RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
Relating to
THE SALE TO THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY A TRACT OF LAND SOUTH OF THE WESTERN REGIONAL WATER SUPPLY FACILITY

Resolution No. 2006- M-71

WHEREAS, the County owns and operates a potable water production, storage, transmission, and distribution system in Orange County, Florida (herein collectively referred to as the “Water System”); and

WHEREAS, the County has in place that certain Western Regional Water Supply Facility located at 2552 Lakeville Road; and

WHEREAS, the Orlando-Orange County Expressway Authority (the Authority) is constructing the extension of Maitland Boulevard/John Land Apopka Expressway and requires right-of-way for this road segment; and

WHEREAS, the proposed alignment for the roadway will include approximately 16 acres of property owned by the County and used as the location of potable water lines; and

WHEREAS, the County and the Authority have agreed that the Authority shall purchase from the County the 16 acre tract currently comprising part of the Western Regional Water Supply Facility; and

WHEREAS, a price of $1,028,560.00 has been negotiated and will be paid by the Authority to the County for the 16 acre tract; and

WHEREAS, the County and the Authority have negotiated and this Board has approved a Utility Adjustment Agreement wherein the Authority agrees, at cost to the Authority, to encapsulate and protect potable water lines on the above tract; and

WHEREAS, the County has examined the assets to be sold to the Authority pursuant to the Sale Agreement, has examined the existing financial structure of the Water System, has examined the long-range needs and goals of the County relative to the provision of water service to its present and future citizens, and has determined that the sale of the 16 acre tract to the
Authority is in the public interest; and

WHEREAS, the sale of such Water System is subject to the requirements of Section 710 of Orange County Resolution No. 92-B-06 (the “Bond Resolution”), as supplemented and amended, securing the County’s Water Utilities System Revenue Refunding Bonds, Series 1998, and the County now intends by adoption of this Resolution to comply with such requirements.

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

Section 1. The Board of County Commissioners (the “Board”) has reviewed and considered the conditions of sale by the County to the Orlando-Orange County Expressway Authority of the 16 acre tract described above and described on Exhibit “1” of this Resolution. The Board has also reviewed and considered the written findings of the Director of Utilities attached as Exhibit “2” of this Resolution determining that one or more of the conditions for sale of utility system assets as set forth in Section 710 of the Bond Resolution have been met and the County hereby adopts, approves and concurs in such written findings set forth in Exhibit “2”.

Section 2. This Resolution shall take effect immediately upon its adoption.

THIS RESOLUTION IS ADOPTED THIS 5th DAY OF DECEMBER, 2006.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: [Signature]
Richard T. Crotty
Orange County Mayor

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

By: [Signature]
Deputy Clerk
LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF THAT CERTAIN PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 4072, PAGES 291 AND 293, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4" x 4" CONCRETE MONUMENT WITH A 2-1/2" BRASS DISC STAMPED "JONES, WOOD & GENTRY RLS 1585 RLS 1819 PRM 1977" MARKING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 26; THENCE SOUTH 89°55'53" EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 1,323.04 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 00°06'41" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STONE ROAD, A 60 FOOT RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 772, PAGE 164, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°06'41" EAST ALONG SAID WEST LINE, A DISTANCE OF 596.25 FEET TO A POINT ON A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 2,679.79 FEET AND A CHORD DISTANCE OF 417.18 FEET; THENCE DEPARTING SAID WEST LINE, FROM A CHORD BEARING OF SOUTH 83°47'06" EAST, RUN EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°55'43", AN ARC DISTANCE OF 417.60 FEET, THENCE DEPARTING SAID CURVE RUN NORTH 89°03'42" EAST, A DISTANCE OF 387.00 FEET; THENCE NORTH 87°45'02" EAST, A DISTANCE OF 102.82 FEET TO A POINT OF CURVATURE OF ACCORDING TO THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF STONE ROAD; THENCE DEPARTING SAID CURVE RUN NORTH 89°55'33" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 133.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 14.264 ACRES, MORE OR LESS.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY S.R. 414 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRU TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTINUED ON SHEET 2 OF 4

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.
LEGAL DESCRIPTION:
CONTINUED FROM SHEET 1 OF 4

PART "B"

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF THAT CERTAIN PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 4072, PAGES 291 AND 293, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4" x 4" CONCRETE MONUMENT WITH A 2-1/2" BRASS DISC STAMPED "JONES, WOOD & GENTRY RLS 1835 RLS 1819 PRM 1977" MARKING THE SOUTHWEST CORNER OF NORTHWEST QUARTER OF SECTION 26; THENCE SOUTH 89°55'53" EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 1,323.04 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 00°06'41" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STONE ROAD, A 60 FOOT RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 772, PAGE 164, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 89°55'53" EAST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 257.43 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE ATLANTIC COAST RAILROAD COMPANY RIGHT OF WAY, A 50 FOOT RIGHT OF WAY ACCORDING TO RIGHT OF WAY AND TRACK MAP VO2057 AND THE POINT OF BEGINNING, SAID POINT ALSO BEING A POINT ON A CURVE, CONCAVE SOUTHERLY, AND HAVING A RADIUS OF 1,407.39 FEET AND A CHORD DISTANCE OF 952.84 FEET; THENCE FROM A CHORD BEARING OF NORTH 89°20'56" EAST, RUN EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 39°34'22", AN ARC DISTANCE OF 972.05 FEET TO THE POINT OF TANGENCY THEREOF; THENCE SOUTH 71°51'53" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 92.20 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF STONE ROAD; THENCE NORTH 89°55'53" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1,040.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.560 ACRES, MORE OR LESS.

NOTES:

THIS SKETCH HAS BEEN PREPARED WITH THE BENEFIT OF CERTIFICATE OF TITLE INFORMATION NO. 04.00169 PREPARED BY FIRST AMERICAN TITLE COMPANY, EFFECTIVE DATE JULY 27, 2004.

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.
BEARING STRUCTURE BASED ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SEC. 26-21-28 BEING S89°53'43"E, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, N.A.D. 1983/1990 ADJUSTMENT.

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
STATE ROAD 414

BOWYER SINGLETON & ASSOCIATES, INCORPORATED
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL
520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801
(407) 843-5120

PARCEL 317
DRAWING DATE: 07/25/06
BEARING STRUCTURE BASED ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SEC.26-21-28 BEING S89°55'53"E, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, N.A.D.1983/1990 ADJUSTMENT.

**SECTION 26**
TOWNSHIP 21 SOUTH
RANGE 28 EAST
ORANGE COUNTY, FLORIDA

**SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.**

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS AS REQUIRED BY CHAPTER 561-H.G.F.A.C.

[Signature]

JOHN F. HARRIS, P.L.S.
LICENSE NUMBER: 4286

BOWYER SINGLETON & ASSOCIATES, INCORPORATED
ENGINEERING, PLANNING, SURVEYING, ENVIRONMENTAL

520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801
(407) 843-5120

DRAWING DATE: 07/25/06

CERTIFICATE OF AUTHORIZATION NO. LB 1221

ORLANDO-
ORANGE COUNTY EXPRESSWAY AUTHORITY

PARCEL 317

ORANGE COUNTY, FLORIDA

ATLANTIC COAST LINE RAILROAD
COMPANY RIGHT OF WAY - 50 R/W
PER RIGHT OF WAY AND TRACK MAP VO0057 (ALSO KNOWN AS FLORIDA CENTRAL RAILROAD)
November 28, 2006

TO: George Hart, Jr., Manager
Real Estate Management Division

FROM: Michael L. Chandler, Director
Utilities Department

SUBJECT: Surplus Property Declaration – Western Regional Water Supply Facility Site, Parts A & B on Stone Road, Identified as Parcel #317

The above referenced property located on Stone Road is the location of the Western Regional Water Supply Facility.

I have reviewed the documents related to the sale of Parts A containing 14.264 acres and B containing 1.560 acres, as described in the attachments to this memo, to the Orlando/Orange County Expressway Authority as Right of Way for the Maitland Extension Project. In accordance with the 1992 Water Utilities System Revenue Bonds Resolution 92-B-06, Article VIII, Section 710, Sale or Other Disposition of the Water Utilities System, I have determined that this property is not necessary for the operation of the Water Utilities System.

Therefore, please proceed with the sale of the above referenced property to the Orlando/Orange County Expressway Authority. The proceeds from the sale, $1,028,560.00 should be deposited in Revenue Account No. 4420-038-1300-6410 of the Water Utilities System.

Thank you for your assistance in this matter.

c: Daniel Allen, Deputy Director
Ron Nielsen, Manager, Utilities Fiscal & Administrative Support Division
Rick Wilson, Manager, Utilities Engineering Division
Jacqueline Torbert, Manager, Water Division
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CONTINUED ON SHEET 2 OF 4
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-210
RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION:

CONTINUED FROM SHEET 1 OF 4

PART "B"

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF THAT CERTAIN PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 4072, PAGES 291 AND 293, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 1.560 ACRES, MORE OR LESS.

NOTES:

THIS SKETCH HAS BEEN PREPARED WITH THE BENEFIT OF CERTIFICATE OF TITLE INFORMATION NO. 04.00169 PREPARED BY FIRST AMERICAN TITLE COMPANY, EFFECTIVE DATE JULY 27, 2004.

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
STATE ROAD 414

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY

 ORANGE COUNTY, FLORIDA

BOWYER SINGLETON & Associates, Incorporated
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801
(407) 843-5120

DRAWING DATE: 07/25/06
BEARING STRUCTURE BASED ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SEC.26-21-28 BEING S8°55'53"E, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD.1983/1990 ADJUSTMENT.

REC.6'X 6'CM.WITH 1/1P.IN CENTER (NO ID) AT THE NW COR. OF THE NW 1/4 OF SECTION 26 C.C.R.NO.065648

NW COR.SW 1/4, NW 1/4

NORTH LINE SW 1/4, NW 1/4 SECTION 26

1321.54' (C)
N89°49'58"W

5000.69' (C)
701.33' (C)

WEST LINE SE 1/4, NW 1/4 SECTION 26

SOUTH LINE NW 1/4, SECTION 26

58955'3"E 1321.04' (C)

POINT OF COMMENCEMENT
REC.4"X 4"CM. WITH 2-1/2 BRASS DISC. STAMPED 'JONES, WOOD & GENTRY RLS 1585 RLS 1819 F.RM 1877 AT THE SW CORNER OF THE NW 1/4 OF SECTION 26 C.C.R.NO.065663

LAKEVILLE ROAD 30° R/W PER O.R.B. 1080, PG. 165

EAST LINE NW 1/4, NE 1/4 SECTION 26

1312.98' (C)
N89°44'14"W

5000.75' (C)
715.6' (C)

WEST LINE SE 1/4, NW 1/4 SECTION 26

SOUTH LINE NW 1/4, SECTION 26

58955'3"E (1045.39' (C)

NE COR.NW 1/4 SECTION 26

NORTH LINE NE 1/4 OF SECTION 26

LINES:

EAST LÎNE NW 1/4, NE 1/4 SECTION 26

SE FOR DETAIL OF THIS AREA

PART "A"

PART "B"

ATLANTIC COAST LINE RAILROAD COMPANY RIGHT OF WAY - 50° R/W PER RIGHT OF WAY AND TRACK MAP VO2057 (also known as FLORIDA CENTRAL RAILROAD)

SECTION 26

TOWNSHIP 21 SOUTH

RANGE 28 EAST

ORANGE COUNTY, FLORIDA

SEE SHEET ONE FOR LEGEND AND ABBREVIATIONS

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
STATE ROAD 414

ORlando-ORange COUNTY EXPRESSWAY AUTHORITY

DRAWING DATE: 07/25/06

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HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS AS REQUIRED BY CHAPTER 567-5 FAC.

BOWYER SINGLETON & ASSOCIATES, INCORPORATED
520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801
(407) 843-5120

ORANGE COUNTY, FLORIDA
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
PARCEL 317

DRAWING DATE: 07/25/06

CERTIFICATE OF AUTHORIZATION NO. LB 1221