

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\_\_\_\_\_.

CITY OF ORLANDO

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

\_\_\_\_\_  
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

Instrument: 1035.3

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

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:



# 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°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°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°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°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°20'45" WEST, A DISTANCE OF 26.50 FEET; THENCE RUN SOUTH 00°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°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°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°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°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°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	<b>TEXAS AVENUE - ORANGE COUNTY, FLORIDA</b>	
DRAWN BY: RRC	REV.:	TOWNSHIP: 23S	<b>Bowyer-Singleton &amp; Assoc., Inc.</b> 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.J.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, OR THE PREPARATION OF THIS SKETCH OF DESCRIPTION.

WILLIAM  
FLORIDA  
LICENS  
520 SO  
ORLANDO

NOT VALID UNLESS ORIGINAL RAISED SEAL OF A REGISTERED SURVEYOR AND MAPPER

CERTIFICATE NO. 1221

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.

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 2 OF 5
	REV.:			C.I.P. - 5027

# SKETCH OF DESCRIPTION

SCHEDULE "A"  
PARCEL NUMBER : 1035

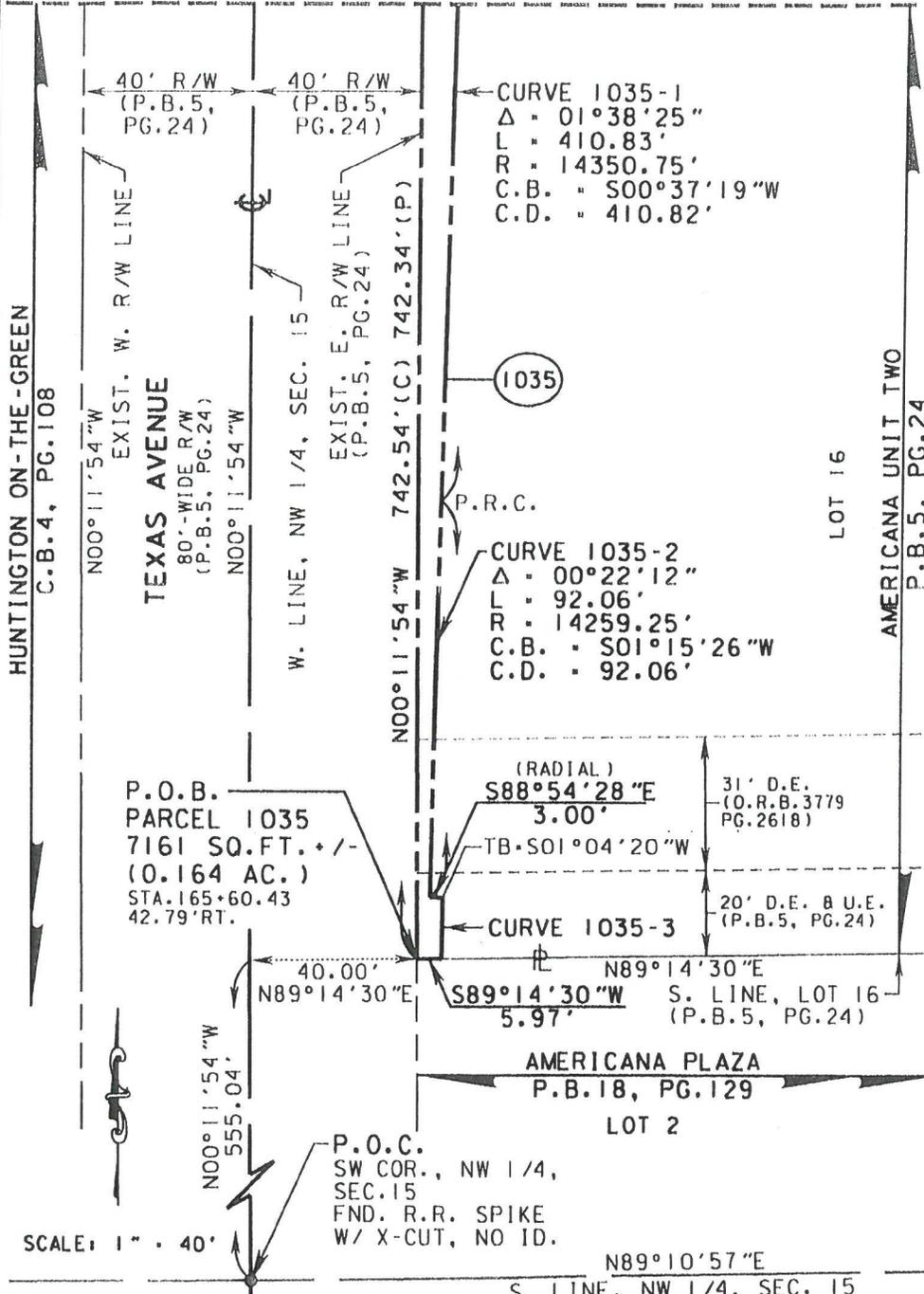
MATCH LINE "A"

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

CURVE 1035-3  
Δ = 00°03'27"  
L = 14.32'  
R = 14256.25'  
C.B. = S01°02'36"W  
C.D. = 14.32'

### 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.R.C. = POINT OF REVERSE 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
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- Δ = DELTA (CENTRAL ANGLE)
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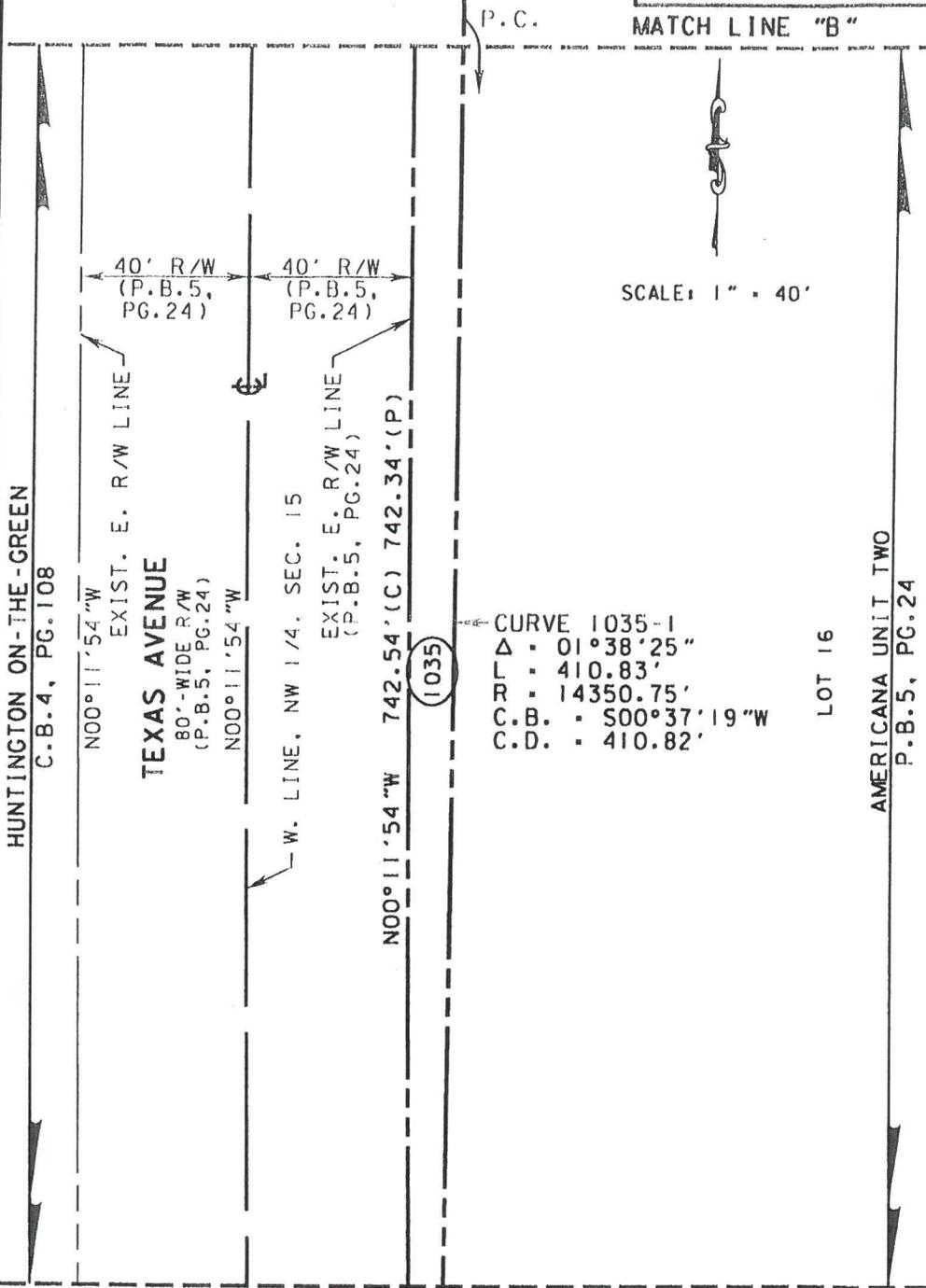
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THIS IS NOT A BOUNDARY SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS SKETCH OF DESCRIPTION.

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

# SKETCH OF DESCRIPTION

SCHEDULE "A"  
PARCEL NUMBER : 1035



SCALE: 1" = 40'

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

## LEGEND & ABBREVIATIONS

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- LINE BREAK

CURVE 1035-1  
 $\Delta$  •  $01^{\circ}38'25''$   
 $L$  • 410.83'  
 $R$  • 14350.75'  
 C.B. •  $500^{\circ}37'19''$  W  
 C.D. • 410.82'

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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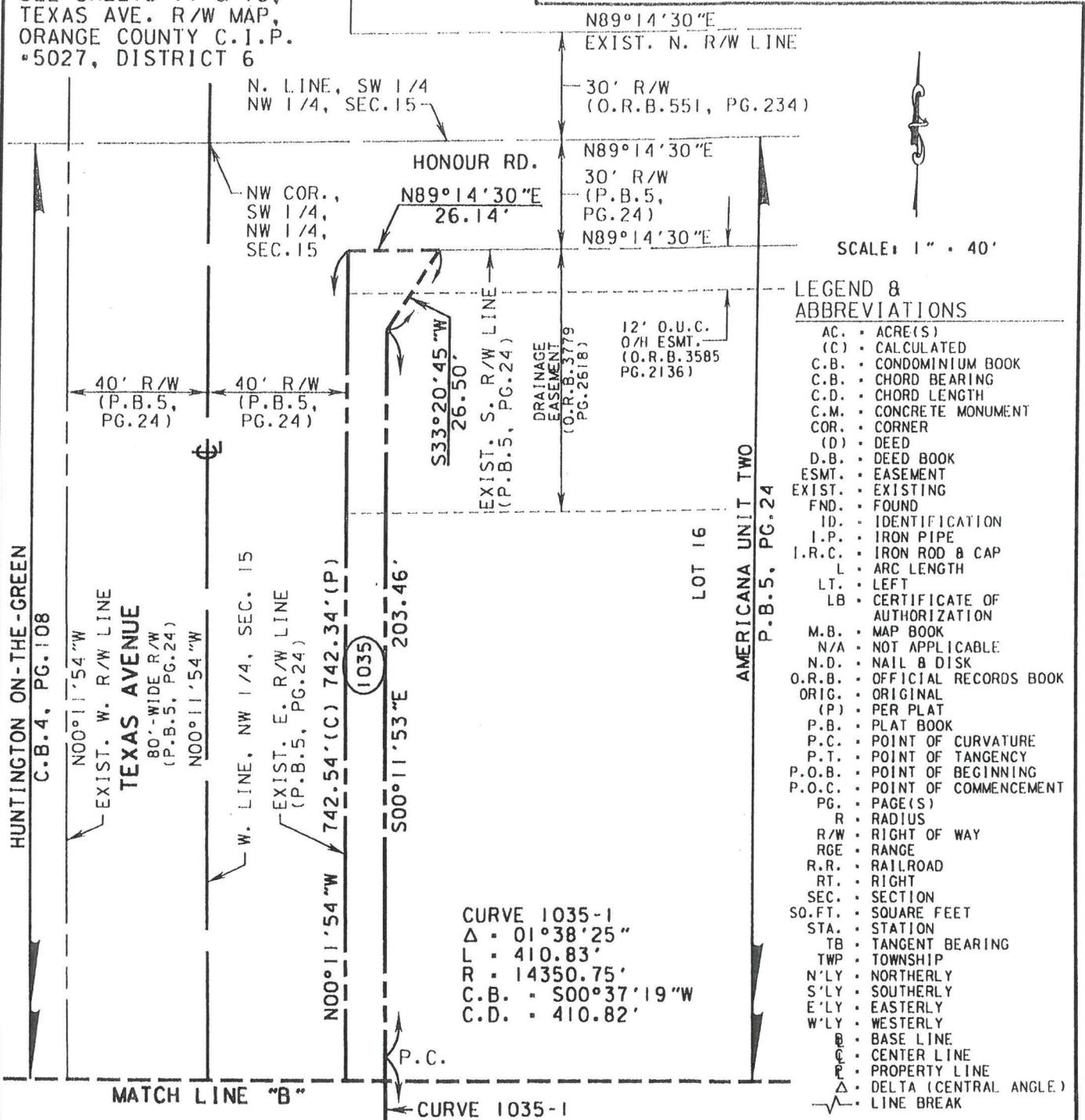
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APPROVED BY:	REV.:	RANGE: 29E		SHEET 4 OF 5
	REV.:		520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	C.I.P. = 5027

# SKETCH OF DESCRIPTION

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SEE SHEETS 17 & 18,  
TEXAS AVE. R/W MAP,  
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#5027, DISTRICT 6



SCALE: 1" = 40'

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CURVE 1035-1  
 $\Delta = 01^{\circ}38'25''$   
 $L = 410.83'$   
 $R = 14350.75'$   
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APPROVED BY:	REV.:	RANGE: 29E		SHEET 5 OF 5
	REV.:			C.I.P. = 5027
			520 SOUTH MAGNOLIA AVENUE ORLANDO, FLORIDA 32801 TELEPHONE: 407-843-5120	