



Interoffice Memorandum


APPROVED BY ORANGE  
COUNTY BOARD OF COUNTY  
COMMISSIONERS


BCC Mtg. Date: Jun. 14, 2016

REAL ESTATE MANAGEMENT ITEM 5

**DATE:** May 26, 2016

**TO:** Mayor Teresa Jacobs  
and the  
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager   
Real Estate Management Division

**FROM:** Kim Heim, Title Examiner   
Real Estate Management Division

**CONTACT PERSON:** Ann Caswell, Manager

**DIVISION:** Real Estate Management  
Phone: 836-7082

**ACTION REQUESTED:** APPROVAL OF UTILITY EASEMENT BETWEEN MLD 4, LLC AND ORANGE COUNTY, SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM AILERON INVESTMENT MANAGEMENT, LLC, SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM AMERICAN LENDING CENTER FLORIDA, LLC F/K/A US EMPLOYMENT DEVELOPMENT LENDING CENTER, LLC AND AUTHORIZATION TO RECORD INSTRUMENTS

**PROJECT:** Staybridge Suites Sea Harbor OCU Permit: B14903783  
OCU File #: 81166

District 1

**PURPOSE:** To provide for access, construction, operation, and maintenance of utility facilities as a requirement of development.

**ITEMS:** Utility Easement  
Cost: Donation  
Size: 321 square feet

Subordinations of Encumbrances to Property Rights to Orange County (2)

Real Estate Management Division  
Agenda Item 5  
May 26, 2016  
Page 2

**APPROVALS:** Real Estate Management Division  
Utilities Department

**REMARKS:** Grantor to pay all recording fees.

**A file labeled “BCC Agenda Backup” containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson’s office.**

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JUN 14 2016

THIS IS A DONATION

Project: Staybridge Suites Sea Harbor OCU Permit: B14903783 OCU File #: 81166

**UTILITY EASEMENT**

THIS INDENTURE, Made this 25th day of April, A.D. 2016, between MLD 4, LLC, a Florida limited liability company, having its principal place of business in the city of Orlando, county of Orange, whose address is PO Box 691777, Orlando, FL 32869-1777, GRANTOR, and Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$1.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, a right-of-way and easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

**SEE ATTACHED EXHIBIT "A"**

**Property Appraiser's Parcel Identification Number:**

**a portion of 11-24-28-3829-00-020**

TO HAVE AND TO HOLD said right-of-way and easement unto said GRANTEE and its assigns forever.

THE GRANTEE herein and its assigns shall have the right to clear and keep clear all trees, undergrowth and other obstructions that may interfere with normal operation or maintenance of the utilities and any facilities placed thereon by the GRANTEE and its assigns, out of and away from the herein granted right-of-way, and the GRANTOR, its successors and assigns, agree not to build, construct, or create, nor permit others to build, construct, or create any buildings or other structures on the herein granted right-of-way that may interfere with the normal operation or maintenance of the utility facilities installed thereon.

GRANTEE may at any time increase its use of the easement, change the location of pipelines or other facilities within the boundaries of the easement right-of-way, or modify the size of existing pipelines or other improvements as it may determine in its sole discretion from time to time without paying any additional compensation to GRANTOR or GRANTOR'S heirs, successors, or assigns, provided GRANTEE does not expand its use of the easement beyond the easement boundaries described above.

Project: Staybridge Suites Sea Harbor OCU Permit: B14903783 OCU File #: 81166

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange County landscaping standards for Orange County right-of-way and shall not include an obligation to restore to exotic or enhanced landscaping standards.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name.

Signed, sealed, and delivered  
in the presence of:

[Signature]  
Witness

Ryan Steding  
Printed Name

[Signature]  
Witness

Gino Inchchery  
Printed Name

(Signature of TWO witnesses required by Florida law)

MLD 4, LLC,  
a Florida limited liability company

BY: [Signature]  
Authorized Member

Rumit Nana  
Printed Name

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of April,  
2016 by Rumit Nana as Authorized Member of MLD 4, LLC, a Florida  
limited liability company, on behalf of the limited liability company. He/she is personally known to me or  
has produced personally known as identification.



This instrument prepared by:  
Kim Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

[Signature]  
Notary Signature

Nita Patel  
Printed Notary Name

Notary Public in and for  
the County and State aforesaid

My commission expires: 4-15-17

OCU FILE #: 81166  
 PROJECT NAME: ILH INTERCHANGE PD/LOT 2/  
 STAYBRIDGE SUITES DP  
 PURPOSE: UTILITY EASEMENT  
 ESTATE: PERMANENT

*Legal Description*

A portion of Lot 2, I L H INTERCHANGE CENTER, according to the plat thereof, as recorded in Plat Book 27, Pages 96 through 98, Public Records of Orange County, Florida, lying in Section 12, Township 24 South, Range 28 East, being more particularly described as follows:

Commence at the southwest corner of said Lot 2; thence run N 56°04'22" E, a distance of 88.76 feet to a point on the northerly right-of-way line of Sea Harbor Drive; said point being a point on a non-tangent curve, concave easterly; having a radius of 35.76 feet; thence run southeasterly, along the northerly right-of-way line of Sea Harbor Drive, the following courses and distances: on a chord bearing of S 11°04'29" W and a chord distance of 50.57 feet, run along the arc of said curve, through a central angle of 89°59'45", a distance of 56.17 feet to a point of compound curvature of a curve, concave northeasterly, having a radius of 244.00 feet and a central angle of 38°18'28"; thence run southeasterly, along the arc of said curve, a distance of 163.14 feet to the point of tangency thereof; thence run S 72°13'51" E, a distance of 492.69 feet for the POINT OF BEGINNING; thence, departing said northerly right-of-way line, run N 22°23'13" E, a distance of 22.00 feet; thence run S 67°36'47" E, a distance of 15.00 feet; thence run S 22°23'13" W, a distance of 20.79 feet to a point on the aforesaid northerly right-of-way line of Sea Harbor Drive; thence run N 72°13'51" W, along said northerly right-of-way line, a distance of 15.05 feet to the POINT OF BEGINNING.

Containing 321 square feet, more or less.

Not a Boundary Survey.  
 The legal description was prepared by the Surveyor.  
 See Sheet 2 of 2 for sketch.  
 Lines shown hereon are radial unless noted NR (non-radial).  
 Graphic scale exaggerated for illustrative purposes.

Sketch of Description  
 of a  
**Utility Easement**  
 situated in

Section 12, Township 24 South, Range 28 East  
 Orange County, Florida

**SKETCH OF DESCRIPTION ONLY - NOT A SURVEY**

NO CORNERS WERE SET AND GANUNG-BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION.

PREPARED FOR: **MLD 4, LLC**

**GANUNG - BELTON ASSOCIATES, INC.**  
 professional surveyors and mappers  
 1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656

JOB NO. 0805.45B	DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAISED AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONAL COPIES OF THIS SKETCH OF DESCRIPTION ARE BEING MADE BY THE SURVEY PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SURVEY PARTY. 4238 SECTION 12 TOWNSHIP 24 SOUTH RANGE 28 EAST ORANGE COUNTY FLORIDA SURVEYOR
SHEET 1 of 2	
DATE 1/28/16	
SCALE As Noted	

OCU FILE #: 81166

PROJECT NAME: ILH INTERCHANGE PD/LOT 2/  
STAYBRIDGE SUITES DP

PURPOSE: UTILITY EASEMENT

ESTATE: PERMANENT

**Legend**

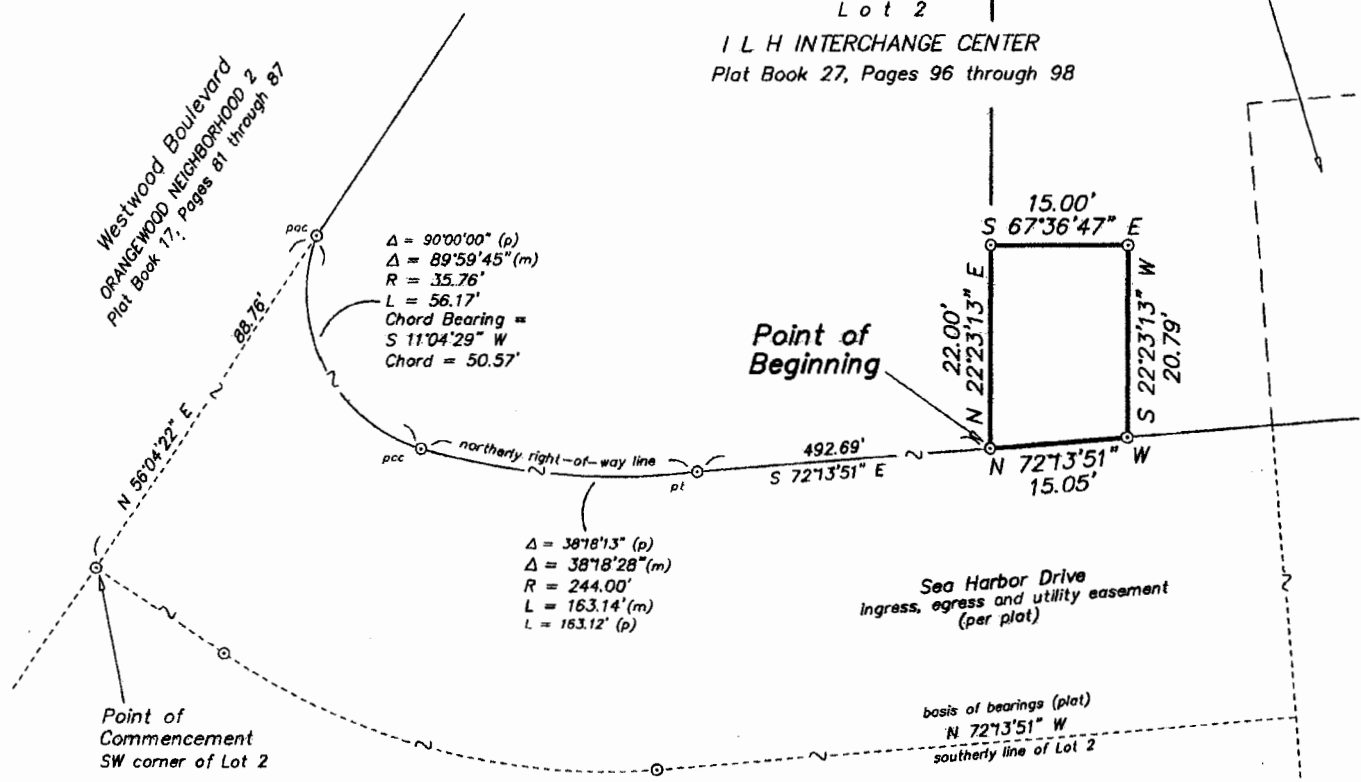
- pt point of tangency
- poc point on curve
- pcc point of compound curvature
- (m) measured
- (p) plat
- ⊙ indicates change in direction



.35' Landscape Buffer and Utility Easement  
 O.R.B. 4149 / 4206  
 O.R.B. 4790 / 1959  
 O.R.B. 6908 / 811  
 O.R.B. 9752 / 1072

Lot 2  
 I L H INTERCHANGE CENTER  
 Plat Book 27, Pages 96 through 98

Westwood Boulevard  
 ORANGE WOOD NEIGHBORHOOD 2  
 Plat Book 17, Pages 81 through 87



Sea Harbor Drive  
 ingress, egress and utility easement  
 (per plat)

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JUN 14 2016

Project: Staybridge Suites Sea Harbor OCU Permit: B14903783 OCU File #: 81166

**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 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 utility easement in Orange County, Florida; and,

WHEREAS, A portion of the lands involved and necessary to said project is subject to Construction Mortgage and Assignment of Rents 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 as they have been or as may be modified and amended from time to time to the property rights of ORANGE COUNTY to locate, construct, maintain, and/or improve said project over, 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"**

Encumbrances:

Aileron Investment Management, LLC  
FROM: MLD 4, LLC  
Construction Mortgage filed June 15, 2015  
Recorded in Official Records Book 10934, Page 6899  
Assignment of Rents filed June 15, 2015  
Recorded in Official Records Book 10934, Page 6908  
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 utility easement 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 agreed that in the event said above described premises are abandoned by ORANGE COUNTY and cease to be used for utility easement 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 21<sup>st</sup> day of APRIL, A.D. 2016.

Signed, sealed, and delivered  
in the presence of:

Aileron Investment Management, LLC,  
a Florida limited liability company

Reid Jaeger  
Witness

BY: Robert K Beard  
Robert K. Beard, Manager

Reid Jaeger  
Printed Name

Robert Beard  
Printed Name

[Signature]  
Witness

Michael Awan  
Printed Name



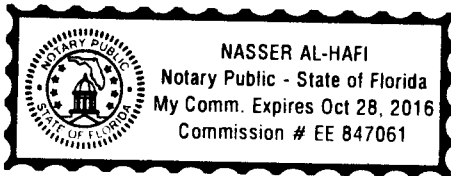
STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 21<sup>ST</sup> of APRIL, 2016, by Robert K. Beard as Manager of Aileron Investment Management, LLC, a Florida limited liability company, on behalf of the limited liability company. He  is personally known to me or  has produced \_\_\_\_\_ as identification.

Witness my hand and official seal this 21<sup>ST</sup> day of APRIL, 2016.

(Notary Seal)



[Handwritten Signature]  
Notary Signature

NASSER AL-HAFI  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid

My commission expires: 10/28/2016

**This instrument prepared by:**  
Kim Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

OCU FILE #: 81166  
 PROJECT NAME: ILH INTERCHANGE PD/LOT 2/  
 STAYBRIDGE SUITES DP  
 PURPOSE: UTILITY EASEMENT  
 ESTATE: PERMANENT

*Legal Description*

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Containing 321 square feet, more or less.

Not a Boundary Survey.

The legal description was prepared by the Surveyor.

See Sheet 2 of 2 for sketch.

Lines shown hereon are radial unless noted NR (non-radial).

Graphic scale exaggerated for illustrative purposes.

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NO CORNERS WERE SET AND GANUNG-BELTON ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY BEYOND ACCEPTED MATHEMATICAL CLOSURES. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SUBJECT TO FIELD VERIFICATION.

*Sketch of Description  
of a*

**Utility Easement**

situated in

Section 12, Township 24 South, Range 28 East  
 Orange County, Florida

PREPARED FOR: <b>MLD 4, LLC</b>		JOB NO. 0805.45B	<small>THIS DESCRIPTION NOT VALID WITHOUT THE ORIGINAL RAB SIGNATURE AND MAPPER. ADDITIONAL COPIES OF THIS SKETCH OR REPRODUCTION THEREOF BY ANY PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SURVEYOR.</small> 
<b>GANUNG - BELTON ASSOCIATES, INC.</b> professional surveyors and mappers		SHEET 1 of 2	
1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656		DATE 1/28/16	
		SCALE As Noted	

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STAYBRIDGE SUITES DP

PURPOSE: UTILITY EASEMENT

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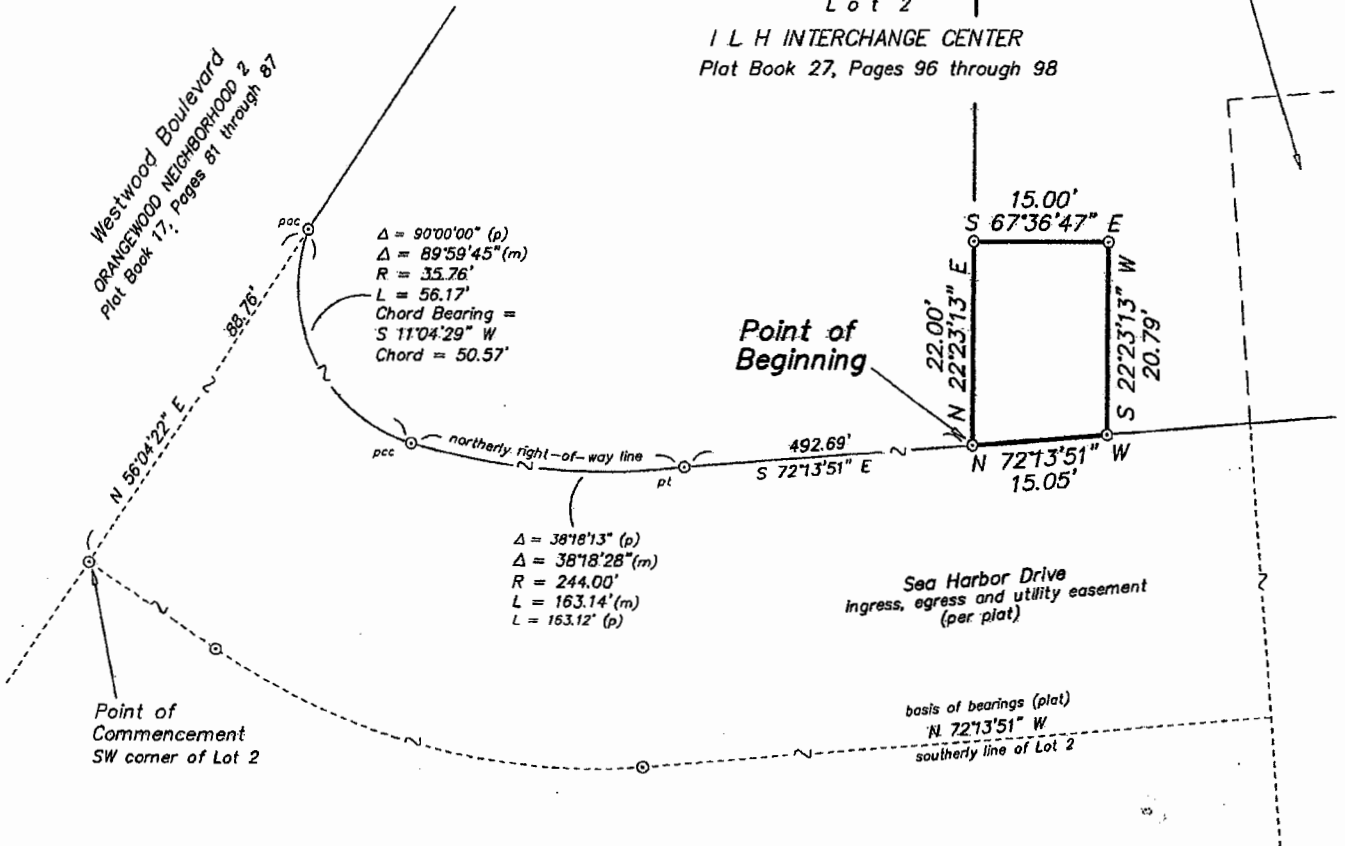
Legend	
pt	point of tangency
poc	point on curve
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(m)	measured
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35' Landscape Buffer and Utility Easement  
O.R.B. 4149 / 4206  
O.R.B. 4790 / 1959  
O.R.B. 6908 / 811  
O.R.B. 9752 / 1072

Lot 2  
I L H INTERCHANGE CENTER  
Plat Book 27, Pages 96 through 98

Westwood Boulevard  
ORANGEWOOD NEIGHBORHOOD 2  
Plat Book 17, Pages 81 through 87



Sea Harbor Drive  
Ingress, egress and utility easement  
(per plat)

Point of Commencement  
SW corner of Lot 2

**APPROVED**  
**BY ORANGE COUNTY BOARD**  
**OF COUNTY COMMISSIONERS**  
**JUN 14 2016**

Project: Staybridge Suites Sea Harbor OCU Permit: B14903783 OCU File #: 81166

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WHEREAS, A portion of the lands involved and necessary to said project is subject to Construction Mortgage and Assignment of Rents 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 as they have been or as may be modified and amended from time to time to the property rights of ORANGE COUNTY to locate, construct, maintain, and/or improve said project over, 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"**

Encumbrances:

TO: American Lending Center Florida, LLC, f/k/a US Employment  
Development Lending Center, LLC  
FROM: MLD 4, LLC  
Construction Mortgage filed June 15, 2015  
Recorded in Official Records Book 10934, Page 6884  
Assignment of Rents filed June 15, 2015  
Recorded in Official Records Book 10934, Page 6893  
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 utility easement 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 agreed that in the event said above described premises are abandoned by ORANGE COUNTY and cease to be used for utility easement 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 20 day of April, A.D. 2016.

Signed, sealed, and delivered  
in the presence of:

American Lending Center Florida, LLC,  
a Florida limited liability company  
f/k/a US Employment Development Lending  
Center, LLC

Reid Jaeger  
Witness

BY: Regional Centers Holdings Group, Inc.,  
a California corporation  
as its: Manager

Reid Jaeger  
Printed Name

Michael Allan  
Witness

BY: Stella Zhang

MICHAEL ALLAN  
Printed Name

Stella Zhang  
Printed Name

C.O.O.  
Title

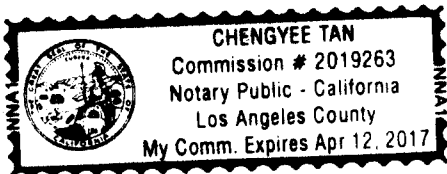
STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

The foregoing instrument was acknowledged before me this 20<sup>th</sup> of April, 2016, by Stella Zhang, as C.O.O. of Regional Centers Holdings Group, Inc., a California corporation as Manager of American Lending Center Florida, LLC, a Florida limited liability company f/k/a US Employment Development Lending Center, on behalf of the limited liability company. He/She  is personally known to me or  has produced CA Driver License as identification.

Witness my hand and official seal this 20<sup>th</sup> day of April, 2016.

(Notary Seal)



[Signature]  
Notary Signature  
CHENGYEE TAN  
Printed Notary Name

Notary Public in and for  
the county and state aforesaid

My commission expires: April 12<sup>th</sup>, 2017

**This instrument prepared by:**  
Kim Heim, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

OCU FILE #: 81166  
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*See Sheet 2 of 2 for sketch.*

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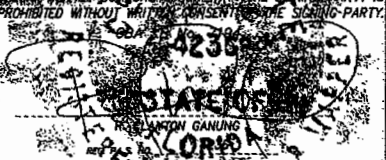

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**Sketch of Description**  
 of a  
**Utility Easement**  
 situated in

**Section 12, Township 24 South, Range 28 East  
 Orange County, Florida**

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PREPARED FOR: <b>MLD 4, LLC</b>	JOB NO. 0805.45B	THIS DESCRIPTION NOT VALID WITHOUT THE ORIGINAL PLAT AND SIGNATURE OF FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONAL COPIES OF THIS SKETCH OF DESCRIPTION BY SOMEONE OTHER THAN THE SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT FROM THE SURVEYOR. 
 <b>GANUNG - BELTON ASSOCIATES, INC.</b> professional surveyors and mappers	SHEET 1 of 2	
1275 E. Robinson Street, Orlando, FL 32801 (407) 894-6656	DATE 1/28/16	
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 Q.R.B. 4790 / 1959  
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Lot 2  
 I L H INTERCHANGE CENTER  
 Plat Book 27, Pages 96 through 98

