



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

F.7.

9/17/2024

### **Subject:**

Approval, Re: Special Warranty Deed for Right of Way from Chaparral Properties, LLC for the Chaparral P.U.D. Phase One Subdivision - District 5

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Works Department / Land Acquisition Office

### **Requested Action:**

It is requested that the Board of County Commissioners approve and accept the attached Special Warranty Deed.

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

The subject property is located in Section 04, Township 29 South, Range 36 East, on the south side of Malabar Road in Palm Bay.

Chaparral P.U.D. Phase One, as established by Plat Book 68, page 87, falls within the city limits of Palm Bay. The city accepted the Plat on November 17, 2020, with Tract RD-2 being for the purpose of public right of way to Brevard County. The Brevard County Board of County Commissioners did not have the opportunity to accept the right of way dedication as set out on the plat. The attached Special Warranty Deed from Chaparral Properties, LLC will formalize the acceptance and ownership of Tract RD-2 to Brevard County. All future maintenance of Tract RD-2 will be the responsibility of the 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:**



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

September 18, 2024

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director      **Attn:** Lisa Kruse

**RE:** Item F.7., Approval for Special Warranty Deed for Right-of-Way from Chaparral Properties, LLC for the Chaparral P.U.D. Phase One Subdivision

The Board of County Commissioners, in regular session on September 17, 2024, approved and accepted the Special Warranty Deed for a right-of-way from Chaparral Properties, LLC for the Chaparral P.U.D. Phase One Subdivision.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

**BOARD OF COUNTY COMMISSIONERS**

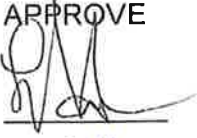

**AGENDA REVIEW SHEET**

**AGENDA:** Special Warranty Deed from Chaparral Properties, LLC for the Chaparral P.U.D. Phase One Subdivision – District 5

**AGENCY:** Public Works Department / Land Acquisition Office

**AGENCY CONTACT:** Lisa J. Kruse, Land Acquisition Specialist

**CONTACT PHONE:** 321-350-8353

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor	 _____	_____	<u>9.3.24</u>
COUNTY ATTORNEY Greg Hughes Assistant County Attorney	 _____	_____	<u>9/3/2024</u>

Return to: Lisa J. Kruse  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204  
Viera, Florida 32940

Parcel I.D. No. a portion of 29-36-04-03-\*--RD.2

-----[Space above for recorder's use only]-----

**SPECIAL WARRANTY DEED**  
Right of Way for a Portion of Malabar Road

THIS SPECIAL WARRANTY DEED, is made and executed this ~~1<sup>st</sup>~~ day of ~~August~~, 2024, by **CHAPARRAL PROPERTIES, LLC**, a Florida limited liability company ("Grantor"), whose address is c/o 2502 N. Rocky Point Drive, Suite 1050, Tampa, FL 33607, to **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida ("Grantee"), whose address is c/o Brevard County, 2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32490.

**WITNESSETH:**

THAT, GRANTOR, for Grantor's self, Grantor's heirs, personal representatives, successors and assigns, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, conveyed, and confirmed, and by these presents does hereby grant, bargain, sell, convey and confirm unto Grantee, Grantee's heirs, personal representatives, successors and assigns forever, all of that certain real property located in the County of Brevard, State of Florida, described as follows (the "Property"):

**Tract RD-2, Chaparral P.U.D. Phase One, as recorded in Plat Book 68, Page 87-89, of the Public Records of Brevard County, Florida.**

The purpose of this conveyance is to provide right-of-way for a portion of Malabar Road.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple, that Grantor has good right and lawful authority to sell and convey the Property and Grantor hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor but none other, subject to taxes and assessments subsequent to December 31, 2024, and all matters of record.

[Signature page follows]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date and year first stated above.

Signed, sealed and delivered in the presence of:

GRANTOR:

Chaparral Properties, LLC, a Florida limited liability company

*KyAndre Hollifield*  
Name: KyAndre Hollifield

By: *John M. Ryan*  
John M. Ryan, as its Authorized Person

Witness Address: 2502 N. Rocky Point Drive  
STE 1050  
Tampa, FL 33607

(SEAL)

*Arianna Moreira*  
Name: Arianna Moreira  
Witness Address: 2502 N. Rocky Point Drive  
STE 1050  
Tampa, FL 33607

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 1st day of August, 2024, by John M. Ryan, as an Authorized Person of Chaparral Properties, LLC, a Florida limited liability company, on behalf of the company, who is  personally known to me or  who has produced \_\_\_\_\_ (type of identification) as identification.



*Arianna Moreira*  
Printed Name: Arianna Moreira  
Notary Public  
Serial Number (if any): \_\_\_\_\_  
My Commission Expires: 11/29/2026

# LOCATION MAP

Section 04, Township 29 South, Range 36 East - District 5

PROPERTY LOCATION: South side of Malabar Road in Palm Bay.

OWNERS NAME(S): Chaparral Properties, LLC

