

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
AUG 23 2005 *ju/BB*

# RESOLUTION

*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*regarding*  
**AUTHORIZING THE EXCHANGE  
OF CERTAIN REAL PROPERTY OF THE COUNTY'S  
FOR RECEIPT OF REAL PROPERTY FROM DARYL M.  
CARTER, AS TRUSTEE UNDER THE PROVISIONS OF AN  
UNRECORDED LAND TRUST AGREEMENT EFFECTIVE AS  
OF FEBRUARY 27, 2001, AND KNOWN AS CARTER-  
SOUTHMEADOW LAND TRUST, OR ITS SUCCESSORS  
AND/OR ASSIGNS**

**Resolution No. 2005- M-24**

**WHEREAS**, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power and Section 125.37, Florida Statutes (2004), has authority to determine that certain real property is not needed for County purposes and to exchange said property for other real property; and

**WHEREAS**, the County is the owner of real property described in Exhibit "A" attached hereto and made a part hereof (the "County Property") comprising approximately .683 acres of land valued at \$50,500.00; and

**WHEREAS**, Pizzuti Land/Cornerstone LLC, an Ohio limited liability company (the "Developer"), as successor in title to Daryl M. Carter, Trustee of the Southmeadow Land Trust, owns certain real property described in Exhibit "B" attached hereto and made a part hereof (the "Developer's Property") comprising approximately .491 acres of land valued at \$50,000.00; and

**WHEREAS**, Orange County and Developer wish to exchange their respective properties with each other, subject to the terms and conditions herein and as provided herein; and

**WHEREAS**, this exchange is intended for the mutual benefit of the County and the Developer in that it shall enable the Developer to prepare for the establishment of a desirable manufacturing operation on what is now the County Property while providing the County greater utilities access on what is now the Developer's Property; and

**WHEREAS**, it is contemplated that this exchange will proceed in tandem with the Developer's petition that the County vacate certain adjacent right-of-way.

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

**COMMISSIONERS OF ORANGE COUNTY, FLORIDA:**

*Section 1.* The Orange County Board of County Commissioners (the "Board") finds that the County Property is no longer needed for County purposes and that it is in the best interest of the County to exchange the County Property for the Developer's Property on the terms herein provided.

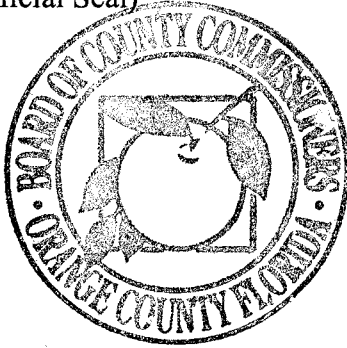
*Section 2.* The Real Estate Management Division is authorized and directed to perform all functions necessary and proper to effectuate the exchange of the County Property for the Developer's Property.

*Section 3.* The Orange County Mayor or his designee is hereby authorized and directed to execute and deliver all instruments necessary for the conveyance of the County Property and to accept the Developer's Property on behalf of the County.

*Section 4.* This Resolution shall take effect immediately upon adoption by the Board.

ADOPTED by the Board of County Commissioners of Orange County, Florida, this  
23 day of August, 2005.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Richard T. Crotty*  
Richard T. Crotty  
Orange County Mayor

Date: 8.25.05

ATTEST: Martha O. Haynie, Orange County  
Comptroller, as Clerk of the Board  
of County Commissioners

By: *[Signature]*  
Deputy Clerk

**EXHIBIT "A"**

**Legal Description of County Property**

# LEGAL DESCRIPTION

(THIS IS NOT A SURVEY)

## LEGAL DESCRIPTION

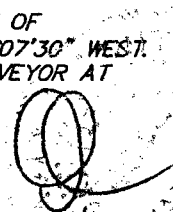
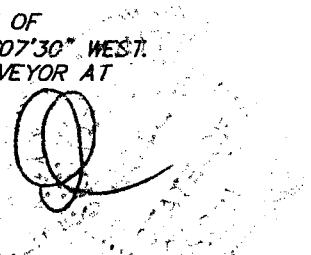
A TRACT OF LAND LYING ON THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 29 EAST, BEING A PORTION OF COUNTY ROAD #527 (ORANGE AVENUE) ACCORDING TO OFFICIAL RECORDS BOOK 6061, PAGE 4745 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 26 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 00°07'30" WEST, ALONG THE EAST LINE OF SAID SECTION 26, A DISTANCE OF 1140.13 FEET; THENCE, DEPARTING SAID EAST LINE, RUN NORTH 89°52'30" WEST, 416.03 FEET TO A POINT OF BEGINNING, SAID POINT LIES ON THE ORIGINAL WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 527 (ORANGE AVENUE), PER STATE ROAD PLAT BOOK 2, PAGES 65-80; THENCE RUN SOUTH, ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING COURSES: SOUTH 08°26'26" EAST, 163.57 FEET; THENCE RUN SOUTH 01°38'47" WEST, 60.66 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID ORIGINAL WEST RIGHT-OF-WAY LINE AND SAID CURVE, HAVING A RADIUS OF 683.20 FEET, A CENTRAL ANGLE OF 40°26'04", AN ARC LENGTH OF 482.15 FEET, A CHORD LENGTH OF 472.20 FEET AND A CHORD BEARING OF SOUTH 19°08'01" WEST TO A POINT LYING ON THE PROPOSED EASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 527 (ORANGE AVENUE), SAID POINT ALSO LIES ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND SAID CURVE, HAVING A RADIUS OF 1336.23 FEET, A CENTRAL ANGLE OF 12°15'22", AN ARC LENGTH OF 285.83 FEET, A CHORD LENGTH OF 285.29 FEET AND A CHORD BEARING OF NORTH 14°46'40" EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH 08°38'59" EAST, ALONG SAID PROPOSED EASTERLY RIGHT-OF-WAY LINE, 397.22 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN THE CITY OF ORLANDO, ORANGE COUNTY, FLORIDA AND CONTAINS 0.663 ACRES, MORE OR LESS.

### SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE EAST LINE OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 29 EAST, BEING SOUTH 00°07'30" WEST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.

DAVID A. WHITE, P.S.M.  
FLORIDA REGISTRATION NO. 4044  
PROFESSIONAL ENGINEERING CONSULTANTS, INC.  
CERTIFICATE OF AUTHORIZATION NO. LB-3556  
DATE OF SIGNATURE: MAY 31, 2005

SHEET 1 OF 2

**PEC** | PROFESSIONAL ENGINEERING CONSULTANTS, INC.  
engineers                      planners                      surveyors

Suite 1560 Eola Park Centre 200 East Robinson Street Orlando, Florida 32801 407/422-8062

SECTION 26, TOWNSHIP 24 SOUTH, RANGE 29 EAST

DATE: MAY 25, 2005	PREP BY: S.E.J.	DRAWN BY: J.L.M.	XL-001
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**LEGAL DESCRIPTION**  
(THIS IS NOT A SURVEY)



SCALE  
1" = 100'

NOT PLATTED

S00°07'30"W  
1140.13'

**P.O.C.**  
NE. CORNER  
SEC. 26-24-29

COUNTY ROAD No. 527  
(ORANGE AVENUE)  
(R/W VARIES)

P.O.B.

PROPOSED R/W LINE  
N08°38'59"E

0.663 ACRES ±

ORIGINAL WEST R/W LINE  
OF ORANGE AVENUE  
PER S.R. P.B. 2, PGS. 65-80

R=1336.23'  
Δ=1275'22"  
L=285.83'  
C=285.29'  
CB=N14°46'40"E

R=683.20'  
Δ=40°26'04"  
L=482.15'  
C=472.20'  
CB=S19°08'07"W

NOT PLATTED

N89°52'30"W 416.03'

EASTERLY R/W LINE  
OF ORANGE AVENUE  
(O.R.B. 6061, PG. 4745)

SUB STATION  
(O.R.B. 4888, PG. 3087)

CITY OF ORLANDO  
UTILITY EASEMENT  
(O.R.B. 1838, PG. 953)

UTILITY EASEMENT  
(O.R.B. 4888, PG. 3061)  
(O.R.B. 4888, PG. 3094)

EAST LINE, NE. 1/4, SECTION 26-24-29

- LEGEND**
- P.O.C.....POINT OF COMMENCEMENT
  - P.O.B.....POINT OF BEGINNING
  - SEC.....SECTION
  - R/W.....RIGHT-OF-WAY
  - O.R.B.....OFFICIAL RECORDS BOOK
  - PG.....PAGE
  - R.....RADIUS
  - Δ.....CENTRAL ANGLE
  - L.....ARC LENGTH
  - C.....CHORD LENGTH
  - C.B.....CHORD BEARING
  - PT.....POINT OF TANGENCY
  - S.R.....STATE ROAD
  - PB.....PLAT BOOK

SHEET 2 OF 2

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES.

**PEC** PROFESSIONAL ENGINEERING CONSULTANTS, INC.  
engineers planners surveyors

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SECTION 26, TOWNSHIP 24 SOUTH, RANGE 29 EAST

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PREP BY: S.E.J.

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XL-001

O:\EXCEL\LEGAL 5.dwg May 31, 2005 - 3:03pm

**EXHIBIT "B"**

**Legal Description of Developer's Property**

**LEGAL DESCRIPTION**

(THIS IS NOT A SURVEY)

**LEGAL DESCRIPTION**

A TRACT OF LAND LYING ON THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 29 EAST, BEING DESCRIBED AS FOLLOWS:

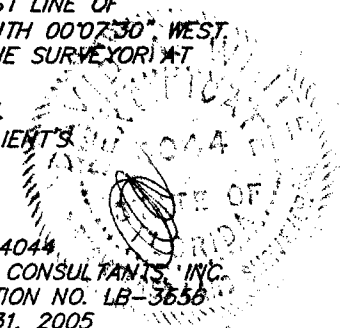
COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 26 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 00°07'30" WEST, ALONG THE EAST LINE OF SAID SECTION 26, A DISTANCE OF 1119.23 FEET; THENCE, DEPARTING SAID EAST LINE, RUN NORTH 89°52'30" WEST, 175.00 FEET TO A POINT OF BEGINNING; THENCE RUN SOUTH 00°07'30" WEST, 72.50 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4888, PAGE 3087 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89°49'35" WEST, ALONG THE NORTH LINE OF SAID LANDS, 100.00 FEET TO THE NORTHWEST CORNER OF SAID LANDS, DESCRIBED IN OFFICIAL RECORDS BOOK 4888, PAGE 3087 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 00°07'30" WEST, ALONG THE WEST LINE OF SAID LANDS, 140.00 FEET TO THE NORTH LINE OF A CITY OF ORLANDO UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1838, PAGE 953 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89°49'35" WEST, ALONG SAID NORTH LINE, 53.33 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 527 (ORANGE AVENUE), SAID POINT LYING ON A CURVE CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND SAID CURVE, HAVING A RADIUS LENGTH OF 749.20 FEET, A CENTRAL ANGLE OF 05°10'56", AN ARC LENGTH OF 67.76 FEET, A CHORD LENGTH OF 67.74 FEET AND A CHORD BEARING OF NORTH 05°51'11" WEST TO THE POINT OF TANGENCY; THENCE RUN NORTH 08°26'39" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 146.62 FEET; THENCE, DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°49'35" EAST, 182.23 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 0.491 ACRES, MORE OR LESS.

**SURVEYOR'S NOTES:**

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
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CERTIFICATE OF AUTHORIZATION NO. LB-3656  
DATE OF SIGNATURE: MAY 31, 2005



SHEET 1 OF 2

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SECTION 26, TOWNSHIP 24 SOUTH, RANGE 29 EAST

DATE: MAY 25, 2005

PREP BY: S.E.J.

DRAWN BY: J.L.M.

XL-001

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**LEGAL DESCRIPTION**  
(THIS IS NOT A SURVEY)

**LEGEND**

P.O.C.....POINT OF COMMENCEMENT  
 P.O.B.....POINT OF BEGINNING  
 P.O.T.....POINT OF TERMINUS  
 SEC.....SECTION  
 R/W.....RIGHT-OF-WAY  
 O.R.B.....OFFICIAL RECORDS BOOK  
 PG.....PAGE

S.R.....STATE ROAD  
 P.B.....PLAT BOOK  
 R.....RADIUS  
 Δ.....CENTRAL ANGLE  
 L.....ARC LENGTH  
 C.....CHORD LENGTH  
 C.B.....CHORD BEARING

**P.O.C.**  
 NE. CORNER  
 SEC. 26-24-29

SCALE  
 1" = 40'

PROPOSED R/W LINE

ORIGINAL WEST R/W LINE  
 OF ORANGE AVENUE  
 PER S.R. P.B. 2, PGS. 65-80

COUNTY ROAD NO. 527  
 (ORANGE AVENUE)  
 (R/W VARIES)

N08°26'39"W LINE  
 EASTERLY R/W LINE  
 OF ORANGE AVENUE  
 (O.R.B. 6061, PG. 4745)

TRACT "C" EASEMENT  
 (O.R.B. 4336, PG. 133)

N89°49'35"E

NOT PLATTED

182.23'

N89°52'30"W  
 175.00'

S00°07'30"W  
 1119.23'

0.491 ACRES.±

TRACT "B" EASEMENT  
 (O.R.B. 4336, PG. 133)

NORTH LINE  
 (O.R.B. 4888, PG. 3087)

S89°49'35"W 100.00'

NE. CORNER  
 (O.R.B. 4888, PG. 3087)

S00°07'30"W 72.50'  
 P.O.B.

EAST LINE, NE. 1/4, SECTION 26-24-29

NW. CORNER  
 (O.R.B. 4888, PG. 3087)

S00°07'30"W 140.00'

WESTERLY LINE  
 (O.R.B. 4888, PG. 3087)

NOT PLATTED

SUB STATION  
 (O.R.B. 4888, PG. 3087)

R=749.20'  
 Δ=05°10'56"  
 L=67.76'  
 C=67.74'  
 CB=N05°51'11"W

53.33'

NORTH LINE, CITY OF ORLANDO  
 UTILITY EASEMENT  
 (O.R.B. 1838, PG. 953)

S89°49'35"W 135' WIDE  
 CITY OF ORLANDO  
 UTILITY EASEMENT  
 (O.R.B. 1838, PG. 953)

UTILITY EASEMENT  
 (O.R.B. 4888, PG. 3061)  
 (O.R.B. 4888, PG. 3094)

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES.

SHEET 2 OF 2

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