

# BOARD OF COUNTY COMMISSIONERS


## AGENDA REVIEW SHEET

AGENDA: Donation of Temporary Construction Easement from Rachel Mobile Home Park, LLC for the Aurora Road Sidewalk Project Phase I – District 5.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>2/28/2022</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>3-7-2022</u>

Prepared by and return to: Lucy Hamelers  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in Tax Parcel ID: 27-36-14-76-C

### **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, Rachael Mobile Home Park, LLC, a Florida limited liability Company, hereinafter called the Owner, whose address is 4200 Aurora Road, Melbourne, FL 32934, do(es) give, grant, bargain and release to the 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 removing hedge and shrubbery as needed to clear 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 14, Township 27 South, Range 36 East, Brevard County, Florida, and being more particularly described as follows:

### **SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"**

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.

(Signatures and Notary on next page)

THIS EASEMENT shall expire upon the completion of the project.

Signed, sealed, and delivered in the presence of:

*Becky*

witness

Becky Condermum

print name

\_\_\_\_\_  
witness

\_\_\_\_\_  
print name

Rachael Mobile Home Park, LLC., a  
Florida limited liability company

BY:

Ran Enterprises, LLC., a Florida  
limited liability company, its  
Managing Member

BY: \_\_\_\_\_

Robert L. Burns, Jr., Manager

(Corporate Seal)

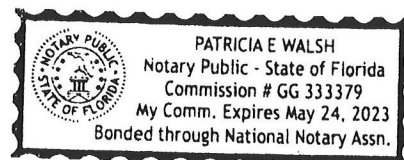
STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization on this 5<sup>th</sup> day of February, 2022, by  
Robert L. Burns, Jr., as Manager of Ran Enterprises, LLC, a Florida limited liability  
company, Manager for Rachael Mobile Home Park, LLC., a Florida limited liability  
company. Is ☒ personally known or ☐ produced \_\_\_\_\_ as  
identification.

*Patricia E Walsh*

Notary Signature

SEAL



# LEGAL DESCRIPTION

## PARCEL 701

SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PARENT PARCEL NUMBER 27-36-14-76-C

ACCOUNT #2702868

PURPOSE: DRAINAGE & GRADING EASEMENT

EXHIBIT 'A'

SHEET 1 OF 2

NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION (BY SURVEYOR):

### DESCRIPTION - PARCEL 701 (5 FOOT TEMPORARY CONSTRUCTION EASEMENT):

AN EASEMENT, LYING IN SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST, AND BEING A PORTION OF BLOCK 'C', "PLAT OF MOSLEY GARDENS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 40 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE WEST LINE OF SAID BLOCK 'C', "PLAT OF MOSLEY GARDENS" WITH THE NORTHERLY RIGHT OF WAY LINE OF AURORA ROAD (A VARIABLE WIDTH RIGHT OF WAY), AND RUN N.73°22'31"E., ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 48.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.73°22'31"E., ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 39.72 FEET; THENCE DEPARTING SAID RIGHT OF WAY, RUN N.16°37'29"W., PERPENDICULAR TO SAID RIGHT OF WAY LINE, A DISTANCE OF 5.00 FEET; THENCE S.73°22'31"W., PARALLEL WITH SAID RIGHT OF WAY LINE, A DISTANCE OF 39.72 FEET; THENCE S.16°37'29"E., PERPENDICULAR TO SAID RIGHT OF WAY LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; CONTAINING 199 SQUARE FEET.

## SURVEYOR'S NOTES:

**BEARING STRUCTURE** - ON AN ASSUMED MERIDIAN FOR COMPUTATIONAL PURPOSES. SPECIFIC REFERENCE = NORTHERLY RIGHT OF WAY LINE OF AURORA ROAD AS DEPICTED ON "AURORA ROAD SIDEWALK PROJECT" FOR BREVARD COUNTY, PREPARED BY ATKINS, DATED AUGUST 2016 = A BEARING OF N.73°22'31"E.

**REFERENCE MATERIAL** - O&E REPORT BY CRAIG KARLSON OF "NEW REVELATIONS, INC.", FILE NO. 17-1043, FOR TAX PARCEL #2702868, EFFECTIVE DATE = 01/25/2017.

**EASEMENTS** - NO EASEMENTS WERE LISTED IN O&E REPORT FOR TAX PARCEL #2702868.

**RESERVATION** - THIS SKETCH IS NOT A 'BOUNDARY SURVEY'.

NOTE - THE SKETCH AND DESCRIPTION DEPICTED HEREIN, WAS PREPARED EXCLUSIVELY FROM INFORMATION CONTAINED ON THE SURVEY FOR THE ABOVE REFERENCED PROJECT PREPARED BY AAL LAND SURVEYING SERVICES, INC.



ROBERT M. PACKARD, PSM  
SURVEYOR & MAPPER, PSM NO. #3867  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: **BREVARD COUNTY BOARD OF  
COUNTY COMMISSIONERS**

PREPARED BY: **R.M. PACKARD & ASSOC., INC.**

ADDRESS: 197 BOUGAINVILLEA DRIVE / SUITE D  
ROCKLEDGE, FLORIDA 32955  
LB NO. 6649

PHONE: (321) 632-6335

FAX: (321) 631-7392

EMAIL: [packardsurvey@cfl.rr.com](mailto:packardsurvey@cfl.rr.com)

DRAWN BY: RMP

CHECKED BY: \_\_\_\_\_

DRAWING NO. 18-34

DATE: 10/27/17

SHEET 1 OF 2

REVISIONS 2 / 05 / 2018



# SKETCH OF DESCRIPTION

## PARCEL 701

SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PARENT PARCEL NUMBER 27-36-14-76-C

ACCOUNT #2702868

PURPOSE: DRAINAGE & GRADING EASEMENT

EXHIBIT 'A'

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

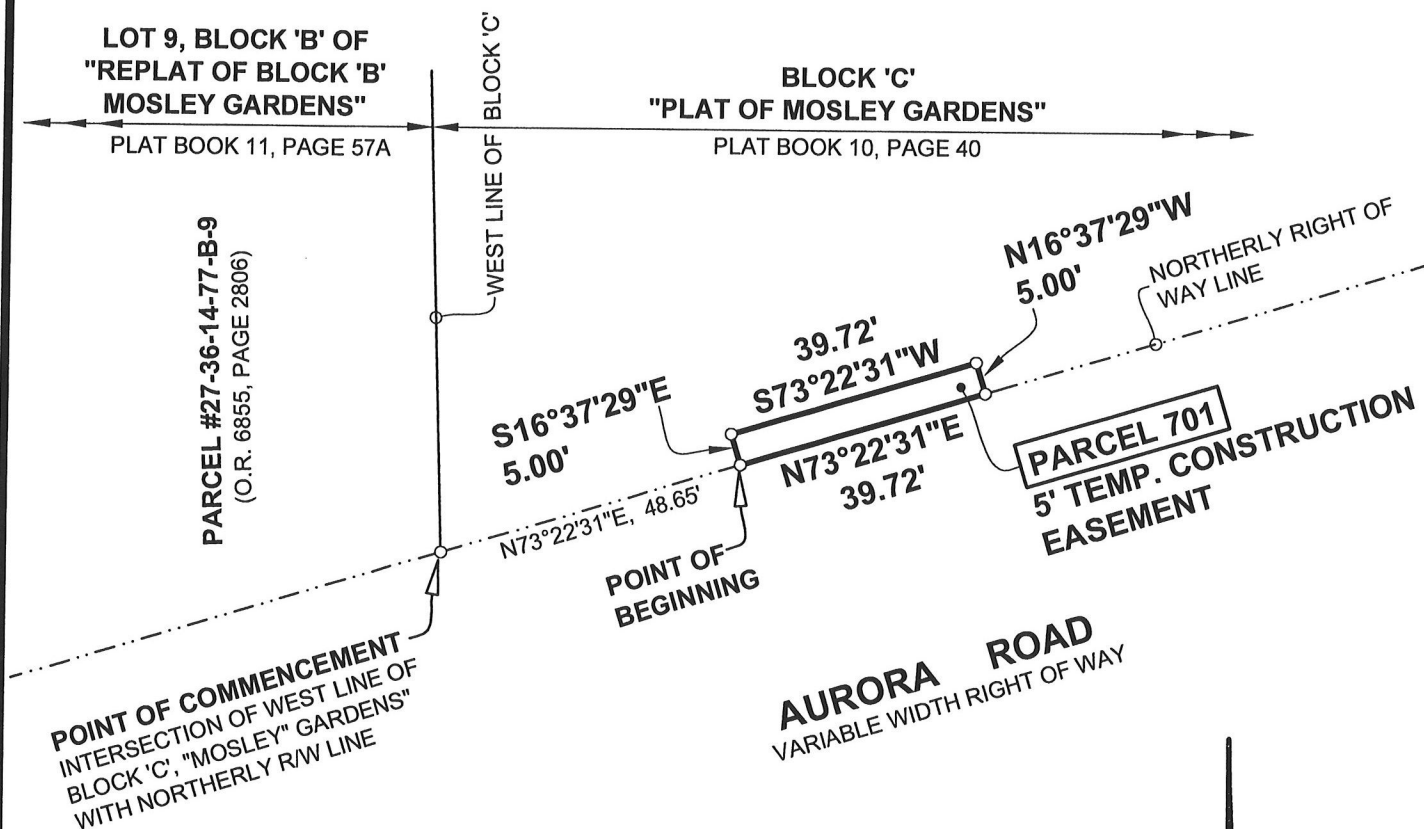
PARCEL ID #27-36-14-76-C

ACCOUNT: 2702868

LANDS OF "RACHAEL MOBILE HOME PARK LLC"

(O.R. 7613, PAGE 286)

4200 AURORA ROAD, MELBOURNE, FL 32934



### LEGEND OF ABBREVIATIONS:

O.R. = OFFICIAL RECORDS  
PG. = PAGE  
R/W = RIGHT OF WAY  
SEC. = SECTION  
EASE. = EASEMENT  
ID = IDENTIFICATION



SECTION 14, TOWNSHIP 27 SOUTH, RANGE 36 EAST

PROJECT NO.: 18-34

PREPARED BY:

R.M. PACKARD & ASSOC., INC.



# LOCATION MAP – PHASE I

Section 14, Township 27 South, Range 36 East - District: 5

PROPERTY LOCATION: North side of Aurora Road in Melbourne

OWNERS NAME(S): Rachel Mobile Home Park, LLC

