



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

January 16, 2019

Mr. Randy Knight
City Manager
City of Winter Park
401 Park Avenue, South
Winter Park, Florida 32789

Dear Mr. Knight,

Thank you for providing the recording information for FRDAP Grant Project F95059 – Lake Island Park. We had anticipated that you would provide us with the proposed legal description and the other information we requested in advance of recording the restrictive covenants. The legal description in the recorded document does not match the boundary indicated by our research.

From our review of various materials provided to us by the city and by citizens, including an extensive review of the public records, it appears that the original boundary of what is now known as Martin Luther King Park (f/k/a Lake Island Park) included all of blocks 3, 4, 6, 7, 8, 9, 11, 12, and 13 of the plat of Lake Island Estates and all the various rights of way between the blocks. This constituted the boundary of the park at the time the city received their FRDAP grant and is the legal description that should be covered by the restrictive covenants. This includes the lots that were acquired by the city through donation, purchase, or eminent domain for the purpose of creating the park.

Because the Civic Center existed at the time of the grant and was clearly not intended for outdoor recreation, it is within the terms of the grant and the city may replace the square footage of that facility with other non-recreational elements without violating the grant restrictions. If the proposed library and event center will cover more of the park than the existing building that is to be removed, that would constitute a conversion of the property to other than outdoor recreation and would require the city to replace the removed property with property of similar size and value, and replace any facilities (such as the walking trails around the current civic center that were part of the FRDAP grant) that will be removed by the new construction. This is why we requested maps depicting the grant elements in relation

to the proposed construction and showing the amount of the park that will be covered by the proposed building. We have yet to receive this information.

It has also come to our attention that some or all of the city's previous land and recreation grants do not have restrictive covenants recorded for the parks funded by our grants. Below is a list of the city's parks that were funded through these programs. We are requesting that the city provide the Department with a copy of the declaration of restrictive covenants for each of these sites. If these sites do not have recorded DRCs, the Department is prepared to assist the city with obtaining the required legal descriptions and boundary surveys, preparing the necessary documents, and recording the DRCs in the public record. Please let us know the status of these projects in the next 60 days, and let us know what we can do to assist you in bringing these projects into compliance.

Thank you in advance for your attention to this matter and if you should have any questions please do not hesitate to contact our office at (850) 245-2501.

WINTER PARK'S HISTORICAL GRANT AGREEMENTS

PROJNO	GRANTEE	PROJNAME	FY1	AMOUNT1	COUNTY	TYPE	FUND SOURCE
12-00067	WINTER PARK, CITY OF	LAKE BALDWIN PARK	72/73	\$144,600.00	ORANGE	ACQ	LWCF
F01224	Winter Park, City of	Phelps Park	00/01	\$135,000.00	Orange	DEV	FRDAP
F03644	Winter Park, City of	Winter Park Community Center Swimming Pool	02/03	\$200,000.00	Orange	DEV	FRDAP
F07067	Winter Park, City of	Mead Garden Trails	06/07	\$200,000.00	Orange	DEV	FRDAP
F07089	Winter Park, City of	Howell Branch Preserve	06/07	\$200,000.00	Orange	DEV	FRDAP
F73031	WINTER PARK, CITY OF	LAKE BALDWIN PARK	73/74	\$100,000.00	ORANGE	DEV	FRDAP

PROJNO	GRANTEE	PROJNAME	FY1	AMOUNT1	COUNTY	TYPE	FUND SOURCE
F81049	WINTER PARK, CITY OF	WINTER PARK POOL	81/82	\$250,000.00	ORANGE	DEV	FRDAP - LLI
F95059	WINTER PARK, CITY OF	LAKE ISLAND PARK	94/95	\$100,000.00	ORANGE	DEV	FRDAP

Sincerely,



Angela Bright
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Land and Recreation Grants Section
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