

RESOLUTION NO. 2015-____
Surplus Property
(SR 528 – Project 528-1240
Multimodal Corridor)

A RESOLUTION OF THE
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
AUTHORIZING SALE OF EASEMENTS TO
ALL ABOARD FLORIDA- OPERATIONS, LLC

WHEREAS, the Central Florida Expressway Authority, (“CFX”), is empowered by Chapter 348, Part III, Florida Statutes to acquire, hold, construct, improve, maintain, and operate the Central Florida Expressway System (the “System”), and is further authorized to sell, lease, transfer or otherwise dispose of any property or interest therein at any time acquired by CFX; and

WHEREAS, CFX has adopted that certain Policy Regarding the Disposition of Excess Lands, section 5-6.01, *et. seq.* of CFX’s Permanent Policies and Rules (referred to herein as the “Policy”), which Policy provides for identification and disposal of real property, not needed to support existing Expressway Facilities (“Excess Property”); and

WHEREAS, pursuant to the Policy, if the CFX Board determines by resolution that the Excess Property is not essential for present or future construction, operation or maintenance of an Expressway Facility or essential for CFX purposes, said Excess Property shall be designated as “Surplus Property”; and

WHEREAS, CFX has determined that the easements in the parcels identified in Exhibit “A”, attached hereto, constitute surplus parcels; and

WHEREAS, CFX’s General Consulting Engineer, Atkins North America, Inc., has certified that the easements will not be needed for the current or future construction, operation or maintenance of the System; and

WHEREAS, CFX’s Right of Way Committee has determined that, the sale of easements to All Aboard Florida-Operations LLC would be in the best interest of CFX; and

WHEREAS, in light of the foregoing circumstances, CFX’s Right of Way Committee has recommended that the CFX Board declare the easements as Surplus Property available for sale and further recommend that the easements be sold to All Aboard Florida-Operations LLC.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That CFX hereby declares that the easements are not essential for the present or future construction, operation or maintenance of an Expressway Facility or essential for CFX purposes.

Section 2. That CFX declares it is in the public interest, under the circumstances, to declare the easements as Surplus Property and available for sale to All Aboard Florida-Operations LLC, under the terms and in accordance with the Amended and Restated Contract of Sale and Purchase of Rail Line Easements effective August 26, 2015.

Resolved this _____ day of _____, 2015.

**CENTRAL FLORIDA
EXPRESSWAY AUTHORITY**

Welton G. Cadwell
Chairman

Attest: _____
Darleen Mazzillo, Executive Assistant

Approved as to form and legality

Joseph L. Passiatore
General Counsel

EXHIBIT "A"

See Attached Depiction
Surplus Property (S.R. 528 – Multimodal Corridor)

DRAFT



Atkins North America, Inc.
482 South Keller Road
Orlando, Florida 32810-6101
Telephone: +1.407.647.7275
www.atkinsglobal.com/northamerica

November 4, 2015

Joseph A. Berenis, P.E.
Chief of Infrastructure
Central Florida Expressway Authority
4974 ORL Tower Road
Orlando, FL 32807


**Re: Central Florida Expressway Authority
Disposition of Property
Project 528-1240, SR 528 Multi-Modal Corridor
Easements over Existing CFX Right-of-way**

Dear Mr. Berenis:

We have reviewed the limits of the above designated easement parcels, as depicted in red on the attached. In our opinion, the easements are not essential for the operation of the Expressway System and disposition of the subject parcels via the proposed easement would not impede or restrict the current or future operation by the Central Florida Expressway Authority (CFX) of the Expressway System.

This letter is based on a review of All Aboard Florida's (AAF) Section C02 100% plans dated October 16, 2015. This letter pertains only to the parcels/interests designated above and is not to be construed as acceptance of the AAF plans for the entire project.

Sincerely,



Nathan P. Silva, P.E.
GEC Program Manager

Attachment

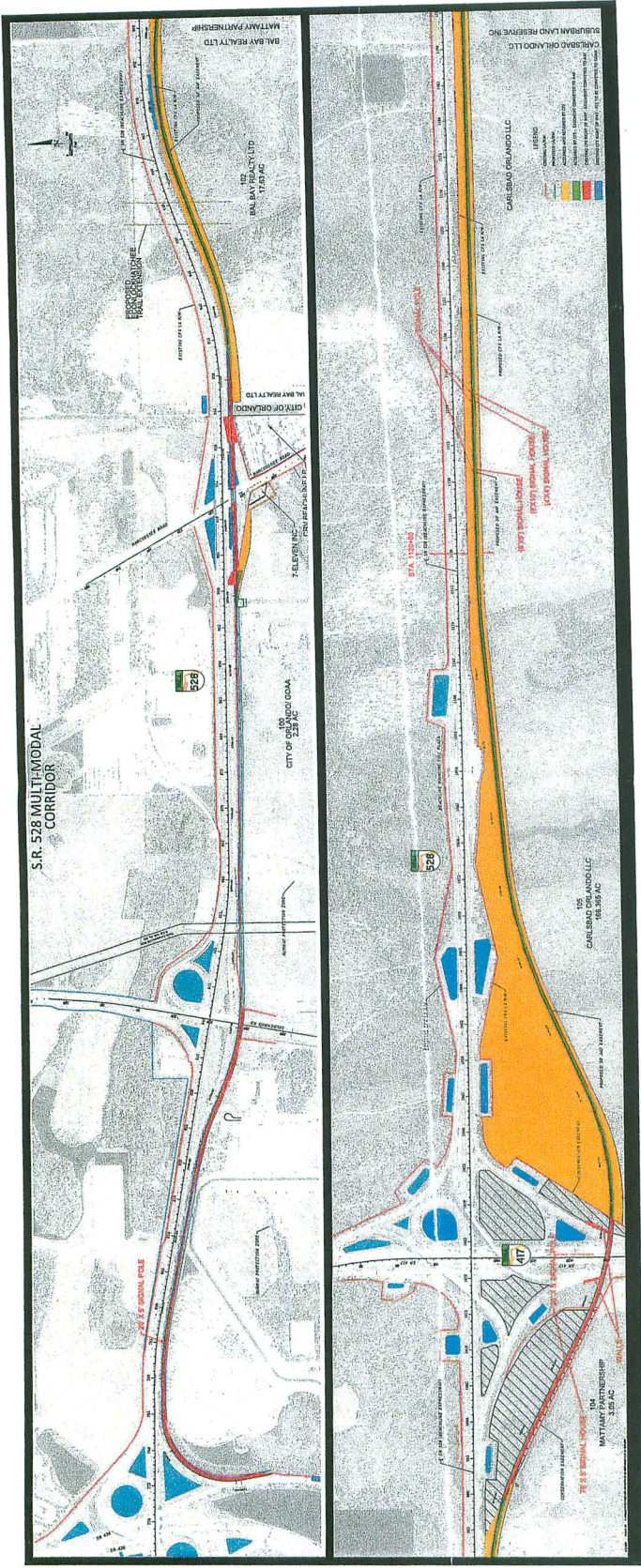
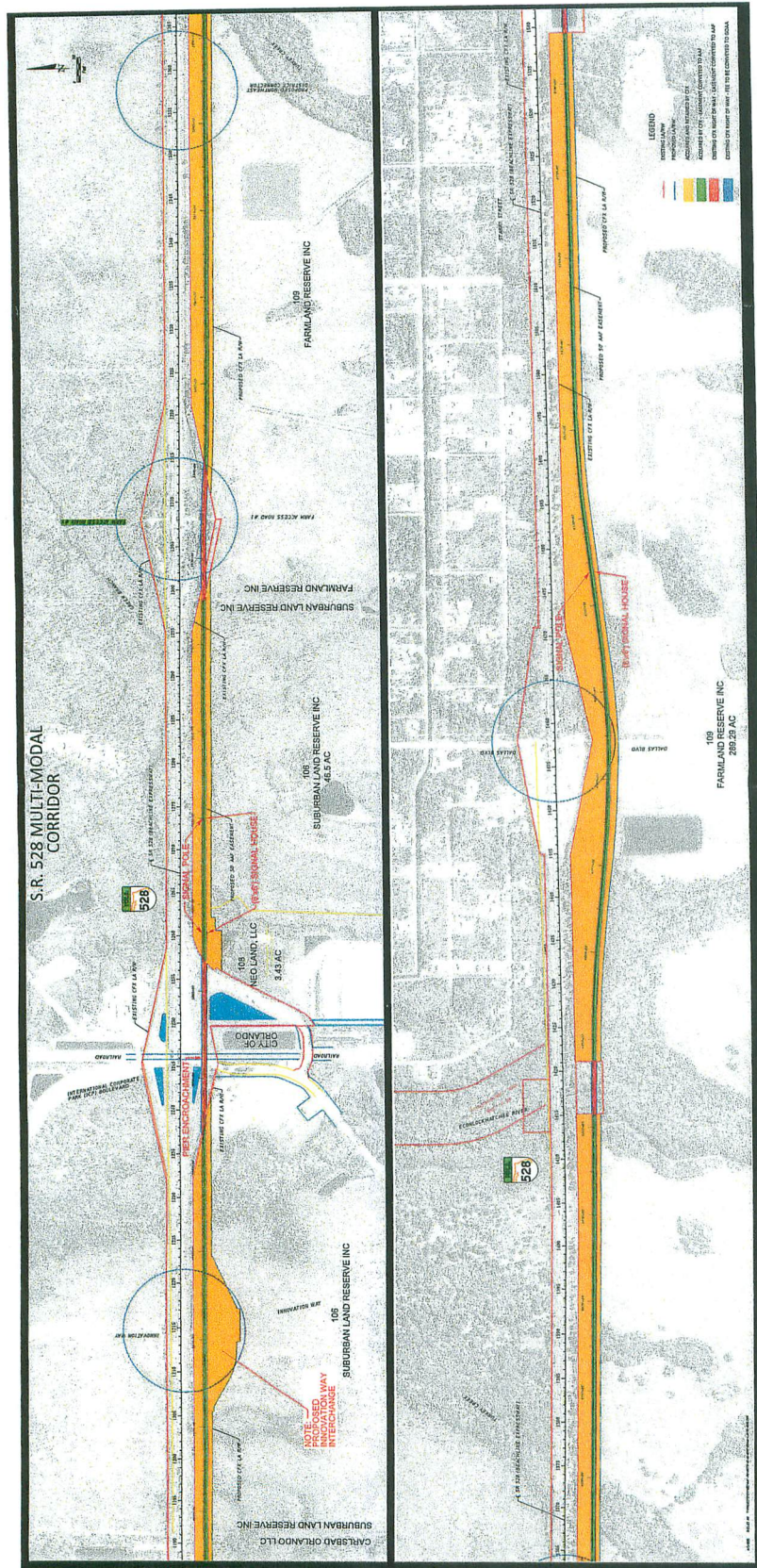


EXHIBIT A



LEGEND

EXISTING LAWN

PROPOSED LAWN

ACQUIRED AND REVEALED

ACQUIRED BY CITY - DNR

EXISTING CITY RIGHT-OF-WAY

EXISTING CITY RIGHT-OF-WAY

RESOLUTION NO. 2015-____
Surplus Property
(SR 528 – Project 528-1240
Multimodal Corridor)

A RESOLUTION OF THE
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
AUTHORIZING SALE OF FEE PARCEL TO THE
GREATER ORLANDO AVIATION AUTHORITY

WHEREAS, the Central Florida Expressway Authority, (“CFX”), is empowered by Chapter 348, Part III, Florida Statutes to acquire, hold, construct, improve, maintain, and operate the Central Florida Expressway System (the “System”), and is further authorized to sell, lease, transfer or otherwise dispose of any property or interest therein at any time acquired by CFX; and

WHEREAS, CFX has adopted that certain Policy Regarding the Disposition of Excess Lands, section 5-6.01, *et. seq.* of CFX’s Permanent Policies and Rules (referred to herein as the “Policy”), which Policy provides for identification and disposal of real property not needed to support existing Expressway Facilities (“Excess Property”); and

WHEREAS, pursuant to the Policy, if the CFX Board determines by resolution that the Excess Property is not essential for present or future construction, operation or maintenance of an Expressway Facility or essential for CFX purposes, said Excess Property shall be designated as “Surplus Property”; and

WHEREAS, CFX has determined that the parcel identified in Exhibit “A”, attached hereto, constitute Surplus Property; and

WHEREAS, CFX’s General Consulting Engineer, Atkins North America, Inc., has certified that the parcel will not be needed for the current or future construction, operation or maintenance of the System; and

WHEREAS, CFX’s Right of Way Committee has determined that, the sale of the property to the Greater Orlando Aviation Authority would be in the best interest of CFX; and

WHEREAS, in light of the foregoing circumstances, CFX’s Right of Way Committee has recommended that the CFX Board declare the property as Surplus Property available for sale and further recommend that the Surplus Property be sold to the Greater Orlando Aviation Authority.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That CFX hereby declares that the property is not essential for the present or future construction, operation or maintenance of an Expressway Facility or essential for CFX purposes.

Section 2. That CFX declares it is in the public interest, under the circumstances, to declare the property as Surplus Property and available for sale to Greater Orlando Aviation Authority, at appraised value.

Resolved this _____ day of _____, 2015.

**CENTRAL FLORIDA
EXPRESSWAY AUTHORITY**

Welton G. Cadwell
Chairman

Attest: _____
Darleen Mazzillo, Executive Assistant

Approved as to form and legality

Joseph L. Passiatore
General Counsel

EXHIBIT “A”

See Attached Depiction
Surplus Property (SR 528 – Multimodal Corridor)

DRAFT



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482 South Keller Road
Orlando, Florida 32810-6101
Telephone: +1.407.647.7275
www.atkinsglobal.com/northamerica

November 4, 2015

Joseph A. Berenis, P.E.
Chief of Infrastructure
Central Florida Expressway Authority
4974 ORL Tower Road
Orlando, FL 32807

**Re: Central Florida Expressway Authority
Disposition of Property
Project 528-800
Parcel 7.1, C-4 (Partial)**

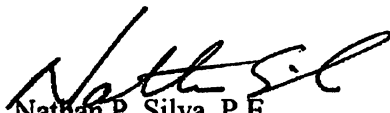
Dear Mr. Berenis:

We have reviewed the limits of the above designated parcel, as depicted on the attached. In our opinion, this property is no longer essential for the operation of the Expressway System and disposition of the subject parcel would not impede or restrict the current or future operation by the Central Florida Expressway Authority (CFX) of the Expressway System.

This letter is based on a review of All Aboard Florida's (AAF) Section PE01 plans dated February 6, 2015 and related follow-up submittals, which confirmed AAF's proposed installation of required drainage infrastructure.

This letter pertains only to the parcel designated above and is not to be construed as acceptance of the AAF plans for the entire project.

Sincerely,


Nathan P. Silva, P.E.
GEC Program Manager

Attachment

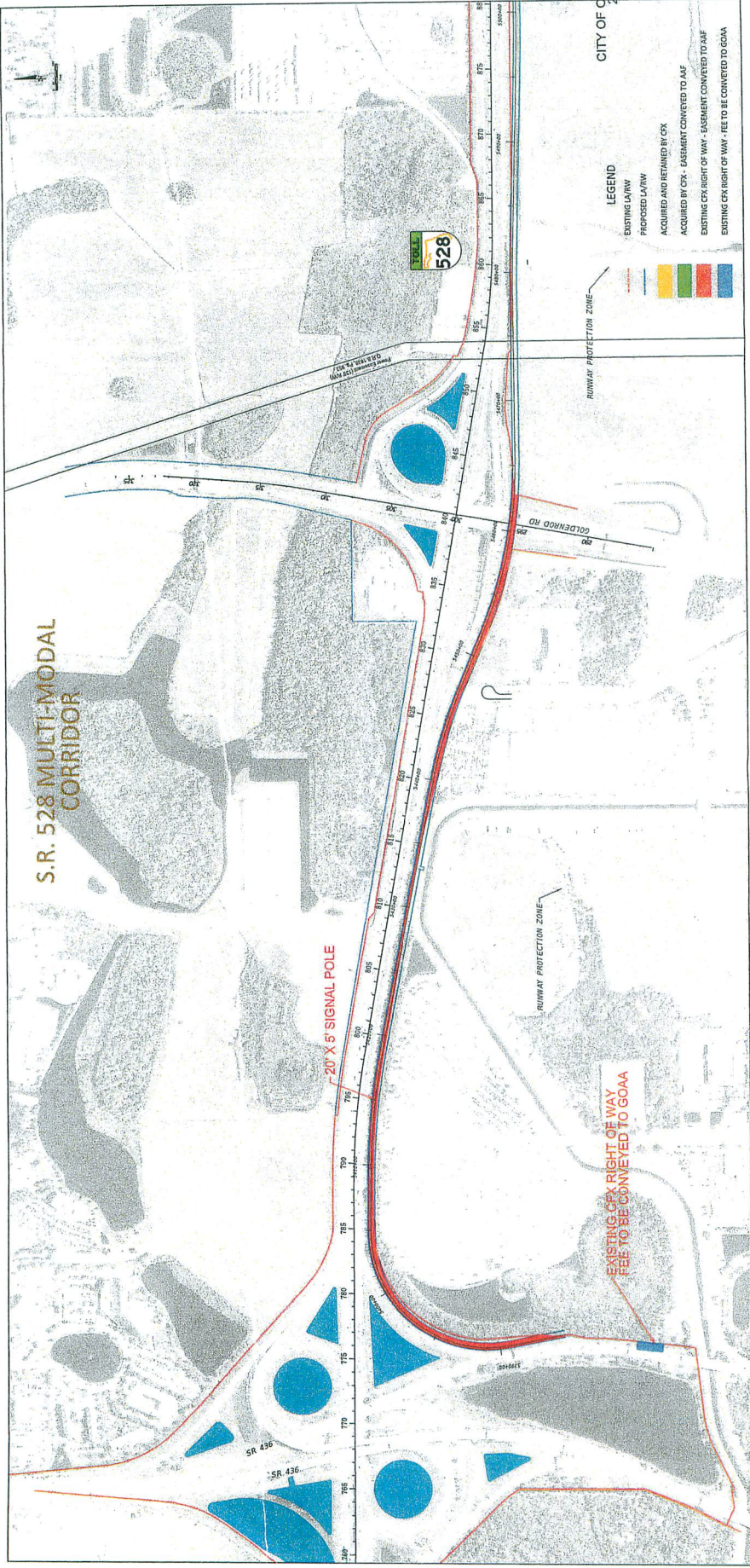


EXHIBIT A