



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.9.

5/17/2022

Subject:

Approval, Re: Dedication of Sanitary Sewer Easement from ADI Addison, LLC for Addison Square Retail - District 4.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / Utility Services Department

Requested Action:

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

Summary Explanation and Background:

The subject property is located in Section 16, Township 26 South, Range 36 East, south of North Wickham Road and west of Lake Andrew Drive in Viera.

ADI Addison, LLC, owner, has submitted site plan number 21SP00020 for review and approval by the County for the development of a retail site known as Addison Square Retail. In accordance with County code and standards, the owner has agreed to dedicate the attached Sanitary Sewer 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: Dedication of Sanitary Sewer Easement from ADI Addison, LLC for Addison Square Retail – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u><i>RA</i></u>	<u> </u>	<u>4-25-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u><i>CMS</i></u>	<u> </u>	<u>4-25-2022</u>



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 18, 2022

MEMORANDUM

TO: Marc Bernath, Public Works Director Attn: Lucy Hamelers

RE: Item F.9., Dedication of Sanitary Sewer Easement from ADI Addison, LLC for Addison Square Retail

The Board of County Commissioners, in regular session on May 17, 2022, approved and accepted the Drainage Sanitary Sewer Easement from ADI Addison, LLC for Addison Square Retail.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for Donna Scott
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: 26-36-16-07-A-1

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 18th day of April, 2022, between ADI Addison, LLC, a Florida limited liability company, whose address is 1005 Viera Boulevard, Suite 201, Rockledge, Florida 32955, 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 sanitary sewer 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 16, 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 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:

Lori DiSciullo

Witness
Lori DiSciullo

Print Name

ET = R

Witness

Chris Moretz

Print Name

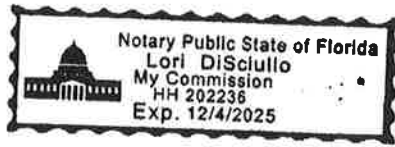
ADI Addison, LLC, a Florida limited liability company

By: Erik B. Costin
Erik B. Costin, 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 18th day of April, 2022, by Erik B. Costin, as Manager for ADI Addison, LLC, a Florida limited liability company. Is personally known or produced _____ as identification.



Lori DiSciullo
Notary Signature
SEAL

LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-36-16-07-A-1

PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

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

PART OF LOT 1, BLOCK A, ADDISON PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGE 7, PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, LYING IN SECTION 16, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK A AND RUN S58°00'34"W, ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK A, A DISTANCE OF 156.18 FEET TO THE EAST LINE OF THAT CERTAIN 20 FOOT WIDE SANITARY SEWER EASEMENT ON LOT 1, BLOCK A, ON THE RECORDED PLAT OF SAID ADDISON PARK; THENCE N33°21'27"W, ALONG SAID EAST LINE, A DISTANCE OF 22.01 FEET TO THE NORTHEAST CORNER OF SAID SANITARY SEWER EASEMENT AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N33°21'27"W A DISTANCE OF 23.34 FEET; THENCE S63°56'50"W A DISTANCE OF 182.32 FEET; THENCE S26°03'10"E A DISTANCE OF 20.00 FEET; THENCE N63°56'50"E A DISTANCE OF 164.72 FEET; THENCE S33°21'27"E A DISTANCE OF 5.26 FEET TO THE NORTHWEST CORNER OF SAID SANITARY SEWER EASEMENT; THENCE N58°00'34"E, ALONG THE NORTH LINE OF SAID SANITARY SEWER EASEMENT, A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING. CONTAINING 3,756.53 SQUARE FEET, (0.086 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 S58°00'34"W ON THE SOUTH LINE OF PART OF LOT 1, BLOCK A, ADDISON PARK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGE 7, 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 NUMBER: 10085429, CUSTOMER REFERENCE NUMBER: ADDISON PARK. NO EASEMENTS OR ENCUMBRANCES ADVERSELY AFFECTING THE LANDS DESCRIBED HEREON WERE FOUND IN SAID PROPERTY INFORMATION 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, P.S.M.

Date:

2022.04.14

12:08:13 -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. 11528.02			SECTION 16 TOWNSHIP 26 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 01/14/2022	DRAWING: 1152802_100_003		02/07/2022	COUNTY COMMENTS	
			04/05/2022	SHEET 2, PARENT PARCEL ORB REFERENCE	

SKETCH OF DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-36-16-07-A-1

PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

ABBREVIATIONS

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

IVANKHOE DRIVE
EXTENSION - SEGMENT A
80' WIDE PUBLIC RIGHT OF WAY
RPB 5, PG 44

PARCEL #800
SANITARY SEWER ESMT
0.086 ACRES±

LOT 1, BLOCK A
2.83 ACRES ±
(PB 70, PG 7)
ORB 9425, PG 62
PARCEL ID# 26-36-16-07-A-1

ADDISON PARK
PB 70, PG 7

LOT 2, BLOCK A
11.89 ACRES ±
(PB 70, PG 7)
ORB 9358, PG 116
PARCEL ID# 26-36-16-07-A-2

EXISTING 20' SANITARY SEWER
EASEMENT (PB 70, PG 7)

NORTHWEST CORNER
OF SANITARY
SEWER EASEMENT
PB 70, PG 7

NORTH LINE OF SANITARY
SEWER EASEMENT
PB 70, PG 7

SOUTH LINE OF LOT 1, BLOCK A
(BASIS OF BEARINGS)

POC PARCEL #800
SANITARY SEWER ESMT
SOUTH EAST CORNER OF
LOT 1, BLOCK A (PB 70, PG 7)

POB
PARCEL #800
SANITARY SEWER ESMT
NE COR SANITARY SEWER ESMT,
PB 70, PG 7

N33°21'27"W 22.01'
S58°00'34"W 156.18'

EAST LINE OF SANITARY
SEWER EASEMENT
PB 70, PG 7

N58°00'34"E
20.01'

N33°21'27"W 23.34'

S63°56'50"W 182.32'

N63°56'50"E 164.72'

S33°21'27"E 5.26'

S26°03'10"E
20.00'

LAKE ANDREW DRIVE
150' WIDE PUBLIC RIGHT OF WAY
TRACT "G-1" (PB 44, PG 91)

MIERA CENTRAL PUD
TRACT 12, UNIT 1
PARCELS 1-3, PHASE 4
PB 44, PG 91

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SCALE:
1"=60'
PROJECT NO.:
11528.02

SECTION 16
TOWNSHIP 26 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 16, Township 26 South, Range 36 East - District: 4

PROPERTY LOCATION: Located south of North Wickham Road and west of Lake Andrew Drive in Viera.

OWNERS NAME(S): ADI Addison, LLC

