

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

FEB 24 2004 TD/GG

A 2548 37

RESOLUTION

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**ACCEPTANCE OF CERTAIN REAL PROPERTY
FROM THE STATE OF FLORIDA
BY AND THROUGH
THE FLORIDA DEPARTMENT OF TRANSPORTATION**

Resolution No. 2004- M-06

WHEREAS, Orange County is a charter county and political subdivision of the State of Florida; and

WHEREAS, the State of Florida, by and through its Department of Transportation, owns certain real property in Orange County as described in **Exhibit "A"** attached hereto (the "Property"), and desires to convey all of its right, title and interest in the Property to Orange County pursuant to Section 335.25 of the Florida Statutes (2003), provided the Property is used solely for public purposes; and

WHEREAS, Orange County desires to accept the Property pursuant to a quitclaim deed substantially in the form attached hereto as **Exhibit "B"**; and

WHEREAS, Orange County intends to use the Property as a public park and boat ramp to provide the public with access to the St. Johns River, and all attendant recreational and educational experiences, including but not limited to boating, fishing, wildlife viewing, picnicking, and all reasonably related activities (collectively, the "Purposes"), all of which will benefit the public.

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

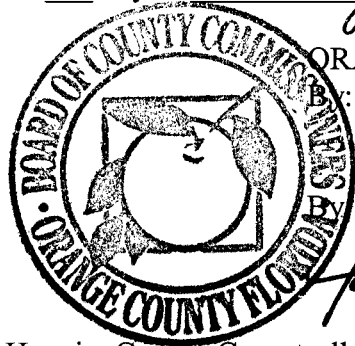
1. The Orange County Board of County Commissioners (the "Board") hereby determines that it is in the public interest to accept the Property from the Florida Department of Transportation pursuant to the aforementioned quitclaim deed and that such conveyance shall be deemed accepted by Orange County upon receipt of said deed.

42 2. The Board hereby determines that it shall use the Property for the aforementioned
42 Purposes.


44 3. The Board hereby directs that a certified copy of this Resolution shall be forwarded
44 forthwith to the District Five Secretary of the Florida Department of Transportation.

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

46 ADOPTED this 27 day of February, 2004.



48 ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

50 
52 Richard T. Crotty
54 County Chairman

56 ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

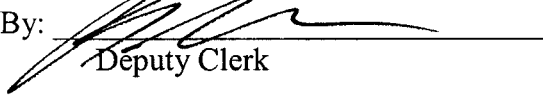
58 By: 
60 Deputy Clerk

EXHIBIT "A"

PARCEL NO. 105

SECTION 75060-2511

ALL of those lands lying Southerly of the Southerly right of way line for State Road 50 and described in Official Records Book 524, Page 175, Public Records of Orange County, Florida, more particularly described as follows:

"Description No. 1

Beginning at a point 300 feet West of the west edge of concrete floor of Bridge crossing the east channel of the St. John's River on State Road 50 in the SE $\frac{1}{4}$ of Section 29, Township 22 South, Range 34 East and on the south right of way of said State Road No. 50 run thence West along said right of way line 600 feet; thence South 600 feet, more or less to the East channel of the St. John's River; thence Southeasterly along the East channel to a point due South of point of beginning; thence North 900 feet, more or less to point of beginning.

Description No. 2

Beginning at a point 900 feet West of the West edge on concrete floor of Bridge crossing the East channel of the St. John's River on State Road No. 50 in the SE $\frac{1}{4}$ of Section 29, Township 22 South, Range 34 East and on the South right of way of said State Road No. 50; run thence West along said right of way line 600 feet; thence South 600 feet, more or less to the East channel of the St. John's River; thence Southeasterly along the East channel to a point due South of the point of beginning; thence North 600 feet, more or less to the point of beginning."

EXHIBIT "B"

26-SPD02 07/02

This instrument prepared by,
or under the direction of,
J.L. REINOSO, P.L.S.

Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

COUNTY ORANGE
SECTION 75060-2511
STATE ROAD 50
PARCEL NO. 105

QUITCLAIM DEED
Public Purpose

THIS INDENTURE, Made this _____ by and between the STATE OF FLORIDA by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose address is 719 South Woodland Blvd., DeLand, FL 32720, to ORANGE COUNTY, a political subdivision of the State of Florida, Party of the Second Part, whose address is P.O. Box 1393, Orlando, Florida 32802.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore acquired for state highway purposes; and

WHEREAS, said land is no longer required for such purposes, and the Party of the First Part, by action of the District Secretary, District Five, Florida Department of Transportation on _____, pursuant to the provisions of Section 337.25 Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part in consideration, that it used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the State of Florida Department of Transportation to the property herein described to be used solely for public purposes, pursuant to the provisions of Section 337.25, Florida Statutes, all that certain land situate in Orange County, Florida, viz:

(SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF)

PARCEL NO. 105
SECTION 75060-2511
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SUBJECT to all Utilities in place and in use to the maintenance thereof.

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Five and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ATTEST: _____

By: _____

(Type/print name)
Executive Secretary

(Type/print name)
District Five Secretary

(Affix Department Seal)

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____, by Michael Snyder, P.E., District Secretary for District Five, who is personally known to me, or who has produced _____ as identification.

(Type/print name)
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____

(Affix Notary Seal)

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CONDITIONS:

All rights of access from adjoining property owned by the Party of the First Part and all rights of light, air, and view are hereby reserved to the Party of the First Part. In addition, if, at any time, Party of the Second Part abandons the property, ceases use of the property for public purposes, or attempts to convey the property to any other person or entity (other than another governmental entity for public purpose use), all right, title and interest in and to the property shall automatically revert to the Party of the First Part. The Party of the Second Part, by acceptance of this deed, further agrees that in the event that any of the property is ever needed for transportation purposes by the Party of the First Part, it will reconvey, without compensation, any such property needed.