



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 11

DATE: August 23, 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 Drainage Easement from Ella34, LLC to Orange County and authorization to record instrument

PROJECT: Petition to Vacate #19-05-016 (2541 Apopka Blvd)

District 2

PURPOSE: To provide for access, construction, operation, and maintenance of drainage facilities as a requirement of a petition to vacate.

ITEM: Drainage Easement
Cost: Donation
Size: 6,000 square feet

APPROVALS: Real Estate Management Division
County Attorney's Office
Public Works Development Engineering Division

REMARKS: Grantor to pay all recording fees.

SEP 10 2019

THIS IS A DONATION

Project: Petition to Vacate #19-05-016 (2541 Apopka Blvd)

DRAINAGE EASEMENT

THIS INDENTURE, Made this 6 day of August, A.D. 2019, between ELLA34, LLC, a Florida limited liability company, whose address is 2218 Merritt Park Drive, Orlando, Florida 32803, 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 TEN DOLLARS 00/100 (\$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 drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility (collectively, the "Facilities") over, under, and upon the following described lands situate in Orange County aforesaid to-wit:

SEE ATTACHED EXHIBIT "A" ("Easement Area")

**Property Appraiser's Parcel Identification Number:
a portion of**

25-21-28-3596-00-001

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 Facilities, out of and away from the herein granted easement, and the GRANTOR, its heirs, 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 Facilities.

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Grantor may relocate all or any portion of the Easement Area and Facilities if the following conditions are satisfied (collectively, the "Conditions"): (1) Grantor pays for all costs and expenses of the relocation; (2) the relocation is done in compliance with all governmental permits, approvals, and requirements; (3) the relocation does not reduce the existing or permitted capacity of the Facilities or have any other adverse impact on Grantee or Apopka Boulevard; (4) Grantee will not incur any additional repair or maintenance costs in the future as a result of the relocation; (5) Grantor conveys to Grantee any additional easements necessary to access the relocated Easement Area and Facilities for repair and maintenance activities; and (6) Grantor delivers an amendment to this Drainage Easement to Grantee for review and approval (including a legal description and sketch of the relocated Easement Area and a grant of any additional easements necessary for access to the relocated Easement Area for repair and maintenance activities), and the amendment is approved by the Orange County Board of County Commissioners, fully executed by Grantor and Grantee, and recorded in the Official Records of Orange County, Florida. No removal, alteration or relocation of Facilities may be undertaken by Grantor until the Conditions set forth in this paragraph are satisfied and Grantor, at Grantor's sole cost and expense, has installed replacement Facilities in the relocated Easement Area and Grantee has inspected and approved the Facilities.

[SIGNATURES ON FOLLOWING PAGE]

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

Signed, sealed, and delivered in the presence of:

ELLA34, LLC, a Florida limited liability company

[Signature]
Witness

By: [Signature]
Billy G. Greene - as Manager

JANAR McMillen
Printed Name

[Signature]
Witness

Ramonita Jacome
Printed Name

(Signature of TWO witnesses required by Florida law)

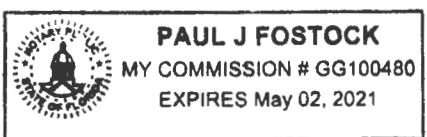
STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 6 of AUGUST, 2019, by Billy G. Greene as Manager of ELLA34, 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



PAUL FOSTOCK
Printed Notary Name
Notary Public in and for
the county and state aforesaid.
My commission expires: MAY 02, 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: Petition to Vacate #19-05-016 (2541 Apopka Blvd)

EXHIBIT "A"

SEE THE ATTACHED SKETCH

OF DESCRIPTION

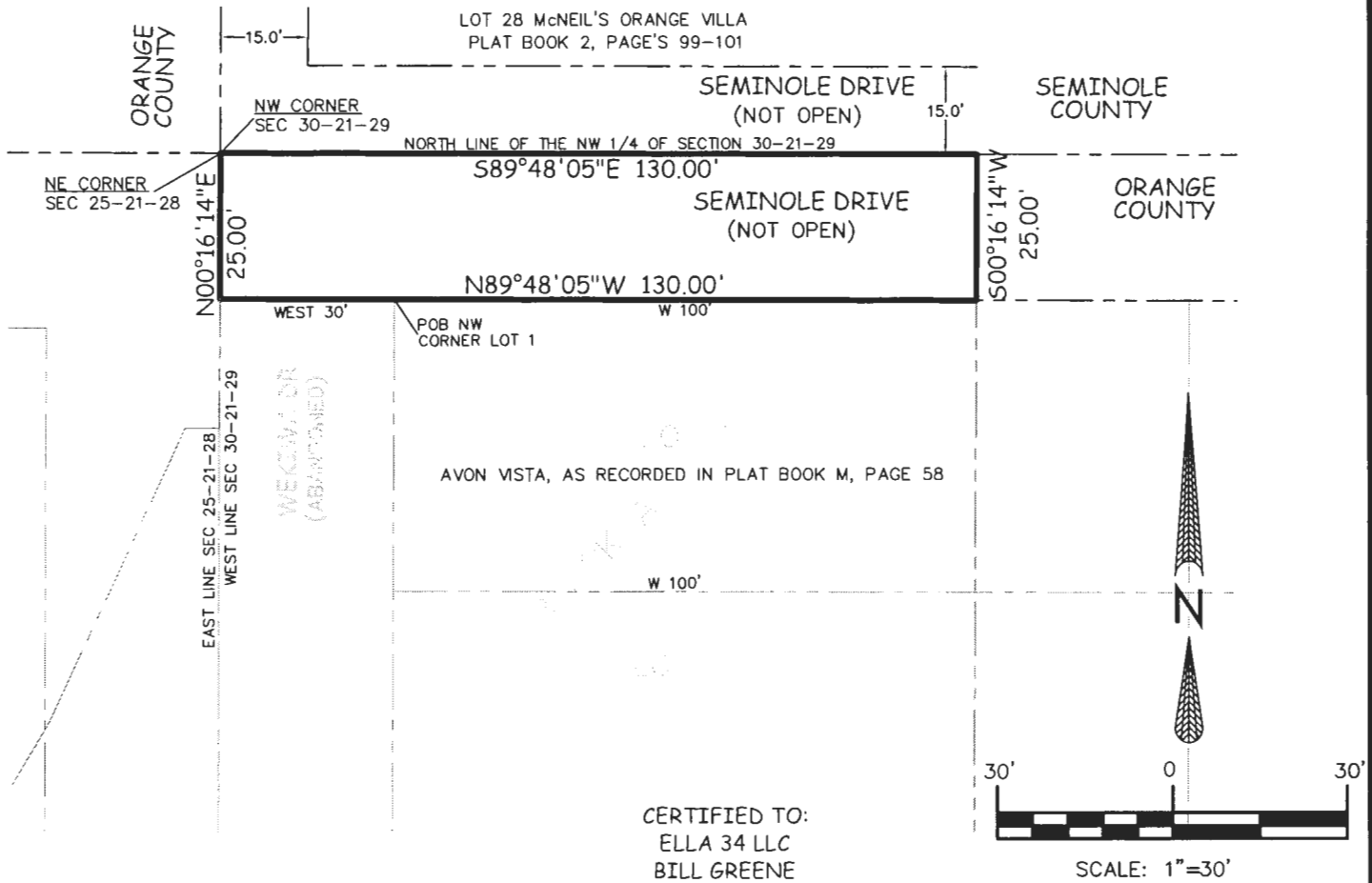
(1 PAGES)

SKETCH AND DESCRIPTION

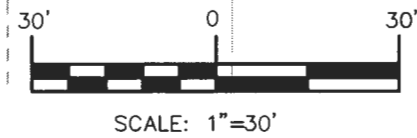
OF LANDS SITUATED NORTH OF
2535 & 2541 SOUTH APOPKA BOULEVARD, APOPKA
ORANGE COUNTY, FLORIDA

DESCRIPTION:

THE WEST 130.00 FEET OF THE NORTH 25.00 FEET OF SECTION 30, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA. CONTAINING 6,000 SQUARE FEET, MORE OR LESS.



CERTIFIED TO:
ELLA 34 LLC
BILL GREENE



LEGEND:

- L# = LINE NUMBER
- OR = OFFICIAL RECORDS
- P.B. = PLAT BOOK
- PG. = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POT = POINT OF TERMINUS
- PT = POINT OF TANGENCY

OK
RAE

NOTES:

1. PREPARED AS A SKETCH OF DESCRIPTION. *** THIS IS NOT A SURVEY ***
2. THIS MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
4. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
5. MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.
6. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
7. ALL BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 30 TOWNSHIP-21-SOUTH, RANGE-29-EAST BEING S89°48'05"E.
8. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 THRU .052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
405 WEST CENTRAL PARKWAY, ALTAMONTE SPRINGS, FL 32714

REVISIONS: RESPOND TO COMMENTS 06/12/19

PROJECT NO. 19-645 SKETCH
SCALE: 1"= 30'
DRAWN BY: HAJ
CHECKED BY: RAE
DATE DRAWN: 05/22/19
FIELD BOOK/PAGE: FILE



ELLIS SURVEYS LLC
Land Surveying & Planning
P.O. Box 160952
Altamonte Springs, FL 32716
Florida Licensed Business LB-7970
P. 407-834-4003 F. 407-869-5454
www.ellissurveys.com

THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.
Robert A. Ellis
ROBERT A. ELLIS, P.L.S.
FLORIDA REGISTRATION NO. 3880
FOR THE YEAR
DATE SIGNED 06/12/19