



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 7

**DATE:** August 2, 2018

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

**THROUGH:** Paul Sladek, Manager *PS*  
Real Estate Management Division

**FROM:** Elizabeth Price Jackson, Senior Title Examiner *EJ*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** APPROVAL OF SPECIAL WARRANTY DEED, UTILITIES, SIDEWALK, MULTI-PURPOSE PATHWAY, ROADWAY APPURTENANCES, LANDSCAPING, AND DRAINAGE EASEMENT, TEMPORARY SLOPE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT FROM LENNAR HOMES, LLC TO ORANGE COUNTY AND AUTHORIZATION TO PERFORM ALL ACTIONS NECESSARY AND INCIDENTAL TO CLOSING

**PROJECT:** Innovation Way South Transportation Corridor – Segment 1  
  
District 4

**PURPOSE:** To provide for access, construction, operation, and maintenance of road improvements as a requirement of a transportation and proportionate share agreement.

**ITEMS:**

Special Warranty Deed  
Cost: Donation  
Size: 6,004 square feet

Utilities, Sidewalk, Multi-Purpose Pathway, Roadway  
Appurtenances, Landscaping, and Drainage Easement  
Cost: Donation  
Total size: 991 square feet

Temporary Slope Easement  
Cost: Donation  
Total size: 2,027 square feet  
Term: Until no longer required for construction, repair and/or  
maintenance for the adjacent county road

Temporary Construction Easement  
Cost: Donation  
Size: 9,022 square feet  
Term: Seven years, or until completion of construction

**APPROVALS:**

Real Estate Management Division  
County Attorney's Office  
Public Works Department  
Risk Management Division  
Transportation Planning Division

**REMARKS:**

These conveyances are requirements of the Moss Park Transportation and  
Proportionate Share Agreement (Moss Park DRI/Innovation Way South)  
approved by the Board of County Commissioners on July 25, 2012, as  
amended.

Grantor to pay all closing costs.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

AUG 21 2018

This instrument was prepared by,  
And upon recording please return to:  
Charles B. Costar III, Esq.  
Shutts & Bowen LLP  
300 S. Orange Avenue, Suite 1000  
Orlando, FL 32801

Project: Innovation Way South Transportation Corridor-Segment 1  
Property Appraiser's Parcel No.:  
A portion of 10-24-31-0000-00004

This document has been executed and delivered under threat of condemnation. Therefore, this document is not subject to documentary stamp tax. See Florida Administrative Code 12 FL ADC 12B-4.014(13).

### **SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, made and executed as of the 1<sup>st</sup> day of December, 2017, by Lennar Homes, LLC, a Florida limited liability company, whose address is 6750 Forum Drive, Suite 310, Orlando, Florida 32821 (hereinafter referred to as the "Grantor") to Orange County, a charter county and political subdivision of the State of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, (hereinafter referred to as the "Grantee");

### **WITNESSETH:**

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee that certain piece, parcel or tract of land situated in Orange County, Florida more particularly described as follows (hereinafter referred to as the "Subject Property"):

**See Exhibit "A" attached hereto and made a part hereof.**

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances, including riparian rights, if any, thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the Subject Property in fee simple forever.

AND the Grantor does hereby covenant with and warrant to the Grantee that the Grantor is lawfully seized of the Subject Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Subject Property; and that the Grantor fully warrants the title to

the Subject Property and will defend the same against the lawful claims of all persons claiming by, through, or under the Grantor, but against none other; and that the Property is free and clear of encumbrances, except matters of record acceptable to Grantee.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Elizabeth Hill  
Print Name: Elizabeth Hill

Susan Kane  
Print Name: Susan Kane

**LENNAR HOMES, LLC**, a  
Florida limited liability company

By: [Signature]  
Brock Nicholas  
Vice President

STATE OF FLORIDA  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 14 day of DECEMBER, 2017,  
by Brock Nicholas, as Vice President of Lennar Homes, LLC, a Florida limited liability  
company on behalf of the company. He is personally known to me or has produced  
N/A as identification.

(NOTARY SEAL)



[Signature]  
Notary Public Signature  
Susan Finkbeiner  
Typed or Printed Notary Name  
Notary Public-State of Florida  
Commission No.: FF 962439  
My Commission Expires: 4/14/20

**LEGAL DESCRIPTION**

Innovation Way South - Segment 1

A PORTION OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE RUN NORTH 89°39'25" WEST ALONG THE NORTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 1038.37 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF PROPOSED INNOVATION WAY SOUTH - SEGMENT 1; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 46°58'16" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 44.27 FEET TO A POINT LYING ON THE NORTH LINE OF PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 46°58'16" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR DISTANCE OF 29.21 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ORLANDO UTILITIES COMMISSION RAILROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3491, PAGE 539, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2100.00 FEET; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY AND THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 04°17'30" FOR AN ARC LENGTH OF 157.30 FEET, A CHORD BEARING OF SOUTH 80°23'11" WEST AND A CHORD DISTANCE OF 157.26 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID PROPOSED INNOVATION WAY SOUTH - SEGMENT 1; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY RUN NORTH 46°58'16" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 69.32 FEET TO SAID NORTH LINE OF PARCEL "A" AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°39'25" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 184.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,004 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

**SURVEYOR'S NOTES:**

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 10-24-31 AS BEING N89°39'25"W, AN ASSUMED BEARING.
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

JOB NO. 20130003

DATE: 5/12/2016

SCALE: 1" = 200 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

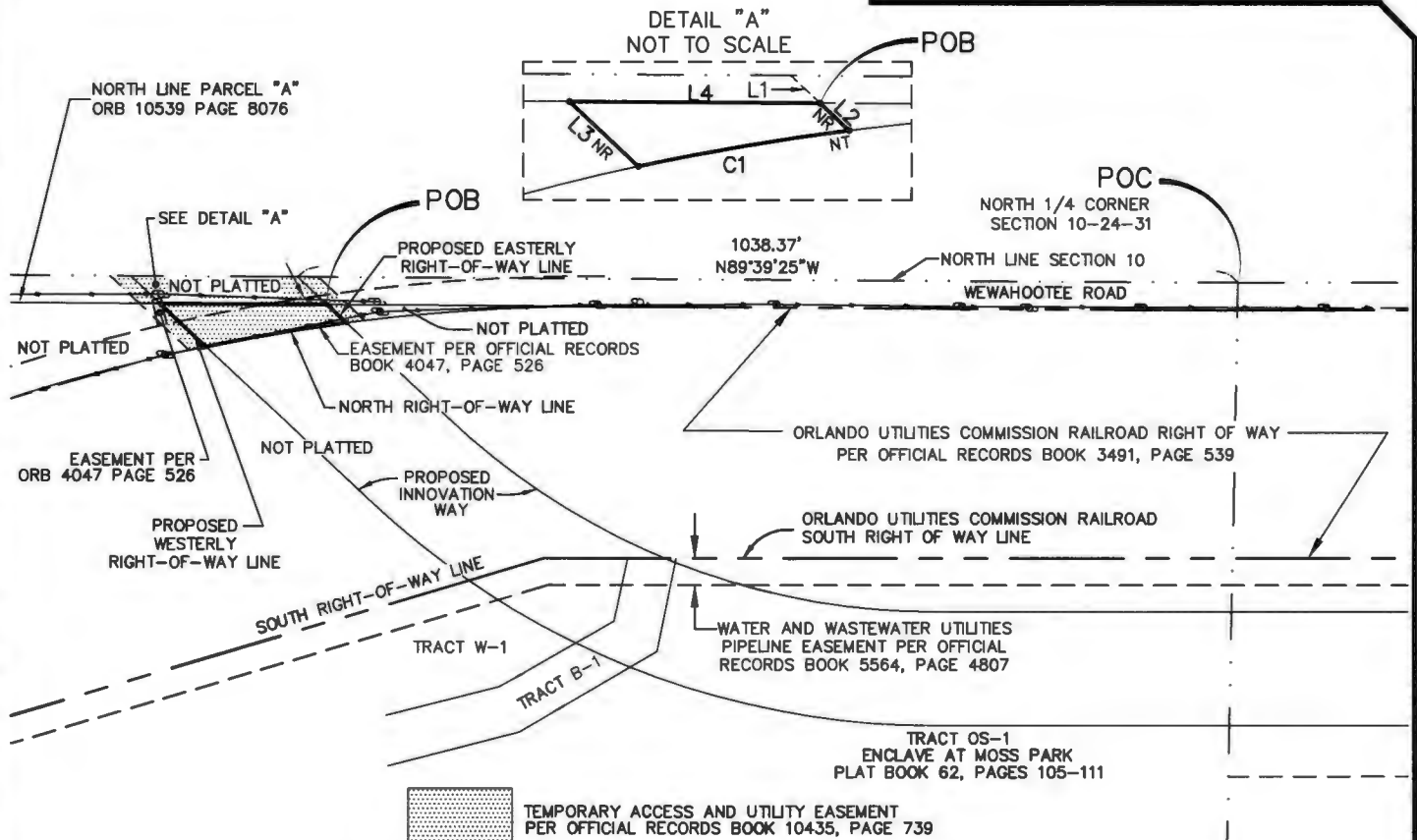
JAMES L. RICKMAN, P.S.M. #5633

sk28c  
rev 6.23.16  
rev 8.9.16  
rev 8.12.16  
rev 9.19.17  
rev 11.6.17

# EXHIBIT "A"

## SKETCH OF DESCRIPTION

Innovation Way South - Segment 1



LINE TABLE		
LINE	LENGTH	BEARING
L1	44.27'	S46°58'16"E
L2	29.21'	S46°58'16"E
L3	69.32'	N46°58'16"W
L4	184.37'	S89°39'25"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD
C1	157.30'	2100.00'	04°17'30"	S80°23'11"W	157.26'

NOTE: PROPOSED INNOVATION WAY SEGMENT 1 ALIGNMENT SHOWN HEREON WAS PROVIDED BY POULOS AND BENNETT ON MAY 21, 2015.  
UTILITIES SHOWN HEREON WAS PROVIDED BY THE BOUNDARY SURVEY DATED MAY 24, 2013, PREPARED BY ALLEN & COMPANY, INC.

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

### LEGEND

- Denotes change in direction
- POC Denotes Point of Commencement
- POB Denotes Point of Beginning
- NT Denotes non-tangent

- ORB Denotes Official Records Book
- ☼ Denotes 3" concrete power pole
- ☼ Denotes 1" wood power pole
- Denotes overhead power
- NR Denotes non-radial

sk28c  
rev 6.23.16  
rev 8.9.16  
rev 8.12.16  
rev 9.19.17  
rev 11.6.17

JOB NO. 20130003

CALCULATED BY: JDS

DATE: 5/12/2016

DRAWN BY: JDS

SCALE: 1" = 200 FEET

CHECKED BY: SEJ

FIELD BY: N/A

Drawing name: L:\Data\20130003\Plot Parcel N\Sketch\Sketch 28c - IWS Segment 1 125 rw.dwg Sketch 28C

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
**AUG 21 2018**

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This instrument was prepared by,  
And upon recording please return to:  
Charles B. Costar III, Esq.  
Shutts & Bowen LLP  
300 S. Orange Avenue, Suite 1000  
Orlando, FL 32801

Project: Innovation Way South Transportation Corridor-Segment 1  
Property Appraiser's Parcel Nos.:  
A portion of 10-24-31-0000-00004

This document has been executed and delivered under threat of condemnation.  
Therefore, this document is not subject to documentary stamp tax. See Florida  
Administrative Code 12 FL ADC 12B-4.014(13).

**UTILITIES, SIDEWALK, MULTI-PURPOSE PATHWAY, ROADWAY  
APPURTENANCES, LANDSCAPING, AND DRAINAGE EASEMENT**

**THIS UTILITIES, SIDEWALK, MULTI-PURPOSE PATHWAY, ROADWAY  
APPURTENANCES, LANDSCAPING, AND DRAINAGE EASEMENT** is made and  
entered into this 5<sup>th</sup> day of December, 2017, by and between **LENNAR HOMES,  
LLC**, a Florida limited liability company, organized and existing under the laws of the State of  
Florida, whose address is 6750 Forum Drive, Suite 310, Orlando, Florida 32821 ("**Grantor**"),  
and **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida,  
whose post office address is Box 1393, Orlando, Florida 32802-1393 ("**Grantee**").

**WITNESSETH**

**THAT 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 utilities, sidewalks,  
multi-purpose pathways, roadway appurtenances, landscaping and drainage purposes  
(collectively, the "**Multi-Purpose Easement**"), with full authority to enter upon, construct,  
maintain, excavate, operate, upgrade, and replace, as Grantee and its assigns may deem  
necessary, potable water lines, wastewater lines, reclaimed water lines, roadway appurtenances,  
sidewalks, landscaping, multi-purpose pathways, drainage facilities, and any other utility  
facilities over, under, through, across, and upon the following described lands situate in Orange  
County, Florida, to-wit:

**SEE ATTACHED EXHIBIT A (the "Easement Area")**

**TO HAVE AND TO HOLD** said easement unto Grantee and its assigns forever. Grantee 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 utility lines, roadway appurtenances, and facilities placed therein by Grantee and its assigns, out of and away from the above-described right-of-way and easement, and 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 sidewalks, roadway appurtenances, and utility and drainage lines and facilities installed therein.

**IN WITNESS WHEREOF**, Grantor has executed this Multi-Purpose Easement on the day and year first written above.

Signed, sealed and delivered in the presence of the following witnesses:

**LENNAR HOMES, LLC**, a Florida limited liability company

Kelly Becker  
Witness Printed Name: Kelly Becker

By: [Signature]  
Brock Nicholas  
Vice President

Michelle Haneiph  
Witness Printed Name: Michelle Haneiph

(Signature of **TWO** Witnesses required by Florida Law)

State of Florida

County of Orange

Sworn to and subscribed before me this 5th day of December, 2017, by Brock Nicholas, as Vice President of **LENNAR HOMES, LLC**, a Florida limited liability company, on behalf of the company. He personally appeared before me, is ☒ personally known to me, or ☐ produced N/A as identification

(NOTARY SEAL)



[Signature]  
Notary Public Signature  
Susan Finkbeiner  
Typed or Printed Notary Name  
Notary Public-State of Florida  
Commission No.: FF 962439  
My Commission Expires: 4/14/20



# EXHIBIT "A"

## LEGAL DESCRIPTION

Innovation Way South - Segment 1  
Multipurpose Easement

A PORTION OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE RUN NORTH 89°39'25" WEST ALONG THE NORTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 1023.62 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 46°58'16" EAST FOR A DISTANCE OF 44.27 FEET TO A POINT LYING ON THE NORTH LINE OF PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 46°58'16" EAST DEPARTING SAID NORTH LINE FOR DISTANCE OF 26.67 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ORLANDO UTILITIES COMMISSION RAILROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3491, PAGE 539, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO LYING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2100.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY AND THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 00°21'16" FOR AN ARC LENGTH OF 12.99 FEET, A CHORD BEARING OF SOUTH 82°42'34" WEST AND A CHORD DISTANCE OF 12.99 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 46°58'16" WEST FOR A DISTANCE OF 29.21 FEET TO SAID NORTH LINE OF PARCEL "A" AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°39'25" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 14.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 279 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

### SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 10-24-31 AS BEING N89°39'25"W, AN ASSUMED BEARING.
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

sk50  
rev 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 10.22.17

JOB NO. 20130003

DATE: 5/12/2016

SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

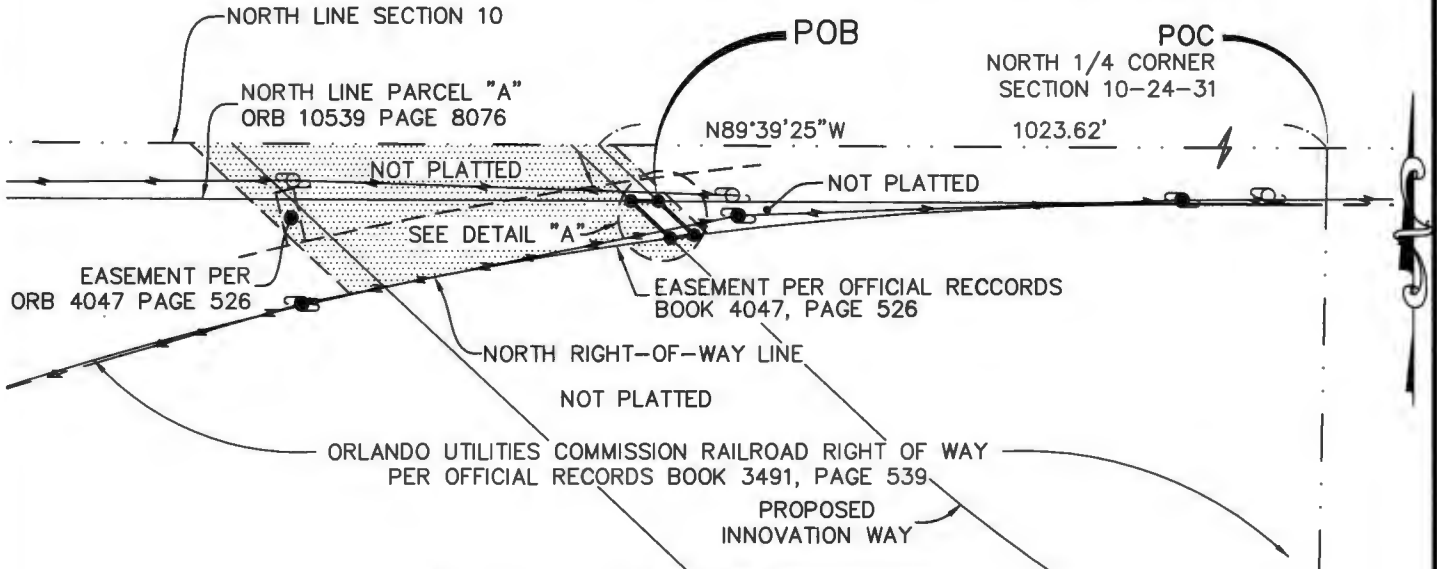
JAMES L. RICKMAN, P.S.M. #5633

# EXHIBIT "A"

## SKETCH OF DESCRIPTION

### Innovation Way South - Segment 1 Multipurpose Easement

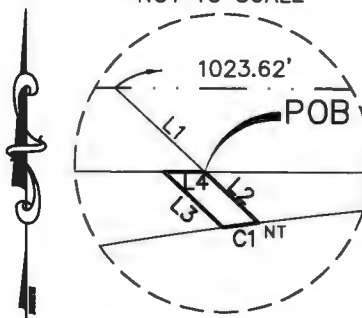
NOTE: PROPOSED INNOVATION WAY SEGMENT 1 ALIGNMENT SHOWN HEREON WAS PROVIDED BY POULOS AND BENNETT ON MAY 21, 2015.  
UTILITIES SHOWN HEREON WAS PROVIDED BY THE BOUNDARY SURVEY DATED MAY 24, 2013, PREPARED BY ALLEN & COMPANY, INC.



LINE TABLE		
LINE	LENGTH	BEARING
L1	44.27'	S46°58'16\"E
L2	26.67'	S46°58'16\"E
L3	29.21'	N46°58'16\"W
L4	14.75'	S89°39'25\"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD
C1	12.99'	2100.00'	00°21'16\"	S82°42'34\"W	12.99'

DETAIL "A"  
NOT TO SCALE



TEMPORARY ACCESS AND UTILITY EASEMENT  
PER OFFICIAL RECORDS BOOK 10435, PAGE 739

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

### LEGEND

- Denotes change in direction
- POC Denotes Point of Commencement
- POB Denotes Point of Beginning
- NT Denotes non-tangent

- ORB Denotes Official Records Book
- Denotes 3' concrete power pole
- Denotes 1' wood power pole
- Denotes overhead power

sk50  
rev 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 10.22.17

JOB NO. 20130003

DATE: 5/12/2016

SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

**LEGAL DESCRIPTION**

Innovation Way South - Segment 1  
Multipurpose Easement

A PORTION OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE RUN NORTH 89°39'25" WEST ALONG THE NORTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 1190.20 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°20'35" WEST FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE NORTH LINE OF PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 46°58'16" EAST DEPARTING SAID NORTH LINE FOR DISTANCE OF 69.32 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ORLANDO UTILITIES COMMISSION RAILROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3491, PAGE 539, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO LYING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2100.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 00°20'00" FOR AN ARC LENGTH OF 12.21 FEET, A CHORD BEARING OF SOUTH 78°04'26" WEST AND A CHORD DISTANCE OF 12.21 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 46°58'16" WEST FOR A DISTANCE OF 73.15 FEET TO SAID NORTH LINE OF PARCEL "A" AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°39'25" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 14.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 712 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

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1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 10-24-31 AS BEING N89°39'25"W, AN ASSUMED BEARING.
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

sk51  
rev 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 10.22.17

JOB NO. 20130003

DATE: 5/12/2016

SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

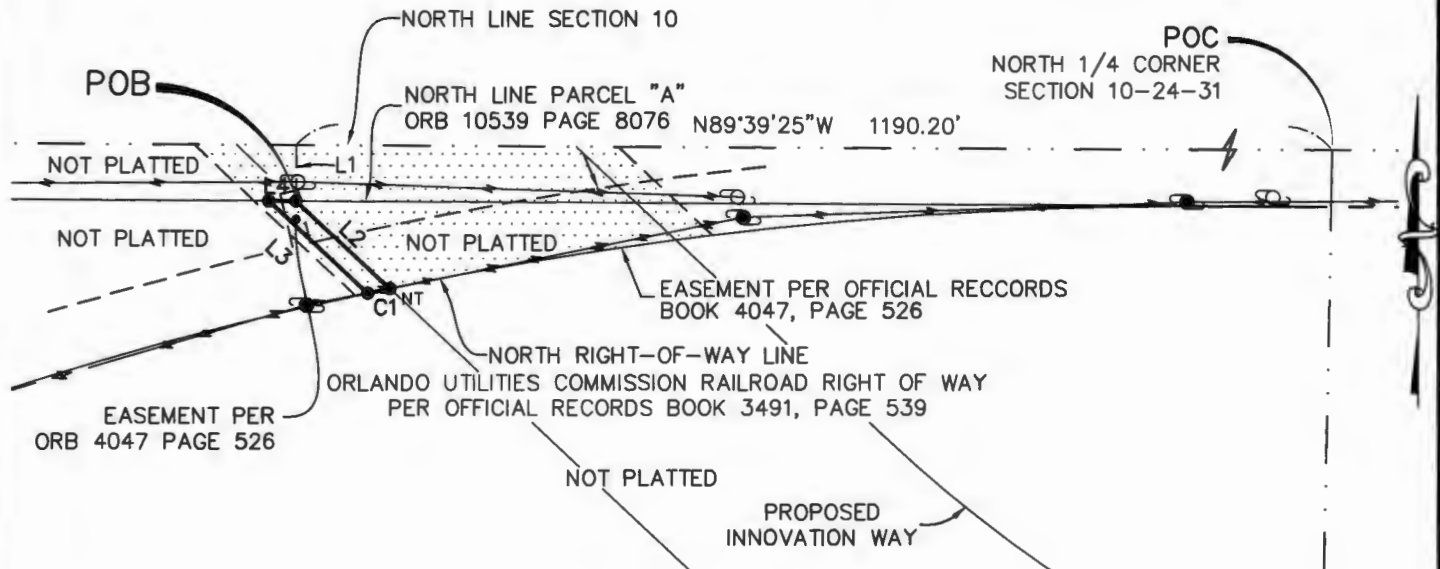
FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

# EXHIBIT "A"

## SKETCH OF DESCRIPTION

Innovation Way South - Segment 1  
Multipurpose Easement



TEMPORARY ACCESS AND UTILITY EASEMENT  
PER OFFICIAL RECORDS BOOK 10435, PAGE 739

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.02'	S00°20'35"W
L2	69.32'	S46°58'16"E
L3	73.15'	N46°58'16"W
L4	14.75'	S89°39'25"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD
C1	12.21'	2100.00'	00°20'00"	S78°04'26"W	12.21'

NOTE: PROPOSED INNOVATION WAY SEGMENT 1 ALIGNMENT SHOWN HEREON WAS PROVIDED BY POULOS AND BENNETT ON MAY 21, 2015.  
UTILITIES SHOWN HEREON WAS PROVIDED BY THE BOUNDARY SURVEY DATED MAY 24, 2013, PREPARED BY ALLEN & COMPANY, INC.

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

### LEGEND

● Denotes change in direction  
POC Denotes Point of Commencement  
POB Denotes Point of Beginning  
NT Denotes non-tangent

ORB Denotes Official Records Book  
● Denotes 3' concrete power pole  
○ Denotes 1' wood power pole  
— Denotes overhead power

sk51  
rev 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 10.22.17

JOB NO. 20130003

DATE: 5/12/2016

SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
AUG 21 2018

This instrument was prepared by,  
And upon recording please return to:  
Charles B. Costar III, Esq.  
Shutts & Bowen LLP  
300 S. Orange Avenue, Suite 1000  
Orlando, FL 32801

Project: Innovation Way South Transportation Corridor – Segment 1  
Property Appraiser's Parcel Nos.:  
A portion of 10-24-31-0000-00004

This document has been executed and delivered under threat of condemnation.  
Therefore, this document is not subject to documentary stamp tax. See Florida  
Administrative Code 12 FL ADC 12B-4.014(13).

### TEMPORARY SLOPE EASEMENT

**THIS TEMPORARY SLOPE EASEMENT** ("Easement") is made and entered this  
1<sup>st</sup> day of December, 2017, by and between **LENNAR HOMES, LLC** organized and  
existing under the laws of the State of Florida, whose address is 6750 Forum Drive, Suite 310,  
Orlando, Florida 32821 ("**Grantor**"), and **ORANGE COUNTY**, a charter county and political  
subdivision of the State of Florida, whose post office address is Box 1393, Orlando, Florida  
32802-1393 ("**Grantee**").

### WITNESSETH:

**WHEREAS**, Grantor is the owner in fee simple of certain real property located in  
Orange County, Florida, more particularly described on **Exhibit "A"** attached hereto and by this  
reference made a part hereof (hereinafter referred to as the "**Easement Area**"); and

**WHEREAS**, the Grantee is the owner in fee simple of certain real property located in  
Orange County, Florida, more particularly described on **Exhibit "B"** attached hereto and by this  
reference made a part hereof (hereinafter referred to as the "**Benefited Property**"); and

**WHEREAS**, Grantee has requested, and Grantor has agreed to grant and convey to  
Grantee, a temporary, non-exclusive slope easement, anticipated not to exceed twenty (20) feet  
in width, over, upon, and across the Easement Area for the specific and limited purposes  
hereinafter set forth.

**NOW THEREFORE**, for and in consideration of the foregoing premises, the sum of  
Ten and no/100 Dollars (\$10.00) paid by Grantor to the Grantee, and of other good and valuable  
considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor does  
hereby create, grant, convey, and declare to exist the following easements and rights of use and  
by its acceptance hereof Grantee hereby agrees as follows:

**Section 1.** The above recitals are true and correct, form a material part of this  
easement, and are incorporated herein by reference.

**Section 2.** Grantor hereby declares, creates, grants, conveys, and imposes to Grantee a temporary, non-exclusive slope easement, over, upon, and across the Easement Area for the purposes hereinafter stated (the “**Easement**”), all subject to the terms, conditions, and limitations set forth within.

**Section 3.** Grantee’s use of the Easement Area shall be for the purpose of Grantee, through itself, its agents, contractors, consultants and employees, to maintain the elevation of the road, to Grantee’s specifications, with the right to grade, excavate, and/or add fill material to the Easement Area. Notwithstanding the foregoing, this Easement is granted upon the condition that the sloping and/or grading upon the Easement Area shall not extend beyond the Easement Area and that all grading or sloping shall conform to all improvements within the Easement Area permitted and/or approved by Grantee and all work will be performed in such a manner that structural improvements, and trees, shrubs or plantings, if any, constructed and/or planted in accordance with permits and/or approvals issued by Grantee will not be damaged. Moreover, nothing in this Agreement shall limit in any way Grantor’s present or future use of the Easement Area, as Grantor may determine in its sole and absolute discretion, including, without limitation, the development and construction of improvements of any type hereon not inconsistent with the easement rights granted herein. This Easement is solely for the purposes noted herein and does not obligate Grantee to perform any right-of-way maintenance or other duties.

**Section 4.** This Easement, and the rights granted herein, shall terminate and be of no further force or effect as to the Easement Area (or portion thereof, as the case may be) at such time as the lands within which the Easement Property (or portion thereof) are located and filled such that slopes are no longer required for the construction, repair and/or maintenance of the adjoining paving improvements for Innovation Way South as confirmed by the Orange County Public Works Department. The Easement may not otherwise be changed, amended, or modified other than as expressly provided herein, except by an instrument in writing, executed by Grantor and Grantee and all mortgagees of any portion thereof, until such actions as described in this Section 4 of this Easement take place.

**Section 5.** The easement hereby created and granted includes the creation of all incidental rights reasonably necessary for the use and enjoyment of the Easement Area for its intended purposes, including, specifically, the right of entry for purposes of maintenance, operation, repair and construction within the Easement Area.

**Section 6.** With or without specific reference thereto, the conveyance of an interest in any portion of the Easement Area and the benefited property shall be subject to the respective burdens and benefits of the easement hereby created and granted to the same extent as if all of the terms of this instrument were set forth in such conveyance in full.

**Section 7.** The easements, covenants, agreements, and conditions contained or expressed herein shall not be personal (except as otherwise expressly provided herein) but shall run with the land and shall be binding upon and inure to the benefit of the Owner of all portions of the benefited property and the Easement Area, its mortgagees, any purchaser at a foreclosure sale, each of the successors and assigns of all such parties, as well as the tenants, agents, licensees, guests, and invitees of each of them.

IN WITNESS WHEREOF, Grantor has executed this Slope Easement on the day and year first written above.

Signed, sealed and delivered in the presence of the following witnesses:

LENNAR HOMES, LLC, a Florida limited liability company

Elizabeth Hill  
Witness Printed Name: Elizabeth Hill

By: [Signature]  
Brock Nicholas  
Vice President

Susan Kane  
Witness Printed Name: Susan Kane

(Signature of TWO Witnesses required by Florida Law)

State of Florida

County of Orange

Sworn to and subscribed before me this 1st day of December, 2017, by Brock Nicholas, as Vice President of LENNAR HOMES, LLC, a Florida limited liability company, on behalf of the company. He personally appeared before me, is ☒ personally known to me, or ☐ produced N/A as identification.

(NOTARY SEAL)



[Signature]  
Notary Public Signature  
Susan Finkbeiner  
Typed or Printed Notary Name  
Notary Public-State of Florida  
Commission No.: FF 962439  
My Commission Expires: 4/14/20



**LEGAL DESCRIPTION**

Innovation Way South - Segment 1  
Slope Easement

A PORTION OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE RUN NORTH 89°39'25" WEST ALONG THE NORTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 961.58 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°20'35" WEST FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE NORTH LINE OF PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 46°58'16" EAST DEPARTING SAID NORTH LINE FOR DISTANCE OF 21.89 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ORLANDO UTILITIES COMMISSION RAILROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3491, PAGE 539, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO LYING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2100.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 00°42'53" FOR AN ARC LENGTH OF 26.19 FEET, A CHORD BEARING OF SOUTH 83°14'38" WEST AND A CHORD DISTANCE OF 26.19 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 46°58'16" WEST FOR A DISTANCE OF 26.67 FEET TO SAID NORTH LINE OF PARCEL "A" AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°39'25" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 29.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 485 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

**SURVEYOR'S NOTES:**

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 10-24-31 AS BEING N89°39'25"W, AN ASSUMED BEARING.
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

rk52  
rev 6.23.16  
rev 8.9.16  
rev 10.22.17  
rev 11.1.17

JOB NO. 20130003

DATE: 5/13/2016

SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

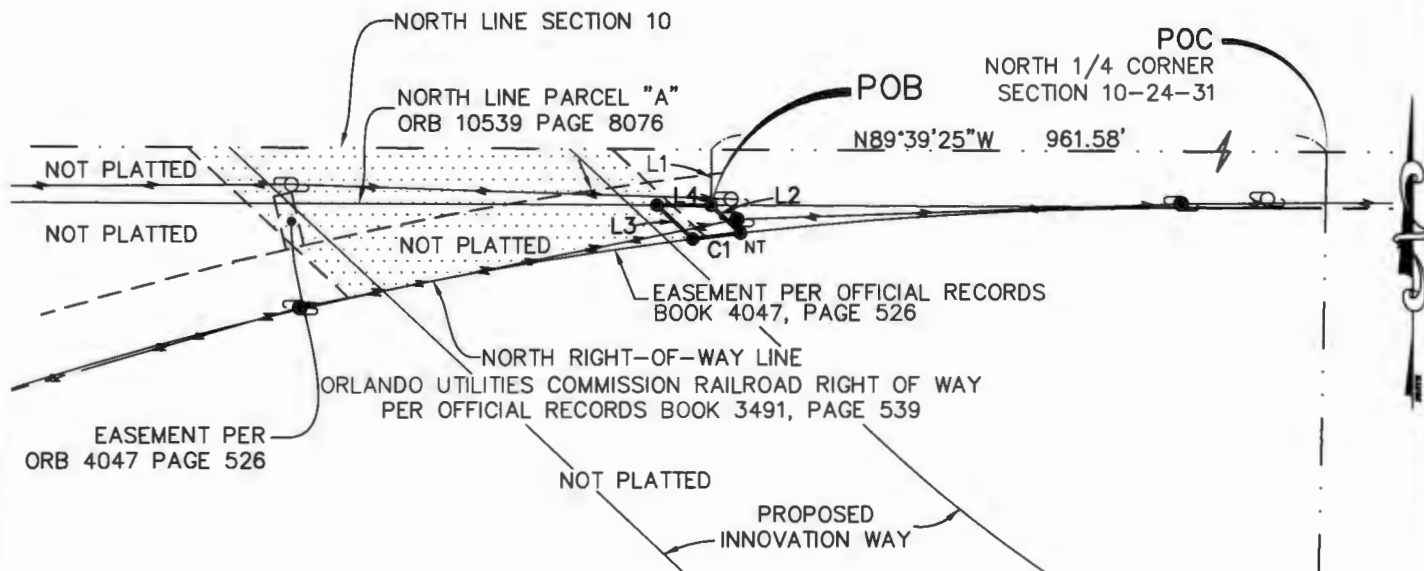
JAMES L. RICKMAN, P.S.M. #5633



# EXHIBIT "A"

## SKETCH OF DESCRIPTION

Innovation Way South - Segment 1  
Slope Easement



TEMPORARY ACCESS AND UTILITY EASEMENT  
PER OFFICIAL RECORDS BOOK 10435, PAGE 739

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.02'	S00°20'35"W
L2	21.89'	S46°58'16"E
L3	26.67'	N46°58'16"W
L4	29.50'	S89°39'25"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD
C1	26.19'	2100.00'	00°42'53"	S83°14'38"W	26.19'

NOTE: PROPOSED INNOVATION WAY SEGMENT 1 ALIGNMENT SHOWN HEREON WAS PROVIDED BY POULOS AND BENNETT ON MAY 21, 2015.  
UTILITIES SHOWN HEREON WAS PROVIDED BY THE BOUNDARY SURVEY DATED MAY 24, 2013, PREPARED BY ALLEN & COMPANY, INC.

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



Professional Surveyors & Mappers

16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

### LEGEND

● Denotes change in direction  
POC Denotes Point of Commencement  
POB Denotes Point of Beginning  
NT Denotes non-tangent

ORB Denotes Official Records Book  
● Denotes 3' concrete power pole  
○ Denotes 1' wood power pole  
— Denotes overhead power

sk52  
rev 6.23.16  
rev 8.9.16  
rev 10.22.17  
rev 11.1.17

JOB NO. 20130003

DATE: 5/13/2016

SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

**LEGAL DESCRIPTION**

Innovation Way South - Segment 1  
Slope Easement

A PORTION OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE RUN NORTH 89°39'25" WEST ALONG THE NORTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 1204.95 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°20'35" WEST FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE NORTH LINE OF PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 46°58'16" EAST DEPARTING SAID NORTH LINE FOR DISTANCE OF 73.15 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ORLANDO UTILITIES COMMISSION RAILROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3491, PAGE 539, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO LYING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2100.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 00°39'45" FOR AN ARC LENGTH OF 24.28 FEET, A CHORD BEARING OF SOUTH 77°34'33" WEST AND A CHORD DISTANCE OF 24.28 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 46°58'16" WEST FOR A DISTANCE OF 81.06 FEET TO SAID NORTH LINE OF PARCEL "A" AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°39'25" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 29.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 1542 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

**SURVEYOR'S NOTES:**

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 10-24-31 AS BEING N89°39'25"W, AN ASSUMED BEARING.
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

sk53  
rav 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 10.22.17  
rev 11.1.17

JOB NO. 20130003

DATE: 5/13/2016

SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

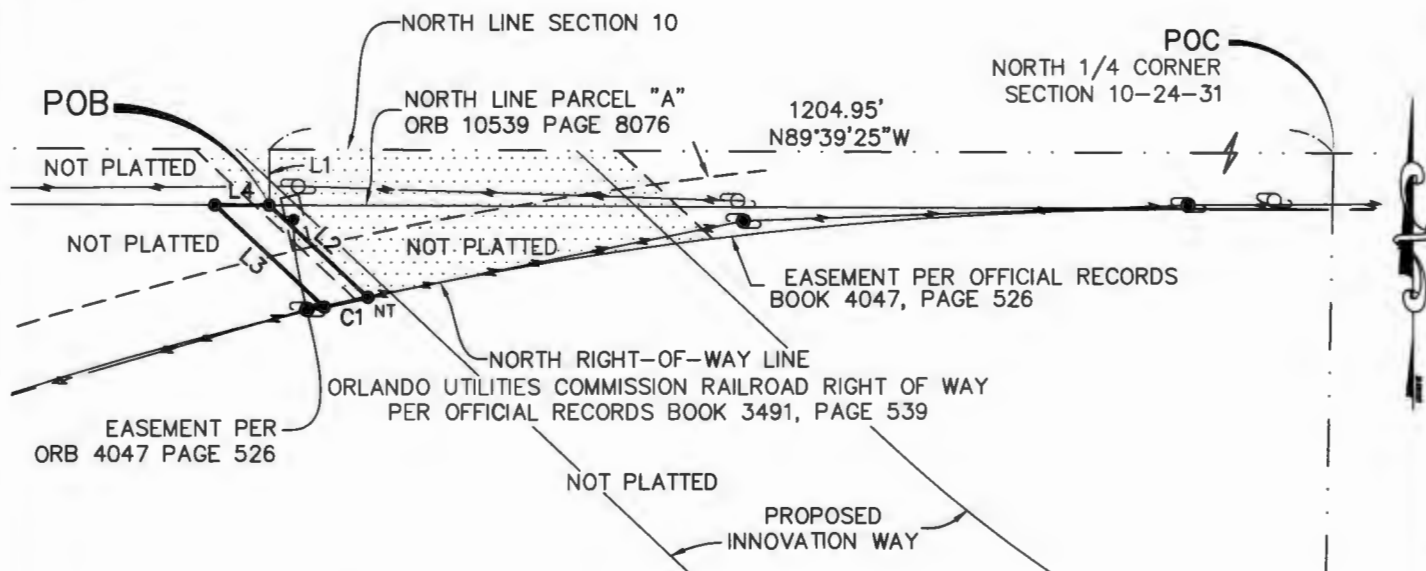
FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

# EXHIBIT "A"

## SKETCH OF DESCRIPTION

Innovation Way South - Segment 1  
Slope Easement



TEMPORARY ACCESS AND UTILITY EASEMENT  
PER OFFICIAL RECORDS BOOK 10435, PAGE 739

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.02'	S00°20'35\"W
L2	73.15'	S46°58'16\"E
L3	81.06'	N46°58'16\"W
L4	29.50'	S89°39'25\"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD
C1	24.28'	2100.00'	00°39'45\"	S77°34'33\"W	24.28'

NOTE: PROPOSED INNOVATION WAY SEGMENT 1 ALIGNMENT SHOWN HEREON WAS PROVIDED BY POULOS AND BENNETT ON MAY 21, 2015.  
UTILITIES SHOWN HEREON WAS PROVIDED BY THE BOUNDARY SURVEY DATED MAY 24, 2013, PREPARED BY ALLEN & COMPANY, INC.

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

### LEGEND

- Denotes change in direction
- POC Denotes Point of Commencement
- POB Denotes Point of Beginning
- NT Denotes non-tangent

- ORB Denotes Official Records Book
- ☼ Denotes 3' concrete power pole
- ☼ Denotes 1' wood power pole
- Denotes overhead power

sk53  
rev 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 10.22.17  
rev 11.1.17

JOB NO. 20130003

DATE: 5/13/2016

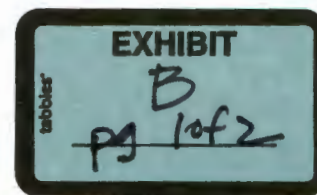
SCALE: 1" = 100 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ



## LEGAL DESCRIPTION

Innovation Way South - Segment 1

A PORTION OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE RUN NORTH 89°39'25" WEST ALONG THE NORTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 1038.37 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF PROPOSED INNOVATION WAY SOUTH - SEGMENT 1; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 46°58'16" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 44.27 FEET TO A POINT LYING ON THE NORTH LINE OF PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 46°58'16" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR DISTANCE OF 29.21 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ORLANDO UTILITIES COMMISSION RAILROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3491, PAGE 539, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2100.00 FEET; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY AND THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 04°17'30" FOR AN ARC LENGTH OF 157.30 FEET, A CHORD BEARING OF SOUTH 80°23'11" WEST AND A CHORD DISTANCE OF 157.26 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID PROPOSED INNOVATION WAY SOUTH - SEGMENT 1; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY RUN NORTH 46°58'16" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 69.32 FEET TO SAID NORTH LINE OF PARCEL "A" AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°39'25" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 184.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,004 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

### SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 10-24-31 AS BEING N89°39'25"W, AN ASSUMED BEARING.
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

JOB NO. 20130003

DATE: 5/12/2016

SCALE: 1" = 200 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

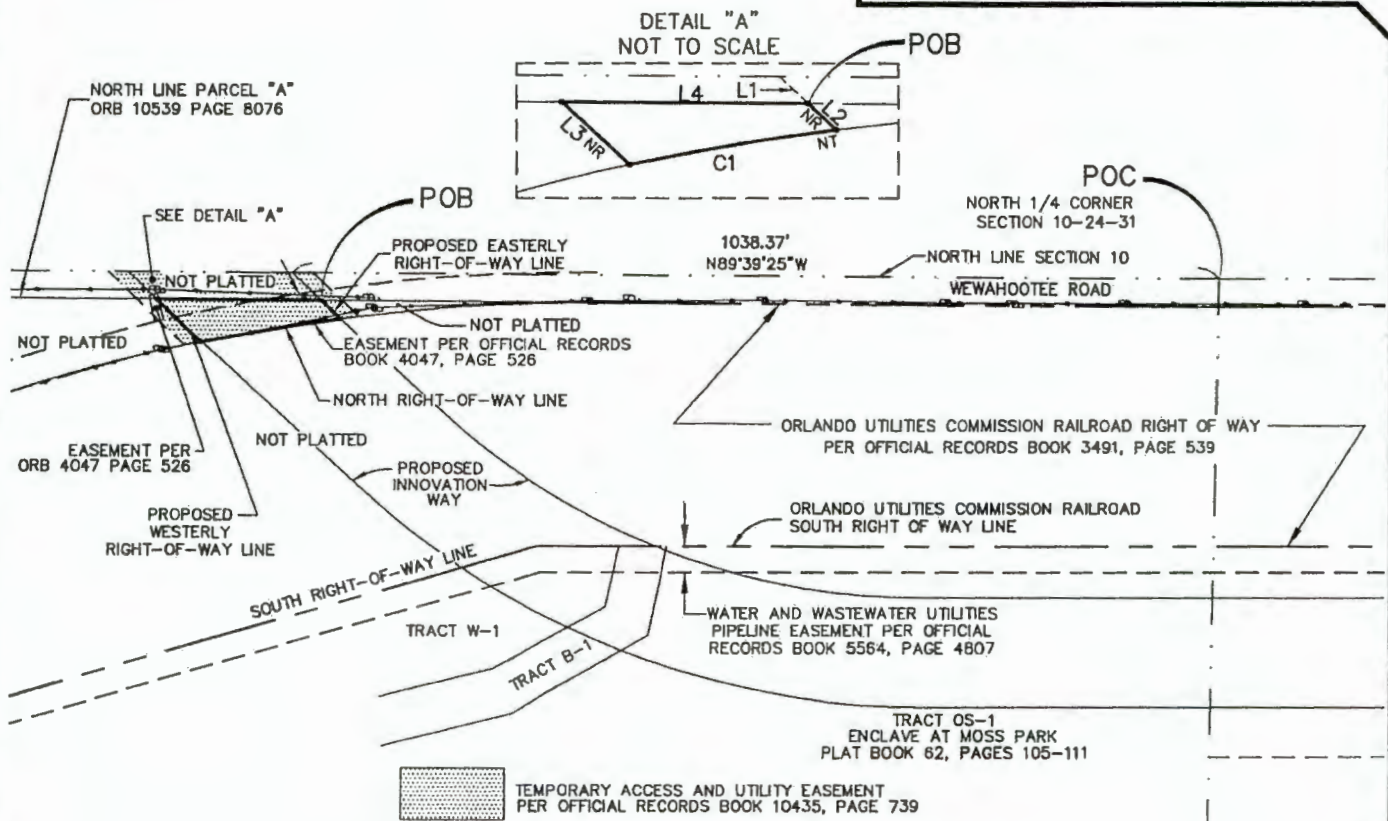


# SKETCH OF DESCRIPTION

Innovation Way South - Segment 1

EXHIBIT

B  
pg 2 of 2



LINE TABLE

LINE	LENGTH	BEARING
L1	44.27'	S46°58'16"E
L2	29.21'	S46°58'16"E
L3	69.32'	N46°58'16"W
L4	184.37'	S89°39'25"E

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD
C1	157.30'	2100.00'	04°17'30"	S80°23'11"W	157.26'

NOTE: PROPOSED INNOVATION WAY SEGMENT 1 ALIGNMENT SHOWN HEREON WAS PROVIDED BY POULOS AND BENNETT ON MAY 21, 2015.  
UTILITIES SHOWN HEREON WAS PROVIDED BY THE BOUNDARY SURVEY DATED MAY 24, 2013, PREPARED BY ALLEN & COMPANY, INC.

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

## LEGEND

- Denotes change in direction
- POC Denotes Point of Commencement
- POB Denotes Point of Beginning
- NT Denotes non-tangent
- ORB Denotes Official Records Book
- Denotes 3" concrete power pole
- Denotes 1" wood power pole
- Denotes overhead power
- NR Denotes non-radial

sk28c  
rev 6.23.16  
rev 8.9.16  
rev 8.12.16  
rev 9.19.17  
rev 11.6.17

JOB NO. 20130003

CALCULATED BY: JDS

DATE: 5/12/2016

DRAWN BY: JDS

SCALE: 1" = 200 FEET

CHECKED BY: SEJ

FIELD BY: N/A

Drawing name: L:\Data\20130003\Plot Parcel N\Sketch\Sketch 28c - IWS Segment 1 125 rw.dwg Sketch 28C

APPROVED  
BY ORANGE COUNTY BOARD  
~~OF COUNTY~~ COMMISSIONERS  
AUG 21 2018

This instrument was prepared by,  
And upon recording please return to:  
Charles B. Costar III, Esq.  
Shutts & Bowen LLP  
300 S. Orange Avenue, Suite 1000  
Orlando, FL 32801

Project: Innovation Way South Transportation Corridor-Segment 1  
Property Appraiser's Parcel Nos.:  
A portion of 10-24-31-0000-00004

This document has been executed and delivered under threat of condemnation.  
Therefore, this document is not subject to documentary stamp tax. See Florida  
Administrative Code 12 FL ADC 12B-4.014(13).

### **TEMPORARY CONSTRUCTION EASEMENT**

For and in consideration of \$10.00, other valuable considerations, and of the benefits accruing to us, we **LENNAR HOMES, LLC**, a Florida limited liability company organized and existing under the laws of the State of Florida, County of Orange, whose address is 6750 Forum Drive, Suite 310, Orlando, Florida 32821 ("**Grantor**"), do hereby give, grant, bargain and release to 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**"), a temporary easement to enter upon the portion of the lands of the Grantor being described as follows:

### **SEE ATTACHED EXHIBIT A (the "Easement Area")**

and to perform such tying in, harmonizing, sloping, and grading of Grantor's property with adjacent improvements of Grantee as Grantee, its agents, employees, and representatives may deem necessary or proper.

**THIS EASEMENT** is granted upon the condition that all sloping, grading, and/or construction activities upon the above land shall not extend beyond the limits outlined, and that all grading, sloping, or construction activities shall conform to all existing structural improvements within the limits designated, and all work will be performed in such a manner that existing structural improvements will not be damaged.

**THIS EASEMENT** shall expire upon the completion of the construction of the said project or after seven (7) years, whichever occurs first.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor has executed this Temporary Construction Easement on the day and year first written above.

Signed, sealed and delivered in the presence of the following witnesses:

LENNAR HOMES, LLC, a Florida limited liability company

Elizabeth Hill

Witness Printed Name: ELIZABETH Hill

By:

Brock Nicholas  
Vice President

Susan Kane

Witness Printed Name: Susan Kane

(Signature of TWO Witnesses required by Florida Law)

State of Florida

County of Orange

Sworn to and subscribed before me this 29 day of DECEMBER, 2017, by Brock Nicholas, as Vice President of LENNAR HOMES, LLC, a Florida limited liability company, on behalf of the company. He personally appeared before me, is ☒ personally known to me, or ☐ produced N/A as identification.

(NOTARY SEAL)



Susan Finkbeiner

Notary Public Signature

Susan Finkbeiner

Typed or Printed Notary Name

Notary Public-State of Florida

Commission No.: FF 962439

My Commission Expires: 4/14/20

# EXHIBIT "A"

## LEGAL DESCRIPTION

Innovation Way South - Segment 1  
Temporary Construction Easement

A PORTION OF SECTION 10, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE RUN NORTH 89°39'25" WEST ALONG THE NORTH LINE OF SAID SECTION 10 FOR A DISTANCE OF 961.58 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°20'35" EAST FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE NORTH LINE OF PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 46°58'16" EAST FOR DISTANCE OF 21.89 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ORLANDO UTILITIES COMMISSION RAILROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3491, PAGE 539, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2100.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY AND THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 06°21'23" FOR AN ARC LENGTH OF 232.98 FEET, A CHORD BEARING OF SOUTH 80°25'23" WEST AND A CHORD DISTANCE OF 232.86 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY RUN NORTH 46°58'16" WEST FOR A DISTANCE OF 81.06 FEET TO SAID NORTH LINE OF PARCEL "A" AS RECORDED IN OFFICIAL RECORDS BOOK 10539, PAGE 8076 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°39'25" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 272.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,022 SQUARE FEET OR 0.21 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET  
Winter Garden, Florida 34787 \* (407) 654-5355

### SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 10-24-31 AS BEING N89°39'25"W, AN ASSUMED BEARING.
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. THE DELINEATION OF LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

sk55  
rev 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 8.12.16  
rev 10.22.17

JOB NO. 20130003

DATE: 6/7/2016

SCALE: 1" = 200 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

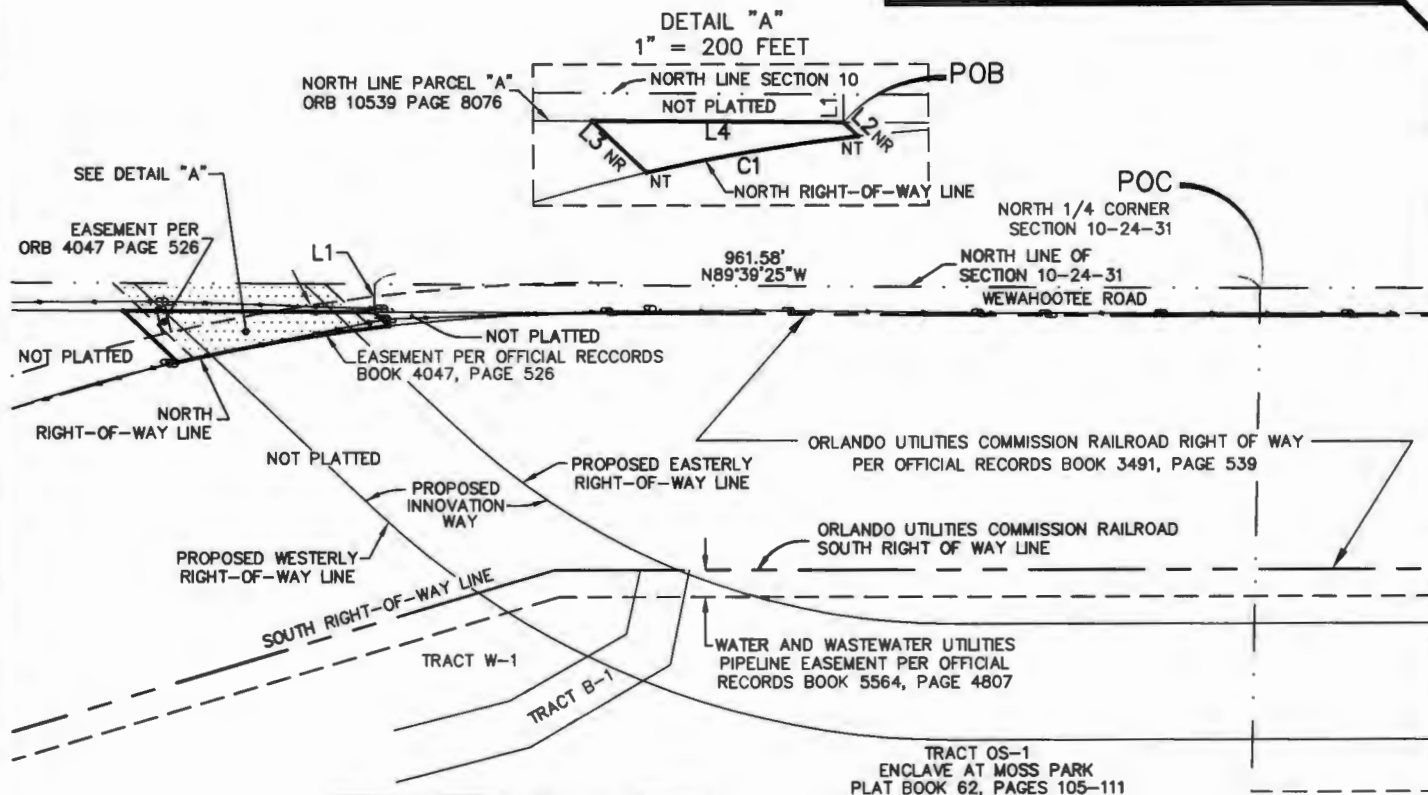
JAMES L. RICKMAN, P.S.M. #5633



# EXHIBIT "A"

## SKETCH OF DESCRIPTION

Innovation Way South - Segment 1  
Temporary Construction Easement



LINE TABLE		
LINE	LENGTH	BEARING
L1	30.02'	S00°20'35"E
L2	21.89'	S46°58'16"E
L3	81.06'	N46°58'16"W
L4	272.87'	S89°39'25"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD
C1	232.98'	2100.00'	06°21'23"	S80°25'23"W	232.86'

TEMPORARY ACCESS AND UTILITY EASEMENT  
PER OFFICIAL RECORDS BOOK 10435, PAGE 739

NOTE: PROPOSED INNOVATION WAY SEGMENT 1 ALIGNMENT SHOWN HEREON WAS PROVIDED BY POULOS AND BENNETT ON MAY 21, 2015.  
UTILITIES SHOWN HEREON WAS PROVIDED BY THE BOUNDARY SURVEY DATED MAY 24, 2013, PREPARED BY ALLEN & COMPANY, INC.

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



16 EAST PLANT STREET  
Winter Garden, Florida 34787 • (407) 654-5355

### LEGEND

● Denotes change in direction  
POC Denotes Point of Commencement  
POB Denotes Point of Beginning  
NT Denotes non-tangent

ORB Denotes Official Records Book  
● Denotes 3' diameter concrete power pole  
○ Denotes 1' wood power pole  
— Denotes overhead power  
NR Denotes non-radial

JOB NO. 20130003

DATE: 6/7/2016

SCALE: 1" = 200 FEET

FIELD BY: N/A

CALCULATED BY: JDS

DRAWN BY: JDS

CHECKED BY: SEJ

sk55  
rev 6.23.16  
rev 7.20.16  
rev 8.8.16  
rev 8.12.16  
rev 10.22.17