



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** May 14, 2020

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

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

**FROM:** Kim Heim, Senior Title Examiner *KH*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** Approval and execution of Sidewalk Easement Agreement between Grand Cypress Orlando LLC and Orange County and authorization to record instrument

**PROJECT:** CR 535 Deceleration Lane at Grand Cypress Drive  
District 1

**PURPOSE:** To provide for access, construction, operation, and maintenance of sidewalk improvements as a requirement of development.

**ITEM:** Sidewalk Easement Agreement  
Cost: Donation  
Size: 2,724.9 square feet

**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Public Works Development Engineering Division

**REMARKS:** Grantor to pay all recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JUN 02 2020

THIS IS A DONATION

Project: CR 535 Deceleration Lane at Grand Cypress Drive

**SIDEWALK EASEMENT AGREEMENT**

THIS EASEMENT AGREEMENT ("Agreement"), made this 6<sup>th</sup> day of March, 2020, between Grand Cypress Orlando LLC, a Florida limited liability company, whose address is 3811 Turtle Creek Boulevard, Suite 975, Dallas, TX 75219, 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, hereinafter called the 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 non-exclusive easement for sidewalk purposes with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a paved sidewalk upon the following described lands situate in Orange County aforesaid, to-wit:

**SEE ATTACHED EXHIBIT "A" (the "Easement Area")**

**Property Appraiser's Parcel Identification Number(s):**

**a portion of**

**08-24-28-5844-00-000**

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

SUBJECT TO that certain Grant of Easement dated July 20, 2000 and recorded July 27, 2000 in Official Records Book 6053, Page 1786 of the Public Records of Orange County, Florida.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees and other obstructions that may interfere with normal usage or maintenance of the paved sidewalk and easement. The GRANTOR, successors and assigns, agree not to build, construct, or create, nor permit others to build, construct, or create any fence, wall, or other structure on the herein granted easement.

Project: CR 535 Deceleration Lane at Grand Cypress Drive

PROVIDED that GRANTEE, after performing any construction or maintenance within the Easement Area, shall restore the GRANTOR'S property to the same condition as the same existed immediately before such work was performed.

*[Signatures on Following Pages]*

Project: CR 535 Deceleration Lane at Grand Cypress Drive

IN WITNESS WHEREOF, the said GRANTOR and GRANTEE have caused these presents to be executed as of the date set forth above.

GRANTOR:

Signed, sealed and delivered in the presence of:

Grand Cypress Orlando LLC, a Florida limited liability company

*[Signature]*

BY: *[Signature]*  
David Pace, President

Witness

*Dean Podgorski*  
Printed Name

*[Signature]*

Witness

*Michael Iuvic*  
Printed Name

(Signature of TWO witnesses required by Florida Law)

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 6th day of March, 2020 by David Pace, as President of Grand Cypress Orlando LLC, a Florida limited liability company, on behalf of the company. He/She  is personally known to me or  has produced \_\_\_\_\_ as identification.

(Notary Seal)



Melissa Sassaris  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG176183  
Expires 1/17/2022

*Melissa Sassaris*  
Notary Signature

*Melissa Sassaris*  
Printed Notary Name

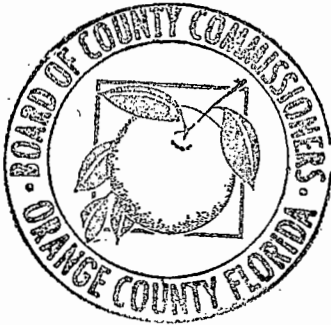
Notary Public in and for the County and State aforesaid

My commission expires:

*[Signatures Continue on Following Page]*

Project: CR 535 Deceleration Lane at Grand Cypress Drive

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: *Jerry L. Demings*  
Jerry L. Demings  
Orange County Mayor

DATE: 3 June 2020

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

BY: *Phil Diamond*  
Deputy Clerk

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

S:\Forms & Master Docs\Project Document Files\1\_Misc. Documents\C\CR 535 Deceleration Lane at Grand Cypress Dr SWE  
11.18.19kh revised 5.14.20kh

SKETCH OF DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION:

A STRIP OF LAND, BEING A PORTION OF LOT 25, WILLIS R. MUNGERS LAND SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "E", PAGE 22, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 24 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 17, FOR A POINT OF REFERENCE; THENCE RUN SOUTH 00°31'53" WEST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 17, A DISTANCE OF 914.45 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°28'07" EAST, 30.00 FEET TO THE POINT OF BEGINNING; SAID POINT LIES ON THE EAST RIGHT-OF-WAY LINE OF WINTER GARDEN VINELAND ROAD (COUNTY ROAD 535), PER ORANGE COUNTY HIGHWAY CONSTRUCTION DEPARTMENT, PROJECT NO. YO-8088, SAID POINT ALSO LIES ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 18.00 FEET, A CENTRAL ANGLE OF 39°20'17", AN ARC LENGTH OF 12.36 FEET, A CHORD LENGTH OF 12.12 FEET AND A CHORD BEARING OF SOUTH 47°26'07" EAST TO A POINT LYING 9.00 FEET EAST OF PERPENDICULAR MEASURE, THE EAST RIGHT-OF-WAY LINE OF SAID WINTER GARDEN VINELAND ROAD (COUNTY ROAD 535); THENCE RUN SOUTH 00°31'53" WEST, PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE, 279.91 FEET; THENCE RUN SOUTH 13°22'03" WEST, 40.51 FEET TO A POINT LYING ON AFORESAID EAST RIGHT-OF-WAY LINE OF WINTER GARDEN VINELAND ROAD (COUNTY ROAD 535); THENCE RUN NORTH 00°31'53" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 327.52 FEET TO THE POINT OF BEGINNING.

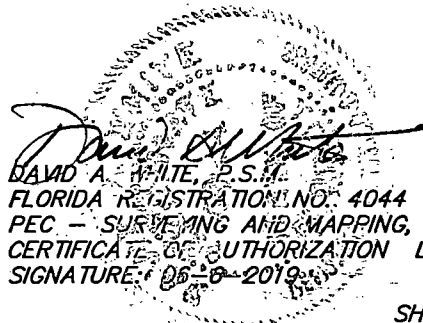
THE ABOVE DESCRIBED STRIP OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 2,724.9 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
(2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
(3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE EAST RIGHT-OF-WAY LINE OF WINTER GARDEN VINELAND ROAD (COUNTY ROAD 535), BEING NORTH 00°31'53" EAST.
(4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
(5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
(6) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.

REVISIONS:

REVISED LEGAL DESCRIPTION 4-16-2019 (JLM)
REVISED LEGAL DESCRIPTION 6-6-2019 (JLM)



(THIS IS NOT A SURVEY)

SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.

SHEET 1 OF 2

PEC

SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

2100 Alafaya Trail, Suite 203 • Oviedo, Florida 32765 • 407-542-4967

WWW.PECONLINE.COM

SECTION 17, TOWNSHIP 24 SOUTH, RANGE 28 EAST

DATE: FEBRUARY 19, 2019

PREP BY: J.L.M.

DRAWN BY: J.L.M.

JOB #: 18-152

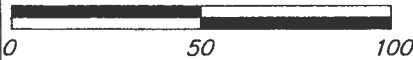
O: 18-152 Third Palm Grand Cypress Design Survey\18-152 SWK ESM.T.dwg Jun 07, 2019 - 8:42am OF 6/26/19

# SKETCH OF DESCRIPTION

**P.O.C.**  
 NW CORNER  
 NW 1/4, NE 1/4  
 SECTION 17-24-28



SCALE 1" = 50'



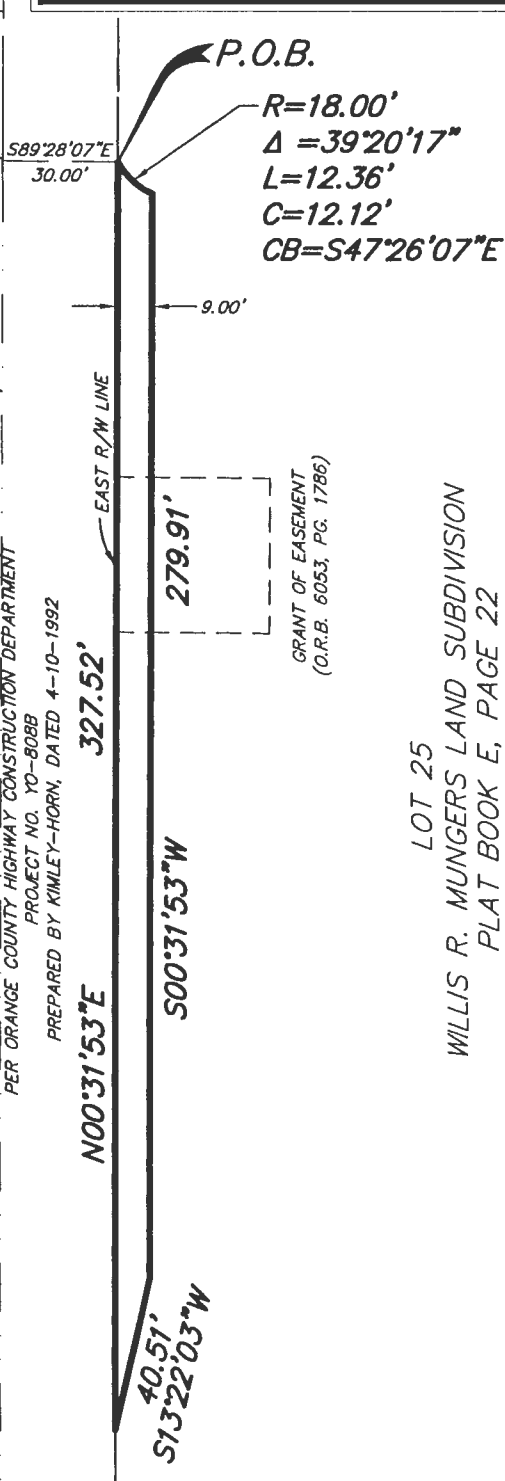
### LEGEND

P.O.C.....POINT OF COMMENCEMENT  
 P.O.B.....POINT OF BEGINNING  
 R.....RADIUS  
 Δ.....CENTRAL ANGLE  
 L.....ARC LENGTH  
 C.....CHORD LENGTH  
 C.B.....CHORD BEARING  
 O.R.B.....OFFICIAL RECORDS BOOK  
 PG.....PAGE  
 R/W.....RIGHT-OF-WAY

WEST LINE, NW 1/4, NE 1/4, SEC. 17-24-28  
 500'31'53"W 914.45'

WINTER GARDEN VINELAND ROAD (COUNTY ROAD 535)  
 PER ORANGE COUNTY HIGHWAY CONSTRUCTION DEPARTMENT  
 PROJECT NO. YO-808B  
 PREPARED BY KIMLEY-HORN, DATED 4-10-1992

EAST R/W LINE



(THIS IS NOT A SURVEY)

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES

SHEET 2 OF 2

# PEC

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O: 18-152 Third Palm Grand Cypress Design Survey 18-152 SWK ESMT.dwg Jun 07, 2019 - 8:41am