

Prepared by: Public Works Dept./Land Acquisition
Return to: Marilyn Bauer, Land Acquisition Specialist
Bldg. A204 – Viera, FL 32940
Parcel ID#: 27-37-17-00-500

DEED
(ROAD RIGHT-OF-WAY)

THIS INDENTURE is made this ___ day of _____, 2009, between SCHOOL BOARD OF BREVARD COUNTY FLORIDA whose address is 2700 JUDGE FRAN JAMIESON WAY, VIERA, FL 32940, as party of the first part, and BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, as party of the second part, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00) and other valuable considerations, paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the party of the second part, its successors and assigns the following described land, situate, lying and being in the County of Brevard, State of Florida, to-wit:

1. 12,415 square feet, more or less, along the south side of Aurora Road west of Commodore Blvd., per the attached legal description and sketch (Exhibit "A" – 2 pages).
2. 2,470 square feet, more or less, at the southwest corner of Aurora Road and Commodore Blvd., per the attached legal description and sketch (Exhibit "B" – 2 pages). Note that this deed supersedes and voids the Right of Way Easement for this parcel, granted by the party of the first part to the party of the second part on January 15, 2002. (OR Book 4555 / Pages 3642 – 3644)

This deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a fee simple interest in and to said lands for public road or highway purposes, public utilities and other public purposes.

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 said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered

SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

Witness

Dr. Richard A. DiPatri, Superintendent

Print or Type

Robert Jordan, Chairman

Witness

Print or Type

STATE OF FLORIDA
COUNTY OF BREVARD

I HEREBY CERTIFY, that on this day personally appeared me, an officer duly authorized to administer oaths and take acknowledgments _____ well known to me to be the person(s) described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purpose therein expressed. He/she/they have produced _____ as identification and he/she/they did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid, this ___ day of _____, 2009.

Notary Public

Print or type name

Commission Expires: _____

Commission No. _____

LEGAL DESCRIPTION

OFFICIAL COURT USE ONLY (CFN#)

EXHIBIT "A"

1 OF 2

PARENT PARCEL ID#
27-37-17-00-00500.0-0000.00

SHEET 1 OF 2

PURPOSE: RIGHT OF WAY

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

LEGAL DESCRIPTION: RIGHT OF WAY (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 92, PAGE 523 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LOCATED WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 27 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

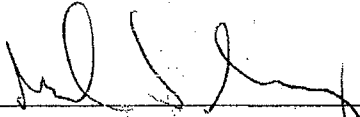
COMMENCE AT THE NORTHEAST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE SOUTH 89°53'23" WEST ALONG THE NORTH LINE OF THE SAID SOUTHWEST ONE-QUARTER FOR A DISTANCE OF 75.19 FEET; THENCE SOUTH 00°06'37" EAST FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 92, PAGE 523, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE SOUTH 00°06'37" EAST FOR A DISTANCE OF 30.76 FEET; THENCE NORTH 87°17'16" WEST FOR A DISTANCE OF 151.60 FEET; THENCE NORTH 89°35'31" WEST FOR A DISTANCE OF 235.22 FEET; THENCE NORTH 89°07'52" WEST FOR A DISTANCE OF 156.05 FEET TO A POINT ON THE WEST LINE OF SAID DESCRIBED LANDS; THENCE NORTH 00°14'59" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 18.50 FEET; THENCE NORTH 89°53'23" EAST ALONG THE NORTH LINE OF SAID DESCRIBED LANDS FOR A DISTANCE OF 542.54 FEET TO THE POINT OF BEGINNING, CONTAINING 12,415 SQUARE FEET, MORE OR LESS.

1. BASIS OF BEARINGS IS THE MONUMENTED SOUTH RIGHT OF WAY LINE OF AURORA ROAD AS BEING NORTH 89°53'23" EAST.

ABBREVIATIONS:

COR = CORNER
FND = FOUND
FT = FEET OR FOOT
ORB = OFFICIAL RECORD BOOK
PGS = PAGES
R = RANGE OR RADIUS
R/W = RIGHT OF WAY
SEC = SECTION
SQ = SQUARE
T = TOWNSHIP

PREPARED FOR:
BREVARD COUNTY


MICHAEL J. SWEENEY, RLSM NO. 4870
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: MICHAEL J. SWEENEY, RLSM NO. 4870

ADDRESS: 2289 WEST EAU GALLIE BOULEVARD

PHONE: (321) 253-8131, FAX: (321) 255-2231


FRAZIER ENGINEERING, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS (EB6410)(LB6929)

DRAWING NO.	0739ALEG.DWG	DRAWN BY:	ELC	REVISION	2/10/09	SECTION	<u>17</u>
CLIENT PROJ NO:	2002-013-F-052	CHECKED BY:	MJS	REVISION		TOWNSHIP	<u>27</u> SOUTH
FEI PROJ NO:	0207.39A	DATE:	11/17/08	REVISION		RANGE	<u>37</u> EAST

SKETCH OF DESCRIPTION

OFFICIAL COURT USE ONLY (CFN#)

EXHIBIT "A"
2 OF 2

THIS IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREON.

SHEET 2 OF 2

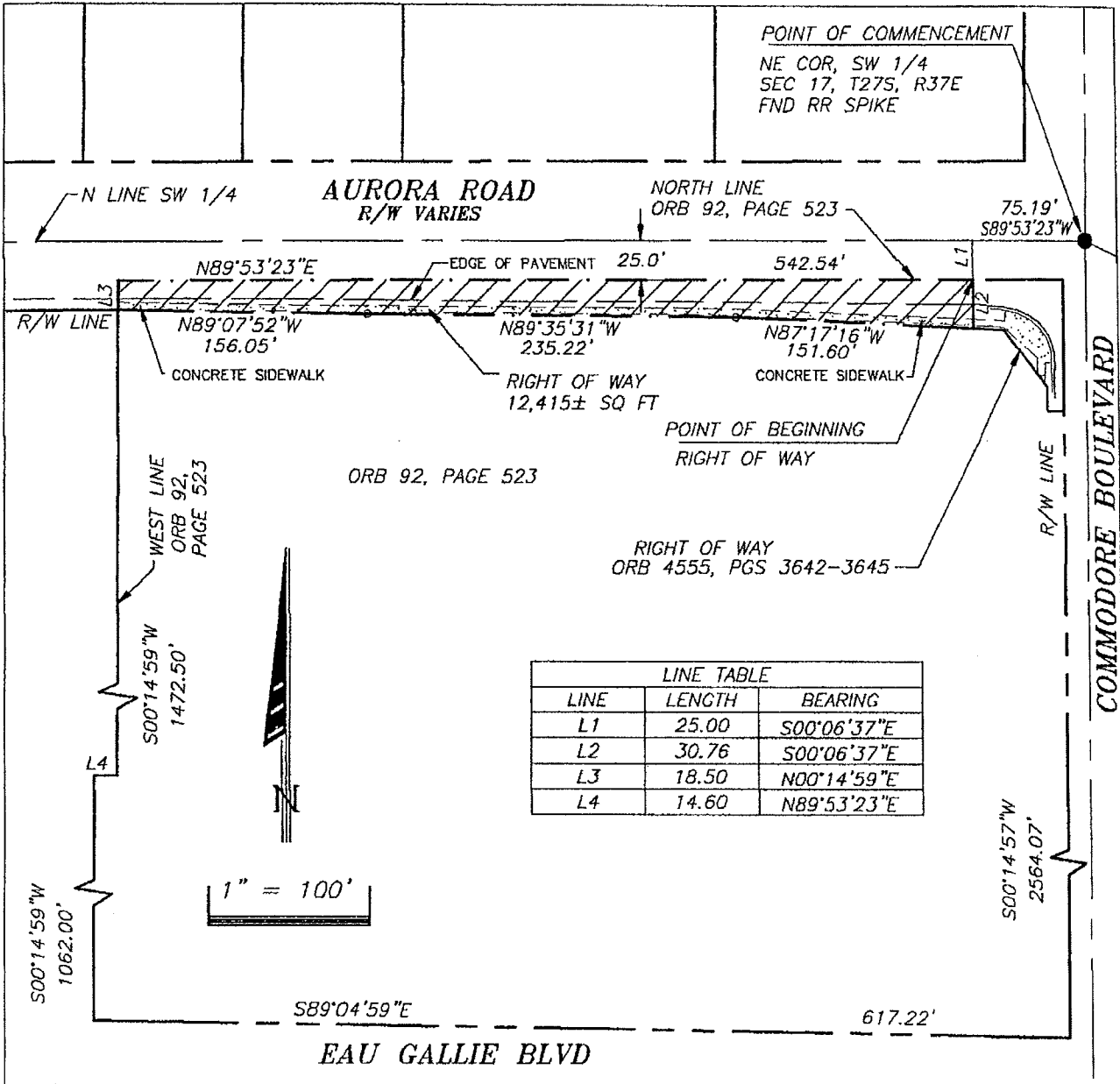
PARENT PARCEL ID#

27-37-17-00-00500.0-0000.00

PURPOSE: RIGHT OF WAY

NOT VALID WITHOUT THE LEGAL DESCRIPTION ON SHEET 1 OF 2

THIS SKETCH IS NOT A SURVEY



SECTION 17
TOWNSHIP 27 SOUTH
RANGE 37 EAST

SCALE:
1"=100'

PREPARED BY: MICHAEL J. SWEENEY, RLSM NO. 4870
FRAZIER ENGINEERING, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS (EB6410)(LB 6929)
2289 West Eau Gallie Boulevard, Melbourne, Florida 32935
TEL. (407) 253-8131, FAX (407) 255-2231

LEGAL DESCRIPTION:

A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 92, PAGE 523 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING LOCATED IN SECTION 17, TOWNSHIP 27 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID DESCRIBED LANDS, SAID POINT ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF AURORA ROAD AND THE WEST RIGHT OF WAY LINE OF COMMODORE BOULEVARD; THENCE SOUTH 00°14'59" WEST ALONG SAID WEST RIGHT OF WAY LINE OF COMMODORE BOULEVARD FOR A DISTANCE OF 74.71 FEET; THENCE NORTH 89°23'31" WEST FOR A DISTANCE OF 10.80 FEET; THENCE NORTH 00°36'29" EAST FOR A DISTANCE OF 14.63 FEET; THENCE NORTH 37°54'42" WEST FOR A DISTANCE OF 45.86 FEET; THENCE NORTH 87°32'47" WEST FOR A DISTANCE OF 20.80 FEET; THENCE NORTH 00°07'56" WEST FOR A DISTANCE OF 22.76 FEET TO SAID SOUTH RIGHT OF WAY LINE OF AURORA ROAD; THENCE NORTH 89°52'04" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 59.98 FEET TO THE POINT OF BEGINNING, CONTAINING 2,470 SQUARE FEET, MORE OR LESS.

ABBREVIATIONS

CHL = CHAIN LINK
CMP = CORRUGATED METAL PIPE
CONC = CONCRETE
EOP = EDGE OF PAVEMENT
INV = INVERT
MH = MANHOLE
R/W = RIGHT OF WAY
RCP = REINFORCED CONCRETE PIPE
SQ FT = SQUARE FEET
TOB = TOP OF BANK

