



AGENDA REPORT
July 10, 2018

**Approval Re: Permanent Sidewalk Easement In Favor of Brevard County
From Concept Development Inc.- District 1 (Fiscal Impact: None)**

SUBJECT:

Approval Re: Permanent Sidewalk Easement In Favor of Brevard County From Concept Development Inc.- District 1 (Fiscal Impact: None)

FISCAL IMPACT:

None

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners approve and accept a Permanent Sidewalk Easement from Concept Development, Inc.

SUMMARY EXPLANATION and BACKGROUND:

The subject property is located within Section 35, Township 24 South, Range 35.

The Owner/Developer is constructing a retail building at the intersection of SR#520 and Maplewood Boulevard (Site plan #17-SP-00017), and will be constructing a sidewalk pursuant to Brevard County Land Development Regulations that require the developer to dedicate a sidewalk easement for construction and maintenance by Brevard County.

Land Acquisition Policies and Procedures require approval and acceptance by the Board of County Commissioners for all easements.

ATTACHMENTS:

Description

- SR 520 at Maplewood Location Map
- SR 520 at Maplewood Property Fact Sheet
- SR 520 at Maplewood CAO Review



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

July 11, 2018

MEMORANDUM

TO: Andrew Homes, Public Works Director

RE: Item F.7., Approval for Permanent Sidewalk Easement in Favor of Brevard County from Concept Development Inc.

The Board of County Commissioners, in regular session on July 10, 2018, accepted and approved the permanent sidewalk easement from Concept Development Inc.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

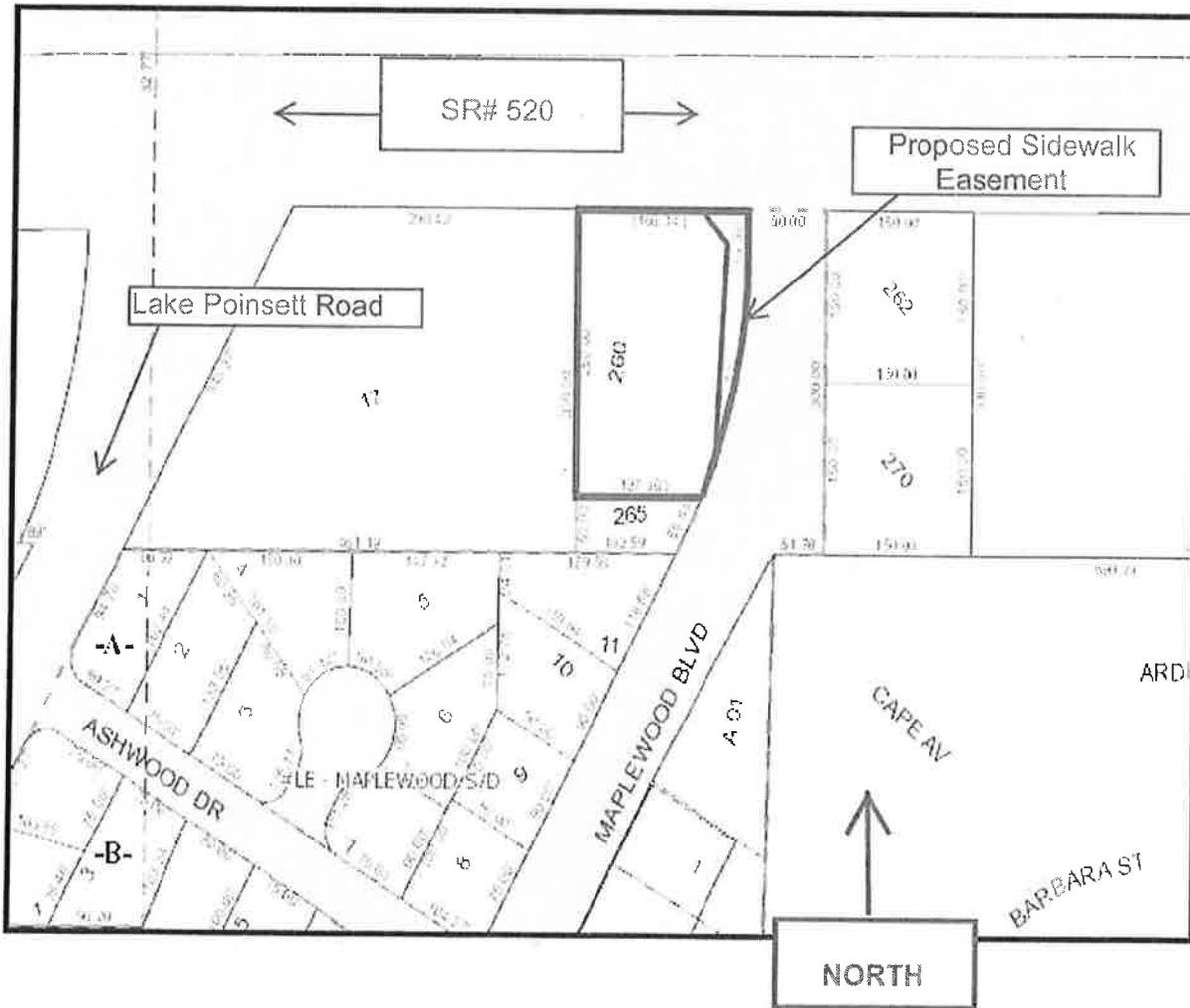
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LOCATION MAP

SEC: 35 TWP: 24S RNG: 35 DISTRICT: 1

STREET NAME: SW CORNER OF SR# 520 @ MAPLEWOOD BOULEVARD

OWNER'S NAME: CONCEPT DEVELOPMENT, INC.



PROPERTY FACT SHEET

PERMANENT SIDEWALK EASEMENT

Owners:	Concept Development, Inc.
Tax Parcel ID #	24-35-35-00-260
Parcel Location:	SW Corner of Highway No. 520 at Maplewood Boulevard
Parent Parcel:	.97 Acres
Easement area to be acquired:	634 Square Feet
Zoning/ Land Use:	Commercial/Retail/Office
Improvements:	None/Proposed Retail
Topography:	Level with road grade
Flood Zone:	X
Market Value/Per Property Appraiser:	\$105,300.00
Public Utilities:	All Utilities Available
Property Transaction:	Acquisition Date: 5/03/2010
Property Transaction Amount	\$400,000.00
Official Record Book/ Page	6165/1451

BOARD OF COUNTY COMMISSIONERS

AGENDA: PERMANENT SIDEWALK EASEMENT IN FAVOR OF BREVARD COUNTY FROM CONCEPT DEVELOPMENT, INC. - DISTRICT 1

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (52886)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Daniel P. Jones, Supervisor		_____	<u>6/14/18</u>
<i>ASST</i> COUNTY ATTORNEY Eden Bentley JAD BREWER		_____	<u>6/14/18</u>

AGENDA DUE DATE: June 26, 2018 for the July 10, 2018 Board Meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-6847) WHEN READY TO BE PICKED UP.

THANK YOU.

PERMANENT SIDEWALK EASEMENT

THIS INDENTURE, made this 11th day of June, 2018, between **Concept Development Inc.**, whose Post Office Address is 3917 NW 97th Blvd., Gainesville, Florida 32606, as the first party, and **Brevard County, Florida, a political subdivision of the State of Florida**, whose mailing 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 permanent easement commencing on the above date, for the sole purpose of constructing and maintaining a sidewalk and other allied uses 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 the easements is located in Section 35, Township 24 South, Range 35 East, County of Brevard, State of Florida, and is more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

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

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
Susan Lynch
(Print Name)
Brian Block
Witness
Brian Block
(Print Name)

Concept Development, Inc., a Florida corporation
[Signature]
Brian S. Crawford, Chief Executive Officer

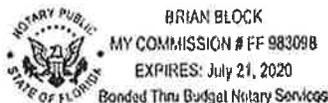
**STATE OF FLORIDA
COUNTY OF ALACHUA**

The foregoing instrument was acknowledged before me this 11th day of June, 2018, by Brian S. Crawford, who (is) is not personally known to me or who has produced _____ as identification and who did/did not take an oath.

WITNESS my hand and official seal in Gainesville, County of Alachua, State of Florida, this 11th day of June, 2018.

NOTARY PUBLIC [Signature]
Print Name Brian Block
Commission No. FF 983098

Board Date: _____
Agenda Item# _____



LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARCEL 801
PARENT PARCEL ID#: 24-35-35-00-260
PURPOSE: SIDEWALK EASEMENT

LEGAL DESCRIPTION: PARCEL 801, SIDEWALK EASEMENT (PREPARED BY SURVEYOR)

A PORTION OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2982, PAGE 772 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SITUATED IN SECTION 35, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2982, PAGE 772 OF SAID PUBLIC RECORDS. SAID CORNER ALSO BEING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY No. 520 (A 200 FEET WIDE RIGHT-OF-WAY) AND THE WESTERLY RIGHT-OF-WAY LINE OF MAPLEWOOD BOULEVARD (RIGHT-OF-WAY WIDTH VARIES); THENCE SOUTH 0°03'53" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY BOUNDARY LINE OF SAID DESCRIBED LANDS, A DISTANCE OF 59.44 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 486.86 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 4°09'56" WEST, 71.95 FEET; THENCE SOUTHWESTERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND SAID EASTERLY BOUNDARY LINE, AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 8°28'32", AN ARC LENGTH OF 72.02 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND SAID BOUNDARY LINE AND SAID CURVE, NORTH 0°05'59" WEST, A DISTANCE OF 120.17 FEET; THENCE NORTH 45°07'28" WEST, A DISTANCE OF 15.61 FEET TO THE AFORMENTIONED SOUTH RIGHT-OF-WAY LINE OF HIGHWAY No. 520 AND THE NORTH BOUNDARY LINE OF THE AFORMENTIONED DESCRIBED LANDS; THENCE NORTH 89°55'47" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE AND SAID NORTH BOUNDARY LINE, A DISTANCE OF 16.43 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 634 SQUARE FEET (0.01 ACRES), MORE OR LESS

SURVEYORS NOTES:

1.) BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, ZONE 901, PER GENERAL NOTE 1 ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAPS DATED 12/14/00, AS REFERENCED TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 520 AS BEING NORTH 89°55'47" EAST.

2.) INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR VIA FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT FOR TITLE INSURANCE, FILE NO. 1068-3785768, DATED JUNE 6, 2017. A SEARCH OF THE PUBLIC RECORDS HAS NOT BEEN DONE BY THIS SURVEYOR.

3.) THERE ARE NO EASEMENTS AFFECTING OR ADJACENT TO THE PROPOSED PARCEL.

Thomas R. Bon 6/13/18

PREPARED FOR AND CERTIFIED TO:

CONCEPT DEVELOPMENT, INC. AND BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

THOMAS R. BON
SURVEYOR, PSM 6547
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: THOMAS R. BON, PROFESSIONAL SURVEYOR AND MAPPER

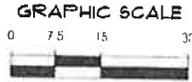
DRAWN BY: RAB/TRB	CHECKED BY: TRB	PROJECT NO. 17-0424.15			SECTION 35 TOWNSHIP 24 SOUTH RANGE 35 EAST
DATE: 05/17/2018	DRAWING: BREVARD CO.-17-0424-SIDEWALK ESMNT.DWG	REVISIONS	DATE	DESCRIPTION	

SKETCH OF DESCRIPTION

PARCEL 801
 PARENT PARCEL ID#: 24-35-35-00-260
 PURPOSE: SIDEWALK EASEMENT

EXHIBIT "A"

SHEET 2 OF 2
 NOT VALID WITHOUT SHEET 1 OF 2
THIS IS NOT A SURVEY

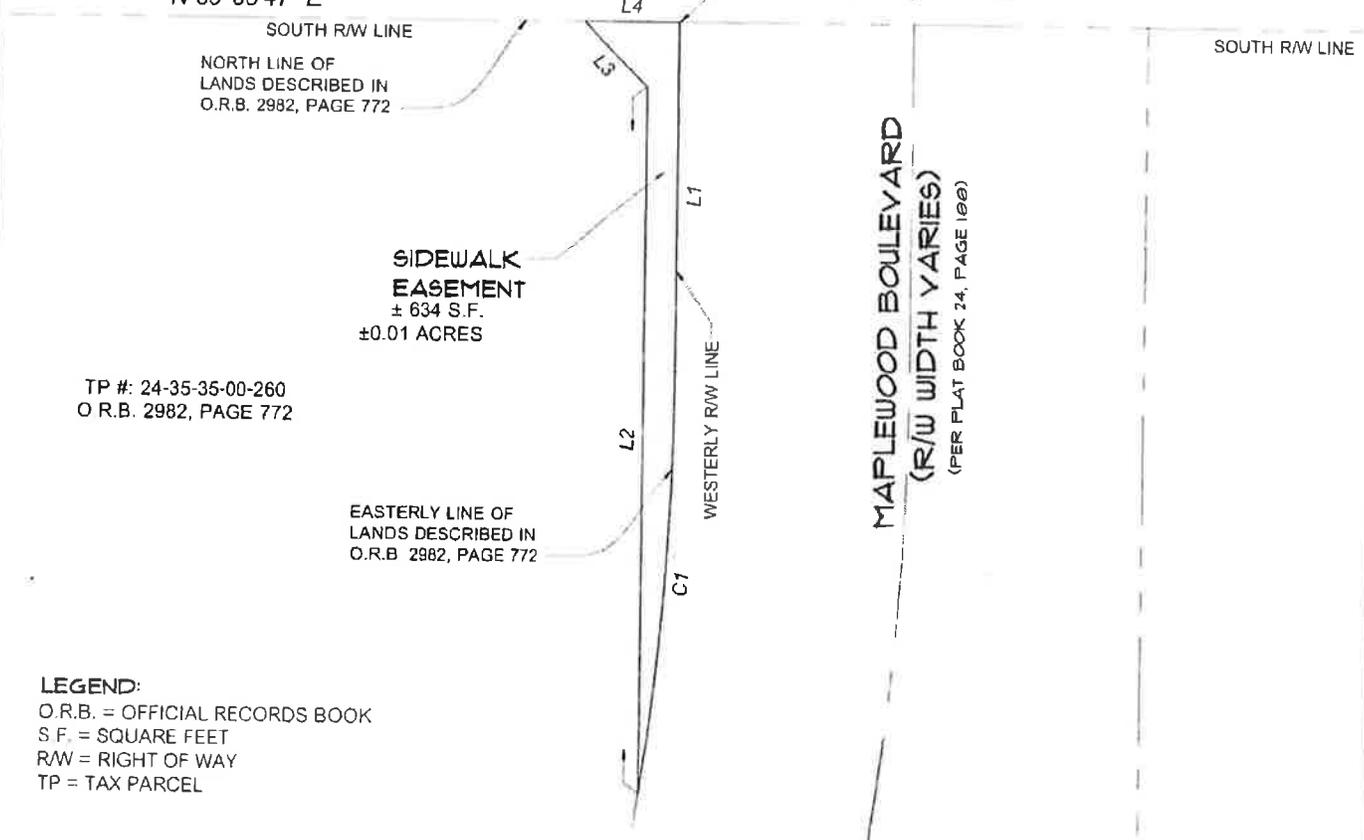


LINE	DIRECTION	LENGTH
L1	S 0°03'53" E	59.44'
L2	N 0°05'59" W	120.17'
L3	N 45°07'28" W	15.61'
L4	N 89°55'47" E	16.43'

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	72.02'	486.86'	8°28'32"	36.08'	71.95'	S 4°09'56" W

HIGHWAY NO. 520 - 200' R/W
 (SECTION 10100-2515)
 (BASIS OF BEARINGS)
 N 89°55'47" E

POINT OF BEGINNING
 N.E. CORNER OF
 LANDS DESCRIBED IN
 O.R.B. 2982, PAGE 772



TP #: 24-35-35-00-260
 O.R.B. 2982, PAGE 772

EASTERLY LINE OF
 LANDS DESCRIBED IN
 O.R.B. 2982, PAGE 772

LEGEND:
 O.R.B. = OFFICIAL RECORDS BOOK
 S.F. = SQUARE FEET
 R/W = RIGHT OF WAY
 TP = TAX PARCEL

PREPARED BY: THOMAS R. BON, PROFESSIONAL SURVEYOR AND MAPPER

SCALE:
 1" = 30'

PROJECT NO.:
 17-0424.15

SECTION 35
 TOWNSHIP 24 SOUTH
 RANGE 35 EAST