



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 21

DATE: July 18, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager *PS*
Real Estate Management Division

FROM: Kim Heim, Title Examiner *KH*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT FROM CURRY FORD ROAD STORAGE, LLC TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM IBERIABANK AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Curry Ford Self Storage Permit: B15902050 OCU File #: 81466

District 3

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

ITEMS: Utility Easement
Cost: Donation
Size: 224 square feet

Subordination of Encumbrances to Property Rights to Orange County

Real Estate Management Division
Agenda Item 21
July 18, 2017
Page 2

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

AUG 22 2017

THIS IS A DONATION

Project: Curry Ford Self Storage Permit: B15902050 OCU File #: 81466

UTILITY EASEMENT

THIS INDENTURE, Made this 29 day of June, A.D. 2017, between Curry Ford Road Storage, LLC, a Florida limited liability company, having its principal place of business in the city of Orlando, county of Orange, whose address is 9847 Curry Ford Road, Orlando, FL 32825, 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 06-23-31-0000-00-015

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:

Curry Ford Road Storage, LLC,
a Florida limited liability company

Gwendolyn Hancock
Witness

BY: McLane Industries, Inc.
a Florida corporation
as Managing Member

Gwendolyn Hancock
Printed Name

BY: [Signature]
John L. McLane, Jr., as President

[Signature]
Witness

JOE BURKHALTER
Printed Name

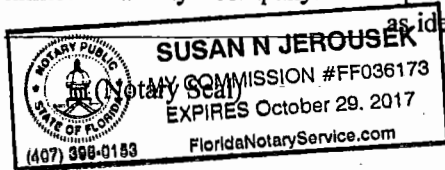
(Corporate Seal)

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 29 day of JUNE, 2017, by John L. McLane, Jr., as President of McLane Industries, Inc., a Florida corporation, as Managing Member of Curry Ford Road Storage, LLC, a Florida limited liability company, on behalf of the limited liability company. He ☒ is personally known to me, or ☐ has produced as identification.



[Signature]
Notary Signature

SUSAN N JEROUSEK
Printed Notary Name

This instrument prepared by:
Kimberly 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

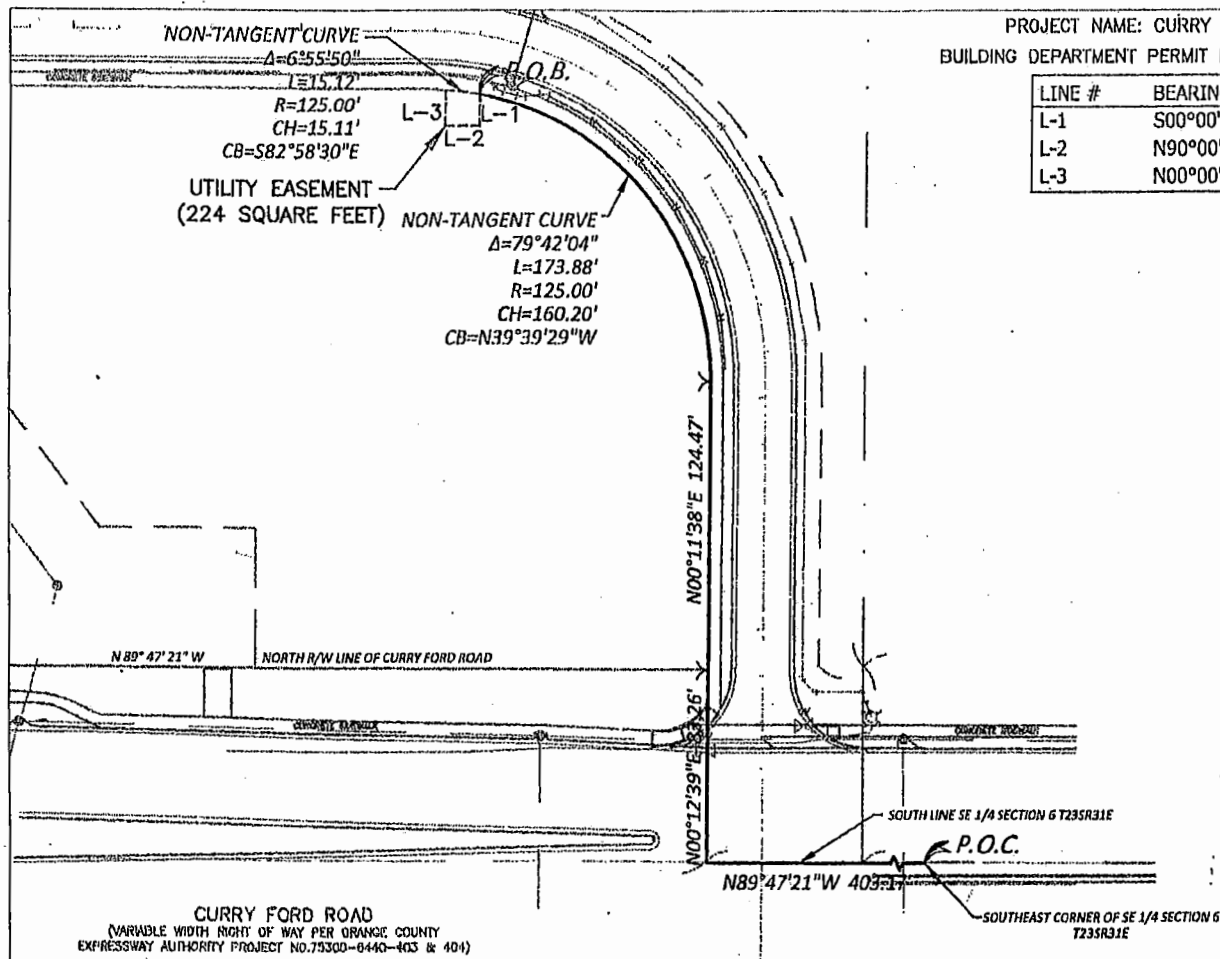
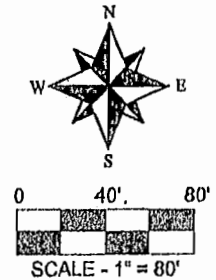
ORANGE - FLORIDA
My commission expires:

10/29/17

SKETCH OF DESCRIPTION
DESCRIPTION OCU UTILITY EASEMENT

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4 OF SECTION 6; THENCE RUN N89°47'21"W, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 403.17 FEET; THENCE RUN N00°12'39"E, A DISTANCE OF 83.26 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF CURRY FORD ROAD; THENCE RUN N00°11'38"E, A DISTANCE OF 124.47 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 79°42'04"; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 173.88 FEET TO THE POINT OF BEGINNING; THENCE RUN S00°00'00"W 13.88 FEET; THENCE RUN N90°00'00"W 15.00 FEET; THENCE RUN N00°00'00"E 15.73 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 6°55'50"; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 15.12 FEET TO THE POINT OF BEGINNING. (224 SQUARE FEET)



PROJECT NAME: CURRY FORD SELF STORAGE
BUILDING DEPARTMENT PERMIT NUMBER: B15902050

LINE #	BEARING	DISTANCE
L-1	S00°00'00"W	13.88'
L-2	N90°00'00"W	15.00'
L-3	N00°00'00"E	15.73'

THIS SKETCH IS NOT A BOUNDARY SURVEY.

LEGEND:

- [illegible]

PREPARED FOR:

ODEN HARDY

BEARINGS SHOWN HEREON ARE BASED ON
AN ASSUMED BEARING OF THE NORTH
RIGHT OF WAY LINE OF CURRY FORD
ROAD BEING N89°47'21"W.



DONOGHUE - CONSTRUCTION LAYOUT

DONOGHUE CONSTRUCTION LAYOUT, LLC
711 Turnbull Avenue, Altamonte Springs, FL 32701
www.DCLayout.com Phone: (321) 248-7979
Info@DCLayout.com Fax: (407) 260-5461
Certificate of Authorization: LB7910

JOB NO.

16-559

SURVEY DATE

4/19/2017

SCALE

1"=80'

DRAWN BY

J.D.S.

CHECKED BY:

R.R.D.

THIS SKETCH CONFORMS TO THE "MINIMUM
TECHNICAL STANDARDS" AS SET FORTH BY
FLORIDA ADMINISTRATIVE CODE 53-17 AND THE
FLORIDA STATUTES CHAPTER 472, AS APPLICABLE.
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
AND MAPPER.

RYAN R. DONOGHUE; P.S.M. (LS6830)

AUG 22 2017

Project: Curry Ford Self Storage Permit: B15902050 OCU File #: 81466

SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a utility easement in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to a Mortgage, Security Agreement, Financing Statement and Assignment of Rents; Assignment of Rents, Leases, Profits and Contracts; and a Financing Statement held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrances to the property rights of Orange County in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations paid, receipt of which is hereby acknowledged, the undersigned subordinates said encumbrances as they have been or as may be modified and amended from time to time to the property rights of Orange County to locate, construct, maintain, and/or improve said project over, through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

SEE ATTACHED EXHIBIT "A"

Encumbrances:

Iberiabank

FROM: Curry Ford Storage, LLC

Mortgage, Security Agreement, Financing Statement and Assignment of Rents
filed December 18, 2015

Recorded in Official Records Book 11030, Page 3775,

Assignment of Rents, Leases, Profits and Contracts filed December 18, 2015

Recorded in Official Records Book 11030, Page 3801

Financing Statement filed December 18, 2015

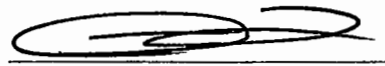
Recorded in Official Records Book 11030, Page 3810

All in the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for utility easement purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrances or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed that in the event said above described premises are abandoned by Orange County and cease to be used for utility easement purposes that in such event the subordination of said encumbrances shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

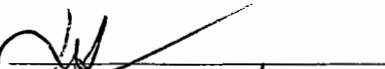
IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 5th day of July, A.D. 2017.

Signed, sealed, and delivered
in the presence of:



Witness

Andrew C. Laney
Printed Name




Witness

Lily Vu
Printed Name

STATE OF Florida
COUNTY OF Orange

Iberiabank,
a Louisiana state-chartered bank

BY:


Brian A. Carlson
Print Name

Vice President
Title

The foregoing instrument was acknowledged before me this 5th of July, 2017, by Brian Carlson, as Vice President of Iberiabank, a Louisiana state-chartered bank, on behalf of the bank. He/She ☒ is personally known to me or ☐ has produced _____ as identification.

Witness my hand and official seal this 5th day of July, 2017.

(Notary Seal)



Notary Signature

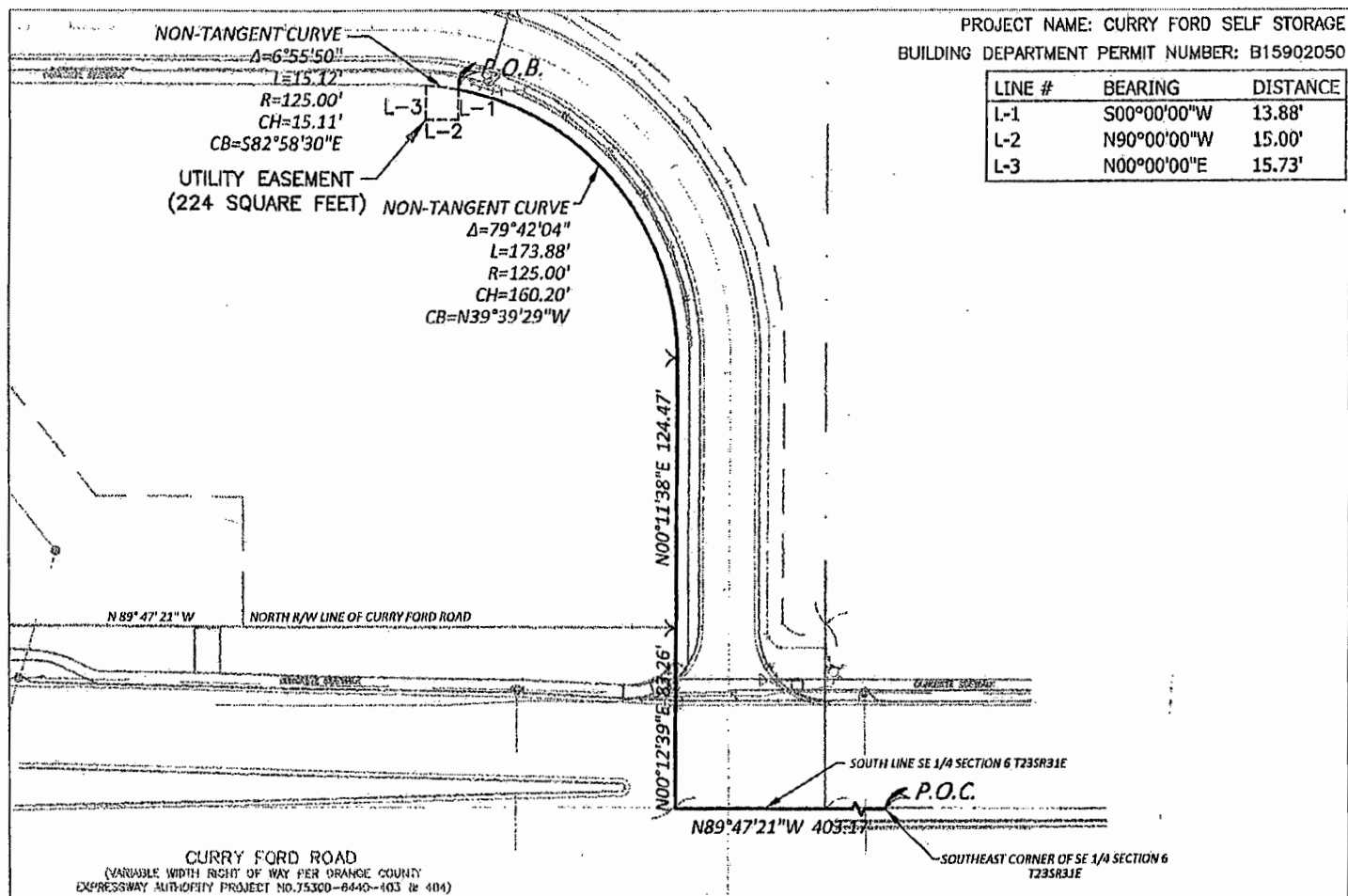
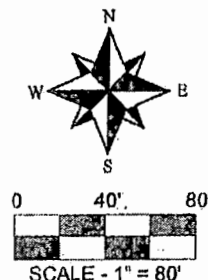
Lisa Dubiel
Printed Notary Name

This instrument prepared by:
Kimberly 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:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4 OF SECTION 6; THENCE RUN N89°47'21"W, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 403.17 FEET; THENCE RUN N00°12'39"E, A DISTANCE OF 83.26 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF CURRY FORD ROAD; THENCE RUN N00°11'38"E, A DISTANCE OF 124.47 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 79°42'04"; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 173.88 FEET TO THE POINT OF BEGINNING; THENCE RUN S00°00'00"W 13.88 FEET; THENCE RUN N90°00'00"W 15.00 FEET; THENCE RUN N00°00'00"E 15.73 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 6°55'50"; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 15.12 FEET TO THE POINT OF BEGINNING. (224 SQUARE FEET)



THIS SKETCH IS NOT A BOUNDARY SURVEY.

LEGEND:

- | | | | |
|---------|-------------------------------|--------|-------------------------------------|
| AB | -- AS-BUILT | LS | -- LICENSED SURVEYOR |
| A/C | -- AIR CONDITIONER | LS | -- LIGHT POLE |
| BFP | -- BACKFLOW PREVENTER | LF | -- LINER FENCE |
| B | -- BEARING | MH | -- MANHOLE |
| B | -- BENCHMARK | M | -- MEASURED |
| CD | -- CAULK TYP. RESIN | MF | -- METAL FENCE |
| CD | -- CIRCULATED | SES | -- SUTTERED END SECTION |
| CD | -- CHORD BEARING | NAD | -- NAD 83 |
| C/L | -- CENTERLINE | NO | -- NATIONAL GEODETIC VERTICAL DATUM |
| CLF | -- CHAIN LINK FENCE | NO ID | -- NO IDENTIFICATION |
| C | -- CIRCLED | NAB | -- NORTH AMERICAN VERTICAL DATUM |
| CM | -- CONCRETE MONUMENT | ORS | -- OFFICIAL RECORDED BOOK |
| CM | -- CONCRETE MASONRY UNIT | OLE | -- OVERHEAD ELECTRIC WIRE |
| CO | -- CLEAN CUT | OLE | -- OVERHEAD UTILITY LINE |
| CONC | -- CONCRETE | P | -- PAGE |
| CONR | -- CORNER | PF | -- PLASTIC FENCE |
| (C) | -- CIRCLED | PLAT | -- PLAT |
| (C) | -- CIRCLED | PLM | -- PLAT AND MEASURED |
| → | -- DIAMETER BREST HEIGHT | PLD | -- PLAT BOOK |
| → | -- DIRECTIONAL ARROW | P.O.B. | -- POINT OF BEGINNING |
| EDMT | -- EASEMENT | P.O.C. | -- POINT OF COMMENCEMENT |
| ED | -- EDGE OF PAVEMENT | P.O.T. | -- POINT OF TANGENCY |
| EM | -- ELECTRIC BOX | R | -- RADIUS |
| EM | -- ELECTRIC METER | R/W | -- RIGHT OF WAY |
| EL/ELEV | -- ELEVATION | SET | -- SET IRON ROD & CAP |
| PFE | -- FINISHED FLOOR ELEVATION | SET | -- SET A CONCRETE MONUMENT |
| FI | -- FIRE HYDRANT | SET | -- SET MAIL & DECK |
| FIR | -- FLOOD RESISTANCE RATE MAP | STOP | -- STOP SIGN |
| FIND | -- FOUND | TR | -- TELEPHONE RISER |
| ■ | -- FOUND AS CONCRETE MONUMENT | TR | -- TREE LOCATION |
| IRON | -- FOUND IRON ROD & CAP, | TR | -- TRANSFORMER |
| IRON | -- FOUND IRON RAIL & DECK | TYP | -- TYPICAL |
| IN | -- INVERT | UT | -- UTILITY EASEMENT |
| IN | -- IRON PIPE | UT | -- UTILITY POLE |
| IR | -- IRON ROD | W | -- WATER METER |
| IRO | -- IRON ROD & CAP | W | -- WATER VALVE |
| | -- LARGEST DIMENSION | W | -- WOOD FENCE |

PREPARED FOR:
ODEN HARDY

BEARINGS SHOWN HEREON ARE BASED ON
AN ASSUMED BEARING OF THE NORTH
RIGHT OF WAY LINE OF CURRY FORD
ROAD BEING N89°47'21"W.



DONOGHUE CONSTRUCTION LAYOUT

DONOGHUE CONSTRUCTION LAYOUT, LLC
711 Turnbull Avenue, Altamonte Springs, FL 32701
www.DCLayout.com Phone: (321) 248-7979
info@DCLayout.com Fax: (407) 260-5461

Certificate of Authorization: LB7910

JOB NO.	16-559
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SURVEY DATE 4/19/2017

SCALE 1"=80'

DRAWN BY J.D.S.

CHECKED BY	R.R.D.
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[illegible]

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AND MAPPER.

RYAN R. DONOGHUE; P.S.M. (LS6838)