

BCC Mtg. Date: Dec. 13, 2016

Project: Albemarle Road

# **RESOLUTION**

*of the*

## **ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

**regarding**

### **AUTHORIZING THE CONVEYANCE OF CERTAIN COUNTY PROPERTY INTERESTS TO THE CITY OF MAITLAND, FLORIDA**

**RESOLUTION NO. 2016-M- 57**

**WHEREAS**, Orange County (“County”), a charter county and political subdivision of the State of Florida, pursuant to its home rule power and Section 125.38 of the Florida Statute, has authority to determine that certain County property is not needed for County purposes and to convey said property, for nominal price or otherwise, to the State of Florida or any political subdivision or agency thereof, or any municipality of the State of Florida, or any corporation or non-profit entity organized for the purposes of promoting community interest and welfare; and

**WHEREAS**, the County has an interest in a portion of unopened Albemarle Road, a platted road right-of-way, referenced in Exhibit “A”; and

**WHEREAS**, by virtue of various annexations, the road right-of-way named above is now located within the jurisdictional limits of the City of Maitland; and

**WHEREAS**, the County has determined that the defined road right-of-way should be conveyed to the City of Maitland, and such conveyance is in the public interest;

and

**WHEREAS**, the City of Maitland is qualified, as a municipality under the laws of the State of Florida, to receive this County road right-of-way pursuant to Section 125.38, Florida Statutes.

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

1. The Board hereby determines that the road right-of-way is not needed for County purposes and that it is in the best interest of Orange County that its interest in the road right-of-way be conveyed to the City of Maitland.

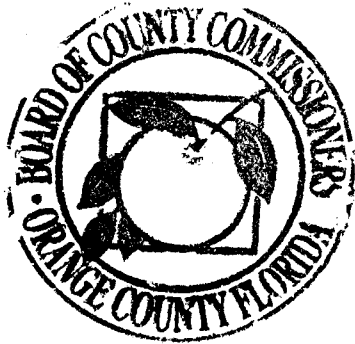
2. The Board directs that all of the County's right, title, and interest in the above road right-of-way be conveyed to the City of Maitland and, as consideration, the City of Maitland will assume all of the County's rights, duties, and obligations.

3. The Board directs the Orange County Mayor to execute and deliver a County Deed to effectuate such conveyance, and that staff do all things necessary and appropriate to conclude this transaction.

4. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the City of Maitland.

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

ADOPTED THIS \_\_\_\_\_ DAY OF DEC 13 2016, 2016.



ORANGE COUNTY, FLORIDA  
By Board of County Commissioners

BY: *Teresa Jacobs*  
Teresa Jacobs  
*TJ*  
Orange County Mayor

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

BY: *Martha O. Haynie*  
Deputy Clerk

**This instrument prepared by:**  
Kim Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida.


# SCHEDULE "A" LEGAL DESCRIPTION

All that portion of right of way of Albemarle Road lying within Section 27 and 28, Township 21 South, Range 29 East, Orange County, Florida, being more particularly described as follows:

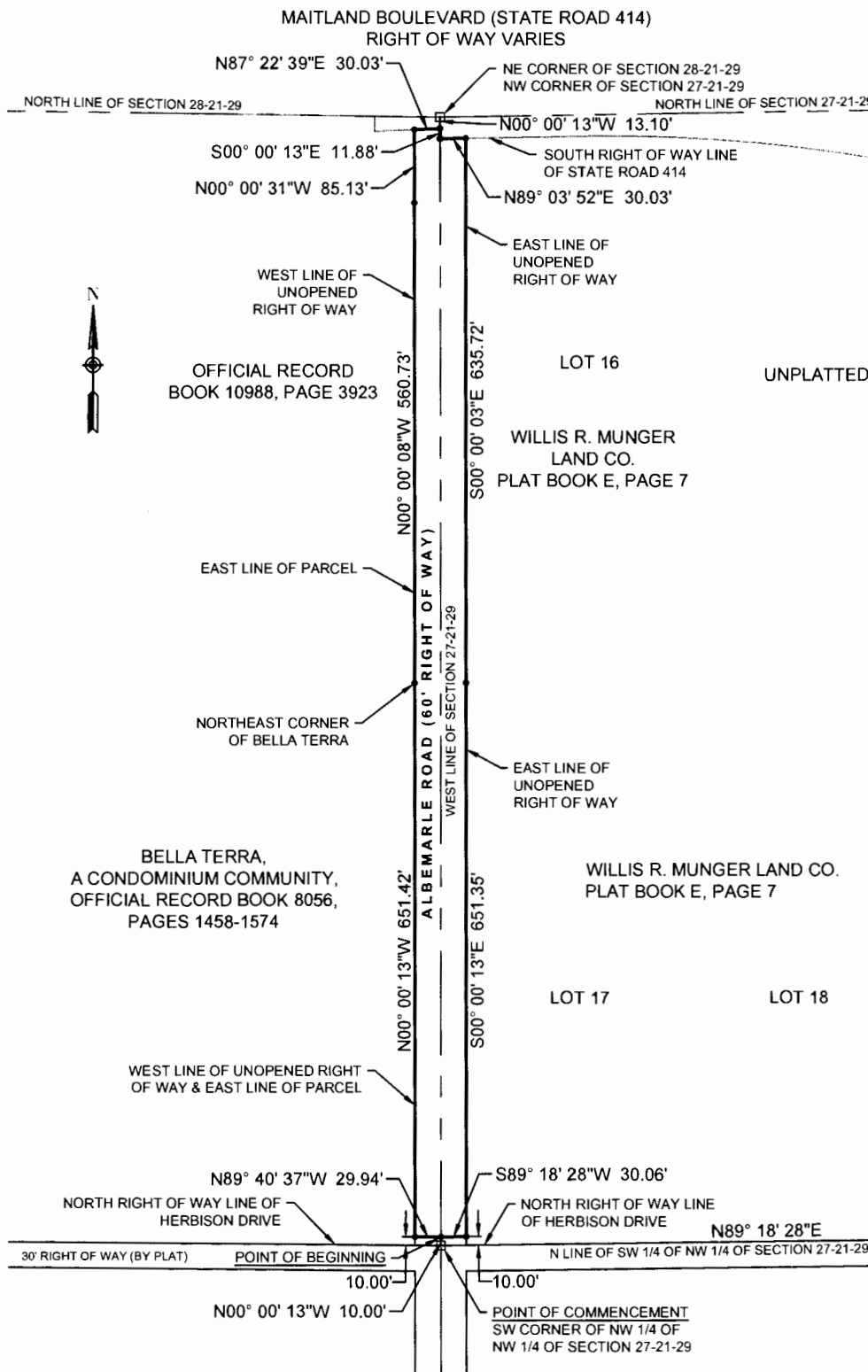
Commence at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 27-21-29 and run N 00°00'13" W along the West line of said Section 27 for a distance of 10.00 feet to the Point of Beginning; thence departing said section line, run N 89°40'37" W for a distance of 29.94 feet to a point lying on the West line of the unopened right of way of Albemarle Road; said point being 10.00 feet North of the North right of way line of Herbison Drive; thence run along said West right of way line N 00°00'13" W for a distance of 651.42 feet to the Northeast corner of Bella Terra, A Condominium Community, as described in Official Record Book 8056, Pages 1458-1574 of the Public Records of Orange County, Florida; said line also being the East line of Bella Terra; thence run N 00°00'08" W along the East line of that parcel of land described in Official Record Book 10988, Page 3923 of the Public Records of Orange County, Florida, for a distance of 560.73 feet; thence continue along said East line N 00°00'31" W for a distance of 85.13 feet to a point lying on the South right of way line of Maitland Boulevard, also known as State Road 414, as shown on the Boundary Survey of Maitland West, dated 2/18/15, as prepared by On the Mark Surveying, LLC; thence run along said South right of way line N 87°22'39" E for a distance of 30.03 feet to a point lying on the West line of Section 27, Township 21 South, Range 29 East; thence run along said section line S 00°00'13" E for a distance of 11.88 feet; thence departing said section line, run along said South right of way line N 89°03'52" E 30.03 feet to a point lying on the East line the unopened right of way of Albemarle Road; thence run S 00°00'03" E along said East right of way line for a distance of 635.72 feet; thence continue along said East right of way line S 00°00'13" E for a distance of 651.35 feet to a point lying on the East right of way line of Albemarle Road; said point being 10.00 feet North of the North right of way line of Herbison Drive; thence departing said East right of way line, run S 89°18'28" W for a distance of 30.06 feet to the Point of Beginning.

All being and lying in Sections 27 and 28, Township 21 South, Range 29 East.

Containing 77,553.31 square feet, or 1.78 acres, more or less.

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Washington	DATE: 6/27/16	SECTION: 27, 28	 SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	DRAWING SCALE: NTS
CHECKED BY: Daynes	JOB No: 7833	TOWNSHIP: 21		PROJECT NUMBER 7833
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 29		
REVISION DATE:	7833 Albemarle Rd.	SHEET 1 OF 2		

# SCHEDULE "A" SKETCH OF DESCRIPTION



I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5-17, F.A.C., PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

*Mark A. Daynes*  
 REGISTERED LAND SURVEYOR AND MAPPER  
 STATE OF FLORIDA LICENSE NO. 5479  
 DATE: 11/19/16

### SKETCH AND DESCRIPTION

THIS IS NOT A SURVEY. NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5-J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

### NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE NW 1/4 OF THE NW 1/4 OF SECTION 27-21-29, BEING N 89° 18' 28" E, A CALCULATED BEARING.
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY. A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. NO IMPROVEMENTS ABOVE OR BELOW GROUND ARE SHOWN.

PREPARED FOR:  
Roads & Drainage

DRAWING SCALE:  
1" = 200'

PROJECT NUMBER  
7833

DRAWN BY: Washington	DATE: 6/27/16	SECTION: 27, 28
CHECKED BY: Daynes	JOB No: 7833	TOWNSHIP: 21
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 29
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PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION  
4200 SOUTH JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
(407) 836-7940

