

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Dedication of Sanitary Sewer Easement from DAS Family, LLC for Viera Ace Hardware – District 4.

AGENCY: Public Works Department / Land Acquisition / Utility Department

AGENCY CONTACT: Andrew Malach, Land Acquisition Specialist

CONTACT PHONE: 321-350-8351

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>2-8-2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	_____	<u>2-9-2022</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: 25-36-33-50-A-2

### **SANITARY SEWER EASEMENT**

**THIS INDENTURE**, made this 27 day of January, 2022, between Das Family, LLC, a Florida limited liability company, whose address is 355 Knox McRae Drive, Titusville, Florida 32780, 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 a sanitary sewer line 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 33, Township 25 South, Range 36 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:

  
\_\_\_\_\_  
Witness

Das Family, LLC  
Print Name

Brittany J. Dunn  
Witness  
Brittany J. Dunn  
Print Name

STATE OF FLORIDA  
COUNTY OF BREVARD

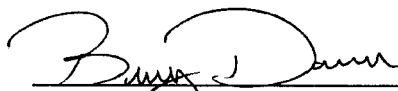
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on this 27 day of January, 2022, by Hitesh Patel as Manager for Das Family, LLC, a Florida limited liability company. Is  personally known or  produced Valerie FC DL as identification.



Das Family, LLC, a Florida  
limited liability company

  
\_\_\_\_\_  
Hitesh Patel, Manager

(Corporate Seal)

  
\_\_\_\_\_  
Notary Signature  
SEAL

# LEGAL DESCRIPTION

## PARCEL #800

PARENT PARCEL ID#: 25-36-33-50-A-2

PURPOSE: SANITARY SEWER EASEMENT

# EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

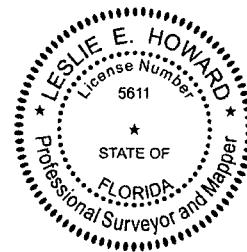
### LEGAL DESCRIPTION: PARCEL #800 SANITARY SEWER EASEMENT (PREPARED BY SURVEYOR)

PART OF LOT 2, BLOCK A, VIERA BOULEVARD COMMERCIAL CENTER III, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 44, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA LOCATED IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 2, BLOCK A, AND RUN SOUTHERLY, ALONG THE ARC OF THE CURVED WEST BOUNDARY OF TRACT A OF SAID VIERA BOULEVARD COMMERCIAL CENTER III, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 113.00 FEET, A CENTRAL ANGLE OF 9°28'53", A CHORD BEARING OF S04°28'21"W AND A CHORD LENGTH OF 18.68 FEET), A DISTANCE OF 18.70 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID CURVED WEST BOUNDARY, (SAID CURVE BEING CURVED CONCAVE TO THE EAST AND HAVING A RADIUS OF 113.00 FEET, A CENTRAL ANGLE OF 10°18'06", A CHORD BEARING OF S05°25'08"E AND A CHORD LENGTH OF 20.29 FEET), A DISTANCE OF 20.32 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTHWEST; THENCE S74°53'00"W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 28.94 FEET; THENCE N15°07'00"W A DISTANCE OF 20.00 FEET; THENCE N74°53'00"E A DISTANCE OF 32.35 FEET TO THE POINT OF BEGINNING. CONTAINING 606.72 SQ.FT., 0.01 ACRES, MORE OR LESS.

### SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
2. BEARING REFERENCE: ASSUMED BEARING OF N67°30'39"W ON THE NORTH LINE OF LOT 2, BLOCK A, VIERA BOULEVARD COMMERCIAL CENTER III, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 69, PAGE 44, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
3. THIS DESCRIPTION IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
4. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF THAT CERTAIN COMMONWEALTH LAND TITLE INSURANCE COMPANY PROPERTY INFORMATION REPORT, ORDER NO.: 10059476, CUSTOMER REFERENCE NUMBER: 21-7260. ONLY THOSE PLOTTABLE EASEMENTS AFFECTING THE LANDS DESCRIBED HEREON ARE SHOWN AND NOTED.
5. THIS DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025.
6. THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.



Digitally signed  
by Leslie E  
Howard  
Date:  
2022.01.24  
12:18:49 -05'00'

PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS.

LESLIE E. HOWARD, PSM 5611  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: B.S.E. CONSULTANTS, INC.  
312 SOUTH HARBOR CITY BOULEVARD, SUITE 4  
MELBOURNE, FLORIDA 32901 LB No. 4905  
PHONE: (321) 725-3674 FAX: (321) 723-1159

DRAWN BY: EAK	CHECKED BY: LEH	PROJECT NO. 11563			SECTION 33 TOWNSHIP 25 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
		01/05/2022		COUNTY COMMENTS	
		01/13/2022		COUNTY COMMENTS	
		01/24/2022		COUNTY COMMENTS	

DATE: 12/15/2021

DRAWING: 11563\_100\_005

# SKETCH OF DESCRIPTION

## PARCEL #800

PARENT PARCEL ID#: 25-36-33-50-A-2

PURPOSE: SANITARY SEWER EASEMENT

# EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

VIERA BOULEVARD COMMERCIAL CENTER III  
PB 69, PG 44

PART OF LOT 1, BLOCK A  
PARCEL ID# 25-36-33-50-A-1.01  
(ORB 9246, PG 1164)

**POC PARCEL # 800**

NORTHEAST CORNER  
LOT 2, BLOCK A  
PB 69, PG 44

NORTH LINE  
LOT 2, BLOCK A (BASIS OF BEARINGS)  
N67°30'39"W

AL=18.70' R=113.00'  
DEL=9°28'53"  
CB=S04°28'21"W CH=18.68'

N74°53'00"E 32.35'

LOT 2, BLOCK A  
PARCEL ID# 25-36-33-50-A-2  
(ORB 8965, PG 12)

PARCEL #800  
20' WIDE SANITARY  
SEWER EASEMENT  
606.72 SQ.FT./±0.01 AC

S74°53'00"W  
28.94' (NTL)

PART OF LOT 2,  
BLOCK B  
PARCEL ID#  
25-36-33-50-B-2.01  
(ORB 9246, PG 1164)

TRACT A  
PARCEL ID# 25-36-33-50-B-2.01  
POB  
PARCEL #800

AL=20.32'  
R=113.00'  
DEL=10°18'06"  
CB=S05°25'08"E  
CH=20.29'

TRACT A (LORKEY LANE PB 69, PG 44)  
SHARED ACCESS DRIVE EASEMENT  
(26' WIDE ORB 8965, PG 21 & ORB 9278, PG 2378)

WEST LINE  
10' PUBLIC WATER MAIN  
EASEMENT

PART OF LOT 2, BLOCK B  
PARCEL ID# 25-36-33-50-B-2

## ABBREVIATIONS

AL	ARC LENGTH
AC	ACRES
CB	CHORD BEARING
CH	CHORD LENGTH
DEL	DELTA / CENTRAL ANGLE
ESMT	EASEMENT
NTI	NON-TANGENT INTERSECTION
NTL	NON-TANGENT LINE
NTS	NOT TO SCALE
OR/ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE(S)
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R	RADIUS
R/W	RIGHT-OF-WAY

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SCALE: 1" = 30'  
PROJECT NO.: 11563

SECTION 33  
TOWNSHIP 25 SOUTH  
RANGE 36 EAST

# LOCATION MAP

**Section 33, Township 25 South, Range 36 East - District: 4**

**PROPERTY LOCATION:** East of Stadium Parkway and north of Porada Drive in Viera

**OWNERS NAME:** Das Family, LLC

