



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 4

**DATE:** February 22, 2021

**TO:** Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

**THROUGH:** Mindy T. Cummings, Manager  
Real Estate Management Division *MTC*

**FROM:** Luciana Mino, Sr. Acquisition Agent *LM/MTC*  
Real Estate Management Division

**CONTACT PERSON:** **Mindy T. Cummings, Manager**

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

**ACTION REQUESTED:** Approval of Purchase Agreement, Access Easement, and Utility Easement between Kevin W. Percy and Jill E. Percy, husband and wife, and Orange County and authorization to disburse funds to pay the purchase price, recording fees and record instruments.

**PROJECT:** Pump Station #3186 (Windermere Downs)  
  
District 1

**PURPOSE:** To provide for access, relocation, construction, operation, and maintenance of utility facilities.

**ITEMS:** Purchase Agreement (Parcels 802A/802B)  
  
Access Easement 298 SF (Instrument 802A)  
Utility Easement 134 SF (Instrument 802B)  
Cost: \$11,900  
Size: 432 square feet

**BUDGET:** Account No.: 4420-038-1503-0052-6110

**FUNDS:** \$11,900 Payable to Kevin W. Percy and Jill E. Percy  
(purchase price)

\$96.50 Payable to Orange County Comptroller  
(recording fees)

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

**REMARKS:** These easements are being acquired at the request of the Utilities  
Department to facilitate access, construction, operation, and maintenance  
of the existing Pump Station #3186.

Seller to pay documentary stamp tax. County to pay recording fees.

# REQUEST FOR FUNDS FOR LAND ACQUISITION

☒ Under BCC Approval

☐ Under Ordinance Approval

Date: 2/1/2021

Total Amount: \$11,996.50

Project: Pump Station 3186 (Windermere Downs)

Parcels: 802A/802B

Charge to Account # 4420-038-1503-0052-6110

Charles S. Parker

Controlling Agency Approval Signature Date

Printed Name:

*Wayne McCoy* 2/8/21

Fiscal Approval Signature Date

*Wayne McCoy*  
Printed Name

TYPE TRANSACTION (Check appropriate block(s))  
☐ Pre-Condernation ☐ Post-Condernation

☒ N/A District # 1

☒ Acquisition at Approved Appraisal  
☐ Acquisition at Below Approved Appraisal  
☐ Acquisition at Above Approved Appraisal  
☐ Advance Payment Requested

DOCUMENTATION ATTACHED (Check appropriate block(s))

☒ Contract/ Agreement  
☒ Copy of Executed Instruments  
☒ Certificate of Value  
☒ Settlement Analysis

Name, Address, FEIN No.

Kevin W. Percy and Jill E. Percy  
9701 Wildoak Drive, Windermere, FL 34786  
Total purchase price: \$11,900

Orange County Comptroller  
Recording fee: \$96.50

Payable to: Kevin W. Percy and Jill E. Percy  
Orange County Comptroller

\*\*\*\*\*  
**IMPORTANT: CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)**  
\*\*\*\*\*

Recommended by

*Luciana Mino*

Digitally signed by Luciana Mino  
Date: 2021.02.01 09:55:04 -05'00'

Luciana Mino, Sr. Acq. Agent, Real Estate Management Division Date

Payment Approved

Mindy T. Cummings

Digitally signed by Mindy T. Cummings  
Date: 2021.02.12 17:25:31 -05'00'

Mindy Cummings, Manager, Real Estate Management Division Date

or

Payment Approved

William Blackham

Digitally signed by William Blackham  
Date: 2021.02.05 12:03:31 -05'00'

William Blackham, Asst. Mgr. Real Estate Management Div. Date

Certified

Approved by BCC *Craig Storzyna*  
Deputy Clerk to the Board

MAR 09 2021

Date

Examined/Approved

Comptroller/Government Grants

Check No. / Date

REMARKS:

Anticipated Closing Date: As soon as checks are available.

S:\Acquisition Section\Agent Folders\Mino L\Work Assignments\Active\Pump Station #3186 Windermere Downs\BCC Package Folder\10 Request For Funds\Request for Funds for Land Acquisition PB & BB REV 8-3-20 .docx

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
MAR 09 2021

Parcel No. 802A/802B  
Project: Pump Station #3186 (Windermere Downs)

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
**MAR 09 2021**

## PURCHASE AGREEMENT

**COUNTY OF ORANGE  
STATE OF FLORIDA**

THIS AGREEMENT made between Kevin W. Percy and Jill E. Percy, husband and wife, hereinafter referred to as SELLERS, and Orange County, a charter county and political subdivision of the state of Florida, hereinafter referred to as BUYER.

WITNESSETH:

WHEREAS, BUYER requires the land described on Schedule "A" attached hereto for the above referenced project and said SELLERS agrees to furnish said land for such purpose.

### **Property Appraiser's Parcel Identification Number**

**a portion of**

**04-23-28-9332-00-210**

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), each to the other paid, the parties hereto agree as follows:

1. SELLERS agrees to execute a permanent Access Easement and a permanent Utility Easement on Parcels 802A and 802B, conveying said Easements unto BUYER free of all liens and encumbrances for the sum of \$11,900.00.
2. SELLERS agrees to pay documentary stamp tax prior to receipt of proceeds, by separate check payable to the Orange County Comptroller.
3. BUYER shall pay for recording the easements.
4. This transaction shall be closed and the easement and other closing papers delivered on or before 90 days from the effective date of this AGREEMENT. Closing shall take place at the office of the Orange County Real Estate Management Division, 400 E. South Street, Fifth Floor, Orlando, Florida 32801, or at such place as shall be mutually agreed upon by BUYER and SELLERS.
5. Ad valorem property taxes for the year of closing shall be prorated as of the closing date and said prorated amount shall be paid by SELLERS pursuant to Section 196.295, Florida Statutes. At SELLERS' election, SELLERS' share of prorated taxes may be deducted from the proceeds of sale and remitted by BUYER to the County tax collector on SELLERS' behalf. Unless the conveyance occurs between November 1 and December 31 of the year of conveyance, in which case ad valorem property taxes shall be paid in full by SELLERS for the year of conveyance. In the event that, as of closing, there are any outstanding unpaid property taxes for years prior to the year of closing, then SELLERS shall be responsible for payment of the same, on the entirety of the tax parcels for which BUYER is acquiring

interest hereunder, the amount necessary to satisfy such outstanding property taxes shall be deducted from proceeds of sale.

6. Effective upon the closing contemplated under this Agreement, except as otherwise expressly provided by this Agreement (including without limitation the compensation to be paid by BUYER to SELLERS as described in Section 1 of this Agreement above), SELLERS hereby releases, discharges, and acquits BUYER and all employees, agents, attorneys, consultants, contractors, subcontractors, successors, assigns, representatives, and elected officials of BUYER from any and all claims, actions, causes of actions, suits, obligations, promises, controversies, costs, expenses, losses, liabilities, damages, and/or demands of every kind, character, and nature, whether legal or equitable in nature and whether in contract or in tort – including without limitation: (i) claims for attorney’s fees, for appraisal fees, for accountant’s fees, for fees of other professionals, experts, and consultants, for costs, for non-monetary benefits, and/or for attorney’s fees based upon on non-monetary benefits pursuant to Section 73.092, Florida Statutes; (ii) claims for business damages pursuant to Chapter 73, Florida Statutes; and/or (iii) other claims, causes of actions, etc. that could have been raised by SELLER (including without limitation under Chapters 73 and/or 74, Florida Statutes) had BUYER commenced eminent domain proceedings against SELLERS – which SELLERS have asserted, could have asserted, or would hereafter have been able to assert, or which may now have or which may hereafter accrue, concerning, arising out of, or relating to in any way BUYER’s acquisition of Parcels 802A and 802B (as described in Section 1 of this Agreement above).
6. SELLERS does/does not (circle preference) agree that during the period of construction, BUYER is permitted to enter upon SELLERS’ remainder property a distance of \_\_\_\_\_ feet beyond the new right-of-way line established by Parcel \_\_\_\_\_ for the purpose of grading this area in order to harmonize SELLERS’ remaining property with the new construction. Grading is to be done on a best effort basis as the equipment will allow, avoiding all improvements except grass turf. BUYER to replace disturbed grass turf with equal or better sod.
7. Effective Date: This agreement shall become effective on the date upon which it has been fully executed by the parties and approved by the Orange County Board of County Commissioners and/or the Manager/Assistant Manager of the Orange County Real Estate Management Division, as may be appropriate.

THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between SELLERS and BUYER, made with respect to the matters herein contained, and when duly executed constitute the AGREEMENT between SELLERS and BUYER. No additions, alterations, or variations to the terms of this AGREEMENT shall be valid, nor can provisions of this AGREEMENT be waived by either party unless expressly set forth in writing and duly signed.

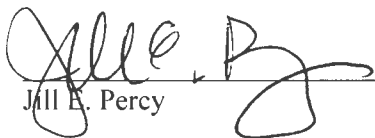
Parcel No. 802A/802B

Project: Pump Station #3186 (Windermere Downs)

The parties hereto have executed this AGREEMENT on the date(s) written below.

SELLERS

  
\_\_\_\_\_  
Kevin W. Percy

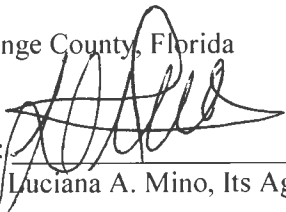
  
\_\_\_\_\_  
Jill E. Percy

Post Office Address  
9701 Wildoak Drive  
Windermere, Florida 34786

DATE: 6/18/2020

BUYER

Orange County, Florida

BY:   
\_\_\_\_\_  
Luciana A. Mino, Its Agent

DATE: 6-18-2020

Mat/6/18/2020

SCHEDULE "A"  
SKETCH OF DESCRIPTION  
PARCEL: 802  
ESTATE: EASEMENT  
PURPOSE: ACCESS

### Description

A portion of Lot 21, WINDERMERE DOWNS, as recorded in Plat Book 4, Pages 12 & 13, Public Records of Orange County, Florida, being more particularly described as follows:

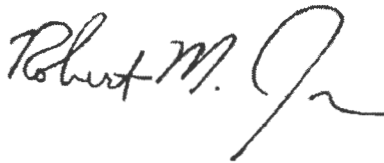
Commence at the Southwest corner of Lot 21, thence run North 07°15'38" East, along the east right of way line of Wiloak Drive, a distance of 11.27 feet to the **Point of Beginning**; thence continue North 07°15'38" East, along said east right of way line, a distance of 12.30 feet; thence run North 84°37'21" East, departing said east line, a distance of 23.50 feet; thence run South 05°22'39" East, a distance of 12.00 feet; thence run South 84°37'21" West, along said north line, a distance of 26.19 feet to the **Point of Beginning**.

Containing 298.14 square feet, 0.007 acres, more or less.

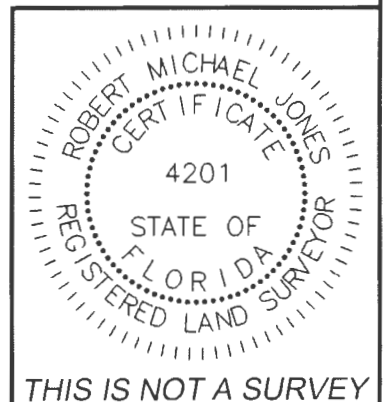
### Surveyor's Notes:

- 1) This sketch and description is not valid without the original signature and seal of the signing licensed Florida surveyor and mapper. The seal appearing on this document was authorized by Robert M. Jones, FL PLS 4201 on May 29, 2020. The electronic signature hereon is in compliance with F.A.C. 5J-17.062(3).
- 2) Lands were not abstracted for ownership, easements, right-of-way or other title matters by this firm.
- 3) Bearings shown hereon are relative to an assumed datum base on the South line of Lot 21 WINDERMERE DOWNS as recorded in Plat Book 4, Pages 12 and 13 of the Public Records of Orange County, Florida as being S 84°37'21" W as depicted on said plat.
- 4) Certified to: Orange County Utilities.

Digitally signed  
by Mike Jones  
Date: 2020.06.11  
'13:22:31 -04'00



Robert M. Jones  
Florida Professional Surveyor and Mapper No.4201



PROJECT TITLE: Orange County Utilities Department  
Legal Description and Sketch  
Pump Station #3186 (Windermere 1)

**wood.**

### Wood Environment & Infrastructure Solutions, Inc.

550 Northlake Boulevard, Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
www.woodplc.com

Certificate of Authorization Number LB-0007932

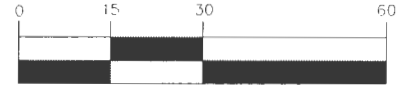
DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: J.S.P.	CHKD. BY: R.M.J.	
DATE: 05/29/2020	DATE: 05/29/2020	
JOB No. 6374.20.1250	SCALE: N/A	SHT. 1 OF 2
DRAWING NAME: 6374201250 OCU PS# 3186 (Windermere1) access.dwg		

SCHEDULE "A"  
 SKETCH OF DESCRIPTION  
 PARCEL: 802  
 ESTATE: EASEMENT  
 PURPOSE: ACCESS

WILDOAK DRIVE (P)  
 76' R/W (P)

20

GRAPHIC SCALE



( IN FEET )  
 1 inch = 30 ft.

WINDERMERE DOWNS  
 Plat Book 4 Pages 12 and 13

East right of way line

L = 107.21' (P)  
 Delta = 13°46'24" (P)

tax parcel # 04-23-28-9332-00-210

21

N05°06'58"E  
 92.99' (P)

N

N07°15'38"E  
 12.30'  
 N84°37'21"E  
 23.50'

15' Drainage Easement (P)

6.0' utility easement (P)

S05°22'39"E 12.00'  
 S84°37'21"W 26.19'

N07°15'38"E  
 29.12' (P)

East 1/4 corner  
 Section 5,  
 Township 23 East,  
 Range 28 South (P)

37

South line of Lot 21

S84°37'21"W 132.05' (P) (BEARING BASIS)

6.0' utility easement (P)

N07°15'38"E  
 11.27'

P.O.C.

Southwest corner of Lot 21

P.O.B.

22

Northwest corner of 5.0'  
 wide utility easement

WILDOAK DRIVE (P)  
 50' R/W (P)

36

**LEGEND:**

L = Curve Length  
 (P) = Plat  
 P.O.B. = Point of Beginning  
 P.O.C. = Point of Commencement  
 R/W = Right of Way

THIS IS NOT A SURVEY

PROJECT TITLE:

Orange County Utilities Department  
 Legal Description and Sketch  
 Pump Station #3186 (Windermere 1)

DATE	BY	DESCRIPTION
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DATE:	05/29/2020	DATE: 05/29/2020
JOB No.	6374.20.1250	SCALE: N/A
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**wood.**

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ESTATE: EASEMENT  
PURPOSE: UTILITY

### Description

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Commence at the Southwest corner of Lot 21, thence run North 07°15'38" East, along the east right of way line of Wildoak Drive, a distance of 6.15 feet to the northwest corner of a 6.00 wide utility easement as depicted on said plat for the **Point of Beginning**; thence continue North 07°15'38" East, along said east right of way line, a distance of 5.12 feet; thence run North 84°37'21" East, departing said east line, a distance of 26.19 feet; thence run South 05°22'39" East, a distance of 5.00 feet to the north line of said utility easement; thence run South 84°37'21" West, along said north line, a distance of 27.31 feet to the **Point of Beginning**.

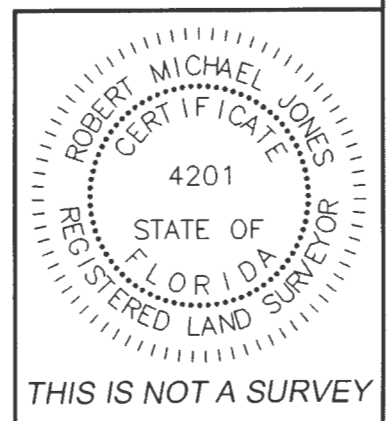
Containing 133.76 square feet, 0.003 acres, more or less.

### Surveyor's Notes:

- 1) This sketch and description is not valid without the original signature and seal of the signing licensed Florida surveyor and mapper. The seal appearing on this document was authorized by Robert M. Jones, FL PLS 4201 on May 29, 2020. The electronic signature hereon is in compliance with F.A.C. 5J-17.062(3).
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Digitally signed  
by Mike Jones  
Date: 2020.06.11  
'13:23:46 -04'00

*Robert M. Jones*



Robert M. Jones  
Florida Professional Surveyor and Mapper No.4201

PROJECT TITLE: Orange County Utilities Department  
Legal Description and Sketch  
Pump Station #3186 (Windermere 1)

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Phone: (407) 522-7570  
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Certificate of Authorization Number LB-0007932

**wood.**

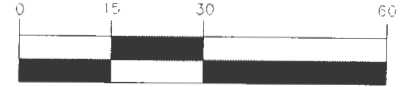
DRAWN BY: J.S.P.	CHKD. BY: R.M.J.
DATE: 05/29/2020	DATE: 05/29/2020
JOB No. 6374.20.1250	SCALE: N/A
	SHT. 1 OF 2
DRAWING NAME: 6374201250 OCU PS# 3186 (Windermere1) utility.dwg	

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 SKETCH OF DESCRIPTION  
 PARCEL: 802  
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 PURPOSE: UTILITY

WILDOAK DRIVE (P)  
 76' R/W (P)

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GRAPHIC SCALE



( IN FEET )

1 inch = 30 ft.

WINDERMERE DOWNS

Plat Book 4 Pages 12 and 13

East right of way line

L = 107.21' (P)  
 Delta = 73°46'24" (P)

tax parcel # 04-23-28-9332-00-210

21

N07°15'38"E  
 5.12'

15' Drainage Easement (P)

N84°37'21"E 6.0' utility easement (P)

S05°22'39"E 5.00'

S84°37'21"W 27.31'

N07°15'38"E  
 29.12' (P)

N05°06'58"E 92.99' (P)

East 1/4 corner  
 Section 5,  
 Township 23 East,  
 Range 28 South (P)

37

South line of Lot 21  
 S84°37'21"W 132.05' (P) (BEARING BASIS)

north line

6.0' utility easement (P)

N07°15'38"E  
 6.15'

P.O.C.

Southwest corner of Lot 21

P.O.B.

22

Northwest corner of 6.0'  
 wide utility easement

WILDOAK DRIVE (P)  
 50' R/W (P)

**LEGEND:**

L = Curve Length  
 (P) = Plat  
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23

36

THIS IS NOT A SURVEY

PROJECT TITLE:

Orange County Utilities Department  
 Legal Description and Sketch  
 Pump Station #3186 (Windermere 1)

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DATE: 05/29/2020	DATE: 05/29/2020	
JOB No. 6374.20.1250	SCALE: N/A	SHT. 2 OF 2

DRAWING NAME: 6374201250 OCU PS# 3186 (Windermere1) utility.dwg

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

MAR 09 2021

Parcel No: 802A

Project: Pump Station #3186 (Windermere Downs)

### ACCESS EASEMENT

THIS INDENTURE Made this 18 day of June, A. D. 2020, between Kevin W. Percy and Jill E. Percy, husband and wife, whose address is 9701 Wildoak Drive, Windermere, Florida 34786, 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 for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, paid by the GRANTEE, the receipt of which is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns an easement for vehicular and pedestrian ingress, egress, access, and passage, including, work vehicles and equipment, situate in Orange County, Florida, to-wit:

### SEE ATTACHED SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

a portion of

04-23-28-9332-00-210

TO HAVE AND TO HOLD the said access easement unto the GRANTEE and its successors for the purposes aforesaid.

Parcel No. 802A

Project: Pump Station #3186 (Windermere Downs)

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.

IN WITNESS WHEREOF, the GRANTORS have caused these presents to be duly executed the day and year above written.

Signed, sealed and delivered in  
the presence of:

Erica Guidry  
Witness

Erica Guidroz  
Printed Name

[Signature]  
Witness

LUCIANA MINO  
Printed Name

Erica Guidry  
Witness

Erica Guidroz  
Printed Name

[Signature]  
Witness

LUCIANA MINO  
Printed Name

[Signature]  
Kevin W. Percy

[Signature]  
Jill E. Percy

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

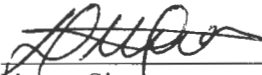
Parcel No. 802A  
Project: Pump Station #3186 (Windermere Downs)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18 of JUNE, 2020 by Kevin W. Percy and Jill E. Percy, husband and wife. They ☐ are personally known to me, or ☒ have each produced FLDL and FLDL 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.

  
\_\_\_\_\_  
Notary Signature  
LUCIANA MINO  
Printed Notary Name

Notary Public in and for the  
county and state aforesaid.  
My commission expires: 4-12-2024



LUCIANA MINO  
Commission # GG 977962  
Expires April 12, 2024  
Bonded Thru Budget Notary Services

**Consent of Lien Holder**

MERS MIN: 100809480001055453

MERS SIS: (888) 679-MERS

Mortgage Electronic Registration Systems, Inc., Mortgagee, as nominee for CBC National Bank, its successors and assigns with an address of P.O. Box 2026, Flint, MI 48501-2026, ("Lien Holder"), is the current Lienholder of a Mortgage dated June 12, 2015 as recorded in Instrument/Document No. 20150305127, Book/Liber/Folio 10935, Page 5148 hereby consents to the grant of the foregoing Utility Easement signed by Kevin W. Percy and Jill E. Percy husband and wife and joins in the execution hereof solely as Lien Holder and hereby does agree that in the event of the foreclosure of said mortgage, or other sale of said property described in said mortgage under judicial or non-judicial proceedings, the same shall be sold and the same is hereby deemed to be sold subject to said Easement.

SIGNED AND EXECUTED this 30th day of December, 2020

Mortgage Electronic Registration Systems, Inc.

By: \_\_\_\_\_

Craig Edward Knight  
Vice President

12-30-2020

State of Maryland  
County of Frederick

On this 30th day of December, 2020, before me, the undersigned officer, personally appeared Craig Edward Knight who acknowledged himself/herself/themselves to be the Vice President of Mortgage Electronic Registration Systems, Inc., a corporation, and that he/she/they, as such Vice President of Mortgage Electronic Registration Systems, Inc., being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself/themselves as Vice President.

In witness thereof I hereunto set my hand and official seal.

(Seal/stamp)



\_\_\_\_\_  
Signature of notarial officer

Name: Kevin E. Rhoderick

Notary Public

My commission expires: 7/27/2021

12-30-2020

SCHEDULE "A"  
SKETCH OF DESCRIPTION  
PARCEL: 802  
ESTATE: EASEMENT  
PURPOSE: ACCESS

### Description

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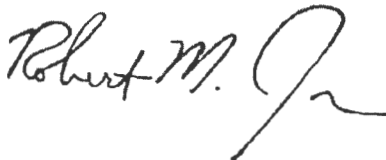
Commence at the Southwest corner of Lot 21, thence run North 07°15'38" East, along the east right of way line of Wildoak Drive, a distance of 11.27 feet to the **Point of Beginning**; thence continue North 07°15'38" East, along said east right of way line, a distance of 12.30 feet; thence run North 84°37'21" East, departing said east line, a distance of 23.50 feet; thence run South 05°22'39" East, a distance of 12.00 feet; thence run South 84°37'21" West, along said north line, a distance of 26.19 feet to the **Point of Beginning**.

Containing 298.14 square feet, 0.007 acres, more or less.

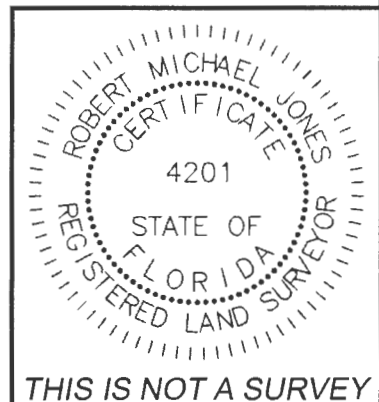
### Surveyor's Notes:

- 1) This sketch and description is not valid without the original signature and seal of the signing licensed Florida surveyor and mapper. The seal appearing on this document was authorized by Robert M. Jones, FL PLS 4201 on May 29, 2020. The electronic signature hereon is in compliance with F.A.C. 5J-17.062(3).
- 2) Lands were not abstracted for ownership, easements, right-of-way or other title matters by this firm.
- 3) Bearings shown hereon are relative to an assumed datum base on the South line of Lot 21 WINDERMERE DOWNS as recorded in Plat Book 4, Pages 12 and 13 of the Public Records of Orange County, Florida as being S 84°37'21" W as depicted on said plat.
- 4) Certified to: Orange County Utilities.

Digitally signed  
by Mike Jones  
Date: 2020.06.11  
'13:22:31 -04'00



Robert M. Jones  
Florida Professional Surveyor and Mapper No. 4201



PROJECT TITLE: Orange County Utilities Department  
Legal Description and Sketch  
Pump Station #3186 (Windermere 1)

**wood.**

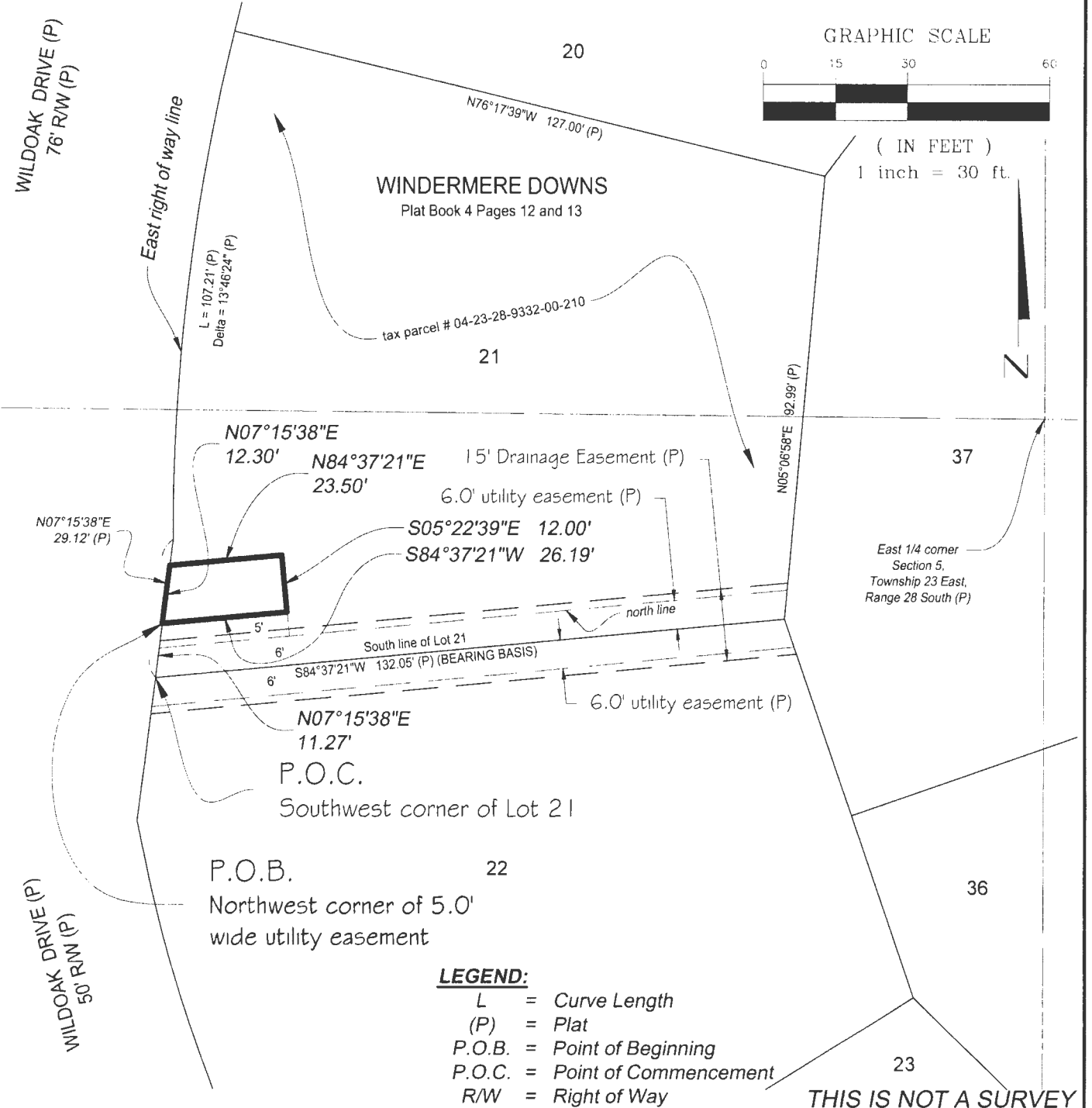
### Wood Environment & Infrastructure Solutions, Inc.

550 Northlake Boulevard, Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
www.woodplc.com  
Certificate of Authorization Number LB-0007932

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: J.S.P.	CHKD. BY: R.M.J.	
DATE: 05/29/2020	DATE: 05/29/2020	
JOB No. 6374.20.1250	SCALE: N/A	SHT. 1 OF 2
DRAWING NAME: 6374201250 OCU PS# 3186 (Windermere1) access.dwg		

2/4/2021

SCHEDULE "A"  
 SKETCH OF DESCRIPTION  
 PARCEL: 802  
 ESTATE: EASEMENT  
 PURPOSE: ACCESS



PROJECT TITLE: Orange County Utilities Department  
 Legal Description and Sketch  
 Pump Station #3186 (Windermere 1)

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: J.S.P.	CHKD. BY: R.M.J.	
DATE: 05/29/2020	DATE: 05/29/2020	
JOB No. 6374.20.1250	SCALE: N/A	SHT. 2 OF 2
DRAWING NAME: 6374201250 OCU PS# 3186 (Windermere1) access.dwg		

**wood.**

**Wood Environment & Infrastructure Solutions, Inc.**

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 Altamonte Springs, FL 32701 USA  
 Phone: (407) 522-7570  
 www.woodplc.com  
 Certificate of Authorization Number LB-0007932

24 2/4/2021



Parcel No. 802B

Project: Pump Station #3186 (Windermere Downs)

**UTILITY EASEMENT**

THIS INDENTURE, Made this 18 day of June AD, 2020, between Kevin W. Percy and Jill E. Percy, husband and wife, whose address is 9701 Wildoak Drive, Windermere, Florida 34786, of the County of Orange, State of Florida, collectively, 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 \$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, Florida, to-wit:

**SEE ATTACHED SCHEDULE "A"**

**Property Appraiser's Parcel Identification Number:**

**a portion of**

**04-23-28-9332-00-210**

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 GRANTORS, their 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, nor shall Grantor grant additional easements encumbering said easement area without the prior written consent of the Grantee.

Parcel No. 802B

Project: Pump Station #3186 (Windermere Downs)

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.

IN WITNESS WHEREOF, the GRANTORS have caused these presents to be duly executed the day and year above written.

Signed, sealed and delivered in  
the presence of:

Witness

Printed Name

Witness

Printed Name

Witness

Printed Name

Witness

Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18 of JUNE, 2020, by Kevin W. Percy and Jill E. Percy, husband and wife. They ☐ are personally known to me, or ☒ have each produced FL DL and FL DL 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.

LUCIANA MINO  
Commission # GG 977962  
Expires April 12, 2024  
Bonded Thru Budget Notary Services

Notary Signature

Printed Notary Name

Notary Public in and for the  
county and state aforesaid.

My commission expires: 4-12-2024

**Consent of Lien Holder**

MERS MIN: 100809480001055453

MERS SIS: (888) 679-MERS

Mortgage Electronic Registration Systems, Inc., Mortgagee, as nominee for CBC National Bank, its successors and assigns with an address of P.O. Box 2026, Flint, MI 48501-2026, ("Lien Holder"), is the current Lienholder of a Mortgage dated June 12, 2015 as recorded in Instrument/Document No. 20150305127, Book/Liber/Folio 10935, Page 5148 hereby consents to the grant of the foregoing Access Easement signed by Kevin W. Percy and Jill E. Percy husband and wife and joins in the execution hereof solely as Lien Holder and hereby does agree that in the event of the foreclosure of said mortgage, or other sale of said property described in said mortgage under judicial or non-judicial proceedings, the same shall be sold and the same is hereby deemed to be sold subject to said Easement.

SIGNED AND EXECUTED this 30<sup>th</sup> day of December, 2020

Mortgage Electronic Registration Systems, Inc.

By: 

Craig Edward Knight

12-30-2020

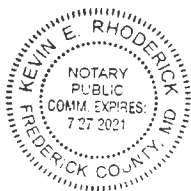
Vice President


State of Maryland  
County of Frederick

On this 30th day of December, 2020, before me, the undersigned officer, personally appeared Craig Edward Knight who acknowledged himself/herself/themselves to be the Vice President of Mortgage Electronic Registration Systems, Inc., a corporation, and that he/she/they, as such Vice President of Mortgage Electronic Registration Systems, Inc., being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself/themselves as Vice President.

In witness thereof I hereunto set my hand and official seal.

(Seal/stamp)



  
Signature of notarial officer 12-30-2020  
Name: Kevin E. Rhoderick  
Notary Public  
My commission expires: 7/27/2021

SCHEDULE "A"  
SKETCH OF DESCRIPTION  
PARCEL: 802  
ESTATE: EASEMENT  
PURPOSE: UTILITY

### Description

A portion of Lot 21, WINDERMERE DOWNS, as recorded in Plat Book 4, Pages 12 & 13, Public Records of Orange County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Lot 21, thence run North 07°15'38" East, along the east right of way line of Wildoak Drive, a distance of 6.15 feet to the northwest corner of a 6.00 wide utility easement as depicted on said plat for the **Point of Beginning**; thence continue North 07°15'38" East, along said east right of way line, a distance of 5.12 feet; thence run North 84°37'21" East, departing said east line, a distance of 26.19 feet; thence run South 05°22'39" East, a distance of 5.00 feet to the north line of said utility easement; thence run South 84°37'21" West, along said north line, a distance of 27.31 feet to the **Point of Beginning**.

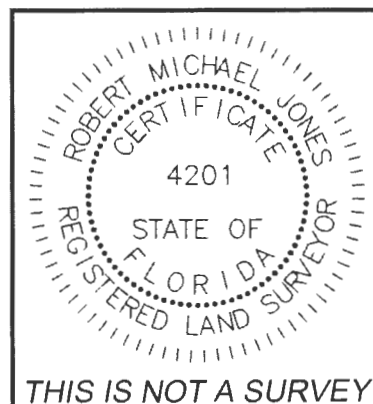
Containing 133.76 square feet, 0.003 acres, more or less.

### Surveyor's Notes:

- 1) This sketch and description is not valid without the original signature and seal of the signing licensed Florida surveyor and mapper. The seal appearing on this document was authorized by Robert M. Jones, FL PLS 4201 on May 29, 2020. The electronic signature hereon is in compliance with F.A.C. 5J-17.062(3).
- 2) Lands were not abstracted for ownership, easements, right-of-way or other title matters by this firm.
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- 4) Certified to: Orange County Utilities.

Digitally signed  
by Mike Jones  
Date: 2020.06.11  
'13:23:46 -04'00

Robert M. Jones



Robert M. Jones  
Florida Professional Surveyor and Mapper No. 4201

PROJECT TITLE: Orange County Utilities Department  
Legal Description and Sketch  
Pump Station #3186 (Windermere 1)

**wood.**

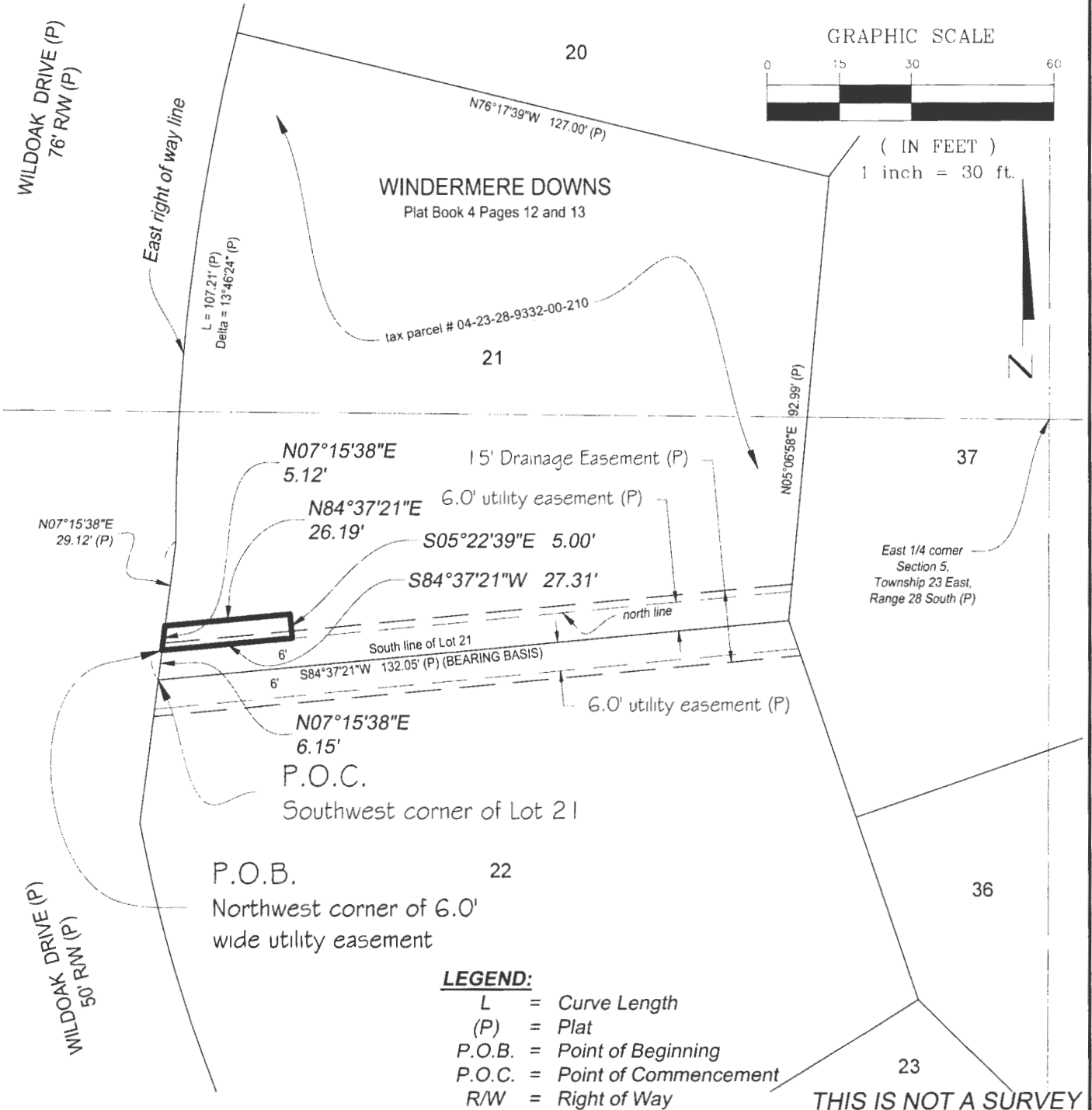
### Wood Environment & Infrastructure Solutions, Inc.

550 Northlake Boulevard, Suite 1000  
Altamonte Springs, FL 32701 USA  
Phone: (407) 522-7570  
www.woodplc.com  
Certificate of Authorization Number LB-0007932

DATE	BY	DESCRIPTION
REVISION		
DRAWN BY: J.S.P.	CHKD. BY: R.M.J.	
DATE: 05/29/2020	DATE: 05/29/2020	
JOB No. 6374.20.1250	SCALE: N/A	SHT. 1 OF 2
DRAWING NAME: 6374201250 OCU PS# 3186 (Windermere1) utility.dwg		

24 2/4/2021

**SCHEDULE "A"**  
**SKETCH OF DESCRIPTION**  
**PARCEL: 802**  
**ESTATE: EASEMENT**  
**PURPOSE: UTILITY**



- LEGEND:**
- L = Curve Length
  - (P) = Plat
  - P.O.B. = Point of Beginning
  - P.O.C. = Point of Commencement
  - R/W = Right of Way

**THIS IS NOT A SURVEY**

<b>PROJECT TITLE:</b> Orange County Utilities Department Legal Description and Sketch Pump Station #3186 (Windermere 1)		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">DATE</th> <th style="width: 15%;">BY</th> <th style="width: 70%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;">REVISION</td> </tr> <tr> <td>DRAWN BY: J.S.P.</td> <td>CHKD. BY: R.M.J.</td> <td></td> </tr> <tr> <td>DATE: 05/29/2020</td> <td>DATE: 05/29/2020</td> <td></td> </tr> <tr> <td>JOB No. 6374.20.1250</td> <td>SCALE: N/A</td> <td>SHT. 2 OF 2</td> </tr> </tbody> </table>		DATE	BY	DESCRIPTION	REVISION			DRAWN BY: J.S.P.	CHKD. BY: R.M.J.		DATE: 05/29/2020	DATE: 05/29/2020		JOB No. 6374.20.1250	SCALE: N/A	SHT. 2 OF 2
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DATE: 05/29/2020	DATE: 05/29/2020																	
JOB No. 6374.20.1250	SCALE: N/A	SHT. 2 OF 2																
<b>wood.</b> Wood Environment & Infrastructure Solutions, Inc. 550 Northlake Boulevard, Suite 1000 Altamonte Springs, FL 32701 USA Phone: (407) 522-7570 www.woodplc.com Certificate of Authorization Number LB-0007932		DRAWING NAME: 6374201250 OCU PS# 3186 (Windermere1) utility.dwg <div style="text-align: right; margin-top: 5px;">           44 2/1/2021         </div>																

## 100 CERTIFICATE OF VALUE

Project: Pump Station # 3186  
County: Orange  
Parcel No.: 802

I certify to the best of my knowledge and belief, that:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, unbiased, professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property or bias with respect to the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
4. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. My analyses, opinions, or conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice, and the provisions of Chapter 475, Part II, Florida Statutes.
7. I have made a personal inspection of the property that is the subject of this report and I have afforded the property owner the opportunity to accompany me at the time of the inspection. I have also made a personal field inspection of the comparable sales relied upon in making this appraisal. The subject and the comparable sales relied upon in making this appraisal were as represented by the photographs contained in this appraisal.
8. No persons other than those named herein provided significant real property appraisal assistance to the person signing this certification.
9. I understand that this appraisal is to be used in connection with the acquisition by Orange County.
10. This appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable to appraisal for government acquisition purposes; and, to the best of my knowledge, no portion of the property value entered on this certificate consists of items which are non-compensable under the established law of the State of Florida.
11. I have not revealed the findings or results of this appraisal to anyone other than the proper officials of Orange County and I will not do so until I am required by due process of law, or until I am released from this obligation by having publicly testified as to such findings.
12. Regardless of any stated limiting condition or assumption, I acknowledge that this appraisal report and all maps, data, summaries, charts and other exhibits collected or prepared under this agreement shall become the property of Orange County without restriction or limitation on their use.
13. Statements supplemental to this certification required by membership or candidacy in a professional appraisal organization, are described on an addendum to this certificate and, by reference, are made a part hereof.

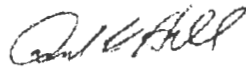
Based upon my independent appraisal and the exercise of my professional judgment, my opinion of the market value for the permanent easement, including net severance damages after special benefits, if any, of the property appraised as of the 16<sup>th</sup> day of September, 2019, is:  
ELEVEN THOUSAND NINE HUNDRED DOLLARS

Market value should be allocated as follows:

LAND	\$ 8,600
IMPROVEMENTS	\$ 1,600
NET DAMAGES &/OR	
COST TO CURE	\$ 1,700
TOTAL	\$ 11,900

LAND AREA: (Ac/SF) 431 SF  
Land Use (HABU as vacant): Residential Development

September 24, 2019  
DATE

  
\_\_\_\_\_  
DAVID K. HALL, ASA  
State-Certified General Real Estate Appraiser RZ1314

Project: Pump Station #3186 (Windermere Downs)  
Parcel No(s).: 802A and 802B  
Name of Owner(s): Kevin W. Percy and Jill E. Percy  
Page No.: 1

### **SETTLEMENT ANALYSIS**

	Pre-Condemnation
<u>X</u>	Not Under Threat

#### **County's Appraised Value**

Land: (432 SF)	\$ 8,600
Improvements: (9 Podocarpus Shrubs, 2 Lady Palms, and Approximately 400 SF of grass sod.)	\$ 1,600
Cost-to-Cure: (Reestablish Podocarpus Shrubs, reestablish Lady Palms, Modify Irrigation)	\$ 1,700
Other Damages:	<u>\$ 0.00</u>
<b>Total Appraisal Value</b>	<b><u>\$ 11,900</u></b>

#### **Owner's Requested Amount—Initial**

Owner's Counter Offer (Global):	\$ 11,900
<b>Total Owner's Requested Amount—Initial:</b>	<b><u>\$ 11,900</u></b>

#### **Owner's Requested Amount—After Negotiations**

Owner's Counter Offer (Global):	\$ 11,900
<b>Total Owner's Requested Amount—After Negotiations:</b>	<b><u>\$ 11,900</u></b>

### **EXPLANATION OF RECOMMENDED SETTLEMENT**

(Memorandum to File pursuant to Section 4 of Ordinance 92-29)

Orange County Utilities requires the acquisition of parcel 802A, an access easement containing 298 square feet, and parcel 802B, a utility easement containing 134 square feet, to expand and facilitate the maintenance of the current pump station 3186 located at 9701 Wildoak Drive, Windermere, FL 34786.

An original offer of \$11,900 was made at the appraised value for both parcels 802A and 802B, including improvements and cost to cure. The property owner accepted the County's appraised value offer. This settlement for the amount of \$11,900 is necessary, practical, and in the best economic interest of Orange County.

Project: Pump Station #3186 (Windermere Downs)  
Parcel No(s): 802A and 802B  
Name of Owner(s): Kevin W. Percy and Jill E. Percy  
Page No.: 2

Recommended by:  Digitally signed by Luciana Mino  
Date: 2021.02.03 09:43:46 -05'00' Date: 02/03/2021  
Luciana Mino, Sr. Acquisition Agent, Real Estate Mgmt. Division

Recommended by: Robert K. Babcock Digitally signed by Robert K. Babcock  
Date: 2021.02.04 14:22:45 -05'00' Date: 02/04/2021  
Robert K. Babcock, Acquisition Supervisor, Real Estate Mgmt. Division

Approved by: William Blackham Digitally signed by William Blackham  
Date: 2021.02.05 12:01:45 -05'00' Date: 02/05/2021  
William Blackham, Assistant Manager, Real Estate Mgmt. Division

or  
Approved by: Mindy T. Cummings Digitally signed by Mindy T.  
Cummings  
Date: 2021.02.12 17:23:21 -05'00' Date: \_\_\_\_\_  
Mindy Cummings, Manager, Real Estate Mgmt. Division



# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>KEVIN + JILL PERCY</b>		
2 Business name/disregarded entity name, if different from above		
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes. <input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions. <b>9701 WILD OAK DR.</b>		Requester's name and address (optional)
6 City, state, and ZIP code <b>WINTERMEET FL 34786</b>		
7 List account number(s) here (optional)		

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
				-				
or								
Employer identification number								
				-				

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
Here

Signature of  
U.S. person ►

*K. Percy*

Date ►

1-12-21

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.