



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 14

DATE: August 11, 2022

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

THROUGH: Mindy T. Cummings, Manager *MTC*
Real Estate Management Division

FROM: Elizabeth Price Jackson, Senior Title Examiner *EPS/MTC*
Real Estate Management Division

CONTACT PERSON: **Mindy T. Cummings, Manager**

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

ACTION REQUESTED: Approval and execution of Amendment of Encroachment Agreement between Florida Gas Transmission Company, LLC and Orange County and authorization to record instrument.

PROJECT: Lake Lucie Equestrian Trailhead Parking Area

District 2

PURPOSE: To provide for access, construction, operation, and maintenance of County facilities.

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ITEM: Amendment of Encroachment Agreement
Cost: None

APPROVALS: Real Estate Management Division
Environmental Protection Division

REMARKS: On October 30, 2018, the County entered into an Encroachment Agreement with Florida Gas Transmission Company, LLC (“FGT”) to allow for construction of two driveways at the Lake Lucie Equestrian Trailhead Parking Area, which cross the existing FGT gas pipeline Easement. The County has requested the Amendment to Encroachment Agreement (Amendment) to accommodate construction of 255 feet of fence parallel to and across the Easement. The Amendment acknowledges the new fence area and adds a new exhibit depicting the additional encroachment. All other terms and conditions remain the same.

Orange County is executing this Amendment to show acceptance of its terms and conditions.

FGT to pay recording fees.

AUG 30 2022

Instrument Prepared By and Return to:
Right of Way Department/Amy Powell
Florida Gas Transmission Company, LLC
2301 Lucien Way, Suite 200
Maitland, FL 32751

County Project: Lake Lucie Equestrian Trailhead Parking Area
Project No.: 18-122 (Amend 1)
Tract No.: FLMEB-ORAN-002

DOC # 20220557044
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Rec Fee: \$44.00
Deed Doc Tax: \$0.00
Mortgage Doc Tax: \$0.00
Intangible Tax: \$0.00
Phil Diamond, Comptroller
Orange County, FL
Ret To: CSC INC

AMENDMENT OF ENCROACHMENT AGREEMENT

WHEREAS, by that certain Encroachment Agreement dated October 30, 2018, and recorded as Document No. 20180667091, of the Public Records of Orange County, Florida, ("Agreement") Florida Gas Transmission Company, LLC, ("FGT") agreed to allow Orange County, Florida, a charter county and political subdivision of the State of Florida ("ORANGE COUNTY") to construct two driveways crossing the FGT natural gas pipeline easement described in the Agreement;

WHEREAS, FGT and ORANGE COUNTY desire to amend the Agreement to revise and add 255 feet of fence parallel and across the easement; and to add to the drawings shown on pages 9 of Exhibit C with an additional drawing attached hereto and made a part hereof as Exhibit C-1.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT FGT, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by ORANGE COUNTY, does hereby agree and consent, subject to the terms and provisions of the Agreement and this Amendment of the Encroachment Agreement ("Amendment"), to the following:

a. Addition and/or Replacement of Exhibit C Drawings with the drawings attached to this Amendment as Exhibit C-1.

FGT and ORANGE COUNTY stipulate and agree that the statements and information contained in the introductory paragraphs of the Agreement as changed by this Amendment are true and correct and are incorporated herein by this reference. FGT and ORANGE COUNTY do hereby **ADOPT, RATIFY** and **CONFIRM** the Agreement, as amended and modified by this Amendment and agree to be bound thereby.

This Amendment and the benefits and obligations herein contained shall inure to the benefit of and be binding and obligatory upon FGT, ORANGE COUNTY and their respective successors and assigns.

EXECUTED THIS 9 day of September, 2022.

County Project: Lake Lucie Equestrian Trailhead Parking Area
Project No.: 18-122 (Amend 1)
Tract No.: FLMEB-ORAN-002

WITNESSES:

Kristin Duke
Name: Kristin Duke

Jim Johnson
Name: Jim Johnson

"FGT"
FLORIDA GAS TRANSMISSION
COMPANY, LLC

By David Shell
DAVID SHELLHOUSE
VP of SOUTHEAST DIVISION

ACKNOWLEDGEMENTS

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 9 day of September, 2022, by **DAVID SHELLHOUSE, VICE PRESIDENT OF FLORIDA GAS TRANSMISSION COMPANY, LLC**, a Delaware limited liability company, on behalf of the company. He is personally known to me or has produced _____ (type of identification) as identification.

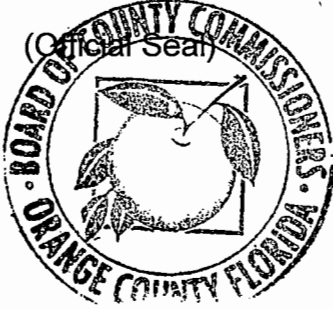


Kristin Duke
Notary Public
Printed Name: Kristin Duke

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County Project: Lake Lucie Equestrian Trailhead Parking Area
Project No.: 18-122 (Amend 1)
Tract No.: FLMEB-ORAN-002

“ORANGE COUNTY”



Orange County, Florida
By: Board of County Commissioners

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

Date: 1 September 2022

Attest: Phil Diamond, CPA
Orange County Comptroller
as Clerk of the Board of County Commissioners

By: *Jessica Vaupel*
for Deputy Clerk

Jessica Vaupel
Printed Name

County Project: Lake Lucie Equestrian Trailhead Parking Area

Project No.: 18-122 (Amend 1)

Tract No.: FLMEB-ORAN-002

EXHIBIT C-1

To that certain

Amendment of Encroachment Agreement

Dated September 9, 2022

By and between

**FLORIDA GAS TRANSMISSION COMPANY, LLC, and
ORANGE COUNTY, FLORIDA**

PLAT AND DESCRIPTION OF THE ENCROACHMENT

(SEE ATTACHED 1 PAGE)

County Project: Lake Lucie Equestrian Trailhead Parking Area
Project No.: 18-122 (Amend 1)
Tract No.: FLMEB-ORAN-002

Fence and post must remain off of pipeline and be installed no closer than 5' from the line

