



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 13

DATE: October 1, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Kim Heim, Senior Title Examiner *KH*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT FROM HARK ASSOCIATES, L.L.C. TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM SEACOAST NATIONAL BANK AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Econ Place PD-Econ Medical Plaza-Ph II Site Work Permit #B16903089
OCU File #89366

District 3

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

OCT 30 2018

THIS IS A DONATION

Project: Econ Place PD-Econ Medical Plaza-Ph II Site Work Permit #B16903089 OCU File #89366

UTILITY EASEMENT

THIS INDENTURE, Made this 24th day of SEPTEMBER, A.D. 20 18,
between Hark Associates, L.L.C., a Florida limited liability company, whose address is 2642 Fawnlake
Trail, Orlando, Florida, 32828, 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, 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

30-22-31-2378-01-000

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:

Hark Associates, L.L.C.,
a Florida limited liability company

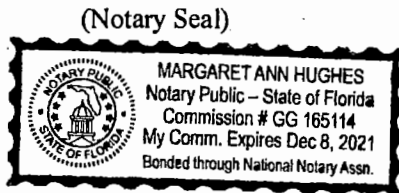
[Signature]
Witness
Michelle Resnussen
Printed Name
Bansi Patel
Witness
Bansi Patel
Printed Name

BY: [Signature]
Srinivas Seela
Printed Name
Manager
Title

(Signature of TWO witnesses required by Florida-law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 24th of September, 2018, by Srinivas Seela, as President Manager of Hark Associates, L.L.C., a Florida limited liability company, on behalf of the limited liability company. He/She ☒ is personally known to me or ☐ has produced _____ as identification.



Margaret Ann Hughes
Notary Signature
Margaret Ann Hughes
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: Dec 08, 2021

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

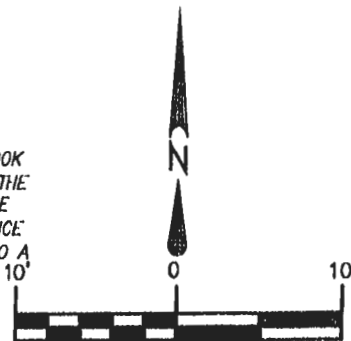
OF
UTILITY EASEMENT
SITUATED IN LOT 1
ECON PLACE

PROJECT NAME: ECON PLACE PD--ECON MEDICAL PLAZA PHASE II

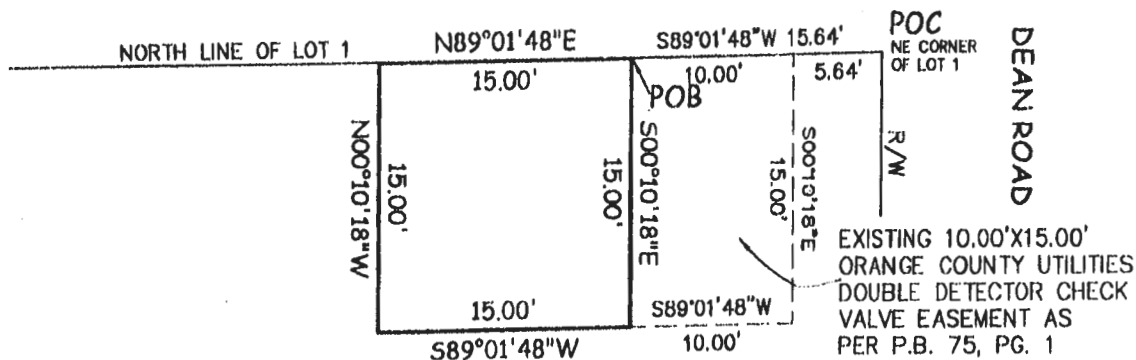
Purpose: Permanent Utility Easement
Building Department Permit Number: B16903089

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, ECON PLACE, AS RECORDED IN PLAT BOOK 75, PAGES 1 & 2, PUBLIC RECORDS OF SAID ORANGE COUNTY; THENCE S89°01'48"W ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 15.64 FEET TO THE POINT OF BEGINNING; THENCE S00°10'18"E PARALLEL WITH THE EAST LINE OF SAID LOT 1 A DISTANCE OF 15.00 FEET; THENCE S89°01'48"W A DISTANCE OF 15.00 FEET; THENCE N00°10'18"W A DISTANCE OF 15.00 FEET TO A POINT OF INTERSECTION WITH SAID NORTH LINE OF LOT 1; THENCE N89°01'48"E ALONG SAID 10' NORTH LINE A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 225 SQUARE FEET, MORE OR LESS.



SCALE: 1"=10'



CERTIFIED TO: WHITE'S SITE DEVELOPMENT
FLORIDA ENGINEERING GROUP

NOTES:

1. PREPARED AS A SKETCH OF DESCRIPTION. *** THIS IS NOT A SURVEY ***
2. THIS MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
4. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
5. MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.
6. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
7. ALL BEARINGS SHOWN HEREON ARE BASED ON THE WEST RIGHT OF WAY OF DEAN ROAD AS BEARING S00°10'18"E AS PER A PRIOR SURVEY PREPARED FOR THE CLIENT BY ACCURIGHT SURVEYS DATED 11/06/13.
8. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 6J-17.050 THRU .082, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
STREET ADDRESS: 405 W. CENTRAL PARKWAY, ALTAMONTE SPRINGS, FL. 32718

LEGEND:

D = CENTRAL ANGLE
A = ARC LENGTH
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OR = OFFICIAL RECORDS
P.B. = PLAT BOOK
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R = RADIUS
R/W = RIGHT-OF-WAY

THIS MAP IS NOT VALID
WITHOUT THE ORIGINAL
SIGNATURE AND RAISED
SEAL OF THE FLORIDA
LICENSED SURVEYOR AND
MAPPER.

REVISIONS: ADDED PROJECT INFORMATION 06/13/18 RESPOND TO COMMENTS 06/15/18

PROJECT NO: 17-423-EASE1

SCALE: 1"=10'

DRAWN BY: RAE

CHECKED BY: FIMJ

DATE DRAWN: 05/17/18

FIELD BOOK/PAGE: XX/XX



ELLIS SURVEYS LLC
Land Surveying & Planning

**P.O. Box 160952
Altamonte Springs, FL 32716
Florida Licensed Business LB-7970
P. 407-834-4003 F. 407-869-5454
www.ellisurveys.com**

ROBERT A. ELLIS, P.L.S.
FLORIDA REGISTRATION NO. 3880
FOR THE FIRM
DATE SIGNED: 11/5/84

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
OCT 30 2018

Project: Econ Place PD-Econ Medical Plaza-Ph II Site Work Permit #B16903089 OCU File #89366

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:

Seacoast National Bank

FROM: Hark Associates, L.L.C.

Mortgage, Assignment of Rents, Security Agreement and Fixture Filing filed June 4, 2015

Recorded in Official Records Book 10928, Page 9091

Comprehensive Collateral Assignment filed June 4, 2015

Recorded in Official Records Book 10928, Page 9114

Financing Statement filed June 4, 2015

Recorded in Official Records Book 10928, Page 9119

Mortgage, Assignment of Rents, Security Agreement and Fixture Filing filed August 21, 2017

Recorded as Document No. 20170461962

Comprehensive Collateral Assignment filed August 21, 2017

Recorded as Document No. 20170461963

Financing Statement filed August 21, 2017
Recorded as Document No. 20170461964
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 31 day of August, A.D. 20 18.

Signed, sealed, and delivered
in the presence of:

[Signature]
Witness
Matt Diemer
Printed Name

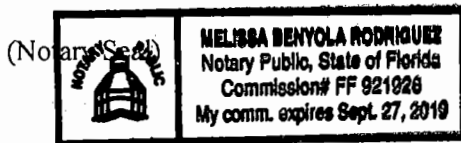
[Signature]
Witness
Macey Cooper
Printed Name

STATE OF Florida
COUNTY OF Duval

Seacoast National Bank,
a National Banking Association

BY: [Signature]
Brian P. Wickman
Printed Name
Vice President
Title

The foregoing instrument was acknowledged before me this 31st of August, 20 18, by Brian Wickman, as Vice President, of Seacoast National Bank, a National Banking Association, on behalf of the banking association. He/She ☐ is personally known to me or ☐ has produced _____ as identification.



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

[Signature]
Notary Signature
Melissa Benyola Rodriguez
Printed Notary Name
Notary Public in and for
the county and state aforesaid.

My commission expires: 9/27/19

SKETCH OF DESCRIPTION

OF UTILITY EASEMENT SITUATED IN LOT 1 ECON PLACE

AS RECORDED IN P.B. 75, PG. 1-2
PUBLIC RECORDS OF ORANGE COUNTY, FL.

EXHIBIT "A"

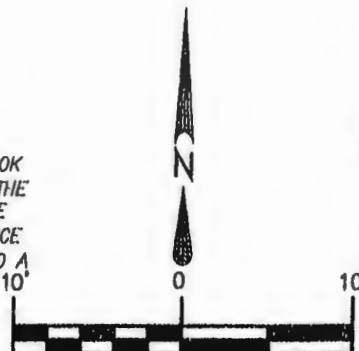
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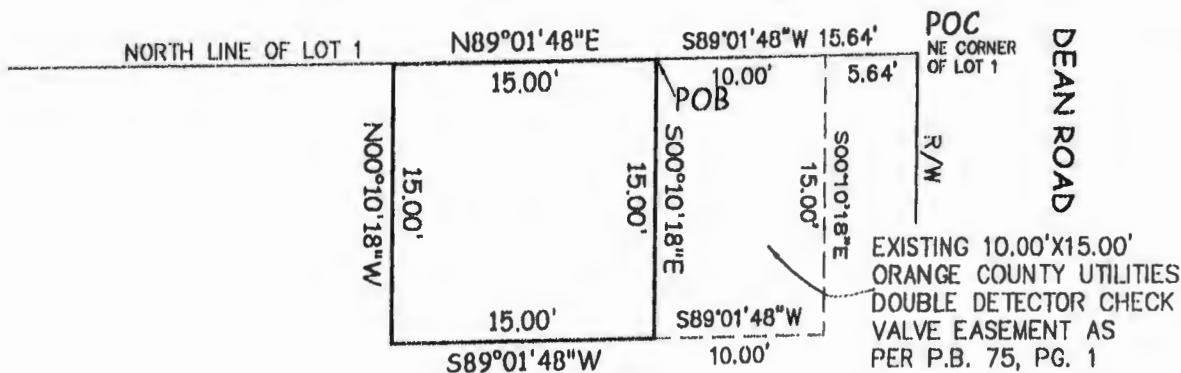
A TRACT OF LAND SITUATED IN SECTION 30, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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