



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 7

DATE: August 30, 2017

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Jeffrey L. Sponenburg, Title Program Manager *PS for JS*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: APPROVAL AND EXECUTION OF PARTIAL RELEASE OF
CONSERVATION EASEMENT BY ORANGE COUNTY AND
AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Conservation Area Impact Permit # CAI-13-11-030 (Spring Hill Phase 1)

District 1

PURPOSE: To release a portion of lands encumbered by a conservation easement.

ITEM: Partial Release of Conservation Easement
Revenue: None
Released Area: 150 square feet

APPROVALS: Real Estate Management Division
County Attorney's Office
Environmental Protection Division

REMARKS: Conservation Area Impact Permit # CAI-13-11-030 (the "Permit")
issued by Orange County Environmental Protection Division required a
Conservation and Access Easement (the "Easement") over the site being
developed. The Easement was approved by the Board of County

Commissioners on April 21, 2015 and subsequently recorded on April 24, 2015. The Permit was modified on March 17, 2017 (the "Permit Modification") to authorize the construction of a spreader swale within an upland buffer area subject to the Easement. The Permit Modification requires the Easement to be modified to remove from the Easement the area within the upland buffer impacted by the spreader swale. This Partial Release of Conservation Easement is being executed in accordance with that requirement.

Developer to pay recording fees.

Instrument prepared by and
recorded original returned to:
Real Estate Management Division
Orange County, Florida
400 East South Street, 5th Floor
Orlando, Florida 32801

Project: Conservation Area Impact Permit # CAI-13-11-030 (Spring Hill Phase 1)

Parcel ID No.

a portion of: 17-24-27-7172-23-001 (Parent Parcel ID No. 17-24-27-000-00-009)

**PARTIAL RELEASE OF
CONSERVATION EASEMENT**

THIS PARTIAL RELEASE OF CONSERVATION EASEMENT (this
“Release”) is made by Orange County, a charter county and political subdivision of the
State of Florida, whose address is Post Office Box 1393, Orlando, Florida 32802-1393
(“County”).

RECITALS:

WHEREAS, Lennar Homes, LLC, a Florida limited liability company
(“Lennar”), granted in favor of County a conservation easement, as described in
Conservation and Access Easement recorded on April 24, 2015, in Official Records
Book 10908, Page 8407, Public Records of Orange County, Florida (the “Conservation
Easement”) over certain property located in Orange County, Florida in favor of County
in accordance with Conservation Area Impact Permit No. 13-11-030; and

WHEREAS, on March 17, 2017, County modified Conservation Area Impact
Permit No. 13-11-030 to authorize the construction of a spreader swale within an

upland buffer area subject to the Conservation Easement without requiring any additional mitigation for the impact to the upland buffer area or secondary impact to the conservation area; and

WHEREAS, the modification to Conservation Area Impact Permit No. 13-11-030 requires Lennar to modify the Conservation Easement by removing the area within the upland buffer impacted by the spreader swale from the Conservation Easement; and

WHEREAS, County has agreed to release a portion of the property subject to the Conservation Easement that is impacted by the construction of the spreader swale as authorized by the modification to Conservation Area Impact Permit No. 13-11-030; and

WHEREAS, subsection 704.06(4), Florida Statutes, provides that the holder of a conservation easement may release that conservation easement to the holder of the fee interest; and

WHEREAS, Lennar is the holder of the fee interest to the Conservation Easement.

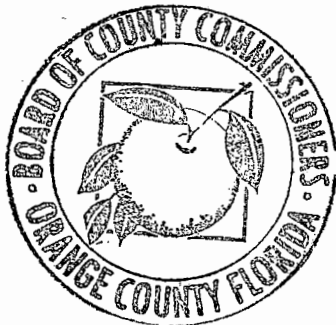
NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, County hereby agrees as follows:

1. Release. County hereby releases, from the lien and encumbrance of the Conservation Easement the property described in attached Exhibit "A" (the "Released Area") which Released Area will henceforth no longer be considered part of the "Property" as defined in the Conservation Easement. This Release is binding upon and

shall inure to the benefit of Lennar and its successors and assigns. This Release applies only to the real property described in attached Exhibit "A."

2. Reaffirmation. Except as specifically set forth herein, all provisions of the Conservation Easement shall remain unchanged and in full force and effect. The remainder of the property described in the Conservation Easement is unaffected by this Release and shall continue to be bound by the terms of said Conservation Easement.

IN WITNESS WHEREOF, Orange County, Florida has caused its presents to be executed as of the day and year 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

SKETCH OF DESCRIPTION

SHEET 1 OF 2

LEGAL DESCRIPTION

A portion of the Wetlands and Upland Buffer — Parcel 2 as described in Official Records Book 10908, Page 8407 also being a portion of Tract W-1, Storey Grove, Phase 1B-1 according to the plat thereof as recorded in Plat Book 90, Pages 144 through 147 of the Public Records of Orange County, Florida, lying in Section 17, Township 24 South, Range 27 East, Orange County, Florida.

Being more particularly described as follows:

Commence at the Northeast corner of the lands described in said Official Records Book 10908, Page 8407; thence run the following three (3) courses along the North line of said lands: South 44°37'23" West for a distance of 53.98 feet; South 49°01'57" West for a distance of 41.02 feet; South 64°48'32" West for a distance of 41.80 feet to the POINT OF BEGINNING; thence departing said North line run South 25°15'13" East for a distance of 10.00 feet; thence run South 64°48'32" West for a distance of 15.00 feet; thence run North 25°15'13" West for a distance of 10.00 feet to the aforesaid North line; thence run North 64°48'32" East along said North line for a distance of 15.00 feet to the POINT OF BEGINNING.

Containing 150 square feet, more or less.



16 East Plant Street
Winter Garden, Florida 34787 • (407) 654 5355

SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.
3. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 17-24-27 BEING AN ASSUMED BEARING OF S89°57'03"W.
4. THE DELINEATION OF THE LANDS SHOWN HEREON ARE PER THE CLIENT'S REQUEST.
5. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF THE PLAT.

JOB NO. 20130013

DATE: 1/9/2017

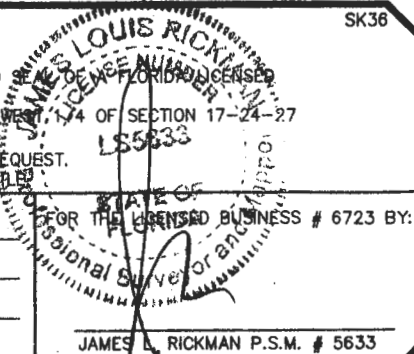
SCALE: 1" = 150 FEET

FIELD BY: N/A

CALCULATED BY: JLR

DRAWN BY: PJR/JDS

CHECKED BY: SEJ

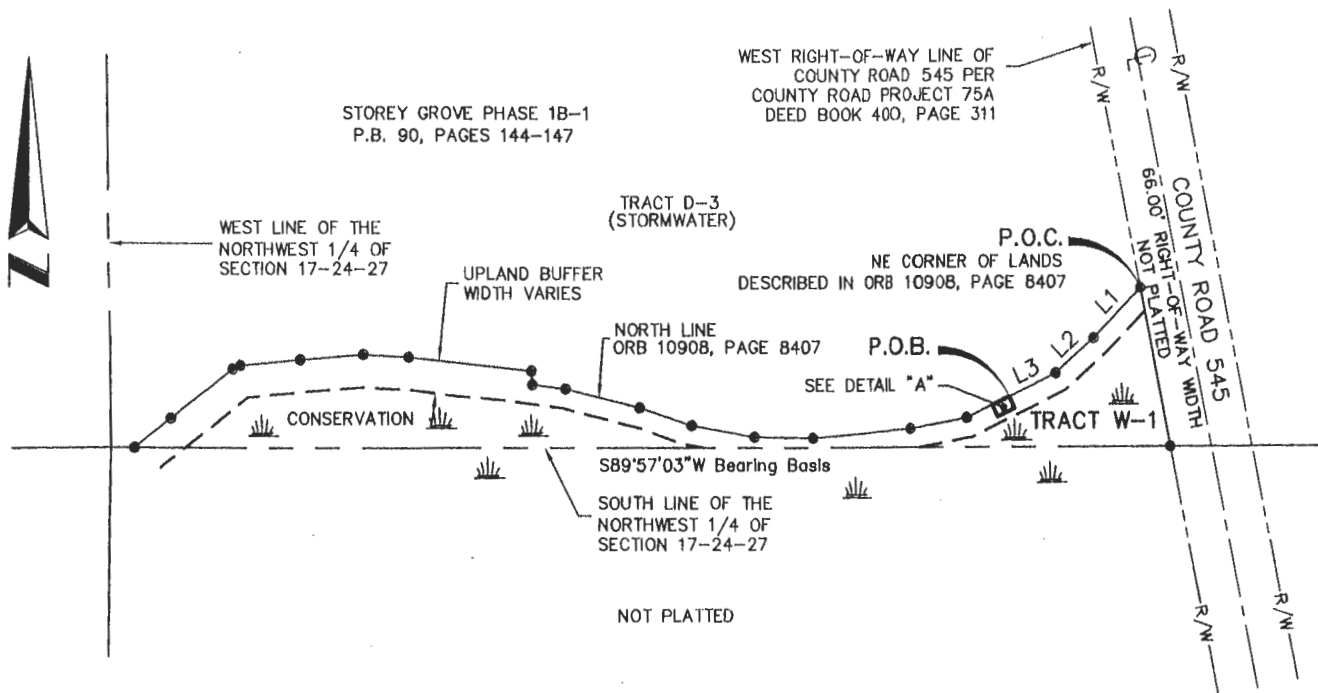


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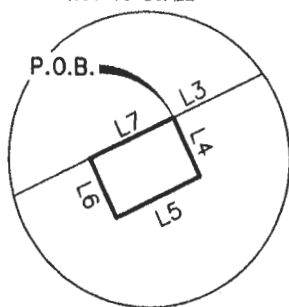
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SKETCH OF DESCRIPTION

SHEET 2 OF 2



DETAIL "A"
NOT TO SCALE



LINE TABLE		
LINE	LENGTH	BEARING
L1	53.98'	S44°37'23"W
L2	41.02'	S49°01'57"W
L3	41.80'	S64°48'32"W
L4	10.00'	S25°15'13"E
L5	15.00'	S64°48'32"W
L6	10.00'	N25°15'13"W
L7	15.00'	N64°48'32"E

THIS IS NOT A SURVEY:

DENOTES WETLANDS
 P.O.C. DENOTES POINT OF COMMENCEMENT
 P.O.B. DENOTES POINT OF BEGINNING

DENOTES CHANGE IN DIRECTION
 DENOTES RIGHT-OF-WAY
 DENOTES CENTERLINE
 P.B. DENOTES PLAT BOOK
 PG.(S) DENOTES PAGE(S)
 ORB DENOTES OFFICIAL RECORDS BOOK

JOB NO. 20130013
 DATE: 1/9/2017
 SCALE: 1" = 150 FEET
 FIELD BY: N/A

CALCULATED BY: JLR
 DRAWN BY: PJR/JDS
 CHECKED BY: SEJ



16 East Plant Street
 Winter Garden, Florida 34787 * (407) 654 5355

SK36

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