





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: February 2, 2018

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
Phone: (407) 836-7090

ACTION REQUESTED: APPROVAL OF TEMPORARY UTILITY EASEMENT FROM
LENNAR HOMES, LLC TO ORANGE COUNTY AND
AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Horizon West Spring Hill PD Phase 1B-2 Permit: 17-S-010 OCU
File #: 90466

District 1

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

ITEM: Temporary Utility Easement
Cost: Donation
Size: 12,642 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

FEB 20 2018

THIS IS A DONATION

Project: Horizon West Spring Hill PD Phase 1B-2 Permit: 17-S-010 OCU File #: 90466

TEMPORARY UTILITY EASEMENT

THIS INDENTURE, Made this 12th day of January, A.D. 2018, between Lennar Homes, LLC, a Florida limited liability company, having its principal place of business as 6750 Forum Drive, Suite 310, Orlando, Florida, 32821, 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, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, underground water lines, wastewater lines, reclaimed water lines, and any other underground utility facilities (together with above and underground associated appurtenances), 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

07-24-27-0000-00-008

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever; provided, however, the easement hereby granted shall automatically terminate, without the necessity of the GRANTOR undertaking vacation proceedings or obtaining any release from the GRANTEE, at such time as GRANTOR or its successors or assigns shall cause the property over which the easement passes to be included in a subdivision plat recorded among the Public Records of Orange County, Florida. GRANTOR'S conveyance of the easement, and GRANTEE'S acceptance and use of the same is made subject to any and all matters of record; provided, however, reference herein to matters of record shall not reimpose same.

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 easement, 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

easement 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, 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.

GRANTOR reserves the right to construct utilities, paved areas (such as roads, trails, and sidewalks), and landscaping within the easement area to the extent such improvements do not materially interfere with GRANTEE'S rights hereunder.

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:

Witness

Printed Name

Witness

Printed Name

Lennar Homes, LLC,
a Florida limited liability company

BY:

Printed Name

Title

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 12th day of JANUARY, 2018, by Brack Nicholas as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the limited liability company. He/She ☒ is personally known to me—or ☐ has produced N/A as identification.

(Notary Seal)



Notary Signature

Printed Notary Name

This instrument prepared by:
Theresa Avery, 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: 4/14/2020

LEGAL DESCRIPTION

THIS IS NOT A SURVEY

TEMPORARY UTILITY EASEMENT
PERMIT NO. 17-S-010

A STRIP OF LAND LYING IN SECTION 18, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10677, PAGE 5151 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 18 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 00°27'48" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 1888.99 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°32'12" WEST, 882.21 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 46°35'47" EAST, 207.62 FEET; THENCE RUN SOUTH 43°24'13" WEST, 10.00 FEET; THENCE RUN NORTH 46°35'47" WEST, 37.21 FEET; THENCE RUN SOUTH 43°24'13" WEST, 62.00 FEET; THENCE RUN NORTH 46°35'47" WEST, 170.41 FEET; THENCE RUN NORTH 43°24'13" EAST, 72.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 0.29 ACRES OR 12,642 SQUARE FEET MORE OR LESS.

SHEET 1 OF 2
SEE SHEET 2 OF 2
FOR SKETCH OF
DESCRIPTION



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

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING SOUTH 00°27'48" EAST.
3. THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
4. THE ADJOINING RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PROPERTY APPRAISER PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. 20130013

DATE: 6-2-17

SCALE: 1"=100'

FIELD BY: N/A

CALCULATED BY: SEJ

DRAWN BY: SEJ

CHECKED BY: MR

FOR THE LICENSED BUSINESS # 6723 BY:

JAMES L. RICKMAN P.S.M. # 5633

SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY

TEMPORARY UTILITY EASEMENT
PERMIT NO. 17-S-010

LEGEND:

P.O.C.....POINT OF COMMENCEMENT
P.O.B.....POINT OF BEGINNING
PB.....PLAT BOOK
PG(S).....PAGE(S)
R/W.....RIGHT-OF-WAY
CL.....CENTERLINE
ORB.....OFFICIAL RECORDS BOOK

P.O.C.

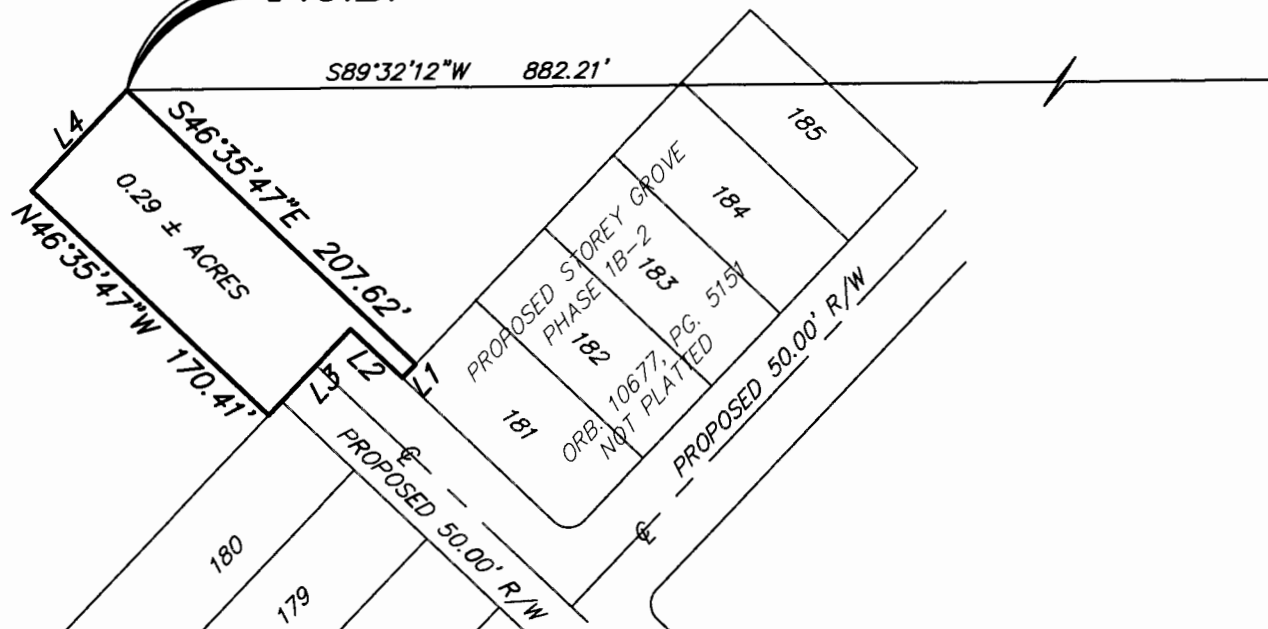
NORTHEAST CORNER OF
THE NORTHEAST 1/4 OF
SECTION 18-24-27

LINE TABLE		
LINE	BEARING	LENGTH
L1	S43°24'13"W	10.00'
L2	N46°35'47"W	37.21'
L3	S43°24'13"W	62.00'
L4	N43°24'13"E	72.00'

EAST LINE OF THE
NORTHEAST 1/4 OF
SECTION 18-24-27

ORB. 10677, PG. 5151
NOT PLATTED

P.O.B.



SURVEYOR'S NOTES:

SKETCH 38

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 24 SOUTH, RANGE 27 EAST, BEING SOUTH 00°27'48" EAST.
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CALCULATED BY: SEJ

DATE: 6-2-17

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SCALE: 1"=100'

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FIELD BY: N/A

SHEET 2 OF 2
SEE SHEET 1 OF 2 FOR
LEGAL DESCRIPTION



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