



Interoffice Memorandum


APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS


BCC Mtg. Date: Mar. 1, 2016

REAL ESTATE MANAGEMENT ITEM 6

DATE: February 9, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Theresa A. Avery, Title Examiner 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

DIVISION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL OF UILITY EASEMENT BETWEEN VOXX HQ LLC AND ORANGE COUNTY, SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM WELLS FARGO BANK, NATIONAL ASSOCIATION AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Voxx International Corporate Office OCU Permit: B14903374
OCU File #: 79145

District 4

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

ITEMS: Utility Easement
Cost: Donation
Size: 375 square feet

Subordination of Encumbrances to Property Rights to Orange County

APPROVALS: Real Estate Management Division
County Attorney's Office
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
MAR 01 2016

THIS IS A DONATION

Project: Voxx International Corporate Office OCU Permit: B14903374 OCU File #: 79145

UTILITY EASEMENT

THIS INDENTURE, Made this 28 day of December A.D., 2015, between VOXX HQ LLC, a Florida limited liability company, whose address is 2351 J. Lawson Blvd, Orlando, FL 32824, 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 \$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, a right-of-way and easement for utility purposes, with full authority to enter upon, construct and maintain, as the GRANTEE and its assigns may deem necessary, electrical poles, telephone poles, wires, guy wires and appurtenances, water pipes, sewer pipes, gas pipes and mains, 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**

21-24-30-3127-02001

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 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 successors or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

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This easement is given subject to recorded instruments, including the Development Agreement with Greenway Business Park, LLC recorded in Official Records Book 10854, Page 5550 of the Public Records of Orange County, Florida, and the easement may not be used for communication services or facilities except as permitted by said Development Agreement.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be signed in its name by N/A, its general partner.

Signed, sealed, and delivered in the presence of:

[Signature]

Witness

Rudy Awad
Printed Name

[Signature]

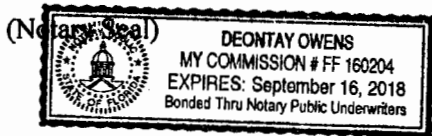
Witness

Carnette Orayan
Printed Name

(Signature of TWO witnesses required by Florida law)

State of FLORIDA
County of ORANGE

The foregoing instrument was acknowledged before me this 28 day of December, 2015 by Edward Mas, as E.V.P. of VOXX INTERNATIONAL CORPORATION a Delaware corporation, its Sole Member of VOXX HQ LLC, a Florida limited liability company, on behalf of the limited liability company. He/she is personally known to me or has produced DRIVERS License as identification.



VOXX HQ LLC,
a Florida limited liability company

BY: VOXX INTERNATIONAL CORPORATION, a Delaware corporation as its Sole member

BY: [Signature]
Name Edward Mas
Print
E.V.P.
Title

[Signature]
Notary Signature
Deontay Owens
Printed Notary Name

Notary Public in and for the County and State aforesaid

My commission expires: 9/16/2018

This instrument prepared by: Theresa A. Avery, a staff employee in the course of duty with the Real Estate Management Division of Orange County, Florida.

OCU FILE NO. B14903374 / B15901202
 PROJECT NAME:
 VOXX INTERNATIONAL CORPORATE OFFICE
 PORTION OF PARCEL 6 - GINN PROPERTY PD
 PURPOSE: UTILITY EASEMENT
 ESTATE: PERMANENT

Legal Description

A portion of Lot 2, GINN AIRPORT, according to the plat thereof, as recorded in Plat Book 55, Pages 44 through 49, Public Records of Orange County, Florida, situated in Section 28, Township 24 South, Range 30 East, Orange County, Florida, being more particularly described as follows:

Commence at the southerly most corner of Tract PD-4, J LAWSON BOULEVARD, according to the plat thereof, as recorded in Plat Book 58, Pages 64 through 68, Public Records of Orange County, Florida; said point also lying on the northwesterly right-of-way line of J Lawson Boulevard; thence run southwesterly along the northwesterly right-of-way line of J Lawson Boulevard, the following two (2) courses and distances: run S 63°04'45" W, a distance of 471.81 feet to a point of curvature of a curve, concave northwesterly, having a radius of 6,117.05 feet and a central angle of 01°13'04"; thence run southwesterly, along the arc of said curve, a distance of 130.01 feet to a point on said curve; thence, departing said northwesterly right-of-way line, run N 26°55'15" W, a distance of 10.00 feet for the POINT OF BEGINNING; thence continue N 26°55'15" W, a distance of 25.00 feet; thence run N 64°12'41" E, a distance of 15.00 feet; thence run S 26°55'15" E, a distance of 25.00 feet to a point on the northerly line of a Utility Easement as described and recorded in Official Records Book 7576, Page 758, Public Records of Orange County, Florida; said point being a point on a curve, concave northwesterly, having a radius of 6107.05 feet; thence on a chord bearing of S 64°13'43" W, and a chord distance of 15.00 feet, run along the arc of said curve and along the northerly line of said utility easement, a distance of 15.00 feet through a central angle of 00°08'27" to the POINT OF BEGINNING.

Containing 375 square feet, more or less.

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 of 2 for sketch.

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

Bearings shown hereon are based on the plat HARVEST LANDING.

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.

Sketch of Description

of a

Utility Easement

situated in

**Section 28, Township 24 South, Range 30 East
 Orange County, Florida**

PREPARED FOR: **Tavistock Development Company, LLC**

JOB NO. 1416.3

SKETCH OF DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ANY ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION BY SOMEONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.
 REG. LB. No. 7194

SHEET 1 of 2

DATE 8/27/15

SCALE As Noted

[Signature]
 CLAYTON GANUNG
 4239

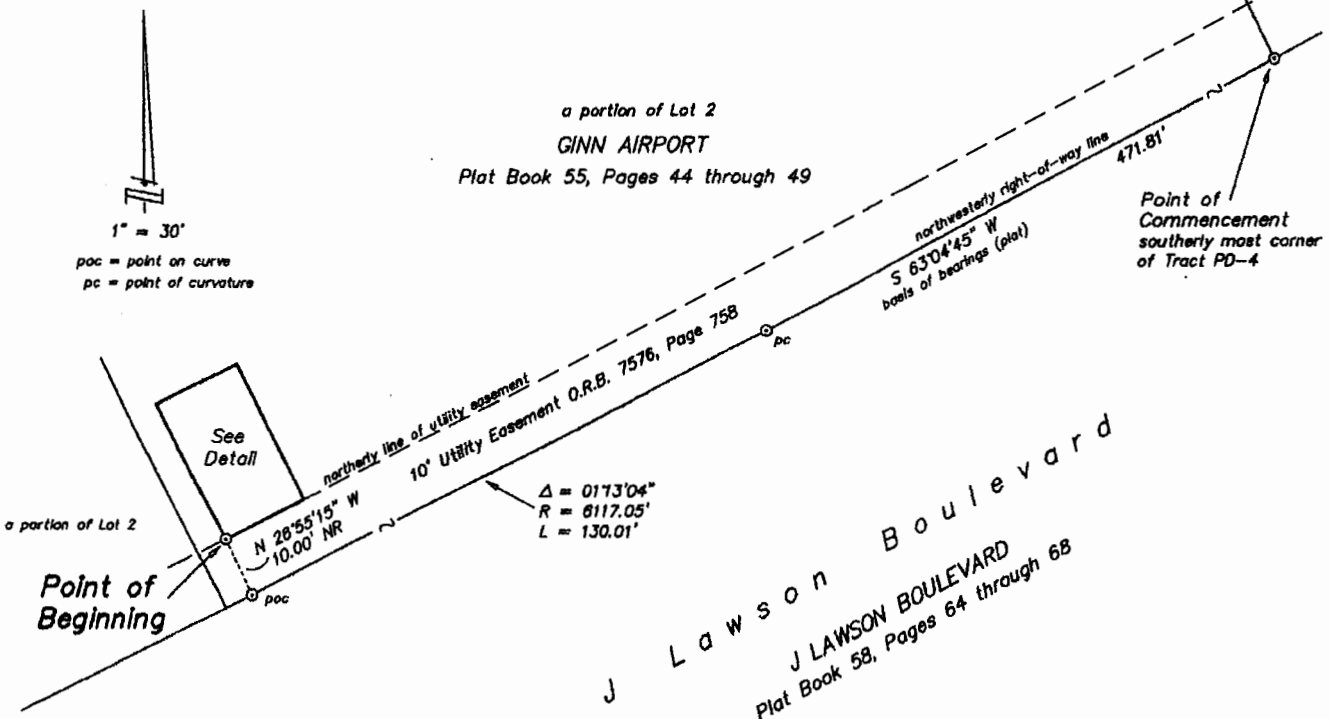
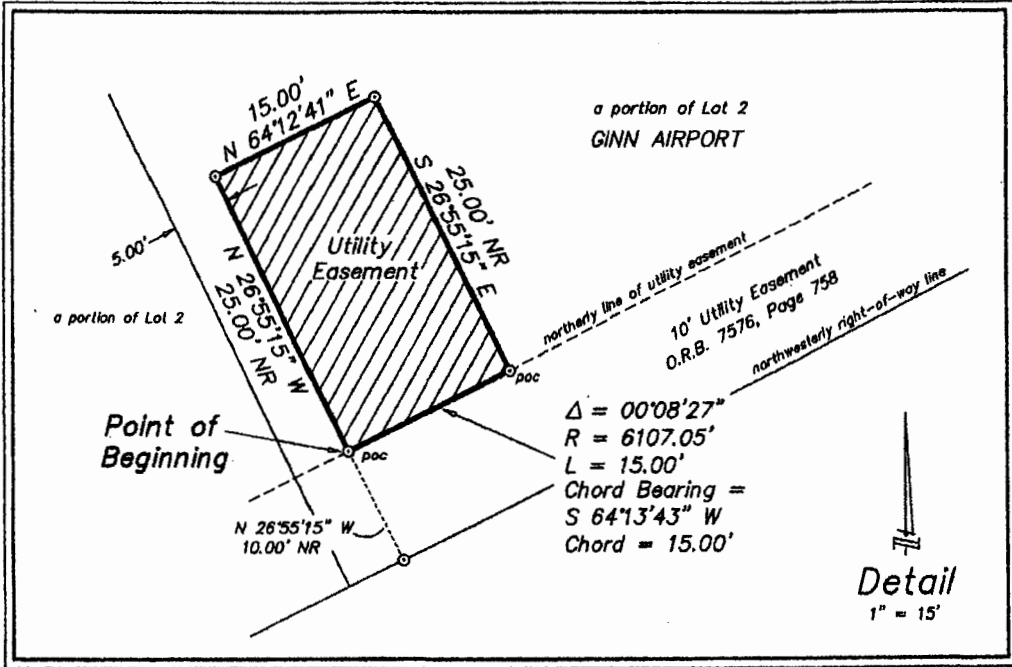


GANUNG - BELTON ASSOCIATES, INC.

professional surveyors and mappers

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

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 PORTION OF PARCEL 6 - GINN PROPERTY PD
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Sheet 2 of 2
 See Sheet 1 of 2 for legal description.
 (GSA Job No. 1418.3)

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

MAR 01 2016

Project: Voxx International Corporate Office OCU Permit: B14903374 OCU File #: 79145

SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by ORANGE COUNTY, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a utility easement, in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to Mortgage, Assignment of Leases and Rents and Security Agreement; and Financing Statement UCC-1 held by the undersigned; and,

WHEREAS, On behalf of ORANGE COUNTY, a request has been made for the undersigned to subordinate said encumbrances to the property rights of ORANGE COUNTY in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations paid, receipt of which is hereby acknowledged, the undersigned subordinates said encumbrances as they have been or as may be modified and amended from time to time to the property rights of ORANGE COUNTY to locate, construct, maintain, and/or improve said project over, through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

SEE ATTACHED EXHIBIT "A"

Encumbrances:

WELLS FARGO BANK, NATIONAL ASSOCIATION
FROM: VOXX HQ LLC

Mortgage, Assignment of Leases and Rents and Security Agreement filed July 6, 2015

Recorded in Official Records Book 10946, Page 823

Financing Statement UCC-1 filed July 6, 2015

Recorded in Official Records Book 10946, Page 857

All in the Public Records of Orange County, Florida

PROVIDED ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances insofar as same affects the rights and privileges of ORANGE COUNTY, in its use of the land specifically above described for utility easement purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrances or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed

Project: Voxx International Corporate Office OCU Permit: B14903374 OCU File #: 79145

that in the event said above described premises are abandoned by ORANGE COUNTY and cease to be used for utility easement purposes that in such event the subordination of said encumbrances shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

IN WITNESS WHEREOF, the said holder of said encumbrances has duly executed this instrument this 28 day of OCTOBER, A.D. 2015.

WELLS FARGO BANK, NATIONAL ASSOCIATION, a national banking association

Signed, sealed, and delivered in the presence of:

[Signature]
Witness

BY: [Signature]

Eric Starz
Printed Name

MICHAEL ZICK
Printed Name

[Signature]
Witness

VICE PRESIDENT
Title

Benjamin Lanzot
Printed Name

STATE OF New York
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this 28 day of October, 2015 by MICHAEL ZICK, as VICE PRESIDENT of WELLS FARGO BANK, NATIONAL ASSOCIATION, a national banking association. He/she is personally known to me or has produced [Redacted] as identification.

Witness my hand and official seal this 28 day of October, 2015.

(Notary Seal) **TIFFANY LUMSDEN**
Notary Public - State of New York
ID No. 01LU6193877
Qualified in Nassau County
My Commission Expires September 22, 2016

[Signature]
Notary Signature

Tiffany Lumsden
Printed Notary Name

This instrument prepared by:
Theresa A. Avery, 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: Sep 22, 2016

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PREPARED FOR: <i>Tavistock Development Company, LLC</i>		JOB NO. 1416.3	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. DBA LB No. 7194  R. CLAYTON GANUNG REG. PL. & M. 4236
 GANUNG - BELTON ASSOCIATES, INC. professional surveyors and mappers 1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656		SHEET 1 of 2	
		DATE 8/27/15	
		SCALE As Noted	

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