

DEC 14 2004 JWS

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

**AUTHORIZATION TO ENTER
AIRSPACE LEASE WITH FDOT
FOR CADY WAY TRAIL BRIDGE OVER S.R. 436**

Resolution No. 2004-M-50

WHEREAS, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power, has authority to lease real property for public purposes; and

WHEREAS, Orange County intends to design and construct a bridge spanning State Road 436 within the area described in Exhibits "A" and "B" attached hereto and made a part hereof by this reference; and

WHEREAS, the purpose of said bridge is to connect Cady Way recreational trail on either side of S.R. 436 and to conduct pedestrian and non-motorized vehicular traffic, which, the Board of County Commissioners declares to be in the public interest; and

WHEREAS, the Florida Department of Transportation requires that Orange County, as a condition of receiving permission to construct and maintain the bridge on FDOT's right-of-way, must enter into a lease of the airspace the bridge is to occupy.

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

34 1. The Board hereby determines that design, construction and maintenance of the
36 Cady Way bridge over S.R. 436 will provide the necessary connection for the recreational trail
without exposing its users to the dangers of an at-grade intersection, and that the uses and means
of the recreational trail are in the public interest.

38 2. The Board hereby determines that it is in the public interest to enter into the
airspace lease attached hereto as Exhibit "B" with the FDOT in order to secure permission to
construct and maintain the bridge over S.R. 436.

40 3. The Board hereby directs the Chairman to execute the lease on behalf of the
County and to transmit it to FDOT for execution along with a certified copy of this Resolution.

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

ADOPTED this 14th day of December, 2004.



44 ORANGE COUNTY, FLORIDA
46 By: Board of County Commissioners

48 By: Richard T. Crotty
50 for County Chairman

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

56 By: Martha O. Haynie
Deputy Clerk

EXHIBIT "A"
PARCEL 821

PURPOSE : AERIAL EASEMENT

Description:

A portion of the Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 3, Township 22 South, Range 30 East, Orange County, Florida, being more particularly described as follows:


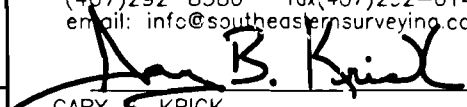
A rectangular prism, the top plane of which is a elevation 159.69 feet above mean sea level (NAD83/90), the bottom plane of which is at elevation 115.19 feet above mean sea level (NAD83/90), on the West right-of-way line of State Road No. 436 and the top plane of which is at elevation 159.85 feet above mean sea level (NAD 83/90), the bottom plane of which is at elevation 115.35 feet above mean sea level (NAD 83/90) on the East right-of-way line of State Road No. 436 :

Commence at the intersection of the existing Westerly right-of-way line of State Road No. 436 (Semoran Boulevard) and the Southerly right-of-way line of Cady Way Trail, said point being Station 540+23.42, 100.00 feet left, as shown on the Florida Department of Transportation Right-of-Way Map Section 75003-2514, dated September 5, 1991; thence N 66°45'24" E, along said Southerly right-of-way line a distance of 42.17 feet to the point of intersection of said Southerly right-of-way line and the Westerly right-of-way line of State Road No. 436; thence N 00°51'15" W along said Westerly right-of-way line of State Road No. 436 (Semoran Boulevard), said right-of-way being 61.00 feet West of and parallel with the centerline of survey, as shown on said Florida Department of Transportation Right-of-Way Map, a distance of 33.81 feet to the Point of Beginning; thence continue N 00°51'15" W along said Westerly right-of-way line a distance of 22.02 feet; thence N 71°39'45" E a distance of 139.44 feet to a point on the Easterly right-of-way line of said State Road No. 436; thence S 00°51'15" E along said Easterly right-of-way line, said line being 72.00 feet East of and parallel with said centerline of survey, a distance of 22.02 feet; thence S 71°39'45" W a distance of 139.44 feet to the Point of Beginning.

Containing 2,928 square feet more or less.

SURVEYORS NOTES:

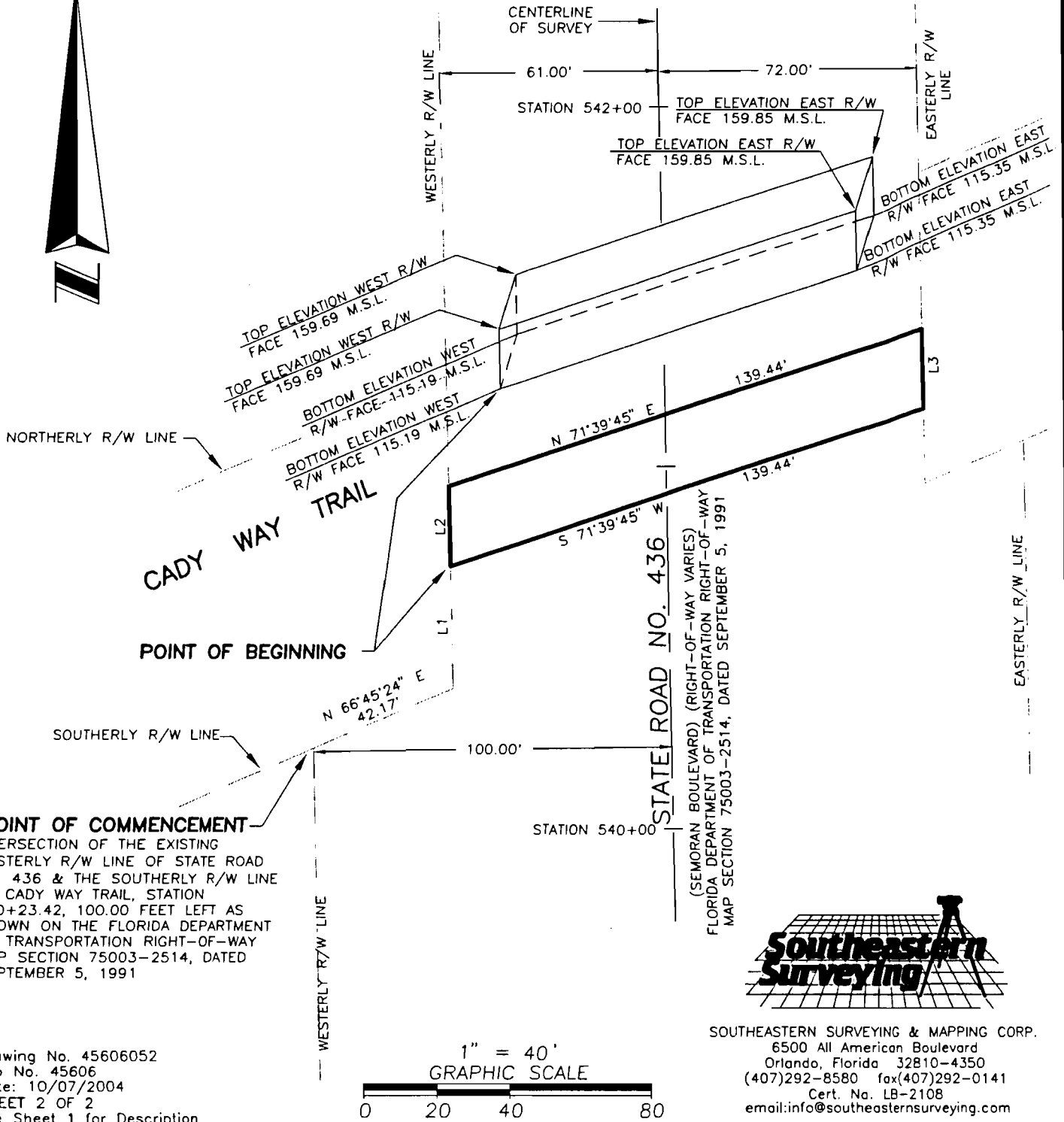
1. Bearings as shown hereon are based on the Westerly right-of-way line of State Road No. 436, being N 00°51'15" W, assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the original signature on raised seal of a Florida licensed surveyor and mapper.

DESCRIPTION FOR ORANGE COUNTY DEPARTMENT OF CAPITOL PROJECTS	Date: 10/07/2004 KR		CERT. NO. LB2108 45606051  SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 All American Boulevard Orlando, Florida 32810-4350 (407)292-8580 fax(407)292-0141 email: info@southeasternsurveying.com  GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245
	Job No.: 45606	Scale: 1"=40'	
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY. REVISED : OCTOBER 29, 2004		
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		

SKETCH OF DESCRIPTION

PARCEL 821
EXHIBIT "B"

LINE TABLE		
LINE	LENGTH	BEARING
L1	33.81'	N 00°51'15" W
L2	22.02'	N 00°51'15" W
L3	22.02'	S 00°51'15" E



POINT OF COMMENCEMENT
INTERSECTION OF THE EXISTING WESTERLY R/W LINE OF STATE ROAD NO. 436 & THE SOUTHERLY R/W LINE OF CADY WAY TRAIL, STATION 540+23.42, 100.00 FEET LEFT AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 75003-2514, DATED SEPTEMBER 5, 1991

STATE ROAD NO. 436
(SEMPORAN BOULEVARD) (RIGHT-OF-WAY VARIES)
FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY
MAP SECTION 75003-2514, DATED SEPTEMBER 5, 1991



SOUTHEASTERN SURVEYING & MAPPING CORP.
6500 All American Boulevard
Orlando, Florida 32810-4350
(407)292-8580 fax(407)292-0141
Cert. No. LB-2108
email:info@southeasternsurveying.com

Drawing No. 45606052
Job No. 45606
Date: 10/07/2004
SHEET 2 OF 2
See Sheet 1 for Description

