Interoffice Memorandum



REAL ESTATE MANAGEMENT ITEM 7

DATE:

November 27, 2018

TO:

Mayor Jerry L. Demings

and the

Board of County Commissioners

THROUGH:

Paul Sladek, Manager 755

Real Estate Management Division

FROM:

Elizabeth Price Jackson, Senior Title Examiner (

Real Estate Management Division

CONTACT

PERSON:

Paul Sladek, Manager

DIVISION:

Real Estate Management

Phone: (407) 836-7090

ACTION

REQUESTED:

APPROVAL OF SPECIAL WARRANTY DEED AND TEMPORARY

DRAINAGE AND CONSTRUCTION EASEMENT FROM TITAN

WESTERN BELTWAY, LLC TO ORANGE COUNTY AND

AUTHORIZATION TO PERFORM ALL ACTIONS NECESSARY

AND INCIDENTAL TO CLOSING

PROJECT:

Village H (Avalon Road – CR 545) RAC

District 1

PURPOSE:

To provide for access, construction, operation, and maintenance of road

improvements as a requirement of a road network agreement.

ITEMS:

Special Warranty Deed (Parcel 1019)

Cost: \$13,815 (Impact Fee Credits)

Size: 26,745 square feet

Temporary Drainage and Construction Easement (Parcel 7019)

Cost: Donation

Size: 11,582 square feet

Term: Until completion of construction and drainage is collected into

the Grantor's stormwater system, respectively

Real Estate Management Division Agenda Item 7 November 27, 2018 Page 2

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 Village H Horizon West Road

Network Agreement (C.R. 545) approved by the Board of County

Commissioners on February 12, 2013, as amended.

Grantor to pay all closing costs.

THIS INSTRUMENT WAS PREPARED BY AND SHOULD BE RETURNED TO:

APPROVED

BY ORANGE COUNTY BOARD

OE COUNTY COMMISSIONERS

DEC 18 2018

William A. Beckett, Esquire Lowndes, Drosdick, Doster, Kantor & Reed, P.A. 215 North Eola Drive Post Office Box 2809 Orlando, FL 32802-2809 (407) 843-4600

Project: Village H (Avalon Road - CR 545) RAC

Parcel: 1019

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, is made and executed as of the April 2018, by Titan Western Beltway, LLC a Florida limited liability company, whose address is 2281 Lee Road, Suite 204, Winter Park, FL 32789 (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, to wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

A portion of

08-24-27-0000-00006

(hereinafter referred to as the "Subject Property");

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.

Project: Village H (Avalon Road – CR 545) RAC

Signed, sealed and delivered in the

Parcel: 1019

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.

THE conveyance made herein, however, is expressly made SUBJECT TO ad valorem real property taxes and assessments for the year 2017 and thereafter, and easements and restrictions of record, if any, the reference to which shall not operate to reimpose the same.

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.

GRANTOR:

Printed Name of Witness #1 Printed Name of Witness #1 Signature of Witness #2 Neco Downey	Titan Western Beltway, LLC a Florida limited liability company By: Stanley Pietkiewicz, Vice President
Printed Name of Witness #2 STATE OF FLORIDA	
The foregoing instrument was acknowled 2018, by Stanley Pietkiewicz, as Vice President Florida limited liability company, on behalf of the or has produced	ged before me this <u>26</u> day of <u>Opyl</u> , t of TITAN WESTERN BELTWAY, LLC, a e company, who is personally known to me as identification.
(NOTARY SEAL) Notary Public State of Florida Neco Downey My Commission FF 185179	Notary, Public Signature Neco Downey (Name typed, printed or stamped)

Project: Village H (Avalon Road – CR 545) RAC Parcel: 1019

EXHIBIT "A"

[See Following Pages]

SCHEDULE "A"

VILLAGE H (AVALON ROAD - C.R. 545) RAC

PARCEL NUMBER: 1019 LEGAL DESCRIPTION

A portion of land being in the southwest quarter of Section 8, Township 24 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Commence at the southwest corner of said Section 8; thence run along the West line of said southwest quarter, North 00°44'54" East, 2631.97 feet to the West 1/4 corner of said Section 8; thence leaving said West line run along the South line of the North half of said Section 8, North 89°53'47" East, 1436.21 feet to the easterly Right of Way Line of County Road 545 (Avalon Road), as shown on the Right of Way Identification Map produced by Donald W. McIntosh, Associates, Inc., Project Number 12167.001, dated 12/22/2014; thence leaving said South line run along said easterly Right of Way Line South 00°29'10" East, 72.72 feet to the POINT OF BEGINNING; thence continue along said Right of Way Line South 00°29'10" East, 1196.27 feet to a point of curvature of a non-tangent curve concave easterly having a radius of 9940.00 feet, a delta angle of 004°12'41", a chord bearing of North 01°37'10" East and a chord distance of 730.44 feet; thence leaving said Right of Way Line run northerly along the arc of said curve, 730.60 feet to a point of reverse curvature of a curve concave westerly having a radius of 10060.00 feet, a delta angle of 002°35'17", a chord bearing of North 02°25'52" East and a chord distance of 454.38 feet; thence run northerly along the arc of said curve, 454.42 feet to a point of non-tangency; thence run North 45°27'58" East, 49.99 feet to the South Right of Way Line of Flamingo Crossings Boulevard; thence run the following two courses along said South Right of Way Line, South 89°53'42" West, 52.61 feet; thence South 55°22'31" West, 40.21 feet to the POINT OF BEGINNING.

Said lands contain 26,745 Square Feet or 0.614 Acres, more or less.

NOTES

- THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
- 2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED BELOW.
- 3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
- 4, BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA, BEING NORTH 00°44'54" EAST.
- 5. THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED FROM INFORMATION CONTAINED WITHIN THE RIGHT OF WAY IDENTIFICATION MAP FOR COUNTY ROAD 545 (AVALON ROAD), AS PRODUCED BY DONALD W. McINTOSH ASSOCIATES, INC., PROJECT No. 12167.001, DATED 12/22/2014.

CERTIFICATION

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

ELI DONALDSON 4/12/2018

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. 6984

SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST - ORANGE COUNTY, FLORIDA

Landmark Ce 225 E. Robins Orlando, FL 3 407.839.4006 Licensed Busi Vanasse Hangen Brustlin, Inc.

Landmark Center Two 225 E. Robinson St., Suite 300 Orlando, FL 32801 407.839.4006 / FAX 407.839.4008 Licensed Business # 7153 DRAWN BY: C.A.P. PROJECT # 61992.00

CHECKED: E.J.D.

00

DRAWING: ROW PARCEL 1019.DWG

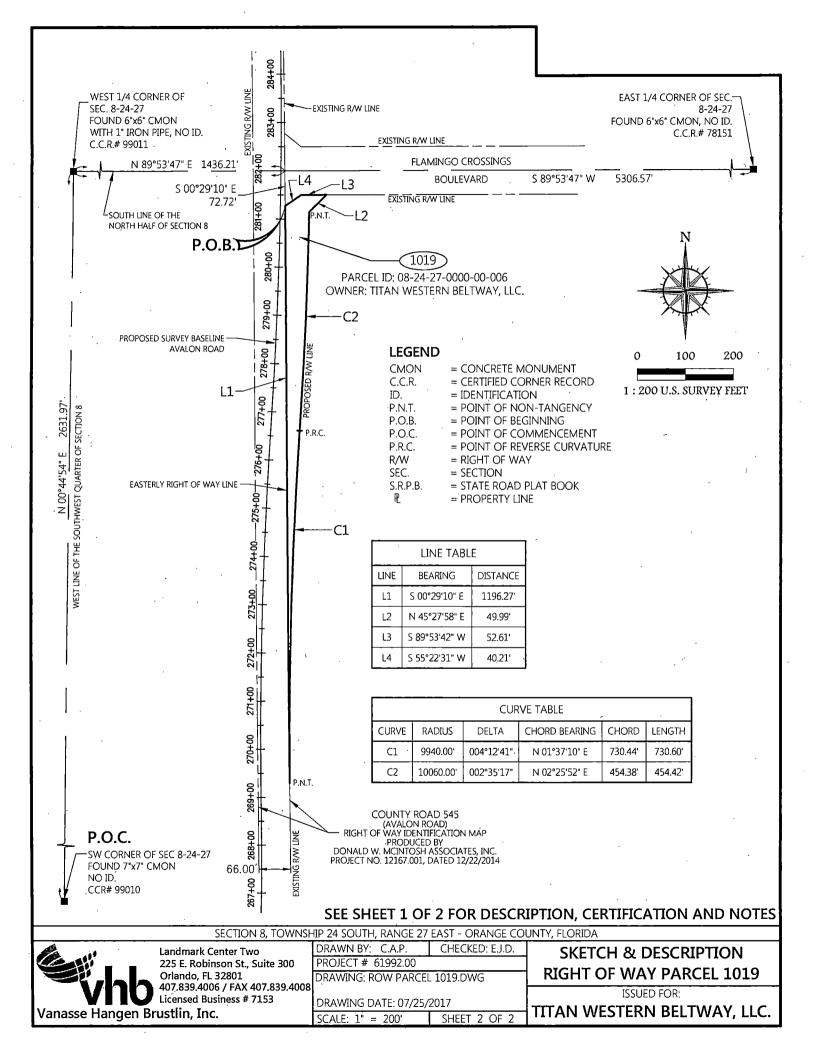
DRAWING DATE: 07/25/2017

SHEET 1 OF 2

SKETCH & DESCRIPTION RIGHT OF WAY PARCEL 1019

ISSUED FOR:

TITAN WESTERN BELTWAY, LLC



APPROVED BY ORANGE COUNTY BOARD DE COUNTY COMMISSIONERS

DEC 18 2018

THIS INSTRUMENT WAS PREPARED BY AND SHOULD BE RETURNED TO:

William A. Beckett, Esquire Lowndes, Drosdick, Doster, Kantor & Reed, P.A. 215 North Eola Drive Post Office Box 2809 Orlando, FL 32802-2809 (407) 843-4600

Project: Village H (Avalon Road - CR 545) RAC

Parcel: 7019

TEMPORARY DRAINAGE AND CONSTRUCTION EASEMENT

THIS INDENTURE, Made this 26 day of 0001, A.D. 2018, between Titan Western Beltway, LLC, Florida limited liability company whose address is 2281 Lee Road, Suite 204, Winter Park, FL 32789, GRANTOR, and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$10,00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, an easement for temporary drainage and construction purposes, including but not limited to tying in and harmonizing the existing grade with the adjacent roadway, with full authority to enter upon, excavate, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, and appurtenant facilities (the "Improvements") on, over, under, within, 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

08-24-27-0000-00-006

TO HAVE AND TO HOLD said temporary construction easement portion unto said GRANTEE for a period of time expiring upon the completion of the construction on the project adjacent to the lands described in attached Exhibit "A"; and the drainage purposes of this easement until such time as the drainage is collected into the GRANTOR'S stormwater system.

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 substantially the same condition as the one existing before use of the easement by the GRANTEE.

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, its heirs, successors, and assigns agree not to build, construct, or create, nor permit others to build, construct,

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Project: Village H (Avalon Road – CR 545) RAC

Parcel: 7019

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.

THE GRANTOR may use the granted easement for any use consistent with the GRANTEE'S intended use of the granted easement including, but not limited to, project development, driveways, access, open space, setback area, or any activity that will not adversely affect the operation, functionality, and structural integrity of the Improvements.

This easement is solely for the purposes noted herein and does not obligate the GRANTEE to perform any right-of-way maintenance or other duties.

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

Signed, sealed and delivered	Title Western Beltway, LLC
in the presence of	a Florida limited liability company
UMAAA	BY:
Witness	Stanley Pietkiewicz
Tour A con	Vice President
Printed Name	
· · · · · · · · · · · · · · · · · · ·	
Neco Rouney	
Witness	
Neco Downey	
Printed Name	
Timod Italie	
(Signature of TWO witnesses required by Florida law)	
STATE OF Elocida	
STATE OF Florida COUNTY OF Orange	
COUNTY OF OF GINGE	
The foregoing instrument was acknowledged be	fore me this 26 day of 4 pril, 2018, by, as
vice-president of Titan Western Beltway, LLC, a Florid	
known to me or [] has produced	as identification
	Mico Overney
(Notary Seal)	Notary Signature
	, ,
Notary Public State of Florida	Neco Downey
Neco Downey My Commission FF 185179	Printed Notary Name
Expires 01/21/2019	Notary Public in and for
***************************************	the County and State aforesaid
	My commission expires: $01/21/2019$

Project: Village H (Avalon Road – CR 545) RAC Parcel: 7019

EXHIBIT "A"

[See Following Pages]

SCHEDULE "A"

VILLAGE H (AVALON ROAD - C.R. 545) RAC

TEMPORARY DRAINAGE & CONSTRUCTION EASEMENT NUMBER: 7019

LEGAL DESCRIPTION

A portion of land being in the southwest quarter of Section 8, Township 24 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Commence at the southwest corner of said Section 8; thence run along the West line of said southwest quarter, North 00°44'54" East, 2631.97 feet to the West quarter corner of said Section 8, thence leaving said West line run along the South line of the North half of said Section 8, North 89°53'47" East, 1436.22 feet to the easterly Right of Way Line of County Road 545 (Avalon Road), as shown on the Right of Way Identification Map produced by Donald W. McIntosh, Associates, Inc., Project Number 12167.001, dated 12/22/2014; thence leaving said South line run along said easterly Right of Way Line, South 00°29'10" East, 751.16 feet; thence leaving said easterly Right of Way Line run, South 87°33'41" East, 13.48 feet to the POINT OF BEGINNING; said point being the point of curvature of a non-tangent curve concave easterly having a radius of 9940.00 feet, a delta angle of 001°13'44", a chord bearing of North 03°06'38" East and a chord distance of 213.20 feet; thence run northerly along the arc of said curve, 213.20 feet to a point of reverse curvature of a curve concave westerly having a radius of 10060.00 feet, a delta angle of 002°35'17", a chord bearing of North 02°25'52" East and a chord distance of 454.38 feet; thence run northerly along the arc of said curve, 454.42 feet to a point of non-tangency; thence run North 45°27'58" East, 28.59 feet to the point of curvature of a non-tangent curve concave westerly having a radius of 10080.00 feet, a delta angle of 002°42'16", a chord bearing of South 02°22'23" West and a chord distance of 475.73 feet; then run southerly along the arc of said curve, 475.77 feet to a point of reverse curvature of a curve concave easterly having a radius of 9920.00 feet, a delta angle of 000°05'09", a chord bearing of South 03°40'56" West and a chord distance of 14.87 feet; thence run southerly along the arc of said curve, 14.87 feet; thence run, North 86°21'39" West, 10.00 feet to the point of curvature of a non-tangent curve concave easterly having a radius of 9930.00 feet, a delta angle of 001°08'35", a chord bearing of South 03°04'04" West and a chord distance of 198.09 feet; thence run southerly along the arc of said curve, 198.09 feet; thence run North 87°33'41" West, 10.00 feet to the POINT OF BEGINNING.

Said lands contain 11,582 Square Feet more or less.

NOTES

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ELI DONALDSON 4 | 12 | 2019

PROFESSIONAL SURVEYOR AND MAPPER : FLORIDA LICENSE NO. 6984

SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, - ORANGE COUNTY, FLORIDA

Landmark Center Two
225 E. Robinson St., Suite 300
Orlando, FL 32801
407.839.4006 / FAX 407.839.4008
Licensed Business # 7153
Vanasse Hangen Brustlin, Inc.

DRAWN BY: C.A.P. CHECKED: E.J.D. PROJECT # 61992.00

DRAWING: TDCE PARCEL 7019.DWG

DRAWING DATE: 07/25/2017

NG DATE: 07/25/2017

SHEET 1 OF 2

SKETCH & DESCRIPTION

TEMPORARY DRAINAGE & CONSTRUCTION EASEMENT 7019

ISSUED FOR:

TITAN WESTERN BELTWAY, LLC

