



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 6

**DATE:** July 19, 2018

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

**THROUGH:** Paul Sladek, Manager  
Real Estate Management Division *PLC for Mr.*

**FROM:** Peter Stanley, Title Examiner *PS*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** APPROVAL OF UTILITY EASEMENT FROM LAKESHORE PRESERVE COMMUNITY HOMEOWNERS ASSOCIATION, INC. TO ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Horizon West Village F Seidel East Ph 5 Permit #17-S-028  
OCU File#: 91266  
  
District 1

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

**ITEM:** Utility Easement  
Cost: Donation  
Size: 9,891 square feet

**APPROVALS:** Real Estate Management Division  
Utilities Department

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

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
AUG 07 2018

THIS IS A DONATION

Project: Horizon West Village F Seidel East Ph 5 Permit #17-S-028 OCU File #91266

**UTILITY EASEMENT**

THIS INDENTURE, Made this 14<sup>th</sup> day of June, A.D. 2018, between Lakeshore Preserve Community Homeowners Association, Inc. a Florida not for profit corporation whose address is 2966 Commerce Park Dr., Orlando, FL 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 \$1.00 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 utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities 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:**

**portions of**

**05-24-27-5330-16-001 and 05-24-27-5330-16-004**

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 utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted easement, and the GRANTOR, its 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 utility facilities installed thereon.

GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement, or modify the size of existing pipelines or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

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

Signed, sealed and delivered

Witness

Deane Mitchell

Printed Name

Witness

Ben Infield

Printed Name

(Signature of **TWO** witnesses required by Florida law)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 14<sup>th</sup> of June, 2018, by Brian O'Hara, as President of Lakeshore Preserve Community Homeowners Association, Inc., a Florida not for profit corporation on behalf of the corporation. He is personally known to me or ☒ has produced n/a as identification.

(Notary Seal)

Lakeshore Preserve Community Homeowners Association, Inc.

a Florida not for profit corporation

BY: Brian O'Hara

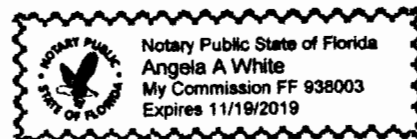
Brian O'Hara, President

Angela A. White  
Notary Signature

Angela A. White  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid.  
My commission expires:

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



# LEGAL DESCRIPTION TO ACCOMPANY SKETCH

## EXHIBIT A

PROJECT NAME: HORIZON WEST VILLAGE F SEIDEL EAST PHASE 5  
PLAN FILE NUMBER: 91266  
OCU PROJECT NUMBER: 17-S-028  
UTILITY EASEMENT

### LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN TRACT P-1 AND TRACT P-4 OF THE PLAT OF "LAKESHORE PRESERVE PHASE 1" AS RECORDED IN PLAT BOOK 87, PAGES 46 THROUGH 55, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WESTERNMOST CORNER OF SAID PLAT OF "LAKESHORE PRESERVE PHASE 1"; THENCE N52°56'26"E ALONG THE WESTERN BOUNDARY OF SAID PLAT OF "LAKESHORE PRESERVE PHASE 1" FOR 282.55 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID WESTERN BOUNDARY FOR THE FOLLOWING FOUR (4) COURSES: CONTINUE N52°56'26"E FOR 10.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTH; THENCE EAST ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 329.28 FEET AND A CHORD BEARING OF N59°39'20"E, THROUGH A CENTRAL ANGLE OF 166°34'13" FOR 957.29 FEET TO THE POINT OF TANGENCY; THENCE N23°37'46"W FOR 17.22 FEET; THENCE N66°22'14"E FOR 10.00 FEET TO POINT ON A LINE 10.00 FEET EAST OF AND PARALLEL TO SAID WESTERN BOUNDARY; THENCE S23°37'46"E ALONG SAID PARALLEL LINE FOR 17.22 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH; THENCE WEST ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 339.28 FEET, THROUGH A CENTRAL ANGLE OF 166°34'13" FOR 986.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,891 SQUARE FEET, MORE OR LESS.

NOAH CATHA  
PROFESSIONAL SURVEYOR & MAPPER

FLORIDA CERTIFICATE #6873  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND  
MAPPER.

LAKESHORE  
PRESERVE  
PHASE 5

Utility Easement

LAKESHORE PRESERVE  
COMMUNITY  
HOMEOWNER'S  
ASSOCIATION

ORANGE COUNTY, FL

**ESE** Land Planning  
Engineering  
Land Surveying

ESE Consultants, Inc.  
2966 Commerce Park Dr.  
Suite 100  
Orlando, FL 32819  
TEL: 407-345-6050  
(LB #7508)

SCALE: N/A JOB#: 3544 DRAWN: NC CHECK:  
DATE: 03/27/18 REVISION: 05/24/18 SHEET 1 of 3

# SKETCH TO ACCOMPANY DESCRIPTION

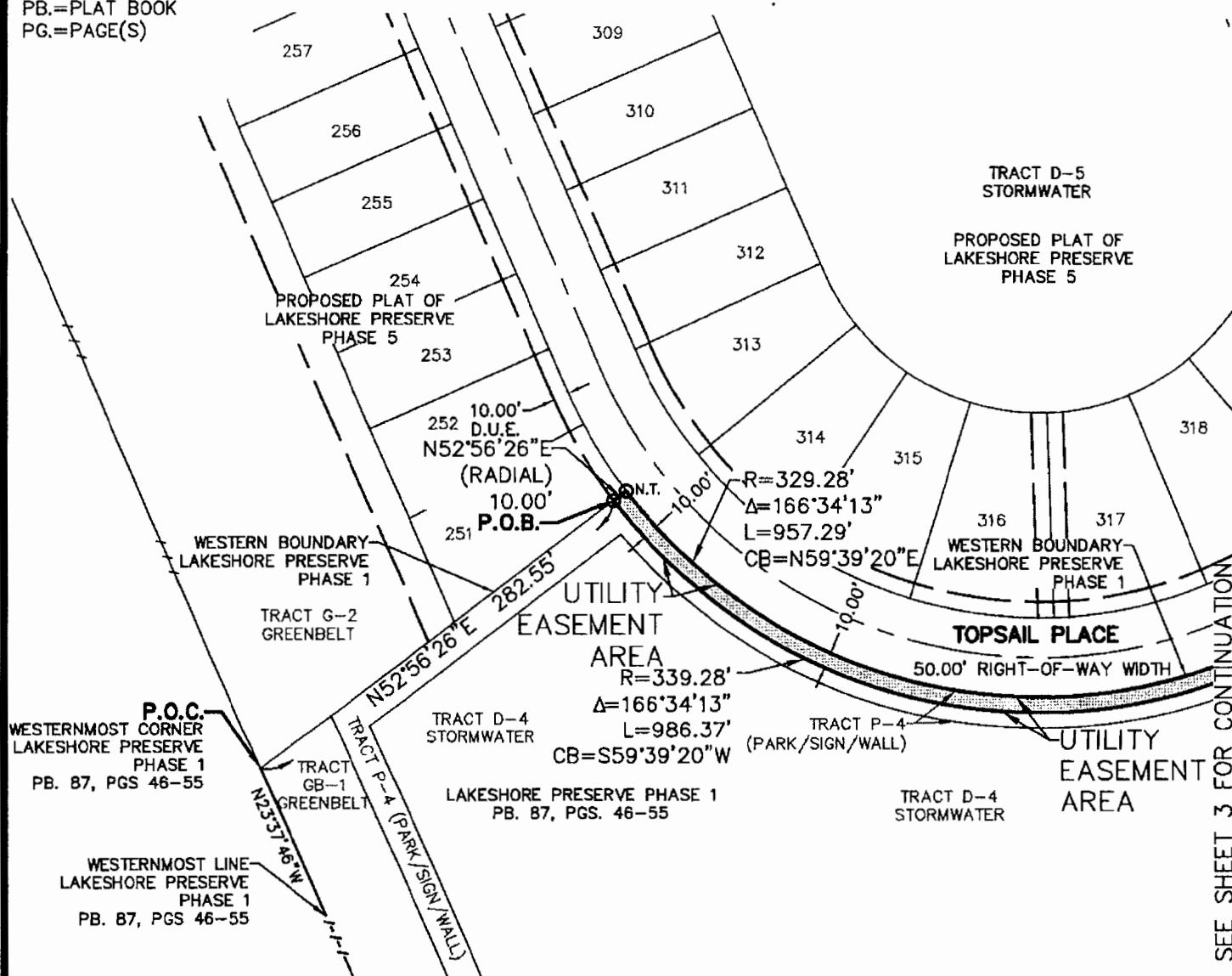
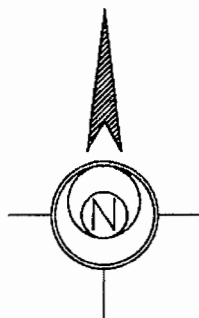
PROJECT NAME: HORIZON WEST VILLAGE F SEIDEL EAST PHASE 5  
 PLAN FILE NUMBER: 91266  
 OCU PROJECT NUMBER: 17-S-028  
 UTILITY EASEMENT

## LEGEND

P.O.C.=POINT OF COMMENCEMENT  
 P.O.B.=POINT OF BEGINNING  
 PC=POINT OF CURVATURE  
 PT=POINT OF TANGENCY  
 R=RADIUS  
 Δ=CENTRAL ANGLE  
 L=ARC LENGTH  
 CB=CHORD BEARING  
 NT=NON-TANGENT  
 PB.=PLAT BOOK  
 PG.=PAGE(S)

## NOTES:

1. THIS IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED UPON THE WESTERNMOST LINE OF THE PLAT OF "LAKESHORE PRESERVE PHASE 1" AS RECORDED IN PLAT BOOK 87, PAGES 46-55, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEARING N23°37'46"W.



SEE SHEET 3 FOR CONTINUATION

LAKESHORE PRESERVE PHASE 5  
 Utility Easement

LAKESHORE PRESERVE COMMUNITY HOMEOWNER'S ASSOCIATION  
 ORANGE COUNTY, FL

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 TEL: 407-345-6050  
 (LB #7508)

SCALE: 1"=100 JOB#: 3544 DRAWN: NC CHECK:  
 DATE: 03/27/18 REVISION: 05/24/18 SHEET 2 of 3

# SKETCH TO ACCOMPANY DESCRIPTION

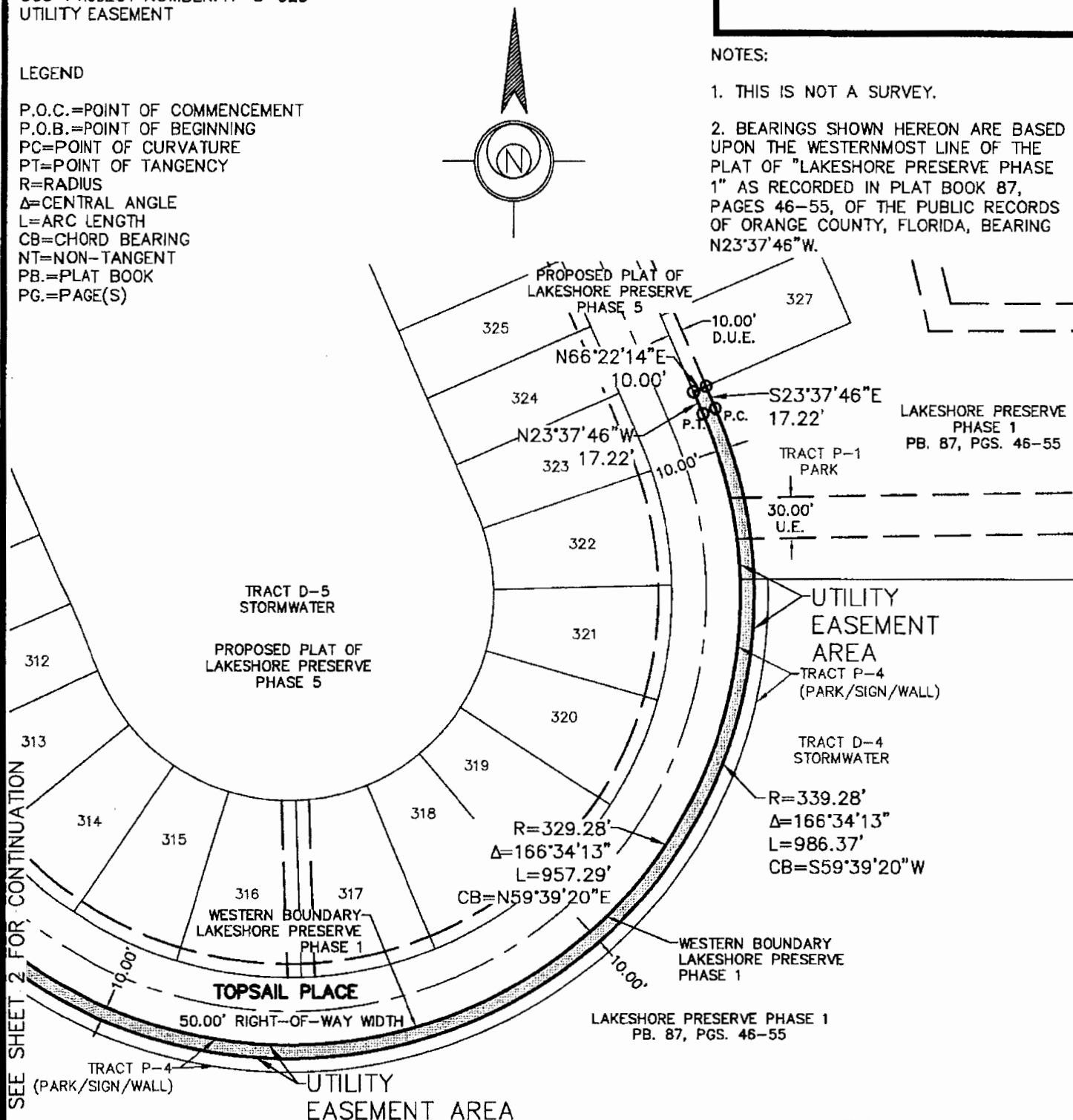
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LAKESHORE  
 PRESERVE  
 PHASE 5  
 Utility Easement

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