



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 11

DATE: August 22, 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 MEEKS INVESTMENTS, LLC TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM SUNSHINE BANK AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Nar-Vista relocate backflow Permit: B14900048 OCU File #: 76445

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: 712 square feet

Subordination of Encumbrances to Property Rights to Orange County

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

SEP 19 2017

THIS IS A DONATION

Project: Nar-Vista relocate backflow Permit: B14900048 OCU File #: 76445

UTILITY EASEMENT

THIS INDENTURE, Made this 18 day of August, A.D. 20 17, between Meeks Investments, LLC, a Florida limited liability company, having its principal place of business in the city of Orlando, county of Orange, whose address is 6923 Narcoossee Road, Suite 603, Orlando, Florida, 32822, 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 24-23-30-0000-00-013

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:

Richard Hardiman
Witness

RICHARD HARDIMAN
Printed Name

Jerry White
Witness

JERRY WHITE
Printed Name

Meeks Investments, LLC,
a Florida limited liability company


BY: Robert G. Meeks, Jr.
Robert G. Meeks, Jr., Owner and Manager

(Signature of TWO witnesses required by Florida law)

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 18 day of August, 2017, by Robert G. Meeks, Jr., as Owner and Manager of Meeks Investments, LLC, a Florida limited liability company, on behalf of the limited liability company. He ☒ is personally known to me, or ☐ has produced _____ as identification.

(Notary Seal)
 Maria Daniela Hubner deAbreu
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF237733
Expires 6/4/2019

Maria Daniela Hubner deAbreu
Notary Signature

MARIA DANIELA HUBNER DEABREU
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: 06-4-2019

**SKETCH & LEGAL DESCRIPTION
UTILITY EASEMENT AT NAR VISTA
BUILDING PERMIT # B14900048**

SECTION 24, TOWNSHIP 23 SOUTH, RANGE 30 EAST
ORANGE COUNTY, FLORIDA

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10746, PAGE 5746 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SAID SECTION 24; THENCE WITH THE SOUTH LINE OF SAID SW 1/4, S89°55'05"E, A DISTANCE OF 393.76 FEET TO THE EAST RIGHT-OF-WAY LINE OF NARCOOSSEE ROAD (A VARIABLE-WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 239266-3-52-01); THENCE WITH SAID EAST RIGHT-OF-WAY LINE, N30°09'31"W, A DISTANCE OF 412.34 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE WITH SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: 1) N89°55'09"W, A DISTANCE OF 13.10 FEET; 2) NORTHWESTERLY WITH THE ARC OF A NON-TANGENT CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 7696.44 FEET, A CENTRAL ANGLE OF 00°08'18" AND A CHORD BEARING AND DISTANCE OF N30°27'12"W, 18.58 FEET) FOR AN ARC DISTANCE OF 18.58 FEET; THENCE THROUGH SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10746, PAGE 5746 THE FOLLOWING TWO (2) COURSES: 1) S89°55'09"E, A DISTANCE OF 49.25 FEET; 2) S00°04'51"W, A DISTANCE OF 16.00 FEET TO THE SOUTH LINE OF SAID LANDS; THENCE WITH SAID SOUTH LINE, N89°55'09"W, A DISTANCE OF 26.71 FEET TO THE POINT OF BEGINNING.



CONTAINING 712 SQUARE FEET (0.016 ACRES) OF LAND, MORE OR LESS.

SURVEYOR'S NOTES

1. THE PURPOSE OF THIS SKETCH & LEGAL DESCRIPTION IS TO PROVIDE A LEGAL DESCRIPTION FOR A PROPOSED UTILITY EASEMENT.
2. THE BASIS OF BEARINGS FOR THIS SURVEY IS GRID NORTH, STATE PLANE COORDINATE SYSTEM, FLORIDA EAST, NAD 83, NGS ADJUSTMENT OF 2011. THE SOUTH LINE OF THE SW 1/4 OF SECTION 24, TOWNSHIP 23 SOUTH, RANGE 30 EAST BEARS S89°55'05"E.
3. THE PROPERTY DEPICTED ON THIS SKETCH IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS LEGAL DESCRIPTION IS INCOMPLETE UNLESS ACCOMPANIED BY A SKETCH OF THE PROPERTY DESCRIBED HEREIN.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

05 JUL 2017; REVISED TITLE OF SKETCH

 <p>LEADING EDGE LAND SERVICES INCORPORATED 8802 EXCHANGE DRIVE ORLANDO, FLORIDA 32809 PHONE: (407) 351-6730 FAX: (407) 351-9691 www.leadingedge1s.com</p>	<p align="center">SKETCH & LEGAL DESCRIPTION FOR MEERKS INVESTMENTS, LLC</p>	<p>DATE OF DRAWING: 21 JUN 2017</p>	
	<p align="center">SURVEYOR'S CERTIFICATION</p> <p>I, THE UNDERSIGNED FLORIDA LICENSED SURVEYOR AND MAPPER, DO HEREBY CERTIFY THAT I HAVE COMPLETED THIS SKETCH AND LEGAL DESCRIPTION IN ACCORDANCE WITH FLORIDA ADMINISTRATIVE RULE 59-17 STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS.</p> <p align="center">  JEFFREY D. HOFIUS PROFESSIONAL SURVEYOR AND MAPPER NUMBER 6610 </p>	<p>MANAGER: JDH CADD: EAC</p> <p>PROJECT NUMBER: 234-14011</p> <p>FIELD BOOK NUMBER: N/A</p> <p>LAST FIELD WORK: N/A</p> <p>CREW CHIEF(S): N/A</p> <p>COMPUTER FILE: 234011BN.ALL.PRO</p>	
<p>FLORIDA LICENSED BUSINESS NUMBER LB 6646</p>		<p>SCALE: 1" = 40' SHEET 1 OF 2</p>	

SKETCH & LEGAL DESCRIPTION UTILITY EASEMENT AT NAR VISTA BUILDING PERMIT # B14900048

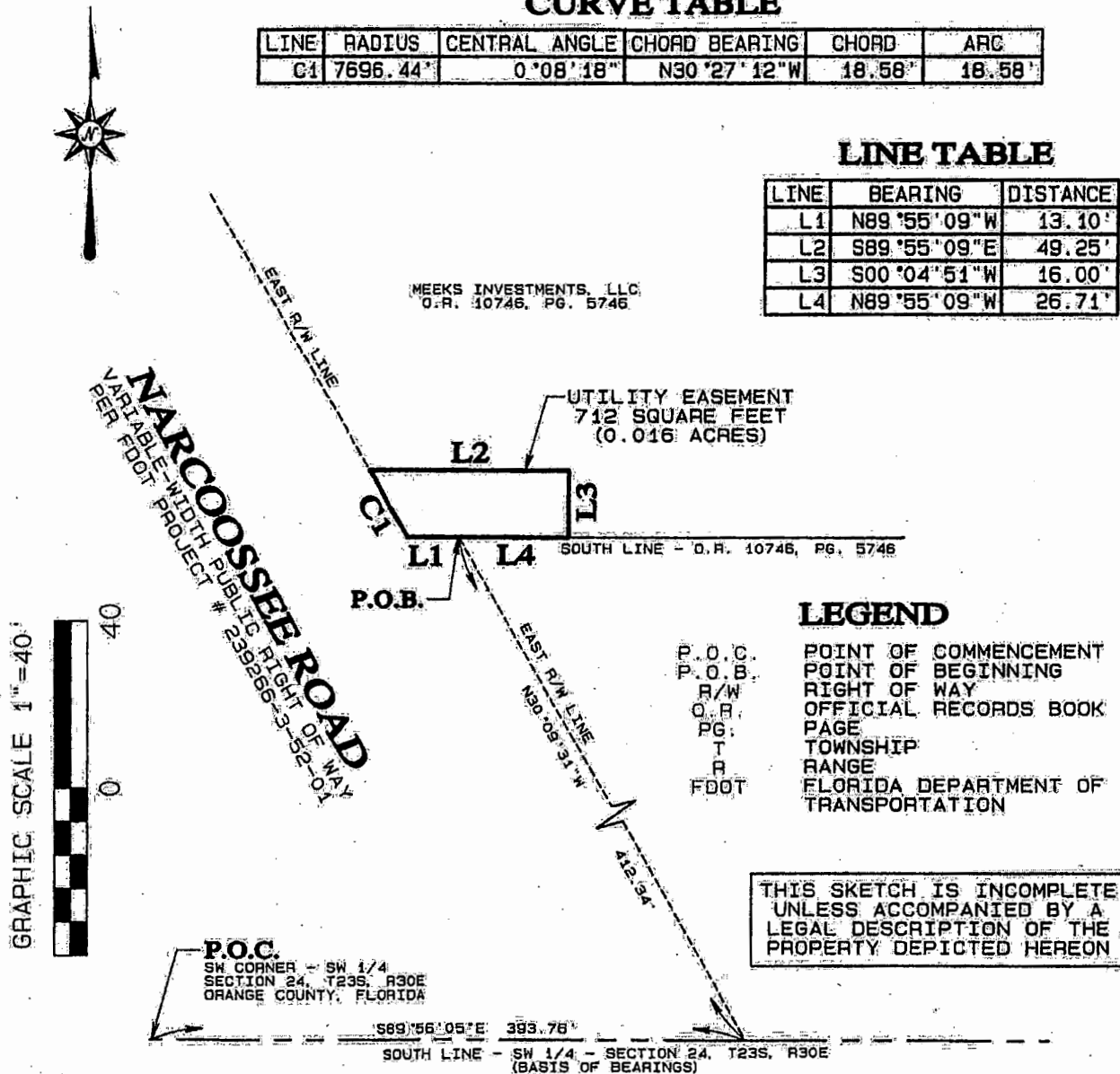
SECTION 24, TOWNSHIP 23 SOUTH, RANGE 30 EAST
ORANGE COUNTY, FLORIDA

CURVE TABLE

LINE	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD	ARC
C1	7696.44'	0°08'18"	N30°27'12"W	18.58'	18.58'

LINE TABLE

LINE	BEARING	DISTANCE
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L2	S89°55'09"E	49.25'
L3	S00°04'51"W	16.00'
L4	N89°55'09"W	26.71'



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FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 2)

05 JUL 2017: REVISED TITLE OF SKETCH

**LEADING EDGE
LAND SERVICES**
INCORPORATED
8802 EXCHANGE DRIVE
ORLANDO, FLORIDA 32809
PHONE: (407) 351-6730
FAX: (407) 351-9591
www.leadingedges.com

**SKETCH & LEGAL DESCRIPTION
FOR
MEKKS INVESTMENTS, LLC**

**THIS IS NOT A
BOUNDARY SURVEY**

DATE OF DRAWING: 21 JUN 2017	
MANAGER: JDH	CADD: EAC
PROJECT NUMBER: 234-14011	
FIELD BOOK NUMBER: N/A	
LAST FIELD WORK: N/A	
CREW CHIEF(S): N/A	
COMPUTER FILE: 234011B1_ALL.PRO	
SCALE: 1" = 40'	SHEET 2 OF 2

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
SEP 19 2017

Project: Nar-Vista relocate backflow Permit: B14900048 OCU File #: 76445

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 project in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to a Mortgage and Security Agreement; Collateral Assignment of Leases, Rents and Profits; Financing Statement; Certificate of Future Advance and Mortgage and Loan Modification and Extension Agreement 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:

Sunshine Bank, a Federal savings bank

FROM: Meeks Investments, LLC

Mortgage and Security Agreement filed November 23, 2015

Recorded in Official Records Book 11017, Page 1726

Collateral Assignment of Leases, Rents and Profits filed November 23, 2015

Recorded in Official Records Book 11017, Page 1746

Financing Statement filed November 23, 2015

Recorded in Official Records Book 11017, Page 1756

Certificate of Future Advance and Mortgage and Loan Modification and Extension Agreement
filed July 29, 2016

Recorded as Document No. 20160391684

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 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 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 31st day of July, A.D. 2017.

Signed, sealed, and delivered
in the presence of:

Adelaida Ramirez
Witness

Adelaida Ramirez
Printed Name

[Signature]
Witness

Jacquelyn Brown
Printed Name

Sunshine Bank, a Federal savings bank, successor by
merger with Florida Bank of Commerce, a Florida
banking corporation

BY: Ralph Betancourt

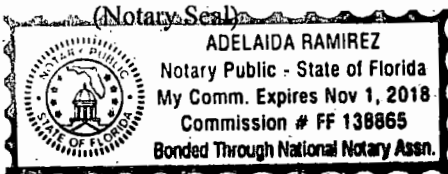
Ralph Betancourt
Printed Name

Regional President
Title

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 31st day of July, 2017, by Ralph Betancourt as Regional President of Sunshine Bank, a Federal savings bank, successor by merger with Florida Bank of Commerce, a Florida banking corporation, on behalf of the Federal savings bank. He/she [☒] is personally known to me, or [☐] has produced _____ as identification.



This instrument prepared by:
Kimberly Heim, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

Adelaida Ramirez
Notary Signature

Adelaida Ramirez
Printed Notary Name

Notary Public in and for
the County and State aforesaid

My commission expires:

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UTILITY EASEMENT AT NAR VISTA
BUILDING PERMIT # B14900048**

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		<p>FLORIDA LICENSED BUSINESS NUMBER LB 6849</p>

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BUILDING PERMIT # B14900048**

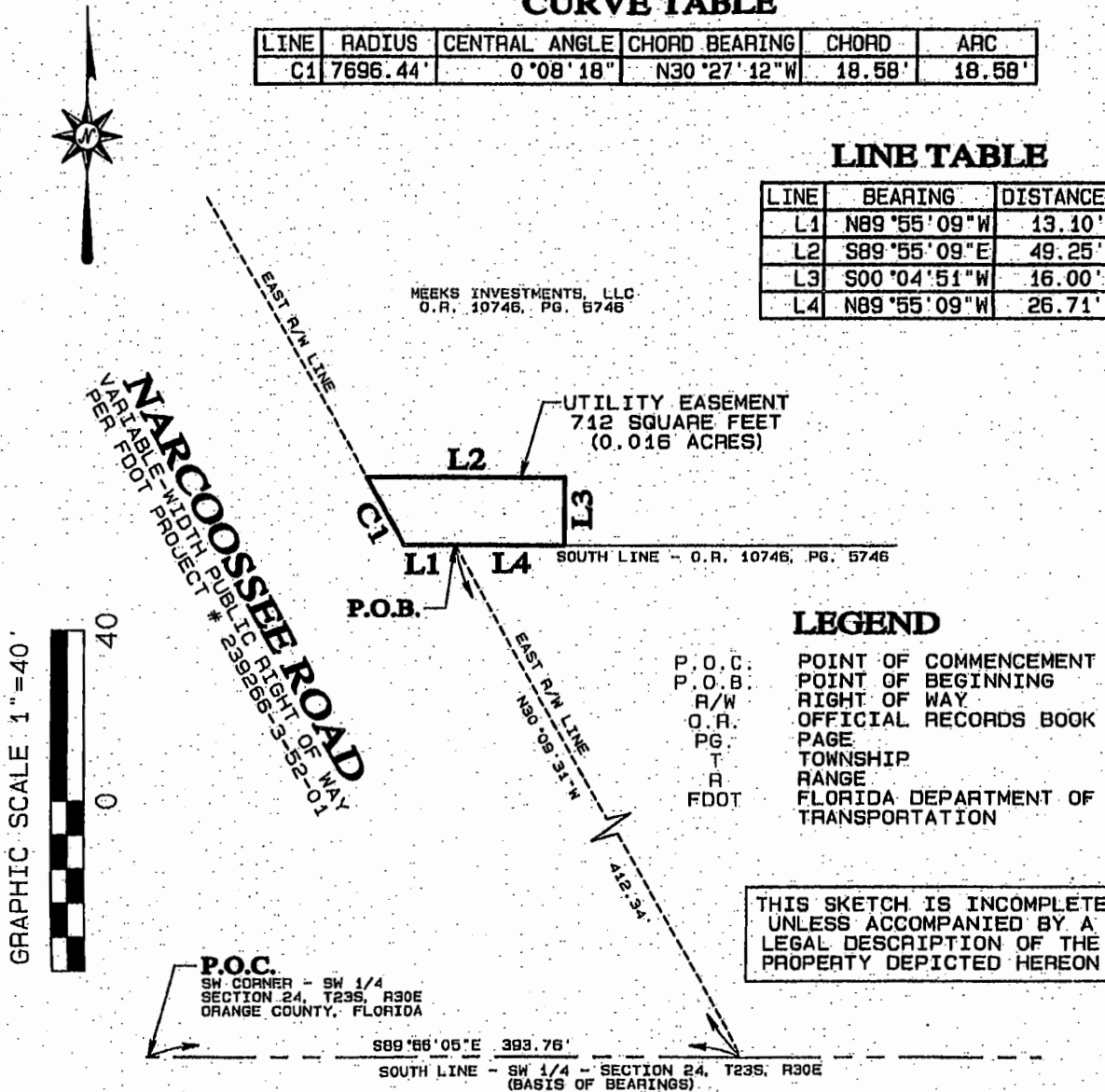
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