



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 5

DATE: September 24, 2021

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

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

FROM: Mary Tiffault, Senior Title Examiner *LM FOR MT*
Real Estate Management Division

CONTACT PERSON: Mindy T. Cummings, Manager

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

ACTION REQUESTED: Approval of Warranty Deed from D.R. Horton, Inc. to Orange County and Partial Release of Master Declaration of Covenants, Conditions, Easements, and Restrictions for Waterleigh Development to Orange County from D.R. Horton, Inc. and authorization to record instruments

PROJECT: Waterleigh Parcels 10 and 11 Ph 2 DP 18-04-112/CDR-20-03-071
B16904099

District 1

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

ITEMS: Warranty Deed
Cost: Donation
Size: 1.5 acres

Partial Release of Master Declaration of Covenants, Conditions, Easements, and Restrictions for Waterleigh Development

Real Estate Management Division
Agenda Item 5
September 24, 2021
Page 2

APPROVALS: Real Estate Management Division
Public Works Department

REMARKS: Grantor to pay all recording fees

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

OCT 12 2021

THIS IS A DONATION

Project: Waterleigh Parcels 10 and 11 Ph 2 DP 18-04-112/CDR-20-03-071 B16904099

WARRANTY DEED

THIS SPECIAL WARRANTY DEED, Made and executed the 1 day of Feb.
A.D., 2021, by **D.R. HORTON, INC.**, a Delaware corporation, whose address is 1341 Horton Circle,
Arlington, TX 76148, (hereinafter referred to as the "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 (hereinafter referred to as the "Grantee");

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain,
sell, alien, remise, release, convey, and confirm unto the GRANTEE, all that certain land situate in
Orange County, Florida:

SEE ATTACHED EXHIBIT "A" AND MADE A PART HEREOF

a portion of Property Appraiser's Parcel Identification Number:

08-24-27-0000-00-017

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in
anywise appertaining.

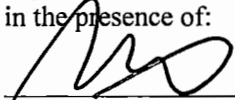
TO HAVE AND TO HOLD, the same in fee simple forever.

AND the GRANTOR hereby covenants with said GRANTEE that it is lawfully seized of said
land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby
warrants the title to said land and will defend the same against the lawful claims of all persons claiming
by, through or under the said GRANTOR, and that said land is free of all encumbrances, except taxes
accruing subsequent to December 31, 2020.

Project: Waterleigh Parcels 10 and 11 Ph 2 DP 18-04-112/CDR-20-03-071 B16904099

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first written.

Signed, sealed, and delivered
in the presence of:



Witness

Matthew Stolz
Printed Name



Witness

David Matt
Printed Name

D.R. Horton, Inc., a Delaware Corporation


BY:  _____

John Velantasis
Printed Name

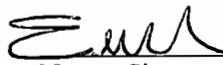
Asst. Sec.
Title

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence
or ☐ online notarization, 1 day of Feb., 2021, by John Velantasis,
as Asst. Sec., on behalf of D.R. Horton, Inc., a Delaware corporation. He/She ☒ is
personally known to me or ☐ has produced _____ as identification.

(Notary Seal)  ERIN M. ARNOLD
MY COMMISSION # GG 241390
EXPIRES: October 22, 2022
Bonded Thru Notary Public

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

Erin Arnold
Printed Notary Name

Notary Public in and for in the
county and state aforesaid
My commission expires:

THIS IS NOT A SURVEY LEGAL DESCRIPTION

A TRACT OF LAND LYING IN SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF WATERLEIGH PARCELS 10 AND 11, PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 97, PAGES 145 AND 146 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, FOR A POINT OF REFERENCE, SAID POINT LIES ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE RUN SOUTH 89°45'26" WEST, ALONG SAID NORTH LINE, 515.02 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE RUN SOUTH 00°06'18" EAST, 284.47 FEET TO A POINT ON THE NORTH LINE OF THE LANDS DESCRIBED IN DOCUMENT NUMBER 20200101002 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°53'42" WEST, ALONG SAID NORTH LINE, 360.76 FEET; THENCE RUN NORTH 45°06'18" WEST, ALONG SAID NORTH LINE, 45.64 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 545 (AVALON ROAD), ACCORDING TO DOCUMENT NUMBER 20180740572 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°29'10" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 136.82 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN NORTH 89°45'26" EAST, 370.96 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 10.00 FEET, A CENTRAL ANGLE OF 90°14'36", AN ARC LENGTH OF 15.75 FEET, A CHORD LENGTH OF 14.17 FEET AND A CHORD BEARING OF NORTH 44°38'08" EAST TO THE POINT OF TANGENCY; THENCE RUN NORTH 00°29'10" WEST, 104.40 FEET TO SAID NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8; THENCE RUN NORTH 89°45'26" EAST, ALONG SAID NORTH LINE, 13.70 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 1.51 ACRES MORE OR LESS.

OK
WZ

SHEET 1 OF 2
SEE SHEET 2 OF 2
FOR SKETCH OF
DESCRIPTION



**ALLEN
&
COMPANY**

Professional Surveyors & Mappers

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 EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 545 (AVALON ROAD), BEING NORTH 00°29'10" 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. 20160114

DATE: 8-25-2020

SCALE: 1"=100'

FIELD BY: N/A

CALCULATED BY: SEJ

DRAWN BY: SEJ

CHECKED BY: MR

FOR THE LICENSED BUSINESS # 5723 BY:

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

24 9/11/2021

THIS IS NOT A SURVEY
SKETCH OF DESCRIPTION



COUNTY ROAD 545
AVALON ROAD
DB. 402 PG. 355
66.00' R/W WIDTH

ADDITIONAL R/W
DOCUMENT NUMBER 20180740572

NOT PLATTED

E. R/W LINE

54.00'

114.44'

136.82'

54.00'

NOT PLATTED

381.00'
N. LINE OF THE S.E.
1/4 OF THE N.W. 1/4
SECTION 8-24-27

NOT PLATTED

N89°45'26"E 370.96'

N. LINE DOC# 20200101002

S89°53'42"W 360.76'

NOT PLATTED

LINE TABLE

LINE	BEARING	LENGTH
L1	N45°06'18"W	45.64'
L2	N00°29'10"W	104.40'
L3	N89°45'26"E	13.70'

CURVE TABLE

CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	10.00'	90°14'36"	15.75'	14.17'	N44°38'08"E

P.O.C.

NW CORNER WATERLEIGH
PARCELS 10 AND 11, PHASE 1
PB. 97, PGS. 145&146

L3

S89°45'26"W

515.02'

L2

P.O.B.

500°06'18"E 284.47'

NOT PLATTED

W. LINE WATERLEIGH PARCELS 10 AND 11, PHASE 1

LEGEND:

P.O.C.....POINT OF COMMENCEMENT
P.O.B.....POINT OF BEGINNING
PG(S).....PAGE(S)
DB.....DEED BOOK
R/W.....RIGHT-OF-WAY

PB.....PLAT BOOK
DOC#.....DOCUMENT NUMBER
PC.....POINT OF CURVATURE
PT.....POINT OF TANGENCY

SKETCH 14



ALLEN
&
COMPANY

Professional Surveyors & Mappers

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

JOB NO. 20160114

DATE: 8-25-2020

SCALE: 1"=100'

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

KH 9/1/2021

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
OCT 12 2021

Project: Waterleigh Parcels 10 and 11 Ph 2 DP 18-04-112/CDR-20-03-071 B16904099

**PARTIAL RELEASE OF MASTER DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS,
AND RESTRICTIONS FOR WATERLEIGH DEVELOPMENT**

THIS PARTIAL RELEASE OF MASTER DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS FOR WATERLEIGH DEVELOPMENT is made and entered into this 1 day of Feb, 2021 by D.R. HORTON, INC., a Delaware corporation ("Horton").

WITNESSETH:

WHEREAS, Horton, as Declarant thereunder, executed and recorded that certain Master Declaration of Covenants, Conditions, Easements, and Restrictions for Waterleigh Development dated December 16, 2014 and recorded December 22, 2014 in Official Records Book 10851, Page 4228, Public Records of Orange County, Florida (the "Declaration");

AND WHEREAS, a portion of the property encumbered by the Declaration described on Exhibit "A" attached hereto (the "Partial Release Property") is being conveyed to Orange County, Florida (the County") and

WHEREAS, the County has requested that Horton partially release the Partial Release Property from the encumbrance of the Declaration.

NOW THEREFORE, for and in consideration of the premises and of the sum of \$10.00 Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Horton, as Declarant under the Declaration, does hereby remise, release, quit-claim, exonerate and discharge the Partial Release Property from the encumbrance and operation of the Declaration,

TO HAVE AND TO HOLD the same, unto County forever freed, exonerated and discharged of and from the lien, operation and encumbrance of the Declaration, and every part thereof; provided always, nevertheless, that nothing herein contained shall in any wise impair, alter or diminish the effect, operation or encumbrance of the Declaration on the remaining part of the Waterleigh Development described therein not hereby released therefrom.

Project: Waterleigh Parcels 10 and 11 Ph 2 DP 18-04-112/CDR-20-03-071 B16904099

IN WITNESS WHEREOF, Horton has caused these presents to be executed in the manner and form sufficient to bind the corporation as of the day and year above written.

Signed, sealed, and delivered
in the presence of:

Witness

Matthew Snow

Printed Name

David Matt

Witness

David Matt

Printed Name

(Signature of TWO Witnesses required by Florida law)

STATE OF FLORIDA
COUNTY OF ORANGE

D.R. Horton, Inc., a Delaware corporation

BY: [Signature]

John Valantis

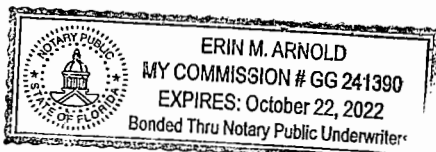
Printed Name

Asst. Sec.

Title

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, 1 of Feb., 2021, by John Valantis, as Asst. Sec. of D.R. Horton, Inc., a Delaware corporation, on behalf of the corporation. He/She ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



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

[Signature]
Notary Signature
Erin M Arnold
Printed Notary Name

Notary Public in and for
the County and State aforesaid

My commission expires:

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DATE: 8-25-2020

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CALCULATED BY: SEJ

DRAWN BY: SEJ

CHECKED BY: MR

FOR THE LICENSED BUSINESS # 6723 BY:

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



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

SKETCH 14

RH 9/1/2021