



AGENDA REPORT
August 6, 2019

**Approval Re: Sanitary Sewer Easement Dedication from Chateau Madeleine,
LLC as required by Site Plan 14SP-00981 – District 4**

SUBJECT:

Approval Re: Sanitary Sewer Easement Dedication from Chateau Madeleine, LLC as required by Site Plan 14SP-00981 – District 4.

FISCAL IMPACT:

FY 2018 – 2019: No impact

FY 2019 – 2020: No impact

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

It is requested that the Board of County Commissioners accept the Sanitary Sewer Easement from Chateau Madeleine, LLC.

SUMMARY EXPLANATION and BACKGROUND:

The subject property is located in Section 13, Township 26 South, Range 36 East, near the southeast corner of N. Wickham Road and Pineda Court in the Suntree area.

Chateau Madeleine, LLC is developing the parcel located at 205 Hardoon Lane. The improvements made to the site will include an assisted living facility.

The easement is required by Brevard County in accordance with Site Plan 14SP-00981.

Land Acquisition Policies and Procedures require approval and acceptance by the Board of County Commissioners for all easements.

ATTACHMENTS:

Description

- **Chateau Madeleine Sanitary Sewer Easement Agenda Documents**



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

August 7, 2019

MEMORANDUM

TO: Corrina Gumm, Interim Public Works Director

RE: Item F.2., Sanitary Sewer Easement Dedication from Chateau Madeline, LLC as Required by Site Plan 14SP-00981

The Board of County Commissioners, in regular session on August 6, 2019, accepted Sanitary Sewer Easement from Chateau Madeline, LLC, for property located near the southeast corner of North Wickham Road and Pineda Court.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

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
A portion of Interest in Tax Parcel I.D.: 26-36-13-00-767.XC

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 26th day of July, 2019, between **CHATEAU MADELEINE, LLC**, a Florida limited liability company whose mailing address is 205 Harboon Lane, Melbourne, FL 32940, as the first party, and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose mailing 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 Ten Dollars (\$10.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual Sanitary Sewer Easement commencing on the above date, for the sole purpose of operating, reconstructing, and maintaining a sanitary sewer line and associated facilities, 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, 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 13, Township 26 South, Range 36 East, County of Brevard, State of Florida, and is more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"

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 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:

Rachel Crandall

Witness

Rachel Crandall

(Print Name)

Rhonda G. Williams

Witness

Rhonda G Williams

(Print Name)

GRANTOR:

CHATEAU MADELEINE, LLC

Abe Hardoon

By: ABE HARDOON, Manager

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 26th day of July, 2019, by Abe Hardoon, as Manager of Chateau Madeleine, LLC, who is/is not personally known to me or who has produced _____ as identification and who did/did not take an oath.

WITNESS my hand and official seal at Melbourne, Florida, the County of Brevard, State of Florida, this 26th day of July, 2019.

Notary Public Rachel Crandall
Print Name Rachel Crandall
Commission No. GG260234
Commission expires 9/19/2022

Agenda Item # _____
Board Meeting Date _____



Rachel L. Crandall
COMMISSION # GG260234
EXPIRES: Sept. 19, 2022
Bonded Thru Aaron Notary

SKETCH & DESCRIPTION PARCEL 801

EXHIBIT A

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST
 PARENT PARCEL ID :NUMBER:26-36-13-00-767.XC
 PURPOSE OF SKETCH: SANITARY SEWER EASEMENT DEDICATION
 (THIS IS NOT A SURVEY)

SHEET 1 OF 6
 NOT VALID WITHOUT
 ALL SHEETS

LEGAL DESCRIPTION: Parcel 801 Sanitary Sewer Easement (By Surveyor)

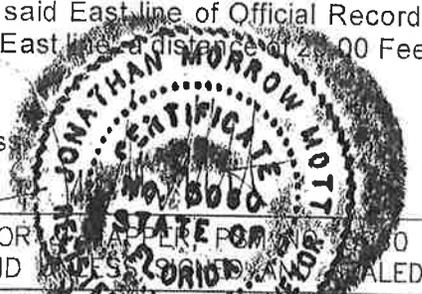
A portion of Brevard Medical City Phase 3A, a commercial condominium as recorded in Official Records Book 7671, Page 1445 of the Public Records of Brevard County, Florida and being more particularly described as follows:

Commence at the Southeast corner of Corplex, according to the plat thereof, as recorded in Plat Book 34, Page 22 of the said Public Records of Brevard County; thence South $18^{\circ}49'42''$ East, along the West Right-of-Line of the Florida East Coast Railroad (100 foot wide right-of-way) and the East line of Brevard Medical City Phase One, A commercial condominium as recorded in Official Records Book 7223, Page 2347 of the said Public Records, a distance of 1,029.20 Feet to the South line of said Official Records Book 7223, Page 2347; thence South $80^{\circ}32'20''$ West along said South line, a distance of 548.45 Feet to the West line of said Official Records Book 7223, Page 2347; thence North $09^{\circ}27'40''$ West along said West line, a distance of 100.70 Feet to the point of curvature of a tangential circular curve concave to the East, having a radius of 50.00 Feet, and a central angle of $47^{\circ}07'07''$; thence Northerly along the arc of said curve and said West line, an arc distance of 41.12 Feet to the West line of said Official Records Book 7671, Page 1445; thence run along the said West line for the following 6 calls; North $36^{\circ}04'36''$ West, a distance of 48.10 Feet to the point of curvature of a non-tangent circular curve concave to the Northeast, having a radius of 921.48 Feet, and a central angle of $03^{\circ}26'12''$; thence from a tangent bearing of North $36^{\circ}05'23''$ West, run Northwesterly along the arc of said curve an arc distance of 55.27 Feet; thence South $57^{\circ}20'48''$ West, a distance of 69.00 Feet to the point of curvature of a non-tangent circular curve concave to the Northeast, having a radius of 990.48 Feet, and a central angle of $18^{\circ}38'39''$; thence from a tangent bearing of North $32^{\circ}39'12''$ West, run Northwesterly along the arc of said curve an arc distance of 322.30 Feet; thence North $75^{\circ}08'40''$ East, a distance of 13.30 Feet; thence North $11^{\circ}11'23''$ West, a distance of 72.41 Feet; thence North $78^{\circ}48'37''$ East, a distance of 9.97 Feet to the East line of Sanitary Sewer Easement recorded in Official Records Book 7246, Page 518 of the said public records and the **POINT-OF-BEGINNING**; thence continue North $78^{\circ}48'37''$ East, a distance of 37.90 Feet; thence South $14^{\circ}24'15''$ East, a distance of 238.51 Feet; thence South $75^{\circ}35'45''$ West, a distance of 20.00 Feet; thence North $14^{\circ}24'15''$ West, a distance of 219.60 Feet; thence South $78^{\circ}48'37''$ West, a distance of 18.99 Feet to the said East line of Official Records Book 7246, Page 518; thence North $11^{\circ}11'23''$ West, along said East line, a distance of 100 Feet to the **POINT-OF-BEGINNING**.

Containing 5150 Square Feet or 0.118 Acres of land more or less

PREPARED FOR: Brevard Medical City, LLC
 Brevard County Board of
 County Commissioners

SURVEYOR: JONATHAN MORROW
 NOT VALID WITHOUT SEAL



PREPARED BY:

WILLIAM MOTT LAND SURVEYING INC.

3159 ALZANTE CIRCLE, SUITE 103
 MELBOURNE, FLORIDA 32940
 PHONE (321) 751-4444 FAX (321) 751-4445

LEGEND:
 O.R.B. = OFFICIAL RECORDS BOOK
 R.C.C. = RIGHT-OF-CURVATURE
 P.B. = PLAT BOOK
 P.C. = POINT OF COMMENCEMENT
 R/W = RIGHT-OF-WAY
 L# = LINE TABLE TAG
 C# = CURVE TABLE TAG
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT

DRAWN BY: J.M.M

CHECKED BY: W.A.M.

PROJECT NO. 217-0197

SECTION 13

DATE: 05-23-19

SHEET 1 OF 6

REVISIONS 07-14-19

TOWNSHIP 26 SOUTH

REVISIONS

RANGE 36 EAST

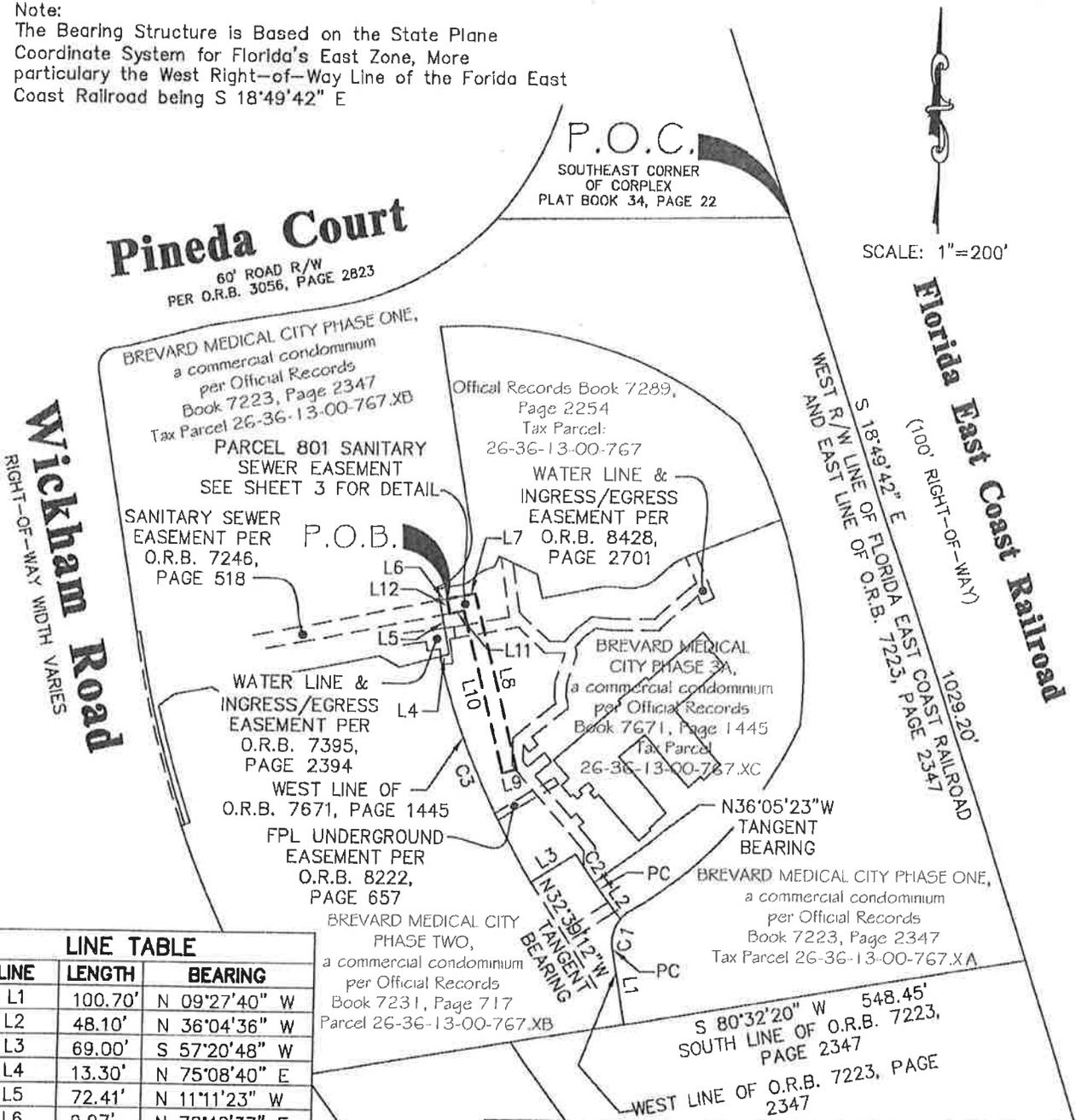
SKETCH & DESCRIPTION PARCEL 801

EXHIBIT A

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST
 PARENT PARCEL ID NUMBER: 26-36-13-00-767.XC
 (THIS IS NOT A SURVEY)

SHEET 2 OF 6
 NOT VALID WITHOUT
 ALL SHEETS

Note:
 The Bearing Structure is Based on the State Plane
 Coordinate System for Florida's East Zone, More
 particularly the West Right-of-Way Line of the Florida East
 Coast Railroad being S 18°49'42" E



Wickham Road
 RIGHT-OF-WAY WIDTH VARIES

Pineda Court
 60' ROAD R/W
 PER O.R.B. 3056, PAGE 2823

SCALE: 1"=200'

LINE TABLE		
LINE	LENGTH	BEARING
L1	100.70'	N 09°27'40" W
L2	48.10'	N 36°04'36" W
L3	69.00'	S 57°20'48" W
L4	13.30'	N 75°08'40" E
L5	72.41'	N 11°11'23" W
L6	9.97'	N 78°48'37" E
L7	37.90'	N 78°48'37" E
L8	238.51'	S 14°24'15" E
L9	20.00'	S 75°35'45" W
L10	219.60'	N 14°24'15" W
L11	18.99'	S 78°48'37" W
L12	20.00'	N 11°11'23" W

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	50.00'	47°07'07"	41.12'	39.97'	N 14°05'54" E
C2	921.48'	3°26'12"	55.27'	55.26'	N 34°22'18" W
C3	990.48'	18°38'39"	322.30'	320.88'	N 23°19'53" W

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.
 DWG: 17-197 SEWER EASEMENT.DWG PROJECT NO. 217-0197

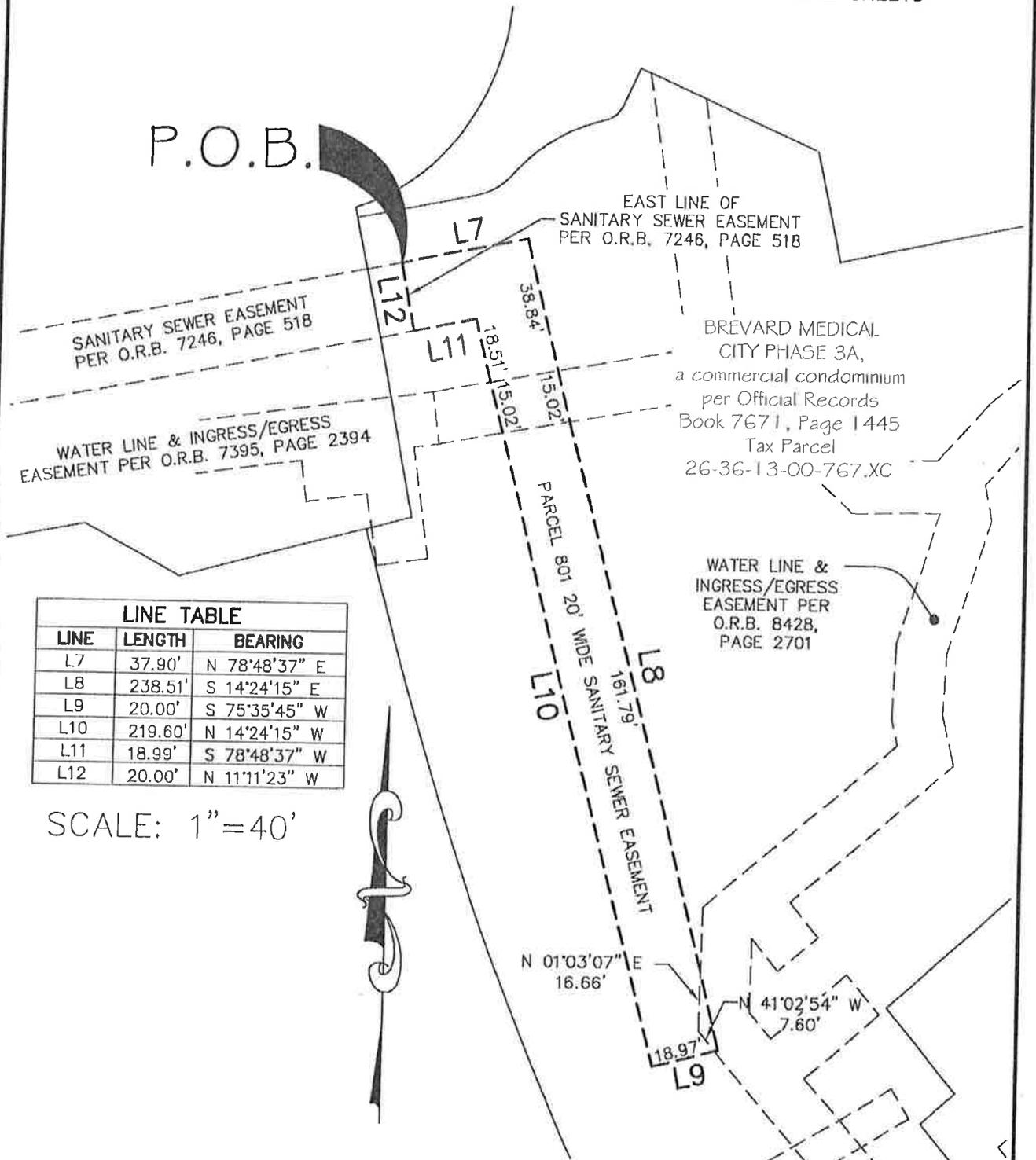
SECTION 13
 TOWNSHIP 26 SOUTH
 RANGE 36 EAST

SKETCH & DESCRIPTION PARCEL 801

EXHIBIT A

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST
 PARENT PARCEL ID NUMBER: 26-36-13-00-767.XC
 (THIS IS NOT A SURVEY)

SHEET 3 OF 6
 NOT VALID WITHOUT
 ALL SHEETS



LINE TABLE		
LINE	LENGTH	BEARING
L7	37.90'	N 78°48'37" E
L8	238.51'	S 14°24'15" E
L9	20.00'	S 75°35'45" W
L10	219.60'	N 14°24'15" W
L11	18.99'	S 78°48'37" W
L12	20.00'	N 11°11'23" W

SCALE: 1" = 40'



SKETCH & DESCRIPTION PARCEL 801

EXHIBIT A

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST

PARENT PARCEL ID NUMBER: 26-36-13-00-767.XC

(THIS IS NOT A SURVEY)

SHEET 4 OF 6
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Listed Easements per Property Information Report, prepared by Alliant National Title Insurance Company, Agent File Number 40793, Alliant File Number 19007293

Search From: October 27, 2017 To: May 8, 2019 at 6:00 AM In the Public Records of: Brevard

1. Easement in favor of Florida Power & Light Company, recorded in Official Records Book 8222, Page 657, of the Public Records of Brevard County, Florida.
(shown heron)
2. Water Line and Ingress/Egress Easement Agreement recorded in Official Records Book 8428, Page 2701, of the Public Records of Brevard County, Florida.
(shown heron)
3. Easement by and between James M. Terry and Barbara G. Terry and Florida Power & Light Company recorded in Official Records Book 2266, Page 1511, together with Subordination of Utility Interests recorded in Official Records Book 7241, Page 1985, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
4. Easement by and between Imperial South, Inc. and Southern Bell Telephone and Telegraph Company, recorded in Official Records Book 2976, Page 1199, together with Subordination of Utility Interests recorded in Official Records Book 3217, Page 2337, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
5. Landscape, Drainage and Public Utility Easement by and between Imperial South, Inc. and Brevard County, recorded in Official Records Book 3217, page 2337, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
6. Easement set out in Supplemental Final Order and Judgment recorded in Official Records Book 5853, Page 8175, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
7. Restrictions and Easements contained in Special Warranty Deed, recorded in Official Records Book 6772, Page 146, together with first amendment to Deed Restrictions recorded in Official Records Book 7213, Page 133, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
8. Reciprocal Easement and Operating Agreement recorded in Official Records Book 6772, Page 163, as amended in Official Records Book 7140, Page 1556 and Official Records Book 7213, Page 155, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
9. Amended Easement Deed by Court Order, recorded in Official Records Book 6794, Page 1234, of the Public Records of Brevard County, Florida.
(outside easement area not shown)

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.
DWG: 17-197 SEWER EASEMENT.DWG PROJECT NO. 217-0197

SECTION 13
TOWNSHIP 26 SOUTH
RANGE 36 EAST

SKETCH & DESCRIPTION PARCEL 801

EXHIBIT A

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST
PARENT PARCEL ID NUMBER: 26-36-13-00-767.XC
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SHEET 5 OF 6
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10. Amended Easement Deed by Court Order, recorded in Official Records Book 6990, Page 225, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
11. Notice of Environmental Resource Permit recorded in Official Records Book 7205, Page 413 and Official Records Book 7919, Page 2331, of the Public Records of Brevard County, Florida.
(not a matter of survey not shown)
12. Terms, provisions, covenants, conditions, restrictions, assessments, easements, options, liens, and other matters established by the Declaration of Condominium of Brevard Medical City, formerly known as Suntree Viera Professional Park, a commercial condominium described in Schedule A herein, and recorded in Official Records Book 7223, Page 2347, amended in Official Records Book 7231 page 717, in Official Records Book 7289 page 2711, in Official Records Book 7362 page 2312, and in Official Records Book 7671 page 1445, and in Official Records Book 7828 page 2593, together with Assignment of Developer's Rights and Obligations recorded in Official Records Book 7289 page 2708, as may be further amended.
(not a matter of survey not shown)
13. Sidewalk Easement by and between Suntree Viera Properties LLC, Grantor, and Brevard County, Grantee, recorded November 4, 2014, in Official Records Book 7241, Page 2003, together with Corrective Sidewalk Easement recorded in Official Records Book 7391 page 1601, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
14. Sanitary Sewer/Force Main/Gravity Sewer Easement by and between Suntree Viera Properties LLC, Grantor, and Brevard County, Grantee, recorded November 4, 2014, in Official Records Book 7241, Page 2018, of the Public Records of Brevard County, Florida..
(outside easement area not shown)
15. Easement by and between Brevard Medical City, LLC, Grantor, and Florida Power and Light Company, Grantee, recorded February 9, 2015, in Official Records Book 7298, Page 2133, of the Public Records of Brevard County, Florida.
(outside easement area not shown)
16. Water Line & Ingress/Egress Easement Agreement recorded June 25, 2015, in Official Records Book 7395, Page 2394, of the Public Records of Brevard County, Florida.
(Shown Heron)
17. Sanitary Sewer Easement by and between Brevard Medical City Owners Association, Inc and Brevard Medical City, LLC, a Florida limited liability company, Grantor, and Board of County Commissioners of Brevard County, Florida, Grantee, recorded August 7, 2015, in Official Records Book 7426, Page 518, of the Public Records of Brevard County, Florida.
(Shown Heron)

PREPARED BY: WILLIAM MOTT LAND SURVEYING, INC.
DWG: 17-197 SEWER EASEMENT.DWG PROJECT NO. 217-0197

SECTION 13
TOWNSHIP 26 SOUTH
RANGE 36 EAST

SKETCH & DESCRIPTION PARCEL 801

EXHIBIT A

SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST
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(THIS IS NOT A SURVEY)

SHEET 6 OF 6
NOT VALID WITHOUT
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18. Easement by and between Brevard Medical City, LLC, Grantor, and Florida Power and Light Company, Grantee, recorded March 11, 2016, in Official Records Book 7567, Page 858, of the Public Records of Brevard County, Florida.

(outside easement area not shown)

19. Easement by and between Brevard Medical City, LLC, a Florida limited liability company, Grantor, and Brevard County, Grantee, recorded June 9, 2016, in Official Records Book 7634, Page 2045, of the Public Records of Brevard County, Florida.

(outside easement area not shown)

20 Sidewalk Easement by and between Brevard Medical City, LLC, a Florida limited liability company, Grantor, and Brevard Medical City Owners Association, Inc., a Florida corporation, Grantee, recorded January 23, 2017, in Official Records Book 7802, Page 2778, of the Public Records of Brevard County, Florida.

(outside easement area not shown)

21. Restrictions contained in Special Warranty Deed by and between Brevard Medical City, LLC, a Florida limited liability company, Grantor, and Brevard Medical City Owners Association, Inc., a Florida corporation, Grantee, recorded January 29, 2017, in Official Records Book 7925, Page 2601, of the Public Records of Brevard County, Florida.

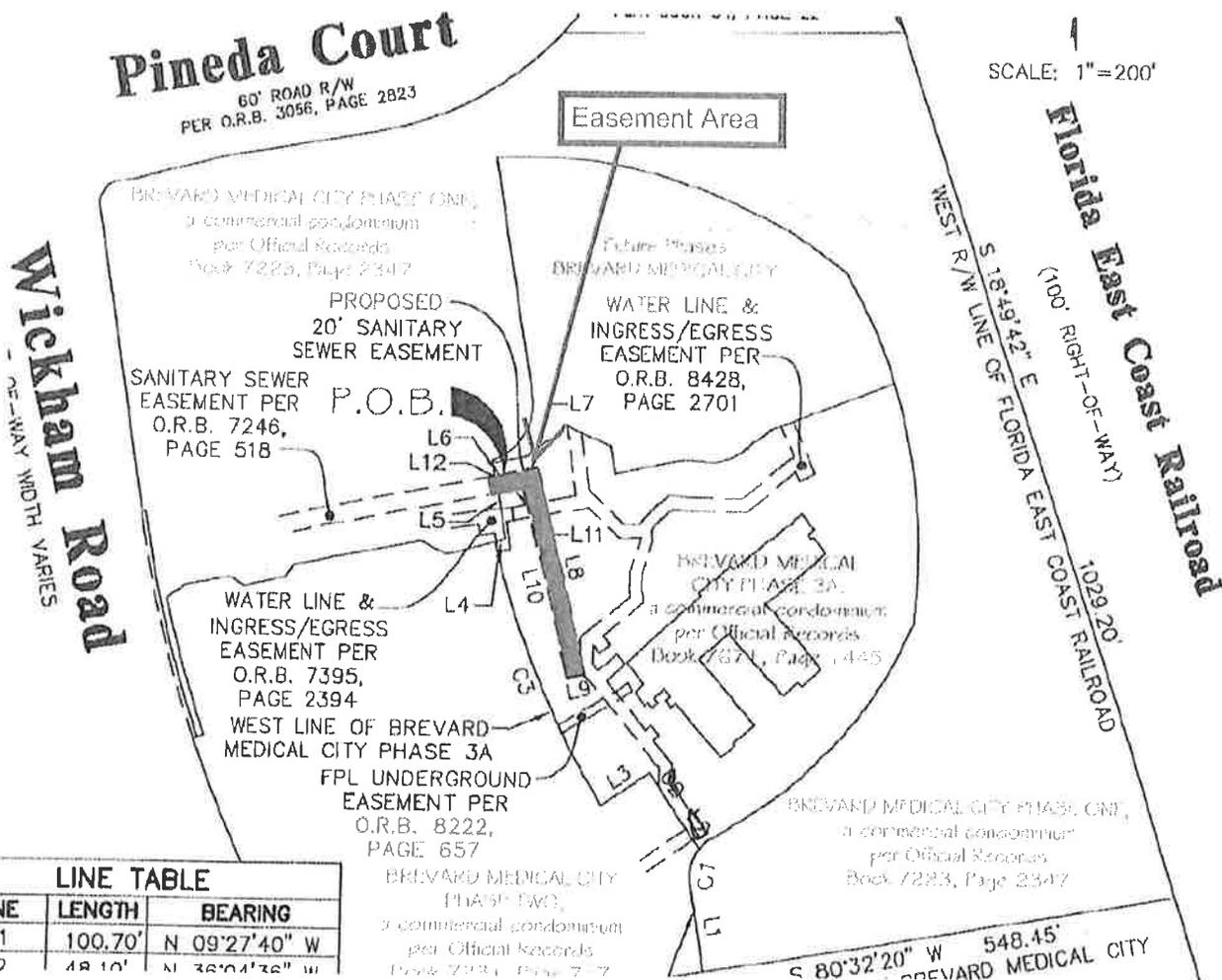
(not a matter of survey not shown)

LOCATION MAP

TWP: 26 RNG: 36 SEC: 13 DISTRICT: 4

STREET NAME: **Hardoon Lane**

OWNER'S NAME: **Chateau Madeleine, LLC**



BOARD OF COUNTY COMMISSIONERS

AGENDA: SANITARY SEWER EASEMENT FROM CHATEAU MADELEINE, LLC
AS REQUIRED BY SITE PLAN NUMBER 14SP-00981- DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: LUCY HAMELERS, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847 (56316)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Interim Supervisor	<u>RA</u>	_____	<u>7-29-19</u>
COUNTY ATTORNEY Jad Brewer / Eden Bentley (Assistant) County Attorney	<u>JB</u>	_____	<u>7/29/19</u>

AGENDA DUE DATE: July 30, 2019 for the August 6, 2019 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.