



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

**DATE:** April 24, 2018

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

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

**FROM:** Kim Heim, Senior 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 INDIA PENTECOSTAL CHURCH OF CENTRAL FLORIDA, INC. TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM CENTERSTATE BANK AND AUTHORIZATION TO RECORD INSTRUMENTS

**PROJECT:** India Pentecostal Church NC Permit: B16901269 OCU File #: 88007  
  
District 1

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

**ITEMS:** Utility Easement  
Cost: Donation  
Size: 150 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.

MAY 22 2018

THIS IS A DONATION

Project: India Pentecostal Church NC Permit: B16901269 OCU File #: 88007

**UTILITY EASEMENT**

THIS INDENTURE, Made this 1<sup>st</sup> day of MARCH, A.D. 20 18, between India Pentecostal Church of Central Florida, Inc., a Florida not-for profit corporation, whose address is 11551 S.R. 535, Orlando, Florida, 32836, 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, 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**

**16-24-28-5844-00-520**

TO HAVE AND TO HOLD said 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 easement, 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 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.

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:

[Signature]  
Witness

Aksa Chacko  
Printed Name

Rebecca Mathew  
Witness

Rebecca Mathew  
Printed Name

India Pentecostal Church of Central Florida, Inc.,  
a Florida not-for profit corporation

BY: [Signature]  
Jacob Mathew, Reverend and President

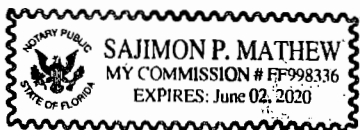
(Corporate Seal)

(Signature of **TWO** witnesses required by Florida law)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 4<sup>th</sup> of MARCH,  
20 18, by Jacob Mathew, as Reverend and President of India Pentecostal Church of Central Florida,  
Inc., a Florida not-for profit corporation, on behalf of the corporation. He ☐ is personally known to me or  
☒ has produced DRIVERS LICENSE as identification.

(Notary Seal)



[Signature]  
Notary Signature

SAJIMON P. MATHEW  
Printed Notary Name

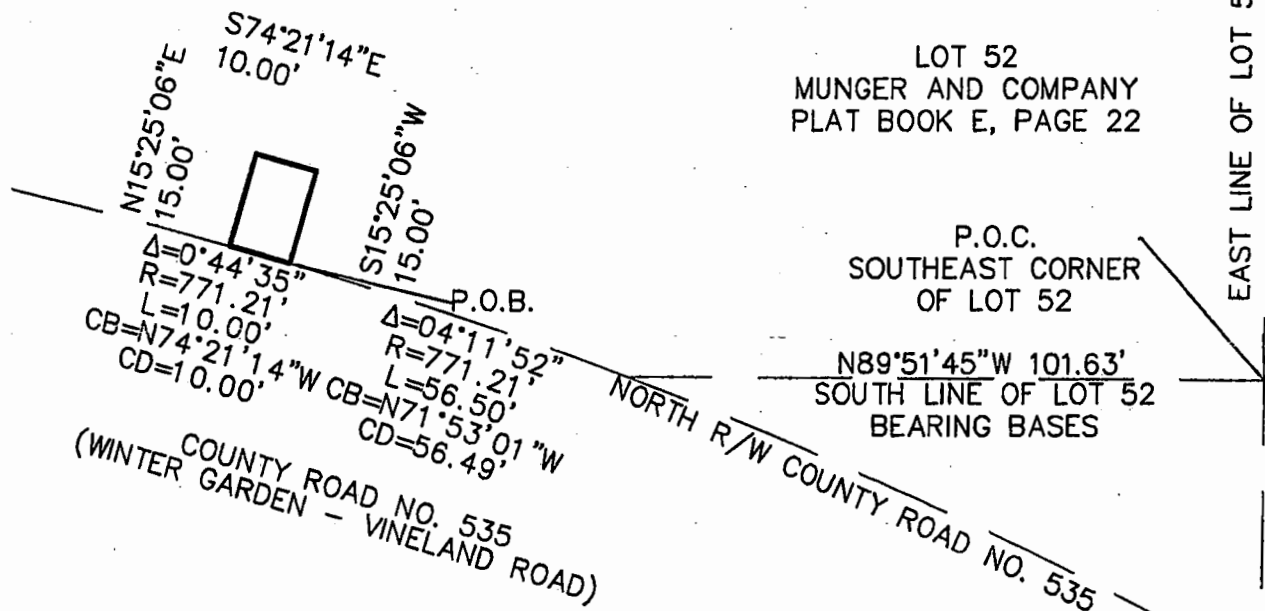
**This instrument prepared by:**  
Kimberly Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

Notary Public in and for  
the county and state aforesaid. ORANGE, FL

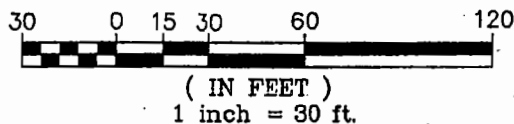
My commission expires: JUNE 02, 2020

**EASEMENT SKETCH AND DESCRIPTION**

**INDIA PENTECOSTAL CHURCH NC**  
**BUILDING DEPARTMENT PERMIT NUMBER B16901289**  
**SECTION 16, TOWNSHIP 24, RANGE 28 EAST**  
**ORANGE COUNTY, FLORIDA**

**LEGEND**

P.O.B. POINT OF BEGINNING  
P.O.C. POINT OF COMMENCEMENT  
R/W RIGHT OF WAY  
SEC. SECTION  
SQ. FT. SQUARE FEET  
CL CENTERLINE  
R RADIUS  
L LENGTH  
CB CHORD BEARING  
CD CORD DISTANCE  
△ CENTRAL ANGLE

**GRAPHIC SCALE****NOTES:**

PLEASE REFER TO SHEET 2 FOR SURVEY  
REPORT AND LEGAL DESCRIPTION

**THIS IS NOT A SURVEY**

DATE: 01-05-18

DRAWN BY: DEM

CHECKED BY: LYB

JOB NO.: 112-01

SHEET 1 OF 2

DRAWING NAME: UTILITY EASEMENT

**John B. Webb & Associates, Inc.**

CIVIL & ENVIRONMENTAL CONSULTING ENGINEERS

925 S. DENNING DRIVE

WINTER PARK, FLORIDA 32789

PH: (407) 622-9322 FAX: (407) 622-9325

EMAIL: WEBBENGRAOL.COM

THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL  
STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL  
LAND SURVEYORS IN CHAP. 5J-17.052(5), FLORIDA ADMINISTRATIVE  
CODE, PURSUANT TO SEC. 472.027, FLORIDA STATUTES.

DEAN E. MOSLOW, PSM  
PROFESSIONAL SURVEYOR AND MAPPER #6058  
STATE OF FLORIDA  
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

# EASEMENT SKETCH AND DESCRIPTION

INDIA PENTECOSTAL CHURCH NC  
BUILDING DEPARTMENT PERMIT NUMBER B16901269  
SECTION 16, TOWNSHIP 24, RANGE 28 EAST  
ORANGE COUNTY, FLORIDA

## LEGAL DESCRIPTION FOR UTILITY EASEMENT:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 52 OF MUNGER AND COMPANY PLAT BOOK E, PAGE 22 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF SAID LOT N89°51'45"W 101.63' TO THE NORTH RIGHT-OF-WAY OF COUNTY ROAD 535 AND THE BEGINNING OF A NON-TANGENT CURVE; THENCE ALONG SAID RIGHT-OF-WAY AND NON-TANGENT CURVE CONCAVE TO THE SOUTH WITH CHORD OF N71°53'01"W 56.49', A CENTRAL ANGLE OF 04°11'52", A RADIUS OF 771.21' AND A LENGTH OF 56.50' TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY AND CURVE CONCAVE TO THE SOUTH WITH A CENTRAL ANGLE OF 00°44'35", A RADIUS OF 771.21' AND A LENGTH OF 10.00'; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY AND CURVE N15°25'06"E 15.00'; THENCE S74°21'14"E 10.00'; THENCE S15°25'06"W 15.00' TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 150 SQUARE FEET MORE OR LESS.

## SURVEY REPORT:

1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF LOT 52 MUNGER AND COMPANY PLAT BOOK E, PAGE 22 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA ASSUMED TO BE N89°51'45"W.
2. THE SKETCH OF DESCRIPTION DATUM SHOWN HEREON IS REFERENCED TO RECORDS PROVIDED BY THE CLIENT, AND TO EXISTING FIELD MONUMENTATION.
3. THIS SKETCH OF DESCRIPTION DOES NOT REFLECT OR DETERMINE OWNERSHIP.
4. THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, RECORDED OR UN-RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
5. CERTIFICATE OF AUTHORIZATION #3763.

DATE: 01-05-18

DRAWN BY: DEM CHECKED BY: LYB JOB NO.: 112-01 SHEET 2 OF 2 DRAWING NAME: UTILITY EASEMENT

**John B. Webb & Associates, Inc.**

CIVIL & ENVIRONMENTAL CONSULTING ENGINEERS  
925 S. DENNING DRIVE

WINTER PARK, FLORIDA 32789

PH: (407) 622-9322 FAX: (407) 622-9325

EMAIL: WEBBENGRAOL.COM

THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAP. 5J-17.052(5), FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SEC. 472.027 FLORIDA STATUTES.

01-30-18  
DEAN E. MOSLOW, PSM  
PROFESSIONAL SURVEYOR AND MAPPER #6058  
STATE OF FLORIDA

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

MAY 22 2018

Project: India Pentecostal Church NC Permit: B16901269 OCU File #: 88007

**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 the below encumbrances 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:

CenterState Bank, National Association successor by merger with Sunshine Bank

FROM: India Pentecostal Church of Central Florida, Inc.

Commercial Real Estate Mortgage filed February 16, 2016

Recorded as Document No. 20160079908

Notice of Future Advance, Mortgage and Note Modification and Renewal Agreement  
filed January 4, 2017

Recorded as Document No. 2017002348

Assignment of Leases, Rents and Profits filed January 4, 2017

Recorded as Document No. 2017002349

Financing Statement filed January 4, 2017

Recorded as Document No. 2017002350

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 2 day of April, A.D. 2018.

Signed, sealed, and delivered  
in the presence of:

CenterState Bank, National Association  
successor by merger with Sunshine Bank

Coleen Taylor  
Witness

Coleen Taylor  
Printed Name

Carmen A. Rivera  
Witness

CARMEN A. RIVERA  
Printed Name

STATE OF Florida  
COUNTY OF Orange

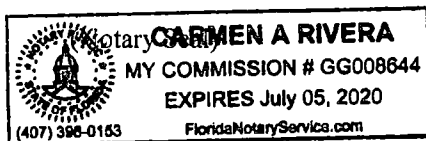
BY: [Signature]

Mana R. Rodammer  
Printed Name

SVP Commercial Banker  
Title

The foregoing instrument was acknowledged before me this 2nd of April, 2018, by Mana R. Rodammer, as SVP, Commercial Banker of CenterState Bank, National Association successor by merger with Sunshine Bank, on behalf of the bank. He/She/☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

Witness my hand and official seal this 2nd day of April, 2018.



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

Carmen A. Rivera  
Notary Signature

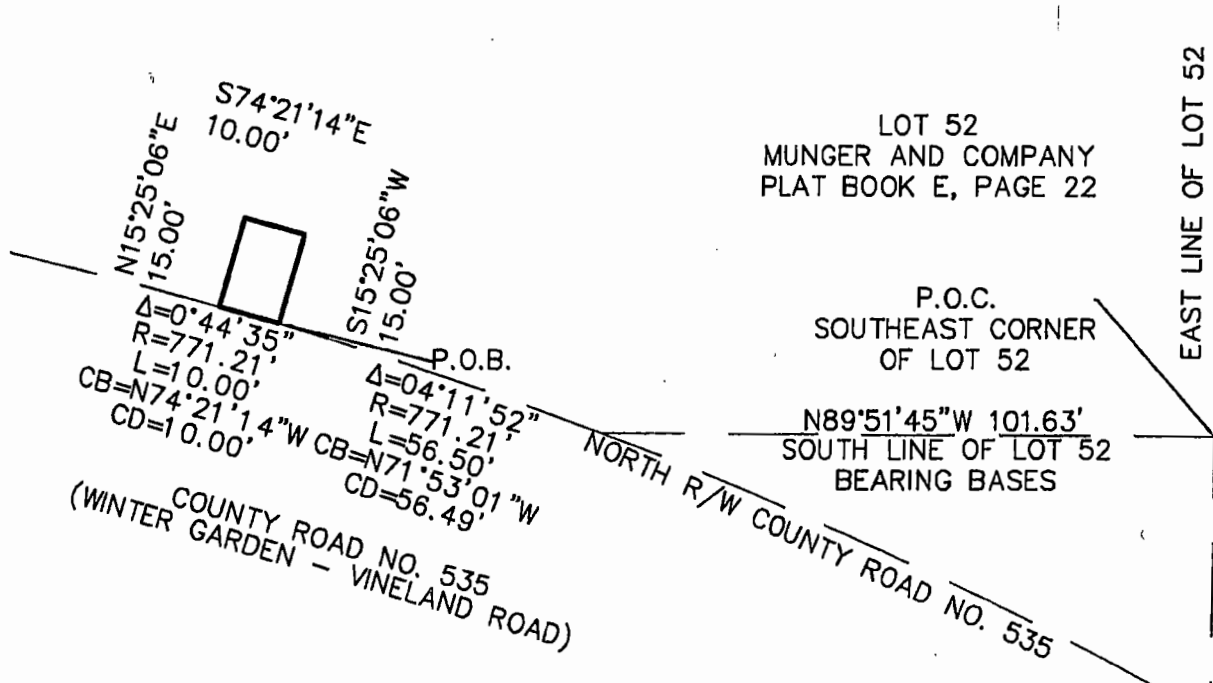
CARMEN A. RIVERA  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid.

My commission expires: 07/05/2020

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 P.O.C. POINT OF COMMENCEMENT  
 R/W RIGHT OF WAY  
 SEC. SECTION  
 SQ. FT. SQUARE FEET  
 CL CENTERLINE  
 R RADIUS  
 L LENGTH  
 CB CHORD BEARING  
 CD CHORD DISTANCE  
 Δ CENTRAL ANGLE

**GRAPHIC SCALE**

( IN FEET )  
 1 inch = 30 ft.

**NOTES:**

PLEASE REFER TO SHEET 2 FOR SURVEY  
 REPORT AND LEGAL DESCRIPTION

**THIS IS NOT A SURVEY**

DATE: 01-05-18

DRAWN BY: DEM CHECKED BY: LYB JOB NO.: 112-01 SHEET 1 OF 1 DRAFTING NAME: UTILITY EASEMENT

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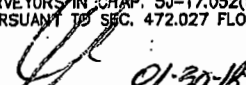
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DATE: 01-05-18

DRAWN BY: DEM	CHECKED BY: LYB	JOB NO.: 112-01	SHEET 2 OF 2	DRAWING NAME: UTILITY EASEMENT
<b>John B. Webb &amp; Associates, Inc.</b> CIVIL & ENVIRONMENTAL CONSULTING ENGINEERS 925 S. DENNING DRIVE WINTER PARK, FLORIDA 32789 PH: (407) 622-9322 FAX: (407) 622-9325 EMAIL: WEBBENGRAOL.COM			THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAP. 5J-17.052(5), FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SEC. 472.027 FLORIDA STATUTES.  01-30-18 DEAN E. MOSLOW, PSM PROFESSIONAL SURVEYOR AND MAPPER #6058 STATE OF FLORIDA NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	