





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: May 12, 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 BLUE CASTLE DEVELOPMENT, LLC TO ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Palms at Lake Underhill – Bldg 1 Permit: B15903803 OCU File #: 69528
District 3

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

ITEM: Utility Easement
Cost: Donation
Size: 750 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

THIS IS A DONATION

Project: Palms at Lake Underhill – Bldg 1 Permit: B15903803 OCU File #: 69528

UTILITY EASEMENT

THIS INDENTURE, Made this 27th day of MARCH, A.D. 20 17, between Blue Castle Development, LLC, a Florida limited liability company, whose address is 1568 LAKE WHITNEY DRIVE, WINDERMERE, FL 34786, 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

35-22-30-0000-00-010

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:

Blue Castle Development, LLC,
a Florida limited liability company

Miriam Delvalle
Witness

BY: Neil Coskun 3/27/17
Neil Coskun, MD, Manager

Bruni Cruz
Printed Name
Witness

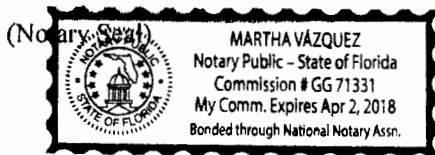
Bruni Cruz
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 27th day of March, 2017, by Neil Coskun, MD, as manager of Blue Castle Development, LLC, a Florida limited liability company, on behalf of the limited liability company. He [] is personally known to me, or [x] has produced FL Driver License 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

Martha Vazquez
Notary Signature
Martha Vazquez
Printed Notary Name

Notary Public in and for
the County and State aforesaid

My commission expires: April 2, 2018

SKETCH OF DESCRIPTION

EXHIBIT A UTILITY EASEMENT

PALMS AT LAKE UNDERHILL
PERMIT # 15903803 BLDG 1
PERMIT # 15903806 BLDG 2

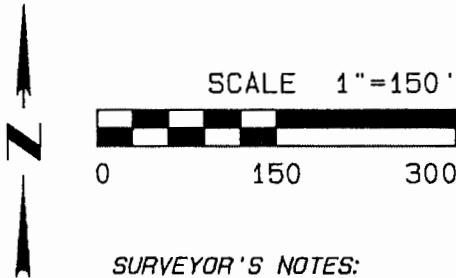
L9
NW COR OF
PARCEL 1
POC
FOOT NSD
CCR#103640
NORTHWEST CORNER OF
THE NORTHEAST 1/4 OF
SECTION 35-22-30

Legal Description

A portion of land lying in Section 35,
Township 22 South, Range 30 East,
of Orange County, Florida. More
particularly described as follows:

Commence at a FDOT Nail & Disk,
CCR#103640, marking the Northwest
Corner of the Northeast 1/4
of Section 35-22-30; run N89°59'42"E
a distance of 1328.56 feet; thence run
S00°28'54"E, a distance of 50.00 feet
to a point on the Southern Right-Of-Way
line of Lake Underhill Road, that point
also being the Northwest corner of
Parcel 1; thence run N89°59'42"E along
the said Southern Right-Of-Way a distance
of 84.95 feet to the Point Of Beginning;
thence continue N89°59'42"E along aforesaid
Southern Right-Of-Way 65.00 feet; thence
departing said Right-of-way run S00°28'13"E,
a distance of 10.00 feet; thence run
S89°59'42"W, a distance of 55.00 feet;
thence run S00°28'13"E, a distance
of 9.96 feet; thence run S89°31'47"W,
a distance of 10.00 feet; thence run
N00°28'13"W, a distance of 20.04 feet,
back to the point Of Beginning.

Area contains 760 SQ. FT. more or less.



SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY
2. UNLESS SIGNED AND EMBROSSED WITH SURVEYORS SEAL, THIS SKETCH IS NOT VALID AND IS PRESENTED FOR INFORMATIONAL PURPOSES ONLY.
3. ADDITIONS OR DELETIONS TO THIS SKETCH & DESCRIPTION BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY.
4. THIS SURVEY IS BASED ON INFORMATION PROVIDED BY CLIENT AND CONSTRUCTED LOCATION OF UNDERGROUND UTILITY

FEG Project# 06-021
SHEET 1 OF 1
DATE: 01/23/17
SCALE: 1"=150'
DRAWN BY: SCK CHECKED BY: JKE

LEGEND:

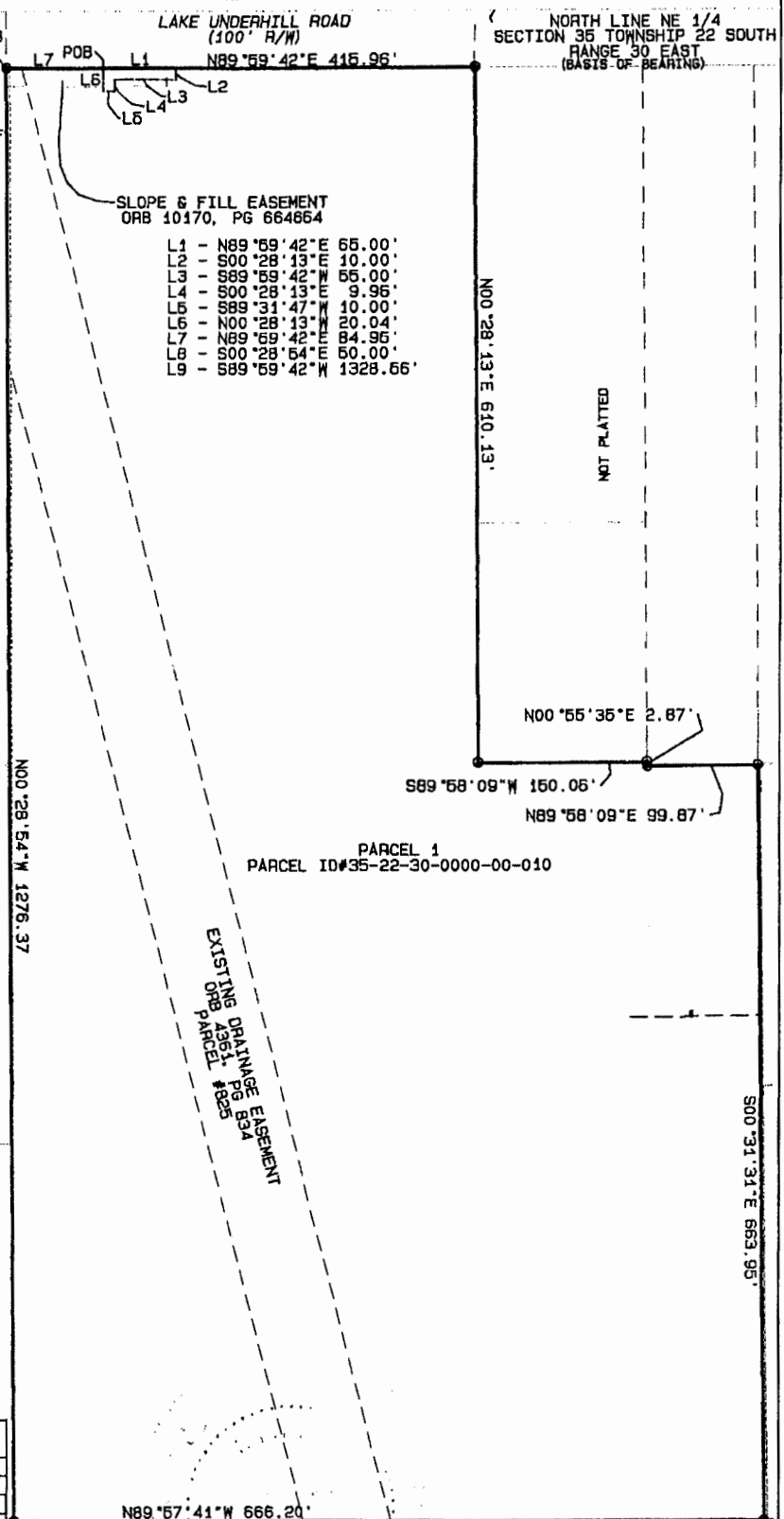
POC	POINT OF COMMENCEMENT	MB	MAP BOOK
POB	POINT OF BEGINNING	PB	PLAT BOOK
POT	POINT OF TERMINUS	PG	PAGE
R/W	RIGHT OF WAY	NSD	NAIL & DISK
CCR	CERTIFIED CORNER RECORD		
PC	POINT OF CURVEATURE		
FOOT	FLORIDA DEPARTMENT OF TRANSPORTATION		

CERTIFY TO:

REVISION:
2/22/17

KOVACS CONSTRUCTION SERVICES, INC.

6845 NARCOOSSEE ROAD
UNIT #62
ORLANDO, FLORIDA 32822
PHONE: 321-863-7131
CERTIFICATE OF AUTHORIZATION L# 7923



N89°57'41"W 666.20'

ALACHUA STREET
(30.00' R/W) (NOT OPEN)

NOT VALID WITHOUT THE ORIGINAL RAISED SEAL
AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR

James K. Ekern 02/23/17
JAMES K. EKERN P.S.M.#5899 DATE: