

Project: Destination Parkway

## SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS OF ORANGE COUNTY

WHEREAS, it is proposed by **Universal City Properties** to build and dedicate to ORANGE COUNTY, a charter county and political subdivision of the State of Florida, certain road right-of-way and related improvements pursuant to that certain Destination Parkway. and

WHEREAS, A portion of the lands involved and necessary to said project is subject to an easement held by the City of Orlando and the Orlando Utilities Commission (collectively said entities shall be referred to herein as "OUC") pursuant to that certain Easement recorded in Official Records Book 1853, Page 949, Public Records of Orange County, Florida; and

WHEREAS, On behalf of the said County, a request has been made for OUC to partially subordinate said easement to the property rights of ORANGE COUNTY in and to the portion of the premises hereinafter described.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and One Dollar and other good and valuable considerations, paid, receipt of which is hereby acknowledged, the undersigned, on behalf of OUC, hereby partially subordinates said easement to the property rights of the said County, to locate, construct, maintain, and/or improve said roadway through, upon, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

SEE ATTACHED EXHIBIT "A"

PROVIDED, ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument partially subordinates said easement insofar as same affects the rights and privileges of Orange County, Florida, in its use of the land specifically above described only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said easement or the remedies at law or in equity for recovering thereon, or against the parties charged thereby, the full amount of all sums secured by and/or due under the same. It is further understood and agreed that in the event said above described premises are abandoned by the County and cease to be used for the foregoing described purposes that in such event the subordination of said easement shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

Stipulation:

1. The following rights are reserved to OUC:
  - a. OUC, at its sole expense, shall have the right to construct, operate, maintain, approve, add to, upgrade, remove and relocate facilities including underground conduit, conductors and associated equipment over, under and upon the lands

described herein in accordance with applicable utility industry standards and Orange County's current minimum standards for the co-location of such facilities as required by the latest edition of the State of Florida, Department of Transportation, Utility Accommodation Guide; provided, however, that such activity or the facilities may not unreasonably interfere with the use and operation of Orange County's facilities so long as they remain in the configuration of the roadway as proposed in Exhibit "B" hereto described and to the extent that OUC exercises those rights reserved in this section (a) and the activities result in damage to such Orange County facilities then OUC shall repair any damage to such Orange County facilities.

- b. OUC shall have a reasonable right to enter upon the lands described herein for the purposes outlined in the preceding paragraph, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities provided the exercise of such rights do not interfere with the operation and safety of Orange County's facilities. Should Orange County require OUC to alter, adjust, or relocate its facilities located within the above described lands, Orange County hereby agrees to pay the costs of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements, as mutually agreed upon, in advance, by the parties. OUC's obligations to alter, adjust or relocate its facilities are subject to the permitting requirements of any state and/or federal agencies having jurisdiction over the easement.
2. .To the extent permitted under applicable law and without waiving any rights under F.S. 768.28, both parties agree to repair any damage to the others facilities located within the above described lands and to indemnify the other against any loss or damage resulting from a party's negligence or the negligence of its agents, employees, licensees, invitees or contractors, and to indemnify and hold harmless (to the extent enforceable by law) the other party of and from any and all claims of its own or of others, of any kind or character, including, but not limited to, reasonable attorney's fees and court costs arising from or in any way related to or connected with the right of way.

Project: Destination Parkway

IN WITNESS WHEREOF, the said holder of said encumbrance has duly executed this instrument  
this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20 \_\_\_\_\_.

CITY OF ORLANDO

\_\_\_\_\_  
Post Office Address

Witnesses:

\_\_\_\_\_  
As to City of Orlando

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
As to City of Orlando

\_\_\_\_\_  
Printed Name

BY: \_\_\_\_\_  
Mayor Pro-Tem

\_\_\_\_\_  
Printed Name

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Printed Name

APPROVED AS TO FORM AND  
LEGALITY For the use and  
reliance of the City of  
Orlando, Florida only.

\_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
City Attorney  
Orlando, Florida

\_\_\_\_\_  
Printed Name

Project: Destination Parkway

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, before me personally appeared \_\_\_\_\_ and \_\_\_\_\_ respectively \_\_\_\_\_ and \_\_\_\_\_ of the City of Orlando, a municipal corporation under the laws of the state of Florida, to me known to be, or who have each produced \_\_\_\_\_ and \_\_\_\_\_ as identification, and did (did not) take an oath, 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 the said instrument is the act and deed of said city.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Notary Name

Notary Public in and for  
the County and State  
aforesaid

My commission expires:

Project: Destination Parkway

IN WITNESS WHEREOF, the parties hereto have executed and delivered this instrument on the day and year indicated below.

**Orlando Utilities Commission**

By: \_\_\_\_\_

Kenneth P. Ksionek  
General Manager and CEO

Attest:

Name: Elizabeth M. Mason  
Title: ASSISTANT SECRETARY

Approved as to form and legality,  
OUC Legal Department

By: \_\_\_\_\_

Date: August 11, 2014

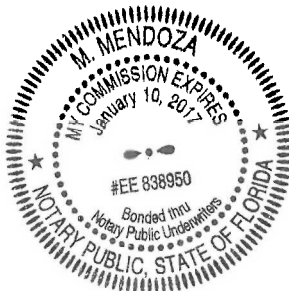
STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of August, 2014 by Kenneth P. Ksionek, General Manager and Chief Executive Officer of the Orlando Utilities Commission, who is personally known to me or who has produced \_\_\_\_\_ as identification and who (did/did not) take an oath.

NOTARY PUBLIC

Printed Name of Notary Marlene Mendoza

My Commission expires: \_\_\_\_\_



Project: Destination Parkway

IN WITNESS WHEREOF, County has executed this Subordination on the day and year below written.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: \_\_\_\_\_

Teresa Jacobs,  
Orange County Mayor

Date: \_\_\_\_\_

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

By: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_

**This instrument prepared by:**

\_\_\_\_\_, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

## Exhibit A

## SKETCH OF DESCRIPTION

DESCRIPTION:

(SEE SHEETS J THROUGH E FOR SKETCH)

Destination Parkway  
aka Canadian Court

That part of Section 32, Township 23 South, Range 29 East, and Sections 5 and 6, Township 24 South, Range 29 East, Orange County, Florida, described as follows:

BEGIN at a 4"x4" concrete monument found at the Northeast corner of the plot of PLAZA INTERNATIONAL UNIT TWELVE, said plot as recorded in Plat Book 29, Page 13, of the Public Records of Orange County, Florida; thence S89°30'38"E, 950.22 feet to the point of curvature of a curve concave Northerly having a radius of 1320.34 feet and a chord bearing of N79°15'57"E; thence Easterly along the arc of said curve through a central angle of 22°26'51" for a distance of 517.29 feet to the point of compound curvature of a curve concave Northwesterly having a radius of 1945.00 feet and a chord bearing of N54°57'21"E; thence Northeasterly along the arc of said curve through a central angle of 26°10'20" for a distance of 888.46 feet to the point of tangency; thence N41°52'11"E, 811.73 feet; thence N50°40'29"W, 20.02 feet; thence N41°52'11"E, 19.18 feet to the Southeast corner of Lot 1, said Lot 1 as shown on the plat of VILLAGES AT UNIVERSAL BOULEVARD UNIT 1, said plat as recorded in Plat Book 62, Page 133, of said Public Records; thence continue N41°52'11"E along the Southeastern line of said Lot 1, 746.26 feet to the point of curvature of a curve concave Westerly having a radius of 40.00 feet and a chord bearing of N05°03'42"W; thence Northerly along said Southeastern line of Lot 1 and along the arc of said curve through a central angle of 93°51'45" for a distance of 65.53 feet to the Westerly Right-of-way line of Universal Boulevard (a 200' wide R/W), said Universal Boulevard as shown on the plat of USI- SOUTH CAMPUS UNIT ONE, said plat recorded in Plat-Book 46, Pages 13 through 16, of said Public Records, and to the point of cusp of a curve concave Southwesterly having a radius of 1200.00 feet and a chord bearing of S46°18'02"E; thence Southeasterly, along said Westerly Right-of-way line and along the arc of said curve through a central angle of 11°23'06" for a distance of 238.44 feet to the point of cusp of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of N69°22'09"W; said point of cusp being distant the following two (2) courses and distances from the Southwest corner of said plot of USI- SOUTH CAMPUS UNIT ONE: N00°26'39"W along the Westerly Right-of-way line of said Universal Boulevard 984.15 feet to the point of curvature of a curve concave Southwesterly having a radius of 1200.00 feet and a chord bearing of N20°31'34"W; thence Northwesterly along said Westerly Right-of-way line and along the arc of said curve through a central angle of 40°09'50" for a distance of 841.19 feet; thence, departing said Westerly Right-of-way line run Westerly from the aforesaid point of cusp, along the arc of the aforesaid curve through a central angle of 97°31'20" for a distance of 68.08 feet to the point of tangency; thence S41°52'11"W, 738.91 feet to the Northerly corner of Lot 1, said Lot 1 as shown on the plat of VILLAGES AT UNIVERSAL BOULEVARD UNIT 2, said plat recorded in Plat Book 63, Page 104, of said Public Records; thence S41°52'11"W, along the Northwesterly line of said Lot 1, 54.93 feet; thence N48°07'49"W, along said Northwesterly line, 20.00 feet; thence S41°52'11"W, along said Northwesterly line and beyond 775.09 feet to the point of curvature of a curve concave Northwesterly having a radius of 2055.00 feet and a chord bearing of S54°57'21"W; thence Southwesterly along the arc of said curve through a central angle of 26°10'20" for a distance of 938.71 feet to the point of compound curvature of a curve concave Northerly having a radius of 1430.34 feet and a chord bearing of S79°15'57"W; thence Westerly along the arc of said curve through a central angle of 22°26'51" for a distance of 560.39 feet to the point of tangency; thence N89°30'38"W, 958.25 feet to the East line of the aforementioned plat of PLAZA INTERNATIONAL UNIT TWELVE; thence N00°31'57"W, along said East line, 110.02 feet to the POINT OF BEGINNING.

Containing 10.951 acres more or less.

## SURVEYOR'S NOTES:

- This is not a boundary survey.
- Bearings based on the Westerly right-of-way line of Universal Boulevard, Plat Book 46, Pages 13 through 16, Public Records of Orange County, Florida, being N00°26'39"W, per plat.
- Lands shown herein were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.

I hereby certify that this sketch, subject to the surveyor's notes contained herein, meets the applicable "Minimum Technical Standards" set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

DONALD W. McINTOSH ASSOCIATES, INC.

PAUL TRINCA  
Florida Registered Surveyor and Mapper  
Certificate No. 5244

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



**DONALD W. McINTOSH  
ASSOCIATES, INC.  
ENGINEERS PLANNERS SURVEYORS**

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. 1858

PREPARED FOR: **UCPM III**  
PROPOSED CANADIAN COURT R/W EXTENSION

REVISIONS:  
12/08/05 - R/W ON LANDS OF UCPM ONLY.

DRAWN BY: **P.T.**  
DATE: **10/11/05**

CHECKED BY: **P.T.**  
DATE: **10/11/05**

JOB NO.  
**25058.0003**

SCALE  
**1"=500'**

SHEET **1**  
OF

DWG NO.  
**CS#05-509**

File Name: I:\pre\2005\25058\edmg\acd\ConaCI-RW.dwg

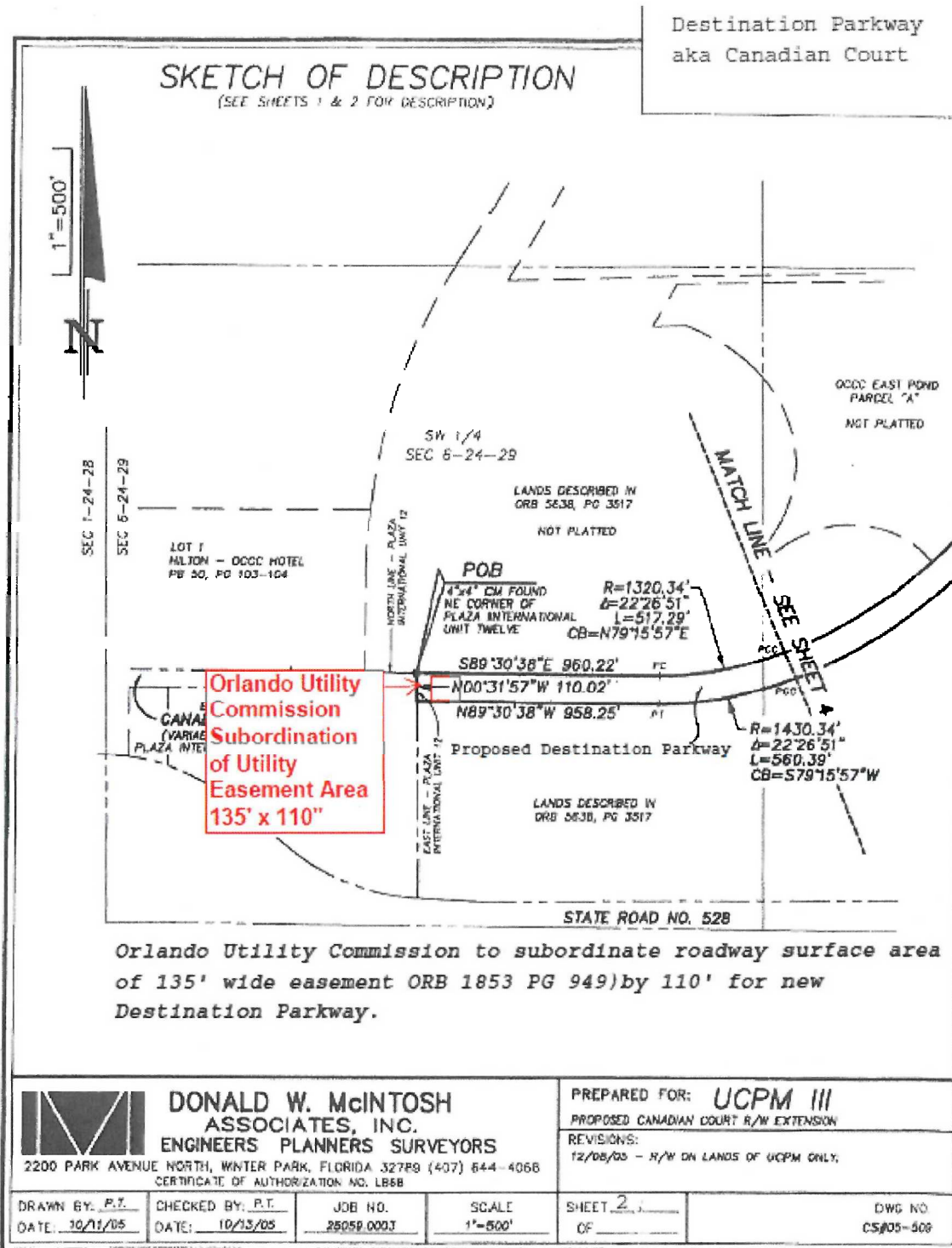


Exhibit "B - 1"



8/16/2013 8:31:16 AM



CONSTRUCTION PLANS FOR  
CANADIAN COURT / JOHN YOUNG PARKWAY CONNECTOR ROADWAY  
FROM STA. 219+20.00 TO STA. 60+32.00  
ORANGE COUNTY PROJECT NO. 5089 - SECTION 1B/2A

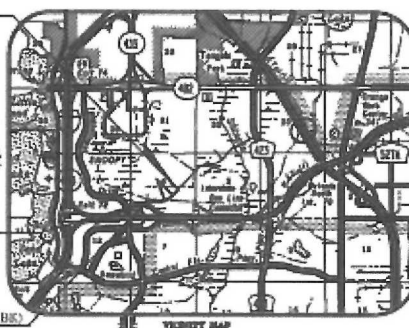
DISTRICT NO. 6  
ORANGE COUNTY, FLORIDA

### UTILITIES ENCOUNTERED

**RTV Corp.**  
**P.E.A. Engineering (402) 578-0000**  
**RTV Southport,**  
**1740 S. 2nd Street**  
**Mobile 373-0004**  
**Brighthouse Networks**  
**(402) 526-0000**  
**Propane Energy Distribution**  
**(402) 540-0000**  
**Veritas Business**  
**(402) 540-0000**  
**Orange County JRM Inc.**  
**(402) 534-0147**  
**LEVEL-3**  
**(402) 535-3000**  
**Dr. David M. Hiss, Commissioner**  
**Office (402) 540-4418**  
**Texas Petroleum Co.**  
**(402) 430-2616**  
**Orange County TheFTC**  
**(402) 534-3000**

END PROJECT  
STA. 60+32.00

BEGIN PROJECT  
STA. 719+30.00

$$\frac{\text{STA. 1001, 219+59.53 (BEG)}}{= 19+59.53 \text{ (AHD)}}$$


TYPE OF CONSTRUCTION: NEW CONSTRUCTION / URBAN SECTION  
PROJECT LENGTH: 4112.00 L.P./V.T.S. MILES  
ESTIMATE NO.: 91-071

SOURCE OF BENCH MARK DATA

ORANGE COUNTY RESOURCES HELD FOR BUNCH ARE TO SET CONTROL  
ALONG JOP CORRIDOR ROAD FROM INTERNATIONAL DRIVE TO JOP TOWN  
PARKING LOT/STATION SIGN ARE FROM ABOVE SAFETY DESCRIPTIONS  
ARE FOR ORANGE COUNTY FLOOD RISK

SET OF ORANGE COUNTY CORRAL SPAN ONE STAMPED "BY L-600-001" IN THE CENTERLINE OF 60 FT. X 144 FT. CONCRETE HEADWALL WITH 20" D.E.P. GROUND OVER PIPE 20 FT. 4" SOUTH OF THE WEST BRIDGE EDGE OF PERPENDICULAR OF STATE ROAD 360-65 FT. 4" NORTH OF THE EAST BRIDGE END OF PERPENDICULAR OF STATE ROAD 360.

1-400-000, DEVEN, 00.300  
JST 01 GRASSY COUNTY CORNER BRASS GUN STAMPED "00 1-400-000"  
IN FT. 4. SOUTH OF THE SOUTH SIDE OF PARKWAY ON THE EAST  
BOUND LINE OF STATE ROAD 500 7 FT. 4. SOUTH OF THE SPEED  
LAW SIGN 61 FT. 4. WEST CORNER OF A GALL GUN HOUSE  
POSSIBLY ON THE EAST END OF 0.0 FT. 3 0.0 FT. 0.0 FT. 0.0 FT. 0.0 FT.

1-20-84, 44-38861-49-247  
 80% CONTROL, 80% STAMPED 1-20-84 IN NORTH END OF 2ND  
 FLEET IN THE NORTHWEST CORNER OF COMMUNITY CIRCLE AND  
 JOHN YOUNG PARKWAY, FE 80% AND SPANISH COUNTRY SIDE IN NORTH  
 END OF SPANISH CIRCLE, 80% AND SPANISH COUNTRY SIDE IN  
 NORTH END OF 80% FLEET, FE 80% AND SPANISH COUNTRY SIDE IN  
 NORTH END JOHN YOUNG PARKWAY. (PREVIOUSLY PUBLISHED SPANISH  
 COUNTRY ALLOCATION WAS 87,000)

C-47-50, 40000 30.50'  
 30'-5" CONTROL SIGN STAFFED 1-MILE-ONLY IN CONCRETE SLABS  
 AT ENTRANCE TO A199 BRIDGE OVER FORDS FORKING, "X" OUT OF  
 ROAD SIDE OF CONCRETE SLABS, "X" OUT OF FORD ROAD FOR A199  
 FORD, FC AND A199 BRIDGE, COUNTY ROAD IN SOUTH SIDE OF ENTRANCE  
 TO THE A199 BRIDGE FORD, ROAD, FORDS FORKING, FORDS FORKING  
 GRADE COUNTY ELEVATION WAS 300'  
 0.2 MILES SOUTH OF ENTRANCE TO "W" AND S. JAIL HOUSE PREVIOUS  
 ON 0.2 MILES SOUTH OF ENTRANCE OF THE A199 BRIDGE AND  
 ROAD FORDS FORKING.

**100 % RESUBMITTAL  
SEPTEMBER, 2013**

### CERTIFICATION TO PLANS

[illegible]

POST BOX 504 STAMFORD, JANUARY 2010

NOTE

PLANS WERE PREPARED ACCORDING TO AVAILABLE INFORMATION TO ACCURATELY ADDRESS CONDITIONS AS THEY EXISTED AT THE TIME OF PLANS PREPARATION. RECORD, CONDITIONS AND DIMENSIONS OF PROPERTIES ARE MADE CONSISTENT SINCE PROJECT DESIGN. THE COUNTY'S REPRESENTATIVE WILL ADDRESS OWNERS AND MEET WITH THE PROPERTY OWNER OR THEIR REPRESENTATIVES. CONTRACTOR SHALL WORK WITH THE COUNTY'S REPRESENTATIVE IN ADDRESSING ANY MISSING RECORDS AND CONDITIONS THAT ARE OWNED SINCE PLANS PREPARATION.

## THOMAS JACOB

## BOARD OF COUNTY COMMISSIONERS

**A SCOUT NOTE**  
**FREDERICK C. BRUMMER**  
**JOHN SLANTOPPE**  
**EDGEMORE THOMPSON**  
**TEN HOWARD**  
**TYRANT HUGHES RUMBLE**

DIFFERENCE 1  
DIFFERENCE 2  
DIFFERENCE 4  
DIFFERENCE 4  
DIFFERENCE 6  
DIFFERENCE 6

DAVID V. MARRAS, PH.D., PUBLIC WORKS EDUCATION

## DESIGN STANDARDS

1. FLORIDA DEPARTMENT OF TRANSPORTATION  
DESIGN STANDARDS FOR BRIDGE CONSTRUCTION,  
MAINTENANCE AND REPAIR OPERATIONS IN  
THE STATE AGENCY SYSTEM, DATED MAY, 2002.
2. FLORIDA DEPARTMENT OF TRANSPORTATION  
MANUAL OF CONSTRUCTION STANDARDS FOR  
BRIDGE CONSTRUCTION AND MAINTENANCE OF  
STREETS, AND AIRWAYS, DATED MAY, 2002.
3. FLORIDA DEPARTMENT OF TRANSPORTATION  
STANDARD SPECIFICATIONS FOR BRIDGE AND  
ROADWAY CONSTRUCTION, DATED 2002, AS  
AMENDED BY CONTRACT DOCUMENTS.

## PLANT PROPAGATION

**ATKINS**

WINE SPIRITS SALES INCORPORATED  
ORLANDO, FLORIDA 32835-0401  
407/244-7976  
Fax 407/244-7988  
LEONIE@WSSA.COM

NEW 1530MS

	DATE	BY
--	------	----

BY	
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12110000	100	1000	1000000
12110000	100	1000	1000000
12110000	100	1000	1000000
12110000	100	1000	1000000

SHEET 1



## INDEX OF SHEETS

ITEM	DESCRIPTION
1	GENERAL SHEET
2	GENERAL NOTES
3	SUMMARY OF PAY ITEM
4	EXHIBIT MAPS
5	EXISTING DRAINAGE STRUCTURES
6	NEW STRUCTURES
7	SUMMARY OF QUANTITIES
10-1	SUMMARY OF DRAINAGE INTERFERENCE
11-1	PAVEMENT CONTROL SHEETS
12-1	PLAN AND PROFILE SHEETS
20	PAVEMENT/TRANSITION DETAILS
21	DRAINAGE CONTROL TABLES
22-22	DRAINAGE STRUCTURE CROSS SECTIONS
30	SOIL SUPPORT SHEET
31-31	CROSS SECTIONS
47-48	ESTIMATED POLLUTION PREVENTION PLAN
50	WATERWAY CONTROL PLAN
51-51	PAVEMENT CONTROL SHEETS
52-52	LIGHTING PLANS
53-53	PAVEMENT PAVEMENT MARKING PLANS
54-54	PAVEMENT PAVEMENT PLAN
55-55	UTILITY DETAILS

Exhibit “B – 2”

Project: Destination Parkway

8/16/2013  
7:25:06 AM

T:\Cadd\JPC\ConnectorRd\Section1B\utils\utad101.dgn

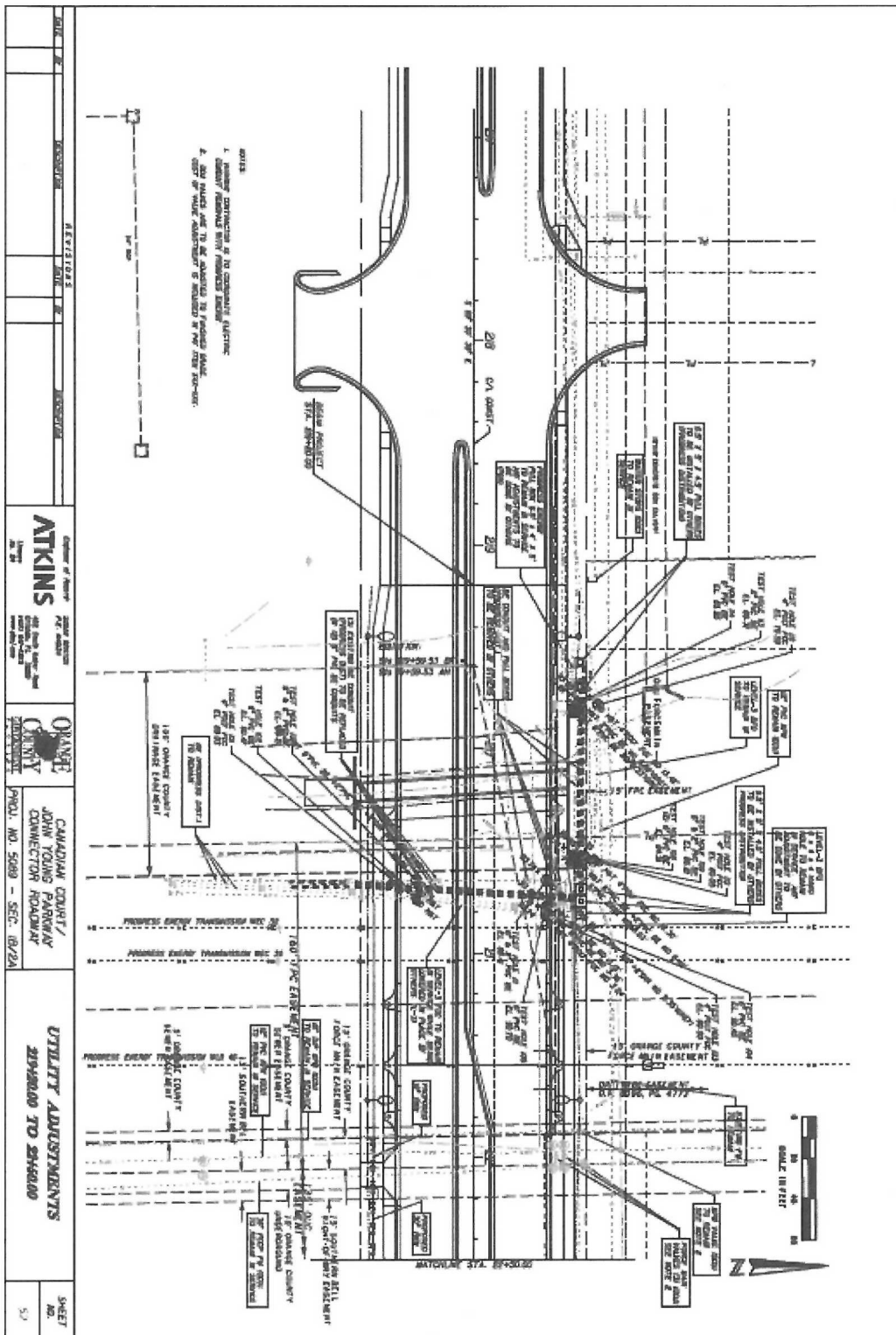


Exhibit "B - 3"

