



Interoffice Memorandum


APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

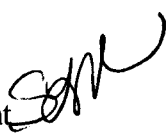
JUN 02 2015 CS/BS

REAL ESTATE MANAGEMENT ITEM 6

**DATE:** May 11, 2015

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

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

**FROM:** Sabrina L. Miller, Acquisition Agent   
Real Estate Management Division

**CONTACT PERSON:** Ann Caswell, Manager

**DIVISION:** Real Estate Management  
Phone: 836-7082

**ACTION REQUESTED:** APPROVAL OF DONATION AGREEMENT AND DRAINAGE EASEMENT BETWEEN GUSTY LANE, LLC AND ORANGE COUNTY AND AUTHORIZATION TO DISBURSE FUNDS TO PAY RECORDING FEES AND RECORD INSTRUMENT

**PROJECT:** Little Wekiva River  
District 2

**PURPOSE:** To provide for access, operation and maintenance of the drainage canal.

**ITEMS:** Donation Agreement (Parcel 804)  
Drainage Easement (Instrument: 804.1)  
Cost: Donation  
Size: 4,557 square feet

**BUDGET:** Account No.: 1023-072-2753-6110

**FUNDS:** \$36.20 Payable to Orange County Comptroller  
(all recording fees)

**APPROVALS:** Real Estate Management Division  
Public Works Department

Real Estate Management Division  
Agenda Item 6  
May 11, 2015  
Page 2

**REMARKS:**            **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.**

Project: Little Wekiva River  
Parcel: 804

APPROVED

BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JUN 02 2015 CS/BS

## DONATION AGREEMENT

COUNTY OF ORANGE  
STATE OF FLORIDA

THIS AGREEMENT made between **GUSTY LANE, LLC**, a Florida limited liability company, hereinafter referred to as **GRANTOR**, and **ORANGE COUNTY**, a charter county and a political subdivision of the state of Florida, hereinafter referred to as **GRANTEE**.

### WITNESSETH:

WHEREAS, the **GRANTEE** requires the land described on Schedule "A" attached hereto for maintenance of the above referenced project and said **GRANTOR** agrees to furnish said land for such purpose.

**Property Appraiser's Parcel Identification Number(s):**  
a portion of  
**33-21-29-5844-00-887**

In consideration of the sum of One (\$1.00) Dollar, each to the other paid, the parties hereto agree as follows:

1. **GRANTOR** agrees to execute a Permanent Drainage Easement Agreement on Parcel No. **804**, conveying said Easement unto **GRANTEE** free of all liens and encumbrances.
2. **GRANTOR** shall comply with Section 286.23, Florida Statutes, pertaining to disclosure of beneficial ownership, if applicable.
3. **GRANTEE** shall pay all recording fees.
4. **Effective Date:** This agreement shall become effective on the date upon which it has been fully executed by the parties and approved by the Orange County Board of County Commissioners and/or the Manager/Assistant Manager of the Orange County Real Estate Management Division as may be appropriate.

THIS AGREEMENT supersedes all previous agreements or representations, either verbal or written, heretofore in effect between **GRANTOR** and **GRANTEE**, made with respect to the matters herein contained, and when duly executed constitute the AGREEMENT between **GRANTOR** and **GRANTEE**. No additions, alterations, or variations to the terms of this AGREEMENT shall be valid, nor can provisions of this AGREEMENT be waived by either party unless expressly set forth in writing and duly signed.

Project: Little Wekiva River  
Parcel: 804

The parties hereto have executed this AGREEMENT on the date(s) written below.

‘GRANTOR’

GUSTY LANE, LLC, a Florida limited liability  
company

BY: Lura R. Pfof  
Lura R. Pfof, its Manager

DATE: 4-13-15

‘GRANTEE’

ORANGE COUNTY, FLORIDA

BY: Sabrina Miller  
Sabrina L. Miller, Its Agent

DATE: 4-13-15

## SCHEDULE "A"

PARCEL: 804

ESTATE: PERPETUAL EASEMENT

PURPOSE: DRAINAGE

### LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 33, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9737, PAGE 8764 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; THENCE NORTH 89°54'11" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 2682.11 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE SOUTH 00°20'59" EAST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 33, A DISTANCE OF 656.83 FEET TO A POINT ON THE EASTERLY PROJECTION OF THE SOUTH LINE OF LOT 73, W.R. MUNGER'S SUBDIVISION, AS RECORDED IN PLAT BOOK E, PAGE 7 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE NORTH 89°58'03" WEST ALONG SAID EASTERLY PROJECTION AND ALONG THE SOUTH LINE OF SAID LOT 73, A DISTANCE OF 199.73 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE EAST LINE OF A 50 FOOT OUTFALL DITCH EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 521, PAGE 277 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT BEING A FOUND 5/8" IRON ROD NO IDENTIFICATION; THENCE SOUTH 10°34'43" WEST ALONG SAID EAST LINE, A DISTANCE OF 202.92 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9737, PAGE 8764 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE NORTH 89°58'16" EAST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 20.34 FEET TO A POINT; THENCE SOUTH 08°41'50" WEST, A DISTANCE OF 1.97 FEET TO A POINT; THENCE SOUTH 80°48'03" WEST, A DISTANCE OF 3.58 FEET TO A POINT; THENCE SOUTH 09°06'18" WEST, A DISTANCE OF 180.25 FEET TO A POINT; THENCE SOUTH 04°56'37" WEST, A DISTANCE OF 44.69 FEET TO A POINT ON THE SOUTH LINE OF SAID LANDS; THENCE SOUTH 89°58'16" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 26.16 FEET TO A POINT ON THE EAST LINE OF A 50 FOOT OUTFALL DITCH EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 521, PAGE 277 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE NORTH 10°34'43" EAST ALONG SAID EAST LINE, SAID LINE ALSO BEING THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9737, PAGE 8764 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 228.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,557 SQUARE FEET, MORE OR LESS.

### GENERAL NOTES

1. THE PURPOSE OF THIS SURVEY IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO, THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/1990 ADJUSTMENT (NAD83/90), EAST ZONE, WITH THE SOUTH LINE OF LOT 73, W.R. MUNGER'S SUBDIVISION, AS RECORDED IN PLAT BOOK E, PAGE 7 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°58'03" WEST.
3. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. A CERTIFICATE OF TITLE INFORMATION PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED SEPTEMBER 22, 2014, FILE NUMBER 2037-3236141/14.00135, WAS REVIEWED BY THE SURVEYOR. EXCEPTIONS LISTED THEREIN (IF ANY) WHICH AFFECT THE PARCEL DESCRIBED HEREON, WHICH CAN BE DELINEATED OR NOTED, ARE SHOWN HEREON.
6. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
7. THIS SKETCH IS NOT A SURVEY.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 1 OF 2

Date: OCTOBER 27, 2014

Project No.: S23-15

Drawn: DPW Chkd.: JMS

**LITTLE WEKIVA RIVER  
SITE 1  
PARCEL 804**



**GEODATA CONSULTANTS, INC.**

**SURVEYING & MAPPING**

1349 SOUTH INTERNATIONAL PARKWAY  
SUITE 2401

LAKE MARY, FLORIDA 32746

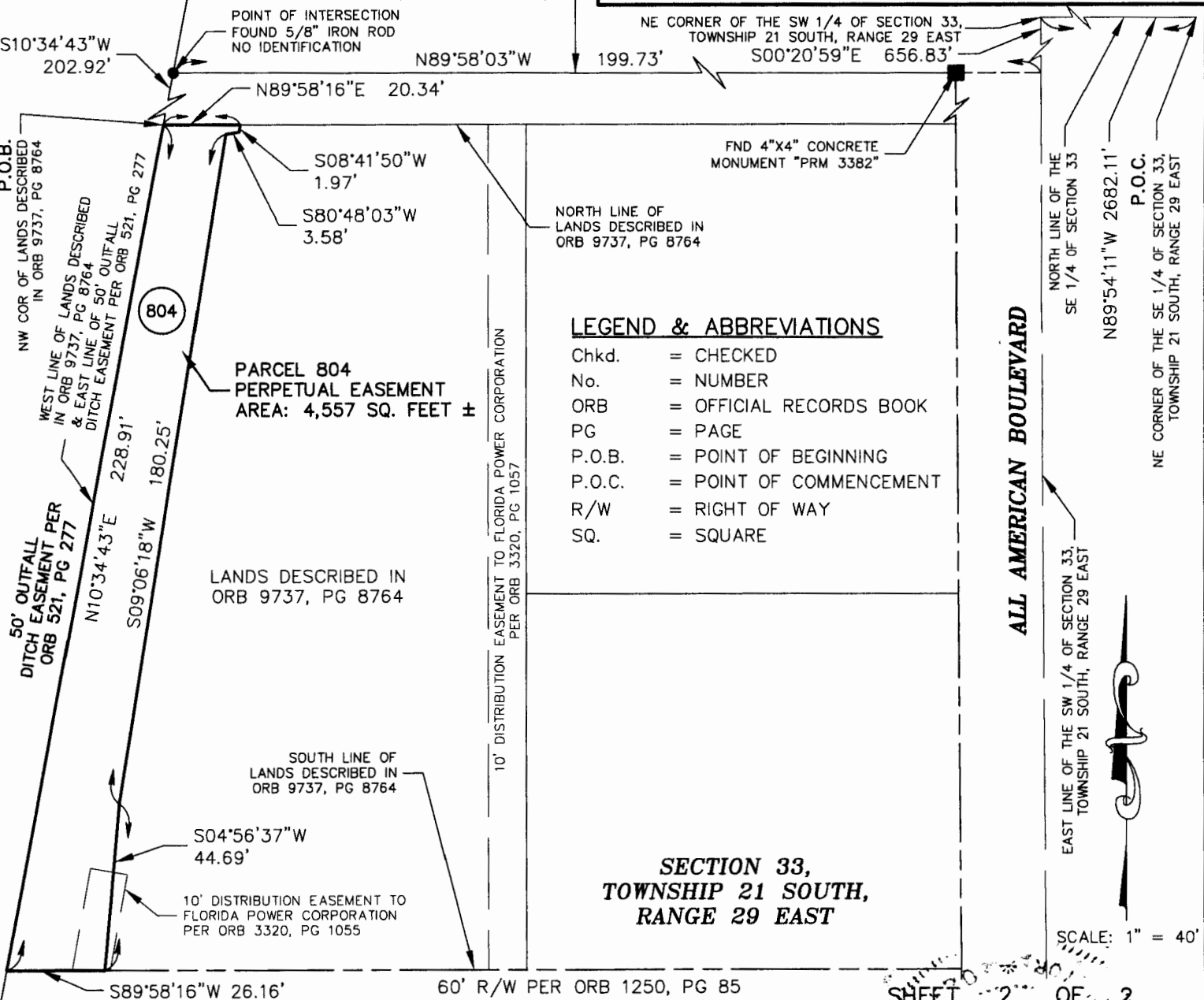
VOICE: (407) 732-6965 FAX: (407) 878-0841

Land Surveyor Business License No. 6556

**SKETCH OF DESCRIPTION**

PARCEL: 804

ESTATE: PERPETUAL EASEMENT SOUTH LINE OF LOT 73,  
PURPOSE: DRAINAGE W.R. MUNGER'S SUBDIVISION,  
PLAT BOOK E, PAGE 7  
(BASIS OF BEARINGS)



**LEGEND & ABBREVIATIONS**

- Chkd. = CHECKED
- No. = NUMBER
- ORB = OFFICIAL RECORDS BOOK
- PG = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R/W = RIGHT OF WAY
- SQ. = SQUARE

**SECTION 33,  
TOWNSHIP 21 SOUTH,  
RANGE 29 EAST**

**ALL AMERICAN BOULEVARD**

SCALE: 1" = 40'

SEE SHEET 1 FOR LEGAL DESCRIPTION AND GENERAL NOTES

SHEET 2 OF 2

REVISION	BY	DATE

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

*H. Paul deVivero*  
H. Paul deVivero, Professional Land Surveyor No. 4990 DATE

Date: OCTOBER 27, 2014  
Project No.: S23-15  
Drawn: DPW Chkd.: JMS

**LITTLE WEKIVA RIVER  
SITE 1  
PARCEL 804**

**GEODATA CONSULTANTS, INC.**  
SURVEYING & MAPPING  
1349 SOUTH INTERNATIONAL PARKWAY  
SUITE 2401  
LAKE MARY, FLORIDA 32746  
VOICE: (407) 732-6965 FAX: (407) 878-0841  
Land Surveyor Business License No. 6556

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JUN 02 2015 CS/BS

Instrument: 804.1  
Project: Little Wekiva River

### DRAINAGE EASEMENT

THIS INDENTURE, Made this 13th day of April, A.D. 2015, between GUSTY LANE, LLC, a Florida limited liability company, whose address is 1320 Lake Knowles Circle, Winter Park, FL 32789, 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 \$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, an easement for drainage purposes, with full authority to enter upon, construct, and maintain, as the GRANTEE and its assigns may deem necessary, a drainage ditch, pipe, or facility over, under, and upon the following described lands situate in Orange County aforesaid to-wit:

#### SEE ATTACHED SCHEDULE "A"

**Property Appraiser's Parcel Identification Number:**

**a portion of  
33-21-29-5844-00-887**

TO HAVE AND TO HOLD said 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 drainage ditch, pipe, or facility, out of and away from the herein granted easement, and the GRANTOR, its heirs, 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 easement that may interfere with the normal operation or maintenance of the drainage ditch, pipe, or facility.

Instrument: 804.1  
Project: Little Wekiva River

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

Signed, sealed and delivered  
in the presence of:

GUSTY LANE, LLC,  
a Florida limited liability company

[Signature]  
Witness

BY: [Signature]  
Lura R. Pfost, its Manager

Laura Johnson  
Printed Name

[Signature]  
Witness

Sabrina L. Miller  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 12th day of April, 2015, by Lura R. Pfost, as manager of GUSTY LANE, LLC, a Florida limited liability company. She is personally known to me or has produced FL Drivers License as identification.

Witness my hand and official seal this 12th day of April, 2015.  
[Signature]  
Notary Signature

(Notary Seal)



SABRINA L. MILLER  
MY COMMISSION # FF 012654  
EXPIRES: May 13, 2017  
Bonded Thru Budget Notary Services

Printed Notary Name

This instrument prepared by:

Virginia G. Williams, 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:



**SCHEDULE "A"**

PARCEL: 804

ESTATE: PERPETUAL EASEMENT

PURPOSE: DRAINAGE

**LEGAL DESCRIPTION**

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SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SHEET 1 OF 2

Date: OCTOBER 27, 2014

Project No.: S23-15

Drawn: DPW Chkd.: JMS

**LITTLE WEKIVA RIVER  
SITE 1  
PARCEL 804**



**GEODATA CONSULTANTS, INC.**

**SURVEYING & MAPPING**

1349 SOUTH INTERNATIONAL PARKWAY  
SUITE 2401

LAKE MARY, FLORIDA 32746

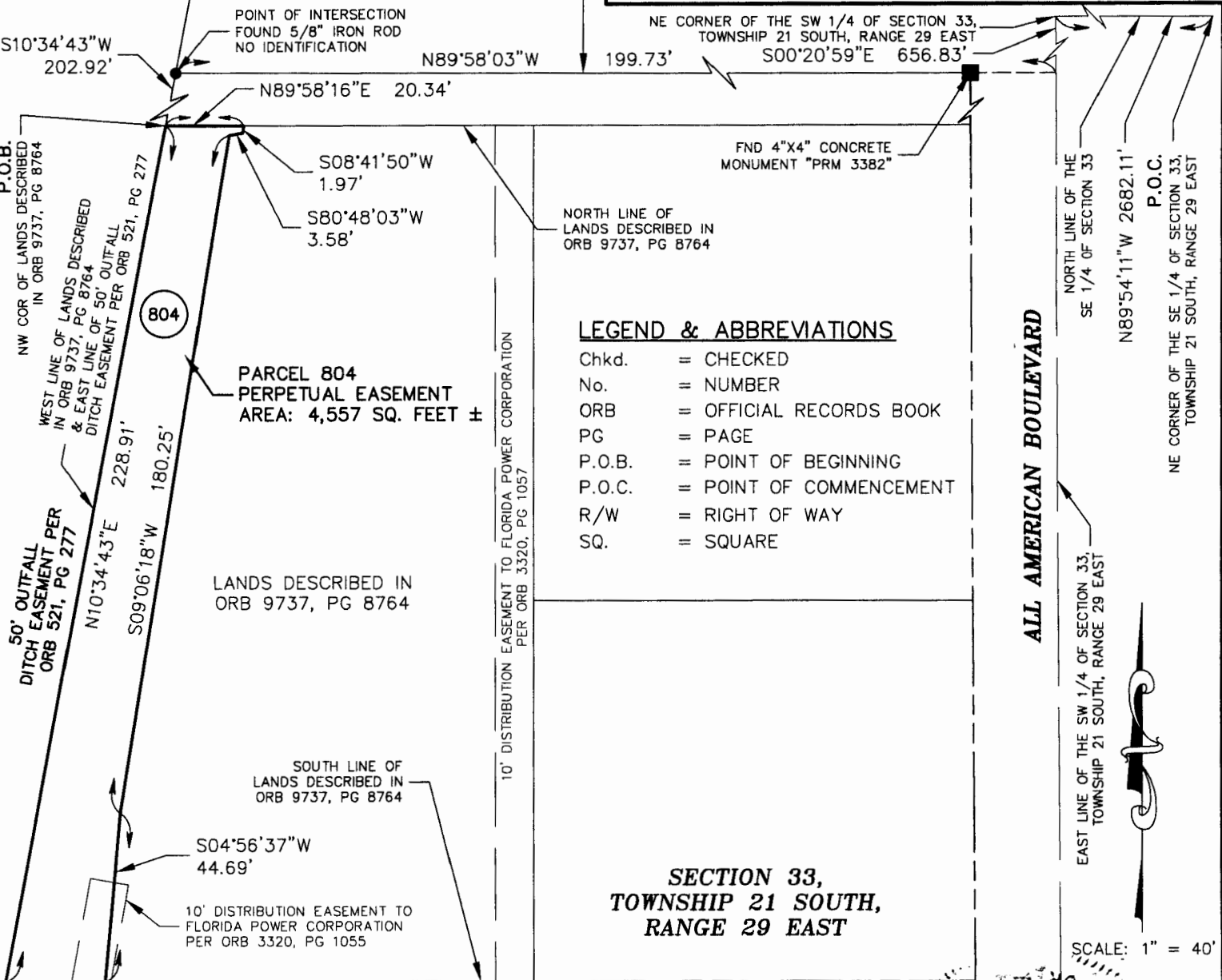
VOICE: (407) 732-6965 FAX: (407) 878-0841

Land Surveyor Business License No. 6556

**SKETCH OF DESCRIPTION**

PARCEL: 804

ESTATE: PERPETUAL EASEMENT SOUTH LINE OF LOT 73,  
PURPOSE: DRAINAGE W.R. MUNGER'S SUBDIVISION,  
PLAT BOOK E, PAGE 7  
(BASIS OF BEARINGS)



SEE SHEET 1 FOR LEGAL DESCRIPTION AND GENERAL NOTES

SHEET 2 OF 2

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*H. Paul deVivero*  
H. Paul deVivero, Professional Land Surveyor No. 4990 DATE

Date: OCTOBER 27, 2014  
Project No.: S23-15  
Drawn: DPW Chkd.: JMS

**LITTLE WEKIVA RIVER  
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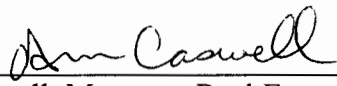
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VOICE: (407) 732-6965 FAX: (407) 878-0841  
Land Surveyor Business License No. 6556

Project: Little Wekiva River  
Parcel: 804

**EXPLANATION OF RECOMMENDED SETTLEMENT**

The property owner, Gusty Lane, LLC, agreed to donate the drainage easement to Orange County for maintenance purposes.

Recommended by  Date 05-05-15  
Sabrina L. Miller, Acquisition Agent

Approved for  
Submittal to  
The Board  
of County  
Commissioners by  Date 5-8-15  
Ann Caswell, Manager, Real Estate Management Division

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: April 28, 2015

Project: Little Wekiva River  
Parcel: 804

Total Amount: \$36.20

Charge to Account # 1023-072-2753-6110

Engineering Approval \_\_\_\_\_ Date \_\_\_\_\_

Fiscal Approval \_\_\_\_\_ Date \_\_\_\_\_

TYPE TRANSACTION (Check appropriate block{s})  
 Pre-Condensation  Post-Condensation  Not Applicable District # 2

Acquisition at Approved Appraisal  
 Acquisition at Below Approved Appraisal  
 Acquisition at Above Approved Appraisal  
 Advance Payment Requested  
 Not Applicable

Name, address, SSN

DOCUMENTATION ATTACHED (Check appropriate block{s})

Contract/Agreement  
 Copy of Executed Instruments  
 Certificate of Value  
 Settlement Analysis

Payable to: Orange County Comptroller \$36.20

*for recording fees*

CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by Sabrina L. Miller  
Sabrina L. Miller, Acquisition Agent

04-28-15  
Date

Payment Approved Ann Caswell  
Ann Caswell, Manager, Real Estate Management Division

5-8-15  
Date

Under Ordinance Approved by \_\_\_\_\_  
Manager, Real Estate Management Division

\_\_\_\_\_  
Date

Certified Approved by BCC Kate Smith  
Deputy Clerk to the Board

JUN 02 2015  
Date

Examined/Approved \_\_\_\_\_  
Comptroller/Government Grants

\_\_\_\_\_  
CHECK No. / Date

REMARKS:

Please Contact Acquisition Agent @ X67076 if there are any questions.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JUN 02 2015 CS/BS

REQUEST FOR FUNDS FOR LAND ACQUISITION

Under BCC Approval

Under Ordinance Approval

Date: April 28, 2015

Project: Little Wekiva River  
Parcel: 804

*Michael J. Insart*  
*5/14/15*  
*JMK*  
*5-13-15*

Total Amount: \$36.20

Charge to Account # 1023-072-2753-8110

Engineering Approval *John Jones* Date *5-14-15*  
Fiscal Approval \_\_\_\_\_ Date \_\_\_\_\_

TYPE TRANSACTION (Check appropriate block(s))  
 Pre-Condensation  Post-Condensation  Not Applicable District # 2

Acquisition at Approved Appraisal  
 Acquisition at Below Approved Appraisal  
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 Advance Payment Requested  
 Not Applicable

Name, address, SSN

DOCUMENTATION ATTACHED (Check appropriate block(s))

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 Certificate of Value  
 Settlement Analysis

Payable to: Orange County Comptroller \$36.20

*for recording fees*

CHECKS ARE TO BE PICKED UP BY THE REAL ESTATE MANAGEMENT DIVISION (DO NOT MAIL)

Recommended by *Sabrina L. Miller* Date *04-28-15*  
Sabrina L. Miller, Acquisition Agent

Payment Approved *Ann Caswell* Date *5-8-15*  
Ann Caswell, Manager, Real Estate Management Division

Under Ordinance Approved by \_\_\_\_\_ Date \_\_\_\_\_  
Manager, Real Estate Management Division

Certified *[Signature]* Date \_\_\_\_\_  
Approved by BCC Deputy Clerk to the Board

Examined/Approved \_\_\_\_\_ Date \_\_\_\_\_  
Comptroller/Government Grants CHECK No. / Date

REMARKS:  
Please Contact Acquisition Agent @ X67078 if there are any questions.