

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: 1) Donation of Permanent Right of Way, Drainage and Utility Easement Agreement and Drainage Easement from Monica Ellis, and 2) Donation of Warranty Deed and Drainage Easement from Angie E. and Jeffrey C. Hampton for Bevis Ditch Maintenance – District 2

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353 Ext. 58353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>6-10-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>06/14/2021</u>

Prepared by and return to: Lisa Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of Interest in Tax Parcel I.D.: 24-36-27-00-13

**PERMANENT RIGHT-OF-WAY, DRAINAGE,  
AND UTILITY EASEMENT AGREEMENT**

THIS right-of-way, drainage, and utility easement agreement (the "Easement") is made this 9<sup>th</sup> day of June, 2021, between Monica Ellis, whose mailing address is Post Office Box 540604, Merritt Island, Florida 32954, hereafter called the Grantor, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, hereafter called the Grantee, for the use and benefit of Brevard County, Florida.

**WITNESSETH:**

1. Grant of Easement. That the Grantor, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the Grantee, a perpetual non-exclusive right-of-way, drainage and utility easement commencing on the above date for the purposes of constructing, maintaining, reconstructing, or reconfiguring right-of-way, drainage and utilities, 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, and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easements is located in Section 27, Township 24 South, Range 36 East, Brevard County, Florida, and being more particularly described on Exhibit "A" attached hereto (the "Easement Property").

The easement granted is non-exclusive and is made subject to all easements, conditions and restrictions, reservations and other matters of public record.

2. Construction and Maintenance. Grantee shall be responsible, at its sole cost and expense, for constructing and maintaining right-of-way, drainage and utility improvements (collectively the "Infrastructure Improvements") constructed by, or dedicated to Grantee within the Easement Property. Grantee shall perform all construction and maintenance of the Infrastructure Improvements in a good and

workmanlike manner, and such work shall be done in such a manner so as not to unreasonably interfere with Grantors access to and from any property of Grantors lying adjacent to the Easement Property.

3. Applicable Law. This Easement shall be governed, enforced and construed in accordance with the laws of the State of Florida. If any provisions of this Easement or the application thereof shall be held to be invalid or unenforceable in a court of law, the remainder of this Easement shall not be affected thereby and each provision of this Easement shall otherwise remain valid and enforceable to the fullest extent permitted by law.

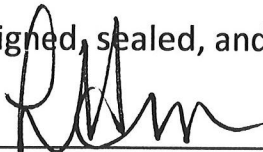
4. Enforcement and Remedies. If any party or parties hereto fails to perform or breaches any obligation, requirement, duty or covenant contained herein, the other non-defaulting party or parties shall have the right, at their option, in addition to any of their other rights, privileges or remedies otherwise stated elsewhere herein to (i) bring an action for the recovery of actual damages (not including punitive, consequential or incidental loss or damage) in a court of competent jurisdiction in and for Brevard County, Florida. Any trial shall be non-jury. The failure to enforce any of the terms or provisions of this Easement, however long continued, shall in no event be deemed a waiver of the right to enforce the same thereafter as to the same breach or violation, or as to any other breach or violation occurring prior to or subsequent thereto.

Each Party is responsible for the negligent or wrongful acts or omissions of its own employees, agents or other representatives while acting within the scope of their employment or otherwise within their authorized capacity, arising from the activities encompassed by this Easement. To the extent allowable by law each party, and their successors and assigns, shall indemnify and hold the other party harmless from and against any and all loss, cause, damage, expense, injury, claim and liability (including reasonable attorney's fees and paraprofessional fees at any pre-trial, trial or appellant proceedings) which said other party may suffer or incur solely by reason of the negligent acts or omissions or intentional misconduct of the indemnifying party. Nothing in this agreement shall be considered a waiver of the Grantee's protections afforded to it under Florida's sovereign immunity provisions contained within 768.28, Fla. Statutes and any amount paid under this provision shall not exceed the limits on damages pursuant to 768.28(5), Fla. Statutes.


5. Binding Effect. This Easement, and the rights and interests created herein, runs with the land and shall be binding upon and inuring to the benefit of the parties hereto and their respective successors and assigns. Notwithstanding anything in the foregoing provisions of this Easement to the contrary, Grantors shall have no duties, responsibilities or liabilities hereunder after Grantors have conveyed title to the Easement Property to a third party, except for any duties, responsibilities or liabilities that may have arisen prior to such conveyance. The Grantor does covenant with the Grantee that it is lawfully seized and possessed of the Easement Property and that it has a good and lawful right to grant the Easement. Grantor(s) shall not make any improvements within the Easement Property which will conflict or interfere with the Easement granted herein.

**IN WITNESS WHEREOF**, the parties have caused this easement to be executed, the day and year first above written,

Signed, sealed, and delivered in the presence of:


  
\_\_\_\_\_

Witness

  
\_\_\_\_\_  
(Print Name)

  
\_\_\_\_\_  
Monica Ellis

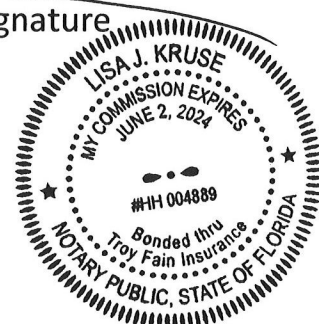
Witness

  
\_\_\_\_\_  
(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 9<sup>th</sup> day of June, 2021, by Monica Ellis. Is personally known or produced Driver License as identification.

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





## **Acceptance**

The Grantee accepts the Permanent Right of Way, Drainage and Utility Easement Agreement and agrees to be bound by its terms.

Dated: 6<sup>th</sup> day of July, 2021.

ATTEST:

\_\_\_\_\_  
Rachel Sadoff, Clerk of the Courts

GRANTEE:  
BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Rita Pritchett, Chair

As approved by the Board on 07/06/2021

# LEGAL DESCRIPTION

## PARCEL 801

PARENT PARCEL ID#: 24-36-27-00-13

PURPOSE: RIGHT OF WAY, UTILITY & DRAINAGE EASEMENT

### EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1

**LEGAL DESCRIPTION:** PARCEL 801, RIGHT OF WAY, UTILITY AND DRAINAGE EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7091, PAGE 1230 AND BEING LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LANDS DESCRIBED THENCE SOUTH 78° 56' 47" WEST ALONG THE NORTH LINE OF SAID DESCRIBED LANDS FOR A DISTANCE OF 569.90 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LANDS; THENCE DEPARTING SAID NORTH LINE, RUN THENCE SOUTH 13° 40' 15" EAST FOR A DISTANCE OF 158.53 FEET; THENCE SOUTH 17° 32' 30" EAST FOR A DISTANCE OF 72.22 FEET; THENCE SOUTH 16° 24' 35" EAST FOR A DISTANCE OF 182.15 FEET; THENCE SOUTH 16° 40' 53" EAST FOR A DISTANCE OF 98.30 FEET; THENCE SOUTH 18° 52' 34" EAST FOR A DISTANCE OF 12.50 FEET TO A POINT ON THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9082, PAGE 2516; THENCE SOUTH 78° 56' 47" WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 10.07 FEET TO THE NORTHWEST CORNER OF SAID DESCRIBED LANDS; THENCE ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 7091, PAGE 1230 THE FOLLOWING 8 COURSES; THENCE NORTH 17° 51' 46" WEST FOR A DISTANCE OF 17.86 FEET; THENCE NORTH 17° 16' 07" WEST FOR A DISTANCE OF 87.64 FEET; THENCE NORTH 16° 44' 48" WEST FOR A DISTANCE OF 83.79 FEET; THENCE NORTH 16° 27' 47" WEST FOR A DISTANCE OF 129.83 FEET; THENCE NORTH 15° 38' 08" WEST FOR A DISTANCE OF 91.33 FEET; THENCE NORTH 14° 14' 49" WEST FOR A DISTANCE OF 44.92 FEET; THENCE NORTH 12° 48' 59" WEST FOR A DISTANCE OF 33.57 FEET; THENCE NORTH 12° 14' 45" WEST FOR A DISTANCE OF 34.76 FEET TO THE NORTHWEST CORNER OF THE AFORESAID DESCRIBED LANDS; THENCE NORTH 78° 56' 47" EAST ALONG THE NORTH LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 10.04 FEET TO THE POINT OF BEGINNING, CONTAINING 5639 SQUARE FEET (0.125 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

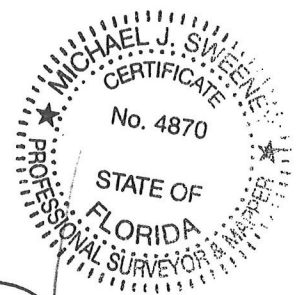
#### SURVEYOR'S NOTES:

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 LINE OF SAID NORTHEAST QUARTER OF SECTION 27 AS BEING SOUTH 00° 09' 48" EAST BASED ON THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. TITLE REPORT BY NEW REVELATIONS, INC., BY CRAIG KARLSON, FILE NUMBER 21-1128, TAX ACCOUNT NUMBER 2420809, EFFECTIVE DATE 3/11/21. NO EASEMENTS WERE DECLARED WITHIN SAID TITLE REPORT.
  - B. RIGHT OF WAY AND TOPOGRAPHIC SURVEY, NORTH TROPICAL TRAIL & LUCAS ROAD DRAINAGE, PREPARED FOR BREVARD COUNTY PUBLIC WORKS DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DEPT., PROJECT NO. 20-09-097, DATED 1/12/2021.
  - C. BOUNDARY SURVEY (TO FACILITATE LOT SPLIT), PREPARED BY TOTAL CONTROL SURVEYS, LLC, DATED 2/26/2021.

#### ABBREVIATIONS

BOB = BASIS OF BEARINGS  
C/L = CENTERLINE  
CCMB = COUNTY COMMISSIONERS MINUTE BOOK  
ESMT = EASEMENT  
GOV'T = GOVERNMENT  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORDS BOOK

PB = PLAT BOOK  
PG = PAGE  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET



PREPARED FOR: BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
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: R. HENNING		CHECKED BY: M. J. SWEENEY		PROJECT NO. 20-09-097			SECTION 27	
DATE: APRIL 21, 2021		SHEET: 1 OF 2		REVISIONS	DATE	DESCRIPTION	TOWNSHIP 24 SOUTH	
							RANGE 36 EAST	



PARCEL 801

**PURPOSE: RIGHT OF WAY, UTILITY & DRAINAGE EASEMENT**



( IN FEET )

1 inch = 100 feet

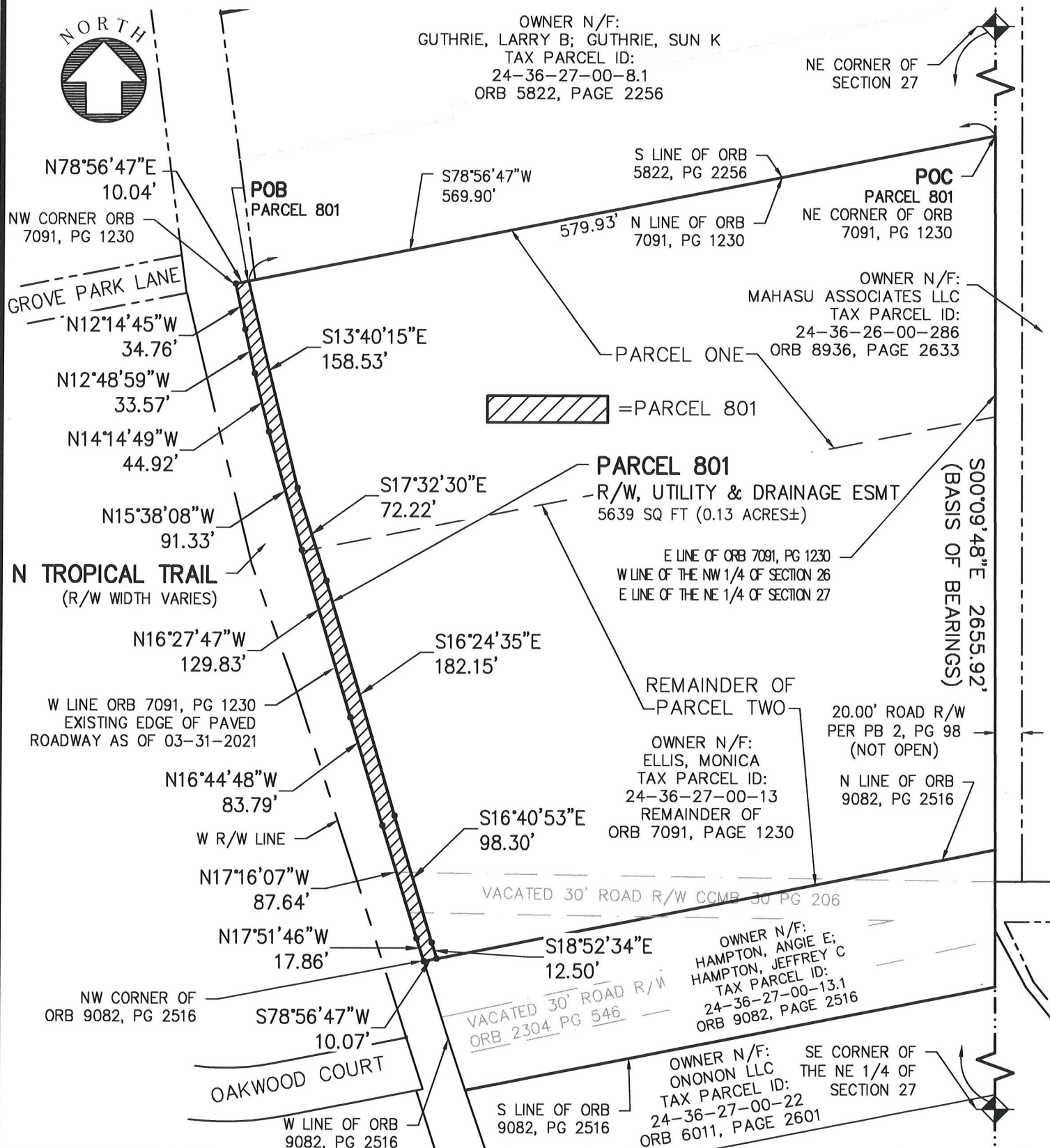
EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1



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

SCALE:

$$1'' = 100'$$

PROJECT NO.:

20-09-097

SECTION 27

TOWNSHIP 24 SOUTH  
RANGE 36 EAST

Prepared by and return to: Lisa Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in Tax Parcel ID: 24-36-27-00-13

### **DRAINAGE EASEMENT**

**THIS INDENTURE**, made this 9<sup>th</sup> day of June, 2021, between Monica Ellis, whose mailing address is Post Office Box 540604, Merritt Island, Florida 32954, 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 constructing, 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 Section 27, Township 24 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

Print Name

Witness

Print Name

Monica Ellis

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or [ ] online notarization on this 9<sup>th</sup> day of ~~May~~<sup>June</sup>, 2021, by Monica Ellis. Is  
personally known or produced Driver License as identification.

Notary Signature  
SEAL



# LEGAL DESCRIPTION

## PARCEL 802

PARENT PARCEL ID#: 24-36-27-00-13

PURPOSE: DRAINAGE EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

### LEGAL DESCRIPTION: PARCEL 802, DRAINAGE EASEMENT (BY SURVEYOR)

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BEGIN AT THE NORTHEAST CORNER OF SAID DESCRIBED LANDS; THENCE SOUTH 00° 09' 48" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, SAID LINE ALSO BEING THE EAST LINE OF THE AFORESAID DESCRIBED LANDS, FOR A DISTANCE OF 531.26 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9082, PAGE 2516; THENCE SOUTH 78° 56' 47" WEST ALONG THE NORTH LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 19.46 FEET; THENCE DEPARTING SAID NORTH LINE, RUN NORTH 04° 53' 51" WEST FOR A DISTANCE OF 34.55 FEET; THENCE NORTH 00° 13' 27" WEST FOR A DISTANCE OF 91.46 FEET; THENCE NORTH 00° 41' 47" EAST FOR A DISTANCE OF 105.80 FEET; THENCE NORTH 01° 24' 23" WEST FOR A DISTANCE OF 98.94 FEET; THENCE NORTH 02° 17' 19" EAST FOR A DISTANCE OF 95.90 FEET; THENCE NORTH 03° 32' 40" WEST FOR A DISTANCE OF 103.97 FEET TO A POINT ON THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7091, PAGE 1230; THENCE NORTH 78° 56' 47" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 25.09 FEET TO THE POINT OF BEGINNING, CONTAINING 11,333 SQUARE FEET (0.26 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

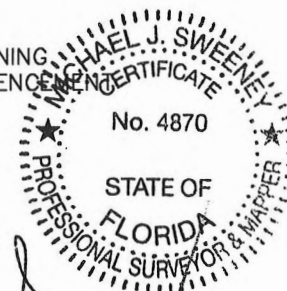
#### SURVEYOR'S NOTES:

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  - C. BOUNDARY SURVEY (TO FACILITATE LOT SPLIT), PREPARED BY TOTAL CONTROL SURVEYS, LLC, DATED 2/26/2021.

### ABBREVIATIONS

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PREPARED FOR: BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
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ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
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DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	PROJECT NO. 20-09-097			SECTION 27 TOWNSHIP 24 SOUTH RANGE 36 EAST
		REVISIONS	DATE	DESCRIPTION	
DATE: APRIL 21, 2021	SHEET: 1 OF 2				



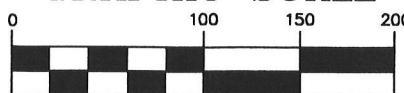
# SKETCH OF DESCRIPTION

## PARCEL 802

PARENT PARCEL ID#: 24-36-27-00-13

PURPOSE: DRAINAGE EASEMENT

### GRAPHIC SCALE



( IN FEET )

1 inch = 100 feet

### EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1



OWNER N/F:  
GUTHRIE, LARRY B;  
GUTHRIE, SUN K  
TAX PARCEL ID:  
24-36-27-00-8.1  
ORB 5822, PAGE 2256

S LINE OF ORB  
5822, PG 2256

N LINE OF ORB  
7091, PG 1230

OWNER N/F:  
ELLIS, MONICA  
TAX PARCEL ID:  
24-36-27-00-13  
REMAINDER OF  
ORB 7091, PAGE 1230

PARCEL ONE

N03°32'40"W  
103.97'

N02°17'19"E  
95.90'

N01°24'23"W  
98.94'

N00°41'47"E  
105.80'

REMAINDER OF  
PARCEL TWO

N00°13'27"W  
91.46'

N04°53'51"W  
34.55'

EXISTING EDGE OF PAVED  
ROADWAY AS OF 03-31-2021

**N TROPICAL TRAIL**  
(R/W VARIES)

N LINE OF ORB 9082, PG 2516

VACATED 30' ROAD R/W CCMB 30 PG 206

OAKWOOD COURT

VACATED 30' ROAD R/W  
ORB 2304 PG 546

OWNER N/F:  
HAMPTON, ANGIE E;  
HAMPTON, JEFFREY C  
TAX PARCEL ID:  
24-36-27-00-13.1  
ORB 9082, PAGE 2516

OWNER N/F:  
ONONON LLC  
TAX PARCEL ID:  
24-36-27-00-22  
ORB 6011, PAGE 2601

S LINE OF ORB  
9082, PG 2516

NE CORNER OF  
SECTION 27

**POB**  
**PARCEL 802**  
NE CORNER OF ORB  
7091, PG 1230

E LINE OF ORB 7091, PG 1230  
W LINE OF THE NW 1/4 OF SECTION 26  
E LINE OF THE NE 1/4 OF SECTION 27

(S00°09'48"E 2655.92'  
(BASIS OF BEARINGS)

S00°09'48"E  
531.26'

**PARCEL 802**  
**DRAINAGE ESMT**  
11,333 SQ FT (0.26)ACRES±

20.00' ROAD R/W  
PER PB 2, PG 98  
(NOT OPEN)

S78°56'47"W  
19.46'

NE CORNER  
ORB 9082, PG 2516

E LINE OF ORB 9082, PG 2516

30' DRAINAGE EASEMENT  
PER PB 19, PG 33

BARONY ESTATES  
UNIT 2, SECTION 1  
PLAT BOOK 19, PAGE 33

= PARCEL 802

SE CORNER OF THE NE  
1/4 OF SECTION 27



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

SCALE:

1"=100'

PROJECT NO.:

20-09-097

SECTION 27

TOWNSHIP 24 SOUTH  
RANGE 36 EAST

Prepared by and return to: Lisa Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940  
A portion of interest in Tax Parcel ID: 24-36-27-00-13.1  
North Tropical Trail

### WARRANTY DEED

**THIS INDENTURE** is made this 17 day of May, 2021, by Angie E. Hampton and Jeffrey C. Hampton, wife and husband, hereafter called the Grantor, whose mailing address is 76 Laurel Gate Lane, Saint Augustine, Florida 32092, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

**WITNESSETH** that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, situate, lying and being in the Brevard County, 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 Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

  
Witness

Alyssa De Hoyos  
Print Name

  
Witness

Jonah Murphy  
Print Name

GRANTOR:

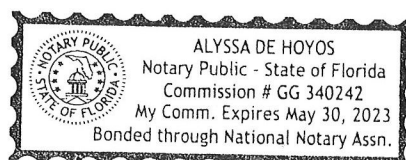
  
Angie E. Hampton

  
Jeffrey C. Hampton

STATE OF FLORIDA

COUNTY OF ~~BREVARD~~ St. Johns

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [ ] online notarization on this 17 day of May, 2021, by Angie E. Hampton and Jeffrey C. Hampton, wife and husband. Is personally known or produced Driver License as identification.



  
Notary Signature  
SEAL

# LEGAL DESCRIPTION

## PARCEL 103

PARENT PARCEL ID#: 24-36-27-00-13.1

PURPOSE: FEE SIMPLE RIGHT OF WAY

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION: PARCEL 103, FEE SIMPLE RIGHT OF WAY (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9082, PAGE 2516 AND BEING LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE AFORESAID DESCRIBED LANDS; THENCE SOUTH 78° 56' 47" WEST ALONG THE SOUTH LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 404.04 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LANDS; THENCE CONTINUE SOUTH 78° 56' 47" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 10.09 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID DESCRIBED LANDS; THENCE NORTH 18° 46' 26" WEST ALONG THE WEST LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 40.07 FEET; THENCE NORTH 17° 51' 46" WEST CONTINUING ALONG THE WEST LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 60.72 FEET TO THE NORTHWEST CORNER OF THE AFORESAID DESCRIBED LANDS; THENCE NORTH 78° 56' 47" EAST ALONG THE NORTH LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 10.07 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 17° 51' 46" EAST FOR A DISTANCE OF 59.45 FEET; THENCE SOUTH 18° 46' 26" EAST A DISTANCE OF 41.34 FEET TO THE POINT OF BEGINNING, CONTAINING 1,008 SQUARE FEET (0.02 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

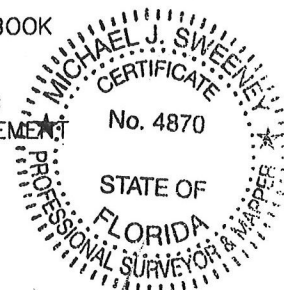
### SURVEYOR'S NOTES:

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 LINE OF SAID NORTHEAST QUARTER OF SECTION 27 AS BEING SOUTH 00° 09' 48" EAST BASED ON THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - A. AMERICAN LAND TITLE ASSOCIATION COMMITMENT ISSUED BY DOCKSIDE TITLE LLC, ISSUING OFFICE FILE NUMBER 21-1044, FILE NO. 21006051 DM1, EFFECTIVE DATE 3/20/2021. NO EASEMENTS WERE DECLARED WITHIN SAID TITLE REPORT.
  - B. RIGHT OF WAY AND TOPOGRAPHIC SURVEY, NORTH TROPICAL TRAIL & LUCAS ROAD DRAINAGE, PREPARED FOR BREVARD COUNTY PUBLIC WORKS DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DEPT., PROJECT NO. 20-09-097, DATED 1/12/2021.
  - C. BOUNDARY SURVEY (TO FACILITATE LOT SPLIT), PREPARED BY TOTAL CONTROL SURVEYS, LLC, DATED 2/26/2021.

### ABBREVIATIONS

BOB = BASIS OF BEARINGS  
C/L = CENTERLINE  
CCMB = COUNTY COMMISSIONERS MINUTE BOOK  
ESMT = EASEMENT  
GOV'T = GOVERNMENT  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY

ORB = OFFICIAL RECORDS BOOK  
PB = PLAT BOOK  
PG = PAGE  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET



PREPARED FOR: BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
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: R. HENNING

CHECKED BY: M. J. SWEENEY

PROJECT NO. 20-09-097

DATE: APRIL 21, 2021

SHEET: 1 OF 2

REVISIONS

DATE

DESCRIPTION

SECTION 27

TOWNSHIP 24 SOUTH

RANGE 36 EAST

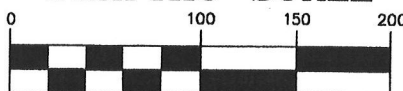
# SKETCH OF DESCRIPTION

## PARCEL 103

PARENT PARCEL ID#: 24-36-27-00-13.1

PURPOSE: FEE SIMPLE RIGHT OF WAY

### GRAPHIC SCALE



( IN FEET )

1 inch = 100 feet

### EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1



**N TROPICAL TRAIL**  
(R/W VARIES)

PARCEL ONE

NE CORNER OF  
SECTION 27

E LINE OF ORB 7091, PG 1230  
W LINE OF THE NW 1/4 OF SECTION 26  
E LINE OF THE NE 1/4 OF SECTION 27

OWNER N/F:  
ELLIS, MONICA  
TAX PARCEL ID:  
24-36-27-00-13  
REMAINDER OF  
ORB 7091, PAGE 1230

REMAINDER OF  
PARCEL TWO

EXISTING EDGE OF PAVED  
ROADWAY AS OF 03-31-2021

N LINE OF  
ORB 9082,  
PG 2516

20.00' ROAD R/W  
PER PB 2, PG 98  
(NOT OPEN)

(BASIS OF BEARINGS)  
S00°09'48"E 2655.92'

SECTION 26  
SECTION 27

NE CORNER  
ORB 9082, PG 2516

30' DRAINAGE EASEMENT  
PER PB 19, PG 33

BARONY ESTATES  
UNIT II, SECTION I  
PLAT BOOK 19, PAGE 33  
LOT 17, BLOCK E

**POC**  
PARCEL 103  
SE CORNER OF ORB  
9082, PG 2516

SE CORNER OF THE NE  
1/4 OF SECTION 27

= PARCEL 103

### PARCEL 103

FEE SIMPLE R/W  
1,008 SQ FT (0.02) ACRES±

VACATED 30' ROAD R/W CCMB 30 PG 206

OWNER N/F:  
HAMPTON, ANGIE E;  
HAMPTON, JEFFREY C  
TAX PARCEL ID:  
24-36-27-00-13.1  
ORB 9082, PAGE 2516  
VACATED 30' ROAD R/W  
ORB 2304 PG 546

OWNER N/F:  
ONONON LLC  
TAX PARCEL ID:  
24-36-27-00-22  
ORB 6011, PAGE 2601

**POB**  
PARCEL 103

NW CORNER  
ORB 9082,  
PG 2516

N17°51'46"W  
60.72'

W LINE OF ORB  
9082, PG 2516

N78°56'47"E  
10.07'

S17°51'46"E  
59.45'

S18°46'26"E  
41.34'

N18°46'26"W  
40.07'

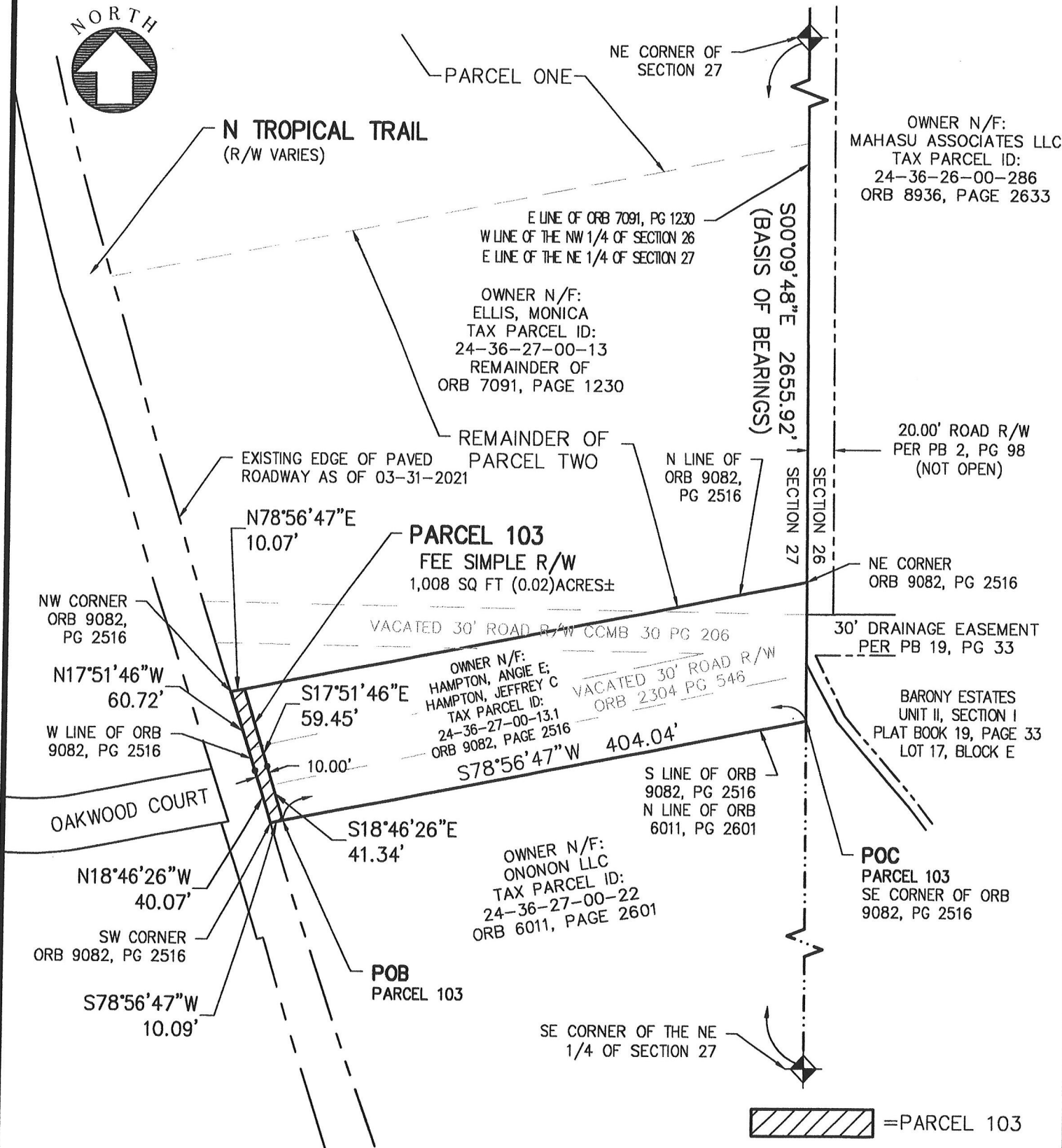
SW CORNER  
ORB 9082, PG 2516

S78°56'47"W  
10.09'

S LINE OF ORB  
9082, PG 2516  
N LINE OF ORB  
6011, PG 2601

404.04'

OAKWOOD COURT



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

SCALE:

1"=100'

PROJECT NO.:

20-09-097

SECTION 27

TOWNSHIP 24 SOUTH  
RANGE 36 EAST

## **DRAINAGE EASEMENT**

**THIS INDENTURE**, made this 17 day of May, 2021, between Angie E. Hampton and Jeffrey C. Hampton, wife and husband whose address is 76 Laurel Gate Lane, Saint Augustine, Florida 32092, 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 constructing, 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 Section 27, Township 24 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

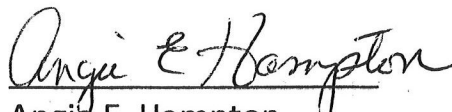
Alyssa De Hoyos

Print Name

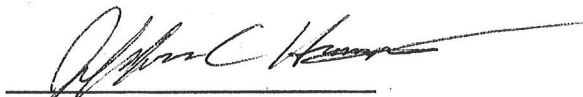
Witness

Jonah Murphy

Print Name



Angie E. Hampton



Jeffrey C. Hampton

STATE OF FLORIDA

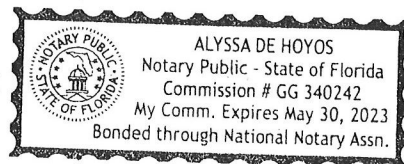
COUNTY OF BREVARD St. Johns

The foregoing instrument was acknowledged before me by means of [☒] physical  
presence or [ ] online notarization on this 17 day of May, 2021, by Angie E.  
Hampton and Jeffrey C. Hampton, wife and husband. Is personally known or  
produced Driver License as identification.



Notary Signature

SEAL





# LEGAL DESCRIPTION

## PARCEL 803

PARENT PARCEL ID#: 24-36-27-00-13.1

PURPOSE: DRAINAGE EASEMENT

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

LEGAL DESCRIPTION: PARCEL 803, DRAINAGE EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9082, PAGE 2516 AND BEING LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE AFORESAID DESCRIBED LANDS; THENCE NORTH 11° 59' 02" WEST FOR A DISTANCE OF 88.71 FEET; THENCE NORTH 04° 53' 51" WEST FOR A DISTANCE OF 11.37 FEET TO A POINT ON THE NORTH LINE OF THE AFORESAID DESCRIBED LANDS; THENCE NORTH 78° 56' 47" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 19.46 FEET TO THE NORTHEAST CORNER OF THE AFORESAID DESCRIBED LANDS; THENCE SOUTH 00° 09' 48" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, SAID LINE ALSO BEING THE EAST LINE OF THE AFORESAID DESCRIBED LANDS, FOR A DISTANCE OF 101.83 FEET TO THE POINT OF BEGINNING, CONTAINING 1,035 SQUARE FEET (0.03 ACRES), MORE OR LESS.

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### SURVEYOR'S NOTES:

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3. REFERENCE MATERIAL:
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  - C. BOUNDARY SURVEY (TO FACILITATE LOT SPLIT), PREPARED BY TOTAL CONTROL SURVEYS, LLC, DATED 2/26/2021.

### ABBREVIATIONS

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POB = POINT OF BEGINNING  
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R/W = RIGHT OF WAY  
SECT = SECTION  
SQ FT = SQUARE FEET



PREPARED FOR: BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
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PHONE: (321) 633-2080



DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	PROJECT NO. 20-09-097		SECTION 27 TOWNSHIP 24 SOUTH RANGE 36 EAST
		REVISIONS	DATE	
DATE: APRIL 21, 2021	SHEET: 1 OF 2			

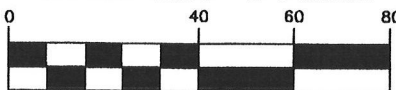
# SKETCH OF DESCRIPTION

## PARCEL 803

PARENT PARCEL ID#: 24-36-27-00-13.1

PURPOSE: DRAINAGE EASEMENT

### GRAPHIC SCALE



( IN FEET )

1 inch = 40 feet

### EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

**THIS IS NOT A SURVEY**

SEE SURVEYORS NOTE #1



=PARCEL 803

OWNER N/F:  
ELLIS, MONICA  
TAX PARCEL ID:  
24-36-27-00-13  
REMAINDER OF  
ORB 7091, PAGE 1230

N LINE OF ORB  
9082, PG 2516

REMAINDER OF  
PARCEL TWO

VACATED 30' ROAD R/W CCMB 30 PG 206

VACATED 30' ROAD R/W  
ORB 2304 PG 546

OWNER N/F:  
HAMPTON, ANGIE E;  
HAMPTON, JEFFREY C  
TAX PARCEL ID:  
24-36-27-00-13.1  
ORB 9082, PAGE 2516

OWNER N/F:  
ONONON LLC  
TAX PARCEL ID:  
24-36-27-00-22  
ORB 6011, PAGE 2601

S LINE OF ORB  
9082, PG 2516  
N LINE OF ORB  
6011, PG 2601

N11°59'02"W  
88.71'

N78°56'47"E  
19.46'

N04°53'51"W  
11.37'

S00°09'48"E 2655.92'  
(BASIS OF BEARINGS)

NE CORNER OF  
SECTION 27

E LINE OF ORB 7091, PG 1230  
W LINE OF THE NW 1/4 OF SECTION 26  
E LINE OF THE NE 1/4 OF SECTION 27

OWNER N/F:  
MAHASU ASSOCIATES LLC  
TAX PARCEL ID:  
24-36-26-00-286  
ORB 8936, PAGE 2633

NE CORNER ORB 9082, PG 2516

**PARCEL 803**  
DRAINAGE ESMT  
1,035 SQ FT (0.03)ACRES±

E LINE OF ORB 9082, PG 2516

S00°09'48"E 30' DRAINAGE EASEMENT  
PER PB 19, PG 33  
101.83'

BARONY ESTATES  
UNIT 2, SECTION 1  
PLAT BOOK 19, PAGE 33  
LOT 17, BLOCK E

**POB**  
**PARCEL 803**  
SE CORNER OF ORB  
9082, PG 2516

SE CORNER OF THE NE  
1/4 OF SECTION 27



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

SCALE:

1"=40'

PROJECT NO.:

20-09-097

SECTION 27

TOWNSHIP 24 SOUTH  
RANGE 36 EAST

# LOCATION MAP

## Section 27, Township 24 South, Range 36 East - District 2

PROPERTY LOCATION: parcels are located on the east side of North Tropical Trail, south of Lucas Road

OWNERS NAME(S): Monica Ellis and Angie E. and Jeffrey C. Hampton

