




Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 7

DATE: May 14, 2019

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

THROUGH: Paul Sladek, Manager *RCC for PBS*
Real Estate Management Division

FROM: Mary Tiffault, Sr. Title Examiner 
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: Approval of Warranty Deed from Wal-Mart Stores East, LP to Orange County and Subordination of Encumbrances to Property Rights to Orange County from Domain Dr. Phillips LLC, CDCG 4 MTH 2 LP, Granada Master Owners Association, Inc. and CRP-GREP Overture Dr. Phillips Owner, L.L.C., approval and execution of Subordination of Utility Interests between Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, d/b/a Progress Energy Florida, Inc. and Orange County and authorization to record instruments

PROJECT: Granada Loop 17-E-030 Case #PSP-16-11-380

District 1

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

ITEMS: Warranty Deed
 Revenue: None/Donation
 Size: 2,563 square feet

Subordination of Encumbrances to Property Rights to Orange County

Subordination of Utility Interests

APPROVALS: Real Estate Management Division
 County Attorney's Office
 Development Engineering Division

REMARKS: The Subordination of Utility Interests will subordinate Duke Energy's interest in their existing easement encumbering this project. If Orange County should require Duke Energy to alter, adjust, or relocate its facilities located within said lands in connection with this subordination, Orange County shall pay the reasonable cost of such alteration, adjustment, or relocation, including but not limited to the cost of acquiring appropriate easements.

Orange County is executing the Subordination of Utility Interests to show acceptance of the terms and conditions.

Developer to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 04 2019

THIS IS A DONATION

Project: Granada Loop 17-E-030 Case #PSP-16-11-380

WARRANTY DEED

THIS WARRANTY DEED, Made and executed the 1 day of February, A.D. 2019, by Wal-Mart Stores East, LP, a Delaware limited Partnership, whose address is 708 Southwest 8th Street, Bentonville, Arkansas, 72716, 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, for and in consideration of the sum of \$ 0 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the GRANTEE, all that certain land situate in Orange County, Florida:

SEE ATTACHED SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

a portion of

35-23-28-7825-00-010

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the GRANTOR hereby covenants with said GRANTEE that GRANTOR is lawfully seized of said land in fee simple; that GRANTOR has good right and lawful authority to sell and convey said land; that GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

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

Signed, sealed, and delivered in the presence of:

Wal-Mart Stores East, LP, a Delaware limited partnership

Barry N Young
Witness

RBB BY: WSE Management, LLC, a Delaware limited liability company, its General Partner

Barry N Young
Printed Name

BY: Oneil Clark

Abe Badeen
Witness

Oneil Clark
Printed Name

Abe Badeen
Printed Name

Sr. Director
Title

(Signature of TWO witnesses required by Florida law)

STATE OF Arkansas

COUNTY OF Washington

The foregoing instrument was acknowledged before me this 1 day of February, 2019, by Oneil Clark, as Sr Director, of WSE Management, LLC, a Delaware limited liability company, as General Partner, of Wal-Mart Stores East, LP, a Delaware limited partnership, on behalf of the limited partnership. He/She is personally known to me or has produced _____ as identification.

(Notary Seal)



Ryan Pettigrew
Notary Signature

Ryan Pettigrew
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:

SKETCH AND LEGAL DESCRIPTION
EXHIBIT E

TABLE OF CONTENTS:
SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES
SHEET 2 - SKETCH

SCHEDULE "A"

LEGAL DESCRIPTION

A portion of Lot 1, Sand Lake Plaza as recorded in Plat Book 28, Page 125 in Orange County, Florida, said lands lying in Section 35, Township 23 South, Range 28 East, Orange County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said section 35; thence run S 00°01'50" E, along the East line of said Northeast 1/4 of Section 35, for a distance of 1534.75 feet; thence leaving said section line run S 89°48'09" W, a distance of 485.95 feet to the Point of Beginning and the West boundary line of the lands described in Official Records Book 4848, Page 1230 of the Public Records of Orange County, Florida; thence along said West line run S 01°31'51" E, a distance of 91.77 feet; thence S 88°08'10" W, a distance of 1.05 feet to a point of curvature of a curve concave southeasterly, having a radius of 370.00 feet, a chord bearing of S 86°04'03" W, and a chord length of 26.71 feet; thence along the arc of said curve through a central angle of 04°08'14" for an arc length of 26.72 feet to the boundary line of said Lot 1; thence along said Boundary line run N 01°31'31" W, a distance of 93.54 feet to a corner of said Lot 1; thence leaving said boundary line run N 89°48'09" E, a distance of 27.72 feet to the Point of Beginning.

Said lands having an area of 2,563.0 square feet, more or less.

OK
[Handwritten initials]

NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 35-23-28, BEING SOUTH 00°01'50" EAST. (ASSUMED)

CERTIFICATION:

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 51-17.05 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

For the firm by:

[Signature] 10/31/18
James W. Quartel, P.S.M.
Professional Surveyor and Mapper
Florida License No. 6032



CARNAHAN PROCTOR CROSS, INC.
CONSULTING ENGINEERS - SURVEYORS - PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801
PHONE: (407)960-5980 FAX: (407)960-5983

REV. 10.31.18

DATE:	9/28/2018
DRAWN BY:	LSA
CHECKED BY:	JWQ

PROJECT # 151213
WAL-MART EASEMENT
SKETCH OF DESCRIPTION
ORANGE COUNTY, FL

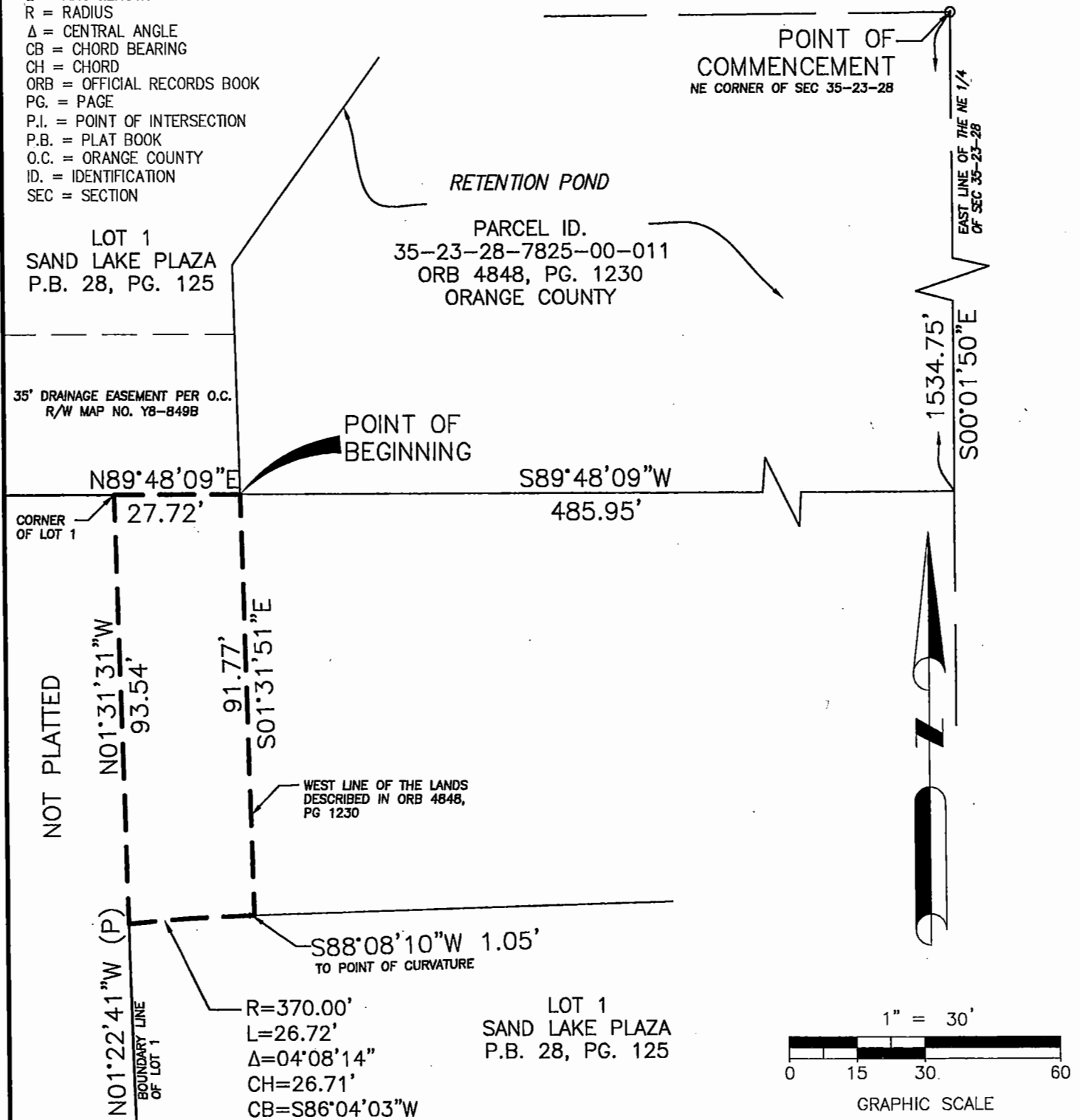
SHEET NO.	OF
1	2
CAD FILE: 151213 GRANADA ESM.	

SKETCH AND LEGAL DESCRIPTION EXHIBIT E

TABLE OF CONTENTS:
SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES
SHEET 2 - SKETCH

ABBREVIATIONS:

- L = ARC LENGTH
- R = RADIUS
- Δ = CENTRAL ANGLE
- CB = CHORD BEARING
- CH = CHORD
- ORB = OFFICIAL RECORDS BOOK
- PG. = PAGE
- P.I. = POINT OF INTERSECTION
- P.B. = PLAT BOOK
- O.C. = ORANGE COUNTY
- ID. = IDENTIFICATION
- SEC = SECTION



CARNAHAN · PROCTOR CROSS, INC.
CONSULTING ENGINEERS · SURVEYORS · PLANNERS
604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801
PHONE: (407)960-5980 FAX: (407)960-5983

REV. 10.31.18	
DATE: 9/29/2018	
DRAWN BY: LSA	
CHECKED BY: JWQ	

PROJECT # 151213
WAL-MART EASEMENT
SKETCH OF DESCRIPTION
ORANGE COUNTY, FL

SHEET NO. 2	OF 2
CAD FILE: 151213 GRANADA ESM.	

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 04 2019

Project: Granada Loop 17-E-030 Case #PSP-16-11-380

SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a road right-of-way in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to the below encumbrances held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrances to the property rights of Orange County in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations paid, receipt of which is hereby acknowledged, the undersigned subordinates said encumbrances as they have been or as may be modified and amended from time to time to the property rights of Orange County to locate, construct, maintain, and/or improve said project over, through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

SEE ATTACHED EXHIBIT "A"

Encumbrances:

Domain Dr. Phillips LLC, CDCG 4 MTH 2 LP,
Granada Master Owners Association, Inc.,
CRP-GREP Overture Dr. Phillips Owner, L.L.C.,
FROM: Wal-Mart Stores East, LP
TO: Sevillana, LLC,
Marbellana LLC
Utility Easement filed November 10, 2016
Recorded as Document No. 20160588482
and Re-recorded on April 6, 2017
as Document No. 20170186796
Access Easement recorded on November 10, 2016
Recorded as Document No. 20160588483
and Re-recorded on April 6, 2017
as Document No. 20170186797
All in the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for road right-of-way purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrances or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed that in the event said above described premises are abandoned by Orange County and cease to be used for road right-of-way purposes that in such event the subordination of said encumbrances shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 5 day of February, A.D. 2019.

Signed, sealed, and delivered in the presence of:

Domain Dr. Phillips LLC, a Delaware limited liability company

Tracy Boone
Witness

BY: DDP Manager LLC, a Delaware limited liability company, its Manager

Tracy Boone
Printed Name

BY: Kathy K. Binford
Kathy K. Binford, Vice President

Shirley Banks Robinson
Witness

Shirley Banks Robinson
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Texas
COUNTY OF Harris

The foregoing instrument was acknowledged before me this 5 day of February, 2019, by Kathy K. Binford, Vice President, of DDP Manager LLC, a Delaware limited liability company, as manager, of Domain Dr. Phillips LLC, a Delaware limited liability company, on behalf of the limited liability company. She is personally known to me or has produced _____ as identification.

(Notary Seal)

Leticia Leija
Notary Signature

Leticia Leija
Printed Notary Name



Notary Public in and for the County and State aforesaid
My commission expires: 02-23-2021

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 5th day of December, A.D. 2018.

Signed, sealed, and delivered in the presence of:

CDCG 4 MTH 2 LP,
a Delaware limited partnership

Wendy Stoeckel
Witness

BY: CDCG Asset Management, LLC,
an Arizona limited liability company,
its Authorized Agent

Wendy Stoeckel
Printed Name

BY: Steven S Benson
Steven S. Benson, as Manager

[Signature]
Witness

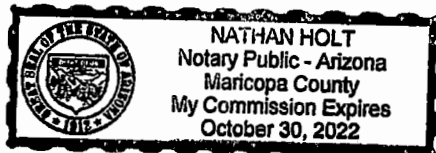
STEVE BENSON
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Arizona
COUNTY OF Maricopa

The foregoing instrument was acknowledged before me this 5th day of December, 2018, by Steven S. Benson, as Manager, of CDCG Asset Management, LLC, an Arizona limited liability company, its Authorized Agent, for CDCG 4 MTH 2 LP, a Delaware limited partnership, on behalf of the limited partnership. He is personally known to me or has produced _____ as identification.

(Notary Seal)



Nathan Holt
Notary Signature

Nathan Holt
Printed Notary Name

Notary Public in and for
the County and State aforesaid

My commission expires: 10/30/22

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 10TH day of December, A.D. 2018.

Signed, sealed, and delivered in the presence of:

Granada Master Owners Association, Inc., a Florida not-for-profit corporation

[Signature]
Witness

BY: [Signature]
Martha Schiffer, HOA Director

[Signature]
Printed Name

[Signature]
Witness

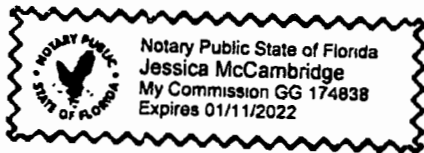
[Signature]
Printed Name

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 10 of December, 2018, by Martha Schiffer, as HOA Director, of Granada Master Owners Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. She is personally known to me or has produced _____ as identification.

(Notary Seal)

[Signature]
Notary Signature



Jessica McCambridge
Printed Notary Name

Notary Public in and for the county and state aforesaid.

My commission expires: January 11, 2022

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 13 day of February, A.D. 2019.

Signed, sealed, and delivered in the presence of:

CRP-GREP Overture Dr. Phillips Owner, L.L.C., a Delaware limited liability company

Matt Ware

Witness

BY: CRP-GREP AA Overture Dr. Phillips, L.L.C., a Delaware limited liability company, its Sole Member

MATT WARE

Printed Name

BY: GS AA Overture Dr. Phillips Holdings, L.L.C., a Delaware limited liability company, its Authorized Member

David H. King

Witness

BY: Lewis Stoneburner
Lewis Stoneburner, Vice President

David King

Printed Name

(Signature of TWO witnesses required by Florida law)

South Carolina

STATE OF _____
COUNTY OF Charleston

The foregoing instrument was acknowledged before me this 13 day of February, 2019, by Lewis Stoneburner, Vice President of GS AA Overture Dr. Phillips Holdings, L.L.C., a Delaware limited liability company, as authorized member, of CRP-GREP AA Overture Dr. Phillips, L.L.C., a Delaware limited liability company, as sole member, of CRP-GREP Overture Dr. Phillips Owner, L.L.C., a Delaware limited liability company, on behalf of the limited liability company. He is personally known to me or has produced _____ as identification.



Witness my hand and official seal this 13 day of February, 2019.

Lauren Flatley
Notary Signature

Lauren Flatley
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: 9/13/2023

SKETCH AND LEGAL DESCRIPTION

Exhibit "A"

TABLE OF CONTENTS:
SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES
SHEET 2 - SKETCH

LEGAL DESCRIPTION

A portion of Lot 1, Sand Lake Plaza as recorded in Plat Book 28, Page 125 in Orange County, Florida, said lands lying in Section 35, Township 23 South, Range 28 East, Orange County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said section 35; thence run S 00°01'50" E, along the East line of said Northeast 1/4 of Section 35, for a distance of 1534.75 feet; thence leaving said section line run S 89°48'09" W, a distance of 485.95 feet to the Point of Beginning and the West boundary line of the lands described in Official Records Book 4848, Page 1230 of the Public Records of Orange County, Florida; thence along said West line run S 01°31'51" E, a distance of 91.77 feet; thence S 88°08'10" W, a distance of 1.05 feet to a point of curvature of a curve concave southeasterly, having a radius of 370.00 feet, a chord bearing of S 86°04'03" W, and a chord length of 26.71 feet; thence along the arc of said curve through a central angle of 04°08'14" for an arc length of 26.72 feet to the boundary line of said Lot 1; thence along said Boundary line run N 01°31'31" W, a distance of 93.54 feet to a corner of said Lot 1; thence leaving said boundary line run N 89°48'09" E, a distance of 27.72 feet to the Point of Beginning.

Said lands having an area of 2,563.0 square feet, more or less.

OK
UZ

NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 35-23-28, BEING SOUTH 00°01'50" EAST. (ASSUMED)

CERTIFICATION:

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17.05 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

For the firm by:

James W. Galarza, P.S.M.
Professional Surveyor and Mapper
Florida License No. 6032

10/31/18



CARNAHAN-PROCTOR CROSS, INC.

CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801
PHONE: (407)960-5980 FAX: (407)960-5983

REV. 10.31.18

DATE:	9/29/2018
DRAWN BY:	LSA
CHECKED BY:	JWQ

PROJECT # 151213
WAL-MART EASEMENT
SKETCH OF DESCRIPTION
ORANGE COUNTY, FL

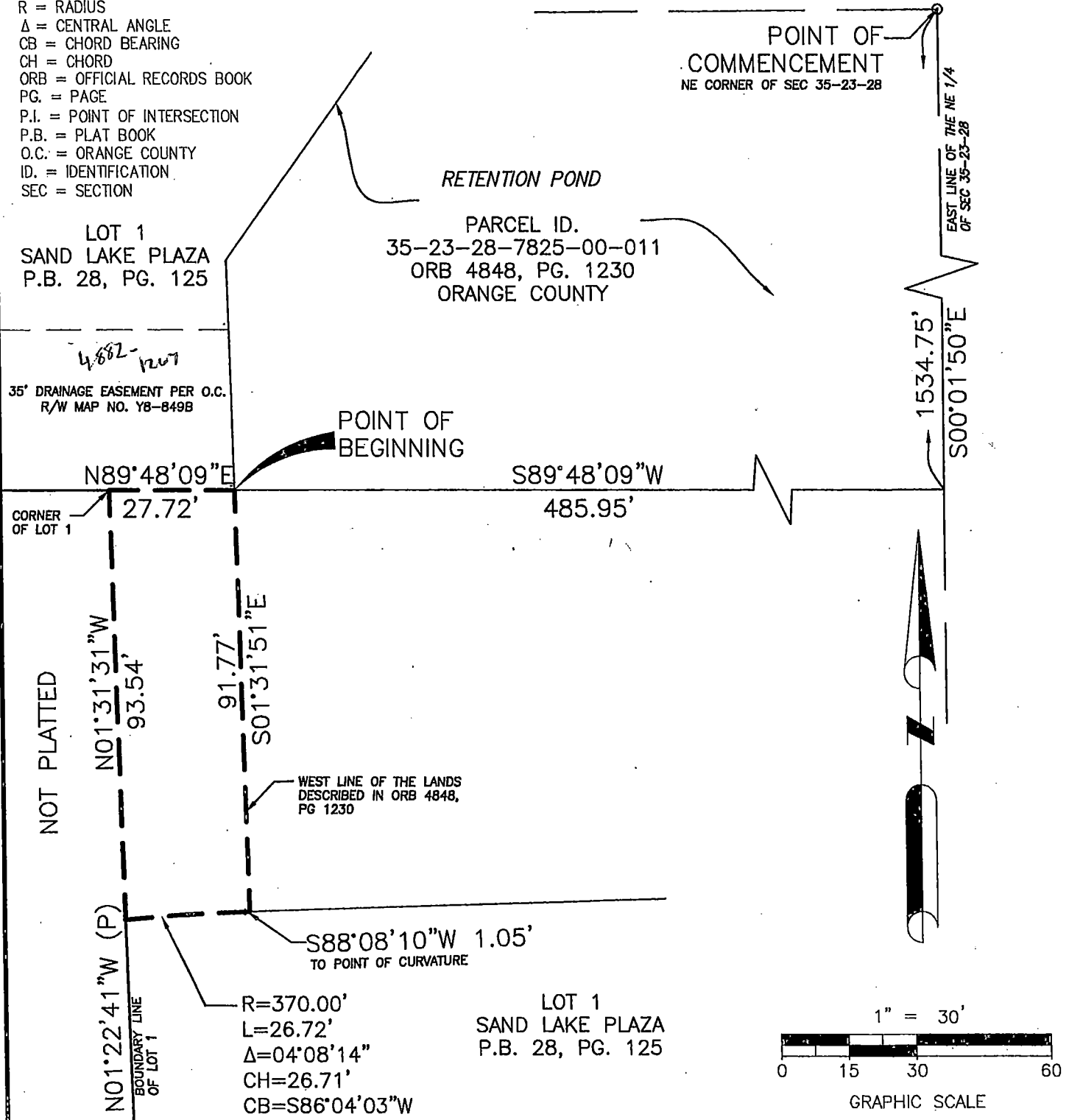
SHEET NO.	OF
1	2
CAD FILE: 151213 GRANADA ESM.	

SKETCH AND LEGAL DESCRIPTION EXHIBIT E

TABLE OF CONTENTS:
SHEET 1 -- LEGAL DESCRIPTION, CERTIFICATION AND NOTES
SHEET 2 -- SKETCH

ABBREVIATIONS:

- L = ARC LENGTH
- R = RADIUS
- Δ = CENTRAL ANGLE
- CB = CHORD BEARING
- CH = CHORD
- ORB = OFFICIAL RECORDS BOOK
- PG. = PAGE
- P.I. = POINT OF INTERSECTION
- P.B. = PLAT BOOK
- O.C. = ORANGE COUNTY
- ID. = IDENTIFICATION
- SEC = SECTION



N89°48'09"E
27.72'

S89°48'09"W
485.95'

1534.75'
S00°01'50"E

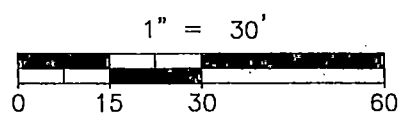
N01°31'31"W
93.54'

91.77'
S01°31'51"E

N01°22'41"W (P)
BOUNDARY LINE
OF LOT 1

S88°08'10"W 1.05'
TO POINT OF CURVATURE

R=370.00'
L=26.72'
 Δ =04°08'14"
CH=26.71'
CB=S86°04'03"W



CARNAHAN · PROCTOR CROSS, INC.
CONSULTING ENGINEERS · SURVEYORS · PLANNERS
604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801
PHONE: (407)960-5980 FAX: (407)960-5983

REV. 10.31.18

DATE: 9/29/2018
DRAWN BY: LSA
CHECKED BY: JWQ

PROJECT # 151213 WAL-MART EASEMENT SKETCH OF DESCRIPTION ORANGE COUNTY, FL

SHEET NO. 2	OF 2
CAD FILE: 151213 GRANADA ESM.	

JUN 04 2019

Project: Granada Loop 17-E-030 Case #PSP-16-11-380

SUBORDINATION OF UTILITY INTERESTS

THIS SUBORDINATION, entered into by and between Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, d/b/a Progress Energy Florida, Inc., hereinafter called ("Utility") and Orange County, a charter county and political subdivision of the State of Florida, hereinafter called ("County")

WITNESSETH:

WHEREAS, the Utility presently has an interest in certain lands that have been determined necessary for public road right-of-way purposes; and

WHEREAS, the proposed use of these lands for public road right-of-way purposes will require subordination of the interest claimed in such lands by Utility to County; and

WHEREAS, County is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, Utility and County agree as follows:

Utility hereby subordinates to the interest of County, its successors, or assigns, any and all of its interest in the lands as follows, viz:

SEE ATTACHED SCHEDULE "A"

Encumbrance(s):

Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, d/b/a Progress Energy Florida, Inc.
FROM: Wal-Mart Stores East, LP
Distribution Easement filed November 16, 2007
Recorded in Official Records Book 9508, Page 2006
Public Records of Orange County, Florida.

PROVIDED that the Utility has the following rights:

1. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with County's current minimum standards for such facilities as required by Article VI, Chapter 21 of the Orange County Code, as it may be replaced, amended, or superseded from time to time. Should County require the Utility to alter, adjust, or relocate its facilities located within said lands in connection with this subordination, County shall pay the reasonable cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements (collectively "Reimbursement Costs").
2. Utility shall provide written notice to County's Director of Public Works (or equivalent in the event of reorganization) of the estimated costs and narrative scope of any alteration, adjustment, relocation, or removal of its facilities or of the acquisition of any additional easements at least 60 days prior to Utility incurring such costs.
3. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions herein, with the exception of the provision herein regarding Reimbursement Costs.
4. The Utility shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of County's facilities.
5. The Utility agrees to indemnify and hold County harmless for, from and against any and all losses, claims or damages incurred by County to the extent arising from Utility's or Utility's Contractor's negligence or failure to exercise reasonable care in the construction, reconstruction, operation or maintenance of Utility's facilities located on the above described easement.

Project: Granada Loop 17-E-030 Case #PSP-16-11-380

IN WITNESS WHEREOF, the Utility has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year below written.

Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, d/b/a Progress Energy Florida, Inc.

Signed, sealed and delivered in the presence of:

By: Karen Adams
Karen Adams, Manager
Land Services – Florida Region

Emily Bower
SIGNATURE LINE
PRINT/TYPE NAME: EMILY BOWER

Date: _____
APPROVED
By Chris King at 3:55 pm, Apr 29, 2019

Brian Gorman
SIGNATURE LINE
PRINT/TYPE NAME: Brian Gorman

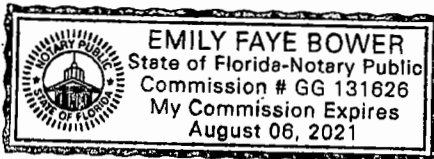
(Two witnesses required by Florida law)

STATE OF FL

COUNTY OF seminole

The foregoing instrument was acknowledged before me this 30th day of April, _____, by Karen Adams, Manager of Land Services – Florida Region for Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, a Florida corporation, d/b/a Progress Energy Florida, Inc., on behalf of the limited liability company, who is personally known to me or who has produced _____ as identification.

Emily Faye Bower
PRINT/TYPE NAME: Emily Faye Bower



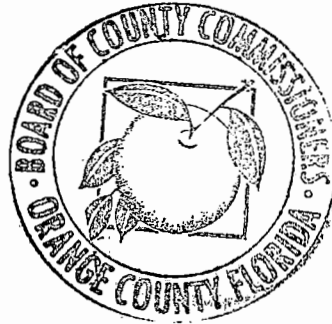
Notary Public in and for the County and State last aforesaid.

My Commission Expires: 8/6/21

Serial No., if any: _____

Project: Granada Loop 17-E-030 Case #PSP-16-11-380

IN WITNESS WHEREOF, County has executed this Subordination on the day and year below written.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings,
Orange County Mayor

Date: 4 June 2019

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

By: *Craig A. Stopyla*
for Deputy Clerk

Craig A. stopyla
Printed 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

S:\Forms & Master Docs\Master Legal DOCS\Master Legal Documents\Subordinations\Duke Energy Subordination for Road Projects.doc 8/9/07rd
rev. 9/20/07rd rev. 3/18/08ak rev. 4/4/11bj rev. 4/11/13bj rev. 2/2/16bj rev. 1/5/17bj rev. 12/8/17jls rev. 10/24/18jls rev 1/24/19bj/0419/2019mat

SKETCH AND LEGAL DESCRIPTION
EXHIBIT E

TABLE OF CONTENTS:
SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES
SHEET 2 - SKETCH

SCHEDULE "A"

LEGAL DESCRIPTION

A portion of Lot 1, Sand Lake Plaza as recorded in Plat Book 28, Page 125 in Orange County, Florida, said lands lying in Section 35, Township 23 South, Range 28 East, Orange County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said section 35; thence run S 00°01'50" E, along the East line of said Northeast 1/4 of Section 35, for a distance of 1534.75 feet; thence leaving said section line run S 89°48'09" W, a distance of 485.95 feet to the Point of Beginning and the West boundary line of the lands described in Official Records Book 4848, Page 1230 of the Public Records of Orange County, Florida; thence along said West line run S 01°31'51" E, a distance of 91.77 feet; thence S 88°08'10" W, a distance of 1.05 feet to a point of curvature of a curve concave southeasterly, having a radius of 370.00 feet, a chord bearing of S 86°04'03" W, and a chord length of 26.71 feet; thence along the arc of said curve through a central angle of 04°08'14" for an arc length of 26.72 feet to the boundary line of said Lot 1; thence along said Boundary line run N 01°31'31" W, a distance of 93.54 feet to a corner of said Lot 1; thence leaving said boundary line run N 89°48'09" E, a distance of 27.72 feet to the Point of Beginning.

Said lands having an area of 2,563.0 square feet, more or less.

OK
LSA

NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 35-23-28, BEING SOUTH 00°01'50" EAST. (ASSUMED)

CERTIFICATION:

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17.05 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

For the firm by:

James W. Quartel 10/31/18
James W. Quartel, P.S.M.
Professional Surveyor and Mapper
Florida License No. 6032



CARNAHAN · PROCTOR CROSS, INC.
CONSULTING ENGINEERS · SURVEYORS · PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801
PHONE: (407)960-5980 FAX: (407)960-5983

REV. 10.31.18

DATE: 9/29/2018
DRAWN BY: LSA
CHECKED BY: JWQ

PROJECT # 151213 WAL-MART EASEMENT SKETCH OF DESCRIPTION ORANGE COUNTY, FL

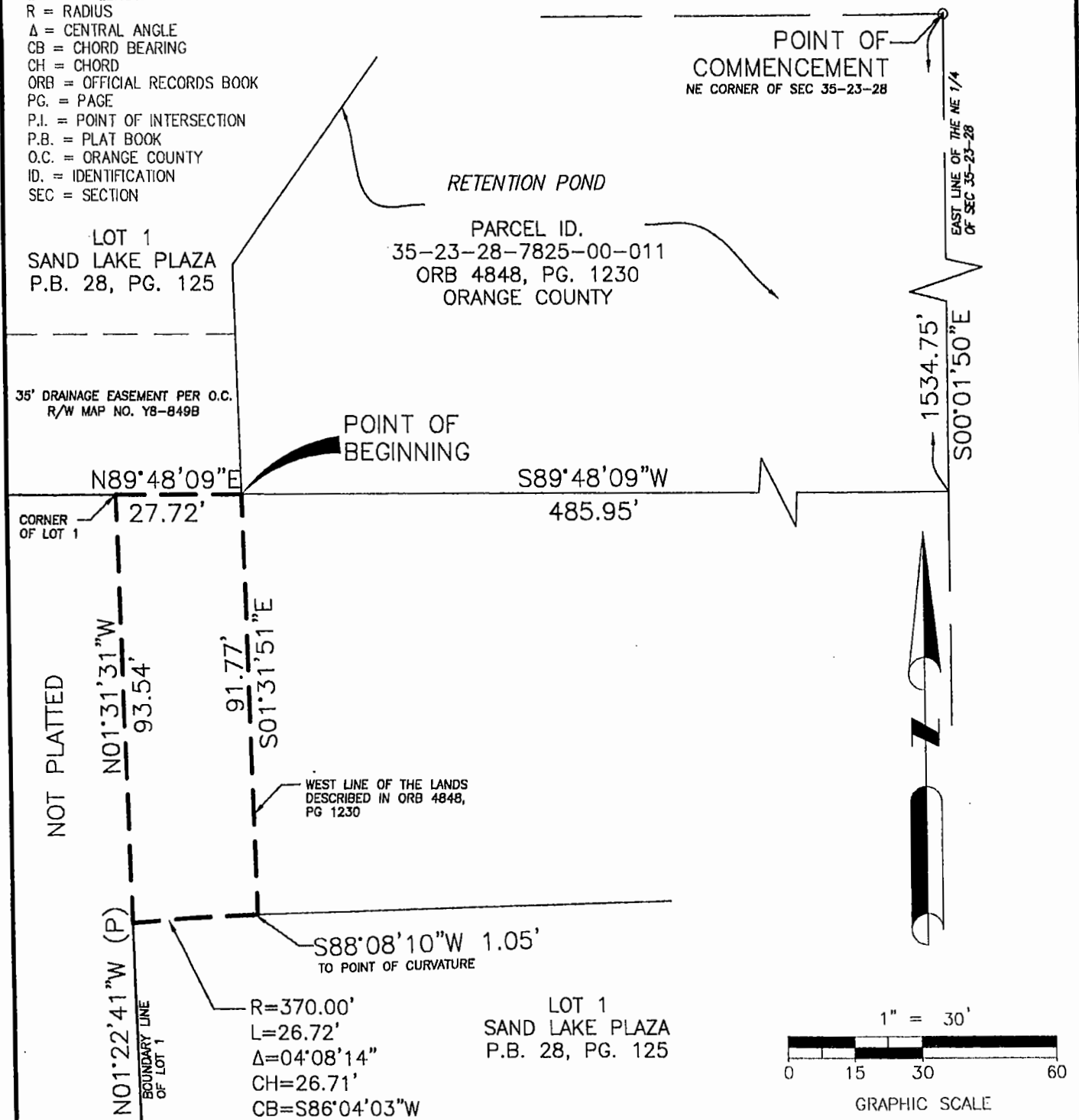
SHEET NO. 1	OF 2
CAD FILE: 151213 GRANADA ESM.	

SKETCH AND LEGAL DESCRIPTION EXHIBIT E

TABLE OF CONTENTS:
SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES
SHEET 2 - SKETCH

ABBREVIATIONS:

- L = ARC LENGTH
- R = RADIUS
- Δ = CENTRAL ANGLE
- CB = CHORD BEARING
- CH = CHORD
- ORB = OFFICIAL RECORDS BOOK
- PG. = PAGE
- P.I. = POINT OF INTERSECTION
- P.B. = PLAT BOOK
- O.C. = ORANGE COUNTY
- ID. = IDENTIFICATION
- SEC = SECTION



N89°48'09"E

S89°48'09"W

27.72'

485.95'

N01°31'31"W

93.54'

91.77'

S01°31'51"E

WEST LINE OF THE LANDS
DESCRIBED IN ORB 4848,
PG 1230

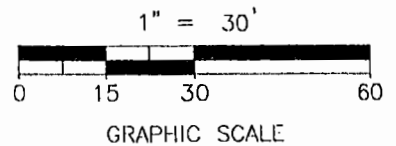
S88°08'10"W 1.05'
TO POINT OF CURVATURE

R=370.00'
L=26.72'
Δ=04°08'14"
CH=26.71'
CB=S86°04'03"W

LOT 1
SAND LAKE PLAZA
P.B. 28, PG. 125

EAST LINE OF THE NE 1/4
OF SEC 35-23-28

1534.75'
S00°01'50"E



CARNAHAN · PROCTOR CROSS, INC.
CONSULTING ENGINEERS · SURVEYORS · PLANNERS
604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801
PHONE: (407)960-5980 FAX: (407)960-5983

REV. 10.31.18

DATE: 9/29/2018
DRAWN BY: LSA
CHECKED BY: JWQ

PROJECT # 151213
WAL-MART EASEMENT
SKETCH OF DESCRIPTION
ORANGE COUNTY, FL

SHEET NO. 2	OF 2
CAD FILE: 151213 GRANADA ESM.	