



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** March 1, 2018

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

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

**FROM:** Monica L. Hand, Senior Title Examiner *MH*  
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 ACCESS AND UTILITY EASEMENTS FROM COLUMNAR PARTNERSHIP HOLDING I, LLC TO ORANGE COUNTY AND AUTHORIZATION TO PERFORM ALL ACTIONS NECESSARY AND INCIDENTAL TO CLOSING

**PROJECT:** Spring Grove – APF Utility Tract Village I  
District 1

**PURPOSE:** To accept conveyance of a utility tract as a requirement of an adequate public facilities agreement.

**ITEMS:** Special Warranty Deed  
Cost: Donation  
Size: 2 acres

Access and Utility Easements  
Cost: Donation  
Size: 5,497 square feet

**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Utilities Department  
Transportation Planning Division

**REMARKS:** The Board of County Commissioners approved the Adequate Public Facilities and Right of Way Agreement for Village I, Spring Grove – Northeast Planned Development (County Road 545) (the "Agreement") on July 19, 2016. This transaction is in accordance with the requirements contained in said Agreement.

Grantor to pay all closing costs and prorated taxes.

MAR 20 2018

THIS INSTRUMENT WAS PREPARED BY  
AND SHOULD BE RETURNED TO:

Diane Helen Ford, Esquire  
Akerman LLP  
420 S. Orange Avenue, Suite 1200  
Orlando, Florida 32801

TAX PARCEL ID. NO.: A portion of 30-24-27-0000-00024

Project: Spring Grove - APF Utility Tract Village I

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, is made and executed as of the 12<sup>th</sup> day of February, 2018, by **COLUMNAR PARTNERSHIP HOLDING I, LLC**, an Indiana limited liability company, whose address is 6442 Commerce Park Drive, Suite 2, Ft. Myers, FL 33966 (hereinafter referred to as the "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 (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 EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

(hereinafter referred to as the "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 Property in fee simple forever.

AND the Grantor does hereby covenant with and warrant to the Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property; and that the Grantor fully warrants the title to the 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 2018 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.

Signed, sealed and delivered in the presence of the following two (2) witnesses:

GRANTOR:

**COLUMNAR PARTNERSHIP HOLDING I, LLC, an Indiana limited liability company**

By: Columnar Holdings, LLC,  
an Indiana limited liability company,  
its sole Member

Andree Cusick

Signature of Witness #1

Andree Cusick

Printed Name of Witness #1

By: [Signature]  
Daniel A. Traylor, President

(Seal)

Bob Dwanter

Signature of Witness #2

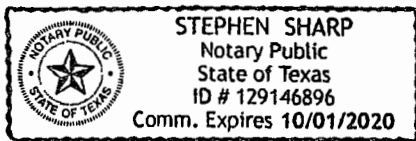
Bob Dwanter

Printed Name of Witness #2

STATE OF TEXAS  
COUNTY OF DALLAS

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of February, 2018, by Daniel A. Traylor, as President of Columnar Holdings, LLC, an Indiana limited liability company, as the sole Member of **COLUMNAR PARTNERSHIP HOLDING I, LLC**, an Indiana limited liability company, on behalf of the limited liability company, who  is personally known to me or  has produced as identification.

(Notary Stamp)



[Signature]  
Notary Public Signature

Stephen Sharp  
(Name typed, printed or stamped)

Spring Grove Northeast PD Parcel 1A  
Permit No. 17-S-001

**EXHIBIT "A"**

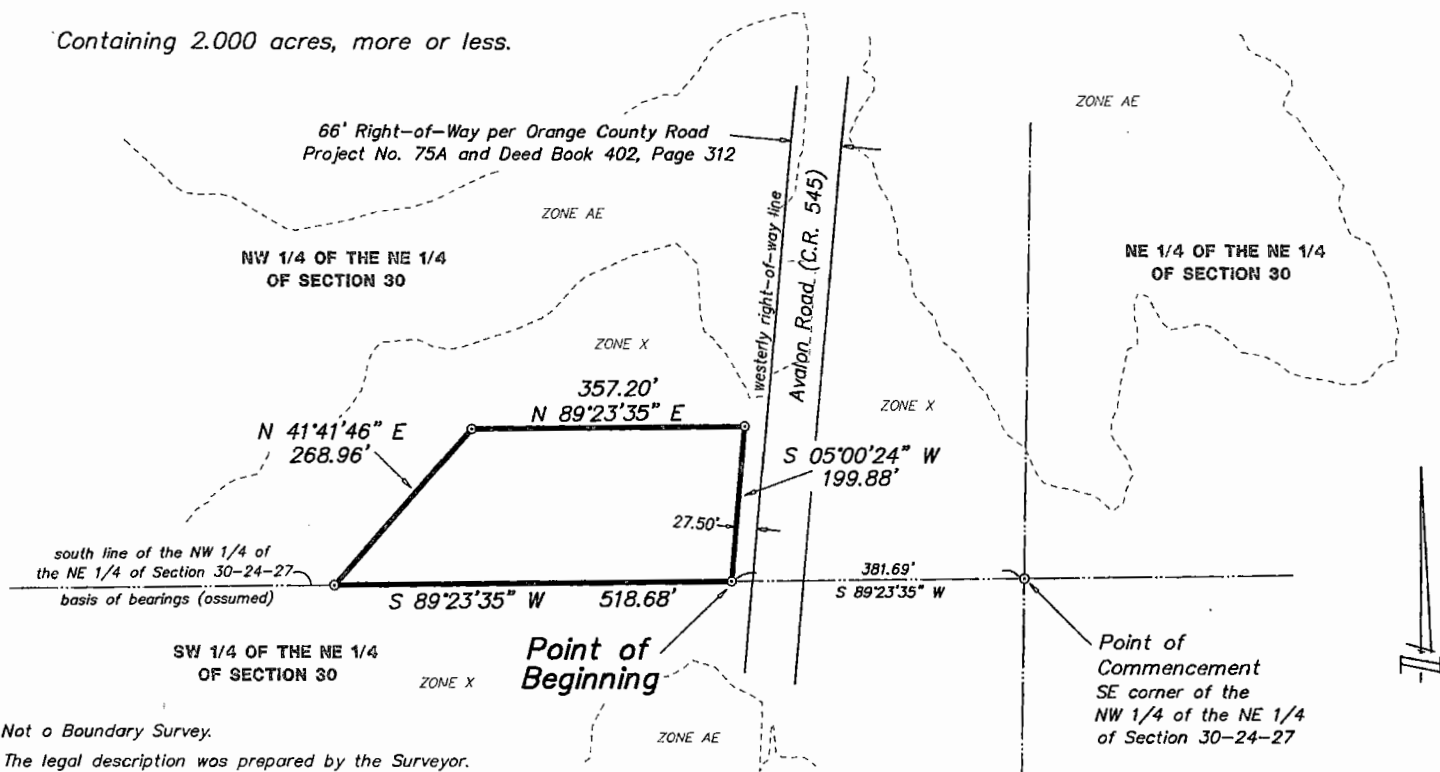
Legal Description

2 Acre APF Site

A portion of Section 30, Township 24 South, Range 27 East, Orange County, Florida, described as follows:

Commence at the southeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 30; thence run S 89°23'35" W, along the south line of the Northwest 1/4 of the Northeast 1/4 of said Section 30, a distance of 381.69 feet for the POINT OF BEGINNING; thence continue S 89°23'35" W, along the south line of the Northwest 1/4 of the Northeast 1/4 of said Section 30, a distance of 518.68 feet; thence run N 41°41'46" E, a distance of 268.96 feet; thence run N 89°23'35" E, a distance of 357.20 feet to a point lying 27.50 feet west of (when measured perpendicular to) the westerly right-of-way line of Avalon Road (County Road 545), a 66 foot wide right-of-way per Orange County Road Project No. 75A and Deed Book 402, Page 312, Public Records of Orange County, Florida; thence run S 05°00'24" W, parallel with said westerly right-of-way line, a distance of 199.88 feet to the POINT OF BEGINNING.

Containing 2.000 acres, more or less.



Not a Boundary Survey.

The legal description was prepared by the Surveyor.

Based on scaling of the Flood Insurance Rate map, the lands described hereon fall within Flood Zone "X" per F.I.R.M. Map Panel No. 12095C0560F, dated September 25, 2009. The Flood Insurance Rate Map is not a survey and no responsibility is taken for the accuracy of said map.

Based on information contained in Conservation Area Determination #CAD-16-07-077, the lands described hereon do not lie within any governmental jurisdictional wetlands.

**SKETCH OF DESCRIPTION ONLY - NOT A SURVEY**

NO CORNERS WERE SET AND GANUNG-BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION.

**Sketch of Description  
Fee Simple**

situated in

**Section 30, Township 24 South, Range 27 East  
Orange County, Florida**

PREPARED FOR:

**Spring Grove, LLC**

JOB NO.

1703.2

SHEET

1 of 1

DATE

12/04/017

REV.

1/24/18

SCALE

1" = 250'

SKETCH OF DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED, WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.

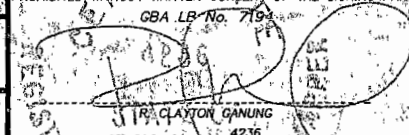
GBA LB No. 7193



**GANUNG - BELTON ASSOCIATES, INC.**

professional surveyors and mappers

1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656



MAR 20 2018

Project: Spring Grove– APF Utility Tract Village I

**ACCESS AND UTILITY EASEMENTS**

THIS INDENTURE, made this 12<sup>th</sup> day of February, A.D. 2018, between Columnar Partnership Holding I, LLC, an Indiana limited liability company, having its principal place of business in the city of Ft. Myers, county of Lee, whose address is 6442 Commerce Park Drive, Suite 2, Ft. Myers, FL 33966, 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 GRANTOR, in consideration of the sum of \$10.00 and other valuable considerations, paid by GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to GRANTEE and its successors and assigns, a non-exclusive easement for access purposes and an exclusive easement for utility purposes, with full authority to enter upon, excavate, construct, relocate and maintain, as GRANTEE and its assigns may deem necessary, access driveway, 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**

**30-24-27-0000-00-024**

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

GRANTEE and its successors and 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 GRANTEE and its successors and assigns, out of and away from the herein granted easement, and 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 easements that may interfere with GRANTEE's access or the normal operation or maintenance of the utility facilities installed thereon. Only GRANTEE shall have the right to place or construct utilities within the easement area.

GRANTEE may at any time increase its use of the easement, change the location of the access driveway or utility lines or other utility facilities within the boundaries of the easement, or modify the size of existing utility lines 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,

Project: Spring Grove – APF Utility Tract Village I

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 landscaping 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.

[Balance of Page Intentionally Blank]

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

Signed, sealed, and delivered  
in the presence of:

Columnar Partnership Holding I, LLC,  
an Indiana limited liability company

By: Columnar Holdings, LLC,  
an Indiana limited liability company,  
its Sole Member

[Signature]  
Witness

By: [Signature]  
Daniel A. Traylor, President

Andrea Cusick  
Printed Name

(Seal)

Bob Duerst  
Witness

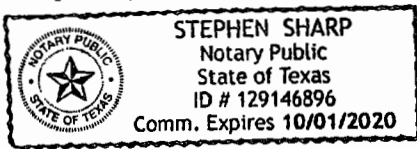
[Signature]  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF TEXAS  
COUNTY OF DALLAS

The foregoing instrument was acknowledged before me this 12 day of February,  
2018 by Daniel A. Traylor as President of Columnar Holdings, LLC, an Indiana limited liability company,  
Sole Member of Columnar Partnership Holding I, LLC, an Indiana limited liability company, on behalf of  
the limited liability company. He is personally known to me or has produced Texas DL  
as identification.

(Notary Stamp/Seal)



[Signature]  
Notary Signature

Stephen Sharp  
Printed Notary Name

Notary Public in and for Dallas, TX  
the County and State aforesaid

My commission expires: 10/01/2020

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



Spring Grove Northeast PD Parcel 1A

Permit No. 17-S-001

EXHIBIT "A"

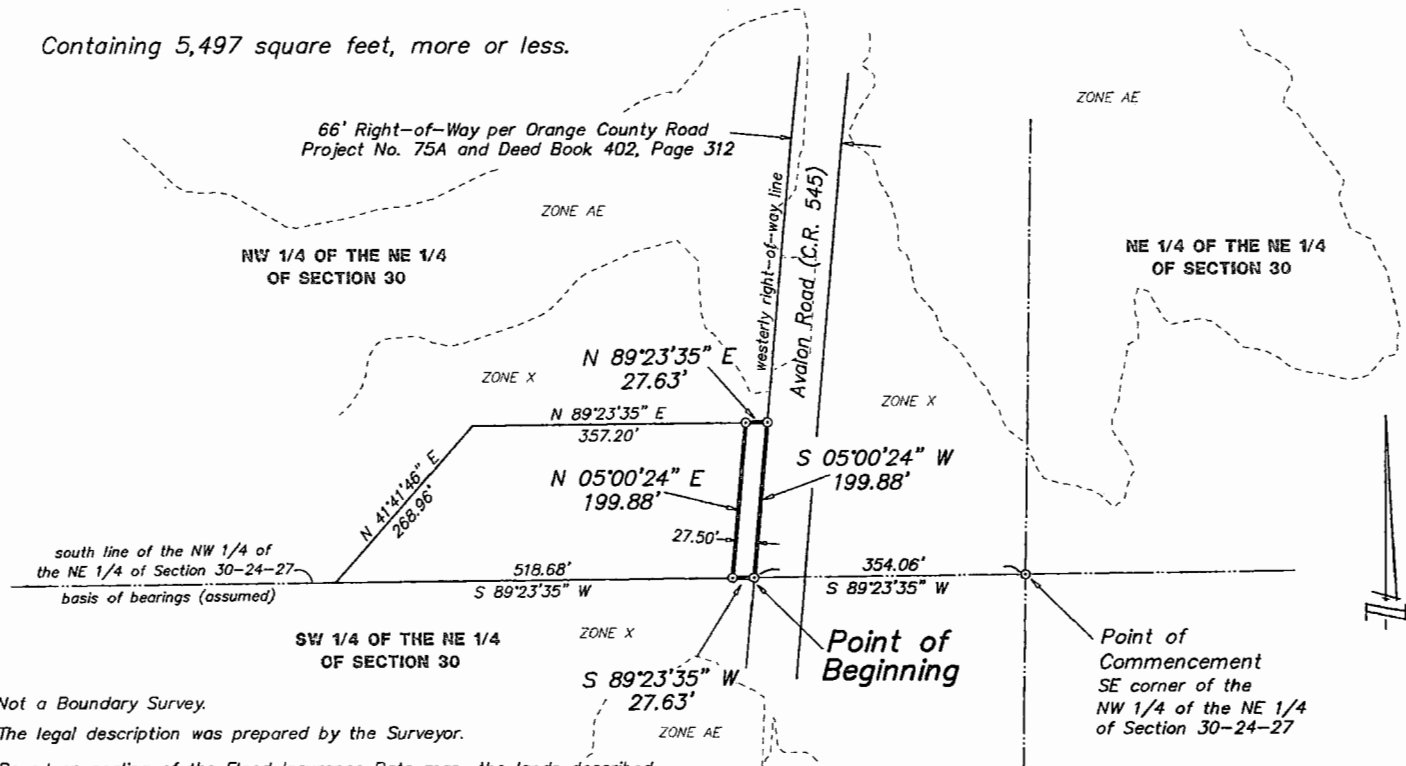
Legal Description

Access and Utility Easement

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Containing 5,497 square feet, more or less.



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Sketch of Description  
of an  
Access and Utility Easement  
of lands situated in

Section 30, Township 24 South, Range 27 East  
Orange County, Florida

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

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PREPARED FOR:

Spring Grove, LLC

JOB NO. 1703.7

SHEET 1 of 1

DATE 10/31/17

REV. 1/24/18

SCALE 1" = 250'

SKETCH OF DESCRIPTION, NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.



GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656

GBA LB No. 7194  
R. CLAYTON GANUNG  
REG. P.L.S. NO. 1236  
SURVEYOR