



# Orange County Government

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

## Legislation Text

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**File #:** 25-665, **Version:** 1

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### Interoffice Memorandum

**DATE:** April 15, 2025

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** Mindy T. Cummings, Manager

**FROM:** Elizabeth Price Jackson, Senior Title Examiner

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

**PHONE:** 407-836-7090

**DIVISION:** Real Estate Management Division

**ACTION REQUESTED:**

Approval and execution of Amendment to Overhead and Underground Easement by and between Orange County, the City of Orlando, and Orlando Utilities Commission and authorization to record instrument for South Water Reclamation Facility - OUC Easement. District 6. **(Real Estate Management Division)**

**PROJECT:** South Water Reclamation Facility - OUC Easement

**PURPOSE:** To provide for access, construction, operation, and maintenance of relocated electrical facilities on county-owned land.

**ITEM:**

Amendment to Overhead and Underground Easement

Revenue: None

Total size: 9,463 square feet

**BUDGET:** N/A

**REVENUE:** N/A

**FUNDS:** N/A

**APPROVALS:**

Real Estate Management Division  
Utilities Department

**REMARKS:** The City of Orlando and Orlando Utilities Commission (City/OUC) have requested an amendment to an existing Utility Easement Agreement on county-owned land. This amendment is needed to relocate certain (mutually agreed upon) overhead and underground electric facilities that interconnect with some of the electric facilities on adjacent lands being developed as Universal Epic Universe theme park.

City/OUC are seeking approval and execution of the amendment concurrently with County's action.

City/OUC to pay recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

MAY 6 6 2025

Prepared By and Return to:  
Zoila P. Easterling, Esquire  
Orlando Utilities Commission New Overhead Facilities Area  
100 West Anderson Street  
Orlando, FL 32801

Project: South Water Reclamation Facility – OUC Easement  
Property Appraiser's Parcel ID No.:  
a portion of 32-23-29-0000-00-003

## AMENDMENT TO OVERHEAD AND UNDERGROUND EASEMENT

**THIS AMENDMENT TO THE OVERHEAD AND UNDERGROUND EASEMENT** (the “**Amendment**”) is made as of the last date signed below (the “**Effective Date**”), by and between, **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida (the “**Grantor**”), and the **CITY OF ORLANDO**, a municipal corporation (the “**City**”), and **ORLANDO UTILITIES COMMISSION**, of the City of Orlando, Florida (“**OUC**”), (City and OUC are jointly hereinafter referred to as the “**Grantees**”). For purposes of this Amendment, the Grantor and Grantee are sometimes together referred to herein as the “**Parties**”, and separately as the “**Party**.”

### WITNESSETH:

**WHEREAS**, Grantor and Grantees entered into that certain Orlando Utilities Commission Overhead and Underground Easement recorded October 19, 1989, in Official Records Book 4125, Pages 0579 through 0587 in the Public Records of Orange County, Florida, (the “**Easement Agreement**”); and

**WHEREAS**, Grantor is the owner in fee simple of that certain tract of land described in Section A of the Easement Agreement (the “**Property**”); and

**WHEREAS**, pursuant to the Easement Agreement, Grantor conveyed to Grantees certain easement rights on, over and/or under the Property at the therein designated corresponding easement areas, including those certain respective overhead electric and underground electric easement areas specifically designated on the drawings of Exhibit “A” and Exhibit “B” which are recorded on pages 0584/0585 and 0586/0587 of the Easement Agreement; and

**WHEREAS**, the term “overhead electric facilities” and the term “underground electric facilities” have the meaning ascribed to them under the Easement Agreement;

**WHEREAS**, Grantor and OUC, as part of a development project for Universal Epic Universe theme park located on lands adjacent to the Property and owned by Universal City Development Partners, LTD (“**Universal Orlando**”), desire to cause for the relocation of certain mutually agreed

overhead electric facilities and underground electric facilities on the Property that interconnect with some of the electric facilities on said lands owned by Universal Orlando;

**WHEREAS**, such development project will require construction activities associated with the relocation of said facilities;

**WHEREAS**, the location and configuration of the easement areas for the ‘overhead electric facilities’ shown on Exhibit “A” of the Easement Agreement (the “**Overhead Facilities Area**”) and the ‘underground electric facilities’ shown on Exhibit “B” of the Easement Agreement (the “**Underground Facilities Area**”) require modification to more accurately show the respective revised locations and configurations of said facilities;

**WHEREAS**, the Parties hereto desire to replace Exhibit “A” of the Easement Agreement (Overhead Facilities Area) with the new area for the ‘overhead electric facilities’ as described in the New Exhibit “A” attached hereto and made a part hereof (the “**New Overhead Facilities Area**”);

**WHEREAS**, the Parties hereto desire to replace Exhibit “B” of the Easement Agreement (Underground Facilities Area) with the new area for the ‘underground electric facilities’ as described in the New Exhibit “B” attached hereto and made a part hereof (the “**New Underground Facilities Area**”);

**WHEREAS**, the Underground Facilities Area and the Overhead Facilities Area on the Property are encumbered by the Easement Agreement; and

**WHEREAS**, the Parties are desirous of entering into this Amendment for purposes of (i) releasing the Overhead Facilities Area and the Underground Facilities Area (jointly hereafter referred to as the “**Released Areas**”) from the operation of the Easement Agreement, and (ii) replacing the Released Areas with the New Overhead Facilities Area and the New Underground Facilities Area (jointly hereinafter referred to as the “**Replacement Areas**”).

**NOW, THEREFORE**, for and in consideration of the mutual covenants and agreements herein set forth and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby expressly acknowledged by the Parties, the Parties do hereby agree as follows:

1. **Recitals and Defined Terms.** The foregoing recitals are true and correct and are incorporated herein by this reference. All capitalized terms not otherwise defined herein shall have the meaning ascribed to them under the Easement Agreement.

2. **Released Areas.** The Released Areas are hereby removed from the description of the lands within the Property described in Easement Agreement from and after the Release Effective Date (hereinafter defined); and Grantees do hereby release, terminate, vacate and forever abandon all of their right, title, and interest in and to the Released Areas and hereby acknowledge and agree that the Released Areas shall no longer be encumbered by the Easement Agreement from and after the Release Effective Date. Prior to the Release Effective Date, OUC may enter upon the Property, as mutually agreed between OUC and Grantor’s designated representatives, to conduct the construction activities for the relocation of the mutually agreed upon facilities. Said facilities will be relocated consistent with the terms and conditions of the Easement Agreement



and shall be located upon the corresponding Replacement Areas for the aboveground and underground facilities. The Release Effective Date shall be that date which coincides with the completion of the relocation of said facilities and in no event be later than a calendar year from the Effective Date, unless OUC is delayed by an act beyond its reasonable control, in which case said period will be reasonably extended by the written consent of the Parties.

3. **Replacement Areas.** Upon the Release Effective Date, Exhibit “A” of the Easement Agreement (for the Overhead Facilities Area) shall be replaced by New Exhibit “A” hereof (for the New Overhead Facilities Area), and Exhibit “B” of the Easement Agreement (for the Underground Facilities Area) shall be replaced by New Exhibit “B” hereof (for the New Underground Facilities Area).

4. **Construction Period License.** The Parties agree that during the construction and relocation activities for the electrical facilities described herein, OUC will retain a license over the Released Areas and the Replacement Areas for the construction and relocation of said electrical facilities. Such license shall automatically terminate and revert to Grantor on the Release Effective Date.

5. **City Obligations.** Notwithstanding anything herein to the contrary, City does not otherwise assume any contractual obligations described in this Amendment and Grantor so acknowledges and agrees to the same. The Parties further acknowledge that City has no duties, obligations or responsibilities whatsoever with respect to the construction, operation or maintenance of the overhead electric facilities and the underground electric facilities or otherwise. The provisions hereof shall inure to and be binding upon the heirs and/or legal representatives, successors and assigns of the Parties hereto, respectively.

6. **Counterparts.** This Amendment may be executed in one or more counterparts, each of which shall be an original and which together shall constitute one and the same instrument.

7. **No Other Modifications.** Except as set forth herein, the terms and conditions of the Easement Agreement shall remain unmodified and in full force and effect. In the event of a conflict between the Easement Agreement and this Amendment, the terms of this Amendment shall control.

**[SIGNATURES CONTAINED ON THE FOLLOWING PAGES]**

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed as of the Effective Date.



**“GRANTOR”**

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Bryan W. Brooks*  
for Jerry L. Demings  
Orange County Mayor

Date: *6 May 2025*

**ATTEST:**

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

By: *Jennife Lara-Kimetz*  
for Deputy Clerk  
*Jennife Lara-Kimetz*  
Printed Name

Project: South Water Reclamation Facility – OUC Easement

**“GRANTEE”**

**ORLANDO UTILITIES COMMISSION,**  
a Florida Statutory Commission

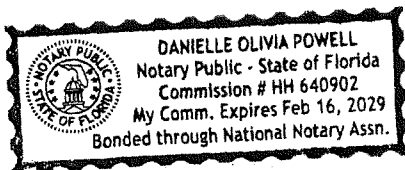
WITNESS: *Paula Vilasquez*  
Print Name: Paula Vilasquez  
Address: 100 W. ANDERSON ST., ORLANDO, FL 32801

By: *Clint Bullock*  
Name: Clint Bullock  
Title: General Manager and CEO  
Date: 5/1/25

WITNESS: *Richard H. Parker Jr.*  
Print Name: Richard H. Parker Jr.  
Address: 100 W. ANDERSON ST., ORLANDO, FL 32801

STATE OF FLORIDA                     )  
   )  
COUNTY OF ORANGE                 )

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 1<sup>st</sup> day of May 2025, by Clint Bullock, as General Manager and CEO of Orlando Utilities Commission, on behalf of said Commission. He personally appeared before me, and is personally known to me.



*Danielle Powell*  
Print Name: Danielle Powell  
Notary Public, State of Florida  
Commission No.: HH 640902  
My Commission Expires: 2/16/2029

Approved by OUC as to Form

Other than Legal Description

*Lois L. Eastley*  
Attorney

Project: South Water Reclamation Facility – OUC Easement

[Signature]  
(Signature of Witness #1)

Cheryl Anderson  
(Print Name of Witness #1)  
Address:

**CITY OF ORLANDO, FLORIDA**  
a municipal corporation existing under the laws of the  
State of Florida (SEAL)

By: [Signature]  
Mayor/Mayor Pro Tem

Date: 6-9-25

[Signature]  
(Signature of Witness #2)

Sonya James-Santor  
(Print Name of Witness #2)  
Address:

Attest: [Signature]  
Stephanie Herdocia, City Clerk

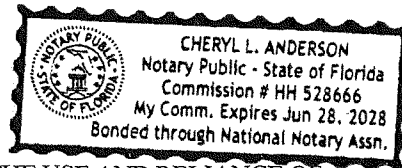
STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online  
notarization, this 9 day of June, 2025, by Robert F. Stuart as  
~~Mayor~~ Mayor Pro Tem, and Stephanie Herdocia, as City Clerk, of the City of Orlando, Florida.

[Signature]  
Notary Public Signature  
Print, Type or Stamp Name of Notary: \_\_\_\_\_

(Affix Notary Stamp or Seal)

Personally Known or \_\_\_\_\_ Produced Identification  
Type of Identification Produced \_\_\_\_\_



FOR THE USE AND RELIANCE OF  
CITY OF ORLANDO ONLY.

Approved as to form and legality,

[Signature]  
Assistant City Attorney  
City of Orlando, Florida

**NEW EXHIBIT "A"**

New Overhead Facilities Area

[See Attached Sketch of Description CS# 18-131(S152A) – 2 Pages]

# SKETCH OF DESCRIPTION EXHIBIT A

— SEE SHEET 2 FOR SKETCH  
PROJECT NAME: SWRF OUC EASEMENT

DESCRIPTION: (Prepared by Donald W. McIntosh Associates, Inc.)

That part of Section 31, Township 23 South, Range 29 East, Orange County, Florida, described as follows:

COMMENCE at the Northeast corner of UNIVERSAL SOUTH CAMPUS - PLAT 1, according to the plat thereof, as recorded in Plat Book 110, Pages 45 through 51, of the Public Records of Orange County, Florida; thence N89°44'41"E along the South Right-of-Way line of Sand Lake Road (State Road 482), as described in Official Records Book 223, Page 321, of said Public Records, a distance of 55.82 feet to the POINT OF BEGINNING; thence continue N89°44'41"E along said South Right-of-Way line, 12.00 feet; thence departing said South Right-of-Way line, run S00°59'19"E, 250.30 feet; thence S01°29'14"W, 200.83 feet; thence N89°54'54"W, 12.00 feet; thence N01°29'14"E, 200.86 feet; thence N00°59'19"W, 250.19 feet to the POINT OF BEGINNING; bearings and distances are based on the Florida State Plane Coordinate System East Zone, NAD 83 (2011) epoch 2010.00; the reciprocal grid factor is 1.000034632.

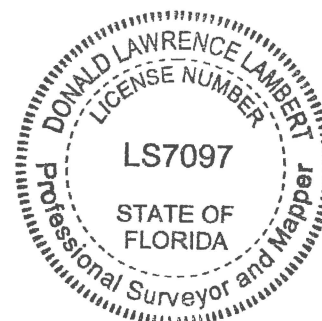
Containing 0.124 acres (5,413 square feet) more or less and being subject to any rights-of-way, restrictions and easements of record.

## LEGEND

L1	LINE NUMBER
SEC 31-23-29	SECTION 31, TOWNSHIP 23 SOUTH, RANGE 29 EAST
CL	CENTERLINE
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
FP	FINANCIAL PROJECT
ID	IDENTIFICATION
No.	NUMBER
N/A	NOT APPLICABLE
ORB	OFFICIAL RECORDS BOOK
OUC	ORLANDO UTILITIES COMMISSION
PB	PLAT BOOK
PG(S)	PAGE(S)
PL	PROPERTY LINE
R/W	RIGHT-OF-WAY
SR	STATE ROAD
OCU	ORANGE COUNTY UTILITIES

## NOTES

1. This is not a survey.
2. Bearings and distances shown hereon are based on the Florida State Plane Coordinate System, North American Datum of 1983 (NAD83), epoch 2010.00, East Zone, deriving a bearing of North 89°44'41" East along the South right-of-way line of Sand Lake Road (State Road 482), as described in Official Records Book 223, Page 321, of the Public Records Orange County, Florida.
3. Unless otherwise shown, this Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DONALD L. LAMBERT, PSM No. 7097 ON January 23, 2025, PER FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17.062.

THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17.062(3).

PREPARED FOR:

**UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD.**

OUC OVERHEAD FACILITIES EASEMENT - ORANGE COUNTY SOUTH WATER RECLAMATION FACILITY

01/23/25	BNC	REVISED PER OCU COMMENTS
DATE	BY	DESCRIPTION
REVISIONS		



**DONALD W. MCINTOSH ASSOCIATES, INC.**  
**ENGINEERS PLANNERS SURVEYORS**

1950 SUMMIT PARK DRIVE SUITE 600, ORLANDO, FL 32810 (407)644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

DONALD W. MCINTOSH ASSOCIATES, INC.  
CERTIFICATE OF AUTHORIZATION NO. LB68

**Donald L. Lambert** Digitally signed by Donald L. Lambert  
Date: 2025.01.23 09:13:00 -05'00'

Donald L. Lambert January 23, 2025  
Florida Registered Surveyor and Mapper  
Certificate No. 7097  
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL, OR  
AN ELECTRONIC SIGNATURE (5J-17.062(3) F.A.C.), OF A  
FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.

DRAWN BY: MKS  
DATE: 04/2024

CHECKED BY: DLL

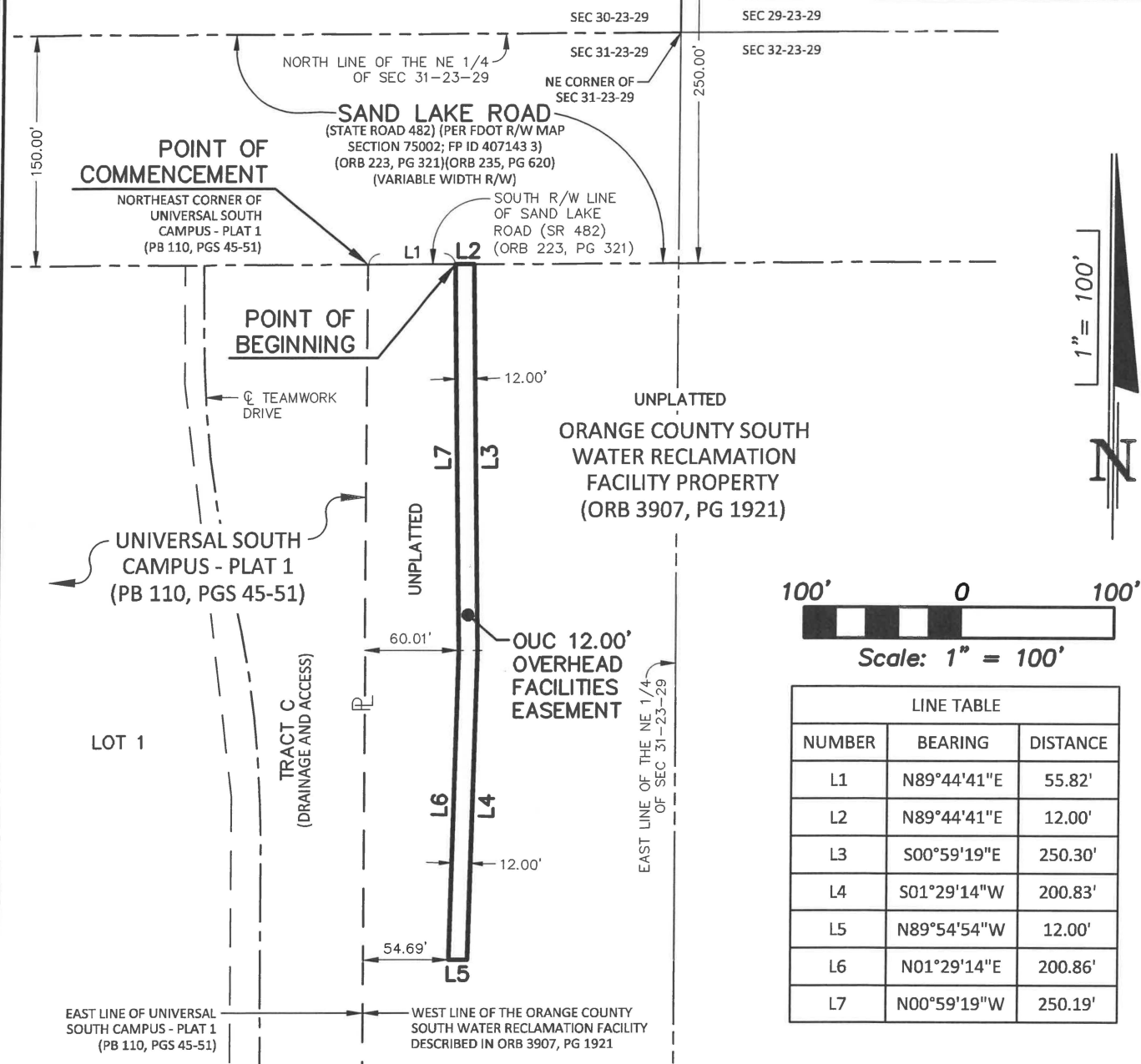
JOB NO.  
21573.001

SCALE  
N/A

SHEET 1  
OF 2

# SKETCH OF DESCRIPTION EXHIBIT A

— SEE SHEET 1 FOR LEGAL DESCRIPTION, NOTES, AND LEGEND  
PROJECT NAME: SWRF OUC EASEMENT



PREPARED FOR:

**UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD.**

OUC OVERHEAD FACILITIES EASEMENT — ORANGE COUNTY SOUTH WATER RECLAMATION FACILITY



**DONALD W. McINTOSH ASSOCIATES, INC.**  
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CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: MKS  
DATE: 04/2024

CHECKED BY: DLL

JOB NO.  
21573.001

SCALE  
1"=100'

SHEET 2  
OF 2

THIS IS NOT A SURVEY.

**NEW EXHIBIT “B”**

New Underground Facilities Area

[See Attached Sketch of Description CS# 18-131(S152B) – 2 Pages]



# SKETCH OF DESCRIPTION EXHIBIT A

— SEE SHEET 2 FOR SKETCH  
PROJECT NAME: SWRF OUC EASEMENT

DESCRIPTION: (Prepared by Donald W. McIntosh Associates, Inc.)

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COMMENCE at the Northeast corner of UNIVERSAL SOUTH CAMPUS - PLAT 1, according to the plat thereof, as recorded in Plat Book 110, Pages 45 through 51, of the Public Records of Orange County, Florida; thence N89°44'41"E along the South Right-of-Way line of Sand Lake Road (State Road 482), as described in Official Records Book 223, Page 321, of said Public Records, a distance of 67.82 feet; thence departing said South Right-of-Way line, run S00°59'19"E, 50.50 feet to POINT OF BEGINNING No.1; thence continue S00°59'19"E, 12.00 feet to REFERENCE POINT A; thence S89°44'41"W, 68.87 feet to the East boundary of aforesaid UNIVERSAL SOUTH CAMPUS - PLAT 1; thence N00°01'46"W along said East boundary, 12.00 feet; thence departing said East boundary, run N89°44'41"E, 68.67 feet to POINT OF BEGINNING No.1; thence return to aforesaid REFERENCE POINT A, and run S00°59'19"E, 187.79 feet; thence S01°29'14"W, 188.83 feet to POINT OF BEGINNING No.2; thence S89°54'54"E, 33.11 feet; thence N59°33'30"E, 22.94 feet; thence N80°25'07"E, 105.21 feet; thence N85°33'32"E, 41.05 feet; thence N00°00'00"E, 6.73 feet; thence N90°00'00"E, 25.50 feet; thence S00°00'00"E, 25.50 feet; thence N90°00'00"W, 25.50 feet; thence N00°00'00"E, 6.73 feet; thence S85°33'32"W, 39.58 feet; thence S80°25'07"W, 102.47 feet; thence S59°33'30"W, 24.00 feet; thence N89°54'54"W, 48.68 feet; thence N01°29'14"E, 12.00 feet; thence S89°54'54"E, 12.00 feet to POINT OF BEGINNING No.2; bearings and distances are based on the Florida State Plane Coordinate System East Zone, NAD 83 (2011) epoch 2010.00; the reciprocal grid factor is 1.000034632.

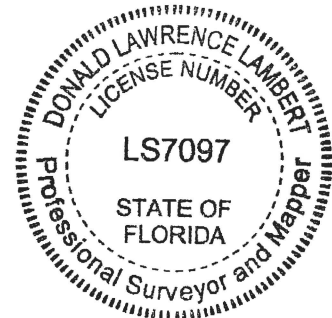
Together containing 0.093 acres (4,050 square feet) more or less and being subject to any rights-of-way, restrictions and easements of record.

## LEGEND

L1	LINE NUMBER
SEC 31-23-29	SECTION 31, TOWNSHIP 23 SOUTH, RANGE 29 EAST
CL	CENTERLINE
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
FP	FINANCIAL PROJECT
ID	IDENTIFICATION
No.	NUMBER
N/A	NOT APPLICABLE
ORB	OFFICIAL RECORDS BOOK
OUC	ORLANDO UTILITIES COMMISSION
PB	PLAT BOOK
PG(S)	PAGE(S)
PL	PROPERTY LINE
R/W	RIGHT-OF-WAY
SR	STATE ROAD
OCU	ORANGE COUNTY UTILITIES

## NOTES

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THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17.062(3).

PREPARED FOR:  
**UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD.**  
OUC UNDERGROUND FACILITIES EASEMENT  
ORANGE COUNTY SOUTH WATER RECLAMATION FACILITY

01/23/25	BNC	REVISED PER OCU COMMENTS
DATE	BY	DESCRIPTION
REVISIONS		



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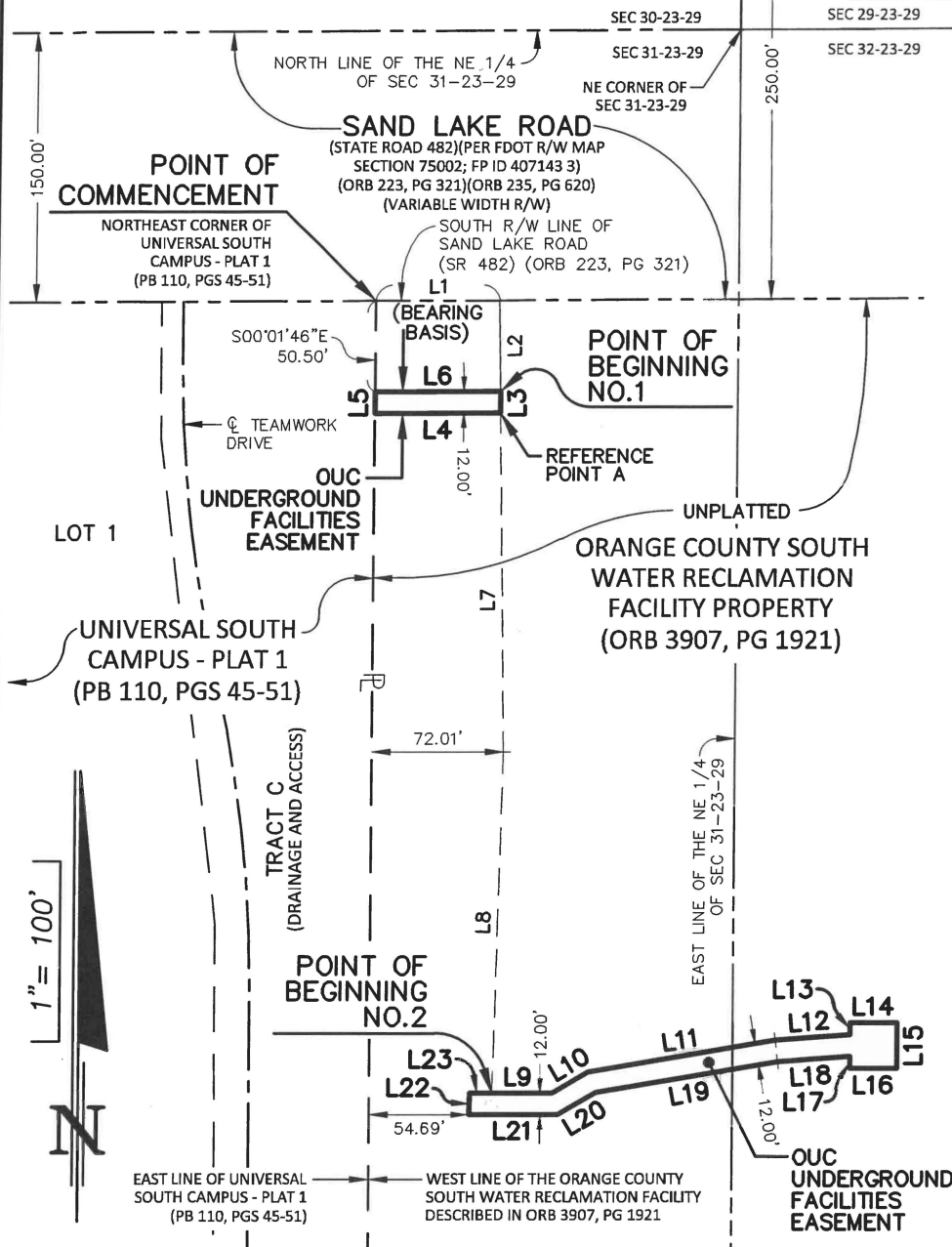
Donald L. Lambert Digitally signed by Donald L. Lambert  
Date: 2025.01.23 09:09:22 -05'00'

Donald L. Lambert January 23, 2025  
Florida Registered Surveyor and Mapper  
Certificate No. 7097  
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL, OR  
AN ELECTRONIC SIGNATURE (5J-17.062(3) F.A.C.), OF A  
FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.

DRAWN BY: <u>MKS</u>	JOB NO. <u>21573.001</u>	SCALE <u>N/A</u>	SHEET <u>1</u>
DATE: <u>04/2024</u>	CHECKED BY: <u>DLL</u>	OF <u>2</u>	

# SKETCH OF DESCRIPTION EXHIBIT A

— SEE SHEET 1 FOR LEGAL DESCRIPTION, NOTES, AND LEGEND  
PROJECT NAME: SWRF OUC EASEMENT



LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N89°44'41"E	67.82'
L2	S00°59'19"E	50.50'
L3	S00°59'19"E	12.00'
L4	S89°44'41"W	68.87'
L5	N00°01'46"W	12.00'
L6	N89°44'41"E	68.67'
L7	S00°59'19"E	187.79'
L8	S01°29'14"W	188.83'
L9	S89°54'54"E	33.11'
L10	N59°33'30"E	22.94'
L11	N80°25'07"E	105.21'
L12	N85°33'32"E	41.05'
L13	N00°00'00"E	6.73'
L14	N90°00'00"E	25.50'
L15	S00°00'00"E	25.50'
L16	N90°00'00"W	25.50'
L17	N00°00'00"E	6.73'
L18	S85°33'32"W	39.58'
L19	S80°25'07"W	102.47'
L20	S59°33'30"W	24.00'
L21	N89°54'54"W	48.68'
L22	N01°29'14"E	12.00'
L23	S89°54'54"E	12.00'

PREPARED FOR:  
**UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD.**  
OUC UNDERGROUND FACILITIES EASEMENT  
ORANGE COUNTY SOUTH WATER RECLAMATION FACILITY



**DONALD W. McINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
1950 SUMMIT PARK DRIVE SUITE 600, ORLANDO, FL 32810 (407)644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

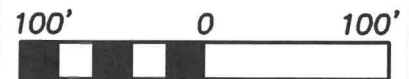
DRAWN BY: MKS  
DATE: 04/2024

CHECKED BY: DLL

JOB NO.  
21573.001

SCALE  
1"=100'

SHEET 2  
OF 2



Scale: 1" = 100'

THIS IS NOT A SURVEY.