




Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: January 10, 2020

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

THROUGH: Paul Sladek, Manager *PS*
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 Gary L. Patterson and Orange County and authorization to disburse funds to pay all recording fees and record instrument

PROJECT: Alley Street

District 1

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

ITEMS: Donation Agreement (Parcel 8001)

Drainage Easement (Instrument 8001.1)
Cost: Donation
Size: 1,953 square feet

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

FUNDS: \$44.70 Payable to Orange County Comptroller
(all recording fees)

APPROVALS: Real Estate Management Division
Public Works Department

Real Estate Management Division

Agenda Item 5

January 10, 2020

Page 2

REMARKS:

This easement is being acquired at the request of the Orange County Public Works Department as Parcel 8001 of the Alley Street drainage project.

County to pay all recording fees.

Project: Alley Street
Parcel: 8001

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

JAN 28 2020

DONATION AGREEMENT

COUNTY OF ORANGE
STATE OF FLORIDA

THIS AGREEMENT made between Gary L. Patterson, a ^{single}~~married~~ man, 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 Schedule "A" attached hereto and said OWNER agrees to donate said land for such purpose.

**Property Appraiser's Parcel Identification Number:
a portion of 09-23-28-2196-03-120**

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 8001 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 8001 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.

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 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.

Project: Alley Street
Parcel: 8001

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

OWNER:

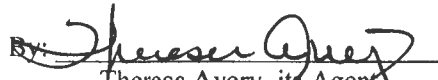


Gary L. Patterson

Date: 5-6-19

COUNTY:

ORANGE COUNTY, FLORIDA

By: 

Theresa Avery, its Agent

Date: 01/02/2020

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

SCHEDULE "A"

PARCEL: 8001
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 12, 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 45.05 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°00'41" EAST ALONG A LINE 5 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 12, A DISTANCE OF 109.54 FEET TO A POINT; THENCE NORTH 89°59'19" EAST, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 5.00 FEET TO A POINT; THENCE SOUTH 00°00'41" EAST ALONG A LINE 10 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 12, A DISTANCE OF 140.54 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 12; THENCE SOUTH 89°59'27" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 10.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE NORTH 00°00'41" WEST ALONG THE WEST LINE OF SAID LOT 12, A DISTANCE OF 250.09 FEET TO THE NORTHWEST CORNER OF SAID LOT 12, BEING A FOUND 3/4" IRON PIPE, NO IDENTIFICATION; THENCE SOUTH 89°54'38" EAST ALONG THE NORTH LINE OF SAID LOT 12, 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

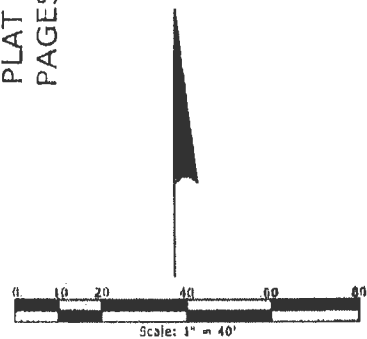
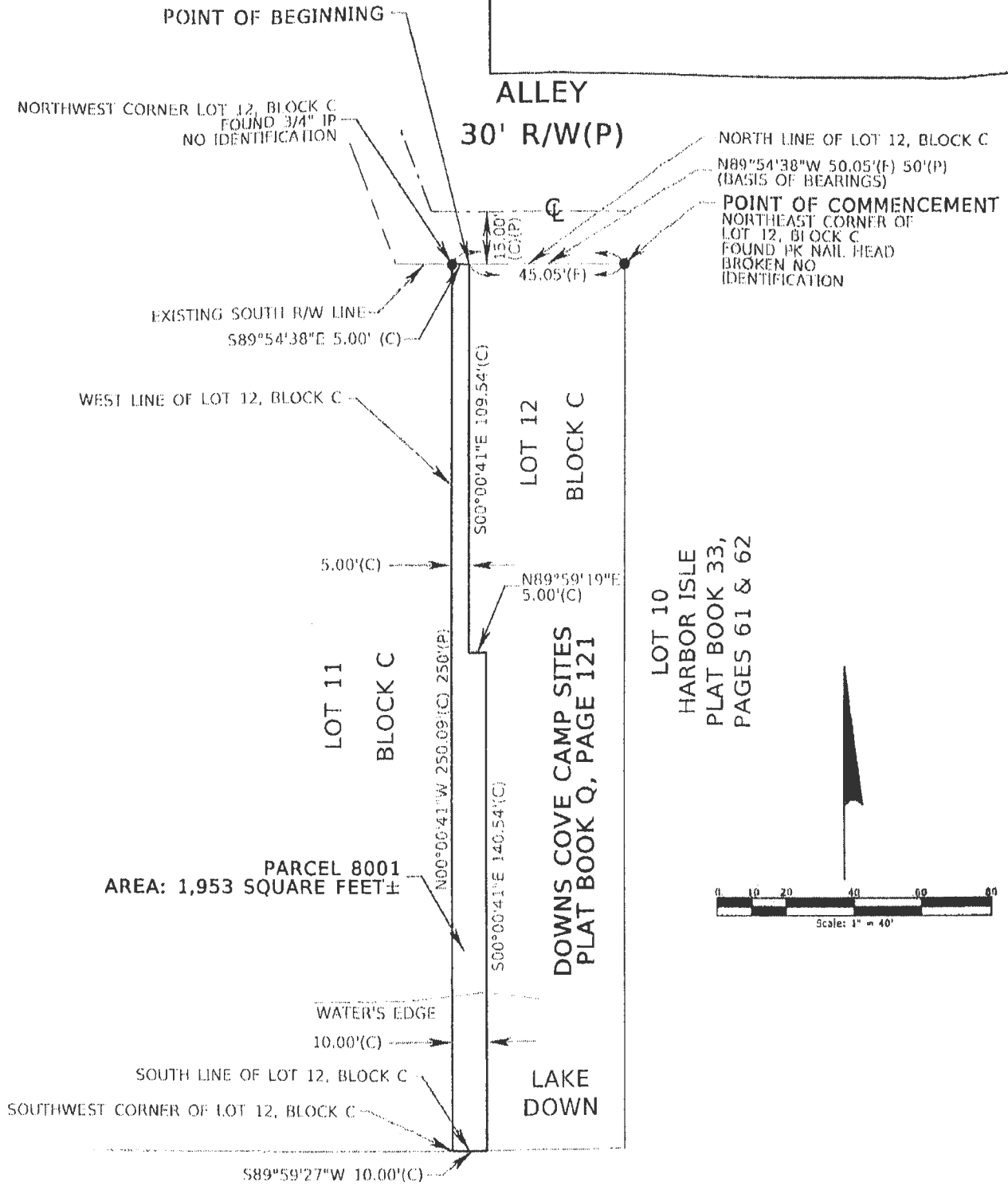
**ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8001**



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



SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST

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

DATE: APRIL 13, 2017
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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>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</p> <p style="text-align: center;"><small>H. Paul deViviera, Professional Land Surveyor No. 4990 DATE</small></p>
REVISION	BY	DATE	

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

**ALLEY STREET AT LAKE
DOWN DRAINAGE
IMPROVEMENTS PROJECT
PARCEL 8001**



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VOICE: (407) 732-6985 FAX: (407) 878-0841
LAND SURVEYOR BUSINESS LICENSE NO. 6556

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

JAN 28 2020

THIS IS A DONATION

Instrument: 8001.1
Project: Alley Street

DRAINAGE EASEMENT

THIS INDENTURE, made the 6th day of May, 20 17, between Gary L. Patterson, a married man, of the county of Clark and state of Nevada, GRANTOR, and Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$1.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns an easement for 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 SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

a portion of

09-23-28-2196-03-120

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever.

THIS IS NOT NOW, nor has it ever been, the homestead property of the GRANTOR herein.

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 GRANTOR, his 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.

Instrument: 8001.1
Project: Alley Street

IN WITNESS WHEREOF, the said GRANTOR has hereto set his hand the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

JoAnn Mansell
Printed Name

[Signature]
Witness

Dean J. Barberio
Printed Name

[Signature]
Gary L. Patterson

P.O. Box 1557
Post Office Address

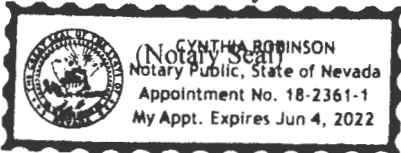
Logansport, NV 89021

(Signature of TWO Witnesses required by Florida Law)

STATE OF Nevada
COUNTY OF Clark

The foregoing instrument was acknowledged before me this 6 day of May, 2019 by Gary L. Patterson, a ~~married~~ ^{single} man. He is personally known to me or has produced _____ as identification.

Witness my hand and official seal this 06 day of May, 2019.



[Signature]
Notary Signature.
Cynthia Robinson
Printed Notary Name

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

Notary Public in and for
the County and State aforesaid

My commission expires:

SCHEDULE "A"

PARCEL: 8001
PROJECT: ALLEY STREET

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SHEET 1 OF 3

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

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DOWN DRAINAGE
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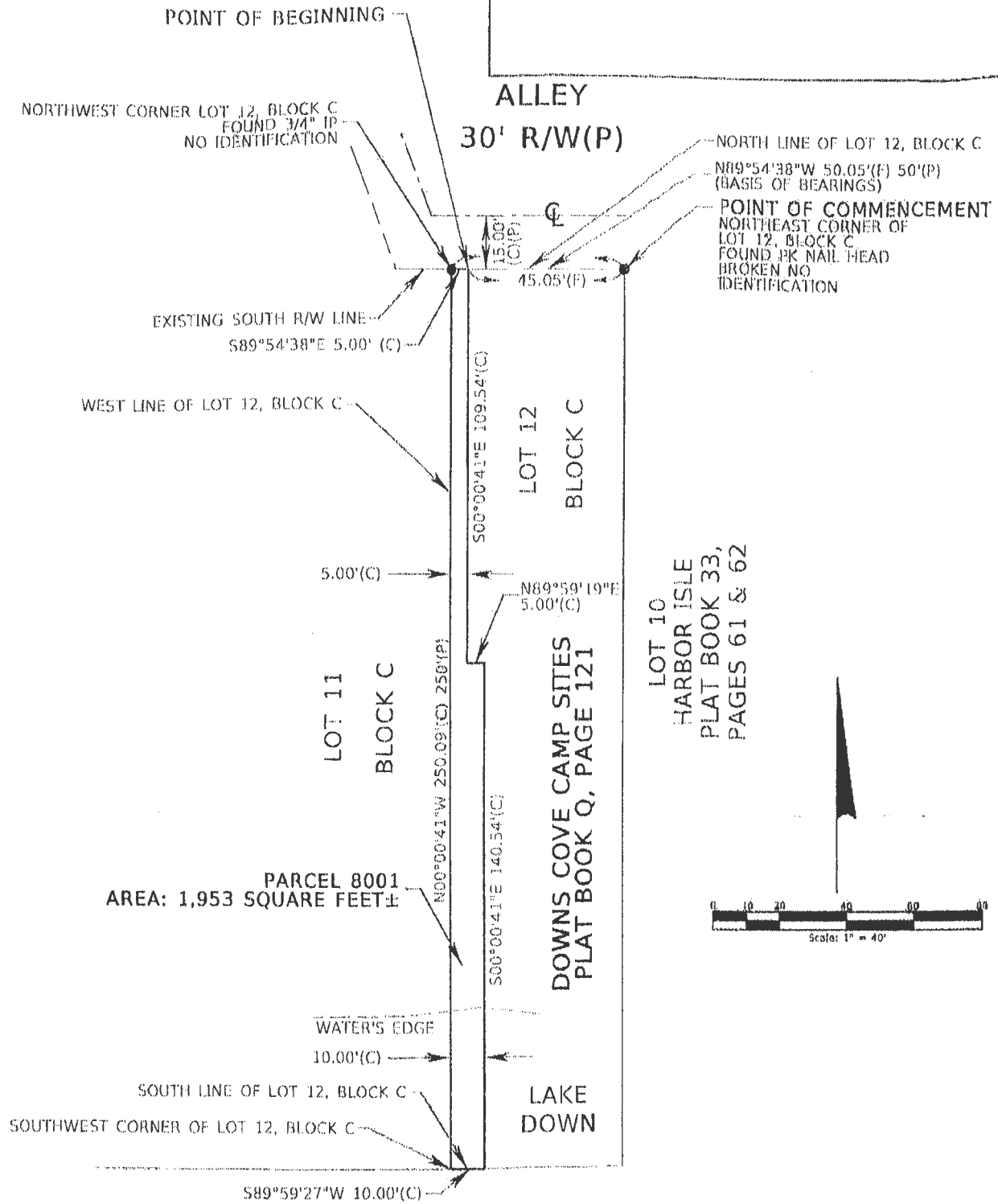
SUITE 2401

LAKE MARY, FLORIDA 32746

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LAND SURVEYOR BUSINESS LICENSE NO. 6556

SKETCH OF DESCRIPTION



SECTION 9, TOWNSHIP 23 SOUTH, RANGE 28 EAST

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SHEET 2 OF 3

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

ALLEY STREET AT LAKE
 DOWN DRAINAGE
 IMPROVEMENTS PROJECT
 PARCEL 8001



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 LAND SURVEYOR BUSINESS LICENSE NO. 6556

Project: Alley Street
Parcel No.: 8001
Name of Owner(s): Gary L. Patterson
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 west line of Lot 12, 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 Gary L. Patterson. I recommend and approve this Donation.

Recommended by: Theresa A. Avery Date: 12/17/19
Theresa A. Avery, Senior Acquisition Agent, Real Estate Management Division

Recommended by: Robert K. Babcock Date: 1/2/20
Robert K. Babcock, Acquisition Supervisor, Real Estate Management Division

Approved by: Paul Sladek Date: 1/9/2020
Paul Sladek, Manager, Real Estate Management Division

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: December 19, 2019

Total Amount: \$44.70

Project: Alley Street
Parcel: 8001

Charge to Account # 1002-072-2908-6110

Deodat Budhu 12-19-19
Controlling Agency Approval Signature Date

Deodat Budhu
Printed Name:

Pat 12-19-19
Fiscal Approval Signature Date

Pat P. Adams
Printed Name

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

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

Orange County Comptroller \$44.70
(All Recording Fees)

DOCUMENTATION ATTACHED (Check appropriate block(s))

- Contract/ Agreement
- Copy of Executed Instrument
- Certificate of Value (Donation)
- Settlement Analysis

Payable to: Orange County Comptroller \$44.70

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

Recommended by Theresa A. Avery Theresa A. Avery, Sr. Acquisition Agent, Real Estate Mgt. Div 12/19/19
Date

Payment Approved Paul Sladek Paul Sladek, Manager, Real Estate Management Division 12/19/19
Date

Certified Jennifer Jac-Kimetz Approved by BCC to Deputy Clerk to the Board JAN 28 2020
Date

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

REMARKS:
Anticipated Closing Date: This is a Donation, per BoCC approval 01/28/20

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JAN 28 2020