



AGENDA REPORT
December 18, 2018

**Approval Re: Permanent Waterline Easement from Barefoot Bay Recreation
District - District 3.**

SUBJECT:

Approval Re: Permanent Waterline Easement from Barefoot Bay Recreation District
- District 3.

FISCAL IMPACT:

Fiscal Impact: FY 2018-2019: No Impact
FY 2019-2020: No Impact

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners approve and accept a Permanent Waterline Easement from Barefoot Bay Recreation District.

SUMMARY EXPLANATION and BACKGROUND:

The subject property is located within Section 10, Township 30 South, Range 38 East.

Barefoot Bay Recreation District as part of the Barefoot Bay Mobile Home Subdivision is demolishing an existing administration building and constructing a new one.

In order to comply with Brevard County Fire Code the new building will require upgrades to the existing waterline, which services the current fire hydrant and will include an additional hydrant when completed. The installation and improvements will be the responsibility of Barefoot Bay Recreation District (the owner). The conveyance of the easement will allow maintenance by the County.

There is no mortgage on the property.

Land Acquisition Policies and Procedures require approval and acceptance by the Board of County Commissioners for all easements.

CLERK TO THE BOARD INSTRUCTIONS:

Forward Board Approval Memo to Public Works Department Land Acquisition Section.

ATTACHMENTS:

Description

- ▣ **Barefoot Bay Waterline Easement Agenda Documents**

BOARD OF COUNTY COMMISSIONERS

AGENDA: BAREFOOT BAY RECREATION DISTRICT - PERMANENT WATERLINE
EASEMENT IN FAVOR OF BREVARD COUNTY - DISTRICT 3

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION/
UTILITY SERVICES DEPARTMENT

AGENCY
CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT
PHONE: 321-690-6847 (52886)

	<u>REVIEW</u>		
	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DPJ</u>	_____	<u>12/3/18</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney	<u>AMB</u> <i>*subject to BBRD approval @ trustee mtg scheduled for 12/7/18</i>	_____	<u>12/4/18</u>

AGENDA DUE DATE: December 4, 2018 for the December 18, 2018 Board Meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-6847) WHEN READY TO BE PICKED UP.

THANK YOU.



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

December 19, 2018

M E M O R A N D U M

TO: Dan Jones, Interim Public Works Director

RE: Item F.4., Approval of Permanent Waterline Easement from Barefoot Bay Recreation District

The Board of County Commissioners, in regular session on December 18, 2018, accepted a Permanent Waterline Easement from Barefoot Bay Recreation District, for property located in Section 10, Township 30 South, Range 38 East.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

Prepared by and Return to: Blaise M. Mancini, Land Acquisition Specialist
Brevard County Public Works Dept., Land Acquisition Section (321-690-6847)
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of Interest in Tax Parcel I.D.: 30-38-10-JT-C

PERMANENT WATERLINE EASEMENT

THIS INDENTURE, made this 27 day of November 2018, between Barefoot Bay Recreation District, a special district of the State of Florida, whose mailing address is 625 Barefoot Bay, Florida 32976, as the first party, and Brevard County, Florida, a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, as party of the second part, 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 hereby acknowledged, hereby grants unto the second party, its successors and assigns, a Permanent Water-line easement commencing on the above date, for the purpose of constructing and maintaining a water line and other allied uses pertaining thereto which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easement.

The land affected by the granting of this easement is located in Section 10, Township 30 South, Range 38 East, County of Brevard, and State of Florida, more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

TO HAVE AND TO HOLD said easement unto the County of Brevard and to its successors and assigns.

The first party does hereby 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 having set their hand and seal this, the day and year first above written.

Signed, sealed, and delivered in the presence of:

Barefoot Bay Recreation District, a Special District
of the State of Florida

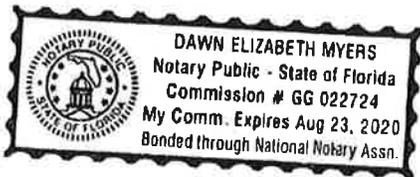
Dawn Myers
Witness
Dawn Myers
(Print)
Matthew J Goetz
Witness
Matthew J Goetz
(Print)

Brian K. Lavier
Brian Lavier, as Chairman

**STATE OF FLORIDA
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 27 day of November 2018, by Brian K. Lavier who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

WITNESS my hand and official seal at County of Brevard, State of Florida, this 27 day of November 2018.



Dawn Elizabeth Myers
Notary Public
Dawn Elizabeth Myers
Print Name

Stamp:

LEGAL DESCRIPTION

PARCEL # 801

PARENT PARCEL ID#: 30-38-10-JT-C
PURPOSE: WATER LINE EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL #801 (PREPARED BY SURVEYOR)

A 15 FOOT WIDE STRIP OF LAND IN TRACT C, BAREFOOT BAY MOBILE HOME SUBDIVISION MICCO, FLORIDA, UNIT TWO, PART ELEVEN ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGE 116, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA, LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 83 OF SAID BAREFOOT BAY MOBILE HOME SUBDIVISION MICCO, FLORIDA, UNIT TWO, PART ELEVEN AND RUN S89°35'00"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF BAREFOOT BOULEVARD, (ALSO BEING THE SOUTH LINE OF SAID BLOCK 83), A DISTANCE OF 52.94 FEET; THENCE S02°50'46"W A DISTANCE OF 120.19 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BAREFOOT BOULEVARD AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE CONTINUE S02°50'46"W A DISTANCE OF 61.86 FEET; THENCE S56°01'28"W A DISTANCE OF 241.81 FEET; THENCE S10°25'40"W A DISTANCE OF 32.51 FEET; THENCE S50°59'27"W A DISTANCE OF 31.98 FEET TO THE END OF THIS CENTERLINE. CONTAINING 5522.39 SQUARE FEET,(0.12 ACRES), MORE OR LESS.

(SIDE LINES TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH THE SOUTH RIGHT-OF-WAY LINE OF BAREFOOT BOULEVARD.)

SURVEYORS NOTES:

DESCRIPTION OF A 15 FOOT WIDE STRIP OF LAND IN TRACT C, BAREFOOT BAY MOBILE HOME SUBDIVISION MICCO, FLORIDA, UNIT TWO, PART ELEVEN ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGE 116, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 10, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA.

THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.

BEARING REFERENCE: ASSUMED BEARING OF S89°35'00"W ON THE NORTH RIGHT-OF-WAY LINE OF BAREFOOT BOULEVARD.

LOCATIONS OF IMPROVEMENTS AND/OR TOPOGRAPHIC FEATURES SHOWN ARE TAKEN FROM A SPECIFIC PURPOSE SURVEY PERFORMED BY B.S.E. CONSULTANTS, INC, DRAWING NO. 1131101_100_001, PROJECTR NO. 11311.01, DATED 6/8/16 AND LAST REVISED 9/20/16.

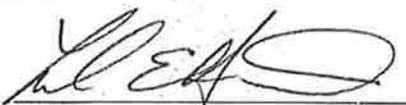
THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

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 5J-17, FLORIDA ADMINISTRATIVE CODE

THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THAT CERTAIN OPINION OF TITLE PREPARED BY ROSSWAY, SWAN, TIERNEY, BARRY, LACEY & OLIVER, P.L. DATED NOVEMBER 5, 2018

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, FLORIDA 32901
PHONE: (321) 725-3674 FAX: (321) 723-1159
CERTIFICATE OF PROFESSIONAL ENGINEERS BUSINESS AUTHORIZATION: 4905
CERTIFICATE OF LAND SURVEYING BUSINESS AUTHORIZATION: LB0004905

DRAWN BY: DRB

CHECKED BY: LEH

PROJECT NO. 11311.01.02

SECTION 10
TOWNSHIP 30 SOUTH
RANGE 38 EAST

DATE: 11/01/2018

DRAWING: 113110102_100_001

REVISIONS

DATE

DESCRIPTION

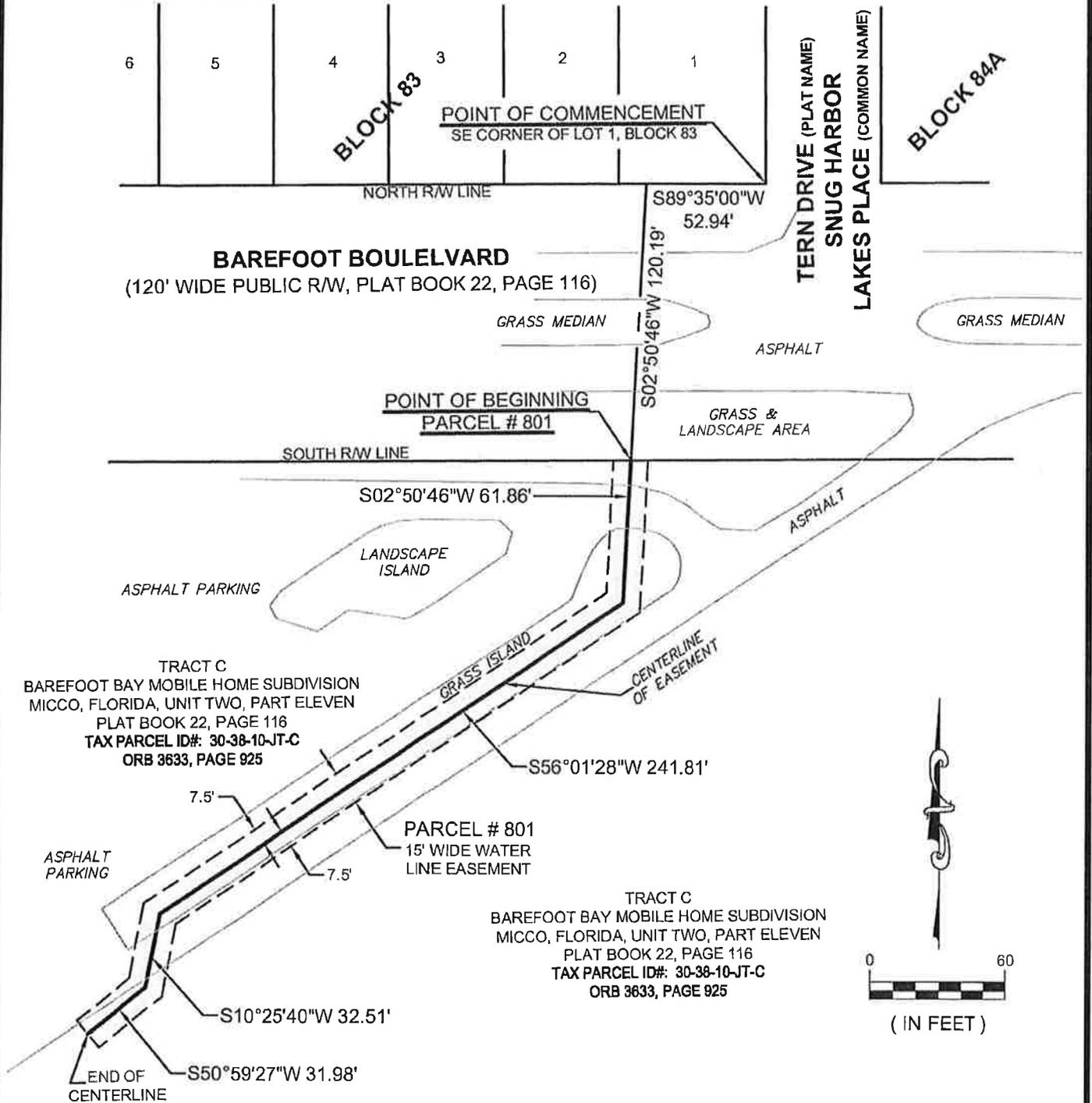
SKETCH OF DESCRIPTION

PARCEL # 801

PARENT PARCEL ID# 30-38-10-JT-C
 PURPOSE: WATER LINE EASEMENT

EXHIBIT "A"

SHEET 2 OF 2
 NOT VALID WITHOUT SHEET 1 OF 2
THIS IS NOT A SURVEY



TRACT C
 BAREFOOT BAY MOBILE HOME SUBDIVISION
 MICCO, FLORIDA, UNIT TWO, PART ELEVEN
 PLAT BOOK 22, PAGE 116
 TAX PARCEL ID#: 30-38-10-JT-C
 ORB 3633, PAGE 925

TRACT C
 BAREFOOT BAY MOBILE HOME SUBDIVISION
 MICCO, FLORIDA, UNIT TWO, PART ELEVEN
 PLAT BOOK 22, PAGE 116
 TAX PARCEL ID#: 30-38-10-JT-C
 ORB 3633, PAGE 925

PREPARED BY: **B.S.E. CONSULTANTS, INC.**
 312 SOUTH HARBOR CITY BOULEVARD, SUITE 4, MELBOURNE, FLORIDA 32901
 PHONE: (321) 725-3674 FAX: (321) 723-1159
 CERTIFICATE OF PROFESSIONAL ENGINEERS BUSINESS AUTHORIZATION: 4905
 CERTIFICATE OF LAND SURVEYING BUSINESS AUTHORIZATION: LB0004905

SCALE:
 1" = 60'
 PROJECT NO.:
 11311.01.02

SECTION 10
 TOWNSHIP 30 SOUTH
 RANGE 38 EAST

