



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.8.

1/25/2022

Subject:

Approval, Re: Dedication of Sanitary Sewer Easement for the Jijoco Retail Center from Jijoco, LLC - District 2.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition/Utility Services Department

Requested Action:

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

Summary Explanation and Background:

The subject property is located in Section 35, Township 24 South, Range 36 East, on the west side of South Courtenay Parkway northeast of Carib Drive in Merritt Island.

Jijoco, LLC, owner, has submitted site plan number 19SP00003 for review and approval by the County for the development of Jijoco Retail Center. In accordance with County code and standards, the owner has agreed to dedicate the attached easement required 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:



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

January 26, 2022

MEMORANDUM

TO: Marc Bernath, Public Works Director

Attn: Lucy Hamelers

RE: Item F.8., Approval for Dedication of Sanitary Sewer Easement for the Jijoco Retail Center from Jijoco, LLC

The Board of County Commissioners, in regular session on January 25, 2022, accepted the Sanitary Sewer Easement for the Jijoco Retail Center from Jijoco, LLC.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/sm

cc: Utility Services

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Dedication of Sanitary Sewer Easement for the Jijoco Retail Center from Jijoco, LLC – District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa J. Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>1-3-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>01/05/2022</u>

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 24-36-35-52-*-1.01

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 13th day of December 2021, between JIJOCO, LLC, A Florida limited liability company, whose address is 2821 North Indian River Drive, Cocoa, Florida 32922, 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 the 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 35, Township 24 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:

Stella Neville
Witness
Stella Neville
Print Name

Amy Leslie
Witness
Amy LESUE
Print Name

JIJOCO, LLC, a Florida
limited liability company

[Signature]
James F. Buchanan, Manager
[Signature]
Jonah M. Buchanan, Manager

(Seal)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 13TH day of DECEMBER, 2021, by James F. Buchanan, as manager and Jonah M. Buchanan, as Manager for JIJOCO, LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced _____ as identification.

Katle Stazenski
Notary Signature
SEAL



LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 24-36-35-52-*--1.01

PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2 AND 3 OF 3

THIS IS NOT A SURVEY

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

A PARCEL OF LAND BEING A PORTION OF LOT 1, 2 AND 3 OF THE PLAT OF "E.W. MOORE AND F.C. CANTINE" AS RECORDED IN PLAT BOOK 1, PAGE 63 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LYING IN SECTION 35, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE S.00°14'22"E., ALONG THE EAST LINE OF SAID PLAT, A DISTANCE OF 282.19 FEET TO THE POINT-OF-BEGINNING, THENCE N.89°50'24"W. DISTANCE OF 155.85 FEET; THENCE N.00°03'28"E. A DISTANCE OF 187.77 FEET; THENCE N.89°50'24"W. A DISTANCE OF 15.00 FEET; THENCE S.00°03'28"W. A DISTANCE OF 202.77 FEET; THENCE S.89°50'24"E. A DISTANCE OF 170.93 FEET TO A POINT ON THE AFORESAID EAST LINE; THENCE N.00°14'22"W., ALONG SAID EAST LINE A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.12 ACRES (5,380 SQUARE FEET), MORE OR LESS, AND BEING SUBJECT TO ANY RESTRICTIONS, COVENANTS, EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.



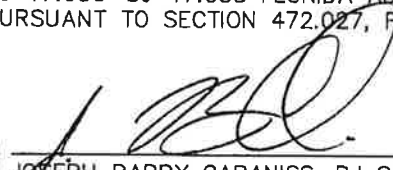
NOTES:

- 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 AS DIRECTED BY THE BREVARD COUNTY SURVEY DEPARTMENT AND THAT IT MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050-5J-17.053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

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


JOSEPH BARRY CABANISS, P.L.S.
FLORIDA SURVEYOR'S CERTIFICATE NO.:
DRMP, INC. SURVEY CERTIFICATE NO.:
NOT VALID UNLESS SIGNED AND SEALED

DATE
4524
2648

11/13/21

PREPARED BY:



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

DRAWN BY: MAM

CHECKED BY: JBC

PROJECT NO. 20-0619.000

REVISIONS

DATE

DESCRIPTION

SECTION 35

TOWNSHIP 24 SOUTH

RANGE 36 EAST

DATE: 2021-12-08

DRAWING:

21-0619.000-SK01.DWG

12/08/2021

REVISED

SKETCH OF DESCRIPTION

PARCEL #800

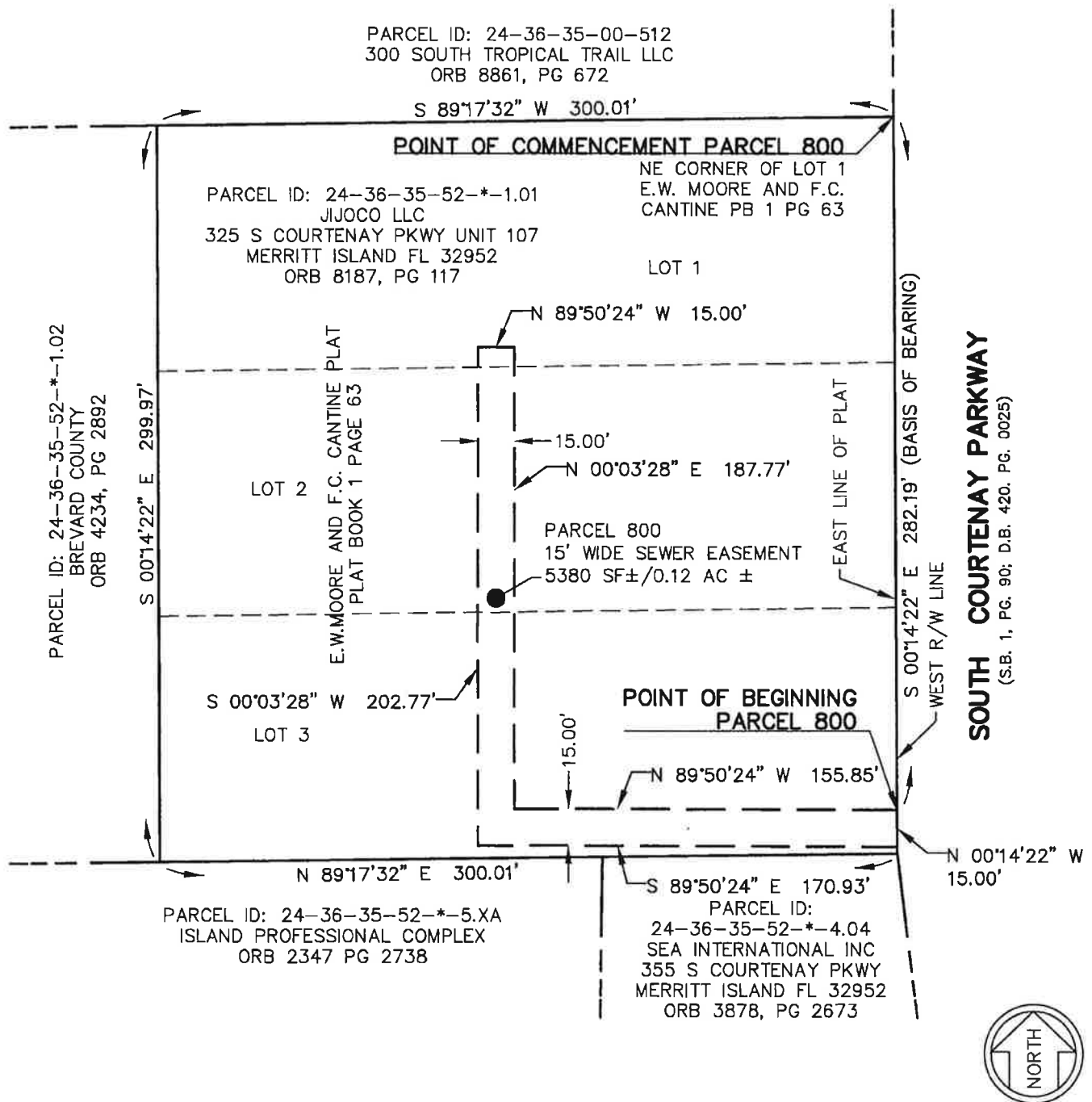
PARENT PARCEL ID#: 24-36-35-52-*--1.01
PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEETS 1 AND 3 OF 3

THIS IS NOT A SURVEY



PREPARED BY:



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

SCALE:

1" = 60'

PROJECT NO.:

21-0619.000

SECTION 35

TOWNSHIP 24 SOUTH

RANGE 36 EAST

NOTES AND LEGEND

PARCEL #800

PARENT PARCEL ID#: 24-36-35-52-*--1.01

PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 3 OF 3

NOT VALID WITHOUT SHEETS 1 AND 2 OF 3

THIS IS NOT A SURVEY

LEGEND:

O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE
¢ CENTERLINE
—V— GRAPHICS NOT TO
SCALE
(SP) STATE PLANE
(D) DEED
AC ACRES
SF SQUARE FEET
N.T.S. NOT TO SCALE
PB PLAT BOOK
R/W RIGHT-OF-WAY
D.B. DEED BOOK
SB SURVEY BOOK

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE WEST RIGHT-OF-WAY LINE OF SOUTH COURTENAY PARKWAY, IN SECTION 35, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BEING "N 00°14'22" W", BASED ON THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 AS ADJUSTED IN 2009 (NAD '83/'09).
2. THIS IS NOT A BOUNDARY SURVEY.
3. PURSUANT TO OWNER ENCUMBRANCE REPORT BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY DATED OCTOBER 22, 2021, FILE NO. 21168786 THE FOLLOWING ENCUMBRANCES WERE REVIEWED:

ITEM 7. RESTRICTIONS, EASEMENTS PER PLAT OF E.W. MOORE & F.G. CANTINE PER PLAT BOOK 1 PAGE 65-NONE.
ITEM 8. O.R. BOOK 4234 PAGE 2892-RESERVING A DRAINAGE EASEMENT AND STORMWATER RETENTION ON TAX PARCEL 24-36-35-52-*--1.02.-DOES NOT ENCUMBER SITE.
ITEM 9. O.R. BOOK 4234 PAGE 2894-15.00 FOOT DRAINAGE EASEMENT-DOES NOT ENCUMBER SITE.
ITEM 10. NOT A SURVEY ISSUE
ITEM 11. NOT A SURVEY ISSUE
4. THIS SKETCH AND DESCRIPTION IS VALID ONLY WHEN SIGNED AND SEALED.
5. THIS SKETCH AND DESCRIPTION CERTIFIED CORRECT TO
JIJOCO LLC;
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:



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

SCALE:

N.T.S.

PROJECT NO.:

21-0619.000

SECTION 35

TOWNSHIP 24 SOUTH

RANGE 36 EAST

LOCATION MAP

Section 35, Township 24 South, Range 36 East - District 2

PROPERTY LOCATION: Parcel is located on the west side of South Courtenay Parkway northeast of Carib Drive in Merritt Island

OWNERS NAME(S): Jijoco, LLC

