



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.3.

5/4/2021

Subject:

Approval, Re: Donation of Sanitary Sewer Easement from 3101 Gannett Plaza Ave, LLC for Lift Station T08 Relocation/Reconstruction 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 approve and accept the attached Sanitary Sewer Easement.

Summary Explanation and Background:

The subject property is located in Section 13, Township 26 South, Range 36 East, on the west side of US Highway 1 in Rockledge.

Utility Services Department is planning a relocation/reconstruction project for Lift Station T08. The present location of the lift station lies between two residences that hinders access for staff and vehicles. The new location will allow easier access for staff and minimize impacts to the adjacent homeowners. The owner has agreed to donate the necessary easement needed for the project.

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

May 5, 2021

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

RE: Item F.3., Approval for Donation of Sanitary Sewer Easement from 3101 Gannett Plaza Avenue, LLC for Lift Station T08 Relocation/Reconstruction Project

The Board of County Commissioners, in regular session on May 4, 2021, approved and accepted Sanitary Sewer Easement from 3101 Gannett Plaza Avenue, LLC, located in Section 13, Township 26 South, Range 36 East, on the west of US Highway 1 in Rockledge, for Lift Station T08 Relocation/Reconstruction Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell", is written over the typed name and title.

Kimberly Powell, Clerk to the Board

cc: Utility Services
Land Acquisition

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Sanitary Sewer Easement for Lift Station T08 Relocation/Reconstruction
Project – District 4.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>4-6-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>4-19-2021</u>

Prepared by and return to: Lucy Hamelers
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 26-36-13-DE-M-7

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 18 day of November, 2020, between 3101 Gannett Plaza Ave, LLC, a Delaware limited liability company, whose address is 885 3rd Avenue, Suite 1940, New York, NY 10022 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, constructing, reconstructing, reconfiguring, and maintaining a sanitary sewer line and/or lift station and 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 18, Township 26 South, Range 37 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:

Jordan Greco

Witness

Jordan Greco

Print Name

Mia Kelle

Witness

Brianna Kelle

Print Name

3101 Gannett Plaza Ave, LLC, a
a Delaware limited liability
company

BY: [Signature]
It's Director Jay Yang

STATE OF New York
COUNTY OF Suffolk

The foregoing instrument was acknowledged before me by means of [] physical presence or [x] online notarization on this 18 day of November, 2020, by Jay Yang as Director for 3101 Gannett Plaza Ave, LLC, a Delaware limited liability company. Is personally known or produced personally known as identification.

Jordan Greco

Notary Signature
SEAL

Board Meeting Date (Brevard County): _____
Agenda Item # _____



LEGAL DESCRIPTION

PARCEL 801

PARENT PARCEL ID#: 26-36-13-DE-M-7

PURPOSE: SANITARY SEWER 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, SANITARY SEWER EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9136, PAGE 419 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING WITHIN GOVERNMENT LOT 1 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID DESCRIBED LANDS; THENCE NORTH 88° 59' 42" EAST ALONG THE SOUTH LINE OF SAID DESCRIBED LANDS, SAID LINE ALSO BEING THE SOUTH LINE OF THE NORTH HALF OF SECTION 13, TOWNSHIP 26 SOUTH, RANGE 36 EAST FOR A DISTANCE OF 318.84 FEET TO THE SOUTHEAST CORNER OF SAID NORTH HALF, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 1; THENCE NORTH 89° 08' 27" EAST ALONG THE SOUTH LINE OF SAID DESCRIBED LANDS AND ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR A DISTANCE OF 116.09 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00° 51' 33" WEST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 89° 08' 27" EAST FOR A DISTANCE OF 45.00 FEET; THENCE SOUTH 00° 51' 33" EAST FOR A DISTANCE OF 20.00 FEET TO A POINT ON SAID SOUTH LINE; THENCE SOUTH 89° 08' 27" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING, CONTAINING 900 SQUARE FEET (0.01 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE SOUTH LINE OF SAID GOVERNMENT LOT 1, AS BEING NORTH 88° 59' 42" EAST AN ASSUMED BEARING AS SHOWN ON ALTA/NSPS LAND TITLE SURVEY, PREPARED FOR BOCK & CLARK CORPORATION BY AJN SURVEYING, LLC, PROJECT NO. 20174047-11, DATED 10/27/2017.
3. REFERENCE MATERIAL:

A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 20-1249, TAX IDENTIFICATION NUMBER 2602423, EFFECTIVE DATE 5/25/2020. NO EASEMENTS WERE DECLARED WITHIN SAID TITLE REPORT.

B. ALTA/NSPS LAND TITLE SURVEY, PREPARED FOR BOCK & CLARK CORPORATION BY AJN SURVEYING, LLC, PROJECT NO. 20174047-11, DATED 10/27/2017.

ABBREVIATIONS:

BRG = BEARING
COR = CORNER
L = ARC LENGTH
ORB = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT

R/W = RIGHT OF WAY
R = RADIUS OR RANGE
SECT = SECTION
SQ FT = SQUARE FEET
T = TOWNSHIP
TP = TAX PARCEL

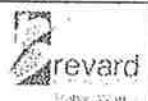


PREPARED FOR:

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: R HENNING	CHECKED BY: M SWEENEY	PROJECT NO. 26-06-072	SECTION 18 TOWNSHIP 26 SOUTH RANGE 37 EAST
DATE: 11/9/2020	SHEET: 1 OF 2	REVISIONS	
		DATE DESCRIPTION	

PARCEL 801

EXHIBIT "A"

TAX PARCEL:
26-36-13-DE-M-7
ORB 9136, PG 419

W LINE GOVT LOT 1
SECT 18, T26S, R37E
E LINE N 1/2 SECT
13, T26S, R36E

R/W LINE
US HWY NO. 1 (AKA SR NO. 5)
SECTION 7.002-(175)277
 $R=7318.83$
 $\Delta=005^{\circ}01'57''$
 $L=642.86'$

PARCEL 801
SANITARY SEWER EASEMENT
900± SQ FT

POB
PARCEL 801
SANITARY SEWER
EASEMENT

$N0^{\circ}51'33''W$
 $20.00'$

$45.00'$
 $N89^{\circ}08'27''E$
 $45.00'$
 $S89^{\circ}08'27''W$

$S0^{\circ}51'33''E$
 $20.00'$

$N88^{\circ}59'42''E$
 $318.84'$

$N89^{\circ}08'27''E$
 $116.09'$

$N89^{\circ}08'27''E$
 $427.29'$

SE COR N 1/2 SECT
13, T26S, R36E
SW COR GOVT LOT 1,
SECT 18, T26S, R37E

POC
PARCEL 801
SW COR ORB
9136, PG 419

S LINE ORB 9136, PG 419
S LINE N 1/2
SECT 13, T26S, R36E

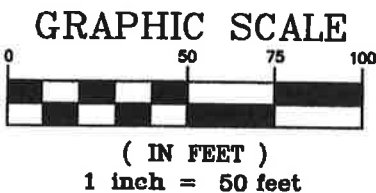
S LINE ORB 9136, PG
419
S LINE GOVT LOT 1
SECT 18, T26S, R37E

FIFTH STREET, WIDE R/W
 $N10^{\circ}38'01''E$
 $122.89'$
 $N89^{\circ}08'27''E$
 $116.09'$
 $N88^{\circ}59'42''E$
 $318.84'$

GRAPHIC SCALE
0 50 75 100
(IN FEET)
1 inch = 50 feet

TAX PARCEL:
26-37-18-50-*--1.XA
ORB 3340, PG 2188

N
↑



TAX PARCEL:
26-37-18-50-*-1.XA
ORB 3340, PG 2188



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

SCALE: 1" = 50'

PROJECT NO.: 26-06-072

SECTION 18
TOWNSHIP 26 SOUTH
RANGE 37 EAST

LOCATION MAP

Section 13, Township 26 South, Range 36 East - District 4

PROPERTY LOCATION: 3101 Gannett Plaza Avenue in Rockledge

OWNERS NAME: 3101 Gannett Plaza Ave, LLC

