



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 2

**DATE:** August 30, 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 *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 CR535 LAKESIDE VILLAGE PROPERTIES LLC TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM BRANCH BANKING AND TRUST COMPANY AND AUTHORIZATION TO RECORD INSTRUMENTS

**PROJECT:** Frye Center PD/Lakeside Village Lot 2 NC Permit: B17900297 OCU File #90346  
  
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.

THIS IS A DONATION

Project: Frye Center PD/Lakeside Village Lot 2 NC Permit: B17900297 OCU File #90346

**UTILITY EASEMENT**

THIS INDENTURE, Made this 2 day of June, A.D. 2018, between CR535 Lakeside Village Properties LLC, a Florida limited liability company, whose address is 18312 Bankston Place, Tampa, Florida, 33647, 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**

**36-23-27-5450-02-000**

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:

CR535 Lakeside Village Properties LLC,  
a Florida limited liability company

Witness

BY:

Ravikiron Ainpudi, Manager

Printed Name

Witness

Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF

COUNTY OF

The foregoing instrument was acknowledged before me this 2nd of June, 2018, by Ravikiron Ainpudi, as Manager, of CR535 Lakeside Village Properties LLC, a Florida limited liability company, on behalf of the limited liability company. He/She ☐ is personally known to me or ☒ has produced FL driver license as identification.

(Notary Seal)



Yolanda R. Sykes  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG018332  
Expires 9/22/2020

Notary Signature

Printed Notary Name

Notary Public in and for  
the county and state aforesaid.

My commission expires:

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

Michelle Quinn  
Printed Name

[Signature]  
Witness

Yolanda Sykes  
Printed Name

CR535 Lakeside Village Properties LLC,  
a Florida limited liability company

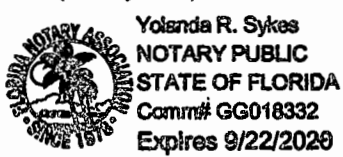
BY: R.V. Ravipati  
Venkata Ravipati, Manager

(Signature of TWO witnesses required by Florida law)

STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 2nd of June, 2018, by Venkata Ravipati, as Manager, of CR535 Lakeside Village Properties LLC, a Florida limited liability company, on behalf of the limited liability company. He/She ☐ is personally known to me or ☐ has produced FL driver license as identification.

(Notary Seal)



[Signature]  
Notary Signature  
Yolanda R. Sykes  
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

# SKETCH OF DESCRIPTION

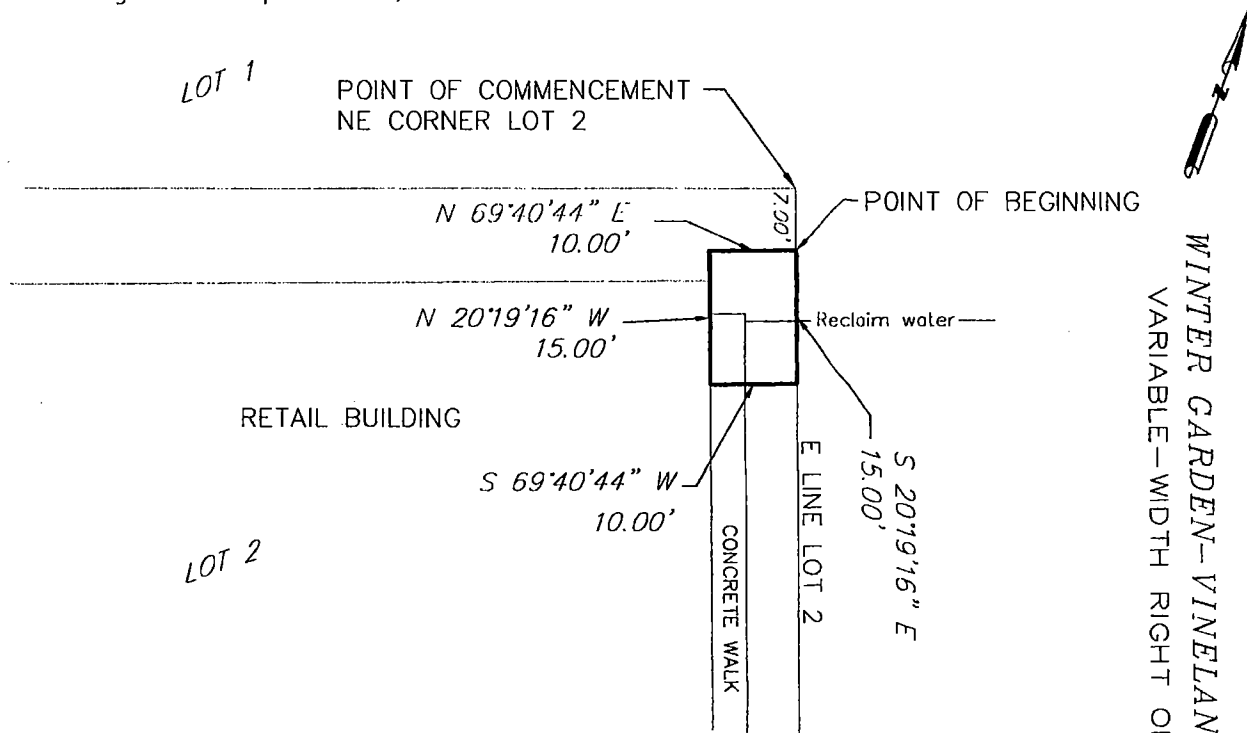
PROJECT NAME: Frye Center PD/Lakeside Village Lot 2 NC.  
Building Department Permit Number: B 17900297

## UTILITY EASEMENT:

That part of Lot 2, LAKESIDE VILLAGE CENTER, according to the plat thereof, as recorded in Plat Book 75, Pages 99 and 100, Public Records of Orange County, Florida being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 2, LAKESIDE VILLAGE CENTER, according to the plat thereof, as recorded in Plat Book 75, Pages 99 and 100, Public Records of Orange County, Florida; thence South 20°19'16" East along the East line of said Lot 2 a distance of 7.00 feet to the POINT OF BEGINNING; thence continue South 20°19'16" East, 15.00 feet; thence leaving said East line run South 69°40'44" West, 10.00 feet; thence North 20°19'16" West, 15.00 feet; thence North 69°40'44" East, 10.00 feet to the POINT OF BEGINNING.

Containing 150.0 square feet, more or less.



## SURVEYOR'S NOTES:


1. THIS IS NOT A SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE E LINE OF LOT 2 AS BEING S 20°19'16" E, PER PLAT.
3. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. DELINEATION OF PROPERTY SHOWN IS ACCORDING TO THE CLIENT'S INSTRUCTIONS.

DATE: 3-30-18 SCALE: 1" = 20' CAL. BY: SEB DRAWN BY: SMO JOB NO. 117054E1

Date	Revisions
4-17-18	REVISED

**ATLANTIC SURVEYING**  
308 S. DILLARD STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 656-4993/FAX (407) 656-4437  
LICENSED BUSINESS #8060

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR THE PROFESSION OF SURVEYING AND MAPPING AS SET FORTH IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

  
STEVEN E. BLANKENSHIP P.S.M. #5361  
STATE OF FLORIDA

**EXHIBIT 'A'**

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
**OCT 02 2018**

Project: Frye Center PD/Lakeside Village Lot 2 NC Permit: B17900297 OCU File #90346

## **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:**

TO: Branch Banking and Trust Company  
FROM: CR535 Lakeside Village Properties LLC  
BB&T Amended and Restated Mortgage of Real Estate and Security Agreement  
filed June 13, 2017  
Recorded as Document No. 20170329336  
Assignment of Leases and Rents filed June 13, 2017  
Recorded as Document No. 20170329337  
Financing Statement filed June 13, 2017  
Recorded as Document No. 20170329338  
Subordination, Non Disturbance and Attornment Agreement filed June 13, 2017  
Recorded as Document No. 20170329340  
Subordination, Non Disturbance and Attornment Agreement filed June 13, 2017  
Recorded as Document No. 20170329341  
Subordination, Non Disturbance and Attornment Agreement filed June 13, 2017  
Recorded as Document No. 20170329342  
Subordination, Non Disturbance and Attornment Agreement filed June 13, 2017  
Recorded as Document No. 20170329343  
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 20<sup>th</sup> day of June, A.D. 2018.

Signed, sealed, and delivered  
in the presence of:

Branch Banking and Trust Company,  
a North Carolina banking corporation

Keri Sherrill  
Witness

BY: Lindsay August

Kim Sherrill  
Printed Name

Lindsay August  
Printed Name

[Signature]  
Witness

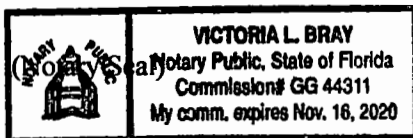
Vice President  
Title

David Hopkins  
Printed Name

(Corporate Seal)

STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 20 of June, 2018, by Lindsay August, as Vice President of Branch Banking and Trust Company, a South Carolina banking corporation, on behalf of the banking corporation. He/She ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.



[Signature]  
Notary Signature

VICTORIA L BRAY  
Printed Notary Name

**This instrument prepared by:**  
Mary Tiffault, 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:

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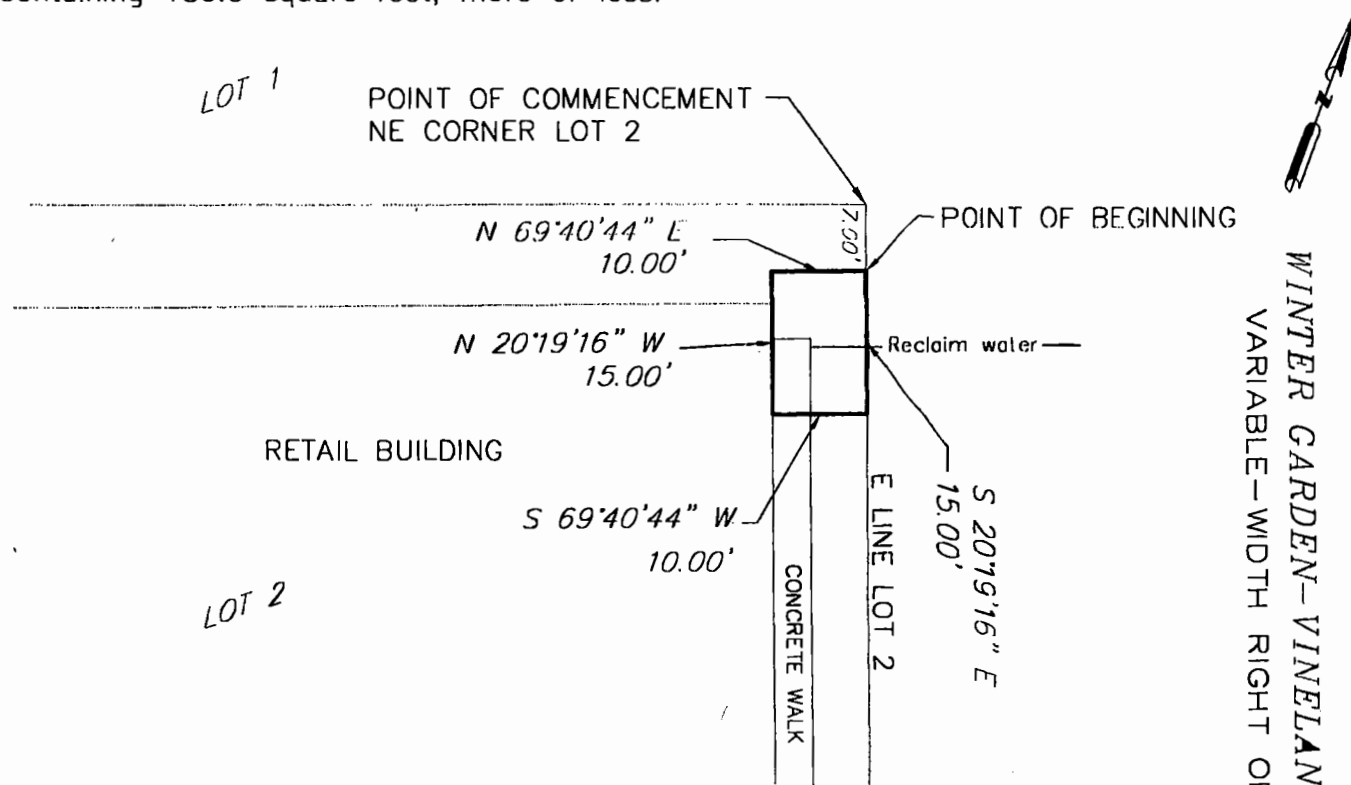
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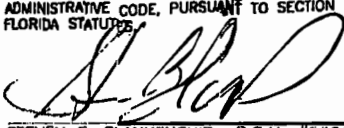
DATE: 3-30-18	SCALE: 1" = 20'	CAL. BY: SEB	DRAWN BY: SMO	JOB NO. 117054E1
Date	Revisions	<b>ATLANTIC SURVEYING</b> 308 S. DILLARD STREET WINTER GARDEN, FLORIDA 34787 (407) 656-4993/FAX (407) 656-4437 LICENSED BUSINESS #8060		
4-17-18	REVISED			
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EXHIBIT 'A'