



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 6

DATE: July 2, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

THROUGH: Mindy T. Cummings, Manager
Real Estate Management Division *MTC*

FROM: Mary Tiffault, Senior Title Examiner
Real Estate Management Division *MT/MTC*

CONTACT PERSON: Mindy T. Cummings, Manager

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

ACTION REQUESTED: Approval of Drainage Easement from R L Teal and Jacqueline H. Teal to Orange County and authorization to record instrument

PROJECT: Walker Pond Drainage Remediation-Lake Roberts Reserve PSP (PSP-19-10-346)

District 1

PURPOSE: To provide for access, construction, operation, and maintenance of roadway improvements as a requirement of development.

ITEM: Drainage Easement
Cost: Donation
Size: 18,011 square feet

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: Grantee to pay all recording fees

THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:

Daniel T. O'Keefe, Esq.
Shutts & Bowen LLP
300 S. Orange Avenue, Suite 1600
Orlando, FL 32801
(407) 423-3200

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 27 2021

THIS IS A DONATION

Project:

For Recording Purposes Only

DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT (this "Easement") is made and entered into this 4 day of June 2020, by and between **R L TEAL and JACQUELINE H. TEAL**, husband and wife, whose address is 12077 McKinnon Rd., Windermere FL 34786 ("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 GRANTOR, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, paid by Grantee, the receipt whereof is hereby acknowledged, does hereby give and grant to Grantee and its assigns an easement for the drainage purposes, with full authority to enter upon, construct, and maintain, as Grantee and its assigns may deem necessary, a drainage ditch, pipe, or facility over, under, and upon the following described lands situate in Orange County aforesaid, to-wit:

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

Property Appraiser's Parcel Identification Number:

a portion of

01-23-27-0000-00-008

TO HAVE AND TO HOLD said easement unto Grantee and its assigns forever.

GRANTOR reserves unto itself, and its successors and assigns, all other rights accruing from its ownership of the Easement Area and use thereof for all purposes that are consistent with the purpose of this easement. Grantor may relocate all or any portion of the Easement Area and drainage 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 drainage facilities or have any other adverse impact on Grantee; (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 drainage 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 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 the drainage 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 drainage facilities in the relocated Easement Area and Grantee has inspected and approved the drainage facilities.

GRANTEE 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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and 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 drainage ditch, pipe, or facility.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has executed this Drainage Easement on the day and year first written above.

Signed, sealed and delivered in the presence of:

[Signature]
Print Name: Lisa F Coombs

[Signature]
Print Name: Leslie Warden

GRANTOR:

By: [Signature]
Print Name: LOWELL TEAL

Signed, sealed and delivered in the presence of:

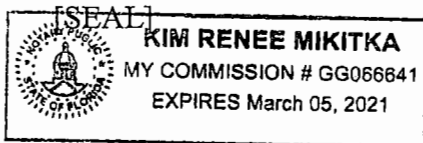
[Signature]
Print Name: Lisa F Coombs

[Signature]
Print Name: Leslie Warden

By: [Signature]
Print Name: Jacqueline H. Teal

STATE OF FLORIDA
COUNTY OF ORANGE

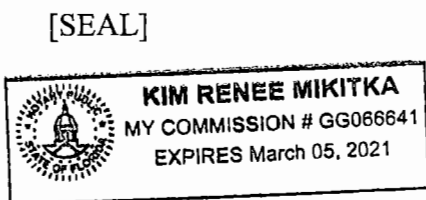
The foregoing was acknowledged before me by means of physical presence or online notarization, this 4 day of June, 2020 by Lowell Teal, who is () personally known to me or () has produced _____ as identification.



[Signature]
Notary Public Signature
Print Name: Kim Renee Mikitka
My Commission Expires: March 5, 2021

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing was acknowledged before me by means of physical presence or online notarization, this 4 day of June, 2020 by Jacqueline Teal, who is () personally known to me or () has produced _____ as identification.



[Signature]
Notary Public Signature
Print Name: Kim Renee Mikitka
My Commission Expires: March 5, 2021

SKETCH AND LEGAL DESCRIPTION

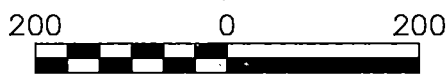
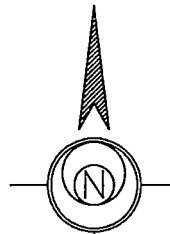
EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN GOVERNMENT LOT 1 OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

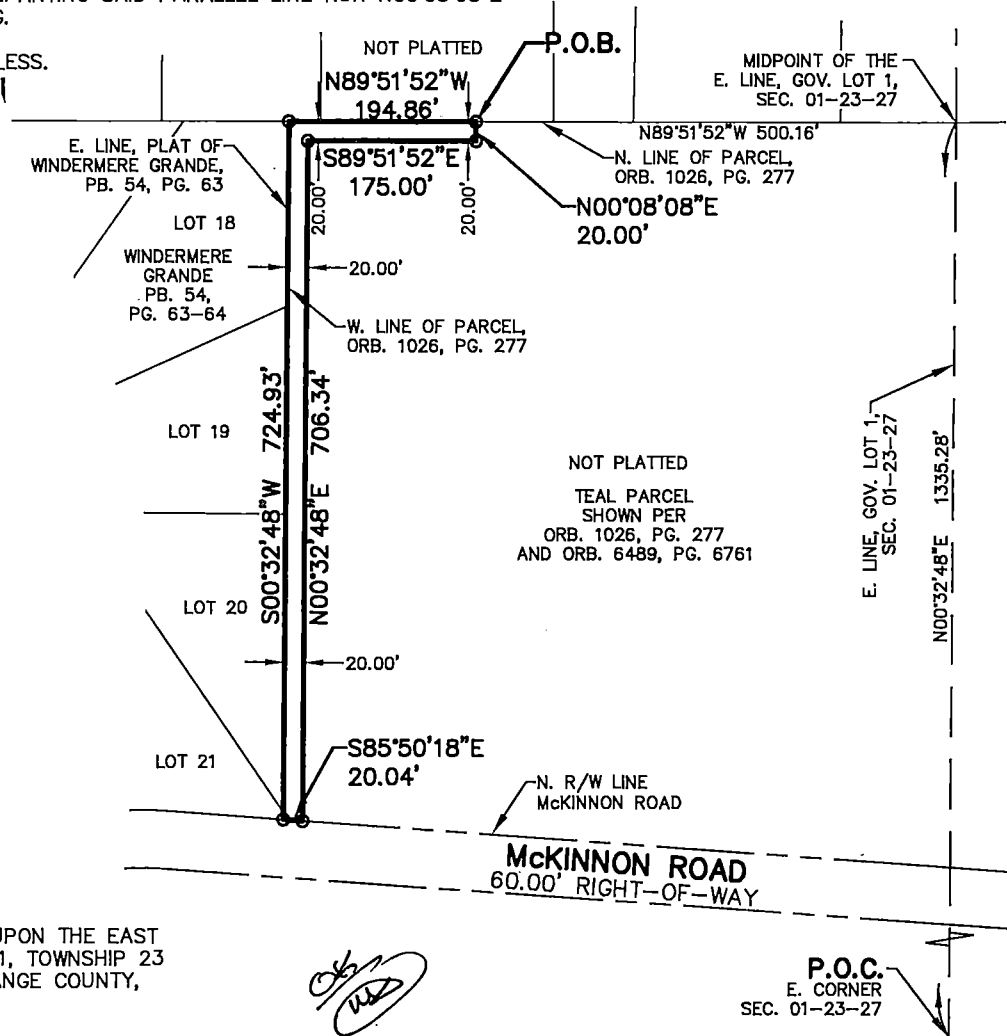
COMMENCE AT THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 27 EAST; THENCE $N00^{\circ}32'48''E$ ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1 FOR 1335.28 FEET TO THE MID-POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF THE PARCEL DESCRIBED IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1026, PAGE 277, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE $N89^{\circ}51'52''W$ ALONG SAID NORTH LINE FOR 500.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE $N89^{\circ}51'52''W$ ALONG SAID NORTH LINE FOR 194.86 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL, ALSO BEING THE EAST LINE OF THE PLAT OF "WINDERMERE GRANDE" AS RECORDED IN PLAT BOOK 54, PAGES 63 THROUGH 64 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE $S00^{\circ}32'48''W$ ALONG SAID WEST LINE OF SAID PARCEL AND EAST LINE OF SAID PLAT FOR 724.93 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MCKINNON ROAD; THENCE $S85^{\circ}50'18''E$ ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 20.04 FEET TO A POINT ON A LINE 20.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE; THENCE $N00^{\circ}32'48''E$ ALONG SAID PARALLEL LINE FOR 706.34 FEET TO A POINT ON A LINE 20.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID PARCEL; THENCE $S89^{\circ}51'52''E$ ALONG SAID PARALLEL LINE FOR 175.00 FEET; THENCE DEPARTING SAID PARALLEL LINE RUN $N00^{\circ}08'08''E$ FOR 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 18,011 SQUARE FEET, MORE OR LESS.



LEGEND

- P.O.C.=POINT OF COMMENCEMENT
- P.O.B.=POINT OF BEGINNING
- PB.=PLAT BOOK
- ORB.=OFFICIAL RECORDS BOOK
- PG.=PAGE(S)
- R/W=RIGHT-OF-WAY
- SEC.=SECTION



NOTES:

1. THIS IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF GOVERNMENT LOT 1 OF SECTION 01, TOWNSHIP 23 SOUTH, RANGE 27 EAST, LYING WITHIN ORANGE COUNTY, FLORIDA, BEARING $N00^{\circ}32'48''E$.

Handwritten signature/initials

P.O.C.
E. CORNER
SEC. 01-23-27

NOAH CATHA
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE #6873
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

TEAL PROPERTY
EASEMENT

SCALE: 1" = 200' JOB#: 4604 DRAWN: NC CHECK:
DATE: 12/18/19 REVISION: 02/18/20 SHEET 1 OF 1

LAKE ROBERTS
PRESERVE
ORANGE COUNTY, FL

ESE CONSULTANTS
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

ESE Consultants, Inc.
2966 Commerce Park Drive
Suite 100
Orlando, FL 32819
T: 407-345-6050
(LB #7508)

R# 6/4/2021

SKETCH AND LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN GOVERNMENT LOT 1 OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 27 EAST; THENCE $N00^{\circ}32'48''E$ ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1 FOR 1335.28 FEET TO THE MID-POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF THE PARCEL DESCRIBED IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1026, PAGE 277, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE $N89^{\circ}51'52''W$ ALONG SAID NORTH LINE FOR 500.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE $N89^{\circ}51'52''W$ ALONG SAID NORTH LINE FOR 194.86 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL, ALSO BEING THE EAST LINE OF THE PLAT OF "WINDERMERE GRANDE" AS RECORDED IN PLAT BOOK 54, PAGES 63 THROUGH 64 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE $S00^{\circ}32'48''W$ ALONG SAID WEST LINE OF SAID PARCEL AND EAST LINE OF SAID PLAT FOR 724.93 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MCKINNON ROAD; THENCE $S85^{\circ}50'18''E$ ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 20.04 FEET TO A POINT ON A LINE 20.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE; THENCE $N00^{\circ}32'48''E$ ALONG SAID PARALLEL LINE FOR 706.34 FEET TO A POINT ON A LINE 20.00 SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID PARCEL; THENCE $S89^{\circ}51'52''E$ ALONG SAID PARALLEL LINE FOR 175.00 FEET; THENCE DEPARTING SAID PARALLEL LINE RUN $N00^{\circ}08'08''E$ FOR 20.00 FEET TO THE POINT OF BEGINNING.

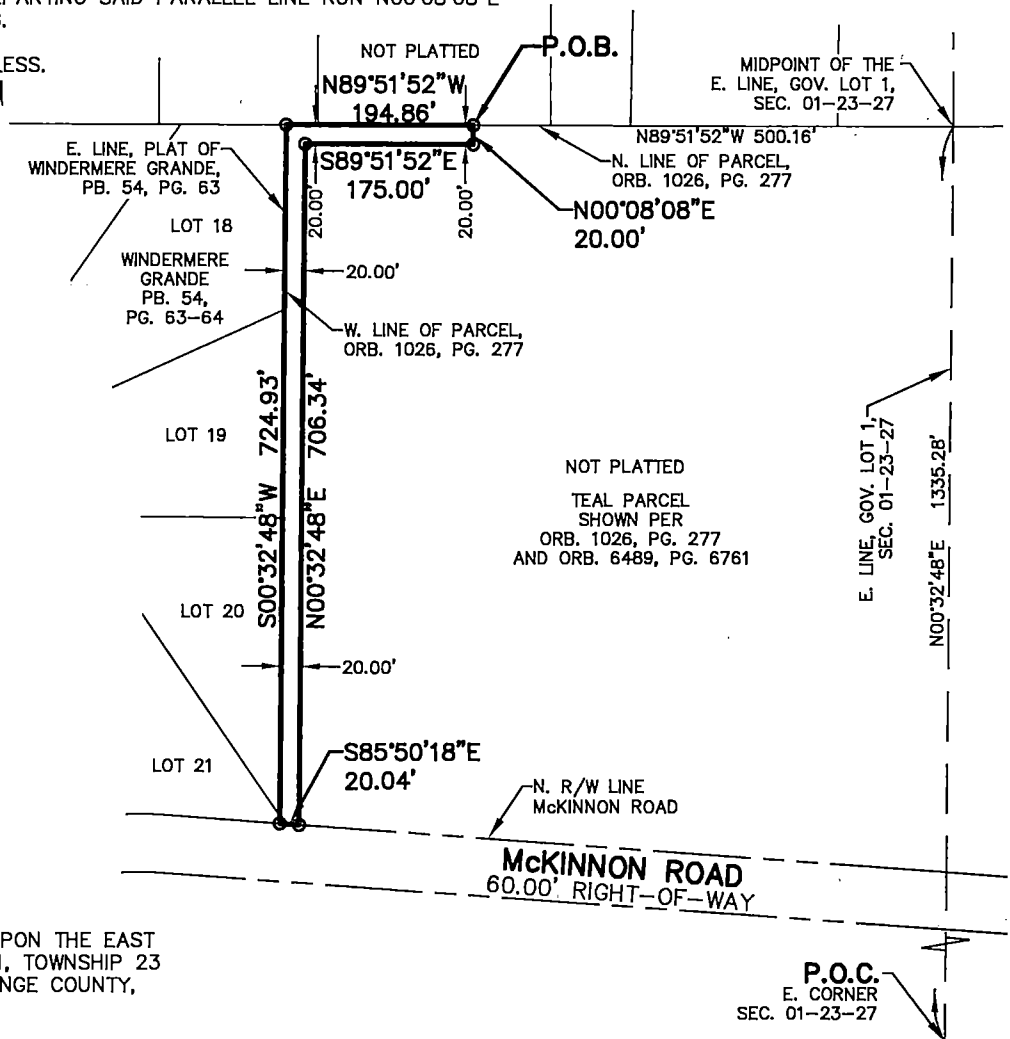
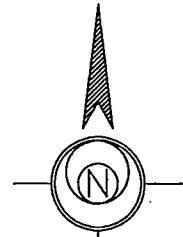
CONTAINING 18,011 SQUARE FEET, MORE OR LESS.

LEGEND

P.O.C.=POINT OF COMMENCEMENT
 P.O.B.=POINT OF BEGINNING
 PB.=PLAT BOOK
 ORB.=OFFICIAL RECORDS BOOK
 PG.=PAGE(S)
 R/W=RIGHT-OF-WAY
 SEC.=SECTION

NOTES:

1. THIS IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF GOVERNMENT LOT 1 OF SECTION 01, TOWNSHIP 23 SOUTH, RANGE 27 EAST, LYING WITHIN ORANGE COUNTY, FLORIDA, BEARING $N00^{\circ}32'48''E$.



Noah Catha
 NOAH CATHA
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA CERTIFICATE #6873
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

TEAL PROPERTY
 EASEMENT

SCALE: 1" = 200' JOB#: 4604 DRAWN: NC CHECK:
 DATE: 12/18/19 REVISION: 02/18/20 SHEET 1 of 1

LAKE ROBERTS
 PRESERVE
 ORANGE COUNTY, FL

ESE CONSULTANTS
 ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

ESE Consultants, Inc.
 2966 Commerce Park Drive
 Suite 100
 Orlando, FL 32819
 T: 407-345-6050
 (LB #7508)