



Interoffice Memorandum

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JAN 27 2015 NP/KH

REAL ESTATE MANAGEMENT ITEM 3

DATE: January 6, 2015

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

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

CONTACT PERSON: Ann Caswell, Manager

DIVISION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL OF TEMPORARY ACCESS AND UTILITY EASEMENT BETWEEN SLV SUMMERLAKE, LLC AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Summerlake PD Phase 2D OCU File #: 74625 Permit #: 13-S-073
District 1

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
Size: 5,149 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
JAN 27 2015 NP/KH

Project: Summerlake PD Phase 2D OCU File #: 74625 Permit #: 13-S-073

TEMPORARY ACCESS AND UTILITY EASEMENT

THIS INDENTURE, Made this 24 day of November, A.D. 2014, between SLV Summerlake, LLC, a Delaware limited liability, having its principal place of business in the city of Lakewood Ranch, county of Manatee, whose address is 6310 Capital Dr. Suite 130, Lakewood Ranch, FL 34202, 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 access and 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 Numbers:

a portion of **33-23-27-0000-00-015 and 34-23-27-8315-12-008**

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

Project: Project: Summerlake PD Phase 2D OCU File #: 74625 Permit #: 13-S-073

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.

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

Signed, sealed, and delivered in the presence of:

SLV Summerlake, LLC, a Delaware limited liability company

Witness signature of Lori E. Joyce

BY: [Signature]

Printed Name: Lori E. Joyce

Printed Name: Michael Moser
Authorized Signatory

Witness signature of Tracy Griffith

Title

Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF Florida

COUNTY OF Manatee

I HEREBY CERTIFY that on this day, before me, personally appeared Michael Moser as Authorized Signatory of SLV Summerlake, LLC, a Delaware limited liability, 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 the said conveyance is the act and deed of said limited liability company.

Witness my hand and official seal this 27 day of November, 2014.

(Notary Seal) [Notary Seal: LORI E. JOYCE, MY COMMISSION # EE 131883, EXPIRES: September 19, 2015, Bonded Thru Notary Public Underwriters]

Notary Signature: [Signature]
Printed Notary Name: Lori E. Joyce

This instrument prepared by: Monica L. Hand, 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:

LEGAL DESCRIPTION

THIS IS NOT A SURVEY

OC PERMIT NO.: 13-S-073
 PROJECT NAME: SUMMERLAKE PD PHASE 2D
 PURPOSE: UTILITY AND ACCESS EASEMENT
 ESTATE: TEMPORARY

EXHIBIT "A"

A TRACT OF LAND BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10154, PAGE 180 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND A PORTION OF TRACT L-8, SUMMERLAKE PD PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 16 THROUGH 38 OF SAID PUBLIC RECORDS, LYING IN SECTION 33, TOWNSHIP 23 SOUTH, RANGE 27 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID TRACT L-8, SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY ALONG THE NORTHERLY LINE OF SAID TRACT L-8, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF SUMMERLAKE PARK BOULEVARD, ACCORDING TO SAID PLAT OF SUMMERLAKE PD PHASE 1A, AND ALONG SAID CURVE, HAVING A RADIUS OF 2650.00 FEET, A CENTRAL ANGLE OF 00°06'17", AN ARC LENGTH OF 4.85 FEET, A CHORD LENGTH OF 4.85 FEET AND A CHORD BEARING OF SOUTH 79°49'51" EAST; THENCE RUN SOUTH 13°34'58" WEST, DEPARTING SAID NORTHERLY LINE OF TRACT L-8 AND SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 104.66 FEET; THENCE RUN NORTH 76°25'40" WEST, FOR A DISTANCE OF 60.84 FEET TO A POINT ON THE EASTERLY LINE OF TRACT SW-11 OF SAID PLAT OF SUMMERLAKE PD PHASE 1A; THENCE RUN NORTH 13°34'58" EAST, ALONG SAID EASTERLY LINE OF TRACT SW-11, AND ALONG THE EASTERLY LINE OF TRACTS LS-3 AND L-13 OF SAID PLAT OF SUMMERLAKE PD PHASE 1A, FOR A DISTANCE OF 81.68 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF SUMMERLAKE PARK BOULEVARD, ALSO BEING THE NORTHERLY LINE OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10154, PAGE 180 OF SAID PUBLIC RECORDS, SAID POINT LYING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, ALSO BEING SAID NORTHERLY LINE OF THE LANDS DESCRIBED ON OFFICIAL RECORDS BOOK 10154, PAGE 180, AND ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2670.00 FEET, A CENTRAL ANGLE OF 01°12'11", AN ARC LENGTH OF 56.06 FEET, A CHORD LENGTH OF 56.06 FEET AND A CHORD BEARING OF SOUTH 79°09'06" EAST TO THE SOUTHWEST CORNER OF THE AFORESAID TRACT L-8; THENCE RUN NORTH 13°34'58" EAST, FOR A DISTANCE OF 20.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 0.118 ACRES OR 5,149 SQUARE FEET MORE OR LESS.

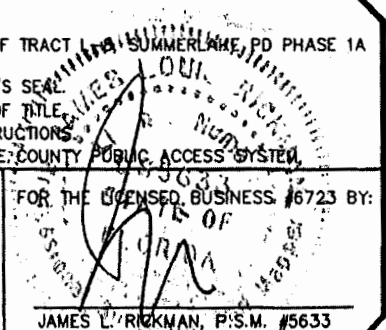
SHEET 1 OF 2
 SEE SHEET 2 OF 2
 FOR LEGAL DESCRIPTION

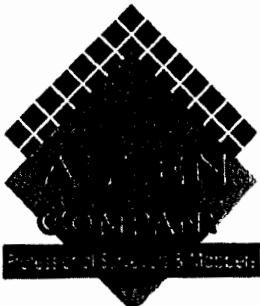
SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE WEST LINE OF TRACT SUMMERLAKE PD PHASE 1A PLAT BOOK 74, PAGES 46-38, BEING NORTH 13°34'58" EAST.
2. THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. THIS LEGAL DESCRIPTION AND SKETCH WERE PREPARED WITHOUT BENEFIT OF TITLE.
4. THE DELINEATION OF THE LANDS SHOWN HEREON IS AS THE CLIENT'S INSTRUCTIONS.
5. RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.

JOB NO. 20110027
 DATE: 09/24/2014
 SCALE: 1" = 100 FEET
 FIELD BY: N/A

CALCULATED BY: MR
 DRAWN BY: MR
 CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

 JAMES L. RICKMAN, P.S.M. #5633



16 EAST PLANT STREET
 Winter Garden, Florida 34787 • (407) 654-5355

Drawing name: L:\Data\20110027\sketches\sketch31 Summerlake2-D-lift station.dwg description

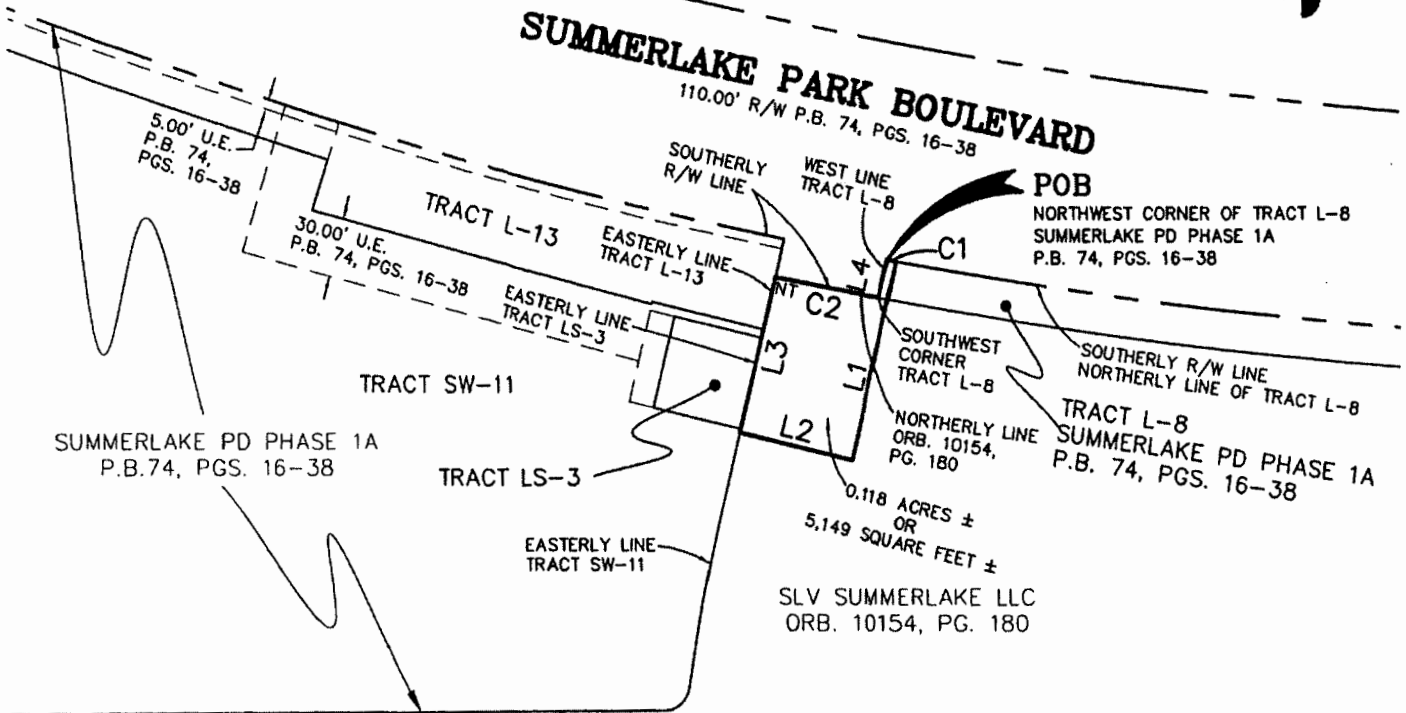
SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY

OC PERMIT NO.: 13-S-073
 PROJECT NAME: SUMMERLAKE PD PHASE 2D
 PURPOSE: UTILITY AND ACCESS EASEMENT
 ESTATE: TEMPORARY

LINE TABLE		
LINE	LENGTH	BEARING
L1	104.66'	S13°34'58"W
L2	60.84'	N76°25'40"W
L3	81.68'	N13°34'58"E
L4	20.03'	N13°34'58"E

EXHIBIT "A"



LEGEND:

ORB. OFFICIAL RECORDS BOOK
 P.B. PLAT BOOK
 PG. PAGE
 R/W RIGHT-OF-WAY
 U.E. UTILITY EASEMENT
 POB POINT OF BEGINNING

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD	CHORD BEARING
C1	2650.00'	00°06'17"	4.85'	4.85'	S79°49'51"E
C2	2670.00'	01°12'11"	56.06'	56.06'	S79°09'06"E

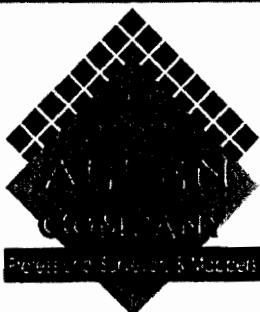
SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE WEST LINE OF TRACT L-8, SUMMERLAKE PD PHASE 1A PLAT BOOK 74, PAGES 46-38, BEING NORTH 13°34'58" EAST.
- THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- THIS LEGAL DESCRIPTION AND SKETCH WERE PREPARED WITHOUT BENEFIT OF TITLE.
- THE DELINEATION OF THE LANDS SHOWN HEREON IS AS THE CLIENT'S INSTRUCTIONS.
- RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.

JOB NO. 20110027
 DATE: 09/25/2014
 SCALE: 1" = 100 FEET
 FIELD BY: N/A

CALCULATED BY: MR
 DRAWN BY: MR
 CHECKED BY: SEJ

SHEET 2 OF 2
 SEE SHEET 1 OF 2
 FOR LEGAL DESCRIPTION



16 EAST PLANT STREET
 Winter Garden, Florida 34787 * (407) 654-5355