



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 24-961, **Version:** 1

Interoffice Memorandum

DATE: June 18, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Mindy T. Cummings, Manager

FROM: Juanita Thomas, Senior Title Examiner

CONTACT: Mindy T. Cummings, Manager

PHONE: 407-836-7090

DIVISION: Real Estate Management Division

ACTION REQUESTED:

Approval of Drainage Easement between Encore at Ovation Community Association, Inc. and Orange County, and authorization to record instrument for Lake Mac Apartments (PR-23-08-042) Drainage Easement. District 1. (**Real Estate Management Division**)

PROJECT: Lake Mac Apartments (PR-23-08-042) Drainage Easement

PURPOSE: To provide for access, construction, operation, and maintenance of underground pipe and appurtenant facilities.

ITEM:

Drainage Easement

Cost: Donation

Size: 1,481 square feet

BUDGET: NA

REVENUE: NA

FUNDS: NA

APPROVALS:

Real Estate Management Division

Public Works Department - Engineering Division

REMARKS: This action provides for access, construction, operation, and maintenance of underground pipe and appurtenant facilities, and is being processed concurrently with the approval of the subdivision plat. Grantor to pay recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

JUL 09 2024

**THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:**

Juanita Thomas, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida
P.O. Box 1393
Orlando, Florida 32802-1393

Property Appraiser's Parcel Identification Number:
a portion of 19-24-27-2354-15-005

Project: Lake Mac Apartments (PR-23-08-042)
Drainage Easement

THIS IS A DONATION

DRAINAGE EASEMENT

THIS INDENTURE, made as of the date signed below, between Encore at Ovation Community Association, Inc., a Florida not for profit corporation, whose address is 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614, GRANTOR, and Orange County, a charter county and 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, a permanent non-exclusive easement for drainage purposes, with full authority to enter upon, inspect, construct, repair, replace, operate, maintain, and service, an underground pipe and appurtenant facilities ("Said Facilities") over, under, and upon the following lands as described in **Schedule "A" ("Easement Area")**.

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever.

THE GRANTEE, its successors, and its assigns shall have the right to clear and keep clear all trees, undergrowth, buildings, utilities, structures, obstructions, obstacles, driveways, crops, landscaping other than sod or similar type of ground cover, and other impediments, which, in the opinion of GRANTEE, may endanger or interfere with the safe and efficient inspection, construction, repair, replacement, operation, maintenance, or service of Said Facilities within the Easement Area.

NO BUILDINGS, utilities, structures, obstructions, obstacles, driveways, crops, landscaping other than sod or similar type of ground cover, or impediments shall be located, constructed, excavated, or created within the Easement Area by GRANTOR, their heirs, successors, and assigns.

THIS EASEMENT is for the purposes noted herein and does not obligate the GRANTEE to perform any right-of-way maintenance or other duties.

GRANTEE may at any time increase its use of the easement, change the location of ditches, pipes,

Project: Lake Mac Apartments (PR-23-08-042) Drainage Easement

or other facilities within the boundaries of the easement, or modify the size of existing ditches, pipes, or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

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

Signature of **TWO** witnesses and their mailing addresses are required by Florida law, F.S. 695.26

WITNESS #1

Andrea Eggleston
Signature

Andrea Eggleston
Print Name

Mailing Address: 400 International Pkwy Ste 470
City: Lake Mary State: FL
Zip Code: 32746

Encore at Ovation Community Association, Inc.
a Florida not for profit corporation

By: [Signature]
Signature

Diana Cabrera
Print Name

President
Title

WITNESS #2

Ki Cooper
Signature

Ki Cooper
Print Name

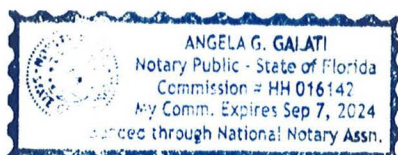
Mailing Address: 400 International Pkwy
City: Lake Mary State: FL
Zip Code: 32746

STATE OF Florida
COUNTY OF Sumner

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 10 day of April, 2024, by Diana Cabrera as President, of Encore at Ovation, Encore at Ovation Community Association, Inc., a Florida not for profit corporation on behalf of the corporation. The individual ☒ is personally known to me or ☐ has produced NA as identification.

(Notary Stamp)

[Signature]
Notary Signature



Print Notary Name

Notary Public of:

My Commission Expires:

SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A

A TRACT OF LAND BEING A PORTION OF TRACT OS-5, ENCORE AT OVATION-PHASE 4B, ACCORDING TO PLAT BOOK 111, PAGES 103 THROUGH 110 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 27 EAST OF ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 19; THENCE RUN SOUTH 89° 03' 12" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 19 FOR A DISTANCE OF 170.21 FEET TO THE EAST LINE OF SAID TRACT OS-5; THENCE RUN NORTH 00° 12' 30" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 68.87 FEET TO THE **POINT OF BEGINNING**; THENCE DEPARTING SAID EAST LINE RUN SOUTH 89° 52' 41" WEST FOR A DISTANCE OF 47.72 FEET TO THE WEST LINE OF SAID TRACT OS-5; THENCE RUN NORTH 06° 26' 10" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 30.18 FEET; THENCE DEPARTING SAID WEST LINE RUN NORTH 89° 52' 41" EAST FOR A DISTANCE OF 50.99 FEET TO THE EAST LINE OF SAID TRACT OS-5; THENCE RUN SOUTH 00° 12' 30" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,481 SQUARE FEET OR 0.03 OF AN ACRE, MORE OR LESS.

PROJECT: LAKE MAC APARTMENTS
PERMIT: 23-E-128

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH OF DESCRIPTION



SURVEYING • MAPPING
GEOSPATIAL SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355
LB#6723

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF ENCORE AT OVATION-PHASE 4B, RECORDED IN P.B. 111, PGS. 103-110, AS BEING SOUTH 00°12'30" EAST. (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB #: 20230122
DATE: 03/28/24
SCALE: N/A

CALC BY: BH
DRAWN BY: AR
CHECKED BY: BH

FOR THE LICENSED BUSINESS #6723 BY:
Digitally signed by:
James L Rickman
Date: 2024.04.01
15:22:12 -04'00'
JAMES L. RICKMAN, P.S.M. #5633

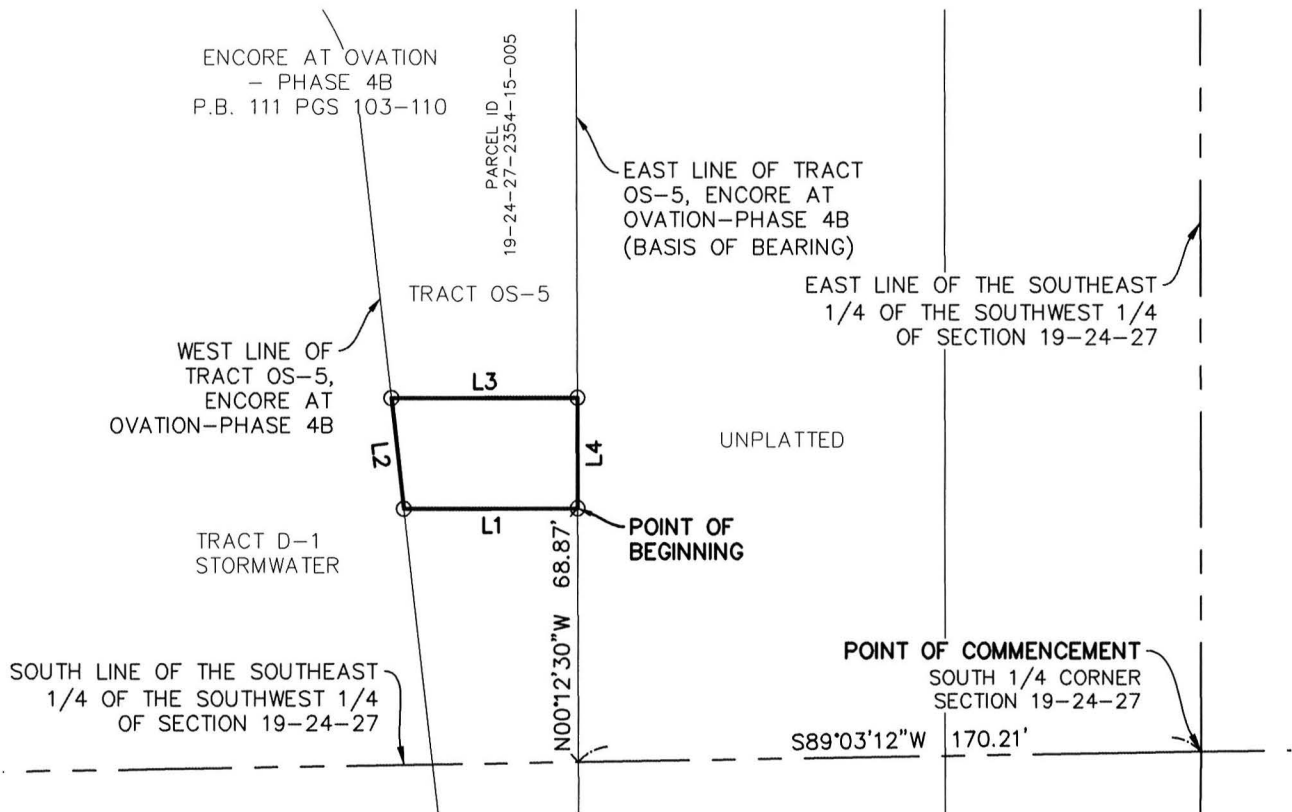
SKETCH OF DESCRIPTION

NOT A SURVEY



SCALE: 1" = 50'
0 50'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°52'41"W	47.72'
L2	N06°26'10"W	30.18'
L3	N89°52'41"E	50.99'
L4	S00°12'30"E	30.00'



SHEET 2 OF 2
SEE SHEET 1 FOR LEGAL DESCRIPTION



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SYMBOL AND ABBREVIATION LEGEND:

○ CHANGE IN DIRECTION ID IDENTIFICATION
LB LICENSED BUSINESS
P.B. PLAT BOOK
PGS. PAGES
P.S.M. PROFESSIONAL SURVEYOR MAPPER

JOB #: 20230122
DATE: 03/28/24
SCALE: 1" = 50'

CALC BY: BH
DRAWN BY: AR
CHECKED BY: BH