

AUG 8 1983

RESOLUTION NO. 83-M-18

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, ACCEPTING A PIPELINE EASEMENT GRANTED TO THE BOARD BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

PREMISES

1. Orange County, in cooperation with the City of Orlando, has been studying and developing methods for the transmission, disposal, and reuse of highly-treated effluent within the Southwest Orange County 201 Facilities Planning Area.

2. After analyzing all possible alternatives for effluent disposal and holding all necessary public hearings, the use of a dual effluent transmission and disposal system consisting of citrus grove irrigation and rapid infiltration basins was determined to be the most cost effective, environmentally acceptable solution for effluent disposal within the Southwest Orange County 201 Facilities Planning Area.

3. In order to transmit treated effluent to the effluent disposal sites, the County needed to obtain a pipeline easement located along, through, and under Florida's Turnpike right-of-way.

4. In order to assist Orange County in completion of the Southwest Orange County Water Conservation Project (sometimes referred to as "Water Conserv II"), the State of Florida Department of Transportation conveyed to the County an easement for utility purposes on July 29, 1983, a copy of which is attached to and incorporated in this Resolution as Exhibit "A".

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. The Board of County Commissioners of Orange County, Florida, hereby accepts the pipeline easement conveyed to it by the State of Florida Department of Transportation by that document attached to and incorporated herein as Exhibit "A".

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

RESOLVED THIS 8th DAY OF August, 1983.

ORANGE COUNTY, FLORIDA

By: Len Trevelyan
Chairman, Board of County
Commissioners

ATTEST: THOMAS H. LOCKER
Clerk to the Board of
County Commissioners

By: Mary Jo Garrison
Deputy Clerk

PIPELINE EASEMENT

AUG 8 1983

THIS INDENTURE made the 29th day of July, A.D., 1983, between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Grantor, and the COUNTY OF ORANGE, in the State of Florida, Grantee.

WITNESSETH: That the Grantor, in consideration of the sum of One Hundred Seventy-Five Thousand Six Hundred and No/100 Dollars (\$175,600.00) to be paid by the Grantee within forty-five (45) days from the date hereof, does hereby give and grant to the Grantee and its assigns, an easement for utility purposes, with full authority to enter upon, excavate, construct, operate, and maintain, as the Grantee may deem necessary, pipelines and appurtenances for the Southwest Orange County Regional Wastewater Treatment System, in, upon, over, under, and through the following described lands situated in Orange County aforesaid, to-wit:

A pipeline easement eight (8) feet in width, four (4) feet on either side of the centerline of said pipeline of 42" or 54", located on and of the size described in plans titled: SOUTHWEST ORANGE COUNTY REGIONAL WASTEWATER TREATMENT FACILITIES, WATER CONSERV II, EPA Project No. C 120692100 and CDM Project No. 6059-21, dated July 27, 1983 and Sheets C-7, P-64, and PD-7, Transmission Pipeline, Water Conserv II, prepared by Boyle Engineering Corporation, dated July 27, 1983.

The Grantor also gives to the Grantee access across any portion of Florida's Turnpike for emergency maintenance of the aforesaid system.

The Grantee agrees that, if the land which is the subject of this grant of easement is needed by the Department of Transportation at any time for transportation purposes, the Grantee will relocate the facilities installed within this easement to another location within Florida's Turnpike right-of-way at the Grantee's expense.

The Grantee, before beginning construction, will obtain a permit in the customary form used by the Department of Transportation in granting utility permits for right-of-way use.

The Grantee herein and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with normal operation or maintenance of the pipelines and any appurtenances placed thereon by the Grantee and its assigns, out of and away from the herein granted easement, and the Grantor, its successors and assigns, agree not to build, construct, or create, nor permit others to build, construct or create,

any building or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the pipelines and any appurtenances installed therein, except as provided for above.


TO HAVE AND TO HOLD said easement unto said Grantee and its assigns forever.

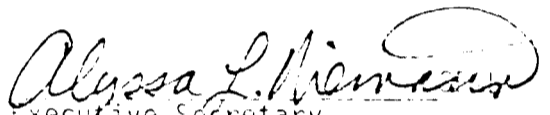
IN WITNESS WHEREOF, the Grantor has caused these presents to be signed in its name by its Director of Administration and its corporate seal to be affixed and attested by its Executive Secretary, the day and year above written.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION


Signed, sealed, and delivered in our presence:


Katherine A. Conner

By: 
Bruce L. Gordon
Director of Administration

ATTEST: 
Alyssa L. Niemann
Executive Secretary

Prepared and Approved By:


Frank H. King, Attorney
Burns Building, Tallahassee, Florida

STATE OF FLORIDA
COUNTY OF LEON

I HEREBY CERTIFY, that on this 29th day of July, A.D., 1983, before me personally appeared Bruce L. Gordon and Alyssa L. Niemann, respectively, to me known to be the individuals and officers described in and who executed the foregoing conveyance and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized, and that the official seal is duly affixed thereto, and the said conveyance is the act and deed of said Grantor.

WITNESS my signature and official seal at Tallahassee in the County of Leon, State of Florida, the day and year last aforesaid.


Lura J. Papp
Notary Public State of Florida

My Commission Expires:

Notary Public, State of Florida at Large
My Commission Expires Jan. 11, 1984
Bonded by American Fire & Casualty Company