





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: December 20, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Elizabeth Price Jackson, Senior Title Examiner 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

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

ACTION REQUESTED: APPROVAL AND EXECUTION OF RELEASE OF RIGHT OF REVERTER BY ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Horizon West School Sites

District 1

PURPOSE: To release the County's reversionary interest.

ITEM: Release of Right of Reverter
Revenue: None
Size: 16,894 square feet

APPROVALS: Real Estate Management Division
County Attorney's Office

REMARKS: On August 23, 2005, the Orange County Board of County Commissioners (County) approved an Interlocal Agreement (Agreement) and County Deed with the School Board of Orange County, Florida (School Board) regarding conveyance of school sites in Horizon West. The Agreement contained a right of reverter (reverter) in favor of the County in the event that the lands were either conveyed by the School Board or not used for school purposes. Subsequent to the Agreement, the School Board conveyed a school site to an area developer and received a slightly revised school site in return. As a consequence of the deeds between the School Board and the developer, a portion of an adjacent parcel became subject to the County's right of reverter as provided in the Agreement. The School Board constructed and operates Keene's Crossing Elementary School on the revised description site.

The current owner of the adjacent parcel, SP Commercial Investors, LLC (SP) has requested a release of the reverter over their land in order to clear title. This action releases the reverter over SP's lands without impairing the operation and effect of the reverter on other lands encumbered by the reverter.

SP to pay 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 DOCUMENT WAS PREPARED BY
AND AFTER RECORDING RETURN TO:

Daniel T. O'Keefe, Esq.
300 South Orange Avenue
Suite 1000
Orlando, Florida 32801

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JAN 10 2017

Project: Horizon West School Sites

Parcel I.D. No.: Portion of 15-23-27-0000-00-022

RELEASE OF RIGHT OF REVERTER

THIS RELEASE OF RIGHT OF REVERTER ("Release") is made and entered into as of the date executed below by Orange County, a charter county and political subdivision of the state of Florida (the "County").

RECITALS

WHEREAS, SP Commercial Investors, LLC, a Florida limited liability company ("SP Commercial"), is the owner of that certain real property located in Orange County, Florida, and more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "**Property**"); and

WHEREAS, the Property is affected by that certain right of reverter set forth in that certain County Deed recorded on September 1, 2005, in Book 8167, Page 2778, Official Records of Orange County, Florida ("**Right of Reverter**"); and

WHEREAS, the County and SP Commercial desire to release that certain portion of the Property more particularly described on **Exhibit "B"** attached hereto and incorporated herein by this reference (the "**Released Property**") from the terms and conditions of the Right of Reverter.

NOW THEREFORE, for and in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County, intending to be legally bound hereby agrees as follows:

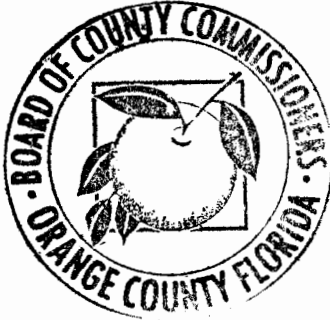
1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by this reference.

2. The County does hereby release, discharge and terminate the Right of Reverter only with respect to the Released Property, without impairing the operation and effect of the Right of the Reverter on the lands other than the Released Property.

[signatures on following page]

IN WITNESS WHEREOF, the County has caused this Release to be duly executed by their respective duly authorized representatives on the dates set forth below.

"COUNTY"



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs,

fu
Orange County Mayor

Date: 1.10.17

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk

Katie Smith

Printed Name

EXHIBIT "A"

The land referred to herein below is situated in the County of Orange, State of Florida, and is described as follows:

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 15, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 15, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 89°41'25" EAST, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 15, FOR A DISTANCE OF 1958.33 FEET; THENCE DEPARTING SAID NORTH LINE, RUN NORTH 00°18'35" WEST, FOR A DISTANCE OF 359.11 FEET; THENCE RUN NORTH 66°00'22" EAST, FOR A DISTANCE OF 556.68 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 84°58'11" EAST, FOR A DISTANCE OF 197.45 FEET TO A POINT ON A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 4445.60 FEET, A CHORD BEARING OF SOUTH 04°03'38" EAST, AND A CHORD DISTANCE OF 195.25 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°31'00" FOR AN ARC DISTANCE OF 195.26 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 35.00 FEET, A CHORD BEARING OF SOUTH 18°11'10" WEST, AND A CHORD DISTANCE OF 25.07 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°58'36" FOR AN ARC DISTANCE OF 25.64 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 631.00 FEET, A CHORD BEARING OF SOUTH 73°51'03" WEST, AND A CHORD DISTANCE OF 69.05 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°16'24" FOR AN ARC DISTANCE OF 69.09 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 70°42'51" EAST, FOR A DISTANCE OF 44.38 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 766.54 FEET, A CHORD BEARING OF SOUTH 67°38'44" WEST, AND A CHORD DISTANCE OF 82.07 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°08'13" FOR AN ARC DISTANCE OF 82.11 FEET; THENCE DEPARTING SAID CURVE, RUN NORTH 03°59'20" WEST, FOR A DISTANCE OF 266.99 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"**SKETCH OF DESCRIPTION**

SHEET 1 OF 1

LEGAL DESCRIPTION

A parcel of land comprising a portion of Section 15, Township 23 South, Range 27 East, Orange County, Florida.

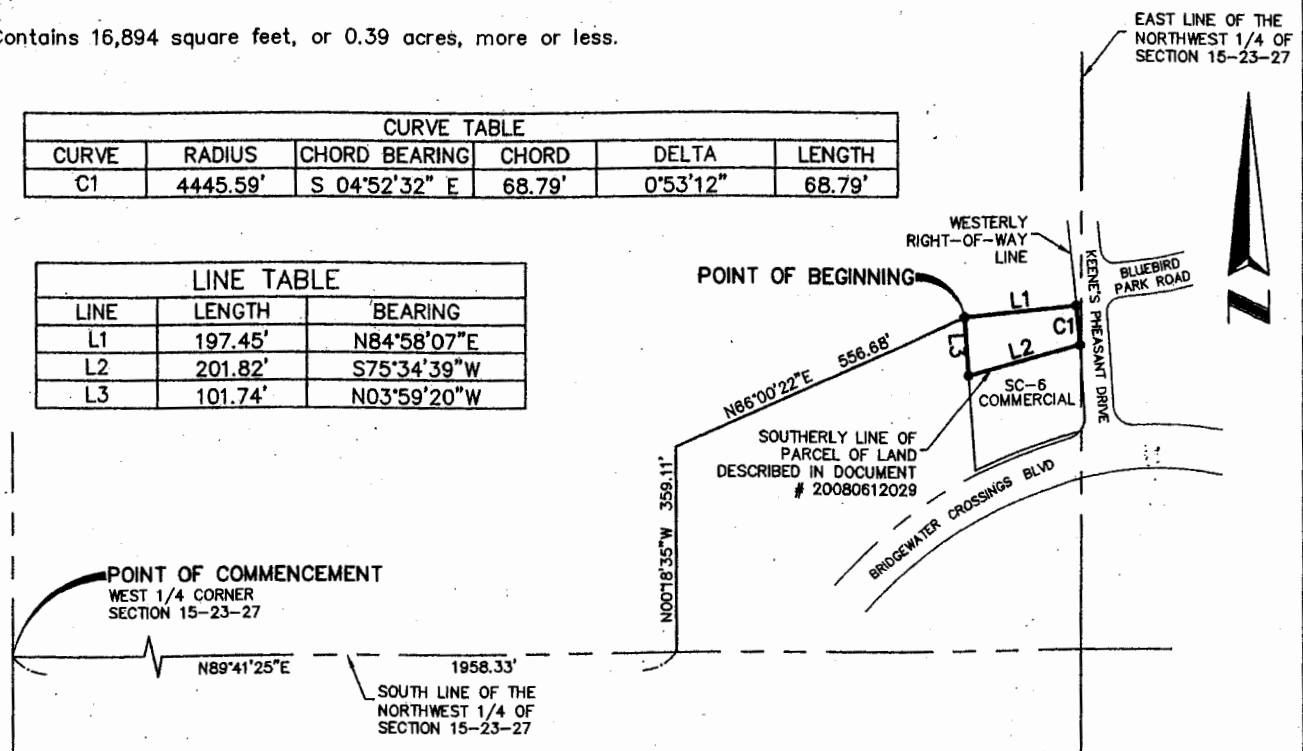
Being more particularly described as follows:

COMMENCE at the West 1/4 corner of aforesaid Section 15; thence run North 89°41'25" East along the South line of the Northwest 1/4 of said Section 15 for a distance of 1958.33 feet; thence departing said South line run North 00°18'35" West for a distance of 359.11 feet; thence run North 66°00'22" East for a distance of 556.68 feet to the POINT OF BEGINNING; thence run North 84°58'07" East for a distance of 197.45 feet to a point on the Westerly Right-of-way line of Keene's Pheasant Drive to a point on a non-tangent curve, concave Westerly, a chord bearing of South 04°52'32" East, chord distance of 68.79 feet and a radius of 4445.59 feet; thence run Southerly along said curve and said Westerly Right-of-way line, through a central angle of 00°53'12" for an arc distance of 68.79 feet to a point on the Southerly line of a parcel of land described in Document # 20080612029 of the Public Records of Orange County, Florida; thence departing said Westerly Right-of-way line, run South 75°34'39" West along aforesaid Southerly line for a distance of 201.82 feet; thence departing said Southerly line, run North 03°59'20" West for a distance of 101.74 feet to the POINT OF BEGINNING.

Contains 16,894 square feet, or 0.39 acres, more or less.

| CURVE TABLE | | | | | |
|-------------|----------|---------------|--------|----------|--------|
| CURVE | RADIUS | CHORD BEARING | CHORD | DELTA | LENGTH |
| C1 | 4445.59' | S 04°52'32" E | 68.79' | 0°53'12" | 68.79' |

| LINE TABLE | | |
|------------|---------|-------------|
| LINE | LENGTH | BEARING |
| L1 | 197.45' | N84°58'07"E |
| L2 | 201.82' | S75°34'39"W |
| L3 | 101.74' | N03°59'20"W |

**SURVEYOR'S NOTES:**

THIS IS NOT A SURVEY.
THE DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENTS REQUEST.
THIS LEGAL DESCRIPTION AND SKETCH WERE PREPARED WITHOUT THE BENEFIT OF TITLE.
THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 15-23-27 AS BEING AN ASSUMED BEARING OF NORTH 89°41'25" EAST.

JOB NO. 20160457

CALCULATED BY: EGT

DATE: 11/30/16

DRAWN BY: PJR

SCALE: 1 INCH = 300 FEET

CHECKED BY: MR

FIELD BY: N/A

FOR THE LICENSED BUSINESS # 6923 BY:

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



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