



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.5.

2/22/2022

Subject:

Approval, Re: Dedication of Sidewalk Easement from AD Endeavors, Inc. for Donofrio Auto Repair - District 2.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners approve and accept the attached Sidewalk Easement.

Summary Explanation and Background:

The subject property is located in Section 36, Township 24 South, Range 36 East, at 170 North Plumosa Street in Merritt Island.

AD Endeavors Inc., owner, has submitted site plan number 19SP00034 for review and approval by the County for the development of an auto repair facility known as Donofrio Auto Repair. In accordance with County code and standards, the owner has agreed to dedicate the attached sidewalk easement, as a required condition of the site plan.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

Clerk to the Board Instructions:

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Sidewalk Easement from AD Endeavors Inc. for Donofrio Auto Repair - District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>1-21-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<i>cms</i> _____	_____	<u>1/21/2022</u>



February 23, 2022

MEMORANDUM

TO: Marc Bernath, Public Works Director Attn: Lucy Hamelers

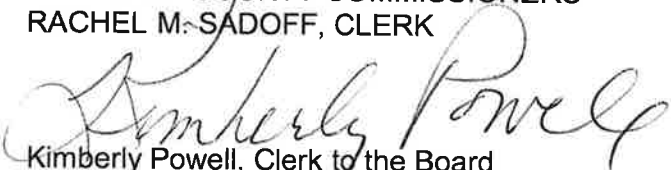
RE: Item F.5., Approval for Dedication of Sidewalk Easement from AD Endeavors, Inc. for Donofrio Auto Repair

The Board of County Commissioners, in regular session on February 22, 2022, approved and accepted the Sidewalk Easement from AD Endeavors, Inc. for Donofrio Auto Repair.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Prepared by and return to: Andrew Malach
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 24-36-36-25-* -1

SIDEWALK EASEMENT

THIS INDENTURE, made this 18 day of January, 2022, between AD Endeavors Inc., a Florida corporation, whose address is 3135 Constellation Drive, Melbourne, Florida 32940, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

WITNESSETH that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of reconstructing, reconfiguring, repairing and maintaining the sidewalk, and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 36, Township 24 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein.

TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on next page)

IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written,

Signed, sealed and delivered in the presence of:

Susan Ingles
Witness
Susan Ingles
Print Name

AD Endeavors Inc., a
Florida corporation

Margaret O'Donnell
Witness
Margaret O'Donnell
Print Name

Alex Donofrio
Alex Donofrio, President

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 18 day of January, 2022, by Alex Donofrio as President for AD Endeavors Inc., a Florida corporation. Is ☐ personally known or ☒ produced FDL516 000-57-0100 as identification.

Susan M Ingles
Notary Signature
SEAL



LEGAL DESCRIPTION

PARCEL 800

PARENT PARCEL ID#: 24-36-36-25-*1

SECTION 36, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: SIDEWALK EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2

THIS IS NOT A SURVEY


LEGAL DESCRIPTION: PARCEL 800, SIDEWALK EASEMENT (PREPARED BY SURVEYOR)

A PARCEL OF LAND LOCATED WITHIN THE NORTH 100 FEET OF LOT 1, AS CREATED BY THE PLAT OF HIGHLAND PARK SUBDIVISION, SECTION 2 AS RECORDED IN PLAT BOOK 10, PAGE 12 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1 AND THENCE N88°43'07"E, ALONG THE NORTH LINE OF SAID LOT 1, 30.00 FEET; THENCE S43°43'07"W, 21.21 FEET; THENCE S88°43'07"W, 15.20 FEET TO THE WEST LINE OF SAID LOT 1; THENCE N00°32'34"W, ALONG THE WEST LINE OF SAID LOT 1, 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 339 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

SURVEYORS NOTES:

1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5A-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. THIS SKETCH WAS PREPARED WITH THE BENEFIT OF PLAT OF HIGHLAND PARK SUBDIVISION, SECTION TWO, AS RECORDED IN PLAT BOOK 10, PAGE 12 AND THE OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY POLICY OXFL-09022755, DATED 7-13-2021. NO EASEMENTS AFFECT PARCEL 800.
5. THE BASIS OF BEARINGS FOR THIS SKETCH IS THE NORTH LINE OF LOT 1 AS BEING N88°43'07"E, ASSUMED.

PREPARED FOR:
BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS


ANDREW W. POWSHOK, PLS 5383
PROFESSIONAL LICENSED SURVEYOR

PREPARED BY: **AAL LAND SURVEYING SERVICES, INC.**
3970 MINTON ROAD, WEST MELBOURNE, FL 32904

PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com LICENSE BUSINESS #6623

DRAWN BY:
ANDREW POWSHOK

CHECKED BY:
ANDREW W. POWSHOK

REVISION: _____

REVISION: _____

REVISION: _____

DATE: 10-04-21

PROJECT # 45583

SECTION 36,
TOWNSHIP 24 SOUTH,
RANGE 36 EAST

LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL 800

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 24--36--36--25--*-1

SECTION 36, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA

PURPOSE: SIDEWALK EASEMENT

PARCEL 800
POINT OF BEGINNING
NW CORNER OF LOT 1

E R/W LINE PER OFFICIAL
RECORDS BOOK 84, PAGE 906

24-36-36-00-256
OFFICIAL RECORDS BOOK 9098,
PAGE 1428

BASIS OF BEARING

NORTH LINE OF LOT 1

PLUMOSA STREET
EASTERLY 25.00' R/W
PLAT BOOK 10, PAGE 12

N00°32'34"W

15.00'

EAST R/W LINE

WEST LINE OF LOT 1

N88°43'07"E

30.00'

S88°43'07"W

15.20'

S43°43'07"W

21.21'

PARCEL 800,
SIDEWALK EASEMENT
(339 SQUARE FEET)

24-36-36-25--*-1
OFFICIAL RECORDS BOOK 8464,
PAGE 1577

NORTH 100 FEET OF LOT 1
HIGHLAND PARK SUBDIVISION,
SECTION TWO
PLAT BOOK 10, PAGE 12.

EAST LINE OF LOT 1



NORTH

PREPARED BY:

AAL LAND SURVEYING SERVICES, INC.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904

PHONE: (321) 768-8110 FAX: (321) 952-9771 EMAIL: frontdesk@aalsurvey.com

SCALE: 1" = 20'

PROJECT # 45583

REVISION:

REVISION:

REVISION:

SECTION 36

TOWNSHIP 24 SOUTH,

RANGE 36 EAST

LOCATION MAP

Section 36, Township 24 South, Range 36 East - District: 2

PROPERTY LOCATION: The property is located on the east side of North Plumosa Street and north of East Merritt Island Causeway in Merritt Island. The sidewalk easement is in the northwest corner of the parcel.

OWNERS NAME: AD Endeavors Inc. in Melbourne, FL

