

Prepared by and return to:
City Attorney
P.O. Box 1389
Vero Beach, FL 32961-1389
Property Appraiser's Parcel
Identification No: 32392600011023000001.0

**WATER & SEWER EASEMENT DEED
(#2021-EG-265)**

THIS INDENTURE made and entered into this _____ day of _____ 2023, (“Effective Date”) by and between **INDIAN RIVER COUNTY, FLORIDA, a political subdivision of the State of Florida** (the “Grantor”), whose mailing address is 1801 27th Street, Vero Beach, Florida 32960, and the **CITY OF VERO BEACH, a Florida municipal corporation** (the “Grantee”), whose mailing address is P.O. Box 1389, Vero Beach, Florida 32961-1389.

(Wherever used herein the terms “Grantor” and “Grantee” include all the parties to this instrument and their respective heirs, legal representatives, successors, and assigns).

WITNESSETH:

That Grantor is the owner in fee simple of that certain real property located at **3901 26th Street (also known as the “Jackie Robinson Training Complex”)**, lying, situate, and being in Indian River County, Florida, as being more particularly described as:

See attached **Exhibit “A”** (hereinafter the “Property”).

That Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants to the Grantee exclusive easements in perpetuity through, on, under and across the Property for water and sewer purposes, which easements shall be as more particularly described in **Exhibit “B”** and **Exhibit “C”** (hereinafter “Easements”), attached hereto and incorporated herein by reference, and which Easements shall run with and be a burden upon the Property.

Notwithstanding the foregoing, Grantor covenants to limit its improvements, construction, installations, equipment, and plantings (collectively hereinafter “Improvements”) on and in the Easements to those existing on the Effective Date hereof. In order to facilitate the orderly development of the Property, avoid damage or disruption to Grantee’s utility facilities, and avoid injury or death to persons, Grantor further covenants that it shall not construct, install, or allow the construction or installation of any other or additional improvements or installations of any kind or nature on or in the Easements without prior review and approval by Grantee’s water & sewer department.

Grantor further grants to the Grantee, as part of these Easements, a general easement for ingress, egress, and regress over and across the driveways, parking, common, and open areas of the Property for the purpose of access to and maintenance, repair, or replacement of any or all of Grantee's equipment, water improvements, or related facilities. Grantee shall cause the restoration of any disturbance to or upon the Property and repair any damage to Grantor's Improvements (which shall only include those Improvements existing on the Effective Date and those subsequently constructed or installed with Grantee's approval pursuant hereto) caused by the acts or omissions of Grantee, its employees, agents, or contractors, which restoration and repair shall be completed without expense to Grantor. Grantee shall not be otherwise responsible for maintenance, restoration, or repair of the Property or Easements or any Improvement or other installation thereon or therein.

The undersigned hereby covenants and warrants that Grantor owns the said land described herein and the undersigned, as or on behalf of Grantor, has the right to grant these Easements.

IN WITNESS WHEREOF, the Grantor has duly authorized and caused this Indenture to be executed in its name as of the day and year first herein written.

ATTEST:

GRANTOR:
INDIAN RIVER COUNTY, FLORIDA,
By its Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Joe Earman, Chairman

(Official Seal)

BCC approved: _____

Approved as to form and
legal sufficiency:

Bill Debraal, County Attorney

ACCEPTANCE OF CONVEYANCE

The foregoing conveyance is hereby accepted by the City of Vero Beach, Florida, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance.

ATTEST:

GRANTEE:
CITY OF VERO BEACH, a Florida
municipal corporation

Tammy K. Bursick
City Clerk

By: _____
Monte K. Falls, P.E.
City Manager

(SEAL)

Date: _____

ADMINISTRATIVE REVIEW

(For Internal Use Only–Sec. 2-77 COVB Code)

Approved as to form and legal sufficiency
for COVB only:

Approved as to technical requirements:

John S. Turner
City Attorney

Robert J. Bolton, P.E.
Director, Water & Sewer

Approved as to technical requirements:

Matthew T. Mitts, P.E.
Director, Public Works

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1-C (COMBINED PARCELS 1 AND 2)

A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 33 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 33 SOUTH, RANGE 39 EAST, PROCEED NORTH 89°45'39" WEST, A DISTANCE OF 1997.62 FEET TO A POINT; THENCE SOUTH 04°15'11" WEST, A DISTANCE OF 30.07 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF AIRPORT DRIVE (A/K/A 34TH AVENUE, A 90 FOOT RIGHT-OF-WAY) SAID POINT BEING THE POINT OF BEGINNING, THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 10°36'49" WEST, A DISTANCE OF 37.55 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 1125.14 FEET AND A CENTRAL ANGLE OF 09°30'08"; THENCE SOUTH ALONG SAID CURVE, A DISTANCE OF 186.60 FEET; THENCE SOUTH 20°06'57" WEST, A DISTANCE OF 82.11 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 1825.86 FEET AND A CENTRAL ANGLE OF 19°54'25"; THENCE SOUTH ALONG SAID CURVE, A DISTANCE OF 634.38 FEET; THENCE SOUTH 00°12'32" WEST, A DISTANCE OF 55.06 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF INDIAN RIVER FARMS DRAINAGE DISTRICT MAIN CANAL (300 FOOT RIGHT-OF-WAY); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 69°22'53" WEST, A DISTANCE OF 482.50 FEET; THENCE NORTH 15°50'35" WEST, A DISTANCE OF 50.17 FEET TO A POINT 50.00 FEET NORTH OF AFORESAID MAIN CANAL NORTH RIGHT-OF-WAY LINE; THENCE SOUTH 69°22'53" WEST ALONG SAID LINE PARALLEL AND 50.00 FEET NORTH OF SAID MAIN CANAL NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1001.21 FEET; THENCE NORTH 18°15'26" WEST, A DISTANCE OF 386.46 FEET; THENCE NORTH 63°53'04" WEST, A DISTANCE OF 476.06 FEET; THENCE NORTH 89°45'39" WEST, A DISTANCE OF 414.56 FEET; THENCE NORTH 00°14'21" EAST, A DISTANCE OF 876.82 FEET TO A POINT 30.00 FEET SOUTHERLY OF THE NORTH LINE OF SECTION 3, TOWNSHIP 33 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°45'39" EAST ALONG A LINE BEING 30.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID SECTION LINE, A DISTANCE OF 2557.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 61.75 ACRES MORE OR LESS.

EXHIBIT "B"
PROPERTY DESCRIPTION
WATER EASEMENT #2021-EG-265
PARCEL #32-39-26-00011-0230-00001.0

Situated in the State of Florida, County of Indian River, City of Vero Beach and being a part of Section 03, Township 33 South, Range 39 East, and being more particularly bounded and described as follows:

A 15' wide water easement lying 7.5 feet on each side of the following described centerline:

Commencing at the northwest corner of Section 03, Township 33 South, Range 39 East;

Thence South 89°45'39" East along the north line of said Section 3 for a distance of 2450.05 feet the Point of Beginning and centerline of said water easement;

Thence from the Point of Beginning, run South 20°57'27" West for a distance of 30.30 feet;

Thence South 00°28'51" East for a distance of 322.58 feet to Point "A";

Thence South 89°31'09" West for a distance of 59.37 feet;

Thence returning to Point "A", run South 00°28'51" East for a distance of 169.95 feet to Point "B";

Thence North 89°44'55" West for a distance of 213.72 feet;

Thence North 00°15'05" East for a distance of 7.50 feet;

Thence returning to Point "B", run South 00°28'51" East for a distance of 137.85 feet to Point "C";

Thence South 89°31'09" West for a distance of 41.94 feet;

Thence returning to Point "C", run South 00°28'51" East for a distance of 108.03 feet to Point "D";

Thence continue South 00°28'51" East of Point "D" for a distance of 209.30 feet;

Thence returning to Point "D", run South 89°31'09" West for a distance of 12.09 feet;

Thence South 29°04'58" West for a distance of 75.95 feet;

Thence South 00°40'26" East for a distance of 52.58 feet to Point "E";

Thence South 89°19'35" West for a distance of 18.19 feet;

Thence returning to Point "E", run South 00°40'26" East for a distance of 4.50 feet;

Thence North 89°19'35" East for a distance of 22.14 feet;

Said easement containing 21,840 square feet or 0.5 acres more or less.

Note: The side lines of the above described easement are to be shortened or prolonged to meet at angle points and section line.



David Gay, PSM #5973



INDIAN RIVER COUNTY PARCEL # 32-39-34-00001-0140-00001.0

FLIGHT SAFETY DR

INDIAN RIVER COUNTY PARCEL # 32-39-26-00011-0210-00001.4

SOUTH SECTION LINE 34-32-39
NORTH SECTION LINE 03-33-39

S89°45'39"E 2450.05'

INDIAN RIVER COUNTY PARCEL # 32-39-26-00011-0310-00001.3

INDIAN RIVER COUNTY PARCEL # 32-39-26-00011-0310-00001.3

POINT OF COMMENCEMENT
NW CORNER SECTION 03-33-39

POINT OF BEGINNING

S20°57'27"W
30.30'

SUBJECT EASEMENT
(15' WATER)

S00°28'51"E
322.58'

SCALE 1" = 120'

INDIAN RIVER COUNTY
3901 26TH STREET

PARCEL # 32-39-26-00011-0230-00001.0

15'

S89°31'09"W
59.37'

POINT "A"

S00°28'51"E
169.95'

N00°15'05"E
7.50'

N89°44'55"W
213.72'

POINT "B"

S00°28'51"E
137.85'

S89°31'09"W
41.94'

POINT "C"

S00°28'51"E
108.03'

S89°31'09"W
12.09'

POINT "D"

S29°04'58"W
75.95'

S00°40'26"E
52.58'

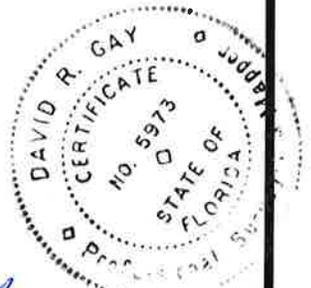
POINT "E"

S00°28'51"E
209.30'

S89°19'35"W
18.19'

S00°40'26"E
4.50'

N89°19'35"E
22.14'



David R. Gay 8/9/21
DAVID GAY, PSM #5973 DATE

THIS SKETCH IS NOT A SURVEY

SHEET 3 OF 3

CITY OF VERO BEACH DEPARTMENT OF PUBLIC WORKS SURVEY & ENGINEERING DIVISION	SKETCH OF PROPERTY DESCRIPTION WATER EASEMENT PORTION OF SECTION 03-33-39	EXHIBIT "B"		REV. NO.	AUTHZD BY
		CITY PROJECT NO. 2021-EG-265		DRWN BY	DATE
		DATE 07/2021	DRWN BY DG	CHKD BY MTM	DESCRIPTION

EXHIBIT "C"
PROPERTY DESCRIPTION
SEWER EASEMENT #2021-EG-265
PARCEL #32-39-26-00011-0230-00001.0

Situated in the State of Florida, County of Indian River, City of Vero Beach and being a part of Section 03, Township 33 South, Range 39 East, and being more particularly bounded and described as follows:

A 20' wide sewer easement lying 10.0 feet on each side of the following described centerline:

Commencing at the northwest corner of Section 03, Township 33 South, Range 39 East;

Thence South 89°45'39" East along the north line of said Section 3 for a distance of 2373.98 feet the Point of Beginning and centerline of said sewer easement;

Thence from the Point of Beginning, run South 00°13.46" West for a distance of 473.84 feet to Point "A";

Thence North 89°20'27" West for a distance of 266.18 feet;

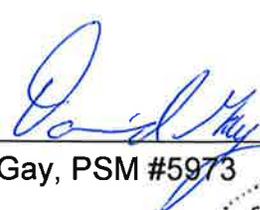
Thence returning to Point "A", run South 00°13'46" West for a distance of 299.73 feet to Point "B";

Thence North 57°37'23" East for a distance of 246.72 feet;

Thence returning to Point "B", run South 82°54'06" West for a distance of 254.39 feet;

Said easement containing 30,375 square feet or 0.70 acres more or less.

Note: The side lines of the above described easement are to be shortened or prolonged to meet at angle points and section line.



David Gay, PSM #5973



INDIAN RIVER COUNTY PARCEL # 32-39-34-00001-0140-00001.0

SOUTH SECTION LINE 34-32-39
NORTH SECTION LINE 03-33-39

S89°45'39"E 2373.98'

FLIGHT SAFETY DR

INDIAN RIVER COUNTY
PARCEL # 32-39-26-00011-0210-00001.4

INDIAN RIVER COUNTY PARCEL # 32-39-26-00011-0310-00001.3

INDIAN RIVER COUNTY
PARCEL # 32-39-26-00011-0310-00001.3

POINT OF COMMENCEMENT
NW CORNER SECTION 03-33-39

POINT OF BEGINNING

SUBJECT EASEMENT
(20' SEWER)

SCALE 1" = 120'

INDIAN RIVER COUNTY
3901 26TH STREET
PARCEL # 32-39-26-00011-0230-00001.0

S00°13'46"W
473.84'

20'

N89°20'27"W
266.18'

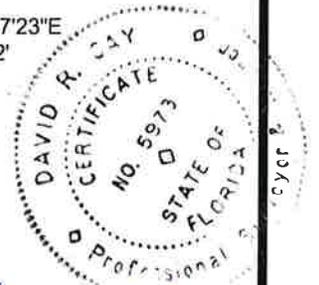
POINT "A"

S00°13'46"W
299.73'

S82°54'06"W
254.39'

N57°37'23"E
246.72'

POINT "B"



David Gay
DAVID GAY, PSM #5973

8/9/21
DATE

THIS SKETCH IS NOT A SURVEY

SHEET 2 OF 2

CITY OF VERO BEACH DEPARTMENT OF PUBLIC WORKS SURVEY & ENGINEERING DIVISION	SKETCH OF PROPERTY DESCRIPTION SEWER EASEMENT PORTION OF SECTION 03-33-39	EXHIBIT "C"		REV. NO.	AUTHRZD BY
		CITY PROJECT NO. 2021-EG-265		DRWN BY	DATE
		DATE 07/2021	DRWN BY DG	CHKD BY MTM	DESCRIPTION