

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Sanitary Sewer Easement for Island Chase Subdivision from Donovan Homes, LLC, – District 2.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>8-31-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	_____	<u>8-31-2021</u>

SANITARY SEWER EASEMENT

THIS INDENTURE, made this 20 day of May, 2021, between Donovan Homes LLC, a Florida limited liability company, whose address is 1985 North Tropical Trail, Merritt Island, Florida 32953, 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 a sanitary sewer line and its 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:

Cassie Hinton

witness

Cassie Hinton

print name

Brian Klausner

witness

Brian Klausner

print name

Donovan Homes LLC, a Florida
limited liability company

BY: [Signature]

Robert M. Donovan, Manager

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or [] online notarization on this 20 day of May, 2021, by
Robert M. Donovan as Manager for Donovan Homes LLC, a Florida limited liability
company. Is personally known or produced _____ as
identification.



CASSANDRA HINTON
Commission # GG 219909
Expires May 20, 2022
Bonded Thru Budget Notary Services

[Signature]

Notary Signature

SEAL

LEGAL DESCRIPTION

Parcel 801

Section 27, Township 24 South, Range 36 East

Parent Parcel ID Number: 24-36-27-00-10

Purpose: Sanitary Sewer Easement

Approved
Exhibit "A"
Sheet 1 of 2

Not Valid without the Sketch on Sheet 2 of 2

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 801, SANITARY SEWER EASEMENT (BY SURVEYOR)

A 15-foot wide Sanitary Sewer Easement lying in a parcel of land located in Section 27, Township 24 South, Range 36 East, as described in Official Records Book 8002, Page 1826, Public Records of Brevard County, Florida and being more particularly described as follows:

Begin at the Northwest Corner of lands described in Official Records Book 8002, Page 1826, Public Records of Brevard County and being a point on a curve with a radius 1170.92 feet concave to the West. Thence run South along the length of said curve and the Easterly Maintained Right of Way Line of North Tropical Trail, a distance of 75.39 feet (with a Chord of 75.38 feet, a Delta of 03°41'21" and a Chord Bearing of S 05°50'27" E) and to a Point on the South Line of lands described in Official Records Book 8002, Page 1826 and the North Line of lands described in Official Records Book 8409, Page 2342. Thence run N 89°58'25" E, along said South and North lines, a distance of 15.04 feet to a point on a curve concave to the west with a radius 1185.92 feet. Thence run North along the length of said curve a distance of 75.38 feet (with a Chord of 75.37 feet, a Delta of 03°38'31" and a Chord Bearing of N 05°46'01" W) to a point on the South Subdivision Line of ISLAND CHASE, as recorded in Plat Book 67, Page 95, Public Records of Brevard County, Florida and the North line of lands described in Official Records Book 8002, Page 1826. Thence run S 89°58'25" W, along said South and North lines, a distance of 15.04 feet to the Point of Beginning.

Containing 1136 Square Feet, more or less (0.026 Acres, more or Less).

SURVEY REPORT:

1. Measurements shown hereon are expressed in feet and decimal parts thereof.
2. Bearings are assumed, referenced to N 08°17'30" W along the East Right of Way Line of North Tropical Trail.
3. This drawing is not valid unless bearing an original signature and embossed land surveyors seal.
4. No Blanket Easements or Easements in the Proposed Parcel. Proposed Parcel is adjacent to a 7.5 foot & 10 foot Public Utility & Drainage Easement on Lot 3, Block A, ISLAND CHASE, as recorded in Plat Book 67, Page 95, Public Records.
5. TITLE OPINION INFORMATION PROVIDED BY COTNEY CONSTRUCTION LAW as of November 23, 2020, at 2:00 p.m. (EST), title to the Property was vested in Donovan Homes LLC, a Florida limited liability company, in fee simple, by virtue of a Quit-Claim Deed recorded October 12, 2017 in Official Record Book 8002, Page 1826, Public Records of Brevard County, Florida.



115 Alma Blvd., Suite 102
Mailing Address: P.O. Box 541866
Merritt Island, FL. 32954
Phone: (321) 507.4811
LICENSED BUSINESS #7978

John R. Campbell
John R. Campbell
Professional Surveyor & Mapper #2351
State of Florida
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: Donovan Homes, LLC.
Brevard County Board of County Commissioners

PREPARED BY: John R. Campbell Surveying, LLC.
ADDRESS: 115 Alma Boulevard, Suite 102, Merritt Island 32953
PHONE: (321) 507-4811

DRAWN BY: Z.A. Dyer
DATE: 04-14-2021

CHECKED BY: J.R. Campbell
Sheet 1 of 2

DRAWING NO. 2019-200
REVISIONS: 1

SECTION 27
TOWNSHIP 24 SOUTH
RANGE 36 EAST

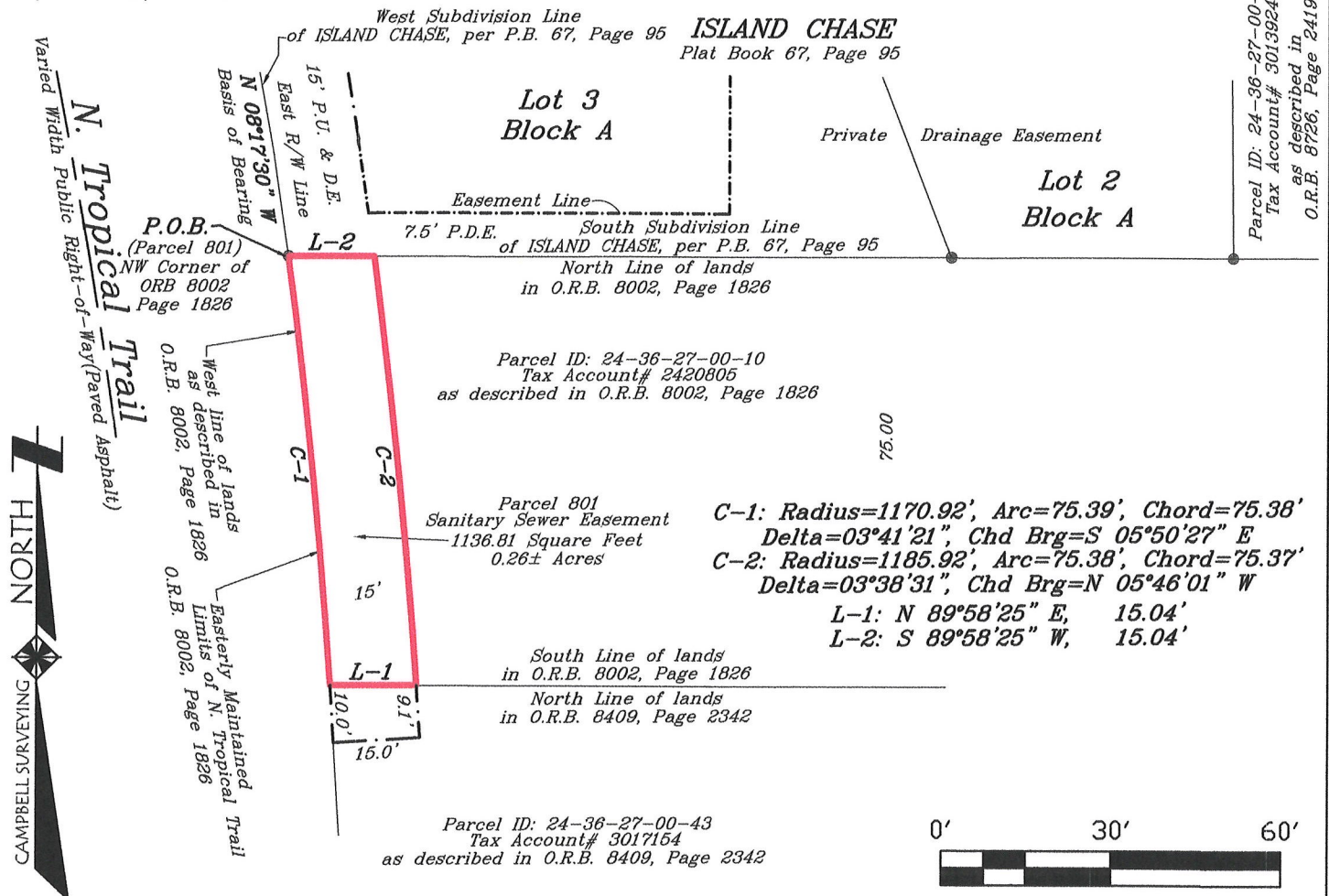
SKETCH OF DESCRIPTION

Exhibit "A" Sheet 2 of 2

Parcel 801

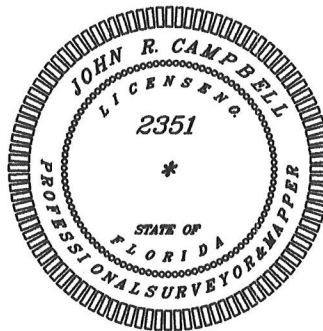
Section 27, Township 24 South, Range 36 East
Parent Parcel ID Number: 24-36-27-00-10
Purpose: Sanitary Sewer Easement

Not Valid without the Legal on Sheet 1 of 2
THIS IS NOT A SURVEY



EXPLANATION OF ABBREVIATIONS

C.B.S.	Concrete Block & Stucco
P.O.B.	Point of Beginning
P.O.C.	Point of Commencement
C.O.	Clean Out
E/P	Edge of Pavement
O.R.B.	Official Record Book
R/W	Right of Way
P.D.E.	Private Drainage Easement
P.U. & D.E.	Public Utility Easement



115 Alma Blvd., Suite 102
Mailing Address: P.O. Box 541866
Merritt Island, FL. 32954
Phone: (321) 507.4811
LICENSED BUSINESS #7978

John R. Campbell
John R. Campbell
Professional Surveyor & Mapper #2351
State of Florida
NOT VALID UNLESS SIGNED AND SEALED

PREPARED FOR: Donovan Homes, LLC.
Brevard County Board of County Commissioners

PREPARED BY: John R. Campbell Surveying, LLC.
ADDRESS: 115 Alma Boulevard, Suite 102, Merritt Island 32953
PHONE: (321) 507-4811

DRAWN BY: Z.A. Dyer
DATE: 04-14-2021

CHECKED BY: J.R. Campbell
Sheet 2 of 2

DRAWING NO. 2019-200
REVISIONS: 1

SECTION 27
TOWNSHIP 24 SOUTH
RANGE 36 EAST

LOCATION MAP

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

PROPERTY LOCATION: South of Lucas Road, along the east side of North Tropical Trail in Merritt Island.

OWNERS NAME: Donovan Homes, LLC

