



Interoffice Memorandum


APPROVED BY ORANGE  
COUNTY BOARD OF COUNTY  
COMMISSIONERS


BCC Mtg. Date: Jun. 28, 2016

REAL ESTATE MANAGEMENT ITEM 4

**DATE:** June 7, 2016

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

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

**FROM:** Virginia G. Williams, 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 PARTIAL TERMINATION OF EASEMENT AGREEMENT AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Wetherbee Road – Phase II (Sawgrass Pointe Phase 2)  
District 4

**PURPOSE:** To release a portion of the Permanent Fill Slope Easement that is no longer needed.

**ITEM:** Partial Termination of Easement Agreement

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

**REMARKS:**

On February 13, 2007, the Board of County Commissioners approved a Permanent Fill Slope Easement Agreement, recorded in Official Records Book 9121, Page 1153, which contained a provision for automatic termination at such time as development adjoining the Wetherbee Road right-of-way was elevated to such an extent that a fill slope was no longer needed. KB Home Orlando, LLC, as successor in title has requested partial termination of the easement to clear title to the lands currently being developed. The Public Works Department has reviewed the construction adjoining Wetherbee Road and acknowledges that the easement is no longer required over the land lying within the proposed plat of Sawgrass Pointe Phase 2.

Developer to 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.**

JUN 28 2016

Project: Wetherbee Road – Phase II  
(Sawgrass Pointe Phase 2)

**PARTIAL TERMINATION OF EASEMENT AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS: That ORANGE COUNTY, a charter county and political subdivision of the state of Florida, the owner and holder of a certain non-exclusive Permanent Fill Slope Easement Agreement executed by Kathie E. Yates, Tommy E. Yates, Gary C. Yates and Glen L. Yates, in their individual capacities, as Personal Representatives of the Estates of Eloise Yates, Deceased and as Personal Representatives of the Estate of Claude L. Yates, Deceased, dated the 24<sup>th</sup> day of October, 2006 and recorded on the 20<sup>th</sup> day of February, 2007, in Official Records Book 9121, Page 1153, of the Public Records of Orange County, Florida, upon the property situate in the said State and County described as follows, to-wit:

See Attached Exhibit "A"

County hereby acknowledges that the use and conditions for a portion of the land which the said easement was granted have been fulfilled and a portion of the said easement is now and forever terminated and extinguished as it applies to the Sawgrass Pointe, Phase 2 plat (not yet recorded), as further described in the attached Exhibit "B" and hereby directs the Comptroller of Orange County to record this Partial Termination of Easement Agreement and thus make the same a matter of record.

IN WITNESS WHEREOF, Orange County, Florida has caused its presents to be executed as of the day and year written below.

(Official Seal)



Orange County, Florida  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

Date: 6.28.16

Attest: Martha O. Haynie,  
Orange County Comptroller  
as Clerk of the Board of County Commissioners

By: *Katie Smith*  
Deputy Clerk

**Katie Smith**

Printed 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

# EXHIBIT "A"

**Surveyor's Notes:**

Lands shown hereon were not abstracted for easements, rights of way, ownership or other matters by this firm.

The legal description was prepared by the Surveyor

See Sheet 2 of 2 for sketch of description.

Bearings are based on an assumed bearing of N 00°32'46" W, along the west line of the Northwest 1/4 of Section 19, Township 24 South, Range 30 East, Orange County, Florida.

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

O.R.B. - Official Records Book

OUC - Orlando Utilities Commission

**Legal Description**

A portion of Section 19, Township 24 South, Range 30 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of said Section 19; thence run S 00°32'46" E, along the west line of the Northwest 1/4 of said Section 19, a distance of 83.98 feet for the POINT OF BEGINNING; thence departing the west line of the Northwest 1/4 of said Section 19, run S 89°59'52" E, a distance of 32.41 feet to a point of curvature of a curve, concave northerly, having a radius of 5779.65 feet and a central angle of 06°27'38"; thence run easterly, along the arc of said curve, a distance of 651.69 feet to the point of reverse curvature with a curve, concave southerly, having a radius of 7589.53 feet and a central angle of 03°18'55"; thence run easterly, along the arc of said curve, a distance of 439.14 feet to the point of tangency thereof; thence run N 86°51'25" E, a distance of 2504.57 feet to a point of curvature of a curve, concave southerly, having a radius of 11,409.00 feet and a central angle of 01°34'31"; thence run easterly, along the arc of said curve, a distance of 313.66 feet to a point; thence run S 02°04'07" E, a distance of 20.00 feet to a point of curvature of a non-tangent curve, concave southerly, having a radius of 11,389.00 feet and a central angle of 01°34'34"; thence on a chord bearing of S 87°38'42" W, run 313.29 feet along the arc of said curve to the point of tangency thereof; thence run S 86°51'25" W, a distance of 2504.57 feet to a point of curvature of a curve, concave southerly, having a radius of 7569.53 feet and a central angle of 03°18'55"; thence run westerly, along the arc of said curve, a distance of 437.98 feet to the point of reverse curvature with a curve, concave northerly, having a radius of 5799.65 feet and a central angle of 06°27'38"; thence run westerly, along the arc of said curve, a distance of 653.95 feet to the point of tangency thereof; thence run N 89°59'52" W, a distance of 32.21 feet to a point on the aforesaid west line of the Northwest 1/4 of said Section 19; thence run N 00°32'46" W, along the west line of the Northwest 1/4 of said Section 19, a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 1.81 acres, more or less.

Sketch of Description  
of a  
**20' Wide Slope Easement**

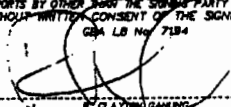

lying in

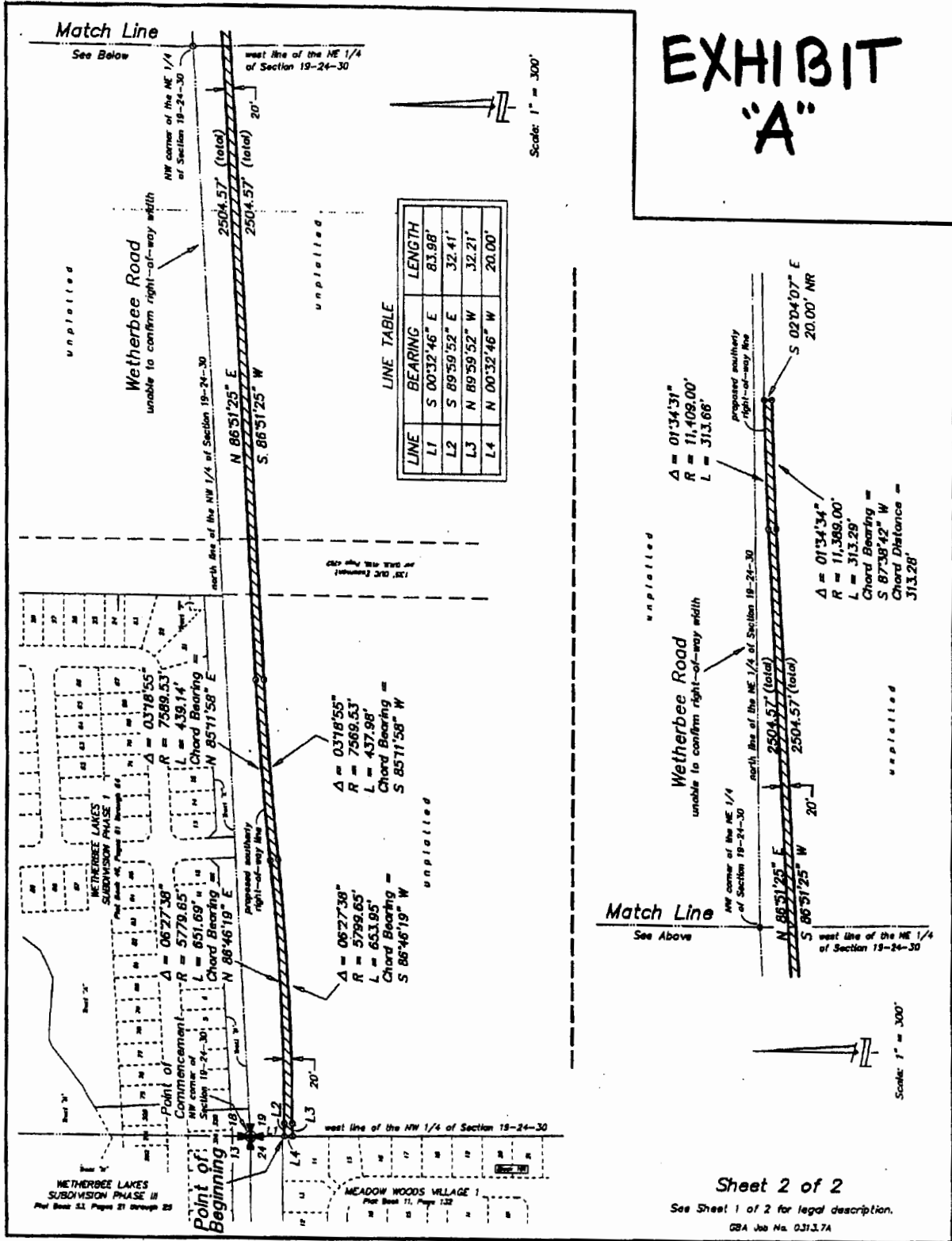
Section 19, Township 24 South, Range 30 East  
Orange County, Florida

revised - 7/13/08.

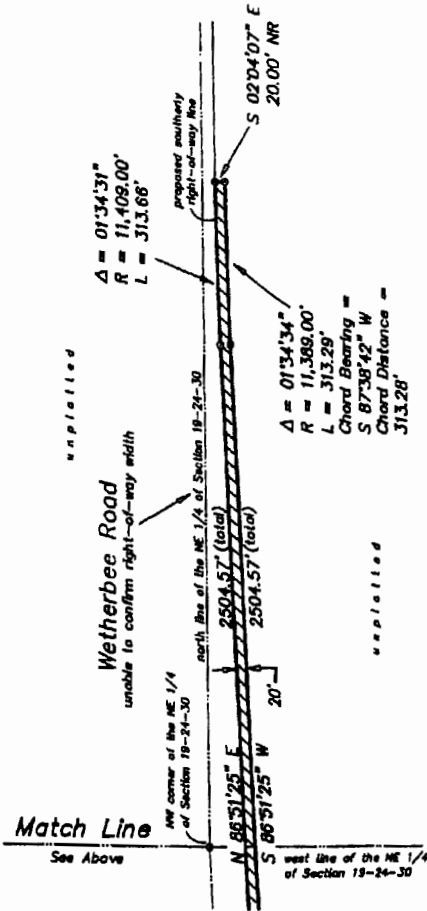
**SKETCH OF DESCRIPTION ONLY - NOT A SURVEY**

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.

PREPARED FOR: <b>Titan Properties</b>		JOB NO. 0313.7A	SURVEY NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS AND OR SURVEY REPORTS BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. GBA LB NO. 7184  IF FLA. TITLE REQUIRED REG. FILE NO. 4238
 <b>GANUNG - BELTON ASSOCIATES, INC.</b> professional surveyors and mappers		SHEET 1 of 2	
1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656		DATE 11/10/05	
		SCALE as noted	



# EXHIBIT "A"



Sheet 2 of 2

See Sheet 1 of 2 for legal description.  
GBA Job No. 0313.7A

**Surveyor's Notes:**

Lands shown hereon were not abstracted for easements, rights of way, ownership or other matters by this firm.

The legal description was prepared by the Surveyor.

See Sheet 3 of 3 for sketch of description.

See Sheet 2 of 3 for geometry datum.

Bearings are based on an assumed bearing of N 00°32'46" W, along the west line of the Northwest 1/4 of Section 19, Township 24 South, Range 30 East, Orange County, Florida.

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

**EXHIBIT**  
**"A"**

**Legal Description**

A portion of Section 19, Township 24 South, Range 30 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of said Section 19; thence run S 00°32'46" E, along the west line of the Northwest 1/4 of said Section 19, a distance of 1517.04 feet for the POINT OF BEGINNING; thence, departing said west line, run N 57°50'03" E, a distance of 54.33 feet to a point of curvature of a curve, concave southwesterly, having a radius of 47.00 feet and a central angle of 78°45'40"; thence run easterly, along the arc of said curve, a distance of 64.61 feet to the point of tangency thereof; thence run S 43°24'18" E, a distance of 141.05 feet to a point of curvature of a curve, concave southwesterly, having a radius of 147.00 feet and a central angle of 42°33'44"; thence run southeasterly, along the arc of said curve, a distance of 109.20 feet to the point of tangency thereof; thence run S 00°50'34" E, a distance of 24.27 feet to a point of curvature of a curve, concave northeasterly, having a radius of 253.00 feet and a central angle of 25°55'00"; thence run southeasterly, along the arc of said curve, a distance of 114.44 feet to the point of reverse curvature with a curve, concave northwesterly, having a radius of 47.00 feet and a central angle of 80°59'12"; thence run southwesterly, along the arc of said curve, a distance of 66.43 feet to the point of tangency thereof; thence run S 54°13'39" W, a distance of 67.37 feet; thence run N 71°53'41" W, a distance of 109.23 feet; thence run N 76°30'54" W, a distance of 41.93 feet; thence run N 16°33'16" E, a distance of 6.26 feet; thence run S 73°09'07" E, a distance of 130.97 feet to a point of curvature of a curve, concave northwesterly, having a radius of 35.00 feet and a central angle of 52°37'14"; thence run easterly, along the arc of said curve, a distance of 32.14 feet to the point of tangency thereof; thence run N 54°13'39" E, a distance of 45.96 feet to a point of curvature of a curve, concave northwesterly, having a radius of 35.00 feet and a central angle of 82°08'42"; thence run northeasterly, along the arc of said curve, a distance of 50.18 feet to the point of reverse curvature with a curve, concave northeasterly, having a radius of 265.00 feet and a central angle of 27°04'30"; thence run northwesterly, along the arc of said curve, a distance of 125.23 feet to the point of tangency thereof; thence run N 00°50'34" W, a distance of 24.27 feet to a point of curvature of a curve, concave southwesterly, having a radius of 135.00 feet and a central angle of 42°33'44"; thence run northwesterly, along the arc of said curve, a distance of 100.28 feet to the point of tangency thereof; thence run N 43°24'18" W, a distance of 143.09 feet to a point of curvature of a curve, concave southwesterly, having a radius of 35.00 feet and a central angle of 78°45'40"; thence

(continued)

**Sketch of Description**  
of a  
**Slope Easement**

lying in

Section 19, Township 24 South, Range 30 East  
Orange County, Florida

**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.

PREPARED FOR: <b>Titan Properties, Inc.</b>	JOB NO. 0313.84	SURVEY NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS AND OR SURVEY REPORTS BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY. GAA LB No. 7194
 <b>GANUNG - BELTON ASSOCIATES, INC.</b>	SHEET 1 of 3	
professional surveyors and mappers	DATE 7/12/06	G. CLAYTON GANUNG
1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656	SCALE 1" = 60'	REG. FILE NO. 4238

# EXHIBIT "A"

(continued)

run northwesterly, along the arc of said curve, a distance of 48.11 feet to the point of tangency thereof; thence run S 57°50'03" W, a distance of 29.08 feet to a point of curvature of a curve, concave southeasterly, having a radius of 45.00 feet and a central angle of 58°22'49"; thence run southwesterly, along the arc of said curve, a distance of 45.85 feet to the point of tangency thereof; said point being a point lying 5.00 feet easterly of (when measured perpendicular to) the aforesaid west line of the Northwest 1/4 of said Section 19; thence run S 00°32'46" E, parallel with said west line, a distance of 281.54 feet to a point of curvature of a curve, concave northeasterly, having a radius of 45.00 feet and a central angle of 70°46'45"; thence, departing said parallel line, run southeasterly, along the arc of said curve, a distance of 55.59 feet to a point; thence run S 16°33'16" W, a distance of 7.46 feet; thence run N 76°30'54" W, a distance of 34.01 feet to a point on the aforesaid west line of the Northwest 1/4 of said Section 19; thence run N 00°32'46" W, along said west line, a distance of 356.72 feet to the POINT OF BEGINNING.

Containing 0.23 acres, more or less.

LINE TABLE

LINE	BEARING	LENGTH
L1	N 57°50'03" E	54.33'
L2	N 76°30'54" W	41.93'
L3	N 16°33'16" E	6.26'
L4	N 54°13'39" E	45.96'
L5	S 57°50'03" W	29.08'
L6	S 16°33'16" W	7.46'
L7	N 76°30'54" W	34.01'

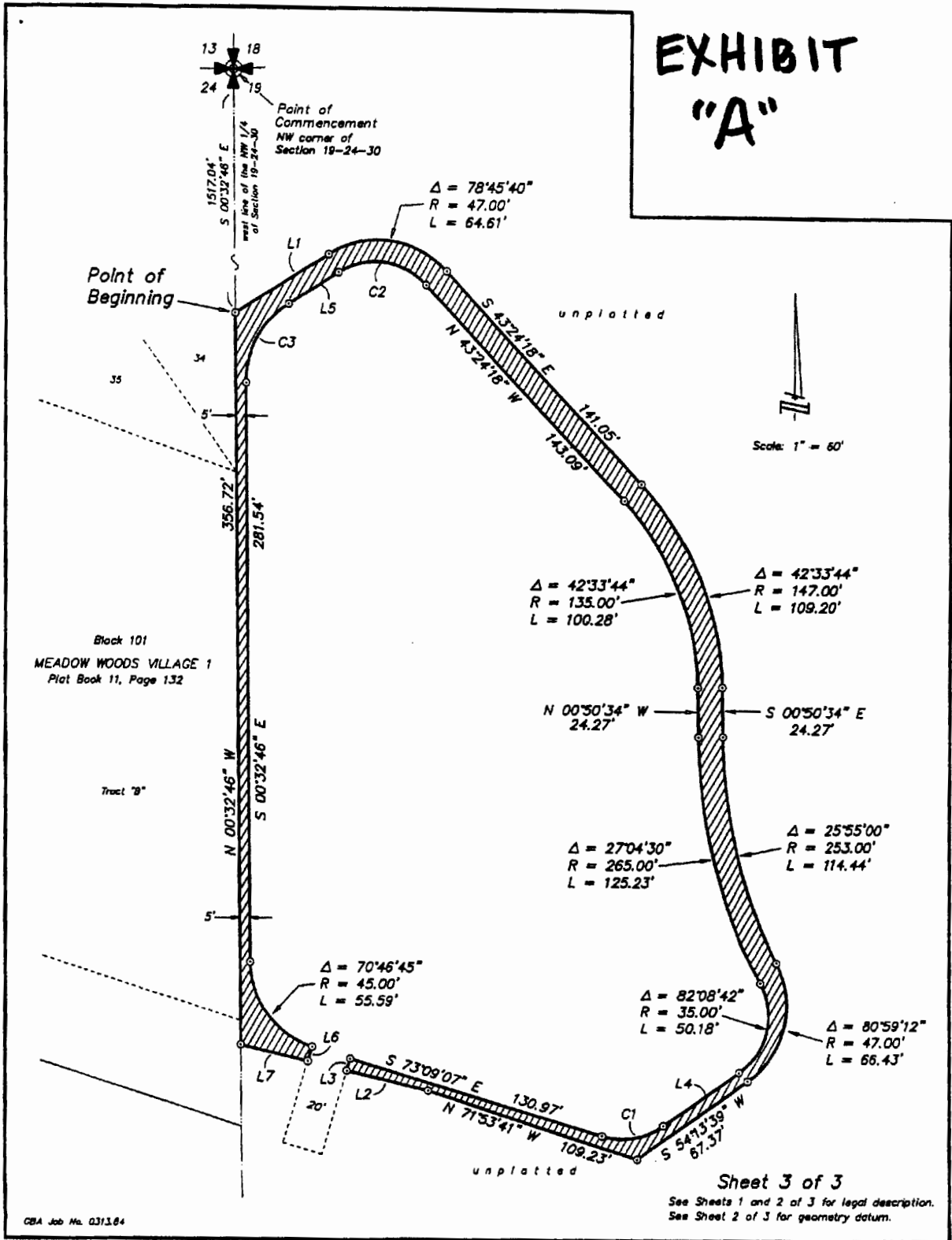
CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	52°37'14"	35.00'	32.14'	N 80°32'16" E	31.03'
C2	78°45'40"	35.00'	48.11'	N 82°47'07" W	44.41'
C3	58°22'49"	45.00'	45.85'	S 28°38'38" W	43.89'

Sheet 2 of 3

See Sheets 1 and 2 of 3 for legal description.  
See Sheet 3 of 3 for sketch of description.

# EXHIBIT "A"





**Sawgrass Pointe Phase 2**

## LEGAL DESCRIPTION

A PORTION OF SECTION 19, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE RUN SOUTH 00°32'46" EAST ALONG THE WEST LINE OF NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 19, A DISTANCE OF 83.98 FEET FOR A POINT OF BEGINNING, SAID POINT ALSO BEING A POINT ON THE EXISTING SOUTH RIGHT OF WAY LINE OF WETHERBEE ROAD PER OFFICIAL RECORDS BOOK 9121, PAGE 1134 OF THE PUBLIC RECORDS OF SAID ORANGE COUNTY, FLORIDA; THENCE SOUTH 89°59'52" EAST ALONG SAID RIGHT OF WAY, A DISTANCE OF 32.41 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5,779.65 FEET, A CENTRAL ANGLE OF 06°19'40" AND CHORD DISTANCE OF 637.99 FEET WHICH BEARS NORTH 86°50'18" EAST; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE A DISTANCE OF 638.31 FEET TO A POINT ON SAID CURVE; THENCE, DEPARTING SAID CURVE AND SAID SOUTH RIGHT OF WAY LINE, RUN SOUTH 06°06'44" EAST, A DISTANCE OF 120.51 FEET; THENCE SOUTH 06°19'39" EAST, A DISTANCE OF 54.96 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5,954.65 FEET, A CENTRAL ANGLE OF 00°46'02" AND CHORD DISTANCE OF 79.73 FEET WHICH BEARS SOUTH 84°03'22" WEST; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 79.73 FEET TO A POINT ON SAID CURVE; THENCE, DEPARTING SAID CURVE RUN, SOUTH 15°59'05" EAST, A DISTANCE OF 94.52 FEET; THENCE SOUTH 17°31'04" EAST, A DISTANCE OF 27.59 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 6,074.65 FEET, A CENTRAL ANGLE OF 03°04'03" AND CHORD DISTANCE OF 325.17 FEET WHICH BEARS SOUTH 85°45'29" WEST; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 325.21 FEET TO A POINT ON SAID CURVE; THENCE, DEPARTING SAID CURVE, RUN SOUTH 00°32'46" EAST, A DISTANCE OF 250.19 FEET; THENCE NORTH 84°06'30" EAST, A DISTANCE OF 35.15 FEET; THENCE NORTH 89°27'14" EAST, A DISTANCE OF 309.25 FEET; THENCE SOUTH 75°49'56" EAST, A DISTANCE OF 0.78 FEET; THENCE SOUTH 00°32'46" EAST, A DISTANCE OF 119.80 FEET; THENCE SOUTH 27°03'33" EAST, A DISTANCE OF 55.88 FEET; THENCE SOUTH 00°32'46" EAST, A DISTANCE OF 120.00 FEET; THENCE NORTH 89°27'14" EAST, A DISTANCE OF 117.84 FEET; THENCE SOUTH 33°51'33" WEST, A DISTANCE OF 147.97 FEET; THENCE SOUTH 20°55'39" WEST, A DISTANCE OF 51.96 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 670.00 FEET, A CENTRAL ANGLE OF 10°40'00" AND CHORD DISTANCE OF 124.55 FEET WHICH BEARS SOUTH 15°43'21" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 124.73 FEET TO A POINT ON SAID CURVE; THENCE, DEPARTING SAID CURVE, RUN SOUTH 89°27'14" WEST, A DISTANCE OF 371.56 FEET; THENCE SOUTH 00°32'46" EAST, A DISTANCE OF 55.00 FEET; THENCE SOUTH 11°11'06" EAST, A DISTANCE OF 53.52 FEET; THENCE SOUTH 43°24'18" EAST, A DISTANCE OF 141.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 420.00 FEET, A CENTRAL ANGLE OF 43°57'34" AND CHORD DISTANCE OF 314.39 FEET WHICH BEARS SOUTH 21°25'30" EAST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 322.24 FEET TO A POINT ON SAID CURVE; THENCE, DEPARTING SAID CURVE, RUN SOUTH 70°45'19" EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 19°14'41" WEST, A DISTANCE OF 120.00 FEET; THENCE SOUTH 26°26'41" WEST, A DISTANCE OF 50.40 FEET; THENCE SOUTH 19°14'41" WEST, A DISTANCE OF 135.22 FEET; THENCE NORTH 72°34'56" WEST, A DISTANCE OF 16.86 FEET; THENCE NORTH 74°41'08" WEST, A DISTANCE OF 132.68 FEET; THENCE NORTH 72°10'43" WEST, A DISTANCE OF 126.84 FEET; THENCE NORTH 71°53'41" WEST, A DISTANCE OF 109.23 FEET; THENCE NORTH 76°31'10" WEST, A DISTANCE OF 95.96 FEET TO A POINT ON THE AFORESAID WEST LINE OF NORTHWEST 1/4 OF SECTION 19; THENCE RUN ALONG SAID WEST LINE OF NORTHWEST 1/4 NORTH 00°32'46" WEST, A DISTANCE OF 1,789.83 FEET TO THE POINT OF BEGINNING.