





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 13

DATE: April 18, 2019

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

THROUGH: Paul Sladek, Manager 
Real Estate Management Division

FROM: David L. Brown, Senior Title Examiner 
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: Approval of Utility Easement from Hunter KA LLC to Orange County with Joinder and Consents to Utility Easement from Town Center SS Associates, LLC, Lake Orlando Properties, LLC, and The Carter-Southmeadow Land Trust, dated February 27, 2001 and authorization to record instrument

PROJECT: Child Day Care at Hunters Creek Permit B18906703 OCU File #97307
District 4

PURPOSE: To provide for access, construction, operation, and maintenance of utility facilities as a requirement of development.

ITEM: Utility Easement
Cost: Donation
Size: 150 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAY 07 2019

THIS IS A DONATION

Project: Child Day Care at Hunters Creek Permit B18906703 OCU File #97307

UTILITY EASEMENT

THIS INDENTURE, Made this 29 day of March, A.D. 20 19, between HUNTER KA LLC, a Florida limited liability company, whose address is 1240 EAST 2100 SOUTH, SUITE 250, SALT LAKE CITY, UT 84106, GRANTOR, and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. BOX 1393, ORLANDO, FL 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$10.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

**Property Appraiser's Parcel Identification Number:
a portion of**

26-24-29-5340-03-000

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

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted easement, and the GRANTOR, its successors and assigns, agrees 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 utility facilities installed thereon.

GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement, or modify the size of existing pipelines or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced

landscaping standards.

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

Signed, sealed, and delivered
in the presence of:

[Signature]
Witness

Michele Samuel
Printed Name

HUNTER KA LLC, a Florida limited liability
company

By: SANQUATRO LLC, a Florida limited
liability company, as manager

By: EG 3 DEVELOPMENT LLC, a Florida
limited liability company

By: JGL RE HOLDINGS LLC, a Florida limited
liability company

By: [Signature]

Jason Glaser
Printed Name

Manager
Title

[Signature]
Witness

Christina Diaz
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 29 of MARCH, 2019, by
JASON NISSIM GLASER, as MANAGER of JGL RE HOLDINGS
LLC, a Florida Limited liability company as manager for EG 3 DEVELOPMENT LLC, a Florida limited liability company,
as manager for SANQUATRO LLC, a Florida limited liability company, as manager for HUNTER KA LLC, a Florida
limited liability company, on behalf of the limited liability company. He/She is personally known to me or has
produced FL D/L as identification.

(Notary Seal)



[Signature]
Notary Signature

Printed Notary Name
Notary Public in and for the county and state aforesaid.
My commission expires: _____

This instrument prepared by:
David L. Brown, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

JOINDER AND CONSENT TO UTILITY EASEMENT

Town Center SS Associates, LLC, a Delaware limited liability company, being granted certain rights by virtue of that certain Declaration of Grant of Easements, recorded October 18, 2012, in Official Records Book 10460, Page 2076, and that certain Assignment of Development Rights, recorded May 2, 2018, as Official Records Document Number 20180258991 (collectively the "Encumbrances"), both of the Public Records of Orange County, Florida, hereby joins in and consents to the execution and recording of the foregoing Utility Easement ("Easement") and agrees that such Easement shall constitute a valid and lasting encumbrance on the easement area described herein, and that the undersigned and/or its successors and assigns, shall not construe or enforce its rights under the Encumbrances in any way that would conflict with the rights granted to GRANTEE in the Easement, notwithstanding anything in the Encumbrances to the contrary.

Signed, sealed, and delivered in the presence of:

Town Center SS Associates, LLC, a Delaware limited liability company

Witness signature: Mark R. Cooney

Witness Printed Name: MARK R. COONEY

Witness signature: Carla Wokaski

Witness Printed Name: CARLA WOKASKI

By: Flagship BV Self Storage JV, LLC, a Delaware limited liability company, Its Sole Member

By: Flagship Storage Associates, LLC, a Florida limited liability company, Its Operating Member

By: Theodore A. Bolin signature

Title: Manager

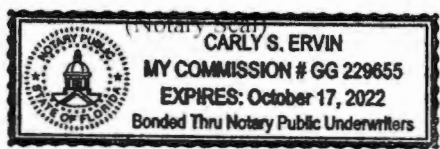
STATE OF Florida, COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 10th day of April, 2019, by Theodore A. Bolin, as manager, of Flagship Storage Associates, LLC, a Florida limited liability company, Its Operating Member of Flagship BV Self Storage JV, LLC, a Delaware limited liability company, Its Sole Member of Town Center SS Associates, LLC, a Delaware limited liability company, on behalf of said limited liability company. He/she is personally known to me, or has produced as identification.

Notary Public signature: Carly S. Ervin

Print Name: Carly S. Ervin

My Commission Expires: October 17, 2022



JOINDER AND CONSENT TO UTILITY EASEMENT

Lake Orlando Properties, LLC, a Florida limited liability company, being granted certain easement rights by virtue of that certain Declaration of Grant of Easements, recorded October 18, 2012, in Official Records Book 10460, Page 2076, and that certain Declaration of Easement, recorded May 7, 2018, as Official Records Document Number 20180268068 (collectively the "Declarations"), both of the Public Records of Orange County, Florida, hereby joins in and consents to the execution and recording of the foregoing Utility Easement ("Easement") and agrees that such Easement shall constitute a valid and lasting encumbrance on the easement area described herein, and that the undersigned and/or its successors and assigns, shall not construe or enforce its rights under the Declarations in any way that would conflict with the rights granted to GRANTEE in the Easement, notwithstanding anything in the Declarations to the contrary.

Signed, sealed, and delivered
in the presence of:

Lake Orlando Properties, LLC,
a Florida limited liability company

[Signature]
Witness

By: [Signature]

Eilyn Pereira
Printed Name

Print Name: Jolyon Cowan

[Signature]
Witness

Title: Director

Theresa Antonucci
Printed Name

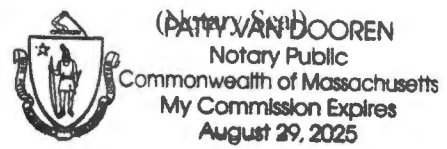
STATE OF Massachusetts
COUNTY OF Norfolk)

The foregoing instrument was acknowledged before me this 10th day of April, 2019, by Jolyon Ellis Cowan, as Director, of Lake Orlando Properties, LLC, a Florida limited liability company, on behalf of said limited liability company. He/she is personally known to me, or has produced MA DL as identification.

[Signature]
Notary Public

Print Name: Patty van Dooren

My Commission Expires: August 29, 2025



JOINDER AND CONSENT TO UTILITY EASEMENT

The Carter-Southmeadow Land Trust, dated February 27, 2001, being granted certain rights by virtue of that certain Master Declaration of Covenants, Conditions and Restrictions for Southchase-East, recorded November 27, 1989, in Official Records Book 4135, Page 1915, and that certain Development Agreement, recorded November 27, 1989, in Official Records Book 4135, Page 1953, and that certain Amendment to Development Agreement, recorded September 27, 2000, in Official Records Book 6096, Page 1838, and that certain Amendment to Master Declaration of Covenants, Conditions and Restrictions for Southchase-East, recorded September 29, 2000, in Official Records Book 6097, Page 2934, and that certain Assignment of Development Rights, recorded February 28, 2001, in Official Records Book 6203, Page 6590, and that certain Declaration of Grant of Easements, recorded October 18, 2012, in Official Records Book 10460, Page 2076, and that certain Agreement Regarding Allocation of Entitlements and Transportation Mitigation Obligations -- Southchase DRI/PD, recorded April 25, 2006, in Official Records Book 8607, Page 3183, and that certain Eleventh Amended Development Order for Southchase Development of Region Impact, recorded June 2, 2010, in Official Records Book 10053, Page 5402 (collectively the "Encumbrances"), all of the Public Records of Orange County, Florida, hereby joins in and consents to the execution and recording of the foregoing Utility Easement and agrees that such Utility Easement shall constitute a valid and lasting encumbrance on the easement area described herein notwithstanding anything in the Encumbrances to the contrary.

Signed, sealed, and delivered in the presence of:

The Carter-Southmeadow Land Trust, dated February 27, 2001

Joan M Fisher
Witness

By: M.L. Carter Services, Inc., as successor Trustee

Joan M Fisher
Printed Name

Daryl M. Carter
By: Daryl M. Carter, President

Glenda Lattanzio
Witness

Wanda Lattanzio
Printed Name

STATE OF FLORIDA)
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 11th day of April, 2019, by Daryl M. Carter, as President of M.L. Carter Services, Inc., as successor Trustee of The Carter-Southmeadow Land Trust, dated February 27, 2001, on behalf of the land trust. He is personally known to me, or has produced _____ as identification.

Joan M Fisher
Notary Public

(Notary Seal)

Print Name: Joan M Fisher



JOAN M. FISHER
Commission # GG 113991
Expires July 16, 2021
Bonded Thru Budget Notary Services

My Commission Expires: 07/16/2021

Project: Child Day Care at Hunters Creek Permit B18906703 OCU File #97307

EXHIBIT "A"

SEE THE ATTACHED SKETCH

OF DESCRIPTION

(2 PAGES)

Utility Easement

Being a Utility Easement upon a portion of Lot 3, MLC Wawa Center, according to the map or plat thereof as recorded in Plat Book 78, Page 51, Public Records of Orange County, Florida, being more particularly described as follows.

Commence at the Southeast corner of said Lot 3, MLC Wawa Center; Thence from said Point of Commencement N22°48'49"E, along the Southeast line of said Lot 3, a distance of 154.59 feet to a point on the Southeast line of Lot 3, said point also being on the Northwesterly right-of-way line of Southmeadow Drive and the Point of Beginning of the herein described Utility Easement; Thence, from said Point of Beginning and departing said right-of-way line N67°11'11"W a distance of 10.00 feet; Thence N22°48'49"E a distance of 15.00 feet; Thence S67°11'11"E a distance of 10.00 feet to a point on said Northwesterly right-of-way line; Thence S22°48'49"W a distance of 15.00 feet to the Point of Beginning.

Containing 150 square feet more or less.

Notes:

1. The purpose of the sketch is to delineate the description attached hereto. This does not represent a boundary survey.
2. The bearings shown hereon are based on the Northwesterly right-of-way line of Southmeadow Drive, being N22°48'49"E, according to Plat Book 78, Page 51, Public Records of Orange County, Florida
4. Unless it bears the signature and seal of this Florida Licensed Surveyor and Mapper, this sketch is for informational purposes only.
5. This sketch may have been reduced in size by reproduction. This must be considered when obtaining scaled data.

PROJECT: Child Day Care at Hunter's Creek
TITLE: Utility Easement
Building Department Permit Number: B18906703
JOB# 180811-B
DATE: February 1, 2019

This sketch and description certified to:
EG 3 Development LLC, A Florida Limited Liability
Company


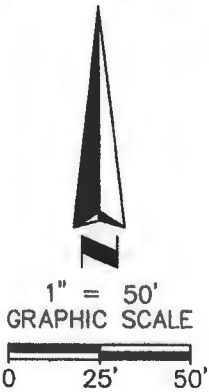

02/01/2019
Benjamin S. Devise, PSM
for the firm of
Altapro Surveyors
Revised: 02/08/2019
LS 6807
LB 8216

EXHIBIT B

UTILITY EASEMENT



1" = 50'
GRAPHIC SCALE

0 25' 50'

LYNWOOD A CONDOMINIUM, PHASE 27
INSTRUMENT #20060775148
ROSEWOOD UNIT 1 TRACT 34-A (PLAT BOOK 88, PAGE 5)
LYNWOOD AT SOUTHMEADOW CONDOMINIUM ASSN., INC.

SOUTHEAST LINE OF LOT 3
& NORTHWESTERLY RIGHT OF WAY
285.85'

SOUTHMEADOW DRIVE
(100' PUBLIC RIGHT OF WAY)

10'X15'
UTILITY
EASEMENT



POINT OF
BEGINNING

LOT 3
MLC WAWA CENTER
PLAT BOOK 78, PAGE 51

N22°48'49"E
BASIS OF BEARINGS

154.59'

N22°48'49"E

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.00'	N67°11'11"W
L2	15.00'	N22°48'49"E
L3	10.00'	S67°11'11"E
L4	15.00'	S22°48'49"W

RIGHT OF WAY
TOWN CENTER BOULEVARD
(VARIABLE WIDTH PUBLIC RIGHT OF WAY)

POINT OF COMMENCEMENT
(SOUTHEAST CORNER OF LOT 3)

THIS IS NOT A BOUNDARY SURVEY.

THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY.

ANY ERRORS OR OMISSIONS ON THIS EXHIBIT SHALL NOT AFFECT THE DEED DESCRIPTION.

JOB #180811-B

PROJECT: CHILD DAY CARE AT HUNTER'S CREEK

TITLE: UTILITY EASEMENT

BUILDING DEPARTMENT PERMIT NUMBER: B18908703

DATE: 02/01/2019

SCALE: 1"=50'

APPROVED BY: BD

LEGAL DESCRIPTION AND SKETCH CERTIFIED TO: EG 3 DEVELOPMENT LLC, A FLORIDA LIMITED LIABILITY COMPANY

ALTAPRO SURVEYORS

1322 PINE SONG DRIVE
DELTONA, FLORIDA 32725
(388) 837-0244

E-MAIL: LS6807@HOTMAIL.COM
WEB: ALTAPROSURVEYORS.COM

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH, ARE 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 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

02/01/2019

BENJAMIN S. DEVIESE, PSM
FOR THE FIRM OF
ALTAPRO SURVEYORS
REVISED: 02/08/2019

LS 6807

LB 8216