APOPKA DEVELOPMENT REVIEW COMMITTEE AGENDA

March 26, 2025 9:00 AM

Apopka City Hall Council Chambers

SPECIAL EVENTS

ANNEXATION

1. AN-25-3, Paulucci Acres - Annexation(Annex), 1st Submittal
   Owner(s): Paulucci Acres, LLC
   Applicant(s): Daniel O'Keefe
   Location: Southeast corner of Vick Road and West Ponkan Road
   Proposed Use: Residential
   Project Manager: Bobby Howell
   Presented by: Bobby Howell, Planning Manager

2. AN-24-2, 5118 Plymouth Sorrento Road - Annexation Agreement, 1st Submittal
   Owner(s): David Cipollone
   Applicant(s): Michael Rankin
   Location: 5118 Plymouth Sorrento Road
   Proposed Use: Sports Tavern
   Project Manager: Bobby Howell
   Presented by: Bobby Howell, Planning Manager

FUTURE LAND USE AMENDMENT

1. FLU-25-5, Paulucci Acres - Future Land Use Amendment (FLU), 1st Submittal

2. FLU-24-22, 438 North Park Avenue - Future Land Use (FLU), 2nd Submittal

3. FLU-25-2, Ondich North - Future Land Use (FLU), 1st Submittal

REZONING

1. FLU-24-22, 438 N. Park Ave - Rezone (Rz), 2nd Submittal

VACATION OF ROW/EASEMENT

1. VAC-25-1, Paulucci Acres - Right of Way Vacation (ROW), 1st Submittal
   Owner(s): Paulucci Acres, LLC
   Applicant(s): Daniel O'Keefe
   Location: Southeast corner of Vick Road and West Ponkan Road
   Proposed Use: Residential
   Project Manager: Bobby Howell
   Presented by: Bobby Howell, Planning Manager

VARIANCE

1. VAR-25-2, 3000 West Orange Avenue - Variance (VAR), 1st Submittal
   Owner(s): QRS 10-18 FL LLC
   Applicant(s): W.P. Carey Inc. - Michael Kalimtzis
   Location: 3000 West Orange Avenue
   Proposed Use: Industrial
   Project Manager: Amer Hamza
   Presented by: Amer Hamza, Planner

DISCUSSION

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: ANNEXATION PARCELS

A PORTION OF LAND LYING IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE ALONG THE WEST LINE OF SAID SECTION 28, SOUTH 00°01'03" EAST, 665.82 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER; THENCE LEAVING SAID WEST LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF VICKS ROAD (PER ORANGE COUNTY ENGINEERING DEPARTMENT, RIGHT-OF-WAY MAP PROJECT #92-2-11, SHEETS 1-9), SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°44'36" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 2635.49 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 00°01'22" WEST, 656.26 FEET TO A LINE RUNNING PARALLEL TO THE SOUTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE NORTH 89°43'51" WEST ALONG SAID LINE, A DISTANCE OF 1636.00 FEET; THENCE SOUTH 00°01'22" WEST, 10.00 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 89°43'51" WEST, 994.03 FEET TO THE EAST RIGHT-OF-WAY LINE OF VICK ROAD; THENCE ALONG SAID RIGHT-OF-WAY NORTH 00°00'59" WEST, 465.56 FEET; THENCE NORTH 02°53'05" WEST, 100.13 FEET; THENCE NORTH 00°01'03" WEST. 100.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 1736050.9 SQ FT OR 39.8 ACRES, MORE OF LESS.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

MAX R GEORGE JR
License Number 7343
STATE OF FLORIDA
Professional Surveyor and Mapper

Max R. George, PSM

Digitally signed by Max R. George, PSM
DN: E=mgeorge@bowman.com, CN="Max R. George, PSM", O=Bowman Consulting Group, L=Melbourne, S=Florida, SERIALNUMBER=MAS20230413680165, C=US
Date: 2025.02.18 11:17:54-05'00'

MAX R. GEORGE — DATE OF SIGNATURE

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 7343
BOWMAN CONSULTING GROUP, LTD., INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030
(LB 8030 = LICENSED BUSINESS NUMBER 8030)

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2-3 SKETCH OF DESCRIPTION

* SEE SHEET 2 & 3 FOR SKETCH OF DESCRIPTION , DESCRIPTION IS NOT VALID UNLESS ACCOMPANIED BY SKETCH.

Bowman CONSULTING

Bowman Consulting Group, Ltd., Inc.
5404 Cypress Center Dr., Suite 140
Tampa, FL 33609
Phone: (813) 474-7424
www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

Professional Surveyors and Mappers, Certificate NO. LB-8030

ANNEXATION PARCELS

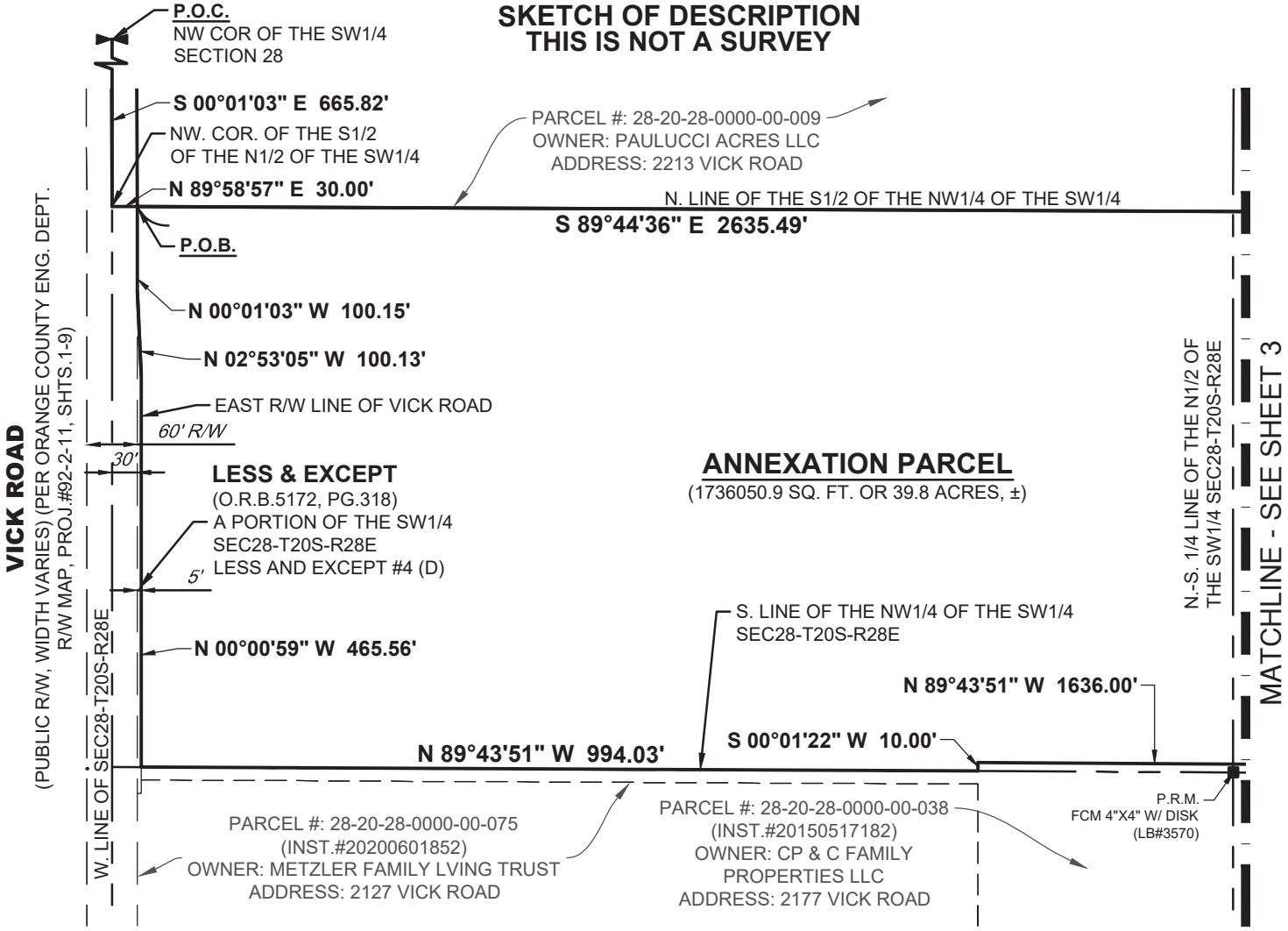
ADDRESS: APOPKA, FL

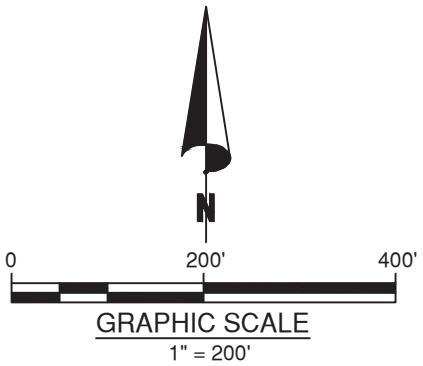
ORANGE COUNTY — FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: N/A		SHEET 1 OF 3

FILE: 031629-01-001 PALUCCI APOPKA_SURVEY ANNEX EX2-OVERALL BNDRY

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY





* SEE SHEET 1 OF 3 FOR DESCRIPTION OF SKETCH, SKETCH IS NOT VALID UNLESS ACCOMPANIED BY LEGAL DESCRIPTION.

LEGEND

℄ = CENTERLINE
CH = CHORD BEARING & DISTANCE
CCR = CERTIFIED RECORD CORNER
(D) = DEED DATA
D.B. = DEED BOOK
DWG. = DRAWING
FT. = FEET
L = ARC LENGTH
# = NUMBER
O.R.B.= OFFICIAL RECORDS BOOK
(P) = PLAT DATA
P.B.= PLAT BOOK
PG. = PAGE
R = RADIUS
(R) = RECORDED DATA
R/W = RIGHT-OF-WAY
W/ = WITH
SEC#-T##-R## = SECTION-TOWNSHIP-RANGE
Δ = DELTA

● = FOUND IRON ROD & CAP (FIRC)
◉ = FOUND NAIL & DISK (FN&D)
⊙ = FOUND IRON PIPE (FIP)
■ = FOUND 4"X4" CONC. MON (FCM)
⦿ = FOUND PINCH PIPE (FPP)

INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2-3 SKETCH OF DESCRIPTION

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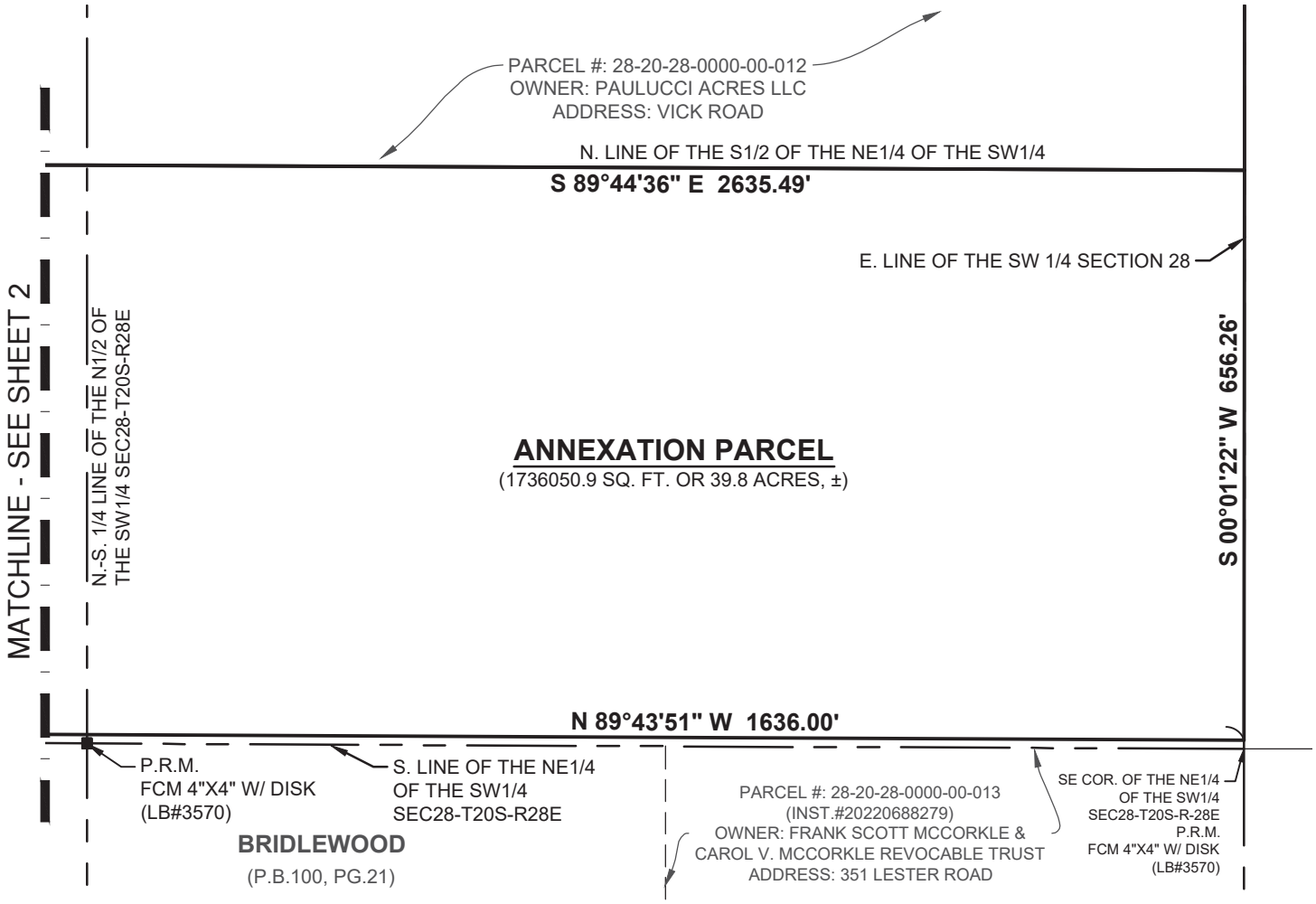
ANNEXATION PARCELS
ADDRESS: APOPKA, FL

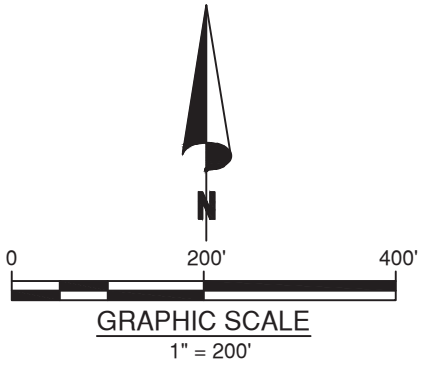
ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: 1"=200'		SHEET 2 OF 3

FILE: 031629-01-001 PALUCCI APOPKA_SURVEY ANNEX EX2-OVERALL BNDRY

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY





INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2-3 SKETCH OF DESCRIPTION

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ANNEXATION PARCELS
ADDRESS: APOPKA, FL

ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: 1"=200'		SHEET 3 OF 3

FILE: 031629-01-001 PALUCCI APOPKA_SURVEY ANNEX EX2-OVERALL BNDRY

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT ("Agreement") is made and entered into on this _____ day of _____ 2025, by and between DAVID CIPOLLONE ("Owner"), and the CITY OF APOPKA, FLORIDA, a Florida municipal corporation ("City").

RECITALS:

WHEREAS, the Owner owns fee simple title to certain real property located in unincorporated Orange County, Florida, with Parcel Identification Number 12-20-27-0000-00-053 consisting of approximately 0.41± acres, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference ("Property"); and

WHEREAS, the Property is presently designated as "Rural (R)" on Orange County's Future Land Use Map and zoned "Agricultural Citrus Rural District (A-1)"; and

WHEREAS, historically the existing 2,024± square foot building on the Property was used as a bar and is currently designated as such with the Orange County Property Appraiser; and

WHEREAS, the Property is located within the City's Joint Planning Area Boundary established by the City and Orange County and, thus, is a parcel eligible for annexation; and

WHEREAS, pursuant to the Second Amendment to Joint Planning Area Agreement between Orange County and the City of Apopka dated October 19, 2010, the Property was included within the Interchange Study Area Boundary and, in particular, the proposed Village Center district; and

WHEREAS, pursuant to Ordinance No. 2576, which the City adopted on June 21, 2017, the Property was included within the City's adopted Kelly Park Interchange Form-Based Code Area; and

WHEREAS, pursuant to the City's ~~Mixed Use~~ Kelly Park Interchange - Form-Based Code ("~~MU~~ KPI~~ Code~~ FBC"), Appendix A to the City's Land Development Code ("LDC"), the Property is included in an area proposed for the Village Center Overlay D~~d~~istrict on the Kelly Park Interchange Regulating Plan; and

WHEREAS, the Owner desires to renovate the existing building on the Property and open a new sports tavern; and

WHEREAS, pursuant to Table 2 of the ~~MU-KPI Code~~KPI-FBC, a tavern is a permitted use within the Village Center; and

WHEREAS, due to the Property's limited size and configuration and the anticipated future expansion of Plymouth Sorrento Road by Orange County, the potential to develop the Property with a larger project is constrained; and

WHEREAS, based upon the foregoing site constraints, the City has determined that renovation of the existing 2,024± square foot building on the Property for use as a commercial business would be an economic benefit to the City and its citizens; and

WHEREAS, based upon the above, the Property is a logical candidate for annexation into the City, and the Owner has filed a petition for voluntary annexation of the Property into the municipal limits of the City; and

WHEREAS, the City and the Owner have determined that it is desirable economically and otherwise for the Property to be annexed into the municipal limits of the City upon the terms and conditions stated herein; and

WHEREAS, upon annexation of the Property, the Owner desires for the Property to be assigned and governed by a Mixed Use future land use classification under the City's Comprehensive Plan and governed by a Kelly Park Interchange – ~~Village Center~~Mixed-Use ("KPI-MU~~Village Center~~") zoning designation and Village Center District Overlay consistent with the City's LDC, the ~~MU-KPI~~KPI-FBC Code, and the Owner's proposed use of the Property as a commercial sports tavern; and

WHEREAS, the City and the Owner desire to enter into this Agreement in order to memorialize their understandings and agreements with respect to the proposed annexation, development, and use of the Property; and

WHEREAS, the Property is reasonably compact and is contiguous to the City on the Property's northern, southern, and western boundaries; and

WHEREAS, the City's annexation of the Property will not result in the creation of any enclaves or pockets of unincorporated property, but instead will alleviate the Property from being an enclave or pocket in the future if property located on the eastern side of Plymouth-Sorrento Road seeks to be annexed into the City; and

WHEREAS, this Agreement is authorized by, permitted by, and consistent with the provisions of the City's Charter; the City's Comprehensive Plan, Chapter 163, *Florida Statutes*; Chapter 166, *Florida Statutes*; the State Comprehensive Plan (Chapter 187, *Florida Statutes*); Article VIII, Section 2(b) of the Florida Constitution; Chapter 171, *Florida Statutes*; and other applicable law and serves and advances the public interest.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Owner (collectively, the "Parties") hereby agree to the following:

1. **Recitals**. The above-referenced recitals are true and correct and are hereby incorporated into this Agreement for all purposes. All exhibits referred to in this Agreement are incorporated herein as material provisions of this Agreement.

2. **Annexation**. By signing this Agreement, the Owner hereby files a Petition for Voluntary Annexation of the Property conditioned upon the terms and conditions set forth herein. This Agreement shall serve as and constitute the Petition and consent for annexation required by Chapter 171, *Florida Statutes*.

3. **Ownership**. The Owner represents and warrants to the City that the Owner currently owns fee title to the Property and has full power and authority to enter into this Agreement and that the Property is free and clear of any liens and encumbrances that would prevent annexation. Upon request by the City, the Owner, at his expense, shall provide the City with a signed and sealed boundary survey and legal description of the Property.

4. **Land Use/Zoning**.

A. The Parties acknowledge that: (1) the Property is currently assigned a Rural future land use classification pursuant to the Orange County Comprehensive Plan and Agriculture zoning pursuant to the Orange County Code. The City acknowledges that, upon annexation of the Property into the municipal limits, the Owner desires for the Property to be assigned and governed by a Mixed-Use future land use classification under the City's Comprehensive Plan and governed by a KPI-~~Village Center~~MU zoning designation and Village Center District Overlay.

B. Consistent with the above, the Owner has submitted applications with the City requesting a small-scale comprehensive plan amendment to assign the Property a future land use classification of Mixed Use pursuant to the City's Comprehensive Plan and seeking a rezoning of the Property to KPI-MU and assignment of Village Center District Overlay under the City's LDC. The City agrees to expeditiously process the Owner's land use and zoning applications for the Property concurrent with the Owner's request for annexation of the Property and, to that end, shall schedule any required public hearings on such matters on the same agenda before the City Council. ~~The owner acknowledges that the City Council's denial of the annexation request~~

C. The City staff has evaluated the proposed land uses, intensity, and other land use related matters for the Property and ~~the City~~ concurs that the proposed land use, intensity, and other aspects of the use of the Property as proposed are compatible with the surrounding and proximate properties and are consistent with the City's Comprehensive Plan and the City's LDC, including the ~~MU-KPI Code~~KPI-FBC, ~~-~~subject to the terms and conditions provided below:

(i) The initial development of the Property shall be substantially consistent with the initial conceptual site plan attached hereto as Exhibit "B," which incorporates a 10-foot wide paved trail along Plymouth Sorrento Road that is constructed at the owners expense, a 3-foot knee wall and landscape buffer parallel to the trail, a re-striped/enhanced paved parking area, additional alternative surface parking, and a covered wooded deck ("Initial Concept Plan"). Prior to any development work, the Owner shall submit a formal site development plan for review and approval by the City Council which is substantially consistent with the Initial Concept Plan. In addition, renovation of the existing building on the Property shall be substantially consistent with the conceptual rendering attached hereto as Exhibit "C,"

Commented [A1]: The Village Center District required a minimum of 0.15 floor area ratio. The current building's gross floor area relative to the parcel size only calculates to an FAR of ~0.12. The concept plan, Exhibits B and D, must show a minimum building area of 2700 SF.

Commented [A2R1]: My notes from our meeting held on August 21, 2024 show that the covered deck can count as FAR, the square footage of the deck needs to be included with the building area to show the minimum FAR 0.15 can be achieved.

The Initial and Post Taking Concept Plans state the property will remain on septic. How will the commercial tavern be able to operate on septic? Will there be a grease trap? How will food be cooked?

The Initial and Post Taking Concept Plans state site lighting will be provided per LDC Section 5.6. KPI Village Center site lighting is required to be provided per KPI Form Based Code Section P.4.e.

Cross access connections are required to be provided to the western, northern and southern parcels per the KPI Form Based Code.

which incorporates a metal roof, new entry door, additional windows with awnings, and a wooden deck. A Certificate of Occupancy ~~will~~shall not be issued until all aforementioned improvements are complete.

(ii) Within twenty-four (24) months of Orange County's acquisition of that portion of the Property located adjacent to Plymouth Sorrento Road as additional right-of-way for road widening (estimated to be 30' x 151'), the Owner shall reconfigure the Property in substantial conformance with the future site plan attached hereto as Exhibit "D," which incorporates a relocated 10-foot wide paved trail that is constructed at the owners expense ~~with specifications provided to the owner by the City~~, landscape buffer, and 3-foot knee wall, and relocated paved parking to the side and rear of the commercial building ("Post-Taking Concept Plan"). Prior to any development work, the Owner shall submit an updated site development plan for review and approval by the City which is substantially consistent with the Post-Taking Concept Plan. A Certificate of Occupancy shall not be issued until all aforementioned improvements are complete.

Commented [A3]: Has Orange County agreed to the acquisition of the right-of-way?

D. The Parties further agree and acknowledge that the effectiveness of any ordinance annexing the Property shall be made expressly contingent upon the City's concurrent approval of a Mixed-Use future land use classification and ~~KPI Village Center~~KPI-MU zoning designation and assignment of Village Center District Overlay for the Property consistent with the terms of this Agreement. In the event the City Council chooses to deny the Owner's concurrent land use and zoning applications, the ordinance annexing the Property shall be ineffective and, if requested by the Owner, the City agrees to process an ordinance formally rescinding the same.

5. **Scope of Agreement**. The Parties' obligations and rights under this Agreement are expressly made contingent upon: (1) the City's approval of this Agreement and (2) the City Council's subsequent concurrent approval of the annexation of the Property and the Owner's land use and zoning applications for the Property. If the City Council chooses not to annex the Property, this Agreement shall terminate and be of no further force and effect.

6. **Time Of The Essence**. Time is hereby declared to be of the essence in the performance of ~~each and~~ every duty and obligation of the Parties to this Agreement.

7. **Authority**. Each Party represents and warrants, with respect to itself, that the execution and delivery of this Agreement has been authorized by all necessary action of each Party, and that this Agreement constitutes the legal, valid, and binding agreement of each Party, enforceable in accordance with its terms. It is expressly understood and agreed that this Agreement shall not become binding upon the City unless and until the City Council approves this Agreement at a public meeting, as required by Florida law.

8. **Binding Effect**. This Agreement shall run with the land and shall benefit and be binding upon the Parties and all their respective successors, heirs, assigns, representatives, affiliates, officers, directors, and members.

9. **Entire Agreement; Amendments**. This Agreement represents the entire understanding and agreement between the Parties with respect to the subject matter hereof. No representations have been made, either express or implied by the Parties, other than those expressly set forth in this Agreement. This Agreement or any part hereof may not be changed, amended, waived, discharged, or terminated except by an instrument in writing, executed by all Parties hereto.

10. **Governing Law; Venue**. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any action arising out of or related to this Agreement shall be in Orange County, Florida.

11. **Enforcement; Remedies**. The Parties hereto shall have all equitable and legal remedies available under Florida law to enforce the terms and conditions of this Agreement, and the terms of this Agreement shall be specifically enforceable in Circuit Court. In the event of any dispute hereunder or any action to interpret or enforce this Agreement, any provision hereof, or any matter arising herefrom, the prevailing Party shall be paid by the non-prevailing Party the reasonable attorneys' fees and costs incurred in enforcing its rights and remedies, whether incurred at the pre-trial, trial, or appellate levels, including any fees and costs incurred in determining the amount of awardable fees.

12. **Non-Waiver**. Failure by the City or the Owner to insist upon the strict performance of any of the terms, conditions, or provisions of this Agreement shall not be deemed to be a waiver of such terms, conditions, and provisions, and the City and the Owner, notwithstanding such failure, shall have the right hereafter to insist upon the strict performance of any or all such terms and conditions of this Agreement as set forth herein.

13. **Notices**. All notices and other communications required hereunder shall be in writing and shall be delivered personally, or by registered or certified mail, return receipt requested, postage prepaid, or by a nationally recognized overnight commercial delivery service, fees prepaid for next day delivery. Such notices shall be deemed to have been received: (i) upon delivery, if personally delivered; (ii) upon the earlier of actual receipt or the third day after mailing, if mailed by registered or certified United States mail, return receipt requested, postage prepaid; and (iii) upon the earlier of actual receipt or the next business day if sent by a nationally recognized overnight commercial delivery service, if fees are prepaid for next day delivery. The addresses for delivery of such notices shall be as follows:

(a) To Owner:

David Cipollone
3066 Joshua Ridge Lane
Apopka, Florida 32712

With a copy to:

S. Brent Spain, Esquire
Theriaque & Spain

1809 Edgewater Drive
Orlando, Florida 32804

(b) To the City:

City Administrator
120 E. Main Street
Apopka, Florida 32703

With a copy to:

Cliff Shepard, Esquire
Shepard, Smith, Hand & Brackins, P.A.
2300 Maitland Center Parkway, Suite 100
Maitland, Florida 32751

or to such other address as any Party hereto shall from time to time designate to the other Party by notice in writing as herein provided.

14. **Construction; Headings**. The Parties hereto acknowledge that they participated in the negotiation and drafting of the terms of this Agreement and acknowledge that no provision shall be strictly construed against one Party or the other based solely on draftsmanship. The Parties have entered into this Agreement freely and voluntarily, without duress, coercion, or under undue influence of any kind. All sections and descriptive headings in this Agreement are inserted for convenience only, and shall neither affect the construction or interpretation hereof, nor add or subtract from the meaning of the contents of each section.

15. **Disclaimer of Third Party Beneficiaries**. This Agreement is solely for the benefit of the City and the Owner, and their respective successors and assigns, and no right or cause of action shall accrue by reason hereof to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement, expressed or implied, is intended or shall be construed to confer upon or give any other third person or entity any right, remedy, or claim under or by reason of this Agreement or any provisions or conditions hereof, other than as expressly stated herein.

16. **Severability**. If any part of this Agreement is found invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the other parts of this Agreement if the rights and obligations of the parties contained therein are not materially prejudiced and if the intentions of the Parties can continue to be effectuated. To that end, this Agreement is declared severable.

17. **Counterparts**. This Agreement may be executed in counterparts, each of which shall be deemed to be an original and need not be signed by more than one of the Parties hereto and all of which shall constitute one and the same agreement. The Parties hereto further agree that each Party shall execute and deliver all other appropriate supplemental agreements and other instruments, and take any other action necessary to make this Agreement fully and legally effective, binding, and enforceable as between them and as against third parties. The individuals signing this Agreement represent and warrant that they have full power and authority to act for and bind the entity on whose behalf they have signed this Agreement.

18. **Effective Date**. This Agreement shall become effective upon the date of execution by the last of the Parties and its approval by the City Council.

19. WAIVER OF JURY TRIAL. THE PARTIES HEREBY KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVE ANY RIGHT TO A JURY TRIAL WITH RESPECT TO ANY CLAIMS ARISING IN CONNECTION WITH THIS AGREEMENT.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in a manner sufficient to bind them on the day and year identified above.

Signed, sealed, and delivered before me:

CITY OF APOPKA, FLORIDA, a Florida municipal corporation,

By:_____
BRYAN NELSON, MAYOR

Date:_____

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF APOPKA,
FLORIDA:

_____
CITY CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF APOPKA, FLORIDA:

_____
CITY ATTORNEY

WITNESSES

_____
Print Name:_____
Address:_____

_____
Print Name:_____
Adress:_____

DAVID CIPOLLONE

By: _____

Print Name: David Cipollone
3066 Joshua Ridge Lane
Apopka, Florida 32712

Date:_____

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this ____ day of _____ 2025, by David Cipollone. Said person [ ] is personally known to me or [ ] has produced _____ as identification.

(NOTARY SEAL)

_____
Notary Public; State of Florida
Print Name: _____
My Commission Expires: _____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Parcel Id. No. 12-20-27-0000-00-053

THE NORTH 150 FEET OF THE EAST 150 FEET OF THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 27 EAST, LESS PART WITHIN COUNTY ROAD; BEING TRACT NO. 4 ON UNRECORDED PLAT BY W. P. KELLY, SURVEYOR. ALL LYING, BEING AND SITUATED IN ORANGE COUNTY, FLORIDA.

EXHIBIT B

INITIAL CONCEPT PLAN

EXHIBIT C

CONCEPTUAL RENDERING

EXHIBIT D

POST-TAKING CONCEPT PLAN

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: ANNEXATION PARCELS

A PORTION OF LAND LYING IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE ALONG THE WEST LINE OF SAID SECTION 28, SOUTH 00°01'03" EAST, 665.82 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER; THENCE LEAVING SAID WEST LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF VICKS ROAD (PER ORANGE COUNTY ENGINEERING DEPARTMENT, RIGHT-OF-WAY MAP PROJECT #92-2-11, SHEETS 1-9), SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°44'36" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 2635.49 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 00°01'22" WEST, 656.26 FEET TO A LINE RUNNING PARALLEL TO THE SOUTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE NORTH 89°43'51" WEST ALONG SAID LINE, A DISTANCE OF 1636.00 FEET; THENCE SOUTH 00°01'22" WEST, 10.00 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 89°43'51" WEST, 994.03 FEET TO THE EAST RIGHT-OF-WAY LINE OF VICK ROAD; THENCE ALONG SAID RIGHT-OF-WAY NORTH 00°00'59" WEST, 465.56 FEET; THENCE NORTH 02°53'05" WEST, 100.13 FEET; THENCE NORTH 00°01'03" WEST. 100.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 1736050.9 SQ FT OR 39.8 ACRES, MORE OF LESS.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

MAX R GEORGE JR
License Number 7343
STATE OF FLORIDA
Professional Surveyor and Mapper

Max R. George, PSM

Digitally signed by Max R. George, PSM
DN: E=mgeorge@bowman.com, CN="Max R. George, PSM", O=Bowman Consulting Group, L=Melbourne, S=Florida, SERIALNUMBER=MAS20230413680165, C=US
Date: 2025.02.18 11:17:54-05'00'

MAX R. GEORGE — DATE OF SIGNATURE

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 7343
BOWMAN CONSULTING GROUP, LTD., INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030
(LB 8030 = LICENSED BUSINESS NUMBER 8030)

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2-3 SKETCH OF DESCRIPTION

* SEE SHEET 2 & 3 FOR SKETCH OF DESCRIPTION , DESCRIPTION IS NOT VALID UNLESS ACCOMPANIED BY SKETCH.

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5404 Cypress Center Dr., Suite 140
Tampa, FL 33609
Phone: (813) 474-7424
www.bowmanconsulting.com

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Professional Surveyors and Mappers, Certificate NO. LB-8030

ANNEXATION PARCELS

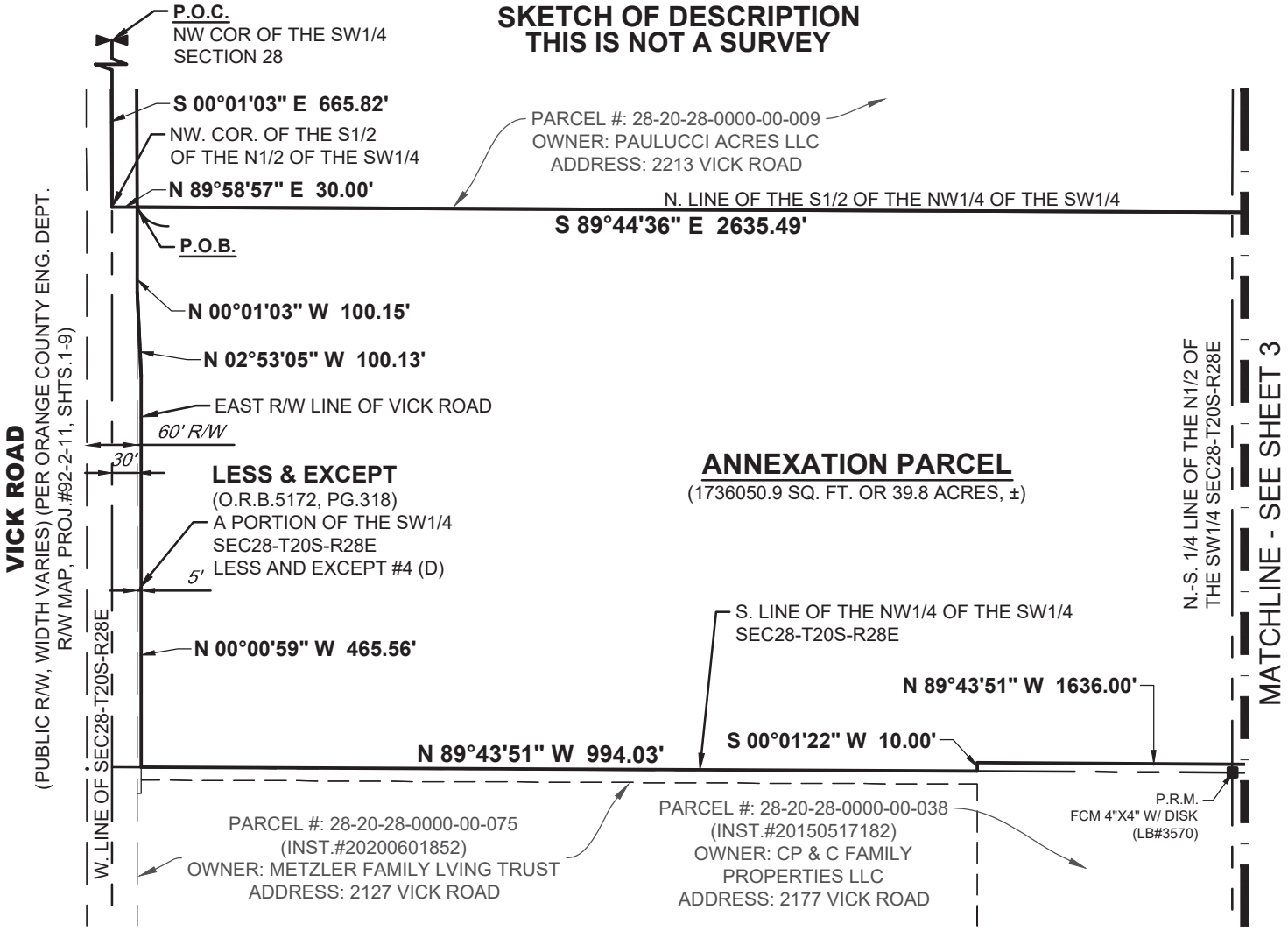
ADDRESS: APOPKA, FL

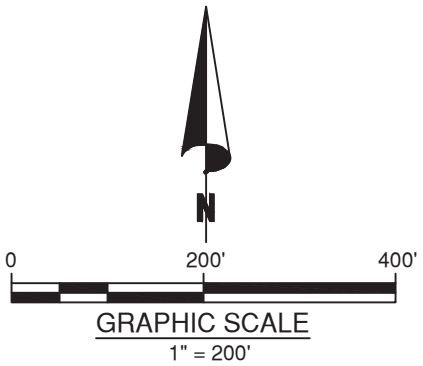
ORANGE COUNTY — FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: N/A		SHEET 1 OF 3

FILE: 031629-01-001 PALUCCI APOPKA_SURVEY ANNEX EX2-OVERALL BNDRY

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY





* SEE SHEET 1 OF 3 FOR DESCRIPTION OF SKETCH, SKETCH IS NOT VALID UNLESS ACCOMPANIED BY LEGAL DESCRIPTION.

LEGEND

℄ = CENTERLINE
CH = CHORD BEARING & DISTANCE
CCR = CERTIFIED RECORD CORNER
(D) = DEED DATA
D.B. = DEED BOOK
DWG. = DRAWING
FT. = FEET
L = ARC LENGTH
# = NUMBER
O.R.B.= OFFICIAL RECORDS BOOK
(P) = PLAT DATA
P.B.= PLAT BOOK
PG. = PAGE
R = RADIUS
(R) = RECORDED DATA
R/W = RIGHT-OF-WAY
W/ = WITH
SEC#-T##-R## = SECTION-TOWNSHIP-RANGE
Δ = DELTA

● = FOUND IRON ROD & CAP (FIRC)
◉ = FOUND NAIL & DISK (FN&D)
⊙ = FOUND IRON PIPE (FIP)
■ = FOUND 4"X4" CONC. MON (FCM)
⦶ = FOUND PINCH PIPE (FPP)

INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2-3 SKETCH OF DESCRIPTION

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Professional Surveyors and Mappers, Certificate NO. LB-8030

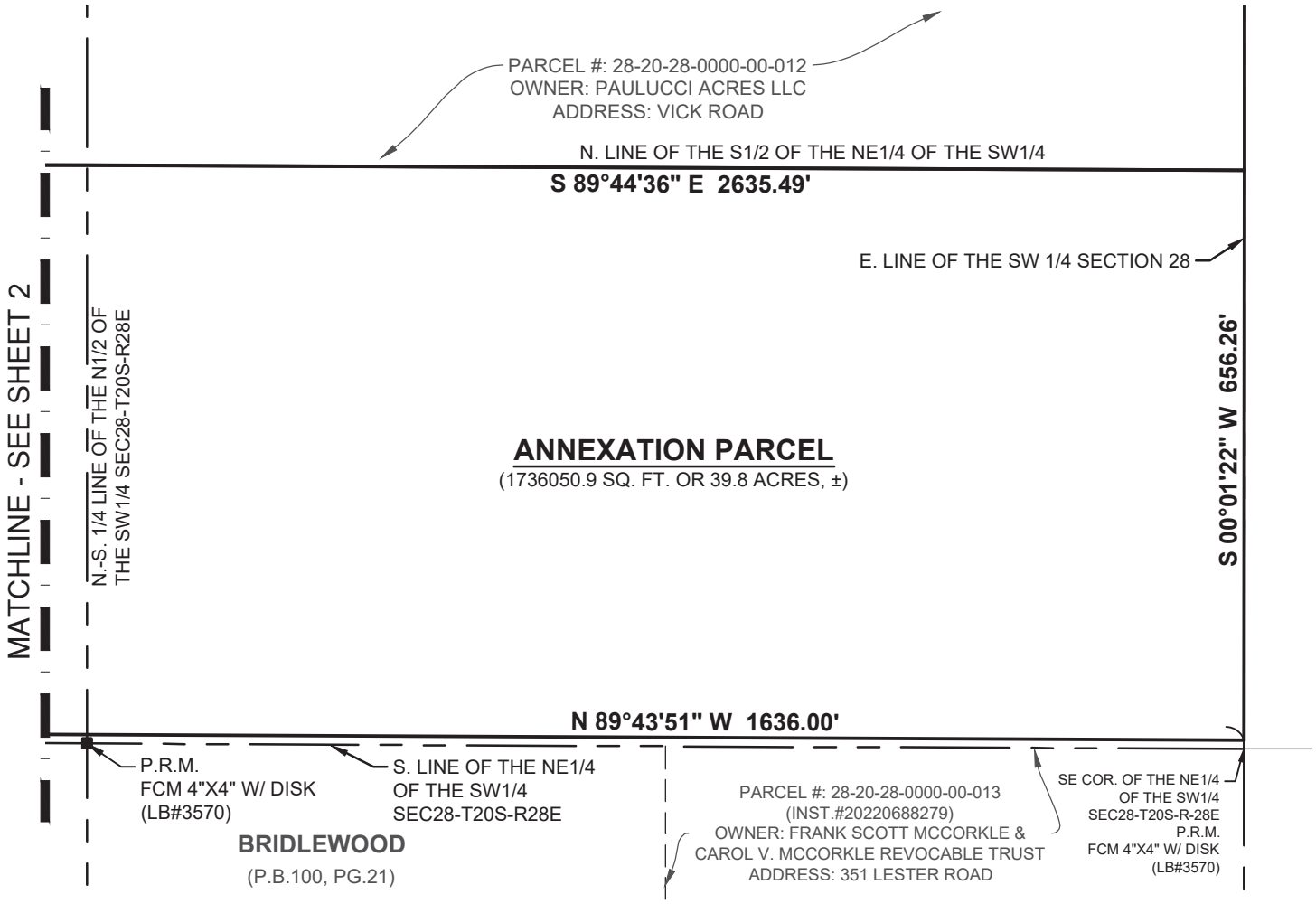
ANNEXATION PARCELS
ADDRESS: APOPKA, FL

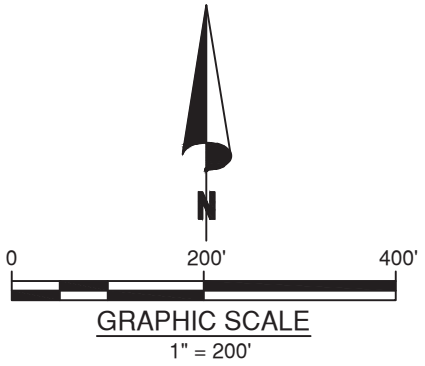
ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: 1"=200'		SHEET 2 OF 3

FILE: 031629-01-001 PALUCCI APOPKA_SURVEY ANNEX EX2-OVERALL BNDRY

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY





INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2-3 SKETCH OF DESCRIPTION

* SEE SHEET 1 OF 3 FOR DESCRIPTION OF SKETCH, SKETCH IS NOT VALID UNLESS ACCOMPANIED BY LEGAL DESCRIPTION.

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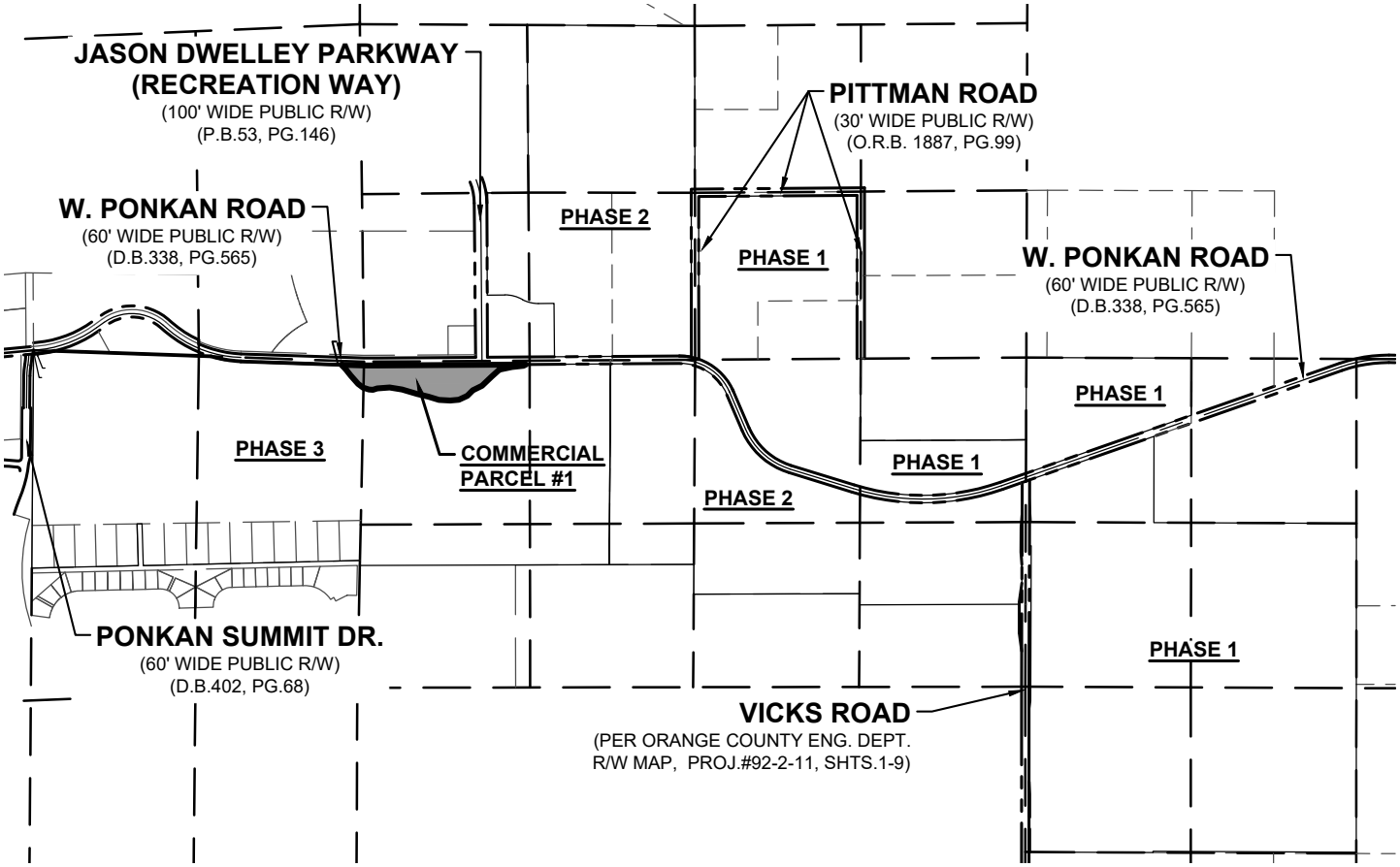
ANNEXATION PARCELS
ADDRESS: APOPKA, FL

ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: 1"=200'		SHEET 3 OF 3

FILE: 031629-01-001 PALUCCI APOPKA_SURVEY ANNEX EX2-OVERALL BNDRY

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY



INDEX OF SHEETS

SHEET 1	COVER
SHEET 2	LEGAL DESCRIPTION
SHEET 3-4	SKETCH OF DESCRITPION

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COMMERCIAL PARCEL #1

ADDRESS: APOPKA, FL

ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: 1"=1500'		SHEET 1 OF 4

FILE: 031629-01-001 PALUCCI APOPKA_COMMERCIAL 1

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

LEGAL DESCRIPTION - COMMERCIAL PARCEL

A PORTION OF THE NORTHWEST QUARTER OF SECTION 29 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, LYING SOUTH OF WEST PONKAN ROAD AND EAST OF PONKAN SUMMIT DRIVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST; ALSO BEING A POINT ON THE CENTERLINE OF WEST PONKAN ROAD AS RECORDED IN DEED BOOK 338, PAGE 565; THENCE SOUTH 00°27'58" WEST, 30.15 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WEST PONKAN ROAD; THENCE NORTH 84°35'42" EAST, 40.11 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH; THENCE 129.14 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 986.10 FEET, A CENTRAL ANGLE OF 07°30'13" AND A CHORD BEARING OF NORTH 80°49'38" EAST, 129.05 FEET TO THE NORTH LINE OF SAID SECTION 30; THENCE SOUTH 88°00'44" EAST, ALONG SAID NORTH LINE OF SECTION 30, A DISTANCE OF 1261.65 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WEST PONKAN ROAD, ALSO BEING A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH; THENCE 244.57 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,003.83 FEET, A CENTRAL ANGLE OF 13°57'33" AND A CHORD BEARING OF SOUTH 80°29'52" EAST, 243.96 FEET; THENCE SOUTH 88°03'14" EAST, 811.95 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE OF WEST PONKAN ROAD THE FOLLOWING 22 COURSES; 1) SOUTH 42°12'56" EAST, 52.46 FEET; 2) SOUTH 39°10'48" EAST, 62.46; 3) SOUTH 40°38'55" EAST, 88.64 FEET; 4) SOUTH 53°27'54" EAST, 50.45 FEET; 5) SOUTH 73°13'04" EAST, 49.56 FEET; 6) SOUTH 84°33'28" EAST, 31.41 FEET; 7) NORTH 71°41'08" EAST, 37.31 FEET; 8) NORTH 85°41'29" EAST, 99.55 FEET; 9) SOUTH 80°19'50" EAST, 101.20 FEET; 10) SOUTH 73°45'59" EAST, 128.10 FEET; 11) SOUTH 76°48'18" EAST, 90.94 FEET; 12) SOUTH 73°01'00" EAST, 90.72 FEET; 13) SOUTH 86°38'19" EAST, 89.82 FEET; 14) NORTH 85°12'31" EAST, 70.73 FEET; 15) NORTH 64°08'47" EAST, 74.03 FEET; 16) NORTH 45°24'49" EAST, 63.59 FEET; 17) NORTH 63°56'05" EAST, 82.65 FEET; 18) NORTH 46°18'57" EAST, 108.51 FEET; 19) NORTH 48°20'13" EAST, 82.45 FEET; 20) NORTH 77°48'21" EAST, 102.62 FEET; 21) NORTH 84°13'53" EAST, 93.90 FEET; 22) NORTH 62°14'35" EAST, 22.88 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID WEST PONKAN ROAD; THENCE SOUTH 89°36'47" WEST ALONG SAID RIGHT OF WAY 1187.54 FEET; THENCE CONTINUING ALONG SAID LINE AND THE ARC OF A CURVE CONCAVE NORTHERLY 234.55 FEET, SAID CURVE HAVING A RADIUS OF 5759.65 FEET, A CENTRAL ANGLE OF 2°20'00" AND A CHORD BEARING NORTH 89°13'13" WEST, 234.54 FEET; THENCE NORTH 88°03'14" WEST ALONG SAID LINE 62.82 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 252162.1 SQ. FT. OR 5.8 ACRES OF LAND, MORE OR LESS.

MAX R GEORGE JR
License Number
7343
STATE OF
FLORIDA
Professional Surveyor and Mapper

* SEE SHEETS 3 &4 FOR SKETCH OF DESCRIPTION. LEGAL DESCRIPTION IS NOT VALID UNLESS ACCOMPANIED BY SKETCH OF DESCRIPTION.

INDEX OF SHEETS

SHEET 1	COVER
SHEET 2	LEGAL DESCRIPTION
SHEET 3-4	SKETCH OF DESCRITPION

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Max R. George, PSM

Digitally signed by Max R. George, PSM
DN: E=mgeorge@bowman.com, CN="Max R. George, PSM", O=Bowman Consulting Group, L=Melbourne, S=Florida, SERIALNUMBER=MAS20230413680165, C=US
Date: 2025.02.24 11:48:25-05'00'

MAX R. GEORGE — DATE OF SIGNATURE

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 7343
BOWMAN CONSULTING GROUP, LTD., INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030
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COMMERCIAL PARCEL #1

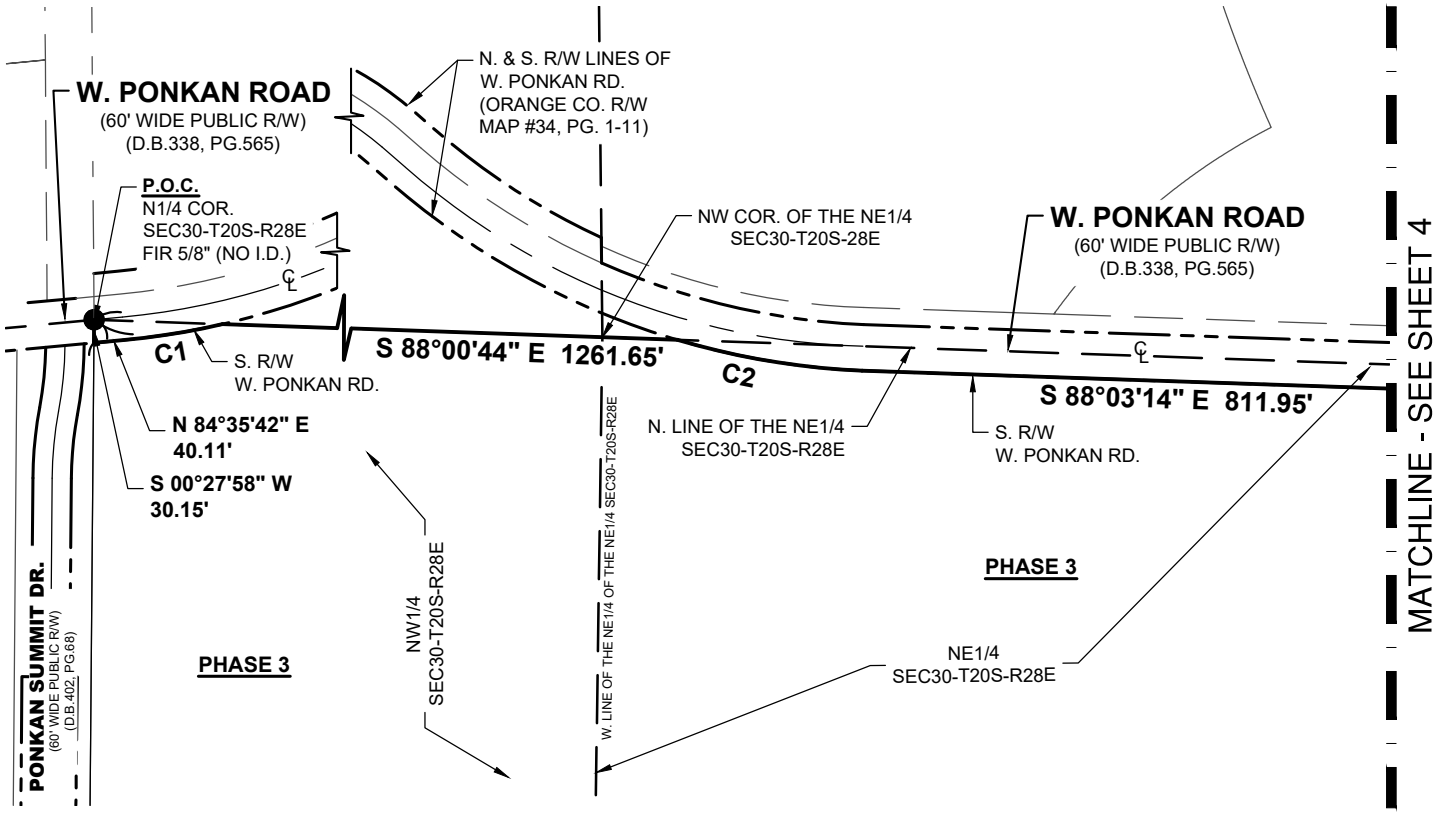
ADDRESS: APOPKA, FL

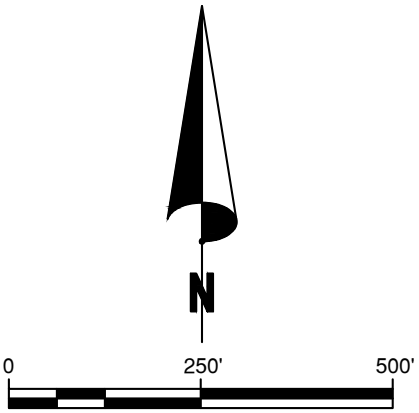
ORANGE COUNTY — FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: N/A		SHEET 2 OF 4

FILE: 031629-01-001 PALUCCI APOPKA_COMMERCIAL 1

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY





GRAPHIC SCALE

1" = 250'

CURVE TABLE					
CURVE #	RADIUS	ARC	CH. BEARING	CHORD	DELTA
C1	986.10'	129.14'	N80°49'38"E	129.05'	7°30'13"
C2	1,003.83'	244.57'	S80°29'52"E	243.96'	13°57'33"

INDEX OF SHEETS

SHEET 1	COVER
SHEET 2	LEGAL DESCRIPTION
SHEET 3-4	SKETCH OF DESCRITPION

* SEE SHEET 2 FOR LEGAL DESCRIPTION.
SKETCH IS NOT VALID UNLESS ACCOMPANIED
BY LEGAL DESCRIPTION OF SKETCH.

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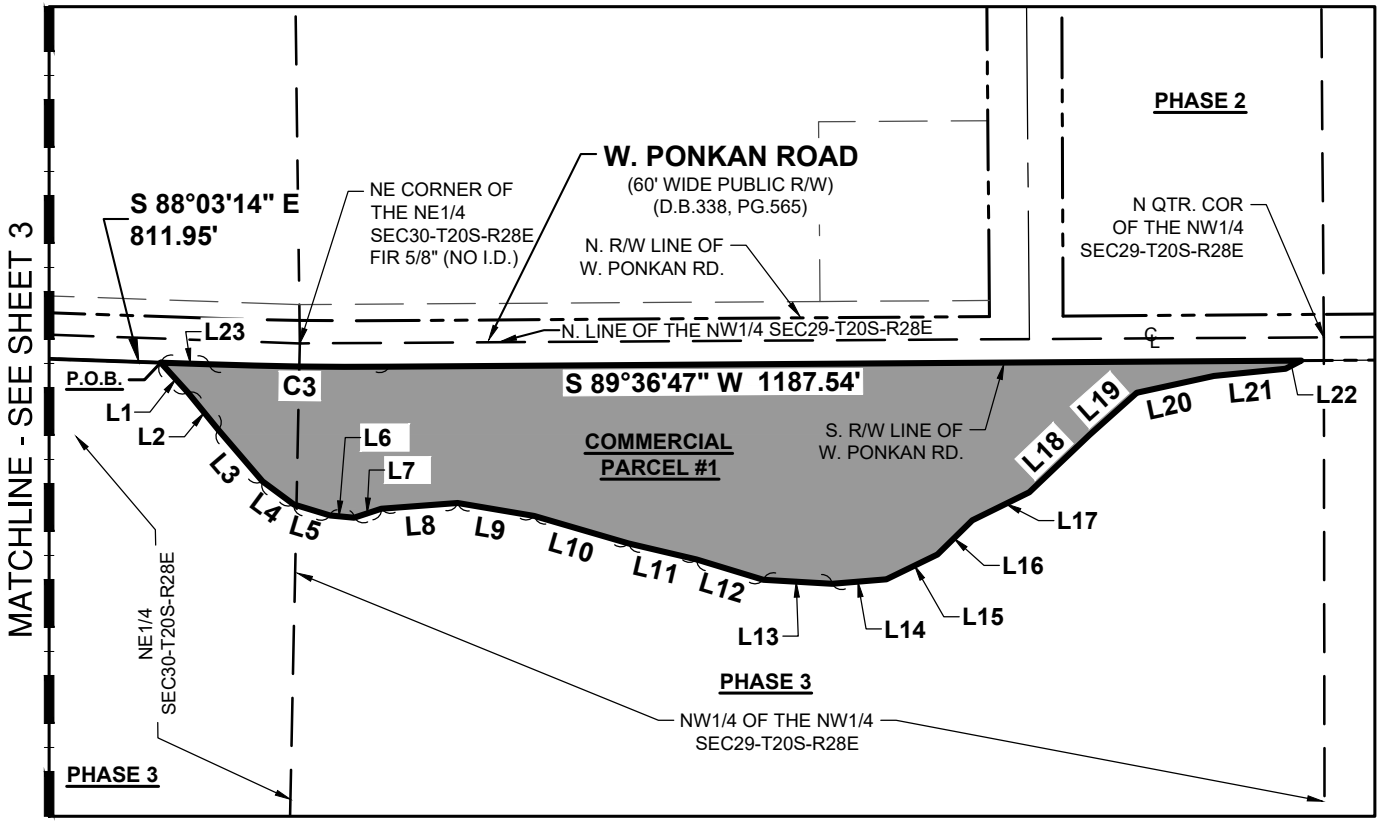
COMMERCIAL
PARCEL #1
ADDRESS: APOPKA, FL

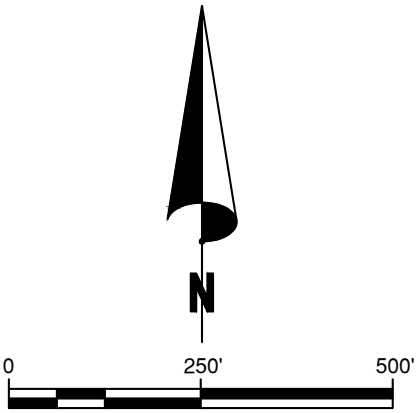
ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 2/17/2025
SCALE: 1"=250'		SHEET 3 OF 4

FILE: 031629-01-001 PALUCCI APOPKA_COMMERCIAL 1

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY





GRAPHIC SCALE

1" = 250'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S42°12'56"E	52.46'
L2	S39°10'48"E	62.46'
L3	S40°38'55"E	88.64'
L4	S53°27'54"E	50.45'
L5	S73°13'04"E	49.56'
L6	S84°33'28"E	31.41'
L7	N71°41'08"E	37.31'
L8	N85°41'29"E	99.55'
L9	S80°19'50"E	101.20'
L10	S73°45'59"E	128.10'
L11	S76°48'18"E	90.94'
L12	S73°01'00"E	90.72'
L13	S86°38'19"E	89.82'
L14	N85°12'31"E	70.73'
L15	N64°08'47"E	74.03'
L16	N45°24'49"E	63.59'
L17	N63°56'05"E	82.65'
L18	N46°18'57"E	108.51'
L19	N48°20'13"E	82.45'
L20	N77°48'21"E	102.62'
L21	N84°13'53"E	93.90'
L22	N62°14'35"E	22.88'
L23	N88°03'14"W	62.82'

CURVE TABLE					
CURVE #	RADIUS	ARC	CH. BEARING	CHORD	DELTA
C3	5,759.65'	234.55'	N89°13'13"W	234.54'	2°20'00"

INDEX OF SHEETS

SHEET 1 COVER
SHEET 2 LEGAL DESCRIPTION
SHEET 3-4 SKETCH OF DESCRITPION

* SEE SHEET 2 FOR LEGAL DESCRIPTION. SKETCH IS NOT VALID UNLESS ACCOMPANIED BY LEGAL DESCRIPTION OF SKETCH.

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Phone: (813) 474-7424
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COMMERCIAL PARCEL #1

ADDRESS: APOPKA, FL

ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 2/17/2025
SCALE: 1"=250'		SHEET 4 OF 4

FILE: 031629-01-001 PALUCCI APOPKA_COMMERCIAL 1

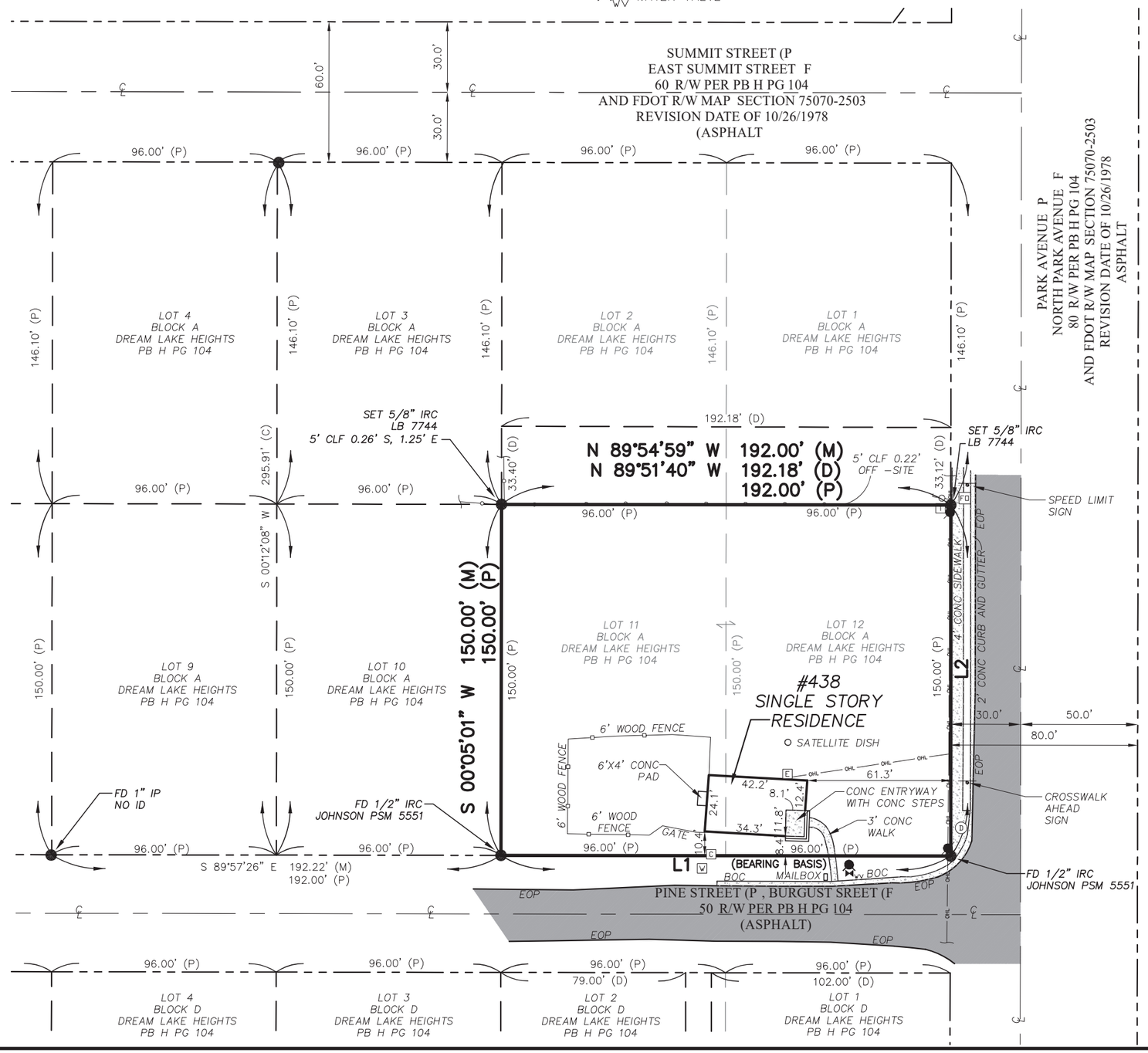
Docusign Envelope ID: 721C5D03-FDAE-4121-99E9-3F4EFCAC4332

ABBREVIATIONS

(C) = CALCULATED
CONC = CONCRETE
CL = CENTERLINE
CM = CONCRETE MONUMENT
(D) = DEED
(M) = MEASURED
ORB = OFFICIAL RECORDS BOOK
PG= PAGE
N&D = NAIL AND DISK
EOP = EDGE OF PAVEMENT
(P) = PLAT
R/W = RIGHT OF WAY
A/C = AIR CONDITIONER
BOC = BACK OF CURB
OHL = OVERHEAD LINE
FD = FOUND
ID = IDENTIFICATION
IR= IRON ROD
IP = IRON PIPE
LB = LICENSED BUSINESS
CLF = CHAIN LINK FENCE

SYMBOLS

CONTROL POINT TYPE AS INDICATED
DRAINAGE MANHOLE
UTILITY POLE
FIRE CONNECTION
BACK FLOW PREVENTER
SIGN
WV WATER VALVE
W WATER METER
E ELECTRIC METER
C COMMUNICATIONS BOX
T TELEPHONE BOX
FO FIBER OPTIC RISER
CHAIN LINK FENCE
WOOD FENCE



GRAPHIC SCALE: 1"=50'
0 50 100

BOUNDARY SURVEY

Description (AS PER ORB 4868 PG 3125):

LOTS 10, 11 AND 12 BLOCK A, DREAM LAKE HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK H, PAGE 104, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SURVEYORS NOTES

– THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE OPINION. THERE MAY EXIST MATTERS ON RECORD AFFECTING THE SUBJECT PROPERTY.

– BEARINGS BASED ON THE NORTH RIGHT OF WAY LINE OF BURGUST STREET (PINE AVENUE PER PLAT), ORANGE COUNTY, FLORIDA AS BEING S 89°54'59" E (AN ASSUMED DATUM PER GRID NORTH, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE DERIVED FROM A PRIVATE NETWORK SOLUTION).

– NO UNDERGROUND UTILITIES, FOUNDATIONS OR IMPROVEMENTS HAVE BEEN LOCATED.

– SYMBOLS ARE NOT TO SCALE.

– THIS SURVEY DOES NOT DETERMINE OWNERSHIP OF FENCES.

– FENCES ARE GRAPHICAL IN NATURE AND NOT TO SCALE. FENCE TIES ARE AS SHOWN HEREON.

– BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 12095C0120H HAVING A REVISION DATE OF SEPTEMBER 24, 2021, THE PROPERTY SHOWN HEREON LIES IN BOTH UNSHADED ZONE "X", AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.

– THE SCALE FOR THE MAP/DRAWING SHOWN HEREON IS 1"=50' AND IS INTENDED TO BE DISPLAYED ON A 11"X17"SIZED SHEET. ANY OTHER SHEET SIZE WILL ALTER THE SCALE OF THE DRAWING. COPIES AND REPRODUCTIONS MADE FROM PRINTS WILL/MAY ALTER THE SCALE OF THE DRAWING AS WELL.

LINE	BEARING	DISTANCE
L1 (M)	S 89°54'59" E	192.21'
L1 (P)		192.00'
L2 (M)	N 00°00'17" E	150.00'
L2 (P)		150.00'

Signed by:

RALPH A. NIETO CERTIFICATE No. LS6025 STATE OF FLORIDA Professional Surveyor & Mapper

Surveyors Certification:

I hereby certify that this survey shown hereon was made in accordance with the "Standards of Practice" for land surveying in the State of Florida Chapter 5J–17–.050 to 0.052 Florida Administrative Code, pursuant to Chapters 177 and 472, Florida Statutes and is not valid without either the original signature and raised seal or an authorized electronic signature and seal (5J–17.062(3) F.A.C.) of a Florida Licensed Professional Surveyor and Mapper.

DocuSigned by:
Ralph A Nieto
BBE6A55497C741E...

Digitally Signed and Authorized by Ralph A. Nieto PSM No. 6025

10/2/2024
Date

Nieto Land Surveying LLC
1728 N. Ronald Reagan Blvd., Longwood, FL 32750
PH: 407) 636-8460
LB No. 7744

NO.	DATE	REVISIONS

FIELD BY: MG
FIELD DATE: 09/27/24
DRAWN BY: CS
ORDER NO. NS24–229
SCALE: 1"=50'
SHEET 1 OF 1

PREPARED FOR:
Nick DeAngelis
438 N Park Avenue, Apopka, FL 32712

LEGAL DESCRIPTION PER TITLE COMMITMENT NO. 110199887:

PARCEL 1:

THAT PART OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼, LYING NORTH OF ONDICH ROAD AND THE NORTH ¼ OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION AS SET FORTH IN THAT CERTAIN ORDER OF TAKING RECORDED JANUARY 30, 2015 IN OFFICIAL RECORDS BOOK 10869, PAGE 79, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARCEL 2:

THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR UNIMPEDED PEDESTRIAN AND VEHICULAR ACCESS, INGRESS, AND EGRESS AS CREATED IN THAT CERTAIN EASEMENT AGREEMENT, RECORDED MARCH 7, 2018 IN INSTRUMENT NO. 20180135614, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARCEL 3:

A TRACT OF LAND, LYING IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 88°56'20 EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 2684.78 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 88°56'20 EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 321.24 FEET TO A POINT LYING ON THE WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 429 (WEKIVA PARKWAY), STATE ROAD 46 CONNECTOR INTERCHANGE, PER CENTRAL FLORIDA EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP F.P. NUMBER 429-204; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 15°03'37 EAST, ALONG SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, 1206.74 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE AND SAID CURVE, HAVING A RADIUS OF 22824.00 FEET, A CENTRAL ANGLE OF 00°23'21", AN ARC LENGTH OF 155.00 FEET, A CHORD LENGTH OF 155.00 FEET AND A CHORD BEARING OF SOUTH 14°51'56 EAST TO A POINT LYING ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, RUN NON-TANGENT TO SAID CURVE, SOUTH 89°08'51 WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 688.30 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 89°07'52 WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 2036.77 FEET TO THE NORTHEAST CORNER OF THE WEST 330.00 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID SOUTH LINE, RUN SOUTH 01°23'13 WEST, ALONG THE EAST LINE OF THE WEST 330.00 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 1283.24 FEET TO A POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF ONDICH ROAD; THENCE RUN SOUTH 89°19'14 WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 330.21 FEET TO A POINT LYING ON THE WEST LINE OF THE WEST 330.00 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, RUN NORTH 01°23'13" EAST, ALONG THE WEST LINE OF THE WEST 330.00 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 1282.15 FEET TO A POINT LYING ON AFORESAID SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 89°07'52 WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 338.14 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 01°29'49" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 1311.14 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

THE NE ¼ OF THE NE ¼ OF THE SE ¼ OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 27 EAST, TOGETHER WITH NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS OVER THE EAST 20 FEET OF THE SE ¼ OF THE SE ¼ OF SAID SECTION 2, AS RECORDED IN OFFICIAL RECORDS BOOK 3995, PAGE 3632 AND OVER THE EAST 20 FEET OF THE SOUTH ½ OF THE NE ¼ OF THE SE ¼, AS RECORDED IN OFFICIAL RECORDS BOOK 5142, PAGE 3281, ALL OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARCEL 5:

THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

CONTAINING 199.46 ACRES, MORE OR LESS.

SCHEDULE B-II EXCEPTIONS PER TITLE COMMITMENT:

9. EASEMENT GRANTED TO FLORIDA POWER CORPORATION BY INSTRUMENT RECORDED IN BOOK 3750, PAGE 1202 (AS TO PARCEL 1). **AFFECT SUBJECT PROPERTY, AS SHOWN HEREON**

10. TERMS AND CONDITIONS OF THE EASEMENT AGREEMENT BETWEEN JOHN HENRY STEWART AND DAVID ALAN STEWART, SOLELY IN THEIR CAPACITY AS TRUSTEES OF THE GEORGE AND FLORENCE STEWART REVOCABLE TRUST AND STACY IRRGANG RUTLEDGE AND DARROLD M. RUTLEDGE; AND SARA H. IRRGANG RECORDED IN INSTRUMENT NO. 20180135614 (AS TO PARCEL 2). **AFFECT SUBJECT PROPERTY, AS SHOWN HEREON**

11. EASEMENT GRANTED TO FLORIDA POWER CORPORATION BY INSTRUMENT RECORDED IN BOOK 2234, PAGE 208 (AS TO PARCEL 3). **AFFECT SUBJECT PROPERTY, AS SHOWN HEREON**

12. EASEMENT GRANTED TO FLORIDA POWER CORPORATION BY INSTRUMENT RECORDED IN BOOK 3124, PAGE 2784 (AS TO EASEMENT PARCEL FOR PARCEL 4). **BENEFITS SUBJECT PROPERTY, AS SHOWN HEREON**

13. EASEMENT GRANTED TO FLORIDA POWER CORPORATION BY INSTRUMENT RECORDED IN BOOK 3832, PAGE 429 (AS TO PARCEL 4). **AFFECT SUBJECT PROPERTY, AS SHOWN HEREON**

14. TERMS AND CONDITIONS OF THE GRANT OF EASEMENT BETWEEN ELMER G. YOUNGBLOOD AND DAVID SHELLEY, AND TOMMY L. SHELLEY RECORDED IN BOOK 3995, PAGE 3632 (AS TO EASEMENT PARCEL FOR PARCEL 4). **BENEFITS SUBJECT PROPERTY, AS SHOWN HEREON**

15. EASEMENT GRANTED TO FLORIDA POWER CORPORATION BY INSTRUMENT RECORDED IN BOOK 4017, PAGE 1833 (AS TO PARCEL 4). **AFFECTS SUBJECT PROPERTY, IS BLANKET IN NATURE, AND THERE ARE NO PLOTTABLE EASEMENTS**

16. TERMS AND CONDITIONS OF THE GRANT OF EASEMENT BETWEEN TOMMY L. SHELLEY AND ELIZABETH SHELLEY, HIS WIFE AND CHARLES P. STALLINGS AND KIM L. STALLINGS RECORDED IN BOOK 5142, PAGE 3281 (AS TO EASEMENT PARCEL FOR PARCEL 4). **BENEFITS SUBJECT PROPERTY, AS SHOWN HEREON**

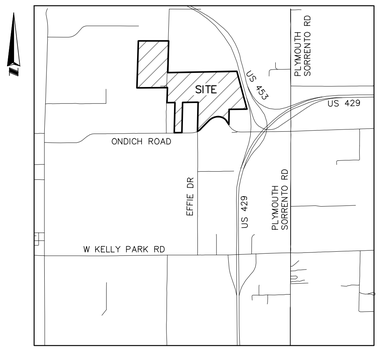
17. EASEMENT GRANTED TO FLORIDA POWER CORPORATION BY INSTRUMENT RECORDED IN BOOK 3832, PAGE 492 (AS TO PARCEL 5). **AFFECT SUBJECT PROPERTY, AS SHOWN HEREON**

18. EASEMENT GRANTED TO FLORIDA POWER CORPORATION BY INSTRUMENT RECORDED IN BOOK 6697, PAGE 4517 (AS TO PARCEL 5). **AFFECTS SUBJECT PROPERTY, IS BLANKET IN NATURE, AND THERE ARE NO PLOTTABLE EASEMENTS**

LEGEND OF SYMBOLS AND ABBREVIATIONS:

ORB.	OFFICIAL RECORDS BOOK
P.B.	PLAT BOOK
PG.(S)	PAGE(S)
LB	LICENSED BUSINESS
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
ID	IDENTIFICATION
CCR	CERTIFIED CORNER RECORD
R/W	RIGHT OF WAY
R	RADIUS
CB	CHORD BEARING
CD	CHORD DISTANCE
Δ	DELTA/CENTRAL ANGLE
L	ARC LENGTH
(D)	DESCRIBED
(M)	MEASURED
	METAL POWER POLE
	WOODEN POWER POLE
	GUY WIRE
	FLAG POLE
	FENCE GATE
	FOUND CONCRETE MONUMENT AS NOTED
	FOUND IRON ROD OR PIPE AS NOTED
	SET 1/2" IRON ROD AND CAP OR NAIL & DISK LB#6723
—x—	FENCE LINE, AS NOTED
—OHW—	OVERHEAD ELECTRIC LINE
	EASEMENTS AREAS
F.T.	FENCE TIE
	SOIL BORING (BORING NOT FOUND, ELEVATION TAKEN AT PROVIDED COORDINATES)
	SOIL BORING

VICINITY MAP: NOT TO SCALE



ADDRESS:

3658 ONDICH RD, APOPKA, FL 32712

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NE 1/4 OF SECTION 2-20-27 AS BEING N01°36'01"E. (AN ASSUMED BEARING FOR ANGULAR DESIGNATION ONLY)
2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER 11019988 7, EFFECTIVE DATE DECEMBER 28, 2023 AT 8:00 AM.
3. THE LEGAL DESCRIPTION HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED IN TITLE COMMITMENT NO. 110199887.
4. THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORD AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR OR SHOWN ON THIS BOUNDARY SURVEY THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE SUBJECT PROPERTY.
5. THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL, STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.
6. THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES LISTED HEREON AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.
7. ADJOINING PARCEL OWNER AND RECORDING INFORMATION DELINEATED HEREON WAS OBTAINED FROM THE ORANGE COUNTY PROPERTY APPRAISER'S PUBLIC WEBSITE.
8. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.
9. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR VISIBLE, UNOBSTRUCTED, ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS, SUCH AS FOUNDATIONS AND UTILITIES, WERE NOT LOCATED, UNLESS NOTED OTHERWISE.
10. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND THE PROFESSIONAL PURVIEW OF THE SURVEYOR AND SUBJECT TO LEGAL INTERPRETATION.
11. SUBJECT PROPERTY SHOWN HEREON IS IN ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AND ZONE A BASE FLOOD ELEVATIONS NOT DETERMINED, ACCORDING TO FLOOD INSURANCE RATE MAP PANEL NUMBER 12095C0050H, MAP REVISED SEPTEMBER 24, 2021. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THE LIMITS OF SAID ZONES ARE GRAPHICALLY DEPICTED HEREON AS NEAR AS MAY BE SCALED FROM SAID MAP.
12. THE ACCURACY OF THE SURVEY MEASUREMENTS USED FOR THIS SURVEY MEETS OR EXCEEDS THE EXPECTED USE OF THE PROPERTY DESCRIBED HEREON; (RURAL) 1 FOOT IN 5,000 FEET.
13. WE HEREBY CERTIFY THAT THE LANDS SHOWN HEREON AND THE ADJACENT PARCELS OF LAND, WHERE THEY SHARE A COMMON BOUNDARY LINE, ARE CONTIGUOUS WITH NO GAPS, GORES, HIATUS, OR OVERLAPS.
14. WE HEREBY CERTIFY THAT THE LANDS SHOWN HEREON AND ONDICH ROAD, A PUBLIC RIGHT OF WAY, WHERE THEY SHARE A COMMON BOUNDARY LINE, ARE CONTIGUOUS WITH NO GAPS, GORES, HIATUS, OR OVERLAPS.
15. WE HEREBY CERTIFY THAT PARCELS 1, 2, 3, 4, AND 5 DESCRIBE ONE AND THE SAME PROPERTY AS DEPICTED HEREON AND IN SCHEDULE A OF THE TITLE COMMITMENT ARE CONTIGUOUS WITH NO GAPS, GORES, HIATUS, OR OVERLAPS.
16. LAST DATE IN FIELD: FEBRUARY 2, 2024.

CERTIFIED TO:

FIRST AMERICAN TITLE INSURANCE COMPANY
PULTE HOME COMPANY, LLC, A MICHIGAN LIMITED LIABILITY COMPANY
PM S-1 REO LLC, A DELAWARE LIMITED LIABILITY COMPANY
HMF LLC, A FLORIDA LIMITED LIABILITY COMPANY
CHARLES P. STALLINGS AND KIM L. STALLINGS, HUSBAND AND WIFE
EUELL E. STALLINGS, JR. AND CRYSTAL DENISE STALLINGS, HUSBAND AND WIFE
SHUTTS & BOWEN LLP

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7A, 8, 11, 13 AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 2, 2024.

DATE OF FIELD WORK: FEBRUARY 2, 2024

JAMES L. RICKMAN, PSM #5633

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Founded in 1988
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GEOSPATIAL SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355 LB#6723

ALTA/NSPS LAND TITLE SURVEY OF ONDICH PARCELS

SECTIONS 1 AND 2, TOWNSHIP 20 SOUTH, RANGE 27 EAST
ORANGE COUNTY, FLORIDA

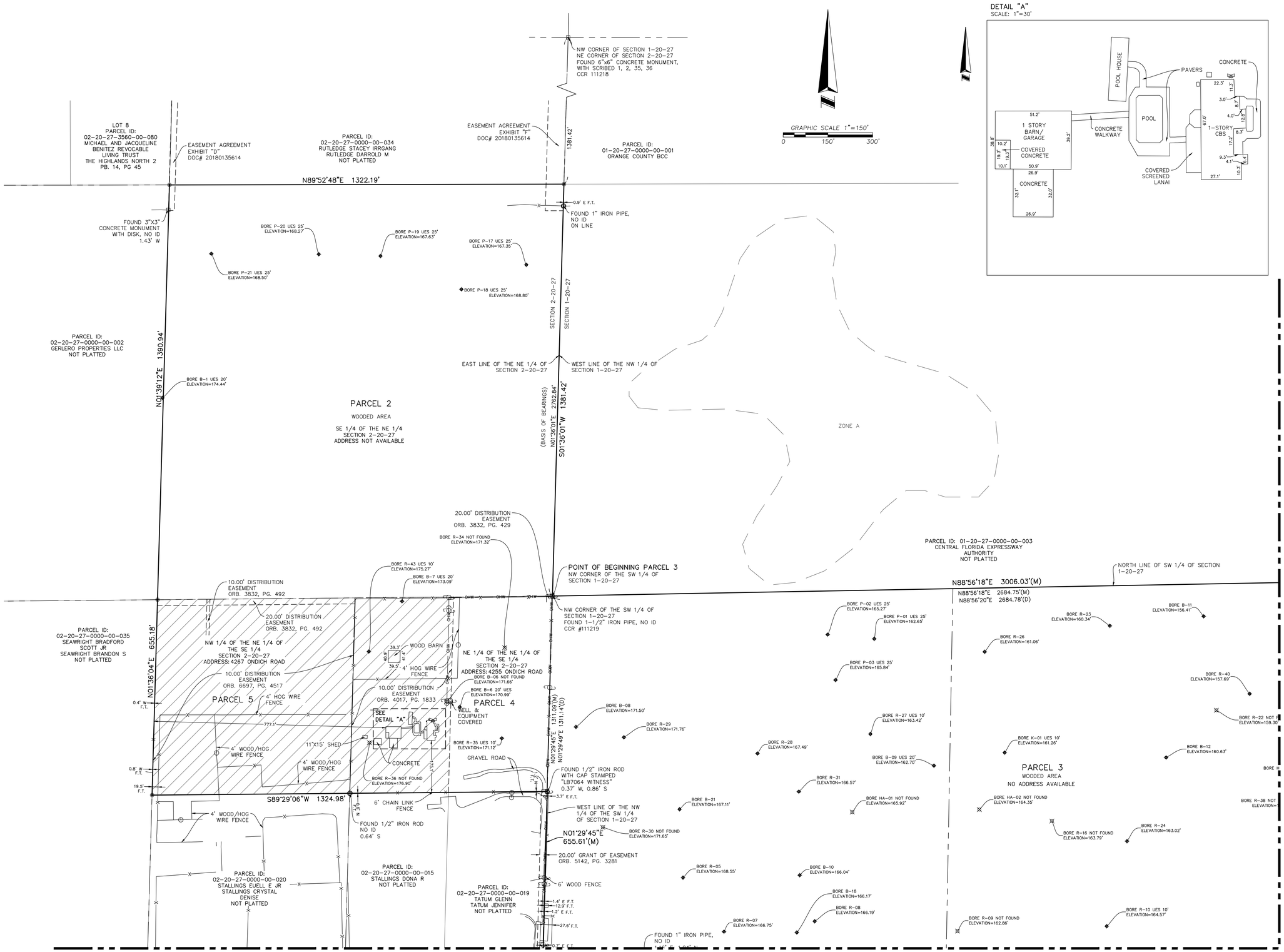
FOR: PULTEGROUP

DATE	REVISIONS
1/30/25	COMMENTS
1/15/25	ADD SOIL BORINGS

JOB #:	20230703
DATE:	02/02/2024
SCALE:	N/A
CALC BY:	AR/BRH
FIELD BY:	SR
DRAWN BY:	AR
CHECKED BY:	BRH

SHEET 1 OF 3

Drawing name: L:\Data\2023\0703\DWG\20230703 ONDICH ALTA Sheet-1



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www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355 LB#6723

ALTA/NSPS LAND TITLE SURVEY OF ONDICH PARCELS

SECTIONS 1 AND 2, TOWNSHIP 20 SOUTH, RANGE 27 EAST
ORANGE COUNTY, FLORIDA

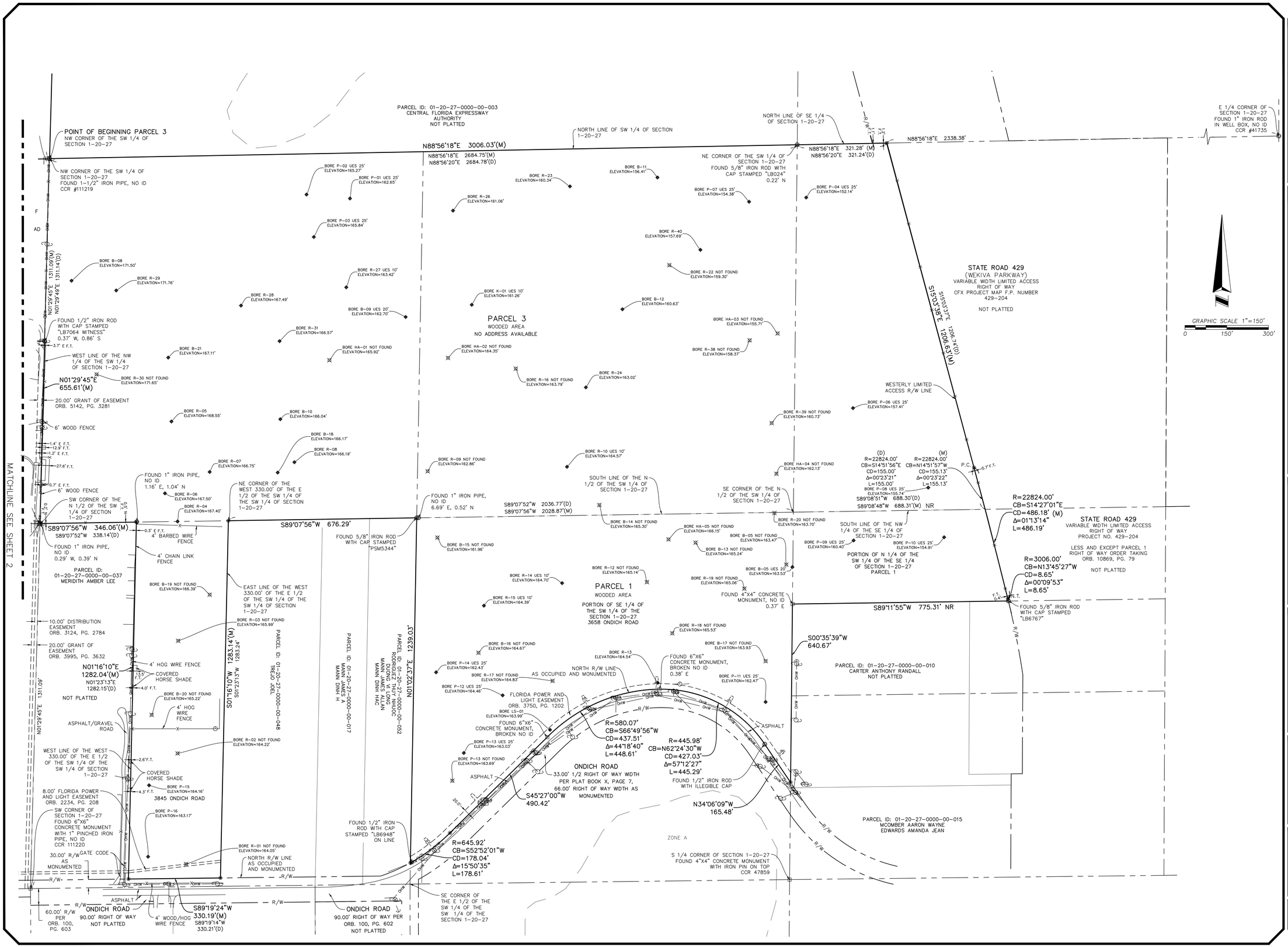
FOR: PULTE GROUP

DATE	REVISIONS

JOB #:	20230703
DATE:	02/02/2024
SCALE:	1" = 150'
CALC BY:	AR/BRH
FIELD BY:	SR
DRAWN BY:	AR
CHECKED BY:	BRH

SHEET 2 OF 3

Drawing name: L:\Data\20230703\DWG\20230703 ONDICH ALTA Sheet-2



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ALTA/NSPS LAND TITLE SURVEY OF ONDICH PARCELS

SECTIONS 1 AND 2, TOWNSHIP 20 SOUTH, RANGE 27 EAST
ORANGE COUNTY, FLORIDA

FOR: PULTE GROUP

DATE	REVISIONS

JOB #:	20230703
DATE:	02/02/2024
SCALE:	1" = 150'
CALC BY:	AR/BRH
FIELD BY:	SR
DRAWN BY:	AR
CHECKED BY:	BRH

SHEET 3 OF 3

Drawing name: L:\Data\20230703\DWG\20230703 ONDICH ALTA Sheet-3

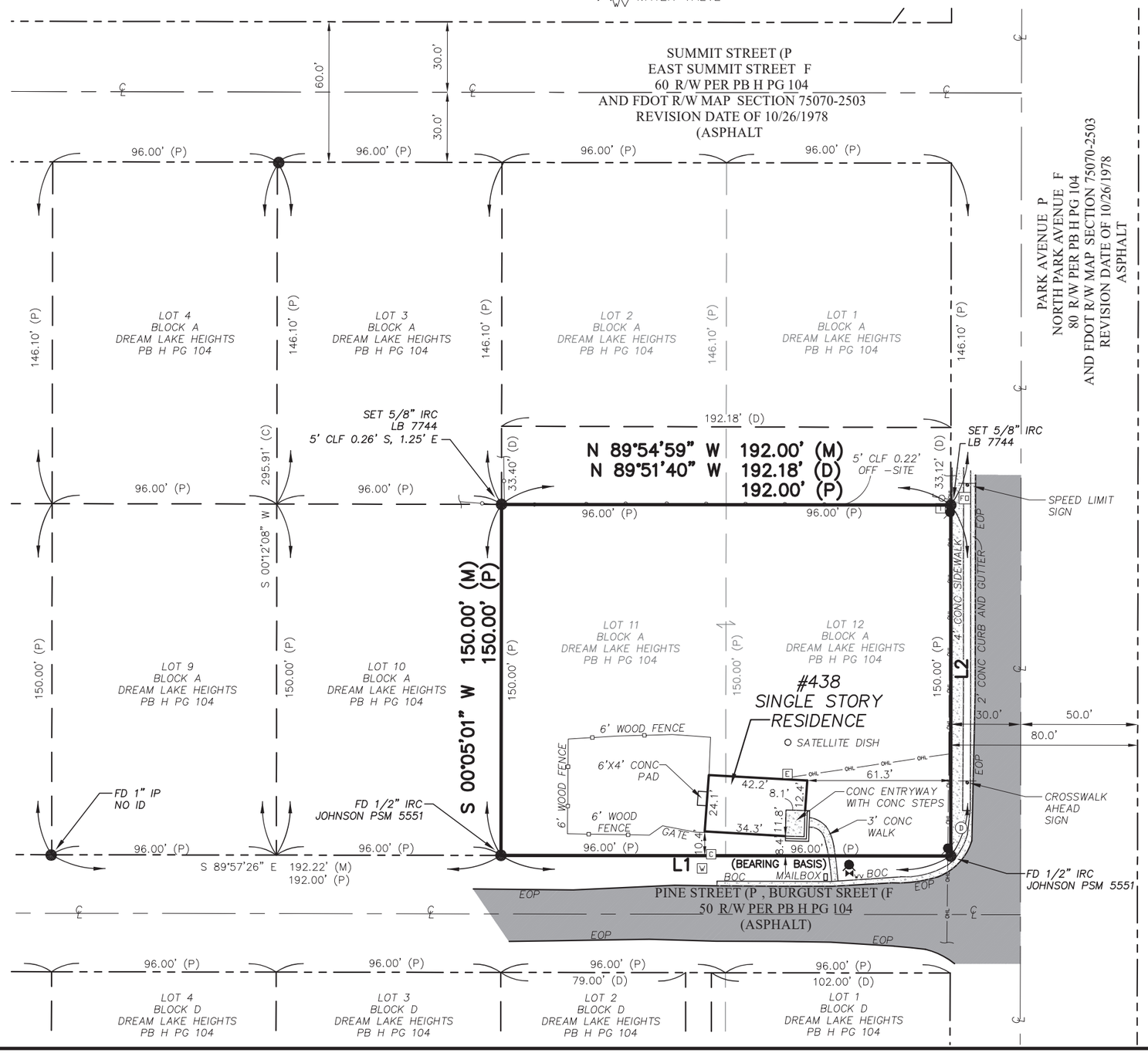
Docusign Envelope ID: 721C5D03-FDAE-4121-99E9-3F4EFCAC4332

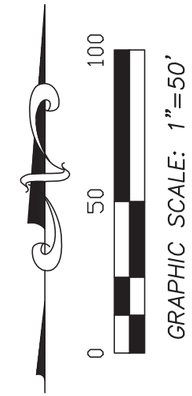
ABBREVIATIONS

(C) = CALCULATED
CONC = CONCRETE
CL = CENTERLINE
CM = CONCRETE MONUMENT
(D) = DEED
(M) = MEASURED
ORB = OFFICIAL RECORDS BOOK
PG= PAGE
N&D = NAIL AND DISK
EOP = EDGE OF PAVEMENT
(P) = PLAT
R/W = RIGHT OF WAY
A/C = AIR CONDITIONER
BOC = BACK OF CURB
OHL = OVERHEAD LINE
FD = FOUND
ID = IDENTIFICATION
IR= IRON ROD
IP = IRON PIPE
LB = LICENSED BUSINESS
CLF = CHAIN LINK FENCE

SYMBOLS

CONTROL POINT TYPE AS INDICATED
DRAINAGE MANHOLE
UTILITY POLE
FIRE CONNECTION
BACK FLOW PREVENTER
SIGN
WV WATER VALVE
W WATER METER
E ELECTRIC METER
C COMMUNICATIONS BOX
T TELEPHONE BOX
FO FIBER OPTIC RISER
CHAIN LINK FENCE
WOOD FENCE





BOUNDARY SURVEY

Description (AS PER ORB 4868 PG 3125):

LOTS 10, 11 AND 12 BLOCK A, DREAM LAKE HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK H, PAGE 104, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SURVEYORS NOTES

– THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE OPINION. THERE MAY EXIST MATTERS ON RECORD AFFECTING THE SUBJECT PROPERTY.

– BEARINGS BASED ON THE NORTH RIGHT OF WAY LINE OF BURGUST STREET (PINE AVENUE PER PLAT), ORANGE COUNTY, FLORIDA AS BEING S 89°54'59" E (AN ASSUMED DATUM PER GRID NORTH, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE DERIVED FROM A PRIVATE NETWORK SOLUTION).

– NO UNDERGROUND UTILITIES, FOUNDATIONS OR IMPROVEMENTS HAVE BEEN LOCATED.

– SYMBOLS ARE NOT TO SCALE.

– THIS SURVEY DOES NOT DETERMINE OWNERSHIP OF FENCES.

– FENCES ARE GRAPHICAL IN NATURE AND NOT TO SCALE. FENCE TIES ARE AS SHOWN HEREON.

– BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 12095C0120H HAVING A REVISION DATE OF SEPTEMBER 24, 2021, THE PROPERTY SHOWN HEREON LIES IN BOTH UNSHADED ZONE "X", AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.

– THE SCALE FOR THE MAP/DRAWING SHOWN HEREON IS 1"=50' AND IS INTENDED TO BE DISPLAYED ON A 11"X17" SIZED SHEET. ANY OTHER SHEET SIZE WILL ALTER THE SCALE OF THE DRAWING. COPIES AND REPRODUCTIONS MADE FROM PRINTS WILL/MAY ALTER THE SCALE OF THE DRAWING AS WELL.

LINE	BEARING	DISTANCE
L1 (M)	S 89°54'59" E	192.21'
L1 (P)		192.00'
L2 (M)	N 00°00'17" E	150.00'
L2 (P)		150.00'

Signed by:

RALPH A. NIETO CERTIFICATE No. LS6025 STATE OF FLORIDA Professional Surveyor & Mapper

Surveyors Certification:

I hereby certify that this survey shown hereon was made in accordance with the "Standards of Practice" for land surveying in the State of Florida Chapter 5J–17–.050 to 0.052 Florida Administrative Code, pursuant to Chapters 177 and 472, Florida Statutes and is not valid without either the original signature and raised seal or an authorized electronic signature and seal (5J–17.062(3) F.A.C.) of a Florida Licensed Professional Surveyor and Mapper.

DocuSigned by:

Ralph A Nieto

BBE6A55497C741E...

Digitally Signed and Authorized by Ralph A. Nieto PSM No. 6025

10/2/2024
Date

Nieto Land Surveying LLC
1728 N. Ronald Reagan Blvd., Longwood, FL 32750
PH: 407) 636-8460
LB No. 7744

NO.	DATE	REVISIONS

FIELD BY: MG | FIELD DATE: 09/27/24
DRAWN BY: CS | ORDER NO. NS24–229
SCALE: 1"=50' | SHEET 1 OF 1

PREPARED FOR:
Nick DeAngelis
438 N Park Avenue, Apopka, FL 32712

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

LEGAL DESCRIPTION - RIGHT-OF-WAY VACATION

A PORTION OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, PREVISOULY RECORDED AS UNIMPROVED 40 FOOT RIGHT-OF-WAY, AS RECORDED IN PLAT BOOK 77, PAGE 149 & A 40 FOOT STREET AS RECORDED IN PLAT BOOK B, PAGE 139 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 28 EAST; ALSO BEING A POINT ON THE CENTERLINE OF WEST PONKAN ROAD AS RECORDED IN DEED BOOK 338, PAGE 565 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 00°27'58" WEST, 1755.39 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK "A" OF MERRIMACK PLAT AS RECORDED IN PLAT BOOK "B", PAGE 139 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88°39'45" EAST, 853.70 FEET TO THE EAST LINE OF LOT 5, BLOCK "A" OF SAID MERRIMACK PLAT; THENCE NORTH 01°20'15" WEST, 337.11 FEET TO THE NORTH LINE OF SAID MERRIMACK PLAT; THENCE NORTH 88°58'57" EAST, 40.00 FEET TO THE WEST LINE OF LOT 1, BLOCK "B" OF SAID MERRIMACK PLAT; THENCE SOUTH 01°20'15" EAST, 336.89 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK "B" MERRIMACK PLAT; THENCE NORTH 88°39'45" EAST, 1749.28 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 01°10'58" WEST, 40.04 FEET TO THE NORTHEAST CORNER OF WEKIVA RUN PHASE III-B, AS RECORDED IN PLAT BOOK 77, PAGE 148-149 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 88°39'45" WEST, 2642.49 FEET TO THE NORTHWEST CORNER OF WEKIVA RUN PHASE II-B, AS RECORDED IN PLAT BOOK 67, PAGES 85-87 OF THE OFFICIAL RECORDS OF ORANGE COUNTY, FLORIDA, ALSO BEING A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 00°29'01" EAST, 40.02 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

CONTAINING 119173.9 SQ. FT. OR 2.7 ACRES, MORE OR LESS

MAX R. GEORGE JR
License Number
7343
STATE OF
FLORIDA
Professional Surveyor and Mapper

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Max R. George, PSM

Digitally signed by Max R. George, PSM
DN: E=mgeorge@bowman.com, CN="Max R. George, PSM", O=Bowman Consulting Group, L=Melbourne, S=Florida, SERIALNUMBER=MAS20230413680165, C=US
Date: 2025.02.18 11:20:05-05'00'

MAX R. GEORGE — DATE OF SIGNATURE

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 7343
BOWMAN CONSULTING GROUP, LTD., INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030
(LB 8030 = LICENSED BUSINESS NUMBER 8030)

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

INDEX OF SHEETS

SHEET 1 LEGAL DESCRIPTION
SHEET 2 SKETCH OF DESCRIPTION

* SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION. SKETCH IS NOT VALID UNLESS ACCOMPANIED BY LEGAL DESCRIPTION.

Bowman CONSULTING
Bowman Consulting Group, Ltd., Inc.
5404 Cypress Center Dr., Suite 140
Tampa, FL 33609
Phone: (813) 474-7424
www.bowmanconsulting.com

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Professional Surveyors and Mappers, Certificate NO. LB-8030

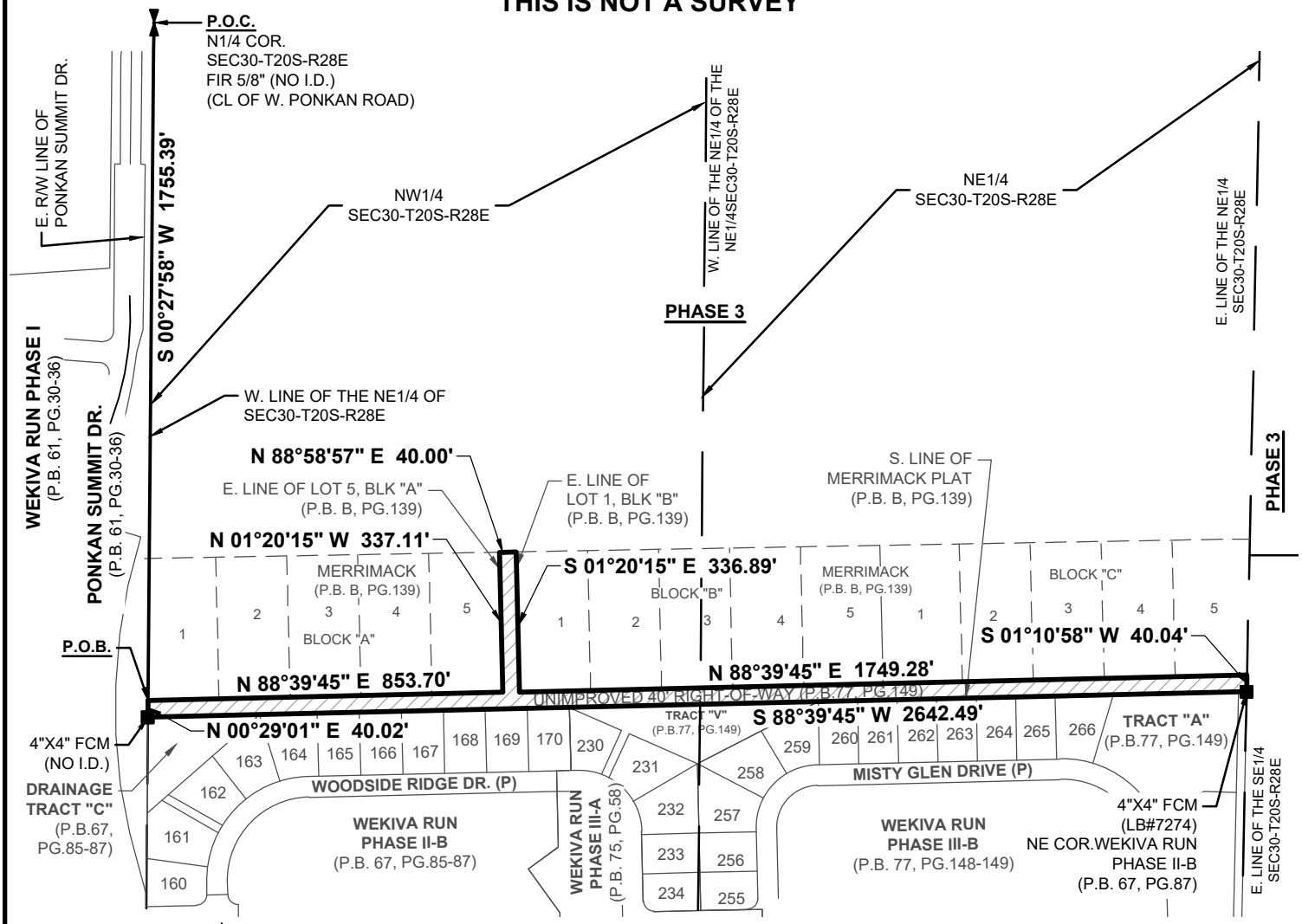
RIGHT-OF-WAY VACATION
ADDRESS: APOPKA, FL

ORANGE COUNTY — FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: N/A		SHEET 1 OF 2

FILE: 031629-01-001 PALUCCI APOPKA_ROW VACATION

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY



* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION OF. SKETCH, SKETCH IS NOT VALID UNLESS ACCOMPANIED BY LEGAL DESCRIPTION.

LEGEND

- ℄ = CENTERLINE
- CCR = CERTIFIED RECORD CORNER
- (D) = DEED DATA
- D.B. = DEED BOOK
- DWG. = DRAWING
- FT. = FEET
- # = NUMBER
- O.R.B.= OFFICIAL RECORDS BOOK
- (P) = PLAT DATA
- P.B.= PLAT BOOK
- PG. = PAGE
- R/W = RIGHT-OF-WAY
- W/ = WITH
- SEC#-T#-R# = SECTION-TWNS-RNG

- ● = FOUND IRON ROD & CAP (FIRC)
- ◉ = FOUND NAIL & DISK (FN&D)
- ⊙ = FOUND IRON PIPE (FIP)
- ■ = FOUND 4"X4" CONC. MON (FCM)
- ⊕ = FOUND PINCH PIPE (FPP)
- ⧗ =FOUND ¼ SECTION CORNER

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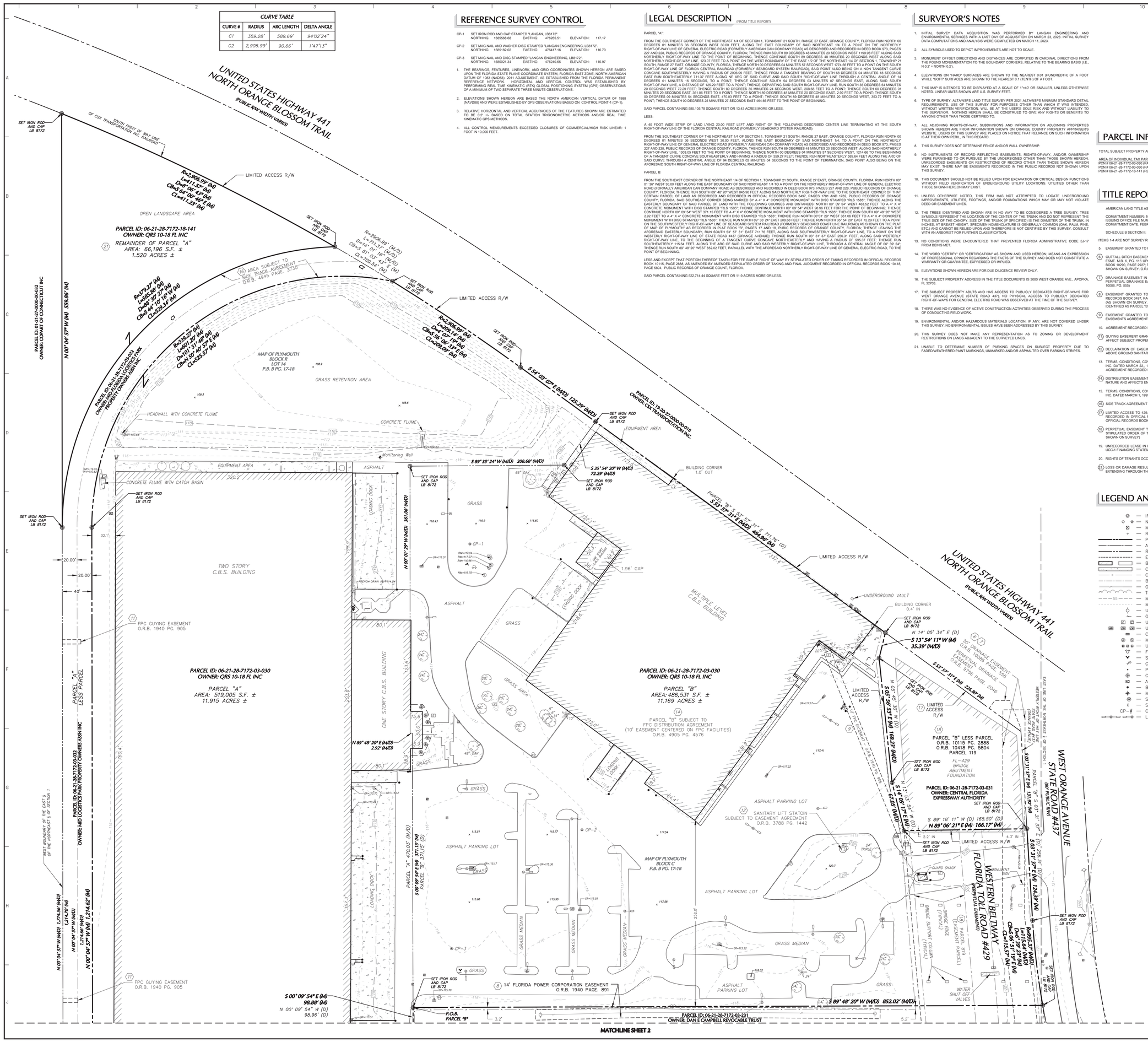
RIGHT-OF-WAY VACATION
ADDRESS: APOPKA, FL

ORANGE COUNTY FLORIDA

PROJECT NO. 031629-01-001	REVISED DATE:	DATE: 1/26/2025
SCALE: 1"=300'		SHEET 2 OF 2

FILE: 031629-01-001 PALUCCI APOPKA_ROW VACATION

CURVE TABLE			
CURVE #	RADIUS	ARC LENGTH	DELTA ANGLE
C1	359.28'	589.69'	94°02'24"
C2	2,906.99'	90.66'	1°47'13"



REFERENCE SURVEY CONTROL

CP-1 SET IRON ROD AND CAP STAMPED "LANGAN, LB8172".
NORTHING: 1585568.68 EASTING: 476265.51 ELEVATION: 117.17

CP-2 SET MAG NAIL AND WASHER DISC STAMPED "LANGAN ENGINEERING, LB8172".
NORTHING: 1585182.02 EASTING: 476417.16 ELEVATION: 116.70

CP-3 SET MAG NAIL AND DISC STAMPED "LANGAN ENGINEERING, LB8172".
NORTHING: 1585021.34 EASTING: 476240.65 ELEVATION: 115.97

1. THE BEARINGS, FEATURES, LINEWORK, AND GRID COORDINATES SHOWN HEREON ARE BASED UPON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 2011 ADJUSTMENT, AS ESTABLISHED FROM THE FLORIDA PERMANENT REFERENCE NETWORK. HORIZONTAL AND VERTICAL CONTROL WAS ESTABLISHED BY PERFORMING REAL TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS OF A MINIMUM OF TWO SEPARATE THREE MINUTE OBSERVATIONS.
2. ELEVATIONS SHOWN HEREON ARE BASED THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND WERE ESTABLISHED BY GPS OBSERVATIONS BASED ON CONTROL POINT-1 (CP-1).
3. RELATIVE HORIZONTAL AND VERTICAL ACCURACIES OF THE FEATURES SHOWN ARE ESTIMATED TO BE 0.2' +/- BASED ON TOTAL STATION TRIGONOMETRIC METHODS AND/OR REAL TIME KINEMATIC GPS METHODS.
4. ALL CONTROL MEASUREMENTS EXCEEDED CLOSURES OF COMMERCIAL/HIGH RISK LINEAR: 1 FOOT IN 10,000 FEET.

LEGAL DESCRIPTION (FROM TITLE REPORT)

PARCEL "A":

FROM THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA RUN NORTH 00 DEGREES 01 MINUTES 36 SECONDS WEST 30.00 FEET, ALONG THE EAST BOUNDARY OF SAID NORTHEAST 1/4 TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GENERAL ELECTRIC ROAD (FORMERLY AMERICAN CAN COMPANY ROAD) AS DESCRIBED AND RECORDED IN DEED BOOK 973, PAGES 227 AND 228, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE RUN SOUTH 89 DEGREES 48 MINUTES 20 SECONDS WEST 1199.99 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 89 DEGREES 48 MINUTES 20 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 123.07 FEET TO A POINT ON THE WEST BOUNDARY OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, THENCE NORTH 00 DEGREES 04 MINUTES 57 SECONDS WEST 1774.56 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FLORIDA CENTRAL RAILROAD (FORMERLY SEABOARD SYSTEM RAILROAD). SAID POINT ALSO BEING ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2906.99 FEET, THENCE FROM A TANGENT BEARING OF SOUTH 68 DEGREES 04 MINUTES 18 SECONDS EAST RUN SOUTHEASTERLY 711.37 FEET ALONG NE ARC OF SAID CURVE AND SAID SOUTH RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 14 DEGREES 01 MINUTES 16 SECONDS, TO A POINT; THENCE CONTINUE SOUTH 54 DEGREES 03 MINUTES 07 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 125.29 FEET TO A POINT; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, RUN SOUTH 35 DEGREES 54 MINUTES 20 SECONDS WEST 72.29 FEET, THENCE SOUTH 89 DEGREES 35 MINUTES 24 SECONDS WEST, 208.68 FEET TO A POINT; THENCE SOUTH 00 DEGREES 01 MINUTES 29 SECONDS EAST, 361.06 FEET TO A POINT, THENCE NORTH 89 DEGREES 48 MINUTES 20 SECONDS EAST, 2.92 FEET TO A POINT; THENCE SOUTH 00 DEGREES 09 MINUTES 54 SECONDS EAST, 470.03 FEET TO A POINT; THENCE SOUTH 89 DEGREES 48 MINUTES 20 SECONDS WEST, 353.72 FEET TO A POINT, THENCE SOUTH 00 DEGREES 25 MINUTES 27 SECONDS EAST 464.66 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 585,105.78 SQUARE FEET OR 13.43 ACRES MORE OR LESS.

LESS:

A 40 FOOT WIDE STRIP OF LAND LYING 20.00 FEET LEFT AND RIGHT OF THE FOLLOWING DESCRIBED CENTER LINE TERMINATING AT THE SOUTH RIGHT-OF-WAY LINE OF THE FLORIDA CENTRAL RAILROAD (FORMERLY SEABOARD SYSTEM RAILROAD):

FROM THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA RUN NORTH 00 DEGREES 01 MINUTES 36 SECONDS WEST 30.00 FEET, ALONG THE EAST BOUNDARY OF SAID NORTHEAST 1/4, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GENERAL ELECTRIC ROAD (FORMERLY AMERICAN CAN COMPANY ROAD) AS DESCRIBED AND RECORDED IN DEED BOOK 973, PAGES 227 AND 228, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE RUN SOUTH 89 DEGREES 48 MINUTES 20 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 1303.05 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 04 MINUTES 57 SECONDS WEST, 1214.66 TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 359.27 FEET; THENCE RUN NORTHEASTERLY 589.64 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 94 DEGREES 02 MINUTES 04 SECONDS TO THE POINT OF TERMINATION, SAID POINT ALSO BEING ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF FLORIDA CENTRAL RAILROAD.

PARCEL B:

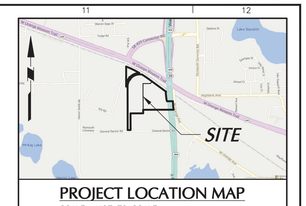
FROM THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, RUN NORTH 00° 01' 36" WEST 30.00 FEET ALONG THE EAST BOUNDARY OF SAID NORTHEAST 1/4 TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GENERAL ELECTRIC ROAD (FORMALLY AMERICAN CAN COMPANY ROAD) AS DESCRIBED AND RECORDED IN DEED BOOK 973, PAGES 227 AND 228, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89° 48' 20" WEST 845.98 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3497, PAGES 1781 AND 1782, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID SOUTHEAST CORNER BEING MARKED BY A 4" X 4" CONCRETE MONUMENT WITH DISC STAMPED "RLS 1585"; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL OF LAND WITH THE FOLLOWING COURSES AND DISTANCES: NORTH 00° 09' 54" WEST 463.52 FEET TO A 4" X 4" CONCRETE MONUMENT WITH DISC STAMPED "RLS 1585"; THENCE CONTINUE NORTH 00° 09' 54" WEST 98.96 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00° 09' 54" WEST 371.15 FEET TO A 4" X 4" CONCRETE MONUMENT WITH DISC STAMPED "RLS 1585"; THENCE RUN SOUTH 89° 48' 20" WEST 2.92 FEET TO A 4" X 4" CONCRETE MONUMENT WITH DISC STAMPED "RLS 1585"; THENCE RUN NORTH 00°01' 29" WEST 361.06 FEET TO A 4" X 4" CONCRETE MONUMENT WITH DISC STAMPED "RLS 1585"; THENCE RUN NORTH 89° 35' 24" EAST 208.68 FEET; THENCE RUN NORTH 35° 54' 20" EAST 72.29 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SEABOARD SYSTEM RAILROAD (FORMERLY SEABOARD COAST LINE RAILROAD) AS SHOWN ON THE PLAT OF MAP OF PLYMOUTH BLOCK "B", PAGES 17 AND 18, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE LEAVING THE AFORESAID EASTERLY BOUNDARY, RUN SOUTH 53° 57' 31" EAST 711.76 FEET, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD #437 (ORANGE AVENUE); THENCE RUN SOUTH 03° 31' 37" EAST 256.31 FEET, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 995.37 FEET; THENCE RUN SOUTHEASTERLY 115.64 FEET, ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 06° 39' 24"; THENCE RUN SOUTH 89° 48' 20" WEST 852.02 FEET; PARALLEL WITH THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF GENERAL ELECTRIC ROAD, TO THE POINT OF BEGINNING.

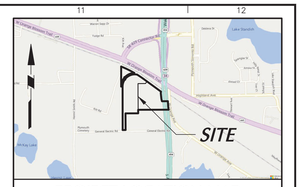
LESS AND EXCEPT THAT PORTION THEREOF TAKEN FOR FEE SIMPLE RIGHT OF WAY BY STIPULATED ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 10115, PAGE 2888, AS AMENDED BY AMENDED STIPULATED ORDER OF TAKING AND FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 10418, PAGE 5804, PUBLIC RECORDS OF ORANGE COUNT, FLORIDA.

SAID PARCEL CONTAINING 522,714.44 SQUARE FEET OR 11.9 ACRES MORE OR LESS.

SURVEYOR'S NOTES

1. INITIAL SURVEY DATA ACQUISITION WAS PERFORMED BY LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES WITH A LAST DAY OF ACQUISITION ON MARCH 23, 2023. INITIAL SURVEY DATA COMPUTATIONS AND ANALYSIS WERE COMPLETED ON MARCH 11, 2023.
2. ALL SYMBOLS USED TO DEPICT IMPROVEMENTS ARE NOT TO SCALE.
3. MONUMENT OFFSET DIRECTIONS AND DISTANCES ARE COMPUTED IN CARDINAL DIRECTIONS FROM THE FOUND MONUMENTATION TO THE BOUNDARY CORNERS, RELATIVE TO THE BEARING BASIS (I.E., N 0.2' = NORTH 0.2').
4. ELEVATIONS ON "HARD" SURFACES ARE SHOWN TO THE NEAREST 0.01 (HUNDREDTH) OF A FOOT WHILE "SOFT" SURFACES ARE SHOWN TO THE NEAREST 0.1 (TENTH) OF A FOOT.
5. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=40' OR SMALLER, UNLESS OTHERWISE NOTED. LINEAR UNITS SHOWN ARE U.S. SURVEY FEET.
6. TYPE OF SURVEY: ALTA/NSPS LAND TITLE SURVEY PER 2021 ALTA/NSPS MINIMUM STANDARD DETAIL REQUIREMENTS. USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
7. ALL ADJOINING RIGHTS-OF-WAY, SUBDIVISIONS AND INFORMATION ON ADJOINING PROPERTIES SHOWN HEREON ARE FROM INFORMATION SHOWN ON ORANGE COUNTY PROPERTY APPRAISER'S WEBSITE. USERS OF THIS SURVEY ARE PLACED ON NOTICE THAT RELIANCE ON SUCH INFORMATION IS AT THEIR OWN PERIL, IN THIS REGARD.
8. THIS SURVEY DOES NOT DETERMINE FENCE AND/OR WALL OWNERSHIP.
9. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO OR PURSUED BY THE UNDERSIGNED OTHER THAN THOSE SHOWN HEREON. UNRECORDED EASEMENTS OR RESTRICTIONS OF RECORD OTHER THAN THOSE SHOWN HEREON MAY EXIST. THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN UPON THIS SURVEY.
10. THIS DOCUMENT SHOULD NOT BE RELIED UPON FOR EXCAVATION OR CRITICAL DESIGN FUNCTIONS WITHOUT FIELD VERIFICATION OF UNDERGROUND UTILITY LOCATIONS. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST.
11. UNLESS OTHERWISE NOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE UNDERGROUND IMPROVEMENTS, UTILITIES, FOOTINGS, AND/OR FOUNDATIONS WHICH MAY OR MAY NOT VIOLATE DEED OR EASEMENT LINES.
12. THE TREES IDENTIFIED AND SHOWN ARE IN NO WAY TO BE CONSIDERED A TREE SURVEY. TREE SYMBOLS REPRESENT THE LOCATION OF THE CENTER OF THE TRUNK AND DO NOT REPRESENT THE TRUE SIZE OF THE CANOPY. SIZE OF THE TRUNK (IF SPECIFIED) IS THE DIAMETER OF THE TRUNK, IN INCHES, AT BREAST HEIGHT. SPECIMEN NOMENCLATURE IS GENERALLY COMMON (OAK, PALM, MAGNOLIA, PINE, ETC.) AND CANNOT BE RELIED UPON AND THEREFORE IS NOT CERTIFIED BY THIS SURVEY. CONSULT WITH AN ARBORIST FOR FURTHER CLASSIFICATION.
13. NO CONDITIONS WERE ENCOUNTERED THAT PREVENTED FLORIDA ADMINISTRATIVE CODE 5J-17 FROM BEING MET.
14. THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED HEREON, MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
15. ELEVATIONS SHOWN HEREON ARE FOR DUE DILIGENCE REVIEW ONLY.
16. THE SUBJECT PROPERTY ADDRESS IN THE TITLE DOCUMENTS IS 3000 WEST ORANGE AVE., APOPKA, FL 32703.
17. THE SUBJECT PROPERTY ABUTS AND HAS ACCESS TO PUBLICLY DEDICATED RIGHT-OF-WAYS FOR WEST ORANGE AVENUE (STATE ROAD 437). NO PHYSICAL ACCESS TO PUBLICLY DEDICATED RIGHT-OF-WAYS FOR GENERAL ELECTRIC ROAD WAS OBSERVED AT THE TIME OF THE SURVEY.
18. THERE WAS NO EVIDENCE OF ACTIVE CONSTRUCTION ACTIVITIES OBSERVED DURING THE PROCESS OF CONDUCTING FIELD WORK.
19. ENVIRONMENTAL AND/OR HAZARDOUS MATERIALS LOCATION, IF ANY, ARE NOT COVERED UNDER THIS SURVEY. NO ENVIRONMENTAL ISSUES HAVE BEEN ADDRESSED BY THIS SURVEY.
20. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON LANDS ADJACENT TO THE SURVEYED LINES.
21. UNABLE TO DETERMINE NUMBER OF PARKING SPACES ON SUBJECT PROPERTY DUE TO FADED/WEATHERED PAINT MARKINGS, UNMARKED AND/OR ASPHALTED OVER PARKING STRIPES.

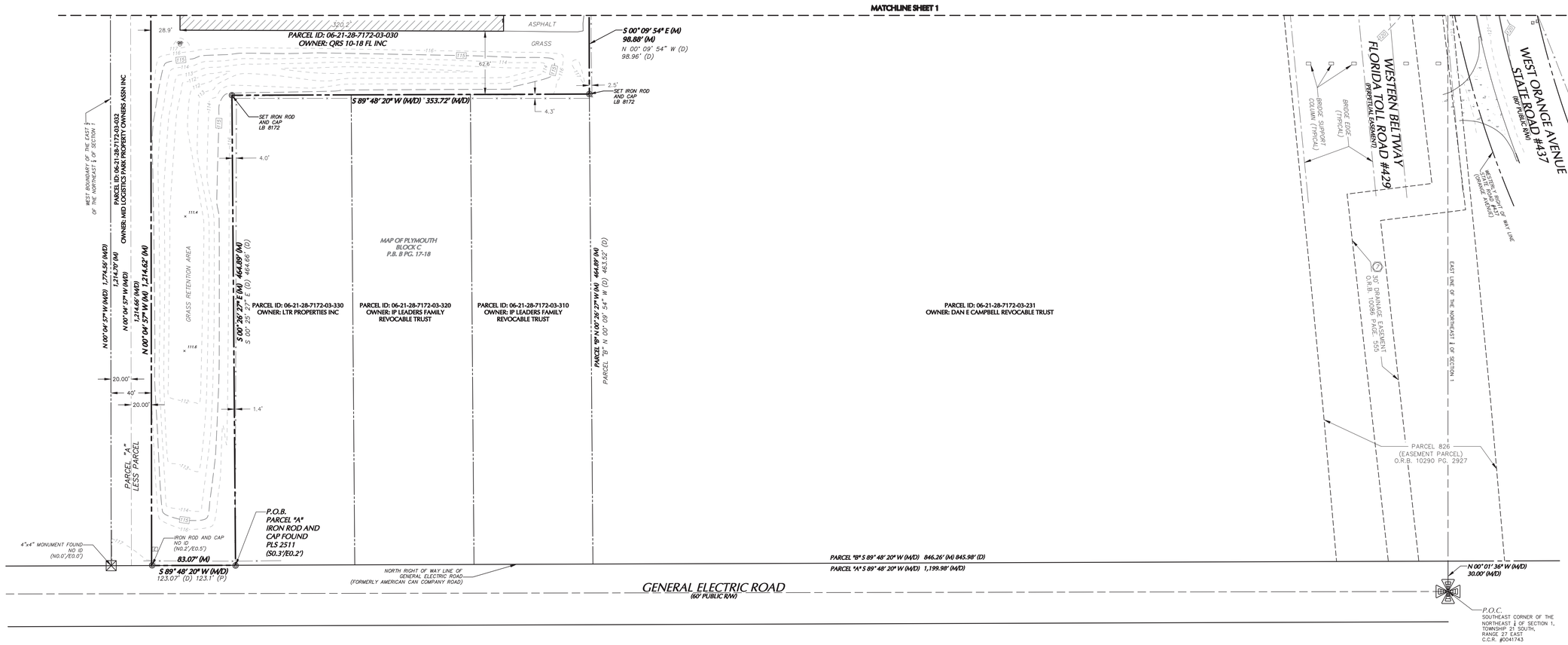

SITE
Apopka
Zellwood
Ocoee
Winter Garden
Windermere
Orlando
Oakland
Gotha
Lake Apopka
Winter Garden
Vineland
Dr Phillips
Bay Hill
Sand Lake
Hunters Creek
Southwest Orlando
Bee Line Expy
Airport
Orlando Int'l Airport
Taft
Orlando Int'l Airport
Bee Line Expy
Jeff Fuqua Blvd
Conway
Azalea Park
Pine Hills
Belle Isle
Orlando
Lake Nona
Lake Jessup
Oviedo
Winter Springs
Chuluota
Alaflia River
Econlockhatchee River
Wekiva River
Rock Springs Run State Reserve
Seminole State Forest
Black Hammock
Wildwood
Geneva
Osteen
Deland
Deltona
Lake Monroe
Sanford
Orange City
Enterprise
Debary
Orange City
Blue Springs State Park
Deleon Springs
Glenwood
Pierson
Barberville
Seville
Daytona Int'l Speedway
Holly Hill
Daytona Beach
Ormond Beach
Port Orange
South Daytona
Flagler Beach
Bunnell
Palm Coast
Beverly Beach
Espanola
Bardenhurst
Hastings
Crescent City
Interlachen
Welaka
Satsuma
Florahome
Grandin
Palatka
Bostwick
Lake Como
Pomona Park
Melrose
Keystone Heights
Orange Springs
Lake Butler
Raiford
Starke
Lawtey
Waldo
Jacksonville
Gainesville
Ocala
Palatka
Daytona Beach
Orlando
Kissimmee
Lake Wales
Haines City
Davenport
Winter Haven
Lake Alfred
Auburndale
Lakeland
Polk City
Mulberry
Plant City
Lake Wales
Frostproof
Avon Park
Sebring
Lake Placid
Venus
Avon Park
Wauchula
Zolfo Springs
Arcadia
Bowling Green
Fort Meade
Mulberry
Frostproof
Sebring
Wauchula
Arcadia
Punta Gorda
Port Charlotte
Cape Coral
Fort Myers
Lehigh Acres
Alva
Fort Myers Beach
Sanibel
Captiva
Boca Grande
Gasparilla Island
Cape Haze
Rotonda
Englewood
Venice
Nokomis
Osprey
Sarasota
Bradenton
Palmetto
Ellenton
Parrish
Myakka City
Oneco
Samoset
Anna Maria
Holmes Beach
Bayshore Gardens
Palmetto
Ellenton
Parrish
Myakka City
Oneco
Samoset
Anna Maria
Holmes Beach
Bayshore Gardens
Bradenton Beach
Longboat Key
Lido Key



PROJECT LOCATION MAP

SCALE: NOT TO SCALE

SOURCE: ESRI World Imagery, Maxar, Earthstar Geographics, and the GIS User Community



LEGEND AND ABBREVIATIONS

(NOT SHOWN TO SCALE)

- IRON ROD AND CAP (FOUND/SET)
- NAIL & WASHER (FOUND/SET)
- MONUMENT (FOUND)
- RAILROAD SPIKE (FOUND)
- PROPERTY BOUNDARY
- ADJOINING PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- EASEMENT BOUNDARY
- BUILDING – BUILDING OVERHANG
- CONCRETE
- CHAIN LINK FENCE
- BRIDGE OVERHANG
- OVERHEAD WIRES
- TREE/HEDGE LINE
- MAJOR CONTOUR INTERVAL
- MINOR CONTOUR INTERVAL
- UTILITY POLE
- GUY ANCHOR
- UTILITY BOX/PEDESTAL (AS IDENTIFIED)
- UTILITY METER (AS IDENTIFIED)
- CATCH BASIN
- MANHOLE (AS IDENTIFIED)
- UTILITY VALVE (AS IDENTIFIED)
- FIRE HYDRANT
- STANDPIPE
- CLEANOUT
- PIPE DROP
- COLUMN
- AIR CONDITIONING UNIT
- BOLLARD
- MONITORING WELL
- SCHEDULE B SECTION II ITEM
- SIGN

F.A.C. — FLORIDA ADMINISTRATIVE CODE
No. — NUMBER
LB — LICENSED BUSINESS
LS — LICENSED SURVEYOR AND MAPPER
FPC — FLORIDA POWER CORPORATION
P.C.N. — PARCEL CONTROL NUMBER
O.R.B. — OFFICIAL RECORD BOOK
P.B. — PLAT BOOK
D.B. — DEED BOOK
PG. — PAGE
C.C.R. — CERTIFIED CORNER RECORD
P.O.B. — POINT OF BEGINNING
P.O.C. — POINT OF COMMENCEMENT
ROW R/W — RIGHT–OF–WAY
(D) — DEED BEARING/DISTANCE
(M) — MEASURED BEARING/DISTANCE
(P) — PLAT BEARING/DISTANCE
R — RADIUS
A — ARC LENGTH
D — DELTA ANGLE
CB — CHORD BEARING
CL — CHORD LENGTH
GR — GRATED INLET
INV — INVERT ELEVATION
C.B.S. — CONCRETE BLOCK STRUCTURE
S.F. — SQUARE FEET
CP–# — CONTROL POINT NUMBER
— LIGHT POLES
— DECIDUOUS TREE
— PALM TREE
— GATE

SURVEYOR'S CERTIFICATION

TO:
a. FIDELITY NATIONAL TITLE INSURANCE COMPANY
b. W.P. CAREY & Co. Inc.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 5, 7(a), 8, 9 AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 5, 2021.

DATE OF PLAT OR MAP: SEE TITLE BLOCK FOR DATE OF LAST REVISION.

Gary M McDaniel

Digitally signed by Gary M McDaniel
Date: 2023.07.10 12:21:09-04'00'

GARY M. McDANIEL
LICENSE NUMBER LS7254
STATE OF FLORIDA
Professional Surveyor and Mapper

GARY M. McDANIEL
PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NUMBER LS7254
LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
LICENSED BUSINESS NUMBER LB8172, STATE OF FLORIDA.

THE FEATURES SHOWN ON THIS SURVEY ARE VALID AS TO THE DATE OF THE LAST DATE OF FIELD WORK, NOT TO THE SIGNATURE DATE OF THIS CERTIFICATION.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY THE ABOVE NAMED PROFESSIONAL SURVEYOR AND MAPPER USING A CRYPTOAPI PRIVATE KEY IGC DIGITAL CERTIFICATE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE AUTHENTICATION CODE MUST BE VERIFIED ON ALL ELECTRONIC COPIES.

Date	Description	No.

Revisions

LANGAN
Langan Engineering and Environmental Services, Inc.
400 N. Ashley Drive, Suite 2175
Tampa, FL 33602
T: 813.439.6100 F: 813.439.6101 www.langan.com
FBPE NO. 00006601/LB8172/LB8196

Project
WP CAREY
APOPKA-BLOEM WH EXPANSION
APOPKA
ORANGE COUNTY FLORIDA

Drawing Title
ALTA/NSPS LAND TITLE SURVEY

Project No. 350065701
Date 06/04/2023
Drawn By SV/JD/RF
Checked By GM
Drawing No. VL101
Sheet 2 of 2

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February 21, 2025

City of Apopka
Community Development Department
120 E Main Street Second Floor
Apopka, FL 32703

Re: Zoning Variance Application
Project Iguana – W. P. Carey Warehouse
3000 W Orange Ave, Apopka, FL 32703, United States (the "Property")
Langan Project No.: 350065701

Dear Community Development Department Reviewers:

On behalf of our client, QRS 10-18 (FL), LLC C/O W. P. CAREY (the "Applicant"), Langan presents this narrative in support of a zoning variance for the subject property. This variance request seeks relief from the required 10-foot rear-yard setback per Land Development Code (LDC) Section 3.5.3.

In support of our application we offer the following enclosures in addition to this narrative:

- Setback Variance Application exhibit set consisting of 3 Sheets:
  - Cover Sheet
  - Site Plan
  - Setback Enlargement
- Property Deed
- Aerial Location Map Exhibit
- Signed and Sealed ALTA Survey
- Owner Authorization Form

INTRODUCTION

The subject property of which historically had two industrial buildings recently had one of them demolished. The other building, currently leased to Bloem, will remain. The demolished building along the eastern property line was obsolete and suffered significant fire and water damage. The applicant seeks to replace it with a modern warehouse building that will serve the current needs of the local industrial market user base. A primary objective in re-developing the Property with this new warehouse building is to preserve the functionality of the existing rail-loading area at the northeast Property line between the legacy building and the existing CSX rail spur, as this is a significant feature and added value to the Property.

REQUESTED VARIANCE

The Applicant requests a variance from the Code's required 10' rear-yard setback to permit construction of the new warehouse building with a 0' setback along the northeast Property line, adjacent to the existing CSX rail right-of-way.

JUSTIFICATION

Apopka LDC 2.5.5.A.5.b presents nine Required Findings and states that "A zoning variance shall be approved only on a finding the applicant demonstrates there is competent substantial evidence in the record that:" the applicant's variance request meets all nine criteria.

Presented here are both the LDC criteria and **the associated commentary/response** for this request regarding that criteria:

b. Required Findings:

1. *There are practical difficulties in carrying out the strict letter of the relevant requirements of the LDC in that the requested variance relates to a hardship due to characteristics of the land and not solely the needs of the land owner;*

   Response: To carry out the strict letter of the requirement in this case would be to construct the new warehouse ten feet farther from the existing rail spur than the legacy building was currently located. This would necessitate moving the rail spur 10' to maintain the same loading distances. This hardship is inherent to the current characteristics of the land in that the rail spur is existing and the existing configuration of the adjacent right-of-way and rail line are not under the Applicant's control. Such hardship exists, therefore, due to the characteristics of the land and CSX railway, not because of Applicant needs alone.

2. *The variance request is not based exclusively upon a desire to reduce the cost of developing the site;*

   Response: The request is due to the need to maintain the rail-serving operational characteristics of the industrial Property and is not a cost-saving desire.

3. *The proposed variance will not substantially increase congestion on surrounding public streets;*

   Response: The proposed variance is not material to the project's traffic generation. The proposed variance does not result in a change of land use, and the proposed project will result in a slight decrease in building square footage on the site.

4. *The proposed variance will not substantially diminish property values in the area surrounding the site*

   Response: There is certainly no obvious downward impact on neighboring property owners as the only properties that are directly impacted are those of the Applicant and the adjacent

railroad operator, both of whom have a vested interest in continuing the ease of rail loading and unloading the current site configuration and building location allow.

To the contrary, the proposed variance would increase the value of the surrounding property in two ways:

1. The existing, adjacent CSX Right-of-Way would be devalued if the new building were required to provide a 10' additional setback from the right-of-way, complicating loading and unloading operations.

2. Other neighboring properties will potentially benefit by continuing to have a nearby site with easy rail access; many of the neighboring properties consist of assorted industrial and light manufacturing uses and the potential of a warehouse site nearby with rail access offers significant economic benefits to the neighboring properties.

5. *The proposed variance will not substantially alter the essential character of, the area surrounding the site;*

Response: By inspection, allowing construction of a new building with the same zero-lot-line setback does not alter the character of the project, Property, or the adjacent properties.

6. *The effect of the proposed variance is in harmony with the general intent of the LDC and the specific standards for which the variance is granted;*

Response: The intent of a minimum building setback is to establish a required minimum distance between a building and a property line based on specific considerations of landscaping, utility, aesthetic and other planning goals. This variance is the minimum needed to ensure the continued utilization of the existing CSX railway and to maximize the viability of industrial users on the Property.
As the adjacent parcel is a rail right-of-way there are no building separation concerns created by reducing the setback to zero feet, in fact the rail right-of-way would benefit from proximity to the building.

7. *Special conditions and circumstances do not result from the actions of the applicant;*

Response: The Applicant did not configure their parcel, locate the legacy building, nor did they configure the existing rail location or rail right-of-way.

8. *The proposed variance will not create safety hazards and other detriments to the public; and*

Response: The variance request would only continue a historical condition that exists at the interface between two existing privately owned parcels and therefore has no impact on public safety. The operational characteristics of the Property and adjacent properties will be unchanged by the variance and will remain reasonable for the proposed use in accordance with typical site layout considerations for a use of this type.

9. *The variance is the minimum variance which will make possible the reasonable use of the land, building or structure.*

   Response: The variance simply seeks to maintain the existing rail-loading characteristics of the site. Reducing the setback from 10' to 0' is the minimum variance to accomplish this aim.

ADDITIONAL INFORMATION

While the city does not have specific provisions in its code for properties that abut a railroad right-of-way, the county in which the city is located, Orange County, does have relevant regulations. The Orange County Code of Ordinances, Chapter 38 - Zoning, Article XII, site and building requirements for similar industrial uses states: "Rear yards and side yards may be reduced to zero (0) when the rear or side property lines abuts the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities."

This county provision underscores the practicality and necessity of the requested variance for the subject property by serving as a nearby example of where the same 0' lot line setback would be permitted.

CLOSING

The primary purpose of setbacks is to shield adjacent properties from the potential impacts of the proposed development. However, in this case, maintaining the required 10' setback would be mutually detrimental to the subject and adjacent parcel, which is a railroad. The proximity of the new warehouse to the railroad right-of-way is necessary, as it enhances the property's logistical capabilities by providing direct rail spur access. We appreciate your consideration of the attached and look forward to working with the City.

Sincerely,
Langan Engineering and Environmental Services, LLC

A Cabre

Armando Cabre, P.E.
Senior Project Manager

INITIAL: AC

Enclosure(s): As Noted

cc: Jack Molnar, Michael Kalimtzis, Charlie Stocks, Peter Bates, Marina Folz, Elizabeth Boeckman | WP Carey Inc
Tara Tedrow, Lauren Korn | Lowndes

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