



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 25-154, **Version:** 1

Interoffice Memorandum

DATE: January 8, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Mindy T. Cummings, Manager

FROM: Steve Cochran, Acquisition Agent

CONTACT: Mindy T. Cummings, Manager

PHONE: 407-836-7090

DIVISION: Real Estate Management Division

ACTION REQUESTED:

Approval of Temporary Construction Easement from Sackett Repair LLC to Orange County, and authorization to disburse funds and record instrument for South McKinley Avenue Drainage - Parcel 701. District 6. **(Real Estate Management Division)**

PROJECT: South McKinley Avenue Drainage - Parcel 701

PURPOSE: To provide temporary access and construction for new drainage facilities.

ITEM:

Temporary Construction Easement (Instrument 701.1)

Cost: Donation

Size: 385 square feet

BUDGET: Account No.: 1002-072-2908-6110

REVENUE: None

FUNDS: \$61.70 Payable to Orange County Comptroller (for recording fees)

APPROVALS:

Real Estate Management Division

Public Works Department - Roads and Drainage Division

REMARKS: This Temporary Construction Easement is needed to facilitate the installation of stormwater catch basins and a pipe-outfall connection to Shingle Creek, which will improve stormwater collection and discharge for the surrounding area, including the County's property. Grantee to pay recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

JAN 28 2025

**THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:**

E. Price Jackson, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida
P.O. Box 1393
Orlando, Florida 32802-1393

Property Appraiser's Parcel Identification Number:
a portion of 30-22-29-2940-00-120

Instrument: 701.1
Project: South McKinley Avenue Drainage

THIS IS A DONATION

TEMPORARY CONSTRUCTION EASEMENT

For and in consideration of \$10.00, other valuable considerations, and of the benefits accruing to us, we, Sackett Repair LLC, a Florida limited liability company, whose address is 5500 Old Winter Garden Road, Orlando, Florida 32811-1525, GRANTOR, do hereby give, grant, bargain, and release 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, GRANTEE, a temporary easement to enter upon the portion of the lands of the owners, for the purposes described herein, such lands being described as follows:

SEE ATTACHED SCHEDULE "A"

THIS EASEMENT is granted for construction purposes only, including the right to enter upon said lands for the purposes of sloping, grading, clearing, grubbing, storage of materials and equipment, excavation, and restoration during GRANTEE'S construction of a drainage improvement, as GRANTEE deems necessary or prudent. Should GRANTEE perform any such construction activities in the easement area, GRANTEE shall, at its sole cost and expense, restore such lands to the condition existing prior to such construction activities, including the repair or replacement of any paving, curbing, sidewalks, or landscaping.

THIS EASEMENT is granted upon the condition that the sloping and/or grading upon the above land shall not extend beyond the limits outlined, and that all grading or sloping shall conform to all existing structural improvements within the limits designated, and all work will be performed in such a manner that existing structural improvements will not be damaged.

THIS EASEMENT shall expire upon the completion of the construction of the said project or after five (5) years, whichever occurs first.

Instrument: 701.1
Project: South McKinley Avenue Drainage

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be signed in their name.

Signature of TWO witnesses and their mailing addresses are required by Florida law, F.S. 695.26

WITNESS #1

Barbara Sackett
Signature

Barbara Sackett
Print Name

Mailing Address: 1622 Victoria Way

City: Winter Garden State: FL

Zip Code: 34787

WITNESS #2

Steve Andrew Cochran
Signature

Steve Andrew Cochran
Print Name

Mailing Address: 2880 Old Castle Dr.

City: Winter Park State: FL

Zip Code: 32792

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 14th day of November, 2024, by Jacob Jakubowski, as Authorized Member, of Sackett Repair LLC, a Florida limited liability company, on behalf of the company. The individual ☐ is personally known to me or ☒ has produced FL Driver License as identification.

(Notary Stamp)



STEVE ANDREW COCHRAN
Commission # HH 569022
Expires November 7, 2028

Sackett Repair LLC,
a Florida limited liability company

By: Jacob Jakubowski
its Authorized Member

Steve Andrew Cochran
Notary Signature

Steve Andrew Cochran
Print Notary Name

Notary Public of: Florida

My Commission Expires: 11/7/2028

JOINDER AND CONSENT TO TEMPORARY CONSTRUCTION EASEMENT

The undersigned hereby certifies that it is the holder of the following mortgage, lien, or other encumbrance upon the above described Temporary Construction Easement: (i) that certain Mortgage and Security Agreement executed by Sackett Repair LLC, in favor of Charles Sackett Repairs, LLC, recorded January 4, 2023, as Official Records Document No. 20230003305; and (ii) that certain Financing Statement executed by Sackett Repair LLC, in favor of Charles Sackett Repairs, LLC, recorded January 4, 2023, as Official Records Document No. 20230003307; both of the Public Records of Orange County, Florida and that the undersigned hereby joins in and consents to the execution and recording of the foregoing Temporary Construction Easement, and agrees that its mortgage, lien, or other encumbrance, as they have been, and as they may be, modified, amended, and/or assigned from time to time, shall be subordinated to the Temporary Construction Easement, as said easement may be modified, amended, and/or assigned from time to time.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

{Signature on following page}

Instrument: 701.1
Project: South McKinley Avenue Drainage

Signature of **TWO** witnesses and their mailing addresses are required by Florida law, F.S. 695.26

WITNESS #1

Barbara Sackett

Signature

Barbara Sackett

Print Name

Mailing Address: 1622 Victoria Way

City: Winter Garden State: FL

Zip Code: 34877

WITNESS #2

Jacob Jakubowski

Signature

Jacob Jakubowski

Print Name

Mailing Address: 1262 Bear Lake Rd

City: Apopka State: FL

Zip Code: 32703

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 6 day of November, 2024, by Carol Sackett, as Managing Member, of Charles Sackett Repairs, LLC, a Delaware limited liability company, on behalf of the company. The individual ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Stamp)

Charles Sackett Repairs, LLC
a Delaware limited liability company

By: Carol Sackett

Carol Sackett
Managing Member

Mailing Address: 1481 Magellan Cir

City: Orlando State: FL

Zip Code: 32818

Notary Signature

Jacob M Jakubowski

Print Notary Name

Notary Public of:

Florida

My Commission Expires:

September 10, 2028



JACOB M. JAKUBOWSKI
Commission # HH 309783
Expires September 10, 2028

JOINDER AND CONSENT TO TEMPORARY CONSTRUCTION EASEMENT

The undersigned hereby certifies that it is the holder of the following mortgage, lien, or other encumbrance upon the above described Temporary Construction Easement: (i) that certain Mortgage and Security executed by Sackett Repair LLC, in favor of Peggy Sue Properties, LLC, recorded January 6, 2023, as Official Records Document No. 20230007362, of the Public Records of Orange County, Florida and that the undersigned hereby joins in and consents to the execution and recording of the foregoing Temporary Construction Easement, and agrees that its mortgage, lien, or other encumbrance, as it has been, and as it may be, modified, amended, and/or assigned from time to time, shall be subordinated to the Temporary Construction Easement, as said easement may be modified, amended, and/or assigned from time to time.

Signature of TWO witnesses and their mailing addresses are required by Florida law, F.S. 695.26

WITNESS #1

Barbara Sackett

Signature

Barbara Sackett

Print Name

Mailing Address: 1622 Victoria Way

City: Winter Garden State: FL

Zip Code: 34787

WITNESS #2

DA

Signature

Danny Hall Jr

Print Name

Mailing Address: 826 Bay Rd

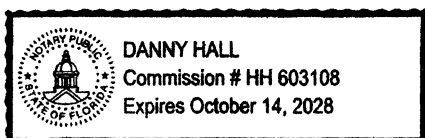
City: Mt Dora State: FL

Zip Code: 32757

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 6 day of November, 2024, by Richard A. Bazinet, as Manager, Peggy Sue Properties, LLC, a Florida limited liability company, on behalf of the company. The individual ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Stamp)



Peggy Sue Properties, LLC,
a Florida limited liability company

By: [Signature]

Richard A. Bazinet
Manager

Mailing Address: 826 Bay Rd

City: Mt Dora State: FL

Zip Code: 32757

Notary Signature [Signature]

Print Notary Name Danny Hall Jr

Notary Public of: Florida

My Commission Expires: 10/14/28

DESCRIPTION

SCHEDULE A

PARCEL: 701

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

A portion of Section 30, Township 22 South, Range 29 East, lying in Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 13, Garden Farms Subdivision, according to the Plat thereof, as recorded in Plat Book H, Page 100, Public Records of Orange County, Florida; thence; South 00°14'17" West, a distance of 26.16 feet along the East line of said Lot 13 and the West right of way line of South McKinley Avenue, as shown on said Plat and the **POINT OF BEGINNING**; thence continue South 00°14'17" West along said West right of way line, a distance of 11.58 feet; thence departing said West right of way line, South 68°16'46" West, a distance of 21.56 feet; thence North 00°14'17" East, a distance of 21.56 feet to the South right of way line of Old Winter Garden, as shown on Orange County Public Works Division right-of-way map of Old Winter Garden Road (project: Old Winter Garden Road; dated 12/20/88; prepared by BJM Associates, Inc.); thence the following two (2) courses and distance along said South right of way line; North 68°16'46" East, a distance of 11.58 feet; thence South 55°44'16" East, a distance of 11.18 feet to the **POINT OF BEGINNING**.

Containing 385 square feet, more or less.

SURVEYOR'S REPORT:

1. Bearings shown hereon are based on the West right of way line of South McKinley Avenue, as shown on Garden Farms Subdivision, according to the Plat thereof, as recorded in Plat Book H page 100, Public Records of Orange County, Florida; being S 00°14'17" W (assumed).
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying Chapter 5J-17 requirements of Florida Administration Code.

DESCRIPTION

FOR
CDM SMITH, INC.



Digitally signed by Edwin Munoz Jr.

DN: c=US, o=Florida,
dnQualifier=A01410D0000018A83
F31BEF0000E982, cn=Edwin
Munoz Jr.
Date: 2024.08.08 09:47:47 -04'00'

Date: JANUARY 5, 2024 AA

Job Number: 66550 Scale: 1" = 50'

Chapter 5J-17, Florida
Administrative Code requires
that a legal description drawing
bear the notation that
THIS IS NOT A SURVEY.

REVISED: 8/8/2024 EM

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH

Certification Number LB2108

66550004



SSMC
SUE • SURVEY • GIS

SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION
6500 All American Boulevard
Orlando, Florida 32810-4350
(407) 292-8580

e-mail: info@southeasternsurveying.com

EDWIN MUNOZ JR., PSM
Registered Land Surveyor Number 7288

SKETCH OF DESCRIPTION

SCHEDULE A

PARCEL: 701

ESTATE: TEMPORARY EASEMENT

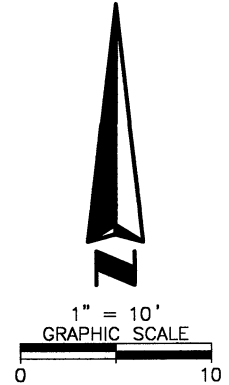
PURPOSE: TEMPORARY CONSTRUCTION

OLD WINTER GARDEN ROAD
RIGHT OF WAY VARIES
 PER ORANGE COUNTY PUBLIC WORKS DIVISION
 RIGHT-OF-WAY MAP OF OLD WINTER GARDEN ROAD
 (PROJECT: OLD WINTER GARDEN ROAD; DATED
 12/20/88; PREPARED BY BJM ASSOCIATES, INC.)

15.00' RIGHT OF WAY
 TAKE PER CORRECTIVE
 DEED OFFICIAL
 RECORDS BOOK 4936
 PAGE, 345

SOUTH RIGHT OF WAY LINE

**POINT OF
 COMMENCEMENT**
 NORTHEAST CORNER OF LOT
 13 GARDEN FARMS
 SUBDIVISION PLAT BOOK H
 PAGE 100



BEARING BASIS
 WEST RIGHT OF WAY LINE
 S00°14'17"W 26.16'

**POINT OF
 BEGINNING**

SOUTH MCKINLEY AVENUE
 50' RIGHT OF WAY
 PLAT BOOK H, PAGE 100

**GARDEN FARMS SUBDIVISION
 PLAT BOOK H, PAGE 100**

LOT 13

PARCEL ID: 30-22-29-2940-00-120
 CHARLES SACKETT REPAIRS LLC

LINE TABLE

LINE #	BEARING	LENGTH
L1	S00°14'17"W	11.58'
L2	S68°16'46"W	21.56'
L3	N00°14'17"E	21.56'
L4	N68°16'46"E	11.58'
L5	S55°44'16"E	11.18'

EAST LINE OF LOT 13

LEGEND & ABBREVIATIONS:

L = LINE

Drawing No. 66550004

Job No. 66550

Date: JANUARY 5, 2024

SHEET 2 OF 2

See Sheet 1 for Description

THIS IS NOT A SURVEY.
 NOT VALID WITHOUT SHEET 1 THROUGH 2



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SOUTHEASTERN SURVEYING
 AND MAPPING CORPORATION
 6500 All American Boulevard
 Orlando, Florida 32810-4350
 (407) 292-8580

Certification Number LB2108

e-mail: info@southeasternsurveying.com

REAL ESTATE MANAGEMENT REQUEST FOR FUNDS (RFF)

Project Name: South McKinley Av Drainage

Date: November 27, 20

Parcel #: 701

District #: 6

Approval: BCC



Type of Transaction: N/A

Donation

Total Amount: \$ 61.70

PAYABLE TO:

Charge to Account: 1002-072-2908-6110

PW - Roads & Drainage Division

Orange County Comptroller
PO Box 38, Orlando, FL 32802
Recording Fee: \$61.70
Total \$61.70

Controlling Agency's Approval Signature:

George Shupp Project Manager

Print Name and Title

George Shupp 12/17/24

Signature (must be wet ink)

Date

Controlling Agency's Fiscal Approval Signature:

Tafari Santana Financial Analyst

Print Name and Title

Tafari Santana 12/17/24

Signature (must be wet ink)

Date

SPECIAL INSTRUCTIONS

Hold check for REM to pick-up. DO NOT MAIL.

Form Prepared by:

Steve Cochran

407-836- 7093

steve.cochran@ocfl.net

REAL ESTATE MANAGEMENT APPROVAL

[Signature]

Luciana Mino, Assistant Manager

1/6/25

Date

BCC APPROVAL

[Signature]

Deputy Clerk of the Board Signature

Date

ORDINANCE Stamp

BCC Stamp

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JAN 28 2025

Real Estate Management Division Use Only
Routing Checklist Approval Dates

Agency _____ REM Mgmt. _____ BCC _____ Finance _____