

## **DRAINAGE EASEMENT AGREEMENT FOR 11TH DRIVE**

**THIS GRANT OF EASEMENT**, made and executed this 12 day of April, 2024, by **TTRES FL Vero Beach 11<sup>th</sup>, LLC**, a Delaware limited liability company, whose post office address is 111 Monument Circle, Suite 1500, Indianapolis, IN 46204, hereinafter called **GRANTOR**, to **INDIAN RIVER COUNTY**, a political subdivision of the State of Florida, having a mailing address of 1801 27th Street, Vero Beach, Florida 32960, hereinafter called **GRANTEE**.

### **WITNESSETH:**

**That GRANTOR** for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the **GRANTEE**, an easement for construction and maintenance of drainage and stormwater facilities to provide stormwater treatment for 11th Drive over, across and beneath the following described land, situate in Indian River County, Florida, to-wit:

**See Exhibit "A" attached hereto, entitled "Legal Description & Sketch for a Drainage Easement at the Proposed Verity Site" Section 25, Township 32 South, Range 39 East, Indian River County, Florida, dated February 12, 2024 and revised per comments 3/16/24**

**And GRANTOR** hereby covenants with said **GRANTEE** that the **GRANTOR** is lawfully seized of said servient land in fee simple, and that the **GRANTOR** has good right and lawful authority to convey the easement established hereby and will defend the same against the lawful claims of all persons whomsoever.

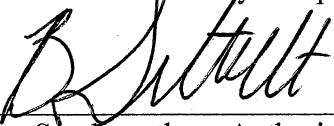
**And GRANTOR** reserves for itself, its successors and assigns, all right of passage and use over, upon, and across all easements described herein, including the right to engage and permit others to engage in all uses of the property not inconsistent with the purposes of the easements described herein.

**And GRANTEE** and its successors and assigns will be responsible for the operation and maintenance of the drainage pipe within the 11<sup>th</sup> Drive right of way that flows into the detention basin that is depicted as the "Subject Easement" area (1.4313 acres) on Exhibit "A" (Sheet 3 of 4) attached hereto.

**And GRANTOR** and its successors and assigns will be responsible for the operation and maintenance of the drainage and stormwater facilities within the Subject Easement area through the outfall to the fifteen (15) foot wide drainage easement shown on Exhibit "A" (Sheet 2 of 4) attached hereto.

IN WITNESS WHEREOF, TTRES FL Vero Beach 11<sup>th</sup>, LLC has executed this Drainage Easement Agreement as of the date first written above.

**TTRES FL Vero Beach 11<sup>th</sup>, LLC,**  
a Delaware limited liability company

By:   
Brian Southworth, as Authorized Representative

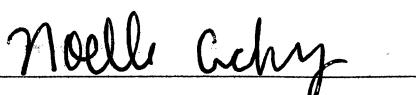
Signed, sealed, and delivered in our presence:

Two witnesses

Witness signature: 

Printed witness name: Micah Noble

Witness address: 8242 Ontario Lane Indianapolis, IN 46265

Witness signature: 

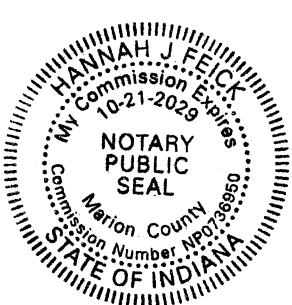
Printed witness name: Noelle Cichy

Witness address: 2133 Egbert Rd Westfield, IN 46074

**STATE OF INDIANA**

MARION County

On this 12 day of April, 2024, before me, the undersigned notary public, personally appeared Brian Southworth, as Authorized Representative of TTRES FL Vero Beach 11<sup>th</sup>, LLC, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Authorized Representative for and as the free act and deed of TTRES FL Vero Beach 11<sup>th</sup>, LLC.



  
Notary Public  
My Commission Expires: 10-21-29

(Official Signature and Seal of Notary)

**IN WITNESS WHEREOF**, Indian River County has executed this Drainage Easement Agreement as of the date first written above.

BOARD OF COUNTY COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA

BY: \_\_\_\_\_  
Susan Adams, Chairman

BCC Approved: \_\_\_\_\_

Attest: Ryan L. Butler, Clerk of Court and  
Comptroller

By: \_\_\_\_\_  
Deputy Clerk

Approved as to form and legal sufficiency

  
William K. DeBraal  
County Attorney

Approved:

By \_\_\_\_\_  
John A. Titkanich, Jr.  
County Administrator

**Exhibit "A" - Legal Description & Sketch  
for a Drainage Easement at the Proposed Verity Site  
Section 25, Township 32 South, Range 39 East**

**Indian River County, Florida**

*Sheet 1 of 4, Not Valid Without All Sheets*

**LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 25; THENCE NORTH 89°58'30" EAST ALONG THE NORTH LINE OF THE SAID SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 25, A DISTANCE OF 162.53 FEET TO A POINT; THENCE SOUTH 00°03'45" EAST A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 3393, PAGE 2243, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE HEREON DESCRIBED EASEMENT; THENCE CONTINUE SOUTH 00°03'45" EAST, A DISTANCE OF 75.63 FEET; THENCE SOUTH 37°48'42" WEST A DISTANCE OF 88.93 FEET; THENCE SOUTH 00°35'52" EAST A DISTANCE OF 49.08 FEET; THENCE NORTH 89°51'25" WEST A DISTANCE OF 24.14 FEET TO A POINT OF CURVATURE ON A CIRCULAR CURVE; THENCE SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00" FOR AN ARC DISTANCE OF 47.12 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°08'35" WEST A DISTANCE OF 196.50 FEET; THENCE NORTH 56°36'16" WEST A DISTANCE OF 29.90 FEET TO AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF 11TH DRIVE AS DESCRIBED IN OFFICIAL RECORD BOOK 3256, PAGE 1825 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE SOUTH 00°08'35" WEST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 11.96 FEET; THENCE SOUTH 56°36'16" EAST A DISTANCE OF 29.90 FEET; THENCE SOUTH 00°08'35" WEST A DISTANCE OF 94.92 FEET TO A POINT OF CURVATURE ON A CIRCULAR CURVE; THENCE SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 90°22'06", FOR AN ARC DISTANCE OF 47.32 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°46'29" EAST A DISTANCE OF 78.91 FEET TO A POINT OF CURVATURE ON A CIRCULAR CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 65.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", FOR AN ARC DISTANCE OF 102.10 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°13'31" WEST A DISTANCE OF 87.73 FEET; THENCE SOUTH 89°58'30" WEST A DISTANCE OF 4.00 FEET; THENCE NORTH 00°13'31" WEST A DISTANCE OF 5.00 FEET; THENCE NORTH 89°58'30" EAST A DISTANCE OF 4.00 FEET; THENCE NORTH 00°13'31" WEST A DISTANCE OF 104.90 FEET; THENCE SOUTH 89°58'30" WEST A DISTANCE OF 4.00 FEET; THENCE NORTH 00°13'31" WEST A DISTANCE OF 5.00 FEET; THENCE NORTH 89°58'30" EAST A DISTANCE OF 4.00 FEET; THENCE NORTH 00°13'31" WEST A DISTANCE OF 10.38 FEET TO A POINT OF CURVATURE ON A CIRCULAR CURVE; THENCE NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 85.00 FEET, THROUGH A CENTRAL ANGLE OF 89°37'54" FOR AN ARC DISTANCE OF 132.97 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°51'25" WEST A DISTANCE OF 23.17 FEET; THENCE NORTH 00°35'52" WEST A DISTANCE OF 45.72 FEET; THENCE NORTH 37°48'42" EAST A DISTANCE OF 88.88 FEET; THENCE NORTH 00°03'45" WEST A DISTANCE OF 79.05 FEET TO AN INTERSECTION WITH THE SAID SOUTH LINE OF THE DRAINAGE EASEMENT; THENCE SOUTH 89°58'30" WEST ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 62,347.95 SQUARE FEET OR 1.4313 ACRES, MORE OR LESS.

**LEGEND**

CH	CHORD
CHB	CHORD BEARING
Δ	DELTA
L	LENGTH
NTP	NON-TANGENT POINT
O.R.B.	OFFICIAL RECORDS BOOK
P.B.	PLAT BOOK
PG.	PAGE
P.I.D.	PARCEL IDENTIFICATION
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
R	RADIUS
R/W	RIGHT OF WAY
00-01S-02E	SECTION-TOWNSHIP-RANGE
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION

**SURVEYORS NOTES**

- 1) BY SIGNING AND SEALING THIS DESCRIPTION I HEREBY CERTIFY THAT THE DESCRIPTION OF THE PROPERTY DESCRIBED HEREON WAS COMPLETED UNDER MY DIRECTION AND THAT SAID DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THE THE DESCRIPTION AND SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE APPLICABLE STANDARDS OF PRACTICE REQUIREMENTS FOR A DESCRIPTION AND SKETCH AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES. NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS FIRM.
- 2) THE BEARING BASIS FOR THE DESCRIPTION CONTAINED HEREIN IS THE EAST LINE OF SECTION 26-32S-39E WHICH BEARS NOO°08'35"E.
- 3) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.

REVISED PER COMMENTS 3/16/24

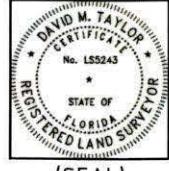
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**Masteller, Moler & Taylor, Inc.**  
PROFESSIONAL SURVEYORS AND MAPPERS  
LAND SURVEYING BUSINESS #4644

1655 27th Street, Suite 2 Vero Beach, Florida 32960  
Phone: (772) 564-8050 Fax: (772) 794-0647

No. LS5243  
DAVID M. TAYLOR  
P.S.M. 5243  
STATE OF FLORIDA  
REGISTERED LAND SURVEYOR  
DAVID TAYLOR P.S.M. 5243



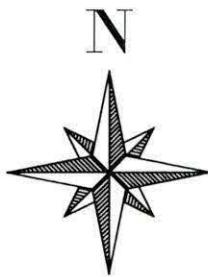
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3-19-24  
DMS

**Exhibit "A" - Legal Description & Sketch  
for a Drainage Easement at the Proposed Verity Site  
Section 25, Township 32 South, Range 39 East**

Indian River County, Florida

Sheet 2 of 4, Not Valid Without All Sheets



0 60 120 Feet

NE 1/4 OF SE 1/4  
SECTION 26-32S-39E

SOUTH LINE OF THE NE 1/4 OF  
THE SE 1/4 SECTION 26-32S-39E

60' R/W  
O.R.B. 3256, PG. 1825

COSTA POINTE PHASE 2  
(PROPOSED)

SE 1/4 OF SE 1/4  
SECTION 26-32S-39E

M a t c h

30.00' 30.00'  
30' R/W  
O.R.B. 3275, PG. 770

NW 1/4 OF SW 1/4  
SECTION 25-32S-39E

BASIS OF BEARINGS  
N00°08'35"E

POINT OF COMMENCEMENT  
NW CORNER OF THE SW 1/4  
OF THE SW 1/4 OF  
SECTION 25-32S-39E

NORTH LINE OF THE SW 1/4 OF  
THE SW 1/4 SECTION 25-32S-39E

N89°58'30"E 162.53'

SOUTH LINE OF  
DRAINAGE EASEMENT

POINT  
OF  
BEGINNING

15' DRAINAGE EASEMENT  
O.R.B. 3393, PG. 2243

SUBJECT  
EASEMENT  
1.4313 ACRES

THE VERITY  
(PROPOSED)  
SW 1/4 OF SW 1/4  
SECTION 25-32S-39E

11th DRIVE

WEST LINE OF SECTION 25-32S-39E

EAST R/W 11th DRIVE

P.C.

C1

P.T.

L4

L5

L22

L21

P.T.

C2

REVISED PER COMMENTS 3/16/24

LEGAL DESCRIPTION & SKETCH  
"This is NOT a Boundary Survey"

Drawn by: DMT  
Checked by: DMT

File name: 7674  
Date: 02/12/24

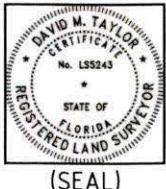
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Drawing Name: 7674-DE-Verity.dwg



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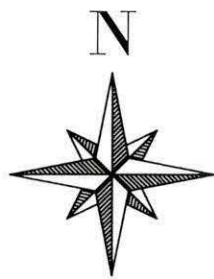
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Indian River County, Florida

Sheet 3 of 4, Not Valid Without All Sheets



0 60 120 Feet

**COSTA POINTE PHASE 2  
(PROPOSED)**

SE 1/4 OF SE 1/4  
SECTION 26-32S-39E

60' R/W  
O.R.B. 3256, PG. 1825

**M a t c h   L i n e   S e e   S h e e t   2**

N00°08'35"E  
BASIS OF BEARINGS

**11th DRIVE**  
EAST R/W 11TH DRIVE

EAST LINE OF SECTION 26-32S-39E  
WEST LINE OF SECTION 25-32S-39E

L6  
L8  
L7  
L9  
L10

**SUBJECT  
EASEMENT**  
1.4313 ACRES

PC  
PT  
PC  
PT  
PC

SW 1/4 OF SW 1/4  
SECTION 25-32S-39E

**THE VERITY  
(PROPOSED)**

NORTH LINE OF THE SOUTH 715' OF THE SW 1/4  
OF THE SW 1/4 OF SECTION 25-32S-39E

REVISED PER COMMENTS 3/16/24

**LEGAL DESCRIPTION & SKETCH**  
"This is NOT a Boundary Survey"

Drawn by: DMT  
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Date: 02/12/24

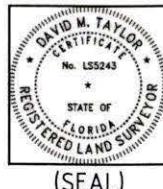
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(SEAL)

2-19-24  
DMJ

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Section 25, Township 32 South, Range 39 East  
Indian River County, Florida**  
Sheet 4 of 4, Not Valid Without All Sheets

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord
C1	47.12'	30.00'	090°00'00"	S45°08'35"W	42.43'
C2	47.32'	30.00'	090°22'06"	S45°02'28"E	42.56'
C3	102.10'	65.00'	090°00'00"	N44°46'29"E	91.92'
C4	132.97'	85.00'	089°37'54"	N45°02'28"W	119.82'

Line Table		
Line #	Length	Direction
L1	15.00'	S00° 03' 45"E
L2	75.63'	S00° 03' 45"E
L3	88.93'	S37° 48' 42"W
L4	49.08'	S00° 35' 52"E
L5	24.14'	N89° 51' 25"W
L6	196.50'	S00° 08' 35"W
L7	29.90'	N56° 36' 16"W
L8	11.96'	S00° 08' 35"W
L9	29.90'	S56° 36' 16"E
L10	94.92'	S00° 08' 35"W
L11	78.91'	N89° 46' 29"E
L12	87.73'	N00° 13' 31"W
L13	4.00'	S89° 58' 30"W

Line Table		
Line #	Length	Direction
L14	5.00'	N00° 13' 31"W
L15	4.00'	N89° 58' 30"E
L16	104.90'	N00° 13' 31"W
L17	4.00'	S89° 58' 30"W
L18	5.00'	N00° 13' 31"W
L19	4.00'	N89° 58' 30"E
L20	10.38'	N00° 13' 31"W
L21	23.17'	N89° 51' 25"W
L22	45.72'	N00° 35' 52"W
L23	88.88'	N37° 48' 42"E
L24	79.05'	N00° 03' 45"W
L25	10.00'	S89° 58' 30"W

REVISED PER COMMENTS 3/16/24

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