

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Temporary Construction Easement from The School Board of Brevard County, Florida for Lift Station C01, District 2

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>12-16-19</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney		_____	<u>12-17-19</u>

AGENDA DUE DATE: December 30, 2019 for the January 7, 2020 Board meeting

Brevard County Public Works Dept.

Land Acquisition Section

2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940

Phone 321-690-6847

A portion of Interest in Tax Parcel I.D. 24-36-23-BX-\*-21 & 24-36-23-BX-\*-29.01

## TEMPORARY CONSTRUCTION EASEMENT

For and in consideration of the benefits accruing to **The School Board of Brevard County, Florida**, hereinafter called the OWNER, whose address is 2700 Judge Fran Jamieson Way, Viera, Florida 32940, does hereby give, grant, bargain and release to the **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, hereinafter called COUNTY, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, a temporary construction easement on that portion of the lands of the Owners being described as follows:

See Attached Legal Descriptions

For the purpose of the replacement of Lift Station known as C01 and force main adjacent to Mustang Way, to include but not limited to the removal of all electrical and mechanical equipment and abandonment of the existing dry well; installation of a new pump station, wet well concrete repair, lining and other allied uses which shall strictly construed so as not to enlarge the use, scope, or purpose of the easement, with construction to be undertaken by or under direct supervision of Brevard County Florida.

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 returned to a condition equal to or better than the condition that existed prior to the use intended by this easement.

THIS EASEMENT shall expire upon the completion of the project or 120 days from the commencement of the Project, whichever occurs first.

(Signatures and Notary on next page)

Signed, sealed, and delivered in the presence of:

Pamela A Escobar

Witness

Pamela A. Escobar

Print Name

THE SCHOOL BOARD OF  
BREVARD COUNTY, FLORIDA

Misty Belford *MB*

Misty Belford, Chairperson

Approved as to form

ATTEST:

Mark W. Mullins

Mark W. Mullins, Ed.D.

Superintendent

**STATE OF FLORIDA**  
**COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of November, 2019, by Misty Belford, Chairperson, The School Board of Brevard County, Florida, who is/is not personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

WITNESS my hand and official seal at Melbourne, Florida, the County of Brevard, State of Florida, this 19<sup>th</sup> day of November, 2019.

Notary Public Pamela A. Escobar

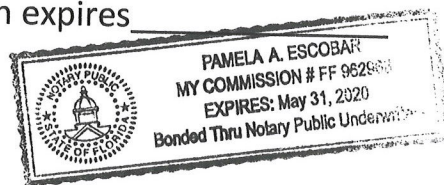
Print Name \_\_\_\_\_

Commission No. \_\_\_\_\_

Commission expires \_\_\_\_\_

Agenda Item # \_\_\_\_\_

Board Meeting Date 11-19-19





# LEGAL DESCRIPTION

## PARCEL 701

PARENT PARCEL ID#:  
24-36-23-BX-\*--21 & 24-36-23-BX-\*--29.01  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

### EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEETS 2 & 3 OF 3

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION: PARCEL 701, TEMPORARY CONSTRUCTION EASEMENT (BY SURVEYOR)

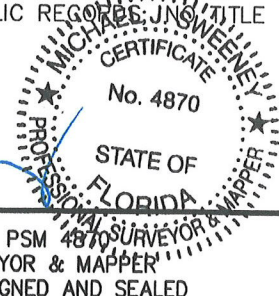
A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 720, PAGE 60 AND OFFICIAL RECORDS BOOK 720, PAGE 58, AND ALSO BEING A PORTION OF LOTS 29 AND 30 OF NEVINS SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 98, ALL THREE OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING LOCATED WITHIN THE SOUTH ONE-HALF OF SECTION 23, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SOUTHWEST 1/4 OF SAID SECTION 23; THENCE NORTH 00° 34' 42" WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 30, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 29, SAID POINT ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF MUSTANG WAY, AND SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;  
THENCE SOUTH 89° 30' 29" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 333.76 FEET TO A POINT ON THE THE EAST RIGHT OF WAY LINE OF NORTH COURTENAY PARKWAY; THENCE NORTH 18° 38' 04" WEST ALONG SAID EAST RIGHT OF WAY LINE, FOR A DISTANCE OF 22.00 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, RUN NORTH 86° 59' 57" EAST FOR A DISTANCE OF 37.30 FEET; THENCE NORTH 89° 26' 50" EAST FOR A DISTANCE OF 388.05 FEET; THENCE NORTH 00° 00' 19" EAST FOR A DISTANCE OF 25.12 FEET; THENCE NORTH 90° 00' 00" EAST FOR A DISTANCE OF 75.31 FEET TO A POINT OF CURVATURE OF A NON-TANGENTIAL CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 44° 47' 23", AND WHOSE LONG CHORD BEARS NORTH 37° 59' 50" EAST; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 39.09 FEET TO A POINT OF CURVATURE OF A COMPOUND CURVATURE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 32.00 FEET AND A CENTRAL ANGLE OF 87° 19' 42"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 48.77 FEET TO A POINT OF TANGENCY; THENCE NORTH 71° 43' 34" WEST FOR A DISTANCE OF 11.68 FEET; THENCE NORTH 90° 00' 00" WEST FOR A DISTANCE OF 9.56 FEET; THENCE NORTH 00° 00' 00" EAST FOR A DISTANCE OF 12.54 FEET; THENCE NORTH 90° 00' 00" EAST FOR A DISTANCE OF 18.86 FEET; THENCE SOUTH 00° 00' 00" EAST FOR A DISTANCE OF 5.08 FEET; THENCE SOUTH 71° 43' 34" EAST FOR A DISTANCE OF 5.20 FEET TO A POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 42.00 FEET AND A CENTRAL ANGLE OF 87° 19' 42"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 64.02 FEET TO A POINT OF CURVATURE OF A COMPOUND CURVATURE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 46° 51' 49"; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 49.08 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00° 00' 00" EAST FOR A DISTANCE OF 37.30 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MUSTANG WAY; THENCE SOUTH 89° 22' 43" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 162.86 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1329, PAGE 817, CONTAINING 11,860 SQUARE FEET (0.27 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. THIS SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS. NO TITLE OPINION IS EXPRESSED OR IMPLIED.

PREPARED FOR:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS



MICHAEL J. SWEENEY, PSM  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: M. CORNELL	CHECKED BY: M SWEENEY	PROJECT NO. 19-05-075			SECTION 23 TOWNSHIP 24 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: SEPTEMBER 27, 2019	SHEET: 1 OF 3				



# SKETCH OF DESCRIPTION PARCEL 701

PARENT PARCEL ID#:  
24-36-23-BX-\*-21 & 24-36-23-BX-\*-29.01  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

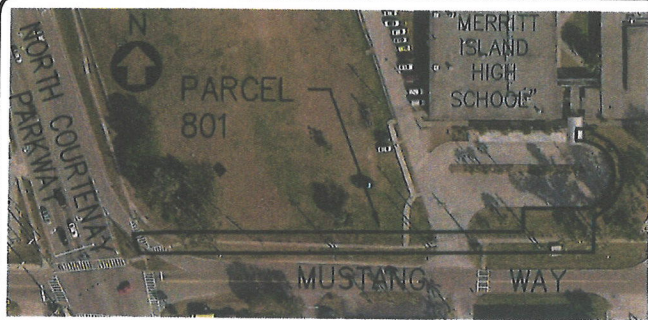
## EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEETS 1 & 3 OF 3

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

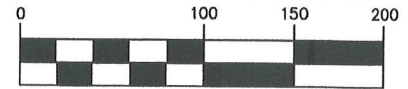


**AERIAL DETAIL**

SCALE: 1" = 200'



## GRAPHIC SCALE



( IN FEET )

1 inch = 100 feet

NOTE: SEE SHEET 3 OF 3  
FOR LINE TABLE, CURVE  
TABLE, SURVEYOR'S NOTES,  
AND ABBREVIATIONS

"MERRITT ISLAND HIGH SCHOOL"

TAX PARCEL 24-36-23-BX-\*-21

OWNER: N/F SCHOOL BOARD OF BREVARD  
COUNTY FL

ADDRESS: 100 MUSTANG WAY

ORB 720, PAGE 60 &  
ORB 720, PAGE 58

PORTION OF LOT 29 & 30  
NEVIS SUBDIVISION PER  
PLAT BOOK 2, PAGE 98  
ORB 720, PG 58

PORTION OF LOT 30,  
NEVIS SUBDIVISION PER  
PLAT BOOK 2, PAGE 98  
ORB 720, PAGE 60

E LINE ORB 720, PG 60  
W LINE ORB 720, PG 58

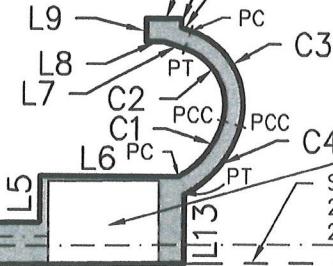
15' UTILITY EASEMENT  
ORB 1084, PG 904  
AND ORB 874, PG 50

S LINE LOT 30  
PER PB 2, PG 98

### POINT OF BEGINNING

PARCEL 701  
SE CORNER LOT 30  
SW CORNER LOT 29

PARCEL 701  
11,860 SQ FT  
0.27 ACRES



TAX PARCEL 24-36-23-BX-\*-29.01  
OWNER: N/F BREVARD COUNTY  
ORB 1329, PAGE 817  
NOT INCLUDED

S LINE LOT  
29 PER PB  
2, PG 98

MUSTANG WAY  
(AKA LUCAS ROAD)

N R/W LINE  
S89°30'29"W

S LINE OF THE SW 1/4

N LINE OF ORB  
8387, PG 982

N LINE OF ORB  
7951, PG 1095

PORTION OF LOT 35, NEVIS  
SUBDIVISION PER PB 2, PG 98

ORB 8387,  
PG 982

ORB 7951,  
PG 1095

### POINT OF COMMENCEMENT

SOUTHEAST CORNER OF THE  
SOUTHWEST 1/4 OF SECTION  
23, TOWNSHIP 24 SOUTH,  
RANGE 36 EAST

N00°34'42"W  
30.00'

30' R/W PER  
PB 2, PG 98  
N LINE LOT 36  
PER PB 2, PG 98

N LINE OF ORB 5921, PG 888

PORTION OF LOT 36, NEVIS  
SUBDIVISION PER PLAT BOOK 2,  
PG 98, ORB 5921, PG 888

PORTION OF LOT 36, NEVIS SUBDIVISION  
PER PLAT BOOK 2, PAGE 98  
ORB 779, PAGE 776

10' DRAINAGE EASEMENT  
CIRCUIT COURT MINUTES  
BOOK 59, PG 715



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SCALE:  
1" = 100'  
PROJECT NO.:  
19-05-075

SECTION 23  
TOWNSHIP 24 SOUTH  
RANGE 36 EAST



# SKETCH OF DESCRIPTION

## PARCEL 701

PARENT PARCEL ID#:

24-36-23-BX-\*--21 & 24-36-23-BX-\*--29.01

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SHEET 3 OF 3

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**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE EAST RIGHT OF WAY LINE OF NORTH COURTENAY PARKWAY, ALSO KNOWN AS STATE ROAD NO. 3, AS BEING NORTH 18° 38' 04" WEST, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 70140 WHICH STATES THE BEARINGS SHOWN THEREIN ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 1990 ADJUSTMENT.

### ABBREVIATIONS

AKA = ALSO KNOWN AS  
 E = EAST  
 N = NORTH  
 N/F = NOW OR FORMERLY  
 ORB = OFFICIAL RECORD BOOK  
 PB = PLAT BOOK  
 PC = POINT OF CURVATURE  
 PCC = POINT OF COMPOUND CURVATURE  
 PG = PAGE  
 PI = POINT OF INTERSECTION  
 PT = POINT OF TANGENCY  
 R/W = RIGHT OF WAY  
 S = SOUTH  
 SE = SOUTHEAST  
 SEC = SECTION  
 SQ FT = SQUARE FEET  
 SW = SOUTHWEST  
 W = WEST

### LINE TABLE

LINE	BEARING	DISTANCE
L1	S89°30'29"W	333.76'
L2	N18°38'04"W	22.00'
L3	N86°59'57"E	37.30'
L4	N89°26'50"E	388.05'
L5	N00°00'19"E	25.12'
L6	N90°00'00"E	75.31'
L7	N71°43'34"W	11.68'
L8	N90°00'00"W	9.56'
L9	N00°00'00"E	12.54'
L10	N90°00'00"E	18.86'
L11	S00°00'00"E	5.08'
L12	S71°43'34"E	5.20'
L13	S00°00'00"E	37.30'
L14	S89°22'43"W	162.86'

### CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CENTRAL ANGLE	CHORD BEARING	CHORD DISTANCE
C1	50.00'	39.09'	44°47'23"	N37°59'50"E	38.10'
C2	32.00'	48.77'	87°19'42"	N28°03'43"W	44.19'
C3	42.00'	64.02'	87°19'42"	S28°03'43"E	58.00'
C4	60.00'	49.08'	46°51'49"	S39°02'03"W	47.72'



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SCALE:

1" = 100'

PROJECT NO.:

19-05-075

SECTION 23  
 TOWNSHIP 24 SOUTH  
 RANGE 36 EAST



# LOCATION MAP

## Section 23, Township 24 South, Range 36 East District: 2

PROPERTY LOCATION: On the north side of Mustang Way at Merritt Island High School

OWNERS NAME: The School Board of Brevard County, Florida

