



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2516, **Version:** 1

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### **Subject:**

Approval, Re: Donation of Non-Exclusive Easement for Use and Access from St. Johns River Water Management District and the Board of Trustees of the Internal Improvement Fund of the State of Florida for Basin 2258 (Eagan Ranch) - Districts 3 & 5.

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Works Department / Land Acquisition / Natural Resources Management Department

### **Requested Action:**

It is requested that the Board of County Commissioners accept and authorize the Chair to execute the attached Non-Exclusive Easement for Use and Access.

### **Summary Explanation and Background:**

The subject property is located in Section 34, Township 30 South, Range 37 East, on the east side of Babcock Street, near the Brevard County and Indian River County line.

The easement encompasses a portion of a roadside ditch already maintained by Brevard County. Acceptance of this easement will formally allow for completion of engineering and permitting services (via a continuing service consultant task order) and construction of improvements in the easement area. This treatment project for the Basin 2258 outfall is designed to reduce the amount of pollution entering the Indian River Lagoon from stormwater runoff and groundwater baseflow.

Paragraph 14. Waiver of Jury Trial puts any legal proceedings of any nature under this Easement before the Circuit Court of the Seventh Judicial Circuit in and for Putnam County, Florida. This is approximately a two-hour drive. By accepting this Easement, the Board of County Commissioners is agreeing to this provision.

St. Johns River Water Management District requests that the Board accept and authorize the Chair to sign before the District executes the easement. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida has executed their portion. The District will record the fully executed easement in the public records of Brevard County.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

### **Clerk to the Board Instructions:**

Two signed originals of the Non-Exclusive Easement for Use and Access are needed: one for SJRWMD and one for Public Works Department. Upon execution by the Chair, Public Works Department will make arrangements to pick up the (2) two original executed Non-Exclusive Easement for Use and Access from the Clerk's office.