



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

**DATE:** January 24, 2019

**TO:** Mayor Jerry L. Demings  
and the  
Board of County Commissioners

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

**FROM:** Mary Tiffault, Senior Title Examiner *MT*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** Approval and execution of Modification of Pipeline Easement by and between D.R. Horton, Inc. and Orange County and authorization to record instrument

**PROJECT:** Southwest Water Conservation Program Distribution System  
District 1

**PURPOSE:** To reconfigure, modify, and replace the easement area of an existing utility easement as a requirement of development.

**ITEM:** Modification of Pipeline Easement  
Revenue: None  
Amended size: 44 square feet increase

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

**REMARKS:**

On July 24, 1984, the Board approved that certain Pipeline Easement (Easement) from Austin Groves, Inc. (Austin) to the County. D.R. Horton, Inc. (D.R. Horton) is Austin's successor in title to the lands encumbered by the Easement.

D.R. Horton has requested to modify the easement area of the Easement. Utilities Department has agreed to the modification.

The County is executing the Modification of Pipeline Easement to accept the redefined easement area.

D.R. Horton to pay all recording fees.

FEB 12 2019

Project: Southwest Water Conservation Program Distribution  
System  
Parcel: 3201

### MODIFICATION OF PIPELINE EASEMENT

**THIS MODIFICATION OF PIPELINE EASEMENT** is made and entered into as of the last date signed below by and between **D.R. HORTON, INC.**, a Delaware corporation ("**DRH**") and **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida ("**County**").

#### WITNESSETH:

**WHEREAS**, the County obtained certain easement interests from Austin Groves, Inc., by virtue of that certain Pipeline Easement dated as of July 24, 1984 and recorded August 29, 1984 in Official Records Book 3548, Page 511 of the Public Records of Orange County, Florida (the "**Easement**"); and

**WHEREAS**, DRH is the fee simple owner and successor in interest of the area encumbered by the easement interests referenced above; and

**WHEREAS**, DRH has requested and COUNTY has agreed to relocate a portion of easement area legally described under Parcel 3201 in the Easement ("**Easement Area**") in connection with DRH's development of the lands encumbered by the easement interests; and

**WHEREAS**, DRH and COUNTY wish to modify a portion of Easement for the purposes of relocating the Easement Area as set forth herein;

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant and agree as follows:

1. **Recitals**. The foregoing recitals are true and correct and are incorporated herein by reference.
2. **Reconfiguration of a portion of the Easement Area**. The legal description of the portion of the Easement Area to be reconfigured as described under Parcel 3201 as set forth in the Schedule "B" to the Modification of Pipeline Easement is hereby replaced with Schedule "A" to this Modification of Pipeline Easement.

3. Ratification. Except as otherwise explicitly set forth herein, all other terms and conditions of the Easement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have caused this Modification of Pipeline Easement to be executed in manner and form sufficient to be bound as of the date set forth above.

Signed, sealed and delivered in the presence of:

“DRH”

*Luise Horton*  
Name: *Nicole Divenzo*

D.R. HORTON, INC., a Delaware corporation

*R. D.*  
Name: *Rachael Brabham*

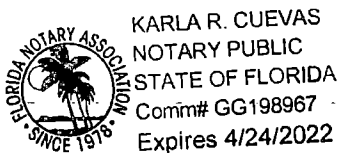
By: *Ch*  
Name: *CHRISTOPHER WRENN*  
Title: *ASSISTANT SECRETARY*

STATE OF FLORIDA  
COUNTY OF *ORANGE*

The foregoing instrument was acknowledged before me this *17* day of *January*, 2019, by *Christopher Wrenn*, as *Assistant Secretary* of D.R. Horton, Inc., a Delaware corporation, on behalf of the corporation. He (She)  is personally known to me or  has produced \_\_\_\_\_ as identification.

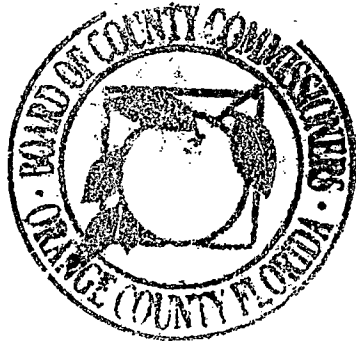
(NOTARY SEAL)

*KR*  
Notary Public Signature  
*KARLA R. CUEVAS*  
(Name typed, printed or stamped)



IN WITNESS WHEREOF, the said COUNTY has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

"COUNTY"



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Jerry L. Demings*  
*JL* Jerry L. Demings  
Orange County Mayor

DATE: 12 Feb 19

ATTEST: Phil Diamond, CPA, County Comptroller,  
as Clerk of the Board of County Commissioners

By: *Craig A. Stopysa*  
for Deputy Clerk

*Craig A. Stopysa*  
Printed Name

Schedule "A"

# LEGAL DESCRIPTION

## THIS IS NOT A SURVEY

PROJECT NAME: WATERLEIGH PD PHASE 3A  
 ORANGE COUNTY PROJECT NUMBER: 17-S-077

### LEGAL DESCRIPTION

A PARCEL OF LAND COMPRISING A PORTION OF SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST; THENCE RUN NORTH 89°21'27" EAST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 7 FOR A DISTANCE OF 1544.11 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89°21'27" EAST CONTINUING ALONG SAID NORTH LINE FOR A DISTANCE OF 0.91 FEET TO A POINT ON THE EAST LINE OF A PIPELINE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 3548 PAGE 511 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 24°24'14" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 43.14 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 163.50 FEET, AND A CENTRAL ANGLE OF 35°07'39" WITH A CHORD BEARING OF SOUTH 55°52'54" EAST AND A CHORD LENGTH OF 98.68 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 100.24 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 553.38 FEET, AND A CENTRAL ANGLE OF 10°28'48" WITH A CHORD BEARING OF SOUTH 33°04'41" EAST AND A CHORD LENGTH OF 101.08 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 101.22 FEET TO A NON TANGENT POINT; THENCE RUN NORTH 64°41'44" EAST FOR A DISTANCE OF 97.52 FEET; THENCE RUN NORTH 58°51'23" EAST FOR A DISTANCE OF 53.71 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 463.50 FEET, AND A CENTRAL ANGLE OF 30°30'04" WITH A CHORD BEARING OF NORTH 74°06'25" EAST AND A CHORD LENGTH OF 243.84 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 246.74 FEET TO A NON-TANGENT POINT; THENCE RUN SOUTH 00°38'33" EAST, RADIAL WITH SAID CURVE, FOR A DISTANCE OF 30.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 433.50 FEET, AND A CENTRAL ANGLE OF 30°30'04" WITH A CHORD BEARING OF SOUTH 74°06'25" WEST AND A CHORD LENGTH OF 228.06 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 230.77 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 58°51'23" WEST FOR A DISTANCE OF 55.24 FEET; THENCE RUN SOUTH 64°41'44" WEST FOR A DISTANCE OF 128.51 FEET; THENCE RUN NORTH 25°18'16" WEST FOR A DISTANCE OF 5.54 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 523.38 FEET, AND A CENTRAL ANGLE OF 13°00'49" WITH A CHORD BEARING OF NORTH 31°48'41" WEST AND A CHORD LENGTH OF 118.62 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 118.88 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 133.50 FEET, AND A CENTRAL ANGLE OF 23°16'42" WITH A CHORD BEARING OF NORTH 49°57'26" WEST AND A CHORD LENGTH OF 53.87 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 54.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,884 SQUARE FEET, MORE OR LESS.

SHEET 1 OF 2  
 SEE SHEET 2 OF 2 FOR  
 SKETCH OF DESCRIPTION

Drawing name: L:\Data\20140340\Sketches\sk 53-conserv II mod Phase 3.dwg SHEET 1



16 East Plant Street  
 Winter Garden, Florida 34787 \* (407) 654-5355

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING NORTH 89°21'27" EAST.
3. THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
4. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. 20140340  
 DATE: 10/4/2018  
 SCALE: 1"=100'  
 FIELD BY: NA

CALCULATED BY: MR  
 DRAWN BY: DR  
 CHECKED BY: MR

FOR THE LICENSED BUSINESS # 6723 BY:

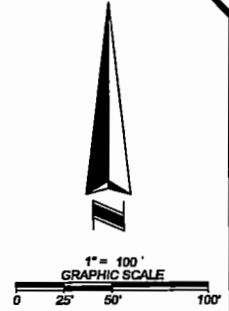
JAMES L. RICKMAN P.S.M. # 5633

# SKETCH OF DESCRIPTION

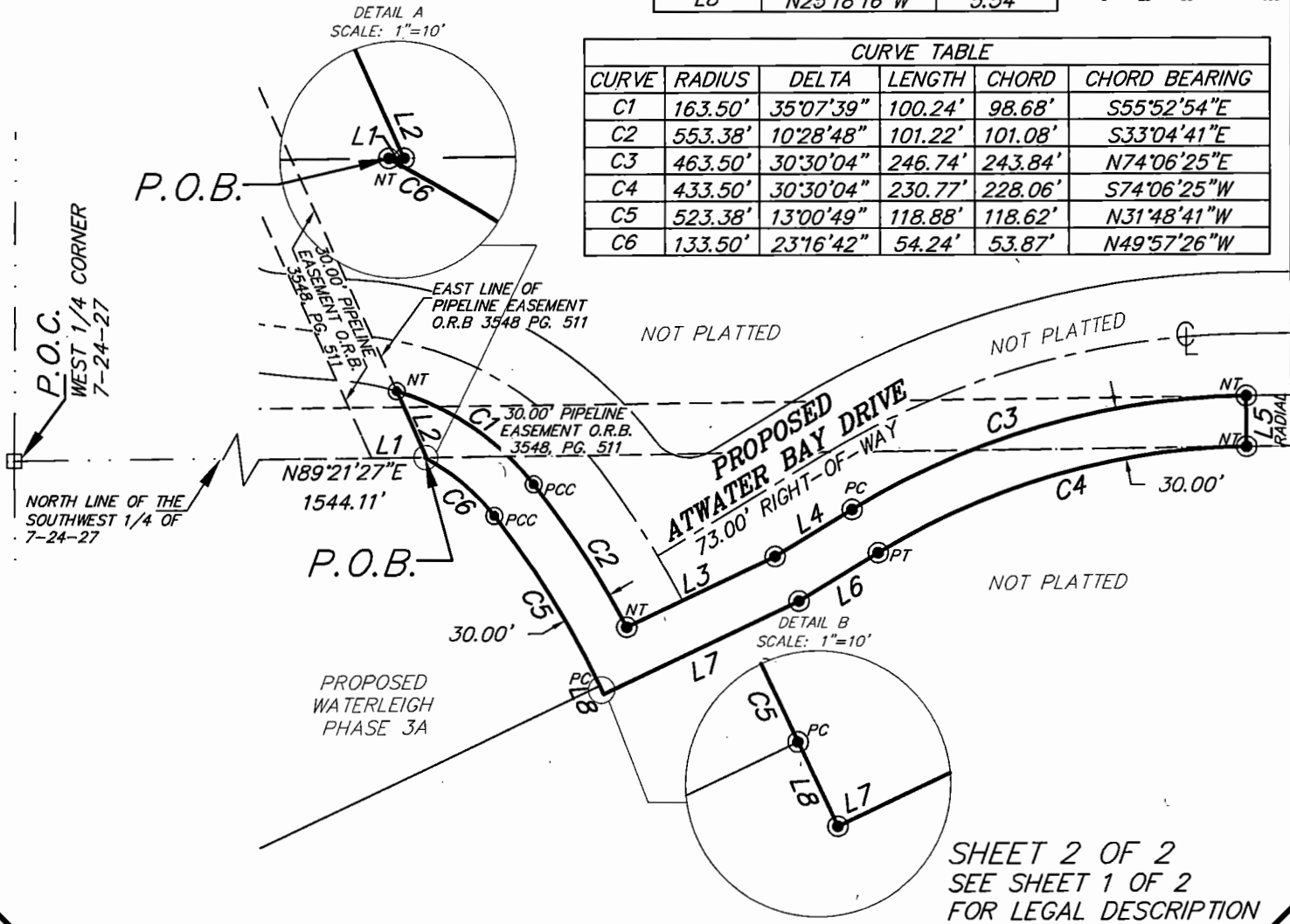
## THIS IS NOT A SURVEY

PROJECT NAME: WATERLEIGH PD PHASE 3A  
 ORANGE COUNTY PROJECT NUMBER: 17-S-077

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°21'27"E	0.91'
L2	N24°24'14"W	43.14'
L3	N64°41'44"E	97.52'
L4	N58°51'23"E	53.71'
L5	S00°38'33"E	30.00'
L6	S58°51'23"W	55.24'
L7	S64°41'44"W	128.51'
L8	N25°18'16"W	5.54'



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	163.50'	35°07'39"	100.24'	98.68'	S55°52'54"E
C2	553.38'	10°28'48"	101.22'	101.08'	S33°04'41"E
C3	463.50'	30°30'04"	246.74'	243.84'	N74°06'25"E
C4	433.50'	30°30'04"	230.77'	228.06'	S74°06'25"W
C5	523.38'	13°00'49"	118.88'	118.62'	N31°48'41"W
C6	133.50'	23°16'42"	54.24'	53.87'	N49°57'26"W



SHEET 2 OF 2  
 SEE SHEET 1 OF 2  
 FOR LEGAL DESCRIPTION

Drawing name: C:\Users\Daniel\AppData\Local\Temp\AcPublish\_520\sk 53-conserv II mod Phase 3.dwg SHEET 2



16 East Plant Street  
 Winter Garden, Florida 34787 \* (407) 654-5355

LEGEND:			
P.O.B.	POINT OF BEGINNING	PC	POINT OF CURVATURE
P.O.C.	POINT OF COMMENCEMENT	PCC	POINT OF COMPOUND CURVATURE
↻	CHANGE IN DIRECTION	C	CURVE
PGS.	PAGES	L	LINE
NT	NON TANGENT	P.B.	PLAT BOOK
⊙	CENTERLINE	PT	POINT OF TANGENT
		ORB	OFFICIAL RECORDS BOOK

JOB NO. 20140340	CALCULATED BY: MR _____
DATE: 10/4/2018	DRAWN BY: DR _____
SCALE: 1"=100'	CHECKED BY: MR _____
FIELD BY: NA	



Schedule "B"

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

# LEGAL DESCRIPTION

## THIS IS NOT A SURVEY

PROJECT NAME: WATERLEIGH PHASE 3A  
 OC PROJECT NUMBER: 17-S-077

**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING A PORTION OF THAT CERTAIN PIPELINE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 3548, PAGE 511 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST OF ORANGE COUNTY FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 7; THENCE RUN ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7 NORTH 89°21'27" EAST FOR A DISTANCE OF 1545.02 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE RUN NORTH 24°24'14" WEST FOR A DISTANCE OF 32.78 FEET TO A POINT ON THE NORTHERLY LINE OF SAID PIPELINE EASEMENT; THENCE RUN ALONG SAID NORTHERLY LINE NORTH 89°21'27" EAST FOR A DISTANCE OF 501.26 FEET; THENCE DEPARTING SAID NORTHERLY LINE RUN SOUTH 00°38'33" EAST FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE AFORESAID NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 7, ALSO BEING THE SOUTHERLY LINE OF SAID PIPELINE EASEMENT; THENCE RUN ALONG SAID NORTH LINE AND SAID SOUTHERLY LINE SOUTH 89°21'27" WEST FOR A DISTANCE OF 424.55 FEET; THENCE DEPARTING SAID NORTH LINE AND SAID SOUTHERLY LINE RUN SOUTH 00°38'33" WEST FOR A DISTANCE OF 60.00 FEET; THENCE RUN SOUTH 89°21'27" WEST FOR A DISTANCE OF 50.00 FEET; THENCE RUN NORTH 00°38'33" EAST FOR A DISTANCE OF 60.00 FEET TO A POINT ON SAID NORTH LINE AND SAID SOUTHERLY LINE; THENCE RUN ALONG SAID NORTH LINE AND SAID SOUTHERLY LINE SOUTH 89°21'27" WEST FOR A DISTANCE OF 13.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND ALL LYING IN ORANGE COUNTY CONTAINS 17,840 SQUARE FEET, OR 0.41 ACRES MORE OR LESS.

SHEET 1 OF 2  
 SEE SHEET 2 OF 2 FOR  
 SKETCH OF DESCRIPTION

**SURVEYOR'S NOTES:**

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING NORTH 89°21'27" EAST.
3. THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
4. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO.:	20140340	CALCULATED BY:	MWH
DATE:	01/17/2019	DRAWN BY:	MWH
SCALE:	1" = 100'	CHECKED BY:	MR
FIELD BY:	N/A	REV:	01/17/19

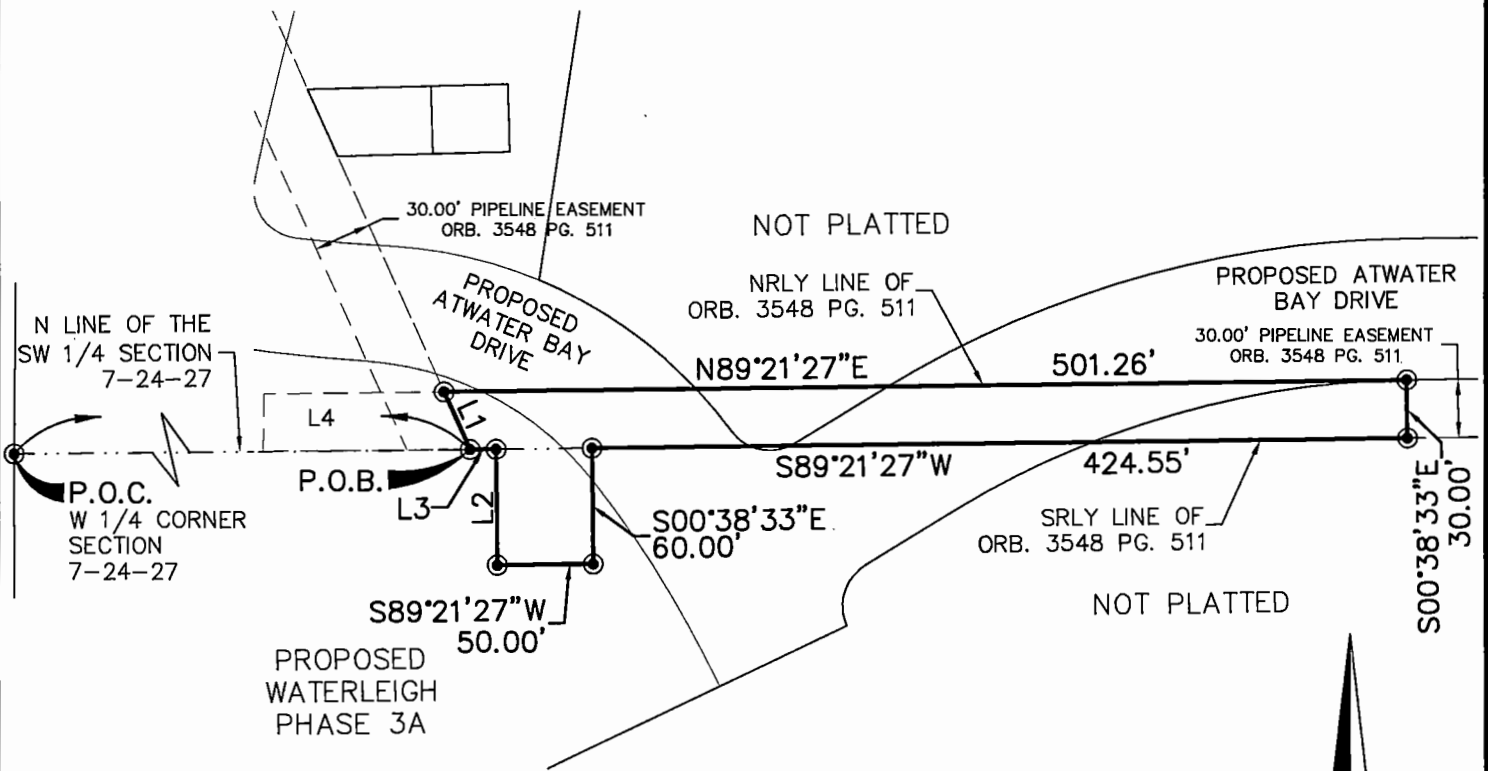
FOR THE LICENSED BUSINESS # 5723 BY:  
 STATE OF FLORIDA  
 JAMES L. RICKMAN, P.S.M. # 5633



16 East Plant Street  
 Winter Garden, Florida 34787 \* (407) 654-5355

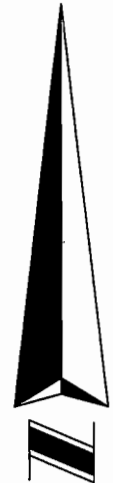
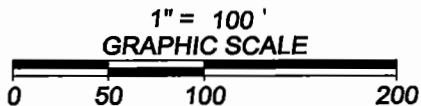
# SKETCH OF DESCRIPTION

## THIS IS NOT A SURVEY



**LEGEND:**  
 P.O.B. POINT OF BEGINNING  
 P.O.C. POINT OF COMMENCEMENT  
 ORB. OFFICIAL RECORDS BOOK  
 PG. PAGE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N24°24'14"W	32.78'
L2	N00°38'33"E	60.00'
L3	S89°21'27"W	13.50'
L4	N89°21'27"E	1545.02'



*SHEET 2 OF 2*  
*SEE SHEET 1 OF 2*  
*FOR LEGAL DESCRIPTION*

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 FIELD BY: N/A

CALCULATED BY: MWH  
 DRAWN BY: MWH  
 CHECKED BY: MR



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 Winter Garden, Florida 34787 \* (407) 654-5355