

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Warranty Deed and Utility Easement from the School Board of Brevard County, Florida needed for the N13 Lift Station and Force Main Rehabilitation Project – District 1

AGENCY: Public Works Department / Land Acquisition / Utility Services Department

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 extension 58336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	<u>LA</u>	<u> </u>	<u>1-31-2020</u>
COUNTY ATTORNEY Jad Brewer Assistant County Attorney	<u>JMB</u>	<u> </u>	<u>2-3-2020</u>

AGENDA DUE DATE: February 4, 2020 for the February 11, 2020 Board meeting

Prepared by and return to: Lucy Hamelers
Public Works, Land Acquisition Section, (321) 690-6847
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Lift Station N13

WARRANTY DEED

THIS INDENTURE is made this 14th day of Jan, 2020 between The School Board of Brevard County, Florida, as party of the first part, whose mailing address is 2700 Judge Fran Jamieson Way, Viera, Florida 32940, and Brevard County, Florida, a political subdivision of the State of Florida, as party of the second part, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described lands, situate, lying and being in the County of Brevard, State of Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title & interest forever, and the said party of the first part does hereby fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has signed and sealed these presents the day and year first above written.

FOR SIGNATURES SEE PAGE TWO

Signed, sealed and delivered in the presence of:

Pamela A. Escobar

Witness

Pamela A. Escobar

Print Name

Tammy Aguiar

Witness

Tammy Aguiar

Print Name

STATE OF FLORIDA
COUNTY OF BREVARD

School Board of Brevard County, Florida

Misty Belford
Misty Belford, Chairperson

Def

ATTEST:

Mark W. Mullins
Mark W. Mullins, Ed.D
Superintendent

Approved as to form: [Signature]

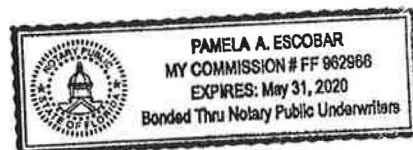
General Counsel

I HEREBY CERTIFY, that on this day personally appeared me, an officer duly authorized to administer oaths and take acknowledgments, Misty Belford, Chairperson for The School Board of Brevard County, Florida, personally and well known to me to be the person(s) described in and who executed the foregoing deed, and that they have acknowledged before me that he has executed the same freely and voluntarily for the purpose therein expressed. That they did/did not produce a Driver's License as identification and that they did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid, this 17th day of January 2020

Brevard County Board Date: 1/14/20, Item # F-18

Pamela A. Escobar
Notary Public



LEGAL DESCRIPTION

PARCEL 101 FEE SIMPLE PARCEL (BY SURVEYOR)

SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST

PARENT PARCEL NUMBER: 21-35-17-00-288

PURPOSE: FEE SIMPLE PARCEL

SHEET 1 OF 2 SHEETS

EXHIBIT "A"

NOT VALID WITHOUT SHEET 2 OF 2.

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 101, FEE SIMPLE PARCEL (BY SURVEYOR)

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST AND BEING A PART OF THOSE LANDS DESCRIBED IN DEED BOOK 58, PAGE 193, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17, THENCE ON A BEARING OF N.00°00'00"E., ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 17, A DISTANCE OF 52.14 FEET; THENCE N.68°00'00"E., 259.97 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID DESCRIBED LANDS, AND THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5781, PAGE 8278, ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; AND SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF THE FORMER FLORIDA EAST COAST RAILWAY RIGHT OF WAY (ENTERPRISE BRANCH); THENCE N.27°14'56"W., ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN DEED BOOK 58, PAGE 193 AND ALONG SAID EAST RIGHT OF WAY LINE OF THE FORMER FLORIDA EAST COAST RAILWAY RIGHT OF WAY (ENTERPRISE BRANCH), 49.62 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.27°14'56"W., ALONG SAID LINE, 12.00 FEET; THENCE N.63°43'42"E., 58.83 FEET; THENCE S.26°10'48"E., 29.01 FEET; THENCE S.63°49'12"W., 22.94 FEET; THENCE N.88°26'32"W., 12.20 FEET; THENCE N.26°10'48"W., 11.24 FEET; THENCE S.63°49'12"W., 24.87 FEET TO THE POINT OF BEGINNING. CONTAINING 1247 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

NOTES:

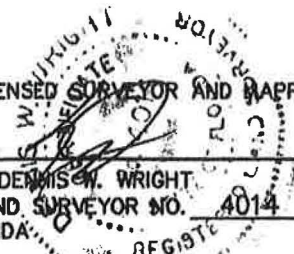
- 1) THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF N.00°00'00"E., AS SHOWN ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 17, TWP.21 S., RGE. 35 E., BREVARD COUNTY, FLORIDA.
- 2) THE EASEMENTS DESCRIBED IN OFFICIAL RECORDS BOOKS 5681, PAGE 5513 AND 6024, PAGE 2483 AS LISTED AS EASEMENTS AFFECTING THE PARENT TRACT IN THE OWNERSHIP AND ENCUMBRANCE REPORT FILE NUMBER 19-1049 ISSUED BY NEW REVELATIONS, INC., DATED 01/31/2019 DO NOT AFFECT THE PARCEL OF LAND DESCRIBED HEREIN.

LEGEND

DB.____, PG.____ = DEED BOOK AND PAGE
ORB.____, PG.____ = Official Records Book and Page
P.O.B. = Point of Beginning
P.O.C. = Point of Commencement
R/W = Right-of-way
TWP = Township
RGE = Range

NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFIED BY: 
DENNIS W. WRIGHT
REGISTERED LAND SURVEYOR NO. 4014
STATE OF FLORIDA

DATE 10/28/19

ORDER NO. 25631

FB. NO.

SCALE. 1" = 30'

DWG.NO. MIMS ELEM FEE PARCEL.DWG

Honeycutt & Associates, Inc.

ENGINEERS•SURVEYORS•PLANNERS

3700 South Washington Avenue • Titusville, Florida 32780

(321) 267-6233 Fax (321) 269-7847

CERTIFICATE OF AUTHORIZATION NO. LB 6762

SECTION: 17

TOWNSHIP: 21 S.

RANGE: 35 E.

MAP OF DESCRIPTION

PARCEL 101 FEE SIMPLE PARCEL (BY SURVEYOR)

SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST

PARENT PARCEL NUMBER: 21-35-17-00-288

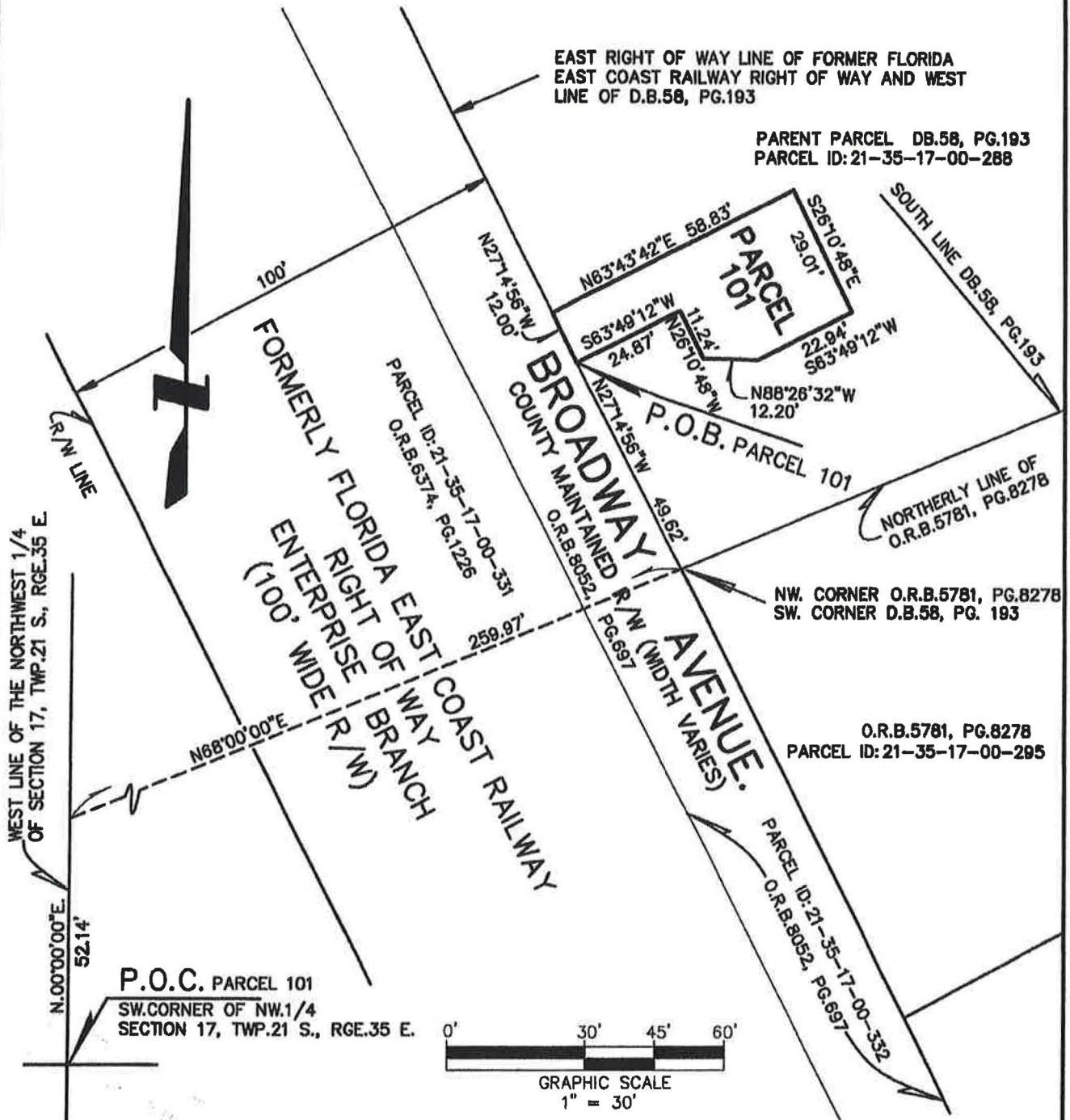
PURPOSE: FEE SIMPLE PARCEL

SHEET 2 OF 2 SHEETS

EXHIBIT "A"

NOT VALID WITHOUT SHEET 1 OF 2.

THIS IS NOT A SURVEY



DATE 10/28/19
ORDER NO. 25631
FB. NO.
SCALE 1" = 30'
DWG. NO. MIMS ELEM FEE PARCEL.DWG

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ENGINEERS • SURVEYORS • PLANNERS

3700 South Washington Avenue • Titusville, Florida 32780

(321) 267-8233 Fax (321) 269-7847

CERTIFICATE OF AUTHORIZATION NO. LB 6782

SECTION: 17
TOWNSHIP: 21 S.
RANGE: 35 E.

Prepared by and Return to: Lucy Hamelers, Land Acquisition
Brevard County Public Works Dept., Land Acquisition Section (321-690-6847)
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of Interest in Tax Parcel I.D.: 21-35-17-00-288

UTILITY EASEMENT

THIS INDENTURE, made this 14th day of January, 2020, between The School Board of Brevard County, Florida, whose mailing address is 2700 Judge Fran Jamieson Way, Viera, Florida 32940, as the first party, Grantor, and Brevard County, Florida, a political subdivision of the State of Florida, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, as the second party, Grantee, 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 hereby acknowledged, hereby grants unto the second party, its successors and assigns, a perpetual utility easement commencing on the above date, for the purposes of maintaining, reconstructing, or reconfiguring sanitary sewer line(s), over, under, upon and through the following lands:

The land affected by the granting of this easement is located in Section 17, Township 21 South, Range 35 East, County of Brevard, State of Florida, more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A" AND "EXHIBIT B"

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by Grantee of its easement. Grantor(s) 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 the County of Brevard and to its successors and assigns. The first party does hereby 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 having set their hand and seal this, the day and year first above written,

Signed, sealed, and delivered in the presence of:

Pamela A. Escobar

Witness

Pamela A. Escobar

Print Name

Tammy Aguirre

Witness

Tammy Aguirre

Print Name

The School Board of Brevard County
Florida

Misty Belford

Misty Belford, Chairperson

Dag

ATTEST:

Mark W. Mullins

Mark W. Mullins, Ed.D

Superintendent

Approved as to form: [Signature]

General Counsel

STATE OF FLORIDA

COUNTY OF BREVARD

2020 The foregoing instrument was acknowledged before me this 26th day of January, 2019, by Misty Belford, Chairperson of 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.

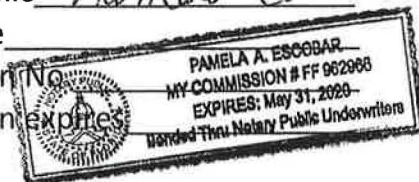
WITNESS my hand and official seal at Viera, Florida, the County of Brevard, State of Florida, this 26th day of January, 2020.

Notary Public Pamela A. Escobar

Print Name

Commission No. _____

Commission Expires _____



Agenda Item # _____

Board Meeting Date _____

LEGAL DESCRIPTION

PARCEL 800 UTILITY EASEMENT (BY SURVEYOR)

SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST
PARENT PARCEL NUMBER: 21-35-17-00-288

PURPOSE: UTILITY EASEMENT

SHEET 1 OF 2 SHEETS

EXHIBIT "A"

NOT VALID WITHOUT SHEET 2 OF 2.

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 800, UTILITY EASEMENT (BY SURVEYOR)

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST AND BEING A PART OF THOSE LANDS DESCRIBED IN DEED BOOK 58, PAGE 193 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17, THENCE ON A BEARING OF N.00°00'00"E., ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 17, A DISTANCE OF 52.14 FEET; THENCE N.68°00'00"E., 259.97 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID DESCRIBED LANDS AND THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5781, PAGE 8278, ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF THE FORMER FLORIDA EAST COAST RAILWAY RIGHT OF WAY (ENTERPRISE BRANCH) AND SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE N.27°14'56"W., ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN DEED BOOK 58, PAGE 193 AND ALONG SAID EAST RIGHT OF WAY LINE OF THE FORMER FLORIDA EAST COAST RAILWAY RIGHT OF WAY, 49.62 FEET; THENCE N.83°49'12"E., 15.00 FEET; THENCE S.27°14'56"E., 50.71 FEET TO A POINT LYING ON THE SOUTH LINE OF SAID LANDS DESCRIBED IN DEED BOOK 58, PAGE 193 AND THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN SAID OFFICIAL RECORDS BOOK 5781, PAGE 8278; THENCE S.68°00'00"W., ALONG SAID LINE, 15.06 FEET TO THE POINT OF BEGINNING.
CONTAINING 752 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

NOTES:

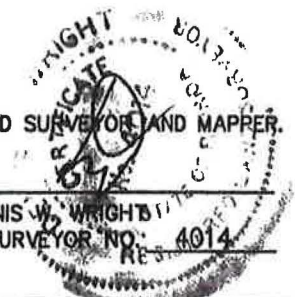
- 1) THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF N.00°00'00"E., AS SHOWN ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 17, TWP.21 S., RGE. 35 E., BREVARD COUNTY, FLORIDA.
- 2) THE EASEMENTS DESCRIBED IN OFFICIAL RECORDS BOOKS 5681, PAGE 5513 AND 6024, PAGE 2483 AS LISTED AS EASEMENTS AFFECTING THE PARENT TRACT IN THE OWNERSHIP AND ENCUMBRANCE REPORT FILE NUMBER 19-1049 ISSUED BY NEW REVELATIONS, INC., DATED 01/31/2019 DO NOT AFFECT THE PARCEL OF LAND DESCRIBED HEREIN.

LEGEND

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NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFIED BY: 
DENNIS W. WRIGHT
REGISTERED LAND SURVEYOR NO. 4014
STATE OF FLORIDA

DATE 10/28/19
ORDER NO. 25631
FB. NO.
SCALE 1" = 30'
DWG. NO. MIMS ELEM S EASE.DWG

Honeycutt & Associates, Inc.

ENGINEERS • SURVEYORS • PLANNERS

3700 South Washington Avenue • Titusville, Florida 32780
(321) 267-8233 Fax (321) 269-7847
CERTIFICATE OF AUTHORIZATION NO. LB 6782

SECTION: 17
TOWNSHIP: 21 S.
RANGE: 35 E.

SECTION: 17
TOWNSHIP: 21 S.
RANGE: 35 E.

LEGAL DESCRIPTION

PARCEL 801 UTILITY EASEMENT (BY SURVEYOR)

SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST

PARENT PARCEL NUMBER: 21-35-17-00-288

PURPOSE: UTILITY EASEMENT

SHEET 1 OF 3 SHEETS

EXHIBIT "B"

NOT VALID WITHOUT SHEETS 2 AND 3 OF 3.

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 801, UTILITY EASEMENT (BY SURVEYOR)

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST AND BEING A PART OF THOSE LANDS DESCRIBED IN DEED BOOK 58, PAGE 193 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17, THENCE ON A BEARING OF N00°00'00"E., ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 17, A DISTANCE OF 52.14 FEET; THENCE N.88°00'00"E., 259.97 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID DESCRIBED LANDS AND THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5781, PAGE 8278, ALL BEING OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; AND SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF THE FORMER FLORIDA EAST COAST RAILWAY RIGHT OF WAY (ENTERPRISE BRANCH); THENCE N.27°14'56"W., ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN DEED BOOK 58, PAGE 193 AND ALONG SAID EAST RIGHT OF WAY LINE OF THE FORMER FLORIDA EAST COAST RAILWAY RIGHT OF WAY (ENTERPRISE BRANCH), 61.62 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.27°14'56"W., ALONG SAID LINE, 52.48 FEET; THENCE N.62°45'04"E., 8.56 FEET; THENCE N.27°14'56"W., 188.39 FEET; THENCE S.62°45'04"W., 8.56 FEET TO A POINT LYING ON THE WEST LINE OF THE AFORESAID LANDS DESCRIBED IN DEED BOOK 58, PAGE 193 AND THE EAST RIGHT OF WAY LINE OF THE AFORESAID FORMER FLORIDA EAST COAST RAILWAY RIGHT OF WAY (ENTERPRISE BRANCH); THENCE N.27°14'56"W., ALONG SAID LINE, 15.00 FEET; THENCE N.62°45'04"E., 23.56 FEET; THENCE S.27°14'56"E., 194.22 FEET; THENCE S.73°36'05"E., 16.94 FEET; THENCE S.26°10'48"E., 30.55 FEET; THENCE S.63°43'42"W., 15.00 FEET; THENCE N.26°10'48"W., 23.99 FEET; THENCE N.73°36'05"W., 7.87 FEET; THENCE S.27°14'56"E., 29.33 FEET; THENCE S.63°43'42"W., 15.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 4410 SQUARE FEET OR 0.10 ACRES MORE OR LESS.

NOTES:


- 1) THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF N.00°00'00"E., AS SHOWN ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 17, TWP.21 S., RGE. 35 E., BREVARD COUNTY, FLORIDA.
- 2) THE EASEMENTS DESCRIBED IN OFFICIAL RECORDS BOOKS 5681, PAGE 5513 AND 6024, PAGE 2483 AS LISTED AS EASEMENTS AFFECTING THE PARENT TRACT IN THE OWNERSHIP AND ENCUMBRANCE REPORT FILE NUMBER 19-1049 ISSUED BY NEW REVELATIONS, INC., DATED 01/31/2019 DO NOT AFFECT THE PARCEL OF LAND DESCRIBED HEREIN.

LEGEND

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CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFIED BY: 
DENNIS W. WRIGHT
REGISTERED LAND SURVEYOR NO. 4014
STATE OF FLORIDA

DATE 10/28/19
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3700 South Washington Avenue • Titusville, Florida 32780
(321) 267-6233 Fax (321) 269-7847

CERTIFICATE OF AUTHORIZATION NO. LB 6762

SECTION: 17
TOWNSHIP: 21 S.
RANGE: 35 E.

MAP OF DESCRIPTION

PARCEL 801 UTILITY EASEMENT (BY SURVEYOR)

SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST

PARENT PARCEL NUMBER: 21-35-17-00-288

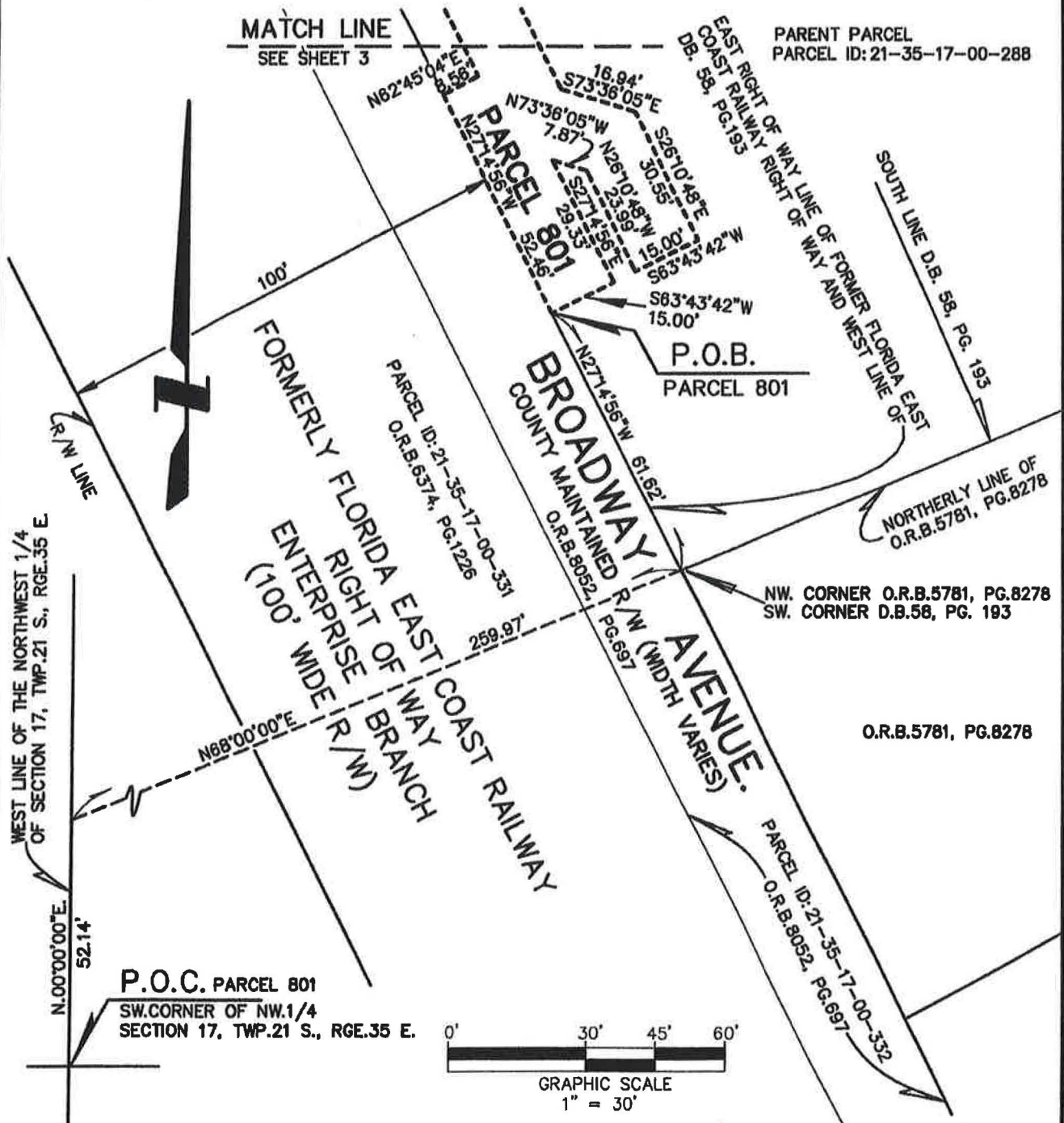
PURPOSE: UTILITY EASEMENT

SHEET 2 OF 3 SHEETS

EXHIBIT "B"

NOT VALID WITHOUT SHEETS 1 AND 3 OF 3.

THIS IS NOT A SURVEY



DATE 10/28/19

ORDER NO. 25631

FB. NO.

SCALE 1" = 30'

DWG. NO. MIMS ELEM N EASE.DWG

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SECTION: 17

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MAP OF DESCRIPTION

PARCEL 801 UTILITY EASEMENT (BY SURVEYOR)

SECTION 17, TOWNSHIP 21 SOUTH, RANGE 35 EAST

PARENT PARCEL NUMBER: 21-35-17-00-288

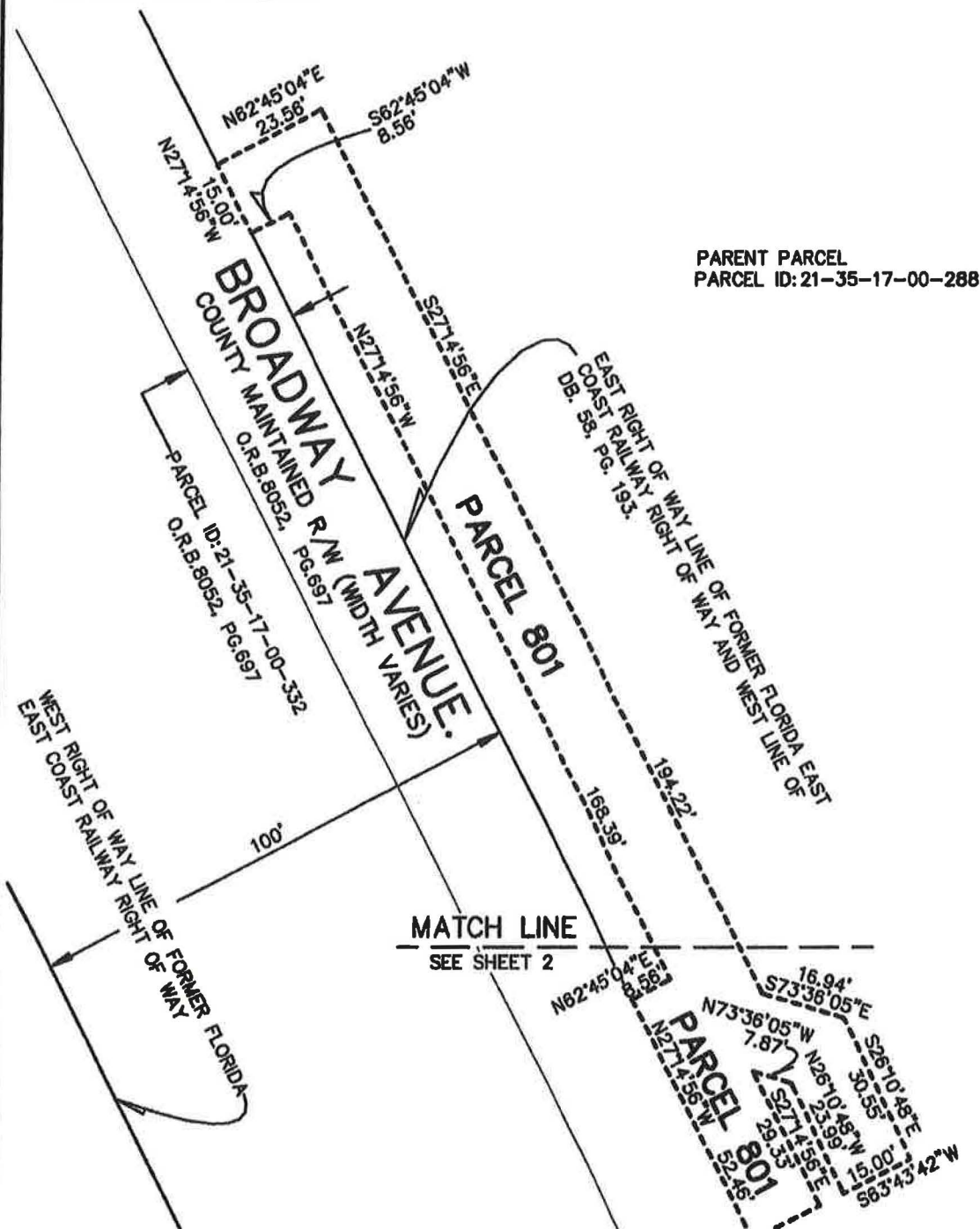
PURPOSE: UTILITY EASEMENT

SHEET 3 OF 3 SHEETS

EXHIBIT "B"

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CERTIFICATE OF AUTHORIZATION NO. LB 6762

SECTION: 17
TOWNSHIP: 21 S.
RANGE: 35 E.

LOCATION MAP

Section 17, Township 21 South, Range 35 East - District: 1

PROPERTY LOCATION: On east side of Broadway Avenue at Mims Elementary in Mims

OWNERS NAME: The School Board of Brevard County, Florida

