


**MEMORANDUM**

TO: Central Florida Expressway Authority Board Members

FROM: Linda S. Brehmer Lanosa, Deputy General Counsel 

DATE: September 27, 2016

SUBJECT: Acceptance of County Deed from Orange County, Florida, pursuant to the Agreement for Right-of-Way Transfer and Continuing Maintenance  
Project: State Road 429, Part C from the Turnpike to Seidel Road

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According to the Right-of-Way Transfer and Continuing Maintenance Agreement (“Agreement”) with Orange County, Florida, approved by the CFX Board on August 11, 2016, Orange County is required to transfer title over or under County roads for CFX’s SR 429 bridges and crossings from the Turnpike to Seidel Road, with the exception of the crossings of SR 429 at the Malcom Road Bridge and Schofield Road.

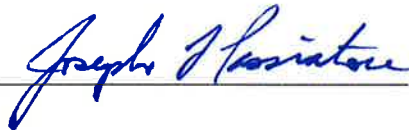
Consistent with the terms of the Agreement, Orange County has executed and delivered the attached County Deed. The attached County Deed is ready to be accepted by the CFX Board.

**REQUESTED ACTION**

Board approval is requested to accept the attached County Deed conveying title over or under County roads for CFX’s SR 429 bridges and crossings from the Turnpike to Seidel Road, with the exception of the crossings of SR 429 at the Malcom Road Bridge and Schofield Road.

Attachment: County Deed

Reviewed by: \_\_\_\_\_



APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
SEP 20 2016

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**Prepared By:**

Orange County Attorney's Office  
201 South Rosalind Avenue, Third Floor  
Orlando, FL 32801

Reserved for Recording

Project: State Road 429, Daniel Webster Western Beltway, Part C

This deed constitutes a conveyance from a state agency or instrumentality to an agency of the State of Florida and is not subject to documentary stamp tax. Department of Revenue Rules 12B-4.014(10), F.A.C.

**COUNTY DEED**

THIS DEED, dated as of the date signed, by **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, whose address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("GRANTOR"), and **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, a body corporate and an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, whose address is 4974 ORL Tower Road, Orlando, Florida 32807 ("GRANTEE").

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, the receipt of whereof is hereby acknowledged, does hereby remise, release, and forever quit-claim unto the said GRANTEE, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lots, pieces, or parcels of land, situate, lying and being in the county of Orange, state of Florida, designated as Parcel 653-100 and Parcel 654-100, to wit:

**SEE ATTACHED COMPOSITE EXHIBIT "C"**

**Property Appraiser's Parcel Identification Number:  
Not Assigned**

Project: State Road 429, Daniel Webster Western Beltway, Part C

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 signed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners



BY: *Teresa Jacobs*  
Teresa Jacobs  
*TJ* Orange County Mayor

Date: 9.20.16

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

By: *Craig A. Stopyra*  
Deputy Clerk  
Craig A. Stopyra  
Printed Name

# SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653 - 100  
ESTATE: FEE SIMPLE  
LIMITED ACCESS RIGHT-OF-WAY

## Legal Description

A parcel of land lying in the northeast 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of the northeast 1/4 said Section 20; thence  $S00^{\circ}06'56''E$  along the west line of said northeast 1/4 for 1295.54 feet to a point on the north line of the existing right-of-way for McKinney Road as shown on the Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project Number 75320-6460-653, dated 10/01/02; thence run  $N89^{\circ}43'18''E$  along said North line for 75.00 feet the POINT OF BEGINNING; thence continue  $N89^{\circ}43'18''E$  along said north line for 300.00 feet; thence  $S00^{\circ}06'56''E$  for 60.00 feet to a point on the south line of the existing right-of-way for McKinney Road; thence  $S89^{\circ}43'18''W$  along said south line for 300.00 feet; thence  $N00^{\circ}05'56''W$  for 60.00 feet to the POINT OF BEGINNING.

Containing 0.413 acres, more or less.

Together with all rights of ingress, egress, light, air and view to, from or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way.



A handwritten signature in black ink, appearing to read "Jack Vance Carper, Jr.".

J. Vance Carper, Jr., PSM  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

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

Date: 10/18/12  
Scale: N/A  
Job No.: 100002756  
F.B.: N/A  
Drawn By: YS  
Ckd. By: JVC  
Sheet 1 of 2

80 491 385 381

50117-01942- Lerner & O'Rourke 429 McKinney, Orlando

THIS IS NOT A SURVEY

## ATKINS

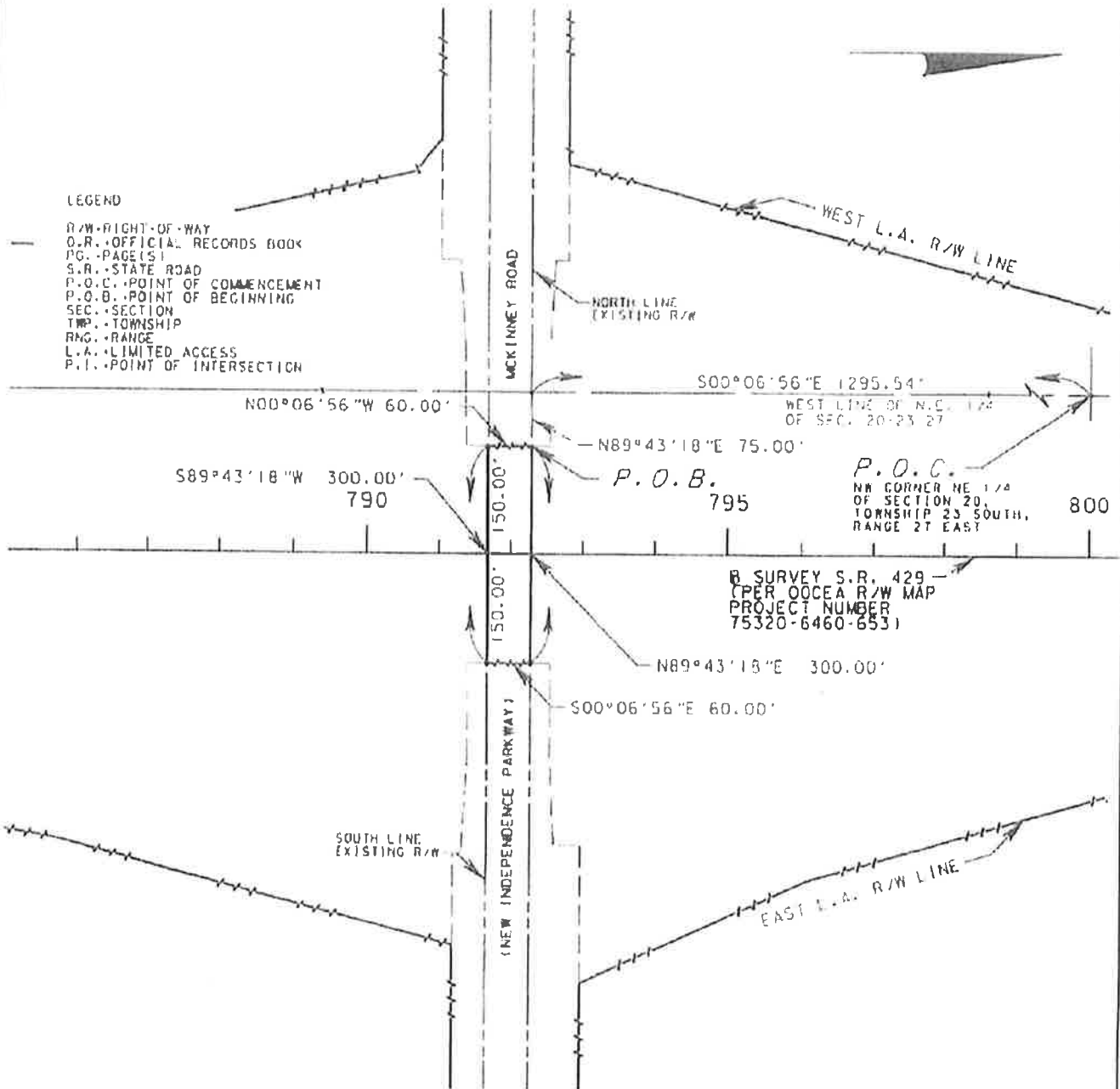
492 South Keller Road  
Orlando, Florida 32810-6101  
Tel: 407/677-7275 Certificate No. LB 24

# SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
 SR 429 - WESTERN BELTWAY  
 PROJECT: 653 - 100  
 ESTATE: FEE SIMPLE  
 LIMITED ACCESS RIGHT-OF-WAY

### LEGEND

R/W - RIGHT-OF-WAY  
 O.R. - OFFICIAL RECORDS BOOK  
 PG. - PAGE(S)  
 S.R. - STATE ROAD  
 P.O.C. - POINT OF COMMENCEMENT  
 P.O.B. - POINT OF BEGINNING  
 SEC. - SECTION  
 TWP. - TOWNSHIP  
 RMC. - RANGE  
 L.A. - LIMITED ACCESS  
 P.I. - POINT OF INTERSECTION



B SURVEY S.R. 429 -  
 (PER OOCEA R/W MAP  
 PROJECT NUMBER  
 75320-6460-653)

STUDENT SURVEY FOR COURSE 471414 - 10/18/12  
 20-448-22-6 15-61

THIS IS NOT A SURVEY

## ATKINS

482 South Keller Road  
 Orlando, Florida 32810-6101  
 Tel: 407/647-7275 Certificate No. LB 24

NOTES:  
 1. BEARINGS ARE BASED ON THE WEST LINE OF  
 THE NORTH EAST 1/4 OF SECTION 20,  
 TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE  
 COUNTY, FLORIDA, BEARING  $S00^{\circ}06'56''E$ .

Date: 10/18/12  
 Scale: 1" = 200'  
 Job No.: 100002756  
 F.B.: N/A  
 Drawn By: JS  
 Ckd. By: JVC  
 Sheet 2 of 2

**SKETCH OF DESCRIPTION**

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
 SR 429 - WESTERN BELTWAY  
 PROJECT: 654 - 100  
 ESTATE: FEE SIMPLE

**LIMITED ACCESS RIGHT-OF-WAY**

*Legal Description*

A parcel of land lying in the northeast 1/4 of Section 17, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 17, being a point on the east line of the existing right-of-way of Davenport Road, as shown on Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project No. 75320-6460-654, dated 8-04-99; thence S00°07'39"E along said east line of Section 17 and said existing right-of-way for 593.66 feet, to a point on the westerly limited access right-of-way line of State Road 429, as shown on said OOCEA right-of-way map, said point being the POINT OF BEGINNING; thence continue S00°07'39"E along said east line of Section 17 and said existing right-of-way for 520.61 feet to a point on the easterly limited access right-of-way line of said State Road 429; thence S36°25'02"W for 41.98 feet to a point on said easterly limited access right-of-way line of State Road 429, said point also being on the west line of the existing right-of-way of Davenport Road, as shown on said OOCEA right-of-way map; thence N00°07'39"W along said west line for 520.61 feet to a point on the westerly limited access right-of-way line of said State Road 429; thence N36°25'02"E for 41.98 feet to the POINT OF BEGINNING.

Containing 13,015 square feet, more or less.

Together with all rights of ingress, egress, light, air and view to, from or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way.

23-44-2216 1524

S:\00001\5428 - Elements\00005429 Davenport (1) 11.dwg



*J. Vance Carper, Jr.*

J. Vance Carper, Jr., PSM  
 Professional Surveyor and Mapper  
 Florida Certificate No. 3598

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

Revised: 05/18/12  
 Date: 10/18/12  
 Scale: N/A  
 Job No.: 100002756  
 F.B.: N/A  
 Drawn By: YS  
 Ckd. By: VC  
 Sheet 1 of 2

THIS IS NOT A SURVEY  
**ATKINS**

482 South Keller Road  
 Orlando, Florida 32810-6101  
 Tel: 407/641-7275 Certificate No. LB 24

# SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
 SR 429 - WESTERN BELTWAY  
 PROJECT: 654 - 100  
 ESTATE: FEE SIMPLE

## LIMITED ACCESS RIGHT-OF-WAY

P.O.C.  
 NORTHEAST CORNER OF  
 SEC. 17, TOWNSHIP 23 SOUTH,  
 RANGE 27 EAST

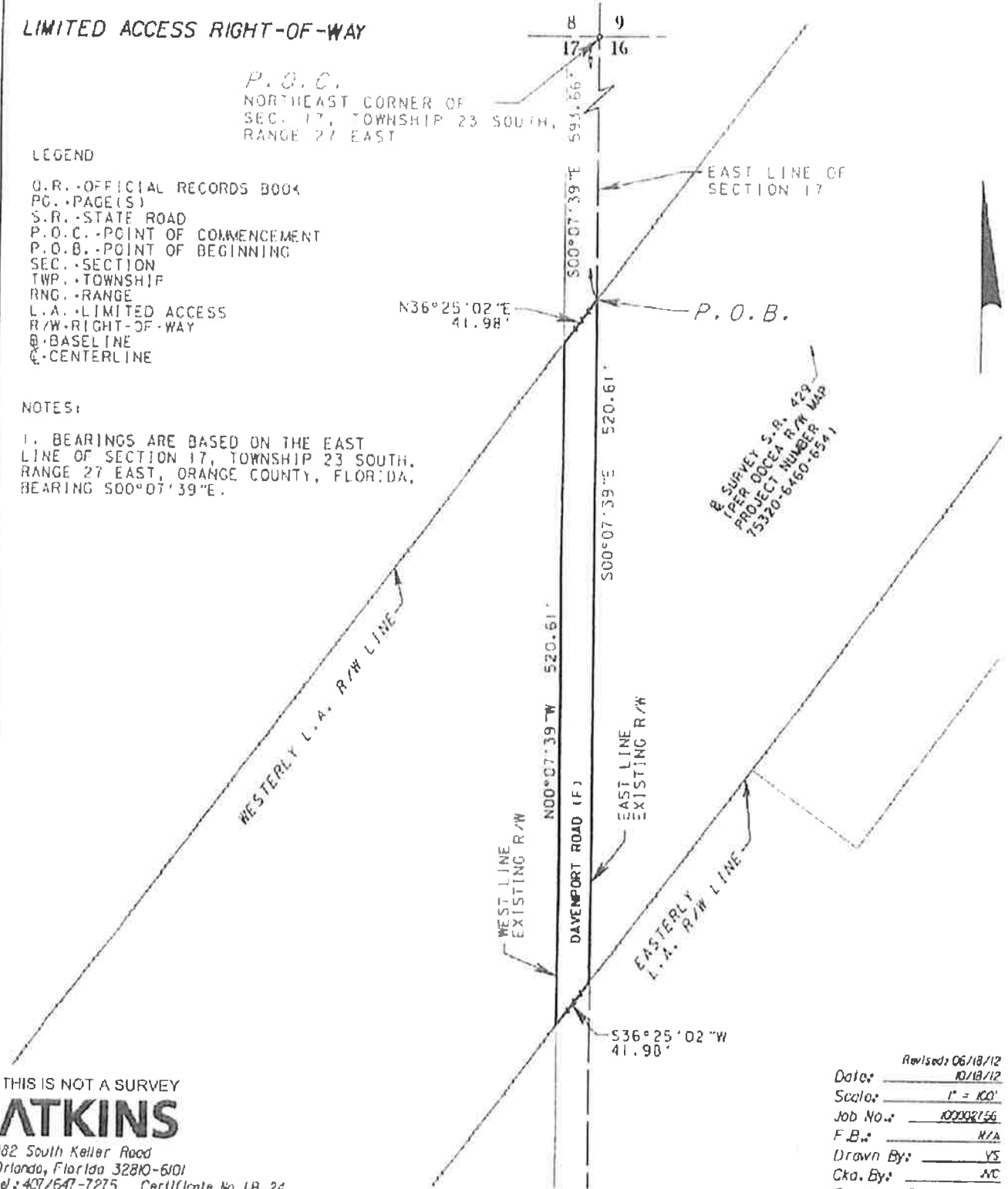
### LEGEND

- O.R. - OFFICIAL RECORDS BOOK
- P.G. - PAGE(S)
- S.R. - STATE ROAD
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- SEC. - SECTION
- TWP. - TOWNSHIP
- RNG. - RANGE
- L.A. - LIMITED ACCESS
- R/W - RIGHT-OF-WAY
- ⊙ - BASELINE
- ⊙ - CENTERLINE

### NOTES:

1. BEARINGS ARE BASED ON THE EAST LINE OF SECTION 17, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEARING  $500^{\circ}07'39''E$ .

SEE SURVEY S.R. 429  
 (PER DOCEA P/R MAP  
 PROJECT NUMBER  
 15370-6460-654)



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THIS IS NOT A SURVEY

# ATKINS

482 South Keller Road  
 Orlando, Florida 32810-6101  
 Tel: 407/647-7275 Certificate No. LB 24

Revised: 06/18/12  
 Date: 10/18/12  
 Scale: 1" = 100'  
 Job No.: 100002756  
 F.B.: N/A  
 Drawn By: VS  
 Ck. By: AC  
 Sheet: 2 of 2

**DESCRIPTION OF EASEMENTS  
FOR EXPRESSWAY BRIDGES**

CENTRAL FLORIDA EXPRESSWAY AUTHORITY ("CFX")  
STATE ROAD 429  
ESTATE: PERPETUAL EASEMENT

**LEGAL DESCRIPTION:**

PARCELS OF LAND LYING IN ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Twenty (20) feet beyond the outermost perimeters of the existing bridges ("Expressway Bridges") at the crossings of State Road 429 over:

- a) Avalon Road (near Old YMCA Road) at approximately Station 638+59.25
- b) Old YMCA Road at approximately Station 645+65.33,
- c) Avalon Road (near Porter Road) at approximately Station 730+54.05,
- d) Porter Road at approximately Station 735+36.31,
- e) Tiny Road at approximately Station 923+98.69, and
- f) Tilden Road at approximately Station 933+67.20.

**TERMS OF PERPETUAL EASEMENT**

1. CFX has a perpetual easement on and over the above-described properties, which right and easement includes the right to construct, operate, improve, expand, maintain, repair and replace from time to time.
2. GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns, to restrict the height of structures, objects of natural growth and other obstructions on the described real property, so as not to interfere with or impede the Expressway Bridges.
3. GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns, to prevent any use of the above described real property which would interfere with one or more Expressway Bridges, or otherwise constitute a hazard for any Expressway Bridge.