





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 2

**DATE:** March 24, 2017

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

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

**FROM:** Virginia G. Williams, 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 TEMPORARY ACCESS AND UTILITY EASEMENT FROM ORANGE COUNTY TO SEVILLANA, LLC AND MARBELLANA, LLC AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Granada PD – Parcels E, F, and G  
  
District 1

**PURPOSE:** To provide for access, construction, operation, and maintenance of road and pond improvements as requirement of a pond reconfiguration and roadway development agreement.

**ITEM:** Temporary Access and Utility Easement  
Revenue: None  
Size: 35,539.32 square feet  
Term: Temporary until a subdivision plat (which must provide public vehicular and pedestrian access across the easement area) is approved and recorded in the Public Records of Orange County

**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Public Works Department  
Risk Management Division  
Transportation Planning Division

**REMARKS:** On December 14, 2016, the Roadway Agreement Committee approved the "Pond Reconfiguration and Roadway Development Agreement Granada PD (Parcels E, F, and G)" (Agreement). An integral component of the proposed Granada PD development includes the reconfiguration of an existing County pond and use of such County pond property together with an existing easement granted by Wal-Mart Stores East, LP in favor of Sevillana, LLC and Marbellana, LLC, as a secondary access from the proposed Granada PD development to Turkey Lake Road. Under the terms of the Agreement, County is granting the Temporary Access and Utilities Easement to provide access and allow for the construction of roadway improvements and location of utilities, lighting and signage, along with other related improvements over County lands. The existing pond's reconfiguration will insure existing storage capacity and accommodate the roadway, at no cost to the County.

This action is contingent upon the results of the public hearing to consider Granada Planned Development / Parcels E, F, and a Portion of Parcel G Infrastructure Preliminary Subdivision Plan (Case # PSP-16-11-380) and the results of Board action on the Agreement appearing on the consent agenda under Community, Environmental & Development Services Department.

Grantee 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 INSTRUMENT PREPARED BY  
AND AFTER RECORDING RETURN TO:

Daniel T. O'Keefe, Esq.  
**Shutts & Bowen LLP**  
300 South Orange Avenue, Suite 1000  
Orlando, Florida 32801

Property Appraiser's Parcel ID No.:  
35-23-28-7825-00-011

SPACE ABOVE THIS LINE FOR RECORDING DATA

## **TEMPORARY ACCESS AND UTILITY EASEMENT**

*(Granada PD - Parcels E, F, and G)*

**THIS TEMPORARY ACCESS AND UTILITY EASEMENT** (this "**Easement**") is made as of the date signed below (the "**Effective Date**"), by **ORANGE COUNTY**, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393 (referred hereinafter as "**Grantor**" or, the "**County**"), in favor of **SEVILLANA, LLC**, a Florida limited liability company, whose address is 5401 South Kirkman Road, Suite 650, Orlando, Florida 32819, and **MARBELLANA, LLC**, a Florida limited liability company, whose address is 5401 South Kirkman Road, Suite 650, Orlando, Florida 32819 (individually referred as "**Sevillana**" or, "**Marbellana**," or collectively referred hereinafter as "**Grantees**"). The Grantor, Sevillana, Marbellana, and/or Grantees are sometime individually referred as "**Party**," or collectively referred as the "**Parties**."

### **RECITALS:**

A. Grantor is the fee simple owner of certain real property, more particularly described on **Exhibit "A"** attached hereto and made a part hereof (the "**County Property**").

B. Sevillana and Marbellana are currently the fee simple owners of certain unimproved parcels of real property, more particularly described on **Exhibit "B"** attached hereto and made a part hereof (the "**Sevillana and Marbellana Properties**"). The Sevillana and Marbellana Properties are adjacent to or in the vicinity of the County Property, but are not adjacent or contiguous to any publicly dedicated right-of-way.

C. The Parties have entered into that certain Pond Reconfiguration and Roadway Development Agreement (the "**Agreement**"), approved contemporaneously with this Easement and to be recorded contemporaneously with this Easement in the Public Records of Orange County, Florida, which, among other things, confers to the Parties certain entitlements and obligations relating to the development of Parcels E, F, and G of that certain amended Land Use Plan entitled "Granada PD," previously approved by County.

D. The Agreement provides, among other things, for (i) the reconfiguration and modification by Sevillana and Marbellana of the County's existing stormwater pond presently situated on the County Property, and (ii) the conveyance to Grantees of a temporary, non-exclusive access and utility easement across a portion of the County Property from the westerly right-of-way of Turkey Lake Road, to the westerly boundary of the County Property, which is contiguous to certain real property owned in fee simple (the "**Walmart Tract**") by Walmart Stores East, LP, a Delaware limited partnership ("**Walmart**") and all as graphically depicted on the **Concept Plan**, attached hereto and made a part hereof as **Exhibit "C"**.

E. Walmart has previously granted to Sevillana and Marbellana (i) that certain Access Easement, filed in the Public Records of Orange County, Florida ("**County Records**") on November 10, 2016 under Document No. 20160588483 (the "**Walmart Access Easement**") over and across the Wal-Mart Tract, and (ii) that certain Utility Easement, filed in the County Records November 10, 2016 under Document No. 20160588482 (the "**Walmart Utility Easement**") also over the Walmart Tract (collectively, the "**Walmart Easements**"), which area is more particularly described on **Exhibit "D"** attached hereto and made a part hereof.

F. The combined Walmart Access Easement and this Easement provide (i) a temporary nonexclusive easement for pedestrian and vehicular right-of-way ingress, egress, and access on, over, under, across, and through a portion of the County Property; (ii) a secondary means of ingress and egress to and from the Sevillana and Marbellana Properties to publicly dedicated Turkey Lake Road right-of-way, as required by the County for approval of the development of the Sevillana and Marbellana Properties; (iii) full authority for Sevillana and Marbellana to enter upon, construct roadway improvements including but not limited to pavement, curbs, sidewalks, and roadway landscaping, utilities, lighting, and stormwater drainage facilities and infrastructure within the County Temporary Access Easement Area (*defined below*), and such other purposes and improvements as set forth and described in the Agreement.

G. Grantees desire to acquire from Grantor, and Grantor desires to grant and convey unto Grantees this Easement on, over, under, across and through the County Temporary Access Easement Area.

H. The Parties are entering into this Easement pursuant to specific provisions of the Agreement to grant this Easement in favor of the Grantees, as more particularly set forth herein.

**NOW, THEREFORE**, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, paid by the Grantees, the receipt of which is hereby acknowledged by Grantor, the Parties do hereby agree as follows:

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

2. ***County Temporary Access Easement.*** The County does hereby give and grant unto the Grantees and their successors and assigns, and for the benefit of the public, a temporary non-exclusive easement for pedestrian and vehicular right-of-way ingress, egress, and access on, over, under, across, and through a portion of the County Property, as more particularly described

on **Exhibit “E”**, attached hereto and made a part hereof (the “**County Temporary Access Easement Area**”), with full authority to enter upon, construct roadway pavement, curbs, sidewalks, and stormwater drainage facilities and infrastructure, utilities, lighting, and roadway landscaping (collectively, the “**Easement Improvements**”), and such other purposes and improvements, as set forth and described in the Agreement. County also grants for the benefit of the public a temporary and non-exclusive right of pedestrian and vehicular access over, upon and across the County Temporary Access Easement Area.

3. ***No Impairment or Restriction.*** Grantees shall not unreasonably or permanently, or without County approval, block, impair, or restrict pedestrian or vehicular traffic within the County Temporary Access Easement Area during the Term (*defined below*) of this Easement.

4. ***Duration of Easement.*** All covenants, rights and obligations hereby granted, created and declared hereunder shall exist for the benefit of the Parties, their successors and assigns, from the Effective Date of this Easement until a subdivision plat (which must provide public vehicular and pedestrian ingress and egress over and across the County Temporary Access Easement Area) is approved and duly recorded among the Public Records of Orange County, Florida (the “**Term**”). Otherwise, this Easement may not be changed, amended, modified, canceled or terminated other than as expressly provided herein, or except by an instrument in writing, and recorded in the public records of Orange County, Florida. Upon approval and recordation of the aforementioned subdivision plat for the right-of-way, this Easement shall automatically terminate and shall no longer be of any force or effect.

5. ***Incidental Rights.*** This Easement and rights of use hereby created and conveyed in favor of Grantees shall include all incidental rights reasonably necessary for the use and enjoyment of the County Temporary Access Easement for their intended purpose.

6. ***Maintenance of the Roadway and Utilities.*** Sevillana and Marbellana shall maintain the Easement Improvements during the Term of this Easement, and shall be responsible to repair any damage caused to the Easement Improvements in connection with Grantee’s use of the Easement. Sevillana and Marbellana shall also maintain any utilities installed within the County Temporary Access Easement Area until any or all of the utilities are conveyed in fee to Grantor or to the appropriate utility service provider. For any Easement Improvements which are not so conveyed, Sevillana and Marbellana shall enter into a standard County Use Agreement and customary Right-Of-Way Utilization permit, as provided in the Agreement. Upon the expiration of the Term of this Easement, the County shall forthwith be solely responsible for the maintenance and operation of the Easement Improvements and related infrastructure and improvements which are not otherwise the responsibility of Sevillana or Marbellana or of an appropriate utility service provider.

7. ***Successors.*** The easements, covenants, rights, and obligations hereby granted, created and declared shall run with and be appurtenant to the lands herein described, and shall run with said lands for duration of the Term and be binding upon and inure to the benefit of and be enforced by all the parties hereto and their respective successors, unless the same are terminated as provided herein. This Easement shall inure to the benefit and burden of the Parties and to Grantees’ heirs, legal representatives, successors, and assigns who have been specifically designated and identified by Sevillana, and/or Marbellana in a written instrument transferring an

interest specifically identified in this Easement. This Easement shall be enforceable by: (i) the County, Sevillana, and Marbellana, and (ii) any successor in title to the lands of any party intended to be benefited by the provisions of this Easement who has received an assignment of a specifically identified enforcement interest in this Easement. Each of the Grantees has the right to assign and transfer their rights under this Easement only in connection with the sale or transfer of their respective properties or interests in their respective properties. After the transfer of the entirety of either one of the Sevillana and Marbellana Properties, and the directly related assignment of this Easement, said transferring Party shall have no further rights or obligations hereunder, including, without limitation to any liabilities of said Party under this Easement, and the name of the transferee/assignee shall be substituted for the applicable Party wherever it appears herein, whereupon such transferee/assignee shall have all rights, obligations and liabilities under this Easement from and after the date of such transfer. Sevillana and/or Marbellana shall provide at least thirty (30) days prior written notice to the County of such transfer, assignment and/or sale, including the name of and contact information for such assignee/transferee/purchaser.

8. ***Attorneys' Fees.*** In the event any Party hereto brings an action or proceeding, including any counterclaim, cross-claim, or third party claim, against the other Party arising out of this Easement, each Party in such action or proceeding, including appeals therefrom, shall be responsible for its own attorney fees.

9. ***Governing Law.*** This Easement and the provisions contained herein shall be construed and interpreted in accordance with and controlled and governed by the laws of the State of Florida.

10. ***Granada PD Pond Reconfiguration and Roadway Development Agreement.*** This Easement is executed in furtherance and implementation of the specific conditions and requirements of the Agreement, entered into by and between the Parties hereto, and recorded on even date herewith in the County Records. In the event of a conflict between the provisions of this Easement and the Agreement, the Agreement shall supersede, control, and prevail.

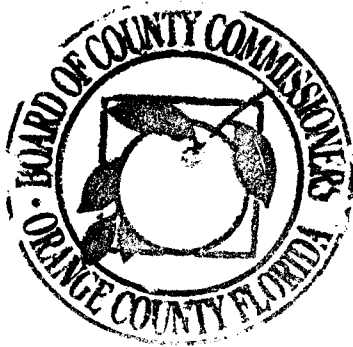
11. ***List of Easement Exhibits.***

- Exhibit "A"** County Property
- Exhibit "B"** Sevillana and Marbellana Properties
- Exhibit "C"** Concept Plan
- Exhibit "D"** Walmart Tract
- Exhibit "E"** County Temporary Easement Area

*[Remainder of this Page left blank. Signature page and Exhibits follow]*

**IN WITNESS WHEREOF**, the County, as Grantor, has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)



**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

Date: 4.11.17

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

By: *Jennifer Lara-Klimetz*  
for Deputy Clerk  
Jennifer Lara-Klimetz  
Printed Name

*[Exhibits "A" through "E" on following Pages]*

## SKETCH AND LEGAL DESCRIPTION

EXHIBIT

tabbies

"A"

### TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES  
SHEET 2 - SKETCH

### LEGAL DESCRIPTION

PARCEL 922 (RETENTION AREA)

DESCRIPTION: (PER OFFICIAL RECORDS BOOK 4848, PAGE 1230, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA)

THAT PART OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SAID NORTHEAST 1/4 OF SAID SECTION 35 AND RUN THENCE S 00°01'35" E ALONG THE EAST LINE OF THE SAID NORTHEAST 1/4 A DISTANCE OF 1,331.85'; THENCE RUN S 88°08'25" W A DISTANCE OF 303.82' FOR THE POINT OF BEGINNING, SAID POINT LYING ON THE SOUTH LINE OF A 50' F.D.O.T. DRAINAGE EASEMENT RECORDED IN O.R. BOOK 915, PAGE 377 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S 88°08'25" W ALONG SAID SOUTH LINE A DISTANCE OF 120'; THENCE RUN S 36°08'04" W A DISTANCE OF 108'; THENCE S 01°31'36" E A DISTANCE OF 195'; THENCE RUN N 88°08'25" E A DISTANCE OF 370.83' TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 668.20'; THENCE FROM A TANGENT BEARING OF N 20°20'34" W RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°58'02" A DISTANCE OF 337.82' TO THE POINT OF BEGINNING.

CONTAINING 1.838 ACRES. MORE OR LESS

### NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY OTHERS, SKETCH IS BASED ON THE ABOVE DESCRIPTION.
4. 1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE NE 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, AS BEING N89°36'46"E.

### CERTIFICATION:

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17.05 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

For the firm by:

*[Signature]* 2/13/17  
James W. Proctor, P.S.M.  
Professional Surveyor and Mapper  
Florida License No. 6032



**CARNAHAN-PROCTOR CROSS, INC.**

CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:	10/19/2016
DRAWN BY:	LSA
CHECKED BY:	JWG

PROJECT # 151213  
COUNTY POND PROPERTY  
SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
1	2
CAD FILE: 151213 GRANADA ESM-A	



# SKETCH AND LEGAL DESCRIPTION

## TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES

SHEET 2 - SKETCH

### SAND LAKE ROAD (SR 482)

(120' R/W PER FDOT R/W MAP SECTION 75002)

OFFICIAL RECORD BOOK 915, PAGE 377

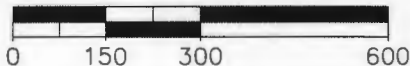
N LINE OF THE NE 1/4 OF SEC 35-23-28

POINT OF COMMENCEMENT  
NE CORNER OF THE NE 1/4 OF  
SEC 35-23-28

LOT 1  
PHILLIPS VIEW  
TOWER  
PB 71, PGS.  
150-154

PARCEL NO.  
35-23-28-0000-00-042  
ORB 3746, PG. 1021  
ORANGE COUNTY BCC

1" = 300'



#### GRAPHIC SCALE

PARCEL 4  
35.55± ACRES  
VACANT & WOODED  
PARCEL ID: 35-23-28-0000-00-053  
GOZA LLC  
ORB 10311, PG 8347

50' DRAINAGE EASEMENT PER  
F.D.O.T. R/W MAP SECTION 75002

LOT 1  
SAND LAKE PLAZA  
PB 28, PG. 125

PARCEL NO.  
35-23-28-7825-00-010  
ORB 8374, PG. 2813  
WAL-MART STORES EAST LP

35' DRAINAGE EASEMENT PER O.C.  
R/W MAP NO. Y8-849B

PARCEL 1  
71.20± ACRES  
VACANT & WOODED

#### ABBREVIATIONS:

A = ARC LENGTH  
R = RADIUS  
D = CENTRAL ANGLE  
CB = CHORD BEARING  
C = CHORD  
ID = IDENTIFICATION  
PB = PLAT BOOK  
ORB = OFFICIAL RECORDS BOOK  
PG. = PAGE  
SEC = SECTION  
R/W = RIGHT-OF-WAY  
O.C. = ORANGE COUNTY  
U.E. = UTILITY EASEMENT  
SR = STATE ROAD  
FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION

CANAL & LANDSCAPE EASEMENT  
ORB 169, PG. 196 & ORB 2499, PG. 894

#### LINE TABLE

LINE	BEARING	DISTANCE
L1	S88°08'25"W	120.00'
L2	S36°08'04"W	108.00'
L3	S01°31'36"E	195.00'
L4	N88°08'25"E	370.83'

### TURKEY LAKE ROAD (SR 482)

(120' R/W PER FDOT R/W  
MAP SECTION 75002)

S00°01'35"E 1331.85'  
E LINE OF THE NE 1/4  
OF SEC 35-23-28

INTERSTATE NO. 4 (SR 400)  
(R/W WIDTH VARIES PER F.D.O.T.  
R/W MAP SECTION 75002)

POINT OF  
BEGINNING

303.82'  
S88°08'25"W

A=337.82'  
R=668.20'  
D=28°58'02"

PARCEL NO.922  
RETENTION POND  
1.838 ACRES

PARCEL NO.  
35-23-28-7825-00-011  
ORB 4848, PG. 1230  
ORANGE COUNTY BCC

TANGENT BEARING  
N20°20'34"W

LOT 1  
SAND LAKE PLAZA  
PB 28, PG. 125

20.00' U.E. PER  
ORB 10289, PG. 5264



**CARNAHAN-PROCTOR CROSS, INC.**  
CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:  
10/19/2016

DRAWN BY:  
LSA

CHECKED BY:  
JWQ

PROJECT # 151213  
COUNTY POND PROPERTY  
SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
2	2
CAD FILE: 151213 GRANADA ESM-A	

# SKETCH OF LEGAL DESCRIPTION

EXHIBIT

"B"

TABLE OF CONTENTS:  
SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES  
SHEET 2-5 - SKETCH

## LEGAL DESCRIPTION (BY OTHERS)

PARCEL 1 (FEE SIMPLE ESTATE) {PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 5153628}  
THAT PART OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 35 AND RUN S00°25'21"W ALONG THE WEST LINE OF SAID NORTHEAST 1/4 FOR A DISTANCE OF 666.11 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35 AND THE POINT OF BEGINNING; THENCE CONTINUE S00°25'21"W ALONG SAID WEST LINE FOR A DISTANCE OF 999.79 FEET; THENCE RUN S89°34'39"E FOR A DISTANCE OF 1251.77 FEET TO A POINT ON THE WEST LINE OF LOT 1, SAND LAKE PLAZA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 125 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S02°07'50"W ALONG SAID WEST LINE FOR A DISTANCE OF 98.31 FEET; THENCE RUN N67°27'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 648.00 FEET; THENCE RUN N89°57'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 292.00 FEET; THENCE RUN S01°21'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 605.93 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 240.00 FEET, A CENTRAL ANGLE OF 05°11'59" AND A CHORD BEARING OF S65°21'18"W; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID WEST LINE FOR A DISTANCE OF 21.78 FEET TO A POINT OF NON-TANGENCY; THENCE RUN S01°21'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 130.46 FEET; THENCE RUN S26°43'10"W ALONG SAID WEST LINE FOR A DISTANCE OF 744.76 FEET; THENCE RUN N71°14'01"W FOR A DISTANCE OF 2697.92 FEET TO THE WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5332, PAGE 435, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N00°25'21"E ALONG SAID LINE FOR A DISTANCE OF 1010.19 FEET; THENCE RUN N62°33'09"E ALONG SAID LINE FOR A DISTANCE OF 848.45 FEET TO THE POINT OF BEGINNING.

PARCEL 2 (FEE SIMPLE ESTATE) {PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 5153628}  
THAT PART OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 35 AND RUN S00°25'21"W ALONG THE WEST LINE OF SAID NORTHEAST 1/4 FOR A DISTANCE OF 666.11 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE CONTINUE S00°25'21"W ALONG SAID WEST LINE FOR A DISTANCE OF 999.79 FEET; THENCE RUN S89°34'39"E FOR A DISTANCE OF 1251.77 FEET TO A POINT ON THE WEST LINE OF LOT 1, SAND LAKE PLAZA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 125 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S02°07'50"W ALONG SAID WEST LINE FOR A DISTANCE OF 98.31 FEET; THENCE RUN N67°27'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 648.00 FEET; THENCE RUN N89°57'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 292.00 FEET; THENCE RUN S01°21'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 605.93 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 240.00 FEET, A CENTRAL ANGLE OF 05°11'59" AND A CHORD BEARING OF S65°21'18"W; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID WEST LINE FOR A DISTANCE OF 21.78 FEET TO A POINT OF NON-TANGENCY; THENCE RUN S01°21'50"E ALONG SAID WEST LINE FOR A DISTANCE OF 130.46 FEET; THENCE RUN S26°43'10"W ALONG SAID WEST LINE FOR A DISTANCE OF 744.76 FEET TO THE POINT OF BEGINNING; THENCE RUN S00°02'10"E ALONG SAID WEST LINE FOR A DISTANCE OF 429.13 FEET; THENCE RUN S80°23'10"W ALONG SAID WEST LINE FOR A DISTANCE OF 371.72 FEET; THENCE RUN S88°28'10"W ALONG SAID WEST LINE FOR A DISTANCE OF 458.00 FEET; THENCE RUN S86°28'12"W ALONG SAID WEST LINE FOR A DISTANCE OF 126.81 FEET; THENCE RUN S44°58'12"W ALONG SAID WEST LINE FOR A DISTANCE OF 82.17 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE RUN N89°46'12"W ALONG SAID LINE FOR A DISTANCE OF 474.59 FEET TO THE NORTHWEST CORNER OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35; THENCE RUN N89°43'27"W FOR A DISTANCE OF 331.48 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 35; THENCE RUN S00°25'21"W FOR A DISTANCE OF 1339.36 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 35; THENCE RUN S89°36'36"W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 35 FOR A DISTANCE OF 750.04 FEET; THENCE RUN N00°25'21"E ALONG THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5332, PAGE 435, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, FOR A DISTANCE OF 3270.56 FEET TO A POINT LYING N71°14'01"W A DISTANCE OF 2697.92 FEET FROM THE POINT OF BEGINNING; THENCE RUN S71°14'01"E FOR A DISTANCE OF 2697.92 FEET TO THE POINT OF BEGINNING.

### NOTES:

1. THIS SKETCH OF DESCRIPTION IS NOT A SURVEY.
2. THIS SKETCH AND DESCRIPTION (BY OTHERS) IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY OTHERS, SKETCH IS BASED ON THE ABOVE DESCRIPTION.
4. 1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE NE 1/4 OF SECTION 35, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, AS BEING N89°36'48"E.

### CERTIFICATION:

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17.01 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.017, FLORIDA STATUTES.

For the firm by:

*[Signature]* 2/13/17  
James M. Oberhel, P.S.M.  
Professional Surveyor and Mapper  
Florida License No. 6032



**CARAHAN-PROCTOR CROSS, INC.**  
CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:	10/19/2016
DRAWN BY:	LSA
CHECKED BY:	JWO

PROJECT # 151213  
SEVILLANA AND MARBELLANA PROPERTIES  
SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
1	5
CAD FILE: 151213 GRANADA ESM-A	

# SKETCH OF LEGAL DESCRIPTION

## TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES

SHEET 2-5 - SKETCH

### ABBREVIATIONS:

A= ARC LENGTH  
R= RADIUS  
D= CENTRAL ANGLE  
CB= CHORD BEARING  
C= CHORD  
ID= IDENTIFICATION  
SEC= SECTION  
R/W= RIGHT OF WAY  
ORB= OFFICIAL RECORDS BOOK  
FDOT=FLORIDA DEPARTMENT OF TRANSPORTATION  
PG= PAGE  
O.C.=ORANGE COUNTY  
U.E=UTILITY EASEMENT  
PB=PLAT BOOK

NOTE: THE LEGAL DESCRIPTION IS BY OTHERS. THIS SKETCH IS TO DEPICT THE BOUNDARY AS DESCRIBED ON SHEET 1 AND NOT FOR TRANSFER OF PROPERTY.

## SAND LAKE ROAD (SR 482)

(120' R/W PER FDOT R/W MAP SECTION 75002)

N89°36'46"E

N LINE OF THE NW 1/4 OF SEC 35-23-28

N LINE OF THE NE 1/4 OF SEC 35-23-28

POINT OF COMMENCEMENT  
PARCELS 1 AND 2  
NW CORNER OF THE  
NE 1/4 OF SEC 35-23-28

PARCEL NO. 35-23-28-0000-00-052  
ORB 5745, PG 1340

PLAZA VENEZIA PROPERTY OWNERS ASSOC INC

PARCEL NO.  
35-23-28-0000-00-001  
ORB 4934, PG 4302  
MSC SAND LAKE IV INC

LOT 1  
PHILLIPS VIEW  
TOWER  
PB 71, PGS.  
150-154

POINT OF BEGINNING  
PARCEL 1  
NW CORNER OF S 1/2 OF NW  
1/4 OF NE 1/4 OF SEC 35-23-28

N62°33'09"E 848.45'

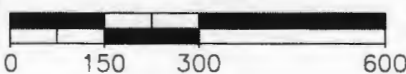
PARCEL 1  
71.20± ACRES  
VACANT & WOODED  
PARCEL ID: 35-23-28-0000-00-008  
SEVILLANA LLC  
ORB 7346, PG 127

PARCEL 4  
35.55± ACRES  
VACANT & WOODED

CANAL & LANDSCAPE EASEMENT  
ORB 169, PG. 196 &  
ORB 2499, PG. 894

MATCH LINE A

1" = 300'



GRAPHIC SCALE

N71°14'01"W  
2697.92'

VIZCAYA HEIGHTS CONDOMINIUM  
COMMON AREA  
PARCEL NO. 35-23-28-8980-08-001  
ORB 8976, PG. 4535  
VIZCAYA HEIGHTS MULTICONDOMINIUM ASSN INC  
IDS DESCRIBED IN ORB 5332, PAGE 435 LINE

S00°25'21"W  
666.11'

WEST LINE OF NORTHEAST 1/4

S00°25'21"W  
999.79'

LINE OF THE NW 1/4 OF SEC 35-23-28

MATCH LINE D



**CARNAHAN-PROCTOR CROSS, INC.**  
CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:  
10/19/2016

DRAWN BY:  
LSA

CHECKED BY:  
JWQ

PROJECT # 151213  
SEVILLANA AND MARBELLANA PROPERTIES  
SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.

2

OF

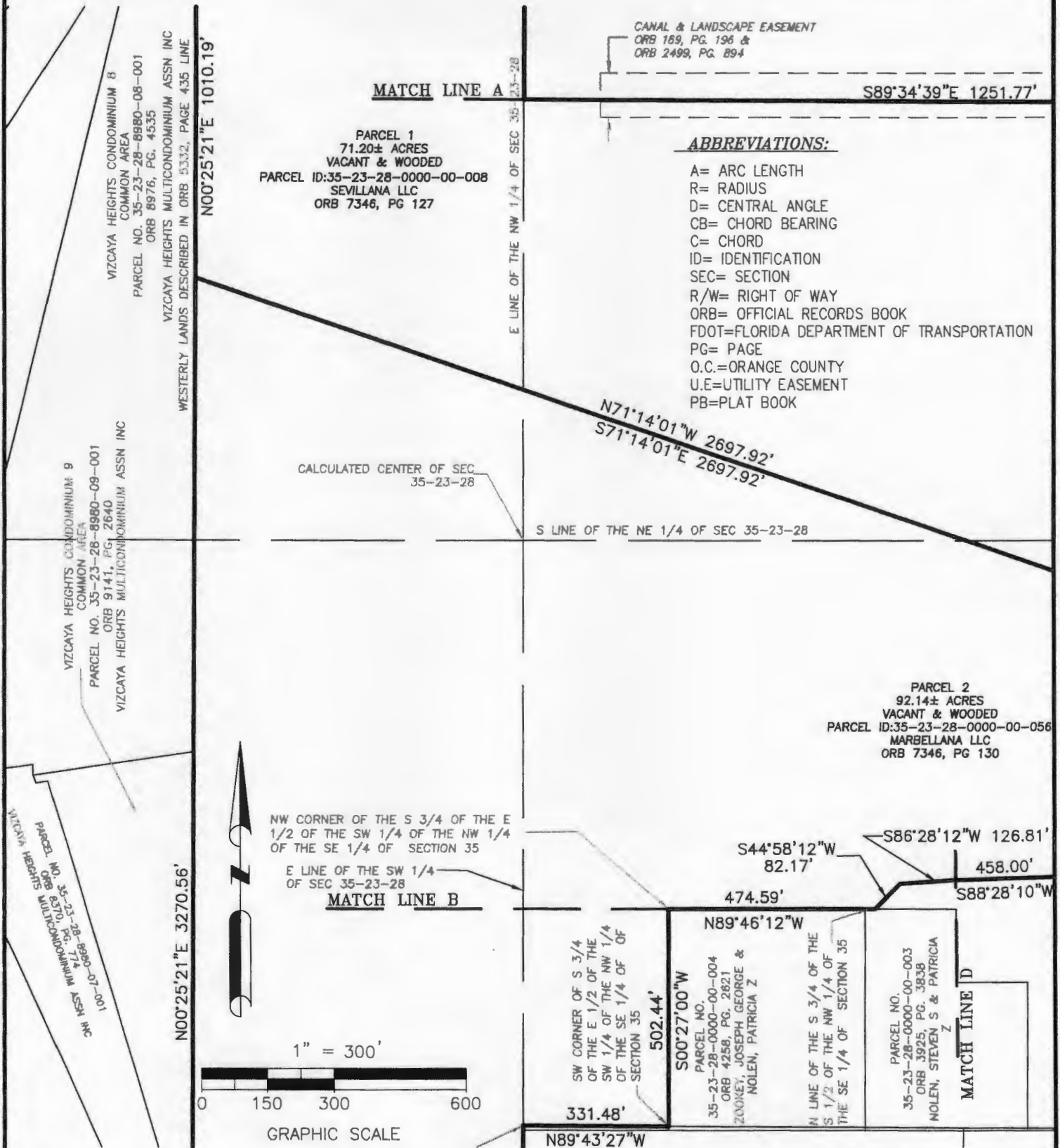
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CAD FILE:  
151213 GRANADA ESM-A

# SKETCH AND LEGAL DESCRIPTION

## TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES  
SHEET 2-5 - SKETCH



**CARAHAN-PROCTOR CROSS, INC.**  
CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:	10/19/2015
DRAWN BY:	LSA
CHECKED BY:	JWQ

PROJECT # 151213  
SEVILLANA AND MARBELLANA PROPERTIES  
SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
3	5
CAD FILE:	
151213 GRANADA ESM-A	

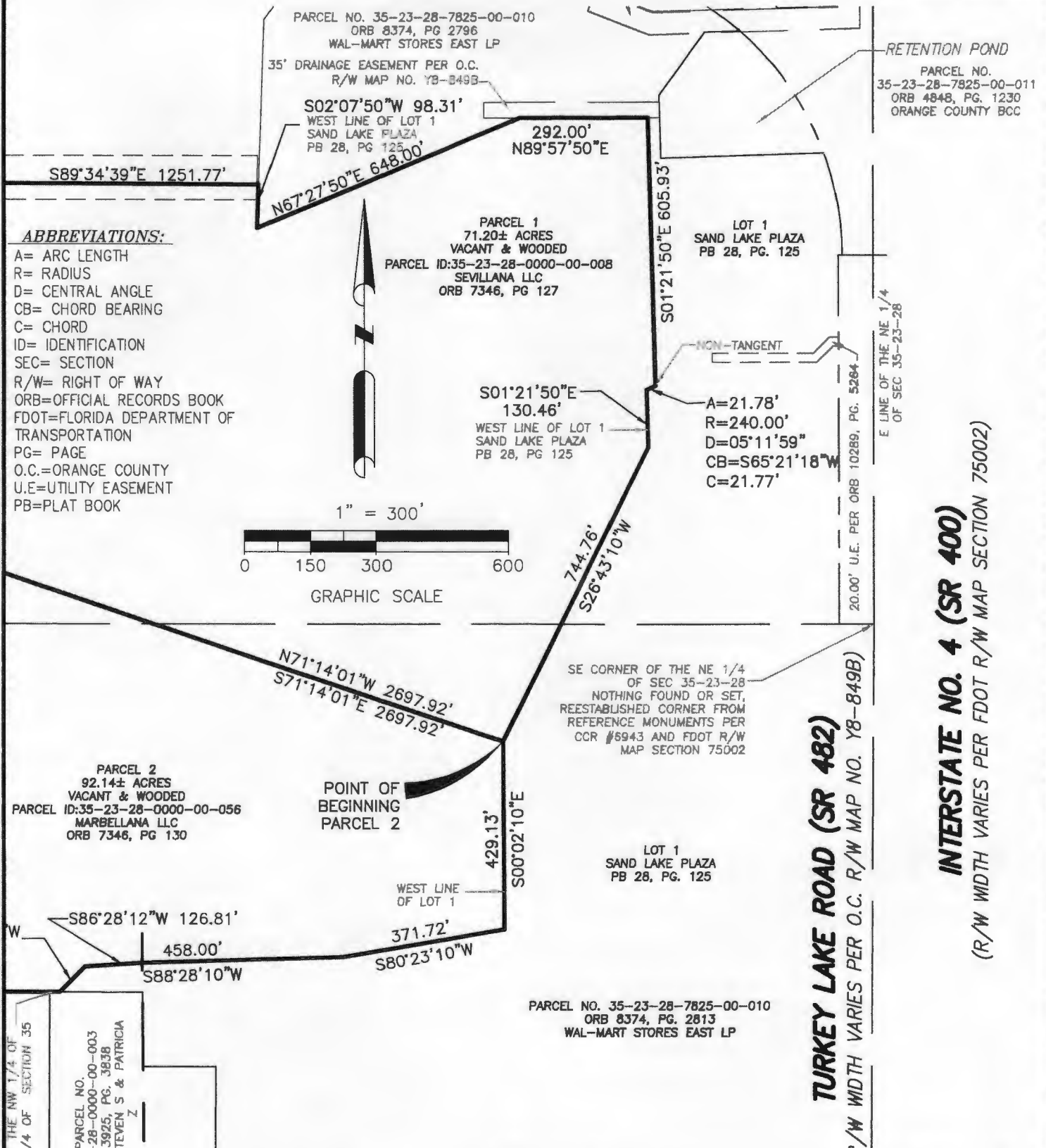




# SKETCH AND LEGAL DESCRIPTION

## TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES  
SHEET 2-5 - SKETCH



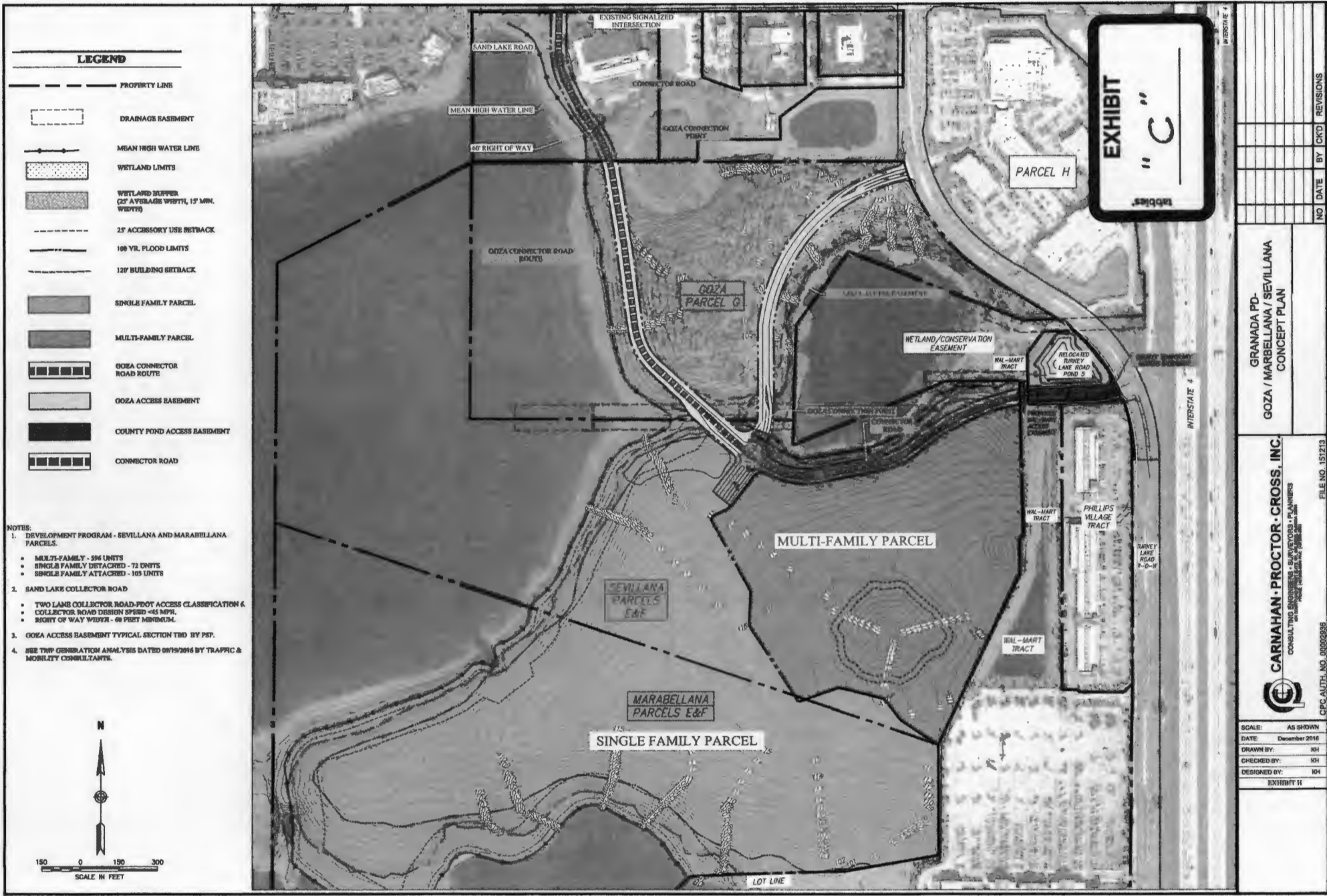
**CARNAHAN PROCTOR CROSS, INC.**  
CONSULTING ENGINEERS SURVEYORS PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:	10/18/2016
DRAWN BY:	LSA
CHECKED BY:	JWQ

PROJECT # 151213  
SEVILLANA AND MARBELLANA PROPERTIES  
SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
5	5
CAD FILE:	
151213 GRANADA ESM-A	



GRANADA PD-  
GOZA / MARABELLANA / SEVILLANA  
CONCEPT PLAN

CARNAHAN PROCTOR CROSS, INC.  
CONSULTING ENGINEERS - SURVEYORS - PLANNERS  
10000 W. 10TH AVENUE, SUITE 100  
DENVER, CO 80231  
CPC AUTH. NO. 00000335

SCALE: AS SHOWN  
DATE: December 2016  
DRAWN BY: JKH  
CHECKED BY: JKH  
DESIGNED BY: JKH  
EXHIBIT H

NO. DATE BY CRD REVISIONS

# SKETCH AND LEGAL DESCRIPTION

EXHIBIT

"D"

## TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES  
SHEET 2 - SKETCH

## LEGAL DESCRIPTION

A portion of Lot 1, Sand Lake Plaza as recorded in Plat Book 28, Page 125 in Orange County, Florida, Said Lands lying in Section 35, Township 23 South, Range 28 East, Orange County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said section 35; thence run S 00°01'50" E, along the East line of said Northeast 1/4 of Section 35, for a distance of 1534.75 feet; thence leaving said section line run S 89°48'09" W, a distance of 485.95 feet to the Point of Beginning and the West boundary line of Parcel ID: 35-23-28-7825-00-011 as recorded in Official Records Book 4848, Page 1230 of the Public Records of Orange County, Florida; thence along the West line of said Parcel run S 01°31'51" E, a distance of 91.77 feet to the Southwest corner of said Parcel; thence S 88°08'10" W, a distance of 1.05 feet to a point of curvature of a curve concave southeasterly, having a radius of 370.00 feet, a chord bearing of S 86°04'03" W, and a chord length of 26.71 feet; thence along the arc of said curve through a central angle of 04°08'14" for an arc length of 26.72 feet to the boundary line of said Lot 1; thence along said Boundary line run N 01°31'31" W, a distance of 93.54 feet to a corner of said Lot 1; thence leaving said boundary line run N 89°48'09" E, a distance of 27.72 feet to the Point of Beginning.

Said lands having an area of 2,563 square feet, more or less.

### NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 35-23-28, BEING SOUTH 00°01'50" EAST. (ASSUMED)

### CERTIFICATION:

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17.05 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

For the firm by:

James W. Gortel, P.S.M.  
Professional Surveyor and Mapper  
Florida License No. 8032



**CARNAHAN PROCTOR CROSS, INC.**  
CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:  
9/29/2016

DRAWN BY:  
LSA

CHECKED BY:  
JWQ

PROJECT # 151213  
WAL-MART EASEMENT  
SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
1	2
CAD FILE: 151213 GRANADA ESM.	



# SKETCH AND LEGAL DESCRIPTION

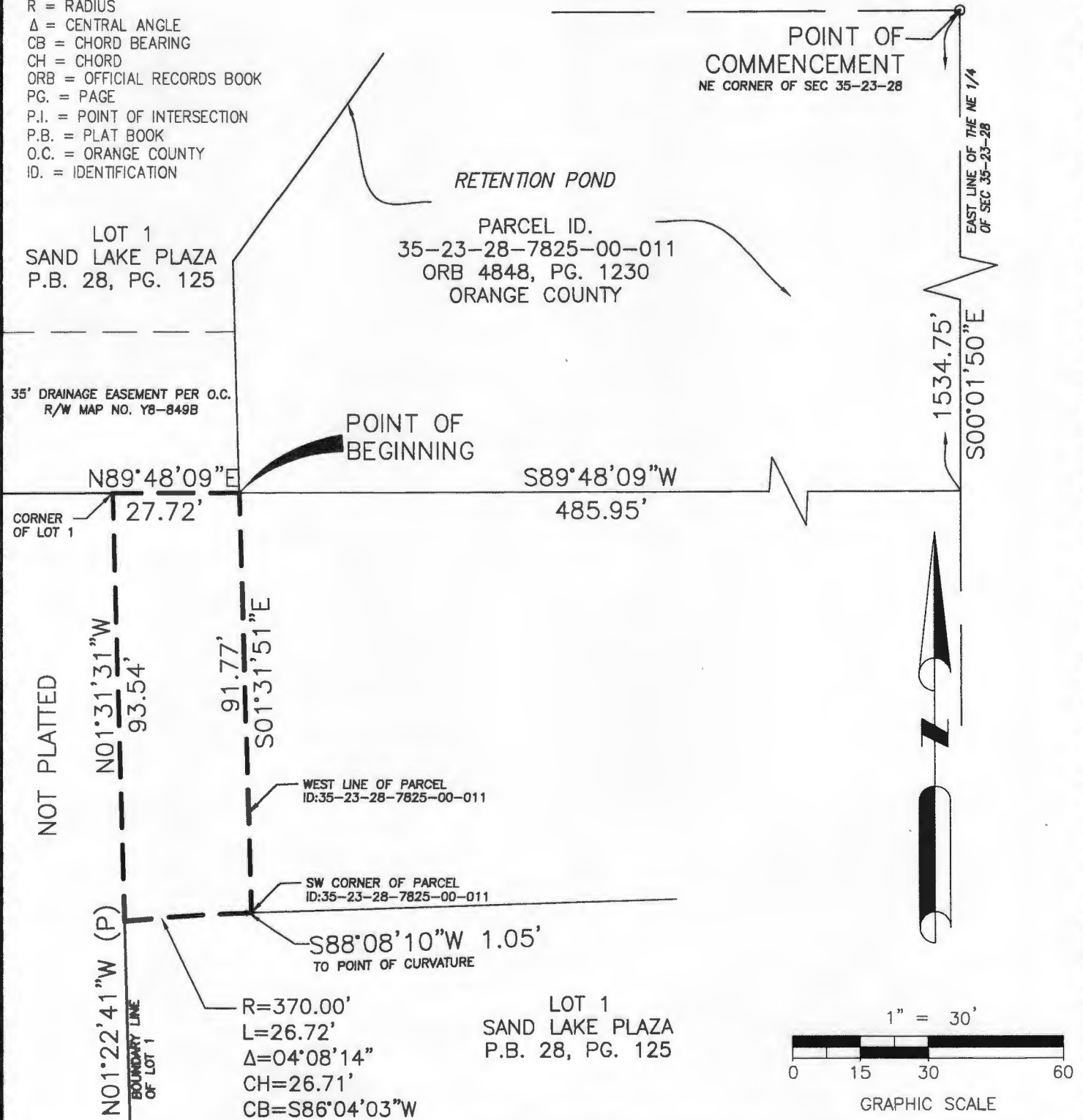
## TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES

SHEET 2 - SKETCH

### ABBREVIATIONS:

L = ARC LENGTH  
R = RADIUS  
 $\Delta$  = CENTRAL ANGLE  
CB = CHORD BEARING  
CH = CHORD  
ORB = OFFICIAL RECORDS BOOK  
PG. = PAGE  
P.I. = POINT OF INTERSECTION  
P.B. = PLAT BOOK  
O.C. = ORANGE COUNTY  
ID. = IDENTIFICATION



**CARNAHAN · PROCTOR CROSS, INC.**

CONSULTING ENGINEERS · SURVEYORS · PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801

PHONE: (407)960-5980 FAX: (407)960-5983

#### DATE:

9/28/2018

#### DRAWN BY:

LSA

#### CHECKED BY:

JWQ

PROJECT # 151213

WAL-MART EASEMENT  
SKETCH OF DESCRIPTION

ORANGE COUNTY, FL

SHEET NO.

2

OF

2

CAD FILE:

151213 GRANADA ESM.

SKETCH AND LEGAL DESCRIPTION  
EXHIBIT "E"

EXHIBIT

"E"

TABLE OF CONTENTS:

SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES  
SHEET 2 - SKETCH

LEGAL DESCRIPTION

A portion of Lot 1, Sand Lake Plaza as recorded in Plat Book 28, Page 125 in Orange County, Florida, Said Lands lying in Section 35, Township 23 South, Range 28 East, Orange County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said section 35; thence run S 00°01'50" E, along the East line of said Northeast 1/4 of Section 35, for a distance of 1616.02 feet; thence leaving said section line run S 89°58'10" W, for a distance of 112.56 feet to a point on the West Right of Way line of Turkey Lake Road as recorded in said Plat Book 28, Page 125, to the Southeast corner of Parcel 35-23-28-7825-00-011 as recorded in Official Records Book 4848, Page 1230 of Orange County, Florida and to the Point of Beginning; thence leaving said Right of Way line along the South line of said Parcel run S 88°08'10" W, for a distance of 371.18 feet to the Southwest corner of said Parcel; thence along the West line of said Parcel run N 01°31'51" W, for a distance of 75.00 feet; thence leaving the West line of said Parcel run N 88°08'10" E, for a distance of 299.72 feet to a point of curvature of a curve concave Northwesterly, having a radius of 10.00 feet, a chord bearing of N 29°13'53" E, and a chord length of 17.13 feet; thence along the arc of said curve through a central angle of 117°48'33" for an arc length of 20.56 feet to the point of compound curvature of a curve concave Southwesterly, having a radius of 646.20 feet, a chord bearing of N 40°34'37" W, and a chord length of 244.47 feet; thence along the arc of said curve through a central angle of 21°48'27" for an arc length of 245.95 feet to the North line of said Parcel; thence along of said North line run N 88°08'10" E, for a distance of 33.22 feet to aforesaid West Right of Way line of Turkey Lake Road and to a point on a non-tangent curve concave Southwesterly, having a radius of 668.20 feet, a chord bearing of S 34°49'39" E, and a chord length of 334.23 feet; thence along the arc of said curve through a central angle of 28°57'59" for an arc length of 337.81 feet to the Point of Beginning.

Said lands having an area of 35,539.32 or 0.747 acres, more or less.

NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE LAND DESCRIPTION HEREON WAS WRITTEN BY THIS SURVEYOR AT THE DIRECTION OF THE CLIENT.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 35-23-28, BEING SOUTH 00°01'50" EAST. (ASSUMED)

CERTIFICATION:

I HEREBY STATE THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SKETCH AND DESCRIPTION MEETS STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS, AS SET FORTH IN CHAPTER 5J-17.05 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

For the firm by:

James W. Buertel, P.S.M.  
Professional Surveyor and Mapper  
Florida License No. 6032



**CARAHAN-PROCTOR CROSS, INC.**

CONSULTING ENGINEERS • SURVEYORS • PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:	10/18/2016
DRAWN BY:	LSA
CHECKED BY:	JWQ

PROJECT # 151213  
COUNTY TEMPORARY ACCESS EASEMENT  
AREA SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
1	2
CAD FILE: 151213 GRANADA ESM.	

# SKETCH AND LEGAL DESCRIPTION

EXHIBIT

"E"

## TABLE OF CONTENTS:

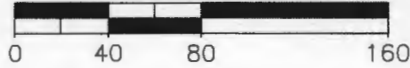
SHEET 1 - LEGAL DESCRIPTION, CERTIFICATION AND NOTES

SHEET 2 - SKETCH

### ABBREVIATIONS:

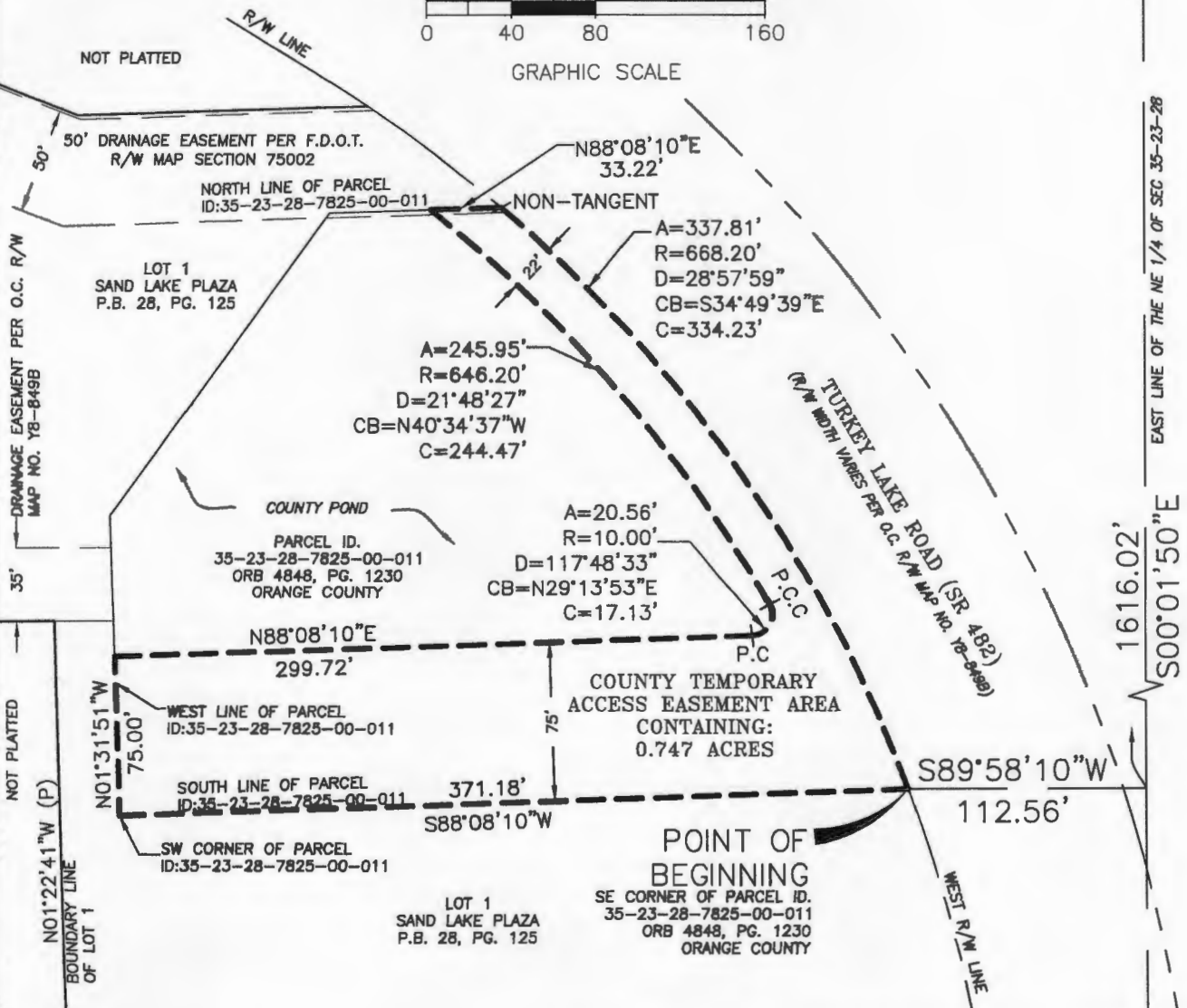
A = ARC LENGTH  
R = RADIUS  
D = CENTRAL ANGLE  
CB = CHORD BEARING  
C = CHORD  
ID = IDENTIFICATION  
P.B. = PLAT BOOK  
O.R.B. = OFFICIAL RECORDS BOOK  
PG. = PAGE  
SEC = SECTION  
R/W = RIGHT-OF-WAY  
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION  
O.C. = ORANGE COUNTY  
(P) = PER PLAT  
P.C. = POINT OF CURVATURE  
P.C.C. = POINT OF COMPOUND CURVATURE

1" = 80'



GRAPHIC SCALE

POINT OF  
COMMENCEMENT  
NE CORNER  
OF SEC 35-23-28



**CARNAHAN-PROCTOR CROSS, INC.**  
CONSULTING ENGINEERS-SURVEYORS-PLANNERS

604 COURTLAND STREET, SUITE 101 ORLANDO FLORIDA 32801  
PHONE: (407)960-5980 FAX: (407)960-5983

DATE:	9/28/2016
DRAWN BY:	LSA
CHECKED BY:	JWQ

PROJECT # 151213  
COUNTY TEMPORARY ACCESS EASEMENT  
AREA SKETCH OF DESCRIPTION  
ORANGE COUNTY, FL

SHEET NO.	OF
2	2
CAD FILE:	
151213 GRANADA ESM.	