

07-PE13-09/01

February 17, 2011

This instrument prepared by
JENIFER A. PATTERSON

Under the direction of
TIMOTHY C. LAUBACH, ESQUIRE
Florida Department of Transportation
719 South Woodland Boulevard
Deland, Florida 32720-6834

PARCEL NO.: 808.1R (3808)
SECTION 75280
F.P. NO.: 242484 3 4084161 - - -
STATE ROAD 400 (I-4)
COUNTY ORANGE

PERPETUAL EASEMENT

THIS EASEMENT made this _____ day of _____, _____, by the CITY OF ORLANDO, a municipality of the State of Florida, and ORLANDO UTILITIES COMMISSION grantor(s), to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of clearing, excavating, constructing, operating, and maintaining outfall and drainage ditches and drains with all such fills, cuts, drains, ditches and other incidents which the grantee may deem necessary or convenient in connection therewith, in, over, under, upon and through the following described land in Orange County, Florida, viz:

PARCEL NO. 808
PERPETUAL DRAINAGE EASEMENT
STATE ROAD 400
COUNTY ORANGE

SECTION 75280
F.P. NO. 242484-3
STATION 1113+00
RIGHT (EAST)

THAT PART OF:

The Southwest quarter (SW ¼) of the Northwest quarter (NW ¼) of Section 9, Township 23 South, Range 29 East, lying Southeasterly (SE) of the right-of-way of Interstate 4, less the lands described in Official Records Book 6986, Page 3739, Public Records Orange County, Florida.

(The above described lands being described in Official Records Book 3735, Page 2184, Official Records Book 3735, Page 2190, Official Records Book 4308, Page 4472, and Official Records Book 4308, Page 4486, Public Records Orange County, Florida.)

DESCRIBED AS FOLLOWS:

Commencing at the West ¼ corner of said Section 9, Township 23 South, Range 29 East, Orange County, Florida, being a found 6" x 6" concrete monument with a 1 1/2" iron pipe (no identification), said West ¼ corner of Section 9 lying South 00° 20' 56" East, a distance of 259.46 feet from station 1105+73.76 of the Centerline of Survey of State Road 400 as shown on the Florida Department of Transportation Right of Way Map for State Road 400, Section 75280, F.P. No. 242484 3 on file at the Florida Department of Transportation District Five Office, Surveying and Mapping Section, Deland, Florida; thence North 89° 35' 44" East, along the South line of the Northwest ¼ of Section 9, a distance of 50.77 feet to a point on the Existing Easterly Limited Access Right of Way Line of State Road 400 as shown on said Right of Way Map; thence North 37° 44' 43" East, along said Existing Easterly Limited Access Right of Way Line of State Road 400, a distance of 486.10 feet to the Easterly Existing Right of Way Line, as described in Minute Book 14 Page, 168, Public Records of Orange County, Florida, and as shown on said Right of Way Map; thence South 14° 14' 43" West, along said Easterly Line, 56.92 feet to a point on a

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curve, concave Northwesterly, having a radius of 22993.31 feet, a central angle of 00° 08' 33" and a chord bearing of North 36° 57' 22" East, said point also being the POINT OF BEGINNING; thence Northeasterly, along the arc of said curve, 57.23 feet; thence radial to said curve, North 53° 06' 55" West, 4.00 feet to a point on a curve, concave Northwesterly, having a radius of 22997.31 feet, a central angle of 00° 01' 29.7" and a chord bearing of North 36° 52' 21" East; thence Northeasterly along the arc of said curve, 10.00 feet; thence, radial to said curve, North 53° 08' 24" West, 4.00 feet to a point on a curve, concave Northwesterly, having a radius of 22993.31 feet a central angle of 00° 05' 03.4" and a chord bearing of North 36° 49' 04" East; thence Northeasterly along the arc of said curve, 33.82 feet; thence North 36° 46' 32" East, 829.54 feet to a point on the South line of lands described in Official Records Book 6986, Page 3739, Public Records of Orange County, Florida; thence North 89° 31' 01" East, 37.69 feet; thence South 36° 46' 32" West, 852.36 feet to the beginning of a curve, concave Northwesterly, having a radius of 23023.31 feet, a central angle of 00° 25' 44" and a chord bearing of South 36° 59' 24" West; thence Southwesterly along the arc of said curve, 172.35 feet to the Easterly Existing Right of Way Line, as described in Minute Book 14 Page, 168, Public Records of Orange County, Florida, and as shown on said Right of Way Map; thence North 14° 14' 43" East, along said Easterly Line, 77.19 feet to the POINT OF BEGINNING.

Containing 0.672 acres, more or less.

This legal description prepared under the direction of:
Kevin M. Maylone, P.L.S. No. 3293
Florida Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720
February 17, 2011

Grantee, or their authorized representative, shall have the right to remove the wall and anything relating to the wall for the construction project. Grantor shall retain all rights to the security wall, yard lights (poles, bases and fixtures), irrigation, drainage structures, landscaping, and the following signs: speed limit, authorized personnel and no parking signs after conclusion of the construction project.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

Signed, sealed and delivered in the presence of: Two witnesses required by Florida Law

SIGNATURE LINE
PRINT/TYPE NAME: _____

SIGNATURE LINE
PRINT/TYPE NAME: _____

THE CITY OF ORLANDO

By: _____

Its Mayor

ATTEST: _____

Its City Clerk

ADDRESS OF GRANTOR:

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STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____, by _____ Mayor, who is personally known to me or who has produced _____ as identification.

PRINT/TYPE NAME: _____
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____
Serial No., if any: _____

Signed, sealed and delivered
in the presence of:

Nanci Schwartz
(sign)
Print Name: Nanci Schwartz

Richard H. Packer Jr
(sign)
Print Name: Richard H. Packer Jr
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 as to form and legality
OUC Legal Department

DATE: 5-15-15 BY: [Signature]

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.

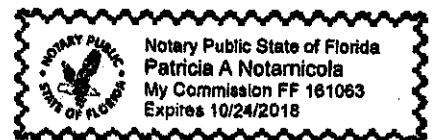
WITNESS my hand and official seal in the county and state last aforesaid
this 21st day of May, 2015.

(Notarial Seal)

Patricia A. Notarnicola
Notary Public (sign)
Print Name:
State of Florida
My Commission Expires:

Approved by OUC as to Form

[Signature]
Attorney



RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ORLANDO, FLORIDA, AUTHORIZING EXECUTION OF A PERPETUAL EASEMENT IN FAVOR OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO ACCOMMODATE CONSTRUCTION AND IMPROVEMENT OF STATE ROAD NO. 400, (I-4); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation purposes to construct or improve State Road No. 400, Section No. 75280, F.P. No. 2424843, in Orange County, Florida; and

WHEREAS, it is necessary that an easement across certain lands now owned by the City of Orlando, be acquired by the State of Florida Department of Transportation; and

WHEREAS, the FDOT has made application to the City of Orlando to execute and deliver a perpetual easement in favor of the FDOT for the purpose of constructing, operating and maintaining outfall and drainage ditches and drains.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ORLANDO, FLORIDA, that:

SECTION 1. – The City Council hereby authorizes the Mayor of the City of Orlando to execute and deliver to the State of Florida Department of Transportation the Perpetual Easement referenced above.

SECTION 2. – This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED by the City Council of the City of Orlando this _____ day of _____, 2015.

CITY OF ORLANDO, FLORIDA

By: _____
Mayor / Mayor Pro Tem

Attest:

Celeste T. Brown, City Clerk