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## MEMORANDUM

CLIENT-MATTER NO.: 19125.0082

TO:

Central Florida Expressway

**Authority Board Members** 

FROM:

David A. Shontz

DATE:

April 28, 2015

RE:

State Road 429 Wekiva Parkway, Project 429-204

Subordination of Easements Agreement with Duke Energy Florida, Inc.

Shutts & Bowen LLP, as right-of-way counsel, submits the attached Subordination of Easements Agreement between the Central Florida Expressway Authority ("CFX") and Duke Energy Florida, Inc. d/b/a Duke Energy ("Duke Energy") and requests the Board approve this agreement relating to Parcels 237, 238, 251, 262, 264, and 265 of the State Road 429 Wekiva Parkway Project 429-204.

#### **DESCRIPTION AND BACKGROUND:**

As part of the acquisition of parcels 237, 238, 251, 262, 264 and 265 in Section 429-204 of the Wekiva Parkway Project, Duke Energy held perpetual easements for the transmission and distribution of electricity encumbering the above-referenced parcels. Although the recorded easements provided Duke the ability to locate transmission and distribution lines, the only lines physically located in the field were distribution lines to provide electrical service to the various parcels acquired. Duke will not be required to re-establish the distribution lines on these parcels as the improvements are being removed as part of the project. Accordingly, Duke has agreed to subordinate its easement interests in the above-referenced parcels.

Please find attached hereto the Subordination of Easements Agreement by and between the CFX and Duke for the parcels referenced herein. This Subordination Agreement has been previously entered into by the parties for both sections 429-202 and 429-203. The execution and recording of this Subordination of Easements Agreement will allow acquisition of the needed property without additional costs to be incurred by the CFX, as it would avoid the requirement to pay any and all attorney's fees and expert's costs associated with Duke's apportionment claims and/or relocation of utilities cost claim.

It is in the best interest of the Central Florida Expressway Authority to approve this Subordination of Easements Agreement, and will result in savings of both time and monies for CFX.

#### **REQUESTED ACTION:**

Right-of-way counsel respectfully requests the Board approve the attached Subordination of Easements Agreement as to Parcels 237, 238, 251, 262, 264, and 265 of the State Road 429 Wekiva Parkway Project 429-204.

#### **ATTACHMENTS:**

Subordination of Easements Agreement by and between the Central Florida Expressway Authority and Duke Energy Florida, Inc., d/b/a Duke Energy as to Parcels 237, 238, 251, 262, 264, and 265.

ORLDOCS 13994422 2

Prepared By and Return To: David A. Shontz, Esquire Shutts & Bowen LLP 200 South Orange Avenue, Suite 1000 Orlando, Florida 32801

#### SUBORDINATION OF EASEMENTS AGREEMENT

THIS SUBORDINATION OF EASEMENTS AGREEMENT, entered into this day of April, 2015, by and between the CENTRAL FLORIDA EXPRESSWAY AUTHORITY, a public corporation of the State of Florida (the "Authority"), having an address of 4974 ORL Tower Road, Orlando, Florida 32807, and DUKE ENERGY FLORIDA, INC. d/b/a Duke Energy (the "Utility"), having an address of P.O. Box 14042, St. Petersburg, Florida 33733.

#### **RECITALS:**

WHEREAS, the Utility has perpetual easement(s) for the transmission and distribution of electricity encumbering certain lands hereinafter described that have been determined necessary for expressway purposes; and

WHEREAS, the proposed use of these lands for expressway purposes shall require subordination of the interest in such lands by the Utility to the Authority; and

WHEREAS, the Utility has the authority to subordinate its interest as hereinafter set forth; and

WHEREAS, the Authority is willing to replace Utility's perpetual easements with new easements encumbering different lands and pay for the removal or relocation of Utility's facilities.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, Utility and Authority agree as follows:

- 1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein by this reference.
- 2. <u>Subordination</u>. The Utility subordinates to the Authority, its successors and assigns, any and all of its easements only to the extent they encumber listed property in the lands described as follows, to wit:

See Composite Exhibit "A" attached hereto and incorporated by reference herein

for the purpose of constructing, improving, maintaining and operating an expressway and appurtenant improvements over, through, upon, and/or across such lands.

- 3. <u>Reservation of Rights.</u> The Utility reserves the right to construct, operate, maintain, improve, add to, upgrade, remove, or relocate facilities on, within, and upon the lands described herein in accordance with the Authority's current minimum standards, as may be amended, for such facilities as required by the State of Florida Department of Transportation ("FDOT"), Utility Accommodation Guide.
- 4. Relocation of Easements. Should the Authority require the Utility to alter, remove, adjust, or relocate its facilities located within any portion of the above-described lands, the Authority hereby agrees to pay the direct costs of such alteration, adjustment, relocation or removal including, but not limited to the cost of acquiring appropriate replacement easements to cover the relocated facilities. Any relocation, alteration or removal of the Utility's facilities not required by the Authority shall be performed at the Utility's sole cost and expense.

#### 5. Maintenance Access by the Utility.

- a. The Utility shall retain the reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 3 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that the exercise of such rights does not unreasonably interfere with the operation and safety of the Authority's expressway. The Utility shall pay tolls for the entry and exit of all its equipment and vehicles and those of its contractor at the prevailing rate.
- b. In the exercise of the rights and privileges under Paragraphs 3 and 5a, above, the Utility shall not damage or disturb any improvements located outside of the easement areas and, upon completion of any work, shall repair and restore any damage to the Authority property or improvements to the satisfaction of the Authority. The Utility shall be responsible for the proper construction, operation, maintenance and repair of the facilities installed and maintained by the Utility, and the Authority shall assume no responsibility or liability for the maintenance, repair or safe operation of such facilities. All entries upon property owned by the Authority by Utility, its employees, agents and contractors, shall be at Utility's risk and expense. The Utility shall agree to indemnify the Authority against any loss or damage directly resulting from the Utility's exercise of its rights outlined in Paragraphs 3 and 5a, above.
- 6. Non-Interference with Facilities. The Authority covenants not to interfere with the Utility's facilities within the easement area on the above-described property. The Authority is a political subdivision of the State of Florida entitled to sovereign immunity, and has no power or authority to expand the scope of its liability; however, to the extent provided by Florida law, the Authority shall indemnify and hold the Utility harmless from any and all damages and injuries, whether to persons or property, resulting from interference with the Utility's facilities by the Authority or by the Authority's contractors, agents or employees.

- 7. <u>Notice of Construction</u>. Except in case of emergency, the Authority shall give a minimum of forty-eight (48) hours' notice to the Utility's local office prior to the commencement of construction over the Utility's easement areas in the above-described property. In emergency situations, Authority shall notify the Utility's office as soon as possible.
- 8. General Provisions. No failure of either party to exercise any power given hereunder or to insist upon strict compliance with any obligation specified herein shall constitute a waiver of either party's right to demand strict compliance with the terms hereof. This Agreement contains the entire agreement of the parties hereto, and no representations, inducements, promises or agreements, oral or otherwise, between the parties not embodied herein shall be of any force or effect. Any amendment to this Agreement shall not be binding upon any of the parties hereto unless such amendment is in writing and executed by the parties. The provisions of this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, personal representatives, successors and assigns. Time is of the essence of this Agreement. The headings inserted at the beginning of each paragraph are for convenience only, and do not add to or subtract from the meaning of the contents of each paragraph. This Agreement shall be interpreted under the laws of Florida. This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations. If any provision of this Agreement or the application thereof to any person or circumstance shall, for any reason and to any extent, be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby but rather shall be enforced to the greatest extent permitted by law.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

[SIGNATURE PAGES TO FOLLOW]

Signed, sealed and delivered in our presence as witnesses:	CENTRAL FLORIDA EXPRESSWAY AUTHORITY
Darlen Mazilla Darlen Mazillo (Print) Name)  Dega Lamare	By: Joseph A Berenis  Print Name: Joseph A Bevenis  Title: Dep Exe Director
(Print Name)	Approved as to form for execution by the Authorized Signatory of the Central Florida Expressway Authority  By: Print Name: David A. Shontz Right of Way Counsel
FLORIDA EXPRESSWAY AUTHORITY, a	knowledged before me this 8th day of prenis as Deputy Exec. Director of CENTRAL municipal corporation, who is personally known to as identification and who did/did not take an oath.
DARLEEN MAZZILCO Notery Public - State of Florida	Notary Public  Print Name  Notary Public, State of Florida  Commission No. <u>FE 879488</u> My commission expires: 3/25/17

Signed, sealed and delivered in our presence as witnesses:	DUKE ENERGY FLORIDA, INC., d/b/a Duke Energy
Bluta Fostel	By: 15 15 15 15 15 15 15 15 15 15 15 15 15
(Print Name)	Print Name: Kris Tirtig  Title: Manager, Land Services
New B	v
(Print Name)	
STATE OF FLORIDA COUNTY OF ORANGE	
Florida Inc. d/h/a Dwke Energy on behalf	acknowledged before me this day of the as MANAGER-DIST. (RDW) of Duke Energy of the corporation, who is personally known to me or dentification and who did/did not take an oath.
	with the
	Notary Public
,	NICE BRANK
	Print Name
	Notary Public, State of Florida
	Commission No. <u>FF 052769</u> My commission expires: SEPT. 10, 2017
Prepared and Approved By:	
Print Name: David A, Shontz, Bsq.	NICK BRANA Notary Public - State of Florida
Received By:	My Comm. Expires Sep 10, 2017 Commission # FF 052769
General Counsel	

PARCEL 237

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE

THAT PART OF LOT 12, EMERY SMITH SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 22 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6176, PAGE 1203, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 27 EAST (A 4"X4" CONCRETE MONUMENT NO IDENTIFICATION AS NOW EXISTS); THENCE SOUTH 00°21'57" WEST ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 2089.57 FEET TO A POINT ON THE SOUTH LINE OF SAID EMERY SMITH SUBDIVISION; THENCE DEPARTING SAID WEST LINE NORTH 89°17'11" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 262.37 FEET TO THE POINT OF BEGINNING AND A POINT ON A NON-TANGENT CURVE; THENCE FROM A TANGENT BEARING OF NORTH 10°18'13" EAST, NORTHEASTERLY 389.55 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 5,653.17 FEET, A CENTRAL ANGLE OF 03°56'53" AND A CHORD BEARING NORTH 12°16'39" EAST TO A POINT ON THE NORTH LINE OF SAID LOT 12; THENCE NORTH 89°19'11" EAST ALONG SAID NORTH LINE, A DISTANCE OF 225.40 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 00°02'23" EAST ALONG THE EAST LINE OF SAID LOT 12, A DISTANCE OF 379,40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12 AND SAID SOUTH LINE OF EMERY SMITH SUBDIVISION; THENCE SOUTH 89° 17' 11" WEST ALONG THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 308.49 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

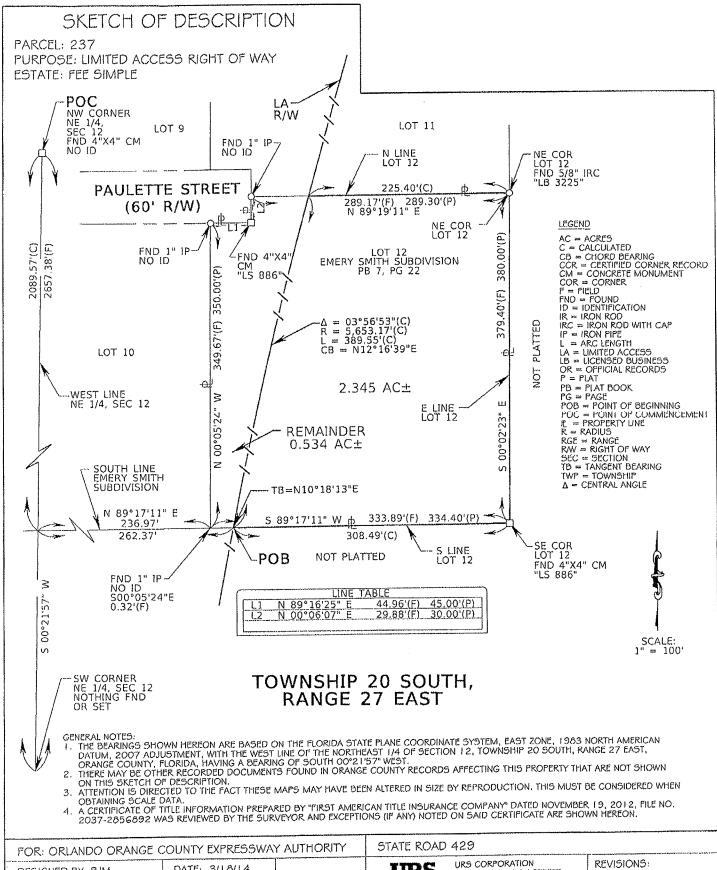
CONTAINING 2.345 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

RUSSERI J. MARKS, PSM NO. 5623

NOT VALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL

FOR: ORLANDO ORANGE CC	DUNTY EXPRESSWAY AUTHORITY	STATE ROAD	429	
DESIGNED BY: RJM	DATE: 3/18/14	URS	URS CORPORATION 315 E. ROBINSON STREET	REVISIONS:
DRAWN BY: SMP	JOB NO:		3UITE 245 ORLANDO, PL 32801-1949 PH (407) 422-0353	
1111101100	OOCEA PROJECT NO: 429-204			SHEET: 1 OF 2



FOR: ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY		STATE ROAD 429		The second secon
DESIGNED BY: RJM	DATE: 3/18/14	URS	URS CORPORATION 315 E. ROBINSON STREET	REVISIONS:
DRAWN BY: SMP	JOB NO:		SUITE 245 ORLANDO, FL 32801-1949 PH (407) 422-0353	
APPROVED BY: RJM	OOCEA PROJECT NO: 429-204		LICENSED BUSINESS NO. 6839	SHEET: 2 OF 2

PARCEL 238

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE

THAT PART OF LOT 11, EMERY SMITH SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 22 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5465, PAGE 127, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 27 EAST (A 4"X4" CONCRETE MONUMENT NO IDENTIFICATION AS NOW EXISTS); THENCE SOUTH 00°21'57" WEST ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1,329.94 FEET TO A POINT ON THE NORTH LINE OF SAID EMERY SMITH SUBDIVISION; THENCE DEPARTING SAID WEST LINE NORTH 89°18'22" EAST ALONG SAID NORTH LINE, A DISTANCE OF 452.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°18'22" EAST ALONG SAID NORTH LINE, A DISTANCE OF 113.23 FEET TO THE NORTHEAST CORNER OF SAID LOT 11; THENCE SOUTH 00°02'23" EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 379.95 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE SOUTH 89°19'11" WEST ALONG THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 225.40 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE FROM A TANGENT BEARING OF NORTH 14°15'06" EAST, NORTHEASTERLY 166.60 FEET ALONG THE ARC OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 5,653.17 FEET, A CENTRAL ANGLE OF 01°41'19" AND A CHORD BEARING OF NORTH 15°05'45" EAST TO THE POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY 230.83 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 4,987.67 FEET, A CENTRAL ANGLE OF 02°39'06" AND A CHORD BEARING OF NORTH 17°15'58" EAST TO A POINT ON THE NORTH LINE OF SAID LOT I I AND SAID NORTH LINE OF EMERY SMITH SUBDIVISION AND THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 1.500 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5.J-1.7, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE SEPRIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

RUSSELL J MARKS, P5M NO. 5623

NOTVALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL

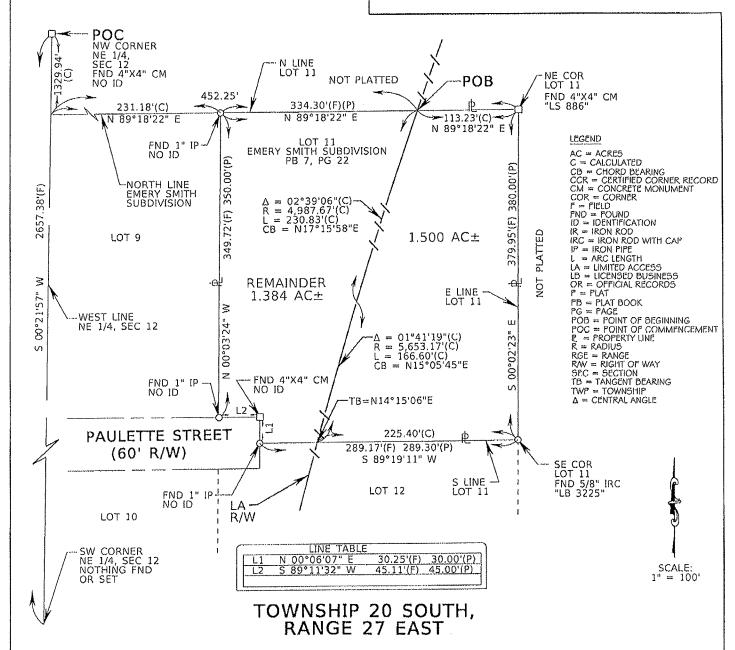
FOR: ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY STATE ROAD 429 REVISIONS: URS CORPORATION 315 E, ROBINSON STREET DESIGNED BY: RJM DATE: 3/18/14 URS **SUITE 245** JOB NO: DRAWN BY: SMP ORLANDO, FL 32801-1949 PH (407) 422-0353 LICENSED BUSINESS NO. 6839 SHEET: 1 OF 2 OOCEA PROJECT NO: 429-204 APPROVED BY: RJM

#### SKETCH OF DESCRIPTION

PARCEL: 238

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE



NEKAL NUTED:
THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN
DATUM, 2007 ADJUSTMENT, WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 27 EAST,
ORANGE COUNTY, FLORIDA, HAVING A BEARING OF SOUTH 00°21"57" WEST.
THERE MAY BE OTHER RECORDED DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY THAT ARE NOT SHOWN
ON THIS SKETCH OF DESCRIPTION.
ATTENTION IS DIRECTED TO THE FACT THESE MARE MAY HAVE BEEN ALTERED IN 1725 BY DEPOCULATION.

ATTENTION IS DIRECTED TO THE FACT THESE MAPS MAY HAVE BEEN ALTERED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN

OBTAINING SCALE DATA. ODIAINING JOALE DATA.
A CERTIFICATE OF TITLE INFORMATION PREPARED BY "FIRST AMERICAN TITLE INSURANCE COMPANY" DATED NOVEMBER 19, 2012, FILE NO. 2037-2856918 WAS REVIEWED BY THE SURVEYOR AND EXCEPTIONS (IF ANY) NOTED ON SAID CERTIFICATE ARE SHOWN HEREON.

FOR: ORLANDO ORANG	SE COUNTY EXPRESSWAY AUTHORITY	STATE ROAD 429	A11144 AFAE   1844
DESIGNED BY: RJM	DATE: 3/18/14	URS URS CORPORATION REVISIONS:	
DRAWN BY: SMP	JOB NO:	9UITE 245 ORLANDO, FL 32801-1949 PH (407) 422-0353	
APPROVED BY: RIM	OOCEA PROJECT NO: 429-204	LICENSED BUSINESS NO. 6839 SHEET: 2 OF 2	

PARCEL 251

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE

THAT PART OF THE SOUTH 1/2 OF THE SE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7844, PAGE 4027 AND BOOK 8432, PAGE 4446, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"THE WEST 110 FEET OF THE EAST 330 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LESS THE SOUTH 30 FEET FOR ROAD RIGHT-OF-WAY."

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR, AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 0.760 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

RUSSELL J. MARKS, PSAI NO. 5623 DATE NOTIVALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL

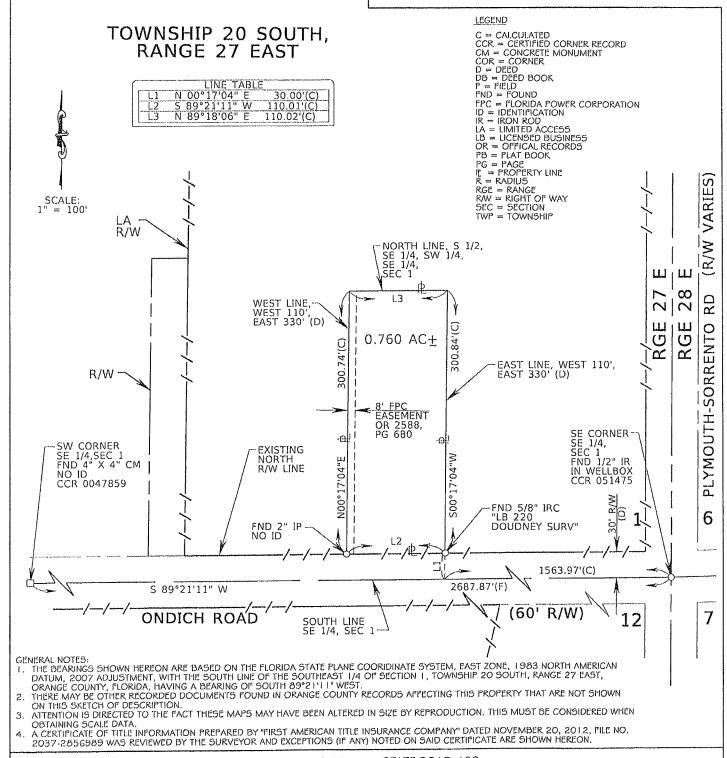
FOR: ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORIT STATE ROAD 429 REVISIONS: URS CORPORATION DATE: 12/18/13 URS DESIGNED BY: RJM 315 E. ROBINSON STREET SUITE 245 DRAWN BY: DJK JOB NO: ORLANDO, FL 32801-1949 PH (407) 422-0353 OOCEA PROJECT NO: 429-204 LICENSED BUSINESS NO. 6839 SHEET: 1 OF 2 APPROVED BY: RJM

### SKETCH OF DESCRIPTION

PARCEL 25 I

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE



	FOR: ORLANDO ORANGE (	COUNTY EXPRESSWAY AUTHORITY	STATE ROAD	429	Annual contraction of the second contraction
	DESIGNED BY: RJM	DATE: 12/18/13	URS	URS CORPORATION 315 E. ROBINSON STREET	REVISIONS:
	DRAWN BY: DJK	JOB NO:		SUITE 245 ORLANDO, FL 32801-1949 PH (407) 422-0353	
Ì	APPROVED BY: RJM	OOCEA PROJECT NO: 429-204		LICENSED BUSINESS NO. 6839	SHEET: 2 OF 2

PARCEL 262

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE

THAT PART OF THE NORTH 1/2 OF THE SE 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8615, PAGE 4918, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"A PORTION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA. LESS THE NORTH 337.86 FEET THEREOF AND ALSO LESS THE EAST 30.00 FEET FOR ROAD PURPOSES.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 1; THENCE ALONG THE EAST LINE OF SAID SECTION 1 NORTH 00 DEGREES 07'20" WEST 663.42 FEET; THENCE SOUTH 89 DEGREES 10'25" WEST 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF PLYMOUTH SORRENTO ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE NORTH 00 DEGREES 07'20" WEST 326.54 FEET; THENCE SOUTH 89 DEGREES 03'09" WEST 639.36 FEET; THENCE SOUTH 00 DEGREES 02'02" WEST 325.39 FEET; THENCE NORTH 89 DEGREES 10'25" EAST 640.23 FEET TO THE POINT OF BEGINNING."

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR, AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 4.786 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5.1-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE PROPERTY SHOWN HEREON.

RUSCELL J. MARKS, FSM NO. 5623

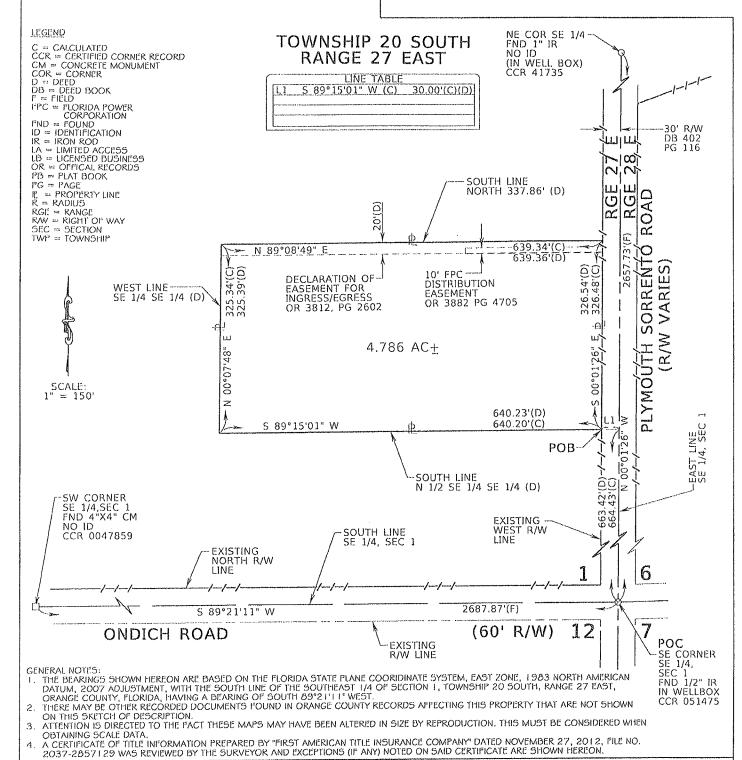
NOT VALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL

FOR: ORLANDO ORANGE CO	DUNTY EXPRESSWAY AUTHORITY	STATE ROAD	429	
DESIGNED BY: RJM	DATE: 12/18/13	URS	315 E. ROBINSON STREET	REVISIONS:
DRAWN BY: DJK	JOB NO:		SUITE 245 ORLANDO, FL 32801-1949 PH (407) 422-0353	
APPROVED BY: RJM	OOCEA PROJECT NO: 429-204			SHEET: 1 OF 2

# SKETCH OF DESCRIPTION PARCEL 262

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE



STATE ROAD 429 FOR: ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY URS CORPORATION REVISIONS: DATE: 12/18/13 DESIGNED BY: RJM 315 E. ROBINSON STREET **SUITE 245** JOB NO: DRAWN BY: DJK ORLANDO, FL 32801-1949 PH (407) 422-0353 LICENSED BUSINESS NO. 6839 SHEET: 2 OF 2 APPROVED BY: RJM OOCEA PROJECT NO: 429-204

PARCEL 264

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4291, PAGE 817, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"BEGINNING AT THE S. E. CORNER OF SECTION 1, TWP 20 S, RGE 27 E, THENCE N 00°10'20" E 1012.14 FEET, THENCE S 89°19'00" W 30.00 FEET TO THE P. O. B. THENCE N 00°10'20" E 213.00 FT, THENCE S 89° 19'00" W 401.21 FEET, THENCE S 00° 10'20" W 85.14 FEET, THENCE 5 89°19'00" W 184.00 FEET THENCE S 00°10'20" W 127.86 FEET, THENCE N. 89°19'00" E 585.21 FEET, TO THE P. O. B."

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR, AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 2.502 ACRES, MORE OR LESS.

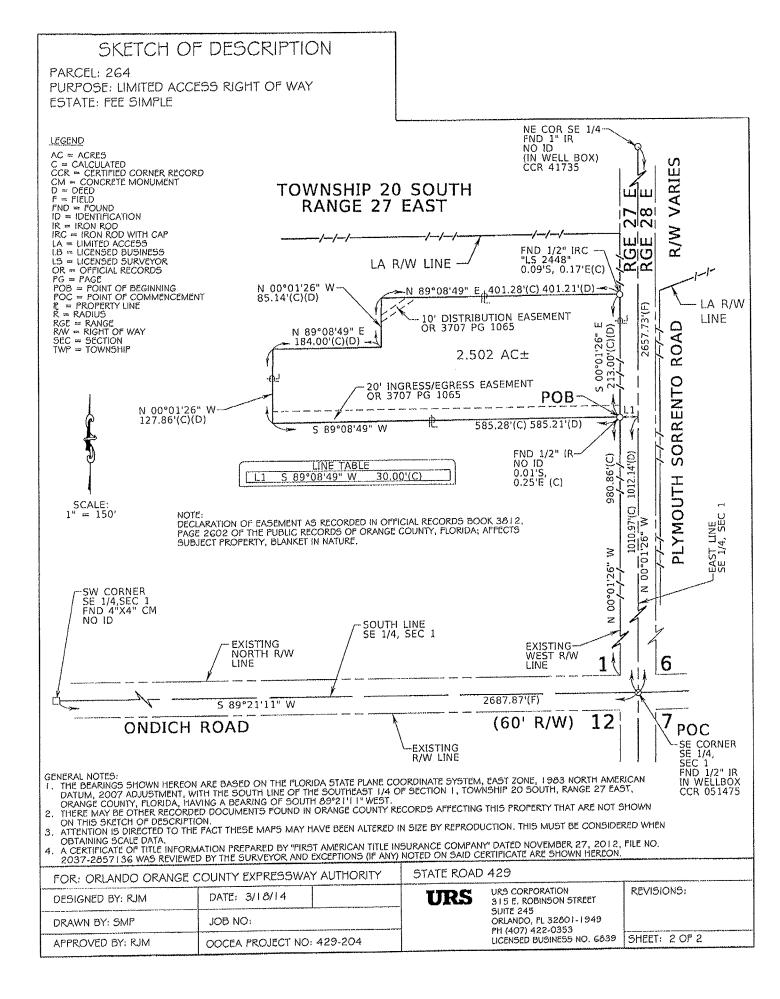
I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

25/14

RUSSELL J. MARKS, PSM NO. 5623

DATE NOT VALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL

FOR: ORLANDO ORANGE CO	DUNTY EXPRESSWAY AUTHORITY	STATE ROAD	429	
DESIGNED BY: RJM	DATE: 3/18/14	URS	URS CORPORATION 3 I S E. ROBINSON STREET	REVISIONS:
DRAWN BY: SMP	JOB NO:		SUITE 245 ORLANDO, FL 32801-1949 PH (407) 422-0353	
APPROVED BY: RJM	OOCEA PROJECT NO: 429-204		LICENSED BUSINESS NO. 6839	SHEET: 1 OF 2



PARCEL 265

PURPOSE: LIMITED ACCESS RIGHT OF WAY

ESTATE: FEE SIMPLE

THAT PART OF THE SOUTHEAST 1/4, OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5354, PAGE 525 AND BOOK 6343, PAGE 2722, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"BEGINNING AT THE SOUTH EAST CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, THENCE NORTH OO DEGREES 10 MINUTES 20 SECONDS EAST 1012.14 FEET, THENCE SOUTH 89 DEGREES 19 MINUTES OO SECONDS WEST 30.00 FEET, THENCE NORTH OO DEGREES 10 MINUTES 20 SECONDS EAST 213.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 19 MINUTES OO SECONDS WEST 401.21 FEET, THENCE SOUTH OO DEGREES 10 MINUTES 20 SECONDS WEST 85.14 FEET, THENCE SOUTH 89 DEGREES 19 MINUTES OO SECONDS WEST 184.00 FEET, THENCE SOUTH OO DEGREES 10 MINUTES OO SECONDS WEST 127.86 FEET, THENCE SOUTH 89 DEGREES 19 MINUTES OO SECONDS WEST 100.00 FEET, THENCE NORTH OO DEGREES 10 MINUTES 20 SECONDS EAST 317.86 FEET, THENCE NORTH 89 DEGREES 19 MINUTES OO SECONDS EAST 685.21 FEET, THENCE SOUTH OO DEGREES 10 MINUTES 20 SECONDS WEST 104.86 FEET, TO THE POINT OF BEGINNING."

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR, AND VIEW TO, FROM OR ACROSS ANY STATE ROAD 429 RIGHT OF WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT OF WAY.

CONTAINING 2.498 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA AUMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE ALORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

DATE

ELL J. MARKS, PSM NO. 5623 NOT VALID WITHOUT SIGNATURE AND CRIGINAL RAISED SEAL

FOR: ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY STATE ROAD 429 REVISIONS: URS CORPORATION DESIGNED BY: RJM DATE: 3/18/14 URS 315 E. ROBINSON STREET SUITE 245 DRAWN BY: SMP JOB NO: ORLANDO, FL 32801-1949 PH (407) 422-0353 APPROVED BY: RJM OOCEA PROJECT NO: 429-204 LICENSED BUSINESS NO. 6839 SHEET: 1 OF 2

#### ESTATE: FEE SIMPLE NE COR SE 1/4 SEC 1 FND 1" IR NO ID LEGEND TOWNSHIP 20 SOUTH (IN WELL BOX) CCR 41735 AC = ACRES C = CALCULATED CCR = CERTIFIED CORNER RECORD CM = CONCRETE MONUMENT ய்ய RANGE 27 EAST $\sim$ CM = CONCRETE MONUMED D = DEED F = FIELD FND = FOUND ID = IDENTIFICATION IR = IRON ROD LA = LIMITED ACCESS LB = LICENSED BUSINESS LS = LICENSED SURVEYOR OF = OPERIOL PERCEPORES VARIE ころ 10' DISTRIBUTION EASEMENT OR 5480 PG 448 NORTH LINE, SE 1/4, SE 1/4, SEC 1 шШ LA R/W RGI RGI R/W 685.28'(C) 685,21'(D) N 89°08'49" E OR = OFFICIAL RECORDS PG = PAGE (E) POB = POINT OF BEGINNING POC = POINT OF COMMENCEMENT PC = PROPERTY LINE PC = RADIUS 2,498 AC± 10' DISTRIBUTION EASEMENT -el 2657.73 OR 3707 PG 1065 .86'(D) POB ш RGE = RANGE RW = RIGHT OF WAY 401.28'(C) 401.21'(D) 5 89°08'49" W 00°01'26" 317.8 SEC = SECTION TWP = TOWNSHIP 20' INGRESS/EGRESS EASEMENT OR 3707 PG 1065 00°01'26" W IRC = IRON ROD & CAP 0 ROAI FND 1/2" IRC "L\$ 2448" 0.09'S, 0.17'E(C) 83 184.00'(C)(D) N 89°08'49" E 317. 0 zÑ ENT SORR L4 **EXISTING** WEST R/W LINE TABLE 89°08'49" W 30.0 00°01'26" E 85. 00°01'26" E 127 89°08'49" W 100. LIME 0 30.00'(C)(D) 85.14'(C)(D) 127.86'(C)(D) 100.00'(C)(D) ₹ | ₹ 980.86 01.26 SCALE: PLYMOUT 1010.97'(C) N 00°0 104.89'(C) 104.86'(D) ≥ 00.01.26" NOTE: DECLARATION OF EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3812, PAGE 2602 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE. EAST LINE SE 1/4, SEC 1 SOUTH LINE SE 1/4, SEC 1 SW CORNER SE 1/4 SEC 1 FND 4"X4" CM EXISTING NORTH R/W NO ID 1 6 2687.87'(F) S 89°21'11" W (60' R/W) 12 ONDICH ROAD EXISTING R/W LINE POC THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 2007 ADJUSTMENT, WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, HAVING A BEARING OF SOUTH 89°21'11" WEST. THERE MAY BE OTHER RECORDED DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY THAT ARE NOT SHOWN ONLTHIS SYSTEM FOR DESCRIPTION. SE CORNER SE 1/4, SEC 1 FND 1/2" IR IN WELLBOX ON THIS SKETCH OF DESCRIPTION ATTENTION IS DIRECTED TO THE FACT THESE MAPS MAY HAVE BEEN ALTERED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALE DATA. A CERTIFICATE OF TITLE INFORMATION PREPARED BY "FIRST AMERICAN TITLE INSURANCE COMPANY" DATED NOVEMBER 27, 2012, FILE NO. 2037-2857143 WAS REVIEWED BY THE SURVEYOR AND EXCEPTIONS (IF ANY) NOTED ON SAID CERTIFICATE ARE SHOWN HEREON. STATE ROAD 429 FOR: ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY URS CORPORATION REVISIONS: DATE: 3/18/14 DESIGNED BY: RJM 315 E. ROBINSON STREET SUITE 245 ORLANDO, FL 32801-1949 DRAWN BY: SMP JOB NO: PH (407) 422-0353 SHEET: 2 OF 2 LICENSED BUSINESS NO. 6839 OOCEA PROJECT NO: 429-204 APPROVED BY: RJM

SKETCH OF DESCRIPTION

PURPOSE: LIMITED ACCESS RIGHT OF WAY

PARCEL 265