



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 11

DATE: October 10, 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 AND EXECUTION OF NON-EXCLUSIVE UTILITY EASEMENT BETWEEN GOLDEN OAK DEVELOPMENT, LLC F/K/A GOLDEN OAK ESTATES, LLC AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Golden Oak Phase 5 Permit #17-S-044 OCU File #93726

District 1

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

ITEM: Non-Exclusive Utility Easement
Cost: Donation
Size: 395.99 square feet

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

REMARKS: Orange County is executing the Non-Exclusive Utility Easement to show acceptance of its terms and conditions.

Grantor to pay all recording fees.

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

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
OCT 30 2018

THIS IS A DONATION

Project: Golden Oak Phase 5 Permit #17-S-044 OCU File #93726

NON-EXCLUSIVE UTILITY EASEMENT

THIS INDENTURE, made this 3rd day of October, A.D. 2018, between GOLDEN OAK DEVELOPMENT, LLC, a Florida limited liability company, f/k/a Golden Oak Estates, LLC, a Florida limited liability company, having its principal place of business in the city of Lake Buena Vista, county of Orange, whose address is 10501 Dream Tree Boulevard, Golden Oak, 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 \$10.00 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, a non-exclusive easement for the purposes of constructing and maintaining a force main with associated valves and appurtenances thereto, with full authority to enter upon, excavate, construct and maintain such lines and facilities, as the GRANTEE and its assigns may deem necessary, 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
18-24-28-3102-00-009

TO HAVE AND TO HOLD said right-of-way and 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 right-of-way, 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 right-of-way that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

Grantee's obligation to restore landscaping shall be limited 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.

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 right-of-way, or modify the size of existing pipelines or other improvements as it may determine in its 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.

NOTWITHSTANDING any of the foregoing, any facilities, pipelines, or other equipment or improvements constructed or installed by the GRANTEE pursuant to this easement grant shall be located and shall operate underground, except for hardware and equipment commonly and typically used by GRANTEE that must be located above ground to operate and function as intended.

IN WITNESS WHEREOF, GRANTOR and GRANTEE have caused these presents to be executed in their names.

GOLDEN OAK DEVELOPMENT, LLC, a
Florida limited liability company, f/k/a Golden
Oak Estates, LLC, a Florida limited liability
company

Signed, sealed and delivered
in the presence of:

Laurie Acevedo
Witness

Laurie Acevedo
Printed Name

[Signature]
Witness

Anna-Marie Boykin
Printed Name

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

BY: [Signature]

Printed Name: Page P. Pierce

Title: Manager

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 3rd day of October, 2018, by Page P. Pierce, as Manager of **GOLDEN OAK DEVELOPMENT, LLC**, a Florida limited liability company, f/k/a Golden Oak Estates, LLC, a Florida limited liability company, on behalf of the limited liability company. He/She ☒ is personally known to me or ☐ has produced _____ as identification.

Witness my hand and official seal this 3rd day of October, 2018.

(Notary Seal)

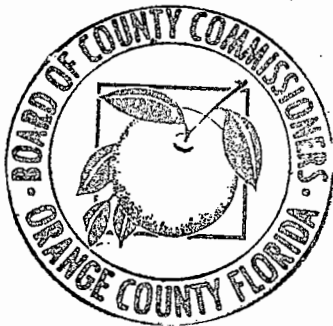


Brandi Ferrone
Notary Signature

Brandi Ferrone
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 3/14/2022



Orange County, Florida

By Board of County Commissioners

By: Bin datchanda
Teresa Jacobs,
Orange County Mayor

Date: 10.30.18

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

By: Katie Smith
Deputy Clerk
Katie Smith

Printed Name

EXHIBIT "A"

SKETCH OF DESCRIPTION

GOLDEN OAK PHASE 5
ORANGE COUNTY PROJECT NUMBER: 17-S-044
FORCE MAIN UTILITY EASEMENT

DESCRIPTION:

A PORTION OF TRACT 1 OF THE PLAT OF "GOLDEN OAK PHASE 1B", AS RECORDED IN PLAT BOOK 75, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHERLY MOST CORNER OF SAID TRACT 1 OF THE PLAT OF "GOLDEN OAK PHASE 1B"; THENCE RUN N27° 17' 40" W ALONG THE WEST LINE OF SAID TRACT 1, FOR A DISTANCE OF 177.64 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 334.00 FEET, A CHORD BEARING OF N18° 23' 12" W AND A CHORD DISTANCE OF 103.43 FEET; THENCE RUN NORTHERLY ALONG SAID WEST LINE OF TRACT 1 AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 17° 48' 55" FOR A DISTANCE OF 103.85 FEET; THENCE, LEAVING SAID WEST LINE, RUN N81° 31' 53" E FOR A DISTANCE OF 10.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 324.00 FEET, A CHORD BEARING OF N07° 12' 06" W AND A CHORD DISTANCE OF 26.10 FEET, SAID POINT ALSO BEING ALONG THE EAST LINE OF A 10 FOOT WIDE UTILITY EASEMENT SHOWN ON SAID PLAT OF "GOLDEN OAK PHASE 1B", AND SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN NORTHERLY ALONG SAID EAST LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4° 37' 00" FOR A DISTANCE OF 26.11 FEET; THENCE LEAVING SAID EAST LINE, RUN N81° 31' 53" E FOR A DISTANCE OF 15.00 FEET; THENCE RUN S07° 12' 06" E FOR A DISTANCE OF 26.10 FEET; THENCE RUN S81° 31' 53" W FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 395.99 SQUARE FEET MORE OR LESS.

THIS IS NOT A SURVEY

ATKINS

482 South Keller Road
Orlando, Florida 32810-G101
Tel 407/647-7275 Certificate No. LB 24

Douglas H. Negron 1/26/18
Douglas H. Negron, PSM
Professional Surveyor and Mapper
Florida Certificate No. 6901

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

Date: 01/26/18
Scale: 1" = 30'
Job No.: N/A
F.B.: N/A
Drawn By: DHN
Ckd. By: JVC
Sheet 1 of 2

SKETCH OF DESCRIPTION

GOLDEN OAK PHASE 5
ORANGE COUNTY PROJECT NUMBER: 17-S-044
FORCE MAIN UTILITY EASEMENT

