



AGENDA REPORT
May 8, 2018

SUBJECT:

Approval Re: Utility Easement from Indian River Colony Club, Inc. - District 4.

FISCAL IMPACT:

None

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners accept the Utility Easement from Indian River Colony Club, Inc.

SUMMARY EXPLANATION and BACKGROUND:

The subject parcel is located in Section 34, Township 25, Range36.

Brevard County Utility Services Department is designing modifications to the reuse system that supplies a pond at Indian River Colony Club. It had been determined by the Department that a utility easement is needed across Tract A (easement area).

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

ATTACHMENTS:

Description

- **CAO Easement Review and Approval**
- **Location Map**

BOARD OF COUNTY COMMISSIONERS

AGENDA: UTILITY EASEMENT FROM INDIAN RIVER COLONY CLUB, INC. TO BREVARD COUNTY – REUSE SYSTEM – DISTRICT 4

AGENCY: LAND ACQUISITION SECTION / UTILITY 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>APJ</u>	_____	<u>4/17/18</u>
UTILITY SERVICES DEPT. Jim Helmer, Director	_____	_____	_____
COUNTY ATTORNEY OFFICE Diana Yuan, Assistant County Attorney	<u>gk</u>	_____	<u>4/17/18</u>

AGENDA DUE DATE: April 24, 2018 for the May 8, 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.



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

May 9, 2018

M E M O R A N D U M

TO: Jim Helmer, Utility Services Director

RE: Item II.A.11., Approval of Utility Easement from Indian River Colony Club, Inc.

The Board of County Commissioners, in regular session on May 8, 2018, accepted the Utility Easement from Indian River Colony Club, Inc.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

cc: Asset Management

UTILITY EASEMENT

THIS INDENTURE, made this 13th day of April A.D. 2018, between **INDIAN RIVER COLONY CLUB, INC.**, a Florida not for profit corporation, as the first party, and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, 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 hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of utilities, 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 34, Township 25 South, Range 36 East, County of Brevard, State of Florida, and being more particularly described as follows:

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

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.

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:

Blaise M. Mancini
Witness
Blaise M. Mancini
(Print Name)
Lucy Hamelers
Witness
Lucy Hamelers
(Print Name)

INDIAN RIVER COLONY CLUB, INC.,
a Florida not for profit corporation
John K. Robinson
John K. Robinson, Director, CEO

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 13 day of April, 2018, by John K. Robinson, as Director and CEO of Indian River Colony Club, Inc. who is/is not personally known to me or who has produced driver's license as identification and who did/did not take an oath.

13 WITNESS my hand and official seal at Melbourne, Florida, the County of Brevard, State of Florida, this day of April, 2018.

Notary Public
Print Name Lucy Hamelers
Commission Expires 02/24/2019
Commission No. FF 194343
State of Florida



Agenda Item # _____
Board Meeting Date _____

EB 4/17/18

LEGAL DESCRIPTION

PARCEL 801

SECTION 34, TOWNSHIP 25 SOUTH, RANGE 36 EAST
 PARENT PARCEL ID NO.: 25-36-34-PT-A
 PURPOSE: UTILITY EASEMENT

EXHIBIT "A"
SHEET 1 OF 2
 NOT VALID WITHOUT SHEET 2 OF 3
THIS IS NOT A SURVEY

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

A PARCEL OF LAND BEING ALL OF TRACT "A", VIERA TRACTS 'BB' & 'V', PHASE 3, OF VIERA NORTH, P.U.D., ACCORDING TO THE PLAT THEREOF AS RERECORDED IN PLAT BOOK 39, PAGE 91 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING LOCATED WITHIN SECTION 34, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, CONTAINING 22,553 SQUARE FEET (0.52 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 EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. THIS SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS; NO TITLE OPINION IS EXPRESSED OR IMPLIED.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE NORTH LINE OF SAID TRACT "A" AS BEING SOUTH 88°12'51"EAST, AN ASSUMED BEARING PER SAID PLAT OF VIERA TRACTS 'BB' & 'V', PHASE 3, OF VIERA NORTH, P.U.D.
3. REFERENCE MATERIALS:
 - a. TITLE REPORT PREPARED BY NEW REVELATIONS, INC., CRAIG KARLSON, FILE NUMBER 18-1097, TAX IDENTIFICATION NUMBER 2522290, EFFECTIVE DATE 02/06/2018.
 - i. NO EASEMENTS LISTED WITHIN THE ABOVE STATED TITLE REPORT ABUT OR AFFECT PARCEL 801.



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

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. 18-02-045

SECTION 34
 TOWNSHIP 25 SOUTH
 RANGE 36 EAST

DATE: MARCH, 2018

SHEET: 1 OF 2

REVISIONS

DATE

DESCRIPTION

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SKETCH OF DESCRIPTION

PARCEL 801

SECTION 34, TOWNSHIP 25 SOUTH, RANGE 36 EAST
 PARENT PARCEL ID NO.: 25-36-34-PT-A
 PURPOSE: UTILITY EASEMENT

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



SCALE:
 1" = 50'

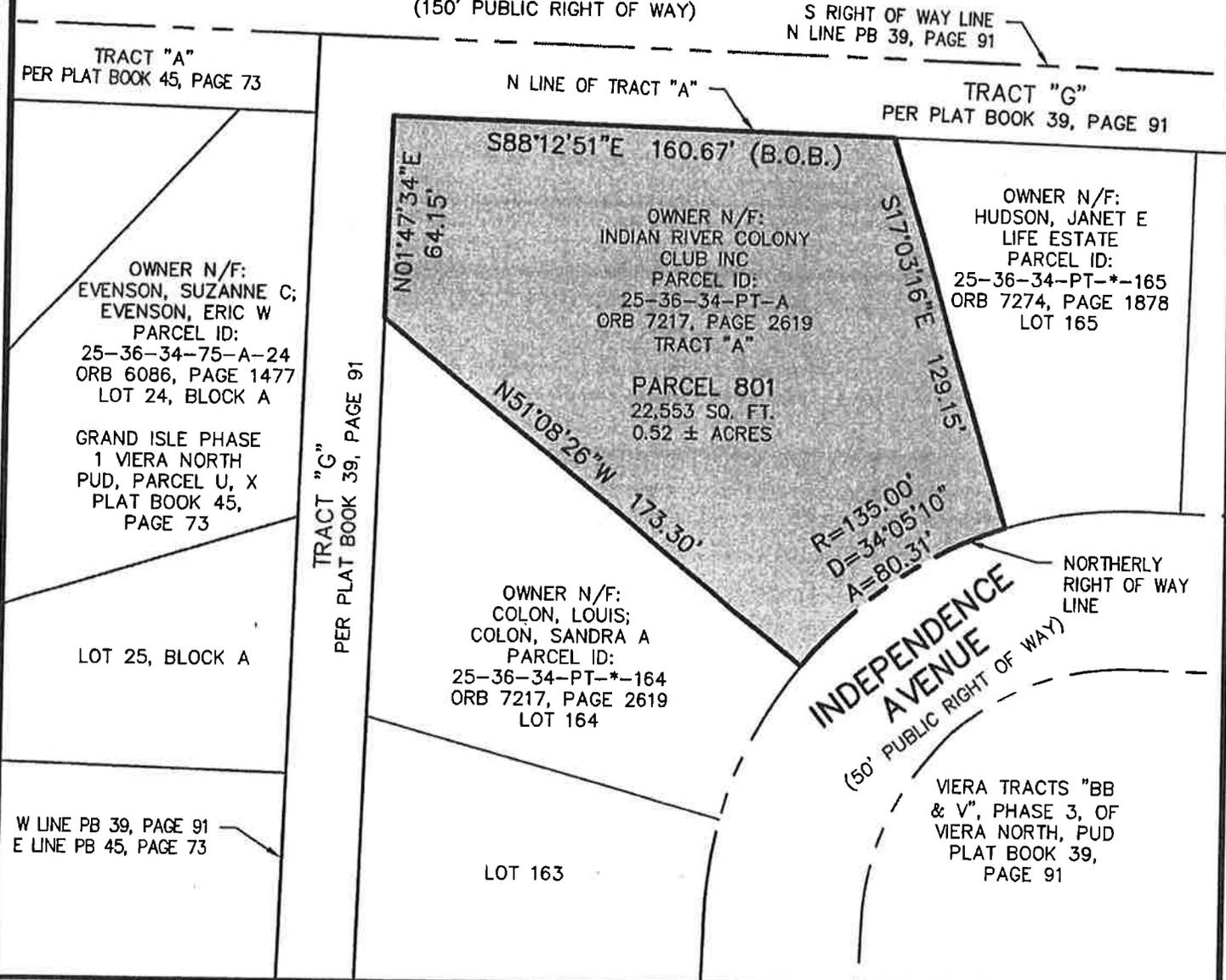
LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- PARCEL 801
UTILITY EASEMENT

ABBREVIATIONS

- B.O.B. = BASIS OF BEARING
- N/F = NOW OR FORMERLY
- ORB = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- SQ.FT. = SQUARE FEET

VIERA BOULEVARD (150' PUBLIC RIGHT OF WAY)



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

SCALE: 1"=50'
 PROJECT NO.: 18-02-045

SECTION 34
 TOWNSHIP 25 SOUTH
 RANGE 36 EAST

LOCATION MAP

TWP: 25 RNG: 36 SEC: 34 DISTRICT: 4

STREET NAME: Independence Avenue

OWNER'S NAME: Indian River Colony Club, Inc.

