



Orange County Government

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

Legislation Text

File #: 25-592, **Version:** 1

Interoffice Memorandum

DATE: April 1, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Mindy T. Cummings, Manager

FROM: Anmber Ayub, Program Manager

CONTACT: Mindy T. Cummings, Manager

PHONE: 407-836-7090

DIVISION: Real Estate Management Division

ACTION REQUESTED:

Approval and execution of Resolution of the Orange County Board of County Commissioners regarding repudiation of any interest in that certain Easement recorded as Document Number 20240567723 of the Public Records of Orange County, Florida, and approval of Utility Easement between Del Webb Oasis Homeowners Association, Inc. and Orange County, and authorization to record instruments for 14060 Lake Gifford Way Permit B21906058 OCU File #99570. District 1. **(Real Estate Management Division)**

PROJECT: 14060 Lake Gifford Way Permit B21906058 OCU File #99570

PURPOSE: To repudiate the County's interest in the Utility Easement conveyed without acceptance by the County and to now properly accept and record the Utility Easement to satisfy the condition of construction plan approval.

ITEM:

Resolution

Utility Easement

Cost: Donation

Total Size: 303 square feet

BUDGET: N/A

REVENUE: N/A

FUNDS: N/A

APPROVALS:

Real Estate Management Division
Utilities Department

REMARKS: Pulte Home Company, LLC (Developer) submitted an application for a commercial permit to the County. As a condition subsequent to the approval of their construction plans, the County requires a Utility Easement.

To satisfy the condition, on October 2, 2024, the Developer unilaterally recorded a utility easement (without acceptance by the Board), recorded in the public records of Orange County, Florida at Document No. 20240567723 (Easement). This Easement contained errors including an incorrect grantor, as well as a missing Parcel ID number.

As required by County regulation, the Board denies, repudiates, and disclaims any interest purportedly conveyed to the County by the Easement. This Resolution repudiates the County's interest in the property.

Subsequent to the Resolution, this Utility Easement is submitted to the Board for approval to satisfy the Developer's condition of approval.

Developer to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

APR 22 2025

**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 29-24-27-1950-18-002

Project: 14060 Lake Gifford Way Permit
B21906058 OCU File #99570

THIS IS A DONATION

UTILITY EASEMENT

THIS INDENTURE, made as of the date signed below, between Del Webb Oasis Homeowners Association, Inc. a Florida not for profit corporation, whose address is 4901 Vineland Road, Suite 500, Orlando, Florida 32811, 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 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

Project: 14060 Lake Gifford Way Permit B21906058 OCU File #99570

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: 14060 Lake Gifford Way Permit B21906058 OCU File #99570

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

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

WITNESS #1

Hannah Rose
Signature
Hannah Rose
Print Name

Mailing Address: 4401 Vineland Rd
City: Orlando State: FL
Zip Code: 32811

Del Webb Oasis Homeowners Association, Inc.,
a Florida not for profit corporation

By: [Signature]
Signature
MARY BURNS
Print Name

PRESIDENT
Title

WITNESS #2

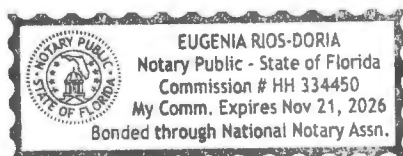
Lia Diaz
Signature
Lia Diaz
Print Name

Mailing Address: 4401 Vineland Rd
City: Orlando State: FL
Zip Code: 32811

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 5th day of MARCH, 2025, by MARY BURNS, as PRESIDENT, of Del Webb Oasis Homeowners Association, Inc., a Florida not for profit corporation, on behalf of the corporation. The individual ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Stamp)



[Signature]
Notary Signature
EUGENIA RIOS-DORIA
Print Notary Name
Notary Public of: STATE OF FLORIDA
My Commission Expires: 11/21/2026

PROJECT NAME: 14060 LAKE GIFFORD WAY
PERMIT NO.: B21906058

Exhibit A

LEGAL DESCRIPTION

NOT A SURVEY

A PORTION OF TRACT R-2, DEL WEBB OASIS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 110, PAGE 56 THROUGH 66 OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA AND LYING IN SECTION 29, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 107, DEL WEBB OASIS, ACCORDING TO SAID PLAT; THENCE RUN NORTH 65°20'45" EAST ALONG THE SOUTHERLY LINE OF LOT 107 FOR A DISTANCE OF 13.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY LINE RUN NORTH 65°20'45" EAST FOR A DISTANCE OF 15.00 FEET TO A POINT LYING 10.00 FEET WESTERLY OF (PERPENDICULAR MEASURE) THE EASTERLY LINE OF SAID TRACT R-2; THENCE DEPARTING SAID SOUTHERLY LINE RUN ALONG SAID PARALLEL LINE THE FOLLOWING COURSES; SOUTH 24°53'05" EAST FOR A DISTANCE OF 2.73 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 565.00 FEET, WITH A CHORD BEARING OF SOUTH 24°30'32" EAST, AND A CHORD DISTANCE OF 7.41 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°45'05" FOR A DISTANCE OF 7.41 FEET TO A POINT ON A NON-TANGENT LINE; THENCE DEPARTING SAID PARALLEL LINE, RUN SOUTH 65°52'00" WEST FOR A DISTANCE OF 15.00 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 550.00 FEET, WITH A CHORD BEARING OF NORTH 24°30'32" WEST, AND A CHORD DISTANCE OF 7.21 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°45'05" FOR A DISTANCE OF 7.21 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 24°53'05" WEST FOR A DISTANCE OF 2.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 151 SQUARE FEET, MORE OR LESS.

WE HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION REPRESENTED HEREON IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 472 FLORIDA STATE STATUTES.

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 SOUTHERLY LINE OF LOT 107, DEL WEBB OASIS, P.B. 110, PGS. 56-66 BEING NORTH 65°20'45" EAST. (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 #: 20190312
DATE: 11-30-23
SCALE: N/A

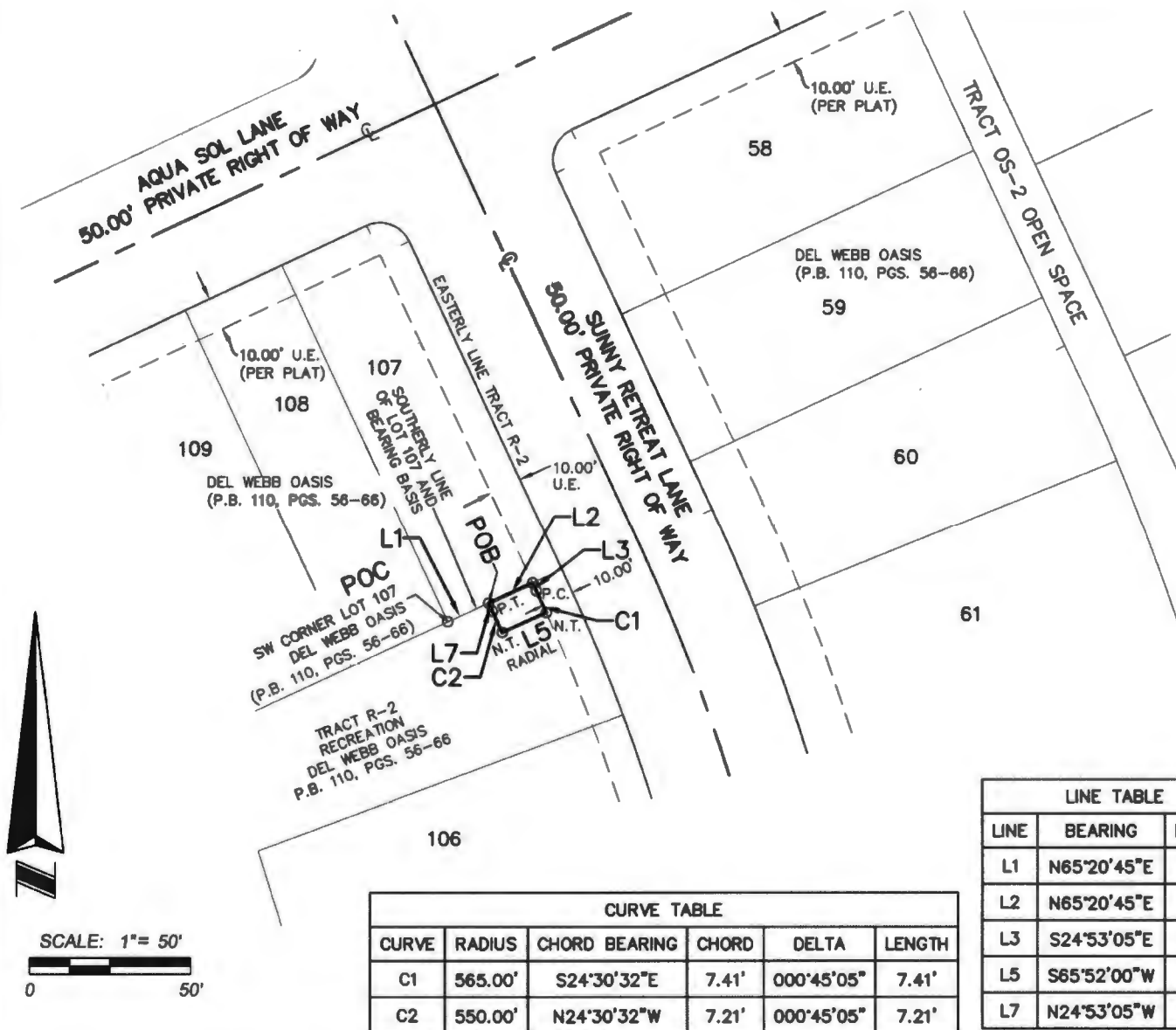
CALC BY: MR
DRAWN BY: PF
CHECKED BY: HF

FOR THE LICENSED BUSINESS #6723 BY:
Digitally signed by:
James L Rickman
Date: 2024.04.09
14:21:48 -04'00'
JAMES L. RICKMAN, P.S.M. #5833

PERMIT NO.: B21906058

SKETCH OF DESCRIPTION

NOT A SURVEY



SHEET 2 OF 2

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SYMBOL AND ABBREVIATION LEGEND:

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

Ⓢ CENTER LINE

PGS.	PAGES
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CALC BY: _____ MR

DRAWN BY: _____ PF

CHECKED BY: HF

PROJECT NAME: 14060 LAKE GIFFORD WAY

PERMIT NO.: B21906058

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COMMENCING AT THE NORTHEAST CORNER OF LOT 106, DEL WEBB OASIS, ACCORDING SAID PLAT; THENCE RUN SOUTH 69°42'17" WEST ALONG THE NORTHERLY LINE OF SAID LOT 106 FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHERLY LINE RUN SOUTH 69°42'17" WEST FOR A DISTANCE OF 15.00 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 550.00 FEET, WITH A CHORD BEARING OF NORTH 20°48'58" WEST, AND A CHORD DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID NORTHERLY LINE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°02'30" FOR A DISTANCE OF 10.00 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN NORTH 68°39'46" EAST FOR A DISTANCE OF 15.00 FEET TO A POINT 10.00 FEET WESTERLY OF (PERPENDICULAR MEASURE) THE EASTERLY LINE OF SAID TRACT R-2; BEING POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 565.00 FEET, WITH A CHORD BEARING OF SOUTH 20°48'58" EAST, AND A CHORD DISTANCE OF 10.27 FEET; THENCE RUN SOUTHWESTERLY ALONG A LINE PARALLEL WITH AND 10.00 FEET WESTERLY OF (PERPENDICULAR MEASURE) SAID WESTERLY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°02'30" FOR A DISTANCE OF 10.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 152 SQUARE FEET, MORE OR LESS.

WE HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION REPRESENTED HEREON IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 472 FLORIDA STATE STATUTES.

SHEET 1 OF 2
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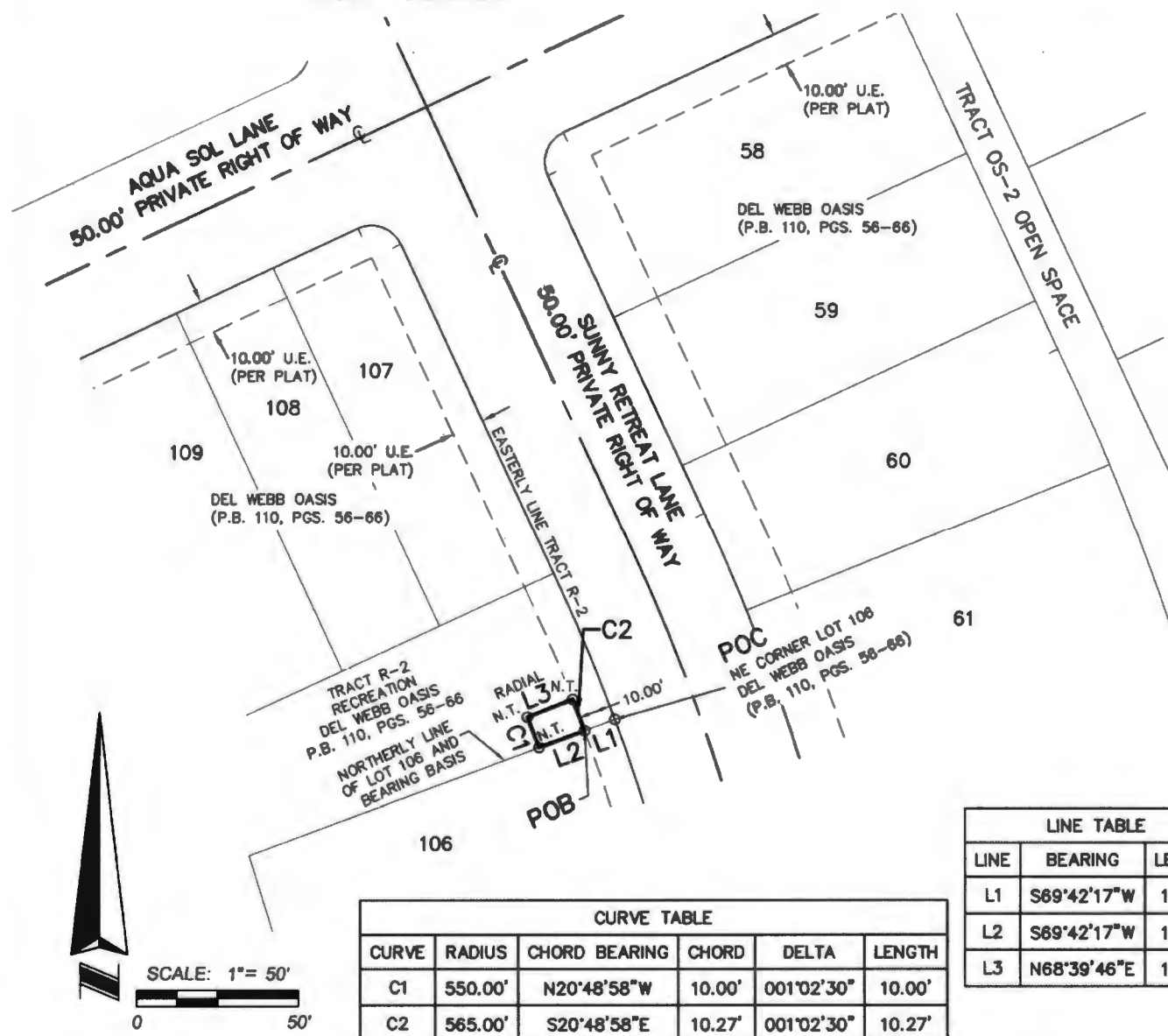
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SHEET 2 OF 2

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SYMBOL AND ABBREVIATION LEGEND:

¢ CENTER LINE

POC POINT OF COMMENCEMENT

U.E. UTILITY EASEMENT

PGS. PAGES

JOB #: 20190312

CALC BY: _____ MR _____

DATE: 11-30-23

DRAWN BY: PF

SCALE: 1"=50'

CHECKED BY: HF