



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.13.

7/6/2021

Subject:

Approval Re: Utility Easement from The School Board of Brevard County, Florida, for the C01 Lift Station Rehabilitation Project - District 2.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition Section / Utility Services Department

Requested Action:

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

Summary Explanation and Background:

The subject property is located in Section 23, Township 24 South, Range 36 East, on the north side of Mustang Way at Merritt Island High School in Merritt Island.

The Board of County Commissioners, in regular session on January 7, 2020, approved and accepted a Temporary Construction Easement from the School Board for the C01 Lift Station Rehabilitation Project. The Temporary Construction Easement (TCE) was required for construction activities related to the new force main from Lift Station C-01 due to some of the work being outside of the right-of-way and existing easements. The location of the proposed force main was dependent on the locations of existing utilities confirmed during construction activities. With the completion of the construction project, the actual location of the new force main is known and a permanent easement is required. The School Board has agreed to donate the needed easement.

This acquisition followed the policies and procedures as set forth in Administrative Order 37.

Clerk to the Board Instructions:



July 7, 2021

MEMORANDUM

TO: Marc Bernath, Public Works Director

RE: Item F.13., Approval for Utility Easement from the Brevard County School Board for the C01 Lift Station Rehabilitation Project

The Board of County Commissioners, in regular session on July 6, 2021, approved and accepted the Utility Easement from the Brevard County School Board for the C01 Lift Station Rehabilitation 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".

Kimberly Powell, Clerk to the Board

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Utility Easement from The School Board of Brevard County, Florida for the
C01 Lift Station Rehabilitation Project, District 2

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>5-18-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>5-19-2021</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: 24-36-23-BX-*-21

UTILITY EASEMENT

THIS INDENTURE, made this 11 day of May, 2021, between The School Board of Brevard County, Florida, whose address is 2700 Judge Fran Jamieson Way, Viera, 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, constructing, reconstructing, reconfiguring, and maintaining public utilities 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 23, Township 24 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:

Pamela A. Escobar

Witness

Pamela A. Escobar

Print Name

Tammy Aguirre

Witness

Tammy Aguirre

Print Name

The School Board of Brevard
County, Florida

BY: Misty Belford
Misty Belford, Chairperson

Approved as to form

ATTEST:

Mark W. Mullins

Mark W. Mullins, Ed.D.

Superintendent

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization on this 11th day of May, 2021, by Misty Belford, Chairperson for The School Board of Brevard County, Florida. Is personally known or produced _____ as identification.

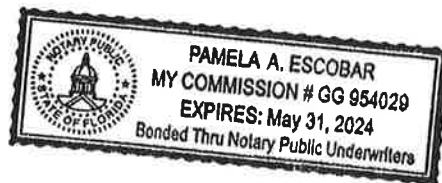
Pamela A. Escobar

Notary Signature

SEAL

Board Meeting Date: 5-11-2021

Agenda Item # 21



LEGAL DESCRIPTION**EXHIBIT "A"****SHEET 1 OF 2****NOT A SURVEY**

NOT VALID WITHOUT SHEET 2 OF 2

PARCEL No. 800

PARENT PARCEL 24-36-23-BX-*--21

PURPOSE: UTILITY EASEMENT

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

A parcel of land lying in the South one-half of Section 23, Township 24 South, Range 36 East, Brevard County, Florida and being a portion of those lands described in Official Records Book 720, Page 60, Public Records of Brevard County, Florida and being more particularly described as follows: Commence at the South quarter corner of said Section 23 and run N 00°32'46" W along the West line of the Southeast one-quarter of said Section 23, a distance of 30.00 feet to the intersection with the North right-of-way line of Mustang Way as per Nevins Subdivision according to the Plat thereof recorded in Plat Book 2, page 98 of the Public Records of Brevard County, Florida; thence N 89°22'43" E along said North right-of-way line 89.52 feet to the intersection with the West line of said lands described in Official Records Book 1084, Page 904 of the Public Records of Brevard County, Florida; thence N 00°31'54" W along said Westerly line 15.00 feet to the intersection with the North line of a Utility Easement described in Official Records Book 1084, Page 904 and Official Records Book 874, Page 50 of the Public Records of Brevard County, Florida and to the Point of Beginning of the herein described parcel; thence S 89°22'43" W along the North line of said Utility Easement, a distance of 89.49 feet to the intersection with the West line of the Southeast one quarter of said Section 23; thence S 89°30'27" W continuing along the North line of said Utility Easement, a distance of 250.20 feet to the Easterly right-of-way line of State Road No. 3 (N Courtenay Parkway) as shown on Florida Department of Transportation Right-of-Way Map Section 70140, F.P. No. 439157-1; thence N 18°38'04" W along said Easterly right-of-way line 13.28 feet; thence S 87°49'22" E 175.27 feet; thence N 84°03'03" E 103.42 feet; thence N 88°06'18" E 65.80 feet to the West line of said lands described in Official Records Book 1084, Page 904; thence S 00°31'54" E along said West line 15.70 feet to the Point of Beginning. Containing 3418 square feet (0.08± acres)

SURVEYOR'S NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATES, EAST ZONE, 1983 NORTH AMERICAN DATUM (2011) AND THE S. LINE OF THE SW 1/4 AS BEARING S89°30'27"W (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 PROVIDED AND HAS REVIEWED OWNERS & ENCUMBRANCE REPORT BY NEW REVELATIONS, INC. FILE No. 19-1223, TAX ID No. 2417285, EFFECTIVE DATE 4/30/2019. ALL EASEMENTS AND EXCEPTIONS IN THE REPORT THAT AFFECT PARCEL 800 ARE SHOWN HEREON.

LEGEND:

BRG = BEARING
C/L = CENTERLINE
ESMT = EASEMENT
ORB = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PC = POINT OF CURVATURE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PT = POINT OF TANGENCY
REF = REFERENCE
R/W = RIGHT OF WAY
SEC. = SECTION
TWP = TOWNSHIP
RNG = RANGE

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

PREPARED BY: **Kane Surveying, Inc.**

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448


JOEL A. SEYMOUR, LS 6133
FLORIDA PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

DRAWN BY: JAS	PROJECT NO. 40958	DESCRIPTION	DATE: 4/9/21	SECTION 23
DATE: 4/9/21	23-24-36/MUSTANG_ESMT			TOWNSHIP 24 SOUTH
				RANGE 36 EAST

SKETCH OF DESCRIPTION

PARCEL No. 800

PARENT PARCEL 24-36-23-BX-*-21

PURPOSE: UTILITY EASEMENT

LANDS DESCRIBED IN
ORB 1084, PAGE 904

W LINE OF ORB 1084,
PAGE 904

W LINE OF THE SE 1/4

**PARCEL No. 800
CONTAINING 3418 SQUARE FEET
0.08± ACRES**

N LINE OF 15' UTILITY EASEMENT
ORB 1084, PAGE 904
AND
ORB 874, PAGE 50

S LINE OF LOT 30
PLAT BOOK 2, PAGE 98

10' DRAINAGE EASEMENT AS
PER CIRCUIT COURT MINUTES
BOOK 59, PAGE 715

15' UTILITY EASEMENT
ORB 1084, PAGE 904
AND
ORB 874, PAGE 50

15' UTILITY EASEMENT
ORB 1084, PAGE 904
AND
ORB 874, PAGE 50

EASTERLY R/W LINE

**NORTH COURTENAY PARKWAY (STATE ROAD No. 3)
VARIABLE WIDTH - PUBLIC R/W**
SEC. 70140-2505, 3/30/67
SEC. 70140, F.P. No. 2377053, 12/8/10
SEC. 70140, F.P. No. 439157-1, 2/7/20

SCALE: 1 INCH = 60 FEET

PROJECT NO. 40958

SECTION 23
TOWNSHIP 24 SOUTH
RANGE 36 EAST

EXHIBIT "A"

SHEET 2 OF 2

NOT A SURVEY

NOT VALID WITHOUT SHEET 1 OF 2



AT&T FLORIDA
TAX PARCEL 24-36-26-BX-*-36.01
ORB 779, PAGE 776

15.00'

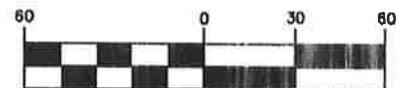
FRATERNAL ORDER OF EAGLES AERIE
TAX PARCEL 24-36-26-BX-*-35.08
ORB 5921, PAGE 888

P.O.C. PARCEL No. 800
SOUTH QUARTER
CORNER OF SEC. 23
TWP 24S, RNG 36E

THINKTANK MEDIA, INC
TAX PARCEL No.
24-36-26-BX-*-35.01
ORB 7951, PAGE 1095

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°31'54"W	15.00'
L2	S89°22'43"W	89.49'
L3	S89°30'27"W	250.20'
L4	N18°38'04"W	13.28'
L5	S87°49'22"E	175.27'
L6	N84°03'03"E	103.42'
L7	N88°06'18"E	65.80'
L8	S00°31'54"E	15.70'

GRAPHIC SCALE



1 INCH = 60 FEET

PREPARED BY:

Kane Surveying, Inc.

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LOCATION MAP

Section 23, Township 24 South, Range 36 East District: 2

PROPERTY LOCATION: On the north side of Mustang Way at Merritt Island High School in Merritt Island

OWNERS NAME: The School Board of Brevard County, Florida

