

**THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:**

E. Price Jackson, 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

**Property Appraiser's Parcel Identification Number:**  
a portion of 29-24-27-7805-01-051

**Project:** Westhaven at Ovation Phase 3A (21-S-083)  
(Utility Easement Reservation)

**NOTICE OF RESERVATION**

ORANGE COUNTY, A CHARTER COUNTY AND POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, HEREBY reserves a utility easement in perpetuity on the following property:

**See Attached Exhibit "A" (the "Utility Easement Area")**

ORANGE COUNTY shall retain its utility easement interest despite any transfer of fee title.

**Orange County Parks and Recreation Division ("PARKS")** agrees as follows:

i) PARKS agrees that no vehicular traffic is permitted outside of the paved areas within the Utility Easement Area. PARKS may install sod or native grasses outside of the paved areas within the Utility Easement Area and PARKS agrees to maintain those areas.

ii) PARKS agrees not to install parallel utility or storm mains, hydrants, structures, or trees within the Utility Easement Area. For the avoidance of doubt PARKS may only pave (concrete or asphalt) or install sod or native grasses within the Utility Easement Area.

iii) PARKS agrees that utility and storm crossings to the Utility Easement Area will be installed perpendicular to the Utility Easement Area and encased across the Utility Easement Area.

iv) PARKS shall be responsible for restoration and repair of any damage caused by PARKS, its contractors, employees, and/or agents to the Orange County Utilities utility improvements within the Utility Easement Area ("**Improvements**").

**Orange County Utilities ("OCU")** agrees as follows:

i) OCU shall have the right to trim, remove, destroy, or otherwise control any trees and brush inside the boundaries of the Utility Easement Area (within reason) which may, in the opinion of OCU, interfere or threaten to interfere with or be hazardous to the construction, operation and maintenance of the Improvements after providing written notice to PARKS. PARKS agrees to maintain the vegetation outside

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of the boundaries of the Utility Easement Area. In the event OCU identifies vegetation outside of the Utility Easement Area that should be removed, trimmed or controlled, PARKS agrees to collaborate with OCU and upon mutual agreement OCU may remove, trim or control the vegetation.

ii) OCU agrees to provide reasonable advance written notice to PARKS with regard to any scheduled work within the Utility Easement Area. Such work shall include but not be limited to the installation or maintenance of the Improvements that would involve excavation, surface work, and/or the presence of workers within the Utility Easement Area so as not to unreasonably interfere with PARKS' use of the PARKS property. To minimize its impact on PARKS' operations at the PARKS property, OCU agrees to 1) provide PARKS with the schedule and timing for the work to be completed within the Utility Easement Area, and 2) strive to complete installation and maintenance during after-hours or at times which do not interfere with activities on the PARKS property. Advance written notice shall not be required for emergency situations, but OCU as soon as reasonably practical must notify PARKS of the impact to its use of the PARKS property and when known, the scope of the work and the associated timeframe to complete the work.

iii) OCU agrees to utilize, in its sole discretion, construction means and methods for the installation, maintenance, or repair of the Improvements within the Utility Easement Area so as to minimally disrupt PARKS' use of the PARKS property, in PARKS' sole discretion.

iv) If OCU disturbs the surface (including but not limited to paving) of the PARKS property, underlying the Utility Easement Area during the construction, installation, operation, maintenance, or repair of the Improvements, OCU, at OCU's sole cost and expense, shall restore the disturbed area to its original condition. However, OCU'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. OCU shall be responsible for obtaining all permits and licenses necessary for the installation, operation, maintenance, or repair of the Improvements.

Dated at Orlando, Florida this \_\_\_\_\_.

IN WITNESS WHEREOF, the said COUNTY has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)

ORANGE COUNTY, FLORIDA  
By Board of County Commissioners

BY: \_\_\_\_\_  
Jerry L. Demings  
Orange County Mayor

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

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Printed Name

# SKETCH OF DESCRIPTION

EXHIBIT A

NOT A SURVEY

PROJECT: HORIZON WEST VILLAGE I – WITHERS PD  
10' UTILITY EASEMENT  
PERMIT NUMBER: 21-S-083

A STRIP OF LAND BEING A PORTION OF TRACT APF-5A OF WESTHAVEN AT OVATION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 111, PAGES 89 THROUGH 95 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT APF-5A; THENCE RUN NORTH 89°54'51" EAST ALONG THE NORTH LINE OF TRACT APF-5A FOR A DISTANCE OF 36.61 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 72.00 FEET, WITH A CHORD BEARING OF SOUTH 29°50'05" EAST, AND A CHORD DISTANCE OF 71.33 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59°23'07" FOR A DISTANCE OF 74.63 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 00°08'31" EAST FOR A DISTANCE OF 237.30 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 72.00 FEET, WITH A CHORD BEARING OF SOUTH 40°24'56" WEST, AND A CHORD DISTANCE OF 93.63 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 81°06'54" FOR A DISTANCE OF 101.93 FEET TO A POINT ON THE WEST LINE OF TRACT APF-5A AND TO A POINT ON A NON TANGENT LINE; THENCE RUN NORTH 00°08'29" WEST FOR A DISTANCE OF 3.19 FEET; THENCE RUN NORTH 09°26'14" WEST FOR A DISTANCE OF 6.85 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 62.00 FEET, WITH A CHORD BEARING OF NORTH 40°12'37" EAST, AND A CHORD DISTANCE OF 80.29 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 80°42'18" FOR A DISTANCE OF 87.33 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 00°08'31" WEST FOR A DISTANCE OF 237.30 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 62.00 FEET, WITH A CHORD BEARING OF NORTH 45°06'50" WEST, AND A CHORD DISTANCE OF 87.64 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°56'38" FOR A DISTANCE OF 97.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,122 SQUARE FEET, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH OF DESCRIPTION



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www.allen-company.com  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 654-5355  
LB#6723

## SURVEYOR'S NOTES:

1. THIS 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 NORTH LINE OF TRACT APF-5A, BEING N89°54'51"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 #: 20190685  
DATE: 8/14/23  
SCALE: 1"=80'

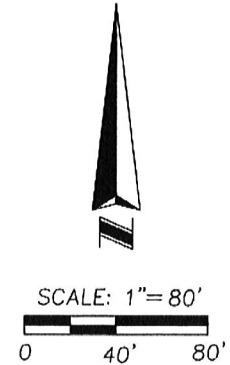
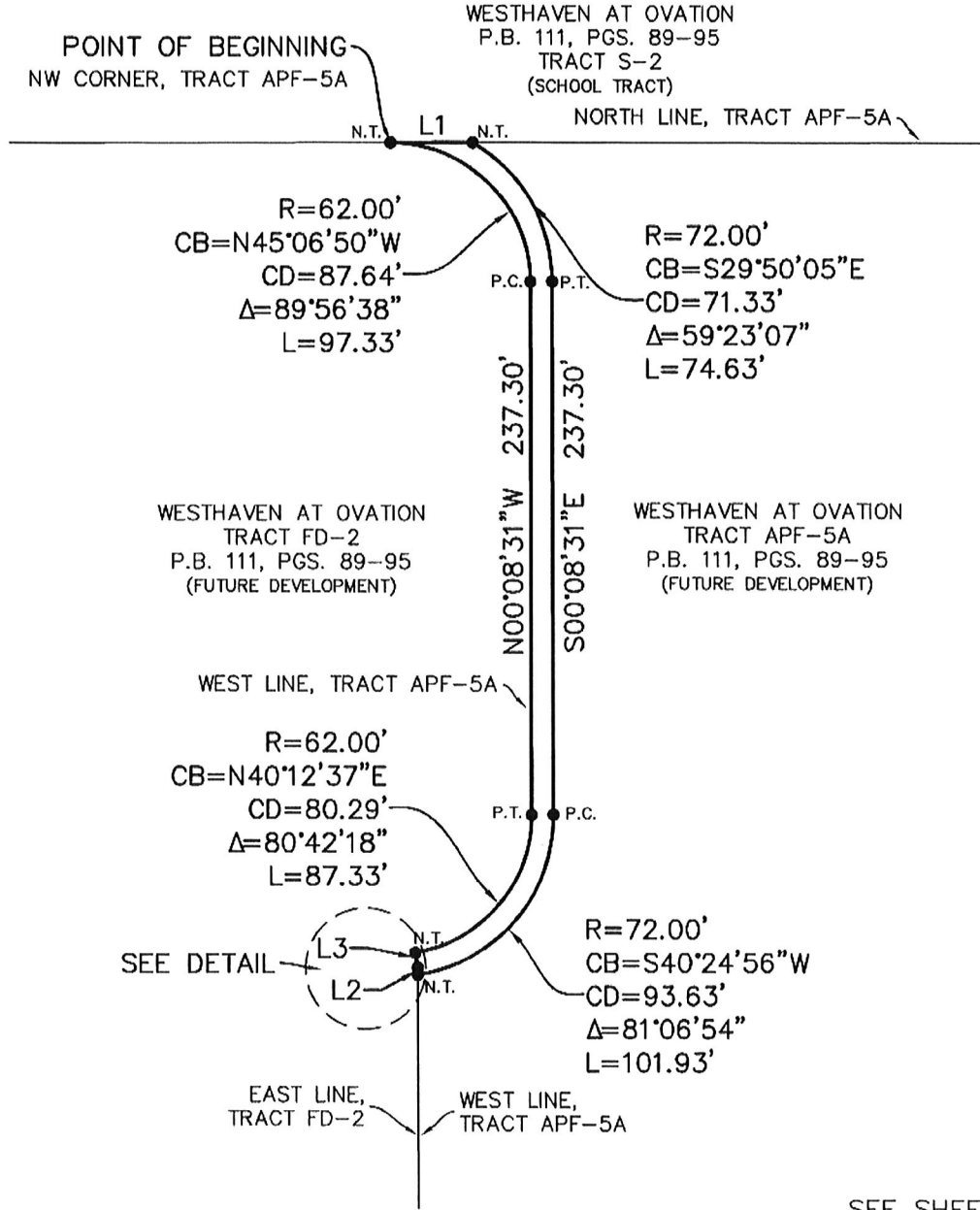
CALC BY: MR  
DRAWN BY: RT  
CHECKED BY: HF  
REVISED: 5/6/24

FOR THE LICENSED BUSINESS #6723 BY:  
Digitally Signed by:  
James L Rickman  
Date: 2024.05.07 08:  
01:14 -04'00'  
JAMES L. RICKMAN, P.S.M. #5633

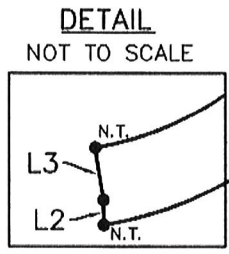
# SKETCH OF DESCRIPTION

EXHIBIT A NOT A SURVEY

PROJECT: HORIZON WEST VILLAGE I - WITHERS PD  
 10' UTILITY EASEMENT  
 PERMIT NUMBER: 21-S-083



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°54'51"E	36.61'
L2	N00°08'29"W	3.19'
L3	N09°26'14"W	6.85'



SHEET 1 OF 2  
 SEE SHEET 1 FOR LEGAL DESCRIPTION



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**SYMBOL AND ABBREVIATION LEGEND:**

- CHANGE IN DIRECTION      CB CHORD BEARING      P.T. POINT OF TANGENCY
- LB LICENSED BUSINESS      CD CHORD DISTANCE      N.T. NON TANGENT
- P.B. PLAT BOOK      Δ CENTRAL ANGLE
- PGS. PAGES      L ARC LENGTH
- R RADIUS      P.C. POINT OF CURVATURE

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