



Interoffice Memorandum

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JAN 06 2015 *KH/BS*

REAL ESTATE MANAGEMENT ITEM 4

DATE: December 18, 2014

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

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

CONTACT PERSON: Ann Caswell, Manager

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

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT BETWEEN WINDERMERE TRAILS HOMEOWNERS ASSOCIATION, INC. AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Windermere Trails Phase 3A OCU Permit #: 13-S-077
District 1

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

ITEM: Utility Easement
Cost: Donation
Size: 7,837 square feet

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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Project: Windermere Trails Phase 3A OCU Permit #: 13-S-077

UTILITY EASEMENT

THIS INDENTURE, Made this 4th day of November, A.D. 2014, between Windermere Trails Homeowners Association, Inc., a Florida not-for-profit corporation, having its principal place of business in the city of Kissimmee, county of Osceola, whose address is 1631 E. Vine Street Suite 300 Kissimmee, FL 34744, 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 \$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, 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
36-23-27-9156-10-000**

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: Windermere Trails Phase 3A OCU Permit #: 13-S-077

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

Signed, sealed and delivered
in the presence of:

Windermere Trails Homeowners Association, Inc.,
a Florida not-for-profit corporation

Witness

BY:

Travis J. Wheeler
Printed Name

Jennifer Hamilton
Printed Name

Witness

Secretary
Title

Janet Boyce
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 Jennifer Hamilton, as Secretary of Windermere Trails Homeowners Association, Inc., a Florida not-for-profit 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 not-for-profit corporation is duly affixed thereto, and the said conveyance is the act and deed of said not-for-profit corporation.

Witness my hand and official seal this 4 day of November, 2014.



Janet Boyce
Notary Signature

Janet Boyce
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: 3/19/18

SKETCH OF DESCRIPTION

SHEET 1 OF 3

OCU FILE No.: 74727
 PROJECT NAME: WINDERMERE TRAILS PHASE 3A
 PURPOSE: UTILITY EASEMENT
 ESTATE: PERMANENT
 LEGAL DESCRIPTION 15.00' Utility Easement

EXHIBIT "A"

A parcel of land lying in Section 36, Township 23 South, Range 27 East, being 15.00 feet in width comprising a portion of Tract J, WINDERMERE TRAILS PHASE 1, as recorded in Plat Book 76, Pages 76 through 89 of the Public Records of Orange County, Florida

Being more particularly described as follows:

COMMENCE at the Southwest corner of aforesaid Tract J, WINDERMERE TRAILS PHASE 1 also being a point on a curve concave Northerly and having a radius of 5.00 feet, a chord bearing of North 71°17'17" West and a chord length of 7.33 feet; thence run the following courses along the Westerly line of said Tract J; Northwesterly along the arc of said curve through a central angle of 94°12'34" for an arc distance of 8.22 feet to a point of reverse curvature of a curve concave Southwesterly having a radius of 1055.00 feet, a chord bearing of North 24°17'02" West and a chord length of 3.70 feet; thence run Northwesterly along the arc of said curve through a central angle of 00°12'04" for an arc distance of 3.70 feet to a point of compound curvature of a curve concave Southwesterly having a radius of 490.00 feet, a chord bearing of North 35°43'30" West and a chord length of 192.71 feet; thence run Northwesterly along the arc of said curve through a central angle of 22°40'52" for an arc distance of 193.97 feet to the POINT OF BEGINNING; thence continue along said curve concave Southwesterly having a radius of 490.00 feet, a chord bearing of North 47°40'10" West and a chord length of 10.33 feet; thence run Northwesterly along the arc of said curve through a central angle of 01°12'28" for an arc distance of 10.33 feet to a point of reverse curvature of a curve concave Easterly having a radius of 5.00 feet, a chord bearing of North 5°00'38" West and a chord length of 6.85 feet; thence run Northerly along the arc of said curve through a central angle of 86°31'31" for an arc distance of 7.55 feet to the point of tangency being a point on the Northerly line of said Tract J, also being a point on the Southerly right-of-way line of Gold Creek Trail according to aforesaid WINDERMERE TRAILS PHASE 1; thence departing aforesaid Westerly line of Tract J run the following courses along said Northerly line and said Southerly right-of-way line; North 38°15'08" East for a distance of 423.96 feet to the point of curvature of a curve concave Southeasterly, having a radius of 975.00 feet, a chord bearing of North 41°01'25" East and a chord length of 94.29 feet; thence run Northeasterly along the arc of said curve, through a central angle of 05°32'35" for an arc distance of 94.33 feet; thence departing said Northerly line and said Southerly right-of-way line run South 46°12'17" East for a distance of 15.00 feet to a point on a non tangent curve concave Southeasterly having a radius of 960.00 feet, a chord bearing of South 41°01'25" West and a chord length of 92.84 feet; thence run Southwesterly along the arc of said curve, through a central angle of 05°32'35" for an arc distance of 92.87 feet to a point of tangency; thence run South 38°15'08" West for a distance of 429.69 feet to aforesaid POINT OF BEGINNING.

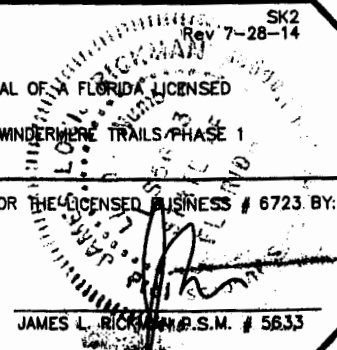
Contains 7837 square feet, 0.18 acres more or less.



16 East Plant Street
 Winter Garden, Florida 34787 • (407) 654 5355

SURVEYOR'S NOTES:

THIS IS NOT A SURVEY.
 THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 BEARINGS SHOWN HEREON ARE BASED ON THE NORHTERLY LINE OF TRACT J, WINDERMERE TRAILS PHASE 1 P.B. 76, PG. 76-89 BEING N38°15'08"E PER RECORD PLAT.



JOB NO. 20120020
 DATE: 7-16-2014
 SCALE: 1" = 100 FEET
 FIELD BY: N/A

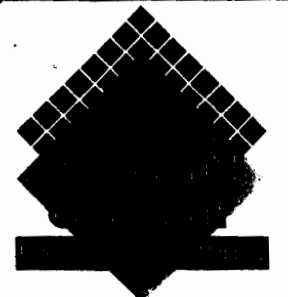
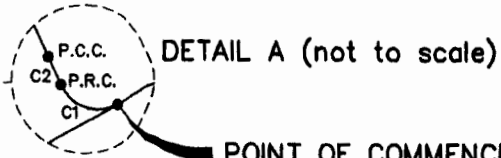
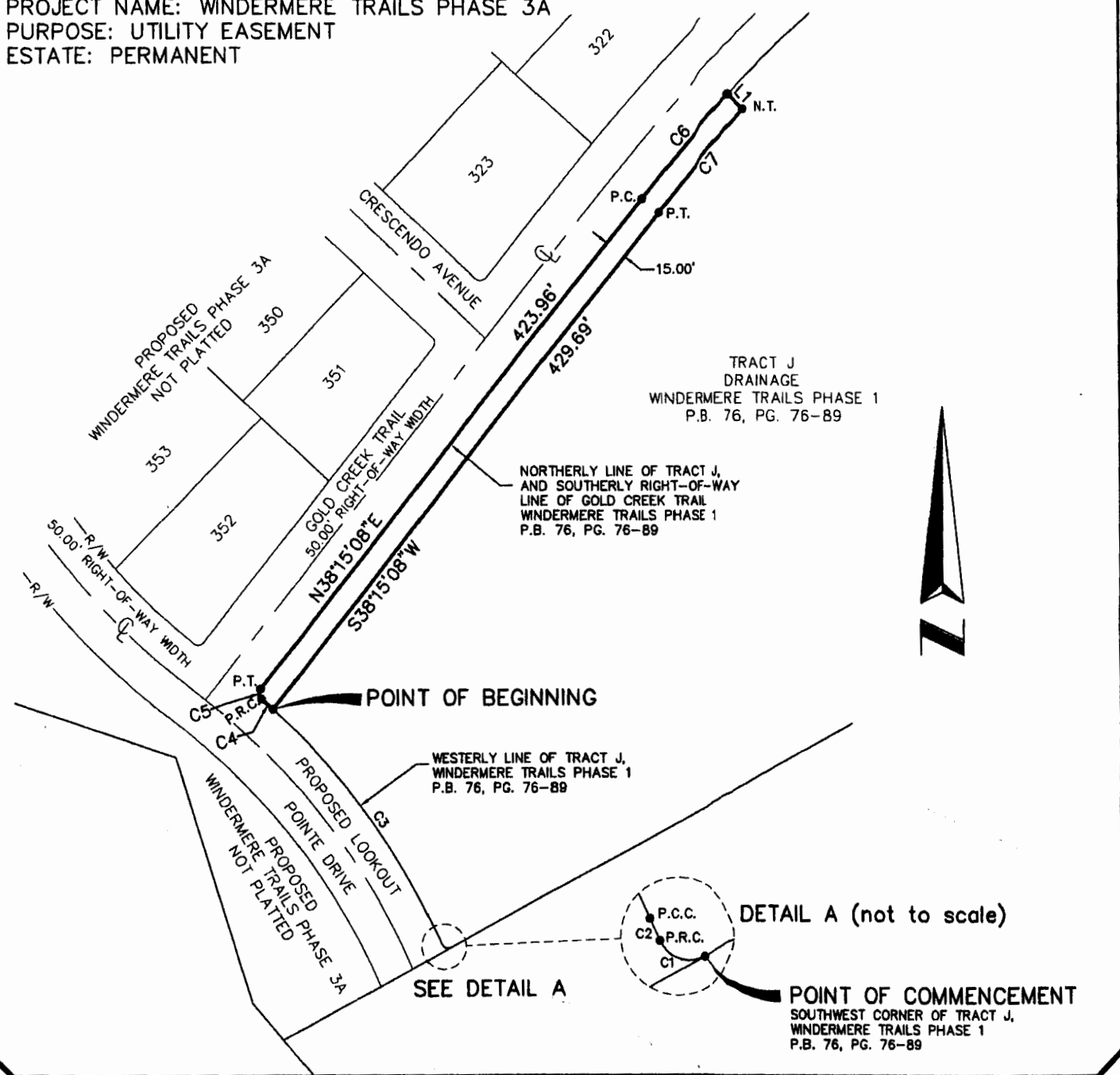
CALCULATED BY: JLR
 DRAWN BY: PJR
 CHECKED BY: JLR

FOR THE LICENSED BUSINESS # 6723 BY:
 JAMES L. RICKMAN, S.M. # 5633

SKETCH OF DESCRIPTION

SHEET 2 OF 3

OCU FILE No.: 74727
 PROJECT NAME: WINDERMERE TRAILS PHASE 3A
 PURPOSE: UTILITY EASEMENT
 ESTATE: PERMANENT



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THIS IS NOT A SURVEY:

- DENOTES CHANGE IN DIRECTION
- R/W DENOTES RIGHT-OF-WAY
- ⊙ DENOTES CENTERLINE
- P.C. DENOTES POINT OF CURVATURE
- P.T. DENOTES POINT OF TANGENCY
- P.R.C. DENOTES POINT OF REVERSE CURVATURE
- P.C.C. DENOTES POINT OF COMPOUND CURVATURE

N.T. DENOTES NON TANGENT

SK2
 Rev 7-28-14

JOB NO. 20120020
 DATE: 7-16-2014
 SCALE: 1" = 100 FEET
 FIELD BY: N/A

CALCULATED BY: JLR
 DRAWN BY: PJR
 CHECKED BY: JLR

SKETCH OF DESCRIPTION

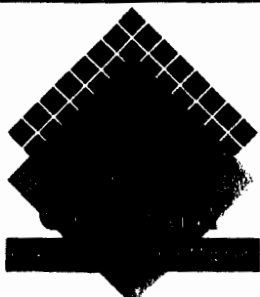
SHEET 3 OF 3

OCU FILE No.: 74727
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 PURPOSE: UTILITY EASEMENT
 ESTATE: PERMANENT

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.00	S46°12'17"E

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	5.00	8.22	7.33	N71°17'17"W	94°12'34"
C2	1055.00	3.70	3.70	N24°17'02"W	0°12'04"
C3	490.00	193.97	192.71	N35°43'30"W	22°40'52"
C4	490.00	10.33	10.33	N47°40'10"W	1°12'28"
C5	5.00	7.55	6.85	N05°00'38"W	86°31'31"
C6	975.00	94.33	94.29	N41°01'25"E	5°32'35"
C7	960.00	92.87	92.84	S41°01'25"W	5°32'35"

revised 9-2-14, add OCU information
 revised 9-8-14, add section, township, range
 revised 10-24-14, revise bearing base



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SK2
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