



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.6.

11/9/2021

Subject:

Approval, Re: Sidewalk Easement for Wrubel Contractor's Office from RGW Enterprise LLC - 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 attached Sidewalk Easement.

Summary Explanation and Background:

The subject property is located in Section 31, Township 20 South, Range 35 East, west of US Highway 1 and north of McCullough Road in Mims.

RGW Enterprise LLC, the owner, has submitted site plan number 20SP00025 for review and approval by the County for the development of a business known as Wrubel Contractor's Office. In accordance with County code and standards, the owner has agreed to donate the attached sidewalk 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:

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Sidewalk Easement for Wrubel Contractor's Office from RGW Enterprise LLC – District 1.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa Kruse, Acquisition Specialist

CONTACT PHONE: 321-350-8353 Ext. 58353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>10-26-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>10/26/2021</u>



November 10, 2021

MEMORANDUM

TO: Marc Bernath, Public Works Director

RE: Item F.6., Approval of Sidewalk Easement for Wrubel Contractor's Office from RGW Enterprise LLC

The Board of County Commissioners, in regular session on November 9, 2021, approved and accepted the Sidewalk Easement for Wrubel Contractors Office from RGW Enterprise, LLC.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/ns

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: #20-35-31-00-501 & #20-35-31-00-506

SIDEWALK EASEMENT

THIS INDENTURE, made this 20 day of October, 2021, between RGW Enterprise, LLC, a Florida limited liability company whose address is 3885 Richy Road, Mims, Florida 32754, 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, repairing 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 the easement is located in Section 31, Township 20 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.

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

Print Name

Witness

Print Name

RGW Enterprise, LLC, a Florida
limited liability company

By

Richard R. Wrubel, Jr.

Title: Manager

By

Gina M. Wrubel

Title: Manager

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization on this 20 day of October, 2021, by Richard R.
Wrubel, Jr. and Gina M. Wrubel, as Managers for RGW Enterprise, LLC, a Florida
limited liability company. Is ☒ personally known or ☐ produced _____
as identification.

Notary Signature

SEAL



Natalie J. Hipp
Notary Public
State of Florida
Comm# HH053684
Expires 10/14/2024

LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 20-35-31-00-501 & 20-35-31-00-506
PER CURRENT PROPERTY APPRAISER DATA
PURPOSE: 8' WIDE SIDEWALK EASEMENT

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEET 2 & 3 OF 3

THIS IS NOT A SURVEY

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

A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 9002, PAGE 2644 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 20, BLOCK 3 OF PLAT ONE INDIAN RIVER PLANTATION ESTATES, AS RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT BEING ON THE EASTERLY LINE OF SAID LOT 20, BLOCK 3 AND THE NORTHERLY RIGHT OF WAY LINE OF McCULLOUGH ROAD OF SAID PLAT ONE INDIAN RIVER PLANTATION ESTATES; THENCE NORTH 12°47'23" WEST, ALONG THE EASTERLY LINE OF SAID LOT 20, BLOCK 3, A DISTANCE OF 8.14 FEET; THENCE NORTH 66°31'07" EAST, DEPARTING THE EASTERLY LINE OF SAID LOT 20, BLOCK 3, A DISTANCE OF 406.91 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 1 PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 7003-(175)277; THENCE SOUTH 12°47'23" EAST, ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 1, A DISTANCE OF 8.14 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF SAID McCULLOUGH ROAD; THENCE SOUTH 66°31'07" WEST, DEPARTING THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 1 AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID McCULLOUGH ROAD, A DISTANCE OF 406.91 FEET TO THE POINT OF BEGINNING.

SAID 8' WIDE SIDEWALK EASEMENT CONTAINS 3,254.75 SQUARE FEET OR 0.075 ACRES, MORE OR LESS.

SURVEYORS NOTES:

1. THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS WHICH ARE THE SUBJECT OF THE UNDERSIGNED PROFESSIONAL'S KNOWLEDGE, INFORMATION, AND BELIEF PER CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, AND IN ACCORDANCE WITH STANDARDS OF PRACTICE.
2. IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION OR INK SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND REFERENCED TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 1 OF PLAT ONE INDIAN RIVER PLANTATION ESTATES HAVING A BEARING OF SOUTH 12°47'23" EAST.
4. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
5. PLAT INFORMATION SHOWN HEREON IS BASED ON MAP OF "PLAT ONE INDIAN RIVER PLANTATION ESTATES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
6. PROPERTY DESCRIPTION IS REFERENCED TO OWNERSHIP AND ENCUMBRANCE REPORT PREPARED BY ATTORNEY'S TITLE FUND SERVICES, LLC, FUND FILE NUMBER 1148294, AGENT'S FILE NUMBER 21-311-PH, EFFECTIVE DATES FROM SEPTEMBER 8, 2019 AT 11:00 PM TO SEPTEMBER 7, 2021 AT 11:00 PM. THE FOLLOWING ENCUMBRANCES WERE LISTED IN SAID OWNERSHIP AND ENCUMBRANCE REPORT:

A. ENCUMBRANCE 1 - NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 9005, PAGE 1479, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA (NOTED ONLY.)

B. ENCUMBRANCE 2 - RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT IN OFFICIAL RECORDS BOOK 9038, PAGE 130, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA (NOTED ONLY.)
7. THIS IS NOT A BOUNDARY SURVEY.



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

CHARLES DAVID FERRARO - REGISTERED LAND SURVEYOR
FLORIDA REGISTRATION NO. 4768
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:

Colliers Engineering & Design

5471 W. WATERS AVENUE, SUITE 100
TAMPA, FLORIDA 33634
TELEPHONE 813-207-1061

DRAWN BY: RPK

CHECKED BY: CDF

PROJECT NO. 20SP00025

SECTION 31

DATE: 09/30/2021

DRAWING: V-SW-ESMT

REVISIONS

DATE

DESCRIPTION

TOWNSHIP 20 SOUTH
RANGE 35 EAST

SKETCH OF DESCRIPTION

PARCEL #800

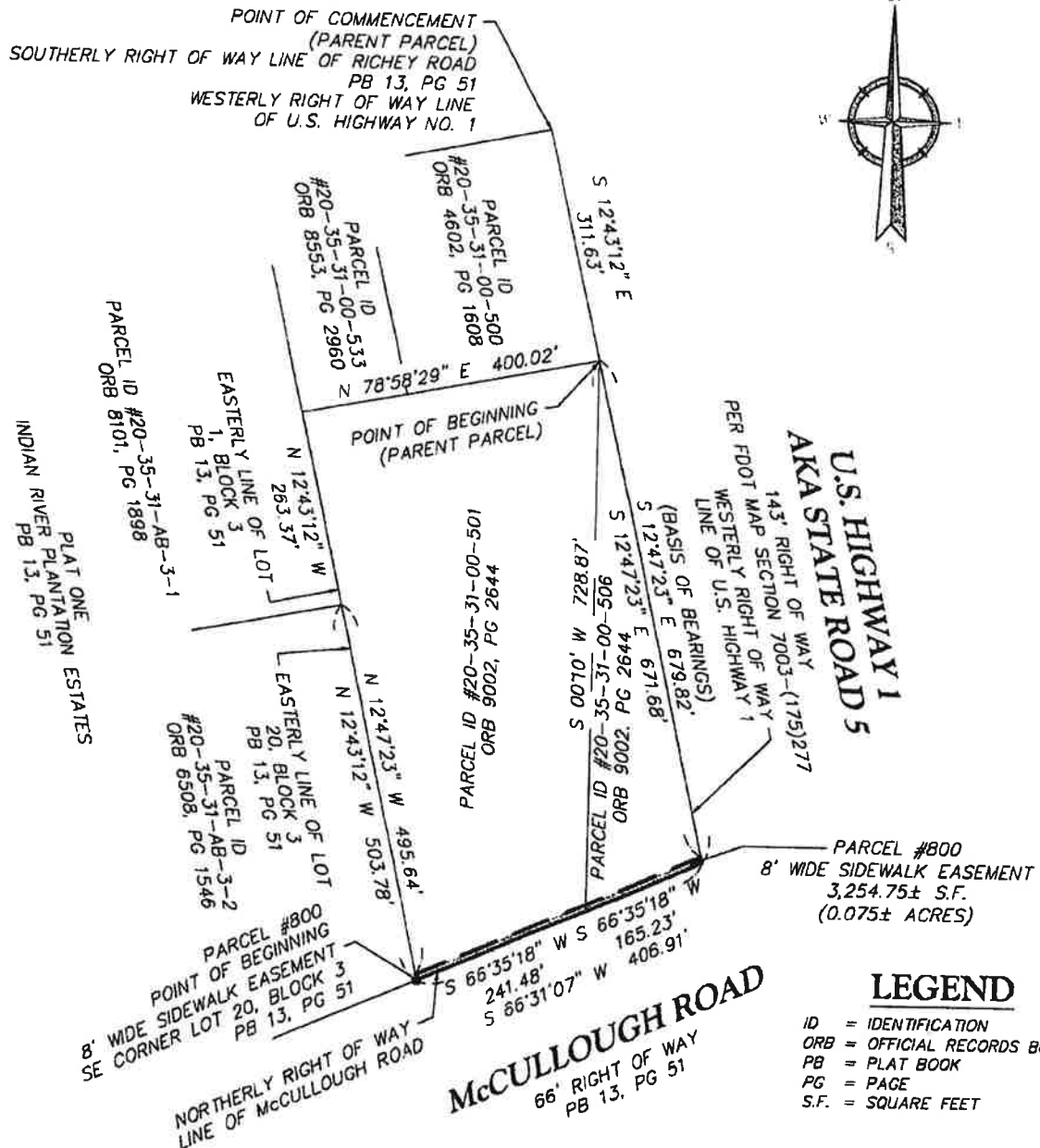
PARENT PARCEL ID# 20-35-31-00-501 & 20-35-31-00-506
 PER CURRENT PROPERTY APPRAISER DATA
 PURPOSE: 8' WIDE SIDEWALK EASEMENT

EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEET 1 & 3 OF 3

THIS IS NOT A SURVEY



LEGEND

ID = IDENTIFICATION
 ORB = OFFICIAL RECORDS BOOK
 PB = PLAT BOOK
 PG = PAGE
 S.F. = SQUARE FEET

SEE SHEET 3 FOR SIDEWALK EASEMENT

PREPARED BY:

Colliers

Engineering
 & Design

5471 W. WATERS AVENUE, SUITE 100
 TAMPA, FLORIDA 33634
 TELEPHONE 813-207-1061

SCALE:

1" = 200'

PROJECT NO.:

20SP00025

SECTION 31

TOWNSHIP 20 SOUTH
 RANGE 35 EAST

SKETCH OF DESCRIPTION

PARCEL #800

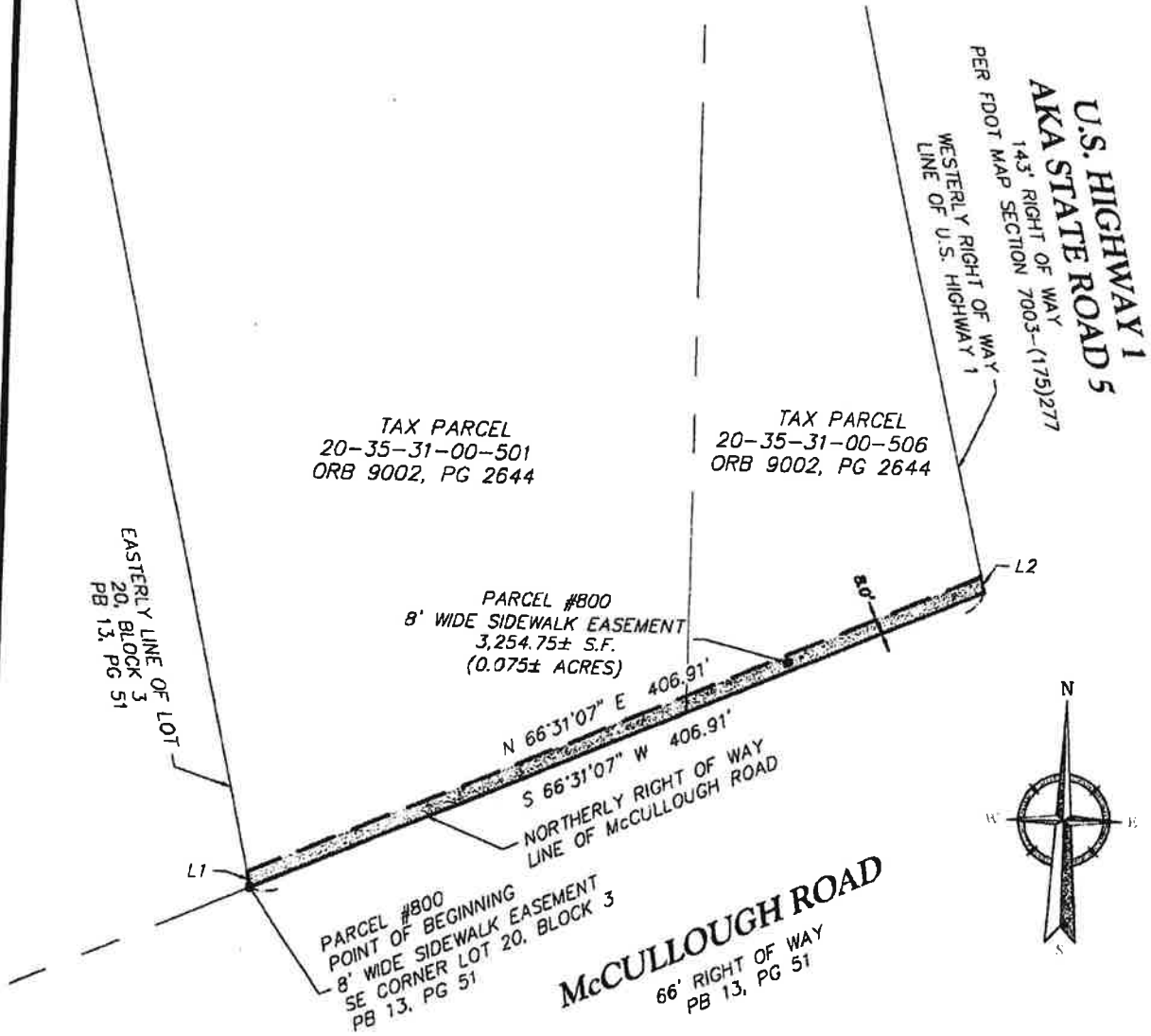
PARENT PARCEL ID#: 20-35-31-00-501 & 20-35-31-00-506
PER CURRENT PROPERTY APPRAISER DATA
PURPOSE: 8' WIDE SIDEWALK EASEMENT

EXHIBIT "A"

SHEET 3 OF 3

NOT VALID WITHOUT SHEET 1 & 2 OF 3

THIS IS NOT A SURVEY



LINE DATA

SEGMENT	DIRECTION	LENGTH
L1	N 12° 47' 23" W	8.14'
L2	S 12° 47' 23" E	8.14'

LEGEND

ID = IDENTIFICATION
ORB = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
S.F. = SQUARE FEET

PREPARED BY:

Colliers

Engineering
& Design

5471 W. WATERS AVENUE, SUITE 100
TAMPA, FLORIDA 33634
TELEPHONE 813-207-1061

SCALE:

1" = 80'

PROJECT NO.:

20SP00025

SECTION 31
TOWNSHIP 20 SOUTH
RANGE 35 EAST

LOCATION MAP

Section 31, Township 20 South, Range 35 East - District 1

PROPERTY LOCATION: West of US Highway 1 and north of McCullough Road in Mims

OWNERS NAME(S): RGW Enterprise LLC

