



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 6

**DATE:** November 20, 2018

**TO:** Mayor Jerry L. Demings  
and the  
Board of County Commissioners

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

**FROM:** Elizabeth Price Jackson, Senior Title Examiner *EPJ*  
Real Estate Management Division

**CONTACT PERSON:** Paul Sladek, Manager

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

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF TERMINATION OF TEMPORARY ACCESS AND UTILITY EASEMENT BETWEEN ORANGE COUNTY, GRANADA MASTER OWNERS ASSOCIATION, INC., CRP-GREP OVERTURE DR. PHILLIPS OWNER, L.L.C., DOMAIN DR. PHILLIPS LLC, AND CDCG 4 MTH 2 LP AND NOTICE OF RESERVATION AND AUTHORIZATION TO RECORD INSTRUMENTS

**PROJECT:** Granada PD (Sand Lake Rd/Turkey Lake Rd) (RAC)  
  
District 1

**PURPOSE:** To terminate an existing temporary easement and provide for access, construction, operation, and maintenance of road improvements as a requirement of a pond reconfiguration and roadway development agreement.

**ITEMS:** Termination of Temporary Access and Utility Easement  
Cost: None/Donation  
Size: 35,539.32 square feet  
  
Notice of Reservation  
Cost/Revenue: None/Donation  
Size: 32,528.05 square feet

**APPROVALS:** Real Estate Management Division  
Public Works Department  
Transportation Planning Division

**REMARKS:** The Notice of Reservation reserves road right-of-way across a portion of County owned property controlled by the Public Works Department, as required by the Pond Reconfiguration and Roadway Development Agreement Granada PD (Parcels E, F, and G) (Agreement) approved by the Board on April 11, 2017.

The Termination of Temporary Access and Utility Easement accompanying the Notice of Reservation is being executed to release, as contemplated by the Agreement, a Temporary Access and Utility Easement (Easement) that was also approved by the Board on April 11, 2017, but which Easement encumbers the land now being reserved as road right-of-way.

Developer to pay recording fees.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
DEC 04 2018

Project: Granada PD (Parcels E, F, and G)

Property Appraiser's Parcel ID No. 35-23-28-7825-00-011

### **Termination of Temporary Access and Utility Easement**

WHEREAS, Orange County, a charter county and political subdivision of the state of Florida ("County"), Sevillana, LLC, a Florida limited liability company ("Sevillana"), and Marbellana, LLC, a Florida limited liability company ("Marbellana") entered into that certain Temporary Access and Utility Easement (the "Original Easement") recorded April 14, 2017, as Document No. 20170204005, of the Public Records of Orange County, Florida; and

WHEREAS, the Original Easement burdened the County's property and benefitted certain unimproved properties owned by Sevillana and Marbellana; and

WHEREAS, Sevillana conveyed a portion of its benefitted property to Granada Master Owners Association, Inc., a Florida not-for-profit corporation ("Granada") by that certain Special Warranty Deed recorded October 17, 2017, as Document No. 20170568533, of the Public Records of Orange County, Florida; and

WHEREAS, Sevillana conveyed a portion of its benefitted property to CRP-GREP Overture Dr. Phillips Owner, L.L.C., a Delaware limited liability company ("CRP-GREP") by that certain Special Warranty Deed recorded October 17, 2017, as Document No. 20170567185, of the Public Records of Orange County, Florida; and

WHEREAS, Sevillana conveyed a portion of its benefitted property to Domain Dr. Phillips LLC, a Delaware limited liability company ("Domain") by that certain Special Warranty Deed recorded October 17, 2017, as Document No. 20170567181, of the Public Records of Orange County, Florida; and

WHEREAS, Sevillana conveyed the remainder of its benefitted property to CDCG 4 MTH 2 LP, a Delaware limited partnership ("CDCG") by that certain Special Warranty Deed recorded October 17, 2017 as Document No. 20170567178 and by that certain Corrective Special Warranty Deed recorded March 12, 2018, as Document No. 20180142518, of the Public Records of Orange County, Florida; and

WHEREAS, Marbellana conveyed a portion of its benefitted property to Domain by that certain Special Warranty Deed recorded October 17, 2017, as Document No. 20170567182, of the Public Records of Orange County, Florida; and

WHEREAS, Marbellana conveyed the remainder of its benefitted property to CDCG by that certain Special Warranty Deed recorded October 17, 2017 as Document No. 20170567177 and by that certain Corrective Special Warranty Deed recorded March 12, 2018, as Document No. 20180142519, of the Public Records of Orange County, Florida; and

Project: Granada PD (Parcels E, F, and G)

WHEREAS, Sevillana and Marbellana assigned to Granada the Original Easement interest in the lands conveyed to Granada by that certain Assignment of Temporary Access and Utility Easement recorded October 17, 2017, as Document No. 20170568535, of the Public Records of Orange County, Florida; and

WHEREAS, Sevillana and Marbellana assigned to CRP-GREP the Original Easement interest in the lands conveyed to CRP-GREP by that certain Assignment of Temporary Access and Utility Easement recorded October 17, 2017, as Document No. 20170567187, of the Public Records of Orange County, Florida; and

WHEREAS, Sevillana and Marbellana assigned to Domain the Original Easement interest in the lands conveyed to Domain by that certain Assignment of Temporary Access and Utility Easement recorded October 17, 2017, as Document No. 20170567184, of the Public Records of Orange County, Florida; and

WHEREAS, Sevillana and Marbellana assigned to CDCG the Original Easement interest in the lands conveyed to CDCG by that certain Assignment of Temporary Access and Utility Easement recorded October 17, 2017, as Document No. 20170567180, of the Public Records of Orange County, Florida; and

WHEREAS, Granada, CRP-GREP, Domain, and CDCG shall collectively be known as the "Parties"; and

WHEREAS, the duration of the Original Easement was to last until the filing of a subdivision plat which provided public vehicular and pedestrian ingress and egress over and across the "County Temporary Access Easement Area" (as defined in the Original Easement); and

WHEREAS, the County wishes to set aside the County Temporary Access Easement Area and file a Notice of Reservation reserving road right-of-way to provide public vehicular and pedestrian ingress and egress in lieu of filing a subdivision plat; and

WHERE, as the Parties agree to accept a Notice of Reservation in lieu of right-of-way by plat and agree to release the provisions contained within the Original Easement.

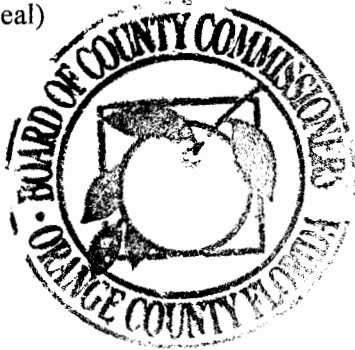
NOW, THEREFORE, the County and Parties hereby terminate the Original Easement and acknowledge that the Notice of Reservation being recorded contemporaneously with this document will provide the required public vehicular and pedestrian ingress and egress.

{SIGNATURES ON FOLLOWING PAGES}

Project: Granada PD (Parcels E, F, and G)

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

BY: *Jerry L. Demings*  
Jerry L. Demings  
Orange County Mayor

DATE: 12.4.18

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

BY: *Noelia Perez*  
for Deputy Clerk  
Noelia Perez  
Printed Name

{SIGNATURES ON FOLLOWING PAGES}

Project: Granada PD (Parcels E, F, and G)

IN WITNESS WHEREOF, Granada has caused these presents to be executed in its name.

Signed, sealed, and delivered  
in the presence of:

[Signature]  
Witness

Lee Suscitt  
Printed Name

[Signature]  
Witness

Alex Madison  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF FL  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of October,  
20 10, by Martha Schiffer, as Director, of Granada  
Master Owners Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation.  
He/She ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

(Notary Seal)

Granada Master Owners Association, Inc.,  
a Florida not-for-profit corporation

BY: [Signature]

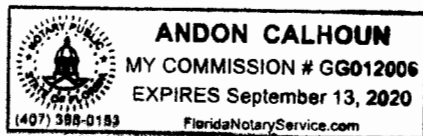
MARTHA SCHIFFER  
Printed Name

HOA DIRECTOR  
Title

(Corporate Seal)

[Signature]  
Notary Signature

Andon Calhoun  
Printed Notary Name



{SIGNATURES ON FOLLOWING PAGES}

IN WITNESS WHEREOF, CRP-GREP has caused these presents to be signed in its name.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness

SEAN DANIEL  
Printed Name

[Signature]  
Witness

STEPHEN DETWILER  
Printed Name

CRP-GREP Overture Dr. Phillips Owner, L.L.C.,  
a Delaware limited liability company

By: CRP-GREP AA Overture Dr. Phillips,  
L.L.C., a Delaware limited liability company,  
its sole member

By: GS AA Overture Dr. Phillips Holdings,  
L.L.C., a Delaware limited liability company,  
its authorized member

By: [Signature]  
Lewis Stoneburner, Vice President

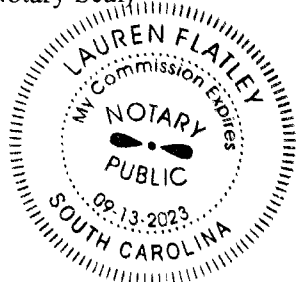
(Signature of **TWO** witnesses  
required by Florida law)

South Carolina

STATE OF \_\_\_\_\_  
COUNTY OF Charleston

The foregoing instrument was acknowledged before me this 4 day of October, 2018, by Lewis Stoneburner, as Vice President, of GS AA Overture Dr. Phillips Holdings, L.L.C., a Delaware limited liability company, as authorized member of CRP-GREP AA Overture Dr. Phillips, L.L.C., a Delaware limited liability company, as sole member of CRP-GREP Overture Dr. Phillips Owner, L.L.C., a Delaware limited liability company, on behalf of the limited liability company. He is personally known to me or who has produced NA as identification.

(Notary Seal)



[Signature]  
Notary Signature  
Lauren Flately  
Printed Notary Name

Notary Public in and for Charleston  
the County and State aforesaid South Carolina  
My commission expires: 09/13/2023

{SIGNATURES ON FOLLOWING PAGES}

Project: Granada PD (Parcels E, F, and G)

IN WITNESS WHEREOF, Domain has caused these presents to be signed in its name.

Signed, sealed, and delivered  
in the presence of:

Shirley Banks Robinson  
Witness

SHIRLEY BANKS ROBINSON  
Printed Name

Tracy Boone  
Witness

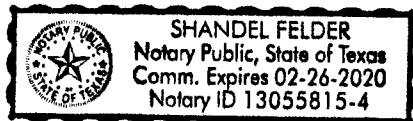
TRACY BOONE  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF TEXAS  
COUNTY OF HARRIS

The foregoing instrument was acknowledged before me this 5 day of October, 2018, by KATHY K. BINFORD, as VICE PRESIDENT, of \*Domain Dr. Phillips LLC, a Delaware limited liability company, on behalf of the limited liability company. He/She is personally known to me or who has produced \_\_\_\_\_ as identification. \*DDP MANAGER LLC, a Delaware limited liability company as Manager of

(Notary Seal)



Domain Dr. Phillips LLC,  
a Delaware limited liability company  
By: DDP Manager LLC, a Delaware limited liability company, its manager

BY: Kathy K. Binford  
Vice President

Kathy K. Binford  
Printed Name

Shandel Felder  
Notary Signature  
SHANDEL FELDER  
Printed Notary Name

Notary Public in and for  
the County and State aforesaid  
My commission expires:

2-26-2020

{SIGNATURE ON FOLLOWING PAGE}



Project: Granada PD (Parcels E, F, and G)

IN WITNESS WHEREOF, CDCG has caused these presents to be signed in its name.

Signed, sealed, and delivered  
in the presence of:

Wendy Speckel  
Witness

Wendy Speckel  
Printed Name

Brittany Holt  
Witness

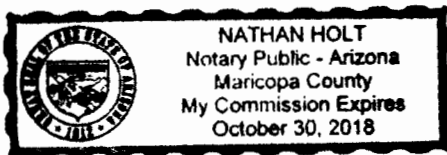
Brittany Holt  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Arizona  
COUNTY OF Maricopa

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of October, 2018, by Steven S. Benson, as Manager, of CDCG Asset Management, LLC, an Arizona limited liability company, as Authorized Agent of CDCG 4 MTH 2 LP, a Delaware limited partnership, on behalf of the limited partnership. He is personally known to me or who has produced \_\_\_\_\_ as identification.

(Notary Seal)



CDCG 4 MTH 2 LP,  
a Delaware limited partnership

BY: CDCG Asset Management, LLC  
an Arizona limited liability company,  
its Authorized Agent

BY: Steven S. Benson  
Steven S. Benson, as Manager

Nathan Holt  
Notary Signature  
Nathan Holt  
Printed Notary Name

Notary Public in and for  
the County and State aforesaid  
My commission expires:

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

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
DEC 04 2018

Project: Granada PD (Sand Lake Rd/Turkey Lake Rd) (RAC)

**NOTICE OF RESERVATION**

ORANGE COUNTY, A CHARTER COUNTY AND POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, HEREBY reserves a right of way for road purposes in perpetuity on the following property:

**See Attached Exhibit "A"**

**Property Appraiser's Identification Number:**  
**a portion of 35-23-28-7825-00-011**

ORANGE COUNTY shall retain its right of way interest despite any transfer of fee title.

Dated at Orlando, Florida this DEC 04 2018.

IN WITNESS WHEREOF, the said COUNTY has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By Board of County Commissioners

BY:

*Jerry L. Demings*  
Jerry L. Demings  
Orange County Mayor

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

BY: *Noelia Perez*  
toe Deputy Clerk

Noelia Perez  
Printed Name

**This instrument prepared by:** E. Price Jackson, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida

## LEGAL DESCRIPTION

### EXHIBIT "A"

#### Purpose: Road Right of Way

A portion of Lot 1, SAND LAKE PLAZA as recorded in Plat Book 28, Page 125 in Orange County, FL, said lands lying in Section 35, Township 23 South, Range 28 East, Orange County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 35; thence run South 00°01'50" East, along the East line of said Northeast  $\frac{1}{4}$  of Section 35, for a distance of 1616.02 feet; thence leaving said section line run South 89°58'10" West, for a distance of 112.56 feet to a point on the West Right of Way line of Turkey Lake Road of the SAND LAKE PLAZA as recorded in Plat Book 28, Page 125 of the Public Records of Orange County, Florida to the Southeast corner of Parcel as recorded in Official Records Book 4848, Page 1230 of Orange County, Florida and to the Point of Beginning; thence leaving said Right of Way line along the South line of said Parcel run South 88°08'10" West, for a distance of 371.18 feet to the Southwest corner of said Parcel; thence along the West line of said Parcel run North 01°31'51" West, for a distance of 75.00 feet; thence leaving the West line of said Parcel run North 88°08'10" East, for a distance of 299.72 feet to a point of curvature of a curve concave Northwesterly, having a radius of 10.00 feet, a chord bearing of North 29°13'53" East, and a chord length of 17.13 feet; thence along the arc of said curve through a central angle of 117°48'33" for an arc length of 20.56 feet to the point of compound curvature of a curve concave Southwesterly, having a radius of 646.20 feet, a chord bearing of North 40°34'37" West, and a chord length of 244.47 feet; thence along the arc of said curve through a central angle of 21°48'27" for an arc length of 245.95 feet to the North line of said parcel; thence along of said North line run North 88°08'10" East, for a distance of 33.22 feet to aforesaid West Right of Way line of Turkey Lake Road and to a point on a non-tangent curve concave Southwesterly, having a radius of 668.20 feet, a chord bearing of South 34°49'39" East, and a chord length of 334.23 feet; thence along the arc of said curve through a central angle of 28°57'59" for an arc length of 337.81 feet to the Point of Beginning;

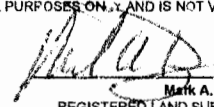
Said lands having an area of 32,528.05 or 0.746 acres, more or less.

#### NOTES:


1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 35-23-28, BEING SOUTH 00°01'50" EAST. (ASSUMED)
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
4. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
5. THIS IS NOT A SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 6J-17, F.A.C., PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

3/22/18  
DATE:

  
Mark A. Daynes  
REGISTERED LAND SURVEYOR  
AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479

See Sheet 2 of 2 for Sketch

PREPARED FOR: Engineering Design Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION			
DRAWN BY: Alvarez	DATE: 03/22/18	SECTION: 35	<div>SURVEY SECTION</div> <div>4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940</div> <div></div>	DRAWING SCALE:	NTS
CHECKED BY: Daynes	JOB No: 8170	TOWNSHIP: 23		PROJECT NUMBER	8170
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28			
REVISION DATE:	8170 Granada Loop	SHEET 1 OF 2			

# SKETCH OF DESCRIPTION

## EXHIBIT "A"

Purpose: Road Right of Way



0' 40' 80'

### Legend

F.D.O.T. = Florida Department of Transportation P.G. = Page  
O.R.B. = Official Record Book R/W = Right of Way  
PCC = Point of Compound Curvature Sec = Section  
PC = Point of Curvature ● = Change in Direction, No Point Set

Point of Commencement  
NE Corner of  
Sec 35-23-28

50' Drainage Easement Per F.D.O.T.  
R/W Map Section 75002

Sand Lake Plaza  
Plat Book 28,  
Page 125  
Lot 1

County  
Pond

O.R.B. 4848  
PG. 1230

SW corner  
of Parcel

Sand Lake Plaza  
Plat Book 28, Page 125  
Lot 1

Point of Beginning  
SE Corner  
of Sec 35-23-28  
O.R.B. 4848, PG 1230

Curve Table				
Radius	Delta	Arc Length	Chord Bearing	Curve Distance
C1	10.00'	117°48'33"	20.56'	N29°13'53"E 17.13'
C2	646.20'	21°48'27"	245.95'	N40°34'37"W 244.47'
C3	668.20'	28°57'59"	337.81'	S34°49'39"E 334.23'

Line Table	
Bearing	Distance
L1	S88°08'10"W 371.18'
L2	N01°31'51"W 75.00'
L3	N88°08'10"E 299.72'
L4	N88°08'10"E 33.22'

See Sheet 1 of 2 for Legal Description

PREPARED FOR:  
Engineering -  
Design Section

DRAWN BY: Alvarez	DATE: 03/22/18	SECTION: 35
CHECKED BY: Daynes	JOB No: 8170	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 28
REVISION DATE:	8170 Granada Loop	SHEET 2 OF 2

PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION  
4200 SOUTH JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
(407) 836-7940



DRAWING SCALE:  
1"=80'  
PROJECT NUMBER  
8170