



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.8.

11/14/2023

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### **Subject:**

Approval, Re: Dedication of Utility Easement from Space Coast Credit Union for the Space Coast Credit Union Lake Andrew Drive Project - District 4.

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Works Department / Land Acquisition / Utility Services Department

### **Requested Action:**

It is requested that the Board of County Commissioners accept the attached Utility Easement.

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

The subject property is located in Section 27, Township 26 South, Range 36 East, south of Pineda Causeway east of Land Andrew Drive in Viera.

Space Coast Credit Union, owner, has submitted site plan number 21SP00037 for review and approval by the County for the development of a retail bank known as Space Coast Credit Union. In accordance with County code and standards, the owner has agreed to dedicate the attached utility easement required as a condition of the site plan approval.

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) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

November 15, 2023

MEMORANDUM

TO: Marc Bernath, Public Works Director

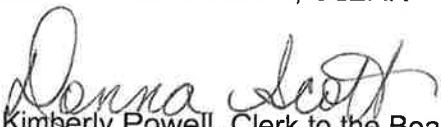
RE: Item F.8., Approval for Dedication of Utility Easement from Space Coast Credit Union for the Space Coast Credit Union Lake Andrew Drive Project

The Board of County Commissioners, in regular session on November 14, 2023, accepted the Utility Easement from Space Coast Credit Union for the Space Coast Credit Union Lake Andrew Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

*for:*   
Kimberly Powell, Clerk to the Board

cc: Land Acquisition  
Utility Services

**BOARD OF COUNTY COMMISSIONERS**



**AGENDA REVIEW SHEET**

**AGENDA:** Dedication of Utility Easement from Space Coast Credit Union for the Space Coast Credit Union Lake Andrew Drive Project – District 4.

**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>10-17-23</u>
COUNTY ATTORNEY ALEXANDER ESSEESSE Deputy County Attorney		_____	<u>10/24/23</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: 26-36-27-XO-A-1.01

### UTILITY EASEMENT

**THIS INDENTURE**, made this 5<sup>th</sup> day of September, 2023, between Space Coast Credit Union, a state chartered credit union, organized and existing under the laws of the State of Florida, whose address is 8045 North Wickham Road, 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 sanitary sewer main and its 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 27, Township 26 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:

[Signature]

Witness

Susan BarHitt

Print Name

[Signature]

Witness

Shane Angeli

Print Name

Space Coast Credit Union, a state chartered credit union, organized and existing under the laws of the State of Florida

By: [Signature]

Name: TIMOTHY M. ANTONIOW

Title: PRESIDENT + CEO

(Corporate Seal)

STATE OF Florida  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on this 5<sup>th</sup> day of September 2023, by Timothy Antonian, as President + CEO for Space Coast Credit Union, a state chartered credit union, organized and existing under the laws of the State of Florida. Is  personally known or  produced \_\_\_\_\_ as identification.

[Signature]

Notary Signature

SEAL



**LEGAL DESCRIPTION**

PARENT PARCEL ID# 26-36-27-X0-A-1.01  
 PARCEL #800  
 PURPOSE: UTILITY EASEMENT

**EXHIBIT "A"**

**SHEET 1 OF 2**

**NOT A SURVEY**

NOT VALID WITHOUT SHEET 2 OF 2

**LEGAL DESCRIPTION: PARCEL 800, UTILITY EASEMENT (PREPARED BY SURVEYOR)**

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING A PORTION OF LOT 1, BLOCK A, LAKE ANDREW DRIVE - SEGMENT E AND PINEDA BOULEVARD SEGMENT I, PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 68, PAGES 43-49 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID LANDS ALSO BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9191, PAGE 1325 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9191, PAGE 1325; THENCE S 77°50'41" E ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9191, PAGE 1325 A DISTANCE OF 50.07 FEET TO THE INTERSECTION WITH THE EASTERLY LINE OF A 50 FOOT WIDE LANDSCAPE, SIDEWALK, WAYFINDING SIGNAGE, DRAINAGE AND UTILITY EASEMENT AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 9191, PAGE 1325 AND TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE N 15°16'58" E ALONG THE EASTERLY LINE OF SAID 50 FOOT WIDE EASEMENT, A DISTANCE OF 227.77 FEET; THENCE S74°43'02" E 20.00 FEET TO THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF SAID OFFICIAL RECORDS BOOK 9191, PAGE 1325; THENCE S 15°16'58" W ALONG SAID NORTHERLY EXTENSION AND ALONG SAID EASTERLY LINE, A DISTANCE OF 226.68 FEET TO THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9191, PAGE 1325; THENCE N 77°50'41" W ALONG THE SOUTHERN MOST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9191, PAGE 1325 A DISTANCE OF 20.03 FEET TO THE POINT OF BEGINNING. CONTAINING 4,544 SQUARE FEET (0.10 ACRES) MORE OR LESS.

**SURVEYOR'S NOTES:**

1. BEARINGS BASED ON THE EASTERLY R/W LINE OF LAKE ANDREW DR BEING N 15°16'58" E AS PER LAKE ANDREW DRIVE - SEGMENT E AND PINEDA BOULEVARD SEGMENT I, PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 68, PAGES 43-49 (SEE SKETCH)
2. THIS SKETCH AND DESCRIPTION CONTAINS TWO SHEETS. EACH SHEET IS NOT FULL OR COMPLETE WITHOUT THE OTHER.
3. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER WHICH CAN BE FOUND ON SHEET 1 OF 2.
4. THE SURVEYOR WAS FURNISHED FIDELITY NATIONAL TITLE INSURANCE COMPANY PROPERTY INFORMATION REPORT, ORDER No. 11304513, DATED 8/7/2023. PLOTTABLE EASEMENTS ARE DEPICTED HEREON.
5. EXISTING MANHOLE AND SEWER LINE LOCATION AS PER SANITARY SEWER ASBUILT SURVEY BY KANE SURVEYING, INC., PROJECT No. 42976, FIELD WORK DATED 5/24/23.

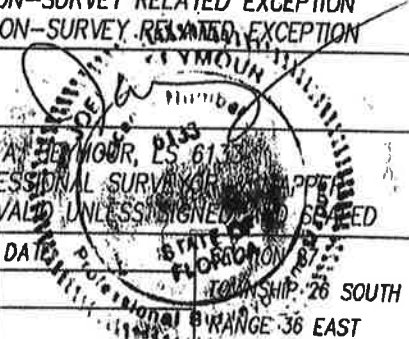
**TITLE COMMITMENT NOTES:**

1. DEPICTED HEREON
2. NON-SURVEY RELATED EXCEPTION
3. NON-SURVEY RELATED EXCEPTION
4. DOES NOT AFFECT OR ABUT PARCEL 800
5. NON-SURVEY RELATED EXCEPTION
6. NON-SURVEY RELATED EXCEPTION
7. NON-SURVEY RELATED EXCEPTION
8. NO PLOTTABLE EASEMENTS
9. NON-SURVEY RELATED EXCEPTION
10. NO PLOTTABLE EASEMENTS
11. DEPICTED HEREON
12. DEPICTED HEREON
13. DEPICTED HEREON
14. NO PLOTTABLE EASEMENTS
15. NON-SURVEY RELATED EXCEPTION
16. NON-SURVEY RELATED EXCEPTION
17. NON-SURVEY RELATED EXCEPTION
18. NON-SURVEY RELATED EXCEPTION
19. NON-SURVEY RELATED EXCEPTION
20. NON-SURVEY RELATED EXCEPTION

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

PREPARED BY: **Kane Surveying, Inc.**  
 FLORIDA LICENSED BUSINESS No. LB 7838  
 605 DISTRIBUTION DRIVE  
 MELBOURNE, FLORIDA 32904  
 (321) 678-0427 FAX (321) 984-1448

JOEL A. HENNINGER, P.S. 6133  
 PROFESSIONAL SURVEYOR  
 NOT VALID UNLESS SIGNED AND SEALED



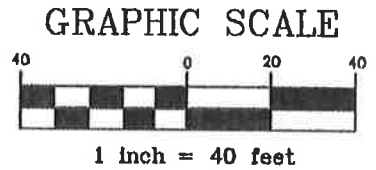
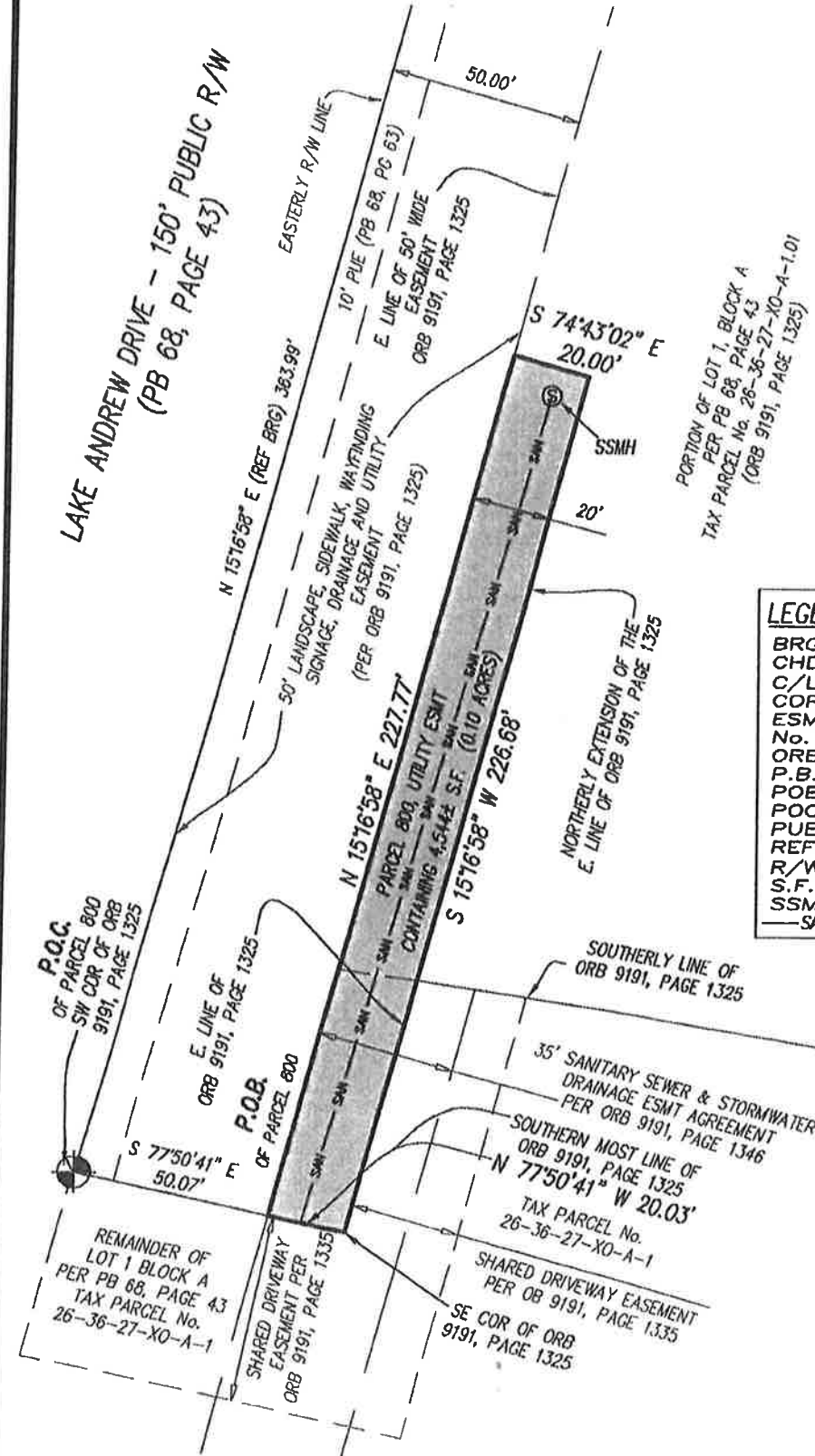
DRAWN BY: JED	PROJECT NO. 42976	REVISIONS:	DATE: 8/29/23
DATE: 8/29/23	DRAWING: LAKEANDREW1/ESMT		TOWNSHIP: 26 SOUTH RANGE: 36 EAST

# SKETCH OF DESCRIPTION

PARENT PARCEL ID# 26-36-27-XO-A-1.01  
 PARCEL #800  
 PURPOSE: UTILITY EASEMENT

EXHIBIT "A"  
 SHEET 2 OF 2  
 NOT A SURVEY

NOT VALID WITHOUT  
 SHEET 1 OF 2



**LEGEND:**

- BRG = BEARING
- CHD = CHORD
- C/L = CENTERLINE
- COR = CORNER
- ESMT = EASEMENT
- No. = NUMBER
- ORB = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PUE = PUBLIC UTILITY EASEMENT
- REF = REFERENCE
- R/W = RIGHT OF WAY
- S.F. = SQUARE FEET
- SSMH = SANITARY SEWER MANHOLE
- SAN = BURIED SEWER PIPE

EXISTING MANHOLE AND SEWER LINE  
 LOCATION AS PER SANITARY SEWER  
 ASBUILT SURVEY BY KANE SURVEYING,  
 INC., PROJECT No. 42976, FIELD WORK  
 DATED 5/24/23.

PREPARED BY:  
**Kane Surveying, Inc.**  
 FLORIDA LICENSED BUSINESS No. LB 7838  
 505 DISTRIBUTION DRIVE  
 MELBOURNE, FLORIDA 32904  
 (321) 676-0427 FAX (321) 664-1448

SCALE: 1 INCH = 40 FEET

PROJECT NO. 42976

SECTION 27  
 TOWNSHIP 26 SOUTH  
 RANGE 36 EAST

## LOCATION MAP

Section 27, Township 26 South, Range 36 East – District 4

PROPERTY LOCATION: South of Pineda Causeway east of Lake Andrew Drive in Viera.

OWNERS NAME(S): Space Coast Credit Union

