

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
AUG 21 2018

Prepared By and Return To:

Sara W. Bernard, P.A.
Broad and Cassel LLP
Bank of America Center
P.O. Box 4961
Orlando, Florida 32802-4961

RELEASE AND TERMINATION OF EASEMENT AGREEMENTS

THIS RELEASE AND TERMINATION OF EASEMENT AGREEMENTS (the "**Termination**") is made effective as of this 27th day of August, 2018, by and between **ORANGE COUNTY**, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393 ("**County**"), **LAKE NONA LAND COMPANY, LLC**, a Florida limited liability company, whose addresses are 6900 Tavistock Lakes Boulevard, Suite 200, Orlando, Florida 32827 ("**LNLC**"), and **LAKE NONA BOGGY CREEK, LLC**, a Florida limited liability company, whose addresses are 6900 Tavistock Lakes Boulevard, Suite 200, Orlando, Florida 32827 ("**LNBC**") (County, LNLC and LNLC are each referred to herein as a "**Party**" and collectively referred to herein as the "**Parties**").

WITNESSETH:

WHEREAS, County, LNLC and LNLC are parties to the following instruments (collectively, the "**Temporary Easements #1**"):

- (A) Temporary Construction Easement Agreement (Mass Grading and Drainage System) recorded May 16, 2007 in Official Records Book 9262, Page 2664, in the Public Records of Orange County, Florida.
- (B) Temporary Construction Easement Agreement (LNLC's Obligations) recorded May 16, 2007 in Official Records Book 9262, Page 2682, in the Public Records of Orange County, Florida.
- (C) Temporary Construction Easement Agreement (Entry Road and Master Utility Infrastructure System) recorded May 16, 2007 in Official Records Book 9262, Page 2700, in the Public Records of Orange County Florida.

WHEREAS, County and LNLC are parties to the following instruments (collectively, the "**Temporary Easements #2**") and together with the Temporary Easements #1 shall be referred to herein collectively as the "**Temporary Easements**"):

- (A) Temporary Stormwater Drainage Easement Agreement recorded May 16, 2007 in Official Records Book 9262, Page 2673, in the Public Records of Orange County, Florida.

(B) Temporary Access and Utilities Easement Agreement recorded May 16, 2007 in Official Records Book 9262, Page 2691, in the Public Records of Orange County, Florida.

WHEREAS, pursuant to the Temporary Easements #2, Boggy Creek Improvement District, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes (“**BID**”), was granted a temporary, non-exclusive construction easement upon such terms as more specifically set forth therein, and BID has joined in and consented to this Termination for purposes of agreeing to release all right, title and interest in and to the Temporary Easements #2.

WHEREAS, the Parties desire to terminate the Temporary Easements and release all right, title and interest in and to the Temporary Easements.

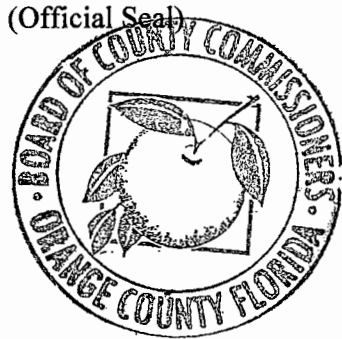
NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein set forth and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby expressly acknowledged by the Parties, the Parties do hereby agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. LNLC and LNBC each represent that such Party is the sole holder of all right, title and interest in and to the Temporary Easements and that neither Party has made any assignment, transfer, encumbrance, conveyance, or other disposition of any interest in the Temporary Easements to any party.
3. LNLC and LNBC do hereby release, vacate and forever abandon all of their right, title, and interest in and to the Temporary Easements.
4. The Parties hereby acknowledge and agree that, from and after the date and time of recording of this Termination, the Temporary Easements are hereafter null and void and of no further force or effect.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]


IN WITNESS WHEREOF, the Parties have executed this Termination as of the day and year set forth below.

"COUNTY"



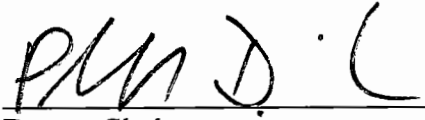
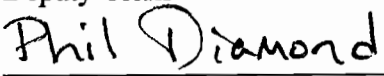
ORANGE COUNTY,
a charter county and political subdivision of
the state of Florida

By: Board of County Commissioners

BY: 
Teresa Jacobs
Orange County Mayor

DATE: AUG 21 2018

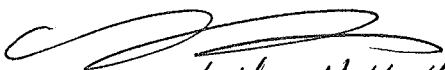
ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

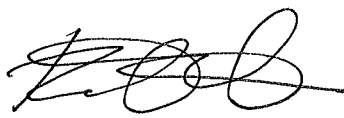
BY: 
Deputy Clerk

Printed Name


“LNLC”

Signed, sealed and delivered in the presence of the following witnesses:

LAKE NONA LAND COMPANY, LLC,
a Florida limited liability company


Print Name: Kathy Kittell

By: 
Rasesh Thakkar, Vice President


Print Name: Shamira Bantley

STATE OF FLORIDA)
)
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 22nd day of August, 2018, by Rasesh Thakkar, as Vice President of **LAKE NONA LAND COMPANY, LLC**, a Florida limited liability company, on behalf of the company. He is ☒ personally known to me or ☐ has produced _____ as identification.




(Signature of Notary Public)

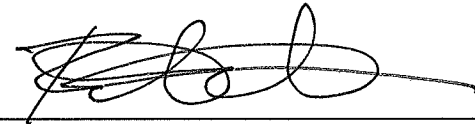
(Typed Name of Notary Public)
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

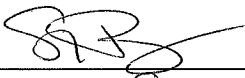
“LNBC”

Signed, sealed and delivered in the presence of the following witnesses:

LAKE NONA BOGGY CREEK, LLC,
a Florida limited liability company


Print Name: Kathy Kittell

By: 
Rasesh Thakkar, Vice President


Print Name: Shanwa Bartley

STATE OF FLORIDA)

)

COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 22nd day of August, 2018, by Rasesh Thakkar, as Vice President of **LAKE NONA BOGGY CREEK, LLC**, a Florida limited liability company, on behalf of the company. He is (☒) personally known to me or (___) has produced _____ as identification.



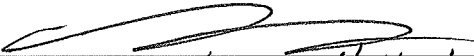

(Signature of Notary Public)


(Typed Name of Notary Public)
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

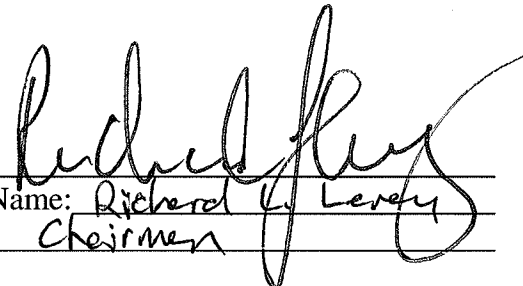
"BID"

BOGGY CREEK IMPROVEMENT DISTRICT, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes

Signed, sealed and delivered in the presence of the following witnesses:


Print Name: Kately Kittell



Print Name: Shamira Bartley

By: 
Print Name: Richard L. Leroy
Title: Chairman

STATE OF FLORIDA)
)
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 21st day of August, 2018, by Richard L. Leroy, as Chairman of **BOGGY CREEK IMPROVEMENT DISTRICT**, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, on behalf of the district. He/~~She~~ is (✓) personally known to me or () has produced _____ as identification.




(Signature of Notary Public)

(Typed Name of Notary Public)
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____