



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 8

**DATE:** February 1, 2018

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

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

**FROM:** Mary Tiffault, Title Examiner *TS for MT*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** APPROVAL OF UTILITY EASEMENT FROM SWEETWATER GOLF & COUNTRY CLUB, INC. TO ORANGE COUNTY AND  
AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** The Reserve at Sweetwater Golf & Country Club Permit: 17-S-029 OCU  
File #: 91726  
  
District 2

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

**ITEM:** Utility Easement  
Cost: Donation  
Size: 7,277 square feet

**APPROVALS:** Real Estate Management Division  
Utilities Department

**REMARKS:** Grantor to pay all recording fees.

4 pages \$35.50 Rec. Fee  
State Doc Stamps \$0.70

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
FEB 20 2018

THIS IS A DONATION

Project: The Reserve at Sweetwater Golf & Country Club Permit: 17-S-029 OCU File #: 91726

#### UTILITY EASEMENT

THIS INDENTURE, Made this 15<sup>th</sup> day of January, A.D. 2018, between Sweetwater Golf & Country Club, Inc., a Florida corporation, having its principal place of business in the city of Apopka, county of Orange, whose address is 2700 Sweetwater Country Club Drive, Apopka, Florida, 32712, 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  
36-20-28-8466-00-003

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, agrees 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: The Reserve at Sweetwater Golf & Country Club Permit: 17-S-029 OCU File #: 91726

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:

Sweetwater Golf & Country Club, Inc.,  
a Florida corporation

Witness

BY:

Walter E. Judge, President

Emma P. Rappold

Printed Name

Christina M. Lee

Witness

**CHRISTINA M. LEE**

Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida

COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 15<sup>th</sup> of January, 20 18, by Walter E. Judge, as President, of Sweetwater Golf & Country Club, Inc., a Florida corporation, on behalf of the corporation. He ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

(Notary Seal)

Christina M. Lee  
Notary Signature

Printed Notary Name

Notary Public in and for  
the county and state aforesaid.

My commission expires:

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



# EXHIBIT "A"

## SKETCH OF DESCRIPTION

### UTILITY EASEMENT

SEE SHEET 1 FOR LEGAL DESCRIPTION, AND NOTES  
SEE SHEET 2 FOR SKETCH, LINE TABLE, AND LEGEND

#### DESCRIPTION:

That part of Tract "C", SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, according to the plat thereof, as recorded in Plat Book 12, Pages 54 through 56, of the Public Records of Orange County, Florida, described as follows:

Commence at the Southeast corner of Lot 32, ESTATES AT SWEETWATER GOLF AND COUNTRY CLUB, according to the plat thereof as recorded in Plat Book 89, Pages 104 through 106 of the Public Records of Orange County, Florida; thence S35°49'44"W, 26.58 feet; thence S00°34'04"W, 95.66 feet; thence S11°11'15"W, 31.27 feet; thence S78°48'45"E, 18.35 feet to the POINT OF BEGINNING; thence continue S78°48'45"E, 35.11 feet; thence S06°38'54"W, 101.44 feet; thence S28°55'34"E, 79.47 feet; thence S38°58'49"W, 37.40 feet to the Southerly line of aforesaid Tract C, thence N52°50'47"W along said Southerly line for a distance of 35.02 feet; thence departing said Southerly line run N38°58'49"E, 14.95 feet; thence N28°55'34"W, 67.13 feet; thence N06°38'54"E, 115.45 feet to the POINT OF BEGINNING.

Contains 7,277 square feet more or less and being subject to any rights-of-way, restrictions and easements of record.

#### NOTES:

1. This is not a survey.
2. Bearings based on the Southerly line of ESTATES AT SWEETWATER GOLF AND COUNTRY CLUB, according to the plat thereof, as recorded in Plat Book 89, Pages 104 through 106, being N68°56'16"E, (Per Plat).
3. This sketch does not reflect or determine ownership.
4. No facilities associated with this easement have been field located by Donald W. McIntosh Associates, Inc.
5. Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.
6. Surveyor has reviewed the following items listed in Schedule B - Section 2, of Fidelity National Title Insurance Company, American Land Title Association Commitment, File No. 07454-004, Order No. 6399067, Effective Date May 19, 2017, for easements and rights-of-way as provided to Donald W. McIntosh Associates, Inc. and finds the following: **[SURVEYOR'S COMMENTS IN BOLD CAPS]**
  4. Conditions and Easement set forth on the plat of SWEETWATER COUNTRY CLUB, SECTION C, PHASE 1, recorded in Plat Book 12, Pages 54, 55 and 56. **[NO PLOTTABLE EASEMENTS]**
  5. Utility Easement Agreement recorded November 20, 2015 in Official Records Book 11016, page 3319. **[SHOWN]**
  6. Operating and Easement Agreement recorded November 20, 2015 in Official Records Book 11016, Page 3355; First Amendment to Operating and Easement Agreement recorded December 7, 2015 in Official Records Book 11023, Page 8592. **[SHOWN]**
  7. Temporary Construction and Access Easement Agreement recorded November 20, 2015 in Official Records Book 11016, Page 3370. **[SHOWN]**

PREPARED FOR: ASHTON ORLANDO RESIDENTIAL, LLC

PROJECT NAME: RESERVE AT SWEETWATER GOLF AND COUNTRY CLUB

PERMIT NUMBER: 17-S-029

ORANGE COUNTY UTILITY EASEMENT

PORTION OF TRACT C, SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, PLAT BOOK 12, PAGES 54-56

07/24/2017	RTS	ADDED SQUARE FOOTAGE TO DESCRIPTION
DATE	BY	DESCRIPTION

#### REVISIONS



**DONALD W. MCINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 844-4068

CERTIFICATE OF AUTHORIZATION NO. LB88

DONALD W. MCINTOSH ASSOCIATES, INC.  
CERTIFICATE OF AUTHORIZATION NO. LB88

Robert "Tyler" Seale July 24, 2017  
Florida Registered Surveyor and Mapper  
Certificate No. 6950  
NOT VALID WITHOUT THE SIGNATURE AND THE  
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

DRAWN BY: BW  
DATE: 6/2017

CHECKED BY: RTS  
DATE: 6/2017

JOB NO.  
15042

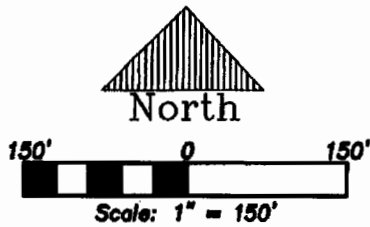
SCALE  
N/A

SHEET 1  
OF 2

# SKETCH OF DESCRIPTION

## UTILITY EASEMENT

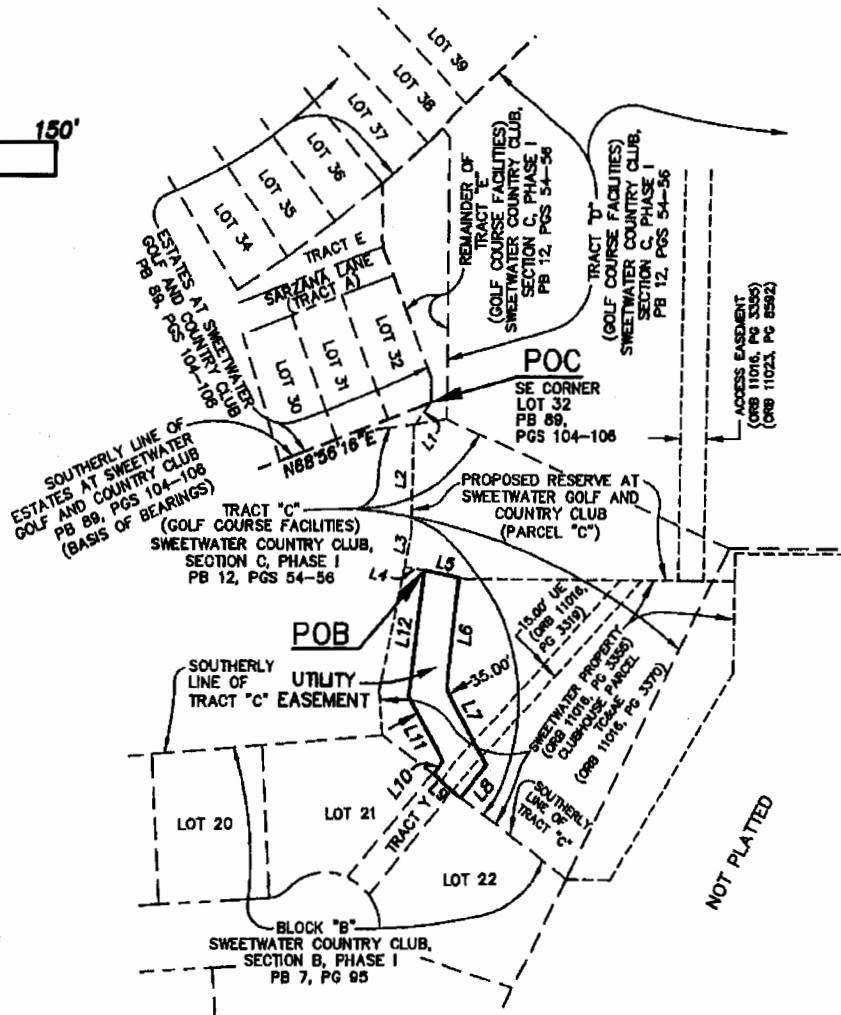
SEE SHEET 1 FOR LEGAL DESCRIPTION, AND NOTES  
SEE SHEET 2 FOR SKETCH, LINE TABLE, AND LEGEND



### LEGEND

POC POINT OF COMMENCEMENT  
POB POINT OF BEGINNING  
L1 LINE NUMBER (SEE TABLE)  
C1 CURVE NUMBER (SEE TABLE)  
ORB OFFICIAL RECORDS BOOK  
PB PLAT BOOK  
PG(S) PAGE(S)  
UE UTILITY EASEMENT  
TC&AE TEMPORARY CONSTRUCTION AND ACCESS EASEMENT

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S35°49'44"W	26.58'
L2	S00°34'04"W	95.66'
L3	S11°11'15"W	31.27'
L4	S78°48'45"E	18.35'
L5	S78°48'45"E	35.11'
L6	S06°38'54"W	101.44'
L7	S28°55'34"E	79.47'
L8	S38°58'49"W	37.40'
L9	N52°50'47"W	35.02'
L10	N38°58'49"E	14.95'
L11	N28°58'34"W	67.13'
L12	N08°38'54"E	115.45'



PREPARED FOR: ASHTON ORLANDO RESIDENTIAL, LLC

PROJECT NAME: RESERVE AT SWEETWATER GOLF AND COUNTRY CLUB

PERMIT NUMBER: 17-S-029

ORANGE COUNTY UTILITY EASEMENT

PORTION OF TRACT C, SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, PLAT BOOK 12, PAGES 54-56



**DONALD W. McINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

CERTIFICATE OF AUTHORIZATION NO. LB66

DRAWN BY: BW

CHECKED BY: RTS

JOB NO.

SCALE

SHEET 2

DATE: 6/2017

DATE: 6/2017

15042

N/A

OF 2

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