



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.9.

5/21/2024

Subject:

Approval, Re: Dedication of Sidewalk Easement from Sierra Cove Neighborhood Association, Inc. for the Pineda Boulevard Four-Lane Widening Improvements Segments "C" and "D" Project - District 4.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

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

Summary Explanation and Background:

The subject property is located in Section 20, Township 26 South, Range 36 East, west of Paragrass Avenue, and south of Blazing Star Drive on the north side of Pineda Boulevard in Viera.

The Viera Company has submitted subdivision plan number 22SD00005 for review and approval by the County for roadway and infrastructure improvements known as Pineda Boulevard Four-Lane Widening Improvements, Segments "C" and "D" Project. As a condition of plan approval, sidewalks are required along the County-maintained right of way. The sidewalks have been constructed as part of the completed project. The County will assume all future maintenance responsibilities for the sidewalks. A portion of the sidewalk was built outside of the right of way. Sierra Cove Neighborhood Association, Inc., owner, has agreed to dedicate the requested easement for the portion of the sidewalk constructed outside of the County right of way.

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:



May 22, 2024

M E M O R A N D U M

TO: Marc Bernath, Public Works

Attn: Lucy Hamelers

RE: Item F.9., Approval for Dedication of Sidewalk Easement from Sierra Cove Neighborhood Association, Inc. for the Pineda Boulevard Four-Lane Widening Improvements Segments "C" and "D" Project

The Board of County Commissioners, in regular session on May 21, 2024, accepted the Sidewalk Easement from Sierra Cove Neighborhood Association, Inc. for the Pineda Boulevard Four-Lane Widening Improvements Segments "C" and "D" Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Dedication of Sidewalk Easement from and Sierra Cove Neighborhood Association, Inc. for the Pineda Boulevard Four-Lane Widening Improvements Segments "C" and "D" Project – District 4.

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>5.1.24</u>
COUNTY ATTORNEY ALEXANDER ESSEESSE Deputy County Attorney	 _____	_____	<u>5/1/24</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: 26-36-20-XV-*-T and 26-36-20-XV-*-OSN7.15

SIDEWALK EASEMENT

THIS INDENTURE, made this 23~~rd~~ day of APRIL, 2024, between Sierra Cove Neighborhood Association, Inc. a Florida not-for-profit corporation, whose address is 7380 Murrell Road, Suite 201, Viera, Florida 32940, 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 reconstructing, reconfiguring, and maintaining the sidewalk, and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of this easement is located in Section 20, 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 land 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:

Tanya Petros

Witness

Tanya Petros

Print Name

Address: 3040 EELWASS PL

VIEVA, FL 32940

Sierra Cove Neighborhood
Association, Inc., a Florida
not-for-profit corporation

By: T. S. Petros

Tobias S. Petros, President

(Corporation Seal)

Mary Wathen

Witness

Mary Wathen

Print Name

Address: 1331 Beddard Dr

103 Man, FL 32940

STATE OF FLORIDA

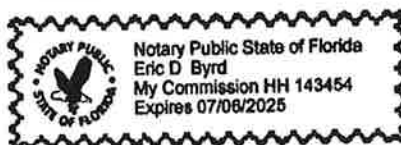
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 23rd day of April, 2024, by Tobias S. Petros, as President for Sierra Cove Neighborhood Association, a Florida not-for-profit corporation. Is ☒ personally known or ☐ produced _____ as identification.

[Signature]

Notary Signature

SEAL



LEGAL DESCRIPTION

PARCEL # 800

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 26-36-20-XV-*--T AND 26-36-20-XV-*--OSN7.15

PURPOSE: SIDEWALK EASEMENT

LEGAL DESCRIPTION: PARCEL #800 SIDEWALK EASEMENT (PREPARED BY SURVEYOR)

PART OF TRACT T AND TRACT OSN7-15, SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASE 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 69, PAGE 56, PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, LYING IN SECTION 20 TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT OSN7-15, (SAID POINT ALSO BEING A POINT ON THE CURVED NORTH RIGHT-OF-WAY LINE OF PINEDA BOULEVARD, A 120.00 FOOT WIDE PUBLIC RIGHT-OF-WAY, ACCORDING TO THE PLAT OF SAID SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASE 3), AND RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVED NORTH RIGHT-OF-WAY LINE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 2625.00 FEET, A CENTRAL ANGLE OF 2°07'50", A CHORD BEARING OF N75°34'21"W AND A CHORD LENGTH OF 97.60 FEET), A DISTANCE OF 97.61 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG THE ARC OF SAID CURVED NORTH RIGHT-OF-WAY LINE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 2625.00 FEET, A CENTRAL ANGLE OF 3°59'47" A CHORD BEARING OF N72°30'33"W AND A CHORD LENGTH OF 183.05 FEET), A DISTANCE OF 183.09 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 52°36'52", A CHORD BEARING OF N44°12'09"W AND A CHORD LENGTH OF 22.16 FEET), A DISTANCE OF 22.96 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 5683.97 FEET, A CENTRAL ANGLE OF 1°21'31", A CHORD BEARING OF S73°01'10"E AND A CHORD LENGTH OF 134.76 FEET), A DISTANCE OF 134.77 FEET TO THE END OF SAID CURVE; THENCE S72°56'20"E A DISTANCE OF 10.44 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 37.47 FEET, A CENTRAL ANGLE OF 13°02'50", A CHORD BEARING OF S66°01'13"E AND A CHORD LENGTH OF 8.51 FEET), A DISTANCE OF 8.53 FEET TO THE END OF SAID CURVE; THENCE S59°59'35"E A DISTANCE OF 38.54 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 38.35 FEET, A CENTRAL ANGLE OF 16°57'34", A CHORD BEARING OF S66°07'32"E AND A CHORD LENGTH OF 11.31 FEET), A DISTANCE OF 11.35 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTH; THENCE S15°28'57"W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 1.22 FEET TO THE POINT OF BEGINNING. CONTAINING 2,151.15 SQUARE FEET, (0.05 ACRES), MORE OR LESS.

SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
2. BEARING REFERENCE: ASSUMED BEARING OF S15°38'02"W ON THE EAST LINE OF TRACT T, SENDERO COVE & SIERRA COVE AT ADDISON VILLAGE - PHASE 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 69, PAGE 56, PUBLIC RECORDS OF BREVARD COUNTY FLORIDA.
3. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
4. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THAT CERTAIN FIDELITY NATIONAL TITLE INSURANCE COMPANY PROPERTY INFORMATION REPORT, ORDER NO.: 11276336, CUSTOMER REFERENCE NUMBER: 11632.01 DATED 3/21/2024 AT 5:00 PM. NO EASEMENTS ADVERSELY AFFECTING THE LANDS DESCRIBED HEREON WERE FOUND IN SAID REPORT.
5. THIS DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025.
6. THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.



Digitally signed by

Leslie E Howard

Date: 2024.04.05

15:49:42 -04'00'

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS.

LESLIE E. HOWARD, PSM 5611
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: B.S.E. CONSULTANTS, INC.
312 SOUTH HARBOR CITY BOULEVARD, SUITE 4
MELBOURNE, FL 32901 LB No. 4905
PHONE: (321) 725-3674 FAX: (321) 723-1159

DRAWN BY: TBS	CHECKED BY: LEH	PROJECT NO. 11632.01		SECTION 20 TOWNSHIP 26 SOUTH RANGE 36 EAST
		REVISIONS	DATE DESCRIPTION	
			04/05/24 REVISED PIR INFO	
DATE: 08/18/2023	DRAWING: 1163201_100_001		12/29/23 PER COUNTY COMMENTS	

SKETCH OF DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-36-20-XV-*--T AND 26-36-20-XV-*--OSN7.15
PURPOSE: SIDEWALK EASEMENT

ABBREVIATIONS

AL	ARC LENGTH
AVE	AVENUE
BLVD	BOULEVARD
BM	BENCH MARK
BOC	BEGINNING OF CURVE
C/L	CENTERLINE
CA	CENTRAL ANGLE
CB	CHORD BEARING
CH	CHORD LENGTH
COR	CORNER
DEL	DELTA / CENTRAL ANGLE
DIP	DUCTILE IRON PIPE
EOC	END OF CURVE
ESMT	EASEMENT
EX	EXISTING
FD	FOUND
FM	FORCE MAIN
FT	FEET
ID#	IDENTIFICATION NUMBER
N&D	NAIL AND DISK
NAVD88	NORTH AMERICAN
NGVD29	VERTICAL DATUM 1988
NTI	NATIONAL GEODETIC
NTL	VERTICAL DATUM 1929
NTS	NON-TANGENT
OR/ORB	INTERSECTION
	NOT TO SCALE
	OFFICIAL
	RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE(S)
PCC	POINT OF COMPOUND CURVATURE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PRC	POINT OF REVERSE CURVATURE
R	RADIUS
R/W	RIGHT-OF-WAY
RPB	ROAD PLAT BOOK
S.F.	SQUARE FEET

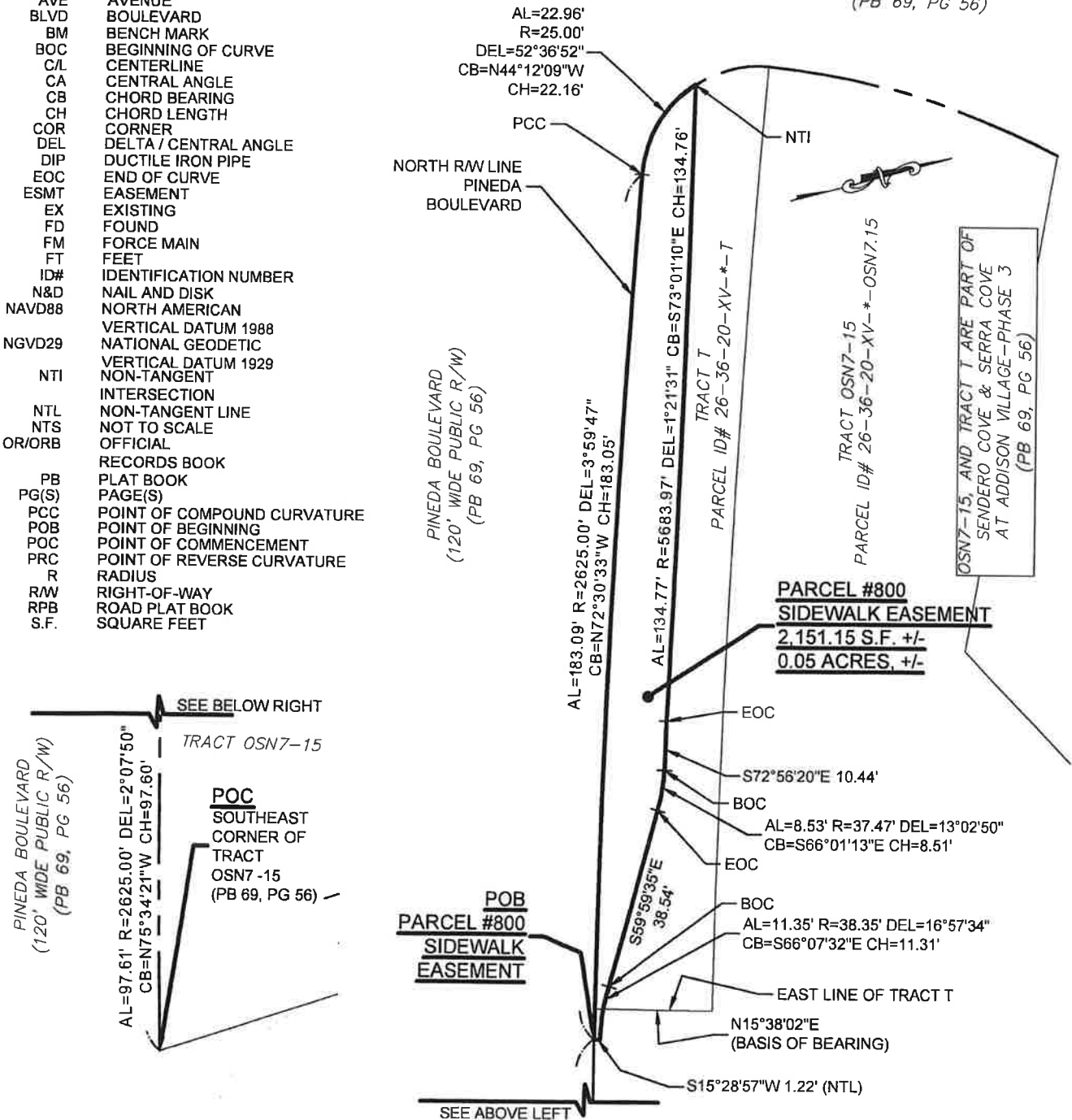
EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

BLAZING STAR DRIVE
(50' WIDE PUBLIC R/W)
(PB 69, PG 56)



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MELBOURNE, FL 32901 LB No. 4905
PHONE: (321) 725-3674 FAX: (321) 723-1159

SCALE:
1"=30'
PROJECT NO.:
11632.01

SECTION 20
TOWNSHIP 26 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 20, Township 26 South, Range 36 East – District 4

PROPERTY LOCATION: West of Paragrass Avenue and south of Blazing Star Drive on the side of Pineda Boulevard in Viera.

OWNERS NAME(S): Sierra Cove Neighborhood Association, Inc.

