

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Temporary Construction Easement for Lift Station F-01 from Judith A. Nettles– District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<hr/>	<u>8-18-2022</u>
COUNTY ATTORNEY Christine Schverak Interim County Attorney	<u>cms</u>	<hr/>	<u>08-22-2022</u>

Prepared by and return to: Andrew Malach  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in Tax Parcel ID: 24-37-19-50-3-17.01

### **TEMPORARY CONSTRUCTION EASEMENT**

For and in consideration of the mutual benefits accruing to the parties, and for other good and valuable consideration, the receipt of which is hereby acknowledged, Judith A. Nettles, hereinafter called the Owner, whose address is 1490 Chub Street, Merritt Island, Florida 32952, does give, grant, bargain and release to Brevard County, a political subdivision of the State of Florida, hereinafter called the County, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, a temporary construction easement for the purpose of constructing, reconstructing, and reconfiguring a sanitary sewer line and/or lift station and associated facilities, and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 19, Township 24 South, Range 37 East, Brevard County, Florida, and being more particularly described as follows:

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

With construction to be undertaken by or under direct supervision of the County. This easement shall be limited to said purposes, but shall include all rights necessary to accomplish the stated purposes, including, but not limited to the right of ingress and egress onto the easement area as may be necessary for the County to accomplish the work, the right to occupy, possess, and to control the property described herein for the stated purposes, the right to stage and to use equipment on said lands for the stated purposes, and the authority of the County to apply for and to secure any necessary permits or approvals to accomplish the stated purposes.

The Owner does hereby covenant with the County 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)

THIS EASEMENT is granted upon the condition that the property will be restored to a condition as nearly as possible to its original condition that existed prior to the use intended by this easement.

THIS EASEMENT shall expire upon the completion of the project or January 1, 2025, whichever occurs first.

Signed, sealed, and delivered in the presence of:

Amy Rivera  
Witness  
Amy Rivera  
(Print Name)

Judith A. Nettles  
Judith A. Nettles

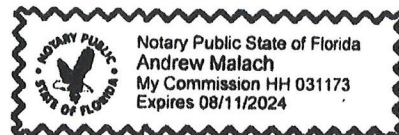
Andrew Malach  
Witness  
Andrew Malach  
(Print Name)

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 18th day of August, 2022, by Judith A. Nettles, who is ☐ personally known or ☒ produced Florida D.L. as identification.

Andrew Malach  
Notary Signature  
SEAL

This document does not get recorded.



# LEGAL DESCRIPTION

## PARCEL #700

PARENT PARCEL ID#: 24-37-19-50-3-17.01  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

## EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2 AND 3

THIS IS NOT A SURVEY

### LEGAL DESCRIPTION: PARCEL # 700, TEMPORARY CONSTRUCTION EASEMENT (AS PREPARED BY SURVEYOR)

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 24 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING A PORTION OF LOT 17, BLOCK 3, SURFSIDE ESTATES, UNIT ONE, AS RECORDED IN PLAT BOOK 16, PAGE 65 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF LOT 17, BLOCK 3, SURFSIDE ESTATES, UNIT ONE, AS RECORDED IN PLAT BOOK 16, PAGE 65 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING A FOUND 1/2" IRON ROD, NO IDENTIFICATION; THENCE NORTH 15°12'53" WEST ALONG THE EASTERLY LINE OF SAID LOT 17, BLOCK 3, A DISTANCE OF 87.06 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°54'29" WEST ALONG A LINE 13 FEET SOUTH OF AND PARALLEL TO THE SOUTHERLY LINE OF AN EXISTING 6 FOOT UTILITY EASEMENT PER SAID PLAT, A DISTANCE OF 43.74 FEET TO A POINT ON THE NORTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5396, PAGE 5231 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 54°08'50" EAST ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 22.24 FEET TO A POINT ON THE SOUTH LINE OF AN EXISTING 6 FOOT UTILITY EASEMENT PER SAID PLAT; THENCE NORTH 89°54'29" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 22.17 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 17, BLOCK 3; THENCE SOUTH 15°12'53" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 13.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 428 SQUARE FEET (0.010 ACRES), MORE OR LESS AND BEING SUBJECT TO ANY RESTRICTIONS, COVENANTS, EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.

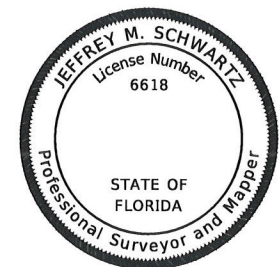
### CERTIFICATION:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

**Jeffrey Schwartz**

Digitally signed by Jeffrey Schwartz  
DN: CN=Jeffrey Schwartz,  
dnQualifier=A01410C0000017FF5CA8FD600009415,  
O=MCKIM AND CREED INC., C=US  
Date: 2022.08.19 09:04:27-04'00'

JEFFREY M. SCHWARTZ, PSM                      DATE  
PROFESSIONAL SURVEYOR & MAPPER LICENSE NUMBER: LS6618  
McKIM AND CREED, INC. (M&C),  
PROFESSIONAL SURVEYOR & MAPPER BUSINESS LICENSE NUMBER: LB7917



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

SEE SHEET 2 OF 3 FOR SKETCH  
SEE SHEET 3 OF 3 FOR GENERAL  
NOTES AND LEGEND

PREPARED BY: McKim and Creed, Inc.  
123 N. Industrial Drive, Suite D  
Orange City, Florida 32763

DRAWN BY: JMS	CHECKED BY: JMS	PROJECT NO. M-RR-178 TWO 1-A6			SECTION 19 TOWNSHIP 24 SOUTH RANGE 37 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 07/14/2022	DRAWING: PAR700				



# SKETCH OF DESCRIPTION

## PARCEL # 700

PARENT PARCEL ID#: 24-37-19-50-3-17.01

PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

SEE SHEET 1 OF 3 FOR LEGAL AND CERTIFICATION

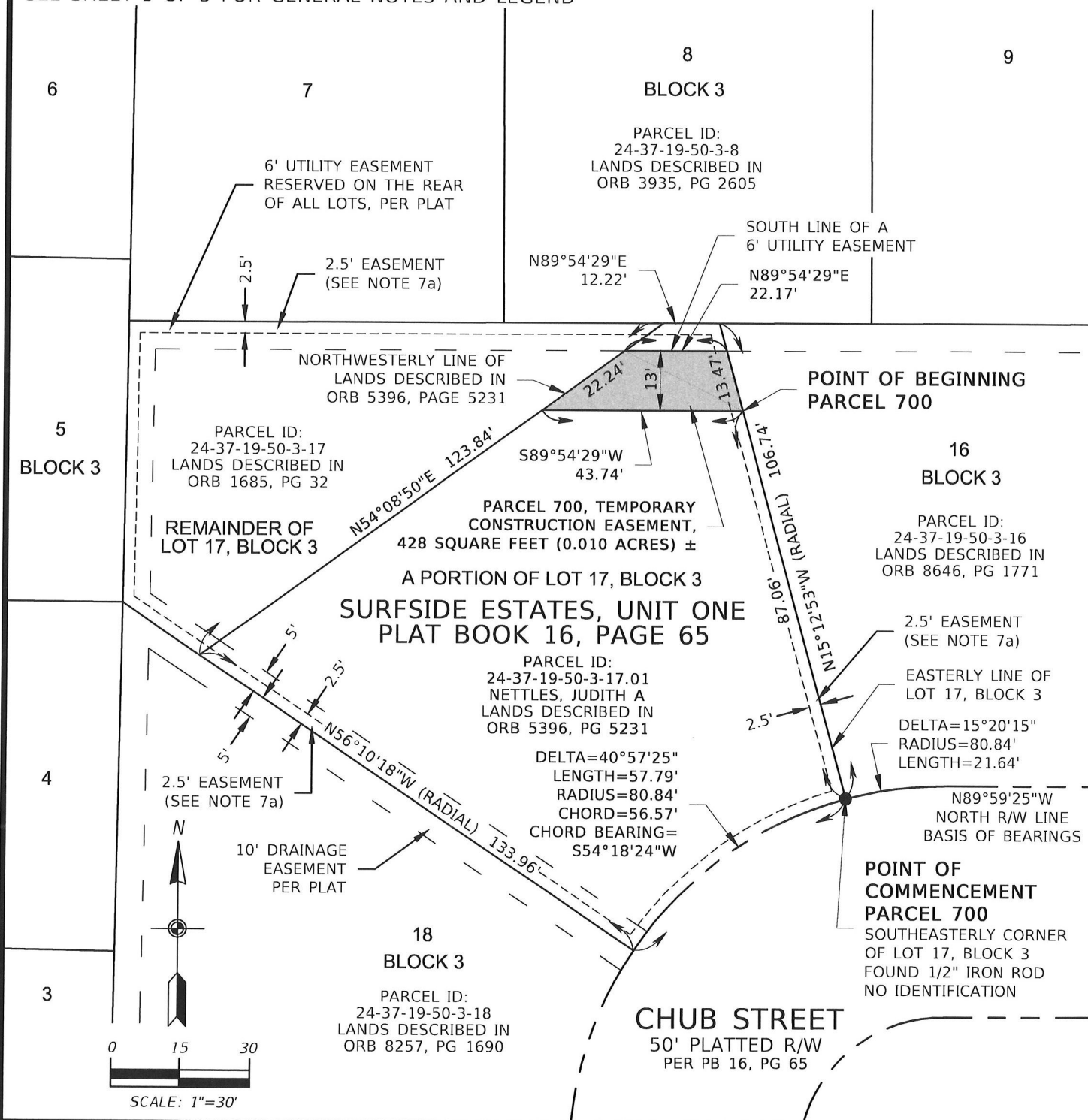
SEE SHEET 3 OF 3 FOR GENERAL NOTES AND LEGEND

## EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEETS 1 AND 3

THIS IS NOT A SURVEY



PREPARED BY: McKim and Creed, Inc.  
123 N. Industrial Drive, Suite D  
Orange City, Florida 32763  
PH: (386) 843-4517

SCALE:  
1"=30'

PROJECT NO.:  
MI-RR-178 TWO 1-A6

SECTION 19  
TOWNSHIP 24 SOUTH  
RANGE 37 EAST

# LEGAL DESCRIPTION

## PARCEL #700

PARENT PARCEL ID#: 24-37-19-50-3-17.01  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

## EXHIBIT "A"

SHEET 3 OF 3

NOT VALID WITHOUT SHEETS 1 AND 2

THIS IS NOT A SURVEY

### GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO, THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE NORTH RIGHT OF WAY LINE OF CHUB STREET HAVING A BEARING OF NORTH 89°59'25" WEST, AN ASSUMED BEARING.
3. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND ORIGINAL RAISED SEAL OR AN ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
5. ALL RECORDING REFERENCES SHOWN ON THIS SKETCH REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
6. THIS SKETCH IS NOT A SURVEY.
7. AN OWNERSHIP AND ENCUMBRANCE REPORT WAS PREPARED BY NEW REVELATIONS, INC., 10079 AUSTRINA OAK LOOP, WINTER GARDEN, FLORIDA, 34787, PHONE: 407-347-8536, FILE NUMBER 22-1346 WITH AN EFFECTIVE DATE OF 07/04/2022. ALL RELEVANT ENCUMBRANCES ARE NOTED/PLOTTED HEREON UNLESS OTHERWISE DENOTED BELOW.
  - 7a. OFFICIAL RECORDS BOOK 510, PAGE 548 DEDICATES A 2 1/2 FEET WIDE EASEMENT IN FAVOR OF FLORIDA POWER AND LIGHT COMPANY AS SHOWN HEREON.
  - 7b. OFFICIAL RECORDS BOOK 542, PAGE 841 DEDICATES THE RIGHTS TO USE THE EXISTING PLATTED UTILITY EASEMENTS FOR THE PURPOSES OF WATER AND SEWER DISTRIBUTION IN FAVOR OF FIRST FLORIDA UTILITIES, INC.
  - 7c. OFFICIAL RECORDS BOOK 542, PAGE 856 DEDICATES THE RIGHTS TO USE THE EXISTING PLATTED UTILITY EASEMENTS FOR THE PURPOSES OF GAS DISTRIBUTION IN FAVOR OF FIRST FLORIDA UTILITIES, INC. WITH AN ASSIGNMENT TO FIRST NATIONAL GAS CORPORATION PER OFFICIAL RECORDS BOOK 557, PAGE 699.
  - 7d. THE FOLLOWING OFFICIAL RECORDS BOOK AND PAGES DO NOT AFFECT THE SUBJECT PARCEL:
    - ORB 493, PAGE 696: NO EASEMENTS WITHIN DOCUMENT
    - ORB 506, PAGE 831: NO EASEMENTS WITHIN DOCUMENT
    - ORB 561, PAGE 490: NO EASEMENTS WITHIN DOCUMENT
    - ORB 572, PAGE 540: NO EASEMENTS WITHIN DOCUMENT

### LEGEND:

ID = IDENTIFICATION	PH: = PHONE
NO. = NUMBER	PB = PLAT BOOK
ORB = OFFICIAL RECORDS BOOK	R/W = RIGHT OF WAY
PG = PAGE	

SEE SHEET 1 OF 3 FOR LEGAL AND CERTIFICATION  
SEE SHEET 2 OF 3 FOR SKETCH

PREPARED BY: McKim and Creed, Inc.  
123 N. Industrial Drive, Suite D  
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PH: (386) 843-4517

SCALE:  
NOT TO SCALE

PROJECT NO.:  
MI-RR-178 TWO 1-A6

SECTION 19  
TOWNSHIP 24 SOUTH  
RANGE 37 EAST

# LOCATION MAP

**Section 19, Township 24 South, Range 37 East - District: 2**

PROPERTY LOCATION: West of North Banana River Drive on the north side of Chub Street in Merritt Island.

OWNERS NAME: Judith A. Nettles

