



Interoffice Memorandum

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
AUG 05 2014 *CAS/KH*

REAL ESTATE MANAGEMENT ITEM 1

DATE: July 17, 2014

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Acting Manager *A*
Real Estate Management Division

FROM: Monica L. Hand, Senior Title Examiner *MH*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Acting Manager

DIVISION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT BETWEEN 7-ELEVEN, INC.
AND ORANGE COUNTY AND AUTHORIZATION TO RECORD
INSTRUMENT

PROJECT: 7 Eleven Conway & Anderson – Utility File #69946

District 3

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

ITEM: Utility Easement
Cost: Donation
Size: 150 square feet

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS:

County agrees to preserve vehicular and pedestrian access to the Grantor's property at all times during construction and maintenance, and will notify Grantor at least one week in advance of any partial closure or impact to their property.

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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UTILITY EASEMENT

THIS INDENTURE, Made this 25th day of February, A.D. 2014, between 7-Eleven, Inc., a Texas corporation, having its principal place of business in the city of Dallas, county of Dallas, whose address is 1722 Routh Street, Suite 1000, Dallas, Texas 75201-2506, 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 considerations, 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
08-23-30-0000-00055

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. All parties have agreed to the Special Provision in the Exhibit "B" attached hereto.

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.

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

Signed, sealed and delivered
in the presence of:

7-Eleven, Inc.,
a Texas corporation

Kathleen A. Besancon
Witness Assistant Secretary

BY: Jennifer Bridges
Jennifer Bridges

Kathleen A. Besancon
Printed Name

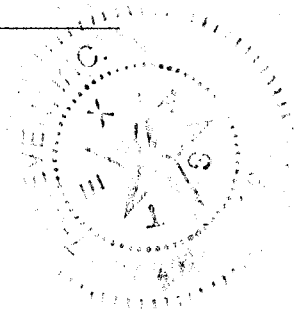
Printed Name
Vice President

Marjorie Walker
Witness

Title

Marjorie Walker
Printed Name

(Corporate Seal)

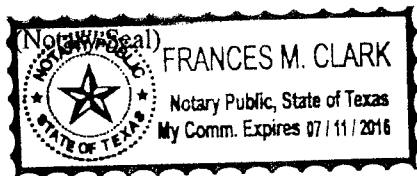


(Signature of TWO witnesses required by Florida law)

STATE OF Texas
COUNTY OF Dallas

I HEREBY CERTIFY that on this day, before me, personally appeared Jennifer Bridges, as Vice President of 7-Eleven, Inc., a Texas corporation, to me known to be, or who has produced _____ as identification, and did (did not) take an oath, the individual and officer described in and who executed the foregoing conveyance and acknowledged the execution thereof to be his/her free act and deed as such officer thereunto duly authorized, and that the official seal of said corporation is duly affixed thereto, and the said conveyance is the act and deed of said corporation.

Witness my hand and official seal this 25th day of February, 2014



Frances M. Clark
Notary Signature

Frances M. Clark
Printed Notary Name

This instrument prepared by:
Linda Hinote, 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:

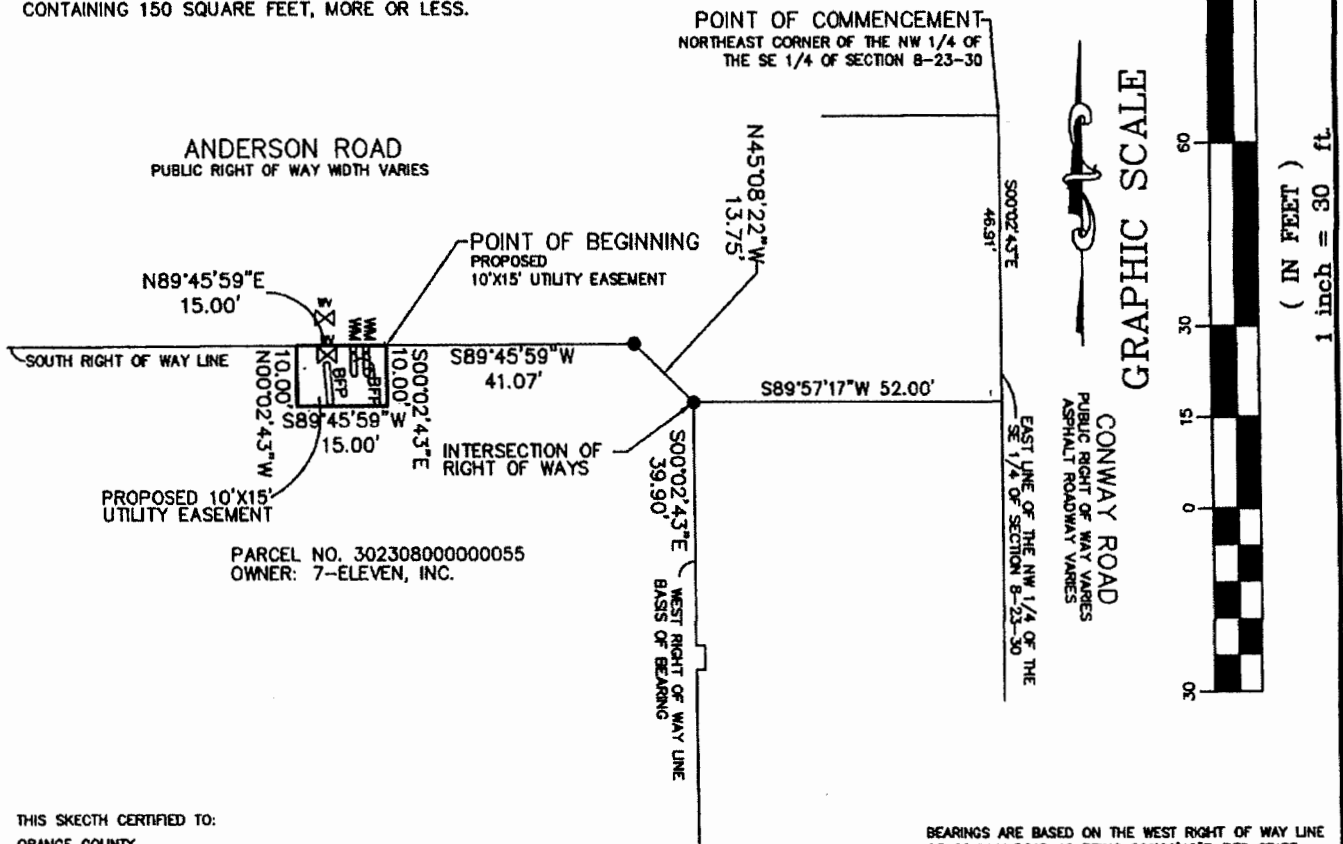
SKETCH OF DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION
10'X15' UTILITY EASEMENT

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA; THENCE S00°02'43"E, 46.91 FEET ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 8; THENCE S89°57'17"W, 52.00 FEET TO A POINT ON THE EXISTING WEST RIGHT OF WAY LINE OF CONWAY ROAD AND THE SOUTH RIGHT OF WAY LINE OF ANDERSON ROAD; THENCE N45°08'22"W, A DISTANCE OF 13.75 FEET ALONG SAID SOUTH RIGHT OF WAY; THENCE S89°45'59"W, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 41.07 FEET TO THE POINT OF BEGINNING; THENCE S00°02'43"E, DEPARTING SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET; THENCE S89°45'59"W, A DISTANCE OF 15.00 FEET; THENCE N00°02'43"W, A DISTANCE OF 10.00 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT OF WAY LINE OF ANDERSON ROAD; THENCE N89°45'59"E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 150 SQUARE FEET, MORE OR LESS.



THIS SKECHT CERTIFIED TO:
ORANGE COUNTY
7-ELEVEN, INC. A TEXAS CORPORATION

BEARINGS ARE BASED ON THE WEST RIGHT OF WAY LINE OF CONWAY ROAD AS BEING S00°02'43"E PER STATE ROAD RIGHT OF WAY DESCRIPTIONS.

LEGAL DESCRIPTION WAS WRITTEN BY THIS SURVEYOR BASED ON CLIENT'S DIRECTION.

THIS IS NOT A BOUNDARY SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR. ANY REVISIONS, ADDITIONS AND DELETIONS TO THESE MAPS, SKETCHES OR PLATS ARE PROHIBITED UNLESS THEY ARE MADE BY THE SIGNING PARTY OR UNDER HIS SUPERVISION. ANY OTHER REVISIONS ARE PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY.

SCALE: 1"=30'

REVIEWED BY: MWS

DRAWN BY: MWS

DATE: 11/23/12

PROJECT NO.: CONWAY

REVISED: 11/26/12

LEGEND

- ⊙ = RECOVERED 1/2" IRON ROD #
- BFP = BACKFLOW PREVENTOR
- WM = WATER METER
- WV = WATER VALVE

THIS SKETCH IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAYS AND/OR EASEMENTS OF PUBLIC RECORD.

ALTAMONTE SURVEYING AND PLATTING, INC. 407 WEKIVA SPRINGS ROAD SUITE 101 LONGWOOD, FL. 32779
PHONE: (407) 862-7555 FAX: (407) 862-6229

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Exhibit “B”

GRANTEE agrees to preserve vehicular and pedestrian access between GRANTOR’S property and the adjacent roadway at all times during construction and maintenance, and will cause the least possible interference with the conduct and operation of any business at any time existing thereon. In addition, GRANTEE agrees to notify GRANTOR at least one week in advance of any partial closure or impact to GRANTOR’S property.