

Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 6

DATE:

November 30, 2018

TO:

Mayor Jerry L. Demings

and the

Board of County Commissioners

THROUGH:

Paul Sladek, Manager 2955

Real Estate Management Division

FROM:

Elizabeth Price Jackson, Senior Title Examiner

Real Estate Management Division

CONTACT

PERSON:

Paul Sladek, Manager

DIVISION:

Real Estate Management

Phone: (407) 836-7090

ACTION

REQUESTED:

APPROVAL OF SPECIAL WARRANTY DEED, DRAINAGE EASEMENTS AND TEMPORARY SLOPE EASEMENT FROM AVALON PROPERTIES, LTD. TO ORANGE COUNTY AND

AUTHORIZATION TO PERFORM ALL ACTIONS NECESSARY

AND INCIDENTAL TO CLOSING

PROJECT:

Village H (Avalon Road - CR 545) RAC

District 1

PURPOSE:

To provide for access, construction, operation, and maintenance of road

improvements as a requirement of a road network agreement.

Real Estate Management Division Agenda Item 6 November 30, 2018 Page 2

ITEMS:

Special Warranty Deed (Parcels 1012, 1021A)

Cost:

\$46,324.83 (Impact Fee Credits)

Total size: 2.058 acres

Drainage Easement (Parcel 8021A)

Cost: Donation

Size: 1,420 square feet

Drainage Easement (Parcel 8012)

Cost: Donation Size: 2.043 acres

Temporary Slope Easement (Parcel 7012)

Cost: Donation

Size: 879 square feet

Term: Until no longer required for construction, repair and/or

maintenance of the adjoining road

APPROVALS:

Real Estate Management Division

County Attorney's Office Public Works Department Risk Management Division Transportation Planning Division

REMARKS:

These conveyances are requirements of the Village H Horizon West Road

Network Agreement (C.R. 545) approved by the Board on February 12,

2013, as amended.

Grantor to pay all closing costs.

APPROVED
BY ORANGE COUNTY BOARD
DE COUNTY COMMISSIONERS

DEC 1 8 2018

THIS INSTRUMENT WAS PREPARED BY AND SHOULD BE RETURNED TO:

William A. Beckett, Esquire Lowndes, Drosdick, Doster, Kantor & Reed, P.A. 215 North Eola Drive Post Office Box 2809 Orlando, FL 32802-2809 (407) 843-4600

Project: Village H (Avalon Road - CR 545) RAC

Parcels: 1012, 1021A

SPECIAL WARRANTY DEED

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee that certain piece, parcel or tract of land situated in Orange County, Florida more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Numbers:

a portion of

08-24-27-0000-00005 and 08-24-27-0000-00025.

(hereinafter referred to as the "Subject Property");

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances, including riparian rights, if any, thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the Subject Property in fee simple forever.

Parcels: 1012, 1021A

AND the Grantor does hereby covenant with and warrant to the Grantee that the Grantor is lawfully seized of the Subject Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Subject Property; and that the Grantor fully warrants the title to the Subject Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other. THE conveyance made herein, however, is expressly made SUBJECT TO ad valorem real property taxes and assessments for the year 2017 and thereafter, and easements and restrictions of record, if any, the reference to which shall not operate to reimpose the same.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first above written.

Signed, sealed and delivered in the presence of two (2) witnesses:		LON PROPERTIES, LTD., a Florida d partnership
Witness (1) Print Name: Janet L. fierie Witness (2) Print Name: Manie Grant:	BY:	C&R Land Development, Inc., a Florida corporation, as General Partner By: Charles W. Clayton, III President
Witness (1) Print Name: Janet L. Pierce	BY:	Hewitt Residential, LLC, a Florida limited liability company, as General Partner

Robert C. Hewitt, Member

Witness (2)
Print Name: Mela & Srow:

Project: Village H (Avalon Road – CR 545) RAC Parcels: 1012, 1021A	
Witness (1) Print Name: Josef L. Pierce Witness (2) Print Name (Cario Circul)	By: Thomas W. Hewitt, Member
Witness (1) Print Name: Janet L. Pierce Witness (2) Print Name: Melania (Const.)	By: Cur Sevett Caren J. Hewitt, Member

STATE OF FLORIDA COUNTY OF
The foregoing instrument was acknowledge before me this day of, 2018, by Charles W. Clayton, III, as President of C&R Land Development, Inc., a Florida corporation, a General Partner of Avalon Properties, Ltd., a Florida limited partnership, on behalf of the limited partnership. He is personally known to me or has produced as identification, and they did / did not take an oath.
(NOTARY SEAL) Notary Public, State of Florida Print Name: My Commission SHAINA LEILANI PALAMA My Commission EXPIRES October 30, 2020
STATE OF Florida COUNTY OF Orange
The foregoing instrument was acknowledged before me this day of d
(NOTARY SEAL) Notary Public Signature SHAINA LEILANI PALAMA MY COMMISSION # GG043138 EXPIRES October 30, 2020 (Name typed, printed or stamped)
STATE OF Torida County OF Grange
The foregoing instrument was acknowledged before me this day of d
(NOTARY SEAL) Notary Führe, Signalka Leilani Palama My Commission # GG043138 EXPIRES October 30, 2020 (Name typed, printed or stamped)

Project: Village H (Avalon Road – CR 545) RAC Parcels: 1012, 1021A

Parcels: 1012, 1021A

STATE OF _	Florida
COUNTY OF	Orange

The foregoing instrument was acknowledged before me this day of way, 2018, by Caren J. Hewitt, as a Member of Hewitt Residential, LLC, a Florida limited liability company, a General Partner of Avalon Properties, Ltd., a Florida limited partnership, on behalf of the partnership. She is personally known to me or has produced as identification.

(NOTARY SEAL)

Otary Public Signaline LEILANI PALAMA

MY COMMISSION # GG043138 EXPIRES October 30, 2020

(Name typed, printed or stamped)

Project: Village H (Avalon Road – CR 545) RAC Parcels: 1012, 1021A

EXHIBIT "A"

SCHEDULE "A" VILLAGE H (AVALON ROAD - C.R. 545) RAC PARCEL NUMBER: 1012

LEGAL DESCRIPTION

A portion of land being in the southwest quarter of Section 8, Township 24 South, Range 27 East and the northwest quarter of Section 17, Township 24 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Commence at the southwest corner of said Section 8; thence run along the South line of the southwest guarter, North 89°50'40" East, 1117.96 feet to the POINT OF BEGINNING; thence leaving said South line run, North 20°13'22" East, 183.76 feet to the point of curvature of a curve concave westerly, having a radius of 2940.00 feet, a delta angle of 020°42'32", a chord bearing of North 09°52'06" East and a chord distance of 1056.86 feet; thence run northerly along the arc of said curve, 1062.63 feet to the point of tangency; thence run North 00°29'10" West, 102.23 feet to the North line of the South half of the southwest quarter of said Section 8; thence run along said North line, North 89°52'13" East, 54.00 feet to the westerly Right of Way Line of County Road 545 (Avalon Road), as shown on the Right of Way Identification Map produced by Donald W. McIntosh, Associates, Inc., Project Number 12167.001, dated 12/22/2014; thence leaving said North line run the following three courses along said westerly Right of Way Line, South 00°29'10" East, 141.08 feet to the point of curvature of a non-tangent curve concave westerly having a radius of 2997.78 feet, a delta angle of 019°55'49", a chord bearing of South 10°15'18" West and a chord distance of 1037.52 feet; thence run southerly along the arc of said curve 1042.77 feet to a point of non-tangency; thence run South 23°01'46" West, 692.43 feet to the point of curvature of a non-tangent curve concave easterly having a radius of 2897.79 feet, a delta angle of 000°05'39", a chord bearing of South 22°59'27" West and a chord distance of 4.77 feet; thence run southerly along the arc of said curve 4.77 feet to the northeast corner of the lands described in Official Records Book 11029, Page 4607 of the Public Records of Orange County, Florida; also being a non-tangent curve concave southerly having a radius of 1320.00 feet, a delta angle of 000°51'45", a chord bearing of North 68°46'53" West and a chord distance of 19.87 feet; thence run along the North line of said lands and arc of said curve 19.87 feet to a point of non-tangency; thence leaving said North line run, North 20°13'22" East, 512.02 feet to the POINT OF BEGINNING.

Said lands contain 2.048 Acres more or less.

NOTES

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
- THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED BELOW.
- 3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
- 4. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA, BEING SOUTH 89°50'40" WEST.
- 5. THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED FROM INFORMATION CONTAINED WITHIN THE RIGHT OF WAY IDENTIFICATION MAP FOR COUNTY ROAD 545 (AVALON ROAD), AS PRODUCED BY DONALD W. McINTOSH ASSOCIATES, INC., PROJECT No. 12167.001, DATED 12/22/2014.

CERTIFICATION

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

PROFESSIONAL SURVEYOR AND MAPRER FLORIDA LICENSE NO. 6984

SECTION 8 and 17, TOWNSHIP 24 SOUTH, RANGE 27 EAST - ORANGE COUNTY, FLORIDA - - - - `



Landmark Center Two 225 E. Robinson St., Suite 300 Orlando, FL 32801 407.839.4006 / FAX 407.839.4008 Licensed Business # 7153

DRAWN BY: C.A.P. PROJECT # 61992.00 CHECKED: E.J.D.

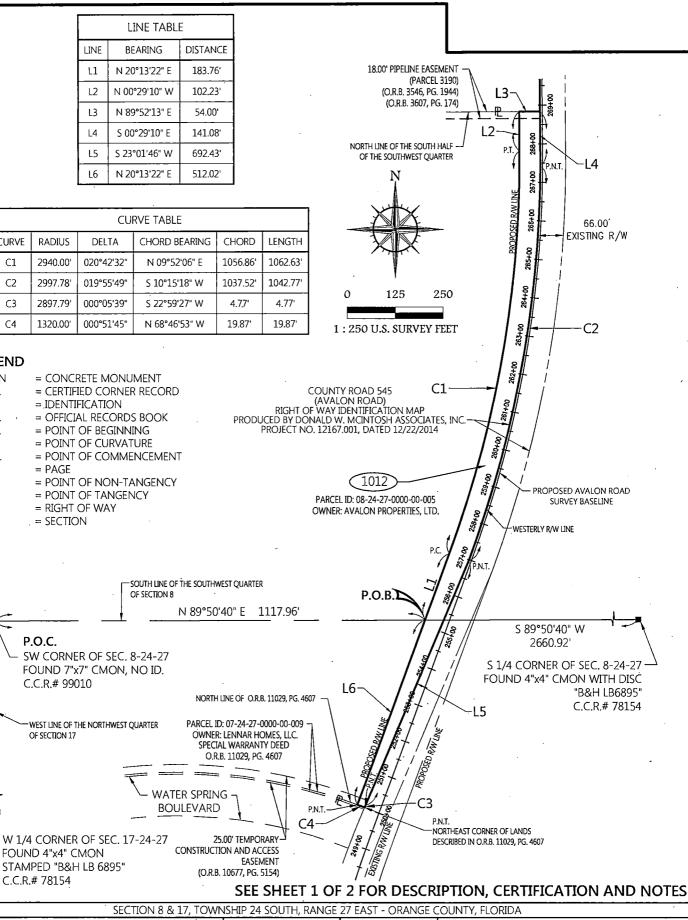
SHEET 1 OF 2

DRAWING: ROW PARCEL 1012.DWG

DRAWING DATE: 07/25/2017

RIGHT OF WAY PARCEL 1012 ISSUED FOR:

SKETCH & DESCRIPTION



Vanasse Hangen Brustlin, Inc.

CURVE

C1

C2

C3

C4

LEGEND CMON

C.C.R.

O.R.B.

P.O.B. P.C.

P.O.C.

P.N.T.

PG.

P.T.

R/W

DIST.

86

2644.8

00°27'46" W

P.O.C.

ID.

Landmark Center Two 225 E. Robinson St., Suite 300 Orlando, FL 32801 407.839.4006 / FAX 407.839.4008 Licensed Business # 7153

DRAWN BY: C.A.P. CHECKED: E.J.D. PROJECT # 61992.00 DRAWING: ROW PARCEL 1012.DWG DRAWING DATE: 07/25/2017

SHEET 2 OF 2

SCALE: 1" = 250'

SKETCH & DESCRIPTION **RIGHT OF WAY PARCEL 1012** ISSUED FOR:

SCHEDULE "A"

VILLAGE H (AVALON ROAD - C.R. 545) RAC

PARCEL NUMBER: 1021A LEGAL DESCRIPTION

A portion of land being in the southwest quarter of Section 8, Township 24 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Commence at the southeast corner of the southwest quarter of said Section 8; thence run along the South line of the southwest quarter, South 89°50'40" West, 1414.94 feet to the POINT OF BEGINNING; thence continue along said South line, South 89°50'40" West, 7.34 feet to the easterly Right of Way Line of County Road 545 (Avalon Road), as shown on the Right of Way Identification Map produced by Donald W. McIntosh, Associates, Inc., Project Number 12167.001, dated 12/22/2014; thence leaving said South line run along said easterly Right of Way Line, North 23°01'46" East, 140.52 feet; thence leaving said easterly Right of Way Line run, South 20°13'22" West, 137.80 feet to the POINT OF BEGINNING.

Said lands contain 474 Square Feet more or less

NOTES

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
- THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED BELOW.
- 3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT,
- 4. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA, BEING SOUTH 89°50'40" WEST.
- 5. THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED FROM INFORMATION CONTAINED WITHIN THE RIGHT OF WAY IDENTIFICATION MAP FOR COUNTY ROAD 545 (AVALON ROAD), AS PRODUCED BY DONALD W. McINTOSH ASSOCIATES, INC., PROJECT No. 12167.001, DATED 12/22/2014.

CERTIFICATION

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

ELI DONALDSON

12 2018

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. 6984

SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST - ORANGE COUNTY, FLORIDA :

Landmark Ce 225 E. Robins Orlando, FL 3 407.839.4006 Licensed Busi Vanasse Hangen Brustlin, Inc.

Landmark Center Two 225 E. Robinson St., Suite 300 Orlando, FL 32801 407.839.4006 / FAX 407.839.4008 Licensed Business # 7153 DRAWN BY: C.A.P. CHECKED: E.J.D. PROJECT # 61992.00

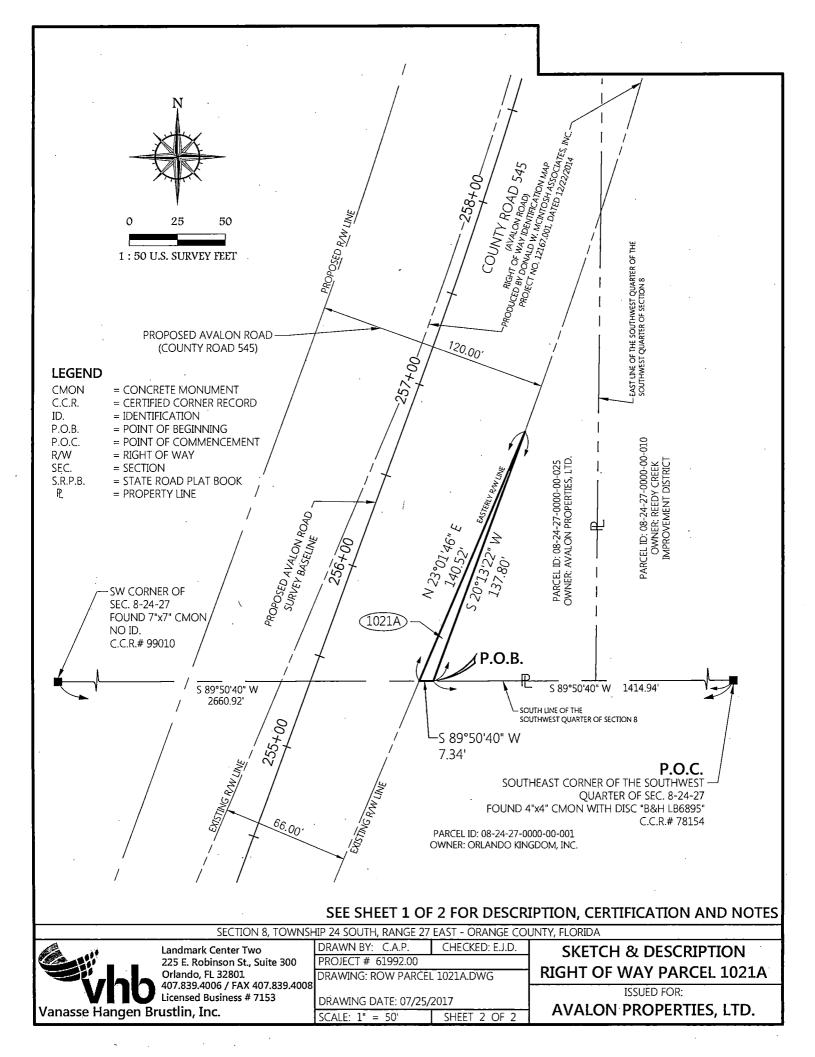
DRAWING: ROW PARCEL 1021A.DWG

DRAWING DATE: 07/25/2017

SHEET 1 OF 2

SKETCH & DESCRIPTION RIGHT OF WAY PARCEL 1021A

ISSUED FOR:



APPROVED

BY ORANGE COUNTY BOARD

DE COUNTY COMMISSIONERS

DEC 1 8 2018

THIS INSTRUMENT WAS PREPARED BY AND SHOULD BE RETURNED TO:

William A. Beckett, Esquire Lowndes, Drosdick, Doster, Kantor & Reed, P.A. 215 North Eola Drive Post Office Box 2809 Orlando, FL 32802-2809 (407) 843-4600

Project: Village H (Avalon Road – CR 545) RAC

Parcel: 8021A

DRAINAGE EASEMENT

THIS INDENTURE, Made this <u>b</u> day of <u>h</u>, A.D. 2018, between Avalon Properties, LTD., a Florida limited partnership organized and existing under the laws of the state of Florida, whose address is 1353 Palmetto Avenue, Suite 101, Winter Park, Florida 32789, 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 and its assigns, an easement for drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility over, under, and upon the following described lands situate in Orange County aforesaid to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Numbers:

a portion of

08-24-27-0000-00025

TO HAVE AND TO HOLD said 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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTOR, its heirs, successors, and assigns agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the drainage ditch, pipe, or facility.

[Signature and Notary Form Appear on Following Page]

Signed, sealed and delivered in the

Parcel: 8021A

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in manner and form sufficient to bind them on the dates set forth below.

AVALON PROPERTIES, LTD., a Florida

limited partnership presence of two (2) witnesses: C&R Land Development, Inc., a BY: Florida corporation, as General Partner Print Name: / By: . Clayton, III President BY: Hewitt Residential, LLC, a Florida limited liability company, as General Partner tness (1) int Name: By: Robert C. Hewitt, Member Print Name: / 7itness (1) Print Name: By: Print Name:/ Print Name: Witness (2) Print Name:

Project: Village H (Avalon Road – CR 545) RA Parcel: 8021A	С
STATE OF FLORIDA COUNTY OF	
2018, by Charles W. Clayton, III, as Pres corporation, a General Partner of Avalon Pro of the corporation and limited partnership. I	owledge before me this
(NOTARY SEAL)	Notary Public, State of Florida Print Name: SHAINA LEILANI PALAMA
	Print Name: SHAINA LEILANI PALANIA My Commission Expires: MY COMMISSION # GG043138 EXPIRES October 30, 2020
STATE OF Florida COUNTY OF Orange	
2018, by Robert C. Hewitt, as a Member of company, a General Partner of Avalon Prope	whedged before me this day of Mac, f Hewitt Residential, LLC, a Florida limited liability erties, Ltd., a Florida limited partnership, on behalf of its personally known to me or has produced cation.
(NOTARY SEAL)	Notary Public Signature SHAINA LEILANI PALAMA MY COMMISSION # GG043138 ENDINES ON 2020
STATE OF Florida COUNTY OF Ovange	(Name typed, and ited or stamped)
company, a General Partner of Avalon Prope	owledged before me this day of, of Hewitt Residential, LLC, a Florida limited liability erties, Ltd., a Florida limited partnership, on behalf of is personally known to me or has produced cation.
(NOTARY SEAL)	Notary Public Signature SHAINA LEILANI PALAMA MY COMMISSION # GG043138
·	(Name typed, printed of stamped) 20, 2020

Project: Village H (Avalon Road - CR 545) RAC

Parcel: 8021A

Project: Village H (Avalon Road – CR 545) RAC Parcel: 8021A

EXHIBIT "A"

[See Following Pages]

SCHEDULE "A"

VILLAGE H (AVALON ROAD - C.R. 545) RAC

DRAINAGE EASEMENT NUMBER: 8021A

LEGAL DESCRIPTION

A portion of land being in the southwest quarter of Section 8, Township 24 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Commence at the southeast corner of the southwest quarter of said Section 8; thence run along the South line of the southwest quarter, South 89°50'40" West, 1403.95 feet; thence leaving said South line, run North 00° 07' 04" West, 29.82 feet to the POINT OF BEGINNING; thence run, North 20° 13' 22" East, 20.00 feet; thence run, South 69° 46' 38" East, 71.00 feet; thence run, South 20° 13' 22" West, 20.00 feet; thence run, North 69° 46' 38" West, 71.00 feet to the POINT OF BEGINNING.

Said lands contains 1,420 Square Feet, more or less.

NOTES

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
- 2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED BELOW.
- 3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
- 4. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA, BEING NORTH 89°50'40" EAST.
- 5. THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED FROM INFORMATION CONTAINED WITHIN THE RIGHT OF WAY IDENTIFICATION MAP FOR COUNTY ROAD 545 (AVALON ROAD), AS PRODUCED BY DONALD W. McINTOSH ASSOCIATES, INC., PROJECT No. 12167.001, DATED 12/22/2014.

CERTIFICATION

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

ELI DONALDSON
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 6984

SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST - ORANGE COUNTY, FLORIDA:

Landmark Center Two
225 E. Robinson St., Suite 300
Orlando, FL 32801
407.839.4006 / FAX 407.839.4008
Licensed Business # 7153
Vanasse Hangen Brustlin, Inc.

DRAWN BY: C.A.P. CHECKED: E.J.D. PROJECT # 61992.00

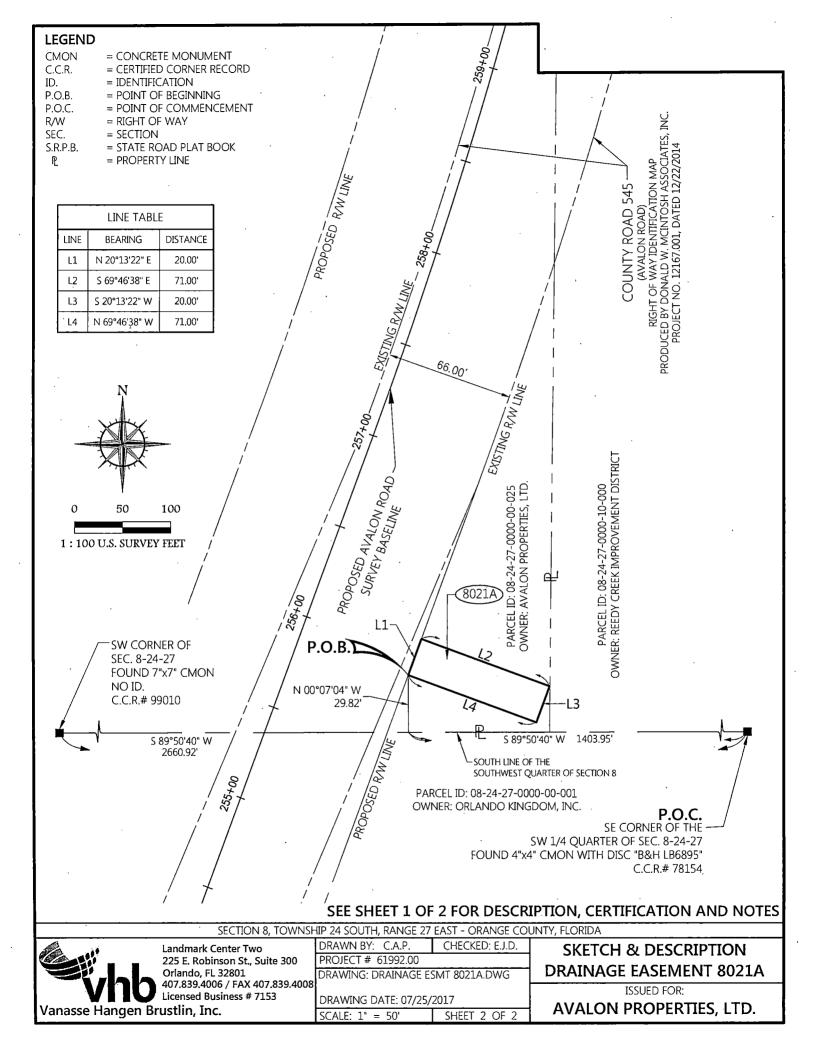
DRAWING: DRAINAGE ESMT 8021A.DWG

DRAWING DATE: 07/25/2017

SHEET 1 OF 2

SKETCH & DESCRIPTION DRAINAGE EASEMENT 8021A

ISSUED FOR:



BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 1 8 2018

THIS INSTRUMENT WAS PREPARED BY AND SHOULD BE RETURNED TO:

William A. Beckett, Esquire Lowndes, Drosdick, Doster, Kantor & Reed, P.A. 215 North Eola Drive Post Office Box 2809 Orlando, FL 32802-2809 (407) 843-4600

Project: Village H (Avalon Road - CR 545) RAC

Parcel: 8012

DRAINAGE EASEMENT

THIS INDENTURE, Made this day of May A.D. 2018, between Avalon Properties, Ltd., a Florida limited partnership, whose address is 1353 Palmetto Avenue, Suite 101, Winter Park, Florida 32789, 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 and its assigns, an easement for drainage and utility access purposes, with full authority to enter upon, construct, excavate and maintain, including as necessary, access to utility facilities located within the right-of-way, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility over, under, and upon and as necessary, the following described lands situate in Orange County aforesaid to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

a portion of

08-24-27-0000-00-005

TO HAVE AND TO HOLD said 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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTOR, its heirs, successors, and assigns agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the drainage ditch, pipe, or facility.

[Signature and Notary Form Appear on Following Page]

Parcel: 8012

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be duly executed the day and year above written.

Avalon Properties, LTD, a Florida limited partnership signed, sealed, and delivered in the presence of: By: C&R Land-Development, Inc., a corporation, its General Partner III, President (Signature of TWO Witnesses required by Florida Law) STATE OF I-locida COUNTY OF Orange The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Charles W. Clayton, III, as President of C&R Land Development, Inc., a Florida corporation, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. He/she is personally known to me, or [] has produced Martes Clayton as identification. (Notary Seal) SHAINA LEILANI PALAMA Printed Notary Name MY COMMISSION # GG04313B EXPIRES October 30, 2020 Notary Public in and for the County

My commission expires:

and State aforesaid

Project: Village H (Avalon Road – CR 545) RAC Parcel: 8012

Printed Name

Witness

Danet L. Pierce

Printed Name

Witness

Tanet L. Pierce

Printed Name

Witness

McCane Giran

Witness

Mitness

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Avalon Properties, LTD, a Florida limited partnership

By: Hewitt Residential, LLC, a Florida limited liability company, its General Partner

By: Robert C. Hewitt, Member

By: Thomas H. Hewitt, Member

By: Caren J.. Hewitt, Member

Witness

Printed Name

Project: Village H (Avalon Road - CR 545) RAC Parcel: 8012 STATE OF COUNTY OF The foregoing instrument was acknowledged before me this 4 day of May, 2018, by Robert C. Hewitt, as a Member of Hewitt Residential, LLC, a Florida limited liability company, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. He is personally known to me, or [] has produced as identification. SHAINA LEILANI PALAMA Notary Signature (Notary Seal) MY COMMISSION # GG043138 EXPIRES October 30, 2020 Printed Notary Name Notary Public in and for the County and State aforesaid My commission expires: STATE OF Florida
COUNTY OF Orange by Thomas NyHewitt, as a Member of Hewitt Residential, LLC, a Florida limited liability company, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. He is personally known to me, or [] has produced as identification. SHAINA LEILANI PALAMA (Notary Seal)

MY COMMISSION # GG043138 EXPIRES October 30, 2020

> Notary Public in and for the County and State aforesaid

My commission expires:

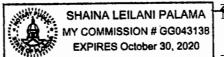
Printed Notary Name

Project: Village H (Avalon Road – CR 545) RAC Parcel: 8012

COUNTY OF CHOCK

The foregoing instrument was acknowledged before me this day of May, 2018, by Caren J. Hewitt, as a Member of Hewitt Residential, LLC, a Florida limited liability company, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. She [] is personally known to me, or [] has produced as identification.

(Notary Seal)



etary Signature

Printed Notary Name

Notary Public in and for the County and State aforesaid

My commission expires:

Project: Village H (Avalon Road – CR 545) RAC Parcel: 8012

EXHIBIT "A"

[See Following Pages]

SCHEDULE "A" VILLAGE H (AVALON ROAD - C.R. 545) RAC **DRAINAGE EASEMENT NUMBER: 8012** LEGAL DESCRIPTION

A portion of land being in the southwest quarter of Section 8, Township 24 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Commence at the southwest corner of said Section 8; thence run along the South line of said southwest quarter, North 89°50'40" East, 1142.77 feet; thence leaving said South line run, North 00° 09' 20" West, 66.76 feet to the POINT OF BEGINNING; thence run North 69° 46' 38" West, 10.00 feet; thence run, North 20° 13' 22" East, 112.54 feet to the point of curvature of a curve concave westerly, having a radius of 2930.00 feet and a central angle of 01° 57′ 25"; thence run along the arc of said curve a distance of 100.07 feet to a point of non-tangency; thence run North 71° 44′ 03" West, 36.60 feet; thence run North 35° 41' 52" West, 242.17 feet to the point of curvature of a curve concave easterly, having a radius of 86.00 feet and a central angle of 78° 54' 18"; thence run along the arc of said curve a distance of 118.43 feet to the point of tangency; thence run, North 43° 12' 25" East, 146.00 feet; thence run, North 73° 21' 05" East, 115.88 feet; thence run, South 80° 43' 11" East, 78.11 feet to a point on a non-tangent curve concave northwesterly, having a radius of 2940.00 feet, a central angle of 10° 56' 33" and a chord of 560.63 feet that bears South 14° 45' 06" West; thence run along the arc of said curve a distance of 561.49 feet to the point of tangency; thence run South 20° 13' 22" West, 112.54 feet to the POINT OF BEGINNING.

Said parcel contains 2.043 acres, more or less.

NOTES

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
- 2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED BELOW.
- THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT. 3.
- BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 4. EAST, ORANGE COUNTY FLORIDA, BEING NORTH 89°50'40" EAST.
- 5. THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED FROM INFORMATION CONTAINED WITHIN THE RIGHT OF WAY IDENTIFICATION MAP FOR COUNTY ROAD 545 (AVALON ROAD), AS PRODUCED BY DONALD W. McINTOSH ASSOCIATES, INC., PROJECT No. 12167,001, DATED 12/22/2014.

CERTIFICATION

PROFESSIONAL SURVEYOR AND MAPPER

SHEET 1 OF 2

FLORIDA LICENSE NO. 6984

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SKETCH AND DESCRIPTION METS THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

FLL DONALDSON

REVISION #1 - REVISED FASEMENT TO DRAINAGE ONLY, 12-10-18

SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST - ORANGE COUNTY, FLORIDA

Vanasse Hangen Brustlin, Inc.

Landmark Center Two 225 E. Robinson St., Suite 300 Orlando, FL 32801 407.839.4006 / FAX 407.839.4008 Licensed Business # 7153

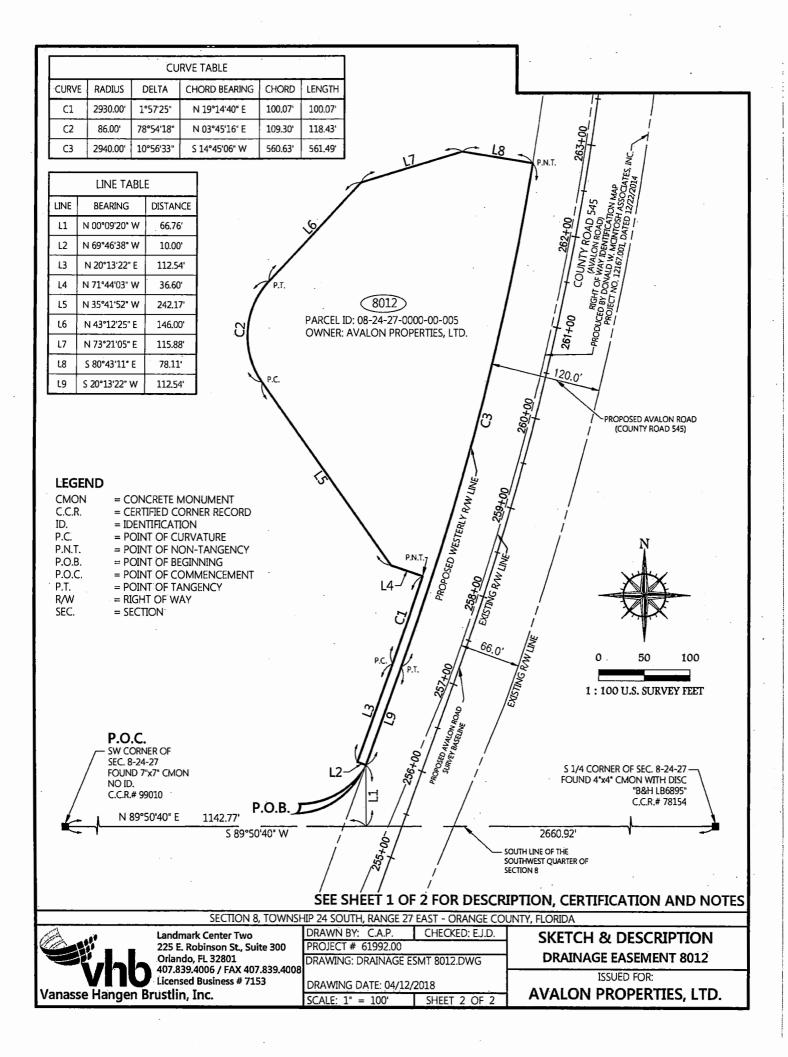
DRAWN BY: C.A.P. CHECKED: E.J.D. PROJECT # 61992.00 DRAWING: DE PARCEL 8012.DWG

DRAWING DATE: 04/12/2017

SKETCH & DESCRIPTION **DRAINAGE EASEMENT 8012**

LINE FILLY

ISSUED FOR:



THIS INSTRUMENT WAS PREPARED BY AND SHOULD BE RETURNED TO:

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DFC 1 8 2018

William A. Beckett, Esquire Lowndes, Drosdick, Doster, Kantor & Reed, P.A. 215 North Eola Drive Post Office Box 2809 Orlando, FL 32802-2809 (407) 843-4600

Project: Village H (Avalon Road - CR 545) RAC

Parcel: 7012

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TEMPORARY SLOPE EASEMENT

THIS INDENTURE, made and executed the day of day of A.D. 2018, by Avalon Properties, Ltd., a Florida limited partnership having an address at 1353 Palmetto Avenue, Suite 101, Winter Park, Florida 32789, 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 slope easement solely for the purpose of insuring the integrity of the county road which runs over the property encumbered by this easement. This easement is to allow GRANTEE to maintain the elevation of the road, to GRANTEE'S specifications, with the right to enter upon, clear, grade, excavate and/or add fill material to the easement area; and the right of access in, on, over, and upon the following described lands of the GRANTOR situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A" (the "Easement Property")

Property Appraiser's Parcel Identification Number: a portion of 08-24-27-0000-00-005

THIS EASEMENT is solely for the purposes noted herein and does not obligate GRANTEE to perform any right-of-way maintenance or other duties.

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

THE GRANTOR covenants with the GRANTEE that the GRANTOR is lawfully seized of title to the Easement Property 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.

THE GRANTOR and its heirs, successors, and assigns shall not build, construct, or create, or permit others to build, construct, or create any building, utility, or other structure that may adversely affect 0027233\173809\5879512v2

Parcel: 7012

0027233\173809\5879512v2

the structural integrity of the adjacent roadway facility or the granted easement without the prior written approval of the GRANTEE.

THE GRANTOR may use the granted easement for any use consistent with the GRANTEE'S intended use of the granted easement including, but not limited to, project development, driveways, access, open space, setback area, adding fill material, and any activity that will not adversely affect the structural integrity of the adjacent roadway facility or the granted easement.

This easement, and the rights granted herein, shall terminate and be of no further force or effect as to the Easement Property (or portion thereof, as the case may be) at such time as the lands within which the Easement Property (or portion thereof) are located are filled such that slopes are no longer required for the construction, repair, and/or maintenance of the adjoining paving improvements for Avalon Road – CR 545.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its

name. Avalon Properties, LTD, signed, sealed, and delivered a Florida limited partnership in the presence of: By: C&R Land Development, Inc., a Florida corporation de General Partner By: Clayton, H. President Witness Printed Name (Signature of TWO Witnesses required by Florida Law) STATE OF **COUNTY OF** The foregoing instrument was acknowledged before me this by Charles W. Clayton, III, as President of C&R Land Development, Inc., a Florida corporation, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. He/she is personally known to me, or [] has produced identification. (Notary Seal) Printed Notary Name Notary Public in and for the County and State aforesaid My commission SHAINA LEILANI PALAMA

MY COMMISSION # GG043138

EXPIRES October 30, 2020

Parcel: 7012

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Sand Score o
Witness
Janet L- lierce
Printed Name
Mcla Cread
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Printed Name
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$\bigcirc$ $A_{1}A_{2}\bigcirc$ .
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ly Co Chail
Witness

# Avalon Properties, LTD, a Florida limited partnership

By: Hewitt Residential, LLC, a Florida limited liability company, its General Partner

Robert C. Hewitt, Member

By: Thomas M. Hewitt Member

By: Caren J. Hewitt, Member

Parcel: 7012 STATE OF COUNTY OF *O* The foregoing instrument was acknowledged before me this _ Robert C. Hewitt, as a Member of Hewitt Residential, LLC, a Florida limited liability company, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. He [ is personally known to me, or [ ] has produced as identification. (Notary Seal) EXPIRES October 30, 2020 Printed Notary Name Notary Public in and for the County and State aforesaid My commission expires: The foregoing instrument was acknowledged before me this day of wow, 2018, by Thomas All Hewitt, as a Member of Hewitt Residential, LLC, a Florida limited liability company, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. He [ [X] is personally known to me, or [ ] has produced as identification. (Notary Seal) EXPIRES October 30, 2020 Printed Notary Name Notary Public in and for the County and State aforesaid

Project: Village H (Avalon Road - CR 545) RAC

My commission expires:

Parcel: 7012

STATE OF Florido COUNTY OF

The foregoing instrument was acknowledged before me this by Caren J. Hewitt, as a Member of Hewitt Residential, LLC, a Florida limited liability company, General Partner of Avalon Properties, Ltd., a Florida limited partnership on behalf of the limited partnership. She [ as identification.

is personally known to me, or [] has produced __

(Notary Seal)

Notary Signature SHAINA LEILANI PALAMA MY COMMISSION # GG043138 NEXTURES October 30, 2020

Notary Public in and for the County and State aforesaid

My commission expires:

## EXHIBIT "A"

[See Following Pages]

SCHEDULE "A"

VILLAGE H (AVALON ROAD - C.R. 545) RAC

TEMPORARY SLOPE EASEMENT NUMBER: 7012

LEGAL DESCRIPTION

A portion of land being in the southwest quarter of Section 8, Township 24 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Commence at the southwest corner of said Section 8; thence run along the South line of the southwest quarter of said Section 8, North 89°50'40" East a distance of 1326.18 feet; thence leaving said South line run, North 00° 09' 20" West, 714.02 feet to the POINT OF BEGINNING; thence run, North 80° 43' 11" West, 5.00 feet to the point of curvature of a non-tangent curve concave northwesterly, having a radius of 2935.00 feet, a central angle of 003° 25' 43", a chord bearing of North 07° 33' 58" East and a chord distance of 175.60 feet; thence run northerly along the arc of said curve 175.63 feet; thence run, South 84° 08' 53" East, 5.00 feet to the point of curvature of a non-tangent curve concave northwesterly, having a radius of 2940.00 feet, a central angle of 003° 25' 43", a chord bearing of South 07° 33' 58" West and a chord distance of 175.90 feet; thence run southerly along the arc of said curve 175.93 feet to the POINT OF BEGINNING.

Said parcel contains 879 Square Feet, more or less.

#### **NOTES**

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
- THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED BELOW.
- 3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
- 4. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA, BEING NORTH 89°50'40" EAST.
- 5. THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED FROM INFORMATION CONTAINED WITHIN THE RIGHT OF WAY IDENTIFICATION MAP FOR COUNTY ROAD 545 (AVALON ROAD), AS PRODUCED BY DONALD W. McINTOSH ASSOCIATES, INC., PROJECT No. 12167.001, DATED 12/22/2014.

#### CERTIFICATION

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

ELI DONALDSON DATE

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. 6984

SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST - ORANGE COUNTY, FLORIDÁ

Landmark Ce 225 E. Robins Orlando, FL 3 407.839.4006 Licensed Busi Vanasse Hangen Brustlin, Inc.

Landmark Center Two 225 E. Robinson St., Suite 300 Orlando, FL 32801 407.839.4006 / FAX 407.839.4008 Licensed Business # 7153 DRAWN BY: C.A.P. PROJECT # 61992.00

CHECKED: E.J.D.

SKETCH & DESCRIPTION

TEMPORARY SLOPE EASEMENT 7012

ISSUED FOR:

AVALON PROPERTIES, LTD.

DRAWING DATE: 07/25/2017

DRAWING: TSE PARCEL 7012.DWG

SHEET 1 OF 2

