

Meeting Date
10/07/2014



AGENDA	
Section	Consent
Item No.	II.A.6

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

<b>SUBJECT:</b>	Approval Re: Sidewalk Easement, Warranty Deed (Right-of-Way) and Sanitary Sewer/Force Main/Gravity Sewer Easement from Suntree Viera Properties, LLC; Sidewalk Easement and Warranty Deed (Right-of-Way) from Imperial South, Inc.; BellSouth Telecommunications Subordination of Utility Interests; and FP&L Subordination of Utility Interests located on Wickham Road and Pineda Court - District 4
<b>DEPT/OFFICE:</b>	Public Works Department / Land Acquisition Section / Utility Services Department

**Requested Action:**

It is requested that the Board of County Commissioners approve and accept: 1) A Sidewalk Easement, Warranty Deed, and Sanitary Sewer Easement from Suntree Viera Properties, LLC; 2) A Sidewalk Easement and Warranty Deed from Imperial South, Inc.; 3) A BellSouth Telecommunications Subordination of Utility Interests; and 4) An FP&L Subordination of Utility Interests, in accordance with Brevard County Site Plan 13-SP-00362. It is also requested that the Board authorize the Chairman to execute the FP&L Subordination of Utility Interests.

**Summary Explanation & Background:**

The subject properties are located in Section 13, Township 26 South, Range 36 East.

Brevard County Land Development Regulation #62-2956 requires that the applicant shall provide sidewalks adjacent to roadways on which a development abuts and or is adjacent to all roadways within the development, with a minimum width of five feet. The owners/developers will construct sidewalks (at their expense). Suntree Viera Properties, LLC and Imperial South, Inc. are conveying Sidewalk Easements needed for Brevard County maintenance purposes.

Suntree Viera Properties LLC and Imperial South, Inc. are conveying to Brevard County by Warranty Deed the additional right-of-way needed for a turn lane into the proposed development. Both parcels are subject to and bound by a Reciprocal Easement and Operating Agreement; both property owners have executed a partial release from that agreement in order to grant the County clear title. Suntree Viera Properties LLC is also conveying a Sanitary Sewer/Force Main/Gravity Sewer Easement necessary for an existing Brevard County Sanitary Sewer line located along the south side of Pineda Court. BellSouth Telecommunications and FP&L have executed Subordination of Utility Interests documents for existing easements which encumber properties being conveyed to Brevard County.

Land Acquisition policies and procedures require approval and acceptance by the Board of County Commissioners for all property interest conveyances to the County.

**Fiscal impact: FY 2013-2014: No impact**  
**FY 2014-2015: No impact**

**Clerk to the Board Instructions:** Forward Board Memo and Two (2) Executed Originals FP&L Subordination of Utility Interests to Department.

**Exhibits Attached:** One (1) Copy Each of Sidewalk Easement, Warranty Deed, Sanitary Sewer/Force Main/Gravity Sewer Easement from Suntree Viera Properties, LLC; One (1) Copy Each of Sidewalk Easement, Warranty Deed from Imperial South, Inc.; One (1) Copy Partial Release of Reciprocal Easement and Operating Agreement Executed by Both Property Owners; One (1) Copy BellSouth Telecommunications Subordination of Utility Interests, Two (2) Original FP&L Subordination of Utility Interests, Location Map, Vicinity Map, Property Fact Sheets.

**Contract /Agreement (If attached):** Reviewed by County Attorney Yes  No  PR

County Manager 	Assistant County Manager Mel Scott	Department Director / Extension John P. Denninghoff / 52202
Stockton Whitten	Assistant County Manager Venetta Valdengo	Robert Adolphe / 52091



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972

October 8, 2014

**M E M O R A N D U M**

**TO:** John Denninghoff, Public Works Director

**RE:** Item II.A.6., Sidewalk Easement, Warranty Deed (Right-of-Way), and Sanitary Sewer/Force/Gravity Sewer Easement from Suntree Viera Properties, LLC; Sidewalk Easement and Warranty Deed (Right-of-Way) from Imperial South, Inc.; BellSouth Telecommunications Subordination of Utility Interests; and Florida Power & Light (FPL) Subordination of Utility Interests for Property Located on Wickham Road and Pineda Court

The Board of County Commissioners, in regular session on October 7, 2014, accepted Sanitary Sewer/Force/Gravity Sewer Easement from Suntree Viera Properties, LLC, Sidewalk Easement and Warranty Deed (Right-of-Way) from Imperial South, Inc., and Subordination of Utility Interests with BellSouth Telecommunications; and executed Subordination of Utility Interests with Florida Power & Light (FPL) for property located on Wickham Road and Pineda Court. Enclosed are the original and a fully-executed copy of the Subordination of Utility Interests with Florida Power & Light.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

Encls. (2)

cc: Asset Management

**SUBORDINATION OF UTILITY INTERESTS**  
Public Entity

THIS AGREEMENT entered into this \_\_\_ day of \_\_\_\_\_, 2014, by and between **Brevard County Board of County Commissioners**, hereinafter referred to as "Public Entity" and **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, hereinafter referred to as "Utility."

**WHEREAS**, the Utility presently has an interest in certain lands that have been determined necessary for highway purposes; and

**WHEREAS**, the proposed use of said lands for highway purposes will require subordination of interest claimed in said lands by Utility to the Public Entity and at the request of the Public Entity, the Utility has agreed, subject to the following condition, to relocate its facilities from the Utility's easement lands onto public right-of-way, or has agreed to leave its facilities on the subordinated lands (hereinafter jointly referred to as "Lands" and depicted in "EXHIBIT A" attached hereto:) and

**WHEREAS**, Public Entity is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises of the parties hereto, Utility and Public Entity agree as follows:

1. Utility is the owner of the following easements:

---

Date:	From:	In Favor of:	Recorded in
6/27/1980	James M. Terry & Barbara G. Terry	Florida Power and Light Co.	Book-Page: 2266/1511

---

2. The Utility hereby subordinates any and all of its interest in that portion of said easement(s) lying within the lands described on "EXHIBIT A" attached hereto and made a part hereof, to the interest of the Public Entity, its successors or assigns, for the purpose of constructing, improving, maintaining and operating a road over, through, upon, and/or across such Lands.

3. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all the Lands described. All new construction, major reconstruction or upgrade, removal or relocation of facilities shall be made in accordance with the Public Entity's minimum standards adopted as of the date of this Agreement. All maintenance, operation, non-major upgrade or improvement shall be made under the Public Entity's minimum standards applicable at the time of the original construction. Any new construction or relocation of facilities within the Lands will be subject to prior approval by the Public Entity. Should the Public Entity fail to approve any new construction or relocation of its facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities from or within said Lands, the Public Entity hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.

4. The Utility shall have a reasonable right to enter upon the Lands described herein for the purposes outlined in paragraph 3 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the Public Entity's facilities.

5. The Utility agrees to repair any damage to the Public Entity's facilities and indemnify the Public Entity against any loss or damage resulting from the Company exercising its rights outlined in paragraph 3 and 4 above.

6. These terms and conditions shall be expressly referred to in the permit, if any, required by the Public Entity for location of the Utility's facilities on the said Land and the terms of the subordination are and shall be made superior and controlling over any conflicting terms in the permit.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed, sealed, and delivered in our presence as witnesses:

Signature: Vickie S. Henson  
Print Name: Vickie S. Henson  
Signature: T. D. Penland  
Print Name: T. D. PENLAND

FLORIDA POWER & LIGHT COMPANY  
P. O. Box 14000  
Juno Beach, Florida 33408-0420

By: Meier G. Wise  
Its: Area Real Estate Manager  
Meier G. Wise

(Corporate Seal)

STATE OF FLORIDA AND COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 14 day of MAY, 2014, by Meier G. Wise, the Area Real Estate Manager of Florida Power & Light Company, a Florida corporation, on behalf of said corporation who is/are personally known to me and who did not take an oath.

Signature: T. Dumont Penland  
Notary Public, State of Florida



**T. DUMONT PENLAND**  
MY COMMISSION # FF 040381  
EXPIRES: July 29, 2017  
Bonded Thru Budget Notary Services  
Print Name

Signed, sealed and delivered in our presence as witnesses:

Signature: Donna Scott  
Print Name: Donna Scott  
Signature: John Lynch  
Print Name: John Lynch

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

BY: Mary Bolin Lewis  
Mary Bolin Lewis, Chairman

STATE OF FLORIDA AND COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 7 day of October, 2014, by Mary Bolin Lewis, Chairman of the Brevard County Board of County Commissioners, a Public Entity, and that she is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath.

My Commission Expires:

Signature: [Signature]  
Notary Public, State of Florida

Board Meeting Date 10/7/14  
Agenda Item # 11.A.6

Print Name



# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

# EXHIBIT A-1

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

### LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:


Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the POINT-OF-BEGINNING; thence North 80°32'22" East, a distance of 5.00 Feet; thence South 09°27'38" East, a distance of 15.00 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,377.40 Feet, and a central angle of 10°15'21"; thence southerly along the arc of said curve an arc distance of 246.55 Feet; thence South 70°55'11" West, a distance of 5.00 Feet to a point on the said East Right-of-Way line of Wickham Road and the West line of said Official Records Book 6772, Pages 146-162 and the point of curvature of a non tangent circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 10°15'13"; thence from a tangent bearing of North 19°42'50" West, run northerly along said East and West line and the arc of said curve an arc distance of 247.39 Feet; thence North 09°27'38" West along said East and West lines, a distance of 15.00 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less. 1,309.69 Square Feet

### CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1377.40'	10°15'21"	246.55'	246.22'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	247.06'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

## WILLIAM MOTT LAND SURVEYING INC.

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L/T = LINE TABLE TAG  
 C/T = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

# EXHIBIT A-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

L2 L1 S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 6772, PAGES 146-162

**DETAIL**

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

EAST R/W LINE OF WICKHAM ROAD

**P.O.B.**

L4

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

RIGHT-OF-WAY AREA  
 1310± Square Feet  
 0.03± Acres  
 (SEE DETAIL)

**P.O.B.**

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

NOT TO SCALE

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

**SUBORDINATION OF UTILITY INTERESTS**  
**Public Entity**

THIS AGREEMENT entered into this \_\_\_ day of \_\_\_\_\_, 2014, by and between **Brevard County Board of County Commissioners**, hereinafter referred to as "Public Entity" and **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, hereinafter referred to as "Utility."

**WHEREAS**, the Utility presently has an interest in certain lands that have been determined necessary for highway purposes; and

**WHEREAS**, the proposed use of said lands for highway purposes will require subordination of interest claimed in said lands by Utility to the Public Entity and at the request of the Public Entity, the Utility has agreed, subject to the following condition, to relocate its facilities from the Utility's easement lands onto public right-of-way, or has agreed to leave its facilities on the subordinated lands (hereinafter jointly referred to as "Lands" and depicted in "EXHIBIT A" attached hereto;) and

**WHEREAS**, Public Entity is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises of the parties hereto, Utility and Public Entity agree as follows:

1. Utility is the owner of the following easements:

---

Date:	From:	In Favor of:	Recorded in
6/27/1980	James M. Terry & Barbara G. Terry	Florida Power and Light Co.	Book-Page: 2266/1511

---

2. The Utility hereby subordinates any and all of its interest in that portion of said easement(s) lying within the lands described on "EXHIBIT A" attached hereto and made a part hereof, to the interest of the Public Entity, its successors or assigns, for the purpose of constructing, improving, maintaining and operating a road over, through, upon, and/or across such Lands.

3. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all the Lands described. All new construction, major reconstruction or upgrade, removal or relocation of facilities shall be made in accordance with the Public Entity's minimum standards adopted as of the date of this Agreement. All maintenance, operation, non-major upgrade or improvement shall be made under the Public Entity's minimum standards applicable at the time of the original construction. Any new construction or relocation of facilities within the Lands will be subject to prior approval by the Public Entity. Should the Public Entity fail to approve any new construction or relocation of its facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities from or within said Lands, the Public Entity hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.

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5. The Utility agrees to repair any damage to the Public Entity's facilities and indemnify the Public Entity against any loss or damage resulting from the Company exercising its rights outlined in paragraph 3 and 4 above.

6. These terms and conditions shall be expressly referred to in the permit, if any, required by the Public Entity for location of the Utility's facilities on the said Land and the terms of the subordination are and shall be made superior and controlling over any conflicting terms in the permit.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed, sealed, and delivered in our presence as witnesses:

Signature: Vickie S. Henson  
Print Name: Vickie S. Henson  
Signature: T. D. Penland  
Print Name: T. D. PENLAND

FLORIDA POWER & LIGHT COMPANY  
P. O. Box 14000  
Juno Beach, Florida 33408-0420

By: Meier G. Wise  
Its: Area Real Estate Manager  
Meier G. Wise

(Corporate Seal)

STATE OF FLORIDA AND COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 14 day of MAY, 2014, by Meier G. Wise, the Area Real Estate Manager of Florida Power & Light Company, a Florida corporation, on behalf of said corporation who is/are personally known to me and who did not take an oath.

Signature: T. Dumont Penland  
Notary Public, State of Florida



**T. DUMONT PENLAND**  
MY COMMISSION # FF 040381  
EXPIRES: July 29, 2017  
Bonded Thru Budget Notary Services  
Print Name

Signed, sealed and delivered in our presence as witnesses:

Signature: Donna Scott  
Print Name: Donna Scott  
Signature: John Lynch  
Print Name: John Lynch

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

BY: Mary Bolin Lewis  
Mary Bolin Lewis, Chairman

STATE OF FLORIDA AND COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 7 day of October, 2014, by Mary Bolin Lewis, Chairman of the Brevard County Board of County Commissioners, a Public Entity, and that she is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath.

My Commission Expires:

Signature: [Signature]  
Notary Public, State of Florida

Board Meeting Date 10/7/14  
Agenda Item # 11. A. 6

Print Name



# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

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Containing 0.03 Acres of land more or less. 1,309.69 Square Feet

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
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C2	1377.40'	10°15'21"	246.55'	246.22'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	247.06'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

## WILLIAM MOTT LAND SURVEYING INC.

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L/L = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

# EXHIBIT A-2

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

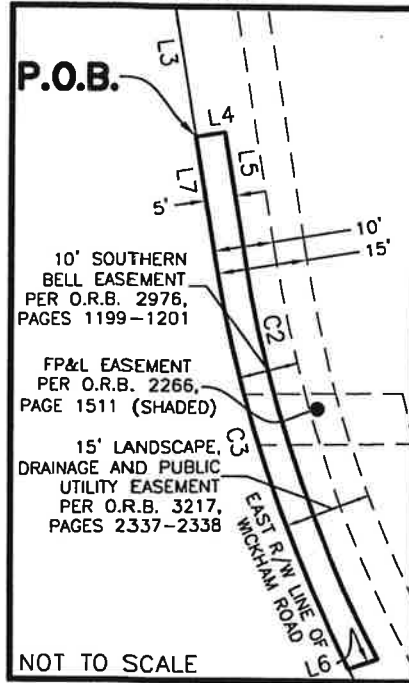
R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 6772, PAGES 146-162

**DETAIL**



**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

EAST R/W LINE OF WICKHAM ROAD

**P.O.B.**

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

**RIGHT-OF-WAY AREA**  
 1310± Square Feet  
 0.03± Acres  
 (SEE DETAIL)

**P.O.B.**

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

NOT TO SCALE

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

**SUBORDINATION OF UTILITY INTERESTS**  
**Public Entity**

THIS AGREEMENT entered into this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between **Brevard County Board of County Commissioners**, hereinafter referred to as "Public Entity" and **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, hereinafter referred to as "Utility."

**WHEREAS**, the Utility presently has an interest in certain lands that have been determined necessary for highway purposes; and

**WHEREAS**, the proposed use of said lands for highway purposes will require subordination of interest claimed in said lands by Utility to the Public Entity and at the request of the Public Entity, the Utility has agreed, subject to the following condition, to relocate its facilities from the Utility's easement lands onto public right-of-way, or has agreed to leave its facilities on the subordinated lands (hereinafter jointly referred to as "Lands" and depicted in "EXHIBIT A" attached hereto;) and

**WHEREAS**, Public Entity is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises of the parties hereto, Utility and Public Entity agree as follows:

1. Utility is the owner of the following easements:

---

Date:	From:	In Favor of:	Recorded in
6/27/1980	James M. Terry & Barbara G. Terry	Florida Power and Light Co.	Book-Page: 2266/1511

---

2. The Utility hereby subordinates any and all of its interest in that portion of said easement(s) lying within the lands described on "EXHIBIT A" attached hereto and made a part hereof, to the interest of the Public Entity, its successors or assigns, for the purpose of constructing, improving, maintaining and operating a road over, through, upon, and/or across such Lands.

3. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all the Lands described. All new construction, major reconstruction or upgrade, removal or relocation of facilities shall be made in accordance with the Public Entity's minimum standards adopted as of the date of this Agreement. All maintenance, operation, non-major upgrade or improvement shall be made under the Public Entity's minimum standards applicable at the time of the original construction. Any new construction or relocation of facilities within the Lands will be subject to prior approval by the Public Entity. Should the Public Entity fail to approve any new construction or relocation of its facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities from or within said Lands, the Public Entity hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.

4. The Utility shall have a reasonable right to enter upon the Lands described herein for the purposes outlined in paragraph 3 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the Public Entity's facilities.

5. The Utility agrees to repair any damage to the Public Entity's facilities and indemnify the Public Entity against any loss or damage resulting from the Company exercising its rights outlined in paragraph 3 and 4 above.

6. These terms and conditions shall be expressly referred to in the permit, if any, required by the Public Entity for location of the Utility's facilities on the said Land and the terms of the subordination are and shall be made superior and controlling over any conflicting terms in the permit.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed, sealed, and delivered in our presence as witnesses:

Signature: Vickie S. Henson  
Print Name: Vickie S. Henson  
Signature: T. D. Penland  
Print Name: T. D. PENLAND

FLORIDA POWER & LIGHT COMPANY  
P. O. Box 14000  
Juno Beach, Florida 33408-0420

By: Meier G. Wise  
Its: Area Real Estate Manager  
Meier G. Wise

(Corporate Seal)

STATE OF FLORIDA AND COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 14 day of MAY, 2014, by Meier G. Wise, the Area Real Estate Manager of Florida Power & Light Company, a Florida corporation, on behalf of said corporation who is/are personally known to me and who did not take an oath.

Signature: T. Dumont Penland  
Notary Public, State of Florida



**T. DUMONT PENLAND**  
MY COMMISSION # FF 040381  
EXPIRES: July 29, 2017  
Bonded Thru Budget Notary Services  
Print Name

Signed, sealed and delivered in our presence as witnesses:

Signature: Donna Scott  
Print Name: Donna Scott  
Signature: John Lynch  
Print Name: John Lynch

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

BY: Mary Bolin Lewis  
Mary Bolin Lewis, Chairman

STATE OF FLORIDA AND COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 7 day of October, 2014, by Mary Bolin Lewis, Chairman of the Brevard County Board of County Commissioners, a Public Entity, and that she is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath.

My Commission Expires:

Signature: Christine Mulligan  
Notary Public, State of Florida

Board Meeting Date 10/7/14  
Agenda Item # 11.A.6

Print Name



# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

# EXHIBIT A-1

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

### LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the POINT-OF-BEGINNING; thence North 80°32'22" East, a distance of 5.00 Feet; thence South 09°27'38" East, a distance of 15.00 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,377.40 Feet, and a central angle of 10°15'21"; thence southerly along the arc of said curve an arc distance of 246.55 Feet; thence South 70°55'11" West, a distance of 5.00 Feet to a point on the said East Right-of-Way line of Wickham Road and the West line of said Official Records Book 6772, Pages 146-162 and the point of curvature of a non tangent circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 10°15'13"; thence from a tangent bearing of North 19°42'50" West, run northerly along said East and West line and the arc of said curve an arc distance of 247.39 Feet; thence North 09°27'38" West along said East and West lines, a distance of 15.00 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less. 1,309.69 Square Feet

### CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1377.40'	10°15'21"	246.55'	246.22'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	247.06'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

## WILLIAM MOTT LAND SURVEYING INC.

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L# = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: T.B.	CHECKED BY: J.M.M.	DRAWING NO. A13-0028	SECTION 13
DATE: 12/05/13	SHEET 1 OF 2	REVISIONS 02/11/14	TOWNSHIP 26 SOUTH
			RANGE 36 EAST

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

# EXHIBIT A-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

L1 S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 6772, PAGES 146-162

**DETAIL**

**P.O.B.**

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

NOT TO SCALE

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

EAST R/W LINE OF WICKHAM ROAD

**P.O.B.**

RIGHT-OF-WAY AREA  
 1310± Square Feet  
 0.03± Acres  
 (SEE DETAIL)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

**NOTES:**

- THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
- EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
- BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

**SUBORDINATION OF UTILITY INTERESTS**  
**Public Entity**

THIS AGREEMENT entered into this \_\_\_ day of \_\_\_\_\_, 2014, by and between **Brevard County Board of County Commissioners**, hereinafter referred to as "Public Entity" and **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, hereinafter referred to as "Utility."

**WHEREAS**, the Utility presently has an interest in certain lands that have been determined necessary for highway purposes; and

**WHEREAS**, the proposed use of said lands for highway purposes will require subordination of interest claimed in said lands by Utility to the Public Entity and at the request of the Public Entity, the Utility has agreed, subject to the following condition, to relocate its facilities from the Utility's easement lands onto public right-of-way, or has agreed to leave its facilities on the subordinated lands (hereinafter jointly referred to as "Lands" and depicted in "EXHIBIT A" attached hereto;) and

**WHEREAS**, Public Entity is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises of the parties hereto, Utility and Public Entity agree as follows:

1. Utility is the owner of the following easements:

---

Date:	From:	In Favor of:	Recorded in
6/27/1980	James M. Terry & Barbara G. Terry	Florida Power and Light Co.	Book-Page: 2266/1511

---

2. The Utility hereby subordinates any and all of its interest in that portion of said easement(s) lying within the lands described on "EXHIBIT A" attached hereto and made a part hereof, to the interest of the Public Entity, its successors or assigns, for the purpose of constructing, improving, maintaining and operating a road over, through, upon, and/or across such Lands.

3. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all the Lands described. All new construction, major reconstruction or upgrade, removal or relocation of facilities shall be made in accordance with the Public Entity's minimum standards adopted as of the date of this Agreement. All maintenance, operation, non-major upgrade or improvement shall be made under the Public Entity's minimum standards applicable at the time of the original construction. Any new construction or relocation of facilities within the Lands will be subject to prior approval by the Public Entity. Should the Public Entity fail to approve any new construction or relocation of its facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities from or within said Lands, the Public Entity hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.

4. The Utility shall have a reasonable right to enter upon the Lands described herein for the purposes outlined in paragraph 3 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the Public Entity's facilities.

5. The Utility agrees to repair any damage to the Public Entity's facilities and indemnify the Public Entity against any loss or damage resulting from the Company exercising its rights outlined in paragraph 3 and 4 above.

6. These terms and conditions shall be expressly referred to in the permit, if any, required by the Public Entity for location of the Utility's facilities on the said Land and the terms of the subordination are and shall be made superior and controlling over any conflicting terms in the permit.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed, sealed, and delivered in our presence as witnesses:

Signature: Vickie S. Henson  
Print Name: Vickie S. Henson  
Signature: T. D. Penland  
Print Name: T. D. PENLAND

FLORIDA POWER & LIGHT COMPANY  
P. O. Box 14000  
Juno Beach, Florida 33408-0420

By: Meier G. Wise  
Its: Area Real Estate Manager  
Meier G. Wise

(Corporate Seal)

STATE OF FLORIDA AND COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 14 day of MAY, 2014, by Meier G. Wise, the Area Real Estate Manager of Florida Power & Light Company, a Florida corporation, on behalf of said corporation who is/are personally known to me and who did not take an oath.

T. Dumont Penland  
Notary Public, State of Florida



**T. DUMONT PENLAND**  
MY COMMISSION # FF 040381  
EXPIRES: July 29, 2017  
Bonded Thru Budget Notary Services

Print Name

Signed, sealed and delivered in our presence as witnesses:

Signature: Donna Scott  
Print Name: Donna Scott  
Signature: John Lynch  
Print Name: John Lynch

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

BY: Mary Bolin Lewis  
Mary Bolin Lewis, Chairman

STATE OF FLORIDA AND COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 7 day of October, 2014, by Mary Bolin Lewis, Chairman of the Brevard County Board of County Commissioners, a Public Entity, and that she is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath.

My Commission Expires:

[Signature]  
Notary Public, State of Florida

Print Name

Board Meeting Date 10/7/14  
Agenda Item # 11.A.6



# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the POINT-OF-BEGINNING; thence North 80°32'22" East, a distance of 5.00 Feet; thence South 09°27'38" East, a distance of 15.00 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,377.40 Feet, and a central angle of 10°15'21"; thence southerly along the arc of said curve an arc distance of 246.55 Feet; thence South 70°55'11" West, a distance of 5.00 Feet to a point on the said East Right-of-Way line of Wickham Road and the West line of said Official Records Book 6772, Pages 146-162 and the point of curvature of a non tangent circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 10°15'13"; thence from a tangent bearing of North 19°42'50" West, run northerly along said East and West line and the arc of said curve an arc distance of 247.39 Feet; thence North 09°27'38" West along said East and West lines, a distance of 15.00 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less. 1,309.69 Square Feet

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1377.40'	10°15'21"	246.55'	246.22'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	247.06'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L/T = LINE TABLE TAG  
 C/T = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

# EXHIBIT A-2

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**

60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 6772, PAGES 146-162

**DETAIL**

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

**P.O.B.**

L4

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

**RIGHT-OF-WAY AREA**  
 1310± Square Feet  
 0.03± Acres  
 (SEE DETAIL)

**P.O.B.**

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

NOT TO SCALE

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: SIDEWALK EASEMENT, WARRANTY DEED (ROAD RIGHT-OF-WAY) AND  
SANITARY SEWER EASEMENT FROM SUNTREE VIERA PROPERTIES, LLC  
AND A SIDEWALK EASEMENT AND WARRANTY DEED (ROAD RIGHT-OF-  
WAY) FROM IMPERIAL SOUTH, INC., BEING ADJOINING PROPERTIES  
LOCATED ON WICKHAM ROAD (13-SP-00362).. DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION / UTILITY  
SERVICES DEPARTMENT

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (5-2886)

**REVIEW**

	APPROVE	DISAPPROVE	DATE
<u>LAND ACQUISITION</u> Dan Jones, Supervisor	<u>DPJ</u>	_____	<u>9/8/14</u>
<u>COUNTY ATTORNEY</u> Christine Lepore Assistant County Attorney	<u>see attached</u>	_____	<u>9/22/14</u>
<u>PUBLIC WORKS</u> John Denninghoff, Director	<u>JD</u>	_____	<u>9/24/14</u>
<u>UTILITY SERVICES</u> Bob Adolphe, Director	<u>RYA</u>	_____	<u>9/19/14</u>
<u>ENGINEERING</u> Rich Szyrka, Manager	<u>RS</u>	_____	<u>9/22/14</u>

AGENDA DUE DATE: SEPTEMBER 23, 2014 FOR THE OCTOBER 7, 2014 BOARD MEETING

PLEASE CALL: DEBBIE CRUZ, LAND ACQUISITION SECRETARY AT 690-6847 WHEN READY FOR PICK UP. THANK YOU.

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: SIDEWALK EASEMENT, WARRANTY DEED (ROAD RIGHT-OF-WAY) AND  
SANITARY SEWER EASEMENT FROM SUNTREE VIERA PROPERTIES, LLC  
AND A SIDEWALK EASEMENT AND WARRANTY DEED (ROAD RIGHT-OF-  
WAY) FROM IMPERIAL SOUTH, INC., BEING ADJOINING PROPERTIES  
LOCATED ON WICKHAM ROAD (13-SP-00362). DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION / UTILITY  
SERVICES DEPARTMENT

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (5-2886)

REVIEW

	APPROVE	DISAPPROVE	DATE
<u>LAND ACQUISITION</u> Dan Jones, Supervisor	<u>DPJ</u>	_____	<u>9/8/14</u>
<u>COUNTY ATTORNEY</u> Christine Lepore Assistant County Attorney	<u>CL</u>	_____	<u>9/22/14</u>
<u>PUBLIC WORKS</u> John Denninghoff, Director	_____	_____	_____
<u>UTILITY SERVICES</u> Bob Adolphe, Director	_____	_____	_____
<u>ENGINEERING</u> Rich Szyrka, Manager	_____	_____	_____

AGENDA DUE DATE: SEPTEMBER 23, 2014 FOR THE OCTOBER 7, 2014 BOARD MEETING

PLEASE CALL: DEBBIE CRUZ, LAND ACQUISITION SECRETARY AT 690-6847 WHEN READY FOR PICK UP. THANK YOU.

Prepared by and Return to: Blaise M. Mancini, Land Acquisition Specialist  
Brevard County Public Works Dept., Land Acquisition Section (321-690-6847)  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of Interest in Tax Parcel I.D. 26-36-13-00-00767.0-0000.00

**SIDEWALK EASEMENT**

**THIS INDENTURE**, made this 28 day of JAN, 2014, **Suntree Viera Properties, LLC.**, whose address is 903 Jordan Blass Drive, Suite #102, Melbourne, Florida 32940 as party of the **first part**, and **Brevard County, a political subdivision of the State of Florida**, whose post office address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as party of the second part, 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 hereby acknowledged, does hereby grant unto the second party, its successors and assigns, a perpetual easement commencing on the above date, for the sole purpose of constructing and maintaining a sidewalk and other allied uses pertaining thereto which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of this easement is located in Section 13, Township 26 South, Range 36 East, County of Brevard, State of Florida, and is more particularly described as follows:

**SEE SKETCH AND LEGAL DESCRIPTION, "EXHIBIT A"**

**TO HAVE AND TO HOLD** said easement unto the County of Brevard and to its successors and assigns.

**AND**, the said party of the first part does hereby fully warrant the title to said easement, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the first party having set their hand and seal this, the day and year first above written.

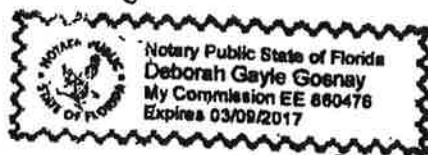
Signed, sealed, and delivered in the presence of:

[Signature]  
Witness  
ERIC HARDOON  
Print  
[Signature]  
Witness  
Scott Haroon  
Print

Suntree Viera Properties, LLC.  
[Signature]  
Abe Haroon, Manager

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 28 day of Jan, 2014, by Abe Haroon, who is personally known to me or who has produced his driver's license as identification and who did/did not take an oath.  
WITNESS my hand and official seal at 112812014/1:01 PM, County of Brevard, State of Florida,  
and this 28 day of January, 2014.



[Signature]  
Notary Public, State of Florida  
Deborah Gayle Goenay  
Print Name  
Commission No EE 860476  
Commission Expires: 03/09/2017

Board Meeting Date: \_\_\_\_\_  
Agenda Item #: \_\_\_\_\_

# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SURVEY: SIDEWALK EASEMENT  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 376.36 Feet to the POINT-OF-BEGINNING; said point also being the beginning of a circular curve concave to the northwest, having a radius of 392.50 Feet and a central angle of 39°30'10"; thence from a tangent bearing of South 41°01'53" West run westerly a distance of 270.61 Feet; thence South 80°32'04" West, a distance of 165.17 Feet; thence South 75°17'49" West, a distance of 156.48 Feet to the East Right-of-Way of Wickham Road and the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 70°49'08" thence from a tangent bearing of North 09°43'14" East, run northeasterly along the arc of said curve and the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, an arc distance of 30.90 Feet; thence North 80°32'04" East along said South Right-of-Way line and said North line a distance of 22.55 Feet; thence North 75°17'49" East along said South Right-of-Way line and said North line, a distance of 109.55 Feet; thence North 80°32'04" East along said South Right-of-Way line and said North line, a distance of 165.74 Feet to the point of curvature of a circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence northeasterly along said South Right-of-Way line and said North line, and the arc of said curve an arc distance of 250.59 Feet; thence North 89°02'44" East along the North line of said Official Records Book 6772, Pages 146-162, a distance of 17.05 Feet to the POINT-OF-BEGINNING.

SUNTREE VIERA PROPERTIES, LLC

Containing 0.17 Acres of land more or less. 7269.05 Square Feet

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

- LEGEND:**
- O.R.B. = OFFICIAL RECORDS BOOK
  - D.B. = DEED BOOK
  - P.B. = PLAT BOOK
  - PG. = PAGE
  - R/W = RIGHT-OF-WAY
  - L# = LINE TABLE TAG
  - C# = CURVE TABLE TAG
  - POB = POINT OF BEGINNING
  - POC = POINT OF COMMENCEMENT

DRAWN BY: T.B.

CHECKED BY: J.M.M.

DRAWING NO. A13-0028

SECTION 13

DATE: 12/05/13

SHEET 1 OF 2

REVISIONS 03/27/14

TOWNSHIP 26 SOUTH

RANGE 36 EAST

# SKETCH & DESCRIPTION

# EXHIBIT A-2

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

CORPLEX  
 PLAT BOOK 34, PAGE 22

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 376.36'

**P.O.B.**

**Pineda Court**

60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823  
 NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

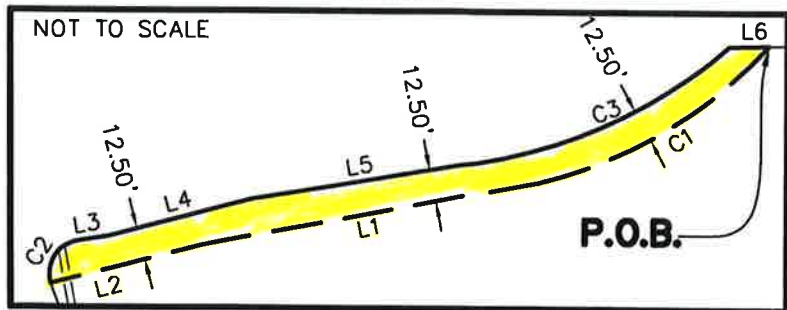
**Florida East  
 Coast Railroad**  
 (100' RIGHT-OF-WAY)

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

**SIDEWALK EASEMENT AREA**  
 7,269 Square Feet 0.17Acres  
 (SEE DETAIL)

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 6772  
 PAGES 146-162

## DETAIL



FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

### CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	392.50'	39°30'10"	270.61'	265.28'	N 60°46'59" E
C2	25.00'	70°49'08"	30.90'	28.97'	S 45°07'48" W
C3	380.00'	37°47'00"	250.59'	246.07'	N 61°38'34" E

### LINE TABLE

LINE	LENGTH	BEARING
L1	165.17'	S 80°32'04" W
L2	156.48'	S 75°17'49" W
L3	22.55'	N 80°32'04" E
L4	109.55'	N 75°17'49" E
L5	165.74'	N 80°32'04" E
L6	17.05'	N 89°02'44" E

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-SIDEWALK1.DWG  
 PROJECT NO. 213-0012

SUNTREE VIEIRA Properties, INC

Prepared by and Return to: Blaise M. Mancini, Land Acquisition Specialist  
Brevard County Public Works Dept., Land Acquisition Section (321-690-6847)  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of Interest in Tax Parcel I.D. 26-36-13-00-00756.0-0000.00

**SIDEWALK EASEMENT**

THIS INDENTURE, made this 27 day of January, 20 14, between Imperial South, Inc., a Florida corporation, whose address is c/o Imperial Sterling, LTD, 287 Bowman Avenue, Suite #222, Purchase, New York 10577, as party of the first part, and BREVARD COUNTY, a political subdivision of the State of Florida, whose post office address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as party of the second part, 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 hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date, for the sole purpose of constructing and maintaining a sidewalk and other allied uses pertaining thereto which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of this easement is located in Section 13, Township 26 South, Range 36 East, County of Brevard, State of Florida, and is more particularly described as follows:

**SEE SKETCH AND LEGAL DESCRIPTION, "EXHIBIT A"**

TO HAVE AND TO HOLD said easement unto the County of Brevard and to its successors and assigns.

AND, the said party of the first part does hereby fully warrant the title to said easement, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the first party having set their hand and seal this, the day and year first above written.

Signed, sealed, and delivered in the presence of:

Witness: Jeffrey P. Jardine  
Print: Jeffrey P. Jardine  
Witness: Kathleen Gaspari  
Print: Kathleen Gaspari

Imperial South, Inc.,  
a Florida corporation  
Jerrold G. Levy, President

**STATE OF NEW YORK  
COUNTY OF WESTCHESTER**

The foregoing instrument was acknowledged before me this 27 day of JANUARY, 20 14, by Jerrold G. Levy, President of Imperial South, Inc., a Florida corporation, who is personally known to me or who has produced his driver's license as identification and who did/did not take an oath.

WITNESS my hand and official seal at 287 Bowman Ave Purchase, County of Westchester, State of New York, this 27 day of JANUARY, 20 14.

Jeffrey P. Jardine  
Notary Public, State of New York  
Print Name: JEFFREY P. JARDINE  
Commission No. D: JA 6035216  
Commission Expires: 1/31/18

Board Meeting Date: \_\_\_\_\_  
Agenda Item #: \_\_\_\_\_

JEFFREY P. JARDINE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01JA6035216  
Qualified in Westchester County  
My Commission Expires January 31, 20 18

# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756  
 PURPOSE OF SKETCH: SIDEWALK EASEMENT  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 2889, Pages 1573 through 1577, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Imperial South, Inc.

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 - 162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 25°25'47"; thence southerly along said East and West lines and the arc of said curve an arc distance of 613.55 Feet to the Southwest corner of said Official Records Book 6772, Pages 146-162; thence North 80°32'20" East along the South line of Said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to the POINT-OF-BEGINNING; thence continue North 80°32'20" East along said line, a distance of 8.32 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,369.90 Feet, and a central angle of 00°56'21"; thence from a tangent bearing of South 35°08'21" East, run southeasterly along the arc of said curve an arc distance of 22.46 Feet; thence South 36°04'42" East, a distance of 135.88 Feet; thence South 53°55'18" West, a distance of 7.50 Feet; thence North 36°04'42" West, a distance of 135.88 Feet to the point of curvature of a circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 01°05'21"; thence northwesterly along the arc of said curve an arc distance of 26.18 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less. 1,201.50 Square Feet

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

PREPARED FOR:  
 Imperial South, Inc.

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L/T = LINE TABLE TAG  
 C/T = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: T.B.	CHECKED BY: J.M.M.	DRAWING NO. A13-0028	SECTION 13
DATE: 12/05/13	SHEET 1 OF 2	REVISIONS 02/11/14	TOWNSHIP 26 SOUTH
			RANGE 36 EAST

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756

# EXHIBIT A-2

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

CORPLEX  
 PLAT BOOK 34, PAGE 22

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889, PAGES 1573-1577

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

NORTH LINE OF  
 O.R.B. 6772;  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

**Florida East Coast Railroad**  
 (100' RIGHT-OF-WAY)  
 WEST R/W LINE OF FLORIDA EAST COAST RAILROAD

EAST LINE OF SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES  
 EAST R/W LINE OF WICKHAM ROAD

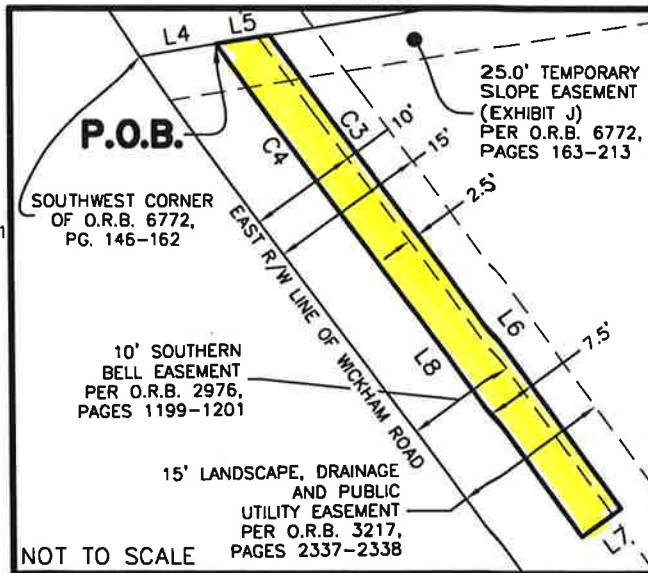
WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

## DETAIL



NOT TO SCALE

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 6772  
 PAGES 146-162

**P.O.B.**

**SIDEWALK EASEMENT AREA**  
 1201± Square Feet 0.03± Acres  
 (SEE DETAIL)

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 2889,  
 PAGES 1573-1577

SOUTH LINE OF O.R.B. 6772, PG. 146-162

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

16.5' AT&T EASEMENT  
 PER OFFICIAL RECORDS  
 BOOK 5853, PAGE 8175

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	25°25'47"	613.55'	608.53'	S 22°10'31" E
C3	1369.90'	0°56'21"	22.46'	22.46'	S 35°36'31" E
C4	1377.40'	1°05'21"	26.18'	26.18'	S 35°32'01" E

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.54'	N 80°32'20" E
L5	8.32'	N 80°32'20" E
L6	135.88'	S 36°04'42" E
L7	7.50'	S 53°55'18" W
L8	135.88'	N 36°04'42" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-SIDEWALK 4.DWG  
 PROJECT NO. 213-0012

**WARRANTY DEED  
(WICKHAM ROAD RIGHT-OF-WAY)**

THIS INDENTURE is made this 28 day of Jan, 2014, between, **Suntree Viera Properties, LLC**, whose address is 903 Jordan Blass Drive, Suite #102, Melbourne, Florida 32940 and **Brevard County, a political subdivision of the State of Florida**, as party of the second part, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situate, lying and being in the County of Brevard, State of Florida, to-wit:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

This deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a fee simple interest in and to said lands for public road or highway purposes, public utilities and other allied uses pertaining thereto.

**TO HAVE AND TO HOLD THE SAME**, together with all and singular the appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title & interest forever, and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

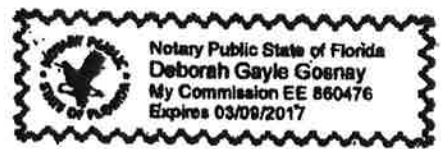
**IN WITNESS WHEREOF**, the party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered in the presence of:

[Signature]  
Witness  
ERIC HARDOON  
Print

[Signature]  
Suntree Viera Properties, LLC.  
Abe Hardoon, Manager

[Signature]  
Witness  
Scott Hardoon  
Print



STATE OR FLORIDA, COUNTY OF Brevard

**I HEREBY CERTIFY**, that on this day personally appeared me, an officer duly authorized to administer oaths and take acknowledgments, Abe Hardoon, personally and well known to me to be the person described in and who executed the foregoing deed, and that he acknowledged before me that he executed the same freely and voluntarily for the purpose therein expressed. He has/has not produced a Driver's License as identification and did/did not take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid, this 28 day of 2014.

[Signature]  
Notary Public  
Deborah Gayle Goenay  
Print Name  
Commission Expires: 03/09/2017  
Commission No. EE 860476

As approved by the Board on: \_\_\_\_\_  
Agenda Item # \_\_\_\_\_

# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the POINT-OF-BEGINNING; thence North 80°32'22" East, a distance of 5.00 Feet; thence South 09°27'38" East, a distance of 15.00 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,377.40 Feet, and a central angle of 10°15'21"; thence southerly along the arc of said curve an arc distance of 246.55 Feet; thence South 70°55'11" West, a distance of 5.00 Feet to a point on the said East Right-of-Way line of Wickham Road and the West line of said Official Records Book 6772, Pages 146-162 and the point of curvature of a non tangent circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 10°15'13"; thence from a tangent bearing of North 19°42'50" West, run northerly along said East and West line and the arc of said curve an arc distance of 247.39 Feet; thence North 09°27'38" West along said East and West lines, a distance of 15.00 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less. 1,309.69 Square Feet

Suntree Viera Properties, INC

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1377.40'	10°15'21"	246.55'	246.22'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	247.06'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L# = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

# EXHIBIT A-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W

393.41'

**Pineda Court**

60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 6772, PAGES 146-162

**P.O.B.**

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

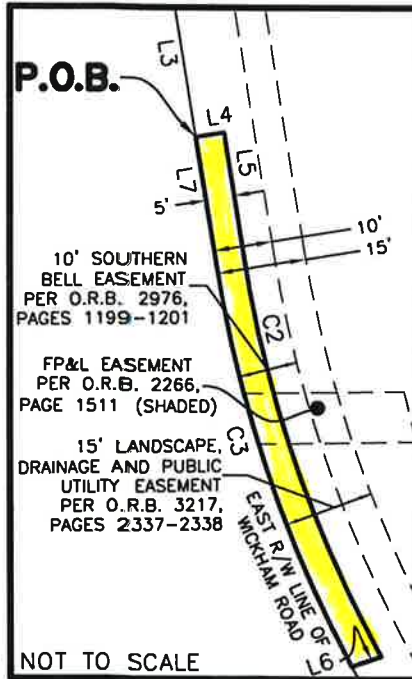
FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

**RIGHT-OF-WAY AREA**  
 1310± Square Feet  
 0.03± Acres  
 (SEE DETAIL)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

## DETAIL



25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

### NOTES:

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

### LINE TABLE

LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

# SKETCH & DESCRIPTION

# EXHIBIT A-3

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SURVEY: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 21°34'12"; thence southerly along said East and West line and the arc of said curve an arc distance of 520.43 Feet to the end of the curve, said point being the POINT-OF-BEGINNING; thence leaving said lines run North 58°58'10" East, a distance of 5.00 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 03°57'31"; thence from a tangent bearing of South 31°01'50" East, run southeasterly along the arc of said curve an arc distance of 95.17 Feet; thence South 80°32'20" West along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to said East Right-of-Way line of Wickham Road and the said West line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 03°51'35"; thence from a tangent bearing of North 34°53'25" West, run northwesterly along said line and the arc of said curve an arc distance of 93.12 Feet to the POINT-OF-BEGINNING.

Suntree Viera Properties, Inc.

Containing 0.01 Acres of land more or less.470.85 Square Feet

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	21°34'12"	520.43'	517.36'	S 20°14'44" E
C3	1377.40'	3°57'31"	95.17'	95.15'	S 33°00'35" E
C4	1382.40'	3°51'35"	93.12'	93.11'	S 32°57'37" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**  
 3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

- LEGEND:**
- O.R.B. = OFFICIAL RECORDS BOOK
  - D.B. = DEED BOOK
  - P.B. = PLAT BOOK
  - PG. = PAGE
  - R/W = RIGHT-OF-WAY
  - L# = LINE TABLE TAG
  - CT# = CURVE TABLE TAG
  - POB = POINT OF BEGINNING
  - POC = POINT OF COMMENCEMENT

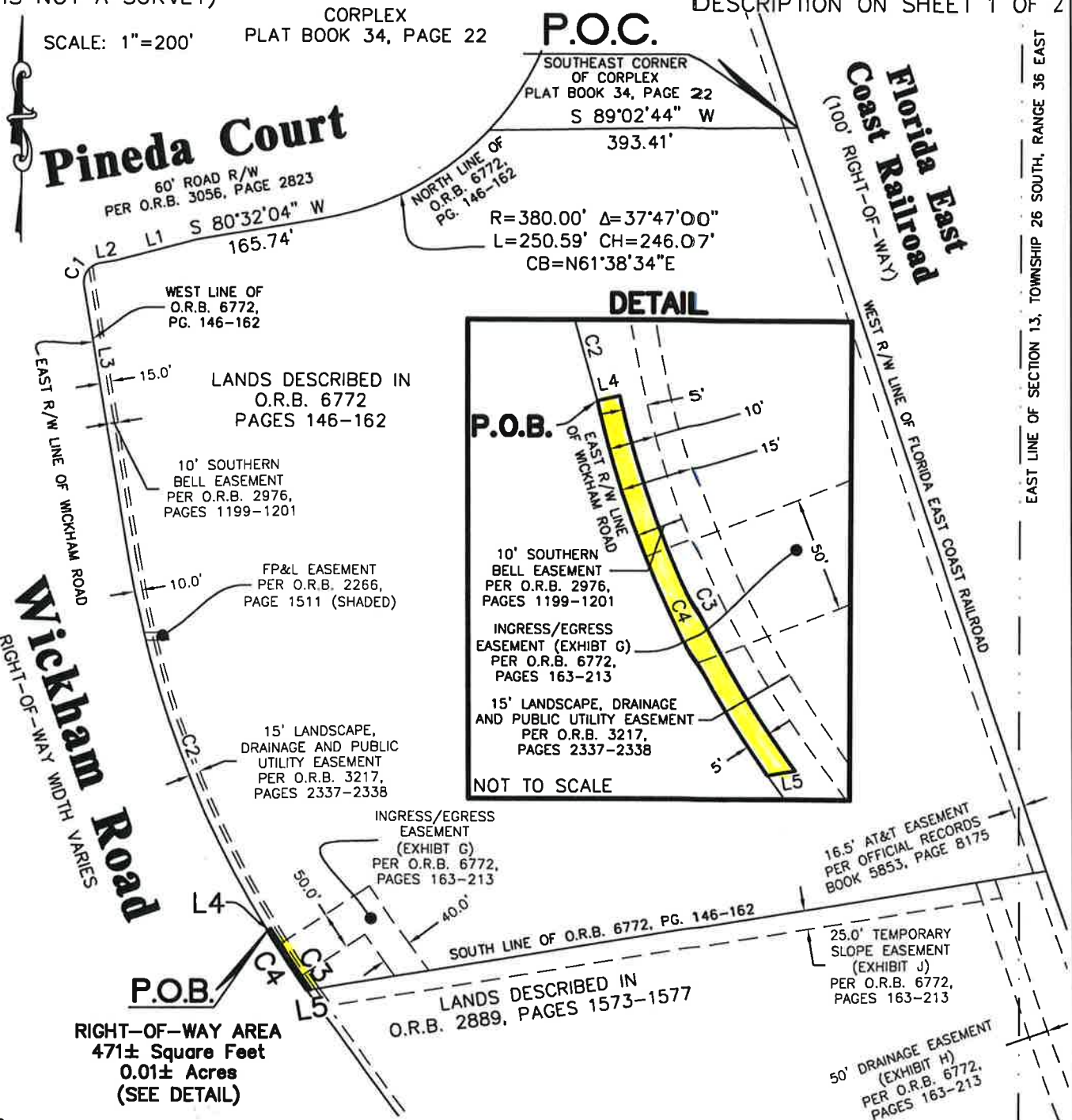
DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

# EXHIBIT A-4

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2



EAST LINE OF SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	S 58°58'10" W
L5	5.54'	S 80°32'20" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 2.DWG  
 PROJECT NO. 213-0012

**WARRANTY DEED  
(WICKHAM ROAD RIGHT-OF-WAY)**

**THIS INDENTURE** is made this 27 day of January, 2014, between, **Imperial South Inc.**, a Florida corporation, whose address is c/o Imperial Sterling, LTD, 287 Bowman Avenue, Suite #222, Purchase, New York 10577 as party of the first part, and **Brevard County**, a political subdivision of the **State of Florida**, as party of the second part, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situate, lying and being in the County of Brevard, State of Florida, to-wit:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

This deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a fee simple interest in and to said lands for public road or highway purposes, public utilities and other allied use pertaining thereto.

**TO HAVE AND TO HOLD THE SAME**, together with all and singular the appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title & interest forever, and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all person whomsoever.

**IN WITNESS WHEREOF**, the party of the first part has signed and sealed these presents the day and year first above written.

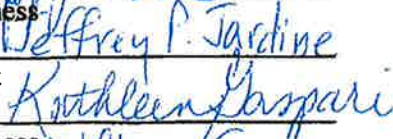
Signed, sealed, and delivered in the presence of:

Imperial South, Inc.,  
a Florida corporation

  
Jerrold G. Levy, President

  
Witness

Print

  
Witness

Print

**STATE OR NEW YORK, COUNTY OF WESTCHESTER:**

**I HEREBY CERTIFY**, that on this day personally appeared me, an officer duly authorized to administer oaths and take acknowledgments, Jerrold G. Levy, President, personally and well known to me to be the person described in and who executed the foregoing deed, and that he acknowledged before me that he executed the same freely and voluntarily for the purpose therein expressed. He has/has not produced a Driver's License as identification and did/did not take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid, this 27 day of JANUARY 2014.

  
Notary Public

Print Name

Commission Expires: 1/3/18

Commission No. 01JAG035216

As approved by the Board on: \_\_\_\_\_  
Agenda Item # \_\_\_\_\_

# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 2889, Pages 1573 through 1577, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146-162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 25°25'47"; thence southerly along said East and West lines and the arc of said curve an arc distance of 613.55 Feet to the Southwest corner of Official Records Book 6772, Pages 146-162, said point being the POINT-OF-BEGINNING; thence leaving said line run North 80°32'20" East along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 01°05'21"; thence from a tangent bearing of South 34°59'21" East, run southeasterly along the arc of said curve an arc distance of 26.18 Feet; thence South 36°04'42" East, a distance of 135.88 Feet; thence South 53°55'18" West, a distance of 5.00 Feet to a point on the East Right-of-Way line of said Wickham Road and the West line of lands described in Official Records Book 2889, Pages 1573-1577, of said Public Records; thence North 36°04'42" West along said East and West lines, a distance of 135.88 Feet to the point of curvature of a circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 01°11'17"; thence continue northwesterly along the said East and West line and the arc of said curve an arc distance of 28.67 Feet to the POINT-OF-BEGINNING.

Containing 0.02 Acres of land more or less.816.52 Square Feet

Imperial South Inc.

PREPARED FOR:  
 Imperial South, Inc.

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L# = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

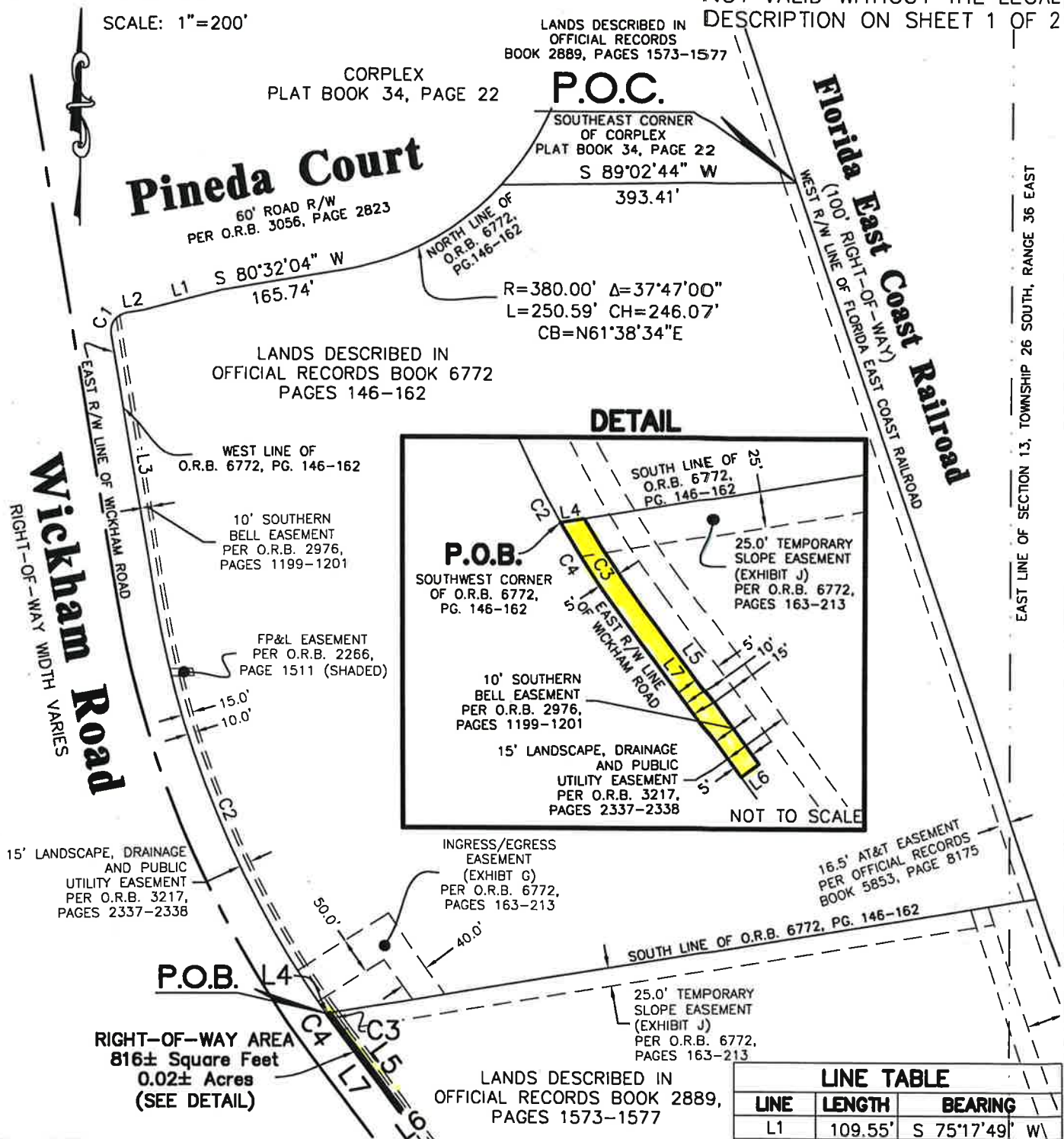
# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756

# EXHIBIT A-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

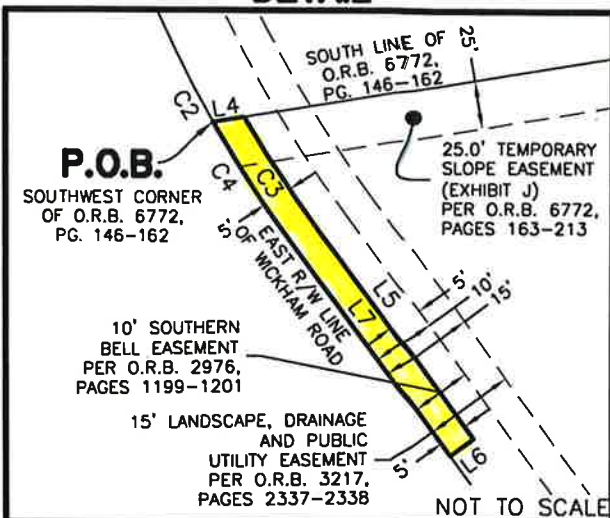
SCALE: 1"=200'



**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	25°25'47"	613.55'	608.53'	S 22°10'31" E
C3	1377.40'	1°05'21"	26.18'	26.18'	S 35°32'01" E
C4	1382.40'	1°11'17"	28.67'	28.66'	S 35°29'03" E

**DETAIL**



**LINE TABLE**

LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.54'	N 80°32'20" E
L5	135.88'	S 36°04'42" E
L6	5.00'	S 53°55'18" W
L7	135.88'	S 36°04'42" E

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 3.DWG  
 PROJECT NO. 213-0012

Prepared by and Return to: Blaise M. Mancini, Land Acquisition Specialist  
Brevard County Public Works Dept., Land Acquisition Section (321-690-6847)  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
An Easement Interest in Tax Parcel I.D. 26-36-13-00-00767.0-0000.00

**SANITARY SEWER / FORCE MAIN/ GRAVITY SEWER EASEMENT**

THIS INDENTURE, made this 28 day of JAN, 2014, between **Suntree Viera Properties, LLC**, whose address is 903 Jordan Blass Drive, Suite #102, Melbourne, Florida 32940 as the first party, and **Brevard County**, a political subdivision of the state of Florida, whose post office address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940 as the second party, for the use and benefit of Brevard County;

**WITNESSETH:** That the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date, for the sole purpose of constructing and maintaining a Sanitary Sewer/Force Main and other allied uses pertaining thereto which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of this easement is located in Section 13, Township 26 South, Range 36 East, County of Brevard, State of Florida, and is more particularly described as follows:

**SEE SKETCH AND LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"**

**TO HAVE AND TO HOLD** said easement unto the County of Brevard and to its successors and assigns.

**AND**, the said party of the first part does hereby fully warrant the title to said easement, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the first party having set their hand and seal this, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness  
ERIC HARDOON  
(Print Name)

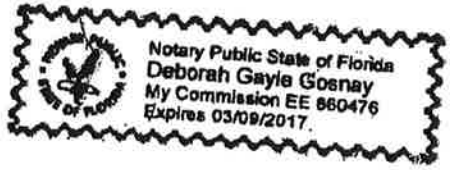
Suntree Viera Properties, LLC.  
[Signature]  
Abe Hardoon, Manager

[Signature]  
Witness  
Scott Hardoon  
(Print Name)

STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 28 day of January, 2013 by Abe Hardoon, who is personally known to me or who has produced her driver's license as identification and who did/did not take an oath.

WITNESS my hand and official seal at the City of Melbourne, County of Brevard, State of Florida, and this 28 day of January, 2014.



Deborah Gayle Gosnay  
Notary Public, State of Florida  
Deborah Gayle Gosnay  
(Print Name) EE 860476  
Commission No. EE 860476  
Commission Expires: 03/09/2017

# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: FORCEMAIN EASEMENT  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows :

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines South 80°32'04" West, a distance of 14.81 Feet to the POINT-OF-BEGINNING; thence leaving said North and South lines run South 15°38'03" East, a distance of 1.99 Feet; thence South 47°56'24" East, a distance of 8.88 Feet; thence South 42°03'36" West, a distance of 25.00 Feet; thence North 47°56'24" West, a distance of 14.43 Feet to the point of curvature of a non tangent circular curve concave to the north, having a radius of 964.49 Feet, and a central angle of 13°52'58"; thence from a tangent bearing of South 74°28'06" West, run westerly along the arc of said curve an arc distance of 233.70 Feet to a point on the said South Right-of-Way line of Pineda Court and the North line of said Official Records Book 6772, Pages 146-162; thence North 75°17'49" East along said line, a distance of 105.42 Feet; thence continue along said North and South lines North 80°32'04" East, a distance of 150.93 Feet to the POINT-OF-BEGINNING.

Containing 0.09 Acres of land more or less. 3,718.37 Square Feet

Suntree Viera Properties, LLC

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
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 R/W = RIGHT-OF-WAY  
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 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>2/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

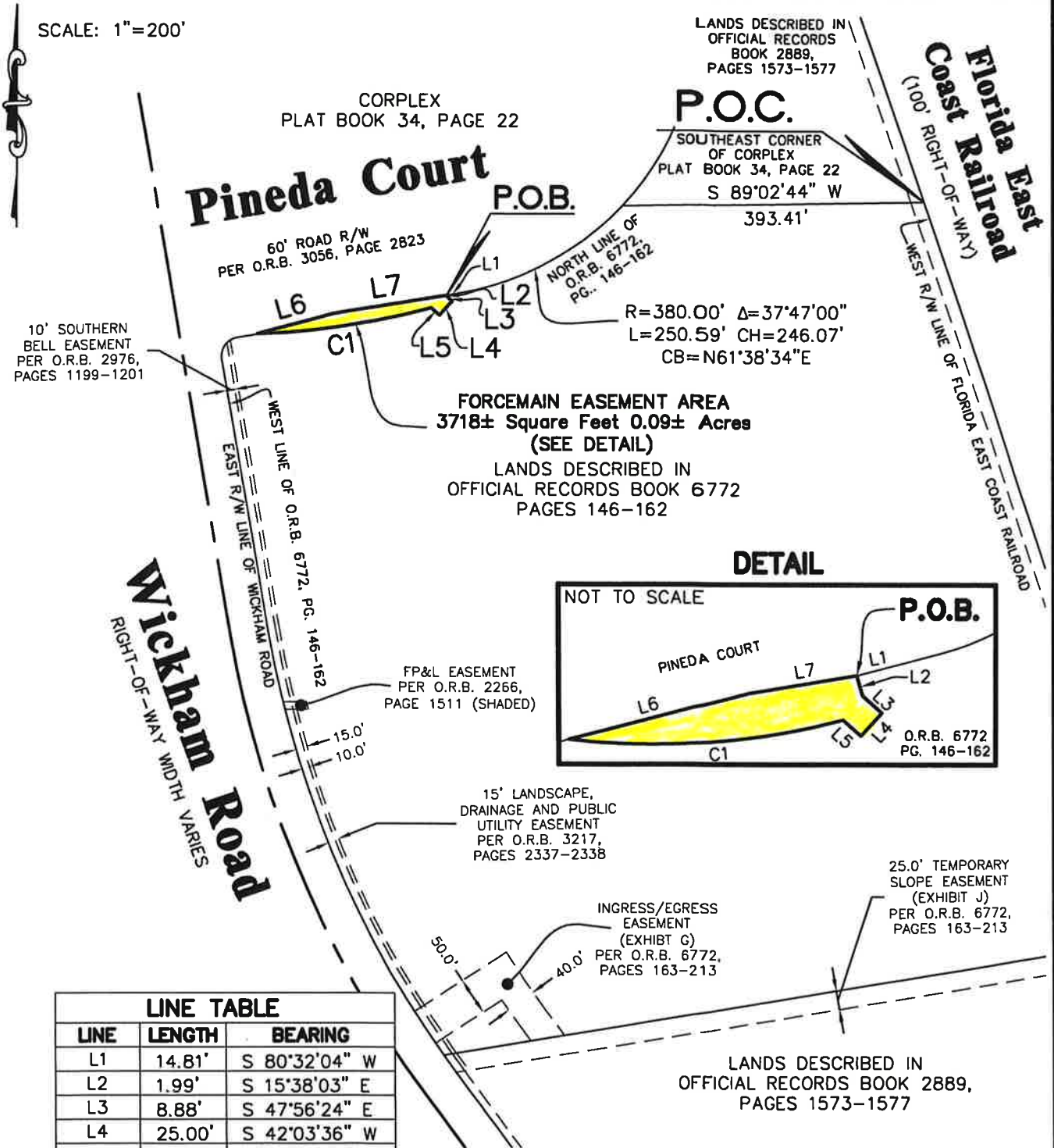
# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

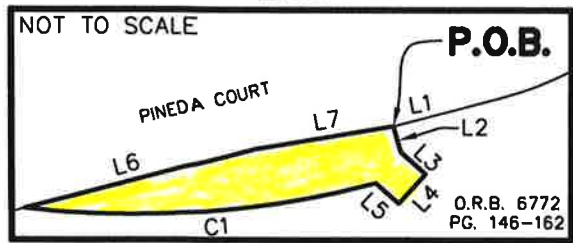
# EXHIBIT A-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'



**FORCEMAIN EASEMENT AREA**  
 3718± Square Feet 0.09± Acres  
 (SEE DETAIL)  
 LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 6772  
 PAGES 146-162



LINE TABLE		
LINE	LENGTH	BEARING
L1	14.81'	S 80°32'04" W
L2	1.99'	S 15°38'03" E
L3	8.88'	S 47°56'24" E
L4	25.00'	S 42°03'36" W
L5	14.43'	N 47°56'24" W
L6	105.42'	N 75°17'49" E
L7	150.93'	N 80°32'04" E

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	964.49'	13°52'58"	233.70'	233.13'	N 81°24'36" E

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-EXISTING FM.DWG  
 PROJECT NO. 213-0012

Prepared by and Return to: Blaise M. Mancini,  
Land Acquisition Specialist (321-690-6847)  
Public Works Department, Land Acquisition Section,  
2725 Judge Fran Jamieson Way, Room A-204  
Viera, Florida 32940

**PARTIAL RELEASE OF RECIPROCAL EASEMENT AND OPERATING AGREEMENT**

**THIS PARTIAL RELEASE**, executed this 19 day of March, 2014 by **Imperial South, Inc.**, a Florida corporation, and **Suntree Viera Properties, LLC**, a Florida limited liability company, under that certain Reciprocal Easement and Operating Agreement dated December 31, 2012, as recorded in **Official Record Book 6772, Page 163** (Recorded January 4, 2013).


**WITNESSETH:**

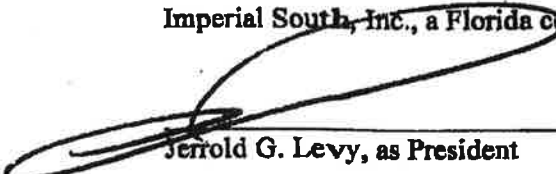
**THAT** for and in consideration of the sum of **TEN Dollar (\$10.00)** and other valuable considerations, receipt of which is hereby acknowledged, the undersigned do hereby release and convey to **Brevard County, Florida**, any right, title, estate, claim or interest which they have or may have by virtue of the aforesaid Reciprocal Easement and Operating Agreement, as it applies to the property described in Exhibit "A" (attached hereto and made a part hereof), which is to be conveyed to **Brevard County, Florida** for the use and purpose of additional road right of way for **Wickham Road**. The undersigned parties do hereby release any and all interest in the property described in Exhibit "A" to **Brevard County, Florida**.

**IN WITNESS WHEREOF**, the parties having caused this instrument to be executed in their corporate names, and its corporate seal to be hereunto affixed, by its designated officers thereunto duly authorized, the day and year first above written.

Signed, sealed, and delivered in the presence of:

Imperial South, Inc., a Florida corporation

  
\_\_\_\_\_  
Witness  
**Jeffrey P. Jardine**

  
\_\_\_\_\_  
**Jerrold G. Levy, as President**

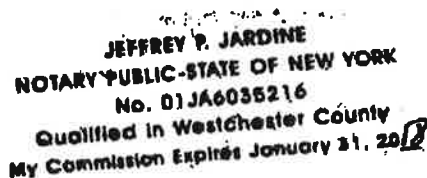
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\_\_\_\_\_  
Witness  
**Kathleen Gaspari**

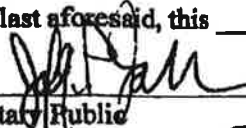
Print

**STATE OF: NEW YORK**  
**COUNTY OF: WESTCHESTER**

**I HEREBY CERTIFY** that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Jerrold G. Levy**, as President of **Imperial South, Inc.**, a Florida corporation, who personally known to me or who has produced his driver's license, and that he acknowledged before me that he executed this same freely and voluntarily for the purpose therein expressed.

**WITNESS** my hand and official seal in the County and State last aforesaid, this 19 day of 2014, 2014.

  
**JEFFREY P. JARDINE**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 01JA6035216**  
**Qualified in Westchester County**  
**My Commission Expires January 31, 2018**

  
\_\_\_\_\_  
Notary Public  
**JEFF JARDINE**  
Print Name  
Commission Expires: 1/31/18  
Commission No. 01JA6035216

Signed, sealed, and delivered in the presence of:

Suntree Viera Properties, LLC, a Florida  
limited liability company

[Signature]  
Witness

[Signature]  
Abe Hardoon, Manager

SCOTT HARDOON  
Print

[Signature]  
Witness

ERIC HARDOON  
Print

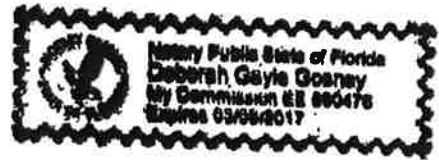
STATE OF: FLORIDA  
COUNTY OF: BREVARD

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Abe Hardoon, as Manager of Suntree Viera Properties, LLC., a Florida limited liability company, who is personally known to me or who has produced his driver's license, and that he acknowledged before me that he executed the same freely and voluntarily for the purpose therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 17 day of March, 2014.

[Signature]  
Notary Public  
[Signature]  
Print Name

Commission Expires: 03/09/2017  
Commission No. EE 860476



# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

### LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Complex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the POINT-OF-BEGINNING; thence North 80°32'22" East, a distance of 5.00 Feet; thence South 09°27'38" East, a distance of 15.00 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,377.40 Feet, and a central angle of 10°15'21"; thence southerly along the arc of said curve an arc distance of 246.55 Feet; thence South 70°55'11" West, a distance of 5.00 Feet to a point on the said East Right-of-Way line of Wickham Road and the West line of said Official Records Book 6772, Pages 146-162 and the point of curvature of a non tangent circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 10°15'13"; thence from a tangent bearing of North 19°42'50" West, run northerly along said East and West line and the arc of said curve an arc distance of 247.39 Feet; thence North 09°27'38" West along said East and West lines, a distance of 15.00 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less. 1,309.69 Square Feet

Suntree Viera Properties, Inc

### CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1377.40'	10°15'21"	246.55'	246.22'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	247.06'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

## WILLIAM MOTT LAND SURVEYING INC.

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
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 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L# = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: T.B.

CHECKED BY: J.M.M.

DRAWING NO. A13-0028

SECTION 13  
 TOWNSHIP 26 SOUTH  
 RANGE 36 EAST

DATE: 12/05/13

SHEET 1 OF 2

REVISIONS 02/11/14

# SKETCH & DESCRIPTION

# EXHIBIT A-2

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

L2 L1 S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

**Florida East  
 Coast Railroad**  
 (100' RIGHT-OF-WAY)

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 6772, PAGES 146-162

**DETAIL**

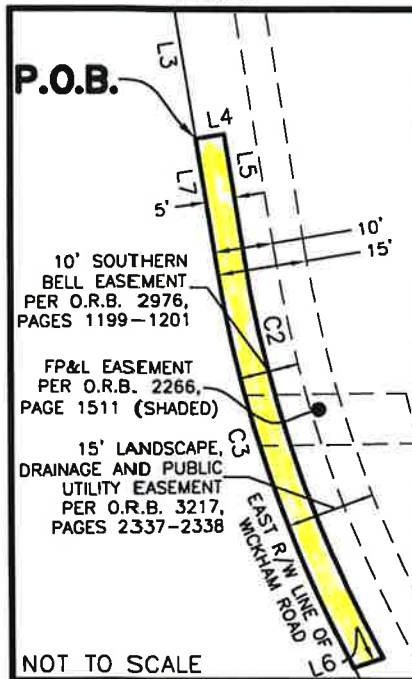
**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

EAST R/W LINE OF WICKHAM ROAD  
 15.0'  
 L3  
 10.0'  
 L4  
 15.0'  
 L5  
 10.0'  
 L6  
 50.0'  
 40.0'

**P.O.B.**

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

**RIGHT-OF-WAY AREA**  
 1310± Square Feet  
 0.03± Acres  
 (SEE DETAIL)



15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

# SKETCH & DESCRIPTION

# EXHIBIT A-3

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SURVEY: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146-162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 21°34'12"; thence southerly along said East and West line and the arc of said curve an arc distance of 520.43 Feet to the end of the curve, said point being the POINT-OF-BEGINNING; thence leaving said lines run North 58°58'10" East, a distance of 5.00 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 03°57'31"; thence from a tangent bearing of South 31°01'50" East, run southeasterly along the arc of said curve an arc distance of 95.17 Feet; thence South 80°32'20" West along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to said East Right-of-Way line of Wickham Road and the said West line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 03°51'35"; thence from a tangent bearing of North 34°53'25" West, run northwesterly along said line and the arc of said curve an arc distance of 93.12 Feet to the POINT-OF-BEGINNING.

Containing 0.01 Acres of land more or less.470.85 Square Feet

Suntree Viera Properties, Inc

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	21°34'12"	520.43'	517.36'	S 20°14'44" E
C3	1377.40'	3°57'31"	95.17'	95.15'	S 33°00'35" E
C4	1382.40'	3°51'35"	93.12'	93.11'	S 32°57'37" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L# = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

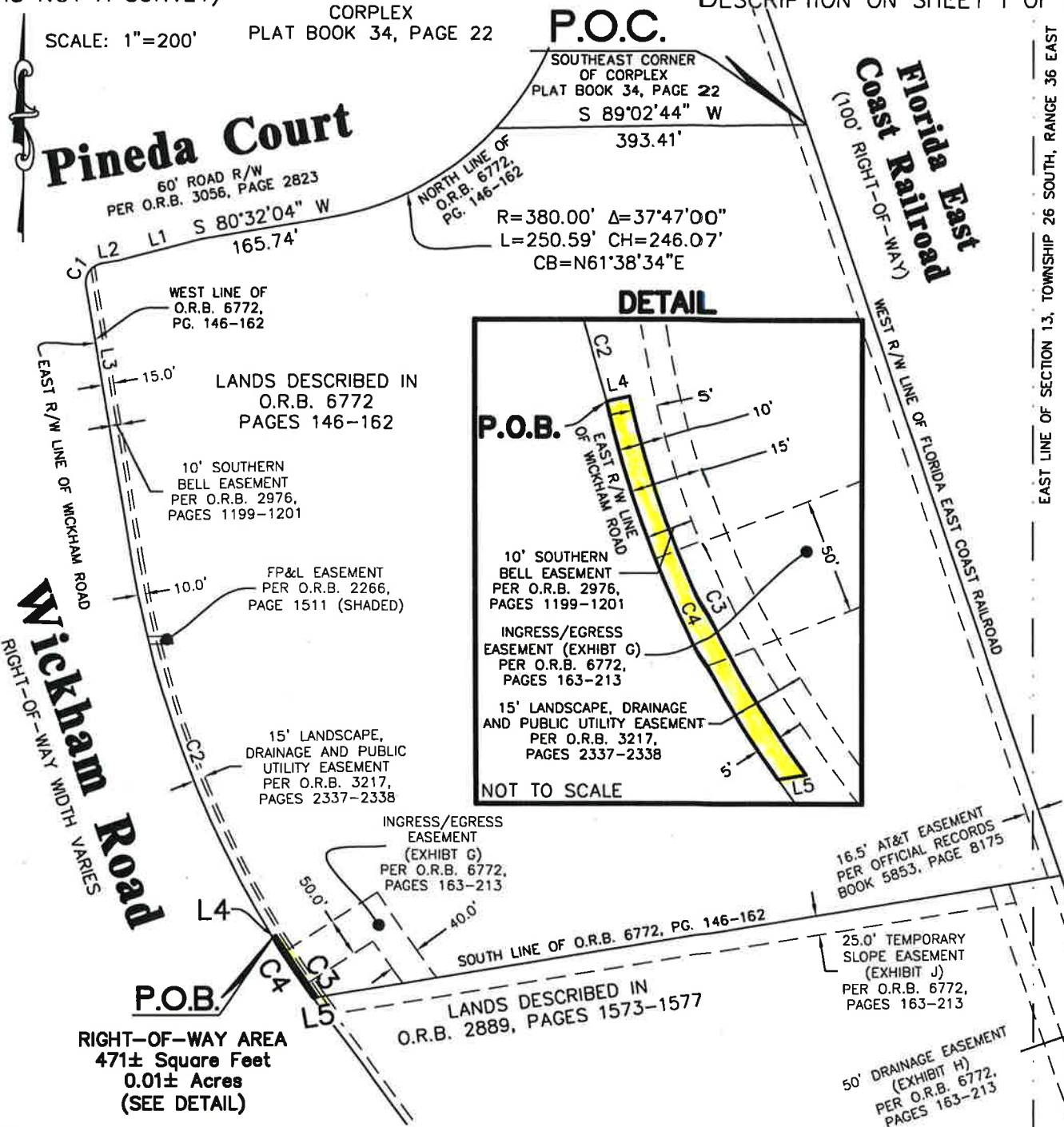
DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

# EXHIBIT A-4

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2



**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	S 58°58'10" W
L5	5.54'	S 80°32'20" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 2.DWG  
 PROJECT NO. 213-0012

# SKETCH & DESCRIPTION

# EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 2889, Pages 1573 through 1577, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146-162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 25°25'47"; thence southerly along said East and West lines and the arc of said curve an arc distance of 613.55 Feet to the Southwest corner of Official Records Book 6772, Pages 146-162, said point being the POINT-OF-BEGINNING; thence leaving said line run North 80°32'20" East along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 01°05'21"; thence from a tangent bearing of South 34°59'21" East, run southeasterly along the arc of said curve an arc distance of 26.18 Feet; thence South 36°04'42" East, a distance of 135.88 Feet; thence South 53°55'18" West, a distance of 5.00 Feet to a point on the East Right-of-Way line of said Wickham Road and the West line of lands described in Official Records Book 2889, Pages 1573-1577, of said Public Records; thence North 36°04'42" West along said East and West lines, a distance of 135.88 Feet to the point of curvature of a circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 01°11'17"; thence continue northwesterly along the said East and West line and the arc of said curve an arc distance of 28.67 Feet to the POINT-OF-BEGINNING.

Containing 0.02 Acres of land more or less.816.52 Square Feet

PREPARED FOR:

Imperial South, Inc.

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

## WILLIAM MOTT LAND SURVEYING INC.

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:** O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L# = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: T.B.

CHECKED BY: J.M.M.

DRAWING NO. A13-0028

SECTION 13  
 TOWNSHIP 26 SOUTH  
 RANGE 36 EAST

DATE: 12/05/13

SHEET 1 OF 2

REVISIONS 02/11/14

# SKETCH & DESCRIPTION

# EXHIBIT A-2

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889, PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 6772  
 PAGES 146-162

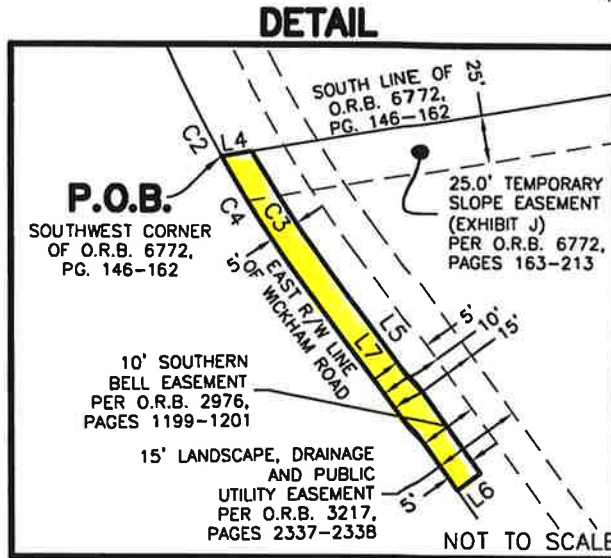
**Florida East Coast Railroad**  
 WEST R/W LINE OF -WAY-  
 (100' RIGHT-OF-WAY)  
 WEST R/W LINE OF FLORIDA EAST COAST RAILROAD

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES  
 EAST R/W LINE OF WICKHAM ROAD

WEST LINE OF  
 O.R.B. 6772, PG. 146-162

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)



**P.O.B.**  
 SOUTHWEST CORNER  
 OF O.R.B. 6772,  
 PG. 146-162

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

**P.O.B.** L4

RIGHT-OF-WAY AREA  
 816± Square Feet  
 0.02± Acres  
 (SEE DETAIL)

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 2889,  
 PAGES 1573-1577

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	25°25'47"	613.55'	608.53'	S 22°10'31" E
C3	1377.40'	1°05'21"	26.18'	26.18'	S 35°32'01" E
C4	1382.40'	1°11'17"	28.67'	28.66'	S 35°29'03" E

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.54'	N 80°32'20" E
L5	135.88'	S 36°04'42" E
L6	5.00'	S 53°55'18" W
L7	135.88'	S 36°04'42" E

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 3.DWG  
 PROJECT NO. 213-0012

EAST LINE OF SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

26

**SUBORDINATION OF UTILITY INTERESTS  
BELLSOUTH TELECOMMUNICATIONS, LLC  
D/B/A AT&T FLORIDA**

THIS AGREEMENT entered into this 19<sup>th</sup> day of June, 2014, by and between Brevard County Board of County Commissioners, hereinafter referred to as "Public Entity" and BellSouth Telecommunications, LLC d/b/a AT&T Florida, a Georgia Limited Liability Company (formerly "Bellsouth Telecommunications, Inc."), hereinafter referred to as "Utility".

WHEREAS, the Utility presently has an interest in certain lands that have been determined necessary for roadway purposes; and

WHEREAS, the proposed use of said lands for roadway purposes will require subordination of two sections of an easement interest held in said lands by Utility to the Public Entity and at the request of the Public Entity, the Utility has agreed to such subordination. The two subordinated sections of the Utility's easement interest are collectively referred to herein as "Lands" and are described and depicted in "EXHIBIT A1 – A4" attached hereto; and

WHEREAS, Public Entity is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises of the parties hereto, Utility and Public Entity agree as follows:

1. Utility is the owner of the following easements:

<u>Date</u>	<u>For or Against</u>	<u>In Favor of</u>	<u>Recorded in</u>
1-16-1989	Melbourne North, Inc. formally Melbourne Imperial, Inc. And Sterling Imperial Farms, Inc. Corporations organized and existing under the laws of the State of Florida	Bellsouth Telecommunications, Inc.	Book Page OR/BK 2976 PG 1202

BREVARD COUNTY IS SUCCESSOR IN TITLE TO SUNTREE VIERA PROPERTIES, INC.

2. The Utility hereby subordinates any and all of its interest in that portion of said easement(s) lying within the Lands described on "EXHIBIT A1 – A4" attached hereto and made a part hereof, to the interest of the Public Entity, its successors or assigns, for the purpose of constructing, improving, maintaining and operating a road over, through, upon, and/or across such Lands.

3. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all the Lands described. All new construction, major reconstruction or upgrade, removal or relocation of facilities shall be made in accordance with the Public Entity's minimum standards adopted as of the date of this Agreement. All maintenance, operation, non-major upgrade or improvement shall be made under the Public Entity's minimum standards applicable at the time of the original construction. Any new construction or relocation of facilities within the Lands will be subject to prior approval by the Public Entity. Should the Public Entity fail to approve any new construction or relocation of its facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities from or within said Lands, the Public Entity hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.

4. The Utility shall have a reasonable right to enter upon the Lands described herein for the purposes outlined in paragraph 3 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the Public Entity's facilities.

5. The Utility agrees to repair any damage to the Public Entity's facilities and indemnify the Public Entity against any loss or damage resulting from the Utility's exercising its rights outlined in paragraph 3 or 4 above.

6. These terms and conditions shall be expressly referred to in the permit, if any, required by the Public Entity for location of the Utility's facilities on the said Land in the future, and the terms of the subordination are and shall be made superior and controlling over any conflicting terms in the permit. No such permits shall be required for Utility to maintain its existing facilities on said Lands.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed, sealed, and delivered  
in our presence as witnesses:

"Utility"  
BELLSOUTH  
TELECOMMUNICATIONS, LLC D/B/A  
AT&T FLORIDA, a Georgia Limited Liability  
Company

Margaret J. Bowman  
Witness

MARGARET J. BOWMAN

(Print)

Lance A. Mills  
Witness

LANCE P. MILLS

(Print)

By: Charles L. Adams  
Charles L. Adams as Area Manager

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 19th day of June, 2014, by Charles L. Adams, respectively, as Area Manager of BellSouth Telecommunications, LLC d/b/a AT&T Florida, a Georgia Limited Liability Company, on behalf of said company who is/are personally known to me or who has/have produced as identification and who did/did not take an oath.

Sheldon James Cox  
Notary Public, State of Florida

SHeldon James Cox  
Print Name

My Commission Expires  
Commission#:



SHeldon JAMES COX  
MY COMMISSION # FF 041541  
EXPIRES: July 31, 2017  
Bonds: Budget Notary Services

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

# EXHIBIT A-1

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the POINT-OF-BEGINNING; thence North 80°32'22" East, a distance of 5.00 Feet; thence South 09°27'38" East, a distance of 15.00 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,377.40 Feet, and a central angle of 10°15'21"; thence southerly along the arc of said curve an arc distance of 246.55 Feet; thence South 70°55'11" West, a distance of 5.00 Feet to a point on the said East Right-of-Way line of Wickham Road and the West line of said Official Records Book 6772, Pages 146-162 and the point of curvature of a non tangent circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 10°15'13"; thence from a tangent bearing of North 19°42'50" West, run northerly along said East and West line and the arc of said curve an arc distance of 247.39 Feet; thence North 09°27'38" West along said East and West lines, a distance of 15.00 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less. 1,309.69 Square Feet

Suntree Viera Properties, Inc

### CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1377.40'	10°15'21"	246.55'	246.22'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	247.06'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

## WILLIAM MOTT LAND SURVEYING INC.

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L/T = LINE TABLE TAG  
 C/T = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: T.B.	CHECKED BY: J.M.M.	DRAWING NO. A13-0028	SECTION 13
DATE: 12/05/13	SHEET 1 OF 2	REVISIONS 02/11/14	TOWNSHIP 26 SOUTH
			RANGE 36 EAST

# SKETCH & DESCRIPTION

EXHIBIT A-1

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889,  
 PAGES 1573-1577

CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**

60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

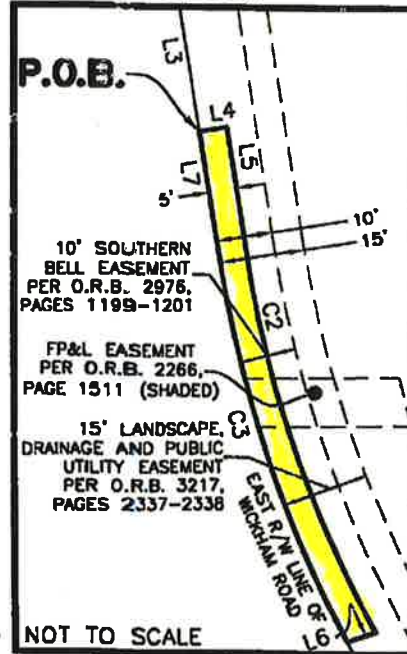
R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 6772, PAGES 146-162

**DETAIL**



**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

**P.O.B.**

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

**RIGHT-OF-WAY AREA**  
 1310± Square Feet  
 0.03± Acres  
 (SEE DETAIL)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

38

# SKETCH & DESCRIPTION

EXHIBIT A-2

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SURVEY: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Corplex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146-162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 21°34'12"; thence southerly along said East and West line and the arc of said curve an arc distance of 520.43 Feet to the end of the curve, said point being the POINT-OF-BEGINNING; thence leaving said lines run North 58°58'10" East, a distance of 5.00 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 03°57'31"; thence from a tangent bearing of South 31°01'50" East, run southeasterly along the arc of said curve an arc distance of 95.17 Feet; thence South 80°32'20" West along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to said East Right-of-Way line of Wickham Road and the said West line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 03°51'35"; thence from a tangent bearing of North 34°53'25" West, run northwesterly along said line and the arc of said curve an arc distance of 93.12 Feet to the POINT-OF-BEGINNING.

Containing 0.01 Acres of land more or less. 470.85 Square Feet

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	21°34'12"	520.43'	517.36'	S 20°14'44" E
C3	1377.40'	3°57'31"	95.17'	95.15'	S 33°00'35" E
C4	1382.40'	3°51'35"	93.12'	93.11'	S 32°57'37" E

Suntree Viera Properties, Inc.

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
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  - R/W = RIGHT-OF-WAY
  - LT = LINE TABLE TAG
  - CT = CURVE TABLE TAG
  - FOB = POINT OF BEGINNING
  - POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY) *Row*

# EXHIBIT A-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'      CORPLEX  
 PLAT BOOK 34, PAGE 22

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**

60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

L2 L1  
 S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772;  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

**Florida East  
 Coast Railroad**  
 (100' RIGHT-OF-WAY)

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

LANDS DESCRIBED IN  
 O.R.B. 6772  
 PAGES 146-162

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

15' LANDSCAPE,  
 DRAINAGE AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

16.5' AT&T EASEMENT  
 PER OFFICIAL RECORDS  
 BOOK 5853, PAGE 8175

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

50' DRAINAGE EASEMENT  
 (EXHIBIT H)  
 PER O.R.B. 6772,  
 PAGES 163-213

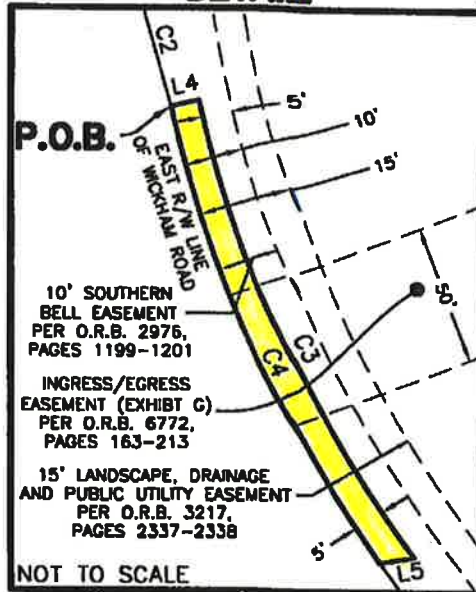
**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

**P.O.B.**

RIGHT-OF-WAY AREA  
 471± Square Feet  
 0.01± Acres  
 (SEE DETAIL)

SOUTH LINE OF O.R.B. 6772, PG. 146-162  
 LANDS DESCRIBED IN  
 O.R.B. 2889, PAGES 1573-1577

## DETAIL



### NOTES:

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.00'	S 58°58'10" W
L5	5.54'	S 80°32'20" W

DWG: SK-ROW 2.DWG  
 PROJECT NO. 213-0012

EAST LINE OF SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

EXHIBIT A-3

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION: (BY SURVEYOR)

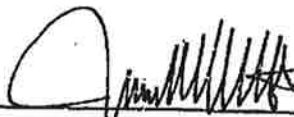
A portion of lands described in Official Records Book 2889, Pages 1573 through 1577, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Complex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 - 162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 25°25'47"; thence southerly along said East and West lines and the arc of said curve an arc distance of 613.55 Feet to the Southwest corner of Official Records Book 6772, Pages 146-162, said point being the POINT-OF-BEGINNING; thence leaving said line run North 80°32'20" East along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 01°05'21"; thence from a tangent bearing of South 34°59'21" East, run southeasterly along the arc of said curve an arc distance of 26.18 Feet; thence South 36°04'42" East, a distance of 135.88 Feet; thence South 53°55'18" West, a distance of 5.00 Feet to a point on the East Right-of-Way line of said Wickham Road and the West line of lands described in Official Records Book 2889, Pages 1573-1577, of said Public Records; thence North 36°04'42" West along said East and West lines, a distance of 135.88 Feet to the point of curvature of a circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 01°11'17"; thence continue northwesterly along the said East and West line and the arc of said curve an arc distance of 28.67 Feet to the POINT-OF-BEGINNING.

Containing 0.02 Acres of land more or less. 816.52 Square Feet

Imperial South Inc.

PREPARED FOR:  
 Imperial South, Inc.

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**  
 3716 NORTH WICKHAM ROAD, SUITE 3  
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DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

# EXHIBIT A-3

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

CORPLEX  
 PLAT BOOK 34, PAGE 22

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889, PAGES 1573-1577

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

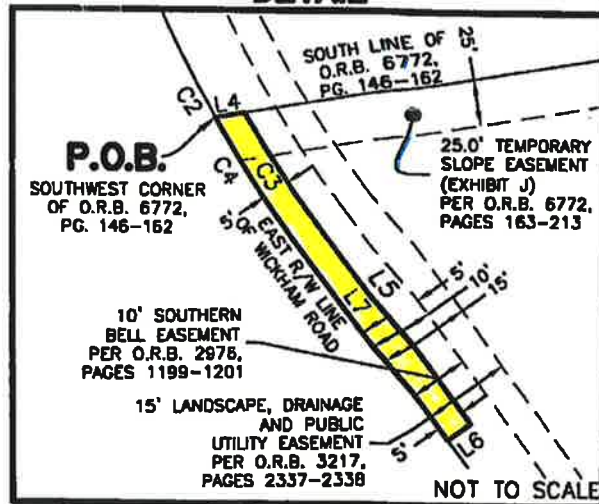
L1 S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 6772  
 PAGES 146-162

## DETAIL



WEST LINE OF  
 O.R.B. 6772, PG. 146-162

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

**P.O.B.**  
 SOUTHWEST CORNER  
 OF O.R.B. 6772,  
 PG. 146-162

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

NOT TO SCALE

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 163-213

16.5' AT&T EASEMENT  
 PER OFFICIAL RECORDS  
 BOOK 5853, PAGE 8175

**P.O.B.**

RIGHT-OF-WAY AREA  
 816± Square Feet  
 0.02± Acres  
 (SEE DETAIL)

SOUTH LINE OF O.R.B. 6772, PG. 146-162

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 2889,  
 PAGES 1573-1577

### CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	25°25'47"	613.55'	608.53'	S 22°10'31" E
C3	1377.40'	1°05'21"	26.18'	26.18'	S 35°32'01" E
C4	1382.40'	1°11'17"	28.67'	28.66'	S 35°29'03" E

### LINE TABLE

LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.54'	N 80°32'20" E
L5	135.88'	S 36°04'42" E
L6	5.00'	S 53°55'18" W
L7	135.88'	S 36°04'42" E

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 3.DWG  
 PROJECT NO. 213-0012

EAST LINE OF SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

# SKETCH & DESCRIPTION

## EXHIBIT A-4

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756  
 PURPOSE OF SKETCH: SIDEWALK EASEMENT  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

### LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 2889, Pages 1573 through 1577, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Complex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 25°25'47"; thence southerly along said East and West lines and the arc of said curve an arc distance of 613.55 Feet to the Southwest corner of said Official Records Book 6772, Pages 146-162; thence North 80°32'20" East along the South line of Said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to the POINT-OF-BEGINNING; thence continue North 80°32'20" East along said line, a distance of 8.32 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,369.90 Feet, and a central angle of 00°56'21"; thence from a tangent bearing of South 35°08'21" East, run southeasterly along the arc of said curve an arc distance of 22.46 Feet; thence South 36°04'42" East, a distance of 135.88 Feet; thence South 53°55'18" West, a distance of 7.50 Feet; thence North 36°04'42" West, a distance of 135.88 Feet to the point of curvature of a circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 01°05'21"; thence northwesterly along the arc of said curve an arc distance of 26.18 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less, 1,201.50 Square Feet

### NOTES:

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

PREPARED FOR:  
 Imperial South, Inc.

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

**LEGEND:**  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 L# = LINE TABLE TAG  
 C# = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756

# EXHIBIT A-4

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

CORPLEX  
 PLAT BOOK 34, PAGE 22

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889, PAGES 1573-1577

**P.O.C.**

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 60' ROAD R/W  
 PER O.R.B. 3056, PAGE 2823

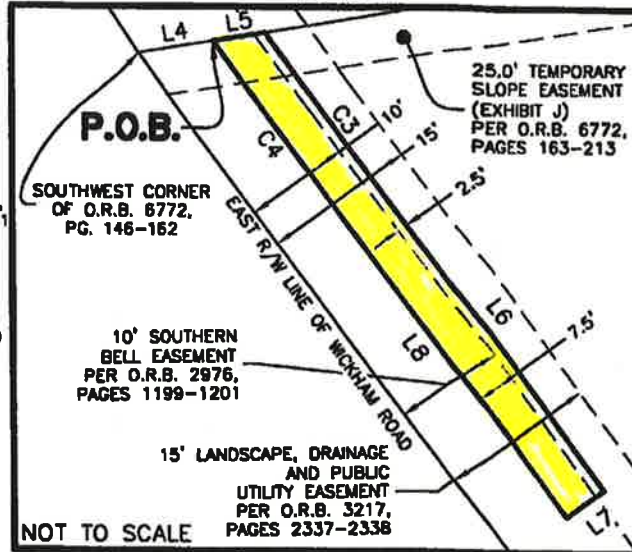
L1 S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-162

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°38'34"E

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-162

## DETAIL



**Florida East Coast Railroad**  
 (100' RIGHT-OF-WAY)  
 WEST R/W LINE OF FLORIDA EAST COAST RAILROAD

EAST LINE OF SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

**Wickham Road**  
 RIGHT-OF-WAY WIDTH VARIES

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

FP&L EASEMENT  
 PER O.R.B. 2266,  
 PAGE 1511 (SHADED)

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2976,  
 PAGES 1199-1201

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT C)  
 PER O.R.B. 6772,  
 PAGES 163-213

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 6772  
 PAGES 146-162

**P.O.B.**

SOUTH LINE OF O.R.B. 6772, PG. 146-162

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 163-213

16.5' AT&T EASEMENT  
 PER OFFICIAL RECORDS  
 BOOK 5853, PAGE 8175

**SIDEWALK EASEMENT AREA**  
 1201± Square Feet 0.03± Acres  
 (SEE DETAIL)

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 2889,  
 PAGES 1573-1577

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	25°25'47"	613.55'	608.53'	S 22°10'31" E
C3	1369.90'	0°56'21"	22.46'	22.46'	S 35°36'31" E
C4	1377.40'	1°05'21"	26.18'	26.18'	S 35°32'01" E

LINE TABLE		
LINE	LENGTH	BEARING
L1	109.55'	S 75°17'49" W
L2	22.55'	S 80°32'04" W
L3	350.35'	S 09°27'38" E
L4	5.54'	N 80°32'20" E
L5	8.32'	N 80°32'20" E
L6	135.88'	S 36°04'42" E
L7	7.50'	S 53°55'18" W
L8	135.88'	N 36°04'42" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-SIDEWALK 4.DWG  
 PROJECT NO. 213-0012

**SUBORDINATION OF UTILITY INTERESTS  
BELLSOUTH TELECOMMUNICATIONS, L.L.C.,  
D/B/A AT&T FLORIDA**

THIS AGREEMENT, entered into this 19<sup>th</sup> day of June, 2014 by and between Brevard County Board of County Commissioners, hereinafter referred to as "Public Entity" and BellSouth Telecommunications, LLC, d/b/a AT&T, Florida a, Georgia Limited Liability Company (formerly "Bellsouth Telecommunications, Inc."), hereinafter referred to as "Utility".

WHEREAS, the Utility presently has an interest in certain Lands that have been determined necessary for road right of way and sidewalk purposes; and

WHEREAS, the proposed use of said Lands for road right of way and sidewalk easement purposes will require subordination of a portion/section of each of the road right of ways and sidewalk easement; an easement interest is held in said Lands by the Utility to the Public Entity and at the request of the Public Entity, the Utility has agreed to such subordination. The subordinated sections of the Utility's easement interests are collectively referred to herein as "Lands" and are described and depicted in "EXHIBIT(S) A-1 thru A-4" and are attached hereto; and

WHEREAS, Public Entity is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained;

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, the Utility and Public Entity hereby and agree as follows:

1. The Utility is the owner of the following easement:

<u>Date</u>	<u>For or Against</u>	<u>In Favor of</u>	<u>Recorded in</u>
1-16-1989	Melbourne-North, Inc. formally Melbourne Imperial, Inc. and Sterling Imperial Farms, Inc., corporations organized and existing under the laws of the State of Florida	Bellsouth Telecommunications, Inc.	Book-Page OR/BK 2976, PG 1202

2. The Utility hereby subordinates any and all of its interest in that portion of said road right of way and sidewalk easements lying within the Lands as described on "EXHIBIT(S) A-1 thru A-4" attached hereto and made a part hereof, to the interest of the Public Entity, its successors or assigns, for the purpose of constructing and maintaining road right of way and a sidewalk over, though, upon, and/or across such Lands.

3. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all Lands described. All new construction, major reconstruction, or upgrade, removal, or relocation of facilities shall be made in accordance with the Public Entity's minimum standards adopted as of the date of this Agreement. All maintenance, operation, non-major upgrade, or improvements shall be made under the Public Entity's minimum standards applicable at the time of the original construction. Any new construction or relocation of facilities within the lands will be subject to prior approval by the Public Entity. Should the Public Entity fail to approve any new construction or relocation of its facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities from or within said lands, the Public Entity hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.

*Approved*  
*John Lee P.E.*  
*9/25/2014*

4. The Utility shall have a reasonable right to enter upon the Lands described herein for the purposes outlined in paragraph 3 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the Public Entity's facilities.

5. The Utility agrees to repair any damage to the Public Entity's facilities and indemnify the Public Entity against any loss or damage resulting from the Utility's exercising its rights outlined in paragraph 3 or 4 above.

6. These terms and conditions shall be expressly referred to in the permit, if any, required by the Public Entity for location of the Utility's facilities on the said Land in the future, and the terms of the subordination are and shall be made superior and controlling over any conflicting terms in the permit. No such permits shall be required for Utility to maintain its existing facilities on said Lands.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed, sealed, and delivered  
in our presence as witnesses:

"Utility"  
BELLSOUTH  
TELECOMMUNICATIONS, LLC D/B/A  
AT&T FLORIDA, a Georgia Limited Liability  
Company

By: *Charles L. Adams*  
Charles L. Adams as Area Manager

*Margaret J. Bowman*  
Witness  
MARGARET J. BOWMAN  
(Print)  
*Lance P. Mills*  
Witness  
LANCE P. MILLS  
(Print)

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 19th day of June, 2014, by Charles L. Adams, respectively, as Area Manager of BellSouth Telecommunications, LLC d/b/a AT&T Florida, a Georgia Limited Liability Company, on behalf of said company who is/are personally known to me or who has/have produced as identification and who did/did not take an oath.

*Sheldon James Cox*  
Notary Public, State of Florida

*Sheldon James Cox*  
Print Name

My Commission Expires:  
Commission#:



SHELDON JAMES COX  
MY COMMISSION # FF-041541  
EXPIRES: July 31, 2017  
Bond: \$20,000 Notary Services

Approved  
*Lance P. Mills*  
9/25/2014

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: SIDEWALK EASEMENT, WARRANTY DEED (ROAD RIGHT-OF-WAY) AND  
SANITARY SEWER EASEMENT FROM SUNTREE VIER A PROPERTIES, LLC  
AND A SIDEWALK EASEMENT AND WARRANTY DEED (ROAD RIGHT-OF-  
WAY) FROM IMPERIAL SOUTH, INC., BEING ADJOINING PROPERTIES  
LOCATED ON WICKHAM ROAD (13-SP-00362). DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION / UTILITY  
SERVICES DEPARTMENT

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (5-2886)

	<u>REVIEW</u>		
	<u>APPROVE</u>	<u>DISAPPROVE</u>	<u>DATE</u>
<u>LAND ACQUISITION</u> Dan Jones, Supervisor	_____	_____	_____
<u>COUNTY ATTORNEY</u> Christine Lepore Assistant County Attorney	<u>OK</u>	_____	<u>10/6/14</u>
<u>PUBLIC WORKS</u> John Denninghoff, Director	_____	_____	_____
<u>UTILITY SERVICES</u> Bob Adolphe, Director	_____	_____	_____
<u>ENGINEERING</u> Rich Szyrka, Manager	_____	_____	_____

AGENDA DUE DATE: SEPTEMBER 23, 2014 FOR THE OCTOBER 7, 2014 BOARD MEETING

PLEASE CALL: DEBBIE CRUZ, LAND ACQUISITION SECRETARY AT 690-6847 WHEN READY FOR PICK UP. THANK YOU.

# SKETCH & DESCRIPTION

**EXHIBIT A-1**

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Complex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pheda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146 -162 and the said South Right-of-Way line of Pheda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the POINT-OF-BEGINNING; thence North 80°32'22" East, a distance of 5.00 Feet; thence South 09°27'38" East, a distance of 15.00 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,377.40 Feet, and a central angle of 10°15'21"; thence southerly along the arc of said curve an arc distance of 246.55 Feet; thence South 70°55'11" West, a distance of 5.00 Feet to a point on the said East Right-of-Way line of Wickham Road and the West line of said Official Records Book 6772, Pages 146-162 and the point of curvature of a non tangent circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 10°15'13"; thence from a tangent bearing of North 19°42'50" West, run northerly along said East and West line and the arc of said curve an arc distance of 247.39 Feet; thence North 09°27'38" West along said East and West lines, a distance of 15.00 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less 1,309.69 Square Feet

Suntree Viera Properties, Inc

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	S 35°32'22" W
C2	1377.40'	10°15'21"	246.55'	S 14°35'18" E
C3	1382.40'	10°15'13"	247.39'	S 14°35'14" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**  
 3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32835-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

LEGEND:  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
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 L.T. = LINE TABLE TAG  
 C.T. = CURVE TABLE TAG  
 P.O.B. = POINT OF BEGINNING  
 P.O.C. = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH RANGE <u>36</u> EAST

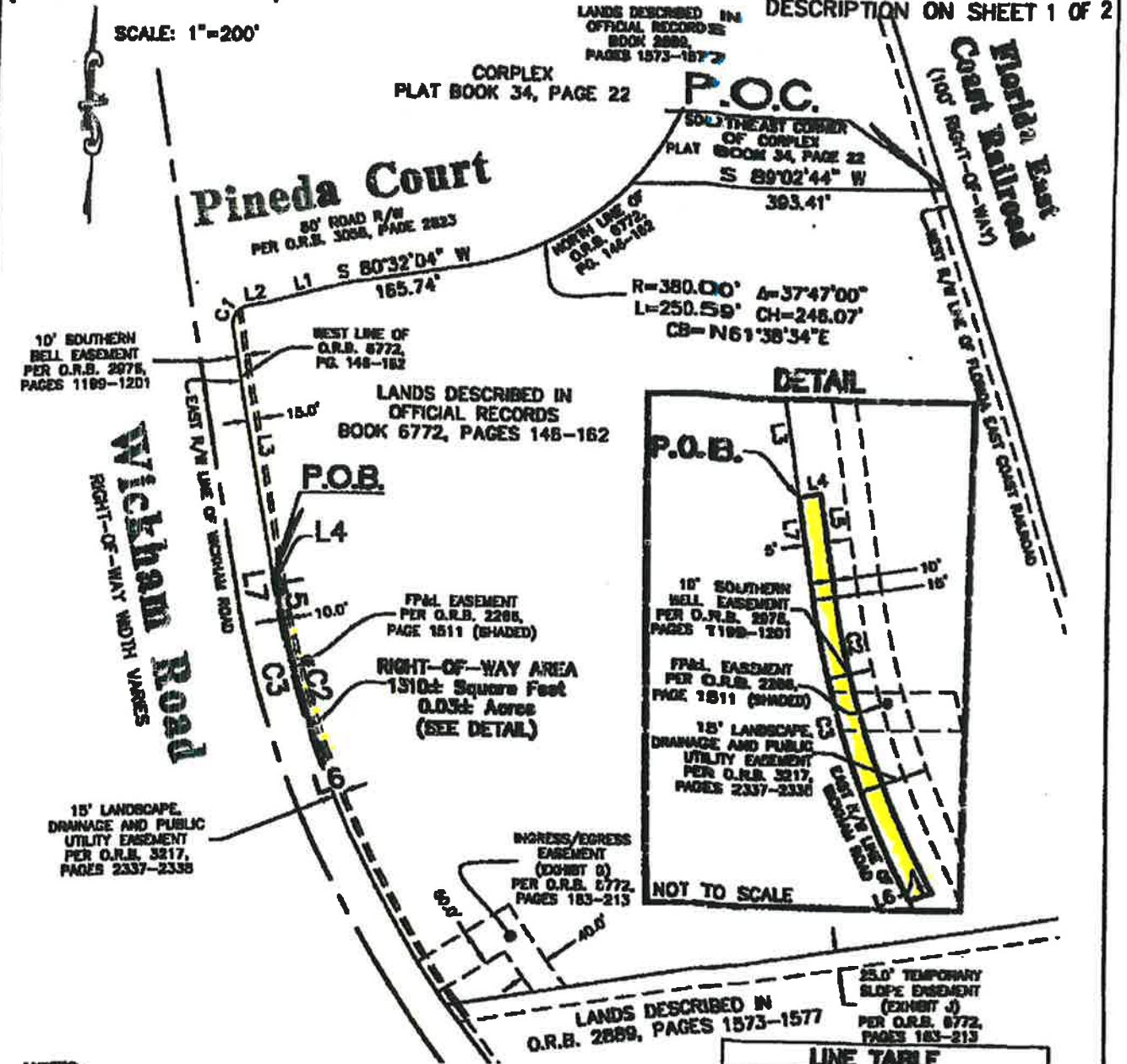
# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY)

## EXHIBIT A-1

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'



**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111783, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

LINE TABLE		
LINE	LENGTH	BEARING
L1	108.55'	S 75°17'48" W
L2	22.55'	S 80°32'04" W
L3	390.38'	S 09°27'38" E
L4	5.00'	N 80°32'22" E
L5	15.00'	S 09°27'38" E
L6	5.00'	S 70°55'11" W
L7	15.00'	N 09°27'38" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 1.DWG  
 PROJECT NO. 213-0012

32

# SKETCH & DESCRIPTION

EXHIBIT A-2

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 PURPOSE OF SURVEY: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 6772, Pages 146 through 162, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Suntree Viera Properties, Inc.

Commence at the Southeast corner of Complex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of said Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146-162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 21°34'12"; thence southerly along said East and West line and the arc of said curve an arc distance of 520.43 Feet to the end of the curve, said point being the POINT-OF-BEGINNING; thence leaving said lines run North 58°58'10" East, a distance of 5.00 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 03°57'31"; thence from a tangent bearing of South 31°01'50" East, run southeasterly along the arc of said curve an arc distance of 95.17 Feet; thence South 80°32'20" West along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to said East Right-of-Way line of Wickham Road and the said West line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 03°51'35"; thence from a tangent bearing of North 34°53'25" West, run northwesterly along said line and the arc of said curve an arc distance of 93.12 Feet to the POINT-OF-BEGINNING.

Containing 0.01 Acres of land more or less 470.85 Square Feet

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	21°34'12"	520.43'	517.36'	S 20°14'44" E
C3	1377.40'	3°57'31"	95.17'	95.15'	S 33°00'35" E
C4	1382.40'	3°51'35"	93.12'	93.11'	S 32°57'37" E

PREPARED FOR:  
 Suntree Viera Properties, LLC

SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
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  - P.B. = PLAT BOOK
  - P.C. = PAGE
  - R/W = RIGHT-OF-WAY
  - L.T. = LINE TABLE TAG
  - C.T. = CURVE TABLE TAG
  - P.O.B. = POINT OF BEGINNING
  - P.O.C. = POINT OF COMMENCEMENT

DRAWN BY: T.B.

CHECKED BY: J.M.M.

DRAWING NO. A13-0028

SECTION 13

DATE: 12/05/13

SHEET 1 OF 2

REVISIONS 02/11/14

TOWNSHIP 26 SOUTH  
 RANGE 36 EAST

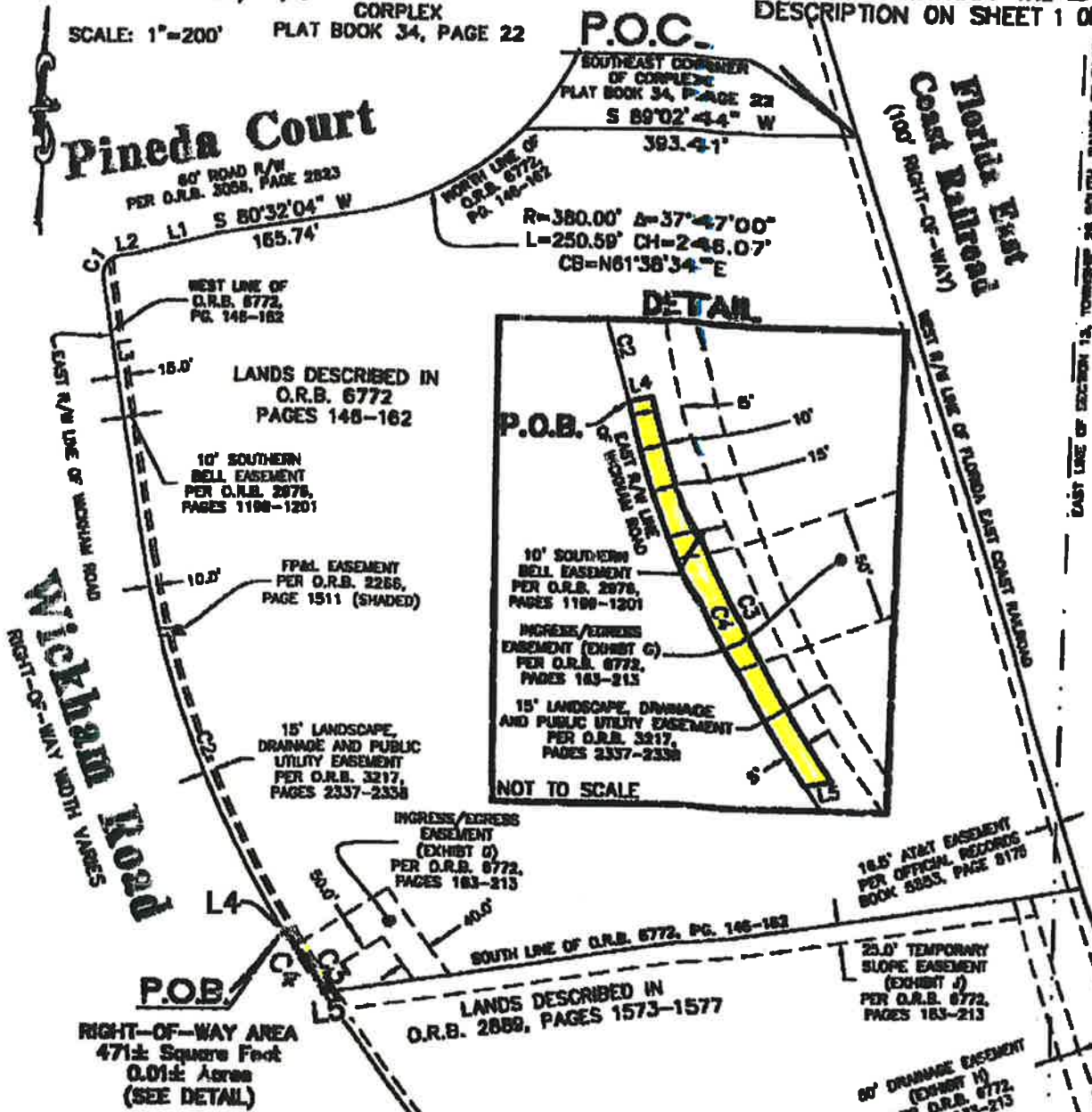
# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-767  
 (THIS IS NOT A SURVEY) ROW

# EXHIBIT A-2

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200' CORPUS PLAT BOOK 34, PAGE 22



**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREDIN ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

LINE TABLE		
LINE	LENGTH	BEARING
L1	108.85'	S 75°17'49" W
L2	22.85'	S 80°32'04" W
L3	390.35'	S 08°27'38" E
L4	5.00'	S 58°58'10" W
L5	8.54'	S 80°32'20" W

DWG: SK-ROW 2.DWG  
 PROJECT NO. 213-0012

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756  
 PURPOSE OF SKETCH: ROAD RIGHT-OF-WAY  
 (THIS IS NOT A SURVEY)

EXHIBIT A-3

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION: (BY SURVEYOR)

A portion of lands described in Official Records Book 2889, Pages 1573 through 1577, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Imperial South Inc.

Commence at the Southeast corner of Complex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146-162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue thence South 80°32'04" West, a distance of 165.74 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, also being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 25°25'47"; thence southerly along said East and West lines and the arc of said curve an arc distance of 613.55 Feet to the Southwest corner of Official Records Book 6772, Pages 146-162, said point being the POINT-OF-BEGINNING; thence leaving said line run North 80°32'20" East along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 01°05'21"; thence from a tangent bearing of South 34°59'21" East, run southeasterly along the arc of said curve an arc distance of 26.18 Feet; thence South 36°04'42" East, a distance of 135.88 Feet; thence South 53°55'18" West, a distance of 5.00 Feet to a point on the East Right-of-Way line of said Wickham Road and the West line of lands described in Official Records Book 2889, Pages 1573-1577, of said Public Records; thence North 36°04'42" West along said East and West lines, a distance of 135.88 Feet to the point of curvature of a circular curve concave to the northeast, having a radius of 1,382.40 Feet, and a central angle of 01°11'17"; thence continue northwesterly along the said East and West line and the arc of said curve an arc distance of 28.67 Feet to the POINT-OF-BEGINNING.

Containing 0.02 Acres of land more or less 816.52 Square Feet

PREPARED FOR:  
 Imperial South, Inc.

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**  
 3716 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

LEGEND:  
 O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 P.C. = PAGE  
 R/W = RIGHT-OF-WAY  
 L.T. = LINE TABLE TAG  
 C.T. = CURVE TABLE TAG  
 P.O.B. = POINT OF BEGINNING  
 P.O.C. = POINT OF COMMENCEMENT

DRAWN BY: T.B.	CHECKED BY: J.M.M.	DRAWING NO. A13-0028	SECTION 13
DATE: 12/05/13	SHEET 1 OF 2	REVISIONS 02/11/14	TOWNSHIP 26 SOUTH RANGE 36 EAST

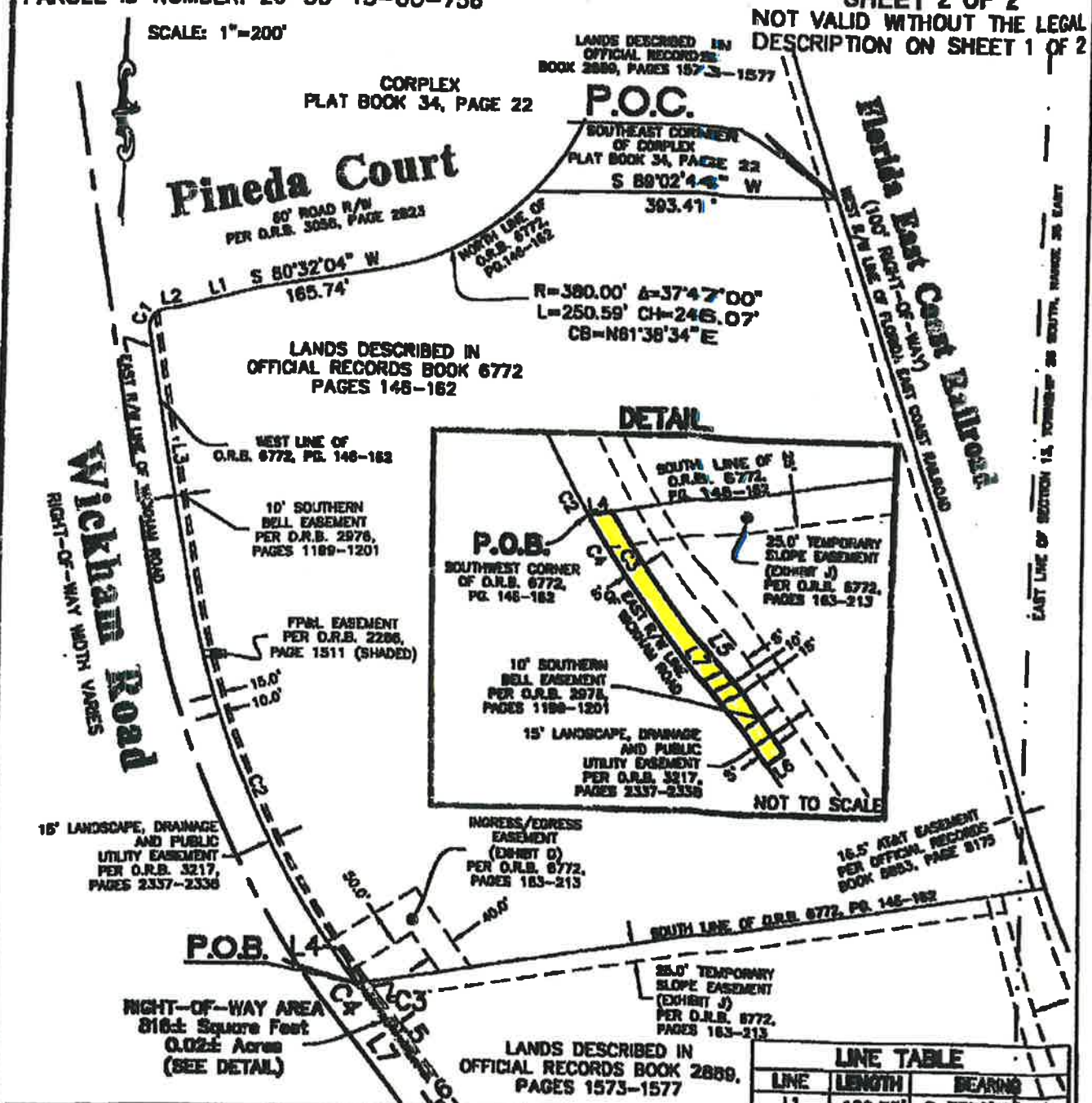
# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756

EXHIBIT A-3

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'



CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	25°25'47"	613.55'	608.53'	S 22°10'31" E
C3	1377.40'	1°05'21"	26.18'	26.18'	S 35°32'01" E
C4	1382.40'	1°11'17"	28.67'	28.66'	S 35°28'03" E

LINE	LENGTH	BEARING
L1	108.55'	S 75°17'40" W
L2	22.55'	S 80°32'04" W
L3	350.36'	S 08°27'36" E
L4	5.54'	N 80°32'20" E
L5	135.88'	S 36°04'42" E
L6	5.00'	S 53°55'18" W
L7	155.88'	S 36°04'42" E

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-ROW 3.DWG  
 PROJECT NO. 213-0012

# SKETCH & DESCRIPTION

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756  
 PURPOSE OF SKETCH: SIDEWALK EASEMENT  
 (THIS IS NOT A SURVEY)

EXHIBIT A-4

SHEET 1 OF 2  
 NOT VALID WITHOUT THE  
 SKETCH ON SHEET 2 OF 2

**LEGAL DESCRIPTION: (BY SURVEYOR)**

A portion of lands described in Official Records Book 2889, Pages 1573 through 1577, as recorded in the Public Records of Brevard County, Florida. Said lands lying in Section 13, Township 26 South, Range 36 East, being more particularly described as follows:

Commence at the Southeast corner of Complex, as recorded in Plat Book 34, Page 22, said Public Records of Brevard County, Florida; thence South 89°02'44" West along the North line of Official Records Book 6772, Pages 146 through 162, of the said Public Records of Brevard County, Florida, a distance of 393.41 Feet to a point on the South Right-of-Way line of Pineda Court (a 60' Wide Road Right-of-Way) as recorded in Official Records Book 3056, Page 2823, also being the said Northerly line of said Official Records Book 6772, Pages 146-162, and the point of curvature of a non tangent circular curve concave to the northwest, having a radius of 380.00 Feet, and a central angle of 37°47'00"; thence from a tangent bearing of South 42°45'04" West, run southwesterly along the said North line of Official Records Book 6772, Pages 146-162 and the said South Right-of-Way line of Pineda Court, and the arc of said curve an arc distance of 250.59 Feet; thence continue along said North and South lines for the following 4 calls; South 80°32'04" West, a distance of 165.74 Feet; thence South 75°17'49" West, a distance of 109.55 Feet; thence South 80°32'04" West, a distance of 22.55 Feet to the point of curvature of a non tangent circular curve concave to the southeast, having a radius of 25.00 Feet, and a central angle of 90°00'00"; thence from a tangent bearing of South 80°32'22" West, run southwesterly along the arc of said curve an arc distance of 39.27 Feet to the East Right-of-Way line of Wickham Road, a lso being the West line of said Official Records Book 6772, Pages 146-162; thence South 09°27'38" East along the East Right-of-Way of said Wickham Road and the West line of said Official Records Book 6772, Pages 146-162, a distance of 350.35 Feet to the point of curvature of a circular curve concave to the east, having a radius of 1,382.40 Feet, and a central angle of 25°25'47"; thence southerly along said East and West lines and the arc of said curve an arc distance of 613.55 Feet to the Southwest corner of said Official Records Book 6772, Pages 146-162; thence North 80°32'20" East along the South line of said Official Records Book 6772, Pages 146-162, a distance of 5.54 Feet to the POINT-OF-BEGINNING; thence continue North 80°32'20" East along said line, a distance of 8.32 Feet to the point of curvature of a non tangent circular curve concave to the northeast, having a radius of 1,369.90 Feet, and a central angle of 00°56'21"; thence from a tangent bearing of South 35°08'21" East, run southeasterly along the arc of said curve an arc distance of 22.46 Feet; thence South 36°04'42" East, a distance of 135.88 Feet; thence South 53°55'18" West, a distance of 7.50 Feet; thence North 36°04'42" West, a distance of 135.88 Feet to the point of curvature of a circular curve concave to the northeast, having a radius of 1,377.40 Feet, and a central angle of 01°05'21"; thence northwesterly along the arc of said curve an arc distance of 26.18 Feet to the POINT-OF-BEGINNING.

Containing 0.03 Acres of land more or less, 1,201.50 Square Feet

**NOTES:**

1. THIS SKETCH AND DESCRIPTION IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY WILLIAM MOTT LAND SURVEYING, PROJECT NUMBER 213-0012, DRAWING NUMBER D13-0018A THROUGH D13-0018E, DATED 04/24/2013.
2. EASEMENTS SHOWN HEREON WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 12111753, DATED 01/03/2013.
3. BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA'S EAST ZONE. SAID COORDINATE SYSTEM YIELDS A BEARING OF S 89°17'43" E FOR THE SOUTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST.

PREPARED FOR:  
 Imperial South, Inc.

  
 SURVEYOR & MAPPER, PSM NO.  
 NOT VALID UNLESS SIGNED AND SEALED

**WILLIAM MOTT LAND SURVEYING INC.**

3718 NORTH WICKHAM ROAD, SUITE 3  
 MELBOURNE, FLORIDA 32935-2338  
 PHONE (321) 751-4444 FAX (321) 751-4445

LEGEND: O.R.B. = OFFICIAL RECORDS BOOK  
 D.B. = DEED BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 R/W = RIGHT-OF-WAY  
 LT. = LINE TABLE TAG  
 CT. = CURVE TABLE TAG  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT

DRAWN BY: <u>T.B.</u>	CHECKED BY: <u>J.M.M.</u>	DRAWING NO. <u>A13-0028</u>	SECTION <u>13</u>
DATE: <u>12/05/13</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>02/11/14</u>	TOWNSHIP <u>26</u> SOUTH RANGE <u>36</u> EAST

# SKETCH & DESCRIPTION

EXHIBIT A-4

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST  
 PARCEL ID NUMBER: 26-36-13-00-756

SHEET 2 OF 2  
 NOT VALID WITHOUT THE LEGAL  
 DESCRIPTION ON SHEET 1 OF 2

SCALE: 1"=200'

CORPLEX  
 PLAT BOOK 34, PAGE 22

LANDS DESCRIBED IN  
 OFFICIAL RECORDS  
 BOOK 2889, PAGES 1573-1577

P.O.C.

SOUTHEAST CORNER  
 OF CORPLEX  
 PLAT BOOK 34, PAGE 22  
 S 89°02'44" W  
 393.41'

**Pineda Court**  
 80' ROAD R/W  
 PER O.R.B. 3058, PAGE 2823

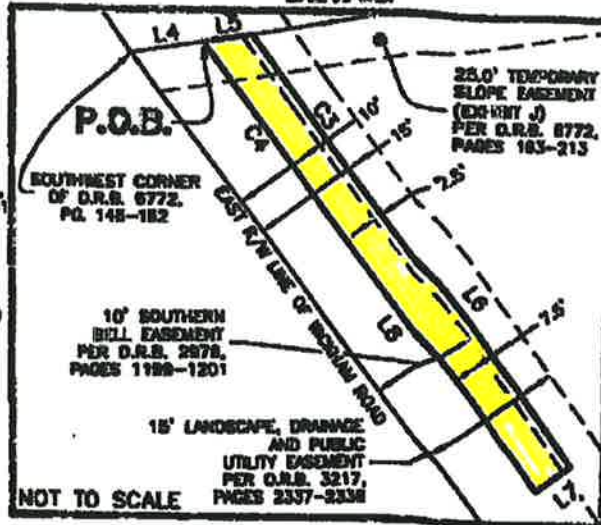
L2 L1 S 80°32'04" W  
 165.74'

NORTH LINE OF  
 O.R.B. 6772,  
 PG. 146-182

R=380.00' Δ=37°47'00"  
 L=250.59' CH=246.07'  
 CB=N61°36'34"E

WEST LINE OF  
 O.R.B. 6772,  
 PG. 146-182

DETAIL



**Michigan Road**  
 RIGHT-OF-WAY WIDTH VARIES

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2878,  
 PAGES 1189-1201

FP&L EASEMENT  
 PER O.R.B. 2286,  
 PAGE 1811 (SHADED)

10' SOUTHERN  
 BELL EASEMENT  
 PER O.R.B. 2878,  
 PAGES 1189-1201

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

15' LANDSCAPE, DRAINAGE  
 AND PUBLIC  
 UTILITY EASEMENT  
 PER O.R.B. 3217,  
 PAGES 2337-2338

INGRESS/EGRESS  
 EASEMENT  
 (EXHIBIT G)  
 PER O.R.B. 6772,  
 PAGES 183-213

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 6772  
 PAGES 146-182

SOUTH LINE OF O.R.B. 6772, PG. 146-182

25.0' TEMPORARY  
 SLOPE EASEMENT  
 (EXHIBIT J)  
 PER O.R.B. 6772,  
 PAGES 183-213

15.0' AT&T EASEMENT  
 PER OFFICIAL RECORDS  
 BOOK 6863, PAGE 8175

SIDEWALK EASEMENT AREA  
 1201± Square Feet 0.03± Acres  
 (SEE DETAIL)

LANDS DESCRIBED IN  
 OFFICIAL RECORDS BOOK 2889,  
 PAGES 1573-1577

### CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	S 35°32'22" W
C2	1382.40'	25°25'47"	613.55'	608.53'	S 22°10'31" E
C3	1389.90'	0°36'21"	22.48'	22.48'	S 35°36'31" E
C4	1377.40'	1°05'21"	26.18'	26.18'	S 35°32'01" E

### LINE TABLE

LINE	LENGTH	BEARING
L1	109.55'	S 75°17'40" W
L2	22.55'	S 80°32'04" W
L3	350.36'	S 09°27'38" E
L4	5.54'	N 80°32'20" E
L5	8.32'	N 80°32'20" E
L6	135.88'	S 36°04'42" E
L7	7.50'	S 53°35'18" W
L8	135.88'	N 36°04'42" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.  
 SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

DWG: SK-SIDEWALK 4.DWG  
 PROJECT NO. 213-0012

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# VICINITY MAP

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SEC: 13 TWP: 26 RNG: 36 DISTRICT: 4

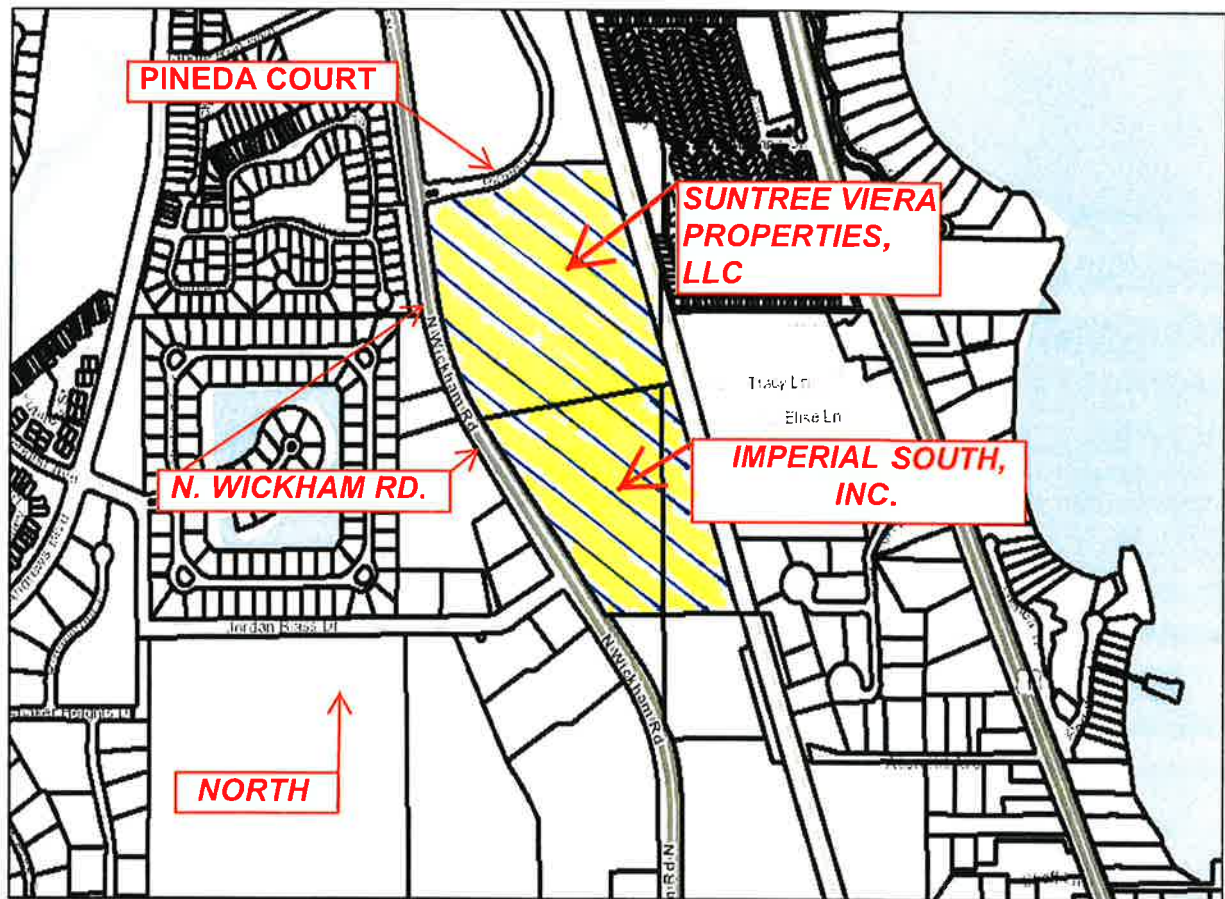
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STREET NAME: SE CORNER OF WICKHAM ROAD @ PINEDA COURT

---

OWNER'S: SUNTREE VIERA PROPERTIES, LLC. & IMPERIAL SOUTH, INC

---





Suntree-Viera Properties, LLC  
to Dedicate Sanitary Sewer  
Force-Main Easement &  
Sidewalk Easement

PINEDA COURT

LOCATION MAP  
SEC 13, TWN 26, RNG 36 EAST  
DISTRICT 4

Suntree-Viera Properties, LLC  
to Dedicate Road R/W (Turn  
Lane) & Sidewalk Easement

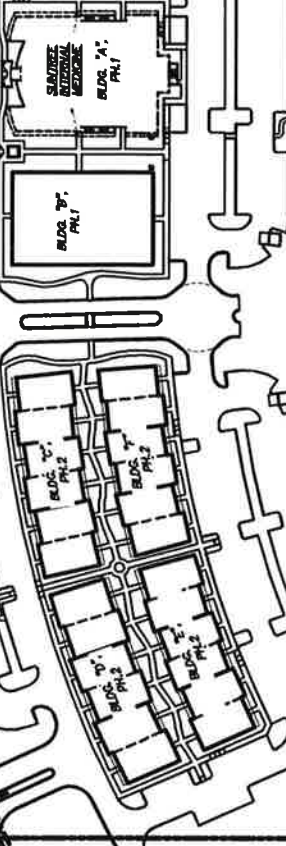
Suntree-Viera Properties, LLC  
& Imperial South, Inc. to Dedicate  
Road R/W (Turn Lane) &  
Sidewalk Easement

N. WICKHAM ROAD

SUNTREE-VIERA  
PROPERTIES, LLC

IMPERIAL  
SOUTH, INC.

Property Line



POND

FLORIDA EAST COAST RAILWAY

(100' RIGHT OF WAY)

SCALE: 1"=200'



**ROBERT I. LEE, PE**

405 Pine Tree Drive  
Indialantic, Florida 32903  
(321) 480-4816  
FLORIDA PROFESSIONAL ENGINEER #41077

**Suntree Viera Professional Park**

EASEMENT AND R.O.W. DEDICATIONS MAP

PROJ. No.: 0360-01 DATE: 03-25-14 FIGURE No.

PROPERTY FACT SHEET  
PROJECT: SUNTREE VIERA PROPERTIES, LLC  
IMPERIAL SOUTH, INC.

Owner(s):	Suntree Viera Properties, LLC.
Parcel Location:	Wickham Road, South of Pineda Court, Melbourne, Florida
Parent Parcel Size:	23.46 Acres
To be acquired	Fee-Turn lane: 1,780.54 Square Feet
To be acquired	Sidewalk Easement: 7,269.05 Square Feet
To be acquired	Sanitary /Force Main/ Gravity Sewer Easement: 3,718.37 Square Feet
Tax Parcel ID#	26-36-13-00-00767.0-0000.00
Zoning/land Use:	Commercial
Improvements:	Vacant-Proposed Medical Offices
Topography:	Level with Road Grade
Flood Zone:	X-Outside the 500 Year Flood Plain
Public Utilities:	All Utilities Available
Market Value: (Property Appraiser-Assessed)	\$1,635,010.00
Property Transaction:	(12/28/12) \$2,000,000.00

PROPERTY FACT SHEET  
PROJECT: SUNTREE VIERA PROPERTIES, LLC  
IMPERIAL SOUTH, INC.

Owners(s):	Imperial South, Inc.
Parcel Location:	Wickham Road, South of Pineda Court, Melbourne, Florida
Parent Parcel Size:	12.61 Acres
To be acquired	Fee Turn Lane: 816.52 Square Feet
To be acquired	Sidewalk Easement: 1,201.50 Square Feet
Tax Parcel ID#	26-36-13-00-00756.0-0000.00
Zoning/land Use:	Commercial
Improvements:	Vacant
Topography:	Level with Road Grade
Flood Zone:	X-Outside the 500 Year Flood Plain
Public Utilities:	All Utilities Available
Market Value: (Property Appraiser-Assessed	\$878,990.00
Last Property Transaction:	(08/01/84) \$1,272,500.00