

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Quit Claim Deed (CSX Transportation, Inc. to Seminole County) for
Parcel 202-Part B, Parcel 202-Part C, Parcel 802-Part A and Parcel 802-Part B
for the East Lake Mary Boulevard – Phase III Project.

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

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

Agenda Date 10-28-03 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Approve payment (\$6,998.00) and authorize acceptance of a Quit Claim Deed for Parcel 202-Part B, Parcel 202-Part C, Parcel 802-Part A and Parcel 802-Part B for property necessary for the East Lake Mary Boulevard – Phase III Project.

BACKGROUND:

As part of the right-of-way acquisition for East Lake Mary Boulevard, Phase III, two parcels in fee (Parcels 202-Part B and 202-Part C) and two Permanent Drainage Easements (Parcels 802-Part A and 802-Part B) need to be purchased from CSX Transportation, Inc. A total payment of \$6,998.00 will be made to CSX Transportation, Inc. This dollar amount was determined based on appraisals of adjacent property and an offer (copy attached) was made by the County Engineer. This offer was accepted by CSX Transportation, Inc. and if approved by the Board of County Commissioner's, payment will be made to CSX Transportation, Inc. and the Quit Claim Deed recorded.

(District 5 - Commissioner McLain)

Attachment: Letter dated August 4, 2003
Quit Claim Deed

Reviewed by:
Co Atty: *[Signature]*
DFS: _____
Other: _____
DCM: *[Signature]*
CM: *[Signature]*
File No. CPWE05



August 4, 2003

Mr. Michael F. Hutchins
CSX Real Property
301 West Bay Street, Suite 800, S.C J915
Jacksonville, FL 32202

RE: East Lake Mary Boulevard, Phase III — Parcels 202B, 202C, 802A & 802B
Acquisition from CSX Railroad

Dear Mr. Hutchins:

As you are aware, based on our past acquisitions with CSX, Seminole County is in the process of acquiring all necessary rights-of-way to extend Lake Mary Boulevard / Silver Lake Drive eastward around the Orlando Sanford International Airport to State Road 46. We are finalizing all acquisition so that construction may begin in the very near future.

To complete the right-of-way acquisition on this project, we need to acquire from CSX two parcels in fee (Parcels 202B and 202C) and two Permanent Drainage Easements (Parcels 802A and 802B). In an effort to conduct this transaction in a timely manner, the following information is enclosed:

- 1 Right-of-way Maps (Sheets 2, 3, 8 and 12) which show the overall project and the subject parcels highlighted in yellow.
2. Legal descriptions of all subject parcels.
3. Certificate of Value and Appraisal for Parcel 202B

As a summary to the appraisal for Parcel 202B, the total right-of-way required is 2,587 square feet. The appraised value is \$23,200 per acre, which results in a value of approximately \$1,400.00 for Parcel 202B. This is the price the County would offer for this parcel.

We have not conducted an appraisal for Parcel 202C, since it is geographically and from a land use and zoning perspective similar to Parcel 202B. Applying the \$23,200 per acre appraised value for Parcel 202B to the 6,988 square feet parcel yields a value of \$3,722. Therefore, our offer for Parcel 202C would be \$3,722.00.

Mr. Michael F. Hutchins, CSX Real Property
East Lake Mary Boulevard, Phase III — Parcels 202B, 202C, 802A & 802B
Acquisition from CSX Railroad
August 4, 2003
Page 2

Parcels 802A and 802B are adjacent to Parcel 202C and are Permanent Drainage Easements not fee takings. We are using for permanent easements on this project an easement value of eighty percent of the fee value. Using eighty percent of Parcel 202C fee value of \$23,200 an acre results in a Permanent Drainage Easement value of \$18,560 per acre. Applying this value to Parcel 802A (1,809 square feet) yields a value of \$771.00. The same cost application to Parcel 802B (2,075 square feet) equates to a value of \$1,105.00. The County is willing to offer the above amounts for Parcels 802A & 802B.

As a summary to the above information, the following is the County's offer based on a fair market appraisal for the four subject parcels:

Parcel 202 B	\$1,400.00
Parcel 202C	3,722.00
Parcel, 802A	771.00
Parcel 802B	<u>1,105.00</u>
	\$6,998.00


We believe the methodology that we used to arrive at the above offer to CSX is the same as used in our past acquisition activities with CSX for this roadway project.

Your usual cooperation is appreciated and due to our project schedule, we would appreciate as timely a response as possible.

Again, thank your for your cooperation and if you have any questions, please feel free to contact me at (407) 665-5651.

Sincerely,

SEMINOLE COUNTY

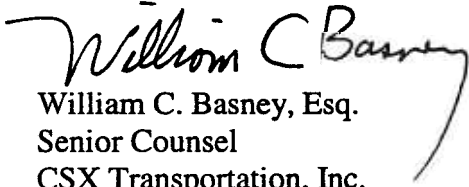


Jerry McCollum, P.E.
County Engineer

JM/dr
Enclosures

c: Stephen L. Lee, Deputy County Attorney (w/attachment)
Kathleen Myer, P.E., Principal Engineer/Major Projects
Jerry Matthews, Principal Coordinator/Major Projects

This instrument prepared by
or under the direction of:



William C. Basney, Esq.
Senior Counsel
CSX Transportation, Inc.
500 Water Street
Jacksonville, Florida 32202

RETURN TO: Seminole County
520 West Lake Mary Blvd.
Suite 200
Sanford, FL 32773-7424

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this 8th day of October, 2003, between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202 and whose Tax Identification Number(s) is/are _____, hereinafter called "Grantor", and SEMINOLE COUNTY, whose mailing address is 520 West Lake Mary Boulevard, Suite 200, Sanford, Florida 32773-7424, hereinafter called "Grantee", WITNESSETH:

(Wherever used herein, the terms "Grantor" and "Grantee" may be construed in the singular or plural as the context may require or admit, and for purposes of exceptions, reservations and/or covenants, shall include the heirs, legal representatives and assigns of individuals or the successors and assigns of corporations.)

THAT Grantor, for and in consideration of the sum of SIX THOUSAND NINE HUNDRED NINETY-EIGHT AND NO/100 DOLLARS (\$6,998.00), to it in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby RELEASE, REMISE and forever QUITCLAIM unto Grantee, its successors and assigns, all right, title and interest of Grantor, if any, in and to those 4 certain tracts or parcels of land situate, lying and being at the County of Seminole, State of Florida, and having a Tax Parcel Identification Number of _____, individually referred to as "Parcel 202-Part B", "Parcel 202-Part C", "Parcel 802-Part A" and "Parcel 802-Part B" hereinafter collectively designated "the Premises," more particularly described in Exhibit A, attached hereto and incorporated herein, and containing 0.31 acres, more or less.

TO HAVE AND TO HOLD the Premises, and all the estate, right, title, lien, interest and claim whatsoever of Grantor therein, either in law or equity, and all improvements thereon and appurtenances thereto, unto the proper use, benefit and enjoyment of Grantee, Grantee's heirs and assigns or successors and assigns, forever.

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.

Signed, sealed and delivered
in the presence of:

CSX TRANSPORTATION, INC.:

Karen P. Clarke
Karen P. Clarke

By: J. Randall Evans
Print Name: J. Randall Evans
Print Title: Vice President

Regina A. Taylor-Murphy
Regina A. Taylor-Murphy

Attest Donna W. Melton (SEAL)
Secretary
Print Name: Donna W. Melton

STATE OF FLORIDA)
) SS.
COUNTY OF DUVAL

I, Regina A. Taylor-Murphy a Notary Public of the State of Florida and the County of Duval, do certify that, on the date below, before me in said County came J. Randall Evans, () to me known, and/or () proven by satisfactory current evidence to be the person whose name is subscribed to the above instrument, who, being by me first duly sworn, did make oath, acknowledge and say that: (s)he resides in Jacksonville, Duval County, Florida; (s)he is Vice President, of CSX Transportation, Inc., the corporation described in and which executed said instrument; (s)he is fully informed of the contents of the instrument; (s)he knows the seal of said corporation; the seal affixed to said instrument is such seal; it was so affixed by authority of the Board of Directors of said corporation; (s)he signed his/her name thereto for said corporation pursuant to Board authority; and instrument is the free act and deed of said corporation; and the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 8th day of October, 2003

My commission expires on:
Regina A Taylor-Murphy
My Commission DD185582
Expires February 19, 2007



Regina A. Taylor-Murphy (SEAL)
Notary Public
Print Name: Regina A. Taylor-Murphy

EXHIBIT A

Description of property at: Sanford, Seminole County, Florida
To: Seminole County
CSXT Deed File No.: 2003-5022/KPC

PARCEL 202 - PART B

THAT PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 6, PAGE 155 AS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 31 EAST AS SHOWN ON THE FLORIDA DEPARTMENT OF NATURAL RESOURCES CERTIFIED CORNER RECORDS DOCUMENT NO. 055990 THENCE RUN S89°42'17"W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8 A DISTANCE OF 578.16 FEET TO THE NORTHWEST CORNER OF LOT 18 OF PALMER'S SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 41 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN N00°17'43"W A DISTANCE OF 11.69 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N00°17'43"W A DISTANCE OF 43.31 FEET TO A POINT ON A LINE 55.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE RUN N89°42'17"E ALONG SAID PARALLEL LINE A DISTANCE OF 116.93 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 2934.79 FEET AND A CHORD BEARING OF S69°22'48"W; THENCE FROM A RADIAL BEARING OF N21°50'14"W, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 124.70 FEET THROUGH A CENTRAL ANGLE OF 02°26'04" TO THE POINT OF BEGINNING. CONTAINING THEREIN 2,587 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

PARCEL 202 - PART C

THAT PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 6, PAGE 155 AS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 31 EAST AS SHOWN ON THE FLORIDA DEPARTMENT OF NATURAL RESOURCES CERTIFIED CORNER RECORDS DOCUMENT NO. 058529; THENCE RUN N00°02'30"E ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 1266.38 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF EAST LAKE MARY BOULEVARD ACCORDING TO SEMINOLE COUNTY RIGHT-OF-WAY MAP, PROJECT NUMBER

PS-0137; THENCE RUN S88°48'25"E ALONG SAID CENTERLINE OF SURVEY A DISTANCE OF 372.35 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3400.00 FEET AND A CHORD BEARING OF N83°17'57"E; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 936.87 FEET THROUGH A CENTRAL ANGLE OF 15°47'16" TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF AN ABANDONED RAILROAD RIGHT-OF-WAY AS RECORDED IN DEED BOOK 6, PAGE 155 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE DEPARTING SAID CURVE RUN N00°01'25"W ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 67.20 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3335.00 FEET AND A CHORD BEARING OF N74°40'10"E; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE FROM A RADIAL BEARING OF S14°53'07"E, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 51.84 FEET THROUGH A CENTRAL ANGLE OF 00°53'26" TO A POINT ON THE EAST LINE OF SAID ABANDONED RAILROAD RIGHT-OF-WAY; THENCE DEPARTING SAID CURVE FROM A RADIAL BEARING OF S15°46'33"E, RUN S00-01'25"E ALONG SAID EAST LINE A DISTANCE OF 67-49 FEET TO A POINT ON SAID CENTERLINE OF SURVEY; THENCE CONTINUE S00°01'25"E ALONG SAID EAST LINE A DISTANCE OF 72.57 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3470.00 FEET AND A CHORD BEARING OF S75°16'43"W; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE FROM A RADIAL BEARING OF N15°08'53"W, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 51.69 FEET THROUGH A CENTRAL ANGLE OF 00°51'13" TO A POINT ON THE WEST LINE OF SAID ABANDONED RAILROAD RIGHT-OF-WAY; THENCE DEPARTING SAID CURVE FROM A RADIAL BEARING OF N14°17'40"W, RUN N00°01'25"W ALONG SAID WEST LINE A DISTANCE OF 72.28 FEET TO THE POINT OF BEGINNING. CONTAINING THEREIN 6,988 SQUARE FEET, MORE OR LESS.

CONTAINING THEREIN A TOTAL OF 9,575 SQUARE FEET, MORE OR LESS.
THE SKETCH FOR THIS DESCRIPTION IS SHOWN ON SHEETS 2, 8, AND 12 OF THE RIGHT OF WAY MAPS FOR EAST LAKE MARY BOULEVARD EXTENSION, SEMINOLE COUNTY PROJECT NO. PS-0137.

PARCEL 802 - PART A

THAT PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 6, PAGE 155 AS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 31 EAST; THENCE RUN N00°02'30"E ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 1266.38 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF EAST LAKE MARY BOULEVARD ACCORDING TO SEMINOLE COUNTY RIGHT-OF-WAY MAP, PROJECT NUMBER PS-0137; THENCE RUN S88°48'25"E ALONG SAID CENTERLINE OF SURVEY A DISTANCE OF 372.35 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3400.00 FEET AND A CHORD BEARING OF N83°17'57"E; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 936.87 FEET THROUGH A CENTRAL ANGLE OF 15°47'16" TO A POINT ON THE WEST LINE OF AN ABANDONED RAILROAD RIGHT-OF-WAY AS RECORDED IN DEED BOOK 6, PAGE 155 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA THENCE DEPARTING SAID CURVE FROM A RADIAL BEARING OF S14-35'41"E, RUN S00°01'25"E ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 72.28 FEET FOR A POINT OF BEGINNING, SAID POINT BEING A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3470.00 FEET AND A CHORD BEARING OF N75°16'43"E; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE FROM A RADIAL BEARING OF, S14°17'40"E, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 51.69 FEET THROUGH A CENTRAL ANGLE OF 00°51'13" TO A POINT ON THE EAST LINE OF SAID ABANDONED RAILROAD RIGHT-OF-WAY; THENCE DEPARTING SAID CURVE FROM A RADIAL BEARING OF S15°08'53"E, RUN S00°01'25"E ALONG SAID EAST LINE A DISTANCE OF 36.24 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3505.00 FEET AND A CHORD BEARING OF S75°25'43"W; THENCE DEPARTING SAID EAST LINE FROM A RADIAL BEARING OF N14°59'37"W, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 51.66 FEET THROUGH A CENTRAL ANGLE OF 0°50'40" TO A POINT ON AFORESAID WEST RIGHT-OF-WAY LINE; THENCE DEPARTING SAID CURVE FROM A RADIAL BEARING OF N14°08'57"W, RUN N00°01'25"W ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 36.10 FEET TO THE POINT OF BEGINNING. CONTAINING THEREIN 1,809 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

PARCEL 802 - PART B

THAT PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 6, PAGE 155 AS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 31 EAST; THENCE RUN N00°02'30"E ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 1266.38 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF EAST LAKE MARY BOULEVARD ACCORDING TO SEMINOLE COUNTY RIGHT-OF-WAY MAP, PROJECT NUMBER PS-0137; THENCE RUN S88°48'25"E ALONG SAID CENTERLINE OF SURVEY A DISTANCE OF 372.35 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3400.00 FEET AND A CHORD BEARING OF N83°17'57"E; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 936.87 FEET THROUGH A CENTRAL ANGLE OF 15°47'16" TO A POINT ON THE WEST LINE OF AN ABANDONED RAILROAD RIGHT-OF-WAY AS RECORDED IN DEED BOOK 6, PAGE 155 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA THENCE DEPARTING SAID CURVE FROM A RADIAL BEARING OF S14°35'41"E, RUN N00°01'25"W ALONG SAID WEST LINE A DISTANCE OF 67.20 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N00°01'25"W ALONG SAID WEST LINE A DISTANCE OF 41.40 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3295.00 FEET AND A CHORD BEARING OF N74°28'44"E; THENCE FROM A RADIAL BEARING OF S15°04'12"E, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 51.89 FEET THROUGH A CENTRAL ANGLE OF 00°54'08" TO A POINT ON THE EAST LINE OF SAID ABANDONED RAILROAD RIGHT-OF-WAY; THENCE DEPARTING SAID CURVE FROM A RADIAL BEARING OF S15°58'20"E, RUN S00°01'25"E ALONG SAID EAST LINE A DISTANCE OF 41.58 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3335.00 FEET AND A CHORD BEARING OF S74°40'10"W; THENCE FROM A RADIAL BEARING OF N15°46'33"W, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 51.84 FEET THROUGH A CENTRAL ANGLE OF 00°53'26" TO THE POINT OF BEGINNING. CONTAINING THEREIN 2,075 SQUARE FEET, MORE OR LESS.

CONTAINING THEREIN A TOTAL OF 3,883 SQUARE FEET, MORE OR LESS.
THE SKETCH FOR THIS DESCRIPTION IS SHOWN ON SHEETS 2 AND 12 OF THE RIGHT OF WAY MAPS FOR EAST LAKE MARY BOULEVARD EXTENSION, SEMINOLE COUNTY PROJECT NO. PS-0137.

BEING a portion of the property acquired by predecessors of Grantor, by the following instruments, recorded among the Public Land Records of Seminole County, Florida:

<u>Railroad</u>	<u>Acquired From</u>	<u>Date of Instrument</u>	<u>Book</u>	<u>Page</u>
*S & E RR Co.	George C. Chamberlain, et ux	1/14/1910	143	146
**ACL RR	S.O. Chase, et ux	8/13/1917	1	562
*S & E RR Co.	G.W. Kinahan, et ux	1/12/1910	143	145
*S & E RR Co.	Kate Stewart, et vir	10/1/1910	6	84

*S & E RW Co. = Sanford and Everglades Railroad Company

**ACL RR = Atlantic Coast Line Railroad Company

The Sanford and Everglades Railroad Company was merged into the Atlantic Coast Line Railroad Company by deed dated October 13, 1913. On July 1, 1967 the Atlantic Coast Line Railroad Company merged with the Seaboard Air Line Railroad Company to form the Seaboard Coast Line Railroad Company. On December 29, 1982 the Louisville and Nashville Railroad Company merged into Seaboard Coast Line Railroad Company, and the name of the surviving corporation changed to Seaboard System Railroad, Inc. On July 1, 1986, Seaboard System Railroad, Inc. changed its name to CSX Transportation, Inc.