




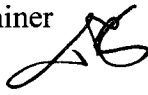
Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

**DATE:** August 21, 2017

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

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

**FROM:** Theresa A. Avery, Senior Title Examiner   
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF TEMPORARY CONSTRUCTION EASEMENT BETWEEN ORANGE COUNTY AND CITY OF ORLANDO AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Dean Road Extension (University Blvd to Seminole County Line)  
  
District 5

**PURPOSE:** To provide the City of Orlando an easement for access and construction of utility improvements.

**ITEM:** Temporary Construction Easement (Instrument 701.1)  
Revenue: Donation  
Size: 28,078.34 square feet  
Term: 2 years

**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Public Works Department  
Risk Management Division

**REMARKS:**

The City of Orlando (the "City") has requested that the County grant, and the Public Works Department has agreed to grant, this "Temporary Construction Easement" to the City for the installation of certain utility improvements in the Dean Road right-of-way abutting the County's property.

The City to pay recording fees.

SEP 19 2017

This Instrument Prepared by:  
Roy K. Payne, Esq.  
Chief Assistant City Attorney  
City of Orlando  
400 South Orange Avenue  
Orlando, Florida 32801  
(407) 246-3483

Instrument: 701.1 TCE

Project: Dean Road Extension (University Blvd to Seminole County Line)

This document constitutes a conveyance from a state agency or instrumentality to an agency of the state and is not subject to documentary stamp tax. Department of Revenue Rules 12B-4.0114(10), F.A. C.

### TEMPORARY CONSTRUCTION EASEMENT

**THIS INDENTURE**, is made as of the date signed below (the "Effective Date"), by and between **ORANGE COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida, whose address is P.O. Box 1393, Orlando, FL, 32802-1393 (hereinafter referred to as "Grantor,") and **CITY OF ORLANDO, FLORIDA**, a municipal corporation created and existing under and by virtue of the laws of the State of Florida, situated in Orange County, Florida, hereinafter referred to as "Grantee," whose address is 400 South Orange Avenue, Orlando, Florida 32801:

### **WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid to the Grantor by Grantee, the receipt whereof is hereby acknowledged, said Grantor does hereby grant, bargain, sell, and convey to Grantee, its successors and assigns, for that period of time beginning October 1, 2017, and ending October 1, 2019 (unless extended in writing and by mutual agreement of the parties), a temporary easement over, through, and under that certain piece, parcel, or tract of real estate situated in Orange County, Florida, more particularly described as:

(See attached **Exhibit "A"**, the depiction of which shall hereinafter be referred to as "Easement Area").

The easement is granted solely for the right and privilege of the Grantee to carry on construction and construction-support activities, including maintenance of traffic activities, within the above-described area, related to the construction and installation of an interior lining to an existing gravity wastewater line generally located in the centerline of Dean Road and attendant improvements, all stated activities hereinafter referred to as the "Project".

Instrument: 701.1 TCE

Project: Dean Road Extension (University Blvd to Seminole County Line)

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assume any liability for the acts, omissions and/or negligence of the other party.

**PROVIDED, HOWEVER,** that all rights granted hereby to the Grantee shall cease and terminate on the completion of the Project, or on October 1, 2019 (unless extended as provided above), whichever occurs first.

The Grantor hereby covenants with the Grantee that Grantor is lawfully seized of said land in fee simple; that they have good, right and lawful authority to grant said easement.

The Grantee hereby covenants that upon completion of the Project, Grantee shall restore the Easement Area as close as reasonably practicable to that same general condition that existed prior to the granting of this Easement.

**IN WITNESS WHEREOF,** the Grantor has caused this Temporary Construction Easement to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.



**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

BY: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

DATE: 9.19.17

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Jessica Vaupel*  
for Deputy Clerk

Jessica Vaupel  
Printed Name

# EXHIBIT "A"



## WOOLPERT

DESIGN | GEOSPATIAL | INFRASTRUCTURE

SHEET 1 OF 2, SEE SHEET 2 OF 2 FOR SKETCH

Woolpert, Inc.

11486 Corporate Boulevard

Suite 190

Orlando, FL 32817

407.381.2192

FAX: 407.384.1185

Certificate of Authorization No. LB6777

### TEMPORARY CONSTRUCTION EASEMENT

#### LEGAL DESCRIPTION:

A PORTION OF LAND LOCATED IN SECTION 05, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA. SAID PORTION OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LANDS DESCRIBED IN ORB 6233; PG 2849 OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF TRACT "A", SUNCREST UNIT V, AS RECORDED IN PB 23; PGS 56 THROUGH 58 OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF DEAN ROAD (SR 425, A 60 FOOT RIGHT-OF-WAY) AND A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 924.95 FEET AND A CHORD BEARING OF N28°38'56"E; THENCE RUN NORTHEASTERLY ALONG ARC OF SAID CURVE AND SAID EAST RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 16°36'19" FOR A DISTANCE OF 268.06 FEET TO THE POINT OF BEGINNING; THENCE RUN N36°57'05"E A DISTANCE OF 446.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 848.51 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°34'53" FOR A DISTANCE OF 97.47 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY OF DEAN ROAD, RUN N89°52'59"E ALONG THE NORTH LINE OF THE SOUTH ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 5 FOR A DISTANCE OF 57.47 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 898.51 FEET AND A CHORD BEARING OF S32°43'51"W; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8°26'30" FOR A DISTANCE OF 132.38 FEET; THENCE RUN S36°57'05"W 446.60 FEET; THENCE RUN N53°02'55"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 28,078.34 SQUARE FEET (0.65 ACRES), MORE OR LESS.

#### NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THIS DOCUMENT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY WOOLPERT INC. FOR EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
3. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
4. BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTH ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 5 BEING NORTH 89°52'59" EAST, PER THE DESCRIPTION OF LANDS DESCRIBED IN ORB 6233, PG 2849, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
5. THIS IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.
6. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO DOCUMENT A TEMPORARY CONSTRUCTION EASEMENT WITHIN LANDS DESCRIBED IN ORB 6233, PG 2849, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
7. AERIAL IMAGERY IS FOR REFERENCE ONLY.

#### LEGEND:

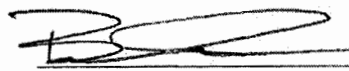
CH = CHORD  
ID = IDENTIFICATION  
ORB = OFFICIAL RECORDS BOOK  
PB = PLAT BOOK  
PG = PAGE  
PGS = PAGES  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
R/W = RIGHT OF WAY

#### CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE INTENT OF THE STANDARDS OF PRACTICE FOR FLORIDA SURVEYORS AND MAPPERS AS SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

FOR THE FIRM  
WOOLPERT INC., LB # 6777

### SKETCH & DESCRIPTION NOT A SURVEY

 04/19/2017

BRADLEY ALEXANDER, PSM  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA LICENSE No. 6885

REVISIONS	DATE	BY	DATE:	DRAWN BY	CHECKED BY	FIELD BOOK
			04/19/17	BHA	BHA	N/A

PROJECT NO. 075420



# WOOLPERT

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Woolpert, Inc.

11486 Corporate Boulevard

Suite 190

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407.381.2192

FAX: 407.384.1185

Certificate of Authorization No. LB6777

SHEET 2 OF 2, SEE SHEET 1 OF 2 FOR DESCRIPTION

## TEMPORARY CONSTRUCTION EASEMENT



GRAPHIC SCALE IN FEET

PARCEL ID:

05-22-31-0000-00-014

N 89° 52' 59" E 57.47'

NORTH LINE OF SOUTH 1/2 OF  
THE NORTHWEST 1/4 OF THE  
SOUTHWEST 1/4 OF SECTION 5

BASIS OF BEARINGS

C4

N 38° 57' 05" E 446.80'

S 36° 57' 08" W 446.80'

PARCEL ID:  
05-22-31-0000-00-029  
(ORB 6233; PG 2849)

PARCEL ID:  
05-22-31-8475-00-001  
(TRACT "A" PER PB. 23; PG. 56-58)

N 53° 02' 55" W 50.00'

POB

POC

DEAN ROAD (80' R/W)  
(PER ORB 6233; PG. 2849)

CURVE TABLE

CURVE	DELTA	LENGTH	RADIUS	CH BEARING	CH LENGTH
C1	19°40'03"	317.50'	924.95'	N10°30'45"E	315.94'
C2	16°36'19"	268.06'	924.95'	N28°38'56"E	267.13'
C3	6°34'53"	97.47'	848.51'	N33°39'38"E	97.42'
C4	8°26'30"	132.38'	898.51'	S32°43'51"W	132.26'

REVISIONS

DATE

BY

DATE:

04/19/17

DRAWN

BY

BHA

CHECKED

BY

BHA

FIELD

BOOK

N/A

PROJECT  
NO. 075420