



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 10

DATE: May 8, 2019

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

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

FROM: David L. Brown, Senior Title Examiner *DB for DB*
Real Estate Management Division

CONTACT PERSON: **Paul Sladek, Manager**

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

ACTION REQUESTED: Approval of Utility Easement from Orchid Bay Development, LLC to Orange County and authorization to record instrument

PROJECT: Pearl Eagles Hotel Construction Permit B17903464 OCU File #94252
District 1

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

ITEM: Utility Easement
Cost: Donation
Size: 1,000 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 18 2019

THIS IS A DONATION

Project: Pearl Eagles Hotel Construction Permit B17903464 OCU File #94252

UTILITY EASEMENT

THIS INDENTURE, Made this 3rd day of May, A.D. 2019, between ORCHID BAY DEVELOPMENT, LLC, a Florida limited liability company, whose address is 7932 W. SAND LAKE ROAD, SUITE 102, ORLANDO, FL 32819, GRANTOR, and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. BOX 1393, ORLANDO, FL 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, 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

13-24-28-6283-00-157

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, agrees 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

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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:

ORCHID BAY DEVELOPMENT, LLC, a Florida limited liability company

Witness [Signature]

By: PHOENICIA DEVELOPMENT, LLC, a Florida limited liability company, as Manager

Printed Name Tom Harbo

By: [Signature]
Joseph S. Jebailey, Manager

Witness [Signature]

Printed Name Sharon Nauth

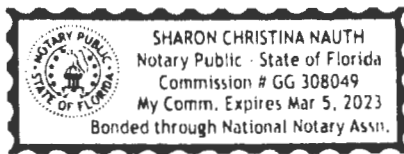
(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 3rd of May, 2019, by Joseph S. Jebailey as Manager of PHOENICIA DEVELOPMENT, LLC, a Florida limited liability company, as manager of ORCHID BAY DEVELOPMENT, LLC, a Florida limited liability company on behalf of the limited liability company. He is personally known to me or has produced _____ as identification.

(Notary Seal)

[Signature]
Notary Signature



Sharon Christina Nauth
Printed Notary Name

Notary Public in and for the county and state aforesaid.
My commission expires: March 5, 2023

This instrument prepared by:
David L. Brown, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

EXHIBIT "A"

SEE THE ATTACHED SKETCH

OF DESCRIPTION

(2 PAGES)

SKETCH OF DESCRIPTION

PROJECT NAME: PEARL EAGLES HOTEL
 CONSTRUCTION AND BUILDING DEPARTMENT
 PERMIT NUMBER: B-17903464
 A PORTION OF SECTION 13, TOWNSHIP 24 SOUTH, RANGE 28 EAST

AREA ABOVE RESERVED FOR RECORDING INFORMATION

DESCRIPTION: UTILITY EASEMENT

A PORTION OF PARCEL 15, ORANGEWOOD NEIGHBORHOOD 2, AS RECORDED IN PLAT BOOK 17, PAGES 81 THROUGH 87 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA,

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID PARCEL 15, THENCE NORTH 41°46'06"EAST, ALONG THE NORTHWEST LINE OF SAID PARCEL 15, AND THE SOUTHEAST RIGHT OF WAY LINE OF INTERNATIONAL DRIVE, A 120' WIDE RIGHT OF WAY AS RECORDED IN THE SAID PLAT OF ORANGEWOOD NEIGHBORHOOD 2, A DISTANCE OF 268.94 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY LINE OF WESTWOOD BOULEVARD, A 150 FOOT WIDE RIGHT OF WAY, PER OFFICIAL RECORDS BOOK 4602, PAGE 4876, AND THE **POINT OF BEGINNING**; THENCE CONTINUE NORTH 41°46'06"EAST, ALONG SAID NORTHWEST LINE, A DISTANCE OF 40.00 FEET; THENCE DEPARTING SAID NORTHWEST LINE, RUN SOUTH 47°57'36"EAST, A DISTANCE OF 25.00 FEET; THENCE RUN SOUTH 41°46'06"WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE AFOREMENTIONED NORTHEAST RIGHT OF WAY LINE OF WESTWOOD BOULEVARD; THENCE RUN NORTH 47°57'36"WEST, ALONG SAID NORTHEAST RIGHT OF WAY LINE, A DISTANCE OF 25.00 FEET; TO THE **POINT OF BEGINNING**.

CONTAINING 1,000 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO IMPROVEMENTS HAVE BEEN LOCATED.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. THIS DOCUMENT CONSISTS OF 2 PAGES NOT FULL OR COMPLETE WITHOUT BOTH.
5. BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF INTERNATIONAL DRIVE, WHICH BEARS SOUTH 41°46'06" WEST, PER PLAT BOOK 17, PAGES 81-87.

SHEET 1 OF 2
 SEE SHEET 2 OF 2 FOR SKETCH

THIS SKETCH IS NOT A SURVEY.

SKETCH OF DESCRIPTION
 PEARL EAGLES HOTEL CONSTRUCTION
 BUILDING DEPARTMENT PERMIT B17903464
 PROJECT NUMBER 94252
 UTILITY EASEMENT
 A PORTION OF
 SECTION 13, TOWNSHIP 24 SOUTH, RANGE 28 EAST
 ORANGE COUNTY, FLORIDA

ASAM

**AMERICAN
 SURVEYING
 & MAPPING INC.**

CERTIFICATION OF AUTHORIZATION NUMBER LB#6393
 3191 MAGUIRE BOULEVARD, SUITE 200
 ORLANDO, FLORIDA 32803
 (407) 428-7979
 WWW.AMERICANSURVEYINGANDMAPPING.COM

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION, SUBJECT TO THE SURVEYOR'S NOTES CONTAINED HEREON, MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

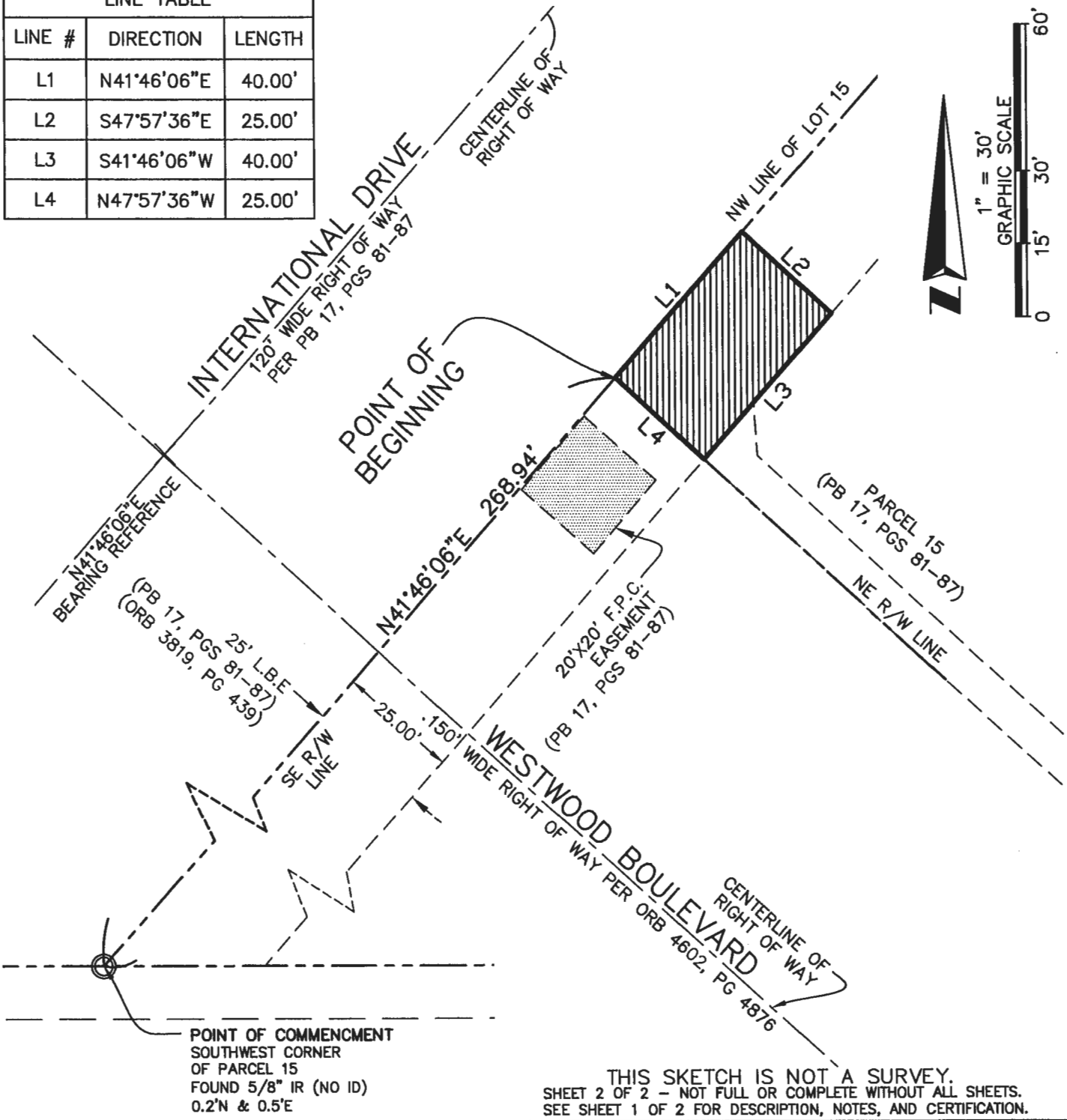
James D. Flick
 JAMES D. FLICK, PSM #6088
 DATE: 10/17/19

JOB NO.:	DATE	REVISIONS	TECH
160909			
SCALE: 1" = 30'			
DATE: 10/17/2017	10/9/18	REVISED SKETCH	TRKII
FIELD BY: N/A	10/11/18	REVISED SKETCH	TRKII
DRAWN BY: KCW	01/04/19	REVISE DIMENSIONS	JP
APPROVED BY: JDF	01/17/19	REVISE DIMENSIONS	JP
DRAWING FILE #	02/01/19	COMMENTS	JDF
ORCHID BAY 40X25			
ESMT - REV.DWG			

SKETCH OF DESCRIPTION
PROJECT NAME: PEARL EAGLES HOTEL
CONSTRUCTION AND BUILDING DEPARTMENT
PERMIT NUMBER: B-17903464
A PORTION OF SECTION 13, TOWNSHIP 24 SOUTH, RANGE 28 EAST

AREA ABOVE RESERVED FOR RECORDING INFORMATION

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N41°46'06"E	40.00'
L2	S47°57'36"E	25.00'
L3	S41°46'06"W	40.00'
L4	N47°57'36"W	25.00'



POINT OF COMMENCEMENT
 SOUTHWEST CORNER
 OF PARCEL 15
 FOUND 5/8" IR (NO ID)
 0.2'N & 0.5'E

THIS SKETCH IS NOT A SURVEY.
 SHEET 2 OF 2 - NOT FULL OR COMPLETE WITHOUT ALL SHEETS.
 SEE SHEET 1 OF 2 FOR DESCRIPTION, NOTES, AND CERTIFICATION.

LEGEND AND ABBREVIATIONS

IR	IRON ROD	L.B.E.	LANDSCAPE BUFFER EASEMENT
ID	IDENTIFICATION	F.P.C.	FLORIDA POWER CORPORATION
N/A	NOT APPLICABLE		UTILITY EASEMENT
ORB	OFFICIAL RECORDS BOOK		
OCU	ORANGE COUNTY UTILITIES		
PB	PLAT BOOK		
PG	PAGE		
R/W	RIGHT OF WAY		
DOC#	DOCUMENT NUMBER		
	F.P.C. EASEMENT		



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