



Interoffice Memorandum

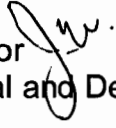
APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

NOV 18 2014 KHLB

AGENDA ITEM

October 27, 2014

TO: Mayor Teresa Jacobs
—AND—
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director 
Community, Environmental and Development
Services Department

**CONTACT PERSON: John Smogor, Chairman
Development Review Committee
(407) 836-5616**

SUBJECT: November 18, 2014 — Consent Item
Waterford Oaks Integrated Lot Agreement
(Related to Case # DP-14-05-130)

On October 22, 2014, the Development Review Committee (DRC) approved the Waterford Oaks PD / Rooms to Go at Waterford Oaks Development Plan (DP-14-05-130) for a 38,258 square foot furniture store within the Waterford Oaks PD. The Development Plan (DP) encompasses portions of four (4) separate parcels under common ownership. Therefore, the DRC also recommended approval of an Integrated Lot Agreement to ensure that the subject property shall remain one integral unit of property under single ownership so long as the Development Plan approval remains in effect.

ACTION REQUESTED: Approval of Integrated Lot Agreement by and between Cardinal ALF, LLC and Orange County for the Waterford Oaks PD/Rooms to Go Waterford Oaks Development Plan. District 4

JVW/JS/EPR

Attachments

NOV 18 2014 KH/BS

Prepared by and upon recording
please return to

John T. Diamandis
D2 Law Group P.L.
3239 Henderson Boulevard
Second Floor
Tampa, Florida 33609

Project: Rooms To Go at Waterford Oaks PD
Parcel identification numbers: 22-22-31-8469-00-010; 22-22-31-8469-00-020;
22-22-31-8469-00-180 (portion of); and 22-22-31-8469-00-190 (portion of)

INTEGRATED LOT AGREEMENT

THIS AGREEMENT made this ____ day of _____, 2014, by and between CARDINAL ALF, LLC, a Delaware limited liability company (“**Cardinal**”), and Orange County, a charter county and political subdivision of the State of Florida (“**County**”).

WITNESSETH:

WHEREAS, Cardinal is the owner of certain real estate located in unincorporated Orange County, more particularly described on **Exhibit “A”** hereto attached (the “**Subject Property**”);

WHEREAS, Cardinal applied to the County for development plan approval under the Land Development Code of Orange County;

WHEREAS, the Orange County Development Review Committee granted development plan approval to Cardinal on October 22, 2014, 2014 (the “**Plan Approval**”); and

WHEREAS, the Plan Approval allows for a 38,258 square foot retail furniture store with required parking located across public right-of-way (Indianhead Trail), all to be erected upon the Subject Property; and

WHEREAS, Cardinal agrees that the Subject Property is under single ownership and must remain under single ownership as a condition for Plan Approval; and

WHEREAS, it is a condition of the Plan Approval that Cardinal agree that the Subject Property shall remain one integral unit of property under single ownership so long as the Plan Approval remains in effect.

NOW THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable considerations each to the other, the parties agree as follows:

1. Cardinal agrees that the Subject Property shall remain one integral unit of property under single ownership so long as the Plan Approval remains in effect.
2. This Agreement may only be modified or amended upon the written mutual consent of both parties.

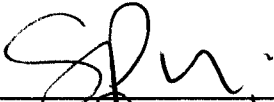
3. This Agreement shall be recorded in the Public Records of Orange County, Florida, within five (5) business days after execution by the County, at Cardinal's sole cost and expense. The covenants hereunder shall be deemed as covenants running with the land.

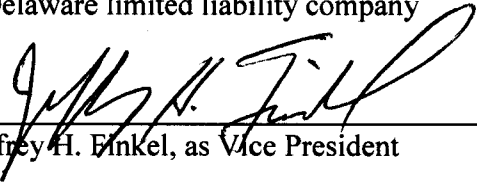
(Signatures on following pages)

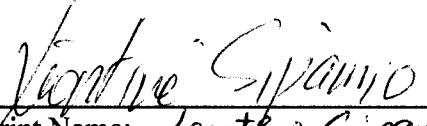
IN WITNESS WHEREOF, the parties have caused these presents to be duly executed as of the day and year first written above.

Witnesses:

CARDINAL ALF, LLC,
a Delaware limited liability company


Print Name: Samantha


Jeffrey H. Finkel, as Vice President

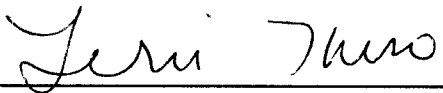

Print Name: Leontine Sipamio

STATE OF GEORGIA
COUNTY OF DEKALB

The foregoing instrument was acknowledged before me this 23 day of October, 2014, by Jeffrey H. Finkel, as Vice President of Cardinal ALF, LLC, a Delaware limited liability company, on behalf of the limited liability company. He is personally known to me or has produced _____ as identification.

(NOTARY SEAL)




Notary Public Signature
Terri Thiro
(Name typed, printed or stamped)

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs, Mayor
TJ

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

By: *Craig A. Stopps*
fo Deputy Clerk

Date: NOV 18 2014, 2014



EXHIBIT "A"

Lot 1, SUNSET TERRACE, according to the plat thereof as recorded in Plat Book X, page 11, Public Records of ORANGE County, Florida.

LESS AND EXCEPT:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 OF SUNSET TERRACE, AS RECORDED IN PLAT BOOK X, PAGE 11, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, RUN SOUTH 89 DEGREES 41' 20" WEST 14.33 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 1; THENCE RUN NORTH 04 DEGREES 59' 06" WEST 139.30 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 518.00 FEET AND AN INTERSECTION ANGLE OF 01 DEGREES 27' 34"; THENCE RUN NORTHERLY 13.19 FEET ALONG THE ARC OF SAID CURVE TO A POINT ON THE NORTH BOUNDARY OF THE AFORESAID LOT 1; THENCE RUN NORTH 89 DEGREES 41' 20" EAST 24.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE RUN SOUTH 01 DEGREES 24' 49" EAST 152.00 FEET TO THE POINT OF BEGINNING.

AND

LOT 2 SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK X, PAGE 11, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA

LESS AND EXCEPT:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, SUNSET TERRACE, AS RECORDED IN PLAT BOOK X, PAGE 11, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, RUN SOUTH 89 DEGREES 41' 20" WEST 4.83 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 2; THENCE RUN NORTH 04 DEGREES 59' 06" WEST 152.48 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID LOT 2; THENCE RUN NORTH 89 DEGREES 41' 20" EAST 14.33 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE RUN SOUTH 01 DEGREES 24' 49" EAST 152.00 FEET TO THE POINT OF BEGINNING.

AND

[Legal Description is continued on the next page]

LOT 18, SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK X, PAGE 11, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA

AND

LOT 19, SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK X, PAGE 11, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

LESS AND EXCEPT:

A PORTION OF LOTS 18 AND 19, SUNSET TERRACE, AS RECORDED IN PLAT BOOK X, PAGE 11 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 19, SUNSET TERRACE AS RECORDED IN PLAT BOOK X, PAGE 11 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE N89°36'50"E, ALONG THE NORTH LINE OF SAID LOT 19, A DISTANCE OF 96.49 FEET; THENCE S00°18'37"E, DEPARTING SAID NORTH LINE, 274.63 FEET TO THE SOUTH LINE OF SAID LOT 18; THENCE S89°29'19"W, ALONG SAID SOUTH LINE, 91.31 FEET TO THE WEST LINE OF SAID LOT 18; THENCE N01°19'53"W, ALONG THE WEST LINE OF SAID LOT 18, A DISTANCE OF 137.97 FEET TO THE NORTHWEST CORNER OF LOT 18; THENCE N01°26'52"W, ALONG THE WEST LINE OF AFORESAID LOT 19, A DISTANCE 136.90 FEET TO THE POINT OF BEGINNING.