Interoffice Memorandum



REAL ESTATE MANAGEMENT ITEM 6

DATE:

October 4, 2017

TO:

Mayor Teresa Jacobs

and the

Board of County Commissioners

THROUGH:

Paul Sladek, Manager 785

Real Estate Management Division

FROM:

Kim Heim, Title Examiner

Real Estate Management Division

CONTACT

PERSON:

Paul Sladek, Manager

DIVISION:

Real Estate Management

Phone: (407) 836-7090

ACTION

REQUESTED:

APPROVAL OF UTILITY EASEMENT FROM RED APPLE AT

UNIVERSITY NORTH, LLC TO ORANGE COUNTY AND

SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS

TO ORANGE COUNTY FROM CLI CAPITAL AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT:

Quadrangle Charter School Site Work Only

Permit: B17900092 OCU File #: 89806

District 5

PURPOSE:

To provide for access, construction, operation, and maintenance of utility

facilities as a requirement of development.

ITEMS:

Utility Easement

Cost:

Donation

Total size: 2,661 square feet

Subordination of Encumbrance to Property Rights to Orange County

Real Estate Management Division Agenda Item 6 October 4, 2017 Page 2

APPROVALS: Real Estate Management Division

Utilities Department

REMARKS: Grantor to pay all recording fees.

THIS IS A DONATION

Project: Quadrangle Charter School Site Work Only Permit: B17900092 OCU File #: 89806

UTILITY EASEMENT

THIS INDENTURE, Made this day of day of A.D. 2017, between Red Apple At University North, LLC, a Florida limited liability company, having its principal place of business in the city of Ft. Lauderdale, county of Broward, whose address is 800 Corporate Drive, Suite 124, Ft. Lauderdale, Florida, 33334, 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 Numbers:

portions of <u>04-22-31-7292-00-010</u> and <u>04-22-31-7292-00-011</u>

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.

Project: Quadrangle Charter School Site Work Only Permit: B17900092 OCU File #: 89806

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:	Red Apple At University North, LLC, a Florida limited liability company
Witness Start Gerrard Printed Name Witness SLOTT WOODREN Printed Name	BY: Red Apple Development, LLC a Florida limited liability company as Authorized Member BY: RR Charter Trust as Managing Member BY: Print Name Print Name
(Signature of TWO witnesses required by Flo	Title
	orida law)
STATE OF Floridg	
county of Broward	
RR Charter Trust, as Managing Member, o company, as Authorized Member, of Red A	wiledged before me this 21st day of August, as Member, Trustee Pasidentification, as Member, Trustee Pasidentification. Apple At University North, LLC, a Florida limited liability company. He/she is personally known to me or has as identification.
SINDY BENNY Storally Public - State of Florida Commission # GG 050524 My Comm. Expires Nov 28, 2020	Notary Signature SINDY BENNY Printed Notary Name
This instrument prepared by:	
Kimberly Heim, a staff employee	Notary Public in and for

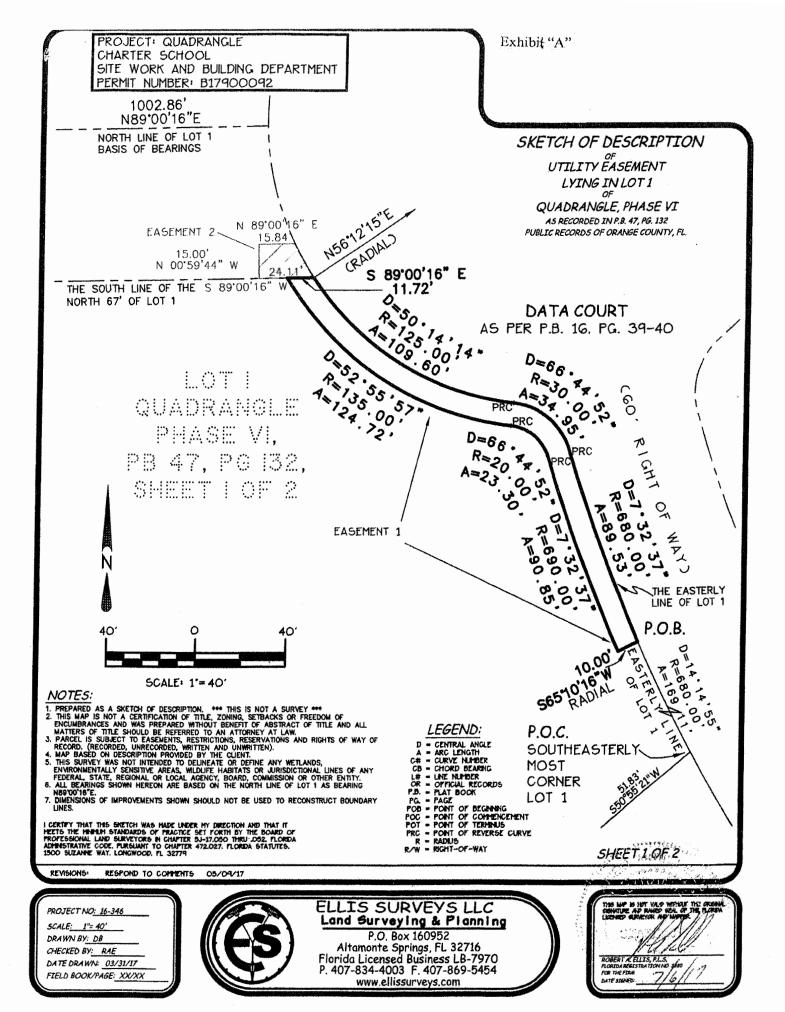
the County and State aforesaid

My commission expires:

in the course of duty with the

of Orange County, Florida

Real Estate Management Division



SKETCH OF DESCRIPTION OF UTILITY EASEMENT LYING IN LOT 1 OF QUADRANGLE, PHASE VI AS RECORDED IN P.B. 47, PG. 132 PUBLIC RECORDS OF ORANGE COUNTY, FL.

PROJECT: QUADRANGLE CHARTER SCHOOL SITE WORK AND BUILDING DEPARTMENT PERMIT NUMBER: B17900092

EASEMENT 1

A TEN FOOT STRIP OF LAND, LYING IN THAT PART OF LOT 1, QUADRANGLE, PHASE VI, ACCORDING TO PLAT BOOK 47, PAGE 132, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID LOT 1, THENCE ALONG THE EASTERLY LINE OF SAID LOT 1, ALONG A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 680.00' AND TO WHICH CENTER POINT BEARS N50'55'21'E; THENCE NORTHWESTERLY THROUGH THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14"14"55", AN ARC DISTANCE OF 169.11', TO THE POINT OF BEGINNING; THENCE S65"10'56"W A DISTANCE OF 10.00' ALONG A RADIAL LINE, TO THE POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 690.00'; THENCE NORTHWESTERLY THROUGH THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07'32'37", AN ARC DISTANCE OF 90.85', TO THE POINT OF A REVERSE CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 20.00; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 66'44'52", AN ARC DISTANCE OF 23.30', TO THE POINT OF A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 135.00; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°55'57", AN ARC DISTANCE OF 124.72' TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 67.00 FEET OF SAID LOT 1; THENCE S89'00'16'E ALONG SAID SOUTH LINE A DISTANCE OF 11.72', TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 125.00' TO WHICH THE CENTER POINT BEARS N561215'E, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 50'14"14", AN ARC DISTANCE OF 109.60', TO A REVERSE CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 30.00 FEET; THENCE CONTUNIE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 66°44'52", A DISTANCE OF 34.95', TO THE POINT OF A REVERSE CURVE HAVING A RADIUS OF 680.00'; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07'32'37". AN ARC DISTANCE OF 89.53' TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 2,365 SQ. FT.

NOTES:

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 4. MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.

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 6. ALL BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 1 AS BEARING NBSYO'16*E.

- 7. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY

I CERTIFY THAT THIS SKETCH OF DESCRIPTION WAS HADE UNDER HY DRECTION AND THAT IT HEETS THE MARIAM STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS SI CHAPTER 31-70.000 THEU. 0.52. FLORDS ADMINISTRATIVE CODE.
PURSUANT TO CHAPTER 472.027. PLORDA STATUTES.
HALING ADDRESS: 1500 SUZANNE WAY, LONGWOOD, FL 32779

SHEET 2 OF 2

REVISIONS! RESPOND TO COMMENTS 05/22/17 RESPOND TO COMMENTS 07/05/17

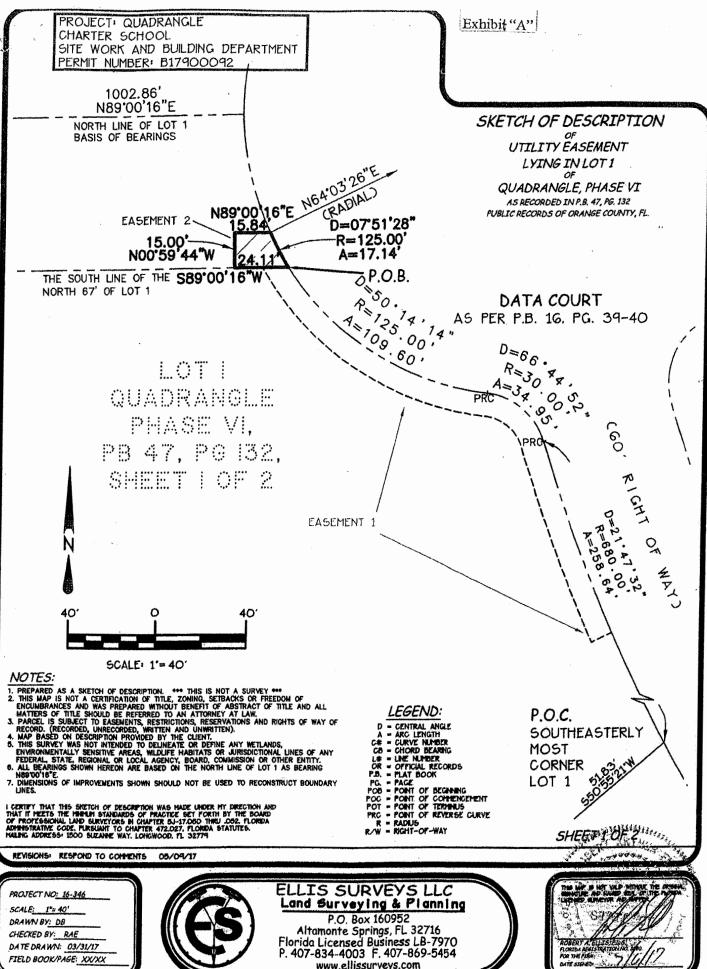
PROJECT NO: 16-346 SCALE: 1"= 160" DRAWN BY: RAE CHECKED BY: DB DATE DRAWN: 03/31/17 FIELD BOOK/PAGE: XX/XX



ELLIS SURVEYS LLC Land Surveying & Planning

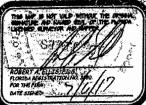
P.O. Box 160952 Altomonte Springs, FL 32716 Florida Licensed Business LB-7970 P. 407-834-4003 F. 407-869-5454 www.ellissurveys.com

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FOR THE	E FIRM	7/4/	77	





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SKETCH OF DESCRIPTION UTILITY EASEMENT LYING IN LOT 1 OF QUADRANGLE, PHASE VI

AS RECORDED IN P.B. 47, PG. 132 PUBLIC RECORDS OF ORANGE COUNTY, FL.

PROJECT: QUADRANGLE CHARTER SCHOOL SITE WORK AND BUILDING DEPARTMENT PERMIT NUMBER: B17900092

EASEMENT 2 A PIECE OF LAND, LYING IN THAT PART OF LOT 1, QUADRANGLE, PHASE VI, ACCORDING TO PLAT BOOK 47, PAGE 132, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID LOT 1, THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING THREE COURSES; THENCE ALONG THE CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 680.00' AND TO WHICH CENTER POINT BEARS N50°55'21'E; THENCE NORTHWESTERLY THROUGH THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21'47'32", AN ARC DISTANCE OF 258.64', TO THE POINT OF A REVERSE CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 66°44'52", AN ARC DISTANCE OF 34.95', TO THE POINT OF A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 125.00; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 50'14'14", AN ARC DISTANCE OF 109.60' TO A POINT OF INTERSECTION WITH A LINE LYING 67.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1 AND THE POINT OF BEGINNING, THENCE S89'00'16"W ALONG SAID LINE, A DISTANCE OF 24.11'; THENCE N00'59'44"W, A DISTANCE OF 15.00'; THENCE N 89'00'16"E, A DISTANCE OF 15.84', TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHERST HAVING A RADIUS OF 125.00' TO WHICH CENTER POINT BEARS N64'03'26"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07'51'28", AN ARC DISTANCE OF 17.14', TO THE POINT OF BEGINNING.

CONTAINING 296 SQ FT.

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 6. ALL BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 1 AS BEARING NB9 0016*E.

 7. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

I CERTEY THAT THIS SKETCH OF DESCRIPTION WAS MADE UNDER MY DRECTION AND THAT IT MEETS THE HINNAM STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 8-17.050 THAT JOSE, FLORIDA ADMINISTRATIVE CODE. PLRESUANT TO CHAPTER 472.027. FLORIDA STATUTES.

HALING ADDRESS: 1500 SUZANNE WAY, LONGWOOD, PL 32779

SHEET 2 OF 2

RESPOND TO COMMENTS 07/05/17 RESPOND TO CONSENT 04/20/17 RESPOND TO COMMENTS 05/22/17

PROJECT NO: 16-346 SCALE: 1"= 160' DRAWN BY: RAE CHECKED BY: DB DATE DRAWN: 03/31/17 FIELD BOOK/PAGE: XX/XX



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THIS MAP IS HE SIGNATURE AND LICENSED SUPPL	RANCED SEAL OF THE TURNS
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ROBERTA, ELL FLORIDA REGISTI	IS, P.L.S.
FOR THE FIRM DATE SIGNED:	7/6///

Project: Quadrangle Charter School Site Work Only Permit: B17900092 OCU File #: 89806

SUBORDINATION OF ENCUMBRANCE 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 held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrance 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 encumbrance as it has 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, towit:

SEE ATTACHED EXHIBIT "A"

Encumbrance:

CLI Capital

FROM: Red Apple at University North, LLC

Mortgage filed February 1, 2007

Recorded as Document No. 20170061261 Public Records of Orange County, Florida

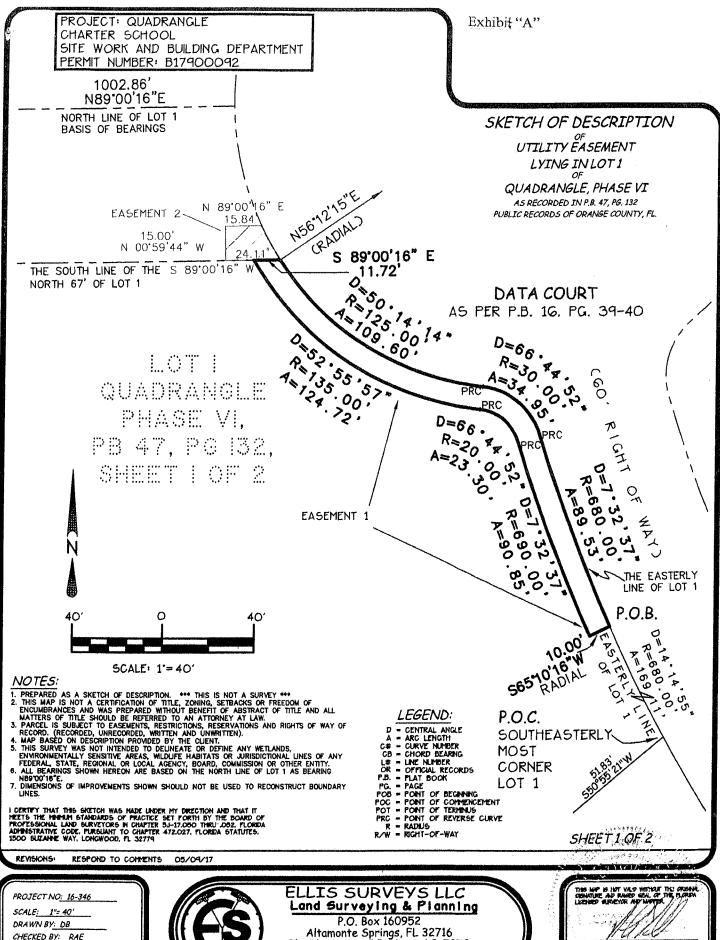
PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrance insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for utility purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrance 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 encumbrance shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

Project: Quadrangle Charter School Site Work Only Permit: B17900092 OCU File #: 89806

of Orange County, Florida

and day of August, the said holder of Albay of August, A.D. 20	17.
Signed, sealed, and delivered in the presence of:	CLI Capital, a Texas real estate investment trust
Mumar Resort	BY:
Charmone Prescott	Printed Name
Witness) Audall	Travis David, Sr. VP. + CFO Title
Printed Name And All	
STATE OF TEXAS COUNTY OF POHEY	
The foregoing instrument was acknowledged by Trawis Davice, as Sr. V.P. + Con behalf of the trust. He/She is personally known identification.	pefore me this
Witness my hand and official seal this 2000	
(Notary Seal)	Keignas Mr. Dawsow Notary Signature
KEISHA M. DAWSON NOTARY PUBLIC, STATE OF TEXAS	KUSHA M. DAWSON Printed Notary Name
My Commission Expires 12-16-2017	Notary Public in and for the County and State aforesaid
This is a factor of the same o	My commission expires: 12-16-17
This instrument prepared by: Kimberly Heim, a staff employee	
in the course of duty with the Real Estate Management Division	

S:\Forms & Master Docs\Project Document Files\1_Misc. Documents\Q\Quadrangle Charter School Site Work Only Permit B17900092 OCU File # 89806 SUB.doc 06-01-17srb Revised 06-02-17srb Revised 07-13-17srb



CHECKED BY: RAE DATE DRAWN: 03/31/17 FIELD BOOK/PAGE: XX/XX



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A. ELLIS, P.L.S

SKETCH OF DESCRIPTION UTILITY EASEMENT LYING IN LOT 1 OF QUADRANGLE, PHASE VI AS RECORDED IN P.B. 47, PG. 132

PUBLIC RECORDS OF ORANGE COUNTY, FL.

PROJECT: QUADRANGLE CHARTER SCHOOL SITE WORK AND BUILDING DEPARTMENT PERMIT NUMBER: B17900092

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SHEET 2 OF 2

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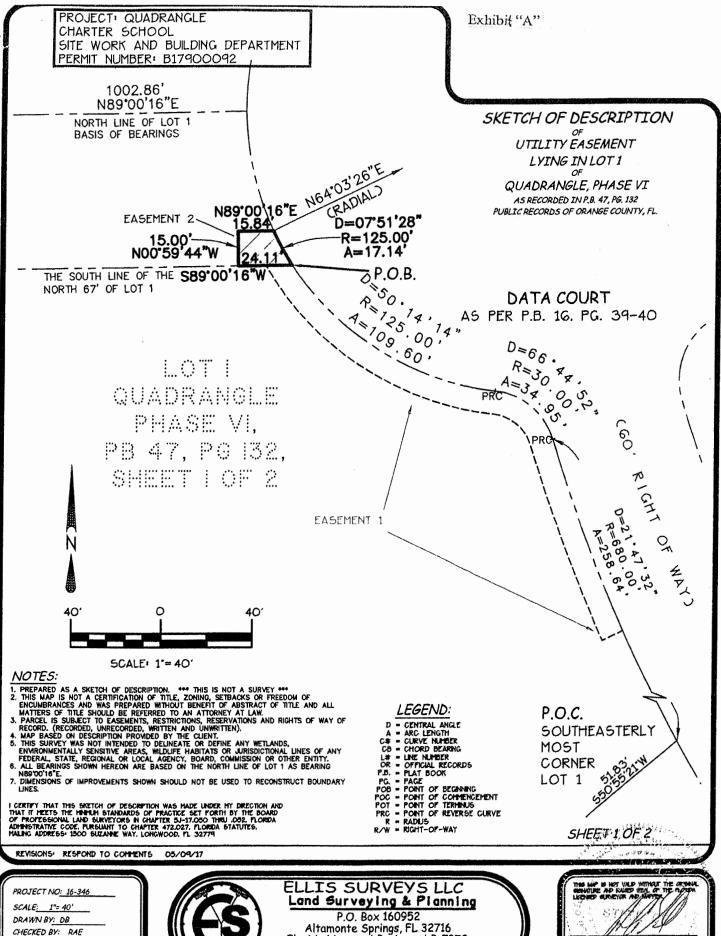
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ĺ	THE MP IS NOT VILLE WITHOUT THE DESIGNAL SENSON SURVEYOR ME HAPTER
	MM
	ROBERT A. ELLIS, P.L.S. FLORIDA REGISTRATION NO. 3880 / / / FOR THE FIRM DATE SIGNED:



CHECKED BY: RAE DATE DRAWN: 03/31/17 FIELD BOOK/PAGE: XX/XX



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ROBERT A. ELLIS,

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ALL BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 1 AS BEARING
NB9700176.

6. ALL BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 1 AS BEARING NB9700'18"E.
7. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

I CERTIFY THAT THIS SKETCH OF DESCRIPTION WAS HADE UNDER MY DRECTION AND THAT IT MEETS THE HINNING STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 51-17.050 THRU .052. FLORIDA ADMINISTRATIVE CODE. PLURSLIANT TO CHAPTER 472.027, FLORIDA STATUTES. HALING ADDRESS 1500 SUZANNE WAY, LONGWOOD, FL 32779

SHEET 2 OF 2

REVISIONS: RESPOND TO COMMENT 04/20/17 RESPOND TO COMMENTS RESPOND TO COMMENTS 07/05/17 05/22/17

PROJECT NO: 16-346 SCALE: 1"= 160" DRAWN BY: RAE CHECKED BY: DB DATE DRAWN: 03/31/17 FIELD BOOK/PAGE: XX/XX



ELLIS SURVEYS LLC Land Surveying & Planning

P.O. Box 160952 Altamonte Springs, FL 32716 Florida Licensed Business LB-7970 P. 407-834-4003 F. 407-869-5454 www.ellissurveys.com

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ROBERTA, ELL PLORIDA REGISTR	IS, P.L.S.
FOR YIME FIRM DATE SEGNED:	7/6///