



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: April 13, 2022

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

THROUGH: Mindy T. Cummings, Manager
Real Estate Management Division *MTC*

FROM: Elizabeth Price Jackson, Senior Title Examiner *EPJ/MTC*
Real Estate Management Division

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

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

ACTION REQUESTED: Approval and execution of Resolution and Subordinations of County Utility Interests and County Subordination Agreement by and between Orange County and the State of Florida Department of Transportation.

PROJECT: FDOT – S.R. 400 (I-4) at Turkey Lake Road (Central Florida Parkway to Sand Lake Road) (F.P. # 242484 7), FDOT Parcels 102.2A, 104.5, 117.3B, 801.3, 803.2, 808.3, and 809.4

District 6

PURPOSE: To subordinate certain County Utility Interests as necessary for the road improvements required by Florida Department of Transportation (FDOT).

ITEMS: Resolution

Subordination of County Utility Interests
(FDOT Document 102.2A)

Subordination of County Utility Interests
(FDOT Document 104.5)

Subordination of County Utility Interests
(FDOT Document 117.3B)

Subordination of County Utility Interests
(FDOT Document 801.3)

Subordination of County Utility Interests
(FDOT Document 803.2)

Subordination of County Utility Interests
(FDOT Document 808.3)

County Subordination Agreement
(FDOT Document 809.4)

APPROVALS: Real Estate Management Division
County Attorney's Office
Public Works Department
Utilities Department
Environmental Protection Division

REMARKS: This action subordinates the County's utility interests within the area needed for the I-4 at Turkey Lake Road (Central Florida Parkway to Sand Lake Road) to FDOT.

FDOT to pay recording fees and record instrument.

~~APR 26 2022~~

23-UTL ORANGE COUNTY-10/11

July 29, 2021

This instrument prepared by

Tammy Mackey

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 102.2A

SECTION 75280

F.P. NO. 242484 7

STATE ROAD 400

COUNTY ORANGE

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County'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, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL NO. 102

SECTION 75280

RIGHT OF WAY

F.P. NO. 242484 7

THAT PART OF:

"A parcel of land in the Southeast 1/4 of Section 11, Township 24 South, Range 28

PARCEL NO. 102.2A
SECTION 75280
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PAGE 2

East, Orange County, Florida, being described as follows:

Commence at the Southwest corner of said Southeast 1/4 as a point of reference; Thence run S 89°25'06" E, along the South line thereof, 377.06 feet to the West right of way line of Palm Parkway as recorded in Official Records Book 5433, Page 837 of the Orange County Public Records; Thence run N 36°49'20" E, along said west line, 277.04 feet to a curve concave to the Northwest; Thence continue Northeasterly along said West right of way line and curve having a radius of 6098.79 feet, a central angle of 06°07'06"; an arc length of 651.27 feet, a chord bearing of N 33°45'46" E and a chord distance of 650.96 feet to the point of beginning; Thence departing aforesaid West line run N 59°17'47" W, 490.28 feet; Thence run N 56°53'25" W, 588.31 feet to the Northeast corner of the Southeast 1/4 of the Southwest 1/4 of said section 11; Thence run N 00°24'30" W, along the West line of the Southeast 1/4 of said section 11; 1330.85 feet to the North line thereof; Thence run N 89°25'23" E, along said North line 2507.64 feet to the aforementioned West right of way line of Palm Parkway; Thence run S 27°33'35" W, along said West line, 282.76 feet to a non-tangent curve concave to the Northwest; Thence run Southwesterly along said West right of way line and curve having a central angle of 11°27'36", a radius of 899.93 feet, an arc length of 180.00 feet, a chord bearing of S 42°20'01" W and a chord distance of 179.70 feet; Thence run S 41°56'11" E, continuing along said West line, 5.00 feet; Thence run S 48°03'49" W, continuing along said West line, 745.80 feet to a curve concave to the Southeast; Thence run Southwesterly along said West line and curve having a central angle of 11°43'27", a radius of 2715.94 feet, an arc length of 555.75 feet, a chord bearing of S 42°12'05" W and a chord distance of 554.78 feet to a compound curve concave to the Southeast; Thence run Southwesterly along said West line and curve having a central angle of 06°22'01", a radius of 6065.00 feet, an arc length of 673.97 feet, a chord bearing of S 33°09'21" W and a chord distance of 673.63 feet to a reverse curve concave to the Northwest; Thence run Southwesterly along said West line and curve having a central angle of 00°43'53", a radius of 6098.79 feet, an arc length of 77.84 feet, a chord bearing of S 30°20'17" W and a chord distance of 77.84 feet to the point of beginning.

The above described parcel of land contains 67.552 acres more or less."

(The above described lands being a portion of lands described in Official Records Book 10495, Page 6410 of the Public Records of Orange County, Florida.)

PART "A"

DESCRIBED AS FOLLOWS:

PARCEL NO. 102.2A
SECTION 75280
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Commence at the Southwest corner of the Southeast 1/4 of Section 11, Township 24 South, Range 28 East, Orange County, Florida being a found 6" x 6" concrete monument with the top broken off and no identification as shown on the Florida Department of Transportation Right of Way Map for State Road 400, Section 75280, F.P. No. 242484-7 on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Florida; Thence run South 89°25'21" East, along the South line of the Southeast 1/4 of said Section 11, 376.80 feet to the Westerly Right of Way line of Palm Parkway as recorded in Official Records Book 5433, Page 837 of the Public Records of Orange County, Florida; Thence run North 36°48'58" East, along said Westerly Right of Way line, 277.16 feet to the point of curvature of a curve concave Northwesterly and having a radius of 6098.79 feet; Thence continue Northeasterly along said Westerly Right of Way line and the arc of said curve to the left, through a central angle of 06°07'06", an arc length of 651.27 feet to the end of said curve and the POINT OF BEGINNING, said point being at the Southeasterly corner of those certain lands as described in Official Records Book 10495, Page 6410 of the Public Records of Orange County, Florida; Thence departing said Westerly Right of Way line, North 59°18'08" West along the Southerly line of said lands, a distance of 260.18 feet; Thence North 33°22'54" East, a distance of 1133.18 feet; Thence North 68°20'55" East, a distance of 236.39 feet to the Southerly line of an Orange County Ditch Easement (60 feet in width) as recorded in Deed Book 455, Page 495 of the Public Records of Orange County, Florida; Thence South 56°15'48" East along said Southerly line, a distance of 201.31 feet; Thence departing said Southerly line North 48°01'30" East, a distance of 112.21 feet; Thence North 41°58'30" West, a distance of 5.00 feet; Thence North 48°01'30" East, a distance of 10.00 feet; Thence South 41°58'30" East, a distance of 5.00 feet; Thence North 48°01'30" East, a distance of 116.88 feet; Thence North 41°58'30" West, a distance of 5.00 feet; Thence North 48°01'30" East, a distance of 10.00 feet; Thence South 41°58'30" East, a distance of 5.00 feet; Thence North 48°01'30" East, a distance of 175.49 feet; Thence North 48°03'17" East, a distance of 307.32 feet to a point on the aforementioned Westerly Right of Way line of Palm Parkway; Thence along said Westerly Right of Way line the following six (6) courses: (1) South 41°56'43" East, a distance of 5.00 feet; (2) South 48°03'17" West, a distance of 307.33 feet; (3) South 48°03'39" West a distance of 437.54 feet to the point of curvature of a tangent curve concave Southeasterly and having a radius of 2715.93 feet; (4) along the arc of said curve to the left, through a central angle of 11°43'39", an arc distance of 555.91 feet, said curve having a chord bearing and distance of South 42°11'50" West, 554.94 feet to the point of compound curvature of a curve concave Southeasterly and having a radius of 6065.00 feet; (5) along the arc of said curve to the left, through a central angle of 06°22'01", an arc distance of 673.97 feet, said curve having a chord bearing and distance of South 33°08'59" West, 673.62 feet to the point of reverse curvature of a curve concave Northwesterly and having a radius of 6098.79 feet; (6) along the arc of said curve to the right, through a central angle of 00°43'53", an arc distance of 77.84 feet, said curve having a chord bearing and distance of South 30°19'55" West, 77.84 feet to the end of said curve and said courses and the POINT OF BEGINNING.
Containing 7.832 acres, more or less.

PARCEL NO. 102.2A
SECTION 75280
F.P. NO. 242484 7
PAGE 4

This legal description prepared under the direction of:
Ernesto J. Garcia, P.S.M. No. 3878
CivilSurv Design Group, Inc.
2525 Drane Field Road, Suite 7
Lakeland, Florida 33811

RECORDED

Drainage Easement in favor of Orange County recorded in Deed Book 455, Page 495, of Public Records of Orange County, Florida;

PROVIDED that the County has the following rights:

1. The County 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 the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits or any subsequent utility permits shall supersede any contrary provisions, with the exception of the provisions herein regarding reserved rights and reimbursement rights.
3. The County 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 the F.D.O.T.'s facilities.
4. The County and F.D.O.T. agree to repair any damage to the other's facilities resulting from the County or F.D.O.T. exercising its rights outlined herein; provided, however that work necessitated as a result of F.D.O.T. exercising its rights under the last sentence of Paragraph 1 above shall not be deemed to be damage and provided further that nothing herein shall be construed to be a waiver of sovereign immunity with respect to either party.

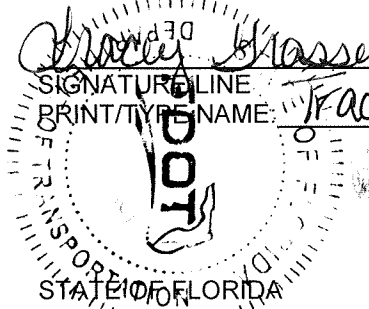
PARCEL NO. 102.2A
SECTION 75280
F.P. NO. 242484 7
PAGE 5

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

Omayra Wallace
SIGNATURE LINE
PRINT/TYPE NAME: Omayra Wallace

Tracey Grasser
SIGNATURE LINE
PRINT/TYPE NAME: Tracey Grasser



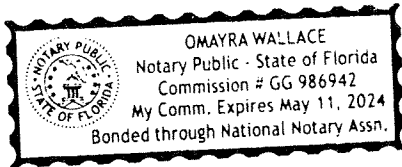
COUNTY OF VOLUSIA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: C. Jack Adkins, P.E.
District Director Of
Transportation Development
for District Five
719 S. Woodland Blvd.
DeLand, Florida 32720

Legal Review
By: [Signature]
Office of the General Counsel

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 13 day of May, 2022, by C. Jack Adkins, P.E., District Director of Transportation Development for District Five, who is personally known to me or who has produced _____ as identification.



Omayra Wallace
PRINT/TYPE NAME: Omayra Wallace
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: May 11, 2024
Serial No., if any: _____

PARCEL NO. 102.2A
SECTION 75280
F.P. NO. 242484 7
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IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

DATE: 27 April 2022

Address :
P. O. Box 1393
Orlando , FL 32802-1393

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

BY: *Emily Rivera*
for Deputy Clerk
Emily Rivera
Printed Name

APR 26 2022

23-UTL ORANGE COUNTY-10/11

July 29, 2021

This instrument prepared by

Tammy Mackey

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 104.5
SECTION 75280
F.P. NO. 242484 7
STATE ROAD 400
COUNTY ORANGE

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County'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, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

**PARCEL NO. 104 SECTION 75280
LIMITED ACCESS RIGHT OF WAY**

F.P. NO. 242484 7

THAT PART OF

"The land referred to herein below is situated in the County of Orange, State of

PARCEL NO. 104.5
SECTION 75280
F.P. NO. 242484 7
PAGE 2

Florida, and is described as follows:

A portion of Lot 1, I L H Interchange Center, according to the plat thereof, as recorded in Plat Book 27, Pages 96, 97 and 98, inclusive, Public Records of Orange County, Florida, lying in Sections 11 and 12, Township 24 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Begin at the Northeast corner of said Lot 1, said point lying on the Westerly right-of-way line of Westwood Boulevard; thence run Southwesterly, along the Westerly right-of-way line of Westwood Boulevard, the following four (4) courses and distances; run South 22°23'13" West a distance of 107.43 feet to a point of curvature of a curve, concave Northwesterly, having a radius of 615.01 feet and a central angle of 33°41'09"; thence run Southwesterly, along the arc of said curve, a distance of 361.58 feet to the point of tangency thereof; thence run South 56°04'22" West a distance of 431.64 feet to a point of curvature of a curve, concave Southeasterly, having a radius of 690.00 feet and a central angle of 05°13'28"; thence run Southwesterly, along the arc of Said curve, a distance of 62.92 feet to a point on said curve; thence, departing Said Westerly right-of-way line, run North 47°22'43" West, a distance of 805.37 feet to a point on the Easterly limited access right-of-way line of Interstate No. 4; thence run Northerly and Easterly, along said Easterly limited access right-of-way line, the following courses and distances; run North 43°44'05" East, a distance of 315.71 feet; thence run South 59°34'15" East a distance of 43.12 feet; thence run South 69°17'20" East a distance of 49.77 feet; thence run South 00°25'43" East a distance of 67.45 feet; thence run North 89°34'18" East a distance of 120.00 feet; thence run North 00°25'42" West a distance of 203.56 feet; thence run South 88°56'11" East a distance of 141.99 feet to a point on the Southerly right-of-way line of Central Florida Parkway; thence run Easterly, along said Southerly right-of-way line, the following courses and distances; run South 75°16'33" East a distance of 188.38 feet to a point of curvature of a non-tangent curve, concave Northeasterly, having a radius of 1,578.00 feet; thence, on a chord bearing of South 76°26'47" East and a chord distance of 178.88 feet, run Easterly, along the arc of said curve, a distance of 178.98 feet, through a central angle of 06°29'55" to the end of said curve; thence run South 79°41'45" East a distance of 316.41 feet to a point of curvature of curve, concave Southwesterly, having a radius of 50.00 feet and a central angle of 102°04'58"; thence run Southeasterly, along the arc of said curve, a distance of 89.08 feet to the Point of Beginning."

PARCEL NO. 104.5
SECTION 75280
F.P. NO. 242484 7
PAGE 3

(The above described lands being described in Orange County Document No. 20160326765 of the Public Records of Orange County, Florida.)

PART "B"

DESCRIBED AS FOLLOWS:

Commence at the Southeast corner of the Southeast 1/4 of Section 11, Township 24 South, Range 28 East, Orange County, Florida, being a found 4" x 4" concrete monument with no identification as shown on the Florida Department of Transportation Right of Way Map for State Road 400, Section 75280, F.P. No. 242484-7 on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Florida; Thence North 00°25'25" West along the South line of the Southeast 1/4 of said Section 11 a distance of 1000.18 feet to the Southerly Limited Access Right of Way line of the Central Florida Parkway as shown on said Right of Way Map; Thence along said Southerly Limited Access Right of Way line the following three (3) courses: (1) North 89°34'35" East a distance of 60.14 feet; (2) North 00°29'51" West a distance of 203.99 feet; (3) South 88°56'32" East a distance of 55.95 feet to a point designated as POINT "A" and the POINT OF BEGINNING; Thence continuing along said Southerly Limited Access Right of Way line and the Southerly Right of Way line the following five (5) courses: (1) South 88°56'32" East a distance of 86.41 feet; (2) South 75°16'54" East a distance of 188.36 feet; to the beginning of a non-tangent curve concave Northerly and having a radius of 1578.00 feet; (3) Thence from a tangent bearing of South 73°12'06" East along the arc of said curve to the left, through a central angle of 06°29'54", an arc distance of 178.97 feet; (4) South 79°42'00" East a distance of 316.34 feet to the point of curvature of a curve concave Southwesterly and having a radius of 50.00 feet; (5) Thence along the arc of said curve to the right, through a central angle of 61°13'43", an arc distance of 53.43 feet, said curve having a chord bearing and distance of South 49°05'08" East, 50.93 feet to the end of said curve and said courses; Thence departing said Southerly Right of Way line North 79°06'48" West a distance of 343.43 feet; Thence North 79°08'23" West a distance of 68.39 feet; Thence North 74°28'42" West a distance of 69.51 feet; Thence North 68°09'37" West a distance of 45.55 feet; Thence North 77°36'57" West a distance of 55.19 feet; Thence North 75°58'00" West a distance of 115.76 feet to a point designated as POINT "B"; Thence North 75°58'00" West a distance of 115.76 feet to the aforementioned POINT "A" and the POINT OF BEGINNING; Containing 16,181 square feet, more or less.

Together with all rights of ingress, egress, light, air and view between the grantor's remaining property along those courses described above between aforesaid "Point A" and "Point B" and any

PARCEL NO. 104.5
SECTION 75280
F.P. NO. 242484 7
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facility constructed on the above described property.

RECORDED

Drainage Easement recorded in Deed Book 455, Page 495 and Plat Book 27, Page 96 through 98; along with Utility Easement recorded in ORB 10923, Page 586 in favor of Orange County;

PROVIDED that the County has the following rights:

1. The County 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 the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits or any subsequent utility permits shall supersede any contrary provisions, with the exception of the provisions herein regarding reserved rights and reimbursement rights.
3. The County 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 the F.D.O.T.'s facilities.
4. The County and F.D.O.T. agree to repair any damage to the other's facilities resulting from the County or F.D.O.T. exercising its rights outlined herein; provided, however that work necessitated as a result of F.D.O.T. exercising its rights under the last sentence of Paragraph 1 above shall not be deemed to be damage and provided further that nothing herein shall be construed to be a waiver of sovereign immunity with respect to either party.

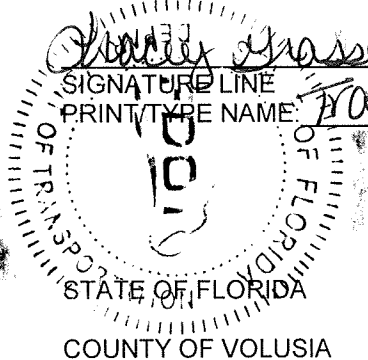
PARCEL NO. 104.5
SECTION 75280
F.P. NO. 242484 7
PAGE 5

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

Omayra Wallace
SIGNATURE LINE
PRINT/TYPE NAME: Omayra Wallace

Tracy Grasser
SIGNATURE LINE
PRINT/TYPE NAME: Tracy Grasser



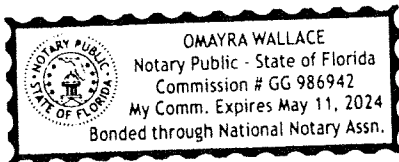
COUNTY OF VOLUSIA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: C. Jack Adkins
District Director Of
Transportation Development
for District Five
719 S. Woodland Blvd.
DeLand, Florida 32720

Legal Review
By: [Signature]
Office of the General Counsel

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 13 day of May, 2022, by C. Jack Adkins, P.E., District Director of Transportation Development for District Five, who is personally known to me or who has produced _____ as identification.



Omayra Wallace
PRINT/TYPE NAME: Omayra Wallace
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: 05/11/2024
Serial No., if any: _____

PARCEL NO. 104.5
SECTION 75280
F.P. NO. 242484 7
PAGE 6

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

DATE: 27 April 2022

Address :
P. O. Box 1393
Orlando , FL 32802-1393

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

BY: *Emily Rivera*
for Deputy Clerk

Emily Rivera
Printed Name

APR 26 2022

23-UTL ORANGE COUNTY-10/11

July 29, 2021

This instrument prepared by

Tammy Mackey

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 117.3B

SECTION 75280

F.P. NO. 242484 7

STATE ROAD 400

COUNTY ORANGE

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this _____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County'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, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL NO. 117.3B
SECTION 75280
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PARCEL NO. 117

SECTION 75280

RIGHT OF WAY

F.P. NO. 242484 7

THAT PART OF:

“PARCEL A:

Certain real property located In Section 35, Township 23 South, Range 28 East, Orange County, Florida, more particularly described as follows (hereinafter referred to as the "Subject Property"), to wit:

From the Northeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 35, Township 23 South, Range 28 East, Orange County, Florida, run South 00° 14' 06" West along the East line of said West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 35, a distance of 60.00 feet to the Point of Beginning on the South Right of Way line of Sand Lake Road, thence continue South 00° 14' 06" West, 260.00 feet; thence run South 89° 45' 59" West, parallel with the North line of said West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 35, a distance of 330.00 feet; thence North 00° 14' 06" East, 260.00 feet to the aforesaid South Right of Way line of Sand Lake Road; thence run North 89° 45' 59" East along said South Right of Way line 330.00 feet to the Point of Beginning.

LESS AND EXCEPT the following described parcel of real property:

Commence at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 35, Township 23 South, Range 28 East; thence North 89° 36' 41" East a distance of 330.41 feet; thence South 00° 04' 48" West a distance of 60.00 feet to the Point of Beginning at the existing South right of way of Sand Lake Road and the West right of way of the proposed realignment of Turkey Lake Road; thence continue South 00° 04' 48" West a distance of 22.00 feet; thence North 45° 09' 15" West for a distance of 30.98 feet; thence North 89° 36' 41" East a distance of 22.00 feet to the Point of Beginning.”

(The above described lands being described and recorded in Official Records Book 10889, Page 495 of the Public Records of Orange County, Florida.)

PARCEL NO. 117.3B
SECTION 75280
F.P. NO. 242484 7
PAGE 3

PART "B"

DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of the Northeast 1/4 of Section 35, Township 23 South, Range 28 East, Orange County, Florida, being a found 4" x 4" concrete monument with no identification as shown on the Florida Department of Transportation Right of Way Map for State Road 400, Section 75280, F.P. No. 242484-7 on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Florida; said corner also being a point on the Centerline of Survey of State Road 482 (Sand Lake Road) as shown on said Right of Way Map; Thence North 89°36'49" East along said Centerline and the North line of the Northeast 1/4 of said Section 35 a distance of 1384.43 feet; Thence departing said Centerline and said North line, South 00°23'11" East a distance of 60.00 feet to the Southerly Right of Way line of said State Road 482 (Sand Lake Road) and the POINT OF BEGINNING; Thence North 89°36'49" East along said Southerly Right of Way line a distance of 245.29 feet to an intersection with the Westerly Right of Way of Turkey Lake Road; thence along said Westerly Right of Way line South 45°09'08" East a distance of 24.00 feet; thence departing said Westerly Right of Way line North 51°19'58" West a distance of 20.18 feet; thence South 89°36'52" West a distance of 221.25 feet; thence North 80°40'58" West a distance of 25.64 feet to the aforementioned Southerly Right of Way line of State Road 482 (Sand Lake Road) and the POINT OF BEGINNING;

Containing 1035 square feet, more or less.

This legal description prepared under the direction of:
Ernesto J. Garcia, P.S.M. No. 3878
CivilSurv Design Group, Inc.
2525 Drane Field Road, Suite 7
Lakeland, Florida 33811

RECORDED

Easement now in favor of Orange County recorded in ORB 2127, Page 978 and conveyed in ORB 2335, Page 364;

PARCEL NO. 117.3B
SECTION 75280
F.P. NO. 242484 7
PAGE 4

PROVIDED that the County has the following rights:

1. The County 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 the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits or any subsequent utility permits shall supersede any contrary provisions, with the exception of the provisions herein regarding reserved rights and reimbursement rights.
3. The County 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 the F.D.O.T.'s facilities.
4. The County and F.D.O.T. agree to repair any damage to the other's facilities resulting from the County or F.D.O.T. exercising its rights outlined herein; provided, however that work necessitated as a result of F.D.O.T. exercising its rights under the last sentence of Paragraph 1 above shall not be deemed to be damage and provided further that nothing herein shall be construed to be a waiver of sovereign immunity with respect to either party.

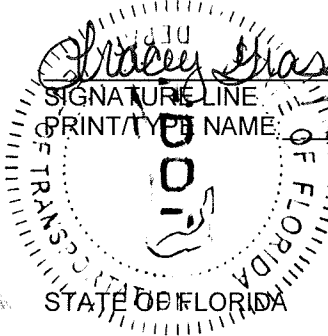
PARCEL NO. 117.3B
SECTION 75280
F.P. NO. 242484 7
PAGE 5

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

Omayra Wallace
SIGNATURE LINE
PRINT/TYPE NAME: Omayra Wallace

Tracy Grasser
SIGNATURE LINE
PRINT/TYPE NAME: Tracy Grasser



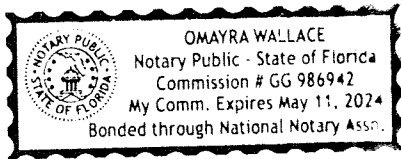
COUNTY OF VOLUSIA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: C. Jack Adkins
District Director Of
Transportation Development
for District Five
719 S. Woodland Blvd.
DeLand, Florida 32720

Legal Review
By: [Signature]
Office of the General Counsel

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 13 day of May, 2022, by C. Jack Adkins, P.E., District Director of Transportation Development for District Five, who is personally known to me or who has produced _____ as identification.



Omayra Wallace
PRINT/TYPE NAME: Omayra Wallace
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: 05/11/2024
Serial No., if any: _____

PARCEL NO. 117.3B
SECTION 75280
F.P. NO. 242484 7
PAGE 6

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

DATE: 27 April 2022

Address :
P. O. Box 1393
Orlando , FL 32802-1393

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

for *Emily Rivera*
Deputy Clerk
Emily Rivera
Printed Name

APR 26 2022

23-UTL ORANGE COUNTY-06/19
October 22, 2021
This instrument prepared by
Marika Tremblay
Under the direction of
FREDRICK W. LOOSE, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO. 801.3
SECTION 75280
F.P. NO. 242484 7
STATE ROAD 400
COUNTY ORANGE

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this _____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County'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, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

**PARCEL NO. 801
DRAINAGE EASEMENT**

**SECTION 75280
F.P. NO. 242484 7**

Tract "A", Sand Lake Vista, per the plat thereof, as recorded in Plat Book 100, Page 88, of the

PARCEL NO. 801.3
SECTION 75280
F.P. NO. 242484 7
PAGE 2

Public Records of Orange County, Florida, LESS AND EXCEPT that portion thereof covered by the Billboard Easement Agreement shown on said plat lying within said Tract "A", and as described in Official Records Book 5320, Page 1544, of said Public Records.

AND

That portion of Lot 1A, Sand Lake Vista, per the plat thereof, as recorded in Plat Book 100, Page 88, of the Public Records of Orange County, Florida, covered by the 20.00 foot Drainage Easement shown on said plat.

(Being a portion of the lands described in Document Number 20130487984, Official Records Book 10633, Page 7902, of the Public Records of Orange County, Florida.)

CONTAINING 7.061 acres, more or less.

RECORDED

Transit Easement and Landscape, pedestrian and utility easement dedicated to Orange County, per plat Sand Lake Vista, Plat Book 100, Page 88;

PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.

PARCEL NO. 801.3
SECTION 75280
F.P. NO. 242484 7
PAGE 3

3. The County 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 the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

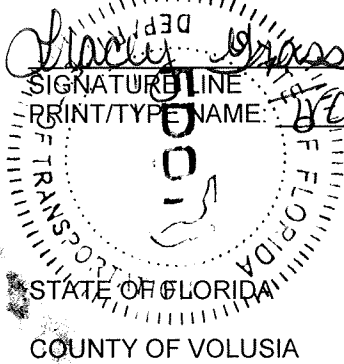
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PARCEL NO. 801.3
SECTION 75280
F.P. NO. 242484 7
PAGE 4

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

Omayra Wallace
SIGNATURE LINE
PRINT/TYPE NAME: Omayra Wallace

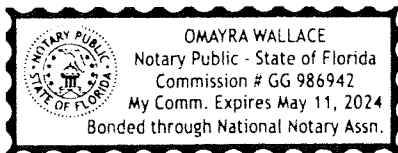
Tracy Grasser
SIGNATURE LINE
PRINT/TYPE NAME: Tracy Grasser

STATE OF FLORIDA
COUNTY OF VOLUSIA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: C. Jack Adkins
C. JACK ADKINS, P.E.
District Director Of
Transportation Development
for District Five
719 S. Woodland Blvd.
DeLand, Florida 32720

Legal Review
By: [Signature]
Office of the General Counsel

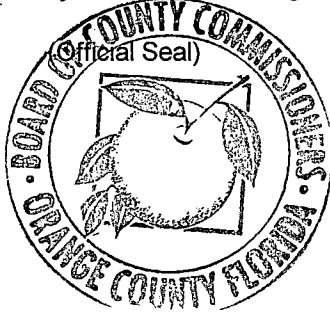
The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 13 day of May, 2022, by C. Jack Adkins, P.E., District Director of Transportation Development for District Five, who is personally known to me or who has produced _____ as identification.



Omayra Wallace
PRINT/TYPE NAME: Omayra Wallace
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: 05/11/2024
Serial No., if any: _____

PARCEL NO. 801.3
SECTION 75280
F.P. NO. 242484 7
PAGE 5

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Bryan Brooks*
Jerry L. Demings
Orange County Mayor

DATE: *27 April 2022*

Address:
P. O. Box 1393
Orlando, FL 32802-1393

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

By: *Emily Rivera*
for Deputy Clerk
Emily Rivera
Printed Name

APR 26 2022

23-UTL ORANGE COUNTY-10/11
August 5, 2021
This instrument prepared by
Suzette Hicks
Under the direction of
FREDRICK W. LOOSE, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO. 803.2
SECTION 75280
F.P. NO. 242484 7
STATE ROAD 400
COUNTY ORANGE

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this ____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County'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, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

**PARCEL NO. 803
DRAINAGE EASEMENT**

**SECTION 75280
F.P. NO. 242484 7**

THAT PART OF:

"A parcel of land in the Southeast 1/4 of Section 11, Township 24 South, Range 28 East, Orange County, Florida, being described as follows:

PARCEL NO. 803.2
SECTION 75280
F.P. NO. 242484 7
PAGE 2

Commence at the Southwest corner of said Southeast 1/4 as a point of reference; Thence run S 89°25'06" E, along the South line thereof, 377.06 feet to the West right of way line of Palm Parkway as recorded in Official Records Book 5433, Page 837 of the Orange County Public Records; Thence run N 36°49'20" E, along said west line, 277.04 feet to a curve concave to the Northwest; Thence continue Northeasterly along said West right of way line and curve having a radius of 6098.79 feet, a central angle of 06°07'06", an arc length of 651.27 feet, a chord bearing of N 33°45'46" E and a chord distance of 650.96 feet to the point of beginning; Thence departing aforesaid West line run N 59°17'47" W, 490.28 feet; Thence run N 56°53'25" W, 588.31 feet to the Northeast corner of the Southeast 1/4 of the Southwest 1/4 of said section 11; Thence run N 00°24'30" W, along the West line of the Southeast 1/4 of said section 11; 1330.85 feet to the North line thereof; Thence run N 89°25'23" E, along said North line 2507.64 feet to the aforementioned West right of way line of Palm Parkway; Thence run S 27°33'35" W, along said West line, 282.76 feet to a non-tangent curve concave to the Northwest; Thence run Southwesterly along said West right of way line and curve having a central angle of 11°27'36", a radius of 899.93 feet, an arc length of 180.00 feet, a chord bearing of S 42°20'01" W and a chord distance of 179.70 feet; Thence run S 41°56'11" E, continuing along said West line, 5.00 feet; Thence run S 48°03'49" W, continuing along said West line, 745.80 feet to a curve concave to the Southeast; Thence run Southwesterly along said West line and curve having a central angle of 11°43'27", a radius of 2715.94 feet, an arc length of 555.75 feet, a chord bearing of S 42°12'05" W and a chord distance of 554.78 feet to a compound curve concave to the Southeast; Thence run Southwesterly along said West line and curve having a central angle of 06°22'01", a radius of 6065.00 feet, an arc length of 673.97 feet, a chord bearing of S 33°09'21" W and a chord distance of 673.63 feet to a reverse curve concave to the Northwest; Thence run Southwesterly along said West line and curve having a central angle of 00°43'53", a radius of 6098.79 feet, an arc length of 77.84 feet, a chord bearing of S 30°20'17" W and a chord distance of 77.84 feet to the point of beginning.

The above described parcel of land contains 67.552 acres more or less."

(The above described lands being a portion of lands described in Official Records Book 10495, Page 6410 of the Public Records of Orange County, Florida.)

PART "A"

DESCRIBED AS FOLLOWS:

PARCEL NO. 803.2
SECTION 75280
F.P. NO. 242484 7
PAGE 3

Commence at the Southeast corner of the Southeast 1/4 of Section 11, Township 24 South, Range 28 East, Orange County, Florida, being a found 4" x 4" concrete monument with no identification as shown on the Florida Department of Transportation Right of Way Map for State Road 400, Section 75280, F.P. No. 242484-7 on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Florida; Thence North 00°25'25" West along the South line of the Southeast 1/4 of said Section 11 a distance of 2715.08 feet to the Southeast corner of the Northeast 1/4 of said Section 11, being a found 6" x 6" concrete monument with a 1" iron pipe in the center and no identification as shown on said Right of Way Map; Thence South 89°25'21" West along the North line of the Southeast 1/4 of said Section 11, a distance of 132.44 feet to the Westerly Right of Way line of Turkey Lake Road per Orange County Right of Way Map Contract No. Y8-849B; Thence along said Westerly Right of Way line the following five (5) courses: (1) South 27°33'00" West, a distance of 283.07 feet to the beginning of a non-tangent curve concave to the Northwest and having a radius of 900.34 feet; (2) from a tangent bearing of South 36°35'41" West, run Southwesterly along the arc of said curve to the right, through a central angle of 11°27'36", an arc distance of 180.08 feet, said curve having a chord bearing and distance of South 42°19'29" West, 179.78 feet to the end of said curve; (3) South 41°56'43" East, a distance of 5.00 feet; (4) South 48°03'17" West, a distance of 307.33 feet; (5) South 48°03'39" West, a distance of 437.54 feet to the end of said courses; Thence departing said Westerly Right of Way line, North 41°58'30" West, a distance of 4.73 feet; Thence North 48°01'30" East, a distance of 12.96 feet to the Southerly line of a 60 feet wide Orange County Ditch Easement per Deed Book 454, Page 495, Official Records of Orange County, Florida; Thence along said Southerly ditch easement line, North 56°15'48" West, a distance of 201.31 feet; Thence South 68°20'55" West, a distance of 186.94 feet to the POINT OF BEGINNING; Thence South 68°20'55" West, a distance of 49.45 feet; Thence South 33°22'54" West, a distance of 71.46 feet; Thence North 56°36'02" West, a distance of 16.92 feet; Thence North 36°03'02" East, a distance of 326.38 feet to the Northerly line of a 60 feet wide Orange County Ditch Easement per Deed Book 454, Page 495, Public Records of Orange County, Florida; Thence along said Northerly ditch easement line, South 56°15'48" East, a distance of 40.03 feet; Thence departing said Northerly ditch easement line, South 36°03'02" West, a distance of 214.03 feet to the POINT OF BEGINNING.

Containing 10,743 square feet, more or less.

PART "B"

DESCRIBED AS FOLLOWS:

Commence at the Southeast corner of the Southeast 1/4 of Section 11, Township 24 South, Range 28 East, Orange County, Florida, being a found 4" x 4" concrete monument with no identification as shown on the Florida Department of Transportation Right of Way Map for State

PARCEL NO. 803.2
SECTION 75280
F.P. NO. 242484 7
PAGE 4

Road 400, Section 75280, F.P. No. 242484-7 on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Florida; Thence North 00°25'25" West along the South line of the Southeast 1/4 of said Section 11 a distance of 2715.08 feet to the Southeast corner of the Northeast 1/4 of said Section 11, being a found 6" x 6" concrete monument with a 1" iron pipe in the center and no identification as shown on said Right of Way Map; Thence South 89°25'21" West along the North line of the Southeast 1/4 of said Section 11, a distance of 132.44 feet to the Westerly Right of Way line of Turkey Lake Road per Orange County Right of Way Map Contract No. Y8-849B; Thence along said Westerly Right of Way line the following five (5) courses: (1) South 27°33'00" West, a distance of 283.07 feet to the beginning of a non-tangent curve concave to the Northwest and having a radius of 900.34 feet; (2) from a tangent bearing of South 36°35'41" West, run Southwesterly along the arc of said curve to the right, through a central angle of 11°27'36", an arc distance of 180.08 feet, said curve having a chord bearing and distance of South 42°19'29" West, 179.78 feet to the end of said curve; (3) South 41°56'43" East, a distance of 5.00 feet; (4) South 48°03'17" West, a distance of 307.33 feet; (5) South 48°03'39" West, a distance of 437.54 feet to the end of said courses; Thence departing said Westerly Right of Way line, North 41°58'30" West, a distance of 4.73 feet; Thence North 48°01'30" East, a distance of 12.96 feet to the Southerly line of a 60 feet wide Orange County Ditch Easement per Deed Book 454, Page 495, Official Records of Orange County, Florida and the POINT OF BEGINNING; Thence along said Southerly ditch easement line, North 56°15'48" West, a distance of 55.66 feet; Thence departing said Southerly ditch easement line, North 48°03'59" East, a distance of 61.93 feet to the Northerly line of said ditch easement; Thence along said Northerly ditch easement line, South 56°15'48" East, a distance of 55.61 feet; Thence departing said Northerly ditch easement line, South 48°01'30" West, a distance of 61.92 feet to the Southerly line of said ditch easement and the POINT OF BEGINNING.

Containing 3338 square feet, more or less.

TOTAL AREA FOR PARTS "A" AND "B" IS 14,081 SQUARE FEET, MORE OR LESS.

This legal description prepared under the direction of:
Ernesto J. Garcia, P.S.M. No. 3878
CivilSurv Design Group, Inc.
2525 Drane Field Road, Suite 7
Lakeland, Florida 33811

RECORDED

Drainage Easement in favor of Orange County recorded in Deed Book 455, Page 495, of Public Records of Orange County, Florida;

PARCEL NO. 803.2
SECTION 75280
F.P. NO. 242484 7
PAGE 5

PROVIDED that the County has the following rights:

1. The County 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 the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits or any subsequent utility permits shall supersede any contrary provisions, with the exception of the provisions herein regarding reserved rights and reimbursement rights.
3. The County 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 the F.D.O.T.'s facilities.
4. The County and F.D.O.T. agree to repair any damage to the other's facilities resulting from the County or F.D.O.T. exercising its rights outlined herein; provided, however that work necessitated as a result of F.D.O.T. exercising its rights under the last sentence of Paragraph 1 above shall not be deemed to be damage and provided further that nothing herein shall be construed to be a waiver of sovereign immunity with respect to either party.

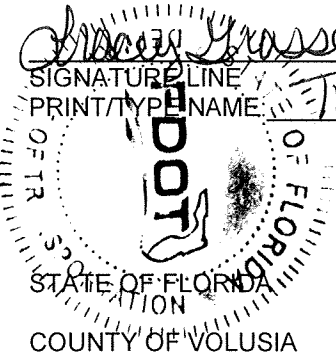
PARCEL NO. 803.2
SECTION 75280
F.P. NO. 242484 7
PAGE 6

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

Omayra Wallace
SIGNATURE LINE
PRINT/TYPED NAME: Omayra Wallace

Tracey Grasser
SIGNATURE LINE
PRINT/TYPED NAME: Tracey Grasser

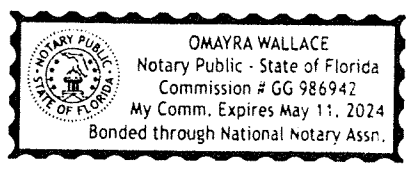


STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: C. Jack Adkins P.E.
District Director Of
Transportation Development
for District Five
719 S. Woodland Blvd.
DeLand, Florida 32720

Legal Review
By: [Signature]
Office of the General Counsel

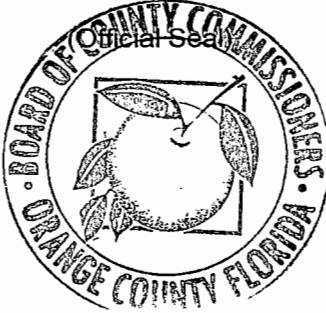
The foregoing instrument was acknowledged before me, by means of physical presence or online
notarization, this 13 day of May, 2022, by
C. Jack Adkins, P.E.; District Director of Transportation Development for District
Five, who is personally known to me or who has produced _____ as
identification.



Omayra Wallace
PRINT/TYPED NAME: omayra wallace
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: 05/11/2024
Serial No., if any: _____

PARCEL NO. 803.2
SECTION 75280
F.P. NO. 242484 7
PAGE 7

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

DATE: 27 April 2022

Address :
P. O. Box 1393
Orlando , FL 32802-1393

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

for *Emily Rivera*
Deputy Clerk
Emily Rivera
Printed Name

APR 26 2022

23-UTL ORANGE COUNTY-06/19
October 22, 2021
This instrument prepared by
Marika Tremblay
Under the direction of
FREDRICK W. LOOSE, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO. 808.3
SECTION 75280
F.P. NO. 242484 7
STATE ROAD 400
COUNTY ORANGE

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this _____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County'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, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

**PARCEL NO. 808
ACCESS & MAINTENANCE EASEMENT**

**SECTION 75280
F.P. NO. 242484 7**

Tract "C", Sand Lake Vista, per the plat thereof as recorded in Plat Book 100, Page 88, of the

PARCEL NO. 808.3
SECTION 75280
F.P. NO. 242484 7
PAGE 2

Public Records of Orange County, Florida, said Tract "C" also known as Sand Lake Vista Drive, a variable width right of way, as shown on said plat.

(Being a portion of the lands described in Document Number 20130487984, Official Records Book 10633, Page 7902, of the Public Records of Orange County, Florida.)

CONTAINING 2.390 acres, more or less.

RECORDED

Transit Easement and Landscape, pedestrian and utility easement dedicated to Orange County, per plat Sand Lake Vista, Plat Book 100, Page 88; Drainage Easement recorded in ORB 5428, Page 3242;

PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County 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 the F.D.O.T.'s facilities.

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SECTION 75280
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4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

(REMAINDER OF PAGE LEFT INTENTIONALLY BLANK)

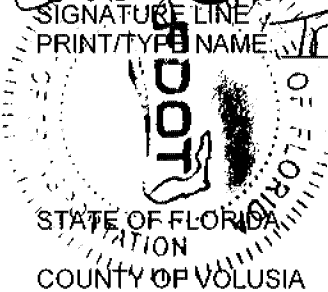
PARCEL NO. 808.3
SECTION 75280
F.P. NO. 242484 7
PAGE 4

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

Omayra Wallace
SIGNATURE LINE
PRINT/TYPE NAME: Omayra Wallace

Tracey Grasser
SIGNATURE LINE
PRINT/TYPE NAME: Tracey Grasser



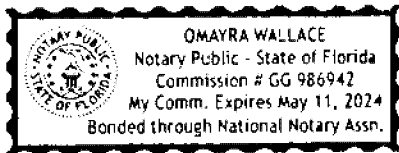
STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: C. Jack Adkins
C. JACK ADKINS, P.E.
District Director Of
Transportation Development
for District Five
719 S. Woodland Blvd.
DeLand, Florida 32720

Legal Review

By: [Signature]
Office of the General Counsel

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 13 day of May, 2022, by C. Jack Adkins, P.E., District Director of Transportation Development for District Five, who is personally known to me or who has produced _____ as identification.



Omayra Wallace
PRINT/TYPE NAME: Omayra Wallace
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: 05/11/2024
Serial No., if any: _____

PARCEL NO. 808.3
SECTION 75280
F.P. NO. 242484 7
PAGE 5

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Bryan B. Books*
for Jerry L. Demings
Orange County Mayor

DATE: 27 April 2022

Address:
P. O. Box 1393
Orlando, FL 32802-1393

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

BY: *Emily Rivera*
for Deputy Clerk
Emily Rivera
Printed Name

APR 26 2022

36-SUBOC-12/10

October 25, 2021

This instrument prepared by

Marika Tremblay

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 809.4

SECTION 75280

F.P. NO. 242484 7

STATE ROAD 400

COUNTY ORANGE

COUNTY SUBORDINATION AGREEMENT

THIS AGREEMENT Made as of the date signed below by and between ORANGE COUNTY, FLORIDA, hereinafter called the "party of the first part", and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the "Department".

WITNESSETH:

WHEREAS, the party of the first part is the holder of a certain Development rights dedication recorded in Plat Book 100, Page 88 and Boat Dock Restriction Agreement recorded in DOC# 20210580412, of the Public Records of Orange County, Florida herein after called the "Interest", and,

WHEREAS, a portion of the land encumbered by said Interest is required by the Department for public transportation purposes;

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, paid, the receipt and sufficiency of which is hereby acknowledged, the party of the first part hereby agrees, covenants, and consents with the Department that the aforesaid Interest is and shall continue to be subject and subordinate to the property rights of the Department insofar as said Interest affects the following described property, viz:

**PARCEL NO. 809
STORM SEWER EASEMENT**

**SECTION 75280
F.P. NO. 242484 7**

THAT PART OF:

Tracts "B" and "C" of Sand Lake Vista, per the plat thereof, as recorded in Plat Book 100, Page 88, Public Records of Orange County, Florida

PARCEL NO. 809.4
SECTION 75280
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PAGE 2

(Being a portion of the lands described in Document Number 20130487984, Official Records Book 10633, Page 7902, of the Public Records of Orange County, Florida.)

DESCRIBED AS FOLLOWS:

Commence at a found 3-1/2 inch brass disk, with no identification, marking the southeast corner of the northeast one-quarter of Section 2, Township 24 South, Range 28 East, Orange County, Florida, said corner also being Point of Intersection Station 216+58.48 on the Centerline of Survey of Turkey Lake Road, as shown on the Florida Department of Transportation Right of Way Map for State Road 400 (Interstate Highway 4), Section 75280, Financial Project Number 242484-7; thence North 00°24'45" East along the east line of the northeast 1/4 of said Section 2, and along said Centerline of Survey, 2045.47 feet to Centerline of Survey Turkey Lake Road station 237+03.95, as shown on said Right of Way Map, and the intersection with the easterly extension of the northerly line of Tract "C", Sand Lake Vista, per the plat thereof, Plat Book 100, Page 88, of the Public Records of Orange County, Florida, said Tract "C" also being shown on said plat as Sand Lake Vista Drive, a variable width right of way; thence, departing said east line and said Centerline of Survey, run North 89°35'15" West, along said extension, 97.00 feet to the northeast corner of said Tract "C", also being the southwest corner of Lot 1B of said plat, at a point on the westerly existing right of way line of Turkey Lake Road as shown on said Right of Way Map; thence continue North 89°35'15" West along the northerly line of said Tract "C" according to said plat, 324.32 feet to the southwest corner of said Lot 1B at the beginning of a curve, concave northeasterly, with a radius of 298.97 feet; thence continue northwesterly along the northerly line of Tract "C" according to said plat, and the arc of said curve 126.37 feet, through a central angle of 24°13'03" to the end of said curve at the beginning of a non-tangent curve, concave northeasterly, with a radius of 475.50 feet; thence from a tangent bearing of North 65°19'31" West, run northwesterly along the arc of said curve and continuing along said northerly line of Tract "C" according to said plat, 172.10 feet through a central angle of 20°44'15" to the point of tangency; thence continue along said northerly line of Tract "C" according to said plat, North 44°35'15" West 114.28 feet to the POINT OF BEGINNING; thence continue North 44°35'15" West, along said northerly line of Tract "C" according to said plat, 89.00 feet; thence departing said northerly line, South 45°24'45" West 148.11 feet; thence South 44°35'15" East 89.00 feet; thence North 45°24'45" East 148.11 feet to the POINT OF BEGINNING.

CONTAINING 13,182 square feet, more or less.

This subordination agreement shall be binding upon and inure to the benefit of the respective heirs, legal representatives, successors and assigns of the parties hereto.

PARCEL NO. 809.4
SECTION 75280
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PAGE 3

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

DATE: *27 April 2022*

Address:
P. O. Box 1393
Orlando, FL 32802-1393

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

BY: *Emily Rivera*
for Deputy Clerk
Emily Rivera
Printed Name