



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: April 8, 2024

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

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

FROM: Juanita Thomas, Senior Title Examiner
Real Estate Management Division *ST/MTC*

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

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

ACTION REQUESTED: Approval of Utility Easement between Orlando 5 Star Hotel Owner LLC and Orange County, and authorization to record instrument. **District 1. (Real Estate Management Division)**

PROJECT: Orlando Luxury Resort Hotel Permit B22906377 OCU File #100549

PURPOSE: To provide a permanent Utility Easement as required for development.

ITEM: Utility Easement
Cost: Donation
Size: 540 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: This action is to provide a permanent Utility Easement from Orlando 5 Star Hotel Owner LLC (Grantor) to Orange County for utility purposes, with full authority to enter upon, excavate, construct, and maintain water lines, wastewater lines, and any other utility facilities on the described lands. Grantor to pay recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

APR 23 2024

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

Juanita Thomas, 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 33-24-28-7900-01-000**

Project: Orlando Luxury Resort Hotel Permit
B22906377 OCU File #~~10059~~ 100549

THIS IS A DONATION

UTILITY EASEMENT

THIS INDENTURE, made as of the date signed below, between Orlando 5 Star Hotel Owner LLC, a Delaware limited liability company, whose address is 300 South Orange Avenue, Suite 1325, Orlando, Florida 32801, 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, 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"

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.

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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

{signature on following page}

Project: Orlando Luxury Resort Hotel Permit B22906377 OCU File #~~10059~~ 100549

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

Signature of TWO witnesses and their mailing addresses are required by Florida law, F.S. 695.26.

WITNESS #1

[Signature]
Signature
JEFF HART
Print Name

Orlando 5 Star Hotel Owner LLC,
a Delaware limited liability company

By: [Signature]
Signature
Thomas Cunningham
Print Name

Mailing Address:
300 S. ORANGE AVE. SUITE 1325
City: ORLANDO State: FL

Manager
Title

Zip Code: 32801

WITNESS #2

[Signature]
Signature
Colleen M. Russell
Print Name

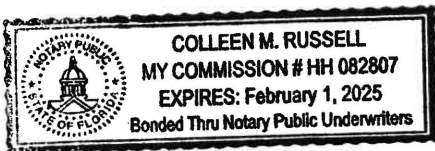
Mailing Address:
300 S. Orange Ave, Ste 1325
City: ORLANDO State: FL

Zip Code: 32801

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 19th day of February, 2024, by Thomas Cunningham, as Manager, of Orlando 5 Star Hotel Owner LLC, a Delaware limited liability company, on behalf of the company. The individual ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Stamp)



[Signature]
Notary Signature
Colleen M. Russell
Print Notary Name
Notary Public of: Florida
My Commission Expires: 2/1/25

SKETCH & DESCRIPTION
PROPOSED UTILITY EASEMENT
THIS IS NOT A SURVEY

Exhibit A
Page 1 of 2

LEGAL DESCRIPTION:

A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 24 SOUTH, RANGE 28 EAST, LOCATED IN ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 24 SOUTH, RANGE 28 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 1, TEN ACRES INTERNATIONAL ORLANDO, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 111, PAGE 24, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N00°24'19"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 33, A DISTANCE OF 15.00 FEET, TO A POINT ON THE NORTH LINE OF UTILITY EASEMENT #1, PER SAID PLAT OF TEN ACRES INTERNATIONAL ORLANDO; THENCE DEPARTING SAID WEST LINE, RUN S89°39'55"E ALONG SAID NORTH LINE, A DISTANCE OF 356.79 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE, RUN N00°20'05"E, A DISTANCE OF 27.00 FEET; THENCE RUN S89°39'55"E, A DISTANCE OF 20.00 FEET; THENCE RUN S00°20'05"W, A DISTANCE OF 27.00 FEET TO A POINT ON THE AFORESAID NORTH LINE OF UTILITY EASEMENT #1; THENCE RUN N89°39'55"W ALONG SAID NORTH LINE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID LAND CONTAINING 540 SQUARE FEET, MORE OR LESS.

SYMBOLS & ABBREVIATION LEGEND:

O = CHANGE IN DIRECTION
ORB = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG(S) = PAGE

SHEET KEY:

SHEET 1 OF 2 - LEGAL DESCRIPTION, LEGEND, & SURVEYOR'S NOTES
SHEET 2 OF 2 - SKETCH OF DESCRIPTION

SURVEYOR'S NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.
2. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY SHERRY L. MANOR, PSM LS6961 ON SEPTEMBER 28, 2023; THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH THE FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17-062.
3. ADDITIONS OR DELETIONS TO THIS DOCUMENT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED.
4. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 24 SOUTH, RANGE 28 EAST, AS HAVING A BEARING OF N00°24'19"E.
5. NO PROPERTY CORNERS WERE SET OR FOUND AS PART OF THIS SKETCH AND DESCRIPTION.
6. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO ESTABLISH AN UTILITY EASEMENT.
7. THIS SKETCH AND DESCRIPTION CANNOT BE RELIED UPON BY PERSONS OR ENTITIES OTHER THAN THE PERSONS OR ENTITIES CERTIFIED TO HEREON.
8. ADDITIONS OR DELETIONS TO THIS SKETCH AND DESCRIPTION BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. THE DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE WITH NO GORES, GAPS, OVERLAPS, OR HIATUS.

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH

CERTIFIED TO:

1.
2.
3.
4.

I-DRIVE HOTEL -
DEVELOPMENT VENTURES GROUP

PROJECT No.	200131	DRAWN DATE	2023.MAY.25
SURVEY BY	N/A	REVIEWED BY	S.MANOR
SURVEY DATE	N/A	APPROVED BY	S.MANOR
DRAWN BY	A.ACEVEDO	CLIENT FILE No.	N/A

No.	DATE	BY	DESCRIPTION
Δ1	2023.SEP.28	A.ACEVEDO	ADDRESSED COMMENTS

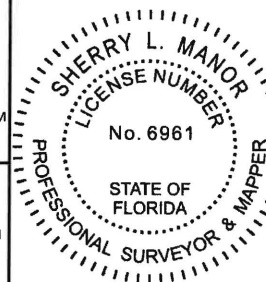


L & S
Diversified
Professional Surveyors and Mappers

489 STATE ROAD 436 | SUITE 117 | CASSELBERRY, FL | 32707
PHONE 407.681.3836 | WWW.LSSURVEYOR.COM | INFO@LSSURVEYOR.COM
PROFESSIONAL SURVEYOR & MAPPER BUSINESS LICENSE | LB#7829

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTERS 177 AND 472 OF THE FLORIDA STATUTES. THIS SKETCH AND/OR REPORT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR THE ELECTRONIC SIGNATURE IN COMPLIANCE WITH F.A.C. 5J-17.062(3) OF THE SIGNING SURVEYOR AND MAPPER.



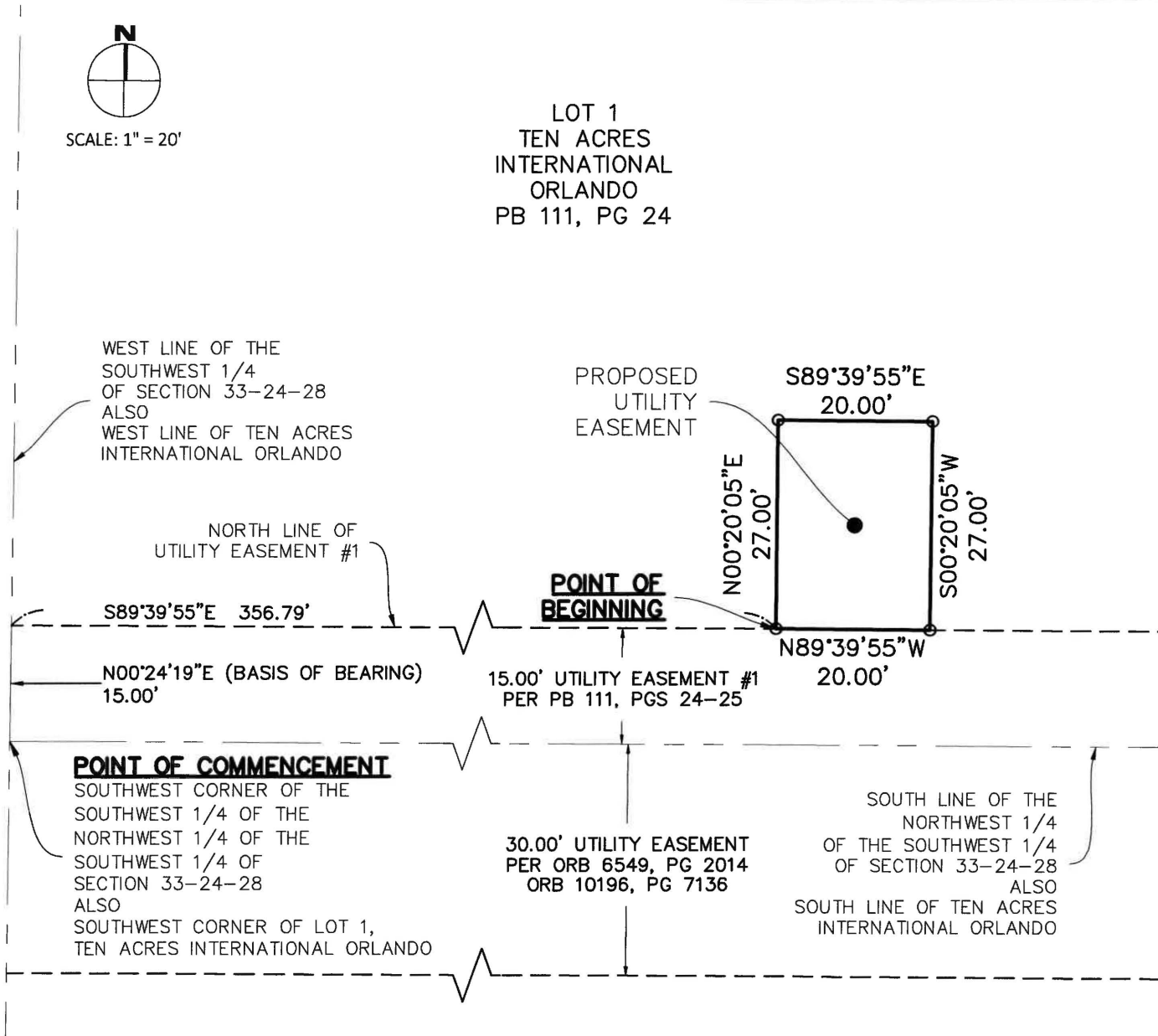
Digitally signed
by Sherry
Manor
Date:
2023.11.14
13:48:38 -05'00'

SHERRY LEE MANOR, PSM - LS# 6961

SKETCH OF DESCRIPTION

PROPOSED UTILITY EASEMENT
THIS IS NOT A SURVEY

Exhibit A
Page 2 of 2



SHEET 2 OF 2
SEE SHEET 1 FOR LEGAL DESCRIPTION

PROJECT DESCRIPTION

PROJECT No.	200131	DRAWN DATE	2023.MAY.25
SURVEY BY	N/A	REVIEWED BY	S.MANOR
SURVEY DATE	N/A	APPROVED BY	S.MANOR
DRAWN BY	A.ACEVEDO	CLIENT FILE No.	N/A
No.	DATE	BY	DESCRIPTION
Δ1	2023.SEP.28	A.ACEVEDO	ADDRESSED COMMENTS



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GRAPHIC SCALE



1 INCH = 20 FEET