



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

F.11.

7/6/2021

### Subject:

Approval, Re: Lift Station and Force Main Easements (3), Force Main Easement (1), Temporary Construction Easement (1) and Easement Maintenance Agreement with Health First, Inc. (1) for the Indian River Isles Septic to Sewer Project - District 4.

### Fiscal Impact:

None

### Dept/Office:

Public Works Department / Land Acquisition / Natural Resources Management Department / Utility Services Department.

### Requested Action:

It is requested that the Board of County Commissioners: 1) accept the three attached Lift Station and Force Main Easements, the attached Force Main Easement and the attached Temporary Construction Easement and 2) approve and authorize the Chair to execute the attached Easement Maintenance Agreement.

### Summary Explanation and Background:

The subject property is located in Sections 01 and 12, Township 26 South, Range 36 East, on the east and west sides of Highway 1 in Rockledge.

Natural Resources Management Department is undertaking a project known as the Indian River Isles Septic to Sewer Conversion Project, in conjunction with the Utility Services Department to help improve the Indian River Lagoon water quality by reducing excess nitrogen loading to the lagoon. Indian River Isles is located within South Central-Zone C, included in the Save Our Indian River Lagoon Project Plan, as approved by the Board of County Commissioners. The Plan specifically identifies septic system removals and updates as a key component to reducing pollutant loadings to the Indian River Lagoon. The project will include the construction of gravity and force main lines, lift stations and sewer service connections for the purpose of septic to sewer conversion.

The owners of the parcels have agreed to donate the easements to assist with the project. The owners are:

- 1) Parcel 805 Indian River Isle's Property Owners' Association, Inc.
- 2) Parcel 806 Second Indian River Isles Property Owner's Association, Inc.
- 3) Parcel 807 South Indian River Isles Homeowners Association, Inc.
- 4) Parcel 808, Parcel 701 Health First, Inc.

The User Departments approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

**Clerk to the Board Instructions:**

Upon execution by the Chair, Public Works Department will contact the Clerk's office to make arrangements to pick up the original executed Easement Maintenance Agreement.



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

**MEMORANDUM**

**TO:** Marc Bernath, Public Works Director

**RE:** Item F.11., Approval of Lift Station and Force Main Easements (3), Force Main Easement (1), Temporary Construction Easement (1), and Easement Maintenance Agreement with Health First, Inc. (1) for the Indian River Isles Septic to Sewer Project

The Board of County Commissioners, in regular session on July 6, 2021, accepted the three Lift Station and Force Main Easements (3), the Force Main Easement (1), and the Temporary Construction Easement (1) for the Indian River Isles Septic to Sewer Project; and approved and authorized the Chair to execute the Easement Maintenance Agreement with Health First. Enclosed is a fully-executed Agreement.

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

Encl. (1)

cc: Natural Resources Management  
Utility Services

## EASEMENT MAINTENANCE AGREEMENT

This Easement Maintenance Agreement (the "Agreement") is made this 6 day of July, 2021, by and between Health First, Inc., a Florida not for profit corporation, whose address is 6450 US Highway 1, Rockledge, Florida 32955, as the first party (referred to herein as "Health First"), 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 (referred to herein as the "County").

WHEREAS, the parties have entered into the Force Main Easement, dated April 21, 2021, and the Temporary Construction Easement, dated April 21, 2021 (collectively referred to herein as the "Easements");

WHEREAS, the parties seek to clarify each party's responsibilities relating to the Easements;

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The land affected by the Easements shall be referred to herein as the "Easement Area".
2. The County shall be responsible for the prompt repair of any damage or destruction to any portion of the Easement Area arising from the County's work, access, ingress, egress, or use related to the Easements. Examples shall include, but are not limited to, damage or destruction to the Easement Area resulting from the structural failure of underlying infrastructure or collapse of land.
3. The County acknowledges and agrees that Health First shall have the right to determine the timeline in which any such repairs to the Easement Area are to be completed by the County.
4. The term of the Temporary Construction Easement shall commence upon i) the beginning of the project as described in the Temporary Construction Easement, or ii) the first day the County places equipment or utilizes parking on the Easement Area, whichever is earlier. The term of this Agreement shall expire upon the completion of the project or 365 days from the commencement of the project, whichever occurs first.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date first above written.

**BREVARD COUNTY**

By: 

Name: Rita Pritchett

Title: Chair

ATTEST:

As approved by the Board on 07/06/21.

  
Rachel M. Sadoff, Clerk

**HEALTH FIRST, INC.**

By: 

Name: Michael Scialdone

Title: EVP / Chief Financial Officer

✓  
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: 26-36-01-75-B

### **LIFT STATION AND FORCE MAIN EASEMENT**

**THIS INDENTURE**, made this 27<sup>th</sup> day of Feb, 2021, between Indian River Isles Property Owners' Association, Inc., a Florida not for profit corporation, whose address is 6310 Anchor Lane, 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, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and/or lift station and 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 01, 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:

[Signature]  
Witness

Anthony P Gubler  
Print Name

[Signature]  
Witness

Lucy Hamelers  
Print Name

Indian River Isles Property Owners'  
Association, Inc., a Florida not for  
profit corporation

BY: [Signature]  
Janet Nickloy, President

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 27<sup>th</sup> day of February, 2021, by Janet Nickloy, as President of Indian River Isles Property Owners' Association, Inc., a Florida not for profit corporation. Is personally known or produced \_\_\_\_\_ as identification.

[Signature]  
Notary Signature  
SEAL

Board Meeting Date: 07/06/2021  
Agenda Item # \_\_\_\_\_



# LEGAL DESCRIPTION

## PARCEL 805

PARENT PARCEL ID#: 26-36-01-75-B

PURPOSE: LIFT STATION & FORCE MAIN EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYOR'S NOTE #1

**LEGAL DESCRIPTION:** PARCEL 805, LIFT STATION & FORCE MAIN EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF TRACT B, INDIAN RIVER ISLES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26, PAGE 46 AND LYING WITHIN SECTION 1, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID TRACT B; THENCE NORTH 89° 28' 35" EAST ALONG THE NORTH LINE OF SAID TRACT B FOR A DISTANCE OF 321.92 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00° 31' 25" EAST FOR A DISTANCE OF 10.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF ANCHOR LANE, A 50.00 FOOT PUBLIC RIGHT OF WAY ESTABLISHED PER SAID PLAT BOOK 26, PAGE 46; THENCE SOUTH 89° 28' 35" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 232.31 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 05° 48' 08"; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 12.66 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN SOUTH 89° 59' 27" WEST FOR A DISTANCE OF 8.85 FEET; THENCE SOUTH 86° 42' 21" WEST FOR A DISTANCE OF 58.47 FEET TO A POINT ON THE WEST LINE OF SAID TRACT B; THENCE NORTH 36° 31' 01" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 16.55 FEET TO THE POINT OF BEGINNING, CONTAINING 3310 SQUARE FEET (0.08 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE NORTH LINE OF TRACT B, INDIAN RIVER ISLES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26, PAGE 46 AS BEING NORTH 89° 28' 35" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 20-1390-D, TAX IDENTIFICATION NUMBER 2600148, EFFECTIVE DATE 8/12/2020. PER SAID TITLE REPORT, THE FOLLOWING EASEMENTS WERE LISTED THEREIN:
    - i. DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 4200, PAGE 3704. THIS EASEMENT OCCUPIES ALL OF SAID TRACT "B" AND AFFECTS ALL OF PARCEL 805.

### ABBREVIATIONS:

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
BRG = BEARING  
DE = DRAINAGE EASEMENT  
L = LENGTH  
GOVT = GOVERNMENT  
HWY = HIGHWAY  
ORB = OFFICIAL RECORDS BOOK  
PB = PLAT BOOK

PC = POINT OF CURVATURE  
PG = PAGE  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
PT = POINT OF TANGENCY  
R = RANGE OR RADIUS  
R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET  
T = TOWNSHIP  
TP = TAX PARCEL



PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION

ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940

PHONE: (321) 633-2080



DRAWN BY: R HENNING	CHECKED BY: M SWEENEY	PROJECT NO. 20-02-044	SECTION 01 TOWNSHIP 26 SOUTH RANGE 36 EAST
DATE: 1/21/2021	SHEET: 1 OF 2	REVISIONS	
		DATE	
		DESCRIPTION	

# SKETCH OF DESCRIPTION

## PARCEL 805

PARENT PARCEL ID#: 26-36-01-75-B

PURPOSE: LIFT STATION & FORCE MAIN EASEMENT



## EXHIBIT "A"

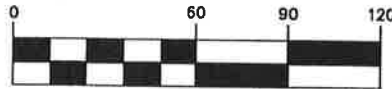
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYOR'S NOTE #1

### GRAPHIC SCALE



( IN FEET )

1 inch = 60 feet

TP: 26-36-01-00-757  
ORB 6961, PG 428

**PARCEL 805**  
LIFT STATION & FORCE MAIN EASEMENT  
3310 SQUARE FEET (0.08 ACRES±)

**P.O.B.**

PARCEL 805  
NW CORNER TRACT B  
PER PB 26, PG 46

N LINE PB 25, PG 89, LOT 26  
N LINE GOVT LOT 4

10.00' DRAINAGE  
EASEMENT PER ORB  
4200, PG 3704  
(SEE SURVEY NOTES)

TP: 26-36-01-00-760  
ORB 6336, PG 1138

W LINE TRACT B

N LINE PB 26, PG 46  
N LINE OF TRACT B

50.00' WIDE  
INGRESS/EGRESS  
EASEMENT PER ORB  
6566, PG 782

N36°31'01"W  
16.55'

N89°28'35"E  
321.92'

PC

(B.O.B.) 10.00'

30.00' 10.00'

N R/W LINE

INDIAN RIVER ISLES  
1ST ADDITION  
PB 25, PG 89

TP:  
26-36-01-LV-\*--26  
ORB 8762, PG 788  
LOT 26

R=125.00'

L=12.66'

DELTA=05°48'08"

S89°28'35"W  
232.31'

S89°59'27"W  
8.85'

S R/W LINE

S86°42'21"W  
58.47'

S0°31'25"E  
10.00'

INDIAN RIVER ISLES  
PLAT BOOK 26, PAGE 46

TP: 26-36-01-75-B  
ORB 2567, PG 2243  
TRACT B

10.00' PUBLIC UTILITY & DRAINAGE  
EASEMENT PER PB 25, PG 89

30.00' DRAINAGE EASEMENT  
PER PB 25, PG 89

ANCHOR LANE  
50.00' R/W PER  
PB 26, PG 46

50.00'



= PARCEL 805



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

SCALE:

1" = 60'

PROJECT NO.:

20-02-044

SECTION 01

TOWNSHIP 26 SOUTH

RANGE 36 EAST



## LOCATION MAP

**Section 01, Township 26 South, Range 36 East - District 4**

PROPERTY LOCATION: East of US 1, north of Anchor Lane and south of Frument Place in Rockledge.

OWNERS NAME: Indian River Isles Property Owners' Association, Inc.



### **LIFT STATION AND FORCE MAIN EASEMENT**

**THIS INDENTURE**, made this 29th day of April, 2021, between Second Indian River Isles Property Owner's Association, Inc., a Florida not for profit corporation, whose address is 6241 Halyard Court, 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, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and/or lift station and 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 12, 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.

The second party shall install a privacy screen on the existing fence between the tennis courts and the lift station to obstruct the view of the lift station. Maintenance of the privacy screen shall be the responsibility of the first party.

Signatures and Notary on next page)

**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.

**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

Jose J. Kreusc

Print Name

[Signature]

Witness

Lucy Hamelers

Print Name

Second Indian River Isles Property  
Owner's Association, Inc., a Florida  
not for profit corporation

BY: [Signature]  
Robert Marzig, President

STATE OF FLORIDA  
COUNTY OF BREVARD

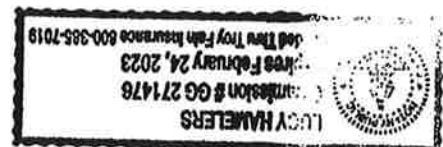
The foregoing instrument was acknowledged before me by means of [x] physical presence or [ ] online notarization on this 29th day of April, 2021, by Robert Marzig, as President of Second Indian River Isles Property Owner's Association, Inc., a Florida not for profit corporation. Is personally known or produced driver's license as identification.

[Signature]

Notary Signature

SEAL

Board Meeting Date: 07/06/2021  
Agenda Item #                     



# LEGAL DESCRIPTION

## PARCEL 806

PARENT PARCEL ID#: 26-36-12-02-B

PURPOSE: LIFT STATION & FORCE MAIN EASEMENT

### EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYOR'S NOTE #1

LEGAL DESCRIPTION: PARCEL 806, LIFT STATION & FORCE MAIN EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF TRACT "B" INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 14 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LYING WITHIN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT "B"; THENCE SOUTH 78° 51' 15" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE OF HELMSMAN PLACE AS ESTABLISHED BY THE PLAT OF INDIAN RIVER ISLES SECOND ADDITION AS RECORDED IN PLAT BOOK 30, PAGE 17 FOR A DISTANCE OF 33.37 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN NORTH 00° 35' 30" WEST FOR A DISTANCE OF 10.21 FEET, TO A POINT ON THE NORTH LINE OF A 10-FOOT WIDE DRAINAGE AND UTILITY EASEMENT AS ESTABLISHED BY SAID PLAT BOOK 31, PAGE 14, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LANDS; THENCE CONTINUE NORTH 00° 35' 30" WEST FOR A DISTANCE OF 5.94 FEET; THENCE NORTH 89° 24' 30" EAST FOR A DISTANCE OF 35.05 FEET; THENCE SOUTH 00° 35' 30" EAST FOR A DISTANCE OF 2.51 FEET; THENCE NORTH 88° 54' 46" EAST FOR A DISTANCE OF 99.70 FEET TO A POINT ON THE NORTH LINE OF SAID THE AFOREMENTIONED 10-FOOT WIDE DRAINAGE AND UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 15.00 FEET, AN INCLUDED ANGLE OF 58° 33' 47" AND WHOSE LONG CHORD BEARS SOUTH 59° 56' 23" WEST; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH EASEMENT LINE FOR A DISTANCE OF 15.33 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89° 13' 17" WEST ALONG SAID NORTH EASEMENT LINE FOR A DISTANCE OF 106.23 FEET; THENCE NORTH 78° 51' 15" WEST ALONG SAID NORTH EASEMENT LINE FOR A DISTANCE OF 16.08 FEET, TO THE POINT OF BEGINNING, CONTAINING 958.46 SQUARE FEET (0.022 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

#### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE NORTHERLY RIGHT OF WAY LINE OF HELMSMAN PLACE AS BEING SOUTH 78° 51' 15" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:

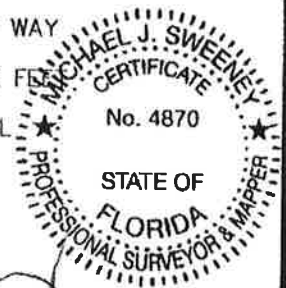
A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 20-1390-E, TAX IDENTIFICATION NUMBER 2601773, EFFECTIVE DATE 8/12/2020. PER SAID REPORT, NO EASEMENTS AFFECTING OR ABUTTING PARCEL 806, EXCEPT THOSE ESTABLISHED BY PLAT BOOK 31, PAGE 14 AS SHOWN HEREIN, WERE DECLARED WITHIN SAID TITLE REPORT.

#### ABBREVIATIONS:

AKA = ALSO KNOWN AS  
BRG = BEARING  
BOB = BASIS OF BEARINGS  
COR = CORNER  
D&UE = DRAINAGE & UTILITY EASEMENT  
ESMT = EASEMENT  
L = LENGTH

HWY = HIGHWAY  
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T = TOWNSHIP  
TP = TAX PARCEL



PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: G. CROOK

CHECKED BY: M SWEENEY

PROJECT NO. 20-02-044

REVISIONS

DATE

DESCRIPTION

SECTION 12

TOWNSHIP 26 SOUTH

RANGE 36 EAST

DATE: 12/30/2020

SHEET: 1 OF 2

# SKETCH OF DESCRIPTION

## PARCEL 806

PARENT PARCEL ID#: 26-36-12-02-B

PURPOSE: LIFT STATION & FORCEMAIN EASEMENT

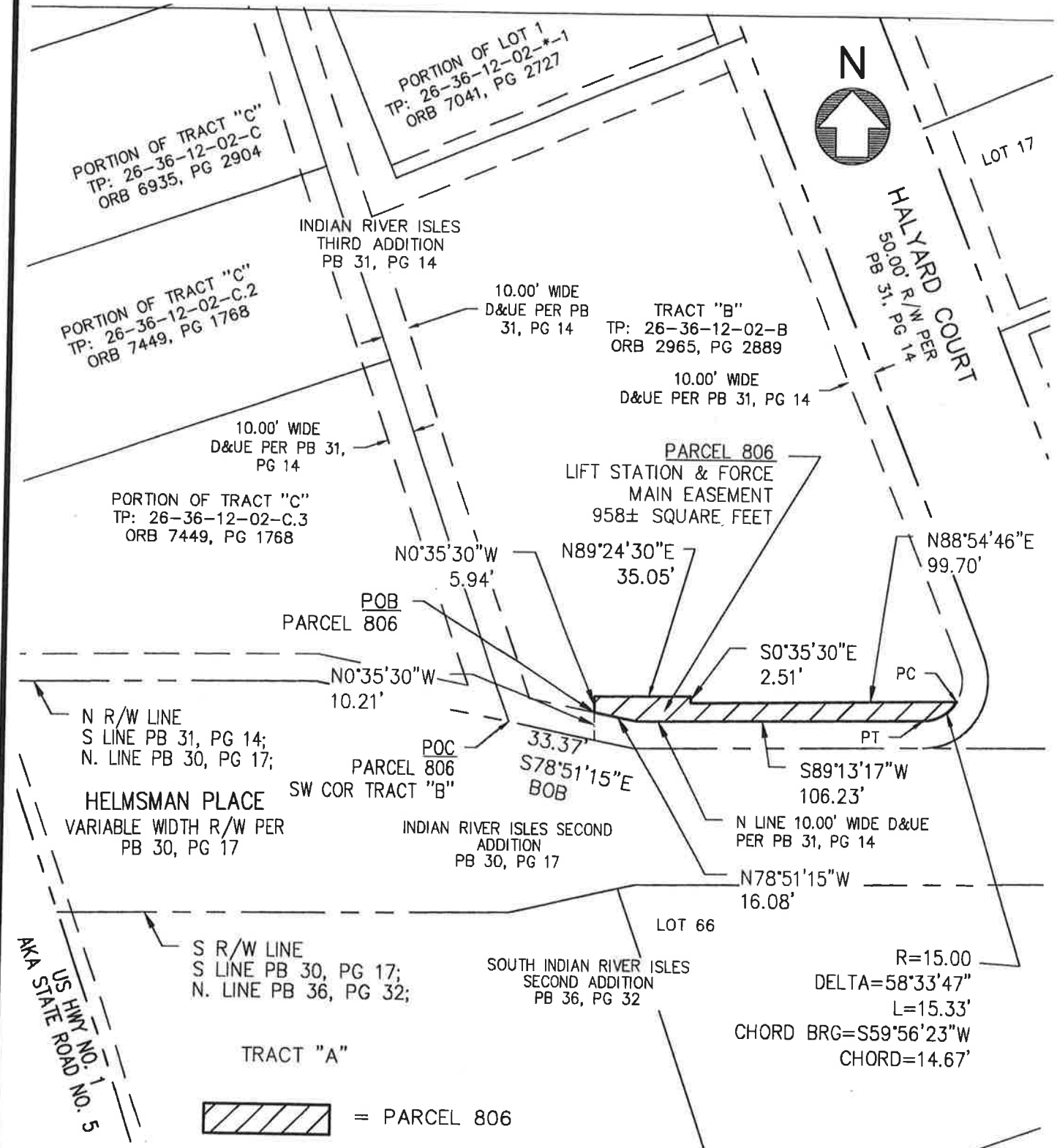
## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYOR'S NOTE #1



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRANK JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

SCALE:  
1" = 50'  
PROJECT NO.:  
20-02-044

SECTION 12  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST

## LOCATION MAP

**Section 12, Township 26 South, Range 36 East - District 4**

PROPERTY LOCATION: East of US 1, north of Helmsman Place on west side of Halyard Court in Rockledge.

OWNERS NAME: Second Indian River Isles Property Owners' Association, Inc.



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: 26-36-12-05-B

### **LIFT STATION AND FORCE MAIN EASEMENT**

**THIS INDENTURE**, made this 7<sup>th</sup> day of April, 2021, between South Indian River Isles Homeowners Association, Inc., a Florida not for profit corporation, whose address is 6317 Spinaker Drive, 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, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and/or lift station and 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 12, 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

Vivianna Mobley

Print Name

Print Name \_\_\_\_\_

~~Witness~~

Emily Ashford

Print Name

South Indian River Isles Homeowners  
Association, Inc., a Florida not for  
profit corporation

BY:

Brian West, President

STATE OF FLORIDA  
COUNTY OF BREVARD

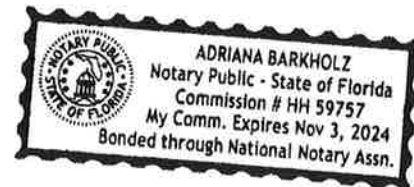
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 6<sup>th</sup> day of April, 2021, by Brian West, as President for South Indian River Isles Homeowners Association, a Florida not for profit corporation. Is personally known or produced \_\_\_\_\_ as identification.

Notary Signature

Notary Signature

SEAL

Board Meeting Date: 4/7/2021  
Agenda Item # 5C





# LEGAL DESCRIPTION

## PARCEL 807

PARENT PARCEL ID#: 26-36-12-05-B

PURPOSE: LIFT STATION & FORCE MAIN EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYOR'S NOTE #1

LEGAL DESCRIPTION: PARCEL 807, LIFT STATION & FORCE MAIN EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF TRACT "B" INDIAN RIVER ISLES, THIRD ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 93 AS RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LYING WITHIN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT 'B'; THENCE SOUTH 89° 09' 25" WEST, ALONG THE SOUTH LINE OF SAID PLAT BOOK 38, PAGE 93, SAID LINE ALSO BEING THE NORTH LINE OF THE PLAN OF TOWN OF PINEDA AS RECORDED IN PLAT BOOK 1, PAGE 41, FOR A DISTANCE OF 21.21 FEET A POINT ON THE WEST LINE OF A 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AS ESTABLISHED BY SAID PLAT BOOK 38, PAGE 93, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE SOUTH 89° 09' 25" WEST ALONG SOUTH LINE OF SAID PLAT BOOK 38, PAGE 93 FOR A DISTANCE OF 8.56 FEET; THENCE NORTH 20° 25' 31" WEST FOR A DISTANCE OF 174.72 FEET; THENCE NORTH 65° 57' 02" WEST FOR A DISTANCE OF 19.27 FEET; THENCE NORTH 21° 24' 21" WEST FOR A DISTANCE OF 43.47 FEET TO A POINT ON THE SOUTHERLY LINE OF A 30.00' WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AS ESTABLISHED BY SAID PLAT BOOK 38, PAGE 93; THENCE NORTH 69° 30' 00" EAST ALONG SAID SOUTH LINE FOR A DISTANCE OF 23.08 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE SOUTH 20° 17' 54" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 234.58 FEET TO THE POINT OF BEGINNING, CONTAINING 264 SQUARE FEET (0.061 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE EASTERLY LINE OF TRACT 'B' PER SAID PLAT BOOK 38, PAGE 93, AS BEING SOUTH 20° 17' 54" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. THERE IS AN AREA WITHIN TRACT 'B' BETWEEN THE 30.00-FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AND THE 20.00-FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AS ESTABLISHED BY PLAT BOOK 38, PAGE 93 THAT IS NOT EXACTLY 30.00 FEET WIDE OR 20.00 FEET WIDE. THIS AREA OF VARYING WIDTH IS INTERPRETED AS BEING SUBJECT TO PUBLIC UTILITY AND DRAINAGE EASEMENT.
4. REFERENCE MATERIAL:

A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 20-1390-F, TAX IDENTIFICATION NUMBER 2615580, EFFECTIVE DATE 8/12/2020. PER SAID REPORT, NO EASEMENTS AFFECTING OR ABUTTING PARCEL 807, EXCEPT THOSE ESTABLISHED BY PLAT BOOK 38, PAGE 93 AS SHOWN HEREIN, WERE DECLARED WITHIN SAID TITLE REPORT.

### ABBREVIATIONS:

AKA = ALSO KNOWN AS  
BRG = BEARING  
BOB = BASIS OF BEARINGS  
COR = CORNER  
ESMT = EASEMENT  
L = LENGTH  
HWY = HIGHWAY  
ORB = OFFICIAL RECORDS BOOK

PB = PLAT BOOK  
PC = POINT OF CURVATURE  
PG = PAGE  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
PT = POINT OF TANGENCY  
PD&UE = PUBLIC DRAINAGE & UTILITY EASEMENT  
R = RANGE OR RADIUS

R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET  
T = TOWNSHIP  
TP = TAX PARCEL

### PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: G. CROOK

CHECKED BY: M SWEENEY

PROJECT NO. 20-02-044

REVISIONS

DATE

DESCRIPTION

DATE: 12/30/2020

SHEET: 1 OF 2

SECTION 12

TOWNSHIP 26 SOUTH

RANGE 36 EAST

# SKETCH OF DESCRIPTION

## PARCEL 807

PARENT PARCEL ID#: 26-36-12-05-B

PURPOSE: LIFT STATION & FORCEMAIN EASEMENT

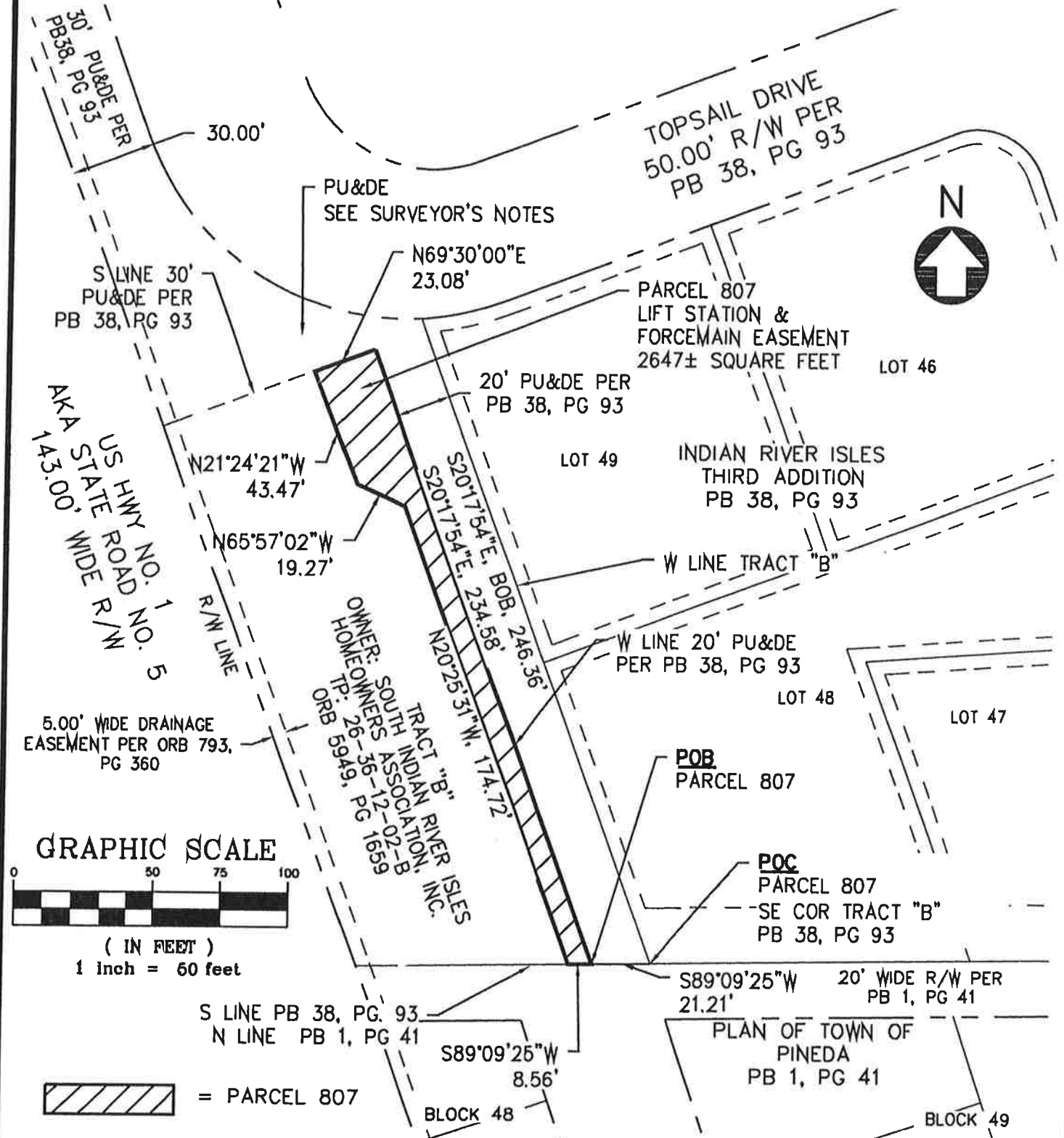
## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

SEE SURVEYOR'S NOTE #1



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
 SURVEYING AND MAPPING DIVISION  
 ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
 VIERA, FLORIDA 32940  
 PHONE: (321) 633-2080

SCALE:  
 1" = 50'  
 PROJECT NO.:  
 20-02-044

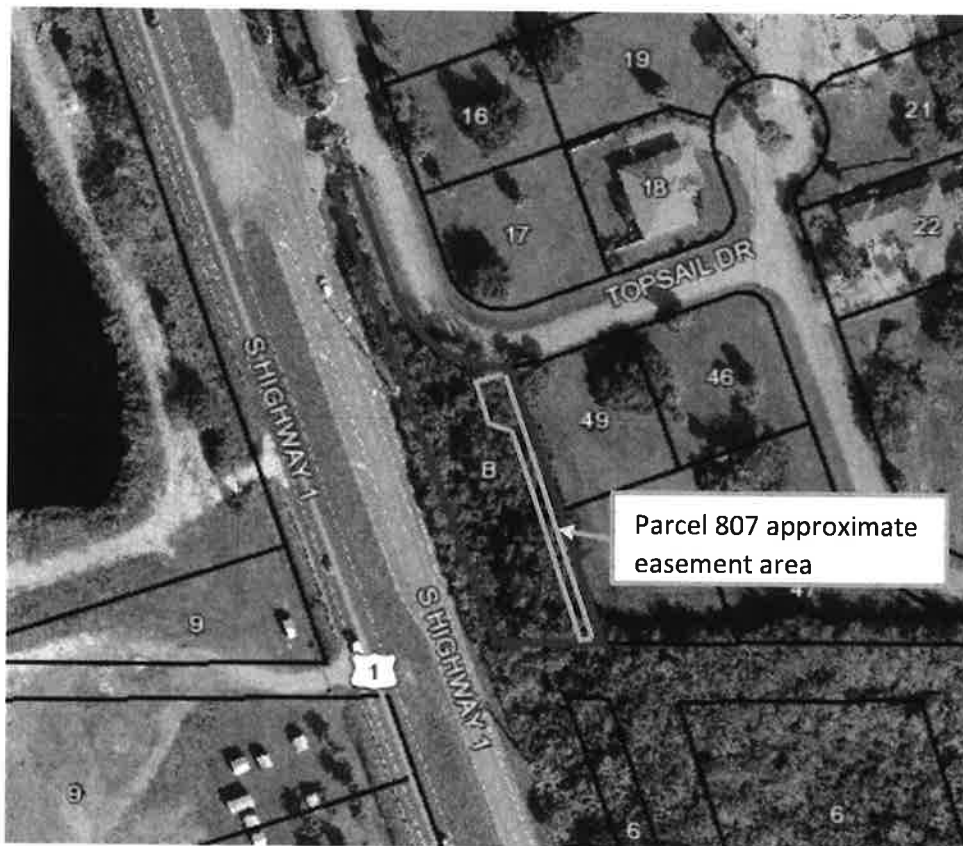
SECTION 12  
 TOWNSHIP 26 SOUTH  
 RANGE 36 EAST

## LOCATION MAP

**Section 12, Township 26 South, Range 36 East - District 4**

PROPERTY LOCATION: East of US 1, south of Topsail Drive in Rockledge.

OWNERS NAME: South Indian River Isles Homeowners Association, Inc.



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: 26-36-12-DE-2-11

### **FORCE MAIN EASEMENT**

**THIS INDENTURE**, made this 5<sup>th</sup> day of March, 2021, between Health First, Inc., a Florida not for profit corporation, whose address is 6450 US Highway 1, 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, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and association 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 12, 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:

Julie Lamp  
Witness  
Julie Lamp

Print Name

MA Brown

Witness

Michelle Brown

Print Name

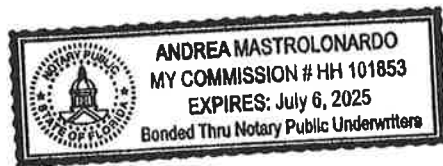
Health First, Inc., a Florida not for  
profit corporation

BY: [Signature]

Michael Scialdone,  
EVP / Chief Financial Officer

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization on this 5 day of May,  
2021, by Michael Scialdone, as EVP / Chief Financial Officer of Health First, Inc., a  
Florida not for profit corporation. Is personally known or produced  
[Signature] as identification.



[Signature]  
Notary Signature  
SEAL

# LEGAL DESCRIPTION PARCEL 808

PARENT PARCEL ID#: 26-36-12-DE-2-11  
PURPOSE: FORCE MAIN EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYOR'S NOTE #1

LEGAL DESCRIPTION: PARCEL 808, FORCE MAIN EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4390, PAGE 895 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND LYING WITHIN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4390, PAGE 895, SAID POINT ALSO BEING A POINT BEING A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 5, SECTION 7002-(175) 277, ALSO KNOWN AS U.S. HIGHWAY NO. 1; THENCE NORTH 20° 17' 54" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 380.27 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN SOUTH 68° 46' 03" WEST FOR A DISTANCE OF 58.92 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 242.50 FEET AND AN INCLUDED ANGLE OF 07° 28' 04"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 31.61 FEET TO A POINT OF TANGENCY; THENCE SOUTH 61° 17' 59" WEST FOR A DISTANCE OF 105.76 FEET; TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 257.50 FEET AND AN INCLUDED ANGLE OF 07° 25' 16"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 33.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 68° 43' 14" WEST FOR A DISTANCE OF 13.17 FEET TO A POINT ON THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4618, PAGE 356; THENCE NORTH 19° 56' 58" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 15.00 FEET; THENCE NORTH 68° 43' 14" EAST FOR A DISTANCE OF 12.82 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 242.50 FEET AND AN INCLUDED ANGLE OF 07° 25' 16"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 31.41 FEET TO A POINT OF TANGENCY; THENCE NORTH 61° 17' 59" EAST FOR A DISTANCE OF 105.76 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 257.50 FEET AND AN INCLUDED ANGLE OF 07° 28' 04"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 33.56 FEET TO A POINT OF TANGENCY; THENCE NORTH 68° 46' 03" EAST FOR A DISTANCE OF 59.17 FEET TO SAID WEST RIGHT OF WAY LINE; THENCE SOUTH 20° 17' 54" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3641 SQUARE FEET (0.08 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 5, ALSO KNOWN AS U.S. HIGHWAY NO.1, AS BEING NORTH 20° 17' 54" WEST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:

A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 20-1390A-1, TAX IDENTIFICATION NUMBER 2601535, EFFECTIVE DATE 9/17/2020. PER THE EASEMENTS AND EXCEPTIONS STATED IN SAID TITLE REPORT:

1. DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 427, PAGE 398; DOES NOT ABUT OR AFFECT PARCEL 808 AND IS NOT SHOWN HEREON.
3. WATER LINE & INGRESS AND EGRESS EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4071, PAGE 3041; DOES NOT ABUT OR AFFECT PARCEL 808 AND IS NOT SHOWN HEREON.
5. EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4575, PAGE 2475; DOES NOT ABUT OR AFFECT PARCEL 808 BUT IS SHOWN HEREON.
6. EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4618, PAGE 356; ABUTS PARCEL 808 AND IS SHOWN HEREON.
7. CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4644, PAGE 2787; DOES NOT ABUT OR AFFECT PARCEL 808 AND IS NOT SHOWN HEREON.

### ABBREVIATIONS:

AKA = ALSO KNOWN AS  
BRG = BEARING  
BOB = BASIS OF BEARINGS  
COR = CORNER  
ESMT = EASEMENT  
GOVT = GOVERNMENT

L = ARC LENGTH  
HWY = HIGHWAY  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORDS BOOK  
PB = PLAT BOOK

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PT = POINT OF TANGENCY  
PD&UE = PUBLIC DRAINAGE

& UTILITY EASEMENT  
R = RANGE OR RADIUS  
R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET  
T = TOWNSHIP  
TP = TAX PARCEL



PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: G. CROOK

CHECKED BY: M SWEENEY

PROJECT NO. 20-02-044

DATE: 1/7/21

SHEET: 1 OF 2

REVISIONS

DATE

DESCRIPTION

SECTION 12  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST



PARCEL 808

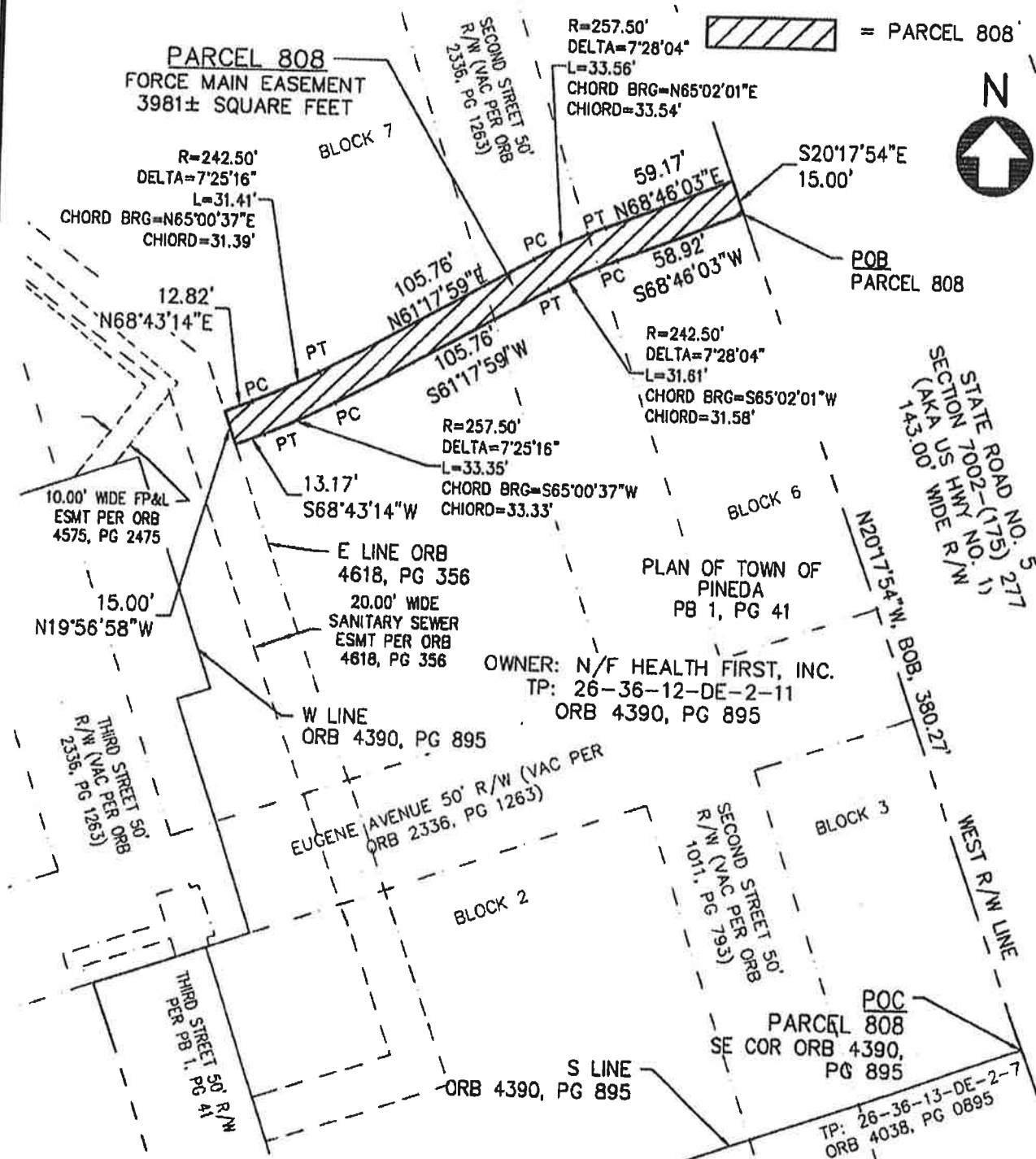
PURPOSE: FORCEMAIN EASEMENT

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

SEE SURVEYOR'S NOTE #1



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

SCALE: 1" = 60'

PROJECT NO.: 20-02-044

SECTION 12  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST

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: 26-36-12-DE-2-11

### **TEMPORARY CONSTRUCTION EASEMENT**

For and in consideration of the mutual benefits accruing to the parties, and for other good and valuable consideration, the receipt of which is hereby acknowledged, Health First, Inc., a Florida not for profit corporation, hereinafter called the Owner, whose address is 6450 US Highway 1, Rockledge, Florida 32955, do(es) give, grant, bargain and release to the Brevard County, a political subdivision of the State of Florida, hereinafter called the County, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, a temporary construction easement for the purpose(s) of bore pits and construction activities associated with directional drilling under the parcel and 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 12, Township 26 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

### **SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"**

With construction to be undertaken by or under direct supervision of the County. This easement shall be limited to said purposes but shall include all rights necessary to accomplish the stated purposes, including, but not limited to the right of ingress and egress onto the easement area as may be necessary for the County to accomplish the work, the right to occupy, possess, and to control the property described herein for the stated purposes, the right to stage and to use equipment on said lands for the stated purposes, and the authority of the County to apply for and to secure any necessary permits or approvals to accomplish the stated purposes.

The Owner does hereby covenant with the County 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.

THIS EASEMENT is granted upon the condition that the property will be restored to a condition as nearly as possible to its original condition that existed prior to the use intended by this easement.

(Signatures and Notary on next page)



THIS EASEMENT shall expire upon the completion of the project or 365 days from the commencement of the project, whichever occurs first.

Signed, sealed, and delivered in the presence of:

Julia Lamp  
Witness

Witness

Julie Lampp

Print Name

MA Brown.

## Witness

Michelle Brown

Print Name

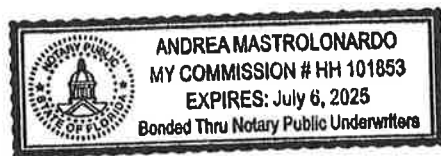
Health First, Inc., a Florida not for profit corporation

**BY:**

Michael Scialdone,  
EVP / Chief Financial Officer

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 5 day of May, 2021, by Michael Scialdone, as EVP / Chief Financial Officer for Health First, Inc., a Florida not for profit corporation. Is personally known or produced \_\_\_\_\_ as identification.



Quilley

Notary Signature  
SEAL

# LEGAL DESCRIPTION PARCEL 701

PARENT PARCEL ID#: 26-36-12-DE-2-11  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT "A"  
SHEET 1 OF 3

NOT VALID WITHOUT SHEET 2 & 3 OF 3

THIS IS NOT A SURVEY  
SEE SURVEYOR'S NOTE #1

LEGAL DESCRIPTION: PARCEL 701, TEMPORARY CONSTRUCTION EASEMENT (BY SURVEYOR)  
A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4390, PAGE 895 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND LYING WITHIN SECTION 12, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4390, PAGE 895, SAID POINT ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 5, SECTION 7002-(175) 277, ALSO KNOWN AS U.S. HIGHWAY NO. 1; THENCE NORTH 20° 17' 54" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 380.27 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN SOUTH 68° 46' 03" WEST FOR A DISTANCE OF 59.17 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 257.50 AND AN INCLUDED ANGLE OF 07° 28' 04"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 33.56 FEET TO A POINT OF TANGENCY; THENCE SOUTH 61° 17' 59" WEST FOR A DISTANCE OF 105.76 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 242.50 FEET AND AN INCLUDED ANGLE OF 07° 25' 16"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 31.41 FEET TO A POINT OF TANGENCY; THENCE SOUTH 68° 43' 14" WEST FOR A DISTANCE OF 32.82 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4618, PAGE 356, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 19° 56' 58" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 15.00 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 68° 43' 14" WEST FOR A DISTANCE OF 20.62 FEET; THENCE NORTH 18° 47' 11" WEST FOR A DISTANCE OF 15.01 FEET; THENCE NORTH 68° 43' 14" EAST FOR A DISTANCE OF 20.32 FEET TO THE POINT OF BEGINNING, CONTAINING 307 SQUARE FEET (0.01 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

## SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 5, ALSO KNOWN AS U.S. HIGHWAY NO.1, AS BEING NORTH 20° 17' 54" WEST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 20-1390A-1, TAX IDENTIFICATION NUMBER 2601535, EFFECTIVE DATE 9/17/2020. PER THE FOLLOWING EASEMENTS AND EXCEPTIONS STATED IN SAID TITLE REPORT:
    1. DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 427, PAGE 398; DOES NOT ABUT OR AFFECT PARCEL 808 AND IS NOT SHOWN HEREON.
    3. WATER LINE & INGRESS AND EGRESS EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4071, PAGE 3041; DOES NOT ABUT OR AFFECT PARCEL 808 AND IS NOT SHOWN HEREON.
    5. EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4575, PAGE 2475; DOES NOT ABUT OR AFFECT PARCEL 808 BUT IS SHOWN HEREON.
    6. EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4618, PAGE 356; ABUTS PARCEL 808 AND IS SHOWN HEREON.
    7. CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4644, PAGE 2787; DOES NOT ABUT OR AFFECT PARCEL 808 AND IS NOT SHOWN HEREON.

## ABBREVIATIONS:

AKA = ALSO KNOWN AS  
BRG = BEARING  
BOB = BASIS OF BEARINGS  
COR = CORNER  
ESMT = EASEMENT  
GOVT = GOVERNMENT

L = ARC LENGTH  
HWY = HIGHWAY  
N/F = NOW OR FORMERLY  
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PC = POINT OF CURVATURE  
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POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
PT = POINT OF TANGENCY  
PD&UE = PUBLIC DRAINAGE

& UTILITY EASEMENT  
R = RANGE OR RADIUS  
R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET  
T = TOWNSHIP  
TP = TAX PARCEL

No. 4870

## PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

revard  
Florida Surveyors & Mappers

DRAWN BY: G. CROOK

CHECKED BY: M SWEENEY

PROJECT NO. 20-02-044

DATE: 1/7/21

SHEET: 1 OF 3

REVISIONS

DATE

DESCRIPTION

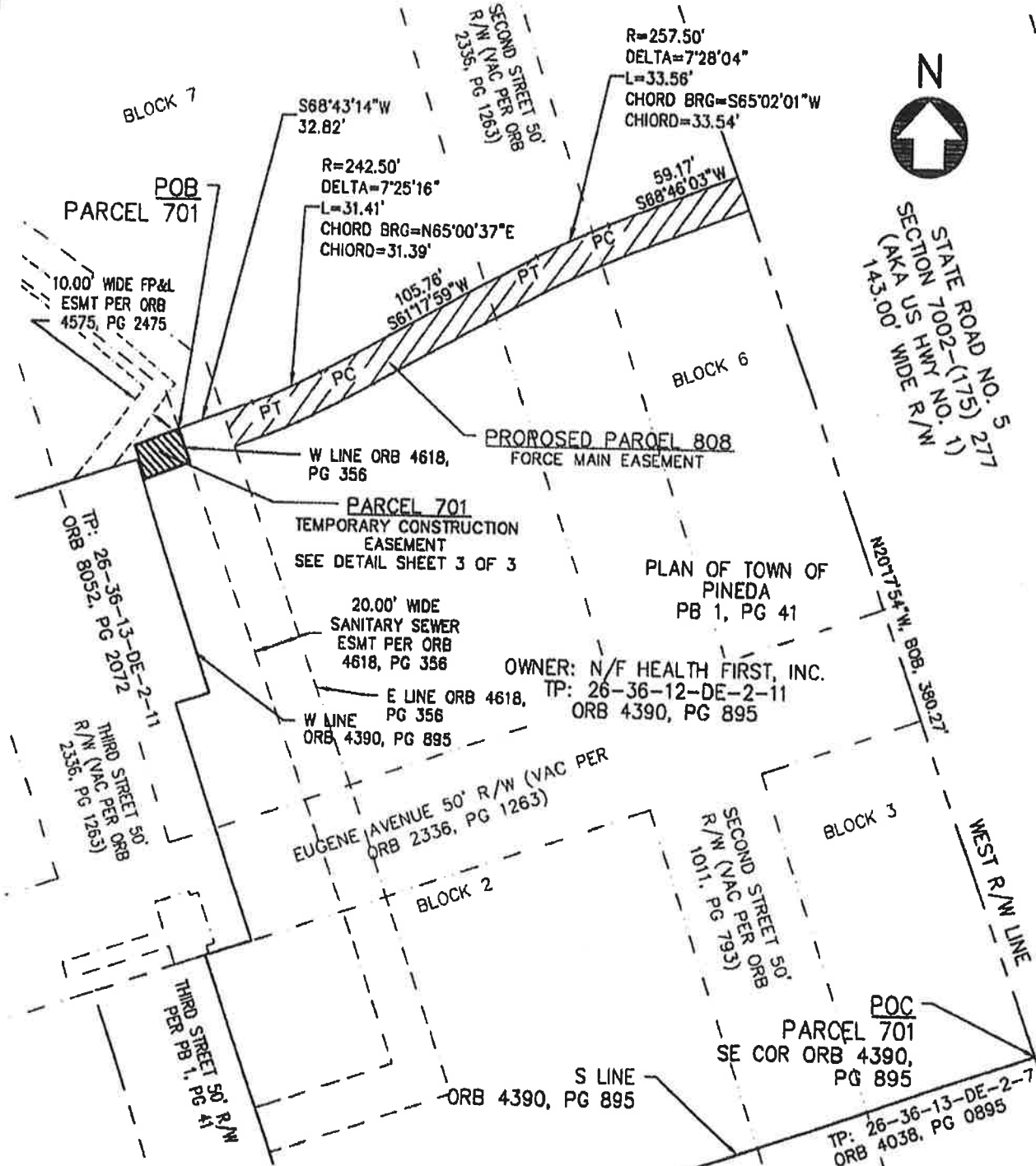
SECTION 12  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST

# SKETCH OF DESCRIPTION PARCEL 701

PARENT PARCEL ID#: 26-36-12-DE-2-11  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

## EXHIBIT "A"

SHEET 2 OF 3  
NOT VALID WITHOUT SHEET 1 & 3 OF 3  
THIS IS NOT A SURVEY  
SEE SURVEYOR'S NOTE #1



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

SCALE:  
1" = 60'  
PROJECT NO.:  
20-02-044

SECTION 12  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST

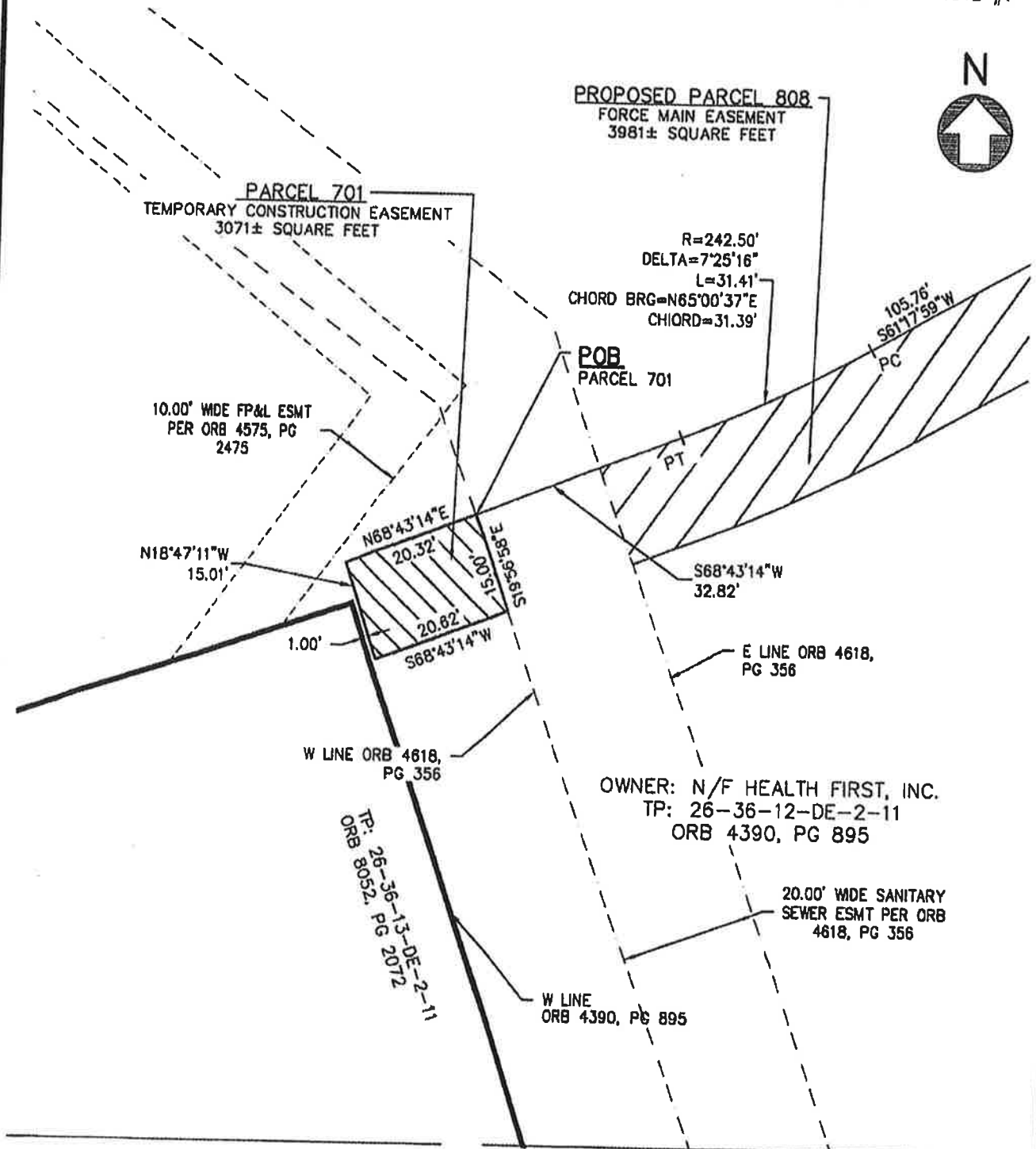
PARENT PARCEL ID#: 26-36-12-DE-2-11  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENTT

SHEET 3 OF 3

NOT VALID WITHOUT SHEET 1 & 2 OF 3

THIS IS NOT A SURVEY

SEE SURVEYOR'S NOTE #1



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

**SCALE:**

$$1'' = 20'$$

PROJECT NO.:

20-02-044

## SECTION 12

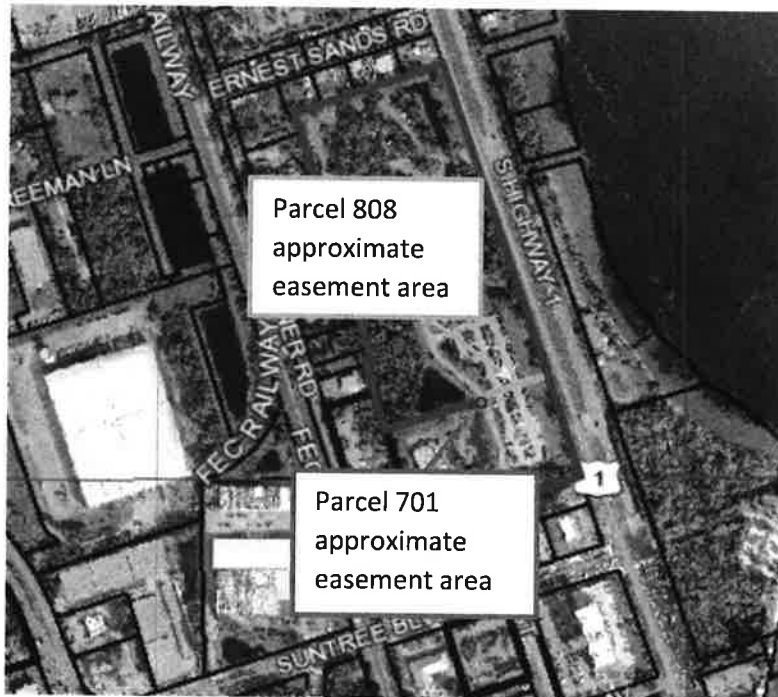
TOWNSHIP 26 SOUTH  
RANGE 36 EAST

## LOCATION MAP

### Section 12, Township 26 South, Range 36 East - District 4

PROPERTY LOCATION: West of US 1, east of Third Street and north of Suntree Boulevard in Rockledge.

OWNERS NAME: Health First, Inc.



# BOARD OF COUNTY COMMISSIONERS


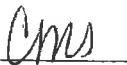
## AGENDA REVIEW SHEET

AGENDA: Lift Station and Force Main Easements (3), Force Main Easement (1), Temporary Construction Easement (1) and Easement Maintenance Agreement with Health First, Inc. (1) for the Indian River Isles Septic to Sewer 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			5-4-2021
COUNTY ATTORNEY Christine Schverak Assistant County Attorney			5/13/2021