

Prepared by and return to:  
Office of the County Attorney  
2725 Judge Fran Jamieson Way, Building C  
Viera, Florida 32940

### **PARTIAL RELEASE OF EASEMENT**

**THIS PARTIAL RELEASE OF EASEMENT** is made by BREVARD COUNTY, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940. BREVARD COUNTY hereby releases, disclaims, and terminates any and all easement rights or interests purportedly created, conveyed, or granted to BREVARD COUNTY by Suntree Homeowners Association, Inc., as to Parcel #802 as shown on and described in Exhibit “B” of that certain Drainage Easement dated January 24, 2024, and recorded on July 11, 2024, in Official Records Book 10107, Page 1935, of the public records of BREVARD COUNTY, Florida (the “Easement Document”).

The easement interest purportedly conveyed and/or granted to BREVARD COUNTY as to Parcel #802 of the Easement Document could not be granted by Suntree Master Homeowners Association, Inc., because the portion of the real property over which the purported easement lies had been previously conveyed to a third party, such that Suntree Homeowners Association, Inc., no longer had any right, title, or interest in said property.

This PARTIAL RELEASE OF EASEMENT specifically does not have any effect whatsoever on the easement granted as to Parcel #801 of the Easement Document recorded on July 11, 2024, in Official Records Book 10107, Page 1935, nor does it have any effect on any other existing easement that the Parcels described in the Easement Document may be subject to, such as the platted drainage easement over all of Parcel 46A pursuant to Plat Book 33, Pages 20-22.

By execution hereof, BREVARD COUNTY does hereby release, disclaim, and otherwise terminate any and all rights, if any, purportedly granted by the Easement Document as to Parcel #802 only, which is shown and described on ATTACHMENT 1, attached hereto and made a part hereof by reference herein.

**IN WITNESS WHEREOF**, BREVARD COUNTY has executed this instrument on the day and year written below.

**ATTEST:**

**BREVARD COUNTY, FLORIDA**

By: \_\_\_\_\_  
Rachel M. Sadoff, Clerk

By: \_\_\_\_\_  
Rob Feltner, Chairman

As approved by the Board on: May 6, 2025

**ATTACHMENT 1****LEGAL DESCRIPTION****PARCEL #802**

PARENT PARCEL ID#: 26-36-24-NS-46.A  
PURPOSE: DRAINAGE EASEMENT

**EXHIBIT "B"**

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2 &amp; 3

THIS IS NOT A SURVEY**LEGAL DESCRIPTION: PARCEL #802 DRAINAGE EASEMENT (PREPARED BY SURVEYOR)**

A PORTION OF PARCEL 46A OF THE PLAT OF OAK PARK AT SUNTREE, AS RECORDED IN PLAT BOOK 33, PAGES 20-22 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 24, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 5, BLOCK 1 OF SAID PLAT; THENCE N 25°32'57" W, A DISTANCE OF 121.32 FEET; THENCE S 64°27'03" W, A DISTANCE OF 20.00 FEET; THENCE S 25°32'57" E, A DISTANCE OF 106.66 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 46A; THENCE S 79°18'30" E, ALONG SAID SOUTH LINE, A DISTANCE OF 24.80 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 0.05 ACRES (2,280 SQUARE FEET), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD.

**NOTE:**

- 1.) SEE SHEET 2 FOR SKETCH OF DESCRIPTION.
- 2.) SEE SHEET 3 FOR NOTES, LEGEND AND CERTIFICATION.

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

PREPARED BY:



100 PARNELL STREET • SUITE A • MERRITT ISLAND, FLORIDA 32953

PHONE NO.: (321) 453-0010

DRMP, INC. CERTIFICATE NO.: 2648

DRAWN BY: JWS

CHECKED BY: JBC

PROJECT NO. 22-0623.000

REVISIONS

DATE

DESCRIPTION

DATE: 2023-09-11

DRAWING: 22-0623.000-SK02

10/05/23

ADD TITLE INFO

SECTION 24

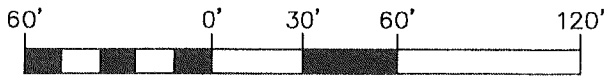
TOWNSHIP 26 SOUTH

RANGE 36 EAST

# SKETCH OF DESCRIPTION PARCEL #802

PARENT PARCEL ID#: 26-36-24-NS-46.A  
PURPOSE: DRAINAGE EASEMENT

## GRAPHIC SCALE



( IN FEET )  
1 INCH = 60 FT.



PARCEL 46A  
OAK PARK AT SUNTREE  
26-36-24-NS-46.A  
(PB 33, PG 20)

LOT 5, BLOCK 1  
OAK PARK AT SUNTREE  
26-36-24-NS-1-5  
(ORB 8249, PG 2938)

**SWEET WATER COURT**  
(50.00' WIDE R/W &  
PER PB 33, PG 20)

7.5' WIDE  
DRAINAGE  
AND UTILITY  
EASEMENT

LOT 6

10.0' WIDE DRAINAGE  
AND UTILITY EASEMENT

POINT-OF-BEGINNING  
PARCEL 802  
SW CORNER OF  
LOT 5

10.0' WIDE DRAINAGE  
AND UTILITY EASEMENT

LOT 8

10.0' WIDE DRAINAGE  
AND UTILITY EASEMENT

TRACT 46  
OAK PARK AT SUNTREE  
26-36-24-OZ-46  
(PB 37, PG 60)  
SUNTREE CHALLENGE GOLF COURSE

PARCEL #802  
DRAINAGE EASEMENT  
2,280 SF 0.05 AC±

S 64°27'03" W  
20.00'  
N 25°32'57" E  
121.32'  
W  
20.0'  
S 25°32'57" E  
106.66'  
S LINE OF  
PARCEL 46A  
S 79°18'30" E  
24.80'

S LINE OF LOT 5  
10.0' WIDE DRAINAGE  
AND UTILITY EASEMENT

S LINE OF LOT 6

PREPARED BY:  
100 PARNELL STREET • SUITE A  
MERRITT ISLAND, FLORIDA 32953  
PHONE NO.: (321) 453-0010  
DRMP, INC. CERTIFICATE NO.: 2648



SCALE:  
1" = 60'  
PROJECT NO.:  
22-0623.000

SECTION 24  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST

## NOTE:

- 1.) SEE SHEET 1 FOR LEGAL DESCRIPTION.
- 2.) SEE SHEET 3 FOR NOTES, LEGEND AND CERTIFICATION.

**NOTES, LEGEND & CERTIFICATION****PARCEL #802**

PARENT PARCEL ID#: 26-36-24-NS-46.A  
PURPOSE: DRAINAGE EASEMENT

**EXHIBIT "B"**

SHEET 3 OF 3

NOT VALID WITHOUT SHEETS 1 &amp; 2

THIS IS NOT A SURVEY**SURVEYORS NOTES:**

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF OAK PARK DRIVE OF THE PLAT OF OAK PARK AT SUNTREE AS RECORDED IN PLAT BOOK 33, PAGE 20 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING N 00°09'38" W. PLAT BEARINGS ROTATED TO STATE PLANE COORDINATE SYSTEM FOR FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 AS ADJUSTED IN 2009 (NAD '83/'09)
3. INFORMATION SHOWN HEREON IS BASED ON A SURVEY BY DRMP, INC., PROJECT NUMBER 22-0623.000, DATED JULY 26, 2022.
4. PURSUANT TO AN O&E REPORT BY NEW REVELATIONS, INC. FILE NO. 23-1233-A, DATED 6/20/2023 THE FOLLOWING ITEMS WERE REVIEWED BY THE SURVEYOR:  
ITEM 9 - EASEMENT RECORDED IN O.R. BOOK 2855, PAGE 2814 DOES NOT ENCUMBER PARCEL 802.  
ITEM 12 - DRAINAGE EASEMENT RECORDED IN PLAT BOOK 33, PAGE 20 - ENCUMBERS ALL OF PARCEL 802 AND IS BLANKET IN NATURE.
5. SEE SHEET 1 FOR LEGAL DESCRIPTION. SEE SHEET 2 FOR SKETCH OF DESCRIPTION.
6. THIS SKETCH AND DESCRIPTION WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTIES LISTED BELOW; COPIES ARE VALID ONLY WHEN BEARING THE SURVEYOR'S ORIGINAL SIGNATURE AND SEAL OR VERIFIED ELECTRONIC SIGNATURE AND SEAL.
7. CERTIFIED TO:  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

**LEGEND:**

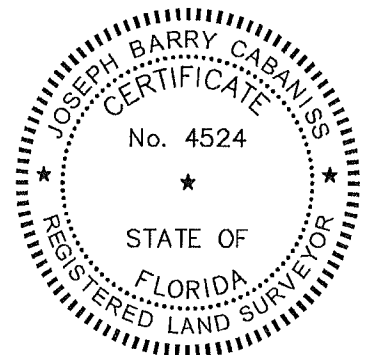
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG	PAGE
PU	PUBLIC UTILITIES
PU & DE	PUBLIC UTILITIES AND DRAINAGE EASEMENT
R/W	RIGHT-OF-WAY
SF	SQUARE FEET
AC	ACRES
±	PLUS OR MINUS
CL	CENTERLINE
(TYP)	TYPICAL
POB	POINT-OF-BEGINNING
(C1)	CURVE TABLE DESIGNATION

**CERTIFICATE:**

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AS PERFORMED UNDER MY DIRECTION AND SUPERVISION, AND THAT IT MEETS OR EXCEEDS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.05 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*Joseph Barry Cabaniss*  
JOSEPH BARRY CABANISS, P.L.S.  
FLORIDA SURVEYOR'S CERTIFICATE NO.:  
DRMP, INC. CERTIFICATE NO.:  
NOT VALID UNLESS SIGNED AND SEALED

DATE  
4524  
2648



PREPARED BY:  
100 PARNELL STREET • SUITE A  
MERRITT ISLAND, FLORIDA 32953  
PHONE NO.: (321) 453-0010  
DRMP, INC. CERTIFICATE NO.: 2648



SCALE:

N/A

PROJECT NO.:

22-0623.000

SECTION 24  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST