



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

F.13.

10/11/2022

### Subject:

Approval, Re: Donation of Right of Way by Warranty Deeds (5) and Public Utility and Drainage Easements (5) needed for the Sunset Avenue Road Improvement Project, Phase 2 - District 1.

### 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 five Warranty Deeds and five Public Utility and Drainage Easements.

### Summary Explanation and Background:

The subject property is located in Section 40, Township 20 South, Range 35 East, west of Dixie Way on Sunset Avenue in Mims.

The Public Works Department, Road and Bridge Section, is planning Phase 2 of the road improvement project for Sunset Avenue in Mims. Phase 1 of the project began at Oak Street and ran through the "S Curve". Donated acquisitions for Phase 1 were presented and accepted by the Board in regular session on March 10, 2020. Phase 1 of the project has been completed. Phase 2 of the project will begin at Dixie Way and run west to the bottom of the "S Curve". Phase 2 consists of constructing approximately 1,430 linear feet of a 20 foot wide, 8 inch deep soil concrete road, with double chip seal over an existing County maintained dirt road. The project will provide a swale on the south side of Sunset Avenue with cross-pipes to connect/discharge to the ditch on the north side of the road. The following parcel owners have agreed to donate the necessary right of way and easement areas needed for the project:

- 1) Zieman, parcels 106 and 803
- 2) Vanni, parcels 107 and 804
- 3) Wilson, parcels 108, 109, 805 and 806
- 4) Lisak, parcels 110 and 807
- 5) Burke, parcels 111 and 808

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

October 12, 2022

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

**TO:** Marc Bernath, Public Works Director      Attn: Lucy Hamelers, Land Acquisition

**RE:** Item F.13., Approval for Donation of Right of Way by Warranty Deeds (5) and Public Utility and Drainage Easements (5) Needed for the Sunset Avenue Road Improvement Project, Phase 2

The Board of County Commissioners, in regular session on October 11, 2022, approved and accepted the five Warranty Deeds and five Public Utility and Drainage Easements needed for the Sunset Avenue Road Improvement Project, Phase 2, as listed in the Agenda Report. Enclosed is the Agenda Report.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS**  
**RACHEL M. SADOFF, CLERK**

*Kimberly Powell*  
Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: County Attorney

## BOARD OF COUNTY COMMISSIONERS


### AGENDA REVIEW SHEET

AGENDA: Donation of Right of Way by Warranty Deeds (5) and Public Utility and Drainage Easements (5) needed for the Sunset Avenue Road Improvement Project, Phase 2 - District 1

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>9-12-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>9-13-2022</u>

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of interest in Tax Parcel ID: 20G-35-40-AC-\*-18

WARRANTY DEED

THIS DEED is made this 14<sup>th</sup> day of February, 2022, by John C. Zieman and Maxine A. Zieman, husband and wife, hereafter called the Grantor, whose mailing address is Post Office Box 491, Scottsmeer, Florida 32775, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statutes.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Print Name

Witness

Lisa J. Kruse

Print Name

GRANTOR:

John C. Zieman

Maxine A. Zieman

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14<sup>th</sup> day of February, 2022, by John C. Zieman and Maxine A. Zieman, husband and wife. Is ☐ personally known or ☒ produced Driver License as identification.

Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 106

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*18  
PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL 106, RIGHT OF WAY FEE SIMPLE (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6114, PAGE 1960, AND ALSO BEING A PORTION OF LOT 18, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 18; THENCE NORTH 72° 54' 10" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE, A 30-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2 FOR A DISTANCE OF 356.84 FEET TO THE NORTHEAST CORNER OF SAID DESCRIBED LANDS; THENCE SOUTH 12° 27' 12" EAST ALONG THE EAST LINE OF SAID DESCRIBED LANDS FOR A DISTANCE OF 11.35 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 11' 33" WEST FOR A DISTANCE OF 357.50 FEET TO A POINT ON THE WEST LINE OF SAID LOT 18; THENCE NORTH 11° 28' 52" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 15.82 FEET TO THE POINT OF BEGINNING, CONTAINING 4828 SQUARE FEET (0.11 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 18 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 17-1651, TAX IDENTIFICATION NUMBER 2005006, EFFECTIVE DATE 11/15/2017 AND UPDATED AS 17-1651-ZIEMAN, UPDATE NO. 1, 2/6/2020.
    - I. PER THAT REPORT: EASEMENT RECORDED IN O.R. BOOK 3710, PAGE 43.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.

PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-106.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 106

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--18  
PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE



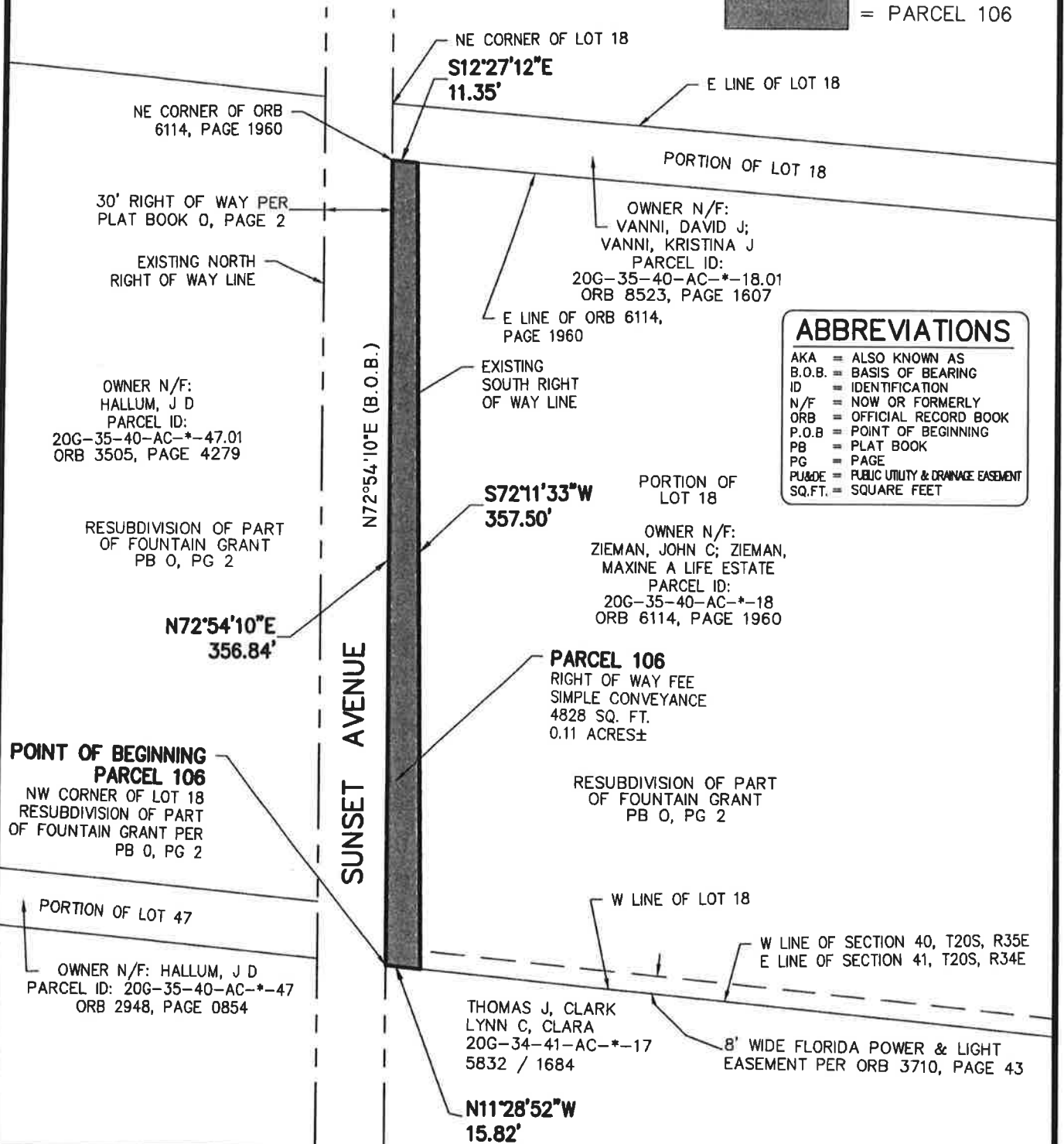
1"=60'

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2  
**THIS IS NOT A SURVEY**

 = PARCEL 106



## ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

SCALE:

1"=60'

DRAWING NO.:

203540\_SK\_1803054\_SUNSET-PARCEL-106.dwg

SECTION 40

TOWNSHIP 20 SOUTH  
RANGE 35 EAST

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: 20G-35-40-AC-\*-18

### **DRAINAGE AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 14<sup>th</sup> day of February, 2022, between John C. Zieman and Maxine A. Zieman, husband and wife, whose address is Post Office Box 491, Scottsmoor, Florida 32775, 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 constructing, reconstructing, reconfiguring, and maintaining drainage facilities, public utilities 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 40, Township 20 South, Range 35 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.

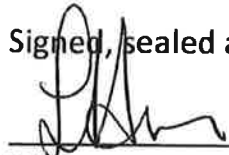
**TO HAVE AND TO HOLD** said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on next page)

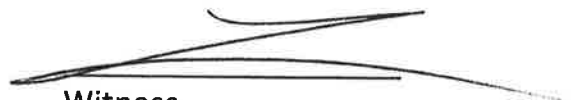


IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written,

Signed, sealed and delivered in the presence of:

  
\_\_\_\_\_  
Witness  
Lucy Hume  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
John C. Zieman

  
\_\_\_\_\_  
Witness  
**Lisa J. Kruse**  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Maxine A. Zieman

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14th day of February, 2022 by John C. Zieman and Maxine A. Zieman, husband and wife. Is personally known or produced Driver License as identification.

\_\_\_\_\_  
Notary Signature  
SEAL



# LEGAL DESCRIPTION

PARCEL 803

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--18

PURPOSE: DRAINAGE AND UTILITY EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 803, DRAINAGE AND UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6114, PAGE 1960, AND ALSO BEING A PORTION OF LOT 18, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 18; THENCE SOUTH 11° 28' 52" EAST ALONG THE WEST LINE OF SAID LOT 18 FOR A DISTANCE OF 15.82 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 72° 11' 33" EAST FOR A DISTANCE OF 357.50 FEET TO A POINT ON THE EAST LINE OF SAID DESCRIBED LANDS; THENCE SOUTH 12° 27' 12" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 9.53 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 11' 34" WEST FOR A DISTANCE OF 357.66 FEET TO A POINT ON THE WEST LINE OF SAID LOT 18; THENCE NORTH 11° 28' 52" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 9.55 FEET TO THE POINT OF BEGINNING, CONTAINING 3393 SQUARE FEET (0.08 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

## 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 18 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 17-1651, TAX IDENTIFICATION NUMBER 2005006, EFFECTIVE DATE 11/15/2017 AND UPDATED AS 17-1651-ZIEMAN, UPDATE NO. 1, 2/6/2020.
    - i. PER THAT REPORT: EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 3710, PAGE 43.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-803.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

Approved

# SKETCH OF DESCRIPTION

PARCEL 803

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--18

PURPOSE: DRAINAGE AND UTILITY EASEMENT




1"=60'

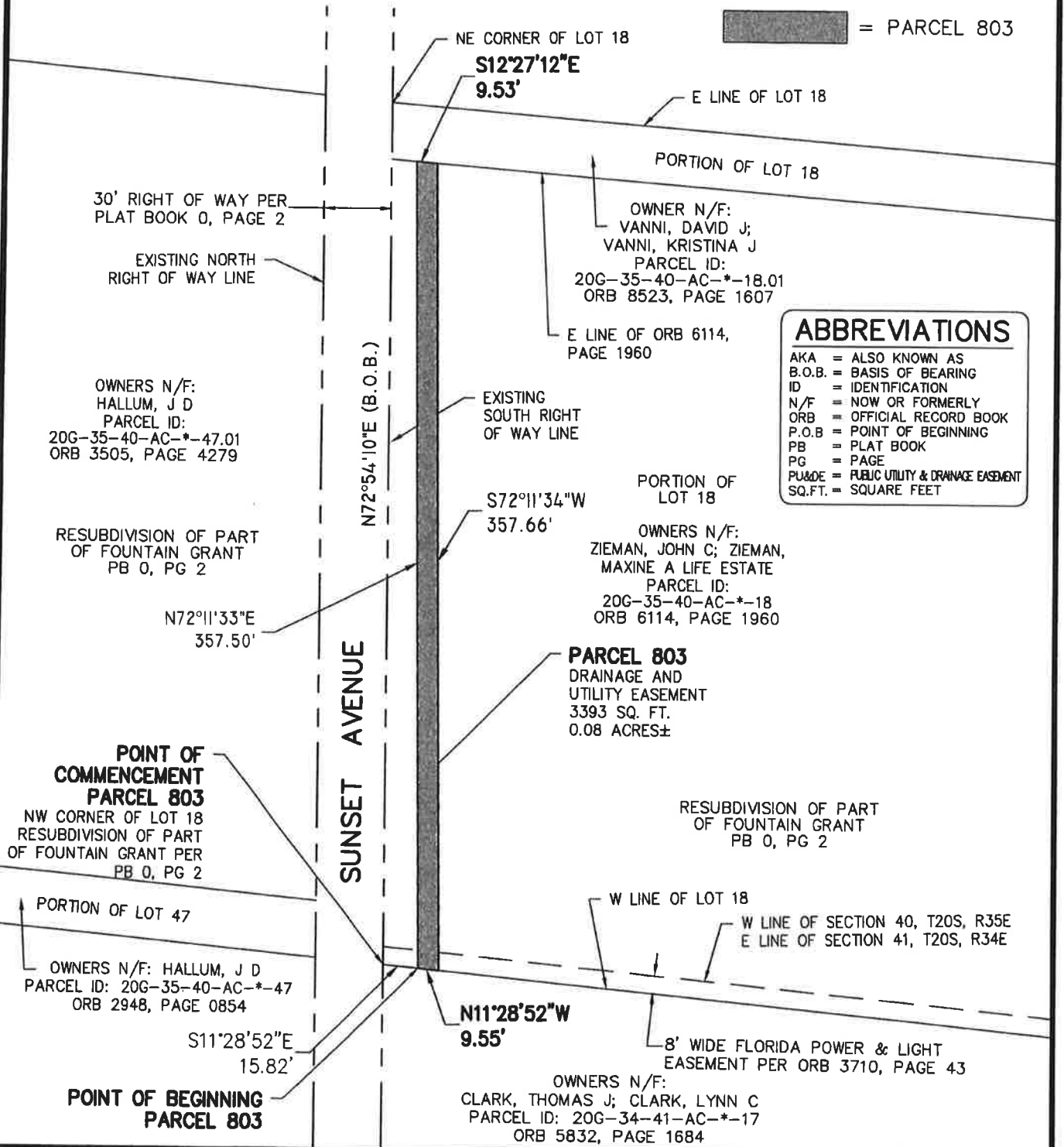
EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

 = PARCEL 803



## ABBREVIATIONS

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PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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

SCALE:

1"=60'

DRAWING NO.:

203540\_SK\_1803054\_SUNSET-PARCEL-803.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of interest in Tax Parcel ID: 20G-35-40-AC-\*-18.01

WARRANTY DEED

**THIS DEED** is made this 14<sup>th</sup> day of February, 2022, by David J. Vanni and Kristina J. Vanni, husband and wife, hereafter called the Grantor, whose mailing address is 3455 Sunset Avenue, Mims, Florida 32754, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

**WITNESSETH** that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

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

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statutes.

**TO HAVE AND TO HOLD THE SAME**, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Print Name

Witness

Print Name

**Lisa J. Kruse**

GRANTOR:

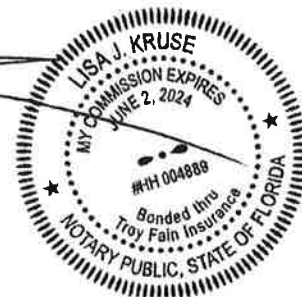
David J. Vanni

Kristina J. Vanni

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14<sup>th</sup> day of February, 2022, by David J. Vanni and Kristine J. Vanni, husband and wife. Is ☐ personally known or ☒ produced Driver License as identification.

Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 107

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--18.01  
PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 107, RIGHT OF WAY FEE SIMPLE (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8523, PAGE 1607, AND ALSO BEING A PORTION OF LOT 18, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 18; THENCE SOUTH 12° 27' 12" EAST ALONG THE EAST LINE OF SAID LOT 18 FOR A DISTANCE OF 11.04 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 11' 33" WEST FOR A DISTANCE OF 25.11 FEET; THENCE NORTH 12° 27' 12" WEST ALONG THE WEST LINE OF SAID DESCRIBED LANDS FOR A DISTANCE OF 11.35 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE, A 30-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2; THENCE NORTH 72° 54' 10" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 25.08 FEET TO THE POINT OF BEGINNING, CONTAINING 280 SQUARE FEET, MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 18 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-B, TAX IDENTIFICATION NUMBER 2005446, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-B, UPDATE NO. 1, 2/6/2020.
    - I. PER THAT REPORT: EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4667, PAGE 1730.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-107.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 107

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--18.01  
PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE




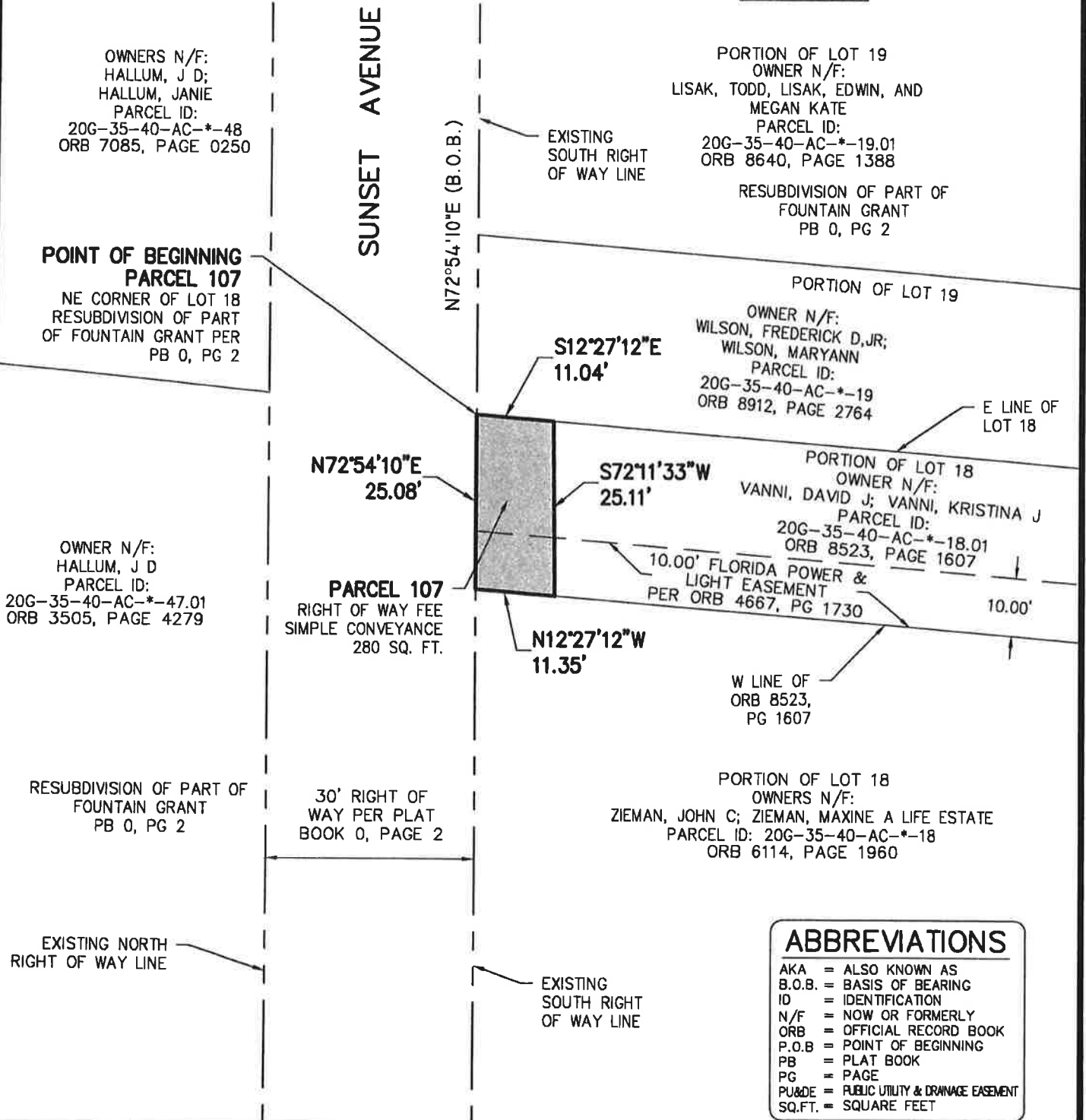
1"=20'

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2  
**THIS IS NOT A SURVEY**

 = PARCEL 107



## ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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

SCALE:

1"=20'

DRAWING NO.:

203540\_SK\_1803054\_SUNSET-PARCEL-107.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

### **DRAINAGE AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 14<sup>th</sup> day of February, 2022, between David J. Vanni and Kristina J. Vanni, husband and wife, whose address is 3455 Sunset Avenue, Mims, Florida 32754, 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 drainage facilities, public utilities 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 40, Township 20 South, Range 35 East, Brevard County, Florida, and being more particularly described as follows:

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

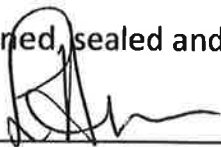
Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict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

  
\_\_\_\_\_  
Witness  
Lucy Hamelers  
Print Name


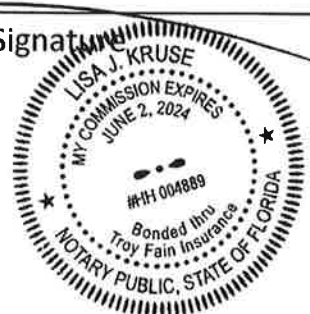
  
\_\_\_\_\_  
David J. Vanni

  
\_\_\_\_\_  
Witness  
Lisa J. Kruse  
Print Name

  
\_\_\_\_\_  
Kristina J. Vanni

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or [ ] online notarization on this 14th day of February, 2022, by David J. Vanni and Kristina J. Vanni, husband and wife. Is personally known or produced ~~produced~~ as identification.  
Driver License

  
Notary Signature  
SEAL  




# LEGAL DESCRIPTION

## PARCEL 804

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--18.01  
PURPOSE: DRAINAGE AND UTILITY EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL 804, DRAINAGE AND UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8523, PAGE 1607, AND ALSO BEING A PORTION OF LOT 18, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 18; THENCE SOUTH 12° 27' 12" EAST ALONG THE EAST LINE OF SAID LOT 18 FOR A DISTANCE OF 11.04 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 12° 27' 12" EAST ALONG THE EAST LINE OF SAID LOT 18 FOR A DISTANCE OF 9.53 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 11' 33" WEST FOR A DISTANCE OF 25.09 FEET TO A POINT ON THE WEST LINE OF SAID DESCRIBED LANDS; THENCE NORTH 12° 27' 12" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 9.53 FEET; THENCE NORTH 72° 11' 33" EAST A DISTANCE OF 25.09 FEET TO THE POINT OF BEGINNING, CONTAINING 238 SQUARE FEET, MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 18 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-B, TAX IDENTIFICATION NUMBER 2005446, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-B, UPDATE NO. 1, 2/6/2020.
    - i. PER THAT REPORT: EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4667, PAGE 1730.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-804.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 804

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--18.01  
PURPOSE: DRAINAGE AND UTILITY EASEMENT




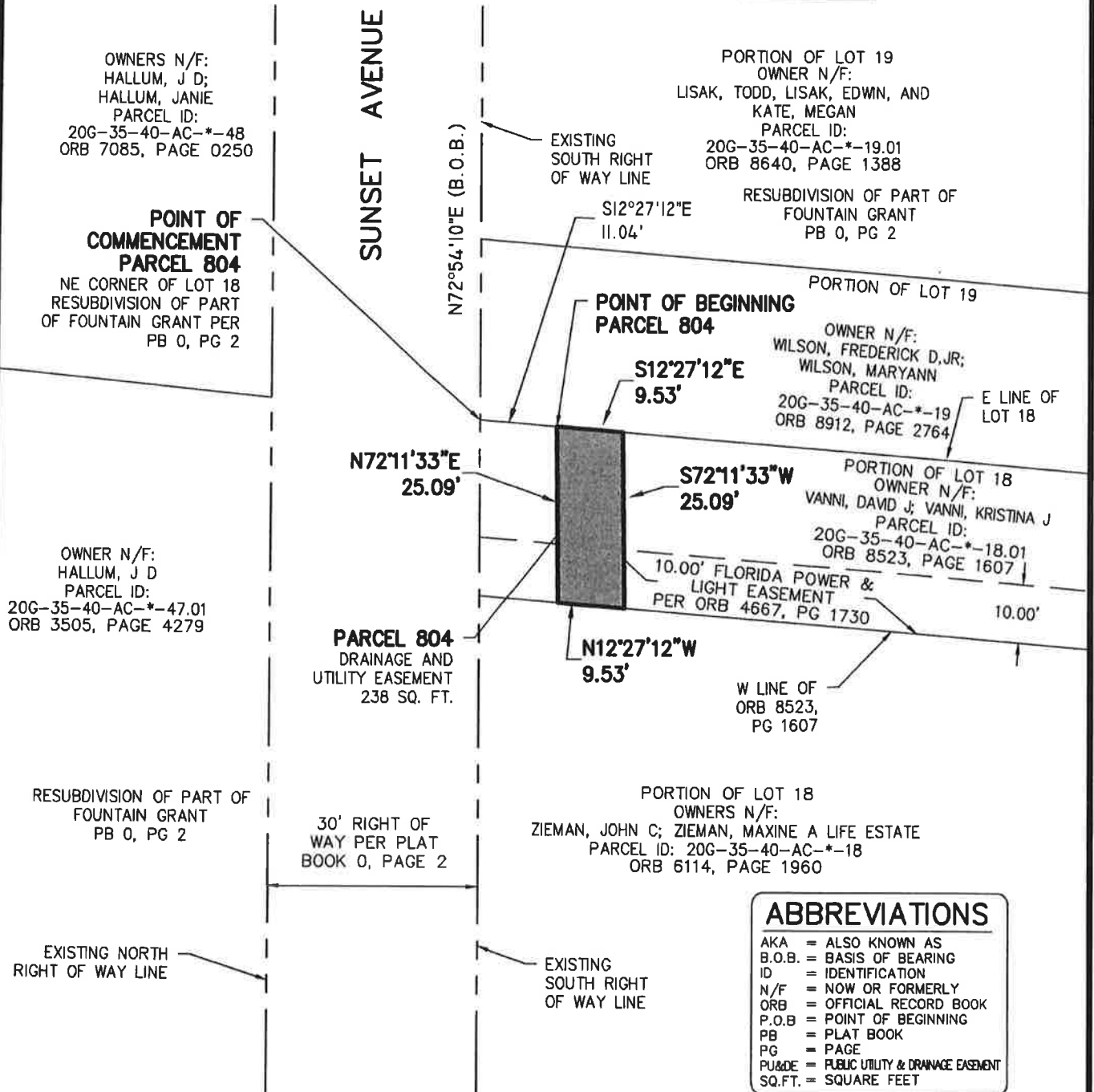
1"=20'

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2  
**THIS IS NOT A SURVEY**

 = PARCEL 804



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

SCALE:

1"=20'

DRAWING NO.:

203540\_SK\_1803054\_SUNSET-PARCEL-804.dwg

SECTION 40

TOWNSHIP 20 SOUTH  
RANGE 35 EAST

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of interest in Tax Parcel ID: 20G-35-40-AC-\* -19

WARRANTY DEED

THIS DEED is made this 14<sup>th</sup> day of February, 2022, by Frederick D. Wilson, Jr. and Maryann Wilson, husband and wife, hereafter called the Grantor, whose mailing address is 3451 Sunset Avenue, Mims, Florida 32754, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND EXHIBIT "B"

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statutes.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Print Name

Witness

**Lisa J. Kruse**

Print Name

GRANTOR:

Frederick D. Wilson, Jr.

Maryann Wilson

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14<sup>th</sup> day of February, 2022, by Frederick D. Wilson, Jr. and Maryann Wilson, husband and wife. Is ☐ personally known or ☒ produced Driver License as identification.

Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 108

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19

PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 108, RIGHT OF WAY FEE SIMPLE (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8912, PAGE 2764, AND ALSO BEING A PORTION OF LOT 19, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 19; THENCE NORTH 72° 54' 10" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE, A 30-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2 FOR A DISTANCE OF 25.78 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1388; THENCE SOUTH 12° 27' 12" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 11.04 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 72° 54' 10" WEST FOR A DISTANCE OF 25.78 FEET TO A POINT ON THE WEST LINE OF SAID LOT 19; THENCE NORTH 12° 27' 12" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 11.04 FEET TO THE TO THE POINT OF BEGINNING, CONTAINING 284 SQUARE FEET, MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 19 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-C, TAX IDENTIFICATION NUMBER 2004887, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-C, UPDATE NO. 2, 6/4/2021.
  - i. NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-108.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 108


SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
 PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19  
 PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE

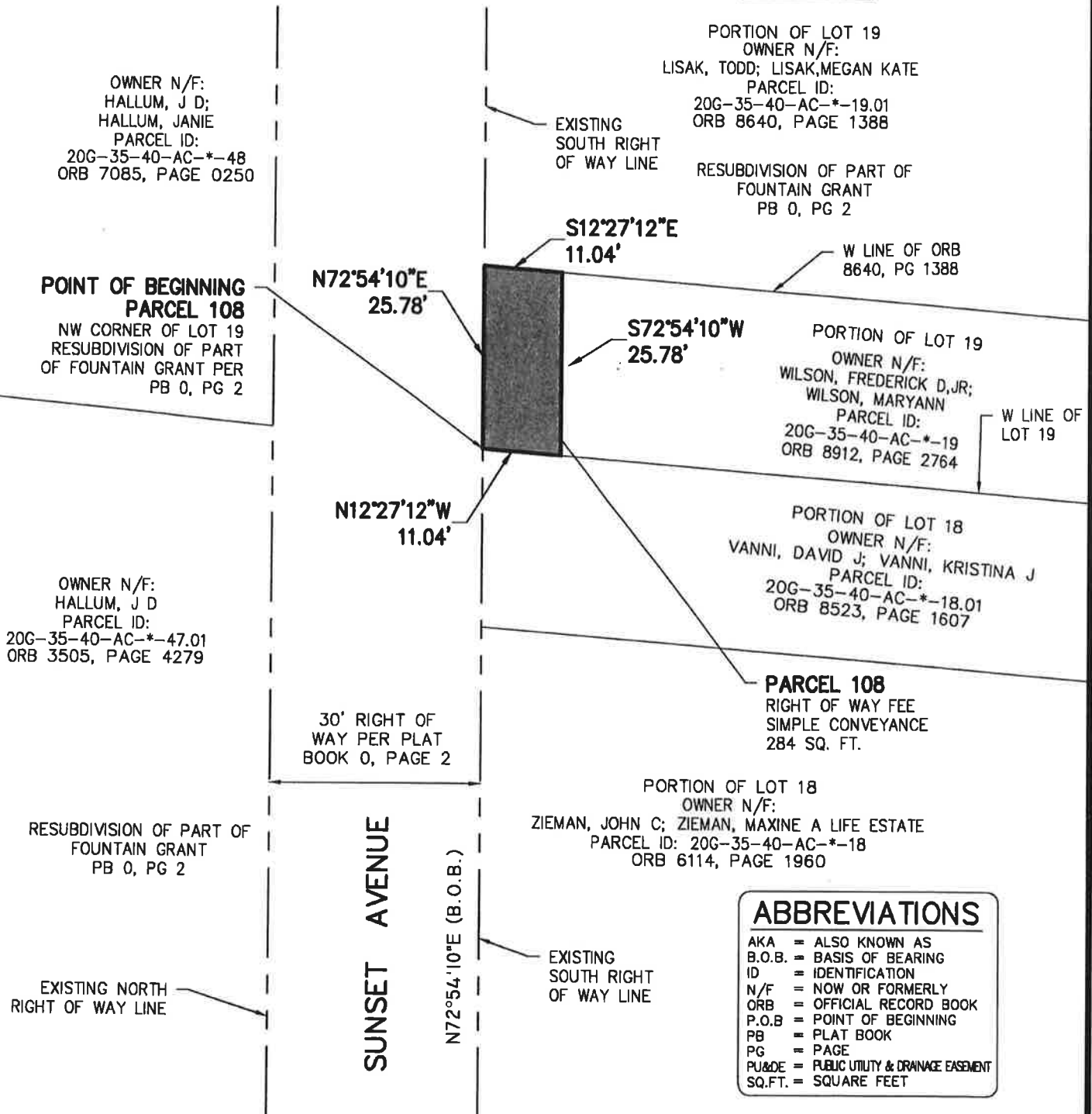


## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2  
THIS IS NOT A SURVEY

 = PARCEL 108



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

SCALE:  
 1"=20'

DRAWING NO.:  
 203540\_SK\_1803054\_SUNSET-PARCEL-108.dwg

SECTION 40  
 TOWNSHIP 20 SOUTH  
 RANGE 35 EAST

# LEGAL DESCRIPTION

## PARCEL 109

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19

PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE

EXHIBIT "B"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 109, RIGHT OF WAY FEE SIMPLE (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8912, PAGE 2764, AND ALSO BEING A PORTION OF LOT 19, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 19; THENCE SOUTH 12° 27' 12" EAST ALONG THE EAST LINE OF SAID LOT 19 FOR A DISTANCE OF 11.04 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 54' 10" WEST FOR A DISTANCE OF 13.73 FEET TO A POINT ON THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1388; THENCE NORTH 12° 27' 12" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 11.04 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE, A 30-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2; THENCE NORTH 72° 54' 10" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 13.73 FEET TO THE POINT OF BEGINNING, CONTAINING 151 SQUARE FEET, MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

## 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 19 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-C, TAX IDENTIFICATION NUMBER 2004887, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-C, UPDATE NO. 2, 6/4/2021.
    - i. NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-109.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 109

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19  
PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE




1"=20'

## EXHIBIT "B"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

 = PARCEL 109

OWNER N/F: JD HALLUM,  
JANIE HALLUM  
PARCEL ID:  
20G-35-40-AC-\*--49  
ORB 8695, PAGE 2553

### POINT OF BEGINNING PARCEL 109

NE CORNER OF LOT 19  
RESUBDIVISION OF PART  
OF FOUNTAIN GRANT PER  
PB 0, PG 2

RESUBDIVISION OF PART OF  
FOUNTAIN GRANT  
PB 0, PG 2

OWNER N/F:  
HALLUM, J D;  
HALLUM, JANIE  
PARCEL ID:  
20G-35-40-AC-\*--48  
ORB 7085, PAGE 0250

EXISTING NORTH  
RIGHT OF WAY LINE

N72°54'10"E  
13.73'

N12°27'12"W  
11.04'

30' RIGHT OF  
WAY PER PLAT  
BOOK 0, PAGE 2

SUNSET AVENUE

N72°54'10"E (B.O.B.)

EXISTING  
SOUTH RIGHT  
OF WAY LINE

S12°27'12"E  
11.04'

S72°54'10"W  
13.73'

PORTION OF LOT 20  
N/F:  
BURKE, BURLIN DARRELL;  
BURKE, CECILIA ANN  
PARCEL ID:  
20G-35-40-AC-\*--20  
ORB 3311, PAGE 0629

OWNER N/F:  
WILSON, FREDERICK D, JR;  
WILSON, MARYANN  
PARCEL ID:  
20G-35-40-AC-\*--19  
ORB 8912, PAGE 2764

E LINE OF LOT 19

PORTION OF LOT 19

E LINE OF ORB 8640, PG 1388

**PARCEL 109**  
RIGHT OF WAY FEE  
SIMPLE CONVEYANCE  
151 SQ. FT.

RESUBDIVISION OF PART OF  
FOUNTAIN GRANT  
PB 0, PG 2

PORTION OF LOT 19  
OWNER N/F:  
LISAK, TODD EDWIN; LISAK,  
MEGAN KATE  
PARCEL ID:  
20G-35-40-AC-\*--19.01  
ORB 8640, PAGE 1388

### ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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

SCALE:

1"=20'

DRAWING NO.:  
203540\_SK\_1803054\_SUNSET-PARCEL-109.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

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: 20G-35-40-AC-\*-19

### **DRAINAGE AND UTILITY EASEMENTS**

**THIS INDENTURE**, made this 14<sup>th</sup> day of February, 2022, between Frederick D. Wilson, Jr. and Maryann Wilson, husband and wife, whose address is 3451 Sunset Avenue, Mims, Florida 32754, 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, perpetual easements commencing on the above date for the purposes of constructing, reconstructing, reconfiguring, and maintaining drainage facilities, public utilities and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easements is located in Section 40, Township 20 South, Range 35 East, Brevard County, Florida, and being more particularly described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A" AND "EXHIBIT B"**

Including the right of ingress and egress onto the easement areas as may be necessary for the full use and enjoyment by the second party of its easements. The first party shall have full use and enjoyment of the easement areas but shall not make any improvements within the easement areas which will conflict or interfere with the easements granted herein.


**TO HAVE AND TO HOLD** said easements 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 these easements to be executed, the day and year first above written,

Signed, sealed and delivered in the presence of:

  
Witness  
Luay Hammelars  
Print Name


  
Frederick D. Wilson, Jr.

  
Witness **Lisa J. Kruse**  
Print Name

  
Maryann Wilson

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14<sup>th</sup> day of February, 2022 by Frederick D. Wilson, Jr. and Maryann Wilson, husband and wife. Is personally known or produced Driver License as identification.

  
Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 805

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19

PURPOSE: DRAINAGE AND UTILITY EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL 805, DRAINAGE AND UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8912, PAGE 2764, AND ALSO BEING A PORTION OF LOT 19, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 19; THENCE SOUTH 12° 27' 12" EAST ALONG THE WEST LINE OF SAID LOT 19 FOR A DISTANCE OF 11.04 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID WEST LINE, RUN NORTH 72° 45' 10" EAST FOR A DISTANCE OF 25.78 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1388; THENCE SOUTH 12° 27' 12" EAST ALONG THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1366 FOR A DISTANCE OF 9.53 FEET; THENCE SOUTH 72° 45' 56" WEST FOR A DISTANCE OF 25.70 FEET TO A POINT ON THE WEST LINE OF SAID LOT 19; THENCE NORTH 12° 27' 12" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 9.53 FEET TO THE POINT OF BEGINNING, CONTAINING 245 SQUARE FEET, MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 19 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-C, TAX IDENTIFICATION NUMBER 2004887, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-C, UPDATE NO. 2, 6/4/2021.
    - i. NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-805.dwg

REVISIONS

DATE

DESCRIPTION

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

# SKETCH OF DESCRIPTION

PARCEL 805

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19

PURPOSE: DRAINAGE AND UTILITY EASEMENT




1"=20'

EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

 = PARCEL 805

OWNER N/F:  
HALLUM, J D;  
HALLUM, JANIE  
PARCEL ID:  
20G-35-40-AC-\*--48  
ORB 7085, PAGE 0250

**POINT OF COMMENCEMENT  
PARCEL 805**  
NW CORNER OF LOT 19  
RESUBDIVISION OF PART  
OF FOUNTAIN GRANT PER  
PB 0, PG 2

OWNER N/F:  
HALLUM, J D  
PARCEL ID:  
20G-35-40-AC-\*--47.01  
ORB 3505, PAGE 4279

RESUBDIVISION OF PART OF  
FOUNTAIN GRANT  
PB 0, PG 2

EXISTING NORTH  
RIGHT OF WAY LINE

N72°54'10"E  
25.78'

S12°27'12"E  
11.04'

**POINT OF  
BEGINNING  
PARCEL 805**

30' RIGHT OF  
WAY PER PLAT  
BOOK 0, PAGE 2

SUNSET AVENUE

N72°54'10"E (B.O.B.)

EXISTING  
SOUTH RIGHT  
OF WAY LINE

S12°27'12"E  
9.53'

S72°45'10"W  
25.78'

PORTION OF LOT 19  
OWNER N/F:  
LISAK, TODD; LISAK, MEGAN  
KATE  
PARCEL ID:  
20G-35-40-AC-\*--19.01  
ORB 8640, PAGE 1366  
RESUBDIVISION OF PART OF  
FOUNTAIN GRANT  
PB 0, PG 2

W LINE OF ORB  
8640, PG 1388

PORTION OF LOT 19  
OWNER N/F:  
WILSON, FREDERICK D, JR;  
WILSON, MARYANN  
PARCEL ID:  
20G-35-40-AC-\*--19  
ORB 8912, PAGE 2764

W LINE OF  
LOT 19

PORTION OF LOT 18  
OWNER N/F:  
VANNI, DAVID J; VANNI, KRISTINA J  
PARCEL ID:  
20G-35-40-AC-\*--18.01  
ORB 8523, PAGE 1607

**PARCEL 805**  
DRAINAGE AND  
UTILITY EASEMENT  
245 SQ. FT.

PORTION OF LOT 18  
OWNER N/F:  
ZIEMAN, JOHN C; ZIEMAN, MAXINE A LIFE ESTATE  
PARCEL ID: 20G-35-40-AC-\*--18  
ORB 6114, PAGE 1960

## ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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

SCALE:

1"=20'

DRAWING NO.:

203540\_SK\_1803054\_SUNSET-PARCEL-805.dwg

SECTION 40

TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# LEGAL DESCRIPTION

## PARCEL 806

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19

PURPOSE: DRAINAGE AND UTILITY EASEMENT

## EXHIBIT "B"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL 806, DRAINAGE AND UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8912, PAGE 2764, AND ALSO BEING A PORTION OF LOT 19, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 19; THENCE SOUTH 12° 27' 12" EAST ALONG THE EAST LINE OF SAID LOT 19 FOR A DISTANCE OF 11.04 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 12° 27' 12" EAST ALONG THE EAST LINE OF SAID LOT 19 FOR A DISTANCE OF 9.53 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 54' 10" WEST FOR A DISTANCE OF 13.73 FEET TO A POINT ON THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1388; THENCE NORTH 12° 27' 12" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 9.53 FEET; THENCE NORTH 72° 54' 10" EAST FOR A DISTANCE OF 13.73 FEET TO THE POINT OF BEGINNING, CONTAINING 130 SQUARE FEET, MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 19 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-C, TAX IDENTIFICATION NUMBER 2004887, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-C, UPDATE NO. 2, 6/4/2021.
    - i. NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-806.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 806

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19

PURPOSE: DRAINAGE AND UTILITY EASEMENT




1"=20'

## EXHIBIT "B"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

 = PARCEL 806

OWNER N/F: JD HALLUM,  
JANIE HALLUM  
PARCEL ID:  
20G-35-40-AC-\*--49  
ORB 8695, PAGE 2553

### POINT OF COMMENCEMENT PARCEL 806

NE CORNER OF LOT 19  
RESUBDIVISION OF PART  
OF FOUNTAIN GRANT PER  
PB 0, PG 2

RESUBDIVISION OF PART OF  
FOUNTAIN GRANT  
PB 0, PG 2

OWNER N/F:  
HALLUM, J D;  
HALLUM, JANIE  
PARCEL ID:  
20G-35-40-AC-\*--48  
ORB 7085, PAGE 0250

EXISTING NORTH  
RIGHT OF WAY LINE

S12°27'12"E  
11.04'

N72°54'10"E  
13.73'

N12°27'12"W  
9.53'

30' RIGHT OF  
WAY PER PLAT  
BOOK 0, PAGE 2

SUNSET AVENUE

N72°54'10"E (B.O.B.)

EXISTING  
SOUTH RIGHT  
OF WAY LINE

PORTION OF LOT 20

OWNER N/F:  
BURKE, BURLIN DARRELL;  
BURKE, CECILIA ANN  
PARCEL ID:  
20G-35-40-AC-\*--20  
ORB 3311, PAGE 0629

### POINT OF BEGINNING PARCEL 806

S12°27'12"E  
9.53'

S72°54'10"W  
13.73'

**PARCEL 806**  
DRAINAGE AND  
UTILITY EASEMENT  
130 SQ. FT.

RESUBDIVISION OF PART OF  
FOUNTAIN GRANT  
PB 0, PG 2

PORTION OF LOT 19  
OWNER N/F:  
LISAK, TODD  
PARCEL ID:  
20G-35-40-AC-\*--19.01  
ORB 8640, PAGE 1388

OWNER N/F:  
WILSON, FREDERICK D., JR;  
WILSON, MARYANN  
PARCEL ID:  
20G-35-40-AC-\*--19  
ORB 8912, PAGE 2764

E LINE OF LOT 19

PORTION OF LOT 19

E LINE OF ORB 8640, PG 1388

## ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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

SCALE:

1"=20'

DRAWING NO.:

203540\_SK\_1803054\_SUNSET-PARCEL-806.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of interest in Tax Parcel ID: 20G-35-40-AC-\* -19.01

WARRANTY DEED

**THIS DEED** is made this 14<sup>th</sup> day of February, 2022, by Todd Edwin Lisak and Megan Kate Lisak, husband and wife, hereafter called the Grantor, whose mailing address is 3449 Sunset Avenue, Mims, Florida 32754, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

**WITNESSETH** that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

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

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statutes.

**TO HAVE AND TO HOLD THE SAME**, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Lisa J. Kruse  
Print Name

Witness

Print Name Lisa J. Kruse

GRANTOR:

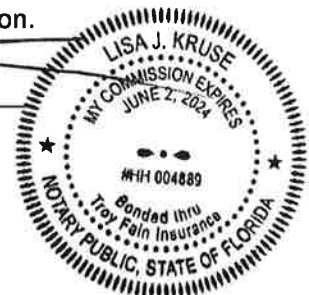
Todd Edwin Lisak  
Todd Edwin Lisak

Megan Kate Lisak  
Megan Kate Lisak

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14<sup>th</sup> day of February, 2022, by Todd Edwin Lisak and Megan Kate Lisak, husband and wife. Is ☐ personally known or ☒ produced Driver's license as identification.

Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 110

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19.01  
PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 110, RIGHT OF WAY FEE SIMPLE (BY SURVEYOR)

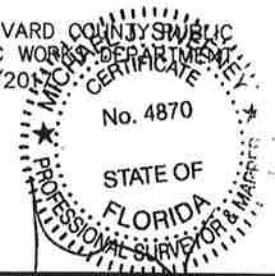
A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1388, AND ALSO BEING A PORTION OF LOT 19, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 19; THENCE NORTH 72° 54' 10" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE, A 30-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2 FOR A DISTANCE OF 25.78 FEET TO A POINT ON THE WEST LINE OF SAID DESCRIBED LANDS, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE NORTH 72° 54' 10" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 342.41 FEET TO A POINT ON THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1388; THENCE SOUTH 12° 27' 12" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 11.04 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 54' 10" WEST FOR A DISTANCE OF 342.41 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID DESCRIBED LANDS; THENCE NORTH 12° 27' 12" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 11.04 FEET TO THE POINT OF BEGINNING, CONTAINING 3767 SQUARE FEET (0.09 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### SURVEYOR'S NOTES:

- THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
- BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 19 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
- REFERENCE MATERIAL:
  - TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-D, TAX IDENTIFICATION NUMBER 2005501, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-D, UPDATE NO. 1, 2/6/2020.
  - NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE REPORT.
  - RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.  
203540\_SK\_1803054\_SUNSET-PARCEL-110.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

PARCEL 110

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19.01

PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE




1"=60'

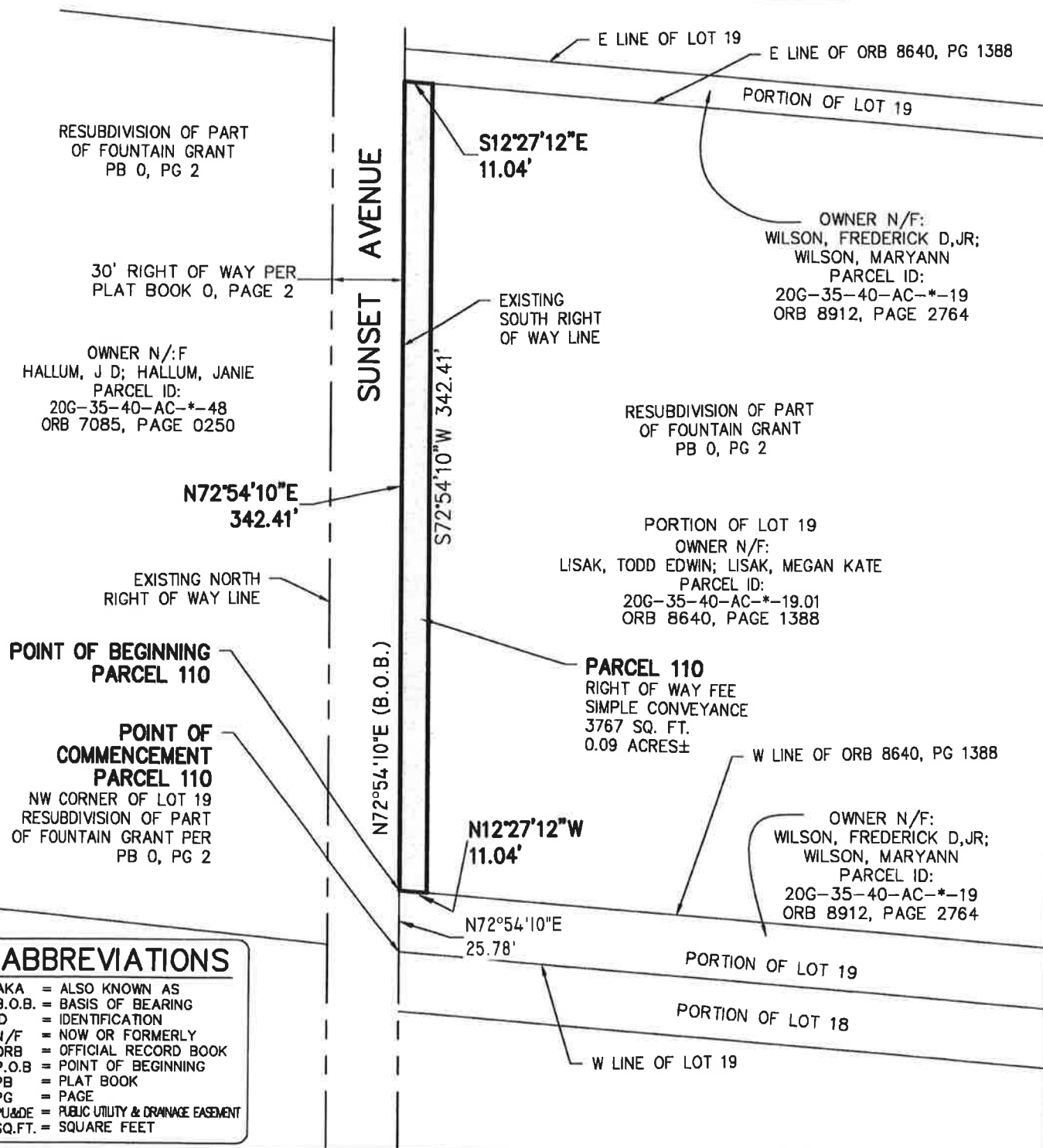
EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

 = PARCEL 110



## ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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

SCALE:  
1"=60'

DRAWING NO.:  
203540\_SK\_1803054\_SUNSET-PARCEL-110.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST



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: 20G-35-40-AC-\*-19.01

### **DRAINAGE AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 14<sup>th</sup> day of February, 2022, between Todd Edwin Lisak and Megan Kate Lisak, husband and wife, whose address is 3449 Sunset Avenue, Mims, Florida 32754, 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 constructing, reconstructing, reconfiguring, and maintaining drainage facilities, public utilities 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 40, Township 20 South, Range 35 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:

  
Witness  
Lucy Hamelers  
Print Name

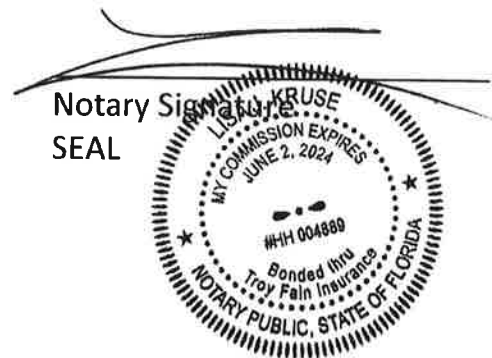
  
Todd Edwin Lisak

  
Witness  
Lisa J. Kruse  
Print Name

  
Megan Kate Lisak

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14<sup>th</sup> day of February, 2022 by Todd Edwin Lisak and Megan Kate Lisak, husband and wife. Is personally known or produced Driver License as identification.



# LEGAL DESCRIPTION

## PARCEL 807

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--19.01  
PURPOSE: DRAINAGE AND UTILITY EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2  
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 807, DRAINAGE AND UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8640, PAGE 1388, AND ALSO BEING A PORTION OF LOT 19, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

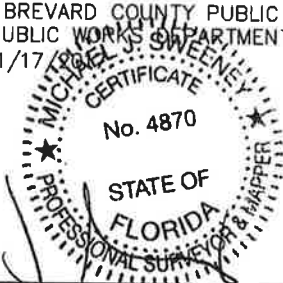
COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 19; THENCE NORTH 72° 52' 10" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE, A 30-FOOT WIDE RIGHT OF WAY FOR A DISTANCE OF 25.78 FEET; THENCE SOUTH 12° 27' 12" EAST ALONG THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 8640, PAGE 1388 FOR A DISTANCE OF 11.04 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID WEST LINE, RUN NORTH 72° 54' 10" EAST FOR A DISTANCE OF 342.41 FEET TO A POINT ON THE EAST LINE OF SAID DESCRIBED LANDS; THENCE SOUTH 12° 27' 12" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 9.53 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 72° 54' 10" WEST FOR A DISTANCE OF 342.41 FEET TO A POINT ON THE WEST LINE OF SAID DESCRIBED LANDS; THENCE NORTH 12° 27' 12" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 9.53 FEET TO THE TO THE POINT OF BEGINNING, CONTAINING 3253 SQUARE FEET (0.07 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 19 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-D, TAX IDENTIFICATION NUMBER 2005501, EFFECTIVE DATE 3/21/2018 AND UPDATED AS 18-1202-D, UPDATE NO. 1, 2/6/2020.
  - i. NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE REPORT.

- B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2019.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.

203540\_SK\_1803054\_SUNSET-PARCEL-807.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 20, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

PARCEL 807

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2  
THIS IS NOT A SURVEY

= PARCEL 807



AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PUDE = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET



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

SCALE: 1"=60'

DRAWING NO.:  
203540\_SK\_1803054\_SUNSET-PARCEL-807.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of interest in Tax Parcel ID: 20G-35-40-AC-\* -20

WARRANTY DEED

**THIS DEED** is made this 14<sup>th</sup> day of February, 2022, by Burlen Darrell Burke and Cecilia Ann Burke, husband and wife, hereafter called the Grantor, whose mailing address is Post Office Box 168, Scottsmeer, Florida 32775, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

**WITNESSETH** that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

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

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface oil, gas, and minerals pursuant to section 270.11(3), Florida Statutes.

**TO HAVE AND TO HOLD THE SAME**, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Luan Hameters

Print Name

Witness

Lisa J. Kruse

Print Name

GRANTOR:

Burlen Darrell Burke

Burlen Darrell Burke

Cecilia Ann Burke

Cecilia Ann Burke

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 14<sup>th</sup> day of February, 2022, by Burlen Darrell Burke and Cecilia Ann Burke, husband and wife. Is ☐ personally known or ☒ produced Driver License as identification.

Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL III

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--20

PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 111, RIGHT OF WAY FEE SIMPLE (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3311, PAGE 629, AND ALSO BEING A PORTION OF LOT 20, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 20; THENCE NORTH 72° 54' 10" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SUNSET AVENUE, A 30-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2 FOR A DISTANCE OF 385.87 FEET THE NORTH EAST CORNER OF SAID LOT 20 AND TO A POINT ON THE WEST RIGHT OF WAY LINE OF DIXIE WAY, A 40-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2; THENCE SOUTH 12° 27' 12" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 11.04 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN SOUTH 72° 54' 10" WEST FOR A DISTANCE OF 385.87 FEET TO A POINT ON THE WEST LINE OF SAID LOT 20; THENCE NORTH 12° 27' 12" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 11.04 FEET TO THE POINT OF BEGINNING, CONTAINING 4244 SQUARE FEET (0.10 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

## 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 20 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-A, TAX IDENTIFICATION NUMBER 2004888, EFFECTIVE DATE 3/21/2018.
  - i. NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.

203540\_SK\_1803054\_SUNSET-PARCEL-111.dwg

REVISIONS

DATE

DESCRIPTION

DATE: AUGUST 19, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 111

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--20  
PURPOSE: RIGHT OF WAY FEE SIMPLE CONVEYANCE



1"=60'

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2  
**THIS IS NOT A SURVEY**

 = PARCEL 111

N. E. CORNER OF  
LOT 20, PB 0,  
PG 2

S122°12'E  
11.04'

**DIXIE WAY**

(40' RIGHT OF WAY PER PB 0, PG 2

EXISTING NORTH  
RIGHT OF WAY LINE

W RIGHT OF  
WAY LINE

RESUBDIVISION OF PART  
OF FOUNTAIN GRANT  
PB 0, PG 2

RESUBDIVISION OF PART  
OF FOUNTAIN GRANT  
PB 0, PG 2

30' RIGHT OF WAY PER  
PLAT BOOK 0, PAGE 2

OWNER N/F:  
Owners:  
HALLUM, J D; HALLUM,  
JANIE  
PARCEL ID:  
20G-35-40-AC-\*--49  
ORB 8695, PAGE 2553

PORTION OF LOT 20  
OWNER N/F:  
BURKE, BURLIN DARRELL;  
BURKE, CECILIA ANN  
PARCEL ID:  
20G-35-40-AC-\*--20  
ORB 3311, PAGE 0629

EXISTING  
SOUTH RIGHT  
OF WAY LINE

S72°54'10"W  
385.87'

N72°54'10"E  
385.87'

**PARCEL 111**  
RIGHT OF WAY FEE  
SIMPLE CONVEYANCE  
4244 SQ. FT.  
0.10 ACRES±

### ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT  
SQ.FT. = SQUARE FEET

### POINT OF BEGINNING PARCEL 111

NW CORNER OF LOT 20  
RESUBDIVISION OF PART  
OF FOUNTAIN GRANT PER  
PB 0, PG 2

OWNER N/F:  
HALLUM, J D;  
HALLUM, JANIE  
PARCEL ID:  
20G-35-40-AC-\*--48  
ORB 7085, PAGE  
0250

N12°27'12"W  
11.04'

N72°54'10"E (B.O.B.)

W LINE OF LOT 20

PORTION OF LOT 19

OWNER N/F:  
WILSON, FREDERICK D, JR;  
WILSON, MARYANN  
PARCEL ID:  
20G-35-40-AC-\*--19  
ORB 8912, PAGE 2764



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

SCALE:  
1"=60'

DRAWING NO.:  
203540\_SK\_1803054\_SUNSET-PARCEL-111.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

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: 20G-35-40-AC-\*-20

### **DRAINAGE AND UTILITY EASEMENT**

**THIS INDENTURE**, made this 14th day of February, 2022, between Burlen Darrell Burke and Cecilia Ann Burke, husband and wife, whose address is Post Office Box 168, Scottsmoor, Florida 32775, 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 constructing, reconstructing, reconfiguring, and maintaining drainage facilities, public utilities 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 40, Township 20 South, Range 35 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  
Lisa J. Kruse  
Print Name

Burlen Darrell Burke  
Burlen Darrell Burke

[Signature]  
Witness  
Lisa J. Kruse  
Print Name

Cecilia Ann Burke  
Cecilia Ann Burke

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization on this 14th day of February, 2022 by  
Burlen Darrell Burke and Cecilia Ann Burke, husband and wife. Is personally  
known or produced Driver License as identification.

[Signature]  
Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 808

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST

PARENT PARCEL ID NO.: 20G-35-40-AC-\*--20

PURPOSE: DRAINAGE AND UTILITY EASEMENT

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 808, DRAINAGE AND UTILITY EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3311, PAGE 629, AND ALSO BEING A PORTION OF LOT 20, RESUBDIVISION OF PART OF FOUNTAIN GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 0, PAGE 2, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING LOCATED WITHIN SECTION 40, TOWNSHIP 20 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 20; THENCE SOUTH 12° 27' 12" EAST ALONG THE WEST LINE OF SAID LOT 20 FOR A DISTANCE OF 11.04 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID WEST LINE, RUN NORTH 72° 54' 10" EAST FOR A DISTANCE OF 385.87 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DIXIE WAY, A 40-FOOT WIDE RIGHT OF WAY AS ESTABLISHED BY SAID PLAT BOOK 0, PAGE 2; THENCE SOUTH 12° 27' 12" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 9.53 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN SOUTH 72° 54' 10" WEST FOR A DISTANCE OF 385.87 TO A POINT ON THE WEST LINE OF SAID LOT 20; THENCE NORTH 12° 27' 12" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 9.53 FEET TO THE POINT OF BEGINNING, CONTAINING 3666 SQUARE FEET (0.08 ACRES), MORE OR LESS.

### 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 RIGHT OF WAY LINE OF SUNSET AVENUE ADJACENT TO SAID LOT 20 AS BEING NORTH 72° 54' 10" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 18-1202-A, TAX IDENTIFICATION NUMBER 2004888, EFFECTIVE DATE 3/21/2018.
    - I. NO EASEMENTS WERE REPORTED WITHIN THE ABOVE SAID TITLE.
  - B. RIGHT OF WAY CONTROL AND SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS ROAD & BRIDGE DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS DEPARTMENT SURVEYING AND MAPPING DIVISION, PROJECT NO. 17-12-011-1, DATED 11/17/2017.



PREPARED FOR AND CERTIFIED TO:

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. J. SWEENEY

DRAWING NO.

203540\_SK\_1803054\_SUNSET-PARCEL-808.dwg

REVISIONS

DATE

DESCRIPTION

DATE: SEPTEMBER 22, 2021

SHEET: 1 OF 2

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# SKETCH OF DESCRIPTION

## PARCEL 808

SECTION 40, TOWNSHIP 20G SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 20G-35-40-AC-\*--20  
PURPOSE: DRAINAGE AND UTILITY EASEMENT



1"=60'

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2  
**THIS IS NOT A SURVEY**

[Shaded rectangle] = PARCEL 808

S12°27'12"E  
9.53'

EXISTING NORTH  
RIGHT OF WAY LINE

RESUBDIVISION OF PART  
OF FOUNTAIN GRANT  
PB 0, PG 2

30' RIGHT OF WAY PER  
PLAT BOOK 0, PAGE 2

OWNER N/F:  
Owners:  
HALLUM, J D; HALLUM,  
JANIE  
PARCEL ID:  
20G-35-40-AC-\*--49  
ORB 8695, PAGE 2553

EXISTING  
SOUTH RIGHT  
OF WAY LINE

**POINT OF  
COMMENCEMENT  
PARCEL 808**  
NW CORNER OF LOT 20  
RESUBDIVISION OF PART  
OF FOUNTAIN GRANT PER  
PB 0, PG 2

OWNER N/F:  
HALLUM, J D;  
HALLUM, JANIE  
PARCEL ID:  
20G-35-40-AC-\*--48  
ORB 7085, PAGE  
0250

S12°27'12"E  
11.04'

SUNSET AVENUE

N72°54'10"E (B.O.B.)

N72°54'10"E 385.87'

S72°54'10"W 385.87'

11.00'

9.50'

**DIXIE WAY**  
(40' RIGHT OF WAY PER PB 0, PG 2)

W RIGHT OF  
WAY LINE

RESUBDIVISION OF PART  
OF FOUNTAIN GRANT  
PB 0, PG 2

PORTION OF LOT 20  
OWNER N/F:  
BURKE, BURLIN DARRELL;  
BURKE, CECILIA ANN  
PARCEL ID:  
20G-35-40-AC-\*--20  
ORB 3311, PAGE 0629

## ABBREVIATIONS

AKA = ALSO KNOWN AS  
B.O.B. = BASIS OF BEARING  
BRG = BEARING  
ID = IDENTIFICATION  
L = ARC LENGTH  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
PB = PLAT BOOK  
PG = PAGE  
PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
R = RADIUS OR RANGE  
SQ.FT. = SQUARE FEET

**PARCEL 808**  
DRAINAGE AND  
UTILITY EASEMENT  
3666 SQ. FT.  
0.08 ACRES±

OWNER N/F:  
WILSON, FREDERICK D, JR;  
WILSON, MARYANN  
PARCEL ID:  
20G-35-40-AC-\*--19  
ORB 8912, PAGE 2764

W LINE OF LOT 20  
PORTION OF LOT 19

**POINT OF BEGINNING  
PARCEL 808**



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

SCALE:  
1"=60'

DRAWING NO.:  
203540\_SK\_1803054\_SUNSET-PARCEL-808.dwg

SECTION 40  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

## LOCATION MAP

### Section 40, Township 20 South, Range 35 East - District 1

PROPERTY LOCATION: West of Dixie Way on Sunset Avenue in Mims.

OWNERS NAME(S): Zieman, parcels 106 and 803; Vanni, parcels 107 and 804; Wilson, parcels 108, 109, 805 and 806; Lisak, parcels 110 and 807; Burke, parcels 111 and 808.

