



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.5.

4/9/2024

Subject:

Approval, Re: Dedication by Warranty Deed for Tract M of Crossmolina - Phase 1 and Bill of Sale from The Viera Company for the benefit of Lift Station W-45 - District 4

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition / Utility Services Department

Requested Action:

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

Summary Explanation and Background:

The subject property is located in Section 28, Township 26 South, Range 36 East, east of Stadium Parkway and west of Pineda Boulevard, on the south side of Burnham Lane in Viera.

The Viera Company established Crossmolina-Phase 1 by Plat, recorded in Plat Book 74, page 33. The Plat dedicated Tract M to Brevard County for the purpose of a sanitary sewer lift station known as Lift Station W-45. The attached Warranty Deed will convey fee simple ownership of Tract M to the County. The Bill of Sale conveys the related utility infrastructure that shall be County owned and maintained. The final as-built survey will be provided to the Utility Services Department upon completion. Service to the lift station will not be activated until the survey is reviewed and approved by the Department.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37, the Criteria for Water and Sewage Systems within Brevard County 2.6.5 and County Code 110-184.

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

April 10, 2024

M E M O R A N D U M

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

RE: Item F.5., Approval of Dedication by Warranty Deed for Tract M of Crossmolina
– Phase 1 and Bill of Sale from The Viera Company for the Benefit of Lift Station W-45

The Board of County Commissioners, in regular session on April 9, 2024, approved acceptance of Warranty Deed for Tract M of Crossmolina – Phase 1; and approved acceptance of Bill of Sale from The Viera Company for the benefit of Lift Station W-45.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/ds

cc: Utility Services

BOARD OF COUNTY COMMISSIONERS

AGENDA REVIEW SHEET

AGENDA: Dedication by Warranty Deed for Tract M of Crossmolina-Phase 1 and Bill of Sale from The Viera Company for the benefit of Lift Station W-45 – District 4

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>LA</u>	<u> </u>	<u>3-22-24</u>
COUNTY ATTORNEY Greg Hughes Assistant County Attorney	<u>AE</u>	<u> </u>	<u>3/25/24</u>

Prepared by and return to: Lisa J. Kruse
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A-204, Viera, Florida 32940
Tax Parcel ID: 26-36-28-YV-*-M

WARRANTY DEED

THIS DEED is made this 19th day of March, 2024, by The Viera Company, a Florida corporation, hereafter called the Grantor, whose mailing address is 7380 Murrell Road, Suite 201, 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:

Tract M, Crossmolina-Phase 1, according to the Plat thereof, as recorded in Plat Book 74, Page 33, of the Public Records of Brevard County, Florida.

Together with all riparian and littoral rights appertaining thereto.

The Grantors agree that upon conveyance of the property, no covenants or restrictions put in place by Grantor shall apply to the property hereto in perpetuity.

TO HAVE AND TO HOLD THE SAME, together with all and singular the 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.

(Signatures and Notary on next page)

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

Signed, sealed and delivered in the presence of:

Mary Ellen McKibben
Witness
Mary Ellen McKibben
Print Name
Address: 7380 Murrell Rd #201
Viera, FL 32940

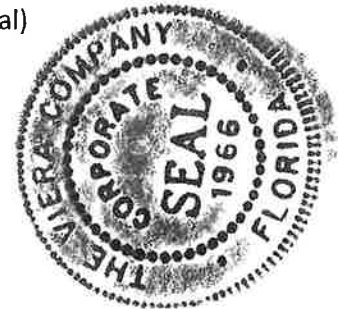
Karen P. Prosser
Witness
KAREN P. PROSSER
Print Name
Address: 7380 MURRELL RD #201
VIERA, FL 32940

GRANTOR:

The Viera Company, a Florida corporation

By: [Signature]
Todd J. Pokrywa, President

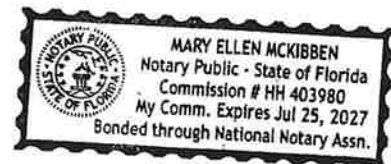
(Corporate Seal)



STATE OF FLORIDA
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 19th day of March, 2024, by Todd J. Pokrywa as President for The Viera Company, a Florida corporation. Is ☒ personally known or ☐ produced _____ as identification.

Mary Ellen McKibben
Notary Signature
SEAL



BILL OF SALE

Lift Station W-45, Crossmolina

The Viera Company, a Florida corporation, (hereinafter "SELLER"), whose mailing address is 7380 Murrell Road, Suite 201, Viera, Florida 32940 for and in consideration of good and valuable consideration to it paid by BREVARD COUNTY FLORIDA, a political subdivision of the State of Florida (hereinafter "BUYER"), the receipt and sufficiency of which consideration is hereby acknowledged, by these presents does grant, bargain, sell, transfer and deliver unto BUYER, its successors and assigns, the goods, chattels and items of personal property owned by SELLER, their successors and assigns, (hereinafter "property") as that property is set forth on EXHIBIT "A" attached hereto and made a part thereof, and being situate on certain real property described on EXHIBIT "B" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto BUYER, its successors and assigns, forever.

AND SELLER, does, for themselves and their successors and assigns, covenant to and with BUYER, its successors and assigns, that SELLER is the lawful owner of said property; that said property is free from all liens and encumbrances; that SELLER has good right to sell the same aforesaid; and that SELLER will warrant and defend the sale of said property hereby made unto BUYER, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, SELLER, by its duly authorized representative, has caused this instrument to be executed and delivered and has intended this instrument to be and become effective as of the 19th day of March, 2024.

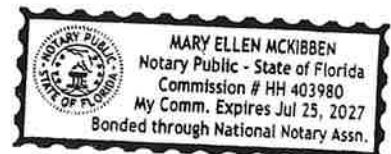
The Viera Company, a Florida corporation

By: [Signature]
Todd J. Pokrywa, President

STATE OF FLORIDA
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 19th day of Mar, 2024, by Todd J. Pokrywa as President for The Viera Company, a Florida corporation. Is ☒ personally known or ☐ produced _____ as identification.

[Signature]
Notary Signature
SEAL



CROSSMOLINA SUBDIVISION (VILLAGE 2, NEIGHBORHOOD 7)
INFRASTRUCTURE IMPROVEMENTS - PHASE 1
ITEMIZED COST OF CONSTRUCTION - LIFT STATION
EXHIBIT "A"

ITEM	UNIT	QUANTITIES	UNIT PRICE	TOTAL PRICE
WET WELL AND ALL ASSOCIATED INTERNAL PIPING AND CONTROL SYSTEMS	LS	1		
SUBMERSIBLE WASTEWATER PUMPS	EA	2		
ABOVE GROUND FORCE MAIN AND VALVE INSTALLATION	LS	1		
CONTROL PANEL AND ASSOCIATED ELECTRICAL WIRING AND CONTROL SYSTEMS	LS	1		
TELEMETRY TOWER	LS	1		
CONCRETE DRIVEWAY	LS	1		
TOTAL				\$ 385,000.00



Exhibit "B"

Real Property

Tract M, Crossmolina-Phase 1, according to the Plat thereof, as recorded in Plat Book 74, Page 33, of the Public Records of Brevard County, Florida.

LOCATION MAP

Section 28, Township 26 South, Range 36 East - District: 4

PROPERTY LOCATION: East of Stadium Parkway and west of Pineda Boulevard,
on the south side of Burnham Lane in Viera.

OWNERS NAME(S): The Viera Company

