

Meeting Date
<b>October 21, 2014</b>



AGENDA	
Section	Consent
Item No.	II.A.4

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

<b>SUBJECT:</b>	Approval Re: Permanent Sanitary Sewer and Water-Line Easement from Florida Land & Cattle Corporation in favor of Brevard County to service the Walkabout Golf Course Clubhouse - District 1
<b>DEPT/OFFICE:</b>	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 Permanent Sanitary Sewer and Water-Line Easement for service to the Walkabout Golf Course Clubhouse.

**Summary Explanation & Background:**

The subject property is located in Section 01, Township 21 South, Range 34 East.

This easement is required by Brevard County Utility Services Department for the purpose of constructing and maintaining a sewer and water line and other allied uses that provides service to the Walkabout Golf Course Clubhouse.

Land acquisition Policies and Procedures requires approval 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 and Waterline Easement (with Sketch & Description), Vicinity Map and Property Fact Sheet

<b>Contract /Agreement (If attached):</b> Reviewed by County Attorney	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR <input type="checkbox"/>
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County Manager	Assistant County Manager	Department Director / Extension
	Mel Scott	
Stockton Whitten	Assistant County Manager	John P Denninghoff / 57202
	Venetta Valdengo	
		Robert Adolphe / 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 22, 2014

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.4., Permanent Sanitary Sewer and Water-Line Easement from Florida Land & Cattle Corporation for the Walkabout Golf Course Clubhouse

The Board of County Commissioners, in regular session on October 21, 2014, accepted the Permanent Sanitary Sewer and Water-Line Easement from Florida Land & Cattle Corporation, for the Walkabout Golf Course Clubhouse.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Etheridge*

Tammy Etheridge, Deputy Clerk

/ds

cc: Utility Services Director  
Contracts Administration  
Finance  
Budget

Prepared by and Return to: Blaise M. Mancini, Land Acquisition Specialist  
Brevard County Public Works Dept., Land Acquisition Section (321-690-6847)  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940

**PERMANENT SANITARY SEWER AND WATER-LINE EASEMENT**

**THIS INDENTURE**, made this 23 day of SEP<sup>+</sup> A.D. 2014, between FLORIDA LAND & CATTLE CORPORATION, whose mailing address is 5190 Neil Road, Suite# 430, Reno, Nevada 89502, as the first party, and BREVARD COUNTY, Florida, a political subdivision of the State of Florida, 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 hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date, for the purpose(s) of constructing and maintaining a sewer and water line 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 01, Township 21 South, Range 34 East, County of Brevard, State of Florida, and is more particularly described as follows:

**SEE ATTACHED LEGAL DESCRIPTION**

**TO HAVE AND TO HOLD** said easement unto the County of Brevard and to its successors and assigns.

**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:

Witness

*[Handwritten signature]*

(Print Name) DAKE M. LYON

Florida Land & Cattle Corporation

*[Handwritten signature]*  
Khosro Khaloghli, as President

Witness

*[Handwritten signature]*

(Print Name) Heidi Carrelli

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

~~Khosro Khaloghli, who is personally known to me, or who has produced \_\_\_\_\_ as identification and who did/did not take an oath, acknowledged the foregoing instrument before me this \_\_\_\_\_ day of, 2014.  
WITNESS my hand and official seal at \_\_\_\_\_, County of \_\_\_\_\_, State of Nevada, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.~~

\_\_\_\_\_  
**NOTARY PUBLIC**  
\_\_\_\_\_  
Print Name \_\_\_\_\_  
Commission No. \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

Board Date: \_\_\_\_\_  
Agenda Item #: \_\_\_\_\_

*See attached*

## ACKNOWLEDGMENT

State of California  
County of ORANGE

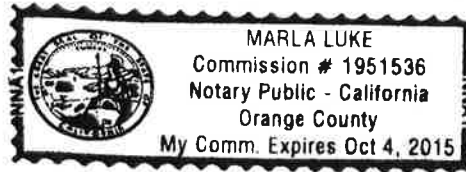
On September 23, 2014 before me, Marla Luke  
(insert name and title of the officer)

personally appeared Khosro Khaloghli  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/~~she~~they executed the same in  
his/~~her~~their authorized capacity(ies), and that by his/~~her~~their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Marla Luke* (Seal)



# LEGAL DESCRIPTION

SECTION 01, TOWNSHIP 21 SOUTH, RANGE 34 EAST  
PARENT PARCEL ID NUMBER: 21-34-01-VR-00GC4.0-0000.00

PURPOSE: UTILITY EASEMENT

EXHIBIT A  
SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

LEGAL DESCRIPTION PARCEL 801, A 15 FOOT WIDE UTILITY EASEMENT (BY SURVEYOR)  
A PARCEL OF LAND BEING A PORTION OF TRACT GC4 OF THE PLAT OF WALKABOUT  
GOLF COURSE AS RECORDED IN PLAT BOOK 59, PAGE 37 OF THE PUBLIC RECORDS OF  
BREVARD COUNTY, FLORIDA, AND BEING A STRIP OF LAND 15.00 FEET WIDE, LYING 7.50  
FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE:

COMMENCE AT THE NORTHEAST CORNER OF TRACT E, MORROW PLACE AT WALKABOUT,  
PER PLAT THEREOF, RECORDED IN PLAT BOOK 59, PAGE 93, OF THE PUBLIC RECORDS  
OF BREVARD COUNTY, FLORIDA; THENCE S.45 31'03"W., ALONG THE EAST LINE OF SAID  
TRACT E, A DISTANCE OF 190.10 FEET; THENCE S.10 06'01"W., ALONG THE EAST LINE OF  
TRACT B OF SAID MORROW PLACE AT WALKABOUT AND ITS SOUTHERLY EXTENSION, A  
DISTANCE OF 129.54 FEET, TO THE POINT OF BEGINNING; THENCE S.77 50'56"E., A  
DISTANCE OF 343.50 FEET; THENCE N.73 28'56"E., A DISTANCE OF 66.44 FEET TO A  
POINT ON THE WEST RIGHT OF WAY LINE OF TRACT DD, DIDGERIDOO DRIVE PER SAID  
PLAT OF WALKABOUT GOLF COURSE, SAID POINT BEING THE POINT OF TERMINUS.

## SURVEYOR'S NOTES:

1. THE PURPOSE OF THIS SURVEY IS TO SHOW A SKETCH OF DESCRIPTION AND DOES NOT REPRESENT A CURRENT FIELD SURVEY BY THIS FIRM.
2. BEARINGS ARE BASED ON THE EAST LINE OF TRACT E, MORROW PLACE AT WALKABOUT, AS RECORDED IN PLAT BOOK 59, PAGE 93 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS



SURVEYOR & MAPPER, PSM NO. 6104  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: GAGE INDUSTRIES, INC., LICENSED BUSINESS NO. 8507

ADDRESS: 965 ARABELLA LANE, COCOA, FL 32927

PHONE: (321)607-6389

DRAWN BY: SEK

CHECKED BY: RDK

DRAWING NO.: 140124-1

SECTION 1

DATE: 9/2/14

SHEET 1 OF 2

REVISIONS: 9/30/14

TOWNSHIP 21 SOUTH

RANGE 34 EAST

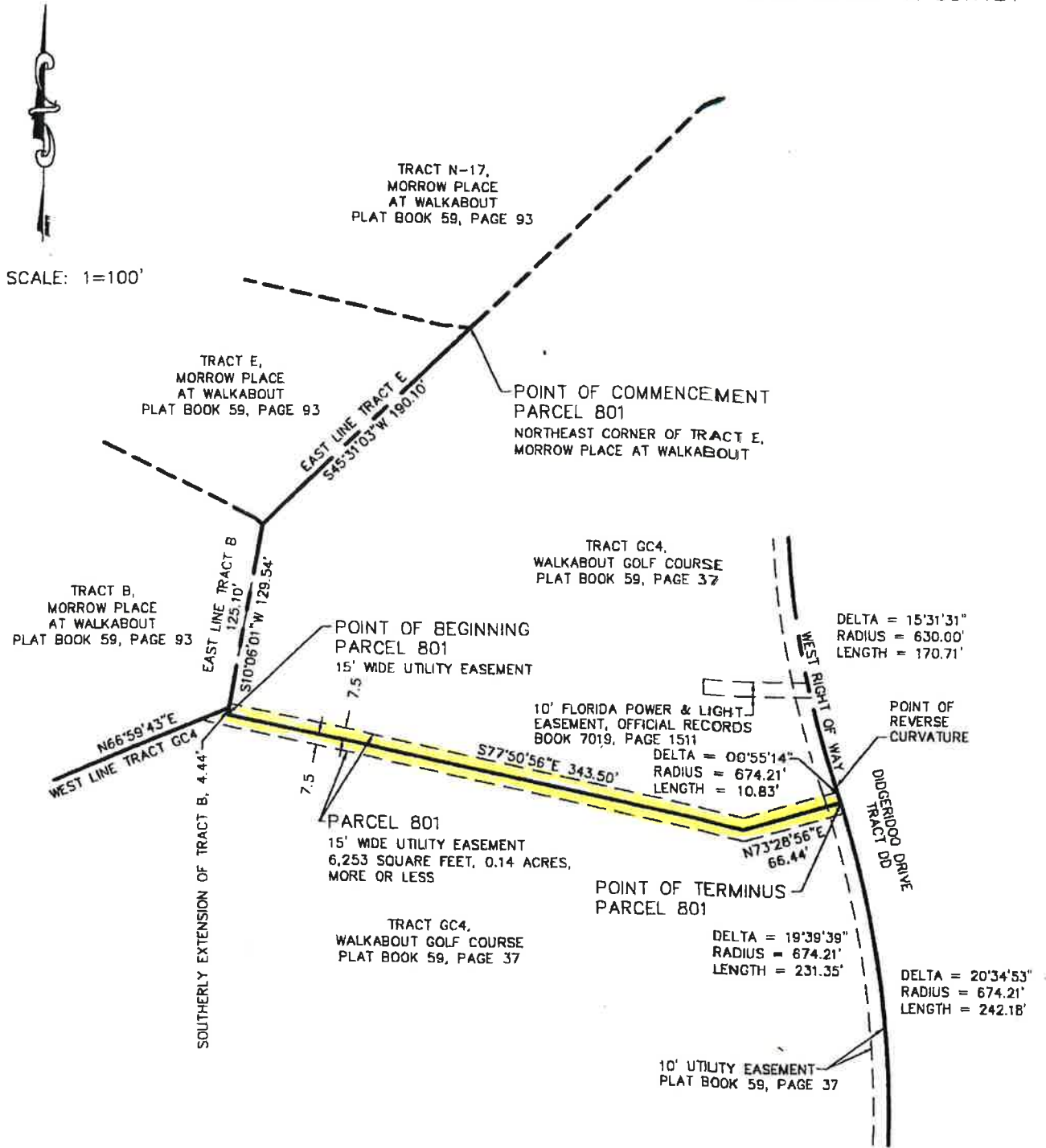
# LEGAL DESCRIPTION

SECTION 01, TOWNSHIP 21 SOUTH, RANGE 34 EAST

PARENT PARCEL ID NUMBER: 21-34-01-VR-00GC4.0-0000.00

EXHIBIT A  
SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2  
THIS IS NOT A SURVEY

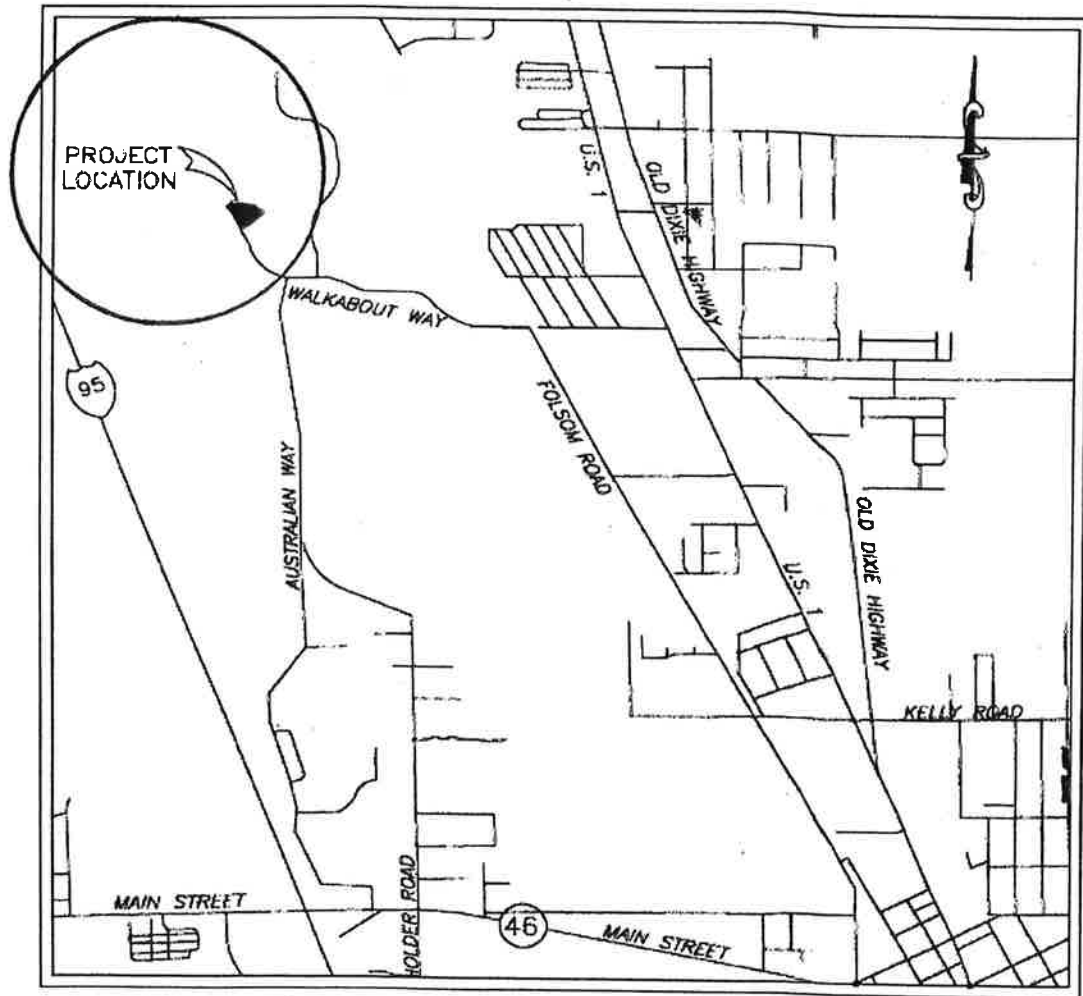


# VICINITY MAP

SEC: 01 TWP: 21 South RNG: 34 East DISTRICT: 1

WALKABOUT GOLF COURSE CLUBHOUSE, MIMS

OWNER'S: FLORIDA LAND & CATTLE CORPORATION



PROPERTY FACT SHEET

PROJECT: WALKABOUT GOLF COURSE CLUBHOUSE  
SANITARY SEWER AND WATERLINE EASEMENT

Owner:	Florida Land & Cattle Corporation
Parcel Location:	Located within the Walkabout Subdivision, lying east of 1-95, just north of SR#46, Mims, Florida
Parent Parcel Size:	6.48 Acres
To be acquired:	Sanitary Sewer and Waterline Easement (1,780.54± Square Feet)
Tax Parcel ID#	21-34-01-VR-00GC4.0-0000.00
Zoning/land Use:	C-Golf Course
Improvements:	Clubhouse (Under Construction)
Topography:	Level with Road Grade
Flood Zone:	X (Outside the 500 Year Flood Plain)
Public Utilities:	Electric
Market Value: (Property Appraiser-Assessed)	\$78,510.00
Property Transaction:	Being a smaller portion (Clubhouse) of the area known as the Walkabout Subdivision.

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: ACCEPTANCE OF SANITARY SEWER AND WATERLINE EASEMENT  
IN FAVOR OF BREVARD COUNTY TO SERVICE THE WALKABOUT  
GOLF COURSE CLUBHOUSE - DISTRICT 1

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 Dan Jones, Supervisor	<u>DJ/amm</u>	_____	<u>10/6/14</u>
COUNTY ATTORNEY Christine Lepore Assistant County Attorney	<u>See attached</u>	_____	<u>10/7/14</u>
PUBLIC WORKS DEPT. John P. Denninghoff, Director	<u>JD</u>	_____	<u>10/7/2014</u>
UTILITY SERVICES DEPT. Robert Adolphe, Director	<u>RA</u>	_____	<u>10/7/14</u>

AGENDA DUE DATE: October 07, 2014 for the October 21, 2014 Board Meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE THE AGENCY CONTACT IMMEDIATELY.

**BOARD OF COUNTY COMMISSIONERS**



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PUBLIC WORKS DEPT. John P. Denninghoff, Director	_____	_____	_____
UTILITY SERVICES DEPT. Robert Adolphe, Director	_____	_____	_____

AGENDA DUE DATE: October 07, 2014 for the October 21, 2014 Board Meeting

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