





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 10

DATE: May 4, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Jeffrey L. Sponenburg, 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 GREENEWAY PARK DRI, LLC, F/K/A AIRPORT II, LLC, SUCCESSOR BY MERGER FROM LAKE NONA IV, LLC TO ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Lake Nona Boulevard RW & FM Improvements
Permit: 16-E-077 OCU File #:88026

District 4

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

ITEM: Utility Easement
Cost: Donation
Size: 7,828 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
MAY 23 2017

THIS IS A DONATION

Project: Lake Nona Boulevard RW & FM Improvements Permit: 16-E-077 OCU File #:88026

UTILITY EASEMENT

THIS INDENTURE, Made this 5th day of April, A.D. 2017, between Greenway Park DRI, LLC, a Florida limited liability company, f/k/a Airport II, LLC, a Florida limited liability company, successor by merger from Lake Nona IV, LLC, a Florida limited liability company, having its principal place of business in the city of Orlando, county of Orange, whose address is 6900 Tavistock Lakes Blvd, Suite 200, Orlando, FL 32827, 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 Numbers:

a portion of

28-24-30-0321-04-000

and a portion of

28-24-30-0321-18-004

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

Project: Lake Nona Boulevard RW & FM Improvements Permit: 16-E-077 OCU File #:88026

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:

Witness

Kathy Kittell
Printed Name

Witness

Robyn Noren
Printed Name

Greeneway Park DRI, LLC, a Florida limited liability company, f/k/a Airport II, LLC, a Florida limited liability company, successor by merger from Lake Nona IV, LLC, a Florida limited liability company

BY:

James L. Zboril
Printed Name

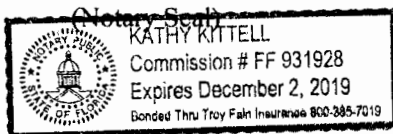
President
Title

MR

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 5th day of April, 2017, by James L. Zboril, as President, of Greeneway Park DRI, LLC, a Florida limited liability company, f/k/a Airport II, LLC, a Florida limited liability company, successor by merger from Lake Nona IV, LLC, a Florida limited liability company, on behalf of the limited liability company. He/~~she~~ he is personally known to me, or [] has produced _____ as identification.



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

[Signature]
Notary Signature

Printed Notary Name

Notary Public in and for
the County and State aforesaid

My commission expires:

SKETCH OF DESCRIPTION**UTILITY EASEMENT**

SEE SHEET 1 FOR LEGAL DESCRIPTION, NOTES AND LEGEND
 SEE SHEET 2 FOR CONTINUED NOTES, LINE AND CURVE TABLES
 SEE SHEET 3-5 FOR SKETCH

DESCRIPTION:

That part of Lot 4 and Tract R-4, according to the plat of BEACON PARK BOULEVARD, as recorded in Plat Book 71, Pages 145 through 149, of the Public Records of Orange County, Florida, being a portion of Section 28, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Northwest corner of said Tract R-4; thence N73°57'43"E along the Northerly line of said Tract R-4 for a distance of 10.16 feet to the Easterly line of a Utility Easement as depicted on said plat of BEACON PARK BOULEVARD and to the POINT OF BEGINNING; thence run N05°46'54"W along said Easterly line, 7.88 feet to the Southerly line of a Bellsouth Easement, as described in Official Records Book 8602, Page 722, of the Public Records of Orange County, Florida; thence departing said Easterly line run the following courses and distances along said Southerly line, the Easterly line and the Northerly line of said Bellsouth Easement: N84°13'06"E, 30.00 feet; N05°48'25"W, 30.00 feet; S84°13'06"W, 29.99 feet to the aforesaid Easterly line of a Utility Easement as depicted on said plat of BEACON PARK BOULEVARD; thence departing said Northerly line run the following courses and distances along said Easterly line: N05°46'54"W, 12.27 feet to the point of curvature of a curve concave Westerly having a radius of 1634.00 feet and a chord bearing of N10°12'01"W; thence Northerly along the arc of said curve through a central angle of 08°50'14" for a distance of 252.03 feet to a non-tangent line; N75°22'56"E, 10.00 feet to a point on a non-tangent curve concave Westerly having a radius of 1644.00 feet and a chord bearing of N15°18'57"W; thence Northerly along the arc of said curve through a central angle of 01°23'39" for a distance of 40.00 feet to a non-tangent line; S73°59'17"W, 10.00 feet to a point on a non-tangent curve concave Westerly having a radius of 1634.00 feet and a chord bearing of N16°21'41"W; thence Northerly along the arc of said curve through a central angle of 00°41'48" for a distance of 19.87 feet to the point of reverse curvature of a curve concave Southeasterly having a radius of 15.00 feet and a chord bearing of N29°13'10"E; thence Northeasterly along the arc of said curve through a central angle of 91°51'29" for a distance of 24.05 feet to the Southerly line of said Utility Easement as depicted on said plat of BEACON PARK BOULEVARD and the point of tangency; thence N75°08'54"E along said Southerly line, 8.78 feet; thence departing said Southerly line run S30°08'54"W, 5.89 feet to a point on a non-tangent curve concave Westerly having a radius of 1654.00 feet and a chord bearing of S15°32'34"E; thence Southerly along the arc of said curve through a central angle of 03°04'24" for a distance of 88.72 feet to a non-tangent line; thence S75°59'38"W, 10.00 feet to a point on a non-tangent curve concave Westerly having a radius of 1644.00 feet and a chord bearing of S09°53'38"E; thence Southerly along the arc of said curve through a central angle of 08°13'29" for a distance of 235.99 feet to the point of tangency; thence S05°46'54"E, 2.27 feet; thence N84°13'06"E, 29.98 feet; thence S05°48'25"E, 50.00 feet; thence S84°13'06"W, 30.00 feet; thence S05°46'54"E, 60.98 feet; thence S84°13'06"W, 10.00 feet; thence S05°46'54"E, 66.81 feet to the point of curvature of a curve concave Westerly having a radius of 1520.00 feet and a chord bearing of S02°49'26"E; thence Southerly along the arc of said curve through a central angle of 05°54'56" for a distance of 156.93 feet to a non-tangent line and the boundary line of aforesaid Tract R-4; thence N90°00'00"W along said boundary line, 9.48 feet to the aforesaid Easterly line of a Utility Easement as depicted on said plat of BEACON PARK BOULEVARD; thence departing said boundary line run the following courses and distances along said Easterly line: N00°00'00"E, 0.30 feet; N03°24'43"W, 8.94 feet to a point on a non-tangent curve concave Westerly having a radius of 1510.00 feet and a chord bearing of N02°59'54"W; thence Northerly along the arc of said curve through a central angle of 05°34'00" for a distance of 146.70 feet to the point of tangency; N05°46'54"W, 76.81 feet; N84°13'06"E, 10.00 feet; N05°46'54"W, 53.11 feet to the POINT OF BEGINNING.

Containing 0.180 acres (7828 square feet) more or less and being subject to any rights-of-way, restrictions and easements of record.

NOTES:

1. This is not a survey.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. Bearings based on the Northerly line of Tract R-4, BEACON PARK BOULEVARD, according to the plat thereof as recorded in Plat Book 71, Pages 145-147) as being N73°57'43"E, per plat.

NOTES CONTINUED ON SHEET 2

PREPARED FOR: GREENEWAY PARK DRI
 PROJECT NAME: LAKE NONA BOULEVARD
 PERMIT NUMBER: 16-E-077
 ORANGE COUNTY UTILITY EASEMENT
 (PORTION OF SECTION 28, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA)

2/20/17	PH	REVISED BORDER, ADDED PROJECT NAME AND NUMBER
DATE	BY	DESCRIPTION
		REVISIONS

DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
 CERTIFICATE OF AUTHORIZATION NO. LB68

DONALD W. McINTOSH ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NO. LB68

Scott Grossman February 20, 2017
 Florida Registered Surveyor and Mapper
 Certificate No. 5048
 NOT VALID WITHOUT THE SIGNATURE AND THE
 ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
 SURVEYOR AND MAPPER.

DRAWN BY: PH CHECKED BY: SG JOB NO. SCALE SHEET 1 OF 5
 DATE: 1/2017 DATE: 1/2017 16050 N/A

SKETCH OF DESCRIPTION**UTILITY EASEMENT**

SEE SHEET 1 FOR LEGAL DESCRIPTION, NOTES AND LEGEND

SEE SHEET 2 FOR CONTINUED NOTES, LINE AND CURVE TABLES

SEE SHEET 3-5 FOR SKETCH

NOTES CONTINUED FROM SHEET 1

4. Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm. Surveyor has reviewed the following items listed in Schedule B - Section 2, of First American Title Insurance Company Certificate of Title Information, File No. 2037-3694245, Effective Date January 11, 2017, for easements and rights-of-way as provided to Donald W. McIntosh Associates, Inc. and finds the following:

Item No.	Comment
9. Public Education Agreement by and between The School Board of Orange County, Florida, and Ginn-LA Airport, LLLP recorded March 28, 2002 in Book 6488, Page 7313; as affected by Partial Assignment of Public Education Agreement in favor of Lake Nona IV, LLC recorded December 3, 2007 in Book 9420, Page 1050.	--- No plottable easements.
10. Ginn Development of Regional Impact Developer's Agreement recorded July 12, 2002 in Book 6566, Page 8146.	----- No plottable easements.
11. First Amended and Restated Development Order Ginn Property (now known as Greenway Park) Development of Regional Impact recorded August 8, 2005 in Book 8113, Page 1679; First Amendment recorded November 29, 2007 in Book 9518, Page 1332; Second Amendment recorded May 4, 2000 in Book 9866, Page 9460; and Third Amendment recorded February 3, 2014 in Book 10697, Page 698.	--- No plottable easements.
12. Agreement Regarding Development Rights and Trips between D.R. Horton, Inc., DRHI, Inc., GINN-LA Airport Ltd., LLLP and Lake Nona IV, LLC -- recorded October 16, 2007 in Book 9472, Page 2339.	--- No plottable easements.
13. Assignment of Development Right by D.R. Horton, Inc. and DRHI, Inc. to Lake Nona IV, LLC recorded December 3, 2007 in Book 9520, Page 1033.	----- No plottable easements.
14. Matters reflected upon the plat of Beacon Park Boulevard, according to the plat thereof recorded April 24, 2008 in Plat Book 71, Pages 145 through 149, inclusive.	--- Shown.
15. Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for Greenway Park Development of Regional Impact -- recorded December 31, 2009 in Book 9981, Page 8847.	--- Noted.
16. Notice of Environmental Resource or Surface Water Management Permit recorded May 7, 2010 in Book 10041, Page 2673.	----- No plottable easements.
17. South Florida Water Management District Notice of Environment Resource or Surface Water Management Permit recorded August 9, 2013 in Book 10616, Page 7946.	--- No plottable easements.
18. Master Declaration of Covenants, Conditions, Restrictions and Easements for Greenway Park Commercial Property Owners Association, Inc. -- recorded December 30, 2014 in Book 10854, Page 5406.	--- Noted.

The property may also be subject to other matters set forth in said Certificate of Title Information.

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N73°57'43"E	10.16'
L2	N05°46'54"W	7.88'
L3	N84°13'06"E	30.00'
L4	N05°48'25"W	30.00'
L5	S84°13'06"W	29.99'
L6	N05°46'54"W	12.27'
L7	N75°22'56"E	10.00'
L8	S73°59'17"W	10.00'
L9	N75°08'54"E	8.78'
L10	S30°08'54"W	5.89'
L11	S75°59'38"W	10.00'
L12	S05°46'54"E	2.27'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L13	N84°13'06"E	29.98'
L14	S05°48'25"E	50.00'
L15	S84°13'06"W	30.00'
L16	S05°46'54"E	60.98'
L17	S84°13'06"W	10.00'
L18	S05°46'54"E	66.81'
L19	N90°00'00"W	9.48'
L20	N00°00'00"E	0.30'
L21	N03°24'43"W	8.94'
L22	N05°46'54"W	76.81'
L23	N84°13'06"E	10.00'
L24	N05°46'54"W	53.11'

CURVE TABLE					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	1634.00'	8°50'14"	252.03'	251.78'	N10°12'01"W
C2	1644.00'	1°23'39"	40.00'	40.00'	N15°18'57"W
C3	1634.00'	0°41'48"	19.87'	19.87'	N16°21'41"W
C4	15.00'	91°51'29"	24.05'	21.55'	N29°13'10"E
C5	1654.00'	3°04'24"	88.72'	88.71'	S15°32'34"E
C6	1644.00'	8°13'29"	235.99'	235.79'	S09°53'38"E
C7	1520.00'	5°54'56"	156.93'	156.86'	S02°49'26"E
C8	1510.00'	5°34'00"	146.70'	146.65'	N02°59'54"W

LEGEND

L1	LINE NUMBER (SEE TABLE)
C1	CURVE NUMBER (SEE TABLE)
NT	NON-TANGENT
FKA	FORMERLY KNOWN AS
R/W	RIGHT-OF-WAY
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PC	POINT OF CURVATURE
PRC	POINT OF REVERSE CURVATURE
PG(S)	PAGE(S)
PT	POINT OF TANGENCY
OCU	ORANGE COUNTY UTILITIES
ELY	EASTERLY
WLY	WESTERLY
SLY	SOUTHERLY
NLY	NORTHERLY

PREPARED FOR: GREENWAY PARK DRI

PROJECT NAME: LAKE NONA BOULEVARD

PERMIT NUMBER: 16-E-077

ORANGE COUNTY UTILITY EASEMENT

(PORTION OF SECTION 28, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA)



DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
 CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: PH

CHECKED BY: SG

JOB NO.

SCALE

SHEET 2

DATE: 1/2017

DATE: 1/2017

16050

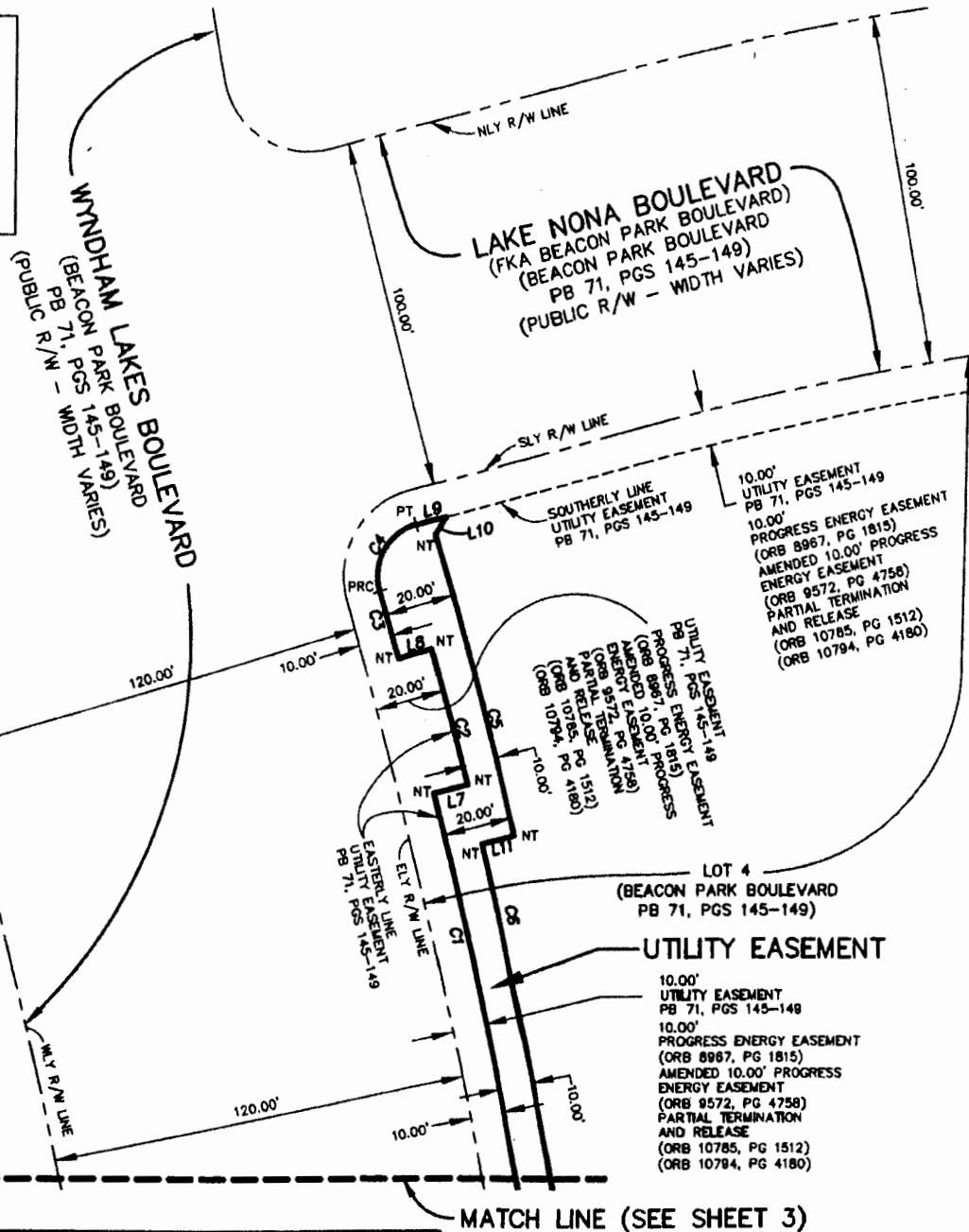
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OF 5

SKETCH OF DESCRIPTION**UTILITY EASEMENT**

SEE SHEET 1 FOR LEGAL DESCRIPTION, NOTES AND LEGEND
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THE LANDS DESCRIBED HEREON
 ARE SUBJECT TO:
 AMENDED AND RESTATED MASTER
 DECLARATION OF COVENANTS,
 CONDITIONS AND RESTRICTIONS FOR
 GREENWAY PARK DEVELOPMENT OF
 REGIONAL IMPACT
 ORB 8981, PG 8847
 MASTER DECLARATION OF COVENANTS,
 CONDITIONS, RESTRICTIONS AND
 EASEMENTS FOR GREENWAY PARK
 COMMERCIAL PROPERTY OWNERS
 ASSOCIATION, INC.
 ORB 10654, PG 5406



PREPARED FOR: GREENWAY PARK DRI

PROJECT NAME: LAKE NONA BOULEVARD

PERMIT NUMBER: 18-E-077

ORANGE COUNTY UTILITY EASEMENT

(PORTION OF SECTION 28, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA)



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS

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CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: PH

CHECKED BY: SG

JOB NO.

SCALE

SHEET 4

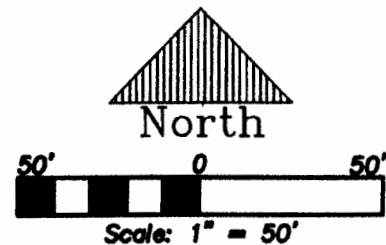
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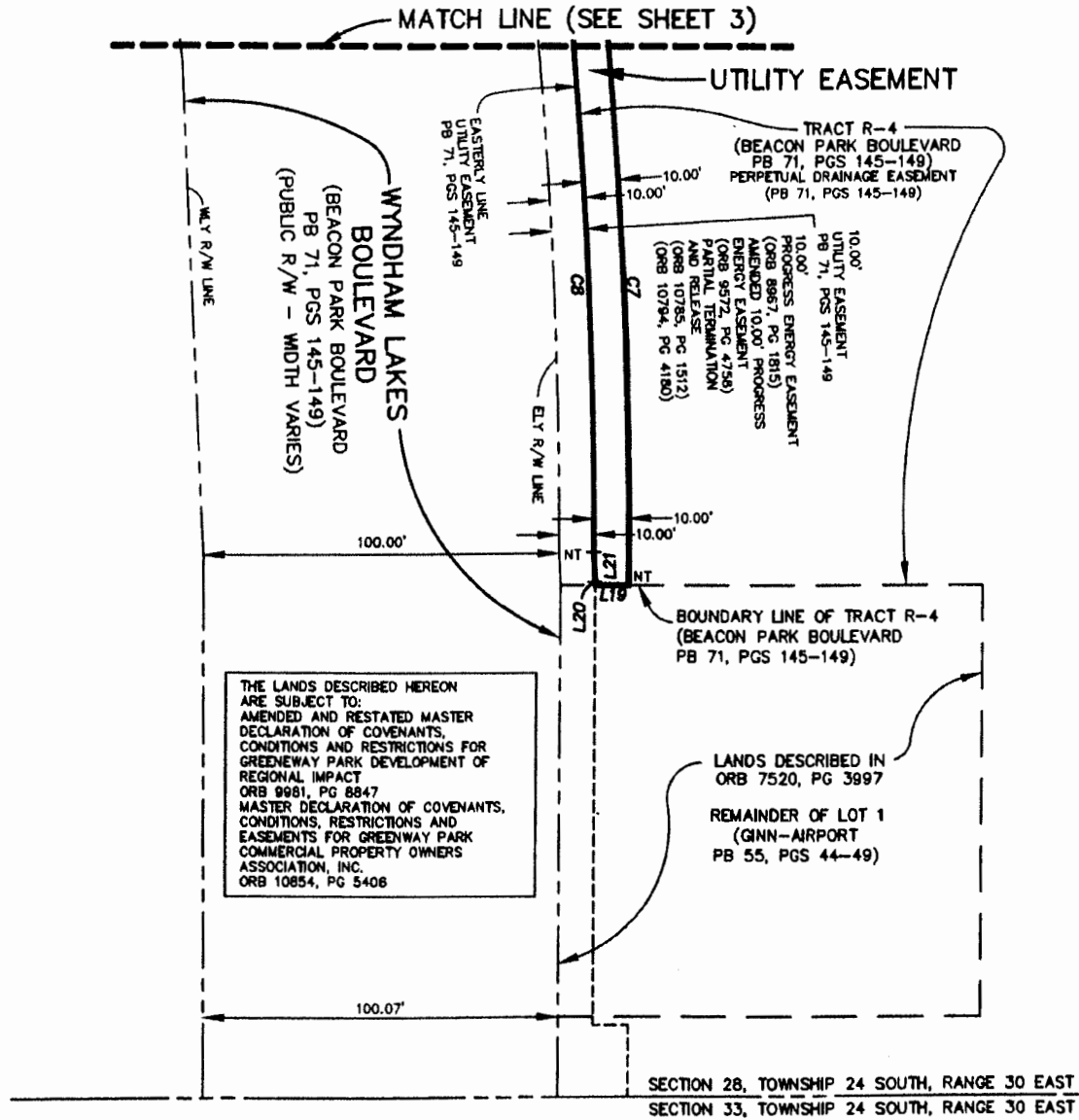
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OF 5



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PREPARED FOR: GREENWAY PARK DRI

PROJECT NAME: LAKE NONA BOULEVARD

PERMIT NUMBER: 16-E-077

ORANGE COUNTY UTILITY EASEMENT

(PORTION OF SECTION 28, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA)



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ENGINEERS PLANNERS SURVEYORS

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SHEET 5

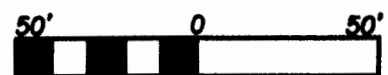
DATE: 1/2017

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16050

1"=50'

OF 5



Scale: 1" = 50'