

THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:

Juanita Thomas, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida
P.O. Box 1393
Orlando, Florida 32802-1393

Property Appraiser's Parcel Identification Number:
a portion of 30-23-27-2699-03-002

Project: Silverleaf PD - RP Silverleaf South Tract A
Subdivision Phase I Permit 23-S-102 OCU
File #100686

THIS IS A DONATION

UTILITY EASEMENT

THIS INDENTURE, made as of the date signed below, between Horizon West MF, LLC, a Florida limited liability company, whose address is 5600 Mariner Street, Suite 227, Tampa, Florida 33609, 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 utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

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 utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted easement, and the GRANTOR, its successors and assigns, agrees not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase I
Permit 23-S-102 OCU File #100686

that may interfere with the normal operation or maintenance of the utility 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.

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

{signature on following page}

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1
Permit 23-S-102 OCU File #100686

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

Signature of TWO witnesses and their mailing addresses are required by Florida law, F.S. 695.26

WITNESS #1


Signature
Phil Zaveri
Print Name

Print Name

Mailing Address: 5600 Marinier St. Suite 227

City: Tampa State: FL

Zip Code: 33609

WITNESS #2


Signature

Signature

CHAD TOUJAGUE
Print Name

Print Name

Mailing Address: 5600 MARINIER ST, STE 227

City: Tampa State: FL

Zip Code: 33609

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 15TH day of APRIL, 2024, by Dr. Kiran C. Patel, as Manager, of Kiran REIF, LLC, a Florida limited liability company, as Manager of Kiran REIF Horizon West Multifamily LLC, a Florida limited liability company, as Authorized Member of Horizon West MF, LLC, a Florida limited liability company on behalf of the company. The individual ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Stamp)

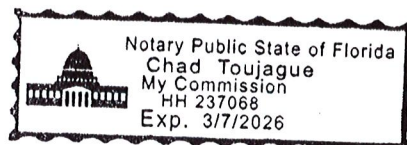
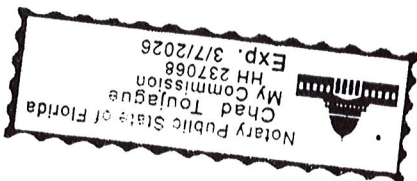
Notary Signature

CHAD TOUJAGUE
Print Notary Name

Print Notary Name

Notary Public of: FLORIDA

My Commission Expires: 03/07/2026



Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1
Permit 23-S-102 OCU File #100686

JOINDER AND CONSENT TO UTILITY EASEMENT

The undersigned hereby certifies that it is the holder of the following mortgage, lien, or other encumbrance upon the above described Utility Easement: (i) that certain Mortgage and Security Agreement executed by Horizon West MF, LLC, a Florida limited liability company in favor of Valley National Bank, a national banking association recorded October 3, 2022, as Official Records Document No. 20220597334; (ii) that certain Assignment of Rents and Leases executed by Horizon West MF, LLC, in favor of Valley National Bank, recorded October 3, 2022, as Official Records Document No. 20220597335; and (iii) that certain State of Florida Uniform Commercial code Financing Statement executed by Horizon West MF, LLC, in favor of Valley National Bank, recorded October 3, 2022, as Official Records Document No. 20220597336, all of the Public Records of Orange County, Florida and that the undersigned hereby joins in and consents to the execution and recording of the foregoing Utility Easement, and agrees that its mortgage, lien, or other encumbrance, as they have been, and as they may be, modified, amended, and/or assigned from time to time, shall be subordinated to the Utility Easement, as said easement may be modified, amended, and/or assigned from time to time.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

{Signature on following page}

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase I
Permit 23-S-102 OCU File #100686

Signature of **TWO** witnesses and their mailing addresses are required by Florida law, F.S. 695.26

WITNESS #1

Signature

Nicholas Edwards

Print Name

Mailing Address: 107 S Franklin Street, STE 200

City: Tampa State: FL

Zip Code: 33602

WITNESS #2

Signature

Gaylene R. Stephens

Print Name

Mailing Address: 107 S Franklin Street, STE 200

City: Tampa State: FL

Zip Code: 33602


STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21st day of May, 2024, by Marcus J Hinze, as Senior Vice President, of Valley National Bank, a national banking association, on behalf of the association. The individual ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Stamp)



Valley National Bank,
a national banking association


By: 
Signature

Marcus J Hinze

Print Name

Senior Vice President

Title


Notary Signature

Nicholas Edwards

Print Notary Name

Notary Public of: State of Florida

My Commission Expires: 4-26-2026

SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A
Page 1 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1
PERMIT # 23-S-102

UTILITY EASEMENT

A STRIP OF LAND BEING A PORTION OF LOT 3 OF HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 109, PAGES 116 THROUGH 120 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE RUN NORTH 00°13'20" WEST ALONG THE WEST LINE OF SAID LOT 3 FOR A DISTANCE OF 146.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°13'20" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 809.91 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND A POINT ON THE SOUTH RIGHT OF WAY LINE OF PORTER ROAD, TRACT RW-1, ACCORDING TO SAID PLAT OF HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE; THENCE RUN NORTH 89°46'40" EAST ALONG SAID SOUTH RIGHT OF WAY LINE AND THE NORTH LINE OF SAID LOT 3 FOR A DISTANCE OF 12.00 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE AND SAID NORTH LINE, RUN SOUTH 00°13'20" EAST FOR A DISTANCE OF 809.91 FEET; THENCE RUN SOUTH 89°46'40" WEST FOR A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,719 SQUARE FEET OR 0.22 ACRES, MORE OR LESS.

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH OF DESCRIPTION



SURVEYING • MAPPING
GEOSPATIAL SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355
LB#6723

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 3 BEING N00°13'20"W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB #: 20230393

CALC BY: DY

DATE: 8/25/23

DRAWN BY: RT

SCALE: 1"=80'

CHECKED BY: HF

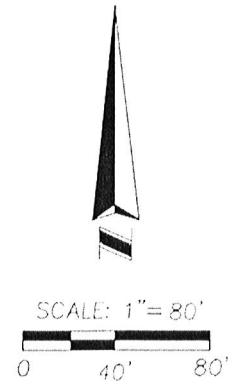
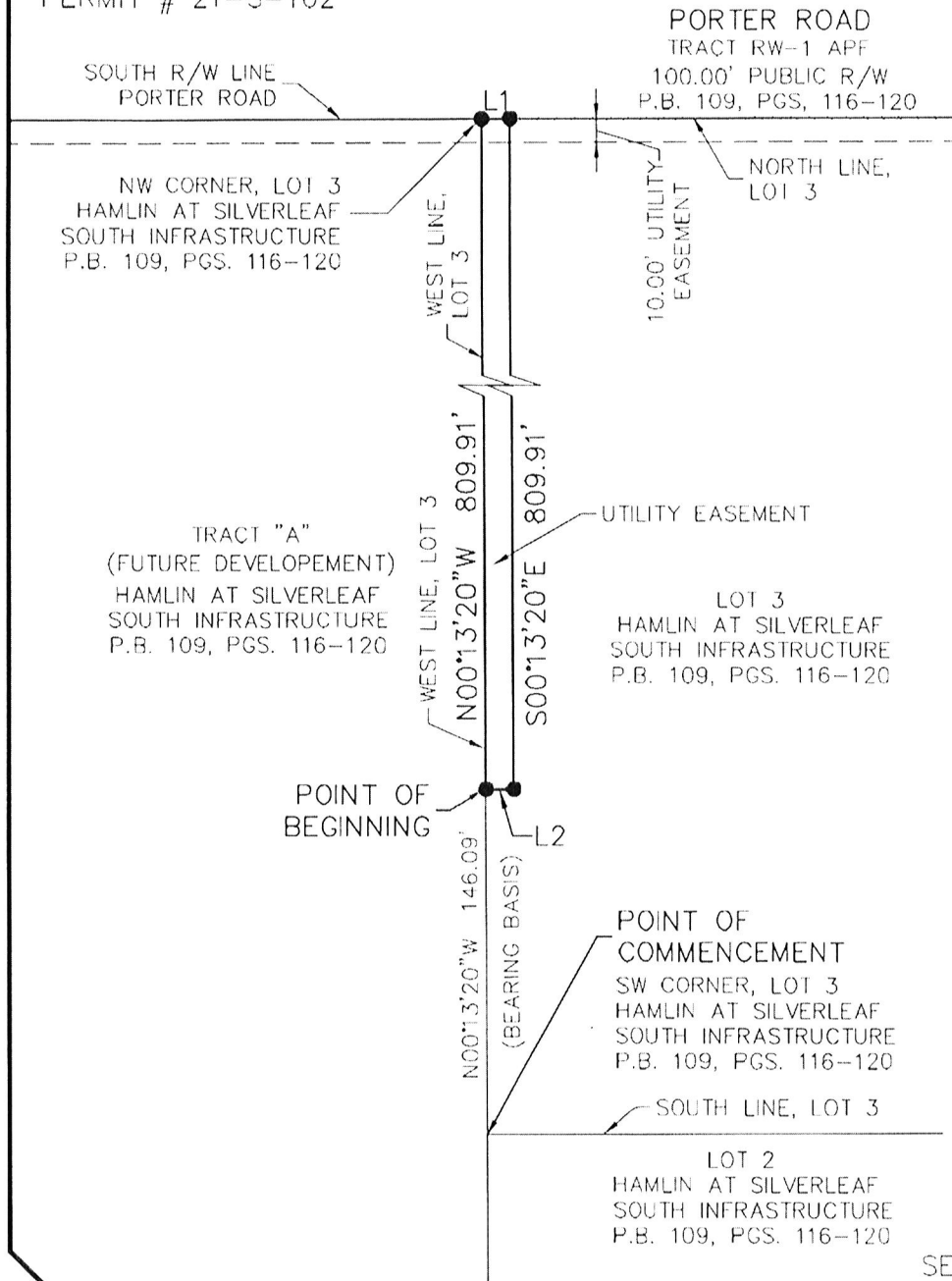
FOR THE LICENSED BUSINESS #6723 BY:
Digitally signed by:
James L Rickman
Date: 2024.02.01
09:10:15 -0500
JAMES L. RICKMAN, P.S.M. #5633

SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A
Page 2 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1
PERMIT # 21-S-102



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°46'40"E	12.00'
L2	S89°46'40"W	12.00'

SHEET 2 OF 2
SEE SHEET 1 FOR LEGAL DESCRIPTION



SURVEYING • MAPPING
GEOSPATIAL SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355
LB#6723

SYMBOL AND ABBREVIATION LEGEND:

- CHANGE IN DIRECTION
- LB LICENSED BUSINESS
- P.B. PLAT BOOK
- PGS. PAGES

JOB #: 20230393

DATE: 8/23/23

SCALE: 1" = 80'

CALC BY: DY

DRAWN BY: RT

CHECKED BY: HF