



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: June 12, 2019

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

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

FROM: David L. Brown, Senior Title Examiner *DLB*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: Approval of Utility Easement from Interlaken Family Holdings LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from IBERIABANK and authorization to record instruments

PROJECT: AIT Life Safety Headquarters Permit B18903403 OCU File #97176

District 2

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

ITEMS: Utility Easement
Cost: Donation
Size: 150 square feet

Subordination of Encumbrances to Property Rights to Orange County

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

JUL 02 2019

THIS IS A DONATION

Project: AIT Life Safety Headquarters Permit B18903403 OCU File #97176

UTILITY EASEMENT

THIS INDENTURE, Made this 21ST day of MAY, A.D. 2019, between INTERLAKEN FAMILY HOLDINGS LLC, a Florida limited liability company, whose address is 69 INTERLAKEN ROAD, ORLANDO, FL 32804, GRANTOR, and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. BOX 1393, ORLANDO, FL 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$10.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

**Property Appraiser's Parcel Identification Number:
a portion of**

32-21-29-0000-00-053

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

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted easement, and the GRANTOR, its successors and assigns, agrees not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement, or modify the size of existing pipelines or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

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

Signed, sealed, and delivered in the presence of:

INTERLAKEN FAMILY HOLDINGS LLC, a Florida limited liability company

[Signature]

By: [Signature]

Witness

Staci McNealy
Printed Name

VINCENT C. HORTON
Printed Name

Laura Jordan
Witness

MANAGER
Title

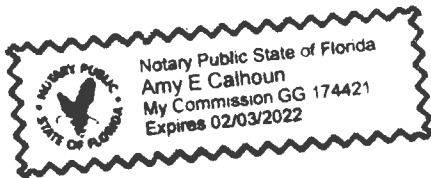
Laura Jordan
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 21st of May, 2019, by Vince Horton, as Manager of INTERLAKEN FAMILY HOLDINGS LLC, a Florida limited liability company, on behalf of the limited liability company. He/She is personally known to me or has produced _____ as identification.

(Notary Seal)



[Signature]
Notary Signature

Amy E. Calhoun
Printed Notary Name

Notary Public in and for the county and state aforesaid. My commission expires: Feb. 3, 2022

This instrument prepared by: David L. Brown, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

EXHIBIT "A"

SEE THE ATTACHED SKETCH

OF DESCRIPTION

(2 PAGES)

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

UTILITY EASEMENT

AIT LIFE SAFETY HEADQUARTERS
U.S. 441 - ORANGE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PORTION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA.

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN S 37°55'17" W, A DISTANCE OF 634.53 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. 441 (NORTH ORANGE BLOSSOM TRAIL); THENCE RUN N 51°41'18" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 45.59 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 51°41'18" W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE RUN N 38°18'42" E, A DISTANCE OF 15.00 FEET; THENCE RUN S 51°41'18" E, A DISTANCE OF 10.00 FEET; THENCE RUN S 38°18'42" W, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 150 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1) SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- 2) BEARINGS BASED ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. 441, HAVING AN ASSUMED BEARING OF N51°41'18"W.
- 3) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, OWNERSHIP OR OTHER MATTERS OF RECORD.

SEE SHEET 2 FOR SKETCH

REVISED: 04/09/2019

03/11/2019

SHEET 1 OF 2

BUILDING DEPARTMENT PERMIT NUMBER: B18903403

PROJECT: 18113

PREPARED BY:

I CERTIFY THAT THIS MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472, FLORIDA STATUTES.

DAVID M. McDERMOTT

FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

Associated Land Surveying & Mapping, Inc.

1681 POWELL STREET LONGWOOD, FLORIDA 32750

PH (407) 869-5002, FAX (407) 869-8393

CERTIFICATE OF AUTHORIZATION # LB 6767

SKETCH AND DESCRIPTION

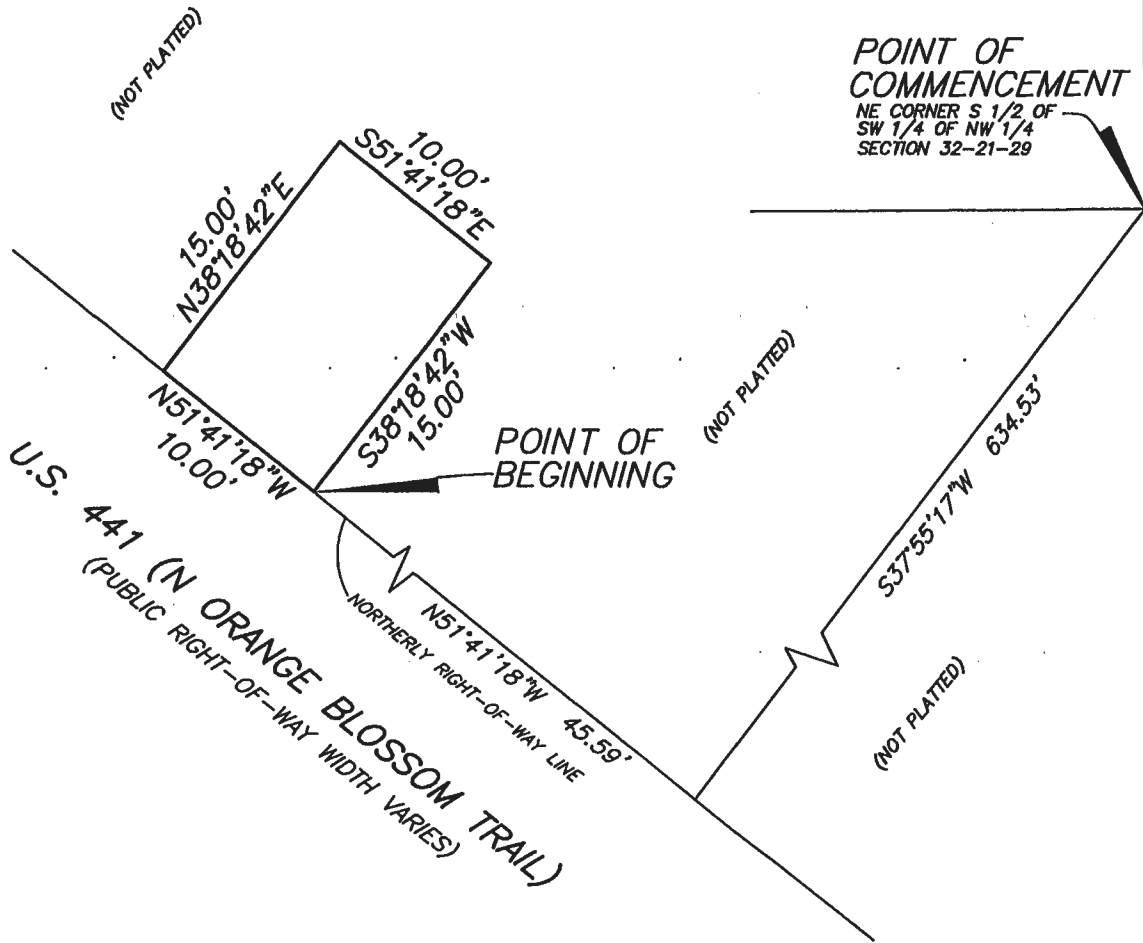
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1" = 10'



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JUL 02 2019

Project: AIT Life Safety Headquarters Permit B18903403 OCU File #97176

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 utility project 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 it has 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:

IBERIABANK, a Louisiana state-chartered bank

FROM: INTERLAKEN FAMILY HOLDINGS LLC, a Florida limited liability company

- (1) Mortgage and Security Agreement recorded on December 04, 2018 as Document No. 20180698872; and
- (2) Assignment of Leases, Rents and Profits executed recorded December 4, 2018 as Document No. 20180698873; and
- (3) Financing Statement recorded December 4, 2018 as Document No. 20180698874.

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 utility 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 utility purposes that in such event the subordination of said encumbrances

Project: AIT Life Safety Headquarters Permit B18903403 OCU File #97176

shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

21st IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this day of May, A.D. 2019

Signed, sealed, and delivered
in the presence of:

IBERIABANK, a Louisiana state-chartered bank

Sherla Spiess
Witness

By: D. Woodman

Sherla Spiess
Printed Name

Douglas A. Woodman
Printed Name

Mauby
Witness

Senior Vice President
Title

Thanh-Huong Trinh
Printed Name

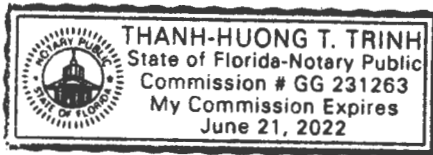
STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 21st of May, 2019, by Douglas A. Woodman, as Senior Vice President of IBERIABANK, a Louisiana state-chartered bank, on behalf of the bank. He/She is personally known to me or has produced _____ as identification.

(Notary Seal)

Mauby
Notary Signature



THANH-HUONG TRINH
Printed Notary Name

Notary Public in and for
the County and State aforesaid
My Commission Expires: _____

This instrument prepared by:
David L. Brown, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

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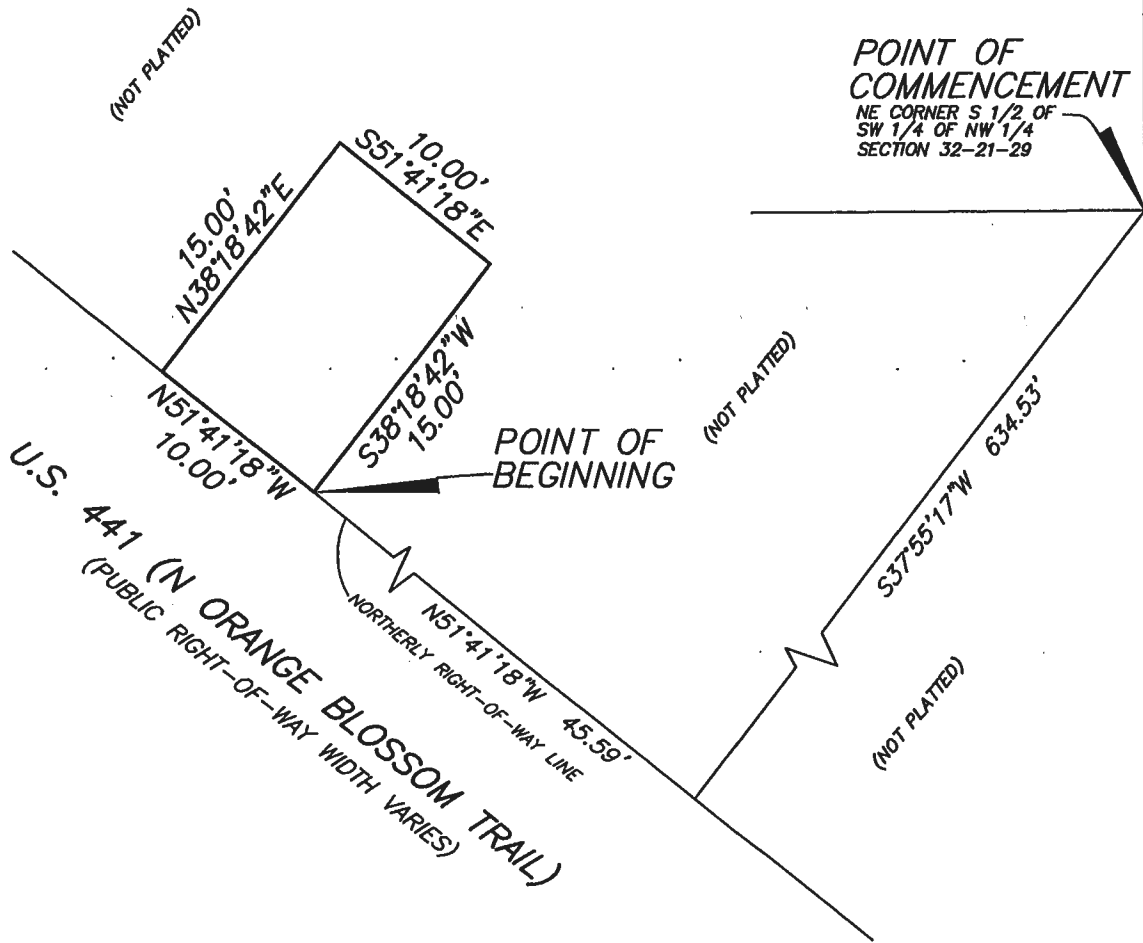
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