

RESOLUTION 2015-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT ("DISTRICT"); PROVIDING FOR THE EXERCISE OF THE POWER OF EMINENT DOMAIN; MAKING CERTAIN FINDINGS RELATIVE THERETO INCLUDING A FINDING OF NECESSITY AND PUBLIC PURPOSE; IDENTIFYING THE PROPERTY AND THE INTEREST IN THE SUBJECT PROPERTY TO BE ACQUIRED THROUGH EMINENT DOMAIN; AUTHORIZING AGENTS OF THE DISTRICT TO TAKE ACTION TO ACQUIRE THE SUBJECT PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Boggy Creek Improvement District (the "District") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District has heretofore determined to undertake the construction, operation and maintenance of certain infrastructure improvements (the "Improvements") as more particularly identified and described in that certain *Amended and Restated Engineer's Report for Capital Improvements for Infrastructure* dated March 18, 2013, and prepared by Donald W. McIntosh Associates, Inc., a copy of which is maintained on file in the records of the District and which is incorporated by reference (the "Engineer's Report"); and

WHEREAS, among other things, the Engineer's Report contemplates that the District will finance, design and construct certain transportation, potable water, reclaimed water and sanitary sewer facilities within the District (the "District Road Network Improvements"); and

WHEREAS, the District when adopting Resolutions 2012-09, 2013-04 and 2013-06 has heretofore determined that the construction of the District Road Network Improvements serves a valid purpose and is in the best interests of the District, its landowners and residents; and

WHEREAS, section 190.011(11), *Florida Statutes*, grants the District the power to "exercise within the district...the right and power of eminent domain, pursuant to the provisions of Chapter 73 and 74, over any property within the state...for the uses and purposes of the district relating solely to water, sewer, district roads, and water management..."; and

WHEREAS, the Engineer's Report contemplates that a portion of the District Road Network Improvements will be located upon certain property owned by Kenny Real Estate Company, LTD, a Florida limited partnership; and

WHEREAS, the District has caused that portion of the Kenny Real Estate Company, LTD, property which is necessary for the construction and operation of the District Road Network Improvements to be surveyed and located and a description of such property is described on Composite Exhibit A attached hereto and incorporated by reference (the "Property"); and

WHEREAS, the District has determined that partial fee acquisition of certain portions of the Property (the "Fee Acquisition Parcels") is necessary to complete the District Road Network Improvements as contemplated in the Engineer's Report and serves a public purpose; and

WHEREAS, the District has determined that acquisition of certain easement rights to certain portions of the Property (the "Easement Parcels") is necessary to complete the District Road Network Improvements as contemplated in the Engineer's Report and serves a public purpose; and

WHEREAS, the District desires to authorize the District Staff (as hereinafter defined) to attempt to acquire the requisite interests in the Property for the District through a voluntary acquisition and, in the event that such efforts are unsuccessful, to acquire the requisite interests in the Property for the District through the exercise of the power of eminent domain as authorized under Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT:

SECTION 1. INCORPORATION OF WHEREAS CLAUSES. The foregoing Whereas clauses are hereby adopted as findings of fact by the District and incorporated herein by reference.

SECTION 2. DECLARATION OF AUTHORITY. The District hereby finds that the District has the authority to exercise the power of eminent domain pursuant to the provisions of section 190.011(11), *Florida Statutes*.

SECTION 3. DECLARATION OF PUBLIC PURPOSE. The District hereby finds and declares that the Property shall be used for the purpose of completing the District Road Network Improvements and that such use constitutes a public purpose.

SECTION 4. DECLARATION OF NECESSITY. The District hereby finds and declares that the acquisition of the requisite interests in the Property by the District is necessary in order to complete the District Road Network Improvements.

SECTION 5. DESCRIPTION OF THE PROPERTY TO BE ACQUIRED. A metes and bounds description of the Fee Acquisition Parcels to be acquired by the District is attached hereto as Composite Exhibit A which is incorporated by reference. The District has surveyed and located its area of construction and intends in good faith to construct the portion of the District Road Network Improvements which is to be located on the Fee Acquisition Parcels. A metes and bounds description of the Easement Parcels for which the District will need temporary construction easements and temporary slope easements over is attached hereto as Composite Exhibit A which is incorporated by reference.

SECTION 6. NATURE OF INTEREST IN THE PROPERTY TO BE ACQUIRED. The District intends to acquire a fee simple interest in the Fee Acquisition Parcels and easement interests in the Easement Parcels.

SECTION 7. AUTHORIZATION OF EXERCISE OF POWER OF EMINENT DOMAIN. Based upon the findings contained in this Resolution, the District hereby finds and determines that it is in the best interest of the District for the District to acquire the requisite interests in the Property through the exercise of the power of eminent domain.

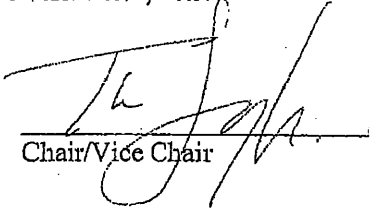
SECTION 8. SATISFACTION OF REQUIRED CONDITIONS PRECEDENT. The District finds that all conditions precedent to the adoption of this Resolution have been satisfied.

SECTION 9. AUTHORIZATION OF DISTRICT STAFF; RATIFICATION OF PRIOR ACTIONS. The District manager, District counsel, and District engineer, and all other members, officers and employees of the District (the "District Staff") are hereby authorized and directed to take all actions necessary and desirable in connection with the acquisition of the requisite interests in the Property and the performance of all actions contemplated by this Resolution. Such actions shall include, but not be limited to, engaging appraisers, surveyors, engineers and other experts as District Staff may determine to be necessary and appropriate in order to prosecute an eminent domain proceeding and filing such petitions as may be necessary to acquire the requisite interests in the Property. Further, District Staff shall be and hereby is authorized to negotiate with Kenny Real Estate Company, LTD, for the purpose of attempting to acquire the requisite interests in the Property prior to the initiation of an eminent domain proceeding as is required by the provisions of section 73.015, *Florida Statutes*, on the basis of and for a price not in excess of the value set forth in that certain *Appraisal of Real Property - Boggy Creek Improvement District - Vacant Land*, dated as of September 27, 2014, prepared by Integra Realty Resources. To the extent that District Staff has taken any action in furtherance of the actions contemplated and approved by this Resolution prior to the effective date of this Resolution, then such actions are hereby confirmed and ratified.

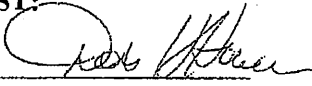
SECTION 10. AUTHORIZATION OF BOARD MEMBERS. Upon District Staff's review and approval of any documentation reasonably associated with the acquisition of the requisite interests in the Property as provided herein, the Chairman of the Board, or in the Chairman's absence or unavailability, the Vice-Chairman of the Board, is authorized to enter into, on behalf of the District, and execute such documentation, if any, necessary to facilitate the acquisition of the requisite interests in the Property. The terms and conditions of all documents to be executed in connection with any of the foregoing shall be determined by the District Staff, or the Chairman of the Board with the approval of District Staff, and the execution and delivery of any such document or instrument by the Chairman of the Board shall constitute conclusive evidence that the terms and conditions contained in said documents or instruments have been approved by the District.

SECTION 11. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

PASSED AND ADOPTED THIS 17TH NOVEMBER, 2017


Chair/Vice Chair

ATTEST:


Secretary/Assistant Secretary

Composite Exhibit A
Legal Description of the Property
Fee Acquisition Parcels

SCHEDULE "A"

Parcel 1018

A portion of Section 27, Township 24 South, Range 30 East, Orange County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 27, Township 24 South, Range 30 East, Orange County, Florida, thence run South 89 degrees 55' 45" East along the South line of said Section 27, a distance of 30.01 feet to the intersection with the East right of way line of Boggy Creek Road as recorded in Deed Book 402, Page 420 of the Public Records of Orange County, Florida and the POINT OF BEGINNING; thence leaving said South line run North 01 degrees 41' 37" East along said East right of way line a distance of 168.60 feet to the intersection with the East right of way line of said Boggy Creek Road as described in Official Records Book 4345, Page 3237 of said Public Records; thence run North 35 degrees 41' 06" East along said East right of way line a distance of 63.28 feet (63.29 feet per deed); thence run North 06 degrees 37' 57" East along said East right of way line a distance of 32.29 feet; thence run South 89 degrees 31' 48" East along said East right of way line a distance of 7.92 feet; thence leaving said East right of way line run South 04 degrees 24' 31" West a distance of 252.73 feet to the intersection with the South line of said Section 27; thence run North 89 degrees 55' 45" West along said South line a distance of 34.12 feet to the POINT OF BEGINNING.

Containing 8,019 square feet, more or less.

THIS IS NOT A SURVEY

BEARINGS BASED ON THE SOUTH LINE OF THE S.W. 1/4 OF SEC. 27, TWP. 24 S., RGE. 30 E BEING S89°55'45"E PER THE BOGGY CREEK RIGHT OF WAY MAP.

COUNTY PROJECT NO. 5085

ROAD NAME: BOGGY CREEK ROAD

REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

Daniel A. Groves
DANIEL A. GROVES, FLORIDA PROFESSIONAL SURVEYOR
AND MAPPER NO. 4625
METRIC ENGINEERING, INC. L.B. NO. 2294



METRIC ENGINEERING, INC.
ENGINEERS - PLANNERS - SURVEYORS
615 CRESCENT EXECUTIVE CT. SUITE 524,
LAKE MARY, FLORIDA 32746
PHONE (407) 644-1898 FAX (407) 644-1921

SECTION 27
TOWNSHIP 24 SOUTH
RANGE 30 EAST

DRAWN BY: D.GROVES
DATE: JUNE 03, 2009

CHECKED BY: D.GROVES
DATE: SEPT. 24, 2009

PARCEL NO.
1018

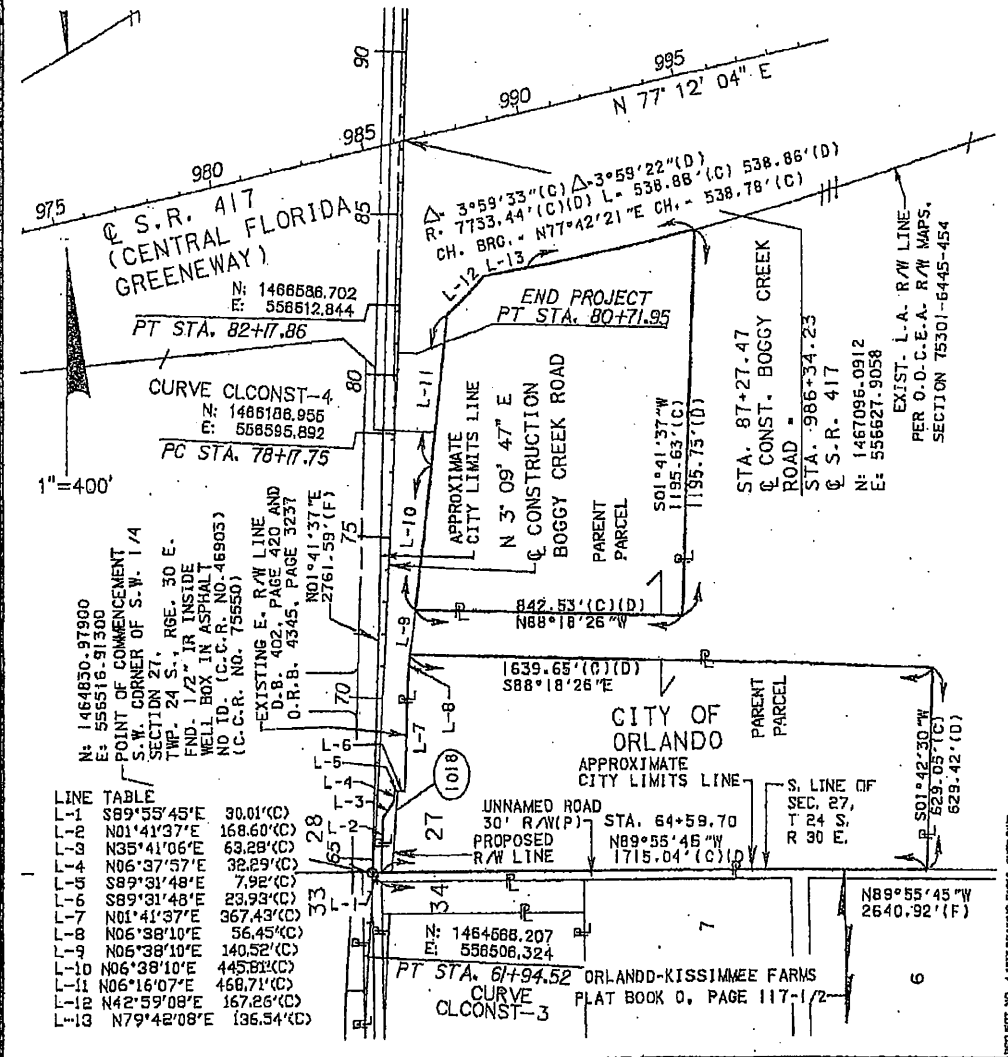
9-28-11 FINAL *DM*
DATE REVISIONS BY

SCALE 1" = NA
SHEET 1 OF 3

PROJECT NO. 41801 DRAWING: F008-SKT-01.01

Composite Exhibit A
Legal Description of the Property
Fee Acquisition Parcels

PARCEL 1018
 SKETCH OF DESCRIPTION
 THIS IS NOT A SURVEY



LEGEND

AD. ACRE
 B. BASELINE
 C. CENTERLINE
 (C) CALCULATED
 CH. BRG. CHORD BEARING
 Δ DELTA/CENTRAL ANGLE

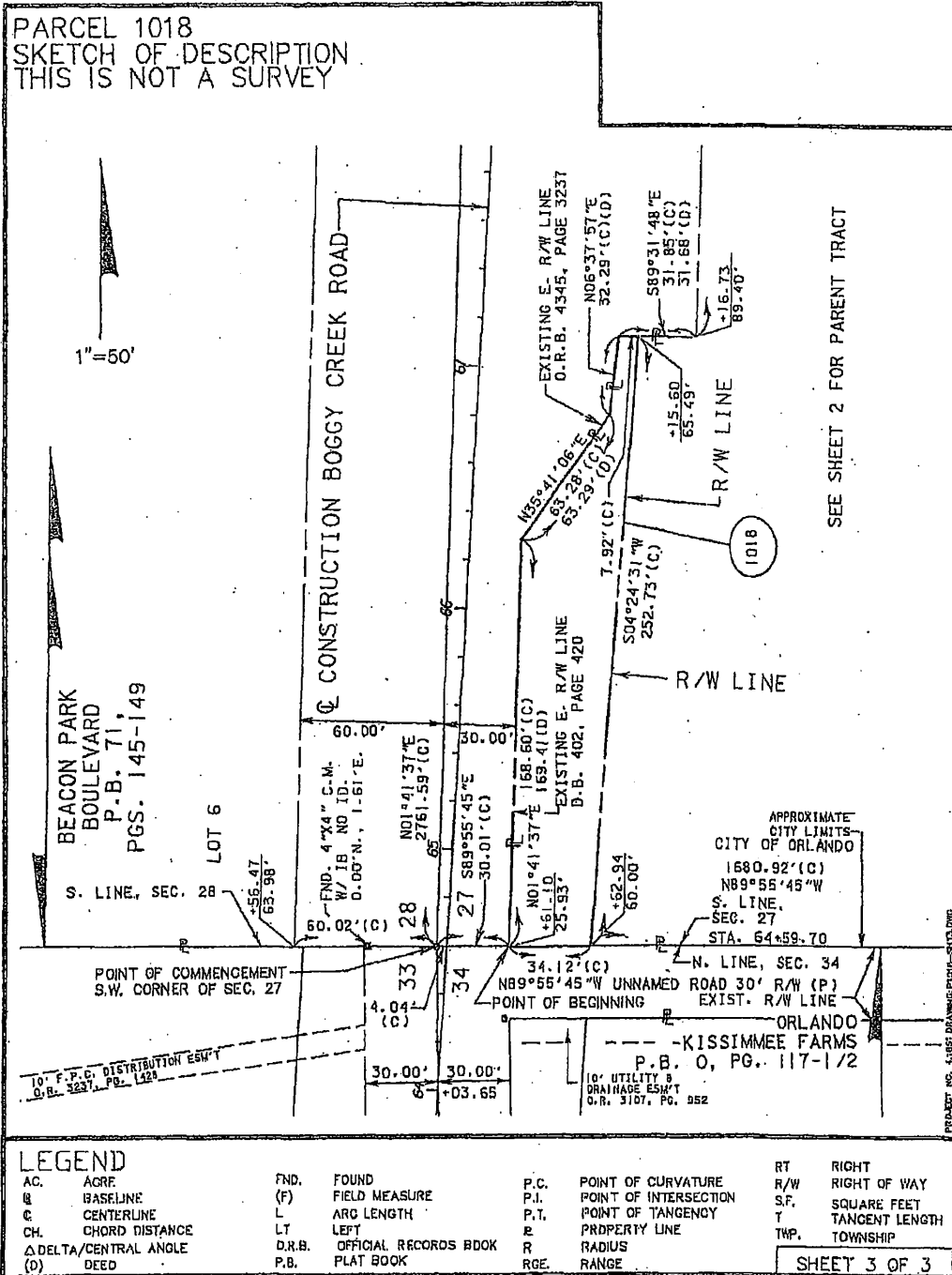
(D) DEED
 ESMT. EASEMENT
 FND. FOUND
 (F) FIELD MEASURE
 L. ARC LENGTH
 LT. LEFT
 D.R.B. OFFICIAL RECORDS BOOK

P.B. PLAT BOOK
 P.C. POINT OF CURVATURE
 P.I. POINT OF INTERSECTION
 P.T. POINT OF TANGENCY
 E. PROPERTY LINE
 R. RADIAL
 RGE. RANGE

RT. RIGHT
 R/W. RIGHT OF WAY
 S.F. SQUARE FEET
 T. TANGENT LENGTH
 TWP. TOWNSHIP

SHEET 2 OF 3

Composite Exhibit A
Legal Description of the Property
Fee Acquisition Parcels



Composite Exhibit A
Legal Description of the Property
Fee Acquisition Parcels

SCHEDULE "A"

Parcel 1018A

A portion of Section 27, Township 24 South, Range 30 East, Orange County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 27, Township 24 South, Range 30 East, Orange County, Florida, thence run South 89 degrees 55' 45" East along the South line of said Section 27, a distance of 30.01 feet to the intersection with the East right of way line of Boggy Creek Road as recorded in Deed Book 402, Page 420 of the Public Records of Orange County, Florida; thence leaving said South line run North 01 degrees 41' 37" East along said East right of way line a distance of 168.60 feet to the intersection with the East right of way line of said Boggy Creek Road as described in Official Records Book 4345, Page 3237 of said Public Records; thence run North 35 degrees 41' 06" East along said East right of way line a distance of 63.28 feet (63.29 feet per deed); thence run North 06 degrees 37' 57" East along said East right of way line a distance of 32.29 feet; thence run South 89 degrees 31' 48" East along said East right of way line a distance of 31.85 feet (31.68 feet per deed); thence run North 01 degrees 41' 37" East along said East right of way line a distance of 367.43 feet (367.33 feet per deed); thence run North 08 degrees 38' 10" East along said East right of way line a distance of 25.27 feet to the POINT OF BEGINNING; thence continue North 06 degrees 38' 10" East along said East right of way line a distance of 31.18 feet to the North line of commercial no. 2 parcel as described in Official Records Book 4797, Page 3447 of said Public Records and the South right of way line of a proposed road; thence leaving said East right of way line run South 88 degrees 18' 28" East along said South right of way line a distance of 20.00 feet; thence leaving said South right of way line run South 37 degrees 50' 14" West a distance of 38.46 feet to the POINT OF BEGINNING.

Containing 311 square feet, more or less.

THIS IS NOT A SURVEY

BEARINGS BASED ON THE SOUTH LINE OF THE S.W. 1/4 OF SEC. 27, TWP. 24 S., RGE. 30 E BEING S89°55'45"E PER THE BOGGY CREEK RIGHT OF WAY MAP.

REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

Daniel A. Groves

DANIEL A. GROVES, FLORIDA PROFESSIONAL SURVEYOR
AND MAPPER NO. 4625
METRIC ENGINEERING, INC. L.B. NO. 2284

COUNTY PROJECT NO. 5085

ROAD NAME: BOGGY CREEK ROAD



METRIC ENGINEERING, INC.
ENGINEERS - PLANNERS - SURVEYORS
815 CRESCENT EXECUTIVE CT. SUITE 524,
LAKE MARY, FLORIDA 32746
PHONE (407) 644-1898 FAX (407) 644-1921

SECTION 27
TOWNSHIP 24 SOUTH
RANGE 30 EAST

DRAWN BY: D.GROVES
DRAWING
DATE: JUNE 03, 2009

CHECKED BY: D.GROVES
DATE: SEPT. 24, 2009

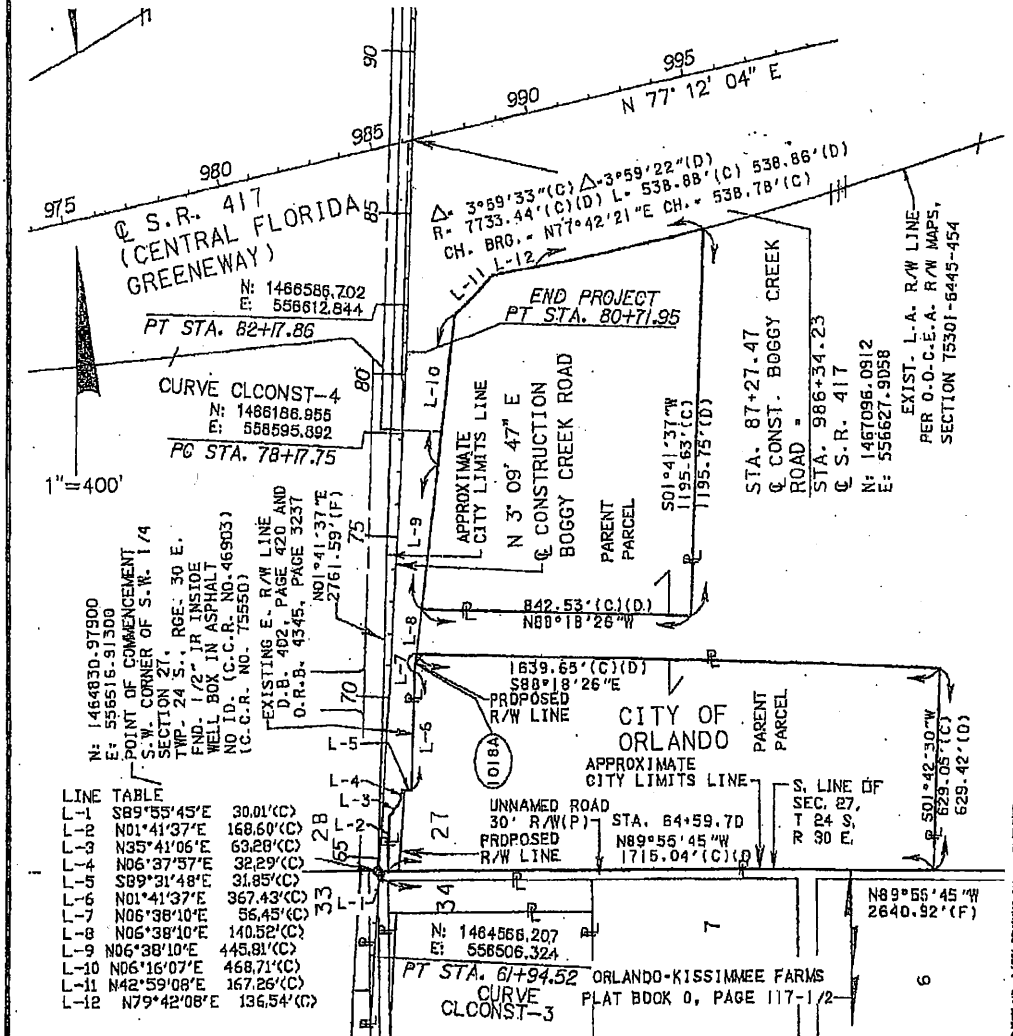
PARCEL NO.
1018A

9-28-11 FINAL Date
DATE REVISIONS BY

SCALE 1" = NA
SHEET 1 OF 3

Composite Exhibit A
Legal Description of the Property
Fee Acquisition Parcels

PARCEL 1018A
 SKETCH OF DESCRIPTION
 THIS IS NOT A SURVEY



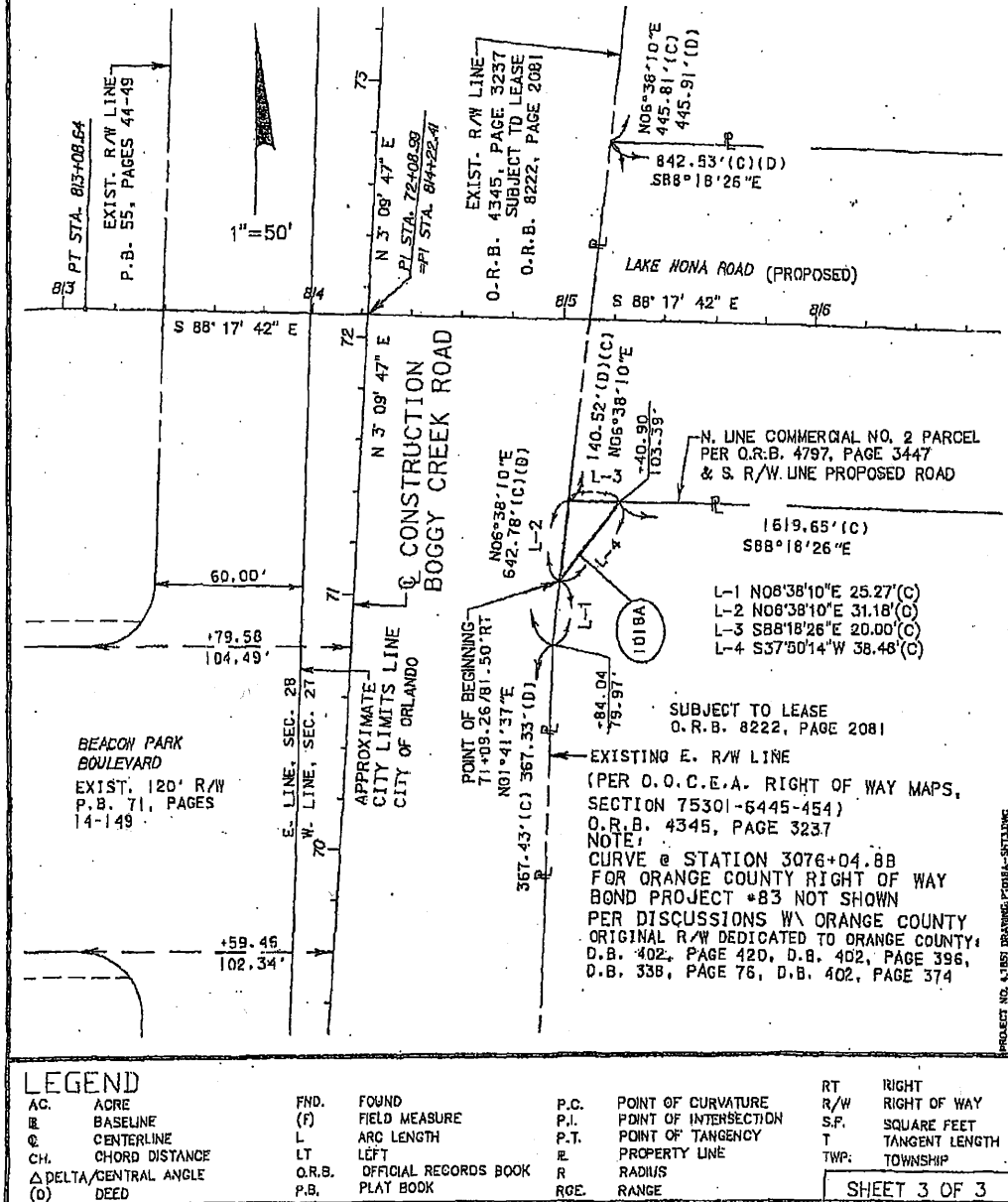
LEGEND

AC.	ACRE	(D)	DEED	P.B.	PLAT BOOK	RT	RIGHT
B.	BASELINE	ESMT.	EASEMENT	P.C.	POINT OF CURVATURE	R/W	RIGHT OF WAY
C.	CENTERLINE	FND.	FOUND	P.I.	POINT OF INTERSECTION	S.F.	SQUARE FEET
(C)	CALCULATED	(F)	FIELD MEASURE	P.T.	POINT OF TANGENCY	T	TANGENT LENGTH
CH. BRO.	CHORD BEARING	L	ARC LENGTH	R	RADIUS	TWP.	TOWNSHIP
Δ	DELTA/CENTRAL ANGLE	L.T.	LEFT	RGE.	RANGE		
		O.R.B.	OFFICIAL RECORDS BOOK				

SHEET 2 OF 3

Composite Exhibit A
Legal Description of the Property
Fee Acquisition Parcels

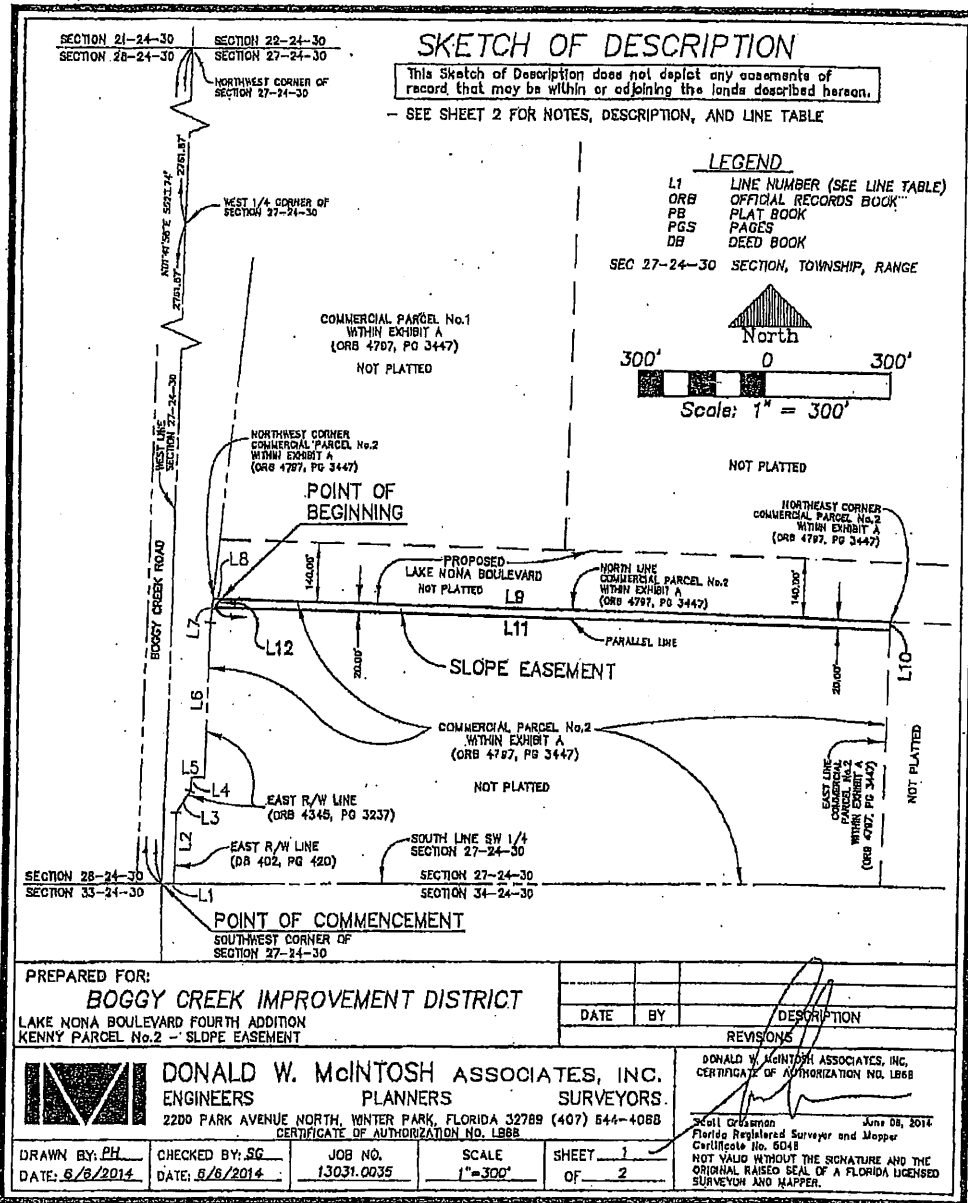
PARCEL 1018A
 SKETCH OF DESCRIPTION
 THIS IS NOT A SURVEY



PARCEL 8018
SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY



Composite Exhibit A
Legal Description of the Property
Easement Parcels



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CS# 14-155(A)

Composite Exhibit A
Legal Description of the Property
Easement Parcels

SKETCH OF DESCRIPTION

DESCRIPTION:

That part of Section 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 27; thence S89°55'36"E along the South line of the Southwest 1/4 of said Section 27 for a distance of 30.01 feet to the East right-of-way line of Boggy Creek Road; as described in Deed Book 402, Page 420, of the Public Records of Orange County, Florida; thence N01°41'56"E along said East right-of-way line, 168.72 feet to the East right-of-way line of Boggy Creek Road, as described in Official Records Book 4345, Page 3237, of the Public Records of Orange County, Florida; thence run the following courses and distances along said East right-of-way line: N35°41'12"E, 63.29 feet; N06°38'30"E, 32.29 feet; S88°31'59"E, 31.85 feet; N01°41'56"E, 367.45 feet; N06°38'30"E, 58.45 feet to the Northwest corner of Commercial Parcel No. 2, as described in Exhibit A of Official Records Book 4787, Page 3447, of the Public Records of Orange County, Florida; thence departing said East right-of-way line run S88°18'08"E along the North line of said Commercial Parcel No. 2 for a distance 20.00 feet to the POINT OF BEGINNING; thence continue S88°18'08"E along said North line, 1619.65 feet to the Northeast corner of said Commercial Parcel No. 2; thence S01°41'54"W along the East line of said Commercial Parcel No. 2 for a distance of 20.00 feet to a line that is 20.00 feet South of and parallel with the aforesaid North line of Commercial Parcel No. 2; thence N88°18'08"W along said parallel line, 1634.26 feet; thence departing said parallel line run N37°50'34"E, 24.77 feet to the POINT OF BEGINNING.

Being subject to any rights-of-way, restrictions and easements of record.

NOTES:

- This is not a survey.
- Bearings based on the South line of the Southwest 1/4 of Section 27-24-30, as being S89°55'36"E (an assumed meridian)
- Lands shown hereon were not obstructed 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. The lands described hereon may be subject to easements and restrictions not shown hereon.
- This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

SEE SHEET 1 FOR SKETCH

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S89°55'36"E	30.01'
L2	N01°41'56"E	168.72'
L3	N35°41'12"E	63.29'
L4	N06°38'30"E	32.29'
L5	S88°31'59"E	31.85'
L6	N01°41'56"E	367.45'
L7	N06°38'30"E	58.45'
L8	S88°18'08"E	20.00'
L9	S88°18'08"E	1619.65'
L10	S01°41'54"W	20.00'
L11	N88°18'08"W	1634.26'
L12	N37°50'34"E	24.77'

PREPARED FOR:
BOGGY CREEK IMPROVEMENT DISTRICT
LAKE NONA BOULEVARD FOURTH ADDITION
KENNY PARCEL No.2 - SLOPE EASEMENT

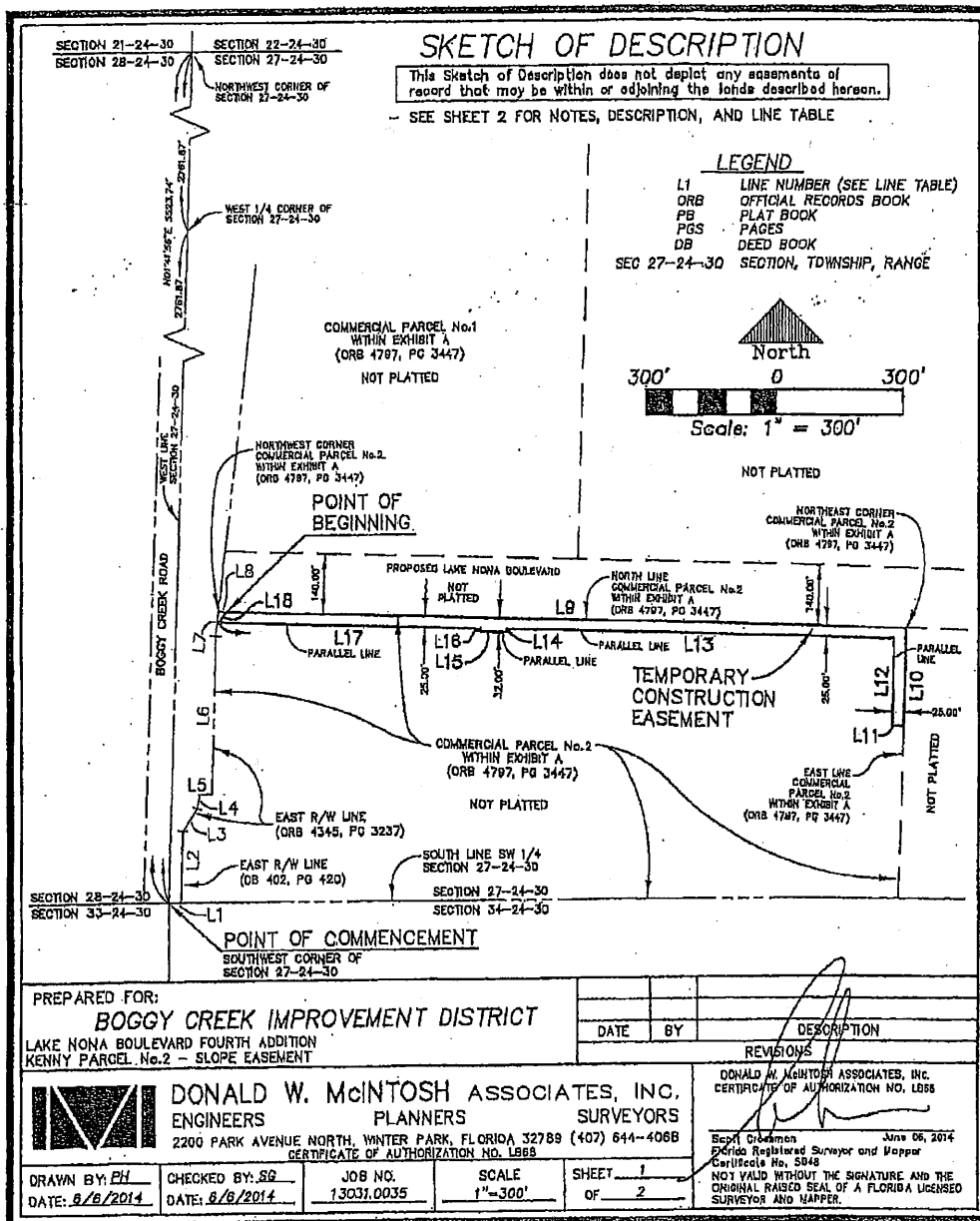
DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4088
CERTIFICATE OF AUTHORIZATION NO. 1888

DRAWN BY: <u>PH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>13031.0035</u>	SCALE <u>N/A</u>	SHEET <u>2</u>
DATE: <u>6/8/2014</u>	DATE: <u>6/8/2014</u>			OF <u>2</u>

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SL13977 CS# 14-155(A)

Composite Exhibit A
Legal Description of the Property
Easement Parcels



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CS# 14-155(B)

Composite Exhibit A
Legal Description of the Property
Easement Parcels

SKETCH OF DESCRIPTION

DESCRIPTION:

That part of Section 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 27; thence S89°55'36"E along the South line of the Southwest 1/4 of said Section 27 for a distance of 30.01 feet to the East right-of-way line of Boggy Creek Road, as described in Deed Book 402, Page 42D, of the Public Records of Orange County, Florida; thence N01°41'56"E along said East right-of-way line, 168.72 feet to the East right-of-way line of Boggy Creek Road, as described in Official Records Book 4346, Page 3237, of the Public Records of Orange County, Florida; thence run the following courses and distances along said East right-of-way line: N35°41'12"E, 63.29 feet; N06°38'30"E, 32.29 feet; S89°31'59"E, 31.85 feet; N01°41'56"E, 367.45 feet; N06°38'30"E, 56.45 feet to the Northwest corner of Commercial Parcel No. 2, as described in Exhibit A of Official Records Book 4797, Page 3447, of the Public Records of Orange County, Florida; thence departing said East right-of-way line run S88°18'06"E along the North line of said Commercial Parcel No. 2 for a distance 20.00 feet to the POINT OF BEGINNING; thence continue S88°18'06"E along said North line, 1619.65 feet to the Northeast corner of said Commercial Parcel No. 2; thence S01°41'54"W along the East line of said Commercial Parcel No. 2 for a distance of 228.50 feet; thence departing said East line run N88°18'06"W, 25.00 feet to a line that is 25.00 feet West of and parallel with the aforesaid East line of Commercial Parcel No. 2; thence N01°41'54"E along said parallel line, 201.50 feet to a line that is 25.00 feet South of and parallel with the aforesaid North line of Commercial Parcel No. 2; thence N88°18'06"W along said parallel line, 824.20 feet; thence departing said parallel line run S01°41'54"W, 7.00 feet to a line that is 32.00 feet South of and parallel with the aforesaid North line of Commercial Parcel No. 2; thence N88°18'06"W along said parallel line, 60.00 feet; thence departing said parallel line run N01°41'54"E, 7.00 feet to a line that is 25.00 feet South of and parallel with the aforesaid North line of Commercial Parcel No. 2; thence N88°18'06"W along said parallel line, 828.71 feet; thence departing said parallel line run N37°50'34"E, 30.96 feet to the POINT OF BEGINNING.

Being subject to any rights-of-way, restrictions and easements of record.

NOTES:

- This is not a survey.
- Bearings based on the South line of THE Southwest 1/4 of Section 27--24--30, as being S89°55'36"E (an assumed meridian)
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SEE SHEET 1 FOR SKETCH

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L5	S89°31'59"E	31.85'
L6	N01°41'56"E	367.45'
L7	N06°38'30"E	56.45'
L8	S88°18'06"E	20.00'
L9	S88°18'06"E	1619.65'
L10	S01°41'54"W	228.50'
L11	N88°18'06"W	25.00'
L12	N01°41'54"E	201.50'
L13	N88°18'06"W	824.20'
L14	S01°41'54"W	7.00'
L15	N88°18'06"W	60.00'
L16	N01°41'54"E	7.00'
L17	N88°18'06"W	828.71'
L18	N37°50'34"E	30.96'

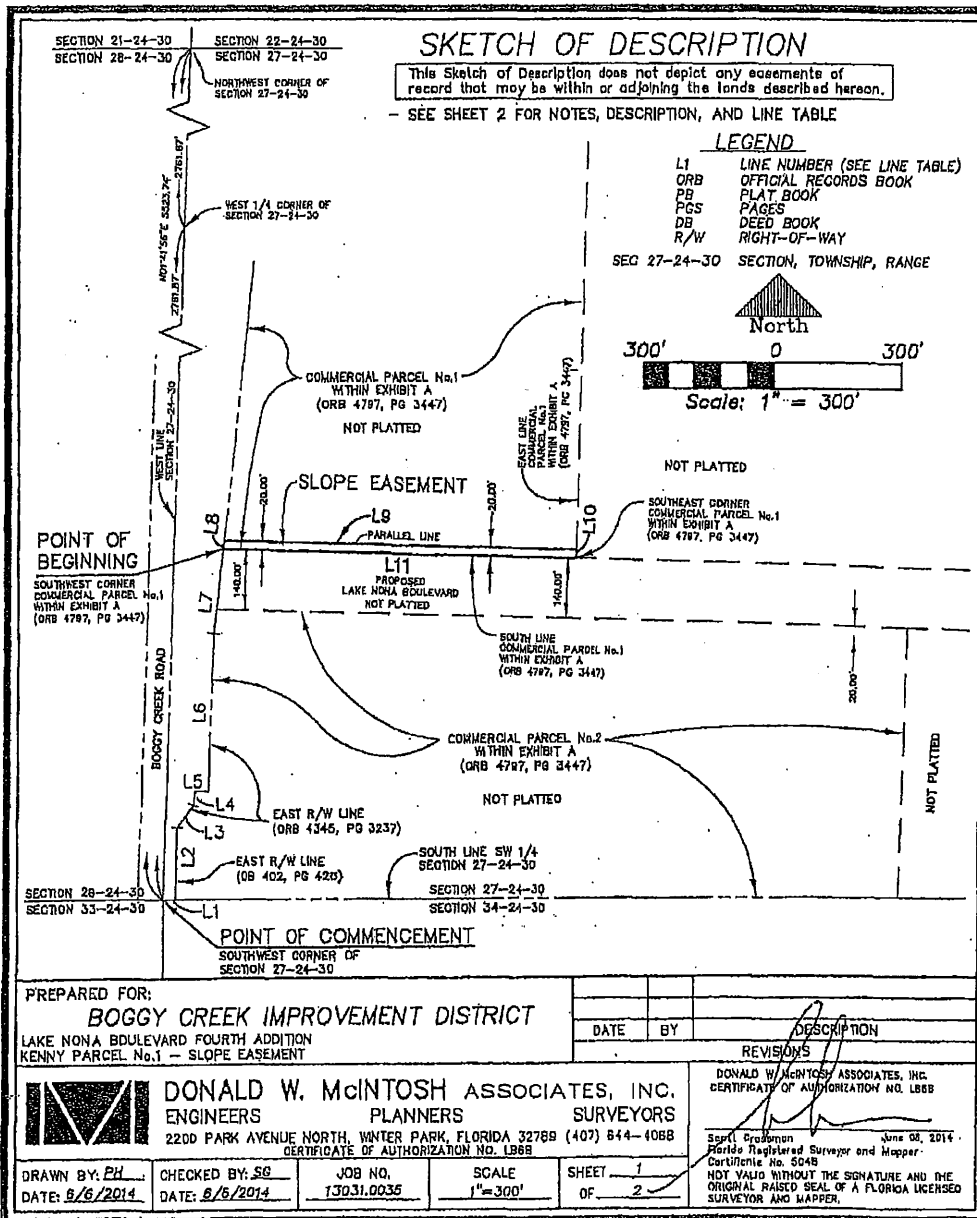
PREPARED FOR:
BOGGY CREEK IMPROVEMENT DISTRICT
LAKE NONA BOULEVARD FOURTH ADDITION
KENNY PARCEL No.2 - SLOPE EASEMENT



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4088
CERTIFICATE OF AUTHORIZATION NO. 1688

DRAWN BY: BH CHECKED BY: SG JOB NO. SCALE SHEET 2
DATE: 6/6/2014 DATE: 6/9/2014 13031.0035 N/A OF 2

Composite Exhibit A
Legal Description of the Property
Easement Parcels



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CS# 14-155(C)

Composite Exhibit A
Legal Description of the Property
Easement Parcels

SKETCH OF DESCRIPTION

DESCRIPTION:

That part of Section 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 27; thence S89°55'36"E along the South line of the Southwest 1/4 of said Section 27 for a distance of 30.01 feet to the East right-of-way line of Boggy Creek Road, as described in Deed Book 402, Page 420, of the Public Records of Orange County, Florida; thence N01°41'56"E along said East right-of-way line, 168.72 feet to the East right-of-way line of Boggy Creek Road, as described in Official Records Book 4345, Page 3237, of the Public Records of Orange County, Florida; thence run the following courses and distances along said East right-of-way line: N35°41'12"E, 63.28 feet; N06°38'30"E, 32.28 feet; S89°31'59"E, 31.85 feet; N01°41'56"E, 367.45 feet; N06°38'30"E, 196.97 feet to the Southwest corner of Commercial Parcel No. 1, as described in Exhibit A of Official Records Book 4797, Page 3447, of the Public Records of Orange County, Florida and the POINT OF BEGINNING; thence continue N06°38'30"E, 20.07 feet to a line that is 20.00 feet North of and parallel with the South line of the said Commercial Parcel No. 1; thence departing said East right-of-way line run S88°18'06"E along said parallel line, 840.80 feet to the East line of said Commercial Parcel No. 1; thence S01°41'54"W along said East line, 20.00 feet to the Southeast corner of said Commercial Parcel No. 1; thence departing said East line run N88°18'06"W along the South line of said Commercial Parcel No. 1 for a distance of 842.53 feet to the POINT OF BEGINNING.

Being subject to any rights-of-way, restrictions and easements of record.

NOTES:

- This is not a survey.
- Bearings based on the South line of the Southwest 1/4 of Section 27-24-30, as being S89°55'36"E (on assumed meridian)
- 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. The lands described hereon may be subject to easements and restrictions not shown hereon.
- This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

SEE SHEET 1 FOR SKETCH

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S89°55'36"E	30.01'
L2	N01°41'56"E	168.72'
L3	N35°41'12"E	63.28'
L4	N06°38'30"E	32.28'
L5	S89°31'59"E	31.85'
L6	N01°41'56"E	367.45'
L7	N06°38'30"E	196.97'
L8	N06°38'30"E	20.07'
L9	S88°18'06"E	840.80'
L10	S01°41'54"W	20.00'
L11	N88°18'06"W	842.53'

PREPARED FOR:
BOGGY CREEK IMPROVEMENT DISTRICT

LAKE NONA BOULEVARD FOURTH ADDITION
KENNY PARCEL No.1 - SLOPE EASEMENT



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. 1988

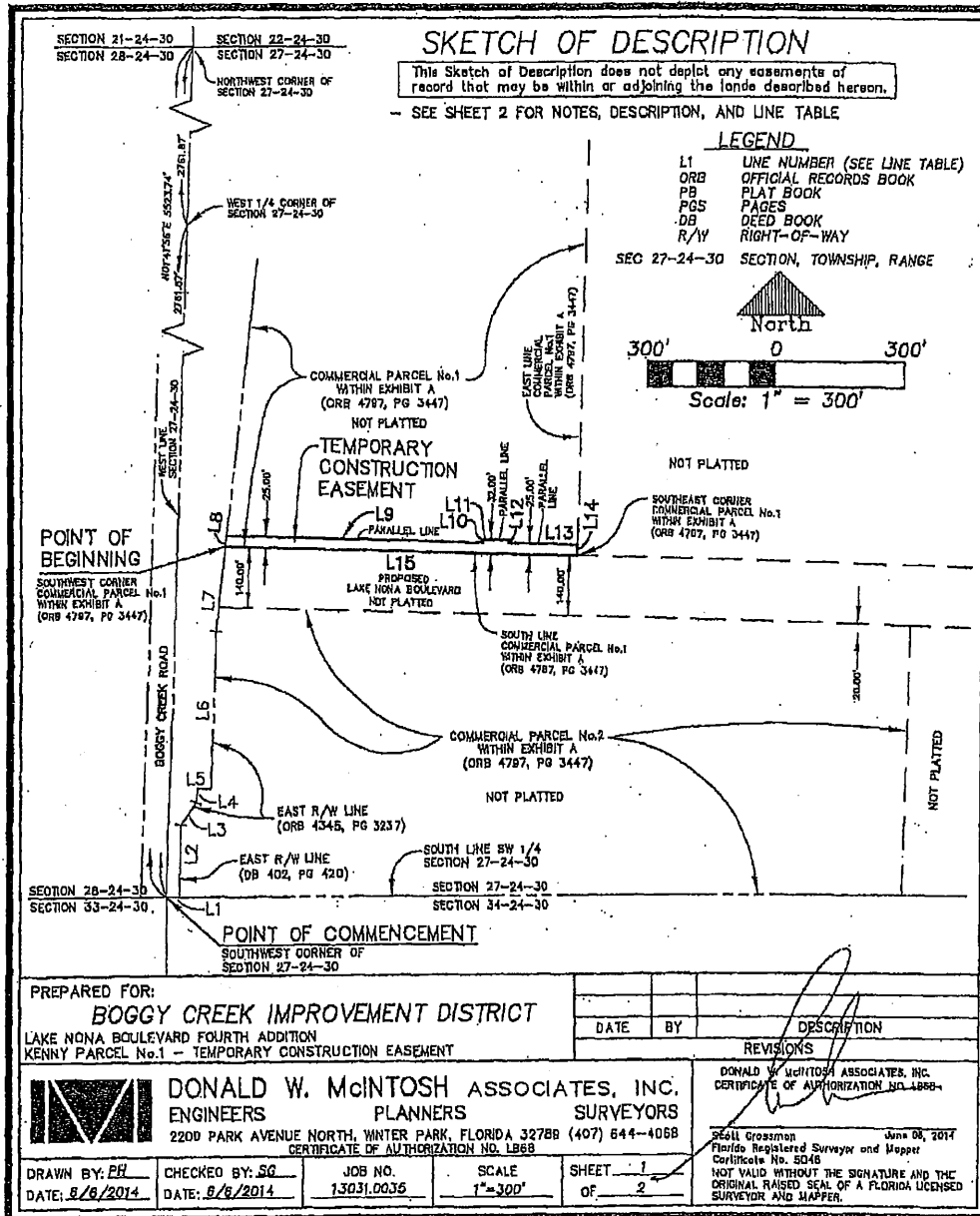
DRAWN BY: <u>CH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>13031.0035</u>	SCALE <u>N/A</u>	SHEET <u>2</u>
DATE: <u>6/8/2014</u>	DATE: <u>6/8/2014</u>			OF <u>2</u>

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CS# 14-155(C)

Composite Exhibit A
Legal Description of the Property
Easement Parcels



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CS# 14-155(D)

Composite Exhibit A
Legal Description of the Property
Easement Parcels

SKETCH OF DESCRIPTION

DESCRIPTION:

That part of Section 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 27; thence S89°55'36"E along the South line of the Southwest 1/4 of said Section 27 for a distance of 30.01 feet to the East right-of-way line of Boggy Creek Road, as described in Deed Book 402, Page 420, of the Public Records of Orange County, Florida; thence N01°41'56"E along said East right-of-way line, 168.72 feet to the East right-of-way line of Boggy Creek Road, as described in Official Records Book 4345, Page 3237, of the Public Records of Orange County, Florida; thence run the following courses and distances along said East right-of-way line: N35°41'12"E, 63.28 feet; N06°38'30"E, 32.28 feet; S89°31'59"E, 31.85 feet; N01°41'56"E, 387.45 feet; N06°38'30"E, 196.97 feet to the Southwest corner of Commercial Parcel No. 1, as described in Exhibit A of Official Records Book 4797, Page 3447, of the Public Records of Orange County, Florida and the POINT OF BEGINNING; thence continue N06°38'30"E, 25.08 feet to a line that is 25.00 feet North of and parallel with the South line of said Commercial Parcel No. 1; thence departing said East right-of-way line run S88°18'06"E along said parallel line, 616.18 feet; thence departing said parallel line run N01°41'54"E, 7.00 feet to a line that is 32.00 feet North of and parallel with the South line of said Commercial Parcel No. 1; thence S88°18'06"E along said parallel line, 80.00 feet; thence departing said parallel line run S01°41'54"W, 7.00 feet to a line that is 25.00 feet North of and parallel with the South line of said Commercial Parcel No. 1; thence S88°18'06"E along said parallel line, 164.19 feet to the East line of said Commercial Parcel No. 1; thence S01°41'54"W along said East line, 28.00 feet to the Southeast corner of said Commercial Parcel No. 1; thence departing said East line run N88°18'06"W along the South line of said Commercial Parcel No. 1 for a distance of 842.53 feet to the POINT OF BEGINNING.

Being subject to any rights-of-way, restrictions and easements of record.

NOTES:

- This is not a survey.
- Bearings based on the South line of the Southwest 1/4 of Section 27-24-30, as being S89°55'36"E (an assumed meridian)
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.
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SEE SHEET 1 FOR SKETCH

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L7	N06°38'30"E	196.97'
L8	N06°38'30"E	25.08'
L9	S88°18'06"E	616.18'
L10	N01°41'54"E	7.00'
L11	S88°18'06"E	80.00'
L12	S01°41'54"W	7.00'
L13	S88°18'06"E	164.19'
L14	S01°41'54"W	28.00'
L15	N88°18'06"W	842.53'

PREPARED FOR:

BOGGY CREEK IMPROVEMENT DISTRICT
LAKE NONA BOULEVARD FOURTH ADDITION
KENNY PARCEL No. 1 - TEMPORARY CONSTRUCTION EASEMENT



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4088
CERTIFICATE OF AUTHORIZATION NO. 1955

DRAWN BY: PH	CHECKED BY: SG	JOB NO.	SCALE	SHEET
DATE: 8/6/2014	DATE: 8/6/2014	13031.0035	N/A	2

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