





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 17

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 UTILITY EASEMENT FROM TITAN-LIBERTY LAKE UNDERHILL JOINT VENTURE AND VILLAGE I – 545, LLC TO ORANGE COUNTY AND UTILITY EASEMENT FROM SPRING GROVE, LLC TO ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Horizon West Village I – Jaffers PD Parcel 16 Ph 1 Permit #18-E-016
OCU File #96367

District 1

PURPOSE: To provide for access, construction, operation, and maintenance of utility facilities as a requirement of development.

ITEMS: Utility Easement (2)
Cost: Donation
Total size: 7.798 acres

Real Estate Management Division
Agenda Item 17
November 13, 2018
Page 2

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: Grantors to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 04 2018

THIS IS A DONATION

Project: Horizon West Village I - Jaffers PD Parcel 16 Ph 1 Permit #18-E-016 OCU File #96367

UTILITY EASEMENT

THIS INDENTURE, Made this 24th day of October, A.D. 2018, between Titan-Liberty Lake Underhill Joint Venture, a Florida general partnership, as to an undivided fifty percent (50%) interest, and Village I – 545, LLC, a Florida limited liability company, as to an undivided fifty percent (50%) interest, as tenants in common, whose address is 2281 Lee Road, Suite 204, Winter Park, Florida 32789, GRANTORS, 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 GRANTORS, in consideration of the sum of \$1.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Numbers:

a portion of 19-24-27-0000-00-002

a portion of 19-24-27-0000-00-014

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever; provided, however, the easement hereby granted shall automatically terminate, without the necessity of GRANTORS undertaking vacation proceedings or obtaining any release from GRANTEE, as to any portion of the property over which the easement passes to which GRANTEE hereafter acquires title in fee simple, whether by conveyance from GRANTORS (or its successors or assigns) or otherwise.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the

herein granted easement, and the GRANTORS, its successors and assigns, agrees not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

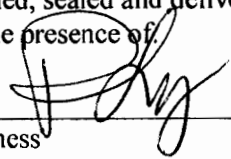
GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement, or modify the size of existing pipelines or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTORS or GRANTORS' heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

IN WITNESS WHEREOF, the GRANTORS have caused their presents to be executed in its name.

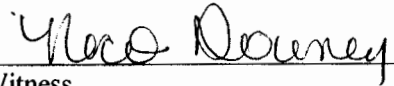
Signed, sealed and delivered
in the presence of

Witness


Patricia Loy

Printed Name

Witness


Neco Downey

Printed Name

Titan-Liberty Lake Underhill Joint Venture, a
Florida general partnership

By: Titan Lake Underhill, Inc, a Florida
corporation, its Managing Venturer

By:


DELL AVERY

Printed Name

 Vice President

Title

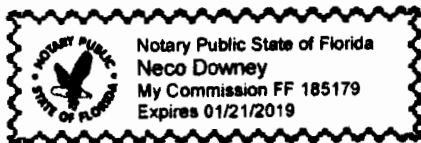
(Signature of **TWO** witnesses required by Florida law)

Project: Horizon West Village I - Jaffers PD Parcel 16 Ph 1 Permit #18-E-016 OCU File #96367

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 24 of October
2018, by Dell Avery, as vice President
of Titan Lake Underhill, Inc., a Florida corporation, the managing venturer of Titan-Liberty Lake
Underhill Joint Venture, a Florida general partnership, on behalf of the entity. He ☒ is personally
known to me or ☐ has produced _____ as identification.

(Notary Seal)



Neco Downey
Notary Signature

Neco Downey
Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 01/21/2019

Project: Horizon West Village I - Jaffers PD Parcel 16 Ph I Permit #18-E-016 OCU File #96367

Signed, sealed and delivered
in the presence of:

Witness

Patricia Loy

Printed Name

Witness

Neco Downey

Printed Name

Village I-545, LLC,
a Florida limited liability company

BY: [Signature]

Ken Fulmer

Printed Name

Manager

Title

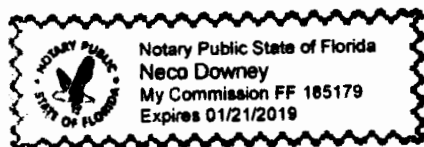
(Corporate Seal)

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

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 24 of October
2018, by Ken Fulmer, as manager
of Village I-545, LLC, a Florida limited liability company, on behalf of the entity. He/She ☒ is
personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



Neco Downey

Notary Signature

Neco Downey

Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires: 01/21/2019

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

Exhibit "A"

(see attached)

OCU FILE # 18-E-016

PROJECT NAME: HORIZONS WEST VILLAGE I
JAFFERS PD PARCEL 16, PHASE 1
OFF-SITE UTILITIES
PURPOSE: UTILITY EASEMENT
ESTATE: TEMPORARY

Legal Description

A portion of Section 19, Township 24 South, Range 27 East, Orange County, Florida, described as follows:

Commence at the northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 19; thence run S 00°07'14" E, along the west line of the Southwest 1/4 of the Southeast 1/4 of said Section 19, a distance of 30.00 feet to a point on the southerly right-of-way line of Flemings Road as recorded in Deed Book 505, Page 197 and Deed Book 509, Page 483, Public Records of Orange County, Florida and the POINT OF BEGINNING; thence run N 89°10'44" E, along said southerly right-of-way line, a distance of 1,319.93 feet to a point on the east line of the Southwest 1/4 of the Southeast 1/4 of said Section 19; thence run S 00°07'55" W, along the east line thereof, a distance of 36.00 feet; thence run S 89°10'44" W, parallel with said southerly right-of-way line, a distance of 1,319.77 feet to a point on the aforesaid west line of the Southwest 1/4 of the Southeast 1/4 of said Section 19; thence run N 00°07'14" W, along the west line thereof, a distance of 36.00 feet to the POINT OF BEGINNING.

Containing 1.091 acres, more or less.

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 for sketch.

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

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

Sketch of Description

of a

Utility Easement

situated in

**Section 19, Township 24 South, Range 27 East
Orange County, Florida**

PREPARED FOR: Spring Grove LLC & Titan-Liberty Lake Underhill Joint Venture

JOB NO.
1703.27A

SHEET
1 of 2

DATE
5/07/18

SCALE
As Noted

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

GBA LB No. 71164

R. GLAYTON GANUNG

REG. P.L.S. NO.



GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

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

unplatted

Point of
Commencement
NW corner of
the SW 1/4 of
the SE 1/4 of
Section 19-24-27

Flemings Road
(60' Wide Right-of-Way)

S 00°07'55" W
36.00'

north line of the SW 1/4 of
the SE 1/4 of Section 19-24-27

S 00°07'14" E
30.00'

N 89°10'44" E
1319.93'

southerly right-of-way line

Point of
Beginning

N 00°07'14" W
36.00'

30' Right-of-Way per
Deed Book 505, Page 197
Deed Book 509, Page 483

S 89°10'44" W
1319.77'

36.00'

east line of the SW 1/4 of the SE 1/4 of Section 19-24-27

unplatted

SW 1/4 of the SE 1/4 of
Section 19-24-27

west line of the SW 1/4 of the SE 1/4 of Section 19-24-27
basis of bearings (assumed)



1" = 300'

Avalon Road (C.R. 545)

Sheet 2 of 2

See Sheet 1 for legal description.
(GBA Job No. 1703.27A)

OCU FILE # 18-E-016

PROJECT NAME: HORIZONS WEST VILLAGE I

JAFFERS PD PARCEL 16, PHASE 1

OFF-SITE UTILITIES

PURPOSE: UTILITY EASEMENT

ESTATE: TEMPORARY

Legal Description

A portion of Section 19, Township 24 South, Range 27 East, Orange County, Florida, described as follows:

BEGIN at the northeast corner of the Southwest 1/4 of the Southeast 1/4 of said Section 19; said point being a point on the northerly right-of-way line of Flemings Road as recorded in Deed Book 505, Pages 193, 196 and 198 and Deed Book 509, Page 483, Public Records of Orange County, Florida; thence run westerly along said northerly right-of-way line, the following three (3) courses and distances: run S 89°10'44" W, a distance of 1,320.65 feet; thence run S 89°00'25" W, a distance of 1,740.15 feet to a point of curvature of a curve, concave northerly, having a radius of 352.00 feet and a central angle of 26°08'20"; thence run westerly, along the arc of said curve, a distance of 160.59 feet to a point on said curve; said point lying 36.00 feet north of (when measured perpendicular to) the northerly right-of-way line of Flemings Road; thence run easterly, parallel with said northerly right-of-way line, the following two (2) courses and distances: run N 89°00'25" E, a distance of 1,894.91 feet; thence run N 89°10'44" E, a distance of 1,590.84 feet to a point lying 64.00 feet westerly of (when measured perpendicular to) the westerly right-of-way line of Avalon Road (a 66.00 foot wide right-of-way) as recorded in State Road Plat Book 2, Page 30 and Deed Book 402, Page 312, Public Records of Orange County, Florida; thence run northerly, parallel with said westerly right-of-way line, the following two (2) courses and distances: run N 19°26'39" E, a distance of 1,168.36 feet to a point of curvature of a curve, concave easterly, having a radius of 2,961.79 feet and a central angle of 03°36'26"; thence run northerly, along the arc of said curve, a distance of 186.46 feet to a point on the north line of the Northeast 1/4 of the Southeast 1/4 of said Section 19; thence run N 88°50'43" E, along the north line thereof, a distance of 70.33 feet to a point on said westerly right-of-way line of Avalon Road; said point being a point of curvature of a non-tangent curve, concave easterly, having a radius of 2,897.79 feet; thence run southerly along said westerly right-of-way line, the following two (2) courses and distances: on a chord bearing of S 21°31'58" W and a chord distance of 211.22 feet, run southerly along the arc of said curve, a distance of 211.27 feet, through a central angle of 04°10'38" to the point of tangency thereof; thence run S 19°26'39" W, a distance of 1,215.08 feet to a point on the south line of the Northeast 1/4 of the Southeast 1/4 of said Section 19; thence run S 89°10'44" W, along the south line thereof, a distance of 314.10 feet to a point on the east line of the Southwest 1/4 of the Southeast 1/4 of said Section 19; thence run N 00°04'52" E, along the east line thereof, a distance of 30.00 feet to the POINT OF BEGINNING.

Containing 5.101 acres, more or less.

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 for sketch.

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

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

Sketch of Description

of a

Utility Easement

situated in

**Section 19, Township 24 South, Range 27 East
Orange County, Florida**

PREPARED FOR: Spring Grove LLC & Titan-Liberty Lake Underhill Joint Venture

JOB NO.
1703.27C

SHEET
1 of 2

DATE 5/07/18
REV. 10/22/18

SCALE
As Noted

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

GSA LB No. 7194

R. CLAYTON GANUNG

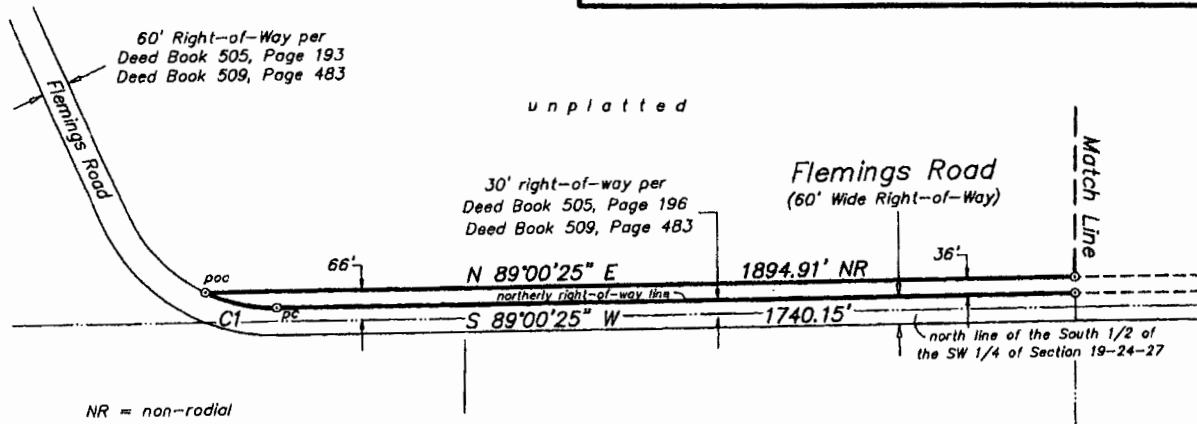
REG. P.L.S. NO. 2236



GANUNG - BELTON ASSOCIATES, INC.

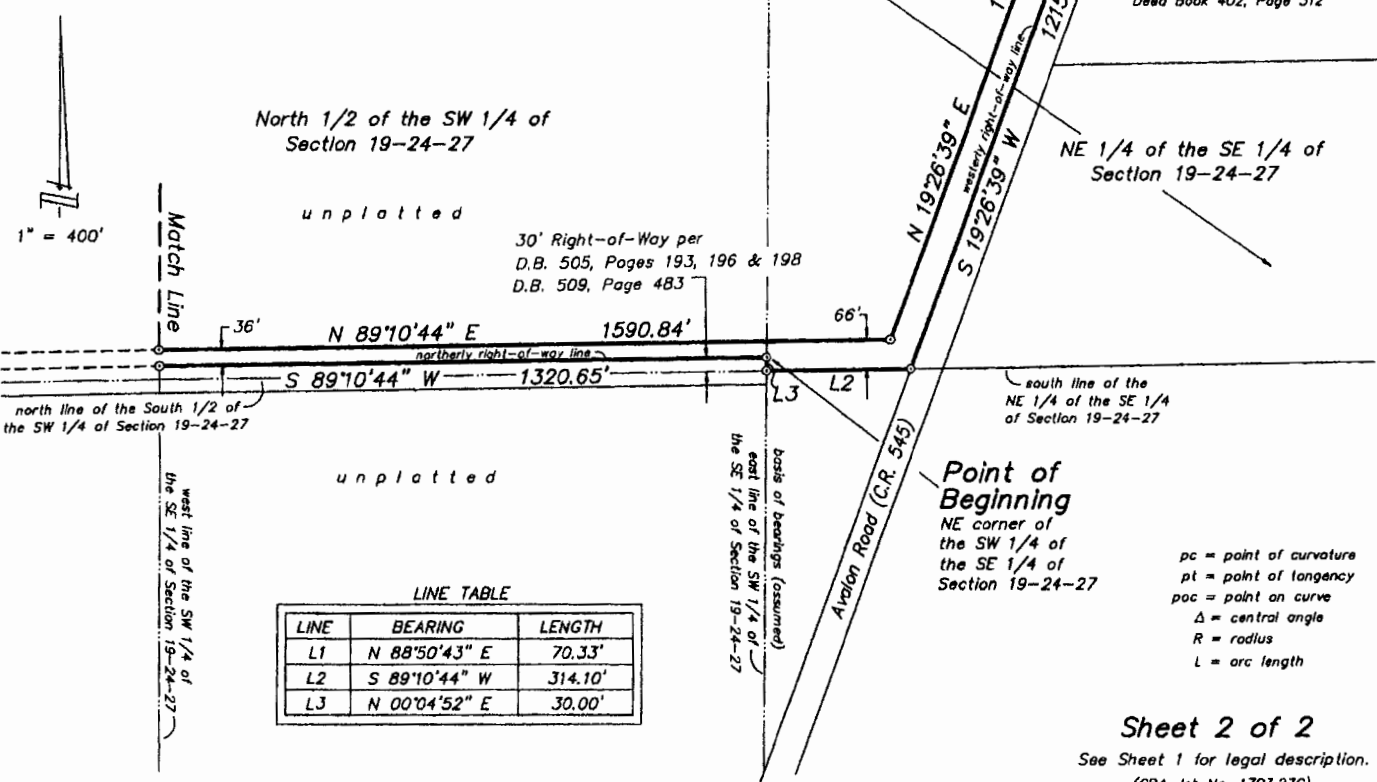
professional surveyors and mappers

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



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	26°08'20"	352.00'	160.59'	N 77°55'25" W	159.20'
C2	03°36'26"	2961.79'	186.46'	N 21°14'52" E	186.42'
C3	04°10'38"	2897.79'	211.27'	S 21°31'58" W	211.22'



LINE TABLE

LINE	BEARING	LENGTH
L1	N 88°50'43" E	70.33'
L2	S 89°10'44" W	314.10'
L3	N 00°04'52" E	30.00'

DEC 04 2018

THIS IS A DONATION

Project: Horizon West Village I - Jaffers PD Parcel 16 Ph 1 Permit #18-E-016 OCU File #96367

UTILITY EASEMENT

THIS INDENTURE, Made this 22ND day of October, A.D. 2018, between Spring Grove, LLC, a Delaware limited liability company, whose address is 5956 Sherry Lane, Suite 1000, Dallas, Texas 75225, 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 \$1.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Numbers:

a portion of

19-24-27-0000-00-003 and 19-24-27-0000-00-004

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever; provided, however, the easement hereby granted shall automatically terminate, without the necessity of GRANTOR undertaking vacation proceedings or obtaining any release from GRANTEE, as to any portion of the property over which the easement passes to which GRANTEE hereafter acquires title in fee simple, whether by conveyance from GRANTOR (or its successors or assigns) or otherwise.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted easement, and the GRANTOR, its successors and assigns, agrees not to build, construct, or

create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement, or modify the size of existing pipelines or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

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

Signed, sealed and delivered
in the presence of:

Rosa Pacheco

Witness

Rosa Pacheco

Printed Name

Stephen Sharp

Witness

Stephen Sharp

Printed Name

Spring Grove, LLC, a Delaware limited liability
company

By: CH II Spring Grove, LLC, a Delaware
limited liability company, its Sole Member

By: [Signature]

Daniel A. Traylor, Manager

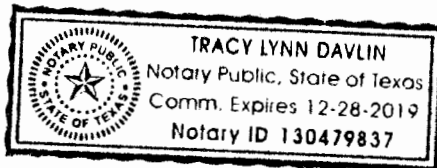
(Signature of TWO witnesses required by Florida law)

Project: Horizon West Village I - Jaffers PD Parcel 16 Ph I Permit #18-E-016 OCU File #96367

STATE OF TEXAS
COUNTY OF DALLAS

The foregoing instrument was acknowledged before me this 22 of OCTOBER 2018, by Daniel A. Traylor, as Manager of CH II Spring Grove, LLC, a Delaware limited liability company, the Manager of Spring Grove, LLC, a Delaware limited liability company, on behalf of the entity. He/She ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



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

Tracy Davlin
Notary Signature
Tracy Davlin
Printed Notary Name

Notary Public in and for

the county and state aforesaid.

My commission expires: 12-28-2019

Exhibit "A"

(see attached)

OCU FILE # 18-E-016

PROJECT NAME: HORIZONS WEST VILLAGE I
JAFFERS PD PARCEL 16, PHASE 1
OFF-SITE UTILITIES
PURPOSE: UTILITY EASEMENT
ESTATE: TEMPORARY

Legal Description

A portion of Section 19, Township 24 South, Range 27 East, Orange County, Florida, described as follows:

Commence at the northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 19; thence run S 00°07'14" E, along the west line of the Southwest 1/4 of the Southeast 1/4 of said Section 19, a distance of 30.00 feet to a point on the southerly right-of-way line of Flemings Road as recorded in Deed Book 505, Pages 193 and 195 and Deed Book 509, Page 483, Public Records of Orange County, Florida and the POINT OF BEGINNING; thence continue S 00°07'14" E, a distance of 36.00 feet; thence parallel with said southerly right-of-way line, the following two (2) courses and distances: run S 89°00'25" W, a distance of 1,739.19 feet to a point of curvature of a curve, concave northerly, having a radius of 448.00 feet and a central angle of 31°29'45"; thence run westerly, along the arc of said curve, a distance of 246.27 feet to a point on the north line of the South 1/2 of the Southwest 1/4 of said Section 19; thence run N 89°00'25" E, along the north line thereof, a distance of 79.71 feet to a point on the aforesaid southerly right-of-way line of Flemings Road; said point being a point on a non-tangent curve, concave northerly, having a radius of 412.00 feet; thence run easterly along said southerly right-of-way line the following two (2) courses and distances: on a chord bearing of S 80°00'12" E and a chord distance of 157.37 feet, run easterly along the arc of said curve, a distance of 158.34 feet, through a central angle of 22°01'12" to the point of tangency thereof; said point lying 30.00 feet south of (when measured perpendicular to) the aforesaid north line of the South 1/2 of the Southwest 1/4 of said Section 19; thence run N 89°00'25" E, along the north line thereof, a distance of 1,739.60 feet to the POINT OF BEGINNING.

Containing 1.606 acres, more or less.

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 for sketch.

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

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

Sketch of Description

of a

Utility Easement

situated in

**Section 19, Township 24 South, Range 27 East
Orange County, Florida**

PREPARED FOR:

Spring Grove, LLC

JOB NO.

1703.27B

SHEET

1 of 2

DATE

5/07/18

REV.

9/13/18

SCALE

As Noted

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

GBA LB No. 7194

R. CLAYTON GANUNG

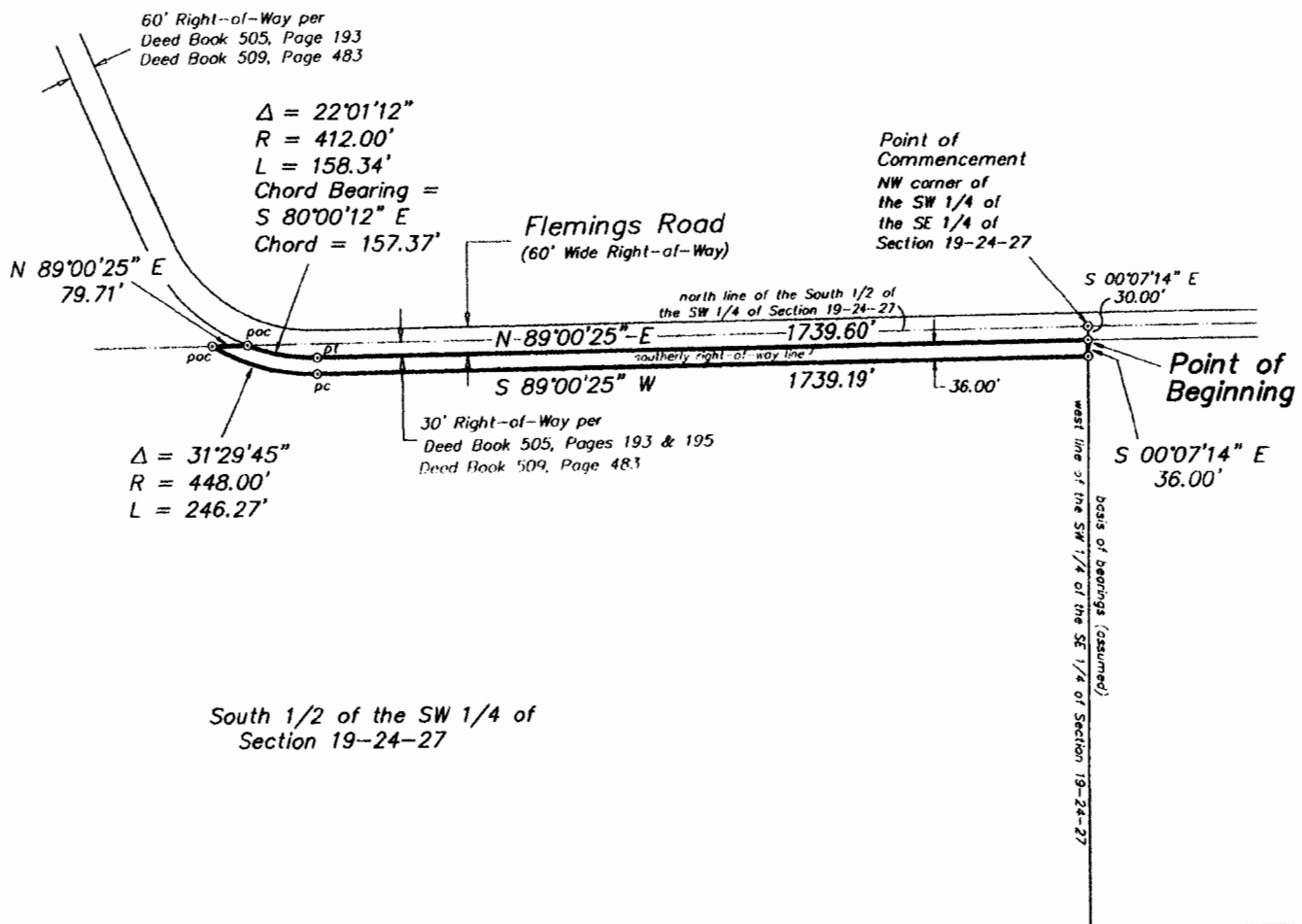
REG. P.L.S. NO. 4238



GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

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



pc = point of curvature
 pt = point of tangency
 poc = point on curve
 Δ = central angle
 R = radius
 L = arc length

Sheet 2 of 2

See Sheet 1 for legal description.
 (GBA Job No. 170327B)