



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 8

DATE: July 10, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Kim Heim, Senior Title Examiner *KH*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT FROM RACETRAC
PETROLEUM, INC. TO ORANGE COUNTY AND AUTHORIZATION
TO RECORD INSTRUMENT

PROJECT: RaceTrac #1091 - Crystal Creek Permit: B16904152 OCU File #: 89026
District 1

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

ITEM: Utility Easement
Cost: Donation
Total size: 300 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
AUG 21 2018

THIS IS A DONATION

Project: RaceTrac #1091 – Crystal Creek Permit: B16904152 OCU File #: 89026

UTILITY EASEMENT

THIS INDENTURE, Made this 04 day of June, A.D. 2018, between RACETRAC PETROLEUM, INC., a Georgia corporation, whose address is 200 Galleria Parkway SE, Suite 900, Atlanta, Georgia, 30339, 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, a non-exclusive easement for utility purposes, with the right 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 (the "Easement Area") situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

a portion of

20-24-29-1810-01-001

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 in the Easement Area that may interfere with normal operation or maintenance of the utilities and any facilities placed thereon by the GRANTEE and its assigns, 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 Easement Area 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 Area, or modify the size of existing pipelines or other improvements within the boundaries of the Easement Area as it may determine in its reasonable 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:

Samantha Moore
Witness

Samantha Moore
Printed Name

Jon Janssen
Witness

Jon JANSSEN
Printed Name

RACETRAC PETROLEUM, INC.,
a Georgia corporation

BY: Brian Thornton

Brian Thornton
Printed Name

V.P. of real estate, engineering, and
Title Construction

(Corporate Seal)

(Signature of TWO witnesses required by Florida law)

STATE OF Georgia

COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 4 of June,
2018, by Brian Thornton, as Vice President,
of RACETRAC PETROLEUM, INC., a Georgia corporation, on behalf of the corporation. He/She ☒ is
personally known to me or ☐ has produced _____ as identification.



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

Mark D Huggins
Notary Signature

Mark D Huggins
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 9/21/20

EXHIBIT "A"

SKETCH OF DESCRIPTION

RACETRAC NUMBER 10-91-CRYSTAL CREEK SITEWORK
SUBDIVISION PERMIT #B-16904152

"LEGAL DESCRIPTION - WATER EASEMENT"

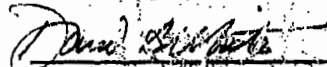
A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 24 SOUTH, RANGE 29 EAST, BEING A PORTION OF TRACT "A", CRYSTAL CREEK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGES 149 AND 150, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF TRACT "A", CRYSTAL CREEK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGES 149 AND 150, PUBLIC RECORDS OF ORANGE COUNTY, THENCE RUN SOUTH 00°04'25" EAST ALONG THE EAST LINE OF SAID TRACT "A", ALSO BEING THE WEST RIGHT-OF-WAY LINE OF JOHN YOUNG PARKWAY, 416.45 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, RUN SOUTH 89°55'35" WEST, 337.22 FEET TO A POINT LYING ON THE EASTERLY LINE OF THAT CERTAIN ACCESS, UTILITY AND DRAINAGE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 9444, PAGE 962, ACCESS, UTILITY AND DRAINAGE AGREEMENT OFFICIAL RECORDS BOOK 9491, PAGE 1352 AND OFFICIAL RECORDS BOOK 9491, PAGE 1359 OF SAID PUBLIC RECORDS; THENCE RUN, ALONG SAID EASTERLY LINE, THE FOLLOWING THREE COURSES; SOUTH 00°02'41" EAST 113.12 FEET TO A POINT ON A CURVATURE OF CURVE, CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 69.97 FEET, A CENTRAL ANGLE OF 30°01'44", AN ARC LENGTH OF 36.67 FEET, A CHORD LENGTH OF 36.25 FEET AND A CHORD BEARING OF SOUTH 15°03'33" EAST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 30°04'25" EAST, 88.55 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY LINE, RUN NORTH 59°55'35" EAST, 15.00 FEET; THENCE RUN SOUTH 30°04'25" EAST, 10.00 FEET; THENCE RUN SOUTH 59°55'35" WEST, 15.00 FEET TO A POINT LYING ON AFORESAID EASTERLY LINE OF THAT CERTAIN ACCESS, UTILITY AND DRAINAGE AGREEMENT; THENCE RUN NORTH 30°04'25" WEST, ALONG SAID EASTERLY LINE, 10.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 150 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE EAST LINE OF TRACT "A", CRYSTAL CREEK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGES 149 AND 150, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING SOUTH 00°04'25" EAST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.



DAVID A. WHITE, P.S.M.
FLORIDA REGISTRATION NO. 4044
PEC - SURVEYING AND MAPPING, LLC.
CERTIFICATE OF AUTHORIZATION L.B. #7808
DATE OF SIGNATURE: 12-04-2017

(THIS IS NOT A SURVEY)

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES

SHEET 1 OF 2

PEC

SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

2100 Alafaya Trail, Suite 203 • Orlando, Florida 32765 • 407-542-4967

WWW.PECONLINE.COM

SECTION 20, TOWNSHIP 24 SOUTH, RANGE 29 EAST

DATE: DECEMBER 4, 2017

PREP BY: J.L.M.

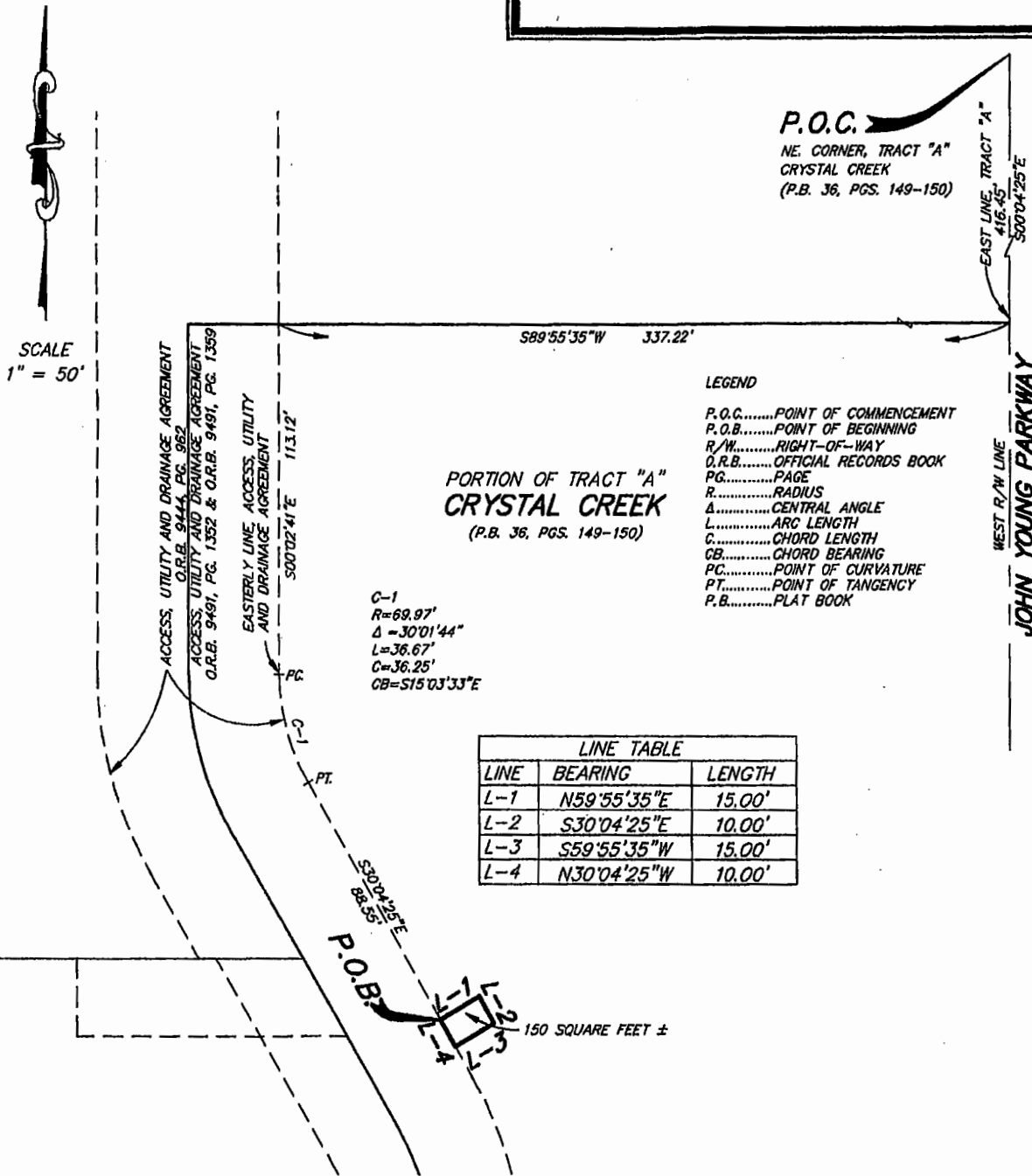
DRAWN BY: J.L.M.

JOB #: 17-155

Q: 17-155 CRYSTAL CREEK RACETRAC DESCRIPTIONS\17-155 WATER ESMT-2.dwg Dec 04, 2017 - 4:22pm

SKETCH OF DESCRIPTION

RACETRAC NUMBER 10-91-CRYSTAL CREEK SITEWORK
SUBDIVISION PERMIT #B-16904162



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SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES

SHEET 2 OF 2

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EXHIBIT "A"

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SUBDIVISION PERMIT #B-16904162

"LEGAL DESCRIPTION - RECLAIM WATER EASEMENT"

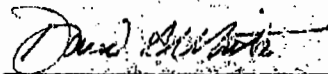
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0:17-155 CRYSTAL CREEK RACETRAC DESCRIPTIONS\17-155 RECLAIM WATER ESMT.dwg Dec 04, 2017 - 4:19pm

SKETCH OF DESCRIPTION

RACETRAC NUMBER 10-91-CRYSTAL CREEK SITEWORK
SUBDIVISION PERMIT #B-18904152



SCALE
1" = 50'

P.O.C.
NE. CORNER, TRACT "A"
CRYSTAL CREEK
(P.B. 36, PGS. 149-150)

S89°55'35"W 337.22'

PORTION OF TRACT "A"
CRYSTAL CREEK
(P.B. 36, PGS. 149-150)

C-1
R=69.97'
Δ=30°01'44"
L=36.67'
C=36.25'
CB=S15°03'33"E

LINE TABLE		
LINE	BEARING	LENGTH
L-1	S30°04'25"E	19.52'
L-2	N59°55'35"E	15.00'
L-3	S30°04'25"E	10.00'
L-4	S59°55'35"W	15.00'
L-5	N30°04'25"W	10.00'

EAST LINE, TRACT "A"
416.45'
S00°04'25"E

WEST R/W LINE
JOHN YOUNG PARKWAY
(224' R/W WIDTH)
(O.R.B. 3950, PG. 1322)

ACCESS, UTILITY AND DRAINAGE AGREEMENT
O.R.B. 9444, PG. 962
ACCESS, UTILITY AND DRAINAGE AGREEMENT
O.R.B. 9491, PG. 1352 & O.R.B. 9491, PG. 1359
EASTERLY LINE ACCESS, UTILITY
AND DRAINAGE AGREEMENT
S00°02'41"E 113.12'

P.O.B.

PT.

L-2

150 SQUARE FEET ±

LEGEND

P.O.C.....POINT OF COMMENCEMENT
P.O.B.....POINT OF BEGINNING
R/W.....RIGHT-OF-WAY
O.R.B.....OFFICIAL RECORDS BOOK
PG.....PAGE
R.....RADIUS
Δ.....CENTRAL ANGLE
L.....ARC LENGTH
C.....CHORD LENGTH
CB.....CHORD BEARING
PC.....POINT OF CURVATURE
PT.....POINT OF TANGENCY
P.B.....PLAT BOOK

(THIS IS NOT A SURVEY)

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES

SHEET 2 OF 2

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O:\17-155 CRYSTAL CREEK RACETRAC DESCRIPTIONS\17-155 RECLAIM WATER ESMT.dwg Dec 04, 2017 - 4:20pm