



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.7.

8/30/2022

Subject:

Approval, Re: Sanitary Sewer Easement from CKS Acquisitions, LLC, for Sundance Family Dentistry - 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, north of Porada Drive along Stadium Parkway in Viera.

CKS Acquisitions, LLC, owner, has submitted site plan number 21SP00045 for review and approval by the County for the development of a dental office known as Sundance Family Dentistry. In accordance with County code and standards, the owner, as a condition of the site plan approval, has agreed to donate the attached Sanitary Sewer Easement.

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: Sanitary Sewer Easement from CKS Acquisitions, LLC, for Sundance Family Dentistry – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>7-21-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>07-22-2022</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

August 31, 2022

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

Attn: Andrew Malach

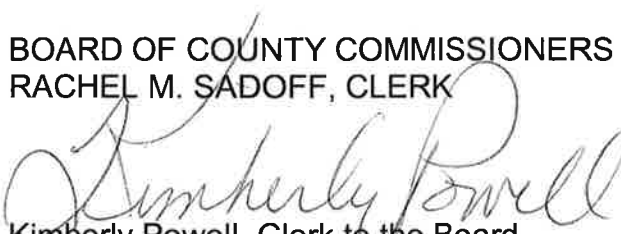
RE: Item F.7., Approval for Sanitary Sewer Easement from CKS Acquisitions, LLC, for Sundance Family Dentistry

The Board of County Commissioners, in regular session on August 30, 2022, approved and accepted the Sanitary Sewer Easement from CKS Acquisitions, LLC, for Sundance Family Dentistry, located in Section 33, Township 25 South, Range 36 East, north of Porada Drive along Stadium Parkway in Viera.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

cc: Utility Services

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-1.01

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 27 day of July, 2022, between CKS Acquisitions, LLC, a Florida limited liability company, whose address is 983 Wildwood Drive, Melbourne, Florida 32940, 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

Tyler Reith

Print Name



Witness

NOLAN MELTZER

Print Name

CKS Acquisitions, LLC, a Florida limited liability Company

By: 

Kaitlin Donovan Stahl,
Authorized Member

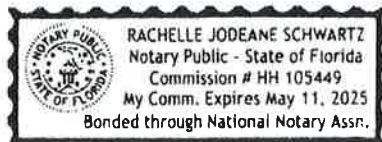
By: 

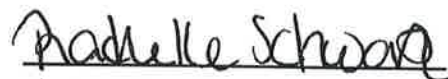
Cameron Stahl,
Authorized Member

(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 July, 2022 by Kaitlin Donovan Stahl, and Cameron Stahl, both as Authorized Members for CKS Acquisitions, LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced _____ as identification.





Notary Signature

SEAL

LEGAL DESCRIPTION

PARCEL # 800

PARENT PARCEL ID: 25-36-33-50-A-101
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)

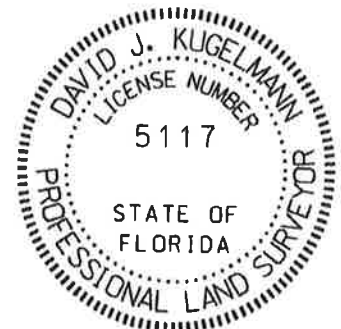
PART OF LOT 1, BLOCK A, VIERA BOULEVARD COMMERCIAL CENTER III, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGES 44 THROUGH 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LOCATED IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK A, VIERA BOULEVARD COMMERCIAL CENTER III, ACCORDING TO PLAT BOOK 69, PAGES 44-46; THENCE NORTHERLY, ALONG THE ARC OF THE WEST BOUNDARY OF TRACT A OF SAID VIERA BOULEVARD COMMERCIAL CENTER III, SAID ARC BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 113.00 FEET, A CENTRAL ANGLE OF 05°00'37", A CHORD BEARING OF N12°11'41"E AND A CHORD LENGTH OF 9.88 FEET, FOR AN ARC DISTANCE OF 9.88 FEET TO THE END OF SAID ARC; THENCE N14°13'41"E, CONTINUING ALONG THE SAID WEST BOUNDARY OF TRACT A, A DISTANCE OF 86.03 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE; THENCE NORTHERLY, CONTINUING ALONG THE ARC OF THE SAID WEST BOUNDARY OF TRACT A, SAID ARC BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 187.00 FEET, A CENTRAL ANGLE OF 07°18'34", A CHORD BEARING OF N10°34'24"E AND A CHORD LENGTH OF 23.84 FEET, FOR AN ARC DISTANCE OF 23.86 FEET, TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE WEST AND THE POINT OF BEGINNING; THENCE N90°00'00"W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 26.16 FEET; THENCE N00°00'00"E, A DISTANCE OF 15.00 FEET; THENCE S90°00'00"E, A DISTANCE OF 27.37 FEET TO A POINT ON THE SAID ARC OF THE WEST BOUNDARY OF TRACT A; THENCE SOUTHERLY, ALONG THE SAID ARC OF THE WEST BOUNDARY OF SAID TRACT A, SAID ARC BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 187.00 FEET, A CENTRAL ANGLE OF 04°36'44", A CHORD BEARING OF S04°36'45"W AND A CHORD LENGTH OF 15.05 FEET, AN ARC DISTANCE OF 15.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 403.03 SQUARE FEET, 0.01 ACRES, MORE OR LESS.

SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY, NOR IS IT INTENDED TO BE USED AS ONE.
2. BEARINGS DEPICTED HEREON ARE PLAT BEARINGS AND ARE BASED ON THE SOUTHERLY LINE OF LOT 1, BLOCK A, VIERA BOULEVARD COMMERCIAL CENTER III, PLAT BOOK 69, PAGES 44 THROUGH 46, HAVING A BEARING OF N67°30'39"W.
3. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
4. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, OWNER & ENCUMBRANCE PROPERTY INFORMATION REPORT, FILE NO. 22073240, PERIOD SEARCHED: FROM AUGUST 23, 1994 TO MAY 4, 2022 @ 5:00 PM. ONLY THOSE PLOTTABLE EASEMENTS AFFECTING THE LANDS DESCRIBED HEREON ARE SHOWN AND NOTED.
5. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT(S) SHOWN HEREON AND COPIES ARE VALID ONLY WITH THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR & MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REFERENCED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES.



David J Kugelmann

Digitally signed by David J Kugelmann
Date: 2022.06.24 11:38:14 -04'00'

PREPARED FOR AND CERTIFIED TO :
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

DAVID J. KUGELMANN, PLS 5117
PROFESSIONAL LAND SURVEYOR
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: KUGELMANN LAND SURVEYING, INC.
30 NORTH TROPICAL TRAIL, SUITE B
MERRITT ISLAND, FLORIDA 32953
L.B. NO. 6575 - PHONE (321) 459-0930

DRAWN BY: DJK	CHECKED BY: KKW	PROJECT NO. 2022027	SECTION 33 TOWNSHIP 25 SOUTH RANGE 36 EAST
DATE: 6/09/2022	DRAWING: V8.. 2022027lego/sketch.DGN	REVISIONS	
		DATE	
		DESCRIPTION	

PARCEL # 800

EXHIBIT "A"

NOT VALID WITHOUT SHEET 1 OF 2
THIS IS NOT A SURVEY



**TOWNSHIP 25 SOUTH
RANGE 36 EAST**

LOCATION MAP

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

PROPERTY LOCATION: North of Porada Drive along Stadium Parkway in Viera.

OWNERS NAME: CKS Acquisitions, LLC

