



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.11.

8/22/2023

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### **Subject:**

Approval, Re: Dedication of Sidewalk Easement from OSG Storage Cocoa LLC, for the Grissom Parkway Storage Project - District 1.

### **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 attached Sidewalk Easement.

### **Summary Explanation and Background:**

The subject property is located in Section 12, Township 24 South, Range 35 East, on the south side of Grissom Parkway north of Highway 528 in Cocoa.

OSG Storage Cocoa LLC, owner, has obtained Right of Way permit number 22RW00850 from the County for the improvements within the Grissom Parkway right of way for a single-story RV storage facility project known as Grissom Parkway Storage. As a condition of permit approval, the Public Works Department requires the owner to construct a sidewalk along the County owned and maintained right of way of Grissom Parkway. The sidewalk will be constructed as part of the completed project. In accordance with County code and standards, the owner has agreed to dedicate the attached sidewalk easement for the portion of the sidewalk located outside of the right of way. Brevard County will be responsible for all future maintenance of the sidewalk as outlined in the attached 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:**



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

Telephone: (321) 837-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

August 23, 2023

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director

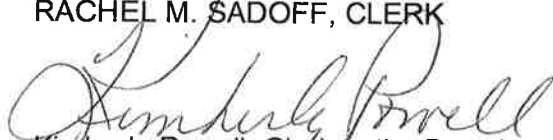
**RE:** Item F.11., Approval of Dedication of Sidewalk Easement from OSG Storage Cocoa LLC for the Grissom Parkway Storage Project

The Board of County Commissioners, in regular session on August 22, 2023, approved and accepted the dedication of Sidewalk Easement from OSG Storage Cocoa LLC for the Grissom Parkway Storage Project.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK**

  
Kimberly Powell, Clerk to the Board

/tr

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Dedication of Sidewalk Easement from OSG Storage Cocoa LLC for the  
Grissom Parkway Storage Project

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa J. Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>7-26-2023</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<i>cms</i> _____	_____	<u>08/03/2023</u>

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in Tax Parcel ID: 24-35-12-00-760

## **SIDEWALK EASEMENT**

**THIS INDENTURE**, made this 14th day of July, 2023, between OSG STORAGE COCOA LLC, a Florida limited liability company, whose address is 2277 Lee Road, Suite B, Winter Park, Florida 32789, 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 reconstructing, reconfiguring, and maintaining sidewalk 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 12, Township 24 South, Range 35 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:

Lee Ossin  
Witness  
Lee Ossin  
Print Name

Wayne Wilford  
Witness  
Wayne Wilford  
Print Name

OSG STORAGE OF COCOA LLC,  
a Florida limited liability  
company

By: Ira S. Bellinkoff  
Ira S. Bellinkoff, Manager

By: Thomas S. Martucci  
Thomas S. Martucci, Manager

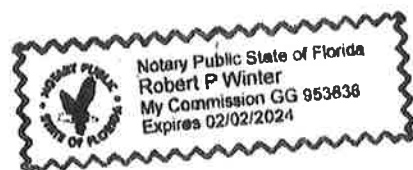
(Corporate Seal)

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14 day of July, 2023, by Ira S. Bellinkoff and Thomas S. Martucci, as Managers for OSG Storage Cocoa LLC, a Florida limited liability company. Is ☒ personally known or ☐ produced \_\_\_\_\_ as identification.

Robert P. Winter

Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 800

PARENT PARCEL ID#: 24-35-12-00-760

PURPOSE: SIDEWALK EASEMENT

### EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEET 2 & 3 OF 3

THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL 800, SIDEWALK EASEMENT (PREPARED BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9533, PAGE 2679 AND LYING IN SECTION 12, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 24 SOUTH, RANGE 35 EAST; THENCE N00°08'15"W, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 780.81 FEET TO ITS INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF GRISSOM PARKWAY; THENCE S88°18'07"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 200.03 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9533, PAGE 2679; THENCE CONTINUE S88°18'07"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 265.29 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2932.96 FEET AND A CHORD BEARING AND DISTANCE OF S88°22'37"W, 13.61 FEET; THENCE SOUTHWESTERLY, ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°15'57", A DISTANCE OF 13.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE, HAVING A CHORD BEARING AND DISTANCE OF N84°23'27"W, 724.99 FEET, THROUGH A CENTRAL ANGLE OF 14°11'57", A DISTANCE OF 726.85 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, S16°50'51"E, 6.27 FEET; THENCE S78°33'52"E, 28.01 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2993.79 FEET AND A CHORD BEARING AND DISTANCE OF S85°01'16"E, 694.90 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°19'45", A DISTANCE OF 696.46 FEET; THENCE N01°29'25"W, 1.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,052 SQUARE FEET OR 0.047 ACRES, MORE OR LESS.

### SURVEYORS NOTES:

1. THIS SKETCH WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THIS SKETCH DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS WRITTEN CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT), DERIVING A BEARING OF N00°08'15"W ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 24 SOUTH, RANGE 35 EAST.
3. THE ENCUMBRANCE INFORMATION SHOWN HEREON IS BASED ON A TITLE SEARCH REPORT PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FUND FILE NUMBER 1375624, DATED FEBRUARY 24, 2023 AT 11:00PM.

### ENCUMBRANCE SUMMARY TABLE

ITEM	RECORD DOCUMENT	DOCUMENT TYPE	AFFECTS SIDEWALK EASEMENT
1	ORB 1537 PG 463	R/W DEED	NO
2	ORB 1537 PG 465	R/W DEED	NO
3	ORB 1537 PG 469	R/W DEED	NO
4	ORB 2474 PG 2096	EASEMENT	NO
5	ORB 3039 PG 1534	EASEMENT	NO
6	ORB 3393 PG 3737	EASEMENT	NO
7	ORB 5781 PG 4013	EASEMENT	NO
8	ORB 5781 PG 4032	EASEMENT	NO
9	ORB 5781 PG 4010 ORB 5781 PG 4018 ORB 5781 PG 4021 ORB 5781 PG 4026 ORB 5781 PG 4029	DECLARATION OF RESTRICTION & RESERVATION OF EASEMENTS	YES - NOT PLOTTED (BLANKET IN NATURE)
10	ORB 5781 PG 4010 ORB 5781 PG 4029	WARRANTY DEED	NO

*Clyde R. Eldredge* July 5, 2023  
CLYDE R. ELDRIDGE, PSM #7076  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR AND CERTIFIED TO:  
OSG STORAGE COCOA, LLC  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

PREPARED BY:



**ATWELL**  
866.850.4200 [www.atwell-group.com](http://www.atwell-group.com)

1800 PARKWAY PLACE, SUITE 120, MARIETTA, GA  
770.423.0807  
FLORIDA SURVEY COA# LB 7832



DRAWN BY: DLG

CHECKED BY: KMK

PROJECT NO. 22003079

REVISIONS

DATE

DESCRIPTION

06/08/2023

REVISE PER COMMENTS  
RECEIVED ON 06/08/2023

07/05/2023

REVISE PER COMMENTS  
RECEIVED ON 07/05/2023

SECTION 12

TOWNSHIP 24 SOUTH

RANGE 35 EAST

DATE: 05/12/2023

DRAWING: 22003079EA-01

# SKETCH OF DESCRIPTION

## PARCEL 800

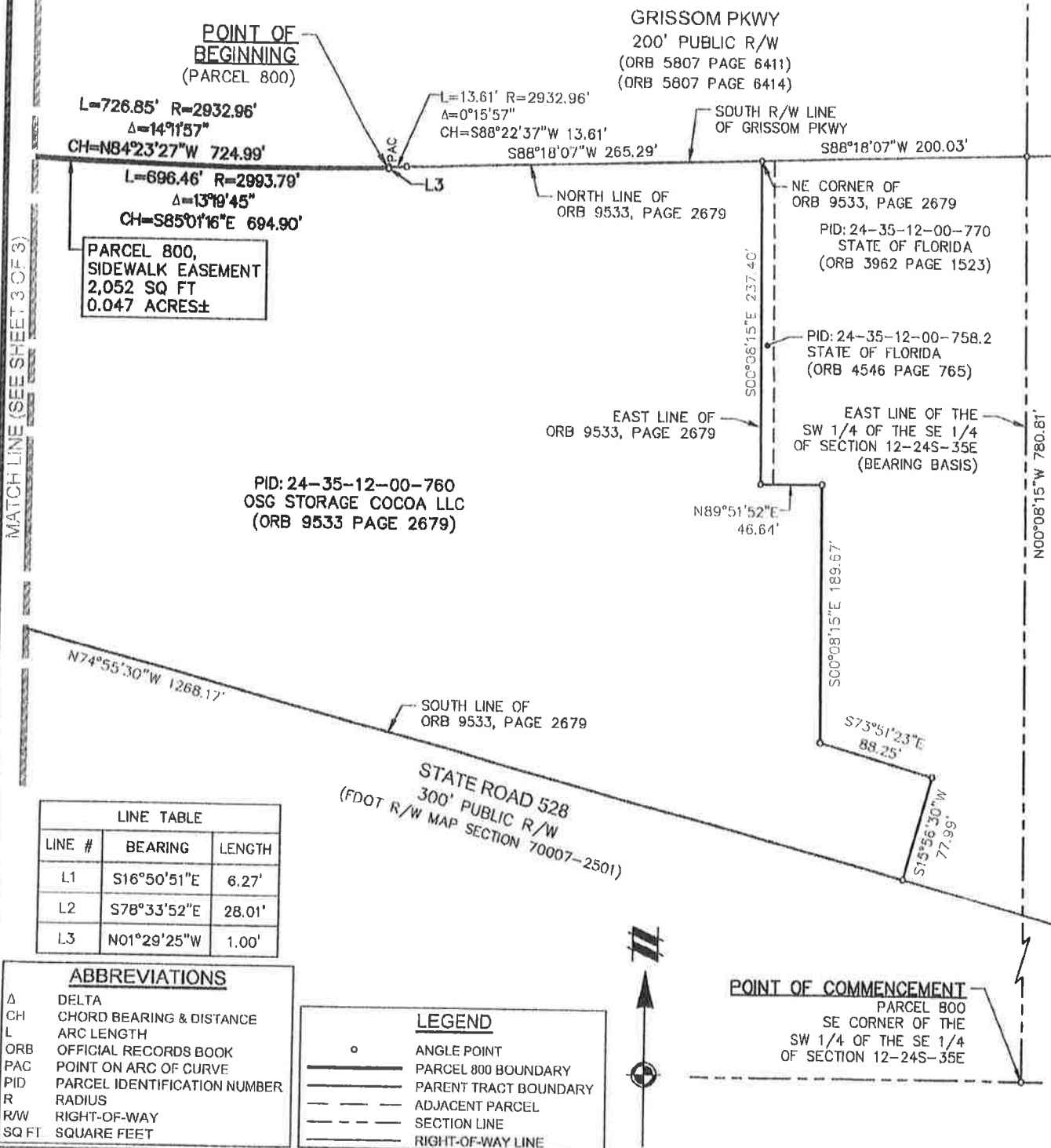
PARENT PARCEL ID#: 24-35-12-00-760  
PURPOSE: SIDEWALK EASEMENT

## EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEET 1 & 3 OF 3

THIS IS NOT A SURVEY



PREPARED BY:



**ATWELL**  
866.850.4200 [www.atwell-group.com](http://www.atwell-group.com)  
1800 PARKWAY PLACE, SUITE 120, MARIETTA, GA  
770.423.0807  
FLORIDA SURVEYOR # LB 7832

SCALE:

1"=100'

PROJECT NO.:

22003079

SECTION 12

TOWNSHIP 24 SOUTH  
RANGE 35 EAST



# SKETCH OF DESCRIPTION

## PARCEL 800

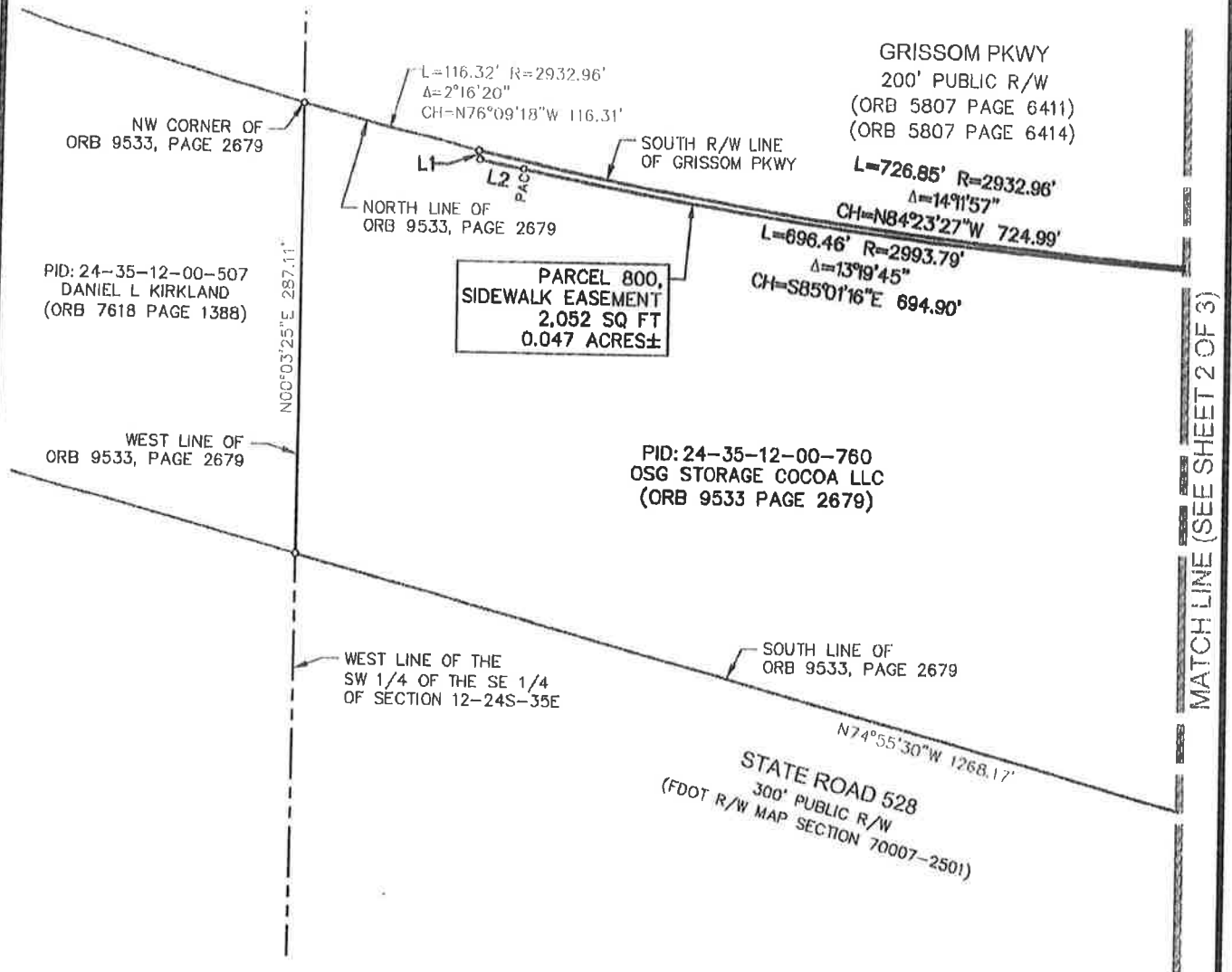
PARENT PARCEL ID#: 24-35-12-00-760  
PURPOSE: SIDEWALK EASEMENT

## EXHIBIT "A"

SHEET 3 OF 3

NOT VALID WITHOUT SHEET 1 & 2 OF 3

THIS IS NOT A SURVEY



### ABBREVIATIONS

Δ	DELTA
CH	CHORD BEARING & DISTANCE
L	ARC LENGTH
ORB	OFFICIAL RECORDS BOOK
PAC	POINT ON ARC OF CURVE
PID	PARCEL IDENTIFICATION NUMBER
R	RADIUS
R/W	RIGHT-OF-WAY
SQ FT	SQUARE FEET

### LEGEND

○	ANGLE POINT
—	PARCEL 800 BOUNDARY
- - -	PARENT TRACT BOUNDARY
- - -	ADJACENT PARCEL
- - -	SECTION LINE
- - -	RIGHT-OF-WAY LINE

### LINE TABLE

LINE #	BEARING	LENGTH
L1	S16°50'51"E	6.27'
L2	S78°33'52"E	28.01'
L3	N01°29'25"W	1.00'

PREPARED BY:



**ATWELL**  
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1800 PARKWAY PLACE, SUITE 120, MARETTA, GA  
770.423.0807  
FLORIDA SURVEY COA# LB 7832

SCALE:

1"=100'

PROJECT NO.:

22003079

SECTION 12

TOWNSHIP 24 SOUTH  
RANGE 35 EAST



## LOCATION MAP

**Section 12, Township 24 South, Range 35 East - District 1**

PROPERTY LOCATION: South side of Grissom Parkway north of Highway 528 in Cocoa.

OWNERS NAME(S): OSG Storage Cocoa LLC

