





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

DATE: January 25, 2019

TO: Mayor Jerry L. Demings
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager 
Real Estate Management Division

FROM: Theresa A. Avery, Senior Acquisition Agent 
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

DIVISION: Real Estate Management
Phone: (407) 836-7090

ACTION REQUESTED: Approval of Donation Agreement and Drainage Easement between Chad D. Holloway and Shelley Ruth Holloway and Orange County and Consent to Easement from Bank of America, N.A. and authorization to disburse funds to pay all recording fees and record instruments

PROJECT: Alley Street
District 1

PURPOSE: To provide for access, construction, operation, and maintenance of drainage facilities.

ITEMS: Donation Agreement (Parcel 8002)
Drainage Easement (Instrument 8002.1)
Cost: Donation
Size: 1,953 square feet
Consent to Easement (Instrument 8002.2)

BUDGET: Account No.: 1002-072-2908-6110

FUNDS: \$114.20 Payable to Orange County Comptroller
(all recording fees)

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: County to pay all recording fees.

Project: Alley Street
Parcel: 8002

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

FEB 12 2019

DONATION AGREEMENT

COUNTY OF ORANGE
STATE OF FLORIDA

THIS AGREEMENT made between Chad D. Holloway, joined by his spouse, Shelley Ruth Holloway, hereinafter referred to as OWNER, and Orange County, a charter county and political subdivision of the state of Florida, hereinafter referred to as COUNTY.

WITNESSETH:

WHEREAS, the COUNTY seeks to acquire the land described on Exhibit "A" attached hereto for construction and maintenance of the above referenced project and said OWNER agrees to donate said land for such purpose.

**Property Appraiser's Parcel Identification Number:
09-23-28-2196-03-081**

In consideration of the sum of One (\$1.00) Dollar, each to the other paid, the parties hereto agree as follows:

1. OWNER agrees to execute a Permanent Drainage Easement over said land, referred to as Parcel 8002 of the above referenced project, free and clear of all liens and encumbrances.
2. This transaction shall be closed and the easement and other closing papers delivered on or before 90 days from the effective date of this AGREEMENT. Closing shall take place at the office of the Orange County Real Estate Management Division, 400 E. South Street, Fifth Floor, Orlando, Florida 32801, or at such place as shall be mutually agreed upon by COUNTY and OWNER.
3. OWNER agrees to remove any personal items from said Parcel 8002 prior to closing. It is mutually agreed that any personalty not removed before this date shall be deemed abandoned and COUNTY, or its contractors, may remove and dispose of said personalty. The property owner will have no further claim or interest in said personalty after this date without a written agreement between the parties.
4. Effective Date: This AGREEMENT shall become effective on the date upon which it has been fully executed by the parties and approved by the Orange County Board of County Commissioners.
5. COUNTY shall not clear, remove, cut or otherwise damage the five trees identified as "to be preserved" on the drawing attached hereto as Exhibit "B" without the prior written consent of OWNER. COUNTY shall not be responsible if trees die naturally during the typical life cycle of said species, or if trees are damaged by storms or by flooding.

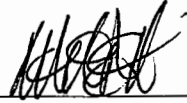
THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between OWNER and COUNTY, made with respect to the matters herein contained, and when duly executed constitutes the AGREEMENT between OWNER and

Project: Alley Street
Parcel: 8002

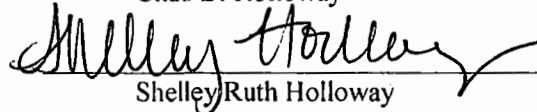
COUNTY. No additions, alterations, or variations to the terms of this AGREEMENT shall be valid, nor can provisions of this AGREEMENT be waived by either party unless expressly set forth in writing and duly signed.

The parties hereto have executed this AGREEMENT on the date(s) written below.

OWNER:



Chad D. Holloway

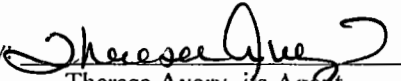


Shelley Ruth Holloway

Date: 12-27-18

COUNTY:

ORANGE COUNTY, FLORIDA

By 
Theresa Avery, its Agent

Date: 1/2/19

This instrument prepared by:
E. Price Jackson, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

EXHIBIT "A"

PARCEL: 8002
PROJECT: ALLEY STREET

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF LOT 11, BLOCK C, DOWNS COVE CAMP SITES AS RECORDED IN PLAT BOOK Q, PAGE 121 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 12, BLOCK C, DOWNS COVE CAMP SITES, AS RECORDED IN PLAT BOOK Q, PAGE 121 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING A FOUND PK NAIL, HEAD BROKEN AND NO IDENTIFICATION; THENCE NORTH 89°54'38" WEST ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 50.05 FEET TO THE NORTHEAST CORNER OF LOT 11, BLOCK C OF SAID DOWNS COVE CAMP SITES AND THE POINT OF BEGINNING, BEING A FOUND 3/4" IRON PIPE, NO IDENTIFICATION; THENCE SOUTH 00°00'41" EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 250.09 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE SOUTH 89°59'27" WEST ALONG THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°00'41" WEST ALONG A LINE 10 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 11, A DISTANCE OF 140.54 FEET TO A POINT; THENCE NORTH 89°59'19" EAST, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT; THENCE NORTH 00°00'41" WEST ALONG A LINE 5 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 11, A DISTANCE OF 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11; THENCE SOUTH 89°54'38" EAST ALONG SAID NORTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,953 SQUARE FEET, MORE OR LESS.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION
SEE SHEET 3 FOR CERTIFICATION, GENERAL NOTES, LEGEND AND ABBREVIATIONS

SHEET 1 OF 3

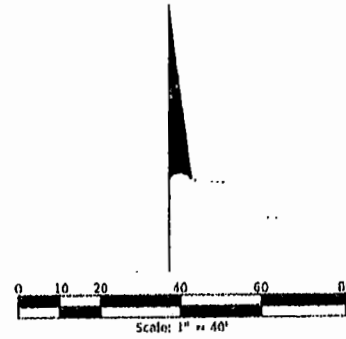
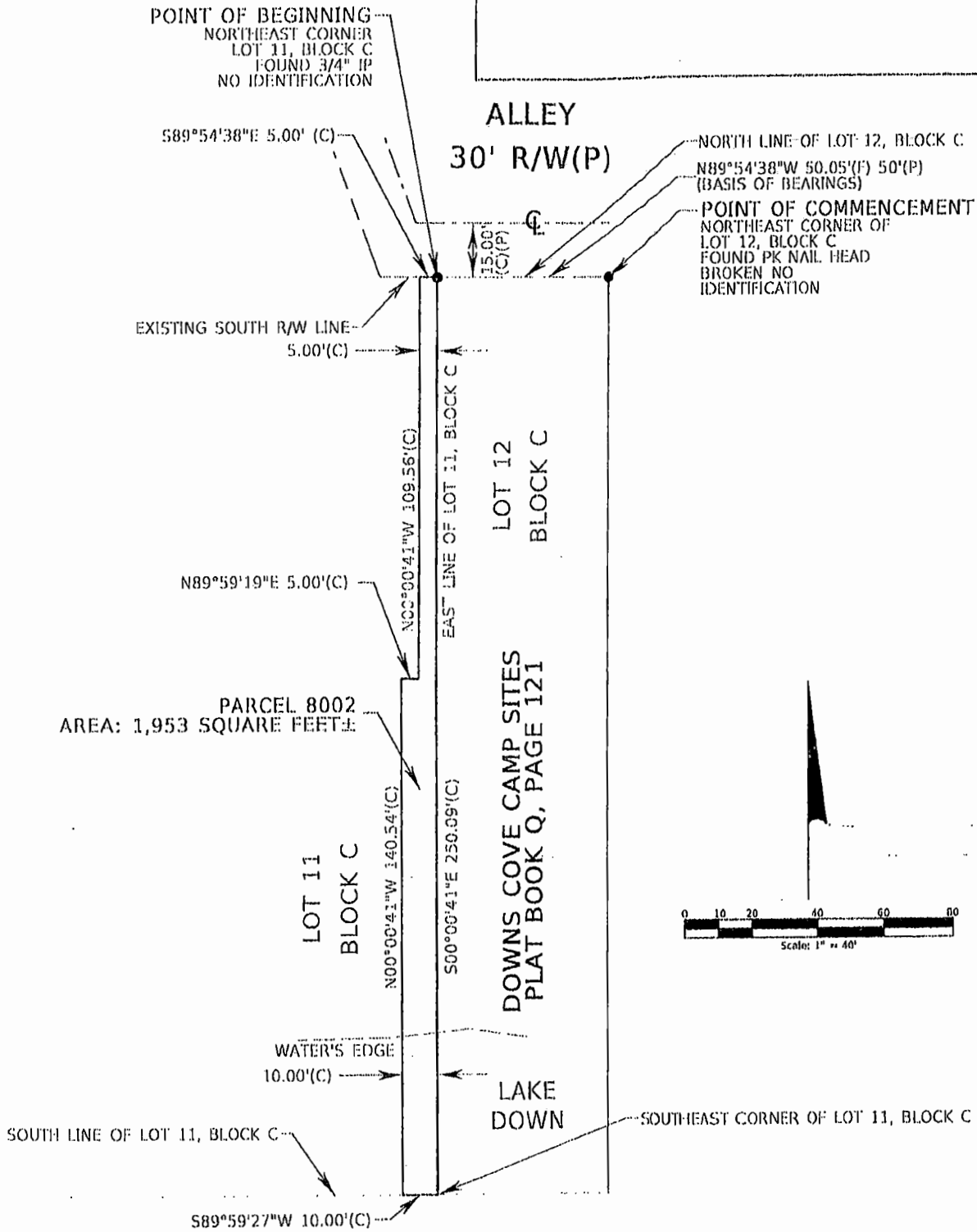
DATE: APRIL 13, 2017
PROJECT NO.: S23-37
DRAWN: AJH CHECKED: RJH/JMS

ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8002



GEODATA CONSULTANTS, INC.
SURVEYING & MAPPING
1349 S INTERNATIONAL PARKWAY
SUITE 2401
LAKE MARY, FLORIDA 32746
VOICE: (407) 732-6965 FAX: (407) 870-0843
LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION




SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 3 FOR CERTIFICATION, GENERAL NOTES, LEGEND AND ABBREVIATIONS

SHEET 2 OF 3

DATE: APRIL 13, 2017
PROJECT NO.: 523-37
DRAWN: AJH CHECKED: RJH/JMS

ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8002

 **GEODATA CONSULTANTS, INC.**
SURVEYING & MAPPING
1349 S INTERNATIONAL PARKWAY
SUITE 2401
LAKE MARY, FLORIDA 32746
VOICE: (407) 732-6965 FAX: (407) 870-0841
LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION

LEGEND AND ABBREVIATIONS


- (C) ≡ CALCULATED
- CL ≡ CENTERLINE
- (F) ≡ FIELD
- IP ≡ IRON PIPE
- (P) ≡ PLAT
- PK ≡ PARKER-KALON
- R/W ≡ RIGHT OF WAY
- ± ≡ MORE OR LESS
- NO. ≡ NUMBER

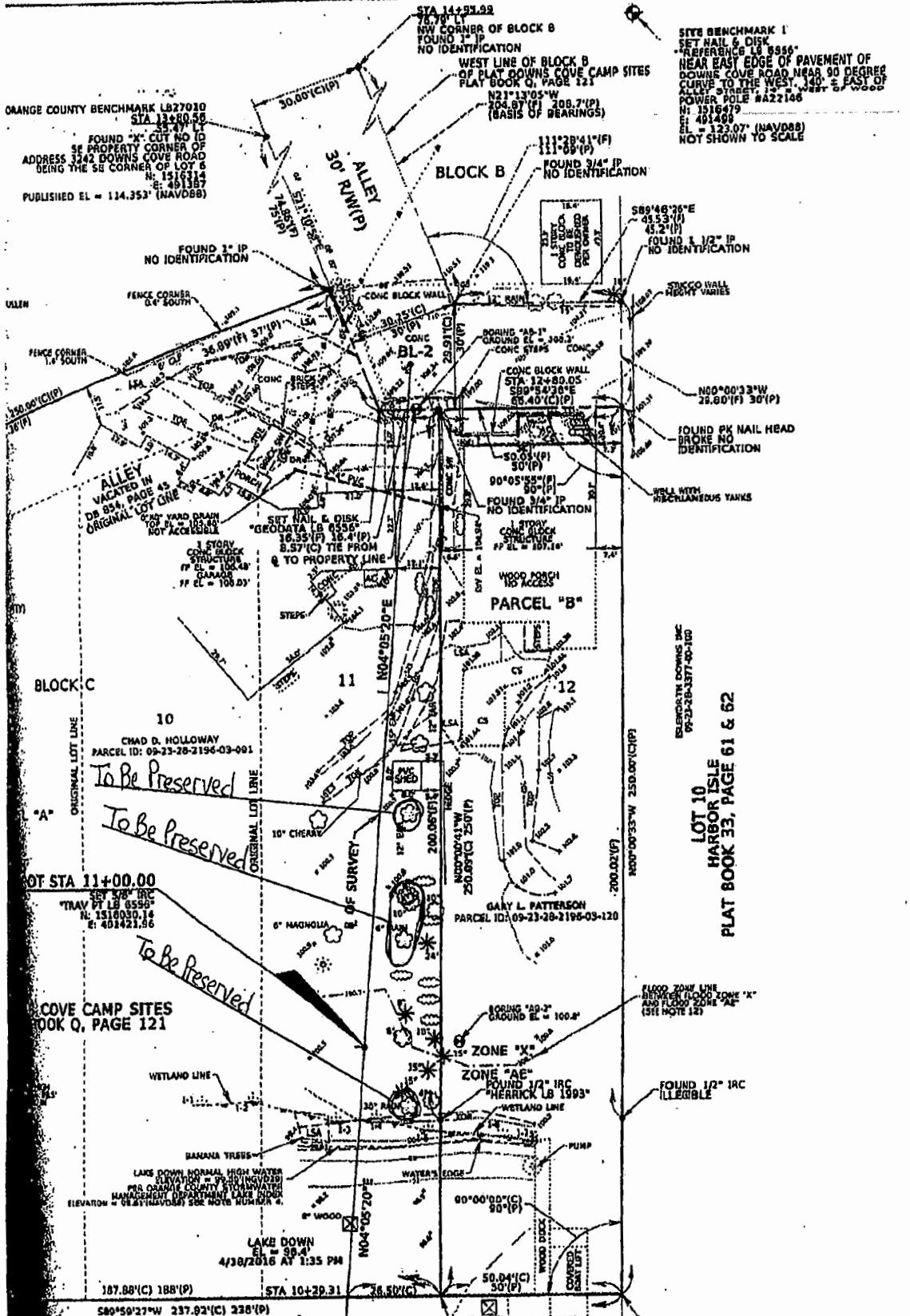
GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/2011 ADJUSTMENT (NAD83/11), EAST ZONE, WITH THE NORTH LINE OF LOT 12, BLOCK C, DOWNS COVE CAMP SITES, AS RECORDED IN PLAT BOOK Q, PAGE 121, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°54'38" WEST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. A CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED APRIL 18, 2016, FILE NUMBER 2037-542410, WAS REVIEWED BY THE SURVEYOR. EXCEPTIONS LISTED THEREIN (IF ANY) WHICH AFFECT THE PARCEL OF LAND DESCRIBED HEREON, WHICH CAN BE DELINEATED OR NOTED, ARE SHOWN HEREON.
6. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
7. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 3 OF 3

			<p style="font-size: small;">I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 473 OF THE FLORIDA STATUTES, SUBJECT TO NOTICE AND NOTATIONS SHOWN HEREON.</p> <p style="text-align: right;"><i>[Signature]</i> 6-5-2017 H. Paul deViverra, Professional Land Surveyor No. 4980 DATE</p>
REVISION	BY	DATE	
DATE: APRIL 13, 2017	ALLEY STREET AT LAKE DOWN DRAINAGE IMPROVEMENTS PROJECT PARCEL 8002		 <p>GEODATA CONSULTANTS, INC. SURVEYING & MAPPING 1349 S INTERNATIONAL PARKWAY SUITE 3401 LAKE MARY, FLORIDA 32746 VOICE: (407) 732-6965 FAX: (407) 878-0841 LAND SURVEYOR BUSINESS LICENSE NO. 6556</p>
DRAWN: AJH CHECKED: RJH/JMS			



807.7
123.1
804.1
807.1
15
804.1

Exhibit "B"

FEB 12 2019

THIS IS A DONATION

Instrument: 8002.1
Project: Alley Street

DRAINAGE EASEMENT

THIS INDENTURE, made the 27th day of December, 2018, between Chad D. Holloway, joined by his spouse, Shelley Ruth Holloway, of the county of Orange and state of Florida, GRANTORS 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 GRANTORS, in consideration of the sum of \$1.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, do hereby give and grant to the GRANTEE and its assigns an easement for drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility 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

09-23-28-2196-03-081

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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTORS, their heirs, successors, and assigns agree 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 drainage ditch, pipe, or facility; provided, however, that GRANTEE shall not clear, remove, cut, or otherwise damage the five (5) trees identified as "to be preserved" on the drawing attached hereto as EXHIBIT "B" without the prior written consent of GRANTORS. GRANTEE shall not be responsible if trees die naturally during the typical life cycle of said species, or if trees are damaged by storms or by flooding.

Instrument: 8002.1
Project: Alley Street

IN WITNESS WHEREOF, the said GRANTORS have hereto set their hands the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

T. Scott Frazier
Printed Name

[Signature]
Witness

Susan M. Miller
Printed Name

[Signature]
Chad D. Holloway

[Signature]
Shelley Ruth Holloway

3266 Downs Cove Rd.
Post Office Address

Windermere, FL 34786

(Signature of TWO Witnesses required by Florida Law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 27th day of December, 2018 by Chad D. Holloway, joined by his spouse, Shelley Ruth Holloway. They are personally known to me or have each produced n/a and n/a as identification.

Witness my hand and official seal this 27th day of December, 2018.

(Notary Seal)

[Signature]
Notary Signature

Susan M. Miller
Printed Notary Name

Notary Public in and for the County and State aforesaid



This instrument prepared by:
Theresa A. Avery, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

My commission expires:

EXHIBIT "A"

PARCEL: 8002
PROJECT: ALLEY STREET

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF LOT 11, BLOCK C, DOWNS COVE CAMP SITES AS RECORDED IN PLAT BOOK Q, PAGE 121 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 12, BLOCK C, DOWNS COVE CAMP SITES, AS RECORDED IN PLAT BOOK Q, PAGE 121 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING A FOUND PK NAIL, HEAD BROKEN AND NO IDENTIFICATION; THENCE NORTH 89°54'38" WEST ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 50.05 FEET TO THE NORTHEAST CORNER OF LOT 11, BLOCK C OF SAID DOWNS COVE CAMP SITES AND THE POINT OF BEGINNING, BEING A FOUND 3/4" IRON PIPE, NO IDENTIFICATION; THENCE SOUTH 00°00'41" EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 250.09 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE SOUTH 89°59'27" WEST ALONG THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°00'41" WEST ALONG A LINE 10 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 11, A DISTANCE OF 140.54 FEET TO A POINT; THENCE NORTH 89°59'19" EAST, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT; THENCE NORTH 00°00'41" WEST ALONG A LINE 5 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 11, A DISTANCE OF 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11; THENCE SOUTH 89°54'38" EAST ALONG SAID NORTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,953 SQUARE FEET, MORE OR LESS.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION
SEE SHEET 3 FOR CERTIFICATION, GENERAL NOTES, LEGEND AND ABBREVIATIONS

SHEET 1 OF 3

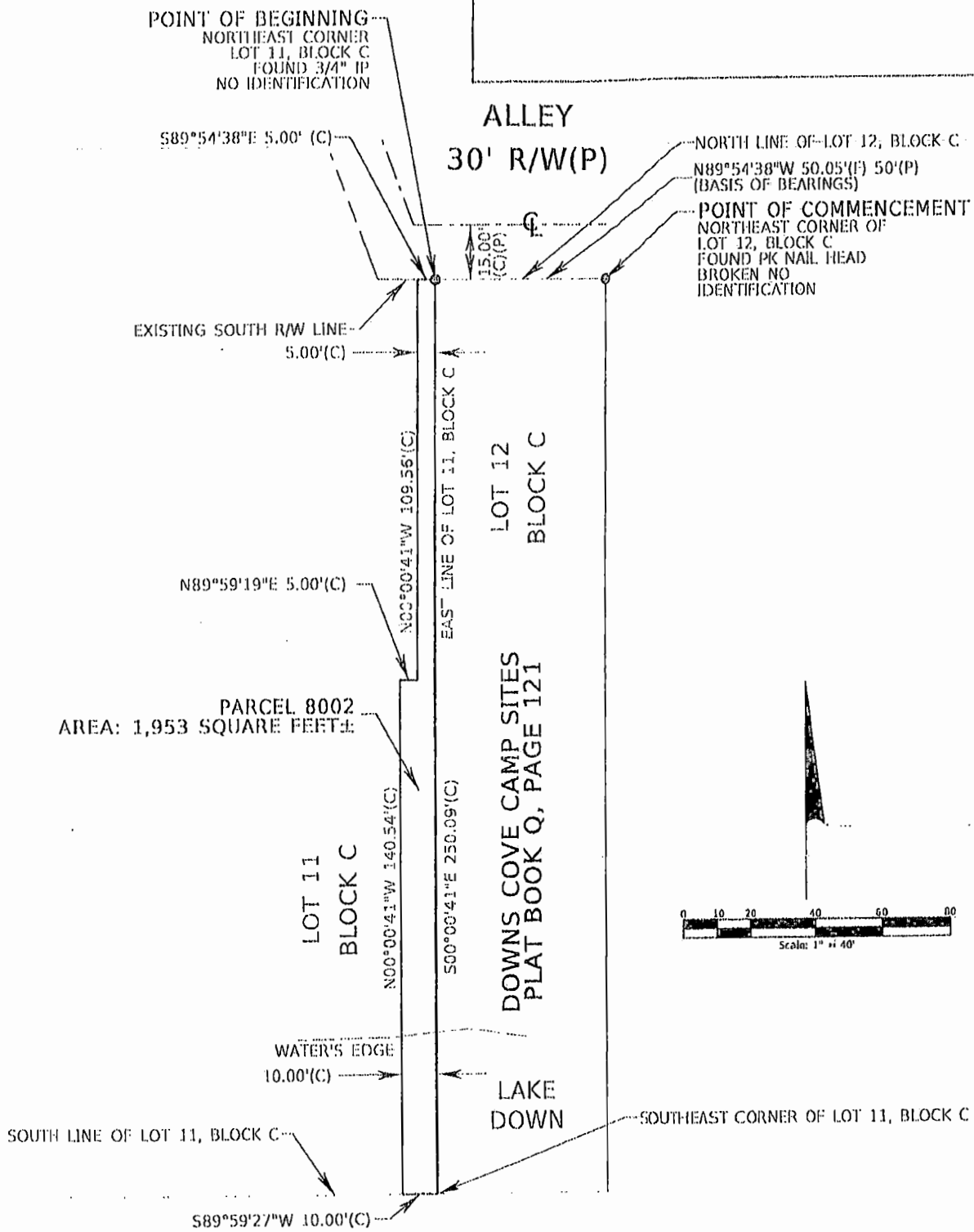
DATE: APRIL 13, 2017
PROJECT NO.: 523-37
DRAWN: AJH CHECKED: RJH/JMS

ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8002



GEODATA CONSULTANTS, INC.
SURVEYING & MAPPING
1349 S INTERNATIONAL PARKWAY
SUITE 2401
LAKE MARY, FLORIDA 32746
VOICE: (407) 732-6965 FAX: (407) 878-0843
LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION



SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 3 FOR CERTIFICATION, GENERAL NOTES, LEGEND AND ABBREVIATIONS

SHEET 2 OF 3

DATE: APRIL 13, 2017
PROJECT NO.: S23-37
DRAWN: AJH CHECKED: RHH/MS

ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8002



GEODATA CONSULTANTS, INC.
SURVEYING & MAPPING
1349 S INTERNATIONAL PARKWAY
SUITE 2401
LAKE MARY, FLORIDA 32746
VOICE: (407) 732-6965 FAX: (407) 878-0841
LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION

LEGEND AND ABBREVIATIONS

- (C) == CALCULATED
- C.L. == CENTERLINE
- (F) == FIELD
- IP == IRON PIPE
- (P) == PLAT
- PK == PARKER-KALON
- R/W == RIGHT OF WAY
- ± == MORE OR LESS
- NO. == NUMBER


GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/2011 ADJUSTMENT (NAD83/11), EAST ZONE, WITH THE NORTH LINE OF LOT 12, BLOCK C, DOWNS COVE CAMP SITES, AS RECORDED IN PLAT BOOK Q, PAGE 121, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°54'38" WEST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. A CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED APRIL 18, 2016, FILE NUMBER 2037-542410, WAS REVIEWED BY THE SURVEYOR. EXCEPTIONS LISTED THEREIN (IF ANY) WHICH AFFECT THE PARCEL OF LAND DESCRIBED HEREON, WHICH CAN BE DELINEATED OR NOTED, ARE SHOWN HEREON.
6. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
7. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 3 OF 3

			<p>I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.</p> <p style="text-align: right;"><i>[Signature]</i> 6-5-2017 H. Paul deViviera, Professional Land Surveyor No. 9980 DATE</p>
REVISION	BY	DATE	

DATE: APRIL 13, 2017 PROJECT NO.: 523-37 DRAWN: AJH CHECKED: RUI/JMS	ALLEY STREET AT LAKE DOWN DRAINAGE IMPROVEMENTS PROJECT PARCEL 8002	 GEODATA CONSULTANTS, INC. SURVEYING & MAPPING 1349 S INTERNATIONAL PARKWAY SUITE 2401 LAKE MARY, FLORIDA 32746 VOICE: (407) 732-6965 FAX: (407) 878-0841 LAND SURVEYOR BUSINESS LICENSE NO. 6556
--	--	--

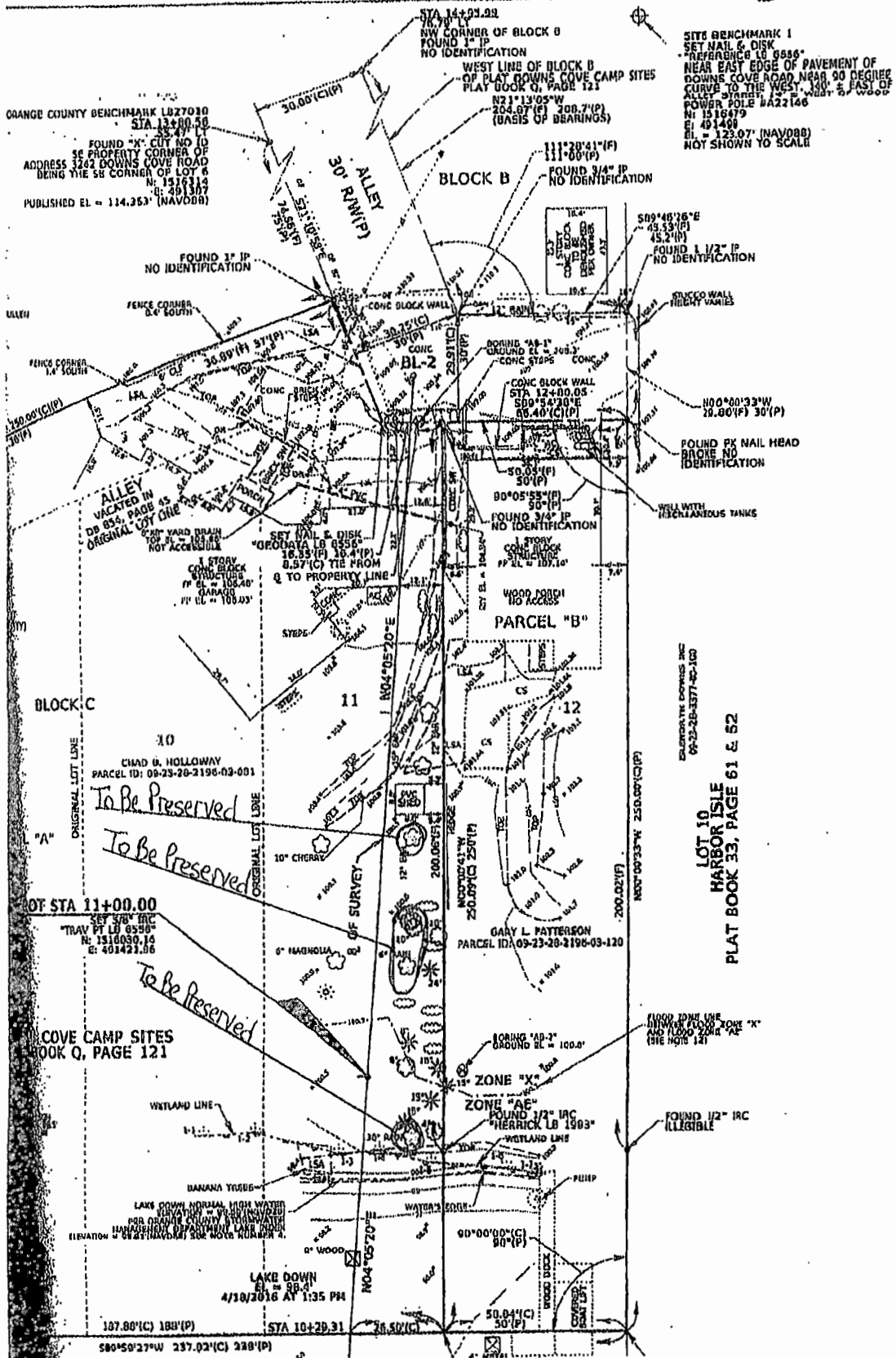


Exhibit "B"

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

FEB 12 2019

Document Prepared by:

Bank of America, N.A.
Partial Release Department

AND WHEN RECORDED, MAIL TO:

Bank of America
TX2-981-03-25
7105 Corporate Drive, Bldg B
Plano, TX 75024

CONSENT TO EASEMENT
MIN #100015700092263363
SIS # 888.679.6377

This Consent to Easement (the "Consent") is made this 17th day of December, 2018, by and between Mortgage Electronic Registration Systems, Inc. with the address of P.O. Box 2026 Flint, MI 48501-2026, as nominee for Bank of America, N.A. and its successors and assigns (the "Mortgagee") and Chad D Holloway, a/k/a Chad Holloway (the "Owner").

WITNESSETH

WHEREAS, the Owner desires to grant unto Orange County, a charter county and political subdivision ("Grantee") a Drainage Easement (the "Easement") over/under/across Owner's property located in Orange County, State of Florida (the "Property"). The Easement Agreement is attached hereto as Exhibit "A" and is incorporated herein by this reference.

WHEREAS, Owner granted a Mortgage to Mortgagee which was recorded on July 18, 2016 as Document No. 20160365987 in the official records of Orange County, State of Florida and which encumbers the Property.

WHEREAS, Owner has requested that the Mortgagee consent to Owner's grant of the Easement.

NOW THEREFORE, in and for valuable consideration, the receipt of which is hereby acknowledged, the Mortgagee consents to the Owner's grant of the Easement to Grantee and agrees that the Mortgage is subject to such Easement; provided however, that nothing contained in this provision shall operate to alter, change or modify the terms, provisions or conditions of the Mortgage, or any instrument described or referred to therein, or to release or affect the validity or priority of the lien, security interest and other rights of Mortgagee arising under or by virtue of the Mortgage. The lien, security interest and other rights of the Mortgagee to the Property by virtue of the Mortgage shall not be affected in any manner by the execution of this Consent other than to subordinate the lien to Grantee's rights under the Easement such that in the event the Mortgagee forecloses its lien, Grantee's rights under the Easement shall not be extinguished.

Witness the following signatures and seals:

Andrea Foss Witness
Andrea Foss 12/17/18

James Horn Witness
James Horn 12/17/18

Mortgage Electronic Registration Systems, Inc. as
nominee for Bank of America, N.A., and its
successors and assigns

Lisa M. Hill
Lisa M. Hill
Vice President



State of Texas
County of Collin

Certificate of Acknowledgment

This instrument was acknowledged before me on 12/17/2018 (date) by Lisa M. Hill, Vice President of Mortgage Electronic Registration Systems, Inc., a Delaware corporation, on behalf of said corporation, as nominee for Bank of America, N.A., and its successors and assigns.

Heather A. Vinas Signature of Notary
Title: Notary Public

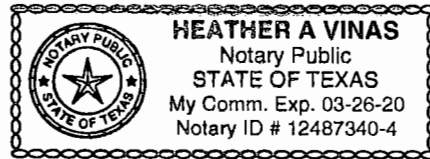


EXHIBIT "A"

THIS IS A DONATION

Instrument: 8002.1
Project: Alley Street

DRAINAGE EASEMENT

THIS INDENTURE, made the 1 day of 11, 2011, between Chad D. Holloway, joined by his spouse, Shelley Ruth Holloway, of the county of Orange and state of Florida, GRANTORS 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 GRANTORS, in consideration of the sum of \$1.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, do hereby give and grant to the GRANTEE and its assigns an easement for drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility 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

09-23-28-2196-03-081

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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTORS, their heirs, successors, and assigns agree 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 drainage ditch, pipe, or facility; provided, however, that GRANTEE shall not clear, remove, cut, or otherwise damage the five (5) trees identified as "to be preserved" on the drawing attached hereto as EXHIBIT "B" without the prior written consent of GRANTORS. GRANTEE shall not be responsible if trees die naturally during the typical life cycle of said species, or if trees are damaged by storms or by flooding.

Instrument: 8002.1
Project: Alley Street

IN WITNESS WHEREOF, the said GRANTORS have hereto set their hands the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness _____
Printed Name _____
Witness _____
Printed Name _____

Chad D. Holloway _____
Shelley Ruth Holloway _____
Post Office Address _____

(Signature of TWO Witnesses required by Florida Law)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by Chad D. Holloway, joined by his spouse, Shelley Ruth Holloway. They are personally known to me or have each produced _____ and _____ as identification.

Witness my hand and official seal this _____ day of _____, 20____.

(Notary Seal)

Notary Signature _____
Printed Notary Name _____
Notary Public in and for the County and State aforesaid

This instrument prepared by:
Theresa A. Avery, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

My commission expires:

EXHIBIT "A"

PARCEL: 8002
PROJECT: ALLEY STREET

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF LOT 11, BLOCK C, DOWNS COVE CAMP SITES AS RECORDED IN PLAT BOOK Q, PAGE 121 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 12, BLOCK C, DOWNS COVE CAMP SITES, AS RECORDED IN PLAT BOOK Q, PAGE 121 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING A FOUND PK NAIL, HEAD BROKEN AND NO IDENTIFICATION; THENCE NORTH 89°54'38" WEST ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 50.05 FEET TO THE NORTHEAST CORNER OF LOT 11, BLOCK C OF SAID DOWNS COVE CAMP SITES AND THE POINT OF BEGINNING, BEING A FOUND 3/4" IRON PIPE, NO IDENTIFICATION; THENCE SOUTH 00°00'41" EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 250.09 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE SOUTH 89°59'27" WEST ALONG THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°00'41" WEST ALONG A LINE 10 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 11, A DISTANCE OF 140.54 FEET TO A POINT; THENCE NORTH 89°59'19" EAST, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 5.00 FEET TO A POINT; THENCE NORTH 00°00'41" WEST ALONG A LINE 5 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 11, A DISTANCE OF 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11; THENCE SOUTH 89°54'38" EAST ALONG SAID NORTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,953 SQUARE FEET, MORE OR LESS.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION
SEE SHEET 3 FOR CERTIFICATION, GENERAL NOTES, LEGEND AND ABBREVIATIONS

SHEET 1 OF 3

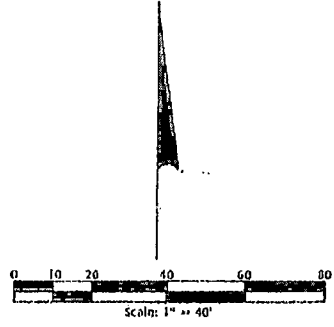
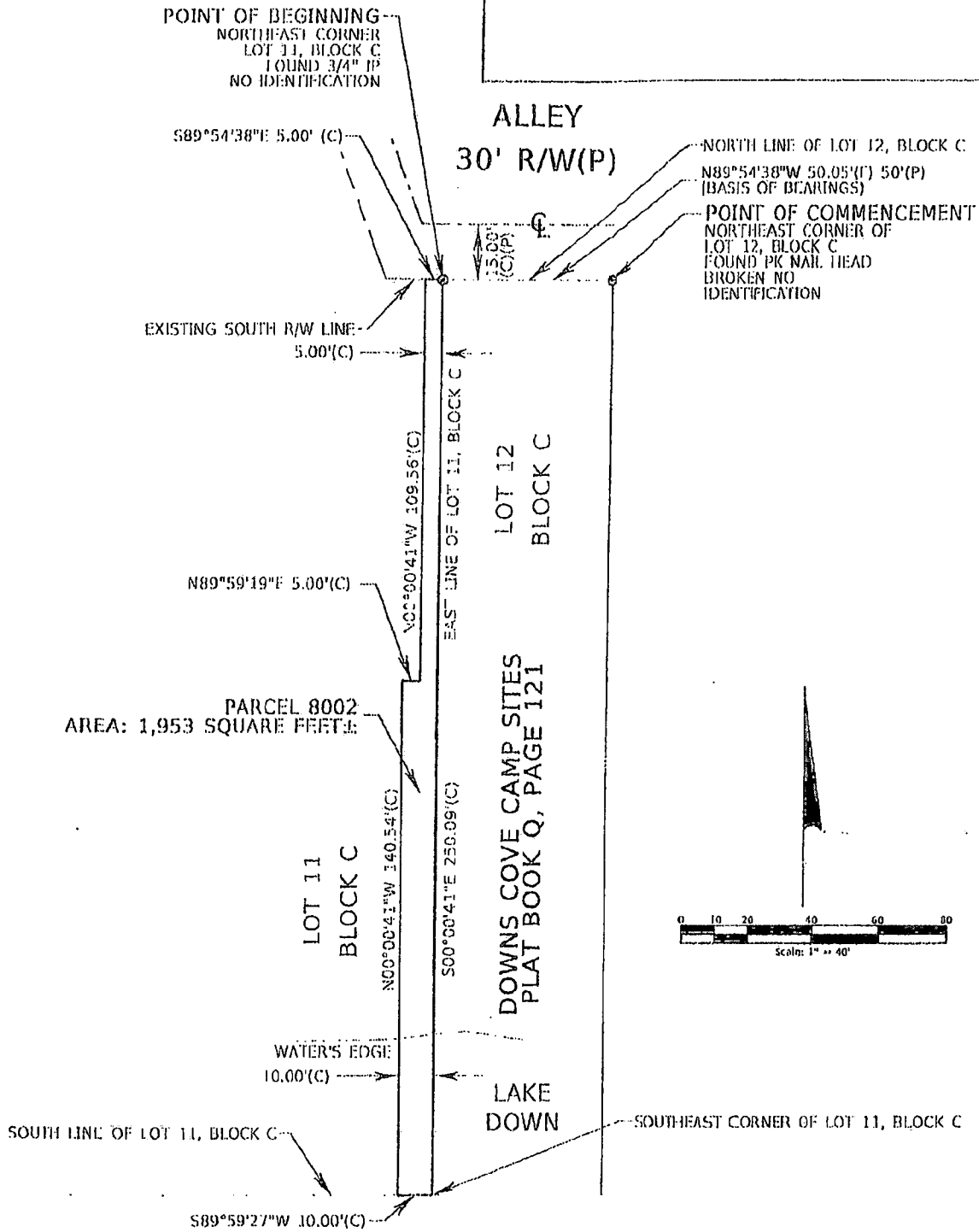
DATE: APRIL 13, 2017
PROJECT NO.: 523-37
DRAWN: AJH CHECKED: BHW/JMS

ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8002



GEODATA CONSULTANTS, INC.
SURVEYING & MAPPING
1349 S INTERNATIONAL PARKWAY
SUITE 2403
LAKE MARY, FLORIDA 32746
VOICE: (407) 732-6985 FAX: (407) 878-0841
LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION



SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST

SEE SHEET 1 FOR LEGAL DESCRIPTION

SEE SHEET 3 FOR CERTIFICATION, GENERAL NOTES, LEGEND AND ABBREVIATIONS

SHEET 2 OF 3

DATE: APRIL 13, 2017
PROJECT NO.: 523-37
DRAWN: AJH CHECKED: RHH/MS

ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8002



GEODATA CONSULTANTS, INC.
SURVEYING & MAPPING
1349 S INTERNATIONAL PARKWAY
SUITE 2401
LAKE MARY, FLORIDA 32746
VOICE: (407) 732-6965 FAX: (407) 878-0841
LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION

LEGEND AND ABBREVIATIONS

- (C) = CALCULATED
- CL = CENTERLINE
- (F) = FIELD
- IP = IRON PIPE
- (P) = PLAT
- PK = PARKER-KALON
- R/W = RIGHT OF WAY
- ± = MORE OR LESS
- NO. = NUMBER

GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/2011 ADJUSTMENT (NAD83/11), EAST ZONE, WITH THE NORTH LINE OF LOT 12, BLOCK C, DOWNS COVE CAMP SITES, AS RECORDED IN PLAT BOOK Q, PAGE 121, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°54'38" WEST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. A CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED APRIL 18, 2016, FILE NUMBER 2037-542410, WAS REVIEWED BY THE SURVEYOR. EXCEPTIONS LISTED THEREIN (IF ANY) WHICH AFFECT THE PARCEL OF LAND DESCRIBED HEREON, WHICH CAN BE DELINEATED OR NOTED, ARE SHOWN HEREON.
6. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
7. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 3 OF 3


REVISION	BY	DATE

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 473 OF THE FLORIDA STATUTES, SUBJECT TO NOTES AND MODIFICATIONS SHOWN HEREON.

[Signature] 6-15-2017
H. Paul deViverra, Professional Land Surveyor No. 4990 DATE

DATE: APRIL 13, 2017
PROJECT NO.: S23-37
DRAWN: AJH CHECKED: RJJ/JMS

ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8002

 **GEODATA CONSULTANTS, INC.**
SURVEYING & MAPPING
1349 5 INTERNATIONAL PARKWAY
SUITE 3401
LAKE MARY, FLORIDA 32746
VOICE: (407) 732-6965 FAX: (407) 878-0844
LAND SURVEYOR BUSINESS LICENSE NO. 6556

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

Under Ordinance Approval

Date: January 16, 2019

Total Amount: \$114.20

Project: Alley Street

Parcel: 8002

Charge to Account # 1002-072-2908-6110

[Signature] 1-17-19
Controlling Agency Approval Signature Date
Michael Baker Project Manager
Printed Name

[Signature] 1-17-19
Fiscal Approval Signature Date
Pat Davis
Printed Name

TYPE TRANSACTION (Check appropriate block(s))
 Pre-Condensation Post-Condensation X N/A District # 1

 Acquisition at Approved Appraisal
 Acquisition at Below Approved Appraisal
 Acquisition at Above Approved Appraisal
X Advance Payment Requested

Orange County Comptroller
\$114.20 All Recording fees

DOCUMENTATION ATTACHED (Check appropriate block(s))

X Contract/ Agreement
X Copy of Executed Instruments
 Certificate of Value
X Settlement Analysis

Payable to: Orange County Comptroller \$114.20

IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by [Signature] 01/17/2019
Theresa A. Avery, Sr. Acquisition Agent, Real Estate Management Division Date

Payment Approved [Signature] 1/17/19
Paul Sladek, Manager, Real Estate Management Division Date

or
Payment Approved _____
Russell Corriveau, Asst. Mgr. Real Estate Management Div. Date

Certified [Signature] FEB 12 2019
Approved by BCC for Deputy Clerk to the Board Date

Examined/Approved _____
Comptroller/Government Grants Check No. / Date

REMARKS:
Anticipated Closing Date: As soon as checks are available.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
FEB 12 2019

Project: Alley Street
Parcel No.: 8002
Name of Owner(s): Chad D. Holloway, joined by his spouse, Shelley Ruth Holloway
Page No.: 1

SETTLEMENT ANALYSIS

 Pre-Condemnation
 X Not Under Threat

EXPLANATION OF RECOMMENDED SETTLEMENT

The Alley Street Project is a pre-existing drainage system which improves the drainage by directing the run-off water from Alley Street to Lake Down. The easement runs along the east line of Lot 11, Block C of DOWNS COVE CAMP SITES, recorded in Plat Book Q, Page 121. The easement contains 1,953 square feet and is located in Section 09, Township 23 South, Range 28 East. The property is being donated to the County by the property owner's Chad D. Holloway, joined by his spouse, Shelley Ruth Holloway. I recommend and approve this Donation.

Recommended by: Theresa A. Avery Date: 1/25/19
Theresa A. Avery, Senior Acquisition Agent, Real Estate Management Division

Recommended by: Robert K. Babcock Date: 1/25/19
Robert K. Babcock, Acquisition Supervisor, Real Estate Management Division

Approved by: Paul Sladek Date: 1/25/19
Paul Sladek, Manager, Real Estate Management Division

or
Approved by: _____ Date: _____
Russell Corriveau, Assistant Manager, Real Estate Management Division