



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** March 5, 2020

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

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

**FROM:** Elizabeth Price Jackson, Senior Title Examiner *EPA*  
Real Estate Management Division

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

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

**ACTION REQUESTED:** Approval and execution of Resolutions, County Deed, and Subordinations of County Utility Interests between Orange County and State of Florida Department of Transportation and authorization to record instruments

**PROJECT:** FDOT – S.R. 551 (Goldenrod Road) From S.R. 408 to S.R. 50  
District 3

**PURPOSE:** To provide for access, construction, operation, and maintenance of road widening improvements required by Florida Department of Transportation.

**ITEMS:** Resolutions (5) (Parcels 100.1, 105.2, 106.4, 107.2, and 111.6)

County Deed (Parcel 100.1)  
Revenue: None  
Size: 1.014 acres

Subordination of County Utility Interests (Parcel 105.2)  
Revenue: None  
Size: 1,501 square feet

Subordination of County Utility Interests (Parcel 106.4)  
Revenue: None  
Size: 1,147 square feet

Subordination of County Utility Interests (Parcel 107.2)  
Revenue: None  
Size: 3,882 square feet

Subordination of County Utility Interests (Parcel 111.6)  
Revenue: None  
Size: 499 square feet

**APPROVALS:** Real Estate Management Division  
Public Works Department

**REMARKS:** This action provides the Florida Department of Transportation a portion of County-owned right-of-way and the ability to utilize property encumbered by a County Outfall Ditch Easement.

Florida Department of Transportation to pay recording fees and record instruments.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

MAR 24 2020

03-ORCO-12/18

December 27, 2018

This instrument prepared by

Loretta A. Willmitch

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 100.1

SECTION 75200

F.P. NO. 437634-1

STATE ROAD 551

COUNTY ORANGE

**COUNTY DEED**

THIS DEED, made this MAR 24 2020 day of \_\_\_\_\_, 20\_\_ by ORANGE COUNTY, a charter county and political subdivision of the state of Florida, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, grantee: (Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Orange County, Florida, viz:

**PARCEL NO. 100**

**SECTION 75200  
FP 437634-1**

Those lands described as "Additional RW Per This Plat" as shown on the plat of SUNFOREST as recorded in Plat Book 28, Page 48 of the Public Records of Orange County, Florida.

CONTAINING 1.014 acres, more or less.

This legal description prepared under the direction of:

Bobby J. Paulk, PSM #6691

DRMP, Inc.

941 Lake Baldwin Lane

Orlando, FL 32814

November 28, 2018

PARCEL NO. 100.1  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 2

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with the appurtenances thereunto belonging or in anywise appertaining, and the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the said grantee forever.

PROVIDED that the following rights are reserved to Orange County:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities and to indemnify to the extent permitted under Florida Law the F.D.O.T. against any loss or damage resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement.

PARCEL NO. 100.1  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 3

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Bryan Burbo  
Signature  
for Orange County Mayor  
Jerry L. Demings  
Print Name  
Orange County Mayor

DATE: 8 May 2020

ADDRESS OF GRANTOR  
P. O. Box 1393  
Orlando, Florida 32802-1393

ATTEST: Phil Diamond, CPA  
Comptroller, Clerk to the Board

BY: Craig A. Stopysa  
Signature  
for Deputy Clerk  
Craig A. Stopysa  
Print Name  
Deputy Clerk

**APPROVED**  
**BY ORANGE COUNTY BOARD**  
**OF COUNTY COMMISSIONERS**  
**MAR 24 2020**

23-UTL ORANGE COUNTY-10/11

July 30, 2019

This instrument prepared by

Marika Tremblay

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 105.2  
SECTION 75200  
F.P. NO. 437634-1  
STATE ROAD 551  
COUNTY ORANGE

### **SUBORDINATION OF COUNTY UTILITY INTERESTS**

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

### **WITNESSETH:**

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL NO. 105.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 2

PARCEL NO. 105

SECTION 75200  
FP 437634-1

That portion of:

“S1/4 of SE1/4 of SW1/4 of Section 23, Township22S, Range 30E, less road right-of-way, Orange County, Florida

LESS:

The North 1/2 of the South 1/4 of the Southeast 1/4 of the Southwest 1/4, less road right-of-way on the East; and the West 578 feet of the South 1/2 of the South 1/4 of the Southeast 1/4 Southwest 1/4, all of said lands being in Section 23, Township 22 South, Range 30 East, Orange County, Florida. As recorded in Official Records Book 3731, Page 501, Public Records of Orange County, Florida.

LESS AND EXCEPT the following:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 26, Township 22 South, Range 30 East, Orange County, Florida, thence South 89 degrees 41 minutes 45 seconds West 50.00 feet along the North boundary of the Northwest 1/4 of said Section 26 to a point on the West right of way line of Goldenrod Road (State Road 551) per Florida Department of Transportation right of way map Section 75200-2512 for the POINT OF BEGINNING; thence North 00 degrees 24 minutes 42 seconds West 30.00 feet along said right of way to a point on a line 30.00 feet North of when measured at right angles to said North boundary of the Northwest 1/4; thence South 89 degrees 41 minutes 45 seconds West 142.00 feet along said line; thence South 00 degrees 24 minutes 42 seconds East 30.00 feet to a point on the aforesaid North boundary of the Northwest 1/4; thence North 89 degrees 41 minutes 45 seconds East 142.00 feet along said North boundary to the Point of Beginning.”

Being those lands described in Official Records Book 10569, Page 9402 of the Public Records of Orange County, Florida.

Described as follows:

Commence at a found 3.5” aluminum disk stamped “ORANGE COUNTY ENGINEERING DEPT.” in cut out 0.1’ deep marking the Southeast corner of Section 23, Township 22 South, Range 30 East, Orange County, Florida, according to the Florida Department of Transportation Right of Way

PARCEL NO. 105.2  
 SECTION 75200  
 F.P. NO. 437634-1  
 PAGE 3

Map for State Road 551 (also known as Goldenrod Road), Section 75200, Financial Project Number 437634-1; thence South 89°57'50" West along the South line of the Southeast 1/4 of said Section 23, a distance of 2638.95 feet to a found nail and disk stamped "JW&G TRAV" marking the South 1/4 corner of said Section 23, said point being Point of Intersection Station 286+51.74 on the Baseline of Survey for State Road 551 according to said Right of Way Map; thence North 00°24'38" West along the East line of the Southwest 1/4 of said Section 23 and said Baseline of Survey, a distance of 30.00 feet to Baseline of Survey Station 286+81.74, said point being the intersection of said Baseline of Survey and the Easterly extension of the North line of Tract A per the plat of Goldenrod & Valencia, as recorded in Plat Book 79, Page 95 of the Public Records of Orange County, Florida; thence departing said East line and said Baseline of Survey, South 89°41'44" West along said Easterly extension, a distance of 50.00 feet to a point on the West Right of Way line of said State Road 551 and the POINT OF BEGINNING; thence South 89°41'44" West along said Easterly extension, a distance of 10.00 feet to the Northeast Corner of said Tract A; Thence South 89°41'44" West along the North line of said Tract A, a distance of 15.73 feet; thence departing said North line, North 38°41'04" East a distance of 24.95 feet; thence North 00°24'38" West, parallel to and 60.00 feet West of said East line and said Baseline of Survey, a distance of 115.44 feet to the North line of those lands described in Official Records Book 10569, Page 9402 of the Public Records of Orange County, Florida; thence North 89°40'57" East along said North line, a distance of 10.00 feet to the aforementioned West Right of Way line; thence South 00°24'38" East along said West Right of Way line, a distance of 134.83 feet to the POINT OF BEGINNING.

CONTAINING 1501 square feet, more or less.

This legal description prepared under the direction of:  
 Bobby J. Paulk, PSM #6691  
 DRMP, Inc.  
 941 Lake Baldwin Lane  
 Orlando, FL 32814  
 June 27, 2019

**RECORDED**

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Outfall Ditch Easement	9/13/1951	Clarence H. Schnell and Lenora P. Schnell	Orange County	882 / 234



PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

PARCEL NO. 105.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 5

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered  
in the presence of witnesses:

STATE OF FLORIDA DEPARTMENT  
OF TRANSPORTATION

Omayra Wallace  
SIGNATURE LINE  
PRINT/TYPE NAME: Omayra Wallace

By: Loreen Bobo  
Loreen Bobo, P.E.  
District Director Of  
Transportation Development  
for District Five  
719 S. Woodland Blvd.  
DeLand, Florida 32720

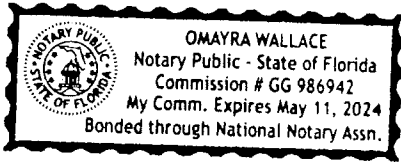
Norma Mejia  
SIGNATURE LINE  
PRINT/TYPE NAME: NORMA MEJIA

Legal Review  
By: [Signature]  
Office of the General Counsel

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 27 day of May, 2020  
by Loreen Bobo, P.E., District Director of Transportation Development for District Five,  
who is personally known to me or who has produced \_\_\_\_\_ as identification.

This instrument was acknowledged by means of physical presence.



Omayra Wallace  
PRINT/TYPE NAME: Omayra Wallace  
Notary Public in and for the  
County and State last aforesaid.  
My Commission Expires: 5/11/2024  
Serial No., if any: \_\_\_\_\_

ACQUISITION OF THIS LAND IS  
NECESSARY FOR R/W PURPOSES  
UNDER THREAT OF CONDEMNATION  
PURSUANT TO SEC 337.27 F.S.

MJW  
FL D.O.T

PARCEL NO. 105.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 6

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Bernard B. Barks

At Jerry L. Demings  
(Print Name)  
Orange County Mayor

DATE: 8 May 2020

ADDRESS OF GRANTOR  
P. O. Box 1393  
Orlando, Florida 32802-1393

ATTEST: Phil Diamond, CPA  
(Print Name)  
County Comptroller  
As Clerk to the Board of County Commissioners

BY: Craig A. Stopyta  
for Deputy Clerk  
Craig A. Stopyta  
(Print Name)

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

MAR 24 2020

23-UTL ORANGE COUNTY-10/11

July 30, 2019

This instrument prepared by

Marika Tremblay

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 106.4  
SECTION 75200  
F.P. NO. 437634-1  
STATE ROAD 551  
COUNTY ORANGE

### SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

### WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL NO. 106.4  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 2

PARCEL NO. 106

SECTION 75200  
FP 437634-1

That portion of:

“The land referred to herein below is situated in the County of Orange, State of Florida, and is described as follows:

From the Southeast corner of the Southwest 1/4 of said Section 23, run South 89 degrees 50 minutes 35 seconds West along the South line of said Southwest 1/4, a distance of 30.00 feet to the Westerly Right-of-Way line of Goldenrod Road, S.R. 551 (A.K.A. S.R. 15-A); thence North 00 degrees 22 minutes 07 seconds West, along said Right-of-Way, a distance of 214.73 feet to the Point of Beginning; thence South 89 degrees 49 minutes 50 seconds West, parallel with the South line of said North 1/2 of the South 1/4, a distance of 131.74 feet; thence North 00 degrees 22 minutes 07 seconds West a distance of 114.51 feet to a point on the North line of said North 1/2 of the South 1/4; thence North 89 degrees 44 minutes 05 seconds East, along said North line, a distance of 131.74 feet to a point on the aforementioned Westerly Right-of-Way line; thence South 00 degrees 22 minutes 07 seconds East, a distance of 114.73 feet to the Point of Beginning. Being in Section 23, Township 22 South, Range 30 East, Orange County, Florida.

LESS AND EXCEPT:

LESS and EXCEPT that part conveyed for Road Right-of-Way to the State of Florida Department of Transportation by that certain Deed recorded in Official Records Book 4508, Page 4159, Public Records of Orange County, Florida.

LESS and EXCEPT that part taken for Road Right-of-Way by the State of Florida Department of Transportation by that certain Order of Taking recorded in Official Records Book 4550, Page 4043 and amended by the Amended Order of Taking recorded in Official Records Book 4552, Page 2054, Public Records of Orange County, Florida.

AND LESS and EXCEPT that part conveyed for Road Right-of-Way to the County of Orange and the State of Florida by that certain Indenture recorded in Deed Book 389, Page 164, Public Records of Orange County, Florida.”

Being those lands described in Official Records Document Number 20170108217, as recorded in the Public Records of Orange County, Florida;

PARCEL NO. 106.4  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 3

Described as follows:

Commence at a found 3.5" aluminum disk stamped "ORANGE COUNTY ENGINEERING DEPT." in cut out 0.1' deep marking the Southeast corner of Section 23, Township 22 South, Range 30 East, Orange County, Florida, according to the Florida Department of Transportation Right of Way Map for State Road 551 (also known as Goldenrod Road), Section 75200, Financial Project Number 437634-1; thence South  $89^{\circ}57'50''$  West along the South line of the Southeast 1/4 of said Section 23, a distance of 2638.95 feet to a found nail and disk stamped "JW&G TRAV" marking the South 1/4 corner of said Section 23, said point being Point of Intersection Station 286+51.74 on the Baseline of Survey for State Road 551 according to said Right of Way Map; thence North  $00^{\circ}24'38''$  West along the East line of the Southwest 1/4 of said Section 23 and said Baseline of Survey, a distance of 214.74 feet to Baseline of Survey Station 288+66.48, said point being the intersection of said Baseline of Survey and the Easterly extension of the South line of lands described in Document Number 20170108217 of the Public Records of Orange County, Florida; thence departing said East line and said Baseline of Survey, South  $89^{\circ}40'57''$  West along said Easterly extension, a distance of 50.00 feet to a point on the West Right of Way line of said State Road 551 according to the aforementioned Right of Way Map and the POINT OF BEGINNING; thence continue South  $89^{\circ}40'57''$  West along the South line of said lands, a distance of 10.00 feet; thence departing said South line, North  $00^{\circ}24'38''$  West, parallel to and 60.00 feet West of said East line and said Baseline of Survey, a distance of 114.74 feet to the North line of said lands; thence North  $89^{\circ}40'11''$  East along said North line, a distance of 10.00 feet to the aforementioned West Right of Way line; thence South  $00^{\circ}24'38''$  East along said West Right of Way line, a distance of 114.74 feet to the POINT OF BEGINNING.

CONTAINING 1147 square feet, more or less.

This legal description prepared under the direction of:  
Bobby J. Paulk, PSM #6691  
DRMP, Inc.  
941 Lake Baldwin Lane  
Orlando, FL 32814  
June 27, 2019

**RECORDED**

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Outfall Ditch Easement	9/13/1951	Clarence H. Schnell and Lenora P. Schnell	Orange County	882 / 234

PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

PARCEL NO. 106.4  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 5

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered  
in the presence of witnesses:

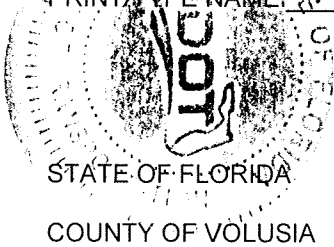
STATE OF FLORIDA DEPARTMENT  
OF TRANSPORTATION

Omayra Wallace  
SIGNATURE LINE  
PRINT/TYPE NAME: Omayra Wallace

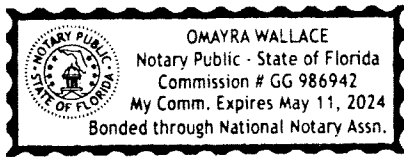
By: Loreen Bobo  
Loreen Bobo, P.E.  
District Director Of  
Transportation Development  
for District Five  
719 S. Woodland Blvd.  
DeLand, Florida 32720

Norhis Mejias  
SIGNATURE LINE  
PRINT/TYPE NAME: Norhis Mejias

Legal Review  
By: [Signature]  
Office of the General Counsel



The foregoing instrument was acknowledged before me this 27 day of May, 2020  
by Loreen Bobo, P.E., District Director of Transportation Development for District Five, who is  
personally known to me or who has produced \_\_\_\_\_ as identification.  
This instrument was acknowledged by means of physical presence.



Omayra Wallace  
PRINT/TYPE NAME: Omayra Wallace  
Notary Public in and for the  
County and State last aforesaid.  
My Commission Expires: 5/11/2024  
Serial No., if any: \_\_\_\_\_

ACQUISITION OF THIS LAND IS  
NECESSARY FOR R/W PURPOSES  
UNDER THREAT OF CONDEMNATION  
PURSUANT TO SEC 337.27 F.S.

MJW  
FL D.O.T



PARCEL NO. 106.4  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 6

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Bryan W. Brooks

Jerry L. Demings  
(Print Name)  
Orange County Mayor

DATE: 8 May 2020

ADDRESS OF GRANTOR  
P. O. Box 1393  
Orlando, Florida 32802-1393

ATTEST: Phil Diamond, CPA  
(Print Name)  
County Comptroller  
As Clerk to the Board of County Commissioners

BY: Craig A. Stopynka  
for Deputy Clerk  
Craig A. Stopynka  
(Print Name)

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

MAR 24 2020

23-UTL ORANGE COUNTY-10/11

March 2, 2020

This instrument prepared by

Marika Tremblay

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 107.2  
SECTION 75200  
F.P. NO. 437634-1  
STATE ROAD 551  
COUNTY ORANGE

#### SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

#### WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL NO. 107.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 2

PARCEL NO. 107

SECTION 75200  
FP 437634-1

That portion of:

"BEG AT A PT 329.47 FT N & 50 FT W OF SE COR OF SW1/4 RUN TH W 275 FT N 388.33 FT E 275 FT S TO POB (LESS PT TQAKEN FOR RD R/W PER 4552/2054 IN SEC 23-22-30 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA."

Being those lands described in Official Records Book 9787, Page 3850, as recorded in the Public Records of Orange County, Florida;

Described as follows:

Commence at a found 3.5" aluminum disk stamped "ORANGE COUNTY ENGINEERING DEPT." in cut out 0.1' deep marking the Southeast corner of Section 23, Township 22 South, Range 30 East, Orange County, Florida, according to the Florida Department of Transportation Right of Way Map for State Road 551 (also known as Goldenrod Road), Section 75200, Financial Project Number 437634-1; thence South 89°57'50" West along the South line of the Southeast 1/4 of said Section 23, a distance of 2638.95 feet to a found nail and disk stamped "JW&G TRAV" marking the South 1/4 corner of said Section 23, said point being Point of Intersection Station 286+51.74 on the Baseline of Survey for State Road 551 according to said Right of Way Map; thence North 00°24'38" West along the East line of the Southwest 1/4 of said Section 23 and said Baseline of Survey, a distance of 329.49 feet to Baseline of Survey Station 289+81.23, said point being the intersection of said Baseline of Survey and the Easterly extension of the South line of lands described in Official Records Book 9787, Page 3850 of the Public Records of Orange County, Florida; thence departing said East line and said Baseline of Survey, South 89°40'57" West along said Easterly extension, a distance of 50.00 feet to a point on the West Right of Way line of said State Road 551 and the POINT OF BEGINNING thence continue South 89°40'11" West along the South line of said lands, a distance of 10.00 feet; thence, departing said South line, North 00°24'38" West, parallel to and 60.00 feet West of said East line and said Baseline of Survey, a distance of 388.19 feet to the North line of said lands; thence North 89°40'56" East along said North line, a distance of 10.00 feet to the aforementioned West Right of Way; thence South 00°24'38" East along said West Right of Way line, a distance of 388.19 feet to the POINT OF BEGINNING.

CONTAINING 3882 square feet, more or less.

PARCEL NO. 107.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 3

This legal description prepared under the direction of:  
Bobby J. Paulk, PSM #6691  
DRMP, Inc.  
941 Lake Baldwin Lane  
Orlando, FL 32814  
November 28, 2018

**RECORDED**

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Outfall Ditch Easement	9/19/1951	Benjamin R. Jacobs and Margaret C. Jacobs	Orange County	882 / 236

PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.

PARCEL NO. 107.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 4

2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

PARCEL NO. 107.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 5

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

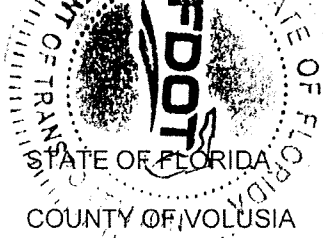
Signed, sealed and delivered  
in the presence of witnesses:

STATE OF FLORIDA DEPARTMENT  
OF TRANSPORTATION

Omayra Wallace  
SIGNATURE LINE  
PRINT/TYPE NAME: Omayra Wallace

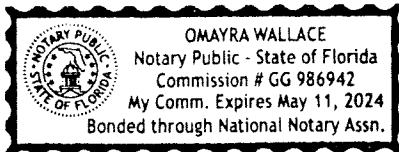
By: Loreen Bobo  
Loreen Bobo, P.E.  
District Director Of  
Transportation Development  
for District Five  
719 S. Woodland Blvd.  
DeLand, Florida 32720

[Signature]  
SIGNATURE LINE  
PRINT/TYPE NAME: Norma Mejias



Legal Review  
By: [Signature]  
Office of the General Counsel

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 27 day of May, 2020, by Loreen Bobo, P.E., District Director of Transportation Development for District Five, who is personally known to me or who has produced \_\_\_\_\_ as identification.



Omayra Wallace  
PRINT/TYPE NAME: Omayra Wallace  
Notary Public in and for the  
County and State last aforesaid.  
My Commission Expires: 05/11/2024  
Serial No., if any: \_\_\_\_\_

ACQUISITION OF THIS LAND IS  
NECESSARY FOR R/W PURPOSES  
UNDER THREAT OF CONDEMNATION  
PURSUANT TO SEC 337.27 F.S.

MJW  
FL D.O.T

PARCEL NO. 107.2  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 6

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Bryan W. Brooks  
for Jerry L. Demings  
(Print Name)  
Orange County Mayor

DATE: 8 May 2020

ADDRESS OF GRANTOR  
P. O. Box 1393  
Orlando, Florida 32802-1393

ATTEST: Phil Diamond, CPA  
(Print Name)  
County Comptroller  
As Clerk to the Board of County Commissioners

BY: Craig A. Stopyra  
for Deputy Clerk  
Craig A. Stopyra  
(Print Name)

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

MAR 24 2020

23-UTL ORANGE COUNTY-10/11  
July 30, 2019

This instrument prepared by  
Marika Tremblay  
Under the direction of  
FREDRICK W. LOOSE, ATTORNEY  
Department of Transportation  
719 South Woodland Boulevard  
DeLand, Florida 32720-6834

PARCEL NO. 111.6  
SECTION 75200  
F.P. NO. 437634-1  
STATE ROAD 551  
COUNTY ORANGE

### SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

### WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:



PARCEL NO. 111.6  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 2

PARCEL NO. 111

SECTION 75200  
FP 437634-1

That portion of:

The North 1/2 of the South 1/4 of the Southeast 1/4 of the Southwest 1/4, less road right of way on the East; and the West 578 feet of the South 1/2 of the South 1/4 of the Southeast 1/4 of the Southwest 1/4, all of said lands being in Section 23, Township 22 South, Range 30 East, Orange County, Florida.

LESS AND EXCEPT the property described in that certain Deed to State of Florida, for the use and benefit of the State of Florida Department of Transportation recorded in Official Records Book 4508, Page 4159, of the Public Records of Orange County, Florida.

Being those lands described in Official Records Document Number 20170107574, as recorded in the Public Records of Orange County, Florida;

Described as follows:

Commence at a found 3.5" aluminum disk stamped "ORANGE COUNTY ENGINEERING DEPT." in cut out 0.1' deep marking the Southeast corner of Section 23, Township 22 South, Range 30 East, Orange County, Florida, according to the Florida Department of Transportation Right of Way Map for State Road 551 (also known as Goldenrod Road), Section 75200, Financial Project Number 437634-1; thence South 89°57'50" West along the South line of the Southeast 1/4 of said Section 23, a distance of 2638.95 feet to a found nail and disk stamped "JW&G TRAV" marking the South 1/4 corner of said Section 23, said point being Point of Intersection Station 286+51.74 on the Baseline of Survey for State Road 551 according to said Right of Way Map; thence North 00°24'38" West along the East line of the Southwest 1/4 of said Section 23 and said Baseline of Survey, a distance of 164.84 feet to Baseline of Survey Station 288+16.58, said point being the intersection of said Baseline of Survey and the Easterly extension of the South line of lands described in Document Number 20170107574 of the Public Records of Orange County, Florida; thence departing said East line and said Baseline of Survey, South 89°40'57" West along said Easterly extension, a distance of 50.00 feet to a point on the West Right of Way line of said State Road 551 according to the aforementioned Right of Way Map and the POINT OF BEGINNING; thence continue South 89°40'57" West along the South line of said lands, a distance of 10.00 feet; thence departing said South line, North 00°24'38" West, parallel to and 60.00 feet West of said East line and said Baseline of Survey, a distance of 49.89 feet to a point on the South line of lands described in Document Number 20170108217, of the Public Records of Orange County, Florida; thence North 89°40'57" East along said South line, a distance of 10.00 feet to the

PARCEL NO. 111.6  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 3

aforementioned West Right of Way line of State Road 551; thence South 00°24'38" East along said West Right of Way line, a distance of 49.89 feet to the POINT OF BEGINNING.

CONTAINING 499 square feet, more or less.

This legal description prepared under the direction of:  
Bobby J. Paulk, PSM #6691  
DRMP, Inc.  
941 Lake Baldwin Lane  
Orlando, FL 32814  
June 27, 2019

**RECORDED**

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Outfall Ditch Easement	9/13/1951	Clarence H. Schnell and Lenora P. Schnell	Orange County	882 / 234

PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to

PARCEL NO. 111.6  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 4

trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.

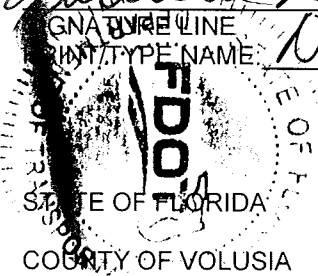
- 4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered  
in the presence of witnesses:

Omayra Wallace  
SIGNATURE LINE  
PRINT/TYPE NAME: Omayra Wallace

Norma Mejias  
SIGNATURE LINE  
PRINT/TYPE NAME: Norma Mejias



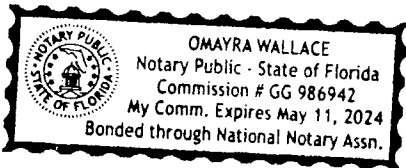
STATE OF FLORIDA DEPARTMENT  
OF TRANSPORTATION

By: Loreen Bobo, P.E.  
District Director Of  
Transportation Development  
for District Five  
719 S. Woodland Blvd.  
DeLand, Florida 32720

Legal Review

By: [Signature]  
Office of the General Counsel

The foregoing instrument was acknowledged before me this 27 day of May, 2020  
by Loreen Bobo, P.E., District Director of Transportation Development for District  
Five, who is personally known to me or who has produced \_\_\_\_\_ as identification.  
This instrument was acknowledged by means of physical presence.



Omayra Wallace  
PRINT/TYPE NAME: Omayra wallace  
Notary Public in and for the  
County and State last aforesaid.  
My Commission Expires: 05/11/2024  
Serial No., if any: \_\_\_\_\_

ACQUISITION OF THIS LAND IS  
NECESSARY FOR R/W PURPOSES  
UNDER THREAT OF CONDEMNATION  
PURSUANT TO SEC 337.27 F.S.

PARCEL NO. 111.6  
SECTION 75200  
F.P. NO. 437634-1  
PAGE 5

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Byron W. Brooks

for Jerry L. Demings  
(Print Name)  
Orange County Mayor

DATE: 8 May 2020

ADDRESS OF GRANTOR  
P. O. Box 1393  
Orlando, Florida 32802-1393

ATTEST: Phil Diamond, CPA  
(Print Name)  
County Comptroller  
As Clerk to the Board of County Commissioners

BY: Craig A. Stopyta  
for Deputy Clerk  
Craig A. Stopyta  
(Print Name)