

THIS INSTRUMENT PREPARED BY:

JAMES G. WILLA RD, ESQ.
SHUTTS & BOWEN, LLP
300 SOUTH ORANGE AVENUE, SUITE 1600
ORLANDO , FLORIDA 32801

AND SHOULD BE RETURNED TO:

ORANGE COUNTY REAL ESTATE MANAGEMENT
400 E. SOUTH STREET, 5m FLOOR
ORLANDO, FLORIDA 32801

Cross Reference: ORB I0442, PG 2736

Project: Shaw Daniels Infrastructure at Hamlin (PR-21-08-033)

AMENDMENT TO
NON-EXCLUSIVE DRAINAGE EASEMENT

THIS AMENDMENT TO NON-EXCLUSIVE DRAINAGE EASEMENT (the "**Amendment**") is made by and between **RAR2 - LAKE HOUSE OWNER, LLC**, a Delaware limited liability company, whose address is c/o RREEF America, L.L.C., 222 South Riverside Plaza, 34th Floor, Chicago, Illinois 60606 ("**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:

WHEREAS, GRANTOR's predecessor in title, SD New Independence Holdings, LLC, a Florida limited liability company ("**SD**"), and GRANTEE entered into that certain Non-Exclusive Drainage Easement by instrument recorded September 14, 2012 in Official Records Book 10442, Page 2736, in the Public Records of Orange County, Florida (the "**Original Easement**"); and

WHEREAS, the Original Easement provided for a drainage easement to drain a portion of New Independence Parkway, a County roadway, over and across an area defined as the “**Drainage Easement Area**” in the Original Easement and hereinafter referred to as (the “**Original Easement Area**”); and

WHEREAS, in conjunction with the development of the surrounding property owned by GRANTOR within the Hamlin PD and as more particularly described in the Waterside at Hamlin DP, GRANTOR and GRANTEE have agreed to maintain and continue use of the Original Easement Area until such time as GRANTOR has constructed a relocated drainage easement area (the “**Relocated Easement Area**”) to provide the same drainage capability to County as the Original Easement Area; and

WHEREAS, the parties further intend that the drainage improvements to be located within the Relocated Easement Area shall be completed and approved by County prior to the recording of the plat for Shaw Daniels Infrastructure; and

WHEREAS, the parties agree that the Original Easement shall automatically terminate and be replaced in its entirety by the Relocated Easement Area upon the recordation of the Shaw Daniels Infrastructure plat as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. RECITALS. The recitals set forth above are true and correct and incorporated herein by reference.
2. AMENDMENT TO ORIGINAL EASEMENT. The parties agree that the Original Easement shall be amended and modified as follows:

(a) GRANTOR hereby gives and grants to GRANTEE and its assigns, a perpetual, non-exclusive underground easement for drainage purposes under, through and upon the Relocated Easement Area as more particularly described in the attached **Exhibit "A"**.

(b) GRANTEE hereby agrees that all of its right, title and interest in the Original Easement Area shall automatically terminate and be replaced in its entirety by the Relocated Easement Area upon recordation of the plat of Shaw Daniels Infrastructure showing the location of the Relocated Easement Area.

(c) The Original Easement required GRANTEE to maintain the Drainage Improvements within the Original Easement Area until such time as GRANTOR commences use of the Original Easement Area to accommodate drainage and retention from its adjoining lands. Notwithstanding anything to the contrary in the Original Easement, GRANTOR, its successor and/or assigns, hereby assumes responsibility for maintenance of the Drainage Improvements within the Relocated Easement Area to GRANTEE'S satisfaction.

3. **FULL FORCE AND EFFECT.** Except as amended by this Amendment, the Original Drainage Easement and all covenants, agreements, terms, provisions, and conditions thereof are hereby ratified and confirmed and shall remain in full force and effect.

[COUNTERPART SIGNATURES CONTAINED ON THE FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties have set their hands and seals under seal as of the last day and year below written.

Signature of TWO witnesses and their mailing addresses are required by Florida law, F.S. 695.26

"GRANTOR"

WITNESS #1

Jp Rashid
Signature

JD RASHID
Print Name

Mailing Address: 222 S. Riverside Plaza Flr. 34

City: Chicago State: IL

Zip Code: 60606

RAR2 – LAKE HOUSE OWNER, LLC, a Delaware limited liability company

By: RAR2 – Hamlin Townhomes JV, LLC, a Delaware limited liability company, its Sole Member

By: [Signature]
Samit Patel, Authorized Signatory

By: [Signature]
James E. Toney, Authorized Signatory

WITNESS #2

[Signature]
Signature

Zach DiCarlo
Print Name

Mailing Address: 222 S. Riverside Plaza, Fl 34

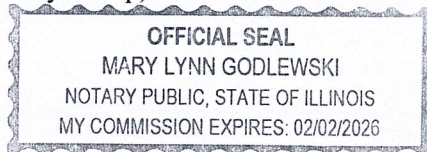
City: Chicago State: IL

Zip Code: 60606

STATE OF ILLINOIS
COUNTY OF COOK

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 1 day of September, 2025, by Samit Patel and James E. Toney, both Authorized Signatories of RAR2- Hamlin Townhomes JV, LLC, a Delaware limited liability company, the Sole Member of RAR2 – LAKE HOUSE OWNER, LLC, a Delaware limited liability company, on behalf of the company. The individual ☒ is personally known to me or ☐ has produced PERSONALLY KNOWN as identification.

(Notary Stamp)



[Signature]
Notary Signature

MARY LYNN GODLEWSKI
Print Notary Name

Notary Public of: ILLINOIS

My Commission Expires: 02/02/2026

“COUNTY”

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____
Jerry L. Demings,
Orange County Mayor

Date: _____

ATTEST:

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

By: _____
Deputy Clerk

Print: _____

EXHIBIT "A"
RELOCATED EASEMENT AREA

LEGAL DESCRIPTION

NOT A SURVEY

A STRIP OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 23 SOUTH, RANGE 27 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHERNMOST CORNER OF TRACT SW-1, LAKEWALK AT HAMLIN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 92, PAGES 2 AND 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 45°05'05" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT SW-1, A DISTANCE OF 15.60 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTHERLY LINE, RUN NORTH 37°09'43" EAST FOR A DISTANCE OF 66.76 FEET; THENCE RUN NORTH 18°53'49" EAST FOR A DISTANCE OF 46.94 FEET; THENCE RUN NORTH 00°29'51" WEST FOR A DISTANCE OF 93.66 FEET; THENCE RUN NORTH 12°10'15" EAST FOR A DISTANCE OF 47.64 FEET; THENCE RUN NORTH 46°54'21" EAST FOR A DISTANCE OF 48.12 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF NEW INDEPENDENCE PARKWAY, ACCORDING TO OFFICIAL RECORDS BOOK 10416, PAGE 5729 OF SAID PUBLIC RECORDS, LYING ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2005.30 FEET, WITH A CHORD BEARING OF SOUTH 79°06'05" EAST, AND A CHORD DISTANCE OF 92.52 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°38'37" FOR A DISTANCE OF 92.53 FEET TO A POINT ON A NON-TANGENT LINE; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE, RUN SOUTH 11°23'53" WEST FOR A DISTANCE OF 24.01 FEET; THENCE RUN NORTH 79°44'57" WEST FOR A DISTANCE OF 73.28 FEET; THENCE RUN SOUTH 46°54'21" WEST FOR A DISTANCE OF 29.84 FEET; THENCE RUN SOUTH 12°10'15" WEST FOR A DISTANCE OF 34.93 FEET; THENCE RUN SOUTH 00°29'51" EAST FOR A DISTANCE OF 95.45 FEET; THENCE RUN SOUTH 18°53'49" WEST FOR A DISTANCE OF 56.89 FEET; THENCE RUN SOUTH 37°09'43" WEST FOR A DISTANCE OF 75.67 FEET TO A POINT ON SAID NORTHERLY LINE OF TRACT SW-1; THENCE RUN NORTH 45°05'05" WEST, ALONG SAID NORTHERLY LINE, FOR A DISTANCE OF 30.28 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 11,000 SQUARE FEET OR 0.25 ACRES MORE OR LESS.

SHEET 1 OF 3
SEE SHEET 2 FOR
SKETCH OF DESCRIPTION
SEE SHEET 3 FOR LINE
& CURVE TABLE



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LB#8627

SURVEYOR'S NOTES:

1. THIS LEGAL DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY LINE OF TRACT SW-1, LAKEWALK AT HAMLIN, PLAT BOOK 92, PAGES 2 AND 3 BEING S45°05'05"E. (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB #: 20110078
DATE: 03/27/25
SCALE: 1"=60'

CALC BY: DY
DRAWN BY: SEJ
CHECKED BY: MR

FOR THE LICENSED BUSINESS #8627 BY:

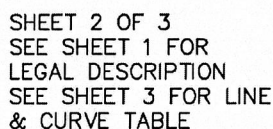


Digitally signed by:
James L. Rickman
Date: 2025.09.04
13:29:07 -04'00'

JAMES L. RICKMAN, PSM #5633

Drawing name: L:\Data\20110078\SKETCHES\sketch248 DRAINAGE EASEMENT 8.5x11 Sheet-1

NOT A SURVEY



● CHANGE IN DIRECTION
 LB LICENSED BUSINESS
 PSM PROFESSIONAL SURVEYOR AND MAPPER
 P.O.C. POINT OF COMMENCEMENT
 P.O.B. POINT OF BEGINNING

PB PLAT BOOK
ORB OFFICIAL RECORDS BOOK
PG(S) PAGE(S)
DOC# DOCUMENT NUMBER
DE DRAINAGE EASEMENT

R/W RIGHT OF WAY
NR NON RADIAL
NT NON TANGENT

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CALC BY: DY
DRAWN BY: SEJ
CHECKED BY: MR

Drawing name: I:\Data\20110078\SKETCHES\sketch248 DRAINAGE EASEMENT B-5x11 Sheet 2

SKETCH OF DESCRIPTION

NOT A SURVEY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S45°05'05"E	15.60'
L2	N37°09'43"E	66.76'
L3	N18°53'49"E	46.94'
L4	N12°10'15"E	47.64'
L5	N46°54'21"E	48.12'
L6	S11°23'53"W	24.01'
L7	N79°44'57"W	73.28'
L8	S46°54'21"W	29.84'
L9	S12°10'15"W	34.93'
L10	S18°53'49"W	56.89'
L11	N45°05'05"W	30.28'

CURVE TABLE					
CURVE	RADIUS	CHORD BEARING	CHORD	DELTA	LENGTH
C1	2005.30'	S79°06'05"E	92.52'	002°38'37"	92.53'

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



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