

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: RESOLUTION – COUNTY DEED

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

AUTHORIZED BY:  **CONTACT:** Jerry McCollum, P.E. EXT. 5651
W. Gary Johnson, P.E., Director

Agenda Date 02/28/06 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

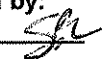
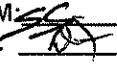
Adopt Resolution authorizing the Chairman to execute the County Deeds conveying property to the Florida Department of Transportation (FDOT Parcel Numbers 100 and 116) for improvements to State Road 46.

District 5 – Commissioner Carey (Jerry McCollum, P.E.)

BACKGROUND:

The Florida Department of Transportation has made application to Seminole County requesting the conveyance of property necessary for improvements to the Lake Jesup Bridge at State Road 46 (Parcel 116) along with realigning Osceola Road (Parcel 100). This is a joint project with the St. Johns River Water Management District and the Army Corps of Engineers that will improve the water flow during high water elevations in the area. This property is identified as FDOT Parcel Numbers 100 and 116.

Attachments: Location Map / Resolution / County Deeds

Reviewed by: _____
Co Atty: 
DFS: _____
Other: _____
DCM: 
CM: _____
File No. CPWE01

RESOLUTION

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON THE _____ DAY OF _____ A.D., 2006.

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 46, Section No. 77040 and 79020 in Seminole County, Florida; and

WHEREAS, it is necessary that certain lands now owned by Seminole County be acquired by the State of Florida Department of Transportation; and

WHEREAS, the lands are identified by the Florida Department of Transportation as Parcel Numbers 100 and 116

WHEREAS, said property is not needed for County purposes; and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation County Deeds in favor of the State of Florida Department of Transportation, conveying all right, title and interests that the County has in and to said lands required for transportation purposes, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the application of the State of Florida Department of Transportation for County Deeds are for transportation purposes which are in the public or community interest and for public welfare; and the lands needed for transportation purposes are not needed for County purposes; that the deeds in favor of the Florida Department of Transportation conveying all right, title and interests of Seminole County in and to said lands identified as Parcels 100 and 116 have been drawn and executed by this Board of County Commissioners.

ADOPTED THIS _____ DAY OF _____ A.D., 2006.

ATTEST:

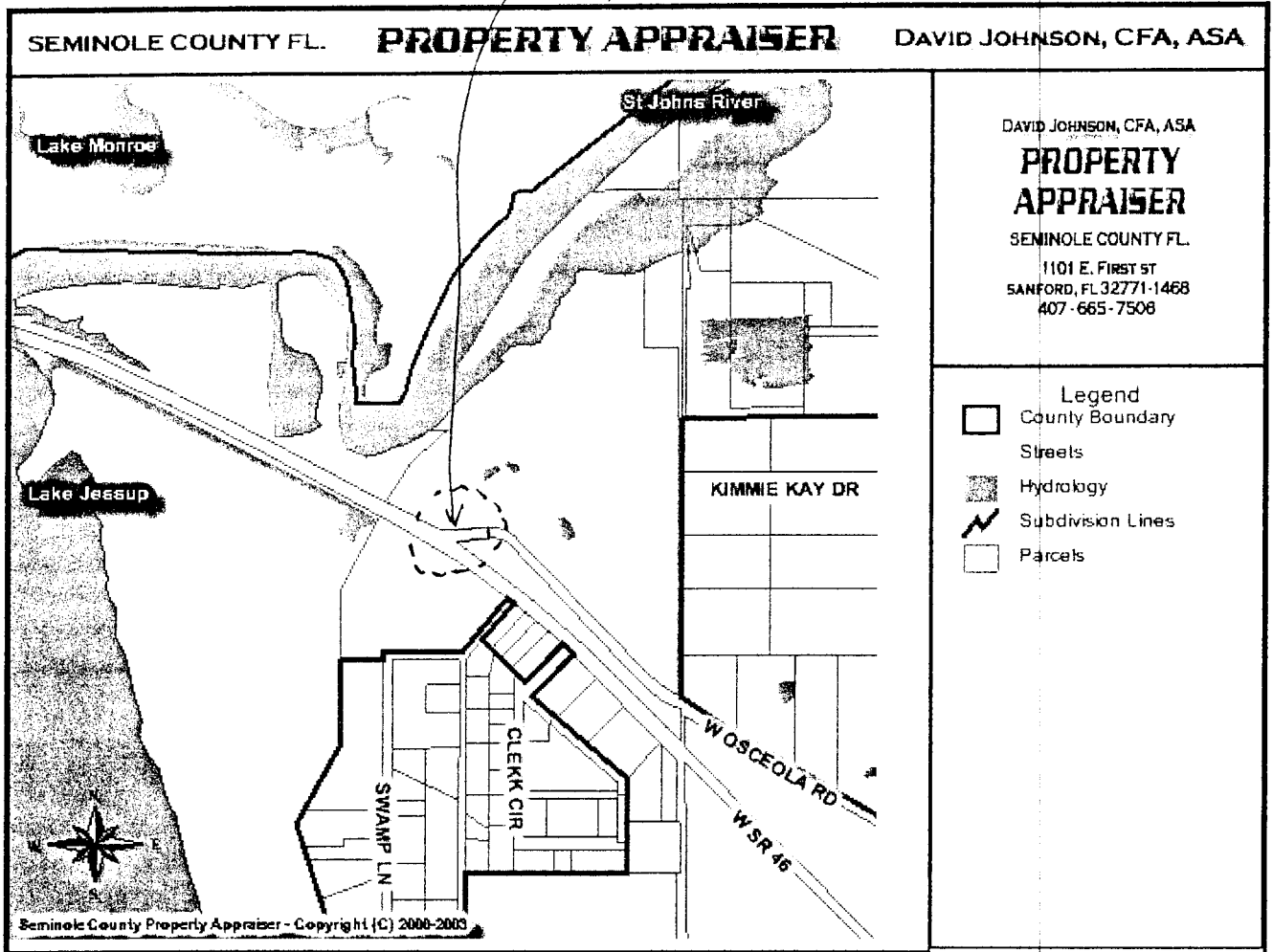
**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

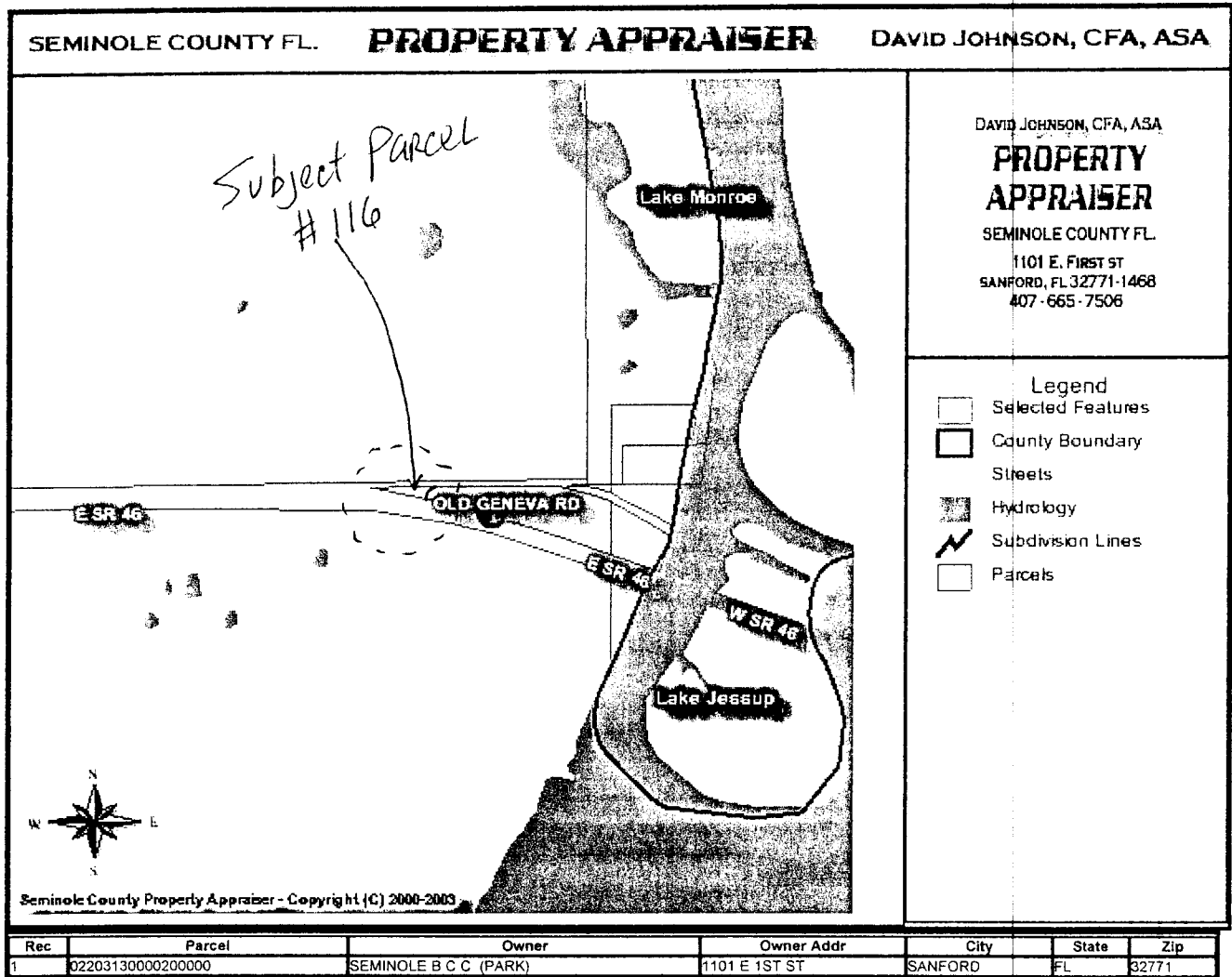
Carlton Henley, Chairman

**MARYANNE MORSE, Clerk to the
Board of County Commissioners in
and for Seminole County, Florida.**

Prepared under the direction of:
Charles F. Barcus
Program Manager/Right-of-Way
01-26-2006

Subject Parcel #100





COUNTY DEED

Parcel No. 100
Section 77040 & 79020
State Road No. 46
County of Seminole, Florida

THIS DEED is made this _____ day of _____ 2006, by **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida, 32771, hereinafter referred to as the **GRANTOR**, and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, whose address is 719 South Woodland Boulevard, Deland, Florida, 32720, hereinafter referred to as the **GRANTEE** or **F.D.O.T.**

W I T N E S S E T H:

THAT GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) in hand paid by the **GRANTEE**, the receipt whereof is hereby acknowledged, does hereby grant, bargain, and sell to **GRANTEE**, its heirs and assigns forever, the following described land lying and being in the County of Seminole, State of Florida, to-wit:

See Legal Description attached hereto as Exhibits "A-1" and "A-2"

GRANTOR, in accordance with Section 270.11, Florida Statutes, releases its interest in, and title in and to all the phosphate, minerals and metals that are or may be in, on, or under the above described land and all the petroleum that is or may be in, on, or under the above described land with the privilege to mine and develop the same, the **GRANTEE** having petitioned for said release. The reason justifying such release is that **GRANTEE** is an agency of the State of Florida, which state therefore loses no rights by such release.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

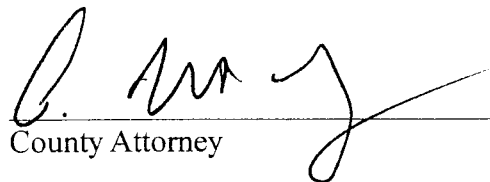
MARYANNE MORSE
Clerk to the Board of County Commissioners
of Seminole County, Florida

By: _____
Carlton Henley, Chairman

Date: _____

For the use and reliance
of Seminole County only.
Approved as to form and
legal sufficiency

As authorized for execution
by the Board of County Commissioners
at their _____, 2006 regular meeting



County Attorney

PARCEL NO. 100
RIGHT OF WAY

SECTION 77040 & 79020
F.P. NO. 240163 1

THAT PART OF:

Osceola Road (Old State Road No. 44) lying in Government Lot 1, Section 1, Township 20 South, Range 31 East, Seminole County, Florida, as shown on the Florida Department of Transportation Right of Way Map for State Road 46, Section 77040 / Section 79020, F.P. No. 240163 1, on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Volusia County, Florida.

DESCRIBED AS FOLLOWS:

From a 1 inch diameter iron bar (no identification) at the Northeast corner of Government Lot 2 of Section 1, Township 20 South, Range 31 East, Seminole County, Florida, said corner being a point on the South boundary of Government Lot 1 of said Section 1, as shown on the Florida Department of Transportation Right of Way Map for State Road 46, Section 77040 / Section 79020, F.P. No. 240163 1, on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Volusia County, Florida, run South 89 degrees 58 minutes 27 seconds West, 730.29 feet along the South boundary of said Government Lot 1, to the Southwest corner thereof; thence North 00 degrees 32 minutes 59 seconds West, 368.33 feet along the West boundary of said Government Lot 1 to a point; thence North 26 degrees 59 minutes 53 seconds East, 550.72 feet continuing along said West boundary of Government Lot 1 to a point on the existing Southerly right of way line of the aforesaid State Road 46; thence continue North 26 degrees 59 minutes 53 seconds East, 50.04 feet along said West boundary of Government Lot 1 to a point on the centerline of survey of said State Road 46; thence continue North 26 degrees 59 minutes 53 seconds East, 50.04 feet along said West boundary of Government Lot 1 to a point on the existing Northerly right of way line of said State Road 46, said point being on a non-tangent curve concave Southwesterly and having a radius of 5779.65 feet; thence from a tangent bearing of South 60 degrees 51 minutes 23 seconds East, run Southeasterly 306.42 feet along said existing Northerly right of way line parallel with and 50.00 feet Northeasterly of, when measured radial to the aforesaid centerline of survey of State Road 46 and the arc of said curve with a chord bearing of South 59 degrees 20 minutes 16 seconds East, through a central angle of 03 degrees 02 minutes 16 seconds, to a point on the Northerly limit of maintenance of Osceola Road (Old State Road No. 44) as shown on the aforesaid Right of Way Map of State Road 46 for the POINT OF BEGINNING; thence North 88 degrees 28 minutes 57 seconds East, 323.60 feet along said Northerly limit of maintenance of Osceola Road to a point; thence South 01 degrees 31 minutes 03 seconds East, 66.00 feet to a point on the Southerly limit of maintenance of said Osceola Road; thence South 88 degrees 28 minutes 57 seconds West, 226.77 feet along said Southerly limit of maintenance of Osceola Road to a point on the aforesaid existing Northerly right of way line of State Road 46, said point being on a non-tangent curve concave Southwesterly and having a radius of 5779.65 feet; thence from a tangent bearing of North 56 degrees 39 minutes 26 seconds West, run Northwesterly 117.18 feet along said existing Northerly right of way line parallel with the aforesaid centerline of survey of State Road 46 and the arc of said curve with a chord bearing of North 57 degrees 14 minutes 17

Exhibit "A-1"

seconds West, through a central angle of 01 degrees 09 minutes 42 seconds to the Point of Beginning.

CONTAINING: 18139 Square feet, more or less.

This legal description prepared under the direction of:

J. Thomas Stevenson, PLS #4460

Jones, Wood & Gentry, Inc.

3841 E. Colonial Drive

Orlando, Florida 32803

Date: August 31, 2005

(407) 898-7780

EXHIBIT "A-2"

COUNTY DEED

Parcel No. 116
Section 77040 & 79020
State Road No. 46
County of Seminole, Florida

THIS DEED is made this _____ day of _____ 2006, by **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida, 32771, hereinafter referred to as the **GRANTOR**, and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, whose address is 719 South Woodland Boulevard, Deland, Florida, 32720, hereinafter referred to as the **GRANTEE** or **F.D.O.T.**

W I T N E S S E T H:

THAT GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) in hand paid by the **GRANTEE**, the receipt whereof is hereby acknowledged, does hereby grant, bargain, and sell to **GRANTEE**, its heirs and assigns forever, the following described land lying and being in the County of Seminole, State of Florida, to-wit:

See Legal Description attached hereto as Exhibits "A-1" and "A-2"

GRANTOR, in accordance with Section 270.11, Florida Statutes, releases its interest in, and title in and to all the phosphate, minerals and metals that are or may be in, on, or under the above described land and all the petroleum that is or may be in, on, or under the above described land with the privilege to mine and develop the same, the **GRANTEE** having petitioned for said release. The reason justifying such release is that **GRANTEE** is an agency of the State of Florida, which state therefore loses no rights by such release.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

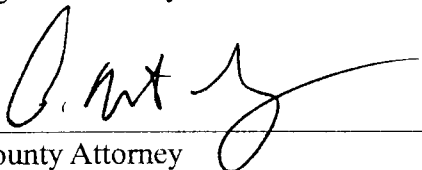
MARYANNE MORSE
Clerk to the Board of County Commissioners
of Seminole County, Florida

By: _____
Carlton Henley, Chairman

Date: _____

For the use and reliance
of Seminole County only.
Approved as to form and
legal sufficiency

As authorized for execution
by the Board of County Commissioners
at their _____, 2006 regular meeting



County Attorney

PARCEL NO. 116
RIGHT OF WAY

SECTION 77040 & 79020
F.P. NO. 240163 1

THAT PART OF:

"All that part of Government Lot 4, Section 1, Township 20 South, Range 31 East, lying between the south right-of-way line of old State Road #46 on the north, and the north right-of-way line of new State Road #46, on the south, for public purposes.

AND

All that part of Government Lot 1, Section 2, Township 20 South, Range 31 East, Seminole County, Florida, lying and being North of the North Right-of-Way line of new State Road No. 46, and South of the South Right-of-Way line of old State Road No. 46, (Geneva Avenue), cont'y 2 Acres M/L. for public park purposes."

(The above described lands being described and recorded in Deed Book 180, Page 63, and Deed Book 180, Page 65, Public Records of Seminole County, Florida.)

DESCRIBED AS FOLLOWS:

From a 4" X 4" concrete monument (no identification) at the Northeast corner of Government Lot 1 of Section 2, Township 20 South, Range 31 East, Seminole County, Florida, run South 00 degrees 52 minutes 22 seconds East, 39.92 feet along the East boundary of said Government Lot 1 of Section 2, to a point on the existing Southerly right of way line of Old Sanford to Geneva Road as shown on the "Topographical Survey in Vicinity of Geneva Drawbridge", as recorded in Plat Book 5, Page 75, Public Records of Seminole County, Florida, and as shown on the Florida Department of Transportation Right of Way Map for State Road 46, Section 77040 / Section 79020, F.P. No. 240163 1, on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Volusia County, Florida, said point being on a non-tangent curve concave Southerly and having a radius of 615.00 feet; thence from a tangent bearing of North 77 degrees 41 minutes 09 seconds West, run Northwesterly 135.71 feet along said existing Southerly right of way line and the arc of said curve with a chord bearing of North 84 degrees 00 minutes 27 seconds West, through a central angle of 12 degrees 38 minutes 37 seconds to the end of said curve; thence South 89 degrees 40 minutes 14 seconds West, 341.06 feet along said existing Southerly right of way line for the POINT OF BEGINNING; thence continue South 89 degrees 40 minutes 14 seconds West, 139.02 feet along said existing Southerly right of way line to a point on the existing Northerly right of way line of State Road 46, as described and recorded in Deed Book 157, Page 199, Public Records of Seminole County, Florida, and as shown on the aforesaid Right of Way Map for State Road 46, said point being on a non-tangent curve concave Southwesterly and having a radius of 2939.93 feet; thence from a tangent bearing of South 75 degrees 18 minutes 33 seconds East, run Southeasterly 138.57 feet along said existing Northerly right of way line and the arc of said curve with a chord bearing of South 73 degrees 57 minutes 32 seconds East, through a central angle of 02 degrees 42 minutes 02 seconds to a point

EXHIBIT "A-1"

on a tangent curve concave Easterly and having a radius of 20.00 feet; thence from a tangent bearing of North 72 degrees 36 minutes 31 seconds West, run Northerly 56.65 feet along the arc of said curve with a chord bearing of North 08 degrees 31 minutes 52 seconds East, through a central angle of 162 degrees 16 minutes 45 seconds to the end of said curve and the Point of Beginning.

CONTAINING: 2134 Square feet, more or less.

This legal description prepared under the direction of:

J. Thomas Stevenson, PLS #4460

Jones, Wood & Gentry, Inc.

3841 E. Colonial Drive

Orlando, Florida 32803

Date: August 31, 2005

(407) 898-7780

EXHIBIT "A-2"