

#### Interoffice Memorandum

#### REAL ESTATE MANAGEMENT ITEM 11

DATE:

April 18, 2019

TO:

Mayor Jerry L. Demings

and the Board of County Commissioners

THROUGH:

Paul Sladek, Manager 735

Real Estate Management Division

FROM:

David L. Brown, Senior Title Examiner

Real Estate Management Division

CONTACT

PERSON:

Paul Sladek, Manager

**DIVISION:** 

Real Estate Management

Phone: (407) 836-7090

**ACTION** 

**REQUESTED:** 

Approval of Utility Easement from Beachline South Residential, LLC to

Orange County and authorization to record instrument

**PROJECT:** 

Dowden Road Segment 3 Permit #:16-U-081; OCU File #: 88186

District 4

**PURPOSE:** 

To provide for access, construction, operation, and maintenance of utility

facilities as a requirement of development.

ITEM:

**Utility Easement** 

Cost:

Donation

Total size: 7,282 square feet

**APPROVALS:** 

Real Estate Management Division

Utilities Department

**REMARKS:** 

Grantor to pay all recording fees.

#### THIS IS A DONATION

Project: Dowden Road Segment 3 Permit #:16-U-081; OCU File #: 88186

### **UTILITY EASEMENT**

THIS INDENTURE, Made this 29 day of ARCH, A.D. 20 19, between BEACHLINE SOUTH RESIDENTIAL, LLC, a Florida Limited Liability Company, whose address is 4901 Vineland Road, Suite 450 Orlando, FL 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 \$1.00 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"**

## Property Appraiser's Parcel Identification Number: a portion of

### 33-23-31-0000-00-010

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 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.

Project: Dowden Road Segment 3 Permit #:16-U-081; OCU File #: 88186

GRANTOR reserves the right to construct utilities, paved areas (such as roads, trails, and sidewalks), and landscaping within the easement area as shown in the Construction Plans for Dowden Road Segment 3, City of Orlando, Florida" ("Plans"), approved, stamped and signed by the Engineering Division of the Orange County Utilities Department on November 14, 2017 to the extent that such improvements do not materially interfere with GRANTEE'S rights hereunder.

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

Signed, sealed, and delivered	BEACHLINE SOUTH RESIDENTIAL, LLC,			
in the presence of:	a Florida Limited Liability Company			
Withest	By:			
Yours Base	Keins Teaca			
Printed Name	Frinted Name			
Witness Witness	Title PRESIDENT			
	THE			
Derek Lovett				
Printed Name				
(Signature of TWO witnesses required by Flor	rida lavv)			
(Signature of 1 WO withesses required by Pro-	ilda law)			
STATE OF FLORIDA				
COUNTY OF ORANGE				
The foregoing instrument was acknowledge	ed before me this 25 of MARCH, 2019, by			
KEITH TRACE, as	VICE PLASIDENT of Beachline South			
	ompany, on behalf of the limited liability company. He/She			
is personally known to me or I has pr	oduced as			
identification.				
	D. Kolon			
	Notary Signature			
(Notary Seal)	Dana Rolon			
DANA ROLON	200000000000000000000000000000000000000			
Notary Public – State of Florida Commission # GG 166959	Printed Notary Name Notary Public in and for			
My Comm. Expires Dec 18, 2021	the county and state aforesaid.			
	My commission expires: Dec 18, 2021			
This instrument prepared by:				
David L. Brown, a staff employee				

David L. Brown, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

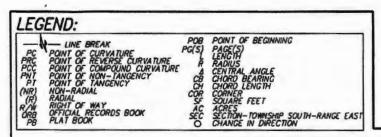
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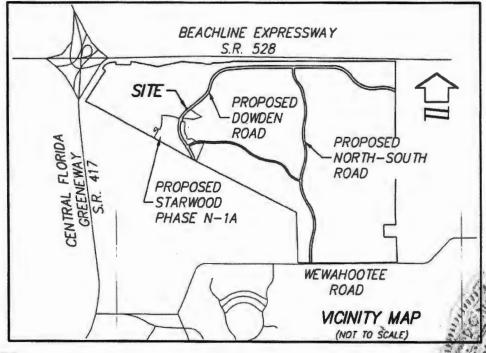
### EXHIBIT "A"

### SEE THE ATTACHED SKETCH

### OF DESCRIPTION

(10 pages)





SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THAT CERTAIN LINE BETWEEN THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST AND THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33, AS BEING S61"17"20"E.

2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.

3. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE. THIS IS NOT A BOUNDARY SURVEY.

SECTION TIES SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY BY DONALD W. MCINTOSH AND ASSOCIATES UNDER JOB #14153.002, DATED DECEMBER 22, 2016, PROVIDED TO THIS FIRM BY THE CLIENT.

WILLIAM D. DONLEY PROFESSIONAL SURVEYOR & LMAPPER LICENSE NUMBER LS 5381 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PROJECT NAME: DOWDEN ROAD SEGMENT 3 O.C. PROJECT NUMBER: 16-U-081

SHEET 1 OF 5

(SEE SHEET 2 FOR DESCRIPTION OF SKETCH) (SEE SHEETS 3-5 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

### SKETCH OF DESCRIPTION

-OF-- UTILITY EASEMENT FOR WATER, SEWER, AND REUSE STUBOUTS

(DOWDEN ROAD SEGMENT 3)

SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST

ORANGE COUNTY

FLORIDA

# Dewberry

131 WEST KALEY STREET ORLANDO, FLORIDA 32806 PHONE: 321.354.9826 Fax: 407.648.9104 WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

BEACHLINE SOUTH RESIDENTIAL, LLC

DATE: 10/23/18 REV DATE: 01/11/19 SCALE 1" = N/A

### LEGAL DESCRIPTION: UTILITY EASEMENT

A PORTION OF SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN S6177'20'E, ALONG A LINE BETWEEN SAID SOUTHWEST CORNER OF THE NORTHWEST 1/4 AND THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 5973.02 FEET; THENCE N22"12"36"W, A DISTANCE OF 370.48 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2145.98 FEET, A CENTRAL ANGLE OF 10'09'20", A CHORD BEARING OF N27"7'16"W AND A CHORD DISTANCE OF 379.87 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 380.37 FEET TO THE END OF SAID CURVE; THENCE NO9"53"07"W, A DISTANCE OF 85.30 FEET; THENCE N55"22"10"E, A DISTANCE OF 9.55 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1163.73 FEET, A CENTRAL ANGLE OF 03'30'39", A CHORD BEARING OF N57'07'29"E AND A CHORD DISTANCE OF 71.30 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 71.31 FEET TO THE END OF SAID CURVE: THENCE ALONG A RADIAL LINE, N31°07'11"W, A DISTANCE OF 90.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1253.73 FEET, A CENTRAL ANGLE OF 03'30'39", A CHORD BEARING OF S57'07'29"W AND A CHORD DISTANCE OF 76.81 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 76.82 FEET TO THE POINT OF TANGENCY; THENCE S55"22'10"W, A DISTANCE OF 13.60 FEET; THENCE N55"38'25"W, A DISTANCE OF 82.93 FEET: THENCE N34°32'46"W, A DISTANCE OF 273.96 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1131.16 FEET, A CENTRAL ANGLE OF 50'48'59", A CHORD BEARING OF N09'08'16"W AND A CHORD DISTANCE OF 970.68 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 1003.24 FEET TO THE END OF SAID CURVE; THENCE N41'07'51"E. A DISTANCE OF 85.31 FEET: THENCE N21'41'45"E. A DISTANCE OF 53.00 FEET: THENCE N01'11'06"E. A DISTANCE OF 81.99 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1131.16 FEET, A CENTRAL ANGLE OF 24"20"57", A CHORD BEARING OF N39"06"35"E AND A CHORD DISTANCE OF 477.11 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 480.71 FEET TO THE POINT OF TANGENCY; THENCE N51"7" O4"E, A DISTANCE OF 191.94 FEET; THENCE N5670'53"W, A DISTANCE OF 141.52 FEET; THENCE S5177'04"W, A DISTANCE OF 120.76 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S51"17"04"W, A DISTANCE OF 28.70 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1266.16 FEET, A CENTRAL ANGLE OF 00'30'48", A CHORD BEARING OF S51'01'40"W AND A CHORD DISTANCE OF 11.34 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 11.34 FEET TO THE END OF SAID CURVE; THENCE N38'36'55"W, A DISTANCE OF 10.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1276.16 FEET, A CENTRAL ANGLE OF 00°30'31", A CHORD BEARING OF N51°01'48"E AND A CHORD DISTANCE OF 11.33 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 11.33 FEET TO THE POINT OF TANGENCY; THENCE N51"17"04"E, A DISTANCE OF 28.70 FEET; THENCE S38"43"57"E, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 400 SQUARE FEET OR 0.009 ACRES, MORE OR LESS.

PROJECT NAME: DOWDEN ROAD SEGMENT 3 O.C. PROJECT NUMBER: 16-U-081

SHEET 2 OF 5

(SEE SHEET 1 FOR VICINITY MAP)
(SEE SHEETS 3-5 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

FOR WATER, SEWER, AND
REUSE STUBOUTS

(DOWDEN ROAD SEGMENT 3)

SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST

ORANGE COUNTY

FLORIDA



131 WEST KALEY STREET ORLANDO, FLORIDA 32806 PHONE: 321.354.9826 FAX: 407.648.9104 WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

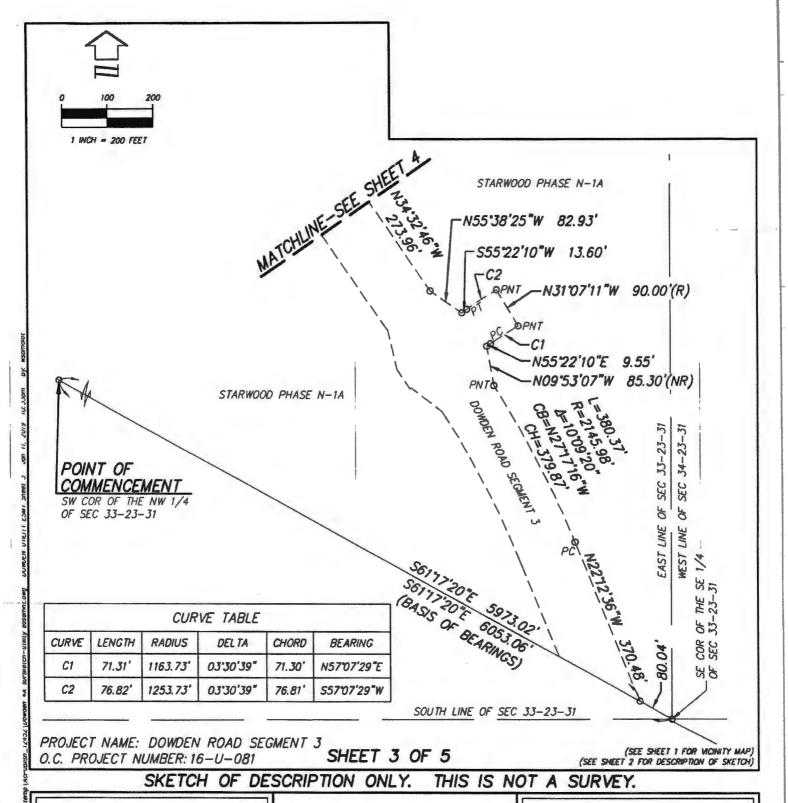
PREPARED FOR:

BEACHLINE SOUTH RESIDENTIAL, LLC

DATE: 10/23/18

REV DATE: 01/11/19

SCALE 1" = N/A



SKETCH OF DESCRIPTION

OF-UTILITY EASEMENT FOR WATER, SEWER, AND REUSE STUBOUTS

(DOWDEN ROAD SEGMENT 3)

SECTION JJ, TOWNSHIP 23 SOUTH, RANGE JI EAST

ORANGE COUNTY

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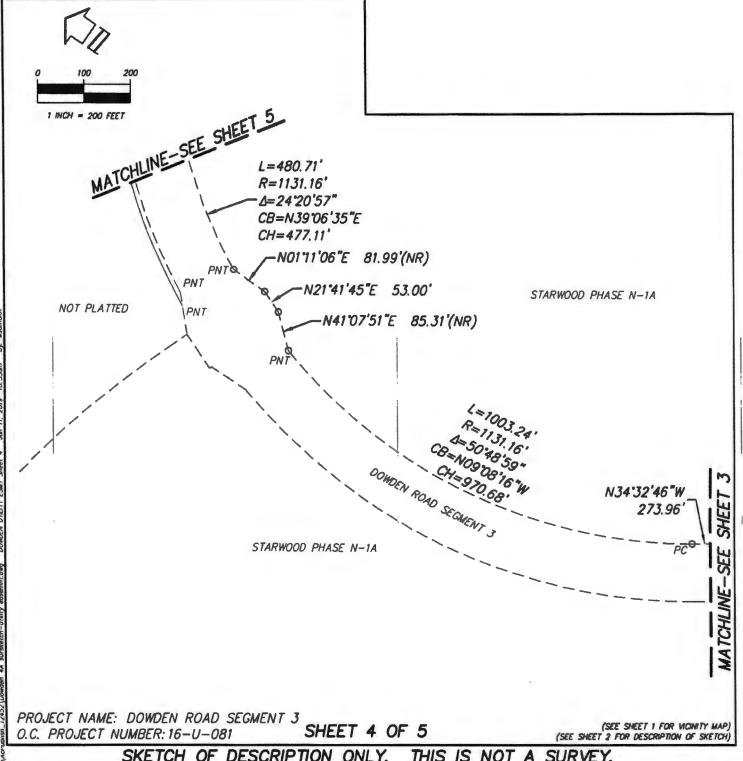
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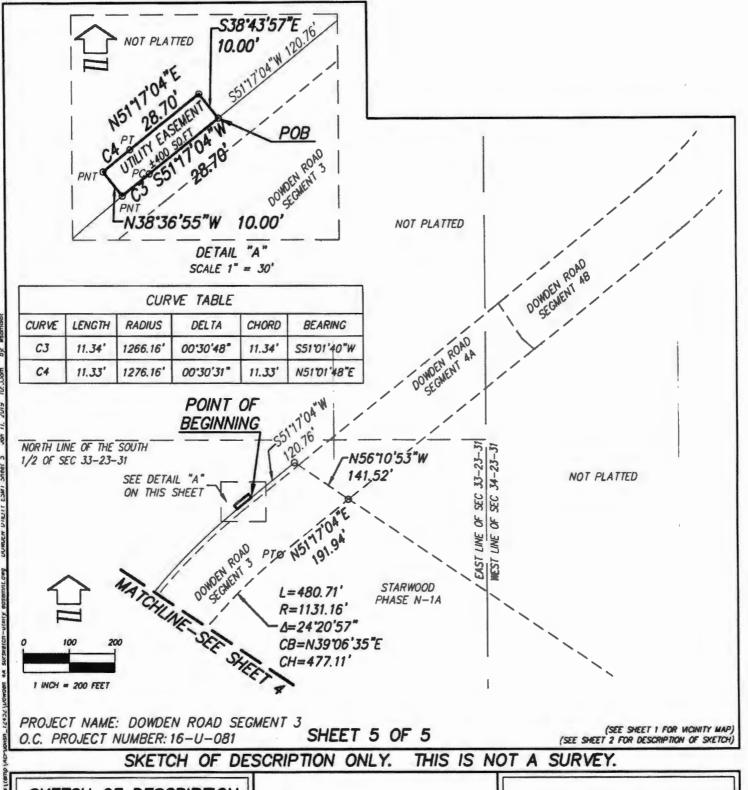
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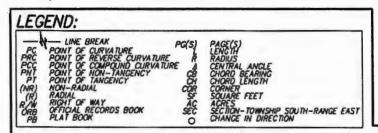
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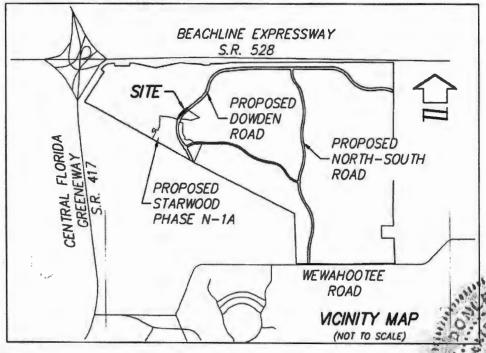
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LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.

THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS PROFESSIONAL SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN RULE

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PROFESSIONAL SURVEYOR & MAPPER

LICENSE NUMBER LS 5381 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PROJECT NAME: DOWDEN ROAD SEGMENT 3 O.C. PROJECT NUMBER: 16-U-081

SHEET 1 OF 5

(SEE SHEET 2 FOR DESCRIPTION OF SKETCH) (SEE SHEETS 3-5 FOR SKETCH OF DESCRIPTION)

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### SKETCH OF DESCRIPTION

-OF-

10' UTILITY EASEMENT FOR MULTIUSE TRAIL AND WET/DRY UTILITIES

(DOWDEN ROAD SEGMENT 3)

SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST

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PROJ: 50092308 DRAWN BY: WS

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CONTAINING: 6882 SQUARE FEET OR 0.158 ACRES, MORE OR LESS.

PROJECT NAME: DOWDEN ROAD SEGMENT 3 O.C. PROJECT NUMBER: 16-U-081

SHEET 2 OF 5

(SEE SHEET 1 FOR VICINITY MAP)
(SEE SHEETS 3-5 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

10' UTILITY EASEMENT FOR MULTIUSE TRAIL AND WET/DRY UTILITIES

(DOWDEN ROAD SEGMENT 3)

SECTION 33, TOWNSHIP 23 SOUTH, RANGE 31 EAST

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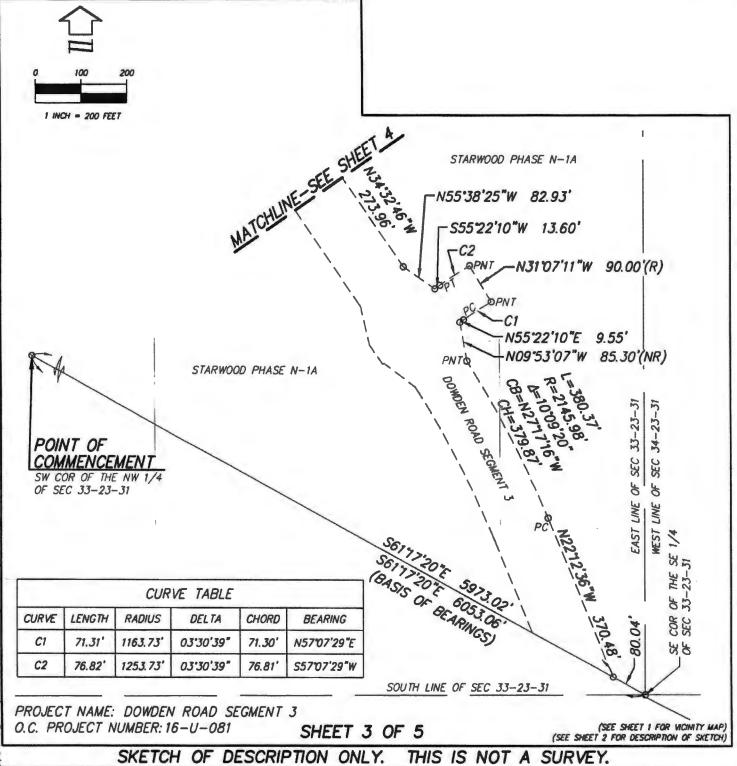
PREPARED FOR:

BEACHLINE SOUTH RESIDENTIAL, LLC

DATE: 10/23/18

REV DATE: 01/11/19

SCALE 1" = N/A



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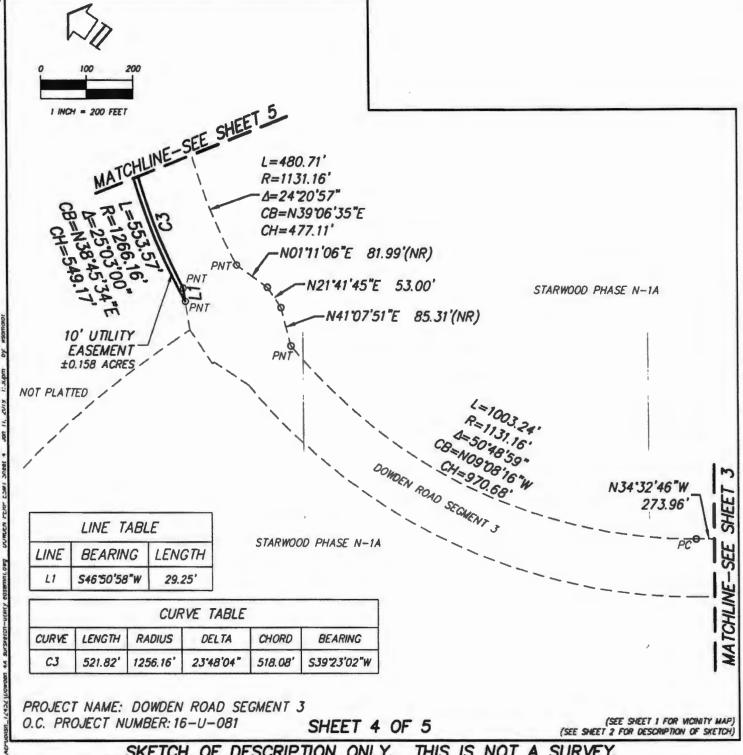
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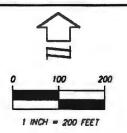
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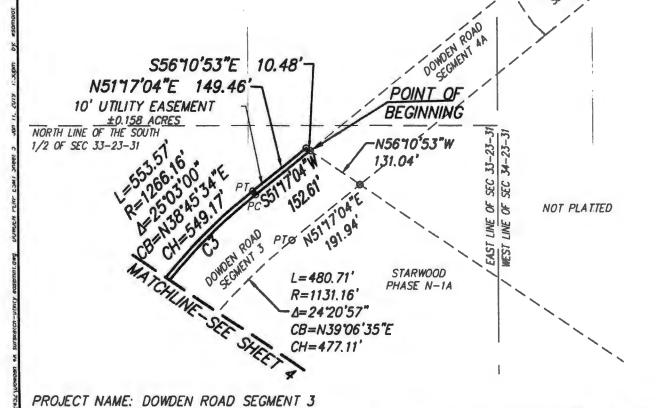
BEACHLINE SOUTH RESIDENTIAL, LLC

DATE: 10/23/18
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CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING	
C3	521.82'	1256.16	23°48'04"	518.08'	S39°23'02"W	

NOT PLATTED



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SHEET 5 OF 5

SKETCH OF DESCRIPTION

O.C. PROJECT NUMBER: 16-U-081

-OF-

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FLORIDA



### Dewberry

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**CERTIFICATE OF AUTHORIZATION NO. LB 8011** 

PREPARED FOR:

(SEE SHEET 1 FOR VICINITY MAP) (SEE SHEET 2 FOR DESCRIPTION OF SKETCH)

BEACHLINE SOUTH RESIDENTIAL, LLC

DATE: 10/23/18 REV DATE: 01/11/19 SCALE 1" = 200'