



Orange County Government

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

Legislation Text

File #: 25-1050, **Version:** 1

Interoffice Memorandum

DATE: August 5, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Luciana Mino, Assistant Manager

FROM: Jeffrey Reyes, Senior Acquisition Agent

CONTACT: Faye Lee, Administrative Assistant

PHONE: 407-836-7097

DIVISION: Real Estate Management Division

ACTION REQUESTED:

Approval and execution of Limited Non-Exclusive License Agreement by and between Gary B. Krick, Individually, and as Trustee of the Gary B. Krick Trust dated August 22, 2024, as to a 50% interest, and James L. Petersen, as to his 50% interest, and Orange County, and authorization for the Manager or Assistant Manager of the Real Estate Management Division to exercise renewal options, execute termination notices, and furnish notices, required or allowed by the License Agreement, as needed for the All American Boulevard (Forest City Road to Clarcona-Ocoee Road) - Parcel 7030/7090. District 2. **(Real Estate Management Division)**

PROJECT: All American Boulevard (Forest City Road to Clarcona-Ocoee Road) - Parcel 7030/7090

PURPOSE: To provide for temporary access for construction.

ITEM:

License Agreement

Cost: Donation

Term: Seven years

BUDGET: N/A

REVENUE: None

FUNDS: N/A

APPROVALS:

Real Estate Management Division
Risk Management Division
Public Works Department

REMARKS: The Public Works Department is requesting this temporary access agreement for certain real property, identified as Parcel ID 33-21-29-0000-00-081 (Parcel 7030/7090). This access is needed for the purpose of constructing and connecting the driveway to All American Boulevard.

This License Agreement will not be recorded.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

AUG 05 2025

THIS INSTRUMENT PREPARED BY:

Richard Hainkel, 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 33-21-29-0000-00-081

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)

Instrument: 7030.1/7090.1

LIMITED NON-EXCLUSIVE LICENSE AGREEMENT

This Limited Non-Exclusive License Agreement (the "**License**") is entered into as of the Effective Date (defined below) by and between **Gary B. Krick**, Individually and as Trustee of the **Gary B. Krick Trust** dated August 22, 2024 as to a 50% (1/2) interest and **James L. Petersen**, a married man dealing in his sole and separate property as to his 50% (1/2) interest, as tenants in common, both parties hereafter referred to as (the "**Owner**") and **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, ("**County**") for the purposes set forth herein.

RECITALS

A. Owner owns certain real property located in Orange County, Florida, at 33-21-29-0000-00-081 and 6500 All American Boulevard, Orlando, Florida 32810 more specifically described in the attached **Exhibit A** (the "**Property**").

B. County has initiated a roadway project for improvements to All American Boulevard for that portion of the roadway between Forest City Road to Clarcona-Ocoee Road (the "**Project**").

C. The Property is adjacent to the Project and County has requested a license from the Owner for a right of entry to the Property to perform Work (defined below) on the Property for the benefit of the Owner and the Project.

D. Owner desires to grant this license to County for the performance of the Work within a portion of the Property, more specifically described in the attached **Exhibit B** (the "**Licensed Premises**").

NOW, THEREFORE, in consideration of the foregoing and of the terms and conditions set forth herein, the parties agree as follows:

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

1. Grant. Owner hereby grants to County, its employees, contractors, subcontractors, consultants, and agents (collectively, the “**Entrants**”) a non-exclusive license over, upon, and across the Licensed Premises for the purposes stated below, all subject to the terms, conditions and limitations set forth in this License.

2. Purpose of License. The purpose of this license is as follows:

a. Allow Entrants to access the Licensed Premises from the adjacent public right of way, known as All American Boulevard.

b. Allow Entrants to enter the Licensed Premises with equipment and machinery as may be necessary to complete the Work. This includes allowing Entrants to stage and store materials and equipment within the Licensed Premises while they are actively performing the Work.

c. Allow Entrants full authority for constructing, tying in and harmonizing the adjacent roadway with the driveway located within the Licensed Premises and remove the associated debris.

d. Allow Entrants to restore the Licensed Premises to a safe and sanitary condition in the same or similar condition as the one existing before the Entrants use of the Licensed Premises.

All of the activities conducted above by the Entrants shall be collectively referred to as the “**Work.**”

3. Term of License.

a. Term. Unless sooner terminated, the term of this License shall begin on the Effective Date and expire upon the completion of the Work or after seven (7) years, whichever occurs first (the “**Term**”).

b. Sale of Property. If Owner sells the Property prior to the expiration of the Term, this License shall automatically terminate.

c. County’s Termination. The grant of this License does not obligate the County to perform the Work. County may terminate its interest in this License by providing written notice to Owner as provided herein.

4. Notice. The parties agree that the following are the designated persons to receive notice for purposes of this License. Any notices which may be permitted or required under this License must be in writing, sent to the appropriate notice address(es) for such party set forth below, and will be deemed delivered, whether or not actually received, when delivered by hand delivery; when deposited in the United State Mail, postage prepaid, registered or certified mail, return receipt requested; or when delivered to a guaranteed overnight delivery service, such as Federal Express, for delivery not later than the next business day. Either party may change the address to which future notices shall be sent by notice given in accordance with this paragraph.

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

As to Owner:	with a copy to:
Gary B. Krick, Trustee, Gary B. Krick Trust 345 Magnolia Place DeBary, Florida 32713-3963 and James L. Petersen 705 N. Atlantic Avenue, Unit 804 New Smyrna Beach, Florida 32169-2463	
As to County:	with a copy to:
Orange County, Florida Real Estate Management Division Attn: Right of Way <u>Physical Address:</u> 400 E. South St., 5th Floor Orlando, Florida 32801 <u>Mailing Address:</u> P.O. Box 1393 Orlando, Florida 32802-1393	Orange County, Florida Public Works Department Attn: Chief Engineer, Engineering, Right-of-Way 4200 South John Young Parkway Orlando, Florida, 32839-9205

5. Miscellaneous.

a. Recitals; Exhibits. The foregoing recitals and referenced Exhibits are true and correct and are incorporated herein by reference.

b. License; No Grant of Easement. This License is intended and will be construed only as a temporary license to enter the Property for purposes of completing the Work, it is expressly stipulated that the License granted herein is for permissive use only and that any activity conducted by the Entrants within the Property pursuant to this License shall not operate to create or vest any easement, possessory interest, or other property right in County or anyone else.

c. Recording. The parties agree that this License shall not be recorded in the Public Records of Orange County, Florida.

d. Effective Date. The effective date of this Agreement (the “**Effective Date**”) shall be the later of: (i) the date this License is executed by Owner; **or** (ii) the date this License is approved and executed by the Orange County Board of County Commissioners.

e. Delegation of Authority. The Manager of the Orange County Real Estate Management Division is hereby delegated, on behalf of County, the authority to furnish notices as

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

contemplated herein, agree to and execute extensions to the Term of this License or terminate the County's interest in this License.


f. Entire Agreement; Modification. This License contains the entire agreement of the parties with respect to the subject matter hereof, and no representations, inducements, promises, or other agreements, oral, written, or otherwise, between the parties which are not embodied within this License shall be of any force or effect. No amendment to this License shall be binding upon any of the parties hereto unless such amendment is in writing and fully executed by all parties hereto.

SIGNATURES AND EXHIBITS TO FOLLOW

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

IN WITNESS WHEREOF, the parties have executed this Limited Non-Exclusive License Agreement as of the Effective Date.

OWNER:

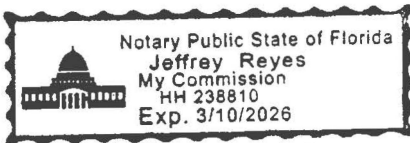


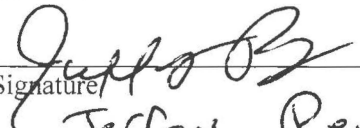
Gary B. Krick, Individually and as Trustee
of the Gary B. Krick Trust dated August 22,
2024

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 10 day of July, 2025, by **Gary B. Krick**, signing both Individually and as Trustee of the **Gary B. Krick Trust** dated August 22, 2024. The individual is personally known to me or has produced DRIVERS LICENSE as identification.

(Notary Stamp)





Notary Signature
Jeffrey Reyes

Print Notary Name
Notary Public of: Florida

My Commission Expires: 3/10/26

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OWNER SIGNATURES CONTINUED ON THE FOLLOWING PAGE

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

OWNER:

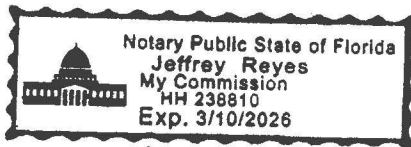


James L. Petersen

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 10 day of July, 2025, by **James L. Petersen**, a married man dealing in his sole and separate property. The individual is personally known to me or has produced DRIVERS LICENSE as identification.

(Notary Stamp)



Jeffrey Reyes
Notary Signature
Jeffrey Reyes
Print Notary Name
Notary Public of: FLORIDA
My Commission Expires: 3/10/26

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COUNTY SIGNATURE AND EXHIBITS TO FOLLOW

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1



COUNTY:

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners


for Jerry L. Demings
Orange County Mayor

Date:

08/05/2025
(mm/dd/yyyy)

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

BY:


Deputy Clerk

DAVID ROONEY
Printed Name

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

EXHIBIT A

The West 280 feet of the South one-half ($\frac{1}{2}$) of the Southeast one-quarter ($\frac{1}{4}$) of the Southwest one-quarter ($\frac{1}{4}$) of the Northeast one-quarter ($\frac{1}{4}$) of Section 33, Township 21, South, Range 29 East, Orange County, Florida; LESS the South 30 feet thereof for Road right-of-way, described as Parcel 1 (One) in that certain Warranty Deed recorded March 23, 2001, in Official Records Book 6220, Pages 1385 through 1387 of the Public Records of Orange County, Florida; and

LESS all that certain tract or parcel of land lying within said West 280 feet, described as commencing at the Southeast corner of the Northeast one-quarter ($\frac{1}{4}$); THENCE North $89^{\circ}54'10''$ West along the South line of the Northeast one-quarter ($\frac{1}{4}$) of said Section 33, a distance of 1,732.95 feet to a point; THENCE North $00^{\circ}22'52''$ West, a distance of 30.00 feet to a point on the northerly right-of-way line of All American Boulevard and the POINT OF BEGINNING; THENCE North $89^{\circ}54'10''$ West along said northerly right-of-way line, a distance of 280.01 feet to a point; THENCE North $00^{\circ}22'52''$ West, a distance of 10.85 feet to a point; THENCE South $89^{\circ}07'35''$ East, a distance of 123.93 feet to a point; THENCE North $89^{\circ}54'46''$ East, a distance of 156.10 feet to a point; THENCE South $00^{\circ}22'52''$ East, a distance of 9.68 feet to the POINT OF BEGINNING, said parcel of land containing 2,712 square feet, more or less, and further described as Schedule "A" Parcel No. 1090 in that certain Warranty Deed dated June 6, 2016, and recorded on August 8, 2016, in Official Instrument Number 20160405886 of the Public Records of Orange County, Florida.

Also known as 6500 All American Boulevard in Orlando, Florida 32810.

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

EXHIBIT B

SCHEDULE "A"

Parcel 7030

Description:

A part of the Northeast 1/4 of Section 33, Township 21 South, Range 29 East being more particularly described as follows:

Commence at the Southeast corner of the Northeast 1/4 of Section 33, Township 21 South, Range 29 East, thence run South 89 degrees 54' 04" East along the South line of said Northeast 1/4, a distance of 1732.95 feet; thence leaving said South line run North 00 degrees 22' 58" West a distance of 30.00 feet to the North right of way line of All American Boulevard; thence leaving said North right of way line continue North 00 degrees 22' 58" West 9.68 feet to the proposed right of way line of All American Boulevard as shown on the Kennedy Boulevard right of way map dated 2004; thence run South 89 degrees 54' 47" West a distance of 156.19 feet (156.10 feet as shown on said Kennedy Boulevard right of way map); thence run North 89 degrees 07' 35" West a distance of 51.36 feet to the POINT OF BEGINNING; thence run North 00 degrees 52' 25" East a distance of 15.00 feet; thence run South 89 degrees 07' 35" East a distance of 18.62 feet; thence run North 00 degrees 25' 10" West a distance of 9.14 feet; thence run South 89 degrees 03' 42" West a distance of 56.29 feet; thence run South 01 degrees 27' 58" East a distance of 22.38 feet; thence run South 89 degrees 07' 35" East a distance of 36.93 feet to the POINT OF BEGINNING.


Containing 1023 square feet, more or less.

REPRODUCTIONS OF THIS SURVEY ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

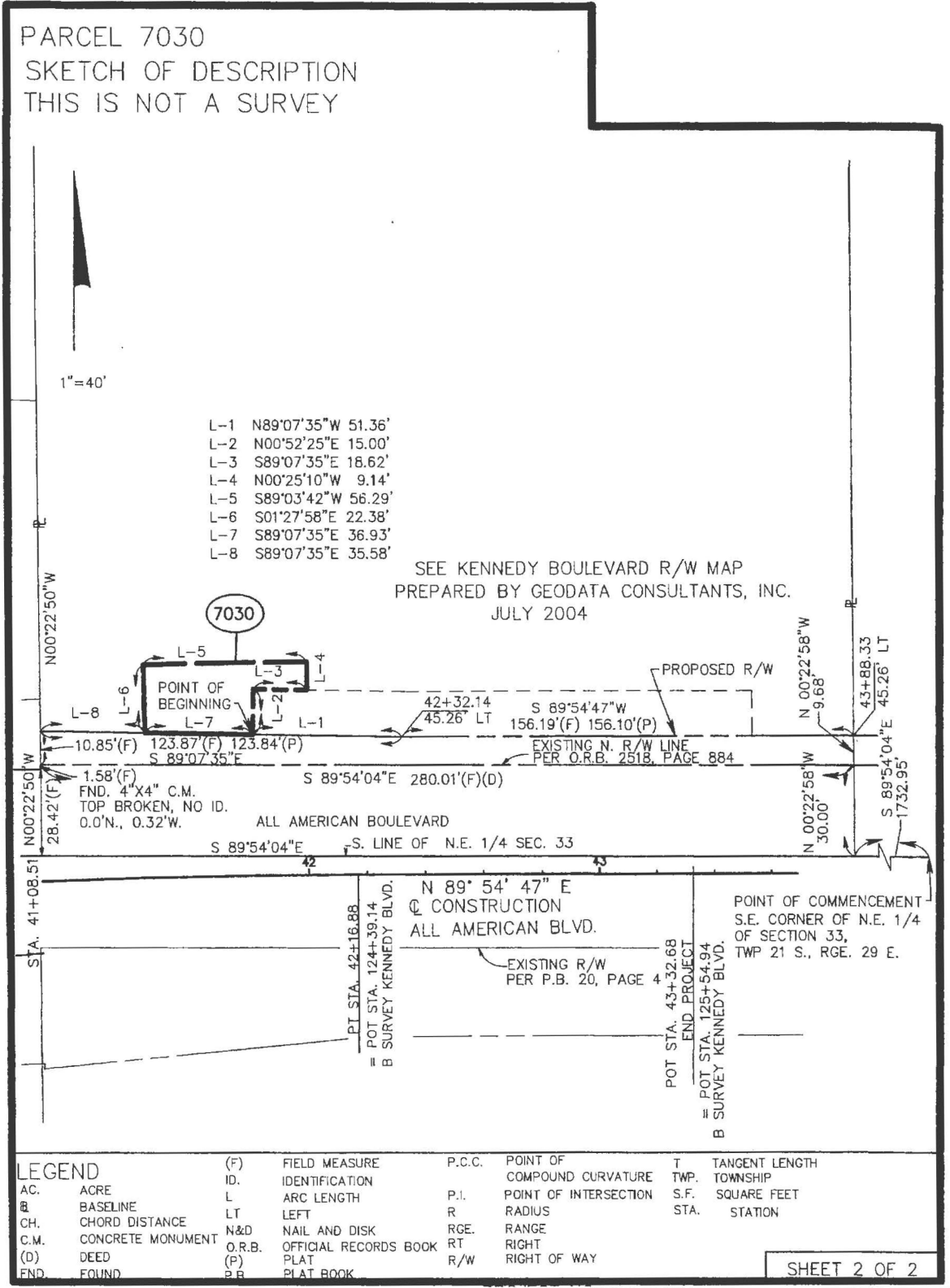
THIS IS NOT A SURVEY

COUNTY PROJECT NO. Y4-810-DB
 ROAD NAME: ALL AMERICAN BLVD.
 SEE COUNTY PROJECT NO. C.I.P. 3096
 ROAD NAME: KENNEDY BOULEVARD

Daniel A. Groves
 DANIEL A. GROVES, FLORIDA PROFESSIONAL SURVEYOR
 AND MAPPER NO. 4625
 METRIC ENGINEERING, INC. L.B. NO. 2294

	METRIC ENGINEERING, INC. ENGINEERS - PLANNERS - SURVEYORS 615 CRESCENT EXECUTIVE CT., SUITE 524, LAKE MARY, FLORIDA 32746 PHONE (407) 644-1898 FAX (407) 644-1921		SECTION 33 TOWNSHIP 21 SOUTH RANGE 29 EAST
	DRAWN BY: D.GROVES DRAWING DATE: MAY 7, 2009	CHECKED BY: D.GROVES DATE: JULY 10, 2009	PARCEL NO. 7030

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Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

SCHEDULE "A"

KENNEDY BOULEVARD
PARCEL No.: 7090
PURPOSE: TEMPORARY CONSTRUCTION
ESTATE: TEMPORARY EASEMENT

PARCEL 7090
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE N89°54'10"W ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1732.95 FEET TO A POINT; THENCE N00°22'52"W, A DISTANCE OF 39.68 FEET TO THE POINT OF BEGINNING; THENCE S89°54'46"W, A DISTANCE OF 34.90 FEET TO A POINT; THENCE N00°00'00"E, A DISTANCE OF 7.00 FEET TO A POINT; THENCE N89°54'46"E, A DISTANCE OF 34.85 FEET TO A POINT; THENCE S00°22'52"E, A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 244 SQUARE FEET MORE OR LESS.

GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE SURVEYOR HAS NOT ABSTRACTED THE LANDS SHOWN HEREON FOR EASEMENTS AND OR RIGHT-OF-WAY RECORDS.
3. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 29 EAST, BEING, NORTH 89°54'10" WEST, AN ASSUMED DATUM.
4. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
5. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

PAGE 1 OF 2

For: ORANGE COUNTY ENG. DEPT.
Date: SEPTEMBER 04, 2012
Project No.: 004-01
Drawn: PMM Chkd.: JMS

LEGAL DESCRIPTION
KENNEDY BOULEVARD



GEODATA CONSULTANTS, INC.
SURVEYING & MAPPING
2700 WESTHALL LANE
SUITE 137
MAITLAND, FLORIDA 32751
VOICE: (407) 660-2322 FAX: 660-8223

Project: All American Boulevard (Forest City Road to Clarcona-Ocoee Road)
Instrument: 7030.1/7090.1

