



Interoffice Memorandum

REAL ESTATE MANAGEMENT 4

**DATE:** November 27, 2018

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

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

**FROM:** Erica L. Guidroz, Acquisition Agent *EG*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** APPROVAL OF PURCHASE AGREEMENT AND TEMPORARY CONSTRUCTION EASEMENT BETWEEN 6863 HANGING MOSS ROAD LLC AND ORANGE COUNTY; SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS OF ORANGE COUNTY FROM JP MORGAN CHASE BANK, NA; AND AUTHORIZATION TO DISBURSE FUNDS TO PAY PURCHASE PRICE AND RECORDING FEES AND RECORD INSTRUMENTS

**PROJECT:** East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway  
District 5

**PURPOSE:** To provide for access and construction of road-widening improvements.

**ITEMS:** Purchase Agreement (Parcel 7042)  
  
Temporary Construction Easement (Instrument 7042.1)  
Cost: \$12,400  
Size: 516 square feet  
Term: 7 years  
  
Subordination of Encumbrance to Property Rights of Orange County (Instrument 7042.2)

Real Estate Management Division

Agenda Item 4

November 27, 2018

Page 2

**BUDGET:** Account No.: 1032-072-2752-6110

**FUNDS:** \$12,400.00 Payable to 6863 Hanging Moss Road LLC  
(purchase price)

\$79.50 Payable to Orange County Comptroller  
(recording fees)

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

**REMARKS:** Grantor to pay documentary stamp tax.

Project: East-West Road (S.R. 436 to Dean Rd) n/k/a Richard Crotty Parkway  
Parcel: 7042

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
**DEC 18 2018**

**PURCHASE AGREEMENT**

**COUNTY OF ORANGE  
STATE OF FLORIDA**

THIS AGREEMENT made between 6863 Hanging Moss Road LLC, a Florida limited liability company hereinafter referred to as SELLER, and Orange County, a charter county and political subdivision of the state of Florida, hereinafter referred to as BUYER.

WITNESSETH:

WHEREAS, BUYER requires the land described on **Schedule "A"** attached hereto for the above referenced project and said SELLER agrees to furnish said land for such purpose.

**Property Appraiser's Parcel Identification Number  
a portion of  
15-22-30-0000-00-004**

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

1. SELLER agrees to execute a Temporary Construction Easement for a period of 7 years on Parcel 7042 as more particularly described on the attached Schedule "B" for the sum of \$12,400.
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 BUYER and SELLER
3. The Temporary Construction Easement (Parcel 7042) is not under threat of condemnation. Therefore, the Temporary Construction Easement is subject to the state documentary stamp tax. SELLER agrees to pay the state documentary stamp tax prior to receipt of proceeds, by separate check payable to the Orange County Comptroller in the amount of \$ 86.80.
4. SELLER shall comply with Section 286.23, Florida Statutes, pertaining to disclosure of beneficial ownership.
5. BUYER hereby agrees to notify SELLER 90 days prior to the commencement of construction of the East-West Road (SR 436 to Dean Rd) n/k/a Richard Crotty Parkway project. SELLER'S property is Parcel No. 7042; SELLER shall relocate the entrance gate northerly out of the easement area, within the 90-day window.
6. SELLERS does agree that during the period of construction, BUYER is permitted to enter upon SELLERS' remainder property a distance of 20 feet beyond Temporary Construction Easement described herein as Parcel 7042 for the purpose of grading this area in order to harmonize.

Project: East-West Road (S.R. 436 to Dean Rd) n/k/a Richard Crotty Parkway  
Parcel: 7042

SELLERS' remaining property with the new construction. Grading is to be done on a best effort basis as the equipment will allow, avoiding all improvements except grass turf. BUYER to replace disturbed grass turf with equal or better sod.

7. 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 and/or the Manager/Assistant Manager of the Orange County Real Estate Management Division, as may be appropriate.

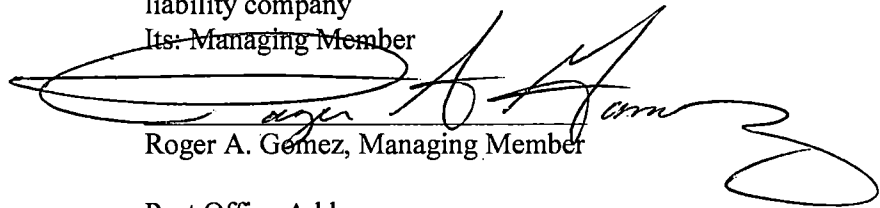
THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between SELLER and BUYER, made with respect to the matters herein contained, and when duly executed constitute the AGREEMENT between SELLER and BUYER. No additions, alterations, or variations to the terms of this AGREEMENT shall be valid, nor can provisions of this AGREEMENT be waived by either party unless expressly set forth in writing and duly signed.

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

**SELLER**

6863 Hanging Moss Road LLC, a Florida  
limited liability company

By: Y and R Holdings LLC, a Florida limited  
liability company  
Its: Managing Member



Roger A. Gomez, Managing Member

Post Office Address  
6863 Hanging Moss Road  
Orlando, FL 32807

DATE: 8/17/18

**BUYER**

Orange County, Florida

BY: Erica Guidroz  
Erica Guidroz, Its Agent

DATE: 11-27-18

**SCHEDULE "A"**

EAST WEST ROAD

PARCEL 7042

ESTATE: Temporary Easement

PURPOSE: Temporary Construction



A portion of the lands lying in Section 15, Township 22 South, Range 30 East, Orange County, Florida as described in Official Records Book 3271, Page 285, Public Records of Orange County, Florida, being more particularly described as:

COMMENCE at the Northeast corner of said Section 15; thence along South 00°33'46" East, a distance of 1,266.53 feet along the East line of said Section 15, to the Easterly projection of the North Right of Way line of Hanging Moss Road; thence along South 89°05'52" West, a distance of 558.21 feet along the North right of way line of Hanging Moss Road as described in Official Records Book 3271, Page 285 to the POINT OF BEGINNING; thence continue along said North right of way line, South 89°05'52" West, a distance of 39.65 feet; thence North 00°54'08" West, a distance of 13.00 feet; thence North 89°05'52" East, a distance of 39.73 feet; thence South 00°33'38" East, a distance of 13.00 feet to the POINT OF BEGINNING.

Containing 516 square feet, more or less.

**SURVEYORS NOTES:**

1. The bearings and coordinates shown hereon are based on the Orange County Geodetic Information System traverse between G.I.S. Point #160 to G.I.S. Point #174 as being North 89°55'40" East.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.  
Not valid without sheet 2.

<b>DESCRIPTION</b>	Date: May 2005 DCS	CERT. NO. LB2108 45979109
	Job No.: 45979	Scale: N.T.S.
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that <b>THIS IS NOT A SURVEY.</b> REVISED 2/22/2008	
FOR <b>ORANGE COUNTY GOVERNMENT</b> FLORIDA	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH	 SOUTHEASTERN SURVEYING & MAPPING CORP. 8500 All American Boulevard Orlando, Florida 32810-4360 (407)292-6580 Fax (407)292-0141 email: info@southeasternsurveying.com  <b>GARY B. KRICK</b> REGISTERED LAND SURVEYOR NO. 4245
Revised: May, 2007 SB		

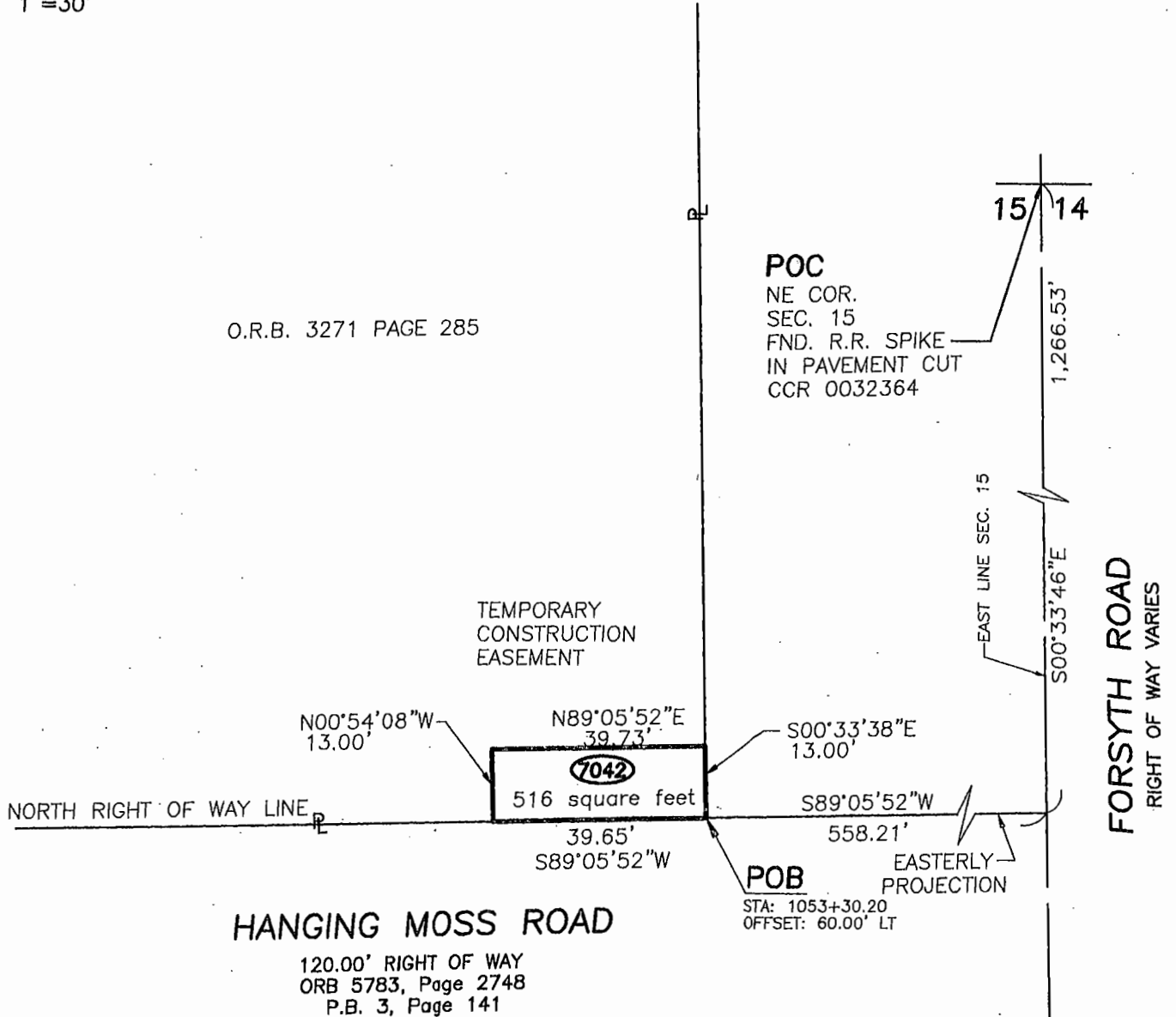
SKETCH OF DESCRIPTION  
EAST WEST ROAD  
PARCEL 7042



1"=30'

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST

O.R.B. 3271 PAGE 285



LEGEND

- |                              |                            |
|------------------------------|----------------------------|
| CB=CHORD BEARING             | P.C.=POINT OF CURVATURE    |
| CCR=CERTIFIED CORNER RECORD  | PG.=PAGE                   |
| CH=CHORD                     | P= PROPERTY LINE           |
| COR.=CORNER                  | POB=POINT OF BEGINNING     |
| (D)=DEED                     | POC=POINT OF COMMENCEMENT. |
| Δ=CENTRAL ANGLE              | P.T.=POINT OF TANGENCY     |
| L=LENGTH                     | R=RADIUS                   |
| N.T.S.=NOT TO SCALE          | R/W=RIGHT OF WAY           |
| O.R.B.=OFFICIAL RECORDS BOOK | SEC.=SECTION               |
| (P)=PLAT                     | R.R.=RAILROAD              |
| Drawing No. 45979109         | LT=LEFT                    |
| Job No. 45979                |                            |
| Date: May, 2005 DCS          |                            |
| Revised: December, 2005 ALK  |                            |
| Revised: February, 2006 DRR  |                            |
| Revised: September, 2006 REJ |                            |
| Revised: May, 2007 SB        |                            |
| Revised: February, 2008 MV   |                            |
| SHEET 2 OF 2                 |                            |
| See Sheet 1 for Description  |                            |

NOTE: NOT VALID WITHOUT RAISED SEAL AND SIGNATURE  
 OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 NOT VALID WITHOUT SHEET 1

NOTE: SEE SHEET 15 OF 36 FOR PARCEL IDENTIFICATION ON  
 RIGHT OF WAY MAPS FOR EAST WEST ROAD SEGMENT 1.



SOUTHEASTERN SURVEYING & MAPPING CORP.  
 6500 All American Boulevard  
 Orlando, Florida 32810-4350  
 (407)292-8580 fax(407)292-0141  
 Cert. No. LB-2108  
 email:info@southeasternsurveying.com  
**THIS IS NOT A SURVEY.**

## **SCHEDULE "B"**

**2752 EAST WEST ROAD PARCEL 7042**

### **TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7042 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  
DEC 18 2018

Instrument: 7042.1

Project: East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway

### TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, made and executed the 7 day of August, 2018, by 6863 Hanging Moss Road LLC, a Florida limited liability company, 6863 Hanging Moss Road, Orlando, Florida 32807, 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 \$12,400.00 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"

Property Appraiser's Parcel Identification Number:  
a portion of  
15-22-30-0000-00-004

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.



Instrument: 7042.1

Project: East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway

IN WITNESS WHEREOF, the GRANTOR has hereunto set his hand the date first above written.

Signed, sealed and delivered in the presence of:

Erica L Guidroz  
Witness

Erica L Guidroz  
Printed Name

[Signature]  
Witness

Yamaris Gomez  
Printed Name

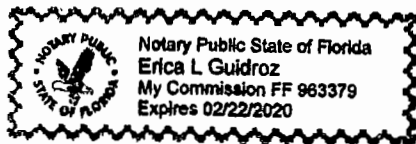
(Signature of TWO witnesses required by Florida law)

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 7 day of August, 2018 by Roger A. Gomez, as Managing Member of Y and R Holdings LLC, a Florida limited liability company, as Managing Member of 6863 Hanging Moss Road LLC, a Florida limited liability company, who is personally known to me or who produced Drivers License as identification,

Witness my hand and official seal this 7 day of August, 2018.

(Notary Seal)



**This instrument prepared by:**  
Peter Stanley, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

6863 Hanging Moss Road LLC,  
a Florida limited liability company

By: Y and R Holdings LLC,  
a Florida limited liability company  
Its. Managing Member

[Signature]  
Roger A. Gomez, Managing Member

Erica L Guidroz  
Notary Signature

Erica L Guidroz  
Printed Notary Name

Notary Public in and for  
the County and State aforesaid

My commission expires:

2-22-2020

**SCHEDULE "A"**

EAST WEST ROAD

PARCEL 7042

ESTATE: Temporary Easement

PURPOSE: Temporary Construction

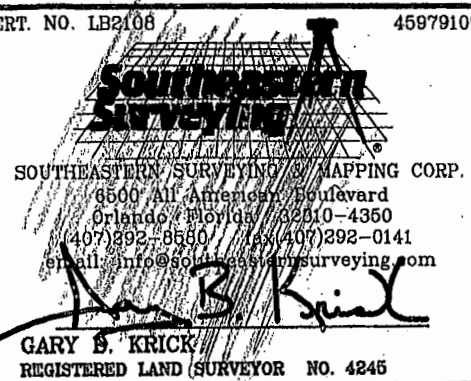

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	Job No.: 45979	Scale: N.T.S.	 SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 All American Boulevard Orlando, Florida 32810-4350 (407)292-8580 / Fax (407)292-0141 email: info@southseasurveys.com
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	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		
 Revised: May, 2007 SB			

SKETCH OF DESCRIPTION  
EAST WEST ROAD  
PARCEL 7042



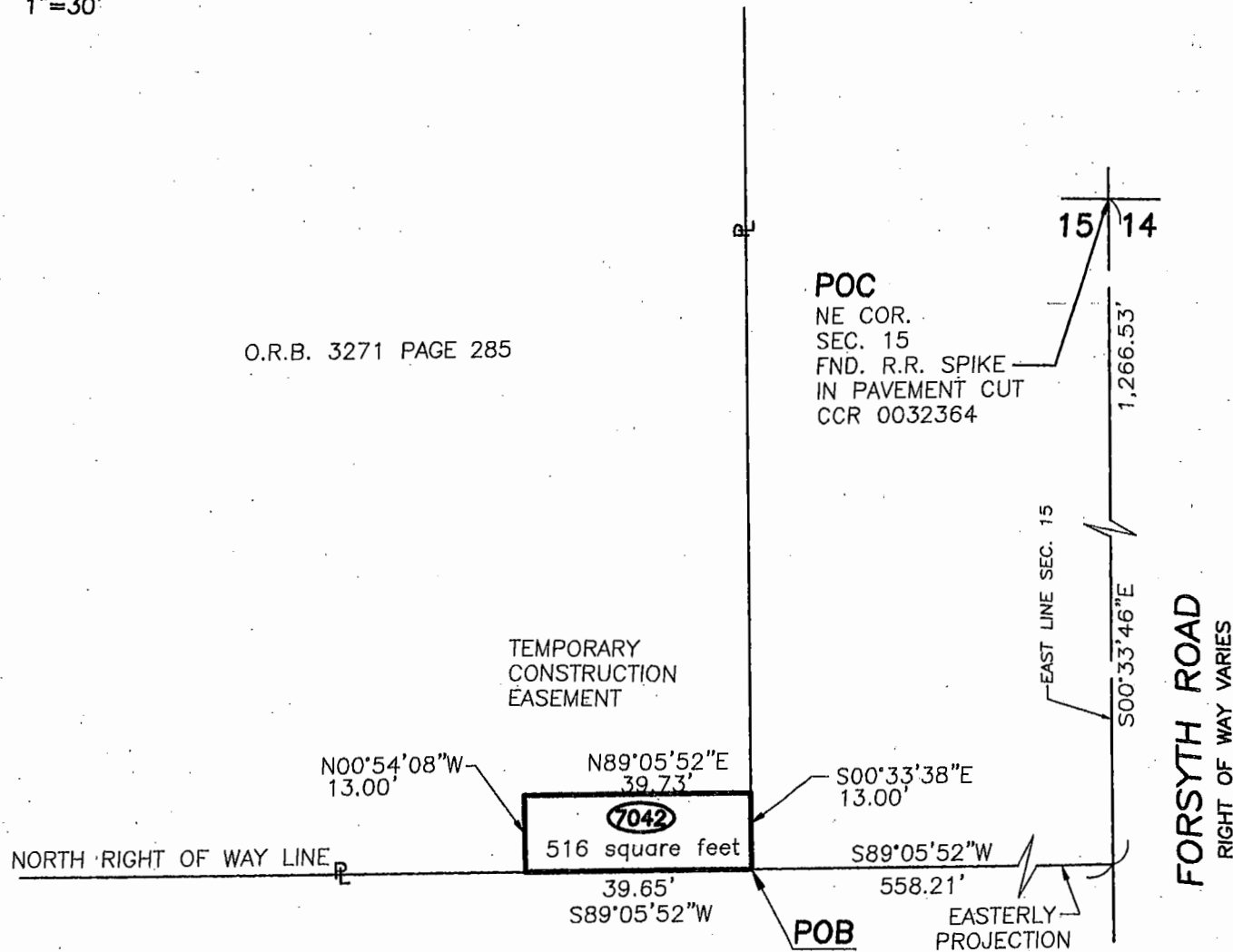
1"=30'

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST

O.R.B. 3271 PAGE 285

POC  
 NE COR.  
 SEC. 15  
 FND. R.R. SPIKE  
 IN PAVEMENT CUT  
 CCR 0032364

TEMPORARY  
 CONSTRUCTION  
 EASEMENT



**HANGING MOSS ROAD**

120.00' RIGHT OF WAY  
 ORB 5783, Page 2748  
 P.B. 3, Page 141

LEGEND

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 CCR=CERTIFIED CORNER RECORD  
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 SHEET 2 OF 2  
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## **SCHEDULE "B"**

### **2752 EAST WEST ROAD PARCEL 7042**

#### **TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7042 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  
**DEC 18 2018**

---

Project: East-West Road (S.R.436 to Dean Road) n/k/a Richard Crotty Parkway  
Instrument: 7042.2

**SUBORDINATION OF ENCUMBRANCE TO  
PROPERTY RIGHTS OF 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 said encumbrance as they have been or as may be modified and amended from time to time to the property rights of Orange County created by that certain Temporary Construction Easement, dated August 7, 2018, made by Hanging Moss Road LLC in favor of said county, 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:

JPMorgan Chase Bank, NA

Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement filed April 17, 2018

FROM: 6863 Hanging Moss Road LLC

Recorded as Document No. 20180227140

In the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates 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 encumbrances 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 or to subordinate said encumbrance to any other matters. 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.

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 26 day of November, A.D. 2018.

Signed, sealed and delivered in the presence of: **JP MORGAN CHASE BANK, NA**

Erica Guidry  
Signature of Witness

By: Todd Harrington

Erica Guidroz  
Print Name

Todd Harrington  
Print Name

[Signature]  
Signature of Witness

Its: Vice President

David Wilkes JR  
Print Name

Post Office Address:  
450 S. Orange Avenue, Floor 10  
Orlando, FL 32801

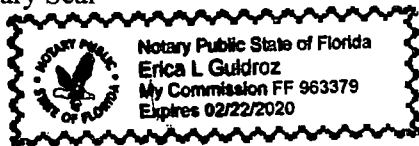
(Signature of TWO witnesses required by Florida law)

Date: 11/26/18

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 26 day of November, 20 18, by Todd Harrington, as Vice President of JPMorgan Chase Bank, NA, a national banking association, on behalf of the association.  He/She  is personally known to me or  has produced Drives License as identification.

Notary Seal



Erica Guidry  
Notary Signature

Erica Guidroz  
Printed Notary Name

**This instrument prepared by:**  
Peter Stanley, 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 of  
Orange Co, Florida

My commission expires: 2-22-2020

**SCHEDULE "A"**

EAST WEST ROAD

PARCEL 7042

ESTATE: Temporary Easement

PURPOSE: Temporary Construction


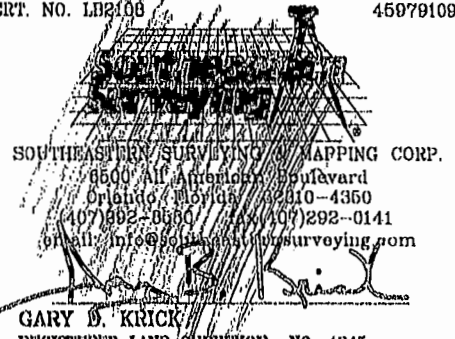
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<b>DESCRIPTION</b>  FOR  ORANGE COUNTY GOVERNMENT FLORIDA	Date: May 2005 DCS		CERT. NO. LB2108 45979109   SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 Alafairton Boulevard Orlando, Florida 32810-4360 (407) 892-0560 (407) 292-0141 or call info@semsurveys.com or semsurveys.com
	Job No.: 45979	Scale: N.T.S.	
CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that <b>THIS IS NOT A SURVEY.</b> REVISED 2/22/2008		GARY D. KRICK REGISTERED LAND SURVEYOR NO. 4245	
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH			
Revised: May, 2007 SB			

SKETCH OF DESCRIPTION

EAST WEST ROAD

PARCEL 7042



1"=30'

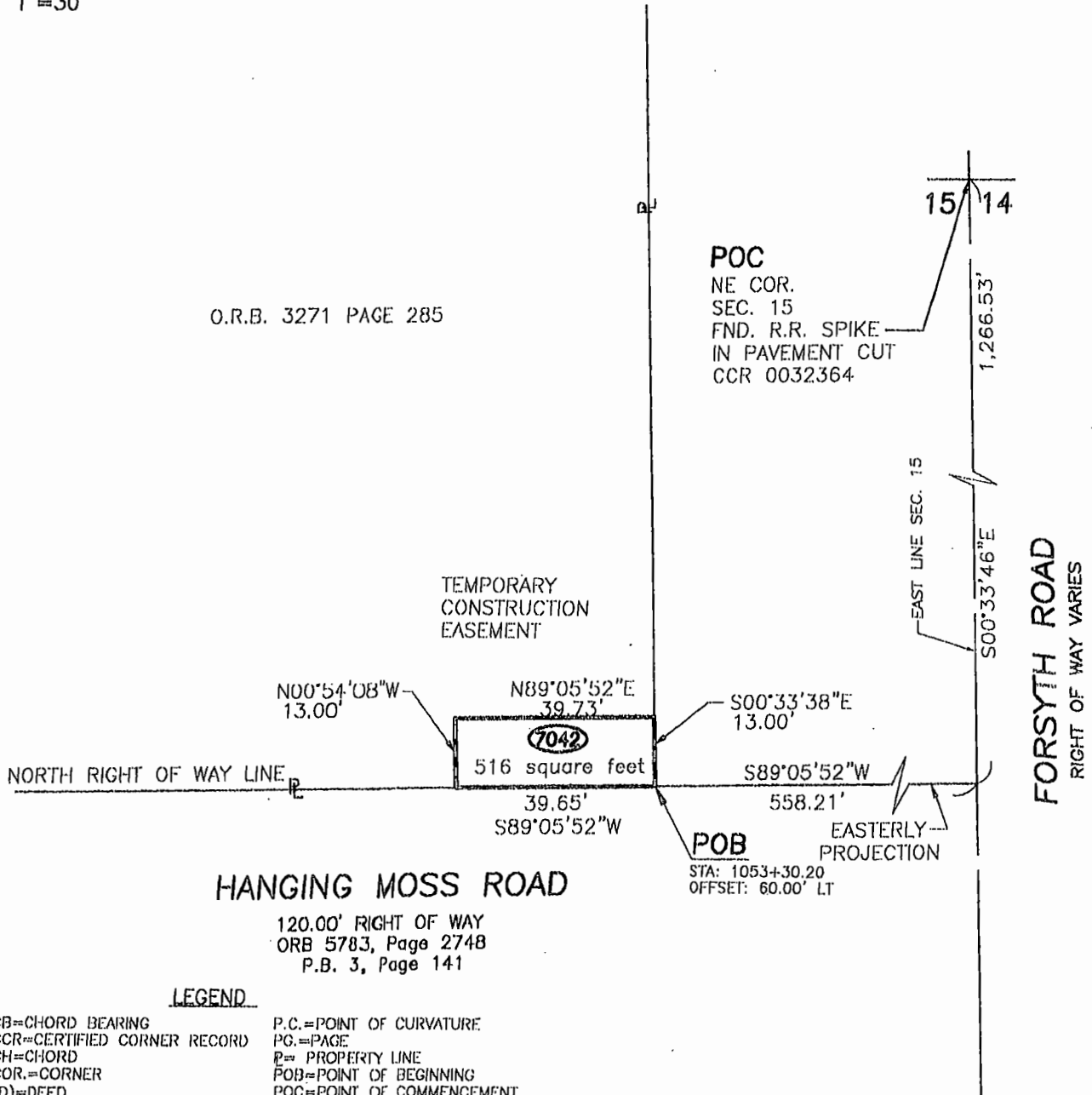
SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST

O.R.B. 3271 PAGE 285

POC

NE COR.  
SEC. 15  
FND. R.R. SPIKE  
IN PAVEMENT CUT  
CCR 0032364

TEMPORARY  
CONSTRUCTION  
EASEMENT



FORSYTH ROAD  
RIGHT OF WAY VARIES

HANGING MOSS ROAD

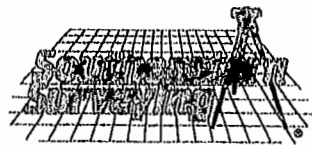
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- Revised: February, 2006 DRR
- Revised: September, 2006 REJ
- Revised: May, 2007 SB
- Revised: February, 2008 MV
- SHEET 2 OF 2
- See Sheet 1 for Description
- P.C.=POINT OF CURVATURE
- PG.=PAGE
- P= PROPERTY LINE
- POB=POINT OF BEGINNING
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- P.T.=POINT OF TANGENCY
- R=RADIUS
- R/W=RIGHT OF WAY
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- LT=LEFT

NOTE: NOT VALID WITHOUT RAISED SEAL AND SIGNATURE  
OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
NOT VALID WITHOUT SHEET 1

NOTE: SEE SHEET 15 OF 36 FOR PARCEL IDENTIFICATION ON  
RIGHT OF WAY MAPS FOR EAST WEST ROAD SEGMENT 1.



SOUTHWESTERN SURVEYING & MAPPING CORP.  
6500 All American Boulevard  
Orlando, Florida 32010-4350  
(407)292-8680 fax(407)292-0141  
Cert. No. LD-2108  
email:info@southwesternsurveying.com  
**THIS IS NOT A SURVEY.**



Project: East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway  
Parcel: 7042

**DISCLOSURE AFFIDAVIT**

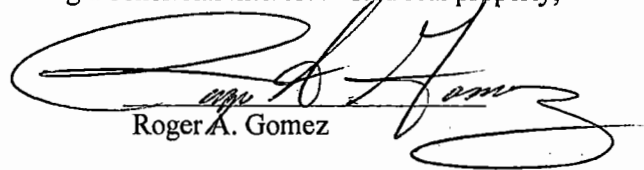
STATE OF Florida  
COUNTY OF Orange ss

Deponent, Roger A. Gomez, being first duly sworn, deposes and says that:

1. I am the Managing Member of Y and R Holdings LLC, a Florida limited liability company which is the managing member of 6863 Hanging Moss Road LLC, a Florida limited liability company, hereinafter referred to as "the Entity", which is a:

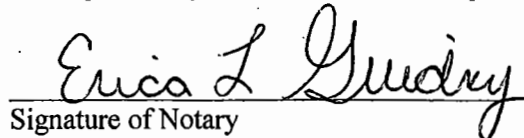
- Corporation
- Limited Liability Company
- Partnership
- Limited Partnership
- Trust
- Other Form of Representative Capacity

2. That my address is 6863 Hanging Moss Road, Orlando, Florida 32807.  
3. That the Entity holds title to the real property described in Schedule "A" attached hereto and incorporated herein by reference.  
4. That the purpose of this affidavit is to comply with the requirements of the Public Disclosure Act codified in Section 286.23 of the Florida Statutes.  
5. That Exhibit "B" attached hereto and incorporated herein by reference is a list of the names and addresses of every person having a beneficial interest in said real property, however small or minimal.

  
Roger A. Gomez

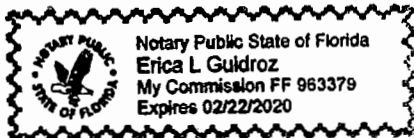
SWORN TO AND SUBSCRIBED before me, a Notary Public, this 7 day of August, 2018, by Roger A. Gomez, who is personally known to me or who produced Drivers License as identification.

(Notary Seal)

  
Signature of Notary

Erica L Guidroz  
Printed Name of Notary

Commission Expires: 2-22-2020



**SCHEDULE "A"**

EAST WEST ROAD

PARCEL 7042

ESTATE: Temporary Easement

PURPOSE: Temporary Construction



A portion of the lands lying in Section 15, Township 22 South, Range 30 East, Orange County, Florida as described in Official Records Book 3271, Page 285, Public Records of Orange County, Florida, being more particularly described as:

COMMENCE at the Northeast corner of said Section 15; thence along South 00°33'46" East, a distance of 1,266.53 feet along the East line of said Section 15, to the Easterly projection of the North Right of Way line of Hanging Moss Road; thence along South 89°05'52" West, a distance of 558.21 feet along the North right of way line of Hanging Moss Road as described in Official Records Book 3271, Page 285 to the POINT OF BEGINNING; thence continue along said North right of way line, South 89°05'52" West, a distance of 39.65 feet; thence North 00°54'08" West, a distance of 13.00 feet; thence North 89°05'52" East, a distance of 39.73 feet; thence South 00°33'38" East, a distance of 13.00 feet to the POINT OF BEGINNING.

Containing 516 square feet, more or less.

**SURVEYORS NOTES:**

1. The bearings and coordinates shown hereon are based on the Orange County Geodetic Information System traverse between G.I.S. Point #160 to G.I.S. Point #174 as being North 89°55'40" East.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the raised seal and signature of a Florida licensed Surveyor and Mapper.  
Not valid without sheet 2.

<p>DESCRIPTION</p> <p>FOR</p>  <p>ORANGE COUNTY GOVERNMENT FLORIDA</p>	<p>Date: May 2005 DCS</p>		<p>CERT. NO. LB2108 45979109</p>
	<p>Job No.: 45979</p>	<p>Scale: N.T.S.</p>	 <p>SOUTHEASTERN SURVEYING &amp; MAPPING CORP. 8500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 Fax (407) 292-0141 e-mail: info@seastansurveying.com</p> <p><i>Gary S. Krick</i></p> <p>GARY S. KRICK REGISTERED LAND SURVEYOR NO. 4245</p>
	<p>CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that <b>THIS IS NOT A SURVEY.</b> REVISED 2/22/2008</p>		
<p>SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH</p>			

SKETCH OF DESCRIPTION  
EAST WEST ROAD  
PARCEL 7042



1"=30'

SECTION 15, TOWNSHIP 22 SOUTH, RANGE 30 EAST

O.R.B. 3271 PAGE 285

TEMPORARY  
 CONSTRUCTION  
 EASEMENT

POC

NE COR.  
 SEC. 15  
 FND. R.R. SPIKE  
 IN PAVEMENT CUT  
 CCR 0032364

15/14

1,266.53'

EAST LINE SEC. 15

S00°33'46"E

FORSYTH ROAD  
 RIGHT OF WAY VARIES

N00°54'08"W  
 13.00'

N89°05'52"E  
 39.73'

S00°33'38"E  
 13.00'

NORTH RIGHT OF WAY LINE

7042  
 516 square feet

S89°05'52"W  
 558.21'

39.65'  
 S89°05'52"W

POB

EASTERLY  
 PROJECTION

STA: 1053+30.20  
 OFFSET: 60.00' LT

HANGING MOSS ROAD

120.00' RIGHT OF WAY  
 ORB 5783, Page 2748  
 P.B. 3, Page 141

LEGEND

CB=CHORD BEARING  
 CCR=CERTIFIED CORNER RECORD  
 CH=CHORD  
 COR.=CORNER  
 (D)=DEED  
 Δ=CENTRAL ANGLE  
 L=LENGTH  
 N.T.S.=NOT TO SCALE  
 O.R.B.=OFFICIAL RECORDS BOOK  
 (P)=PLAT  
 Drawing No. 45979109  
 Job No. 46979  
 Date: May, 2005 DCS  
 Revised: December, 2005 ALK  
 Revised: February, 2006 DRR  
 Revised: September, 2006 REJ  
 Revised: May, 2007 SB  
 Revised: February, 2008 MV  
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SOUTHEASTERN SURVEYING & MAPPING CORP.  
 6500 All American Boulevard  
 Orlando, Florida 32810-4350  
 (407)292-8580 fax(407)292-0141  
 Cert. No. LB-2108  
 email:info@southeasternsurveying.com  
**THIS IS NOT A SURVEY.**

Project: East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway  
Parcel: 7042

**EXHIBIT "B"**

Names & addresses of every person having a beneficial interest:

Roger Gomez 50%

Yeramis Gomez 50%

4947 Cypress Hammock Dr  
St Cloud, FL 34771

REQUEST FOR FUNDS FOR LAND ACQUISITION

X  Under BCC Approval

Under Ordinance Approval

Date: 11-26-2018

Amount: \$12,479.50

Project: East-West Road (SR 436 to Dean Rd) n/k/a Richard Crotty Parkway

Parcel: 7042

Charge to Account # 1032-072-2752-6110

Engineering Approval

Date

Fiscal Approval

Date

TYPE TRANSACTION (Check appropriate block{s})  
  Pre-Condemnation   Post-Condemnation

X  N/A

District #  5

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

6863 Hanging Moss Road LLC  
 4947 Cypress Hammock Dr.  
 St. Cloud, Florida 34771  
 Purchase Price \$12,400.00

Orange County Comptroller  
 Recording Fee \$79.50

**Total \$12,479.50**

DOCUMENTATION ATTACHED (Check appropriate block{s})

- X  Contract
- X  Copy of Executed Instruments
- X  Certificate of Value
- X  Settlement Analysis

Payable to: 6863 Hanging Moss Road LLC (\$12,400.00)

Payable to: Orange County Comptroller (\$79.50)

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

Recommended by  Erica Guidroz   
 Erica Guidroz, Acquisition Agent, Real Estate Mgmt. Division

11-26-18   
 Date

Payment Approved  Paul Sladek   
 Paul Sladek, Manager, Real Estate Management Division

11/27/18   
 Date

or  
 Payment Approved \_\_\_\_\_  
 Russell Corriveau, Asst. Mgr. Real Estate Management Div.

\_\_\_\_\_  
 Date

Certified  Madeline Pe   
 Approved by BCC for Deputy Clerk to the Board

DEC 18 2018   
 Date

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

Check No. / Date

REMARKS:  
 Scheduled Closing Date: As soon as check is available  
 Anticipated Closing Date: TBD  
 Please Contact Acquisition Agent @ 67036 if you have any questions

APPROVED  
 BY ORANGE COUNTY BOARD  
 OF COUNTY COMMISSIONERS  
 DEC 18 2018

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

Under Ordinance Approval

Date: 11-26-2018

Amount: \$12,479.50

Project: East-West Road (SR 436 to Dean Rd) n/k/a Richard Crotty Parkway

DEC 11/28/18

Parcel: 7042

Charge to Account # 1032-072-2752-6110

CA 11/20/18

*[Signature]*  
Engineering Approval

12/29/18  
Date

*[Signature]*  
Fiscal Approval

11/29/18  
Date

TYPE TRANSACTION (Check appropriate block(s))  
       Pre-Condemnation        Post-Condemnation

X N/A

District #   5  

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

6863 Hanging Moss Road LLC  
 4947 Cypress Hammock Dr.  
 St. Cloud, Florida 34771  
 Purchase Price \$12,400.00

Orange County Comptroller  
 Recording Fee \$79.50

**Total \$12,479.50**

DOCUMENTATION ATTACHED (Check appropriate block(s))

- X Contract
- X Copy of Executed Instruments
- X Certificate of Value
- X Settlement Analysis

Payable to: 6863 Hanging Moss Road LLC (\$12,400.00)

Payable to: Orange County Comptroller (\$79.50)

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

Recommended by Erica Guidroz 11-26-18  
Erica Guidroz, Acquisition Agent, Real Estate Mgmt. Division Date

Payment Approved Paul Sladek 11/27/18  
Paul Sladek, Manager, Real Estate Management Division Date

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

Certified \_\_\_\_\_  
Approved by BCC Deputy Clerk to the Board Date

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants Check No. / Date

REMARKS:  
Scheduled Closing Date: As soon as check is available  
Anticipated Closing Date: TBD  
Please Contact Acquisition Agent @ 67036 if you have any questions

Project: East-West Road (SR 436 to Dean Rd) n/k/a Richard Crotty Parkway  
Parcel No: 7042  
Name of Owner: 6863 Hanging Moss Road LLC  
Page No.: 1

**SETTLEMENT ANALYSIS**

         Pre-Condemnation  
  X   Not Under Threat

**County's Appraised Value**

**Parcel 7042**

Land: 516 S.F.	\$2,400
Improvements: Coated Chain Link Fence, 6' X 24' Chain Link Roll Gate	\$5,300
Cost-to-Cure: Sod Disturbed Area, Cap/Maintain/Repair Irrigation, Provide Mailbox,	\$4,700
Remove Remnant Fence, Install New Fencing, Install New Roll Gate	
Other Damages: N/A	\$ 0

Total Appraisal Value – Parcel 7042 **\$12,400**

**Total Appraisal Value – Parcel 7042** **\$12,400**

**Owner's Requested Amount—Initial**

Owner's Counter Offer (Global): \$12,400

**Total Owner's Requested Amount—Initial:** **\$12,400**

**Owner's Requested Amount—After Negotiations**

Owner's Counter Offer (Global): N/A

**Total Owner's Requested Amount—After Negotiations:** **N/A**

**Probable Range of Testimony**

County: N/A  
Owner: N/A

Project: East-West Road (SR 436 to Dean Rd) n/k/a Richard Crotty Parkway  
Parcel No: 7042  
Name of Owner: 6863 Hanging Moss Road LLC  
Page No.: 2

**Potential Additional Costs if Condemned**

Appraisal Update Fees and OT Testimony (County):	N/A
Statutory Attorney Fees (Owner):	N/A
Business Damages (Owner):	N/A
Expert Witness Fees (Owner):	N/A
Expert Witness Fees & Trial Preparation (County) (Appraisal):	N/A
Expert Witness Fees & Trial Preparation (County) (Engineering & Other):	N/A
Other: N/A	N/A
<b>Total Potential Costs of Condemnation:</b>	N/A
<b>Total Potential Judgment if Condemned: (Owner Testimony Plus Costs)</b>	N/A

**Recommended Settlement Amount** **\$12,400**

**EXPLANATION OF RECOMMENDED SETTLEMENT**

(Memorandum to File pursuant to Section 4 of Ordinance 92-29)

Parcel 7042 of the East-West Road n/k/a Richard Crotty Parkway is not under threat. The parent tract is on north side of Hanging Moss Road. The temporary construction easement is desired to harmonize the driveway of Parcel 7042 to Richard Crotty Parkway. Harmonization will allow a smooth transition between Richard Crotty Parkway and the parcel. Any concrete paving or asphalt paving for the driveway area will be replaced during construction at no cost to the property owner. A 90-day notification of commencement of construction will be provided by the Buyer to the Seller and be stated on the Purchase Agreement. Seller will relocate existing fence to accommodate reconstruction of the driveway. Seller will permit Orange County to reduce the driveway slope by allowing the driveway reconstruction to extend beyond the limits of the Temporary Construction Easement. The Purchase Agreement will state that Parcel 7042 is not under threat. The landowner has accepted the offer for the property at its appraised value of \$12,400. I agree and request approval of the purchase price in the amount of \$12,400.



Project: East-West Road (SR 436 to Dean Rd) n/k/a Richard Crotty Parkway  
Parcel No: 7042  
Name of Owner: 6863 Hanging Moss Road LLC  
Page No.: 3

Recommended by: Erica Guidroz Date: 8/2/18  
Erica Guidroz, Acquisition Agent, Real Estate Mgmt. Division

Recommended by: Robert K. Babcock Date: 8-2-18  
Robert K. Babcock, Acquisition Supervisor, Real Estate Mgmt. Division

Approved by: Russell Corriveau Date: 8/2/18  
Russell Corriveau, Assistant Manager, Real Estate Mgmt. Division

## CERTIFICATION OF VALUE

PROJECT: Richard Crotty Parkway - CIP 2752 INVEST

PARCEL: 7042

I hereby certify:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, unbiased, professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property or bias with respect to the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. I have performed no services related this property, as an appraiser or acting in any other capacity, for the 3 year period preceding the date of this report.
5. I have no bias with respect to the property that is the subject of this report or to the parties that are involved with this assignment.
6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. My analyses, opinions, or conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice, and the provisions of Chapter 475, Part II, Florida Statutes.
9. I have made a personal inspection of the property that is the subject of this report and I have afforded the property owner the opportunity to accompany me at the time of the inspection. I have also made a personal field inspection of the comparable sales relied upon in making this appraisal. The subject and the comparable sales relied upon in making this appraisal were as represented by the photographs contained in this appraisal.
10. No persons other than those named herein provided significant real property appraisal assistance to the person signing this certification. Those assisting are named on the following Certificate of Valuation Addendum.
11. That I have not revealed the results of such appraisal to any others than the proper officials of Orange County and will not do so until authorized by same or until required by due process of law, or until released from this obligation by having publicly testified as to such results.

Statements supplemental to this certification as required by membership in the Appraisal Institute are described on an addendum to this certificate and, by reference, are made a part hereof. My opinion of the market value of the property appraised as of the 17th day of March, 2018, is \$ 12,400, based upon my independent appraisal and the exercise of my professional judgment.

The market value may be allocated as follows:

Land Area: 516 Square Feet (Temporary Construction Easement)

Land	\$ <u>2,400</u>
Improvements	\$ <u>5,300</u>
Damages and/or Cost-To-Cure	\$ <u>4,700</u>
TOTAL	\$ <u>12,400</u>



April 9, 2018

C. Lee Lobban, MAI  
State-certified general real estate appraiser (RZ 1844)

Date

## **CERTIFICATE OF VALUATION ADDENDUM**

(As Required by Membership in the Appraisal Institute)

I certify that, to the best of my knowledge and belief:

- that the competency provision requirements of the Uniform Standards of Professional Appraisal Practice have been met. The appraiser has over 30 years of experience, appraising all types of properties in Central Florida and has appraised enough parcels of this type, to fulfill the competency provision of the Uniform Standards of Professional Appraisal Practice.
- that my analysis, opinions, and conclusions were developed, and this report has been prepared in conformity with the requirements of the Code of Professional Ethics, the Standards of Professional Practice of the Appraisal Institute;
- that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
- that, as of the date of this report, I, C. Lee Lobban, MAI, have completed the requirements of the continuing education program of the Appraisal Institute;
- that I, C. Lee Lobban, am a State-Certified General Real Estate Appraiser RZ1844 by the State of Florida and have made a personal inspection of the property that is the subject of this report and that the following provided professional assistance to the person signing this report.

KCG, Inc.:                    Engineering/Land Planning sub-consultant firm who assisted in research the zoning and future land use elements for the subject property, analyzing the development potential of the parent tract and the impacts of the acquisition on the remainder property. KCG also provided the sketches of the parent tract, acquisition area and remainder property with the after condition shown. Hal Collins and Scott Stuart are the representatives of the firm responsible for the information provided.

W.D. Richardi:            General contractor that provided replacement cost estimates for the items in the acquisition and the cost to cure the severed remainder property.

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

Print or type  
See Specific instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>6863 Hanging Moss Road LLC</b>	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) <b>4947 Cypress Hammock Dr</b>	Requester's name and address (optional)
6 City, state, and ZIP code <b>St. Cloud, FL 34771</b>	
7 List account number(s) here (optional)	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number				
<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>				
or				
Employer identification number				
<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 25%;">82</td> <td style="width: 25%;">-4566</td> <td style="width: 25%;">592</td> <td style="width: 25%;"></td> </tr> </table>	82	-4566	592	
82	-4566	592		

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <b>8-7-18</b>
------------------	----------------------------	----------------------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.