



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 9

DATE: October 26, 2018

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Elizabeth Price Jackson, Senior Title Examiner *JS for*
Real Estate Management Division *BJ*

CONTACT PERSON: Paul Sladek, Manager

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

ACTION REQUESTED: APPROVAL OF STORMWATER DRAINAGE EASEMENT FROM
LENNAR HOMES, LLC TO ORANGE COUNTY AND
AUTHORIZATION TO PERFORM ALL ACTIONS NECESSARY
AND INCIDENTAL TO CLOSING

PROJECT: Innovation Way South (Randall) RAC

District 4

PURPOSE: To provide for access, construction, operation, and maintenance of road
improvements as a requirement of a right-of-way agreement.

ITEM: Stormwater Drainage Easement
Cost: Donation
Size: 5.55 acres

APPROVALS: Real Estate Management Division
County Attorney's Office
Public Works Department
Risk Management Division
Transportation Planning Division

REMARKS: This conveyance is a requirement of the Amended and Restated Innovation Way South Right-of-Way Agreement (Gary T. Randall, Trustee) approved by the Board of County Commissioners on October 14, 2014.

Grantor to pay closing costs.

Approval of this item is contingent upon approval of that certain Trustee's Deed from Gary T. Randall, as Trustee and not individually, to the County which is being processed concurrently by the Real Estate Management Division.

NOV 13 2018

This instrument prepared by
and return to:

Michael J. Grindstaff, Esq.
SHUTTS & BOWEN LLP
300 South Orange Avenue
Suite 1600
Orlando, Florida 32801
Telephone: (407) 423-3200
Facsimile: (407) 425-8316

A portion of Property Appraiser's parcel numbers:

04-24-31-0000-00003

Project: Innovation Way South

This document has been executed and delivered under threat of condemnation and in settlement of condemnation proceedings affecting the property described herein. This document is immune from documentary stamp tax. See Florida Department of Revenue v. Orange County, 620 So. 2d 991, 18FLW S336 (Fla. 1993).

STORMWATER DRAINAGE EASEMENT

THIS STORMWATER DRAINAGE EASEMENT is made and entered into this ____ day of October, 2018, by and between LENNAR HOMES, LLC, a Florida limited liability company ("**Grantor**"), and Orange County, a charter county and political subdivision of the state of Florida, whose address is c/o County Administrator, P.O. Box 1393, 201 S. Rosalind Avenue, Orlando, Florida 32801 ("**Grantee**").

WITNESSETH

THAT GRANTOR, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable considerations, paid by Grantee, the receipt whereof is hereby acknowledged, does hereby give and grant to Grantee and its assigns a nonexclusive easement for the collection, conveyance, and treatment of stormwater from Innovation Way South and related improvements (the "Drainage Easement"), with full authority to enter upon, construct and maintain, as Grantee and its assigns may deem necessary, a drainage ditch, pipe, pond or facility (the "Drainage Facilities") over, under, and upon the following described lands situate in Orange County, Florida:

SEE ATTACHED EXHIBIT "A" (the "**Easement Area**")


TO HAVE AND TO HOLD said easement unto Grantee and its assigns forever.


Grantee 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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the Grantor, its heirs, 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 drainage ditch, pipe, or facility. Grantor reserves the right, at its sole cost, to redefine the description of the Easement Area and relocate or replace the Drainage Facilities in connection with Grantor's design and construction of a permanent drainage system; provided, however, any such relocation shall be subject to Grantee's approval, which shall not be unreasonably withheld. Stormwater from Innovation Way South may be conveyed via a shared ditch, pipe or other such facility and otherwise collected and retained in a shared pond. If Grantor relocates the Drainage Easement, Grantor shall record an amendment to this instrument in order to redefine the description of the Easement Area.

SIGNATURES ON FOLLOWING PAGE

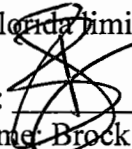
IN WITNESS WHEREOF, Grantor has executed this Drainage Easement on the day and year first written above.

Signed, sealed and delivered in the presence of the following witnesses:


Signature of Witness
MARK McDONALD
Print Name


Signature of Witness
DAN LA ROSA
Print Name

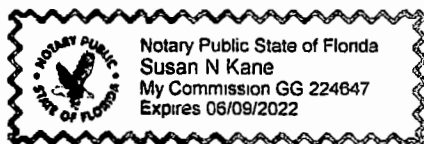
LENNAR HOMES, LLC,
a Florida limited liability company

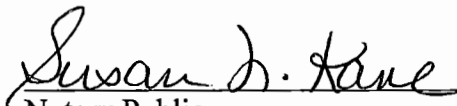
By: 
Name: Brock Nicholas
Title: Vice President
Date: October 30, 2018

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by Brock Nicholas, as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the company, who is known by me to be the person described herein and who executed the foregoing, this 30th day of October, 2018. He is personally known to me, ~~or has produced~~ ~~as identification and did~~ did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of October, 2018.




Notary Public

Print Name: SUSAN N. KANE

My Commission Expires: June 9, 2022

EXHIBIT "A" TO STORMWATER DRAINAGE EASEMENT

LEGAL DESCRIPTION OF EASEMENT AREA

Legal Description

A portion of Section 9, Township 24 South, Range 31 East, Orange County, Florida, being more particularly described as follows:

Commence at the southwest corner of the Northeast 1/4 of said Section 9; thence run N 01°27'34" E, along the west line of the Northeast 1/4 of said Section 9, a distance of 239.15 feet to a point on the northerly right-of-way line of Storey Park Boulevard as shown and described on the plat of STOREY PARK ROADWAYS, as recorded in Plat Book 91, Pages 6 through 11, Public Records of Orange County, Florida; said point being a point on a curve, concave northwesterly, having a radius of 1465.50 feet; thence run easterly along said northerly right-of-way line the following two (2) courses and distances: on a chord bearing of N 58°54'56" E and a chord distance of 84.12 feet, run along the arc of said curve a distance of 84.13 feet through a central angle of 03°17'21" to the point of tangency thereof; thence run N 57°16'16" E, a distance of 398.02 feet for the POINT OF BEGINNING; thence, departing said northerly right-of-way line, run N 53°59'20" W, a distance of 11.19 feet; thence run N 06°24'19" W, a distance of 134.10 feet; thence run N 01°28'03" E, a distance of 82.01 feet; thence run N 09°13'46" W, a distance of 132.68 feet; thence run N 04°45'05" E, a distance of 100.57 feet; thence run N 28°41'49" E, a distance of 140.66 feet; thence run N 63°58'14" E, a distance of 103.82 feet; thence run N 56°33'46" E, a distance of 107.34 feet; thence run S 48°28'22" E, a distance of 55.24 feet; thence run S 53°50'50" E, a distance of 83.91 feet; thence run S 54°42'15" E, a distance of 99.67 feet; thence run S 74°19'32" E, a distance of 39.20 feet; thence run N 67°45'10" E, a distance of 38.91 feet; thence run S 51°26'20" E, a distance of 57.36 feet; thence run S 32°43'44" E, a distance of 141.82 feet to a point on the aforesaid northerly right-of-way line of Storey Park Boulevard; thence run S 57°16'16" W, along said northerly right-of-way line, a distance of 714.76 feet to the POINT OF BEGINNING.

Containing 5.551 acres, more or less

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 of 2 for sketch.

Lines shown hereon are radial unless noted NR (non-radial).

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

NO CORNERS WERE SET AND GANUNG-BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION.

Sketch of Description of a

Drainage Easement

situated in

Section 9, Township 24 South, Range 31 East
Orange County, Florida

PREPARED FOR:

Lennar Homes

JOB NO.

0813.130A

SHEET

1 of 2

DATE

9/19/17

REV:

10/29/18

SCALE

As Noted

SKETCH OF DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA-LICENSED SURVEYOR AND MAPPER. ADDITIONS, OR DELETIONS TO THIS SKETCH OF DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.

GBA/LB No. 7194

R. CLAYTON GANUNG

REG. P.L.S. NO. 4235



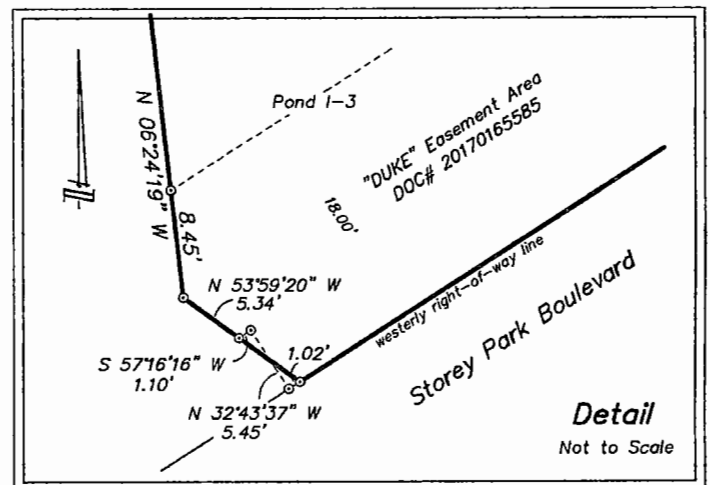
GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656

LINE	BEARING	LENGTH
L1	N 53°59'20" W	11.19'
L2	N 06°24'19" W	134.10'
L3	N 01°28'03" E	82.01'
L4	N 09°13'46" W	132.68'
L5	N 04°45'05" E	100.57'
L6	N 28°41'49" E	140.66'
L7	N 63°58'14" E	103.82'
L8	N 56°33'46" E	107.34'
L9	S 48°28'22" E	55.24'
L10	S 53°50'50" E	83.91'
L11	S 54°42'15" E	99.67'
L12	S 74°19'32" E	39.20'
L13	N 67°45'10" E	38.91'
L14	S 51°26'20" E	57.36'
L15	S 32°43'44" E	141.82'

1" = 200'



See Sheet 1 of 2 for legal description.
(GBA Job No. 0813.130A)