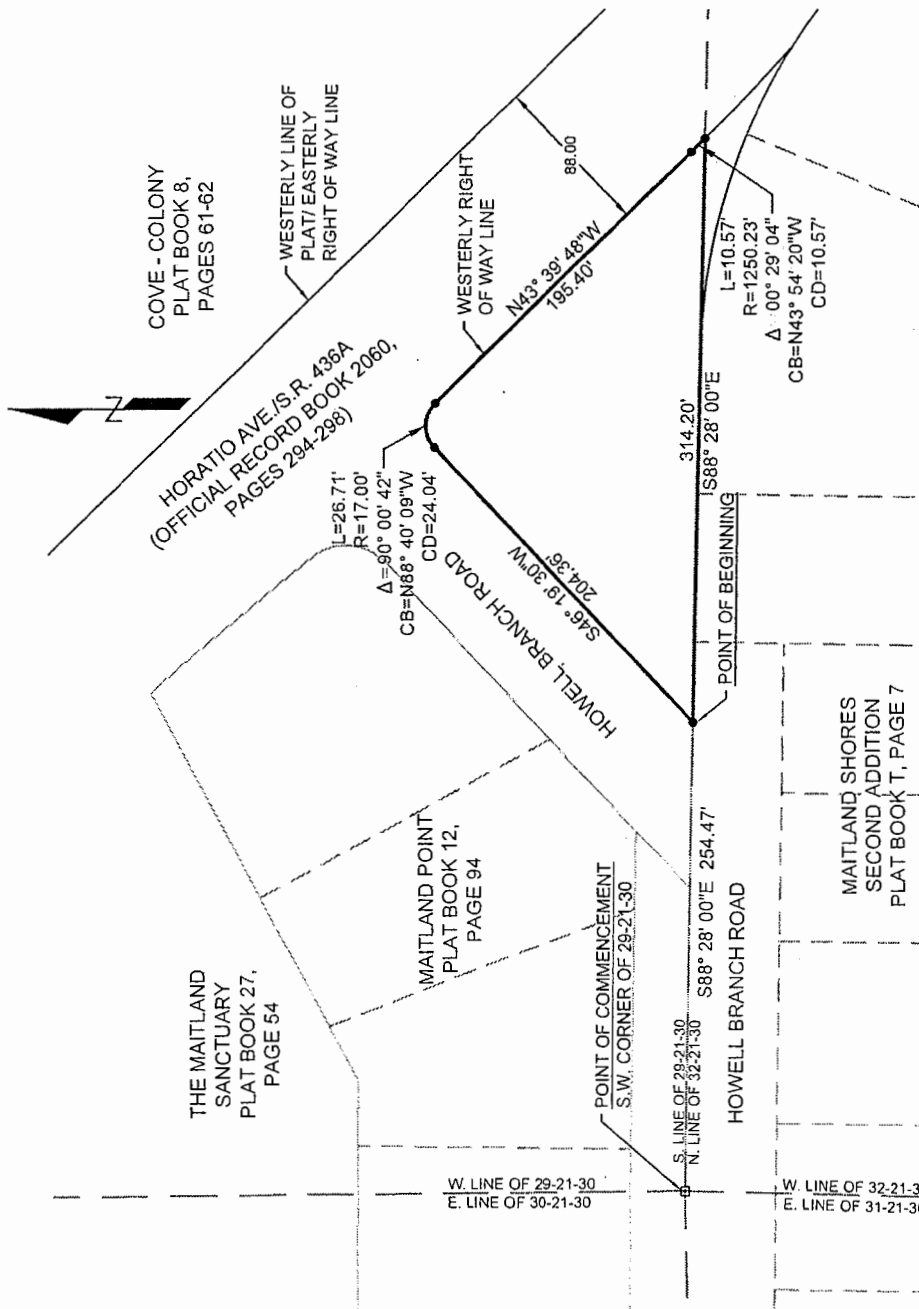
## LEGAL DESCRIPTION

Commence at the Southwest Corner of Section 29, Township 21 South, Range 30 East, Orange County, Florida, thence run S 88°28'00" E along the South line of said Section 29, for a distance of 254.47 feet to the Point of Beginning; said South Section line also being the North line of the PLAT OF MAITLAND SHORES, SECOND ADDITION, as recorded in Plat Book T, Page 7 of the Public Records of Orange County, Florida, and also being the South line of the PLAT OF MAITLAND POINT, as recorded in Plat Book 12, Page 94 of the Public Records of Orange County, Florida; thence continue S 88°28'00" E for a distance of 314.20 feet to a point of curvature of a curve concave Northeasterly lying on the Westerly right of way line of Horatio Avenue, also known as State Road 436A, as recorded in Official Record Book 2060, Pages 294-298 of the Public Records of Orange County, Florida; said line being parallel to and 88.00 feet West of the Westerly line of the PLAT OF COVE - COLONY, as recorded in Plat Book 8, Pages 61-62 of the Public Records of Orange County, Florida; said Westerly line also being the Easterly right of way line of Horatio Avenue; said curve having a radius of 1250.23 feet, a chord bearing of N 43°54'20" W, a chord distance of 10.57 feet, and a central angle of 00°29'04"; thence run Northwesterly along the arc of said curve for a distance of 10.57 feet to a point of tangency; thence run N 43°39'48" W along said Westerly right of way line for a distance of 195.40 feet to a point of curvature of a curve concave Southerly, having a radius of 17.00 feet, a chord bearing of N 88°40'09" W, a chord distance of 24.04 feet, and a central angle of 90°00'42"; thence run Northwesterly along the arc of said curve for a distance of 26.71 feet to a point of tangency; thence run S 46°19'30" W for a distance of 204.36 feet to the Point of Beginning.

Containing 24,612.39 square feet, or 0.57 acres, more or less.

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 10/2/18	SECTION: 29	<b>SURVEY SECTION</b> 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 	DRAWING SCALE: NTS
CHECKED BY: Daynes	JOB No: 8284	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30		8284
REVISION DATE:	8284 Howell Branch Rd.	SHEET 2 OF 2		

# APPENDIX "A" SKETCH OF DESCRIPTION



## LEGEND

- L ARC LENGTH
- R RADIUS
- CB CHORD BEARING
- CD CHORD DISTANCE
- Δ DELTA
- CHANGE IN DIRECTION, POINT NOT SET



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 5J-17, F.A.C., PURSUANT TO CHAPTERS 117 AND 472, 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, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

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.

DATE: \_\_\_\_\_  
Mark A. Daynes  
REGISTERED LAND SURVEYOR  
AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479

## NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 29-21-30, BEING S 88° 28' 00" E, PER PLAT OF MAITLAND POINT, PLAT BOOK 12, PAGE 94 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
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.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

PREPARED FOR:  
Engineering -  
Roads & Drainage

DRAWING SCALE:  
1"=100'

PROJECT NUMBER  
8284

DRAWN BY: Washington	DATE: 10/2/18	SECTION: 29
CHECKED BY: Daynes	JOB No: 8284	TOWNSHIP: 21
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
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PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION  
4200 SOUTH JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
(407) 836-7940



## **EXHIBIT "B"**

Project: Howell Branch Rd

This document constitutes a conveyance from a state agency or instrumentality to an agency of the state and is not subject to documentary stamp tax. Department of Revenue Rule 12B-4.0114(10), F.A.C

### **COUNTY DEED**

THIS DEED, made as of the date signed below, 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, GRANTOR, and City of Maitland, a municipal corporation of the State of Florida, whose address is 1776 Independence Lane, Maitland, Florida 32751, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

### **SEE ATTACHED APPENDIX "A"**

**Property Appraiser's Parcel Identification Number:**

**A portion of**  
**29-21-30-0000-00-025**

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project: Howell Branch Rd

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: \_\_\_\_\_  
Jerry L. Demings  
Orange County Mayor

DATE: \_\_\_\_\_

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

BY: \_\_\_\_\_  
Deputy Clerk

**This instrument prepared by:**


Kim Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

## APPENDIX "A"

### LEGAL DESCRIPTION

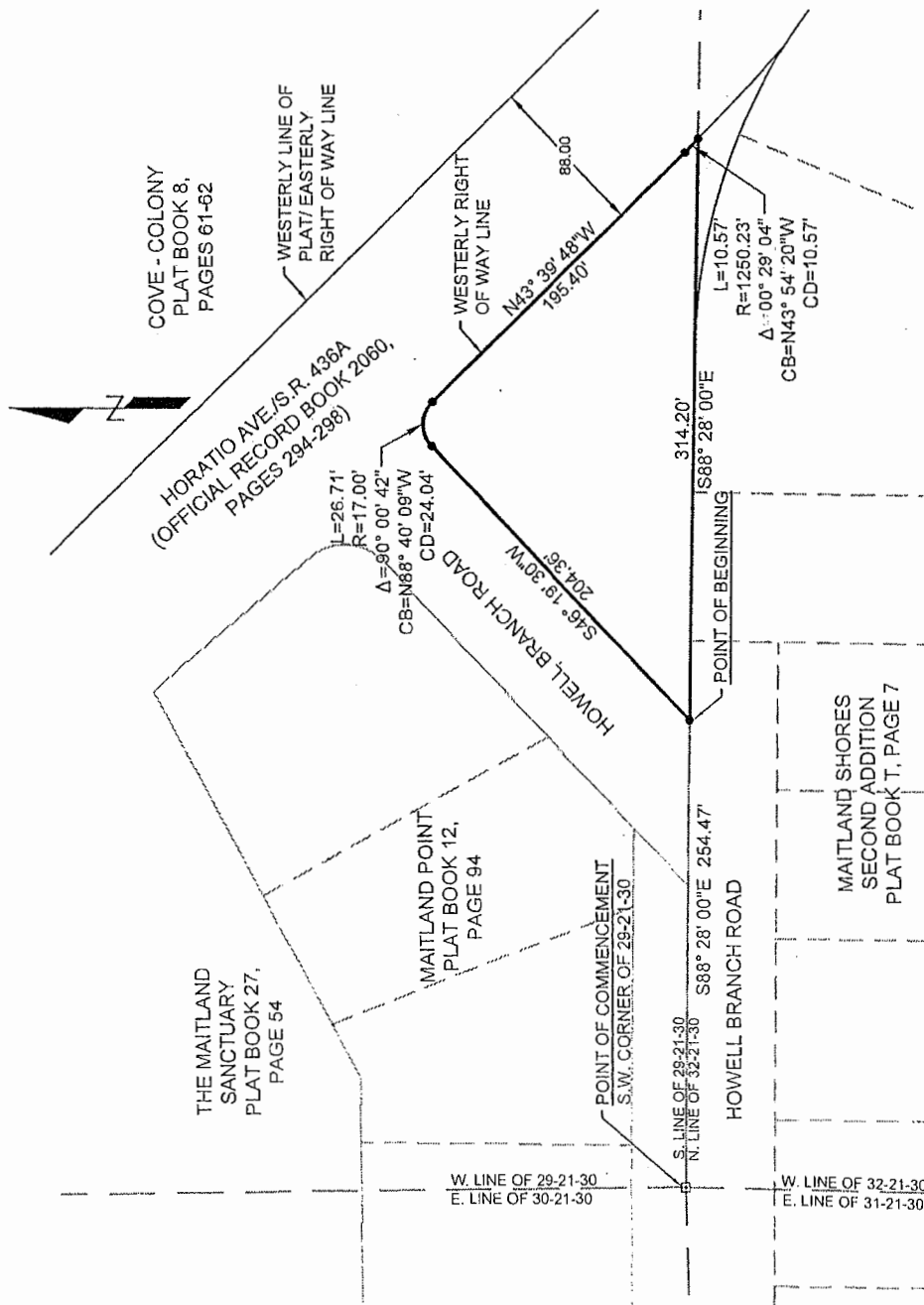
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CHECKED BY: Daynes	JOB No: 8284	TOWNSHIP: 21		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30		8284
REVISION DATE:	8284 Howell Branch Rd.	SHEET 2 OF 2		



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Mark A. Daynes  
REGISTERED LAND SURVEYOR  
AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479

SKETCH AND DESCRIPTION  
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ENGINEERING DIVISION  
SURVEY SECTION  
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