



Interoffice Memorandum


APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS


BCC Mtg. Date: Jun. 28, 2016

REAL ESTATE MANAGEMENT ITEM 12

DATE: June 10, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Russell L. Corriveau, Senior Acquisition Agent 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

DIVISION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN ORANGE COUNTY FIRE RESCUE DEPARTMENT AND ORANGE COUNTY UTILITIES DEPARTMENT AND AUTHORIZATION TO TRANSFER FUNDS

PROJECT: Fire Station 67 (Invest)

District 5

PURPOSE: To provide for access, construction, operation, and maintenance of a new Fire Station.

ITEM: Memorandum of Understanding
Cost/Revenue: \$115,500

BUDGET: Account No.: 1023-034-0697-6110

REVENUE: Account No.: 4420-038-1300-6410

FUNDS: \$115,500.00 Transferred from Fire Rescue to Utilities

APPROVALS: Real Estate Management Division
County Attorney's Office
Fire Rescue Department
Utilities Department

REMARKS: The Orange County Fire Rescue Department (OCFR) needs to construct a Fire Station on land along University Boulevard that is owned by Orange County and managed by the Utilities Department (OCU). Land along Dean Road that is owned by Orange County and is managed by OCFR as the Controlling Agency was acquired for construction of Fire Station 67 but was later determined to be unsuitable. The property on University Boulevard is more suitable for construction of Fire Station 67 and is not needed by OCU. At this time OCFR and OCU have agreed to exchange the two properties and OCFR will deposit \$115,500.00 into an account designated by OCU to compensate OCU for the difference in the appraised value between the parcels.

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.

**MEMORANDUM OF UNDERSTANDING
FOR REAL ESTATE TRANSFER RELATED TO FIRE STATION 67 BETWEEN
ORANGE COUNTY FIRE RESCUE
DEPARTMENT AND ORANGE COUNTY UTILITIES DEPARTMENT**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into this 4th day of MARCH, 2016, by and between ORANGE COUNTY FIRE RESCUE DEPARTMENT ("OCFR ") and ORANGE COUNTY UTILITIES DEPARTMENT ("OCU")

RECITALS:

WHEREAS, Orange County Board of County Commissioners owns in fee simple two parcels of property in Orange County identified as Tax ID No.08-22-31-0000-00-156, as more particularly described in **Exhibit "A"**, attached hereto and hereby made a part of this Agreement (the "Parcel A") and Tax ID No. 05-22-31-8399-00-002, as more particularly described in **Exhibit B**; attached hereto and made part of the Agreement ("Parcel B");and

WHEREAS, the Parcel A which is currently managed by OCFR as the Controlling Agency was acquired for construction of Fire Station 67 but was later determined to be unsuitable for such purpose; and

WHEREAS, Parcel B which is currently managed by OCU has been determined to be more suitable for construction of Fire Station 67 and is not needed by OCU; and

WHEREAS, OCFR and OCU have agreed to exchange Parcel A and Parcel B and OCFR will deposit \$115,500.00 into an account designated by OCU to compensate OCU for the difference in appraised value between such parcels; and

WHEREAS, OCFR and OCU agree that the following real estate transaction is necessary and appropriate to accomplish the transfer of the controlling rights of Parcel A from OCFR to OCU and the transfer of controlling rights of Parcel B from OCU to OCFR so that Parcel B may be put to more efficient use.

NOW, THEREFORE, for and in consideration of the reciprocal covenants contained herein, OCFR and OCU hereby agree as follows:

1. The foregoing recitals are declared to be true and correct and are incorporated into this Agreement.

2. Once OCFR deposits One Hundred Fifteen Thousand-Five Hundred Dollars (\$115,500.00) into Accounting Line No. 4420-038-1300-6410 the Controlling Agency for Parcel A described herein shall transfer from OCFR to OCU and the Controlling Agency for Parcel B described herein shall transfer from

OCU to OCFR. OCU and OCFR acknowledge that this exchange is necessary to adequately serve nearby properties.

3. OCU shall not allow construction on Parcel B until OCFR deposits the above-referenced funds into the OCU Account.

IN WITNESS WHEREOF, the parties have caused this MOU to be executed and delivered on the day and year first above written.

Otto Drozd
Director

Fire Rescue Department
Orange County

Raymond E. Hanson, P.E.
Director

Utilities Department
Orange County

Dean Road Site - Parcel A: Tax ID #08-22-31-0000-00-156
Exhibit "A"

From the Southwest corner of Section 8, Township 22 South, Range 31 East, Orange County, Florida, run North $89^{\circ} 29' 57''$ E. 50.00 feet along the South boundary of said Section 8 to a point on the Easterly right-of-way line of Dean Road (S.R. S-425); thence run North 00 degrees 02' 14" West 300.00 feet along said Easterly right-of-way line and parallel with the West boundary of said Section 8 for the point of beginning; thence run North $89^{\circ} 29' 57''$ East 218.00 feet; thence run North 00 degrees 02' 14" West 166.00 feet parallel with said West boundary to a point on the South boundary of ARBOR WOODS as recorded in Plat Book 8, Page 30, Public Records of Orange County, Florida; thence run South $89^{\circ} 29' 57''$ West 238.00 feet along said South boundary to a point on the aforesaid Easterly right-of-way line of Dean Road (S.R. S-425); thence run South 00° 02' 14" East 80.12 feet along said Easterly right of way line; thence run North $89^{\circ} 29' 57''$ East 20.00 feet along said Easterly right-of-way line; thence run South 00° 02' 14" East 85.88 feet along said Easterly right-of-way line to the point of beginning.

CONTAINING: 0.868 Acres More or Less.

Subject to an easement for right-of-way purposes over that certain parcel of land described as follows:

From the Southwest corner of Section 8, Township 22 South, Range 31 East, Orange County, Florida, run North $89^{\circ} 29' 57''$ East 50.00 feet along the South boundary of said Section 8 to a point on the Easterly right-of-way line of Dean Road (S.R. S-425); thence run North 00° 02' 14" West 385.88 feet along said Easterly right-of-way line and parallel with the West boundary of said Section 8; thence run South $89^{\circ} 29' 57''$ West 20.00 feet along said Easterly right-of-way; thence run North 00° 02' 14" West 41.12 feet along said Easterly right-of-way line for the point of beginning; thence continue North 00° 02' 14" West 39.00 feet along said Easterly right-of-way line to a point on the South boundary of ARBOR WOODS, as recorded in Plat Book 8, Page 30, Public Records of Orange County, Florida; thence run North $89^{\circ} 29' 57''$ East 192.00 feet along said South boundary to a point on a curve concave Southeasterly having a radius of 175.00 feet and an intersection angle of $25^{\circ} 30' 41''$; thence from a tangent bearing of South $89^{\circ} 29' 57''$ West, run Southwesterly 77.92 feet along the arc of said curve to the beginning of a reverse curve concave Northwesterly, having a radius of 225.00 feet and an intersection angle of $25^{\circ} 30' 41''$; thence run Southwesterly 100.18 feet along the arc of said curve to the end of said curve; thence run South $89^{\circ} 29' 57''$ West 20.04 feet to the point of beginning.

A.H.L.

And

From the Southwest corner of Section 8, Township 22 South, Range 31 East, run North $89^{\circ} 29' 57''$ East 50 feet along the South line of said Section 8 to the East right of way line of Dean Road; thence North 00° 02' 14" West 200 feet along said East right of way line of the point of beginning; continue thence North 00° 02' 14" West 100 feet; thence leaving said right of way line, run North $89^{\circ} 29' 57''$ East 218 feet; thence South 00° 02' 14" East 100 feet; thence South $89^{\circ} 29' 57''$ West 218 feet to the Point of Beginning, Orange County Florida.

University Boulevard Site – Parcel B: Tax ID #05-22-31-8399-00-002
Exhibit “B”

Suncrest Water Treatment Plant - 2 Parcels (Parcels E and J from Title Insurance Commitment):

Commence at the South 1/4 corner of Section 5, Township 22 South, Range 31 East, Orange County, Florida; thence run North 01 degrees 56 minutes 25 seconds East for a distance of 53.03 feet to the North Right-of-Way line of Florida Tech Blvd. (S.R. 436-A); thence run East along said North Right-of-Way line for a distance of 1148.73 feet to the Point of Beginning of the following description:

Thence continue East for a distance of 200.00 feet; thence run North 02 degrees 53 minutes 47 seconds East for a distance of 436.16 feet; thence run West for a distance of 200.00 feet; thence run South 02 degrees 53 minutes 47 seconds West for a distance of 436.16 feet to the Point of Beginning.

LESS THE FOLLOWING:

That part of the West 1/2 of the Southeast 1/4 of Section 5, Township 22 South, Range 31 East, described as follows:

From the Southeast corner of Section 5, Township 22 South, Range 31 East, Orange County, Florida, run South 89 degrees 43 minutes 05 seconds West along the South line of Section 5, 1345.54 feet; thence North 00 degrees 16 minutes 55 seconds West 53.00 feet to the Point of Beginning, said point being on the North Right-of-Way line for University Boulevard; thence South 89 degrees 43 minutes 05 seconds West along said Northerly Right-of-Way line 200.00 feet; thence North 00 degrees 02 minutes 50 seconds West 10.27 feet; thence North 89 degrees 44 minutes 45 seconds East 200.00 feet to a point on the East line of the West 1/2 of the Southeast 1/4 of Section 5; thence South 00 degrees 02 minutes 50 seconds East along said East line 10.17 feet to the Point of Beginning.

TOGETHER WITH Tract E, Access, Suncrest Unit Six, according to the Plat thereof as recorded in Plat Book 32, Page 5, of the Public Records of Orange County, Florida.