



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: April 18, 2019

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

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

FROM: Jeffrey Sponenburg, Title Program Manager *JS*
Real Estate Management Division

CONTACT PERSON: **Paul Sladek, Manager**

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

ACTION REQUESTED: Approval of Utility Easement from M.L. Carter Services, Inc., Trustee under a Florida land trust known and designated as "Carter-Orange 23 I-4 Land Trust" to Orange County and authorization to record instrument

PROJECT: Palm Parkway Connector (RIFCC)

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: 345 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAY 07 2019

This Instrument was prepared by,
and upon recording please return to:

Emily Brown
Maury L. Carter & Associates, Inc.
3333 South Orange Avenue, Suite 200
Orlando, Florida 32806
Telephone: (407) 422-3144

PROJECT: PALM PARKWAY CONNECTOR (RIFCC)
PARCEL ID NO.: PORTION OF 14-24-28-0000-00-012

This document has been executed and delivered under the threat of condemnation. Therefore, this document is not subject to documentary stamp tax, pursuant to Florida Administrative Code 12B-4.014(13).

UTILITY EASEMENT
(5 ft. wide Reclaim/Utility)

THIS INDENTURE, made this 15th day of April, 2019, between **M.L. CARTER SERVICES, INC., Trustee under a Florida land trust known and designated as "CARTER-ORANGE 23 I-4 LAND TRUST"**, created pursuant to Section 689.071, Florida Statutes, and existing under and by virtue of an unrecorded trust agreement dated effective as of January 14, 2010, as the same may have been, and may hereafter be amended from time to time, with the power to protect, conserve, sell, lease, and encumber, or otherwise to manage and dispose of the Subject Property (*defined below*), whose address is 3333 South Orange Avenue, Suite 200, Orlando, Florida 32806, **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 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 and its assigns a perpetual, non-exclusive easement for utility purposes, with full authority to enter upon, construct, operate, and maintain, as the GRANTEE and its assigns may deem necessary, utilities and appurtenant facilities over, under, and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED SCHEDULE "A"

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

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 utilities and appurtenant facilities out of and away from the granted easement, and the GRANTOR and its 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 utilities 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 that will not adversely affect the operation, maintenance and integrity of the utilities and appurtenant facilities.

PROJECT: PALM PARKWAY CONNECTOR (RIFCC)

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

Signed, sealed and delivered in the presence of:

Grantor:

Witness 1 sign: Emily Brown

M.L. CARTER SERVICES, INC.,
Trustee under a Florida land trust known and designated as CARTER-ORANGE 23 I-4 LAND TRUST created pursuant to Section 689.071, Florida Statutes, and existing under and by virtue of an unrecorded trust agreement dated effective as of January 14, 2010

Witness 1 print name: Emily Brown

Witness 2 sign: Joan M Fisher

By: [Signature]

Witness 2 print name: Joan M Fisher

Daryl M. Carter, President of M.L. Carter Services, Inc., Trustee

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 15th day of April, 2019, by Daryl M. Carter, President of M.L. Carter Services, Inc., Trustee under a Florida land trust known and designated as "CARTER-ORANGE 23 I-4 LAND TRUST" created pursuant to Section 689.071, Florida Statutes, and existing under and by virtue of an unrecorded trust agreement dated effective as of January 14, 2010 on behalf of the trust. He is personally known to me or has produced _____ as identification.

(NOTARY SEAL)

[Signature]
Notary Public Signature



JOAN M. FISHER
Commission # GG 113991
Expires July 16, 2021
Bonded Thru Budget Notary Services

Joan M Fisher
Typed or Printed Notary Name
Notary Public - State of FLORIDA
Commission No. _____
My Commission Expires: _____

Schedule "A"

to Utility Easement

Legal Description of the Easement Area
(5 foot wide Reclaim/Utility Easement)

[See attached Sketch and Legal Description]

DESCRIPTION: UTILITY EASEMENT

PROJECT NAME: RUBY LAKE PD/CONNECTOR ROAD
(FROM PALM PARKWAY TO HILTON DRIVEWAY)

ORANGE COUNTY PROJECT NUMBER: 16-E-102

DESCRIPTION:


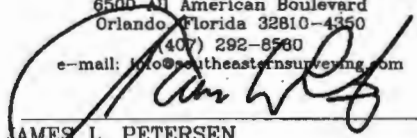
A portion of lands as described in Official Record Book 9989, Page 1188 of the Public Records of Orange County, Florida. Lying in Section 14 Township 24 South, Range 28 East, Orange County, Florida being more particularly described as follows:

Commencing at the West Quarter Corner of Section 14, Township 24 South, Range 28 East, Orange County, Florida; thence North 89°27'15" East, a distance of 798.63 feet along the North line of the Southwest quarter of said Section 14 to a point on the Southeasterly right of way line of Palm Parkway per Official Record Book 5433, Page 819 and Official Record Book 5433, Page 777 as recorded in the Public Records of Orange County, Florida; thence along said Southeasterly right of way line the following two (2) courses and distances, South 38°37'33" West, a distance of 396.11 feet to a point of curvature having a radius of 2,035.00 feet and a central angle of 01°41'23"; thence Southwesterly along the arc a distance of 60.01 feet to a point on the Southerly line of a 15 foot Utility Easement per Official Record Book 9905, Page 5384 as recorded in the Public Records of Orange County, Florida; thence along said Southerly Easement line the following three (3) courses and distances, North 83°39'03" East, a distance of 21.60 feet to the POINT OF BEGINNING; thence continue North 83°39'03" East, a distance of 7.07 feet; thence South 51°20'26" East, a distance of 66.45 feet; thence departing said Easement line, South 38°39'34" West, a distance of 5.00 feet; thence North 51°20'26" West, a distance of 71.45 feet to the POINT OF BEGINNING.

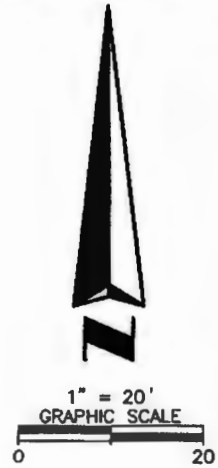
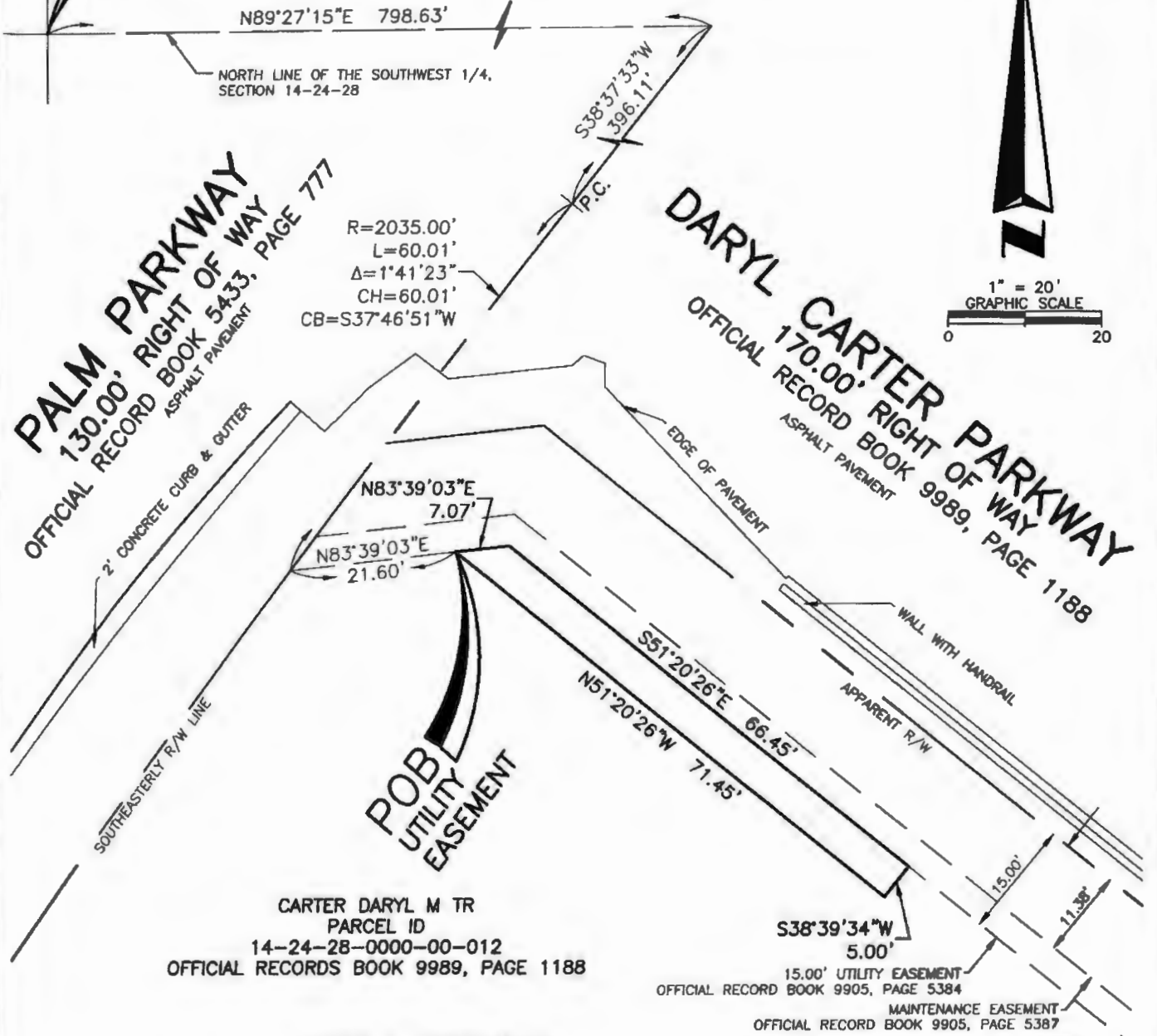
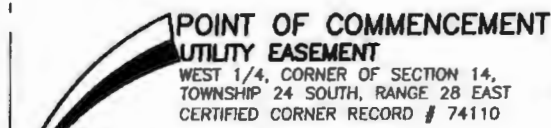
Containing 345 square feet, more or less.

SURVEYOR'S REPORT:

1. Bearings shown hereon are based on the North line of the Southwest 1/4 of Section 14, Township 24 South, Range 28 East as being North 89°27'15" East.
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.

Sketch of Description FOR Pulte Home Corporation	Date: February 08, 2019 JWG		Certification Number LB2108 52044036
	Job Number: 52044036	Scale: 1" = 20'	 SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 6500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 e-mail: info@southeasternsurveying.com
	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY. REVISED: 04/01/2019		
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		 JAMES L. PETERSEN REGISTERED LAND SURVEYOR Number 4791	

SKETCH OF DESCRIPTION
Utility Easement



LEGEND & ABBREVIATIONS

- | | |
|--------------------------|--------------------------|
| R = RADIUS | PC = POINT OF CURVATURE |
| L = LENGTH | PT = POINT OF TANGENCY |
| Δ = CENTRAL ANGLE | NT = NON TANGENT |
| CH = CHORD | ID = IDENTIFICATION |
| CB = CHORD BEARING | R/W = RIGHT OF WAY |
| | POB = POINT OF BEGINNING |

REVISED: 04/01/2019 JWG
Drawing No. 52044036
Job No. 52044036
Date: FEBRUARY 08, 2019
SHEET 2 OF 2
See Sheet 1 for Description

THIS IS NOT A SURVEY.
NOT VALID WITHOUT SHEET 1 THROUGH 2 e-mail: info@southeasternsurveying.com



SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION
6500 All American Boulevard
Orlando, Florida 32810-4350
(407) 292-8580
Certification Number LB2108