



Interoffice Memorandum

APPROVED BY ORANGE  
COUNTY BOARD OF COUNTY  
COMMISSIONERS

BCC Mtg. Date: September 13, 2016

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** August 18, 2016

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

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

**FROM:** Monica L. Hand, Senior Title Examiner *MH*  
Real Estate Management Division

**CONTACT PERSON:** Ann Caswell, Manager

**DIVISION:** Real Estate Management  
Phone: (407) 836-7082

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF PARTIAL TERMINATION OF  
TEMPORARY UTILITY EASEMENT BY ORANGE COUNTY AND  
AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Ashton Station Roadways A, B & D – Utility File #66246  
District 4

**PURPOSE:** To release a portion of a Temporary Utility Easement that is no longer  
needed.

**ITEM:** Partial Termination of Temporary Utility Easement  
Size: 775 square feet

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

**REMARKS:**

On May 8, 2012, the Orange County Board of County Commissioners approved a Temporary Utility Easement which is now a part of an area known as Education Village. This Partial Termination of Temporary Utility Easement will release that portion of the easement area that the County no longer needs, since the portion being released is now located on a platted public road known as Andric Lane.

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.**

Project: Ashton Station Roadways A, B & D – Utility File #66246

**PARTIAL TERMINATION OF TEMPORARY UTILITY EASEMENT**

**THIS PARTIAL TERMINATION OF TEMPORARY UTILITY EASEMENT** by ORANGE COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida, whose mailing address is P. O. Box 1393, Orlando, Florida 32802-1393 (the “County”).

**RECITALS:**

**WHEREAS**, the County is the present grantee and beneficiary of certain rights and privileges set forth in that certain Temporary Utility Easement dated March 13, 2012 that was originally conveyed to Orange County, Florida and recorded in Official Records Book 10375, Page 2472, of the Public Records of Orange County, Florida (the “Easement”); and

**WHEREAS**, the Easement provided for utility rights over the land described therein in order to enter upon, excavate, construct, and maintain water lines, wastewater lines, reclaimed water lines and any other utility facilities, over, under and upon such land; and

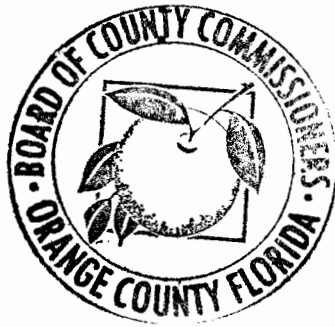
**WHEREAS**, the County has agreed to terminate a portion of the Easement at the request of the property owner in order to develop their property.

**NOW, THEREFORE**, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the County does hereby covenant and agree as follows:

AGENT & DCC  
RETURN TO REAL ESTATE  
MANAGEMENT DIVISION

1. The foregoing Recitals are true and correct and are incorporated herein by this reference and made a part hereof.
2. Without releasing any other rights or any other portion of the Easement area, the County hereby releases, only that area of the Easement described on Exhibit “A” attached hereto and made a part hereof, and declares that its rights and privileges with respect only to such portion described in such Exhibit “A” are of no further force and effect.

**IN WITNESS WHEREOF**, this Partial Termination of Temporary Utility Easement has been executed by the Orange County Mayor following approval by the Board of County Commissioners as of the day and year written below.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

Date: 9.13.16

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

By: *Katie Smith*  
Deputy Clerk  
**Katie Smith**

Printed Name

**This instrument prepared by:**

Monica L. Hand, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

# EXHIBIT A

## SKETCH OF DESCRIPTION

TEMPORARY UTILITY EASEMENT

**DESCRIPTION:**

That part of Section 19, Township 24 South, Range 31 East, Orange County, Florida, described as follows:

Commence at the intersection of the Northerly right-of-way line of Vickrey Place, according to the plat of VICKREY PLACE, as recorded in Plat Book 76, Pages 38 and 39, of the Public Records of Orange County, Florida, and the West right-of-way line of Narcoossee Road, as described in Official Records Book 9838, Page 5903, of the Public Records of Orange County, Florida, being a point on a curve concave Northwesterly having a radius of 50.00 feet and a chord bearing of S45°34'11"W; thence departing said West right-of-way line run Southwesterly along said Northerly right-of-way line and the arc of said curve through a central angle of 89°15'07" for a distance of 77.89 feet to the point of tangency; thence N89°48'15"W along said Northerly right-of-way line, 421.19 feet to the point of curvature of a curve concave Northeasterly having a radius of 25.00 feet and a chord bearing of N44°30'19"W; thence departing said Northerly right-of-way line run Northwesterly along the arc of said curve through a central angle of 90°35'53" for a distance of 39.53 feet to the point of tangency; thence N00°47'37"E, 312.00 feet to the POINT OF BEGINNING; thence continue N00°47'37"E, 25.00 feet; thence N89°12'23"W, 31.00 feet; thence S00°47'37"W, 25.00 feet; thence S89°12'23"E, 31.00 feet to the POINT OF BEGINNING.

Containing 0.018 acres (775 square feet) more or less and being subject to any rights-of-way, restrictions and easements of record.

**NOTES:**

- This is not a survey.
- Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- Bearings based on the Northerly right-of-way line of Vickrey Place, according to the plat of VICKREY PLACE, as recorded in Plat Book 76, Pages 38 & 39, as being N89°48'15"W, per plat
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm. No title opinion or abstract of matters affecting title or boundary to the subject property or those of adjoining land owners have been provided. It is possible there are deeds of record, unrecorded deeds or other instruments which could affect the boundaries or use of the subject property.

**PREPARED FOR:**

**Narcoossee Land Holding Two, Inc.**  
 ASHTON STATION - EDUCATION VILLAGE  
 ORANGE COUNTY UTILITIES - SM-12 (TEMPORARY UTILITY EASEMENT)

DATE	BY	DESCRIPTION
		REVISIONS



**DONALD W. McINTOSH ASSOCIATES, INC.**  
 ENGINEERS PLANNERS SURVEYORS  
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4088  
 CERTIFICATE OF AUTHORIZATION NO. LB68

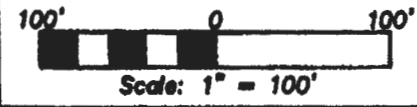
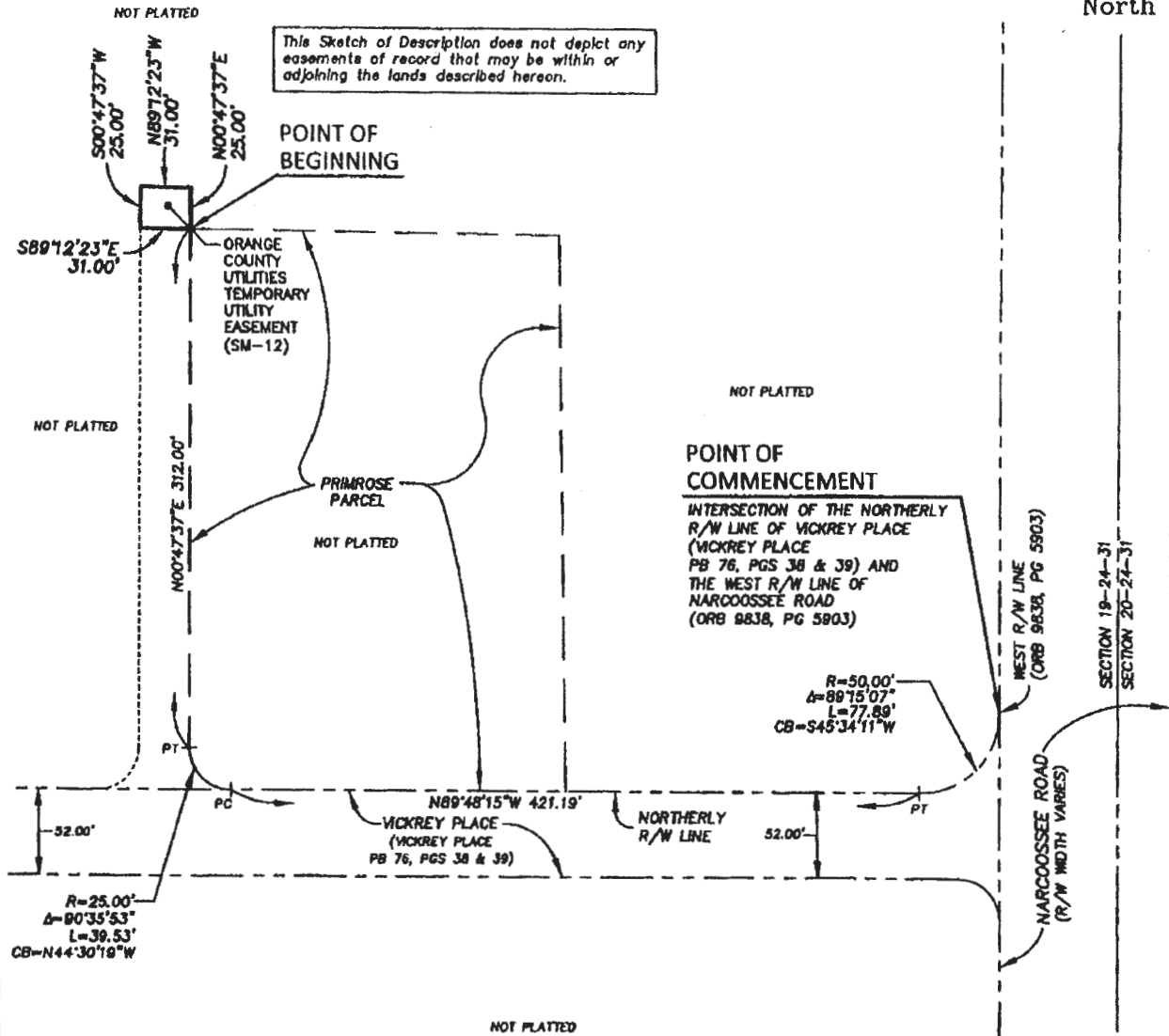
DONALD W. McINTOSH ASSOCIATES, INC.  
 CERTIFICATE OF AUTHORIZATION NO. LB68  
 December 19, 2011  
 Surveyor and Mapper  
 No. 5045  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DRAWN BY: <u>PH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>10060.0255</u>	SCALE <u>N/A</u>	SHEET <u>1</u>
DATE: <u>12/19/11</u>	DATE: <u>12/19/11</u>			OF <u>2</u>

# SKETCH OF DESCRIPTION

SEE SHEET 1 FOR DESCRIPTION, AND NOTES.

TEMPORARY UTILITY EASEMENT



### LEGEND

SEC 19-24-31	SECTION, TOWNSHIP, RANGE
SM	SANITARY MANHOLE
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
R/W	RIGHT-OF-WAY
OCU	ORANGE COUNTY UTILITIES
ORB	OFFICIAL RECORDS BOOK
PG(S)	PAGE(S)
PB	PLAT BOOK
No.	NUMBER
Δ	CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
CB	CHORD BEARING

PREPARED FOR:  
**Narcoossee Land Holding Two, Inc.**  
 ASHTON STATION - EDUCATION VILLAGE  
 ORANGE COUNTY UTILITIES - SM-12 (TEMPORARY UTILITY EASEMENT)

**DONALD W. McINTOSH ASSOCIATES, INC.**  
 ENGINEERS PLANNERS SURVEYORS  
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
 CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: <u>PH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>10060.0255</u>	SCALE <u>1"=100'</u>	SHEET <u>2</u>
DATE: <u>12/19/11</u>	DATE: <u>12/19/11</u>			OF <u>2</u>