

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
Right of Way Committee Meeting
October 24, 2018

Location: CFX Headquarters Boardroom
4974 ORL Tower Road
Orlando, Florida 32807

Committee Members Present:

Jean Jreij, Seminole County, Committee Chairman
Laurie Botts, City of Orlando Representative
Bob Babcock, Orange County Alternative Representative
Frank Raymond, Osceola County Representative
Brian Sheahan, Lake County Representative
John Denninghoff, Brevard County Representative
Christopher Murvin, Citizen Representative

CFX Staff Present at Dais:

Joseph L. Passiatore, General Counsel
Joseph Berenis, Chief of Infrastructure
Linda S. Brehmer Lanosa, Deputy General Counsel
Mala Iley, Recording Secretary

Item 1: CALL TO ORDER

The meeting was called to order at 2:02 p.m. by Chairman Jreij.

Item 2: PUBLIC COMMENT

John Reich, from Reich Properties submitted public comment card on item 4.

Public comment was delayed and addressed during item 4.

Item 3: APPROVAL OF MINUTES

A motion was made by Mr. Raymond and seconded by Mr. Murvin to approve the July 25, 2018 Right of Way Committee meeting minutes as presented.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Item 4: S.R. 417 PROJECT 455, PARTIAL 45-502
OWNERS: ORANGE COUNTY, FLORIDA
OWNER OF LIMITED ACCESS LINE: CENTRAL FLORIDA EXPRESSWAY AUTHORITY

Ms. Brehmer Lanosa is requesting the Committee's recommendation for Board approval of the Limited Access Line Relocation Agreement and Resolution Authorizing the Establishment and Partial Release of Limited Access Line, ("L/A") and Sale at the appraised value of Ninety-Six Thousand Five hundred dollars (\$96,500.00), in accordance with CFX's Policy, subject to following conditions: separate notice to the local government in which the parcel is located is not required, the western L/A line will not be released until the Eastern L/A is established in CFX's favor, the appropriate certificate is received from CFX's General Engineering Contractor, ("GEC") and the Resolution takes effect upon the conveyance and establishment of the Eastern L/A line.

Ms. Brehmer Lanosa detailed the history of the strip of Property along the northwest corner of State Road 417 and Narcoossee Road ("Property") and the issues.

Public Comment

Chairman Jreij next recognized Mr. John Reich from Reich Properties. Mr. Reich is the owner of the abutting property.

Mr. Reich advised that the property sits back 15 feet off the sidewalk. Mr. Reich advised that he had a survey done of the Property and there are no utilities that are outside of the property. Mr. Reich advised that there is a water line in the existing right of way.

Ms. Botts addressed the Committee with concerns new easements should be recorded prior to conveyance of the Property. She suggested that the Committee add language to the motion that would protect both the City and the County. Ms. Botts advised that there are a lot of utilities running under and around the Property.

Ms. Botts as the Real Estate Manager of Orlando advised that the City's Transportation Department determined that the City no longer needs that portion of the right of way to expand Narcoossee Road.

The City's Transportation staff provided Ms. Botts with a Utility Adjustment Sheet. This document was submitted to the Recording Secretary and made a part of the record. The document provided will be attached to the minutes as Exhibit A.

Ms. Botts expressed her concerns regarding utilities within the Property as it does appear there are utilities running 20 feet in from the sidewalk. Public Works staff is not sure if this is located within a City services easement. The City needs to make sure that if the property is conveyed, the City needs assurance that an easement would be recorded.

Mr. Reich advised that there has been a survey done of the Property and there are no City utilities. There is a water line in the existing right of way.

Discussion ensued.

Ms. Botts suggested that the County and the City do their own search and verify the documents that have been provided. Mr. Babcock agreed with this suggestion.

Ms. Botts is not asking for anything more, but only asking for rights for existing utilities.

Discussion ensued.

Ms. Botts asked Mr. Reich if he is representing that there are no utilities and Mr. Reich answered in the affirmative. Ms. Botts asked if Mr. Reich had completed a locate on the property and he replied yes.

Ms. Botts offered the option of possibly deferring this item. General Counsel Joseph L. Passiatore recommended that the Committee not defer this item and add the condition that a utilities easement be conveyed at the time of closing with the County.

Ms. Botts agreed with Mr. Passiatore's suggestion. Ms. Botts advised that the City and County would expedite the search.

A motion was made by Mr. Babcock and seconded by Mr. Raymond to recommend to the Board approval of the Limited Access Line Relocation Agreement and Resolution Authorizing the Establishment and Partial Release of Limited Access Line and Sale at the appraised value of Ninety-Six Thousand Five hundred dollars (\$96, 500.00), in accordance with CFX's Policy, subject to following conditions: separate notice to the local government in which the Parcel is located is not required, the Western L/A line will not be released until the Eastern L/A is established in CFX's favor, the appropriate certificate is received from CFX's GEC and the Resolution takes effect upon the conveyance and establishment of the Eastern L/A line. The following condition was added: Subject to a review, and if necessary, the recording of new easements to protect the existing utilities currently in place.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Item 5: S.R. 429 WEKIVA PARKWAY PROJECT 429-202, STANTON RIDGE REPLAT
OWNERS: CENTRAL FLORIDA EXPRESSWAY AUTHORITY

Ms. Brehmer Lanosa is requesting the Committee's recommendation for Board approval of the Stanton Ridge Developer's Agreement between City of Apopka and CFX and the Stanton Ridge Replat.

Ms. Brehmer Lanosa provided the Committee with a PowerPoint presentation describing the background of the property.

In order to vacate the local roads underneath the newly constructed Wekiva Parkway and to dedicate the

rerouted or extended local roads to the City of Apopka, it is necessary to replace the existing Stanton Ridge Subdivision Plat with a revised plat.

The City of Apopka has already approved the form of the Stanton Ridge Developer's Agreement.

A motion was made by Mr. Sheahan and seconded by Mr. Babcock to recommend to the Board approval of the Stanton Ridge Developer's Agreement between the City of Apopka and Central Florida Expressway Authority in a form substantially similar to the attached agreement, the Stanton Ridge Replat, and any additional or ancillary documents to finalize the replatting process.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

**Items 6: S.R. 528, MULTI-MODAL CORRIDOR PROJECT 528-1240, PARCEL 109
OWNER: CENTRAL FLORIDA EXPRESSWAY AUTHORITY
EASEMENT OWNERS: LOCKHEED MARTIN CORP. AND FARMLAND RESERVE, INC.**

Ms. Keeter is requesting the Committee's recommendation for Board Approval of the Amendment to the Reciprocal Access and Utility Easement Agreement between Lockheed Martin Corporation, Farmland Reserve, Inc., and Central Florida Expressway Authority.

Deborah D. Keeter, from Dewberry Engineering Inc., provided the Committee with a PowerPoint presentation describing the background of the parcel. Ms. Keeter advised that this is a cleanup matter and dissipates any possible cloud on CFX's title.

A motion was made by Mr. Sheahan and seconded by Mr. Babcock to recommend to the Board approval of the Amendment to the Reciprocal Access and Utility Easement Agreement between Lockheed Martin Corporation, Farmland Reserve, Inc., and Central Florida Expressway Authority.

Vote: The motion carried unanimously with seven (7) members present and voting AYE by voice vote.

Item 8: OTHER BUSINESS

Mr. Passiatore advised the Committee that the December 19, 2018 meeting will be cancelled. The next Committee Meeting will be held on November 28, 2018.

Item 9: ADJOURNMENT

Chairman Jreij adjourned the meeting at approximately 2:39 p.m.

Minutes approved on January 23, 2019.

Pursuant to the Florida Public Records Law and Central Florida Expressway Authority Records and Information Management Program Policy, audio tapes of all Board and applicable Committee meetings are maintained and available upon request to the Custodian of Public Records at (407) 690-5326, publicrecords@CFXWay.com or 4974 ORL Tower Road, Orlando, Florida 32807.