

THIS IS A DONATION

Project: Mecatos Bakery & Cafe Permit B22902437

UTILITY EASEMENT

THIS INDENTURE, made as of the date signed below, between CNBM Investments LLC, a Florida limited liability company, whose address is 1073 Campbell Street, Orlando, Florida 32806, GRANTOR, and Orange County, a charter county and political subdivision of the state of Florida, whose address is P.O. Box 1393, Orlando, Florida 32802-1393, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$10.00 and other valuable considerations, paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, an easement for utility purposes, with full authority to enter upon, excavate, construct and maintain, as the GRANTEE and its assigns may deem necessary, water lines, wastewater lines, reclaimed water lines, and any other utility facilities over, under and upon the following described lands situate in Orange County aforesaid, to-wit:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

a portion of 24-23-29-3400-00-014

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever.

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

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

GRANTEE'S obligation to restore landscaping shall be limited to an obligation to restore to Orange

Project: Mecatos Bakery & Cafe Permit B22902437

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

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

Signed, sealed and delivered
in the presence of:

CNBM Investments LLC,
a Florida limited liability company

BY: _____

Witness

Printed Name

Printed Name

Witness

Title

Printed Name

(Corporate Seal)

(Signature of **TWO** witnesses required by Florida law)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2022 by _____ as _____ of CNBM Investments LLC, a Florida limited liability company, on behalf of the company. The individual is personally known to me or has produced _____ as identification.

(Notary Seal)

Notary Signature

Printed Notary Name

Notary Public in and for
the county and state aforesaid.

My commission expires:

This instrument prepared by:
Juanita Thomas, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida
P. O. Box 1393
Orlando, FL 32802-1393

JOINDER AND CONSENT TO UTILITY EASEMENT

The undersigned hereby certifies that it is the holder of the following mortgage, lien, or other encumbrance upon the above described Utility Easement: (i) that certain Mortgage and Security Agreement executed by CNBM Investments LLC, a Florida limited liability company, in favor of Axiom Bank, N.A. recorded April 20, 2021, as Official Records Document No. 20210238668, re-recorded on May 7, 2021, as Official Records Document No. 20210277066; (ii) that certain Subordination Agreement executed by CNBM Investments LLC, a Florida limited liability company, in favor of Axiom Bank, N.A., recorded April 20, 2021, as Official Records Document No. 20210238671, re-recorded May 7, 2021, as Official Records Document No. 20210277067; and (iii) that certain Assignment of Leases and Rents executed by CNBM Investments LLC, a Florida limited liability company, in favor of Axiom Bank, N.A., recorded April 20, 2021, as Official Records Document No. 20210238669, and (iv) that certain UCC-1 Financing Statement between CNBM Investments LLC, debtor, in favor of Axiom Bank, N.A., secured party, recorded April 20, 2021 as Official Records Document No. 20210238670, all of the Public Records of Orange County, Florida and that the undersigned hereby joins in and consents to the execution and recording of the foregoing Utility Easement, and agrees that its mortgage, lien, or other encumbrance, as they have been, and as they may be, modified, amended, and/or assigned from time to time, shall be subordinated to the Utility Easement, as said easement may be modified, amended, and/or assigned from time to time.

Witnesses:

Axiom Bank, N.A.

Print Name: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20__ by _____ as _____ of Axiom Bank, N.A., on behalf of the National Association. The individual is personally known to me or has produced _____ as identification.

(Notary Seal)

Notary Public

Print Name: _____

My Commission Expires: _____

SKETCH OF DESCRIPTION
PROJECT NAME: MECATOS BAKERY & CAFE
PERMIT #: B22902437 (# 99868)

Exhibit A

LEGAL DESCRIPTION:

A tract of land situated in Section 24, Township 23 South, Range 29 East and being a portion of Lot 1, Harney Homestead as per Plat Book "C", Page 53, a portion of Lot 3, W.M. Hansel Replat as per Plat Book "J", Page 45 and Lot 4 as per Plat Book "L", Page 74 all being a part of the Public Records of Orange County, Florida, being more particularly described as follows:

Beginning at the southeast corner of Lot 3, W.M. Hansel Replat as per Plat Book "J", Page 45 of said public records being a replat of a portion of said Lot 1, Harney Homestead, thence S89°36'39"W along the south line of said Lot 3 a distance of 20.00 feet; thence N00°22'00"E parallel with the East line of said Lot 3 a distance of 177.00 feet to a point of intersection with the North line of said Lot 4; thence N89°36'39"E along an Easterly projection of the north line of said Lot 4 a distance of 20.00 feet to a point of intersection with the East line of said Lot 1, Harney Homestead and the West line of Birr Court as per Plat Book "T", Page 129 of said public records; thence S00°22'00"W along said East line of said Lot 1 a distance of 177.00 feet to the southeast corner of said Lot 1 and said Point of Beginning.

Containing 3,540 square feet, more or less.

NOTES:

1. PREPARED AS A SKETCH OF DESCRIPTION. *** THIS IS NOT A SURVEY ***
 2. THIS MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
 3. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
 4. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
 5. MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.
 6. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
 7. ALL BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF LOT 1, HARNEY HOMESTEAD AS PER PLAT BOOK "C", PG 53 AS BEARING N00°22'00"E ASSUMED.
 8. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
- © COPYRIGHT 2022 BY ELLIS SURVEYS LLC

"THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY ROBERT A. ELLIS P.L.S. FLORIDA REGISTRATION NO. 3880 ON DATE 11/04/2022; THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH THE FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17-062".

CERTIFIED TO:
NELSON LERMA
ORANGE COUNTY UTILITIES

SHEET 1 OF 2

(SEE SHEET 2 FOR SKETCH and NOTES)

REVISIONS: RESPOND TO COMMENTS 09/02/2022

PROJECT NO: 22-1107-ease

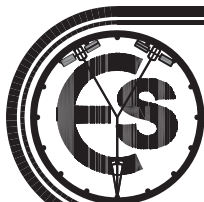
SCALE: 1"= 30'

DRAWN BY: RAE

CHECKED BY: MGEL

DATE DRAWN: 06/21/2022

FIELD BOOK/PAGE: XX/XX



ELLIS SURVEYS LLC
Land Surveying & Planning

P.O. Box 160952
Altamonte Springs, FL 32716
Florida Licensed Business LB-7970
P. 407-834-4003 F. 407-869-5454
www.ellisurveys.com

ROBERT A. ELLIS, P.L.S.
FLORIDA REGISTRATION NO. 3880
FOR THE FIRM

DATE SIGNED: 11/04/2022

