



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.15.

7/6/2021

Subject:

Approval, Re: Sanitary Sewer Easement from WCI Communities, LLC for the Bridgewater North Amenity Center Project- 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 21, Township 26 South, Range 36 East, on the west side of Lake Andrew Drive in Viera.

WCI Communities, LLC, owner, has submitted site plan number 17SP00020 for review and approval by the County for the development of an amenity center to benefit the resident's and homeowners in the Bridgewater North subdivision. In accordance with County code and standards, the owner has agreed to donate 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:



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

July 7, 2021

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

RE: Item F.15., Approval of Sanitary Sewer Easement from WCI Communities, LLC for the Bridgewater North Amenity Center Project

The Board of County Commissioners, in regular session on July 6, 2021, approved and accepted the Sanitary Sewer Easement from WCI Communities, LLC, for the Bridgewater North Amenity Center Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell".

Kimberly Powell, Clerk to the Board

cc: Utility Services

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Sanitary Sewer Easement from WCI Communities, LLC for the
Bridgewater North Amenity Center Project – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8353 Ext. 58353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>6.7.2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	_____	<u>6-7-2021</u>

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: 26-36-21-75-* -OSN91

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 20 day of MAY, 2021, between WCI Communities, LLC, a Delaware limited liability company, whose address is 700 North-West 107 Avenue, Suite 400, Miami, Florida 33172, 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 a sanitary sewer line 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 21, 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:


Witness

Matthew Pisciotto
Print name

Witness

Matthew Pisciotto
Print name

WCI Communities, LLC, a Delaware limited liability company

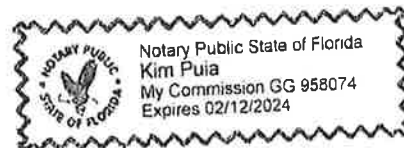
BY: 

Jeffrey Alexander, Authorized Agent for WCI Communities, LLC, a Delaware limited liability company by authority of WCI Communities, Inc., a Delaware Corporation

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 20th day of May, 2021, by Jeffrey Alexander as Authorized Agent for WCI Communities, LLC a limited liability company by authority of WCI Communities, Inc., a Delaware Corporation. Is personally known or produced _____ as identification.


Notary Signature
SEAL



LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 26-36-21-75--OSN91

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 20 FOOT WIDE STRIP OF LAND LYING AND BEING IN TRACT OSN9-1, BRIDGEWATER NORTH AT VIERA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGE 20, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 21, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT OSN9-1 (SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF BREAKERS ROW AVENUE, AN 80 FOOT WIDE PRIVATE RIGHT-OF-WAY PER THE PLAT OF SAID BRIDGEWATER NORTH AT VIERA) AND RUN S48°04'41"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 146.67 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THENCE CONTINUE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHWEST, AND HAVING A RADIUS OF 410.00 FEET, A CENTRAL ANGLE OF 15°13'04", A CHORD BEARING OF S40°28'09"E, AND A CHORD LENGTH OF 108.58 FEET), A DISTANCE OF 108.90 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHWEST AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE S57°57'51"W ALONG SAID NON-TANGENT LINE, A DISTANCE OF 56.80 FEET; THENCE S32°15'05"W, A DISTANCE OF 135.49 FEET, THENCE N60°33'16"W, A DISTANCE OF 248.36 FEET; THENCE S60°33'16"E, A DISTANCE OF 248.36 FEET, THENCE S29°59'41"W, A DISTANCE OF 283.98 FEET; THENCE N60°23'31"W, A DISTANCE OF 163.46 FEET; THENCE S29°59'04"W, A DISTANCE OF 200.82 FEET TO THE END OF THIS CENTERLINE. SIDE LINES TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH THE WEST RIGHT-OF-WAY LINE OF SAID BREAKERS ROW AVENUE, CONTAINING 0.50 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 S48°04'41"E ON THE WEST RIGHT-OF-WAY LINE OF BREAKERS ROW AVENUE, AN 80 FOOT WIDE PRIVATE RIGHT-OF-WAY, ACCORDING TO THE PLAT OF BRIDGEWATER NORTH AT VIERA, AS RECORDED IN PLAT BOOK 63, PAGE 20, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
4. THE LANDS DESCRIBED HEREON ARE SUBJECT TO THE TERMS, CONDITIONS AND MATTERS APPEARING ON THE PLAT OF BRIDGEWATER NORTH AT VIERA AS RECORDED IN PLAT BOOK 63, PAGE 20, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, (SPECIFICALLY NOTE 10 ON SAID PLAT).
5. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THAT CERTAIN FIDELITY NATIONAL TITLE INSURANCE COMPANY PROPERTY INFORMATION REPORT, ORDER NO. 9193586, CUSTOMER REFERENCE NUMBER: BRIDGEWATER AMENITY-O&E DATED 02/05/2021 AT 5:00 PM. NO ADDITIONAL INFORMATION REGARDING EASEMENTS AND/OR ENCUMBRANCES AFFECTING THE LANDS DESCRIBED HEREON WAS PROVIDED TO, NOR RESEARCHED BY THE SURVEYOR.
6. PER REVIEW OF THE DOCUMENTS REFERENCED THE ABOVE NOTED PROPERTY INFORMATION REPORT, OTHER THAN THE BLANKET EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 7811, PAGE 2801, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND THOSE AS SHOWN AND NOTED ON SHEET 2 OF 2, NO EASEMENTS WERE FOUND TO BE ENCUMBERING, ABUTTING OR ADVERSELY AFFECTING THE LANDS DESCRIBED HEREON.
7. 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
8. THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS REQUIRED BY CHAPTER 6J-17, FLORIDA ADMINISTRATIVE CODE.



Digitally signed by

Leslie E Howard

Date: 2021.05.12

08:45:00 -04'00'

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

LESLIE E. HOWARD, PSM NO. 5611
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

B.S.E. PREPARED BY: B.S.E. CONSULTANTS, INC.

312 SOUTH HARBOR CITY BOULEVARD, SUITE 4
MELBOURNE, FLORIDA 32901

DRAWN BY: EAK/LEH

CHECKED BY: LEH

PROJECT NO. 11236.01.01

REVISIONS

DATE

DESCRIPTION

SECTION 21

TOWNSHIP 26 SOUTH

RANGE 36 EAST

DATE: 03/22/2021

DRAWING:

112360101 100 001

05/03/2021

COUNTY COMMENTS

SKETCH OF DESCRIPTION

PARCEL #800

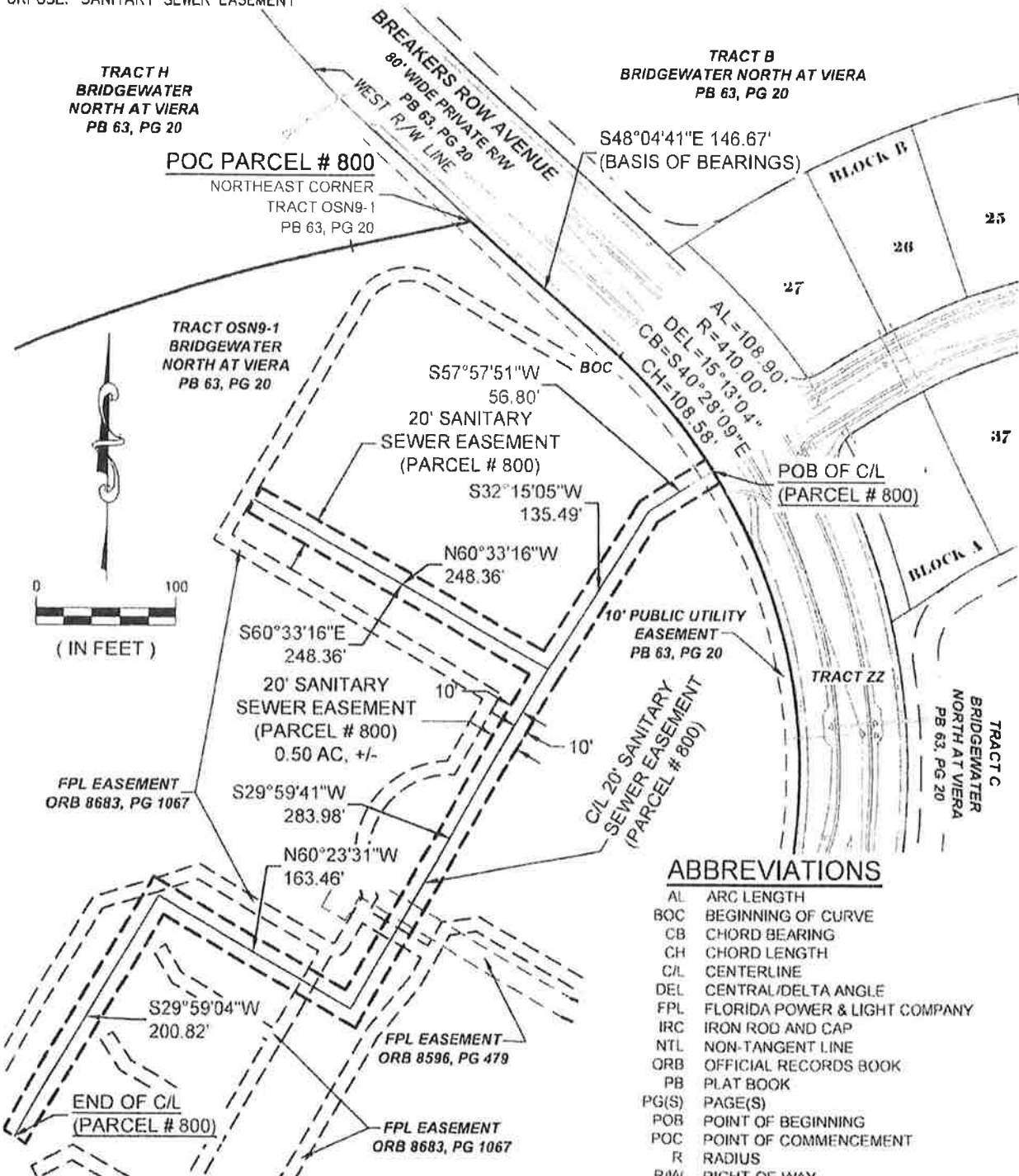
PARENT PARCEL ID#: 26-36-21-75-*--OSN91
PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



PREPARED BY: B.S.E. CONSULTANTS, INC.
312 SOUTH HARBOR CITY BOULEVARD, SUITE 4
MELBOURNE, FLORIDA 32901

SCALE:
1" = 100'
PROJECT NO.:
11236.01.01

SECTION 21
TOWNSHIP 26 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 21, Township 26 South, Range 36 East - District: 4

PROPERTY LOCATION: West side of Lake Andrew Drive in Viera

OWNERS NAME: WCI Communities, LLC

