

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: 26-36-28-XO-B-1

## **DRAINAGE EASEMENT**

**THIS INDENTURE**, made this 24 day of May, 2021, between The Viera Company, a Florida corporation, whose address is 7380 Murrell Road, Suite 201, Viera, Florida 32940, 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 drainage 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 Sections 27 & 28, Township 26 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:

Charlene R. Spangler

Witness

Charlene R. Spangler

Print name

Cheryl W. Dixon

Witness

Cheryl W. Dixon

Print name

The Viera Company, a Florida  
corporation

BY: Todd J. Pokrywa

Todd J. Pokrywa, President

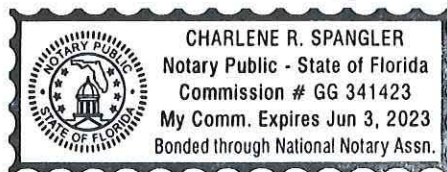
Print name and title



STATE OF FLORIDA

COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization on this 24th day of May, 2021, by  
Todd J. Pokrywa, as President for The Viera Company, a Florida  
corporation. Is personally known or produced \_\_\_\_\_ as  
identification.



Charlene R. Spangler

Notary Signature

SEAL

Board Meeting Date: 07/06/2021

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

# LEGAL DESCRIPTION

## PARCEL #805

PARENT PARCEL ID#: 26-36-28-XO-B-1

PURPOSE: DRAINAGE EASEMENT

LEGAL DESCRIPTION: PARCEL #805  
(PREPARED BY SURVEYOR)

Approved

## EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 1 THROUGH 2

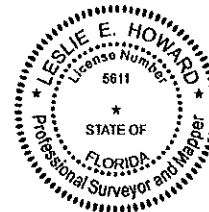
THIS IS NOT A SURVEY

PART OF LOT 1, BLOCK B, LAKE ANDREW DRIVE - SEGMENT E AND PINEDA BOULEVARD SEGMENT I PHASE-1, AS RECORDED IN PLAT BOOK 68, PAGE 43, PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, LYING IN SECTIONS 27 AND 28, TOWNSHIP 26 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK B, (SAID POINT ALSO BEING A POINT ON THE CURVED WEST RIGHT-OF-WAY LINE OF LAKE ANDREW DRIVE, ACCORDING TO PLAT OF SAID LAKE ANDREW DRIVE - SEGMENT E AND PINEDA BOULEVARD SEGMENT I PHASE-1), AND RUN SOUTHERLY ALONG THE ARC OF SAID CURVED WEST RIGHT-OF-WAY LINE, (SAID CURVE BEING CURVED CONCAVE TO THE WEST AND HAVING A RADIUS OF 3185.00 FEET, A CENTRAL ANGLE OF 00°11'01", A CHORD BEARING OF S02°27'09"W AND A CHORD LENGTH OF 10.21 FEET), A DISTANCE OF 10.21 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE THE RIGHT; THENCE PARALLEL TO AND 10.00 FEET SOUTH OF, (AS MEASURED PERPENDICULARLY), THE NORTH LINE OF SAID LOT 1, BLOCK B, AND ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 2020.07 FEET, A CENTRAL ANGLE OF 12°22'48", A CHORD BEARING OF S86°59'56"W AND A CHORD LENGTH OF 435.63 FEET), A DISTANCE OF 436.48 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE NORTHEAST; THENCE N03°11'20"E, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 10.00 FEET TO A NON-TANGENT INTERSECTION WITH THE CURVED NORTH LINE OF SAID LOT 1, BLOCK B; THENCE EASTERLY, ALONG THE ARC OF SAID CURVED NORTH LINE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 2010.07 FEET, A CENTRAL ANGLE OF 12°26'19", A CHORD BEARING OF N86°58'10"E AND A CHORD LENGTH OF 435.52 FEET), A DISTANCE OF 436.38 FEET TO THE POINT OF BEGINNING. CONTAINING 0.10 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 S15°16'58"W ON THE WEST RIGHT-OF-WAY LINE OF LAKE ANDREW DRIVE, LAKE ANDREW DRIVE - SEGMENT E AND PINEDA BOULEVARD SEGMENT I PHASE-1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 68, PAGE 43, 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 FIDELITY NATIONAL TITLE INSURANCE COMPANY PROPERTY INFORMATION REPORT, ORDER NO.: 8925684 CUSTOMER REFERENCE NUMBER 11284.03 DATED 10/20/2020. NO PLOTTABLE EASEMENTS ADVERSELY AFFECTING THE LANDS DESCRIBED HEREON WERE FOUND IN SAID REPORT.
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 MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.



Digitally signed by Leslie E Howard  
DN: c=US, o=BSE CONSULTANTS INC.,  
ou=A01410C0000016C70B79A9  
D00008416, cn=Leslie E Howard  
Date: 2021.03.17 10:35:05 -04'00'

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, FL 32901 LB No. 4905  
PHONE: (321) 725-3674 FAX: (321) 723-1159

DRAWN BY: TBS	CHECKED BY: LEH	PROJECT NO. 11284			SECTION 27 & 28 TOWNSHIP 26 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: 10/22/2020	DRAWING: 11284_104_014		02/15/2021	PER COUNTY COMMENTS	

# SKETCH OF DESCRIPTION

## PARCEL #805

PARENT PARCEL ID#: 26-36-28-XO-B-1

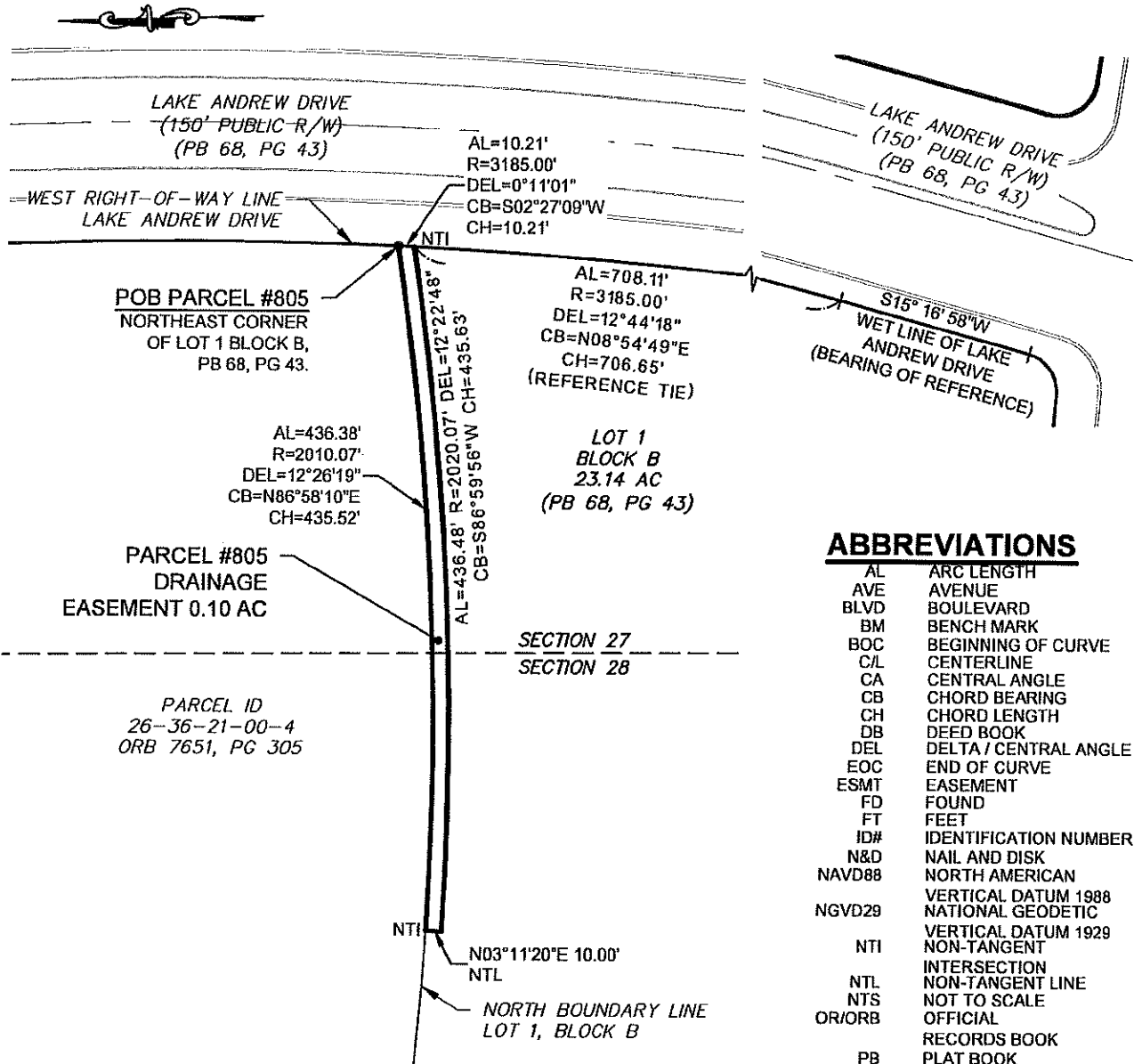
PURPOSE: DRAINAGE EASEMENT

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 THROUGH 2

THIS IS NOT A SURVEY



### ABBREVIATIONS

AL	ARC LENGTH
AVE	AVENUE
BLVD	BOULEVARD
BM	BENCH MARK
BOC	BEGINNING OF CURVE
C/L	CENTERLINE
CA	CENTRAL ANGLE
CB	CHORD BEARING
CH	CHORD LENGTH
DB	DEED BOOK
DEL	DELTA / CENTRAL ANGLE
EOC	END OF CURVE
ESMT	EASEMENT
FD	FOUND
FT	FEET
ID#	IDENTIFICATION NUMBER
N&D	NAIL AND DISK
NAVD88	NORTH AMERICAN
	VERTICAL DATUM 1988
NGVD29	NATIONAL GEODETIC
	VERTICAL DATUM 1929
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
TYP	TYPICAL

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SCALE:  
1"=100'

PROJECT NO.:  
11284

SECTION 27 & 28  
TOWNSHIP 26 SOUTH  
RANGE 36 EAST