

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA REVIEW SHEET**

AGENDA: Dedication of Utility Easement from Brevard Constructors, Inc. for the Folsom Center Project – District 1

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa J. Kruse, Land Acquisition Specialist II

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>LA</u>	<u>                    </u>	<u>4-7-23</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>CMS</u>	<u>                    </u>	<u>4-11-2023</u>

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in Tax Parcel ID: 21-35-17-50-\*-1

## UTILITY EASEMENT

**THIS INDENTURE**, made this 30<sup>th</sup> day of March, 2023, between Brevard Constructors, Inc. a Florida corporation, whose address is 2023 North Carpenter Road, Titusville, Florida 32796, 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, reconstructing, reconfiguring, and maintaining public utility 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 17, Township 21 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

Russell K Gordon

Print Name

[Signature]

Witness

Debra Mitchell

Print Name

Brevard Constructors, Inc., a Florida corporation

By: [Signature]  
Timothy D. Gordon, President

(Corporate Seal)

STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on this 30<sup>th</sup> day of March, 2023, by Timothy D. Gordon, as President for Brevard Constructors, Inc., a Florida corporation. Is  personally known or  produced \_\_\_\_\_ as identification.

[Signature]

Notary Signature

SEAL



ANITA CHAMBERLAIN  
Commission # HH 194173  
Expires November 2, 2025  
Bonded Thru Budget Notary Services

# LEGAL DESCRIPTION

## PARCEL # 800

PARENT PARCEL ID#: 21-35-17-50-9-1  
PURPOSE: UTILITY EASEMENT

### EXHIBIT "A"

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

### LEGAL DESCRIPTION: PARCEL #800 UTILITY EASEMENT (PREPARED BY SURVEYOR)

AN EASEMENT ACROSS A PORTION OF CARLILE WARD PLAT OF MMS AS RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF OFFICIAL RECORDS BOOK 6036, PAGE 1401 AND THE WEST LINE OF SAID PLAT BOOK 1, PAGE 4; THENCE N00°06'25"W ALONG SAID WEST LINE, A DISTANCE OF 83.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°06'25"W ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET; THENCE N89°53'35"E, A DISTANCE OF 20.00 FEET; THENCE S00°06'25"E, A DISTANCE OF 20.00 FEET; THENCE S89°53'35"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. CONTAINING 400 SQ FT, 0.0092 ACRES.

### SURVEYORS NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF PLAT BOOK 1, PAGE 4, N00°06'25"W (ASSUMED).
2. THE FOLLOWING EASEMENTS WERE PROVIDED TO THE SURVEYOR BY THE OWNERSHIP AND ENCUMBRANCE PROPERTY INFORMATION REPORT BY ATTORNEYS' TITLE FUND SERVICES, LLC, FUND FILE 1358689, EFFECTIVE DATES FROM NOVEMBER 27, 2019 TO DECEMBER 30, 2022 AT 11:00 PM.  
  
NO EASEMENTS LISTED
3. THIS SKETCH OF LEGAL DESCRIPTION IS NOT A BOUNDARY SURVEY.
4. NOT VALID WITHOUT THE SIGNATURE AND AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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



EARL K. GORDON, PSM 5363  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED



PREPARED BY: **GAI Surveyors**  
L.B. No. 7928  
1 OLEANDER ST. COCOA, FL 32922  
(321) 806-3908 GAI@CFL.RR.COM

DRAWN BY: AEG	CHECKED BY: EKG	PROJECT NO. 2023-15		SECTION 17 TOWNSHIP 21 SOUTH RANGE 35 EAST	
DATE: 9 FEB 23	DRAWING: 2	REVISIONS	DATE		DESCRIPTION

# SKETCH OF DESCRIPTION

## PARCEL # 800

PARENT PARCEL ID#: 21-35-17-50-\*--1

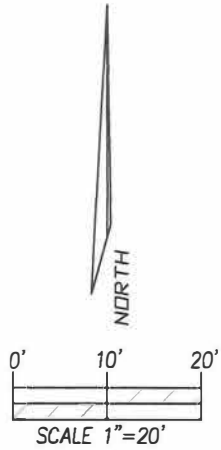
PURPOSE: UTILITY EASEMENT

# EXHIBIT "A"

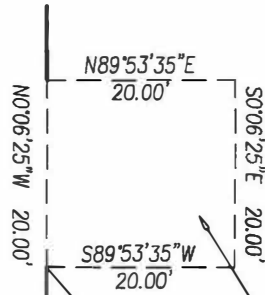
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



FOLSOM ROAD



TAX PARCEL  
21-35-17-50-\*--1  
OFFICIAL RECORDS BOOK 8600,  
PAGE 2256

PARCEL 800, UTILITY EASEMENT,  
400 SQUARE FEET  
0.0092 ACRES

POINT  
OF  
BEGINNING  
OF PARCEL 800

CARLILIE WARD PLAT OF MIMS,  
PLAT BOOK 1, PAGE 4

WEST LINE PLAT BOOK 1, PAGE 4  
NO°06'25"W 83.70'  
REFERENCE BEARING

NORTH LINE OF OFFICIAL  
RECORDS BOOK 6036,  
PAGE 1401

POINT  
OF  
COMMENCEMENT  
OF PARCEL 800

TAX PARCEL  
21-35-17-50-\*--8.01  
OFFICIAL RECORDS  
BOOK 6036, PAGE 1401

PREPARED BY: *GAI Surveyors*  
L.B. No. 7928  
1 OLEANDER ST. COCOA, FL 32922  
(321) 806-3908 GAI@CFL.RR.COM

SCALE: 1"=20'

PROJECT NO.:  
2023-15

SECTION 17  
TOWNSHIP 21 SOUTH  
RANGE 35 EAST

# LOCATION MAP

Section 17, Township 21 South, Range 35 East – District 1

PROPERTY LOCATION: West of US Highway 1, north of West Main Street on Folsom Road in Mims.

OWNERS NAME(S): Brevard Constructors, Inc.

