




Interoffice Memorandum


APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUN 24 2014 KHNP

REAL ESTATE MANAGEMENT ITEM 6

DATE: June 4, 2014

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Assistant Manager 
Real Estate Management Division

FROM: Elizabeth Price Jackson, Senior Title Examiner 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Assistant Manager

DIVISION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT BETWEEN THE HUSKEY COMPANY AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Estates at Wekiva OCU File #50625

District 2

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

ITEM: Utility Easement
Cost: Donation
Size: 3,918 square feet

APPROVALS: Real Estate Management Division
Public Works Department
Utilities Department

REMARKS: This Utility Easement is over a portion of a retention pond dedicated by plat as Tract A, Sweetwater Country Club, Section B, Phase II.

Grantor to pay all recording fees.

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.

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Project: Estates at Wekiva OCU File #50625

UTILITY EASEMENT

THIS INDENTURE, Made this 21st day of May, A.D. 2014, between The Huskey Company, a dissolved Florida corporation, whose principal place of business was in the city of Longwood county of Seminole, whose address was 1000 Wekiva Springs Road, Longwood, Florida 32779, 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 \$1.00 and other valuable consideration, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, a right-of-way and easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

a portion of 36-20-28-8534-00-001

TO HAVE AND TO HOLD said right-of-way and 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 right-of-way, and the GRANTOR, its successors and assigns, agrees not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted right-of-way that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

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

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 right-of-way, 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 GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

Project: Estates at Wekiva OCU File #50625

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

Signed, sealed and delivered
in the presence of:

The Huskey Company,
a dissolved Florida corporation

Lizette Santiago
Witness

BY: *Carl H. Cahill*
Carl H. Cahill, as sole surviving
Officer and Director

Lizette Santiago
Printed Name

Witness

G. SCOTT CAHILL
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day, before me, personally appeared Carl H. Cahill, as sole surviving Officer and Director on behalf of The Huskey Company, a dissolved Florida corporation., He is personally known to me or has produced _____ as identification.

Witness my hand and official seal this 21 day of MAY, 2014.

(Notary Seal)

Kathi A. Wilkins
Notary Signature
KATHI A. WILKINS
Printed Notary Name



KATHI A. WILKINS
MY COMMISSION # FF 097437
EXPIRES: March 26, 2018
Bonded Thru Budget Notary Services

Notary Public in and for
the county and state aforesaid.

My commission expires: 03/26/2018

This instrument prepared by:
E. Price Jackson, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

Exhibit "A"

Legal Description

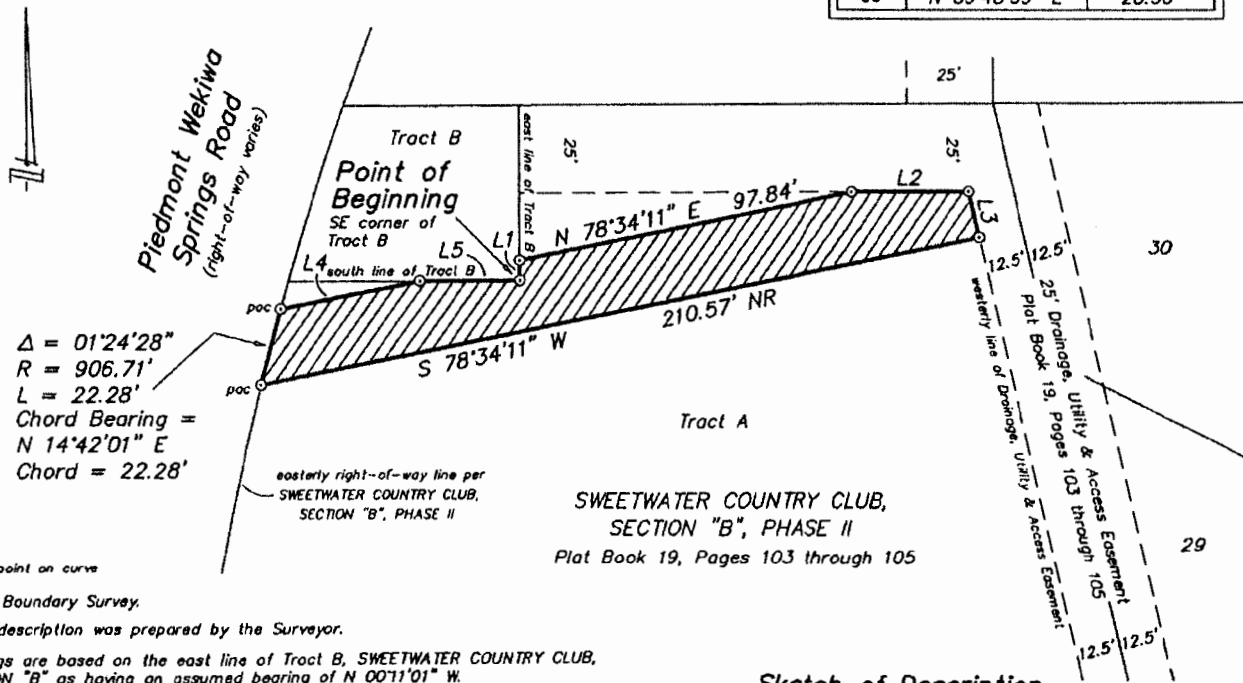
A portion of Tract A, SWEETWATER COUNTRY CLUB, SECTION "B", PHASE II, according to the plat thereof, as recorded in Plat Book 19, Pages 103 through 105, Public Records of Orange County, Florida, lying in Section 36, Township 20 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

BEGIN at the southeast corner of Tract B, SWEETWATER COUNTRY CLUB, SECTION "B", PHASE II; thence run N 00°11'01" W, along the east line of said Tract B, a distance of 5.67 feet; thence departing said east line, run N 78°34'11" E, a distance of 97.84 feet to a point on the westerly line of an existing 25 foot wide Drainage, Utility & Access Easement as recorded and described on said plat SWEETWATER COUNTRY CLUB, SECTION "B", PHASE II; thence southerly along said westerly line the following two (2) courses and distances: run N 89°48'59" E, a distance of 34.04 feet; thence run S 12°51'41" E, a distance of 13.36 feet; thence departing said westerly line, run S 78°34'11" W, a distance of 210.57 feet to a point on the easterly right-of-way line of Piedmont Wekiwa Springs Road as recorded and described on said plat SWEETWATER COUNTRY CLUB, SECTION "B", PHASE II; said point being a point on a non-tangent curve, concave easterly, having a radius of 906.71 feet; thence, on a chord bearing of N 14°42'01" E and a chord distance of 22.28 feet, run northerly along said easterly right-of-way line and along the arc of said curve, a distance of 22.28 feet, through a central angle of 01°24'28"; thence departing said easterly right-of-way line, run N 78°34'11" E, a distance of 40.14 feet to a point on the south line of the aforesaid Tract B; thence run N 89°48'59" E, along said south line, a distance of 28.50 feet to the POINT OF BEGINNING.

Containing 0.09 acres (3,918 square feet), more or less.

LINE TABLE

LINE	BEARING	LENGTH
L1	N 00°11'01" W	5.67'
L2	N 89°48'59" E	34.04'
L3	S 12°51'41" E	13.36'
L4	N 78°34'11" E	40.14'
L5	N 89°48'59" E	28.50'



$\Delta = 01^{\circ}24'28''$
 $R = 906.71'$
 $L = 22.28'$
 Chord Bearing =
 $N 14^{\circ}42'01'' E$
 Chord = 22.28'

poc = point on curve
 Not a Boundary Survey.
 Legal description was prepared by the Surveyor.
 Bearings are based on the east line of Tract B, SWEETWATER COUNTRY CLUB, SECTION "B" as having an assumed bearing of N 00°11'01" W.

Sketch of Description

of lands lying in

Section 36, Township 20 South, Range 28 East
Orange County, Florida

SKETCH OF DESCRIPTION ONLY - NOT A SURVEY

NO CORNERS WERE SET AND GANUNG-BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION.

PREPARED FOR: **KHovnanian Estates at Wekiva, LLC**

GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656

JOB NO.	1303.9
SHEET	1 of 1
DATE	1/29/14
SCALE	1" = 50'

SKETCH OF DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.

GBA LB No. 7134

 R. CLAYTON GANUNG
 REG. P.L.S. NO. 1236