



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.7.

5/4/2021

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### Subject:

Approval, Re: Sidewalk and Drainage Easement from Andrew Gregori, Trustee of the Richard and Deborah Gregori Grantor Trust for the Gregori Construction Complex - District 1.

### Fiscal Impact:

None

### Dept/Office:

Public Works Department / Land Acquisition

### Requested Action:

It is requested that the Board of County Commissioners approve and accept the Sidewalk and Drainage Easement.

### Summary Explanation and Background:

The subject property is located in Section 7, Township 21 South, Range 35 East, along the west side of Old Dixie Highway, east of Highway 1 and south of Brockett Road in Titusville.

Andrew Gregori, Trustee of the Richard and Deborah Gregori Grantor Trust dated June 26, 2009, owner, has submitted site plan number 19SP00026 for review and approval by the County for the development of a construction complex known as Gregori Construction Complex. In accordance with County code and standards, the owner has agreed to donate the attached sidewalk and drainage 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

May 5, 2021

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

**TO:** Marc Bernath, Public Works Director

**RE:** Item F.7., Approval for Sidewalk and Drainage Easement from Andrew Gregori, Trustee of the Richard and Deborah Gregori Grantor Trust for the Gregori Construction Complex

The Board of County Commissioners, in regular session on May 4, 2021, approved and accepted the Sidewalk and Drainage Easement in Section 7, Township 21 South, Range 35 East, along the west side of the Old Dixie Highway, east of U.S. Highway 1 and south of Brockett Road in Titusville.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script that reads "Kimberly Powell".

Kimberly Powell, Clerk to the Board

cc: Land Acquisition

Prepared by and return to: Lucy Hamelers  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in Tax Parcel ID: 21-35-07-00-25

### **SIDEWALK AND DRAINAGE EASEMENT**

**THIS INDENTURE**, made this 15th day of April, 2021, between Andrew M. Gregori, as Trustee of the Richard and Deborah Gregori Grantor Trust pursuant to the Richard and Deborah Gregori Grantor Trust Agreement dated June 26th 2009, whose address is 267 Beat Creek, Sarver, Pennsylvania 16055, 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 construction and/or reconstructing, reconfiguring, and maintaining a public sidewalk and public drainage 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 07, Township 21 South, Range 35 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.

Driveway connections and associated drainage facilities (i.e. culvert pipe under driveway and end treatments) along with stormwater discharge infrastructure from the property within the easement are considered private and shall be maintained by the property owner.

**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:

ESHA M DRINKARI

Witness

ESHA M DRINKARI

Print name

Timothy West

Witness

Timothy West

Print Name

Andrew M. Gregori  
Andrew M. Gregori, as Trustee of the  
Richard and Deborah Gregori Grantor  
Trust, pursuant to the Richard and  
and Deborah Gregori Grantor Trust  
Agreement dated June 26, 2009

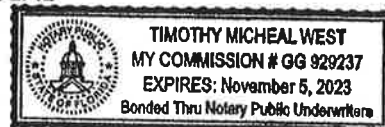
STATE OF Florida  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 15th day of April, 2021, by Andrew M. Gregori, as Trustee of the Richard and Deborah Gregori Grantor Trust, pursuant to the Richard and Deborah Gregori Grantor Trust Agreement dated June 26, 2009. Is personally known or produced \_\_\_\_\_ as identification.

Timothy M. West  
Notary Signature

SEAL

Board Meeting Date: 4/15/2021  
Agenda Item # 4



# LEGAL DESCRIPTION

## PARCEL 801

PARENT PARCEL ID#: 21-35-07-00-25  
PURPOSE: SIDEWALK AND DRAINAGE EASEMENT

EXHIBIT "A"  
SHEET 1 OF 2

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

LEGAL DESCRIPTION: PARCEL 801 (PUBLIC SIDEWALK AND DRAINAGE EASEMENT)

(PREPARED BY: SLIGER & ASSOCIATES INC.)

DESCRIPTION:

A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 8524, PAGE 986, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING A PORTION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 35 EAST BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA; THENCE S89°57'01"E, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 738.38 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°57'01"E, 46.47 FEET TO A POINT ON THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8524, PAGE 986; THENCE S41°05'19"E ALONG SAID EAST LINE, 489.24' TO THE NORTH LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 8105, PAGE 655 OF THE PUBLIC RECORDS, BREVARD COUNTY, FLORIDA; THENCE S89°58'08"W ALONG SAID NORTH LINE OF 46.42 FEET; THENCE N41°05'19"W, A DISTANCE OF 489.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,125 SQ.FT., 0.39 ACRES

SURVEYORS NOTES:

1. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS SKETCH AND DESCRIPTION THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO.: 18-19-0764, DATE: AUGUST 6, 2019 AT 8:00AM
2. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
3. BEARING STRUCTURE IS ASSUMED WITH THE BEARING ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 SECTION 7 LINE BEING S89°57'01"E
4. UNDERGROUND FOUNDATIONS, IF ANY, NOT LOCATED.
5. "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR ELECTRONIC SIGNATURE"
6. UNLESS OTHERWISE SHOWN, RECORD DISTANCES AND DIRECTIONS AND FIELD MEASURED DISTANCES AND DIRECTIONS ARE THE SAME.
7. PROPERTY ADDRESS: 3059 US HIGHWAY 1, MIMS, FL 32754
8. NO EASEMENTS AFFECTING OR ABUTTING PROPOSED AREA SHOWN IN TITLE COMMITMENT.

Joseph  
E Zapert  
Digitally signed  
by Joseph E  
Zapert  
Date: 2021.03.02  
08:23:58 -05'00'

PREPARED FOR AND CERTIFIED TO:

GREGORI CONSTRUCTION COMPLEX  
Brevard County Board of County Commissioners

J.E. ZAPERT, P.L.S. NO. 4046  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:



**SLIGER & ASSOCIATES, INC.**  
**PROFESSIONAL LAND SURVEYORS**

LICENSED BUSINESS CERTIFICATION NO. 3019  
3921 NOVA ROAD, PORT ORANGE, FL. 32127

DRAWN BY: T JEFFREY

CHECKED BY: J ZAPERT

PROJECT NO. 20-0702

DATE: 11-11-2020

DRAWING: 20-0702

REVISIONS

DATE

DESCRIPTION

SECTION 7  
TOWNSHIP 21 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION PARCEL 801

EXHIBIT "A"

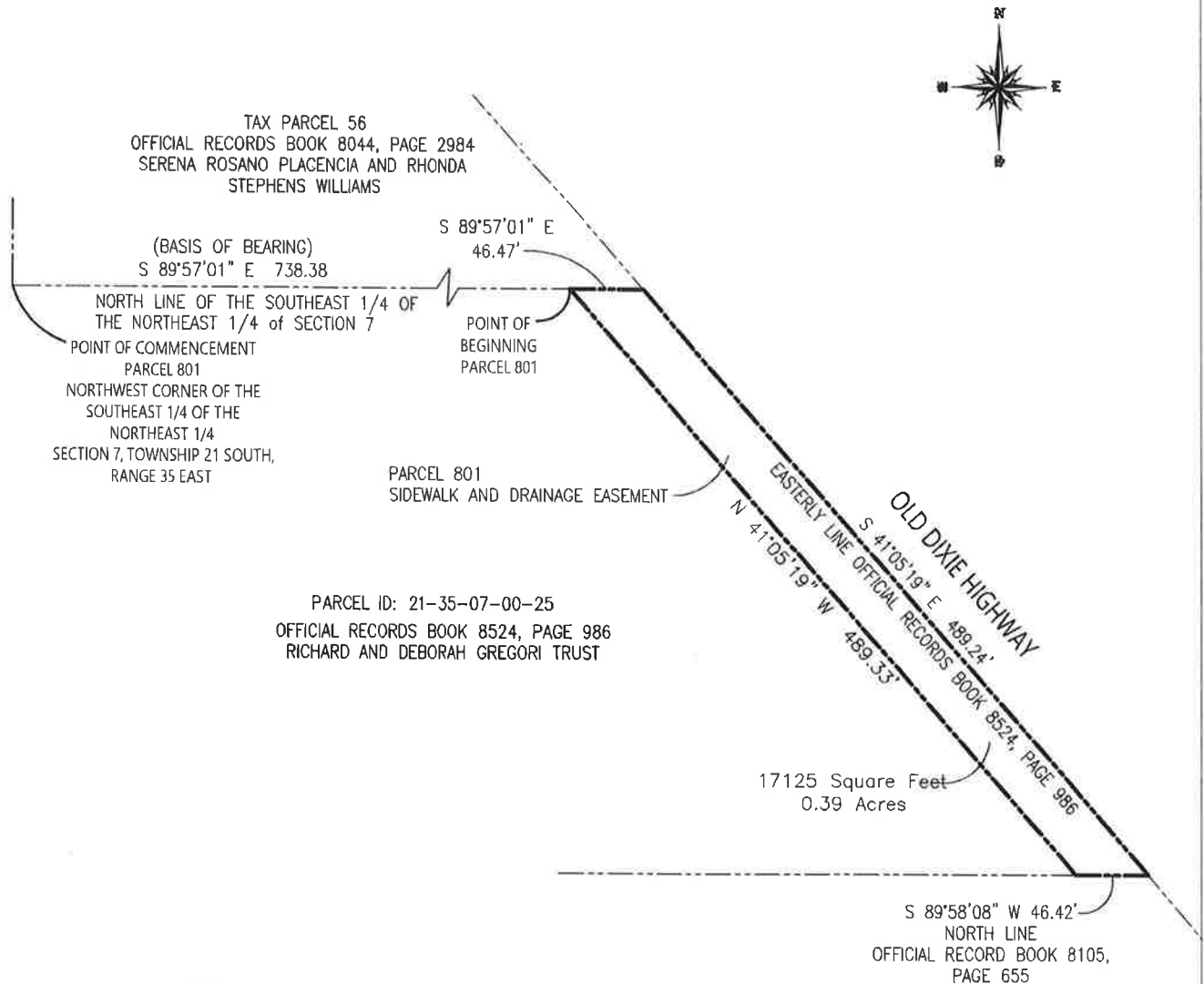
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 21-35-07-00-25

PURPOSE: SIDEWALK AND DRAINAGE EASEMENT



## GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

PREPARED BY:



**SLIGER & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS  
LICENSED BUSINESS CERTIFICATION NO. 3019  
3921 NOVA ROAD  
PORT ORANGE, FL. 32127

SCALE: 1"=100'

PROJECT NO.: 20-0702

SECTION 7  
TOWNSHIP 21 SOUTH  
RANGE 35 EAST

## LOCATION MAP

### Section 7, Township 21 South, Range 35 East - District 1

PROPERTY LOCATION: Along the west side of Old Dixie Highway, west of Highway 1 and south of Brockett Road in Titusville.

OWNERS NAME: Richard & Deborah Gregori Trust



## BOARD OF COUNTY COMMISSIONERS


### AGENDA REVIEW SHEET

AGENDA: Sidewalk and Drainage Easement from Andrew Gregori, Trustee of the Richard and Deborah Gregori Trust for the Gregori Construction Complex – District 1.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-850-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>4-16-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	_____	4-19-2021