ORANGE COUNTY GOVERNMENT

Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 15

DATE:

November 29, 2018

TO:

Mayor Jerry L. Demings

and the

Board of County Commissioners

THROUGH:

Paul Sladek, Manager 785

Real Estate Management Division

FROM:

Mary Tiffault, Title Examiner

Real Estate Management Division

CONTACT

PERSON:

Paul Sladek, Manager

DIVISION:

Real Estate Management

Phone: (407) 836-7090

ACTION

REQUESTED:

APPROVAL OF UTILITY EASEMENT FROM D.R. HORTON, INC.

TO ORANGE COUNTY AND UTILITY EASEMENT FROM

WATERLEIGH MASTER COMMUNITY ASSOCIATION, INC. TO

ORANGE COUNTY AND AUTHORIZATION TO RECORD

INSTRUMENTS

PROJECT:

Waterleigh PD – Phase 2D Permit #17-S-039 OCU File #93368

District 1

PURPOSE:

To provide for access, construction, operation, and maintenance of utility

facilities as a requirement of development.

ITEMS:

Utility Easement (2)

Cost: Donation

Total size: 18,301 square feet

APPROVALS:

Real Estate Management Division

Utilities Department

REMARKS:

Grantor to pay all recording fees.

APPROVED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS DEC 18 2018

THIS IS A DONATION

Project: Waterleigh PD - Phase 2D Permit #17-S-039 OCU File #93368

UTILITY EASEMENT

THIS INDENTURE, Made this 7th day of November , A.D. 2015, between D.R. Horton, Inc., a Delaware corporation, whose address is 1341 Horton Circle, Arlington, Texas, 76148, 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 Number:

a portion of

<u>07-24-27-0000-00-003</u>

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, agrees 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.

Project: Waterleigh PD - Phase 2D Permit #17-S-039 OCU File #93368

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	D.R. Horton, Inc., a Delaware corporation
in the presence of:	// /)
MANOCOT	BY: Uh
Witness	
Dallas Austin	CHRISTOPHER WRENN
Printed Name	Printed Name
	ASSISTANT SECRETARY
Witness	Title
Printed Name	
Printed Name	
(Signature of TWO witnesses required by Flori	da law)
STATE OF Florida	
COUNTY OF Orange	
The foregoing instrument was asknowled	edged before me this 7th of Novembe,
20 18 by Class techno Decan	as kustint Sevetan.
of D.R. Horton, Inc., a Delaware corporation, o	, as, section , section , n behalf of the corporation. A She is personally known
to me or \square has produced	as identification.
(Notary Seal)	
	Notary Signature
NICHOLAS C. CHRISTAKOS	Michalas L. Christaline
MY COMMISSION # GG 165906 EXPIRES: January 4, 2022	Printed Notary Name
Bonded Thru Notary Public Underwriters	·
- Anna	Notary Public in and for
	the county and state aforesaid.
This instrument prepared by:	My commission expires: $1/4/2z$
Mary Tiffault, a staff employee	My commission expires: 1/71/20
in the course of duty with the Real Estate Management Division	
Roar Datate Management Division	

of Orange County, Florida

LEGAL DESCRIPTION THIS IS NOT A SURVEY

PROJECT NAME: WATERLEIGH PD-PHASE 2D

OC PROJECT #: 17-S-039

EXHIBIT "A"

LEGAL DESCRIPTION - UTILITY EASEMENT

A STRIP OF LAND LYING IN SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST; THENCE RUN SOUTH 00'44'55" WEST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 314.27 FEET; THENCE RUN NORTH 89'15'05" WEST, DEPARTING SAID EAST LINE, FOR A DISTANCE OF 226.69 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS 245.00 FEET, A CHORD BEARING OF SOUTH 73'33'25" WEST AND A CHORD DISTANCE OF 133.42 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31'36'03" FOR A DISTANCE OF 135.13 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89'21'27" WEST, FOR A DISTANCE OF 44.91 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 10.00 FEET, A CHORD BEARING OF SOUTH 45'03'11" WEST AND A CHORD DISTANCE OF 13.97 FEET: THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88'36'33" FOR A DISTANCE OF 15.47 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 00'44'54' WEST, FOR A DISTANCE OF 70.36 FEET; THENCE RUN NORTH 89'15'06" WEST, FOR A DISTANCE OF 5.00 FEET; THENCE RUN SOUTH 00'44'54" WEST, FOR A DISTANCE OF 235.09 FEET; THENCE RUN SOUTH 89'21'27" WEST, FOR A DISTANCE OF 9.78 FEET; THENCE RUN SOUTH 00'42'45" WEST FOR A DISTANCE OF 18.02 FEET; THENCE RUN SOUTH 89'21'27" WEST, FOR A DISTANCE OF 60.00 FEET; THENCE RUN NORTH 00'38'33" WEST FOR A DISTANCE OF 18.02 FEET; THENCE RUN SOUTH 89'21'27" WEST, FOR A DISTANCE OF 106.91 FEET; THENCE RUN SOUTH 00"38"33" EAST, FOR A DISTANCE OF 18.05 FEET; THENCE RUN SOUTH 89"21"27" WEST, FOR A DISTANCE OF 40.00 FEET; THENCE RUN NORTH 00'38'33" WEST, FOR A DISTANCE OF 18.05 FEET; THENCE RUN SOUTH 89'21'27" WEST FOR A DISTANCE OF 40.74 FEET; THENCE RUN NORTH 00'38'33" WEST, FOR A DISTANCE OF 70.00 FEET; THENCE RUN NORTH 89'21'27" EAST, FOR A DISTANCE OF 20.00 FEET; THENCE RUN SOUTH 00'38'33" EAST, FOR A DISTANCE OF 60.00 FEET; THENCE RUN NORTH 89'21'27" EAST, FOR A DISTANCE OF 228.10 FEET; THENCE RUN NORTH 00'44'54" EAST, FOR A DISTANCE OF 295.69 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF NORTH 45°03'11" EAST AND A CHORD DISTANCE OF 34.92 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88'36'33" FOR A DISTANCE OF 38.66 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 89°21°27" EAST. FOR A DISTANCE OF 44.91 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 230.00 FEET, A CHORD BEARING OF NORTH 76"11"03" EAST AND A CHORD DISTANCE OF 104.83 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26'20'48" FOR A DISTANCE OF 105.76 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF SOUTH 85'04'43" EAST AND A CHORD DISTANCE OF 26.43 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 63'49'16" FOR A DISTANCE OF 27.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,852 SQUARE FEET, MORE OR LESS.

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



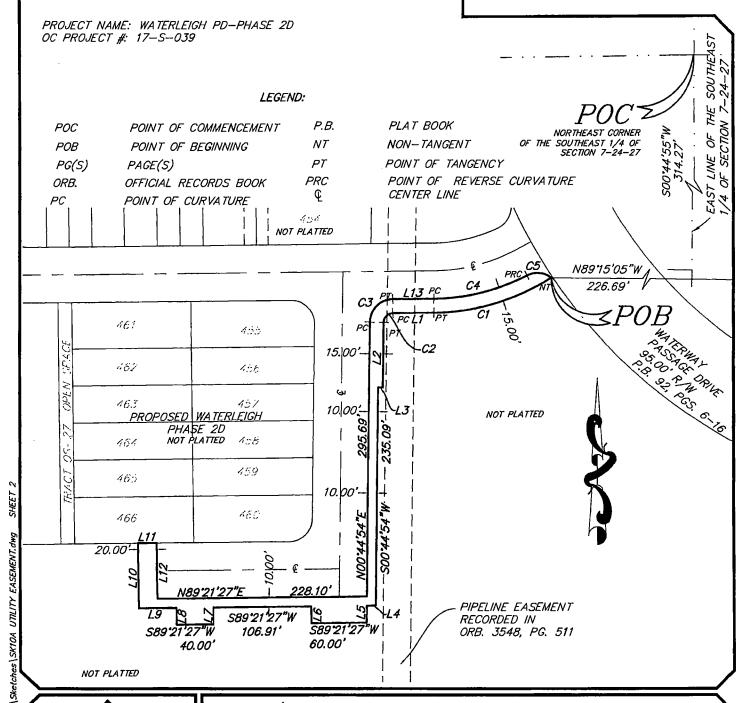
16 East Plant Street Winter Garden, Florido 34787 * (407) 654-5355

SURVEYOR'S NOTES:

- THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
 BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON EAST LINE OF THE SOUTHEAST QUARTER OF
- SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING SOUTH 00'44'55" WEST.
- THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
 THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.
 - DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. 20140340	CALCULATED BY: SEJ	FOR THE	Lyb	NSED BUSINESS # 6723 BY
DATE: 8-20-18	DRAWN BY: WB	ļ.	Ţ	16 - 3
SCALE: 1" = 100 FEET	CHECKED BY: MR		\underline{V}	
FIELD BY: N/A	REVISED: 10-15-18	JAME:	s N	RICKMAN P.S.M. # 5633

SKETCH OF DESCRIPTION THIS IS NOT A SURVEY





16 East Plant Street Winter Gorden, Florida 34787 * (407) 654-5355

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 SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING SOUTH 00'44'55" WEST.
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- DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO	20140340	CALCULATED BY: SEJ
DATE:	8-20-18	DRAWN BY: WB
SCALE:	1" = 100 FEET	CHECKED BY: MR
FIELD BY:_	N/A	

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

LINE TABLE

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	245.00'	31°36'03"	135.13'	133.42'	S73'33'25"W
C2	10.00'	88'36'33"	15.47	13.97'	S45°03'11"W
C3	25.00'	88°36'33"	38.66'	34.92'	N45'03'11"E
C4	230.00'	26°20'48"	105.76	104.83	N76'11'03"E
C5	25.00'	63°49′16"	27.85	26.43'	S85°04'43"E



16 East Plant Street Winter Garden, Florida 34787 • (407) 654-5355

SURVEYOR'S NOTES:

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 BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON EAST LINE OF THE SOUTHEAST QUARTER OF
 SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING SOUTH 00'44'55" WEST.
 THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
 THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.
- DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO	20140340	CALCULATED BY:_	SEJ
			u.ro
DATE:	0-20-16	DRAWN BY:	
SCALE:	1" = 100 FEET	CHECKED BY:	MR
FIELD BY:	N/A		

SHEET 3 OF 3

SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION

SEE SHEET 2 OF 3 FOR SKETCH OF DESCRIPTION AND LEGEND

APPROVED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS DEC 18 2018

THIS IS A DONATION

Project: Waterleigh PD - Phase 2D Permit #17-S-039 OCU File #93368

UTILITY EASEMENT

THIS INDENTURE, Made this 12th day of Niverber, A.D. 2018, between Waterleigh Master Community Association, Inc., a Florida not-for-profit corporation, whose address is 215 Celebration Place, Suite 115, Celebration, Florida, 34747, 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 Number:

a portion of

07-24-27-7501-16-004

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, agrees 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.

Project: Waterleigh PD - Phase 2D Permit #17-S-039 OCU File #93368

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	Waterleigh Master Community Association, Inc.,
in the presence of:	a Florida not-for-profit corporation
\leftarrow ()	ny Milana Mata
What	BY: Walling Dates President
Witness	Melissa Dotson, President
rana R. Culvas	
Printed Name	
Fillited Ivalite	
Cara	
Witness	
Callege Telebour	
Printed Name	
(0)	
(Signature of TWO witnesses required by Florida law)
STATE OF Florida	
COUNTY OF DYANGE	
Thursday Thursday	u
The foregoing instrument was acknowledged	before me this 12th of NIVCMber
20	th Master Community Association, Inc., a Florida
not-for-profit corporation, on behalf of the corporation	· · · · · · · · · · · · · · · · · · ·
produced	as identification. ////
	~ \\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
(Notary Seal)	14 W/m
	Notary Signature
NICHOLAS C. CHRISTAKOS	Nicholas Christalux
MY COMMISSION # GG 165906	
EXPIRES: January 4, 2022	Printed Notary Name
Bonded Thru Notary Public Underwriters	Notary Public in and for
	the county and state aforesaid.
This instrument prepared by:	•
Mary Tiffault, a staff employee	My commission expires: 1/4/22
in the course of duty with the	
Real Estate Management Division	

of Orange County, Florida

LEGAL DESCRIPTION THIS IS NOT A SURVEY

PROJECT NAME: WATERLEIGH PD-PHASE 2D

OC PROJECT #: 17-S-039

EXHIBIT "A"

LEGAL DESCRIPTION - UTILITY EASEMENT

A STRIP OF LAND 10.00' IN WIDTH LYING IN TRACT P-4, WATERLEIGH PHASE 2A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 92, PAGES 6 THROUGH 16 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT P-4; THENCE RUN NORTH 00°27'30" WEST, ALONG THE WEST LINE OF SAID TRACT P-4, FOR A DISTANCE OF 10.00 FEET; THENCE RUN NORTH 89°21'27" EAST, DEPARTING SAID WEST LINE, ALONG A LINE 10.00 FEET NORTH OF, WHEN MEASURED PERPENDICULAR AND PARALLEL TO THE SOUTH LINE OF SAID TRACT P-4, FOR A DISTANCE OF 644.92 FEET; THENCE RUN SOUTH 00°38'33" EAST, FOR A DISTANCE OF 10.00 FEET TO A POINT ON SAID SOUTH LINE OF TRACT P-4; THENCE RUN SOUTH 89°21'27" WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 644.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,449 SQUARE FEET MORE OR LESS.

LEGEND:

POB

POINT OF BEGINNING

Ę P.B. CENTER LINE

PLAT BOOK

PG(S).

PAGE(S)

LINE TABLE			
LINE LENGTH BEARING			
L1	10.00'	N00'27'30"W	
L2	10.00'	S00'38'33"E	

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



16 East Plant Street Winter Garden, Florida 34787 * (407) 654-5355

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON SOUTH LINE OF THE TRACT P-4, OF WATERLYIGH PHASE 2A ACCORDING TO PLAT BOOK 92, PAGES 6 THROUGH 16, BEING SOUTH 89'21'27' EAST.
3. THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
4. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

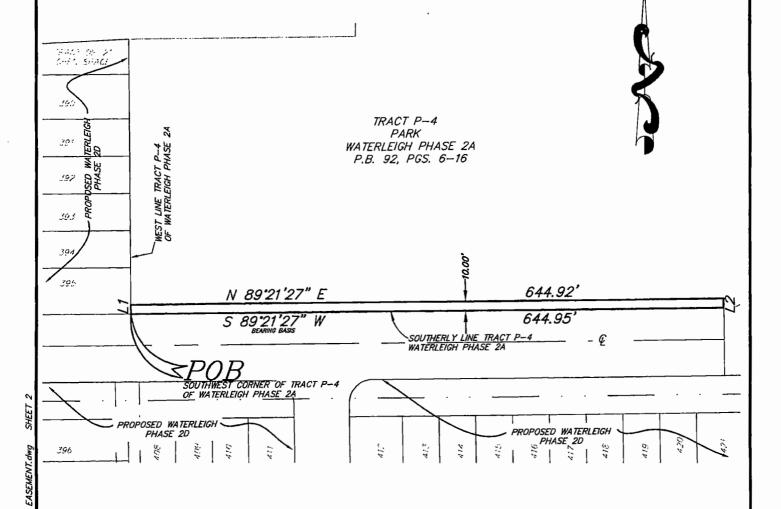
JOB NO	20140340	CALCULATED BY:_	SEJ
DATE:	8-31-18	DRAWN BY:	WB
SCALE:	1" = 100 FEET	CHECKED BY:	MR
FIELD BY:	N/A	REVISED:	10-15-18

FOR THE LIGHTSER BUSINESS # 6723 BY:

JAMES LARICKMAN P.S.M. # 5633

SKETCH OF DESCRIPTION THIS IS NOT A SURVEY

PROJECT NAME: WATERLEIGH PD-PHASE 2D OC PROJECT #: 17-5-039





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PUBLIC

SK49 1

|Data|20140340|Sketches|

16 East Plant Street Winter Garden, Florida 34787 * (407) 654-5355

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 BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON SOUTH LINE OF THE TRACT P-4, OF WATERLEIGH
 PHASE 2A ACCORDING TO PLAT BOOK 92, PAGES 6 THROUGH 16, BEING SOUTH 89"21"27" EAST.
 THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
 THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE DRANGE COUNTY PUBLIC ACCESS SYSTEM.

- DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. 20140340	CALCULATED BY: SEJ	SHEET 2 OF 2
DATE: 8-31-18	DRAWN BY: WB	SEE SHEET 1 OF 2
SCALE: 1" = 100 FEET	CHECKED BY:MR	FOR LEGAL DESCRIPTION
FIELD BY: N/A	}	LEGEND AND TABLE