

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

Agenda
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
RIGHT-OF-WAY COMMITTEE
August 24, 2016
2:00 p.m.

1. CALL TO ORDER

2. PUBLIC COMMENT

Pursuant to Florida Statute 286.0114 (2013) the Right of Way Committee will allow public comment on any matter either identified on this meeting agenda as requiring action, or anticipated to come before the Committee for action in reasonable proximity to this meeting. Speakers shall be limited to three minutes per person and the assignment of one person's time to another or designation of group spokesperson shall be allowed at the discretion of the Committee Chairman.

3. APPROVAL OF MINUTES – July 27, 2016

TAB A

Requesting approval of the 07/27/16 minutes. **Action Item.**

4. S.R. 414 (CFX) MAITLAND BOULEVARD EXTENSION PROJECT / PHASE 2 (PROJECT 429-200) PARCEL 229A - PART A – *Deborah Keeter, Atkins*

TAB B

Acceptance of statutory warranty deed from Emerson Point Phase II to CFX and grant of Quitclaim deed from CFX to City of Apopka. **Action Item.**

5. S.R. 453 (CSX) WEKIVA PARKWAY PROJECT (PROJECT 429-206) PARCELS 827/727 - *Linda Brehmer Lanosa, CFX & Deborah Keeter, Atkins*

TAB C

Requesting the Committee's recommendation for Board approval of the proposed settlement. **Action Item.**

6. COMMITTEE CHAIR ANNUAL ROTATION – *Sandy Minkoff, Committee Chairman*

Per the Committee Charter, the Chairman will serve on an annual, rotating basis. According to the order established in the Charter the Orange County representative will serve as Chairman beginning in September 2016. **Info. Item.**

7. OTHER BUSINESS

8. ADJOURNMENT

This meeting is open to the public.

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Central Florida Expressway Authority at 407-690-5000.

Persons who require translation services, which are provided at no cost, should contact CFX at (407) 690-5000 x5317 or by email at Iranetta.dennis@CFXway.com at least three business days prior to the event.

Tab A

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
Right of Way Committee Meeting
July 27, 2016
Location: CFX Boardroom

Committee Members Present:

Melanie Marsh Lake County Representative Alternate, Chairman
Neil Newton, Seminole County Representative Alternate
Laurie Botts, City of Orlando Representative
Brendon Dedekind, Citizen Representative
Ann Caswell, Orange County Representative

Committee Members Not Present:

Frank Raymond, Osceola County Representative
Christopher Murvin, Citizen Representative

CFX Staff Present at Dais:

Joseph L. Passiatore, General Counsel
Laura Kelley, Executive Director
Linda S. Brehmer Lanosa, Deputy General Counsel
Mimi Lamaute, Paralegal/Recording Secretary

Item 1: CALL TO ORDER

The meeting was called to order at 2:01 p.m. by Chairman Marsh.

Item 2: PUBLIC COMMENT

There was no public comment.

Chairman's Comments

Chairman Marsh announced that Mr. Raymond and Mr. Murvin would not be at today's meeting. Mr. Neil Newton will be attending in Mr. Jreij's absence. She thanked the Committee members for submitting the Financial Disclosure Form 1 and Potential Conflict Disclosure forms. Apopka Mayor, Joe Kilsheimer will be the presenter of Item 9.

Item 3: APPROVAL OF MINUTES

Action: A motion was made by Ms. Botts and seconded by Mr. Dedekind to approve the June 22, 2016 Right of Way Committee meeting minutes as presented.

Vote: The motion carried unanimously with four members present and voting AYE by voice vote, Mr. Murvin and Mr. Raymond were not present, Ms. Caswell had not arrived.

Committee Member Ann Caswell arrived at this time.

Item 4: S.R. 429 (KIZER) WEKIVA PARKWAY PROJECT (PROJECT 429-202) PARCEL 111

Mr. Cheek is seeking the Committee's recommendation for Board approval of a proposed settlement with Robert G. Kizer, Preston B. Kizer, Jr., and Martha W. Kizer (the "Owners"). Mr. Cheek provided the Committee with a description and the background of the parcel.

CFX retained the appraisal services of David Hall of Bullard, Hall & Adams, Inc. Mr. Hall opined the total value of the taking is \$101,900, with the Value of the Part Taken at \$15,500, Severance Damages at \$84,700, and Cost to Cure at \$1,700.

The Owners retained the appraisal services of Rick Dreggors with Calhoun, Dreggors & Associates, Inc. Mr. Dreggors preliminarily opined that the property was worth \$35,000 per acre but did not complete a final appraisal for this parcel.

After direct negotiations with the Owners, they have agreed to accept the following settlement proposal to compensate them for both the taking and any tree loss / trespass claims:

Eminent domain claim/trespass/loss of trees	\$195,000
Expert Fees	5,000
Attorney's fees (Kurt Bauerle)	<u>30,723</u>
Total Settlement Proposal	\$230,723

The Owners' expert, Richard Dreggors, incurred fees of \$6,500, but agreed to accept \$5,000. CFX incurred expert fees in the amount of \$10,260. The Owner's attorney, Kurt Bauerle, has agreed to accept statutory attorney's fees based on betterment in the amount of \$30,723.

Action: A motion was made by Ms. Botts and seconded by Ms. Caswell to recommend to the Board approval of the proposed settlement agreement in the amount of \$230,723, inclusive of attorney's fees and costs and expert fees and costs, to resolve the acquisition of Parcel 111.

Vote: The motion carried unanimously with five members present and voting AYE by voice vote, Mr. Murvin and Mr. Raymond were not present.

**Item 5: S.R. 429 (GGH 10, LLC) WEKIVA PARKWAY PROJECT (PROJECT 429-202)
PARCEL 140**

Mr. Cheek is requesting the Committee's recommendation for Board approval for a proposed settlement with GGH 10, LLC ("Owner"). This parcel is located just north from the previously presented parcel.

Mr. Cheek provided the Committee with the description and background of the parcel. This is an unimproved property. The property is a vacant piece of land that had previously been excavated by the Acme Recycling Corporation and used for a clay pit, and then subsequently as a land clearing debris disposal facility. The main dispute in this case is whether there was legal access to the property.

Mediation was conducted on April 12, 2016 without success. This case is scheduled for trial on the September 12, 2016 docket.

CFX retained the services of Chad Durrance of Durrance & Associates to update the appraisal to the date of taking. Due to the uncertainty of access and the costs associate with establishing and constructing access, he estimated the value of the 4.943 acres being taken at \$2,500, severance damages to remainder at \$1,500, for a total value of \$4,000. CFX's expert's submitted invoices in the amount of \$57,256.

The Owners retained the appraisal services of Rick Dreggors with Calhoun, Dreggors & Associates, Inc. Mr. Dreggors opined the total value of the land and improvements to be \$313,900. The Owners submitted expert invoices in the amount of \$103,290.

The Right of Way Committee previously approved an Offer of Judgment in the amount in \$50,000. The Owner filed a Reverse Offer of Judgment in the amount of \$99,999.99.

After negotiations the Owner has agreed to resolve this case for \$199,999 "all-in" including expert fees and attorney's fees, pending Committee's recommendation and Board approval.

Conversation ensued regarding the access to the property, cost to provide access to the property, cost to clear the property of debris and the cost to bring utilities into the property. The Committee asked several questions, which were answered by Mr. Cheek.

Action: A motion was made by Mr. Dedekind and seconded by Mr. Newton to recommend to the Board approval of the proposed settlement agreement in the amount of \$199,999, inclusive of attorney's fees and costs and expert fees and costs, to resolve the acquisition of Parcel 140.

Vote: The motion carried unanimously with five members present and voting AYE by voice vote, Mr. Murvin and Mr. Raymond were not present.

The following item was taken out of order.

Item 9: **S.R. 414 (CFX) MAITLAND BOULEVARD EXTENSION PROJECT / PHASE 2**
(PROJECT 429-200) PARCEL 229A - PART A

Apopka Mayor, Joe Kilsheimer is requesting the Committee's recommendation for Board approval for a dedication of right-of-way to the City of Apopka by CFX to construct a roundabout at the intersection off the S.R. 414 eastbound entrance ramp and Marden Road. He explained the future economic opportunities for the area.

Mr. Passiatore stated that CFX received the request for the dedication on July 18, 2016. Per CFX bond covenants and CFX policies and procedures, any time a request is received to convey a property either for sale to a private entity or for conveyance to a public agency a determination from CFX's General Engineering Consultant ("GEC") declaring the parcel surplus is required. In this instance, after a week of review, the GEC has formulated an opinion in the July 26, 2016 memo attached hereto as Exhibit "A." At this time, although the GEC is in favor of the concept, the GEC is not in a position to declare the parcel surplus and to recommend the conveyance. The reasons for the decision are stated in the memo attached hereto.

Staff recommends finalizing the terms of a jurisdictional transfer agreement with the following assurances: that the City of Apopka provide final design plans; the dedication from the developer to CFX is synchronized with the conveyance from CFX; and the contingency that if the project doesn't go forward that the 14,000 s.q. foot parcel revert back to CFX.

Mayor Kilsheimer stated they have reviewed the GEC memo and will make any stipulations that need to be made in order to address the concerns of CFX.

Mr. Wright, President of MMI Development, addressed the Committee and provided a short description of where they are in the process regarding the design plans. He agreed with the reverter clause. He discussed the start of the construction in 60 days, the funding, survey work and needed deeds.

A map attached hereto as Exhibit "B" was provided to the Committee depicting the parcel that would be dedicated to the City of Apopka, the portion needed for the ramp construction and the portion that CFX would still maintain and own.

Mr. de la Portilla, MMI Development's Government Liaison, addressed the Committee and explained the schedule and the need for Committee and Board approvals to avoid further delays.

Mr. Nathan Silva from Atkins (CFX's GEC) explained the requirements per CFX bond documents for reviewing plans for various matters such as drainage, signage, etc. and the process for review and approval of final construction plans. He indicated that their normal review would require two weeks.

Conversation ensued regarding requirements per CFX policies and procedures for transferring property, contemplation of conditional approval subject to the GEC declaring the parcel surplus and the required conditions of the transfer agreement, and options for contingencies for approval today by the Right of Way Committee. Ms. Botts pointed out that typically all relevant documents are provided to the Committee for review in advance of the meeting.

Mr. Dedekind suggested a condition be added that the cost of work to be completed in the area be placed in escrow. Mr. Wright agreed so long as if there is a failure of the reverter, then the money is returned.

Action: This Item failed for lack of a motion.

General Counsel stated that the item would be brought back for the August meeting.

Item 6: **S.R. 429 (BRIDLE PATH, LLC / CHAPTER 7 DEBTOR - AHIFO-18) WEKIVA PARKWAY PROJECT (PROJECT 429-204) PARCEL 236**

Mr. Cheek is requesting the Committee's recommendation for Board approval of a settlement with AHIFO-18. At the time of the taking, the property was owned by Bridle Path, LLA. Bridle Path ultimately filed bankruptcy. AHIFO-18, Bridle Path's creditor, was the successful bidder at the foreclosure sale and currently owns the property.

CFX's appraisal of the property was prepared by Walter Carpenter of Pinel & Carpenter, Inc. Mr. Carpenter opined the total compensation is \$1,791,600, he estimated the Value of the Part Taken at \$685,900, Value of home taken at \$200,000, Severance Damages at \$900,200 and Cost to Cure at \$5,500.

The Owner retained the appraisal services of Richard Dreggors of Calhoun, Dreggors & Associates, Inc. Mr. Dreggors opined the total value for the land was \$3,943,100.

The Owner submitted expert invoices in the amount of \$48,067.50. The Owner's experts have agreed to accept a total of \$43,261 to resolve their fees and costs. CFX's expert fees in this case total \$40,938.75.

Mediation was conducted on July 30, 2014, which resulted in an impasse. Subsequent negotiations resulted in a tentative settlement of \$2,999,995 plus attorneys' fees and expert fees and costs, with the initial owner and then the new owner, subject to ratification by the bankruptcy or state court.

This parcel is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("Relocation act"). Discussion ensued regarding the Relocation Act as it relates to this parcel, serving an Offer of Judgment and approving the settlement subject to additional Relocation Act payments. The Committee asked several questions, which were answered by Mr. Cheek.

The Committee discussed recommending approval of the settlement subject to the approved amount being an all-in settlement with no additional apportionment costs, no additional attorney's fees and costs and subject to any Relocation Act payments to be made to Owner or credits owed to CFX.

Action: A motion was made by Ms. Botts and seconded by Ms. Caswell to recommend to the Board approval of the proposed settlement in the amount of \$3,354,939, inclusive of attorney's fees and expert fees and costs; subject to no additional apportionment claims, no additional costs or additional attorney's fees and costs and subject to any Relocation Act payments owing to the Owner or credits due to CFX, to resolve the Owner's interest in Parcel 236.

Vote: The motion carried unanimously with five members present and voting AYE by voice vote, Mr. Murvin and Mr. Raymond were not present.

Item 7: S.R. 429 (DAVILA AND ROBLES) WEKIVA PARKWAY PROJECT (PROJECT 429-202) PARCEL 130, PARTS A & B

Mr. Cheek is seeking the Committee's recommendation for Board approval of a proposed settlement for Parcel 130.

CFX retained the appraisal services of Stephen J. Matonis with Integra Realty Resources. Mr. Matonis opined the total value of the taking is \$40,860, with the Value of the Part Taken at \$8,659, Damages to Remainder (10%) at \$27,301, and Cost to Cure at \$4,900.

The Owners, through their attorney Raymer Maguire, served a "Reverse" Offer of Judgment to settle this case in the amount of \$62,500, exclusive of attorney's fees and costs. The Owner submitted expert invoices in the amount of \$13,649.

CFX has incurred fees in the amount of \$6,500 for the real estate appraisal services of Integra Realty Resources.

Counsel is recommending settlement in the amount of \$81,92; consisting of compensation to the Owner at \$62,500, expert fees in the amount of \$12,284 and attorney's fees in the amount of \$7,141.

Action: A motion was made by Mr. Dedekind and seconded by Mr. Newton to recommend to the Board approval of the proposed settlement agreement in the amount of \$81,925 in full settlement of all claims for compensation, including statutory and supplemental attorney's fees and costs, and all experts' fees and costs for Parcels 130, Parts A & B.

Vote: The motion carried unanimously with five members present and voting AYE by voice vote, Mr. Murvin and Mr. Raymond were not present.

Item 8: **S.R. 429 (ORANGE COUNTY) DANIEL WEBSTER WESTERN BELTWAY (PART C – TURNPIKE TO SEIDEL ROAD)**

Ms. Brehmer Lanosa stated this agreement is for the transfer of right-of-way by CFX for County roads and a retention pond from CFX to Orange County, subject to easements for S.R. 429 crossings with reservations confirming that S.R. 429 is a limited access expressway. Similarly, the agreement addresses the transfer of title over or under County roads for CFX's bridges and crossings from Orange County to CFX.

Ms. Brehmer Lanosa clarified that this item is in the Daniel Webster Western Beltway project.

Ms. Caswell asked if she was permitted to vote on Orange County matters, due to the fact that she is an Orange County representative. Mr. Passiatore responded that she is obligation to vote as she is acting in her official capacity and not in a personal capacity.

Action: A motion was made by Ms. Caswell and seconded by Ms. Botts to recommend to the Board approval of the proposed Agreement for Right-of-Way Transfer and Continuing Maintenance between Orange County and the Central Florida Expressway Authority pertaining to State Road 429, Part C from the Turnpike to Seidel Road.

Vote: The motion carried unanimously with five members present and voting AYE by voice vote, Mr. Murvin and Mr. Raymond were not present.

Item 10: OTHER BUSINESS

No other business was discussed.

Item 11: ADJOURNMENT

Chairman Marsh adjourned the meeting at approximately 4:00 p.m.

Minutes approved on _____, 2016.

Pursuant to the Florida Public Records Law and CFX Records Management Policy, audio tapes of all Board and applicable Committee meetings are maintained and available upon request to the Records Management Liaison Officer at publicrecords@CFXWay.com or 4974 ORL Tower Road, Orlando, FL 32807.

MEMORANDUM

TO: Laura Kelley, Executive Director
Joseph Passiatore, General Counsel
Joseph A. Berenis, Chief of Infrastructure

FROM: Nathan Silva, P.E. Program Manager *NS*
Deborah Keeter, Senior Right of Way Agent *DK*

DATE: July 26, 2016

SUBJECT: Proposed SR 414 / Marden Road Interchange Right of Way

In October 2015 the Central Florida Expressway Authority (CFX), Emerson Point Assoc., LLLP and Emerson Point Phase II, LLC (collectively the Developer) entered into the Marden Road Interchange Agreement (Agreement), which provides for the construction of a half diamond interchange, to and from the east, on SR 414 at Marden Road.

The terms of the Agreement call for the Developer to prepare the final design plans for CFX review and approval and to donate the land necessary to construct the SR 414 westbound exit ramp to Marden Road. CFX is to contribute the land for the eastbound entrance ramp on the south side of SR 414. The attached letter addressed to Mr. Glenn Pressimone from Mr. Glenn Irby, Apopka City Administrator, "is intended to make a formal request for this right-of-way" necessary to construct a round-a-bout at the intersection of the SR 414 eastbound entrance ramp and Marden Road. A sketch and legal description of CFX property being requested by Apopka to accommodate the round-a-bout for the eastbound entrance ramp is also attached.

To date, a preliminary interchange concept reflecting round-a-bouts at the intersections of the interchange ramps and Marden Road have been received, however final design plans have not yet been submitted for review and approval, as required by the Agreement.

Atkins, serving as the General Engineering Consultant (GEC) to CFX cannot at this time recommend the conveyance of the requested property to Apopka for the following reasons:

- Until final design plans are reviewed and approved it cannot be determined that the legal description matches the design plans. A slight change in the ramp location could easily affect the exact location of the round-a-bout and the limited access rights.
- The terms of the Agreement provide that the Developer, in their sole discretion, can decide not to construct the interchange.
- If the requested property is conveyed to Apopka at this time and for some reason the eastbound interchange ramp is not constructed, the value of the remaining CFX property could be diminished and the opportunities for future use of the property could be adversely affected.

EXHIBIT A

L. Kelley
J. Passiatore
J. Berenis
July 26, 2016
Page 2

We continue to maintain a constructive working relationship with the Developer and his design consultant and consequently anticipate that Atkins will ultimately be able to recommend the transfer of the subject property to the City, however, we do not have enough information to do so at this time.

Atkins recommends CFX enter into an agreement with the City of Apopka (similar to the Agreement with the Developer) to govern the terms of the transfer, specifically providing that the transfer of the round-a-bout right of way from CFX to the City coincide with the transfer of the north ramp property to CFX.



P.O. BOX 1229 · APOPKA, FLORIDA 32704-1229
PHONE (407) 703-1700

July 18, 2016

Mr. Glenn Pressimone
Director of Engineering
Central Florida Expressway Authority
4947 Orlando Tower Road
Orlando, FL 32807

Dear Mr. Pressimone:

As you are aware, MMI Development is preparing to construct a half interchange connecting SR 414 to Marden Road in Apopka. The City of Apopka has partnered with MMI Development to make this happen because we believe it will present a huge future economic opportunity for this area.

Recently, I was approached by Mike Wright, President for MMI Development about his desire to construct two round-a-bouts (traffic circles) where each ramp will connect to Marden Road. One of these connections, using a round-a-bout, will require dedication of right-of-way to the City of Apopka by the Expressway Authority.

This letter is intended to make a formal request for this right-of-way. It is my understanding such a request must first be considered by the CFX Right-of-Way Committee and it meets next on July 27, 2016. If this is correct, I respectfully request that you place my letter on the agenda for consideration. I have also included in this email a sketch and legal description of the right-of-way we are requesting.

Please let me know if you have questions or need additional information.

Sincerely,

Glenn A. Irby
City Administrator

C: Mike Wright
Angel de la Portilla

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 429-200
CITY OF APOPKA ROAD RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION:

PARCEL 229A PART A

A PORTION OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE WITH X-CUT MARKING THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88°57'32" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 30.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 543, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°15'46" WEST, ALONG THE SAID EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, FOR A DISTANCE OF 469.29 FEET, TO A POINT AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 414, AS SHOWN ON THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP, PROJECT 429-200; THENCE RUN SOUTH 00°15'46" WEST, ALONG A LINE PARALLEL TO AND 30.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21. FOR A DISTANCE OF 383.15 FEET, TO THE POINT OF BEGINNING, SAID POINT BEING AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH; THENCE RUN EASTERLY ALONG THE EXISTING SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 1,223.14 FEET, A CENTRAL ANGLE OF 0°28'07", AN ARC LENGTH OF 10.00 FEET, A CHORD LENGTH OF 10.00 FEET AND A CHORD BEARING OF SOUTH 88°11'33" EAST; THENCE RUN SOUTH 00°15'46" WEST, FOR A DISTANCE OF 48.70 FEET; THENCE RUN SOUTH 26°13'15" EAST, FOR A DISTANCE OF 39.75 FEET; THENCE RUN SOUTH 46°58'08" EAST, FOR A DISTANCE OF 43.41 FEET; THENCE RUN SOUTH 17°04'32" EAST, FOR A DISTANCE OF 101.91 FEET; THENCE RUN SOUTH 45°32'44" WEST, FOR A DISTANCE OF 112.53 FEET; THENCE RUN SOUTH 00°15'46" WEST, FOR A DISTANCE OF 172.17 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE RUN NORTH 89°22'09" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 10.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD; THENCE RUN NORTH 00°15'46" EAST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 462.59 FEET, TO THE POINT OF BEGINNING.

CONTAINING 15,400.07 SQUARE FEET, MORE OR LESS.

LEGEND:

CB -	CHORD BEARING	OOCEA -	ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
CCR# -	CERTIFIED CORNER RECORD NUMBER	ORB -	OFFICIAL RECORDS BOOK
CFX -	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	PB -	PLAT BOOK
CH -	CHORD LENGTH	PG -	PAGE
CM -	CONCRETE MONUMENT	P.O.B. -	POINT OF BEGINNING
D -	CENTRAL ANGLE	P.O.C. -	POINT OF COMMENCEMENT
FND -	FOUND	R -	RADIUS
IP -	IRON PIPE	R/W -	RIGHT-OF-WAY
L -	ARC LENGTH	SR -	STATE ROAD
L.A. -	LIMITED ACCESS	XX-XX-XX -	SECTION XX - TOWNSHIP XX SOUTH - RANGE XX EAST
NO. -	NUMBER		

SURVEY CERTIFICATION:

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT THE INFORMATION WAS GATHERED AND PREPARED UNDER MY DIRECT SUPERVISION, AND THAT ALL INFORMATION CONFIRMS TO THE STANDARDS OF PRACTICE AS SET FORTH IN RULE 5J-17, ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTE 472, AS APPLICABLE.


Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

7/15/16
Date
Corey A. Hopkins, L.S. 6743

SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, THAT BEARING BEING S 00°15'46" W, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83/90.
3. NOT VALID WITHOUT ALL SHEETS.

No.	Revisions	Date
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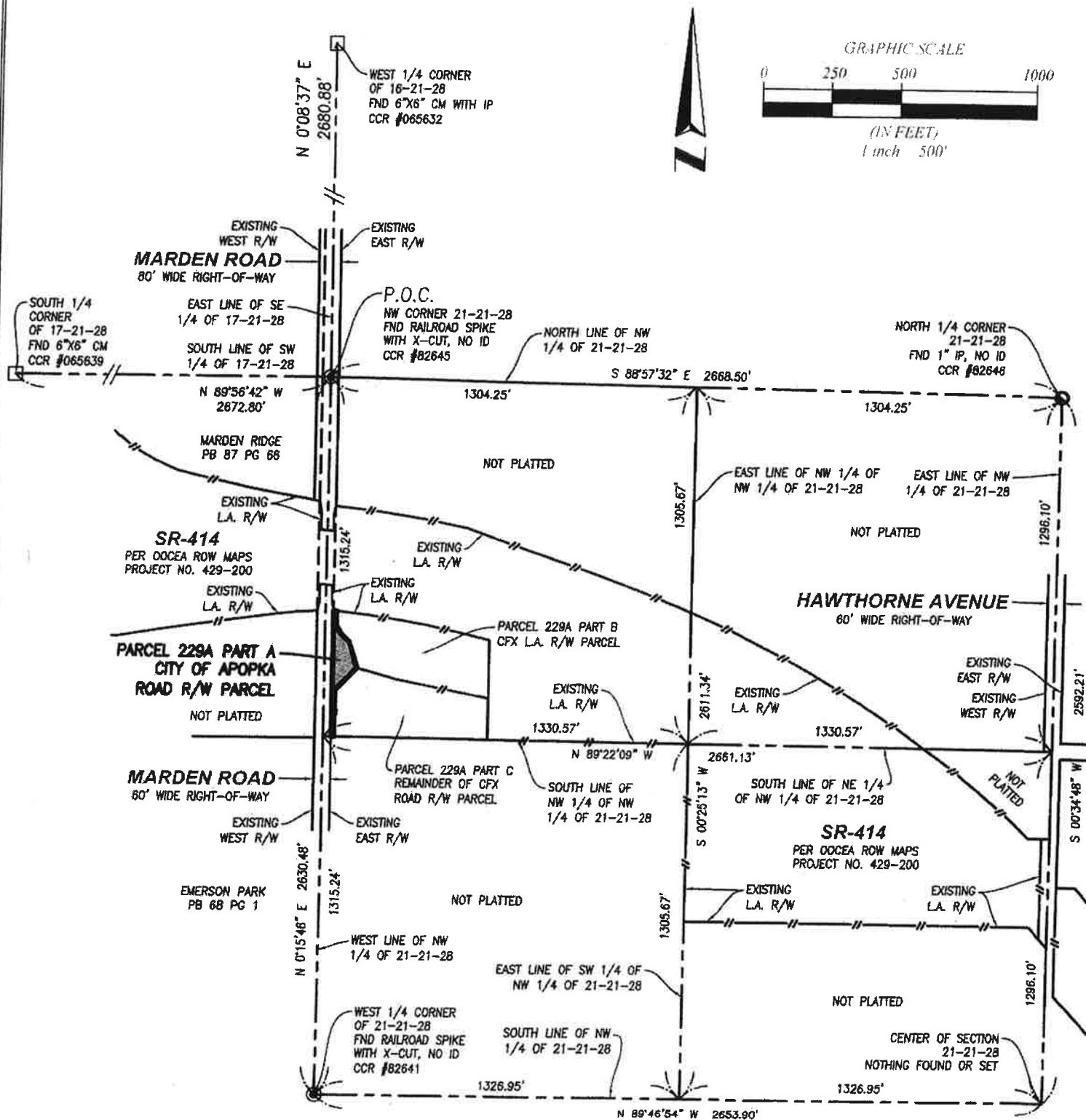


On the Mark Surveying, LLC
LB 7931
143 Meadow Boulevard
Sanford, Florida 32771
Ph: (321) 626-6376
Email: OTMSurveying@gmail.com

SKETCH OF
DESCRIPTION

Field Date:	Drawn by:
N/A	CAH
Scale:	Checked by:
N/A	CAH
Sheet 1 of 5	Job Number:
	EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 429-200
CITY OF APOPKA ROAD RIGHT OF WAY
ESTATE: FEE SIMPLE



No.	Revisions	Date
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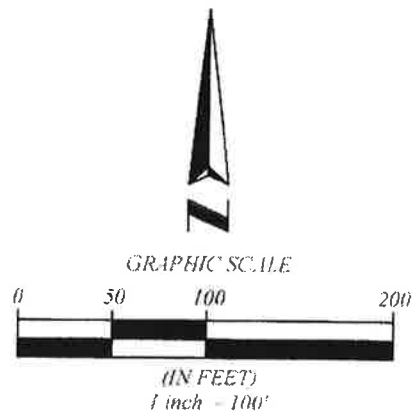
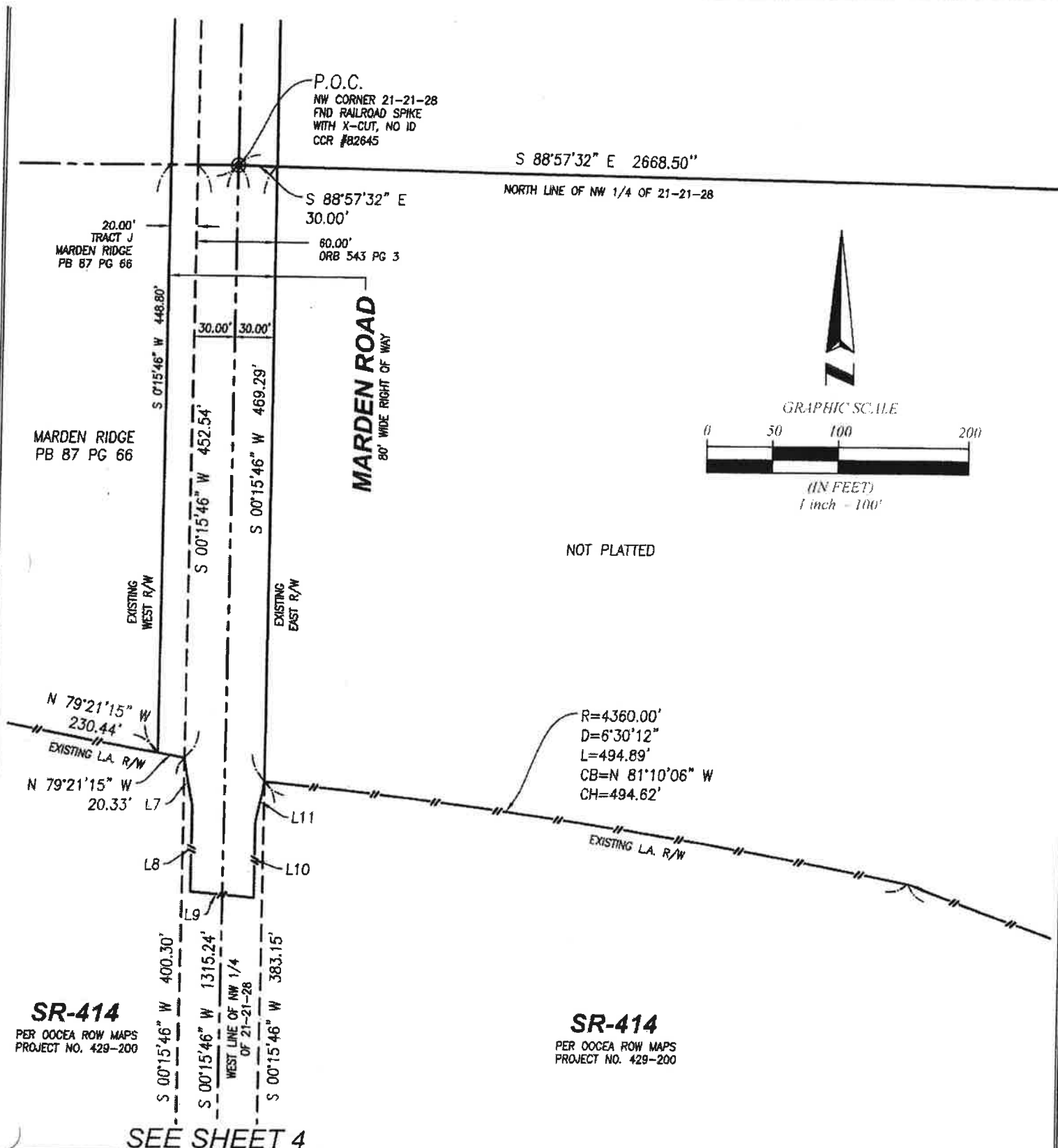


On the Mark Surveying, LLC
LB 7931
 143 Meadow Boulevard
 Sanford, Florida 32771
 Ph: (321)626-6378
 Email: OTMSurveying@gmail.com

SKETCH OF DESCRIPTION

Field Date: N/A	Drawn by: CAH
Scale: 1" = 500'	Checked by: CAH
Sheet 2 of 5	Job Number: EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 429-200
CITY OF APOPKA ROAD RIGHT OF WAY
ESTATE: FEE SIMPLE



No.	Revisions	Date
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5		



On the Mark Surveying, LLC
LB 7931
143 Meadow Boulevard
Sanford, Florida 32771
Ph: (321) 626-6376
Email: OTMSurveying@gmail.com

SKETCH OF DESCRIPTION

Field Date: N/A	Drawn by: CAH
Scale: 1" = 100'	Checked by: CAH
Sheet 3 of 5	Job Number: EMERSON

Field Date: N/A	Drawn by: CAH
Scale: 1" = 100'	Checked by: CAH
Sheet 4 of 5	Job Number: EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
 STATE ROAD 414 - PROJECT NO. 429-200
 CITY OF APOPKA ROAD RIGHT OF WAY
 ESTATE: FEE SIMPLE

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°15'46" W	48.70
L2	S 26°13'15" E	39.75
L3	S 46°58'08" E	43.41
L4	S 17°04'32" E	101.91
L5	S 45°32'44" W	112.53
L6	N 89°22'09" W	10.00
L7	S 09°55'20" E	36.99
L8	S 00°15'48" W	66.10
L9	S 84°42'11" E	47.10
L10	N 00°15'48" E	58.38
L11	N 12°06'04" E	31.89
L12	N 08°34'08" W	42.61
L13	N 00°15'48" E	50.41
L14	N 84°35'48" W	47.11
L15	S 00°15'48" W	66.56
L16	S 12°27'27" W	30.97

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	1223.14	0°28'07"	10.00	S 88°11'33" E	10.00
C2	1223.14	0°23'00"	8.18	S 87°46'00" E	8.18


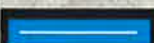

No.	Revisions	Date
1		
2		
3		
4		
5		



On the Mark Surveying, LLC
 LB 7931
 143 Meadow Boulevard
 Sanford, Florida 32771
 Ph. (321) 626-8376
 Email: OTMSurveying@gmail.com

**SKETCH OF
 DESCRIPTION**

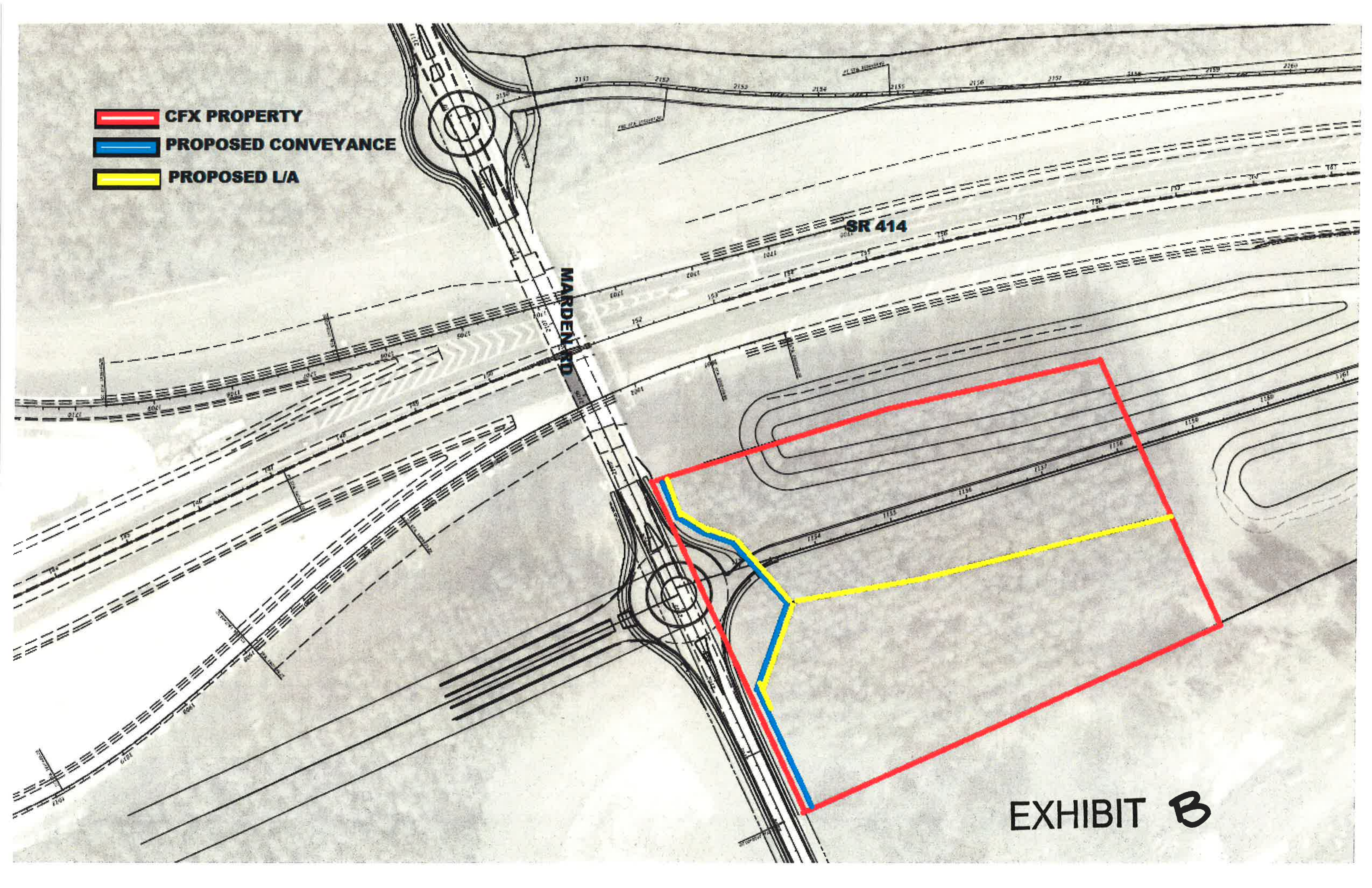
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Scale: N/A	Checked by: CAH
Sheet 5 of 5	Job Number: EMERSON

-  **CFX PROPERTY**
-  **PROPOSED CONVEYANCE**
-  **PROPOSED L/A**

MARDEN RD

SR 414

EXHIBIT B



Tab B

MEMORANDUM

TO: **Central Florida Expressway Authority
Right-of-Way Committee**

FROM: Deborah D. Keeter
Atkins



DATE: August 16, 2016

Re: Central Florida Expressway Authority
Disposition of Property
SR 414 / Project 414-314
Marden Road Interchange Roundabout (8,740 square feet+/-)
(Portion of Project 429-200, Parcel 229A)

Background and History:

This is a follow-up item to last month's request by the City of Apopka.

In October 2015, Central Florida Expressway Authority, Emerson Point Assoc., LLLP and Emerson Point Phase II, LLC entered into the Marden Road Interchange Agreement which provides for the construction of a half diamond interchange (to and from the east) on SR 414 at Marden Road. The terms of the Agreement require the Developer to prepare the plans for CFX approval, donate to CFX the land for the ramp on the north side, and pay for construction. CFX is contributing the land for the ramp on the south side.

The City of Apopka has requested that round-a-bouts be constructed along Marden Rd. at each ramp. This would necessitate both Emerson and CFX conveying small parcels of right-of-way to the City.

Atkins, CFX General Engineering Consultant, has reviewed the revised plans to the extent necessary to determine the right-of-way requirements as well as the legal descriptions and has opined that conveyance of the round-a-bout property to the City, retaining the right to re-acquire the property (at no cost) should the property cease to be used as public right-of-way, will not detrimentally affect the Expressway System.

Recommendation:

We recommend that the Right-of-Way Committee recommend to the CFX Board approval for conveyance of the south round-a-bout property to the City of Apopka, reserving the right of first refusal to re-acquire the property.

Attachments:

- Exhibit
- GEC letter
- Proposed Deed

August 15, 2016

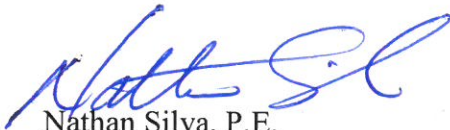
Joseph A. Berenis, P.E.
Chief of Infrastructure
Central Florida Expressway Authority
4974 ORL Tower Road
Orlando, FL 32807

**Re: Central Florida Expressway Authority
Disposition of Property
SR 414 / Project 414-314
Marden Road Interchange Roundabout (8,740 square feet+/-)
(Portion of Project 429-200, Parcel 229A)**

Dear Mr. Berenis:

We have reviewed the limits of the above designated parcel, as depicted on the attached legal description and sketch. In our opinion the disposition of this 8,740 square feet +/- parcel to the City of Apopka as road right of way (subject to right of first refusal should the City abandon the right of way) is not essential for the operation of the Expressway System and would not impede or restrict the current or future operation by the Central Florida Expressway Authority (CFX) of the Expressway System.

Sincerely,



Nathan Silva, P.E.
GEC Program Manager

cc: Laura Kelley, Executive Director
Joseph Passiatore, General Counsel
Linda Lanosa, Deputy General Counsel
Glenn Pressimone, Director of Engineering

Attachments

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 – PROJECT NO. 414-314
CITY OF APOPKA ROAD RIGHT OF WAY
ESTATE: FEE SIMPLE
(A PORTION OF PROJECT NO. 429-200 PARCEL 229A)

LEGAL DESCRIPTION:

A PORTION OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE WITH X-CUT MARKING THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88°57'32" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 30.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, AS DESCRIBED IN DEED BOOK 543, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°15'46" WEST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 469.29 FEET, TO A POINT AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 414, AS SHOWN ON THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP, PROJECT 429-200; THENCE CONTINUE SOUTH 00°15'46" WEST, ALONG A LINE PARALLEL TO AND 30.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 383.15 FEET, TO THE POINT OF BEGINNING, SAID POINT BEING AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH; THENCE RUN EASTERLY ALONG THE EXISTING SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 1,223.14 FEET, A CENTRAL ANGLE OF 00°28'07", AN ARC LENGTH OF 10.00 FEET, A CHORD LENGTH OF 10.00 FEET AND A CHORD BEARING OF SOUTH 88°11'33" EAST; THENCE RUN SOUTH 00°15'46" WEST, FOR A DISTANCE OF 48.70 FEET; THENCE RUN SOUTH 26°13'15" EAST, FOR A DISTANCE OF 39.75 FEET; THENCE RUN SOUTH 46°58'08" EAST, FOR A DISTANCE OF 43.41 FEET; THENCE RUN SOUTH 17°04'32" EAST, FOR A DISTANCE OF 63.89 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 81.00 FEET, A CENTRAL ANGLE OF 62°54'05", AN ARC LENGTH OF 88.92 FEET, A CHORD LENGTH OF 84.53 FEET AND A CHORD BEARING OF SOUTH 52°08'54" WEST, TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 136.00 FEET, A CENTRAL ANGLE OF 15°41'37", AN ARC LENGTH OF 37.25 FEET, A CHORD LENGTH OF 37.14 FEET AND A CHORD BEARING OF SOUTH 12°51'03" WEST, TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,181.00 FEET, A CENTRAL ANGLE OF 04°35'12", AN ARC LENGTH OF 94.54 FEET, A CHORD LENGTH OF 94.52 FEET AND A CHORD BEARING OF SOUTH 02°42'38" WEST, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD; THENCE RUN NORTH 00°15'46" EAST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 357.85 FEET, TO THE POINT OF BEGINNING.

RESERVING UNTO GRANTOR ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY OF THE ABOVE DESCRIBED RIGHT-OF-WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 8,740 SQUARE FEET, MORE OR LESS.

SURVEY CERTIFICATION:

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT THE INFORMATION WAS GATHERED AND PREPARED UNDER MY DIRECT SUPERVISION, AND THAT ALL INFORMATION CONFIRMS TO THE STANDARDS OF PRACTICE AS SET FORTH IN RULE 5J-17, ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTE 472 AS APPLICABLE.

Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

Date _____ Corey A. Hopkins, LS 6743

SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, THAT BEARING BEING S 00°15'46" W, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83/90.
3. NOT VALID WITHOUT ALL SHEETS.

No.	Revisions	Date
1	Sketch of Description	07/15/16
2	Atkins Comments	08/05/16
3	Geodata Comments	08/15/16
4		
5		



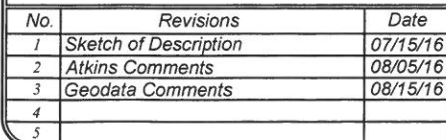
On the Mark Surveying, LLC
LB 7931
143 Meadow Boulevard
Sanford, Florida 32771
Phone: (321)626-6376
Email: OTMSurveying@gmail.com

SKETCH OF
DESCRIPTION

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Scale: N/A	Checked by: CAH
Sheet 1 of 5	Job Number: EMERSON

GRAPHIC SCALE

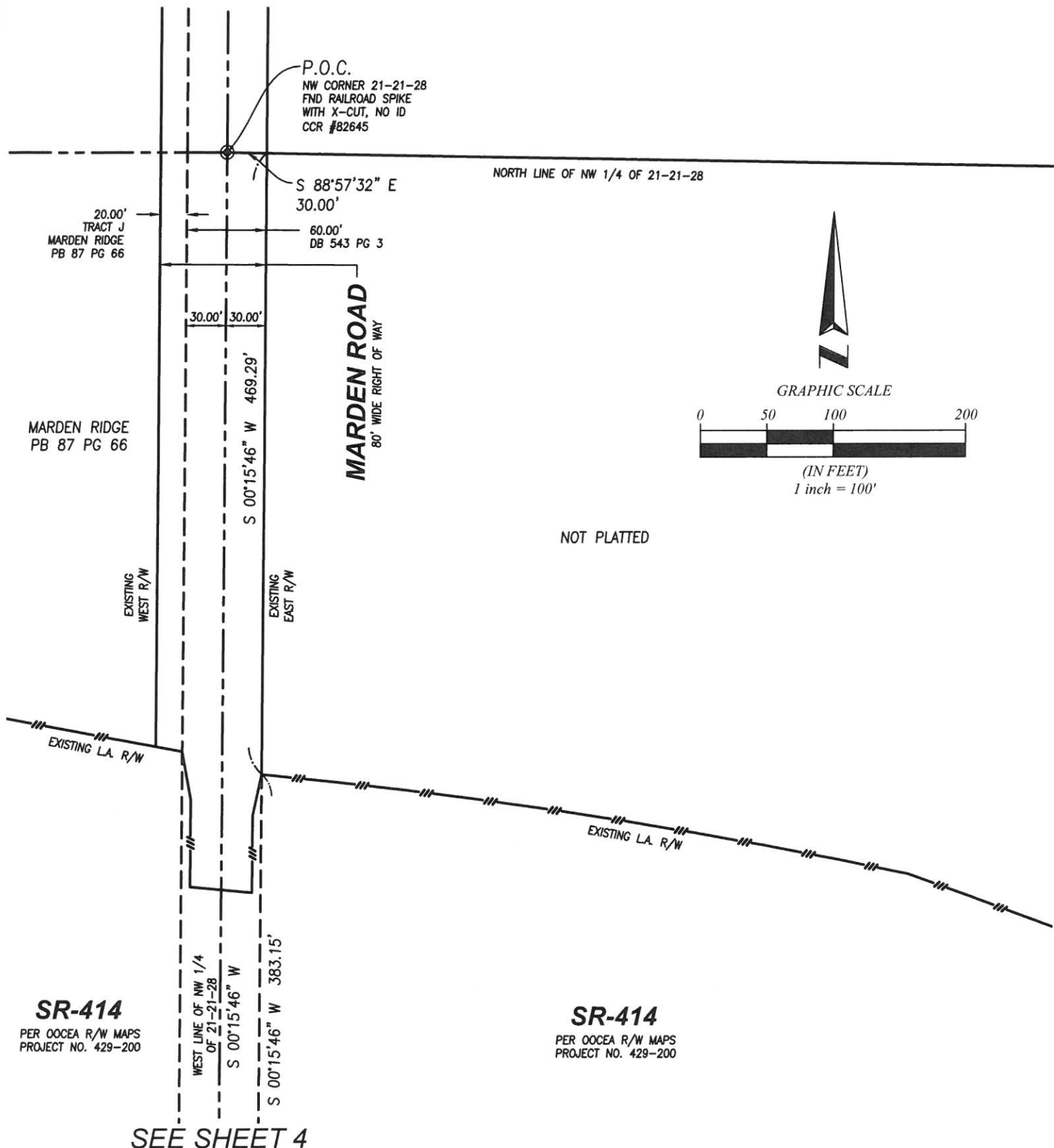
(IN FEET)
1 inch = 500'



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Field Date: N/A	Drawn by: CAH
Scale: 1" = 500'	Checked by: CAH
Sheet 2 of 5	Job Number: EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 – PROJECT NO. 414-314
CITY OF AOPKA ROAD RIGHT OF WAY
ESTATE: FEE SIMPLE
(A PORTION OF PROJECT NO. 429-200 PARCEL 229A)



No.	Revisions	Date	 OnTheMark Surveying, LLC	On the Mark Surveying, LLC LB 7931 143 Meadow Boulevard Sanford, Florida 32771 Phone: (321)626-6376 Email: OTMSurveying@gmail.com	SKETCH OF DESCRIPTION	Field Date: N/A	Drawn by: CAH
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3	Geodata Comments	08/15/16					
4							
5							
					Sheet 3 of 5	Job Number: EMERSON	

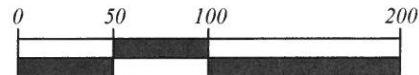
SEE SHEET 3

PER OOCEA R/W MAPS
PROJECT NO. 429-200

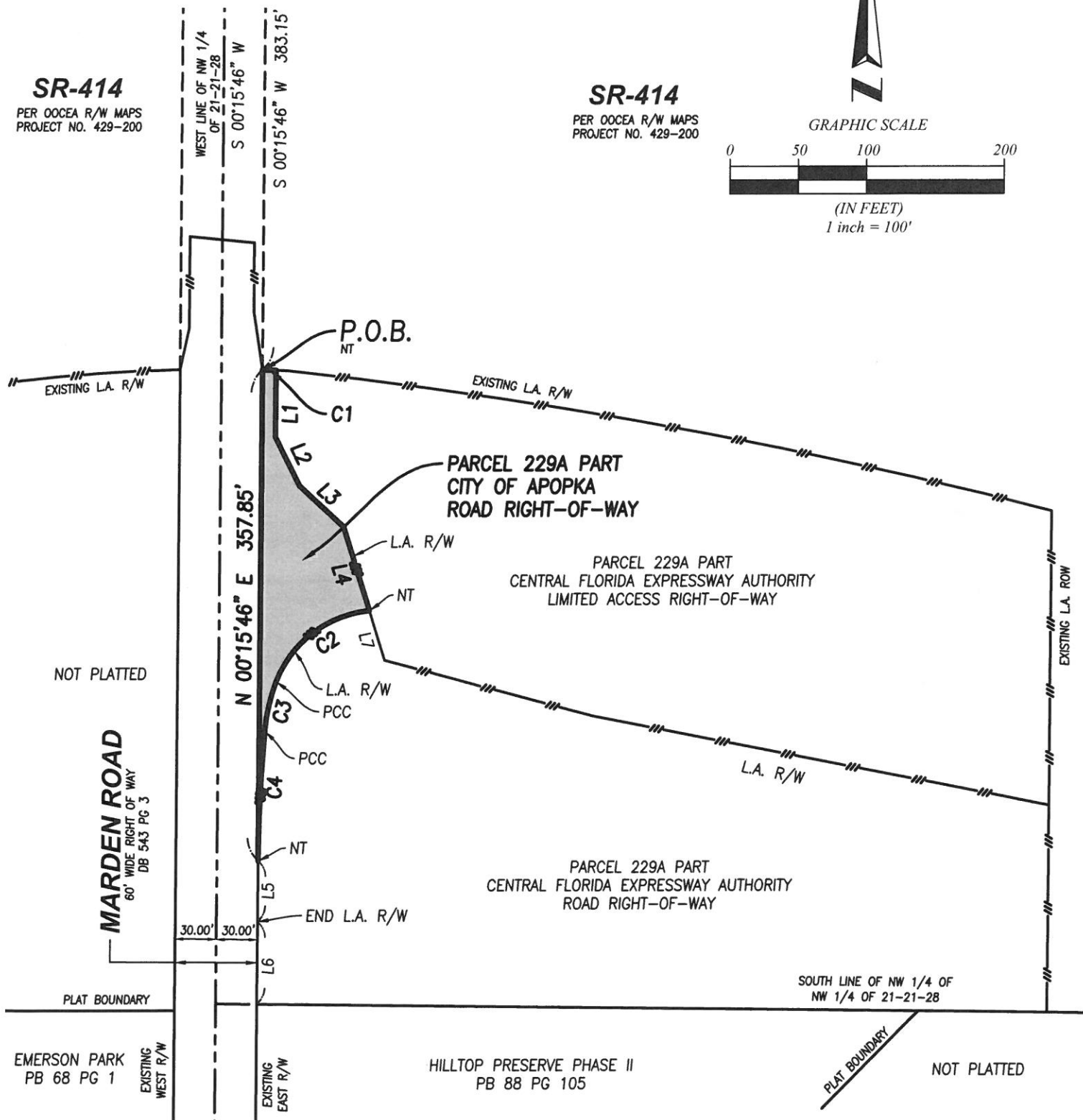
PER OOCEA R/W MAPS
PROJECT NO. 429-200



GRAPHIC SCALE



(IN FEET)
1 inch = 100'



No.	Revisions	Date
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2	Atkins Comments	08/05/16
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SKETCH OF DESCRIPTION

Field Date: N/A	Drawn by: CAH
Scale: 1" = 100'	Checked by: CAH
Sheet 4 of 5	Job Number: EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
 STATE ROAD 414 – PROJECT NO. 414–314
 CITY OF APOPKA ROAD RIGHT OF WAY
 ESTATE: FEE SIMPLE
 (A PORTION OF PROJECT NO. 429–200 PARCEL 229A)

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	1223.14	00°28'07"	10.00	S 88°11'33" E	10.00
C2	81.00	62°54'05"	88.92	S 52°08'54" W	84.53
C3	136.00	15°41'37"	37.25	S 12°51'03" W	37.14
C4	1181.00	04°35'12"	94.54	S 02°42'38" W	94.52

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00°15'46" W	48.70
L2	S 26°13'15" E	39.75
L3	S 46°58'08" E	43.41
L4	S 17°04'32" E	63.89
L5	S 00°15'46" W	44.47
L6	S 00°15'46" W	60.27
L7	S 17°04'32" E	38.02

LEGEND:

CB –	CHORD BEARING	NT –	NON TANGENT
CCR# –	CERTIFIED CORNER RECORD NUMBER	OOCEA –	ORLANDO–ORANGE COUNTY EXPRESSWAY AUTHORITY
CFX –	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	ORB –	OFFICIAL RECORDS BOOK
CH –	CHORD LENGTH	PB –	PLAT BOOK
CM –	CONCRETE MONUMENT	PC –	POINT OF CURVATURE
D –	CENTRAL ANGLE	PCC –	POINT OF COMPOUND CURVATURE
DB –	DEED BOOK	PG –	PAGE
FND –	FOUND	P.O.B. –	POINT OF BEGINNING
ID –	IDENTIFICATION	P.O.C. –	POINT OF COMMENCEMENT
IP –	IRON PIPE	PRC –	POINT OF REVERSE CURVATURE
L –	ARC LENGTH	PT –	POINT OF TANGENCY
L.A. –	LIMITED ACCESS	R –	RADIUS
LB –	PROFESSIONAL SURVEYOR AND MAPPER BUSINESS LICENSE NUMBER	R/W –	RIGHT–OF–WAY
LS –	PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER	SR –	STATE ROAD
N/A –	NOT APPLICABLE	XX–XX–XX –	SECTION XX – TOWNSHIP XX SOUTH – RANGE XX EAST
NAD –	NORTH AMERICAN DATUM		
NO. –	NUMBER		




No.	Revisions	Date
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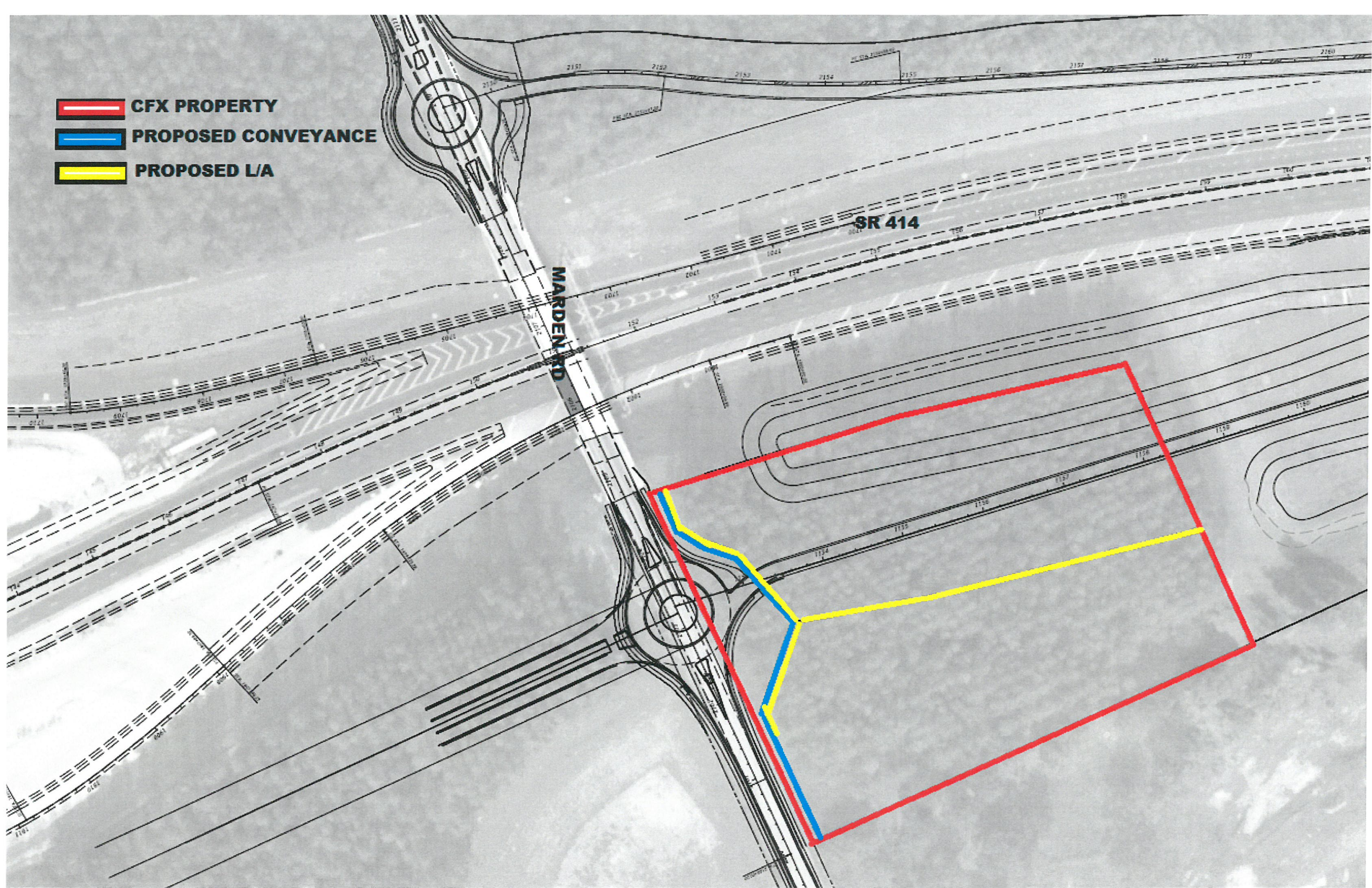


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SKETCH OF DESCRIPTION

Field Date: N/A	Drawn by: CAH
Scale: N/A	Checked by: CAH
Sheet 5 of 5	Job Number: EMERSON

-  **CFX PROPERTY**
-  **PROPOSED CONVEYANCE**
-  **PROPOSED L/A**



This instrument prepared by

AND SHOULD BE RETURNED TO:

Ted. B. Edwards, Esq.
Law Office of Ted B. Edwards, P.A.
1350 Orange Avenue
Suite 260
Winter Park, FL 32789

Purchase Price: Donation

Documentary Stamps Due: \$0.70

QUIT CLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2016, by **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, an expressway authority established under the laws of the State of Florida, whose address is 4947 Orlando Tower Road, Orlando, Florida 32807 ("**Grantor**"), in favor of **THE CITY OF APOPKA, FLORIDA**, a Florida municipal corporation ("**Grantee**"), whose address is 120 East Main Street, Apopka, Florida 32703 ("**Grantee**").

Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of partnerships and corporations, wherever the context so permits or requires.

WITNESSETH:

GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) to it in hand paid by Grantee and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all of that certain land situate and lying in Orange GRANTEE, Florida, to-wit:

See **Exhibit "A"** attached hereto and made a part hereof by this reference (the "**Property**").

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

SUBJECT TO the covenants, conditions, restrictions, and reservations which are set forth below:

a) GRANTOR reserves unto itself, its successors and assigns, all rights of ingress, egress, light, air, and view to, from, or across any of Grantor's remaining property which may otherwise accrue to any adjoining property.

b) GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns that if the GRANTEE no longer uses the property for public right-of-way purposes, then GRANTOR has a right of first refusal to acquire all right, title, and interest to the aforesaid property at no cost. GRANTEE grants, transfers, and delivers to GRANTOR a right

of first refusal to acquire all right, title, and interest to the aforesaid property at no cost to GRANTOR. GRANTEE shall give GRANTOR at least 180 days written notice of the occurrence of events that give rise to GRANTOR's right of first refusal and provide GRANTOR with an opportunity to respond

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in the name by its lawful representative hereunto duly authorized, on the date first written above.

Signed, sealed and delivered in the presence of:

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

Print Name: _____

By _____
_____, Chairman

Print Name: _____

Date: _____

Approved as to Form and Legality

By: _____

Name: _____

STATE OF FLORIDA
GRANTEE OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by _____, as _____ for **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, an expressway authority established under the laws of the State of Florida, on behalf of the authority. He/she is personally known to me or has produced _____ as identification.

Signature of Notary Public

Typed name of Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
CITY OF APOPKA ROAD RIGHT OF WAY
ESTATE: FEE SIMPLE
(A PORTION OF PROJECT NO. 429-200 PARCEL 229A)

LEGAL DESCRIPTION:

A PORTION OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE WITH X-CUT MARKING THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88°57'32" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 30.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, AS DESCRIBED IN DEED BOOK 543, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°15'46" WEST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 469.29 FEET, TO A POINT AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 414, AS SHOWN ON THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP, PROJECT 429-200; THENCE CONTINUE SOUTH 00°15'46" WEST, ALONG A LINE PARALLEL TO AND 30.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 383.15 FEET, TO THE POINT OF BEGINNING, SAID POINT BEING AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH; THENCE RUN EASTERLY ALONG THE EXISTING SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 1,223.14 FEET, A CENTRAL ANGLE OF 00°28'07", AN ARC LENGTH OF 10.00 FEET, A CHORD LENGTH OF 10.00 FEET AND A CHORD BEARING OF SOUTH 88°11'33" EAST; THENCE RUN SOUTH 00°15'46" WEST, FOR A DISTANCE OF 48.70 FEET; THENCE RUN SOUTH 26°13'15" EAST, FOR A DISTANCE OF 39.75 FEET; THENCE RUN SOUTH 46°58'08" EAST, FOR A DISTANCE OF 43.41 FEET; THENCE RUN SOUTH 17°04'32" EAST, FOR A DISTANCE OF 63.89 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 81.00 FEET, A CENTRAL ANGLE OF 62°54'05", AN ARC LENGTH OF 88.92 FEET, A CHORD LENGTH OF 84.53 FEET AND A CHORD BEARING OF SOUTH 52°08'54" WEST, TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 136.00 FEET, A CENTRAL ANGLE OF 15°41'37", AN ARC LENGTH OF 37.25 FEET, A CHORD LENGTH OF 37.14 FEET AND A CHORD BEARING OF SOUTH 12°51'03" WEST, TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,181.00 FEET, A CENTRAL ANGLE OF 04°35'12", AN ARC LENGTH OF 94.54 FEET, A CHORD LENGTH OF 94.52 FEET AND A CHORD BEARING OF SOUTH 02°42'38" WEST, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD; THENCE RUN NORTH 00°15'46" EAST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 357.85 FEET, TO THE POINT OF BEGINNING.

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CONTAINING 8,740 SQUARE FEET, MORE OR LESS.

SURVEY CERTIFICATION:

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Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper

08/16/16 *Corey A. Hopkins*
Date: Corey A. Hopkins, 036743

SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, THAT BEARING BEING S 00°15'46" W, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83/90.
3. NOT VALID WITHOUT ALL SHEETS.

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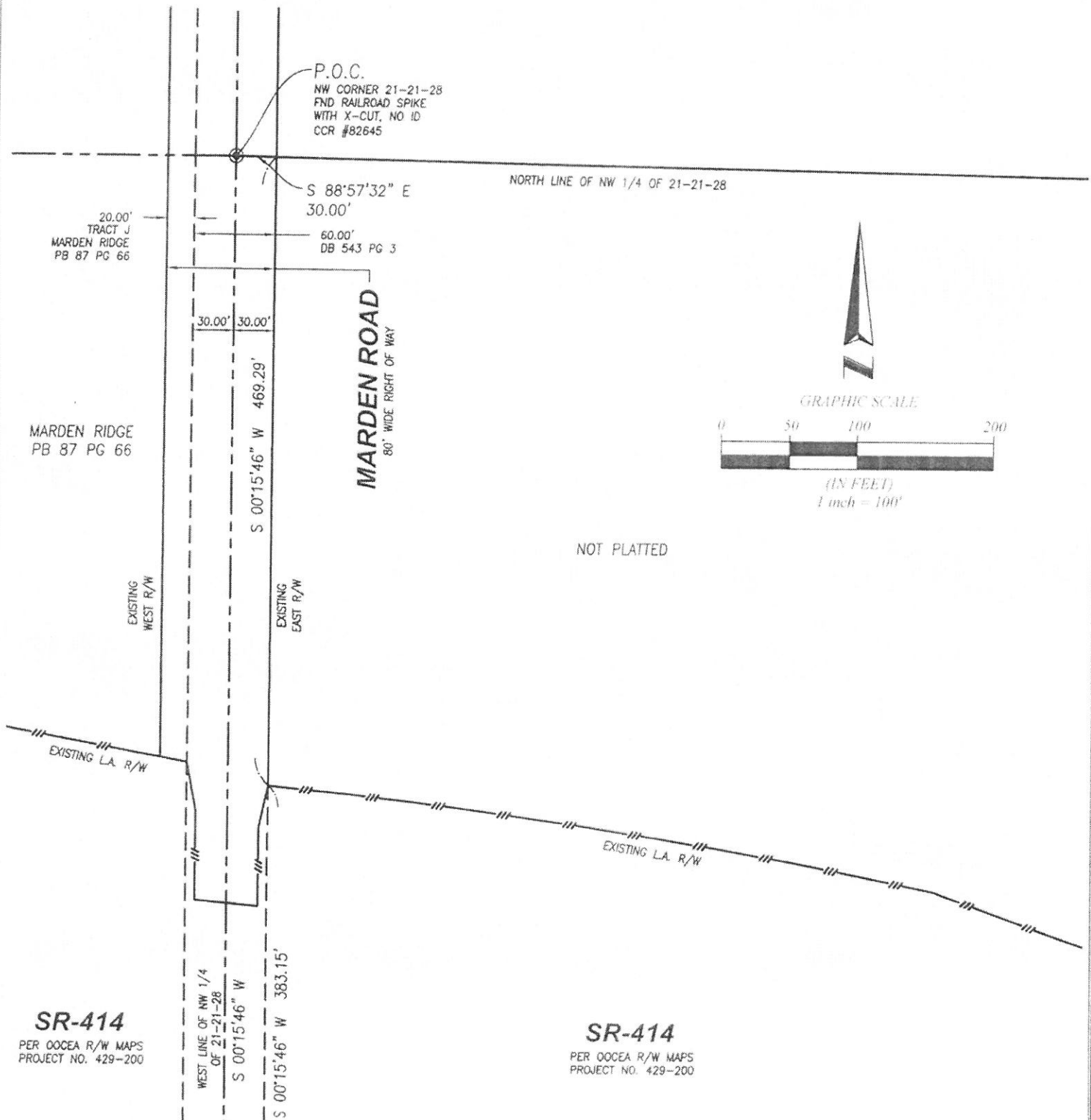
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SKETCH OF
DESCRIPTION

Field Date:	Drawn by:
N/A	CAH
Scale:	Checked by:
N/A	CAH
Sheet 1 of 5	Job Number:
	EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
CITY OF APOPKA ROAD RIGHT OF WAY
ESTATE: FEE SIMPLE

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
 STATE ROAD 414 - PROJECT NO. 414-314
 CITY OF APOPKA ROAD RIGHT OF WAY
 ESTATE: FEE SIMPLE
 (A PORTION OF PROJECT NO. 429-200 PARCEL 229A)



SR-414

PER OOCEA R/W MAPS
 PROJECT NO. 429-200

SR-414

PER OOCEA R/W MAPS
 PROJECT NO. 429-200

SEE SHEET 4

No.	Revisions	Date
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**SKETCH OF
 DESCRIPTION**

Field Date: N/A	Drawn by: CAH
Scale: 1" = 100'	Checked by: CAH
Sheet 3 of 5	Job Number: EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
 STATE ROAD 414 - PROJECT NO. 414-314
 CITY OF APOPKA ROAD RIGHT OF WAY
 ESTATE: FEE SIMPLE
 (A PORTION OF PROJECT NO. 429-200 PARCEL 229A)

SEE SHEET 3

SR-414

PER OOCEA R/W MAPS
 PROJECT NO. 429-200

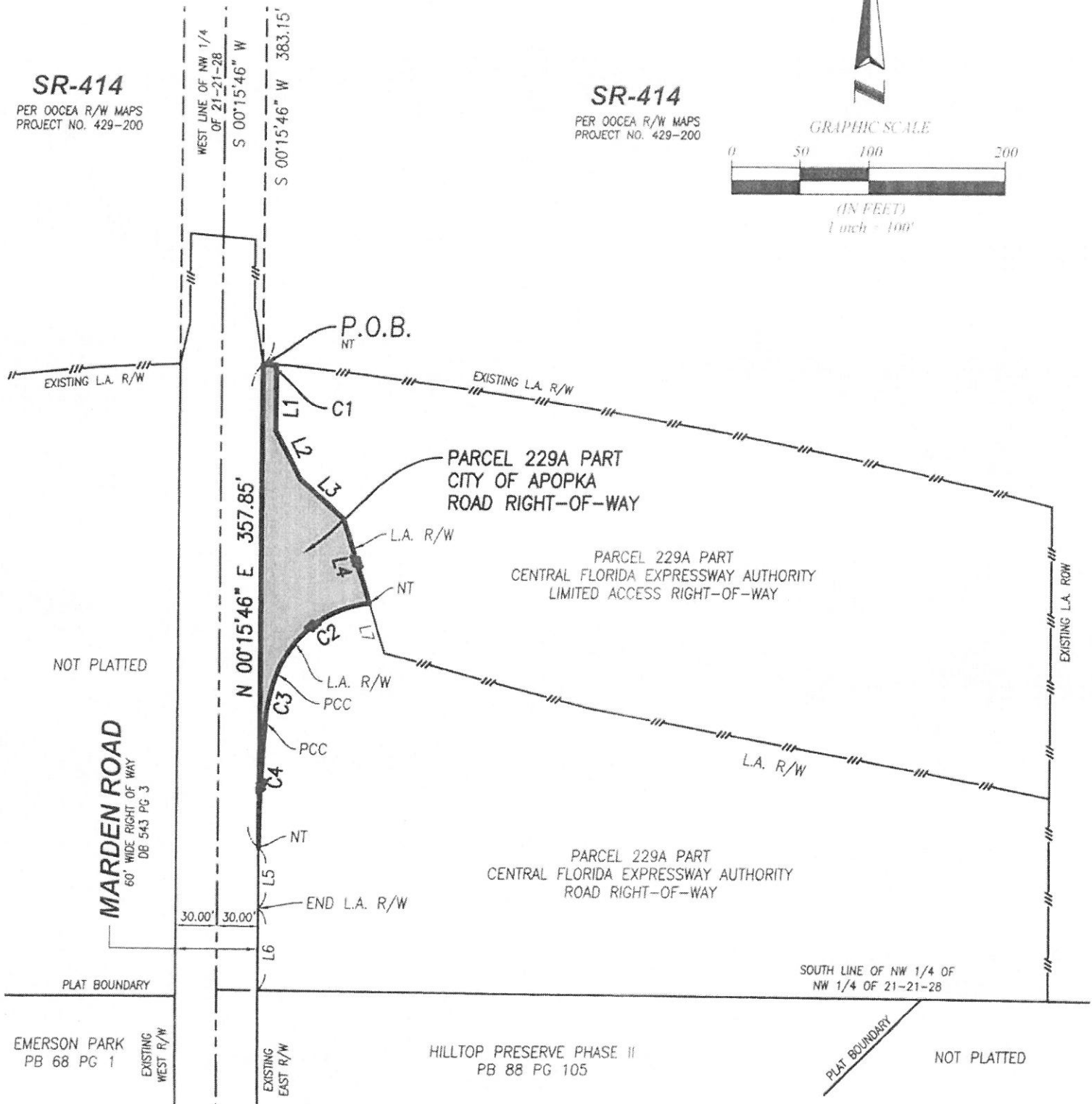
SR-414

PER OOCEA R/W MAPS
 PROJECT NO. 429-200

GRAPHIC SCALE



(IN FEET)
 1 inch = 100'



No.	Revisions	Date
1	Sketch of Description	07/15/16
2	Atkins Comments	08/05/16
3	Geodata Comments	08/15/16
4		
5		



On the Mark Surveying, LLC
 LB 7931
 143 Meadow Boulevard
 Sanford, Florida 32771
 Phone: (321) 626-6376
 Email: OTMSurveying@gmail.com

**SKETCH OF
 DESCRIPTION**

Field Date: N/A	Drawn by: CAH
Scale: 1" = 100'	Checked by: CAH
Sheet 4 of 5	Job Number: EMERSON

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
 STATE ROAD 414 - PROJECT NO. 414-314
 CITY OF APOPKA ROAD RIGHT OF WAY
 ESTATE: FEE SIMPLE
 (A PORTION OF PROJECT NO. 429-200 PARCEL 229A)

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	1223.14	00°28'07"	10.00	S 88°11'33" E	10.00
C2	81.00	62°54'05"	88.92	S 52°08'54" W	84.53
C3	136.00	15°41'37"	37.25	S 12°51'03" W	37.14
C4	1181.00	04°35'12"	94.54	S 02°42'38" W	94.52

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00°15'46" W	48.70
L2	S 26°13'15" E	39.75
L3	S 46°58'08" E	43.41
L4	S 17°04'32" E	63.89
L5	S 00°15'46" W	44.47
L6	S 00°15'46" W	60.27
L7	S 17°04'32" E	38.02

LEGEND:

CB - CHORD BEARING
 CCR# - CERTIFIED CORNER RECORD NUMBER
 CFX - CENTRAL FLORIDA EXPRESSWAY AUTHORITY
 CH - CHORD LENGTH
 CM - CONCRETE MONUMENT
 D - CENTRAL ANGLE
 DB - DEED BOOK
 FND - FOUND
 ID - IDENTIFICATION
 IP - IRON PIPE
 L - ARC LENGTH
 L.A. - LIMITED ACCESS
 LB - PROFESSIONAL SURVEYOR AND MAPPER BUSINESS LICENSE NUMBER
 LS - PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER
 N/A - NOT APPLICABLE
 NAD - NORTH AMERICAN DATUM
 NO. - NUMBER

NT - NON TANGENT
 OCEA - ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
 ORB - OFFICIAL RECORDS BOOK
 PB - PLAT BOOK
 PC - POINT OF CURVATURE
 PCC - POINT OF COMPOUND CURVATURE
 PG - PAGE
 P.O.B. - POINT OF BEGINNING
 P.O.C. - POINT OF COMMENCEMENT
 PRC - POINT OF REVERSE CURVATURE
 PT - POINT OF TANGENCY
 R - RADIUS
 R/W - RIGHT-OF-WAY
 SR - STATE ROAD
 XX-XX-XX - SECTION XX - TOWNSHIP XX SOUTH - RANGE XX EAST

No	Revisions	Date
1	Sketch of Description	07/15/16
2	Atkins Comments	08/05/16
3	Geodata Comments	08/15/16
4		
5		

On the Mark Surveying, LLC
 LB 7931
 143 Meadow Boulevard
 Sanford, Florida 32771
 Phone: (321) 626-4376
 Email: OTMSurveying@gmail.com

SKETCH OF
 DESCRIPTION

Field Date N/A	Drawn by CAH
Scale N/A	Checked by CAH
Sheet 5 of 5	Job Number EMERSON

Special Warranty Deed

**By Emerson Point Phase II,
LLC**

as grantor in favor of

CFX as Grantee

This instrument prepared by
AND SHOULD BE RETURNED TO:

Ted. B. Edwards, Esq.
Law Office of Ted B. Edwards, P.A.
1350 Orange Avenue
Suite 260
Winter Park, FL 32789

Purchase Price: Donation
Documentary Stamps Due: \$0.70

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 9th day of August, 2016, by **EMERSON POINT PHASE II, LLC**, a Florida limited liability company, whose address is 1350 Orange Avenue, Suite 250, Winter Park, FL 32789 ("**Grantor**"), in favor of **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, an expressway authority established under the laws of the State of Florida, whose address is 4947 Orlando Tower Road, Orlando, Florida 32807 ("**Grantee**").

Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of partnerships and corporations, wherever the context so permits or requires.

WITNESSETH:

GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) to it in hand paid by Grantee and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all of that certain land situate and lying in Orange County, Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof by this reference (the "**Property**").


TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

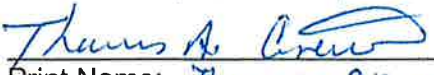
TO HAVE AND TO HOLD the same in fee simple forever.


AND, Grantor hereby warrants with the Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good, right and lawful authority to sell and convey the Property; that the Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by through or under the Grantor but against none other; and that the property is free and clear of all liens and encumbrances, subject to taxes accruing subsequent to December 31, 2015, and any and all covenants, conditions, restrictions, and matters of public record the reference to which shall not serve to reimpose the same.


IN WITNESS WHEREOF, Grantor has caused these presents to be executed in the name by its lawful representative hereunto duly authorized, on the date first written above.

Signed, sealed and delivered in the presence of:


Print Name: Roberto Maximo


Print Name: Thomas C. Cerano


Print Name: Michelle Heatherly


Print Name: Olivier Grossen

EMERSON POINT PHASE II, LLC, a Florida limited liability company

By: 

Print Name: Michael E. Wright

Title: Manager

Date: August, 2016

By: 

Print Name: Mary L. Demetree

Title: Manager

Date: 8/9/14

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 5th day of August, 2016, by Michael E. Wright, as Manager for **EMERSON POINT PHASE II, LLC**, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced as identification.



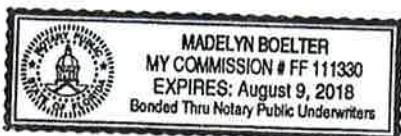
Megan Hudson
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF979753
Expires 4/6/2020


Signature of Notary Public

Megan Hudson
Typed name of Notary Public

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 9th day of August, 2016, by Mary L. Demetree, as Manager for **EMERSON POINT PHASE II, LLC**, a Florida limited liability company, on behalf of the company. She is personally known to me or has produced as identification. N/A




Signature of Notary Public

Madelyn Boelter
Typed name of Notary Public

[Affix Notary Seal]

COMPOSITE EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION:

A PORTION OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE WITH X-CUT MARKING THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88°57'32" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 30.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, AS DESCRIBED IN DEED BOOK 543, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°15'46" WEST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 469.29 FEET, TO THE POINT OF BEGINNING, SAID POINT BEING AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 414, AS SHOWN ON THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP, PROJECT 429-200, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 4,360.00 FEET, A CENTRAL ANGLE OF 6°30'12", AN ARC LENGTH OF 494.89 FEET, A CHORD LENGTH OF 494.62 FEET AND A CHORD BEARING OF SOUTH 81°10'06" EAST; THENCE RUN SOUTH 70°08'59" EAST, ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414, FOR A DISTANCE OF 589.24 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 4,320.00 FEET, A CENTRAL ANGLE OF 3°40'16", AN ARC LENGTH OF 276.79 FEET, A CHORD LENGTH OF 276.74 FEET AND A CHORD BEARING OF SOUTH 68°18'51" EAST, TO A POINT AT THE INTERSECTION OF THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE CONTINUE SOUTHEASTERLY ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 4,320.00 FEET, A CENTRAL ANGLE OF 13°02'24", AN ARC LENGTH OF 983.19 FEET, A CHORD LENGTH OF 981.07 FEET AND A CHORD BEARING OF SOUTH 59°57'31" EAST, TO A POINT AT THE INTERSECTION OF THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE RUN NORTH 02°46'48" WEST, FOR A DISTANCE OF 96.15 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,731.02 FEET, A CENTRAL ANGLE OF 7°10'02", AN ARC LENGTH OF 216.54 FEET, A CHORD LENGTH OF 216.39 FEET AND A CHORD BEARING OF NORTH 50°10'07" WEST; THENCE RUN NORTH 65°20'36" WEST, FOR A DISTANCE OF 328.55 FEET; THENCE RUN NORTH 71°44'48" WEST, FOR A DISTANCE OF 91.73 FEET; THENCE RUN NORTH 67°47'09" WEST, FOR A DISTANCE OF 477.29 FEET; THENCE RUN NORTH 62°04'31" WEST, FOR A DISTANCE OF 100.50 FEET; THENCE RUN NORTH 67°00'49" WEST, FOR A DISTANCE OF 300.03 FEET; THENCE RUN NORTH 68°04'05" WEST, FOR A DISTANCE OF 162.90 FEET; THENCE RUN NORTH 72°46'45" WEST, FOR A DISTANCE OF 147.68 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,586.63 FEET, A CENTRAL ANGLE OF 9°52'36", AN ARC LENGTH OF 273.50 FEET, A CHORD LENGTH OF 273.16 FEET AND A CHORD BEARING OF NORTH 62°50'51" WEST, TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 550.39 FEET, A CENTRAL ANGLE OF 19°33'47", AN ARC LENGTH OF 187.92 FEET, A CHORD LENGTH OF 187.01 FEET AND A CHORD BEARING OF NORTH 67°41'27" WEST; THENCE RUN SOUTH 10°41'57" WEST, FOR A DISTANCE OF 82.86 FEET; THENCE RUN SOUTH 33°26'11" WEST, FOR A DISTANCE OF 113.21 FEET, TO THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY OF THE ABOVE DESCRIBED RIGHT-OF-WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT-OF-WAY.

CONTAINING 3.57 ACRES, MORE OR LESS

SURVEY CERTIFICATION:

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT THE INFORMATION WAS GATHERED AND PREPARED UNDER MY DIRECT SUPERVISION, AND THAT ALL INFORMATION CONFIRMS TO THE STANDARDS OF PRACTICE AS SET FORTH IN RULE SJ-17, ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTE 472 AC APPLICABLE.

Not valid without the original and original raised seal of a Florida Licensed Surveyor and Mapper.

08/16/16 Date
Corey A. Hopkins 186743

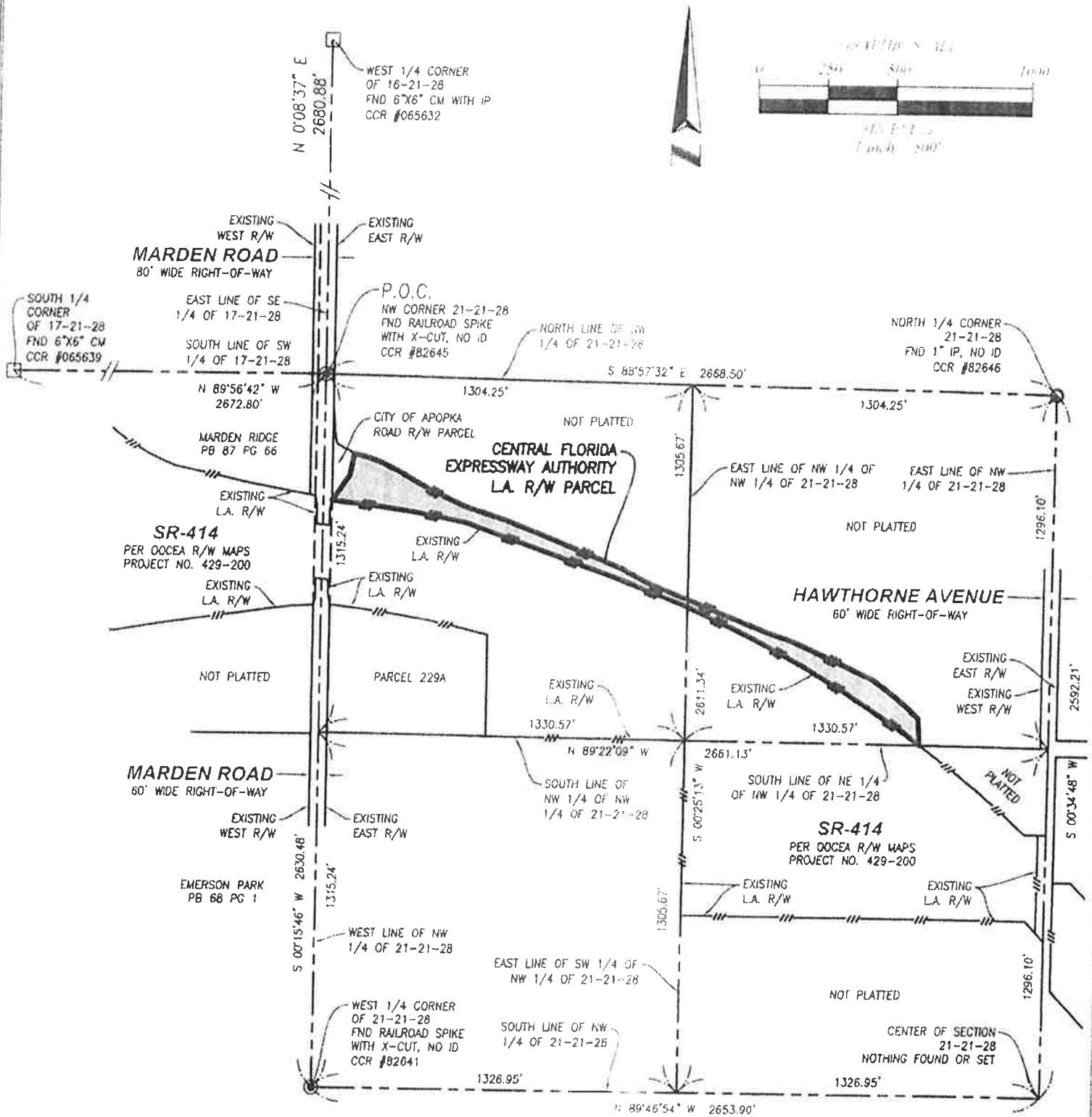
SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, THAT BEARING BEING S 00°15'46" W, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83/90.
3. NOT VALID WITHOUT ALL SHEETS.

NO	Revisions	Date	On the Mark Surveying LLC	Field Date	Drawn by
	Sketch of Description	07/20/16	LS 7931	N/A	CAH
	CFX Comments	07/28/16		Scale	Checked by
	Atkins Comments	08/05/16		N/A	CAH
	Geodata Comments	08/16/16		Sheet 1 of 7	Job Number

SKETCH OF DESCRIPTION

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE



No	Revisions	Date
	Sketch of Descriptor:	07/20/16
	CFX Comments	07/28/16
	Atkins Comments	09/05/16
	Geodata Comments	08/15/16



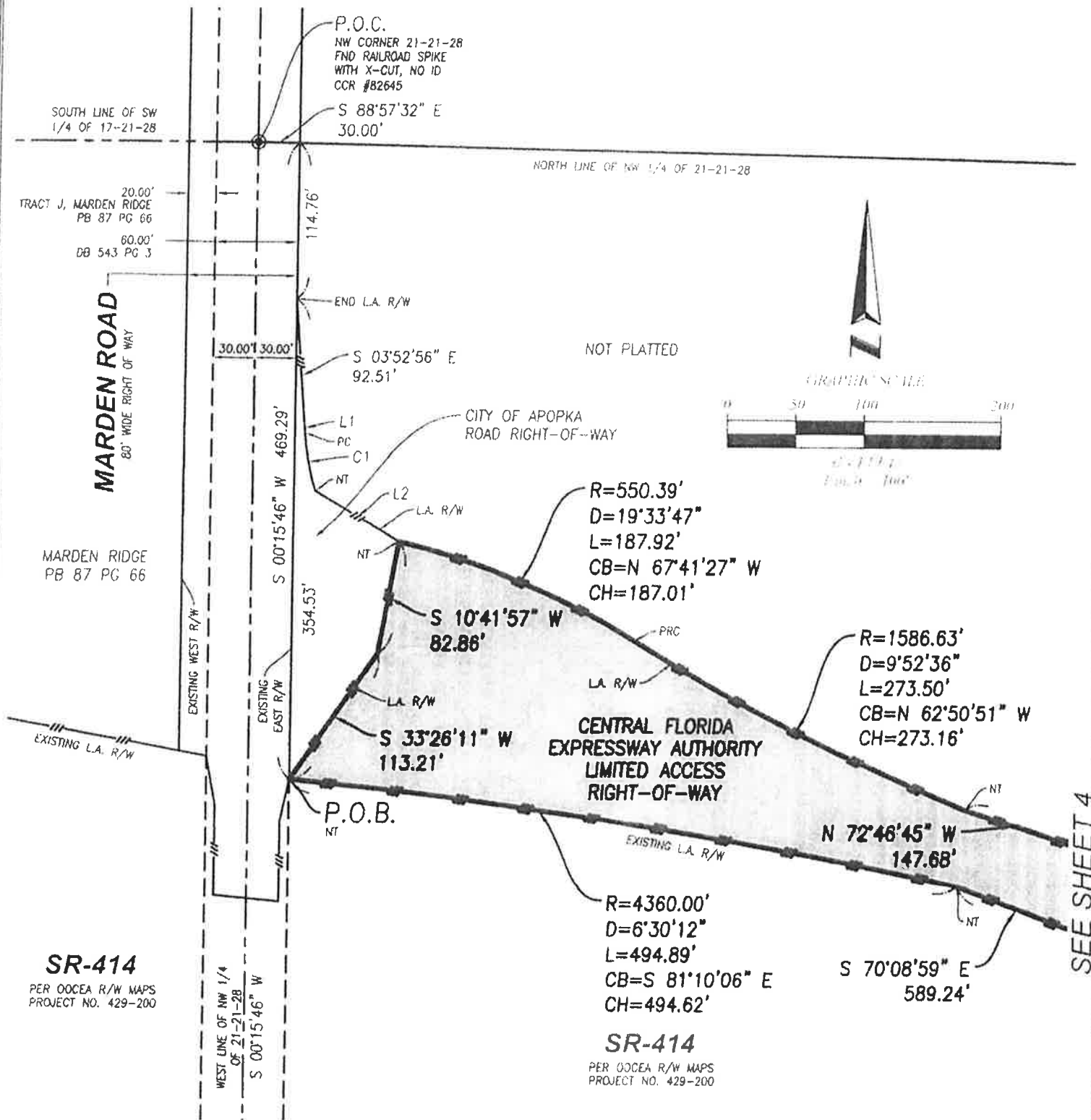
On the Mark Surveying LLC
LB 7931

LB 7937

SKETCH OF
DESCRIPTION

Field Date N/A	Drawn by CAH
Scale 1" = 500'	Checked by CAH
Sheet 2 of 7	Job Number 10000000

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE



No	Revisions	Date
1	Sketch of Description	07/20/16
2	CFX Comments	07/28/16
3	Atkins Comments	08/05/16
4	Geodata Comments	08/15/16

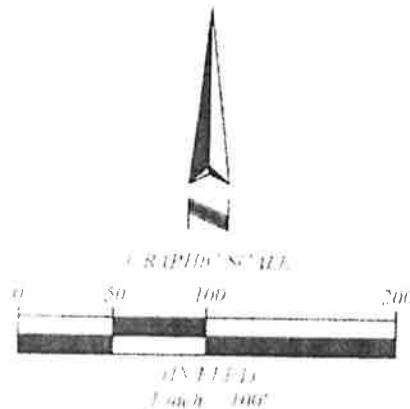


On the Mark Surveying, LLC
LB 7931
11111 Main Street
Orlando, Florida 32817
407.444.1111
www.onthemark.com

**SKETCH OF
DESCRIPTION**

Field Date N/A	Drawn by CAH
Scale 1" = 100'	Checked by CAH
Sheet 3 of 7	Job Number 11111

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE



SEE SHEET 3

NOT PLATTED

CENTRAL FLORIDA
EXPRESSWAY AUTHORITY
LIMITED ACCESS
RIGHT-OF-WAY

N 72°46'45" W
147.68'

N 68°04'05" W
162.90'

N 67°00'49" W 300.03'
LA R/W

S 70°08'59" E 589.24'

EXISTING LA R/W

N 62°04'31" W
100.50'

N 67°47'09" W
477.29'

EAST LINE OF NW 1/4 OF
NW 1/4 OF 21-21-28

R=4320.00'
D=3°40'16"
L=276.79'
CB=S 68°18'51" E
CH=276.74'

SR-414

PER DOCEA R/W MAPS
PROJECT NO. 429-200

SEE SHEET 5

No	Revisions	Date
	Sketch of Description	07/20/16
	CFX Comments	07/28/16
	Atkins Comments	08/05/16
	Gooddata Comments	08/15/16

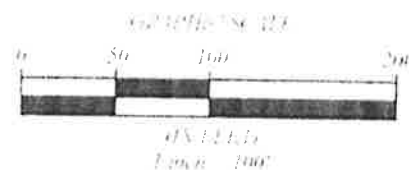


On the Mark Surveying LLC
LB 7931

**SKETCH OF
DESCRIPTION**

Field Date N/A	Drawn by CAH
Scale 1" = 100'	Checked by CAH
Sheet 4 of 7	Job Number 429-200

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE



NOT PLATTED

SEE SHEET 4

EAST LINE OF NW 1/4 OF
NW 1/4 OF 21-21-28

N 67°47'09" W 477.29'

CENTRAL FLORIDA
EXPRESSWAY AUTHORITY
LIMITED ACCESS
RIGHT-OF-WAY

N 71°44'48" W 91.73'

EXISTING L.A. R/W

L.A. R/W

N 65°20'36" W 328.55'

R=4320.00'
D=13°02'24"
L=983.19'
CB=S 59°57'31" E
CH=981.07'

NT

SEE SHEET 6

SR-414

PER OOCEA R/W MAPS
PROJECT NO. 429-200

**SKETCH OF
DESCRIPTION**

No.	Revisions	Date
1	Sketch of Description	07/20/16
2	CFX Comments	07/28/16
3	Athas Comments	08/05/16
4	Geodata Comments	08/15/16



On the Mark Surveying, LLC

LB 7931

143 Meadowbrook Way
Suwannee County, FL 32177
Phone: 321.621.1111
Fax: 321.621.1112

Field Date	N/A	Drawn by	CAH
Scale	1" = 100'	Checked by	CAH
Sheet 5 of 7		Job Number	414-314

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

SEE SHEET 5

$R=1731.02'$
 $D=7^{\circ}10'02''$
 $L=216.54'$
 $CB=N\ 50^{\circ}10'07''\ W$
 $CH=216.39'$

CENTRAL FLORIDA
EXPRESSWAY AUTHORITY
LIMITED ACCESS
RIGHT-OF-WAY

NOT PLATTED

HAWTHORNE
AVENUE
60' WIDE RIGHT-OF-WAY

EXISTING
WEST R/W

EXISTING
EAST R/W

EAST LINE OF NW 1/4
OF 21-21-28

30.00'
ORB 30 PG 57

30.00'

$N\ 02^{\circ}46'48''\ W\ 96.15'$

LA R/W

SOUTH LINE OF NE 1/4 OF
NW 1/4 OF 21-21-28

NOT PLATTED

$R=4320.00'$
 $D=13^{\circ}02'24''$
 $L=983.19'$
 $CB=S\ 59^{\circ}57'31''\ E$
 $CH=981.07'$

EXISTING L.A. R/W

SR-414

PER OOCEA R/W MAPS
PROJECT NO. 429-200



GRAPHIC SCALE



0 20 40 60 80 100
FEET

EXISTING L.A. R/W

EXISTING WEST R/W

EXISTING EAST R/W

30.00'

30.00'

No	Revisions	Date
1	Sketch of Description	07/20/16
2	CFX Comments	07/28/16
3	Attoms Comments	08/05/16
4	Geodata Comments	08/15/16



On the Mark Surveying, LLC
LB 7931

**SKETCH OF
DESCRIPTION**

Field Date	N/A	Drawn by	CAH
Scale	1" = 100'	Checked by	CAH
Sheet	6 of 7	Job Number	429-200

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE


CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	182.00	13°35'47"	43.19	S 10°31'08" E	43.09

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 03°43'15" E	7.30
L2	S 59°11'36" E	71.64

LEGEND:

CB - CHORD BEARING
CCR# - CERTIFIED CORNER RECORD NUMBER
CFX - CENTRAL FLORIDA EXPRESSWAY AUTHORITY
CH - CHORD LENGTH
CM - CONCRETE MONUMENT
D - CENTRAL ANGLE
DB - DEED BOOK
FND - FOUND
ID - IDENTIFICATION
IP - IRON PIPE
L - ARC LENGTH
L.A. - LIMITED ACCESS
LB - PROFESSIONAL SURVEYOR AND MAPPER BUSINESS LICENSE NUMBER
LS - PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER
N/A - NOT APPLICABLE
NAD - NORTH AMERICAN DATUM
NO - NUMBER

NT - NON TANGENT
ORCEA - ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
ORB - OFFICIAL RECORDS BOOK
PB - PLAT BOOK
PC - POINT OF CURVATURE
PCL - POINT OF COMPOUND CURVATURE
PC - PAGE
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
P.R. - POINT OF REVERSE CURVATURE
PT - POINT OF TANGENCY
R - RADIUS
R/W - RIGHT-OF-WAY
SR - STATE ROAD
XX-XX-XX - SECTION XX - TOWNSHIP XX SOUTH - RANGE XX EAST

No	Revisions	Date	 On the Mark Surveying, LLC LB 7931	SKETCH OF DESCRIPTION	Field Date	Drawn by
	Sketch of Description	07/20/16			N/A	CAH
	CFX Comments	07/28/16			Scale	Checked by
	Attns Comments	08/05/16			N/A	CAH
	Geodata Comments	08/15/16			Sheet 7 of 7	Job Number

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

LEGAL DESCRIPTION:

ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW BETWEEN THE PROPERTIES LYING ON EITHER SIDE OF THE FOLLOWING DESCRIBED LINE LYING IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE WITH X-CUT MARKING THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88°57'32" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 30.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, AS DESCRIBED IN DEED BOOK 543, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°15'46" WEST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 114.76 FEET, TO THE POINT OF BEGINNING; THENCE RUN SOUTH 03°52'56" EAST, FOR A DISTANCE OF 92.51 FEET; THENCE RUN SOUTH 03°43'15" EAST, FOR A DISTANCE OF 7.30 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 182.00 FEET, A CENTRAL ANGLE OF 13°35'47", AN ARC LENGTH OF 43.19 FEET, A CHORD LENGTH OF 43.09 FEET AND A CHORD BEARING OF SOUTH 10°31'08" EAST; THENCE RUN SOUTH 59°11'36" EAST, FOR A DISTANCE OF 71.64 FEET; THENCE RUN SOUTH 10°41'57" WEST, FOR A DISTANCE OF 82.86 FEET; THENCE RUN SOUTH 33°26'11" WEST, FOR A DISTANCE OF 113.21 FEET, TO THE POINT OF TERMINUS, SAID POINT BEING AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 414, AS SHOWN ON THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP, PROJECT 429-200.

LIMITED ACCESS RIGHTS ONLY ALONG A LINE WITHOUT AREA.

SURVEY CERTIFICATION:

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT THE INFORMATION WAS GATHERED AND PREPARED UNDER MY DIRECT SUPERVISION, AND THAT ALL INFORMATION CONFIRMS TO THE STANDARDS OF PRACTICE AS SET FORTH IN RULE 5J-17, ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTE 472 AS APPLICABLE.


Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

08/16/16 *Core A. Hopkins*
Date Core A. Hopkins 163747

SURVEYORS NOTES

1. THIS SKETCH IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, THAT BEARING BEING S 00°15'46" W, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83/90.
3. NOT VALID WITHOUT ALL SHEETS.

No.	Revisions	Date
	Sketch of Description	08/05/16
	Geodetic Comments	08/16/16

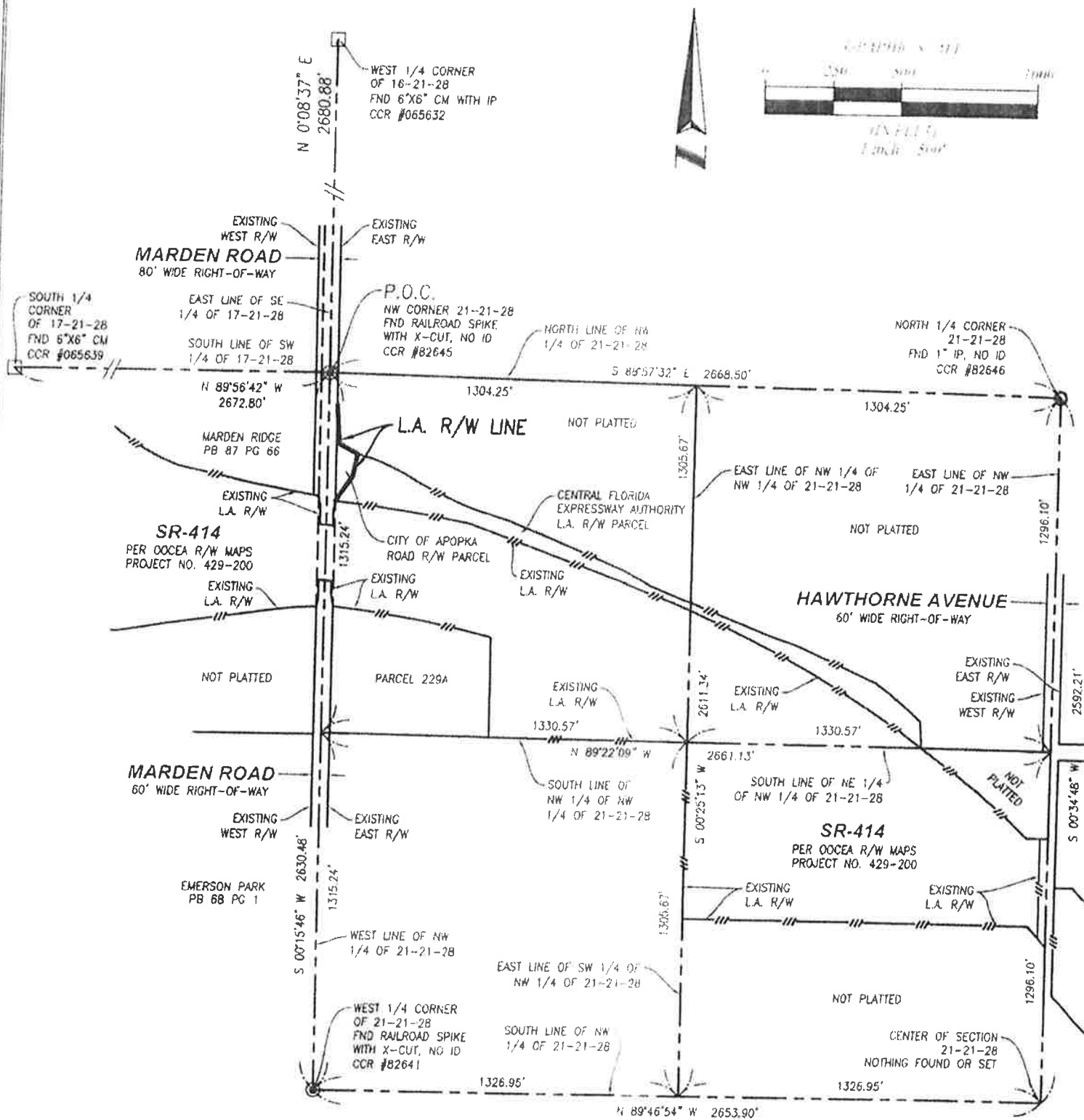


On the Mark Surveying LLC
LB 7931


SKETCH OF
DESCRIPTION

Field Date	Drawn by
N/A	CAH
Scale	Checked by
N/A	CAH
Sheet 1 of 4	Job Number
	163747

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE



No.	Revisions	Date
	Sketch of Description	08/05/16
	Geodata Comments	08/15/16

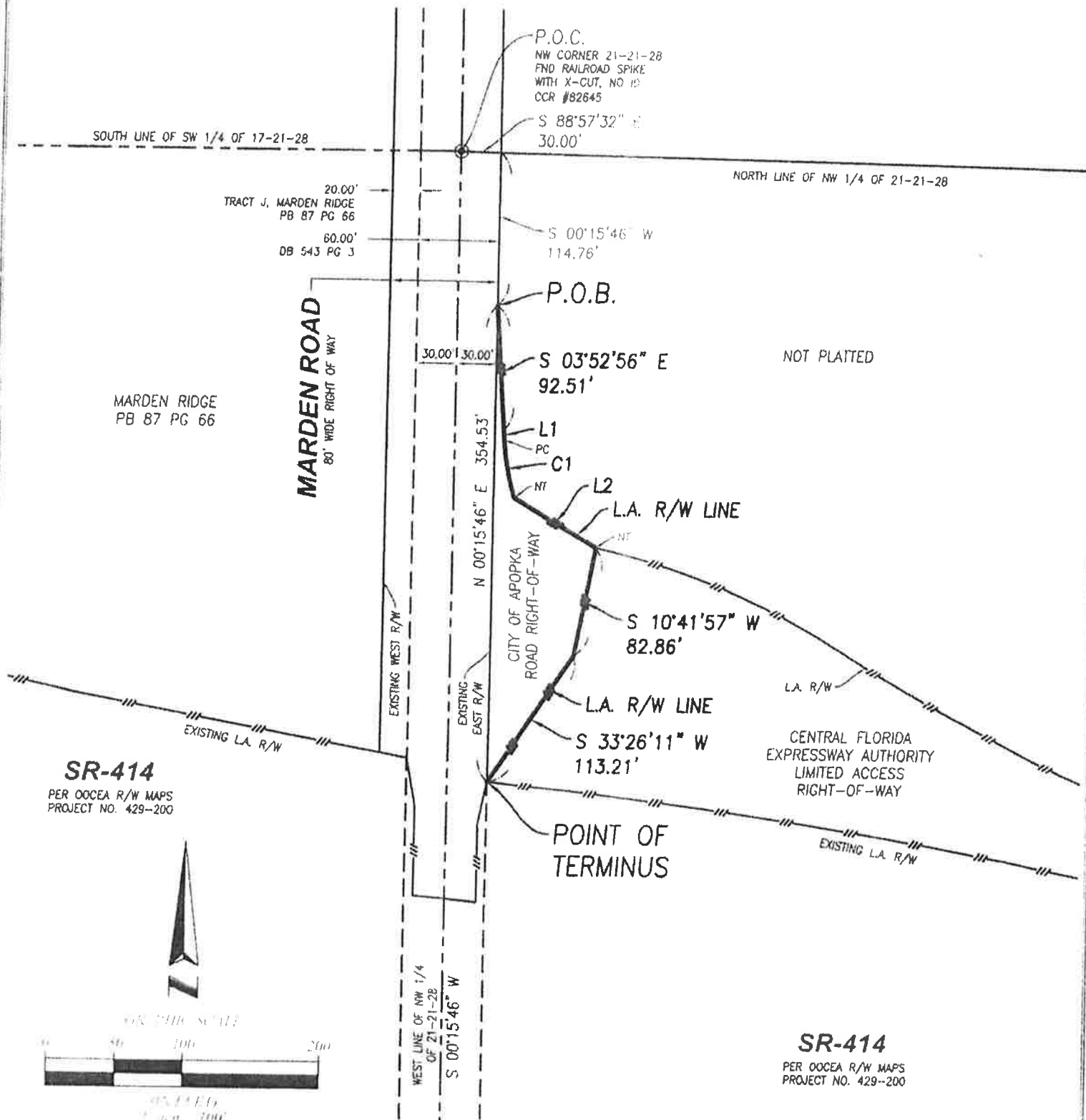


On The Mark Surveying LLC
LB 7931

SKETCH OF
DESCRIPTION

Field Date N/A	Drawn by CAH
Scale 1" = 500'	Checked by CAH
Sheet 2 of 4	Job Number N/A

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE



**SKETCH OF
DESCRIPTION**

No	Revisions	Date
1	Sketch of Description	08/05/16
2	Geodata Comments	08/15/16



On the Mark Surveying, LLC

LB 7931

Field Date N/A	Drawn by CAH
Scale 1" = 100'	Checked by CAH
Sheet 3 of 4	Job Number 1400000

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 414 - PROJECT NO. 414-314
LIMITED ACCESS RIGHT OF WAY
ESTATE: FEE SIMPLE

CURVE TABLE


CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	182.00	13'35'47"	43.19	S 10'31'08" E	43.09

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 03'43'15" E	7.30
L2	S 59'11'36" E	71.64

LEGEND:

CB -	CHORD BEARING	NT -	NON TANGENT
CCR# -	CERTIFIED CORNER RECORD NUMBER	ORCEA -	ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
CFX -	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	ORB -	OFFICIAL RECORDS BOOK
CH -	CHORD LENGTH	PB -	PLAT BOOK
CM -	CONCRETE MONUMENT	PC -	POINT OF CURVATURE
D -	CENTRAL ANGLE	PCC -	POINT OF COMPOUND CURVATURE
DB -	DEED BOOK	PG -	PAGE
FND -	FOUND	P.O.B. -	POINT OF BEGINNING
ID -	IDENTIFICATION	P.O.C. -	POINT OF COMMENCEMENT
IP -	IRON PIPE	PRC -	POINT OF REVERSE CURVATURE
L -	ARC LENGTH	PT -	POINT OF TANGENCY
L.A. -	LIMITED ACCESS	R -	RADIUS
LB -	PROFESSIONAL SURVEYOR AND MAPPER BUSINESS LICENSE NUMBER	R/W -	RIGHT-OF-WAY
LS -	PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER	SR -	STATE ROAD
N/A -	NOT APPLICABLE	XX-XX-XX -	SECTION XX - TOWNSHIP XX SOUTH - RANGE XX EAST
NAD -	NORTH AMERICAN DATUM		
NO. -	NUMBER		


No.	Revisions	Date	 <p>On the Mark Surveying, LLC LB 7931 12 Meadow Brook Surfside, Florida 33154 Phone: 305.421.6224 Fax: 305.421.6225</p>	<p>SKETCH OF DESCRIPTION</p>	Field Date	Drawn by
Sketch of Description		08/05/16			N/A	CAH
Geodata Comments		08/15/16			Scale	Checked by
					N/A	CAH
				Sheet 4 of 4	Job Number	
					1000000000	

Tab C

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MEMORANDUM

TO: Central Florida Expressway Authority Right of Way Committee Members

FROM: Linda S. Brehmer Lanosa, Deputy General Counsel 
Deb Keeter, Project Manager, Atkins

DATE: August 17, 2016

SUBJECT: *Central Florida Expressway Authority v. CSX Transportation, Inc., Successor in Interest to the Atlantic Coast Line Railroad Company, et al.*,
Case No. 2015-CA-001707, Project: 429-206, Parcel 827/727
Owner: CSX Transportation, Inc.
Tenant: Florida Central Railroad Company, Inc.
Location: South Side of State Road 46, East of Round Lake Road, Sorrento, Lake County, Florida. Size of Parent Tract: 11.636 gross acres

PROPERTY DESCRIPTION

The subject property is located in Lake County and is a 100-foot-wide linear parcel that is a portion of the former Atlantic Coast Line Railroad railroad line. Prior to 1987, the 11.01 mile long, 100-foot-wide linear parcel was part of a railroad corridor that extended from the town of Sorrento to Sanford, Florida, connecting to CSX Transportation's hub in Sanford. In 1987, the rail corridor north of State Road 46 in Sorrento was abandoned. As a result, the rail corridor was severed.

Currently the 11.01-mile corridor from State Road 46 to Tavares is leased to the Florida Central Railroad Company with an initial term of 10 years and successive five-year options to extend. The property is used for rail car storage and is improved for use as a Class 1 track allowing for speeds up to 10 to 15 miles per hour.

The Expressway Authority is acquiring two parcels from CSX Transportation. Parcel 827 is an irregularly shaped, non-exclusive permanent easement to construct and maintain support columns for the overhead roadway, excluding the right to cross the railroad tracks at grade. Parcel 827 is 0.649 acres and extends across the 100-foot width of the parent tract.

Parcel 727 is a temporary construction easement ("TCE") encumbering 4,945 square feet. The TCE is rectangular in shape and is located near the center of Parcel 827. The TCE will be used for a temporary retaining wall for a period of 42 months from the date of taking.

SUMMARY OF CFX'S APPRAISAL REPORT

Michael A. McElveen, MAI, CCIM, appraised the property. He concluded that the highest and best use of the property is for assemblage with adjoining property owners. Based upon the comparable sales approach, Mr. McElveen estimated the value of Parcel 827 and 727, as of October 9, 2015 as follows:

4974 ORL TOWER RD. ORLANDO, FL 32807 | PHONE: (407) 690-5000 | FAX: (407) 690-5011

Project: 429-206, Parcels 827/727
Owner: CSX Transportation, Inc.

Description	Amount
Value of Parcel 827 (0.649 acres @ \$53,700/acre @ 75% for easement)	\$26,200
Value of Parcel 727 (TCE) (0.114 acres @ \$53,700/acre @ 10% return/year for 42 months at a 1.80% discount rate)	\$ 2,100
Total	\$28,300

SUMMARY OF NEGOTIATIONS

The Expressway Authority and CSX Transportation's tenant, the Florida Central Railroad Company, previously entered into an agreement to pay flagging fees and costs arising out of the acquisition of parcels 827 and 727.

After the claim by the tenant was resolved, Ms. Keeter was able to negotiate a resolution with the owner of the property, CSX Transportation, for the additional sum of **\$1,180**, which sum includes the payment of attorney's fees, expert fees, and costs, for a total of \$29,480 as full compensation for the taking of Parcels 827 and 727.

REQUESTED ACTION

We respectfully request that the Right of Way Committee recommend to the CFX Board approval of the proposed Joint Motion for Stipulated Final Judgment in the amount of **\$29,480**, resolving all claims for compensation for the taking of Parcels 827 and 727, including severance damages, business damages, tort damages, interest, attorney's fees, attorney's costs, expert fees, expert costs, and any other claim, subject to apportionment, if any.

Attachments: Aerials
Photograph
Plan
Joint Motion for Stipulated Final Judgment

Project: 429-206, Parcels 827/727
Owner: CSX Transportation, Inc.

CSX Tavares to Sorrento Railroad



Project: 429-206, Parcels 827/727
Owner: CSX Transportation, Inc.

Larger Parcel

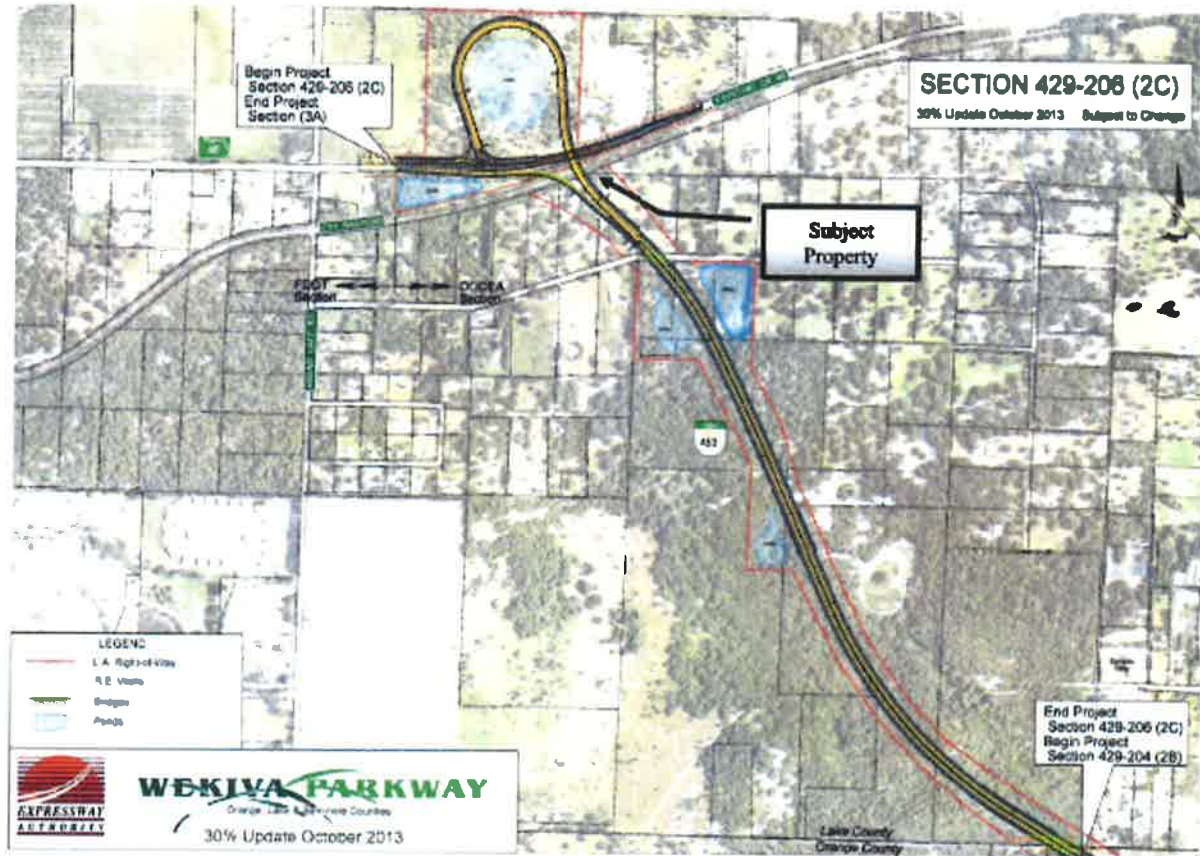


Project: 429-206, Parcels 827/727
Owner: CSX Transportation, Inc.



VIEW WEST ALONG PARCEL CENTERLINE, NOTE TOPOGRAPHY ON LEFT

Project: 429-206, Parcels 827/727
Owner: CSX Transportation, Inc.



IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA

CENTRAL FLORIDA EXPRESSWAY
AUTHORITY, a body politic and corporate,
And an agency of the state under the laws
Of the State of Florida,

Petitioner,

CASE NO.: 2015-CA-001707

v.

Parcels 827/727

CSX TRANSPORTATION, INC., Successor in
Interest to the Atlantic Coast Line Railroad
Company; FLORIDA CENTRAL RAILROAD
COMPANY, INC.; UNKNOWN TENANTS
AND OTHER PARTIES IN POSSESSION;
UNKNOWN PARTIES WITH AN INTEREST
IN THE PROPERTY; and BOB McKEE, LAKE
COUNTY TAX COLLECTOR,

Respondents.

_____ /

JOINT MOTION FOR
STIPULATED FINAL JUDGMENT AS TO PARCELS 827/727

Petitioner, CENTRAL FLORIDA EXPRESSWAY AUTHORITY, and Respondent, CSX
TRANSPORTATION, INC., Successor in Interest to the Atlantic Coast Line Railroad Company,
respectfully move for entry of the attached Stipulated Final Judgment as to Parcels 827 and 727.

The undersigned are authorized to enter into this Motion.

**CENTRAL FLORIDA EXPRESSWAY
AUTHORITY**

LINDA S. BREHMER LANOSA, ESQ.
Linda.Lanosa@cfxway.com
Florida Bar No. 901296
Central Florida Expressway Authority

CSX TRANSPORTATION, INC.



Richard M. Hood, CSX Real Property, Inc. Signing on
behalf of CSX
Address: 500 Water Street
City, State: Jacksonville, Florida
Telephone No. 904-279-3817
Transportation, Inc.

4974 ORL Tower Road
Orlando, Florida 32807
(407) 690-5000 (main)
(407) 690-5382 (direct)

Secondary E-Mail:

Mimi.Lamaute@cfxway. com;
Counsel for Petitioner,
Central Florida Expressway Authority
Dated: _____, 2016

Email: _____
Dated: _____, 2016
Respondent, CSX TRANSPORTATION, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, pursuant to Florida Rule of Judicial Administration 2.516, the foregoing was filed with the Clerk of the Court this ____ day of _____, 2016, by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorneys and interested parties identified on the e-Portal Electronic Service List, via transmission of Notices of Electronic Filing generated by the e-Portal System, to:

Robert Q. Williams, Esq.
Williams, Smith & Summers, P.A.
rqw@wssattorneys.com
cic@wssattorneys.com
Attorneys for Respondent,
Bob McKee, Lake County Tax Collector

I HEREBY CERTIFY that on this ____ day of _____, 2016, the foregoing was served via U.S. Mail to:

CSX Transportation, Inc., Successor in interest
to the Atlantic Coast Line Railroad Company
c/o Corporate Creations Network, Inc., Registered Agent
11380 Prosperity Farms Road, #221E
Palm Beach Gardens, FL 33410

CSX Transportation, Inc.
Attn: Real Property
500 Water Street
Jacksonville, Florida 32202

Florida Central Railroad Company, Inc.
c/o The Prentice-Hall Corporation System, Inc., Registered Agent
1201 Hays Street, Suite 105
Tallahassee, FL 32301

/s/_____

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA

CENTRAL FLORIDA EXPRESSWAY
AUTHORITY, a body politic and corporate,
And an agency of the state under the laws
Of the State of Florida,

Petitioner,

CASE NO.: 2015-CA-001707

v.

Parcels 827/727

CSX TRANSPORTATION, INC., Successor in
Interest to the Atlantic Coast Line Railroad
Company; FLORIDA CENTRAL RAILROAD
COMPANY, INC.; UNKNOWN TENANTS
AND OTHER PARTIES IN POSSESSION;
UNKNOWN PARTIES WITH AN INTEREST
IN THE PROPERTY; and BOB McKEE, LAKE
COUNTY TAX COLLECTOR,

Respondents.

STIPULATED FINAL JUDGMENT AS TO PARCELS 827/727

THIS CAUSE having come on for consideration upon the Joint Motion for entry of a Stipulated Final Judgment by the Petitioner, CENTRAL FLORIDA EXPRESSWAY AUTHORITY ("Petitioner"), and the Respondent, CSX Transportation, Inc., (referred to as "Respondent"), as the fee owner of Parcels 827 and 727, and it appearing to the Court that the parties were authorized to enter into such motion, the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable for all parties concerned and the Court being otherwise fully advised in the premises, finds:

A. The taking is necessary for a public purpose.

B. This Court found that the good faith estimate of value was Twenty-Eight Thousand

Three Hundred and 00/100 Dollars (\$28,300.00) for Parcels 827 and 727.

- C. Petitioner previously deposited the sum of Twenty-Eight Thousand Three Hundred 00/100 Dollars (\$28,300.00) in the Registry of the Court and Petitioner shall receive a credit in that amount regarding the sum due.
- D. The compensation to be paid by Petitioner is full, just and reasonable for all parties concerned.
- E. Respondent agrees to resolve full compensation for the taking of Parcels 827 and 727.
- F. That the parties have waived the right to trial by jury and consent to the immediate entry of this Stipulated Final Judgment. Accordingly, it is

ORDERED AND ADJUDGED as follows:

1. That full and complete compensation for the taking of Parcels 827 and 727, including damages resulting to the remainder and for any other damages of any kind and nature, including business damages, tort damages (if any), interest, attorneys' fees, experts' fees, costs, and any other claim, is the sum of Twenty-Nine Thousand, Four Hundred Eighty and 00/100 Dollars (\$29,480.00).

2. That title to the property designated as Parcels 827 and 727 and more particularly described below:

See **Schedule "A"** attached hereto

vested in the Petitioner, Central Florida Expressway Authority, pursuant to the Order of Taking and deposit of money made on or about November 13, 2015. The vesting of title is hereby approved, confirmed and ratified.

3. That there shall be no further claim by Respondent, and all parties claiming by, through, under or against said Respondent, in this action for any further monies from the Petitioner.

4. That within twenty (20) days after receipt by the Petitioner of this Stipulated Final Judgment, Petitioner shall deposit the total amount of ONE THOUSAND ONE HUNDRED EIGHTY DOLLARS AND NO/100ths Dollars (\$1,180.00) into the Registry of the Court, which sum represents the difference between full compensation and the amount previously deposited.

5. In addition, Petitioner shall pay the eminent domain registry deposit fee of ONE HUNDRED SEVENTY DOLLARS (\$170.00) to the Lake County Clerk of the Circuit Court by issuing a check made payable to "Neil Kelly, Lake County Clerk of the Circuit Court."

6. Respondent shall be fully responsible for any and all apportionment claims as may be asserted by other parties with respect to the compensation proceeds as described in Paragraph 3 of this Stipulated Final Judgment.

7. Respondent shall be responsible for the preparation and transmittal of any I.R.S. 1099 forms as necessary and shall provide CFX with a disclosure form, if appropriate, pursuant to Section 286.23, Florida Statutes.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida, this _____ day of _____, 2016.

JOHN MARSHALL KEST
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed with the Clerk of the Court this _____ day of _____, 2016, by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorneys/ interested parties identified on the e-Portal Electronic Service List, via transmission of Notices of Electronic Filing generated by the e-Portal System.

Judicial Assistant/Attorney/Paralegal

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 453
PROJECT No. 429-206

PARCEL 827

PURPOSE: PERMANENT EASEMENT
(ESTATE: PERMANENT EASEMENT)

A parcel of land lying in the Southwest 1/4 of Section 26 and the Northwest 1/4 of Section 35, Township 19 South, Range 27 East, Lake County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 26, Township 19 South, Range 27 East, Lake County, Florida, said point being a 6"x6" concrete monument with a bent nail; thence run North 01°17'01" West along the East line of said Southwest 1/4, a distance of 176.35 feet to a point on the Southerly right of way line of the Atlantic Coast Line Rail Road per Right-of-Way and Track Map V.3b Fla 5; thence departing said East line, run South 67°42'49" West along said Southerly right of way line, a distance of 391.72 feet to the POINT OF BEGINNING; thence continue South 67°42'49" West along said Southerly right of way line, a distance of 336.23 feet to a point on a non-tangent curve, concave to the Southwest, having a radius of 519.13 feet and a Central Angle of 18°37'43"; thence departing said Southerly right of way line, run Northwesterly along the Arc of said curve, a distance of 168.78 feet (Chord Bearing = North 75°30'13" West, Chord Distance = 168.04 feet) to the end of said curve and a point on the Northerly right of way line of said Rail Road and a point on a non-tangent curve to the left, concave Northwesterly, having a Radius of 5679.65 feet and a Central Angle of 00°50'50"; thence run along the said Northerly right of way line and the Arc of said curve, a distance of 83.98 feet (Chord Bearing = North 68°08'14" East, Chord Distance = 83.98 feet) to the point of tangency; thence continue along said Northerly right of way line North 67°42'49" East, a distance of 303.10 feet to a point on a non-tangent curve to the left, concave Northeasterly, having a radius of 927.39 feet and a Central Angle of 04°59'02"; thence, departing said Northerly right of way line, run Southeasterly along the Arc of said curve, a distance of 80.67 feet (Chord Bearing = South 29°31'27" East, Chord Distance = 80.64 feet) to the end of said curve; thence run North 67°42'49" East, a distance of 73.59 feet; thence run South 22°17'11" East, a distance of 20.00 feet to the POINT OF BEGINNING.

Less and except the following described parcel:

Commence at the Southeast corner of the Southwest 1/4 of Section 26, Township 19 South, Range 27 East, Lake County, Florida, said point being a 6"x6" concrete monument with a bent nail; thence run North 01°17'01" West along the East line of said Southwest 1/4, a distance of 176.35 feet to a point on the Southerly right of way line of the Atlantic Coast Line Rail Road per Right-of-Way and Track Map V.3b Fla 5; thence departing said East line, run South 67°42'49" West along said Southerly right of way line, a distance of 588.96 feet; thence, departing said Southerly right of way line, run North 22°17'11" West, a distance of 20.00 feet to the POINT OF BEGINNING; thence run South 67°42'49" West, a distance of 58.80 feet to a point on a non-tangent curve to the left, concave to the Southwest, having a radius of 592.22 feet and a Central Angle of 08°04'10"; thence run Northwesterly along the Arc of said curve, a distance of 83.41 feet (Chord Bearing = North 66°14'06" West, Chord Distance = 83.34 feet) to the end

SHEET 1 OF 5

SCHEDULE "A"

of said curve; thence North $67^{\circ}42'49''$ East, a distance of 109.34 feet to a point on a non-tangent curve to the left, concave Northeasterly, having a radius of 1049.47 feet and a Central Angle of $03^{\circ}18'01''$; thence run Southeasterly along the Arc of said curve, a distance of 60.45 feet (Chord Bearing = South $29^{\circ}13'30''$ East, Chord Distance = 60.44 feet) to the POINT OF BEGINNING.

Containing 0.649 acres, more or less.

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
STATE ROAD 453
PROJECT No. 429-206

PARCEL 727

PURPOSE: TEMPORARY CONSTRUCTION EASEMENT
(ESTATE: TEMPORARY EASEMENT)

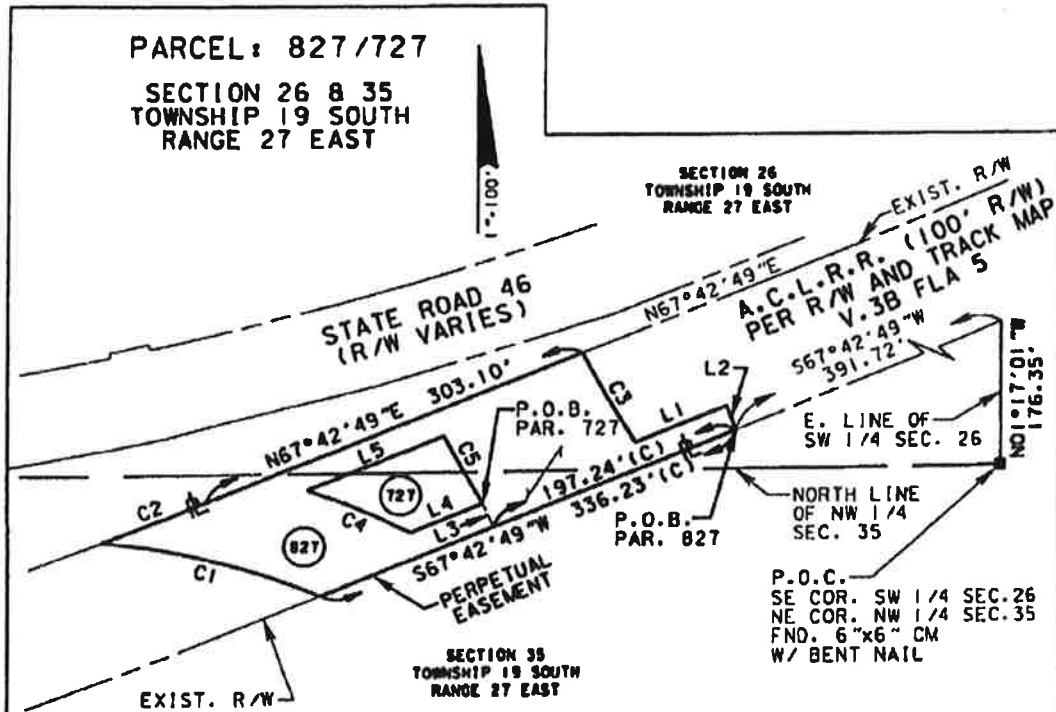
A parcel of land lying in the Southwest 1/4 of Section 26 and the Northwest 1/4 of Section 35, Township 19 South, Range 27 East, Lake County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 26, Township 19 South, Range 27 East, Lake County, Florida, said point being a 6"x6" concrete monument with a bent nail; thence run North 01°17'01" West along the East line of said Southwest 1/4, a distance of 176.35 feet to a point on the Southerly right of way line of the Atlantic Coast Line Rail Road per Right-of-Way and Track Map V.3b Fla 5; thence departing said East line, run South 67°42'49" West along said Southerly right of way line, a distance of 588.96 feet; thence, departing said Southerly right of way line, run North 22°17'11" West, a distance of 20.00 feet to the POINT OF BEGINNING; thence run South 67°42'49" West, a distance of 58.80 feet to a point on a non-tangent curve to the left, concave to the Southwest, having a radius of 592.22 feet and a Central Angle of 08°04'10"; thence run Northwest along the Arc of said curve, a distance of 83.41 feet (Chord Bearing = North 66°14'06" West, Chord Distance = 83.34 feet) to the end of said curve; thence North 67°42'49" East, a distance of 109.34 feet to a point on a non-tangent curve to the left, concave Northeasterly, having a radius of 1049.47 feet and a Central Angle of 03°18'01"; thence run Southeasterly along the Arc of said curve, a distance of 60.45 feet (Chord Bearing = South 29°13'30" East, Chord Distance = 60.44 feet) to the POINT OF BEGINNING.

Containing 4945 square feet, more or less.

PARCEL: 827/727

SECTION 26 8 35
TOWNSHIP 19 SOUTH
RANGE 27 EAST



C1
Δ - 18°37'43"(LT)
L - 168.78'
R - 519.13'
C.B. - N75°30'13"W
C.D. - 168.04'

C2
Δ - 00°50'50"(LT)
L - 83.98'
R - 5679.65'
C.B. - N68°08'14"E
C.D. - 83.98'

C3
Δ - 04°59'02"(LT)
L - 80.67'
R - 927.39'
C.B. - S29°31'27"E
C.D. - 80.64'


C4
Δ - 08°04'10"(LT)
L - 83.41'
R - 592.22'
C.B. - N66°14'06"W
C.D. - 83.34'

C5
Δ - 03°18'01"(LT)
L - 60.45'
R - 1049.47'
C.B. - S29°13'30"E
C.D. - 60.44'

L1 - N67°42'49"E
73.59'(C)
L2 - S22°17'11"E
20.00'(C)
L3 - N22°17'11"W
20.00'(C)

L4 - S67°42'49"W
58.80'(C)
L5 - N67°42'49"E
109.34'(C)

SEE SHEETS 1-3 OF 8 FOR LEGAL DESCRIPTION
SEE SHEET 5 OF 5 FOR NOTES AND LEGEND
THIS SKETCH IS NOT A SURVEY

RIGHT OF WAY PARCEL SKETCH			STATE ROAD 453 (WEEKIWA PARKWAY)			CENTRAL FLORIDA EXPRESSWAY AUTHORITY		SECTION 429-206 (2C)	
PROJECT NO. 12-0150.000		SHEET 4 OF 5		DATE: 05/28/14		<div>SKETCH PREPARED BY</div> <div> DRMP</div> <div>801 LAKE BALCONY LANE ORLANDO, FLORIDA 32814 (407) 896-0584 L.B. No. 2548</div>			
PAR. NUMBER		CRW 11/14		SCALE: 1" = 100'					
EASE. CHANGES		CRW 11/14		CHECKED: ALO					
PER COMMENTS		CRW 9/14		DRAWN: BJP					
REVISION	BY	DATE	REVISION	BY	DATE				

PARCEL: 827/727

NOTES:

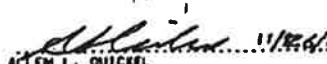

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 27 EAST AS BEING NORTH 01°18'30" WEST, BASED ON NAD83, STATE PLANE COORDINATES, FLORIDA EAST ZONE.
2. THIS PARCEL SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD FOR THE PURPOSE OF PREPARING THIS SKETCH, EXCEPT AS SHOWN.
3. THE RIGHT-OF-WAY SHOWN FOR STATE ROAD 46 IS BASED ON A MAINTENANCE MAP PREPARED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN ROAD PLAT BOOK 11, PAGE 1 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
4. PARCEL INFORMATION SHOWN HEREON IS SUPPORTED BY COMMITMENT FOR TITLE INSURANCE, SHUTTS AND BOWEN LLP ORDER No. 4887241, DATED JULY 20, 2014.

LEGEND:

A.C.L.R.R. = ATLANTIC COAST LINE RAILROAD
(C) = CALCULATED DATA
C.B. = CHORD BEARING
C.D. = CHORD DISTANCE
COR. = CORNER
CM = CONCRETE MONUMENT
(D) = DEED DATA
EASE. = EASEMENT
EXIST. = EXISTING
FND. = FOUND
I.D. = IDENTIFICATION
IP = IRON PIPE
L = ARC LENGTH
L.B. = LICENSED BUSINESS

OR = OFFICIAL RECORDS BOOK
P. = PROPERTY LINE
PAR. = PARCEL
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
No. = NUMBER
PG = PAGE
R = RADIUS
REQ. = REQUIRED
R/W = RIGHT-OF-WAY
SEC. = SECTION
Δ = CENTRAL ANGLE

SEE SHEET 4 OF 5 FOR
SKETCH OF DESCRIPTION

RIGHT OF WAY PARCEL SKETCH		STATE ROAD 453 (WEKIVA PARKWAY)		CENTRAL FLORIDA EXPRESSWAY AUTHORITY	SECTION 429-206 (2C)
 ALLEN L. QUICKEL FLORIDA REGISTERED LAND SURVEYOR NO. 6481 (NOT VALID UNLESS SIGNED AND SEALED)		PROJECT NO. 12-0150-000		SHEET 5 OF 5	DATE: 05/28/14
		PAR. NUMBER		CW	11/14
		EASE. CHANGES		CW	11/14
		PER COMMENTS		CW	9/14
		REVISION		BY	DATE
				DRAWN: BJP	
				CHECKED: ALQ	
				SCALE: 1" = 100'	
				SECTION PREPARED BY  DRMP 841 LAKE BALGOWN LANE ORLANDO, FLORIDA 32814 (407) 896-0094 L.S. No. 2648	