



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 9

DATE: May 4, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager *A*
Real Estate Management Division

FROM: Monica Hand, Senior Title Examiner
Real Estate Management Division *PBS for MH*

CONTACT PERSON: **Ann Caswell, Manager**

DIVISION: **Real Estate Management**
Phone: (407) 836-7082

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT FROM O'REILLY AUTOMOTIVE STORES, INC. TO ORANGE COUNTY AND AUTHORIZATION TO DISBURSE FUNDS TO PAY ALL RECORDING FEES AND RECORD INSTRUMENT

PROJECT: O'Reilly Auto Parts
OCU Permit #: B12902747 OCU file #: 72226

District 3

PURPOSE: To provide for access, construction, operation, and maintenance of utility facilities as a requirement of development.

ITEM: Utility Easement
Cost: Donation
Size: 1,345 square feet

BUDGET: Account No.: 4420-038-1302-3167

FUNDS: \$36.20 Payable to Orange County Comptroller
(all recording fees)

Real Estate Management Division

Agenda Item 9

May 4, 2017

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APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: A file labeled “BCC Agenda Backup” containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson’s office.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAY 23 2017

THIS IS A DONATION

Project: O'Reilly Auto Parts
OCU Permit #: B12902747 OCU file #: 72226

UTILITY EASEMENT

THIS INDENTURE, Made this 12th day of April, A.D. 2017, between O'Reilly Automotive Stores, Inc., a Missouri corporation, having its principal place of business in the city of Springfield, county of Greene, whose address is 233 S. Patterson, Springfield, MO 65802, 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 \$1.00 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 right-of-way and easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

a portion of

14-23-30-3043-00-050

TO HAVE AND TO HOLD said right-of-way and easement unto said GRANTEE and its assigns forever.

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 utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted right-of-way, and the GRANTOR, its successors and assigns, agrees not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted right-of-way that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement right-of-way, or modify the size of existing pipelines 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.

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GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

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

Signed, sealed and delivered
in the presence of:

Sandra Haynes
Witness

Sandra Haynes
Printed Name

Sylvia Bernard
Witness

Sylvia Bernard
Printed Name

O'Reilly Automotive Stores, Inc.,
a Missouri corporation

BY: Scott Kraus

Scott Kraus
Printed Name

Senior Vice President
Title

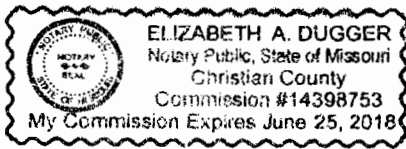
(Corporate Seal)

(Signature of TWO witnesses required by Florida law)

STATE OF Missouri
COUNTY OF Greene

The foregoing instrument was acknowledged before me this 12th of April,
20 17, by Scott Kraus, as Senior Vice President
of O'Reilly Automotive Stores, Inc., a Missouri corporation, on behalf of the corporation. He/She is
personally known to me or has produced _____ as identification.

(Notary Seal)



Elizabeth A. Dugger
Notary Signature
Elizabeth A. Dugger
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 6/25/18

This instrument prepared by:
Monica Hand, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

SKETCH & DESCRIPTION - UTILITY EASEMENT

SEC. 14 TWP. 23S RNG. 30E, ORANGE COUNTY, FLORIDA



EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF S.R. 551 (GOLDENROD ROAD, 100' R/W) AND THE NORTH RIGHT OF WAY LINE CHARLIN PARKWAY (60' R/W) THENCE ALONG THE EAST RIGHT OF WAY OF S.R. 551 N0°11'20"E A DISTANCE OF 829.90' TO THE SOUTHWEST CORNER OF LOT 5 GOLDENROD CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 51, PAGES 109-111 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST RIGHT OF WAY LINE N0°11'20"E A DISTANCE OF 268.69 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE ALONG SAID NORTH LINE N84°01'44"E A DISTANCE OF 5.03 FEET; THENCE S0°11'20"W A DISTANCE OF 269.26 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE ALONG SAID SOUTH LINE N89°27'07"W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 1345 SQUARE FEET, MORE OR LESS.

SHEET 1 OF 2



DONALDSON, GARRETT & ASSOCIATES, INC.

MACON • CHARLOTTE

CERTIFICATE OF AUTHORIZATION NO. LB 8552

4875 RIVERSIDE DRIVE, SUITE 102, MACON, GA 31210
(478)474-8350 Fax: (478) 477-2534
<http://www.dg-a.com>

CERTIFIED TO:
O'REILLY AUTOMOTIVE STORES, INC.

SCALE: 1" = 60'
DATE: 9/26/14
PROJECT No: 4539-250-D1

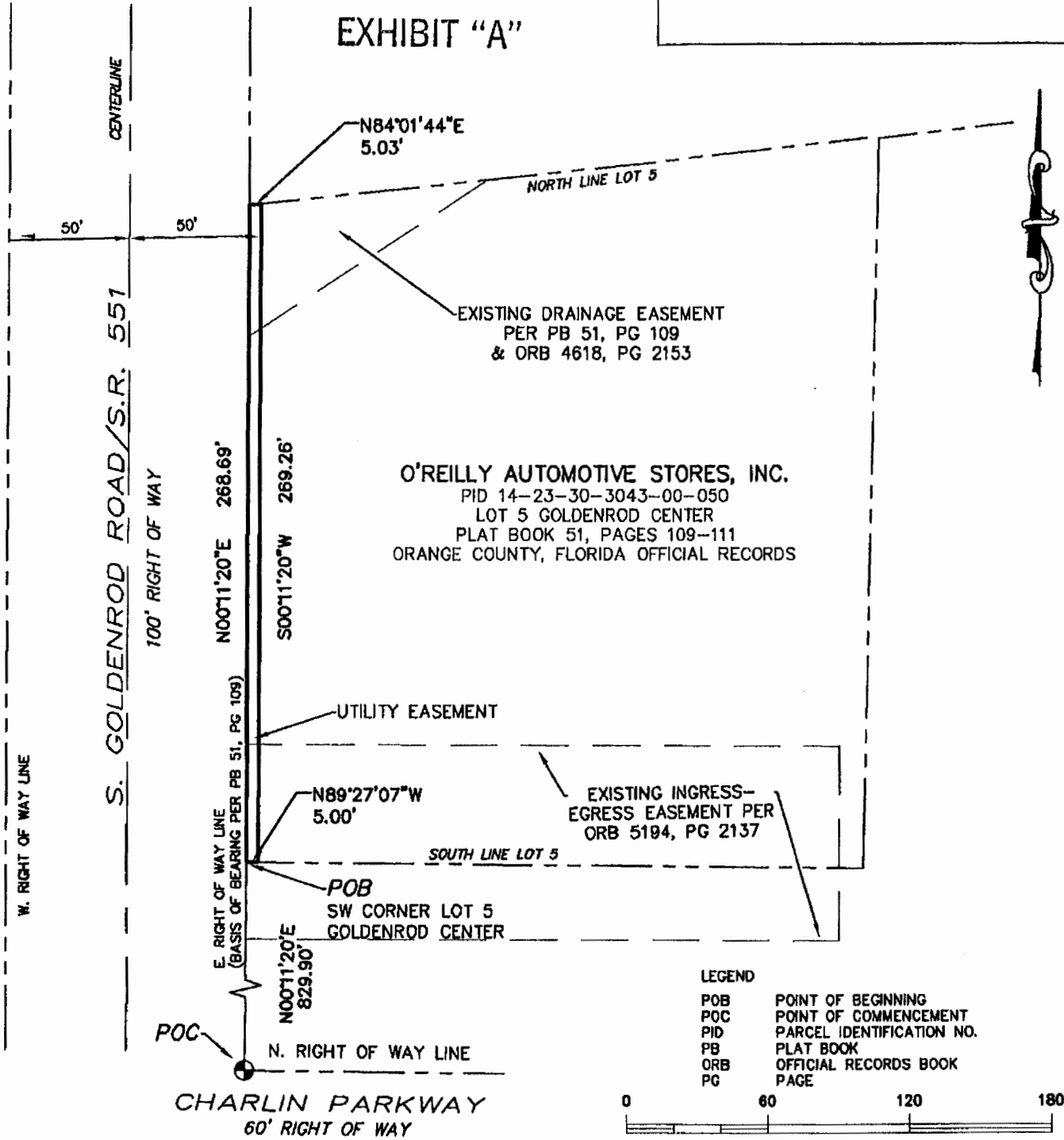
I hereby certify that this sketch was made under my responsible charge and meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors in chapter 4719, F.S. Code, pursuant to section 472023, F.S. Statutes.

STATE OF FLORIDA
JAMES W. NEWBERG, JR. PLSM #5788, FLORIDA
Professional Surveyor

SKETCH & DESCRIPTION - UTILITY EASEMENT

SEC. 14 TWP. 23S RNG. 30E, ORANGE COUNTY, FLORIDA

EXHIBIT "A"



LEGEND

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- PID PARCEL IDENTIFICATION NO.
- PB PLAT BOOK
- ORB OFFICIAL RECORDS BOOK
- PG PAGE



GRAPHIC SCALE IN FEET

NOTE: THIS SKETCH IS NOT A BOUNDARY SURVEY AND MAY NOT SHOW ALL EXISTING EASEMENTS, RIGHTS OF WAY OR IMPROVEMENTS.

SHEET 2 OF 2

DG DONALDSON, GARRETT & ASSOCIATES, INC.
 MACON • CHARLOTTE
 CERTIFICATE OF AUTHORIZATION NO. LB 6552
 4875 RIVERSIDE DRIVE, SUITE 102, MACON, GA 31210
 (478)474-8350 Fax: (478) 477-2534
 http://www.dg-a.com

CERTIFIED TO:
O'REILLY AUTOMOTIVE STORES, INC.

SCALE: 1" = 60'	DATE: 9/26/14	PROJECT No: 4539-250-D1
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I hereby certify that this sketch was made under my responsible charge and meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors in chapter 5J17 Fl. Ad. Code, Pursuant to Section 472.027, Fl. Statutes.

[Signature]
 JAMES W. NEWBERRY, PSM #5788, FLORIDA

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: April 18, 2017

Amount: \$36.20

Project: O'Reilly Auto Parts OCU Permit #: B12902747 OCU File #: 72226

Charge to Account # 4420-038-1302-3167

Controlling Agency Approval

Date

Fiscal Approval

Date

TYPE TRANSACTION (Check appropriate block{s})
 Pre-Condemnation Post-Condemnation

District #3

- Acquisition at Approved Appraisal
- Acquisition at Below Approved Appraisal
- Acquisition at Above Approved Appraisal
- Advance Payment Requested (recording fees)

Name:

DOCUMENTATION ATTACHED (Check appropriate block{s})

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

Payable to: Orange County Comptroller

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

Recommended by Monica Hand
Monica Hand, Senior Title Examiner

4/18/17
Date

Payment Approved Ann Caswell
Ann Caswell, Manager

5-3-17
Date

Under Ordinance Approved by Assistant Manager, Real Estate Management Division

Date

Certified Deputy Clerk to the Board
Approved by BCC

MAY 23 2017
Date

Examined/Approved Comptroller/Government Grants

Check No. / Date

REMARKS:

To be recorded as soon as possible after BCC approval.

APPROVED
BY ORANGE COUNTY BOARD
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Andres Salcedo
Controlling Agency Approval
Yvonne Zaneb
Fiscal Approval

4/19/17
Date
4/18/17
Date

TYPE TRANSACTION (Check appropriate block(s))
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Monica Hand, Senior Title Examiner

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Date

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Date

Under Ordinance Approved by Assistant Manager, Real Estate Management Division

Date

Certified Approved by BCC Deputy Clerk to the Board

Date

Examined/Approved Comptroller/Government Grants

Check No. / Date

REMARKS:

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RECEIVED
APR 18 2017
UTILITIES ENGINEERING