

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY Right of Way Committee Meeting May 25, 2022

Committee Members Present:

Brian Sheahan, Lake County Representative, Committee Chairman
Christopher Murvin, Citizen Representative
Juan Diaz, Citizen Representative
Laura F. Carroll, City of Orlando Representative, Alternate
Mindy Cummings, Orange County Representative
Neil Newton, Seminole County Representative, Alternate
Steven Kane, Osceola County Representative

Committee Members Appearing Telephonically:

John Denninghoff, Brevard County Representative

CFX Staff Present:

Diego "Woody" Rodriguez, General Counsel
Lisa Lumbar, Chief Financial Officer
Sandy Kemraj, Recording Secretary
Mala Iley, Former Recording Secretary

Item A: CALL TO ORDER

The meeting was called to order at 2:00 p.m. by Chairman Sheahan. Recording Secretary Sandy Kemraj called the roll and announced there was a quorum.

General Counsel Rodriguez introduced new member Mr. Juan Diaz and new alternate Ms. Laura Carroll.

Item B: PUBLIC COMMENT

There was no public comment.

Item C: APPROVAL OF JANUARY 19, 2022 RIGHT OF WAY COMMITTEE MEETING MINUTES

A motion was made by Ms. Cummings and seconded by Mr. Murvin to approve the January 19, 2022 minutes as presented.

Vote: The motion carried unanimously with all seven (7) members present voting AYE by voice vote. Mr. Denninghoff voting AYE by phone.

Item D.1.: SLOPE EASEMENT AGREEMENT AND SECOND TEMPORARY CONSTRUCTION EASEMENT BETWEEN RANDALL PARK COMMUNITY DEVELOPMENT DISTRICT AND THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY; PROJECT NUMBER 528-1240; PARCEL NUMBER 104

General Counsel Woody Rodriguez requested the Committee's recommendation for Board approval of the Slope Easement Agreement and the Second Temporary Construction Easement, both between Randall Park Community Development District ("CDD") and Central Florida Expressway Authority ("CFX").

General Counsel Rodriguez provided the Committee with a brief history of the project. He advised that in the Slope Easement Agreement the CDD is granting CFX a perpetual slope easement over a limited area where CFX, or third parties assigned the rights by CFX, can construct, maintain, and repair the slopes and embankments necessary to support the expansion or future improvements of State Road 528 and the intercity passenger rail project operated by Brightline.

General Counsel Rodriguez further advised the Committee that CFX and Mattamy (Jacksonville) Partnership previously entered into a Temporary Construction Easement ("TCE") that is anticipated to expire in October 2024. The purpose of this Second Temporary Construction Easement ("Second TCE") is to preserve CFX's right to build in the temporary construction area without having to go back to the CDD for their approval. Accordingly, the Second TCE will allow CFX, or any parties assigned the right by CFX, to construct improvements in the temporary construction easement area for the intercity passenger rail and any future projects by CFX, including the expansion of State Road 528 and a potential intermodal rail system project. The Second TCE is over a retention pond for the Randall Park neighborhood. The term of the Second TCE is dependent upon when CFX elects to move forward with any future project and expires upon the earlier of: (1) five (5) years from the notice of commencement of construction of the future project; (2) completion of the future project; or (3) fifty (50) years from the expiration of the TCE, or approximately October 2074.

A motion was made by Ms.Cummings and seconded by Mr. Kane to recommend to the Board approval of the Slope Easement Agreement and Second Temporary Construction Easement both between Randall Park Community Development District and the Central Florida Expressway Authority and subject to any minor or clerical modifications approved by General Counsel Rodriguez or Executive Director.

Vote: The motion carried unanimously with all seven (7) members present voting AYE by voice vote. Mr. Denninghoff voting AYE by phone.

Item D.2.: PROPERTY ACQUISITION & DISPOSITION PROCEDURES MANUAL

General Counsel Woody Rodriguez provided an update on the status and revision of the Property Acquisition and Disposition Procedures Manual ("ROW Manual"). General Counsel Rodriguez advised that the delay in presenting item D2 pertains to a thorough review of the ROW Manual because CFX is partnering with their

auditors, Protiviti, to provide some recommendations in amending the ROW Manual and are anticipating bringing a proposed draft to the Committee in either July or August.

Item E: OTHER BUSINESS

Chairman Sheahan announced that there will not be a meeting in June. The next Right of Way Committee meeting is scheduled for Wednesday, July 20, 2022 at 2:00 p.m.

Item F: ADJOURNMENT

Chairman Sheahan adjourned the meeting at approximately 2:18 p.m.

Minutes approved on September 21, 2022.

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.