



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.12.

8/25/2020

Subject:

Approval Re: Donation of Drainage Easement from Carlos and Sandra Springfield to Support the Scottsmoor Denitrification Bioreactor Project- Wheeler Road - District 1.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / Natural Resources Management Department.

Requested Action:

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

Summary Explanation and Background:

The subject property is located in Section 01, Township 20 South, Range 35 East, on the north side of Wheeler Road in Scottsmoor.

The Brevard County Natural Resources Management Department, Stormwater Program, is planning to construct a Denitrification Bioreactor Project to improve water quality on the Florida Inland Navigation District's (F.I.N.D.) property immediately south of Wheeler Road. The engineering design for the project includes diverting water from the drainage ditch that extends parallel to Wheeler Road into the new stormwater treatment system designed to enhance the water quality prior to its ultimate discharge to the Indian River Lagoon. The upstream portion of the project includes the installation of a small diversion weir. This easement will provide construction and maintenance access, in addition to long term drainage. The owner agreed to donate the necessary easement.

The User Department is in agreeance with 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: Donation of Drainage Easement from Carlos and Sandra Springfield to Support the Scottsmoor Denitrification Bioreactor Project on Wheeler Road – District 1.

AGENCY: Public Works Department / Land Acquisition / Natural Resources Management Department

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 (58336)

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<hr/>	<u>7-21-2020</u>
COUNTY ATTORNEY Alex Esseeesse Assistant County Attorney		<hr/>	<u>7/21/20</u>

AGENDA DUE DATE: August 18, 2020 for the August 25, 2020 Board meeting



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

August 26, 2020

M E M O R A N D U M

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

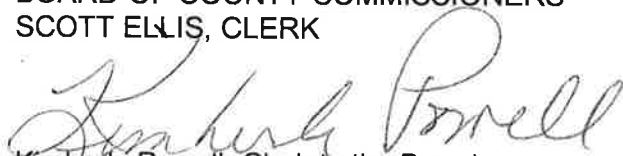
RE: Item F.12., Approval for Donation of Drainage Easement from Carlos and Sandra Springfield to Support the Scottsmoor Denitrification Bioreactor Project – Wheeler Road

The Board of County Commissioners, in regular session on August 25, 2020, approved and accepted the Drainage Easement from Carlos and Sandra Springfield to support the Scottsmoor Denitrification Bioreactor Project – Wheeler Road.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK


Kimberly Powell, Clerk to the Board

/sm

cc: Natural Resources Management

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of Interest in Tax Parcel I.D.: 20G-35-01-01-5-2

DRAINAGE EASEMENT

THIS INDENTURE, made this 21st day of July A.D. 2020, between Carlos L. Springfield and Sandra J. Springfield, whose address is 3620 Carter Road, Mims, FL 32754, as party of the first part, and Brevard County, Florida, a political subdivision of the State of Florida, 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 purposes of allowing for the drainage, flowage, retention and detention of stormwater and groundwater as well as operating, constructing, reconstructing, reconfiguring, and maintaining drainage 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 1, Township 20G South, Range 35 East, County of Brevard, State of Florida, and being more particularly described as follows:

SEE EXHIBIT "A", ATTACHED HERETO (LEGAL DESCRIPTION)

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

TO HAVE AND TO HOLD said easement unto the County of Brevard and to its successors and/or assigns. The first party does hereby 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 having set their hand and seal this, the day and year first above written,

Signed, sealed and delivered in the presence of:

Witness

T. A. Stebbins

Print Name

Witness

Lucy Hamelers

Print Name

Carlos L. Springfield
Carlos L. Springfield

Sandra J. Springfield
Sandra J. Springfield

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization on this 21 day of July, 2020, by Carlos L. Springfield and Sandra J. Springfield. Is personally known or produced driver's license as identification.

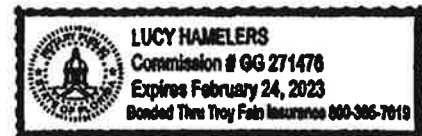
[Signature]

Notary Signature

SEAL

Board Meeting Date: _____

Agenda Item # _____



LEGAL DESCRIPTION

PARCEL #804

PARENT PARCEL ID#: 20G-35-01-01-5-2

PURPOSE: DRAINAGE EASEMENT

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2, 3 OF 3

THIS IS NOT A SURVEY

DESCRIPTION: PARCEL 804 - DRAINAGE EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF LOTS 5 AND 6, BLOCK 7 OF "BRYAN AND CARLILE RE-SUBDIVISION OF SECTION ONE OF INDIAN RIVER PARK SUBDIVISION" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 48 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LYING WITHIN THE BERNARDO SEGUI GRANT, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF A REPLAT OF SUBDIVISION OF SECTION 18 OF INDIAN RIVER PARK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 PAGE 107 OF SAID PUBLIC RECORDS; THENCE N. 76°16'11" E. ALONG THE NORTH LINE OF SECTION 18 AND SAID NORTH LINE OF PLAT BOOK 2 PAGE 107, A DISTANCE OF 25.04 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF DIXIE WAY, A 50 FOOT WIDE RIGHT-OF-WAY AS SHOWN ON SAID PLAT AS ESTABLISHED BY PLAT BOOK 2 PAGE 107; THENCE S. 16°45'50" E. A DISTANCE OF 20.03 FEET TO A POINT OF THE SOUTH RIGHT-OF-WAY LINE OF WHEELER ROAD (A 20 FOOT WIDE RIGHT-OF-WAY AS ESTABLISHED BY PLAT BOOK 2 PAGE 107 AND PLAT BOOK 8 PAGE 48); THENCE N. 76°16'11" E., ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 600.00 FEET; THENCE N. 13°43'49" W., A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WHEELER ROAD AS SHOWN ON SAID PLAT OF "BRYAN AND CARLILE" AND THE POINT OF BEGINNING; THENCE CONTINUE N. 13°43'49" W., A DISTANCE OF 20.00 FEET TO A POINT LYING 20.00 FEET NORTH OF, BY RIGHT ANGLE MEASURE, SAID NORTH RIGHT-OF-WAY LINE; THENCE N. 76°16'11" E., PARALLEL WITH AND 20.00 FEET NORTH OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET; THENCE S. 13°43'49" E., A DISTANCE OF 20.00 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF WHEELER ROAD; THENCE S. 76°16'11" W., ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 250.00 FEET TO THE POINT-OF-BEGINNING

CONTAINING 0.11 ACRES (5,000 SQUARE FEET) MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS AND /OR RIGHTS-OF-WAYS OF RECORD

NOTES:

- 1.) SEE SHEET 2 OF 3 FOR SKETCH OF DESCRIPTION.
- 2.) SEE SHEET 3 OF 3 FOR LEGEND, ADDITIONAL NOTES AND ADDITIONAL REVISIONS, IF ANY.

CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT IT MEETS THE STANDARDS ESTABLISHED BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.05 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JOSEPH BARRY CRANE, SURVEYOR
FLORIDA SURVEYOR'S CERTIFICATE NO.: 4524
BUSSEN-MAYER ENGINEERING CERTIFICATE NO.: 3535
NOT VALID UNLESS SIGNED AND SEALED

6/16/20

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

PREPARED BY:



Bussen-Mayer Engineering Group

100 PARNEILL STREET • MERRITT ISLAND, FLORIDA 32953
PH. NO.: (321) 453-0010 FAX NO.: (321) 454-8885



DRAWN BY: MRD

CHECKED BY: JBC

PROJECT NO. 387003A

BERNARDO SEGUI GRANT
TOWNSHIP 20 SOUTH
RANGE 35 EAST

DATE: 2020-02-20

DRAWING:
387003-SK03.DWG

REVISIONS

DATE	DESCRIPTION
2020-03-19	COUNTY COMMENTS
2020-06-01	COUNTY COMMENTS

PARCEL #804

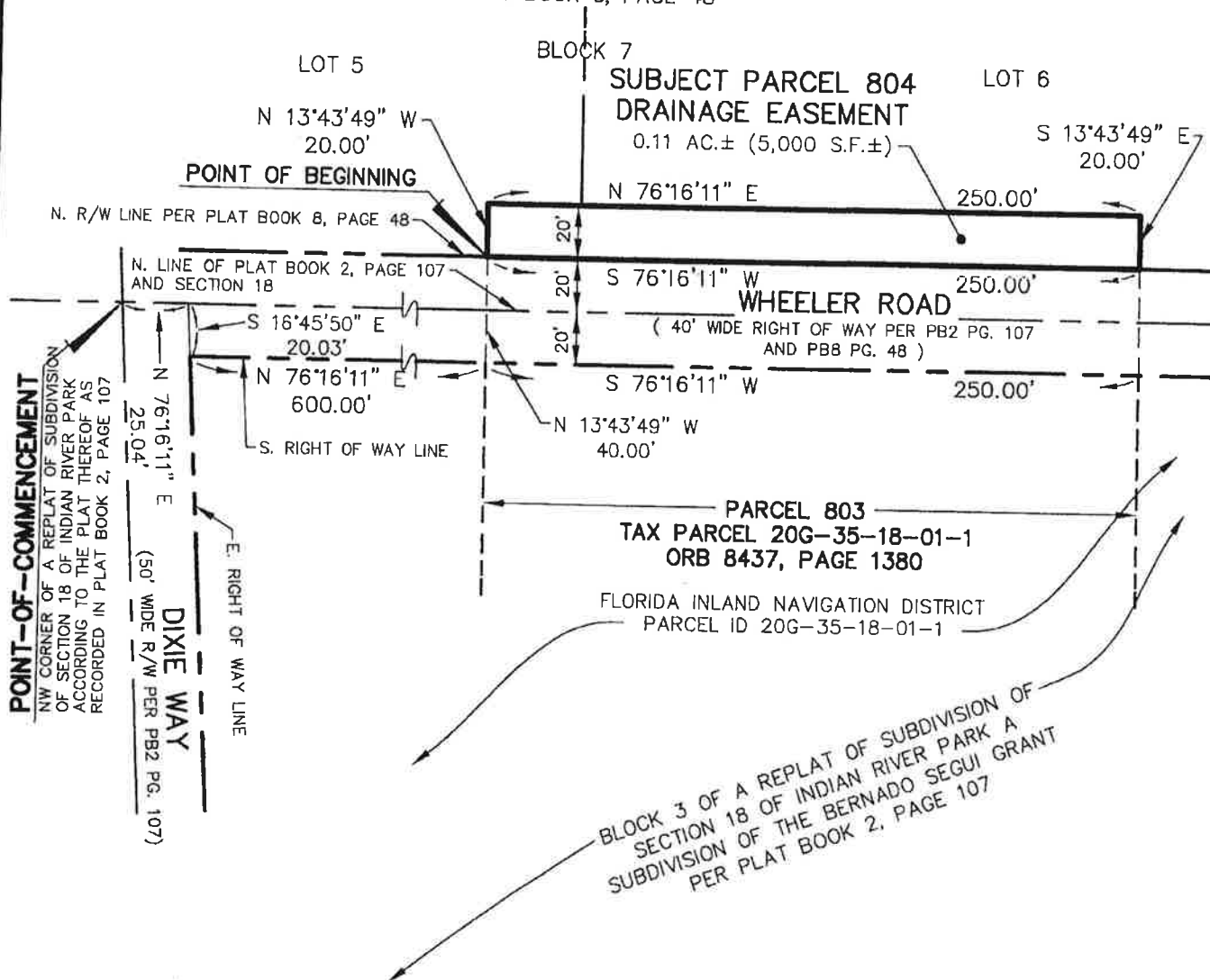
PURPOSE: DRAINAGE EASEMENT

SHEET 2 OF 3

NOT VALID WITHOUT SHEETS 1, 3 OF 3

THIS IS NOT A SURVEY

BRYAN & CARLILE RESUBDIVISION OF SECTION
ONE OF INDIAN RIVER PARK SUBDIVISION PER
PLAT BOOK 8, PAGE 48



NOTES:

- 1.) SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION AND CERTIFICATION.
- 2.) SEE SHEET 3 OF 3 FOR LEGEND, ADDITIONAL NOTES AND
ADDITIONAL REVISIONS, IF ANY.



PREPARED BY:



Bussen-Mayer Engineering Group
100 PARNELL STREET • MERRITT ISLAND, FLORIDA 32953
PH. NO.: (321) 453-0010 FAX NO.: (321) 454-6885

SCALE: $1'' = 60'$

PROJECT NO.:
387003A

BERNARDO SEGUI GRANT
TOWNSHIP 20 SOUTH
RANGE 35 EAST

LEGAL DESCRIPTION

PARCEL #804

PARENT PARCEL ID#: 20G-35-01-01-5-2
PURPOSE: DRAINAGE EASEMENT

EXHIBIT "A"

SHEET 3 OF 3
NOT VALID WITHOUT SHEETS 1, 2 OF 3

THIS IS NOT A SURVEY

LEGEND:

FND.	FOUND	CCR	CERTIFIED CORNER	①	LINE DESIGNATION
COR.	CORNER		RECORD		
C.M.	CONCRETE MONUMENT	W/	WITH		
O.R.B.	OFFICIAL RECORDS BOOK	¢	CENTERLINE		
PB	PLAT BOOK	—V—	GRAPHICS NOT TO		
PG.	PAGE		SCALE		
R/W	RIGHT-OF-WAY	(N.T.S.)	NOT TO SCALE		
PC	POINT-OF-CURVATURE	(N.I.C.)	NOT INCLUDED		
PRC	POINT-OF-REVERSE	SEC.	SECTION		
	CURVATURE	TWP.	TOWNSHIP		
PT	POINT-OF-TANGENCY	RNG.	RANGE		

NOTES:

1. THIS IS NOT A BOUNDARY SURVEY. TOPOGRAPHIC FEATURES SHOWN HEREON ARE FOR ORIENTATION PURPOSES.
2. BEARINGS SHOWN HEREON ARE PER STATE PLANE EAST (NAD 83) COORDINATE SYSTEM AND ARE BASED ON THE NORTH LINE OF A REPLAT OF SUBDIVISION OF SECTION 18 OF INDIAN RIVER PARK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 107, BEING N 76°16'11" E.
3. THIS SKETCH AND DESCRIPTION IS VALID ONLY WHEN SIGNED AND SEALED.
4. PURSUANT TO "O & E REPORT" BY NEW REVELATIONS, INC. DATED 1/13/2020 FILE No. 20-1020-B THE FOLLOWING EASEMENTS WERE REVIEWED;
 1. O.R. BOOK 3453, PAGE 3284; DEWATERING EASEMENT, DOES NOT ENCUMBER THE SUBJECT PARCEL.
 2. O.R. BOOK 5397, PAGE 7637; A RESOLUTION FOR STREET NAME, DOES NOT ENCUMBER THE SUBJECT PARCEL.
 3. O.R. BOOK 5484, PAGE 4785; VACATING OF RIGHT-OF-WAY, DOES NOT ENCUMBER THE SUBJECT PARCEL.
5. THIS SKETCH AND DESCRIPTION CERTIFIED CORRECT TO
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:



Bussen-Mayer Engineering Group

100 PARNELL STREET • MERRITT ISLAND, FLORIDA 32953
PH. NO.: (321) 453-0010 FAX NO.: (321) 454-8885

SCALE:

N.T.S.

PROJECT NO.:

387003A

BERNARDO SEGUI GRANT
TOWNSHIP 20 SOUTH
RANGE 35 EAST

LOCATION MAP

Section 01, Township 20 South, Range 35 East - District 1

PROPERTY LOCATION: On the north side of Wheeler Road in Scottsmoor

OWNERS NAME: Carlos L. and Sandra J. Springfield

