



Interoffice Memorandum

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

OCT 20 2015 *JH/BS*

REAL ESTATE MANAGEMENT ITEM 9

DATE: October 2, 2015

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Kim Heim, Title Examiner *KH*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

DIVISION: 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: Lookout Pointe Drive Connection OCU Permit: 14-E-114
OCU File #: 79505

District 1

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

ITEM: Utility Easement
Cost: Donation
Total size: 2,320.64 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.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
OCT 20 2015 JH/BS

Project: Lookout Pointe Drive Connection OCU Permit: 14-E-114 OCU File #: 79505

UTILITY EASEMENT

THIS INDENTURE, Made this 22nd day of September, A.D. 2015, 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 St. 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 Numbers:

a portion of

36-23-27-9162-15-002 and 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.

Project: Lookout Pointe Drive Connection OCU Permit: 14-E-114 OCU File #: 79505

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.

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

Jenny Hank
Witness

BY: [Signature]

Jennifer Hamilton
Printed Name

Neil C. Klaproth
Printed Name

[Signature]
Witness

Secretary
Title

Amy Steiger
Printed Name

(Corporate Seal)

(Signature of TWO witnesses required by Florida law)

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 22nd day of September, 2015, by Neil Klaproth, as Secretary of Windermere Trails Homeowner Association, Inc., a Florida not-for-profit corporation, on behalf of said company. He/she is personally known to me, or [] has produced _____ as identification.

(Notary Seal)



[Signature]
Notary Signature

This instrument prepared by:
Kim Heim, a staff employee
in the course of duty with the
Real Estate Management Division
Of Orange County, Florida

Jennifer Hamilton
Printed Notary Name

Notary Public in and for
the County and State aforesaid
My Commission Expires:

LEGAL DESCRIPTION
THIS IS NOT A SURVEY

LEGAL DESCRIPTION

A PORTION OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 27 EAST AND WITHIN TRACT OS-2, WINDERMERE TRAILS PHASE 3A, AS RECORDED IN PLAT BOOK 83, PAGES 1 THROUGH 5, INCLUSIVE, OF ORANGE COUNTY, FLORIDA:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 27 EAST OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 89°48'58" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 2652.64 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE NORTH 89°49'31" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 689.89 FEET; THENCE DEPARTING SAID SOUTH LINE OF SOUTHEAST 1/4 RUN NORTH 00°10'29" WEST A DISTANCE OF 861.09 FEET TO THE POINT OF BEGINNING; THENCE NORTH 36°35'29" WEST A DISTANCE OF 71.13 FEET; THENCE NORTH 53°24'31" EAST A DISTANCE OF 20.67 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF LOOKOUT POINTE DRIVE AND THE NORTHERLY LINE OF TRACT OS-2 AS RECORDED IN WINDERMERE TRAILS PHASE 3A, AS RECORDED IN PLAT BOOK 83, PAGES 1 THROUGH 5, INCLUSIVE, OF SAID COUNTY, AND A POINT ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID SOUTHERLY LINE OF RIGHT OF WAY, AND SAID NORTHERLY LINE OF TRACT OS-2 AND SAID NON TANGENT CURVE, HAVING A RADIUS OF 440.00 FEET, A CENTRAL ANGLE OF 09°16'19", AN ARC LENGTH OF 71.20 FEET, A CHORD LENGTH OF 71.13 FEET AND A CHORD BEARING OF SOUTH 36°43'40" EAST; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE AND SAID NORTHERLY LINE OF TRACT OS-2 RUN SOUTH 53°24'31" WEST A DISTANCE OF 20.84 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 1,544.45 SQUARE FEET, MORE OR LESS.

OCU FILE # 14-E-114
PROJECT NAME: LOOKOUT POINTE DRIVE
PURPOSE: UTILITY EASEMENT
ESTATE: PERMANENT

SHEET 1 OF 2 - DESCRIPTION
SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION

REVISIONS:
8-24-15 GENERAL REVISIONS

Drawing name: L:\Data\20120020\sketches\sketch UE lookout connect.dwg S00-DE-S (1)



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

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 36-23-27, BEING NORTH 89°48'58" 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 THE RECORDS.
4. THE DELINEATION OF THE LANDS SHOWN HEREON IS AS THE CLIENT'S INSTRUMENTS.
5. RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE ORANGE COUNTY RECORDS SYSTEM.

JOB NO. 20120020

DATE: 08-19-15

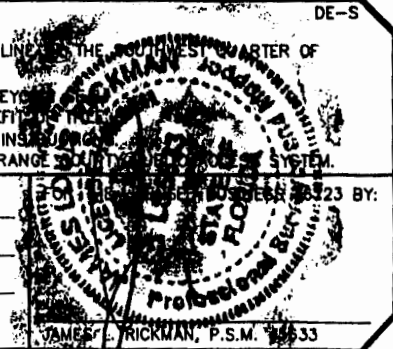
SCALE: N/A

FIELD BY: N/A

CALCULATED BY: SEJ

DRAWN BY: SEJ/DH

CHECKED BY: EGT



DE-S

Exhibit "A"

LEGAL DESCRIPTION
THIS IS NOT A SURVEY

WINDERMERE TRAILS PHASE 1
PB 76, PG 76-89
TRACT J

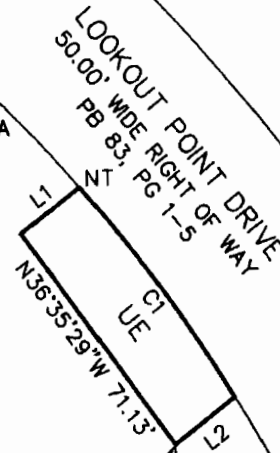
SOUTHERLY RIGHT OF WAY LINE;
NORTHERLY LINE OF TRACT OS-2

WINDERMERE TRAILS PHASE 3A
PB 83, PG 1-5
TRACT OS-2



CURVE RADIUS CENTRAL ANGLE LENGTH CHORD CHORD BEARING
C1 440.00' 09°16'19" 71.20' 71.13' S36°43'40"E

LINE BEARING DISTANCE
L1 N53°24'31"E 20.67'
L2 S53°24'31"W 20.84'



POINT OF BEGINNING

LEGEND AND ABBREVIATIONS

UE UTILITY EASEMENT
NT NON TANGENT
PB PLAT BOOK
PG PAGE OR PAGES

SOUTH LINE OF THE
SOUTHWEST 1/4 OF
SECTION 36-23-27

N89°48'58"E 2652.64'

N89°49'31"E 689.89'

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF
THE SOUTHWEST 1/4 OF
SECTION 36-23-27

SOUTH LINE OF THE
SOUTHEAST 1/4 OF
SECTION 36-23-27

SOUTHWEST CORNER OF
THE SOUTHEAST 1/4 OF
SECTION 36-23-27

OCU FILE # 14-E-114
PROJECT NAME: LOOKOUT POINTE DRIVE
PURPOSE: UTILITY EASEMENT
ESTATE: PERMANENT
SHEET 1 OF 2 - DESCRIPTION
SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION

ig name: L:\Data\20120020\sketches\sketch UE lookout connect.dwg S00-DE-S (2)



SURVEYOR'S NOTES:

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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. 20120020

CALCULATED BY: SEJ

REVISIONS:
8-24-15 GENERAL REVISIONS

DATE: 08-19-15

DRAWN BY: SEJ/DH

DE-S

LEGAL DESCRIPTION THIS IS NOT A SURVEY

LEGAL DESCRIPTION

A PORTION OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 27 EAST AND WITHIN TRACT J, WINDERMERE TRAILS PHASE I, AS RECORDED IN PLAT BOOK 76, PAGES 76 THROUGH 89, INCLUSIVE, OF ORANGE COUNTY, FLORIDA:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 27 EAST OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 89°48'58" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 2652.64 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE NORTH 89°49'31" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 744.71 FEET; THENCE DEPARTING SAID SOUTH LINE OF SOUTHEAST 1/4 RUN NORTH 00°10'29" WEST A DISTANCE OF 906.82 FEET TO THE POINT OF BEGINNING, BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF LOOKOUT POINTE DRIVE AS RECORDED IN WINDERMERE TRAILS PHASE 3A, AS RECORDED IN PLAT BOOK 83, PAGES 1 THROUGH 5, INCLUSIVE, AND THE SOUTHERLY LINE OF TRACT J, AS RECORDED IN WINDERMERE TRAILS PHASE 1, AS RECORDED IN PLAT BOOK 76, PAGES 76 THROUGH 89, OF SAID COUNTY, AND A POINT ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID NORTH LINE OF RIGHT OF WAY, SAID SOUTHERLY LINE OF TRACT J AND SAID NON TANGENT CURVE, HAVING A RADIUS OF 490.00 FEET, A CENTRAL ANGLE OF 06°54'13", AN ARC LENGTH OF 59.04 FEET, A CHORD LENGTH OF 59.00 FEET AND A CHORD BEARING OF NORTH 36°30'09" WEST; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE AND SAID SOUTH LINE OF TRACT J, RUN NORTH 53°33'21" EAST A DISTANCE OF 13.78 FEET; THENCE SOUTH 36°26'39" EAST A DISTANCE OF 59.00 FEET; THENCE SOUTH 53°33'21" WEST A DISTANCE OF 13.72 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 776.19 SQUARE FEET, MORE OR LESS.

OCU FILE # 14-E-114
PROJECT NAME: LOOKOUT POINTE DRIVE
PURPOSE: UTILITY EASEMENT
ESTATE: PERMANENT
SHEET 1 OF 2 - DESCRIPTION
SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION

REVISIONS:
8-24-15 GENERAL REVISIONS

Drawing name: L:\Data\20120020\sketches\sketch UE lookout connect.dwg S00-DE-N (1)



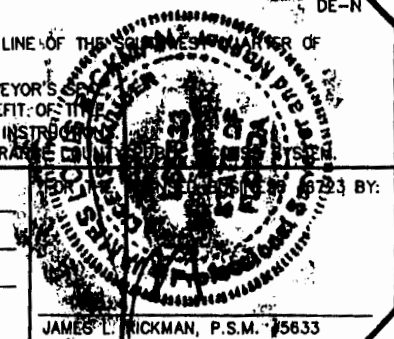
16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

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CHECKED BY: EGT

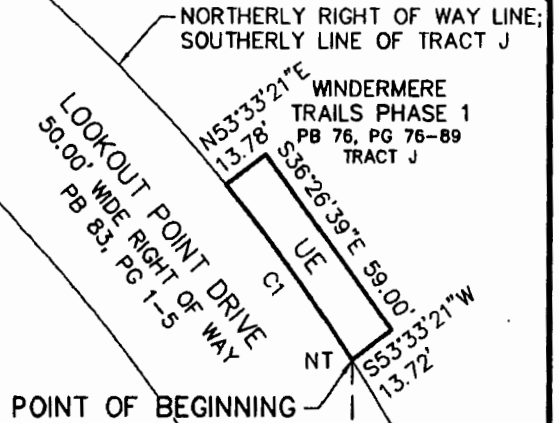


JAMES L. RICKMAN, P.S.M. #5633

LEGAL DESCRIPTION
THIS IS NOT A SURVEY



WINDERMERE TRAILS PHASE 3A
PB 83, PG 1-5
TRACT OS-2



LEGEND AND ABBREVIATIONS

UE UTILITY EASEMENT
NT NON TANGENT
PB PLAT BOOK
PG PAGE OR PAGES

CURVE	RADIUS	CENTRAL ANGLE	LENGTH	CHORD	CHORD BEARING
C1	490.00'	06°54'13"	59.04'	59.00'	N36°30'09"W

SOUTH LINE OF THE
SOUTHWEST 1/4 OF
SECTION 36-23-27

N89°48'58"E 2652.64'

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF
THE SOUTHWEST 1/4 OF
SECTION 36-23-27

N89°49'31"E 744.71'

SOUTH LINE OF THE
SOUTHEAST 1/4 OF
SECTION 36-23-27

SOUTHWEST CORNER OF
THE SOUTHEAST 1/4 OF
SECTION 36-23-27

OCU FILE # 14-E-114
PROJECT NAME: LOOKOUT POINTE DRIVE
PURPOSE: UTILITY EASEMENT
ESTATE: PERMANENT

SHEET 2 OF 2 - SKETCH
SEE SHEET 1 OF 2 FOR DESCRIPTION

Drawing name: L:\Data\20120020\sketches\sketch UE lookout connect.dwg S00-DE-N (2)



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Winter Garden, Florida 34787 • (407) 654-5355

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JOB NO. 20120020

DATE: 08-19-15

SCALE: 1" = 50'

FIELD BY: N/A

CALCULATED BY: SEJ

DRAWN BY: SEJ/DH

CHECKED BY: EGT

REVISIONS:

8-24-15 GENERAL REVISIONS

DE-N