



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 2

DATE: March 15, 2019

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

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

FROM: Monica Hand, Senior Title Examiner *MH*
Real Estate Management Division *for*

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: Approval and execution of Termination and Release of Easement Agreement by and between Walt Disney Parks and Resorts U.S, Inc. and City of St. Cloud, Tohopekaliga Water Authority, Orange County, Polk County, and Reedy Creek Improvement District and authorization to record instrument

PROJECT: Access to STOPR Site 24
District 1

PURPOSE: To terminate an easement that is no longer needed for access, installation, operation, and maintenance of water monitoring facilities.

ITEM: Termination and Release of Easement Agreement
Revenue: None/Donation

APPROVALS: Real Estate Management Division
County Attorney's Office
Utilities Department

REMARKS:

On November 13, 2012, the Board approved an Easement Agreement which granted City of St. Cloud, Tohopekaliga Water Authority, Orange County, Polk County, and Reedy Creek Improvement District (RCID) permission to enter upon property owned by Walt Disney Parks and Resorts U.S., Inc. for the purpose of monitoring wetland or lake conditions and surface water and/or shallow groundwater levels.

RCID has requested to terminate the Easement Agreement as it has been determined that the rights granted therein are no longer necessary. This Termination and Release of Easement Agreement terminates the Easement Agreement. The Utilities Department has reviewed and approved RCID's request.

RCID to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAR 26 2019

DOC # 20190240632
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Rec Fee: \$61.00
Deed Doc Tax: \$0.00
Mortgage Doc Tax: \$0.00
Intangible Tax: \$0.00
Phil Diamond, Comptroller
Orange County, FL
Ret To: SIMPLIFILE LC

Prepared By/Record and Return to:

John M. McGowan, Esq.
Walt Disney World Resort
Legal Department
Post Office Box 10000
Lake Buena Vista, Florida 32830-1000

[Cross-Reference: Doc #20120634406; O.R. Book 10481, Page 1475]
[Access to STOPR Site 24]

THIS SPACE FOR RECORDER'S USE

TERMINATION AND RELEASE OF EASEMENT AGREEMENT

THIS TERMINATION AND RELEASE OF EASEMENT AGREEMENT (this "Termination and Release"), dated as of the 18 day of April, 2019, is by and between **WALT DISNEY PARKS AND RESORTS U.S., INC.**, a Florida corporation ("Grantor") and **CITY OF ST. CLOUD**, a municipal corporation, **TOHOPEKALIGA WATER AUTHORITY**, an independent special district organized under the laws of the State of Florida, **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, **POLK COUNTY**, a charter county and political subdivision of the State of Florida, and **REEDY CREEK IMPROVEMENT DISTRICT**, an independent special district created under the laws of the State of Florida (collectively referred to as the "Grantees").

WITNESSETH:

WHEREAS, by Easement Agreement dated November 13, 2012 and recorded as Doc #20120634406, Public Records of Orange County, Florida (the "Easement Agreement"), Grantor granted an access easement to Grantees over certain of Grantor's property, as more particularly described in the Easement Agreement ("Grantor's Property"), for the purpose of monitoring certain wetlands and/or surface waters on or abutting Grantor's Property; and

WHEREAS, Grantor and Grantees desire to terminate the Easement Agreement and release Grantor's Property in its entirety from the Easement Agreement.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual agreement of the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Recitals and Capitalized Terms.** The above recitals are incorporated herein by reference, and all capitalized terms used in this Termination and Release, and not otherwise defined herein, shall have the same meaning ascribed thereto in the Agreement.
2. **Termination and Release of Easement Area.** The Easement Agreement is hereby terminated and, as a result, Grantees do hereby forever release Grantor's Property from the terms of the Easement Agreement. Grantor's Property shall no longer be encumbered by, and may be used, sold,

transferred and/or conveyed completed free from, the terms of the Easement Agreement and the Easement Agreement is terminated and of no further force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Termination and Release effective as of the date set forth above.

WITNESSES:

Holly Honiker
Holly Honiker (Printed Name)
[Signature]
LOWELL FLATFOLD (Printed Name)

WALT DISNEY PARKS AND RESORTS
U.S., INC., a Florida corporation

By: [Signature]
Printed Name: John McGowan
Title: Vice President

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing Termination and Release was acknowledged before me this 18th day of April, 2019, by John McGowan, as Vice President of Walt Disney Parks and Resorts U.S., Inc., on behalf thereof. He/She is personally known to me.



Eileen Marie Barth
Signature of Notary Public-State of Florida

(AFFIX STAMP)

WITNESSES:

Claudia Klochar
Claudia Klockars (Printed Name)
[Signature]
Ivy DeLaCruz (Printed Name)

CITY OF ST. CLOUD

By: Nathan Blackwell
Printed Name: Nathan Blackwell
Title: Mayor

Attest: [Signature]
Date: 2/27/19

Approved as to form by:
[Signature]

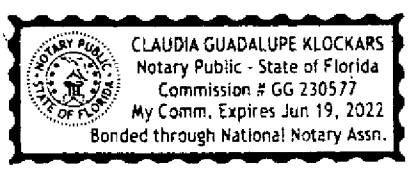
Daniel Muntz City Attorney

STATE OF FLORIDA
COUNTY OF OSCEOLA

The foregoing Termination and Release was acknowledged before me this 27th day of February, 2019, by Nathan Blackwell, as Mayor of CITY OF ST. CLOUD, on behalf thereof. He/She is personally known to me or has produced _____ as identification.

Claudia Klockars
Signature of Notary Public-State of Florida

(AFFIX STAMP)



WITNESSES:

Shelley McArdelle
Shelley McArdelle (Printed Name)

ASCOFF
Anthony J. Cotter (Printed Name)

Attest: [Signature]
Ted P. Swingle
Date: 4-10-19

Approved as to form by:
ASCOFF
Anthony J. Cotter, Attorney

TOHOPEKALIGA WATER AUTHORITY

By: [Signature]
Printed Name: Clarence L. Thacker
Title: Chairman

STATE OF FLORIDA

COUNTY OF OSCEOLA

The foregoing Termination and Release was acknowledged before me this 10th day of April, 2019, by Clarence L. Thacker, as Chairman of TOHOPEKALIGA WATER AUTHORITY, on behalf thereof. He/She is personally known to me or has produced _____ as identification.



Shelley McArdelle
Signature of Notary Public-State of Florida

(AFFIX STAMP)

WITNESSES:

Christine Chila
Christine Chila (Printed Name)
Erin Valle
Erin Valle (Printed Name)

POLK COUNTY

By: [Signature]
Printed Name: George Lindsey, III
Title: Chairman, Polk County Board of County Commissioners

H.45

Attest: [Signature]
Deputy Clerk

Date: 2/19/19

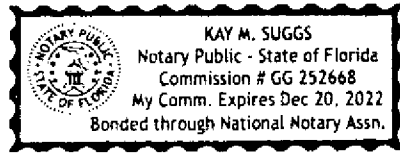
Approved as to form by:
[Signature]
Assistant County Attorney



STATE OF FLORIDA

COUNTY OF POLK

The foregoing Termination and Release was acknowledged before me this 9th day of April, 2019, by George Lindsey, III, as Chairman of POLK COUNTY, on behalf thereof. He/~~She~~ is personally known to me ~~or has produced~~ — as identification.



[Signature]
Signature of Notary Public - State of Florida
Kay M Suggs, Notary Public
(AFFIX STAMP)

ORANGE COUNTY

By: Board of County Commissioners

By: *Bryon W. Brooks*
for Jerry L. Demings
Orange County Mayor

Attest: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk

Date: MAR 26 2019



WITNESSES:

Lina Graham
Lina Graham (Printed Name)
Tara Urdininea
Tara Urdininea (Printed Name)

REEDY CREEK IMPROVEMENT DISTRICT

By: *[Signature]*
 Printed Name: John H. Chase, Jr.
 Title: District Administrator

Attest: *Wanda R. Siskron*
 Date: 7/17/19

STATE OF FLORIDA
 COUNTY OF ORANGE

The foregoing Termination and Release was acknowledged before me this 17th day of April, 2019, by John H. Chase, Jr., as District Administrator of REEDY CREEK IMPROVEMENT DISTRICT, on behalf thereof. He/She is personally known to me or has produced _____ as identification.

Wanda R. Siskron
 Signature of Notary Public-State of Florida

(AFFIX STAMP)

