

RESOLUTION NO. 07-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING A QUIT CLAIM DEED FROM THE CITY OF PORT ORANGE TO VOLUSIA COUNTY FOR SOUTH WILLIAMSON BOULEVARD WIDENING PROJECT; AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE THE QUIT CLAIM DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County of Volusia has requested a Quit Claim Deed for the transfer of property from the City of Port Orange for the South Williamson Boulevard widening project Phase II; and

WHEREAS, the parcel of land being transferred is located near the southwest corner of the intersection of South Williamson Boulevard and Airport Road.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The City of Port Orange hereby approves the Quit Claim Deed, attached hereto as Exhibit "A", from the City of Port Orange to County of Volusia.

Section 2. The Mayor and City Manager are authorized to execute the attached Quit Claim Deed for the transfer of this property on behalf of the City of Port Orange.

Section 3. This resolution shall become effective immediately upon adoption.

MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Adopted on the day of

Reviewed and Approved: _____

City Attorney

Prepared by:
Linda D Johnson CP
For Margaret T. Roberts, City Attorney
City of Port Orange
1000 City Center Circle, Port Orange FL 32129-4144

Return to:
Attention: Records Clerk
County of Volusia
123 West Indiana Avenue, DeLand, FL 32720-4264

This Document has been prepared without
benefit of a certified survey or title examination.

Portion of Parcel No. 6331-03-00-0002
Project Name: South Williamson Blvd.
Project Number: 4740-2
Parcel Number: 103

(Space Above This Line For Recording Data)

Quit-Claim Deed

This Indenture, made this _____ day of _____ A.D. 2007, between **CITY OF PORT ORANGE, FLORIDA**, a Florida municipal corporation, mailing address: 1000 City Center Circle, Port Orange FL 32129-4144; located in the County of Volusia, State of Florida, referred to hereafter as "Grantor;" and **COUNTY OF VOLUSIA**, a Political Subdivision of the State of Florida, mailing address: 123 West Indiana Avenue, DeLand, FL 32720-4262, hereinafter referred to as "Grantee."

Witnesseth: That the said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor, in hand paid by the said Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the said Grantee, its successor and assigns forever, all the right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Volusia, State of Florida:

A parcel of land located in Volusia County, Florida containing an area of 3,541.54 sq. ft. or 0.08 acres, more or less; and being a portion of Parcel V currently owned by the City of Port Orange as described in warranty deed recorded in Official Records Book 3715, Page 1631, and depicted on the Plat of Cypress Head Phase 1-A, according to the plat thereof as recorded in Map Book 44, Pages 36 through 43, Public Records of Volusia County, Florida and situated in Section 32, Township 16 South, Range 33 East, Volusia County, Florida, being more particularly described and graphically depicted on sketch and description, prepared by the County of Volusia Public Works Department, attached hereto as **Exhibits A-1 and A-2**.

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or in equity to the only proper use, benefit and behoof of Grantee forever.

By Grantee's Acceptance Hereof, Grantee agrees that Grantee shall be responsible for the cost, if any, to relocate City of Port Orange utilities currently installed and located within the property conveyed by this Quit-Claim Deed and being more particularly described on the attached Exhibits A-1 and A-2.

In Witness Whereof, Grantor has hereunto has caused this Quit-Claim Deed to be executed under seal and on its behalf the day and year first above written.

Signed, sealed and delivered in our presence: CITY OF PORT ORANGE, FLORIDA

Witness Signature above, Printed Name Below

By: _____
Allen Green, Mayor

Attest: _____
Kenneth W. Parker, City Manager

Witness Signature above, Printed Name Below

(Corporate Seal)

Witnesses as to both Grantors

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing Quit-Claim Deed was acknowledged before me this _____ day of _____, 200__, by ALLEN GREEN and KENNETH W. PARKER, the Mayor and City Manager, respectively, who executed the foregoing instrument on behalf of Grantor, **City of Port Orange, Florida**, a chartered municipal corporation, and they are: personally known to me, or provided identification

_____.

Notary Public, State of Florida
Printed Name, Commission and Term Expiration Date:

Legal Description: Parcel 103 -Prof. No. 4740-2

A parcel of land being a portion of Parcel V currently owned by the City of Port Orange as described and recorded in Official Records Book 3715, Page 1631 and depicted on the Plat of Cypress Head Phase 1-A, according to the Plat thereof, as recorded in Map Book 44 Pages 36 through 43 of the Public Records of Volusia County, Florida and situated in Section 32, Township 16 South, Range 33 East, Volusia County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 32 for the Point of Commencement, (P.O.C.); thence run North 02°11'04" East, along the West line of the said Northwest 1/4 of Section 32, a distance of 1,586.59 feet to the POINT OF BEGINNING (P.O.B.); thence South 63°23'30" West a distance of 23.09 feet; thence South 61°07'19" West a distance of 93.97 feet; thence North 33°31'54" West a distance of 3.65 feet to a point on the existing southerly Right of Way line of Airport Road as recorded and depicted on the said Plat of Cypress Head Phase 1-A, said point being situated on a curve to the right, having a radius of 1,450.00 feet and a chord bearing of North 60°48'29" East for 249.94 feet; thence, along said southerly Right of Way line, the following courses and distances: run easterly, along the arc of said curve through a central angle of 09°53'18", for an arc distance of 250.25 feet; thence North 65°43'51" East, a distance of 15.54 feet to an intersection of the westerly line of parcel S-1 (common area) of said Cypress Head Phase 1-A and the beginning of a curve to the right, having a radius of 50.00 feet; thence southeasterly, along the arc of said curve, through a central angle of 46°37'39", for an arc distance of 40.69 feet; thence, departing said westerly line, run South 63°25'24" West, a distance of 62.36 feet; thence South 67°04'39" West a distance of 50.08 feet; thence South 67°27'08" West a distance of 47.24 feet; thence South 63°23'20" West a distance of 24.00 feet returning to the POINT OF BEGINNING.

The above described Parcel is located in Volusia County, Florida and contains an area of 3,541.54 Sq. Ft. or 0.08 acres more or less.

EXHIBIT A-2