

Meeting Date
07/07/2015



AGENDA	
Section	Consent
Item No.	# 1.9

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

SUBJECT:	Approval Re: Easement from The Devereux Foundation for an existing gravity sewer, force main and lift station (District 4 )
DEPT/OFFICE:	Public Works Department / Land Acquisition / Utility Services Department

**Requested Action:**

It is requested that the Board of County Commissioners accept the Easement from The Devereux Foundation for an existing gravity sewer, force main and lift station.

**Summary Explanation & Background:**

The subject property is located Section 10, Township 26 South, Range 36 East.

Brevard County is currently maintaining a gravity sewer system, force main, and lift station on The Devereux Foundation property. The existing Easements do not encompass the entire sewer, force main, and lift station operations area. The subject Easement is necessary for Brevard County Utilities to continue to maintain the system.

Land Acquisition Policies and Procedures require 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: Return Board Memorandum to the Public Works Department

Exhibits Attached: Copy of Easement with Description, Property Fact Sheet, Location Map

Contract /Agreement (If attached): Reviewed by County Attorney    Yes        No        PR

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Assistant County Manager	John P Denninghoff / 57202
	Venetta Valdengo	Jim E. 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

July 8, 2015

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.9., Easement from the Devereux Foundation for Existing Gravity Sewer, Force Main, and Lift Station

The Board of County Commissioners, in regular session on July 7, 2015, accepted the Easement from the Devereux Foundation for an existing gravity sewer, force main, and lift station.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/af

cc: Utility Services Director

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: EASEMENT FROM DEVERAUX FOUNDATION TO BREVARD COUNTY  
FOR LIFT STATION, GRAVITY SEWER AND FORCE MAIN –  
DISTRICT 4

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

AGENCY CONTACT: DAN JONES LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847 (5-2726)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DJI</u>	_____	<u>6/22/15</u>
COUNTY ATTORNEY Christine Lepore Assistant County Attorney	_____	_____	_____
PUBLIC WORKS John Denninghoff, Director	<u>JD</u>	_____	<u>6/22/15</u>
UTILITY SERVICES Jim Helmer, Director	<u>JH</u>	_____	<u>6/22/15</u>

AGENDA DUE DATE: June 22, 2015 for the July 7, 2015 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.**

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: EASEMENT FROM DEVERAUX FOUNDATION TO BREVARD COUNTY  
FOR LIFT STATION, GRAVITY SEWER AND FORCE MAIN -  
DISTRICT 4

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

AGENCY CONTACT: DAN JONES LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847 (5-2726)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u><i>DJ</i></u>	_____	<u>6/22/15</u>
COUNTY ATTORNEY Christine Lepore Assistant County Attorney	<u><i>CL</i></u>	_____	<u>6/23/15</u>
PUBLIC WORKS John Denninghoff, Director	_____	_____	_____
UTILITY SERVICES Jim Helmer, Director	_____	_____	_____

AGENDA DUE DATE: June 22, 2015 for the July 7, 2015 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.**

This instrument prepared by:  
Brevard County Land Acquisition Office  
2725 Judge Fran Jamieson Way, Suite 204A  
Viera, FL 32940

**EASEMENT**

This indenture, made this \_\_\_\_\_ day of \_\_\_\_\_, between THE DEVEREUX FOUNDATION, a Pennsylvania corporation not for profit, as first party, and Brevard County, as second party, for the use and benefit of Brevard County, Florida.

Witnesseth:

The first party, in consideration of ONE (\$1.00) DOLLARS and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date, for the purpose constructing and maintaining a gravity sewer, force main and lift station, and other allied uses pertaining thereto, with full right of ingress and egress for the purposes herein stated.

The land affected by the granting of this easement is located in Brevard County, Florida, and is more particularly described as:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

In the event of abandonment by second party of the above-described property as a sewer line and lift station, the easement rights herein granted shall cease and revert to the first party or its assigns, free and clear of any title, right or interest of the second party.

To have and to hold this easement unto Brevard County 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 good and lawful right to convey it or any part thereof.

In witness whereof, the parties hereto have executed this agreement as of the day and year first above written.

Signed, sealed and delivered  
In the presence of

THE DEVEREUX FOUNDATION, a Pennsylvania  
Corporation not for profit

Witness:  
Signed: Deborah Farrell  
Printed: Deborah Farrell

BY: RCD  
printed: Robert C. Dunne as  
Sr. Vice President and Chief Financial Officer

Signed: Deborah Farrell  
Printed: Deborah Farrell

BY: David A. Griffith  
printed: David A. Griffith as  
Controller

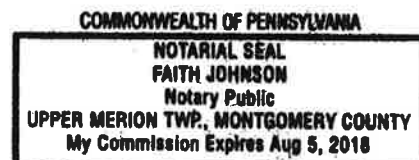
State: Pennsylvania  
County of: Montgomery

Before me, the undersigned authority, duly authorized by law to take oaths and acknowledgements, personally appeared Robert C. Dunne, as Sr. Vice President and Chief Financial Officer and David A. Griffith, as Controller of the Devereux Foundation, a Pennsylvania corporation not for profit, who after being first duly sworn, acknowledged before me that they executed the foregoing instrument as such officers for the reasons and purposes therein expressed.

Witness my hand and official seal in the county and state last aforesaid on 22 day of May, 2015.

Faith Johnson  
Notary Public

My commission expires:  
8.5.18



# LEGAL DESCRIPTION

## PARCEL 801

PARENT PARCEL ID#: 26-36-10-00-00751.0-0000.00

PURPOSE: LIFT STATION EASEMENT

### EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

### LEGAL DESCRIPTION: PARCEL 801 (PREPARED BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2757, PAGE 2308, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 10, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 10; THENCE NORTH 00°58'45" WEST ALONG THE EAST LINE OF SAID SECTION 10 FOR A DISTANCE OF 1186.87 FEET TO THE CUSP OF A CURVE OF A NON TANGENTIAL CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 360.00 FEET AND A CENTRAL ANGLE OF 2°55'57" AND A LONG CHORD BEARING OF SOUTH 00°29'13" WEST, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF BAYTREE DRIVE, AND SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID EAST LINE, RUN SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 18.42 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN SOUTH 89°01'16" WEST FOR A DISTANCE OF 43.24 FEET TO A POINT ON THE EAST LINE OF A 15 FOOT WATERLINE EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 2840, PAGE 1201 AND BEING A POINT OF CURVATURE OF A NON TANGENTIAL CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 147.50 FEET AND A CENTRAL ANGLE OF 15°33'21" AND HAVING A CHORD BEARING OF NORTH 29°06'30" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST LINE FOR A DISTANCE OF 40.05 FEET; THENCE DEPARTING SAID EAST LINE, RUN NORTH 89°01'16" EAST FOR A DISTANCE OF 62.53 FEET TO THE EAST LINE OF SAID SECTION 10, SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF SAID BAYTREE DRIVE; THENCE SOUTH 00°58'45" EAST ALONG THE EAST LINE OF SAID SECTION 10 AND ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 16.79 FEET TO THE POINT OF BEGINNING; CONTAINING 1831 SQUARE FEET (0.04 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AGREEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD. THE SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS.

### SURVEYORS NOTES:

1. THIS SKETCH AND DESCRIPTION IS NOT A BOUNDARY SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE LAND DESCRIBED HEREIN. THOSE IMPROVEMENTS SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE BASED ON A BOUNDARY SURVEY OF SAID PARCEL ONE PER OFFICIAL RECORDS BOOK 2757, PAGE 2308, PERFORMED BY KANE SURVEYING ON OCTOBER 7, 2011.
2. BASIS OF BEARINGS SHOWN HEREIN ARE ASSUMED AND BASED ON THE DESCRIPTION OF PARCEL ONE PER OFFICIAL RECORDS BOOK 2757, PAGE 2308, AND IS SPECIFICALLY REFERENCED TO THE EAST LINE OF SAID SECTION 10, AS BEING NORTH 00°58'45" WEST.
3. INSTRUMENTS OF RECORD PERTAINING TO ENCUMBRANCES SUCH AS EASEMENTS, RIGHTS OF WAY, COVENANTS, AGREEMENTS AND RESTRICTIONS WERE NOT PROVIDED BY THE CLIENT; A SEARCH OF THE PUBLIC RECORDS WAS NOT PERFORMED BY THIS SURVEYOR. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED.
4. LOCATION OF EASEMENT LINES AS DIRECTED BY THE DEEDS ARE BASED ON THE SITE PLAN OF THE DEVEREUX FOUNDATION RESIDENTIAL TREATMENT CENTER AS PREPARED BY STOTTLER STAGG & ASSOCIATES UNDER JOB NO. 86290, SHEET C-2, DATED OCTOBER 15, 1986.
5. EXISTING FEATURES SHOWN HEREON ARE BASED ON FIELD SURVEY PERFORMED ON 8/6/14 AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY.

### ABBREVIATIONS:

- AL = ARC LENGTH
- BE = BURIED ELECTRIC
- CA = CENTRAL ANGLE
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- ELEC = ELECTRIC
- FPL = FLORIDA POWER & LIGHT
- ID = IDENTIFICATION
- ORB = OFFICIAL RECORDS BOOK
- OU = OVERHEAD UTILITY
- POB = POINT OF BEGINNING
- PVC = POLYVINYL CHLORIDE PIPE
- R = RADIUS
- R/W = RIGHT OF WAY
- SQ. FT. = SQUARE FEET
- UP = UTILITY POLE
- Ⓢ = SANITARY SEWER MANHOLE

PREPARED FOR:

BREVARD COUNTY DEPARTMENT OF UTILITY SERVICES  
TOM McPHERSON

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: M. CORNELL	CHECKED BY: M. J. SWEENEY	PROJECT NO. 14-07-019			SECTION 10 TOWNSHIP 26 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 12/17/2014	SHEET: 1 OF 2				

# SKETCH OF DESCRIPTION

## PARCEL 801

PARENT PARCEL ID#: 26-36-10-00-00751.0-0000.00

PURPOSE: LIFT STATION EASEMENT

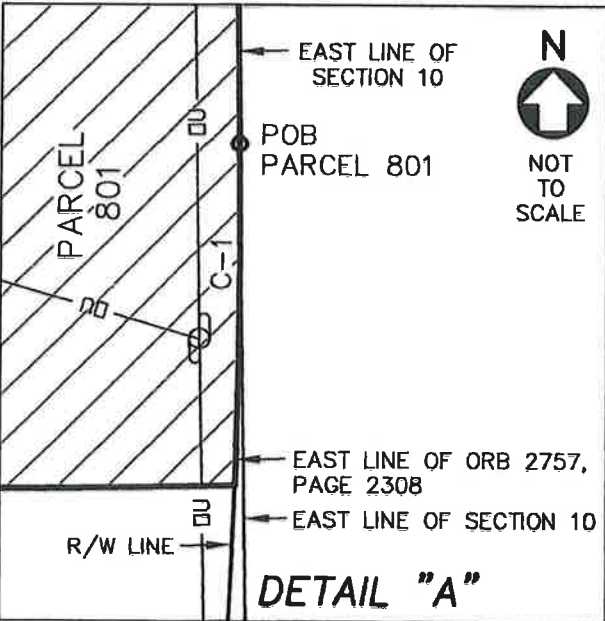
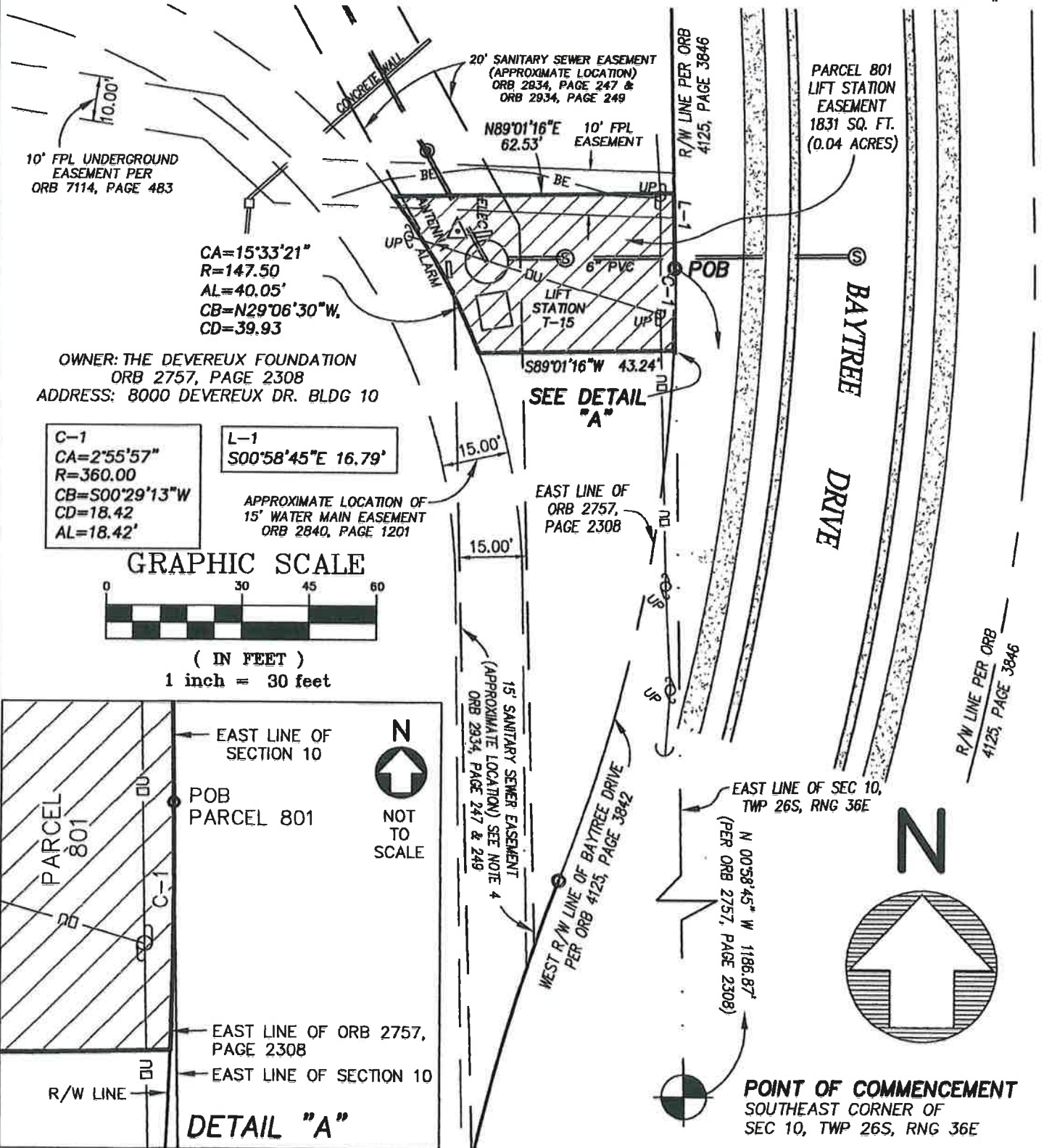
# EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS 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" = 30'  
 PROJECT NO.: 14-07-019

SECTION 10  
 TOWNSHIP 26 SOUTH  
 RANGE 36 EAST

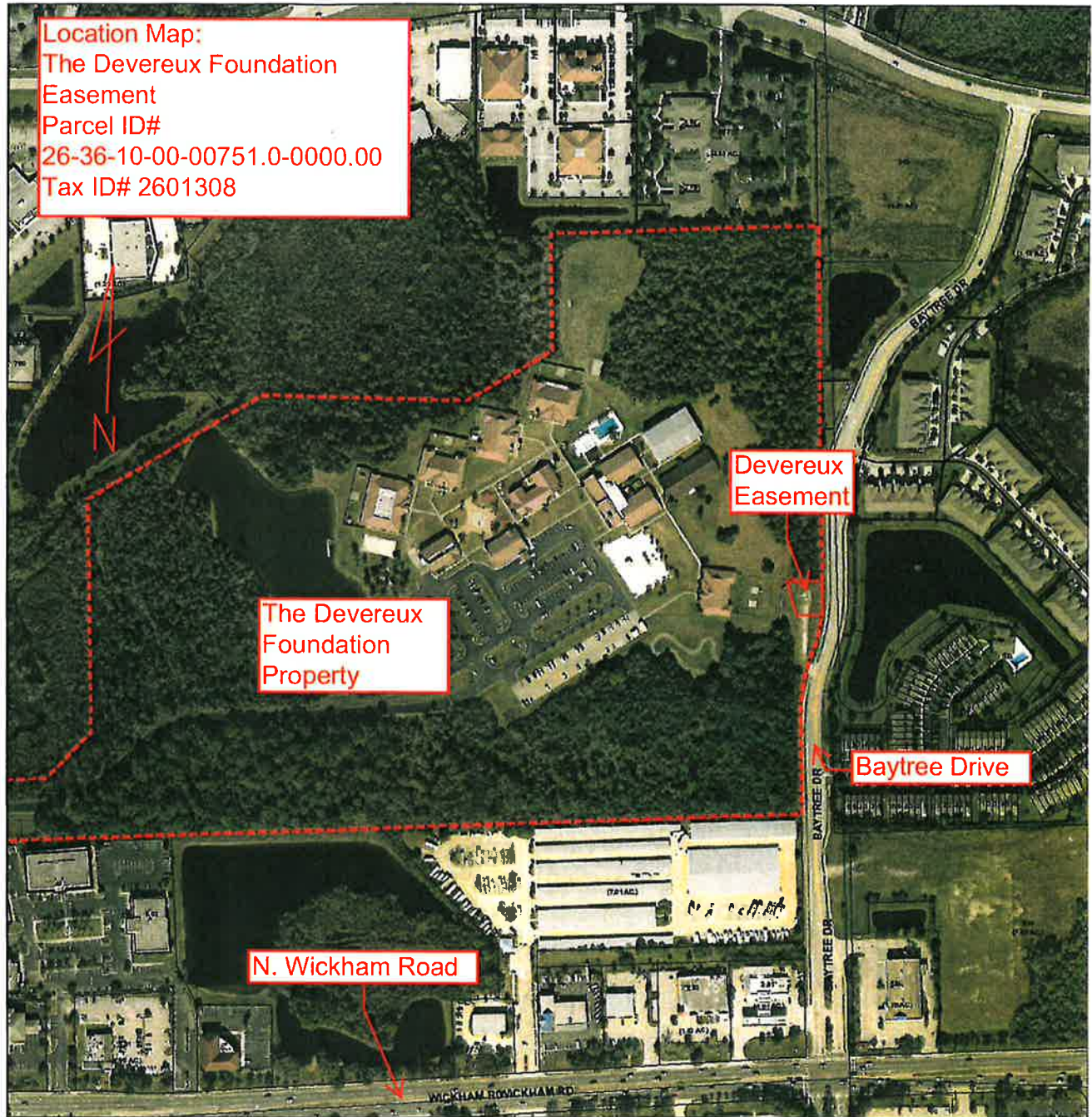
**PROPERTY FACT SHEET**  
**PROJECT: Devereux Sanitary Easement**

OWNER:	The Devereux Foundation
PARCEL LOCATION:	8000 Devereux Dr., BLDG 10, Melbourne, Florida
PARENT PARCEL SIZE:	49.65 acres
EASEMENT AREA:	1831 square feet
ZONING/LANDUSE:	C-School (Privately Owned)
TOPOGRAPHY:	Level with road grade, no wetlands indicated
FLOOD ZONE:	X (outside 500-year flood)
TAX PARCEL ID#:	26-36-10-00-00751.0-0000.00 (2601308)
MARKET VALUE:	\$5,470,690.00 (2014 Assessment) (Property Appraiser's Records)
PUBLIC UTILITIES:	All utilities
PROPERTY TRANSACTION: (Clerk of the Court Records)	Purchase date: 12/1/1986 Sale amount: \$100.00



**Dana Blickley, CFA**  
Brevard County Property Appraiser

**Devereux**



**North Government Complex**  
400 South St, 6th Floor  
Titusville, FL 32780  
Phone: (321) 264-8700  
Fax: (321) 264-6954

**Merritt Island Services Complex**  
2575 N Courtenay Pkwy  
Merritt Island, FL 32953  
Phone: (321) 454-8820  
Fax: (321) 454-8818

**Viera Government Center**  
2725 Judge Fran Jamleson Wy  
Viera, FL 32940  
Phone: (321) 690-6880  
Fax: (321) 690-6883

**South Services Complex**  
1515 Sarno Rd  
Melbourne, FL 32935  
Phone: (321) 255-4440  
Fax: (321) 255-4439

**Palm Bay Service Complex**  
450 Cogan Dr, SE  
Palm Bay, FL 32909  
Phone: (321) 952-4574  
Fax: (321) 952-4573

Document content intended for assessment purposes only. Not a survey. Map layers may not precisely align. Other disclaimers apply.

Printed Monday, June 22, 2015 at 9:21 AM. www.bcpao.us