

Meeting Date
August 8, 2017



AGENDA	
Section	Consent
Item No.	II.A.4

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

<b>SUBJECT:</b>	Approval Re: Conveyance of easement from Brevard County, Florida to Florida Power & Light Company- Wickham Park Pavilion Project - District 4 - (Fiscal Impact: None)
<b>DEPT/OFFICE:</b>	Public Works Department / Land Acquisition Section / Central Services Department

**Requested Action:**  
It is requested that the Board of County Commissioners approve, accept, and authorize the Chairman to execute the easement.

**Summary Explanation & Background:**

The subject property is located in Section 6, Township 27 South, Range 37 East.

The property located at 2500 Parkway Drive, Melbourne, also known as Wickham Park, is owned by Brevard County. In December of 2017, the current pavilion will revert to Eastern Florida State College under the terms of an existing contract. The Department is constructing a new pavilion for the use and benefit of the public. The easement from Brevard County to Florida Power & Light is necessary to provide electrical services for public use and enjoyment.

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

Fiscal impact: FY 2016 – 2017: No impact  
FY 2017 – 2018: No impact

**Clerk to the Board Instructions:** Forward original executed Easement with attached Exhibit A and Board approval memo to Department

**Exhibits Attached:** Original Easement with attached Exhibit A, Location Map

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

<b>County Manager</b>  Frank Abbate	<b>Interim Assistant County Manager</b>  John Denninghoff	<b>Department Director / Extension</b>   Andrew J. Holmes, PE, Interim / 57202   Teresa Camarata / 55492
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**BOARD OF COUNTY COMMISSIONERS**

AGENDA: CONVEYANCE OF EASEMENT FROM BREVARD COUNTY (OWNER)  
TO FLORIDA POWER & LIGHT COMPANY – WICKHAM PARK  
PAVILION PROJECT – DISTRICT 4

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

AGENCY CONTACT: LUCY HAMELERS, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (56316)

**REVIEW**

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u></u>	_____	<u>7/17/17</u>
CENTRAL SERVICES DEPT. Teresa Camarata, Director	<u></u>	_____	<u>7/17/17</u>
COUNTY ATTORNEY Eden Bentley Deputy County Attorney	<u>see attached</u>	_____	<u>7/17/17</u>
PUBLIC WORKS Andrew J. Holmes, PE, Interim Director	<u></u>	_____	<u>7/18/2017</u>

AGENDA DUE DATE: July 25, 2017 for the August 8, 2017 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.

**BOARD OF COUNTY COMMISSIONERS**

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COUNTY ATTORNEY Eden Bentley Deputy County Attorney	<u></u>	_____	<u>7/17/17</u>
PUBLIC WORKS Andrew J. Holmes, PE, Interim Director	_____	_____	_____

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**THANK YOU.**

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA:** APPROVAL OF DRAFT SOVEREIGNTY SUBMERGED LANDS  
EASEMENT (TIIF), AS TO FORM AND CONTENT, FOR OYSTER REEF  
LIVING SHORELINE INSTALLATION AT EASTMINSTER  
PRESBYTERIAN CHURCH- DISTRICT 5

**AGENCY:** PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION /  
NATURAL RESOURCES MANAGEMENT DEPARTMENT

**AGENCY CONTACT:** DAN JONES, LAND ACQUISITION SUPERVISOR

**CONTACT PHONE:** 321-690-6847

**REVIEW**

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor		_____	7/25/17
COUNTY ATTORNEY Christine Valliere Assistant County Attorney		_____	7/25/17
PUBLIC WORKS Andrew J. Holmes, Interim Director	_____	_____	_____
NATURAL RESOURCES MANAGEMENT Virginia Barker, Director	_____	_____	_____
Risk Management Julie Jones, Risk Manager	_____	_____	_____

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

**THANK YOU.**



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

August 9, 2017

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

**TO:** Andrew Holmes, Interim Public Works Director

**RE:** Item II.A.4, Conveyance of Easement from Brevard County to Florida Power and Light (FP&L) for Wickham Park Pavilion Project

The Board of County Commissioners, in regular session on August 8, 2017, executed the Easement with FPL for the Wickham Park Pavilion Project. Enclosed is the fully-executed Easement.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK**

A handwritten signature in cursive script that reads "Tammy Rowe".

Tammy Rowe, Deputy Clerk

/cmw

Encl. (1)

cc: Central Services Director  
Asset Management

Work Request No. 7665914

Sec. 06, Twp 27 S, Rge 37 E

Parcel I.D. 27-37-06-01-1-1  
(Maintained by County Appraiser)

### EASEMENT (BUSINESS)

This Instrument Prepared By

Name: DARREN FINDLEY  
Co. Name: FPL  
Address: 9001 ELLIS RD.  
MELBOURNE, FL 32904

11 A.4  
2-12

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 20\_\_.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
N/A  
(Witness' Signature)

Print Name: \_\_\_\_\_  
N/A  
(Witness)

\_\_\_\_\_  
N/A  
(Witness' Signature)

Print Name: \_\_\_\_\_  
N/A  
(Witness)

BREVARD COUNTY, FLORIDA

By: 

Print Name: Curt Smith, Chairman

Print Address: 2725 Judge Fran Jamieson Way  
Viera, FL 32940

Approved by board \_\_\_\_\_

ATTEST:   
SCOTT ELLIS, CLERK TO THE BOARD

STATE OF N/A AND COUNTY OF N/A. The foregoing instrument was acknowledged before me this N/A day of N/A, 20N/A by N/A, the N/A of N/A a N/A, who is personally known to me or has produced N/A as identification, and who did (did not) take an oath.  
(Type of Identification)

My Commission Expires:

\_\_\_\_\_  
N/A  
Notary Public, Signature  
Print Name N/A

# SKETCH OF DESCRIPTION

## PARCEL 801

SECTION 06, TOWNSHIP 27 SOUTH, RANGE 37 EAST

PARENT PARCEL ID NO.: 27-37-06-01-1-1

PURPOSE: UTILITY EASEMENT.

### EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

### LEGAL DESCRIPTION: PARCEL 801, UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS KNOWN AS WICKHAM PARK LOCATED IN SECTION 6, TOWNSHIP 27 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 6, TOWNSHIP 27 SOUTH, RANGE 37 EAST; THENCE RUN NORTH 89°58'23" EAST ALONG THE SOUTH LINE OF SAID SECTION 6 FOR A DISTANCE OF 2301.42 FEET; THENCE DEPARTING SAID SOUTH LINE OF SECTION 6, RUN NORTH 00°01'37" WEST FOR A DISTANCE OF 567.01 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT;

THENCE NORTH 29°18'50" WEST FOR A DISTANCE OF 72.83 FEET; THENCE NORTH 00°20'11" EAST FOR A DISTANCE OF 118.64 FEET; THENCE NORTH 15°05'28" EAST FOR A DISTANCE OF 129.60 FEET; THENCE NORTH 03°00'55" EAST FOR A DISTANCE OF 82.67 FEET; THENCE NORTH 53°26'55" EAST FOR A DISTANCE OF 154.71 FEET; THENCE NORTH 36°33'05" WEST FOR A DISTANCE OF 5.00 FEET; THENCE NORTH 53°26'55" EAST FOR A DISTANCE OF 20.00 FEET; THENCE SOUTH 36°33'05" EAST FOR A DISTANCE OF 20.00 FEET; THENCE SOUTH 53°26'55" WEST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 36°33'05" WEST FOR A DISTANCE OF 5.00 FEET; THENCE SOUTH 53°26'55" WEST FOR A DISTANCE OF 150.00 FEET; THENCE SOUTH 03°00'55" WEST FOR A DISTANCE OF 78.02 FEET; THENCE SOUTH 15°05'28" WEST FOR A DISTANCE OF 129.36 FEET; THENCE SOUTH 00°20'11" WEST FOR A DISTANCE OF 114.70 FEET; THENCE SOUTH 29°18'50" EAST FOR A DISTANCE OF 70.18 FEET; THENCE SOUTH 60°41'10" WEST FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5809 SQUARE FEET (0.14 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AGREEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD. THE SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS.

### SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHICAL DEPICTION OF THE LANDS DESCRIBED HEREIN.
2. COORDINATES SHOWN HEREON ARE BASED ON GRID NORTH, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901, NORTH AMERICAN DATUM OF 1983 AND READJUSTED IN 2011(NAD83(2011)).
3. BEARINGS SHOWN HEREON ARE BASED SOUTH LINE OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 37 EAST AS BEING NORTH 89° 58' 23" EAST AS CALCULATED FROM STATE PLANE COORDINATES BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901, NORTH AMERICAN DATUM OF 1983 AND READJUSTED IN 2011(NAD83(2011)).
4. INSTRUMENTS OF RECORD PERTAINING TO ENCUMBRANCES SUCH AS EASEMENTS, RIGHTS OF WAY, COVENANTS, AGREEMENTS, AND RESTRICTIONS WERE NOT PROVIDED BY THE CLIENT; A SEARCH OF THE PUBLIC RECORDS WAS NOT PERFORMED BY THIS SURVEYOR. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED HEREIN.

PREPARED FOR AND CERTIFIED TO:  
BREVARD COUNTY FACILITIES, CENTRAL SERVICES;  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

*Michael J. Sweeney*  
MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	PROJECT NO. 17-04-050		SECTION 06 TOWNSHIP 27 SOUTH RANGE 37 EAST
		REVISIONS	DATE DESCRIPTION	
DATE: JUNE, 2017	SHEET: 1 OF 2			



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# LOCATION MAP

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SEC: 06 TWP: 27 S RNG: 37 E DISTRICT: 4

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STREET NAME: Parkway Drive (Wickham Park)

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OWNER'S NAME: Brevard County, Florida

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