

# BOARD OF COUNTY COMMISSIONERS

## AGENDA REVIEW SHEET

AGENDA: Sidewalk Easement for Wrubel Contractor's Office from RGW Enterprise LLC – District 1.

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa Kruse, Acquisition Specialist

CONTACT PHONE: 321-350-8353 Ext. 58353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>10-26-2021</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u> _____	_____	<u>10/26/2021</u>

Prepared by and return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in Tax Parcel ID: #20-35-31-00-501 & #20-35-31-00-506

### **SIDEWALK EASEMENT**

**THIS INDENTURE**, made this 20 day of October, 2021, between RGW Enterprise, LLC, a Florida limited liability company whose address is 3885 Richy Road, Mims, Florida 32754, 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 reconstructing, reconfiguring, repairing and maintaining the sidewalk, 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 31, Township 20 South, Range 35 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

Donna Amick

Witness

Donna Amick

Print Name

RGW Enterprise, LLC, a Florida  
limited liability company

By

Richard R. Wrubel, Jr.

Richard R. Wrubel, Jr.

Title: Manager

By

Gina M. Wrubel

Gina M. Wrubel

Title: 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 October, 2021, by Richard R.  
Wrubel, Jr. and Gina M. Wrubel, as Managers for RGW Enterprise, LLC, a Florida  
limited liability company. Is ☒ personally known or ☐ produced \_\_\_\_\_  
as identification.

Natalie J. Hipp

Notary Signature

SEAL



Natalie J. Hipp  
Notary Public  
State of Florida  
Comm# HH053684  
Expires 10/14/2024

# LEGAL DESCRIPTION

## PARCEL #800

PARENT PARCEL ID#: 20-35-31-00-501 & 20-35-31-00-506  
PER CURRENT PROPERTY APPRAISER DATA  
PURPOSE: 8' WIDE SIDEWALK EASEMENT

## EXHIBIT "A"

SHEET 1 OF 3

NOT VALID WITHOUT SHEET 2 & 3 OF 3

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL #800, SIDEWALK EASEMENT (BY SURVEYOR)

A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 9002, PAGE 2644 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 20, BLOCK 3 OF PLAT ONE INDIAN RIVER PLANTATION ESTATES, AS RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT BEING ON THE EASTERLY LINE OF SAID LOT 20, BLOCK 3 AND THE NORTHERLY RIGHT OF WAY LINE OF McCULLOUGH ROAD OF SAID PLAT ONE INDIAN RIVER PLANTATION ESTATES; THENCE NORTH 12°47'23" WEST, ALONG THE EASTERLY LINE OF SAID LOT 20, BLOCK 3, A DISTANCE OF 8.14 FEET; THENCE NORTH 66°31'07" EAST, DEPARTING THE EASTERLY LINE OF SAID LOT 20, BLOCK 3, A DISTANCE OF 406.91 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 1 PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 7003-(175)277; THENCE SOUTH 12°47'23" EAST, ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 1, A DISTANCE OF 8.14 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF SAID McCULLOUGH ROAD; THENCE SOUTH 66°31'07" WEST, DEPARTING THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 1 AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID McCULLOUGH ROAD, A DISTANCE OF 406.91 FEET TO THE POINT OF BEGINNING.

SAID 8' WIDE SIDEWALK EASEMENT CONTAINS 3,254.75 SQUARE FEET OR 0.075 ACRES, MORE OR LESS.

### SURVEYORS NOTES:

1. THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS WHICH ARE THE SUBJECT OF THE UNDERSIGNED PROFESSIONAL'S KNOWLEDGE, INFORMATION, AND BELIEF PER CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, AND IN ACCORDANCE WITH STANDARDS OF PRACTICE.
2. IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION OR INK SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND REFERENCED TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 1 OF PLAT ONE INDIAN RIVER PLANTATION ESTATES HAVING A BEARING OF SOUTH 12°47'23" EAST.
4. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
5. PLAT INFORMATION SHOWN HEREON IS BASED ON MAP OF "PLAT ONE INDIAN RIVER PLANTATION ESTATES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
6. PROPERTY DESCRIPTION IS REFERENCED TO OWNERSHIP AND ENCUMBRANCE REPORT PREPARED BY ATTORNEY'S TITLE FUND SERVICES, LLC, FUND FILE NUMBER 1148294, AGENT'S FILE NUMBER 21-311-PH, EFFECTIVE DATES FROM SEPTEMBER 8, 2019 AT 11:00 PM TO SEPTEMBER 7, 2021 AT 11:00 PM. THE FOLLOWING ENCUMBRANCES WERE LISTED IN SAID OWNERSHIP AND ENCUMBRANCE REPORT:  
  
A. ENCUMBRANCE 1 - NOTICE OF COMMENCEMENT RECORDED IN OFFICIAL RECORDS BOOK 9005, PAGE 1479, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA (NOTED ONLY.)  
  
B. ENCUMBRANCE 2 - RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT IN OFFICIAL RECORDS BOOK 9038, PAGE 130, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA (NOTED ONLY.)
7. THIS IS NOT A BOUNDARY SURVEY.



Notarized by Charles D. Ferraro  
Date: 2021 09 30 10:02:27 -0400

PREPARED FOR AND CERTIFIED TO:  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

CHARLES DAVID FERRARO — REGISTERED LAND SURVEYOR  
FLORIDA REGISTRATION NO. 4768  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY:

**Colliers** Engineering  
& Design

5471 W. WATERS AVENUE, SUITE 100  
TAMPA, FLORIDA 33634  
TELEPHONE 813-207-1061

DRAWN BY: RPK

CHECKED BY: CDF

PROJECT NO. 20SP00025

SECTION 31

TOWNSHIP 20 SOUTH  
RANGE 35 EAST

DATE: 09/30/2021

DRAWING: V-SW-ESMT

REVISIONS

DATE

DESCRIPTION

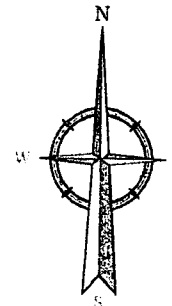
PARCEL #800

PARENT PARCEL ID# 20-35-31-00-501 & 20-35-31-00-506  
PER CURRENT PROPERTY ADDRESS 2150

PURPOSE: 8' WIDE SIDEWALK EASEMENT

SHEET 2 OF 3

THIS IS NOT A SURVEY



## LEGEND

ID = IDENTIFICATION  
ORB = OFFICIAL RECORDS BOOK  
PB = PLAT BOOK  
PG = PAGE  
S.F. = SQUARE FEET

SEE SHEET 3 FOR SIDEWALK EASEMENT

## Colliers

5471 W. WATERS AVENUE, SUITE 100  
TAMPA, FLORIDA 33634  
TELEPHONE 813-207-1061

$$1'' = 200'$$

SECTION 31  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

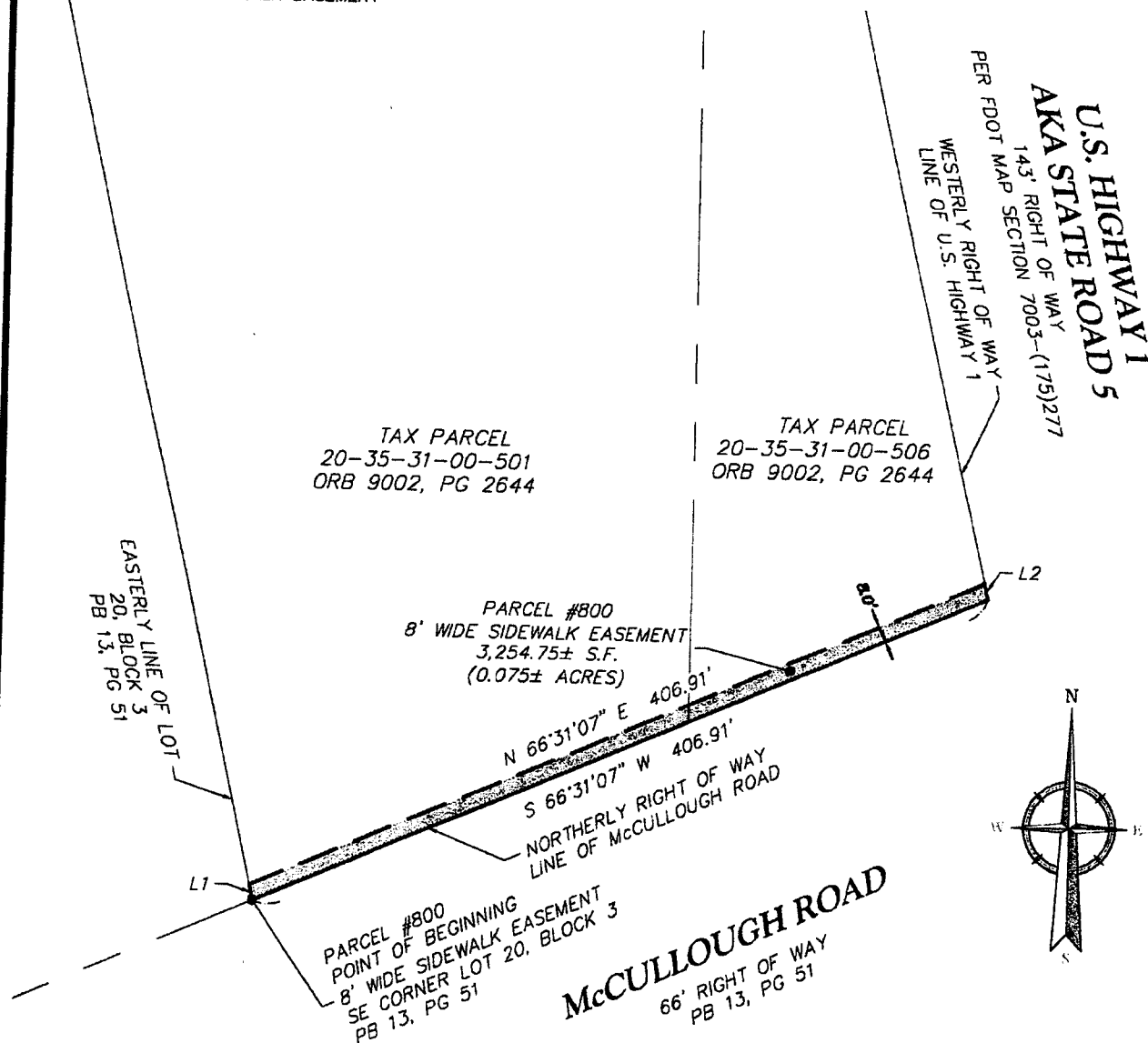
PARCEL #800

PURPOSE: 8' WIDE SIDEWALK EASEMENT

SHEET 3 OF 3

NOT VALID WITHOUT SHEET 1 & 2 OF 3

THIS IS NOT A SURVEY



LINE DATA		
SEGMENT	DIRECTION	LENGTH
L1	N 12° 47' 23" W	8.14'
L2	S 12° 47' 23" E	8.14'

## LEGEND

ID = IDENTIFICATION  
ORB = OFFICIAL RECORDS BOOK  
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PG = PAGE  
S.F. = SQUARE FEET

PREPARED BY:

## Colliers

Engineering  
& Design

5471 W. WATERS AVENUE, SUITE 100  
TAMPA, FLORIDA 33634  
TELEPHONE 813-207-1061

SCALE:

$$1'' = 80'$$

PROJECT NO.:  
20SP00025

SECTION 31  
TOWNSHIP 20 SOUTH  
RANGE 35 EAST

# LOCATION MAP

Section 31, Township 20 South, Range 35 East - District 1

PROPERTY LOCATION: West of US Highway 1 and north of McCullough Road in Mims

OWNERS NAME(S): RGW Enterprise LLC

