

Upon a motion by Commissioner Marston, seconded by Commissioner Staley, and carried with the County Chairman and all commissioners present and voting AYE by voice vote; the Board adopted the following: RESOLUTION NO. 91-M-67

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING

DEC 3 1991

Amc/je

A RESOLUTION AUTHORIZING THE SALE OF CERTAIN COUNTY REAL ESTATE, IN LIEU OF CONDEMNATION, TO THE CITY OF OCOEE.

3 WHEREAS, the City of Ocoee, a political subdivision of
4 the State of Florida, and as such vested with the power of
5 eminent domain, proposes to construct and improve Clark Road,
6 in Orange County, Florida; and

7 WHEREAS, it is necessary that certain lands now owned by
8 Orange County, a political subdivision of the State of
9 Florida, be acquired by County Deed, Drainage Easement and
10 Temporary Construction Easement by the City of Ocoee for the
11 use and benefit of the City of Ocoee; and

12 WHEREAS, the City of Ocoee having made application to
13 said County to execute and deliver to the City of Ocoee a
14 County Deed, Drainage Easement and Temporary Construction
15 Easement in favor of the City of Ocoee, in and to said lands
16 required for said right-of-way and easements, and said
17 requests having been duly considered and granted for valuable
18 consideration in hand received in lieu of condemnation
19 proceedings;

20 NOW, THEREFORE, BE IT RESOLVED by the Board of County
21 Commissioners of Orange County, that the application of the
22 City of Ocoee for Right-of-Way, Drainage and Temporary
23 Construction Easements be granted, and that a County Deed,
24 Drainage Easement and Temporary Construction Easement in
25 favor of the City of Ocoee in and to said lands be required
26
27

1 for road right-of-way, drainage and temporary construction
2 purposes should be drawn and executed by the Chairman of this
3 Board of County Commissioners, all as in the forms attached
4 hereto as Exhibits "A", "B", and "C";

5 BE IT FURTHER RESOLVED that a certified copy of this
6 Resolution be forward forthwith to the City of Ocoee, at
7 Ocoee, Florida.

8 ADOPTED THIS 3RD DAY OF DECEMBER, 1991.

9
10 ORANGE COUNTY, FLORIDA
11 BY: Walt Butler
12 Vice County Chairman
13 FOR THE COUNTY CHAIRMAN
14 DATE: DEC 3 1991

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

17 BY: Carol M. Stept
18 ASST. Deputy Clerk

EXHIBIT "A"

Instrument: 108
Project: Clark Road

COUNTY DEED

THIS DEED, Made the 3RD day of DECEMBER A. D., 1991, by ORANGE COUNTY, FLORIDA, whose post office address is P.O. Box 1393, Orlando, Florida 32802-1393, party of the first part, and the CITY OF OCOEE, a Florida municipal corporation, party of the second part, whose address is 150 North Lakeshore Drive, Ocoee, Florida 34761.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of \$16,055.00 and other valuable considerations, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the party of the second part, its heirs and assigns forever, the following described land lying and being in Orange County, Florida:

SEE ATTACHED EXHIBIT "A"

Property Appraisers Parcel Identification (Folio) Number(s):
A portion of 21-22-28-0000-00025

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

(Official Seal)

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

BY: [Signature]
~~Deputy Clerk~~/Assistant Deputy Clerk
Orange County, Florida

ORANGE COUNTY, FLORIDA

By: [Signature]
Vice Chairman
Board of County Commissioners
FOR THE COUNTY CHAIRMAN

DATE: DEC 3 1991

Instrument: 108
Project: Clark Road

STATE OF FLORIDA
COUNTY OF ORANGE

Personally appeared before me, the undersigned authority, MABLE BUTLER and ROSILYN M. STAPLETON, well known to me and known by me to be the ^{VICE}Chairman and ^{ASST.}Deputy Clerk of the Board of County Commissioners of Orange County, Florida, respectively, and acknowledge before me that they executed the foregoing agreement in behalf of Orange County as its true act and deed, and that they were duly authorized so to do.

Witness my hand and official seal this 3RD day of DECEMBER, 1991.

Maureen E Conroy
Notary Signature

MAUREEN E. CONROY
Printed Notary Name

(Notarial Seal)

Notary Public in and for the County and State aforesaid.

pssp/11/19/91

My commission expires:

FOR THE USE AND RELIANCE
OF ORANGE COUNTY ONLY
APPROVED AS TO FORM

**NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JUNE 06, 1995
BONDED THRU AGENT'S NOTARY BROKERAGE**

19 December 1991

[Signature]
John A. Gehrig
Assistant County Attorney

This instrument prepared by:

Virginia Williams, a staff employee
in the course of duty with the
Real Estate Management Department
of Orange County, Florida.

EXHIBIT "A"

LEGAL DESCRIPTION
RIGHT-OF-WAY
PARCEL 108

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 28 EAST; TOGETHER WITH THE WESTERLY 25.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21, LESS THE SOUTH 30.00 FEET THEREOF FOR EXISTING ROAD RIGHT OF WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 21 FOR A POINT OF REFERENCE, THENCE, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, RUN NORTH $89^{\circ}50'17''$ EAST, 1632.88 FEET; THENCE, DEPARTING SAID SOUTH LINE, RUN NORTH $00^{\circ}11'19''$ WEST, 1250.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE HAVING A RADIUS LENGTH OF 1241.00 FEET, A CENTRAL ANGLE OF $41^{\circ}43'09''$, AN ARC LENGTH OF 903.62 FEET, A CHORD LENGTH OF 883.79 FEET AND A CHORD BEARING OF NORTH $20^{\circ}40'16''$ EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH $41^{\circ}31'50''$ EAST, 591.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 1241.00 FEET, A CENTRAL ANGLE OF $41^{\circ}20'59''$, AN ARC LENGTH OF 895.61 FEET, A CHORD LENGTH OF 876.30 FEET AND A CHORD BEARING OF NORTH $20^{\circ}51'20''$ EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH $00^{\circ}10'51''$ EAST, 669.63 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WHITE ROAD; THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE, RUN NORTH $89^{\circ}44'47''$ EAST, 3.16 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH $00^{\circ}02'22''$ EAST, 627.07 FEET TO THE NORTHWEST CORNER OF THE AFORESAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21; THENCE, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, RUN NORTH $89^{\circ}43'45''$ EAST, 48.38 FEET; THENCE RUN SOUTH $00^{\circ}10'51''$ WEST, 328.55 FEET TO A POINT LYING ON THE SOUTH LINE OF THE AFORESAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE, ALONG SAID SOUTH LINE, RUN SOUTH $89^{\circ}44'16''$ WEST, 22.57 FEET; THENCE RUN SOUTH $00^{\circ}02'22''$ WEST, 298.54 FEET TO A POINT LYING ON THE AFORESAID NORTH RIGHT-OF-WAY LINE; THENCE RUN SOUTH $89^{\circ}44'47''$ WEST, 25.00 FEET TO THE POINT OF BEGINNING;

THE ABOVE DESCRIBED STRIP OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 0.533 ACRES, MORE OR LESS.

EXHIBIT "B"

Instrument: 208
Project: Clark Road

DRAINAGE EASEMENT

THIS INDENTURE, Made this 3RD day of DECEMBER A. D., 19 91, between the COUNTY OF ORANGE, in the State of Florida, whose post office address is P. O. Box 1393, Orlando, Florida, 32802-1393, Grantor, and the CITY OF OCOEE, a Florida municipal corporation, whose address is 150 North Lakeshore Drive, Ocoee, Florida 34761, Grantee.

WITNESSETH, That the Grantor, in consideration of the sum of \$2,450.00 and other valuable considerations, paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby give and grant to the Grantee and its assigns, a non-exclusive easement with authority to enter upon, construct, operate, repair and maintain, as the Grantee may deem necessary, a drainage ditch, pipe or facility and other related appurtenances over, under, and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraisers Parcel Identification (Folio) Number(s):
A portion of 21-22-28-0000-00025

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

IT BEING UNDERSTOOD and a condition of this conveyance that the Board of County Commissioners of Grantor may terminate this easement of record upon the mutual determination by Grantee and said Board that Grantee no longer has a need for this easement.

THE Grantee herein shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that reasonably would interfere with normal operation or maintenance of the drainage ditch, pipe or facility and other related appurtenances out of and away from the herein granted easement, and the Grantor agrees not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that reasonably would interfere with the normal operation or maintenance of the said drainage ditch, pipe or facility and other related appurtenances.

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

(Official Seal)

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

BY: [Signature]
~~Deputy Clerk~~/Assistant Deputy Clerk
Orange County, Florida

ORANGE COUNTY, FLORIDA

By: [Signature]
Vice Chairman

Board of County Commissioners
FOR THE COUNTY CHAIRMAN

DATE: DEC 3 1991

Instrument: 208
Project: Clark Road

STATE OF FLORIDA
COUNTY OF ORANGE

Personally appeared before me, the undersigned authority, MABLE BUTLER and ROSILYN M. STAPLETON, well known to me and known by me to be the Chairman and Deputy Clerk of the Board of County Commissioners of Orange County, Florida, respectively, and acknowledge before me that they executed the foregoing agreement in behalf of Orange County as its true act and deed, and that they were duly authorized so to do.

Witness my hand and official seal this 3RD day of DECEMBER, 1991.

Maureen E Conroy
Notary Signature

(Notarial Seal)

MAUREEN E. CONROY
Printed Notary Name

Notary Public in and for the County and State aforesaid.

pssp/11/19/91

My commission expires ~~1995~~ OF FLORIDA AT LAKESIDE
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 06, 1995
BONDED THRU AGENT'S NOTARY BROKERAGE

FOR THE USE AND RELIANCE
OF ORANGE COUNTY ONLY
APPROVED AS TO FORM

19 November 1991

John A. Gehrig
John A. Gehrig
Assistant County Attorney

This instrument prepared by:

Virginia Williams, a staff employee
in the course of duty with the
Real Estate Management Department
of Orange County, Florida.

EXHIBIT "A"

LEGAL DESCRIPTION
PERMANENT DRAINAGE EASEMENT
PARCEL No. 208

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 28 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 21 FOR A POINT OF REFERENCE; THENCE, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, RUN NORTH 89°50'17" EAST, 1632.88 FEET; THENCE, DEPARTING SAID SOUTH LINE, RUN NORTH 00°11'19" WEST, 1250.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE HAVING A RADIUS LENGTH OF 1241.00 FEET, A CENTRAL ANGLE OF 41°43'09", AN ARC LENGTH OF 903.62 FEET, A CHORD LENGTH OF 883.79 FEET AND A CHORD BEARING OF NORTH 20°40'16" EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH 41°31'50" EAST, 591.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 1241.00 FEET, A CENTRAL ANGLE OF 41°20'59", AN ARC LENGTH OF 895.61 FEET, A CHORD LENGTH OF 876.30 FEET, AND A CHORD BEARING OF NORTH 20°51'20" EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH 00°10'51" EAST, 968.17 FEET; THENCE, ALONG THE SOUTH LINE OF THE AFORESAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, RUN NORTH 89°44'16" EAST 50.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00°10'51" EAST, 328.55 FEET TO A POINT LYING ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE, ALONG SAID NORTH LINE, RUN NORTH 89°43'45" EAST 20.00 FEET; THENCE RUN SOUTH 00°10'51" WEST, 173.46 FEET; THENCE RUN NORTH 89°49'09" WEST, 10.00 FEET; THENCE RUN SOUTH 00°10'51" WEST 155.16 FEET TO A POINT LYING ON THE AFORESAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE, ALONG SAID SOUTH LINE, RUN SOUTH 89°44'16" WEST, 10.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 0.115 ACRES (5020 SQUARE FEET), MORE OR LESS.

11/1/91

EXHIBIT "C"

Instrument: 308
Project: Clark Road

TEMPORARY EASEMENT

For and in consideration of \$250.00, other valuable considerations, and of the benefits accruing to us, we, the COUNTY OF ORANGE, State of Florida, whose post office address is P.O. Box 1393, Orlando, Florida 32802-1393, do hereby give, grant, bargain, and release to the CITY OF OCOEE, a Florida municipal corporation, whose address is 150 North Lakeshore Drive, Ocoee, Florida 34761, a temporary easement to enter upon the portion of the lands of the owners being described as follows:

SEE ATTACHED EXHIBIT "A"

**Property Appraisers Parcel Identification (Folio) Number(s):
A portion of 21-22-28-0000-00025**

for the purpose of (i) performing such activities on said property as Grantee may deem reasonably necessary in connection with the construction of Clark Road which is to be located in the vicinity of said property, and (ii) tying in and harmonizing said property and the driveways, walkways, etc., thereon with the construction to be undertaken by the Grantee, in conjunction with said construction of said easement and roadway.

THIS EASEMENT is granted upon the condition that the sloping and/or grading upon the above land shall not extend beyond the limits outlined, and that all grading or sloping shall conform to all existing structural improvements within the limits designated, and all work will be performed in such a manner that existing structural improvements will not be damaged.

THIS EASEMENT shall expire upon the completion of the construction of the said project or after 3 years, whichever occurs first.

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

(Official Seal)

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

BY: Ray A. Steptoe
Deputy Clerk/Assistant Deputy Clerk
Orange County, Florida

ORANGE COUNTY, FLORIDA
By: Mable Butler
Vice Chairman
Board of County Commissioners
FOR THE COUNTY CHAIRMAN
DATE: DEC 3 1991

Instrument: 308
Project: Clark Road

STATE OF FLORIDA
COUNTY OF ORANGE

Personally appeared before me, the undersigned authority, MABLE BUTLER and ROSILYN M. STAPLETON, well known to me and known by me to be the Chairman and Deputy Clerk of the Board of County Commissioners of Orange County, Florida, respectively, and acknowledge before me that they executed the foregoing agreement in behalf of Orange County as its true act and deed, and that they were duly authorized so to do.

Witness my hand and official seal this 3RD day of DECEMBER, 1991.

Maureen E Conroy
Notary Signature

(Notarial Seal)

MAUREEN E. CONROY
Printed Notary Name

Notary Public in and for the County and State aforesaid.

pssp/11/19/91

My commission expires:

FOR THE USE AND RELIANCE
OF ORANGE COUNTY ONLY
APPROVED AS TO FORM

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JUNE 06, 1995
BONDED THRU AGENT'S NOTARY BROKERAGE

November 19 91
[Signature]
John A. Gehrig
Assistant County Attorney

This instrument prepared by:

Virginia Williams, a staff employee
in the course of duty with the
Real Estate Management Department
of Orange County, Florida.

EXHIBIT "A"

LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
PARCEL No. 308

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 28 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 21 FOR A POINT OF REFERENCE; THENCE, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, RUN NORTH 89°50'17" EAST, 1632.88 FEET; THENCE, DEPARTING SAID SOUTH LINE, RUN NORTH 00°11'19" WEST, 1250.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE HAVING A RADIUS LENGTH OF 1241.00 FEET, A CENTRAL ANGLE OF 41°43'09", AN ARC LENGTH OF 903.62 FEET, A CHORD LENGTH OF 883.79 FEET AND A CHORD BEARING OF NORTH 20°40'16" EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH 41°31'50" EAST, 591.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 1241.00 FEET, A CENTRAL ANGLE OF 41°20'59", AN ARC LENGTH OF 895.61 FEET, A CHORD LENGTH OF 876.30 FEET, AND A CHORD BEARING OF NORTH 20°51'20" EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH 00°10'51" EAST, 968.17 FEET; THENCE, ALONG THE SOUTH LINE OF THE AFORESAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, RUN NORTH 89°44'16" EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00°10'51" EAST, 155.16 FEET; THENCE RUN SOUTH 89°49'09" EAST, 10.00 FEET; THENCE RUN SOUTH 00°10'51" WEST, 155.09 FEET TO A POINT LYING ON THE AFORESAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE, ALONG SAID SOUTH LINE, RUN SOUTH 89°44'16" WEST, 10.00 FEET TO THE POINT OF BEGINNING;

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 0.036 ACRES (1551 SQUARE FEET), MORE OR LESS.