

SEP 28 1999 VS/AA

RESOLUTION NO. 99-M-34

A RESOLUTION AUTHORIZING THE CONVEYANCE OF  
COUNTY PROPERTY TO THE BOARD OF TRUSTEES OF  
THE INTERNAL IMPROVEMENT TRUST FUND OF THE  
STATE OF FLORIDA FOR THE CREATION OF THE  
"WEST ORANGE TRAIL"

WHEREAS, the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("State") and the County entered into that certain long-term land lease, approved October 1, 1996 and dated November 6, 1996, and the said Lease's concomitant Management Plan; under the terms of which lease and Plan the County leases from the State a corridor of real property several miles in length upon which corridor the County has constructed and now maintains and operates a linear park recreational trail known as the West Orange Trail, and

WHEREAS, the County presently owns in fee simple several parcels of real property hereinafter described in Exhibit "A" (the "Trail Addition Parcels") which parcels lie within the boundaries of a proposed expansion of the West Orange Trail and it is necessary for the State to assemble and take title to the said Trail Addition Parcels in order to effectively engage in cooperative efforts devoted to the aforementioned development and expansion of the Trail, and

WHEREAS, the County, pursuant to its home rule power and Section 125.38, Florida Statutes, is authorized to convey or lease, to the State of Florida or any political subdivision or agency thereof, real property owned by the County when such conveyance is for the purpose of promoting the public health, safety, and welfare, and

WHEREAS, the State has committed to the County that the State shall cause the aforementioned long-term land lease and Management Plan to be amended so as to include and encompass as an additional part of the West Orange Trail to be leased to the County all those parcels of real property described in Exhibit "A", and the Board of County Commissioners hereby finds it to promote a valid public purpose that the said parcels shall be so leased by the County and maintained and operated by the County as a part of said West Orange Trail, all as contemplated by the conveyance and lease-back described hereinabove.

RETURN TO REAL ESTATE  
MANAGEMENT DEPARTMENT

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

Section 1: That the real property presently owned by the County as described in that copy of a deed attached hereto, marked Exhibit "A" and hereby made a part hereof, be conveyed by the County to the State in consideration of the State amending the existing long term lease and Management Plan pertaining to the West Orange Trail described hereinabove.

Section 2: That a certified copy of this Resolution shall be forwarded to the State.

Section 3: This Resolution shall become effective on the date of its adoption.

ADOPTED THIS 28th DAY OF September, 1999.

(Official Seal)



Orange County, Florida  
By: Board of County Commissioners

By: Mel Martinez  
for Mel Martinez  
Orange County Chairman

Attest: Martha O. Haynie, Orange County Comptroller  
as Clerk of the Board of County Commissioners

By: [Signature]  
Deputy Clerk

**Rosilyn M. Stapleton**

Printed Name

Exhibit "A"

Project: West Orange Trail  
Parcels: 114, 116, 117, 123A,  
177, 189 & 199

COUNTY DEED

THIS DEED, Made the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 19\_\_\_\_, by ORANGE COUNTY, FLORIDA, whose post office address is Box 1393, Orlando, Florida 32802-1393, GRANTOR, and The Board of Trustees of the Internal Improvement Trust Fund of The State of Florida, whose address is Florida Department of Environmental Protection, Division of State Lands, 3900 Commonwealth Boulevard, Mail Station 115, Tallahassee, FL 32399-3000, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$ 1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the County of Orange, State of Florida, to-wit:

SEE ATTACHED EXHIBIT "A-1 to A-4"

Property Appraisers Parcel Identification Folio Number(s):

|                             |                             |
|-----------------------------|-----------------------------|
| <u>14-22-27-0000-00-021</u> | <u>13-22-27-0000-00-040</u> |
| <u>13-22-27-0000-00-007</u> | <u>05-22-28-0000-00-034</u> |
| <u>34-21-28-0000-00-074</u> | <u>34-21-28-0000-00-095</u> |

THIS DEED shall also serve to release any automatic right of entry and reservation in accordance with Florida Statute Section 270.11 of an undivided three-fourths interest in and title in and to an undivided three-fourths interest in all the phosphate, minerals, and metals that are or may be in, on, or under the said land and undivided one-half interest in all the petroleum that is or may be in, on, or under said land and releasing the privilege to mine and develop

same.

Project: West Orange Trail  
Parcels: 114, 116, 117, 123A,  
177, 189 & 199

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

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

(Official Seal)

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: \_\_\_\_\_  
Mel Martinez, County Chairman

DATE: \_\_\_\_\_

ATTEST: Martha O. Haynie, County  
Comptroller, Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Printed Name

**This instrument prepared by:**

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

## EXHIBIT "A-1"

### PARCEL 114

BEGIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 00 DEGREES 18 MINUTES 26 SECONDS WEST 141.49 FEET ALONG THE EAST BOUNDARY OF SAID SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$ ; THENCE RUN SOUTH 44 DEGREES 39 MINUTES 59 SECONDS WEST 129.44 FEET TO A POINT ON A LINE BEING PARALLEL WITH AND 50.00 FEET NORTH OF, WHEN MEASURED AT RIGHT ANGLES TO, THE SOUTH BOUNDARY OF SAID SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$ ; THENCE RUN SOUTH 89 DEGREES 38 MINUTES 24 SECONDS WEST 421.26 FEET, MORE OR LESS, ALONG SAID PARALLEL LINE TO THE BRANCH OF A CREEK, SAID BRANCH BEING A WESTERLY BOUNDARY OF THAT CERTAIN "PARCEL II" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4589, PAGE 1872, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID WESTERLY BOUNDARY BEING THE EASTERLY BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2259, PAGE 67, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 35 DEGREES 30 MINUTES 21 SECONDS EAST 61.15 FEET, MORE OR LESS, ALONG SAID EASTERLY BOUNDARY TO A POINT ON THE AFORESAID SOUTH BOUNDARY OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$ ; THENCE RUN NORTH 89 DEGREES 38 MINUTES 24 SECONDS EAST 477.50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

### PARCEL 116

BEGIN AT THE SOUTHWEST CORNER OF THE WEST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 00 DEGREES 18 MINUTES 26 SECONDS WEST 1335.43 FEET TO THE NORTHWEST CORNER OF SAID WEST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$ ; THENCE RUN NORTH 89 DEGREES 44 MINUTES 31 SECONDS EAST 665.94 FEET TO THE NORTHEAST CORNER OF SAID WEST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$ ; THENCE RUN SOUTH 00 DEGREES 16 MINUTES 27 SECONDS EAST 50.00 FEET ALONG THE EAST BOUNDARY OF SAID WEST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  TO A POINT ON A LINE BEING PARALLEL WITH AND 50 FEET SOUTH OF, WHEN MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY OF SAID WEST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$ ; THENCE RUN SOUTH 89 DEGREES 44 MINUTES 31 SECONDS WEST 574.55 FEET ALONG SAID PARALLEL LINE; THENCE RUN SOUTH 44 DEGREES 43 MINUTES 03 SECONDS WEST 58.47 FEET TO A POINT ON A LINE BEING PARALLEL WITH AND 50.00 FEET EAST OF, WHEN MEASURED AT RIGHT ANGLES TO, THE WEST BOUNDARY OF SAID WEST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$ ; THENCE RUN SOUTH 00 DEGREES 18 MINUTES 26 SECONDS EAST 1243.87 FEET ALONG SAID PARALLEL LINE TO A POINT ON THE SOUTH BOUNDARY OF SAID WEST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$ ; THENCE RUN SOUTH 89 DEGREES 30 MINUTES 22 SECONDS WEST 50.00 FEET TO THE POINT OF BEGINNING.

FORM APPROVED  
BY BS DATE 9.9.99

**EXHIBIT "A-2"**

**PARCEL 117**

FROM THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 13, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, RUN SOUTH 89 DEGREES 44 MINUTES 31 SECONDS WEST 30.00 FEET ALONG THE NORTH BOUNDARY OF SAID NORTHEAST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ FOR THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING ON THE WEST RIGHT-OF-WAY LINE OF HENNIS ROAD AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2058, PAGE 714, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE CONTINUE SOUTH 89 DEGREES 44 MINUTES 31 SECONDS WEST 635.94 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼; THENCE RUN SOUTH 00 DEGREES 16 MINUTES 27 SECONDS EAST 50.00 FEET ALONG THE WEST BOUNDARY OF SAID NORTHEAST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ TO A POINT ON A LINE BEING PARALLEL WITH AND 50.00 FEET SOUTH OF, WHEN MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY OF SAID NORTHEAST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼; THENCE RUN NORTH 89 DEGREES 44 MINUTES 31 SECONDS EAST 635.91 FEET ALONG SAID PARALLEL LINE TO A POINT ON THE AFORESAID WEST RIGHT-OF-WAY LINE OF HENNIS ROAD; THENCE RUN NORTH 00 DEGREES 14 MINUTES 28 SECONDS WEST 50.00 FEET TO THE POINT OF BEGINNING.

**PARCEL "123-A"**

A parcel of land located in the NE¼ of the NE¼ of Section 5, Township 22 S, Range 28 E, Orange County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 5; thence S 02°33'12" E along the east line of said Section 5, a distance of 1366.74 feet; thence N 86°57'33" W along the south line of the NE ¼ of the NE ¼ of said Section 5, a distance of 1319.0 feet to the intersection of said south line with the west line of the NE ¼ of the NE ¼ of said Section 5, said intersection being the POINT OF BEGINNING; thence N 02°01'34" E along said west line, a distance of 445.0 feet; thence S 87°58'26" E, a distance of 50.0 feet; thence S 02°01'34" W, a distance of 358.4 feet; thence S 42°27'59" E, a distance of 53.5 feet; thence S 86°57'33" E, a distance of 680.1 feet; thence S 73°31'29" W, a distance of 149.7 feet to a point on the said south line; thence N 86°57'33" W along said south line, a distance of 625.6 feet to the POINT OF BEGINNING.

BOM APPROVED  
By AS Date 9-20-99

**EXHIBIT "A-3"**

**PARCEL 177**

FROM THE NORTHWEST CORNER OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 13, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, RUN NORTH 89 DEGREES 44 MINUTES 31 SECONDS EAST 30.00 FEET ALONG THE NORTH BOUNDARY OF SAID SOUTHEAST ¼ OF THE NORTHWEST ¼ FOR THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING ON THE EAST RIGHT-OF-WAY LINE OF HENNIS ROAD AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2027, PAGE 381, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE CONTINUE NORTH 89 DEGREES 44 MINUTES 31 SECONDS EAST 960.00 FEET ALONG SAID NORTH BOUNDARY TO THE NORTHEAST CORNER OF THE "HARRIS BLOCK" AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3402, PAGE 1195, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 28 SECONDS EAST 50.00 FEET ALONG THE EAST BOUNDARY OF SAID "HARRIS BLOCK" TO A POINT ON A LINE BEING PARALLEL WITH AND 50.00 FEET SOUTH OF, WHEN MEASURED AT RIGHT ANGLES TO, THE AFORESAID NORTH BOUNDARY OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼; THENCE RUN SOUTH 89 DEGREES 44 MINUTES 31 SECONDS WEST 960.00 FEET ALONG SAID PARALLEL LINE TO A POINT ON THE AFORESAID EAST RIGHT-OF-WAY LINE OF HENNIS ROAD; THENCE RUN NORTH 00 DEGREES 14 MINUTES 28 SECONDS WEST 50.00 FEET TO THE POINT OF BEGINNING.

BS 9.9.c

**EXHIBIT "A-4"**

**PARCEL 189**

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 28 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 28 EAST; THENCE RUN NORTH 89 DEGREES 50 MINUTES 29 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 34, A DISTANCE OF 1399.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 50 MINUTES 29 SECONDS WEST ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 34, A DISTANCE OF 853.31 FEET TO THE EASTERLY RIGHT-OF-WAY OF APOPKA-VINELAND ROAD; THENCE RUN NORTH 00 DEGREES 05 MINUTES 30 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 50.00 FEET; THENCE RUN SOUTH 89 DEGREES 50 MINUTES 29 SECONDS EAST PARALLEL WITH SAID SOUTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 673.31 FEET; THENCE RUN SOUTH 21 DEGREES 44 MINUTES 31 SECONDS WEST, A DISTANCE OF 53.77 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN ORANGE COUNTY, FLORIDA.

**PARCEL 199**

A STRIP OF LAND 50.00 FEET IN WIDTH ALONG THE EAST LINE OF THE PARCEL OF LAND DESCRIBED IN DEED BOOK 870, PAGE 526, AND O.R. BOOK 3896, PAGE 1580, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; ALSO BEING THE EAST 50.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LESS THE NORTH 532.59 FEET AND THE SOUTH 30.00 FEET THEREOF; SAID STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 34; THENCE SOUTH 00°04'05" EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER FOR 532.59 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 532.59 FEET OF AFORESAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°04'05" EAST ALONG SAID EAST LINE 810.01 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF McCORMICK ROAD; THENCE SOUTH 89°59'48" WEST 50.00 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID EAST 50.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE NORTH 00°04'05" WEST ALONG SAID WEST LINE, 809.87 FEET MORE OR LESS TO A POINT ON SAID SOUTH LINE OF THE NORTH 532.59 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, THENCE NORTH 89°50'09" EAST ALONG SAID SOUTH LINE, 50.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN ORANGE COUNTY, FLORIDA.

THE GRANTOR HEREBY RESERVES UNTO ITSELF AN EASEMENT OVER THE SOUTH 30 FEET OF THE ABOVE DESCRIBED PROPERTY FOR ROAD RIGHT-OF-WAY, SIDEWALK AND UTILITY PURPOSES.

15 9-20-99