

Meeting Date
October 20, 2015



AGENDA	
Section	Consent
Item No.	II.A.3

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: C-16 Lift Station Easement from Tropical Cove Condominium Association, Inc. to service the Tropical Cove Subdivision and surrounding properties - District 2 (Fiscal Impact: None)
DEPT/OFFICE:	Public Works Department / Land Acquisition Section / Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chairman to accept the Sanitary Sewer, Force Main, and Lift Station Easement from the Tropical Cove Condominium Association, Inc.

Summary Explanation & Background:

The subject property is located in Section 15, Township 24 South, Range 36 East.

The current lift station was constructed in the early 1970's and is located at the southeast corner of North Tropical Trail and Venetian Way in Merritt Island. It was constructed to serve the Tropical Cove Subdivision and adjacent properties.

The County has identified the need to rehabilitate, update, and upgrade the existing facility. Many of the structural components of the system are beyond their useful life.

To assist in the redesign of this facility, a boundary survey of the area where the facility is now located was prepared. The survey revealed that the existing lift station and facilities are located outside of the public road right of way and located on private property without a documented easement. The County's approval and acceptance of the easement will give the County permission to operate the facility and give the authority for the Utility Services Department staff to access the lift station when necessary for maintenance, repairs, and upgrades.

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

Fiscal impact: FY 2014-2015: No impact
FY 2015-2016: No impact

Clerk to the Board Instructions: Forward the Board Approval Memo to Department

Exhibits Attached: Copy of executed Sanitary Sewer, Force Main, and Lift Station Easement (with sketch & description), Vicinity Map and Property Fact Sheet

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager			Department Director / Extension			
Stockton Whitten	Assistant County Manager			John Denninghoff / 57202			
				James Helmer / 52091			



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

October 21, 2015

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.3., Acceptance of Sanitary Sewer, Force Main, and Lift Station Easement from Tropical Cove Condominium Association, Inc. to Service the Tropical Cove Subdivision and Surrounding Properties (C-16 Lift Station)

The Board of County Commissioners, in regular session on October 20, 2015, accepted the Sanitary Sewer, Force Main, and Lift Station Easement from the Tropical Cove Condominium Association, Inc.

Your continued cooperation is always appreciated.

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Donna Scott
for: Tammy Etheridge, Deputy Clerk

/kg

cc: Utility Services
Land Acquisition

BOARD OF COUNTY COMMISSIONERS

AGENDA: C-16 LIFT-STATION EASEMENT FROM THE TROPICAL COVE
CONDOMINIUM ASSOCIATION, INC.- DISTRICT 2

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

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (5-2886)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Daniel P. Jones Land Acquisition Supervisor	<u></u>	_____	<u>9/17/15</u>
COUNTY ATTORNEY Cristina Berrios Assistant County Attorney	<u>See Attached</u>	_____	<u>9/21/15</u>
PUBLIC WORKS DEPT. John P. Denninghoff, Director	<u></u>	_____	<u>10/6/15</u>
UTILITY SERVICES DEPT. Jim Helmer, Interim Director	<u></u>	_____	<u>9/25/15</u>

AGENDA DUE DATE: October 20, 2015 for the **November 3, 2015 Board Meeting**

If any reviewing office has questions or concerns regarding this package, please advise agency contact immediately.

Please contact Debbie Cruz when review is ready to be picked up at 321-690-6847

BOARD OF COUNTY COMMISSIONERS



AGENDA: C-16 LIFT-STATION EASEMENT FROM THE TROPICAL COVE
CONDOMINIUM ASSOCIATION, INC.- DISTRICT 2

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UTILITY SERVICES DEPARTMENT

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	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Daniel P. Jones Land Acquisition Supervisor		_____	9/17/15
COUNTY ATTORNEY Cristina Berrios Assistant County Attorney		_____	9/21/15
PUBLIC WORKS DEPT. John P. Denninghoff, Director	_____	_____	_____
UTILITY SERVICES DEPT. Jim Helmer, Interim Director	_____	_____	_____

AGENDA DUE DATE: October 7, 2015 for October 20, 2015 Agenda

If any reviewing office has questions or concerns regarding this package, please advise agency contact immediately.

Please contact Debbie Cruz when review is ready to be picked up at 321-690-6847

SANITARY SEWER, FORCE MAIN, AND LIFT STATION EASEMENT

THIS INDENTURE, made this 16 day of September, 2015, between Tropical Cove Condominium Association Inc., whose mailing address is 396 Yellow Tail Lane, Merritt Island Florida 32953 as the first party and Brevard County, a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, as the second party, for the use and benefit of Brevard County;

WITNESSETH: That the first party, in consideration of Ten Dollars (\$10.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual Sanitary Sewer, Force Main, and Lift Station easement commencing on the above date, for the purpose of maintaining a Sanitary Sewer, Force Main and Lift Station 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 15, Township 24 South, Range 36 East, County of Brevard, 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:

Tropical Cove Condominium Association, Inc.

[Signature]
Witness
WINTER TASHEN
(Print)
[Signature]
Witness
ANGELA ZIZIK
(Print)

[Signature]
Yolanda Bowler, President

STATE OF Connecticut
COUNTY OF New London

The foregoing instrument was acknowledged before me this 16th day of September 2015, by Yolanda Bowler who is personally known to me and has produced FL Driver Lic. as identification and who did not take an oath.

WITNESS my hand and official seal at ~~County of Brevard, State of Florida~~, and this 16th day of September 2015.
County of Niantic Connecticut

[Signature]
NOTARY PUBLIC
Hanna Boling
Print Name
Commission No. NA
Commission Expires: My Commission Expires
February 28, 2019

[Handwritten Signature]

Witness

Lucy Hammelers

(Print)

[Handwritten Signature]

Witness

Blaise M. Mancini

(Print)

[Handwritten Signature]
Mark Trout, Vice President

STATE OF Florida
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 23rd day of Sept. 2015, by Mark Trout, who is personally known to me or who has produced Drivers Lic. as identification and who did/did not take an oath.

WITNESS my hand and official seal at County of Brevard, State of Florida, and this 23rd day of Sept. 2015.

[Handwritten Signature]
NOTARY PUBLIC
Blaise M. Mancini
Print Name
Commission No. _____
Commission Expires: _____



Board Meeting Date _____
Agenda Item # _____

LEGAL DESCRIPTION

EXHIBIT "A"

SHEET 1 OF 2

PARENT PARCEL ID#: 24-36-15-LC-00000.0-000B.04

NOT VALID WITHOUT SHEET 2 OF 2

PURPOSE: UTILITY EASEMENT

THIS IS NOT A SURVEY

PARCEL 801

LEGAL DESCRIPTION: PARCEL 801, UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 24 SOUTH RANGE 36 EAST, TALLAHASSEE BASE MERIDIAN AND BEING A PORTION OF TRACT B, OF THE VILLAS AT INDIAN RIVER AS RECORDED IN PLAT BOOK 24, PAGE 84, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF VENETIAN WAY (A 75 FOOT WIDE RIGHT OF WAY) WITH THE EASTERLY RIGHT OF WAY LINE OF NORTH TROPICAL TRAIL (A 50 FOOT WIDE RIGHT OF WAY), THENCE, BEARING SOUTH 11°47'51" EAST, ALONG THE EASTERLY RIGHT OF WAY OF SAID NORTH TROPICAL TRAIL, A DISTANCE OF 22.30 FEET TO THE SOUTHWESTERLY CORNER OF SAID TRACT B;

THENCE, LEAVING SAID RIGHT OF WAY LINE, BEARING SOUTH 89°42'17" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT B, A DISTANCE OF 6.43 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL (OF LAND);

THENCE, BEARING NORTH 10°51'38" WEST, A DISTANCE OF 23.70 FEET TO SAID SOUTH RIGHT OF WAY LINE OF VENETIAN WAY;

THENCE, BEARING NORTH 77°39'17" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1.94 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 450.67 FEET, A CHORD LENGTH OF 32.15 FEET BEARING NORTH 80°22'57" EAST AND A CENTRAL ANGLE OF 05°05'20";

THENCE, ALONG THE ARC OF SAID CURVE AND SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 32.16 FEET TO A POINT;

THENCE, LEAVING SAID SOUTH RIGHT OF WAY LINE, BEARING SOUTH 07°37'20" EAST, (NON-TANGENT) A DISTANCE OF 29.51 FEET TO A POINT ON THE SOUTHERLY LINE OF AFORESAID TRACT B;

THENCE, BEARING NORTH 89°42'17" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 33.04 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 895 SQUARE FEET OR 0.021 ACRES MORE OR LESS AND IS SUBJECT TO ANY AND ALL RESTRICTIONS, CONDITIONS AND EASEMENTS AS CONTAINED WITHIN THE CHAIN OF TITLE.

SURVEYOR'S NOTES:

1. THIS IS A LEGAL DESCRIPTION WITH A SKETCH AS DEFINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE. SAID LEGAL & SKETCH MEETS THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
2. THE LEGAL DESCRIPTION HEREON WAS BASED ON FIELD LOCATIONS OF LIFT STATION C-16.
3. THE BEARINGS SHOWN HEREON ARE BASED AN ASSUMED DATUM, MORE PARTICULARLY THE SOUTHERLY LINE OF THE VILLAS AT INDIAN RIVER, TRACT B BEARS SOUTH 89°42'17" EAST AS DESIGNATED ON SAID PLAT.
3. THIS LEGAL & SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. ADDITIONS OR DELETIONS TO THIS LEGAL & SKETCH OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ABBREVIATIONS:

ANT. = ANTENNA
 CPP = CONCRETE POWER POLE
 EHH = ELECTRIC HAND HOLE
 E.P. = ELECTRICAL PANEL
 EX = EXISTING
 FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
 G.A. = GUY ANCHOR
 LB = LICENSED BUSINESS
 NAD = NORTH AMERICAN DATUM
 NAVD = NORTH AMERICAN VERTICAL DATUM
 OHE = OVERHEAD ELECTRIC WIRES
 O.R.B. = OFFICIAL RECORDS BOOK
 OU = OVERHEAD UTILITY
 P.B. = PLAT BOOK
 PG = PAGE
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT
 R/W = RIGHT OF WAY
 SF = SQUARE FEET

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

TO: INFRASTRUCTURE SOLUTION SYSTEMS

THIS "LEGAL DESCRIPTION & SKETCH" COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE AND BREVARD COUNTY PUBLIC WORKS FINANCE & CONTRACTS ADMINISTRATION CHECKLIST.

DATE OF LAST FIELD WORK: JUN 29 2015

Kurt Stafflinger
 KURT STAFFLINGER
 FLORIDA SURVEYOR AND MAPPER
 REGISTRATION No. 5496
 NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:

Bowman
CONSULTING

Bowman Consulting Group, Ltd. Phone: (321) 255-5434
 4450 W EAU GALLIE BLVD, Suite 232 Fax: (321) 255-7751
 MELBOURNE, FL 32934 www.bowmanconsulting.com

Florida Certificate of Authorization No. LB8030

DRAWN BY: RT	CHECKED BY: KS	PROJECT NO. 8552-01-001			SECTION 15
		REVISIONS	DATE	DESCRIPTION	
DATE: 7/8/15	DRAWING: 8552-A-BP-001-UTIL EST		7/28/15	ADDED EASEMENT ON ADJONER	RANGE 36 EAST
			8/4/15	REVISED PER COMMENTS	

SKETCH OF DESCRIPTION

EXHIBIT "A"

SHEET 2 OF 2

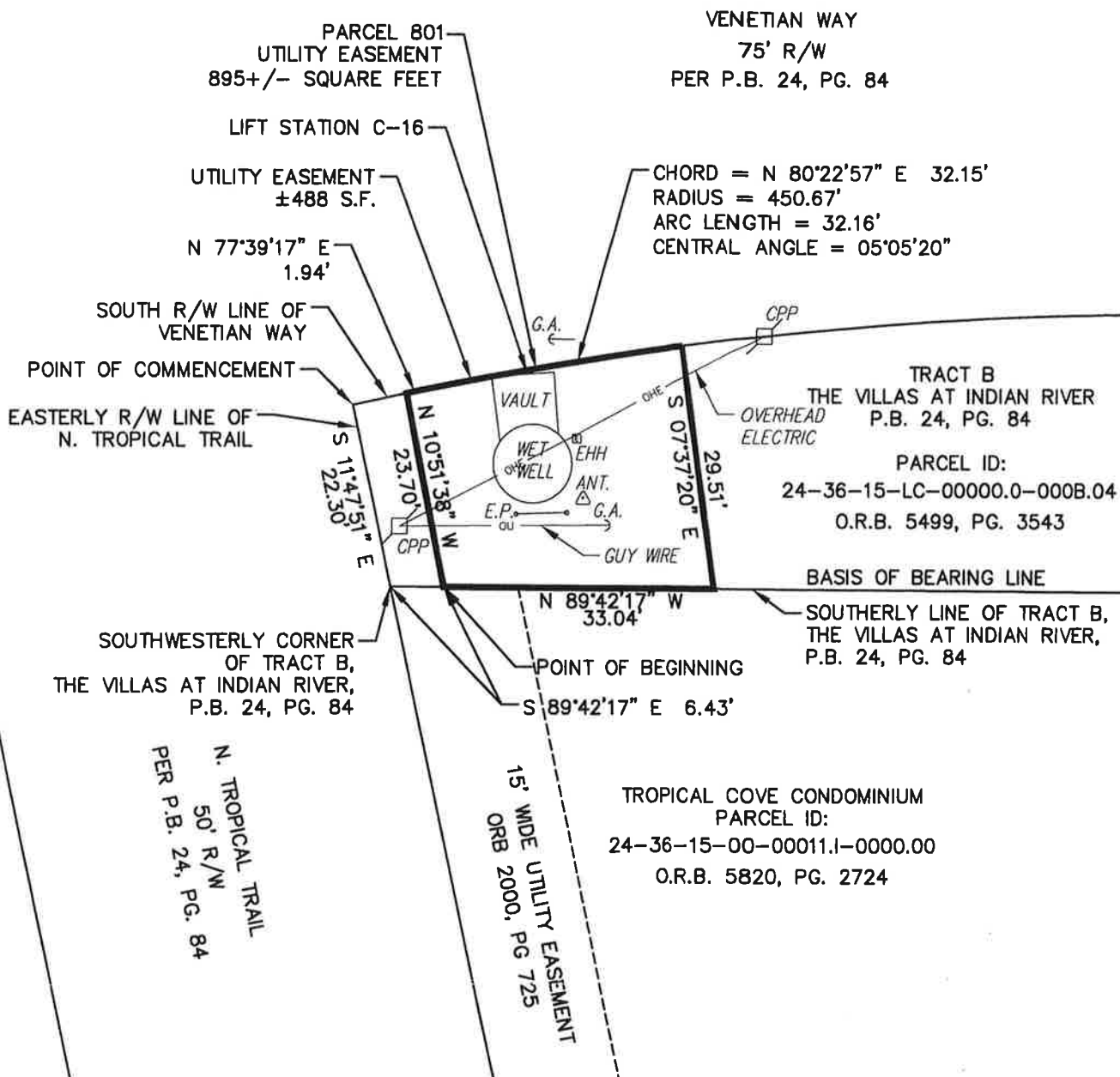
NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 24-36-15-LC-00000.0-000B.04

PURPOSE: UTILITY EASEMENT

PARCEL 801



PREPARED BY:

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
4450 W EAU GALLIE BLVD, Suite 232
MELBOURNE, FL 32934

Phone: (321) 255-5434
Fax: (321) 255-7751
www.bowmanconsulting.com

SCALE:

1" = 20'

PROJECT NO.:

8552-01-001

SECTION 15

TOWNSHIP 24 SOUTH

RANGE 36 EAST

VICINITY MAP

SEC: 15 TWP: 24 RNG: 36 DISTRICT: 2

STREET NAME: TROPICAL TRAIL @ VENETIAN WAY

OWNER'S NAME: TROPICAL COVE CONDOMINIUM ASSOCIATION, INC



PROPERTY FACT SHEET

PROJECT: C-16 LIFT STATION EASEMENT

OWNER: Tropical Cove Condominium Association, Inc.

PARCEL LOCATION: South East Corner of Venetian Way and North Tropical Trail, Merritt Island

AREA TO BE ACQUIRED: 895 Square Feet (Easement)

ZONING/LANDUSE: Residential

IMPROVEMENTS: Sanitary Sewer/Lift Station known as "C-16"

TOPOGRAPHY: Level with Road Grade

FLOOD ZONE: X (Outside 500-year flood)

TAX PARCEL ID#: 24-36-15-LC-00000.0-000B.04

MARKET VALUE: \$100 (Nominal Value)

PUBLIC UTILITIES: All utilities

PROPERTY TRANSACTION: N/A Dedicated per Plat for Subdivision (Clerk of the Court Records)