Interoffice Memorandum



REAL ESTATE MANAGEMENT ITEM 15

DATE:	November 13, 2018
TO:	Mayor Jerry L. Demings and the Board of County Commissioners
THROUGH:	Paul Sladek, Manager 🚧 Real Estate Management Division
FROM:	Mary Tiffault, Title Examiner Real Estate Management Division
CONTACT PERSON:	Paul Sladek, Manager
DIVISION:	Real Estate Management Phone: (407) 836-7090
ACTION REQUESTED:	APPROVAL OF A SIDEWALK EASEMENT FROM NADG/BLACKFIN PARTNERS (LAKE NONA) LP TO ORANGE COUNTY AND SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM TD BANK, N.A. AND AUTHORIZATION TO RECORD INSTRUMENTS
PROJECT:	Shoppes at Nona Place Permit No. 17-E-042
	District 4
PURPOSE:	To provide for access, construction, operation, and maintenance of sidewalk improvements as a requirement of development.
ITEMS:	Sidewalk EasementCost:DonationTotal size:2,519 square feet
	Subordination of Encumbrances to Property Rights to Orange County
APPROVALS:	Real Estate Management Division Public Works Department
REMARKS:	Grantor to pay all recording fees.

THIS IS A DONATION

Project: Shoppes at Nona Place Permit No. 17-E-042

SIDEWALK EASEMENT

THIS INDENTURE, made this <u></u>day of <u>October</u>, 2018, between NADG/Blackfin Partners (Lake Nona) LP, a Delaware limited partnership, whose address is 400 Clematis Street, Suite 201, West Palm Beach, FL 33401, GRANTOR, and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$10.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns an easement for sidewalk purposes with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a paved sidewalk upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

portions of

30-24-31-8610-01-000 30-24-31-8610-02-000 30-24-31-8610-03-000

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

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees and other obstructions that may interfere with normal usage or maintenance of the paved sidewalk and easement. The GRANTOR, successors and assigns, agree not to build, construct, or create, nor permit others to build, construct, or create any fence, wall, or other structure on the herein granted right of way. IN WITNESS WHEREOF, the GRANTOR has caused these presents to be signed in its name.

Signed, sealed and delivered in the presence of:

Signature of Witness

Printed Name

Signature of W

Connor BARA

(Signature of TWO witnesses required by Florida law)

STATE OF Flor cola COUNTY OF falm forces

NADG/Blackfin Partners (Lake Nona) LP. a Delaware limited partnership

BY: NADG (Lake Nona) GP LLC, a Delaware limited liability company, General Partner

BY: Jeffrey Preston, its Manager

The foregoing instrument was acknowledged before me this 1^{5+} of 9ctoles20 /8 by Jeffrey W. Preston as Manager of NADG (Lake Nona) GP LLC, a Delaware limited liability company, as General Partner of NADG/Blackfin Partners (Lake Nona) LP, a Delaware limited partnership on behalf of the limited partnership. She/He is personally known to me or has produced as identification.

(Notary Seal)



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

Notary Signature

Michael Sulem

Printed Notary Name

Notary Public in and for the County and State aforesaid

My Commission Expires: 4/17/22

S:\Forms & Master Docs\Project Document Files\1 Misc. Documents\S\Shoppes at Nona Place Permit No. 17-E-042 Sidewalk Easement.doc 7/13/2018 ps rev 8/14/2018 ps rev 9/12/2018 ps rev 9/28/2018 ps

Sketch and Description:

THIS IS NOT A SURVEY

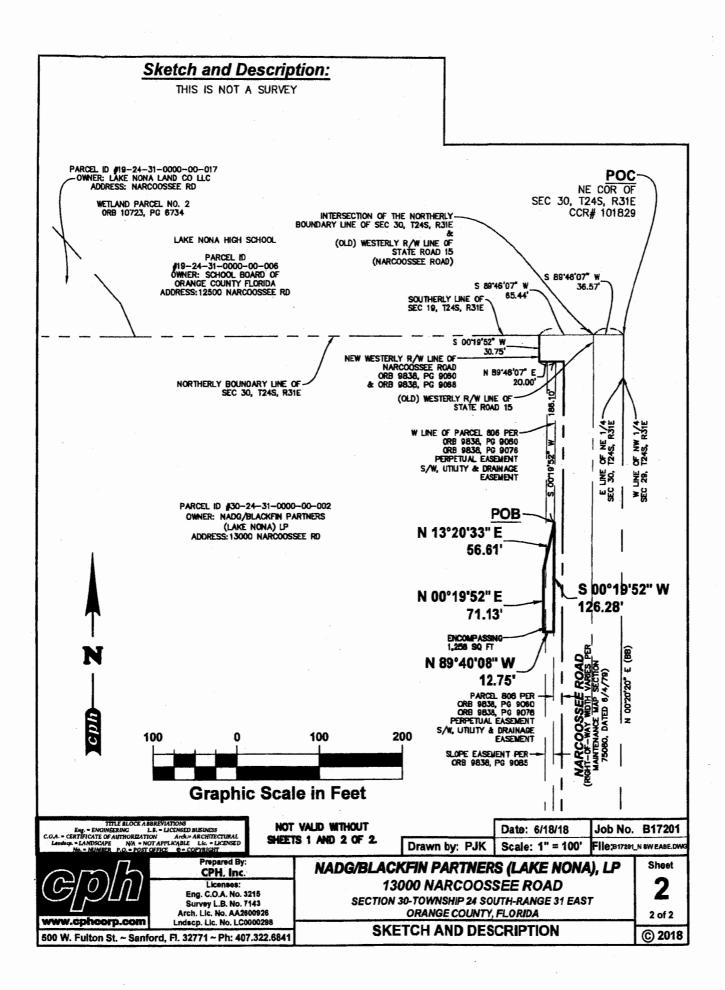
Legal Description:

A PARCEL OF LAND LYING IN THE NORTHTHEAST QUARTER OF SECTION 30, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE SOUTH 89'46'07" WEST ALONG THE NORTHERLY BOUNDARY LINE OF SAID SECTION 30, A DISTANCE OF 36.57 FEET TO THE INTERSECTION OF SAID NORTHERLY BOUNDARY LINE AND THE (OLD) WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 15 (ALSO KNOWN AS NARCOOSSEE ROAD); THENCE CONTINUE SOUTH 89'46'07" WEST, A DISTANCE OF 65.44 FEET TO A POINT LYING ON THE NEW WESTERLY RIGHT-OF-WAY LINE OF NARCOOSSEE ROAD); THENCE CONTINUE SOUTH 89'46'07" WEST, A DISTANCE OF 9060 AND OFFICIAL RECORDS BOOK 9838, PAGE 9068 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE ALONG SAID RIGHT-OF-WAY LINE RUN SOUTH 00'19'52" WEST, A DISTANCE OF 30.75 FEET; THENCE RUN NORTH 89'46'07" EAST, A DISTANCE OF 20.00 FEET TO THE WEST LINE OF PARCEL 806 PER OFFICIAL RECORDS BOOK 9838, PAGE 9060 AND OFFICIAL RECORDS BOOK 9838, PAGE 9076 OF SAID PUBLIC RECORDS; THENCE SOUTH 00'19'52" WEST ALONG SAID WEST LINE A DISTANCE OF 186.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00'19'52" WEST ALONG SAID WEST LINE A DISTANCE OF 128.28 FEET; THENCE DEPARTING AFORESAID WEST LINE RUN NORTH 89'40'07" WEST, A DISTANCE OF 12.75 FEET; THENCE RUN NORTH 69'40'08" WEST, A DISTANCE OF 71.13 FEET; THENCE RUN NORTH 69'40'08" WEST, A DISTANCE OF 71.13 FEET; THENCE RUN NORTH 00'19'52" EAST, A DISTANCE OF 71.13 FEET; THENCE RUN NORTH 13'20'33" EAST, A DISTANCE OF 56.61 FEET TO THE AFORESAID WEST LINE AND THE POINT OF BEGINNING. ENCOMPASSING 1,258 SQUARE FEET MORE OR LESS.

Abbreviation Legend:

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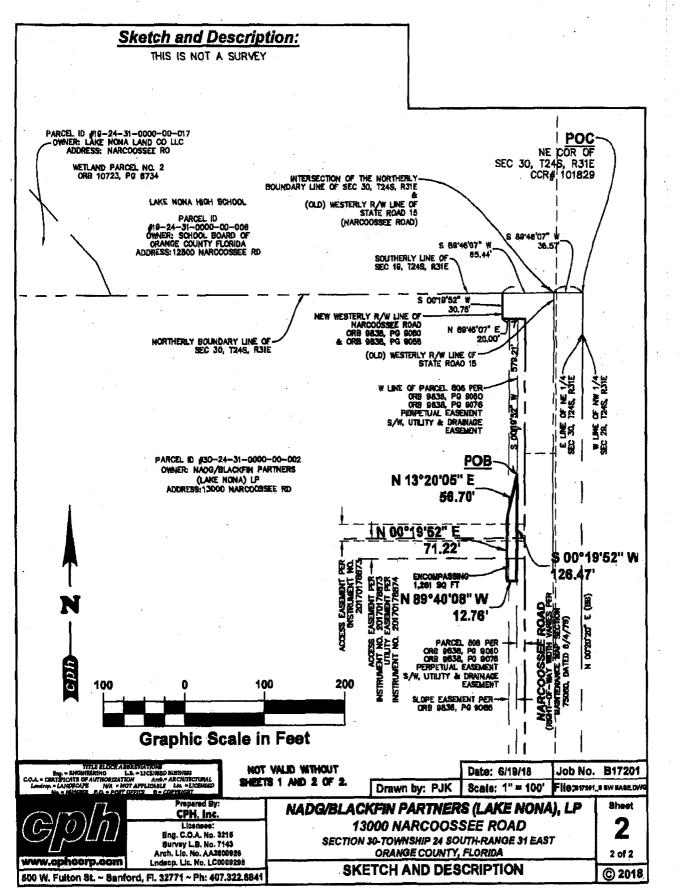
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Project: Shoppes at Nona Place Permit No. 17-E-042

SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a sidewalk project in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to the below encumbrances held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrances to the property rights of Orange County in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations, paid, receipt of which is hereby acknowledged, the undersigned subordinates said encumbrances as they have been or as may be modified and amended from time to time to the property rights of Orange County to locate, construct, maintain, and/or improve said project over, through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

SEE ATTACHED EXHIBIT "A"

Encumbrances: TD Bank, N.A. FROM: NADG/Blackfin Partners (Lake Nona) LP Mortgage and Security Agreement filed October 6, 2017 Recorded as Document No. 20170547005 Assignment of Leases and Rents filed October 6, 2017 Recorded as Document No. 20170547006 UCC Financing Statement filed October 6, 2017 Recorded as Document No. 20170547007 All in the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for sidewalk purposes only, and that nothing herein contained shall in any way Project: Nona Sidewalk\Shoppes at Nona Place Permit No. 17-E-042

affect, alter, impair, minimize, or diminish the effect of said encumbrance or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed that in the event said above described premises are abandoned by Orange County and cease to be used for sidewalk purposes that in such event the subordination of said encumbrances shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

IN WITNESS WHEREOF, the said holder of said encumbrance has duly executed this instrument day of <u>October</u>, A.D. 2018.

Signed, sealed, and delivered in the presence of: Witness Danielle Linton Printed Name Haultte Julle	TD Bank, N.A. a national banking association BY: Sea C. Dunce Printed Name Vice Dresident Title
Paulette Fuller Printed Name	
(Signature of TWO Witnesses required by Florida law)	
STATE OF <u>Flovid</u> COUNTY OF <u>Flittsbord</u> GL	
The foregoing instrument was acknowledged before the foregoing instrument was acknowledged before as, as, as, behalf of the bank. She/ He this personally known to me of identification.	of TD Bank, N.A. a national banking association on
ANNJILLENE JONES Notary Public - State of Florida Commission # GG 029924 My Comm. Expires Sep 13, 2020	Notary Signature Notary Signature Notifice Ores
This instrument prepared by: Peter Stanley, a staff employee	Printed Notacy Name Notary Public in and for the County and State aforesaid
in the course of duty with the Real Estate Management Division	

S:\Forms & Master Docs\Project Document Files\1_Misc. Documents\S\Shoppes at Nona Place Permit No. 17-E-042SUB.doc rev 8/21/2018 ps rev 9/12/2018 ps rev 9/28/2018 ps

of Orange County, Florida

Sketch and Description:

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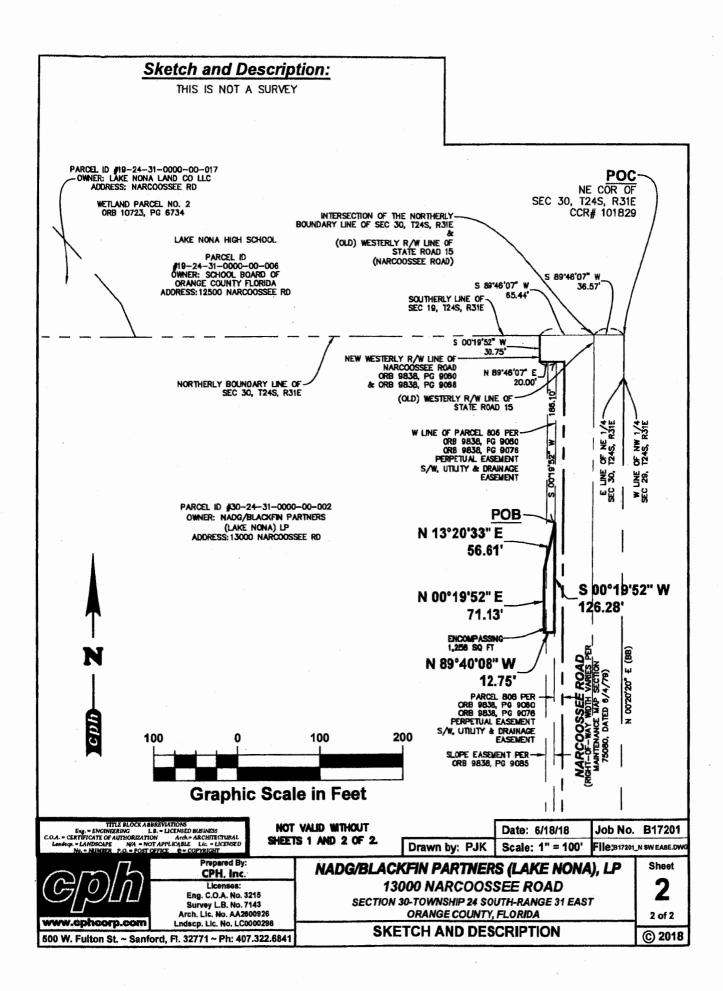
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Legal Description:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 24 BOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE SOUTH B9'46'07" WEST ALONG THE NORTHERLY BOUNDARY LINE OF SAID SECTION 30, A DISTANCE OF 36.57 FEET TO THE INTERSECTION OF SAUD NORTHERLY BOUNDARY LINE AND THE (OLD) WESTERLY BIGHT-OF-WAY LINE OF SAID SECTION 30, A DISTANCE OF 36.57 FEET TO THE INTERSECTION OF SAUD NORTHERLY BOUNDARY LINE AND THE (OLD) WESTERLY BIGHT-OF-WAY LINE OF SAID SECTION 30, A DISTANCE OF 36.57 FEET TO THE INTERSECTION OF SAUD NORTHERLY BOUNDARY LINE AND THE (OLD) WESTERLY BIGHT-OF-WAY LINE OF SAID SECTION 30, A DISTANCE OF SAUD NORTHERLY BOUNDARY LINE AND THE (OLD) WESTERLY BIGHT-OF-WAY LINE OF SAID SECTION 30, A DISTANCE OF SAUD AS DESCRIBED IN OFFICIAL RECORDS BOOK 9838, PAGE 9060 AND OFFICIAL RECORDS BOOK 9838, PAGE 9080 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE ALONG SAUD ROHT-OF-WAY LINE AND SOUTH 00'19'52" WEST, A DISTANCE OF 30.75 FEET; THENCE RUN NORTH 89'46'07" EAST, A DISTANCE OF 20.00 FEET TO THE WEST LINE OF PARCEL 808 PER OFFICIAL RECORDS BOOK 9838, PAGE 9080 AND OFFICIAL RECORDS BOOK 9838, PAGE 9076 OF SAUD PUBLIC RECORDS; THENCE SOUTH 00'19'52" WEST ALONG SAID WEST LINE A DISTANCE OF 57.21 FEET TO THE POINT OF BEDINNING; THENCE CONTINUE 90UTH 00'19'52" BLORE SOUTH 00'19'52" WEST ALONG SAID WEST LINE A DISTANCE OF 57.21 FEET TO THE POINT OF BEDINNING; THENCE CONTINUE 90UTH 00'19'52" BLORE SOUTH 00'19'52" WEST ALONG SAID WEST LINE A DISTANCE OF 57.21 FEET TO THE POINT OF BEDINNING; THENCE CONTINUE 90UTH 00'19'52" BLORE RUN NORTH 00'19'52" BLORE OF 12.67 FEET; THENCE DEPARTING AFORESAID WEST LINE RUN NORTH 89'40'0'8" WEST, A DISTANCE OF 12.76 FEET; THENCE RUN NORTH 05'19'22" EAST, A DISTANCE OF 71.22 FEET; THENCE RUN NORTH 13'20'D'8" EAST, A DISTANCE OF 56.70 FEET TO THE AFORESAID WEST LINE AND THE POINT OF BEGINNING. ENCOMPASSING 1,281 SQUARE FEET MORE OR LESS.

Abbi	revi	ation	Leg	end:

RECORD NUMBER TRANSPOR 0.4 - CENTERINE PF - PASH FLC CA - CONCRETE MONUMENT FRO - FORM L CONC - CONCRETE PFAL - FLORDA P CONC - CONCRETE (0) - 9RD (STA	HT IRAC AND UTLITY L D0 D0 PAVEMENT N m PAVEMENT N m CTATION N T COR OR OWER AND LIGHT (P) PB TE PLANE) PB	- COVERAMENT - IRON PREF - IRON REBAR & CAP - ARC LEWRTH - LICENSED BUBARESS - ARC LEWRTH - MAL AND DISK - NOB-RURD - NOB-RURD - NOB-RURD - NOB-RURD - NOB-RURD - OFFICIAL RECORDS B - RLAT - RL	PCC - PONT PCP - PERMA PO - PAGE PO - PAGE POB - PAGE POB - POBT POB - POBT POB - POBT POB - POBT PIGATION POL PIG - POBT OK - POBT OK - POBT POK - POBT	GF COMPOUND R NUME - NUME NENT CONTROL POINT RE RE OF INTERBECTION R, OF DEGNINING SE OF COMPOSITION R OF COMPOSITION RE OF COMPOSITION RE OF COMPOSITION RE NUME NUME NUME COMPOSITION COMPOSITION NUME COMPOSITION COMPOSITION NUME NUME COMPOSITION NUME NUME COMPOSITION NUME NUME NUME NUME NUME NUME NUME NUM	AD - RADAL EC - RECOVEREL EV - RECOVEREL P - RADUS PO AW - SECTION 2 AW - WITH	D INT WAY DIT IZARINO 24 GOUTH SEMENT							
Surveyor's Notes: Surveyor's Certification:													
"SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLOREDA LICENSED SURVEYOR AND MAPPER." SURVEYOR TO THE ORIGINAL RAISED SEAL OF A FLOREDA LICENSED SURVEYOR AND MAPPER." SURVEYOR TO THE ORIGINAL RAISED SEAL OF A FLOREDA LICENSED SURVEYOR AND Description" of the hereon-described property is true and													
 "Additions or deletions to survey maps or report party or parties is provisited without written co parties." 	IS BY OTHER THAN THE NSENT OF THE SIGNING	BORNG PARTY OR	correct to the b belief as prepare further certify th	est of my knowled d under my directi at this "Sketch an	ige, information fon on June 18 nd Description"	and 3, 2018. i meete							
 BEAAROS BHOWN HEREON ANE RELATIVE TO ABSUMED ALONG THE RAST LINE OF THE MORTHEAST 1/4 OF BEC RANGE 31 EAST. 	Datum as being h go? Tidn 30, towner#P 24	the standards of 5J—17 of the Fig 472,027.	prastice set forth orda Administrative	n in Rule Chap a Code, pursua	ter nt to FS								
 THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY NEQUEST. 	THE SURVEYOR PER THE	CLENTS		part	174	2							
8. THIS INCICH WAS PREPARED WITHOUT THE BENEFIT OF TITLE NO INSTRUMENTS OF RECOMD REFLECTING EASEN OWNERSHIP WERE FURNISHED TO THIS SURVEYOR ENCEP	ENTE, RIGHTS-OF-WAY, A		For the Firm By:		J. Katrek urvevor and Ma	ciper							
 THE IS NOT A BOUNDARY SURVEY, THE SKETCH AND INFORMATION FURNISHED TO THE SURVEYOR, NO FIELD INFORMATION. 	escription was prepa Survey was performed	RED FRAN			stration No. 62								
TITLE BLOCK A BEREVIA TRONS Eng. = ENGINEERING L.B. = LICENNED BLISINESS	NOT VALID	WITHOUT		Date: 6/19/18	Job No.	B17201							
C.O.A. = CERTIFICATE OF AITHORIZATION Anti, - ARCHITECTURAL Londrep. = LANDECARE NA = NOT APPLICABLE Lin. = LICENBED No. = MINERE P.O. = POST OFFICE	SHEETS 1 A	ND 2 OF 2.	Drawn by: PJK			8 BW EASE,DWG							
C-COC	~~~~~ N		FIN PARTNEI	•	NA), LP	Sheet 1							
Eng. C.O.A. No. 3 Survey L.B. No. 1		SECTION S	O-TOWNSHIP 24 S		AST								
www.ophcorp.com Arch. Lie. No. AA2		•	ORANGE COUNTY	, FLORIDA	FLORIDA 1								
500 W. Fulton St. ~ Sanford, Fl. 32771 ~ Ph: 40		SKE	TCH AND DE	SCRIPTION		© 2018							

