RESOLUTION NO. 96-M-08

MEMORIALIZING THE CONSENT OF ORANGE COUNTY TO CONSTRUCTION OF BUFFER WALLS WITHIN THE INDICATED RIGHT OF WAY OF HOFFNER ROAD WITHIN THE CORPORATE LIMITS OF THE CITY OF BELLE ISLE, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the City of Belle Isle ("City") has inquired of Orange County as to whether the County would consent to the erection of private subdivision walls encroaching into the right-of-way of Hoffner Road within the corporate limits of the City of Belle Isle inasmuch as the right-of-way for Hoffner Road within the corporate limits of the City of Belle Isle is under the jurisdiction of both the County and City; and

WHEREAS, Hoffner Road is a functionally classified right-of-way and therefore under County jurisdiction for the sole purposes of edge to edge maintenance of road pavement and maintenance of drainage structures supporting such pavement; and

WHEREAS, the City of Belle Isle is considering consenting to the construction of said private subdivision buffer walls which would be located within the Hoffner Road right-of-way area within the corporate limits of the City of Belle Isle; and

WHEREAS, the City of Belle Isle has requested that the Board of County Commissioners of Orange County consent to such buffer wall construction to the extent such consent by the Board of County Commissioners is required; and

WHEREAS, Orange County has determined that it has no objection to the construction of said buffer walls so long as such construction is accomplished in a manner which does not affect the road surface of Hoffner Road or impair drainage within the Hoffner Road right-of-way area;

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

Section 1. Orange County does hereby consent to the construction of private subdivision buffer walls within the right-of-way area of Hoffner Road within the corporate limits of the City of Belle Isle so long as such construction is accomplished in a manner which will not impair either the pavement or pavement maintenance of the said Hoffner Road or
adversely affect drainage within the right-of-way of Hoffner Road.

Section 2  Severability of Provisions. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provisions or application, and to this end, the provisions of this resolution are declared severable.

Section 3  Effective Date. This Resolution shall take effect upon adoption.

ADOPTED THIS 23rd DATE OF  January, 1956

ORANGE COUNTY, FLORIDA

BY: County Chairman

DATE: JAN 2 3 1956

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

BY: Deputy Clerk