

May 9, 2019

TO:	Mayor Jerry L. Demings and Board of County Commissioners								
FROM:	Mark V. Mas	ssaro, P.E., Public Works Director							
CONTACT	PERSON:	Deodat Budhu, P.E., Manager Roads & Drainage Division							
PHONE NU	MBER:	(407) 836-7958							
SUBJECT:	regarding ju	greement between Orange County and the City of Maitland urisdictional transfer to operate and maintain Lake Avenue East Street to South Orlando Avenue.							
The City of Maitland (City) has requested the County to transfer the Deed for Lake Avenue from the easterly right-of-way line of South East Street to the westerly right of way line of South Orlando Avenue, also known as U.S. 17-92.									
In accordance with Florida Statutes, a County Deed has been prepared which transfers all interest authority and responsibility over Lake Avenue from South Fast Street to South									

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interest, authority, and responsibility over Lake Avenue from South East Street to South Orlando Avenue to the City. Approval of this Agreement transfers responsibility for maintaining Lake Avenue to the City.

The County Attorney's Office and Risk Management Division have reviewed the resolution and found it acceptable.

Action Requested: Approval and execution of (1) Interlocal Agreement between Orange County, Florida and City of Maitland, Florida regarding the transfer of jurisdiction of Lake Avenue from South East Street to South Orlando Avenue and (2) County Deed by Orange County and the City of Maitland. District 5.

MVM/DB/gs

Attachment(s)

APPROVED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

MAY 2 1 2019

### INTERLOCAL AGREEMENT

between

### **ORANGE COUNTY, FLORIDA**

and

### **CITY OF MAITLAND, FLORIDA**

regarding the

### TRANSFER OF JURISDICTION OF LAKE AVENUE FROM SOUTH EAST STREET TO SOUTH ORLANDO AVENUE

Approved by the Orange County Board of County Commissioners MAY 2 1 2019, 2019

Approved by the City of Maitland City Council <u>Apric 8</u>, 2019

### INTERLOCAL AGREEMENT between ORANGE COUNTY, FLORIDA and CITY OF MAITLAND, FLORIDA regarding the TRANSFER OF JURISDICTION OF LAKE AVENUE FROM SOUTH EAST STREET TO SOUTH ORLANDO AVENUE

THIS INTERLOCAL AGREEMENT is made and entered into by and between Orange County, Florida, a Charter County and political subdivision of the State of Florida ("County"), and the City of Maitland, Florida, a municipal corporation created and existing under the laws of the State of Florida ("City").

#### RECITALS

WHEREAS, the County has authority pursuant to Section 125.01(1)(p), Florida Statutes, to enter into an agreement with another governmental entity or agency for joint performance, or performance by one unit on behalf of the other, of any of either entity's or agency's authorized functions;

WHEREAS, the City has authority pursuant Section 166.021, Florida Statutes, to enter into agreements;

WHEREAS, the County and the City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, all roads that are open and available for use by the public and dedicated to public use, according to law or by prescription, are declared to be and established as, pursuant to

Section 335.01(1), Florida Statutes, public roads;

WHEREAS, a "road" is defined by Section 334.03(23), Florida Statutes, as "a way open to travel by the public, including, but not limited to, a street, highway, or alley. The term includes associated sidewalks, the roadbed, the right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts....";

WHEREAS, the term "road" as defined be Section 334.03(23), Florida Statutes, also implicitly includes, curbs, guardrails, landscaping, and traffic control devices (such as signals and signs) within the right-of-way;

WHEREAS, according to Section 335.01(2), Florida Statutes, public roads are divided into the following four systems: (1) the "county road system"; (2) the "city street system"; (3) the "State Highway System"; and (4) the "State Park Road System";

WHEREAS, the "county road system" is defined by Section 334.03(8), Florida Statutes, as "all collector roads in the unincorporated areas of a county and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterial roads not in the State Highway System";

WHEREAS, the "city street system" is defined by Section 334.03(3), Florida Statutes, as "all local roads within a municipality, and all collector roads inside that municipality, which are not in the county road system";

WHEREAS, pursuant to Section 335.0415(2), Florida Statutes, any change of the jurisdiction of a public road after July 1, 1995, that is a part of a county road system or a city street system is governed by Section 335.0415(3), Florida Statutes;

WHEREAS, pursuant to Section 335.0415(3), Florida Statutes, subsequent to July 1, 1995, public roads within the respective road systems of a county or a city may be transferred between those jurisdictions only by mutual agreement of those local governmental entities;

WHEREAS, the City desires to own (or accept dedication of, whatever the case may be), maintain, control, and have responsibility over the portion of the County functionally classified road known as Lake Avenue from the easterly right-of-way line of South East Street to the westerly right-of-way line of South Orlando Avenue, also known as U.S. 17-92;

WHEREAS, this Interlocal Agreement is intended to address the transfer of such road, or segment thereof, from the County road system to the City street system;

WHEREAS, this Interlocal Agreement is also intended to apply to the subject of which party has jurisdiction to control traffic along such road pursuant to Section 316.006, Florida Statutes; and

WHEREAS, this Interlocal Agreement is not intended to apply and shall not be construed as applying to the subject of which law enforcement authority has jurisdiction to enforce traffic laws along such road (see Section 316.640, Florida Statutes).

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

 Recitals. The foregoing recitals are true and correct and are hereby incorporated herein by reference.

2. Transfer of Jurisdiction of Lake Avenue; Scope; Torts; Powers; Other.

A. Transfer of Jurisdiction. The County hereby transfers to the City, and the City hereby accepts and acknowledges jurisdiction over the portion of the County

functionally classified road known as Lake Avenue from the easterly right-of-way line of South East Street to the westerly right-of-way line of South Orlando Avenue, also known as U.S. 17-92 ("Lake Avenue").

B. Scope. The City's jurisdiction over Lake Avenue means the authority and responsibility to maintain, control, repair, or improve such road, as the term "road" is defined by Section 334.03(23), Florida Statutes, and to control, regulate, warn, or guide traffic on such road pursuant to Section 316.006(2), Florida Statutes, regardless of any future alteration, realignment, construction, extension, widening, or renaming of such road. Lake Avenue is therefore henceforth deemed to be part of the "City street system" for purposes of operation, maintenance, and control of traffic.

C. Torts. Pursuant to Section 337.29(3), Florida Statutes, to the extent that sovereign immunity has been waived, liability for torts shall be in the City.

D. Powers. Also pursuant to Section 337.29(3), except as may be otherwise provided by law or this Interlocal Agreement, the City shall have the same governmental, corporate, and proprietary powers with relation to Lake Avenue that the City has with relation to other public roads and rights-of-way within the City.

E. Road Closure; Vacation. Notwithstanding anything that may seem to be to the contrary herein, unless having first applied for and obtained permission from the Board of County Commissioners, which permission may be withheld in the Board's discretion, the City shall not:

(1) close or barricade Lake Avenue, or any portion thereof, to vehicular traffic, other than temporarily for road maintenance, road repair, accidents, or

miscellaneous special events, such as road races (bike lanes and/or on street parking shall not be construed as closing or barricading Lake Avenue); or

(2) vacate any portion of Lake Avenue.

#### 3. Dedication and Acceptance; Deed; Vesting of Title.

A. Dedication and Acceptance. For Lake Avenue, or any portion thereof, that was heretofore dedicated and that the County heretofore accepted, the County hereby dedicates Lake Avenue, and any portion thereof, to the City, and the City hereby accepts such dedication.

**B.** Deed. The County shall execute and deliver a County deed in favor of the City substantially in the form attached hereto as Appendix "A," for any portion of Lake Avenue that the County holds, or may hold, in fee title, which is specifically described in the legal descriptions and sketches of description attached to Appendix "A" as Schedule "A." Within fifteen (15) days after receipt thereof, the City shall accept the deed by recording the deed in the Official Records of Orange County at the City's expense.

C. Vesting of Title. Upon the recording of the County deed pursuant to Section 3.B, title in Lake Avenue shall vest in the City pursuant to Section 337.29(3), Florida Statutes.

#### 4. Miscellaneous.

A. Validity. The County and the City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Interlocal Agreement, acknowledges the validity and enforceability of this Interlocal Agreement, and waives any future right of defense based on claim of illegality, invalidity or

unenforceability of any nature. The County and the City each hereby represents, warrants and covenants to and with the other that this Interlocal Agreement has been validly approved by its respective governing body, and that this Interlocal Agreement constitutes a legal, valid and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution and delivery hereof by the other party hereto).

**B.** Ambiguities. Both parties have been allowed equal input regarding the terms and wording of this Interlocal Agreement and have had the benefit of consultation with their respective legal counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.

C. Headings. The headings or captions of sections or subsections used in this Interlocal Agreement are merely for the convenience of the parties for reference only and are not intended to define or limit their contents, nor are they to affect the construction of or to be taken into consideration in interpreting this Interlocal Agreement.

D. Severability. The provisions of this Interlocal Agreement are declared by the parties to be severable only to the extent that the remaining provisions can effectuate the purpose and intent of the parties.

E. Governing Law; Venue; Attorney's Fees and Costs.

(1) This Interlocal Agreement shall be governed by and construed in accordance with laws of the State of Florida.

(2) Venue for any action arising out of or related to this Interlocal Agreement shall be in the Circuit Court for the Ninth Judicial Circuit in Orange County, Florida. (3) In the event a party deems it necessary to take legal action to enforce any provisions of this Interlocal Agreement, each party shall bear its own attorney's fees and costs at both the trial and appellate levels.

F. Entire Agreement. This Interlocal Agreement, along with any exhibits, constitutes the entire Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

G. Amendments. This Interlocal Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Council of the City, and executed by the authorized officers of each party.

H. Counterparts. This Interlocal Agreement and any amendments thereto may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

I. Notices. Any notice required to be given or otherwise given by one party to the other party shall be in writing and shall be deemed delivered when given by hand delivery; five (5) days after being deposited in the United States Mail, postage prepaid, certified or registered; or the next business day after being deposited with a recognized overnight mail or courier delivery service; or when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission; and addressed as follows:

> If to the County: Director, Orange County Public Works Department 4200 South John Young Parkway Orlando, Florida 32839 Facsimile: (407) 836-7716

County Attorney
Orange County Administration Center
201 South Rosalind Avenue
Orlando, Florida 32802
Facsimile: (407) 836-5888
City Manager
1776 Independence Lane
Maitland, Florida 32751
Facsimile: (407) 539-6282

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this section.

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.]

5. Effective Date. This Interlocal Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year indicated below.



### **ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: **BUMW. BMOR** For Jerry L. Demings, Mayor By:

Date: 21 May , 2019

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

By: Katil mith Deputy Clerk

#### **CITY of MAITLAND, FLORIDA**

By: City Council By:

A. Dale McDonald, Mayor

Date: Apric 9, 2019

ATTEST: Valu Maria T. Waldrop, City Clerk

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#### Appendix "A"

Project: Interlocal Agreement between Orange County and the City of Maitland regarding the Transfer of Lake Avenue between East South Street and South Orlando Avenue

#### COUNTY DEED

THIS DEED, dated \_\_\_\_\_\_ 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 the CITY OF MAITLAND, a municipal corporation, under the laws 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 \$1.00 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 SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

Unassigned

THIS COUNTY DEED is being given in accordance with the Interlocal Agreement between Orange County and the City of Maitland regarding the transfer of Lake Avenue between East South Street and South Orlando Avenue.

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.

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.]

Project: Interlocal Agreement between Orange County and the City of Maitland regarding the Transfer of Lake Avenue between East South Street and South Orlando Avenue

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 aforesaid.

(Official Seal)

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#### **ORANGE COUNTY, FLORIDA**

By Board of County Commissioners

BY: \_\_\_\_\_\_ Jerry Demings, Orange County Mayor

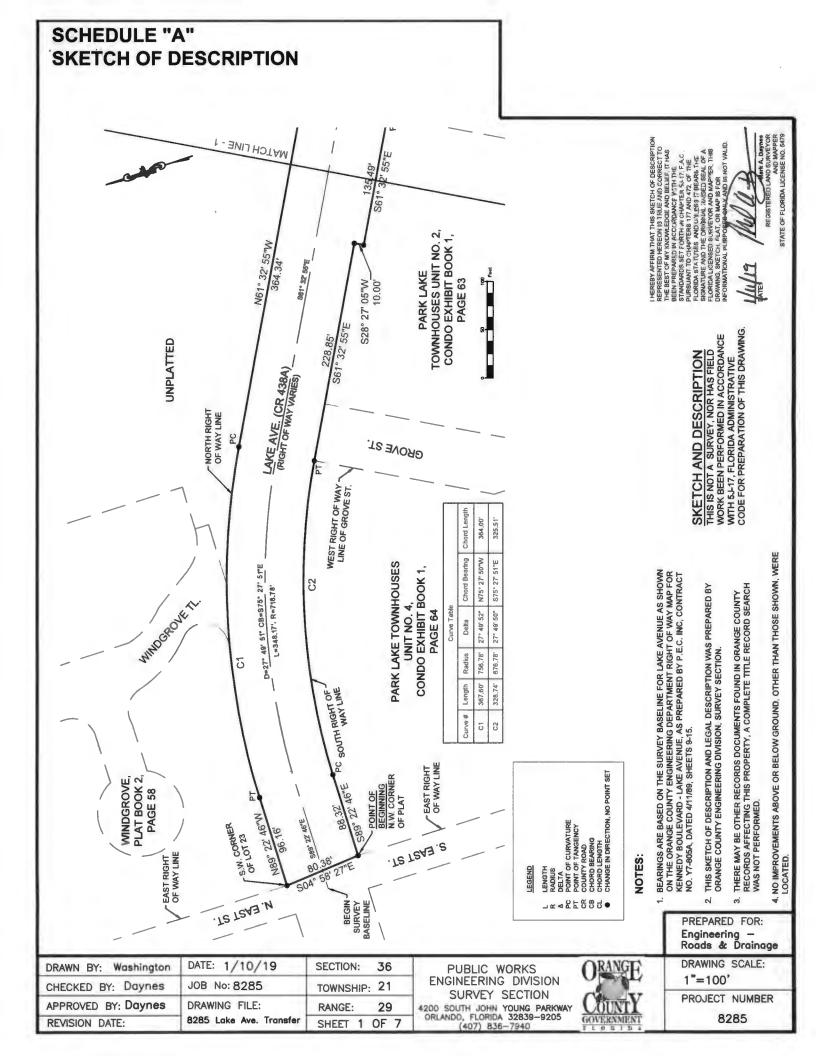
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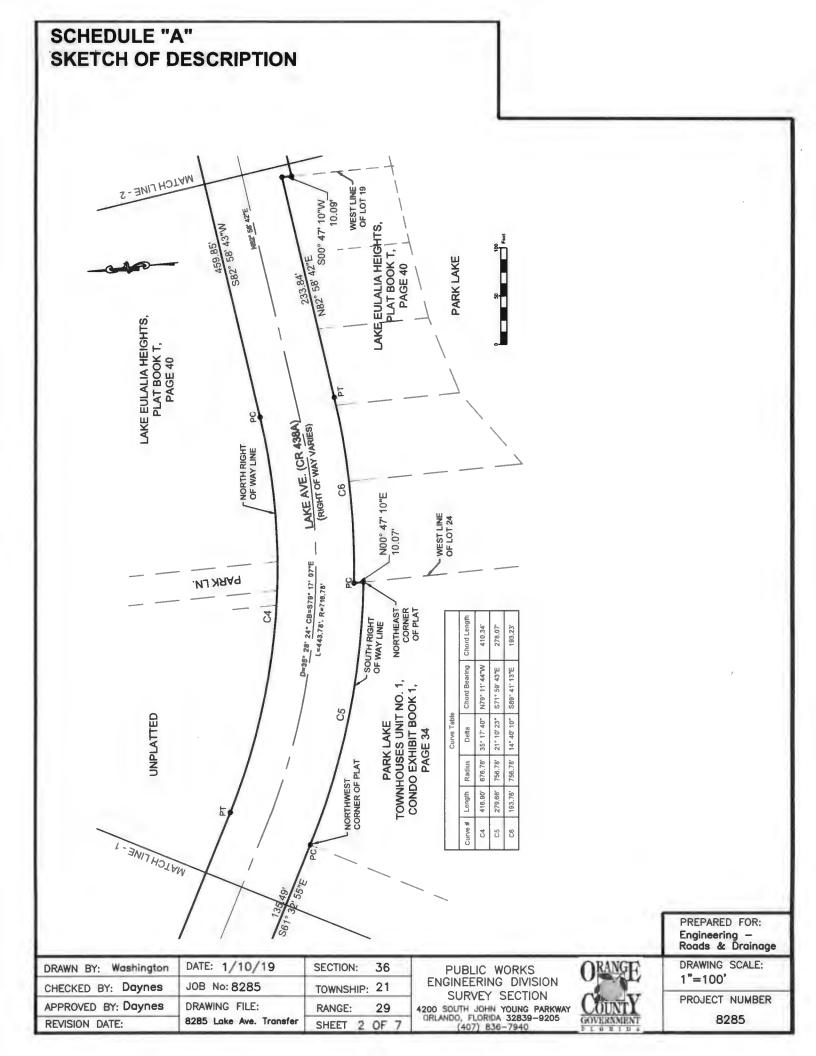
ATTEST: Phil Diamond, CPA, County Comptroller, Clerk to the Board

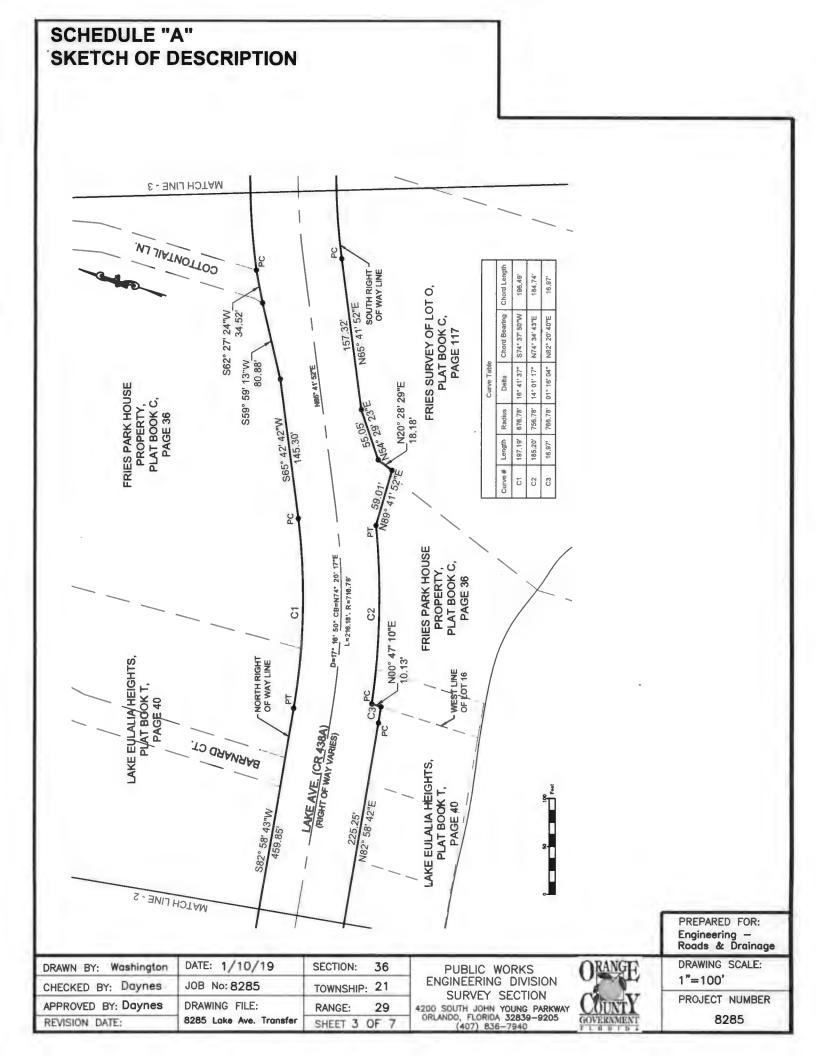
BY: \_\_\_\_\_ Deputy Clerk

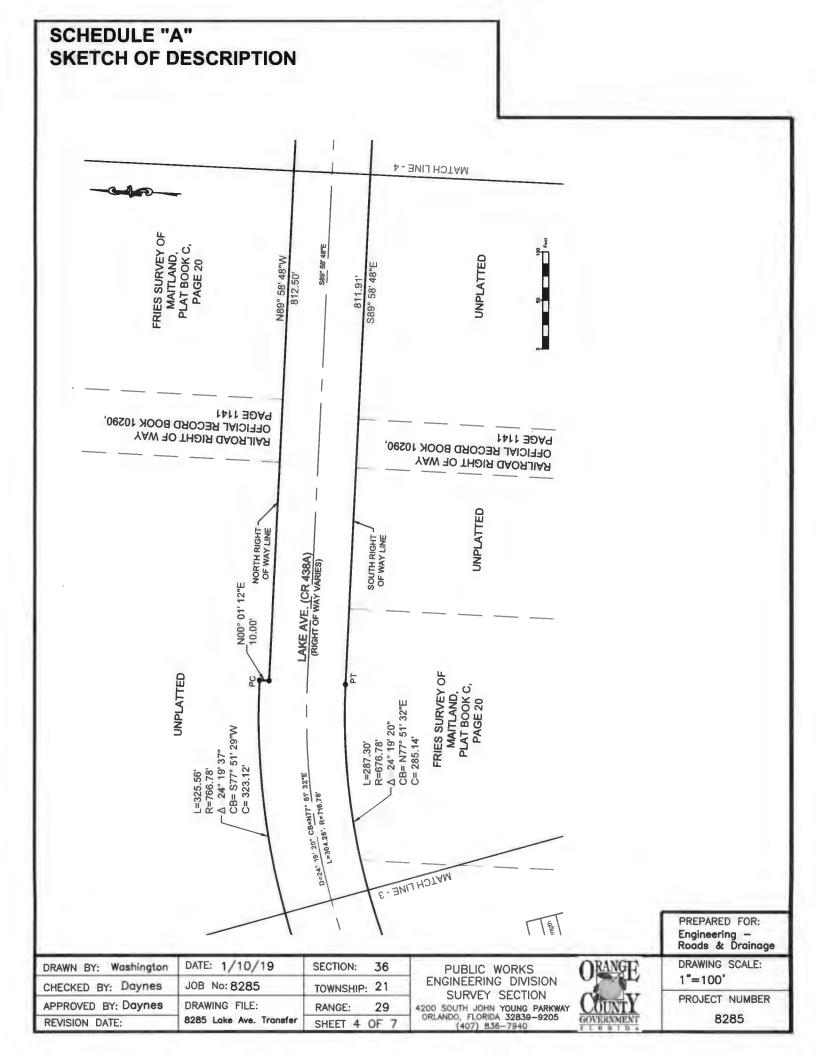
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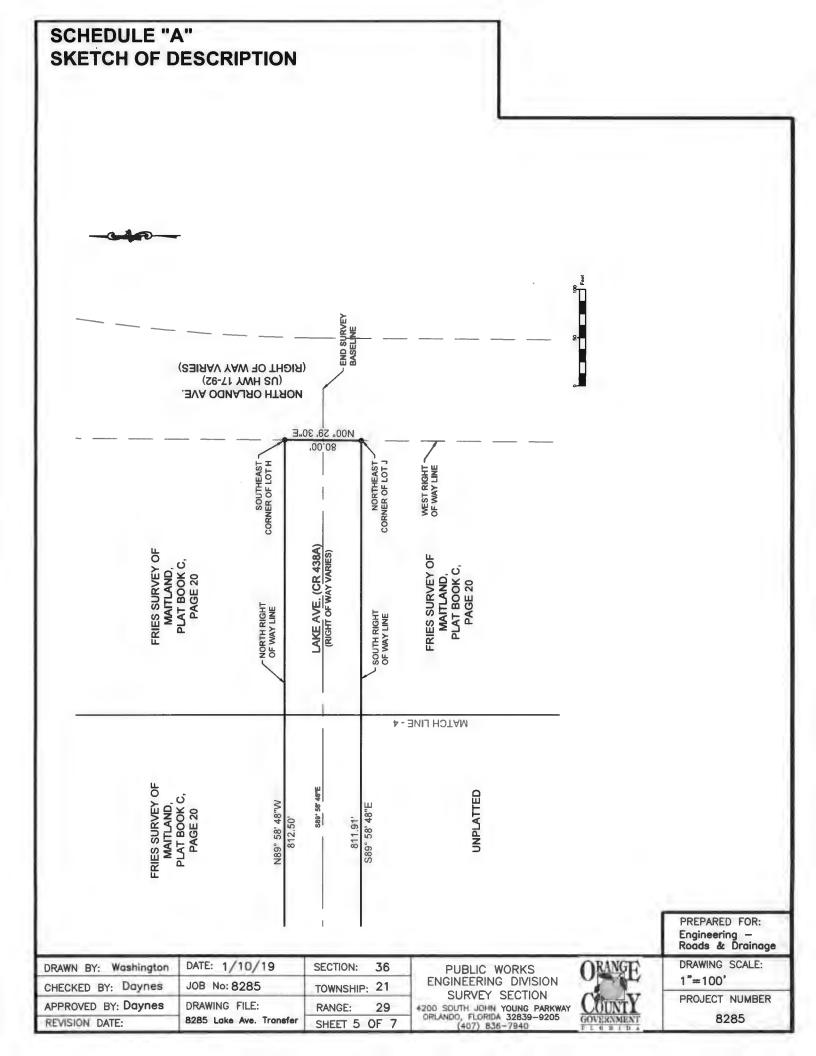
s:\jprinsell\agrent\appendix a - county deed for ila with city of maitland for transfer of lake avenue - 11-18-18.docx











All that existing and monumented right of way of Lake Avenue lying East of East Street and West of North Orlando Avenue, also known as US Highway 17-92, lying in Section 36, Township 21 South, Range 29 East, Orange County, Florida, being more particularly described as follows:

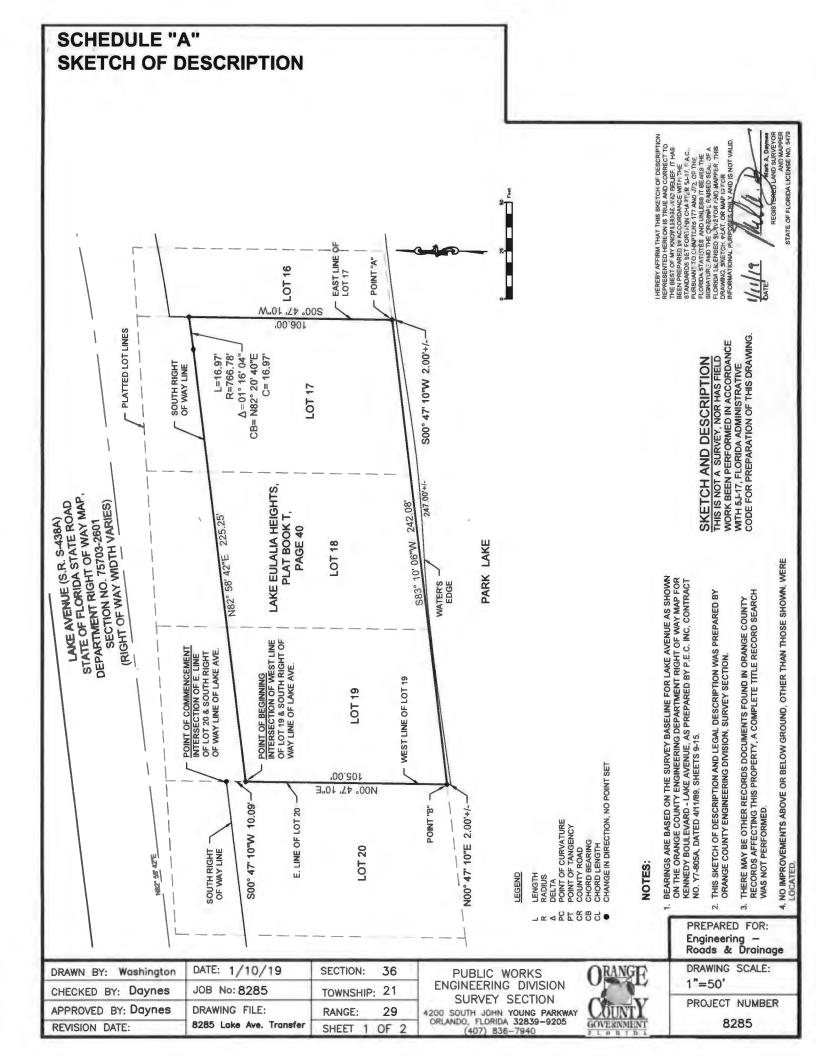
Begin at the Northwest corner of the plat of PARK LAKE TOWNHOUSES UNIT NO. 4, as recorded in Condominium Exhibit Book 1, Page 64 of the Public Records of Orange County, Florida, said point also lying on the East right of way line of South East Street; thence run S 89°22'46" E along the South right of way line for a distance of 88.32 feet to a point of curvature of a curve concave to the South having a radius of 676.78 feet, a chord bearing of S 75°27'51" E, and a central angle of 27°49'50"; thence run Easterly along the arc of said curve for a distance of 328.74 feet to a point of tangency; said point lying on the West right of way line of Grove Street, as shown on said plat; thence run S 61°32'55" E for a distance 228.85 feet; thence run S 28°27'05" W for a distance of 10.00 feet; thence run S 61°32'55" E for a distance 135.49 feet to a point of curvature of a curve concave to the North; said point also being the Northwest corner of the plat of PARK LAKE TOWNHOUSES UNIT NO. 1, as recorded in Condominium Exhibit Book 1, Page 34 of the Public Records of Orange County, Florida; said curve having a radius of 756.78 feet, a chord bearing of S 71°59'43" E, and a central angle of 21°10'23"; thence run Southeasterly along the arc of said curve for a distance of 279.66 feet to the Northeast corner of said plat; said point also lying on the West line of Lot 24 of the plat of LAKE EULALIA HEIGHTS, as recorded in Plat Book T, Page 40 of the Public Records of Orange County, Florida; thence run N 00°47'10" E along said West line for a distance of 10.07 feet to a point of curvature of a curve concave to the North; said curve having a radius of 756.78 feet, a chord bearing of S 89°41'13" E, and a central angle of 14°40'10"; thence run Easterly along the arc of said curve for a distance of 193.76 feet to a point of tangency; thence run N 82°58'42" E for a distance of 233.84 feet to a point lying on the West line of Lot 19 of said plat; thence run S 00°47'10" W along said West line for a distance of 10.09 feet; thence run N 82°58'42" E for a distance of 225.25 feet to a point of curvature of a curve concave to the North; said curve having a radius of 766.78 feet, a chord bearing of N 82°20'40" E, and a central angle of 01°16'04"; thence run Easterly along the arc of said curve for a distance of 16.97 feet to a point lying on the West line of Lot 16 of said plat: thence run N 00°47'10" E along said West line for a distance of 10.13 feet to a point of curvature of a curve concave Northerly; said curve having a radius of 756.78 feet, a chord bearing of N 74°34'43" E, and a central angle of 14°01'17"; (see next page)

PREPARED FOR: Roads &	Drainage Section	ORAN	GE C	OUNTY PUBLIC WORKS	ENGINEER	ING DIVISION
DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36		ORANGE	DRAWING SCALE:
CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY		NTS
APPROVED BY: Daynes	DRAWING FILE:	RANGE:	29	ORLANDO, FLORIDA 32839-9205 (407) 836-7940	<u>UOUNTI</u>	PROJECT NUMBER
· · · · · · · · · · · · · · · · · · ·	8285 Lake Ave. Transfer	SHEET 6	OF 7		GOVERNMENT F 1 0 K 1 2 A	8285

thence run Northeasterly along the arc of said curve for a distance of 185.20 feet; thence run N 89°41'52" E for a distance of 59.01 feet; thence run N 20°28'29" E for a distance of 18.18 feet; thence run N 54°29'23" E for a distance of 55.05 feet; thence run N 65°41'52" E for a distance of 157.32 feet to a point of curvature of a curve concave to the South having a radius of 676.78 feet; said curve also having a chord bearing of N 77°51'32" E, a central angle of 24°19'20"; thence run Easterly along the arc of said curve for a distance of 287.30 feet to a point of tangency; thence run S 89°58'48" E for a distance of 811.91 feet to a point lying on the West right of way line of North Orlando Avenue (US Highway 17-92); said point also being the Northeast corner of Lot J of the plat of FRIES SURVEY OF MAITLAND, as recorded in Plat Book C, Page 20 of the Public Records of Orange County, Florida; thence departing said South right of way line, run N 00°29'30" E for a distance of 80.00 feet to a point lying on the North right of way line of Lake Avenue, said point also lying on the West right of way line of North Orlando Avenue (US Highway 17-92); said point also being the Southeast corner of Lot H of said plat; thence run N 89°58'48" W along said North right of way line for a distance of 812.50 feet; thence run N 00°01'12"E for a distance of 10.00 feet to a point of curvature lying on a curve concave to the South; said curve having a radius of 766.78 feet, a chord bearing of S 77°51'29" W, and a central angle of 24°19'37"; thence run Southwesterly along the arc of said curve for a distance of 325.56 feet; thence run S 62°27'24" W for a distance of 34.52 feet; thence run S 59°59'13" W for a distance of 80.88 feet; thence run S 65°42'42" W for a distance of 145.30 feet to a point of curvature of a curve concave Northerly; said curve having a radius of 676.78 feet, a chord bearing of S 74°37'50" W, and a central angle of 16°41'37"; thence run Westerly along the arc of said curve for a distance of 197.19 feet; thence run S 82°58'43" W for a distance of 459.85 feet to a point of curvature of a curve concave to the North; said curve having a radius of 676.78 feet, a chord bearing of N 79°11'44" W, and a central angle of 35°17'40"; thence run Northwesterly along the arc of said curve for a distance of 416.90 feet to a point of tangency; thence run N 61°32'55" W for a distance of 364.34 feet to a point of curvature of a curve concave to the South; said curve having a radius of 756.78 feet, a chord bearing of N 75°27'50" W, and a central angle of 27°49'52"; thence run Westerly along the arc of said curve for a distance of 367.60 feet to a point of tangency; thence run N 89°22'46" W for a distance of 96.16 feet to a point lying on the East right of way line of North East Street; said point also being the Southwest corner of Lot 23 of the plat of WINDGROVE, as recorded in Plat Book 2, page 58 of the Public Records of Orange County, Florida; thence departing said right of way line, run S 04°58'27" E for a distance of 80.38 feet to the Point of Beginning.

PREPARED FOR: Roads & Drainage Section ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION DRAWING SCALE: DRAWN BY: Washington DATE: 1/10/19 SECTION: 36 ()<u>RANG</u>E SURVEY SECTION NTS CHECKED BY: Daynes JOB No:8285 TOWNSHIP: 21 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940 PROJECT NUMBER APPROVED BY: Daynes DRAWING FILE: RANGE: 29 GOVERNMENT 8285 8285 Lake Ave. Transfer SHEET 7 OF 7

Containing 6.3 acres, more or less.

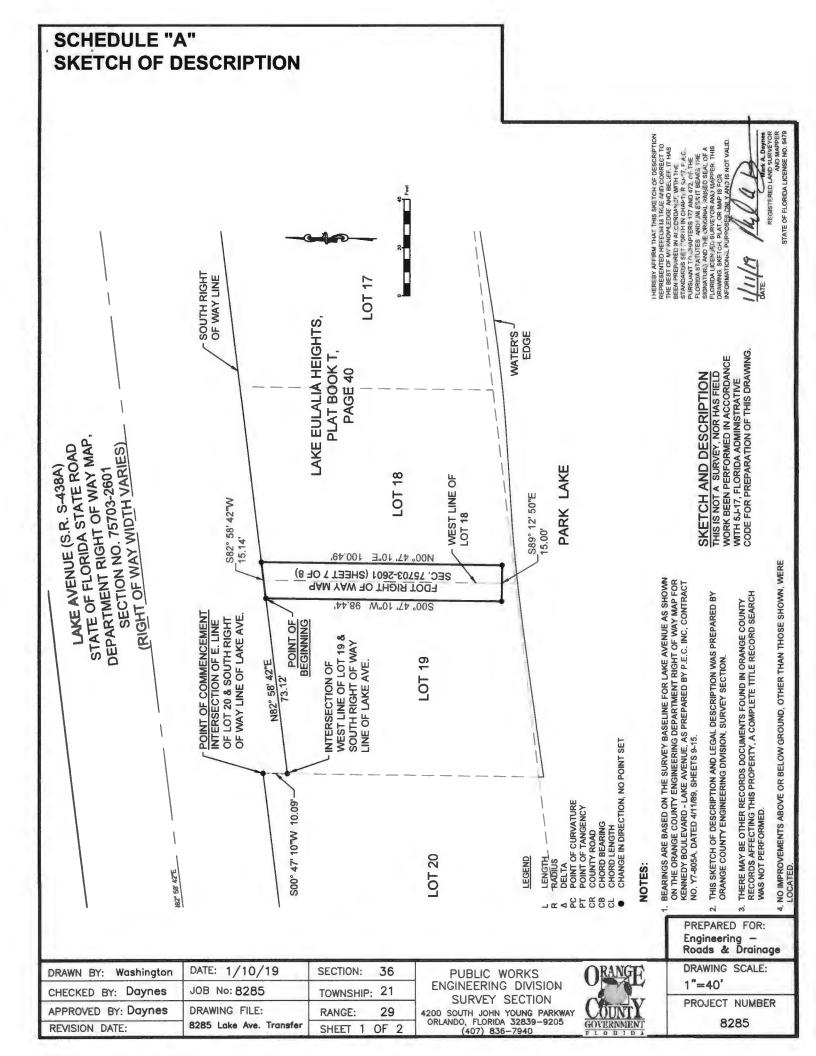


That parcel of land lying in Section 36, Township 21 South, Range 29 East, Orange County, Florida, as recorded in Official Record Book 4201 page 3578 of the Public Records of Orange County, Florida; being a portion of Lots 17, 18 and 19 of LAKE EULALIA HEIGHTS according to the plat thereof as recorded in Plat Book T, page 40 of the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at a point lying on the East line of Lot 20, at it's intersection with the existing South right of way line of Lake Avenue according to the State of Florida State Road Department Right of Way Map, Section No. 75703-2601, State Road S-438A, Orange County, Florida; thence run S 00°47'10" W along said East line for a distance of 10.09 feet to the Point of Beginning; said point also being the intersection of the West line of Lot 19 and said South right of way line; thence run N 82°58'42" E along said South right of way line for a distance of 225.25 feet to a point of curvature concave Northwesterly; thence run Northeasterly along said curve having a radius of 766.78 feet, a central angle of 01°16'04", an arc length of 16.97 feet, a chord length of 16.97 feet, and a chord bearing of N 82°20'40" E to a point on the East line of Lot 17; thence run S 00°47'10" W along said East line for a distance of 106.00 feet to a point lying N 00°47'10" E, a distance of 2.00 feet more or less from the water's edge of Park Lake, said point herein referred to as point "A"; thence continue along said East line S 00°47'10" W for a distance of 2.00 feet more or less to the water's edge of Park Lake; thence run Westerly along said water's edge 247.00 feet more or less to the West line of Lot 19; thence run N 00°47'10" E along said West line 2.00 feet more or less to a point herein referred to as point "B", said point lying S 83°10'06" W, a distance of 242.08 feet from aforesaid point "A"; thence continue N 00°47'10" E along said West line of Lot 19 for a distance of 105.00 feet to the Point of Beginning.

Containing 25,292.34 square feeet or 0.58 acres, more or less.

PREPARED FOR: Roads &	ORAN	ORANGE COUNTY PUBLIC WORKS ENGINEERING DIV						
DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36		ORANGE	DRAWING SCALE:		
CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION	COUNTY PROJECT	NTS		
APPROVED BY: Daynes	DRAWING FILE:	RANGE:	29	ORLANDO, FLORIDA 32839-9205 (407) 836-7940		PROJECT NUMBER		
	8285 Lake Ave. Transfer	SHEET 2	OF 2		GOVERNMENT	8285		

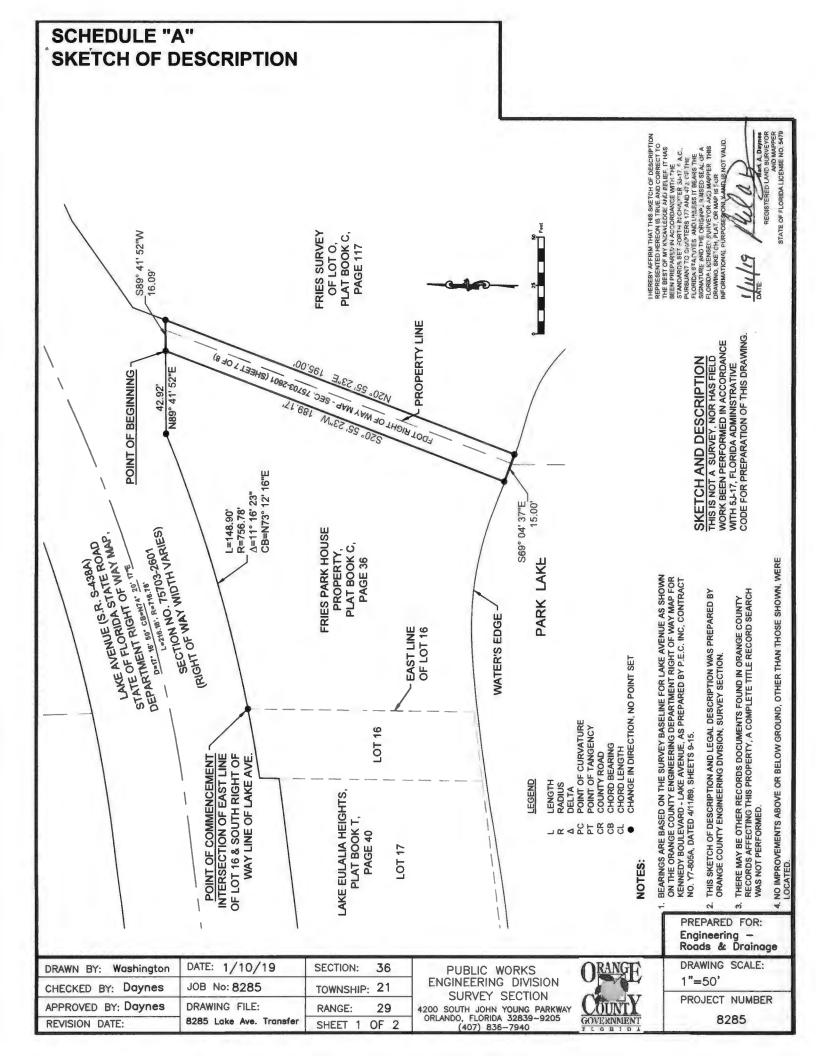


That parcel of land lying in Section 36, Township 21 South, Range 29 East, Orange County, Florida, as recorded in Official Record Book 4201 page 3578 of the Public Records of Orange County, Florida; being a portion of Lots 18 and 19 of Lake Eulalia Heights according to the plat thereof as recorded in Plat Book T, page 40 of the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at a point lying on the East line of Lot 20, at it's intersection with the existing South right of way line of Lake Avenue according to the State of Florida State Road Department Right of Way Map, Section No. 75703-2601, State Road S-438A, Orange County, Florida; thence run S 00°47'10" W along said East line for a distance of 10.09 feet to a point lying at the intersection of the West line of Lot 19 and said South right of way line; thence run N 82°58'42" E along said South right of way line for a distance of 73.12 feet to the Point of Beginning; thence departing said South right of way line, run S 00°47'10" W for a distance of 98.44 feet; thence run S 89°12'50" E for a distance of 15.00 feet; thence run N 00°47'10" E for a distance of 100.49 feet to a point lying on said South right of way line; thence run S 82°58'42" W for a distance of 15.14 feet to the Point of Beginning.

Containing 1,491.95 square feet, more or less.

		1				
PREPARED FOR: Roads &	ORAN	IGE C	COUNTY PUBLIC WORKS	ENGINEER	RING DIVISION	
DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36		ORANGE	DRAWING SCALE:
CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION		NTS
APPROVED BY: Daynes	DRAWING FILE:	RANGE:	29	4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	GOVERNMENT	PROJECT NUMBER
	8285 Lake Ave. Transfer	SHEET 2	OF 2			8285



That parcel of land lying in Section 36, Township 21 South, Range 29 East, Orange County, Florida, as recorded in State Road Plat Book 1, Page 94 of the Public Records of Orange County, Florida; being more particularly described as follows:

Commence at a point lying on the East line of Lot 16, at it's intersection with the existing South right of way line of Lake Avenue according to the State of Florida State Road Department Right of Way Map, Section No. 75703-2601, State Road S-438A, Orange County, Florida; said point being a point of curvature of a curve concave to the North, having a radius of 756.78 feet, a central angle of 11°16'23", and a chord bearing N 73°12'16" E; thence run Northeasterly along the arc of said curve for a distance of 148.90 feet; thence run N 89°41'52" E along said South right of way line for a distance of 42.92 feet to the Point of Beginning; thence departing said right of way line, run S 20°55'23" W for a distance of 189.17 feet; thence run S 69°04'37" E for a distance of 15.00 feet; thence run N 20°55'23" E for a distance of 195.00 feet to a point lying on the South right of way line of Lake Avenue; thence run S 89°41'52" W along said South right of way line for a distance of 16.09 feet to the Point of Beginning.

Containing 2,881.31 square feet, more or less.

PREPARED FOR: Roads &	ORAN	GE C	OUNTY PUBLIC WORKS	ENGINEER	RING DIVISION	
DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36		ORANGE	DRAWING SCALE:
CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION		NTS
APPROVED BY: Daynes	DRAWING FILE:	RANGE:	29	ORLANDO, FLORIDA 32839-9205 (407) 836-7940	VOUMI	PROJECT NUMBER
	8285 Lake Ave. Transfer	SHEET 2	OF 2		GOVERNMENT	8285

# Project: Interlocal Agreement between Orange County and the City of Maitland regarding the Transfer of Lake Avenue between East South Street and South Orlando Avenue

#### COUNTY DEED

THIS DEED, dated MAY 2 1 2019 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 the CITY OF MAITLAND, a municipal corporation, under the laws 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 \$1.00 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 SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

Unassigned

THIS COUNTY DEED is being given in accordance with the Interlocal Agrccment between Orange County and the City of Maitland regarding the transfer of Lake Avenue between East South Street and South Orlando Avenue.

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.

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.]

Project: Interlocal Agreement between Orange County and the City of Maitland regarding the Transfer of Lake Avenue between East South Street and South Orlando Avenue

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 aforesaid.



ATTEST: Phil Diamond, CPA, County Comptroller, Clerk to the Board

Deput Clerk

Katie Smith

Printed Name

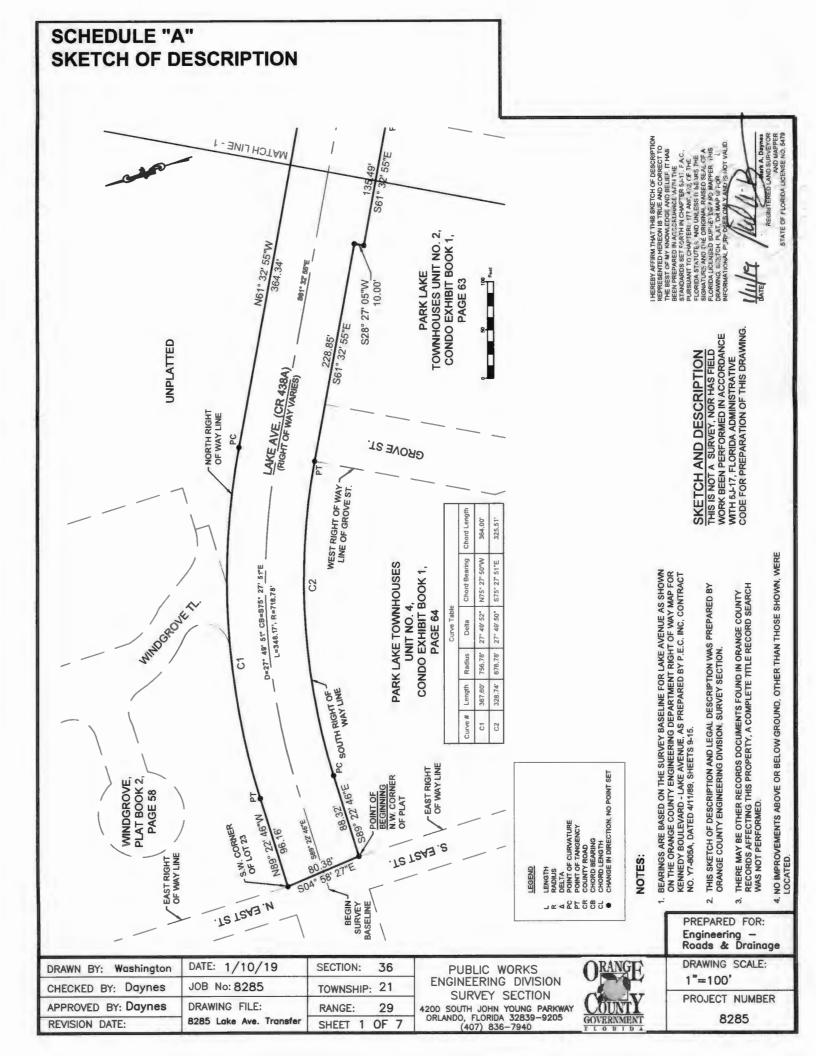
**ORANGE COUNTY, FLORIDA** By Board of County Commissioners

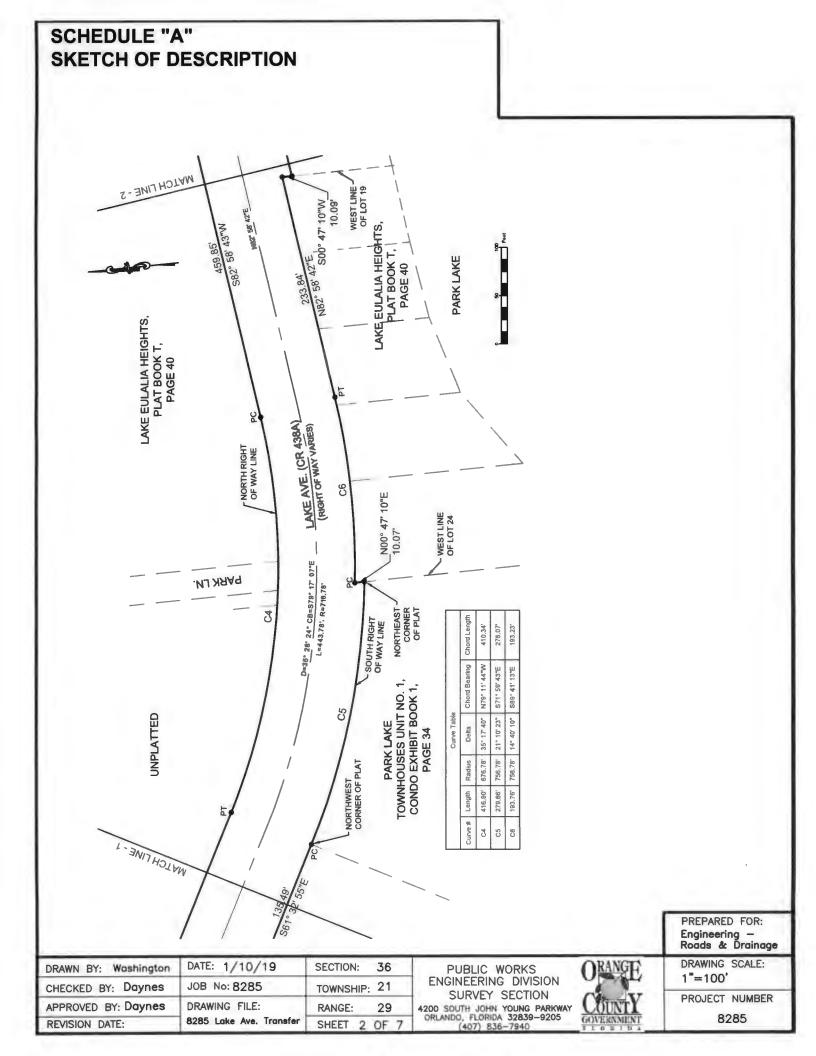
BY:

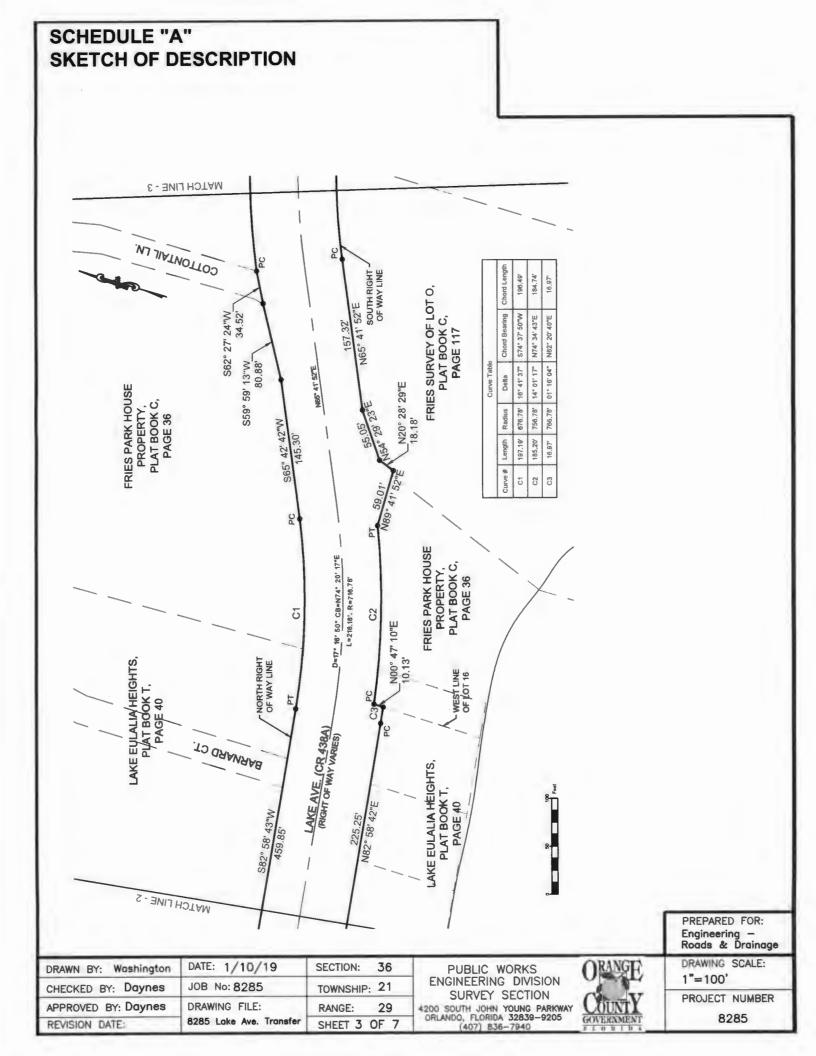
Jarry L. Demings, Orange County Mayor

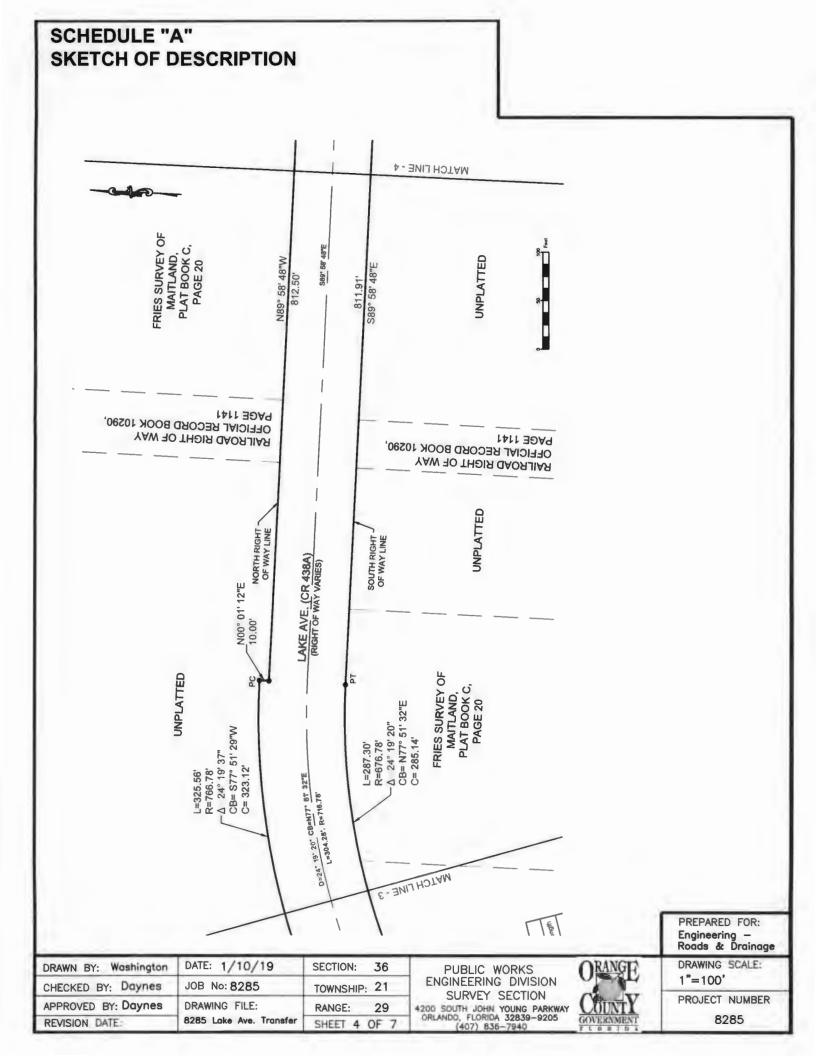
DATE: 21 May 19

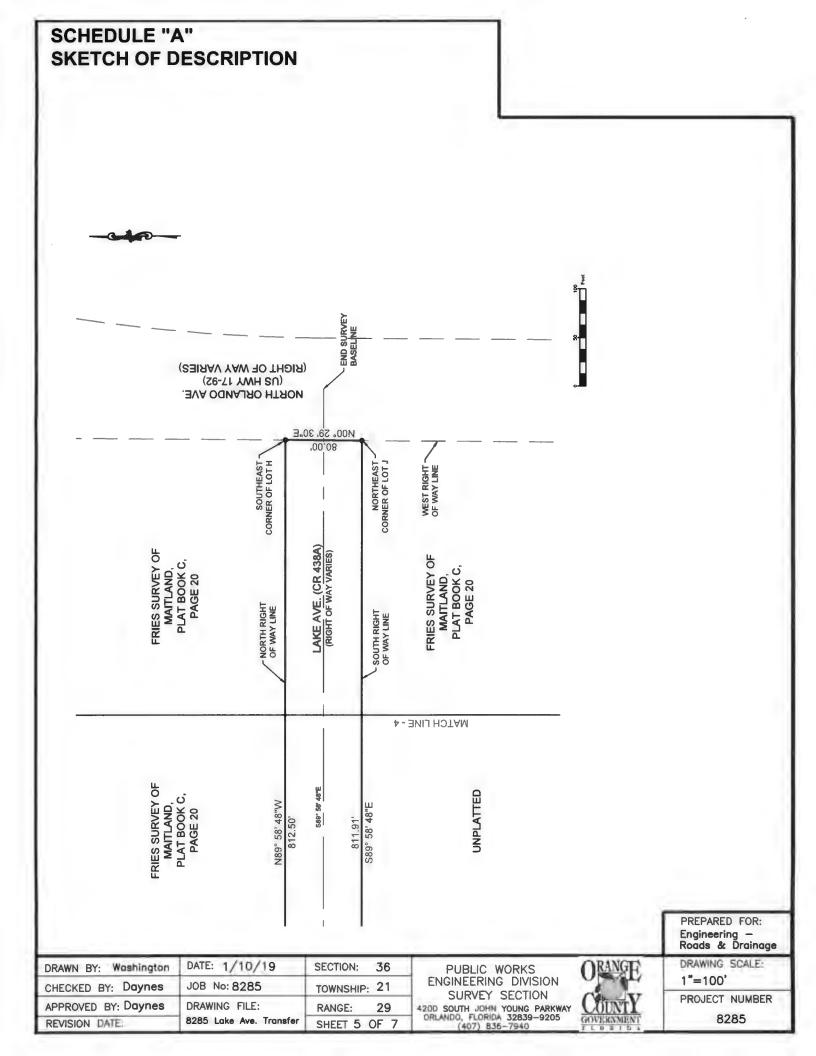
s:\jprinsell\agrcnt\county deed for ila with city of maitland for transfer of lake avenue - 04-19-19.docx











All that existing and monumented right of way of Lake Avenue lying East of East Street and West of North Orlando Avenue, also known as US Highway 17-92, lying in Section 36, Township 21 South, Range 29 East, Orange County, Florida, being more particularly described as follows:

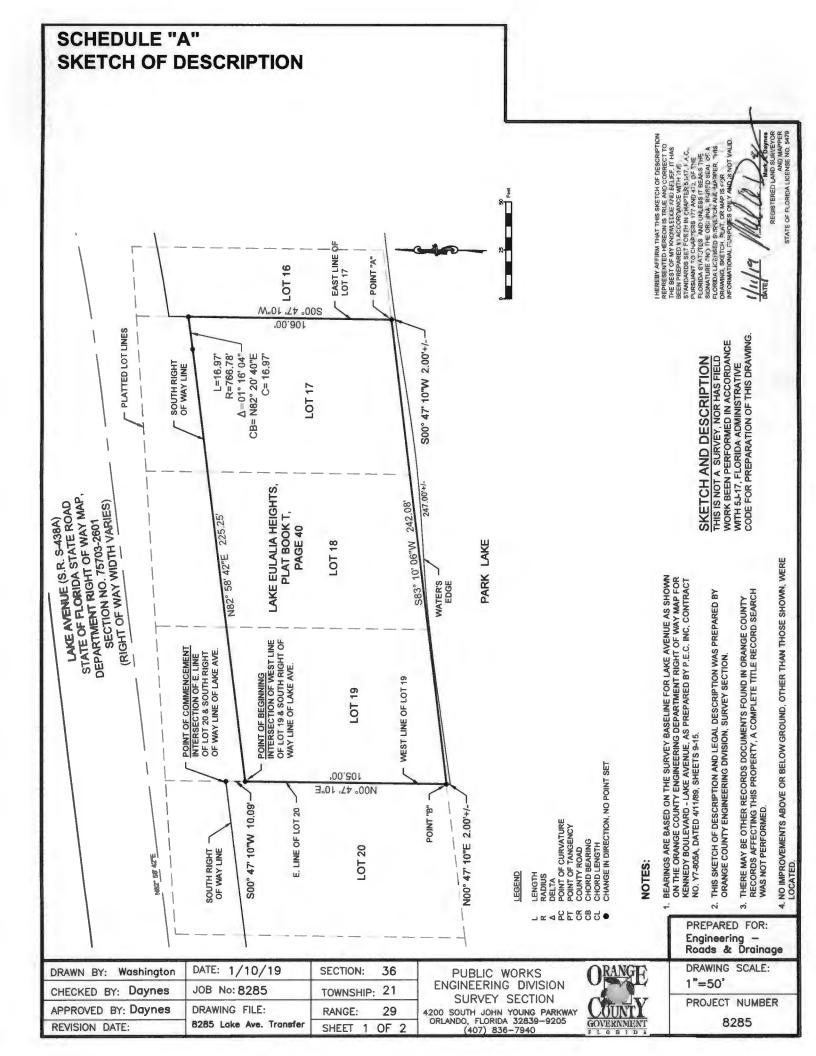
Begin at the Northwest corner of the plat of PARK LAKE TOWNHOUSES UNIT NO. 4, as recorded in Condominium Exhibit Book 1, Page 64 of the Public Records of Orange County, Florida, said point also lying on the East right of way line of South East Street; thence run S 89°22'46" E along the South right of way line for a distance of 88.32 feet to a point of curvature of a curve concave to the South having a radius of 676.78 feet, a chord bearing of S 75°27'51" E, and a central angle of 27°49'50"; thence run Easterly along the arc of said curve for a distance of 328.74 feet to a point of tangency; said point lying on the West right of way line of Grove Street, as shown on said plat; thence run S 61°32'55" E for a distance 228.85 feet; thence run S 28°27'05" W for a distance of 10.00 feet; thence run S 61°32'55" E for a distance 135.49 feet to a point of curvature of a curve concave to the North: said point also being the Northwest corner of the plat of PARK LAKE TOWNHOUSES UNIT NO. 1, as recorded in Condominium Exhibit Book 1, Page 34 of the Public Records of Orange County, Florida; said curve having a radius of 756.78 feet, a chord bearing of S 71°59'43" E, and a central angle of 21°10'23"; thence run Southeasterly along the arc of said curve for a distance of 279.66 feet to the Northeast corner of said plat; said point also lying on the West line of Lot 24 of the plat of LAKE EULALIA HEIGHTS, as recorded in Plat Book T, Page 40 of the Public Records of Orange County, Florida; thence run N 00°47'10" E along said West line for a distance of 10.07 feet to a point of curvature of a curve concave to the North; said curve having a radius of 756.78 feet, a chord bearing of S 89°41'13" E, and a central angle of 14°40'10"; thence run Easterly along the arc of said curve for a distance of 193.76 feet to a point of tangency; thence run N 82°58'42" E for a distance of 233.84 feet to a point lying on the West line of Lot 19 of said plat; thence run S 00°47'10" W along said West line for a distance of 10.09 feet: thence run N 82°58'42" E for a distance of 225.25 feet to a point of curvature of a curve concave to the North; said curve having a radius of 766.78 feet, a chord bearing of N 82°20'40" E, and a central angle of 01°16'04"; thence run Easterly along the arc of said curve for a distance of 16.97 feet to a point lying on the West line of Lot 16 of said plat; thence run N 00°47'10" E along said West line for a distance of 10.13 feet to a point of curvature of a curve concave Northerly; said curve having a radius of 756.78 feet, a chord bearing of N 74°34'43" E, and a central angle of 14°01'17"; (see next page)

PREPARED FOR: Roads &	ORAN	GE C	OUNTY PUBLIC	WORKS	ENGINEER	ING DIVISION	
DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36			ORANGE	DRAWING SCALE:
CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION			NTS
APPROVED BY: Daynes	DRAWING FILE:	RANGE:	29	4200 SOUTH JOHN YOUNG PARKWA ORLANDO, FLORIDA 32839-9205 (407) 836-7940	39-9205	<u>UDUNTI</u>	PROJECT NUMBER
	8285 Lake Ave. Transfer	SHEET 6	OF 7			GOVERNMENT	8285

thence run Northeasterly along the arc of said curve for a distance of 185.20 feet; thence run N 89°41'52" E for a distance of 59.01 feet; thence run N 20°28'29" E for a distance of 18.18 feet: thence run N 54°29'23" E for a distance of 55.05 feet; thence run N 65°41'52" E for a distance of 157.32 feet to a point of curvature of a curve concave to the South having a radius of 676.78 feet; said curve also having a chord bearing of N 77°51'32" E. a central angle of 24°19'20"; thence run Easterly along the arc of said curve for a distance of 287.30 feet to a point of tangency; thence run S 89°58'48" E for a distance of 811.91 feet to a point lying on the West right of way line of North Orlando Avenue (US Highway 17-92); said point also being the Northeast corner of Lot J of the plat of FRIES SURVEY OF MAITLAND, as recorded in Plat Book C, Page 20 of the Public Records of Orange County, Florida; thence departing said South right of way line, run N 00°29'30" E for a distance of 80.00 feet to a point lying on the North right of way line of Lake Avenue, said point also lying on the West right of way line of North Orlando Avenue (US Highway 17-92); said point also being the Southeast corner of Lot H of said plat; thence run N 89°58'48" W along said North right of way line for a distance of 812.50 feet; thence run N 00°01'12"E for a distance of 10.00 feet to a point of curvature lying on a curve concave to the South; said curve having a radius of 766.78 feet, a chord bearing of S 77°51'29" W, and a central angle of 24°19'37"; thence run Southwesterly along the arc of said curve for a distance of 325.56 feet; thence run S 62°27'24" W for a distance of 34.52 feet; thence run S 59°59'13" W for a distance of 80.88 feet; thence run S 65°42'42" W for a distance of 145.30 feet to a point of curvature of a curve concave Northerly; said curve having a radius of 676.78 feet, a chord bearing of S 74°37'50" W, and a central angle of 16°41'37"; thence run Westerly along the arc of said curve for a distance of 197.19 feet; thence run S 82°58'43" W for a distance of 459.85 feet to a point of curvature of a curve concave to the North; said curve having a radius of 676.78 feet, a chord bearing of N 79°11'44" W, and a central angle of 35°17'40"; thence run Northwesterly along the arc of said curve for a distance of 416.90 feet to a point of tangency; thence run N 61°32'55" W for a distance of 364.34 feet to a point of curvature of a curve concave to the South; said curve having a radius of 756.78 feet, a chord bearing of N 75°27'50" W, and a central angle of 27°49'52"; thence run Westerly along the arc of said curve for a distance of 367.60 feet to a point of tangency; thence run N 89°22'46" W for a distance of 96.16 feet to a point lying on the East right of way line of North East Street; said point also being the Southwest corner of Lot 23 of the plat of WINDGROVE, as recorded in Plat Book 2, page 58 of the Public Records of Orange County, Florida; thence departing said right of way line, run S 04°58'27" E for a distance of 80.38 feet to the Point of Beginning.

PREPARED FOR: Roads &	Drainage Section	ORAN	GE C	OUNTY PUBLIC WORKS	ENGINEER	RING DIVISION
DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36		ORANGE	DRAWING SCALE:
CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY		NTS
APPROVED BY: Daynes	DRAWING FILE:	RANGE:	29	ORLANDO, FLORIDA 32839-9205 (407) 836-7940	VUUNI	PROJECT NUMBER
	8285 Lake Ave. Transfer	SHEET 7 OF 7			GOVERNMENT F & G K I D A	8285

Containing 6.3 acres, more or less.

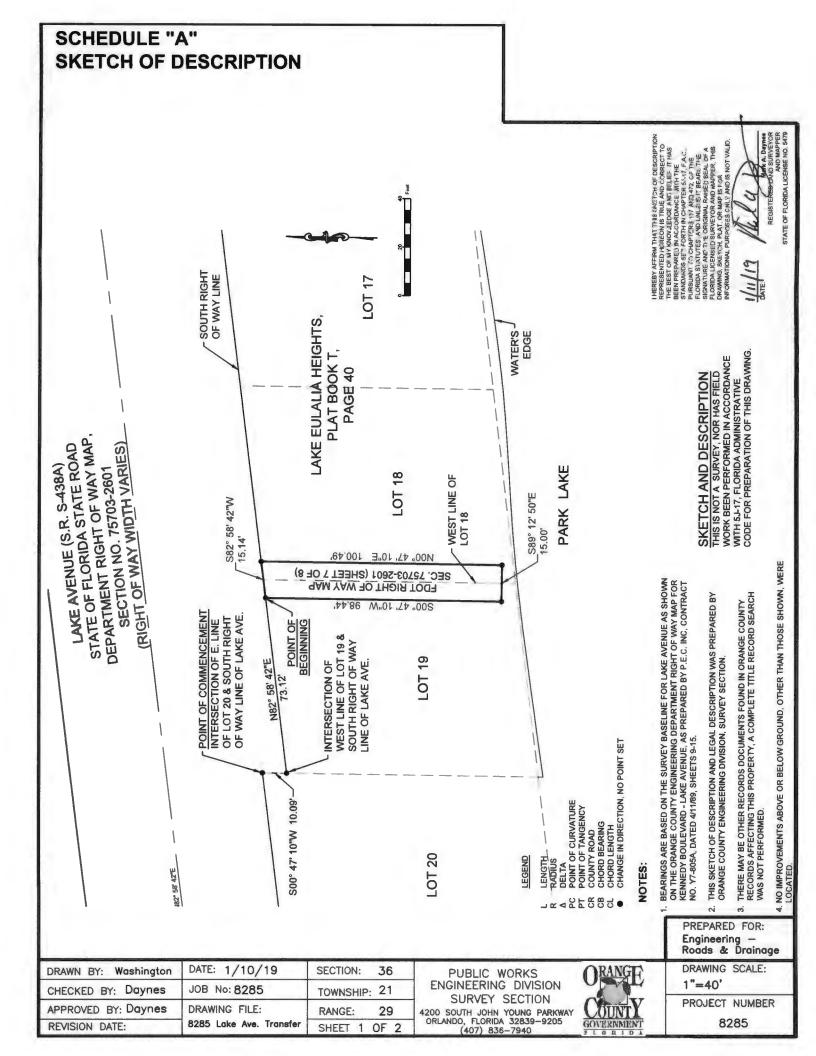


That parcel of land lying in Section 36, Township 21 South, Range 29 East, Orange County, Florida, as recorded in Official Record Book 4201 page 3578 of the Public Records of Orange County, Florida; being a portion of Lots 17, 18 and 19 of LAKE EULALIA HEIGHTS according to the plat thereof as recorded in Plat Book T, page 40 of the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at a point lying on the East line of Lot 20, at it's intersection with the existing South right of way line of Lake Avenue according to the State of Florida State Road Department Right of Way Map, Section No. 75703-2601, State Road S-438A, Orange County, Florida; thence run S 00°47'10" W along said East line for a distance of 10.09 feet to the Point of Beginning; said point also being the intersection of the West line of Lot 19 and said South right of way line; thence run N 82°58'42" E along said South right of way line for a distance of 225.25 feet to a point of curvature concave Northwesterly; thence run Northeasterly along said curve having a radius of 766.78 feet, a central angle of 01°16'04", an arc length of 16.97 feet, a chord length of 16.97 feet, and a chord bearing of N 82°20'40" E to a point on the East line of Lot 17; thence run S 00°47'10" W along said East line for a distance of 106.00 feet to a point lying N 00°47'10" E, a distance of 2.00 feet more or less from the water's edge of Park Lake, said point herein referred to as point "A"; thence continue along said East line S 00°47'10" W for a distance of 2.00 feet more or less to the water's edge of Park Lake; thence run Westerly along said water's edge 247.00 feet more or less to the West line of Lot 19; thence run N 00°47'10" E along said West line 2.00 feet more or less to a point herein referred to as point "B", said point lying S 83°10'06" W, a distance of 242.08 feet from aforesaid point "A"; thence continue N 00°47'10" E along said West line of Lot 19 for a distance of 105.00 feet to the Point of Beginning.

Containing 25,292.34 square feeet or 0.58 acres, more or less.

PREPARED FOR: Roads &	Drainage Section	ORAN	IGE C	OUNTY PUBLIC WORKS	ENGINEER	ING DIVISION			
DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36		ORANGE	DRAWING SCALE:			
CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY		NTS			
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 29		ORLANDO, FLORIDA 32839-9205 (407) 836-7940	COUNTY	PROJECT NUMBER			
	8285 Lake Ave. Transfer	SHEET 2	OF 2	(,	F L D K I D A	8285			

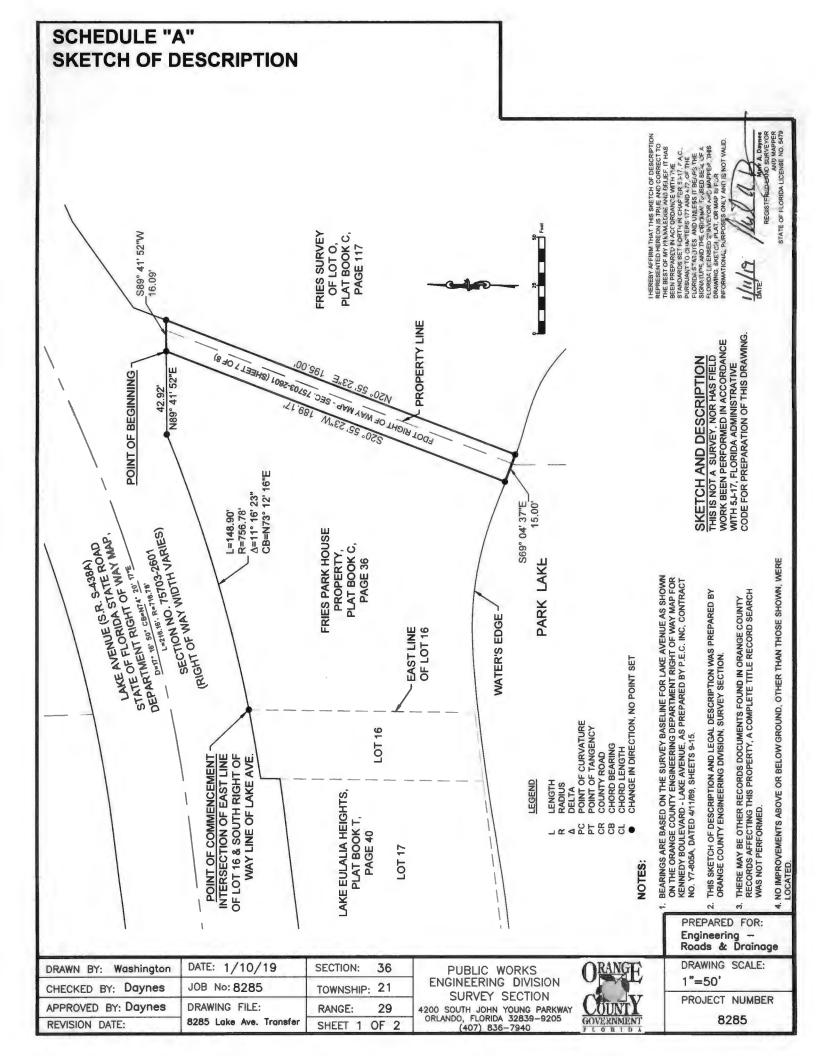


That parcel of land lying in Section 36, Township 21 South, Range 29 East, Orange County, Florida, as recorded in Official Record Book 4201 page 3578 of the Public Records of Orange County, Florida; being a portion of Lots 18 and 19 of Lake Eulalia Heights according to the plat thereof as recorded in Plat Book T, page 40 of the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at a point lying on the East line of Lot 20, at it's intersection with the existing South right of way line of Lake Avenue according to the State of Florida State Road Department Right of Way Map, Section No. 75703-2601, State Road S-438A, Orange County, Florida; thence run S 00°47'10" W along said East line for a distance of 10.09 feet to a point lying at the intersection of the West line of Lot 19 and said South right of way line; thence run N 82°58'42" E along said South right of way line for a distance of 73.12 feet to the Point of Beginning; thence departing said South right of way line, run S 00°47'10" W for a distance of 98.44 feet; thence run S 89°12'50" E for a distance of 15.00 feet; thence run N 00°47'10" E for a distance of 100.49 feet to a point lying on said South right of way line; thence run S 82°58'42" W for a distance of 15.14 feet to the Point of Beginning.

Containing 1,491.95 square feet, more or less.

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PREPARED FOR: Roads &	ORAN	ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION					
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CHECKED BY: Daynes	JOB No:8285	TOWNSHIP:	21	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY		NTS	
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	8285 Lake Ave. Transfer	SHEET 2	OF 2	(+07) 000-7940		8285	



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Containing 2,881.31 square feet, more or less.

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DRAWN BY: Washington	DATE: 1/10/19	SECTION:	36		ORANGE	DRAWING SCALE:
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