

## Exhibit 2

**Prepared by:**

David W. Hall, Esquire  
Stenstrom, McIntosh, Colbert &  
Whigham, P.A.  
300 International Parkway, Suite 100  
Lake Mary, Florida 32746  
(407) 322-2171

**Return to:**

Ms. Barbara Barbour  
City Clerk of City of Oviedo  
City Hall  
400 Alexandria Boulevard  
Oviedo, Florida 32765

**CITY OF OVIEDO/NELSON & COMPANY INCORPORATED AND 88 S. CENTRAL  
AVENUE, LLC WASTEWATER SERVICES EASEMENT**

**THIS WASTEWATER SERVICES EASEMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between NELSON & COMPANY INCORPORATED, a Florida corporation, whose address is c/o Charles W. Evans, Post Office Box 620460, Oviedo, Florida 32762 ("NELSON") and 88 S. CENTRAL AVENUE, LLC, a Florida limited liability company, whose address is c/o Charles W. Evans, Post Office Box 620460, Oviedo, Florida 32762 ("88 S. CENTRAL") (with NELSON and 88 S. CENTRAL being hereinafter collectively referred to as the "GRANTOR"), and the CITY OF OVIEDO, a Florida municipal corporation, situate in Seminole County, Florida, hereinafter referred to as the "GRANTEE," whose address is 400 Alexandria Boulevard, Oviedo, Florida 32765.

**W I T N E S S E T H:**

**WHEREAS**, GRANTEE vacated certain right-of-way located in Oviedo, Florida, and, by operation of law, ownership of the vacated right-of-way was vested in NELSON AND 88 S. CENTRAL by virtue of their ownership of the lands adjacent to the vacated right-of-way; and

**WHEREAS**, GRANTEE required, as a condition of GRANTEE's actions to vacate such right-of-way, that GRANTOR execute and deliver this Wastewater Services Easement to GRANTEE,

**NOW, THEREFORE, FOR AND IN CONSIDERATION OF** the sum of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficing of which is hereby acknowledged, the GRANTOR does hereby grant and convey to the GRANTEE a non-exclusive easement and right-of-way for the purpose of providing wastewater services, with full authority to enter upon, excavate, construct, operate and maintain, as the GRANTEE may deem necessary, utility lines, valves, electrical, mechanical, wells, pumps, sumps, and systems consisting of, by way of example only, pipes, connections, controls, and structures and facilities for wastewater services

(collectively, the "Wastewater Facilities") under (and only under) the following-described lands, and with the authority of the GRANTOR, for the transmission, conveyance and distribution of such wastewater services situate in the County of Seminole, State of Florida, to-wit:

**(SEE EXHIBIT "A" attached hereto and incorporated herein).**

**TO HAVE AND TO HOLD** the right to reasonably enter upon the contiguous lands of the GRANTOR in order to accomplish the aforesaid actions and purposes.

**FURTHER, TO HAVE AND TO HOLD** said easement and right-of-way unto the said GRANTEE forever.

**THE GRANTEE** agrees to use the easement so as to not interfere with GRANTOR'S use of the property for drainage, landscaping, parking, on-site utilities, and all other services and uses for which GRANTOR may use the Property. GRANTEE shall indemnify and hold GRANTOR harmless from GRANTEE's use of the easement to the extent provided in accordance to Florida law. Subject to the prior approval and consent of GRANTOR, GRANTEE shall have the right to relocate within said easement and right-of-way trees, landscaping, and other obstructions that may interfere with location, excavation, operation or maintenance of the utilities, structures, systems or any facilities installed thereon by the GRANTEE. In connection with any work related to the easement, including, without limitation, any relocation work that may be undertaken in accordance with this paragraph, GRANTEE shall restore any damage to the Property to a condition as existed prior to any such work, at GRANTEE'S sole cost and expense. The foregoing sentence and any rights granted to GRANTEE hereunder shall not permit any alterations or additions to the utilities located within the easement area, unless the same are consented to by GRANTOR. Any and all Wastewater Facilities constructed pursuant to this easement shall be located underground.

**GRANTOR** hereby reserves the right to relocate the easement granted herein. Prior to any relocation, Grantor shall provide Grantee with plans that demonstrate that the relocated easement will not diminish the functionality of the Grantee's then-existing easement and utility structures, systems or facilities; reasonably coordinate the logistics and timing of the relocation; and prepare the required instruments necessary to establish the new easement and extinguish the then-existing easement in a form satisfactory to Grantee, with approval of same not being unreasonably or arbitrarily withheld by Grantee. Grantor shall pay for all reasonable expenses of Grantee associated with the relocation.

**EACH OF NELSON AND 88 S. CENTRAL** do hereby covenant with the GRANTEE, that it is lawfully seized and possessed of that portion of the real estate above described that has accrued to such party as a result of the City's actions to vacate the right-of-way, and that such party has a good and lawful right to convey the said easement.

[Signature Pages Follow:]

**IN WITNESS WHEREOF**, the GRANTOR and GRANTEE have duly signed, sealed and delivered this Wastewater Services Easement as of the Effective Date.

**GRANTOR**

Signed, sealed and delivered  
in the presence of:

**NELSON & COMPANY  
INCORPORATED**, a Florida corporation

\_\_\_\_\_  
Signature of Witness

Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
Arthur F. Evans, President

\_\_\_\_\_  
Signature of Witness

Print Name: \_\_\_\_\_

State of \_\_\_\_\_)  
County of \_\_\_\_\_)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this \_\_\_\_ day of \_\_\_\_\_ 2021, by Arthur F. Evans, as President of Nelson & Company Incorporated, on behalf of the corporation. He ☐ is personally known to me or ☐ has produced a driver's license as identification.

(Notary Seal)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

**GRANTOR**

Signed, sealed and delivered  
in the presence of:

**88 S. CENTRAL AVENUE, LLC**, a  
Florida limited liability company

**By: EVANS INVESTMENTS, LTD.**, a  
Florida limited partnership, its Managing  
Member

**By: EVANS MANAGEMENT COMPANY**,  
a Florida corporation, its general  
partner

\_\_\_\_\_  
Signature of Witness  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
David L. Evans, President

\_\_\_\_\_  
Signature of Witness  
Print Name: \_\_\_\_\_

State of \_\_\_\_\_)  
County of \_\_\_\_\_)

The foregoing instrument was acknowledged before me by means of ☐ physical presence  
or ☐ online notarization this \_\_\_\_ day of \_\_\_\_\_ 2021, by David L. Evans, as President of  
Evans Management Company, the general partner of Evans Investments, Ltd., the Managing  
Member of 88 S. Central Avenue, LLC, on behalf of the company. He ☐ is personally known to  
me or ☐ has produced a driver's license as identification.

(Notary Seal)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

ATTEST:

**GRANTEE: CITY OF OVIEDO, A Florida  
municipal corporation**

**By:** \_\_\_\_\_  
Barbara Barbour, City Clerk

**By:** \_\_\_\_\_  
Megan Sladek, Mayor

Approved as to form and legality:

\_\_\_\_\_  
David W. Hall, Asst City Attorney

**ACKNOWLEDGMENT**

STATE OF FLORIDA )  
COUNTY OF SEMINOLE )

I hereby Certify that on this day, before me an officer duly authorized to administer oaths and take acknowledgments, personally appeared MEGAN SLADEK as Mayor of the City of Oviedo, Florida, a municipal corporation, by means of [ ] physical presence or [ ] online notarization, known to me to be the person described in and who executed the foregoing Warranty Deed who acknowledged before me that she executed the same, who is { } personally known by to or who { } provided \_\_\_\_\_ as identification and that an oath was (was not) taken.

Witness my hand and official seal in the County and State last aforesaid \_\_\_\_\_  
this day of \_\_\_\_\_ 2021.

(Affix Notary Seal)

\_\_\_\_\_  
Notary Public; State of Florida

\_\_\_\_\_  
Printed Name

# Exhibit A

## SKETCH OF DESCRIPTION

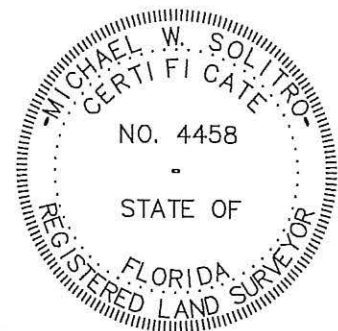
EXHIBIT A — SEWER EASEMENT STATION STREET

SHEET 1 OF 3

A PORTION OF STATION STREET, LOCATED IN NW 1/4 OF THE SECTION 15, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 6, CUSHINGS ADDITION TO OVIEDO, PLAT BOOK 1, PAGE 46; THENCE NORTH 89°52'25" EAST, A DISTANCE OF 17.50 FEET; THENCE SOUTH 00°43'15"E, A DISTANCE OF 50.93 FEET; THENCE NORTH 89°16'45" EAST, A DISTANCE OF 17.50 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF STATION STREET (35' WIDE PUBLIC RIGHT OF WAY); THENCE SOUTH 00°43'15" EAST, A DISTANCE OF 510.11 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SEABOARD AIR LINE RAILWAY OVIEDO-SPRING HAMMOCK TRAIL AS RECORDED IN O.R BOOK 3177, PAGE 832; THENCE SOUTH 67°23'07" WEST, A DISTANCE OF 2.48 FEET ALONG THE AFORESAID NORTH RIGHT-OF-WAY LINE; THENCE NORTH 23°03'39" WEST, A DISTANCE OF 5.10 FEET; THENCE SOUTH 67°05'30" WEST, A DISTANCE OF 33.22 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF AFORESAID STATION STREET; THENCE NORTH 00°43'15" WEST, A DISTANCE OF 599.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 18,822 SQUARE FEET OR 0.432 ACRES MORE OR LESS.



THIS IS NOT A BOUNDARY SURVEY

JOB NUMBER: 190445		DATE: 11/04/20	
SCALE: 1"=50'			
DRAWN BY: MWS			
APP ROVED BY: MWS			
DATE		REVISION HISTORY	
12/14/20		TAX PARCEL NUMBERS AND LOTS	



REPUBLIC  
NATIONAL

480 NEEDLES TRAIL  
LONGWOOD, FLORIDA 32779  
PHONE: (407) 862-4200  
FAX: (407) 862-8229



NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND THE SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS AND DELETIONS TO SURVEY MAPS, SKETCHES, OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

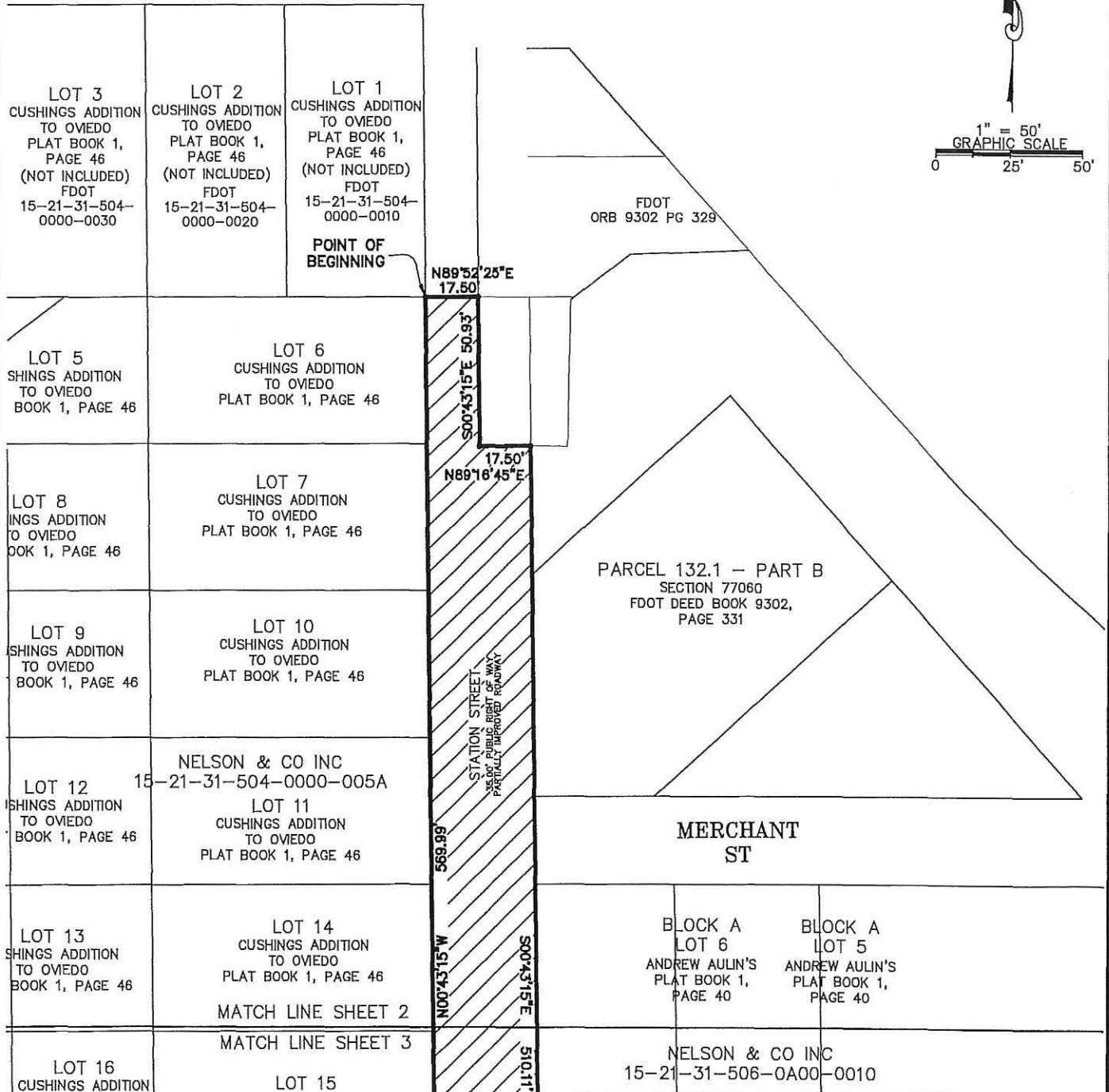
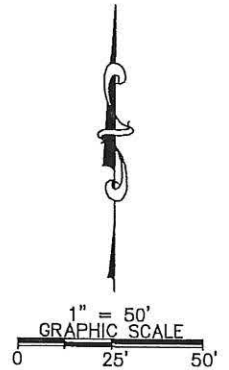
Michael W Solitro  
Digitally signed by  
Michael W Solitro  
Date: 2020.12.14  
11:56:30-05'00'

MICHAEL W. SOLITRO, PSM #4458  
FOR THE FIRM OF  
REPUBLIC NATIONAL #LB 6300

# SKETCH OF DESCRIPTION

EXHIBIT A - SEWER EASEMENT STATION STREET

SHEET 2 OF 3



## SURVEYOR NOTES:

1. BEARINGS ARE BASED ON FLORIDA  
STATE PLANE COORDINATES, FLORIDA EAST,  
ZONE 901.

THIS IS NOT A BOUNDARY SURVEY

JOB NUMBER: 190445		DATE: 11/4/20	
SCALE: 1"=50'			
DRAWN BY: MWS			
APPROVED BY: MWS			
DATE		REVISION HISTORY	
12/14/20		TAX PARCEL NUMBERS AND LOTS	

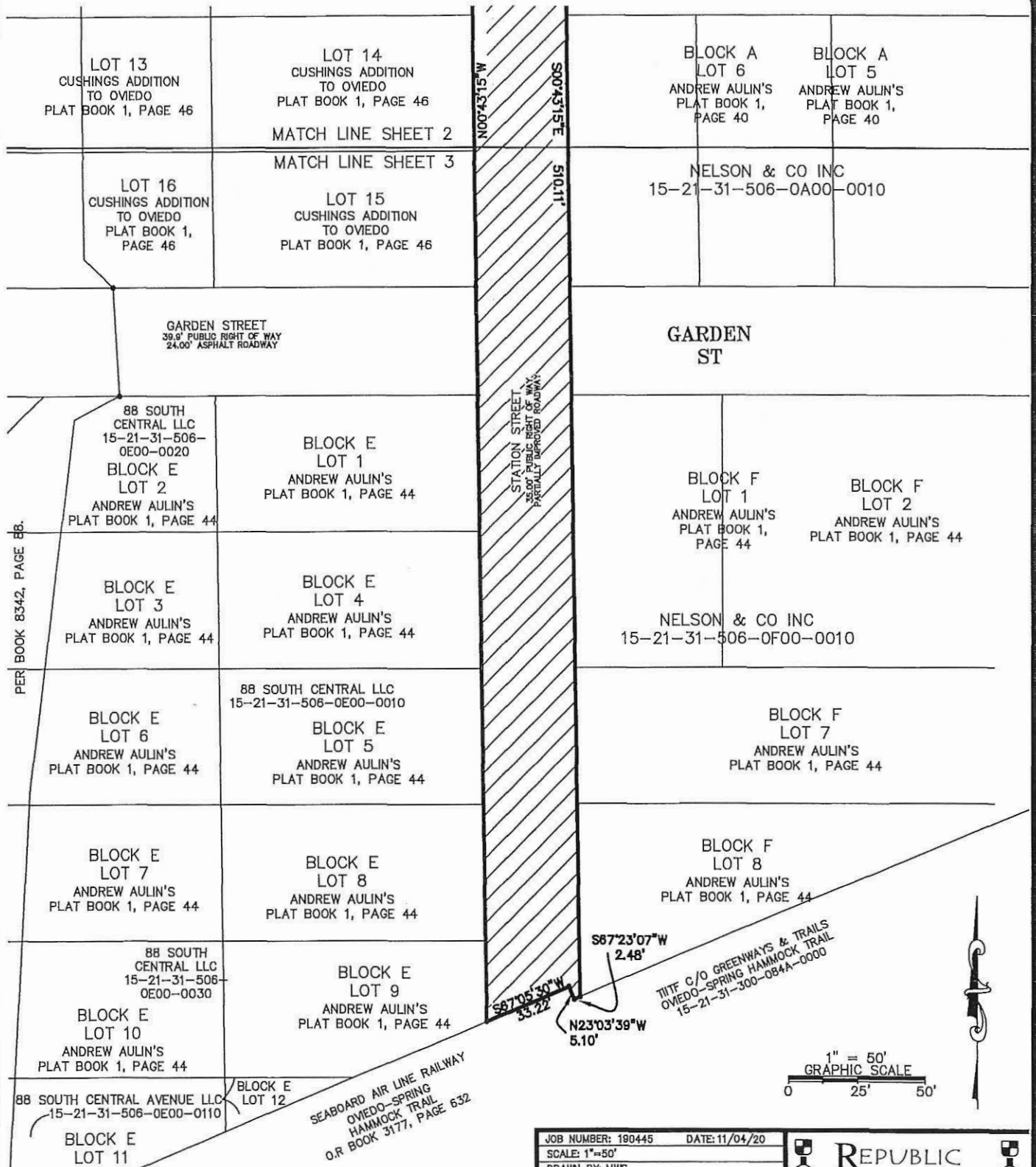
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# SKETCH OF DESCRIPTION

EXHIBIT A - SEWER EASEMENT STATION STREET

SHEET 3 OF 3



## SURVEYOR NOTES:

1. BEARINGS ARE BASED ON FLORIDA  
STATE PLANE COORDINATES, FLORIDA EAST,  
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THIS IS NOT A BOUNDARY SURVEY

JOB NUMBER: 190445	DATE: 11/04/20
SCALE: 1"=50'	
DRAWN BY: MWS	
APPROVED BY: MWS	
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