



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.6.

9/12/2023

Subject:

Approval, Re: Warranty Deed from School Board of Brevard County Florida for the Mila Elementary Sidewalk Replacement Project - District 2.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

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

Summary Explanation and Background:

The subject property is located in Section 26, Township 24 South, Range 36 East, on the north side of West Merritt Avenue west of North Courtenay Parkway in Merritt Island.

Based on the Interlocal Agreement for School Access and Site Improvements as recorded in Official Records Book 9204, Page 1571, Public Records of Brevard County, Florida, the School Board contacted the Public Works Department regarding the condition and safety of the sidewalk along Mila Elementary in Merritt Island. The School Board requested the County to remove and reconstruct the sidewalk located on the southeast portion of the School Board parcel. The School Board has agreed to convey additional right of way for the portion of the new sidewalk to Brevard County which will align with the existing sidewalk currently being maintained in county right of way. The County will be responsible for all future maintenance of the sidewalk that is within the right-of-way of West Merritt Avenue.

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 13, 2023

M E M O R A N D U M

TO: Marc Bernath, Public Works Director

RE: Item F.6., Approval for Warranty Deed from School Board of Brevard County Florida for the Mila Elementary Sidewalk Replacement Project

The Board of County Commissioners, in regular session on September 12, 2023, approved and accepted the Warranty Deed from the School Board of Brevard County for the Mila Elementary Sidewalk Replacement Project.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/sm

BOARD OF COUNTY COMMISSIONERS


AGENDA REVIEW SHEET

AGENDA: Warranty Deed from School Board of Brevard County Florida for the Mila Elementary Sidewalk Replacement Project – District 2

AGENCY: Public Works Department / Land Acquisition

AGENCY CONTACT: Lisa J. Kruse, Land Acquisition Specialist

CONTACT PHONE: 321-350-8353

	APPROVE	DISAPPROVE DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		<u>8-1-2023</u>
COUNTY ATTORNEY Christine Schverak Assistant County Attorney	<u>cms</u>	<u>8/1/2023</u>

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
A portion of interest in Tax Parcel ID: 24-36-26-00-506

WARRANTY DEED
(RIGHT OF WAY)

THIS DEED is made this 30 day of May, 2023, by the School Board of Brevard County Florida, hereafter called the Grantor, whose mailing address is 2700 Judge Fran Jamieson Way, Viera, Florida 32940, to Brevard County, a political subdivision of the State of Florida, hereafter called the Grantee, whose mailing address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940;

WITNESSETH that the Grantor, for and in consideration of the sum of One Dollar and No Cents (\$1.00) and other valuable considerations, paid, receipt of which is acknowledged, does grant, bargain, sell, and convey unto the Grantee, its successors and assigns the following described lands, lying and being in the Brevard County, Florida, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with all riparian and littoral rights appertaining thereto, and all interest in subsurface oil, gas, and minerals pursuant to section 270.11, Florida Statutes.

TO HAVE AND TO HOLD THE SAME, together with all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anywise incident and/or appertaining thereto and all the estate, right, title and interest forever, and the Grantor does fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

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

SIGNATURE PAGE FOLLOWS

Warranty Deed
Page 2

Signed, sealed and delivered in the presence of:

[Signature]
Witness
JEANIE L. BOWERS
Print Name
[Signature]
Witness
Rayna Dibling
Print Name

School Board of Brevard County, Florida

By: [Signature]

Matt Susin, Chair

ATTEST:

By: [Signature]

Susan Hann, P.E., Acting Superintendent

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization on this 30 day of 05, 2023, by Matt Susin, Chair for School Board of
Brevard County, Florida. Is ☒ personally known or ☐ produced _____ as identification.

Allison Cowan
Notary Signature

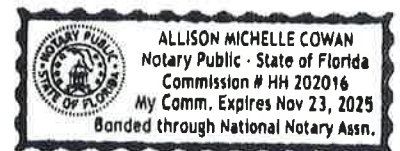
Seal

Brevard County School Board Date: 05-30-2023

Item: 35

Approved as to form: [Signature]

General Counsel



Brevard County Board of County Commissioners Meeting Date: _____
Agenda Item: _____

LEGAL DESCRIPTION

PARCEL 101

PARENT PARCEL ID#: 24-36-26-00-506

PURPOSE: FEE SIMPLE RIGHT OF WAY

LEGAL DESCRIPTION: PARCEL 101, FEE SIMPLE RIGHT OF WAY (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF ROSEDALE SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE 8 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89° 19' 01" EAST ALONG THE NORTH RIGHT OF WAY LINE OF WEST MERRITT AVENUE PER OFFICIAL RECORDS BOOK 924, PAGE 910 FOR A DISTANCE OF 579.55 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN NORTH 00° 40' 59" WEST FOR A DISTANCE OF 9.89 FEET; THENCE NORTH 63° 01' 53" EAST FOR A DISTANCE OF 25.25 FEET; THENCE NORTH 19° 46' 56" EAST FOR A DISTANCE OF 7.06 FEET; THENCE SOUTH 72° 14' 02" EAST FOR A DISTANCE OF 7.34 FEET; THENCE SOUTH 75° 51' 06" EAST FOR A DISTANCE OF 15.99 FEET; THENCE SOUTH 87° 47' 55" EAST FOR A DISTANCE OF 34.10 FEET; THENCE SOUTH 88° 34' 36" EAST FOR A DISTANCE OF 49.82 FEET; THENCE NORTH 89° 29' 25" EAST FOR A DISTANCE OF 32.15 FEET; THENCE NORTH 86° 01' 31" EAST FOR A DISTANCE OF 13.90 FEET; THENCE NORTH 87° 40' 10" EAST FOR A DISTANCE OF 24.79 FEET; THENCE SOUTH 88° 35' 20" EAST FOR A DISTANCE OF 28.01 FEET; THENCE NORTH 89° 19' 54" EAST FOR A DISTANCE OF 322.68 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF NORTH COURTENAY PARKWAY (ALSO KNOWN AS STATE ROAD NO. 3, SECTION 70140-2505) PER OFFICIAL RECORDS BOOK 5452, PAGE 6003; THENCE SOUTH 00° 39' 03" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 14.03 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE PER OFFICIAL RECORDS BOOK 2952, PAGE 808; THENCE CONTINUING ALONG AFORESAID NORTH RIGHT OF WAY LINE SOUTH 89° 19' 01" WEST FOR A DISTANCE OF 131.49 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 00° 46' 58" EAST FOR A DISTANCE OF 4.00 FEET TO THE SOUTHWEST CORNER OF SAID RIGHT OF WAY LINE PER SAID OFFICIAL RECORDS BOOK 2952, PAGE 808, SAID POINT ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE PER OFFICIAL RECORDS BOOK 924, PAGE 910; THENCE ALONG AFORESAID NORTH RIGHT OF WAY LINE SOUTH 89° 19' 01" WEST A DISTANCE OF 421.33 FEET TO THE POINT OF BEGINNING, CONTAINING 9,887 SQUARE FEET (0.22 ACRES), MORE OR LESS.

ALL DEED, MAP AND PLAT REFERENCES AS SHOWN HEREON. A TITLE OPINION OR REPORT WAS NOT PROVIDED TO THE SURVEYOR. RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS OR INCLUDED IN THE ABOVE REFERENCE MATERIAL ARE INDICATED HEREON. NO OPINION OF TITLE, OWNERSHIP OR UNWRITTEN RIGHTS IS EXPRESSED OR IMPLIED. ALL PUBLIC RECORDS REFERENCED HEREIN ARE PER THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE NORTH RIGHT OF WAY LINE OF W MERRITT AVENUE PER OFFICIAL RECORDS BOOK 924, PAGE 910, AS BEING NORTH 89° 19' 01" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
 - A. MILA ELEMENTARY SCHOOL BOUNDARY AND TOPOGRAPHIC SURVEY, PREPARED FOR BREVARD COUNTY SCHOOL BOARD, PREPARED BY ALLEN ENGINEERING, INC., PROJECT NO. 910102, DATED 11/15/1991.
 - B. SPECIFIC PURPOSE SURVEY PREPARED FOR BREVARD COUNTY PUBLIC WORKS DEPARTMENT, PREPARED BY BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION, PROJECT NO. 23-04-026, DATED 5/2/2023.

ABBREVIATIONS:

AC = ACRE
BOB = BASIS OF BEARINGS
BOC = BASIS OF COORDINATES
COR = CORNER
ORB = OFFICIAL RECORDS
BOOK
PB = PLAT BOOK
PG = PAGE

POB = POINT OF BEGINNING
POC = POINT OF
COMMENCEMENT
R = RANGE OR RADIUS
R/W = RIGHT OF WAY
SECT = SECTION
SQ FT = SQUARE FEET
TP = TAX PARCEL



PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS;
SCHOOL BOARD OF BREVARD COUNTY

MICHAEL J. SWEENEY, PSM 4870
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940
PHONE: (321) 633-2080



DRAWN BY: D LABISTIDA

CHECKED BY: M SWEENEY

PROJECT NO. 23-04-026

SECTION 26
TOWNSHIP 24 SOUTH
RANGE 36 EAST

DATE: 5/5/2023

SHEET: 1 OF 4

REVISIONS

DATE

DESCRIPTION

KEY MAP PARCEL 101

PARENT PARCEL ID#: 24-36-26-00-506

PURPOSE: FEE SIMPLE RIGHT OF WAY



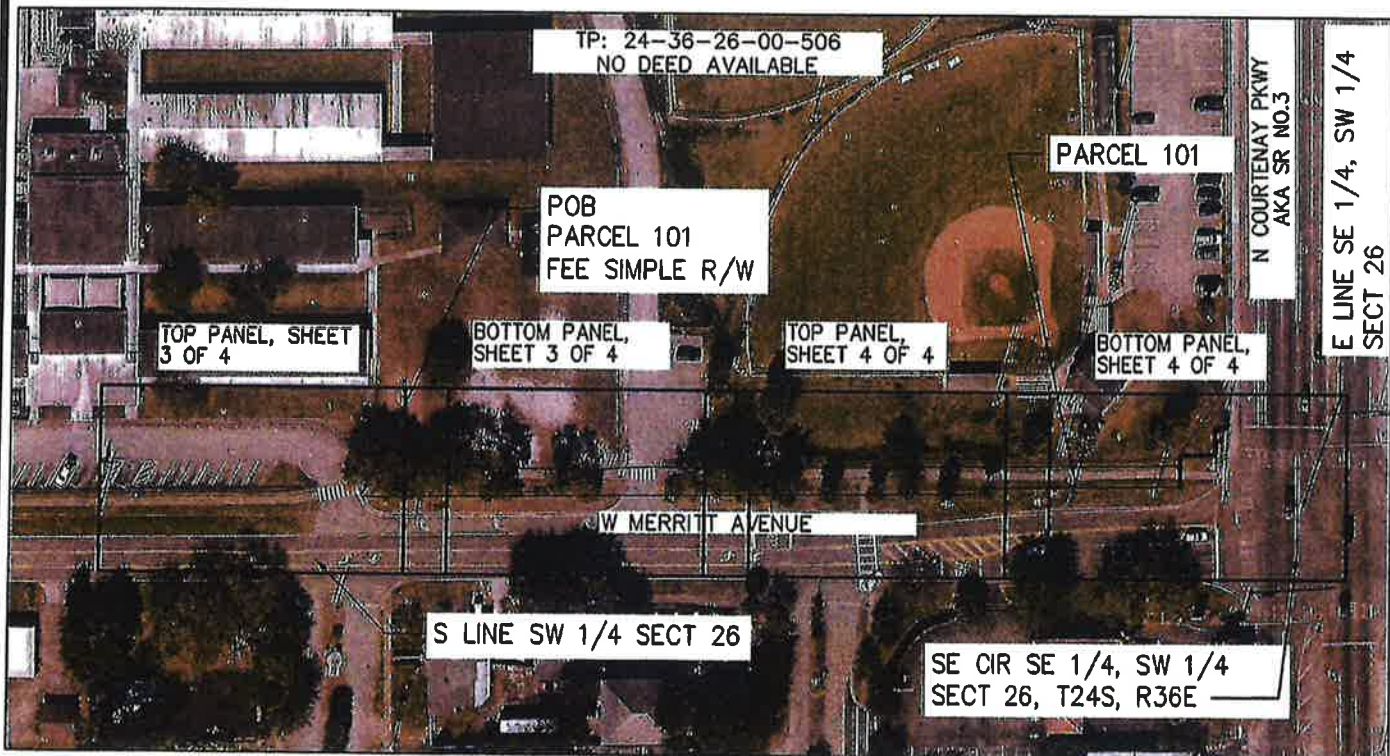
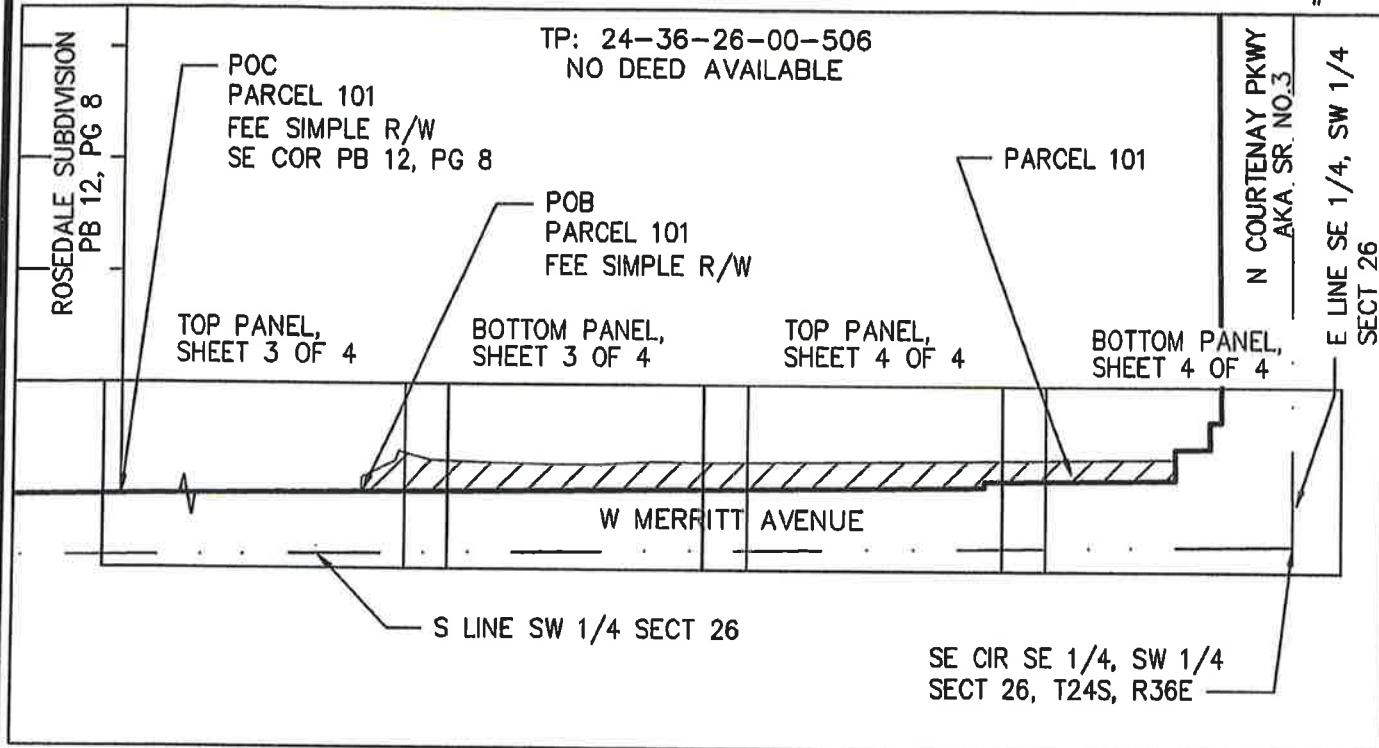
EXHIBIT "A"

SHEET 2 OF 4

NOT VALID WITHOUT SHEET 1, 3 & 4 OF 4

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1



PREPARED BY: BREVARD COUNTY PUBLIC WORKS
SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
VIERA, FLORIDA 32940
PHONE: (321) 633-2080

SCALE:

1" = 120'

PROJECT NO.:

23-04-026

SECTION 26

TOWNSHIP 24 SOUTH
RANGE 36 EAST

SKETCH OF DESCRIPTION PARCEL 101

PARENT PARCEL ID#: 24-36-26-00-506
PURPOSE: FEE SIMPLE RIGHT OF WAY



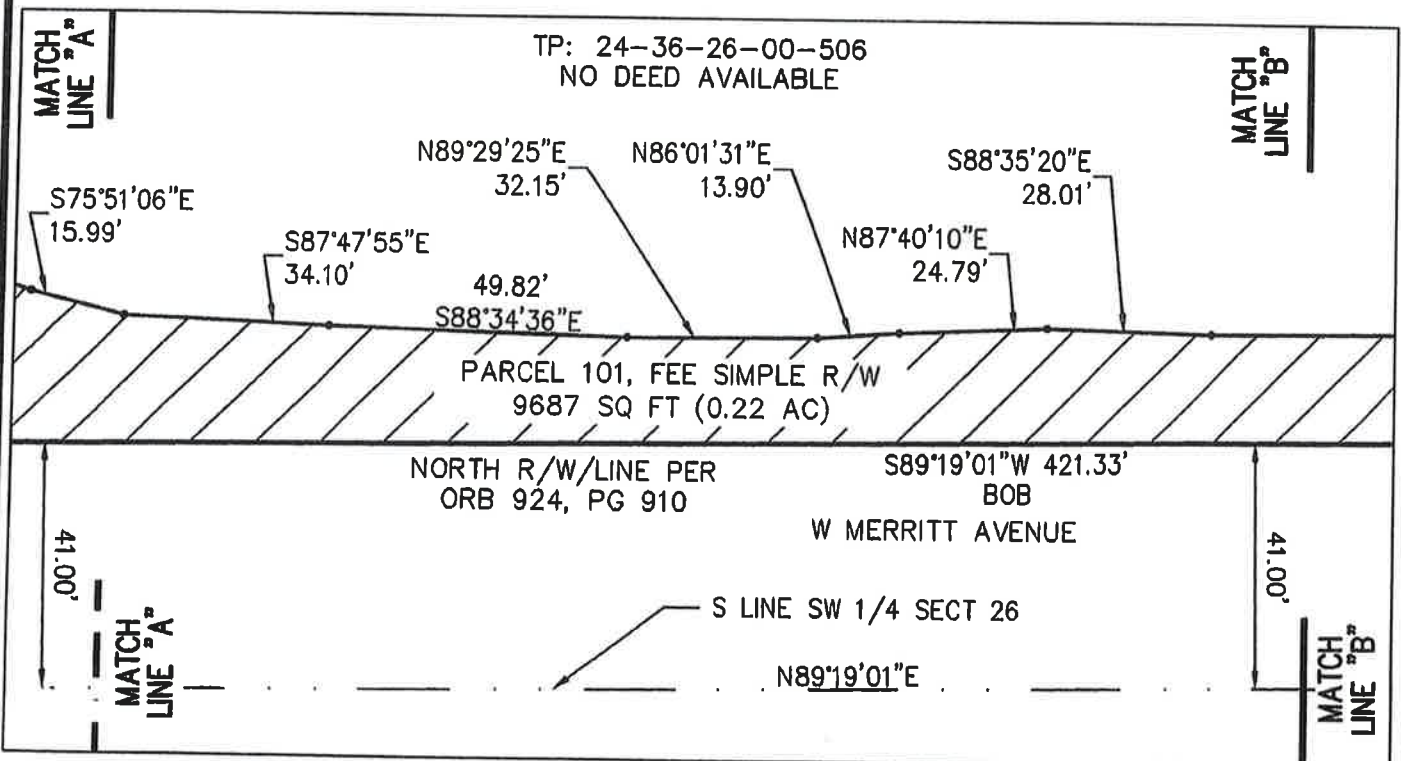
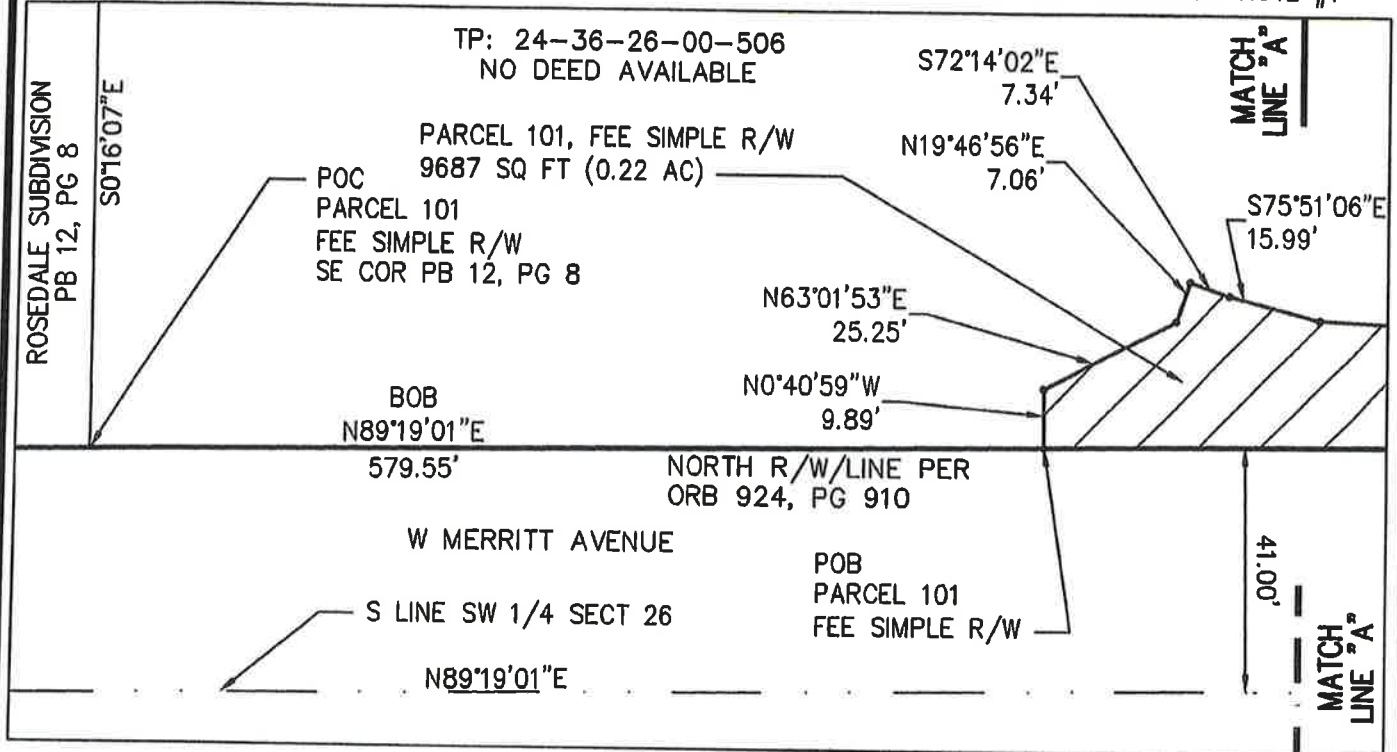
EXHIBIT "A"

SHEET 3 OF 4

NOT VALID WITHOUT SHEET 1, 2 & 4 OF 4

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1



PREPARED BY: BREVARD COUNTY PUBLIC WORKS
SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
VIERA, FLORIDA 32940
PHONE: (321) 633-2080

SCALE:
1" = 30'
PROJECT NO.:
23-04-026

SECTION 26
TOWNSHIP 24 SOUTH
RANGE 36 EAST

SKETCH OF DESCRIPTION

PARCEL 101

PARENT PARCEL ID#: 24-36-26-00-506

PURPOSE: FEE SIMPLE RIGHT OF WAY



EXHIBIT "A"

SHEET 4 OF 4

NOT VALID WITHOUT SHEET 1, 2 & 3 OF 4

THIS IS NOT A SURVEY

SEE SURVEYORS NOTE #1

MATCH
LINE "B"

TP:
24-36-26-00-506
NO DEED AVAILABLE

MATCH
LINE "C"

N89°19'54"E 322.66'

PARCEL 101, FEE SIMPLE R/W
9687 SQ FT (0.22 AC)

4.00'

S0°46'58"E

S89°19'01"W 421.33'
BOB

NORTH R/W/LINE PER
ORB 924, PG 910

131.49'
S89°19'01"W

W MERRITT AVENUE

SW COR
ORB 2952,
PG 808

NORTH R/W/LINE PER
ORB 2952, PG 808

N89°19'01"E

S LINE SW 1/4 SECT 26

41.00'

MATCH
LINE "B"

MATCH
LINE "C"

MATCH
LINE "C"

TP: 24-36-26-00-506
NO DEED AVAILABLE

N00°37'57"W 334.58'
N00°39'03"W 18.03'

WEST R/W/LINE PER
ORB 5452, PG 6003

N89°20'57"E 23.51'

N89°20'57"E 8.00'

N89°19'54"E 322.66'

PARCEL 101, FEE SIMPLE R/W
9687 SQ FT (0.22 AC)

N00°39'03"W 6.96'

131.49'
S89°19'01"W

NORTH R/W/LINE PER
ORB 2952, PG 808

S0°39'03"E 14.03'

W MERRITT AVENUE

N COURTENAY PKWY
AKA STATE ROAD NO. 3,
SECTION 70140-2505

E LINE SE 1/4,
SW 1/4 SECT 26

S0°16'47"E

45.00'

MATCH
LINE "C"

S LINE SW 1/4 SECT 26

N89°19'01"E

SE CIR SE 1/4, SW 1/4
SECT 26, T24S, R36E



PREPARED BY: BREVARD COUNTY PUBLIC WORKS
SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
VIERA, FLORIDA 32940
PHONE: (321) 633-2080

SCALE:

1" = 30'

PROJECT NO.:

23-04-026

SECTION 26

TOWNSHIP 24 SOUTH
RANGE 36 EAST

LOCATION MAP

Section 26, Township 24 South, Range 36 East - District 2

PROPERTY LOCATION: The north side of West Merritt Avenue west of North Courtenay Parkway in Merritt Island.

OWNERS NAME(S): School Board of Brevard County Florida

