

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 18 2006 *STW/BS*

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
AUTHORIZING THE EXCHANGE OF CERTAIN COUNTY PROPERTY
INTERESTS
FOR RECEIPT OF OTHER REAL PROPERTY INTERESTS

Resolution No. 2006-M-43

WHEREAS, Orange County, a charter county a political subdivision of the State of Florida, pursuant to its home rule power and Section 125.37, Florida Statutes (2005), 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 that certain property described at **Exhibit "A"**, attached hereto and incorporated herein, such property being a portion of a former rail right-of-way also formerly known as County Road 13 (unopened) (the "County Property"); and

WHEREAS, the owner of certain land adjacent to the County Property is Robert A. Wagner, as Trustee of the Robert A. Wagner Revocable Trust dated June 3, 1993, David E. Axel, and Louis P. Tulp, as Trustees of that Louis P. Tulp Trust dated March 12, 2001 (hereinafter jointly referred to as "Owner"); and

WHEREAS, the County entered into that certain *Agreement to Consider Vacating, Closing and Conveying a Portion of County Road 13 In Exchange for Conveyance of Frontage on Lake Pickett Road and County Road 419*, approved by the Board of County Commissioners October 4, 2005 (the "Agreement") with Owner; and

WHEREAS, the Agreement provides that the Board of County Commissioners will consider a measure to vacate the County Property, and if approved, thereafter convey the County Property to Owner in exchange for Owner's conveyance of certain other real property as

described in the Agreement and which description is attached hereto as **Exhibit "B"**, attached hereto and incorporated herein (the "Owners' Property"); and

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

COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

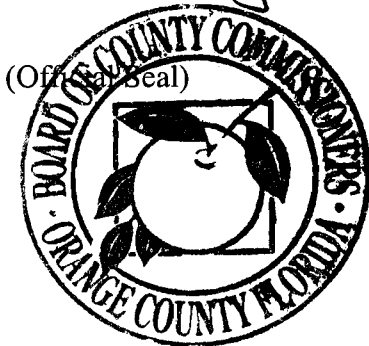
Section 1. The Orange County Board of County Commissioners (the "Board") finds that the County Property is no longer needed for County purposes and such property may to the best interest of the County be exchanged for the Owners' Property, such finding, however, is contingent upon the Board's approval of the vacation hereinabove referenced.

Section 2. The Real Estate Management Division is authorized and directed to do all things necessary and proper to effectuate the terms of the exchange, such authorization and direction, however, is contingent upon the Board's approval of the vacation hereinabove referenced.

Section 3. This Resolution shall take effect upon adoption by the Board.

ADOPTED by the Board of County Commissioners of Orange County, Florida, this

18th day of July, 2006.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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

Date: 7-19-06

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

By: Martha O. Haynie
Deputy Clerk

Exhibit "A"

MAP SHOWING SKETCH OF:
OLD RIGHT OF WAY IN A PART OF
SECTION 9, TOWNSHIP 22 SOUTH, RANGE 32 EAST,
ORANGE COUNTY, FLORIDA

Legal Description:

Commence at the south 1/4 corner of Section 9, Township 22 South, Range 32 East, Orange County, Florida; thence run N89°40'19"E along the south line of said Section 9, 776.82' to the west right of way line of Old State Road 13 and the Point of Beginning; thence run along said west right of way line N18°31'50"W, 1,399.15' to the north line of the southwest 1/4, of the southeast 1/4 of said Section 9; thence run along said north line N89°02'24"E, 104.89' to the east line of said Old State Road 13; thence run along said east line S18°31'50"E, 1,400.37' to said south line of Section 9; thence run along said south line S89°40'19"W, 105.27' to the Point of Beginning.

Said lands lying in Orange County, Florida, containing 3.2 acres more or less.

NOTE:

1. BEARINGS BASED ON ASSUMED N89°40'19"E ALONG S. LINE, SECTION 9.
2. NOT ABSTRACTED FOR EASEMENTS OR RIGHT OF WAYS OF RECORD.
3. THIS IS NOT A SURVEY

CERTIFICATION: WE DO HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION IS IN COMPLIANCE WITH APPLICABLE MINIMUM TECHNICAL STANDARDS SET FORTH BY FLORIDA ADMINISTRATIVE CODE 61 G 17-6

SEE SHEET 2 FOR MAP

ALD II, INC.
PROFESSIONAL LAND SURVEYING

5850 LAKEHURST DRIVE SUITE 150-33
ORLANDO, FLORIDA 32819
TEL (407) 352-7181
FAX 298-6630

LB #6529

BY:

Gary A. Burden
GARY A. BURDEN
FLORIDA REGISTRATION NO. 3691

DATE

5-31-05

SCALE 1" = 400 FEET

DRAWN BY GJS

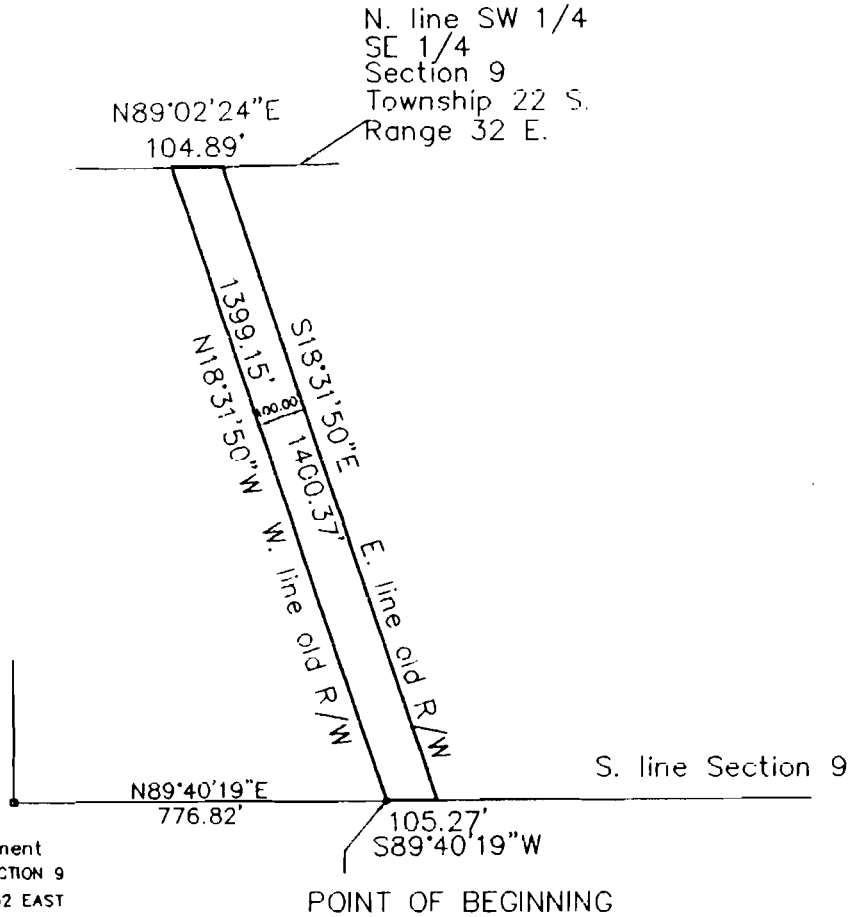
REVISIONS 5-31-05

JOB NUMBER

02075N03

Exhibit "A"

MAP SHOWING SKETCH OF:
 OLD RIGHT OF WAY IN A PART OF
 SECTION 9, TOWNSHIP 22 SOUTH, RANGE 32 EAST,
 ORANGE COUNTY, FLORIDA



R/W DENOTES RIGHT OF WAY

SEE SHEET 1 FOR LEGAL

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	JOB NUMBER	
DRAWN BY	GJS	02075N03
REVISIONS		

Exhibit "B"

MAP SHOWING SKETCH OF:
RIGHT OF WAY IN A PART OF
SECTION 9, TOWNSHIP 22 SOUTH, RANGE 32 EAST,
ORANGE COUNTY, FLORIDA

Legal Description:

A portion of Section 9, Township 22 South Range 32 East, ore particularly described as follows. The west 50 feet of the southwest 1/4 of the southeast 1/4, (less right of way and the north 50 feet thereof. And the west 50 feet of the southeast 1/4 of the southwest 1/4, lying east of road right of way, Section 9, Township 22 South, Range 32 East. Orange County, Florida.

Also Known As;

A portion of Section 9, Township 22 South Range 32 East, more particularly described as follows. Commence at the south quarter corner of said Section 9; thence N89°55'06"W, along the south line of said Section 9, 209.53' to the Point of Beginning; thence continue N89°55'06"W, 52.52' to the east right of way line of State Road S-419; thence run along said east right of way line, N17°54'58"E, 759.21' to a point of curvature of a curve concave to the west; thence run along said curve having a radius of 2,904.93', a delta of 11°11'26", a chord bearing of N12°19'15"E, an arc distance of 567.37' to a point on a line 50.00' south of and parallel to the north line of the southwest 1/4, of the southeast 1/4, of said Section 9; thence run along said line N89°27'01"E, 50.40' to a point on a curve, concave to the west; thence run along said curve having a radius of 2954.93', a delta of 11°18'52", a chord bearing of S12°15'32"W, an arc distance of 583.52' to a point of tangency; thence S17°54'58"W, 743.12' to the Point of Beginning. Said lands lying in Orange County, Florida, containing 1.52 acres more or less.

NOTE:

1. BEARINGS BASED ON ASSUMED S89°20'02"W ALONG N. LINE SE 1/4, SECTION 9.
2. NOT ABSTRACTED FOR EASEMENTS OR RIGHT OF WAYS OF RECORD.
3. THIS IS NOT A SURVEY

CERTIFICATION: WE DO HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION IS IN COMPLIANCE WITH APPLICABLE MINIMUM TECHNICAL STANDARDS SET FORTH BY FLORIDA ADMINISTRATIVE CODE 61 G 17-6

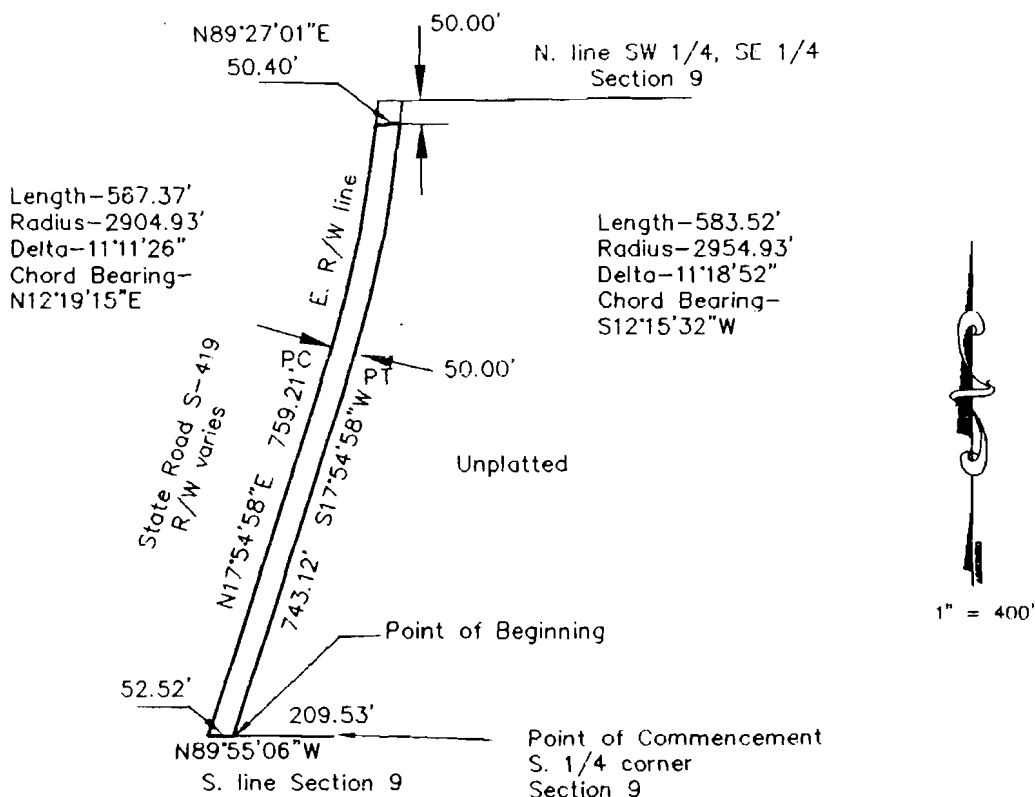
SEE SHEET 2 FOR MAP

BY: *Gary A. Burden* 5-31-05
GARY A. BURDEN DATE
FLORIDA REGISTRATION NO. 3691

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SCALE	1" = 400 FEET	JOB NUMBER 02075TR
DRAWN BY	GJS	
REVISIONS	5-31-05	

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RIGHT OF WAY IN A PART OF
SECTION 9, TOWNSHIP 22 SOUTH, RANGE 32 EAST,
ORANGE COUNTY, FLORIDA



FDOT DENOTES FLORIDA DEPARTMENT OF TRANSPORTATION
 R/W DENOTES RIGHT OF WAY
 PC DENOTES POINT OF CURVATURE
 PT DENOTES POINT OF TANGENCY

SEE SHEET 1 FOR LEGAL

ALD II, INC.

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REVISIONS

Exhibit "B"

MAP SHOWING SKETCH OF:
RIGHT OF WAY IN A PART OF
SECTION 9, TOWNSHIP 22 SOUTH, RANGE 32 EAST,
ORANGE COUNTY, FLORIDA

Legal Description:

A portion of Section 9, Township 22 South, Range 32 East, more particularly described as follows.

Commence at the East 1/4 corner of said Section 9; thence run S00°18'55"E, 30.00' to the south right of way line of Lake Pickett Road; thence run S89°20'02"W along said south right of way, 161.66' to a point on a curve concave to the southeast; thence run a long said curve having a radius of 1,090.00', a delta of 41°35'26", a chord bearing of S60°46'35"W an arc distance of 791.22' to a point of tangency; thence run S39°58'52"W, 740.09' to a point of curvature of a curve concave to the northwest; thence run along said curve having a radius of 1,190.00', a delta of 32°48'04", a chord bearing of S56°22'54"W an arc distance of 681.26' to a point of compound curvature of a curve concave to the northwest and the Point of Beginning; thence run along said curve having a radius of 1,190.00', a chord bearing of S81°06'59"W, a delta of 16°40'05", an arc distance of 346.18' to a point of tangency, thence S89°27'01"W, 357.40' to a point on the east right of way line of State Road S-419, as shown on right of way map Section No. 7567-250 and a curve concave to the west; thence run along said curve having a radius of 2,904.93', a delta of 00°59'30", an arc distance of 50.27' on a chord bearing of N05°25'32"E to the south line of the northwest 1/4, of the southeast 1/4 of said Section 9; thence along said line N89°27'01"E, 693.49' to the Point of beginning.

LESS:

abandoned Florida East Florida East Coast Railroad right of way, per Florida Department of Transportation right of way map Section 7567-250, dated 2/10/58.

Said lands lying in Orange County, Florida, containing 0.54 acres more or less.

NOTE:

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