



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 6

DATE: August 26, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

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

FROM: Tamara Pelc, Senior Title Examiner *TP/MC*
Real Estate Management Division

CONTACT PERSON: Mindy T. Cummings, Manager

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

ACTION REQUESTED: Approval and execution of Amendment to Non-Exclusive Access and Drainage Easement between Hamlin Retail Partners West, LLC and Orange County, Amendment to Non-Exclusive Access and Drainage Easement between Hamlin Retail Partners West, LLC and Orange County and approval of Temporary Drainage Easement between Hamlin Retail Partners West, LLC and Orange County and authorization to record instruments

PROJECT: New Independence Parkway Stormwater Pond and Access Drive

District 1

PURPOSE: Modification and relocation of existing drainage easement to provide for access, construction, operation, and maintenance of drainage facilities as a requirement of development

ITEMS: Amendment to Non-Exclusive Access and Drainage Easement
Cost: Donation
Size: 2.30 acres

Amendment to Non-Exclusive Access and Drainage Easement
Cost: Donation
Size: 17.47 acres

Temporary Drainage Easement
Cost: Donation
Size: 5.64 acres

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: On October 18, 2016, the Board approved a Land Exchange Agreement between Hamlin Retail Partners West, LLC and Orange County. As part of that approval, County approved the Non-Exclusive Drainage Easement (Joint Use) and Non-Exclusive Access and Drainage Easement between Hamlin Retail Partners West, LLC and Orange County which noted in the future the drainage facilities would need to be relocated to allow for onsite development combining with a joint use Pond. The amendments for this agenda item address the relocated areas.

Developer to pay all recording fees.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
SEP 14 2021

THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:

ORANGE COUNTY REAL ESTATE MANAGEMENT
400 E. SOUTH STREET, 5TH FLOOR
ORLANDO, FLORIDA 32801

Cross Reference: DOC#20160552182

Project: New Independence Parkway Stormwater Pond

AMENDMENT TO
NON-EXCLUSIVE ACCESS AND DRAINAGE EASEMENT

THIS AMENDMENT TO NON-EXCLUSIVE ACCESS AND DRAINAGE EASEMENT (the “**Amendment**”) is made by between **Hamlin Retail Partners West, LLC**, a Florida limited liability company whose address is 14422 Shoreside Way, Suite 130, Winter Garden, Florida 34787 (“**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:

WHEREAS, GRANTOR and GRANTEE entered into that certain Non-Exclusive Access and Drainage Easement by instrument recorded October 21, 2016 at Doc# 20160552182, Public Records of Orange County, Florida (the “**Original Easement**”); and

WHEREAS, the Original Easement provided for an access and drainage easement to drain a portion of New Independence Parkway, a County roadway, over and across an area defined as the “**Access Easement Area**” in the Original Easement and hereinafter referred to as (the “**Original Easement Area**”); and

WHEREAS, in conjunction with the development of the surrounding property owned by GRANTOR within the Hamlin West PD, GRANTOR AND GRANTEE have agreed to maintain and continue use of the Original Easement Area until such time as GRANTOR has constructed a relocated drainage easement area (the “**Relocated Easement Area**”) to provide the same drainage capability to County as the Original Easement Area; and

WHEREAS, the parties further intend that the drainage improvements to be located within the Relocated Easement Area shall be completed and approved by County prior to the recording of the plat for Hamlin West; and

WHEREAS, the parties agree that the Original Easement Area shall automatically terminate upon the recordation of the Hamlin West Plat showing the location of the Relocated Easement Area as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. RECITALS. The recitals set forth above are true and correct and incorporated herein by reference.

2. AMENDMENT TO ORIGINAL EASEMENT. The parties agree that the Original Easement shall be amended and modified as follows:

(a) GRANTOR hereby gives and grants to GRANTEE and its assigns, a perpetual, non-exclusive underground easement for drainage purposes under, through and upon the Relocated Easement Area as more particularly described in the attached **Exhibit “A”**.

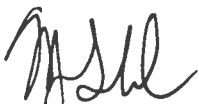
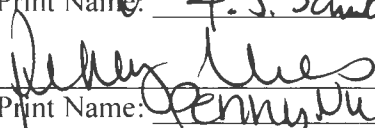
(b) GRANTEE hereby agrees that all of its right, title and interest in the Original Easement Area and pursuant to the Original Easement, as hereby amended, shall

terminate and be released automatically upon recordation of the plat of Hamlin West showing the location of the Relocated Easement Area.

3. FULL FORCE AND EFFECT. Except as amended by this Amendment, the Original Drainage Easement and all covenants, agreements, terms, provisions, and conditions thereof are hereby ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands and seals under seal as of the last day and year below written.

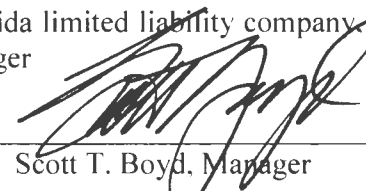
Signed, Sealed and Delivered in our Presence as witnesses:


Print Name: T.J. Schaub

Print Name: Penny Nunes

"GRANTOR"

HAMLIN RETAIL PARTNERS WEST, LLC, a Florida limited liability company

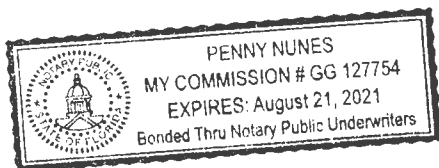
By: BK Hamlin Retail Partners West, LLC, a Florida limited liability company, its Manager


By: 
Scott T. Boyd, Manager

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 15th day of July, 2021 by Scott T. Boyd, as Manager of BK Hamlin Retail Partners West, LLC, a Florida limited liability company, Manager of **HAMLIN RETAIL PARTNERS WEST, LLC**, a Florida limited liability company, on behalf of the company. He is ☒ personally known to me, or ☐ has produced _____ as identification.

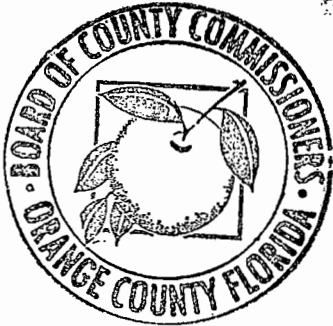



(Signature of Notary Public)
Print Name: Penny Nunes
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

"COUNTY"

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners



By: *Jerry L. Demings*
Jerry L. Demings,
Orange County Mayor

Date: 15 Sep 21

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Noelia Perez*
for Deputy Clerk

Print: Noelia Perez

LEGAL DESCRIPTION NOT A SURVEY

LEGAL DESCRIPTION (DRAINAGE EASEMENT).

A STRIP OF LAND LYING IN SECTION 20, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF AFORESAID SECTION 20; THENCE RUN NORTH 89°37'40" EAST ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 FOR A DISTANCE OF 2549.21 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LINE RUN THE FOLLOWING COURSES: NORTH 13°08'11" WEST FOR A DISTANCE OF 272.39 FEET; THENCE RUN NORTH 04°20'10" WEST FOR A DISTANCE OF 168.47 FEET; THENCE RUN NORTH 13°01'34" WEST FOR A DISTANCE OF 203.95 FEET; THENCE RUN NORTH 03°11'00" WEST FOR A DISTANCE OF 146.25 FEET; THENCE RUN NORTH 13°01'34" WEST FOR A DISTANCE OF 425.93 FEET TO A POINT ON THE SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 429 ACCORDING TO DOCUMENT NUMBER 20160501633 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 89°42'32" EAST ALONG SAID SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE FOR A DISTANCE OF 30.76 FEET TO A POINT ON THE WEST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 429 ACCORDING TO ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY PROJECT NUMBER 75320-6460-653, DATED 10-01-02; THENCE DEPARTING SAID SOUTH LIMITED ACCESS RIGHT-OF-WAY LINE RUN SOUTH 13°01'34" EAST ALONG SAID WEST LIMITED ACCESS RIGHT-OF-WAY LINE FOR A DISTANCE OF 421.73 FEET; THENCE DEPARTING SAID WEST LIMITED ACCESS RIGHT-OF-WAY LINE RUN SOUTH 03°11'00" EAST FOR A DISTANCE OF 146.25 FEET TO A POINT ON SAID WEST LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE RUN SOUTH 13°01'34" EAST ALONG SAID WEST LIMITED ACCESS RIGHT-OF-WAY LINE FOR A DISTANCE OF 203.64 FEET; THENCE DEPARTING SAID WEST LIMITED ACCESS RIGHT-OF-WAY LINE RUN THE FOLLOWING COURSES: SOUTH 04°20'10" EAST FOR A DISTANCE OF 168.44 FEET; THENCE RUN SOUTH 13°08'11" EAST FOR A DISTANCE OF 272.32 FEET; THENCE RUN NORTH 76°51'49" EAST FOR A DISTANCE OF 0.50 FEET; THENCE RUN SOUTH 13°08'11" EAST FOR A DISTANCE OF 365.64 FEET; THENCE RUN SOUTH 07°39'28" EAST FOR A DISTANCE OF 97.47 FEET; THENCE RUN SOUTH 02°57'17" EAST FOR A DISTANCE OF 242.89 FEET; THENCE RUN SOUTH 00°48'35" EAST FOR A DISTANCE OF 409.68 FEET; THENCE RUN SOUTH 02°00'39" WEST FOR A

CONTINUED ON SHEET 2

SHEET 1 OF 6



16 EAST PLANT STREET
Winter Garden, Florida 34787 * (407) 654-5355

SURVEYOR'S NOTES:

REVISED 7-28-2021

THE DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENTS REQUEST.
THIS LEGAL DESCRIPTION AND SKETCH WERE PREPARED WITHOUT THE BENEFIT OF TITLE.
THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 20-23-27 BEING N89°37'40"E FOR ANGULAR DESIGNATION ONLY.
THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.

JOB NO. 20150021

CALCULATED BY: PJR

FOR THE LICENSED BUSINESS #6723 BY:

DATE: 2-7-2021

DRAWN BY: PJR

SCALE: 1" = 200 FEET

CHECKED BY: DY

JAMES L. RICKMAN, P.S.M. #5633

SKETCH OF DESCRIPTION

NOT A SURVEY

CONTINUED FROM SHEET 1

DISTANCE OF 141.97 FEET; THENCE RUN SOUTH 46°29'48" WEST FOR A DISTANCE OF 69.20 FEET; THENCE RUN SOUTH 89°38'32" WEST FOR A DISTANCE OF 366.47 FEET; THENCE RUN SOUTH 78°57'54" WEST FOR A DISTANCE OF 88.73 FEET; THENCE RUN SOUTH 89°38'32" WEST FOR A DISTANCE OF 179.69 FEET; THENCE RUN SOUTH 84°46'31" WEST FOR A DISTANCE OF 137.26 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 590.49 FEET, A CHORD BEARING OF NORTH 04°48'20" EAST AND A CHORD LENGTH OF 35.07 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°24'11" FOR A DISTANCE OF 35.07 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN NORTH 84°46'31" EAST FOR A DISTANCE OF 124.02 FEET; THENCE RUN NORTH 89°38'32" EAST FOR A DISTANCE OF 182.63 FEET; THENCE RUN NORTH 78°57'54" EAST FOR A DISTANCE OF 68.22 FEET; THENCE RUN NORTH 89°38'32" EAST FOR A DISTANCE OF 381.86 FEET; THENCE RUN NORTH 46°29'48" EAST FOR A DISTANCE OF 45.07 FEET; THENCE RUN NORTH 02°00'39" EAST FOR A DISTANCE OF 128.97 FEET; THENCE RUN NORTH 00°48'35" WEST FOR A DISTANCE OF 408.37 FEET; THENCE RUN NORTH 02°57'17" WEST FOR A DISTANCE OF 241.10 FEET; THENCE RUN NORTH 07°39'28" WEST FOR A DISTANCE OF 94.80 FEET; THENCE RUN NORTH 13°08'11" WEST FOR A DISTANCE OF 334.21 FEET; THENCE RUN SOUTH 76°51'49" WEST FOR A DISTANCE OF 0.50 FEET; THENCE RUN NORTH 13°08'11" WEST FOR A DISTANCE OF 32.24 FEET TO THE POINT OF BEGINNING.

CONTAINS 2.30 ACRES MORE OR LESS.

SHEET 2 OF 6



**ALLEN
&
COMPANY**

Professional Surveyors & Mappers

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND:


REVISED 7-28-2021

P.S.M. PROFESSIONAL SURVEYOR AND MAPPER

◎ CHANGE IN DIRECTION

R/W RIGHT-OF-WAY

N.T. NON TANGENT

 P.R.C. LIMITED ACCESS RIGHT-OF-WAY LINE

JOB NO. 20150021

CALCULATED BY: PJR

DATE: 2-7-2021

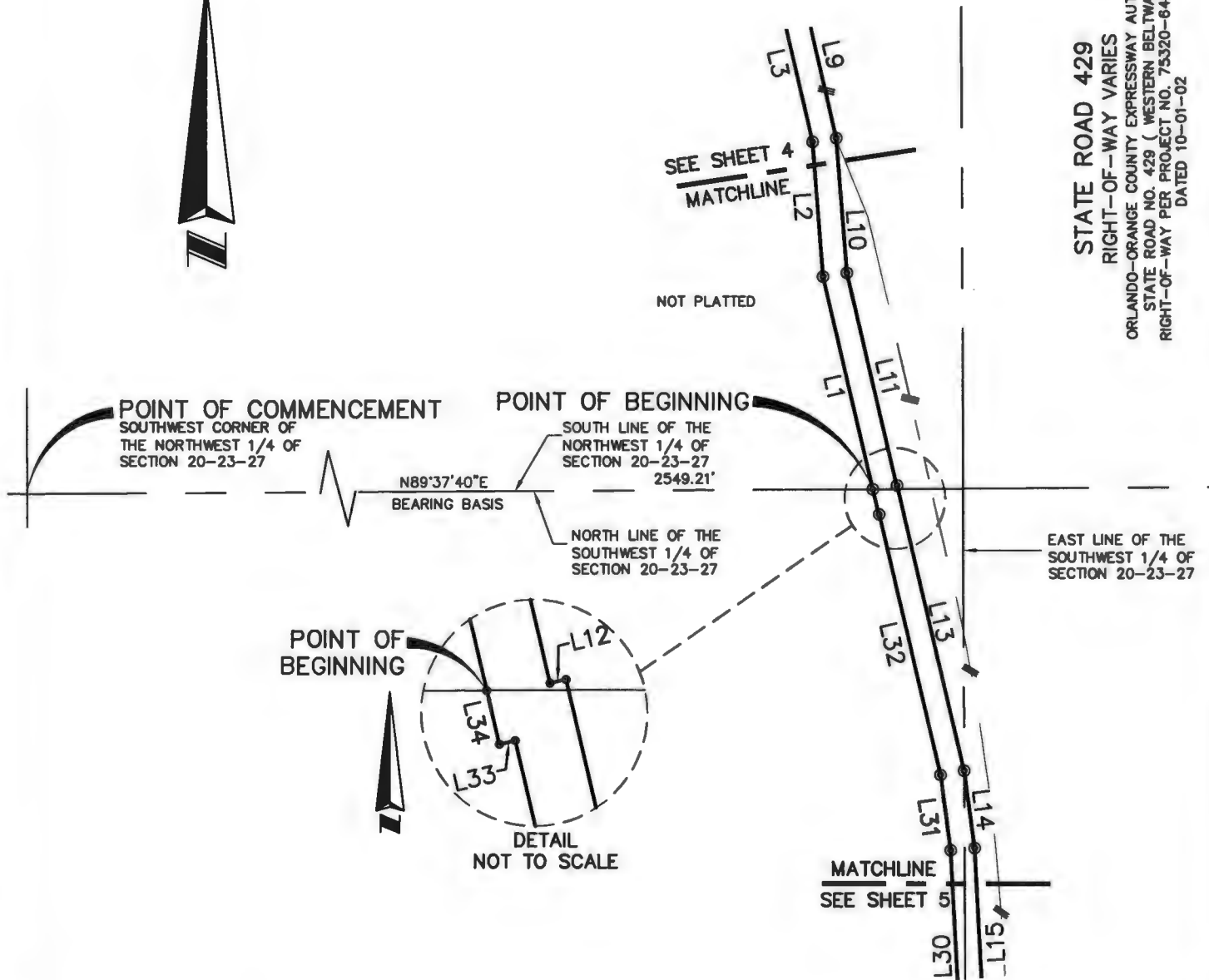
DRAWN BY: PJR

SCALE: 1" = 200 FEET

CHECKED BY: DY

DRAWN BY: PJR

SKETCH OF DESCRIPTION NOT A SURVEY



SHEET 3 OF 6



16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND:

REVISED 7-28-2021

P.S.M. PROFESSIONAL SURVEYOR AND MAPPER

⊙ CHANGE IN DIRECTION

R/W RIGHT-OF-WAY

N.T. NON TANGENT

— LIMITED ACCESS RIGHT-OF-WAY LINE

JOB NO. 20150021

CALCULATED BY: PJR

DATE: 2-7-2021

DRAWN BY: PJR

SCALE: 1" = 200 FEET

CHECKED BY: DY

DRAWN BY: PJR

SKETCH OF DESCRIPTION NOT A SURVEY

NEW INDEPENDENCE PARKWAY

RIGHT-OF-WAY WIDTH VARIES
PER DOC# 20160501632

SOUTH LIMITED ACCESS
RIGHT-OF-WAY LINE
OF STATE ROAD 429
PER DOC# 20160501633

NOT PLATTED

WEST LIMITED ACCESS RIGHT-OF-WAY LINE OF
STATE ROAD NO. 429 (WESTERN BELTWAY)
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
PROJECT NO. 75320-6460-653 DATED 10-01-02

EAST LINE OF THE
NORTHWEST 1/4 OF
SECTION 20-23-27

STATE ROAD 429
RIGHT-OF-WAY VARIES
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
STATE ROAD NO. 429 (WESTERN BELTWAY)
RIGHT-OF-WAY PER PROJECT NO. 75320-6460-653
DATED 10-01-02

MATCHLINE
SEE SHEET 3

NOT PLATTED

SHEET 4 OF 6



**ALLEN
&
COMPANY**

Professional Surveyors & Mappers

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND:

REVISED 7-28-2021

P.S.M. PROFESSIONAL SURVEYOR AND MAPPER

⊙ CHANGE IN DIRECTION

R/W RIGHT-OF-WAY

N.T. NON TANGENT

— LIMITED ACCESS RIGHT-OF-WAY LINE

JOB NO. 20150021

CALCULATED BY: PJR

DATE: 2-7-2021

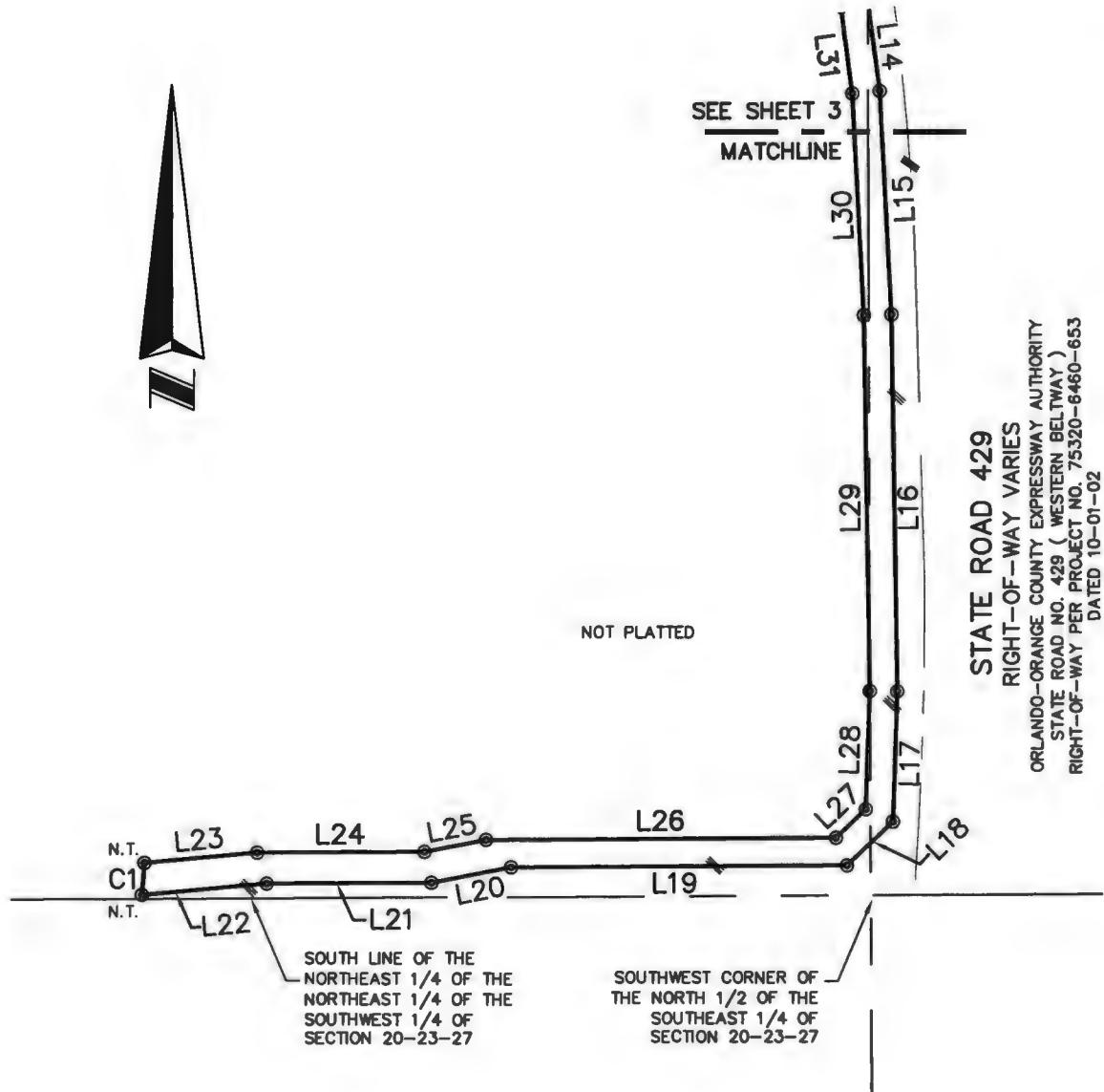
DRAWN BY: PJR

SCALE: 1" = 200 FEET

CHECKED BY: DY

DRAWN BY: PJR

SKETCH OF DESCRIPTION NOT A SURVEY



STATE ROAD 429
RIGHT-OF-WAY VARIES
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
STATE ROAD NO. 429 (WESTERN BELTWAY)
RIGHT-OF-WAY PER PROJECT NO. 75320-8460-653
DATED 10-01-02

SHEET 5 OF 6



Professional Surveyors & Mappers

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND:

REVISED 7-28-2021

P.S.M. PROFESSIONAL SURVEYOR AND MAPPER

⊙ CHANGE IN DIRECTION

R/W RIGHT-OF-WAY

N.T. NON TANGENT

— LIMITED ACCESS RIGHT-OF-WAY LINE

JOB NO. 20150021

DATE: 2-7-2021

SCALE: 1" = 200 FEET

DRAWN BY: PJR

CALCULATED BY: PJR

DRAWN BY: PJR

CHECKED BY: DY

SKETCH OF DESCRIPTION NOT A SURVEY

LINE TABLE		
LINE	BEARING	LENGTH
L1	N13°08'11"W	272.39'
L2	N04°20'10"W	168.47'
L3	N13°01'34"W	203.95'
L4	N03°11'00"W	146.25'
L5	N13°01'34"W	425.93'
L6	N89°42'32"E	30.76'
L7	S13°01'34"E	421.73'
L8	S03°11'00"E	146.25'
L9	S13°01'34"E	203.64'
L10	S04°20'10"E	168.44'
L11	S13°08'11"E	272.32'
L12	N76°51'49"E	0.50'
L13	S13°08'11"E	365.64'
L14	S07°39'28"E	97.47'
L15	S02°57'17"E	242.89'
L16	S00°48'35"E	409.68'
L17	S02°00'39"W	141.97'

LINE TABLE		
LINE	BEARING	LENGTH
L18	S46°29'48"W	69.20'
L19	S89°38'32"W	366.47'
L20	S78°57'54"W	88.73'
L21	S89°38'32"W	179.69'
L22	S84°46'31"W	137.26'
L23	N84°46'31"E	124.02'
L24	N89°38'32"E	182.63'
L25	N78°57'54"E	68.22'
L26	N89°38'32"E	381.86'
L27	N46°29'48"E	45.07'
L28	N02°00'39"E	128.97'
L29	N00°48'35"W	408.37'
L30	N02°57'17"W	241.10'
L31	N07°39'28"W	94.80'
L32	N13°08'11"W	334.21'
L33	S76°51'49"W	0.50'
L34	N13°08'11"W	32.24'

CURVE TABLE					
CURVE	RADIUS	BEARING	CHORD	DELTA	LENGTH
C1	590.49'	N04°48'20"E	35.07'	03°24'11"	35.07'

SHEET 6 OF 6



**ALLEN
&
COMPANY**

Professional Surveyors & Mappers

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND:

REVISED 7-28-2021

P.S.M. PROFESSIONAL SURVEYOR AND MAPPER

⊙ CHANGE IN DIRECTION

R/W RIGHT-OF-WAY

N.T. NON TANGENT

— LIMITED ACCESS RIGHT-OF-WAY LINE

JOB NO. 20150021

CALCULATED BY: PJR

DATE: 2-7-2021

DRAWN BY: PJR

SCALE: 1" = 200 FEET

CHECKED BY: DY

DRAWN BY: PJR

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
SEP 14 2021

THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:

ORANGE COUNTY REAL ESTATE MANAGEMENT
400 E. SOUTH STREET, 5TH FLOOR
ORLANDO, FLORIDA 32801

Cross Reference: DOC#20160552183

Project: New Independence Parkway Stormwater Pond

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NON-EXCLUSIVE ACCESS AND DRAINAGE EASEMENT

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WHEREAS, the Original Easement provided for an access and drainage easement to drain a portion of New Independence Parkway, a County roadway, over and across an area defined as the “**Access Easement Area**” in the Original Easement and hereinafter referred to as (the “**Original Easement Area**”); and

WHEREAS, in conjunction with the development of the surrounding property owned by GRANTOR within the Hamlin West PD, GRANTOR AND GRANTEE have agreed to maintain and continue use of the Original Easement Area until such time as GRANTOR has constructed a relocated drainage easement area (the “**Relocated Easement Area**”) to provide the same drainage capability to County as the Original Easement Area; and

WHEREAS, the parties further intend that the drainage improvements to be located within the Relocated Easement Area shall be completed and approved by County prior to the recording of the plat for Hamlin West; and

WHEREAS, the parties agree that the Original Easement Area shall automatically terminate upon the recordation of the Hamlin West Plat showing the location of the Relocated Easement Area as set forth herein.

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1. RECITALS. The recitals set forth above are true and correct and incorporated herein by reference.

2. AMENDMENT TO ORIGINAL EASEMENT. The parties agree that the Original Easement shall be amended and modified as follows:

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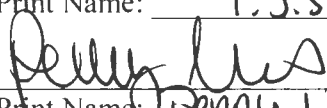
(b) GRANTEE hereby agrees that all of its right, title and interest in the Original Easement Area and pursuant to the Original Easement, as hereby amended, shall

terminate and be released automatically upon recordation of the plat of Hamlin West showing the location of the Relocated Easement Area.

3. FULL FORCE AND EFFECT. Except as amended by this Amendment, the Original Drainage Easement and all covenants, agreements, terms, provisions, and conditions thereof are hereby ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands and seals under seal as of the last day and year below written.

Signed, Sealed and Delivered in our Presence as witnesses:


Print Name: T.J. Schwab

Print Name: Penny Nunes

"GRANTOR"

HAMLIN RETAIL PARTNERS WEST, LLC, a Florida limited liability company

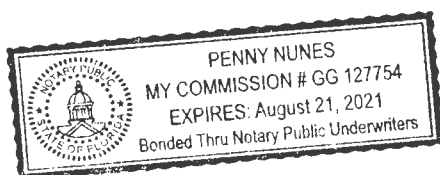
By: BK Hamlin Retail Partners West, LLC, a Florida limited liability company, its Manager

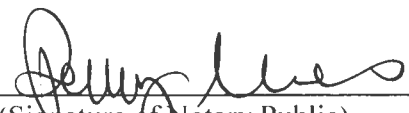
By: 
Scott T. Boyd, Manager

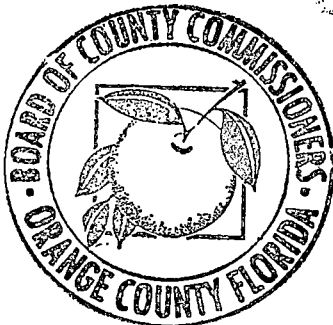
STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 15th day of July, 2021 by Scott T. Boyd, as Manager of BK Hamlin Retail Partners West, LLC, a Florida limited liability company, Manager of **HAMLIN RETAIL PARTNERS WEST, LLC**, a Florida limited liability company, on behalf of the company. He is ☒ personally known to me, or ☐ has produced _____ as identification.




(Signature of Notary Public)
Print Name: Penny Nunes
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____



"COUNTY"

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Bryan M. Brooks*
for Jerry L. Demings,
Orange County Mayor

Date: 15 Sep 21

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Noelia Perez*
for Deputy Clerk

Print: Noelia Perez

LEGAL DESCRIPTION

THIS IS NOT A SURVEY

A TRACT OF LAND LYING IN SECTION 20, TOWNSHIP 23 SOUTH, RANGE 27 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 20 FOR A POINT OF REFERENCE; THENCE RUN NORTH 00°08'53" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 661.11 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SAID SECTION 20; THENCE RUN NORTH 89°38'59" EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE, RUN NORTH 00°08'53" WEST, 681.93 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 350.00 FEET, WITH A CHORD BEARING OF NORTH 61°21'38" EAST AND A CHORD DISTANCE OF 552.11 FEET; THENCE RUN NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 104°07'58" ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 636.11 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 500.00 FEET, WITH A CHORD BEARING OF NORTH 88°59'53" EAST AND A CHORD DISTANCE OF 413.57 FEET; THENCE RUN EASTERLY THROUGH A CENTRAL ANGLE OF 48°51'29" ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 426.37 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 225.00 FEET, WITH A CHORD BEARING OF SOUTH 58°35'33" EAST AND A CHORD DISTANCE OF 376.71 FEET; THENCE RUN SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 113°40'38" ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 446.41 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE, CONCAVE WESTERLY HAVING A RADIUS OF 487.00 FEET, WITH A CHORD BEARING OF SOUTH 03°28'50" WEST AND A CHORD DISTANCE OF 88.86 FEET; THENCE RUN SOUTHERLY THROUGH A CENTRAL ANGLE OF 10°28'10" ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 88.99 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE RUN SOUTH 89°38'32" WEST, ALONG SAID NORTH LINE, 543.65 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20; THENCE RUN SOUTH 00°07'53" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 652.96 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 42°59'25" WEST, 11.44 FEET TO SAID NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE RUN SOUTH 89°38'59" WEST, ALONG SAID NORTH LINE, 662.49 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 17.47 ACRES MORE OR LESS.

SHEET 1 OF 2

SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION



16 East Plant Street
Winter Garden, Florida 34787 • (407) 654-5355

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 23 SOUTH, RANGE 27 EAST, BEING NORTH 00°08'53" WEST.
3. THE LEGAL DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF TITLE.
4. THE ADJOINING RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PROPERTY APPRAISER PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
6. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.

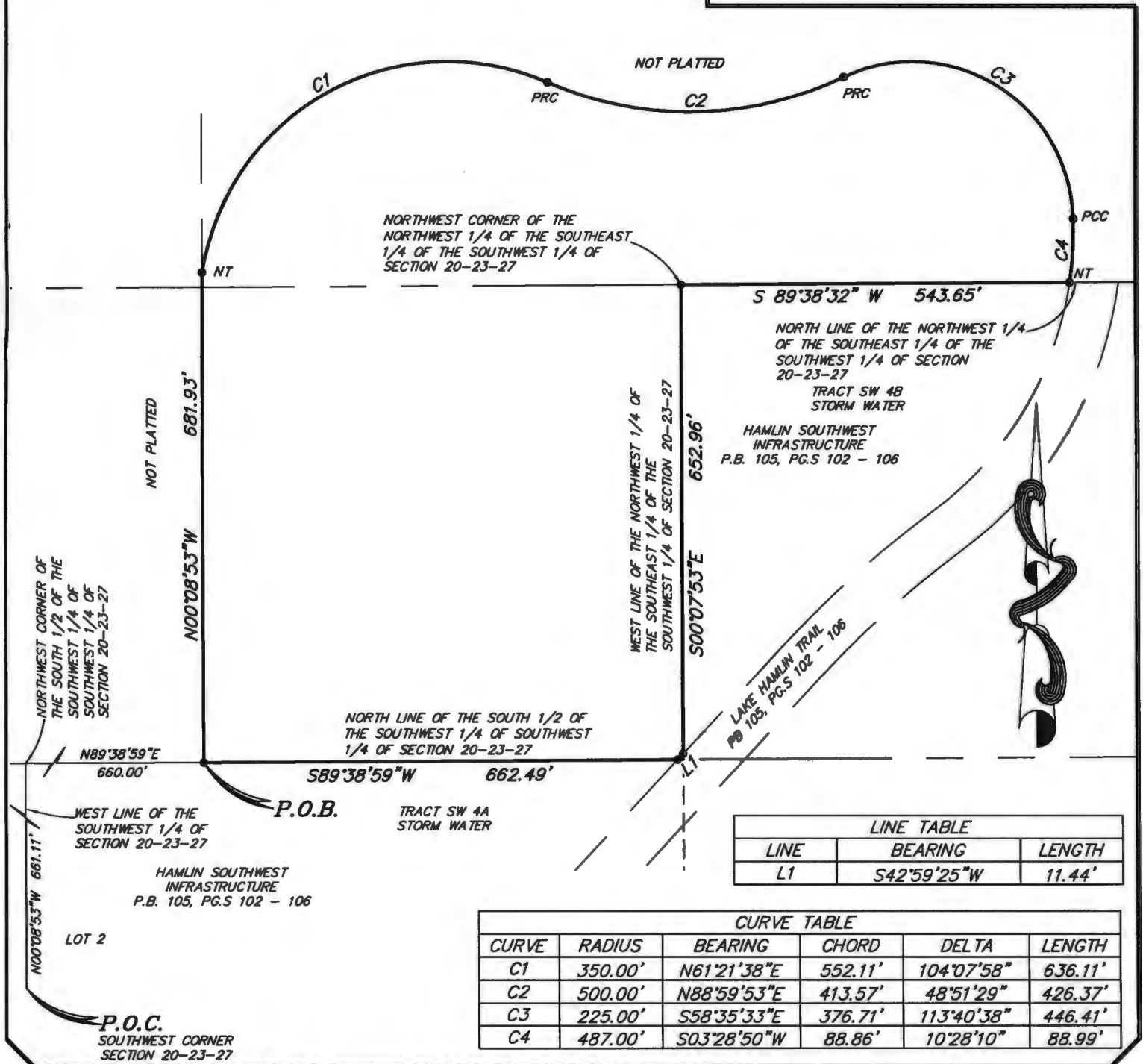
JOB NO. 20150021
DATE: 1/27/2021
SCALE: 1"=200'
FIELD BY: N/A

CALCULATED BY: SEJ
DRAWN BY: SEJ/DY
CHECKED BY: MR

FOR THE LICENSED BUSINESS # 6723 BY:

JAMES L. RICHMAN P.S.M. # 5633

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY



16 East Plant Street
Winter Garden, Florida 34787 * (407) 654 5355

LEGEND:

P.O.C.....POINT OF COMMENCEMENT

P.O.B.....POINT OF BEGINNING

PC.....POINT OF CURVATURE

PRC.....POINT OF REVERSE CURVATURE

-**CHANGE IN DIRECTION**

PB.....PLAT BOOK

NT.....NON-TANGENT

NR.....NON-RADIAL

OR.....OFFICIAL RECORDS BOOK

PCC.....POINT OF COMPOUND CURVATURE

PG.....PAGE

JOB NO. 20150021

DATE: 1/27/2021

SCALE: 1"=200'

rev 5/24/21 per county comment

CALCULATED BY: SEJ

DRAWN BY: SEJ/DY

CHECKED BY: _____ MR

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR LEGAL DESCRIPTION

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

SEP 14 2021

Instrument:

Project: New Independence Parkway Stormwater Pond

TEMPORARY DRAINAGE EASEMENT

THIS INDENTURE, Made as of the date signed below, between Hamlin Retail Partners West, LLC, a Florida limited liability company whose address is 14422 Shoreside Way, Suite 130, Winter Garden, Florida 34787 ("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 drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility over, under, and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser Parcel Identification Number:

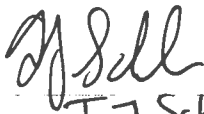
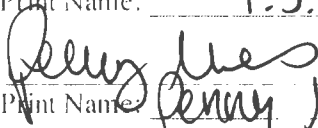
a portion of 20-23-27-0000-00-007

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 the GRANTOR undertaking vacation proceedings or obtaining any release from the GRANTEE, at such time as GRANTOR or its successors or assigns shall cause the property over which the easement passes to be included in a subdivision plat recorded among the public records of Orange County, Florida.

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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTOR, its heirs, 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 drainage ditch, pipe, or facility.

IN WITNESS WHEREOF, the parties have set their hands and seals under seal as of the last day and year below written.

Signed, Sealed and Delivered in our
Presence as witnesses:


Print Name: T.J. Schwab

Print Name: Penny Nunes

"GRANTOR"

**HAMLIN RETAIL PARTNERS WEST,
LLC**, a Florida limited liability company

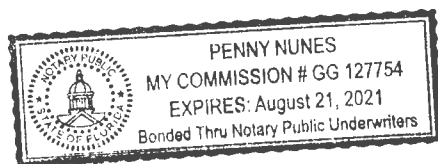
By: BK Hamlin Retail Partners West, LLC,
a Florida limited liability company, its
Manager

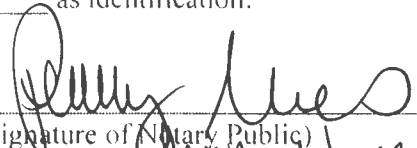
By: 
Scott T. Boyd, Manager

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was sworn to, subscribed and acknowledged before me by means
of ☒ physical presence or ☐ online notarization, this 15th day of July, 2021 by Scott
T. Boyd, as Manager of BK Hamlin Retail Partners West, LLC, a Florida limited liability company,
Manager of **HAMLIN RETAIL PARTNERS WEST, LLC**, a Florida limited liability company,
on behalf of the company. He is ☒ personally known to me, or ☐ has produced
as identification.




(Signature of Notary Public)
Print Name: Penny Nunes
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

LEGAL DESCRIPTION

NOT A SURVEY

A parcel of land lying in Section 20, Township 23 South, Range 27 East, Orange County, Florida,

being more particularly described as:

Commencing at the Northeast corner of the Southwest Quarter of said Section 20; thence run South 00°06'53" East along the East line of said Southwest Quarter for a distance of 180.12 feet to a point on the Westerly limited access right of way line of State Road 429 according to right of way map Project Number 75320-6460-653 and the POINT OF BEGINNING, also being a point on a non tangent curve, concave Westerly having a radius of 2770.79 feet, with a chord bearing of South 09°11'04" East and a chord distance of 198.98 feet; thence run Southerly through a central angle of 04°06'56" along the arc of said curve and along said Westerly limited access right of way line for a distance of 199.02 feet to a point on a non tangent line; thence departing said Westerly limited access right of way line run South 84°07'40" West for a distance of 266.70 feet to a point on the West line of Perpetual easement "A" as recorded in Official Records Book 7034, Page 1352 of the Public Records of Orange County, Florida and a point on a non tangent curve, concave Westerly having a radius of 2546.65 feet, with a chord bearing of North 07°58'36" West and a chord distance of 62.82 feet; thence run Northerly through a central angle of 01°24'48" along the arc of said curve and along said West easement line for a distance of 62.82 feet to a point on a non tangent line; thence run South 85°23'15" West for a distance of 266.97 feet; thence run North 10°24'21" West for a distance of 98.23 feet; thence run North 79°53'15" East for a distance of 266.32 feet to a point on a non tangent curve, concave Westerly having a radius of 2546.65 feet, with a chord bearing of North 12°28'13" West and a chord distance of 88.98 feet; thence run Northerly through a central angle of 02°00'07" along the arc of said curve and along aforesaid West easement line for a distance of 88.98 feet to a point on a non tangent line; thence run North 13°37'21" West along aforesaid West easement line for a distance of 519.42 feet; thence run North 78°20'16" East for a distance of 257.42 feet to a point on aforesaid Westerly limited access right of way line; thence run South 22°06'59" East along aforesaid Westerly limited access right of way line for a distance of 92.27 feet; thence run South 13°01'34" East for a distance of 445.93' to a point on a non tangent curve concave Westerly having a radius of 2770.79 feet, with a chord bearing of South 12°07'58" East and a chord distance of 86.12 feet; thence run Southerly through a central angle of 01°46'51" along the arc of said curve and along aforesaid Westerly limited access right of way line for a distance of 86.12 feet to the POINT OF BEGINNING.

Containing 245,792 square feet or 5.64 acres, more or less.

OK
WLS

SHEET 1 OF 4

SEE SHEETS 2 & 3 FOR SKETCH
SEE SHEET 4 FOR LINE AND CURVE TABLE



**ALLEN
&
COMPANY**

Professional Surveyors & Mappers

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON EAST LINE OF THE SW 1/4 OF SECTION 20-23-27, AS BEING S 00°06'53" E (ASSUMED FOR ANGULAR DESIGNATION ONLY)
4. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. 20150021-68

DATE: 5/24/2021

SCALE: 1" = 100'

CALCULATED BY: DY

DRAWN BY: DY

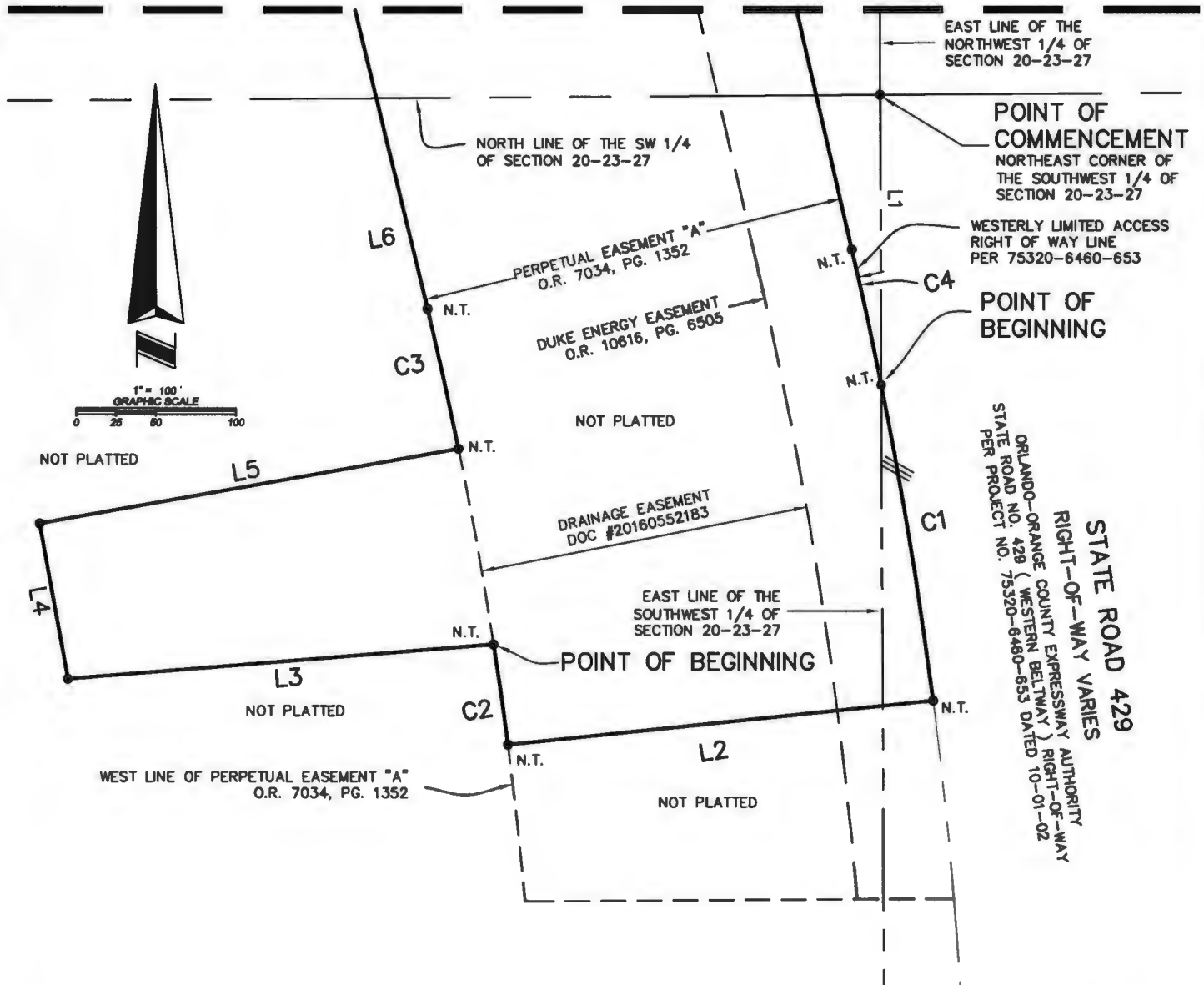
CHECKED BY: MR

FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5833

SKETCH OF DESCRIPTION NOT A SURVEY

SEE SHEET 3 OF 4



SHEET 2 OF 4

SEE SHEET 1 FOR DESCRIPTION
SEE SHEET 4 FOR LINE AND CURVE TABLE

STATE ROAD 429
RIGHT-OF-WAY VARIES
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
STATE ROAD NO. 429 (WESTERN BELTWAY) RIGHT-OF-WAY
PER PROJECT NO. 75320-6460-653 DATED 10-01-02



16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND

O.R.	OFFICIAL RECORDS
PG.	PAGE
DOC.	OFFICIAL RECORDS DOCUMENT NUMBER OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA
N.T.	NON TANGENT
•	CHANGE IN DIRECTION
---	LIMITED ACCESS RIGHT OF WAY

JOB NO. 20150021-68

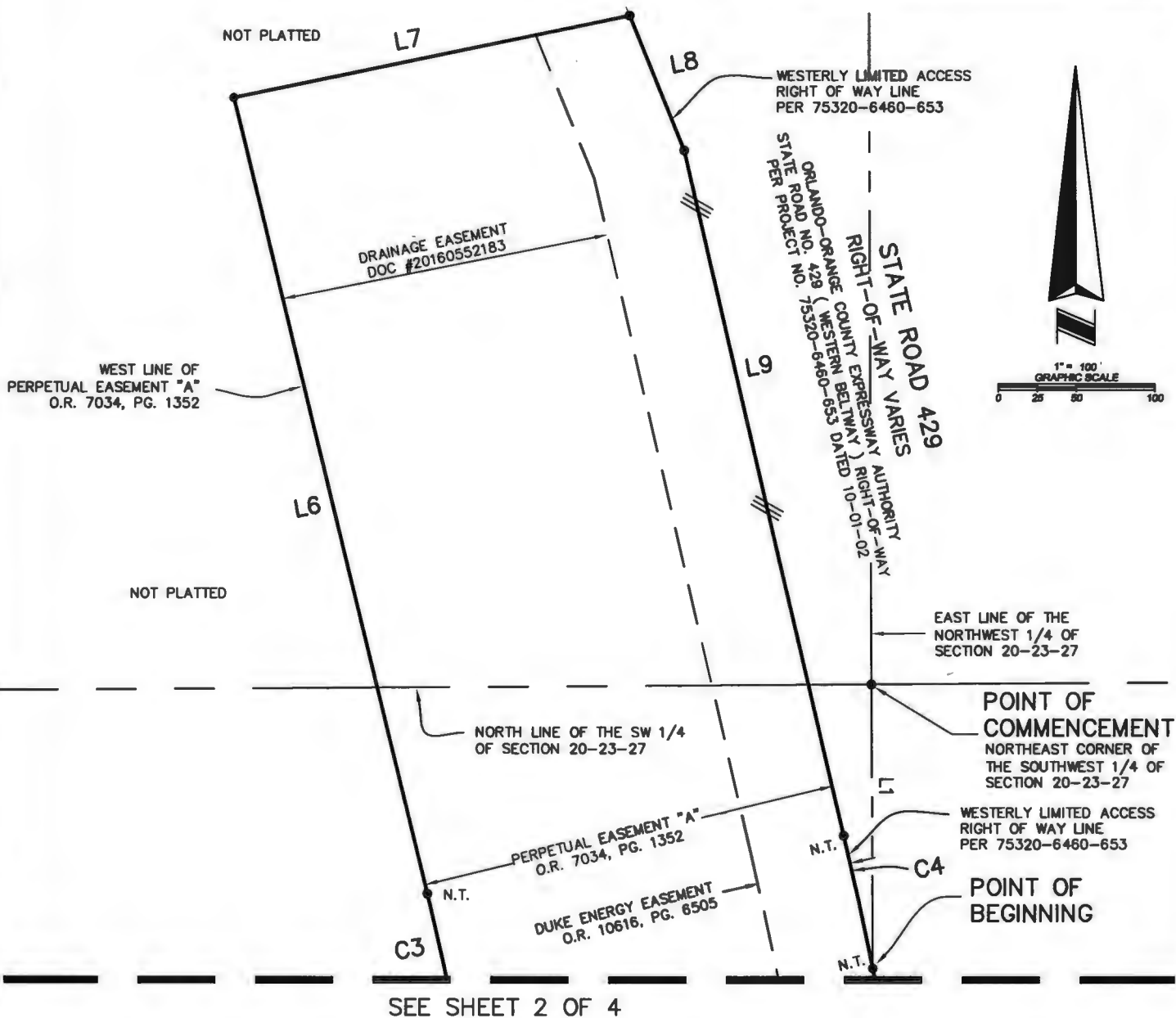
DATE: 5/24/2021

SCALE: 1" = 100'

DRAWN BY: DY

SKETCH OF DESCRIPTION

NOT A SURVEY



SHEET 3 OF 4
SEE SHEET 1 FOR DESCRIPTION
SEE SHEET 4 FOR LINE AND CURVE TABLE



Professional Surveyors & Mappers

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND

O.R.	OFFICIAL RECORDS
PG.	PAGE
DOC.	OFFICIAL RECORDS DOCUMENT NUMBER OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA
N.T.	NON TANGENT
•	CHANGE IN DIRECTION
---	LIMITED ACCESS RIGHT OF WAY

JOB NO. 20150021-88

DATE: 5/24/2021

SCALE: 1" = 100'

DRAWN BY: DY

LINE AND CURVE TABLES

NOT A SURVEY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°06'53"E	180.12'
L2	S84°07'40"W	266.70'
L3	S85°23'15"W	266.97'
L4	N10°24'21"W	98.23'
L5	N79°53'15"E	266.32'
L6	N13°37'21"W	519.42'
L7	N78°20'16"E	257.42'
L8	S22°06'59"E	92.27'
L9	S13°01'34"E	445.93'

CURVE TABLE					
CURVE	RADIUS	BEARING	CHORD	DELTA	LENGTH
C1	2770.79'	S09°11'04"E	198.98'	04°06'56"	199.02'
C2	2546.65'	N07°58'36"W	62.82'	01°24'48"	62.82'
C3	2546.65'	N12°28'13"W	88.98'	02°00'07"	88.98'
C4	2770.79'	S12°07'58"E	86.12'	01°46'51"	86.12'

SHEET 4 OF 4
SEE SHEET 1 FOR DESCRIPTION
SEE SHEETS 2 AND 3 FOR SKETCH



**ALLEN
&
COMPANY**

Professional Surveyors & Mappers

16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND

O.R. OFFICIAL RECORDS
PG. PAGE
DOC. OFFICIAL RECORDS DOCUMENT NUMBER OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA
N.T. NON TANGENT
• CHANGE IN DIRECTION
/// LIMITED ACCESS RIGHT OF WAY

JOB NO. 20150021-68

DATE: 5/24/2021

SCALE: 1" = 100'

DRAWN BY: DY

LEGAL DESCRIPTION

INGRESS-EGRESS EASEMENT

A portion of the Northwest Quarter of Section 20, Township 23 South, Range 27 East of Orange County, Florida

Being more particularly described as follows:

COMMENCING at the Southwest corner of the Northwest quarter of said Section 20 run North 89°37'40" East along the South line of said Northwest quarter for a distance of 2347.32 feet to a point on the West line of a perpetual easement recorded in Official Records Book 7034, Page 1352, Public Records of Orange County, Florida; thence run North 13°37'21" West along said West line for a distance of 384.84 feet; thence run North 78°20'16" East for a distance of 177.38 feet to the POINT OF BEGINNING; thence run North 13°24'58" West for a distance of 216.57 feet; thence run North 01°00'37" East for a distance of 103.36 feet; thence run North 13°01'34" West for a distance of 482.54 feet to a point on the right of way "B" recorded in Official Records Book 7034, Page 1352, Public Records of Orange County, Florida; thence run North 89°42'32" East for a distance of 25.63 feet; thence run South 13°01'34" East for a distance of 479.97 feet; thence run South 01°00'37" West for a distance of 103.27 feet; thence run South 13°24'58" East for a distance of 214.17 feet to a point on the North line of the aforesaid perpetual easement recorded in Official Records Book 7034, Page 1352, Public Records of Orange County, Florida; thence run South 78°20'16" West for a distance of 25.01 feet to the POINT OF BEGINNING;

Containing 19998 square feet, 0.46 acres more or less

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH



16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 864-5266

SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREIN ARE BASED ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 20, T23S, R27E AS BEING NORTH 89°37'40" EAST. (AN ASSUMED BEARING FOR ANDRUS DESIGNATION ONLY.)

JOB NO. 2014-006A

DATE: 6/27/2015

SCALE: 1" = 200'

CALCULATED BY: J.R.

DRAWN BY: TDY

CHECKED BY: EVJ

FOR THE LICENSED BUSINESS #5723 BY

JAMES L. RICHMAN, P.S.M. #0433

Drawing name: I:\Data\2014\006A\Sketches\Sketch 1-Ingress egress easement.dwg Sheet: 1

Land Exchange Agreement
(New Independence Parkway Stormwater Pond and Access Drive) 2016

