

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Resolution authorizing the Chairman to execute a County Deed Conveying County-Owned Property Necessary to Construct or Improve State Road No.400 (Interstate 4) (FDOT Parcel No. 103)

**DEPARTMENT:** Public Works

**DIVISION:** Engineering

**AUTHORIZED BY:** Gary Johnson

**CONTACT:** Warren Lewis

**EXT:** 5658

**MOTION/RECOMMENDATION:**

Adopt Resolution and authorize the Chairman to execute a County Deed conveying property (FDOT Parcel No. 103) necessary to construct or improve State Road No. 400 (Interstate 4) to the Florida Department of Transportation (FDOT).

District 5 Brenda Carey

Jerry McCollum

**BACKGROUND:**

It is necessary that certain land now owned by Seminole County be acquired by the Florida Department of Transportation (FDOT Parcel No. 103) to construct or improve State Road No. 400 (Interstate 4). FDOT has requested that Seminole County execute and deliver a County Deed conveying all rights, title and interest that the County has in and to said lands for transportation purposes.

**STAFF RECOMMENDATION:**

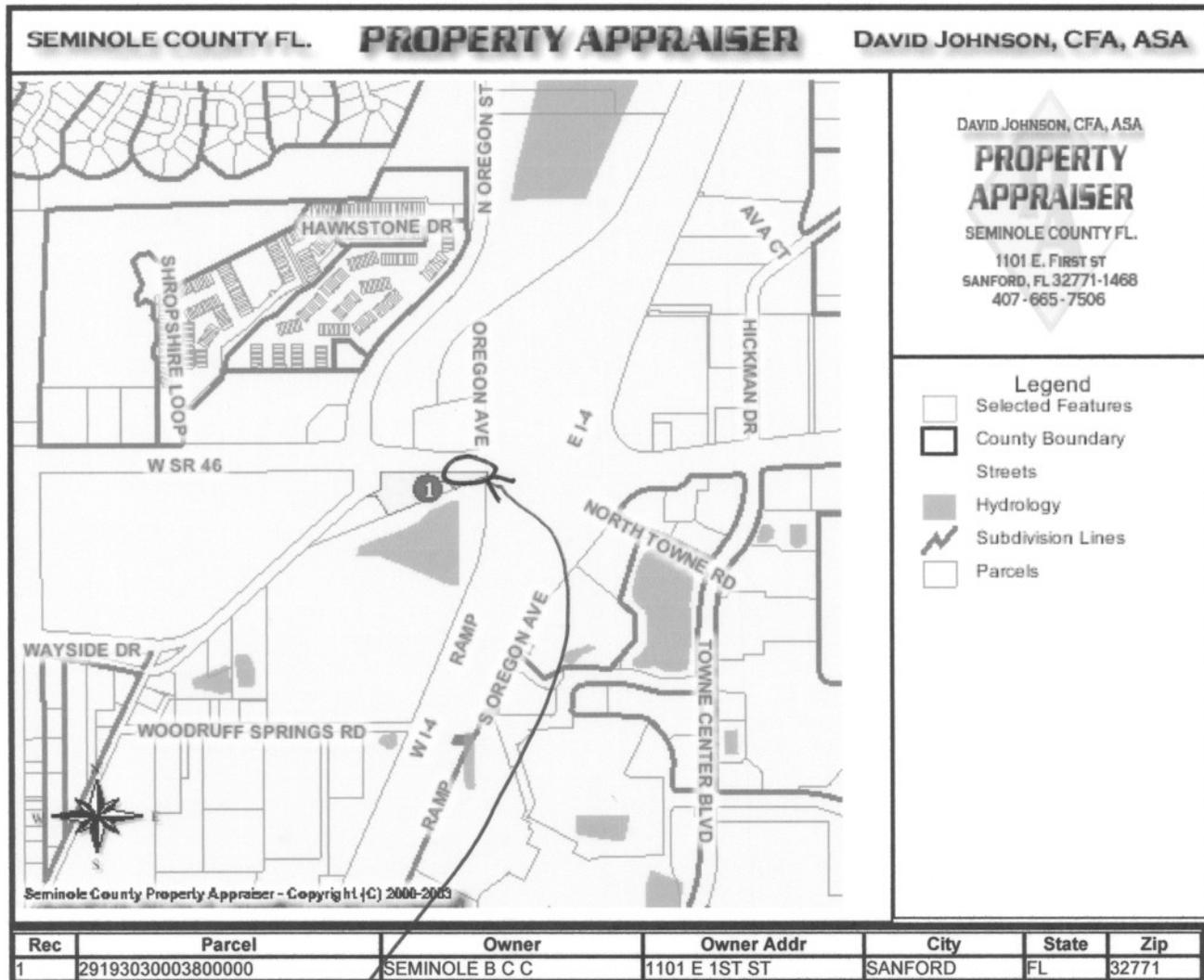
Staff recommends the Board adopt the Resolution and authorize the Chairman to execute a County Deed conveying property (FDOT Parcel No. 103) necessary to construct or improve State Road No. 400 (Interstate 4) to the Florida Department of Transportation (FDOT).

**ATTACHMENTS:**

- 1. Location Map
- 2. Resolution
- 3. County Deed-I-4-FDOT-Parcel 103

<p><b>Additionally Reviewed By:</b></p> <p><input checked="" type="checkbox"/> County Attorney Review ( Matthew Minter )</p>
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# Location Map



Subject parcel

RESOLUTION NO. 2007-R- \_\_\_\_\_

**RESOLUTION**

**THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.**

**WHEREAS**, the State of Florida Department of Transportation proposes to construct or improve State Road No. 400 (I-4), Section No. 77160, F.P. No. 407573-1 in Seminole County, Florida; and

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

**WHEREAS**, the necessary lands are identified by the Florida Department of Transportation as Parcel Number 103; and

**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 a County Deed in favor of the State of Florida Department of Transportation, conveying all rights, title and interest 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 a County Deed is for transportation purposes which are in the public or community interest and for public welfare; and the land needed for transportation purposes is not needed for county purposes; that the deed in favor of the State of Florida Department of Transportation conveying all right, title and interests of Seminole County in and to said land identified as Parcel Number 103 has been drawn and executed by this Board of County Commissioners.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.**

**BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY**

**ATTEST:**

\_\_\_\_\_  
**Brenda Carey, 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  
11-02-2007

**COUNTY DEED**

Parcel No. 103  
Section 77160  
State Road 400 (I-4)  
County of Seminole, Florida

**THIS DEED** is made this \_\_\_\_\_ day of \_\_\_\_\_ 2007 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.

**WITNESSETH:**

**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 Exhibit "A"

**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.

**TOGETHER** with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD**, the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatever of the said grantor, either in law or equity, to the said grantee forever.

PROVIDED that the following rights are reserved to Grantor:

1. The Grantor shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the Grantor or require the Grantor to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.

2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.

3. The Grantor shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.

4. The Grantor agrees to repair any damage caused by the Grantor to F.D.O.T.'s facilities and to indemnify to the extent permitted under Florida Law the F.D.O.T. against any loss or damage resulting from the Grantor exercising its rights outlined in Paragraphs 1 and 3 above.

**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: \_\_\_\_\_  
Brenda Carey, 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 \_\_\_\_\_, 2007  
regular meeting.

\_\_\_\_\_  
County Attorney