



Interoffice Memorandum
APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
NOV 11 2014 *NP/ES*

REAL ESTATE MANAGEMENT ITEM 11

DATE: October 14, 2014

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Jeffrey L. Sponenburg, Title Examiner *JS*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Acting Manager

DIVISION/SECTION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL OF TEMPORARY UTILITY EASEMENT BETWEEN
EAGLE CREEK DEVELOPMENT CORP. AND ORANGE COUNTY
AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Eagle Creek PD Parcel N Lot 2 & 3 OCU File #:77266

District 4

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

ITEM: Temporary Utility Easement
Cost: Donation
Size: 525 square feet
Term: Until replaced by a permanent platted easement

APPROVALS: Real Estate Management Division
Utilities Department

REMARKS: 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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OF COUNTY COMMISSIONERS
NOV 11 2014 *NPL/BS*

Project: Eagle Creek PD Parcel N Lot 2 & 3 OCU File #:77266

TEMPORARY UTILITY EASEMENT

THIS INDENTURE, Made this 3rd day of October, A.D. 20 14, between Eagle Creek Development Corp., a Florida corporation, having its principal place of business in the city of Altamonte Springs, county of Seminole, whose address is 370 Centerpointe Circle Ste 1136 Altamonte Springs, Florida 32701, GRANTOR, and ORANGE COUNTY, FLORIDA, 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

29-24-31-0000-00-002

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 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, agree 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 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: Eagle Creek PD Parcel N Lot 2 & 3 OCU File #:77266

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

Signed, sealed and delivered in the presence of:

Eagle Creek Development Corp., a Florida corporation

[Signature]
Witness

BY: [Signature]

Scott Queckboeerer
Printed Name

Nicholas Gluckman
Printed Name

[Signature]
Witness

Director of Development
Title

Evelyn J. Galarza
Printed Name

(corporate seal)

(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 Nicholas Gluckman, as Director of Eagle Creek Development Corp., a Florida 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 3 day of October, 2014.



[Signature]
Notary Signature

Tania Mohun
Printed Notary Name

This instrument prepared by:
Jeffrey L. Sponenburg, 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:

OCU # 77266
 Eagle Creek Commercial Center Phase 1
 Temporary Utility Easement
 Parcel A

EXHIBIT "A"

Description:

A parcel of land lying in Section 29 Township 24 South, Range 31 East and Section 32 Township 24 South, Range 31 East, Orange County, Florida. Said parcel being more particularly described as follows:

Commence at the Southwest corner of Tract M (Eagle Creek Center Boulevard), Eagle Creek Village L Phase 1 according to the Plat thereof as recorded in Plat Book 80, Pages 67 through 71 of the Public Records of Orange County, Florida being a point on a curve concave Southeasterly, having a radius of 25.00 feet and a central angle of 97° 42' 39"; thence Northeasterly along the arc of said curve and the Southerly right of way line of said Tract M (Eagle Creek Center Boulevard) a distance of 42.63 feet to the point of tangency; thence North 90° 00' 00" East, 228.63 feet along said Southerly right of way line to the Point of Beginning; thence North 90° 00' 00" East, 15.00 feet along said Southerly right of way line; thence South 00° 00' 00" East, 35.00 feet; thence North 90° 00' 00" West, 15.00 feet; thence North 00° 00' 00" East, 35.00 feet to the Point of Beginning.

Said parcel contains 525 square feet, more or less.

SURVEYORS NOTES

1. Bearings shown hereon are based on the Southerly right of way line of Tract M (Eagle Creek Center Boulevard), Eagle Creek Village L Phase 1 Plat Book 80, Pages 67 through 71 of the Public Records of Orange County, Florida being N90°00'00"W.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the STANDARDS OF PRACTICE FOR LAND SURVEYING CH. 5J-17.050-.052 requirements.

DESCRIPTION FOR Eagle Creek Development Corporation	Date: 08/12/2014 S.S.		Certification Number LB2108 49841278
	Job Number: 49841	Scale: 1" = 100'	
	Chapter 5J-17.050-.052, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY. NOT VALID WITHOUT SHEET 2		
SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		JAMES L. PETERSEN REGISTERED LAND SURVEYOR Number 4791	

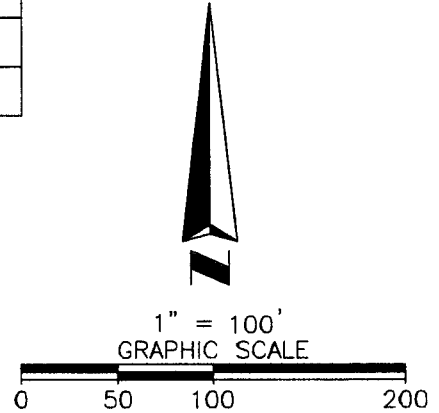
SKETCH OF DESCRIPTION

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS RIGHT OF WAY MAP BY BOWYER-SINGLETON & ASSOC., INC. JOB NUMBER: NRI-JI DATED 06/25/2008 NARCOOSSE ROAD (OSCEOLA COUNTY LINE TO STATE ROAD 417) C.I.P. 5101
 RIGHT OF WAY PER DEED BOOK 338, PAGE 39 OFFICIAL RECORD BOOK 6495, PAGE 2755 OFFICIAL RECORD BOOK 10644, PAGE 5529

NARCOOSSE ROAD
COUNTY ROAD 15
 RIGHT OF WAY VARIES

LINE TABLE		
LINE	BEARING	LENGTH
L1	N90°00'00"E	15.00
L2	S00°00'00"E	35.00
L3	N90°00'00"W	15.00
L4	N00°00'00"E	35.00

NOT PLATTED



EAGLE CREEK CENTER BOULEVARD
 PRIVATE RIGHT OF WAY VARIES

PLAT BOOK 80, PAGES 67-71
 (TRACT M) (COMMON AREA)

R=25.00'
 L=42.63'
 Δ=97°42'39"
 CB=S41°08'40"W
 CH=37.65'

30 29
 31 32

P.T. SOUTHERLY RIGHT OF WAY LINE

N90°00'00"E 228.63'

POINT OF BEGINNING

L1
 L2
 L3

SOUTH LINE, SOUTHWEST 1/4, SECTION 29, TOWNSHIP 24 SOUTH, RANGE 31 EAST
 NORTH LINE, NORTHWEST 1/4, SECTION 32, TOWNSHIP 24 SOUTH, RANGE 31 EAST

POINT OF COMMENCEMENT

SOUTHWEST CORNER OF TRACT M, EAGLE CREEK CENTER BOULEVARD EAGLE CREEK VILLAGE L PHASE 1 PLAT BOOK 80, PAGES 67-71

NOT PLATTED

LEGEND

- L1 = LINE NUMBER
- P.T. = POINT OF TANGENCY
- R = RADIUS
- L = CURVE LENGTH
- Δ = CENTRAL ANGLE
- CB = CHORD BEARING
- CH = CHORD DISTANCE

REVISED 09/17/2014 S.S.
 Drawing Number 49841278
 Date: DATE: 08/12/2014
 Sheet SHEET 2 of 2
 See Sheet 1 for Description & Surveyors Report

NOT VALID WITHOUT SHEETS 1
THIS IS NOT A SURVEY



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