





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** December 20, 2016

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

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

**FROM:** Theresa A. Avery, Senior Title Examiner   
Real Estate Management Division

**CONTACT PERSON:** Ann Caswell, Manager

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

**ACTION REQUESTED:** APPROVAL OF TEMPORARY DRAINAGE EASEMENT BETWEEN  
KB HOME ORLANDO LLC AND ORANGE COUNTY AND  
AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Vineyards of Horizons West Phase 2B - Case # PSP-14-04-092  
  
District 1

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

**ITEM:** Temporary Drainage Easement  
Cost: Donation  
Size: 1,966.445 square feet  
Term: Until replaced by a permanent platted easement

**APPROVALS:** Real Estate Management Division  
Public Works Department

**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.**

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JAN 10 2017

THIS IS A DONATION

Project: Vineyards of Horizons West Phase 2B – Case # PSP-14-04-092

**TEMPORARY DRAINAGE EASEMENT**

THIS INDENTURE, Made this 6<sup>th</sup> day of December A.D., 20 16, between KB Home Orlando LLC, a Delaware limited liability company, having its principal place of business in the city of Orlando, county of ORANGE whose address is 9102 SOUTH PARK CENTRAL LOOP, SUITE 100, ORLANDO, FL 32819 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 drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility over, under, and upon the following described lands situate in Orange County aforesaid, to-wit:

**SEE ATTACHED EXHIBIT "A"**

**Property Appraiser Parcel Identification Number:**

**a portion of**

**23-23-27-8702-06-001**

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever; provided, however, the easement hereby granted shall automatically terminate, without the necessity of the GRANTOR undertaking vacation proceedings or obtaining any release from the GRANTEE, at such time as GRANTOR or its successors or assigns shall cause the property over which the easement passes to be included in a subdivision plat recorded among the public records of Orange County, Florida.

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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTOR, its heirs, 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 drainage ditch, pipe, or facility.

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

Signed, sealed and delivered  
in the presence of:

KB Home Orlando LLC,  
a Delaware limited liability company

Courtney L. Dean  
Witness

Courtney L. Dean  
Print Name

Karen Valeri  
Witness

KAREN VALERI  
Print Name

BY: Edward W. Lafetra

Edward W. LAFETRA  
Printed Name

LAND DEVELOPMENT MGR.  
Title

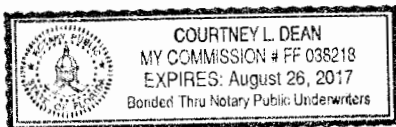
(Signature of TWO witnesses required by Florida law)

STATE OF FL

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 6th day of December, 2016 by Edward Lafetra as Land Development Manager for KB Home Orlando LLC, a Delaware limited liability company, on behalf of the limited liability company. He/she [☒] is personally known to me, or [☐] has produced \_\_\_\_\_ as identification.

(Notary Seal)



Courtney L. Dean  
Notary Signature

Courtney L. Dean  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid

My commission expires: August 26, 2017

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

# LEGAL DESCRIPTION

SHEET 1 OF 2 DESCRIPTION  
SEE SHEET 2 OF 2 FOR SKETCH

EXHIBIT "A"

## LEGAL DESCRIPTION

A STRIP OF LAND VARYING IN WIDTH LYING IN THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF TRACT FD-1, VINEYARDS OF HORIZONS WEST PHASE 2A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGES 108 THROUGH 112, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE N89°47'35"E ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 1783.17 FEET; THENCE DEPARTING SAID SOUTH LINE OF NORTHWEST 1/4 RUN N00°12'25"W A DISTANCE OF 486.84 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BECKMAN DRIVE A 60.00 FEET WIDE RIGHT-OF-WAY, ACCORDING TO VINEYARDS OF HORIZONS WEST PHASE 2A AS RECORDED IN PLAT BOOK 81, PAGES 108 THROUGH 112, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; ALSO BEING THE SOUTH LINE OF TRACT FD-1 OF SAID PLAT AND THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE AND SAID SOUTH LINE OF TRACT FD-1 RUN N07°55'54"E A DISTANCE OF 18.57 FEET; THENCE S86°51'59"E A DISTANCE OF 94.89 FEET; THENCE S12°32'59"W A DISTANCE OF 20.85 FEET TO SAID NORTH RIGHT-OF-WAY AND SAID SOUTH LINE OF TRACT FD-1 LINE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE AND SAID SOUTH LINE OF TRACT FD-1, THE FOLLOWING TWO (2) COURSES: RUN N89°36'35"W A DISTANCE OF 12.37 FEET TO THE POINT OF CURVATURE ON A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 500.00 FEET, WITH A CHORD BEARING OF N84°58'47"W, AND A CHORD DISTANCE OF 80.72 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°15'37" FOR AN ARC DISTANCE OF 80.81 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 1,966.445 SQUARE FEET (0.045 ACRES), MORE OR LESS.

*[Signature]* 11/18/2016



16 East Plant Street  
Winter Garden, Florida 34787 • (407) 654 5355

## SURVEYOR'S NOTES:

THIS IS NOT A SURVEY.

THE DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S REQUEST.

THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF AN ORANGE COUNTY, FLORIDA LICENSED SURVEYOR AND MAPPER.

THIS LEGAL DESCRIPTION AND SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF TITLE.

BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 23-23-27 ORANGE COUNTY, FLORIDA, BEING N89°47'35"E.

JOB NO. 20140030

DATE: 8-10-16

SCALE: N/A

FIELD BY: N/A

CALCULATED BY: DH

DRAWN BY: DH

CHECKED BY: MR

FOR THE LICENSED BUSINESS # 6723 BY:

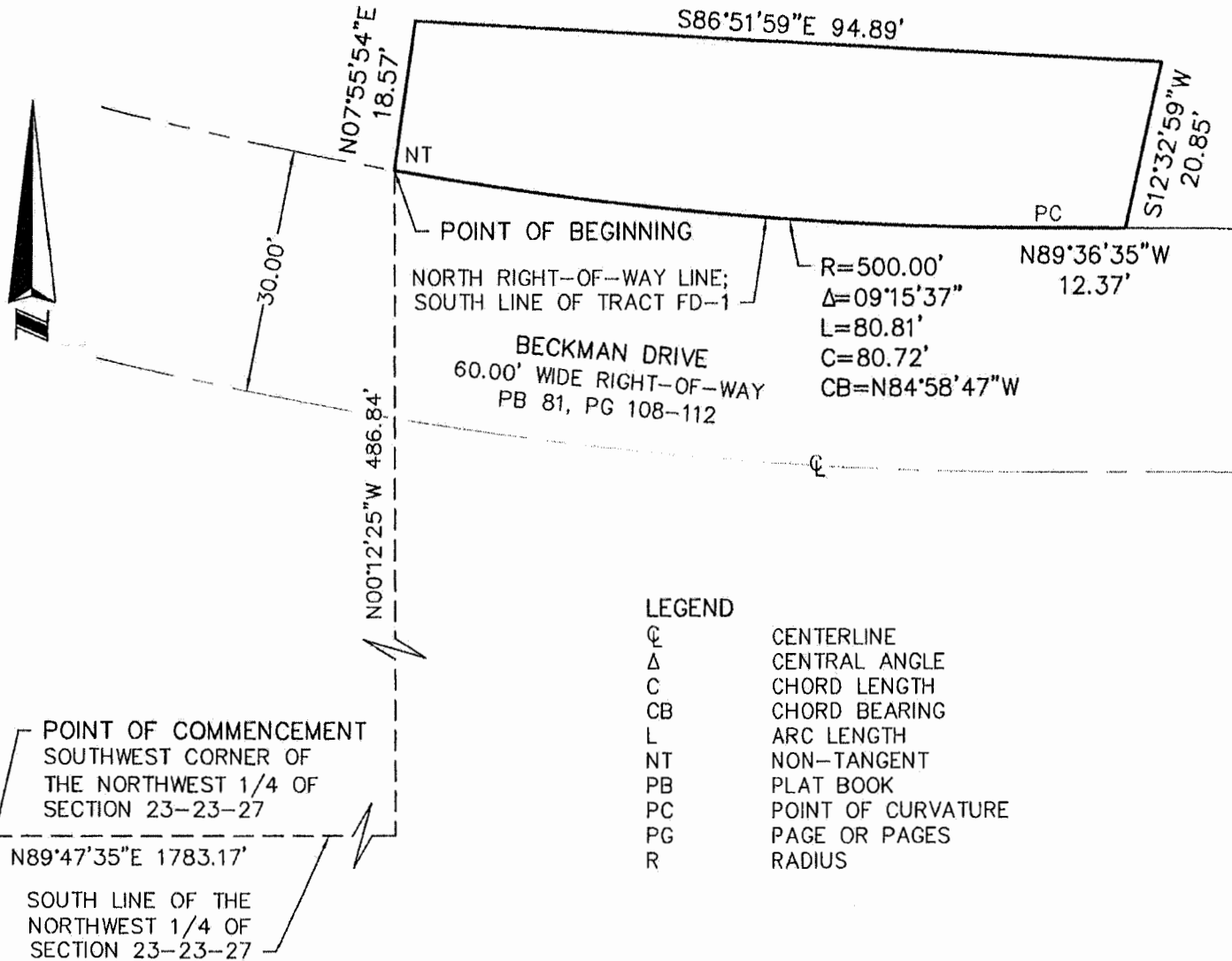
JAMES L. RICKMAN P.S.M. # 5633

# SKETCH OF DESCRIPTION

SHEET 2 OF 2 SKETCH

SEE SHEET 1 OF 2 FOR DESCRIPTION

TRACT FD-1  
VINEYARDS OF HORIZONS  
WEST PHASE 2A  
PB 81, PG 108-112



16 East Plant Street  
Winter Garden, Florida 34787 • (407) 654-5355

## SURVEYOR'S NOTES:

I:\data\20140030\sketches\20140030 sketch 9 de SOD-ROWN (2)

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JOB NO. 20140030

DATE: 8-10-16

SCALE: 1" = 20'

FIELD BY: N/A

CALCULATED BY: DH

DRAWN BY: DH

CHECKED BY: MR