



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 8

DATE: August 24, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Elizabeth Price Jackson, Senior Title Examiner *EPJ*
Real Estate Management Division

**CONTACT
PERSON:** Paul Sladek, Manager

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

**ACTION
REQUESTED:** APPROVAL AND EXECUTION OF EASEMENT FROM ORANGE
COUNTY TO DUKE ENERGY FLORIDA, LLC, D/B/A DUKE
ENERGY, FIRST AMENDMENT TO EASEMENT BETWEEN
ORANGE COUNTY AND DUKE ENERGY FLORIDA, LLC, D/B/A
DUKE ENERGY, AND APPROVAL OF PARTIAL RELEASE OF
EASEMENT BY DUKE ENERGY FLORIDA, LLC, D/B/A DUKE
ENERGY AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Duke Energy – Lake Bryan to Vineland Transmission Line

District 1

PURPOSE: To provide for access, construction, operation, and maintenance of
electrical facilities by Duke Energy Florida, LLC, d/b/a Duke Energy.

ITEMS: Easement
Revenue: None/Donation
Size: 9,060.48 square feet

First Amendment to Easement
Revenue: None/Donation
Size: 4,225.00 square feet

Partial Release of Easement
Cost: None/Donation
Size: 5,227.20 square feet

APPROVALS: Real Estate Management Division
County Attorney's Office
Utilities Department
Risk Management Division

REMARKS: In the early 1980s, Orange County purchased a large area of property on International Drive South for use by the Utilities Department. This property was purchased subject to an existing Florida Power Corporation transmission line. Duke Energy Florida, LLC, d/b/a Duke Energy ("Duke"), as successor in interest to Progress Energy, Inc., f/k/a Florida Power Corporation requested to modify its easement interests to release a portion of the lands encumbered and obtain easement rights over other lands within the existing transmission line in connection with a utility improvement project. The Utilities Department has reviewed and agreed to Duke's request.

Duke to pay all recording fees.

Project: Duke Energy – Lake Bryan to Vineland Transmission Line

Orange County BCC
LV-Lake Bryan to Vineland 69kV Rebuild
Thor #:1995TI Oracle #: 30000370
Site #: 108359 Land Unit: 1683530

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

SEP 11 2018



SEC: 26	TWP: 24S	RGE: 28E	COUNTY: ORANGE	PROJECT: 108359-452977
GRANTOR: ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS				
SITE ADDRESS: International Drive South, Orlando, Florida 32821				
TAX PARCEL NUMBER: 26-24-28-5844-00-090				

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, their heirs, successors and assigns (**GRANTOR** herein), in consideration of the mutual benefits, covenants and conditions herein contained, does hereby grant and convey to **DUKE ENERGY FLORIDA, LLC, a Florida limited liability company, d/b/a DUKE ENERGY**, its successors, lessees and assigns, (**GRANTEE** herein), Post Office Box 14042, St. Petersburg, Florida 33733, the right, privilege and easement to construct, remove, reconstruct, operate, and maintain in perpetuity overhead and/or underground electric transmission and distribution lines, and related facilities for providing electric energy services, and communications services (limited to internal communication services only, as necessary for providing electrical service), subject to the below described rights over, under, and across the area described on the attached **Exhibit "A"** (the "Easement Area").

The Easement granted herein is solely for the purposes described and is subject to all applicable permitting requirements as may be required by federal, state, or local codes, statutes, ordinances, or regulations. No additions, modifications, or improvements beyond those listed herein shall be constructed, erected, placed or maintained on or around the Easement Area without **GRANTOR'S** prior written approval.

The rights herein granted to **GRANTEE** by **GRANTOR** are the rights: (a) for **GRANTEE** to patrol, inspect, construct, alter, improve, add to, repair, rebuild, relocate, and remove said facilities; (b) for **GRANTEE** to increase or decrease the voltage and to change the quantity and type of facilities; (c) ingress and egress over the Easement Area for the purpose of exercising the rights herein granted; (d) to trim, cut or remove from the Easement Area, at any time, trees, limbs, undergrowth, structures, or other obstructions; (e) to trim, cut or remove and to keep trimmed or remove dead, diseased, weak or leaning tress or limbs within the Easement Area which, in the opinion of **GRANTEE**, might interfere with or fall upon the facilities; (f) and all other rights and privileges reasonably necessary or convenient for **GRANTEE'S** safe, reliable, and efficient installation, operation, and maintenance of the facilities and for the enjoyment and use of the Easement Area for the purposes described herein. Failure to exercise the rights herein granted to **GRANTEE** shall not constitute a waiver or abandonment.

GRANTEE covenants and agrees to promptly repair, at its own expense, all damage to any property, facilities or improvements of **GRANTOR** located in the Easement Area or adjacent thereto, including without limitation parking areas, driveways, recreational facilities and landscaping, if such damage is incident to the exercise of **GRANTEE'S** rights, privileges, or obligations under this Easement.

GRANTEE shall defend, indemnify and hold harmless **GRANTOR**, its officials, agents and employees from and against any and all claims, suits, judgments, demands, liabilities, damages, cost and expenses (including reasonable attorney's fees prior to and upon appeal) of any kind or nature whatsoever related to this Easement to the extent directly arising out of or to the extent caused by: (i) the negligent use and enjoyment by **GRANTEE**, its directors, officers, employees, agents, contractors or their subcontractors, anyone employed by them, or anyone for whose acts any of them may be liable (collectively "**GRANTEE'S** Permittees") of the Easement Area; (ii) all liens and other charges asserted against the Easement Area for any purpose whatsoever to the extent arising as a result of the actions of **GRANTEE**, or **GRANTEE'S** Permittees; (iii) all claims relating to injury to persons or property occurring on or about the Easement Area to the extent caused by the use or control of the Easement Area by **GRANTEE** or **GRANTEE'S** Permittees; (iv) **GRANTEE'S** or **GRANTEE'S** Permittees' failure to properly construct and maintain the Facilities; and, (v) **GRANTEE'S** or **GRANTEE'S** Permittees'

Return to: Duke Energy
Attn: Land Services
3300 Exchange Place, NP4A
Lake Mary, FL 32746

Project: Duke Energy – Lake Bryan to Vineland Transmission Line

construction activities upon, over or under the Easement Area. Notwithstanding any provision of this easement, nothing herein shall be construed as a waiver of **GRANTOR'S** sovereign immunity.

GRANTOR retains all rights in and to said Easement Area not in conflict with **GRANTEE'S** rights hereunder granted.

GRANTOR and **GRANTEE** acknowledge that the Easement Area set forth herein overlaps in part with the Easement Area reserved by Florida Power Corporation in that certain Fee Simple Deed dated February 1, 1955 and recorded in Official Records Book 57, Pages 358-360, of the Public Records of Orange County, Florida ("Old Easement"); the rights granted herein are separate and in addition to any rights granted in the Old Easement. Duke Energy Florida, LLC d/b/a Duke Energy is the successor in interest to Florida Power Corporation through a succession of mergers and name changes.

All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the heirs, successors, lessees and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the said **GRANTOR** has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



Orange County, Florida

By: Board of County Commissioners

BY: Teresa Jacobs

Teresa Jacobs

Orange County Mayor

DATE: 9.11.18

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

BY: Lakela Louis
Deputy Clerk

Lakela Louis
Printed Name

This instrument prepared by:

E. Price Jackson, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

EXHIBIT "A"

THIS IS NOT A SURVEY

ITEM 11D

THE NORTH LINE OF
THE NORTHWEST 1/4 OF
SECTION 26

POINT OF
COMMENCEMENT
THE NORTH 1/4
CORNER OF SECTION 26,
TOWNSHIP 24 SOUTH,
RANGE 28 EAST

PLAN SHOWING SUBDIVISION OF WILLIS R. MUNGER'S LAND

(PLAT BOOK E, PAGE 23)

LOT 23
PARCEL
26-24-28-5844-00-090

EXISTING EASEMENT
FOR ELECTRIC
TRANSMISSION/DISTRIBUTION
LINES
O.R. BOOK 4402, PAGE 1315

LOT 24
PARCEL
26-24-28-5844-00-090

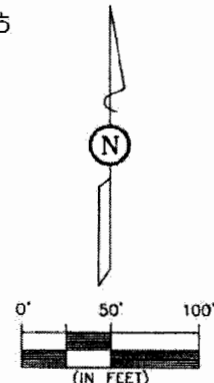
THE WEST BOUNDARY
OF LOT 24

THE EAST BOUNDARY
OF THE NORTHWEST 1/4
OF SECTION 26

50' CLEAR AREA
PER O.R. BOOK 57, PAGE 358
EASEMENT FOR TWO ELECTRIC
TRANSMISSION LINES RESERVED
PER O.R. BOOK 57, PAGE 358
50' CLEAR AREA
PER O.R. BOOK 57, PAGE 358

POINT OF
BEGINNING

DUKE ENERGY
EASEMENT
ITEM 11D
0.208 ACRE



GRAPHIC & INTENDED DISPLAY SCALE

SITE:	108359
LU:	1209386



One Team, Infinite Solutions

777 Harbour Island Blvd., STE 600, Tampa, FL 33602
800.643.4336 • 813.223.9500 • F813.223.0009 • www.Stantec.com
Stantec Consulting Services Inc. • Certificate of Authorization L.B.7866

PROJECT No.	198802250
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DRAWING No.	198802250_11D.DWG
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F.B. / PAGES	
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6/18/17	V: NTS
DATE	H: 1"=100'

MHF	MHF
DRAWN	TECH

JDO	BDC
CHECK	ENGR

LINE ENGINEERING

DESCRIPTION SKETCH

ITEM 11D

ORANGE COUNTY BCC

THOR 1995T1

LAKE BRYAN TO VINELAND

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

1 OF 3
SHEET

EXHIBIT "A"

THIS IS NOT A SURVEY

ITEM 11D

PARCEL 26-24-28-5844-00-090

A parcel of land being a portion of Lot 24, Section 26, Township 24 South, Range 28 East, according to Plan Showing Subdivision of Willis R. Munger's Land per map or plat thereof as recorded in Plat Book E, page 23, of the Public Records of Orange County, Florida, and being more particularly described as follows:

Commence at the North 1/4 corner of Section 26, Township 24 South, Range 28 East and run thence S.00°11'11"E., along the East boundary of the Northwest 1/4 of said Section 26, a distance of 961.22 feet to a point of intersection with the southeasterly boundary of that certain easement recorded in Official Record Book 57, page 358, of the Public Records of Orange County, Florida; thence departing said East boundary and running along said southeasterly boundary, S.41°57'02"W., 207.75 feet; thence departing said southeasterly boundary, N.48°02'57"W., 50.00 feet to the Point of Beginning; thence S.41°57'02"W., 236.79 feet to a point of intersection with the West boundary of Lot 24, Section 26, Township 24 South, Range 28 East, according to Plan Showing Subdivision of Willis R. Munger's Land per map or plat thereof as recorded in Plat Book E, page 23, of the Public Records of Orange County, Florida; thence N.00°02'50"W., along said West boundary, 44.84 feet; thence departing said West boundary, N.41°57'02"E., 174.80 feet; thence N.45°26'30"W., 80.08 feet to a point of intersection with the Northwesterly boundary of the aforementioned easement recorded in Official Record Book 57, page 358; thence N.41°57'02"E., 21.79 feet to a point of intersection with the East boundary of that certain easement recorded in Official Record Book 4402, page 1315 of the Public Records of Orange County, Florida; thence along said East boundary, N.00°01'28"E., 11.55 feet; thence departing said East boundary, S.45°26'30"E., 117.84 feet to the Point of Beginning.

Containing 0.208 Acre, more or less.

NOTES:

1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY OR OWNERSHIP OTHER THAN THOSE INDICATED HEREON WERE PROVIDED TO OR PURSUED BY THE UNDERSIGNED.

2. BEARINGS SHOWN HEREON ARE BASED ON GEOMETRY SHOWN BY THAT CERTAIN TOPOGRAPHIC SURVEY PREPARED BY BOWMAN CONSULTING ENTITLED "THOR 1995T1 LAKE BRYAN TO VINELAND" DATED DECEMBER 2015 (LAST REVISION DATE: 5/24/17), THE SAME HAVING BEEN PROVIDED TO THE UNDERSIGNED BY DUKE ENERGY FOR USE IN THE PREPARATION OF THIS PARCEL SKETCH AND DESCRIPTION. THE EAST BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 28 EAST HAS BEEN USED AS A LOCAL BEARING BASIS HAVING A BEARING OF S.00°11'11"E.

3. CERTIFIED TO: DUKE ENERGY FLORIDA, LLC

STANTEC CONSULTING SERVICES INC.
CERTIFICATE OF AUTHORIZATION No.L.B.7866

MARK H. FOSTER, PSM
FLORIDA LICENSE No.L.S.5535



Digitally
signed by Mark
H Foster
Date:

2017.07.06
07:45:21 -04'00'

SITE:	108359
LU:	1209386



One Team, Infinite Solutions

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PROJECT No. 198802250 DRAWING No. 198802250_11D.DWG F.B. / PAGES		6/18/17		V: NTS		LINE ENGINEERING DESCRIPTION SKETCH ITEM 11D ORANGE COUNTY BCC THOR 1995T1 LAKE BRYAN TO VINELAND
		DATE		H: NTS		
		MHF		MHF		
		DRAWN		TECH		
		JDO		BDC		
		CHECK		ENGR		
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR THE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER		2 OF 3		SHEET		

EXHIBIT "A"

THIS IS NOT A SURVEY

ITEM 11D

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°11'11"E	961.22'
L2	S41°57'02"W	207.75'
L3	N48°02'57"W	50.00'
L4	S41°57'02"W	236.79'
L5	N00°02'50"W	44.84'
L6	N41°57'02"E	174.80'
L7	N45°26'30"W	80.08'
L8	N41°57'02"E	21.79'
L9	N00°01'28"E	11.55'
L10	S45°26'30"E	117.84'

SITE:	108359
LU:	1209386



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6/18/17 DATE	V: NTS H: NTS SCALE
MHF DRAWN	MHF TECH
JDO CHECK	BDC ENGR

LINE ENGINEERING
 DESCRIPTION SKETCH
 ITEM 11D
 ORANGE COUNTY BCC
 THOR 1995T1
 LAKE BRYAN TO VINELAND

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

3 OF 3
 SHEET

Orange County BCC
LV-Lake Bryan to Vineland 69kV Rebuild
Thor#: 1995T1 Oracle #: 30000370
Site #: 108359 Land Unit #1683530 Project #: 108395-452977

Project: Duke Energy - Lake Bryan to Vineland Transmission Line

Property Appraiser's ID No.: a portion of 26-24-28-5844-00-090

FIRST AMENDMENT TO EASEMENT

THIS FIRST AMENDMENT TO EASEMENT (this "First Amendment") is hereby made and executed as of the last date signed below (the "Effective Date") by and between ORANGE COUNTY, a charter county and political subdivision of the state of Florida, ("County"), P. O. Box 1393, Orlando, Florida 32802 and DUKE ENERGY FLORIDA, LLC, a Florida limited liability company doing business as DUKE ENERGY, ("Duke"), P. O. Box 14042, St. Petersburg, Florida 33733, its successors and assigns.

WITNESSETH

WHEREAS, Herbert A. Smith and Dosia C. Smith, his wife, (the "Smiths") and Florida Power Corporation, a Florida corporation, ("Florida Power") entered into that certain easement recorded on August 17, 1949 in Deed Book 810, Page 500, of the Public Records of Orange County, Florida (the "Original Easement"); and

WHEREAS, following a series of mergers and/or name changes, Duke is the successor-in-interest to all of Florida Power's rights, privileges, duties, and/or obligations arising under the Original Easement; and

WHEREAS, County is the successor-in-interest to the Smiths and now owns in fee simple all of the lands encumbered by the Original Easement; and

WHEREAS, after the date of the Original Easement, Duke (or its predecessor-in-interest) conveyed to County certain lands adjacent to the Original Easement (the "Conveyed Lands"), but failed to retain an easement interest for its utility lines within the Conveyed Lands; and

WHEREAS, County now owns in fee simple the portion of the Conveyed Lands legally described in the attached Exhibit "A".

NOW THEREFORE, County and Duke hereby amend the Original Easement as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Addition to Easement Area. County and Duke hereby amend the Original Easement to expand the easement area described in the Original Easement to include those lands described in the attached Exhibit "A".
3. Effect of Amendment. Except as otherwise expressly set forth herein, all other terms and provisions of the Original Easement remain the same.

[SIGNATURE PAGES AND EXHIBIT FOLLOW]

Project: Duke Energy - Lake Bryan to Vineland Transmission Line

IN WITNESS WHEREOF, Duke has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year below written.

Duke Energy Florida, LLC,
a Florida limited liability company doing business as
Duke Energy

Signed, sealed and delivered in
the presence of:

By: [Signature]
Kris Tietig, Manager
Land Services - Florida Region

Date: 7/26/18

[Signature]
SIGNATURE LINE
PRINT/TYPE NAME: Sam Tietig

[Signature]
SIGNATURE LINE
PRINT/TYPE NAME: LORI L. HERRING



(Two witnesses required by Florida law)

STATE OF FLORIDA

COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 26th day of JULY, 2018, by Kris Tietig, Manager of Land Services - Florida Region for Duke Energy Florida, LLC, a Florida limited liability company doing business as Duke Energy, on behalf of the limited liability company, who is personally known to me or who has produced _____ as identification.



SAM L. EVANS, JR.
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF172231
Expires 10/28/2018

[Signature]
PRINT/TYPE NAME: Sam L. Evans, Jr.

Notary Public in and for the
County and State last aforesaid.

My Commission Expires: _____

Serial No., if any: _____

Project: Duke Energy - Lake Bryan to Vineland Transmission Line

IN WITNESS WHEREOF, County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

BY:

Teresa Jacobs
Teresa Jacobs

Orange County Mayor

DATE:

9.11.18

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

BY:

Lakela Louis
for Deputy Clerk

Lakela Louis

Printed Name

This instrument prepared by:

E. Price Jackson, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

EXHIBIT "A"

**LEGAL DESCRIPTION: (ITEM #11)
PARCEL #26-24-28-5844-00-090**

A PARCEL OF LAND LYING IN A PORTION OF THE NORTHWEST ONE-QUARTER OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 54, MUNGERS SUBDIVISION, PLAT BOOK E, PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE NORTH 00°13'23" EAST, ALONG THE WEST LINE OF SAID TRACT 54, A DISTANCE OF 666.37 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE NORTH 00°13'23" EAST A DISTANCE OF 96.35 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 89°58'49" EAST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 87.70 FEET TO THE SOUTHERLY EXTENSION OF THE SOUTHEASTERLY LIMITS OF AN EXISTING 100 FOOT WIDE POWER EASEMENT (AS ESTABLISHED IN O.R.B. 810, PAGE 500); THENCE SOUTH 42°27'18" WEST, ALONG SAID SOUTHERLY EXTENSION A DISTANCE OF 130.48 FEET, BACK TO THE WEST LINE OF SAID TRACT 54 AND POINT OF BEGINNING.

CONTAINING 4.225 SQUARE FEET OR 0.09689 ACRES, MORE OR LESS.

LEGEND



= EASEMENT

LB = LICENSED BUSINESS

LS = LICENSED SURVEYOR

LTD. = LIMITED

NO. = NUMBER

= NUMBER

O.R.B. = OFFICIAL RECORDS BOOK

SURVEYOR'S NOTES

1. THE BEARINGS AND COORDINATES SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983(2011) EPOCH 2010.00 ADJUSTMENT BASED UPON THE TRIMBLE VRS NETWORK AS PUBLISHED BY TRIMBLE.
2. THIS SKETCH AND DESCRIPTION WAS PERFORMED WITHOUT BENEFIT OF A TITLE SEARCH. A TITLE SEARCH MAY REVEAL ADDITIONAL INFORMATION AFFECTING THE PARCEL AS SHOWN. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED.
3. I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
4. THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOB NO. 010389

**Bowman
CONSULTING**

Bowman Consulting Group, Ltd., Inc.
818 E. South Street, Suite 500,
Orlando 580, Orlando, Florida 32801
Phone: (407) 708-7177
Professional Surveyor and Mapper
Business Certificate # LB 9030

STEVEN N. BRICKLEY
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS - 8841

THIS IS NOT A SURVEY

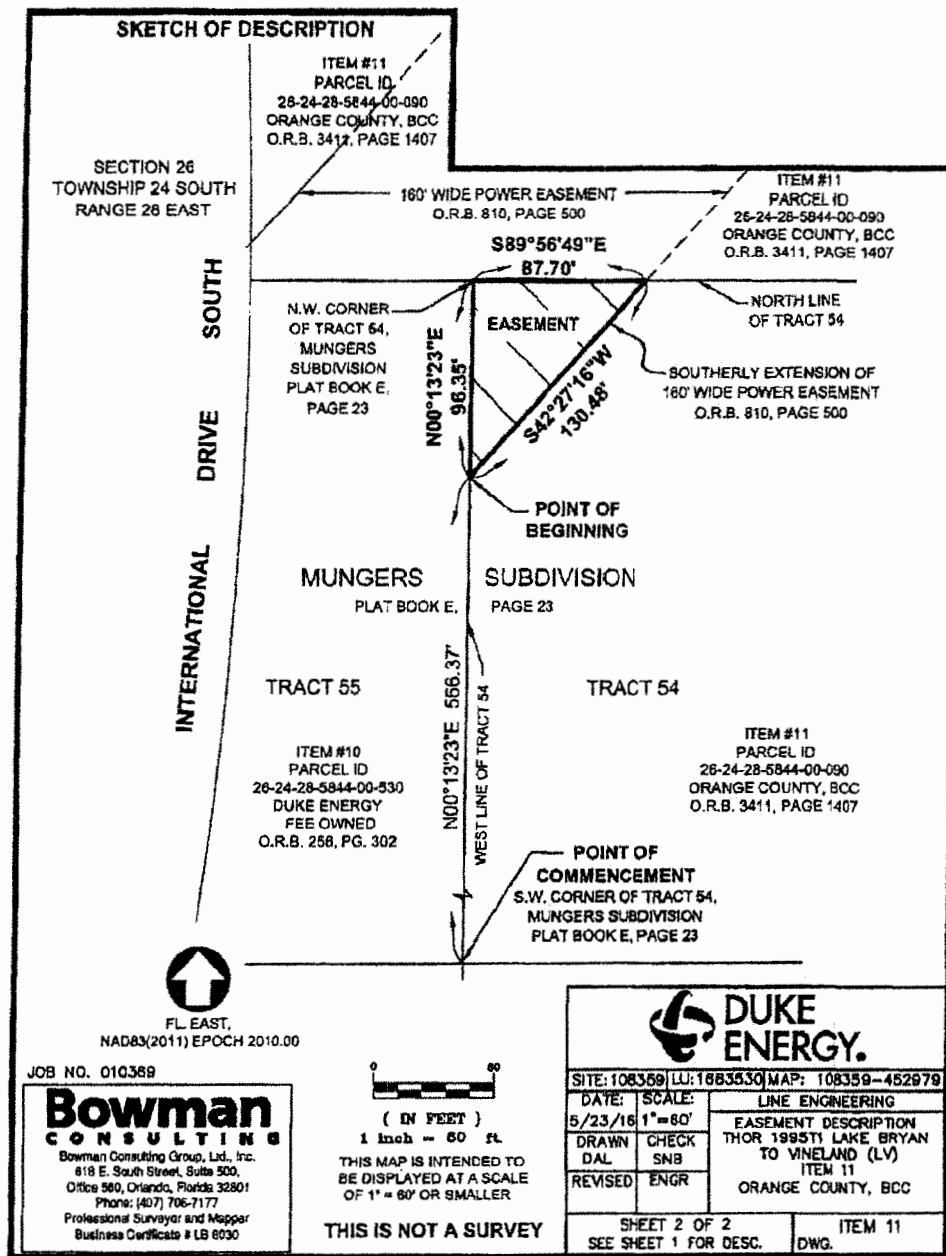


**DUKE
ENERGY.**

SITE: 108359 | LU: 1883530 | MAP: 108359-452979

DATE:	SCALE:	LINE ENGINEERING
5/23/18	N/A	EASEMENT DESCRIPTION
DRAWN	CHECK	THOR 199511 LAKE BRYAN
DAL	SNB	TO VINELAND (LV)
REVISED	ENGR	ITEM 11
		ORANGE COUNTY, BCC
SHEET 1 OF 2		ITEM 11
SEE SHEET 2 FOR SKETCH		DWG.

Project: Duke Energy - Lake Bryan to Vineland Transmission Line



Project: Duke Energy – Lake Bryan to Vineland Transmission Line

Orange County BCC
LV-Lake Bryan to Vineland 69kV Rebuild
Thor #:1995T1 Oracle #: 30000370
Site #: 108359 Land Unit: 1683530

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
SEP 11 2018



Prepared By:
Bruce C. Crawford, Esq.
Crawford & Owen, P.A.
10901 Danka Circle, Suite C Saint Petersburg, Florida 33716

PARTIAL RELEASE OF EASEMENT

WHEREAS, by instrument dated March 3, 1992, Orange County, Florida did grant and convey unto **FLORIDA POWER CORPORATION**, a Florida corporation, an easement for the transmission and distribution of electricity which expressly authorized the construction, reconstruction, maintenance and operation one or more transmission lines, subsequently recorded on April 24, 1992 in Official Records Book 4402 at Pages 1315-1318, of the Public Records of Orange County, Florida, (the "Easement"), covering the following-described lands in Orange County, Florida, to wit:

The approximately 3.2821 Acres of real property located in Orange County, Florida, as more particularly described in the Exhibit "A" to the Easement, incorporated herein by reference.

WHEREAS, **FLORIDA POWER CORPORATION**, a Florida corporation is n/k/a Duke Energy Florida, LLC d/b/a Duke Energy, a Florida limited liability company hereinafter known as "Duke Energy", has been requested to release a certain portion of the above-described lands from the above described Easement, and Duke Energy is willing to release said portion;

NOW, THEREFORE, WITNESSETH, that Duke Energy, for and in consideration of One Dollar and of other good and valuable considerations, receipt of which is hereby acknowledged, has released and discharged and by these presents does release and discharge all of the right, title, interest, claim and demand which said Duke Energy has under and by virtue of the above-described Easement in and to, but only in and to, the following- described land in Orange County, Florida, to wit:

The portion of the Easement located within Tax Parcel ID: 26-24-28-5844-00-090 in Orange County, Florida, as depicted and described within the attached Exhibit "A".

Provided, always, nevertheless, that nothing herein contained shall in anyway or manner impair, alter or diminish the rights, purpose, effect, encumbrance or provisions of the aforesaid Easement on that portion of the remaining lands first above described and not hereby being released therefrom.

Return to: Duke Energy
Attn: Land Services
3300 Exchange Place, NP4A
Lake Mary, FL 32746

Project: Duke Energy – Lake Bryan to Vineland Transmission Line

IN WITNESS WHEREOF, said Duke Energy has caused this Partial Release of Easement to be signed in its name by its proper representative thereunto duly authorized this 26th day of July, 2018.

Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy

Signed, sealed and delivered in the presence of:

By: [Signature]
Kris Tietig, Manager
Land Services – Florida Region

Date: 7/26/18

Approved By: Manny Vilaret, Esq.
7/26/18

[Signature]
SIGNATURE LINE
PRINT/TYPE NAME: Sam Evans

[Signature]
SIGNATURE LINE
PRINT/TYPE NAME: LORI L. HERRING

(Two witnesses required by Florida law)

STATE OF FLORIDA

COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 26th day of July, 2018, by Kris Tietig, Manager of Land Services – Florida Region for Duke Energy Florida, LLC, a Florida limited liability company, d/b/a Duke Energy, on behalf of the limited liability company, who is personally known to me or who has produced _____ as identification.



SAM L. EVANS, JR
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF172231
Expires 10/28/2018

[Signature]
PRINT/TYPE NAME: Sam L. Evans, Jr

Notary Public in and for the
County and State last aforesaid.

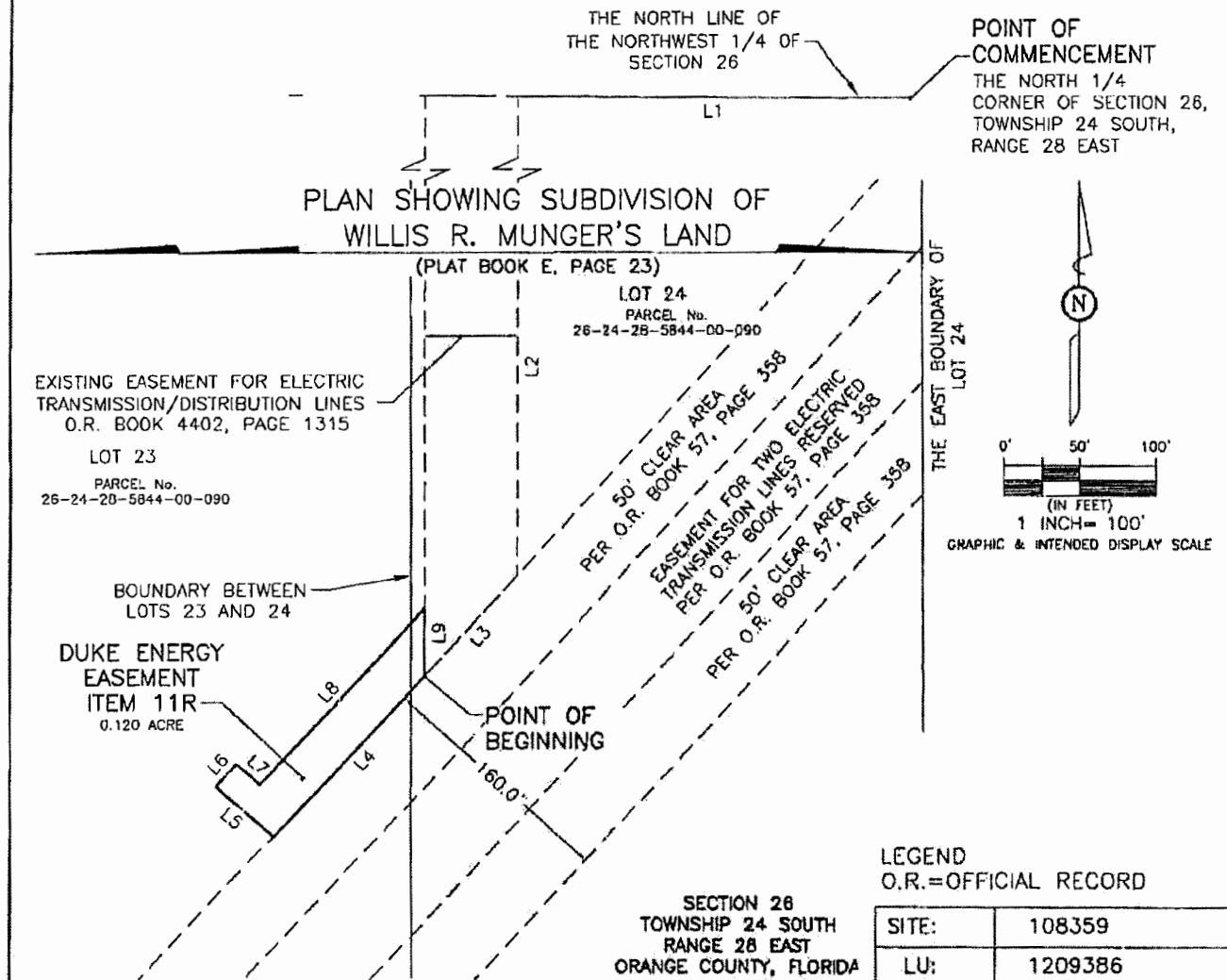
My Commission Expires: _____

Serial No., if any: _____

EXHIBIT "A"

THIS IS NOT A SURVEY

ITEM 11R



One Team, Infinite Solutions

777 Harbour Island Blvd., STE 600, Tampa, FL 33602
800.643.4336 • 813.223.9500 • F813.223.0009 • www.Stantec.com
Stantec Consulting Services Inc. • Certificate of Authorization L.B.7868



DUKE ENERGY

6/18/17
DATEV: NTS
H: 1"=100'
SCALE

LINE ENGINEERING

MHF
DRAWNMHF
TECH

DESCRIPTION SKETCH

ITEM 11R

ORANGE COUNTY BCC

THOR 1995T1

LAKE BRYAN TO VINELAND

JDO
CHECKBDC
ENGR

PROJECT No.

198802250

DRAWING No.

198802250_11R.DWG

F.B. / PAGES

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

1 OF 2
SHEET

EXHIBIT "A"

THIS IS NOT A SURVEY

ITEM 11R

PARCEL 26-24-28-5844-00-090

A portion of that certain easement recorded in Official Record Book 4402, page 1315 of the Public Records of Orange County, Florida, said portion lying within Lots 23 and 24, Section 26, Township 24 South, Range 28 East, according to Plan Showing Subdivision of Willis R. Munger's Land per map or plat thereof as recorded in Plat Book E, page 23, of the Public Records of Orange County, Florida, and being more particularly described as follows:

Commence at the North 1/4 corner of Section 26, Township 24 South, Range 28 East and run thence N.89°36'47"W., along the North line of the Northwest 1/4 of said Section 26, a distance of 256.46 feet to a point of intersection with the East boundary of that certain easement recorded in Official Record Book 4402, page 1315, of the Public Records of Orange County, Florida; thence along the easterly and southerly boundaries of said easement by the following two (2) courses: (1) S.00°01'28"W., 1013.61 feet, (2) S.42°11'48"W., 89.37 feet to the Point of Beginning; thence continue along the southerly and westerly boundaries of said easement by the following five (5) courses: (1) S.42°11'48"W., 143.69 feet, (2) N.47°48'12"W., 50.00 feet, (3) N.42°11'48"E., 20.00 feet, (4) S.47°48'12"E., 20.00 feet, (5) N.42°11'48"E., 156.81 feet; thence departing said boundary, S.00°01'28"W., 44.69 feet to the Point of Beginning.

Containing 0.120 Acre, more or less.

NOTES:

1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY OR OWNERSHIP OTHER THAN THOSE INDICATED HEREON WERE PROVIDED TO OR PURSUED BY THE UNDERSIGNED.

2. BEARINGS SHOWN HEREON ARE BASED ON THAT CERTAIN DEED RECORDED IN OFFICIAL RECORD BOOK 4402, PAGE 1315, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 28 EAST HAS BEEN USED AS A LOCAL BEARING BASIS HAVING A BEARING OF N.89°36'47"W.

3. CERTIFIED TO: DUKE ENERGY FLORIDA, LLC

STANTEC CONSULTING SERVICES INC.
CERTIFICATE OF AUTHORIZATION No.L.B.7866



Digitally signed
by Mark H
Foster

Date:
2017.07.06
07:47:48 -04'00'

MARK H. FOSTER, PSM
FLORIDA LICENSE No.L.S.5535

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°36'47"W	256.46'
L2	S00°01'28"W	1013.61'
L3	S42°11'48"W	89.37'
L4	S42°11'48"W	143.69'
L5	N47°48'12"W	50.00'
L6	N42°11'48"E	20.00'
L7	S47°48'12"E	20.00'
L8	N42°11'48"E	156.81'
L9	S00°01'28"W	44.69'

SITE: 108359

LU: 1209386



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