

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Resolution of Necessity – Lake Emma Road
from Sand Pond Road to Lake Mary Center

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** Antoine Khoury, P.E. ^{ATK} **EXT.** 5768
W. Gary Johnson W. Gary Johnson, P.E., Director *Jerry McCollum* Jerry McCollum, P.E.

Agenda Date 07-13-04 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Adopt and authorize the Chairman to execute the Resolution of Necessity relating to the Lake Emma Road Improvement Project from Sand Pond Road to Lake Mary Center.

District 4 – Commissioner Henley (Antoine Khoury)

BACKGROUND:

The Lake Emma Road Improvement Project is to improve safety along this corridor and the enhancement of the intersection of Lake Emma Road and Greenwood Boulevard. This project was identified in the 2001 Second Generation Sales Tax Referendum as a collector safety and capacity enhancement project and is a separate project from the 4 - laning of Lake Emma Road south of this project's limit. Construction plans are complete and right-of-way acquisition is in progress. This Resolution of Necessity will establish the County's authority to use the eminent domain process for acquisition of the only remaining parcel of right-of-way which is owned by the Crossings Homeowners Association (HOA). The HOA is in favor of the project but their covenant prohibits them from transferring ownership of properties without the consent of 2/3 of their 5,000 members. (Attached is a copy of the letter of support for the project from the HOA)

Attachment: Resolution of Necessity
Letter

Reviewed by:
Co Atty: *CU*
DFS: _____
Other: _____
DCM: *ML*
CM: *KB*
File No. CPWE01

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT ITS REGULARLY SCHEDULED MEETING OF _____, 2004.

WHEREAS, the Board of County Commissioners of Seminole County desires to accomplish and implement sound transportation planning and provide a sound transportation system in Seminole County for the benefit of the citizens of Seminole County, hereinafter referred to as "County"; and

WHEREAS, the safe, efficient and uninterrupted transportation of people and property from place to place on the County road system is a matter of great concern to the people of the County and is necessary to insure the smooth operation of commerce and other activities within the County; and

WHEREAS, the County's constitutional home rule powers, the *Florida Transportation Code (Chapters 334-339 and other provisions of the Florida Statutes as established in Section 334.01, Florida Statutes)* and other applicable law including, but not limited to, *Chapter 125, Florida Statutes*, invest authority over the road system of Seminole County in the County; and

WHEREAS, the elimination of safety hazards in existing and future transportation facilities within Seminole County is of utmost concern and encourages the full utilization of such facilities by the traveling public; and

WHEREAS, it is necessary, beneficial and desirable that vehicular traffic within any transportation facility in developed or developing areas of the County have an adequate right-of-way to accommodate the roadway and its appurtenant facilities to decrease the

likelihood of accidents and to increase the safety of travel within and upon such facilities;
and

WHEREAS, Lake Emma Road (from Sand Pond Road to Lake Mary Center), is an existing road in the County Road System that traverses through a developing area with a high volume of traffic; and

WHEREAS, the existing right-of-way of said road is inadequate for proper utilization as required by vehicular traffic volumes. Additional traffic lanes and improved drainage facilities are necessary to reduce safety hazards and improve traffic flow. The property hereinafter described is being acquired for use as right-of-way for new sections of roadway, additional traffic lanes and improved drainage facilities on Lake Emma Road to be used by the public in general. Said property hereinafter described is necessary for roadways, rights-of-way, drainage facilities, and related facilities for the use of the general public including, but not limited to, rights-of-way, drainage facilities and other roadway improvements; and

WHEREAS, County has heretofore caused the roadway's area of construction to be located and surveyed and has caused a right-of-way map for the section of Lake Emma Road hereinabove described to be prepared, based upon and incorporating the survey and location data; and

WHEREAS, descriptions of the properties needed for the said widening of the roadway and improvement of its drainage system and other appurtenant systems have been prepared based upon the aforementioned survey and location data and the right-of-way map; and

WHEREAS, the Board of County Commissioners of Seminole County desires to utilize the provisions of Florida law to the fullest extent possible in order to accomplish the public purpose of acquiring necessary parcels of real property at prices that are both fair to property owners and prudent in terms of spending the tax revenues and other public funds which fund the transportation projects of the County; and

WHEREAS, the Board of County Commissioners of Seminole County hereby determines that the actions taken herein are consistent with the goals, policies and objectives of the Seminole County Comprehensive Plan,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. The above recitals are adopted as findings and incorporated into the text of this Resolution.

Section 2. It is necessary, serves a County and public purpose, and is in the best interests of the citizens of Seminole County and the traveling public to widen the road and improve the appurtenant drainage facilities on or relating to Lake Emma Road in order to enhance public transportation within Seminole County, to alleviate traffic congestion and to increase the safety of travel along said road

Section 3. The acquisition of the properties described in Composite Exhibit "A" attached hereto consisting of 8 pages and identified as Exhibit Number 000001-000008, is hereby ratified and confirmed and found to be necessary for said improvements to the extent of the estate or interest set forth as a part of each parcel's description. The Board of County Commissioners of Seminole County hereby finds and determines that the acquisition of these parcels is necessary and serves a County and public purpose.

Section 4. The estate or interest sought to be condemned by these proceedings designated as Parcel No. 103 is to be acquired in fee simple for road construction and related purposes all being associated with roadway improvements for Lake Emma Road.

Section 5. The County Engineer or his designee is hereby delegated the authority to amend the construction plans for this Lake Emma Road minor project and is authorized to bind the County to construct this project in accordance with the construction plans as amended from time to time. This authority shall encompass any change considered necessary in the discretion of the County Engineer or his designee, but shall not include changes in the typical section or alignment approved by the Board of County Commissioners of Seminole County.

Section 6. The County Attorney's Office is hereby authorized and directed to institute a suit or suits in the name of Seminole County and fully exercise Seminole County's power of eminent domain for the purpose of acquiring the parcels described in Composite Exhibit "A" attached hereto to the extent of the estate or interest set forth as a part of each parcel's description and is further authorized and directed to do all things necessary to prosecute such suit or suits to final judgment by settlement or adjudication. In pursuit of such authorization and direction, the County Attorney's Office is specifically authorized to sign and file a Declaration of Taking so that Seminole County may avail itself of the provisions of *Chapter 74, Florida Statutes*, and is further authorized to accomplish the acquisition of each parcel by settlement and compromise at such terms that it may deem advisable under the circumstances of the litigation in those instances where same can be effected in accordance with the terms, conditions and limitations as established from time to time by the Board of County Commissioners of Seminole

County. The County Attorney's Office is authorized and directed to utilize and assert any and all constitutional and statutory authority of Seminole County and the Board of County Commissioners of Seminole County relative to the acquisition of the subject parcels including, but not limited to, the provisions of *Chapters 73, 74, 127 and 332, Florida Statutes*, as well as the provisions of the *Florida Transportation Code* referred to in the recitals to this Resolution.

Section 7. Prior to the institution of any suits filed by the County Attorney's Office, the County Attorney or his designee is authorized to negotiate for the purchase and sale of any of the properties described in Composite Exhibit "A" at a value consistent with the authority granted by the Board of County Commissioners of Seminole County and to bring back for execution by the Chairman or, in his absence, the Vice Chairman, without further Board action, the Agreement to consummate the sale to Seminole County.

ADOPTED this ___ day of _____, 2004.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

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

By: _____
DARYL G. McLAIN, Chairman

Date: _____

County Attorney
LV/kc
06/18/04
Attachments

Composite Exhibit "A" - Legal Description 000001-000008
P:\USERS\KCURRY\MY DOCUMENTS\RESOLUTIONS\LAKE EMMA MINOR PROJECT RON.DOC

DESCRIPTION

Legal Description: Parcel 103

Commence at the Northwest corner of Tract B of the Plat of Greenwood Lakes...Unit 8 as recorded in Plat Book 25, pages 46,47 and 48 of the Public Records of Seminole County, Florida, said Northwest corner of Tract B being also the Northerly-most Westerly corner of said Plat and being a point on a curve of the Southerly Right of Way line of Greenwood Boulevard as shown on said Plat, said curve being concave Southwesterly having a radius of 1610.00 feet and a chord which bears North 75 degrees 18 minutes 20 seconds West for a distance of 91.04 feet; Thence run Northwesterly along the arc of said curve and said Southerly Right of Way line through a central angle of 3 degrees 14 minutes 25 seconds an arc distance of 91.05 feet to the point of tangency; Thence run North 76 degrees 55 minutes 32 seconds West along the Southerly Right of Way line of Greenwood Boulevard as described in Official Records Book 1217, page 415 of the Public Records of Seminole County, Florida a distance of 731.48 feet to the Point of Beginning; Thence continue North 76 degrees 55 minutes 32 seconds West along said Southerly Right of Way line a distance of 26.28 feet to the point of curvature of a curve concave Southeasterly having a radius of 25.00 feet and a chord which bears South 59 degrees 29 minutes 14 seconds West; Thence run Southwesterly along said curve and said Southerly Right of Way line through a central angle of 87 degrees 10 minutes 27 seconds an arc distance of 38.04 feet; Thence departing said curve from said chord run North 74 degrees 06 minutes 01 seconds West along said Southerly Right of Way line a distance of 16.81 feet to a point on the Easterly Right of Way line of Lake Emma Road as described in Official Records Book 319 page 138 of the Public Records of Seminole County, Florida said Right of Way line being a curve concave Easterly having a radius of 716.20 feet and a chord which bears South 9 degrees 58 minutes 46 seconds West for a distance of 147.80 feet; Thence from said chord run Southerly along the arc said curve and said Right of Way line through a central angle of 11 degrees 50 minutes 42 seconds an arc distance of 148.06 feet to the point of tangency; Thence run South 4 degrees 04 minutes 47 seconds West along said Right of Way line a distance of 467.80 feet to the point of curvature of a curve concave Easterly having a radius of 1432.39 feet; Thence run Southerly along the arc of said curve and said Right of Way line through a central angle of 20 degrees 45 minutes 00 seconds an arc distance of 518.75 feet to the point of tangency; Thence run South 16 degrees 40 minutes 13 seconds East along said Right of way line a distance of 336.06 feet to the point of curvature of a curve concave Westerly having a radius of 1909.86 feet and a chord which bears South 8 degrees 25 minutes 13 seconds East for a distance of 548.10 feet; Thence run Southerly along the arc of said curve and said Right of Way line through a central angle of 16 degrees 30 minutes 00 seconds an arc distance of 550.00 feet to the end of said curve and a point on the Westerly line of those lands described in Official Records Book 2143, page 1597 of the Public Records of Seminole County, Florida; Thence run North 0 degrees 08 minutes 51 seconds West along said Westerly line a distance of 124.34 feet to the Northwest corner of said lands described in Official Records Book 2143, page 1597; Thence run North 89 degrees 49 minutes 57 seconds East along the Northerly line of said lands described in Official Records Book 2143, page 1597 a distance of 12.93 feet to a point at the beginning of a curve concave Westerly having a radius of 1926.86 feet and a chord which bears North 10 degrees 16 minutes 13 seconds West; Thence run Northerly along the arc of said curve through a central angle of 12 degrees 48 minutes 01 seconds an arc distance of 430.47 feet to the point of tangency; Thence run North 16 degrees 40 minutes 13 seconds West a distance of 336.06 feet to the point of curvature of a curve concave Easterly having a radius of 1415.39 feet; thence run Northerly along the arc of said curve through a central angle of 20 degrees 45 minutes 00 seconds and arc distance of 512.59 feet to the point of tangency; Thence run North 4 degrees 04 minutes 47 seconds East a distance of 220.01 feet; Thence South 85 degrees 55 minutes 13 seconds East a distance of 7.00 feet; Thence run North 7 degrees 24 minutes 02 seconds East a distance of 51.79 feet; Thence run North 4 degrees 04 minutes 47 seconds East a distance of 172.15 feet to the point of curvature of a curve concave Easterly having a radius of 758.66 feet and a chord which bears North 9 degrees 43 minutes 08 seconds East; Thence run Northerly along the arc of said curve through a central angle of 11 degrees 16 minutes 42 seconds an arc distance of 149.34 feet to the end of said curve; Thence from said chord run North 56 degrees 07 minutes 00 seconds East a distance of 56.23 feet returning to the Point of Beginning.

Containing therein 0.860 acres more or less.

000001



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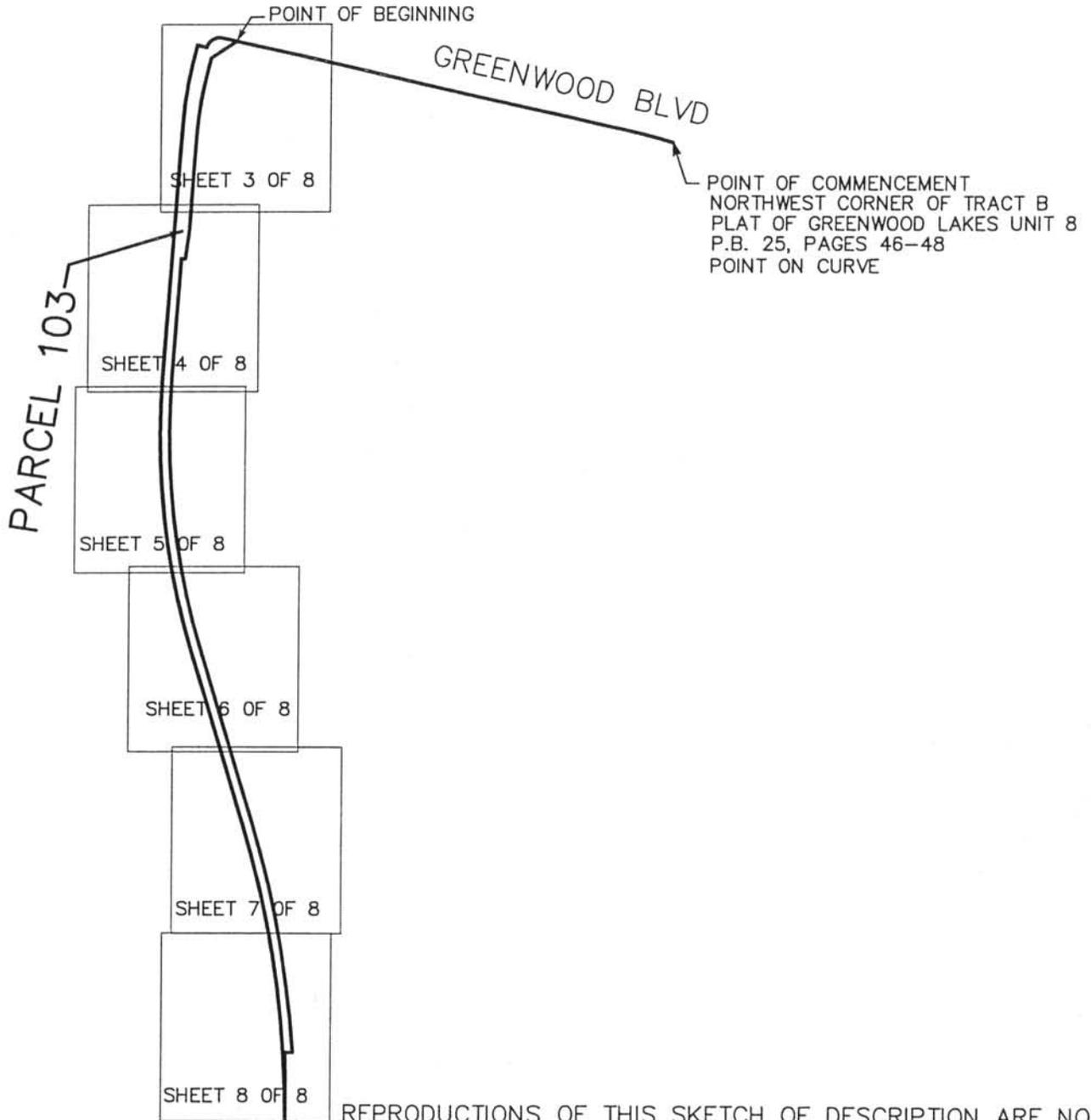
ENGINEERS – PLANNERS – SURVEYORS

2269 LEE ROAD SUITE 200,
WINTER PARK, FLORIDA 32789

PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-10-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE none
PROJECT NO.	4.6630	SHEET 1 OF 8

SKETCH OF DESCRIPTION PARCEL 103

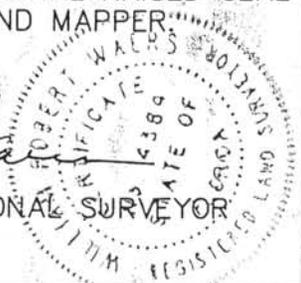


REPRODUCTIONS OF THIS SKETCH OF DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

METRIC ENGINEERING, INC.
L.B. NO. 2294

Wm. Robert Waers

WM. ROBERT WAERS, FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 4384



000002

THIS IS NOT A SURVEY



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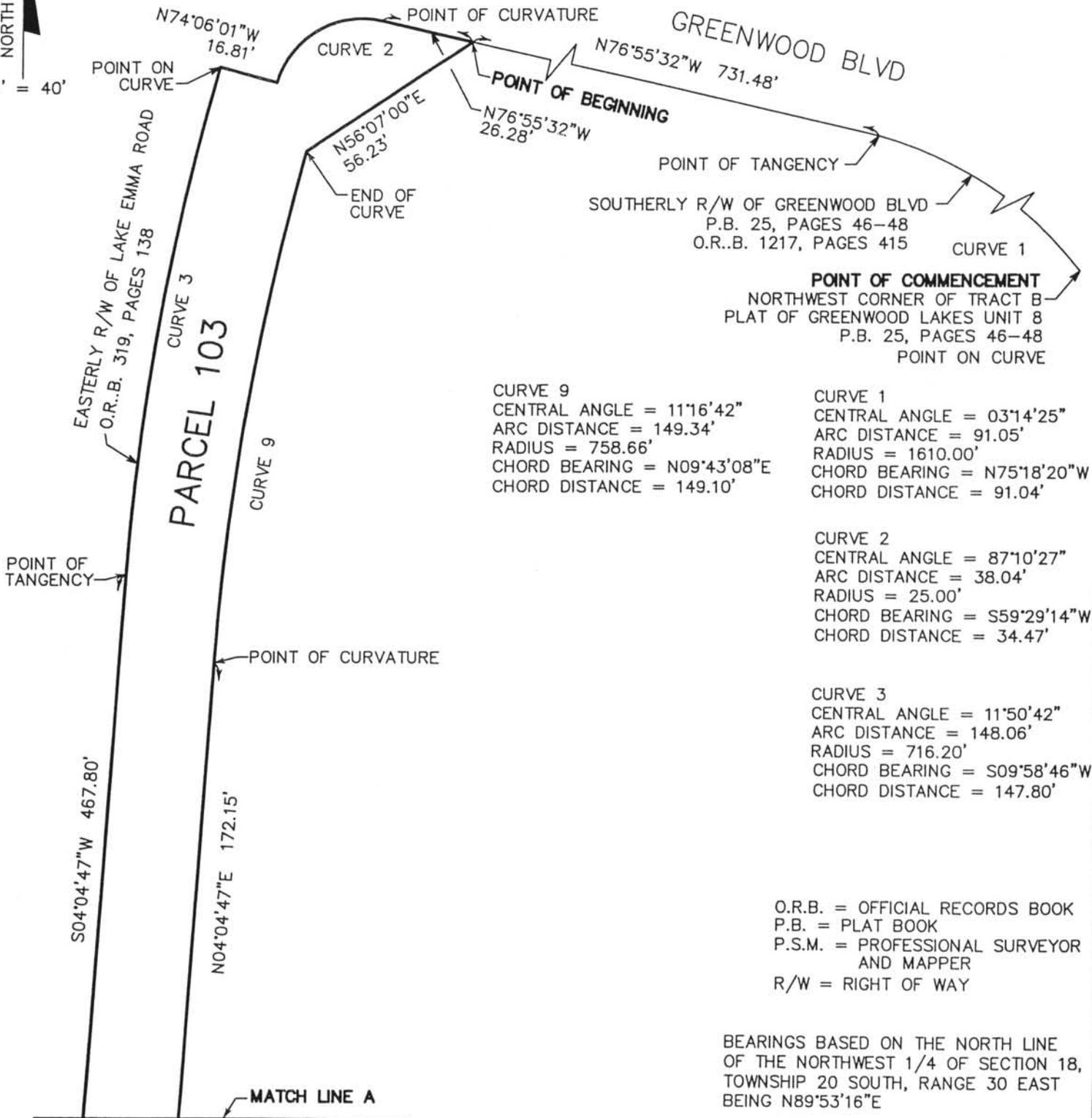
PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-10-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE 1"=300'
PROJECT NO.	4.6630	SHEET 2 OF 8

SKETCH OF DESCRIPTION

PARCEL 103

NORTH
1" = 40'



CURVE 9
 CENTRAL ANGLE = 11°16'42"
 ARC DISTANCE = 149.34'
 RADIUS = 758.66'
 CHORD BEARING = N09°43'08"E
 CHORD DISTANCE = 149.10'

CURVE 1
 CENTRAL ANGLE = 03°14'25"
 ARC DISTANCE = 91.05'
 RADIUS = 1610.00'
 CHORD BEARING = N75°18'20"W
 CHORD DISTANCE = 91.04'

CURVE 2
 CENTRAL ANGLE = 87°10'27"
 ARC DISTANCE = 38.04'
 RADIUS = 25.00'
 CHORD BEARING = S59°29'14"W
 CHORD DISTANCE = 34.47'

CURVE 3
 CENTRAL ANGLE = 11°50'42"
 ARC DISTANCE = 148.06'
 RADIUS = 716.20'
 CHORD BEARING = S09°58'46"W
 CHORD DISTANCE = 147.80'

O.R.B. = OFFICIAL RECORDS BOOK
 P.B. = PLAT BOOK
 P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
 R/W = RIGHT OF WAY

BEARINGS BASED ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 30 EAST BEING N89°53'16"E

000003

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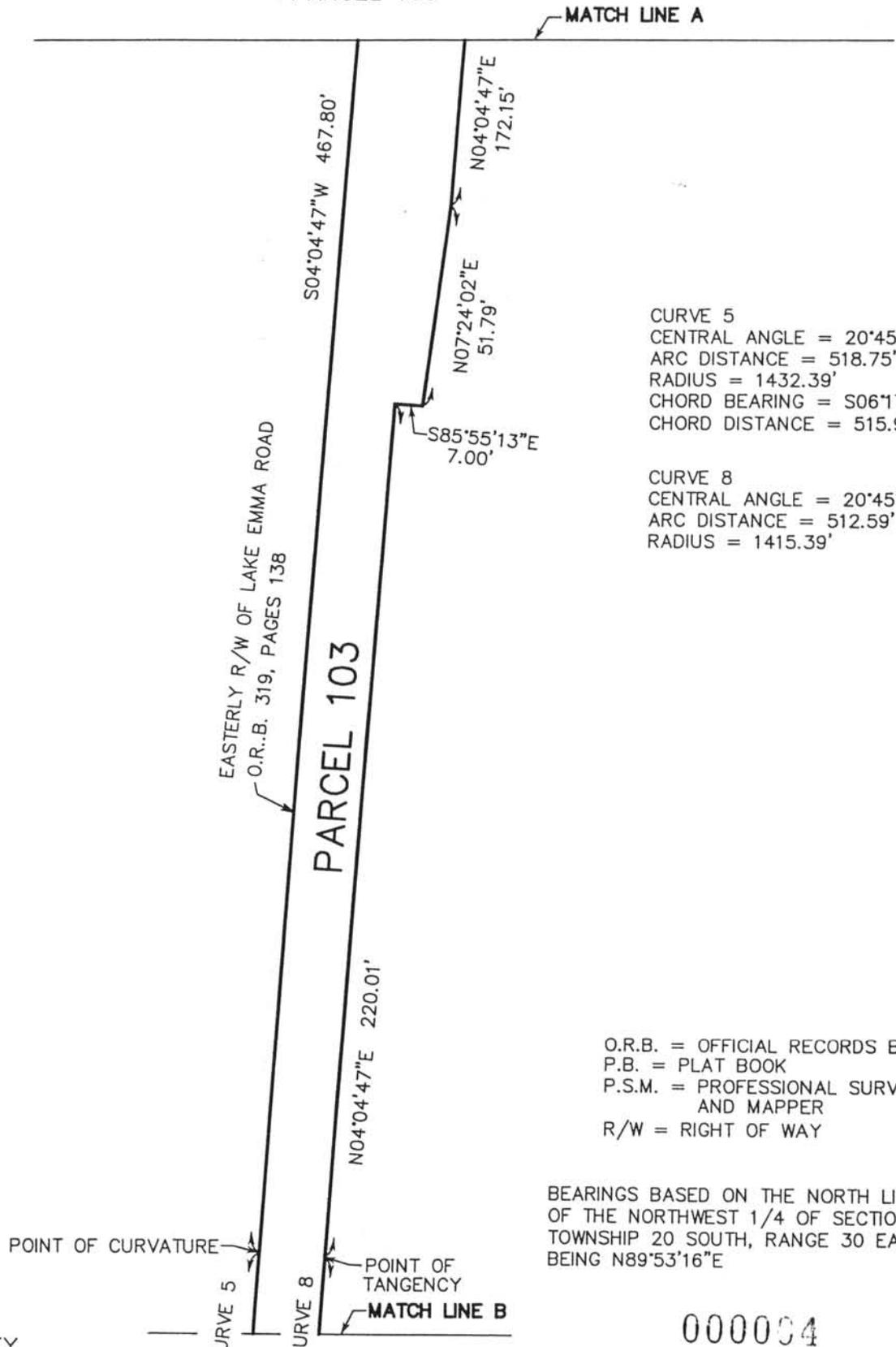
PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-06-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE 1" = 40'
PROJECT NO.	4.6630	SHEET 3 OF 8

SKETCH OF DESCRIPTION

PARCEL 103

NORTH
1" = 40'



CURVE 5
 CENTRAL ANGLE = 20°45'00"
 ARC DISTANCE = 518.75'
 RADIUS = 1432.39'
 CHORD BEARING = S06°17'43"E
 CHORD DISTANCE = 515.92'

CURVE 8
 CENTRAL ANGLE = 20°45'00"
 ARC DISTANCE = 512.59'
 RADIUS = 1415.39'

EASTERLY R/W OF LAKE EMMA ROAD
 O.R.B. 319, PAGES 138

PARCEL 103

O.R.B. = OFFICIAL RECORDS BOOK
 P.B. = PLAT BOOK
 P.S.M. = PROFESSIONAL SURVEYOR
 AND MAPPER
 R/W = RIGHT OF WAY

BEARINGS BASED ON THE NORTH LINE
 OF THE NORTHWEST 1/4 OF SECTION 18,
 TOWNSHIP 20 SOUTH, RANGE 30 EAST
 BEING N89°53'16"E

POINT OF CURVATURE

POINT OF TANGENCY

CURVE 5

CURVE 8

MATCH LINE B

THIS IS NOT A SURVEY

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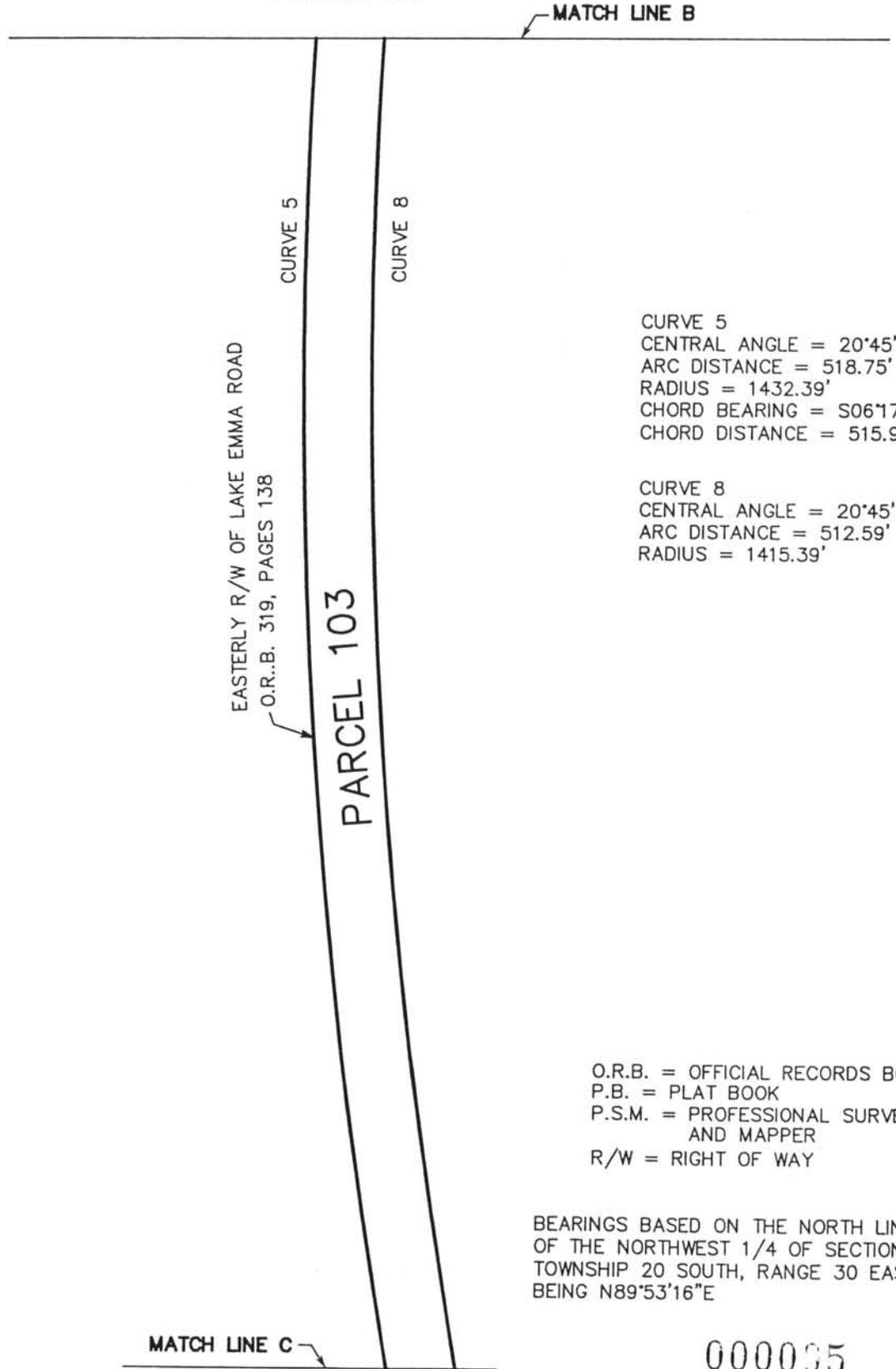
ENGINEERS - PLANNERS - SURVEYORS
 2269 LEE ROAD SUITE 200,
 WINTER PARK, FLORIDA 32789

PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-06-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE 1" = 40'
PROJECT NO.	4.6630	SHEET 4 OF 8

SKETCH OF DESCRIPTION

PARCEL 103



CURVE 5
 CENTRAL ANGLE = 20°45'00"
 ARC DISTANCE = 518.75'
 RADIUS = 1432.39'
 CHORD BEARING = S06°17'43"E
 CHORD DISTANCE = 515.92'

CURVE 8
 CENTRAL ANGLE = 20°45'00"
 ARC DISTANCE = 512.59'
 RADIUS = 1415.39'

O.R.B. = OFFICIAL RECORDS BOOK
 P.B. = PLAT BOOK
 P.S.M. = PROFESSIONAL SURVEYOR
 AND MAPPER
 R/W = RIGHT OF WAY

BEARINGS BASED ON THE NORTH LINE
 OF THE NORTHWEST 1/4 OF SECTION 18,
 TOWNSHIP 20 SOUTH, RANGE 30 EAST
 BEING N89°53'16"E

000035

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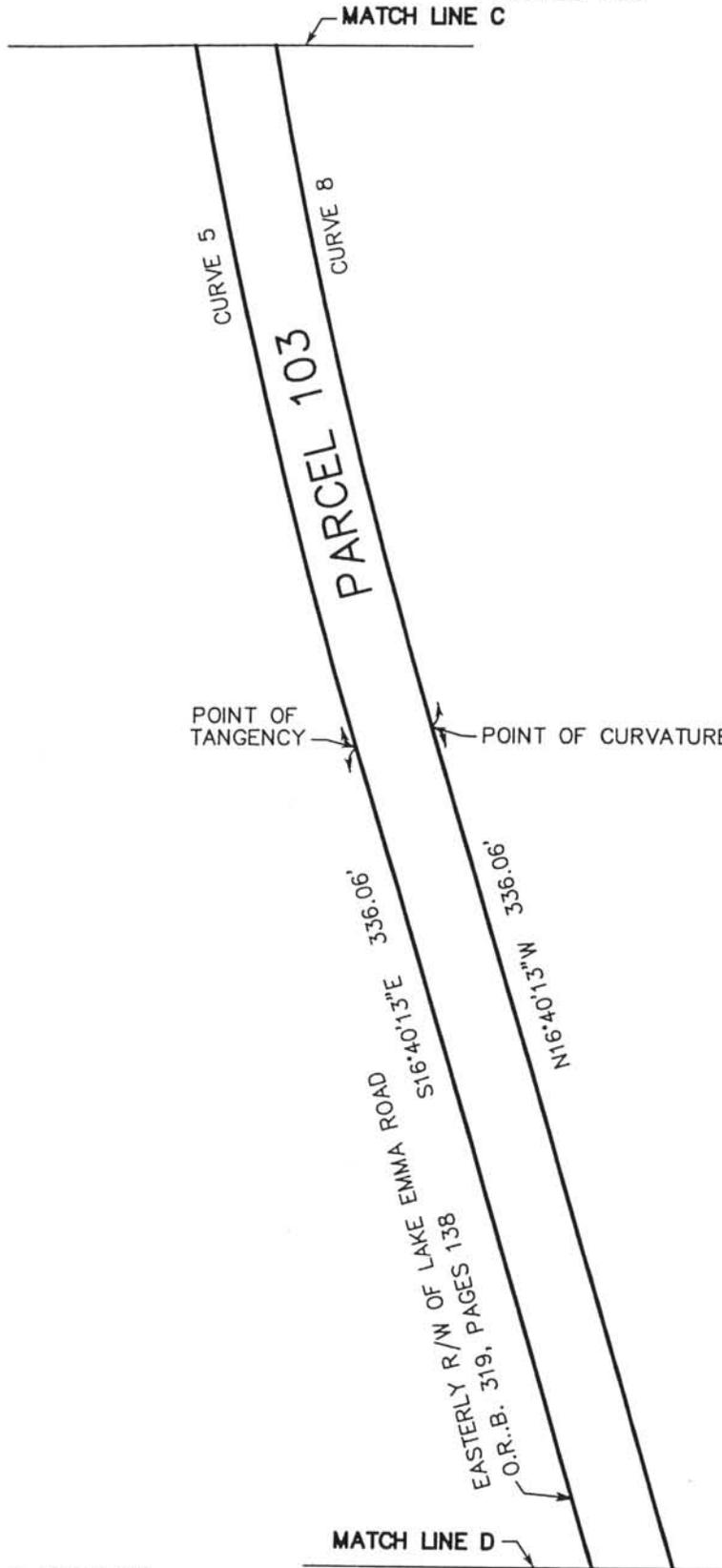
PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-06-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE 1" = 40'
PROJECT NO.	4.6630	SHEET 5 OF 8

SKETCH OF DESCRIPTION

PARCEL 103

NORTH
1" = 40'



CURVE 5
CENTRAL ANGLE = 20°45'00"
ARC DISTANCE = 518.75'
RADIUS = 1432.39'
CHORD BEARING = S06°17'43"E
CHORD DISTANCE = 515.92'

CURVE 8
CENTRAL ANGLE = 20°45'00"
ARC DISTANCE = 512.59'
RADIUS = 1415.39'

POINT OF TANGENCY POINT OF CURVATURE

O.R.B. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
R/W = RIGHT OF WAY

BEARINGS BASED ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 30 EAST BEING N89°53'16"E

THIS IS NOT A SURVEY

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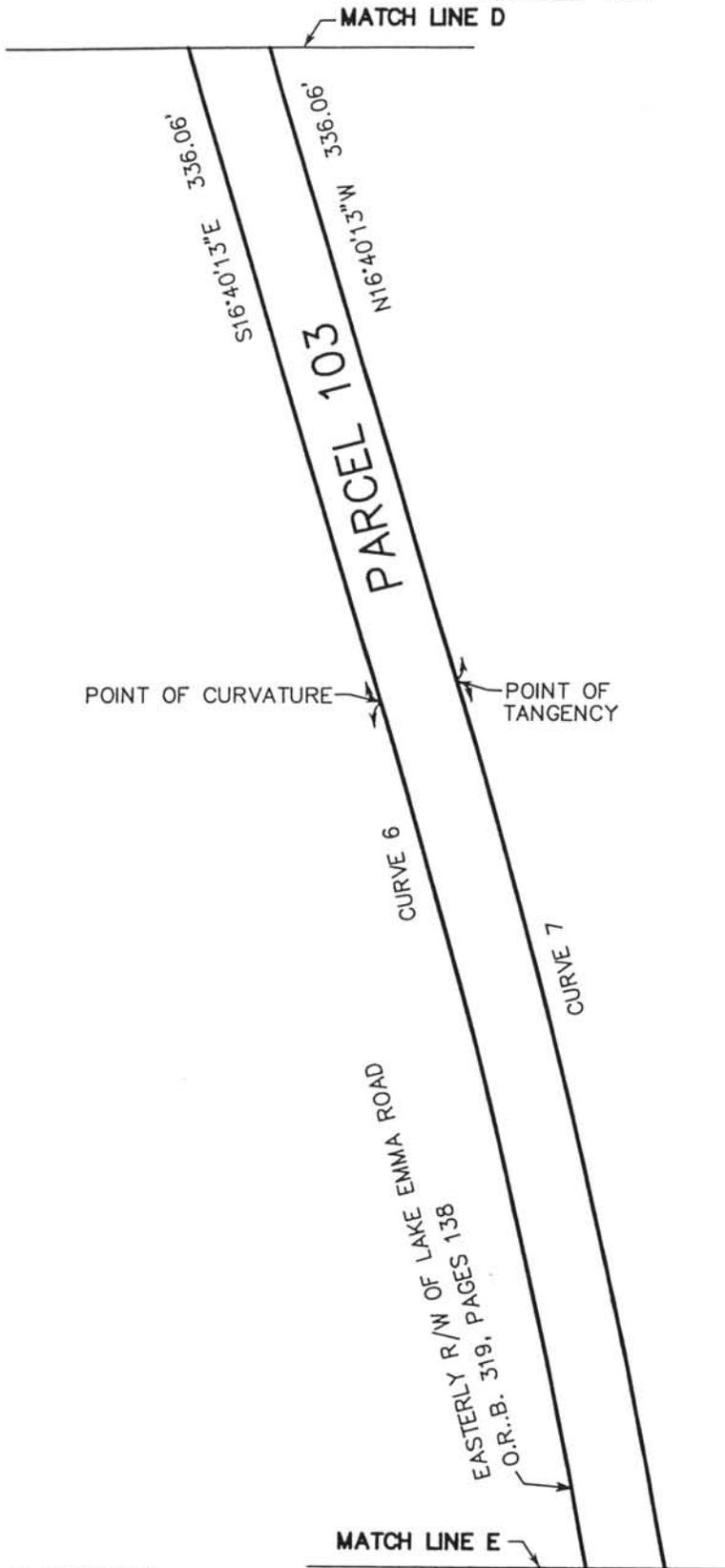
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2269 LEE ROAD SUITE 200,
WINTER PARK, FLORIDA 32789

PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-06-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE 1" = 40'
PROJECT NO.	4.6630	SHEET 6 OF 8

SKETCH OF DESCRIPTION

PARCEL 103



CURVE 6
 CENTRAL ANGLE = 16°30'00"
 ARC DISTANCE = 550.00'
 RADIUS = 1909.86'
 CHORD BEARING = S08°25'13"E
 CHORD DISTANCE = 548.10'

CURVE 7
 CENTRAL ANGLE = 12°48'01"
 ARC DISTANCE = 430.47'
 RADIUS = 1926.86'
 CHORD BEARING = N10°16'13"W
 CHORD DISTANCE = 429.58'

POINT OF CURVATURE POINT OF TANGENCY

EMMA ROAD
 EASTERLY R/W OF LAKE EMMA ROAD
 O.R.B. 319, PAGES 138

O.R.B. = OFFICIAL RECORDS BOOK
 P.B. = PLAT BOOK
 P.S.M. = PROFESSIONAL SURVEYOR
 AND MAPPER
 R/W = RIGHT OF WAY

BEARINGS BASED ON THE NORTH LINE
 OF THE NORTHWEST 1/4 OF SECTION 18,
 TOWNSHIP 20 SOUTH, RANGE 30 EAST
 BEING N89°53'16"E

000007

THIS IS NOT A SURVEY



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ENGINEERS - PLANNERS - SURVEYORS
 2269 LEE ROAD SUITE 200,
 WINTER PARK, FLORIDA 32789

PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-06-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE 1" = 40'
PROJECT NO.	4.6630	SHEET 7 OF 8

MATCH LINE E

SKETCH OF DESCRIPTION PARCEL 103

NORTH
1" = 40'

EASTERLY R/W OF LAKE EMMA ROAD
O.R..B. 319, PAGES 138

CURVE 6

PARCEL 103

CURVE 7

CURVE 6
CENTRAL ANGLE = 16°30'00"
ARC DISTANCE = 550.00'
RADIUS = 1909.86'
CHORD BEARING = S08°25'13"E
CHORD DISTANCE = 548.10'

CURVE 7
CENTRAL ANGLE = 12°48'01"
ARC DISTANCE = 430.47'
RADIUS = 1926.86'
CHORD BEARING = N10°16'13"W
CHORD DISTANCE = 429.58'

POINT ON CURVE

12.93'
N89°49'57"E

N.W. CORNER OF LANDS
DESCRIBED IN O.R..B. 2143,
PAGES 1597

N00°08'51"W 124.34'

WESTERLY LINE OF LANDS
DESCRIBED IN O.R..B. 2143,
PAGES 1597

O.R.B. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
P.S.M. = PROFESSIONAL SURVEYOR
AND MAPPER
R/W = RIGHT OF WAY

BEARINGS BASED ON THE NORTH LINE
OF THE NORTHWEST 1/4 OF SECTION 18,
TOWNSHIP 20 SOUTH, RANGE 30 EAST
BEING N89°53'16"E

POINT ON CURVE

THIS IS NOT A SURVEY

000008



METRIC ENGINEERING, INC.

ENGINEERS - PLANNERS - SURVEYORS
2269 LEE ROAD SUITE 200,
WINTER PARK, FLORIDA 32789

PHONE (407) 644-1898 FAX (407) 644-1921

DATE	REVISIONS	BY
10-06-03	ORIGINAL	W.R.W.
FIELD BOOK		SCALE 1" = 40'
PROJECT NO.	4.6630	SHEET 8 OF 8

SENTRY
Management INC.
COMMUNITY ASSOCIATION MANAGEMENT

RECEIVED
MAY 27 2004
ENGINEERING DEPARTMENT
SEMINOLE COUNTY

MAIN OFFICE
2180 West SR 434
Suite 5000
Longwood FL
32779-5044
PH 407-788-6700
FAX 407-788-7488

BREVARD COUNTY
975 Eyster Blvd #3-1
Rockledge FL
32955-3547
PH 321-638-8880
FAX 321-638-9901

CLERMONT
179 N Hwy 27 Ste E
Clermont FL
34711-2432
PH 352-243-4595
FAX 352-243-4597

FT MYERS
12573 New Brittany Blvd #23
Ft Myers FL
33907-3625
PH 239-277-0112
FAX 239-277-0114

GEORGIA
270 Carpenter Dr #320
Atlanta GA
30328-4912
PH 404-459-8951
FAX 404-459-8962

JACKSONVILLE
2980 Hartley Rd W #4
Jacksonville FL
32257-8202
PH 904-880-4055
FAX 904-880-3550

KISSIMMEE
3377 W Vine St #306
Kissimmee FL
34741-4665
PH 407-846-6323
FAX 407-846-0301

LEESBURG
10332 US Hwy 441 #102
Leesburg FL
34788-7222
PH 352-343-5706
FAX 352-343-5123

PONTE VEDRA
10036 Sawgrass Dr #3
Ponte Vedra Beach FL
32082-3565
PH 904-285-1526
FAX 904-285-1260

SARASOTA
5500 Bee Ridge Rd Ste 202
Sarasota FL
34233-1502
PH 941-343-0506
FAX 941-343-9874

TAMPA BAY AREA
25400 US 19 North #164
Clearwater FL
33763-2149
PH 727-799-8982
FAX 727-799-8984

VOLUSIA COUNTY
441 N Causeway
New Smyrna Beach FL
32169-5266
PH 386-423-7796
FAX 386-423-1278

May 25, 2004

Seminole County Government
Engineering Department
Antoine Khoury
520 W Lake Mary Blvd #200
Sanford Fl 32773

RE: The Crossings Master Community Association, Inc.

Dear Mr. Khoury:

Pursuant to our telephone conversation, please be advised that the Board of Directors for the above community association agrees that the Lake Emma Road project would be valuable improvement to the traffic congestion in the vicinity of Lake Emma Road and Greenwood Boulevard. However, the association's restrictive covenants do not permit the Board to donate the necessary common property to the project without the affirmative vote of 2/3 of the total membership. The Board has agreed not to attempt to solicit such a vote due to the size and complexity of such a process.

After consulting their attorney, the Board has agreed to try and reach a mutual solution to the problem. The Board did agree that a friendly condemnation proceeding could resolve the right-of-way shortage. Such a proceeding would involve the taking of the property by the County with no monetary compensation afforded to The Crossings. Please accept this letter as our agreement with such a proceeding and one of their willingness to reach the eventual goal of seeing the Lake Emma project completed.

Thank you for your assistance. If you have any questions, please feel free to contact me at 407-788-6700, ext. 243.

Sincerely,

THE CROSSINGS MASTER COMMUNITY ASSOCIATION, INC.



David L. Burman, AMS® PCAM®
Community Association Manager

