




Interoffice Memorandum


APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 02 2014 CAS/KH

REAL ESTATE MANAGEMENT ITEM 5

DATE: November 13, 2014

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Acting Manager 
Real Estate Management Division

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

CONTACT PERSON: Ann Caswell, Acting Manager

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

ACTION REQUESTED: APPROVAL OF TEMPORARY ACCESS AND UTILITY EASEMENT BETWEEN MERITAGE HOMES OF FLORIDA, INC. AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Lake Preserve Phase 1 OCU File # 73805

District 4

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

ITEM: Temporary Access and Utility Easement
Cost: Donation
Total size: 10,124 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.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 02 2014 CAS/KH

Project: Lake Preserve Phase 1 OCU File # 73805

TEMPORARY ACCESS AND UTILITY EASEMENT

THIS INDENTURE, Made this 2nd day of October AD, 2014, between Meritage Homes of Florida, Inc., a Florida corporation, having its principal place of business in the city of Orlando, county of Orange, whose address is 5337 Millenia Lakes Blvd, Ste 410, Orlando, FL 32839, GRANTOR, and 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.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$10.00 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 an easement for access and utility purposes, 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

33-24-30-0000-00-005

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 easement and the GRANTOR, its heirs, successors, and assigns agree not to build, construct, or create any buildings or other structures on the herein granted easement that may interfere with the normal operation or maintenance of the granted easement.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name by Clint Szubinski, its Division President.

Signed, sealed, and delivered in the presence of:

Meritage Homes of Florida, Inc., a Florida corporation

Janet Boyce
Witness

BY: [Signature]

Janet Boyce
Printed Name

Clint Szubinski
Printed Name

[Signature]
Witness

Division President
Title

Jennifer Hamilton
Printed Name

(Corporate Seal)

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

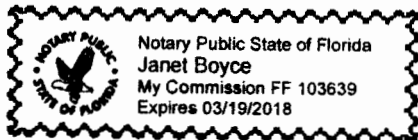
I HEREBY CERTIFY, that on this 2 day of October, A.D. 2014, before me personally appeared Clint Szubinski, as Div. President of Meritage Homes of Florida, Inc., a Florida corporation, to me known to be, or who has produced _____ as identification, and did (did not) take an oath, the individual and officer described in and who executed the foregoing conveyance and acknowledged the execution thereof to be their 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 2 day of October, 2014.

(Notary Seal)

Janet Boyce
Notary Signature

Janet Boyce
Printed Notary Name



Notary Public in and for the county and state aforesaid

My commission expires: 3/19/18

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

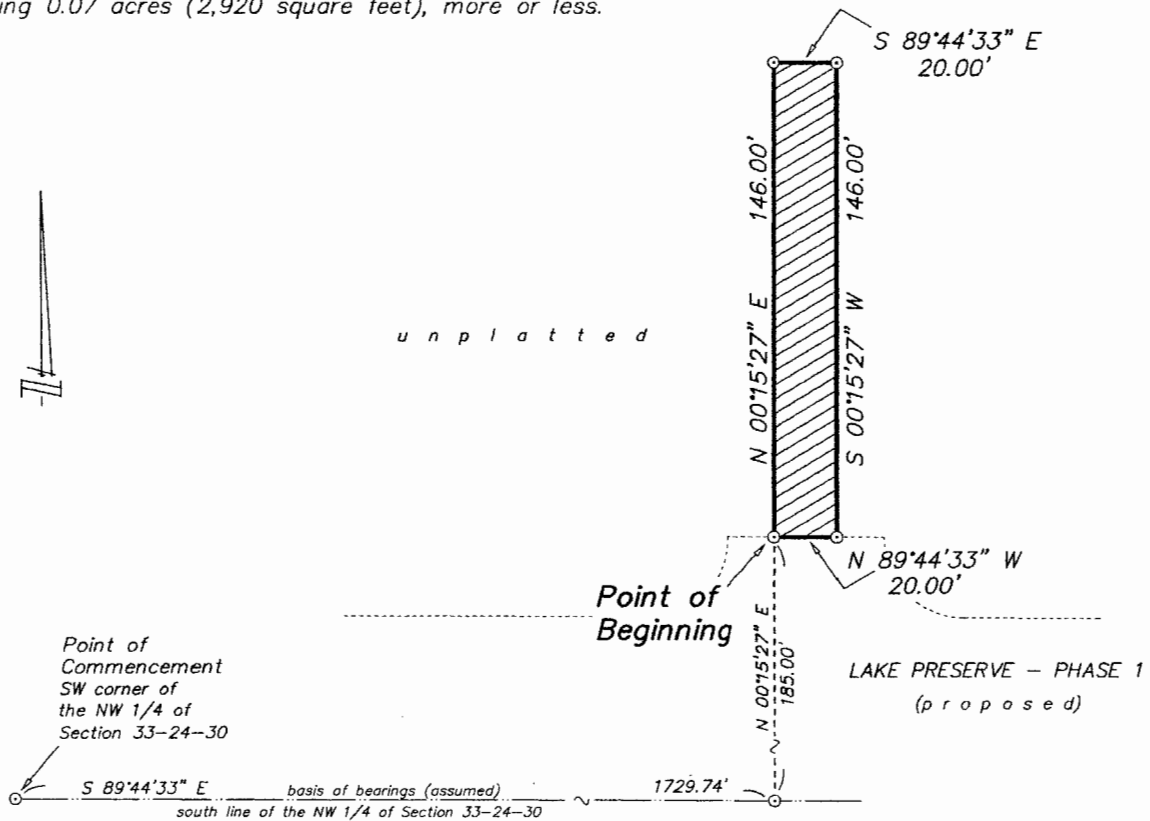
EXHIBIT "A"

Legal Description

A portion of the Northwest 1/4 of Section 33, Township 24 South, Range 30 East, Orange County, Florida, being described as follows:

Commence at the southwest corner of the Northwest 1/4 of said Section 33; thence run S 89°44'33" E, along the south line of the Northwest 1/4 of said Section 33, a distance of 1729.74 feet; thence departing said south line, run N 00°15'27" E, a distance of 185.00 feet for the POINT OF BEGINNING; thence continue N 00°15'27" E, a distance of 146.00 feet; thence run S 89°44'33" E, a distance of 20.00 feet; thence run S 00°15'27" W, a distance of 146.00 feet; thence run N 89°44'33" W, a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 0.07 acres (2,920 square feet), more or less.



Sketch of Description of a Temporary Access and Utility Easement situated in

Section 33, Township 24 South, Range 30 East
Orange County, Florida

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

Lines shown hereon are radial unless noted NR (non-radial).

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: **Meritage Homes of Florida, Inc.**

JOB NO.
1302.15B

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.



GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

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

SHEET
1 of 1

DATE
3/20/14

SCALE
1" = 60'

GRA 15B No. 2194
R. CLAYTON GANUNG
REG. PLS. NO. 4236
STATE OF FLORIDA

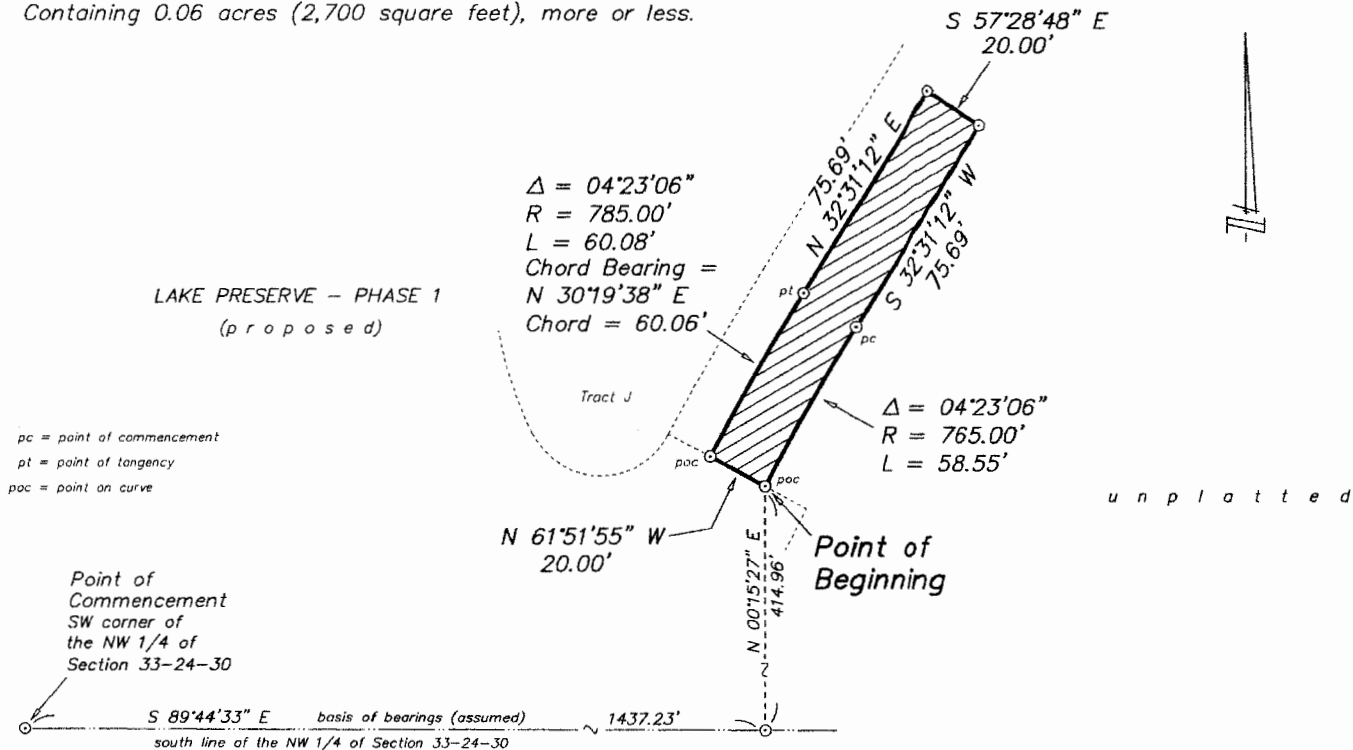
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Commence at the southwest corner of the Northwest 1/4 of said Section 33; thence run S 89°44'33" E, along the south line of the Northwest 1/4 of said Section 33, a distance of 1437.23 feet; thence departing said south line, run N 00°15'27" E, a distance of 414.96 feet for the POINT OF BEGINNING; thence run N 61°51'55" W, a distance of 20.00 feet to a point on a non-tangent curve, concave southeasterly, having a radius of 785.00 feet; thence, on a chord bearing of N 30°19'38" E and a chord distance of 60.06 feet, run northeasterly along the arc of said curve, a distance of 60.08 feet, through a central angle of 04°23'06" to the point of tangency thereof; thence run N 32°31'12" E, a distance of 75.69 feet; thence run S 57°28'48" E, a distance of 20.00 feet; thence run S 32°31'12" W, a distance of 75.69 feet to a point of curvature of a curve, concave southeasterly, having a radius of 765.00 feet and a central angle of 04°23'06"; thence run southwesterly, along the arc of said curve, a distance of 58.55 feet to the POINT OF BEGINNING.

Containing 0.06 acres (2,700 square feet), more or less.



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PREPARED FOR: **Meritage Homes of Florida, Inc.**

JOB NO. 1302.15A

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.

GANUNG - BELTON ASSOCIATES, INC.
professional surveyors and mappers

SHEET 1 of 1

DATE 3/20/14

SCALE 1" = 60'

GBA LB No. 7184
R. CLAYTON GANUNG
REG. P.L.S. NO. 4236

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

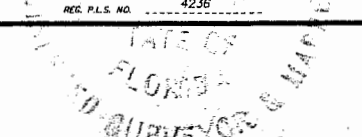


EXHIBIT "A"

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Commence at the southwest corner of the Northwest 1/4 of said Section 33; thence run S 89°44'33" E, along the south line of the Northwest 1/4 of said Section 33, a distance of 2070.16 feet; thence departing said south line, run N 00°15'27" E, a distance of 192.68 feet for the POINT OF BEGINNING; thence run N 71°51'37" W, a distance of 11.68 feet to a point on a non-tangent curve, concave westerly, having a radius of 125.00 feet; thence, on a chord bearing of N 17°45'31" E and a chord distance of 2.40 feet, run northerly along the arc of said curve, a distance of 2.40 feet, through a central angle of 01°06'08"; thence run N 72°47'33" W, a distance of 50.00 feet to a point on a non-tangent curve, concave westerly, having a radius of 75.00 feet; thence, on a chord bearing of S 18°44'28" W and a chord distance of 4.01 feet, run southerly along the arc of said curve, a distance of 4.01 feet, through a central angle of 03°04'02"; thence run N 70°02'17" W, a distance of 9.04 feet; thence run N 17°36'49" E, a distance of 66.85 feet; thence run S 71°55'55" E, a distance of 70.79 feet; thence run S 17°37'12" W, a distance of 64.80 feet to the POINT OF BEGINNING.

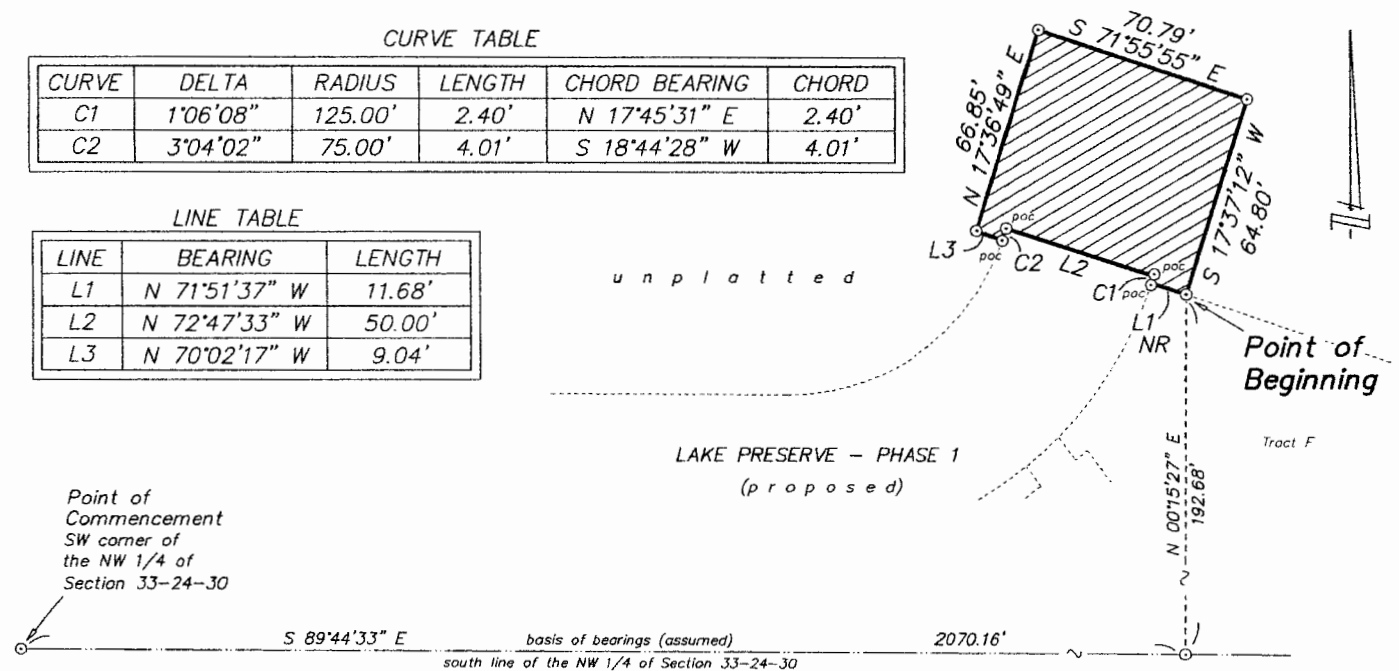
Containing 0.10 acres (4,504 square feet), more or less.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	1°06'08"	125.00'	2.40'	N 17°45'31" E	2.40'
C2	3°04'02"	75.00'	4.01'	S 18°44'28" W	4.01'

LINE TABLE

LINE	BEARING	LENGTH
L1	N 71°51'37" W	11.68'
L2	N 72°47'33" W	50.00'
L3	N 70°02'17" W	9.04'



Point of Commencement
SW corner of the NW 1/4 of Section 33-24-30

poc = point on curve

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Orange County, Florida

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		SHEET	1 of 1	
		DATE	3/20/14	
		SCALE	1" = 60'	
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