



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 3

DATE: September 27, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Jeffrey Sponenburg, Title Program Manager *JS*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT FROM JEP 'S LAWN CARE CORP. TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS TO ORANGE COUNTY FROM BANK OF AMERICA, N.A. AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: JEP 'S Business Park Permit #B17901265 OCU File #91246

District 5

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 Encumbrance to Property Rights to Orange County

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantor to pay all recording fees.

OCT 16 2018

THIS IS A DONATION

Project: JEP 'S Business Park Permit #B17901265 OCU File #91246

UTILITY EASEMENT

THIS INDENTURE, Made this 02 day of August, A.D. 2018, between, JEP 'S Lawn Care Corp., a Florida corporation, whose address is 5198 Adair Oak Drive, Orlando, FL 32829 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

15-22-30-0000-00-077

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.

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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:

JEP 'S Lawn Care Corp,
a Florida corporation

Daphne Pineda
Witness

Jose E. Pineda
Jose E. Pineda, President

Daphne Pineda
Printed Name

[Signature]
Witness

Maria Luisa Davila
Printed Name

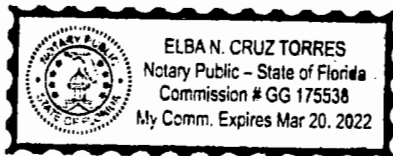
(Signature of TWO witnesses required by Florida law)

STATE OF Orange
COUNTY OF Florida

The foregoing instrument was acknowledged before me this 02 of August, 2018, by Jose E. Pineda, as President of JEP 'S Lawn Care Corp a Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced Florida Driver License as identification.

(Notary Seal)

Elba N. Cruz Torres
Notary Signature



Elba N. Cruz Torres
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 03-20-2022

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

EXHIBIT A

Sketch of Description

Sheet 1 of 2

Legal Description:

A PORTION OF THE VACATED RIGHT OF WAY OF ADAMS STREET, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, THENCE RUN S 89°37'41" W, A DISTANCE OF 53.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT OF WAY OF NORTH FORSYTH ROAD, THENCE RUN S 00°28'17" W ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 10.16 FEET, THENCE LEAVING SAID WEST RIGHT OF WAY RUN N 89°30'12" W A DISTANCE OF 15.00 FEET, THENCE RUN N 00°27'30" E A DISTANCE OF 10.00 FEET, THENCE RUN N 89°53'07" E A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 150 SQUARE FEET.

THE INTENT OF THE ABOVE LEGAL DESCRIPTION IS TO CREATE A 10.00' BY 15.00' DCVA PUBLIC UTILITIES EASEMENT, LOCATED IN SECTION 22, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA.

Project Name : JEP's Business Park
Building Department Permit Number : B1790126

This is NOT a Survey.
This is ONLY a Sketch.

Revision: Adjusted Text - 9/27/17 - NSF
Revision: Fix Distance on L1 - 9/6/17 - RPS

Sketch Date: 8-18-17
Drawn By: NF
Approved By: PKI
Field: N/A

Sketch of Description Prepared For: Jeps Lawn Care Corp.

Sketch of Description Certified To: Jeps Lawn Care Corp.

**Ireland & Associates
Surveying, Inc.**

1301 S. International Parkway Suite 2001
Lake Mary, Florida 32748
www.irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165

- Notes-
- >Sketch is Based upon the Legal Description Supplied by Client.
 - >Bearing Basis shown hereon, is Assumed and Based upon the line Denoted with a "BB".
 - >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
 - >Use of This Sketch for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

Legend	
C	- Calculated
CB	- Centerline
CM	- Concrete Block
Conc.	- Concrete
D	- Description
DE	- Drainage Easement
Esmt.	- Easement
F.E.M.A.	- Federal Emergency Management Agency
FFE	- Finished Floor Elevation
Fnd.	- Found
IP	- Iron Pipe
L	- Length (Arc)
M	- Measured
N&D	- Nail & Disk
N.R.	- Non-Radial
ORB	- Official Records Book
P	- Plat
P.B.	- Plat Book
W	- Wood Fence
PC	- Point of Curvature
Pg.	- Page
PI	- Point of Intersection
P.O.B.	- Point of Beginning
P.O.L.	- Point on Line
PP	- Power Pole
PRM	- Permanent Reference Monument
PT	- Point of Tangency
R	- Radius
Rad.	- Radial
R&C	- Rebar & Cap
Rec.	- Recovered
Rfd.	- Roofed
Set	- Set 1/2" Rebar & Cap "LB 7623"
Typ.	- Typical
UE	- Utility Easement
WM	- Water Meter
Δ	- Delta (Central Angle)
-X-	- Chain Link Fence

I hereby Certify that this Sketch of Description of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 51-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland
Patrick K. Ireland, Florida P.S. 6637 LB-7623
Date Signed: 09-22-17

This Sketch is Intended ONLY for the use of Said Certified Parties.
This Sketch NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.
File No. IS-30065
CADD File: Z:\Ireland\Associates\IS-30065\OD.dwg

Sheet 2 of 2

Office-407.678.3366 Fax-407.320.8165

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OCT 16 2018

Project: JEP 'S Business Park Permit #B17901265 OCU File #91246

SUBORDINATION OF ENCUMBRANCE 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 encumbrance held by the undersigned; and,

WHEREAS, On behalf of ORANGE COUNTY, a request has been made for the undersigned to subordinate said encumbrance 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 encumbrance as it has been or as may be modified and amended from time to time to the property rights of ORANGE COUNTY to enter upon, excavate, construct and maintain, as ORANGE COUNTY 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"

Encumbrance:

Bank of America, N.A.

FROM: JEP 'S Lawn Care Corp., a Florida corporation

Mortgage, Assignment of Rents, Security Agreement and Fixture Filing, filed September 20, 2016

Recorded as Document No. 20160495009

In the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrance 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 encumbrance 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 encumbrance 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 encumbrance has duly executed this instrument this 27 day of August, A.D. 20 18.

Signed, sealed and delivered in the presence of:


Witness

Sabrina Belfort
Printed Name


Witness

Monica Alvarez
Printed Name

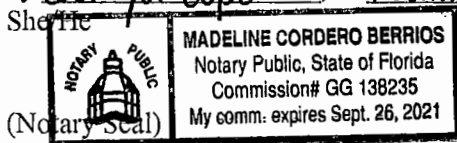
Bank of America, N.A.

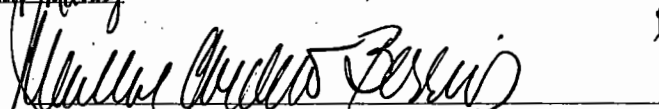
BY: Soraya Lopes
Soraya Lopes
Printed Name

Relationship Manager
Title

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 27th of August, 2018;
by Soraya Lopes, as Relationship Manager of Bank of America, N.A. on behalf of the bank.
She ☒ is personally known to me.




Notary Signature

Madeline Cordero Berrios
Printed Notary Name

This instrument prepared by:
Peter Stanley, 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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Building Department Permit Number : B1790126

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Revision: Fix Distance on L1 - 9/6/17 - RPS

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Approved By: PKI
Field: N/A

Sketch of Description Prepared For: Jeps Lawn Care Corp.

Sketch of Description Certified To: Jeps Lawn Care Corp.

*Ireland & Associates
Surveying, Inc.*

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-Legend-			
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C	- Centerline	Pg.	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement	PT	- Point of Tangency
F.E.M.A.	- Federal Emergency Management Agency	R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rfd.	- Roofed
M	- Measured	Set	- Set 1/2" Rebar & Cap "LB 7623"
N&D	- Nail & Disk	Typ.	- Typical
N.R.	- Non-Radial	UE	- Utility Easement
ORB	- Official Records Book	WM	- Water Meter
P	- Plat	Δ	- Delta (Central Angle)
P.B.	- Plat Book	-X-	- Chain Link Fence
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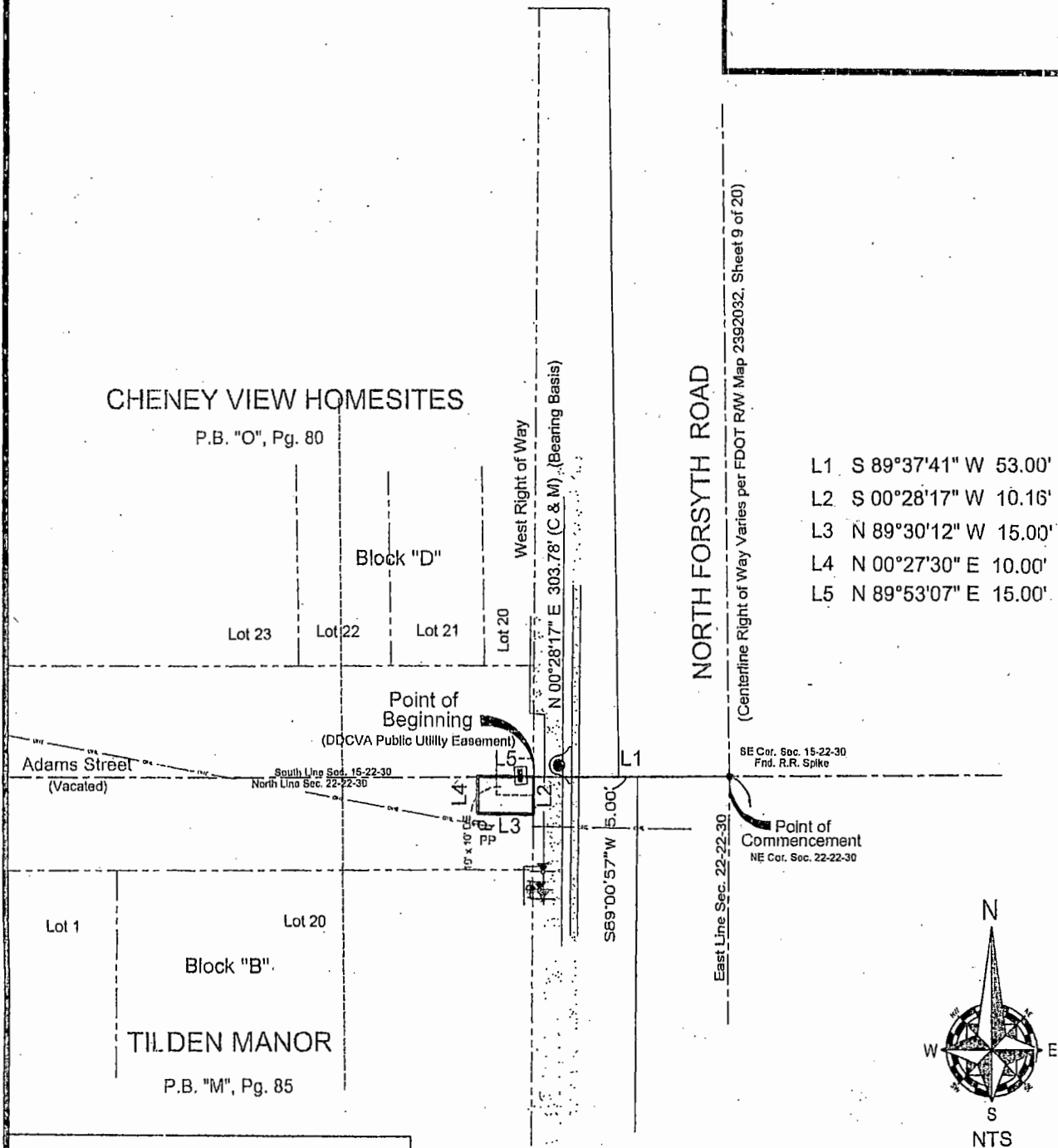
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CADD File: 2\IrelandAssociates\15-30065\SCD.dwg

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Sheet 2 of 2



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DDCVA - DETECTOR DOUBLE CHECK VALVE ASSEMBLY

Revision: Adjusted Text - 9/27/17 - NSF

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