

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MEMORANDUM

TO: Central Florida Expressway Authority Board

THROUGH: Joseph L. Passiatore, General Counsel *JP*

FROM: Linda S. Brehmer Lanosa, Deputy General Counsel *Linda S. B. Lanosa*

DATE: July 28, 2015

RE: Proposed Resolution Adopting and Approving the Acquisition of
Project 599-1260, Parcel 100, Part A and Parcel 100, Part B for
Improvements at the Interchange of State Roads 417 and 528
Owner: Mockingbird Orlando LLC
Parent Tract Location: Northwest Corner of S.R. 417 and S.R. 528
Parcel 100 Part A: 4.278+/- acres along S.R. 528 for retention
Parcel 100 Part B: 2.048+/- acres at the northwest corner for the ramp

Staff recommends two improvements at the Interchange of S.R. 417 and S.R. 528 and along S.R. 528 in the general area depicted on **Composite Exhibit 1**.

First, staff recommends the reconstruction of the southbound S.R. 417 (Greenway) ramp connecting to the westbound S.R. 528 (Beachline) so that the ramp will accommodate an increased design speed from 40 m.p.h. to 60 m.p.h. The proposed acquisition in this area, including the necessary setback from the property line, is identified as Project 599-1260, Parcel 100, Part B, and consists of 2.048+/- acres.

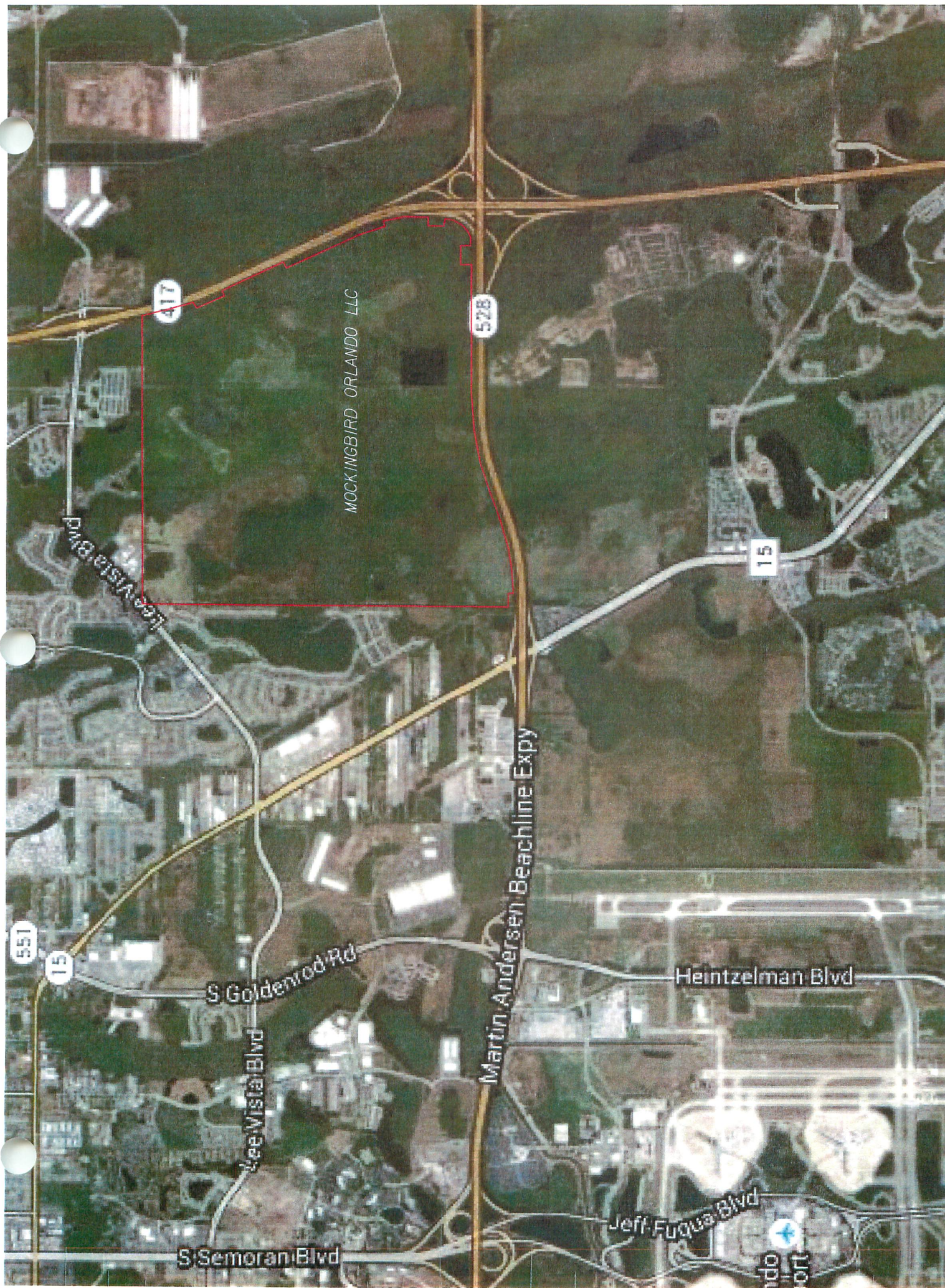
Second, staff recommends extending the auxiliary lane on S.R. 528 from the S.R. 417 ramp to the S.R. 15 exit. Currently this section of S.R. 528 has 3-lanes from the S.R. 417 ramp, reducing to 2-lanes on the S.R. 528 mainline, before again reopening to three-lanes through S.R. 15 (Narcoossee Road). The proposed 3-lane configuration will improve the westbound traffic flow. Additional property is needed for stormwater treatment purposes. The proposed acquisition in this area is identified as Project 599-1260, Parcel 100, Part A, and consists of 4.278+/- acres.

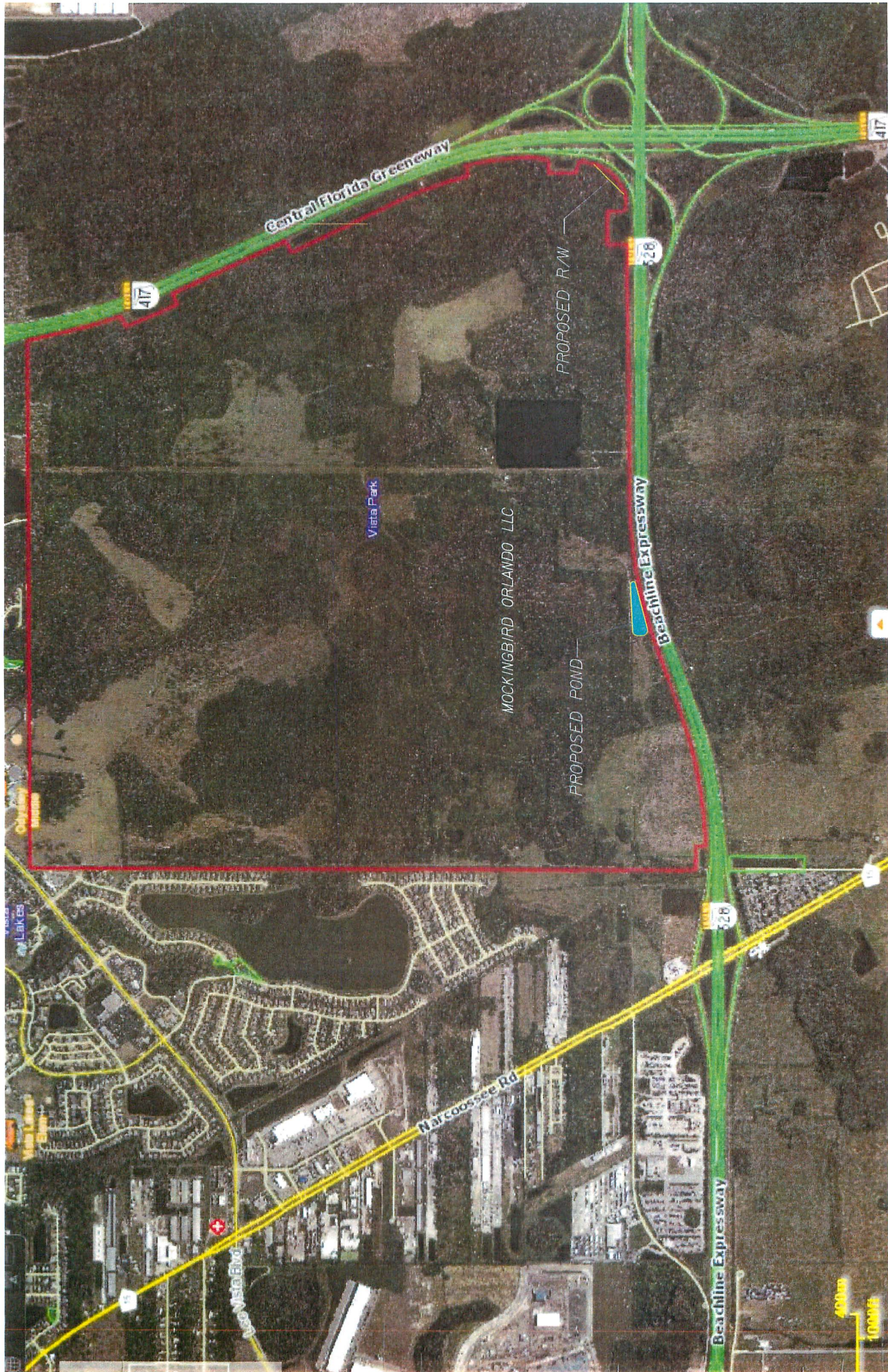
REQUESTED ACTION

We respectfully request the Board approve the attached Resolution Adopting and Approving the Acquisition of Project 599-1260, Parcel 100, Part A and Parcel 100, Part B for Improvements at the Interchange of State Roads 417 and 528 and along S.R. 528.

ATTACHMENTS

- Exhibit 1. Aerial Maps
- Exhibit 2. Proposed Resolution





**A RESOLUTION OF THE
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
ADOPTING AND APPROVING
THE ACQUISITION OF PROJECT 599-1260,
PARCEL 100, PART A AND PARCEL 100, PART B FOR IMPROVEMENTS AT
THE INTERCHANGE OF STATE ROADS 417 AND 528 AND ALONG S.R. 528**

WHEREAS, the CENTRAL FLORIDA EXPRESSWAY AUTHORITY (the "AUTHORITY") pursuant to Florida Statutes, Chapter 348, Part III, Section 348.754(1)(b), is authorized and empowered to acquire, hold, construct, improve, maintain, operate, and own the CENTRAL FLORIDA EXPRESSWAY SYSTEM (the "SYSTEM"), and is further authorized to construct any extensions, additions or improvements to the SYSTEM or appurtenant facilities, including all necessary approaches, roads, bridges, avenues of access, rapid transit, trams, fixed guideways, thoroughfares, and boulevards with any changes, modifications, or revisions of the project which are deemed desirable and proper;

WHEREAS, the SYSTEM is defined under Section 348.752(5), Florida Statutes, as any and all expressways and appurtenant facilities thereto, including all approaches, roads, bridges, and avenues for the expressway and any rapid transit, trams, or fixed guideways located within the right-of-way of an expressway;

WHEREAS, Section 348.759(1), Florida Statutes, and Chapters 73 and 74, Florida Statutes, empower the AUTHORITY to acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation by eminent domain proceedings, as the AUTHORITY deems necessary for any of the enumerated purposes, including, but not limited to, any lands reasonably necessary for securing applicable permits, areas necessary for management of access, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access is impaired due to the construction of a facility, and replacement rights-of-way for relocated rail and utility facilities; for existing, proposed, or anticipated transportation facilities on the SYSTEM or in a transportation corridor designated by the AUTHORITY; or for the purposes of screening, relocation, removal, or disposal of junkyards and scrap metal processing facilities;

WHEREAS, the AUTHORITY has determined that it is necessary and in the public interest to make certain additions, extensions and improvements to the SYSTEM, including the south S.R. 417 to west S.R. 528 ramp improvements, and improvements along S.R. 528, including stormwater treatment, and the AUTHORITY has determined that to do so it is necessary and in the public interest that the AUTHORITY obtain certain parcels of land in Orange County, Florida, generally described as:

<u>Parcel No.</u>	<u>Interest</u>	<u>Size</u>
100, Part A	Fee Simple	4.278 acres, more or less
100, Part B	Fee Simple	2.048 acres, more or less

and more particularly described in the legal descriptions and sketches attached hereto as Schedule "A."

THEREFORE, BE IT RESOLVED BY THE CENTRAL FLORIDA EXPRESSWAY, AUTHORITY, IN A REGULAR PUBLIC MEETING, AS FOLLOWS:

EXHIBIT 2

1. This Resolution is adopted pursuant to the Constitution of the State of Florida, Chapters 73, 74, and 348, Florida Statutes, Sections 348.754(1)(b) and 348.759(1), Florida Statutes, and other applicable provisions of law.

2. For the reasons described above, including the public use and purpose of improving the south S.R. 417 to west S.R. 528 ramp and improving S.R. 528, it is reasonably necessary, practical and in the best interest of the public and the AUTHORITY that Project 599-1260, Parcel 100, Part A and Parcel 100, Part B, as more particularly described in the legal descriptions attached hereto as Schedule "A," and such other property interests as may be within the scope of the descriptions in Schedule "A," be acquired in the name of the AUTHORITY by gift, purchase, eminent domain proceedings, or otherwise over and upon those parcels or tracts of land, situated, lying and being in Orange County, Florida.

3. The AUTHORITY, its officers, employees, agents, and attorneys are hereby authorized and directed to proceed to take the necessary steps to institute and prosecute such necessary actions and proceedings as may be proper for the acquisition of Project 599-1260, Parcel 100, Part A and Parcel 100, Part B, and such other property interests as described in the attached Schedule "A," by gift, purchase, eminent domain proceedings or otherwise, and to prepare, sign, execute, serve, publish, and file in the name of the AUTHORITY all eminent domain papers, affidavits and pleadings, and its attorneys are authorized to have prepared such other instruments and documents as may be necessary in connection herewith.

4. This Resolution shall take effect immediately upon adoption.

ADOPTED this _____ day of _____ 2015.

Welton Cadwell, Chairman

ATTEST: _____
Darleen Mazzillo, Executive Assistant

Approved as to form and legality

Joseph L. Passiatore, General Counsel

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
S.R. 417 AT S.R. 528 - PROJECT NO. 599-1260
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION:

PART A

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 23 SOUTH, RANGE 31 EAST, AND THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4" X 4" CONCRETE MONUMENT WITH NO IDENTIFICATION MARKING THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 89°57'28" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 993.45 FEET TO ITS INTERSECTION WITH THE EXISTING NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 528 AS SHOWN ON THE ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY (OOCEA) RIGHT OF WAY MAP OF ROAD NO. 528, SECTION 1.1-1.5; SAID POINT BEING ON A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 5879.58 FEET, A CHORD DISTANCE OF 521.34 FEET AND A CHORD BEARING OF SOUTH 81°11'35" WEST; THENCE DEPARTING SAID SOUTH LINE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EXISTING NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 05°04'55", A DISTANCE OF 521.51 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID CURVE HAVING A CHORD DISTANCE OF 721.95 FEET AND A CHORD BEARING OF SOUTH 75°07'56" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND ALONG SAID EXISTING NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 07°02'23", A DISTANCE OF 722.40 FEET; THENCE DEPARTING SAID CURVE AND SAID EXISTING NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE, RUN NORTH 00°00'00" EAST, A DISTANCE OF 402.05 FEET; THENCE SOUTH 84°52'51" EAST, A DISTANCE OF 668.91 FEET; THENCE SOUTH 11°20'53" EAST, A DISTANCE OF 160.25 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 528 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 4.278 ACRES, MORE OR LESS

NOTE:

THIS SKETCH OF DESCRIPTION WAS PREPARED WITH THE BENEFIT OF CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY AS TO FILE NO. 2037-3374531 DATED 06/11/2015.

LEGEND & ABBREVIATIONS


CB = CHORD BEARING
C C R = CERTIFIED CORNER RECORD
CH = CHORD LENGTH
COR. = CORNER
(C) = CALCULATED DISTANCE
D B = DEED BOOK
E5MT = EASEMENT
EXIST = EXISTING
FND = FOUND
(F) = FIELD DISTANCE
ID = IDENTIFICATION

L = ARC LENGTH
L.A. = LIMITED ACCESS
LB = LICENSED SURVEY BUSINESS
LT = LEFT
NO. = NUMBER
OOCEA = ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY
O.R.B. = OFFICIAL RECORDS BOOK
P.C. = POINT OF CURVATURE
PG./PGS. = PAGE / PAGES

P.I. = POINT OF INTERSECTION
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.O.T. = POINT ON TANGENT
PROJ. = PROJECT
P.T. = POINT OF TANGENCY
(P) = PLAT
R = RADIUS
RT = RIGHT
R/W = RIGHT OF WAY

SEC = SECTION
S.R. = STATE ROAD
STA. = STATION
W/ = WITH
C = CENTERLINE
Δ = DELTA (CENTRAL ANGLE)
--- = CHANGE IN DIRECTION
--- = LIMITED ACCESS R/W LINE
--- = R/W LINE

PROJECT NO. 599-1260

DATE	JULY 06, 2015	CERTIFICATION OF AUTHORIZATION NO. LB 8011	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	PARCEL 100
DRAWN BY	M.ROLLINS			
CHECKED BY	S.WARE		S.R. 417 AT S.R. 528 CENTRAL FLORIDA EXPRESSWAY AUTHORITY ORANGE COUNTY, FLORIDA	SCALE: N/A
DBS PROJECT NO.	50068541			
 Dewberry 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 (407) 843-5120 FAX 407-649-8664				SHEET 1 OF 5
ADD SW COR. SE 1/4, SEC. 30	M.ROLLINS	07/31/2015		
REVISION	BY	DATE		

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
S.R. 417 AT S.R. 528 - PROJECT NO. 599-1260
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION:

PART B


A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4" X 4" CONCRETE MONUMENT WITH NO IDENTIFICATION MARKING THE SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 89°30'44" EAST ALONG THE SOUTH LINE OF SAID SECTION 29, A DISTANCE OF 3390.50 FEET TO ITS INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EXISTING NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 528 AS SHOWN ON THE ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY (OOCEA) RIGHT OF WAY MAP PROJECT NUMBER 6440-401/402; THENCE DEPARTING SAID SOUTH LINE RUN NORTH 00°14'55" WEST ALONG SAID SOUTHERLY EXTENSION, A DISTANCE OF 73.29 FEET TO SAID EXISTING NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°14'55" WEST, A DISTANCE OF 9.01 FEET TO A POINT ON A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1031.35 FEET, A CHORD DISTANCE OF 856.61 FEET AND A CHORD BEARING OF NORTH 46°47'27" EAST; THENCE DEPARTING SAID EXISTING NORTHERLY LINE, RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°04'28", A DISTANCE OF 883.36 FEET TO ITS INTERSECTION WITH THE EXISTING WESTERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 417 AS SHOWN ON SAID OOCEA RIGHT OF WAY MAP; THENCE DEPARTING SAID CURVE RUN SOUTH 74°27'48" EAST ALONG SAID EXISTING WESTERLY LINE, A DISTANCE OF 36.97 FEET TO A POINT ON A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 636.20 FEET, A CHORD DISTANCE OF 813.77 FEET AND A CHORD BEARING OF SOUTH 41°17'21" WEST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EXISTING WESTERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 417 THROUGH A CENTRAL ANGLE OF 79°31'04", A DISTANCE OF 882.95 FEET TO ITS INTERSECTION WITH AFORESAID EXISTING NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 528; THENCE DEPARTING SAID CURVE RUN NORTH 78°07'07" WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 125.64 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 417 AND STATE ROAD 528 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 2.048 ACRES, MORE OR LESS

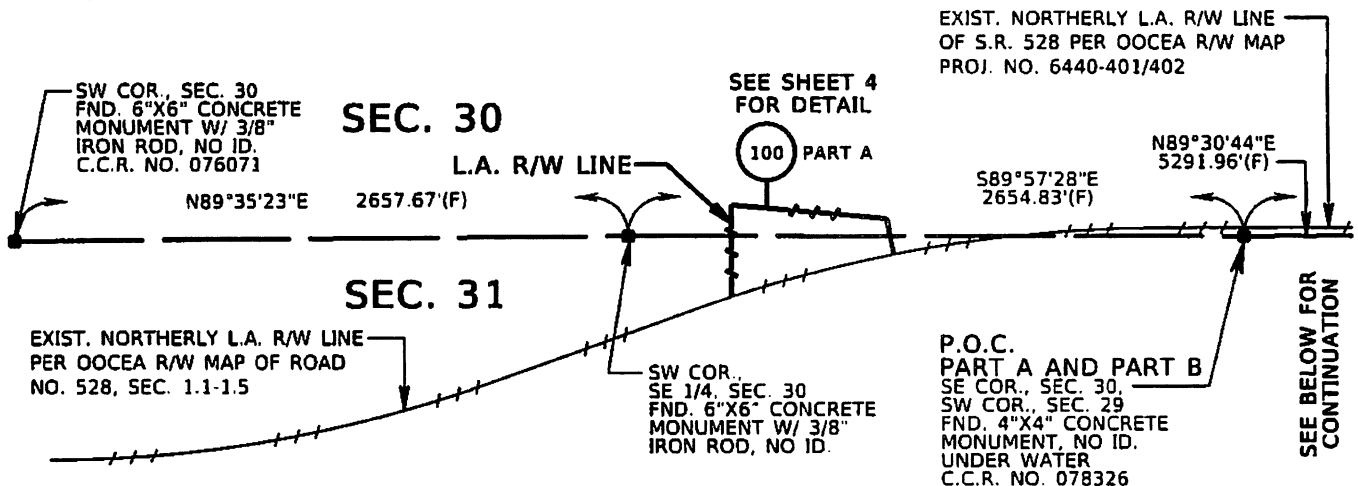
PROJECT NO. 599-1260

DATE	JULY 06, 2015	 Dewberry 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 (407) 843-5120 FAX 407-649-8664	SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)	PARCEL 100
DRAWN BY	M ROLLINS			
CHECKED BY	S.WARE		S.R. 417 AT S.R. 528 CENTRAL FLORIDA EXPRESSWAY AUTHORITY ORANGE COUNTY, FLORIDA	SCALE: N/A
DBS PROJECT NO.	50069541			
ADD SW COR. SE 1/4, 34C 13	M.ROLLINS	07/31/2015		
REVISION	BY	DATE		SHEET 2 OF 5

BEARING STRUCTURE BASED ON THE SOUTH LINE OF THE S/W 1/4 OF SEC. 30-23-31, BEING N89°35'23"E, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 1983/2011 ADJUSTMENT.

SCALE: 1" = 800'

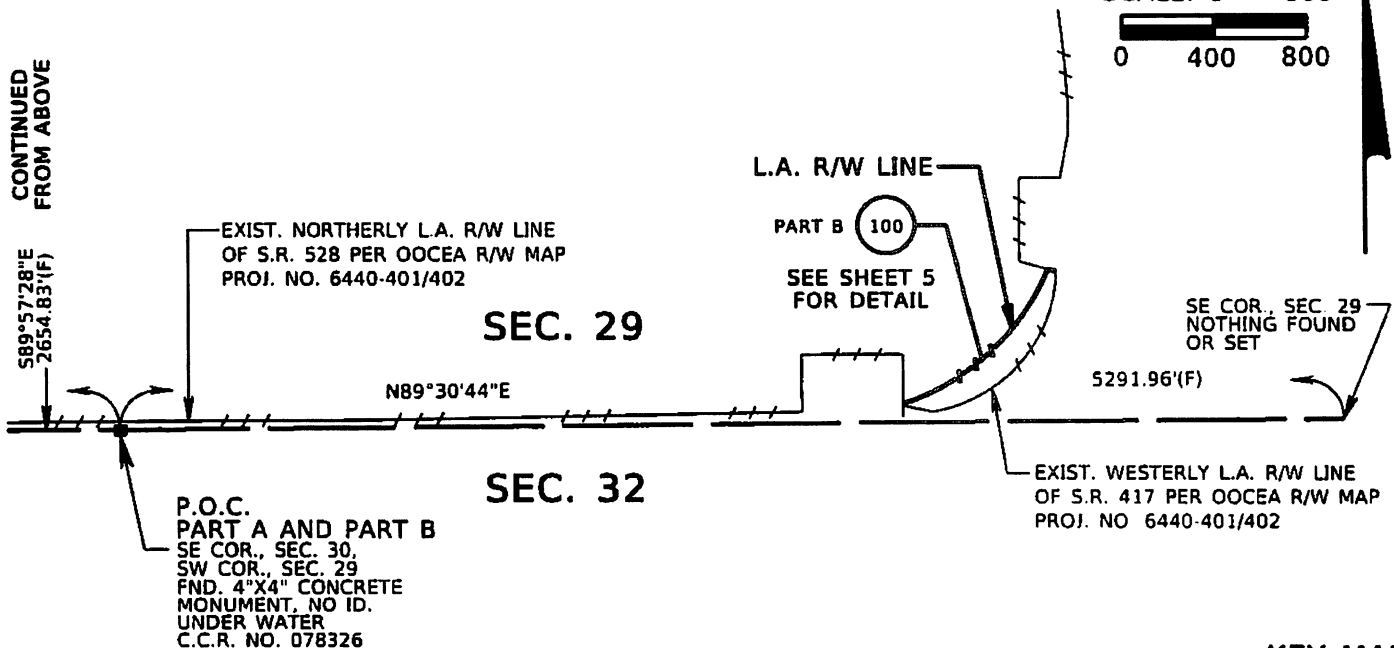
0 400 800



CONTINUED FROM ABOVE

SCALE: 1" = 800'

0 400 800



KEY MAP

PROJECT NO. 599-1260

DATE	JULY 06, 2015
DRAWN BY	M.ROLLINS
CHECKED BY	S.WARD
DBS PROJECT NO.	50068541
ADD SW COR. SE 1/4, SEC. 30	M.ROLLINS 07/31/2015
REVISION	BY DATE

CERTIFICATION OF AUTHORIZATION NO. LB 8011
Dewberry
520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 (407) 843-5120 FAX 407-649-8664

SKETCH OF DESCRIPTION
(THIS IS NOT A BOUNDARY SURVEY)

S.R. 417 AT S.R. 528
CENTRAL FLORIDA
EXPRESSWAY AUTHORITY
ORANGE COUNTY, FLORIDA

PARCEL
100

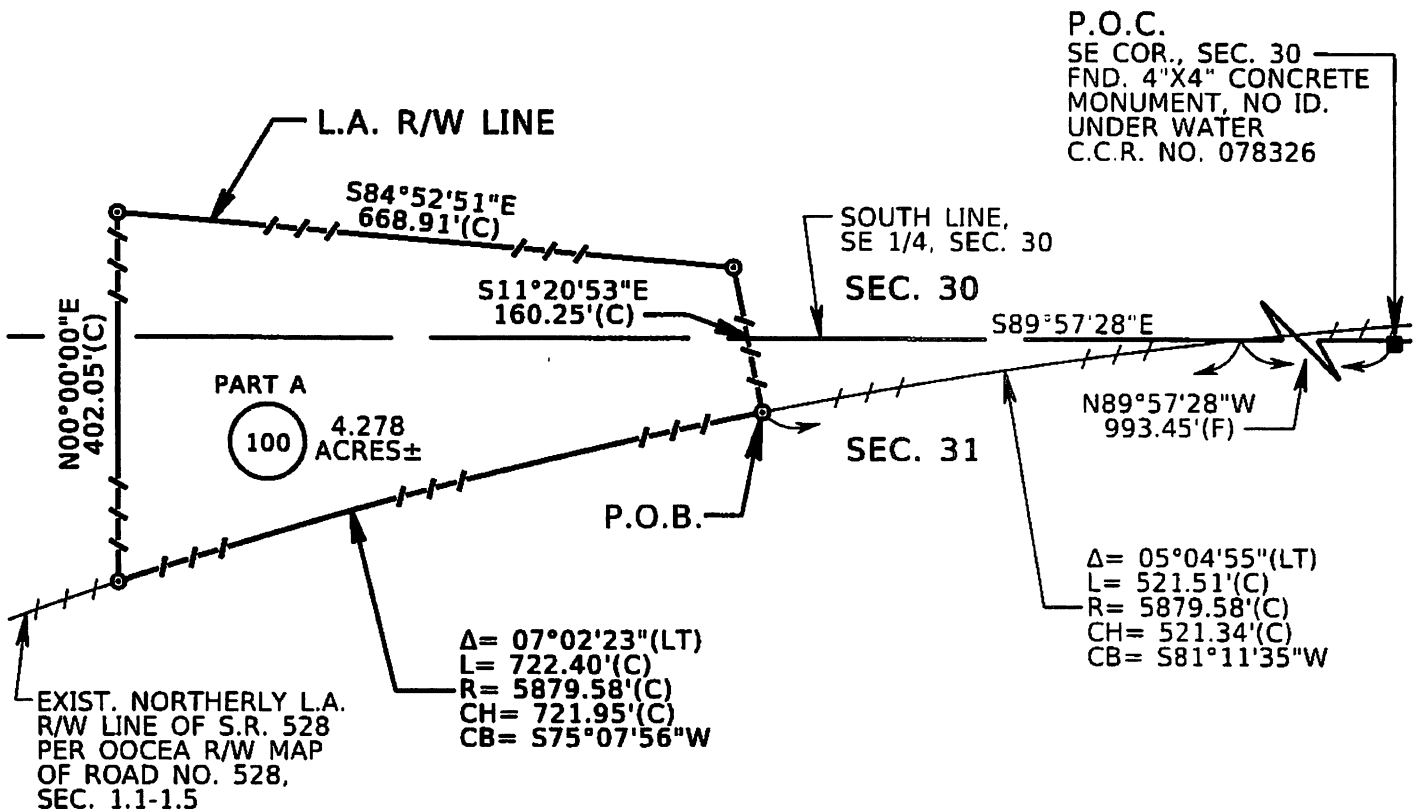
SCALE: 1"=800'

SHEET 3 OF 5

BEARING STRUCTURE BASED ON THE SOUTH LINE
OF THE S/W 1/4 OF SEC. 30-23-31, BEING
N89°35'23"E, FLORIDA STATE PLANE COORDINATE
SYSTEM, EAST ZONE, NAD 1983/2011 ADJUSTMENT.

SCALE: 1" = 200'

0 100 200



TOWNSHIP 23 SOUTH, RANGE 31 EAST

PROJECT NO. 599-1260

DATE	JULY 06 2015	<p>CERTIFICATION OF AUTHORIZATION No. LB 8011</p> <p>Dewberry</p> <p>520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 (407) 843-5120 FAX 407-649-8664</p>	<p>SKETCH OF DESCRIPTION (THIS IS NOT A BOUNDARY SURVEY)</p> <p>S.R. 417 AT S.R. 528 CENTRAL FLORIDA EXPRESSWAY AUTHORITY ORANGE COUNTY, FLORIDA</p>	<p>PARCEL 100</p>
DRAWN BY	M.ROLLINS			SCALE: 1"=200'
CHECKED BY	S.WARE			
DBS PROJECT NO.	50068541			
ADD SW COR. SE 1/4, SEC 30	M.ROLLINS	07/31/2015		SHEET 4 OF 5
REVISION	BY	DATE		

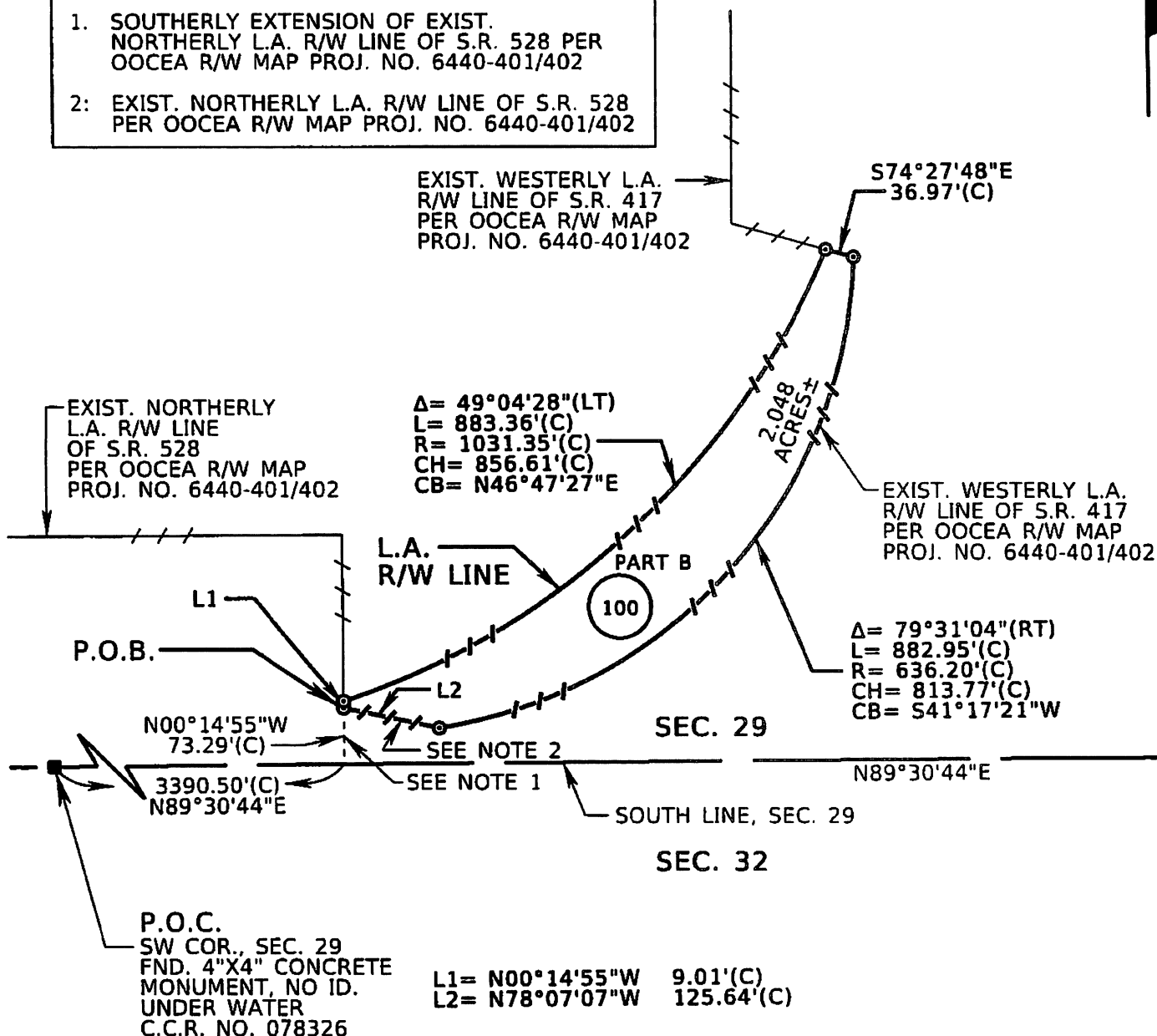
BEARING STRUCTURE BASED ON THE SOUTH LINE
OF THE S/W 1/4 OF SEC. 30-23-31, BEING
N89°35'23"E, FLORIDA STATE PLANE COORDINATE
SYSTEM, EAST ZONE, NAD 1983/2011 ADJUSTMENT.

SCALE: 1" = 200'

0 100 200

NOTES:

1. SOUTHERLY EXTENSION OF EXIST.
NORTHERLY L.A. R/W LINE OF S.R. 528 PER
OOCEA R/W MAP PROJ. NO. 6440-401/402
- 2: EXIST. NORTHERLY L.A. R/W LINE OF S.R. 528
PER OOCEA R/W MAP PROJ. NO. 6440-401/402



TOWNSHIP 23 SOUTH, RANGE 31 EAST

PROJECT NO. 599-1260

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION
IS IN ACCORDANCE WITH THE STANDARDS OF
PRACTICE AS REQUIRED BY CHAPTER 31-17 FLORIDA
ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027,
FLORIDA STATUTES.

WILLIAM E. BYRD, P.S.M.
LICENSE NUMBER 5442

NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

CERTIFICATION OF
AUTHORIZATION NO. LB 8011



Dewberry

520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801
(407) 843-5120
FAX 407-649-8664

SKETCH OF DESCRIPTION
(THIS IS NOT A BOUNDARY SURVEY)

S.R. 417 AT S.R. 528
CENTRAL FLORIDA
EXPRESSWAY AUTHORITY
ORANGE COUNTY, FLORIDA

PARCEL
100

SCALE: 1"=200'

SHEET 5 OF 5