





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 7

DATE: April 6, 2017

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

PROJECT: Dowden Road Ph 2 Permit: 15-U-086 OCU File #: 81850

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: 13,284 square feet

APPROVALS: Real Estate Management Division
Utilities 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
APR 25 2017

Project: Dowden Road Ph 2 Permit: 15-U-086 OCU File #: 81850

UTILITY EASEMENT

THIS INDENTURE, Made this 24th day of March, A.D. 2017, between Moss Park Properties, LLLP, a Florida limited liability limited partnership, f/k/a Moss Park Properties, LTD., a Florida limited partnership, having its principal place of business in the city of Kissimmee, county of Osceola, whose address is 311 West Oak Street, Kissimmee, Florida 34741, 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, a right-of-way and easement for 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

04-24-31-0000-00-001

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.

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

Nina De Martino
Witness

BY: Sunil M. Kakkar
Sunil M. Kakkar, General Partner 3/21/17

Nina De Martino
Printed Name

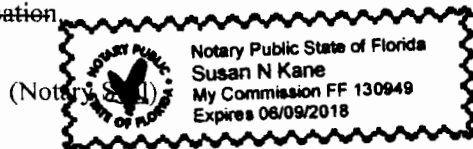
[Signature]
Witness

ANDREW SWARTZ
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 21st day of March, 2017 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~~ _____ as identification.



Susan N. Kane
Notary Signature
SUSAN N. Kane
Printed Notary Name

This instrument prepared by:
Madelyn Johnson, 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: June 9, 2018
FF 130949

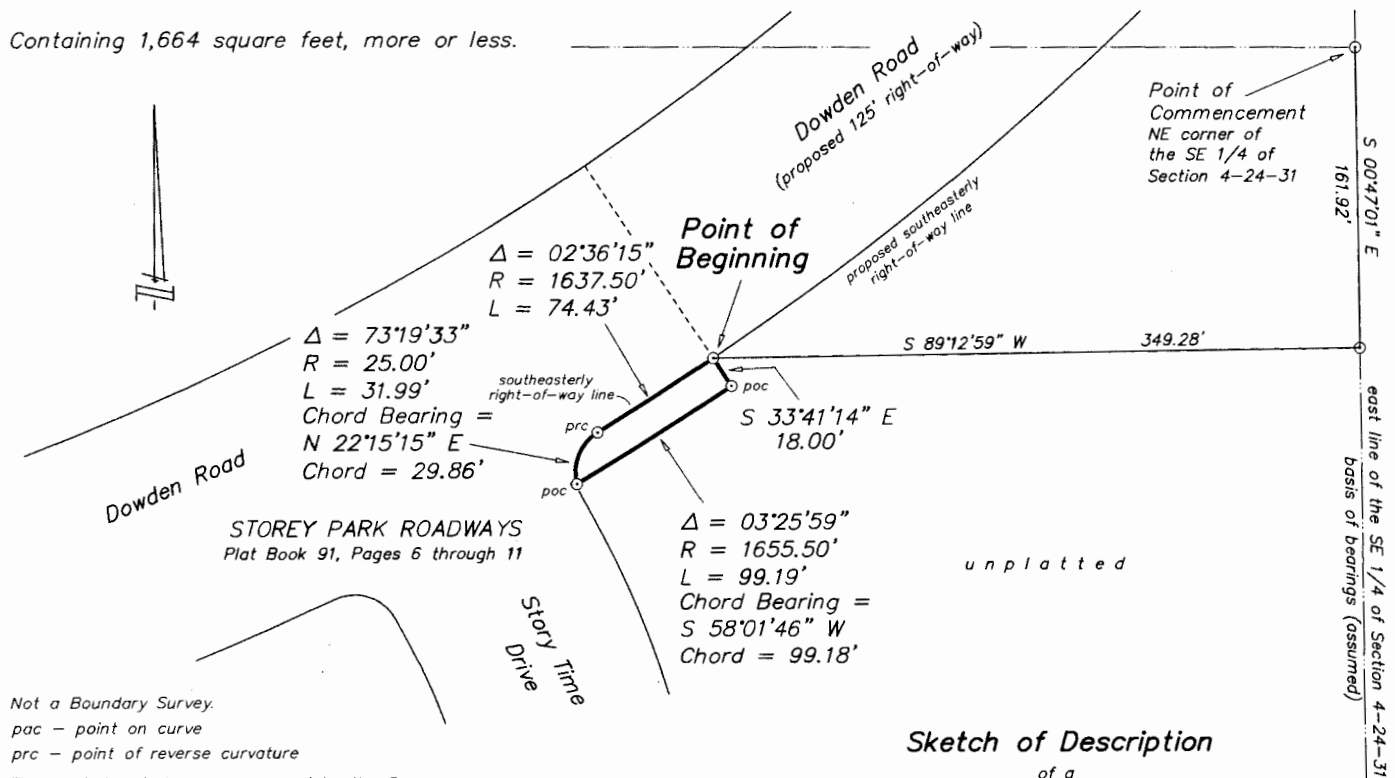
OCU FILE # 15-U-086
PURPOSE: UTILITY EASEMENT
ESTATE: PERMANENT

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 northeast corner of the Southeast 1/4 of said Section 4; thence run S 00°47'01" E, along the east line thereof, a distance of 161.92 feet; thence, departing said east line, run S 89°12'59" W, a distance of 349.28 feet to a point on the proposed southeasterly right-of-way line of Dowden Road for the POINT OF BEGINNING; thence run S 33°41'14" E, a distance of 18.00 feet to a point on a non-tangent curve, concave northwesterly, having a radius of 1655.50 feet; thence on a chord bearing of S 58°01'46" W and a chord distance of 99.18 feet; run southwesterly, along the arc of said curve, a distance of 99.19 feet, through a central angle of 03°25'59" to a point on the southeasterly right-of-way line of Dowden Road, as shown and described on the plat of STOREY PARK ROADWAYS, as recorded in Plat Book 91, Pages 6 through 11, Public Records of Orange County, Florida; said point being a point on a non-tangent curve, concave southeasterly, having a radius of 25.00 feet; thence northeasterly, along said southeasterly right-of-way line, the following courses and distances: on a chord bearing of N 22°15'15" E and a chord distance of 29.86 feet; run northeasterly, along the arc of said curve, a distance of 31.99 feet, through a central angle of 73°19'33" to a point of reverse curvature of a curve, concave northwesterly, having a radius of 1637.50 feet and a central angle of 02°36'15"; thence run northeasterly, along the arc of said curve, a distance of 74.43 feet to the POINT OF BEGINNING.

Containing 1,664 square feet, more or less.



Sketch of Description
of a
Utility Easement

situated in

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

Not a Boundary Survey.

pac - point on curve

prc - point of reverse curvature

The legal description was prepared by the Surveyor.

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

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.

PREPARED FOR: Lennar Homes	JOB NO. 0813.99B	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 DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.
GANUNG - BELTON ASSOCIATES, INC. professional surveyors and mappers	SHEET 1 of 1	GBA LB No. 7194
1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656	DATE 1/9/17 REV. 3/22/17	
	SCALE 1" = 100'	R. CLAYTON GANUNG REG. P.L.S. NO. 4236

OCU FILE # 15-U-086

PURPOSE: UTILITY EASEMENT

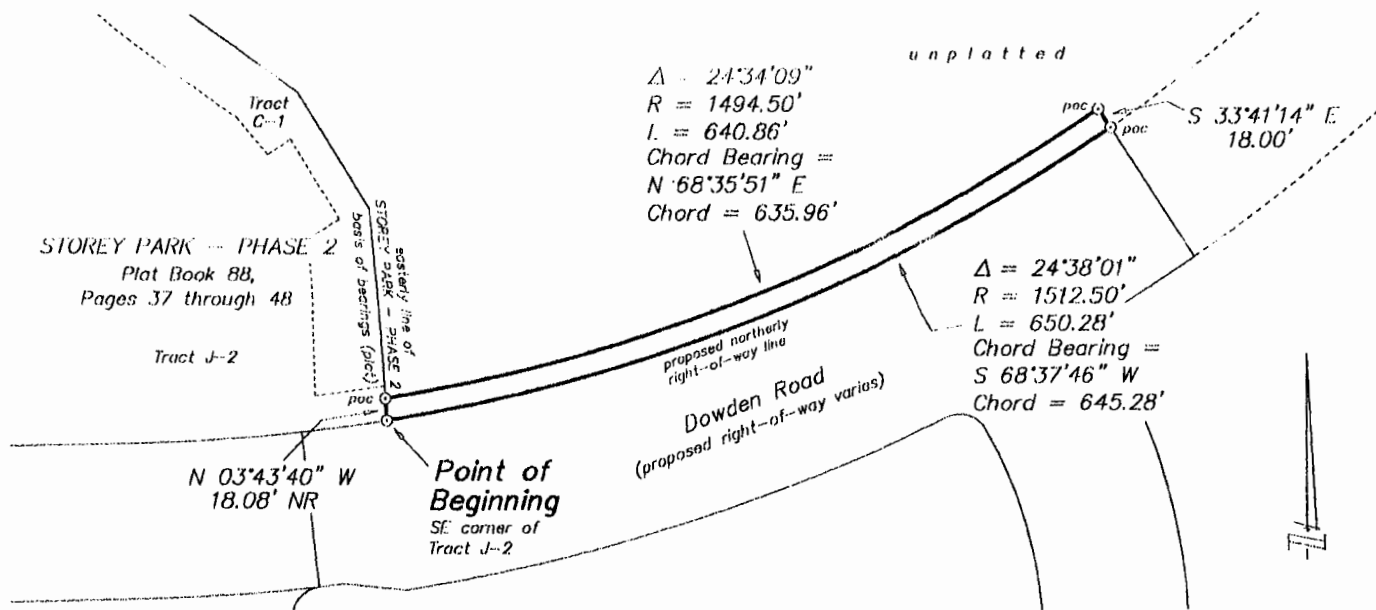
ESTATE: PERMANENT

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 southeast corner of Tract J-2, 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; thence run N 03°43'40" W, along the easterly line of said plat of STOREY PARK - PHASE 2, a distance of 18.08 feet to a point on a non-tangent curve, concave northwesterly, having a radius of 1494.50 feet; thence on a chord bearing of N 68°35'51" E and a chord distance of 635.96 feet; run northeasterly, along the arc of said curve, a distance of 640.86 feet, through a central angle of 24°34'09" to a point; thence run S 33°41'14" E, a distance of 18.00 feet to a point on the proposed northerly right-of-way line of Dowden Road; said point being a point on a non-tangent curve, concave northwesterly, having a radius of 1512.50 feet; thence on a chord bearing of S 68°37'46" W and a chord distance of 645.28 feet; run southwesterly, along said proposed northerly right-of-way line and along the arc of said curve, a distance of 650.28 feet, through a central angle of 24°38'01" to the POINT OF BEGINNING.

Containing 11,620 square feet, more or less.



Not a Boundary Survey.

poc - point on curve

The legal description was prepared by the Surveyor.

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

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

of a

Utility Easement

situated in

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

PREPARED FOR:

Lennar Homes



GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656

JOB NO.

0813.99A

SHEET

1 of 1

DATE

12/2/16

REV.

1/4/17

SCALE

1" = 150'

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 DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.

GBA LB NO. 7194

R. CLAYTON GANUNG

REG. P.L.S. NO. 11,623