

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Donation of Temporary Construction Easement from Larry B. Guthrie and Sun K. Guthrie for the 950 North Tropical Trail Drainage Improvements Project – District 2.

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>3-20-23</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<i>CMS</i> _____	_____	<u>3-22-2023</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: 24-36-27-00-8.1

### 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, Larry B. Guthrie and Sun K. Guthrie, husband and wife, hereinafter called the Owner, whose address is 960 North Tropical Trail, Merritt Island, Florida, do(es) 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(s) of access for constructing, reconstructing, and reconfiguring drainage in the right-of-way, 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 27, Township 24 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

**A parcel of land being a portion of those lands described in Official Records Book 5822, Page 2256 of the Public Records of Brevard County, Florida, and being located within Government Lot 1, Section 27, Township 24 South, Range 36 East, Brevard County, Florida, and being more particularly described as the West 5.00 feet of said lands described in Official Records Book 5822, page 2256, containing 1531 square feet (0.04 acres), more or less.**

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.

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 365 days from the commencement of the project, whichever occurs first.

Signed, sealed, and delivered in the presence of:

[Signature]

Witness

Lisa J. Kruse  
(Print Name)

[Signature]

Witness

Jean Kremitchi  
(Print Name)

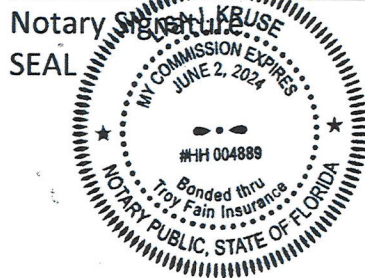
[Signature]  
Larry B. Guthrie

[Signature]  
Sun K. Guthrie

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on this 13th day of March, 2023, by Larry B. Guthrie and Sun K. Guthrie, husband and wife. Is  personally known or  produced Driver License as identification.

[Signature]





# LOCATION MAP

## Section 27, Township 24 South, Range 36 East – District 2

PROPERTY LOCATION: South of Lucas Road east of North Tropical Trail in Merritt Island.

OWNERS NAME(S): Larry B. Guthrie and Sun K. Guthrie

