

Meeting Date
<b>July 26, 2016</b>



AGENDA	
Section	Consent
Item No.	<i>II.A.12</i>

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

SUBJECT:	Approval Re: Permanent Sidewalk Easement and Donation of Easement to County from Synobia Felton for conveyance of easement (#802) needed for the Schoolhouse Street Easement Project District 2 (Fiscal Impact: None)
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DEPT/OFFICE:	Public Works Department / Land Acquisition Section / Housing and Human Services Department
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Requested Action:

It is requested that the Board of County Commissioners approve and accept the Permanent Sidewalk Easement and Donation of Easement to the County from Synobia Felton.

Summary Explanation & Background:

The subject property is located in Section 22, Township 24 South, Range 36 East.

Housing and Human Services has determined the sidewalk easement is necessary to provide school children and local residents a safe and effective way to travel on Schoolhouse Street.

There is a mortgage on the property in favor of HMC Assets, LLC. Joinder in Dedication of Sidewalk Easement in favor of Brevard County will be obtained prior to recording the Permanent Sidewalk Easement.

Fiscal impact: FY 2016-2017: No impact  
**FY 2017-2018: No impact**

Clerk to the Board Instructions: Forward the Board approval memo to Department.

Exhibits Attached: Copy of Permanent Sidewalk Easement with Exhibit A, Copy of Donation of Easement to the County with Exhibit A, Location Map, Property Fact Sheet

Contract /Agreement (If attached): 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
Stockton Whitten	Assistant County Manager	John Denninghoff / 57202
		Ian Golden / 52007



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

July 27, 2016

**MEMORANDUM**

**TO:** John Denninghoff, Public Works Director

**RE:** Item II.A.12., Permanent Sidewalk Easement and Donation of Easement to County from Synobia Felton for Conveyance of Easement, Parcel #802, Needed for Schoolhouse Street Easement Project

The Board of Commissioners, in regular session on July 26, 2016, approved and accepted Permanent Sidewalk Easement and Donation of Easement to the County from Synobia Felton for conveyance of Easement, Parcel #802, needed for Schoolhouse Street Easement Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

cc: Housing and Human Services Director

**BOARD OF COUNTY COMMISSIONERS**

AGENDA: PERMANENT SIDEWALK EASEMENT AND DONATION OF EASEMENT TO COUNTY FROM SYNOBIA FELTON (PARCEL 802) FOR SIDEWALK ON SCHOOLHOUSE STREET

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION / HOUSING & HUMAN SERVICES DEPARTMENT

AGENCY CONTACT: LUCY HAMELERS, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (56316)

**REVIEW**

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>OPS</u>	_____	<u>6/20/16</u>
HOUSING & HUMAN SERV. DEPT Ian Golden, Director	<u>IG</u>	_____	<u>6/21/16</u>
COUNTY ATTORNEY Cristina Berrios Assistant County Attorney	<u>See attached</u>	_____	<u>6/28/16</u>
PUBLIC WORKS John Denninghoff, Director	<u>JDD</u>	_____	<u>7/11/16</u>

AGENDA DUE DATE: July 12, 2016 for the July 26, 2016 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: PERMANENT SIDEWALK EASEMENT AND DONATION OF EASEMENT TO COUNTY FROM SYNOBIA FELTON (PARCEL 802) FOR SIDEWALK ON SCHOOLHOUSE STREET

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HOUSING & HUMAN SERV. DEPT Ian Golden, Director	_____	_____	_____
COUNTY ATTORNEY Cristina Berrios Assistant County Attorney		_____	<u>6/28/16</u>
PUBLIC WORKS John Denninghoff, Director		_____	<u>7/1/16</u>

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PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-6847) WHEN READY TO BE PICKED UP.

THANK YOU.

**PERMANENT SIDEWALK EASEMENT**

**THIS INDENTURE**, made this 15<sup>th</sup> day of June, 2016 A.D. , between **SYNOBIA FELTON** whose mailing address is 417 Lincoln Avenue, Merritt Island, Florida 32953, as the first party, and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Melbourne, 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 sole purpose of constructing and maintaining a sidewalk and other allied uses 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 22, Township 24 South, Range 36 East, County of Brevard, State of Florida, and is more particularly described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO (LEGAL DESCRIPTION)**

**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 a good and lawful right to convey it or any part thereof.

**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:

*Norman L. Scott*  
Witness

Norman L. Scott  
(Print Name)

*Synobia Felton*  
SYNOBIA FELTON

*Michael McDonald*  
Witness

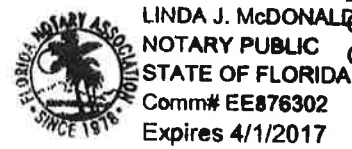
Michael McDonald  
(Print Name)

**STATE OF FLORIDA  
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of June, 2016, by Synobia Felton who is personally known to me or who has produced personally known as identification and who did/did not, take an oath. WITNESS my hand and official seal at the County of Brevard, State of Florida, this 15<sup>th</sup> day of June, 2016.

*Linda J. McDonald*  
NOTARY PUBLIC  
Linda J. McDonald  
Print Name

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



Commission No. EE876302  
Commission Expires: 4/1/2017

# LEGAL DESCRIPTION

## PARCEL # 802

PARENT PARCEL ID# 24-36-22-01-0000.0-0055.00  
PURPOSE: SIDEWALK EASEMENT

### EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL 802 SIDEWALK EASEMENT (PREPARED BY SURVEYOR)

A parcel of land lying within a portion of Lot 56, WASHINGTON PARK as per Plat Book 3, Page 86, Official Public Records of Brevard County, Florida, and being more particularly described as follows:

Begin at the Intersection of the South Right-of-Way Line of Lincoln Avenue (40 foot Right-of-Way) and the West Right-of-Way line of Schoolhouse Street (30 foot Right-of-Way), per Plat Book 3, Page 86, said point also being POINT OF BEGINNING of the following described easement:

Thence run S0°04'06"W along the said West Right-of-Way Line of Schoolhouse Street, a distance of 122.06 feet, thence departing said West Right-of-Way Line, run N89°55'54"W, a distance of 10.00 feet, along the South line of Lot 56, thence N0°04'06"E a distance of 118.37 feet, to a point on a non-tangential curve concave to the West having a radius of 14.00 feet, and a central angle of 22°21'23", and having a chord bearing of N47°23'59"W; thence run along the arc for a distance of 5.46 feet, thence N90°00'00"E a distance of 14.00 feet, along said South Right-of-Way Line to the POINT OF BEGINNING.

Containing 0.028 acres (±1,226.93 square feet), more or less

### SURVEYORS NOTES:

1. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF OWNERSHIP AND ENCUMBRANCE CERTIFICATE PREPARED BY DAWSON LAW P.A., EFFECTIVE DATE OF SEARCH 5/18/2016.
2. THIS MAP IS NOT A SURVEY.
3. BEARINGS HEREON ARE REFERRED TO AN ASSUMED VALUE OF N90°00'00"E FOR THE SOUTH RIGHT-OF-WAY LINE OF LINCOLN AVENUE.

### LEGEND:

AKA= ALSO KNOWN AS  
 PC = POINT OF CURVATURE  
 POB= POINT OF BEGINNING  
 POC= POINT OF COMMENCEMENT  
 ORB= OFFICIAL RECORDS BOOK  
 PB = PLAT BOOK  
 PG = PAGE  
 R/W= RIGHT OF WAY

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

CHRISTOPHER S. BOWERS, PSM FL. CERT. NO. 5990  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: MORGAN & ASSOCIATES CONSULTING ENGINEERS, INC.  
Civil Engineers and Land Surveyors - E.B. #7903 / L.B. #7040  
504 N. Harbor City Blvd., Melbourne, FL 32935  
(321) 751-6088

DRAWN BY: LLM	CHECKED BY: CSB	PROJECT NO. 2013-30		SECTION 22 TOWNSHIP 24 SOUTH RANGE 36 EAST
		REVISIONS	DATE	
DATE: 06/09/2016	DRAWING: 2013-30		06/14/16	Per County Comments

# SKETCH OF DESCRIPTION

## PARCEL # 802

PARENT PARCEL ID#: 24-36-22-01-0000.0-0055.00

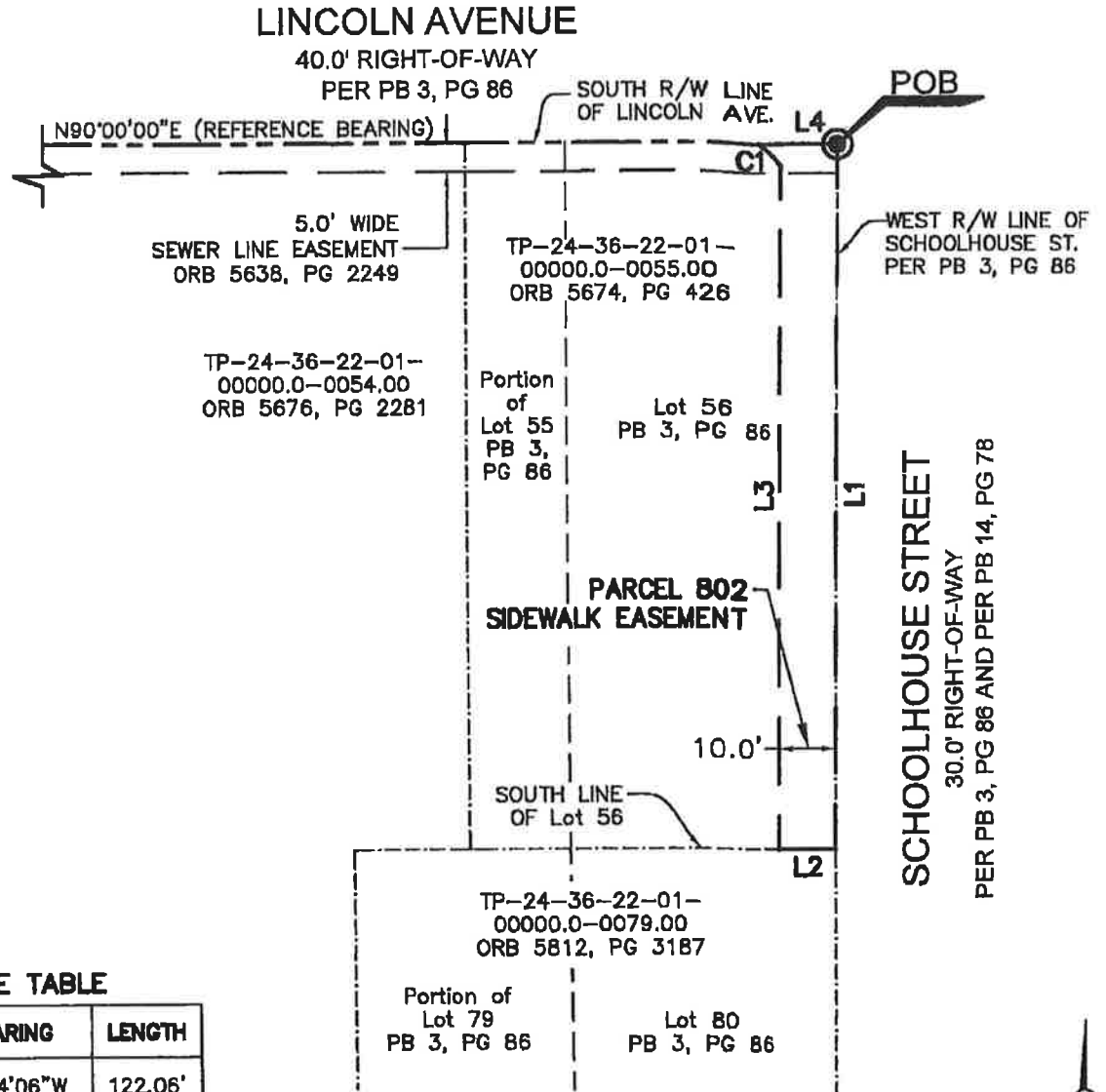
PURPOSE: SIDEWALK EASEMENT

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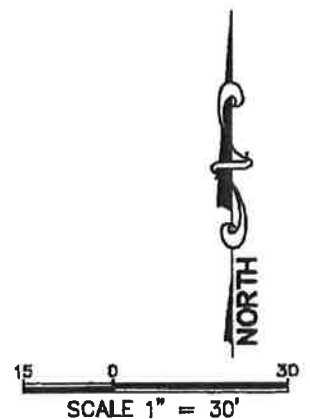
THIS IS NOT A SURVEY



LINE & CURVE TABLE

LINE	BEARING	LENGTH
L1	S0°04'06"W	122.06'
L2	N89°55'54"W	10.00'
L3	N0°04'06"E	118.37'
L4	N90°00'00"E	14.00'

CURVE	RADIUS	LENGTH	CENTRAL ANGLE	CHORD BEARING	CHORD DISTANCE
C1	14.00'	5.46'	22°21'23"	N47°23'59"W	5.43'



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SCALE:  
 1" = 30'  
 PROJECT NO.:  
 2013-30

SECTION 22  
 TOWNSHIP 24 SOUTH  
 RANGE 36 EAST



**BOARD OF COUNTY COMMISSIONERS**


**Public Works Department  
Land Acquisition Section  
2725 Judge Fran Jamieson Way  
Building A, Room 204  
Viera, Florida 32940**

**Donation of Easement to the County**

**Synobia Felton  
417 Lincoln Avenue  
Merritt Island, FL 32953**

**Re: Schoolhouse Street Sidewalk Easement Project**

**This is to advise that the undersigned, as owner of the property located at 417 Lincoln Avenue, Merritt Island, FL., desire to make a voluntary donation of an easement to said property as described in Exhibit A attached, to the County for the use and benefit of the County, for purposes of Sidewalk Easement, in connection with the Schoolhouse Street Sidewalk Easement Project.**

  
BY: Synobia Felton                      date

# LEGAL DESCRIPTION

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PARENT PARCEL ID# 24-36-22-01-0000.0-0055.00

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DATE: 06/09/2016	DRAWING: 2013-30		06/14/16	Per County Comments

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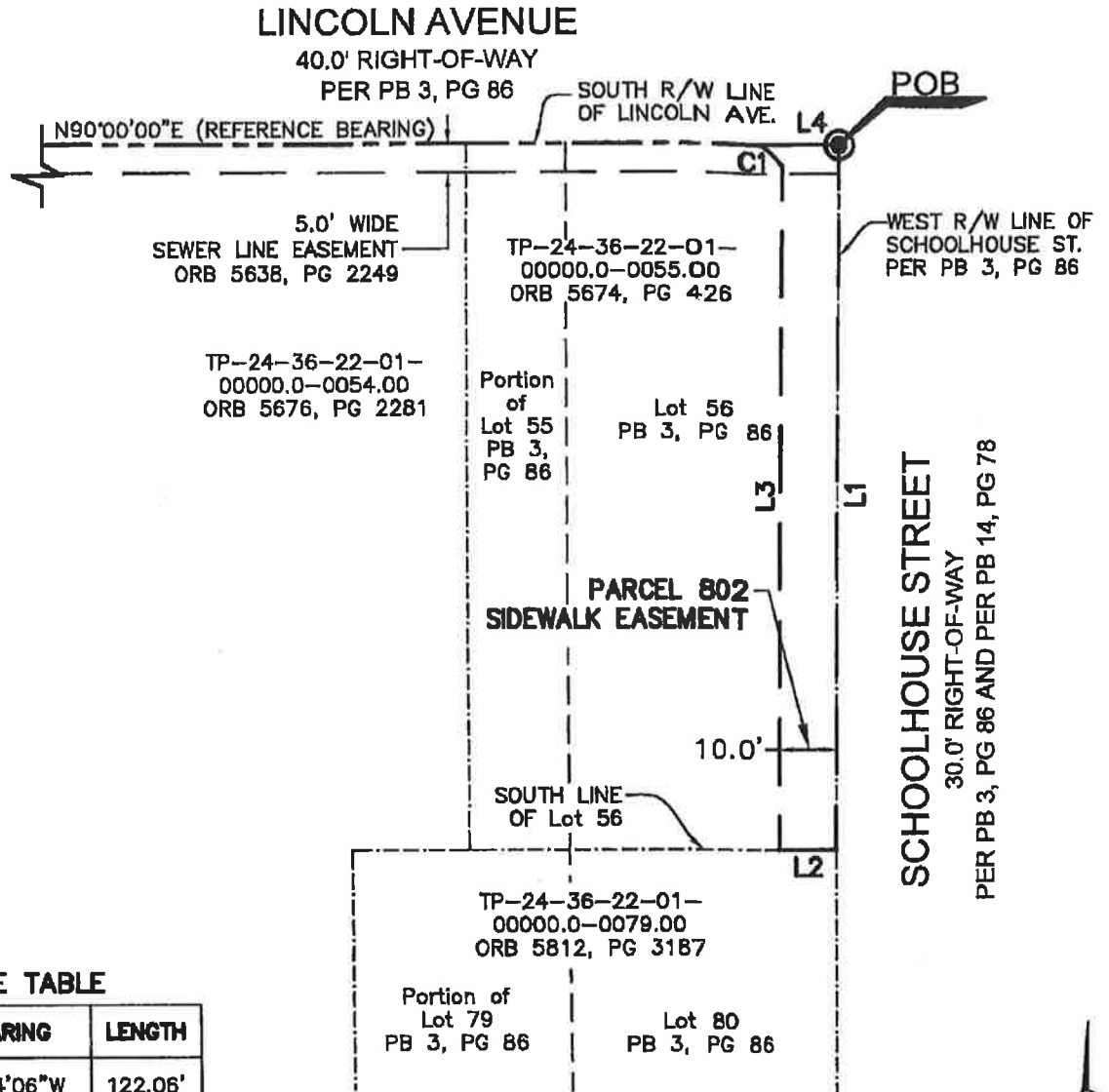
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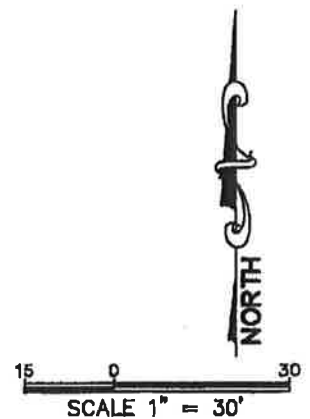
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**SCALE:**  
 1" = 30'  
**PROJECT NO.:**  
 2013-30

**SECTION 22**  
**TOWNSHIP 24 SOUTH**  
**RANGE 36 EAST**

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# LOCATION MAP

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SEC: 22 TWP: 24 S RNG: 36 DISTRICT: 2

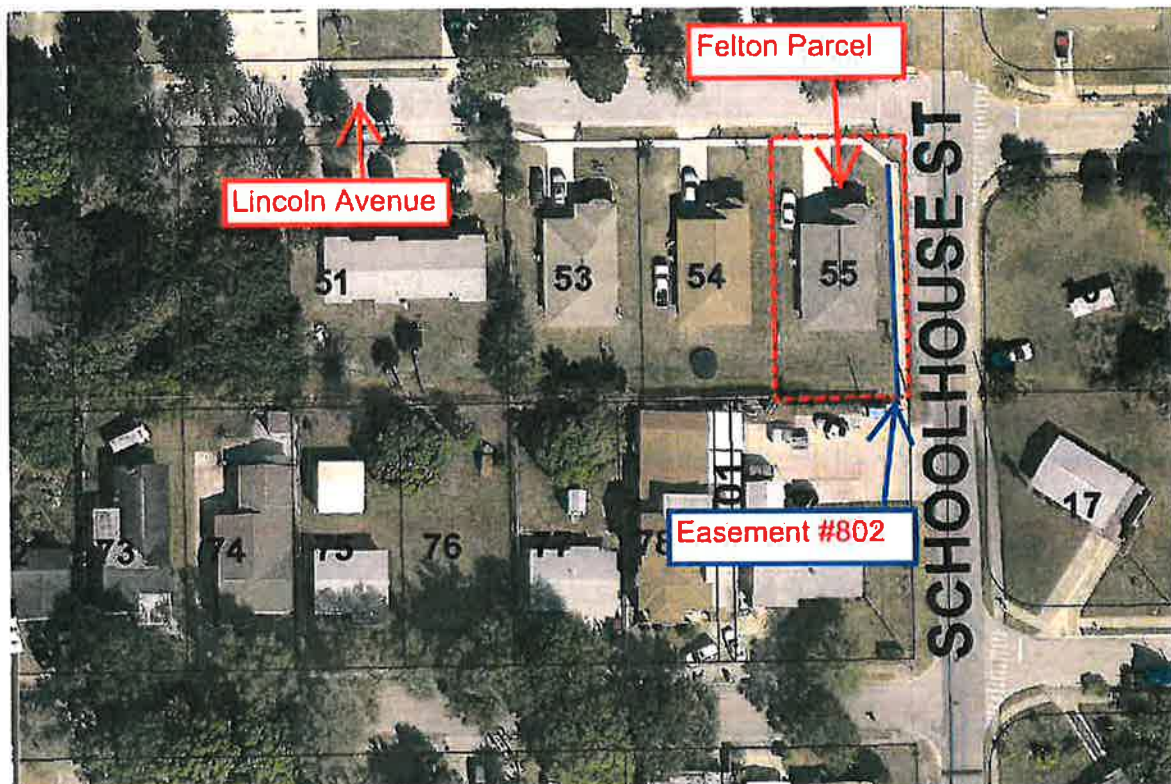
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STREET NAME: LINCOLN AVENUE AND SCHOOLHOUSE STREET

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OWNER'S NAME: SYNOBIA FELTON

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**PROPERTY FACT SHEET**  
**PROJECT: SCHOOLHOUSE STREET SIDEWALK EASEMENT (F ELTON)**

<b>OWNER:</b>	Synobia Felton
<b>PARCEL LOCATION:</b>	417 Lincoln Street
<b>PARCEL SIZE:</b>	0017 acres
<b>EASEMENT AREA:</b>	1,220.54 square feet
<b>ZONING/LAND USE:</b>	0110 – Single Family Residence
<b>IMPROVEMENTS:</b>	One Building – 1,271 square feet
<b>TOPOGRAPHY:</b>	Level with road grade, no wetlands indicated
<b>FLOOD ZONE:</b>	X (outside 500-year flood)
<b>TAX PARCEL ID#:</b>	24-36-22-01-00000.0-0055.00
<b>MARKET VALUE:</b>	\$84,170.00 (2015 Assessment)(Property Appraiser's Records)
<b>PUBLIC UTILITIES:</b>	All utilities
<b>PROPERTY TRANSACTION:</b> (Clerk of the Court Records)	Purchase date: July 14, 2006 Sale amount: \$122,200.00