



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

12/8/2020

Subject:

Approval, Re: Reuse Line Easement for the Bromley Drive Expansion Project - District 4.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners approve and accept the Reuse Line Easement.

Summary Explanation and Background:

The subject property is located in Section 9, Township 26 South, Range 36 East, west of Interstate 95, east of Lake Andrew Drive in Viera.

The Viera Company is planning a commercial use of a parcel or parcels located at the end of the Bromley Drive cul-de-sac. In order to develop this area, Bromley Drive needs to be extended. Due to roadway geometry constraints and the need to adjust the curvature of the roadway to meet design standards, the reuse line will be shifted slightly outside of the right-of-way, creating the need to provide an easement to the County.

The User Department approves this request.

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

Clerk to the Board Instructions:

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Reuse Line Easement for the Bromley Drive Expansion Project -District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<hr/>	<u>11-18-2020</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	<hr/>	<u>11-18-2020</u>



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

December 9, 2020

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

RE: Item F.4. Approval of Reuse Line Easement for the Bromley Drive Expansion Project

The Board of County Commissioners, in regular session on December 8, 2020, approved and accepted the Reuse Line Easement for the Bromley Drive expansion Project.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for Denna Scott
Kimberly Powell, Deputy Clerk

/ds

cc: Utility Services

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 26-36-09-VH-* -B

REUSE LINE EASEMENT

THIS EASEMENT, made this 16th day of November, 2020, between Central Viera Community Association, Inc., whose address is 7380 Murrell Road, Suite 201, Viera, Florida 32940, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

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

The land affected by the granting of the easement is located in Section 9, Township 26 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

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

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

(Signatures and Notary on next page)

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

Signed, sealed and delivered in the presence of:

Benjamin E. Wilson

Witness

Benjamin E. Wilson

Print Name

Mary Ellen McKibben

Witness

Mary Ellen McKibben

Print Name

Central Viera Community Association, Inc.

By: Eva M. Rey
EVA M. REY, President

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 16th day of Nov., 2020, by Eva M. Rey, as President for Central Viera Community Association, Inc. Is personally known or produced _____ as identification.

Benjamin E. Wilson

Notary Signature

SEAL

Board Meeting Date: _____

Agenda Item # _____



BENJAMIN E WILSON
Commission # GG 146829
Expires October 10, 2021
Bonded Thru Budget Notary Services

LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-36-09-VH-*--B

PURPOSE: REUSE MAIN EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL #800 REUSE MAIN EASEMENT (PREPARED BY SURVEYOR)

PART OF TRACT B, BROMLEY DRIVE CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 58, PAGE 11, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING AND BEING IN SECTION 9, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF BROMLEY DRIVE (SAID POINT ALSO BEING A POINT ON THE EASTERLY BOUNDARY OF SAID TRACT B), ACCORDING TO THE PLAT OF SAID BROMLEY DRIVE CENTER, AND RUN N00°48'02"W ALONG THE EASTERLY BOUNDARY OF SAID TRACT B, A DISTANCE OF 202.10 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE CONTINUE ALONG SAID EASTERLY BOUNDARY AND ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CONCAVE TO THE SOUTHEAST, AND HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 64°22'56", A CHORD BEARING OF N31°23'26"E, AND A CHORD LENGTH OF 53.27 FEET), A DISTANCE OF 56.18 FEET TO THE END OF SAID CURVE, THENCE CONTINUE ALONG SAID EASTERLY BOUNDARY N63°34'53"E, A DISTANCE OF 94.54 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID EASTERLY BOUNDARY N63°34'53"E, A DISTANCE OF 29.87 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE CONTINUE ALONG SAID EASTERLY BOUNDARY AND ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST, AND HAVING A RADIUS OF 70.00 FEET, A CENTRAL ANGLE OF 89°44'46", A CHORD BEARING OF N18°42'30"E, AND A CHORD LENGTH OF 98.78 FEET), A DISTANCE OF 109.65 FEET TO THE END OF SAID CURVE; THENCE CONTINUE ALONG SAID EASTERLY BOUNDARY N26°09'52"W, A DISTANCE OF 29.87 FEET TO A CUSP OF CURVE; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST, AND HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 89°44'46", A CHORD BEARING OF S18°42'30"W, AND A CHORD LENGTH OF 141.11 FEET), A DISTANCE OF 156.64 FEET TO THE POINT OF BEGINNING. CONTAINING 0.02 ACRES, 1083.22 SQ.FT, MORE OR LESS.

SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
2. BEARING REFERENCE: ASSUMED BEARING OF N00°48'02"W ON THE EASTERLY BOUNDARY OF TRACT B, BROMLEY DRIVE CENTER, RECORDED IN PLAT BOOK 58, PAGE 11, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
4. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THAT CERTAIN FIDELITY NATIONAL TITLE INSURANCE COMPANY PROPERTY INFORMATION REPORT, ORDER NO.: 8886659, CUSTOMER REFERENCE NUMBER: BROMLEY - REUSE MAIN EASEMENT, EFFECTIVE DATE: 10/08/2020. OTHER THAN THE "LAKE 3 STORM WATER DRAINAGE & IRRIGATION EASEMENT", PER OFFICIAL RECORDS BOOK 5588, PAGE 4422 & OFFICIAL RECORDS BOOK 5103, PAGE 775, NOTED & REFERENCED ON SHEET 2 AND THOSE BLANKET EASEMENTS RESERVED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 7543, PAGE 2200, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, NO OTHER EASEMENTS ADVERSELY AFFECTING THE LANDS DESCRIBED HEREON WERE FOUND IN THE DOCUMENTS REFERENCED IN SAID REPORT.
5. THIS DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025.
6. THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

LESLIE E. HOWARD, PSM 5811
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: B.S.E. CONSULTANTS, INC.
312 S. HARBOUR CITY BLVD
MELBOURNE, FLORIDA 32901

DRAWN BY: EAK	CHECKED BY: LEH	PROJECT NO. 10986.05	SECTION 9
DATE: 10/22/2020	DRAWING: 1098605_100_014	REVISIONS	TOWNSHIP 26 SOUTH
		DATE	RANGE 36 EAST
		10/29/20	
		DESCRIPTION	
		BC COMMENTS	

SKETCH OF DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-36-09-VH-*--B

PURPOSE: REUSE MAIN EASEMENT

EXHIBIT "A"

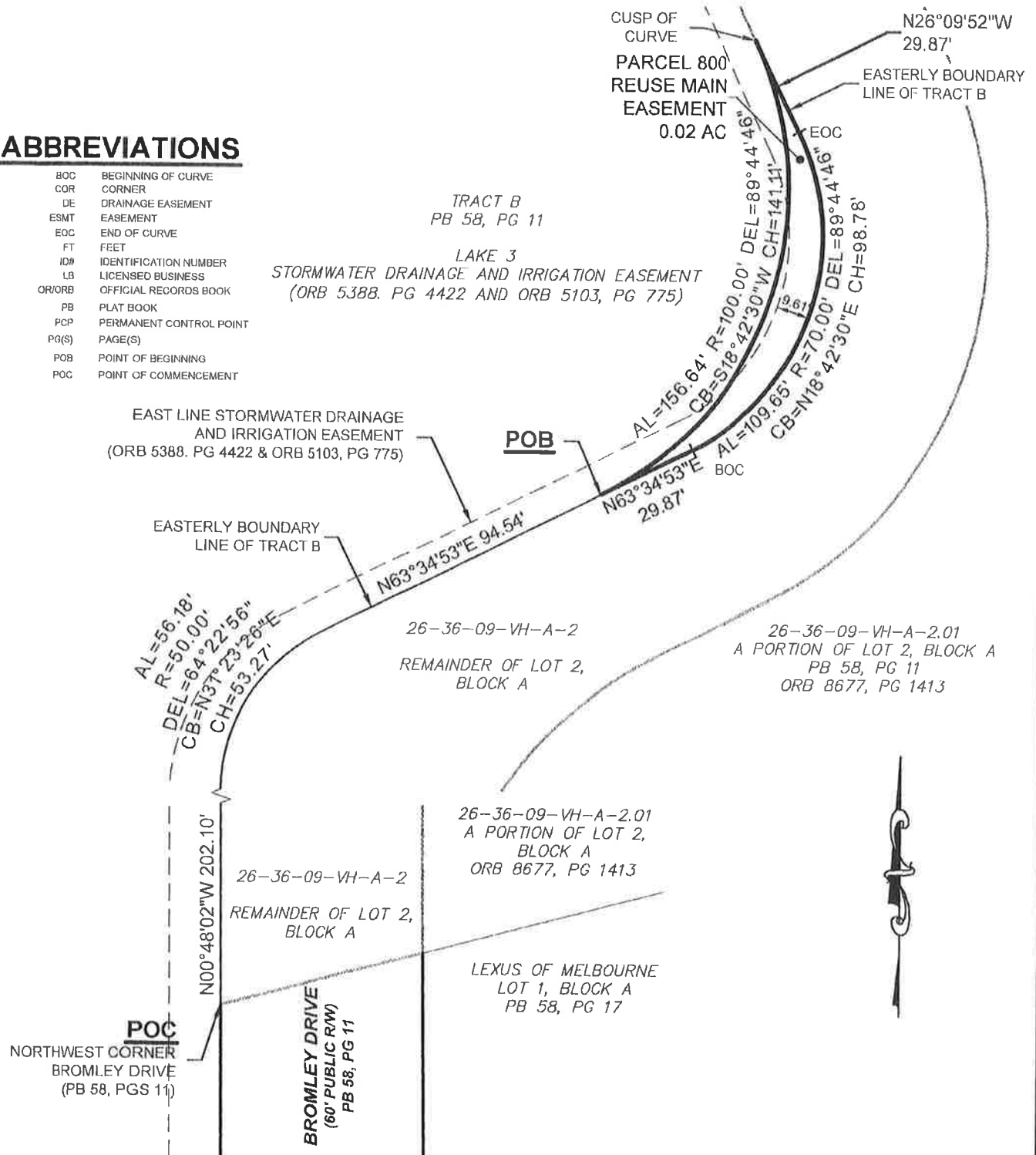
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

ABBREVIATIONS

BOC	BEGINNING OF CURVE
COR	CORNER
DE	DRAINAGE EASEMENT
ESMT	EASEMENT
EOC	END OF CURVE
FT	FEET
ID#	IDENTIFICATION NUMBER
LB	LICENSED BUSINESS
OR/ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PCP	PERMANENT CONTROL POINT
PG(S)	PAGE(S)
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT



PREPARED BY: B.S.E. CONSULTANTS, INC.
312 S. HARBOUR CITY BLVD
MELBOURNE, FLORIDA 3290

SCALE:

1" = 40'

PROJECT NO.:

10986.05

SECTION 9

TOWNSHIP 26 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 9, Township 26 South, Range 36 East - District 4

PROPERTY LOCATION: West of Interstate 95 and east of Lake Andrew Drive, in Viera

OWNERS NAME: Central Viera Community Association, Inc.

