



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.8.

10/12/2021

Subject:

Approval, Re: Donation of Sanitary Sewer Easement from Casa Loma Estates Co-op, Inc., for the Lift Station T11 Driveway Improvement Plan- 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 18, Township 26 South, Range 37 East, on the north side of Kristy Circle in Melbourne.

Utility Services Department is planning to construct a concrete driveway to the wet well for Lift Station T11. The driveway will enhance the approach to the lift station while providing safe access for staff. The owner has agreed to donate the easement needed to accommodate the driveway improvement.

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

October 13, 2021

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

RE: Item F.8., Approval for Donation of Sanitary Sewer Easement from Casa Loma Estates Co-op, Inc., for the Lift Station T11 Driveway Improvement Plan

The Board of County Commissioners, in regular session on October 12, 2021, approved and accepted the Sanitary Sewer Easement from Casa Loma Estates Co-op, Inc. for the Lift Station T11 Driveway Improvement Plan.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

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: 26-37-18-00-502.x-A

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 11th day of AUGUST, 2021, between Casa Loma Estates Co-op, Inc., a Florida not for profit corporation, whose address is 6560 North Highway 1, Melbourne, 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 operating, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and /or lift station and its 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 18 Township 26 South, Range 37 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:

[Signature]

witness

STEVEN H. PARRISH

print name

[Signature]

witness

LARRY E. NATION

print name

Casa Loma Estates Co-op, Inc.,
a Florida not for profit corporation

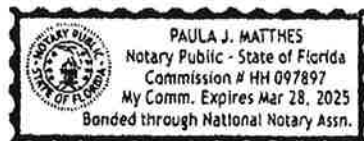
BY: [Signature]

ROBERT KREUTZER PRESIDENT

print name and title

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization on this 11th day of AUGUST
2021, by ROBERT KREUTZER as PRESIDENT for Casa Loma Estates Co-
op, Inc., a Florida not for profit corporation. Is personally known or produced
_____ as identification.



[Signature]

Notary Signature

SEAL

LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-37-18-00-502.X-A
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)

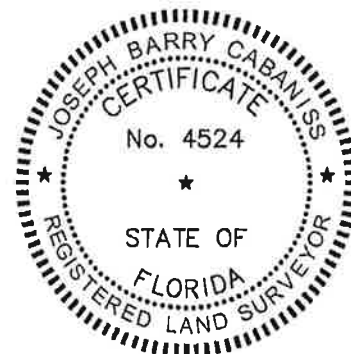
A PARCEL OF LAND BEING A PORTION OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5493 PAGE 8482 OF THE BREVARD COUNTY, FLORIDA PUBLIC RECORDS AND LYING IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼ SECTION 18; THENCE N. 90°00'00" E. A DISTANCE OF 486.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY; THENCE N. 19°34'30" W., ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1404.52 FEET TO A POINT ON THE NORTH LINE OF GOVERNMENT LOT 3 OF SAID SECTION 18; THENCE N. 88°28'58" E ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 3 A DISTANCE OF 800.07 FEET TO A POINT ON THE WEST LINE OF TRACT A AS DESCRIBED IN OFFICIAL RECORDS BOOK 6866 PAGE 242 OF SAID PUBLIC RECORDS; THENCE S. 24°28'30" E. ALONG SAID WEST LINE A DISTANCE OF 41.71 FEET TO THE POINT-OF-BEGINNING; THENCE CONTINUE S. 24°28'30" E. ALONG SAID WEST LINE A DISTANCE OF 20.75 FEET; THENCE S. 81°00'00" W. A DISTANCE OF 23.60 FEET; THENCE S. 09°00'00" E. A DISTANCE OF 26.00 FEET; THENCE N. 65°58'34" W. A DISTANCE OF 35.78 FEET; THENCE N. 09°00'00" W. A DISTANCE OF 26.50 FEET; THENCE N. 81°00'00" E. A DISTANCE OF 48.06 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 1504 SQUARE FEET (0.04 ACRES±) MORE OR LESS.

SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF GOVERNMENT LOT 3 BEING N88°28'58"E PER OFFICIAL RECORDS BOOK 5493, PAGE 8482 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. PURSUANT TO O&E REPORT BY NEW REVELATIONS, INC., DATED 12/7/2020, FILE NO. 20-1644:
 1. EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 5834, PAGE 8004-DOES NOT ENCUMBER THE SUBJECT PARCEL.
 2. AMENDED AND RESTATED EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 7149, PAGE 1310-DOES NOT ENCUMBER THE SUBJECT PARCEL.
 3. CORRECTIVE SECOND AMENDED EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 8000, PAGE 230-DOES NOT ENCUMBER THE SUBJECT PARCEL.
4. THIS SKETCH AND DESCRIPTION WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTIES LISTED BELOW; COPIES ARE VALID ONLY WHEN BEARING THE SURVEYOR'S ORIGINAL SIGNATURE AND SEAL OR VERIFIED ELECTRONIC SIGNATURE AND SEAL.
5. CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS



CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AS PERFORMED AT THE DIRECTION OF THE BREVARD COUNTY SURVEY DEPARTMENT, AND THAT IT MEETS OR EXCEEDS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.05 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

[Signature] 7/13/21
JOSEPH BARRY CABANISS, P.L.S.
FLORIDA SURVEYOR'S CERTIFICATE NO.:
BUSSEN-MAYER ENGINEERING CERTIFICATE NO.:
NOT VALID UNLESS SIGNED AND SEALED

DATE
4524
3535

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

PREPARED BY:



Bussen-Mayer Engineering Group

100 PARNELL STREET • MERRITT ISLAND, FLORIDA 32953
PH. NO.: (321) 453-0010 FAX NO.: (321) 454-6885



DRAWN BY: JCC

CHECKED BY: JBC

PROJECT NO. 407515

SECTION 18

DATE: 5/6/2021

DRAWING: 407515-sk01.dwg

REVISIONS

DATE

DESCRIPTION

7/13/21

REVISE TO 800 ESMT

TOWNSHIP 26 SOUTH
RANGE 37 EAST

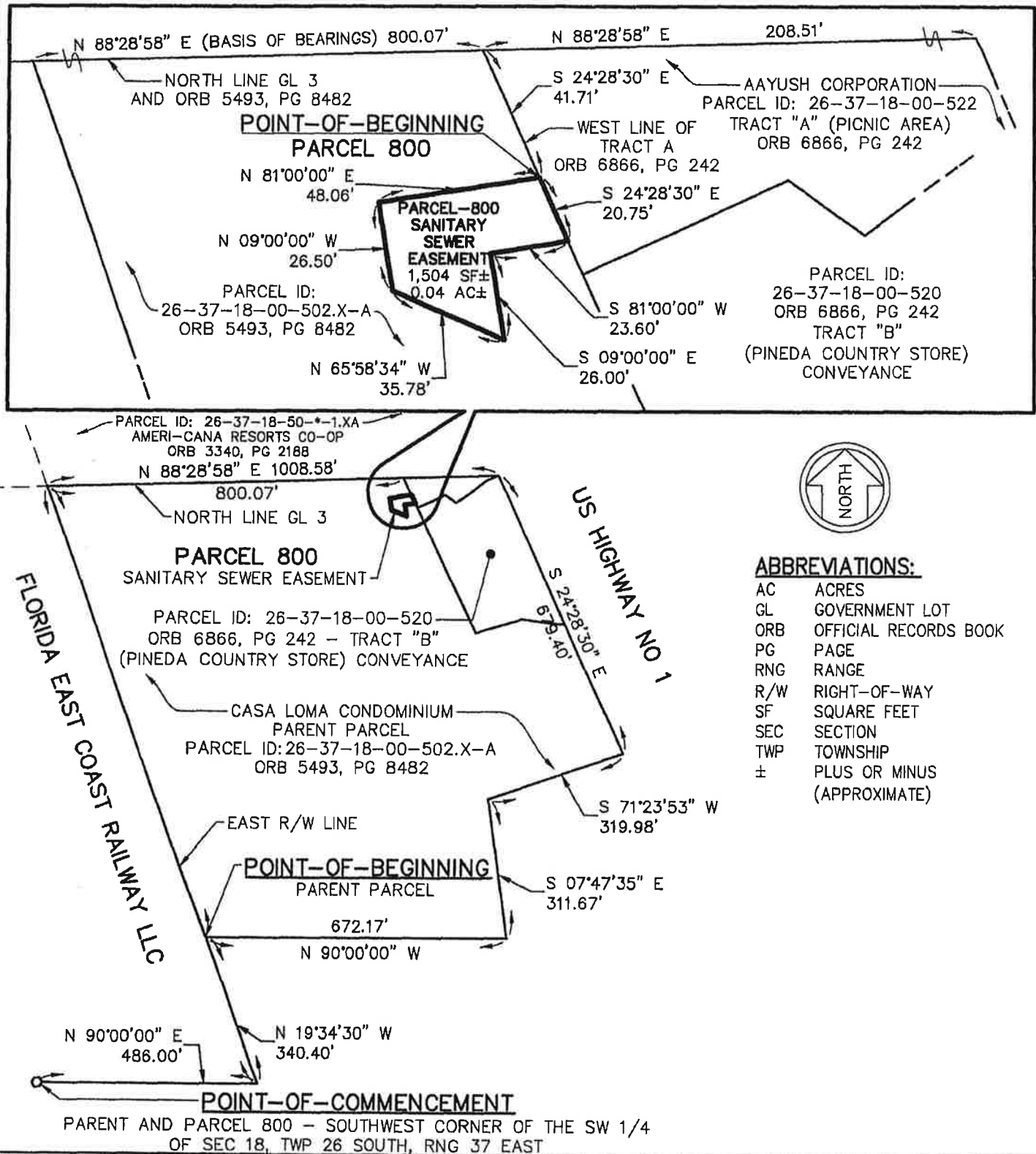
PARCEL #800

PURPOSE: SANITARY SEWER EASEMENT

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



PREPARED BY:



Bussen-Mayer Engineering Group

100 PARNELL STREET • MERRITT ISLAND, FLORIDA 32953
PH. NO.: (321) 453-0010 FAX NO.: (321) 454-6895

SCALE:

1"=40' UPPER GRAPHIC
1"=300' LOWER GRAPHIC

PROJECT NO.: 407515

SECTION 18

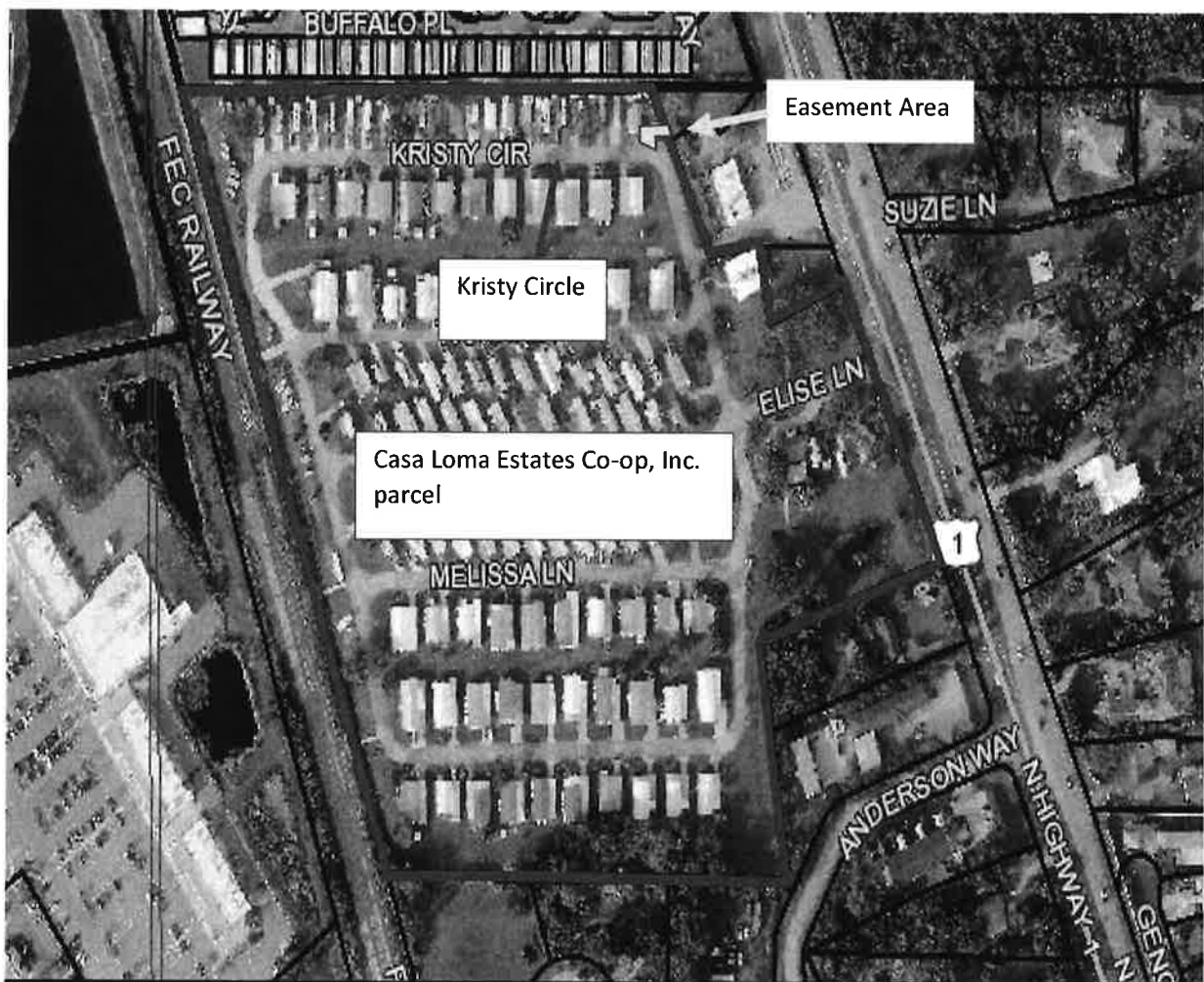
TOWNSHIP 26 SOUTH
RANGE 37 EAST

LOCATION MAP

Section 18, Township 26 South, Range 37 East - District: 4

PROPERTY LOCATION: North of Kristy Circle in Melbourne

OWNERS NAME: Casa Loma Estates Co-op, Inc.



BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Donation of Sanitary Sewer Easement from Casa Loma Estates Co-op, Inc. for the Lift Station T11 Improvement Project – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>9.3.2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	_____	<u>9-10-2021</u>