

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Disposal of Utility System Assets, Lake Howell Square

DEPARTMENT: Environmental Services **DIVISION:** Administration

AUTHORIZED BY: *Robert G. Adolajrie* **CONTACT:** Bob Briggs *RB* **EXT.** 2148
Robert G. Adolajrie, P.E. Finance Manager

Agenda Date <u>11-18-03</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Approve the attached Resolution and Bill of Sale transferring the utility assets of Lake Howell Square plaza to the City of Casselberry for consideration in the amount of \$115,597.

BACKGROUND:

Environmental Services Department (ESD) staff has received from the City of Casselberry (City) an offer to assume responsibility for operational control of the utility system serving Lake Howell Square. The area was served by the ESD through water purchased from the City under interlocal agreement. The interlocal agreement to purchase water has expired and the City is interested in assuming ownership responsibility of the utility assets directly.

The offer extended by the City is based on the present value of future revenues for a twenty (20) year period. Seminole County ESD acquired the Lake Howell Square assets via the developer, and significant costs associated with improvements to the infrastructure will be necessary in the near future. Consistent with the agreement expiration and annex of the Lake Howell Square area into the City, along with future capital expenditure considerations, staff recommends acceptance of the offer to purchase.

Reviewed by: _____ Co Atty: <u><i>S. Dietrich</i></u> 11-7-03 DFS: <u>na</u> Other: <u>na</u> DCM: <u><i>[Signature]</i></u> CM: <u><i>[Signature]</i></u> File No. <u>CESA01</u>
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City of Casselberry

City Manager

95 Triplet Lake Drive, Casselberry, Florida 32707 • Telephone (407) 262-7700, Ext. 1130
Fax (407) 262-7745 • Email fclifton@casselberry.org

November 4, 2003

Mr. Kevin Grace
County Manager
Seminole County Government
County Services Building
1101 E. First Street
Sanford, FL 32771

Re: Purchase of Lake Howell Square Water and Sewer Systems

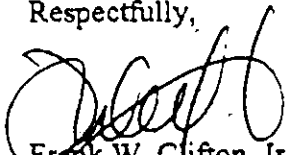
Dear Kevin:

As you know, the City of Casselberry has an interest in purchasing the assets of the Lake Howell Square water distribution and sewer collection systems owned by Seminole County. Based on discussions between the City and the Seminole County Department of Environmental Services, an acceptable value of \$115,597 has been determined.

This item was presented for consideration to the Casselberry City Commission at its meeting of October 27, 2003 and unanimously approved. We respectfully request, therefore, that submittal of the City's offer to purchase the above-referenced assets in the amount of \$115,597 be presented to the Seminole County Board of County Commissioners for their consideration.

Please let me know if I can provide any further information to facilitate this request. I look forward to hearing from you.

Respectfully,



Frank W. Clifton, Jr.
City Manager

FWC:jr

cc: Mayor & City Commission
Bob Briggs, Seminole County Dept. of Environmental Services
Thelma McPherson, City Clerk
Tony Segreto, Public Works Director
Jeff Dreier, Finance Director

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF _____, 2003.

WHEREAS, *Section 125.28, Florida Statutes*, provides for the sale of real or personal property owned by Seminole County (County) to a municipality where application is made by the municipality to the Board of County Commissioners for conveyance of the property; and

WHEREAS, the County, in promoting the public's interest and welfare pursuant to *Section 125.38, Florida Statutes*, has determined that the County-owned real property depicted in Exhibit "A," attached hereto and incorporated herein is not needed for County purposes; and

WHEREAS, the City of Casselberry (City) is a municipality which provides utility service in certain areas of the County, including potable water and wastewater utility service to the site known as Lake Howell Square as set forth in the City's request, attached hereto and incorporated herein as Exhibit "B"; and

WHEREAS the County finds that the conveyance of the identified personal property to the City for inclusion in the City's utility infrastructure system serves the public interest and a County purpose,

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

The County shall convey by Bill of Sale the personal property depicted in Exhibit "A" to the City for the sum total of One Hundred Fifteen Thousand Five Hundred Ninety-seven and No/100 Dollars (\$115,597.00) no later than thirty (30) days after adoption of this Resolution. The County shall issue an executed Bill of Sale to the City

upon receipt by the County of the aforementioned payment.

ADOPTED this _____ day of _____, 2003.

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

SED/lpk
9/17/03
sale of County property to Casselberry-reso

Attachments:

- Exhibit "A" - Property Description
- Exhibit "B" - City of Casselberry Request

Exhibit A

LAKE HOWELL SQUARE

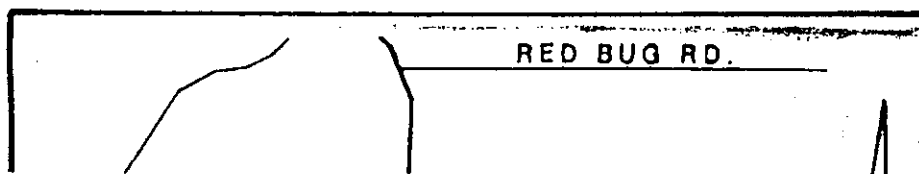
SECTION 28, TOWNSHIP 21 SOUTH, RANGE 30 EAST SEMINOLE COUNTY, FLORIDA

LEGAL DESCRIPTION

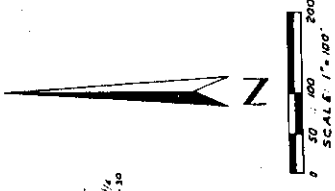
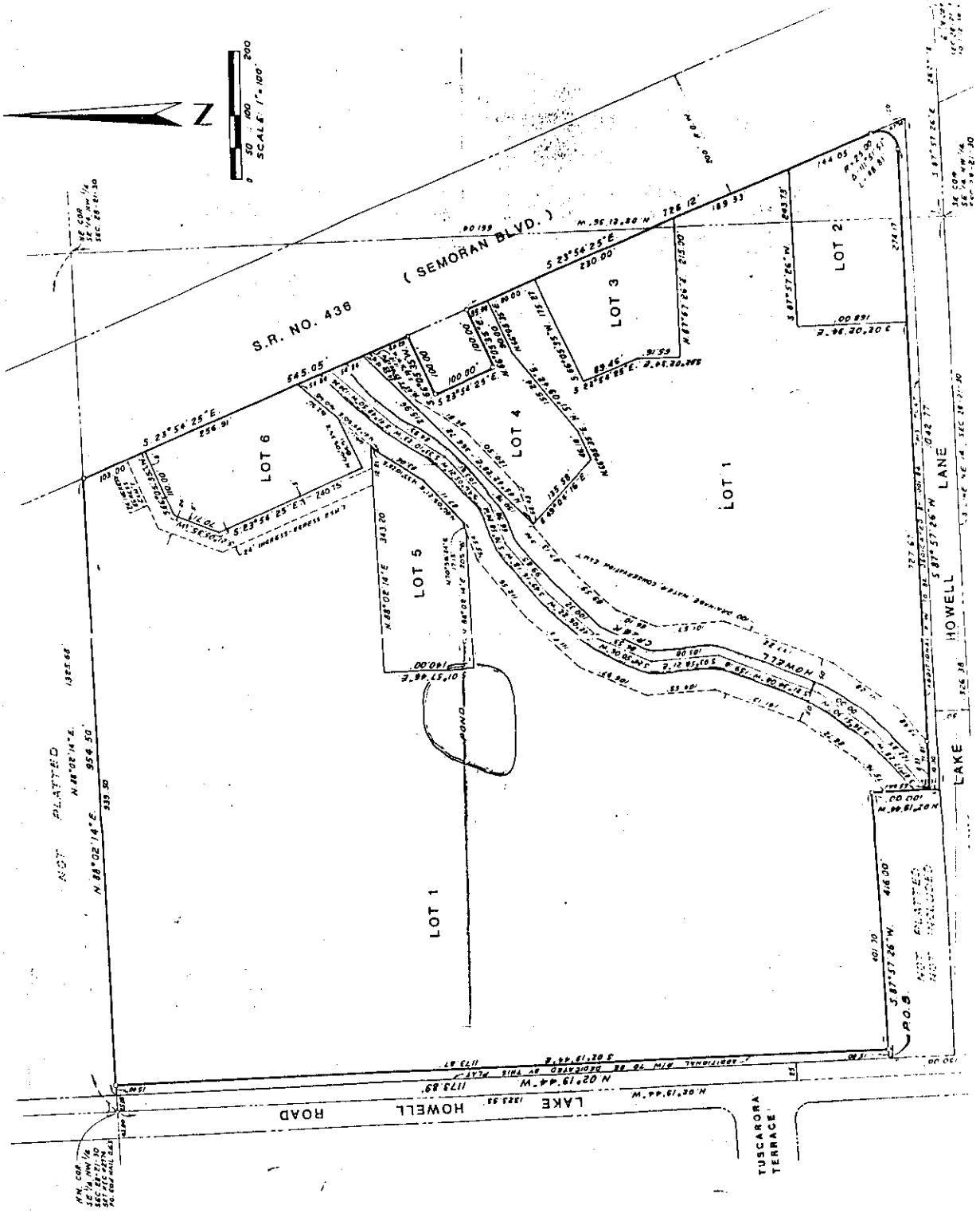
That portion of the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 21 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Southwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 28; thence North 87°57'26" East along the South line thereof for 25.00 feet to the East Right of Way line (lying 25.00 feet easterly, when measured at right angles to the West line of said Southeast 1/4 of the Northwest 1/4 of Section 28) of Lake Howell Road; thence North 02°19'44" West along said easterly Right of Way line for 150.00 feet to the POINT OF BEGINNING; thence continue North 02°19'44" West along said Right of Way for 1173.89 feet to the North line of said Southeast 1/4 of the Northwest 1/4 of Section 28; thence North 88°02'14" East along said North line for 954.50 feet to the westerly Right of Way line (200 foot Right of Way) of State Road No. 436; thence South 23°54'25" East along said westerly Right of Way line for 545.05 feet; thence South 66°05'35" West for 100.00 feet; thence South 23°54'25" East for 100.00 feet; thence North 66°05'35" East for 100.00 feet to the aforesaid westerly Right of Way line of State Road No. 436; thence South 23°54'25" East along said westerly Right of Way line for 726.12 feet to the northerly Right of Way line (50.00 feet northerly of when measured at right angles to the South line of the Southeast 1/4 of the Northwest 1/4 of Section 28) of Lake Howell Lane; thence South 87°57'26" West along said northerly Right of Way line for 1042.77 feet to the East line of the West 441.00 feet of aforesaid Southeast 1/4 of the Northwest 1/4 of Section 28; thence North 02°19'44" West along said East line for 100.00 feet; thence South 87°57'26" West for 416.00 feet to the Point of Beginning.

Containing 34.08 acres, more or less.



LAKE HOWELL SQUARE
SECTION 28, TOWNSHIP 21 SOUTH, RANGE 30 EAST
SEMINOLE COUNTY, FLORIDA



NOT PLATTED
 N 88° 02' 14" E 1325.66'
 N 88° 02' 14" E 954.50'
 S 88° 02' 14" E 333.50'

N 74° 00' 00" W 144.00'
 S 74° 00' 00" W 144.00'
 S 88° 02' 14" E 333.50'
 N 88° 02' 14" E 954.50'

S.R. NO. 436

(SEMORAN BLVD.)

LOT 6

LOT 5

LOT 1

LAKE HOWELL ROAD

LOT 3

LOT 1

LOT 2

NOT PLATTED
 NOT INCLUDED

TUSCARORA TERRACE

LAKE HOWELL LANE

LAKE 3

HOWELL

LAKE 2

LAKE 1

LAKE 4

LAKE 5

LAKE 6

LAKE 7

LAKE 8

LAKE 9

LAKE 10

LAKE 11

LAKE 12

LAKE 13

LAKE 14

LAKE 15

LAKE 16

LAKE 17

LAKE 18

LAKE 19

LAKE 20

Exhibit B

City of Casselberry

95 TRIPLET LAKE DRIVE
CASSELBERRY, FLORIDA 32707

PHONE (407) 262-7725
FAX (407) 262-7767
WWW.CASSELBERRY.ORG

PUBLIC WORKS DEPARTMENT

May 22, 2003

Robert Adolphe, P.E., Manager
Seminola County
Department of Environmental Services
500 W. Lake Mary Boulevard
Sanford, Florida 32773-7499

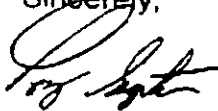
Re: Lake Howell Square

Dear Bob:

Attached is a copy of an infrastructure value analysis performed by CPH Engineers (CPH) and a revenue analysis performed by Public Resources Management Group (PRMG) on the water and sewer systems at Lake Howell Square. Based on the first analysis, CPH estimates the infrastructure to be worth approximately \$125,802. This reflects present day construction costs depreciated from the construction date. PRMG's analysis considers the Present Worth of projected net revenues to the County over the next 20-year period. That value is estimated at \$115,597. Public Works staff is prepared to recommend to the City Manager and City Commission that the City offer a contract to the Board of County Commissioners for purchase of this infrastructure in the amount of \$115,597. A similar revenue analysis estimates the value to the City to be somewhat less than that amount.

If you need any additional information please call me at 407-262-7725, extension 1233.

Sincerely,



Tony Segreto
Public Works Director

c: Frank W. Clifton, Jr., City Manager
Jeffrey Dreier, Finance Director

\\Ch-mckinley\url\5\2003\Tony\Letters\Seminola County Lake Howell Square offer.doc

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that **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 "SELLER," for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration paid by the **CITY OF CASSELBERRY**, a municipality incorporated under the laws of the State of Florida, whose address is 95 Triplet Lake Drive, Casselberry, Florida 32707, hereinafter referred to as "BUYER," the receipt of which is hereby acknowledged by the SELLER, has granted, bargained, sold, transferred and delivered to BUYER, its successors, heirs, executors, administrators and assigns forever, the following described property, hereinafter referred to as PROPERTY:

All of the off-site and on-site water and sewer lines up to the point of connection including valves, fire hydrants, and all other appurtenant utility infrastructure for the commercial development known as Lake Howell Square, as recorded in Plat Book 34, Pages 36-37 of the Public Records of Seminole County, Florida.

TO HAVE AND TO HOLD the same unto the BUYER and its assigns forever.

AND the SELLER, hereby covenants with the said BUYER that it is the lawful owner of the PROPERTY; that it has good right and lawful authority to sell and convey said PROPERTY; that it hereby fully warrants the title to said PROPERTY and will defend the same against the lawful claims of all persons whomsoever; and that said PROPERTY is free of all encumbrances except those described herein.

The property conveyed herein includes water and sewer lines and other appurtenant facilities and systems which will become the responsibility of the BUYER. SELLER hereby assigns, transfers and conveys to the BUYER any and all rights against any and all firms or entities which may have caused any latent or patent defects in the design or construction of the system including, but not limited to, any and all warranties, claims, and other forms of indemnification. By execution of this document the SELLER affirmatively represents that it has the contractual right, consent, and lawful authority of any and all forms to take this action in this document and in this form.

This instrument prepared by: Susan E. Dietrich
Assistant County Attorney
Seminole County Services Building
1101 East First Street
Sanford, Florida 32771

IN WITNESS WHEREOF, the SELLER has hereunto set its hand and seal this
____ day of _____, 20____.

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: _____

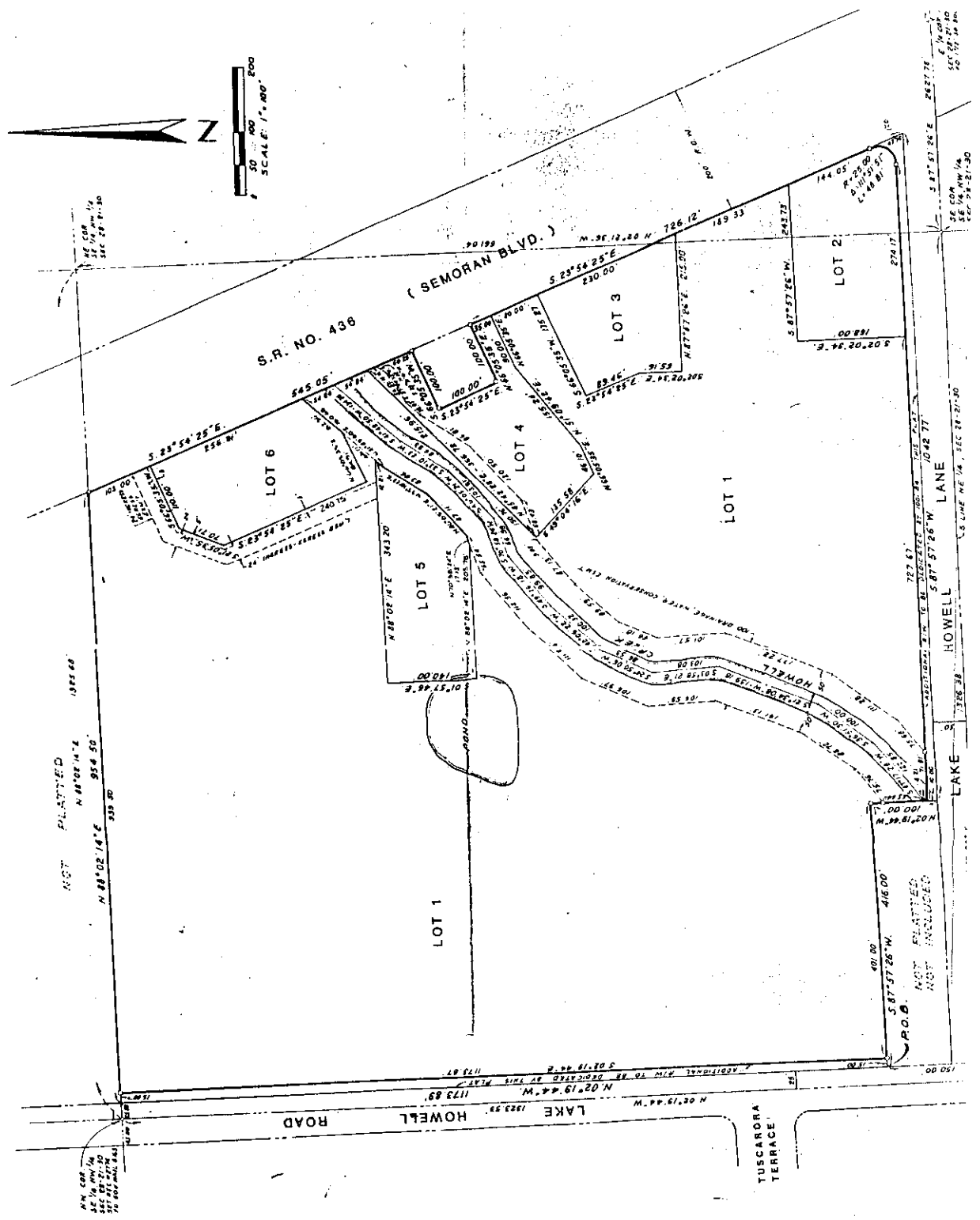
For the use and reliance
of Seminole County only.

As authorized for execution
by the Board of County Commissioners
at their _____, 20____
regular meeting.

Approved as to form and
legal sufficiency.

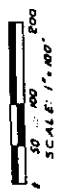
County Attorney
SED/lpk
9/17/03 9/25/03
sale of County property to Casselberry-bos

LAKE HOWELL SQUARE
SECTION 28, TOWNSHIP 21 SOUTH, RANGE 30 EAST
SEMINOLE COUNTY, FLORIDA



NOT PLATTED
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N 88°02'14"E 954.50
335.30

N 4°02'14"E 1395.68
S 88°02'14"E 954.50
335.30



S.R. NO. 438

(SEMORAN BLVD.)

LOT 6

LOT 5

LOT 1

LOT 4

LOT 3

LOT 1

LOT 2

ROAD HOWELL LAKE HOWELL

TUSCARORA TERRACE

LAKE HOWELL LANE

LAKE

NOT PLATTED
NOT INCLUDED
P.O.B.

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S 02°19'44"E 1733.83

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S 87°57'26"W 2443.73
N 87°57'26"E 2443.73
S 87°57'26"W 2443.73

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