



Interoffice Memorandum

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 24 2014 KH/NF

REAL ESTATE MANAGEMENT ITEM 1

DATE: June 4, 2014

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Assistant Manager *AC*
Real Estate Management Division

FROM: Monica L. Hand, Senior Title Examiner *MH*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Assistant Manager

DIVISION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL AND EXECUTION OF RESOLUTION AND
AUTHORIZATION TO INITIATE CONDEMNATION PROCEEDINGS

PROJECT: Sherry Drive Bridge Replacement
LW-9 Drainage Canal (Little Wekiva River)

District 2

PURPOSE: Acquisition of one fee simple parcel for right-of-way.

ITEM: Resolution (Parcel 111)

BUDGET: Account No: 1003-072-2852-6110

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: This is the first submittal of parcels for this project to be acquired through eminent domain.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

JUN 24 2014 KH/NP

Upon a motion by Commissioner Clarke, seconded by Commissioner Boyd, and carried with all members present and voting AYE by voice vote, the Board adopted the following:

RESOLUTION

WHEREAS, in connection with the construction, repair and maintenance of the Sherry Drive Bridge Replacement Project by Orange County, a charter county and political subdivision of the State of Florida, it is necessary that said County have the required area for road right-of-way and it is necessary and in the public interest that there be acquired the required fee simple interest in certain land for proper construction and maintenance of the above road in the County's Road System and

WHEREAS, the required right of way is necessary for the Sherry Drive Bridge Replacement Project the purpose of which is to construct a new roadway and improve the traffic flow as outlined in the staff report attached as Exhibit "A".

WHEREAS, efforts to purchase said land from the owner of said land have been unsuccessful to date.

NOW THEREFORE, BE IT RESOLVED by Orange County, a charter county and political subdivision of the State of Florida, by and through the Board of County Commissioners of said County, that the acquisition of the required fee simple interests in the required land necessary for road right-of-way purposes has been found to be and is hereby found to be necessary, practical, and to the best interest of Orange County, Florida, and the people of said County, and the same is for a County purpose; and be it further

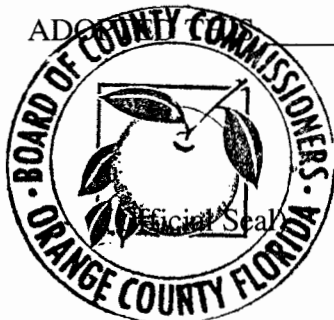
RESOLVED that for the purposes aforesaid, it is necessary, practical, and to the best interest of the public and Orange County and of the people of said County that the fee simple interest for roadway purposes be acquired in the name of said County by gift, purchase, eminent domain proceedings, or otherwise over and upon all that certain piece, parcel or tract of land, situate, lying and being in Orange County, Florida, as described in the attached Schedule "A".

Resolution

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AND BE IT FURTHER RESOLVED that the property description under parcel number 111 is ratified and confirmed and found necessary for this project to the extent of the estate or interest set forth as a part of the parcel description, the above referenced description being attached hereto as Schedule "A", and made a part by reference hereof, that Orange County, the Board of County Commissioners of said County, the Deputy Clerk of said Board of County Commissioners, the attorneys of said Board of County Commissioners and County, and all appropriate departments, officers and employees of said County be, and they are hereby authorized and directed to proceed to take necessary steps to institute and prosecute such necessary actions and proceedings as may be proper for the acquisition of the required fee simple interest in said land by gift, purchase, eminent domain proceedings or otherwise, and to prepare, sign, execute, serve, publish, and file, in the name of the County by its commissioners, all eminent domain papers, affidavits and pleadings, and said attorneys are authorized to have prepared, at said County's expense, such abstract of title search as may be necessary in connection therewith.

ADOPTED _____ DAY OF JUN 24 2014, 2014.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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

BY: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

BY: *Katie Smith*
Deputy Clerk

Katie Smith

Printed Name

DATE: JUN 24 2014

MH/

EXHIBIT "A"

Project Summary

As part of the bridge and major drainage structures program, the County has resolved to replace bridges which require a weight limit posting. However, after evaluating alternatives, the County has determined that a new roadway connecting Sherry Drive south to Kelvington Drive is a superior alternative to replacing the Sherry Drive Bridge in its current location. To complete this connection, the new roadway will impact the house located at 3019 Kelvington Drive.

Safety Considerations

The Sherry Drive Bridge is a two-lane, fifty-two year old concrete structure approximately ninety-two feet long. The bridge crosses the LW-9 Drainage Canal (i.e. Little Wekiva River). Per a Florida Department of Transportation (FDOT) Bridge Inspection Report – Special Posted Inspection dated October 11, 2012 the Sherry Drive Bridge was found to require a weight limit posting.

The load rating analysis summary was performed on June 24, 1990 concluded the following weight limit posting; the structure is posted at the following increments: Single Unit Truck: 11 Tons, Combination Truck: 14 Tons and ST5 Truck: 18 Tons. As part of the bridge and major drainage structures program, the County has resolved to replace bridges which require a weight limit posting. This will eliminate the undesirable potential of having vehicles which exceed the weight limit from crossing these bridges.

Costs

The total right-of-way cost for the project is approximately \$85,000.

The Engineering design cost for the project is approximately \$265,000.

The estimated construction cost for the project is approximately \$478,000.

Therefore, the total project cost is approximately \$828,000.

Alternative Alignments

The existing eastern alignment adequately serves the transportation needs of the area. The County reviewed alternate alignments that would connect to Sherry Drive to other existing public roadways. The results are as follows:

EXHIBIT "A"

- A. Replace the existing bridge in its current location. Since this bridge provided the only access to the east of the LW-9 Drainage Canal, replacing it in its current location would cut off access to residents during construction. Option A is therefore not feasible.
- B. A north realignment of Sherry Drive would impact the Forest Oaks Apartment complex and would not connect to an existing County road.
- C. An eastern realignment of Sherry Drive would impact property owned by the Christ Apostolic Church of Orlando, Inc. prior to reaching S.R. 434.
- D. A southern realignment of Sherry Drive would impact a bank owned residential property at 3019 Kelvington Drive.

Of the three Sherry Drive Realignment options, B, C and D, Option D has the least impact and cost.

The County has determined that a new roadway connecting Sherry Drive south to Kelvington Drive is a superior alternative to replacing the Sherry Drive Bridge in its current location. The new roadway proposes two eleven-foot lanes, curb & gutter and guardrail.

Long Range Planning

Sherry Drive is the only Orange County roadway that allows access to eight residents on the east side of the LW-9 Drainage Canal. The bridge will have to be maintained open during construction of the new roadway. Construction is expected to be completed within approximately eight months.

Environmental Considerations

A St. Johns River Water Management District permit was approved and received by Orange County on May 8, 2013. This permit for construction will expire five years from the date of issuance.

Conclusion

In accordance with the Florida Department of Transportation's Report and the load rating analysis summary the existing bridge will be removed and a new roadway connection will be constructed between Kelvington Drive and Sherry Drive.

Schedule "A"

Lots 6 and 7, Riverside Park Estates Unit Two, according to the plat thereof, as recorded in Plat Book W, page 113, Public Records of Orange County, Florida.