



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.7.

5/17/2022

Subject:

Approval, Re: Sanitary Sewer Easement from TT of Bromley, LLC for the Jaguar-Lincoln Dealership - District 4.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / Utility Department

Requested Action:

It is requested that the Board of County Commissioners approve and accept the attached Sanitary Sewer Easement.

Summary Explanation and Background:

The subject property is located in Section 9, Township 26 South, Range 36 East, east of Bromley Drive just north of Napolo Drive in Melbourne.

TT of Bromley, LLC, owner, has submitted site plan number 20SP00030 for review and approval by the County for the development of an Automotive Dealership known as Jaguar-Lincoln Dealership. In accordance with County code and standards, the owner has agreed to dedicate the attached sanitary sewer easement as a condition of the site plan approval.

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: Sanitary Sewer Easement from TT of Bromley LLC for the Jaguar
Lincoln Dealership – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>4-25-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>4-25-2022</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

May 18, 2022

M E M O R A N D U M

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

RE: Item F.7., Sanitary Sewer Easement from TT of Bromley, LLC for the Jaguar-Lincoln Dealership

The Board of County Commissioners, in regular session on May 17, 2022, approved and accepted the Sanitary Sewer Easement from TT of Bromley, LLC for the Jaguar-Lincoln Dealership.

Your continued cooperation is greatly appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK**

For Denna Scott
Kimberly Powell, Clerk to the Board

/ns

Prepared by and return to: Andrew Malach
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-A-2.01

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 22nd day of April, 2022, between TT of Bromley LLC, a Florida limited liability company, whose address is 505 South Flagler Drive, Suite 1400, West Palm Beach, Florida 33401, 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 easement commencing on the above date for the purposes of operating, reconstructing, reconfiguring, and maintaining a sanitary sewer 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 conflict or interfere with the easement granted herein.

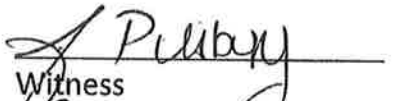
TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right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


Witness
Michelle M. Sharp
Print Name


Witness
Angelina Pichay
Print Name

TT of Bromley LLC, a Florida
limited liability company


By: Terry R. Taylor, as Trustee for
the Terry R. Taylor Revocable
Trust Created Under Declaration of
Trust Dated August 7, 2015,
as Amended, the Manager
of TT of Bromley LLC, a Florida
liability company

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF BREVARD

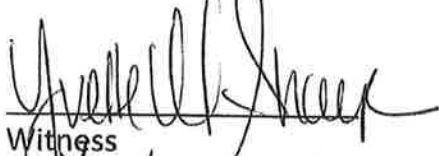
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 22 day of April, 2022, by Terry R. Taylor, as Trustee for the Terry R. Taylor Revocable Trust Created Under Declaration of Trust Dated August 7, 2015, as Amended, the Manager of TT of Bromley LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced _____ as identification.



Kim M. Serra-Rivera
Notary Signature
SEAL

(Signatures and Notary for Stephen Terry on next page)

Signed, sealed and delivered in the presence of:


Witness

Yvette M. Sharp
Print Name


Witness

Angela Pillsbury
Print Name



By: Stephen Terry, as Special
Trustee of Dealership Interests
of the Terry R. Taylor Revocable
Trust

* by signing I attest that as of this
date, I am a current employee of
Automotive Management Services
Inc. (AMSI)


Date: 04/22/2022

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization on this 22 day of April, 2022, by
Stephen Terry, as Special Trustee of Dealership Interests of the Terry R. Taylor
Revocable Trust. Is ☒ personally known or ☐ produced _____ as
identification.




Notary Signature
SEAL

LEGAL DESCRIPTION

PARCEL # 800

PARENT PARCEL: 26-36-09-VH-A-2.01

PURPOSE: SANITARY SEWER EASEMENT

LEGAL DESCRIPTION: PARCEL #800, SANITARY SEWER EASEMENT (PREPARED BY SURVEYOR)

A parcel of land being a portion of those lands described in Official Records Book 8677, Page 1413 and lying in Section 9, Township 26 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

Commencing at the Northeast Corner of Bromley Drive, according to the Plat of Bromley Drive Center, recorded in Plat Book 58, Page 11, Public Records of Brevard County, Florida, thence N 0°48'02" W, on the East Line of Bromley Drive, as established by Bromley Drive Extension recorded in Plat Book 68, Page 99, said point also being on the West line of said Official Records Book 8677, Page 1413, a distance of 113.56 feet to a point of curvature; thence, continuing on the East line of Bromley Drive, on a tangent curve to the right, with a radius of 125.00', a delta of 64°22'56", a chord bearing of N 31°23'26" E, and a chord length of 133.19 feet, an arc distance of 140.46 feet to a point of tangency; thence, continuing on the East line of Bromley Drive, N 63°34'53" E, a distance of 34.62 feet to a point of curvature; thence continuing on the East line of Bromley Drive, on a tangent curve to the left with a radius of 120.00 feet, a delta of 27°09'07", a chord bearing of N 50°00'20" E, and a chord length of 56.34 feet, an arc distance of 56.87 feet to the Point of Beginning; thence S 57°09'13" E, a distance of 15.00 feet; thence N 32°50'47" E, a distance of 15.00 feet; thence N 57°09'13" W, a distance of 15.00 feet, to the West line of said lands described in Official Records Book 8677, Page 1413 and the East line of said Bromley Drive; thence, continuing on the West line of said lands described in Official Records Book 8677, Page 1413, also being the East line of Bromley Drive, on a curve to the right, with a radius of 120.00 feet, a delta of 7°10'00", a chord bearing of S 32°50'47" W, a chord length of 15.00 feet, an arc distance of 15.01 feet, to the Point of Beginning.

Said parcel contains 222.6 ± square feet or 0.05 acres ±.

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SURVEYORS NOTES:

1. This sketch is not a survey but only a graphic depiction of the legal description shown hereon.
2. Bearings shown hereon are specifically based on N 0°48'02" W, (an assumed bearing) being the East line of Bromley Drive as established by the Plat of Bromley Drive Extension, Viera, Brevard County, Florida, referenced in Plat Book 68, Page 99.
3. Reference Material:
 - A) Opinion of Title by Dan McCawley, Esq., Attorney at law, as dated February 24, 2022.
 - B) Gas Easement recorded under O.R. Book 999, Page 871, as amended in O.R. Book 3559, Page 4353, does not abut or affect Parcel #800.
 - C) Gas Easement, O.R. Book 5873, Page 7374, does not abut or affect Parcel # 800.
 - D) Non-exclusive fifteen foot landscape, sidewalk, drainage and utility easement, O.R. Book 8677, Page 1413 does affect Parcel #800.
 - E) Non-exclusive 10' wide drainage and utility easement O.R. Book 8677, Page 1413 does not affect Parcel #800.
 - F) Easement to Florida Power and Light Company, O.R. BOOK 9313, Page 1950 does not affect Parcel #800.

I HEREBY CERTIFY : THAT THE ATTACHED SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.05 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

**Joanne D
Swanland**

Digitally signed by
Joanne D Swanland
Date: 2022.04.25
12:32:08 -04'00'

PREPARED FOR AND CERTIFIED TO:
Brevard County, Board of County Commissioners

J.D. SWANLAND PSM 7306
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: DON LUCHETTI CONSTRUCTION, SURVEY DEPARTMENT, LB #7749
THE SURVEY DEPICTED HERE IS COVERED BY PROFESSIONAL LIABILITY INSURANCE
ADDRESS: 565 DISTRIBUTION DRIVE, MELBOURNE, FL 32904 PHONE: 321 951-2947

DRAWN BY: J.D. SWANLAND	CHECKED BY: BRAD WARD	PROJECT NO. 2021-2175		SECTION 09 TOWNSHIP 26 SOUTH RANGE 36 EAST
		REVISIONS	DATE DESCRIPTION	
DATE: 11-11-21	SHEET: 1 OF 2		3/2/2022	UPDATED OPINION OF TITLE

SKETCH OF DESCRIPTION

PARCEL # 800

PARENT PARCEL: 26-36-09-VH-A-2.01

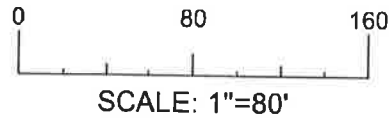
PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



R=120.00'
Δ=7°10'00"
CB= S 32°50'47" W
CH=15.00'
LENGTH=15.01'

15' LANDSCAPE, SIDEWALK &
UTILITY EASEMENT
ORB 8677, PAGE 1413



POINT OF BEGINNING PARCEL #800

R=125.00'
Δ=64°22'56"
CB=N 31°23'26" E
CH=133.19'
LENGTH=140.46'

R=120.00'
Δ=27°09'07"
CB= N 50°00'20" E
CH=56.34'
LENGTH=56.87'

REMAINDER LOT 2, BLOCK A,
BROMLEY DRIVE CENTER
PLAT BOOK 58, PAGE 11

N 63°34'53" E 34.62'

EAST LINE OF BROMLEY DRIVE, PLAT BOOK 68, PAGE 99
AND THE WEST LINE OF LANDS DESCRIBED IN ORB 8677, PG 1413

BROMLEY DRIVE
VARIABLE WIDTH R/W PER
PLAT OF BROMLEY DRIVE EXTENSION
PLAT BOOK 68, PAGE 98

PC
N 0°48'02" W 113.56'
EAST RW BROMLEY DR
(BASIS OF BEARING)

PARCEL ID: 26-36-09-VH-A-2.01
OWNER: TT OF BROMLEY, LLC
OFFICIAL RECORDS BOOK 8677, PAGE 1413

LOT 1, BLOCK A, LEXUS OF MELBOURNE
RECORDED IN PLAT BOOK 58, PAGE 17
OWNER: TT OF MELBOURNE INC
PARCEL ID: 26-36-09-V1-A-1
ORB 5806, PAGE 8150

LEGEND:

PC POINT OF CURVATURE
PT POINT OF TANGENCY
R RADIUS
CB CHORD BEARING
CH CHORD LENGTH
R/W RIGHT OF WAY
PG PAGE
ORB OFFICIAL RECORDS BOOK

POINT OF COMMENCEMENT FOR PARCEL #800
NORTHEAST CORNER BROMLEY DRIVE
PLAT BOOK 58, PAGE 11

Joanne D
Swanland

Digitally signed by
Joanne D Swanland
Date: 2022.04.25
12:37:39 -04'00'

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

J.D. SWANLAND, PSM 7306
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: DON LUCHETTI CONSTRUCTION, SURVEY DEPARTMENT, LB #7749
THE SURVEY DEPICTED HERE IS COVERED BY PROFESSIONAL LIABILITY INSURANCE
ADDRESS: 565 DISTRIBUTION DRIVE, MELBOURNE, FL 32904 PHONE: 321 951-2947

DRAWN BY: J.D. SWANLAND	CHECKED BY: BRAD WARD	PROJECT NO. 2021-2175	SECTION 09
DATE: 11-11-21	SHEET: 2 OF 2	REVISIONS	TOWNSHIP 26 SOUTH
		DATE	RANGE 36 EAST
		DESCRIPTION	
		3/2/2022	UPDATED OPINION OF TITLE

LOCATION MAP

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

PROPERTY LOCATION: East of Bromley Drive just north of Napolo Drive in Melbourne

OWNERS NAME: TT of Bromley, LLC

