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

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:

4974 ORL TOWER RD, ORLANDO, FL 32807 | PHONE: (407) 690-5000 | FAX: (407) 690-5011
WWW.CFXWAY.COM
Prepared By:
Orange County Attorney’s Office
201 South Rosalind Avenue, Third Floor
Orlando, FL 32801

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 ORI, 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 which 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
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  
Orange County Mayor

Date: 9.20.16

ATTEST: Martha O. Haynie, County Comptroller, Clerk to the Board
By: Craig A. Stopps
Deputy Clerk
Printed Name: Craig A. Stopps
SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
SR 429 - WESTERN BELTWAY
PROJECT: 653 - 100
ESTATE: FEE SIMPLEx
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°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 OCEAL right-of-way map, Project Number 75320-6460-653, dated 10/04/02; thence run N89°43'18"E along said north line for 75.00 feet the POINT OF BEGINNING; thence continue N89°43'18"E along said north line for 300.00 feet; thence S00°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°43'18"W along said south line for 300.00 feet; thence N00°06'56"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.
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 (OCCEA) 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 OCCEA 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 OCCEA 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.
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 71 EAST

LEGEND
O.R. - OFFICIAL RECORDS BOOK
P.C. - 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.R. - RIGHT-OF-WAY
B. - BASELINE
C. - CENTERLINE

NOTES:
1. Bearings are based on the east line of section 17, township 23 south,
range 27 east, Orange County, Florida. Bearing 500°00'39"E.

THIS IS NOT A SURVEY

ATKINS
402 South Keller Road
Orlando, Florida 32806-6801
Ph: 407/647-1273  Certificate No. LB 24

Composite Exhibit C, Page 4 of 5
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.