





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 7

DATE: April 30, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager 
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 UTILITY EASEMENT FROM PARK SQUARE UCF LLC TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM MIDFLORIDA CREDIT UNION AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Park Square Plaza Site Work Only
Permit: B17903012 OCU File #: 95206

District 5

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

ITEMS: Utility Easement
Cost: Donation
Size: 326 square feet

Subordination of Encumbrances to Property Rights to Orange County

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 05 2018

THIS IS A DONATION

Project: Park Square Plaza Site Work Only
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UTILITY EASEMENT

THIS INDENTURE, Made this 27 day of March, A.D. 2018, between Park Square UCF LLC, a Delaware limited liability company, whose address is 5200 Vineland Road, Suite 200, Orlando, Florida 32811, 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 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

22-22-31-0000-00-091

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, 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 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.

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

Signed, sealed and delivered
in the presence of:

Judith Combs
Witness

Judith Combs
Printed Name

Meera Bhutta
Witness

Meera Bhutta
Printed Name

Park Square UCF LLC,
a Delaware limited liability company

BY: Sunset UCF LLC,
a Florida limited liability company,
its Authorized Member

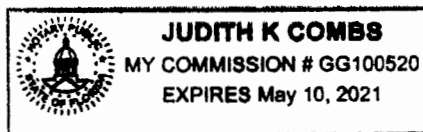
BY: Suresh Gupta
Suresh Gupta, as Manager

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 27 of March, 2018, by Suresh Gupta, as Manager of Sunset UCF LLC, the Authorized Member of Park Square UCF LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



Judith Combs
Notary Signature

Judith Combs
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 5/10/2021

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

Exhibit "A"

THIS IS NOT A SURVEY

NOTES: THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
BASIS OF BEARINGS: NORTHERN RIGHT OF WAY OF E. COLONIAL DRIVE AS BEING S82°29'53"E AS SHOWN ON A BOUNDARY SURVEY BY VISION LAND SERVICES DATED 04-16-16 JOB # 15046 PROVIDED TO AVIDGROUP FROM CLIENT
SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION, SHEET 2 OF 3 FOR SKETCH AND SHEET 3 OF 3 FOR CLOSURE REPORT.

LEGAL DESCRIPTION: UTILITY EASEMENT

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 3 SHOWN ON THE PLAT ENTITLED WINTERGREEN AS RECORDED IN PLAT BOOK 27, PAGE 82 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA;
THENCE SOUTH 82°29'53" EAST ALONG THE NORTH RIGHT OF WAY OF STATE ROAD 50 (COLONIAL DRIVE) 200 FOOT RIGHT OF WAY AS SHOWN ON STATE ROAD DEPARTMENT RIGHT OF WAY MAP SECTION NO. 7506-201 FOR 404.55 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°00'00" EAST FOR 15.00 FEET; THENCE NORTH 90°00'00" EAST FOR 20.00 FEET; THENCE SOUTH 00°00'00" EAST FOR 17.63 FEET TO INTERSECT THE AFORESAID NORTH RIGHT OF WAY; THENCE NORTH 82°29'53" WEST ALONG SAID NORTH RIGHT OF WAY FOR 20.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 326 SQUARE FEET .

PROJECT NAME: PARK SQUARE PLAZA SITE WORK ONLY
OCU FILE #: 95206

BUILDING PERMIT NUMBER: B17903012

NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS SOLELY BASED UPON THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.


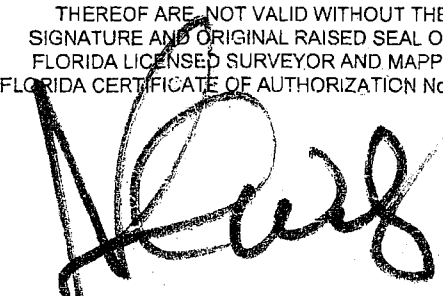
PREPARED FOR:		PARK SQUARE UCF, LLC			
SHEET DESCRIPTION:		LEGAL DESCRIPTION: UTILITY EASEMENT			
SCALE: 1"=100'	DRAWN: JLW	CHECKED: JLW	COUNTY:	ORANGE	
JOB NO. 2678002	DATE: 11/27/17	SECTION: 22	TOWNSHIP: 22S	RANGE:	31E
<div><div><p>THIRD REVISION 1-17-18 FOURTH REVISION 2-28-18</p></div><div><p>CIVIL ENGINEERING 2300 CURLEW ROAD STE 201 LAND PLANNING PALM HARBOR, FLORIDA TRAFFIC/TRANSPORTATION 34683 ENVIRONMENTAL SCIENCES PHONE (727) 789-9500 SURVEYING FAX (727) 784-6662 GIS AVIDGROUP.COM</p></div></div>					
			CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION SKETCH AND LEGAL DESCRIPTION OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER FLORIDA CERTIFICATE OF AUTHORIZATION No. 7345		
			JOHN E. WABY, PROFESSIONAL LAND SURVEYOR LICENSE NUMBER #4270, STATE OF FLORIDA		

Exhibit "A"

THIS IS NOT A SURVEY

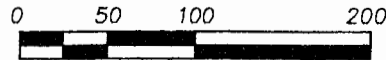
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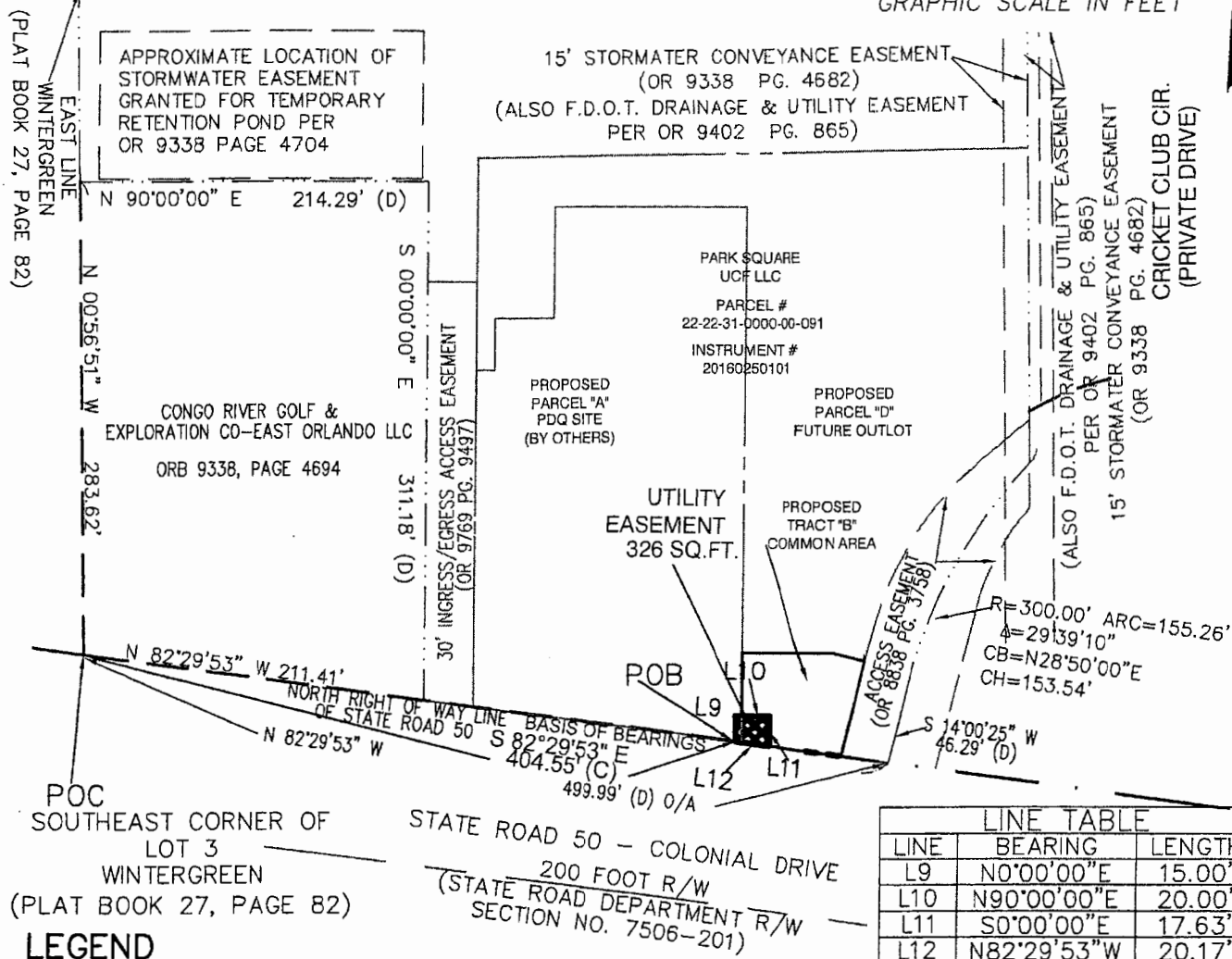
BEING S82°29'53"E AS SHOWN ON A BOUNDARY SURVEY BY VISION LAND SERVICES DATED 04-16-16 JOB # 15046 PROVIDED TO AVIDGROUP FROM CLIENT

SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION, SHEET 2 OF 3 FOR SKETCH AND SHEET 3 OF 3 FOR CLOSURE REPORT.



SCALE: 1" = 100'

GRAPHIC SCALE IN FEET



LINE TABLE		
LINE	BEARING	LENGTH
L9	N0°00'00"E	15.00'
L10	N90°00'00"E	20.00'
L11	S0°00'00"E	17.63'
L12	N82°29'53"W	20.17'

(C) = Calculated
(D) = Deed
E = East
FDOT = Florida Department of Transportation
FT = Feet
N = North

O/A = Overall
OR = Official Record
PB = Plat Book
PG(S) = Pages
PLS = Professional Land Surveyor
POB= Point of Beginning

POC = Point of Commencement
R/W = Right of Way
S = South
SQ = Square
W = West

xx° = Degrees
xx' = Minutes (Bearings)
xx" = Seconds (Bearing)
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R = Radius
ARC = Arc Length
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CB = Chord Bearing
CH = Chord

PREPARED FOR:

PARK SQUARE UCF, LLC

SHEET DESCRIPTION:

SKETCH OF DESCRIPTION: UTILITY EASEMENT



Exhibit "A"

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SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION, SHEET 2 OF 3 FOR SKETCH AND SHEET 3 OF 3 FOR CLOSURE REPORT.

Point of Commencement

Northing: 4215.1057 Easting: 4846.3818

Direction: S82° 29' 53"E Distance: 404.55'

Point of Beginning

Northing: 4162.2860 Easting: 5247.4727

Mapcheck : UTILITY EASEMENT

Point of Beginning

Northing: 4162.2860 Easting: 5247.4727

Side 1: Line

Direction: N0° 00' 00"E Distance: 15.00'
Northing: 4177.2870 Easting: 5247.4727

Side 2: Line

Direction: N90° 00' 00"E Distance: 20.00'
Northing: 4177.2870 Easting: 5267.4727

Side 3: Line

Direction: S0° 00' 00"E Distance: 17.63'
Northing: 4159.6520 Easting: 5267.4727

Side 4: Line

Direction: N82° 29' 53"W Distance: 20.17'
Northing: 4162.2858 Easting: 5247.4724

Closure Summary

Precision, 1 part in: 185365.27'
Error distance: 0.00'
Error direction: S56° 34' 25"W
Area: 326 Sq. Ft.
Perimeter: 72.81'

PREPARED FOR: PARK SQUARE UCF, LLC

SHEET DESCRIPTION: CLOSURE REPORT: UTILITY EASEMENT



APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 05 2018

Project: Park Square Plaza Site Work Only
Permit: B17903012 OCU File #: 95206

SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO 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 utility project in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to the below encumbrances held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrances 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 encumbrances as they have been or as may be modified and amended from time to time to the property rights of Orange County to locate, construct, maintain, and/or improve said project 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 EXHIBIT "A"

Encumbrances:

MIDFLORIDA Credit Union
FROM: Park Square UCF, LLC
Mortgage, Assignment of Rents and Security Agreement filed March 13, 2018
Recorded as Document No. 20180145914
UCC Financing Statement filed March 13, 2018
Recorded as Document No. 20180145915
Both in the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for utility purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrances or

Project: Park Square Plaza Site Work Only
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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. 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 utility purposes that in such event the subordination of said encumbrances 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 27 day of March, A.D. 2018.

Signed, sealed, and delivered
in the presence of:

MIDFLORIDA Credit Union,
a state-charter credit union organized under
the laws of the state of Florida

BY:

Witness

Printed Name

Witness

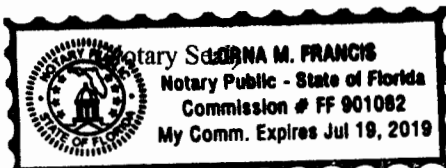
Printed Name

Printed Name

Title

STATE OF FLORIDA
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 27 of MARCH, 2018, by DAVID HAND, as EVP of MIDFLORIDA Credit Union, a state-chartered credit union organized under the laws of the state of Florida, on behalf of the credit union. He/She ☒ is personally known to me or ☐ has produced _____ as identification.



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 Signature

Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires:

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THIRD REVISION 1-17-18
FOURTH REVISION 2-28-18



CIVIL ENGINEERING 2300 CURLEW ROAD STE 201
LAND PLANNING PALM HARBOR, FLORIDA
TRAFFIC/TRANSPORTATION 34683
ENVIRONMENTAL SCIENCES PHONE (727) 789-9500
SURVEYING FAX (727) 784-6662
GIS AVIDGROUP.COM

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
SKETCH AND LEGAL DESCRIPTION OR THE COPIES
THEREOF ARE NOT VALID WITHOUT THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER
FLORIDA CERTIFICATE OF AUTHORIZATION No. 7345

JOHN E. WABY, PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER #4270, STATE OF FLORIDA

Exhibit "A"

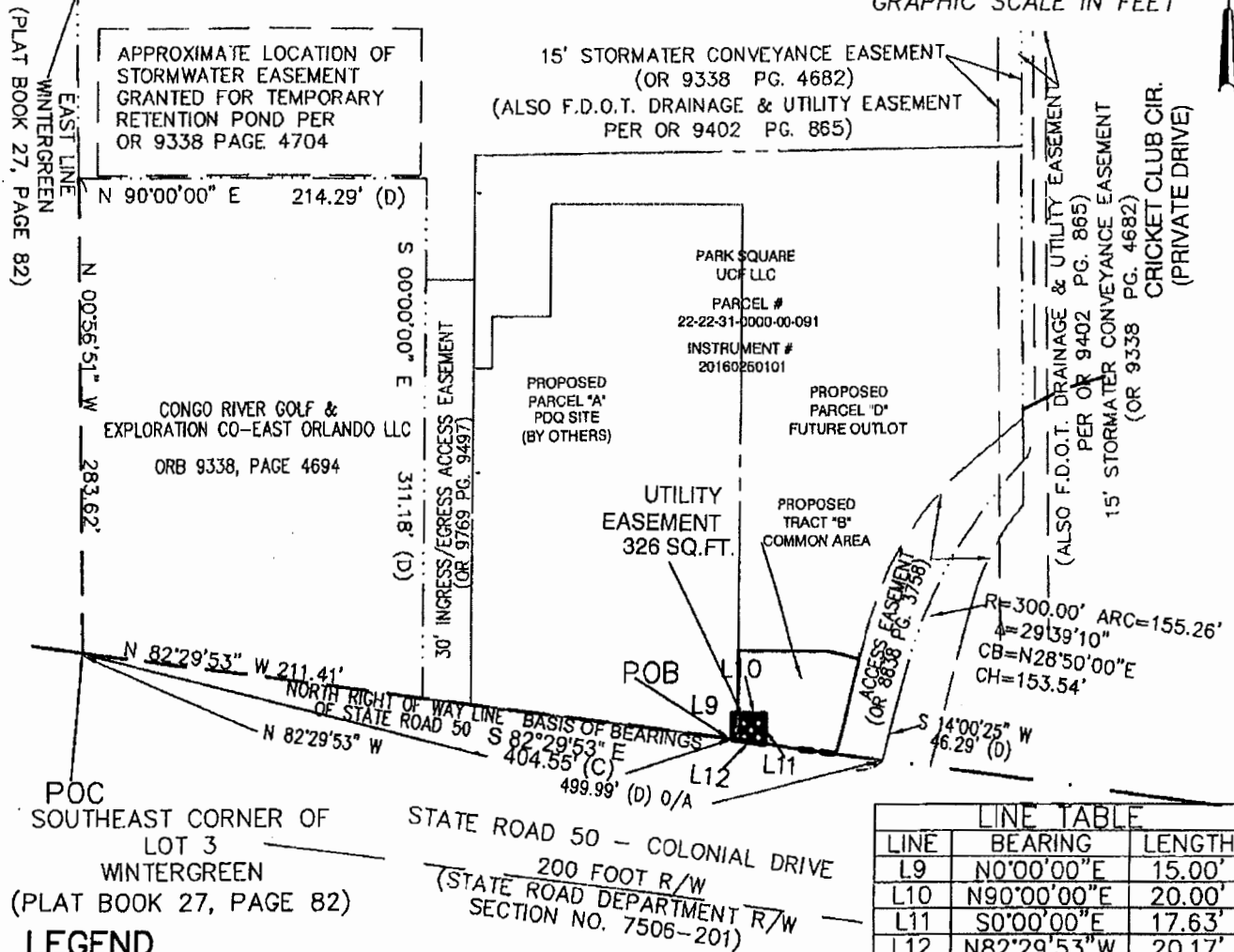
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