



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 10

**DATE:** August 20, 2019

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

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

**FROM:** Kim Heim, Senior Title Examiner *KH*  
Real Estate Management Division

**CONTACT PERSON:** **Paul Sladek, Manager**

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

**ACTION REQUESTED:** Approval of Utility Easement from Amprop Enterprises Alafaya, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Republic Bank & Trust Company and authorization to record instruments

**PROJECT:** Woodland Lakes PD/Tract D&E - Tire Store Bldg B18906222 #97513  
  
District 4

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

**ITEMS:** Utility Easement  
Cost: Donation  
Size: 150 square feet  
  
Subordination of Encumbrances to Property Rights to Orange County

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

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

SEP 10 2019

THIS IS A DONATION

Project: Woodland Lakes PD/Tract D&E – Tire Store Bldg  
B18906222 #97513

**UTILITY EASEMENT**

THIS INDENTURE, Made this 29 day of July, A.D. 2019, between Amprop Enterprises Alafaya, LLC, a Florida limited liability company, whose address is 4201 W. Cypress Street, Tampa, FL, 33607, 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"**

**Property Appraiser's Parcel Identification Number:**

**a portion of**

**34-22-31-0125-00-010**

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, agree 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: Woodland Lakes PD/Tract D&E – Tire Store Bldg  
B18906222 #97513

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

Signed, sealed, and delivered  
in the presence of:

Amprop Enterprises Alafaya, LLC,  
a Florida limited liability company

[Signature]  
Witness

BY: [Signature]  
Eric A. Schoessler, its Manager

Kristie Butler  
Printed Name

[Signature]  
Witness

[Signature]  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 29 day of July,  
2019 by Eric A. Schoessler, as Manager of Amprop Enterprises Alafaya, 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.

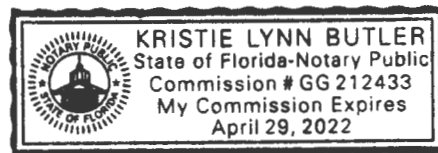
(Notary Seal)

[Signature]  
Notary Signature  
Kristie Butler  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid.

My commission expires: 4/29/22

**This instrument prepared by:**  
Kim Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida



# EXHIBIT "A"

## SKETCH OF DESCRIPTION UTILITY EASEMENT

SECTION 34, TOWNSHIP 22 SOUTH, RANGE 31 EAST  
ORANGE COUNTY, FLORIDA

PROJECT NAME: WOODLAND LAKES PD/TRACT D & E--TIRE STORE BUILDING  
PURPOSE: UTILITY EASEMENT  
BUILDING DEPT PERMIT NUMBER: B-18906222

### LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 34, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF LOT 1, ALAFAYA TRAIL RETAIL PARK TRACTS D AND E, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 58, PAGES 121-123, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE WITH THE SOUTH LINE OF SAID LOT 1, BEING THE NORTH RIGHT-OF-WAY LINE OF CURRY FORD ROAD (VARIABLE-WIDTH RIGHT OF WAY PER OFFICIAL RECORDS BOOK 5671, PAGE 2240, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA), S75°57'09"W, A DISTANCE OF 396.40 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE WITH SAID NORTH RIGHT-OF-WAY LINE, S75°57'09"W, A DISTANCE OF 10.00 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE, N14°02'51"W, A DISTANCE OF 15.00 FEET; THENCE N75°57'09"E, A DISTANCE OF 10.00 FEET; THENCE S14°02'51"E, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.


CONTAINING 150 SQUARE FEET (0.003 ACRES) OF LAND, MORE OR LESS.

### SURVEYOR'S NOTES

1. THE PURPOSE OF THIS SKETCH & LEGAL DESCRIPTION IS TO PROVIDE A LEGAL DESCRIPTION FOR A PROPOSED UTILITY EASEMENT.
2. THIS IS NOT A SURVEY.
3. THE BASIS OF BEARINGS FOR THIS SKETCH IS THE NORTH RIGHT-OF-WAY LINE OF CURRY FORD ROAD WHICH IS RECORDED TO BEAR S75°57'09"W, ACCORDING TO ALAFAYA TRAIL RETAIL PARK TRACTS D AND E, AS RECORDED IN PLAT BOOK 58, PAGES 121-123, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
4. THE PROPERTY DEPICTED ON THIS SKETCH IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
5. THIS LEGAL DESCRIPTION IS INCOMPLETE UNLESS ACCOMPANIED BY A SKETCH OF THE PROPERTY DESCRIBED HEREIN.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REV: 16 MAY 2019 PER OCU COMMENTS

 <p><b>LEADING EDGE LAND SERVICES INCORPORATED</b> 8802 EXCHANGE DRIVE ORLANDO, FLORIDA 32809 PHONE: (407) 351-6730 FAX: (407) 351-9691 WEB: www.leadingedgeels.com</p>	<p>SKETCH OF DESCRIPTION FOR AMPROP VENTURES, LLC</p>	<p>DATE OF DRAWING: 27 FEB 2019 MANAGER: JDH      CADD: EAC</p>
	<p>SURVEYOR'S CERTIFICATION</p> <p>I, THE UNDERSIGNED FLORIDA LICENSED SURVEYOR AND MAPPER, DO HEREBY CERTIFY THAT I HAVE COMPLETED THIS SKETCH IN ACCORDANCE WITH FLORIDA ADMINISTRATIVE RULE 5J-17 STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS.</p> <p><i>[Signature]</i>      DATE: 05/14/2019</p> <p>JEFFREY D. HOELUS PROFESSIONAL SURVEYOR AND MAPPER NUMBER 6610</p>	<p>PROJECT NUMBER: 935-18001 FIELD BOOK NUMBER: LAST FIELD WORK: CREW CHIEF(S): COMPUTER FILE: 935001ESMT.DWG</p>
<p>FLORIDA LICENSED BUSINESS NUMBER LB 6846</p>		<p>SCALE: 1" = 20'      SHEET 1 OF 2</p>

# SKETCH OF DESCRIPTION UTILITY EASEMENT

SECTION 34, TOWNSHIP 22 SOUTH, RANGE 31 EAST  
ORANGE COUNTY, FLORIDA

PROJECT NAME: WOODLAND LAKES PD/TRACT D & E-TIRE STORE BUILDING  
PURPOSE: UTILITY EASEMENT  
BUILDING DEPT PERMIT NUMBER: B-18906222



THIS SKETCH IS INCOMPLETE  
UNLESS ACCOMPANIED BY A  
LEGAL DESCRIPTION OF THE  
PROPERTY DEPICTED HEREON

AMPROP ENTERPRISES ALAFAYA, L.L.C.  
DOC# 20180740400

LOT 1  
ALAFAYA TRAIL RETAIL PARK  
TRACTS D AND E  
P.B. 5B, PG. 121-123

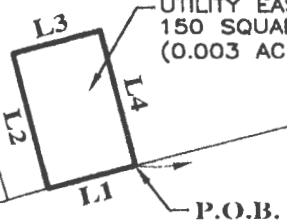
UTILITY EASEMENT  
150 SQUARE FEET  
(0.003 ACRES)

NORTH R/W LINE  
(BASIS OF BEARINGS)

P.O.C.

SE CORNER -- LOT 1  
ALAFAYA TRAIL RETAIL PARK  
TRACTS D AND E  
P.B. 5B, PH. 121-123

57°57'09"W 396.40'



## LINE TABLE

LINE	BEARING	DISTANCE
L1	S75°57'09"W	10.00'
L2	N14°02'51"W	15.00'
L3	N75°57'09"E	10.00'
L4	S14°02'51"E	15.00'

5' CONCRETE SIDEWALK

EDGE OF PAVEMENT

**CURRY FORD ROAD**  
VARIABLE-WIDTH RIGHT OF WAY  
PER O.R. 5671, PG. 2240

## LEGEND

P.O.C. POINT OF COMMENCEMENT  
P.O.B. POINT OF BEGINNING  
P.B. PLAT BOOK  
O.R. OFFICIAL RECORDS BOOK  
PG. PAGE  
DOC# DOCUMENT NUMBER  
R/W RIGHT OF WAY  
OCU ORANGE COUNTY UTILITIES



GRAPHIC SCALE: 1" = 20'

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 2)

REV: 16 MAY 2019 PER OCU COMMENTS

**LEADING EDGE  
LAND SERVICES  
INCORPORATED**  
8802 EXCHANGE DRIVE  
ORLANDO, FLORIDA 32809  
PHONE: (407) 351-6730  
FAX: (407) 351-9691  
WEB: www.leadingedgels.com

FLORIDA LICENSED BUSINESS NUMBER LB 6846

SKETCH OF DESCRIPTION  
FOR  
AMPROP VENTURES, L.L.C.

THIS IS NOT  
A SURVEY

DATE OF DRAWING: 27 FEB 2019  
MANAGER: JDH CADD: EAC  
PROJECT NUMBER: 935-18001  
FIELD BOOK NUMBER:  
LAST FIELD WORK:  
CREW CHIEF(S):  
COMPUTER FILE: 935001ESMT.DWG  
SCALE: 1" = 20' SHEET 2 OF 2

Project: Woodland Lakes PD/Tract D&E - Tire Store Bldg  
B18906222 #97513

**SUBORDINATION OF ENCUMBRANCES 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 utility project in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to the below encumbrances held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrances 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 encumbrances as they have 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"/EXHIBIT "A"**

Encumbrances:

Republic Bank & Trust Company

FROM: Amprop Enterprises Alafaya, LLC

Mortgage Future Advances filed December 21, 2018

Recorded as Document No. 20180740401

Mortgage Modification and Future Advance filed March 22, 2019

Recorded as Document No. 20190172247

All in the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances insofar as same affects the rights and privileges of ORANGE COUNTY, in its use of the land specifically above described for utility purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said

Project: Woodland Lakes PD/Tract D&E - Fire Store Bldg  
B18906222 #97513

encumbrances 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 utility purposes that in such event the subordination of said encumbrances shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 17th day of June, A.D. 2019.

Signed, sealed, and delivered  
in the presence of:

Republic Bank & Trust Company  
a Kentucky corporation

*Jennifer L. Memmel*  
Witness

BY:

*[Signature]*

JENNIFER L. MEMMEL  
Printed Name

Rene Martinez, Jr  
Printed Name

*Jessica Cross*  
Witness

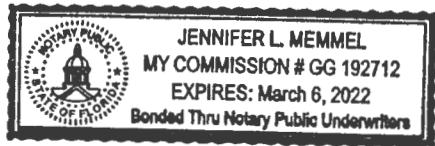
Vice President  
Title

JESSICA CROSS  
Printed Name

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 17th of June 2019, by RENE MARTINEZ, JR, as VICE PRESIDENT of Republic Bank & Trust Company, a Kentucky corporation, on behalf of the corporation.  He/She  is personally known to me or  has produced \_\_\_\_\_ as identification.

(Notary Seal)



*Jennifer L. Memmel*  
Notary Signature  
JENNIFER L. MEMMEL

Printed Notary Name  
Notary Public in and for  
the County and State aforesaid  
My Commission Expires: 3/6/2022

This instrument prepared by:  
Kim Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

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REV: 16 MAY 2019 PER OCU COMMENTS

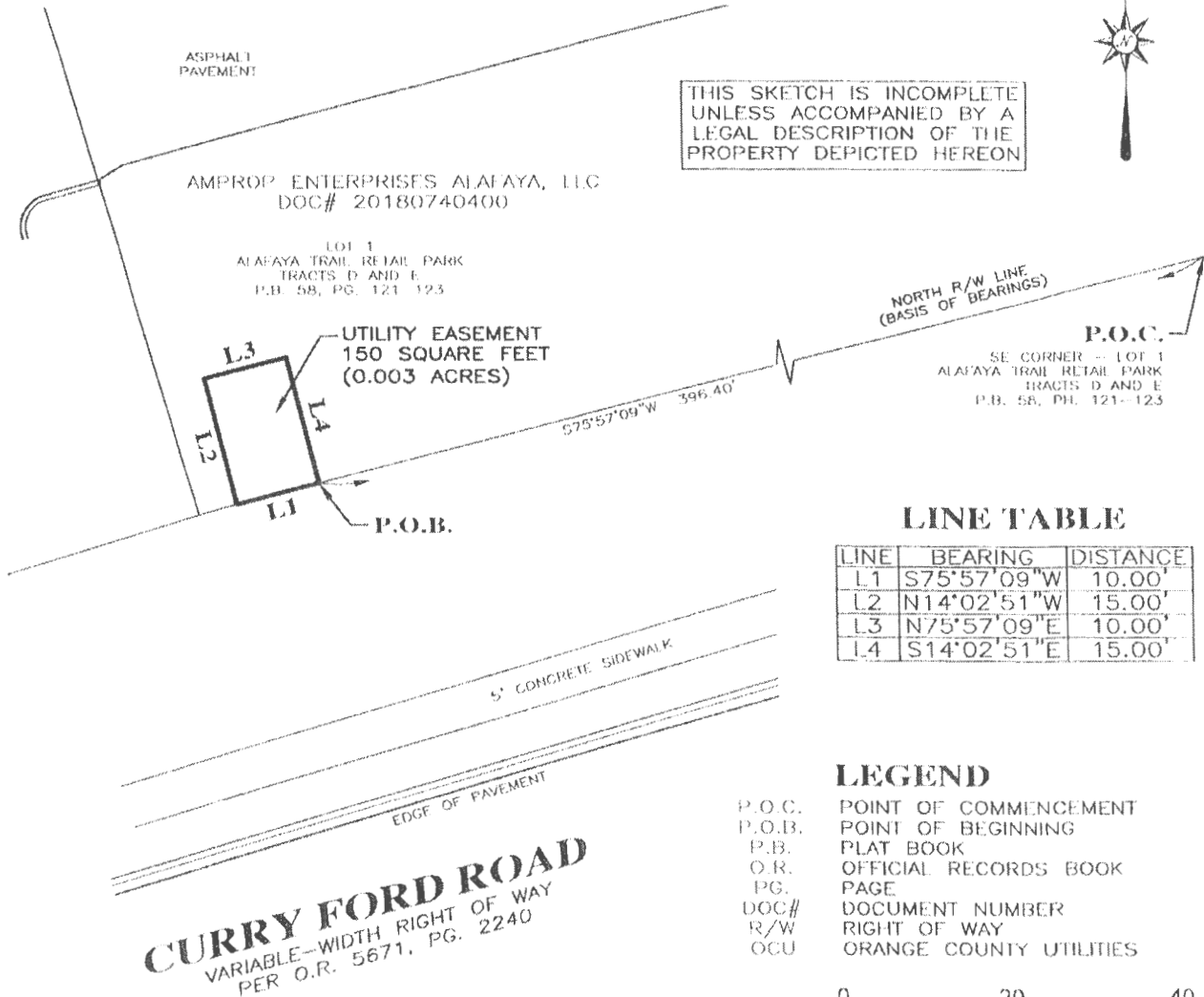
 <p><b>LEADING EDGE LAND SERVICES INCORPORATED</b> 8802 EXCHANGE DRIVE ORLANDO, FLORIDA 32809 PHONE: (407) 351-6730 FAX: (407) 351-9691 WEB: www.leadingedgels.com FLORIDA LICENSED BUSINESS NUMBER LB 6846</p>	<p>SKETCH OF DESCRIPTION FOR AMPROP VENTURES, LLC</p>	DATE OF DRAWING: 27 FEB 2019 MANAGER: JDH CADD: EAC
	<p>SURVEYOR'S CERTIFICATION I, THE UNDERSIGNED FLORIDA LICENSED SURVEYOR AND MAPPER, DO HEREBY CERTIFY THAT I HAVE COMPLETED THIS SKETCH IN ACCORDANCE WITH FLORIDA ADMINISTRATIVE RULE 5J-17 STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS.</p> <p><i>[Signature]</i> JEFFREY D. HOEJUS PROFESSIONAL SURVEYOR AND MAPPER NUMBER 6610</p> <p>DATE: 05/14/2019</p>	PROJECT NUMBER: 935-18001 FIELD BOOK NUMBER: LAST FIELD WORK: CREW CHIEF(S): COMPUTER FILE: 935001ESME.DWG SCALE: 1" = 20' SHEET 1 OF 2



# SKETCH OF DESCRIPTION UTILITY EASEMENT

SECTION 34, TOWNSHIP 22 SOUTH, RANGE 31 EAST  
ORANGE COUNTY, FLORIDA

PROJECT NAME: WOODLAND LAKES PD/TRACT D & E--TIRE STORE BUILDING  
PURPOSE: UTILITY EASEMENT  
BUILDING DEPT PERMIT NUMBER: B-18906222



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LEGAL DESCRIPTION OF THE  
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## LEGEND

P.O.C. POINT OF COMMENCEMENT  
P.O.B. POINT OF BEGINNING  
P.B. PLAT BOOK  
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OCU ORANGE COUNTY UTILITIES

0 20 40



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SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 2)

REV: 16 MAY 2019 PER OCU COMMLN1S

**LEADING EDGE  
LAND SERVICES  
INCORPORATED**

8802 EXCHANGE DRIVE  
ORLANDO, FLORIDA 32809  
PHONE: (407) 351-6730  
FAX: (407) 351-9691  
WEB: www.leadingedgels.com

FLORIDA LICENSED BUSINESS NUMBER LB 6046

SKETCH OF DESCRIPTION  
FOR  
AMPROP VENTURES, LLC

THIS IS NOT  
A SURVEY

DATE OF DRAWING: 27 FEB 2019

MANAGER: JDH CADD: FAC

PROJECT NUMBER: 935-18001

FIELD BOOK NUMBER:

LAST FIELD WORK:

CREW CHIEF(S):

COMPUTER FILE: 935001ESMT.DWG

SCALE: 1" = 20'

SHEET 2 OF 2