



Interoffice Memorandum


APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS


BCC Mtg. Date: Jun. 28, 2016

REAL ESTATE MANAGEMENT ITEM 3

DATE: June 7, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Elizabeth Price Jackson, Senior Title Examiner 
Real Estate Management Division

CONTACT PERSON: **Ann Caswell, Manager**

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

ACTION REQUESTED: APPROVAL AND EXECUTION OF AMENDMENT OF ENCROACHMENT AGREEMENT BETWEEN FLORIDA GAS TRANSMISSION COMPANY, LLC AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: East Service Area Potable Water and Reclaimed Water Storage and Re-pumping Facilities

District 4

PURPOSE: To provide for access, construction, operation, and maintenance of utility facilities.

ITEM: Amendment of Encroachment Agreement
Cost: None

APPROVALS: Real Estate Management Division
County Attorney's Office
Utilities Department
Risk Management Division

REMARKS:

On May 13, 2014, the Board of County Commissioners approved an Encroachment Agreement (Agreement) with Florida Gas Transmission Company, LLC (FGT) to allow County to construct, maintain and operate a water main and reclaimed water main across an existing 50 foot wide FGT natural gas pipeline easement on County-owned land. This Amendment of Encroachment Agreement (Amendment) allows County to add a stabilized road across the FGT easement. All other terms and conditions of the Agreement remain the same.

The County is executing the Amendment to show acceptance of its terms and conditions.

FGT will record the Amendment and pay 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.

Instrument Prepared By and Return to:
Right of Way Department/Julie Franklin
Florida Gas Transmission Company, LLC
2405 Lucien Way, Suite 200
Maitland, FL 32751

County Project: East Service Area Potable Water and Reclaimed
Water Storage and Re-pumping Facilities

PROJECT NO. 16-126
TRACT NO. FLMEB-ORAN-193

AMENDMENT OF ENCROACHMENT AGREEMENT

WHEREAS, by that certain Encroachment Agreement dated May 13, 2014, and recorded in OR Book 10751, Page 7733, of the Public Records of Orange County, Florida, (Agreement) Florida Gas Transmission Company, LLC, a Delaware limited liability company, (FGT) agreed to allow Orange County, a charter county and political subdivision of the state of Florida, (ORANGE) to construct, maintain, and operate a water main and a reclaimed water main across the FGT natural gas pipeline easement;

WHEREAS, FGT and ORANGE desire to amend the Agreement to allow ORANGE to add a stabilized road across the FGT easement.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT FGT, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by ORANGE, FGT does hereby consent, subject to the terms and provisions of the Agreement, to the construction of a stabilized road across the FGT easement and agrees with ORANGE that the Agreement shall be, and is hereby, **AMENDED** by the addition of the description and drawings attached hereto as Exhibit C-1 to the Agreement as Exhibit C-1.

FGT and ORANGE stipulate and agree that the statements and information contained in the introductory paragraphs of this Amendment of Encroachment Agreement are true and correct and are incorporated herein by this reference. FGT and ORANGE do hereby **ADOPT, RATIFY** and **CONFIRM** the Agreement, as amended and modified by this instrument and agree to be bound thereby.

This Amendment of Encroachment Agreement and the benefits and obligations herein contained shall inure to the benefit of and be binding and obligatory upon FGT, ORANGE, and their respective successors and assigns.



"ORANGE"

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

DATE: 6.28.16

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board

BY: *Katie Smith*
Deputy Clerk

Katie Smith
Printed Name

County Project: East Service Area Potable Water and Reclaimed Water Storage and Re-pumping Facilities

PROJECT NO.: 16-126
TRACT NO.: FLMEB-ORAN-193

"FGT"

WITNESSES:

FLORIDA GAS TRANSMISSION COMPANY, LLC

Julie Franklin
Witness

By: David Shellhouse
David Shellhouse
Vice President

Julie Franklin
Printed Name:

Date: 7-11-16

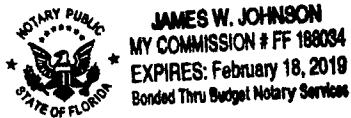
Jim Johnson
Witness
Jim Johnson
Printed Name:

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on this 11th day of July, 2016, by **DAVID SHELLHOUSE, VICE PRESIDENT OF FLORIDA GAS TRANSMISSION COMPANY, LLC**, a Delaware limited liability company, on behalf of the company. He is personally known to me or has produced as identification.

(Notary Seal)



James W. Johnson
Notary Public
JAMES W. JOHNSON
Printed Name

My Commission Expires: 2-18-19

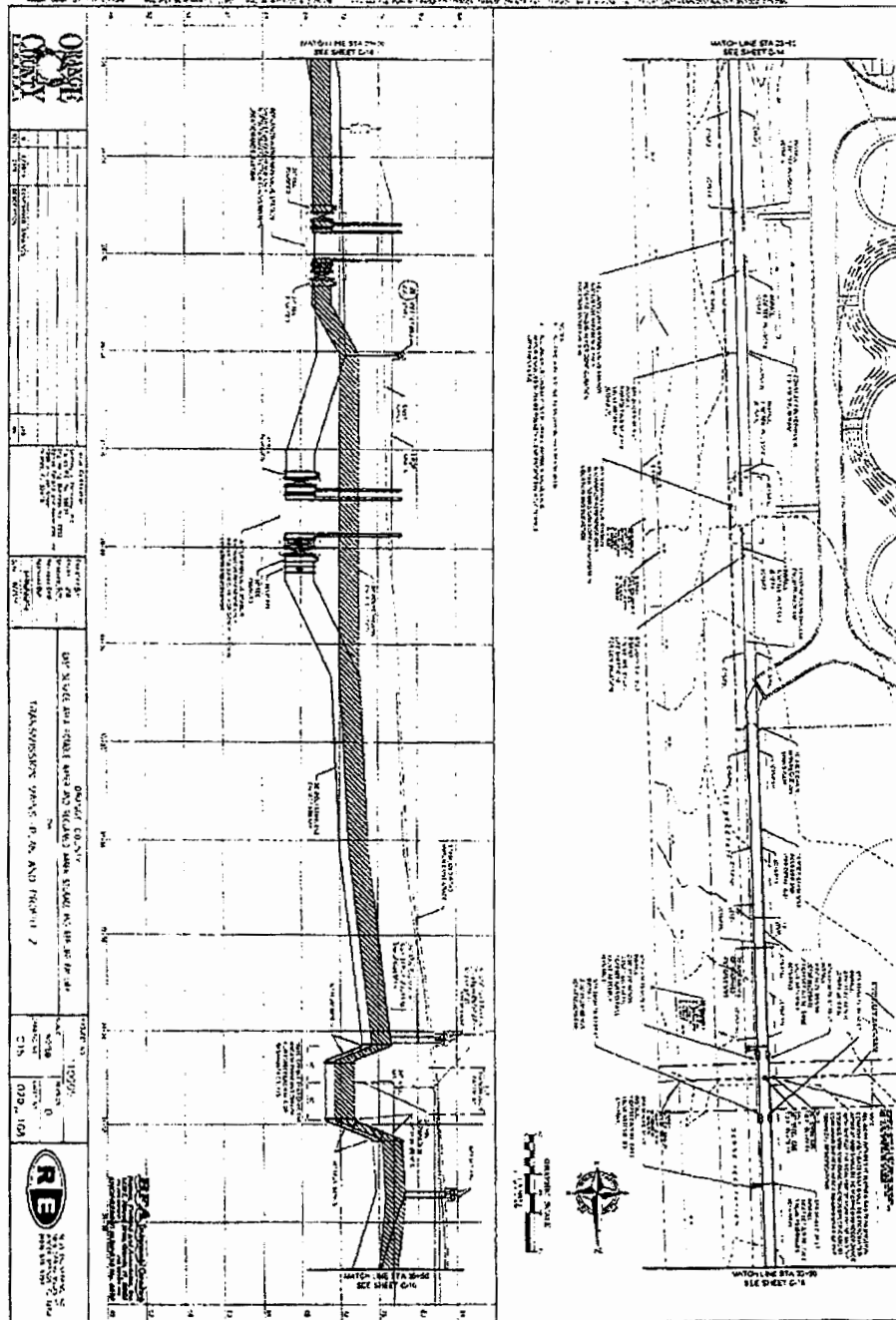
County Project: East Service Area Potable Water and Reclaimed
Water Storage and Re-pumping Facilities

PROJECT NO.: 16-126
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Amendment of Agreement
Dated June 28, 2016

By and between
Florida Gas Transmission Company, LLC and
Orange County, Florida

PLAT AND DESCRIPTION OF ROADWAY ENCROACHMENT



County Project: East Service Area Potable Water and Reclaimed Water Storage and Re-pumping Facilities

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