



Interoffice Memorandum

November 10, 2021

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

FROM: Joseph C. Kunkel, P.E., Director, Public Works Department *Joseph C. Kunkel*

CONTACT PERSON: Eduardo Avellaneda, P.E., Manager *CA*
Roads & Drainage Division

PHONE NUMBER: (407) 836-7871

SUBJECT: **Hold Harmless Agreement for fences located within a County Drainage Easement**

The property owners at 14503 Roxane Drive (Nathan and Diana Omari) have requested Orange County (County) approve a Hold Harmless Agreement to allow their existing fences to remain within a County Drainage Easement.

This Agreement constitutes a resolution to the Code Enforcement action taken after the two fences were erected within the County's Drainage Easement without the proper Orange County permits.

The County Attorney's Office has reviewed the Agreement and found it acceptable.

Action Requested: Approval and execution of Hold Harmless Agreement by and between Nathan Omari, Diana Omari, and Orange County for fences located within a County Drainage Easement. District 4.

EA/GS/rs

Attachment(s)



Legend

— Wooden Privacy

— Security

0 40 80 120 160
Feet



Hold Harmless Agreement

for fences located within County Drainage Easement

Author: George Shupp

Checked by:

Date Saved: 10/11/2021

All data, information, and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness.

BCC Mtg. Date: Nov. 30, 2021

HOLD HARMLESS AGREEMENT

This Agreement is made and entered into by and between Nathan Omari and Diana Omari, with a principal address at 14503 Roxane Dr. Orlando, Florida 32832, hereinafter collectively called GRANTOR, and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, hereinafter called GRANTEE,.

LOCATION

This agreement pertains only to the fences located on parcel number 25-24-31-4246-00-360, better described as the 840-foot wooden fence along the western boundary, and the first 60-feet of the south boundary fence, commencing at the southwest corner of the parcel and extending 60 feet east of said corner, also identified as 14503 Roxane Drive, Orlando, Florida 32832 (the "Location").

HOLD HARMLESS

Grantor hereby releases, holds harmless, and indemnifies Grantee of and from any liability for damages associated with the fences due in whole or in part to maintenance of and/or work performed in the canal/wetland located at the described Location.

AMENDMENT

This agreement may be amended only by express written instrument, executed by the parties hereto or by the duly authorized officers of such parties.

TERMINATION

This Agreement shall automatically be terminated in the event of complete removal of both said fences.

APPLICABLE LAW

This agreement shall be governed by and construed in accordance with the laws of the State of Florida.

EFFECTIVE DATE

This agreement shall become effective on the latest date of execution by the parties hereto.

[Signature pages follow]

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed by their respective duly authorized representatives on the dates set forth below.

GRANTEE:

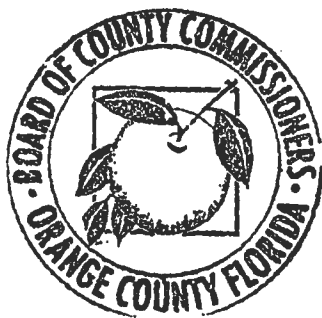
ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Jerry L. Demings*

for Jerry L. Demings

Orange County Mayor



Date: November 30, 2021

ATTEST: Phil Diamond, CPA, County Comptroller

As Clerk of the Board of County Commissioners

By: *Katie Smith*

Deputy Clerk

Print name: Katie Smith

[Signature pages continue]

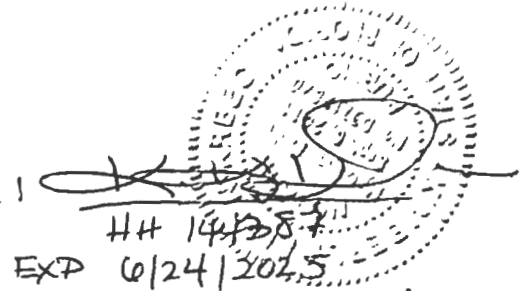
GRANTOR

Nathan Omari

Nathan Omari

STATE OF FLORIDA
COUNTY OF ORANGE

Notary 1



The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 5th day of OCTOBER 2021, by NATHAN OMARI, as OWNER of 14503 Roxane a HOME, on behalf of such SELF, who ☒ is personally known to me or ☐ has produced FL LICENSE as identification.

[Signature pages continue]

GRANTOR

Diana Omari

STATE OF FLORIDA
COUNTY OF ORANGE

NOTARY: [Signature]

HH 141387
EXP: 6/24/2025

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 5th day of OCTOBER 2021 by DIANA OMARI as OWNER of 14503 Roxane a HOME, on behalf of such SELF, who ☒ is personally known to me or ☐ has produced FL License as identification.

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