



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: February 18, 2019

TO: Mayor Jerry L. Demings
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager *PS*
Real Estate Management Division

FROM: Monica Hand, Senior Title Examiner *MS MH*
Real Estate Management Division

CONTACT PERSON: **Paul Sladek, Manager**

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

ACTION REQUESTED: Approval of Warranty Deed from Sant Commercial Building, Inc. to Orange County, approval and execution of Subordination of Utility Interests from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, and authorization to perform all actions necessary and incidental to closing

PROJECT: Reams Road (Sant) RAC

District 1

PURPOSE: To provide for access, construction, operation, and maintenance of road improvements as a requirement of a right-of-way agreement.

ITEMS: Warranty Deed
Cost: \$3,375 (Impact Fee Credits)
Size: 6,600 square feet

Subordination of Utility Interests

APPROVALS: Real Estate Management Division
Public Works Department
Risk Management Division
Transportation Planning Division

REMARKS: This conveyance is a requirement of the Right of Way Agreement For Sant Commercial Building, Inc. (Reams Road) approved by the Board on July 10, 2018.

Grantor to pay all closing costs and prorated taxes.

The backup documentation for this item has been delivered under separate cover. It may also be accessed online as part of the e-Agenda by [clicking here](#).

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
FEB 26 2019

Project: Reams Road (Sant) RAC

WARRANTY DEED

THIS WARRANTY DEED, Made and executed the 9 day of NOVEMBER, A.D. 2018, by Sant Commercial Building, Inc., a Florida corporation, having its principal place of business in the city of ORLANDO, county of ORANGE, whose address is 11826 Provincial Way, Windermere, Florida 34786, 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, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the GRANTEE, all that certain land situate in Orange County, Florida:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

a portion of

34-23-27-0000-00-017

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the GRANTOR hereby covenants with said GRANTEE that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

Project: Reams Road (Sant) RAC

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

Signed, sealed, and delivered in the presence of:

Debra Denault
Witness

Debra Denault
Printed Name

Dennis Guinta
Witness

Dennis Guinta
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 26th day of October 2018, by Anil Sant, as President, of Sant Commercial Building, Inc., a Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

Sant Commercial Building, Inc., a Florida corporation

BY: Anil Sant
Anil Sant, President



Meenakshi A. Hirani
Notary Signature
Meenakshi A. Hirani
Printed Notary Name

This instrument prepared by:
Monica L. Hand, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

Notary Public in and for the county and state aforesaid

My commission expires:

LEGAL DESCRIPTION
THIS IS NOT A SURVEY

EXHIBIT "A"

LEGAL DESCRIPTION: PARCEL ID 34-23-27-0000-00-017

A STRIP OF LAND, 30.00 FEET IN WIDTH, BEING THE WEST 30.00 FEET OF THE LANDS DESCRIBED IN DOCUMENT NUMBER 20160169294 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LANDS DESCRIBED IN DOCUMENT NUMBER 20160169294; THENCE RUN NORTH 89°52'49" EAST, ALONG THE NORTH LINE OF SAID LANDS DESCRIBED IN DOCUMENT NUMBER 20160169294, FOR A DISTANCE OF 30.00 FEET; THENCE RUN SOUTH 00°07'11" EAST, DEPARTING SAID NORTH LINE, ALONG A LINE 30.00 FEET EAST OF (PERPENDICULAR MEASURE) AND PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF REAMS ROAD, ACCORDING TO PLAT BOOK 3, PAGE 85 OF SAID PUBLIC RECORDS, FOR A DISTANCE OF 220.00 FEET TO THE SOUTH LINE OF SAID LANDS DESCRIBED IN DOCUMENT NUMBER 20160169294; THENCE RUN SOUTH 89°52'49" WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 30.00 FEET TO A POINT LYING ON SAID EAST RIGHT-OF-WAY LINE; THENCE RUN NORTH 00°07'11" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE STRIP OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 6,600 SQUARE FEET MORE OR LESS.

LEGEND
P.B. PLAT BOOK
PG. PAGE OR PAGES
R/W RIGHT-OF-WAY
DOC# OFFICIAL RECORD DOCUMENT NUMBER OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA
ORB. OFFICIAL RECORDS BOOK
Ⓢ CENTER LINE

SHEET 1 OF 2



16 EAST PLANT STREET
Winter Garden, Florida 34787 * (407) 654-5355

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST RIGHT-OF-WAY LINE OF REAMS ROAD BEING NORTH 00°07'11" WEST.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. THIS LEGAL DESCRIPTION AND SKETCH WERE PREPARED WITHOUT BENEFIT OF TITLE.
4. THE DELINEATION OF THE LANDS SHOWN HEREON IS AS THE CLIENT'S INSTRUCTIONS.
5. PARCEL OWNER AND RECORDING INFORMATION HEREON WAS OBTAINED FROM THE ORANGE COUNTY PROPERTY APPRAISER'S PUBLIC ACCESS SYSTEM.

JOB NO. 20160059
DATE: 03/16/18
SCALE: 1" = 60 FEET
FIELD BY: N/A

CALCULATED BY: SEJ
DRAWN BY: SEJ/WB
CHECKED BY: MR

FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICHMOND P.S.M. #5633

Drawing name: L:\Data\20160059\sketches\RW DEDICATION NORTH.dwg SHEET 1

**LEGAL DESCRIPTION
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EXHIBIT "A"

POINT OF BEGINNING
NW. CORNER OF DOC# 20160169294
SW. CORNER OF ORB. 7966, PG. 3272

SOUTH LINE OF LANDS DESCRIBED IN ORB.7966, PG. 3272
ORB.7966, PG. 3272 NOT PLATTED

N89°52'49"E 1000.00'

NORTH LINE OF LANDS DESCRIBED IN DOC# 20160169294

PARCEL #
34-23-27-0000-00-017
DOC# 20160169294
NOT PLATTED

SOUTH LINE OF LANDS DESCRIBED IN DOC# 20160169294

S89°52'49"W 1000.00'

SW. CORNER OF DOC# 20160169294
NW. CORNER OF ORB. 4035, PG. 3210

NOT PLATTED
ORB.4035, PG. 3210

NORTH LINE OF LANDS DESCRIBED IN ORB. 4035, PG. 3210

EAST R/W LINE

30.00' 30.00'

L1

30.00'

220.00'
N00°07'11"W
6,600 ± SQUARE FEET
S00°07'11"E
220.00'

L2

30.00' 30.00'

220.00'

S00°07'11"E

REAMS ROAD
P.B. 3, PG. 85
60.00' R/W WIDTH

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00'	N89°52'49"E
L2	30.00'	S89°52'49"W

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DATE: 03/16/18

SCALE: 1" = 60 FEET

FIELD BY: N/A

CALCULATED BY: SEJ

DRAWN BY: SEJ/WB

CHECKED BY: MR

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR LEGAL DESCRIPTION
AND LEGEND



ALLEN & COMPANY

16 EAST PLANT STREET
Winter Garden, Florida 34787 * (407) 654-5355

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
FEB 26 2019

Project: Reams Road (Sant) RAC

SUBORDINATION OF UTILITY INTERESTS

THIS SUBORDINATION, entered into by and between Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, hereinafter called Utility and Orange County, a charter county and political subdivision of the State of Florida, hereinafter called County

WITNESSETH:

WHEREAS, the Utility presently has an interest in certain lands that have been determined necessary for public road right-of-way purposes; and

WHEREAS, the proposed use of these lands for public road right-of-way purposes will require subordination of the interest claimed in such lands by Utility to County; and

WHEREAS, County is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, Utility and County agree as follows:

Utility hereby subordinates to the interest of County, its successors, or assigns, any and all of its interest in the lands as follows, viz:

SEE ATTACHED EXHIBIT "A"

Encumbrance(s):

Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation
FROM: Edgar S. Flor and Marina A. Flor
Distribution Easement filed December 10, 1979
Recorded in Official Records Book 3075, Page 1474
Public Records of Orange County, Florida

Project: Reams Road (Sant) RAC

PROVIDED that the Utility has the following rights:

1. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with County's current minimum standards for such facilities as required by Article VI, Chapter 21 of the Orange County Code, as it may be replaced, amended, or superseded from time to time. Any new construction or relocation of facilities within the lands will be subject to prior approval by County. Should County fail to approve any new construction or relocation of facilities by the Utility otherwise authorized under the aforementioned subordinated interest or require the Utility to alter, adjust, or relocate its facilities located within said lands in connection with this subordination, County shall pay the reasonable cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements (collectively "Reimbursement Costs").
2. Utility shall provide written notice to County's Director of Public Works (or equivalent in the event of reorganization) of the estimated costs and narrative scope of any alteration, adjustment, relocation, or removal of its facilities or of the acquisition of any additional easements at least 60 days prior to Utility incurring such costs.
3. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions herein, with the exception of the provision herein regarding Reimbursement Costs.
4. The Utility shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of County's facilities.
5. The Utility agrees to indemnify and hold County harmless for, from and against any and all losses, claims or damages incurred by County to the extent arising from Utility's or Utility's Contractor's negligence or failure to exercise reasonable care in the construction, reconstruction, operation or maintenance of Utility's facilities located on the above described easement.

Project: Reams Road (Sant) RAC

IN WITNESS WHEREOF, the Utility has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year below written.

Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation

Signed, sealed and delivered in the presence of:

By: Karen Adams
Karen Adams, Manager
Land Services – Florida Region

Date: 2/5/19

[Signature]
SIGNATURE LINE
PRINT/TYPE NAME: Shantel Occampo

[Signature]
SIGNATURE LINE
PRINT/TYPE NAME: Karla Rodriguez

(Two witnesses required by Florida law)

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 5th day of February, 2019, by Karen Adams, Manager of Land Services – Florida Region for Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, on behalf of the limited liability company, who is personally known to me or who has produced _____ as identification

[Signature]
PRINT/TYPE NAME: Karla Rodriguez

Notary Public in and for the County and State last aforesaid.

My Commission Expires: 6/18/2021

Serial No., if any: _____



KARLA RODRIGUEZ
Commission # GG 115647
Expires June 18, 2021
Bonded Thru Budget Notary Services

Project: Reams Road (Sant) RAC

IN WITNESS WHEREOF, County has executed this Subordination on the day and year below written.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Benjamin Burks*
for Jerfy L. Demings,
Orange County Mayor

Date: *26 February 2019*

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

By: *Katie Smith*
Deputy Clerk

Katie Smith

Printed Name

This instrument prepared by:
Monica L. Hand, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

S:\Forms & Master Docs\Project Document Files\1_Misc. Documents\R\Reams Road (Sant) RAC\Duke Energy Subordination.doc 1/23/19 rev 2/4/19 mh

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 ORB. OFFICIAL RECORDS BOOK
 CL CENTER LINE

SHEET 1 OF 2

Drawing name: L:\Data\20160059\sketches\RW DEDICATION NORTH.dwg SHEET 1



ALLEN & COMPANY
 16 EAST PLANT STREET
 Winter Garden, Florida 34787 • (407) 654-5355

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JOB NO. 20160059
 DATE: 03/15/18
 SCALE: 1" = 60 FEET
 FIELD BY: N/A

CALCULATED BY: SEJ
 DRAWN BY: SEJ/WB
 CHECKED BY: MR

FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

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EAST R/W LINE

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P.B. 3, PG. 85
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6,600 ± SQUARE FEET
S00°07'11"E
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30.00' 30.00'

L1

30.00'

L2

30.00' 30.00'

220.00'

S00°07'11"E

LINE TABLE

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SCALE: 1" = 60 FEET
FIELD BY: N/A

CALCULATED BY: SEJ
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CHECKED BY: MR

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR LEGAL DESCRIPTION
AND LEGEND



ALLEN & COMPANY

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355