



Interoffice Memorandum

**REAL ESTATE MANAGEMENT ITEM 1**

**DATE:** May 16, 2024

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

**THROUGH:** Mindy T. Cummings, Manager *MTC*

**FROM:** Steve Cochran, Acquisition Agent *SC/MTC*

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

**PHONE:** 407-836-7090

**DIVISION:** Real Estate Management Division

**ACTION REQUESTED:** Approval of Drainage Easement between Jose Domingo Rodriguez Cruz, Ana Cecilia Diaz Lopez, and Orange County, and Subordination of Encumbrance to Property Rights to Orange County from Mortgage Electronic Registration Systems, Inc. to Orange County, and authorization to disburse funds to pay recording fees and record instruments for 5<sup>th</sup> St and 15<sup>th</sup> Canal (BLSDC003). District 5. **(Real Estate Management Division)**

**PROJECT:** 5<sup>th</sup> St and 15<sup>th</sup> Canal (BLSDC003)

**PURPOSE:** To provide a drainage easement for existing drainage infrastructure.

**ITEMS:** Drainage Easement (Instrument 801.1)  
Cost: Donation  
Size: 1,000 square feet

Subordination of Encumbrance to Property Rights to Orange County (Instrument 801.2)  
Cost: None  
Size: 1,000 square feet

**BUDGET:** Account No.: 1002-72-2906-6110

**FUNDS:** \$80.20 – Payable to the Orange County Comptroller (for recording fees)

**APPROVALS:** Real Estate Management Division  
Roads and Drainage Division

**REMARKS:** This action provides the County with a Drainage Easement to provide access for essential maintenance of existing drainage infrastructure.

Grantee to pay all recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JUN 04 2024

**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

**THIS IS A DONATION**

**Property Appraiser's Parcel Identification Number:  
a portion of 22-22-32-0712-13-670**

**Instrument:** 801.1  
**Project:** 5<sup>th</sup> St & 15<sup>th</sup> Canal (BLSDC003)

**DRAINAGE EASEMENT**

THIS INDENTURE, made as of the date signed below, between Jose Domingo Rodriguez Cruz, joined by his spouse, Ana Cecilia Diaz Lopez, 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**")

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,

Instrument: 801.1  
Project: 5<sup>th</sup> St & 15<sup>th</sup> Canal (BLSDC003)

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.

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

Steve Andrew Cochran  
Signature

Steve Andrew Cochran  
Print Name

Mailing Address: 2880 Old Castle Dr  
City: Winter Park State: FL  
Zip Code: 32792

Jose Domingo Rodriguez Cruz  
Signature

Mailing Address: 18432 11<sup>th</sup> Ave  
City: Orlando State: FL  
Zip Code: 32833

WITNESS #2

Yanira Nazario  
Signature

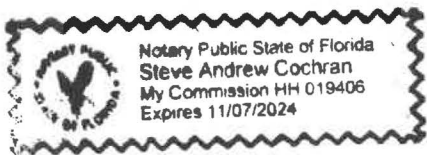
Yanira Nazario  
Print Name

Mailing Address: 3444 Cretchen Drive  
City: Orce State: FL  
Zip Code: 34761

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 30<sup>th</sup> day of January, 2024, by Jose Domingo Rodriguez Cruz, a married man. The individual  is personally known to me or  has produced FL Driver License as identification.

(Notary Stamp)



Steve Andrew Cochran  
Notary Signature

Steve Andrew Cochran  
Print Notary Name

Notary Public of: State of Florida  
My Commission Expires: 11/7/2024

Instrument: 801.1  
Project: 5<sup>th</sup> St & 15<sup>th</sup> Canal (BLSDC003)

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

WITNESS #1

Steve Andrew Cochran  
Signature

Steve Andrew Cochran  
Print Name

Mailing Address: 2880 Old Castle Dr.

City: Winter Park State: FL

Zip Code: 32792

Ana Cecilia Diaz Lopez  
Ana Cecilia Diaz Lopez

Mailing Address: 18432 11TH

City: Orlando State: FL

Zip Code: 32833

WITNESS #2

Yanica Nazario  
Signature

Yanica Nazario  
Print Name

Mailing Address: 3444 Cretchen Drive

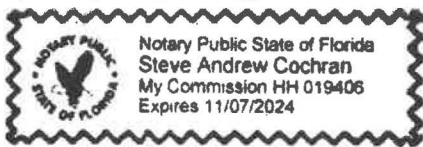
City: Doee State: FL

Zip Code: 34761

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 30<sup>th</sup> day of January, 20 24, by Ana Cecilia Diaz Lopez, a married woman. The individual  is personally known to me or  has produced FL Driver License as identification.

(Notary Stamp)



Steve Andrew Cochran  
Notary Signature

Steve Andrew Cochran  
Print Notary Name

Notary Public of: State of Florida

My Commission Expires: 11/7/2024

**SCHEDULE "A"**

**SKETCH OF DESCRIPTION**

**PROJECT: 5TH ST & 15TH AV Canal (BLSDC003)**

**PARCEL: 801**

SPACE ABOVE RESERVED FOR RECORDING INFORMATION

**LEGAL DESCRIPTION:**

A tract of land lying in Lot 65, Block M, 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:

Begin at the Southwest corner of Lot 65 as described in said Plat; Thence run North along the West line of Lot 65, a distance of 100.00 feet to a point on the South Right of Way line of 11th Avenue as recorded in Plat Book G, Page 50, of the Public Records of Orange County, Florida; Thence run East along the said South Right of Way line of 11th Avenue, a distance of 10.00 feet to a point; Thence run South parallel to the West line of Lot 65, a distance of 100.00 feet to a point on the South line of Lot 65; Thence run West along the South line of Lot 65, a distance of 10.00 feet to the Point of Beginning.

Containing 1,000 Square Feet, MORE or LESS.



**MARK DAYNES,**  
REGISTERED LAND SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479  
DATE: 09/13/2022


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 65, BLOCK M, PARCEL I.D. 22-22-32-0712-13-670.
5. THE PURPOSE OF THIS SKETCH AND DISCRIPTION IS A DRAINAGE EASEMENT.
6. BEARINGS BASED ON THE WEST LINE OF LOT 65, BLOCK M, PLAT BOOK G, PAGE 50 AS BEING NORTH. (ASSUMED)

NOT COMPLETE WITHOUT SHEET 2 OF 2

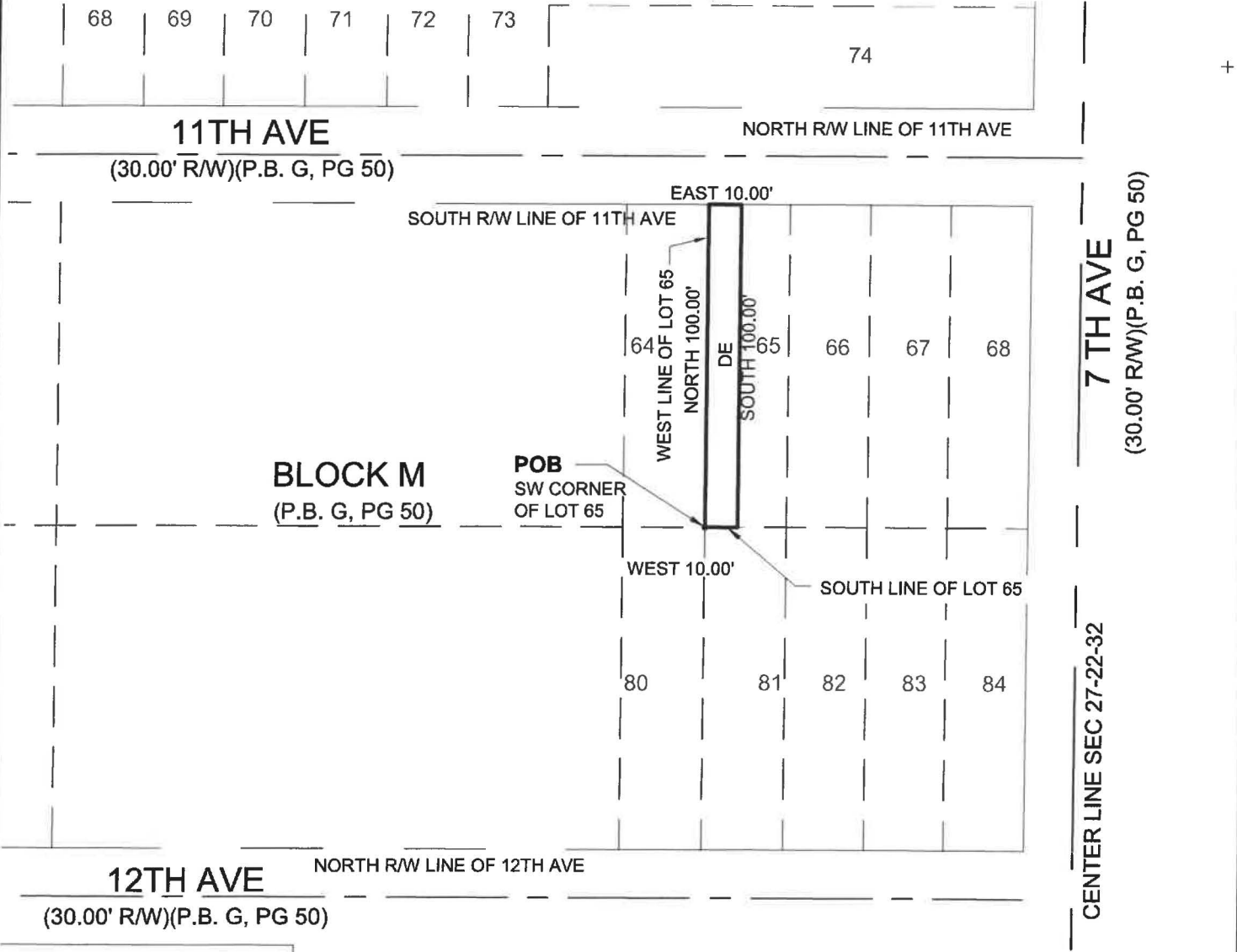
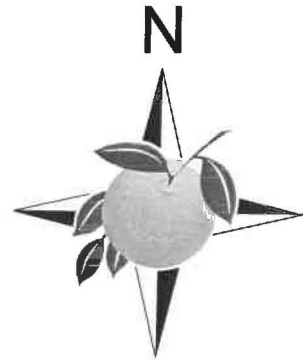
**PREPARED FOR:**  
REAL ESTATE MANAGEMENT

<b>FIELD DATE:</b> -----	<b>DATE:</b> 09/13/2022	<b>SECTION:</b> 27	 <p><b>PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION</b> 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-8206 (407) 836-7861</p>	<b>DRAWING SCALE:</b> N/A
<b>DRAWN BY:</b> JFM		<b>TOWNSHIP:</b> 22S		<b>COUNTY PROJECT NUMBER</b>
<b>CHECKED BY:</b> M.DAYNES	<b>REVISIONS:</b>	<b>RANGE:</b> 32E		8994
<b>APPROVED BY:</b> M.DAYNES		<b>SHEET 1 OF 2</b>		

MAT 2/16/23

**SKETCH OF DESCRIPTION**  
**PROJECT: 5TH ST & 15TH AV Canal (BLSDC003)**  
**PARCEL: 801**

**LEGEND:**  
 POB Point of Beginning  
 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  
**TOWNSHIP:** 22S  
**RANGE:** 32E  
**SHEET 2 OF 2**

**PUBLIC WORKS  
 ENGINEERING DIVISION  
 SURVEY SECTION**  
 4200 SOUTH JOHN YOUNG PARKWAY  
 ORLANDO, FLORIDA 32830-9205  
 (407) 836-7861



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

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JUN 04 2024

Instrument: 801.2  
Project: 5th St & 15th 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:

Mortgage Electronic Registration Systems, Inc., as nominee for Primary Residential Mortgage, Inc., its successors and/or assigns

TO: Jose Domingo Rodriguez Cruz, a married man joined by hi spouse, Ana Cecilia Diaz Lopez

Filed on September 02, 2020

As Official Records Document No. 20200461591

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: 801.2  
Project: 5th St & 15th 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

Mortgage Electronic Registration Systems, Inc.,  
a Delaware corporation, as nominee for Primary  
Residential Mortgage, Inc., its successors and/or assigns

[Signature]  
Witness

Alysa Reimussen  
Printed Name

[Signature]  
Witness

Tammy Delobel  
Printed Name

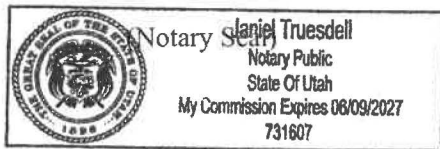
STATE OF Utah  
COUNTY OF Salt Lake

BY: [Signature]

Jessica Armstrong  
Printed Name

Assistant Secretary to MERS  
Title

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 11 of April, 2024, by Jessica Armstrong, as Assistant Secretary of Mortgage Electronic Registration Systems, Inc., a Delaware corporation, as nominee for Primary Residential Mortgage, Inc., its successors and/or assigns, on behalf of the corporation. The individual  is personally known to me or  has produced \_\_\_\_\_ as identification.



[Signature]  
Notary Signature

Daniel Truesdell  
Printed Notary Name

**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

Notary Public in and for  
the county and state aforesaid. Utah, Salt Lake County

My commission expires: 6/09/2027

**SCHEDULE "A"**

**SKETCH OF DESCRIPTION**

**PROJECT: 5TH ST & 15TH AV Canal (BLSDC003)**

**PARCEL: 801**

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REGISTERED LAND SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479  
DATE: 09/13/2022


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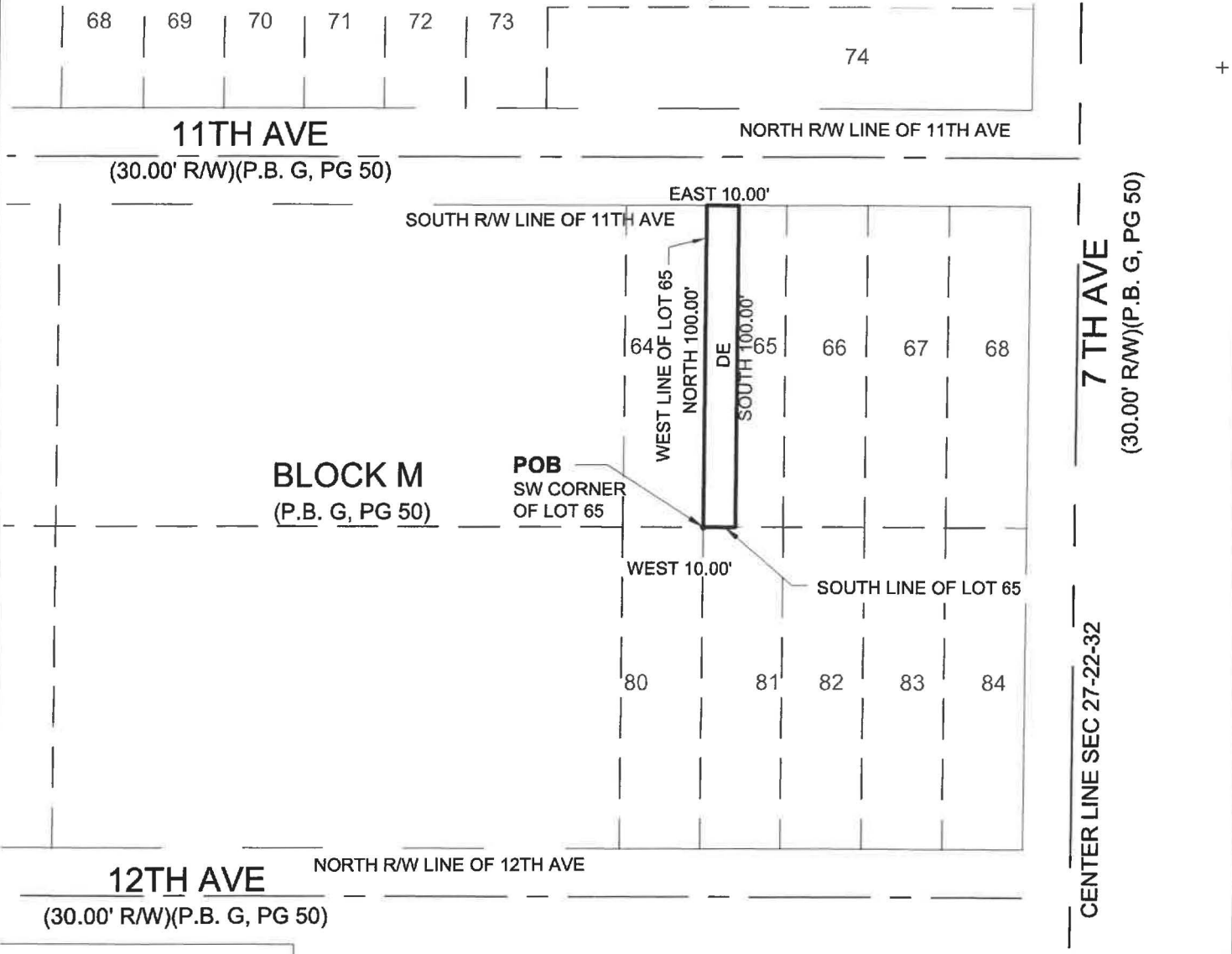
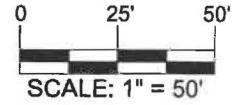
NOT COMPLETE WITHOUT SHEET 2 OF 2

**PREPARED FOR:**  
REAL ESTATE MANAGEMENT

<b>FIELD DATE:</b> -----	<b>DATE:</b> 09/13/2022	<b>SECTION:</b> 27	<b>PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION</b>  4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32838-9206 (407) 838-7851	<b>DRAWING SCALE:</b> N/A	
<b>DRAWN BY:</b> JFM		<b>TOWNSHIP:</b> 22S		<b>ORANGE COUNTY GOVERNMENT FLORIDA</b>	<b>COUNTY PROJECT NUMBER</b> 8994
<b>CHECKED BY:</b> M.DAYNES	<b>REVISIONS:</b>	<b>RANGE:</b> 32E			
<b>APPROVED BY:</b> M.DAYNES		<b>SHEET 1 OF 2</b>			

**SKETCH OF DESCRIPTION**  
**PROJECT: 5TH ST & 15TH AV Canal (BLSDC003)**  
**PARCEL: 801**

**LEGEND:**  
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 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  
**TOWNSHIP:** 22S  
**RANGE:** 32E  
**SHEET 2 OF 2**

**PUBLIC WORKS  
 ENGINEERING DIVISION  
 SURVEY SECTION**  
 4200 SOUTH JOHN YOUNG PARKWAY  
 ORLANDO, FLORIDA 32839-8205  
 (407) 836-7881



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

**REQUEST FOR FUNDS / CHECKS**

X Under BCC Approval

Under Ordinance Approval

Date: April 29, 2024

Total Amount: \$80.20

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

Parcel: 801

Charge to Account # 1002-72-2906-6110

George Shupp 4/29/24  
Controlling Agency Approval Signature Date

Printed Name:

Belkys Jorge 4/29/24  
Fiscal Approval Signature Date

Printed Name

TYPE TRANSACTION (Check appropriate block(s))

     Pre-Condemnation      Post-Condemnation

X N/A District # 5

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

NAME, ADDRESS, FEIN, ITEM, AND AMOUNT. (No Social Security No.)

Orange County Comptroller  
PO Box 38, Orlando, FL 32802  
Recording Fee: \$80.20

Total \$80.20

DOCUMENTATION ATTACHED (Check appropriate block(s))

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

Payable to: Orange County Comptroller \$80.20

\*\*\*\*\*  
**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.

4/29/2024  
Date

Payment Approved Luciana Mino  
Luciana Mino, Assistant Manager, Real Estate Management Div.

4/29/2024  
Date

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

\_\_\_\_\_  
Date

Certified J. Hight  
Approved by BCC for Deputy Clerk to the Board

\_\_\_\_\_  
Date

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants

\_\_\_\_\_  
Check No. / Date

REMARKS: Please Contact Steve Cochran @ 836-7093 if there are any questions.  
Anticipated Closing Date: As soon as checks are available.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JUN 04 2024