



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 6

DATE: June 2, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Jeffrey L. Sponenburg, Senior Title Examiner *JLS*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

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

ACTION REQUESTED: APPROVAL OF DRAINAGE EASEMENT FROM MERITAGE HOMES OF FLORIDA, INC. AND LAKE PRESERVE HOMEOWNERS' ASSOCIATION, INC. TO ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Lake Preserve Phase 1

District 4

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

ITEM: Drainage Easement
Cost: Donation
Size: 8,712 square feet

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: Grantors to pay all recording fees.

THIS IS A DONATION

Project: Lake Preserve Phase 1

DRAINAGE EASEMENT

THIS INDENTURE, made the 20 day of April, 2017, between Meritage Homes of Florida, Inc., a Florida corporation, whose address is 5337 Millenia Lakes Boulevard, Suite 410, Orlando, Florida, 32839, as the owner of Parcel 33-24-30-4960-00-002, and Lake Preserve Homeowners' Association, Inc., a Florida corporation not-for-profit, whose address is 4700 Millenia Boulevard, Suite 515, Orlando, Florida, 32839, as the owner of Parcel 33-24-30-4957-00-009, GRANTORS, 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 GRANTORS, 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 drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility 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 33-24-30-4960-00-002 and 33-24-30-4957-00-009

TO HAVE AND TO HOLD said 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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTORS, their heirs, 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 drainage ditch, pipe, or facility.

Project: Lake Preserve Phase I

IN WITNESS WHEREOF, the said GRANTORS have hereto set their hands the day and year first above written.

Signed, sealed and delivered
in the presence of:

[Signature]
Witness

Amy Steiger
Printed Name

[Signature]
Witness

Jennifer Hamilton
Printed Name

Meritage Homes of Florida, Inc.,
a Florida corporation

BY: [Signature]

Denver Marlow
Printed Name

Vice President of Land Development
Title

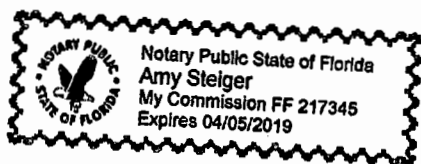
(Signature of TWO witnesses required by Florida law)

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 20th of April, 2017, by Denver Marlow, as Vice President of Land Development of Meritage Homes of Florida, Inc., a Florida corporation, on behalf of the corporation. He/She ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



[Signature]
Notary Signature

Amy Steiger
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 4/5/2019

Project: Lake Preserve Phase 1

IN WITNESS WHEREOF, the said GRANTORS have hereto set their hands the day and year first above written.

Signed, sealed and delivered
in the presence of:

[Signature]
Witness

Amy Steiger
Printed Name

[Signature]
Witness

Jennifer Hamilton
Printed Name

Lake Preserve Homeowners' Association, Inc.,
a Florida corporation not-for-profit

BY: [Signature]

MARTHA SCHIFFER
Printed Name

HOA PRESIDENT
Title

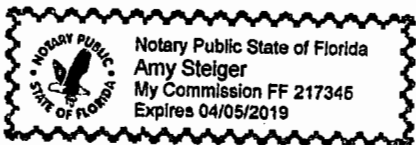
(Signature of TWO witnesses required by Florida law)

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 20th of April, 2017, by Martha Schiffer, as HOA President of Lake Preserve Homeowners' Association, Inc., a Florida corporation not-for-profit, on behalf of the corporation. He/She ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



[Signature]
Notary Signature

Amy Steiger
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 4/5/2019

This instrument prepared by:
Jeffrey L. Sponenburg, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

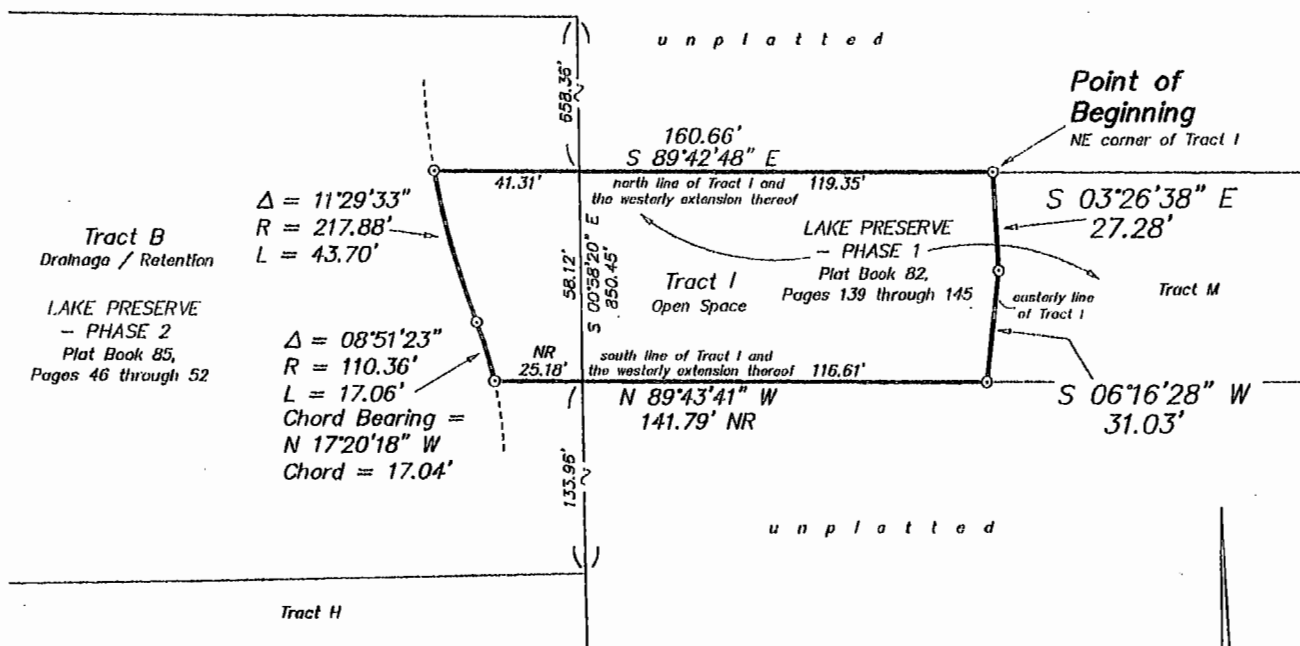
EXHIBIT A

Legal Description

Tract I, LAKE PRESERVE - PHASE 1, according to the plat thereof, as recorded in Plat Book 82, Pages 139 through 145, Public Records of Orange County, Florida; together with a portion of Tract B, LAKE PRESERVE - PHASE 2, according to the plat thereof, as recorded in Plat Book 85, Pages 46 through 52, Public Records of Orange County, Florida; lying in Section 33, Township 24 South, Range 30 East, Orange County, Florida, being more particularly described as follows:

BEGIN at the northeast corner of said Tract I; thence southerly, along the easterly line thereof, the following two (2) courses and distances: run S 03°26'38" E, a distance of 27.28 feet; thence run S 06°16'28" W, a distance of 31.03 feet to a point on the south line of said Tract I; thence run N 89°43'41" W, along said south line and the westerly extension thereof, a distance of 141.79 feet to a point on a non-tangent curve, concave southwesterly, having a radius of 110.36 feet; thence, on a chord bearing of N 17°20'18" W and a chord distance of 17.04 feet, run northerly, along the arc of said curve, a distance of 17.06 feet, through a central angle of 08°51'23" to a point of reverse curvature of a curve, concave northeasterly, having a radius of 217.88 feet and a central angle of 11°29'33"; thence run northerly, along the arc of said curve, a distance of 43.70 feet to a point on the westerly extension of the north line of said Tract I; thence run S 89°42'48" E, along said westerly extension and along said north line, a distance of 160.66 feet to the POINT OF BEGINNING.

Containing 0.20 acres, more or less.



Not a Boundary Survey.

The legal description was prepared by the Surveyor.

Bearings based on record plat.

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

Drainage Easement

located in

Section 33, Township 24 South, Range 30 East
Orange County, Florida

PREPARED FOR:

Meritage Homes

JOB NO.

1302.38

SHEET

1 of 2

DATE

12/2/16

SCALE

As Noted



GANUNG-BELTON ASSOCIATES, INC.

professional surveyors and mappers

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

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.)

2009 FL NO. 7104
R. CLAYTON GANUNG
SURVEYOR