



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.13.

8/25/2020

Subject:

Approval Re: Donation of Drainage Easement from Amanda and Binh Le for the West Hall Road Outfall Project - District 2.

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 Drainage Easement.

Summary Explanation and Background:

The subject property is located in Section 03, Township 24 South, Range 36 East, on the south side of West Hall Road in Merritt Island.

Brevard County Public Works Department is seeking to improve the West Hall Road outfall capacity to reduce the potential for flooding in the basin served by the outfall. Improvements will include constructing a high flow bypass around the existing baffle boxes located near the outfall on the west side of North Tropical Trail. The existing 36-inch corrugated metal pipe will be replaced with a 48-inch reinforced concrete pipe. The Le's have agreed to donate the needed drainage easement for the project.

The User Department is in agreeance with 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

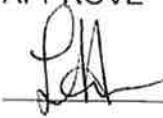

AGENDA REVIEW SHEET

AGENDA: Donation of Drainage Easement from Amanda and Binh Le for the West Hall Road Outfall Project– District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-690-6847 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u></u>	<u> </u>	<u>7.22.2020</u>
COUNTY ATTORNEY Alex Esseeesse Assistant County Attorney	<u></u>	<u> </u>	<u>7/23/20</u>

AGENDA DUE DATE: August 18, 2020 for the August 25, 2020 Board meeting



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 26, 2020

M E M O R A N D U M

TO: Marc Bernath, Public Works Director Attn: Lucy Hamelers

RE: Item F.13., Approval for Donation of Drainage Easement from Amanda and Binh Le for the West Hall Road Outfall Project

The Board of County Commissioners, in regular session on August 25, 2020, approved and accepted the Drainage Easement form Amanda and Binh Le for the West Hall Road Outfall Project.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell, Clerk to the Board

/sm

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of Interest in Tax Parcel I.D.: 24-36-03-25-*--25

DRAINAGE EASEMENT

THIS INDENTURE, made this 27 day of Jan. 2020 A.D. 2020, between Amanda Le and Binh Le, wife and husband, whose address is 8715 Silverbrook Road, Lorton, VA 22079, as party of the first part, and Brevard County, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida 32940 as party of the second part, 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 purposes of operating, constructing, reconstructing, reconfiguring, and maintaining drainage 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 3, Township 24 South, Range 36 East, County of Brevard, State of Florida, and being more particularly described as follows:

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

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by Grantee of its easement. Grantor(s) 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 the County of Brevard and to its successors and/or 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.

(Signatures and Notary on next page)

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:

[Signature]
Witness

Francis J Castro
(Print Name)

Deborah Tetlemeyer
Witness

[Signature]
(Print Name)

[Signature]
Amanda Le

[Signature]
Binh Le

STATE OF VA
COUNTY OF Fairfax

The foregoing instrument was acknowledged before me by means of physical presence on this 27 day of Jan, 2020, by Amanda Le and Binh Le, wife and husband. Are personally known or produced VA DL as identification.

[Signature]
Notary Signature

SEAL

Agenda Item # _____
Board Meeting Date _____



LEGAL DESCRIPTION

PARCEL 801

PARENT PARCEL ID#: 24-36-03-25-*--25

PURPOSE: DRAINAGE EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION: PARCEL 801, DRAINAGE EASEMENT (PREPARED BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF LOT 25, COUNTRY RIVER ESTATES UNIT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGE 78 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING LOCATED WITHIN GOVERNMENT LOT 3 OF SECTION 3, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS THE NORTH 25.00 FEET OF SAID LOT 25, CONTAINING 7,183 SQUARE FEET (0.16 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AGREEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD. THE SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS.

SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY OF ANY TYPE BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF HALL ROAD AS BEING NORTH 89°44'05"EAST BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT.
3. NO INSTRUMENTS OF RECORD AND/OR TITLE COMMITMENT REFLECTING OWNERSHIP, ENCUMBRANCES OF EXISTING EASEMENTS, RIGHTS OF WAY, OR RESTRICTIONS OF RECORD WERE PROVIDED TO THIS SURVEYOR.
4. REFERENCE MATERIAL:
 - A. MAP OF TOPOGRAPHIC SURVEY PREPARED FOR AND CERTIFIED TO MEAD HUNT, PREPARED BY KUGELMANN LAND SURVEYING, INC., PROJECT NO. 2018097, DATED 10/6/2018.

ABBREVIATIONS:

BRG = BEARING
DE = DRAINAGE EASEMENT
GOVT = GOVERNMENT
ID = IDENTIFICATION
L = ARC LENGTH
ORB = OFFICIAL RECORDS BOOK
PB = PLAT BOOK

PG = PAGE
PUE = PUBLIC UTILITY EASEMENT
R = RANGE OR RADIUS
R/W = RIGHT OF WAY
T = TOWNSHIP
TYP = TYPICAL



PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940
PHONE: (321) 633-2080



DRAWN BY: M SWEENEY

CHECKED BY: T VITALE

PROJECT NO. 20-11-033

REVISIONS

DATE

DESCRIPTION

DATE: 12/17/19

SHEET: 1 OF 2

SECTION 3

TOWNSHIP 24 SOUTH

RANGE 36 EAST

123

SKETCH OF DESCRIPTION

PARCEL 801

PARENT PARCEL ID#: 24-36-03-25-*--25

PURPOSE: DRAINAGE EASEMENT

EXHIBIT "A"

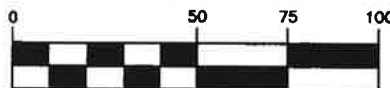
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

GRAPHIC SCALE



(IN FEET)

1 inch = 50 feet



PARCEL ID: 23-36-34-00-509
ORB 2544, PAGE 2843

LOT 1
CITRUS RIVER RANCHETTES
PLAT BOOK 24, PAGE 121

R=25.00
DELTA=090°00'01"
L=39.27'
CHORD BRG = N44° 44' 05"E
CHORD LENGTH = 35.36

N LINE GOVT LOT
3, SECT 3, T24S,
R36E

HALL ROAD

25' R/W

PER PB 22, PAGE 78

S R/W LINE
S00°46'50"E
25.00'
E LINE LOT 25

S R/W LINE

5' DE PER PB 22,
PAGE 78

267.59'

N89°44'05"E

S89°44'05"W
292.81'

10' PUE PER PB
22, PAGE 78

PARCEL 801
7,183 SQ FT
0.16 ACRES

LOT 25
PARCEL ID: 24-36-03-25-*--25
ORB 6735, PAGE 1498

COUNTRY RIVER ESTATES
UNIT 1
PB 22 PG 78

10' PUE PER PB
22, PAGE 78

10' PUE PER PB
22, PAGE 78
(TYP)

5' DE PER PB 22,
PAGE 78 (TYP)

N 25' FEET OF
LOT 25

25' DRAINAGE RIGHT OF WAY
PER PLAT BOOK 22, PAGE 78

PARCEL ID: 24-36-03-00-1
ORB 4504, PAGE 3951

E LINE GOVT LOT
3, SECT 3, T24S,
R36E;
E LINE PB 22,
PAGE 78

LOT 24
PARCEL ID: 24-36-03-25-*--24
ORB 1808, PAGE 316

15.00'

15' MAINTENANCE
EASEMENT PER PB 22, PAGE 78



PREPARED BY: BREVARD COUNTY PUBLIC WORKS
SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRANK JAMIESON WAY, SUITE A220,
VIERA, FLORIDA 32940
PHONE: (321) 633-2080

SCALE:

1" = 50'

PROJECT NO.:

20-11-033

SECTION 3

TOWNSHIP 24 SOUTH
RANGE 36 EAST

124

LOCATION MAP

Section 3, Township 24 South, Range 36 East - District 2

PROPERTY LOCATION: South side of West Hall Road in Merritt Island

OWNERS NAME: Le, Amanda and Binh

