



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 24-1545, **Version:** 1

Interoffice Memorandum

DATE: October 8, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Mindy T. Cummings, Manager

FROM: Elizabeth Price Jackson, Senior Title Examiner

CONTACT: Mindy T. Cummings, Manager

PHONE: 407-836-7090

DIVISION: Real Estate Management Division

ACTION REQUESTED:

Approval of Warranty Deed by BSREP III Prime Logistics Center, LLC to Orange County, approval and execution of Subordination of Utility Interests by and between Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation and Orange County, and authorization to perform all actions necessary and incidental to closing, and record instruments for Prime Logistics Center (RAC). District 3. **(Real Estate Management Division)**

PROJECT: Prime Logistics Center (RAC)

PURPOSE: To provide for access, construction, operation, and maintenance of roadway improvements in connection with a road network agreement.

ITEM:

Warranty Deed

Impact Fee Credits: \$2,915,797.50

Total size: 7.875 acres

Subordination of Utility Interests

BUDGET: NA

REVENUE: NA

FUNDS: NA

APPROVALS:

Real Estate Management Division
County Attorney's Office
Risk Management Division
Transportation Planning Division
Public Works Department

REMARKS: These conveyances are requirements of the Right of Way Agreement for Prime Logistics Center Taft-Vineland Road approved by the Board on August 8, 2023, and as subsequently amended.

The Subordination of Utility Interests will subordinate Duke Energy's interest in their existing easement located in the area of County's road construction project. If County should require Duke Energy to alter, adjust, or relocate its facilities located within said lands in connection with this Subordination, County shall pay the reasonable cost of such alteration, adjustment, or relocation, including but not limited to the cost of acquiring appropriate easements.

County is executing the Subordination to show acceptance of the terms and conditions.

BSREP III Prime Logistics Center LLC to pay all closing costs, documentary tax stamps and prorated taxes.

ACCEPTED
BY, ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
OCT 29 2024

This instrument prepared by
and return to:

Jacqueline S. Best, Esq.
Baker & Hostetler LLP
200 South Orange Avenue
SunTrust Center
Suite 2300
Orlando, Florida 32801
(407) 649-4000

Portion of Parcel
Identification No.: 11-24-29-7268-00-130

WARRANTY DEED

THIS WARRANTY DEED is made and given this 2nd day of October, 2024, by BSREP III PRIME LOGISTICS CENTER LLC, a Delaware limited liability company, whose address is c/o Brookfield Property Group, 601 S. Figueroa St., Ste. 2200, Los Angeles, CA 90017-5727 (“Grantor”) to 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, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to said Grantor, in hand paid by the Grantee, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain piece, parcel or tract of land lying and being in the County of Orange, State of Florida, more particularly described as follows:

See Exhibit “A” attached hereto and incorporated herein by this reference.

AND SUBJECT TO ad valorem taxes and assessments for the current year and subsequent years, and easements, reservations, covenants, conditions, restrictions and other matters of record; however, this reference shall not operate to reimpose the same.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

“Grantor”

BSREP III PRIME LOGISTICS CENTER LLC, a Delaware limited liability company

Peyton Murray
Signature of Witness #1

By: Randy Forth

Printed: Randy Forth

As Its: Senior Vice President

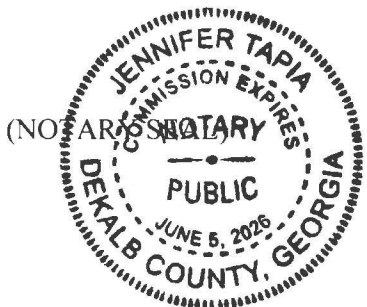
Peyton Murray
Print Name
Address: 1180 Peachtree Road NE
Ste 1575
Atlanta, Georgia 30309

Fazel Ahsan
Signature of Witness #2

Fazel Ahsan
Print Name
Address: : 1180 Peachtree Rd NE
Ste 1575, Atlanta, Georgia 30309

STATE OF FULTON)
)SS.
COUNTY OF GEORGIA)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 2nd day of October, 2024 by Randy Forth, as Senior Vice President of BSREP III PRIME LOGISTICS CENTER LLC, a Delaware limited liability company, on behalf of the company. He is personally known to me.



Jennifer Tapia
(Notary Signature)
Jennifer Tapia
(Notary Name Printed)
NOTARY PUBLIC

Exhibit "A"

Sheet 1 of 4

**Sketch and Description for
Orange County Pond Area**

A parcel of land being portions of Lots 13 and 14 of PROSPER COLONY in Section 11, Township 24 South, Range 29 East, as recorded in Plat Book F, Page 16 of the Public Records of Orange County, Florida. Said parcel being more particularly described as follows:


COMMENCE at the Northeast corner of Section 11, Township 24 South, Range 29 East, also being the Northwest corner of Section 12, Township 24 South, Range 29 East, Orange County, Florida; thence South 00°00'54" West, along the East line of the Northeast 1/4 of said Section 11 and the West line of the Northwest 1/4 of said Section 12, a distance of 30.00 feet to the South right of way line of Taft Vineland Road, a variable width right of way per plat of TAFT-VINELAND ROAD according to Plat Book 6, Page 14 through 44, Public Records of Orange County, Florida; thence South 89°46'25" West, along the South right of way line of said Taft Vineland Road, a distance of 304.14 feet to a point on the West line of said Lot 13; thence South 00°00'40" East, along the West line of said Lot 13, a distance of 48.31 feet to the POINT OF BEGINNING, thence continue South 00°00'40" East, along the West line of said Lot 13, a distance of 584.90 feet to the Southwest corner of said Lot 13; thence North 89°47'24" East, along the South line of said Lots 13 and 14, a distance of 379.98 feet; thence North 00°00'00" East a distance of 568.92 feet to a point on a non-tangent curve concave to the North, having a radius of 5781.58 feet and a delta angle of 02°18'20"; thence, from a tangent bearing of North 88°48'47" West, run West along the arc of said curve, a distance of 232.65 feet to a point of reverse curvature, having a radius of 5677.58 feet and a delta angle of 00°49'44"; thence, run West along the arc of said curve, a distance of 813.7 feet to a point on a radial line; thence South 02°40'28" West, along said radial line, a distance of 2.00 feet to a point on a radial curve, concave to the south, having a radius of 5675.58 feet and a delta angle of 00°40'44"; thence, run West along the arc of said curve, a distance of 664.3 feet to a point on the West line of said Lot 13 and POINT OF BEGINNING.

Contains 5.032 acres, more or less.

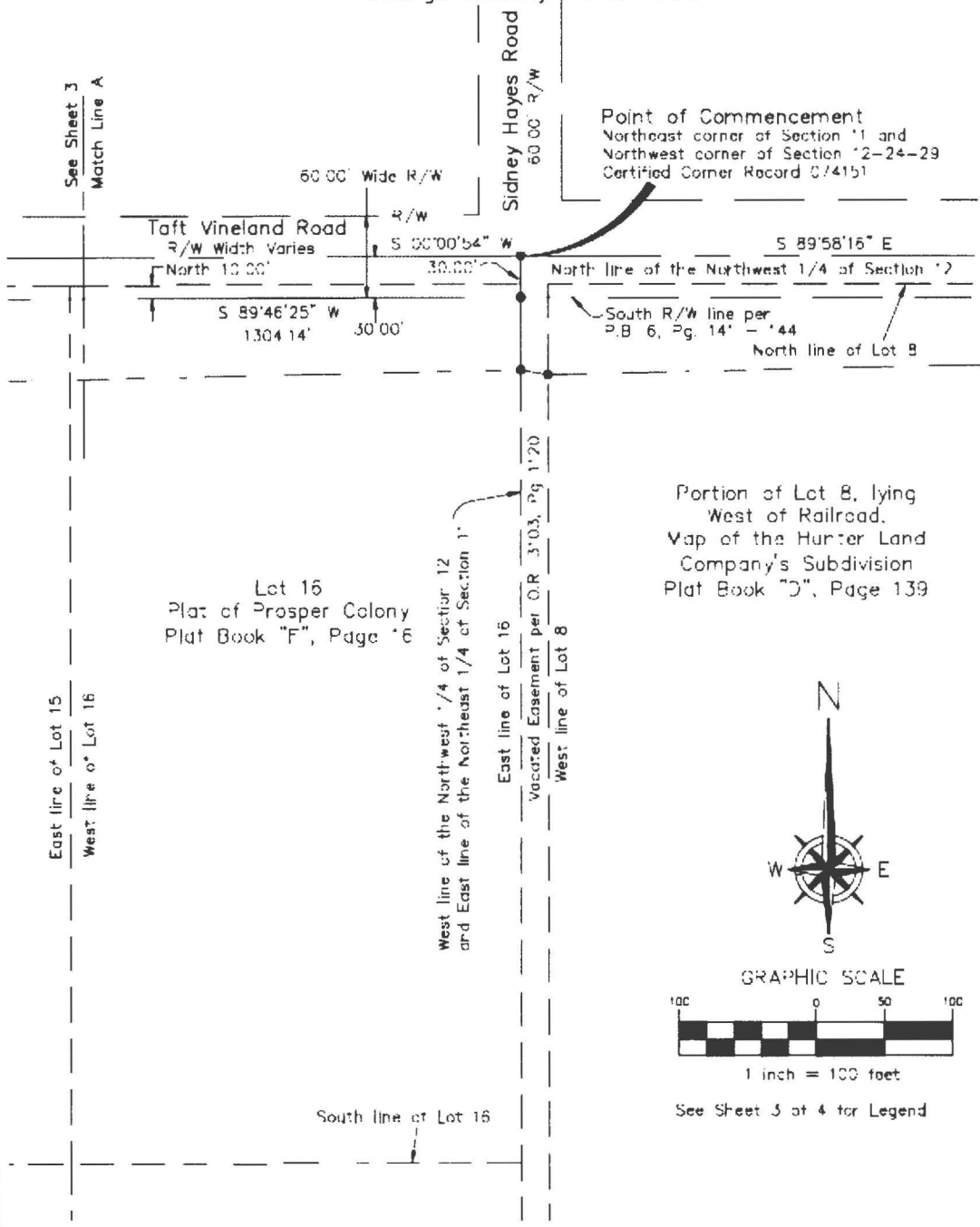
Notes

1. THIS IS NOT A BOUNDARY SURVEY. The purpose of this sketch and description is to depict and describe additional right of way for Taft Vineland Road. The configuration and geometry of the lands described hereon are based on Orange County Right of Way Map for Taft-Vineland Road prepared by Bowyer-Singleton & Associates, Inc., Right of Way Map C.I.P. No. 3037, approved date of October 3, 2012 and a revised date of July 15, 2016.
2. This sketch and description was prepared with the benefit of a Property Information Report prepared by First American Title Insurance Company, under file number NCS-987747-ORL, dated November 4, 2019.
3. Bearings shown hereon are based on the North line of the Northeast 1/4 of Section 11, Township 24 South, Range 29 East being assumed as South 89°46'25" East.
4. This sketch meets the Standard of Practice set forth in Florida Administrative Code Rule 5J-17, pursuant to Florida Statute Chapter 472.

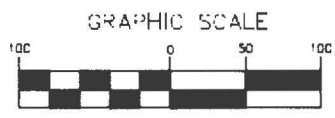
Revision: February 28, 2023 - per County review comments
 Revision: August 16, 2021 - per County review comments
 Revision: August 6, 2021 - per County review comments

 <p>Benchmark Surveying & Mapping, LLC Certificate of Authorization Number - LB 7874 Post Office Box 771065, Winter Garden, Florida 34777-0655 5110 Red Fox Run, Kissimmee, Florida 34746 (407) 654-6183 - www.benchmarksurveyingandmapping.com</p>	104801 OCRW PCWD Project # 06/18/2021 Date	Prepared For: Land Company, LLC Digitally signed by Billy Joe Jenkins Date: 2023.02.28 09:19:04 AM PST
		

Sketch and Description for
Orange County Pond Area




Portion of Lot 8, lying
West of Railroad,
Map of the Hunter Land
Company's Subdivision
Plat Book "D", Page 139



GRAPHIC SCALE

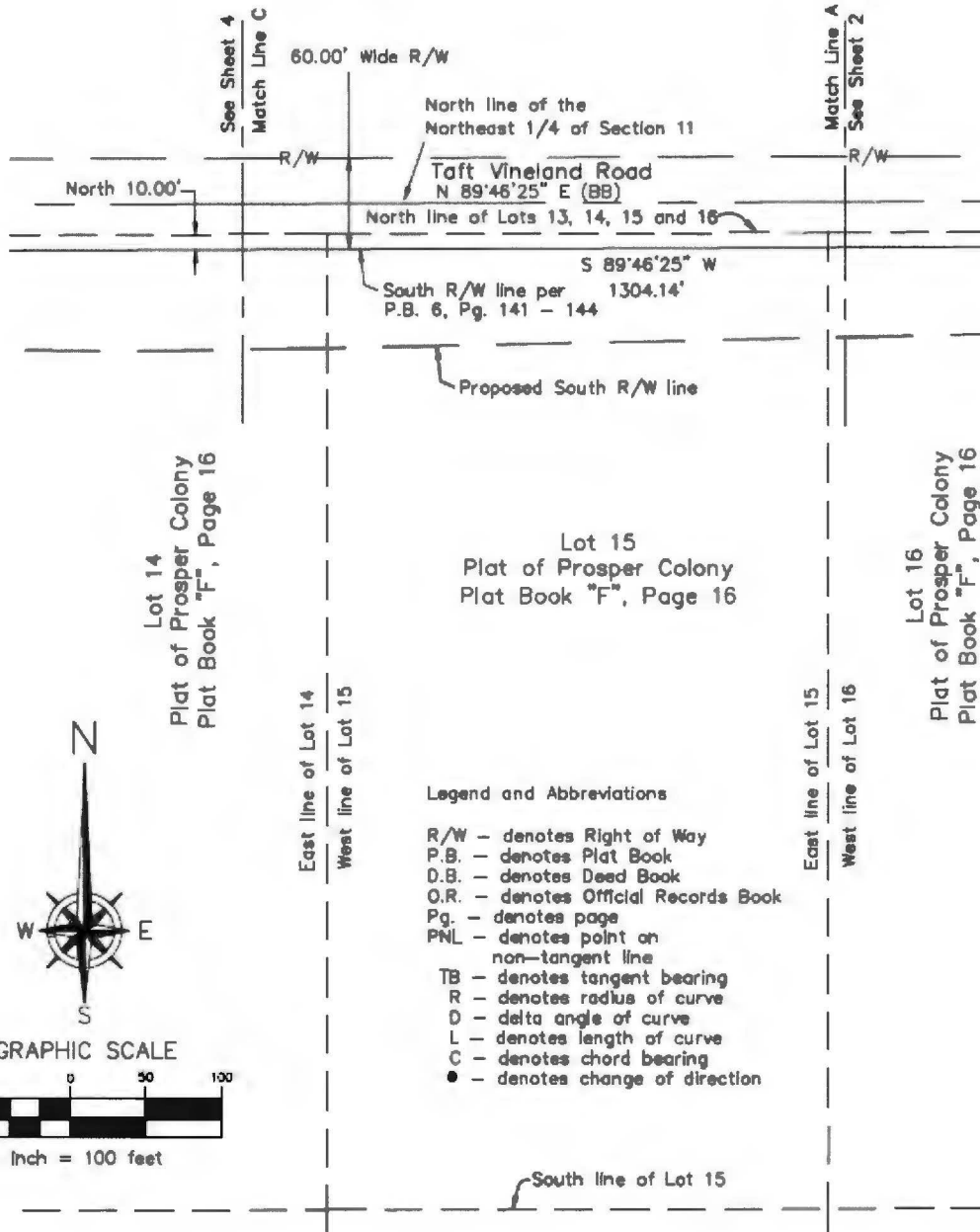
1 inch = 100 feet

See Sheet 3 of 4 for Legend

 **Benchmark Surveying & Mapping, LLC**
Certificate of Authorization Number - LB 7874
Post Office Box 771065, Winter Garden, Florida 34777-0665
3110 Red Fox Run, Kissimmee, Florida 34746
(407) 854-6183 - www.benchmarksurveyingandmapping.com

04801 OCRW POND
Project #
06/18/2021
Date

Sketch and Description for Orange County Pond Area

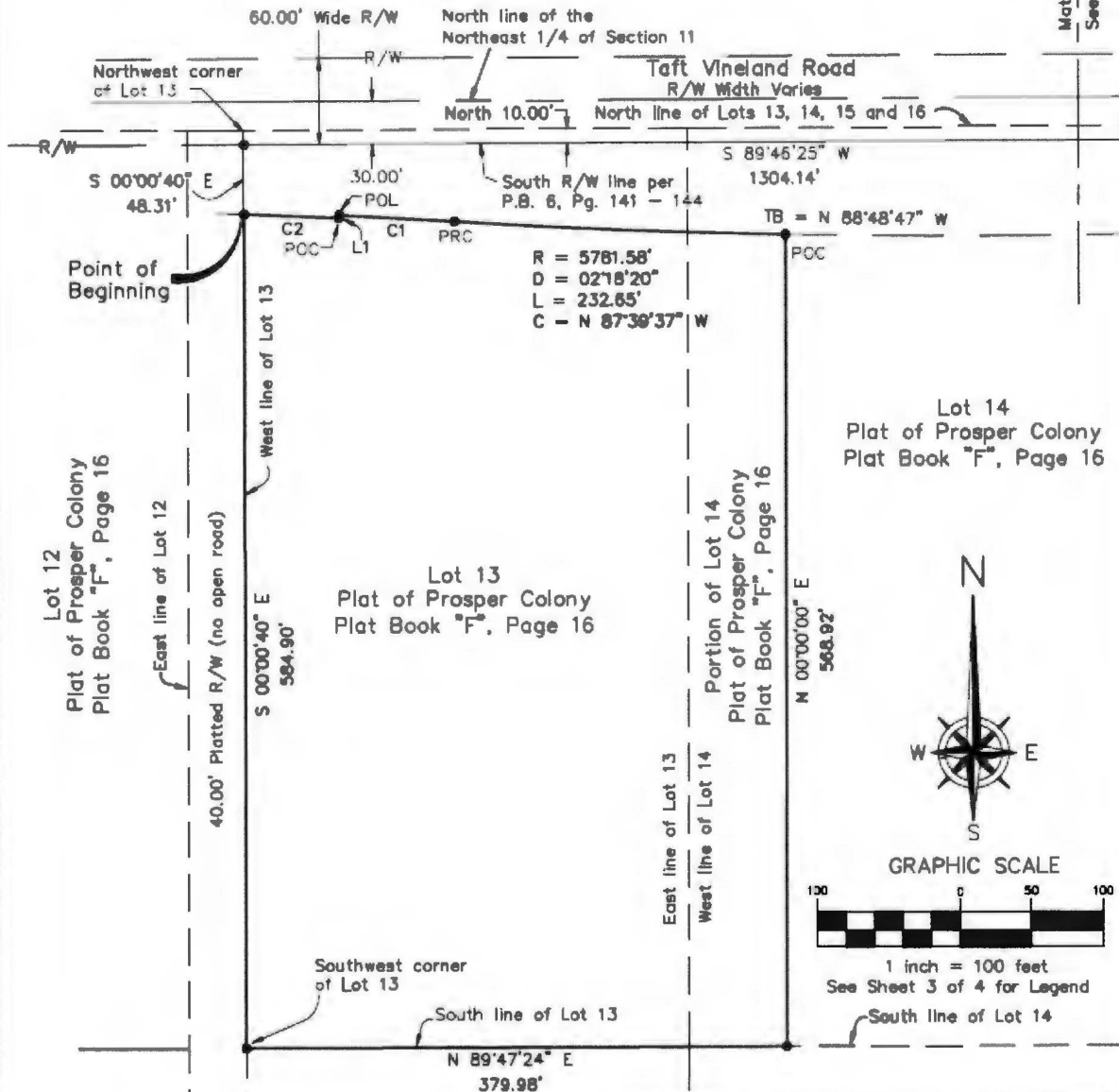


- Legend and Abbreviations**
- R/W - denotes Right of Way
 - P.B. - denotes Plat Book
 - D.B. - denotes Deed Book
 - O.R. - denotes Official Records Book
 - Pg. - denotes page
 - PNL - denotes point on non-tangent line
 - TB - denotes tangent bearing
 - R - denotes radius of curve
 - D - delta angle of curve
 - L - denotes length of curve
 - C - denotes chord bearing
 - - denotes change of direction

 Benchmark Surveying & Mapping, LLC Certificate of Authorization Number - LB 7874 Post Office Box 771065, Winter Garden, Florida 34777-1065 3110 Red Fox Run, Kissimmee, Florida 34746 (407) 654-6183 - www.benchmarksurveyingandmapping.com	104801 OCRW POND
	Project #
	06/18/2021
	Date

Sketch and Description for
Orange County Pond Area

Match Line C
See Sheet 3



R = 5761.58'
D = 0218'20"
L = 232.65'
C - N 87°39'37" W

Lot 14
Plat of Prosper Colony
Plat Book "F", Page 16

Lot 13
Plat of Prosper Colony
Plat Book "F", Page 16

Lot 12
Plat of Prosper Colony
Plat Book "F", Page 16



GRAPHIC SCALE



1 inch = 100 feet
See Sheet 3 of 4 for Legend

Line Table		
LINE	Bearing	Distance
L1	S 02°40'28" W	2.00'

Curve Table					
Number	Radius	Delta	Length	Chord	Chord Bearing
C1	5677.58'	0°49'14"	81.31'	81.31'	N 86°54'54" W
C2	5875.58'	0°40'14"	66.43'	66.42'	N 87°39'39" W



Benchmark Surveying & Mapping, LLC
Certificate of Authorization Number - LB 7874
Post Office Box 771085, Winter Garden, Florida 34777-1085
3110 Red Fox Run, Kissimmee, Florida 34746
(407) 654-6183 - www.benchmarksurveyingandmapping.com

104801 OCRW POND
Project #
06/18/2021
Date

Sketch and Description for Orange County Right of Way

A parcel of land being portions of Lots 13, 14, 15 and 16, of PROSPER COLONY in Section 11, Township 24 South, Range 29 East, as recorded in Plat Book F, Page 16 of the Public Records of Orange County, Florida and a portion of Lot 7 and 8, lying West of A.C.L. Railroad right of way and a portion of that certain vacated right of way lying West of Lot 8 of HUNTER LAND COMPANY SUBDIVISION in Section 12, Township 24 South, Range 29 East, according to the Plat thereof as recorded in Plat Book D, Page 139, of the Public Records of Orange County, Florida. Said parcel being more particularly described as follows:


COMMENCE at the Northeast corner of Section 11, Township 24 South, Range 29 East, also being the Northwest corner of Section 12, Township 24 South, Range 29 East, Orange County, Florida; thence South 00°00'54" West, along the East line of the Northeast 1/4 of said Section 11 and the West line of the Northwest 1/4 of said Section 12, a distance of 30.00 feet to the POINT OF BEGINNING, said point being on the South right of way line of Taft Vineland Road, a variable width right of way per plat of TAFT-VINELAND ROAD according to Plat Book 6, Page 141 through 144, Public Records of Orange County, Florida; thence South 89°58'16" East, along the South right of way line of said Taft Vineland Road, a distance of 518.00 feet; thence South 00°01'44" West, continuing along said South right of way line, a distance of 5.00 feet; thence South 89°58'16" East, along said South right of way line, a distance of 362.06 feet to the West right of way line of State of Florida Department of Transportation Railroad right of way (formerly A.C.L. Railroad), according to that certain Deed recorded in Official Records Book 10290, Page 114, Public Records of Orange County, Florida; thence South 5°18'59" West, along said West railroad right of way, a distance of 67.86 feet; thence, departing said West railroad right of way line, North 83°14'15" West a distance of 193.49 feet to a point on a non-tangent curve concave to the south, having a radius of 264.00 feet and a delta angle of 02°38'35", thence, from a tangent bearing of North 88°36'58" West, run West, along the arc of said curve, a distance of 127.83 feet to a point on a non-tangent line; thence South 89°55'21" West a distance of 145.52 feet; thence South 88°44'28" West a distance of 343.86 feet; thence South 00°00'00" East a distance of 5.00 feet; thence South 49°59'24" West a distance of 24.66 feet; thence South 89°59'24" West a distance of 71.57 feet; thence North 50°00'36" West a distance of 27.11 feet; thence North 00°00'00" West a distance of 5.00 feet; thence South 88°44'28" West a distance of 624.80 feet to a point of curvature of curve concave to the north, having a radius of 578.58 feet and a delta angle of 04°45'15", thence, West along the arc of said curve, a distance of 479.73 feet to a point of reverse curvature, having a radius of 5677.58 feet and a delta angle of 00°49'14"; thence, run West along the arc of said curve, a distance of 81.31 feet to a point on a radial line; thence South 02°40'28" West, along said radial line, a distance of 2.00 feet to a point on a radial curve, concave to the south, having a radius of 5675.58 feet and a delta angle of 00°40'12", thence, run West along the arc of said curve, a distance of 66.37 feet to a point on the West line of said Lot 13; thence North 00°00'40" West, along the West line of said Lot 13, a distance of 48.31 feet to the South right of way line of said Taft Vineland Road; thence North 89°46'25" East, along the South right of way line of said Taft Vineland Road, a distance of 1304.14 feet to the POINT OF BEGINNING.

Contains 2.843 acres, more or less.

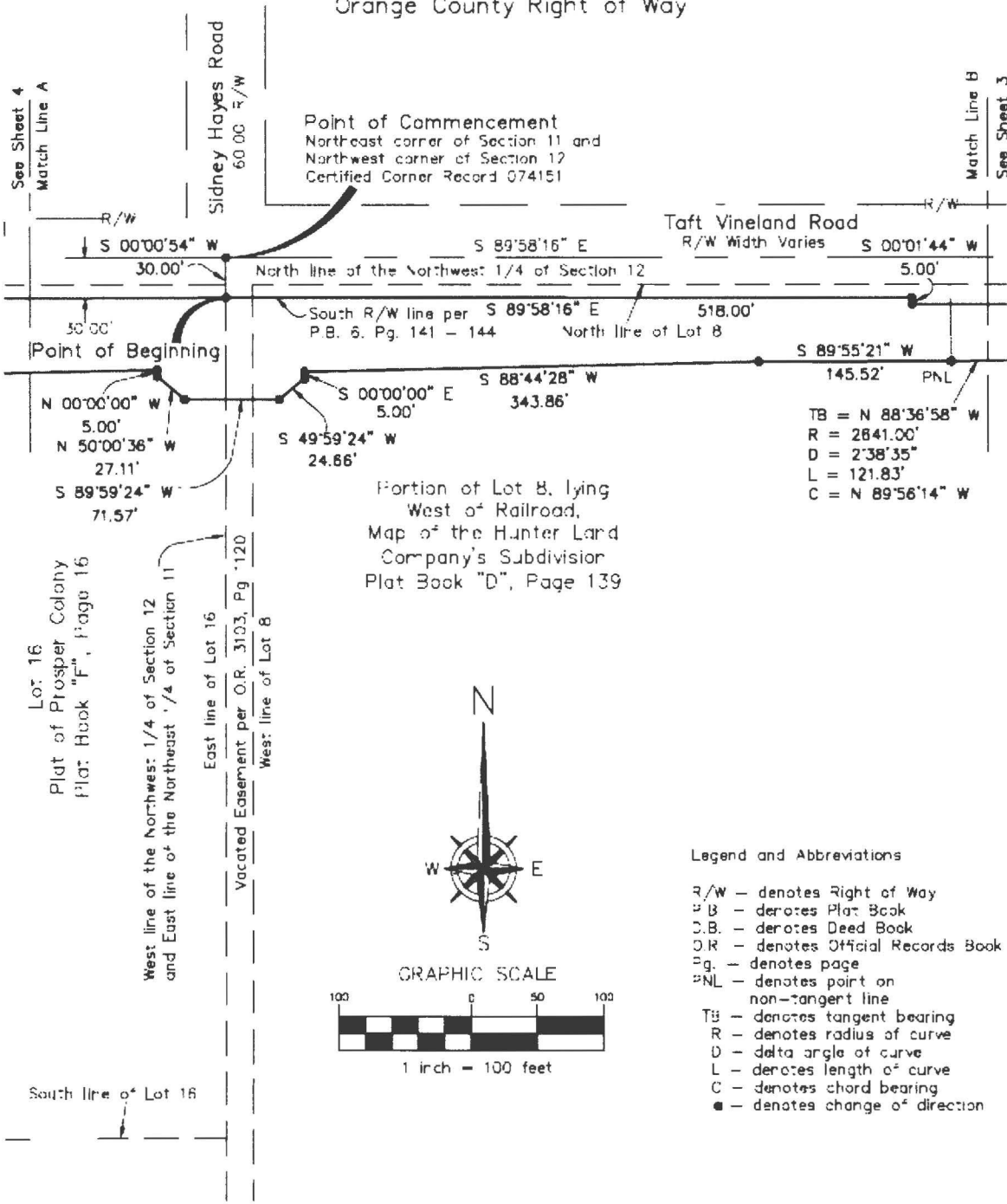
Notes

1. THIS IS NOT A BOUNDARY SURVEY. The purpose of this sketch and description is to depict and describe additional right of way for Taft Vineland Road. The configuration and geometry of the lands described hereon are based on Orange County Right of Way Map for Taft-Vineland Road prepared by Bowyer-Singleton & Associates, Inc., Right of Way Map C.I.P. No. 3037, approved date of October 3, 2012 and a revised date of July 15, 2016.
2. This sketch and description was prepared with the benefit of a Property Information Report prepared by First American Title Insurance Company, under file number NCS-987747-ORL, dated November 4, 2019.
3. Bearings shown hereon are based on the North line of the Northeast 1/4 of Section 11, Township 24 South, Range 29 East being assumed as South 89°46'25" East.
4. This sketch meets the Standard of Practice set forth in Florida Administrative Code Rule 5J-17, pursuant to Florida Statute Chapter 472.

Revision: October 15, 2022 - change in R/W at entrance
 Revision: August 16, 2021 - per County review comments
 Revision: August 6, 2021 - per County review comments

 <p>Benchmark Surveying & Mapping, LLC Certificate of Authorization Number - LB 7874 Post Office Box 771065, Winter Garden, Florida 34777-0665 3110 Red Fox Rdr, Kissimmee, Florida 34746 (407) 854-6183 - www.benchmarksurveyingandmapping.com</p>	104801 OCRW ROAD Project # 06/18/2021 Date	Prepared For: Taft Vineland Land Company, LLC Digitally signed by Billy Joe Jenkins Date: 2022.10.15 10:20:05 Surfer: Billy Joe Jenkins
		

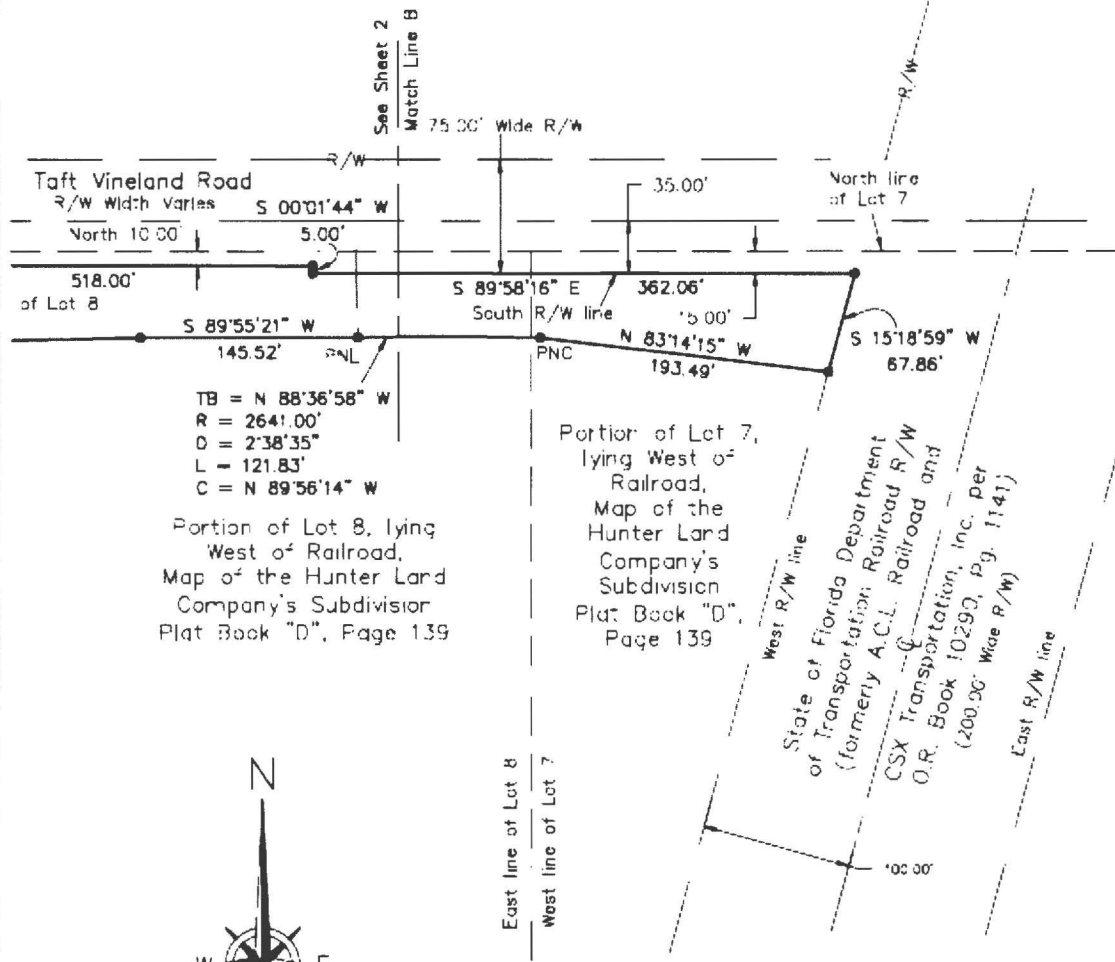
Sketch and Description for Orange County Right of Way



Benchmark Surveying & Mapping, LLC
Certificate of Authorization Number - LB 7874
Post Office Box 771065, Winter Garden, Florida 34777-0655
3110 Red Fox Run, Kissimmee, Florida 34746
(407) 854-6183 - www.benchmarksurveyingandmapping.com

10480' OCRW ROAD
Project #
06/18/2021
Date

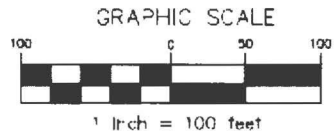
Sketch and Description for Orange County Right of Way



TB = N $88^{\circ}36'58''\ W$
 R = 2641.00'
 D = $2^{\circ}38'35''$
 L = 121.83'
 C = N $89^{\circ}56'14''\ W$


Portion of Lot 8, lying West of Railroad, Map of the Hunter Land Company's Subdivision Plat Book "D", Page 139

Portion of Lot 7, lying West of Railroad, Map of the Hunter Land Company's Subdivision Plat Book "D", Page 139



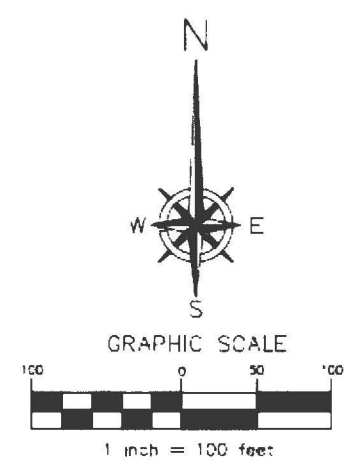
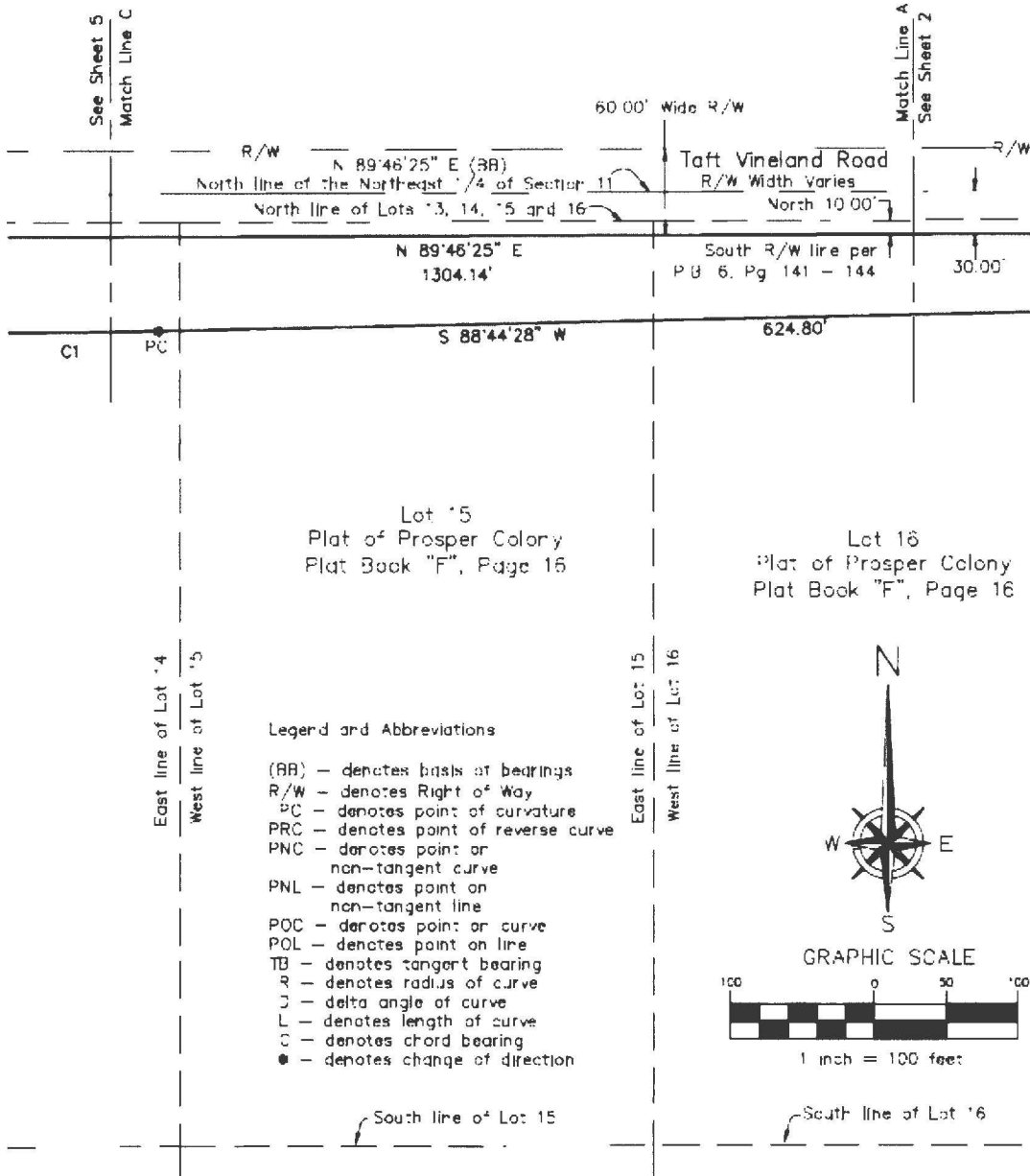
Legend and Abbreviations

- A.C.L. - denotes Atlantic Coast Line
- R/W - denotes Right of Way
- P.B. - denotes Plat Book
- O.B. - denotes Official Records Book
- Pg. - denotes page
- PNC - denotes point on non-tangent curve
- PNL - denotes point of non-tangent line
- TB - denotes tangent bearing
- R - denotes radius of curve
- D - denotes delta angle of curve
- L - denotes length of curve
- C - denotes chord bearing
- - denotes change of direction

 **Benchmark Surveying & Mapping, LLC**
 Certificate of Authorization Number - LB 7874
 Post Office Box 771065, Winter Garden, Florida 34777-1065
 5110 Red Fox Run, Kissimmee, Florida 34746
 (407) 654-5183 - www.benchmarksurveyingandmapping.com

104801 OCRW ROAD
 Project #
 06/18/2021
 Date

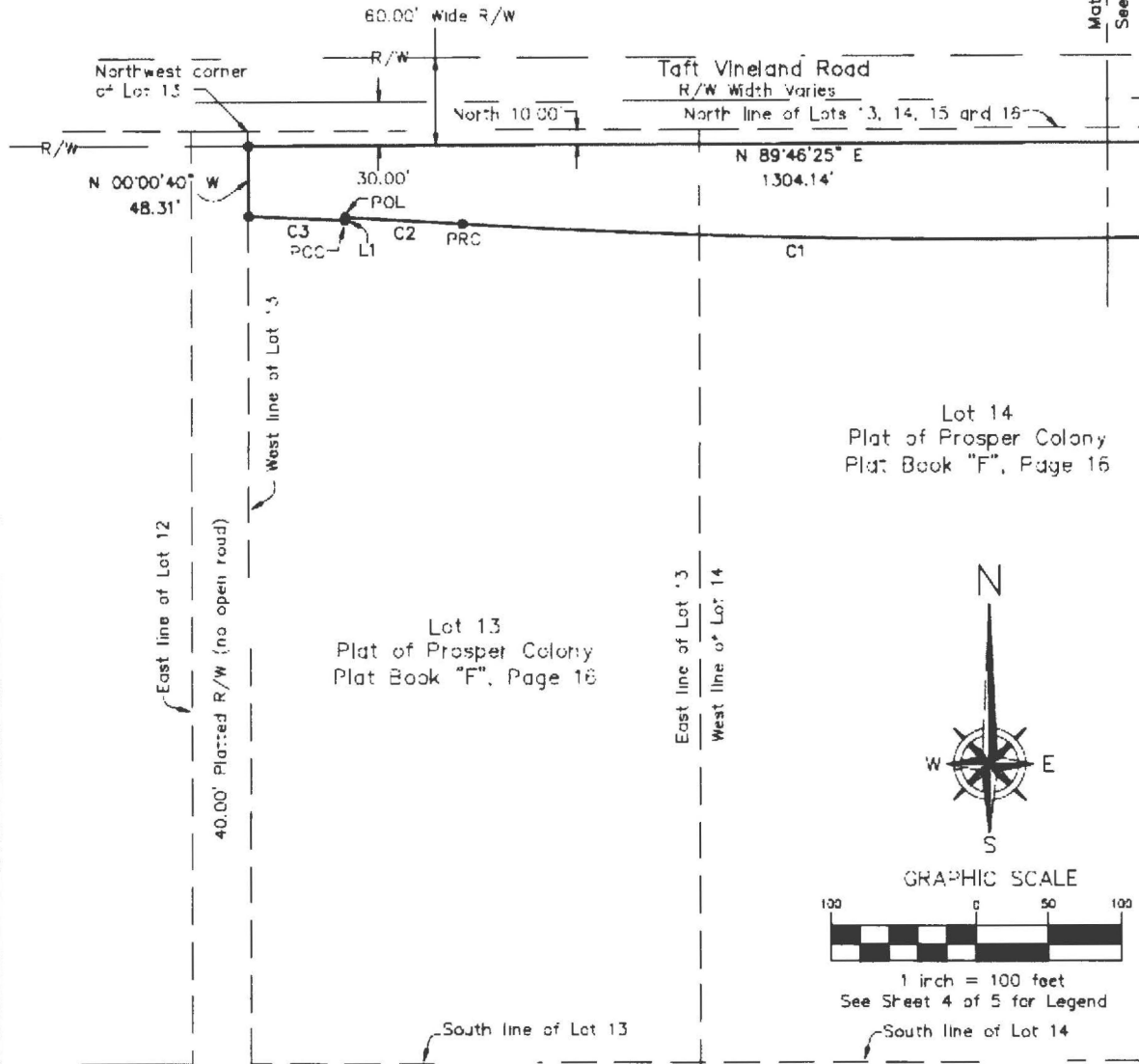
Sketch and Description for Orange County Right of Way



	Benchmark Surveying & Mapping, LLC Certificate of Authorization Number - LB 7874	10480' OCRW ROAD
	Post Office Box 771065, Winter Garden, Florida 34777-1065 311C Red Fox Run, Kissimmee, Florida 34746 (407) 654-6183 - www.benchmarksurveyingandmapping.com	Project #
		06/18/2021 Date

Sketch and Description for
Orange County Right of Way

Match Line C
See Sheet 4



Line Table		
LINE	Bearing	Distance
L1	S 02°40'28" W	2.00'

Curve Table					
Number	Radius	Delta	Length	Chord	Chord Bearing
C1	5781.58'	04°45'15"	479.73'	479.59'	N 88°52'55" W
C2	5677.58'	0°49'14"	81.31'	81.31'	N 86°54'54" W
C3	5675.58'	0°40'14"	66.43'	66.42'	N 87°39'39" W



Benchmark Surveying & Mapping, LLC
Certificate of Authorization Number - LB 7874

Post Office Box 771065, Winter Garden, Florida 34777-065
3110 Red Fox Run, Kissimmee, Florida 34746
(407) 654-5183 - www.benchmarksurveyingandmapping.com

04801 OORW ROAD
Project #
06/18/2021
Date

ACCEPTED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
OCT 29 2024

**THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:**

E. Price Jackson, 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

Project: Prime Logistics Center (RAC)

SUBORDINATION OF UTILITY INTERESTS

THIS SUBORDINATION, entered into by and between Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, hereinafter called Utility and Orange County, a charter county and political subdivision of the State of Florida, hereinafter called County.

WITNESSETH:

WHEREAS, the Utility presently has an interest in certain lands that have been determined necessary for public road right-of-way purposes; and

WHEREAS, the proposed use of these lands for public road right-of-way purposes will require subordination of the interest claimed in such lands by Utility to County; and

WHEREAS, County is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, Utility and County agree as follows:

Utility hereby subordinates to the interest of County, its successors, or assigns, any and all of its interest in the lands as follows, viz:

SEE ATTACHED EXHIBIT "A"

Encumbrances:

Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation
FROM: George R. Cone, Jr. and Betty S. Cone, his wife
TO: Florida Power Corporation
Easement filed March 4, 1986
Recorded in Official Records Book 3756, Page 643
Public Records of Orange County, Florida

Project: Prime Logistics Center (RAC)

PROVIDED that the Utility has the following rights:

1. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with County's current minimum standards for such facilities as required by Article VI, Chapter 21 of the Orange County Code, as it may be replaced, amended, or superseded from time to time. Any new construction or relocation of facilities within the lands will be subject to prior approval by County. Should County fail to approve any new construction or relocation of facilities by the Utility otherwise authorized under the aforementioned subordinated interest or require the Utility to alter, adjust, or relocate its facilities located within said lands in connection with this subordination, County shall pay the reasonable cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements (collectively "Reimbursement Costs").
2. Utility shall provide written notice to County's Director of Public Works (or equivalent in the event of reorganization) of the estimated costs and narrative scope of any alteration, adjustment, relocation, or removal of its facilities or of the acquisition of any additional easements at least 60 days prior to Utility incurring such costs.
3. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions herein, with the exception of the provision herein regarding Reimbursement Costs.
4. The Utility shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim or remove such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of County's facilities.
5. The Utility agrees to indemnify and hold County harmless for, from and against any and all losses, claims or damages incurred by County to the extent arising from Utility's or Utility's Contractor's negligence or failure to exercise reasonable care in the construction, reconstruction, operation or maintenance of Utility's facilities located on the above described easement.

AND the Utility agrees to the following:

1. The Utility agrees to alteration of the ground elevation within the above-described easement so long as such alteration of ground elevation shall not exceed three (3') feet.

[Signatures on following pages]

Project: Prime Logistics Center (RAC)

IN WITNESS WHEREOF, the Utility has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year below written.

WITNESSES:

[Signature]
Witness Signature
Print Name: ERIC REESMAN
Witness Address: (required)

1010 Fernald St
Edgewater, FL 32132

[Signature]
Witness Signature
Print Name: GAY EVANS
Witness Address: (required)

4010 BAWASHER LOOP
CASSOBERY, FL 32007

Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation

By: [Signature]
Karen Adams, Manager
Land Services II

Address: (required)
3300 Exchange place
Lake Mary, FL 32746



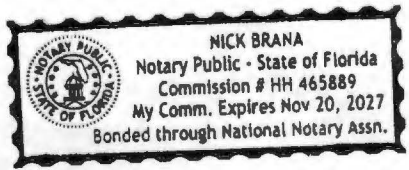
(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Seminole

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 23rd day of September, 2024, by Karen Adams, Manager of Land Services II for Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, on behalf of the limited liability company, who is personally known to me or who has produced _____ as identification.

(Notary Stamp)

[Signature]
Notary Signature



NICK BRANA
Printed Notary Name
Notary Public of:
My Commission Expires: Nov. 20, 2027

[Signatures on following page]

Project: Prime Logistics Center (RAC)

IN WITNESS WHEREOF, County has executed this Subordination on the day and year below written.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings,
Orange County Mayor

Date: 29 October 2024

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

By: *Jennifer Lara-Cimete*
for Deputy Clerk

Jennifer Lara-Cimete
Printed Name

Project: Prime Logistics Center (RAC)

Exhibit "A"

**(see attached sketch of description
consisting of five (5) pages)**

Sketch and Description for Orange County Right of Way

A parcel of land being portions of Lots 13, 14, 15 and 16, of PROSPER COLONY in Section 11, Township 24 South, Range 29 East, as recorded in Plat Book F, Page 16 of the Public Records of Orange County, Florida and a portion of Lot 7 and 8, lying West of A.C.L. Railroad right of way and a portion of that certain vacated right of way lying West of Lot 8 of HUNTER LAND COMPANY SUBDIVISION in Section 12, Township 24 South, Range 29 East, according to the Plat thereof as recorded in Plat Book D, Page 139, of the Public Records of Orange County, Florida. Said parcel being more particularly described as follows:

COMMENCE at the Northeast corner of Section 11, Township 24 South, Range 29 East, also being the Northwest corner of Section 12, Township 24 South, Range 29 East, Orange County, Florida; thence South 00°00'54" West, along the East line of the Northeast 1/4 of said Section 11 and the West line of the Northwest 1/4 of said Section 12, a distance of 30.00 feet to the POINT OF BEGINNING, said point being on the South right of way line of Taft Vineland Road, a variable width right of way per plat of TAFT-VINELAND ROAD according to Plat Book 6, Page 141 through 144, Public Records of Orange County, Florida; thence South 89°58'16" East, along the South right of way line of said Taft Vineland Road, a distance of 518.00 feet; thence South 00°01'44" West, continuing along said South right of way line, a distance of 5.00 feet; thence South 89°58'16" East, along said South right of way line, a distance of 362.06 feet to the West right of way line of State of Florida Department of Transportation Railroad right of way (formerly A.C.L. Railroad), according to that certain Deed recorded in Official Records Book 10290, Page 1141, Public Records of Orange County, Florida; thence South 15°18'59" West, along said West railroad right of way, a distance of 67.86 feet; thence, departing said West railroad right of way line, North 83°14'15" West a distance of 193.49 feet to a point on a non-tangent curve concave to the south, having a radius of 2641.00 feet and a delta angle of 02°38'35"; thence, from a tangent bearing of North 88°36'58" West, run West, along the arc of said curve, a distance of 121.83 feet to a point on a non-tangent line; thence South 89°55'21" West a distance of 145.52 feet; thence South 88°44'28" West a distance of 343.86 feet; thence South 00°00'00" East a distance of 5.00 feet; thence South 49°59'24" West a distance of 24.66 feet; thence South 89°59'24" West a distance of 71.57 feet; thence North 50°00'36" West a distance of 27.11 feet; thence North 00°00'00" West a distance of 5.00 feet; thence South 88°44'28" West a distance of 624.80 feet to a point of curvature of curve concave to the north, having a radius of 5781.58 feet and a delta angle of 04°45'15"; thence, West along the arc of said curve, a distance of 479.73 feet to a point of reverse curvature, having a radius of 5677.58 feet and a delta angle of 00°49'14"; thence, run West along the arc of said curve, a distance of 81.31 feet to a point on a radial line; thence South 02°40'28" West, along said radial line, a distance of 2.00 feet to a point on a radial curve, concave to the south, having a radius of 5675.58 feet and a delta angle of 00°40'12"; thence, run West along the arc of said curve, a distance of 66.37 feet to a point on the West line of said Lot 13; thence North 00°00'40" West, along the West line of said Lot 13, a distance of 48.31 feet to the South right of way line of said Taft Vineland Road; thence North 89°46'25" East, along the South right of way line of said Taft Vineland Road, a distance of 1304.14 feet to the POINT OF BEGINNING.

Contains 2.843 acres, more or less.

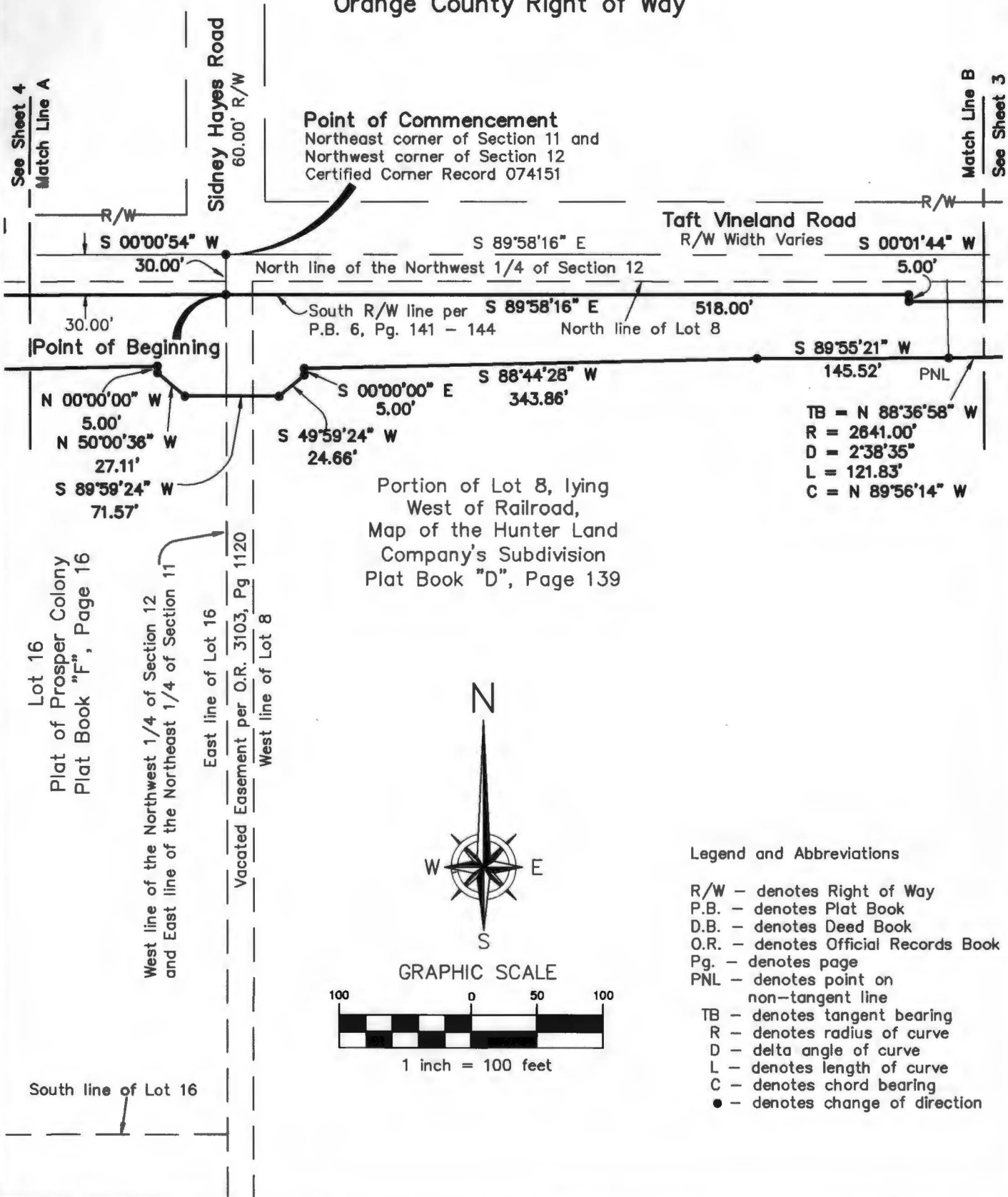
Notes

1. THIS IS NOT A BOUNDARY SURVEY. The purpose of this sketch and description is to depict and describe additional right of way for Taft Vineland Road. The configuration and geometry of the lands described hereon are based on Orange County Right of Way Map for Taft-Vineland Road prepared by Bowyer-Singleton & Associates, Inc., Right of Way Map C.I.P No. 3037, approved date of October 3, 2012 and a revised date of July 15, 2016.
2. This sketch and description was prepared with the benefit of a Property Information Report prepared by First American Title Insurance Company, under file number NCS-987747-ORL, dated November 4, 2019.
3. Bearings shown hereon are based on the North line of the Northeast 1/4 of Section 11, Township 24 South, Range 29 East being assumed as South 89°46'25" East.
4. This sketch meets the Standard of Practice set forth in Florida Administrative Code Rule 5J-17, pursuant to Florida Statute Chapter 472.

Revision: October 15, 2022 - change in R/W at entrance
 Revision: August 16, 2021 - per County review comments
 Revision: August 6, 2021 - per County review comments

 <p>Benchmark Surveying & Mapping, LLC Certificate of Authorization Number - LB 7874 Post Office Box 771065, Winter Garden, Florida 34777-1065 3110 Red Fox Run, Kissimmee, Florida 34746 (407) 654-6183 - www.benchmarksurveyingandmapping.com</p>	104801 OCRW ROAD <hr/> Project # <hr/> 06/18/2021 <hr/> Date	Prepared For: Taft Vineland Land Company, LLC Digitally signed by Billy Joe Jenkins Pre:  B:  Pi: 
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Sketch and Description for Orange County Right of Way

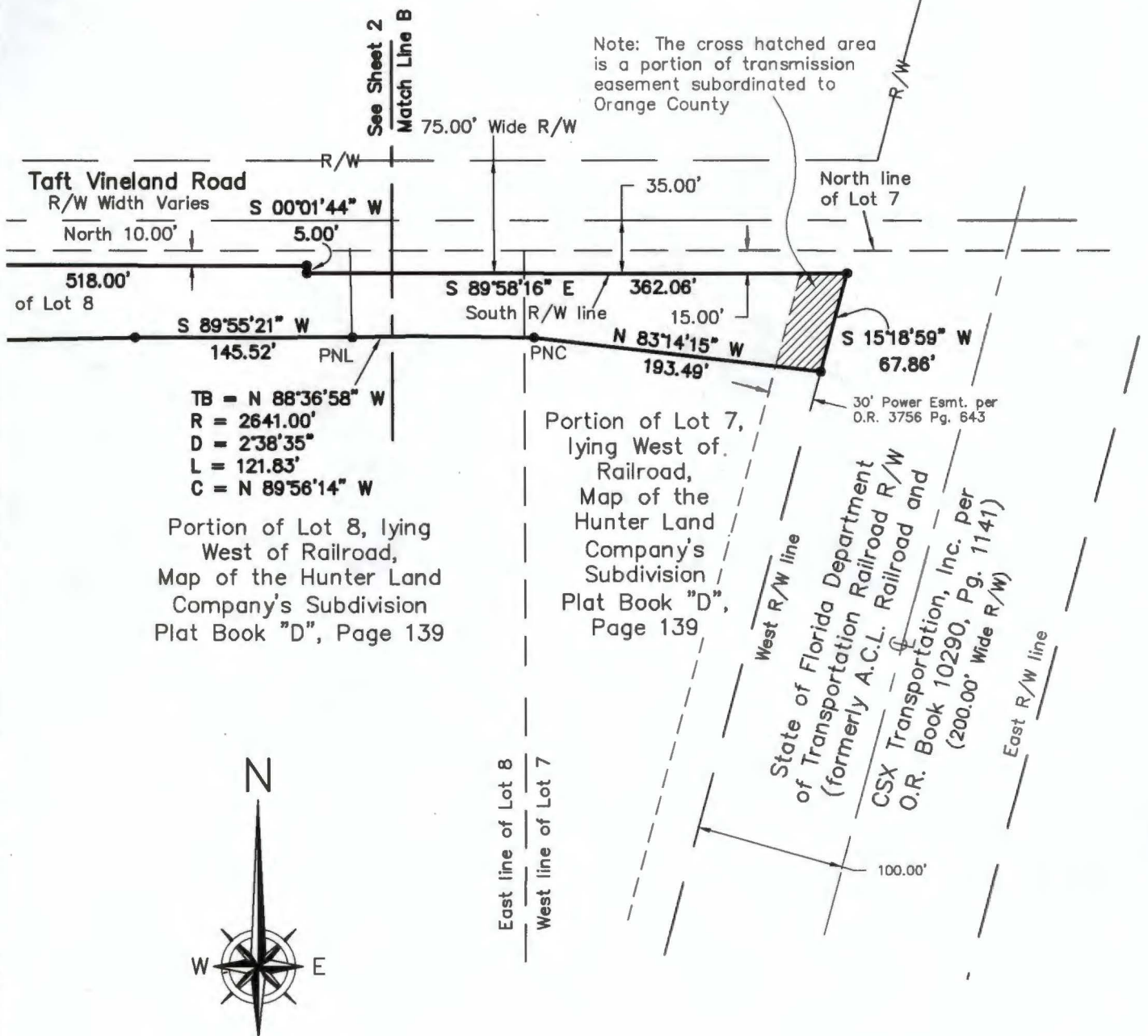


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Project #
06/18/2021
Date

Sketch and Description for Orange County Right of Way

Note: The cross hatched area is a portion of transmission easement subordinated to Orange County



TB = N 88°36'58" W
 R = 2641.00'
 D = 2°38'35"
 L = 121.83'
 C = N 89°56'14" W

Portion of Lot 8, lying West of Railroad, Map of the Hunter Land Company's Subdivision Plat Book "D", Page 139

Portion of Lot 7, lying West of Railroad, Map of the Hunter Land Company's Subdivision Plat Book "D", Page 139



GRAPHIC SCALE



1 inch = 100 feet

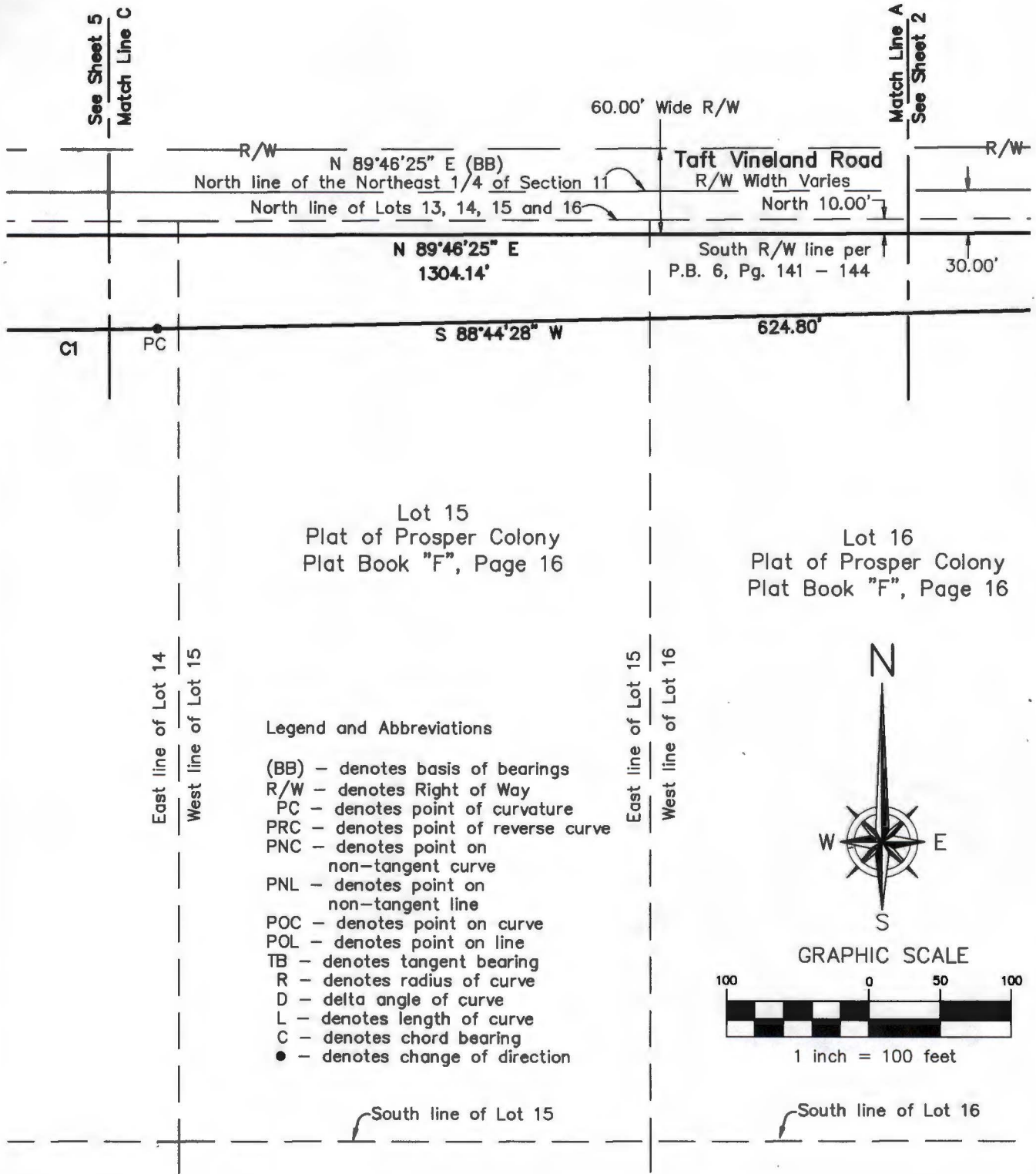
Legend and Abbreviations

- A.C.L. - denotes Atlantic Coast Line
- R/W - denotes Right of Way
- P.B. - denotes Plat Book
- D.B. - denotes Deed Book
- O.R. - denotes Official Records Book
- Pg. - denotes page
- PNC - denotes point on non-tangent curve
- PNL - denotes point on non-tangent line
- TB - denotes tangent bearing
- R - denotes radius of curve
- D - delta angle of curve
- L - denotes length of curve
- C - denotes chord bearing
- - denotes change of direction

Revision: 6/18/2024 - Add 30' Power Easement

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	06/18/2021 <hr/> Date	

Sketch and Description for Orange County Right of Way



Legend and Abbreviations

- (BB) - denotes basis of bearings
- R/W - denotes Right of Way
- PC - denotes point of curvature
- PRC - denotes point of reverse curve
- PNC - denotes point on non-tangent curve
- PNL - denotes point on non-tangent line
- POC - denotes point on curve
- POL - denotes point on line
- TB - denotes tangent bearing
- R - denotes radius of curve
- D - delta angle of curve
- L - denotes length of curve
- C - denotes chord bearing
- - denotes change of direction



GRAPHIC SCALE

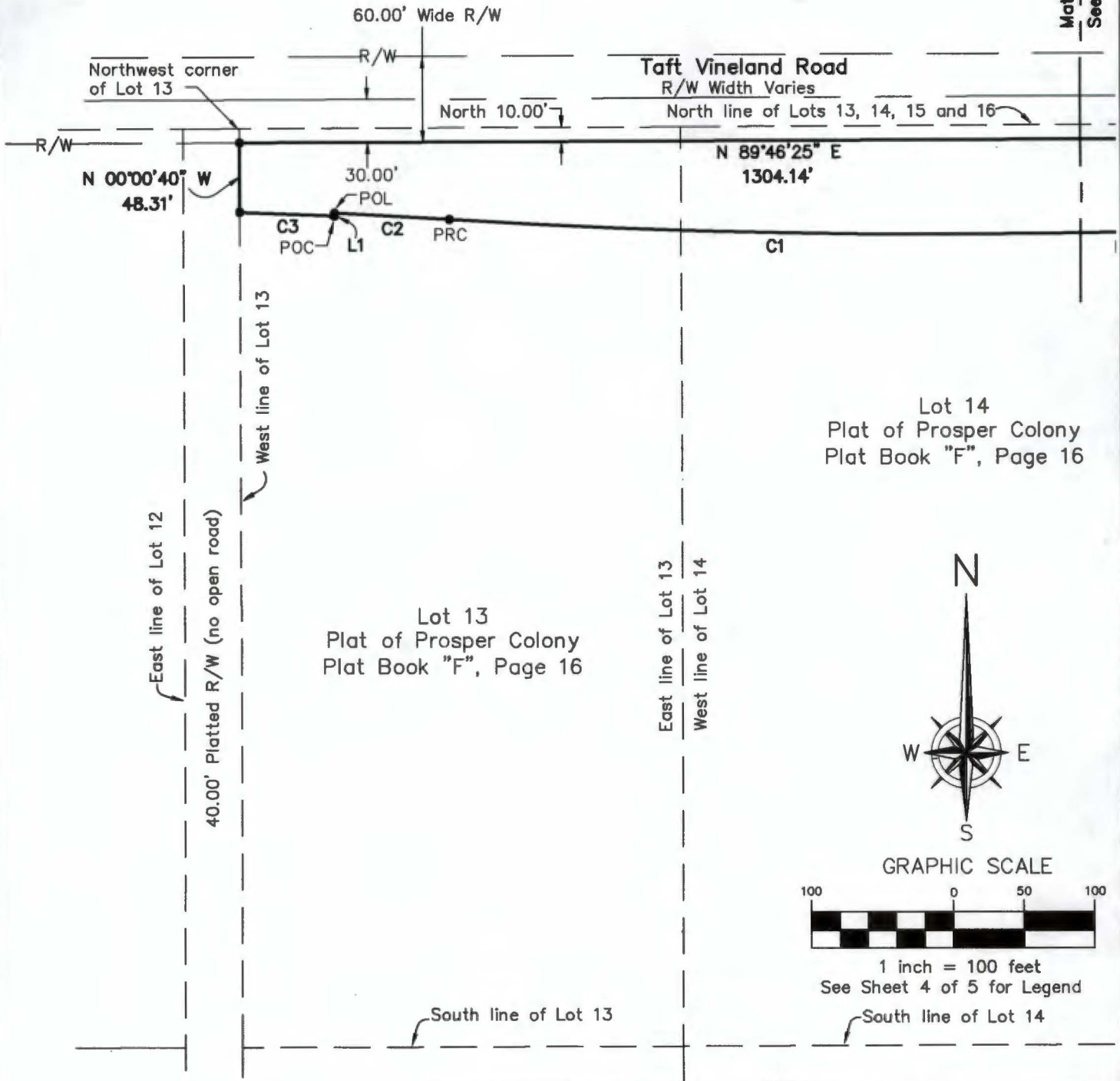


1 inch = 100 feet

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	<p>06/18/2021</p> <p>Date</p>	

Sketch and Description for Orange County Right of Way

Match Line C
See Sheet 4



GRAPHIC SCALE



1 inch = 100 feet
See Sheet 4 of 5 for Legend

Line Table		
LINE	Bearing	Distance
L1	S 02°40'28" W	2.00'

Curve Table					
Number	Radius	Delta	Length	Chord	Chord Bearing
C1	5781.58'	04°45'15"	479.73'	479.59'	N 88°52'55" W
C2	5677.58'	0°49'14"	81.31'	81.31'	N 86°54'54" W
C3	5675.58'	0°40'14"	66.43'	66.42'	N 87°39'39" W



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