Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

DATE:

July 21, 2021

TO:

Mayor Jerry L. Demings

-AND-

County Commissioners

THROUGH:

FROM:

Mindy T. Cummings, Manager
Real Estate Management Division

Erica L. Guidroz, Acquisition Agent Formula Management Division

Real Estate Management Division

CONTACT

PERSON:

Mindy T. Cummings, Manager

DIVISION:

Real Estate Management

Phone: (407) 836-7090

ACTION

REQUESTED:

Approval of Donation Agreement and Signalization Easement between

Ouality Inn Plaza Partnership and Orange County and authorization to

disburse funds to pay all recording fees

PROJECT:

International Drive Transit Lanes (Destination Parkway to Sand Lake

Road)

District 6

PURPOSE:

To provide for access, construction, operation, and maintenance of a

signalization easement for a new transit lane.

ITEMS:

Donation Agreement (Parcels 8013A/8013B)

Signalization Easement (Instruments 8013A.1/8013B.1)

Cost: Donation Size: 0.018 acres

BUDGET:

Account No.: 1246-072-5070-6110

FUNDS:

\$44.70 Payable to Orange County Comptroller

(all recording fees)

Real Estate Management Division Agenda Item 3 July 21, 2021 Page 2

APPROVALS:

Real Estate Management Division

Public Works Division

REMARKS:

The Signalization Easement is being donated in connection with Orange County's project to install an additional transit lane for buses and trolleys.

REQUEST FOR FUNDS FOR LAND ACQUISITION X Under BCC Approval	Under Ordinance Approval
Date: 7-22-2021	Amount: \$ 44.70 21/26/7
Project: International drive Transit Lane (Destination Parkway to	Sand take Rd.) Parcels: 8013A-8013B Controlling Agency Approval Signature, Date Printed Name:
Charge to Account #1246-072-5070-6110	Fiscal Approval Signature Date Pat Davis Printed Name
TYPE TRANSACTION (Check appropriate block(s))	
Pre-Condemnation Post-Condemnation	XN/A
Acquisition at Approved Appraisal Acquisition at Below Approved Appraisal Acquisition at Above Approved Appraisal X Advance Payment Requested DOCUMENTATION ATTACHED (Check appropriate block{s})	Purchase Price: Donation Orange County Comptroller: Recording Fee: \$ 44.70 Total \$ 44.70
X Contract	·
X Copy of Executed Instruments	
Certificate of Value X Settlement Analysis	
Payable to: Orange County Comptroller CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MAN	AGEMENT DIVISION (DO NOT MAIL)
Recommended by Erica Guidroz	Digitally signed by Erica Guidroz
Recommended by Elica Guidroz, Acquisition Agent	Date: 2021.07.26 13:54:38 -04'00' Date
Payment Approved Mindy T. Cummings	Digitally signed by Mindy T. Cummings
Mindy Cummings, Manager, Real Estate M	Date: 2021.07.26 14:03:06 -04'00' Ianagement Division Date
or Payment Approved Alex Feinman, Asst. Mgr. Real Estate Man	
Alex Feinman, Asst. Mgr. Real Estate Man	
Approved by BCC Deputy Clerk to the Board	8 1 u 202 Date
Examined/Approved Comptroller/Government Grants	Check No. / Date
REMARKS:	Officer No. / Date
Anticipated Closing Date: As soon as checks are available. Anticipated Closing Date: <u>TBD</u> Please Contact Acquisition Agent @ 67036 if there are any q	APPROVED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

Project: International Drive Transit Lanes (Destination Parkway to Sand Lake Road)

Parcel: 8013A / 8013B

Avg 10 2021

DONATION AGREEMENT

COUNTY OF ORANGE STATE OF FLORIDA

THIS AGREEMENT made between Quality Inn Plaza Partnership, a Florida general partnership, hereinafter referred to as OWNER, and Orange County, a charter county and political subdivision of the state of Florida, hereinafter referred to as COUNTY.

WITNESSETH:

WHEREAS, the COUNTY seeks to acquire the land described on **Schedule "A"** attached hereto for the above referenced project and said OWNER agrees to donate said land for such purpose.

Property Appraiser's Parcel Identification Numbers:

portions

01-24-28-7158-02-001 and 36-23-28-7164-02-000

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), each to the other paid, the parties hereto agree as follows:

- 1. OWNER agrees to execute a permanent Signalization Easement on Parcel 8013A, as more particularly described on the attached Schedule "B" conveying said Easement unto COUNTY free of all liens and encumbrances.
- 2. OWNER agrees to execute a permanent Signalization Easement on Parcel 8013B, as more particularly described on the attached Schedule "B" conveying said Easement unto COUNTY free of all liens and encumbrances.
- 3. This transaction shall be closed and the easement and other closing papers delivered on or before 90 days from the effective date of this AGREEMENT. Closing shall take place at the office of the Orange County Real Estate Management Division, 400 E. South Street, Fifth Floor, Orlando, Florida 32801, or at such place as shall be mutually agreed upon by COUNTY and OWNER.
- 4. Effective Date: This AGREEMENT shall become effective on the date upon which it has been fully executed by the parties and approved by the Orange County Board of County Commissioners.

THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between OWNER and COUNTY, made with respect to the matters herein contained, and when duly executed constitutes the AGREEMENT between OWNER and COUNTY. No additions, alterations, or variations to the terms of this AGREEMENT shall be valid, nor can provisions of this AGREEMENT be waived by either party unless expressly set forth in writing and duly signed.

Project: International Drive Transit Lanes (Destination Parkway to Sand Lake Road)

Parcel: 8013A / 8013B

The parties hereto have executed this AGREEMENT on the date(s) written below.

OWNE	≺	
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Quality II a Florida	n Plaza P general pa	artnersh armershi	ip, p
General	Partner Harris	Rosli	7
Printed N			
9840 Inte	ce Addres rnational Florida 32	Drive,	
- ———	5 1	12021	

COUNTY

Orange County, Florida

BY: Erica Siliolity
Erica Guidroz, Its Agent

DATE: 7-23-2021

1.1 G 5-6-2021

LEGAL DESCRIPTION

Estate: Perpetual Easement

Purpose: Signalization Easement

A tract of land lying in Section 36, Township 23 South, Range 28 East, Orange County, Florida being more particularly described as follows:

PARCEL 8013B

Commence at the Southeast corner of BLOCK "B", PLAZA INTERNATIONAL UNIT SEVEN as recorded in Plat Book 12, Page 135 of the Public Records of Orange County, Florida; thence run Northwesterly along the East line of said plat, said line also being the West right of way line of International Drive, as recorded in Plat Book 8, Pages 148-149 of the Public Records of Orange County, Florida to a point, said point being on a curve concave Easterly, having a radius of 2,517.50 feet, a delta angle of 00 degrees 13 minutes 40 seconds, a chord bearing of North 04 degrees 36 minutes 22 seconds West and a chord distance of 10.00 feet; thence along the arc of said curve a distance of 10.00 feet to the POINT OF BEGINNING; thence departing said West right of way line run South 85 degrees 30 minutes 25 seconds West a distance of 20.00 feet to a point, said point being on a curve concave Easterly, having a radius of 2,537.50 feet, a delta angle of 00 degrees 27 minutes 06 seconds, a chord bearing of North 04 degrees 15 minutes 59 seconds West and a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet; thence run North 85 degrees 30 minutes 24 seconds East a distance of 20.00 feet to a point lying on the East line of said plat, also being on the West right of way line of International Drive, said point also being on a curve concave Easterly, having a radius of 2,517.50 feet, a delta angle of 00 degrees 27 minutes 19 seconds, a chord bearing of South 04 degrees 15 minutes 53 seconds East and a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet, to the POINT OF BEGINNING;

Containing 400.52 square feet or 0.009 acre, more or less.

Together with a tract of land lying in Section 1, Township 24 South, Range 28 East, Orange County, Florida being more particularly described as follows:

PARCEL 8013A

Commence at the Southeast corner of BLOCK "B", PLAZA INTERNATIONAL UNIT SEVEN as recorded in Plat Book 12, Page 135 of the Public Records of Orange County, Florida, same point also being the Northeast Corner of BLOCK "B", PLAZA INTERNATIONAL UNIT FIVE as recorded in Plat Book 12, Page 21 of the Official Records of Orange County, Florida; thence run Southeasterly along the East line of said plat, said line also being the West right of way line of International Drive, as recorded in Plat Book 8, Pages 148-149 of the Public Records of Orange County, Florida to a point, said point being on a curve concave Easterly having a radius of 2,517.50, a delta angle of 01 degrees 26 minutes 25 seconds, a chord bearing of South 05 degrees 26 minutes 28 seconds East and a chord distance of 63.29 feet; thence along the arc of said curve a distance of 63.29 feet to the POINT OF BEGINNING: thence departing said West right of way line run South 83 degrees 50 minutes 18 seconds West a distance of 20.00 feet to a point, said point being on a curve concave Easterly having a radius of 2,537.50 feet, a delta angle of 00 degrees 27 minutes 06 seconds, a chord bearing of South 06 degrees 23 minutes 45 seconds East and a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet; thence run North 83 degrees 49 minutes 54 seconds East a distance of 20.00 feet to a point, said point lying on the East line of said plat, also being on the West right of way line of International Drive, said point being on a curve concave Easterly having a radius of 2,517.50 feet, a delta angle of 00 degrees 27 minutes 19 seconds, a chord bearing of North 06 degrees 23 minutes 20 seconds West, a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 400.52 square feet, or 0.009 acre, more or less.

PREPARED FOR: Traffic Engineering

DRAWN BY: Alvarez	DATE: 12/14/20	SECTION: 1,36
CHECKED BY: Daynes	J0B No: 8684	TOWNSHIP:24,23S
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28,28E
REVISION DATE:	8990 International Drive	SHEET 1 OF 2

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839–9205
(407) 836–7940

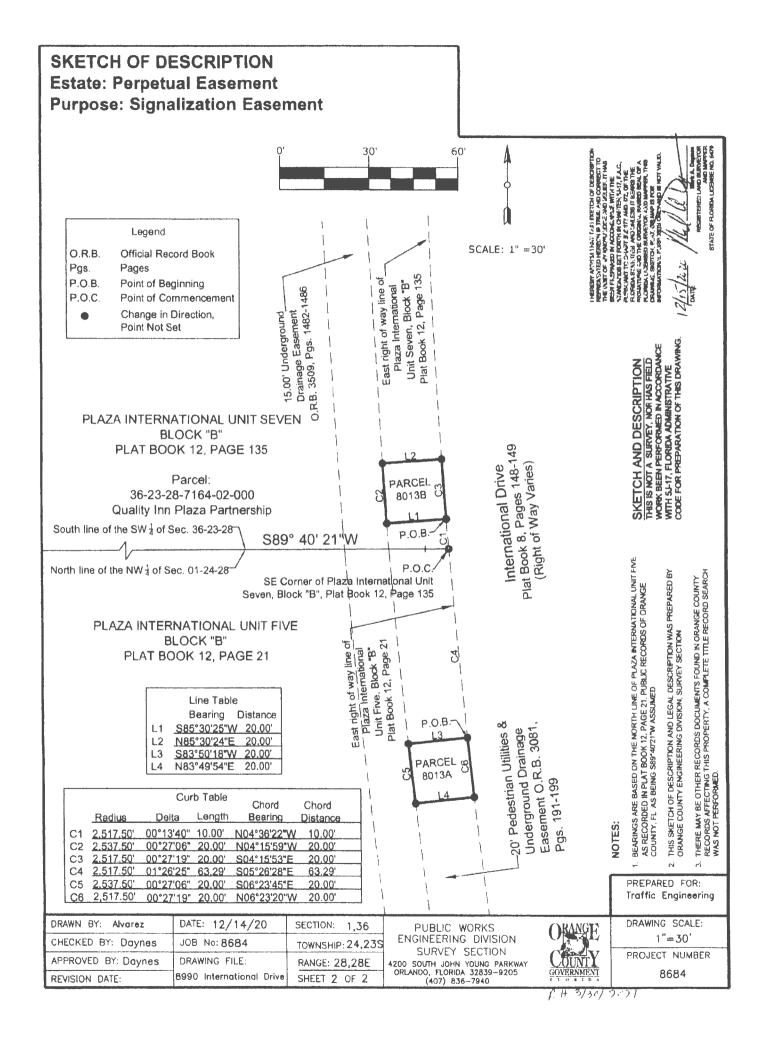


DRAWING SCALE:

N/A

PROJECT NUMBER

8684



SCHEDULE "B"

5070 INTERNATIONAL DRIVE TRANSIT LANES PARCEL 8013 A & B

SIGNALIZATION EASEMENT

Parcel 8013 A & B is being acquired as a permanent, non-exclusive easement for signalization purposes, with full authority to enter upon, construct, operate, and maintain, as the GRANTEE and its assigns may deem necessary, a mast arm assembly, pedestrian signal and pedestal pole, interconnect and appurtenant facilities over, under, and upon the following lands as described in Schedule "A".

THE GRANTEE 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 mast arm assembly, pedestrian signal and pedestal pole, interconnect and appurtenant facilities out of and away from the granted easement, and the GRANTORS and their heirs, successors and assigns shall not build, construct, or create, nor permit others to build, construct, or create any building, utilities, or other structures on the granted easement that may interfere with the normal operation or maintenance of the mast arm assembly, pedestrian signal and pedestal pole, interconnect and appurtenant facilities.

THE GRANTOR may use the granted easement for any use not inconsistent with the GRANTEE'S intended use of the granted easement including, but not limited to, open space, setback area, landscaping, or any activity that will not adversely affect the operation, maintenance and integrity of the signalization facilities.

This easement is for the purposes noted herein and does not obligate the GRANTEE to perform any right-of-way maintenance or other duties.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
AUG 10 3031

THIS IS A DONATION

Instrument: 8013A.1 / 8013B.1

Project: International Drive Transit Lanes (Destination Parkway to Sand Lake Road)

SIGNALIZATION EASEMENT

WITNESSETH, That the GRANTOR, in consideration of the sum of Ten Dollars \$10.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE, its successors and assigns, a Signalization Easement more particularly defined in Schedule "B" over and upon the following described lands of the GRANTOR situate in Orange County, Florida, aforesaid, to-wit:

SEE ATTACHED SCHEDULE "A"

Property Appraiser's Parcel Identification Numbers:

portions

01-24-28-7158-02-001 and 36-23-28-7164-02-000

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

THE GRANTOR covenants with the GRANTEE that the GRANTOR is lawfully seized of said lands in fee simple; that the GRANTOR has good right and lawful authority to grant this easement and shall take no action to interfere with the GRANTEE'S lawful use of said easement; that the GRANTOR hereby fully warrants the easement being granted and will defend the same against the lawful claims of all persons whomsoever.

Instrument: 8013A.1 / 8013B.1

Project: International Drive Transit Lanes (Destination Parkway to Sand Lake Road)

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

Signed, sealed, and delivered in the presence of:	Quality Inn Plaza Partnership, a Florida general partnership
Gladys McDuffie Printed Name: Gladys McDuffie	By: Harris Rosen
Albut Hasmond' Witness	Harris Rosen Printed Name
Printed Name: KLRERTA MASHOUDI	President + COO
(Signature of TWO witnesses required by Florida lav	v)
STATE OF FLORIDA	
COUNTY OF ORANGE	
The foregoing instrument was ackno or online notarization this 7TH day of MAY PRESIDENT / COO, of Quality Inn Plaza Par the partnership. He/She is personally known to mas identification.	tnership, a Florida general partnership on behalf of
(Notary Seal)	Albut Harmoudi Notary Signature
ALBERTA MASMOUDI Notary Public - State of Florida Commission © GG 102058 My Comm. Expires May 20, 2021	Printed Notary Name

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

of Orange County, Florida

Notary Public in and for the County and State aforesaid

My commission expires: 5/20/2021

LEGAL DESCRIPTION

Estate: Perpetual Easement

Purpose: Signalization Easement

A tract of land lying in Section 36, Township 23 South, Range 28 East, Orange County, Florida being more particularly described as follows:

PARCEL 8013B

Commence at the Southeast corner of BLOCK "B", PLAZA INTERNATIONAL UNIT SEVEN as recorded in Plat Book 12, Page 135 of the Public Records of Orange County, Florida; thence run Northwesterly along the East line of said plat, said line also being the West right of way line of International Drive, as recorded in Plat Book 8, Pages 148-149 of the Public Records of Orange County, Florida to a point, said point being on a curve concave Easterly, having a radius of 2,517.50 feet, a delta angle of 00 degrees 13 minutes 40 seconds, a chord bearing of North 04 degrees 36 minutes 22 seconds West and a chord distance of 10.00 feet; thence along the arc of said curve a distance of 10.00 feet to the POINT OF BEGINNING; thence departing said West right of way line run South 85 degrees 30 minutes 25 seconds West a distance of 20.00 feet to a point, said point being on a curve concave Easterly, having a radius of 2,537.50 feet, a delta angle of 00 degrees 27 minutes 06 seconds, a chord bearing of North 04 degrees 15 minutes 59 seconds West and a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet; thence run North 85 degrees 30 minutes 24 seconds East a distance of 20.00 feet to a point lying on the East line of said plat, also being on the West right of way line of International Drive, said point also being on a curve concave Easterly, having a radius of 2,517.50 feet, a delta angle of 00 degrees 27 minutes 19 seconds, a chord bearing of South 04 degrees 15 minutes 53 seconds East and a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet, to the POINT OF BEGINNING;

Containing 400.52 square feet or 0.009 acre, more or less.

Together with a tract of land lying in Section 1, Township 24 South, Range 28 East, Orange County, Florida being more particularly described as follows:

PARCEL 8013A

Commence at the Southeast corner of BLOCK "B", PLAZA INTERNATIONAL UNIT SEVEN as recorded in Plat Book 12. Page 135 of the Public Records of Orange County, Florida, same point also being the Northeast Corner of BLOCK "B", PLAZA INTERNATIONAL UNIT FIVE as recorded in Plat Book 12, Page 21 of the Official Records of Orange County, Florida; thence run Southeasterly along the East line of said plat, said line also being the West right of way line of International Drive, as recorded in Plat Book 8, Pages 148-149 of the Public Records of Orange County, Florida to a point, said point being on a curve concave Easterly having a radius of 2,517,50, a delta angle of 01 degrees 26 minutes 25 seconds, a chord bearing of South 05 degrees 26 minutes 28 seconds East and a chord distance of 63.29 feet; thence along the arc of said curve a distance of 63.29 feet to the POINT OF BEGINNING; thence departing said West right of way line run South 83 degrees 50 minutes 18 seconds West a distance of 20.00 feet to a point, said point being on a curve concave Easterly having a radius of 2,537.50 feet, a delta angle of 00 degrees 27 minutes 06 seconds, a chord bearing of South 06 degrees 23 minutes 45 seconds East and a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet; thence run North 83 degrees 49 minutes 54 seconds East a distance of 20.00 feet to a point, said point lying on the East line of said plat, also being on the West right of way line of International Drive, said point being on a curve concave Easterly having a radius of 2,517.50 feet, a delta angle of 00 degrees 27 minutes 19 seconds, a chord bearing of North 06 degrees 23 minutes 20 seconds West, a chord distance of 20.00 feet; thence along the arc of said curve a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 400.52 square feet, or 0.009 acre, more or less.

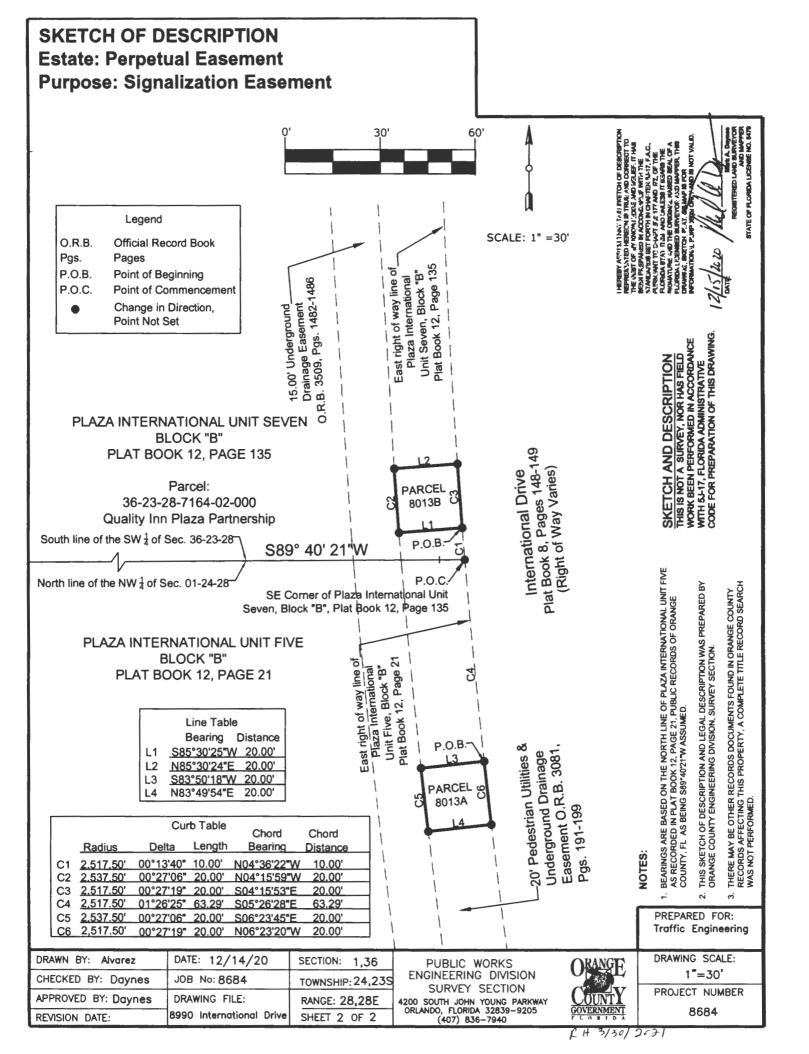
DRAWN BY: Alvarez	DATE: 12/14/20	SECTION: 1,36
CHECKED BY: Daynes	JOB No: 8684	TOWNSHIP: 24,23S
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28,28E
REVISION DATE:	8990 International Drive	SHEET 1 OF 2

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940



DRAWING SCALE:
N/A
PROJECT NUMBER
8684

PREPARED FOR:



SCHEDULE "B"

5070 INTERNATIONAL DRIVE TRANSIT LANES PARCEL 8013 A & B

SIGNALIZATION EASEMENT

Parcel 8013 A & B is being acquired as a permanent, non-exclusive easement for signalization purposes, with full authority to enter upon, construct, operate, and maintain, as the GRANTEE and its assigns may deem necessary, a mast arm assembly, pedestrian signal and pedestal pole, interconnect and appurtenant facilities over, under, and upon the following lands as described in Schedule "A".

THE GRANTEE 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 mast arm assembly, pedestrian signal and pedestal pole, interconnect and appurtenant facilities out of and away from the granted easement, and the GRANTORS and their heirs, successors and assigns shall not build, construct, or create, nor permit others to build, construct, or create any building, utilities, or other structures on the granted easement that may interfere with the normal operation or maintenance of the mast arm assembly, pedestrian signal and pedestal pole, interconnect and appurtenant facilities.

THE GRANTOR may use the granted easement for any use not inconsistent with the GRANTEE'S intended use of the granted easement including, but not limited to, open space, setback area, landscaping, or any activity that will not adversely affect the operation, maintenance and integrity of the signalization facilities.

This easement is for the purposes noted herein and does not obligate the GRANTEE to perform any right-of-way maintenance or other duties.

Project:

International Drive Transit Lanes (Destination Parkway to Sand Lake Road)

Parcel No:

8013A-8013B

Name of Owner:

Quality Inn Plaza Partnership

SETTLEMENT ANALYSIS

EXPLANATION OF RECOMMENDED SETTLEMENT

*This is a Donation

Parcel 8013A: The subject tract is located to the West of International Drive. The parcel size is approximately 0.009 acre more or less.

Parcel 8013B: The subject tract is located to the West of International Drive. The parcel size is approximately 0.009 acre more or less.

Orange County Public Works Division will use the acquisition for access from the subject property and adjacent properties for installation of additional Transit lanes for buses and trolleys. The owners have agreed to this donation and I approve of this donation for the for a signalization easement of 0.018 acre more or less.

Recommended by:		Digitally signed by Erica Guidroz Date: 2021.07.19 16:14:59 -04'00' Date:	
,	Erica Guidroz, Acquisition Agen	t, Real Estate Mgmt. Division	
Recommended by:	Robert K. Babcoo	Digitally signed by Robert K. Babcock Date: 2021.07.20 08:38:32 -04'00' Date:	
•		Robert K. Babcock, Acquisition Supervisor, Real Estate Mgmt. Division	
Approved by:		Date:	
Approved by.	Mindy T. Cummings, Manager,		
or Al Approved by:	lex Feinman	Digitally signed by Alex Feinman Date: 2021.07.22 14:24:02 -04'00' Date:	
	Alex Feinman, Asst. Manager,	Real Estate Mgmt. Division	