NGE 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 2657

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.

THIS IS A DONATION

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

UTILITY EASEMENT

THIS INDENTURE, Made this 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.

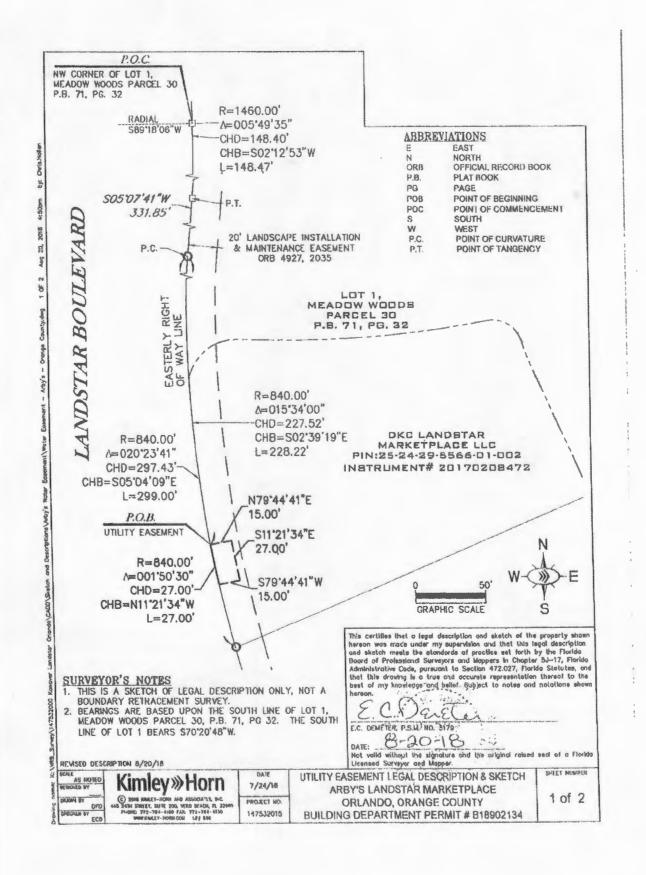
GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

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

Signed, sealed and delivered in the presence of:	DKC Landstar Marketplace 2 LLC, a Florida limited liability company
Without Bearere Turctions	BY:
Printed Name	David Coppa Printed Name
Mitzi Jordling Mitzi Jordling	Chief Executive Officer Title
Mitzi Jording Printed Name	
(Signature of TWO witnesses required by Florida la	w)
STATE OF Florida COUNTY OF Broward	
The foregoing instrument was acknowledge 2019, by David Coppa of DKC Landstar Marketplace 2 LLC, a Florida lim company. He/She D is personally known to me or as identification.	, as Chief Executive Officer ited liability company, on behalf of the limited liability
(Notary Seal)	Notary Signature Wuller
BEATRICE T. WILLIAMS Commission # FF 903534 Expires November 24, 2019 Bonded Thru Troy Fain Insurance 800-385-7018	Beature T. Williams Printed Notary Name
	Notary Public in and for the county and state aforesaid.
This instrument prepared by: Kimberly Heim, a staff employee	My commission expires: $n/\lambda 4/19$

in the course of duty with the Real Estate Management Division

of Orange County, Florida



LEGAL DESCRIPTION:

A PORTION OF LOT 1, MEADOW WOODS PARCEL 30, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 71, PAGE 32, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDAL SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, MEADOW WOODS PARCEL 30;

THENCE ALONG THE FASTERLY RIGHT OF WAY LINE OF LANDSTAR BOULEVARD AND ALONG A CURVE CONCAVE WESTERLY, OF WHICH THE RADIUS POINT LIES SOUTH 89°18'06" WEST, A RADIAL DISTANCE OF 1,460.00 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 05°49'35", A DISTANCE OF 148.47 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE BEARING SOUTH 05°07'41" WEST, A DISTANCE OF 331.85 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTFRLY, HAVING A RADIUS OF 840.00 FEET, A CENTRAL ANGLE OF 15°34'00", A CHORD LENGTH 0F 227.52 FEET, A CHORD BEARING OF SOUTH 02°39'19" EAST; THENCE, SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE, A DISTANCE OF 228.22 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE, LEAVING SAID RIGHT OF WAY LINE, BEARING NORTH 79°44'41" EAST, A DISTANCE OF 15.00 FEET TO A POINT; THENCE, BEARING SOUTH 11°21'34" EAST, A DISTANCE OF 27.00 FEET TO A POINT; THENCE, BEARING SOUTH 79°44'41" WEST, A DISTANCE OF 15.00 FEET TO A POINT ON THE AFORESAID FASTERLY RIGHT OF WAY LINE OF LANDSTAR BOULEVARD; SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 840.00 FEET, A CENTRAL ANGLE OF 01°50'30", A CHORD LENGTH OF 27.00 FEET, A CHORD BEARING OF NORTH 11°21'34" WEST; THENCE, NORTHERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE, A DISTANCE OF 27.00 FEET TO THE POINT OF BEGINNING

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 407 SQUARE FEET MORE OR LESS. SUBJECT TO ALL CASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

REVISED DESCRIPTION 8/20/18

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DESIGNED BY
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LCD

2018

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Easement (Note:

Kimley » Horn

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DATE 7/24/18 PROJECT NO. 14/532015 UTILITY EASEMENT LEGAL DESCRIPTION & SKETCH ARBY'S LANDSTAR MARKETPLACE ORLANDO, ORANGE COUNTY BUILDING DEPARTMENT PERMIT # B18902134 SHEET NUMBER

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