



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.2.

3/8/2022

Subject:

Approval, Re: Sanitary Sewer Easement from Das Family, LLC for the Viera Ace Hardware - District 4.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / Utility Department

Requested Action:

It is requested that the Board of County Commissioners approve and accept the attached Sanitary Sewer Easement.

Summary Explanation and Background:

The subject property is located in Section 33, Township 25 South, Range 36 East, east of Stadium Parkway and north of Porada Drive in Viera.

Das Family, LLC, owner, has submitted site plan number 21SP00007 for review and approval by the County for the development of a retail store known as Viera Ace Hardware. In accordance with County code and standards, the owner has agreed to donate the attached Sanitary Sewer Easement as a condition of the site plan approval.

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:

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Dedication of Sanitary Sewer Easement from DAS Family, LLC for
Viera Ace Hardware – District 4.

AGENCY: Public Works Department / Land Acquisition / Utility Department

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>2-8-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	_____	<u>2-9-2022</u>



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

March 9, 2022

MEMORANDUM

TO: Marc Bernath, Public Works Director

RE: Item F.2., Sanitary Sewer Easement from Das Family, LLC for the Viera Ace Hardware

The Board of County Commissioners, in regular session on March 8, 2022, approved and accepted Sanitary Sewer Easement from Das Family, LLC for the Viera Ace Hardware.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/tr

cc: Utilities Director

Prepared by and return to: Andrew Malach
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 25-36-33-50-A-2

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 27 day of January, 2022, between Das Family, LLC, a Florida limited liability company, whose address is 355 Knox McRae Drive, Titusville, Florida 32780, as the first party, and Brevard County, a political subdivision of the State of Florida, whose 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 One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of operating, reconstructing, reconfiguring, and maintaining a sanitary sewer line and associated facilities, 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 33, Township 25 South, Range 36 East, Brevard County, Florida, and being 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 the second party of its easement. The first party 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 Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does 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.

(Signatures and Notary on next page)

IN WITNESS WHEREOF, the first party has caused this easement to be executed,
the day and year first above written,

Signed, sealed and delivered in the presence of:



Witness

Sai Tuccillo

Print Name

Das Family, LLC, a Florida
limited liability company



Witness

Brittany Donovan

Print Name



Hitesh Patel, 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 27 day of January, 2022, by Hitesh Patel
as Manager for Das Family, LLC, a Florida limited liability company. Is ☐ personally
known or ☒ produced Valid FL DL as identification.



Brittany Donovan
State of Florida
My Commission Expires 08/21/2023
Commission No. GG 878055



Notary Signature
SEAL

LEGAL DESCRIPTION

PARCEL #800

PARENT PARCEL ID#: 25-36-33-50-A-2

PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL #800 SANITARY SEWER EASEMENT (PREPARED BY SURVEYOR)

PART OF LOT 2, BLOCK A, VIERA BOULEVARD COMMERCIAL CENTER III, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 44, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LOCATED IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 2, BLOCK A, AND RUN SOUTHERLY, ALONG THE ARC OF THE CURVED WEST BOUNDARY OF TRACT A OF SAID VIERA BOULEVARD COMMERCIAL CENTER III, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 113.00 FEET, A CENTRAL ANGLE OF 9°28'53", A CHORD BEARING OF S04°28'21"W AND A CHORD LENGTH OF 18.68 FEET), A DISTANCE OF 18.70 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID CURVED WEST BOUNDARY, (SAID CURVE BEING CURVED CONCAVE TO THE EAST AND HAVING A RADIUS OF 113.00 FEET, A CENTRAL ANGLE OF 10°18'06", A CHORD BEARING OF S05°25'08"E AND A CHORD LENGTH OF 20.29 FEET), A DISTANCE OF 20.32 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHWEST; THENCE S74°53'00"W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 28.94 FEET; THENCE N15°07'00"W A DISTANCE OF 20.00 FEET; THENCE N74°53'00"E A DISTANCE OF 32.35 FEET TO THE POINT OF BEGINNING. CONTAINING 606.72 SQ.FT., 0.01 ACRES, MORE OR LESS.

SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
2. BEARING REFERENCE: ASSUMED BEARING OF N67°30'39"W ON THE NORTH LINE OF LOT 2, BLOCK A, VIERA BOULEVARD COMMERCIAL CENTER III, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 69, PAGE 44, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
4. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THAT CERTAIN COMMONWEALTH LAND TITLE INSURANCE COMPANY PROPERTY INFORMATION REPORT, ORDER NO.: 10059476, CUSTOMER REFERENCE NUMBER: 21-7260. ONLY THOSE PLOTTABLE EASEMENTS AFFECTING THE LANDS DESCRIBED HEREON ARE SHOWN AND NOTED.
5. THIS DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025.
6. THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.



Digitally signed
by Leslie E
Howard

Date:
2022.01.24
12:18:49 -05'00'

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 LB No. 4905
PHONE: (321) 725-3674 FAX: (321) 723-1159

DRAWN BY: EAK	CHECKED BY: LEH	PROJECT NO. 11563			SECTION 33 TOWNSHIP 25 SOUTH RANGE 36 EAST
DATE: 12/15/2021	DRAWING: 11563_100_005	REVISIONS	DATE	DESCRIPTION	
			01/05/2022	COUNTY COMMENTS	
			01/13/2022	COUNTY COMMENTS	
01/24/2022		COUNTY COMMENTS			

SKETCH OF DESCRIPTION

PARCEL #800

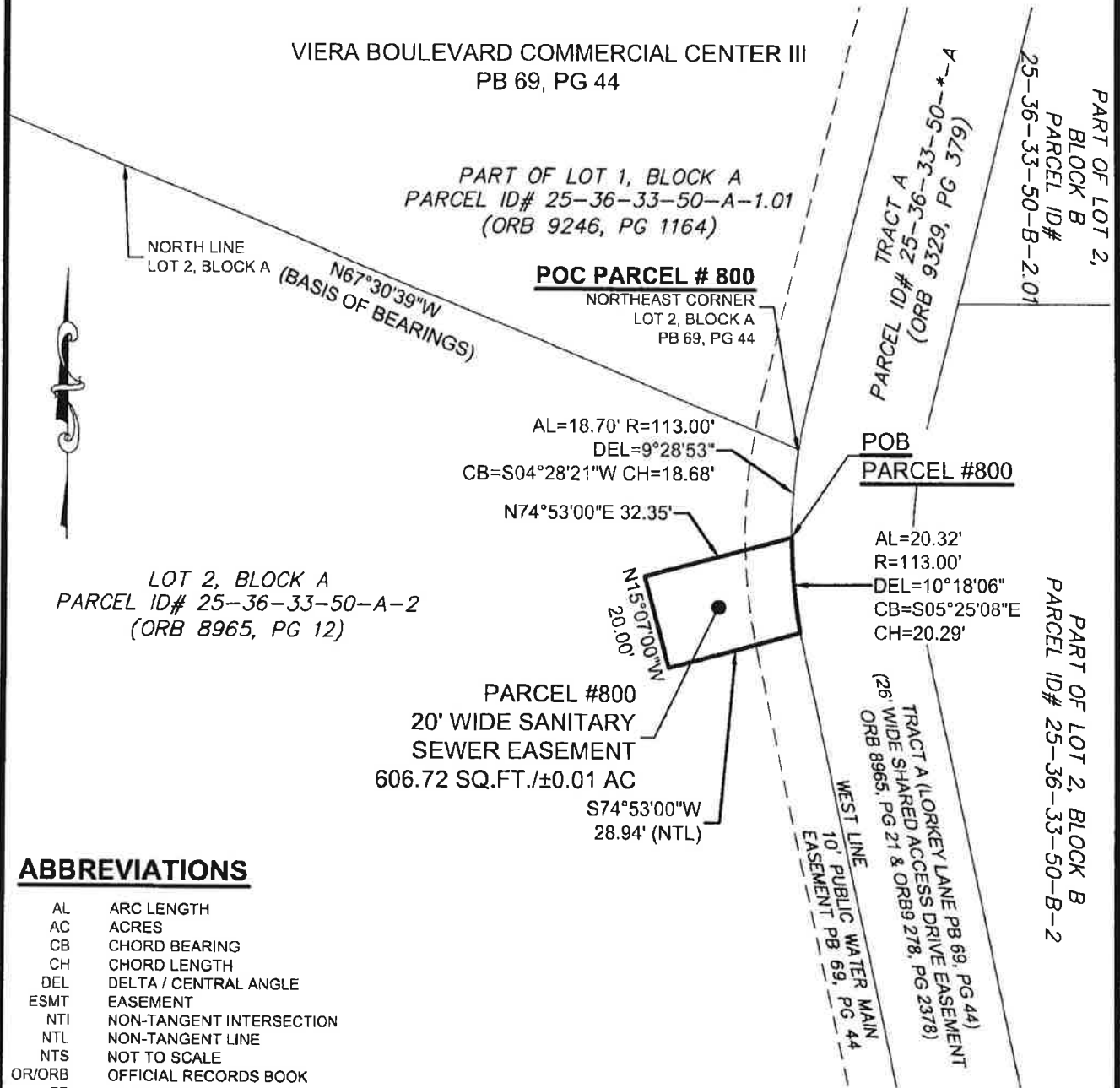
PARENT PARCEL ID#: 25-36-33-50-A-2
PURPOSE: SANITARY SEWER EASEMENT

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



ABBREVIATIONS

AL	ARC LENGTH
AC	ACRES
CB	CHORD BEARING
CH	CHORD LENGTH
DEL	DELTA / CENTRAL ANGLE
ESMT	EASEMENT
NTI	NON-TANGENT INTERSECTION
NTL	NON-TANGENT LINE
NTS	NOT TO SCALE
OR/ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE(S)
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R	RADIUS
R/W	RIGHT-OF-WAY

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SCALE:
1" = 30'

PROJECT NO.:
11563

SECTION 33
TOWNSHIP 25 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 33, Township 25 South, Range 36 East - District: 4

PROPERTY LOCATION: East of Stadium Parkway and north of Porada Drive in Viera

OWNERS NAME: Das Family, LLC

