



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 8

DATE: June 23, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Monica L. Hand, Senior Title Examiner *MHL*
Real Estate Management Division

CONTACT PERSON: **Paul Sladek, Assistant Manager**

DIVISION: **Real Estate Management**
Phone: (407) 836-7090

ACTION REQUESTED: APPROVAL OF INGRESS-EGRESS EASEMENT FROM O'REILLY AUTOMOTIVE STORES, INC. TO ORANGE COUNTY AND AUTHORIZATION TO DISBURSE FUNDS TO PAY ALL RECORDING FEES AND RECORD INSTRUMENT

PROJECT: O'Reilly Auto Parts Store

District 3

PURPOSE: To provide adequate access to existing County drainage easement area.

ITEM: Ingress-Egress Easement (Instrument 101.1)
Cost: Donation
Size: 930.5 square feet

BUDGET: Account No.: 1023-072-2753-6110

FUNDS: \$36.20 Payable to Orange County Comptroller
(all recording fees)

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS:

The County has a drainage easement over a canal and its banks on property adjacent to the property owned by O'Reilly Automotive Stores, Inc. ("O'Reilly"), but lacks adequate access to such drainage easement area. This Ingress-Egress Easement will provide the County adequate access over O'Reilly's property to the drainage easement area and the adjacent canal on adjoining property in order to maintain the canal banks.

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

Under Ordinance Approval

Date: 06/06/17

Amount: \$36.20

Project: O'Reilly Auto Parts

Parcel: 101

Charge to Account # 1023-072-2753-6110

Michael Joseph 6/12/17
Controlling Agency Approval Date

[Signature] 6-13-17
Fiscal Approval Date

TYPE TRANSACTION (Check appropriate block(s))
 Pre-Condemnation Post-Condemnation

District #3

 Acquisition at Approved Appraisal
 Acquisition at Below Approved Appraisal
 Acquisition at Above Approved Appraisal
 X Advance Payment Requested (recording fees)

Name:

DOCUMENTATION ATTACHED (Check appropriate block(s))

 Contract/Agreement
 X Copy of Executed Instruments (Ingress-Egress Easement)
 Certificate of Value
 Settlement Analysis

Payable to:

Orange County Comptroller

CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by Monica Hand 6/6/17
Monica Hand, Senior Title Examiner Date

Payment Approved Paul [Signature] 6/15/17
Assistant Manager, Real Estate Management Division Date

Under Ordinance
Approved by Manager, Real Estate Management Division Date

Certified [Signature] JUL 11 2017
Approved by BCC for Deputy Clerk to the Board Date

Examined/Approved
Comptroller/Government Grants Check No. / Date

REMARKS:

To be recorded as soon as possible after BCC approval.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 11 2017

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Under BCC Approval

Under Ordinance Approval

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Payable to:

Orange County Comptroller

CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by Monica Hand
Monica Hand, Senior Title Examiner

6/6/17
Date

Payment Approved _____
Assistant Manager, Real Estate Management Division

Date

Under Ordinance Approved by _____
Manager, Real Estate Management Division

Date

Certified Approved by BCC _____
Deputy Clerk to the Board

Date

Examined/Approved _____
Comptroller/Government Grants

Check No. / Date

REMARKS:

To be recorded as soon as possible after BCC approval.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 11 2017

Instrument: 101.1
Project: O'Reilly Auto Parts Store

INGRESS-EGRESS EASEMENT

THIS INDENTURE, Made this 23rd day of September AD, 2015, between O'Reilly Automotive Stores, Inc., a Missouri corporation, having its principal place of business in the city of Springfield, county of Greene, whose address is 233 S. Patterson Ave., Springfield, MO 65801, 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 \$ 10.00 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 access purposes, over and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

**a portion of
14-23-30-3043-00-050**

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 easement and the GRANTOR, its heirs, successors, and assigns, agrees not 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 granted easement.

Instrument: 101.1
Project: O'Reilly Auto Parts Store

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name by Scott Kraus, its Vice President.

Signed, sealed, and delivered
in the presence of:

O'Reilly Automotive Stores, Inc., a Missouri
corporation

Manuel Pasual
Witness
Mandi Paswaters
Printed Name

BY: [Signature]
Scott Kraus
Printed Name
Vice President
Title

[Signature]
Witness
David Fruly
Printed Name

(Corporate Seal)

(Signature of TWO Witnesses
required by Florida Law)

STATE OF Missouri
COUNTY OF Greene

I HEREBY CERTIFY, that on this 23rd day of September AD, 2015, before me personally appeared Scott Kraus, as Vice President of O'Reilly Automotive Stores, Inc., a Missouri corporation, to me known to be, or who has produced _____ as identification, and did (did not) take an oath, the individual and officer described in and who executed the foregoing conveyance and acknowledged the execution thereof to be his/her free act and deed as such officer thereunto duly authorized, and that the official seal of said corporation is duly affixed thereto, and the said conveyance is the act and deed of said corporation.

Witness my hand and official seal this 23rd day of September, 2015.

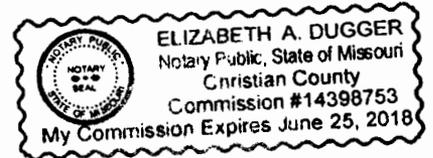
(Notary Seal)

[Signature]
Notary Signature
Elizabeth A Dugger
Printed Notary Name

This instrument prepared by:
Monica L. Hand, 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 6/25/18



SCHEDULE "A"
LEGAL DESCRIPTION
Purpose: Canal Access

FOR SKETCH OF DESCRIPTION SEE SHEET 2 OF 2

A portion of Lot 5, "Goldenrod Center", according to the plat thereof, as recorded in Plat Book 51, Pages 109-111, of the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Lot 5 of "Goldenrod Center", as recorded in Plat Book 51, Pages 109-111, of Public Records of Orange County, Florida; thence run North 00° 11' 20" East along the West line of lot 5 said plat a distance of 175.16 feet to a point, said point also being the POINT OF BEGINNING; thence continue North 00° 11' 20" East along the West line of lot 5 said Plat a distance of 40.00 feet to a point, said point also being the Southwest corner of Perpetual Drainage easement, as Recorded in Official record Book 4618, Page 2153, of Orange County, Florida; thence run North 57° 18' 46" East along the Southeasterly line of said Perpetual Drainage Easement a distance of 23.81 feet to a point; thence run South 00° 11' 20" West, a distance of 53.05 feet to a point, thence run North 89° 27' 07" West, a distance 20.00 feet to the POINT OF BEGINNING.

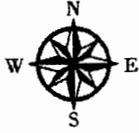
Containing 930.5 square feet more or less.

REVISION DATE: 10/10/14

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DESIGNED BY: Washington	DATE: 10/10/14	SECTION: 14	 SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	DRAWING SCALE: NTS
DRAWN BY: Christian	JOB No: 1000-6217	TOWNSHIP: 23		PROJECT NUMBER
CHECKED BY: Daynes	DRAWING FILE:	RANGE: 30		7529
APPROVED BY: Daynes	1000-6217	SHEET 1 OF 2		

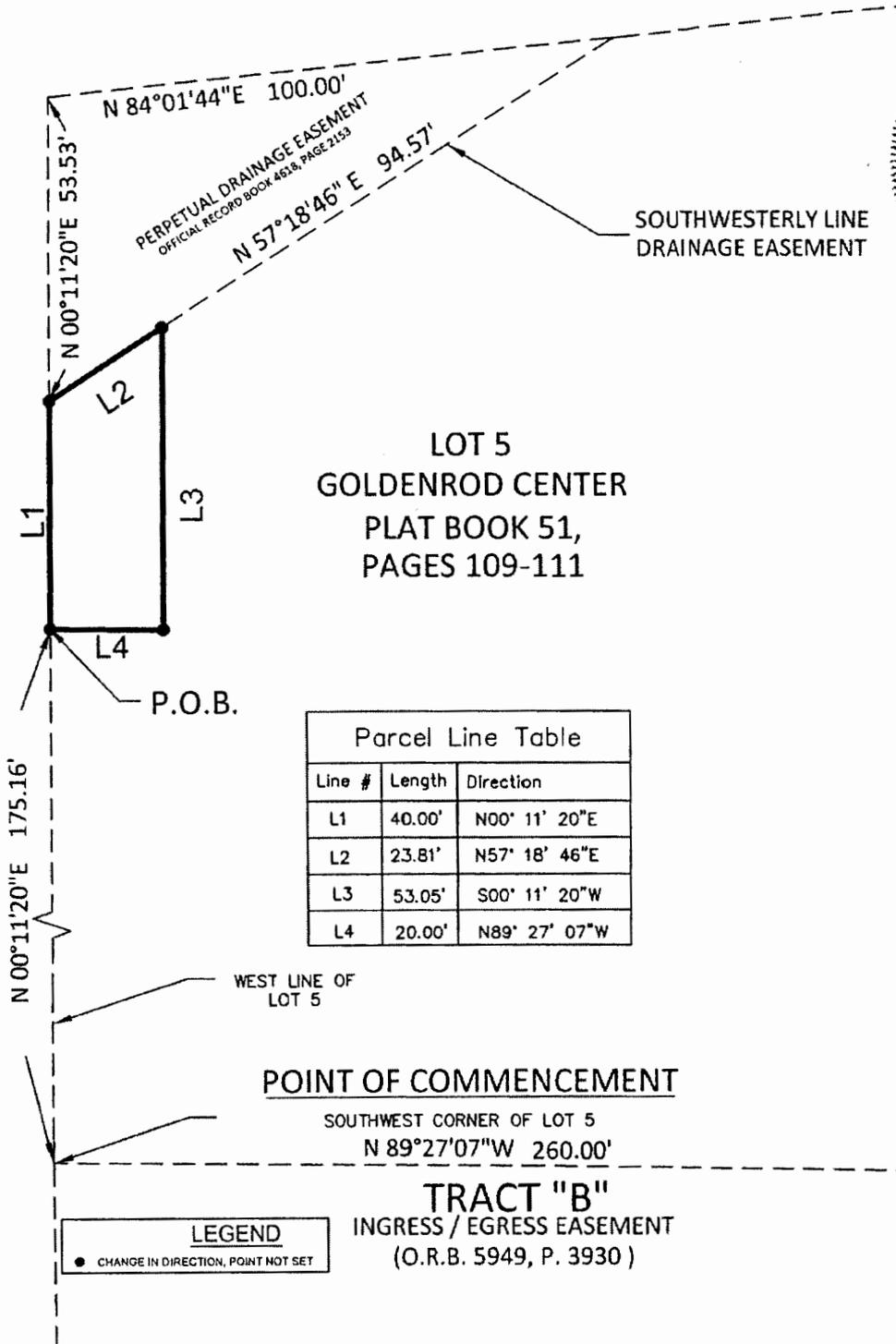
SKETCH OF DESCRIPTION

Purpose: Canal Access



FOR LEGAL DESCRIPTION SEE SHEET 1 OF 2

GOLDENROD ROAD (STATE ROAD 551), FLORIDA
DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY
MAP SECTION 75200-2519, SHEET 3



LOT 5
GOLDENROD CENTER
PLAT BOOK 51,
PAGES 109-111

Parcel Line Table		
Line #	Length	Direction
L1	40.00'	N00° 11' 20"E
L2	23.81'	N57° 18' 46"E
L3	53.05'	S00° 11' 20"W
L4	20.00'	N89° 27' 07"W

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE OFFICIAL RECORD BOOK 4618, PAGE 2153, ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACTS, REGULATORY CHAPTERS 177 AND 179, AND THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAN, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

STATE OF FLORIDA
DATE: 10/10/14
REGISTERED LAND SURVEYOR AND MAPPER
MARK A. DAYNES
STATE OF FLORIDA LICENSE NO. 6479

SKETCH AND DESCRIPTION
THIS IS NOT A SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 54-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

- NOTES:**
- BEARINGS ARE BASED ON THE WEST LINE OF LOT 5 PLAT BOOK 51, PAGES 109-111 BEING N 00° 11' 20" E
 - THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
 - THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.

PREPARED FOR:
Engineering -
Design Section

DRAWN BY: Christian	DATE: 10/10/14	SECTION: 14
CHECKED BY: Daynes	JOB No: 7529	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE: 7529	RANGE: 30
REVISION DATE: 10/10/14		SHEET 2 OF 2

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940



DRAWING SCALE:
1" = 30'
PROJECT NUMBER
7529