



**COUNTY ATTORNEY'S OFFICE**  
**JEFFREY J. NEWTON, County Attorney**

201 South Rosalind Avenue ■ 3rd Floor  
Reply To: Post Office Box 1393  
Orlando, FL 32802-1393  
407-836-7320 ■ Fax 407-836-5888  
<http://www.ocfl.net>

**AGENDA ITEM**

**MEMORANDUM**

**TO:** Mayor Teresa Jacobs  
and  
County Commissioners

**FROM:** Jeffrey J. Newton, County Attorney *JJN*  
Scott R. McHenry, Assistant County Attorney *SRM*  
Contact: (407) 836-7320

**DATE:** October 15, 2018

**SUBJECT:** Consent Agenda Item for October 30, 2018  
Eminent Domain Settlement Authorization  
*Orange County v. Chancellor Holding, LLC, et al.*  
Case No. 2012-CA-012759-O  
Parcels 1054/7054A/7054B/7054C  
Project: Holden Avenue (from John Young Parkway to Orange Blossom Trail (US 441)) CIP 3045

This Consent Agenda item requests settlement authorization by the Board of County Commissioners for the *Orange County v. Chancellor Holding, LLC, et al.* eminent domain case brought on behalf of Public Works by Orange County for the improvement of Holden Avenue.

A Confidential Memorandum, Settlement Analysis, and Stipulated Final Judgment have been provided to the Board under a separate cover memorandum. These documents will become public records at the conclusion of the litigation pursuant to Section 119.071(1)(d), Florida Statutes.

**ACTION REQUESTED:** Approval of the settlement in the case of *Orange County v. Chancellor Holding, LLC, et al.*, Case No. 2012-CA-012759-O, Parcels 1054, 7054A, 7054B, and 7054C, and authorization for the County Attorney's Office to execute the Joint Motion for Entry of Stipulated Final Judgment agreeing to the entry of the proposed Stipulated Final Judgment on behalf of Orange County.

SRM/gs

Copy: Ajit Lalchandani, County Administrator  
Paul Sladek, Manager, Real Estate Management Division  
Damian Czapka, P.E., Chief Engineer, Public Works Engineering  
Anne Kulikowski, Director, Administrative Services Department

*Deputy County Attorney*  
Joel D. Prinsell

*Senior Assistant County Attorneys*

Elaine M. Asad

Lila McHenry

*Assistant County Attorneys*

Roberta Alfonso

Cristina T. Berrios

Anthony Cotter

Whitney E. Evers

Erin E. Hartigan

Georgiana Holmes

...Katherine W. Latorre

...Scott McHenry

...Sawsan Mohiuddin

...Scott Shevenell

Adolphus Thompson

William Turner

*Legal Administrative Supervisor*

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Melessia Lofgren

Maria Vargas, ACP

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Maria Vargas, ACP  
Gail Stanford

TO: Katie Smith, Deputy Clerk  
Comptroller Clerk of BCC

FROM: Scott R. McHenry, Assistant County Attorney SRM

DATE: November 13, 2018

SUBJECT: October 30, 2018, County Attorney Consent Agenda Item 1  
Eminent Domain Settlement Authorization  
*Orange County v. Chancellor Holding, LLC, et al.*  
Case No. 2012-CA-012759-O  
Parcels 1054/7054A/7054B/7054C  
Project: Holden Avenue (from John Young Parkway to  
Orange Blossom Trail (US 441)) CIP 3045  
Document: Stipulated Final Judgment  
Date of BCC Approval: October 30, 2018

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Enclosed is a fully executed copy of the Stipulated Final Judgment entered by Judge Jose Rodriguez on November 13, 2018. The Clerk of Court will have the final judgment recorded.

Also enclosed is a copy of the Confidential Memorandum with attachments to Mayor Teresa Jacobs and County Commissioners, dated October 15, 2018, for the consent agenda item that was approved by the Board on October 30, 2018.

Please be advised that litigation in this case is concluded and the attached documents may be made part of the public record, notwithstanding the notation on the document stating that it was exempt under Section 119.07, Florida Statutes.

Should you need additional information, please do not hesitate to contact my office.

SRM/gs  
Enclosures



**COUNTY ATTORNEY'S OFFICE**  
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**This document is exempt  
under Florida Statutes  
Section 119.07, and is not  
for copying or distribution.**

**MEMORANDUM**

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**TO:** Mayor Teresa Jacobs  
and  
County Commissioners

**FROM:** Jeffrey J. Newton, County Attorney *JJN*  
Scott R. McHenry, Assistant County Attorney *SRM*  
Contact: (407) 836-7320

**DATE:** October 15, 2018

**SUBJECT:** Consent Agenda Item for October 30, 2018  
Eminent Domain Settlement Authorization  
*Orange County v. Chancellor Holding, LLC, et al.*  
Case No. 2012-CA-012759-O  
Parcels 1054/7054A/7054B/7054C  
Project: Holden Avenue (from John Young Parkway to Orange Blossom  
Trail (US 441)) CIP 3045

This item requests settlement authorization by the Board of County Commissioners ("BCC") for the eminent domain case of *Orange County v. Chancellor Holding, LLC, et al.* brought on behalf of Public Works by Orange County for the Holden Avenue road project. The County staff recommends settlement of the case in the amount of \$505,000, plus statutory attorneys' fees in the amount of \$64,775 and expert fees and costs in the amount of \$65,500 for a total settlement of \$635,275.

**I. The Project**

Holden Avenue is an east-west, minor arterial facility extending from Texas Avenue to Orange Blossom Trail with a traffic signal at Orange Blossom Trail. Residential and commercial land uses are present along the corridor. The posted speed limit is 30 mph.

Orange County requires that minor arterials, such as Holden Avenue, maintain a level of service of "B" or better. If the existing Holden Avenue roadway is not improved, as traffic volumes increase, the unimproved facility will not adequately serve the projected traffic demands and the levels of service can be expected to degrade substantially by 2025. In addition, the project will provide a continuous multi-lane minor arterial route, allowing a more direct link for motorists travelling east and west within central Orange County.

Mayor Teresa Jacobs  
and County Commissioners  
October 15, 2018  
Page 2 of 3

The subject property is located at the northeast corner of Rio Grande Avenue and Holden Avenue west of Orange Blossom Trail. Site improvements include a multi-tenant commercial strip center anchored by a Chevron convenience store with gas sales, a detached car wash facility, parking, signage, stormwater management facilities, and landscaping. In addition to other site improvements that were impacted by the acquisitions, portions of six parking spaces were impacted. The proposed cure plan restores the affected parking by modifying the internal landscape islands and reconstructing a portion of the existing stormwater pond facility.

There is a Declaration of Covenants, Conditions, Restrictions and Easements recorded in the Official Records between Chancellor Holding, LLC ("Chancellor") and the declarant/adjacent property owner to the east, the Copelys ("Master Declaration"). The Master Declaration outlines the permitted uses that are allowed on the Chancellor property, addresses the surface water management system, provides the declarant/Copelys with a drainage easement over the Chancellor property, and provides that any modification requires the written permission of the Copelys.

## **II. The Lawsuit**

Orange County initially attempted, albeit unsuccessfully, to negotiate a voluntary acquisition of Parcels 1054, 7054A, 7054B, and 7054C prior to filing the eminent domain action. Orange County filed its Petition in Eminent Domain over six (6) years ago in 2012. In addition to Chancellor, the Respondents included Wauchula State Bank, A.R. Copely, Jr., Brenda J. Copely, S.K. Petroleum, Inc., City of Orlando, Orlando Utilities Commission, Southeast Petro Distributors, Inc., and Earl K. Wood Orange County Tax Collector. Chancellor retained Kurt Ardaman of the Fishback, Dominick, et al. law firm as their attorney, and Richard Dreggors, GAA with Calhoun, Dreggors & Associates, Inc. as their appraiser. The County's appraiser was Ted Hastings, MAI/SRA, with the Spivey Group, Inc. The primary issues in the case were the value of the improvements taken and the alleged severance damages relating to parking spaces that were impacted. Chancellor asserted that the value of the improvements taken was \$101,000 and that there were incurable severance damages of \$246,000. The total compensation (not including attorney's fees and costs) sought by Chancellor was \$666,900. The County asserted that the value of the improvements taken was \$43,700 and that there were no incurable severance damages. The County's position was that the total compensation (not including attorney's fees and costs) should be \$347,600.

## **III. The Settlement**

Ultimately, the parties were able to settle through a combination of in-person meetings, telephone conversations and written correspondence without the necessity and costs associated with a formal mediation. The total settlement was compensation of

Mayor Teresa Jacobs  
and County Commissioners  
October 15, 2018  
Page 3 of 3

\$505,000; attorney's fees of \$64,775; and expert fees and costs of \$65,500 for the previously mentioned total of \$635,275. Contemporaneously, pursuant to the Master Declaration, the written permission of the Copelys was obtained for the cure plan, including the modifications to the stormwater management system.

#### **IV. Staff Recommendation**

The County's staff included Scott McHenry, Assistant County Attorney, Damian Czapka, Chief Engineer, Public Works Right of Way Division, and Paul Sladek, Manager, Real Estate Management Division. County staff recommends that the BCC approve the settlement.

Attached as **Exhibit "A,"** is a copy of the Settlement Analysis. The proposed Stipulated Final Judgment is attached as **Exhibit "B."**

**ACTION REQUESTED:** Approval of the settlement in the case of *Orange County v. Chancellor Holding, LLC, et al.*, Case No. 2012-CA-012759-O, Parcels 1054, 7054A, 7054B, and 7054C, and authorization for the County Attorney's Office to execute the Joint Motion for Entry of Stipulated Final Judgment agreeing to the entry of the proposed Stipulated Final Judgment on behalf of Orange County.

SRM/gs  
Attachments

Copy: Ajit Lalchandani, County Administrator  
Paul Sladek, Manager, Real Estate Management Division  
Damian Czapka, P.E., Chief Engineer, Public Works Engineering  
Anne Kulikowski, Director, Administrative Services Department

**This document is exempt  
under Florida Statutes  
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for copying or distribution.**

Project: Holden Avenue  
Limits: From John Young Parkway to Orange Blossom Trail (US 441)  
Parcels: 1054, 7054A, 7054B, 7054C  
Case Name: *Orange County v. Chancellor Holding, LLC, et al.*  
Case No. 2012-CA-012759-O

**SETTLEMENT ANALYSIS**

**Land Size**

Parent Tract: 1.751 acres  
Remainder Tract: 1.687 acres

Parcel 1054: 2,778 sf  
Parcel 7054A: 169 sf  
Parcel 7054B: 962 sf  
Parcel 7054C: 1,165 sf

<b>COMPENSATION VALUES</b>		
	County	Owner
Cost per sf	\$500	\$ 500
Value of Parent Tract	\$ 3,864,500	\$ 3,864,500
Value of Remainder (uncured)	\$ 3,207,600	\$ 3,224,200
Damages	\$ 0	\$ 246,000
Value of Land Taken Parcel 1054	\$ 50,100	\$ 55,600
Improvements Acquired	\$ 44,300	\$ 101,000
Net Cost to Cure	\$ 226,100	\$ 237,700
TCE Parcels 7054A/7054B/7054C	\$ 46,400	\$ 26,600
<b>Total</b>	<b>\$ 366,900</b>	<b>\$ 666,900</b>

Settlement Analysis

*Orange County v. Chancellor Holding, LLC, et al.*

Page 2

<b>POTENTIAL COSTS SAVED BY SETTLEMENT</b>	
Owner – Appraiser Fees	\$ 20,000
– Engineer Fees	15,000
– Land Planner Fees	10,000
County – Appraiser Fees	15,000
– Engineer Fees	10,000
– Land Planner Fees	10,000
<b>Total</b>	<b>\$ 80,000</b>

<b>RECOMMENDED SETTLEMENT</b>	
Compensation	\$ 505,000
Expert Fees	65,500
Attorney Fees & Costs	64,775
<b>Total</b>	<b>\$ 635,275</b>

The subject property is a 1.751 acre tract, which is irregular in shape and zoned C-1 commercial with a future land use of commercial. The parcel is improved with a one story retail/convenience store building, a detached gas pump island and canopy that includes (4) gas dispensers, (8) dispensing stations and a detached car wash building.

In terms of square footage, the entire strip shopping center is 7,729 square foot with a 3,600 square foot convenience store; 1,400 square foot cellular phone store and a 2,729± square foot laundry facility. The detached car wash includes 1,019 square feet.

The parent tract has been reduced from 76,274 square feet before the taking to 73,496 square feet or 3.64% less land area after the taking. The remainder land will have similar site utility for a commercial use after the taking and the remainder will have similar effective frontage along Holden Avenue and Rio Grande Avenue. The main improvements are not within the area of taking; however, the taking consumes site improvements. The acquisition impacts six parking spaces, curbing, pavement markings, primary business sign, landscaping, irrigation and the private sewer line. The new roadway improvements will require site modifications to the remainder property in order to restore the function and utility of the existing use. The County's engineering and land planning expert, KCG, Inc., has recommended modification of the Holden Avenue driveway to better accommodate fuel delivery tankers. Orange County staff are in agreement with the proposed modification and have committed to provide a 32' wide driveway

Settlement Analysis

*Orange County v. Chancellor Holding, LLC, et al.*

Page 3

connection. This change will be made in either future plan updates or as a construction commitment. The internal drives will not be altered by the proposed road project and no significant changes to on-site circulation patterns have been identified. On-site fuel delivery remains the same as in the before condition. The site requires 25 parking spaces and is improved with 36 spaces including the 8 fuel dispensing spaces. The cure plan restores the 6 impacted spaces to re-establish 36 spaces as in the before condition. There are no impacts to drainage patterns.

The parties settled their differences, as follows:

1. Total Compensation: \$ 505,000.
2. Attorney's fees are governed by Chapter 73, Florida Statutes. They are determined based upon a percentage of the "benefit" (final compensation minus initial offer) achieved by the property owner's attorney. In this case, statutory attorney's fees are \$ 64,775.
3. Orange County, as condemnor, is required to pay all reasonable expert fees and costs of the eminent domain proceeding. The County was able to negotiate a reduction of approximately \$14,700 in expert fees. In this case, total expert fees and costs are \$ 65,500.



IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2012-CA-12759-O  
DIVISION: 34 (Judge Rodriguez)

**ORANGE COUNTY, FLORIDA,**  
a political subdivision of the  
State of Florida,

Petitioner,

v.

PARCELS: 1054/7054A/7054B/7054C

**CHANCELLOR HOLDING, LLC**, a Florida  
limited liability company; **WAUCHULA  
STATE BANK; CHANCELLOR HOLDING,  
LLC**, a Florida limited liability company, doing  
business as 7-Eleven # 39171;  
**A. R. COPELY, JR.; BRENDA J. COPELY;  
S. K. PETROLEUM, INC.**, a Florida  
corporation, doing business as Perfect  
Petroleum; **CITY OF ORLANDO**, a municipal  
corporation; **ORLANDO UTILITIES  
COMMISSION**, a statutory commission;  
**SOUTHEAST PETRO DISTRIBUTORS,  
INC.**, a Florida corporation; and **EARL K.  
WOOD**, Orange County Tax Collector,

Respondents.

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**STIPULATED FINAL JUDGMENT**

THIS CAUSE having come before the Court on the Joint Motion for Entry of Stipulated Final Judgment by the Petitioner, **ORANGE COUNTY, FLORIDA**, a political subdivision of the State of Florida ("Petitioner" or sometimes "ORANGE COUNTY"), and the Respondent, **CHANCELLOR HOLDING, LLC** (hereinafter "CHANCELLOR"), and it appearing to the Court that such parties were authorized to enter into such Motion, and the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable for all parties concerned,

and the Court being fully advised in the premises, it is hereby,

**ORDERED AND ADJUDGED** as follows:

1. CHANCELLOR does have and recover of and from the Petitioner the total sum of **FIVE HUNDRED FIVE THOUSAND AND NO/100 DOLLARS (\$505,000.00)** subject to the following: (a) any and all apportionment claims; and (b) credit to Petitioner for its Order of Taking deposit of \$366,900.00 previously paid; and (c) payment to the Tax Collector from said total sum for taxes calculated from January 1 to the date of deposit on November 27, 2012, pursuant to the Order of Taking. The foregoing amount shall constitute payment in full for the property taken (designated as Parcels 1054, 7054A, 7054B and 7054C herein) and for damages resulting to the remainder if less than the entire property was taken and for all other damages of any kind or nature including, but not limited to, for any improvements, severance damages, cures, business damages, if any, and except as otherwise expressly provided herein, attorney's fees of any kind or nature, including, but not limited to, attorney's fees based upon any claim for non-monetary benefits. CHANCELLOR, and not Orange County, shall be solely responsible for any apportionment claims in this case.

2. Within thirty (30) days from the entry of this Stipulated Final Judgment, the Petitioner shall pay the sum of **ONE HUNDRED THIRTY-EIGHT THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$138,100.00)** into the Registry of the Court, that amount being the difference between the full payment required by this Stipulated Final Judgment pursuant to Paragraph 1 and the amount of \$366,900.00 deposited pursuant to the Order of Taking.

3. The Court awards CHANCELLOR the sum of **SIXTY FOUR THOUSAND SEVEN HUNDRED SEVENTY-FIVE DOLLARS AND NO/100 DOLLARS (\$64,775.00)** in

full and complete satisfaction of all attorneys' fees, costs, and expenses for all legal services in this case, pursuant to Section 73.092, Florida Statutes, including, but not limited to, for "betterment fees" under Section 73.092(1), Florida Statutes, and for apportionment or supplemental fees (if any) under to Section 73.092(2), Florida, Statutes.

4. The Court awards CHANCELLOR the sum of **SIXTY FIVE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$65,500.00)** in full and complete satisfaction of all of CHANCELLOR's expert fees and costs, pursuant to Section 73. 091 Florida Statutes, including, but not limited to, for Calhoun, Dreggors & Associates, Inc., and Mesimer and Associates, Inc.

5. Within thirty (30) days from the entry of this Stipulated Final Judgment, the Petitioner shall pay to the Trust Account of Fishback Dominick, 1947 Lee Road, Winter Park, Florida 32789, as attorneys for CHANCELLOR, the sum of **ONE HUNDRED THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$130,275.00)** that amount representing the total of attorneys' fees, costs and expenses, pursuant to Paragraph 3 above, and experts' fees and costs, pursuant to Paragraph 4 above.

6. The title to Parcels 1054, 7054A, 7054B, and 7054C, as more fully described on **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking dated November 13, 2012 and as amended by the Order of Taking dated April 1, 2013, (collectively, the "Order of Taking") and the deposit of money previously made, is approved, ratified and confirmed.

7. The Temporary Construction Easements (Parcels 7054A, 7054B, and 7054C) shall expire upon the sooner to occur of the following: (a) the completion of the construction of the project adjacent to the Temporary Construction Easements as more fully described on

Exhibit "A" attached hereto; or June 30, 2021.

8. On October 31, 2012, pursuant to Orange County Code, Article XIII, Section 30-636 through 30-642, Orange County department managers or their designee, granted the following waivers to county land development, sign and engineering codes and regulations to prevent any adverse impact upon the remainder of CHANCELLOR's property as a result of this condemnation process and to allow the continued use of their property in a manner similar to its pre-condemnation condition: (1) a waiver to the minimum landscape strip requirement of 7 ft, Section 24-4(a)(1), to allow a reduction to 4.7 ft at the southwest corner of the site (overall landscape strip will exceed 7 ft wide on average); and (2) a waiver to the minimum sign setback requirement of 10 ft, Section 31.5-68(f), to allow a setback of 5 ft to the primary pole sign in the southwest corner of the property.

9. Pursuant to the Agreement of Apportionment between Chancellor and Respondents, A.R. Copely, Jr., Brenda J. Copely and A.R. Copely, P.A. d/b/a Copely Eye Clinic and Eyestyles Optical (the "Copelys") dated August 22, 2018 ("Agreement of Apportionment"), CHANCELLOR will not pursue any apportionment claims or bring any other supplemental proceedings in the separate case of Orange County v. Andrew Richard Copely, et al., Case No. 2014-CA-003838-O; provided, however, if CHANCELLOR does, Orange County will not be responsible for any attorney's fees, costs, or expenses in connection with same. In addition, pursuant to the Agreement of Apportionment, the Copelys approve the cure plan in this case.

10. This Stipulated Final Judgment is based on Petitioner's commitments that it intends to construct the project as shown in the right of way maps and construction plans which have been filed by Petitioner in this action. In the event Petitioner fails to construct the project substantially in conformance with these right of way maps and construction plans received into

evidence at the April 1, 2013 Order of Taking hearing. CHANCELLOR retains all rights and remedies pursuant to *Central and Southern Florida Control District v. Wye River Farms, Inc.*, 297 So.2d 323 (Fla. 4th DCA 1974) cert. denied 310 So. 2d 745 (Fla. 1975). By agreement of the parties there is no basis for the computation of attorney's fees for non-monetary benefits to CHANCELLOR arising out of Petitioner's commitments in this paragraph.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

---

**Jose R. Rodriguez**  
Circuit Judge

Copies to:

**Scott R. McHenry, Assistant County Attorney**, 201 S. Rosalind Avenue, Third Floor, Orlando, FL 32801, [scott.mchenry@ocfl.net](mailto:scott.mchenry@ocfl.net); [Judith.catt@ocfl.net](mailto:Judith.catt@ocfl.net); [gail.stanford@ocfl.net](mailto:gail.stanford@ocfl.net);

**Kurt H. Garber, Esq. and A. Kurt Ardaman, Esq.**, Fishback, Dominick, Bennett, Ardaman, et al., 1947 Lee Road, Winter Park, FL 32789, [kgarber@fishbacklaw.com](mailto:kgarber@fishbacklaw.com), [ardaman@fishbacklaw.com](mailto:ardaman@fishbacklaw.com), [michellel@fishbacklaw.com](mailto:michellel@fishbacklaw.com);

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**Roy K. Payne, Esq.**, City of Orlando, 400 S. Orange Avenue, Orlando, FL 32802, [roy.payne@cityoforlando.net](mailto:roy.payne@cityoforlando.net) and [tracy.barnes@cityoforlando.net](mailto:tracy.barnes@cityoforlando.net).

---

Judicial Assistant/Attorney

## SCHEDULE "A"

PARCEL No.: 1054  
ESTATE: FEE SIMPLE  
PURPOSE: ROAD RIGHT OF WAY

### DESCRIPTION:

That part of:

"That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'05" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet, South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rio Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map for a Point of Beginning; thence continue North 00°20'28" West along said East right of way line a distance of 26.23 feet; thence departing said East right of way line run South 58°22'01" East a distance

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC.  
L.B. No. 2855

JOHN J. CAMPBELL, JR.  
P.S.M. No. 5522

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

# LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

PROJECT NAME:		HOLDEN AVENUE	
DRAWN BY:	C. LEFTAKIS	DATE:	10/7/08
CHECKED BY:	J. CAMPBELL	DATE:	10/7/08
SEC. 10, TWP. 23 S., RGE. 29 E.	REVISED:	5/7/09	SHEET 1 OF 4

## SCHEDULE 'A'

PARCEL No.: 1054

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT OF WAY

### DESCRIPTION: (CONTINUED FROM SHEET 1)

of 41.35 feet to the beginning of a non-tangent curve concave Southerly having a radius of 4633.74 feet and a chord bearing of North 85°53'46" East; thence from a tangent bearing of North 85°16'53" East run Easterly along the arc of said curve through a central angle of 01°13'47" a distance of 99.45 feet to the end of said curve; thence South 03°29'20" East radial to the aforesaid curve a distance of 3.00 feet to the beginning of a nontangent curve concave Southerly and concentric with the aforesaid curve having a radius of 4630.74 feet and a chord bearing of North 86°35'19" East; thence from a tangent bearing of North 86°30'40" East run Easterly along the arc of said curve through a central angle of 00°09'19" a distance of 12.55 feet to a point on the Easterly boundary of that certain parcel of land described in Official Records Book 8764, page 868 of the Public Records of Orange County, Florida; thence departing said curve run South 00°20'28" East along said Easterly boundary a distance of 17.81 feet to a point on the aforesaid existing North right of way line of Holden Avenue; thence run South 89°22'28" West along said North right of way line a distance of 137.00 feet; thence North 45°29'05" West and continue along said North right of way line a distance of 14.11 feet to the Point of Beginning.

Containing 2,778 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	REVISED: 5/7/09	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 02076JD	SHEET 2 OF 4

# SKETCH OF DESCRIPTION

PARCEL No.: 1054

THIS IS NOT A BOUNDARY SURVEY

SEC. 10, TWP. 23 S., RGE. 29 E.

NOT PLATTED

O.R.B. 8764, PG. 868

## CURVE DATA

$\Delta = 00^{\circ}09'19''$

$L = 12.55'$

$R = 4630.74'$

$C = 12.55'$

$CB = N86^{\circ}35'19''E$

## CURVE DATA

$\Delta = 01^{\circ}13'47''$

$L = 99.45'$

$R = 4633.74'$

$C = 99.45'$

$CB = N85^{\circ}53'46''E$

POINT OF BEGINNING

$S58^{\circ}22'01''E$   
41.35'

$TB-N85^{\circ}16'53''E$

$S89^{\circ}22'28''W$

$N45^{\circ}29'06''W$

$14.11'$

$154$

$155$

$156$

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## SKETCH OF DESCRIPTION

PARCEL No.: 1054

THIS IS NOT A BOUNDARY SURVEY

### GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 2,778 SQUARE FEET, MORE OR LESS.
4. SEE SHEETS 1 THROUGH 2 FOR LEGAL DESCRIPTION;  
SEE SHEET 3 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

### LEGEND:

C	CENTERLINE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
C	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
CONDO BK.	CONDOMINIUM BOOK	R	RADIUS
D	DEGREE OF CURVE	(R)	RADIAL
D.B.	DEED BOOK	RGE.	RANGE
EXIST.	EXISTING	RT.	RIGHT
FND.	FOUND	R/W	RIGHT OF WAY
ID.	IDENTIFICATION	SEC.	SECTION
L	LENGTH	STA.	STATION
LB	LICENSED BUSINESS	T	TANGENT
LT.	LEFT	TB	TANGENT BEARING
O.R.B.	OFFICIAL RECORDS BOOK	TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 7/13/04	REVISED: 5/7/09	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 7/13/04	LEI JOB No.: 0207610	SHEET 4 OF 4

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 1054**

**FEE SIMPLE**

Parcel 1054: the interest being acquired is fee simple.

8/24/2009

## SCHEDULE "A"

PARCEL No.: 7054A

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

### DESCRIPTION:

That part of:

That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'06" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet; South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rto. Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map; thence continue North 00°20'28" West along said East right of way line a distance of 26.23 feet; thence departing said East right of way line run South 58°22'01" East a distance of 41.35 feet to the beginning of a non-tangent curve concave Southerly having a radius of 4633.74 feet and a chord bearing of North 85°35'25" East; thence from a tangent bearing of North 85°16'53" East run Easterly along the arc of said curve through a central angle of 00°37'05" a distance of 49.98 feet for a Point of Beginning; thence continue Easterly along the arc of said curve through a central angle of 00°25'10" a distance of 33.92 feet; thence departing said curve run North 03°40'52" West a distance of 5.00 feet; thence South 86°06'33" West a distance of 33.96 feet; thence South 04°06'02" East a distance of 5.00 feet to the Point of Beginning.

Containing 169 square feet, more or less.

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING INC.  
L.B. No. 2856

JOHN J. CAMPBELL, JR.

P.S.M. No. 5522, F.T.P.

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

# LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

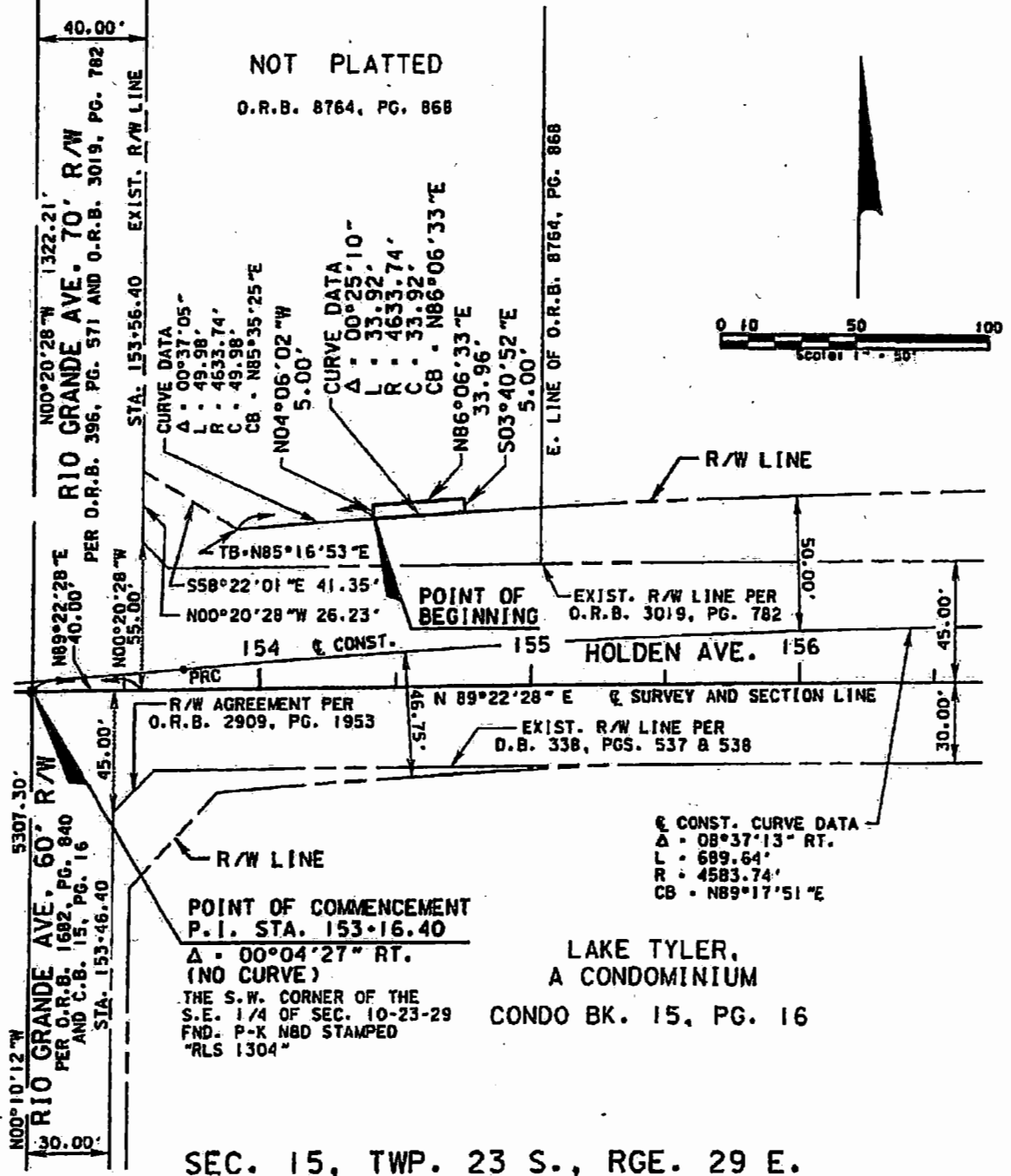
PROJECT NAME:		HOLDEN AVENUE	
DRAWN BY:	C. LEFTAKIS	DATE:	10/7/08
CHECKED BY:	J. CAMPBELL	DATE:	10/7/08
SEC. 10, TWP. 23 S., RGE. 29 E.	REVISED:	SCALE:	N/A
		LEI JOB No.:	02076.10
		SHEET	1 OF 3

# SKETCH OF DESCRIPTION

PARCEL No.: 7054A

THIS IS NOT A BOUNDARY SURVEY

SEC. 10, TWP. 23 S., RGE. 29 E.



HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 10/7/03	REVISED:	SCALE: 1" = 50'
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 10/7/03	LEI JOB No.: 02076.J0	SHEET 2 OF 3

## SKETCH OF DESCRIPTION

PARCEL No.: 7054A

THIS IS NOT A BOUNDARY SURVEY

### GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 169 SQUARE FEET, MORE OR LESS.
4. SEE SHEET 1 FOR LEGAL DESCRIPTION;  
SEE SHEET 2 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

### LEGEND:

C	CENTERLINE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
C	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
CONDO BK.	CONDOMINIUM BOOK	R	RADIUS
D	DEGREE OF CURVE	(R)	RADIAL
D.B.	DEED BOOK	RGE.	RANGE
EXIST.	EXISTING	RT.	RIGHT
FND.	FOUND	R/W	RIGHT OF WAY
ID.	IDENTIFICATION	SEC.	SECTION
L	LENGTH	STA.	STATION
LB	LICENSED BUSINESS	T	TANGENT
LT.	LEFT	TB	TANGENT BEARING
O.R.B.	OFFICIAL RECORDS BOOK	TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	REVISED:	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 08076.10	SHEET 3 OF 3

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 7054A**

**TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7054A is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

8/24/2009

## SCHEDULE 'A'

PARCEL No.: 7054B

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

### DESCRIPTION:

That part of:

"That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'06" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet, South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rio Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map; thence continue North 00°20'28" West along said East right of way line a distance of 70.87 feet for a Point of Beginning; thence continue North 00°20'28" West along said East right of way line a distance of 51.47 feet; thence departing said East right of way line run North 89°56'00" East a distance of 18.67 feet; thence South 00°23'23" East a distance of 51.47 feet; thence South 89°56'00" West a distance of 18.72 feet to the Point of Beginning.

Containing 962 square feet, more or less.

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC.  
L.B. No. 2856

JOHN J. CAMPBELL, JR.  
P.S.M. No. 5522

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

# LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

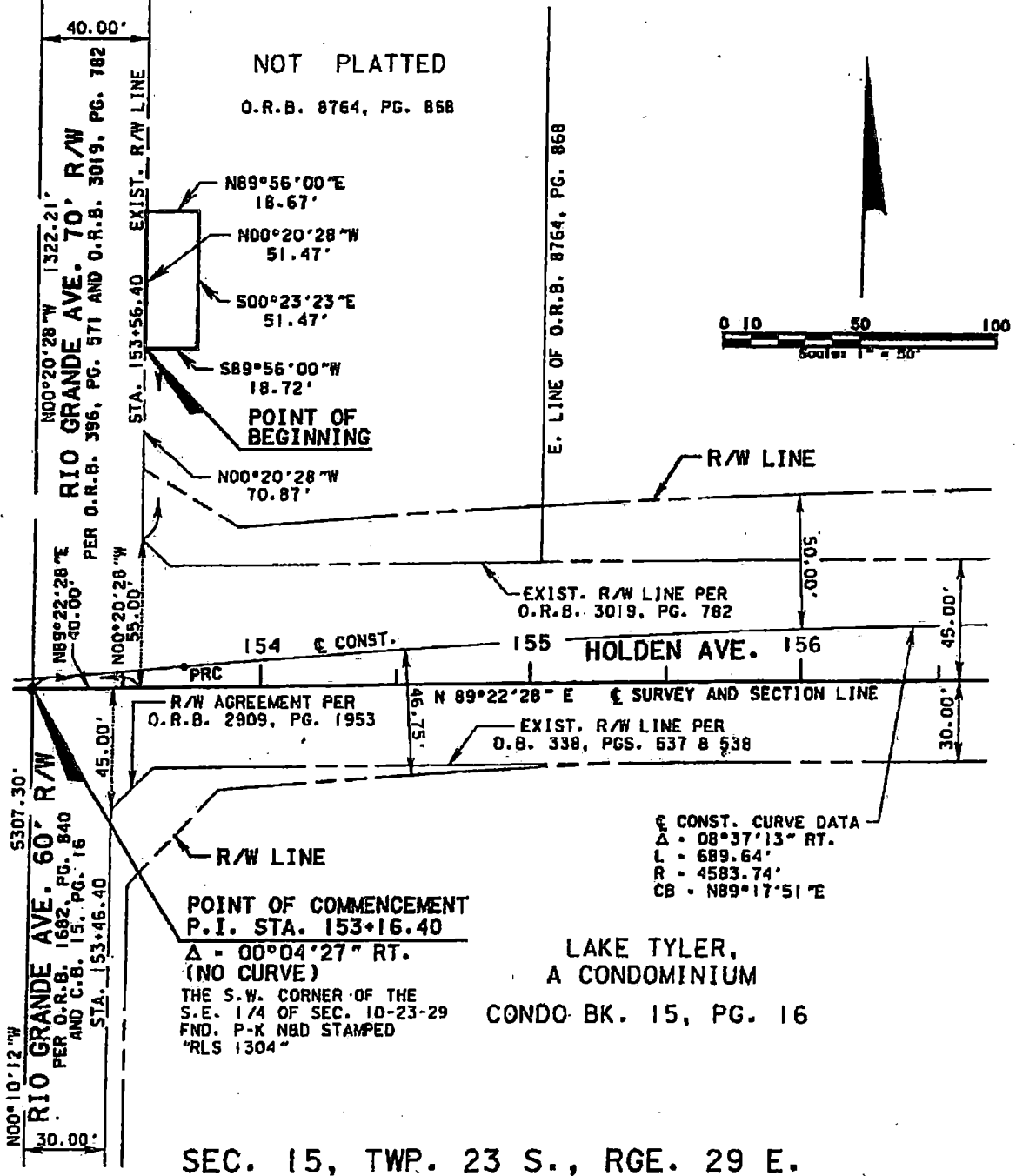
PROJECT NAME:		HOLDEN AVENUE	
DRAWN BY:	C. LEFTAKIS	DATE:	10/7/08
CHECKED BY:	J. CAMPBELL	DATE:	10/7/08
SEC. 10, TWP. 23 S., RGE. 29 E.		REVISD:	2/9/09
		SCALE:	N/A
		LEI JOB No.:	02076.10
		SHEET	1 OF 3

# SKETCH OF DESCRIPTION

PARCEL No.: 7054B

THIS IS NOT A BOUNDARY SURVEY

SEC. 10, TWP. 23 S., RGE. 29 E.



SEC. 15, TWP. 23 S., RGE. 29 E.

HOLDEN AVENUE  
ORANGE COUNTY PROJECT No. CIP 3045

DRAWN BY: C. LEFTAKS  
CHECKED BY: J. CAMPBELL

DATE: 10/7/08  
DATE: 10/7/08

REVISED: 2/9/09  
LEI JOB No.: 0807610

SCALE: 1" = 50'  
SHEET 2 OF 3



## SKETCH OF DESCRIPTION

PARCEL No.: 7054B

THIS IS NOT A BOUNDARY SURVEY

### GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 962 SQUARE FEET, MORE OR LESS.
4. SEE SHEET 1 FOR LEGAL DESCRIPTION,  
SEE SHEET 2 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

### LEGEND:

<b>C</b>	<b>CENTERLINE</b>	<b>PC</b>	<b>POINT OF CURVATURE</b>
<b>Δ</b>	<b>DELTA (CENTRAL ANGLE)</b>	<b>PG(S).</b>	<b>PAGE(S)</b>
<b>C</b>	<b>CHORD DISTANCE</b>	<b>PI</b>	<b>POINT OF INTERSECTION</b>
<b>CB</b>	<b>CHORD BEARING</b>	<b>PT</b>	<b>POINT OF TANGENCY</b>
<b>C.M.</b>	<b>CONCRETE MONUMENT</b>	<b>P.S.M.</b>	<b>PROFESSIONAL SURVEYOR AND MAPPER</b>
<b>CONDO BK.</b>	<b>CONDOMINIUM BOOK</b>	<b>R</b>	<b>RADIUS</b>
<b>D</b>	<b>DEGREE OF CURVE</b>	<b>(R)</b>	<b>RADIAL</b>
<b>D.B.</b>	<b>DEED BOOK</b>	<b>RGE.</b>	<b>RANGE</b>
<b>EXIST.</b>	<b>EXISTING</b>	<b>RT.</b>	<b>RIGHT</b>
<b>FND.</b>	<b>FOUND</b>	<b>R/W</b>	<b>RIGHT OF WAY</b>
<b>ID.</b>	<b>IDENTIFICATION</b>	<b>SEC.</b>	<b>SECTION</b>
<b>L</b>	<b>LENGTH</b>	<b>STA.</b>	<b>STATION</b>
<b>LB</b>	<b>LICENSED BUSINESS</b>	<b>T</b>	<b>TANGENT</b>
<b>LT.</b>	<b>LEFT</b>	<b>TB</b>	<b>TANGENT BEARING</b>
<b>O.R.B.</b>	<b>OFFICIAL RECORDS BOOK</b>	<b>TWP.</b>	<b>TOWNSHIP</b>

<b>HOLDEN AVENUE</b>	<b>DRAWN BY: C. LEFTAKIS</b>	<b>DATE: 10/7/08</b>	<b>REVISED: 2/9/09</b>	<b>SCALE: N/A</b>
<b>ORANGE COUNTY PROJECT No. CIP 3045</b>	<b>CHECKED BY: J. CAMPBELL</b>	<b>DATE: 10/7/08</b>	<b>LEI JOB No.: 02076.10</b>	<b>SHEET 3 OF 3</b>

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 7054B**

**TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7054B is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveways with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

8/24/2009

## SCHEDULE "A"

PARCEL No.: 7054C

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

### DESCRIPTION:

That part of:

"That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'06" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet, South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rio Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map; thence continue North 00°20'28" West along said East right of way line a distance of 244.17 feet for a Point of Beginning; thence continue North 00°20'28" West along said East right of way line a distance of 55.72 feet; thence departing said East right of way line run South 63°44'12" East a distance of 22.48 feet; thence North 89°38'46" East a distance of 16.21 feet; thence South 29°19'45" West a distance of 52.55 feet; thence South 89°39'32" West a distance of 10.29 feet to the Point of Beginning.

Containing 1,165 square feet, more or less.

**THIS IS NOT A BOUNDARY SURVEY**

LOCHRANE ENGINEERING, INC.  
L.B. No. 2895

JOHN J. CAMPBELL, JR.  
P.S.M. No. 5562

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

# LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

PROJECT NAME:		HOLDEN AVENUE	
DRAWN BY:	C. LEFTAKIS	DATE:	10/7/08
CHECKED BY:	J. CAMPBELL	DATE:	10/7/08
SEC. 10, TWP. 23 S., RGE. 29 E.	REVISED:	5/7/09	SHEET 1 OF 3
SCALE:	N/A	LEI JOB No.:	02076J0



**SKETCH OF DESCRIPTION**  
**PARCEL No.: 7054C**  
**THIS IS NOT A BOUNDARY SURVEY**

**GENERAL NOTES:**

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREDN ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N. 89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 1,165 SQUARE FEET, MORE OR LESS.
4. SEE SHEET 1 FOR LEGAL DESCRIPTION;  
SEE SHEET 2 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

**LEGEND:**

<b>C</b>	<b>CENTERLINE</b>	<b>PC</b>	<b>POINT OF CURVATURE</b>
<b>Δ</b>	<b>DELTA (CENTRAL ANGLE)</b>	<b>PG(S).</b>	<b>PAGE(S)</b>
<b>C</b>	<b>CHORD DISTANCE</b>	<b>PI</b>	<b>POINT OF INTERSECTION</b>
<b>CB</b>	<b>CHORD BEARING</b>	<b>PT</b>	<b>POINT OF TANGENCY</b>
<b>C.M.</b>	<b>CONCRETE MONUMENT</b>	<b>P.S.M.</b>	<b>PROFESSIONAL SURVEYOR AND MAPPER</b>
<b>CONDO BK.</b>	<b>CONDOMINIUM BOOK</b>	<b>R</b>	<b>RADIUS</b>
<b>D</b>	<b>DEGREE OF CURVE</b>	<b>(R)</b>	<b>RADIAL</b>
<b>D.B.</b>	<b>DEED BOOK</b>	<b>RGE.</b>	<b>RANGE</b>
<b>EXIST.</b>	<b>EXISTING</b>	<b>RT.</b>	<b>RIGHT</b>
<b>FND.</b>	<b>FOUND</b>	<b>R/W</b>	<b>RIGHT OF WAY</b>
<b>ID.</b>	<b>IDENTIFICATION</b>	<b>SEC.</b>	<b>SECTION</b>
<b>L</b>	<b>LENGTH</b>	<b>STA.</b>	<b>STATION</b>
<b>LB</b>	<b>LICENSED BUSINESS</b>	<b>T</b>	<b>TANGENT</b>
<b>LT.</b>	<b>LEFT</b>	<b>TB</b>	<b>TANGENT BEARING</b>
<b>O.R.B.</b>	<b>OFFICIAL RECORDS BOOK</b>	<b>TWP.</b>	<b>TOWNSHIP</b>

10/7/08

<b>HOLDEN AVENUE</b>	<b>DRAWN BY: C. LEFTAKIS</b>	<b>DATE: 10/7/08</b>	<b>REVISED: 5/7/09</b>	<b>SCALE: N/A</b>
<b>ORANGE COUNTY PROJECT No. CIP 3045</b>	<b>CHECKED BY: J. CAMPBELL</b>	<b>DATE: 10/7/08</b>	<b>LEI JOB No.: 02076.10</b>	<b>SHEET 3 OF 3</b>

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 7054C**

**TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7054C is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveways with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

The GRANTEE at all times during construction will ensure the integrity of the existing chain link fence within the proposed easement area.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

6/24/2009

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2012-CA-12759-O  
DIVISION: 34 (Judge Rodriguez)

**ORANGE COUNTY, FLORIDA,**

Petitioner,

v.

PARCELS: 1054/7054A/7054B/7054C

**CHANCELLOR HOLDING, LLC, et al.,**

Respondents.

---

**JOINT MOTION FOR ENTRY OF STIPULATED FINAL JUDGMENT**

Petitioner, ORANGE COUNTY, FLORIDA, ("Petitioner"), a political subdivision of the State of Florida, and Respondent, CHANCELLOR HOLDING, LLC, ("CHANCELLOR"), by and through their undersigned attorneys, respectfully move for the entry of the Stipulated Final Judgment attached hereto as Exhibit "A."

---

**Scott Robert McHenry**  
Florida Bar No. 501182  
Orange County Attorney's Office  
201 S. Rosalind Avenue, Third Floor  
P. O. Box 1393  
Orlando, Florida 32802-1393  
Telephone: 407-836-7320  
[Scott.McHenry@ocfl.net](mailto:Scott.McHenry@ocfl.net)  
*Attorney for Petitioner,*  
*Orange County, Florida*

Date: \_\_\_\_\_

---

**Kurt H. Garber, Esq.**  
Florida Bar No. 19496  
**A. Kurt Ardaman, Esq.**  
Florida Bar No. 434094  
Fishback Dominick  
1947 Lee Road  
Winter Park, Florida 32789  
Telephone: 407-262-8400  
[kgarber@fishbacklaw.com](mailto:kgarber@fishbacklaw.com)  
[ardaman@fishbacklaw.com](mailto:ardaman@fishbacklaw.com)  
*Attorneys for Respondent*  
*Chancellor Holding, LLC*

Date: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on \_\_\_\_\_, 2018, the foregoing was electronically filed with the Clerk of the Court using the Florida Courts eFiling Portal, which will send notice of filing and a service copy of the foregoing to the following: **A. Kurt Ardaman, Esq.** and **Kurt H. Garber, Esq.**, Fishback Dominick, 1947 Lee Road, Winter Park, FL 32789, [ardaman@fishbacklaw.com](mailto:ardaman@fishbacklaw.com), [kgarber@fishbacklaw.com](mailto:kgarber@fishbacklaw.com), [michellel@fishbacklaw.com](mailto:michellel@fishbacklaw.com); **Thomas P. Callan, Esq.**, Callan Law Firm, P.A., 921 Bradshaw Terrace, Orlando, FL 32806-1209, [tcallan@callanlaw.com](mailto:tcallan@callanlaw.com), [efilings@callanlaw.com](mailto:efilings@callanlaw.com); and **Roy Payne, Esq.**, 400 South Orange Avenue, Orlando, FL 32801, [Roy.Payne@CityofOrlando.net](mailto:Roy.Payne@CityofOrlando.net), [Tracy.Barnes@CityofOrlando.net](mailto:Tracy.Barnes@CityofOrlando.net).

---

**SCOTT ROBERT MCHENRY**

Assistant County Attorney

Florida Bar No. 501182

Primary Email: [Scott.McHenry@ocfl.net](mailto:Scott.McHenry@ocfl.net)

Secondary Email: [Judith.Catt@ocfl.net](mailto:Judith.Catt@ocfl.net)

**JEFFREY J. NEWTON**

County Attorney

**ORANGE COUNTY ATTORNEY'S OFFICE**

Orange County Administration Center

201 S. Rosalind Avenue, Third Floor

P.O. Box 1393

Orlando, Florida 32802-1393

Telephone: (407) 836-7320

Counsel for Petitioner

Orange County, Florida



IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2012-CA-12759-O  
DIVISION: 34 (Judge Rodriguez)

**ORANGE COUNTY, FLORIDA,**  
a political subdivision of the  
State of Florida,

Petitioner,

v.

PARCELS: 1054/7054A/7054B/7054C

**CHANCELLOR HOLDING, LLC**, a Florida  
limited liability company; **WAUCHULA  
STATE BANK; CHANCELLOR HOLDING,  
LLC**, a Florida limited liability company, doing  
business as 7-Eleven # 39171;  
**A. R. COPELY, JR.; BRENDA J. COPELY;**  
**S. K. PETROLEUM, INC.**, a Florida  
corporation, doing business as Perfect  
Petroleum; **CITY OF ORLANDO**, a municipal  
corporation; **ORLANDO UTILITIES  
COMMISSION**, a statutory commission;  
**SOUTHEAST PETRO DISTRIBUTORS,  
INC.**, a Florida corporation; and **EARL K.  
WOOD**, Orange County Tax Collector,

Respondents.

---

**STIPULATED FINAL JUDGMENT**

THIS CAUSE having come before the Court on the Joint Motion for Entry of Stipulated Final Judgment by the Petitioner, **ORANGE COUNTY, FLORIDA**, a political subdivision of the State of Florida ("Petitioner" or sometimes "ORANGE COUNTY"), and the Respondent, **CHANCELLOR HOLDING, LLC** (hereinafter "CHANCELLOR"), and it appearing to the Court that such parties were authorized to enter into such Motion, and the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable for all parties concerned,

and the Court being fully advised in the premises, it is hereby,

**ORDERED AND ADJUDGED** as follows:

1. CHANCELLOR does have and recover of and from the Petitioner the total sum of **FIVE HUNDRED FIVE THOUSAND AND NO/100 DOLLARS (\$505,000.00)** subject to the following: (a) any and all apportionment claims; and (b) credit to Petitioner for its Order of Taking deposit of \$366,900.00 previously paid; and (c) payment to the Tax Collector from said total sum for taxes calculated from January 1 to the date of deposit on November 27, 2012, pursuant to the Order of Taking. The foregoing amount shall constitute payment in full for the property taken (designated as Parcels 1054, 7054A, 7054B and 7054C herein) and for damages resulting to the remainder if less than the entire property was taken and for all other damages of any kind or nature including, but not limited to, for any improvements, severance damages, cures, business damages, if any, and except as otherwise expressly provided herein, attorney's fees of any kind or nature, including, but not limited to, attorney's fees based upon any claim for non-monetary benefits. CHANCELLOR, and not Orange County, shall be solely responsible for any apportionment claims in this case.

2. Within thirty (30) days from the entry of this Stipulated Final Judgment, the Petitioner shall pay the sum of **ONE HUNDRED THIRTY-EIGHT THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$138,100.00)** into the Registry of the Court, that amount being the difference between the full payment required by this Stipulated Final Judgment pursuant to Paragraph 1 and the amount of \$366,900.00 deposited pursuant to the Order of Taking.

3. The Court awards CHANCELLOR the sum of **SIXTY FOUR THOUSAND SEVEN HUNDRED SEVENTY-FIVE DOLLARS AND NO/100 DOLLARS (\$64,775.00)** in

full and complete satisfaction of all attorneys' fees, costs, and expenses for all legal services in this case, pursuant to Section 73.092, Florida Statutes, including, but not limited to, for "betterment fees" under Section 73.092(1), Florida Statutes, and for apportionment or supplemental fees (if any) under to Section 73.092(2), Florida, Statutes.

4. The Court awards CHANCELLOR the sum of **SIXTY FIVE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$65,500.00)** in full and complete satisfaction of all of CHANCELLOR's expert fees and costs, pursuant to Section 73. 091 Florida Statutes, including, but not limited to, for Calhoun, Dreggors & Associates, Inc., and Mesimer and Associates, Inc.

5. Within thirty (30) days from the entry of this Stipulated Final Judgment, the Petitioner shall pay to the Trust Account of Fishback Dominick, 1947 Lee Road, Winter Park, Florida 32789, as attorneys for CHANCELLOR, the sum of **ONE HUNDRED THIRTY THOUSAND TWO HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$130,275.00)** that amount representing the total of attorneys' fees, costs and expenses, pursuant to Paragraph 3 above, and experts' fees and costs, pursuant to Paragraph 4 above.

6. The title to Parcels 1054, 7054A, 7054B, and 7054C, as more fully described on **Exhibit "A"** attached hereto, which vested in the Petitioner pursuant to the Order of Taking dated November 13, 2012 and as amended by the Order of Taking dated April 1, 2013, (collectively, the "Order of Taking") and the deposit of money previously made, is approved, ratified and confirmed.

7. The Temporary Construction Easements (Parcels 7054A, 7054B, and 7054C) shall expire upon the sooner to occur of the following: (a) the completion of the construction of the project adjacent to the Temporary Construction Easements as more fully described on

Exhibit "A" attached hereto; or June 30, 2021.

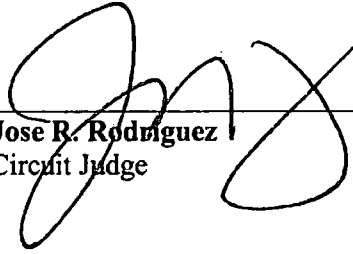
8. On October 31, 2012, pursuant to Orange County Code, Article XIII, Section 30-636 through 30-642, Orange County department managers or their designee, granted the following waivers to county land development, sign and engineering codes and regulations to prevent any adverse impact upon the remainder of CHANCELLOR's property as a result of this condemnation process and to allow the continued use of their property in a manner similar to its pre-condemnation condition: (1) a waiver to the minimum landscape strip requirement of 7 ft, Section 24-4(a)(1), to allow a reduction to 4.7 ft at the southwest corner of the site (overall landscape strip will exceed 7 ft wide on average); and (2) a waiver to the minimum sign setback requirement of 10 ft, Section 31.5-68(f), to allow a setback of 5 ft to the primary pole sign in the southwest corner of the property.

9. Pursuant to the Agreement of Apportionment between Chancellor and Respondents, A.R. Copely, Jr., Brenda J. Copely and A.R. Copely, P.A. d/b/a Copely Eye Clinic and Eyestyles Optical (the "Copelys") dated August 22, 2018 ("Agreement of Apportionment"), CHANCELLOR will not pursue any apportionment claims or bring any other supplemental proceedings in the separate case of Orange County v. Andrew Richard Copely, et al., Case No. 2014-CA-003838-O; provided, however, if CHANCELLOR does, Orange County will not be responsible for any attorney's fees, costs, or expenses in connection with same. In addition, pursuant to the Agreement of Apportionment, the Copelys approve the cure plan in this case.

10. This Stipulated Final Judgment is based on Petitioner's commitments that it intends to construct the project as shown in the right of way maps and construction plans which have been filed by Petitioner in this action. In the event Petitioner fails to construct the project substantially in conformance with these right of way maps and construction plans received into

evidence at the April 1, 2013 Order of Taking hearing. CHANCELLOR retains all rights and remedies pursuant to *Central and Southern Florida Control District v. Wye River Farms, Inc.*, 297 So.2d 323 (Fla. 4th DCA 1974) cert. denied 310 So. 2d 745 (Fla. 1975). By agreement of the parties there is no basis for the computation of attorney's fees for non-monetary benefits to CHANCELLOR arising out of Petitioner's commitments in this paragraph.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida this 13  
day of November, 2018.

  
\_\_\_\_\_  
Jose R. Rodriguez  
Circuit Judge

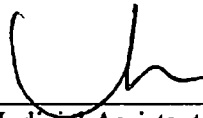
Copies to:

**Scott R. McHenry, Assistant County Attorney**, 201 S. Rosalind Avenue, Third Floor, Orlando, FL 32801, scott.mchenry@ocfl.net; Judith.catt@ocfl.net; gail.stanford@ocfl.net;

**Kurt H. Garber, Esq. and A. Kurt Ardaman, Esq.**, Fishback, Dominick, Bennett, Ardaman, et al., 1947 Lee Road, Winter Park, FL 32789, kgarber@fishbacklaw.com, ardaman@fishbacklaw.com, michellel@fishbacklaw.com;

**Thomas P. Callan, Esq.**, Callan Law Firm, P.A., 921 Bradshaw Terrace, Orlando, FL 32806-1209, tcallan@callanlaw.com, efilings.clfpa@gmail.com, and efilings@callanlaw.com; and

**Roy K. Payne, Esq.**, City of Orlando, 400 S. Orange Avenue, Orlando, FL 32802, roy.payne@cityoforlando.net and tracy.barnes@cityoforlando.net.

  
\_\_\_\_\_  
Judicial Assistant/Attorney

## SCHEDULE "A"

PARCEL No.: 1054  
ESTATE: FEE SIMPLE  
PURPOSE: ROAD RIGHT OF WAY

### DESCRIPTION:

That part of:

"That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'05" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet, South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rio Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map for a Point of Beginning; thence continue North 00°20'28" West along said East right of way line a distance of 26.23 feet; thence departing said East right of way line run South 58°22'01" East a distance

(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC.  
L.B. No. 2856

JOHN J. CAMPBELL, JR.  
P.S.M. No. 5522

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

# LOCHRANE

Consulting Engineers - Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

PROJECT NAME: HOLDEN AVENUE			
DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	SCALE: N/A	
CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 02076JO	
SEC. 10, TWP. 23 S., RGE. 29 E.	REVISED: 5/7/09	SHEET 1 OF 4	

## SCHEDULE "A"

PARCEL No.: 1054

ESTATE: FEE SIMPLE

PURPOSE: ROAD RIGHT OF WAY

### DESCRIPTION: (CONTINUED FROM SHEET 1)

of 41.35 feet to the beginning of a non-tangent curve concave Southerly having a radius of 4633.74 feet and a chord bearing of North 85°53'46" East; thence from a tangent bearing of North 85°16'53" East run Easterly along the arc of said curve through a central angle of 01°13'47" a distance of 99.45 feet to the end of said curve; thence South 03°29'20" East radial to the aforesaid curve a distance of 3.00 feet to the beginning of a nontangent curve concave Southerly and concentric with the aforesaid curve having a radius of 4630.74 feet and a chord bearing of North 86°35'19" East; thence from a tangent bearing of North 86°30'40" East run Easterly along the arc of said curve through a central angle of 00°09'19" a distance of 12.55 feet to a point on the Easterly boundary of that certain parcel of land described in Official Records Book 8764, page 868 of the Public Records of Orange County, Florida; thence departing said curve run South 00°20'28" East along said Easterly boundary a distance of 17.81 feet to a point on the aforesaid existing North right of way line of Holden Avenue; thence run South 89°22'28" West along said North right of way line a distance of 137.00 feet; thence North 45°29'06" West and continue along said North right of way line a distance of 14.11 feet to the Point of Beginning.

Containing 2,778 square feet, more or less.

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	REVISED: 5/7/09	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 02076JO	SHEET 2 OF 4

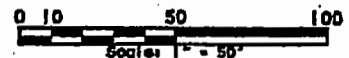
**PARCEL No.: 1054**

SEC. 10, TWP. 23 S., RGE. 29 E.

O.R.B. 8764, PG. 868

SEC. 15, TWP. 23 S., RGE. 29 E.

LAKE TYLER,  
A CONDOMINIUM  
CONDO BK. 15, PG. 16



HOLDEN AVENUE ORANGE COUNTY PROJECT No. CIP 3045	DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	REVISED: 5/7/09	SCALE: 1" = 50'
	CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 02076.10	SHEET 3 OF 4



## SKETCH OF DESCRIPTION

PARCEL No.: 1054

THIS IS NOT A BOUNDARY SURVEY

### GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 2.778 SQUARE FEET, MORE OR LESS.
4. SEE SHEETS 1 THROUGH 2 FOR LEGAL DESCRIPTION;  
SEE SHEET 3 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

### LEGEND:

C	CENTERLINE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
C	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
CONDO BK.	CONDOMINIUM BOOK	R	RADIUS
D	DEGREE OF CURVE	(R)	RADIAL
D.B.	DEED BOOK	RGE.	RANGE
EXIST.	EXISTING	RT.	RIGHT
FND.	FOUND	R/W	RIGHT OF WAY
ID.	IDENTIFICATION	SEC.	SECTION
L	LENGTH	STA.	STATION
LB	LICENSED BUSINESS	T	TANGENT
LT.	LEFT	TB	TANGENT BEARING
O.R.B.	OFFICIAL RECORDS BOOK	TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 7/13/04	REVISED: 5/7/09	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 7/13/04	LEI JOB No.: 02076JO	SHEET 4 OF 4

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 1054**

**FEE SIMPLE**

Parcel 1054: the interest being acquired is fee simple.

8/24/2009

## SCHEDULE "A"

PARCEL No.: 7054A  
ESTATE: TEMPORARY EASEMENT  
PURPOSE: TEMPORARY CONSTRUCTION

### DESCRIPTION:

That part of:

"That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'06" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet, South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rio Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map; thence continue North 00°20'28" West along said East right of way line a distance of 26.23 feet; thence departing said East right of way line run South 58°22'01" East a distance of 41.35 feet to the beginning of a non-tangent curve concave Southerly having a radius of 4633.74 feet and a chord bearing of North 85°35'25" East; thence from a tangent bearing of North 85°16'53" East run Easterly along the arc of said curve through a central angle of 00°37'05" a distance of 49.98 feet for a Point of Beginning; thence continue Easterly along the arc of said curve through a central angle of 00°25'10" a distance of 33.92 feet; thence departing said curve run North 03°40'52" West a distance of 5.00 feet; thence South 86°06'33" West a distance of 33.96 feet; thence South 04°06'02" East a distance of 5.00 feet to the Point of Beginning.

Containing 169 square feet, more or less.

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC.  
L.B. No. 2856

JOHN J. CAMPBELL, JR.  
P.S.M. No. 5522

HOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL  
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

# LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

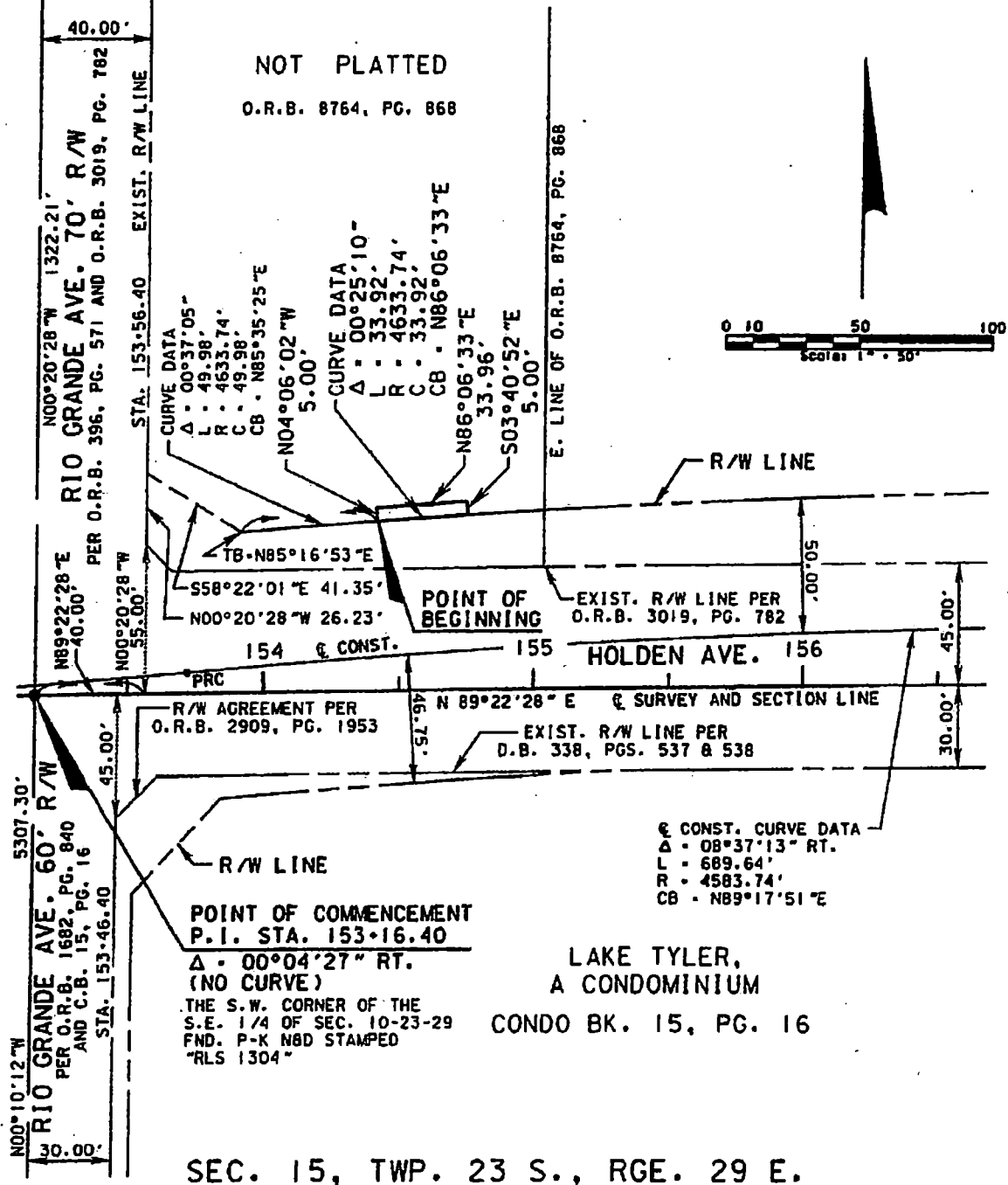
PROJECT NAME:	HOLDEN AVENUE		
DRAWN BY:	C. LEFTAKIS	DATE:	10/7/08
CHECKED BY:	J. CAMPBELL	DATE:	10/7/08
SEC. 10, TWP. 23 S., RGE. 29 E.	REVISED:	LEI JOB No.:	02076.10
		SHEET	1 OF 3

# SKETCH OF DESCRIPTION

PARCEL No.: 7054A

THIS IS NOT A BOUNDARY SURVEY

SEC. 10, TWP. 23 S., RGE. 29 E.



HOLDEN AVENUE  
ORANGE COUNTY PROJECT No. CIP 3045

DRAWN BY: C. LEFTAKIS  
CHECKED BY: J. CAMPBELL

DATE: 10/7/08  
DATE: 10/7/08

REVISED:  
LEI JOB No.: 02076.10

SCALE: 1" = 50'  
SHEET 2 OF 3

## SKETCH OF DESCRIPTION

PARCEL No.: 7054A

THIS IS NOT A BOUNDARY SURVEY

### GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 169 SQUARE FEET, MORE OR LESS.
4. SEE SHEET 1 FOR LEGAL DESCRIPTION;  
SEE SHEET 2 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

### LEGEND:

CL	CENTERLINE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
C	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
CONDO BK.	CONDOMINIUM BOOK	R	RADIUS
D	DEGREE OF CURVE	(R)	RADIAL
D.B.	DEED BOOK	RGE.	RANGE
EXIST.	EXISTING	RT.	RIGHT
FND.	FOUND	R/W	RIGHT OF WAY
ID.	IDENTIFICATION	SEC.	SECTION
L	LENGTH	STA.	STATION
LB	LICENSED BUSINESS	T	TANGENT
LT.	LEFT	TB	TANGENT BEARING
O.R.B.	OFFICIAL RECORDS BOOK	TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	REVISED:	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 02076JO	SHEET 3 OF 3

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 7054A**

**TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7054A is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveway with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

8/24/2009

## SCHEDULE 'A'

PARCEL No.: 7054B  
ESTATE: TEMPORARY EASEMENT  
PURPOSE: TEMPORARY CONSTRUCTION

### DESCRIPTION:

That part of:

"That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'06" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet, South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rio Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map; thence continue North 00°20'28" West along said East right of way line a distance of 70.87 feet for a Point of Beginning; thence continue North 00°20'28" West along said East right of way line a distance of 51.47 feet; thence departing said East right of way line run North 89°56'00" East a distance of 18.67 feet; thence South 00°23'23" East a distance of 51.47 feet; thence South 89°56'00" West a distance of 18.72 feet to the Point of Beginning.

Containing 962 square feet, more or less.

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC.  
L.B. No. 2856

JOHN J. CAMPBELL, JR.  
P.S.M. No. 5582

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

# LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

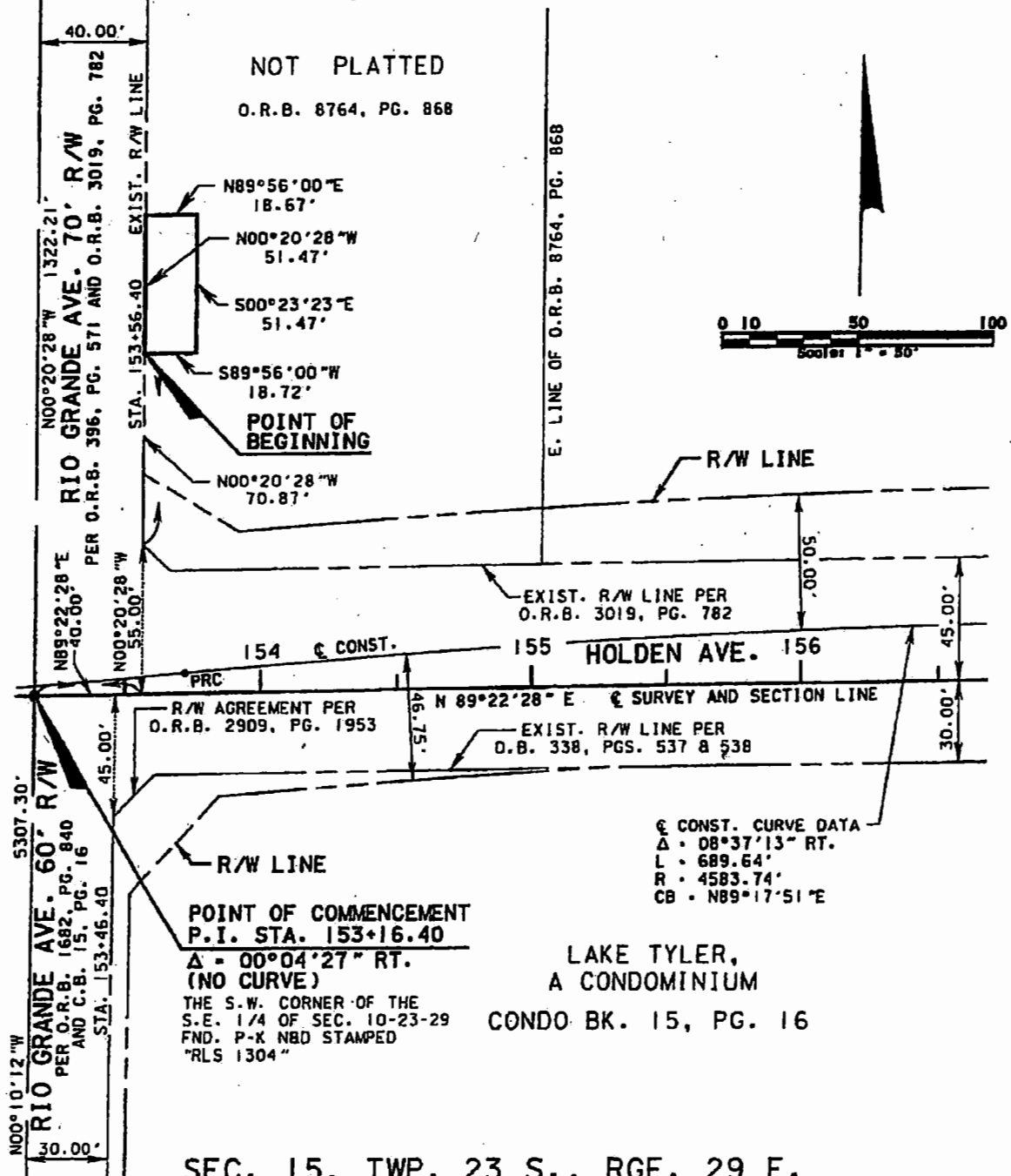
PROJECT NAME:		HOLDEN AVENUE	
DRAWN BY:	C. LEFTAKIS	DATE:	10/7/08
CHECKED BY:	J. CAMPBELL	DATE:	10/7/08
SEC. 10, TWP. 23 S., RGE. 29 E.	REVISED:	2/9/09	SHEET 1 OF 3

# SKETCH OF DESCRIPTION

PARCEL No.: 7054B

THIS IS NOT A BOUNDARY SURVEY

SEC. 10, TWP. 23 S., RGE. 29 E.



SEC. 15, TWP. 23 S., RGE. 29 E.

HOLDEN AVENUE  
ORANGE COUNTY PROJECT No. CIP 3045

DRAWN BY: C. LEFTAKIS  
CHECKED BY: J. CAMPBELL

DATE: 10/7/08  
DATE: 10/7/08

REVISED: 2/9/09  
LEI JOB No.: 08076JO

SCALE: 1" = 50'  
SHEET 2 OF 3



## SKETCH OF DESCRIPTION

PARCEL No.: 7054B

THIS IS NOT A BOUNDARY SURVEY

### GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N.89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 962 SQUARE FEET, MORE OR LESS.
4. SEE SHEET 1 FOR LEGAL DESCRIPTION;  
SEE SHEET 2 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

### LEGEND:

C	CENTERLINE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
C	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
CONDO BK.	CONDOMINIUM BOOK	R	RADIUS
D	DEGREE OF CURVE	(R)	RADIAL
D.B.	DEED BOOK	RGE.	RANGE
EXIST.	EXISTING	RT.	RIGHT
FND.	FOUND	R/W	RIGHT OF WAY
ID.	IDENTIFICATION	SEC.	SECTION
L	LENGTH	STA.	STATION
LB	LICENSED BUSINESS	T	TANGENT
LT.	LEFT	TB	TANGENT BEARING
O.R.B.	OFFICIAL RECORDS BOOK	TWP.	TOWNSHIP

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	REVISED: 2/9/09	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 02076.10	SHEET 3 OF 3

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 7054B**

**TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7054B is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveways with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

8/24/2009

## SCHEDULE "A"

PARCEL No.: 7054C

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

### DESCRIPTION:

That part of:

"That portion of the Southwest 1/4 of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida described as follows:

From the Southeast corner of said Southwest 1/4 of the Southeast 1/4 run South 89°22'00" West, 46.10 feet along the South line thereof to the West right of way line of S.R. No. 500 (US Highway No. 441); thence North 00°16'06" West, 30.00 feet along said West R/W to the North right of way line of Holden Avenue as defined by Orange County Road Project No. 33, Section D, run thence South 89°22'00" West, 755.22 feet along said North R/W to a point 530.12 feet Easterly from the West line of the aforesaid Southwest 1/4 of the Southeast 1/4 of Section 10, said point being described in a Right-of-Way Agreement recorded in Official Records Book 3019, Page 782; run thence North 00°48'03" West, 15.00 feet and South 89°22'00" West, 343.00 feet following said R/W Agreement to the Point of Beginning; run thence North 00°21'14" West, 277.00 feet; thence North 89°22'00" East, 182.64 feet; thence North 00°32'37" West, 108.00 feet; thence South 89°22'00" West, 329.28 feet; thence South 00°21'14" East, 375.00 feet, South 45°29'37" East, 14.11 feet and North 89°22'00" East, 137.00 feet to the Point of Beginning."

(Said property being the same lands as described Official Records Book 8764, Page 868 of the Public Records of Orange County, Florida.)

described as follows:

Commence at a P-K nail and disk stamped "RLS 1304" marking the Southwest corner of the Southeast 1/4 of Section 10, Township 23 South, Range 29 East, Orange County, Florida, said point being on the centerline of Survey of Holden Avenue as shown on Orange County Right of Way Map, County Project CIP 3045; thence run North 89°22'28" East along the South line of said Southeast 1/4 and said Centerline of Survey of Holden Avenue a distance of 40.00 feet to Southerly projection of the East right of way line of Rio Grande Avenue as shown on said Right of Way Map; thence departing said South line and said Centerline of Survey run North 00°20'28" West along said Southerly projection a distance of 55.00 feet to a point on the Northerly right of way line of said Holden Avenue as shown on said Right of Way Map; thence continue North 00°20'28" West along said East right of way line a distance of 244.17 feet for a Point of Beginning; thence continue North 00°20'28" West along said East right of way line a distance of 55.72 feet; thence departing said East right of way line run South 63°44'12" East a distance of 22.48 feet; thence North 89°38'46" East a distance of 15.21 feet; thence South 29°19'45" West a distance of 52.55 feet; thence South 89°39'32" West a distance of 10.29 feet to the Point of Beginning.

Containing 1,165 square feet, more or less.

THIS IS NOT A BOUNDARY SURVEY

LOCHRANE ENGINEERING, INC.  
L.B. No. 2855

JOHN J. CAMPBELL, JR.  
P.S.M. No. 5562

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

# LOCHRANE

Consulting Engineers • Surveyors

201 South Bumby Avenue, Orlando, Florida 32803 (407) 896-3317

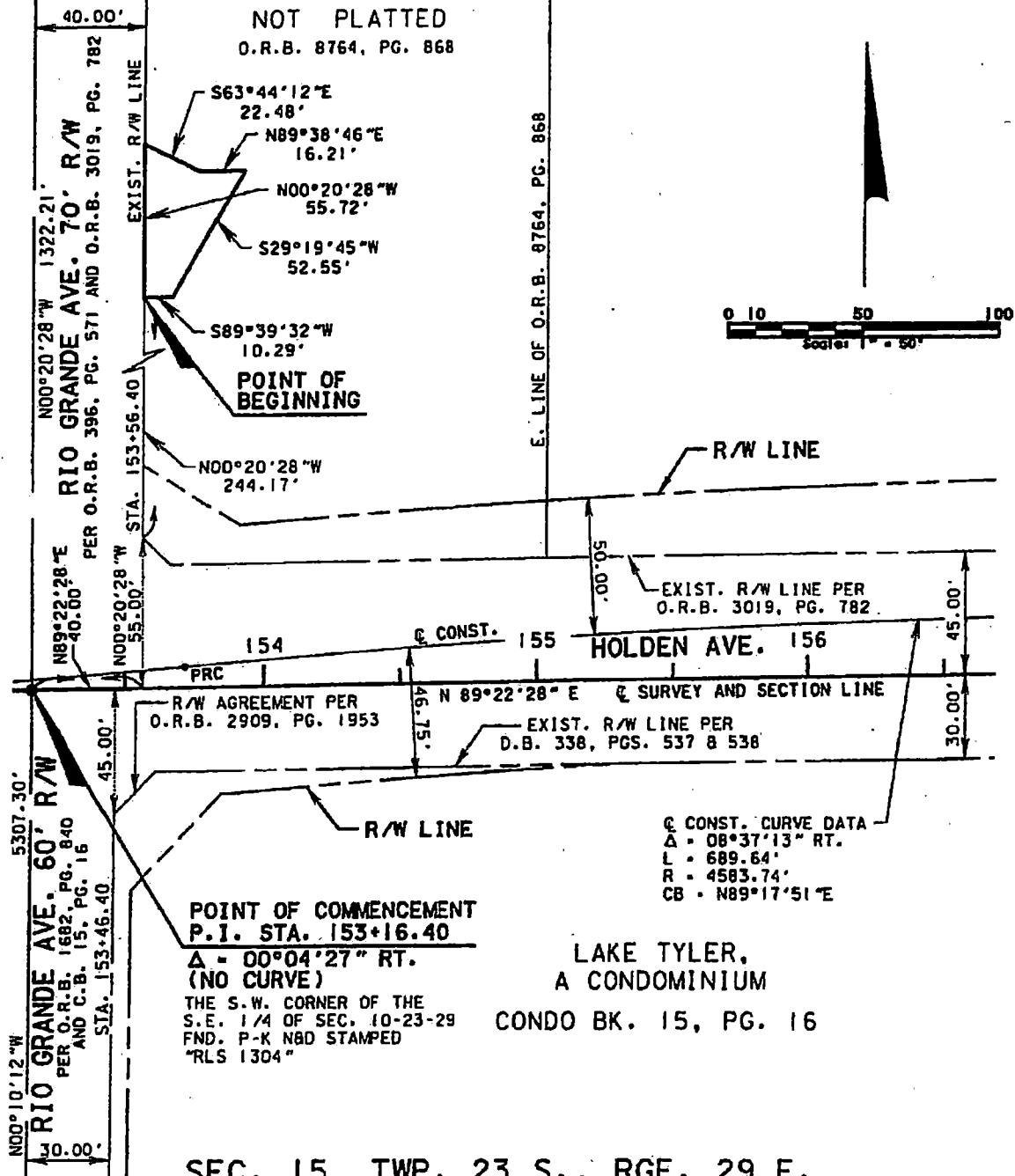
PROJECT NAME:		HOLDEN AVENUE	
DRAWN BY:	C. LEFTAKIS	DATE:	10/7/08
CHECKED BY:	J. CAMPBELL	DATE:	10/7/08
SEC. 10, TWP. 23 S., RGE. 29 E.	REVISED:	5/7/09	SHEET 1 OF 3

# SKETCH OF DESCRIPTION

PARCEL No.: 7054C

THIS IS NOT A BOUNDARY SURVEY

SEC. 10, TWP. 23 S., RGE. 29 E.



HOLDEN AVENUE  
ORANGE COUNTY PROJECT No. CP 3045

DRAWN BY: C. LEFTAKIS  
CHECKED BY: J. CAMPBELL

DATE: 7/13/04  
DATE: 7/13/04

REVISED: 5/7/09  
LEI JOB No.: 02076.10

SCALE: 1" = 50'  
SHEET 2 OF 3

**SKETCH OF DESCRIPTION**  
**PARCEL No.: 7054C**  
**THIS IS NOT A BOUNDARY SURVEY**

**GENERAL NOTES:**

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE N.E. 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AS BEING N. 89°35'29"E., AS SHOWN ON RIGHT OF WAY MAPS FOR HOLDEN AVENUE, ORANGE COUNTY PROJECT No. CIP 3045.
3. TOTAL AREA OF THE HEREIN DESCRIBED PARCEL IS 1,165 SQUARE FEET, MORE OR LESS.
4. SEE SHEET 1 FOR LEGAL DESCRIPTION;  
SEE SHEET 2 FOR PARCEL SKETCH.
5. SEE RIGHT OF WAY MAP SHEET 6 OF 13 FOR THIS PARCEL.

**LEGEND:**

€	CENTERLINE	PC	POINT OF CURVATURE
Δ	DELTA (CENTRAL ANGLE)	PG(S).	PAGE(S)
C	CHORD DISTANCE	PI	POINT OF INTERSECTION
CB	CHORD BEARING	PT	POINT OF TANGENCY
C.M.	CONCRETE MONUMENT	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
CONDO BK.	CONDOMINIUM BOOK	R	RADIUS
D	DEGREE OF CURVE	(R)	RADIAL
D.B.	DEED BOOK	RGE.	RANGE
EXIST.	EXISTING	RT.	RIGHT
FND.	FOUND	R/W	RIGHT OF WAY
ID.	IDENTIFICATION	SEC.	SECTION
L	LENGTH	STA.	STATION
LB	LICENSED BUSINESS	T	TANGENT
LT.	LEFT	TB	TANGENT BEARING
O.R.B.	OFFICIAL RECORDS BOOK	TWP.	TOWNSHIP

10/20/08

HOLDEN AVENUE	DRAWN BY: C. LEFTAKIS	DATE: 10/7/08	REVISED: 5/7/09	SCALE: N/A
ORANGE COUNTY PROJECT No. CIP 3045	CHECKED BY: J. CAMPBELL	DATE: 10/7/08	LEI JOB No.: 02076.10	SHEET 3 OF 3

**SCHEDULE "B"**

**HOLDEN AVENUE PARCEL 7054C**

**TEMPORARY CONSTRUCTION EASEMENT**

Parcel 7054C is being acquired as a temporary non-exclusive easement with full authority to enter upon the lands described in attached Schedule "A" for the purpose of constructing, tying in and harmonizing the driveways with the adjacent roadway. At all times during construction the GRANTEE will maintain access to the GRANTOR'S remaining lands.

The GRANTEE at all times during construction will ensure the integrity of the existing chain link fence within the proposed easement area.

After the construction on the Parcel is completed the GRANTEE shall restore the Parcel to a condition as good as or better than the one existing before being disturbed by the GRANTEE.

This easement shall expire upon the completion of the construction on the project adjacent to the lands described in attached Schedule "A" or after seven (7) years, whichever occurs first.

8/24/2009