



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.6.

2/11/2020

Subject:

Approval Re: Utility Easement from The Brevard Association for the Advancement of the Blind, Inc. for the purpose of septic to public sewer conversion- District 4.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners approve and accept the Utility Easement.

Summary Explanation and Background:

The subject property is located in Section 27, Township 26 South, Range 37 East, on the west side of South Patrick Drive, south of Tortoise Drive, and north of Tortoise View Drive in Satellite Beach.

The Brevard Association for the Advancement of the Blind, Inc. is the owner of the parcel and in partnership with Beach House Designs, LLC to construct a private sewer pump station to convert from septic to public sewer. The lift station is privately owned and will be maintained by the parcel owner. Utility Services Department requires a utility easement to include the right of ingress and egress onto the easement areas to connect to main sewer line. The Brevard Association for the Advancement of the Blind, Inc., has agreed to grant the necessary easement.

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

Clerk to the Board Instructions:



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

February 12, 2020

M E M O R A N D U M

TO: Corinna Gumm, Public Works Interim Director Attn: Lucy Hamelers

RE: Item F.6, Utility Easement from The Brevard Association for the Advancement of the Blind, Inc. for the Purpose of Septic to Public Sewer Conversion

The Board of County Commissioners, in regular session on February 11, 2020, approved and accepted the Utility Easement from The Brevard Association for the Advancement of the Blind, Inc. for the purpose of septic to public sewer conversion.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Utility Easement from The Brevard Association for the Advancement of the Blind, Inc. for the purpose of septic to public sewer conversion- District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Page Whittle, Land Acquisition Specialist

CONTACT PHONE: 321-690-6847 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>RA</u>	<u> </u>	<u>1-21-2020</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney	<u>JAB</u>	<u> </u>	<u>1-22-2020</u>
<i>* partial release to be recorded prior to recording easement.</i>			

AGENDA DUE DATE: February 4, 2020 for the February 11, 2020 Board meeting

Prepared by and return to: Page R Whittle
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of Interest in Tax Parcel I.D.: 26-37-27-00-25

UTILITY EASEMENT

THIS INDENTURE, made this 15th day of January, 2020, between The Brevard Association for the Advancement of the Blind, Inc., a Florida not for profit Corporation, whose mailing address is 674 S. Patrick Drive, Satellite Beach, FL 32937, 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 the second party, for the use and benefit of Brevard County, Florida;

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 Utility Easement commencing on the above date, for the sole purposes of operating, constructing, reconstructing, maintaining, and reconfiguring a sanitary sewer line, and other allied uses pertaining thereto, over, under, upon, above and through the following lands:

The land affected by the granting of this easement is located in Section 27, Township 26 South, Range 37 East, County of Brevard, State of Florida, and is 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 Grantee of its easement. Grantor(s) 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.

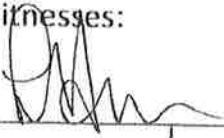
TO HAVE AND TO HOLD said easement unto the County of Brevard and to its successors and assigns, the first party does hereby covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has good and lawful right to convey it or any part thereof.

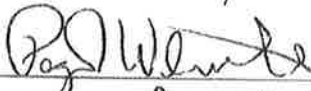
(Signatures and Notary on next page)

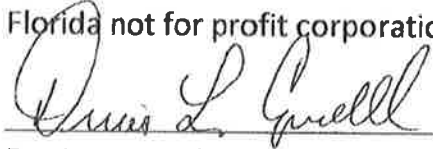
IN WITNESS WHEREOF, the Parties have caused these presents to be executed
this 15th day of January 2020.

Signed, Sealed and Delivered
In the presence of:

Witnesses:

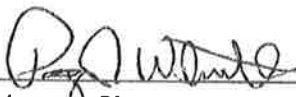

Print Name: Lucy Hamelars


Print Name: Page R. Whittle

The Brevard Association for the
Advancement of the Blind, Inc., a
Florida not for profit corporation

Denis Cogswell, President

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical
presence on this 15th day of January 2020, by Denis Cogswell, as President of The
Brevard Association for the Advancement of the Blind, Inc. Is personally known or
produced FLORIDA DRIVERS LICENSE as identification.


Notary Signature
SEAL



LEGAL DESCRIPTION

PARCEL 801

PARENT PARCEL ID#: 26-37-27-00-25
PURPOSE: UTILITY EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

DESCRIPTION: PREPARED BY BRIEL & ASSOCIATES LAND SURVEYORS, INC.

A UTILITY EASEMENT BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2966, PAGE 2506 LYING IN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

FROM THE EAST ONE-QUARTER CORNER OF SAID SECTION 27 RUN N00°53'30"W ALONG THE EAST LINE OF SECTION 27 A DISTANCE OF 706.04 FEET; THENCE DEPARTING SAID EAST LINE S89°13'10"W 50.00 FEET TO THE SOUTHEAST CORNER OF THE AFORESAID PARCEL LYING ON THE WEST RIGHT OF WAY LINE OF SOUTH PATRICK DRIVE (ALSO KNOWN AS STATE ROAD 513) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE S89°13'10"W ALONG THE SOUTH LINE OF THE AFORESAID PARCEL 20.00 FEET; THENCE DEPARTING SAID LINE RUN N00°53'30"W 15.00 FEET; THENCE N89°13'10"E 20.00 FEET TO THE EAST LINE OF THE AFORESAID PARCEL, ALSO BEING THE WEST RIGHT OF WAY LINE OF SOUTH PATRICK DRIVE (ALSO KNOWN AS STATE ROAD 513); THENCE S00°53'30"E ALONG SAID LINE 15.00 FEET TO THE POINT OF BEGINNING.

SURVEYORS NOTES:

1. THIS SKETCH OF DESCRIPTION IS NOT INTENDED TO REPRESENT A LAND BOUNDARY SURVEY.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SET FORTH IN THE "OWNER AND ENCUMBRANCE INFORMATION REPORT" PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. 19120136 DATED OCTOBER 17, 2019.
3. BEARING DATUM IS ASSUMED, BASED ON THE EAST LINE OF SECTION 27 BEING N00°53'30"W PER THE RECORDED DESCRIPTION.
4. THE RIGHT OF WAY LINE FOR SOUTH PATRICK DRIVE WAS TAKEN FROM THE PARENT DESCRIPTION AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD 513, SECTION 70008, DATED 7-18-06. SAID LINE BEING ONE AND THE SAME.

This Sketch of Description conforms to the Standards of Practice for professional surveyors and mappers as outlined in Chapter 5J-17, F.A.C.

PREPARED FOR AND CERTIFIED TO:

BEACH HOUSE DESIGNS, LLC
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

ROBERT R. BRIEL, Florida Professional Surveyor & Mapper, No. 3699

This survey is prepared and certified for the exclusive use of the client or clients named hereon. Not valid without the signature and original raised seal of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party is prohibited.

PREPARED BY:



BRIEL & ASSOCIATES
Land Surveyors, Inc.

1790 HIGHWAY A1A, SUITE 208
SATELLITE BCH., FL 32937
321-773-7775 LB 3869

DRAWN BY: RRB

CHECKED BY: RRB

PROJECT NO. 18063CE

REVISIONS

DATE

DESCRIPTION

DATE: 12/18/2019

DRAWING:

SECTION 27
TOWNSHIP 26 SOUTH
RANGE 37 EAST

SKETCH OF DESCRIPTION

PARCEL #801

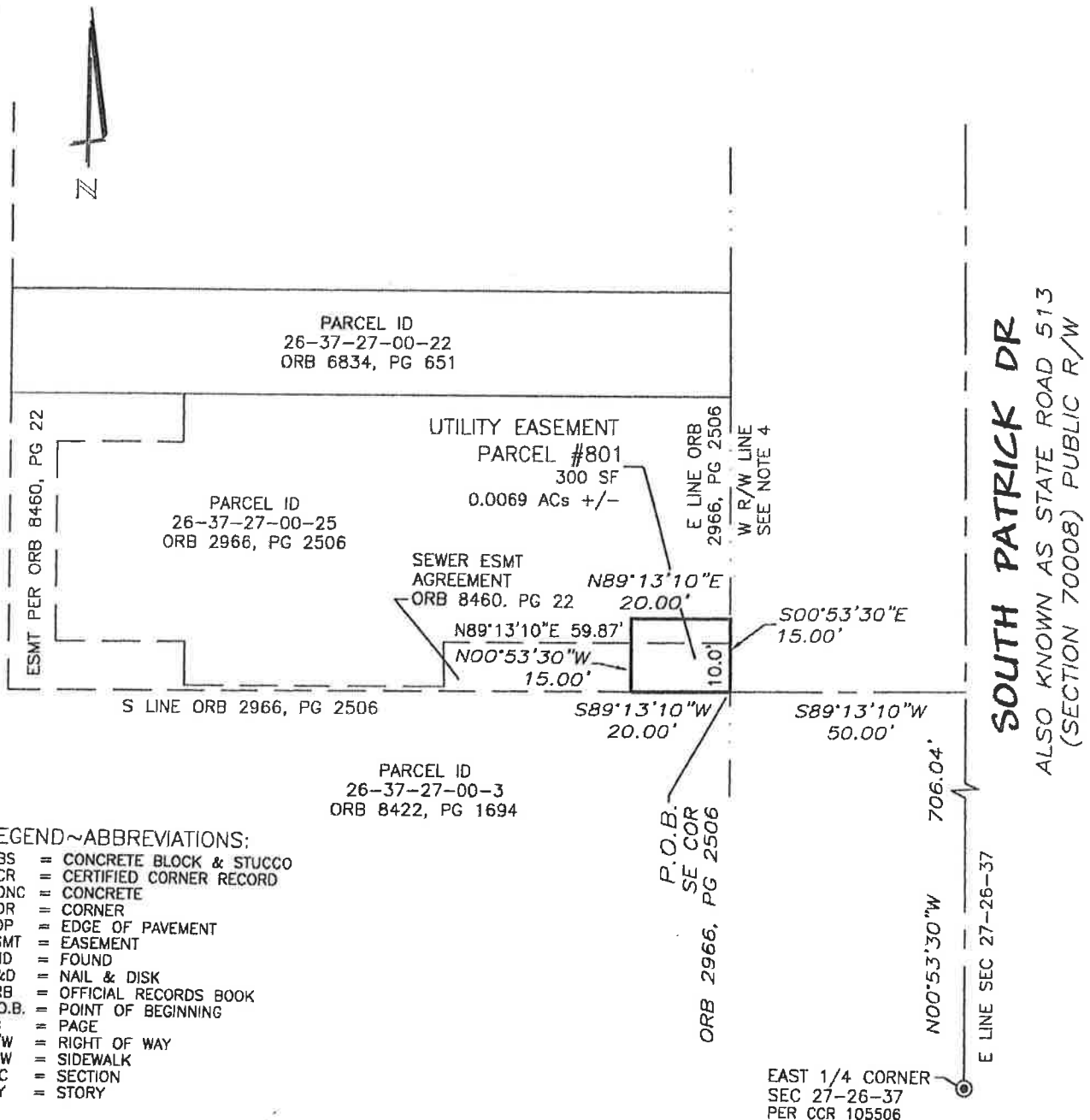
PARENT PARCEL ID#: 26-37-27-00-25
PURPOSE: UTILITY EASEMENT

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



LEGEND~ABBREVIATIONS:

CBS = CONCRETE BLOCK & STUCCO
CCR = CERTIFIED CORNER RECORD
CONC = CONCRETE
COR = CORNER
EOP = EDGE OF PAVEMENT
ESMT = EASEMENT
FND = FOUND
N&D = NAIL & DISK
ORB = OFFICIAL RECORDS BOOK
P.O.B. = POINT OF BEGINNING
PG = PAGE
R/W = RIGHT OF WAY
S/W = SIDEWALK
SEC = SECTION
STY = STORY

PREPARED BY: BRIEL & ASSOCITES LAND SURVEYORS, INC.
1790 HIGHWAY A1A, SUITE 208
SATELLITE BCH., FL 32937
321-773-7775 LB 3869

SCALE:
1" = 30'

PROJECT NO.:
18063CE

SECTION 27
TOWNSHIP 26 SOUTH
RANGE 37 EAST

LOCATION MAP

Section 27, Township 26 South, Range 37 East - District: 4

PROPERTY LOCATION: On the west side of South Patrick Drive, south of Tortoise Drive, and north of Tortoise View Drive in Satellite Beach.

OWNERS NAME: The Brevard Association for the Advancement of the Blind, Inc.

