



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 10

**DATE:** April 10, 2019

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

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

**FROM:** David L. Brown, Senior Title Examiner *DLB*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** Approval of Utility Easement from Beachline South Residential, LLC to Orange County and authorization to record instrument

**PROJECT:** Starwood Phase N-1A Permit #: 16-U-077; OCU File #: 87806  
  
District 4

**PURPOSE:** To provide for access, construction, operation, and maintenance of utility facilities as a requirement of development.

**ITEM:** Utility Easement  
Cost: Donation  
Size: 12,463 square feet

**APPROVALS:** Real Estate Management Division  
Utilities Department

**REMARKS:** Grantor to pay all recording fees.

MAY 07 2019

THIS IS A DONATION

Project: Starwood Phase N-1A Permit #: 16-U-077; OCU File #: 87806

**UTILITY EASEMENT**

THIS INDENTURE, Made this 29<sup>th</sup> day of MARCH, A.D. 2019, between BEACHLINE SOUTH RESIDENTIAL, LLC, a Florida Limited Liability Company, whose address is 4901 Vineland Road, Suite 450, Orlando, FL 32811, 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**

**33-23-31-0000-00-010**

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.

Project: Starwood Phase N-1A Permit #: 16-U-077; OCU File #: 87806

GRANTOR reserves the right to construct utilities, paved areas (such as roads, trails, and sidewalks), and landscaping within the easement area as shown in the Construction Plans for Meridian Parks Phase N-1A Construction Plans," ("Plans"), approved, stamped and signed by the Engineering Division of the Orange County Utilities Department on October 23, 2018 to the extent that such improvements do not materially interfere with GRANTEE'S rights hereunder.

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

Signed, sealed, and delivered  
in the presence of:

BEACHLINE SOUTH RESIDENTIAL, LLC,  
a Florida Limited Liability Company

[Signature]  
Witness

By: [Signature]

RANDY BELL  
Printed Name

KEITH TRACE  
Printed Name

[Signature]  
Witness

VICE PRESIDENT  
Title

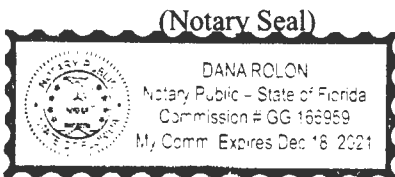
Derek Lovett  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of MARCH, 2019, by KEITH TRACE as VICE PRESIDENT of Beachline South Residential, LLC, a Florida Limited Liability Company, on behalf of the limited liability company. He/She  is personally known to me or  has produced as identification.

[Signature]  
Notary Signature



Dana Rolon  
Printed Notary Name  
Notary Public in and for  
the county and state aforesaid.  
My commission expires: Dec 18, 2021

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

Project: Starwood Phase N-1A Permit #: 16-U-077; OCU File #: 87806

**EXHIBIT "A"**

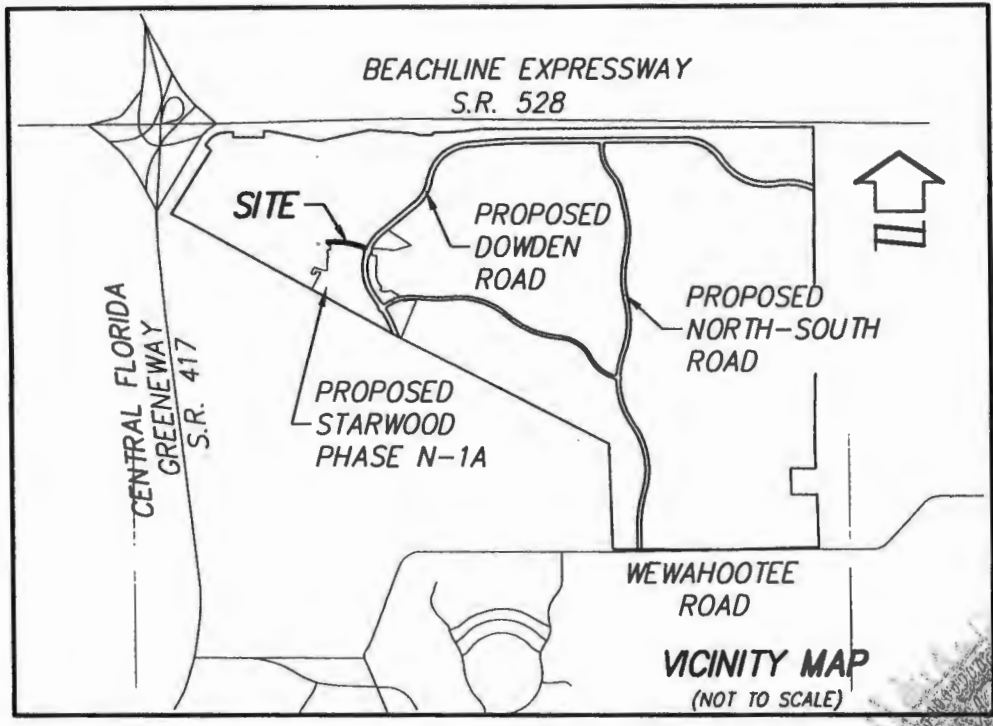
**SEE THE ATTACHED SKETCH**

**OF DESCRIPTION**

**(5 PAGES)**

**LEGEND:**

— LINE BREAK	POB POINT OF BEGINNING
PC POINT OF CURVATURE	PG(S) PAGE(S)
PRC POINT OF REVERSE CURVATURE	L LENGTH
PCC POINT OF COMPOUND CURVATURE	R RADIUS
PNT POINT OF NON-TANGENCY	A CENTRAL ANGLE
PT POINT OF TANGENCY	CB CHORD BEARING
(NR) NON-RADIAL	CH CHORD LENGTH
(R) RADIAL	COR CORNER
R/W RIGHT OF WAY	SF SQUARE FEET
ORB OFFICIAL RECORDS BOOK	AC ACRES
PB PLAT BOOK	SEC SECTION-TOWNSHIP SOUTH-RANGE EAST
	O CHANGE IN DIRECTION



**SURVEY NOTES:**

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THAT CERTAIN LINE BETWEEN THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST AND THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33, AS BEING S61°17'20"E.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
3. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
4. THIS IS NOT A BOUNDARY SURVEY.
5. SECTION TIES SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY BY DONALD W. MCINTOSH AND ASSOCIATES UNDER JOB #14153.002, DATED DECEMBER 22, 2016, PROVIDED TO THIS FIRM BY THE CLIENT.

*William D. Donley*  
 WILLIAM D. DONLEY DATE  
 PROFESSIONAL SURVEYOR & MAPPER  
 LICENSE NUMBER LS 5381  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
 FLORIDA LICENSED SURVEYOR AND MAPPER

PROJECT NAME: STARWOOD PHASE N-1A  
 O.C. PROJECT NUMBER: 16-U-077

SHEET 1 OF 5

(SEE SHEET 2 FOR DESCRIPTION OF SKETCH)  
 (SEE SHEETS 3-5 FOR SKETCH OF DESCRIPTION)

**SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.**

**SKETCH OF DESCRIPTION**  
 -OF-  
**UTILITY EASEMENT**  
**FOR MULTIUSE TRAIL AND**  
**WET/DRY UTILITIES**  
 (STARWOOD PHASE N-1A)  
 SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST  
 ORANGE COUNTY FLORIDA

**Dewberry**  
 131 WEST KALEY STREET  
 ORLANDO, FLORIDA 32806  
 PHONE: 321.354.9826 FAX: 407.648.9104  
 WWW.DEWBERRY.COM  
 CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:  
**BEACHLINE SOUTH**  
**RESIDENTIAL, LLC**  
 DATE: 10/23/18  
 REV DATE: 01/11/19  
 SCALE 1" = N/A  
 PROJ: 50092308  
 DRAWN BY: WS  
 CHECKED BY: TT

Drawing name: L:\Users\wdonley\appdata\local\temp\14c7a1a1-1242c14a-94a4-survey\16-077-001.dwg  
 User: wdonley  
 Date: 10/23/2018 11:41:11 AM  
 Plot Date: 10/23/2018 11:41:11 AM  
 Plot Scale: 1:1  
 Plot Size: 11.0000 x 17.0000  
 Plot Orientation: Landscape  
 Plot Color: Black  
 Plot Lineweight: 0.2000  
 Plot Font: Arial, 10.0000  
 Plot Title: 16-U-077-001.dwg  
 Plot Path: L:\Users\wdonley\appdata\local\temp\14c7a1a1-1242c14a-94a4-survey\16-077-001.dwg  
 Plot Size: 11.0000 x 17.0000  
 Plot Orientation: Landscape  
 Plot Color: Black  
 Plot Lineweight: 0.2000  
 Plot Font: Arial, 10.0000  
 Plot Title: 16-U-077-001.dwg  
 Plot Path: L:\Users\wdonley\appdata\local\temp\14c7a1a1-1242c14a-94a4-survey\16-077-001.dwg







1 INCH = 200 FEET

NOT PLATTED

UTILITY EASEMENT  
±0.286 AC

POINT OF BEGINNING

DETAIL "A"  
SEE SHEET 5

N21°41'45"E 53.00'

N63°13'15"W  
191.86'

PNT

N41°07'51"E 85.31'(NR)

STARWOOD PHASE N-1A

L=1003.24'  
R=1131.16'  
Δ=50°48'59"  
CB=N09°08'16"W  
CH=970.68'

DOWDEN ROAD SEGMENT 3

STARWOOD PHASE N-1A

N34°32'46"W  
273.96'

PC

MATCHLINE - SEE SHEET 3

PROJECT NAME: STARWOOD PHASE N-1A  
O.C. PROJECT NUMBER: 16-U-077

SHEET 4 OF 5

(SEE SHEET 1 FOR VICINITY MAP)  
(SEE SHEET 2 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

### SKETCH OF DESCRIPTION

-OF-

UTILITY EASEMENT  
FOR MULTIUSE TRAIL AND  
WET/DRY UTILITIES  
(STARWOOD PHASE N-1A)

SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST

ORANGE COUNTY

FLORIDA



# Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104

WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

BEACHLINE SOUTH  
RESIDENTIAL, LLC

DATE: 10/23/18  
REV DATE: 01/11/19  
SCALE 1" = 200'

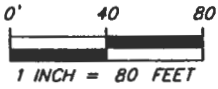
PROJ: 50092308  
DRAWN BY: WS  
CHECKED BY: TT

Drawing name: L:\Users\rsamurai\appdata\local\temp\1c7e0158-1252-40a0-b010-4a\_sursketch-utility\_easement\_16-077.dwg  
User: rsamurai  
Date: 10/23/18  
Time: 11:40 AM  
Sheet: 4 of 5

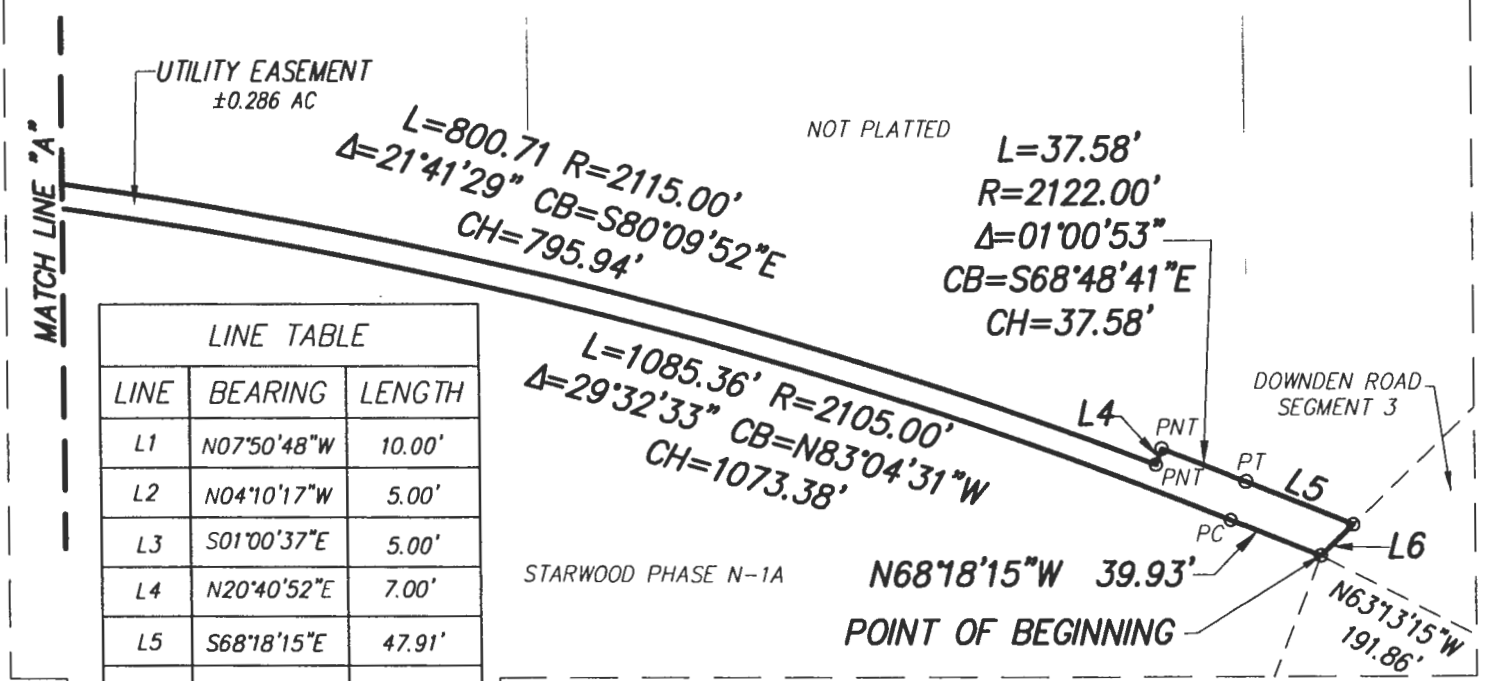
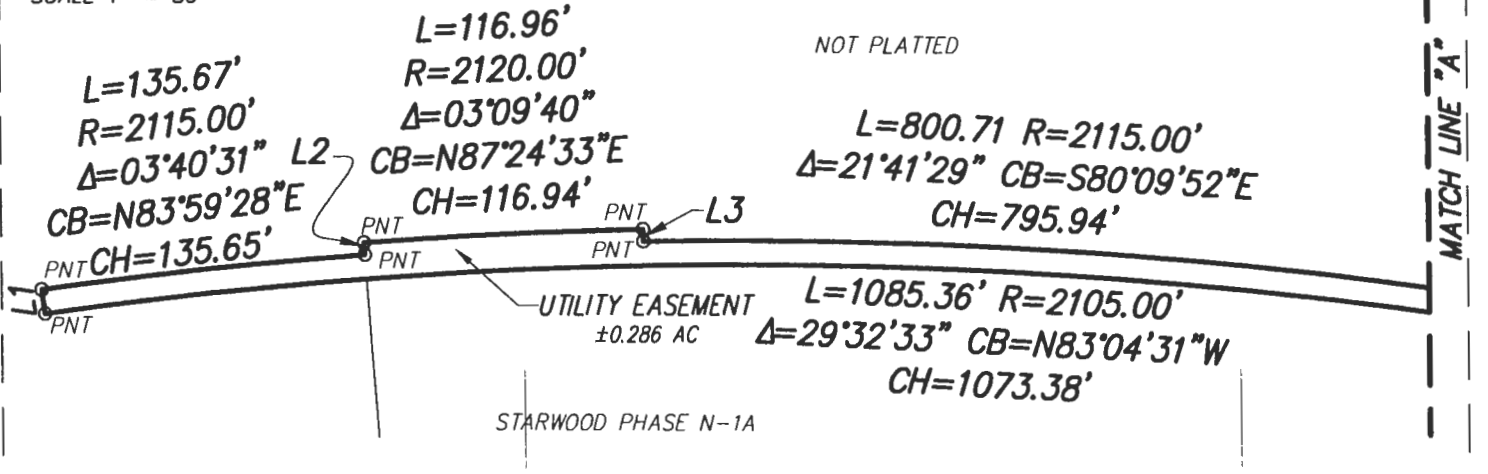




PROJECT NAME: STARWOOD PHASE N-1A  
O.C. PROJECT NUMBER: 16-U-077



DETAIL "A"  
SCALE 1" = 80'



LINE TABLE		
LINE	BEARING	LENGTH
L1	N07°50'48"W	10.00'
L2	N04°10'17"W	5.00'
L3	S01°00'37"E	5.00'
L4	N20°40'52"E	7.00'
L5	S68°18'15"E	47.91'
L6	S46°50'58"W	18.78'

SHEET 5 OF 5

(SEE SHEET 1 FOR VICINITY MAP)  
(SEE SHEET 2 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

UTILITY EASEMENT  
FOR MULTIUSE TRAIL AND  
WET/DRY UTILITIES  
(STARWOOD PHASE N-1A)

SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST

ORANGE COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

**BEACHLINE SOUTH  
RESIDENTIAL, LLC**

DATE: 10/23/18  
REV DATE: 01/11/19  
SCALE 1" = 80'

PROJ: 50092308  
DRAWN BY: WS  
CHECKED BY: TT

Drawing name: L:\Users\wsam001\appdata\local\temp\14c7d0151\_12432\downden\_44\_survey\utility\_easement\_16-077.dwg J:\MICH\JULIET\33M1\_SHEET\_5 Jan 11, 2019 1:40PM D.K. WSA00101