

JUN 02 1992 AA/S.D

Upon a motion by Commissioner Butler
seconded by Commissioner Marston and
carried with County Chairman Chapin and
all commissioners present and voting AYE
RESOLUTION NO. 92-M-25 by voice vote; the
Board adopted the following:

A RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY PROPERTY
TO CITY OF ORLANDO, FLORIDA PER FLORIDA STATUTE 125.38.

WHEREAS, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power and Florida Statute 125.38 has authority to determine that certain County property is not needed for County purposes and convey or lease said property to the United States or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of Florida or any corporation or non-profit entity organized for the purposes of promoting community interest and welfare;

WHEREAS, application has been made by the City of Orlando, Florida, a municipal corporation (hereinafter referred to as the "applicant") and on April 7, 1992 by Resolution No. 92-M-13, the Board approved the conveyance of a permanent drainage easement and a temporary construction easement in connection with Phase I of the Vineland Road Widening Project (from Cypress Creek Drive to Conroy Road). The applicant has now informed the Board that the request for a permanent drainage easement was in error and that a right-of-way deed is the appropriate conveyance required for the applicant's purposes. The applicant requests that the permanent drainage easement previously approved be declared null and void and that a right-of-way deed encompassing the same area of land be approved.

WHEREAS, the Board of County Commissioners determines that the applicant is qualified to take application pursuant to the requirements of Florida Statutes 125.38;

WHEREAS, the Board finds that the property described in Exhibit "A", attached hereto and incorporated herein by reference, (hereinafter referred to the "property") is no longer needed for County purposes;

WHEREAS, the Board, pursuant to its home rule power and those powers expressly granted in Florida Statute 125.38, finds that it is in the best interest of the residents of Orange County to allow the property to be used for the following purposes: a right-of-way in connection with Phase I of the Vineland Road Widening Project (from Cypress Creek Drive to Conroy Road).

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA that the property shall be conveyed pursuant to right-of-way deed to applicant for the following consideration: \$1.00.

BE IT FURTHER RESOLVED that the County shall execute a right-of-way deed in substantially the form attached hereto and incorporated herein by reference as Exhibit "B".

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded forthwith to applicant.

ADOPTED THIS 2nd DAY OF June, 1992.

ORANGE COUNTY, FLORIDA

BY: *Walter Butler*
Vice County Chairman

DATE: JUN 02 1992

FOR THE COUNTY CHAIRMAN

ATTEST: Martha O. Haynie, County Comptroller,
Clerk to the Board

BY: *P. G. M. Stephens*
Asst. Deputy Clerk

pssp/051392

This instrument prepared by:

Elizabeth B. Price, a staff employee
in the course of duty with the
Real Estate Management Department
of Orange County, Florida.

EXHIBIT "A"

110

DESCRIPTION:

That part of Section 17, Township 23 South, Range 29 East, Orange County, Florida, described as follows:

BEGIN at the intersection of the West Right-of-Way line of Orlando-Vineland Road with the South Right-of-Way line of Shingle Creek (140' R/W), thence run N 54°18'35" W along said South Right-of-Way line for a distance of 40.02 feet; thence run N 33°54'43" E for a distance of 140.07 feet; thence run S 54°18'35" E along the North Right-of-Way line of said Shingle Creek (140' R/W) for a distance of 40.02 feet; thence run S 33°54'43" W along said West Right-of-Way line of Orlando-Vineland Road (60' R/W) for a distance of 140.07 feet to the POINT OF BEGINNING.

Containing 5603 square feet (0.129 acres) more or less and being subject to any rights-of-way, restrictions and easements of record.

RIGHT - OF - WAY DESCRIPTION
CITY OF ORLANDO, FLORIDA

Exhibit "A"



DONALD W. McINTOSH ASSOCIATES INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 644-4068

DRAWN BY: KEU
DATE: 9/26/91

CHECKED BY: RL
DATE: _____

JOB NO.
91109 0035

SCALE

SHEET 2
OF 2

RIGHT-OF-WAY DEED

THIS INDENTURE, made this _____ day of _____ 1992, by and between **ORANGE COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is: 201 S. Rosalind Avenue, Orlando, Florida 32801, hereinafter referred to as "Grantor", and the **CITY OF ORLANDO, FLORIDA**, a municipal corporation duly created and existing under and by virtue of the laws of the State of Florida, situated in Orange County, Florida, hereinafter referred to as "Grantee", whose address is 400 South Orange Avenue, Orlando, Florida 32801:

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations in hand paid to the Grantor by the Grantee, the receipt and sufficiency of which is hereby acknowledged, said Grantor does hereby grant and convey to the Grantee, its successors and assigns, a permanent Right-of-Way easement over, through and under that certain piece, parcel or tract of real estate situated in the County of Orange, State of Florida, more particularly described as:

**SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE.**

The easement granted is more particularly described as the right and privilege of the Grantee to construct or create roadway improvements, over, through or under the above-described tract of land, with the privilege of entering upon said land for the purpose of maintaining, operating and repairing said improvements, together with the rights, easements, privileges and appurtenances in or to said land which may be required for the full enjoyment of the rights herein granted. The easement, rights and privileges granted herein shall be perpetual.

The Grantor hereby covenants with the Grantee and warrants that it is lawfully seized of said land in fee simple; that it has good, right and lawful authority to sell and convey the said easement, and that the real property described above is free of all liens, mortgages and encumbrances of every kind except for real property taxes not delinquent.

EXHIBIT "B" PAGE 2 OF 3 PAGES

IN WITNESS WHEREOF, the Grantor has set its hand and seal the day and year first above written.

GRANTOR - ORANGE COUNTY, FLORIDA

By: _____
Thomas Wilkes
County Administrator

ATTEST:

As

Print Name

STATE OF FLORIDA)
COUNTY OF ORANGE)

PERSONALLY appeared before me, the undersigned authority, THOMAS WILKES and _____, the County Administrator and _____ respectively, of Orange County, Florida, to me well known and known to be the persons described in and who executed the foregoing instrument on behalf of Orange County, Florida, and who acknowledged before me that they executed the same for the uses and purposes therein expressed, that they were duly authorized so to do, and that they did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, A.D., 1992.

Notary Public

Name typed or printed
My Commission Expires:

This Instrument Prepared By:
Roy K. Payne
Assistant City Attorney
CITY OF ORLANDO
400 South Orange Avenue
Orlando, Florida 32801
(407)246-2295

110

DESCRIPTION:

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 ENGINEERS PLANNERS SURVEYORS
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 644-4068

DRAWN BY: KEU
 DATE: 9/26/91

CHECKED BY: RL
 DATE: _____

JOB NO. _____
 DATE: 9/10/91 0035

SCALE _____

SHEET 2
 OF 2

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING
JUN 02 1992 AA/SD

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING
JUN 02 1992 AA/SD

RIGHT-OF-WAY DEED

THIS INDENTURE, made this 2nd day of June 1992, by and between **ORANGE COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is: 201 S. Rosalind Avenue, Orlando, Florida 32801, hereinafter referred to as "Grantor", and the **CITY OF ORLANDO, FLORIDA**, a municipal corporation duly created and existing under and by virtue of the laws of the State of Florida, situated in Orange County, Florida, hereinafter referred to as "Grantee", whose address is 400 South Orange Avenue, Orlando, Florida 32801:

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations in hand paid to the Grantor by the Grantee, the receipt and sufficiency of which is hereby acknowledged, said Grantor does hereby grant and convey to the Grantee, its successors and assigns, a permanent Right-of-Way easement over, through and under that certain piece, parcel or tract of real estate situated in the County of Orange, State of Florida, more particularly described as:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

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The Grantor hereby covenants with the Grantee and warrants that it is lawfully seized of said land in fee simple; that it has good, right and lawful authority to sell and convey the said easement, and that the real property described above is free of all liens, mortgages and encumbrances of every kind except for real property taxes not delinquent.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Board, acting by the County Chairman, the day and year aforesaid.

(Official Seal)

ORANGE COUNTY, FLORIDA

BY: Mable Butler
VICE County Chairman
FOR THE COUNTY CHAIRMAN

ATTEST: Martha O. Haynie,
County Comptroller,
Clerk to the Board

BY: [Signature]
~~Deputy Clerk/Assistant~~
Deputy Clerk

DATE: JUN 0 2 1992

STATE OF FLORIDA)
COUNTY OF ORANGE)

PERSONALLY appeared before me, the undersigned authority, MABLE BUTLER and _____, the ~~the~~ County Chairman and _____ respectively, of Orange County, Florida, to me well known and known to be the persons described in and who executed the foregoing instrument on behalf of Orange County, Florida, and who acknowledged before me that they executed the same for the uses and purposes therein expressed, that they did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 9th day of June, A.D., 1992.

[Signature]
Notary Public

Lorraine ARMSTRONG
Printed Name
My Commission Expires:

(Official Seal)

Notary Public, State of Florida
My Commission Expires Feb. 21, 1995
Bonded Thru Troy Fain - Insurance Inc.

06/05/92bp

This instrument prepared by:

Elizabeth B. Price, a staff employee
in the course of duty with the
Real Estate Management Department
of Orange County, Florida

2-24-2001

110

DESCRIPTION:

That part of Section 17, Township 23 South, Range 29 East, Orange County, Florida, described as follows:

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JOB NO. 91103 0035

SCALE _____

SHEET 2
OF 2