

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Resolution and Underground Easement (Business) from Brevard County to Florida Power and Light Company for the Benefit of Fire Station 86 - District 3.

AGENCY: Public Works Department / Land Acquisition Office

AGENCY CONTACT: Jean Kremitzki / Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<hr/>	<u>5-8-29</u>
COUNTY ATTORNEY Greg Hughes Assistant County Attorney		<hr/>	<u>5/8/2025</u>

RESOLUTION NO. 25-_____

**RESOLUTION PURSUANT TO SECTION 125.01,
FLORIDA STATUTES AUTHORIZING THE CONVEYANCE
OF A REAL PROPERTY INTEREST BY THE COUNTY.**

RECITALS

WHEREAS, Brevard County, Florida (County), a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as "COUNTY," owns certain real property described in Exhibit "A"; and

WHEREAS, the Florida Power and Light Company (FPL) is a Florida corporation providing electric utility services, and FPL has requested a perpetual easement to provide electric service to said County owned property; and

WHEREAS, said utility easement will support the use of the County owned property, and will not conflict with the County's use of the servient property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA that:

1. The recitals above are true and correct, and incorporated herein.
2. Pursuant to section 125.01, Florida Statutes, the grant of easement is required to provide electric service to a County structure, to wit, a fire station that will provide fire and rescue services to the community.
3. County agrees to convey a perpetual easement for the purpose of permitting Florida Power and Light Company (FPL) to place its facilities within said easement area, so that FPL can provide electric service to the County fire station.
4. This Resolution shall take effect immediately upon its adoption.

DONE, ORDERED, and ADOPTED in Regular Session this 20th Day of May, 2025.

ATTEST:
Clerk of the Court:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk of the Courts

Rob Feltner, Chairman

As approved by the Board on 05/20/2025.

LEGAL DESCRIPTION

PARCEL ID#: 801
PARENT PARCEL ID#: 30-38-11-00-532
PURPOSE: FPL UTILITY EASEMENT

EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2&3 OF 3

THIS IS NOT A SURVEY

DESCRIPTION: PARCEL 801, FPL UTILITY EASEMENT

PREPARED BY BRIEL & ASSOCIATES LAND SURVEYORS, INC.

AN EASEMENT BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1477, PAGE 45 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LYING IN SECTION 11, TOWNSHIP 30 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 11 AND RUN N 00°35'36" E ALONG THE WEST LINE OF SAID SECTION 11 A DISTANCE OF 842.10 FEET; THENCE DEPARTING SAID WEST LINE S 89°27'39" E 1084.49 FEET TO THE SOUTHEAST CORNER AND POINT OF BEGINNING OF SAID PARCEL RECORDED IN OFFICIAL RECORDS BOOK 1477, PAGE 45, SAID CORNER LYING ON THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY; THENCE N 22°59'57" W 285.69 FEET ALONG THE EAST LINE OF SAID PARCEL AND SAID WEST RIGHT OF WAY LINE TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF BAREFOOT BOULEVARD AS DESCRIBED IN OFFICIAL RECORDS BOOK 144, PAGE 610 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, ALSO BEING THE NORTHEAST CORNER OF SAID PARCEL, SAID INTERSECTION LYING ON A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2525.00 FEET AND FROM WHICH POINT A RADIAL LINE BEARS N 07°53'34"W; THENCE WESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 00°40'30" AN ARC DISTANCE OF 29.74 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE DEPARTING SAID RIGHT OF WAY LINE S 22°59'57" E 22.35 FEET; THENCE N 67°00'03" E 12.67 FEET; THENCE S 22°59'57" E 15.00 FEET; THENCE S 67°00'03" W 22.67 FEET; THENCE N 22°59'57" W 40.20 FEET TO SAID SOUTH RIGHT OF WAY LINE; THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE AND A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2525.00 FEET, A DELTA ANGLE OF 00°23'59", A CHORD LENGTH OF 10.40 FEET, A CHORD BEARING OF N 82°54'01" E AN ARC DISTANCE OF 10.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 578 SQUARE FEET OR 0.0133 ACRES MORE OR LESS.

This Map or Report conforms to the Standards of Practice for Professional Surveyors and Mappers as outlined in Chapter 5J-17., F.A.C.

Robert R Briel

Digitally signed by Robert R Briel
Date: 2025.04.28 15:13:20 -04'00'

ROBERT R. BRIEL, Florida Professional Surveyor & Mapper, No. 3699

This survey is prepared and certified for the exclusive use of the client or clients named hereon. Not valid without the original signature and seal of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party is prohibited.



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

SEE SHEET 2 FOR NOTES & ABBREVIATIONS
SEE SHEET 3 FOR SKETCH

PREPARED BY:



BRIEL & ASSOCIATES
Land Surveyors, Inc.

1790 HIGHWAY A1A, SUITE 208
SATELLITE BCH., FL 32937
LB 3869

DRAWN BY: RRB	CHECKED BY: RRB	PROJECT NO. 24016			SECTION 11 TOWNSHIP 30 SOUTH RANGE 38 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 04/28/2025			DRAWING: 24016FPL		

SKETCH OF DESCRIPTION

PARCEL ID#: 801
PARENT PARCEL ID#: 30-38-11-00-532
PURPOSE: FPL UTILITY EASEMENTS

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2. BEARINGS ARE BASED ON THE WESTERLY RIGHT OF WAY LINE OF FLORIDA EAST COAST RAILWAY BEING N 22°59'57" W. DATUM IS ASSUMED.

TITLE NOTES

PER O&E REPORT PREPARED BY NEW REVELATIONS, INC, FILE NO. 22-1256 DATED JUNE 6, 2022.

EASEMENTS AND EXCEPTIONS:

1. RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK. 144, PAGE 610. PLOTTED AS BAREFOOT BOULEVARD.

ABBREVIATIONS:

A	= ARC LENGTH
AC	= ACRES
CH	= CHORD
CH BRG	= CHORD BEARING
COR	= CORNER
DA	= DELTA ANGLE
ESMT	= EASEMENT
ORB	= OFFICIAL RECORDS BOOK
P.O.B.	= POINT OF BEGINNING
P.O.C.	= POINT OF COMMENCEMENT
PG	= PAGE
R	= RADIUS
R	= RANGE
R/W	= RIGHT OF WAY
SEC	= SECTION
SF	= SQUARE FEET
T	= TOWNSHIP

SEE SHEET 3 FOR SKETCH

PREPARED BY: BRIEL & ASSOCIATES LAND SURVEYORS, INC.
1790 HIGHWAY A1A, SUITE 208
SATELLITE BCH., FL 32937
LB 3869

SCALE:
1" = 40'
PROJECT NO.:
24016

SECTION 11
TOWNSHIP 30 SOUTH
RANGE 38 EAST

SKETCH OF DESCRIPTION

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BAREFOOT BLVD

P.O.B.
PARCEL 801

S R/W LINE
ORB 144, PG 610

NOT 53'34" W
RADIAL

NE COR
ORB 1477, PG 45



CURVE TABLE

C1

R=2525.00'

DA=00°23'59"

A=10.40'

CH = 10.40'

CH BRG = N 82°54'01" E

C2

R = 2525.00'

DA = 00°40'30"

A = 29.74'

PARCEL 801

FPL UTILITY

EASEMENT

578 SF ±

0.0133 AC.S ±

LINE TABLE

L1 = S 22°59'57" E 22.35'

L2 = N 67°00'03" E 12.67'

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L5 = N 22°59'57" W 40.20'

FLORIDA EAST COAST RAILWAY

W R/W LINE FLORIDA EAST COAST RAILWAY
E LINE ORB 1477, PG 45

N 22°59'57" W

(BASIS OF BEARINGS)

285.69'

BREVARD COUNTY

ORB 1477, PG 45

TAX PARCEL ID 30-38-11-00-532

SE COR AND P.O.B.
ORB 1477, PG 45

W LINE SEC 11

N 00°35'36" E
842.10'

S 89°27'39" E

1084.49'

BREVARD COUNTY

ORB 2687, PG 1871

TAX PARCEL ID 30-38-11-00-509.1

P.O.C. PARCEL 801 AND ORB 1477, PG 45
SW COR SEC 11, T 30 S, R 38 E

PREPARED BY: BRIEL & ASSOCITES LAND SURVEYORS, INC.
1790 HIGHWAY A1A, SUITE 208
SATELLITE BCH., FL 32937
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SECTION 11

TOWNSHIP 30 SOUTH

RANGE 38 EAST

Work Request No:

WR13444306

Sec. 11, Twp 30 S, Rge 38 E

Parcel I.D. 30-38-11-00-532
(Maintained by County Appraiser)

UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Michelle Vakhordjian
Co. Name: Florida Power and Light
Address: 9001 Ellis Road
Melbourne, FL 32904

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive perpetual easement for the construction, operation and maintenance of underground electric utility facilities (including cables, conduits, appurtenant equipment, and appurtenant above-ground equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A"

Together with the right to permit any other person, firm, or corporation to attach or place wires to or within any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on May 20, 2025

Signed, sealed and delivered in the presence of:

(Witness' Signature)
Print Name: _____
(Witness)

(Witness' Signature)
Print Name: _____
(Witness)

Brevard County, a political subdivision of the State of Florida

By: _____
Rob Feltner, Chairman of Brevard County Board
Print Name: of County Commissioners

Print Address: 2725 Judge Fran Jamieson

Viera, FL 32940

Approved by the Board on May 20, 2025.

Attest: _____

Rachel Sadoff, Clerk of the Courts

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Rob Feltner, the Chairman of Brevard County Board of County Commissioners a political subdivision of the State of Florida, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath. (Type of Identification)

My Commission Expires:

Notary Public, Signature

Print Name _____

LEGAL DESCRIPTION

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ROBERT R. BRIEL, Florida Professional Surveyor & Mapper, No. 3699

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SEE SHEET 2 FOR NOTES & ABBREVIATIONS
SEE SHEET 3 FOR SKETCH

PREPARED BY:



BRIEL & ASSOCIATES

Land Surveyors, Inc.

1790 HIGHWAY A1A, SUITE 208
SATELLITE BCH., FL 32937
LB 3869

DRAWN BY: RRB	CHECKED BY: RRB	PROJECT NO. 24016			SECTION 11 TOWNSHIP 30 SOUTH RANGE 38 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 04/28/2025	DRAWING: 24016FPL				

SKETCH OF DESCRIPTION

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PER O&E REPORT PREPARED BY NEW REVELATIONS, INC, FILE NO. 22-1256 DATED JUNE 6, 2022.

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SATELLITE BCH., FL 32937
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FLORIDA EAST COAST RAILWAY

W R/W LINE FLORIDA EAST COAST RAILWAY
 E LINE ORB 1477, PG 45

N 22°59'57" W (BASIS OF BEARINGS)

285.69'

BREVARD COUNTY

ORB 1477, PG 45

TAX PARCEL ID 30-38-11-00-532

M D GROUP OF SEBASTIAN LLC
 ORB 56853, PG 2672
 TAX PARCEL ID 30-38-11-00-538

SE COR AND P.O.B.
 ORB 1477, PG 45

W LINE SEC 11

N 00°35'36" E
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S 89°27'39" E

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 SATELLITE BCH., FL 32937
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SCALE:

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PROJECT NO.:

24016

SECTION 11

TOWNSHIP 30 SOUTH

RANGE 38 EAST

LOCATION MAP

Section 11, Township 30 South, Range 38 East - District 3

PROPERTY LOCATION: Property is located south of Barefoot Boulevard and east of Ron Beatty Boulevard in Barefoot Bay.

OWNERS NAME(S): Brevard County

