



Interoffice Memorandum

APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS

BCC Mtg. Date: November 1, 2016

REAL ESTATE MANAGEMENT ITEM 8

DATE: October 14, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager *AC*
Real Estate Management Division

FROM: Kim Heim, Title Examiner *KH*
Real Estate Management Division

**CONTACT
PERSON:** Ann Caswell, Manager

DIVISION: Real Estate Management
Phone: (407) 836-7082

**ACTION
REQUESTED:** APPROVAL OF UTILITY EASEMENT BETWEEN LENNAR HOMES,
LLC AND ORANGE COUNTY AND AUTHORIZATION TO RECORD
INSTRUMENT

PROJECT: Storey Park Parcel M Permit: 15-U-101 OCU File # 82187

District 4

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

ITEM: Utility Easement
Cost: Donation
Total size: 360 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: This Utility Easement will supersede and replace Document Number 20160501630 recorded 9/23/16, which was recorded without the benefit of Orange County Board of County Commissioners approval.

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.

NOV 01 2016

THIS IS A DONATION

Project: Storey Park Parcel M
Permit: 15-U-101 OCU File # 82187

UTILITY EASEMENT

THIS INDENTURE, Made this 23 day of SEPTEMBER, A.D. 2016, between Lennar Homes, LLC, a Florida limited liability company, having its principal place of business in the city of ORLANDO, county of ORANGE, whose address is 6750 FORUM DRIVE, #310 ORLANDO, FL 32821, 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, 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, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, underground water lines, wastewater lines, reclaimed water lines, and any other underground utility facilities (together with above and underground associated appurtenances) 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 03-24-31-0000-00-005

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever. GRANTOR'S conveyance of said easement, and GRANTEE'S acceptance and use of the same, is made subject to any and all matters of record; provided, however, reference herein to such matters of record shall not serve to re-impose the same.

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, agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the 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.

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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.

GRANTOR reserves the right to construct utilities, paved areas (such as roads, trails, and sidewalks), and landscaping within the easement area to the extent that such improvements do not materially interfere with GRANTEE'S rights hereunder.

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

Signed, sealed, and delivered
in the presence of:

Lennar Homes, LLC,
a Florida limited liability company

Guillermo Espinal
Witness

BY: *[Signature]*

América Espinal
Printed Name

Brock Nicholas
Printed Name

[Signature]
Witness

Vice President
Title

KEITH MALCUIT
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 23 day of SEPTEMBER 2016 by BROCK NICHOLAS as VICE PRESIDENT of Lennar Homes, LLC, a Florida limited liability company, on behalf of the company (He/she is personally known to me or has produced N/A) as identification.

(Notary Seal)

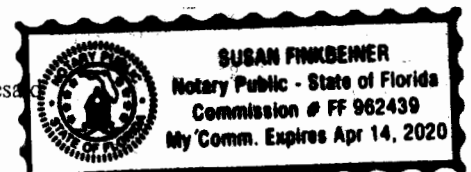
[Signature]
Notary Signature
Susan Finkbeiner
Printed Notary Name

This instrument prepared by:
Kim Heim, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

Notary Public in and for
the County and State aforesaid

My commission expires:

4/14/2020



S:\Forms & Master Docs\Project Document Files\1_Misc. Documents\S\Storey Park Parcel M Permit 15-U-101
OCU File # 82187.doc 9/13/16 /rh

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Commissioners approval.

Exhibit "A"

OCU FILE #: 15-U-101
PURPOSE: UTILITY EASEMENT
ESTATE: PERMANENT

Legal Description

A portion of Section 9, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the northeast corner of said Section 9; thence run N 89°48'53" W, along the north line of Section 9, a distance of 601.71 feet to a point on the proposed easterly right-of-way line of Storey Park Boulevard; said point being a point on a non-tangent curve, concave southeasterly, having a radius of 1012.50 feet; thence run southwesterly, along said proposed easterly right-of-way line, the following courses and distances: on a chord bearing of S 19°24'49" W and a chord distance 109.97 feet, run southwesterly, along the arc of said curve, a distance of 110.03 feet through a central angle of 06°13'35" to the point of tangency thereof; thence run S 16°18'02" W, a distance of 193.59 feet for the POINT OF BEGINNING; thence, departing said proposed easterly right-of-way line, run S 73°41'58" E a distance of 18.00 feet; thence run S 16°18'02" W, a distance of 10.00 feet; thence run N 73°41'58" W, a distance of 18.00 feet to a point on the aforementioned proposed easterly right-of-way line; thence run N 16°18'02" E, along said proposed easterly right-of-way line, a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 180 square feet, more or less.

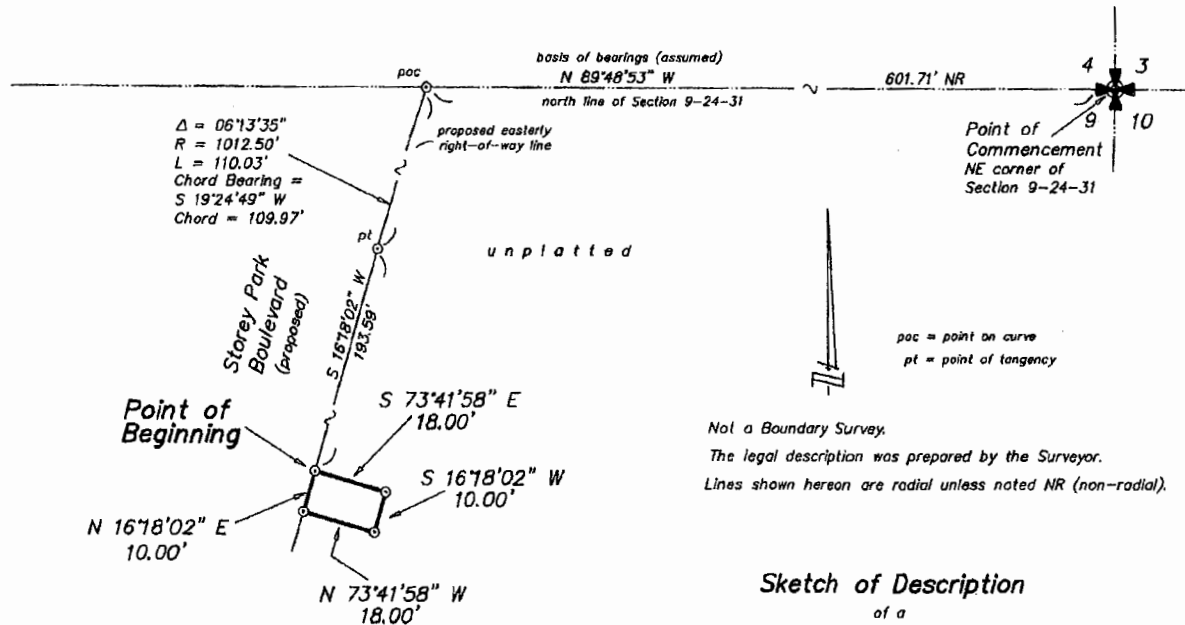


Exhibit "A"

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