



## Interoffice Memorandum

### REAL ESTATE MANAGEMENT ITEM 9

**DATE:** December 29, 2021

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**THROUGH:** Mindy T. Cummings, Manager  
Real Estate Management Division *WATC.*

**FROM:** Aida Ortiz, Acquisition Agent  
Real Estate Management Division *AO/MTC*

**CONTACT PERSON:** **Mindy T. Cummings, Manager**

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

**ACTION REQUESTED:** Approval of Drainage and Access Easement and Temporary Construction Easement between RaceTrac, Inc. and Orange County, approval of Subordination of Encumbrance to Property Rights to Orange County from RaceTrac Petroleum, Inc. to Orange County, Florida, and authorization to disburse funds to pay all recording fees and to record the instrument

**PROJECT:** Taft-Vineland Road (Orange Blossom Trail to Orange Avenue)  
  
District 4

**PURPOSE:** To acquire right of way rights for the widening of Taft Vineland road.

**Interoffice Memorandum**  
**Real Estate Management Division**  
**Agenda Item 9**  
**December 29, 2021**  
**Page 2 of 2**

**ITEMS:** Drainage and Access Easement  
(Instrument 822.1)  
Cost: Donation  
Size: 11,040.2 square feet

Temporary Construction Easement  
(Instrument 722.1)  
Cost: Donation  
Size: 2,979 square feet

Subordination of Encumbrance to Property Rights to Orange County  
(Instrument 122.6/822.6)  
RaceTrac Petroleum, Inc.

**BUDGET:** Account No.: 1033-072-3037-6110

**FUNDS:** \$133.40 Payable to Orange County Comptroller  
(for recording fees)

**APPROVALS:** Real Estate Management Division  
Public Works Department

**REMARKS:** The acquisition of the Drainage and Access Easement, Temporary Construction Easement, and Subordination of Encumbrance to Property Rights to Orange County will facilitate right of way access and construction for widening of Taft Vineland road.

Orange County to pay all recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JAN 11 2022

Instrument: 822.1

Project: Taft Vineland Road (Orange Blossom Trail to Orange Avenue)

### **DRAINAGE AND ACCESS EASEMENT**

THIS INDENTURE, made as of the date signed below, between RaceTrac, Inc., a Georgia Corporation, f/k/a RaceTrac Petroleum, Inc. whose address is 200 Galleria Parkway, Suite 900, Atlanta Georgia 30339, 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, a nonexclusive easement for drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may reasonably 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 SCHEDULE "A"**

**Property Appraiser's Parcel Identification Number(s):**

**a portion of 12-24-29-7340-01-000**

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 all vegetation, and other obstructions that may interfere with normal operation or maintenance of the drainage ditch, pipe, or facility, within the herein granted easement, and the GRANTOR, its 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. After the construction on the Parcel is completed the GRANTEE shall restore all vegetation to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

GRANTEE may at any time increase its use of the easement, change the location of ditches, pipes, or other facilities within the boundaries of the easement, or modify the size of existing ditches, pipes, 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.

Instrument: 822.1

Project: Taft Vineland Road (Orange Blossom Trail to Orange Avenue)

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

Signed, sealed and delivered  
in the presence of:

RaceTrac, Inc.,  
a Georgia Corporation

Witness

John Paul Hoover

Printed Name

Witness

Tommy Pease

Printed Name

BY:

Max McBrayer

Printed Name

Chief Executive Officer

Title

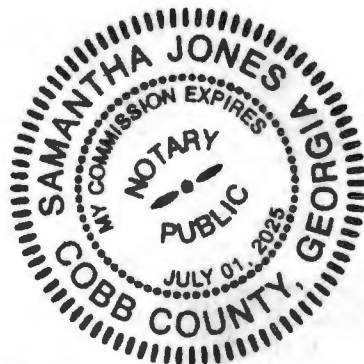
(Signature of **TWO** witnesses required by Florida law)

STATE OF Georgia

COUNTY OF Cobb

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 18<sup>th</sup> day of November, 2021, by Max McBrayer as CEO, of RaceTrac, Inc., a Georgia Corporation, on behalf of the corporation. He/She ☒ is personally known to me or ☐ has produced N/A as identification.

(Notary Seal)



Notary Signature

Samantha Jones

Printed Notary Name

Notary Public in and for  
the County and State aforesaid.

My commission expires: 7/1/2025

This instrument prepared by:  
Anmber Ayub, 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

## SKETCH & DESCRIPTION

PROJECT: TAFT VINELAND DRAINAGE AND  
ACCESS EASEMENT PARCEL 822  
SECTION 12  
TOWNSHIP 24 SOUTH  
RANGE 29 EAST

DRAWN BY: JFM

### DESCRIPTION:

A strip of land being a portion of Lot 1, RACETRAC - TAFT VINELAND A REPLAT according to the plat thereof as recorded in Plat Book 106, Pages 35-36, of the Public Records of Orange County, Florida, being described as follows:

Commence at the Northwest corner of Tract 1, RACETRAC - TAFT VINELAND A REPLAT according to the plat thereof as recorded in Plat Book 106, Pages 35-36, of the Public Records of Orange County, Florida, for a Point of Reference, said point on the Southerly Right of Way of Taft Vineland Road; Thence run South 15°17'31" West, along the West line of Lot 1, RACETRAC - TAFT VINELAND A REPLAT according to the plat thereof as recorded in Plat Book 106, Pages 35-36, of the Public Records of Orange County, Florida, a distance of 41.30 feet to the **POINT OF BEGINNING** and a point on a non-tangent curve concave Southwesterly; Thence run Southeasterly along said curve having a radius length of 2,633.00 feet, a central angle of 00°19'41", an arc length of 15.08 feet, a chord length of 15.08 feet and a chord bearing of South 80°29'01" East to a point; Thence run South 15°17'31" West, non-tangent to said curve a distance of 467.11 feet; Thence run South 05°34'41" West a distance of 279.84 feet, to a point on the Southerly line of aforesaid Lot 1, also being a point on a non-tangent curve concave Northeasterly; Thence run Northwesterly along said curve having a radius length of 598.69 feet, a central angle of 02°39'15", an arc length of 27.73 feet, a chord length of 27.73 feet and a chord bearing of North 27°10'09" West; Thence run North 05°34'41" East a distance of 257.80 feet to the aforesaid West line of Lot 1; Thence run North 15°17'31" East a distance of 466.87 feet to the **POINT OF BEGINNING**.

The above described strip of land lies in the City of Orlando, Orange County, Florida, and contains 11,040.2 Square Feet, MORE or LESS.

SPACE ABOVE RESERVED FOR RECORDING INFORMATION



*Mark A. Daynes*  
Mark A. Daynes,  
REGISTERED LAND SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479  
DATE: 10/25/2021

I HEREBY AFFIRM THAT THIS SKETCH REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SKETCH HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C., PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES. NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### LEGEND

•	= CHANGE IN DIRECTION, NO POINT SET
POB	= POINT OF BEGINNING
POC	= POINT OF COMMENCEMENT
PB	= PLAT BOOK
PG. / PGS.	= PAGE / PAGES
ORB	= OFFICIAL RECORDS BOOK
R	= RADIUS
R/W	= RIGHT OF WAY
L	= ARC LENGTH
Δ	= CENTRAL ANGLE
NO.	= NUMBER
N.T.	= NON TANGENT

### Surveyors Notes:

1. This is not a Boundary Survey.
2. Bearings based on the West line of Lot 1, Racetrac- Taft Vineland, as recorded in Plat Book 106, Pages 35 and 36, Public Records of Orange County, Florida, Being North 15°17'31" East.

ORANGE COUNTY PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION



SHEET 1 of 2

4200 S. JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
407-836-7908

A.A 11/5/2021

# SKETCH & DESCRIPTION

PROJECT: TAFT VINELAND DRAINAGE AND  
ACCESS EASEMENT PARCEL 822  
SECTION 12  
TOWNSHIP 24 SOUTH  
RANGE 29 EAST

DRAWN BY: JFM

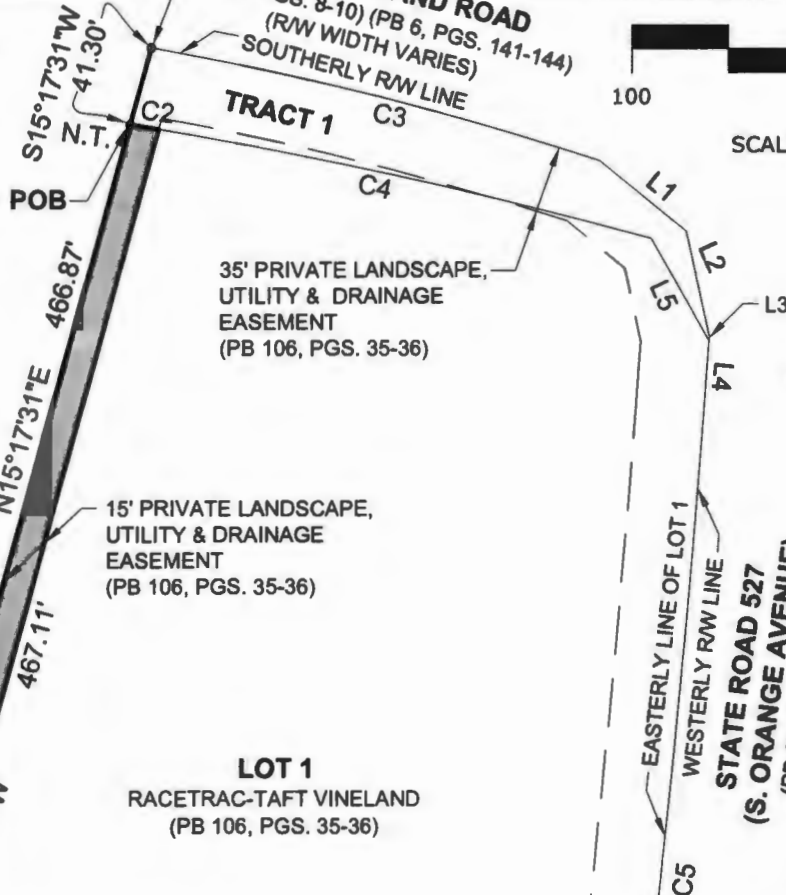
POC  
NW  
CORNER OF  
TRACT 1  
(PB 106,  
PGS. 35-36)

TAFT VINELAND ROAD  
(PB 19, PGS. 8-10) (PB 6, PGS. 141-144)  
(R/W WIDTH VARIES)  
SOUTHERLY R/W LINE

SPACE ABOVE RESERVED FOR RECORDING INFORMATION



SCALE: 1" = 100'



LINE TABLE

SEGMENT	LENGTH	BEARING
L1	57.53'	S50°39'24"E
L2	55.96'	S12°28'19"E
L3	2.11'	S04°08'30"W
L4	38.05'	S04°08'30"W
L5	80.63'	N29°30'17"W
L6	257.80'	N05°34'41"E

CURVE TABLE

SEGMENT	RADIUS	Δ	LENGTH	CHORD LENGTH	CHORD BEARING
C1	598.69'	02°39'15"	27.73'	27.73'	N27°10'09"W
C2	2633.00'	00°19'41"	15.08'	15.08'	S80°29'01"E
C3	1740.00'	07°55'45"	240.80'	240.60'	S75°51'35"E
C4	2633.00'	06°02'05"	277.33'	277.20'	S77°37'48"E
C5	7572.44'	06°54'34"	913.18'	912.63'	S07°35'47"W

SHEET 2 of 2

ORANGE COUNTY PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION



4200 S. JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
407-836-7908

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JAN 11 2022

Instrument: 722.1

Project: Taft-Vineland Road (Orange Blossom Trail to Orange Avenue)

### **TEMPORARY CONSTRUCTION EASEMENT**

THIS INDENTURE, made as of the date signed below, by RaceTrac, Inc., a Georgia corporation, whose address is 200 Galleria Parkway, Suite 900, Atlanta, Georgia 30330, 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, its successors and assigns, a temporary construction easement more particularly defined in Schedule "B" attached over and upon the following described lands of the GRANTOR situate in Orange County aforesaid, to-wit:

### **SEE ATTACHED SCHEDULE "A"**

**A portion of**

**Property Appraiser's Parcel Identification Number(s):**

**12-24-29-7340-01-000**

THE GRANTOR covenants with the GRANTEE that the GRANTOR is lawfully seized of said lands in fee simple; that the GRANTOR has good right and lawful authority to grant this easement and shall take no action to interfere with the GRANTEE'S lawful use of said easement; that the GRANTOR hereby fully warrants the easement being granted and will defend the same against the lawful claims of all persons whomsoever arising by, through or under GRANTOR, but not otherwise.

Instrument: 722.1

Project: Taft-Vineland Road (Orange Blossom Trail to Orange Avenue)

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

Signed, sealed and delivered  
in the presence of:

RaceTrac, Inc.  
a Georgia corporation

[Signature]  
Witness

John Paul Hoover  
Printed Name

[Signature]  
Witness

Tommy Pease  
Printed Name

BY: [Signature]

Max McBayer  
Printed Name

Chief Executive Officer  
Title

(Corporate Seal)

(Signature of **TWO** witnesses required by Florida law)

STATE OF Georgia  
COUNTY OF Cobb

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18<sup>th</sup> day of November, 2021 by Max McBayer as CEO of RaceTrac, Inc., on behalf of the corporation. He/she ☒ is personally known to me or ☐ has produced N/A as identification.

(Notary Seal)

[Signature]  
Notary Signature

Samantha Jones  
Printed Notary Name

This instrument prepared by

Anmber Ayub, 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



Notary Public in and for  
the County and State aforesaid

My commission expires: 7/1/2025



## LEGAL DESCRIPTION

PARCEL: 722  
SCHEDULE "A"  
TAFT-VINELAND ROAD  
THIS IS NOT A BOUNDARY SURVEY

### DESCRIPTION:

A PORTION OF LOT "T-26", AIRPORT INDUSTRIAL PARK AT ORLANDO ADDITION NO. 5, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGES 123-127, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, ALSO DESCRIBED IN DOCUMENT NUMBER 20200640590, SAID PUBLIC RECORDS, SITUATE IN SECTION 12, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 24 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; SAID CORNER BEING MARKED WITH A 4"x4" CONCRETE MONUMENT WITH AN ORANGE COUNTY BRASS DISK IN A WELL BOX; THENCE RUN S89°58'16"E, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 1096.97 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CSX RAILROAD ACCORDING TO DEED RECORDED IN DEED BOOK "Z", PAGES 401-407 AND ACCORDING TO AFORESAID PLAT BOOK 27, PAGES 123-127, SAID PUBLIC RECORDS; THENCE S15°18'59"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 131.80 FEET TO THE POINT OF BEGINNING; SAID POINT BEING A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 2633.00 FEET, A CENTRAL ANGLE OF 01°45'09", A CHORD BEARING OF S79°39'31"E AND A CHORD DISTANCE OF 80.54 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 80.54 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID CURVE, RUN S53°59'21"W, A DISTANCE OF 23.21 FEET; THENCE S14°56'10"W, A DISTANCE OF 28.95 FEET; THENCE N75°03'50"W, A DISTANCE OF 65.93 FEET TO A POINT ON AFORESAID EASTERLY RIGHT-OF-WAY LINE OF CSX RAILROAD; THENCE N15°18'59"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 40.52 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 2,979 SQUARE FEET OR 0.068 ACRES, MORE OR LESS.

### NOTES:

1. BEARINGS SHOWN HEREON WERE DERIVED FROM THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 24 SOUTH, RANGE 29 EAST, BEING S89°58'16"E.
2. REFERENCE TAFT-VINELAND ROAD RIGHT-OF-WAY MAP, ORANGE COUNTY C.I.P. NO. 3037 BY BOWYER-SINGLETON & ASSOCIATES, DATED 03/26/10 WITH A REVISION DATE OF 02/12/21.

### LEGEND & ABBREVIATIONS

±	= MORE OR LESS	Δ	= CENTRAL ANGLE/DELTA
AC.	= ACRE(S)	L	= ARC LENGTH
(C)	= CALCULATED	LB	= CERTIFICATE OF AUTHORIZATION
C.B.	= CHORD BEARING	LT.	= LEFT
C.C.R.	= CERTIFIED CORNER RECORD	NO.	= NUMBER
C.D.	= CHORD DISTANCE	NT	= NON-TANGENT
C.I.P.	= CAPITAL IMPROVEMENT PROGRAM	O.R.B.	= OFFICIAL RECORDS BOOK
C.M.	= CONCRETE MONUMENT	(P)	= PER PLAT
D.B.	= DEED BOOK	P.B.	= PLAT BOOK
ESMT.	= EASEMENT	PG(S)	= PAGE(S)
EXIST.	= EXISTING	R	= RADIUS
FND.	= FOUND	R/W	= RIGHT OF WAY
ID.	= IDENTIFICATION	RT.	= RIGHT
I.R.C.	= IRON ROD & CAP	SEC	= SECTION-TOWNSHIP-RANGE
CL	= CENTER LINE	SQ.FT.	= SQUARE FEET
P	= PROPERTY LINE		
~	= BREAKLINE		

THIS IS NOT A BOUNDARY SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS SKETCH OF DESCRIPTION.

*William E. Byrb* 3/15/2021  
WILLIAM E. BYRB  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER 5442  
800 NORTH MAGNOLIA AVENUE, SUITE 1000  
ORLANDO, FLORIDA 32803

NOT VALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.

DESIGNED BY: MLR	DATE: 03/10/21
WRITTEN BY: MLR	REV.:
DRAWN BY: MLR	REV.:
CHECKED BY: SW	REV.:

CERTIFICATION OF AUTHORIZATION  
NUMBER LB 1221 & LB 8011

**Dewberry**  
800 NORTH MAGNOLIA AVENUE  
SUITE 1000  
ORLANDO, FLORIDA 32803  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

TAFT-VINELAND ROAD  
C.I.P. NO. 3037  
ORANGE COUNTY, FLORIDA

SECTION: 12
TOWNSHIP: 24S
RANGE: 29E
DRAWING SCALE: N/A
SHEET 1 OF 2

A.A 11/5/2021

PARCEL: 722  
SCHEDULE "A"  
TAFT-VINELAND ROAD  
THIS IS NOT A BOUNDARY SURVEY

S89°58'16"E 2654.32' SOUTH LINE OF THE SW 1/4 OF SECTION 1  
NORTH LINE OF THE NW 1/4 OF SECTION 12 1557.35'

POINT OF COMMENCEMENT

NW CORNER OF THE NW 1/4  
OF SEC 12-24-29  
FND 4"x 4" C.M. WITH ORANGE  
COUNTY BRASS DISK IN WELL BOX  
C.C.R. NO. 074151

NE CORNER OF THE NW 1/4  
OF SEC 12-24-29  
FND 4"x 4" C.M. WITH DISK-  
STAMPED "PSM 5561"  
C.C.R. NO. 074152

**TAFT-VINELAND ROAD**  
(R/W WIDTH VARIES)

**POINT OF BEGINNING**

Q OF CONSTRUCTION TAFT VINELAND  
ROAD ORANGE COUNTY C.I.P. 3037

$L=80.54'$   $R=2633.00'$   
 $\Delta=01^{\circ}45'09''$   $C.D.=80.54'$   
 $CB=579^{\circ}39'31''E$

35' PRIVATE LANDSCAPE,  
UTILITY AND DRAINAGE ESMT.  
PER P.B. 27, PGS 123-127

2,979 SQ.FT. ±  
0.068 AC ±

LOT "T-26"  
AIRPORT INDUSTRIAL PARK  
AT ORLANDO ADDITION NO. 5  
P.B. 27, PGS 123-127

-EASTERLY RAILROAD R/W LINE PER  
D.B. "Z", PGS 401-407  
& P.B. 27, PGS 123-127

15' PRIVATE LANDSCAPE, UTILITY AND  
-DRAINAGE ESMT. PER  
P.B. 27, PGS 123-127

$L = 311.20'(P) \quad 311.18'(C)$   
 $R = 598.69'(P)(C)$   
 $\Delta = 29^\circ 46' 56''(P) \quad 29^\circ 46' 51''(C)$   
 $C.B. = S33^\circ 55' 36''E(P)$   
 $\quad \quad \quad S33^\circ 54' 10''E(C)$   
 $C.D. = 307.71'(P) \quad 307.69'(C)$

35' PRIVATE LANDSCAPE, UTILITY AND DRAINAGE  
ESMT. PER P.B. 27, PGS 123-127

R/W LINE PER PLAT OF AIRPORT  
INDUSTRIAL PARK AT ORLANDO ADDITION  
NO. 5, P.B. 27, PGS 123-127

$\Delta = 06^{\circ}54'34''(P) \quad 06^{\circ}54'29''(C)$   
 $R = 7572.44'(P \& C)$   
 $T = 457.14'(P) \quad 457.05'(C)$   
 $L = 913.17'(P) \quad 912.99'(C)$   
 $C.B. = S07^{\circ}35'47''W(P) \quad S07^{\circ}34'59''W(C)$   
 $C.D. = 912.62'(P) \quad 912.44'(C)$

ORANGE AVENUE

**CHARGE AVENUE**  
(AS SHOWN HEREON R/W WIDTH VARIES PER THE  
PLAT OF AIRPORT INDUSTRIAL PARK AT ORLANDO  
ADDITION NO. 5, P.B. 27, PGS 123-127



1 INCH = 50 FEET

SEE SHEET 1 OF 2 FOR PARCEL DESCRIPTION, NOTES AND LEGEND.

DESIGNED BY: LAT	DATE: 03/10/21
WRITTEN BY: MLR	REV.:
DRAWN BY: MLR	REV.:
CHECKED BY: SW	REV.:

CERTIFICATION OF AUTHORIZATION  
NUMBER LB 1221 & LB 8011



# Dewberry

800 NORTH MAGNOLIA AVENUE  
SUITE 1000  
ORLANDO, FLORIDA 32803  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

TAFT-VINELAND ROAD  
C.I.P. NO. 3037  
ORANGE COUNTY, FLORIDA

SECTION: 12
TOWNSHIP: 24S
RANGE: 29E
DRAWING SCALE: 1"=50'
SHEET 2 OF 2

## **SCHEDULE "B"**

### **3037 TAFT VINELAND RD PARCEL 722**

#### **TEMPORARY CONSTRUCTION EASEMENT**

Parcel 722 is being acquired as a temporary, non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JAN 11 2022

Instrument: 122.6/822.6

Project: Taft-Vineland Road (Orange Blossom Trail to Orange Avenue)

**SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS TO ORANGE COUNTY**

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a road right-of-way in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to the below encumbrance held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrance to the property rights of Orange County in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations, paid, receipt of which is hereby acknowledged, the undersigned subordinates its rights in and to said encumbrance as it has been or as may be modified and amended from time to time to the property rights of Orange County to locate, construct, maintain, and/or improve said project over, through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

**SEE ATTACHED SCHEDULE "A"**

**Encumbrance:**

RaceTrac Petroleum, Inc.  
15' and 35' Private Landscape, Utility, and Drainage Easements  
Filed July 8, 2021  
Recorded in Official Records Plat Book 106, Page 36  
Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates the undersigned rights in and to said encumbrance insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for road right-of-way purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrance or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed that in the event said above described premises are abandoned by Orange County and cease to be used for road right-of-way purposes that in such event the subordination of said encumbrance shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

Instrument: 122.6/822.6

Project: Taft-Vineland Road (Orange Blossom Trail to Orange Avenue)

IN WITNESS WHEREOF, the said holder of said encumbrance has duly executed this instrument as of the date written below.

Signed, sealed, and delivered  
in the presence of:

Witness

John Paul Hoover

Printed Name

Witness

Tommy Pease

Printed Name

RaceTrac, Inc.  
a Georgia Corporation

BY: Max McBrayer

Printed Name

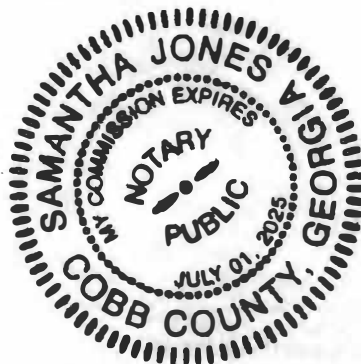
Chief Executive Officer

Title

STATE OF Georgia  
COUNTY OF Cobb

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18<sup>th</sup> day of November, 2021, by Max McBrayer as CEO of RaceTrac, Inc., a Georgia Corporation, on behalf of the corporation. He/she ☒ personally known to me or ☐ has produced N/A as identification.

(Notary Seal)



Samantha Jones  
Notary Signature

Samantha Jones  
Printed Notary Name

Notary Public in and for  
the County and State aforesaid.

My commission expires: 7/1/2025

**This instrument prepared by:**  
Anmber Ayub, 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

## LEGAL DESCRIPTION PARCEL 122

### LEGAL DESCRIPTION:

A STRIP OF LAND BEING A PORTION OF LOT T-26, AIRPORT INDUSTRIAL PARK AT ORLANDO ADDITION NO. 5 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGES 123-127 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT T-26, AIRPORT INDUSTRIAL PARK AT ORLANDO ADDITION NO. 5 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGES 123-127 OF THE PUBLIC RECORDS OF ORANGE COUNTY FOR A POINT OF BEGINNING, SAID POINT ON THE SOUTHERLY RIGHT-OF-WAY OF TAFT VINELAND ROAD AND BEING ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, THENCE RUN SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS LENGTH OF 1740.00 FEET, A CENTRAL ANGLE OF 07°55'45", AN ARC LENGTH OF 240.80 FEET, A CHORD LENGTH OF 240.60 FEET AND A CHORD BEARING OF SOUTH 75°51'35" EAST TO A POINT; THENCE RUN NON-TANGENT TO SAID CURVE SOUTH 50°39'24" EAST, 57.53 FEET TO THE WESTERLY RIGHT-OF-WAY OF STATE ROAD 527 (ORANGE AVENUE); THENCE RUN SOUTH 12°28'19" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY, 55.96 FEET; THENCE RUN SOUTH 04°08'30" WEST, 2.11 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY RUN NORTH 29°30'17" WEST, 60.64 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, THENCE RUN NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS LENGTH OF 2633.00 FEET, A CENTRAL ANGLE OF 06°02'05", AN ARC LENGTH OF 277.33 FEET, A CHORD LENGTH OF 277.20 FEET AND A CHORD BEARING OF NORTH 77°37'48" WEST TO A POINT ON THE WEST LINE OF AFORESAID LOT T-26; THENCE RUN NORTH 15°17'31" EAST, ALONG SAID WEST LINE 41.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP OF LAND LIES IN THE CITY OF ORLANDO, ORANGE COUNTY, FLORIDA AND CONTAINS 10,611.5 SQUARE FEET, MORE OR LESS.

### SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID IF PRINTED, OR WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE PROFESSIONAL SURVEYOR AND MAPPER SHOWN HEREON.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE NORTH LINE OF TRACT T-26, AIRPORT INDUSTRIAL PARK AT ORLANDO ADDITION NO. 5, AS RECORDED IN PLAT BOOK 27, PAGES 123 THROUGH 127, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. BEING A CHORD BEARING OF SOUTH 75°51'35" EAST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.
- (7) THIS LEGAL DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY, AS SUCH.
- (8) THE CLASSIFICATION USE OF THE LAND, PURSUANT TO THE STANDARDS OF PRACTICE SET FORTH IN RULE CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, FLORIDA STATUTES 472.027, IS COMMERCIAL/HIGH RISK. THE MINIMUM RELATIVE DISTANCE ACCURACY OF THIS MAP OF BOUNDARY SURVEY ACHIEVES OR EXCEEDS ONE FOOT IN 10,000 FEET.
- (9) ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
- (10) SYMBOLS DEPICTED HEREON DO NOT REFLECT ACTUAL SIZE.

(THIS IS NOT A SURVEY)

SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION



DAVID A. WHITE, P.S.M.  
FLORIDA REGISTRATION NO. 4044  
PEC - SURVEYING AND MAPPING, LLC  
CERTIFICATE OF AUTHORIZATION NO.: LB 7808  
DATE OF SIGNATURE: 02-23-2021

SHEET 1 OF 2

# PEC

## SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

2100 Alafaya Trail, Suite 203 • Oviedo, Florida 32765 • 407-542-4967  
WWW.PECONLINE.COM

SECTION 12, TOWNSHIP 24 SOUTH, RANGE 29 EAST

DATE: 11-16-2020

PREP BY: T.W.B.

DRAWN BY: T.W.B.

JOB #: 19-179

O:\19-179 Racetrac Orange and taft Vineland\19-179 Proposed RW.dwg Feb 23, 2021 - 2:59pm

# SKETCH OF DESCRIPTION PARCEL 122



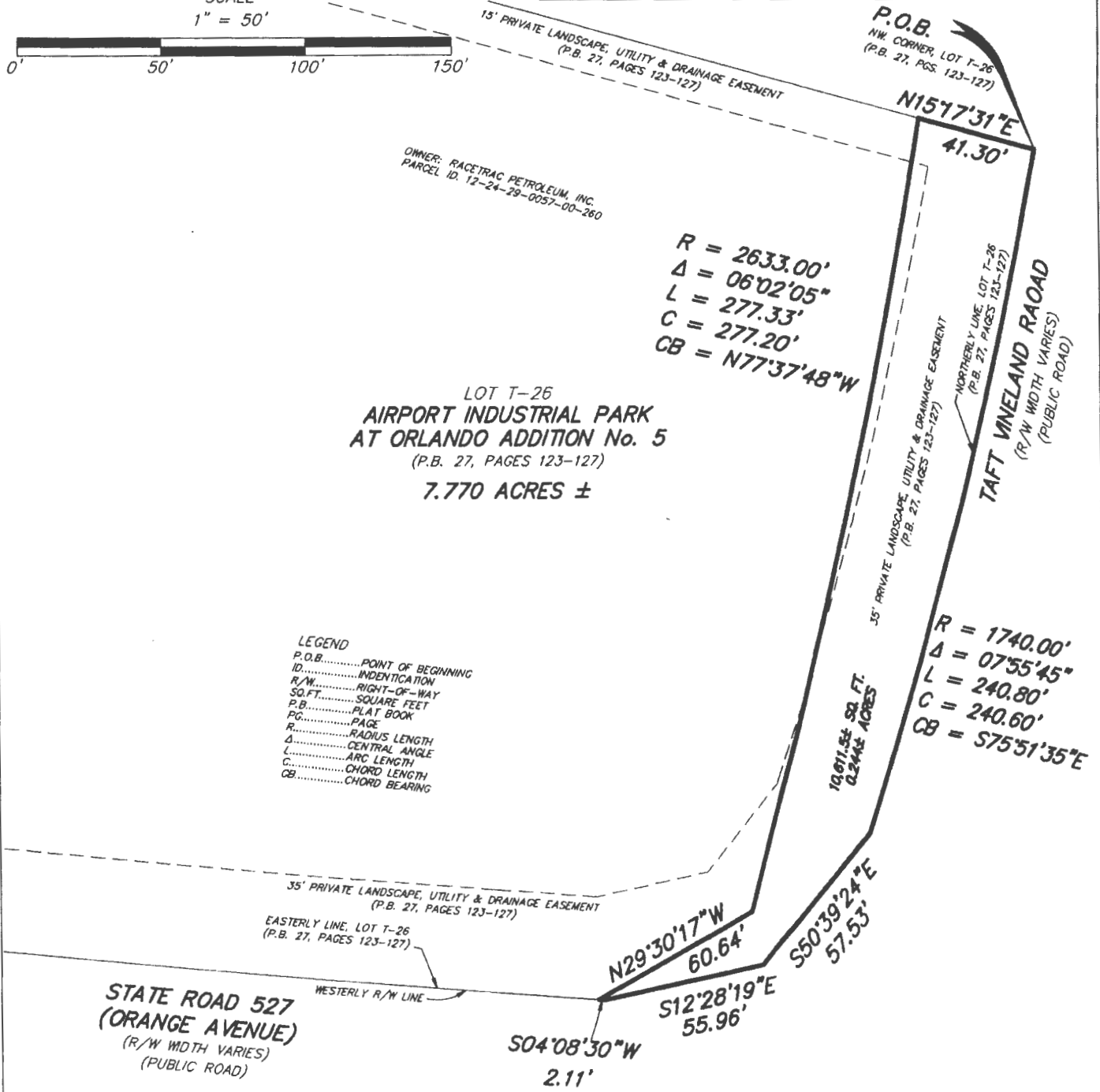
SCALE  
1" = 50'



OWNER: RACETRAC PETROLEUM, INC.  
PARCEL ID. 12-24-29-0057-00-260

LOT T-26  
AIRPORT INDUSTRIAL PARK  
AT ORLANDO ADDITION No. 5  
(P.B. 27, PAGES 123-127)  
7.770 ACRES ±

LEGEND  
P.O.B. POINT OF BEGINNING  
ID. IDENTIFICATION  
R/W. RIGHT-OF-WAY  
SQ. FT. SQUARE FEET  
P.B. PLAT BOOK  
PG. PAGE  
R. RADIUS LENGTH  
Δ. CENTRAL ANGLE  
L. ARC LENGTH  
C. CHORD LENGTH  
CB. CHORD BEARING



(THIS IS NOT A SURVEY)

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES

SHEET 2 OF 2

**PEC**

**SURVEYING AND MAPPING, LLC**

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JOB #: 19-179

C:\19-179 Racetrac Orange and Taft Vineland\19-179 Proposed RW.dwg Feb 23, 2021 - 2:59pm

## SKETCH & DESCRIPTION

PROJECT: TAFT VINELAND DRAINAGE AND  
ACCESS EASEMENT PARCEL 822  
SECTION 12  
TOWNSHIP 24 SOUTH  
RANGE 29 EAST

DRAWN BY: JFM

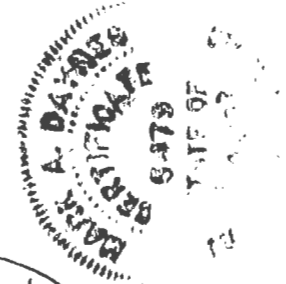
### DESCRIPTION:

A strip of land being a portion of Lot 1, RACETRAC - TAFT VINELAND A REPLAT according to the plat thereof as recorded in Plat Book 106, Pages 35-36, of the Public Records of Orange County, Florida, being described as follows:

Commence at the Northwest corner of Tract 1, RACETRAC - TAFT VINELAND A REPLAT according to the plat thereof as recorded in Plat Book 106, Pages 35-36, of the Public Records of Orange County, Florida, for a Point of Reference, said point on the Southerly Right of Way of Taft Vineland Road; Thence run South 15°17'31" West, along the West line of Lot 1, RACETRAC - TAFT VINELAND A REPLAT according to the plat thereof as recorded in Plat Book 106, Pages 35-36, of the Public Records of Orange County, Florida, a distance of 41.30 feet to the **POINT OF BEGINNING** and a point on a non-tangent curve concave Southwesterly; Thence run Southeasterly along said curve having a radius length of 2,633.00 feet, a central angle of 00°19'41", an arc length of 15.08 feet, a chord length of 15.08 feet and a chord bearing of South 80°29'01" East to a point; Thence run South 15°17'31" West, non-tangent to said curve a distance of 467.11 feet; Thence run South 05°34'41" West a distance of 279.84 feet, to a point on the Southerly line of aforesaid Lot 1, also being a point on a non-tangent curve concave Northeasterly; Thence run Northwesterly along said curve having a radius length of 598.69 feet, a central angle of 02°39'15", an arc length of 27.73 feet, a chord length of 27.73 feet and a chord bearing of North 27°10'09" West; Thence run North 05°34'41" East a distance of 257.80 feet to the aforesaid West line of Lot 1; Thence run North 15°17'31" East a distance of 466.87 feet to the **POINT OF BEGINNING**.

The above described strip of land lies in the City of Orlando, Orange County, Florida, and contains 11,040.2 Square Feet, MORE or LESS.

SPACE ABOVE RESERVED FOR RECORDING INFORMATION



*Mark A. Daynes*  
**Mark A. Daynes,**  
REGISTERED LAND SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479  
DATE: 10/25/2021

I HEREBY AFFIRM THAT THIS SKETCH REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SKETCH HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C., PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES. NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### LEGEND

•	= CHANGE IN DIRECTION, NO POINT SET
POB	= POINT OF BEGINNING
POC	= POINT OF COMMENCEMENT
PB	= PLAT BOOK
PG. / PGS.	= PAGE / PAGES
ORB	= OFFICIAL RECORDS BOOK
R	= RADIUS
R/W	= RIGHT OF WAY
L	= ARC LENGTH
Δ	= CENTRAL ANGLE
NO.	= NUMBER
N.T.	= NON TANGENT

### Surveyors Notes:

1. This is not a Boundary Survey.
2. Bearings based on the West line of Lot 1, Racetrac- Taft Vineland, as recorded in Plat Book 106, Pages 35 and 36, Public Records of Orange County, Florida, Being North 15°17'31" East.

ORANGE COUNTY PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION



SHEET 1 of 2

4200 S. JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
407-836-7908

A.A 11/5/2021





# REQUEST FOR FUNDS FOR LAND ACQUISITION

☒ Under BCC Approval

☐ Under Ordinance Approval

Date: December 8, 2021

Total Amount: \$133.40

Project: Taft-Vineland Road (Orange Blossom Trail to Orange Avenue) Parcels: 822, 722

Charge to Account # 1033-072-3037-6110

Controlling Agency Approval Signature [Signature] Date 12/13/21

Printed Name: [Signature]

Fiscal Approval Signature [Signature] Date 12/13/21

**Belkys Jorge**

Printed Name

TYPE TRANSACTION (Check appropriate block(s))

☐ Pre-Condensation ☐ Post-Condensation

☒ N/A District # 4

- ☐ Acquisition at Approved Appraisal
- ☐ Acquisition at Below Approved Appraisal
- ☐ Acquisition at Above Approved Appraisal
- ☐ Advance Payment Requested
- ☒ Donation

Name, Address

Orange County Comptroller Office \$133.40  
(Recording Fees)

DOCUMENTATION ATTACHED (Check appropriate block(s))

- ☐ Contract/ Agreement
- ☒ Copy of Executed Instruments
- ☐ Certificate of Value
- ☐ Settlement Analysis

Payable to: Orange County Comptroller's Office \$133.40

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

Recommended by [Signature]  
Luciana Mino, Assistant Manager Real Estate Management Division

12/13/2021  
Date

Payment Approved [Signature]  
Mindy T. Cummings, Manager, Real Estate Management Division

12/13/2021  
Date

or  
Payment Approved \_\_\_\_\_  
Real Estate Management Div. Date

Certified [Signature]  
Approved by BCC [Signature] Deputy Clerk to the Board

JAN 11 2022  
Date

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants

Check No. / Date

REMARKS:

Anticipated Closing Date: As soon as checks are available.

s:\rem projects\taft-vineland road (orange blossom trail to orange avenue (pn 00010)\taft-vineland road, 122, 822, 722\wip agent\bcc package folder\request for funds\rff-taft-vineland road.docx

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JAN 11 2022