



Legislation Text

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**File #:** 24-963, **Version:** 1

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**Interoffice Memorandum**

**DATE:** June 18, 2024

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** Mindy T. Cummings, Manager

**FROM:** Juanita Thomas, Senior Title Examiner

**CONTACT:** Mindy T. Cummings, Manager

**PHONE:** 407-836-7090

**DIVISION:** Real Estate Management Division

**ACTION REQUESTED:**

Approval of Utility Easement between Horizon West MF, LLC and Orange County; Utility Easement between Kiran REIF Horizon West Retail, LLC and Orange County; Utility Easement between First Baptist Church Orlando Campus, Inc. and Orange County; and Utility Easement between Hamlin Partners at Silverleaf, LLC and Orange County, and authorization to record instruments for Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1 Permit 23-S-102 OCU File 100686. District 1.  
**(Real Estate Management Division)**

**PROJECT:** Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1 Permit 23-S-102 OCU File 100686

**PURPOSE:** To provide for access, construction, and maintenance of utility facilities.

**ITEM:**

Utility Easement

Cost: Donation

Size: 9,719 square feet

Utility Easement

Cost: Donation

Size: 1,753 square feet

Utility Easement

---

**File #:** 24-963, **Version:** 1

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Cost: Donation  
Size: 8,388 square feet

Utility Easement  
Cost: Donation  
Size: 2,025 square feet

**BUDGET:** NA

**REVENUE:** NA

**FUNDS:** NA

**APPROVALS:**

Real Estate Management Division  
Utilities Department

**REMARKS:** These easements are needed for the required permitting in conjunction with the construction and maintenance of utility facilities for the Silverleaf subdivision. Developer, Dream Finders Homes to pay recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

**JUL 09 2024**

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:

Juanita Thomas, 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 30-23-27-2699-03-002

**Project:** Silverleaf PD - RP Silverleaf South Tract A  
Subdivision Phase 1 Permit 23-S-102 OCU  
File #100686

**THIS IS A DONATION**

#### **UTILITY EASEMENT**

THIS INDENTURE, made as of the date signed below, between Horizon West MF, LLC, a Florida limited liability company, whose address is 5600 Mariner Street, Suite 227, Tampa, Florida 33609, 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 \$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"**

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

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase I  
Permit 23-S-102 OCU File #100686

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 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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

*{signature on following page}*



Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1  
Permit 23-S-102 OCU File #100686

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

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

WITNESS #1

*[Handwritten Signature]*

Signature

*Phil Zaveri*

Print Name

Mailing Address: 5600 Mariner St. Suite 227

City: Tampa State: FL

Zip Code: 33609

WITNESS #2

*[Handwritten Signature]*

Signature

*CHAD TOUJAGUE*

Print Name

Mailing Address: 5600 MARINER ST, STE 227

City: Tampa State: FL

Zip Code: 33609

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 15<sup>TH</sup> day of APRIL, 2024, by Dr. Kiran C. Patel, as Manager, of Kiran REIF, LLC, a Florida limited liability company, as Manager of Kiran REIF Horizon West Multifamily LLC, a Florida limited liability company, as Authorized Member of Horizon West MF, 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)

Notary Signature

*CHAD TOUJAGUE*

Print Notary Name

Notary Public of: FLORIDA

My Commission Expires: 03/07/2026



Horizon West MF, LLC,  
a Florida limited liability company

By: Kiran REIF Horizon West Multifamily, LLC,  
a Florida limited liability company,  
its Authorized Member

By: Kiran REIF, LLC,  
a Florida limited liability company,  
its Manager

By:

Signature

*Dr. Kiran C. Patel*

Print Name

Manager

Title

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1  
Permit 23-S-102 OCU File #100686

**JOINDER AND CONSENT TO UTILITY EASEMENT**

The undersigned hereby certifies that it is the holder of the following mortgage, lien, or other encumbrance upon the above described Utility Easement: (i) that certain Mortgage and Security Agreement executed by Horizon West MF, LLC, a Florida limited liability company in favor of Valley National Bank, a national banking association recorded October 3, 2022, as Official Records Document No. 20220597334; (ii) that certain Assignment of Rents and Leases executed by Horizon West MF, LLC, in favor of Valley National Bank, recorded October 3, 2022, as Official Records Document No. 20220597335; and (iii) that certain State of Florida Uniform Commercial code Financing Statement executed by Horizon West MF, LLC, in favor of Valley National Bank, recorded October 3, 2022, as Official Records Document No. 20220597336, all 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 Utility 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 Utility 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}*

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1  
Permit 23-S-102 OCU File #100686

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

Valley National Bank,  
a national banking association

WITNESS #1  
Nicholas Edwards  
Signature

By: M. J. Hinze  
Signature

Nicholas Edwards  
Print Name

Marcus J Hinze  
Print Name

Mailing Address: 107 S Franklin Street, STE 200

Senior Vice President  
Title

City: Tampa State: FL

Zip Code: 33602

WITNESS #2  
Gaylene R. Stephens  
Signature

Gaylene R. Stephens  
Print Name

Mailing Address: 107 S Franklin Street, STE 200

City: Tampa State: FL

Zip Code: 33602

STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 21st day of May, 2024, by Marcus J Hinze, as Senior Vice President, of Valley National Bank, a national banking association, on behalf of the association. The individual  is personally known to me or  has produced \_\_\_\_\_ as identification.

(Notary Stamp)



Nicholas Edwards  
Notary Signature

Nicholas Edwards  
Print Notary Name

Notary Public of: State of Florida

My Commission Expires: 4-26-2026

# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 1 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 23-S-102

## UTILITY EASEMENT

A STRIP OF LAND BEING A PORTION OF LOT 3 OF HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 109, PAGES 116 THROUGH 120 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE RUN NORTH 00°13'20" WEST ALONG THE WEST LINE OF SAID LOT 3 FOR A DISTANCE OF 146.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°13'20" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 809.91 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND A POINT ON THE SOUTH RIGHT OF WAY LINE OF PORIER ROAD, TRACT RW-1, ACCORDING TO SAID PLAT OF HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE; THENCE RUN NORTH 89°46'40" EAST ALONG SAID SOUTH RIGHT OF WAY LINE AND THE NORTH LINE OF SAID LOT 3 FOR A DISTANCE OF 12.00 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE AND SAID NORTH LINE, RUN SOUTH 00°13'20" EAST FOR A DISTANCE OF 809.91 FEET; THENCE RUN SOUTH 89°46'40" WEST FOR A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,719 SQUARE FEET OR 0.22 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH OF DESCRIPTION



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(407) 654-5355  
LB#6723

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 3 BEING N00°13'20"W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB #: 20230393

CALC BY: DY

DATE: 8/25/23

DRAWN BY: RT

SCALE: 1"=80'

CHECKED BY: HF

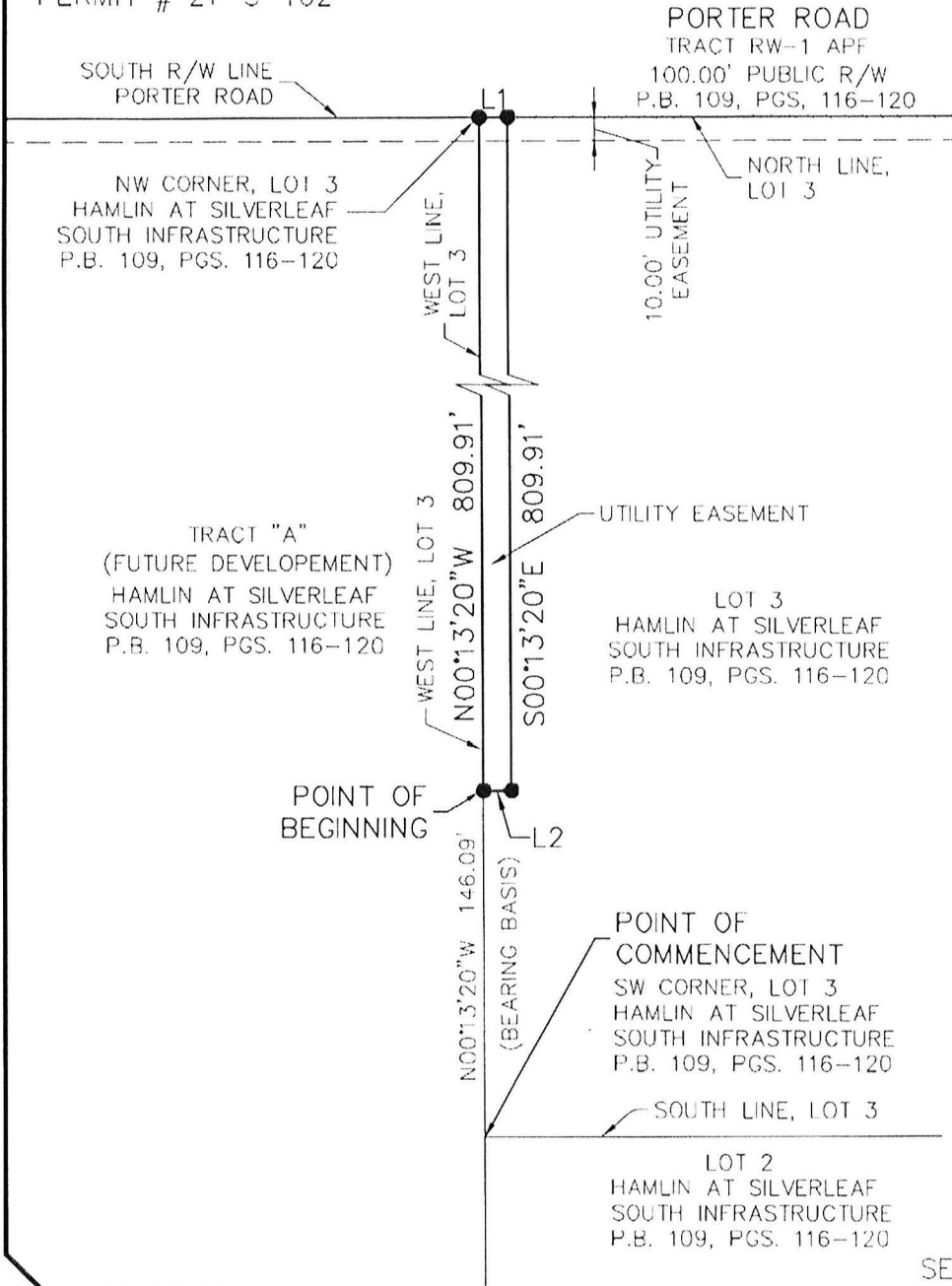
FOR THE LICENSED BUSINESS #6723 BY:  
Digitally signed by:  
James L Rickman  
Date: 2024.02.01  
09:10:15 -0500  
JAMES L. RICKMAN, P.S.M. #5633

# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 2 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 21-S-102



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°46'40"E	12.00'
L2	S89°46'40"W	12.00'

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION

**ALLEN & COMPANY**  
Founded in 1988

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(407) 654-5355  
LB#6723

SYMBOL AND ABBREVIATION LEGEND:

- CHANGE IN DIRECTION
- LB LICENSED BUSINESS
- P.B. PLAT BOOK
- PGS. PAGES

JOB #:	20230393	CALC BY:	DY
DATE:	8/23/23	DRAWN BY:	RT
SCALE:	1" = 80'	CHECKED BY:	HF

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
**JUL 09 2024**

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:  
Juanita Thomas, 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 30-23-27-2699-03-003

**Project:** Silverleaf PD - RP Silverleaf South Tract A  
Subdivision Phase 1 Permit 23-S-102 OCU  
File #100686

**THIS IS A DONATION**

#### **UTILITY EASEMENT**

THIS INDENTURE, made as of the date signed below, between Kiran REIF Horizon West Retail, LLC, a Florida limited liability company, whose address is 5600 West Mariner Street, Suite 201, Tampa, Florida 33609, 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 \$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"**

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

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase I  
Permit 23-S-102 OCU File #100686

that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

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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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

*{signature on following page}*

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1  
Permit 23-S-102 OCU File #100686

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

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

WITNESS #1

*[Handwritten Signature]*

Signature

Phil Zaveri

Print Name

**Kiran REIF Horizon West Retail LLC,**  
a Florida limited liability company

By: Kiran REIF, LLC,  
a Florida limited liability company,  
its Manager

Mailing Address: 5600 MARLINER ST, STE 227

City: TAMPA State: FL

Zip Code: 33609

*[Handwritten Signature]*

By:

Signature

Dr. Kiran C. Patel

Print Name

Manager

Title

WITNESS #2

*[Handwritten Signature]*

Signature

CHAD TOUSAGUE

Print Name

Mailing Address: 5600 Mariner ST, STE 227

City: TAMPA State: FL

Zip Code: 33609

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 15TH day of APRIL, 2024, by Dr. Kiran C. Patel, as Manager, of Kiran REIF, LLC, a Florida limited liability company, as Manager of Kiran REIF Horizon West Retail 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)

*[Handwritten Signature]*

Notary Signature

CHAD TOUSAGUE

Print Notary Name

Notary Public of: FLORIDA

My Commission Expires: 03/07/2026





# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 1 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 23-S-102

## UTILITY EASEMENT

A STRIP OF LAND BEING A PORTION OF LOT 3 OF HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 109, PAGES 116 THROUGH 120 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE RUN NORTH 00°13'20" WEST ALONG THE WEST LINE OF SAID LOT 3 FOR A DISTANCE OF 146.09 FEET; THENCE DEPARTING SAID WEST LINE RUN NORTH 89°46'40" EAST FOR A DISTANCE OF 12.00 FEET; THENCE RUN SOUTH 00°13'20" EAST FOR A DISTANCE OF 146.09 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE RUN SOUTH 89°46'40" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 12.00 FEET TO A POINT ON AFORESAID WEST LINE BEING THE SOUTHWEST CORNER OF SAID LOT 3 AND THE **POINT OF BEGINNING**.

CONTAINING 1,753 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH OF DESCRIPTION



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LB#6723

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 3 BEING N00°13'20"W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB #: 20230393  
DATE: 8/25/23  
SCALE: 1"=30'

CALC BY: DY  
DRAWN BY: RT  
CHECKED BY: HF

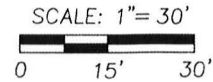
FOR THE LICENSED BUSINESS #6723 BY:  
Digitally signed by:  
James L Rickman  
Date: 2024.02.01  
09:10:36 -0500  
JAMES L. RICKMAN, P.S.M. #5633

# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 2 of 2

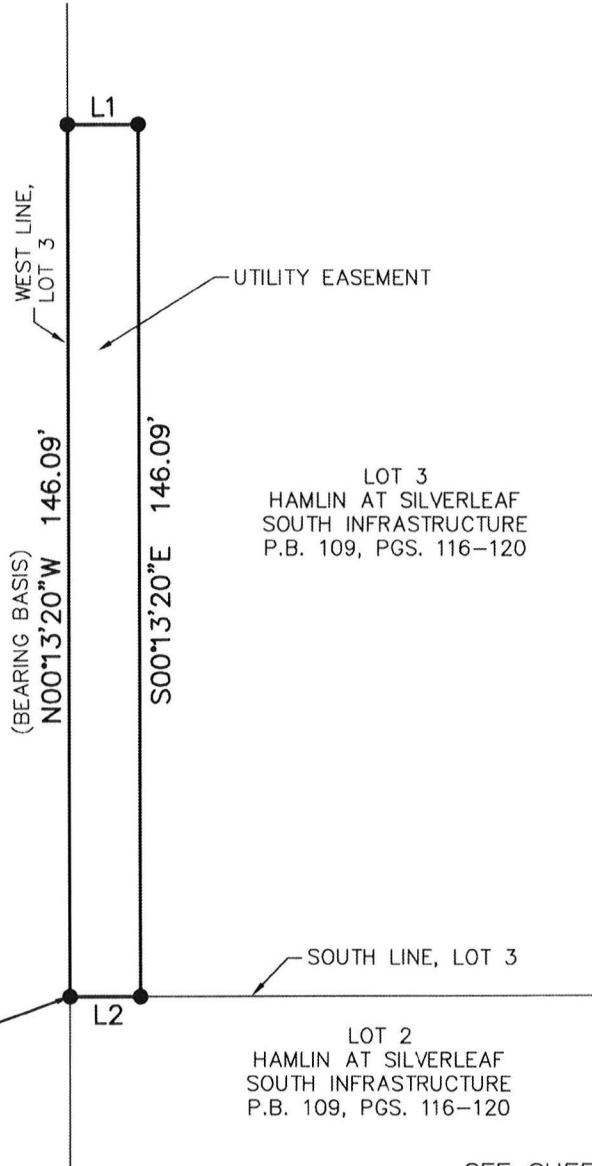
PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 21-S-102



TRACT "A"  
(FUTURE DEVELOPMENT)  
HAMLIN AT SILVERLEAF  
SOUTH INFRASTRUCTURE  
P.B. 109, PGS. 116-120

LOT 3  
HAMLIN AT SILVERLEAF  
SOUTH INFRASTRUCTURE  
P.B. 109, PGS. 116-120

LOT 2  
HAMLIN AT SILVERLEAF  
SOUTH INFRASTRUCTURE  
P.B. 109, PGS. 116-120



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°46'40"E	12.00'
L2	S89°46'40"W	12.00'

POINT OF BEGINNING  
SW CORNER, LOT 3  
HAMLIN AT SILVERLEAF  
SOUTH INFRASTRUCTURE  
P.B. 109, PGS. 116-120

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



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(407) 654-5355  
LB#6723

## SYMBOL AND ABBREVIATION LEGEND:

- CHANGE IN DIRECTION
- LB LICENSED BUSINESS
- P.B. PLAT BOOK
- PGS. PAGES

JOB #: 20230393  
DATE: 8/23/23  
SCALE: 1"=30'

CALC BY: DY  
DRAWN BY: RT  
CHECKED BY: HF

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

~~JUL 09 2024~~

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:  
Juanita Thomas, 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 30-23-27-2699-02-001

**Project:** Silverleaf PD - RP Silverleaf South Tract A  
Subdivision Phase 1 Permit 23-S-102 OCU  
File #100686

**THIS IS A DONATION**

#### **UTILITY EASEMENT**

THIS INDENTURE, made as of the date signed below, between First Baptist Church Orlando Campus, Inc., a Florida not for profit corporation, whose address is 3000 South John Young Parkway, Orlando, Florida 32805, 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 \$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"**

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

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase I  
Permit 23-S-102 OCU File #100686

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 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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

*{signature on following page}*

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase I  
Permit 23-S-102 OCU File #100686

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

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

WITNESS #1

[Signature]  
Signature  
Suzanne Hostetter  
Print Name

First Baptist Church Orlando Campus, Inc.,  
a Florida not for profit corporation

By: [Signature]  
Signature

Matthew Robinson  
Print Name

Mailing Address: 3000 S. John Young Pkwy  
City: Orlando State: FL  
Zip Code: 32805

officer  
Title

WITNESS #2

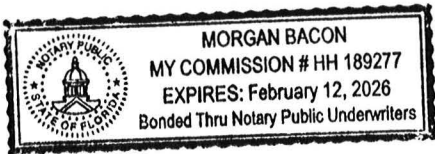
[Signature]  
Signature  
Jason Hodges  
Print Name

Mailing Address: 3000 S. John Young Pkwy  
City: Orlando State: FL  
Zip Code: 32805

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 12 day of March, 2024, by Matthew Robinson as, Officer of First Baptist Church Orlando Campus, Inc., a Florida not for profit corporation, on behalf of the corporation. The individual  is personally known to me or  has produced \_\_\_\_\_ as identification.

(Notary Stamp)



[Signature]  
Notary Signature

Morgan Bacon  
Print Notary Name

Notary Public of: Orange County

My Commission Expires: 2/12/26

# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 1 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 23-S-102

UTILITY EASEMENT

A STRIP OF LAND BEING A PORTION OF LOT 2 OF HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 109, PAGES 116 THROUGH 120 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE RUN NORTH 89°46' 40" EAST ALONG THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 12.00 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°13'20" EAST FOR A DISTANCE OF 699.00 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF TRACT "A" OF SAID PLAT OF HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE; THENCE RUN SOUTH 89°46'40" WEST ALONG SAID EASTERLY EXTENSION FOR A DISTANCE OF 12.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2 AND EAST LINE OF SAID TRACT "A"; THENCE RUN NORTH 00°13'20" WEST ALONG SAID WEST AND EAST LINE FOR A DISTANCE OF 699.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,388 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH OF DESCRIPTION



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LB#6723

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 2 BEING N00°13'20"W (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB #: 20230393  
DATE: 8/25/23  
SCALE: 1"=40'

CALC BY: DY  
DRAWN BY: RT  
CHECKED BY: HF

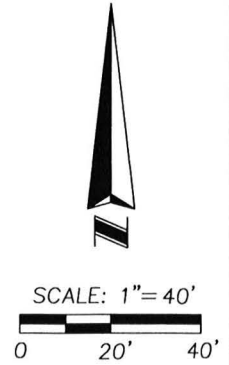
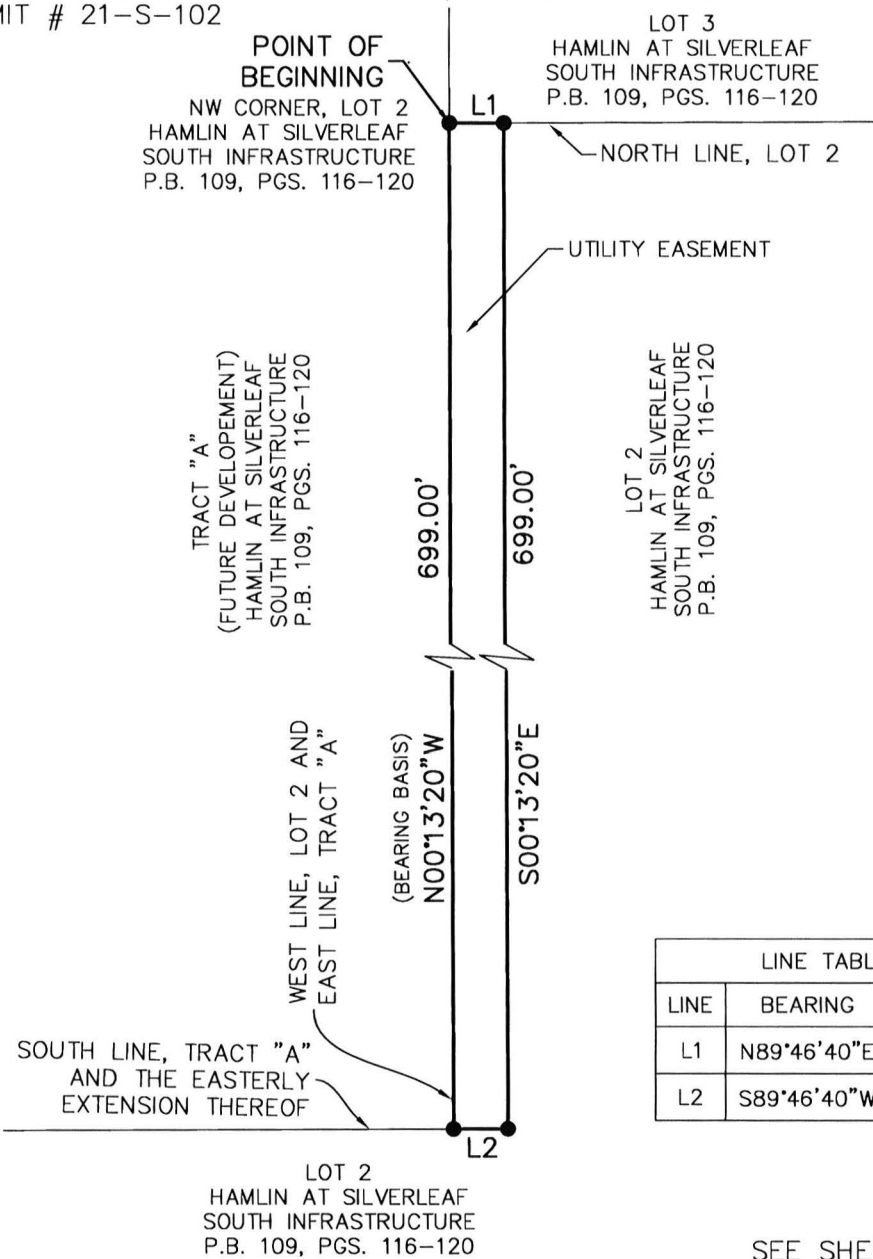
FOR THE LICENSED BUSINESS #6723 BY:  
Digitally signed by:  
James L Rickman  
Date: 2024.02.01 09:  
10:54 -05'00'  
JAMES L. RICKMAN, P.S.M. #5633

# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 2 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 21-S-102



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°46'40"E	12.00'
L2	S89°46'40"W	12.00'

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



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LB#6723

## SYMBOL AND ABBREVIATION LEGEND:

- CHANGE IN DIRECTION
- LB LICENSED BUSINESS
- P.B. PLAT BOOK
- PGS. PAGES

JOB #: 20230393  
DATE: 8/23/23  
SCALE: 1"=40'

CALC BY: DY  
DRAWN BY: RT  
CHECKED BY: HF

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

~~XXXXXXXXXX~~ JUL 09 2024

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:  
Juanita Thomas, 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 30-23-27-2699-02-000

**Project:** Silverleaf PD - RP Silverleaf South Tract A  
Subdivision Phase 1 Permit 23-S-102 OCU  
File #100686

**THIS IS A DONATION**

#### UTILITY EASEMENT

THIS INDENTURE, made as of the date signed below, between Hamlin Partners at Silverleaf, LLC, a Florida limited liability company, whose address is 14422 Shoreside Way, Suite 130, Winter Garden, Florida 34787, 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 \$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"

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



Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1  
Permit 23-S-102 OCU File #100686

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 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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

*{signature on following page}*

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1  
Permit 23-S-102 OCU File #100686

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

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

T. J. Schwab  
WITNESS #1  
Signature  
T. J. Schwab  
Print Name

**Hamlin Partners at Silverleaf, LLC,**  
a Florida limited liability company

By: BK Hamlin Partners Southwest, LLC,  
a Florida limited liability company,  
its Manager

Mailing Address: 13028 Shady Retreat Loop  
City: Clemont State: FL  
Zip Code: 34711

By: [Signature]  
Signature  
Scott T. Boyd  
Print Name  
Manager  
Title

[Signature]  
WITNESS #2  
Signature  
Heather Easterling  
Print Name

Mailing Address: 14422 Shoreside Way #130  
City: Winter Garden State: FL  
Zip Code: 34787

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 11th day of March, 2024, by Scott T. Boyd, as Manager, of BK Hamlin Partners Southwest, LLC, a Florida limited liability company, as Manager of Hamlin Partners at Silverleaf, 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)



[Signature]  
Notary Signature  
Penny Nunes  
Print Notary Name  
Notary Public of: Florida  
My Commission Expires: 8/21/25

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase I  
Permit 23-S-102 OCU File #100686

**JOINDER AND CONSENT TO UTILITY EASEMENT**

The undersigned hereby certifies that it is the holder of the following mortgage, lien, or other encumbrance upon the above described Utility Easement: (i) that certain Mortgage, Assignment of Rents, And Security Agreement and Fixture Filing executed by Hamlin Partners at Silverleaf, LLC, a Florida limited liability company in favor of Winter Park National Bank recorded January 3, 2023, as Official Records Document No. 20230000450; (ii) that certain State of Florida Uniform Commercial code Financing Statement executed by Hamlin Partners at Silverleaf, LLC, a Florida limited liability company in favor of Winter Park National Bank recorded January 3, 2023, as Official Records Document No. 20230000451; all 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 Utility 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 Utility 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}*

Project: Silverleaf PD - RP Silverleaf South Tract A Subdivision Phase 1  
Permit 23-S-102 OCU File #100686

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

[Signature]  
WITNESS #1

Signature  
Terry Winn  
Print Name

Mailing Address: 201 N New York Ave  
City: Winter Park State: FL  
Zip Code: 32789

[Signature]  
WITNESS #2  
Signature

Stacy L. Peterman  
Print Name

Mailing Address: 201 N. New York Ave  
City: Winter Park State: FL  
Zip Code: 32789

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 10th day of March, 2024, by Sidney G. Cash as President, of Winter Park National Bank, a national bank association, on behalf of the association. The individual  is personally known to me or  has produced \_\_\_\_\_ as identification.

(Notary Stamp)

[Signature]  
Notary Signature

Print Notary Name  
Notary Public of: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



Winter Park National Bank,  
a national bank association

By: [Signature]  
Signature

SIDNEY G CASH  
Print Name  
PRESIDENT  
Title

Mailing Address: 201 New York Ave  
City: Winter Park State: FL  
Zip Code: 32789

# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 1 of 2

PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 23-S-102

UTILITY EASEMENT

## LEGAL DESCRIPTION

A TRACT OF LAND BEING A PORTION OF LOT 2, HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 109, PAGES 116 THROUGH 120 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER OF TRACT A, (FUTURE DEVELOPMENT), OF SAID HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE; THENCE RUN NORTH 89°46'40" EAST FOR A DISTANCE OF 1.00 FEET; THENCE RUN SOUTH 00°13'20" EAST FOR A DISTANCE OF 45.00 FEET; THENCE RUN SOUTH 89°46'40" WEST FOR A DISTANCE OF 45.00 FEET; THENCE RUN NORTH 00°13'20" WEST FOR A DISTANCE OF 45.00 FEET TO A POINT ON THE SOUTH LINE OF THE AFORESAID TRACT A; THENCE RUN NORTH 89°46'40" EAST ALONG SAID SOUTH LINE FOR A DISTANCE OF 44.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2025 SQUARE FEET OR 0.46 ACRES, MORE OR LESS.

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH OF DESCRIPTION



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## SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
2. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF TRACT A, BEING N89°46'40"E (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
4. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
5. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS WEBSITE.

JOB #: 20230393  
DATE: 10/4/2023  
SCALE: N/A

CALC BY: DY  
DRAWN BY: DY  
CHECKED BY: HF

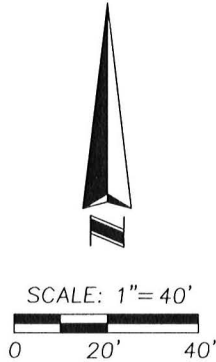
FOR THE LICENSED BUSINESS #6723 BY:  
Digitally signed by:  
James L. Rickman  
Date: 2024.02.01 09:  
09:53 -05'00'  
JAMES L. RICKMAN, P.S.M. #5633

# SKETCH OF DESCRIPTION

NOT A SURVEY

Exhibit A  
Page 2 of 2

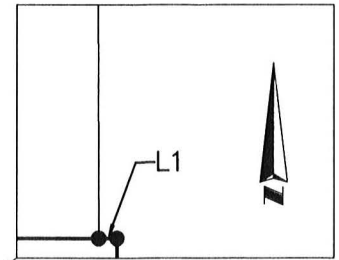
PROJECT NAME: SILVERLEAF PD-RP/SILVERLEAF SOUTH TRACT A SUBDIVISION PHASE 1  
PERMIT # 21-S-102



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°46'40"E	1.00'
L2	S00°13'20"E	45.00'
L3	S89°46'40"W	45.00'
L4	N00°13'20"W	45.00'
L5	N89°46'40"E	44.00'

TRACT A  
(FUTURE DEVELOPMENT)  
HAMLIN AT SILVERLEAF SOUTH INFRASTRUCTURE  
P.B. 109, PGS. 116-120

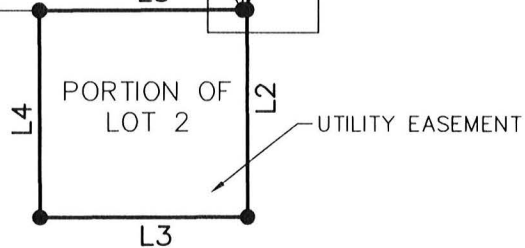
POINT OF BEGINNING  
SOUTHEAST CORNER, TRACT "A"



DETAIL  
NOT TO SCALE

SOUTH LINE OF TRACT A  
(BEARING BASIS)

REMAINDER OF LOT 2  
HAMLIN AT SILVERLEAF  
SOUTH INFRASTRUCTURE  
P.B. 109, PGS. 116-120



REMAINDER OF LOT 2  
HAMLIN AT SILVERLEAF  
SOUTH INFRASTRUCTURE  
P.B. 109, PGS. 116-120

NOT PLATTED

SHEET 2 OF 2  
SEE SHEET 1 FOR LEGAL DESCRIPTION



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## SYMBOL AND ABBREVIATION LEGEND:

- CHANGE IN DIRECTION
- LB LICENSED BUSINESS
- P.B. PLAT BOOK
- PGS. PAGES

JOB #: 20230393  
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