



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

3/22/2022

Subject:

Approval, Re: Donation of Temporary Construction Easement (TCE) from Rachel Mobile Home Park, LLC for the Aurora Road Sidewalk Project, Phase 1- District 5.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners accept the attached Temporary Construction Easement.

Summary Explanation and Background:

The subject property is located in Section 14, Township 27 South, Range 36 East, on the north side of Aurora Road in Melbourne.

Public Works Department is undertaking a phased sidewalk project known as The Aurora Road Sidewalk Project. Phase 1 of the project requires a TCE to support the design for this portion of the project. The TCE does not get recorded in the public records and terminates upon the completion of the project for phase 1. The owners have agreed to donate the TCE.

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:



March 23, 2022

MEMORANDUM

TO: Marc Bernath, Public Works Director

RE: Item F.4., Donation of Temporary Construction Easement (TCE) from Rachel Mobile Home Park, LLC for the Aurora Road Sidewalk Project, Phase 1

The Board of County Commissioners, in regular session on March 22, 2022, accepted the donation of Temporary Construction Easement (TCE) from Rachel Mobile Home Park, LLC for the Aurora Road Sidewalk Project, Phase 1.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/tr

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Donation of Temporary Construction Easement from Rachel Mobile Home Park, LLC for the Aurora Road Sidewalk Project Phase I – District 5.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<hr/>	<u>2-28-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	<hr/>	<u>3-7-2022</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: 27-36-14-76-C

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, Rachael Mobile Home Park, LLC, a Florida limited liability Company, hereinafter called the Owner, whose address is 4200 Aurora Road, Melbourne, FL 32934, 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 removing hedge and shrubbery as needed to clear the right of way, 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 14, Township 27 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.

(Signatures and Notary on next page)

THIS EASEMENT shall expire upon the completion of the project.

Signed, sealed, and delivered in the presence of:

Becky Conderwin
witness
Becky Conderwin
print name

witness

print name

Rachael Mobile Home Park, LLC., a
Florida limited liability company

BY:

Ran Enterprises, LLC., a Florida
limited liability company, it's
Managing Member

BY:

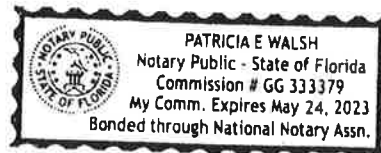
Robert L. Burns, Jr., Manager

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization on this 6th day of February, 2022, by
Robert L. Burns, Jr., as Manager of Ran Enterprises, LLC, a Florida limited liability
company, Manager for Rachael Mobile Home Park, LLC., a Florida limited liability
company. Is ☒ personally known or ☐ produced _____ as
identification.

Patricia E. Walsh
Notary Signature
SEAL



LEGAL DESCRIPTION

PARCEL 701

SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PARENT PARCEL NUMBER 27-36-14-76-C

ACCOUNT #2702868

PURPOSE: DRAINAGE & GRADING EASEMENT

EXHIBIT 'A'

SHEET 1 OF 2

NOT VALID WITHOUT THE
SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION (BY SURVEYOR):

DESCRIPTION - PARCEL 701 (5 FOOT TEMPORARY CONSTRUCTION EASEMENT):

AN EASEMENT, LYING IN SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST, AND BEING A PORTION OF BLOCK 'C', "PLAT OF MOSLEY GARDENS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 40 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE WEST LINE OF SAID BLOCK 'C', "PLAT OF MOSLEY GARDENS" WITH THE NORTHERLY RIGHT OF WAY LINE OF AURORA ROAD (A VARIABLE WIDTH RIGHT OF WAY), AND RUN N.73°22'31"E., ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 48.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.73°22'31"E., ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 39.72 FEET; THENCE DEPARTING SAID RIGHT OF WAY, RUN N.16°37'29"W., PERPENDICULAR TO SAID RIGHT OF WAY LINE, A DISTANCE OF 5.00 FEET; THENCE S.73°22'31"W., PARALLEL WITH SAID RIGHT OF WAY LINE, A DISTANCE OF 39.72 FEET; THENCE S.16°37'29"E., PERPENDICULAR TO SAID RIGHT OF WAY LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; CONTAINING 199 SQUARE FEET.

SURVEYOR'S NOTES:

BEARING STRUCTURE - ON AN ASSUMED MERIDIAN FOR COMPUTATIONAL PURPOSES. SPECIFIC REFERENCE = NORTHERLY RIGHT OF WAY LINE OF AURORA ROAD AS DEPICTED ON "AURORA ROAD SIDEWALK PROJECT" FOR BREVARD COUNTY, PREPARED BY ATKINS, DATED AUGUST 2016 = A BEARING OF N.73°22'31"E.


REFERENCE MATERIAL - O&E REPORT BY CRAIG KARLSON OF "NEW REVELATIONS, INC.", FILE NO. 17-1043, FOR TAX PARCEL #2702868, EFFECTIVE DATE = 01/25/2017.

EASEMENTS - NO EASEMENTS WERE LISTED IN O&E REPORT FOR TAX PARCEL #2702868.

RESERVATION - THIS SKETCH IS NOT A 'BOUNDARY SURVEY'.

NOTE - THE SKETCH AND DESCRIPTION DEPICTED HEREIN, WAS PREPARED EXCLUSIVELY FROM INFORMATION CONTAINED ON THE SURVEY FOR THE ABOVE REFERENCED PROJECT PREPARED BY AAL LAND SURVEYING SERVICES, INC.

PREPARED FOR: **BREVARD COUNTY BOARD OF
COUNTY COMMISSIONERS**


ROBERT M. PACKARD, PSM
SURVEYOR & MAPPER, PSM NO. #3867
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**

ADDRESS: 197 BOUGAINVILLEA DRIVE / SUITE D
ROCKLEDGE, FLORIDA 32955
LB NO. 6649

PHONE: (321) 632-6335
FAX: (321) 631-7392
EMAIL: packardsurvey@cfl.rr.com



DRAWN BY: RMP

CHECKED BY:

DRAWING NO. 18-34

DATE: 10/27/17

SHEET 1 OF 2

REVISIONS 2 / 05 / 2018

SKETCH OF DESCRIPTION

PARCEL 701

SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PARENT PARCEL NUMBER 27-36-14-76-C

ACCOUNT #2702868

PURPOSE: DRAINAGE & GRADING EASEMENT

EXHIBIT 'A'

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

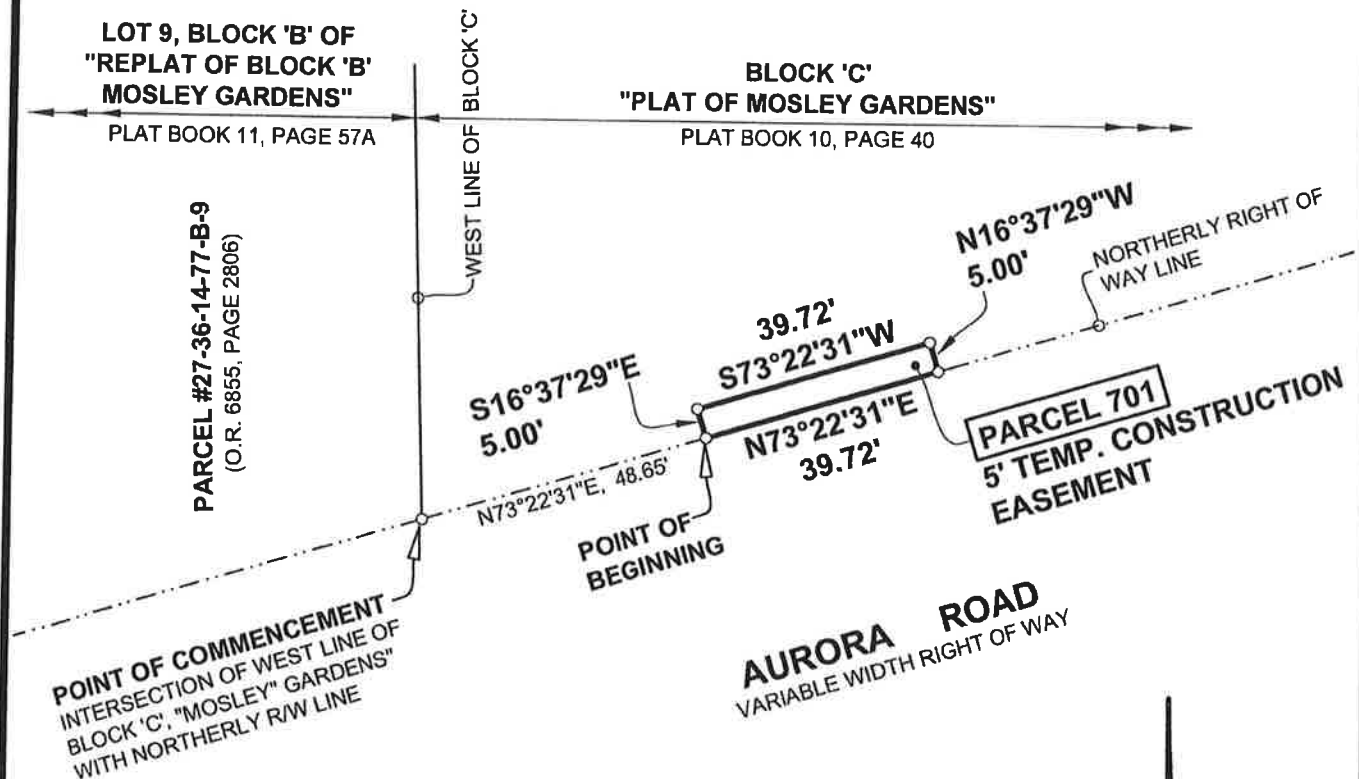
PARCEL ID #27-36-14-76-C

ACCOUNT: 2702868

LANDS OF "RACHAEL MOBILE HOME PARK LLC"

(O.R. 7613, PAGE 286)

4200 AURORA ROAD, MELBOURNE, FL 32934



LEGEND OF ABBREVIATIONS:

O.R. = OFFICIAL RECORDS
PG. = PAGE
R/W = RIGHT OF WAY
SEC. = SECTION
EASE. = EASEMENT
ID = IDENTIFICATION



SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PROJECT NO.: 18-34

PREPARED BY:

R.M. PACKARD & ASSOC., INC.

LOCATION MAP – PHASE I

Section 14, Township 27 South, Range 36 East - District: 5

PROPERTY LOCATION: North side of Aurora Road in Melbourne

OWNERS NAME(S): Rachel Mobile Home Park, LLC

