





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 2

DATE: April 27, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Paul Sladek, Assistant Manager 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

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

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

PROJECT: Storey Park Phase 3 Permit: 16-U-005 OCU File #: 83866

District 4

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

ITEM: Temporary Utility Easement
Cost: Donation
Total size: 17,320 square feet
Term: Until replaced by a permanent platted easement

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
MAY 09 2017

THIS IS A DONATION

Project: Storey Park Phase 3 Permit: 16-U-005 OCU File #: 83866

TEMPORARY UTILITY EASEMENT

THIS INDENTURE, Made this 9th day of March, A.D. 2017, 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, Suite 30, Orlando, Florida 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

04-24-31-0000-00-003

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. GRANTOR'S conveyance of the 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 matters of record shall not reimpose 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.

Project: Storey Park Phase 3 Permit: 16-U-005 OCU File #: 83866

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.

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

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:

Lennar Homes, LLC,
a Florida limited liability company

[Signature]
Witness

BY: [Signature]

Steven M. Boyette
Printed Name

Brock Nicholas
Printed Name

[Signature]
Witness

Vice President
Title

Michelle Barr
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 9th day of MARCH, 2017, by Brock Nicholas as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the limited liability company. He/She ☒ is personally known to me or ☐ has produced N/A as identification.

(Notary)



[Signature]
Notary Signature
Susan Finkbeiner
Printed Notary Name

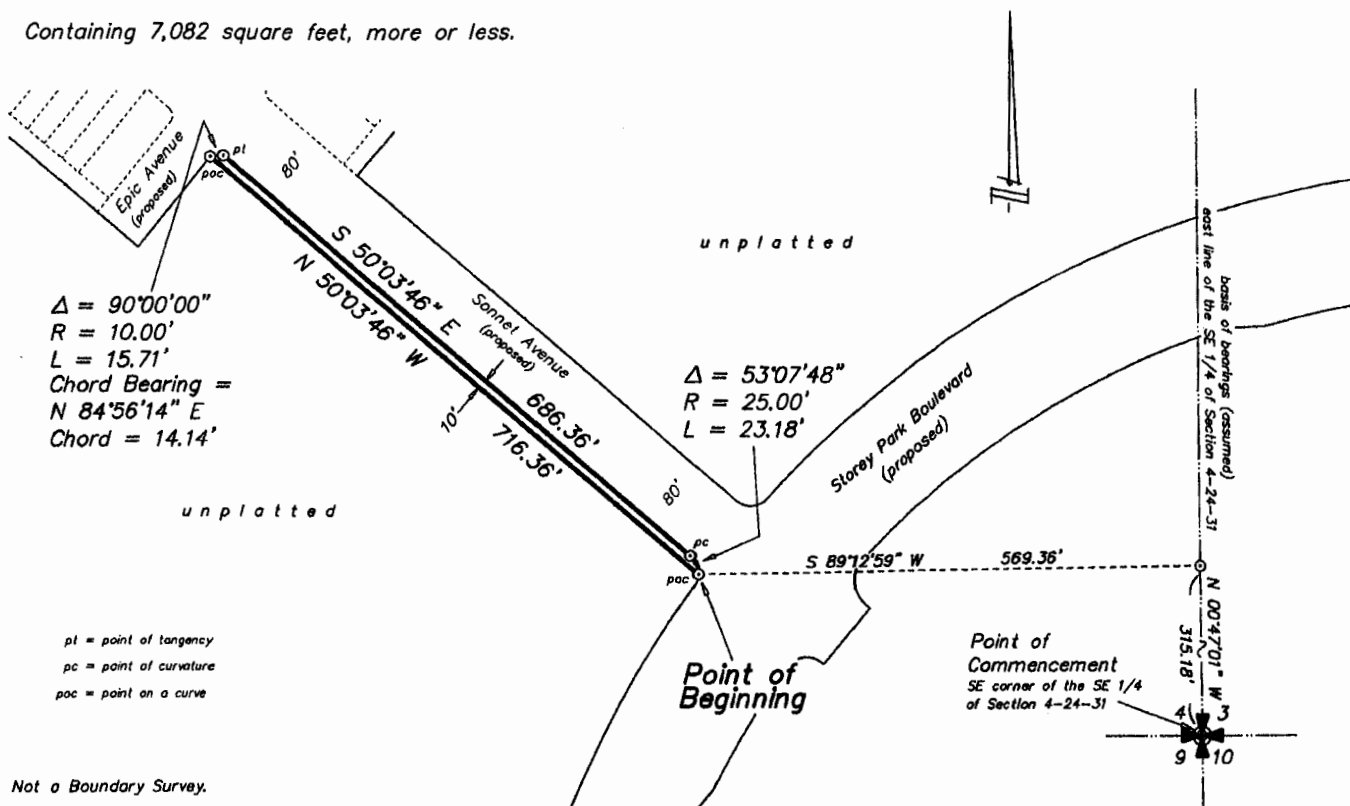
This instrument prepared by:
Kim Heim, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

Notary Public in and for
the County and State aforesaid

My commission expires: 4/14/2020

A portion of Section 4, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Containing 7,082 square feet, more or less.



Not a Boundary Survey.

The legal description was prepared by the Surveyor.

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

The subdivision shown hereon is proposed.

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 c

Utility Easement

situated in

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

PREPARED FOR: Lennar Homes		JOB NO. 0813.90A	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. GSA LP No. 7194  GANUNG - BELTON ASSOCIATES, INC. REG. FILE NO. 4236
 GANUNG - BELTON ASSOCIATES, INC. professional surveyors and mappers		SHEET 1 of 1	
1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656		DATE 9/28/16 REV 1/10/17	
		SCALE 1" = 200'	

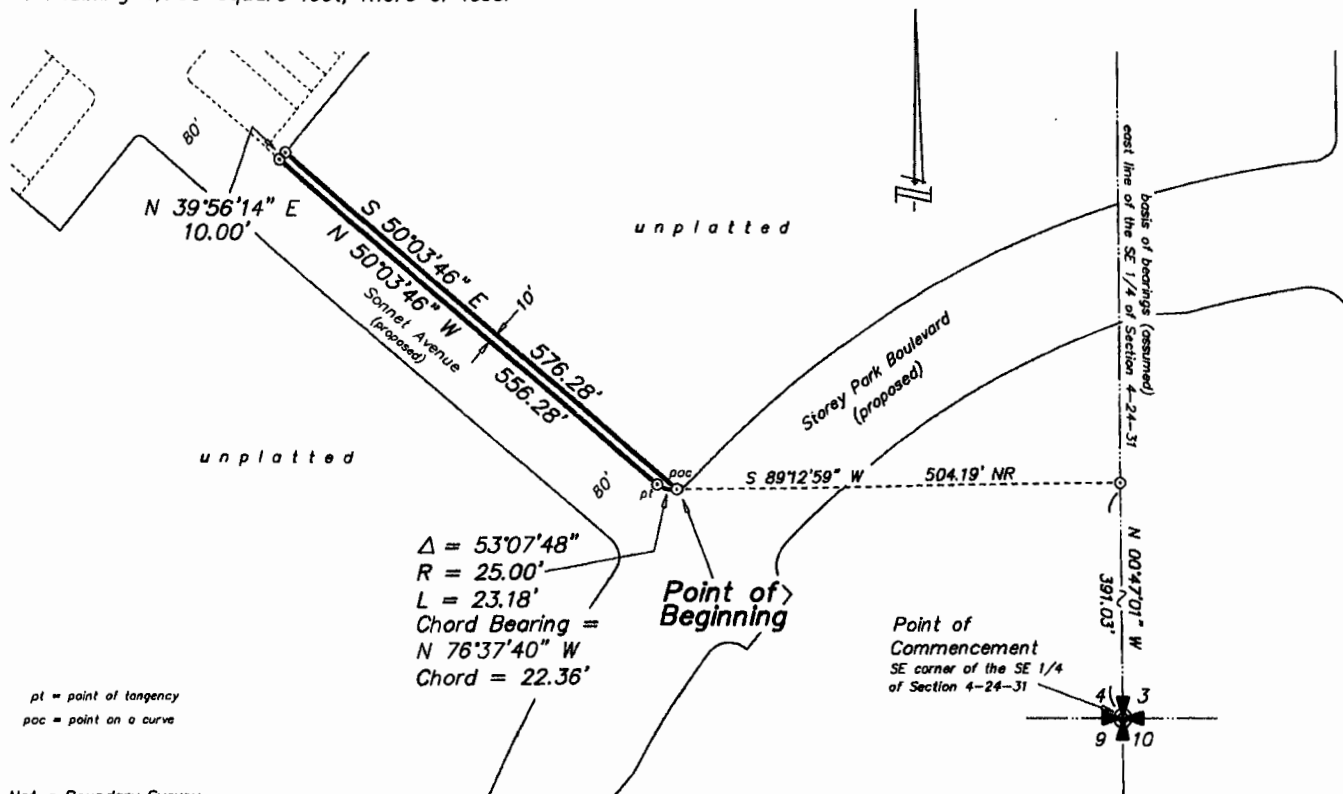
STOREY PARK, PHASE 3
OCU Permit: 16-U-005
Purpose: Utility Easement
Estate: Temporary

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 southeast corner of the Southeast 1/4 of said Section 4; thence run N 00°47'01" W, along the east line thereof, a distance of 391.03 feet; thence, departing said east line, run S 89°12'59" W, a distance of 504.19 feet for the POINT OF BEGINNING; said point being a point on a non-tangent curve, concave northerly, having a radius of 25.00 feet; thence, on a chord bearing of N 76°37'40" W and a chord distance of 22.36 feet, run westerly, along the arc of said curve, a distance of 23.18 feet, through a central angle of 53°07'48" to the point of tangency thereof; thence run N 50°03'46" W, a distance of 556.28 feet; thence run N 39°56'14" E, a distance of 10.00 feet; thence run S 50°03'46" E, a distance of 576.28 feet to the POINT OF BEGINNING.

Containing 5,703 square feet, more or less.



Not a Boundary Survey.

The legal description was prepared by the Surveyor.

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

The subdivision shown hereon is proposed.

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.

0813.90B

SHEET

1 of 1

DATE

9/28/16

REV

1/10/17

SCALE

1" = 200'

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 ANYONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.

0813.90B No. 4194
 R. CLAYTON GANUNG
 REG. PLS. NO. 4236

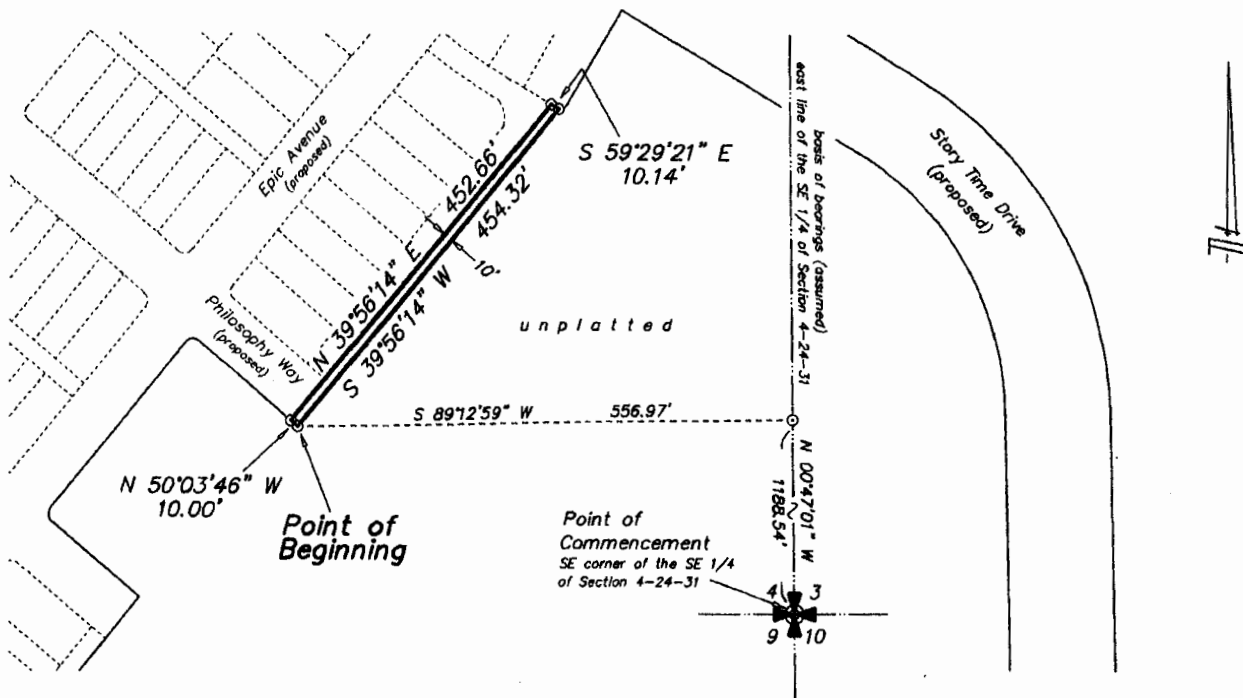
STOREY PARK, PHASE 3
OCU Permit: 16-U-005
Purpose: Utility Easement
Estate: Temporary

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 southeast corner of the Southeast 1/4 of said Section 4; thence run N 00°47'01" W, along the east line thereof, a distance of 1188.54 feet; thence, departing said east line, run S 89°12'59" W, a distance of 556.97 feet for the POINT OF BEGINNING; thence run N 50°03'46" W, a distance of 10.00 feet; thence run N 39°56'14" E, a distance of 452.66 feet; thence run S 59°29'21" E, a distance of 10.14 feet; thence run S 39°56'14" W, a distance of 454.32 feet to the POINT OF BEGINNING.

Containing 4,535 square feet, more or less.



Not a Boundary Survey.

The legal description was prepared by the Surveyor.

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

The subdivision shown hereon is proposed.

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.

0813.90C

SHEET

1 of 1

DATE

9/28/16

REV

1/10/17

SCALE

1" = 200'

SKETCH OF DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A LICENSED SURVEYOR AND MAPPER. ANY 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/CB No. 7194

10233

R. CLAYTON GANUNG

4236

EXPIRED PLS. RE-REGISTER