



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 2

DATE: July 30, 2019

TO: Mayor Jerry L. Demings
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager *PS*
Real Estate Management Division

FROM: Elizabeth Price Jackson, Senior Title Examiner *EPJ*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: Approval and execution of Orlando Utilities Commission Utility Easement from Orange County to Orlando Utilities Commission and City of Orlando and authorization to record instrument

PROJECT: Woodland Park Phase 2 (OUC Easement)

District 4

PURPOSE: To provide for access, construction, operation, and maintenance of electrical facilities by the Orlando Utilities Commission.

ITEM: Orlando Utilities Commission Utility Easement
Revenue: None
Size: 5.617 acres

APPROVALS: Real Estate Management Division
County Attorney's Office
Stormwater Management Division

REMARKS:

This Orlando Utilities Commission Utility Easement provides the Orlando Utilities Commission (OUC) the right to install and maintain electrical distribution lines and related facilities within a County-owned retention area. The easement area is already encumbered by an existing easement in favor of OUC for overhead lines and drainage purposes. The new easement is being requested in connection with an OUC project to install additional facilities to serve the expansion of the Orlando International Airport.

The Stormwater Management Division has reviewed and approved this request.

OUC to pay recording fees.



APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
AUG 20 2019

Project: Woodland Park Phase 2 (OUC Easement)
Property Appraiser's Parcel ID No: a portion of 18-24-30-9481-88-000

ORLANDO UTILITIES COMMISSION
UTILITY EASEMENT
(Sub 19 to Wetherbee Road)

THIS UTILITY EASEMENT, made and entered into as of the date signed below by and between ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose post office address is 201 South Rosalind Avenue, Orlando, Florida 32801, hereinafter the GRANTOR, and the ORLANDO UTILITIES COMMISSION, of the City of Orlando, Florida, whose address is 100 West Anderson Street, Orlando, Florida 32801, and the CITY OF ORLANDO, a municipal corporation, whose address is 400 S. Orange Avenue, Orlando, Florida 32801, for the use and benefit of the ORLANDO UTILITIES COMMISSION, hereinafter collectively the GRANTEE.

WITNESSETH, that for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to the GRANTOR by the GRANTEE, the receipt whereof is hereby acknowledged, GRANTOR does hereby grant, bargain, sell, and convey to the GRANTEE, its respective successors, agents and assigns, a non-exclusive easement in perpetuity for the purpose of providing, conveying, distributing, carrying or transmitting electric power or other power, and water, together with the right, privilege, and authority to construct, locate, lay, maintain, operate, inspect, alter, improve, augment, repair, remove, replace, relocate and rebuild pipes, poles, wires, cables, mains, conduits, equipment and all other facilities, improvements and/or accessories necessary and/or desirable in connection therewith (all of said items being hereinafter collectively referred to as the "Facilities"), which Facilities will be located on, through, over, across and/or under the following specific non-exclusive "Easement Area" within GRANTOR'S premises, situated in the County of Orange and State of Florida, to-wit:

See Legal Description of Easement Area attached hereto as Exhibit "A".

GRANTOR hereby covenants that no buildings, structures or other obstructions or obstacles shall be located, constructed, excavated or created within the Easement Area, except that GRANTOR reserves and retains for itself, its successors and assigns, the right to curb, pave, stripe, fence and landscape the Easement Area (excluding portions of the Easement Area containing pad mounted Facilities), and to utilize the same as parking area or otherwise in a manner not inconsistent with the rights herein granted to the GRANTEE. GRANTOR reserves and retains for itself, its successors and assigns, the right to use the Easement Area for drainage and stormwater detention purposes. If fences and/or landscaping are located within the Easement Area, they shall be placed so as to allow ready access to the Facilities.

The rights herein granted to the GRANTEE by the GRANTOR specifically include: (a) the right to cut, clear and remove from the GRANTOR'S premises, any trees, limbs, undergrowth or other physical objects or obstructions which, in the judgement of the GRANTEE, may endanger or interfere with the safe and efficient installation, use, operation or maintenance of the Facilities attached thereto; (b) the right to construct, locate, lay, maintain, operate, inspect, alter, improve, augment, repair, remove, replace, relocate and rebuild the Facilities; (c) the reasonable right of ingress and egress to, over and under the GRANTOR'S premises for the purpose of exercising the rights herein granted; (d) the right to do anything necessary, useful or convenient for the full enjoyment of the rights herein granted; and (e) the right to remove at any time any of said GRANTEE'S Facilities erected upon, under or over the GRANTOR'S premises.

GRANTEE covenants that the Facilities will be located within the Easement Area. In the event that the GRANTEE, its contractors, sub-contractors or any of their respective employees install the Facilities outside the Easement Area, the GRANTEE, its successors, agents, or assigns, upon notification of such an event: (i) shall be responsible for all costs associated with the relocation or reconfiguration of the Facilities to the Easement Area;

Project: Woodland Park Phase 2 (OUC Easement)

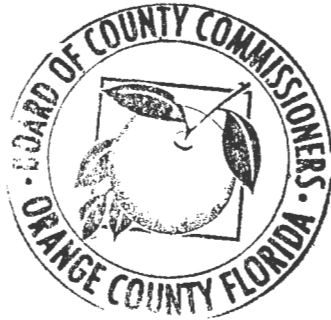
GRANTOR covenants that it is the owner in fee simple of the premises in which the Facilities are located.

If this easement shall be abandoned by the GRANTEE or terminated in any manner, GRANTEE shall be allowed a reasonable period of time thereafter for the purpose of removing any of the Facilities supplied by GRANTEE and thereafter all rights and privileges hereunder shall cease and the easement privileges and rights herein granted shall revert to the GRANTOR.

All covenants, terms, provisions and conditions herein contained shall inure to and be binding upon the heirs and/or legal representatives, successors and assigns of the parties hereto, respectively.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)



GRANTOR:

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Bryan B. Brubbs*
for Jerry L. Demings
Orange County Mayor

DATE: 20 Aug 19

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

BY: *Jessica Vaupel*
for Deputy Clerk
Jessica Vaupel
Printed Name

Approved by OUC as to Form
Other than Legal Description

Attorney

"EXHIBIT A"

PARCEL 804

UTILITY EASEMENT

SECTION NO.
F.P. NO.

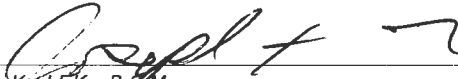
A PART OF TRACT HH, WOODLAND PARK PHASE 2, AS RECORDED IN PLAT BOOK 84, PAGES 113 THROUGH 117, INCLUSIVE, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, IN SECTION 18, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE NORTH 00°19'11" EAST, A DISTANCE OF 28.10 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WETHERBEE ROAD (A RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 9121, PAGE 1134 OF SAID PUBLIC RECORDS); THENCE SOUTH 86°51'25" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1326.53 FEET, SAID POINT BEING THE SOUTHWEST CORNER OF TRACT OS-4, SAWGRASS LANDINGS, AS RECORDED IN PLAT BOOK 95, PAGES 62 THROUGH 64, INCLUSIVE OF SAID PUBLIC RECORDS; THENCE NORTH 00°13'59" EAST ALONG THE WEST LINE OF SAID TRACT OS-4, A DISTANCE OF 590.96 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF TRACT HH, SAID WOODLAND PARK PHASE 2; THENCE CONTINUE NORTH 00°13'59" EAST, ALONG THE WEST LINE OF SAID TRACT HH, A DISTANCE OF 2031.70 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE NORTH 00°11'41" EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 52.14 FEET; THENCE SOUTH 43°39'24" EAST, LEAVING SAID WEST LINE, A DISTANCE OF 63.05 FEET; THENCE SOUTH 02°19'10" WEST, A DISTANCE OF 96.86 FEET; THENCE SOUTH 02°03'02" EAST, A DISTANCE OF 133.46 FEET; THENCE SOUTH 17°36'12" EAST, A DISTANCE OF 77.71 FEET; THENCE SOUTH 25°59'34" EAST, A DISTANCE OF 148.74 FEET; THENCE S 00°13'59" W, A DISTANCE OF 1600.11 FEET TO A POINT IN THE SOUTH LINE OF SAID TRACT HH; THENCE SOUTH 89°55'18" WEST, A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.617 ACRES (244,693 SQUARE FEET) MORE OR LESS.

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THIS LEGAL DESCRIPTION IS TRUE, ACCURATE, AND WAS PREPARED UNDER MY DIRECTION.

I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.


 JOSEPH V. LEK, P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER NO. 6016
 1301 RIVERPLACE BOULEVARD, SUITE 900
 JACKSONVILLE, FLORIDA 32207
 NO VALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL

6 6 - 19
 DATE

NOTES:

1. THIS IS A MAP ONLY AND DOES NOT PURPORT TO BE A BOUNDARY SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, EAST ZONE, WITH THE BEARING ON THE SOUTH LINE OF SECTION 18, TOWNSHIP 24 SOUTH, RANGE 30 EAST, BEING NORTH 86°51'33" EAST.
3. THIS SKETCH MAY HAVE BEEN ALTERED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

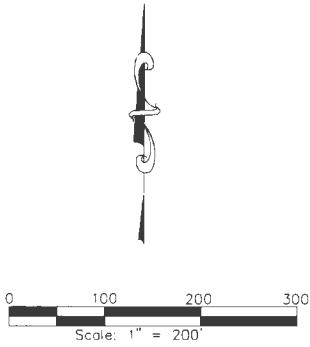
LEGEND:

- CCR CERTIFIED CORNER RECORD
- D.E. D.E.
- DOC. DOCUMENT
- P.B. PLAT BOOK
- PG. PAGE
- PGS. PAGES
- NE NORTHEAST
- NW NORTHWEST
- OR OFFICIAL RECORDS
- R/W RIGHT-OF-WAY
- SE SOUTHEAST
- SW SOUTHWEST
- U.E. UTILITY EASEMENT

		ORLANDO UTILITIES COMMISSION	
		PARCEL 804 SKETCH OF DESCRIPTION	
		<small>NOT A SURVEY</small>	
		WETHERBEE ROAD	ORANGE COUNTY
	BY	DATE	PREPARED BY: GAI CONSULTANTS, INC. LB 3604, 904-363-1110 1301 RIVERPLACE BLVD., #900, JACKSONVILLE, FL 32207
	DRAWN	S WILLIAMS	06/06/19
	CHECKED	J. LEK	06/06/19
REVISION	BY	DATE	F.P. NO.
			SECTION
			SHEET 1 OF 3

SECTION 18, TOWNSHIP 24 SOUTH, RANGE 30 EAST
"EXHIBIT A"

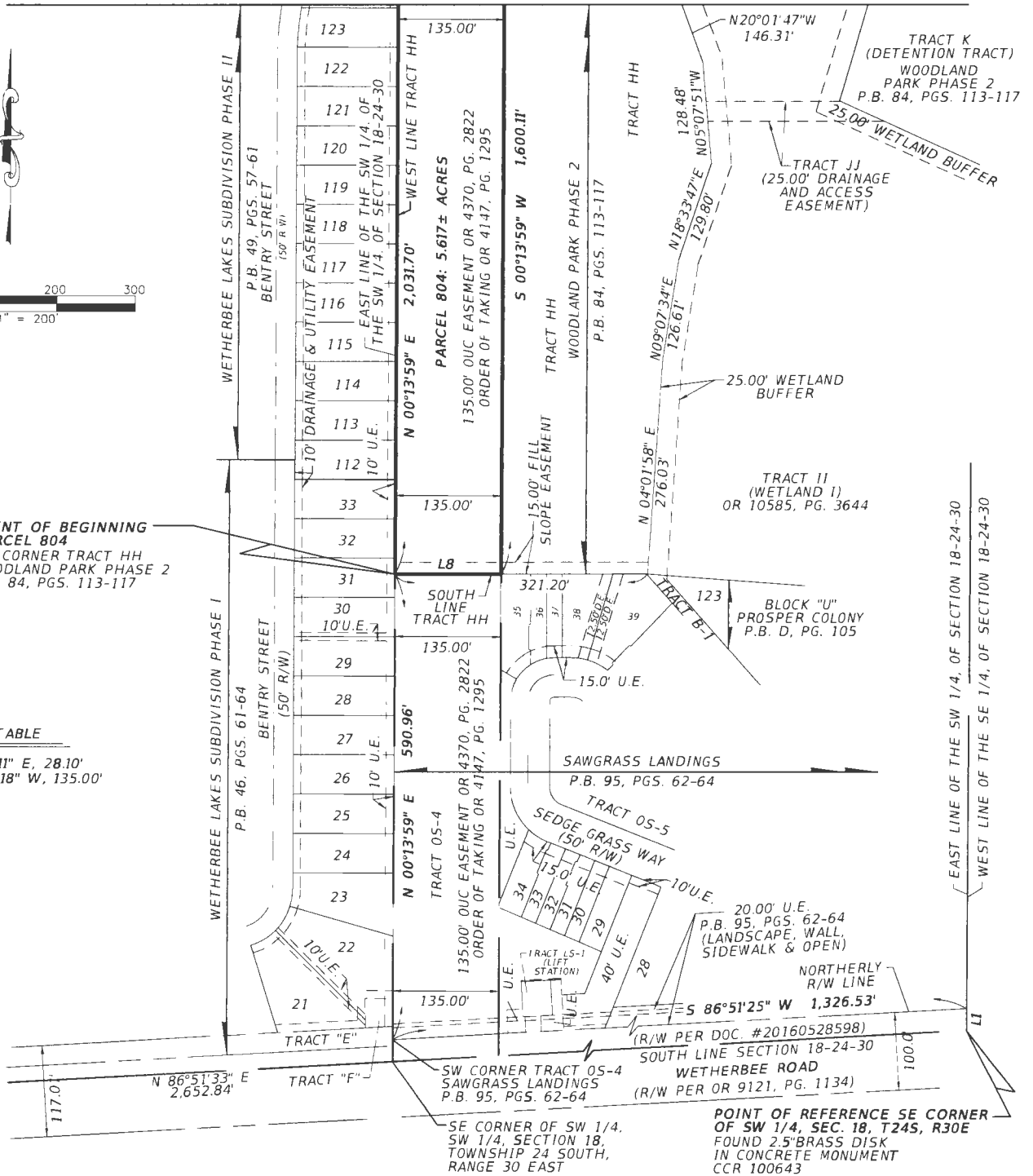
MATCH LINE - SEE SHEET 3 OF 3



POINT OF BEGINNING
PARCEL 804
SW CORNER TRACT HH
WOODLAND PARK PHASE 2
P.B. 84, PGS. 113-117

LINE TABLE

L1 N 00°19'11" E, 28.10'
L8 S 89°55'18" W, 135.00'



ORLANDO UTILITIES COMMISSION
PARCEL 804 SKETCH OF DESCRIPTION
NOT A SURVEY

WETHERBEE ROAD

ORANGE COUNTY

BY S WILLIAMS
DATE 06/06/19

PREPARED BY:
SA CONSULTANTS, NC LB 3604 904-363-1110
1301 RIVERPLACE BLVD., #900, JACKSONVILLE, FL 32207

DATA SOURCE:
SEE GENERAL NOTES.

REVISION

BY

DATE

CHECKED

J.LEK

DATE 06/06/19

F.P. NO.

SECTION

SHEET 2 OF 3

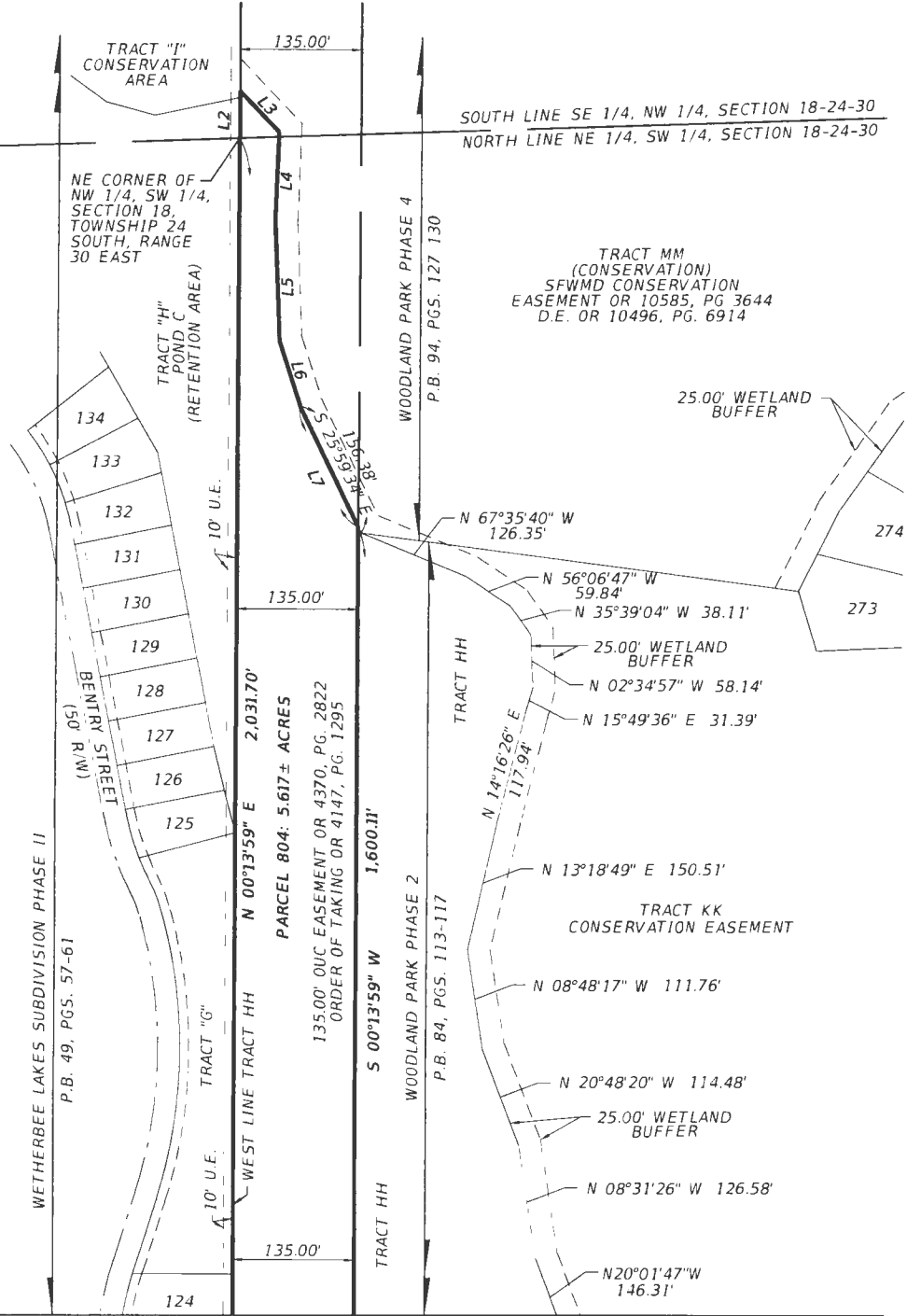
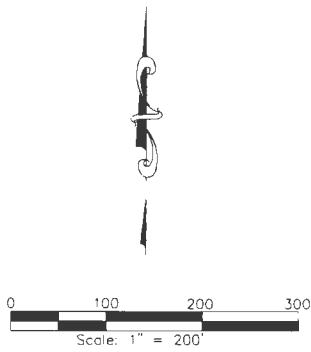
**SECTION 18, TOWNSHIP 24 SOUTH, RANGE 30 EAST
"EXHIBIT A"**

SOUTH LINE SW 1/4, NW 1/4,
SECTION 18-24-30
NORTH LINE NW 1/4, SW 1/4,
SECTION 18-24-30

SOUTH LINE SE 1/4, NW 1/4, SECTION 18-24-30
NORTH LINE NE 1/4, SW 1/4, SECTION 18-24-30

NE CORNER OF
NW 1/4, SW 1/4,
SECTION 18,
TOWNSHIP 24
SOUTH, RANGE
30 EAST

TRACT MM
(CONSERVATION)
SFWMD CONSERVATION
EASEMENT OR 10585, PG 3644
D.E. OR 10496, PG. 6914



LINE TABLE

L2	N 00°11'41" E, 52.14'
L3	S 43°39'24" E, 63.05'
L4	S 02°19'10" W, 96.86'
L5	S 02°03'02" E, 133.46'
L6	S 17°36'12" E, 77.71'
L7	S 25°59'34" E, 148.74'

MATCH LINE - SEE SHEET 2 OF 3

ORLANDO UTILITIES COMMISSION
PARCEL 804 SKETCH OF DESCRIPTION
NOT A SURVEY

WETHERBEE ROAD ORANGE COUNTY

REVISION	BY	DATE	CHECKED	J LEK	06/06/19	F.P. NO.	SECTION	SHEET 3 OF 3
			BY	S WILLIAMS	06/06/19	PREPARED BY: GAI CONSULTANTS, INC. LB 3604, 904-363-1110 301 RIVERPLACE BLVD., #900, JACKSONVILLE, FL 32207	DATA SOURCE: SEE GENERAL NOTES.	