

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Donation of Sanitary Sewer Easement for The Blake at Viera from TBAV, LLC, a Mississippi limited liability company – District 4.

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>7-15-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>07-28-2021</u>

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: 25-36-33-XE-E-1

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 30th day of June, 2021, between TBAV, LLC, a Mississippi limited liability company, whose address is 4266 I-55 North, Suite 108, Jackson, Mississippi 39211, 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 associated 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 33, Township 25 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:

R. Patrick McCraney

Witness

R. Patrick McCraney

Print Name

Laurie Wilson

Witness

Laurie Wilson

Print Name

TBAV, LLC, a Mississippi limited
liability company

BY: Thomas M. Mitchell

Thomas M. Mitchell,
Manager

BY: Harrison L. Young

Harrison L. Young,
Manager

STATE OF Mississippi
COUNTY OF Hinds

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization on this 30th day of June 2021, by Thomas M.
Mitchell and Harrison L. Young, as Managers for TBAV, LLC, a Mississippi limited
liability company. Is personally known or produced N/A as
identification.

Leslie S. Ezelle

Notary Signature

SEAL



LEGAL DESCRIPTION

PARCEL #800

EXHIBIT "A"

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

THIS IS NOT A SURVEY

PARENT PARCEL ID#: 25-36-33-XE-E-1

PURPOSE: SANITARY SEWER EASEMENT

LEGAL DESCRIPTION: PARCEL # 800 SANITARY SEWER EASEMENT (PREPARED BY SURVEYOR)

PART OF LOT 1, BLOCK E, VIERA BOULEVARD COMMERCIAL CENTER I - PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 67, PAGE 46, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK E AND RUN N03°54'36"W, ALONG THE WEST RIGHT-OF-WAY LINE OF LAKE ANDREW DRIVE, A 150.00 FOOT WIDE PUBLIC RIGHT-OF-WAY ACCORDING TO THE PLAT OF SAID VIERA BOULEVARD COMMERCIAL CENTER I - PHASE 1, (SAID LINE ALSO BEING THE EAST LINE OF SAID LOT 1, BLOCK E), A DISTANCE OF 210.39 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE EAST AND HAVING A RADIUS OF 1275.00 FEET, A CENTRAL ANGLE OF 3°35'16", A CHORD BEARING OF N02°06'57"W AND A CHORD LENGTH OF 79.83 FEET), A DISTANCE OF 79.84 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG THE ARC OF SAID CURVED WEST RIGHT-OF-WAY LINE, (SAID CURVE BEING CURVED CONCAVE TO THE EAST AND HAVING A RADIUS OF 1275.00 FEET, A CHORD BEARING OF N00°21'08"E AND A CHORD LENGTH OF 30.00 FEET), A DISTANCE OF 30.00 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE WEST; THENCE N89°38'52"W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 30.58 FEET; THENCE S00°21'08"W A DISTANCE OF 30.00 FEET; THENCE S89°38'52"E A DISTANCE OF 30.58 FEET TO THE POINT OF BEGINNING. CONTAINING 915.72 SQUARE FEET, OR 0.02 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 N03°54'36"W ON THE EAST LINE OF LOT 1, BLOCK E, VIERA BOULVDARD COMMERCIAL CENTER I - PHASE 1, AS RECORDED IN PLAT BOOK 67, PAGE 46, 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 THE INFORMATION CONTAINED WITHIN THAT CERTAIN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY POLICY OF TITLE INSURANCE, POLICY NUMBER: LXFL-08593763, ORT FILE NO.: 19096120, DATE OF POLICY: DECEMBER 2, 2020 @ 11:39 AM. OTHER THAN AS MAY BE SHOWN AND/OR NOTED HEREON, NO EASEMENTS ADVERSELY AFFECTING THE LANDS DESCRIBED HEREON WERE FOUND IN THE DOCUMENTS REFERENCED IN SAID POLICY OF TITLE INSURANCE.
5. PER REVIEW OF THE DOCUMENTS REFERENCED IN THE ABOVE NOTED POLICY OF TITLE INSURANCE, NO EASEMENTS WERE FOUND TO BE ENCUMBERING, ABUTTING OR ADVERSELY AFFECTING THE LANDS DESCRIBED HEREON OTHER THAN AS SHOWN AND NOTED HEREON.
6. 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.
7. THIS DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

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 S. HARBOUR CITY BLVD
MELBOURNE, FLORIDA 32901

DRAWN BY: LEH/IT	CHECKED BY: LEH	PROJECT NO. 11541			SECTION 33 TOWNSHIP 25 SOUTH RANGE 36 EAST	
		REVISIONS	DATE	DESCRIPTION		
DATE: 04/09/2021	DRAWING: 11541_100_003		05/17/2021	COUNTY COMMENTS		

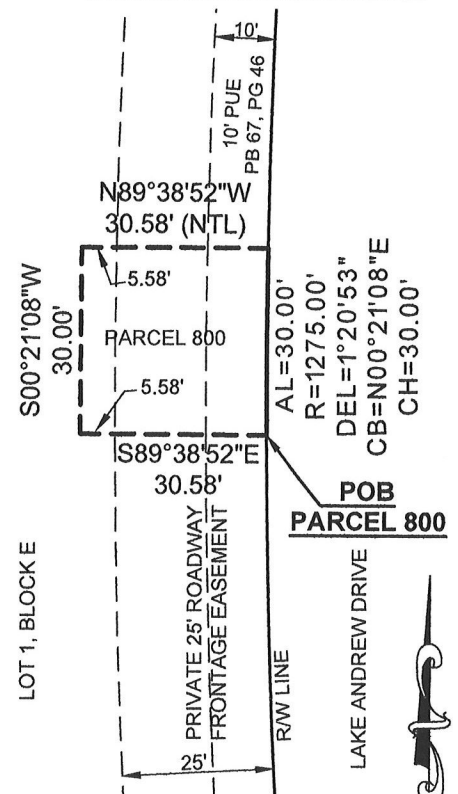
PARCEL #800

PURPOSE: SANITARY SEWER EASEMENT

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

THIS IS NOT A SURVEY



PARCEL 800 DETAIL


$$1'' = 30'$$

ABBREVIATIONS

AL	ARC LENGTH
BOC	BEGINNING OF CURVE
CH	CHORD LENGTH
CB	CHORD BEARING
DEL	DELTA/CENTRAL ANGLE
ID#	IDENTIFICATION NUMBER
NTL	NON-TANGENT LINE
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE(S)
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PUE	PUBLIC UTILITY EASEMENT
R	RADIUS
R/W	RIGHT-OF-WAY

SECTION 33
TOWNSHIP 25 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 33, Township 25 South, Range 36 East - District: 4

PROPERTY LOCATION: The parcel is located on the west side of Lake Andrew Drive south of Porada Drive in Viera.

OWNERS NAME(S): TBAV, LLC, a Mississippi limited liability company

