




Interoffice Memorandum


APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 16 2013 NP/JM

REAL ESTATE MANAGEMENT ITEM 7

DATE: June 27, 2013

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: John D. Terwilliger, Director 
Administrative Services Department

FROM: Ruby Fortson, Acquisition Agent 
Real Estate Management Division

CONTACT PERSON: **William K. Hurt, Jr., Assistant Manager**

DIVISION: **Real Estate Management**
Phone: 836-7087

ACTION REQUESTED: APPROVAL OF AGREEMENT AND TEMPORARY CONSTRUCTION EASEMENT BETWEEN MILLENIUM ORLANDO, L.L.C. AND ORANGE COUNTY AND AUTHORIZATION TO DISBURSE FUNDS TO PAY ALL RECORDING FEES AND RECORD INSTRUMENT

PROJECT: Pump Station #3194 (Treehouse)

District 6

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

ITEMS: Agreement

Temporary Construction Easement (Instrument 702.1)
Cost: Donation
Total size: 4,539 square feet
Term: 2 years, or upon completion of construction

BUDGET: Account No.: 4420-038-1507-18-6110

FUNDS: \$44.70 Payable to Orange County Comptroller
(all recording fees)

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: The Utilities Department requires a temporary construction easement in connection with the relocation of Pump Station #3194 located within the Millenium Pointe Apartment complex. The pump station will be relocated adjacent to the road and will provide reliability, ease of maintenance, and emergency power connection in case of extended power failure.

The permanent easement for this project was approved by the Orange County Board of County Commissioners on November 13, 2012.

A file labeled “BCC Agenda Backup” containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson’s office.

REQUEST FOR FUNDS FOR LAND ACQUISITION

X Under BCC Approval

_____ Under Ordinance Approval

Date: June 19, 2013

Total Amount: \$ 44.70

Project: Pump Station #3194 (Treehouse)

Parcels: 702.1

Charge to: Account # 4420-038-1507-18-6110

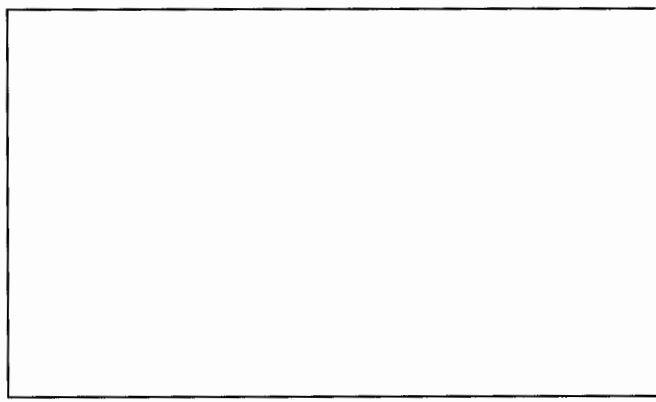
Controlling Agency Approval Date

Fiscal Approval Date

TYPE TRANSACTION (Check appropriate block{s})
_____ Pre-Condemnation _____ Post-Condemnation

District 6

- _____ Acquisition at Approved Appraisal
- _____ Acquisition at Below Approved Appraisal
- _____ Acquisition at Above Approved Appraisal
- X Donation
- X Recording Fees



DOCUMENTATION ATTACHED (Check appropriate block{s})

- X Copies of Conveyance Documents
- _____ Copy of Executed Grant of Right of Use
- _____ Certificate of Value
- _____ Settlement Analysis

Payable to: Orange County Comptroller (recording fees) \$ 44.70

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

Recommended by Ruby Fortson
Ruby Fortson, Acquisition Agent

June 19, 2013
Date

Payment Approved [Signature]
Assistant Manager/Supervisor

6-19-13
Date

Under Ordinance Approved by _____
Assistant Manager, Real Estate Management Division

Date

Certified Katei Smith
Approved by BCC Deputy Clerk to the Board

JUL 17 2013
Date

Examined/Approved _____
Comptroller/Government Grants

Check No. / Date

REMARKS:

Please contact Acquisition Agent @6-7094 if there are any questions.

APPROVED
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OF COUNTY COMMISSIONERS
JUL 16 2013 NP/JM

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

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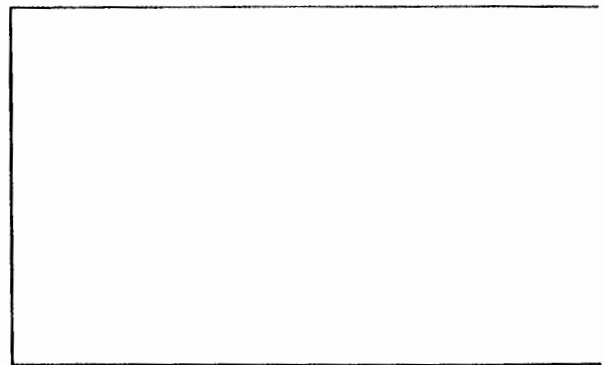
Andrés Salcedo 6/29/13
 Controlling Agency Approval Date

Jim L. Fancher 6/20/13
 Fiscal Approval Date

TYPE TRANSACTION (Check appropriate block(s))
 Pre-Condemnation Post-Condemnation

District 6

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Recommended by Ruby Fortson June 19, 2013
 Ruby Fortson, Acquisition Agent Date

Payment Approved [Signature] 6-19-13
 Assistant Manager/Supervisor Date

Under Ordinance _____
 Approved by Assistant Manager, Real Estate Management Division Date

Certified _____
 Approved by BCC Deputy Clerk to the Board Date

Examined/Approved _____
 Comptroller/Government Grants Check No. / Date

REMARKS:

Please contact Acquisition Agent @6-7094 if there are any questions.

Project: Pump Station No. 3194 (Treehouse)
Parcel: 702

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 16 2013 NP/JM

AGREEMENT

**COUNTY OF ORANGE
STATE OF FLORIDA**

THIS AGREEMENT made between Millenium Orlando, L.L.C., a Louisiana limited liability company, hereinafter referred to as OWNER, and ORANGE COUNTY, a charter county and a political subdivision of the state of Florida, hereinafter referred to as COUNTY.

WITNESSETH:

WHEREAS, the COUNTY requires the use of land described on Schedule "A" attached hereto for access, construction and maintenance of the above referenced project and said OWNER agrees to furnish use of said land for such purpose.

**Property Appraiser's Parcel Identification Numbers:
a portion of**

10-23-29-0000-00-037

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

1. OWNER agrees to donate and execute a Temporary Construction Easement, known as Instrument 702.1, for a period of two (2) years or upon completion of construction, whichever occurs first.
2. This transaction shall be closed and other closing papers delivered on or before Sixty (60) 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 COUNTY and OWNER.
3. 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.
4. COUNTY shall pay all recording fees.

Project: Pump Station No. 3194 (Treehouse)
Parcel: 702

THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between OWNER and COUNTY, made with respect to the matters herein contained, and when duly executed constitutes the AGREEMENT between OWNER and COUNTY. 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.

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

Millenium Orlando, L.L.C., a Louisiana limited liability company, OWNER

BY: Richard Paul Beaulieu
Richard Paul Beaulieu, Manager

DATE: 6/12/13

ORANGE COUNTY, FLORIDA, COUNTY

BY: Ruby Fortson
Ruby Fortson, Ms Agent

DATE: 6/19/13

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

SCHEDULE "A"

PARCEL: 702

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 29 EAST, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10226, PAGE 8837 AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 36, DUNWOODIE PLACE, AS RECORDED IN PLAT BOOK 11, PAGE 56, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE NORTH 00°19'07" WEST ALONG THE EAST LINE OF SAID PLAT, SAID LINE ALSO BEING THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10226, PAGE 8837 AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 27.60 FEET TO THE NORTH LINE OF AN EXISTING UTILITY EASEMENT (PARCEL A) PER OFFICIAL RECORDS BOOK 10481, PAGE 1466 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°19'07" WEST ALONG SAID WEST LINE, SAID LINE ALSO BEING THE EAST LINE OF SAID PLAT AND THE EAST LINE OF LYME BAY COLONY, CONDOMINIUM EXHIBIT BOOK 3, PAGE 60 AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 483.85 FEET TO A POINT; THENCE NORTH 89°40'53" EAST, A DISTANCE OF 17.81 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2775, PAGE 1178 AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE THE FOLLOWING TWO COURSES ALONG THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2775, PAGE 1178 AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 06°40'53" WEST, A DISTANCE OF 74.96 FEET TO A POINT; THENCE SOUTH 00°19'07" EAST, A DISTANCE OF 409.40 FEET TO A POINT ON SAID NORTH LINE; THENCE SOUTH 89°21'47" WEST ALONG SAID NORTH LINE, A DISTANCE OF 8.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,539 SQUARE FEET MORE OR LESS.

GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE SURVEYOR HAS NOT ABSTRACTED THE LANDS SHOWN HEREON FOR EASEMENTS AND/OR RIGHT-OF-WAY RECORDS. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT. EASEMENTS SHOWN HEREON ARE BASED ON SURROUNDING PLATS AND A SEARCH OF ORANGE COUNTY'S GIS WEBSITE.
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4. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
5. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
6. ALL RECORDING REFERENCES ON THIS SURVEY SHALL REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.

Date: APRIL 10, 2013

Project No.: N06-01

Drawn: PMM Chkd.: JMS

LEGAL DESCRIPTION
PUMP STATION NO. 3194
TEMPORARY CONSTRUCTION EASEMENT

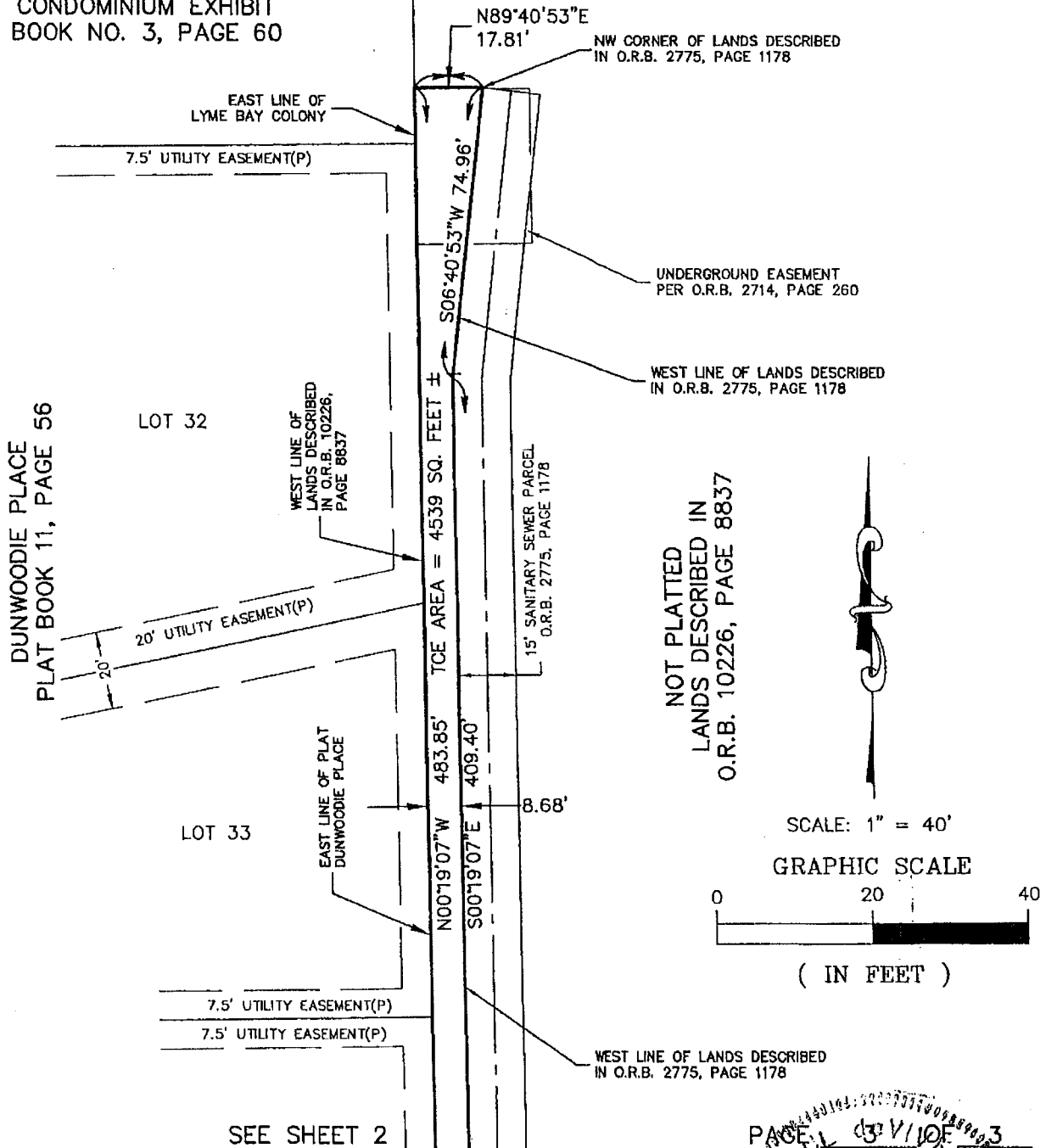


GEODATA CONSULTANTS, INC.
SURVEYING & MAPPING
 2700 WESTHALL LANE
 SUITE 137
 MAITLAND, FLORIDA 32751
 VOICE: (407) 660-2322 FAX: 680-8223
 Land Surveyor Business License No. 6558

SKETCH OF DESCRIPTION
 NOT A BOUNDARY SURVEY
 PARCEL: 702
 ESTATE: TEMPORARY EASEMENT
 PURPOSE: TEMPORARY CONSTRUCTION

LYME BAY COLONY
 CONDOMINIUM EXHIBIT
 BOOK NO. 3, PAGE 60

SECTION 10, TOWNSHIP 23 SOUTH, RANGE 29 EAST



SEE SHEET 2

PAGE 13 OF 13
 DATE 4/25/13

Date: APRIL 10, 2013
 Project No.: N06-01
 Drawn: PMM Chkd.: JMS

GEODATA CONSULTANTS, INC.
 SURVEYING & MAPPING
 2700 WESTHALL LANE
 SUITE 137
 MAITLAND, FLORIDA 32751
 VOICE: (407) 860-2322 FAX: 680-8223
 Land Surveyor Business License No. 6555

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PLASANT TO CHAPTER 472 OF THE FLORIDA STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

H. Paul deVivero
 H. Paul deVivero, Professional Land Surveyor No. 4988
 DATE 4/25/13

REGISTERED LAND SURVEYOR

Instrument: 702.1
Project: Pump Station #3194 (Treehouse)

TEMPORARY CONSTRUCTION EASEMENT

For and in consideration of \$ 10.00, other valuable considerations, and of the benefits accruing to us, we, Millenium Orlando, L.L.C., a Louisiana limited liability company, having its principal place of business in the city of Lafayette, county of Lafayette, whose address is 2851 Johnston Street, #550, Lafayette, LA 70503, GRANTOR, do hereby give, grant, bargain, and release to ORANGE COUNTY, a charter county and a political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida, 32802-1393, GRANTEE, a temporary easement to enter upon the portion of the lands of the owners, for the purposes described herein, such lands being described as follows:

SEE ATTACHED SCHEDULE "A"

Property Appraiser's Parcel Identification Number:

a portion of

10-23-29-0000-00-037

THIS EASEMENT is granted for construction purposes only, including the right to enter upon said lands for the purposes of sloping, grading, clearing, grubbing, storage of materials and equipment, excavation, and restoration during GRANTEE'S construction of a utility improvement, as GRANTEE deems necessary or prudent. Should GRANTEE perform any such construction activities in the easement area, GRANTEE shall, at its sole cost and expense, restore such lands to the condition existing prior to such construction activities, including the repair or replacement of any paving, curbing, sidewalks or landscaping.

THIS EASEMENT is granted upon the condition that the sloping and/or grading upon the above land shall not extend beyond the limits outlined, and that all grading or sloping shall conform to all existing structural improvements within the limits designated, and all work will be performed in such a manner that existing structural improvements will not be damaged.

THIS EASEMENT shall expire upon the completion of the construction of the said project or after two (2) years, whichever occurs first.

Instrument: 702.1
Project: Pump Station #3194 (Treehouse)

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

Signed, sealed, and delivered
in the presence of:

Millenium Orlando, L.L.C.,
a Louisiana limited liability company

Theresa Clause
Witness

BY: Richard Paul Beaulieu
Richard Paul Beaulieu, Manager

Theresa Clause
Printed Name

Debra Veillon
Witness

Debra Veillon
Printed Name

(Signature of TWO Witnesses required by Florida Law)

STATE OF Louisiana
COUNTY OF Lafayette

I HEREBY CERTIFY, that on this day, before me personally appeared Richard Paul Beaulieu as Manager of Millenium Orlando, L.L.C., a Louisiana limited liability company, to me known to be, or who has produced drivers license as identification, and did (did not) take an oath, the individual and manager described in and who executed the foregoing conveyance and acknowledged the execution thereof to be his free act and deed as such manager thereunto duly authorized, and the said conveyance is the act and deed of said limited liability company.

Witness my hand and official seal this 12th day of June, 2013.

(Notary Seal)

Elizabeth B. Broussard
Notary Signature

ELIZABETH B. BROUSSARD

Printed Notary Name

This instrument prepared by:
Monica L. Hand, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

Notary Public in and for
the County and State aforesaid

My commission expires: with life

SCHEDULE "A"

PARCEL: 702

ESTATE: TEMPORARY EASEMENT

PURPOSE: TEMPORARY CONSTRUCTION

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Date: APRIL 10, 2013

Project No.: N06-01

Drawn: PMM Chkd.: JMS

LEGAL DESCRIPTION
PUMP STATION NO. 3194
TEMPORARY CONSTRUCTION EASEMENT



GEODATA CONSULTANTS, INC.

SURVEYING & MAPPING

2700 WESTHALL LANE

SUITE 137

MAITLAND, FLORIDA 32751

VOICE: (407) 660-2322 FAX: 680-8223

Land Surveyor Business License No. 8558

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ESTATE: TEMPORARY EASEMENT

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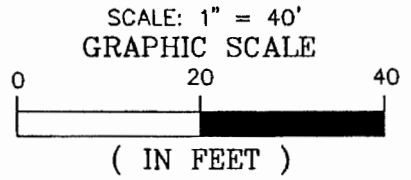
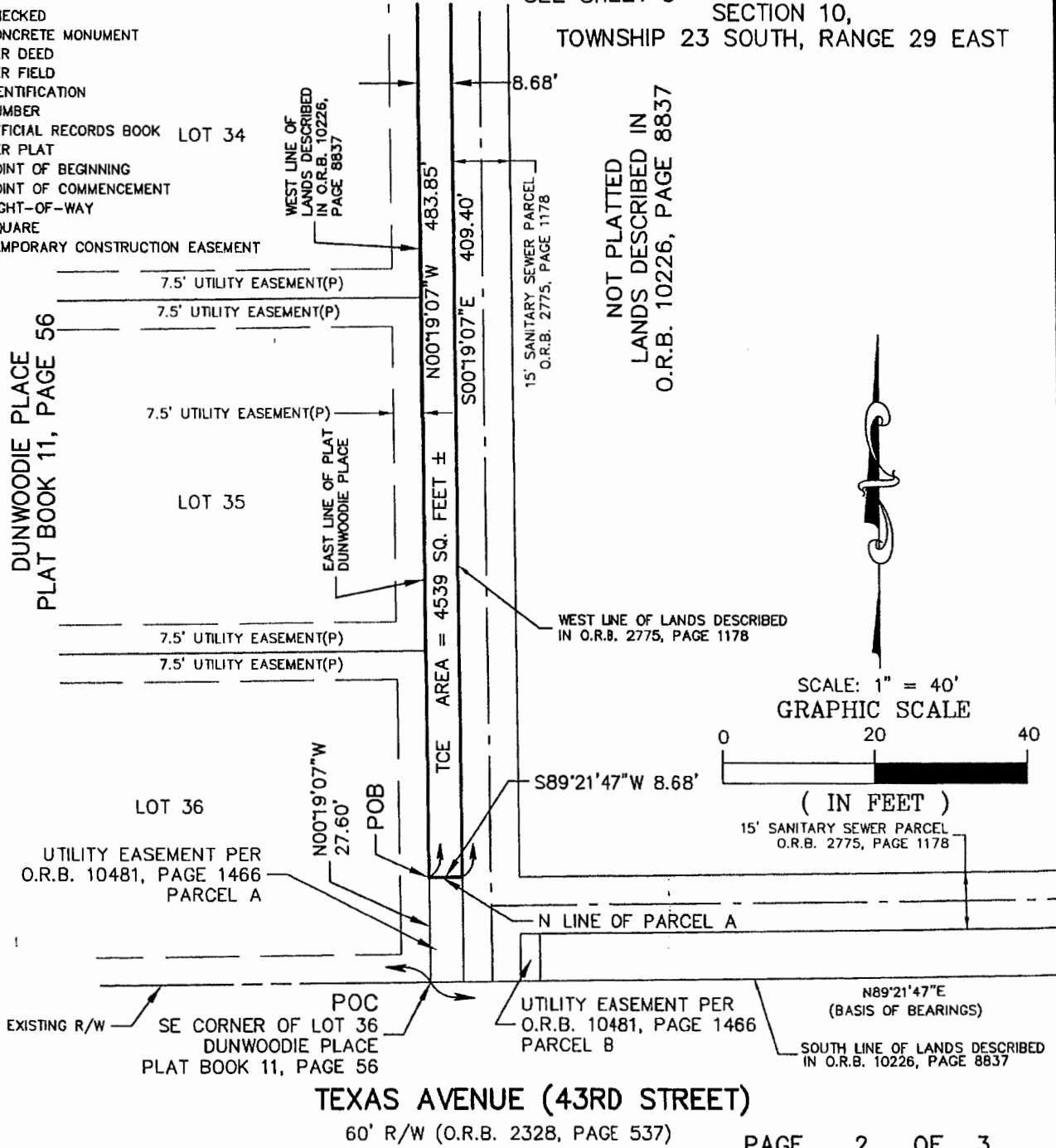
LEGEND

- Chkd. = CHECKED
- CM = CONCRETE MONUMENT
- (D) = PER DEED
- (F) = PER FIELD
- ID = IDENTIFICATION
- NO. = NUMBER
- O.R.B. = OFFICIAL RECORDS BOOK LOT 34
- (P) = PER PLAT
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- SO. = SQUARE
- TCE = TEMPORARY CONSTRUCTION EASEMENT

SEE SHEET 3

SECTION 10,
TOWNSHIP 23 SOUTH, RANGE 29 EAST

NOT PLATTED
LANDS DESCRIBED IN
O.R.B. 10226, PAGE 8837



TEXAS AVENUE (43RD STREET)

60' R/W (O.R.B. 2328, PAGE 537)

Date: APRIL 10, 2013
 Project No.: NO6-01
 Drawn: PMM Chkd.: JMS

**PUMP STATION NO. 3194
 TEMPORARY CONSTRUCTION EASEMENT**

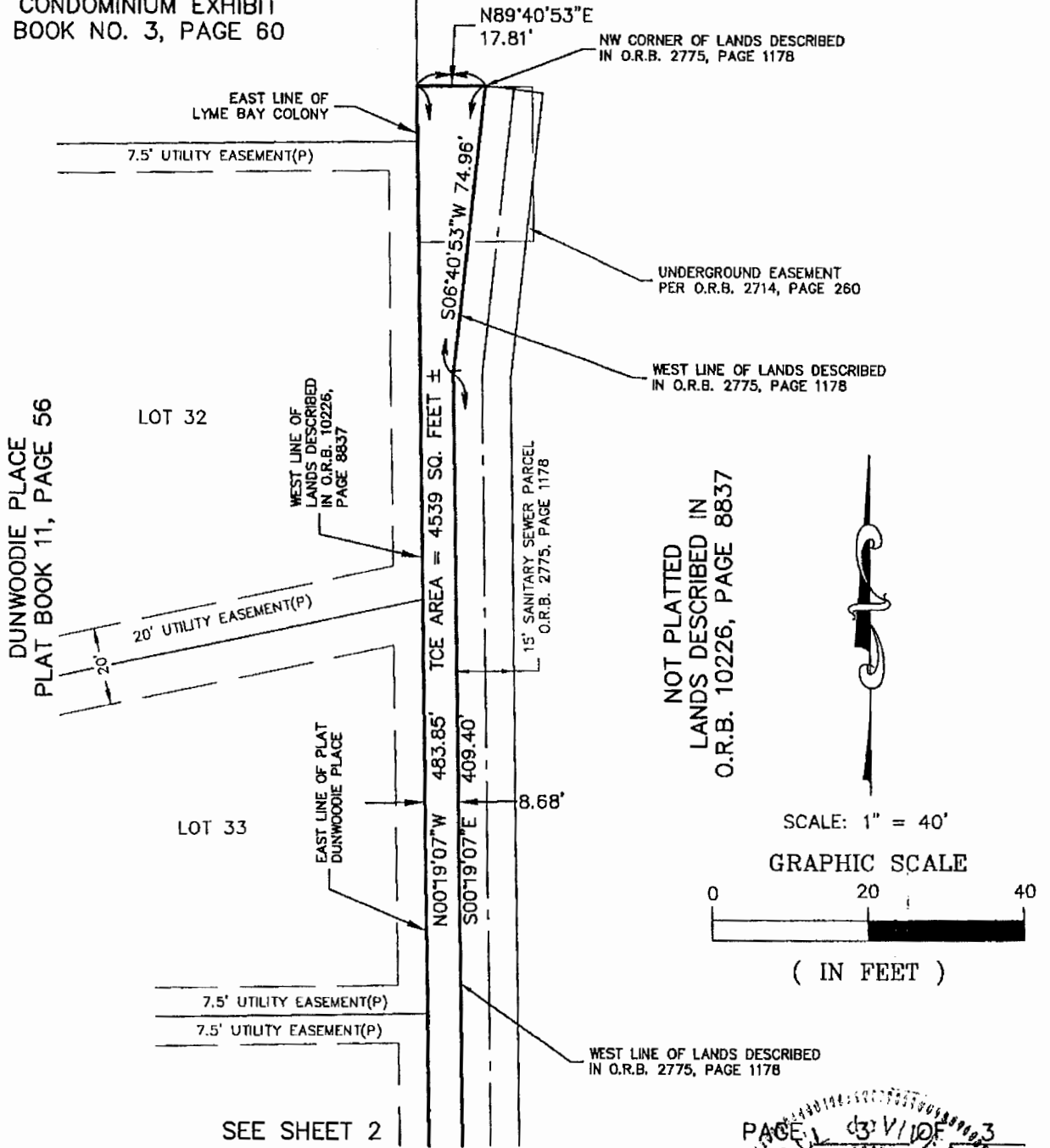
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SKETCH OF DESCRIPTION

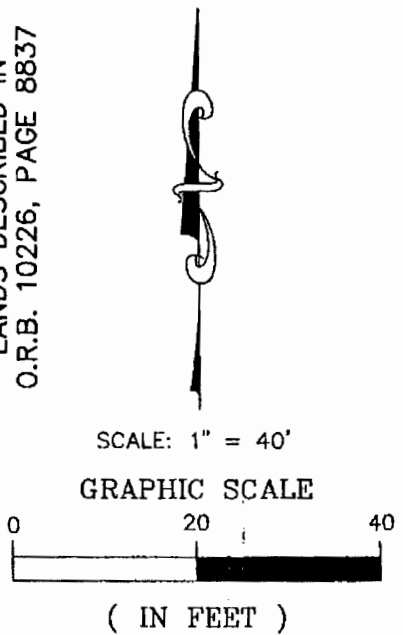
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LYME BAY COLONY
 CONDOMINIUM EXHIBIT
 BOOK NO. 3, PAGE 60

SECTION 10, TOWNSHIP 23 SOUTH, RANGE 29 EAST




NOT PLATTED IN
 LANDS DESCRIBED IN
 O.R.B. 10226, PAGE 8837



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H. Paul deVivaro
 H. Paul deVivaro, Professional Land Surveyor No. 4980
 DATE: APR 25 2013

