



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.6.

10/22/2019

Subject:

Approval Re: Sidewalk Easement from U-Haul Co. of Florida (Merritt Island) as required by Site Plan Number 18SP00041 - District 2.

Fiscal Impact:

FY 2019 - 2020: No impact

FY 2020 - 2021: No impact

Dept/Office:

Public Works Department / Land Acquisition Section

Requested Action:

It is requested that the Board of County Commissioners approve and accept the Sidewalk Easement from U-Haul Co. of Florida.

Summary Explanation and Background:

The subject property is located in Section 36, Township 24 South, Range 36 East, on the corner of Sykes Creek Parkway and Fortenberry Road in Merritt Island.

U-Haul Co. of Florida recently purchased an outparcel from Merritt Square Realty, et al. They desire to develop the existing building on that parcel into a U-Haul rental and storage facility. In order to comply with Brevard County site plan requirements, the owner has agreed to provide the County with a sidewalk easement.

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

Clerk to the Board Instructions:

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Sidewalk Easement from U-Haul Co. of Florida in Merritt Island as required by Site Plan 18SP00041 – District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-690-6847 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>LA</u>	_____	<u>10-3</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney	<u>JMB</u>	_____	<u>10-7-19</u>

AGENDA DUE DATE: October 9, 2019 for the October 22, 2019 Board meeting



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

October 23, 2019

M E M O R A N D U M

TO: Corrina Gumm, Interim Public Works Director

RE: Item F.6., Sidewalk Easement from U-Haul Co of Florida (Merritt Island) as required by Site Plan Number 18SP00041

The Board of County Commissioners, in regular session on October 22, 2019, approved and accepted the Sidewalk Easement from U-Haul Co. of Florida for property located on the corner of Sykes Creek Parkway and Fortenberry Road, Merritt Island, in Section 36, Township 26 South, Range 36 East.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Prepared by/Return to:
Lucy Hamelers
Brevard County Public Works Dept., Land Acquisition Section
2725 Judge Fran Jamieson Way, Building A, Room 204
Viera, Florida 32940, Phone (321-690-6847)
A portion of Interest in Tax Parcel I.D.: 24-36-36-00-559

SIDEWALK EASEMENT

THIS INDENTURE, made this 27th day of September, 2019, between **U-HAUL CO. OF FLORIDA**, a Florida profit corporation, whose mailing address is 2721 N Central Avenue, Phoenix, AZ 85004 as the first party, and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida 32940 as the second party, for the use and benefit of **BREVARD COUNTY**.

WITNESSETH: That the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date, for the sole purpose of maintenance, repair, and reconstruction of the sidewalk, with full right of ingress and egress for the purpose herein stated, and other allied uses which shall be strictly construed so as not to enlarge the use, scope, or purpose of the easements.

The land affected by the granting of the easements is located in Section 36, Township 24 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 easements 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 a 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:

Allison Castro

Witness
Allison Castro

Print Name
A. Castro

Witness
Codie Church

Print Name

GRANTOR:

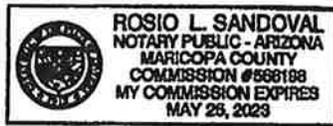
U-HAUL CO. OF FLORIDA,
a Florida Profit Corporation

BY [Signature]
Its Vice President

STATE OF Arizona
COUNTY OF Maricopa

The foregoing instrument was acknowledged before me this 27th day of September, 2019, by Matthew Braccia, as Vice President of U-Haul Co. of Florida 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 Phoenix, Arizona, the County of Maricopa, State of Arizona, this 27th day of September, 2019.



Notary Public [Signature]
Print Name Rosio L. Sandoval
Commission No. 566198
Commission expires 5/25/2023

Agenda Item # _____
County Board Meeting Date _____



LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL 801

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

PARENT PARCEL ID#: 24-36-36-00-559

THIS IS NOT A SURVEY

PURPOSE: SIDEWALK EASEMENT

LEGAL DESCRIPTION: SIDEWALK EASEMENT (PREPARED BY SURVEYOR)

An easement, being a portion of those lands described in the deed recorded in Official Records Book 8345, Page 2377, of the Official Records of Brevard County, Florida and lying in Section 36, Township 24 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

Begin at the intersection of the West right of way line of Sykes Creek Parkway, a 150 foot wide right of way as described in Official Records Book 950, Page 123, of the Official Records of Brevard County, Florida, with the North Right of Way line of Fortenberry Road, a 60 foot wide right of way as described in Official Records Book 1103, Page 170 of said public records; thence S89°59'35"W, along said North right of way line, a distance of 18.58 feet; thence N44°59'35"E, a distance of 15.74 feet, to a point on a line lying 7.00 west of and parallel with said West right of way line of Sykes Creek Parkway; thence N02°17'58"W, 7.00 west of and parallel with said West right of way line, a distance of 305.82 feet to the North line of those lands described in the deed recorded in Official Records Book 8345, Page 2377; thence S89°43'58"E, along said North line, a distance of 7.01 feet, to said West right of way line; thence S02°17'58"E, along said West right of way line, a distance of 316.92 feet, to the POINT OF BEGINNING; Containing 2,283 square feet or 0.05 acres, more or less.

SURVEYORS NOTES:

1. THIS IS NOT A SURVEY.
2. The bearings shown hereon are based on a bearing of S89°59'35"W NAD83, along said North right of way of Fortenberry Road.
3. ○ = Denotes change in direction (no corner found or set).
4. □ = Found 4x4" concrete monument stamped PRM 4262.
5. ⊙ = Found 5/8" iron rod w/ cap stamped ALLEN ENG LB 266.
6. The "Search Update Report" by First American Title Insurance Company File No. NCS-846866-PHX1 Customer Reference No.:16-29267 dated June 21, 2019 indicates there have been no new easements over the property described herein. All existing easements disclosed by the Title Commitment/Policy/ prior search update report affecting the proposed easement are shown hereon.

SURVEYOR'S CERTIFICATION:

I hereby certify that the attached Property Description was prepared under my direction, in accordance with all applicable requirements of the "Standards of Practice" as described in Chapter 5J-17 Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes.

PREPARED FOR AND CERTIFIED TO:
U-HAUL OF FLORIDA; BOARD OF COUNTY COMMISSIONERS


10/01/19
ROBERT M. SALMON, PSM 4262
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: ALLEN ENGINEERING, INC.
106 DIXIE LANE
COCOA BEACH, FLORIDA 32931

PROJECT NO. 170011.1

DRAWN BY: DJG

CHECKED BY: RMS

REVISIONS

DATE	DESCRIPTION
10-01-19	COUNTY COMMENTS
9-13-19	COUNTY COMMENTS
8-16-19	COUNTY COMMENTS
8-27-19	COUNTY COMMENTS

SECTION 36

TOWNSHIP 24 SOUTH

RANGE 36 EAST

DATE: 6-12-19

DRAWING:
1700111_UHaul.dwg

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SKETCH OF DESCRIPTION

PARCEL 801

PARENT PARCEL ID#: 24-36-36-00-559
PURPOSE: SIDEWALK EASEMENT

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

PARCEL ID: 24-36-36-00-253.1
ORB 7711, PAGE 1701

S89°43'58"E
7.01'

N. LINE OF ORB 8345, PAGE 2377

ABBREVIATIONS:

LB LAND SURVEYING BUSINESS
NAD 83 NORTH AMERICAN DATUM OF 1983
ORB OFFICIAL RECORDS BOOK

PARCEL 101
SIDEWALK EASEMENT

TAX PARCEL 24-36-3600-559
ORB 8345, PAGE 2377

N02°17'58"W 305.82'

S02°17'58"E 316.92'

CONTAINING 2,283 SQUARE FEET OR 0.05 ACRES ±

SYKES CREEK PARKWAY

(150' RIGHT OF WAY)
(ORB 950, PAGE 123)

10' FP&L ELECTRICAL EASEMENT
ORB 2663, PAGE 2124

10' GAS LINE EASEMENT
ORB 1105, PAGE 693

7.00'

W. RIGHT OF WAY

N44°59'35"E
15.74'

N. RIGHT OF WAY

18.58'

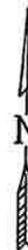
S89°59'35"W

FORTENBERRY ROAD

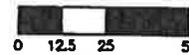
(60' RIGHT OF WAY)(ORB 1103, PAGE 170)

POINT OF BEGINNING

INTERSECTION OF W. RIGHT OF WAY LINE OF
SYKES CREEK PARKWAY & N. RIGHT OF WAY
LINE OF FORTENBERRY ROAD



GRID NORTH



GRAPHIC SCALE

PREPARED BY: ALLEN ENGINEERING, INC.
106 DIXIE LANE
COCOA BEACH, FLORIDA 32931

SCALE: 1" = 50'

PROJECT NO.: 170011.1

SECTION 36
TOWNSHIP 24 SOUTH
RANGE 36 EAST

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LOCATION MAP

TWP: 24 S RNG: 36 E SEC: 36 DISTRICT: 2

STREET NAME: Sykes Creek Parkway

OWNER'S NAME: U-HAUL CO. OF FLORIDA

