



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** January 9, 2020

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

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

**FROM:** Kim Heim, Senior Title Examiner *[Signature]*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** Approval and execution of First Amendment to Conservation Easement between Spring Grove Properties, LLC and Orange County and authorization to record instrument

**PROJECT:** Conservation Easement – (CAI-17-02-002)(CAI-17-10-025)(CAI-18-04-019)(CAI-17-08-022)  
  
District 1

**PURPOSE:** To reconfigure, modify, and replace the easement area of an existing conservation easement.

**ITEM:** First Amendment to Conservation Easement  
Cost: None  
Amended size: 80.94 acres

**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Environmental Protection Division

**REMARKS:** On December 4, 2018, the Board approved a Conservation Easement (Easement) from Spring Grove Properties, LLC (Spring Grove) to Orange County (County) as a requirement of Conservation Area Impact Permit Numbers CAI-17-02-002, CAI-17-10-025, CAI-18-04-019, and CAI-17-08-022 (Permits) issued by the Orange County Environmental Protection Division (OCEPD). Spring Grove remains the fee simple owner of the lands encumbered by the Easement.

Spring Grove has requested to amend the Easement to correct a scrivener's error in the legal description and sketch of the easement area. OCEPD has confirmed that such amendment is in accordance with the Permits.

Spring Grove to pay all recording fees.

JAN 28 2020

Instrument prepared by and  
recorded original returned to:  
Real Estate Management Division  
Orange County, Florida  
400 East South Street, 5<sup>th</sup> Floor  
Orlando, Florida 32801

Project: Conservation Easement – (CAI-17-02-002)(CAI-17-10-025)(CAI-18-04-019)  
(CAI-17-08-022)

Property Appraiser's Parcel ID No.  
a portion of: 18-24-27-0000-00-009

### FIRST AMENDMENT TO CONSERVATION EASEMENT

**THIS FIRST AMENDMENT TO CONSERVATION EASEMENT** (this “**First Amendment**”) is made and entered by and between **Spring Grove Properties, LLC, a Florida limited liability company**, whose address is 1353 Palmetto Ave., Suite 101, Winter Park, FL 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**”).

#### **BACKGROUND**

**A.** Grantor previously granted a conservation easement to Grantee pursuant to that certain Conservation Easement recorded on December 7, 2018, under Document No. 20180708996, in the Public Records of Orange County, Florida (“**Conservation Easement**”).

**B.** The Conservation Easement included a scrivener's error in the legal description and sketch of the Property set forth in Exhibit “A.”

**C.** Grantor remains the sole owner of the Property.

**D.** Grantor and Grantee wish to enter into this First Amendment to correct the scrivener's error in the legal description and sketch of the Property set forth in Exhibit “A” of the Conservation Easement by replacing the legal description and sketch of the Property with the version attached to this First Amendment as **Exhibit “A.”**

In consideration of the promises contained in the Conservation Easement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree as follows:

#### **TERMS OF AMENDMENT**

**1. Recitals; Defined Terms.** The above recitals are true and correct, and are incorporated in this First Amendment by this reference. Defined terms used in this First

Project: Conservation Easement – (CAI-17-02-002)(CAI-17-10-025)(CAI-18-04-019)  
(CAI-17-08-022)

Amendment, but not defined in this First Amendment, have the meanings given to such terms in the Conservation Easement.

2. **Property.** Exhibit “A” to the Conservation Easement is hereby deleted in its entirety and replaced with **Exhibit “A”** attached to this First Amendment.

3. **Ratification.** Except as amended by this First Amendment, all other terms and conditions of the Conservation Easement are hereby ratified and confirmed and remain in full force and effect.

[Signatures Begin on Next Page]



Project: Conservation Easement – (CAI-17-02-002)(CAI-17-10-025)(CAI-18-04-019)  
(CAI-17-08-022)

IN WITNESS WHEREOF, Grantee has executed this First amendment to Conservation Easement, as of the date written below.

“GRANTEE”

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Jerry L. Demings*  
for Jerry L. Demings  
Orange County Mayor

Date: 28 January 2020

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

BY: *Katie Smith*  
Deputy Clerk

Katie Smith  
Printed Name

# LEGAL DESCRIPTION

## EXHIBIT, "A"

### LEGAL DESCRIPTION: WETLAND PRESERVATION / CONSERVATION AREA - SPRING GROVE

A portion of Sections 17 and 18, Township 24 South, Range 27 East, Orange County, Florida. Being more particularly described as follows:

Begin at the West 1/4 corner of ofoesaid Section 17; thence run North 89°57'03" East along the North line of the Southwest 1/4 of said Section 17, for a distance of 858.78 feet to a point on the Westerly right-of-way line of County Road 545 per Deed Book 400, Page 311 of the Public Records of Orange County, Florida; thence run South 11°22'36" East along said Westerly right-of-way line, for a distance of 233.52 feet; thence departing said Westerly right-of-way line, run South 71°24'39" West, for a distance of 529.16 feet; thence run South 21°08'26" West, for a distance of 733.34 feet; thence run South 11°44'02" East, for a distance of 1070.98 feet; thence run South 79°02'54" East, for a distance of 954.60 feet to a point on the East line of the West 1/2 of aforesaid Southwest 1/4 of said Section 17; thence departing said Westerly right-of-way line, run South 00°29'57" West along said East line, for a distance of 87.85 feet to a point on the Northerly right-of-way line of Lake Star Road per Official Records Book 1790, Page 704, Official Records Book 1905, Page 920 and Official Records Book 1790, Page 705 of aforesaid Public Records; thence departing said East line, run along said Northerly right-of-way line the following courses and distances; run South 61°17'33" West, for a distance of 358.83 feet to a point on a non-tangent curve concave to the North, having a radius of 924.93 feet and a chord bearing of South 80°28'56" West; thence run Southwesterly along said curve, through a central angle of 18°39'52", for an arc distance of 301.30 feet to a point of tangency; thence run South 89°48'52" West, for a distance of 716.67 feet; thence run South 88°25'29" West, for a distance of 845.66 feet; thence departing said Northerly right-of-way line, run North 00°44'47" East, for a distance of 2632.67 feet to the North line of said Southeast 1/4 of said Section 18; thence run North 89°04'08" East along the North line of said Southeast 1/4 of said Section 18, for a distance of 845.33 feet to aforesaid Point of Beginning.

Contains 80.94 acres more or less.

SHEET 1 OF 3

SEE SHEET 2 FOR SKETCH AND  
SHEET 3 FOR LINE & CURVE TABLES

REV: 09/27/18  
REV: 04-19-19

### SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA BEING NORTH 89°57'03" EAST.

JOB NO. 20150307

DATE: 08/20/2018

SCALE: 1" = 400 FEET

FIELD BY: N/A

CALCULATED BY: JLR

DRAWN BY: JLR

CHECKED BY: JLR

FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633



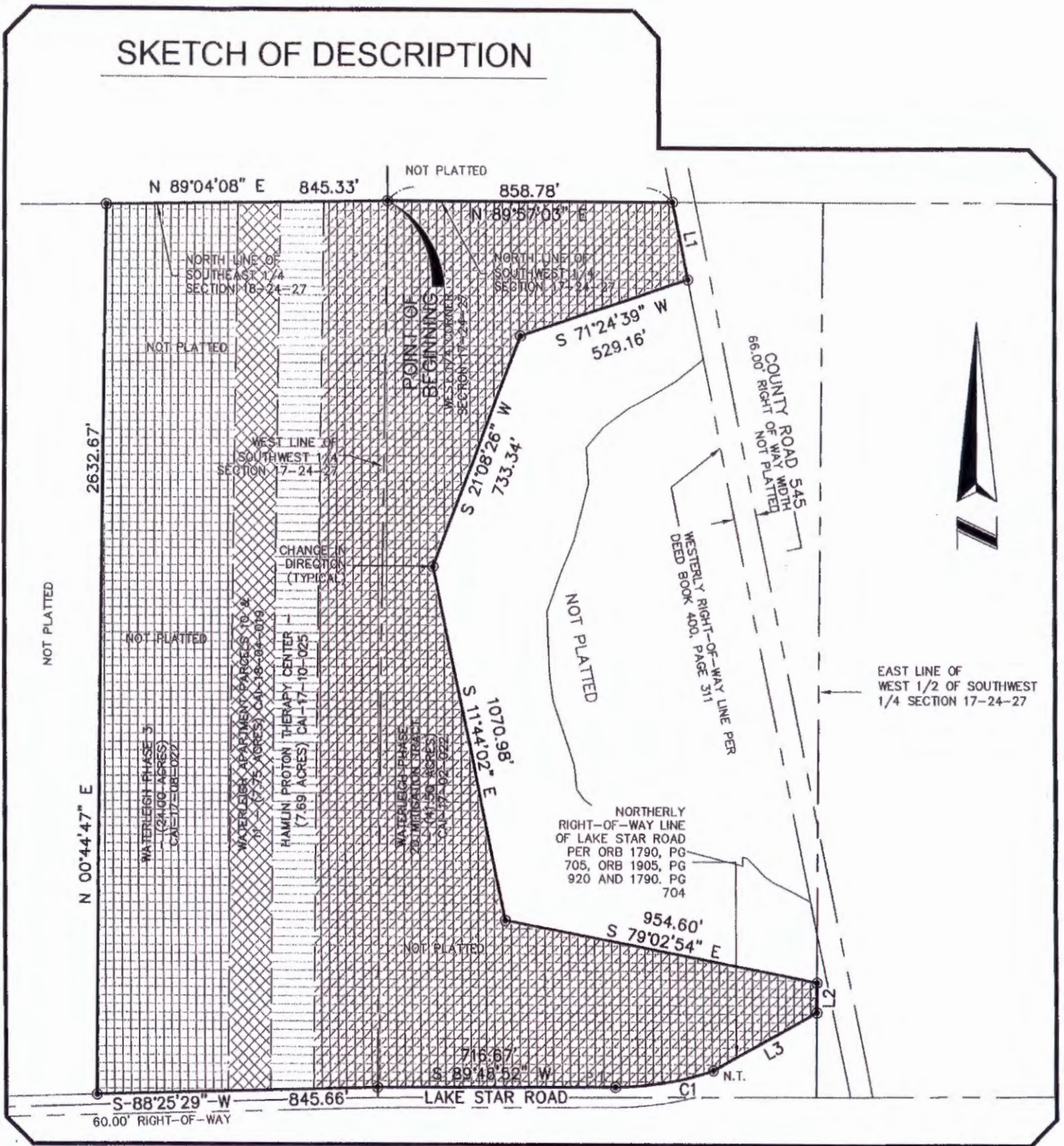
16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

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# SKETCH OF DESCRIPTION



EAST LINE OF WEST 1/2 OF SOUTHWEST 1/4 SECTION 17-24-27

SHEET 2 OF 3  
SEE SHEET 1 FOR DESCRIPTION AND SHEET 3 FOR LINE & CURVE TABLES



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Winter Garden, Florida 34787 • (407) 854-5355

JOB NO. 20150307  
DATE: 08/20/2018  
SCALE: 1" = 400 FEET  
DRAWN BY: JLR

LEGEND:  
ORB DENOTES OFFICIAL RECORDS BOOK  
PG DENOTES PAGE  
P.T. DENOTES POINT OF TANGENCY  
N.T. DENOTES NON-TANGENT  
N.R. DENOTES NON-RADIAL

REV: 09/27/18  
REV: 04-19-19

NOCPN 00017301 Dec 11 10:02

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# SKETCH OF DESCRIPTION

| LINE TABLE |         |               |
|------------|---------|---------------|
| LINE       | LENGTH  | BEARING       |
| L1         | 233.52' | S 11°22'36" E |
| L2         | 87.85'  | S 00°29'57" W |
| L3         | 358.83' | S 61°17'33" W |

| CURVE TABLE |         |               |         |           |         |
|-------------|---------|---------------|---------|-----------|---------|
| CURVE       | RADIUS  | CHORD BEARING | CHORD   | DELTA     | LENGTH  |
| C1          | 924.93' | S 80°28'56" W | 299.97' | 18°39'52" | 301.30' |

OCEPD NOV152019PM4:36

OCEPD DEC042019PM2:422



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

SHEET 3 OF 3  
SEE SHEET 1 FOR DESCRIPTION  
AND SHEET 2 FOR SKETCH

JOB NO. 20150307  
DATE: 08/20/2018  
SCALE: 1" = 400 FEET  
DRAWN BY: JLR

REV: 09/27/18  
REV: 04-19-19