

Prepared by and returned to:
Karen M. Brown, Esquire
Swann Hadley Stump Dietrich & Spears, P.A.
1031 W. Morse Blvd., Suite 350
Winter Park, Florida 32789

AMENDMENT TO OVERHEAD AND UNDERGROUND EASEMENT

This Amendment to Overhead and Underground Easement ("Amendment") is entered into this ____ day of _____, 2014, between **DISCOVERY EDUCATION PROPERTIES AT TECHNOLOGY, LLC**, a Florida limited liability company, whose address is 2427 Lynx Lane, Orlando, Florida 32804 (hereinafter referred to as the "Discovery") and **CITY OF ORLANDO**, a municipal corporation, and the **ORLANDO UTILITIES COMMISSION**, of the City of Orlando, Florida whose address is P.O. Box 3193, Orlando, Florida 32802 (hereinafter collectively referred to as "Grantees").

RECITALS:

1. Carl K. Maynard, as Trustee under the provisions of a Trust Agreement dated July 18, 1983, known as Trust Number 101, as Grantor, granted an easement to City, as Grantee, in that certain Overhead and Underground Easement dated January 20, 1984, and recorded in Official Records Book 3470, Page 1249, as modified by Partial Release of Easement dated July 30th, 2001, and recorded in Official Records Book 8306, Page 3704, both in the Public Records of Orange County, Florida (hereinafter collectively referred to as "Easement").

2. Discovery is the current owner of the following described real property located in Orange County, Florida:

Lot 2A, Replat of Lot 2 Orlando Executive Center, Plat Book 15, Page 111, Public Records of Orange County, Florida (the "Property")

which Property is subject to the Easement.

3. Grantees and Discovery wish to amend the Easement to clarify and correct the location of the Easement on the Property.

NOW THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to amend the Easement as follows:

1. **Recitals; Capitalized Terms.** The recitals set forth above are true and correct in all respects and constitute a part of this Amendment. Capitalized terms used herein shall have the meaning ascribed to such terms in this Amendment and/or in the Easement.

2. **Location of Easement.** The location of the Easement on the Property is hereby clarified and corrected by amending the easement area affecting the Property reflected in the Easement and replacing it with the location depicted on **Exhibit "A"** hereof.

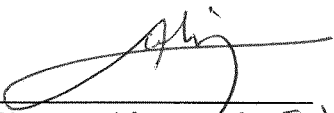
3. **No Other Changes.** Except as expressly modified, amended and corrected herein the Easement shall be and remain unchanged and in full force and effect in accordance with its terms as so amended.


4. **Counterparts.** This Amendment may be executed in any number of counterparts, each of which will be deemed an original and all of which, taken together, will constitute one instrument. The parties may execute different counterparts of this Amendment, and, if they do so, the signature pages from the different counterparts may be combined to provide one integrated document.


IN WITNESS WHEREOF, Discovery and City have executed this Amendment in manner and form sufficient to bind them as of the day and year above written.

Signed, sealed and delivered in the presence of:

DISCOVERY EDUCATION PROPERTIES AT TECHNOLOGY, LLC, a Florida limited liability company


Print Name: Necati Sahin

By: 
Yalcin Akin, Manager


Print Name: Alkan Cevik

STATE OF FLORIDA)
) S.S.:
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 12th day of May, 2014, by Yalcin Akin, as Manager of **DISCOVERY EDUCATION PROPERTIES AT TECHNOLOGY, LLC**, a Florida limited liability company, on behalf of said company. He is personally known to me or has produced a Florida driver's license (type of identification) as identification.




Notary Public


Print Name

Serial Number: FF033379

My Commission Expires: 07.02.2017

Signed, sealed and delivered
in the presence of:

CITY OF ORLANDO

(sign)
Print Name:_____

By: _____
Mayor, Pro-Tem

Print Name:_____

(sign)
Print Name:_____

Attest:

As to City of Orlando

City Clerk

(MUNICIPAL SEAL)

STATE OF FLORIDA)
 : SS
COUNTY OF ORANGE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared _____ and Alana C. Brenner, respectively the Mayor, Pro-Tem and City Clerk of the CITY OF ORLANDO, a municipal corporation under the laws of the State of Florida, to me known to be the individuals and officers described in and who executed the foregoing instrument on behalf of said CITY OF ORLANDO, and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized, and that the official seal of said City is duly affixed thereto, and the instrument is the act and deed of said City.

WITNESS my hand and official seal in the county and state last aforesaid this _____day of _____, 2014.

Notary Public

Notary Seal

Print Name
Serial Number:
My Commission Expires:

Signed, sealed and delivered
in the presence of:

Richard H. Paucese
(sign)

Print Name: Richard H Paucese

Joseph T. Bowers
(sign)

Print Name: Joseph T. Bowers

As to Orlando Utilities Commission

ORLANDO UTILITIES COMMISSION

By: *Kenneth P. Ksionek*
KENNETH P. KSIONEK
General Manager & CEO

Attest: *Elizabeth M. Mason*
ELIZABETH M. MASON
Assistant Secretary

(COMMISSION SEAL)

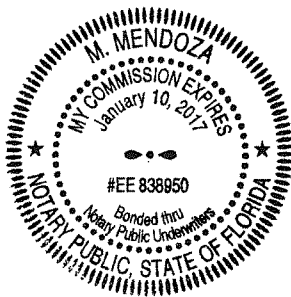
**Approved by OUC as to Form
Other than Legal Description**

Wayne Morris
Attorney

STATE OF FLORIDA)
 : SS
COUNTY OF ORANGE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared KENNETH P. KSIONEK and ELIZABETH M. MASON respectively, General Manager & CEO and Assistant Secretary of the ORLANDO UTILITIES COMMISSION, a statutory commission under the laws of the State of Florida, to me known to be the individuals and officers described in and who executed the foregoing instrument on behalf of said ORLANDO UTILITIES COMMISSION, and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized, and that the official seal of ORLANDO UTILITIES COMMISSION is duly affixed thereto and the instrument is the act and deed of said Commission.

WITNESS my hand and official seal in the county and state last aforesaid this 14th day of May, 2014.



Notary Seal

M. Mendoza
Notary Public

Print Name
Serial Number:
My Commission Expires:

12' UTILITY EASEMENT SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

LEGAL DESCRIPTION:

A PORTION OF LOT 2A, REPLAT OF LOT 2, ORLANDO EXECUTIVE CENTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 15, PAGE 111, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 2A, REPLAT OF LOT 2, ORLANDO EXECUTIVE CENTER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 111, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE RUN N00°18'11"W, ALONG THE EAST LINE OF SAID LOT 2A, A DISTANCE OF 74.83 FEET FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE RUN N23°57'21"W, 99.27 FEET; THENCE RUN N00°19'11"W, 14.98 FEET; THENCE RUN S89°40'49"W, 10.36 FEET; THENCE RUN N00°19'11"W, 12.00 FEET; THENCE RUN N89°40'49"E, 50.19 FEET TO A POINT ON THE AFOREMENTIONED EAST LINE OF SAID LOT 2A, THENCE RUN S00°18'11"E, ALONG SAID LINE, 12.00 FEET; THENCE DEPARTING SAID EAST LINE RUN S89°40'49"W, 27.83 FEET; THENCE RUN S00°19'11"E, 12.47 FEET; THENCE RUN S23°57'21"E, 69.37 FEET TO A POINT ON THE AFOREMENTIONED EAST LINE OF SAID LOT 2A; THENCE RUN S00°18'11"E, ALONG SAID LINE, 29.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,779 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1) SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- 2) BEARINGS SHOWN ARE BASED ON EAST LINE OF LOT 2A, REPLAT OF LOT 2, ORLANDO EXECUTIVE CENTER, PLAT BOOK 15, PAGE 111, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA BEING N 00°18'11" W, PER THE THE RECORD PLAT.

SEE SHEET 2 FOR SKETCH

PROJECT: 13061

5/15/2014
SHEET 1 OF 2

PREPARED BY:

ASSOCIATED LAND SURVEYING & MAPPING, INC.
SURVEYOR AND MAPPER-IN RESPONSIBLE CHARGE


5-16-14

DAVID M. McDERMOTT

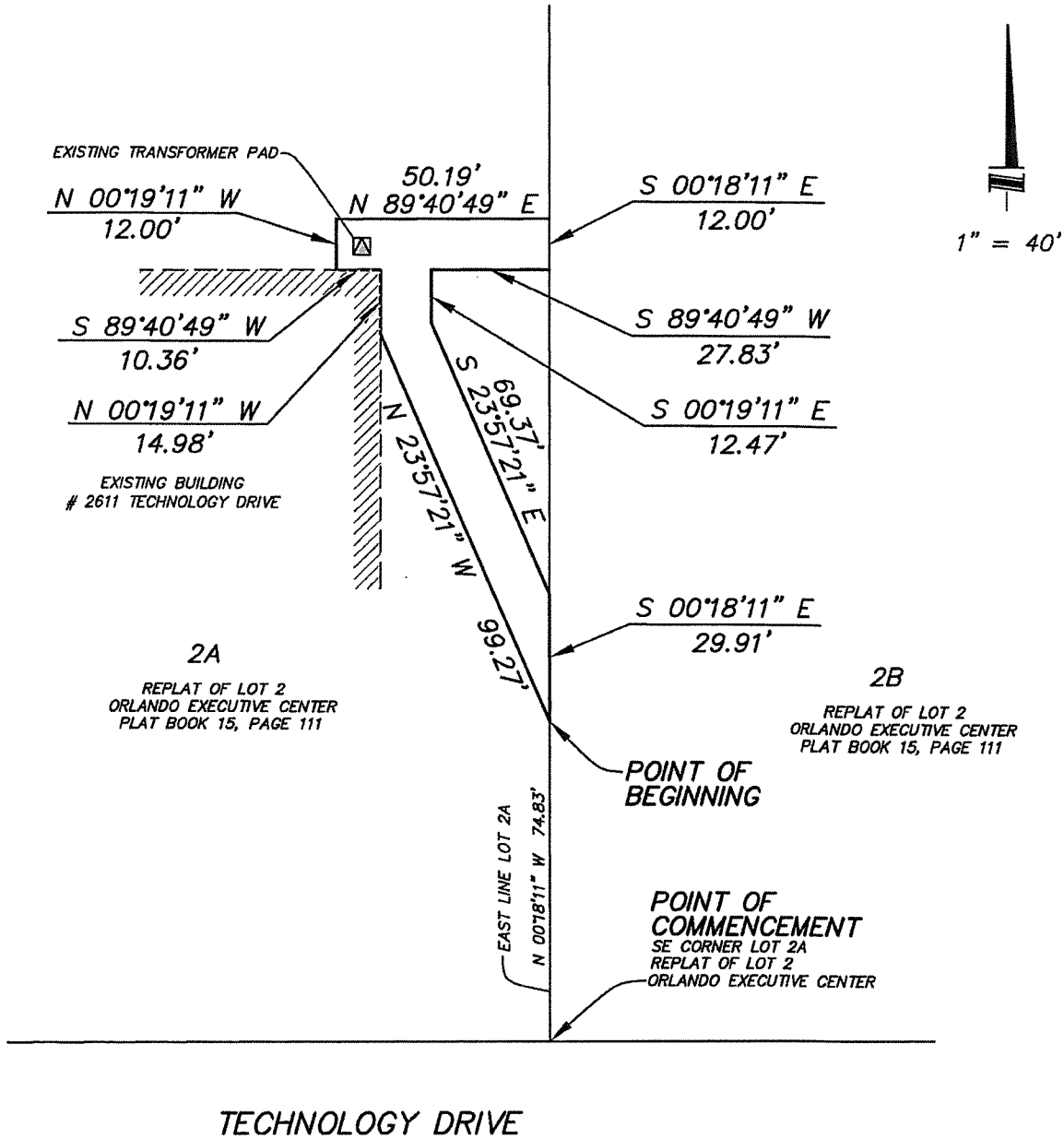
FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

Associated Land Surveying & Mapping, Inc.

101 WYMORE ROAD, SUITE 111, ALTAMONTE SPRINGS, FLORIDA 32714
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767

12' UTILITY EASEMENT SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)



SEE SHEET 1 FOR LEGAL DESCRIPTION
05/15/2014
SHEET 2 OF 2

PROJECT: 13061

**Associated Land Surveying
& Mapping, Inc.**

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