




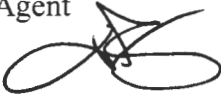
Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** February 17, 2020

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

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

**FROM:** Theresa A. Avery, Senior Acquisition Agent  
Real Estate Management Division 

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** Approval of Temporary Construction Easement from D.R. Horton, Inc. to Orange County and authorization to disburse funds to pay all recording fees to record instrument

**PROJECT:** Avalon Road Master Pump Station  
District 1

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

**ITEM:** Temporary Construction Easement (Instrument 701.1)  
Cost: Donation  
Size: 4,500 square feet  
Term: 30 months, or until completion of construction

**BUDGET:** Account No.: 4420-038-1507-0032-6110

**FUNDS:** \$36.20 Payable to Orange County Comptroller  
(all recording fees)

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

**REMARKS:** This easement is being acquired at the request of the Orange County  
Utilities Department as Parcel 701 of the Avalon Road Master Pump  
Station Project.

County to pay all recording fees.

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

Under Ordinance Approval

Date: February 7, 2020

Total Amount: \$36.20

Project: Avalon Road Master Pump Station  
Parcel: 701

Charge to Account # 4420-038-1507-0032-6110

Controlling Agency Approval Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: \_\_\_\_\_

Fiscal Approval Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

TYPE TRANSACTION (Check appropriate block{s})  
       Pre-Condemnation        Post-Condemnation

X N/A District # 1

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

Orange County Comptroller \$36.20  
(All Recording Fees)

DOCUMENTATION ATTACHED (Check appropriate block{s})

- Contract/ Agreement
- X Copy of Executed Instrument
- Certificate of Value (Donation)
- X Settlement Analysis

Payable to: Orange County Comptroller \$36.20

\*\*\*\*\*  
**IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)**  
\*\*\*\*\*

Recommended by Theresa A. Avery  
Theresa A. Avery, Sr. Acquisition Agent, Real Estate Mgt. Div

02/07/2020  
Date

Payment Approved Paul Sladek  
Paul Sladek, Manager, Real Estate Management Division

2/7/2020  
Date

Certified Katie Smith  
Approved by BCC Deputy Clerk to the Board

MAR 10 2020  
Date

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

Check No. / Date

**REMARKS:**  
Anticipated Closing Date: This is a Donation, per BoCC approval 03/10/20

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
MAR 10 2020

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: February 7, 2020

Total Amount: \$36.20

Project: Avalon Road Master Pump Station  
Parcel: 701

Charge to Account # 4420-038-1507-0032-6110

[Signature] 2/10/2020  
 Controlling Agency Approval Signature Date  
Pollen Jny  
 Printed Name:  
[Signature] 2/10/20  
 Fiscal Approval Signature Date  
WAYNE MCCOY  
 Printed Name

TYPE TRANSACTION (Check appropriate block(s))  
 Pre-Condernation  Post-Condernation  N/A District # 1

Acquisition at Approved Appraisal  
 Acquisition at Below Approved Appraisal  
 Acquisition at Above Approved Appraisal  
 Advance Payment Requested

Orange County Comptroller (All Recording Fees)	\$36.20
---	---------

DOCUMENTATION ATTACHED (Check appropriate block(s))  
 Contract/ Agreement  
 Copy of Executed Instrument  
 Certificate of Value (Donation)  
 Settlement Analysis

Payable to: Orange County Comptroller \$36.20

\*\*\*\*\*  
**IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)**  
 \*\*\*\*\*

Recommended by [Signature] Theresa A. Avery, Sr. Acquisition Agent, Real Estate Mgt. Div Date 02/07/2020

Payment Approved [Signature] Paul Sladek, Manager, Real Estate Management Division Date 2/7/2020

Certified \_\_\_\_\_  
Approved by BCC Deputy Clerk to the Board Date \_\_\_\_\_

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants Check No. / Date \_\_\_\_\_

REMARKS:  
Anticipated Closing Date: This is a Donation, per BoCC approval 03/10/20

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
MAR 10 2020

THIS IS A DONATION

Project: Avalon Road Master Pump Station

Instrument: 701.1

### TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, Made this 23<sup>rd</sup> day of January A.D., 2020, between D.R. Horton, Inc., a Delaware corporation, whose address is 1341 Horton Circle, Arlington, TX 76011, 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 temporary easement for utility and construction purposes with full authority to enter upon, excavate, construct, operate, and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, bypass piping 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**

**08-24-27-0000-00-021**

THIS EASEMENT shall expire upon the completion of the construction of the said project or after thirty (30) months, whichever occurs first.

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 easement and the GRANTOR, its heirs, successors, and assigns agree not 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 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.

Project: Avalon Road Master Pump Station  
Instrument: 701.1

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

Signed, sealed, and delivered  
in the presence of:

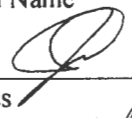
D.R. Horton, Inc., a Delaware  
corporation

SEAN BAILEY   
Witness

BY: 

SEAN BAILEY  
Printed Name

CHRISTOPHER WRENN  
Printed Name

  
Witness

ASSISTANT SECRETARY  
Title


John Valantasis  
Printed Name


(Signature of TWO Witnesses required by Florida Law)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of  physical presence or  
 online notarization, this 23 day of JANUARY, 2020 by CHRISTOPHER WRENN as  
ASSISTANT SECRETARY of D.R. Horton, Inc., a Delaware corporation, on behalf of the corporation. He/she  
 is personally known to me or  has produced \_\_\_\_\_ as identification.

(Notary Seal)

 KARLA R. CUEVAS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG198967  
Expires 4/24/2022

  
Notary Signature  
KARLA R. CUEVAS  
Printed Notary Name

Notary Public in and for  
the County and State aforesaid.

My commission expires:

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

**LEGAL DESCRIPTION**  
 TEMPORARY CONSTRUCTION EASEMENT

**EXHIBIT "A"**

A PORTION OF LAND LOCATED IN SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, SITUATED IN ORANGE COUNTY, FLORIDA, AN BEING MORE PARTICULARLY AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST LYING IN ORANGE COUNTY, FLORIDA. THENCE RUN S 89°45'22" W, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 8, A DISTANCE OF 1296.83 FEET TO A POINT ALONG THE WESTERLY RIGHT OF WAY OF COUNTY ROAD 545, ALSO KNOWN AS AVALON ROAD; THENCE RUN S 00°28'47" E, ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 219.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 00°28'47" E, ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 150.00 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY RUN S 89°31'13" W, A DISTANCE OF 30.00 FEET; THENCE RUN N 00°28'47" W, A DISTANCE OF 150.00 FEET; THENCE RUN N 89°31'13" E, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.17 ACRES (4,500 SQ. FT.) MORE OR LESS

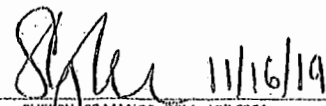
**SURVEYOR'S NOTES:**

1. THIS SKETCH AND DESCRIPTION IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THIS DOCUMENT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED.
3. BEARINGS SHOWN HEREON ARE BASED ON THE WESTERLY RIGHT OF WAY OF COUNTY ROAD 545, HAVING A BEARING OF S 00°28'47" E.
4. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS PROVIDED TO L&S DIVERSIFIED BY THE CLIENT AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
5. NO PROPERTY CORNERS WERE SET OR FOUND AS PART OF THIS SKETCH AND DESCRIPTION.
6. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO ESTABLISH AN EASEMENT FOR THE PURPOSES STATED.
7. THIS SURVEY CANNOT BE RELIED UPON BY PERSONS OR ENTITIES OTHER THAN THE PERSONS OR ENTITIES CERTIFIED TO HEREON.
8. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. THE DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE WITH NO GORES, GAPS, OVERLAPS, OR HIATUS.

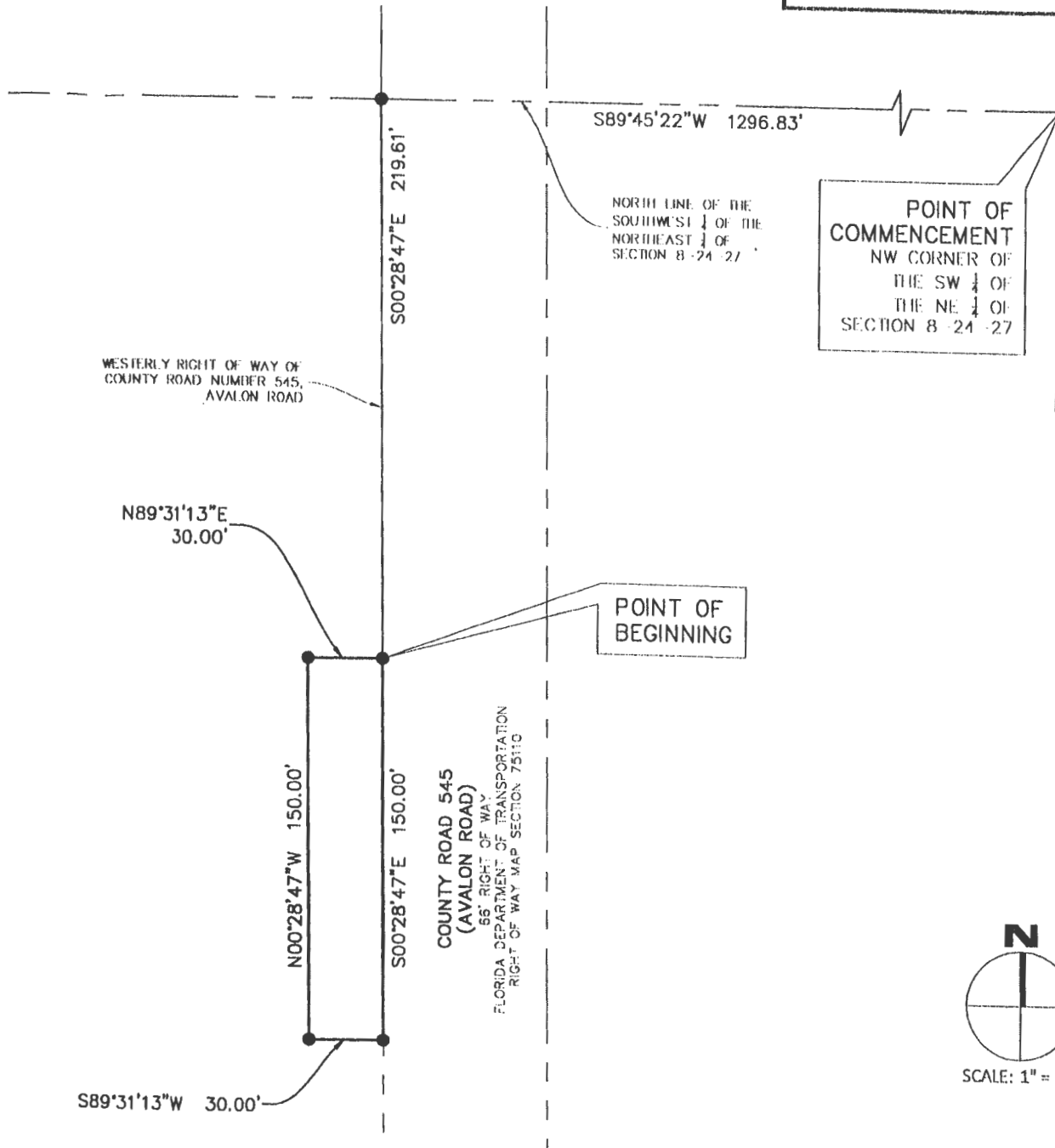
**SYMBOLS & ABBREVIATION LEGEND:**

- |                             |                |
|-----------------------------|----------------|
| ● = CHANGE IN DIRECTION     | PG = PAGE      |
| ⊕ = CENTERLINE              | RNG = RANGE    |
| ORB = OFFICIAL RECORDS BOOK | SEC = SECTION  |
| PC = POINT OF CURVATURE     | TWN = TOWNSHIP |

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH

<p>CERTIFIED TO:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p align="center"><b>AVALON ROAD MASTER PUMP STATION</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>PROJECT No.</td> <td>190034</td> <td>DRAWN DATE</td> <td>2019.OCT.28</td> </tr> <tr> <td>SURVEY BY</td> <td>N/A</td> <td>REVIEWED BY</td> <td>S.MANOR</td> </tr> <tr> <td>SURVEY DATE</td> <td>N/A</td> <td>APPROVED BY</td> <td>S.MANOR</td> </tr> <tr> <td>DRAWN BY</td> <td>S.VOGT</td> <td>CLIENT FILE No.</td> <td>N/A</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td align="center">1</td> <td align="center">11/13/2019</td> <td align="center">S.VOGT</td> <td>REVISED SKETCH &amp; DESCRIP.</td> </tr> </tbody> </table>	PROJECT No.	190034	DRAWN DATE	2019.OCT.28	SURVEY BY	N/A	REVIEWED BY	S.MANOR	SURVEY DATE	N/A	APPROVED BY	S.MANOR	DRAWN BY	S.VOGT	CLIENT FILE No.	N/A	No.	DATE	BY	DESCRIPTION	1	11/13/2019	S.VOGT	REVISED SKETCH & DESCRIP.	<p><b>SURVEYOR'S CERTIFICATION</b></p> <p>I HEREBY CERTIFY THAT THIS SURVEY REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-37 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTERS 177 AND 472 OF THE FLORIDA STATUTES.</p> <p align="center">                   11/16/19                  SHEET BY: S. MANOR, P.S.M. - LSI# 6961  <small>THIS SURVEY MAP AND/OR REPORT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE ABOVE.</small> </p>	<p align="center"><b>L &amp; S</b>  <b>Diversified</b></p> <p align="center">Professional Surveyors and Mappers</p> <p>405 LAKE HOWELL ROAD   SUITE 1001   MAITLAND, FL   32751                  PHONE 407.681.3836   FAX 407.681.6541                  WWW.LSSURVEYOR.COM   INFO@LSSURVEYOR.COM</p> <p align="center">PROFESSIONAL SURVEYOR &amp; MAPPER BUSINESS LICENSE   L017829</p>
PROJECT No.	190034	DRAWN DATE	2019.OCT.28																							
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No.	DATE	BY	DESCRIPTION																							
1	11/13/2019	S.VOGT	REVISED SKETCH & DESCRIP.																							

SKETCH OF DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENT



POINT OF COMMENCEMENT  
NW CORNER OF  
THE SW 1/4 OF  
THE NE 1/4 OF  
SECTION 8-24-27

POINT OF BEGINNING



SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION

CERTIFIED TO:  
1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

**SURVEYOR'S CERTIFICATION**  
I HEREBY CERTIFY THAT THIS SURVEY REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 51-37 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTERS 177 AND 477 OF THE FLORIDA STATUTES.

**AVALON ROAD MASTER PUMP STATION**

PROJECT No.	190034	DRAWN DATE	2019.OCT.28
SURVEY BY	N/A	REVIEWED BY	S.MANOR
SURVEY DATE	N/A	APPROVED BY	S.MANOR
DRAWN BY	S.VOGT	CLIENT FILE No.	N/A

No.	DATE	BY	DESCRIPTION
1	11/13/2019	S.VOGT	REVISED SKETCH & DESCRIP.

*Sherri Lee Manor* 11/16/19  
SHERRI LEE MANOR, PSM - LSI# 6961  
THIS SURVEY MAP AND/OR REPORT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL STAMPS AS SHOWN ABOVE.

**L & S Diversified**  
Professional Surveyors and Mappers  
405 LAKE HOWELL ROAD | SUITE 1001 | MAITLAND, FL 32751  
PHONE 407.681.3836 | FAX 407.681.6541  
WWW.LSSURVEYOR.COM | INFO@LSSURVEYOR.COM  
PROFESSIONAL SURVEYOR & MAPPER BUSINESS LICENSE | LBB 7829



Project: Avalon Road Master Pump Station  
Parcel No.: 701  
Name of Owner(s): D. R. Horton, Inc., a Delaware corporation  
Page No.: 1

**SETTLEMENT ANALYSIS**

       Pre-Condemnation  
  X   Not Under Threat

**EXPLANATION OF RECOMMENDED SETTLEMENT**

The Temporary Construction Easement (TCE) is needed for the Avalon Road Master Pump Station Project, for temporary bypass piping during the connection of the existing forcemain that is located within CR 545 (Avalon Road) right-of-way. The temporary easement contains 4,500 square feet with a term of 30 months and is located in SE ¼ of the NW ¼ of Section 08, Township 24 South, Range 27 East. The property is being donated to the County by the property owner D. R. Horton, Inc., a Delaware corporation. I recommend and approve this Donation.

Recommended by: Theresa A. Avery Date: 02/17/20  
Theresa A. Avery, Senior Acquisition Agent, Real Estate Management Division

Recommended by: Robert K. Babcock Date: 2/17/2020  
Robert K. Babcock, Acquisition Supervisor, Real Estate Management Division

Approved by: Paul Sladek Date: 2/18/2020  
Paul Sladek, Manager, Real Estate Management Division