



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 2

DATE: March 8, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

THROUGH: Mindy T. Cummings, Manager *MTC*
Real Estate Management Division

FROM: Luciana Mino, Acquisition Agent *LM/MTC*
Real Estate Management Division

CONTACT PERSON: **Mindy T. Cummings, Manager**

DIVISION: **Real Estate Management**
Phone: (407) 836-7090

ACTION REQUESTED: Approval of TIE -Temporary Ingress - Egress Easement from RESI LBV LLC, to Orange County and authorization to disburse funds to pay recording fees and record the instrument.

PROJECT: Master Pump Station No. 3597 (Group 4A2)

District 1

PURPOSE: To provide an access easement at an existing pump station.

ITEM: **TIE**-Temporary Ingress – Egress Easement (Instrument 701.1A)

BUDGET: Account No.: 4420-038-1559-75-6310

FUNDS: \$44.70 Payable to Orange County Comptroller
(all recording fees)

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: This easement is required to access the pump station for maintenance now and into the future. Also, it will allow the County staff to access the pump station to construct an odor control system.

County to pay all recording fees.

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: 02/22/2021

Total Amount: \$44.70

Project: Pump Station #3597 (Group 4A2)

Parcels: 701.1A

Charge to Account #4420-038-1559-75-6310

Charles S. Parker
Controlling Agency Approval Signature Date

Printed Name:
AS McCoy 2/25/21
Fiscal Approval Signature Date
Wayne McCoy
Printed Name

TYPE TRANSACTION (Check appropriate block(s))
 Pre-Condemnation Post-Condemnation N/A District # 1

- Acquisition at Approved Appraisal
- Acquisition at Below Approved Appraisal
- Acquisition at Above Approved Appraisal
- Advance Payment Requested

Orange County Comptroller All
Recording Fee \$44.70

DOCUMENTATION ATTACHED (Check appropriate block(s))

- Contract/ Agreement
- Copy of Executed Instruments
- Certificate of Value
- Settlement Analysis

Payable to: Orange County Comptroller

IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by [Signature] Digitally signed by Luciana Mino
Luciana Mino, Sr. Acq. Agent, Real Estate Management Division Date: 2021.02.22 10:34:41 -05'00' Date

Payment Approved Mindy T Cummings, Manager, Real Estate Management Division Date
or Payment Approved Alex Feinman Digitally signed by Alex Feinman
Alex D Feinman, Asst. Mgr. Real Estate Management Div. Date: 2021.02.25 10:00:46 -05'00' Date

Certified [Signature] Date: MAR 23 2021
Approved by BCC for Deputy Clerk to the Board Date

Examined/Approved Comptroller/Government Grants Check No. / Date

REMARKS:

Anticipated Closing Date: As soon as checks are available.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAR 23 2021

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAR 23, 2021

Instrument: 701.1A

Project: Master Pump Station No. 3597 (Group 4A2)

Property Appraiser's Parcel ID No.: 34-24-28-0000-00-047

TEMPORARY INGRESS - EGRESS EASEMENT

THIS INDENTURE, Made this 11th day of February, 2021, between RESI LBV LLC, a Florida limited liability company, whose address is 3022 Castelli Boulevard, Mt. Dora, Florida 32757, GRANTOR, and Orange County, a charter county and a political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$10.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns an easement for the purpose of ingress and egress to its pump station located on that certain real property described in Exhibit "A" (the "Pump Station Site"), over and upon the access roads as may be located from time to time on the following described lands situate in Orange County, Florida, and referred to hereinafter as the Easement Area, to-wit:

Beginning at the Northwest corner of Section 34, Township 24 South, Range 28 East, Orange County, Florida; run North 89° 56 minutes 22 seconds East along the North line of said Section 34, 1660.01 feet to the West line of the East Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of said Section 34; thence run South 00° 02 minutes 50 seconds East 688.68 feet along said West line to the Southwest corner of the East Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of said Section 34; thence run North 89° 54 minutes 25 seconds East 894.08 feet along the South line of the North Half of the Northeast Quarter of the Northwest Quarter of Section 34 to a point on the Westerly right of way line of State Road No. 536 as shown on the preliminary State of Florida Department of Transportation right of way Map Section 75000-2550; thence run South 37° 06 minutes 03 seconds East 165.65 feet along said right of way line to a point on the West line of the Northwest Quarter of the Northeast Quarter of Section 34 and the Point of Beginning; thence leaving said right of way line run South 00° 05 minutes 58 seconds West 555.81 feet along said West line to the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 34; thence run North 89° 50 minutes 57 seconds East along the South line of the Northwest Quarter of the Northeast Quarter of said Section 34, a distance of 297.93 feet to a point on the aforementioned right of way line of State Road No. 536; thence North 27° 45 minutes 52 seconds East 68.51 feet; thence North 33° 02 minutes 46 seconds West 508.04 feet; thence North 37° 06 minutes 03 seconds West 85.94 feet to the Point of Beginning;

TO HAVE AND TO HOLD the said ingress and egress easement unto the GRANTEE and its assigns forever; provided, however, the easement hereby granted shall automatically terminate, without the necessity of GRANTOR undertaking vacation proceedings or obtaining any release from the GRANTEE, at such time as GRANTOR or its successors or assigns identifies a replacement easement area not less than twenty-two (22) feet wide and grants a permanent ingress and egress easement to GRANTEE in such replacement easement area, which permanent easement has been accepted by GRANTEE in accordance with GRANTEE's normal policies and procedures. All turns along the path of the permanent easement shall meet the requirements for County truck accessibility, as shown in Exhibit "B" attached hereto. The Grantor reserves the right to modify the temporary easement and location of

Instrument: 701.1A
Project: Master Pump Station No. 3597 (Group 4A2)

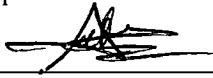
the permanent easement, should the site plan change in response to change market conditions, subject to the easement meeting the County truck accessibility.

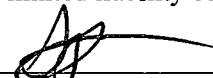
THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth, and other obstructions that may interfere with normal operation or maintenance of the easement and the GRANTOR, its heirs, successors, and assigns, agrees not to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the granted easement.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name.

Signed, sealed, and delivered
in the presence of:

RESI LBV LLC,
a Florida limited liability company



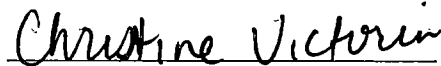
BY: 

Witness

Ajesh Patel,
its Manager

Swati Patel

Printed Name



Witness

Christine Victorin

Printed Name

(Signature of TWO Witnesses required by Florida Law)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 20__, by Ajesh Patel, as Manager of RESI LBV LLC, a Florida limited liability company, on behalf of the limited liability company. He is personally known to me, or has produced _____ as identification.

(Notary Seal)

Notary Signature

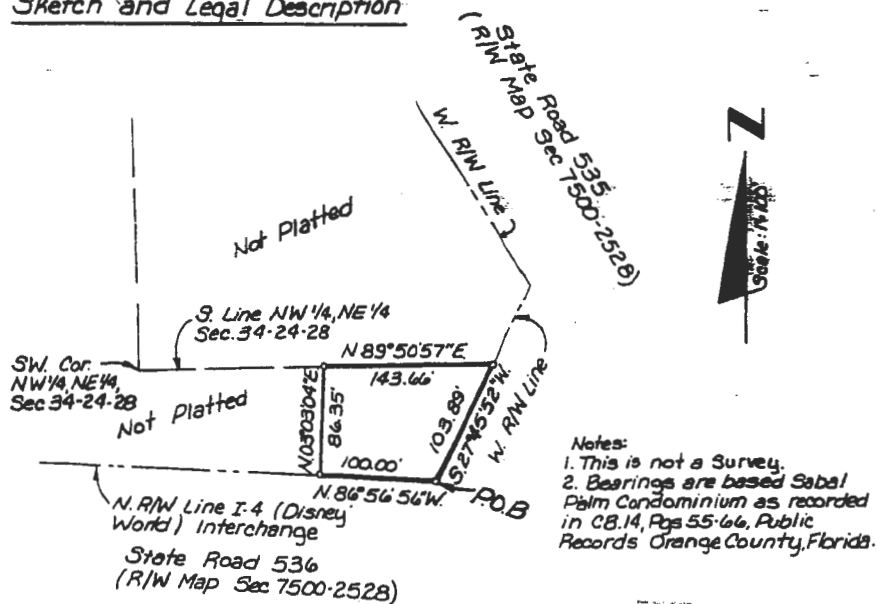
This instrument prepared by:
E. Price Jackson, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

Printed Notary Name
the County and State aforesaid
My commission expires: _____

Instrument: 701.1A
 Project: Master Pump Station No. 3597 (Group 4A2)

Exhibit " A "

Sketch and Legal Description



Notes:
 1. This is not a Survey.
 2. Bearings are based Sabal Palm Condominium as recorded in CB.14, Pgs 55-66, Public Records Orange County, Florida.

OR 4 185 PG 0983

LEGAL DESCRIPTION

A part of the Southwest 1/4 of the Northeast 1/4 of Section 34, Township 24 South, Range 28 East, Orange County, Florida; being more particularly described as follows:

Begin at the intersection of the West right-of-way line of State Road 535, as shown on the Florida Department of Transportation Right-of-Way Map thereof (Section 75000-2528), with the North right-of-way line of State Road 536 as shown on the aforementioned right-of-way map; thence N.86°56'56\"W. along said North right-of-way line for 100.00 feet; thence N.03°03'04\"E. for 86.35 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 34; thence N.89°50'57\"E. along said South line for 143.66 feet to the said West right-of-way line of State Road 535; thence S.27°45'52\"W. along said West right-of-way line for 103.89 feet to the POINT OF BEGINNING.

Containing 10,912 square feet, more or less.

Certified to and for the exclusive use and benefit of:

Marriott Corporation

RECORDED & RECORD VERIFIED

Martha A. Haynes
 County Comptroller, Orange Co., FL

SURVEYOR'S CERTIFICATION
 I HEREBY CERTIFY that the attached prepared under my responsible direction, meets the Minimum Technical Standards adopted by the Florida Board of Land Surveyors, Chapter 21HH-6, F.A.C.

Glenn Bryan
 GLENN BRYAN
 Professional Land Surveyor
 Florida Certificate No. 3700



POST, BUCKLEY, SCHUH & JERNIGAN, INC.
 ENGINEERS PLANNERS ARCHITECTURE
 Olympia Place
 800 North Magnolia Avenue, Suite 600
 Orlando, Florida 32803
 (405) 423-7275

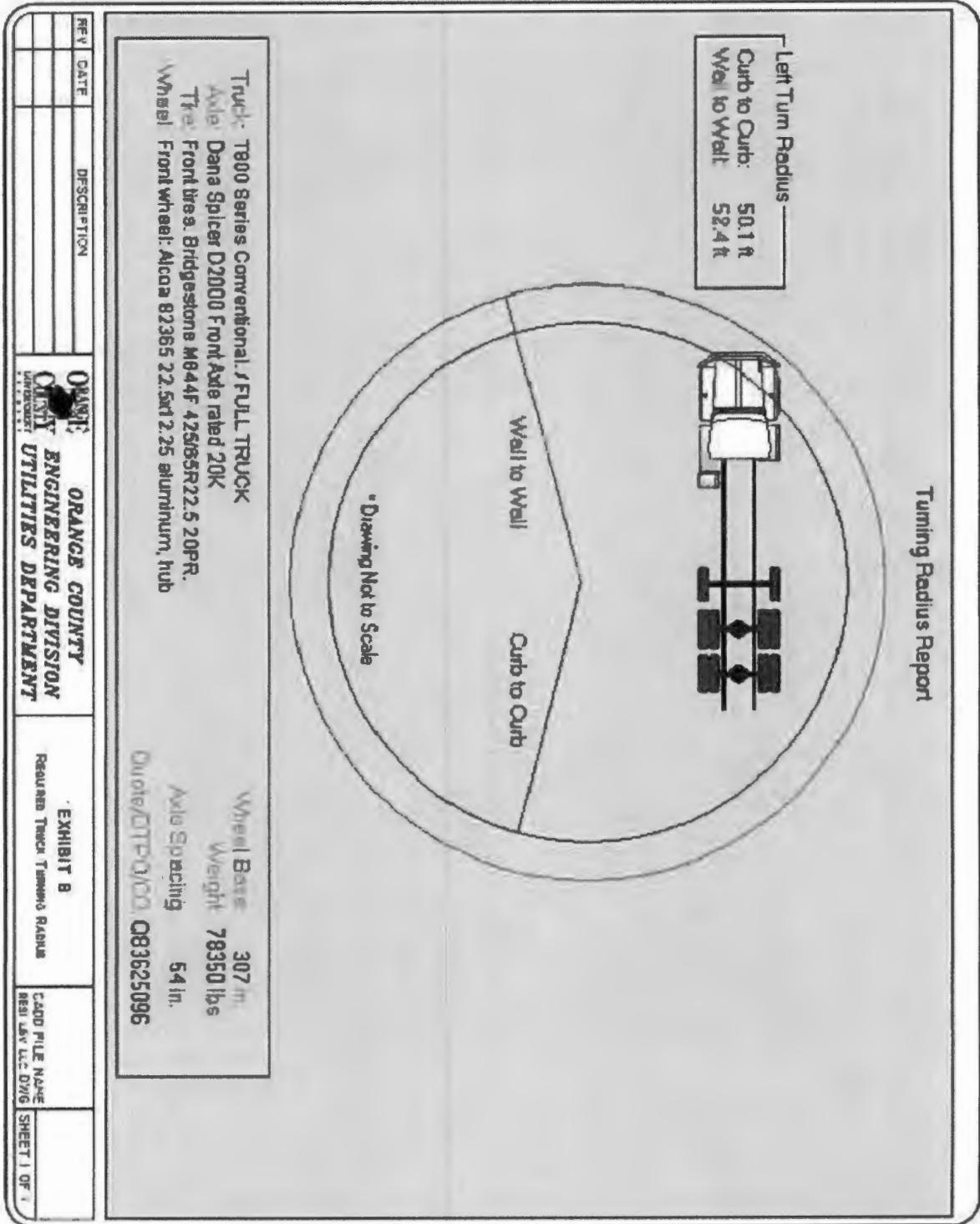
Scale: 1"=100'
 Date: 5-11-88
 Job No.: 07-912.14
 F.B.:
 Drawn: D.K.K.
 Chkd.: G.D.B.

ORIGINAL RECEIVED IN MICROFILM "AS IS"

Instrument: 701.1A

Project: Master Pump Station No. 3597 (Group 4A2)

Exhibit "B"



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange)

On February 11th, 2021 before me, Jessica Xin-Cheng Zhang
(insert name and title of the officer)

personally appeared Ajesh Patel,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature  (Seal)

Project: Pump Station #3597 (Group 4A2)
Parcel No: 701.1A
Name of Owner: RESI LBV LLC

SETTLEMENT ANALYSIS

EXPLANATION OF RECOMMENDED SETTLEMENT

(Memorandum to File pursuant to Section 4 of Ordinance 92-29)

***This is a Donation**

Parcel 701.1A: This parcel is located at the North West side of the intersection, State Road 535 and World Center Drive. The temporary ingress-egress easement area has 18,266 S.F. or 0.419 acres, more or less. This easement is required to access the pump station for maintenance now and into the future. Also, it will allow the County staff to access the pump station to construct an odor control system. The owner has agreed to the donation of this easement and has agreed to a perpetual easement once the site is redeveloped. I recommend and request approval of the donation of the Temporary Ingress – Egress Easement.

Recommended by:  Digitally signed by Luciana Mino
Date: 2021.02.22 09:31:40 -05'00' Date: 2/22/2021
Luciana Mino, Sr. Acquisition Agent, Real Estate Mgmt. Division

Recommended by: Robert K. Babcock Digitally signed by Robert K. Babcock
Date: 2021.02.22 17:09:49 -05'00' Date: 2/22/2021
Robert K. Babcock, Acquisition Supervisor, Real Estate Mgmt. Division

Approved by: _____ Date: _____
Mindy T Cummings, Manager, Real Estate Mgmt. Division

or
Approved by: Alex Feinman Digitally signed by Alex Feinman
Date: 2021.02.25 10:00:01 -05'00' Date: 2/25/2021
Alex D Feinman, Asst. Manager, Real Estate Mgmt. Division