



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

**DATE:** January 14, 2021

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**THROUGH:** William J. Blackham, Assistant Manager *WJC*  
Real Estate Management Division

**FROM:** Theresa A. Avery, Senior Acquisition Agent *TA*  
Real Estate Management Division

**CONTACT PERSON:** **William J. Blackham, Assistant Manager**

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

**ACTION REQUESTED:** Approval of Donation Agreement and Temporary Construction Easement between ID Center (FL) LLC and Orange County and Subordination of Encumbrances to Property Rights to Orange County from JPMorgan Chase Bank, N.A. and authorization to disburse funds and to pay recording fees and perform all actions necessary and incidentally to closing

**PROJECT:** International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)  
  
District 6

**PURPOSE:** To provide for access, construction, tying in and harmonizing the existing grade with the adjacent roadway for the road widening improvements.

**ITEMS:** Donation Agreement (Parcel 7025)  
  
Temporary Construction Easement (7025.1)  
Cost: Donation  
Size: 6993 square feet  
  
Subordination of Encumbrances to Property Rights to Orange County (7025.2)

**BUDGET:** Account No.: 1246-072-5070-6110

Real Estate Management Division

Agenda Item 1

January 14, 2021

Page 2

**FUNDS:** \$122.70 Payable to Orange County Comptroller  
(all recording fees)

**APPROVALS:** Real Estate Management Division  
Public Works Department

**REMARKS:** Acquisition of the subject parcel was requested by the Public Works Department for the International Drive Transit Lanes (Destination Parkway to Sand Lake Road) Project. ID Center (FL) LLC, a Delaware limited liability company has agreed to donate and execute the Temporary Construction Easement in order to tie in and harmonize the existing grade for the road widening project.

County to pay all recording fees.

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: November 23, 2020

Total Amount: \$122.70

Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

Parcel: 7025

Charge to Account # 1246-072-5070-6110

Controlling Agency Approval Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: \_\_\_\_\_

Fiscal Approval Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

TYPE TRANSACTION (Check appropriate block(s))  
 Pre-Condernation  Post-Condernation

N/A District # 6

- Acquisition at Approved Appraisal
- Acquisition at Below Approved Appraisal
- Acquisition at Above Approved Appraisal
- Advance Payment Requested

Orange County Comptroller \$122.70  
(all recording fees)

DOCUMENTATION ATTACHED (Check appropriate block(s))

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

Payable to: Orange County Comptroller \$122.70

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

Recommended by Theresa A. Avery 11/23/20  
Theresa A. Avery, Sr. Acquisition Agent, Real Estate Management Division Date

Payment Approved \_\_\_\_\_, Manager, Real Estate Management Division Date \_\_\_\_\_

or  
Payment Approved William Blackham 12/14/20  
William Blackham, Asst. Mgr. Real Estate Management Div. Date

Certified Craig Stanya JAN 26 2021  
Approved by BCC for Deputy Clerk to the Board Date

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants APPROVED Check No. / Date

REMARKS:

Anticipated Closing Date: As soon as checks are available.

BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JAN 26 2021

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: November 23, 2020

Total Amount: \$122.70

Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

Parcel: 7025

DEC 12/21/2020

Charge to Account # 1246-072-5070-8110 *avg*

*[Signature]*  
Controlling Agency Approval Signature

12/22/20  
Date

Printed Name:

*[Signature]*  
Fiscal Approval Signature

Pat Davis

12-23-20  
Date

Printed Name

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

N/A District # 6

- Acquisition at Approved Appraisal
- Acquisition at Below Approved Appraisal
- Acquisition at Above Approved Appraisal
- Advance Payment Requested

Orange County Comptroller \$122.70  
(all recording fees)

DOCUMENTATION ATTACHED (Check appropriate block(s))

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

Payable to: Orange County Comptroller \$122.70

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

Recommended by *[Signature]*  
Theresa A. Avery, Sr. Acquisition Agent, Real Estate Management Division

11/23/20  
Date

Payment Approved \_\_\_\_\_, Manager, Real Estate Management Division

\_\_\_\_\_ Date

or  
Payment Approved *[Signature]*  
William Blackham, Asst. Mgr. Real Estate Management Div.

12/14/20  
Date

Certified \_\_\_\_\_  
Approved by BCC Deputy Clerk to the Board

\_\_\_\_\_ Date

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants

\_\_\_\_\_ Check No. / Date

REMARKS:

Anticipated Closing Date: As soon as checks are available.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
**JAN 26 2021**

Project: 7025  
Parcel: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

## DONATION AGREEMENT

COUNTY OF ORANGE  
STATE OF FLORIDA

THIS AGREEMENT made between ID Center (FL) LLC, a Delaware limited liability company, hereinafter referred to as OWNER, and Orange County, a charter county and political subdivision of the state of Florida, hereinafter referred to as COUNTY.

WITNESSETH:

WHEREAS, the COUNTY seeks to acquire the land described on **Schedule "A"** attached hereto for the above referenced project and said OWNER agrees to donate said land for such purpose.

**Property Appraiser's Parcel Identification Number**  
**a portion of**  
**36-23-28-7168-01-000**

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), each to the other paid, the parties hereto agree as follows:

1. OWNER agrees to execute a Temporary Construction Easement for a period of 7 years on Parcel 7025, as more particularly described on the attached Schedule "B".
2. This transaction shall be closed and the easement and other closing papers delivered on or before 90 days from the effective date of this AGREEMENT. Closing shall take place at the office of the Orange County Real Estate Management Division, 400 E. South Street, Fifth Floor, Orlando, Florida 32801, or at such place as shall be mutually agreed upon by COUNTY and OWNER.
3. OWNER agrees to remove any personal items from said Parcel 7025 prior to closing. It is mutually agreed that any personal items not removed before this date shall be deemed abandoned and COUNTY, or its contractors, may remove and dispose of said personalty. The property owner will have no further claim or interest in said personalty after this date without a written agreement between the parties.
4. Effective Date: This AGREEMENT shall become effective on the date upon which it has been fully executed by the parties and approved by the Orange County Board of County Commissioners and/or the Manager/Assistant Manager of the Orange County Real Estate Management Division, as may be appropriate.

THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between OWNER and COUNTY, made with respect to the matters herein contained, and when duly executed constitutes the AGREEMENT between OWNER and COUNTY. No additions, alterations, or variations to the terms of this AGREEMENT shall be valid, nor can provisions of this AGREEMENT be waived by either party unless expressly set forth in writing and duly signed.

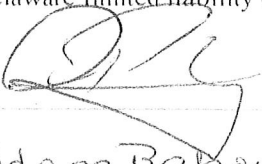
Project: 7025  
Parcel: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

The parties hereto have executed this AGREEMENT on the date(s) written below.

**OWNER**

ID Center (FL) LLC,  
a Delaware limited liability company

By: \_\_\_\_\_

  
Adam Rakob  
Printed Name

Manager  
Title


Post Office Address:  
7940 Via Dellagio Way, Suite 200  
Orlando, Florida 32819

DATE: January 7, 2020

**COUNTY**

Orange County, Florida

BY: \_\_\_\_\_

  
Theresa A. Avery  
Its Agent

Theresa A. Avery

DATE: 01/22/2021

**SCHEDULE "A"**

PARCEL: 7025

PROJECT: INTERNATIONAL DRIVE-TRANSIT LANES

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; BEING A PORTION OF BLOCK "A", PLAZA INTERNATIONAL UNIT EIGHT, AS RECORDED IN THE PLAT BOOK 14, PAGE 138 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY FLORIDA, BEING A FOUND 4"x4" CONCRETE MONUMENT STAMPED "FDOT JWG LB1"; THENCE SOUTH 89°18'37" WEST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 36, A DISTANCE OF 324.76 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF UNIVERSAL BOULEVARD, PER PLAZA INTERNATIONAL UNIT EIGHT, AS RECORDED IN THE PLAT BOOK 14, PAGE 138 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT BEING ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2273.81 FEET; THENCE FROM A TANGENT BEARING OF NORTH 23°40'06" EAST, RUN 4.23 FEET IN A NORTHERLY DIRECTION ALONG SAID RIGHT OF WAY LINE, ALONG THE ARC OF SAID CURVE, HAVING A DELTA ANGLE OF 00°06'23" TO A POINT OF REVERSE CURVATURE; THENCE 368.19 FEET IN A NORTHEASTERLY DIRECTION ALONG SAID WEST RIGHT OF WAY LINE, ALONG THE ARC OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A DELTA ANGLE OF 07°42'23", A RADIUS LENGTH OF 2737.50 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN NORTH 73°55'54" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 2707.50 FEET; THENCE FROM A TANGENT BEARING OF NORTH 16°04'06" EAST, RUN 127.74 FEET IN A NORTHERLY DIRECTION, ALONG THE ARC OF SAID CURVE, 30.00 FEET NORTHWEST OF AND CONCENTRIC TO SAID RIGHT OF WAY LINE, HAVING A DELTA ANGLE OF 02°42'11" TO A POINT OF TANGENCY; THENCE NORTH 13°21'55" EAST, ALONG A LINE 30.00 FEET NORTHWEST OF AND PARALLEL TO SAID RIGHT OF WAY LINE, A DISTANCE OF 104.66 FEET TO THE INTERSECTION WITH THE NORTH LINE OF BLOCK "A" OF SAID PLAT; THENCE SOUTH 76°38'05" EAST ALONG SAID NORTH LINE, A DISTANCE OF 30.00 FEET TO A POINT ON AFORESAID WEST RIGHT OF WAY LINE; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 13°21'55" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 104.66 FEET TO A POINT OF CURVATURE; THENCE 129.15 FEET IN A SOUTHWESTERLY DIRECTION ALONG SAID WEST RIGHT OF WAY LINE, ALONG THE ARC OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A DELTA ANGLE OF 02°42'11", A RADIUS LENGTH OF 2737.50 FEET TO THE POINT OF BEGINNING;

CONTAINING 6,993 SQUARE FEET, MORE OR LESS.

GENERAL NOTES

1. THE PURPOSE OF THIS SURVEY IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO, THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/1990 ADJUSTMENT (NAD83/90), EAST ZONE, WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST BEING SOUTH 89°18'37" WEST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
6. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION  
SEE SHEET 3 FOR LEGEND AND TABLE OF  
EXISTING EASEMENTS

SHEET 1 OF 3

Date: JULY 24, 2019  
Project No.: K11-01  
Drawn: RTS Chkd.: RJH

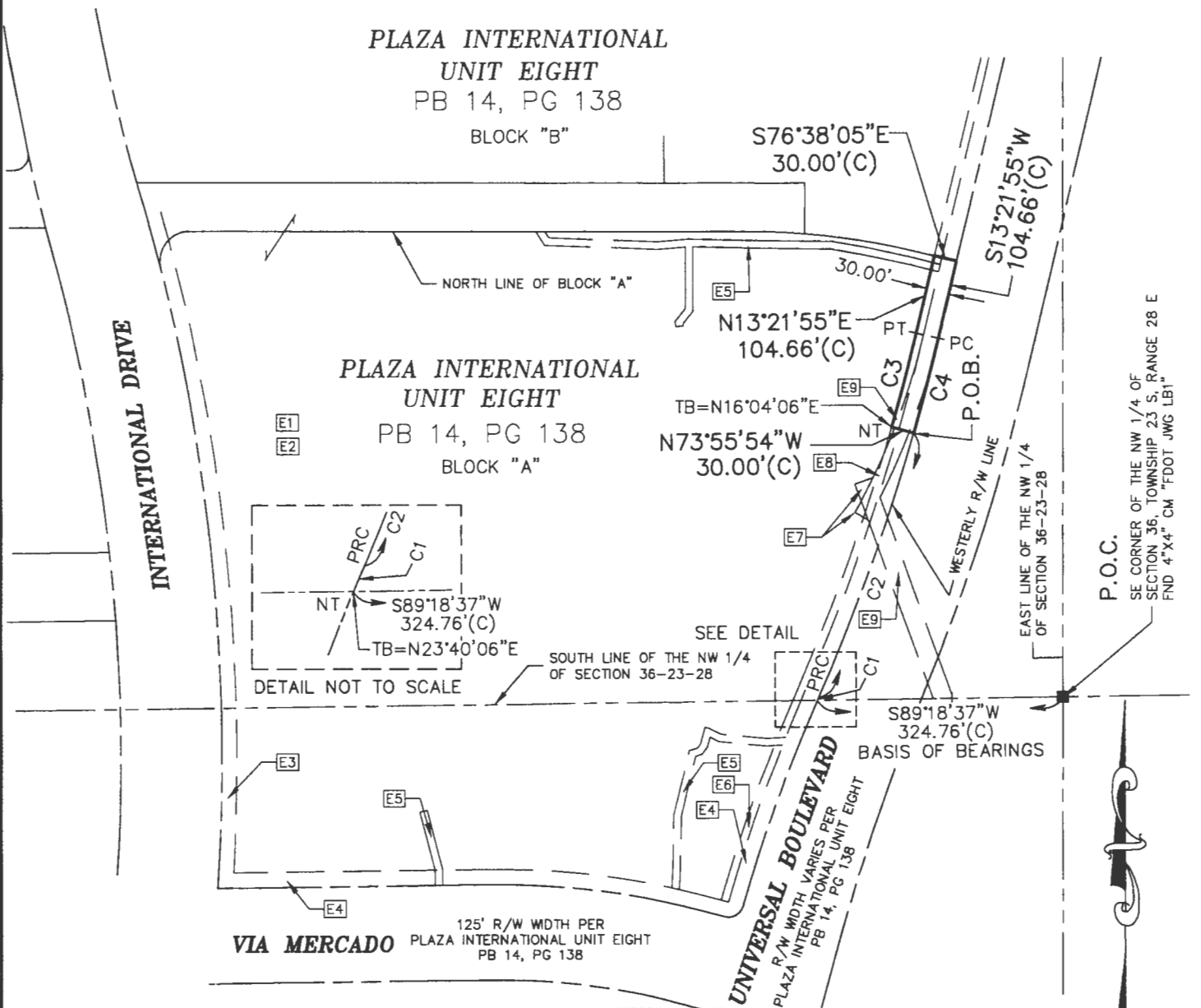
**INTERNATIONAL DRIVE  
TRANSIT LANES  
PARCEL 7025**



**GEODATA CONSULTANTS, INC.**  
**SURVEYING & MAPPING**  
1349 SOUTH INTERNATIONAL PARKWAY  
SUITE 2401  
LAKE MARY, FLORIDA 32746  
VOICE: (407) 732-6965 FAX: 878-0841  
Land Surveyor Business License No. 6556

**SKETCH OF DESCRIPTION**

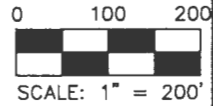
SEE SHEET 1 FOR LEGAL DESCRIPTION AND GENERAL NOTES  
 SEE SHEET 3 FOR LEGEND AND TABLE OF  
 EXISTING EASEMENTS



**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD DISTANCE	CHORD BEARING
C1	2273.81'(C)	00°06'23"	4.23'(C)	4.23'(C)	N23°43'17" E
C2	2737.50'(C)	07°42'23"	368.19'(C)	367.91'(C)	N19°55'18" E
C3	2707.50'(C)	02°42'11"	127.74'(C)	127.72'(C)	N14°43'01" E
C4	2737.50'(C)	02°42'11"	129.15'(C)	129.14'(C)	S14°43'01" W

SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST



SHEET 2 OF 3

Date: JULY 24, 2019  
 Project No.: K11-01  
 Drawn: RTS Chkd.: RJH

**INTERNATIONAL DRIVE  
 TRANSIT LANES  
 PARCEL 7025**



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**SKETCH OF DESCRIPTION**

**TABLE OF EXISTING EASEMENTS**

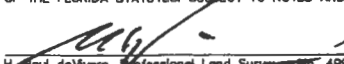
EASEMENT ID	RECORDING DATA	DESCRIPTION
E1	ORB 3648, PG 370	15' OUC WATER UTILITY EASEMENT
E2	ORB 4354, PG 38	INGRESS EGRESS EASEMENT—NOT MAPPABLE (BLANKET)
E3	ORB 3081, PG 191	20' PEDESTRIAN, UTILITIES, & UNDERGROUND DRAINAGE EASEMENT TO ORANGE COUNTY
E4	PB 14, PG 138	20' PEDESTRIAN, UTILITIES, & UNDERGROUND DRAINAGE EASEMENT TO ORANGE COUNTY
E5	ORB 3817, PG 2887	10' FLORIDA POWER DISTRIBUTION EASEMENT
E6	PB 14, PG 138	10' SANITARY SEWER EASEMENT TO ORANGE COUNTY
E7	ORB 3167, PG 1682	FLORIDA POWER CORPORATION EASEMENT
E8	ORB 3167, PG 1687	25' FLORIDA POWER CORPORATION EASEMENT
E9	ORB 3167, PG 1687	POWER EASEMENT

**LEGEND & ABBREVIATIONS**

- (C) = CALCULATED
- Chkd. = CHECKED
- CM = CONCRETE MONUMENT
- FND = FOUND
- NO. = NUMBER
- NT = NON TANGENT
- ORB = OFFICIAL RECORDS BOOK
- OUC = ORLANDO UTILITIES COMMISSION
- PB = PLAT BOOK
- PC = POINT OF CURVATURE
- PG = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- PRC = POINT OF REVERSE CURVE
- PT = POINT OF TANGENCY
- R/W = RIGHT OF WAY
- TB = TANGENT BEARING

SEE SHEET 1 FOR LEGAL DESCRIPTION AND GENERAL NOTES  
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 3 OF 3

			I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. 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 CHAPTER 472 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.   7-24-2019 Paul deVivero, Professional Land Surveyor No. 4980 DATE
REVISION	BY	DATE	

Date: JULY 24, 2019  
 Project No.: K11-01  
 Drawn: RTS Chkd.: RJH

**INTERNATIONAL DRIVE  
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 Land Surveyor Business License No. 6556

## **SCHEDULE "B"**

### **INTERNATIONAL DRIVE TRANSIT LANES PARCEL 7025**

#### **TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7025 is being acquired as a temporary, non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of tying in and harmonizing the existing grade with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
**JAN 26 2021**

Instrument: 7025.1  
Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

### TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, made and executed the 7<sup>th</sup> day of January, A.D. 20 20  
by ID Center (FL) LLC, a Delaware limited liability company, whose address is 7940 Via Dellagio Way,  
Suite 200, Orlando, Florida 32819, 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, its successors and assigns, a Temporary Construction Easement more particularly  
defined in Schedule "B" attached over and upon the following described lands of the GRANTOR situate in  
Orange County aforesaid, to-wit:

#### SEE ATTACHED SCHEDULE "A"

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

a portion of

**36-23-28-7168-01-000**

THE GRANTOR covenants with the GRANTEE that the GRANTOR is lawfully seized of said  
lands in fee simple; that the GRANTOR has good right and lawful authority to grant this easement and shall  
take no action to interfere with the GRANTEE'S lawful use of said easement; that the GRANTOR hereby  
fully warrants the easement being granted and will defend the same against the lawful claims of all persons  
whomsoever.

Instrument: 7025.1  
Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

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

Signed, sealed and delivered  
in the presence of:

ID Center (FL) LLC,  
a Delaware limited liability company

[Signature]  
Witness

BY: [Signature]

Edward R. Ackerman  
Print Name

Adam Raboy  
Printed Name

R. Jaloudi  
Witness

Manager  
Title

RAY JALOUDI  
Print Name

(Signature of TWO witnesses required by Florida law)

STATE OF New York  
COUNTY OF New York

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of January,  
2020 by Adam Raboy as Manager of ID Center (FL) LLC, a Delaware limited liability  
company, on behalf of the limited liability company. He/She  is personally known to me or  has  
produced \_\_\_\_\_ as identification.



**ALYSON G MULDOON**  
Notary Public, State of New York  
No. 1MU6086137  
Qualified in Nassau County  
Commission Expires January 13, 2019  
2023

[Signature]  
Notary Signature

Alyson G. Muldoon  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid

My commission expires: 1/13/2023

**This instrument prepared by:**  
E. Price Jackson, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

**SCHEDULE "A"**

PARCEL: 7025

PROJECT: INTERNATIONAL DRIVE-TRANSIT LANES

LEGAL DESCRIPTION

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CONTAINING 6,993 SQUARE FEET, MORE OR LESS.

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6. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION  
SEE SHEET 3 FOR LEGEND AND TABLE OF  
EXISTING EASEMENTS

SHEET 1 OF 3

Date: JULY 24, 2019  
Project No.: K11-01  
Drawn: RTS Chkd.: RJH

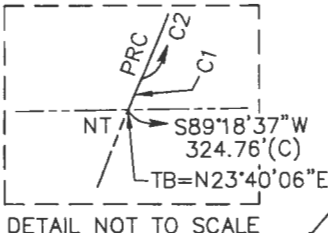
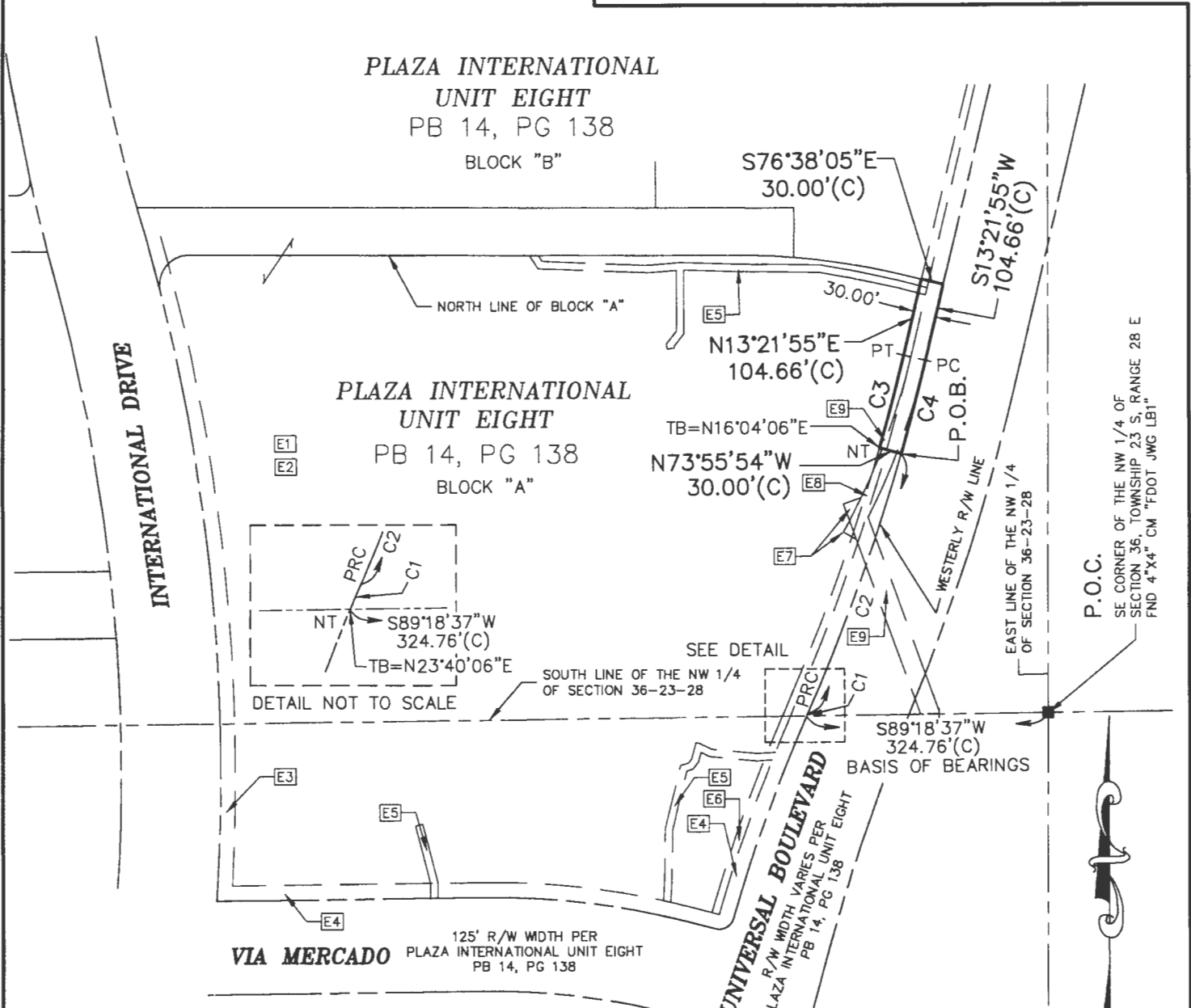
**INTERNATIONAL DRIVE  
TRANSIT LANES  
PARCEL 7025**



**GEODATA CONSULTANTS, INC.**  
**SURVEYING & MAPPING**  
1349 SOUTH INTERNATIONAL PARKWAY  
SUITE 2401  
LAKE MARY, FLORIDA 32746  
VOICE: (407) 732-6965 FAX: 878-0841  
Land Surveyor Business License No. 6556

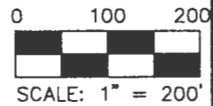
**SKETCH OF DESCRIPTION**

SEE SHEET 1 FOR LEGAL DESCRIPTION AND GENERAL NOTES  
 SEE SHEET 3 FOR LEGEND AND TABLE OF EXISTING EASEMENTS



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD DISTANCE	CHORD BEARING
C1	2273.81'(C)	00°06'23"	4.23'(C)	4.23'(C)	N23°43'17\"E
C2	2737.50'(C)	07°42'23"	368.19'(C)	367.91'(C)	N19°55'18\"E
C3	2707.50'(C)	02°42'11"	127.74'(C)	127.72'(C)	N14°43'01\"E
C4	2737.50'(C)	02°42'11"	129.15'(C)	129.14'(C)	S14°43'01\"W

SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST



SHEET 2 OF 3

Date: JULY 24, 2019  
 Project No.: K11-01  
 Drawn: RTS Chkd.: RJH

**INTERNATIONAL DRIVE  
 TRANSIT LANES  
 PARCEL 7025**

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**SKETCH OF DESCRIPTION**

**TABLE OF EXISTING EASEMENTS**

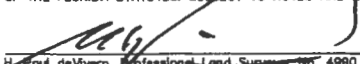
EASEMENT ID	RECORDING DATA	DESCRIPTION
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E2	ORB 4354, PG 38	INGRESS EGRESS EASEMENT—NOT MAPPABLE (BLANKET)
E3	ORB 3081, PG 191	20' PEDESTRIAN, UTILITIES, & UNDERGROUND DRAINAGE EASEMENT TO ORANGE COUNTY
E4	PB 14, PG 138	20' PEDESTRIAN, UTILITIES, & UNDERGROUND DRAINAGE EASEMENT TO ORANGE COUNTY
E5	ORB 3817, PG 2887	10' FLORIDA POWER DISTRIBUTION EASEMENT
E6	PB 14, PG 138	10' SANITARY SEWER EASEMENT TO ORANGE COUNTY
E7	ORB 3167, PG 1682	FLORIDA POWER CORPORATION EASEMENT
E8	ORB 3167, PG 1687	25' FLORIDA POWER CORPORATION EASEMENT
E9	ORB 3167, PG 1687	POWER EASEMENT

**LEGEND & ABBREVIATIONS**

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- R/W = RIGHT OF WAY
- TB = TANGENT BEARING

SEE SHEET 1 FOR LEGAL DESCRIPTION AND GENERAL NOTES  
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SHEET 3 OF 3

			I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. 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 CHAPTER 472 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.   7-24-2019 Paul deViviero, Professional Land Surveyor No. 4980 DATE
REVISION	BY	DATE	

Date: JULY 24, 2019  
 Project No.: K11-01  
 Drawn: RTS Chkd.: RJH

**INTERNATIONAL DRIVE  
 TRANSIT LANES  
 PARCEL 7025**



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**SCHEDULE "B"**

**INTERNATIONAL DRIVE TRANSIT LANES PARCEL 7025**

**TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7025 is being acquired as a temporary, non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of tying in and harmonizing the existing grade with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.



APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JAN 26 2021

Instrument: 7025.2  
Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

### SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a road right-of-way; in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to MORTGAGES AND ASSOCIATED SECURITY DOCUMENTS held by the undersigned; and,

WHEREAS, On behalf of ORANGE COUNTY, a request has been made for the undersigned to subordinate said encumbrances to the property rights of ORANGE COUNTY in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations paid, receipt of which is hereby acknowledged, the undersigned subordinates said encumbrances as they have been or as may be modified and amended from time to time to the property rights of ORANGE COUNTY to locate, construct, maintain, and/or improve said project over, through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

#### SEE ATTACHED SCHEDULE "A"

#### Encumbrances:

JPMorgan Chase Bank, National Association  
FROM: Aqua Development, LLC  
TO: LaSalle Bank National Association  
ASSIGNED TO: CIBC Inc.  
Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing  
Filed June 30, 2005 and recorded in Official Records Book 8049, Page 1828  
Junior Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing  
Filed June 30, 2005 and recorded in Official Records Book 8049, Page 1887  
FROM: Orlando Hotel International, LLC f/k/a Aqua Development, LLC  
Amended and Restated Mortgage, Security Agreement, Assignment of Leases and Rents  
and Fixture Filing filed August 18, 2006  
Recorded in Official Records Book 8815, Page 3313

Instrument: 7025.2

Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

Amended and Restated Junior Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing filed August 18, 2006

Recorded in Official Records Book 8815, Page 3352

Amendment to Loan Documents (Junior Loan) filed January 29, 2007

Recorded in Official Records Book 9084, Page 1297

Amendment to Loan Documents (Senior Loan) filed January 29, 2007

Recorded in Official Records Book 9084, Page 1303

Assignment of Mortgage and Note filed June 8, 2007

Recorded in Official Records Book 9294, Page 4129

FROM: The Square, LLC

Consolidated, Amended and Restated Mortgage, Assignment of Leases and Rents and Security Agreement filed June 8, 2007

Recorded in Official Records Book 9294, Page 4134

Assignment of Leases and Rents filed June 8, 2007

Recorded in Official Records Book 9294, Page 4172

First Amendment to Consolidated, Amended and Restated Mortgage, Assignment of Leases and Rents and Security Agreement filed June 22, 2009

Recorded in Official Records Book 9888, Page 704

Second Amendment to Consolidated, Amended and Restated Mortgage, Assignment of Leases and Rents and Security Agreement filed March 29, 2010

Recorded in Official Records Book 10021, Page 4801

FROM: I-Drive Live, LLC (f/k/a The Square, LLC)

Third Amendment to Consolidated, Amended and Restated Mortgage, Assignment of Leases and Rents and Security Agreement filed March 23, 2012

Recorded in Official Records Book 10351, Page 2789

Fourth Amendment to Consolidated, Amended and Restated Mortgage, Assignment of Leases and Rents and Security Agreement filed March 30, 2012

Recorded in Official Records Book 10354, Page 2011

Assignment and Assumption of Loan Documents filed November 19, 2012

Recorded in Official Records Book 10476, Page 2897

Assignment of Consolidated, Amended and Restated Mortgage, Assignment of Lease and Rents and Security Agreement filed November 19, 2012 and re-filed November 20, 2012

Recorded in Official Records Book 10476, Page 1725 and re-recorded in Official Records Book 10476, Page 3209

FROM: ID Center (FL) LLC

Amended and Restated Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing and Notice of Future Advanced filed November 19, 2012 and re-filed November 20, 2012

Recorded in Official Records Book 10476, Page 1732 and re-recorded in Official Records Book 10476, Page 3216

Financing Statement filed November 19, 2012 and re-filed November 20, 2012

Recorded in Official Records Book 10476, Page 1771 and re-recorded in Official Records Book 10476, Page 3255

Subordination, Non-Disturbance and Attornment Agreement filed November 20, 2012

Recorded in Official Records Book 10476, Page 6525

Subordination, Non-Disturbance and Attornment Agreement filed November 20, 2012

Recorded in Official Records Book 10476, Page 6539

Subordination and Non-Disturbance Agreement and Agreement Regarding Succession of Observation Wheel Management Agreement filed November 20, 2012

Recorded in Official Records Book 10476, Page 8226

Instrument: 7025.2

Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

Subordination, Recognition, Non-Disturbance and Attornment Agreement  
filed November 21, 2012, recorded in Official Records Book 10477, Page 3718

Subordination, Recognition, Non-Disturbance and Attornment Agreement  
filed November 21, 2012, recorded in Official Records Book 10477, Page 3734

Subordination, Non-Disturbance, and Attornment Agreement filed November 21, 2012  
Recorded in Official Records Book 10477, Page 3750

Subordination, Non-Disturbance, and Attornment Agreement filed November 28, 2012  
Recorded in Official Records Book 10479, Page 5978

Assignment and Assumption of Loan Documents filed December 4, 2012  
Recorded in Official Records Book 10483, Page 1427

Subordination, Non-Disturbance, and Attornment Agreement filed March 6, 2013  
Recorded in Official Records Book 10532, Page 3962

Subordination, Non-Disturbance, and Attornment Agreement filed May 8, 2013  
Recorded in Official Records Book 10566, Page 3596

Subordination, Non-Disturbance, and Attornment Agreement filed August 21, 2014  
Recorded in Official Records Book 10793, Page 8449

Subordination, Non-Disturbance, and Attornment Agreement filed August 21, 2014  
Recorded in Official Records Book 10793, Page 8469

Subordination, Non-Disturbance, and Attornment Agreement filed February 4, 2015  
Recorded in Official Records Book 10871, Page 1840

Subordination, Non-Disturbance, and Attornment Agreement filed February 4, 2015  
Recorded in Official Records Book 10871, Page 1859

Subordination, Non-Disturbance, and Attornment Agreement filed February 4, 2015  
Recorded in Official Records Book 10871, Page 1878

Subordination, Non-Disturbance, and Attornment Agreement filed February 4, 2015  
Recorded in Official Records Book 10871, Page 1897

Subordination of Encumbrances to Property Rights to Orange County filed February 27, 2015  
Recorded in Official Records Book 10881, Page 7195

Subordination of Encumbrances to Property Rights to Orange County filed May 15, 2015  
Recorded in Official Records Book 10920, Page 1275

Subordination, Non-Disturbance, and Attornment Agreement filed July 23, 2015  
Recorded in Official Records Book 10955, Page 7404

Subordination, Non-Disturbance, and Attornment Agreement filed February 5, 2016  
Recorded as Document Number 20160063580

Assignment of Amended and Restated Mortgage, Assignment of Leases and Rents, Security  
Agreement and Fixture Filing filed March 22, 2017  
Recorded as Document Number 20170153500

Amended and Restated Fee and Leasehold Mortgage, Assignment of Leases and Rents, Security  
Agreement and Fixture Filing filed March 22, 2017  
Recorded as Document Number 20170153505

Financing Statement filed March 22, 2017  
Recorded as Document Number 20170153509

First Amendment to Subordination and Non-Disturbance Agreement and Agreement Regarding  
Succession of Observation Wheel Management Agreement filed March 22, 2017  
Recorded as Document Number 20170153510

Replacement Subordination, Recognition, Non-Disturbance and Attornment Agreement  
filed March 22, 2017, recorded as Document Number 20170153513

Replacement Subordination, Recognition, Non-Disturbance and Attornment Agreement  
filed March 22, 2017, recorded as Document Number 20170153514

Instrument: 7025.2

Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

Subordination Agreement filed March 22, 2017

Recorded as Document Number 20170153515

Subordination, Non-Disturbance and Attornment Agreement filed March 24, 2017

Recorded as Document Number 20170158757

Consent to Termination Agreement and Mortgage and Termination of SNDA  
filed May 17, 2018, recorded as Document Number 20180295004

Subordination, Non-Disturbance and Attornment Agreement filed January 28, 2019

Recorded as Document Number 20190053917

All in the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances insofar as same affects the rights and privileges of ORANGE COUNTY, in its use of the land specifically above described for temporary construction easement purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrances or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed that in the event said above described premises are abandoned by ORANGE COUNTY and cease to be used for temporary construction easement purposes that in such event the subordination of said encumbrances shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

(REMAINDER OF PAGE INTENTIONALLY BLANK)

Instrument: 7025.2  
Project: International Drive Transit Lanes  
(Destination Parkway to Sand Lake Road)

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 17<sup>th</sup> day of December, A.D. 20 19.

Signed, sealed, and delivered in the presence of:

[Signature]

Witness

JPMorgan Chase Bank, National Association

BY: [Signature]

Printed Name Sonia Lopez

[Signature]

Witness

Terrence Haas  
Printed Name  
Executive Director

\_\_\_\_\_  
Title

CLAUDIA OMARI  
Printed Name

STATE OF New York  
COUNTY OF New York

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December, 20 19, by Terrence Haas, as Executive Director of JPMorgan Chase Bank, National Association, on behalf of the association. He/She  is personally known to me or  has produced \_\_\_\_\_ as identification.

(Notary Seal)

[Signature]  
Notary Signature  
James Considine  
Printed Notary Name

Notary Public in and for the county and state aforesaid

My commission expires: 4/22/2023

This instrument prepared by:  
E. Price Jackson, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

**James W. Considine**  
Notary Public, State of New York  
Qualified in Ulster County  
No. 01CO6390913  
My Commission Expires April 22, 2023

## SCHEDULE "A"

PARCEL: 7025

PROJECT: INTERNATIONAL DRIVE—TRANSIT LANES

### LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; BEING A PORTION OF BLOCK "A", PLAZA INTERNATIONAL UNIT EIGHT, AS RECORDED IN THE PLAT BOOK 14, PAGE 138 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY FLORIDA, BEING A FOUND 4'X4" CONCRETE MONUMENT STAMPED 'FDOT JWG LB1'; THENCE SOUTH 89°18'37" WEST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 36, A DISTANCE OF 324.76 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF UNIVERSAL BOULEVARD, PER PLAZA INTERNATIONAL UNIT EIGHT, AS RECORDED IN THE PLAT BOOK 14, PAGE 138 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT BEING ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2273.81 FEET; THENCE FROM A TANGENT BEARING OF NORTH 23°40'06" EAST, RUN 4.23 FEET IN A NORTHERLY DIRECTION ALONG SAID RIGHT OF WAY LINE, ALONG THE ARC OF SAID CURVE, HAVING A DELTA ANGLE OF 00°06'23" TO A POINT OF REVERSE CURVATURE; THENCE 368.19 FEET IN A NORTHEASTERLY DIRECTION ALONG SAID WEST RIGHT OF WAY LINE, ALONG THE ARC OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A DELTA ANGLE OF 07°42'23", A RADIUS LENGTH OF 2737.50 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN NORTH 73°55'54" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 2707.50 FEET; THENCE FROM A TANGENT BEARING OF NORTH 16°04'06" EAST, RUN 127.74 FEET IN A NORTHERLY DIRECTION, ALONG THE ARC OF SAID CURVE, 30.00 FEET NORTHWEST OF AND CONCENTRIC TO SAID RIGHT OF WAY LINE, HAVING A DELTA ANGLE OF 02°42'11" TO A POINT OF TANGENCY; THENCE NORTH 13°21'55" EAST, ALONG A LINE 30.00 FEET NORTHWEST OF AND PARALLEL TO SAID RIGHT OF WAY LINE, A DISTANCE OF 104.66 FEET TO THE INTERSECTION WITH THE NORTH LINE OF BLOCK "A" OF SAID PLAT; THENCE SOUTH 76°38'05" EAST ALONG SAID NORTH LINE, A DISTANCE OF 30.00 FEET TO A POINT ON AFORESAID WEST RIGHT OF WAY LINE; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 13°21'55" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 104.66 FEET TO A POINT OF CURVATURE; THENCE 129.15 FEET IN A SOUTHWESTERLY DIRECTION ALONG SAID WEST RIGHT OF WAY LINE, ALONG THE ARC OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A DELTA ANGLE OF 02°42'11", A RADIUS LENGTH OF 2737.50 FEET TO THE POINT OF BEGINNING;

CONTAINING 6,993 SQUARE FEET, MORE OR LESS.

### GENERAL NOTES

1. THE PURPOSE OF THIS SURVEY IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO, THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/1990 ADJUSTMENT (NAD83/90), EAST ZONE, WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST BEING SOUTH 89°18'37" WEST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
6. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION  
SEE SHEET 3 FOR LEGEND AND TABLE OF  
EXISTING EASEMENTS

SHEET 1 OF 3

Date: JULY 24, 2019

Project No.: K11-01

Drawn: RTS Chkd.: RJH

**INTERNATIONAL DRIVE  
TRANSIT LANES  
PARCEL 7025**



**GEODATA CONSULTANTS, INC.**

**SURVEYING & MAPPING**

1349 SOUTH INTERNATIONAL PARKWAY  
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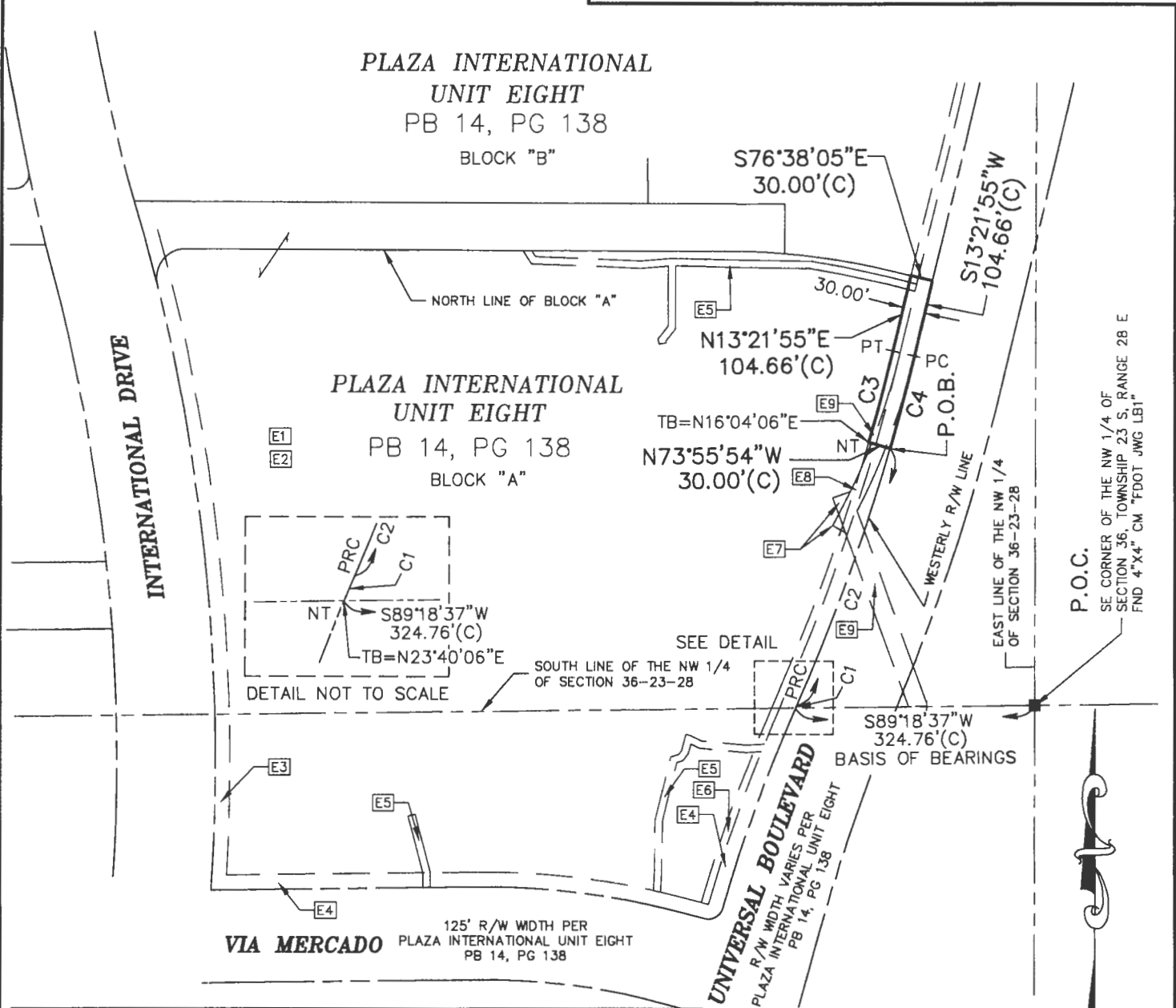
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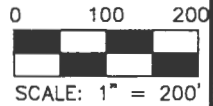
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SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST

SHEET 2 OF 3

Date: JULY 24, 2019  
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 SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 3 OF 3

REVISION	BY	DATE

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. 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 CHAPTER 472 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

*[Signature]* 7-24-2019  
 Paul deVivaro, Professional Land Surveyor No. 4990 DATE

Date: JULY 24, 2019  
 Project No.: K11-01  
 Drawn: RTS Chkd.: RJH

**INTERNATIONAL DRIVE  
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 Land Surveyor Business License No. 6556



Project: International Drive Transit Lanes (Destination Parkway to Sand Lake Road)  
Parcel No.: 7025  
Name of Owner(s): ID Center (FL) LLC, a Delaware limited liability company  
Page No.: 1

**SETTLEMENT ANALYSIS**

Pre-Condemnation  
X Not Under Threat

**EXPLANATION OF RECOMMENDED SETTLEMENT**

(Memorandum to File pursuant to Section 4 of Ordinance 92-29)

Acquisition of the subject parcel was requested by the Public Works Department for the International Drive Transit Lanes (Destination Parkway to Sand Lake Road) Project. Parcel 7025 is a Temporary Construction Easement, rectangular in shape consisting of 6,993 square feet and abuts Universal Boulevard. The Temporary Construction Easement is a Donation and is needed for harmonizing the existing grade with the adjacent roadway.

Recommended by: Theresa A. Avery Date: 11/23/20  
Theresa A. Avery, Sr. Acquisition Agent, Real Estate Mgmt. Division

Recommended by: Robert K. Babcock Date: 11/23/2020  
Robert K. Babcock, Acquisition Supervisor, Real Estate Mgmt. Division

Approved by: William Blackham Date: 12/14/20  
William Blackham, Assistant Manager, Real Estate Mgmt. Division

or  
Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
, Real Estate Mgmt. Division