





Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 9

**DATE:** April 4, 2019

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

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

**FROM:** Kim Heim, Senior 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 DKC Landstar Marketplace 2 LLC to Orange County and authorization to record instrument

**PROJECT:** Arby's Landstar Marketplace Site Work Permit #B18902134 OCU File #97041  
  
District 4

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

**ITEM:** Utility Easement  
Cost: Donation  
Size: 407 square feet

**APPROVALS:** Real Estate Management Division  
Utilities Department

**REMARKS:** Grantor to pay all recording fees.

APR 23 2019

THIS IS A DONATION

Project: Arby's Landstar Marketplace Site Work Permit #B18902134 OCU File #97041

**UTILITY EASEMENT**

THIS INDENTURE, Made this 4<sup>th</sup> day of MARCH, A.D. 2019, between DKC Landstar Marketplace 2 LLC, a Florida limited liability company, whose address is 431 Fairway Drive, Suite 201, Deerfield Beach, Florida, 33441, 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 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 Number:**

**a portion of**

**25-24-29-5566-01-002**

**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, 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, agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the 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

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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:

Beatrice T. Williams  
Witness

Beatrice T. Williams  
Printed Name

Mitzi Jordling  
Witness

Mitzi Jordling  
Printed Name

DKC Landstar Marketplace 2 LLC,  
a Florida limited liability company

BY: [Signature]

David Coppa  
Printed Name

Chief Executive Officer  
Title

(Signature of TWO witnesses required by Florida law)

STATE OF Florida  
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 4th of March,  
2019, by David Coppa, as Chief Executive Officer  
of DKC Landstar Marketplace 2 LLC, a Florida limited liability company, on behalf of the limited liability  
company. He/She ☒ is personally known to me or ☐ has produced  
as identification.

(Notary Seal)



Beatrice T. Williams  
Notary Signature

Beatrice T. Williams  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid.

My commission expires: 11/24/19

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

Drawing Name: C:\Users\Survey\147532000 Konoor Landstar MarketPlace LLC and Description\Arby's Water Easement\Water Easement - Arby's - Orange County.dwg 1 OF 2 Aug 20, 2018 4:50pm by: Chris Miller

