



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** July 18, 2018

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

**THROUGH:** Paul Sladek, Manager  
Real Estate Management Division *PLC for mgr. EJ*

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

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** APPROVAL OF DRAINAGE EASEMENT FROM LENNAR HOMES, LLC TO ORANGE COUNTY WITH JOINDER AND CONSENT OF ASSOCIATION TO DRAINAGE EASEMENT BY THE OAKS AT MOSS PARK COMMUNITY ASSOCIATION, INC. AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Oaks at Moss Park Phase N2 and O  
District 4

**PURPOSE:** To provide for access, construction, operation, and maintenance of drainage facilities as a requirement of development.

**ITEM:** Drainage Easement  
Cost: Donation  
Size: 3,155 square feet

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

**REMARKS:** Grantor to pay all recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
AUG 07 2018

THIS IS A DONATION

Project: Oaks at Moss Park Phase N2 and O

### **DRAINAGE EASEMENT**

THIS INDENTURE, Made this 15 day of JUNE, A.D. 2018, between Lennar Homes, LLC, a Florida limited liability company, whose address is 6750 Forum Drive, Suite 310, Orlando, Florida 32821, 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, 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 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**

**11-24-31-5272-16-003**

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 drainage ditch, pipe, or facility, 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 drainage ditch, pipe, or facility.

Project: Oaks at Moss Park Phase N2 and O

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

Signed, sealed, and delivered  
in the presence of:

Lennar Homes, LLC,  
a Florida limited liability company

[Signature]  
Witness

BY: [Signature]  
Brock Nicholas  
Vice President

MARK McDONALD  
Printed Name

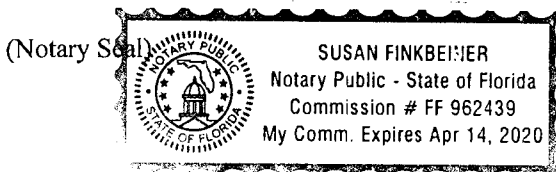
[Signature]  
Witness

D. Lane Register  
Printed Name

(Signature of TWO Witnesses required by Florida Law)

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of JUNE, 2018, by Brock Nicholas, as Vice President on behalf of Lennar Homes, LLC, a Florida limited liability company. He ☒ is personally known to me or ☐ has produced N/A as identification.



[Signature]  
Notary Signature  
Susan Finkbeiner  
Printed Notary Name

Notary Public in and for the  
County and State aforesaid  
My commission expires: 4/14/20

This instrument prepared by:

E. Price Jackson, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida:

Project: Oaks at Moss Park Phase N2 and O

**JOINDER AND CONSENT OF ASSOCIATION**  
**TO**  
**DRAINAGE EASEMENT**

The Oaks at Moss Park Community Association, Inc., a Florida not for profit corporation (the "Association"), being granted certain rights by virtue of the plat of Oaks at Moss Park Phase 3, as recorded in Plat Book 89, Pages 141 through 144, and by that certain Community Declaration for The Oaks at Moss Park ("Declaration"), as recorded in Official Records Instrument No. 20160207085, and that certain First Supplemental Declaration as recorded in Official Records Instrument No. 20160432869, together with the Second Supplemental Declaration, as recorded in Official Records Instrument No. 20160643582, and together with the Third Supplemental Declaration, as recorded in Official Records Instrument No. 20170534187, together with the Fourth Supplemental Declaration, as recorded in Official Records Instrument No. 20170564347, all in the Public Records of Orange County, Florida, hereby joins in and consents to the execution and filing of the foregoing Drainage Easement.

IN WITNESS WHEREOF, the Association has caused these presents to be signed this 15 day of JUNE, 2018.

Witnesses:

[Signature]

Print Name: MARK McDONALD

[Signature]

Print Name: D. Lane Register

The Oaks at Moss Park Community Association, Inc.,  
a Florida not for profit corporation

By: [Signature]

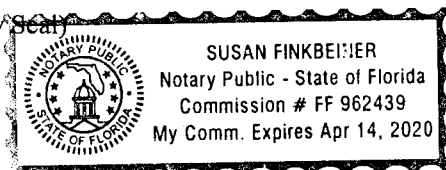
Print Name: Michelle Barr

Title: President

STATE OF FLORIDA)  
COUNTY OF Orange)

June, 2018, by Michelle Barr, as President, of The Oaks at Moss Park Community Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He/She ☒ is personally known to me or ☐ has produced N/A as identification.

(Notary Seal)



[Signature]

Print Name: Susan Finkbeiner

Notary Public - State of Florida

My Commission Expires: 4/14/20

# Exhibit "A"

## LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING A PART OF TRACT P-3, OAKS AT MOSS PARK PHASE 3, AS RECORDED IN PLAT BOOK 89, PAGES 141 THROUGH 144 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT P-3, BEING A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHERLY; THENCE RUN NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID TRACT P-3 AND ALONG SAID NON-TANGENT CURVE HAVING A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 08°21'06", THE CHORD OF WHICH BEARS NORTH 66°59'08" WEST FOR A DISTANCE OF 21.85 FEET, FOR AN ARC LENGTH OF 21.86 FEET TO A NON-TANGENT POINT; THENCE DEPARTING SAID SOUTHERLY LINE OF TRACT P-3 RUN NORTH 07°33'15" EAST FOR A DISTANCE OF 125.72 FEET TO A NON-TANGENT POINT ON A CURVE CONCAVE SOUTHERLY; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 05°16'45", THE CHORD OF WHICH BEARS SOUTH 73°12'12" EAST FOR A DISTANCE OF 25.33 FEET FOR AN ARC LENGTH OF 25.34 FEET TO A NON-TANGENT POINT; THENCE RUN SOUTH 07°33'15" WEST FOR A DISTANCE OF 116.91 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT P-3; THENCE RUN SOUTH 28°02'37" WEST ALONG SAID EASTERLY LINE FOR A DISTANCE OF 11.27 FEET TO THE POINT OF BEGINNING.

CONTAINS 3,155 SQUARE FEET AND 0.07 ACRES, MORE OR LESS

*[Signature]* 5/17/2018

SHEET 1 OF 2



16 EAST PLANT STREET  
Winter Garden, Florida 32787 • (407) 654-5355

### SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY LINE OF TRACT P-3 AS BEING S28°02'27"W
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE
5. DELINEATION OF THE LAND SHOWN HEREON IS ACCORDING TO THE CLIENT'S INSTRUCTIONS

JOB NO. 20130003

DATE: 4/26/18

SCALE: N/A

FIELD BY: N/A

CALCULATED BY: SEJ

DRAWN BY: BRH

CHECKED BY: MR

FOR THE LICENSED BUSINESS #6723 BY:

*[Signature]*  
JAMES L. RICKMAN, P.S.M. #6633

### SKETCH OF DESCRIPTION



**LEGEND:**

P.B.	PLAT BOOK	L	CURVE LENGTH	U.E.	UTILITY EASEMENT
PG.	PAGE	Δ	DELTA ANGLE	NR	NON RADIAL
NT	NON-TANGENT	CB	CHORD BEARING		
R	RADIUS	CH	CHORD		

JOB NO. 20130003

CALCULATED BY:SEL

DATE: 4/26/18

DRAWN BY:\_\_\_\_\_BRH

SCALE: 1" = 20'

CHECKED BY: MR

FIELD BY:           N/A