




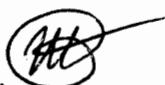
Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 19

DATE: August 23, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager 
Real Estate Management Division

FROM: Mary Tiffault, 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 SJS ANDOVER LLC TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM VALLEY NATIONAL BANK AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Curry Ford Starbucks Permit: B17900343 OCU File #: 91846
District 4

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

ITEMS: Utility Easement
Cost: Donation
Size: 225 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.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
SEP 11 2018

THIS IS A DONATION

Project: Curry Ford Starbucks Permit: B 17900343 OCU File #: 91846

UTILITY EASEMENT

THIS INDENTURE, Made this 25th day of April, A.D. 2018, between SJS Andover LLC, a New Jersey limited liability company, whose address is 1114 Wynwood Avenue, Cherry Hill, New Jersey, 08002, 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

08-23-31-7103-02-000

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, 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.

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

Gloria Friedman
Printed Name

Witness

LEONARD BROWN
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF NEW JERSEY
COUNTY OF BURLINGTON

The foregoing instrument was acknowledged before me this 25th of APRIL,
2018, by Stephen Cravitz, as Managing Member, of SJS Andover LLC, a New Jersey limited liability
company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ has produced
_____ as identification.

(Notary Seal)

SJS Andover LLC,
a New Jersey limited liability company

BY: Stephen Cravitz
Stephen Cravitz, Managing Member

Dina M. Zornes
Notary Signature

Printed Notary Name

Dina M. Zornes
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires on April 11, 2022

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

LEGAL DESCRIPTION

PROJECT NAME: CURRY FORD STARBUCKS
BUILDING DEPARTMENT PERMIT NUMBER: B17900343
SECTION 8, TOWNSHIP 23 SOUTH, RANGE 31 EAST
PARENT PARCEL: 08-23-31-7103-02-000
PURPOSE: UTILITY EASEMENT

LEGAL DESCRIPTION: UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF LOT 2, SHOPPES AT ANDOVER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 65, PAGES 113 AND 114, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF LAMBERTON BOULEVARD (AN 84 FOOT RIGHT OF WAY);

THENCE SOUTH 00°08'39" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 32.67 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 00°08'39" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 15.00 FEET;

THENCE NORTH 89°51'21" WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 15.00 FEET;

THENCE NORTH 00°08'39" EAST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 89°51'21" EAST, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 225.00 SQUARE FEET OR 0.005 ACRES MORE OR LESS.

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SURVEYOR'S NOTES:

1. THIS IS A LEGAL DESCRIPTION WITH A SKETCH AS DEFINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE. SAID DESCRIPTION MEETS THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING, 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.
2. THE BEARINGS SHOWN HEREON ARE BASED UPON AN ASSUMED DATUM, MORE PARTICULARLY, THE WESTERLY RIGHT OF WAY LINE OF LAMBERTON BOULEVARD BEING SOUTH 00°08'39" WEST, BEING THE SAME BEARING AS SHOWN ON THE PLAT OF SHOPPES AT ANDOVER, PLAT BOOK 65, PAGES 113 AND 114, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
3. THIS LEGAL DESCRIPTION WITH A SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. ADDITIONS OR DELETIONS TO THIS SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ABBREVIATIONS:

ID IDENTIFICATION
LB LICENSED BUSINESS
NO. NUMBER
O.R.B. OFFICIAL RECORDS BOOK
P.B. PLAT BOOK
PG. PAGE
P.O.B. POINT OF BEGINNING
R/W RIGHT OF WAY
S.F. SQUARE FEET

TO: ORANGE COUNTY
SJS ANDOVER LLC
JDG-CURRY FORD STARBUCKS LLC

THIS "LEGAL DESCRIPTION & SKETCH" COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

Richard E. Barnes Jr.
RICHARD E. BARNES, JR.
FLORIDA SURVEYOR AND MAPPER
REGISTRATION No. 51731
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFY TO:

ORANGE COUNTY
SJS ANDOVER LLC
JDG-CURRY FORD STARBUCKS LLC

PREPARED BY:

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
301 S.E. OCEAN BLVD., Suite 301
STUART, FL 34994

Phone: (772) 283-1413
Fax: (772) 220-7881
www.bowmanconsulting.com

Florida Certificate of Authorization No. LB8030

DRAWN BY: RT	CHECKED BY: RB	PROJECT NO. 8650-01-001	SECTION 8
DATE: 10/31/17	DRAWING: 8650-A-UTIL ESMT	REVISIONS	TOWNSHIP 23 SOUTH
		DATE	RANGE 31 EAST
		12/14/17	
		REVISION	
		PER COMMENTS	

SKETCH OF DESCRIPTION

PROJECT NAME: CURRY FORD STARBUCKS
BUILDING DEPARTMENT PERMIT NUMBER: B17900343
SECTION 8, TOWNSHIP 23 SOUTH, RANGE 31 EAST
PARENT PARCEL: 08-23-31-7103-02-000
PURPOSE: UTILITY EASEMENT



CURRY FORD ROAD
PUBLIC RIGHT OF WAY
WIDTH VARIES

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

POINT OF COMMENCEMENT

N.E. CORNER OF LOT 2,
SHOPPES AT ANDOVER,
P.B. 65, PG. 113-114

15' WIDE LANDSCAPE EASEMENT
PER P.B. 65, PG. 113-114

S89°51'21"E 15.00'

N00°08'39"E 15.00'

UTILITY EASEMENT
±225.00 S.F.
±0.005 ACRES

N89°51'21"W 15.00'

S00°08'39"W

32.67'

P.O.B.

S00°08'39"W

15.00'

LOT 1
SHOPPES AT ANDOVER
P.B. 65, PG. 113-114

LOT 2
SHOPPES AT ANDOVER
P.B. 65, PG. 113-114
PARCEL ID: 08-23-31-7103-02-000
O.R.B. 10963, PG. 9432

10' WIDE UTILITY EASEMENT
PER O.R.B. 8231, PG. 3586

WESTERLY R/W LINE
OF LAMBERTON BLVD.

LAMBERTON BLVD.
84' PUBLIC RIGHT OF WAY
PER P.B. 33, PG. 45-51

TRACT "G" RETENTION POND
ANDOVER LAKES - PHASE 3-A
P.B. 33, PG. 45-51

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SCALE:

1" = 80'

PROJECT NO.:

8650-01-001

SECTION 8

TOWNSHIP 23 SOUTH

RANGE 31 EAST

Project: Curry Ford Starbucks Permit: B 17900343 OCU File #: 91846

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:

Valley National Bank
FROM: SJS Andover LLC
Mortgage and Security Agreement filed August 7, 2015
Recorded in Official Records Book 10963, Page 9438
Collateral Assignment of Leases and Rents filed August 7, 2015
Recorded in Official Records Book 10963, Page 9462
Subordination, Non-Disturbance and Attornment Agreement filed August 7, 2015
Recorded in Official Records Book 10963, Page 9468
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 30th day of April, A.D. 2018.

Signed, sealed, and delivered
in the presence of:

Valley National Bank,
a national banking association

[Signature]
Witness

BY: [Signature]

KENE WEBSTER
Printed Name

Cher B. Nevad
Printed Name

Paula McKie
Witness

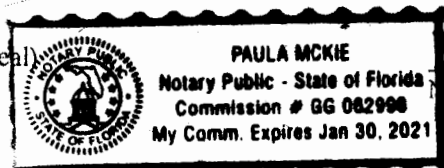
Vice President
Title

Paula McKie
Printed Name

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 30th of April, 2018, by Cher Nevad, as Vice President, of Valley National Bank, a national banking association, on behalf of the national banking association. He She ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



Paula McKie
Notary Signature

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

Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires:

LEGAL DESCRIPTION

PROJECT NAME: CURRY FORD STARBUCKS
BUILDING DEPARTMENT PERMIT NUMBER: B17900343
SECTION 8, TOWNSHIP 23 SOUTH, RANGE 31 EAST
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TO: ORANGE COUNTY
SJS ANDOVER LLC
JDC-CURRY FORD STARBUCKS LLC

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RICHARD E. BARNES, JR.
FLORIDA SURVEYOR AND MAPPER
REGISTRATION No. 51731
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFY TO:

ORANGE COUNTY
SJS ANDOVER LLC
JDC-CURRY FORD STARBUCKS LLC

PREPARED BY:

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
301 S.E. OCEAN BLVD., Suite 301
STUART, FL 34994

Phone: (772) 283-1413
Fax: (772) 220-7881
www.bowmanconsulting.com

Florida Certificate of Authorization No. LB8030

DRAWN BY: RT

CHECKED BY: RB

PROJECT NO. 8650-01-001

REVISIONS

DATE

REVISION

12/14/17

PER COMMENTS

DATE: 10/31/17

DRAWING:
8650-A-UTIL ESMT

SECTION 8
TOWNSHIP 23 SOUTH
RANGE 31 EAST

SKETCH OF DESCRIPTION

PROJECT NAME: CURRY FORD STARBUCKS
BUILDING DEPARTMENT PERMIT NUMBER: B17900343
SECTION 8, TOWNSHIP 23 SOUTH, RANGE 31 EAST
PARENT PARCEL: 08-23-31-7103-02-000
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PUBLIC RIGHT OF WAY
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SCALE:

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PROJECT NO.:

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SECTION 8

TOWNSHIP 23 SOUTH
RANGE 31 EAST