



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.5

10/6/2020

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### **Subject:**

Approval, Re: Sanitary Sewer Easement for the Home 2 Suites at Viera Town Center Project - District 4

### **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 Sanitary Sewer Easement.

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

The subject property is located in Section 04, Township 26 South, Range 36 East, south of Judge Fran Jamieson Way, north of Town Central Avenue along the west side of Lake Andrew Drive in Melbourne.

Town Center Hospitality, LLP, owner, has submitted site plan number 18SP00004 for review and approval by the County for the development of a 118-room, 4-story hotel with 119 parking spaces on 4.14 acres within the Viera Town Center. As required by County code and standards, the owner has agreed to donate the attached required sanitary sewer 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:**

## BOARD OF COUNTY COMMISSIONERS

### AGENDA REVIEW SHEET

AGENDA: Sanitary Sewer Easement for the Home 2 Suites at Viera Town Center  
Project – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Page Whittle, Land Acquisition Specialist

CONTACT PHONE: 321-690-6847 extension 58351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>9-18-2020</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney		_____	<u>9-21-2020</u>

AGENDA DUE DATE: September 29, 2020 for the October 6, 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

October 7, 2020

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

TO: Marc Bernath, Public Works Director

RE: Item F.5., Approval for Sanitary Sewer Easement for the Home 2 Suites at Viera Town Center Project

The Board of County Commissioners, in regular session on October 6, 2020, approved and accepted the sanitary sewer easement for the Home 2 Suites at Viera Town Center Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Kimberly Powell*  
Kimberly Powell, Clerk to the Board

Prepared by and return to: Page Whittle  
Brevard County Public Works Dept., Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of Interest in Tax Parcel I.D.: 26-36-04-WX-A-2

### **SANITARY SEWER EASEMENT**

**THIS INDENTURE**, made this 16 day of September, 2020, between Town Center Hospitality, LLP, a Florida limited liability partnership, whose mailing address is 7003 Sea Harbor Drive, Orlando, Florida 32821, as the first party, and Brevard County, 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 acknowledged, grants unto the second party, its successors and assigns, a perpetual Sanitary Sewer Easement commencing on the above date, for the sole purposes of operating, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and associated facilities, 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 09, Township 26 South, Range 36 East, Brevard County, Florida, and is more particularly described as follows:

#### **SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"**

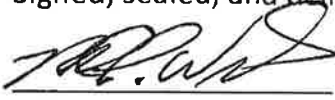
Including the right of ingress and egress onto the easement area as may be necessary for full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict 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 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 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:

  
Witness  
Michael F. Weeks

Print Name

Page R Whittle

Witness

Page R Whittle

Print Name

Town Center Hospitality, LLP,  
a Florida limited liability partnership

  
Ronak Jasani  
Managing Partner

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of [ ] physical  
presence [ ] or online notarization on this 16<sup>th</sup> day of September, 2020, by Ronak  
Jasani as Managing Partner for Town Center Hospitality, LLP, a Florida limited  
liability partnership. Is personally known or produced Drivers License  
as identification.

  
Notary Signature  
SEAL  
 PAGE R WHITTLE  
Commission # GG 922698  
Expires October 14, 2023  
Bonded Thru Troy Fain Insurance 800-385-7019

Name typed, printed or stamped

Agenda Item # \_\_\_\_\_  
Board Meeting Date \_\_\_\_\_

# LEGAL DESCRIPTION

## PARCEL #800

PARENT PARCEL ID#: 26-36-04-WX-A-2

PURPOSE: SANITARY SEWER EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL #800 SANITARY SEWER EASEMENT (PREPARED BY SURVEYOR)

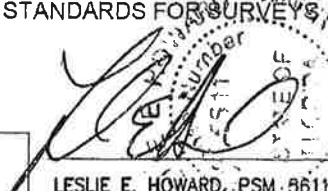
A 20 FOOT WIDE STRIP OF LAND IN LOT 2, BLOCK A, VIERA TOWN CENTER III, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 66, PAGE 60, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING IN SECTION 9, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK A, AND RUN N89°42'46"E, ALONG THE SOUTH LINE OF SAID LOT 2, BLOCK A, (SAID LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF METFIELD DRIVE ACCORDING THE PLAT OF SAID VIERA TOWN CENTER III), A DISTANCE OF 94.70 FEET TO THE POINT OF BEGINNING OF THE STRIP OF LAND HEREIN DESCRIBED; THENCE CONTINUE N89°42'46"E, ALONG SAID SOUTH LINE, A DISTANCE OF 20.00 FEET; THENCE N00°17'14"W A DISTANCE OF 55.00 FEET; THENCE S89°42'46"W A DISTANCE OF 20.00 FEET; THENCE S00°17'14"E A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.025 ACRES, OR 1100.00 SQUARE FEET, MORE OR LESS.

### SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
2. BEARING REFERENCE: ASSUMED BEARING OF N89°42'46"E ON THE SOUTH LINE OF LOT 2, BLOCK A, VIERA TOWN CENTER III, AS RECORDED IN PLAT BOOK 66, PAGE 60, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
4. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THE INFORMATION CONTAINED WITHIN THAT CERTAIN TITLE OPINION PREPARED BY WILLIAM P. WEATHERFORD, JR., P.A., DATED AUGUST 27, 2020, REGARDING TOWN CENTER HOSPITALITY, LLP; HOME 2 SUITES HOTEL; 2404 METFIELD DRIVE, MELBOURNE, FLORIDA, 32940. OTHER THAN THE PUBLIC SANITARY SEWER EASEMENT SHOWN ON SHEET 2, NO PLOTTABLE EASEMENTS AFFECTING THE LANDS DESCRIBED HEREON WERE FOUND IN THE DOCUMENTS REFERENCED IN SAID TITLE OPINION.
5. THIS DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025.
6. THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

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

  
LESLIE E. HOWARD, PSM 8611  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: B.S.E. CONSULTANTS, INC.  
312 S. HARBOUR CITY BLVD  
MELBOURNE, FLORIDA 32901

DRAWN BY: LEH/IT	CHECKED BY: LEH	PROJECT NO. 11517			SECTION 9 TOWNSHIP 26 SOUTH RANGE 36 EAST	
		REVISIONS	DATE	DESCRIPTION		
DATE: 09/11/2020	DRAWING: 11517_100_001					

# SKETCH OF DESCRIPTION

## PARCEL #800

PARENT PARCEL ID#: 26-36-04-WX-A-2

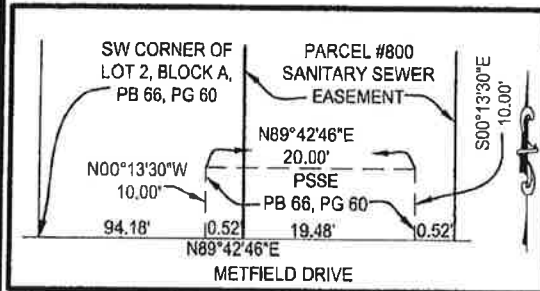
PURPOSE: SANITARY SEWER EASEMENT

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

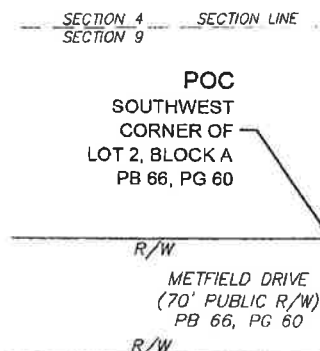
THIS IS NOT A SURVEY



### DETAIL

NOT TO SCALE

LOT 1, BLOCK A  
(VIERA TOWN CENTER III  
PB 66, PG 60)



### ABBREVIATIONS

AC	ACRES
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE(S)
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
RPB	ROAD PLAT BOOK
R/W	RIGHT-OF-WAY
SQ FT	SQUARE FEET
PSSE	PUBLIC SANITARY SEWER EASEMENT

UNPLATTED  
"PARCEL EIGHT"  
(ORB 3004, PG 1695)

50' WIDE PRIVATE  
LANDSCAPING,  
UTILITY, PUBLIC DRAINAGE,  
AND PUBLIC SIDEWALK EASEMENT  
PB 66, PG 60

LOT 2  
BLOCK A  
(VIERA TOWN CENTER III  
PB 66, PG 60)

NORTH 1/4 CORNER, SECTION 9,  
PER PB 66, PG 60

PRIVATE SIGNAGE,  
LANDSCAPING, IRRIGATION AND  
UTILITY EASEMENT  
PB 66, PG 60

PARCEL # 800  
SANITARY SEWER EASEMENT  
1100 SQ FT/0.025 AC, +/-

S89°42'46"W  
20.00'

S00°17'14"E  
55.00'

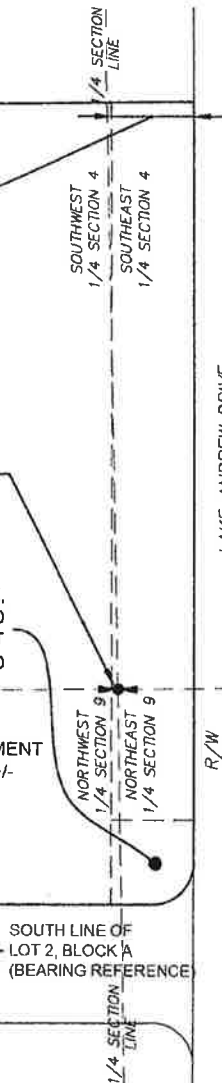
N89°42'46"E  
20.00'

POB

N00°17'14"W  
55.00'

N89°42'46"E  
20.00'

10'X20'  
PUBLIC SANITARY  
SEWER EASEMENT,  
PB 66, PG 60  
(SEE DETAIL  
ABOVE LEFT)



LAKE ANDREW DRIVE  
120' PUBLIC R/W  
(ORB 312E, PG 1823)

B.S.E. PREPARED B.S.E. CONSULTANTS, INC.  
312 S. HARBOUR CITY BLVD  
MELBOURNE, FLORIDA 3290

SCALE:  
1"=100'  
PROJECT NO.:  
11517

SECTION 9  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST

## LOCATION MAP

### Section 04, Township 26 South, Range 36 East - District 4

PROPERTY LOCATION: South of Judge Fran Jamieson Way, north of Town Central Avenue along the west side of Lake Andrew Drive in Melbourne

OWNERS NAME: Town Center Hospitality, LLP

