



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

**DATE:** November 22, 2021

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**THROUGH:** Mindy T. Cummings, Manager  
Real Estate Management Division *MT/C*

**FROM:** Mary Tiffault, Senior Title Examiner *MT/MT/C*  
Real Estate Management Division

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

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

**ACTION REQUESTED:** Approval of Drainage Easement from KB Home Orlando, LLC and Antonio Angulo Betancourt and Ruth Garzon to Orange County and authorization to record instrument

**PROJECT:** Vineyards of Horizons W. Ph 4-Stillwater Crossing & Center Bridge  
PD/Vineyards T.H Phases 2A - 5  
  
District 1

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

**ITEM:** Drainage Easement  
Cost: Donation  
Size: 4,333 square feet

**APPROVALS:** Real Estate Management Division  
Public Works Development Engineering Division

**REMARKS:** Grantors to pay all recording fees

THIS IS A DONATION

Project: Vineyards of Horizons W. Ph 4-Stillwater Crossing & Center Bridge PD/Vineyards  
T.H.F Phases 2A-5

**DRAINAGE EASEMENT**

THIS INDENTURE, Made this 25 day of July, A.D. 2019, between KB Home Orlando LLC, a Delaware limited liability company, as to Parcel 23-23-27-8706-16-010, whose address is 9102 Southpark Center Loop, Suite 100, Orlando, Florida, 32819 and Antonio Angulo Betancourt and Ruth Garzon, husband and wife, as to Parcel 23-23-27-8706-01-450, whose address is 13712 Beckman Drive, Windermere, Florida 34786, GRANTORS, 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 GRANTORS, in consideration of the sum of \$10.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, do hereby give and grant to the GRANTEE and its assigns, an easement for drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility over, under, and upon the following described lands situate in Orange County aforesaid to-wit:

**SEE ATTACHED EXHIBIT "A"**

**Property Appraiser's Parcel Identification Numbers:**

**portions of**

**23-23-27-8706-16-010**

**and**

**23-23-27-8706-01-450**

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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTORS, their heirs, successors, and assigns agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the drainage ditch, pipe, or facility.

Project: Vineyards of Horizons W. Ph 4-Stillwater Crossing & Center Bridge PD/Vineyards  
T.I.I.F Phases 2A-5

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

Signed, sealed and delivered  
in the presence of:

[Signature]  
Witness

Eileen Sesto  
Printed Name

[Signature]  
Witness

Miraida Lare  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of July, 2019,  
by Stephen McConn, as Director Land Development, of KB Home Orlando LLC, 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 25 day of July, 2019.

(Notary Seal)



[Signature]  
Notary Signature

Miraida Lare  
Printed Notary Name

Notary Public in and for  
the County and State aforesaid

My commission expires:

Project: Vineyards of Horizons W. Ph 4-Stillwater Crossing & Center Bridge PD/Vineyards  
T.H.F Phases 2A-5

Signed, sealed and delivered  
in the presence of:

Witness [Signature]

Witness Patricia Gil

Printed Name [Signature]

Witness Karen Sanders

Printed Name [Signature]

Witness Johanna Diaz

Printed Name [Signature]

Witness Carolina Habash

Printed Name

BY: [Signature]  
Antonio Angulo Betancourt

BY: Ruth M Garzon G  
Ruth Garzon

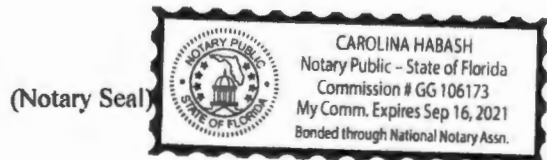
(Signature of TWO witnesses required by Florida law)

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 10 day of September, 2019,  
by Antonio Angulo Betancourt and Ruth Garzon, husband and wife, who are personally known to me or  
each have produced \_\_\_\_\_ and \_\_\_\_\_ as  
identification.

Witness my hand and official seal this 10 day of September, 2019.



[Signature]  
Notary Signature  
CAROLINA HABASH  
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

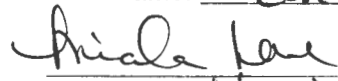
My commission expires: Sept 16, 2021

**JOINDER AND CONSENT TO DRAINAGE EASEMENT**

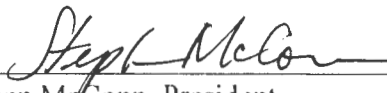
Vineyards of Horizons West Master Association, Inc., a Florida not for profit corporation (the "Association"), being granted certain easement rights by virtue of that certain Master Declaration of Covenants, Easements, and Restrictions for Vineyards of Horizons West recorded January 10, 2013, as Official Records Book 10503, Page 7879, amended by Amendment to Master Declaration of Covenants, Conditions, Easements, and Restrictions for Vineyards of Horizons West, Official Records Book 10545, Page 5210, Second Amendment to Master Declaration of Covenants, Conditions, Easements, and Restrictions for Vineyards of Horizons West, Official Records Book 10721, Page 295, Second Amendment to Master Declaration of Covenants, Conditions, Easements, and Restrictions for Vineyards of Horizons West, Official Records Book 10744, Page 4564, Third Amendment to Master Declaration of Covenants, Conditions, Easements, and Restrictions for Vineyards of Horizons West, Official Records Document No. 20160143501, Fourth Amendment to Master Declaration of Covenants, Conditions, Easements, and Restrictions for Vineyards of Horizons West, Official Records Document No. 20160641586, Sixth Amendment to Master Declaration of Covenants, Conditions, Easements, and Restrictions for Vineyards of Horizons West, Official Records No. 2018001915, Seventh Amendment to Master Declaration of Covenants, Conditions, Easements, and Restrictions for Vineyards of Horizons West, Official Records Document No. 20180561582, Eighth Amendment to Master Declaration of Covenants, Conditions, Easements and Restrictions for Vineyards of Horizons West, Official Records Document No. 20190067406, and Plat of Vineyards of Horizons West Phase 4, as recorded in Plat Book 97, Pages 21 through 26, ("Encumbrances"), all of the Public Records of Orange County, Florida, hereby joins in and consents to the execution and recording of the foregoing Drainage Easement and agrees that such Drainage Easement shall constitute a valid and lasting encumbrance on the easement area described herein notwithstanding anything in the Encumbrances to the contrary and further agrees that the Encumbrances, as they have been, and as they may be, modified or amended from time to time, shall be subordinated to the Drainage Easement, as said easement may be modified, amended, and/or assigned from time to time.

Witnesses:

  
Print Name: Eileen Sesto

  
Print Name: Miraida Lare

Vineyards of Horizons West Master  
Association, Inc., a Florida not for profit  
corporation

By:   
Stephen McConn, President

Project: Vineyards of Horizons W. Ph 4-Stillwater Crossing & Center Bridge PD/Vineyards  
T.H.F Phases 2A-5

STATE OF Florida )  
COUNTY OF Orange )

The foregoing instrument was acknowledged before me this 25 day of July, 2019,  
by Stephen McConn, as President, of Vineyards of Horizons West Master Association, Inc., a  
Florida not for profit corporation, on behalf of said corporation. He X is personally known to  
me, or has produced \_\_\_\_\_ as identification.

(Notary Seal)



Miraida Lare

Notary Public

Print Name: Miraida Lare

My Commission Expires: 8-4-23

**JOINDER AND CONSENT TO DRAINAGE EASEMENT**

Vineyards of Horizons West Townhome Association, Inc., a Florida not for profit corporation (the "Association"), being granted certain easement rights by virtue of that certain Declaration of Covenants, Easements, and Restrictions for Vineyards of Horizons West Townhomes, recorded May 5, 2014, as Official Records Book 10744, Page 4500, as amended by First Amendment to Declaration of Covenants, Easements, and Restrictions for Vineyards of Horizons West Townhomes recorded on March 22, 2016 as Official Records Document Number 20160143599 and Second Amendment to Declaration of Covenants, Easements, and Restrictions for Vineyards of Horizons West Townhomes recorded on May 5, 2017 as Official Records Document Number 20170267320, and Plat of Vineyards of Horizons West Phase 4, as recorded in Plat Book 97, Pages 21 through 26, ("Encumbrances"), all of the Public Records of Orange County, Florida, hereby joins in and consents to the execution and recording of the foregoing Drainage Easement and agrees that such Drainage Easement shall constitute a valid and lasting encumbrance on the easement area described herein notwithstanding anything in the Encumbrances to the contrary and further agrees that the Encumbrances, as they have been, and as they may be, modified or amended from time to time, shall be subordinated to the Drainage Easement, as said easement may be modified, amended, and/or assigned from time to time.

Witnesses: Eileen Sato  
Print Name: Eileen Sato  
Witness: Miraida Lare  
Print Name: Miraida Lare

Vineyards of Horizons West Townhome Association, Inc., a Florida not for profit corporation

By: Stephen McConn  
Stephen McConn, President

STATE OF Florida )  
COUNTY OF Orange )

The foregoing instrument was acknowledged before me this 25 day of July, 2019, by Stephen McConn, as President, of Vineyards of Horizons West Townhome Association, Inc., a Florida not for profit corporation, on behalf of said corporation. He X is personally known to me, or has produced \_\_\_\_\_ as identification.



Miraida Lare  
Notary Public  
Print Name: Miraida Lare  
My Commission Expires: 8-4-23

# EXHIBIT "A"

## SKETCH OF DESCRIPTION

SHEET 1 OF 2 THIS IS NOT A SURVEY:

### LEGAL DESCRIPTION (20.00' Drainage Easement).

A parcel of land being 20.00 feet in width, comprising the Easterly 4.50 feet of Lot 145 together with a portion of Tract P-10 of VINEYARDS OF HORIZONS WEST PHASE 4 as recorded in Plat Book 97, Pages 21 through 26 of the Public Records of Orange County, Florida.

Being more particularly described as follows:

COMMENCE at the Southeast corner of aforesaid Tract P-10; thence run South 89°46'42" West along the South line of said Tract P-10 for a distance of 209.24 feet to the POINT OF BEGINNING; thence continuing along said South line run South 89° 46' 42" West for a distance of 20.23 feet; thence departing said South line run North 08° 52' 23" West for a distance of 101.08 feet; thence run North 48° 28' 18" East for a distance of 124.97 feet to a point on the Southerly right-of-way line of Soter Lane according to aforesaid Plat; thence run South 41° 31' 42" East along said Southerly right-of-way line for a distance of 20.00 feet; thence departing said Southerly right-of-way line run South 48° 28' 18" West for a distance of 114.03 feet; thence run South 08° 52' 23" East for a distance of 93.19 feet to the POINT OF BEGINNING;

Contains 4333 square feet, 0.10 acres more or less.

OK  
R/S



**ALLEN  
&  
COMPANY**

Professional Surveyors & Mappers

16 East Plant Street  
Winter Garden, Florida 34787 • (407) 854-5355

### SURVEYOR'S NOTES:

SK20

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF TRACT P-10, VINEYARDS OF HORIZONS WEST PHASE 4 P.B. 97, PGS. 21-26, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING SOUTH 89°46'42" WEST
3. THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
4. THE ADJOINING RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PROPERTY APPRAISER PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. 20140030

CALCULATED BY: SEJ

FOR THE LICENSED BUSINESS # 6723 BY:

DATE: 10-22-2018

DRAWN BY: SEJ

SCALE: 1"=50'

CHECKED BY: SEJ

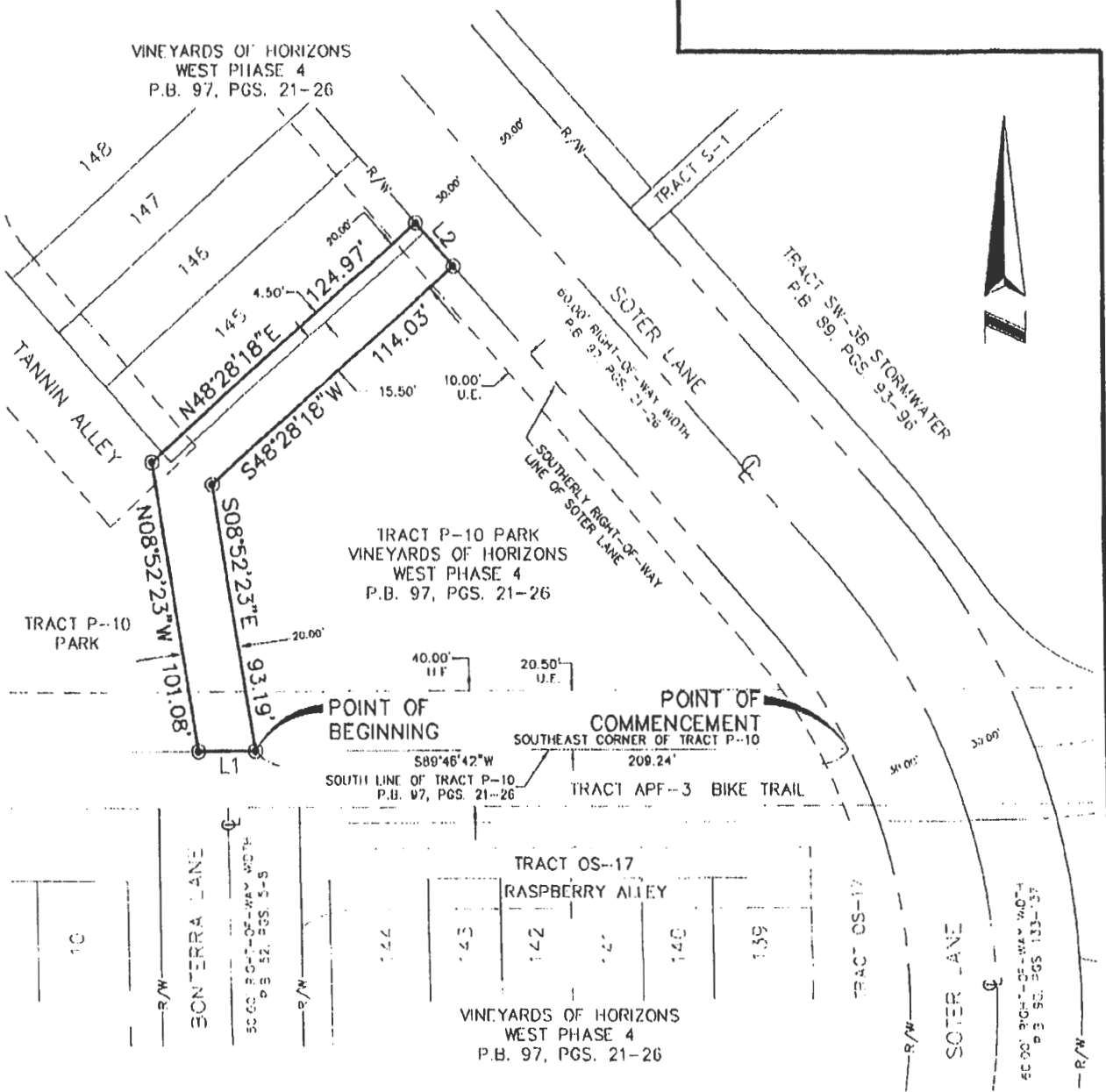
FIELD BY: N/A

JAMES L. ROCKMAN P.S.M. # 5633



# SKETCH OF DESCRIPTION

SHEET 2 OF 2 THIS IS NOT A SURVEY:



**ALLEN  
&  
COMPANY**

Plotters and Surveyors & Mapmakers

16 East Plant Street  
Water Garden, Florida 34787 \* (407) 654 5353

## LINE TABLE

LINE	LENGTH	BEARING
L1	20.23'	S89°46'42"W
L2	20.00'	S41°31'42"E

## LEGEND:

- ⊙ DENOTES CHANGE IN DIRECTION
- R/W DENOTES RIGHT-OF-WAY
- ⊙ DENOTES CENTERLINE
- P.B. DENOTES PLAT BOOK
- PGS. DENOTES PAGES

SK20

JOB NO. 20140030

CALCULATED BY: SEJ

DATE: 10-22-2018

DRAWN BY: SEJ

SCALE: 1"=50'

CHECKED BY: SEJ

FIELD BY: N/A