

Instrument: 1024.5

Project: Texas Avenue RCA (Oak Ridge Rd to Holden Ave)

SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS TO ORANGE COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Whereas, it is proposed by Orange County, a charter county and a political subdivision of the State of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, to locate, construct, maintain, and/or improve a road right-of-way in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to an Underground Easement, held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrance 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 subordinates said encumbrance to the property rights of Orange County, to locate, construct, maintain, and/or improve said project under, through, and/or across the following described lands, being a portion of the encumbered premises in Orange County, Florida, to-wit:

SEE ATTACHED SCHEDULE "A"

Encumbrances:

City of Orlando, and Orlando Utilities Commission,
FROM: Affordable/Citrus Glen, Inc., and Affordable/Citrus Glen Phase II, LTD.
TO: City of Orlando and Orlando Utilities Commission
Underground Easement filed May 23, 1994
Recorded in Official Record Book 4744, Page 4535
Public Records of Orange County, Florida

PROVIDED, ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrance insofar as same affects the rights and privileges of Orange County, in its use of the land specifically above described for road right-of-way purposes only, and that nothing herein contained shall in any way affect, alter, impair, minimize, or diminish the effect of said encumbrance 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.

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It is further understood and agreed that in the event said above described premises are abandoned by Orange County and cease to be used for road right-of-way purposes that in such event the subordination of said encumbrance shall become of the same status with reference to such abandoned portion as if the subordination had never been made.

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

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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:

Instrument: 1024.5

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Signed, sealed and delivered
in the presence of:

Kimberly J. Catrett
(sign)

Print Name: Kimberly J. Catrett

Richard H. Parker Jr
(sign)

Print Name: Richard H. Parker Jr

As to Orlando Utilities Commission

ORLANDO UTILITIES COMMISSION

By: [Signature]
KENNETH P. KSIONEK
General Manager & CEO

Attest:

[Signature]
ELIZABETH M. MASON
Assistant Secretary

(COMMISSION SEAL)

Approved by OUC as to Form
Other than Legal Description

Wayne Mann
Attorney

STATE OF FLORIDA)

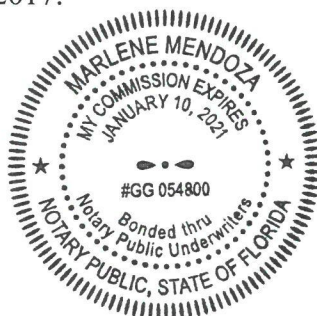
: SS

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 20th day of December, 2017.

(Notarial Seal)



[Signature]
Notary Public (sign)

Print Name:

State of Florida

My Commission Expires:

LEGAL DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1024

A PORTION OF A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, DESCRIBED IN OFFICIAL RECORDS BOOK 4676, PAGE 2693, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RAILROAD SPIKE, WITH AN X-CUT AND NO OTHER IDENTIFICATION, MARKING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH $00^{\circ}15'05''$ EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, A DISTANCE OF 76.00 FEET TO A POINT ON A LINE PROJECTED EASTERLY FROM THE EXISTING SOUTH RIGHT OF WAY LINE OF AMERICANA BOULEVARD AS DEPICTED ON THE PLAT OF AMERICANA UNIT TWO, RECORDED IN PLAT BOOK 5, PAGE 24, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE, DEPARTING SAID EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 16, RUN SOUTH $89^{\circ}36'36''$ WEST, ALONG SAID PROJECTED LINE, A DISTANCE OF 40.00 FEET TO A 4-INCH SQUARE CONCRETE MONUMENT, WITH NO IDENTIFICATION, MARKING THE POINT OF INTERSECTION OF SAID EXISTING SOUTH RIGHT OF WAY LINE OF AMERICANA BOULEVARD AND THE EXISTING WEST RIGHT OF WAY LINE OF TEXAS AVENUE, AS DEPICTED ON SAID PLAT OF AMERICANA UNIT TWO, SAID POINT BEING THE POINT OF BEGINNING; THENCE, DEPARTING SAID PROJECTED LINE, RUN SOUTH $00^{\circ}15'05''$ EAST, ALONG SAID EXISTING WEST RIGHT OF WAY LINE OF TEXAS AVENUE, A DISTANCE OF 1,188.25 FEET TO A POINT ON THE NORTH LINE OF LOT 375 AS DEPICTED ON THE PLAT OF SOUTH POINT UNIT 3, RECORDED IN PLAT BOOK 22, PAGE 50, OF SAID PUBLIC RECORDS; THENCE, DEPARTING SAID EXISTING WEST RIGHT OF WAY LINE OF TEXAS AVENUE, RUN SOUTH $89^{\circ}44'55''$ WEST, ALONG SAID NORTH LINE OF LOT 375, A DISTANCE OF 11.50 FEET TO A POINT ON A LINE RUNNING PARALLEL WITH AND 51.50 FEET WESTERLY OF, WHEN MEASURED PERPENDICULAR TO, THE AFORESAID EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 16; THENCE, DEPARTING SAID NORTH LINE OF LOT 375, RUN NORTH $00^{\circ}15'05''$ WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 1,148.46 FEET; THENCE, DEPARTING SAID PARALLEL LINE, RUN THE FOLLOWING TEN (10) COURSES AND DISTANCES: NORTH $21^{\circ}18'37''$ WEST, A DISTANCE OF 28.39 FEET; THENCE, NORTH $79^{\circ}04'31''$ WEST, A DISTANCE OF 37.19 FEET; THENCE, SOUTH $89^{\circ}35'23''$ WEST, A DISTANCE OF 59.02 FEET; THENCE SOUTH $89^{\circ}29'19''$ WEST, A DISTANCE OF 29.17 FEET; THENCE, SOUTH $89^{\circ}28'06''$ WEST, A DISTANCE OF 47.16 FEET; THENCE, SOUTH $89^{\circ}30'54''$ WEST, A DISTANCE OF 45.00 FEET;

(CONTINUED ON SHEET 2 OF 6)

NOTE: BEARING STRUCTURE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING NORTH $00^{\circ}15'05''$ WEST, ASSUMED.

THIS IS NOT A BOUNDARY SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS SKETCH OF DESCRIPTION.

WRITTEN BY: RRC	DATE: 11/01/10	SECTION: 16	TEXAS AVENUE-ORANGE COUNTY, FLORIDA	
DRAWN BY: RRC	REV.:	TOWNSHIP: 23S	Bowyer-Singleton & Assoc., Inc. 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	DRAWING SCALE: N/A
APPROVED BY:	REV.:	RANGE: 29E		SHEET 1 OF 6
	REV.:			C.I.P. - 5027

LEGAL DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1024

(CONTINUED FROM SHEET 1 OF 6)

THENCE, SOUTH 89°30'43" WEST, A DISTANCE OF 58.33 FEET; THENCE, SOUTH 89°41'14" WEST, A DISTANCE OF 56.94 FEET; THENCE, SOUTH 89°35'33" WEST, A DISTANCE OF 18.74 FEET; THENCE, NORTH 82°05'38" WEST, A DISTANCE OF 43.29 FEET TO A POINT ON THE AFOREMENTIONED EXISTING SOUTH RIGHT OF WAY LINE OF AMERICANA BOULEVARD; THENCE RUN NORTH 89°36'36" EAST, ALONG SAID EXISTING SOUTH RIGHT OF WAY LINE, A DISTANCE OF 415.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 16,350 SQUARE FEET OR 0.375 ACRES, MORE OR LESS

THIS IS NOT A BOUNDARY SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS SKETCH OF DESCRIPTION.

William E. Byrd 1/24/11
WILLIAM E. BYRD DATE
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NUMBER 5442
520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801

NOTE: BEARING STRUCTURE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING NORTH 00°15'05" WEST, ASSUMED.

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

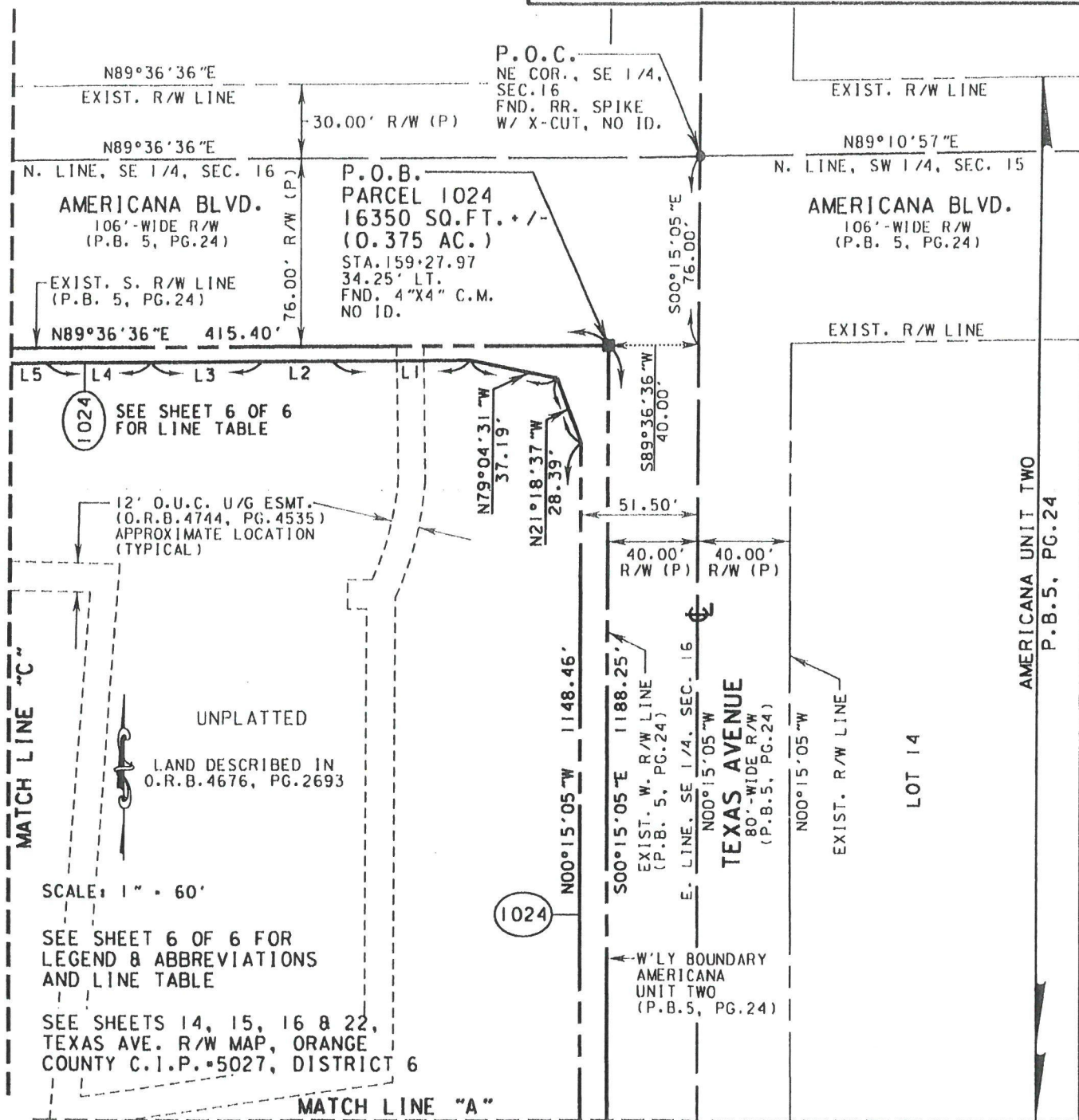
CERTIFICATE OF AUTHORIZATION NUMBER LB 1221

WRITTEN BY: RRC	DATE: 11/01/10	SECTION: 16	TEXAS AVENUE-ORANGE COUNTY, FLORIDA	
DRAWN BY: RRC	REV.:	TOWNSHIP: 23S	Bowyer-Singleton & Assoc., Inc. 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	DRAWING SCALE: N/A
APPROVED BY:	REV.:	RANGE: 29E		SHEET 2 OF 6
	REV.:			C.I.P. = 5027

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1024

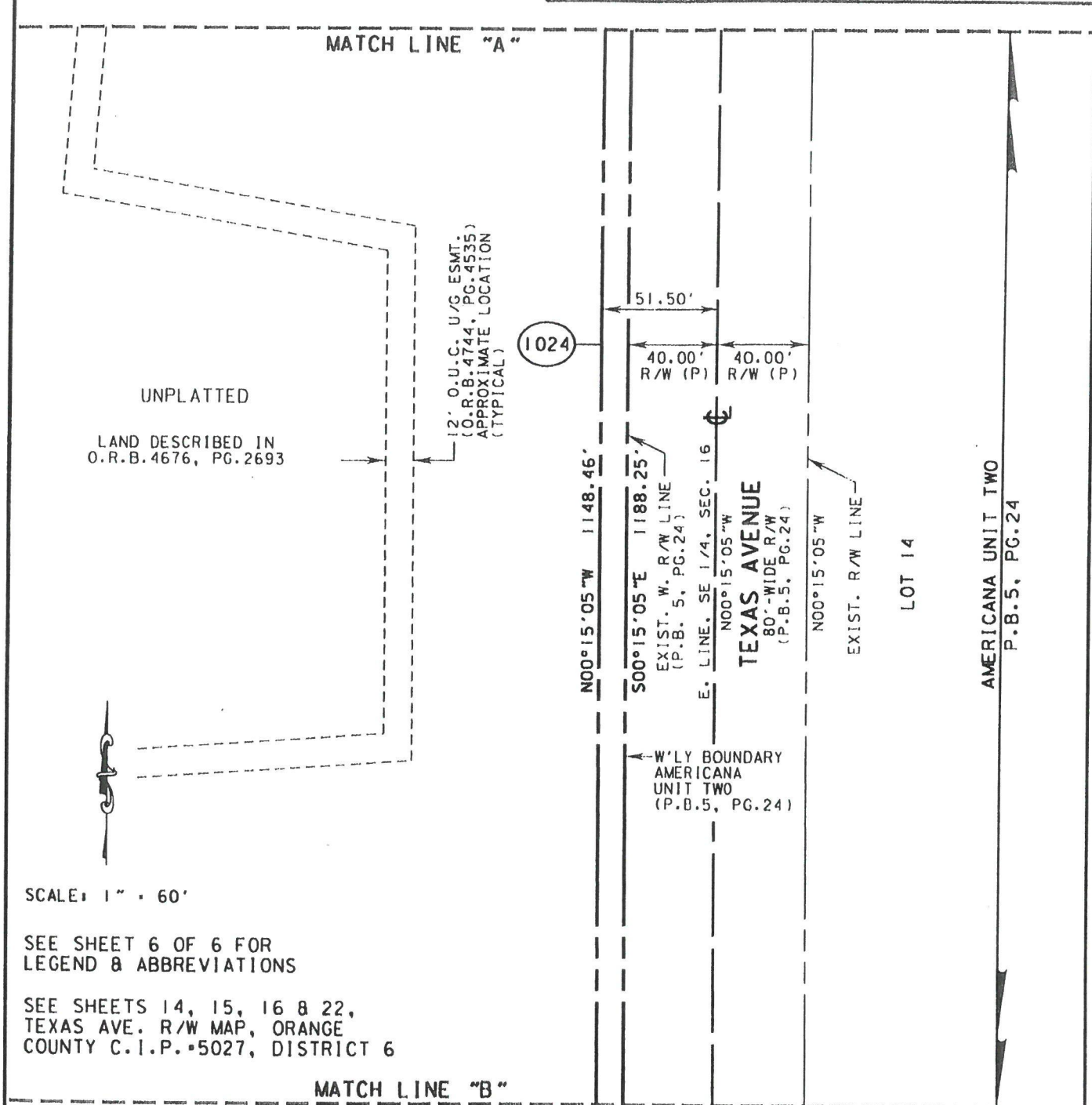


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DESIGNED BY: INWOOD	DATE: 11/01/10	SECTION: 16	TEXAS AVENUE-ORANGE COUNTY, FLORIDA	
DRAWN BY: RRC	REV.:	TOWNSHIP: 23S	Bowyer-Singleton & Assoc., Inc. 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	DRAWING SCALE: 1" = 60'
APPROVED BY:	REV.:	RANGE: 29E		SHEET 3 OF 6
	REV.:			C.I.P. 5027

SKETCH OF DESCRIPTION
SCHEDULE "A"
PARCEL NUMBER: 1024



SCALE: 1" = 60'

SEE SHEET 6 OF 6 FOR
 LEGEND & ABBREVIATIONS

SEE SHEETS 14, 15, 16 & 22,
 TEXAS AVE. R/W MAP, ORANGE
 COUNTY C.I.P. #5027, DISTRICT 6

NOTE: BEARING STRUCTURE BASED ON THE EAST LINE OF
 THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 23
 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA,
 BEING NORTH 00°15'05" WEST, ASSUMED.

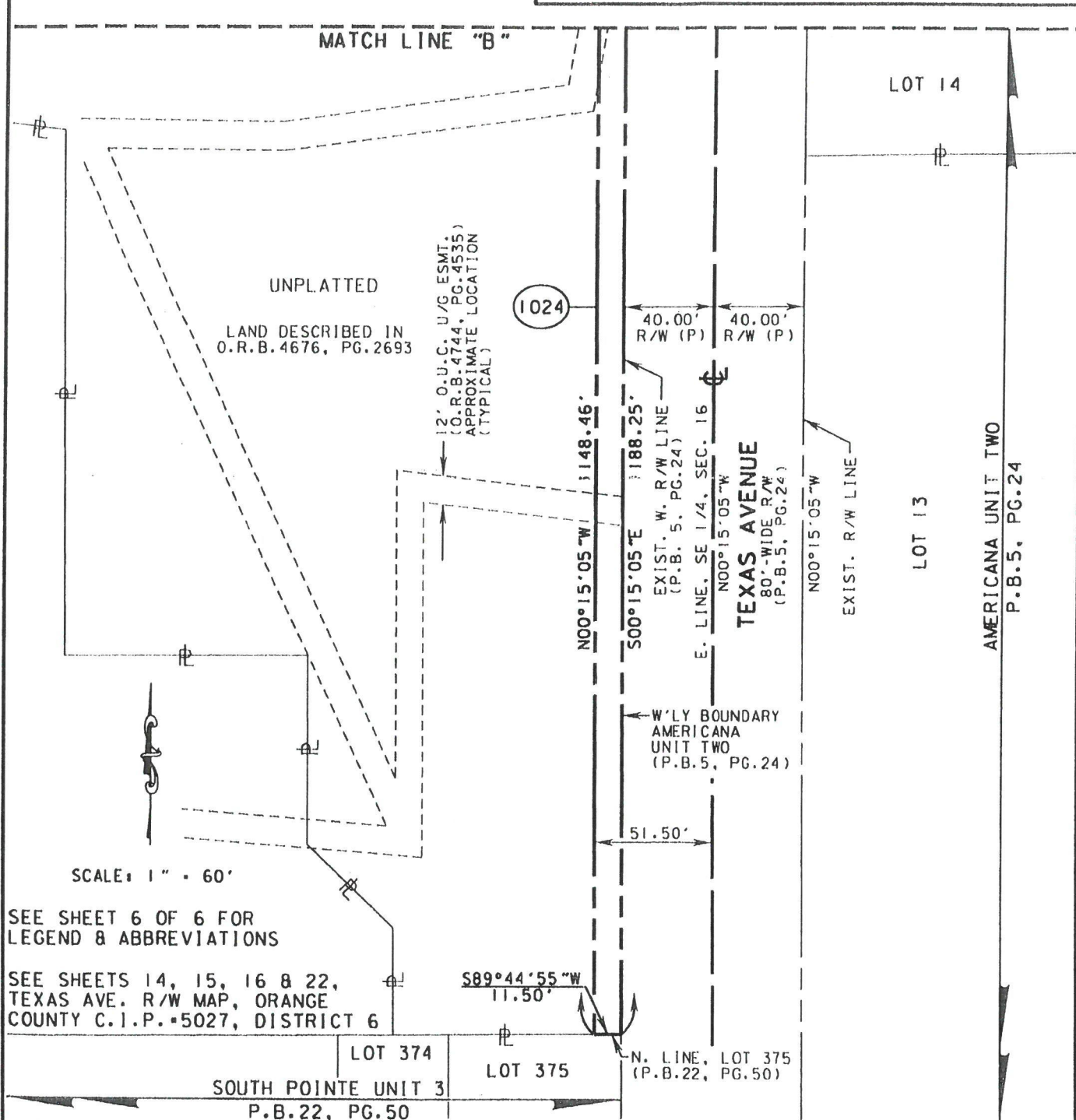
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APPROVED BY:	REV.:	RANGE: 29E		SHEET 4 OF 6
	REV.:			C.I.P. # 5027

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1024



SEE SHEET 6 OF 6 FOR
LEGEND & ABBREVIATIONS

SEE SHEETS 14, 15, 16 & 22,
TEXAS AVE. R/W MAP, ORANGE
COUNTY C.I.P. #5027, DISTRICT 6

NOTE: BEARING STRUCTURE BASED ON THE EAST LINE OF
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BEING NORTH 00°15'05" WEST, ASSUMED.

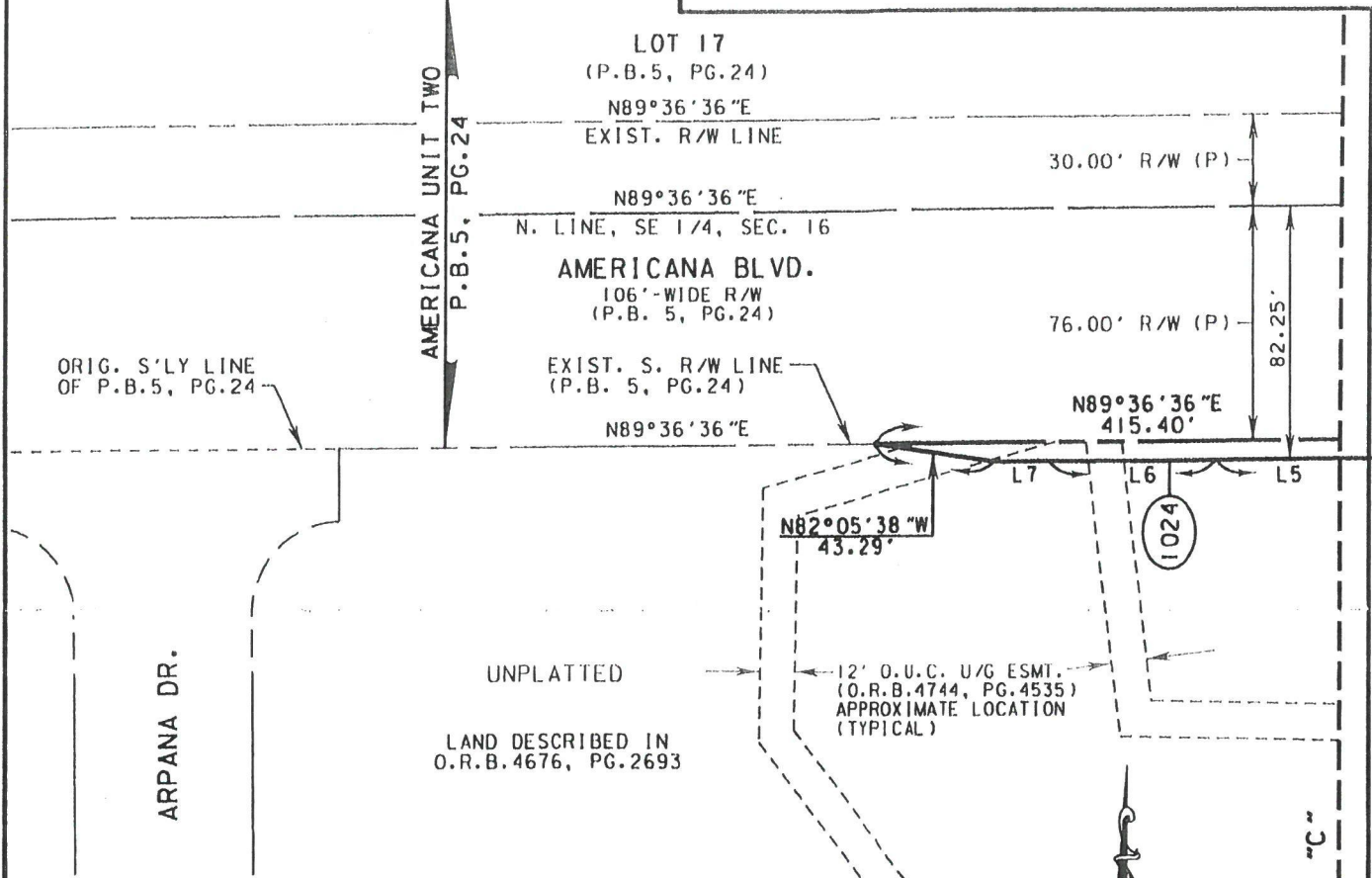
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APPROVED BY:	REV.:	RANGE: 29E		SHEET 5 OF 6
	REV.:			C.I.P. # 5027

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER: 1024



LEGEND & ABBREVIATIONS

AC. • ACRE(S)	P.C. • POINT OF CURVATURE
(C) • CALCULATED	P.T. • POINT OF TANGENCY
C.B. • CHORD BEARING	P.O.B. • POINT OF BEGINNING
C.D. • CHORD LENGTH	P.O.C. • POINT OF COMMENCEMENT
C.M. • CONCRETE MONUMENT	PG. • PAGE(S)
COR. • CORNER	R • RADIUS
(D) • DEED	R/W • RIGHT OF WAY
D.B. • DEED BOOK	RGE • RANGE
ESMT. • EASEMENT	R.R. • RAILROAD
EXIST. • EXISTING	RT. • RIGHT
FND. • FOUND	SEC. • SECTION
ID. • IDENTIFICATION	SQ.FT. • SQUARE FEET
I.P. • IRON PIPE	STA. • STATION
I.R.C. • IRON ROD & CAP	TB • TANGENT BEARING
L • ARC LENGTH	TWP • TOWNSHIP
LT. • LEFT	U/G • UNDERGROUND
LB • CERTIFICATE OF AUTHORIZATION	N'LY • NORTHERLY
M.B. • MAP BOOK	S'LY • SOUTHERLY
N/A • NOT APPLICABLE	E'LY • EASTERLY
N.D. • NAIL & DISK	W'LY • WESTERLY
O.R.B. • OFFICIAL RECORDS BOOK	B • BASE LINE
ORIG. • ORIGINAL	C • CENTER LINE
(P) • PER PLAT	P • PROPERTY LINE
P.B. • PLAT BOOK	Δ • DELTA (CENTRAL ANGLE)
	—• LINE BREAK

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°35'23"W	59.02'
L2	S89°29'19"W	29.17'
L3	S89°28'06"W	47.16'
L4	S89°30'54"W	45.00'
L5	S89°30'43"W	58.33'
L6	S89°41'14"W	56.94'
L7	S89°35'33"W	18.74'

SEE SHEETS 14, 15, 16 & 22,
TEXAS AVE. R/W MAP, ORANGE
COUNTY C.I.P. #5027, DISTRICT 6

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APPROVED BY:	REV.:	RANGE: 29E		SHEET 6 OF 6
	REV.:			C.I.P. # 5027