



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: November 20, 2023

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

THROUGH: Mindy T. Cummings, Manager
Real Estate Management Division *Handwritten: HMC for MC*

FROM: Steve Cochran, Acquisition Agent
Real Estate Management Division

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

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

ACTION REQUESTED: Approval of Drainage Easement between United Global Outreach, Inc. and Orange County, approval of Subordination of Encumbrance to Property Rights to Orange County, and authorization to disburse funds to pay recording fees, and to record instrument.

PROJECT: 5th Street and 15th Avenue Canal (BLSDC003)

District 5

PURPOSE: To provide access for the operation and maintenance of an existing drainage pipe.

ITEMS: Drainage Easement (Instrument: 804.1)
Cost: Donation
Size: 2,000 square feet

Subordination (Instrument: 804.2)

BUDGET: Account No. 1002-072-2906-6110

FUNDS: \$71.70 Payable to Orange County Comptroller
(for recording fees)

APPROVALS: Real Estate Management Division
Roads and Drainage Division

REMARKS: This new Easement is being acquired at the request of the Roads and Drainage Division to facilitate operation and maintenance of an existing drainage pipe.

~~DEC 1 2 2023~~

THIS IS A DONATION

Instrument: 804.1

Project: 5th Street & 15th Av Canal (BLSDC003)

DRAINAGE EASEMENT

THIS INDENTURE, made as of the date signed below, between United Global Outreach, Inc., a Florida corporation, whose address is 18415 11th Avenue, Orlando Florida 32833, 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, a permanent non-exclusive easement for drainage purposes, with full authority to enter upon, inspect, construct, repair, replace, operate, maintain, and service, an underground pipe, stormwater drainage ditch and appurtenant facilities (“Said Facilities”) over, under, and upon the following lands as described in **Schedule “A” (“Easement Area”)**

Property Appraiser’s Parcel Identification Number:
a portion of
22-22-32-0712-12-054

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

THE GRANTEE, its successors, and its assigns shall have the right to clear and keep clear all trees, undergrowth, buildings, utilities, structures, obstructions, obstacles, driveways, crops, landscaping other than sod or similar type of ground cover, and other impediments, which, in the opinion of GRANTEE, may endanger or interfere with the safe and efficient inspection, construction, repair, replacement, operation, maintenance, or service of Said Facilities within the Easement Area.

NO BUILDINGS, utilities, structures, obstructions, obstacles, driveways, crops, landscaping other than sod or similar type of ground cover, or impediments shall be located, constructed, excavated, or created within the Easement Area by GRANTOR, their heirs, successors and assigns.

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

GRANTEE may at any time increase its use of the easement, change the location of ditches, pipes, or other facilities within the boundaries of the easement, or modify the size of existing ditches, pipes, 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.

Instrument: 804.1
Project: 5th St & 15th Av Canal (BLSDC003)

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

Signed, sealed, and delivered
in the presence of:

United Global Outreach, Inc.,
a Florida corporation

Steve Andrew Cochran
Witness

BY: [Signature]
Timothy J. McKinney, as President

Steve Andrew Cochran
Printed Name

Kaley Hadden
Witness

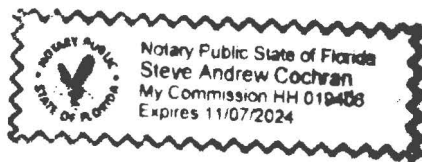
Kaley Hadden
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 12th day of October, 2023 by Timothy J. McKinney, as President, of United Global Outreach, Inc., a Florida corporation, on behalf of the corporation. The individual is personally known to me or has produced FL Driver License as identification.

(Notary Seal)



Steve Andrew Cochran
Notary Signature

Steve Andrew Cochran
Printed Notary Name

Notary Public in and for
the County and State aforesaid.

My commission expires: 11/7/2024

This instrument prepared by:
Mary Tiffault, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida
P. O. Box 1393
Orlando, Florida 32802-1393

SCHEDULE "A"

SKETCH OF DESCRIPTION

PROJECT: 5TH ST & 15TH AV Canal (BLSDC047)

PARCEL: 804

SPACE ABOVE RESERVED FOR RECORDING INFORMATION

LEGAL DESCRIPTION:

A tract of land lying in Lots 68 thru 74, Block L, as recorded in Plat Book G, Page 50, of the Public Records of Orange County, Florida, located in the Northwest 1/4 of Section 27, Township 22 South, Range 32 East, Orange County, Florida. The tract of land being more particularly described as follows:

Commence at the Southwest corner of Lot 68 as described in said Plat; Thence run East along the North line of 11th Avenue Right of Way as recorded in Plat Book G, Page 50, of the Public Records of Orange County, Florida, a distance of 10.00 feet to the Point of Beginning; Thence run North parallel to the West line of Lot 68, a distance of 10.00 feet; Thence run East a distance of 200.00 feet to a point; Thence run South parallel to the East line of Lot 73 as described in said Plat, a distance of 10.00 feet; Thence run West a distance of 200.00 feet to the Point of Beginning.

Containing 2,000 Square Feet, MORE or LESS.



MARK DAYNES,
REGISTERED LAND SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479
DATE: 10/05/2022


I HEREBY AFFIRM THAT THIS SKETCH REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C., PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES. NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYORS NOTES:

1. THIS DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, AND IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, OR OTHER MATTERS THAT A TITLE SEARCH MIGHT DISCLOSE.
2. PUBLIC RECORDS INDICATED HEREON ARE OF ORANGE COUNTY, UNLESS OTHERWISE NOTED.
3. NOT A BOUNDARY SURVEY.
4. LOT 68 THRU 74, BLOCK L, PARCEL I.D. 22-22-32-0712-12-054.
5. THE PURPOSE OF THIS SKETCH AND DISCRIPTION IS A DRAINAGE EASEMENT.
6. BEARINGS BASED ON THE WEST LINE OF LOT 68, BLOCK L, PLAT BOOK G, PAGE 50 AS BEING NORTH. (ASSUMED)

PREPARED FOR:
REAL ESTATE MANAGEMENT

NOT COMPLETE WITHOUT SHEET 2 OF 2

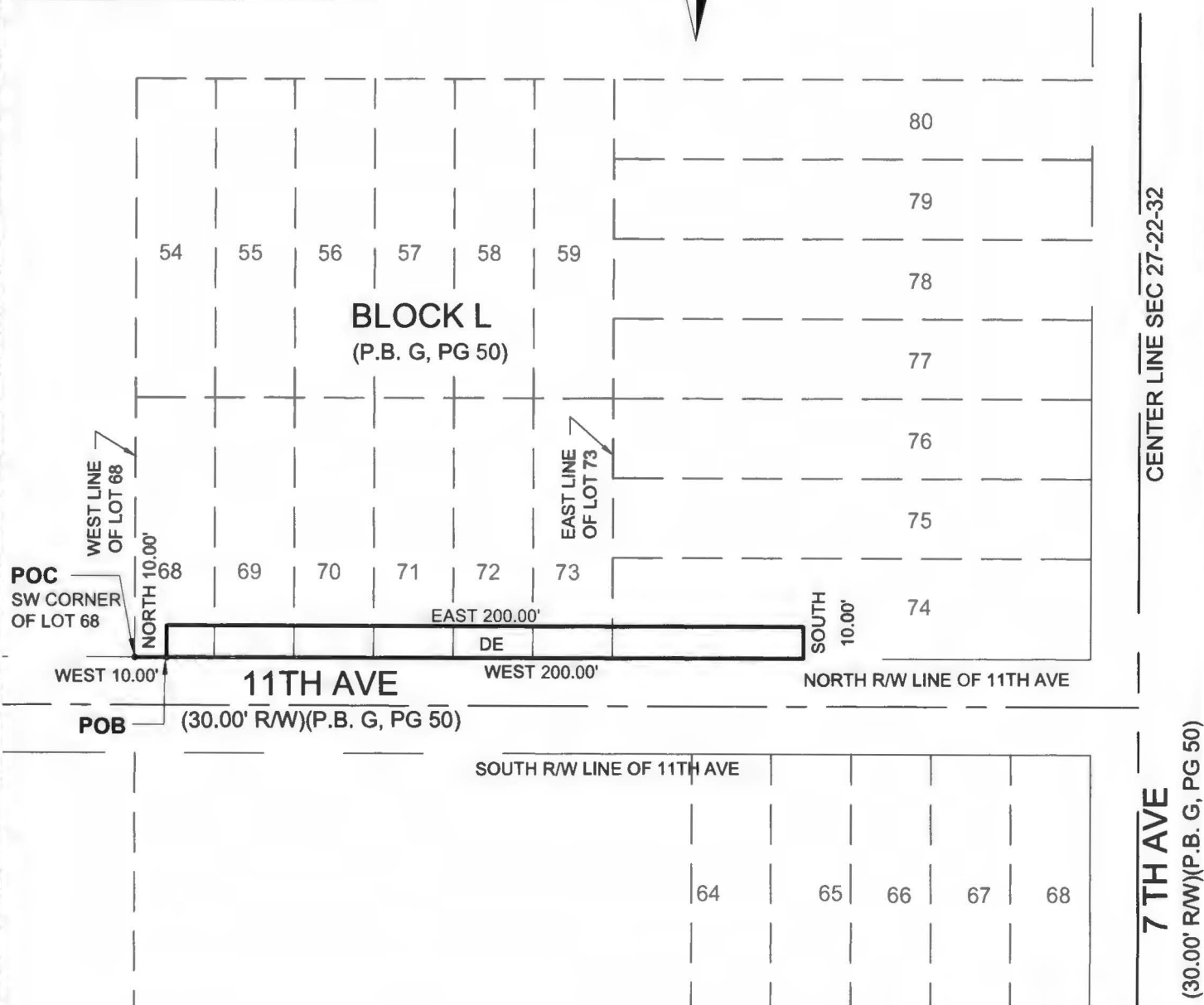
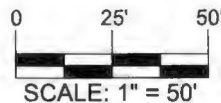
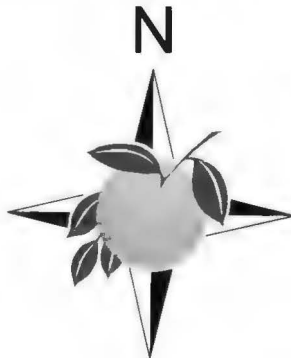
FIELD DATE: -----	DATE: 09/13/2022	SECTION: 27	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION  4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-8205 (407) 836-7881	DRAWING SCALE: N/A
DRAWN BY: JFM		TOWNSHIP: 22S		COUNTY PROJECT NUMBER
CHECKED BY: M.DAYNES	REVISIONS:	RANGE: 32E		8994
APPROVED BY: M.DAYNES		SHEET 1 OF 2		

MAT 3/17/23

SKETCH OF DESCRIPTION
PROJECT: 5TH ST & 15TH AV Canal (BLSDC047)
PARCEL: 804

LEGEND:

- POB Point of Beginning
- POC Point of Commencement
- P.B. Plat Book
- PG(S) Page/Pages
- R/W Right of Way
- DE Drainage Easement
- AVE Avenue



NOT COMPLETE WITHOUT SHEET 1 OF 2

PREPARED FOR:
 REAL ESTATE MANAGEMENT

FIELD DATE: _____
 DRAWN BY: JFM
 CHECKED BY: M.DAYNES
 APPROVED BY: M.DAYNES

DATE: 09/13/2022
 REVISIONS:

SECTION: 27
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 RANGE: 32E
 SHEET 2 OF 2

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
 4300 SOUTH JOHN YOUNG PARKWAY
 ORLANDO, FLORIDA 32839-9205
 (407) 838-7881



DRAWING SCALE:
 1"=50'
 COUNTY PROJECT NUMBER
 8994

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

DEC 12 2023

Instrument: 804.2
Project: 5th Street & 15th Av Canal (BLSDC003)

SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS TO ORANGE COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a drainage project in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to the below encumbrance held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrance to the property rights of Orange County in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations, paid, receipt of which is hereby acknowledged, the undersigned subordinates said encumbrance as it has been or as may be modified and amended from time to time to the property rights of Orange County to locate, construct, maintain, and/or improve said project over, through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

SEE ATTACHED SCHEDULE "A"

Encumbrance:

Ameris Bank
FROM: United Global Outreach, Inc.
Mortgage Future Advances filed November 4, 2021
Recorded as Document No. 20210677862
Assignment of Rents filed November 4, 2021
Recorded as Document No. 20210677863
Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrance insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for drainage purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrance or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed that in the event said above described premises are abandoned by Orange County and cease to be used for drainage purposes that in such event the subordination of said encumbrance shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

Instrument: 804.2
Project: 5th Street & 15th Av Canal (BLSDC003)

IN WITNESS WHEREOF, the said holder of said encumbrance has duly executed this instrument as of the date written below.

Signed, sealed, and delivered
in the presence of:

Danielle Rogers
Witness

Danielle Rogers
Printed Name

Marlene Motu
Witness

Marlene Motu
Printed Name

Ameris Bank

BY: Jennifer Pollock

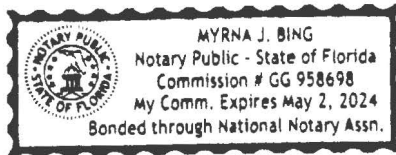
JENNIFER POLLOCK
Printed Name

SVP
Title

STATE OF Florida
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 6th of November, 2023, by Jennifer Pollock, as SVP of Ameris Bank, on behalf of the bank. The individual is personally known to me or has produced _____ as identification.

(Notary Seal)



Myrna J. Bing
Notary Signature

Myrna J. Bing
Printed Notary Name

Notary Public in and for
the County and State aforesaid

My Commission Expires:
May 2, 2024

This instrument prepared by:
Mary Tiffault, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida
P. O. Box 1393
Orlando, FL 32802-1393

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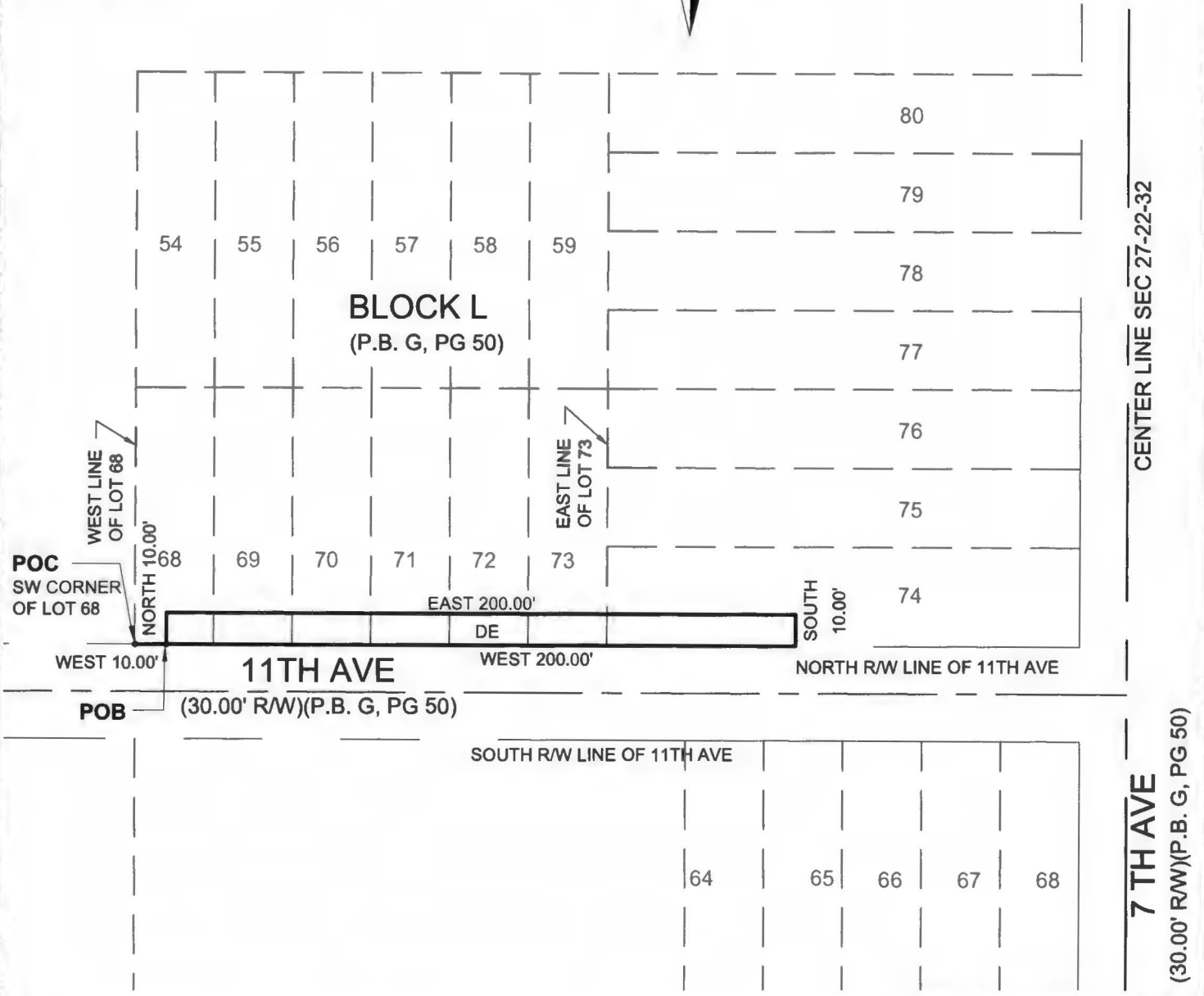
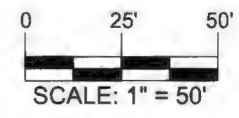
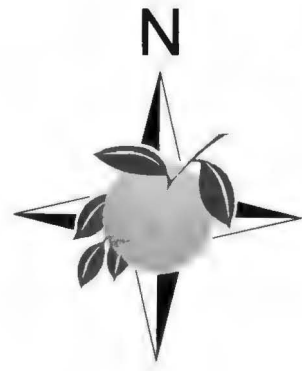
PREPARED FOR:
REAL ESTATE MANAGEMENT

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DRAWN BY: JFM	REVISIONS:	TOWNSHIP: 22S		COUNTY PROJECT NUMBER
CHECKED BY: M.DAYNES		RANGE: 32E		8994
APPROVED BY: M.DAYNES		SHEET 1 OF 2		

SKETCH OF DESCRIPTION
PROJECT: 5TH ST & 15TH AV Canal (BLSDC047)
PARCEL: 804

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 AVE Avenue



NOT COMPLETE WITHOUT SHEET 1 OF 2

PREPARED FOR:
 REAL ESTATE MANAGEMENT

FIELD DATE: _____	DATE: 09/13/2022	SECTION: 27	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4300 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32838-8205 (407) 838-7951	ORANGE COUNTY GOVERNMENT FLORIDA	DRAWING SCALE: 1"=50'
DRAWN BY: JFM	REVISIONS:	TOWNSHIP: 22S			COUNTY PROJECT NUMBER 8994
CHECKED BY: M.DAYNES		RANGE: 32E			
APPROVED BY: M.DAYNES		SHEET 2 OF 2			

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: October 16, 2023

Total Amount: \$71.70

Project: 5TH & 15TH Ave, Canal (BLSDC003)

Parcels: 804

Charge to Account # ~~1002-72-2906-6110~~
1002-72-2906-6110

George Shupp 10/25/23

Controlling Agency Approval Signature Date

George Shupp

Printed Name

[Signature] 10/25/23

Fiscal Approval Signature Date

[Signature]

Printed Name

TYPE TRANSACTION (Check appropriate block(s))
 Pre-Condernation Post-Condernation

N/A District # 5

- Acquisition at Approved Appraisal
- Acquisition at Below Approved Appraisal
- Acquisition at Above Approved Appraisal
- Advance Payment Requested
- Donation

NAME, ADDRESS, FEIN
(No Social Security No.)

Orange County Comptroller
Recording Fees: \$71.70

Total \$71.70

DOCUMENTATION ATTACHED (Check appropriate block(s))

- Contract/ Agreement
- Copy of Executed Instruments
- Certificate of Value
- Settlement Analysis

Payable to: Orange County Comptroller \$71.70

IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by *Steve Cochran*
Steve Cochran, Acquisition Agent, Real Estate Management Div.

10/16/2023
Date

Payment Approved *[Signature]*
Luciana Mino, Assistant Manager, Real Estate Management Div.

10/24/2023
Date

or
Payment Approved _____
Mindy T. Cummings, Manager, Real Estate Management Div.

Date

Certified *Nelia Perry*
Approved by BCC for Deputy Clerk to the Board

DEC 12 2023
Date

Examined/Approved _____
Comptroller/Government Grants

Check No. / Date

REMARKS:

Anticipated Closing Date: When the Checks are available.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 12 2023