

Instrument: 1035.3

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

SUBORDINATION OF ENCUMBRANCES 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 Overhead and Underground Easement; and Amended Overhead and Underground Easement, held by the undersigned; and,

WHEREAS, On behalf of Orange County, a request has been made for the undersigned to subordinate said encumbrances 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 encumbrances 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: Engle Alhambra Corporation

Overhead and Underground Easement filed December 12, 1984

Recorded in Official Record Book 3585, Page 2136

Amended Overhead and Underground Easement filed April 23, 1986

Recorded in Official Record Book 3776, Page 360

All in the Public Records of Orange County, Florida

PROVIDED, ALWAYS, NEVERTHELESS, and it is expressly understood and agreed that this instrument subordinates said encumbrances 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 encumbrances 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

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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 encumbrances 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 encumbrances has duly executed this instrument this _____ day of _____, A.D., 20_____.

Witnesses:

CITY OF ORLANDO

As to City of Orlando

BY: _____
Mayor Pro-Tem

Printed Name

Printed Name

As to City of Orlando

ATTEST: _____
City Clerk

Printed Name

Printed Name

Post Office Address

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 _____

The foregoing instrument was acknowledged before me this _____ day of _____, A.D. 20____, by _____ and _____ respectively _____ of the City of Orlando, a Florida municipal corporation, on behalf of the city. They ☐ are personally known to me or ☐ have produced _____ and _____ as identification.

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: 1035.3

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Signed, sealed and delivered
in the presence of:

Kimberly J. Catrett
(sign)
Print Name: Kimberly J. Catrett

Richard H. Parker
(sign)
Print Name: Richard H. Parker
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

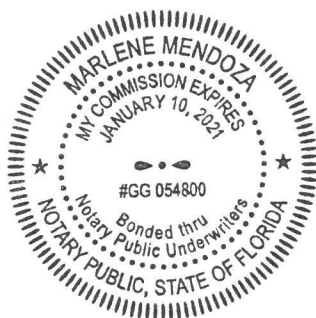
Wayne Morris
Attorney

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 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 : 1035

A PORTION OF LOT 16, AS DEPICTED ON THE PLAT OF AMERICANA UNIT TWO, RECORDED IN PLAT BOOK 5, PAGE 24, 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 SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN NORTH $00^{\circ}11'54''$ WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 555.04 FEET TO A POINT ON A LINE PROJECTED WESTERLY FROM THE EXISTING SOUTH LINE OF LOT 16, 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, RUN NORTH $89^{\circ}14'30''$ EAST, ALONG SAID PROJECTED LINE, A DISTANCE OF 40.00 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY LINE OF TEXAS AVENUE AS DEPICTED ON SAID PLAT OF AMERICANA UNIT TWO, AND THE POINT OF BEGINNING; THENCE, DEPARTING SAID PROJECTED LINE, RUN NORTH $00^{\circ}11'54''$ WEST, ALONG SAID EXISTING EAST RIGHT OF WAY LINE OF TEXAS AVENUE, A DISTANCE OF 742.54 FEET TO A POINT ON THE EXISTING SOUTH RIGHT OF WAY LINE OF HONOUR ROAD, AS DEPICTED ON SAID PLAT OF AMERICANA UNIT TWO; THENCE, DEPARTING SAID EAST RIGHT OF WAY LINE OF TEXAS AVENUE, RUN NORTH $89^{\circ}14'30''$ EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF HONOUR ROAD, A DISTANCE OF 26.14 FEET; THENCE, DEPARTING SAID SOUTH RIGHT OF WAY LINE OF HONOUR ROAD, RUN SOUTH $33^{\circ}20'45''$ WEST, A DISTANCE OF 26.50 FEET; THENCE RUN SOUTH $00^{\circ}11'53''$ EAST, A DISTANCE OF 203.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 14,350.75 FEET, A CHORD BEARING OF SOUTH $00^{\circ}37'19''$ WEST AND A CHORD DISTANCE OF 410.82 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $01^{\circ}38'25''$, A DISTANCE OF 410.83 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 14,259.25 FEET, A CHORD BEARING OF SOUTH $01^{\circ}15'26''$ WEST AND A CHORD DISTANCE OF 92.06 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $00^{\circ}22'12''$, A DISTANCE OF 92.06 FEET TO

(CONTINUED ON SHEET 2 OF 5)

NOTE: BEARING STRUCTURE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING NORTH $00^{\circ}11'54''$ 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: 15	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 5
	REV.:			C.I.P. - 5027

LEGAL DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER : 1035

(CONTINUED FROM SHEET 1 OF 5)

A POINT ON A LINE RADIAL TO SAID CURVE; THENCE, DEPARTING SAID CURVE, RUN SOUTH 88°54'28" EAST, ALONG SAID RADIAL LINE, A DISTANCE OF 3.00 FEET TO A POINT ON A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 14,256.25 FEET, A CHORD BEARING OF SOUTH 01°02'36" WEST AND A CHORD DISTANCE OF 14.32 FEET; THENCE, DEPARTING SAID RADIAL LINE, RUN SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°03'27", A DISTANCE OF 14.32 FEET TO A POINT ON THE SOUTH LINE OF THE AFOREMENTIONED LOT 16; THENCE, DEPARTING SAID CURVE, RUN SOUTH 89°14'30" WEST, ALONG SAID SOUTH LINE OF LOT 16, A DISTANCE OF 5.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,161 SQUARE FEET, OR 0.164 ACRES, MORE OR LESS

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

WILLIAM J. BOWYER
FLORIDA SURVEYOR
LICENSE NO. 1221
520 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801

NOTE: BEARING STRUCTURE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING NORTH 00°11'54" WEST, ASSUMED.

NOT VALID WITHOUT ORIGINAL RAISED SEAL OF A PROFESSIONAL SURVEYOR AND MAPPER

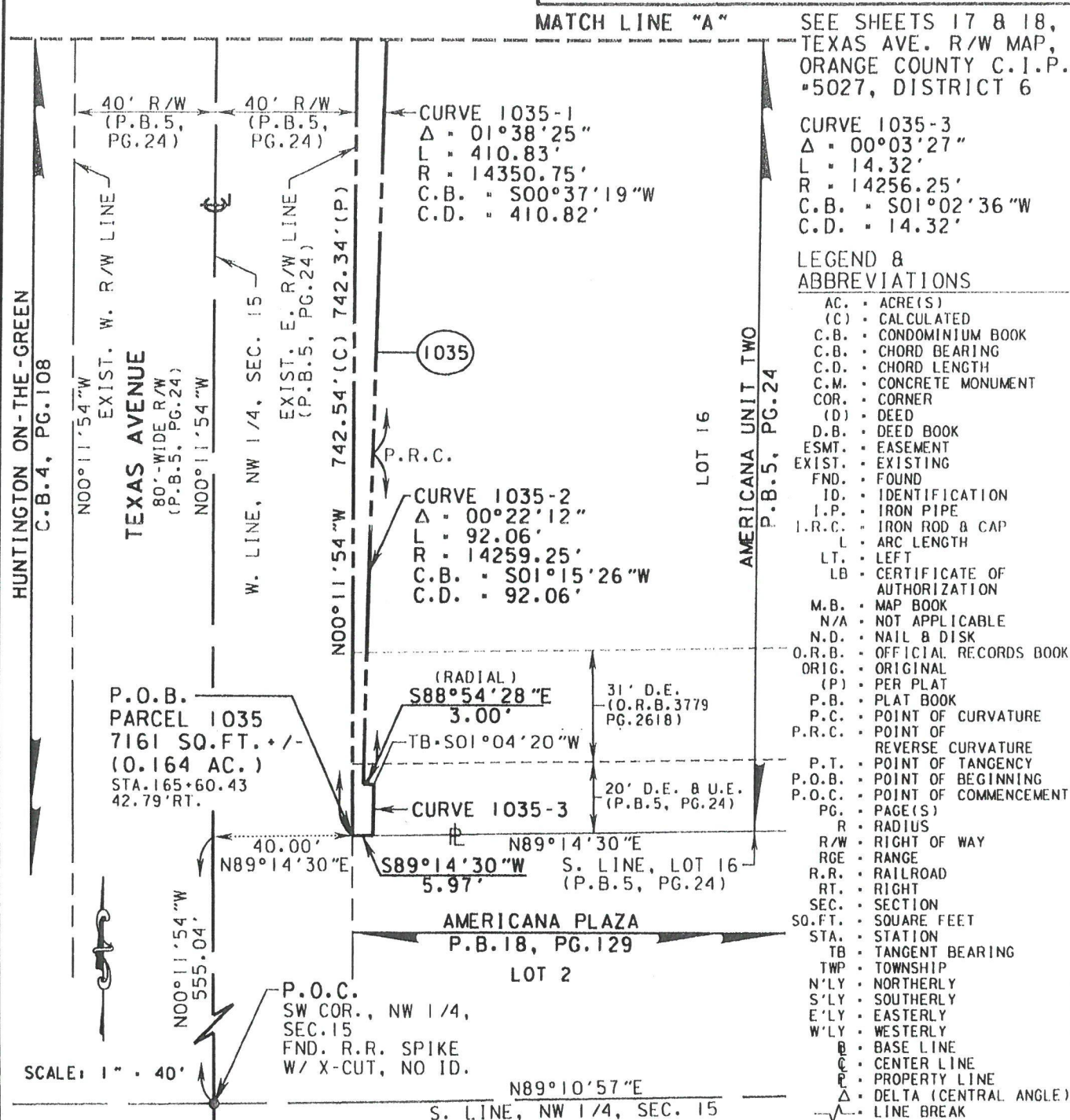
CERTIFICATE OF SURVEY NO. 1221

WRITTEN BY: RRC	DATE: 11/01/10	SECTION: 15	TEXAS AVENUE-ORANGE COUNTY, FLORIDA	
DRAWN BY: RRC	REV. 1	TOWNSHIP: 23S	Bowyer-Singleton & Assoc., Inc. 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	DRAWING SCALE: N/A
APPROVED BY:	REV. 1	RANGE: 29E		SHEET 2 OF 5
	REV. 1			C.I.P. - 5027

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER : 1035



NOTE: BEARING STRUCTURE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING NORTH $00^{\circ}11'54''$ WEST, ASSUMED.

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DESIGNED BY: INWOOD	DATE: 11/01/10	SECTION: 15	TEXAS AVENUE-ORANGE COUNTY, FLORIDA	
DRAWN BY: RRC	REV.:	TOWNSHIP: 23S	Bowyer-Singleton & Assoc., Inc.	
APPROVED BY:	REV.:	RANGE: 29E	520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	
	REV.:		DRAWING SCALE: 1" = 40'	
			SHEET 3 OF 5	
			C.I.P. = 5027	

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER : 1035

P.C.

MATCH LINE "B"

SEE SHEETS 17 & 18,
TEXAS AVE. R/W MAP,
ORANGE COUNTY C.I.P.
#5027, DISTRICT 6

SCALE: 1" = 40'

LEGEND & ABBREVIATIONS

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

CURVE 1035-1
Δ = 01°38'25"
L = 410.83'
R = 14350.75'
C.B. = S00°37'19"W
C.D. = 410.82'

HUNTINGTON ON-THE-GREEN

C.B. 4, PG. 108

N00°11'54"W

EXIST. E. R/W LINE

TEXAS AVENUE

80'-WIDE R/W
(P.B. 5, PG. 24)

N00°11'54"W

W. LINE, NW 1/4, SEC. 15

EXIST. E. R/W LINE
(P.B. 5, PG. 24)

N00°11'54"W 742.54' (C) 742.34' (P)

1035

LOT 16

AMERICANA UNIT TWO

P.B. 5, PG. 24

MATCH LINE "A"

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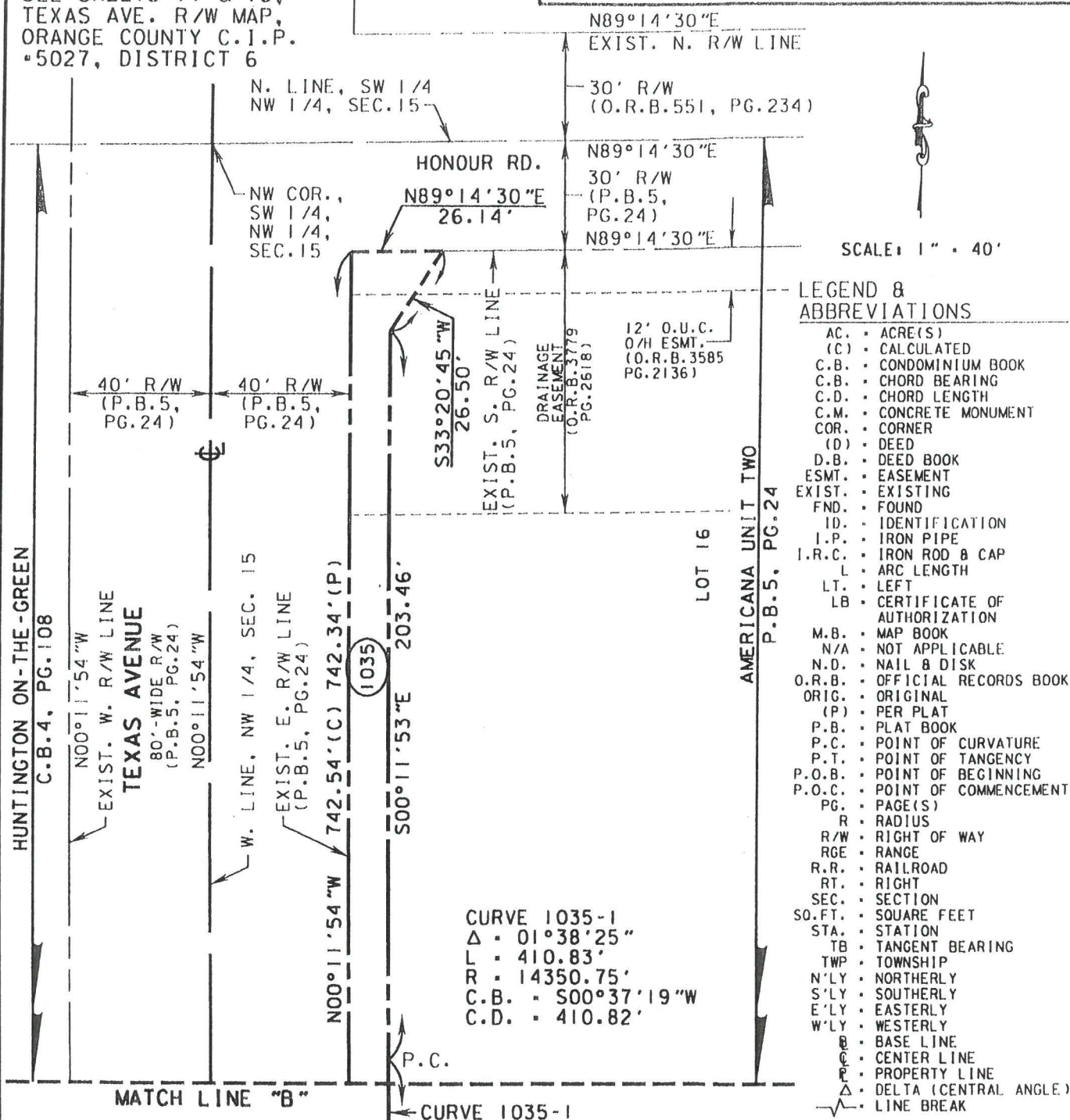
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APPROVED BY:	REV.:	RANGE: 29E		SHEET 4 OF 5
	REV.:			C.I.P. = 5027

SKETCH OF DESCRIPTION

SCHEDULE "A"

PARCEL NUMBER : 1035

SEE SHEETS 17 & 18,
TEXAS AVE. R/W MAP,
ORANGE COUNTY C.I.P.
#5027, DISTRICT 6



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DRAWN BY: RRC	REV.:	TOWNSHIP: 23S	Bowyer-Singleton & Assoc., Inc. 520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	DRAWING SCALE: 1" = 40'
APPROVED BY:	REV.:	RANGE: 29E		SHEET 5 OF 5
	REV.:			C.I.P. = 5027