RESOLUTION NO.______-2019

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) CONVEY PARCEL 4876, IN WINSTON WATERWAYS SUBDIVISION, KEY LARGO, AS DESCRIBED IN EXHIBIT A TO MONROE COUNTY FOR THE CONTINUED PUBLIC PURPOSE USE OF THE PARCEL AS PART OF LA PALOMA ROAD IN KEY LARGO AND ACCEPTING THE TRANSFER THEREOF.

WHEREAS, The Florida Department of Transportation (FDOT) transferred maintenance of secondary roads in Monroe County to the County on October 1, 1971 through a State Secondary Road System Maintenance Agreement; and

WHEREAS, the maintenance agreement included roads in Key Largo; and

WHEREAS, the COUNTY has been continuously maintaining La Paloma Road and in 2003 demolished former County bridge no. 904920 that connected La Paloma Road to undeveloped land that is owned by the State of Florida; and

WHEREAS, the southern end of the road is formed by parcel 4876 as described in Exhibit A, title to which is held by FDOT and is used for the public purpose as the right-of-way named La Paloma Road in Key Largo; and

WHEREAS, in accordance with Section 337.25(4)(b), Florida Statutes, since the property is to be used for a public purpose, then property may be conveyed without consideration to County; and

WHEREAS, in accordance with FDOT’s Right of Way Manual, Property Management regarding Disposal of Surplus Real Property (sec. 10.5.5 Conveyances to Governmental Entities), the County, as the acquiring governmental entity shall pay all cost associated with the closing (if any are incurred) and FDOT shall prepare all necessary documents; and

WHEREAS, the parties are authorized pursuant to Section 125.01(m) and 334.044(6), Florida Statutes to take such action;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Monroe County, Florida, that:
SECTION 1: The Monroe County Board of County Commissioners requests that the FDOT convey the parcel described in Exhibit A to Monroe County for the continued public purpose as use as La Paloma Road for no consideration and hereby authorizes the County Mayor to execute this Resolution on behalf of Monroe County, and to execute any documents needed to support and complete and accept conveyance of the Property from the FDOT to Monroe County.

SECTION 2: Upon execution, this Resolution shall be effective and conveyed to the FDOT, District VI, R/W/ Administration, 1000 NW 111th Avenue, Room 6105-B, Miami, FL 33172 to be utilized as needed for conveyance of the parcel described in Exhibit A.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting of said board on the 21st day of August, A.D., 2019.

Mayor Sylvia Murphy
Mayor Pro Tem Danny Kolhage
Commissioner Michelle Coldiron
Commissioner Heather Caruthers
Commissioner David Rice

(SEAL)  
Attest: Kevin Madok, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By_________________________________________  By_________________________________________
Deputy Clerk  Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
CHRISTINE LIMBERT-BARROWS
ASSISTANT COUNTY ATTORNEY
DATE: 7/16/19
EXHIBIT "A"

LEGAL DESCRIPTION - PARCEL 4876:

A parcel of land lying within the Easterly 50.00 feet of Lot 38, Block 6 of WINSTON WATERWAYS NO. 2, as recorded in Plat Book 5, Page 29 of the Public Records of Monroe County, Florida, extended Southerly to the edge of water, and lying in the Southeast 1/4 of Section 22, Township 61 South, Range 39 East; being more particularly described as follows:

BEGINNING at the intersection of the Northerly line of said Lot 38 and the Westerly right of way line of La Paloma Road, as shown on said Plat of WINSTON WATERWAYS NO. 2, said point also being the Southeast corner of Lot 37 of said Block 6; thence N66°34'04"E, along said Northerly line of Lot 38, for a distance of 50.00 feet to the Northeast corner of said Lot 38; thence S23°25'56"E, along the Easterly line of said Lot 38 and its Southerly extension, for a distance of 94.16 feet to the edge of water; thence meander Southwesterly along the edge of water, as approximated by a non-tangent curve concave to the southeast, having a radius of 1,140.16 feet, a chord bearing of S56°54'16"W and a chord distance of 50.72 feet; thence Southwesterly along the arc of said curve and said edge of water, through a central angle of 02°32'56", for an arc distance of 50.72 feet to a point on the Westerly line of the Easterly 50.00 feet of aforesaid Lot 38, extended Southerly; thence N23°25'56"W, along lastly said line, for a distance of 102.68 feet to the POINT OF BEGINNING.

Containing 4,914 square feet, more or less.

GENERAL NOTES:

- Reproductions of this map are not valid without the signature and the original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
- Lands shown hereon were not abstracted for right-of-way, easement of record, ownership, abandonments, deed restrictions, or Murphy Act Deeds. This information should be obtained through appropriate verification.
- Bearings are based on the Centerline of La Paloma Road, having a bearing of N23°25'56"W, based on Survey performed by Maser Consulting P.A. for this project; date of field survey: April 17, 2019.
- Existing right of way and lot lines are based on Plat of WINSTON WATERWAYS NO. 2, as recorded in Plat Book 5, Page 29 of the Public Records of Monroe County, Florida.
- Parcel geometry is intended to coincide with a portion of Parcel 121, as described in Quit Claim Deed recorded in Official Records Book 391, Page 389 in the Public Records of Monroe County, Florida.
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
- This Sketch to Accompany Legal Description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Land Surveyors and Mappers, referenced in Rule 5J-17 Florida Administrative code pursuant to Section 472.027, Florida Statutes.

JOHN LIPTAK
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 5664

04/18/19

THIS IS NOT A SURVEY

FLORIDA DEPARTMENT OF TRANSPORTATION
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. N/A
MONROE COUNTY

PREPARED BY: MASER CONSULTING P.A.
8290 NW 52 STREET
MIAMI, FL 33166 (877-388)

DATA SOURCE:
SEE GENERAL NOTES

REVISION
BY
DATE

DRAWN
DD
04/18/2019

CHECKED
IL
04/25/2019

F.P. NO. N/A

SECTION N/A

SHEET 1 OF 3