Interoffice Memorandum



BCC Mtg. Date: October 4, 2016

REAL ESTATE MANAGEMENT ITEM 7

DATE:

September 16, 2016

TO:

Mayor Teresa Jacobs

and the

Board of County Commissioners

THROUGH:

Ann Caswell, Manager

Real Estate Management Division

FROM:

Kim Heim, Title Examiner

Real Estate Management Division

CONTACT

PERSON:

Ann Caswell, Manager

DIVISION:

Real Estate Management

Phone: (407) 836-7082

ACTION

REQUESTED:

APPROVAL OF ACCESS AND UTILITY EASEMENT BETWEEN

MOSS PARK PROPERTIES, LLLP, F/K/A MOSS PARK PROPERTIES, LTD AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT:

Dowden Road Ph 1 OCU Permit: 14-U-025 OCU File #: 77446

District 4

PURPOSE:

To provide for access, construction, operation, and maintenance of utility

facilities as a requirement of development.

ITEM:

Access and Utility Easement

Cost: Donation

Total size: 1.053 acres

APPROVALS:

Real Estate Management Division

Utilities Department

Real Estate Management Division Agenda Item 7 September 16, 2016 Page 2

REMARKS:

Grantor to pay all recording fees.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

THIS IS A DONATION

Project: Dowden Road Ph 1 OCU Permit: 14-U-025 OCU File #: 77446

ACCESS AND UTILITY EASEMENT

THIS INDENTURE, Mad	le this 30th day of August	, A.D. 2016, between
Moss Park Properties, LLLP, a Fl	lorida limited liability limited par	rtnership, f/k/a Moss Park Properties,
LTD, a Florida limited partne Kissimmee	ership, having its principal p , county of Osceola	lace of business in the city of whose address is
311 West Oak Street, Kissimm	ee, Florida 34741	, GRANTOR,
and Orange County, a charter coun	ty and political subdivision of the	state of Florida, whose address is P.O.
Box 1393, Orlando, Florida 32802	2-1393, GRANTEE.	

WITNESSETH, That the GRANTOR, in consideration of the sum of \$1.00 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, a right-of-way and easement for access and 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

$\underline{04\text{-}24\text{-}31\text{-}0000\text{-}00\text{-}001}$

TO HAVE AND TO HOLD said right-of-way and 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 right-of-way, and the GRANTOR, its 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 right-of-way 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 right-of-way, 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.

Project: Dowden Road Ph 1 OCU Permit: 14-U-025 OCU File #: 77446

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:

Moss Park Properties, LLLP,

a Florida limited liability limited partnership f/n/a Moss Park Properties, LTD,

a Florida limited partnership

Sunil Kakkar, General Partne

(Signature of TWO witnesses required by Florida law)

COUNTY OF Drange

The foregoing instrument was acknowledged before me this 30^{-1} 2016 by Sunil Kakkar as General Partner of Moss Park Properties, LLLP, a Florida limited liability limited partnership, f/k/a Moss Park Properties, LTD, a Florida limited partnership, on behalf of the partnership. He is personally known to me or has produced-

Notary Public State of Florida

This instrument prepared by:

Kim Heim, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

Printed Notary Name

Notary Public in and for the County and State aforesaid

My commission expires: June 9, 2018

S:\Forms & Master Docs\Project Document Files\1 Misc. Documents\D\Dowden Road Ph 1 OCU Permit 14-U-025 OCU File#77446 UE.doc 06/27/16 /rh/pb

PURPOSE: UTILITY EASEMENT

ESTATE: PERMANENT

Legal Description

A portion of Section 4, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of Tract G, STOREY PARK — PHASE 1, according to the plat thereof, as recorded in Plat Book 86, Pages 61 through 71, Public Records of Orange County, Florida; thence run S 88'34'23" W, along the southerly right—of—way line of Dowden Road, as described and recorded in said plat of STOREY PARK — PHASE 1, a distance of 76.70 feet; thence, departing said southerly right—of—way line, run S 01'25'37" E, a distance of 10.00 feet for the POINT OF BEGINNING; thence, continue S 01'25'37" E, a distance of 19.85 feet to a point on the northerly line of a Florida Gas Transmission Company Easement as recorded in Official Records Book 1682, Page 340, Public Records of Orange County, Florida; thence run westerly along the north line of said gas easement the following two (2) courses and distances: run S 88'29'54" W, distance of 115.89 feet; thence run S 88'51'00" W, distance of 4.11 feet; thence, departing said gas easement line, run N 01'25'37" W, a distance of 19.98 feet to a point 10.00 feet southerly of (when measured perpendicular to) the aforesaid southerly right—of—way line of Dowden Road; thence run N 88'34'23" E, parallel with said southerly right—of—way line, a distance of 120.00 feet to the POINT OF BEGINNING.

Containing 2,391square Dowden Road STOREY PARK -- PHASE 1 Plat Book 86, Pages 61 through 71 Point of (125' wide right-of-way) Temporary Access and Utility Eosement Commencement NW carner of Tract G O.R.B 10462, Page 3281 S 01'25'37" E O.R.B 10464, Page 4966 basis of bearings (plat) S 88°34'23" W 10.00 southerly right-of-way line 76.70 ğ ó N 88'34'23" E 120.00' Tract G Point of STOREY PARK N 01'25'37" W Beginning PHASE 1 ******* 19.98' ~ northerly line of gas easement Plat Book 86. S 88'29'54" W 115.89 S 01°25'37" E Pages 61 through 71 19.85 50' Florida Gas S 88'51'00" W Transmission Company Easement Tract F 4.11' O.R.B 1682, Page 340 unplatted

Not a Boundory Survey.

The legal description was prepared by the Surveyor.

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

NO CORNERS WERE SET AND GANUNG—BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION. Sketch of Description

Utility Easement

situated in

Section 4, Township 24 South, Range 31 East City of Orlando, Orange County, Florida

PREPARED FOR:	Lennar Homes	0813.74A	SKETCH OF DESCRIPTION NOT VAUID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THIS SKETCH OF
	GANUNG - BELTON ASSOCIATES, INC.	1 of 1	DESCRIPTION BY SOMEONE DIFFER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. GBA 1.B-No. 2194
	professional surveyors and mappers	REV. 6/03/16	Carla ()
1275 E. Robinson	Street, Orlando, FL 32801 (407) 894-6656	1" = 50'	R. CLAYTON GANUNG

PURPOSE: UTILITY EASEMENT

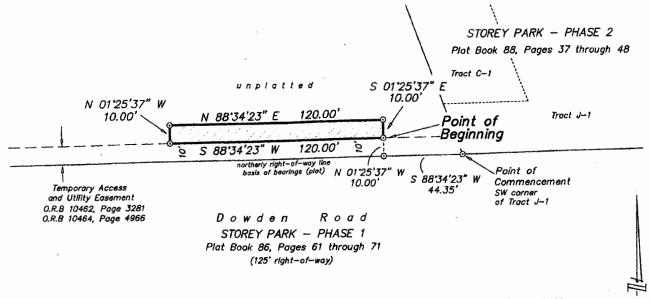
ESTATE: PERMANENT

Legal Description

A portion of Section 4, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the southwest corner of Tract J-1, STOREY PARK — PHASE 2, according to the plat thereof, as recorded in Plat Book 88, Pages 37 through 48, Public Records of Orange County, Florida; said corner being a point on the northerly right—of—way line of Dowden Road, as described and shown on the plat of STOREY PARK — PHASE 1, as recorded in Plat Book 86, Pages 61 through 71, Public Records of Orange County, Florida; thence run S 88'34'23" W, along said northerly right—of—way line of Dowden Road, a distance of 44.35 feet; thence, departing said northerly right—of—way line, run N 01'25'37" W, a distance of 10.00 feet to a point 10.00 feet northerly of (when measured perpendicular to) said northerly right—of—way line of Dowden Road for the POINT OF BEGINNING; thence run S 88'34'23" W, parallel with said northerly right—of—way line, a distance of 120.00 feet; thence run N 01'25'37" W, a distance of 10.00 feet; thence run N 88'34'23" E, a distance of 120.00 feet; thence run S 01'25'37" E, a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 1,200 square feet, more or less.



Not a Boundary Survey.

The legal description was prepared by the Surveyor.

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

NO CORNERS WERE SET AND GANUNG—BELTON ASSOCIATES, INC.
ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES.
ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD
VERIFICATION.

Sketch of Description

Utility Easement

situated in

Section 4, Township 24 South, Range 31 East City of Orlando, Orange County, Florida

PREPARED FOR:	Lennar Homes	JOB NO	0813.748	SKETCH OK DESCRIPTION NOT VALID METHOUTSTHE CHROINAL RAISED SEAL AND SIGNATURE OF A PLORIDALICENSED SURVEYOR AND MAPPER. ADMITTON'S OR DELETIONS TO THIS SKETCH OF
	GANUNG - BELTON ASSOCIATES, INC.	SHEET	1 of 1	DESCRIPTION OF SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSIST OF THE SIGNING PARTY. GBA LET NOT THE SIGNING PARTY.
	professional surveyors and mappers	DATE	4/13/16	
1275 E. Robinson	Street, Orlando, FL 32801 (407) 894-6656		1" = 50'	markly 19 9 10 feed

ED SURVEYOR .

PURPOSE: UTILITY EASEMENT

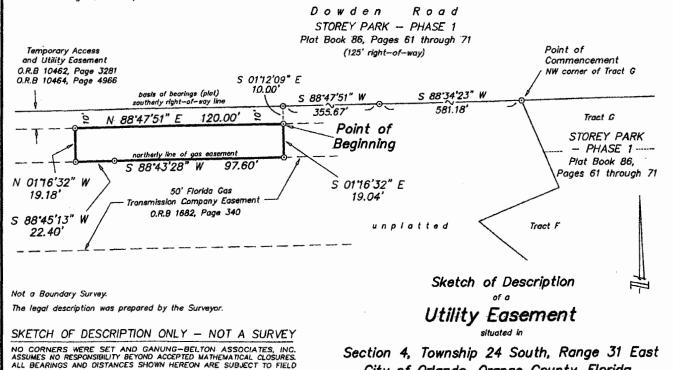
ESTATE: PERMANENT

Legal Description

A portion of Section 4, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of Tract G, STOREY PARK — PHASE 1, according to the plat thereof, as recorded in Plat Book 86, Poges 61 through 71, Public Records of Orange County, Florida; thence westerly, along the southerly right—of—way line of Dowden Road, as described and recorded in said plat of STOREY PARK — PHASE 1, the following two (2) courses and distances: run S 88'34'23" W, a distance of 581.18 feet; thence run S 88'47'51" W, a distance of 355.67 feet; thence, departing said southerly right—of—way line, run S 01'12'09" E, a distance of 10.00 feet for the POINT OF BEGINNING; thence run S 01'16'32" E, a distance of 19.04 feet to a point on the northerly line of a Florida Gas Transmission Company Easement as recorded in Official Records Book 1682, Page 340, Public Records of Orange County, Florida; thence run westerly along the north line of said gas easement the following two (2) courses and distances: run S 88'43'28" W, distance of 97.60 feet; thence run S 88'45'13" W, a distance of 22.40 feet; thence, departing said gas easement line, run N 01'16'32" W, a distance of 19.18 feet to a point 10.00 feet southerly of (when measured perpendicular to) the aforesaid southerly right—of—way line of Dowden Road; thence run N 88'47'51" E, parallel with said southerly right—of—way line, a distance of 120.00 feet to the POINT OF BEGINNING.

Containing 2,293 square feet, more or less.



PREPARED FOR: Lennar Homes		0015.740	SKETCH OF DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER; ADDITIONS OR DELETIONS TO THIS SKETCH OF
	GANUNG - BELTON ASSOCIATES, INC.	1 of 1 DATE 4/13/16	DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. GRA 18 No. 7194
	professional surveyors and mappers	REV. 6/03/16	R. CLAYTON GAMUNG
1275 E. Robinson	Street, Orlando, FL 32801 (407) 894-6656	1" = 50'	REE ALS NO 4256

City of Orlando, Orange County, Florida

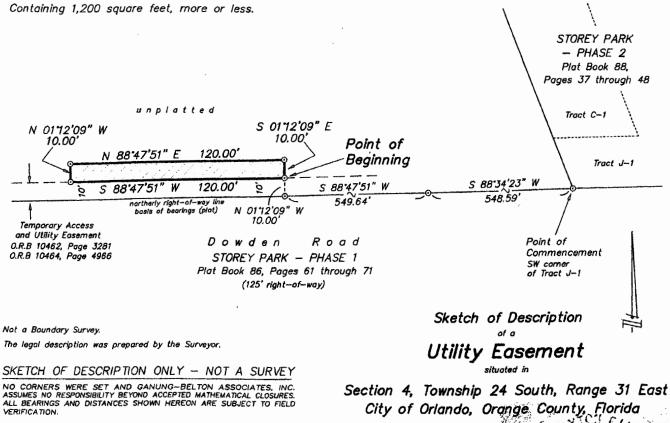
PURPOSE: UTILITY EASEMENT

ESTATE: PERMANENT

Legal Description

A portion of Section 4, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the southwest corner of Tract J-1, STOREY PARK — PHASE 2, according to the plat thereof, as recorded in Plat Book 88, Pages 37 through 48, Public Records of Orange County, Florida; said corner being a point on the northerly right—of—way line of Dowden Road, as described and shown on the plat of STOREY PARK — PHASE 1, as recorded in Plat Book 86, Pages 61 through 71, Public Records of Orange County, Florida; thence westerly, along said northerly right—of—way line of Dowden Road, the following two (2) courses and distances: run \$ 88°34'23" W, a distance of 548.59 feet; thence run \$ 88°47'51" W, a distance of 549.64 feet; thence, departing said northerly right—of—way line, run N 01'12'09" W, a distance of 10.00 feet to a point 10.00 feet northerly of (when measured perpendicular to) said northerly right—of—way line of Dowden Road for the POINT OF BEGINNING; thence run \$ 88°47'51" W, parallel with said northerly right—of—way line, a distance of 120.00 feet; thence run N 01'12'09" W, a distance of 10.00 feet; thence run N 01'12'09" E, a distance of 10.00 feet to the POINT OF BEGINNING.



PREPARED FOR:	Lennar Homes	JOB NO	o. 081 <i>3</i> .74D	SKETCH OF DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO THIS SKETCH OF
	GANUNG - BELTON ASSOCIATES, INC.	SHEET	1 of 1	DESCRIPTION BY SOMEONE OTHER THÂN-THE SIGNING PARTY IS PROHIBITED WITHOUT MOTTEN CONSENT OF THE SIGNING PARTY. SBA 13 No. 7194
	professional surveyors and mappers	DATE	4/13/16	4236
1275 E. Robinson	Street, Orlando, FL 32801 (407) 894-6656	SCALE	1" = 50'	With think
				ED SURVINOR

PURPOSE: UTILITY EASEMENT

ESTATE: PERMANENT

Legal Description

A portion of Section 4, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

BEGIN at the southwest corner of Tract J-1, STOREY PARK - PHASE 2, according to the plat thereof, as recorded in Plat Book 88, Pages 37 through 48, Public Records of Orange County, Florida; said point also lying on the northerly right—of—way line of Dowden Road according to the plat of STOREY PARK — PHASE 1, as recorded in Plat Book 86, Pages 61 through 71, Public Records of Orange County, Florida; thence run westerly, along the northerly right-of-way line of Dowden Road, the following four (4) courses and distances: run S 88'34'23" W, a distance of 548.59 feet; thence run S 88'47'51" W, a distance of 549.64 feet to a point of curvature of a curve, concove southerly, having a radius of 11,062.50 feet and a central angle of 02°06'57"; thence run westerly, along the arc of said curve, a distance of 408.53 feet to a point of reverse curvature of a curve, concave northerly, having a radius of 10,937.50 feet and a central angle of 02'07'02"; thence run westerly along the arc of said curve, a distance of 404.19 feet to a point on the east line of INNOVAΠΟΝ WAY AT SR 417 INTERCHANGE, as described and recorded in Official Records Book 10182, Page 3086, Public Records of Orange County, Flarida; thence run N 01'21'14" W, along said east line, a distance of 10.00 feet to a point 10.00 feet north of (when measured perpendicular to) the aforesaid northerly right-of-way line of Dowden Road; said point being a point on a non-tangent curve, concave northerly, having a radius of 10,927.50 feet; thence easterly, parallel with said northerly right-of-way line, the following courses and distances: on a chord bearing of N 87'44'25" E and a chord distance of 403.83 feet, run easterly along the arc of said curve, a distance of 403.85 feet, through a central angle of 02'07'03" to a point of reverse curvature of a curve, concave southerly, having a radius of 11,072.50 feet and a central angle of 00°07'31"; thence run easterly along the arc of said curve, a distance of 24.21 feet to a point on said curve; thence run N 03'11'35" W, a distance of 2.50 feet to a point on a non-tangent curve, having a radius of 11,075.00 feet; thence on a chord bearing of N 87°02'46" E, and a chord distance of 92.51 feet, run along the arc of said curve a distance of 92.51 feet through a central angle of 00°28'43" to a point on said curve; thence run S 02°42'52" E, a distance of 2.50 feet to a point on a a non-tangent curve, having a radius of 11,072.50 feet; thence on a chord bearing of N 88°02'29" E, and a chord distance of 292.20 feet, run along the arc of said curve a distance of 292.21 feet through a central angle of 01'30'43" to the point of tangency thereof; thence run N 88'47'51" E, a distance of 549.62 feet; thence run N 88'34'23" E, a distance of 544.91 feet; thence run S 21'33'25" E, a distance of 10.65 feet to the POINT OF BEGINNING.

Containing 19,322 square feet, more or less.

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 of 2 for sketch.

Lines shown hereon are radial unless noted NR (non-radial).

O.R.B. - Official Records Baok

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

NO CORNERS WERE SET AND GANUNG-BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION.

Sketch of Description

Multi-Purpose Easement

situated in

Section 4, Township 24 South, Range 31 East City of Orlando, Orange County, Florida

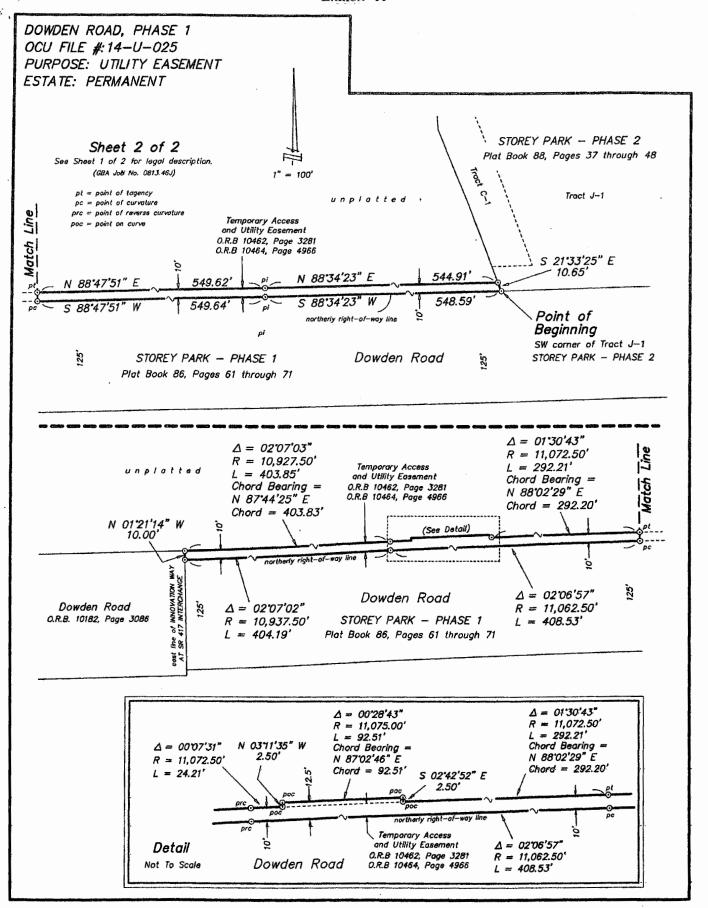
PREPARED FOR:

Lennar Homes, LLC

OB13.46J

OB13.46J

AND MAPES. AND SIGNALIZE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. AND SIGNALIZE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. AND SIGNALIZE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. AND MAPPER



DOWDEN ROAD, PHASE 1
OCU FILE #:14-U-025
PURPOSE: UTILITY EASEMENT

ESTATE: PERMANENT

Legal Description

A portion of Section 4, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

BEGIN at the northwest corner of Tract C, STOREY PARK - PHASE 1, as recorded in Plat Book 86, Pages 61 through 71, Public Records of Orange County, Florida; said point lying on the southerly right—of—way line of Dowden Road as shown or said plat of STOREY PARK - PHASE 1; thence run S 23'28'59" E, a distance of 10.79 feet to a point 10.00 feet southerly of (when measured perpendicular to) said southerly right—of—way line; thence run westerly parallel with the southerly right-of-way line of Dowden Road the following four (4) courses and distances: run S 88'34'23" W, a distance of 585.25 feet; thence run S 88'47'51" W, a distance of 549.90 feet to a point of curvature of a curve, concave southerly, having a radius of 10,927.50 feet and a central angle of 02'06'57"; thence run westerly, along the arc of said curve, a distance of 403.55 feet to a point of reverse curvature of a curve, concave northerly, having a radius of 11,072.50 feet and a central angle of 02°06'56"; thence run westerly along the arc of said curve, a distance of 408.82 feet to a point on the easterly limited access right-of-way line of State Road No. 417, as described and recorded on the Orlando—Orange County Expressway Authority Right of Way Map, OOCEA Project No. 417-302, Innovation Way Interchange; thence run N 01°21'14" W, along said easterly limited access right-of-way line and along the east line of INNOVATION WAY AT SR 417 INTERCHANGE, as described and recorded in Official Records Book 10182, Page 3086, Public Records of Orange County, Florida, a distance of 10.00 feet to a point on the aforesaid southerly right—of—way line of Dowden Road; said point being a point on a non—tangent curve, concave northerly, having a radius of 11,062.50 feet; thence easterly, along said southerly right-of-way line, the following courses and distances: on a chord bearing of N 87'44'22" E and a chord distance of 408.46 feet, run easterly along the arc of said curve, a distance of 408.48 feet, through a central angle of 02'06'56" to a point of reverse curvature of a curve, concave southerly, having a radius of 10,937.50 feet and a central angle of 02'06'57"; thence run easterly along the arc of said curve, a distance of 403.92 feet to the point of tangency thereof; thence run N 88'47'51" E, a distance of 549.88 feet; thence run N 88'34'23" E, a distance of 581.18 feet to the POINT OF BEGINNING.

Containing 19,455 square feet, more or less.

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 of 2 for sketch.

Lines shown hereon are radial unless noted NR (non-radial).

O.R.B. - Official Records Book

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

NO CORNERS WERE SET AND GANUNG—BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION. Sketch of Description

Multi-Purpose Easement

situated in

Section 4, Township 24 South, Range 31 East City of Orlando, Orange County, Florida

PREPARED FOR:

Lennar Homes, LLC

0813.46K

0813.46K

O813.46K

SELECT OF DESCRIPTION WITH PROBLEM THE PRINCIPLE SHARING SELL BY IN SHARING AND MAPPER: ADDRESS OF OF SHARING AND MAPPER: ADDRESS OF SHARING AND MAPPER: ADD

