

APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS AT ITS MEETING

JAN 10 1995

AA/cs

AS#12

RESOLUTION NO. 95-M-01

A RESOLUTION APPROVING THE "RIGHT-OF-WAY EXCHANGE AND CONTINUING MAINTENANCE AGREEMENT" BETWEEN ORLANDO/ORANGE COUNTY EXPRESSWAY AUTHORITY ("O/OCEA") AND ORANGE COUNTY, FLORIDA; AUTHORIZING ORANGE COUNTY TO ENTER INTO SUCH AGREEMENT, WHICH, AMONG OTHER THINGS, PROVIDES FOR ORANGE COUNTY AND O/OCEA TO EXCHANGE RIGHTS-OF-WAY, AND THEREBY, FOR O/OCEA TO CONVEY REAL PROPERTY ACQUIRED BY O/OCEA FOR THE BENEFIT OF ORANGE COUNTY DURING CONSTRUCTION OF THE NORTHEASTERN PORTION OF TOLL STATE ROAD 417; FOR ORANGE COUNTY TO CONVEY REAL PROPERTY ALONG THE NORTHEASTERN PORTION OF TOLL STATE ROAD 417 TO O/OCEA FOR THE PURPOSE OF O/OCEA RIGHTS-OF-WAY AND FOR ORANGE COUNTY AND O/OCEA TO AGREE TO CONTINUE TO MAINTAIN THEIR RIGHTS-OF-WAY.

WHEREAS, O/OCEA is empowered to construct and maintain the Orlando/Orange County Expressway System ("Expressway System") and, in connection therewith, to construct any extensions additions or improvements to said system or appurtenant facilities, including all necessary approaches, roads, bridges and avenues of access; and

WHEREAS, Orange County is empowered to provide and maintain arterial and other roads encompassing the County Road System for the benefit of its citizens; and

WHEREAS, in the course of its construction of the North Eastern portion of Toll State Road 417, Central Florida Greenway, O/OCEA acquired certain land for the benefit of Orange County and constructed thereon certain roadways and other improvements to insure a minimal disruption of traffic to the citizens and to provide for a smooth transition to the Expressway System, thus making both the Expressway System and the County Road System compatible; and

WHEREAS, in furtherance of the foregoing goals and policy, Orange County allowed O/OCEA to use and incorporate certain of its lands in the Expressway System; and

WHEREAS, the construction of the North Eastern portion of the Greenway, Orange County, Florida, is completed and both

parties desire to conclude the Right-of-Way Exchange so that title to all of Orange County's rights-of-way and related facilities will vest in Orange County and title to all of O/OCEA's rights-of-way and related facilities will vest in O/OCEA; and

WHEREAS, pursuant to 125.37, Florida Statutes, the described real property is not needed for County purposes and the exchange is in the best interest of Orange County; and

WHEREAS, the parties also desire to define the future and continuing maintenance responsibilities for the rights-of-way and related facilities and to set responsibility therefore.

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

Section 1. Orange County hereby authorizes and enters into that certain agreement known as the Right-of-Way Exchange and Continuing Maintenance Agreement Between Orlando/Orange County Expressway Authority and Orange County, Florida ("Agreement"), a copy of which is attached hereto and made a part hereof by reference.

Section 2. Orange County hereby authorizes the exchange of rights-of-way between Orange County and O/OCEA and, therefore, authorizes and receives the conveyance of real property acquired by O/OCEA for the benefit of Orange County during the construction of the North Eastern portion of the Toll State Road 417 ("Greeneway"), and authorizes the conveyance to O/OCEA by Orange County by county deed of real property which will constitute O/OCEA rights-of-way along the Northeastern portion of the Greeneway, pursuant to the terms

of the Agreement. Descriptions of such property are attached as Exhibits to the Agreement.

Section 3. This Resolution shall take effect upon its adoption.

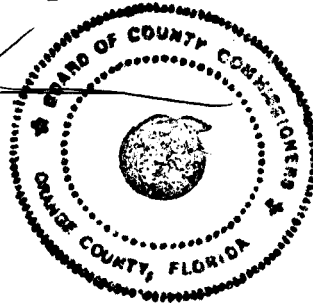
ADOPTED THIS 10th DAY OF JANUARY, 199~~A~~⁵.

ORANGE COUNTY, FLORIDA

By:  Bob Freeman
FOR THE County Chairman

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

By: 
Deputy Clerk



0049A 09/14/94